

**BIRMINGHAM CITY COMMISSION AGENDA**  
**JANUARY 22, 2024**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Elaine McLain, Mayor

**II. ROLL CALL**

Alexandria Bingham, City Clerk

**III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS, INTRODUCTION OF GUESTS AND ANNOUNCEMENTS.**

**APPOINTMENTS**

A. Public Arts Board

1. Barbara Heller
2. Shabnam Hosseini

To appoint \_\_\_\_\_ to the Public Arts Board, as a regular member, for a three-year term to expire January 28, 2027.

To appoint \_\_\_\_\_ to the Public Arts Board, as a regular member, for a three-year term to expire January 28, 2027.

To appoint \_\_\_\_\_ to the Public Arts Board, as an alternate member, for the remainder of a three-year term to expire January 28, 2022.

B. Martha Baldwin Park Board

1. Nicole Cillette

To appoint \_\_\_\_\_, as a regular member to the Martha Baldwin Park Board to serve a four-year term to expire May 1, 2024.

To appoint \_\_\_\_\_, as a regular member to the Martha Baldwin Park Board to serve a four-year term to expire May 1, 2027.

C. Board of Zoning Appeals

1. Jason Canvasser
2. Carl Kona

To appoint \_\_\_\_\_, as a regular member of the Board of Zoning Appeals to serve the remainder of a three-year term to expire October 10, 2026.

To appoint \_\_\_\_\_, as an alternate member of the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 18, 2026.

**IV. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA**

**V. CONSENT AGENDA**

All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.

- A. Resolution to approve the City Commission regular meeting minutes of January 8, 2024.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated January 11, 2024 in the amount of \$7,342,564.60.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated January 18, 2024 in the amount of \$1,460,660.63.
- D. Resolution to approve a Special Event permit as requested by Common Ground to hold the Birmingham Street Art Fair on September 28 and 29, 2024 contingent upon compliance with all permit and insurance requirements and payment of all fees and further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.
- E. Resolution to approve a special event permit as requested by the HDSA Michigan Chapter to hold Yoga in the Park on 06/15/24 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.
- F. Resolution to hold a 2023 review of establishments who have liquor licenses for consumption on premises and to consider same establishments for 2024 renewal at the regular City Commission meeting on Monday, February 12, 2024 at 7:30 p.m.
- G. Resolution to delegate to the Birmingham City Clerk and her authorized assistants, those being the members of her staff, the following duties of the Election Commission for the February 27, 2024, August 6, 2024 and November 5, 2024 elections:
  - Preparing meeting materials for the Election Commission (ballots proof for approval, list of election inspectors for appointment, etc.)
  - Preparing, printing and delivering ballots
  - Providing candidates and the Secretary of State with proof copies of ballots
  - Providing notice to voters in the case of precinct changes/consolidations
  - Providing election supplies and ballot containers
  - Preliminary logic and accuracy testing

- Notifying major political parties of certified precinct Inspector appointments (federal and state elections only)

- H. Resolution designating Finance Director Mark Gerber, Assistant Finance Director Kim Wickenheiser, DPS Director Scott Zielinski, Building Official Bruce Johnson, Assistant Building Official Mike Morad, Museum Director Leslie Pielack, and Police Commander Ryan Kearney as proxy representatives of Election Commissioners Mayor Elaine McLain, Mayor Pro Tem Katie Schafer, Commissioner Clinton Baller, Commissioner Brad Host, Commissioner Andrew Haig, Commissioner Anthony Long, and Commissioner Therese Longe, to conduct the Public Accuracy Test on Tuesday, February 6, 2024 at 9:00 a.m. in room 205 to test the electronic tabulating equipment which will be used to count votes at Birmingham precincts during the February 27, 2024 presidential primary election.
- I. Resolution appointing election inspectors, absentee voter counting board inspectors, receiving board inspectors and other election officials as recommended by the City Clerk for the February 27, 2024 presidential primary election pursuant to MCL 168.674, and further grant the City Clerk the authority to make emergency appointments of qualified candidates should circumstances warrant in order to maintain adequate staffing in the various precincts, counting boards and receiving boards.

AND

To authorize the use of the Oakland County Absent Voter Counting Board for the purpose of processing and tabulating absent voter ballots on February 27, 2024, as prescribed in the terms and responsibilities previously agreed upon at the July 12, 2020 meeting by Commission resolution 07-120-20.

- J. Resolution to allocate \$20,416 in Municipal Credits and \$33,579 in Community Credits from SMART for fiscal year 2024 to Next in support of their specialized transportation program; and further to direct the Finance Director to sign the Municipal Credit and Community Credit contract for fiscal year 2024 on behalf of the City.
- K. Motion adopting an amendment to Chapter 58, Article IV., Sec. 58-111(a) of the Birmingham City Code of Ordinances stating that applicants for child care centers, day care centers and family day care group homes must provide their most recent driver's license and the Police Department shall perform a background and criminal check of applicants.

