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, FEBRUARY 1, 2021 BY MAYOR TERBRACK

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

APPROVAL OF AGENDA
Councilmember Baker moved to approve the Agenda
Seconded by Councilmember Blanchard
Ayes: Blanchard, Dean, Gavin, Hennen, Price, Baker, and Terbrack
Nays: None
Motion Approved.

INVOCATION: Deacon Daniel Darga

PUBLIC COMMENT – ITEMS ON THE AGENDA
Christopher Copacia, Berkley resident, provided his full support of proclaiming February as Black History Month in the City of Berkley and encouraged a focus on local Black History. He expressed support for approving M-03-21 and said the third-party specialized services operating assistance contract improves access for all residents and is a great step forward. He said there is a vast need for improvement of access for all of our residents. He expressed his full support of the Community Development Block Grant Program (R-04-21) and said the City needs to continue to seek out every opportunity to minimize displacement and welcome new residents from variant income levels and stages of life. He also provided full support for O-3-21 stating he does not feel the City should go into battle with the ACLU and that he supports residents' abilities to express themselves with signage relating to elections. He stated the root of division is not because of signage and limiting usage of election signage will result in other usages of imagery.

Consent Agenda
Councilmember Gavin moved to approve the following Consent Agenda, seconded by Councilmember Price:

APPROVAL OF THE MINUTES: Matter of approving the minutes of the 38th Regular City Council Meeting on Monday, January 4, 2021.

WARRANT: Matter of approving Warrant No. 1358.

RESOLUTION NO. R-02-21: Matter of recognizing and celebrating Ernest Scalzi Sr. on the occasion of his 100th birthday.

RESOLUTION NO. R-03-21: Matter of recognizing Deb DeRosa for her contributions to the community during the COVID-19 Pandemic.
PROCLAMATION NO. P-01-21: Matter of approving a proclamation declaring February 2021 as “Black History Month” in the City of Berkley.

Ayes: Dean, Gavin, Hennen, Price, Baker, Blanchard, and Terbrack
Nays: None
Motion Approved.

Regular Agenda

PRESENTATION: Matter of receiving a presentation by Dr. Nat Pernick regarding the 2020 Voting Challenge.

City Manager Baumgarten introduced Dr. Pernick and stated this is the second year the doctor has held a region-wide voting challenge. He said thankfully Berkley was on the receiving end of some of the prizes Dr. Pernick offered.

Dr. Pernick congratulated the City of Berkley for its placement in the 2020 Voting Challenge. He stated this is the second time for the contest and he will hold it again in two years. He stated Berkley saw a big jump in participation during the November 2020 election from four years ago according to Oakland County records. Dr. Pernick stated the City came in third place and the City was very close to Pleasant Ridge, the community coming in second place in the challenge. Dr. Pernick said there was also a $500 prize for having election turnout at 80 percent. The prize money donated by Dr. Pernick went to the Friends of the Library and Friends of Berkley Parks & Recreation.

Mayor Terbrack said he is incredibly proud of the turnout in our community and lauded residents for being engaged and making sure their voices are heard. He offered thanks to Dr. Pernick.

MOTION NO. M-03-21: Motion to authorize the Mayor to execute a third-party Specialized Services Operating Assistance contract between SMART and the City of Berkley for public transportation services primarily designed for senior citizens and persons with disabilities. The contract period for this program is from October 1, 2020 to September 30, 2021.

Mayor Pro Tem Dean moved to approve Motion No. M-03-21
Seconded by Councilmember Blanchard
Ayes: Gavin, Hennen, Price, Baker, Blanchard, Dean, and Terbrack
Nays: None
Motion Approved.

PUBLIC HEARING: Matter of holding a Public Hearing regarding the Community Development Block Grant Program Year 2021 application in the approximate amount of $36,290 to fund eligible projects.

The public hearing opened at 7:18 p.m.

There was no one present wishing to speak.

The public hearing closed at 7:19 p.m.

RESOLUTION NO. R-04-21: Matter of Adopting the Community Development Block Grant Program Application for the 2021-2022 Fiscal Year.

Councilmember Blanchard moved to approve Resolution No. R-04-21
Seconded by Councilmember Hennen
Ayes: Hennen, Price, Baker, Blanchard, Dean, Gavin, and Terbrack
Nays: None
Motion Approved.
ORDINANCE NO. O-01-21: Matter of considering a First Reading of an Ordinance to amend Section 138-192 Projections, in order to provide clarity on permitted projections into setback area on residential properties.
Councilmember Gavin moved to approve Ordinance No. O-01-21
Seconded by Councilmember Hennen
Ayes: Price, Baker, Blanchard, Dean, Gavin, Hennen, and Terbrack
Nays: None
Motion Approved.

