THE REGULAR MEETING OF THE THIRTY-EIGHTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, AUGUST 9, 2021 BY MAYOR TERBRACK

PRESENT: Steve Baker  Jack Blanchard  
Bridget Dean  Ross Gavin  
Dennis Hennen  Natalie Price  
Daniel Terbrack

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: Pastor Zack Dunlap

PUBLIC COMMENT
A resident of Berkley stated his support for Resolution No. R-27-21 to extend R-20-20 for temporary outdoor dining/seating and outdoor sales and service areas and to allow temporary enclosures in the outdoor areas in response to COVID-19 closures and restrictions.

Steve Allen, Berkley, stated his concerns about the City Council settlement agreement regarding overturning the Zoning Boards of Appeals denial of an applicant. He also stated his concerns regarding the City Council communication to the Zoning Board of Appeals regarding why and how they came to its decision.

Chef Tim, restaurant owner in Berkley, commented his support for Resolution No. R-27-21 to extend R-20-20 for temporary outdoor dining/seating and outdoor sales and service areas and to allow temporary enclosures in the outdoor areas in response to COVID-19 closures and restrictions.

Cinda Coon, Berkley, commented that Olympic silver medalist and Berkley native Kate Nye would be one of the grand marshals for the Berkley Cruise Fest Parade as well as first responders and public safety officers in the City.

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


WARRANT: Matter of approving Warrant No. 1365.

MOTION NO. M-44-21: Matter of approving to cast Berkley’s official vote for the following to serve as a Trustee on the Board of Trustees for the MML Workers’ Compensation Fund, directing the City Clerk to send in the marked ballot. (Vote for three incumbent Trustees and two first-time Trustees – for a four-year term beginning October 1, 2021).
Ayes: Dean, Gavin, Hennen, Price, Baker, Blanchard, and Terbrack
Nays: None
Motion Approved.

Regular Agenda

MOTION NO. M-45-21: Matter of authorizing the Berkley Orchestra Association 2325 Catalpa Drive, Berkley, Michigan, to conduct “Berkley Tag Days 2021” in the City of Berkley on Friday, October 8th from 4PM – 9PM, Saturday October 9th from 9:00 AM – 5:00 PM, and Sunday, October 10th from 9:00 AM to 5:00 PM. Councilmember Hennen moved to approve Motion No. M-45-21
Seconded by Councilmember Blanchard
Ayes: Gavin, Hennen, Price, Baker, Blanchard, Dean, and Terbrack
Nays: None
Motion Approved.

MOTION NO. M-46-21: Matter of authorizing the Mayor to execute a contract between SMART and the City of Berkley for Fiscal Year 2022 for Municipal Credit and Community Credit funds in order to provide public transportation services for the period of July 1, 2021 to June 30, 2022. Councilmember Baker moved to approve Motion No. M-46-21
Seconded by Mayor Pro Tem Dean
Ayes: Hennen, Price, Baker, Blanchard, Dean, Gavin, and Terbrack
Nays: None
Motion Approved.

MOTION NO. M-47-21: Matter of authorizing Hubbell, Roth & Clark (HRC) for professional design and engineering services related to the Kenmore/Cornwall Road Reconstruction and Water Main Replacement Project at a cost not to exceed $149,303.70. Funding has been allocated in the Road Millage and Water Service accounts (313-938-821-000 & 592-536-821-000). Councilmember Blanchard moved to approve Motion No. M-47-21
Seconded by Councilmember Baker
Ayes: Price, Baker, Blanchard, Dean, Gavin, Hennen, and Terbrack
Nays: None
Motion Approved.

MOTION NO. M-48-21: Matter of approving the appointments to the Zoning Board of Appeals. Councilmember Hennen moved to approve Motion No. M-48-21
Seconded by Councilmember Blanchard
Ayes: Baker, Blanchard, Dean, Gavin, Hennen, Price, and Terbrack
Nays: None
Motion Approved.

