THE ELECTRONIC REGULAR MEETING OF THE THIRTY-EIGHTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, JUNE 7, 2021 BY MAYOR TERBRACK

PRESENT: Steve Baker, Berkley, Oakland County, Michigan
Jack Blanchard, Berkley, Oakland County, Michigan
Bridget Dean, Berkley, Oakland County, Michigan
Dennis Hennen, Berkley, Oakland County, Michigan
Natalie Price, Berkley, Oakland County, Michigan
Daniel Terbrack, Berkley, Oakland County, Michigan

ABSENT: Ross Gavin

APPROVAL OF AGENDA
Councilmember Baker moved to approve the Agenda with an amendment to remove agenda item #5
Seconded by Mayor Pro Tem Dean
Ayes: Blanchard, Dean, Hennen, Price, Baker, and Terbrack
Absent: Gavin
Nays: None
Motion Approved.

INVOCATION: Pastor Tal Sullivan

PUBLIC COMMENT – ITEMS ON THE AGENDA

Consent Agenda
Councilmember Baker moved to approve the following Consent Agenda, seconded by Councilmember Blanchard.


WARRANT: Matter of approving Warrant No. 1363.

ORDINANCE NO. O-05-21: Matter of considering the Second Reading and Adoption of an Ordinance of the City Council of the City of Berkley, Michigan to Amend Section 58-34 of Article II, of Chapter 58, Garbage Rubbish and Refuse, to Modify the Diameter and Length of Branches and Limbs, and to Prescribe a Penalty for Violations.


PROCLAMATION NO. P-21-21: Matter of proclaiming the week of June 21-27, 2021 to be Lightning Safety Week.
Ayes: Dean, Hennen, Price, Baker, Blanchard, and Terbrack
Absent: Gavin
Nays: None
Motion Approved.

**Regular Agenda**

Mayor Pro Tem Dean moved to approve Resolution No. R-19-21
Seconded by Councilmember Price
Ayes: Hennen, Price, Baker, Blanchard, Dean, and Terbrack
Absent: Gavin
Nays: None
Motion Approved.

**RESOLUTION NO. R-20-21**: Matter of approving a Resolution of the Council of the City of Berkley, Michigan recognizing Adriane and Eric Bitel for their years of volunteerism and dedication to the Friends of Berkley Parks & Recreation.
Mayor Pro Tem Dean moved to approve Resolution No. R-20-21
Seconded by Councilmember Blanchard
Ayes: Hennen, Price, Baker, Blanchard, Dean, and Terbrack
Absent: Gavin
Nays: None
Motion Approved.

**MOTION NO. M-29-21**: Matter of approving the purchase of official Woodward Dream Cruise merchandise to be sold at various locations during the month of August at a cost not to exceed $28,000. Funds for this expenditure will come from account 614-915-818-000.
Councilmember Blanchard moved to approve Motion No. M-29-21
Seconded by Councilmember Hennen
Ayes: Price, Baker, Blanchard, Dean, Hennen, and Terbrack
Absent: Gavin
Nays: None
Motion Approved.

**RESOLUTION NO. R-21-21**: Matter of considering updates to the Berkley Fee Schedule, effective July 1, 2021.
Councilmember Price moved to approve Resolution No. R-21-21
Seconded by Mayor Pro Tem Dean
Ayes: Baker, Blanchard, Dean, Hennen, Price, and Terbrack
Absent: Gavin
Nays: None
Motion Approved.

**PUBLIC COMMENT – ITEMS NOT ON THE AGENDA**

Charles Tyrrell, Berkley, spoke about his concern about the Downtown Development Authority (DDA) meetings not being recorded and posted. He asked City Council to require the DDA to have its meetings recorded and posted whether they will be meeting virtually or not. He also said he would like for City Council to vote regrading having referendums for the different types of marihuana businesses to be placed on the November 2021 election ballot.
Steve Allen, ZBA board member and Berkley resident, submitted an email regarding proposed Resolution R-22-21. He expressed his concern about City Council considering settling the recent ZBA case regarding the placement of a generator and the potential it may have for future ZBA decisions.

**COMMUNICATIONS**

**COUNCILMEMBER BLANCHARD:** stated that he wanted to talk about an update with the Berkley Chamber of Commerce. He talked about the events that they would be hosting in the city which include the Berkley Street Art Fest on Saturday, August 7th; the Berkley Cruisefest and Woodward Dream Cruise on Friday, August 20th and Saturday, August 21st; and the Berkley Art Bash on Saturday, September 11th. He reminded everyone that school will be out for the summer soon and to be cautious of children playing outside and in the street. Finally, he quoted Spencer Kimball, “Preparedness, when properly pursued is a way of life, not a sudden, spectacular program.”