ORDINANCE NO. O-02-21: Matter of considering a First Reading of an Ordinance to Add Division 1.5 Exterior Appliances to Chapter 138 Zoning, Article III General Provisions to provide regulations on exterior appliances on residential and commercial properties.
Councilmember Baker moved to approve Ordinance No. O-02-21
Seconded by Councilmember Price
Ayes: Baker, Blanchard, Dean, Gavin, Hennen, Price, and Terbrack
Nays: None
Motion Approved.

ORDINANCE NO. O-03-21: Matter of considering a First Reading of an Ordinance to Amend Section 94-10 of Chapter 94, Signs, to Eliminate Number of Days to Remove Political Signs Following an Election, and to Prescribe a Penalty for Violations.
Councilmember Blanchard moved to approve Ordinance No. O-03-21
Seconded by Councilmember Price
Ayes: Blanchard, Dean, Gavin, Hennen, Price, Baker, and Terbrack
Nays: None
Motion Approved.

PUBLIC COMMENT – ITEMS NOT ON THE AGENDA

State Rep. Regina Weiss, 27th District, introduced herself. She said she has some big shoes to fill since Robert Wittenberg was elected as Oakland County treasurer and she has been working hard learning the ropes. She stated she has a background in local government and served on the Oak Park City Council. She stated she also has a background in education and was a teacher with Detroit Public Schools. Representative Weiss said she will advocate for municipal funding and will serve on the Appropriations Committee and as the Minority Vice-Chair of School Aid. She said she will also serve on the Licensing and Regulatory Affairs/Financial Services and Insurance and Environment, Great Lakes and Energy subcommittees within Appropriations. She stated right now there is a lot of back and forth going on around appropriations in terms of supplemental budget introductions. She stated there is some federal money coming in and we need to appropriate that money to make sure it gets out for COVID relief. She stated there are some bills being introduced to allocate those funds including $90 million to increase vaccination distribution. She discussed the need to have teachers and school-support staff vaccinated. She further discussed relief that she is advocating for including food, rent and small business assistance. Representative Weiss stated she will have her first virtual community conversation with Sen. Jeremy Moss at 5 p.m. on Wednesday, February 24th on Facebook Live. People can access it on either of their Facebook pages. She stated she may be contacted via email at reginaweiss@house.mi.gov or by phone at 517-802-7855. She closed by letting residents know if they have issues with unemployment, contact her office.

Christopher Copacia, Berkley resident, thanked Dr. Pernick for his continued work and the City’s efforts to improve voter turnout in Berkley. He discussed Rank Choice Voting. He said it is utilized in communities across the Country including neighboring communities. He stated he would love to see City Council increase public awareness on the topic and have conversations about Rank Choice Voting. He stated the topic is being brought to Michigan by a non-partisan, non-profit organization called Rank MI Vote. He stated people may learn more about it by visiting RankMIVote.org. He said it is a good topic at this time because it is important for communities to feel their voices are heard. He stated Rank Choice Voting allows people to rank candidates often lessening fear of the repercussions of their vote and providing more say with this
methodology. He encourages people to consult with their colleagues in Ferndale. He said third-party candidates support Rank Choice Voting. He discussed public education on the issue and getting ahead of the issue by seeing what residents think.

COMMUNICATIONS

MAYOR PRO TEM DEAN: stated the Berkley/Royal Oak High Risk Response Team had an article written about it in the “Woodward Talk” on January 27th. She said the article gives a good overview of the Team and the things that members are currently working on. She said the article is still available online if anyone wants to check it out. She said the Team continues to meet monthly, usually on the last Wednesday of every month. She said they are currently focusing on case review. Mayor Pro Tem Dean said the Parks and Recreation Department is putting something special together for Valentine’s Day. She said residents have the opportunity to uplift Berkley seniors by showing them some love by making Valentine’s Day cards. She provided a graphic with the guidelines and further details. She said she hopes for a good response. She stated the Parks and Recreation Department joined with Oakland County to bring Winter Wonderland in Community Park. She said the event will take place 4-6 p.m. February 18th. She said the activities will include an inflatable axe-throwing station, two craft stations, a nature center station, and snowshoeing. She said participants are asked to register to adequately distance. She said staff and participants will be asked to wear masks and start times will be staggered. Mayor Pro Tem Dean said the Department is working hard to build an ice rink behind the Community Center for skating. She said this is made possible through the generosity of the Friends of Berkley Parks & Recreation and there will be an announcement when it is ready.