RESOLUTION NO. R-27-21: Matter of extending R-20-20 for temporary outdoor dining/seating and outdoor sales and service areas and to allow temporary enclosures in the outdoor areas in response to COVID-19 closures and restrictions. Mayor Pro Tem Dean moved to approve Resolution No. R-27-21
Seconded by Councilmember Blanchard
Ayes: Blanchard, Dean, Gavin, Hennen, Price, Baker, and Terbrack
Nays: None
Motion Approved.

Councilmember Baker moved to approve Resolution No. R-28-21
Seconded by Mayor Pro Tem Dean
Ayes: Dean, Gavin, Hennen, Price, Baker, Blanchard and Terbrack
Nays: None
Motion Approved.

MOTION NO. M-49-21: Matter of authorizing the City Manager to sign the Application for Additional Service Credit Purchase for Gina Harold approving two years of additional service credit. This service credit purchase is allowed by the City of Berkley MERIT System of Human Resource Management Section 1001.08 and meets all of the requirements of the MERS Plan Document.
Councilmember Price moved to approve Motion No. M-49-21
Seconded by Councilmember Gavin
Ayes: Gavin, Hennen, Price, Baker, Blanchard, Dean and Terbrack
Nays: None
Motion Approved.

COMMUNICATIONS

COUNCILMEMBER GAVIN: stated when the Planning Commission met the main topics of discussion were proposed ordinances and elections for chair, vice-chair, and various liaison appointments. The next meeting will be Tuesday, August 24th at 7:00 pm. He stated that the Environmental Advisory Committee (EAC) would not be meeting for the month of August. He said however, he wanted to remind everyone about the bike corral for the Berkley Art Bash on September 11th and the need for volunteers to oversee it. He said anyone that is interested in volunteering can contact him at rgavin@berkleymich.net. He mentioned the next meeting for the EAC would be Thursday, September 16th at 6:30 pm.

COUNCILMEMBER HENNEN: welcomed the new Zoning Board of Appeals (ZBA) members that were appointed during tonight’s meeting. He stated the next meeting would be on Tuesday, August 10th at 7:00 pm. The ZBA will have a continuation of a case regarding a home addition during that meeting. He stated the Tree Board hasn’t met since the last meeting but the next meeting is Monday, September 13th. He said the City has been awarded a $4,000 matching grant from the Michigan Department of Natural Resources. He said the grant would allow for 25 additional trees to be planted this year in addition to the roughly 200 trees that were already scheduled. He thanked the members of the Berkley Gardeners who put together the Inaugural Garden Walk this past Saturday. He said it was a great event, he learned a great deal, and he discovered beautiful gardens throughout Berkley.

MAYOR PRO TEM DEAN: stated the Summer Fest for the Parks and Recreation Department continues with the Outdoor Movie in the Park event that will be held on Tuesday, August 10th at 7:00 pm at Oxford Park. She stated Cruise Fest and Woodward Dream Cruise would be taking place on Friday, August 20th and Saturday, August 21st. She said the Berkley Cruise Fest Parade will begin at 6:30 pm on August 20th. She said the parade will take place between Woodward Avenue and Greenfield Road along 12 Mile Road. After the parade there will be various forms of entertainment and food offered along 12 Mile Road. She said the Parks and Recreation Department will also offer an outdoor movie in front of the Neighbor’s Shoppe. The movie will take place somewhere between 7:30–8:00 pm. She said they will be showing the movie, “Grease.” She mentioned the Parks and Recreation Department will host and ice cream social at Community Park on Tuesday, August 25th at 5:30 pm and no pre-registration is required.

COUNCILMEMBER BAKER: stated that the Downtown Development Authority (DDA) Board will meet next on Wednesday, August 11th. He congratulated everyone that came out and helped with the Berkley Street Art Fest this past Saturday, August 7th. He mentioned to visit downtownBerkley.org to receive more information about the City and to find upcoming events. He stated the Historical Committee meets tomorrow August 10th and members want to thank all residents that have come to visit the museum since it reopened. He said the museum is hoping to take credit card transactions at some point in the future. He
stated the Technology Advisory Committee meets next Wednesday, August 18th and he mentioned that
even though the City’s website is considered unsecure, any financial transactions that take place are
done through a third-party website that is secure. He quoted David Cottrell, “Doing the right thing isn’t
always easy, in fact it is always real hard. But just remember that doing that the right thing is the right
thing.” He thanked everyone that has done the right thing by getting the COVID-19 vaccine and Berkley is
one of the leading cities in the state that has a high rate of vaccinated individuals.