**COUNCILMEMBER PRICE:** thanked city directors and staff for preparing for a safe reopening to the public. She said the library opened up for “grab and go” visits that day. She said the copy machine, scanner, and fax machine are also now available for residents to use as well. She said computer use at the library will be available starting on June 21st. She stated the youth summer reading program will start this month and you can either visit the library’s website or call for more information. Councilmember Price stated that the Beautification Advisory Committee will be facilitating the Annual Tree Walk this Saturday, June 12th. She said the Environmental Advisory Committee and Tree Board will be assisting with this event too. She explained that during the walk, door hangers with a tree order form is dropped off at homes throughout the City. She said residents can have a free tree planted through Department of Public Works if they would like. Councilmember Price stated that the Citizens Engagement Advisory Committee recently launched a Facebook group to help provide resources for members of the community. The name of the group is the Berkley Community Resources Group. Councilmember Price mentioned she is excited about attending the grand opening of Oxford Park on Friday, June 11th.

**COUNCILMEMBER BAKER:** stated that the Downtown Development Authority (DDA) would be meeting this Wednesday, June 9th at 8:30 a.m. and all the meetings are recorded and posted on the DDA website which is DowntownBerkley.com. He said at the last meeting they were reviewing the Detroit Institute of Arts (DIA) sponsored mural that is planning to be placed on Robina located close to the Old Berkley Movie Theatre hopefully sometime in August. He said that they will resume working on the DDA guidelines very soon as well. He also mentioned to visit the DDA website for upcoming events such as Berkley Street Art Fest on August 7th and Berkley Art Bash on September 11th. He stated that the Historical Committee will resume its museum hours of operations on Wednesday, June 16th. The hours are Wednesdays from 10 a.m. – 1 p.m. and Sundays from 2-4 p.m. He said the museum is closed on major holidays. He stated that the Downtown District now has new signs and that the old signs are being kept at the museum. He said the Historical Museum will be coming out with a quarterly newsletter. He stated that the Technology Advisory Committee will be meeting next on Wednesday, June 16th. He said they are still waiting for news on the Alexa Skill that they put together. He mentioned the cyber tip to make sure that websites you visit are secure. He mentioned a few different things you can look for when you visit a website to make sure that it is secure. He quoted Myra Kassim, “In the absence of information, we often jump to the worst conclusions.” He talked about how easy it is on social media to quickly draw conclusions from the statements and titles we first see. He also talked about ways to help keep ourselves informed when we read and see things online.

**MAYOR PRO TEM DEAN:** expressed her concern about how a Berkley resident said that the City’s Public Safety Department operates a quota system for issuing tickets. She stated that the Public Safety Department does not operate this way and this practice is illegal as well. She continued to say that the budgeting process in the City includes projections for next year’s revenue for the budget. The Public Safety Department’s revenue is also not influenced by ticket numbers. She stated once again that the City of Berkley Public Safety does not set ticket quotas. She said the people that are prosecuted are people that are violating laws and City Ordinances. She mentioned that the Berkley resident who had
talked about ticket quotas at the last meeting will be having a meeting with Public Safety Director Matt Koehn so he can answer questions and make clarifications about how the department operates. She also added that Chief Koehn welcomes any questions or comments that someone may have. Mayor Pro Tem Dean stated that the Parks and Recreation Department is having the grand opening and new name ceremony for Oxford Park on Friday, June 11th at 4 p.m. She said the splash pad and restrooms will also be open starting that day. She said the hours and rules for the splashed pad will posted at the park. She stated the Community Center opened on June 1st. She said Parks and Recreation now has indoor programs available in addition to the outdoor programs. She stated to register so your house can be on the map for the City-Wide Garage Sale, you can call the Parks and Recreation Department at (248) 658-3470. She mentioned the outdoor movie night event is on Tuesday, June 22nd behind the community center.

**COUNCILMEMBER HENNEN:** stated that there was nothing new to report from the Zoning Board of Appeals or Tree Board. He also said neither board has a meeting for the month of June.

**CITY MANAGER BAUMGARTEN:** stated he is anticipating the reopening to the public. He said to keep looking for updates regarding the reopening. City Manager Baumgarten said the Parks and Recreation building is already reopened to the public on June 1st, the library reopened on June 7th, and City Hall would be reopening on Monday, June 14th. He said the virtual services that have been offered will continue. He said he is looking forward to being able to meet with residents in person again.

**ATTORNEY CHRIST:** stated the one item of legislation that their office has been following is House Bill 4722 and Senate Bill 446. He said that these bills have to do with short-term rentals and if passed may impact the City and their ability to oversee property that is considered a short-term rental.

**MAYOR TERBRACK:** stated a resident, and also a proud parent, emailed City Council to inform them that the Berkley High School Girls’ Varsity Softball Team is district champions. He said that the team represented the High School and the City very well both on and off the field. He mentioned that the average GPA for the team was well above average and it is impressive to see student athletes maintaining their grades while playing sports. He thanked teachers for guiding their students through what was a very unique school year and mentioned that the last day of school would be this Thursday, June 10th, the day before the grand opening of Oxford Park on Friday, June 11th. He stated that the next City Council meeting would be the last virtual meeting and that in July the City Council would return to the Council Chambers at City Hall.

**ADJOURNMENT**
Councilmember Hennen moved to adjourn the Regular Meeting at 8:10 p.m.
Seconded by Mayor Pro Tem Dean
Ayes: Dean, Hennen, Price, Baker, Blanchard, and Terbrack
Absent: Gavin
Nays: None
Motion Approved.