COUNCILMEMBER HENNEN: stated the Zoning Board of Appeals (ZBA) did not meet in January, but will meet a week from tonight at 7 p.m. on February 8th. He said the Board will hear a variance request for a generator in a side yard. He stated he is glad to see our system working as they have had similar cases in recent years and when you have the same thing showing up over and over at the ZBA, there is probably some ambiguity in your code that probably should be resolved. He said that is exactly the steps the Planning Commission and the Council took tonight. Councilmember Hennen said the Tree Board met with the Parks and Recreation Department director to start working on a strategy for placing trees in the updated Oxford/Merchants Park. He said this year the Board should see an increase in the budget for funding street trees. He said there seems to be more demand for that program. Councilmember Hennen thanked Mayor Pro Tem Dean, Chief Koehn, and HAVEN for their involvement in the set-up of the Berkley/Royal Oak High Risk Response Team. He said it looks like an excellent program and he is glad to have it in Berkley.

COUNCILMEMBER GAVIN: stated much of what the Planning Commission discussed at its last meeting was taken up by the City Council tonight. He thanked Community Development Director Erin Schlutow and all of the planning commissioners for their work on it. He said there is a work session at 7 p.m. on February 2nd and the regular Planning Commission meeting at 7 p.m. on February 23rd. Councilmember Gavin said the Environmental Advisory Committee (EAC) will not have a meeting this month. He said at the last meeting there was a discussion about the energy plan implementation, as well as the Equal Work seminar and community gardens. He said the next EAC meeting will take place at 6:30 p.m. on March 18th. Councilmember Gavin stated the Master Plan Steering Committee (MPSC) met and discussed how to further engage residents in a community, open house setting and continued the discussion about different sections of the Master Plan. He said the next MPSC meeting will take place at 7 p.m. on March 16th. Councilmember Gavin said he recently had the opportunity to take some continuing education courses from Michigan State University Extension on stormwater management, Michigan water law, community involvement and stewardship, water economics, and planning quality. He said he hopes to bring back some beneficial information for Berkley. Councilmember Gavin said lastly, the first committee meeting for the Michigan Municipal League’s Environment and Energy Committee will be on March 1st. Councilmember Gavin also offered congratulations to Mayor Pro Tem Dean and the entire Berkley/Royal Oak High Risk Response Team for such a great addition to the community and all the work that was put in by the members.
COUNCILMEMBER BAKER: offered celebratory remarks to Mayor Pro Tem Dean for the great work put together along with some excellent colleagues to help benefit our community. He said tremendous out-of-the-box thinking was demonstrated to help the City live up to its motto. Councilmember Baker said the Historical Committee is continuing to do what it can behind the scenes archiving and digitizing photos and articles. He stated there is no meeting in January or February, and the next meeting is coming up in March. He said anyone interested in sharing family stories or old photos or volunteering to help may contact the Committee at museum@berkleymich.org. Councilmember Baker said the Technology Advisory Committee will meet at 6:30 p.m. on February 17th. He gave a shout out to Chief Innovation Officer Stan Lisica and the Finance Department for rolling out a new ability available very soon to look up water and sewer accounts and pay water bills online. He said it’s called a Point and Pay solution and it’s coming soon. He said the cyber tip of the month from the Committee is to visit fast.com for a fast, easy, and free way to check your connection without installing an application. He said the website is hosted by Netflix and tells you your connection speed. Councilmember Baker said the Downtown Development Authority (DDA) will meet 8:30 a.m. Wednesday, February 10th. He discussed upcoming DDA events including two nights of shopping on April 1st and April 2nd with prizes, awards and a digital map that says which shops are participating in the Take Me Out to Berkley happening. He stated the March into Downtown Berkley campaign is for every $40 that you spend at select downtown businesses, you’ll get $20 in downtown Berkley bucks. He said that event will be happening from March 15th–April 2nd. He stated to visit downtownberkley.com to find out more information about both programs. Councilmember Baker offered congratulations to Downtown Development Executive Director Jennifer Finney as she begins her maternity leave today. Councilmember Baker offered a quote he found on Pinterest, “Wearing a facemask is better than wearing a ventilator mask; staying in your home is better than staying in the ICU; and washing your hands is better than washing your life away.” He said he is thrilled the vaccine is making its way through the community, but now is not the time to let your guard down.

COUNCILMEMBER PRICE: stated that in addition to the kickoff of Black History Month, today also marks the return to in-person learning for most Berkley elementary students and the return to in-person dining at Michigan restaurants. She reiterated Councilmember Baker’s sentiments that although the increased distribution of vaccines helps protect individuals and slow the spread of Covid, we must continue to follow all protocols so we can keep ourselves safe, keep others safe, and keep the kids safely in school. Councilmember Price said as of January 13th, Berkley Public Library card holders can use their card number and PIN to access Ancestry’s library edition from home. She said the databases include census records, vital records, immigration records, and more. She said the library is also hosting a Zoom workshop on how Ancestry can help you learn more about your family’s history at 7 p.m. on Thursday, February 11th. She stated on Tuesday, February 23rd the library Zoom account will host author Robert W. Fieseler who will read his book, “Tinderbox: The Untold Story of the Upstairs Lounge Fire and the Rise of Gay Liberation.” She said those interested may register for these and other upcoming events on the library’s website or by calling during the library’s regular hours. Councilmember Price thanked Mayor Pro Tem Dean, Chief Koehn, and all the others who helped form a high-risk response team to protect and help victims of domestic violence in our community.