COUNCILMEMBER PRICE: thanked the Berkley Chamber of Commerce and all the volunteers that
participated in the Berkley Street Art Fest this past Saturday. She stated that with COVID-19 cases on the
rise and kids soon heading back to school, she encourages individuals that have yet to be vaccinated to
do so to help with protecting not only yourself, but your family and the whole community too.

COUNCILMEMBER BLANCHARD: stated that the Daily Tribune newspaper had a “Best of the Best”
award where there were a number of Berkley businesses that were selected that included:
Best Coney Island: Berkley A&W
Best Family Restaurant: #1 Alex’s of Berkley
Best Ice Cream: #2 Clark’s Ice Cream
Best Lunch Place: #3 The Lunch Café
Best Middle Eastern/Lebanese Restaurant: #1 Mr. Kabob’s
Best Collision Shop: #2 Berkley Collision
Best Dentist: Dr. Sara Ruddy
Best Dry Cleaners: #2 Janet Davis Dry Cleaners
Best Eye Doctor: Berkley Eyewear and Local Sunglasses Company
Best Tattoo Parlor: #3 American Pride Tattoo
Best Veterinary Clinic: #3 Berkley Animal Clinic
Best Bike Store: #3 D&D Bike Store
Best Bridal Store: #1 The Wedding Shoppe and #2 Jenna in White
Best Candy Store: Sydney Bogg’s Sweet Essentials
Best Gift and Boutique: #2 Catching Fireflies and #3 Yellow Door Art Market
Best Jeweler: #3 Matt Gross Jeweler Studio
Best Resale Shop: #3 Some Girl Boutique
Best Unique Store: #3 The Twisted Shamrock

He also stated that this past Saturday was the grand opening of a new arts and crafts store, Pinspiration.
He thanked the Berkley Chamber of Commerce for its efforts with the Berkley Street Art Fest as well as
the Berkley American Legion for honoring Brian Gothard as Berkley Police Officer of the Year. He quoted
Leo Bosner, “Successful emergency management relies on experience and expertise.”

CITY MANAGER BAUMGARTEN: reminded everyone that the City’s newsletter comes out every month.
He highlighted a couple of items in the most recent newsletter including that absent voter applications for
residents on the permanent absent voter list would be mailed out this week. He said this is for the
November 2, 2021 election. He highlighted that the Community Development Department has boxes at
City buildings looking for feedback on the draft Master Plan. He requested to have the feedback returned
by September 23rd. He said that the final page of the newsletter has a list of all the boards and
commissions meetings for the month of August.

ATTORNEY STARAN: stated he had nothing to report for this evening.

MAYOR TERBRACK: congratulated Brian Gothard as Public Safety Officer of the Year and also thanked
the Berkley American Legion for putting that event together. He congratulated the Berkley Chamber of
Commerce for putting on a successful Berkley Art Fest as well as the ribbon cutting ceremony at the new
local business, Pinspiration. He stated Vibe Credit Union had a ribbon cutting ceremony on July 21st for
its newly renovated branch and will also have an event for the credit union members on Wednesday,
August 11th. He stated other city events coming up are the Berkley Cruise Fest, Berkley Art Bash, and
the Public Safety Golf Outing. He stated the latest recommendations from the Center for Disease Control
(CDC) are to wear masks indoors where large gatherings are taking place as well as in schools.
regardless of vaccination status. He mentioned that the Berkley School Board had made the decision to have everyone in school buildings wear masks regardless of vaccination status. He said he fully supports this decision. He hopes for a more normal school year for the students as well as the faculty and recognized all the obstacles and challenges that were endured during the last school year.

ADJOURNMENT
Councilmember Baker moved to adjourn the Regular Meeting at 9:18 p.m.
Seconded by Councilmember Hennen
Ayes: Price, Baker, Blanchard, Dean, Gavin, Hennen and Terbrack
Nays: None
Motion Approved.