<b>VI. CITY MANAGER'S REPORT</b>
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| A. January 22, 2024 City Manager's Report |
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<b>VII. UNFINISHED BUSINESS</b>
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| A. Shirley Rd. & Arlington St. Interim Report for City-Initiated Unimproved Street Project |
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<b>VIII. NEW BUSINESS</b>
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| A. Public Hearing – Confirmation of SAD Roll 907 Edgewood Road Project – Water and Sewer Laterals |
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1. Resolution confirming special assessment roll 907 as follows:

WHEREAS, Special Assessment Roll, designated Roll No. 907, has been heretofore prepared for collection, and

WHEREAS, notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property to be assessed, and

WHEREAS, the Commission has deemed it practicable to cause payment of the cost thereof to be made after the time of construction and

WHEREAS, Commission Resolution 01-005-24 provided it would meet this 22nd day of January, 2024 for the sole purpose of reviewing the assessment roll, and

WHEREAS, at said hearing held this January 22, 2024, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll,

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 907 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in five (5) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments.

<b>Parcel ID / Sidwell Number</b>	<b>Street Address</b>	<b>Sewer Lateral SAD Assessment</b>
19-36-402-049	280 E. Lincoln	\$ 6,290.00
19-36-402-049	280 E. Lincoln	\$ 6,800.00
19-36-403-032	400 E. Lincoln	\$ 2,720.00
19-36-403-032	400 E. Lincoln	\$ 2,720.00
19-36-402-023	1204 Edgewood	\$ 5,950.00
19-36-402-024	1212 Edgewood	\$ 5,950.00
19-36-402-025	1236 Edgewood	\$ 5,950.00
19-36-402-027	1260 Edgewood	\$ 5,950.00
19-36-402-028	1272 Edgewood	\$ 5,950.00
19-36-402-030	1300 Edgewood	\$ 5,950.00

19-36-402-032	1332 Edgewood	\$ 5,950.00
19-36-402-033	1348 Edgewood	\$ 5,950.00
19-36-402-035	1416 Edgewood	\$ 5,950.00
19-36-402-036	1450 Edgewood	\$ 5,950.00
19-36-402-038	1486 Edgewood	\$ 5,780.00
19-36-402-039	1498 Edgewood	\$ 5,780.00

\$ 89,590.00

<b>Parcel ID / Sidwell Number</b>	<b>Street Address</b>	<b>Water Lateral SAD Assessment</b>
19-36-402-023	1204 Edgewood	\$ 2,220.00
19-36-402-027	1260 Edgewood	\$ 2,220.00
19-36-402-029	1288 Edgewood	\$ 2,220.00
19-36-402-030	1300 Edgewood	\$ 2,442.00
19-36-402-032	1332 Edgewood	\$ 2,220.00
19-36-402-035	1416 Edgewood	\$ 2,442.00
19-36-402-036	1450 Edgewood	\$ 2,220.00
19-36-402-037	1472 Edgewood	\$ 2,220.00
19-36-402-039	1498 Edgewood	\$ 2,220.00

\$ 20,424.00

- B. Public Hearing – Lot Combination of 34350 Woodward Avenue and 909-911 Haynes Street, Fred Lavery Porsche, Parcel # 19-36-281-022 and Parcel # 19-36-281-030
  - 1. Resolution to approve the lot combination of 34350 Woodward Ave and 909-911 Haynes Street, Fred Lavery Porsche, parcel # 19-36-281-022 and parcel # 19-36-281-030.
  
- C. Public Hearing - 34350 Woodward Ave & 909-911 Haynes Street – Fred Lavery Porsche Dealership – Special Land Use Permit, Final Site Plan & Design Review
  - 1. Resolution to approve the Special Land Use Permit, Final Site Plan and Design Review application for 34350 Woodward Ave & 909-911 Haynes Street – Fred Lavery Porsche.
  
- D. Resolution to establish a permanent Wayfinding and Branding Committee to continue the implementation of the Citywide Wayfinding and Signage Plan and act as a clearing house for all major wayfinding and branding projects in the City.

- E. Commission Items for Future Discussion. A motion is required to bring up the item for future discussion at the next reasonable agenda, no discussion on the topic will happen tonight.
- F. Commission discussion on items from a prior meeting.
  - 1. Brandon Street – Shirley to Linden Road

**IX. REMOVED FROM CONSENT AGENDA**

**X. COMMUNICATIONS**

**XI. REPORTS**

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions’ Reports and Agendas
- D. Legislation
- E. City Staff
  - 1. Annual Review of ADA Project Updates Completed in 2023

INFORMATION ONLY

**XII. ADJOURN**

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760  
 You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

*NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.  
 Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*