COUNCILMEMBER BLANCHARD: reiterated some of the items the Berkley Area Chamber of Commerce announced in its email blast including that the Off to the Races event is coming up this weekend. He said they, along with the Huntington Woods City Commission, are sponsoring a race and it will be fun. He said the event takes place virtually at 7 p.m. on February 6th. He said the event is sponsored by the Berkley Education Foundation and all of the money raised goes to our students and stays in the community. He said the Chamber is also hosting a seminar on understanding your social security benefits on Wednesday, February 10th presented by Eagle Rock Insurance. He stated to contact Eagle Rock Insurance on 11 Mile Road to register. Councilmember Blanchard congratulated Mayor Pro Tem Dean on a job well done with the high-risk committee. He said she had been talking about this for a long time and did a great job.
CITY MANAGER BAUMGARTEN: stated that many of the wonderful things that were mentioned tonight by city councilmembers may be found in the newsletter that comes out on the first of every month thanks to the hard work of Community Engagement Officer Torri Mathes. He said in the newsletter you can find Point and Pay, library, and recreation information. He said there is also a wonderful piece on Justin Frost who retired from Berkley Public Safety as a sergeant and will be going to work with the Oakland County Sheriff’s Department. He said we could have filled pages upon pages of Justin Frost stories and the department was able to come together for a nice going-away party. City Manager Baumgarten said in addition to all of the congratulations offered to Mayor Pro Tem Dean, he wanted to thank her for her hard, diligent work and enthusiasm that will help the community. City Manager Baumgarten also thanked Berkley Schools for making our families feel completely safe on their return.

ATTORNEY STARAN: stated he would not even try to top all of the outstanding news reported that evening and that he had no report.

MAYOR TERBRACK: thanked Mayor Pro Tem for everything she did and her role in spearheading and making sure that we have a high-risk response team in Berkley. He stated this connects to his next point which is if you read the newspaper article you read that Mayor Pro Tem Dean heard of the response team at a Michigan Municipal League (MML) convention in 2019. Mayor Terbrack said he has spoken the past few meetings about how involved and well regarded our elected officials are and that certainty continues now. Mayor Terbrack said Councilmember Baker led a breakout session, as well as being on the panel, on Jan. 23rd for the Newly Elected Officials workshop presented by the MML. He said Councilmember Baker also earned his MML Level Three: Governance Award. He stated this is a theme over the last few council meetings, and one we will continue to see in the future, that our councilmembers are not only engaged, but they’re sought after to be integral components of training for newly elected officials across the state. He said as we have seen from Mayor Pro Tem Dean, it’s not only being there, but it is also taking what you learn and bringing it back to your community. He said he is continually appreciative of the work our councilmembers continue to do across the state. Mayor Terbrack said this is not the ideal way we would normally honor folks, but the Consent Agenda was packed today with great news. He wished Ernie Scalzi a very happy 100th birthday and thanked Deb DeRosa for her unwavering commitment to the community during the COVID-19 pandemic, making thousands of free masks for the community. He said she is a true beacon of light in the community. Mayor Terbrack stated also on the Consent Agenda was the proclamation declaring February as Black History Month in Berkley. He said as we continue to work toward becoming a truly inclusive community in which all citizens – past, present, and future – are respected and recognized, we call upon our community to celebrate those many achievements and contributions made by African-Americans to our economic, cultural, spiritual, and political development. He said we also call upon our community to celebrate our diverse heritage and remember that heritage has not always been candy canes and rainbows, but the learning and understanding and our continued efforts to create a world that is more just, peaceful, and prosperous for everybody. Mayor Terbrack said the American Legion Post 374 will be providing the fish fry dinners that we have come to love every Friday during Lent. He said the dinners will be available from 5 to 8 p.m. beginning February 19th through Good Friday on April 2nd. He said the dinners will primarily be for takeout, but there will also be a small dining area set up to be socially distant. Mayor Terbrack gave a shout out to our Public Safety Department for its continued support of the Michigan Special Olympics today by being bold and getting cold and by doing a virtual polar plunge. He stated the event was live-streamed and as of this evening they raised $2,669 and are currently 15th in the state, but number one in Oakland County. He said they would appreciate any donations possible to help the Special Olympics reach its goal of $500,000. He said the video is on the City’s Facebook page.

ADJOURNMENT
Councilmember Baker moved to adjourn the Regular Meeting at 8:37 p.m. Seconded by Councilmember Blanchard Ayes: Gavin, Hennen, Price, Baker, Blanchard, Dean, and Terbrack Nays: None Motion Approved.