

**BIRMINGHAM CITY COMMISSION AGENDA**  
**DECEMBER 13, 2021**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

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

Therese Longe, 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.**

**ANNOUNCEMENTS**

- COVID-19 cases locally are the highest they have been since the beginning of the pandemic. Michigan and Oakland County continue to be at a high level of community transmission. As a result, the CDC recommends vaccinated and unvaccinated individuals wear a facemask indoors while in public. The City requires masks in City Hall for all employees, board and commission members, and the public. Please visit the CDC's website on how to safely celebrate the holidays and for more COVID-19 information.

**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.

- Minutes for the December 6, 2021 workshop and regular meeting will be included in the January 10, 2022 meeting consent agenda for approval.
- A. Resolution to approve the warrant list, including Automated Clearing House payments, dated December 8, 2021, in the amount of \$578,072.41.
- B. Resolution to set a public hearing date of January 24, 2022 to consider updates to Birmingham's Corridor Improvement Authority Development and TIF Plan.
- C. Resolution to authorize the City Clerk to complete the Local Government Approval Notice at the request of Sushi Japan, Inc. approving the liquor license request of Sushi Japan, Inc. requesting a Redevelopment Quota Class C and SDM liquor license to be issued pursuant to MCL 436.1521 a(1)(b) with Sunday Sales (AM/PM) located at 176 S Old Woodward, Birmingham, Oakland County, MI 48009.
- D. Resolution to allow the IT department to purchase the renewal of 9 licenses of Adobe Creative Cloud from CDWG for a total purchase price of \$8,443.26 using funds available in the IT computer software account 636-228.000-742.0000.

- E. Resolution to release one grave in section B, row 2-A, for the family in an "at need" situation to purchase another plot adjacent to their existing family plots.

**VI. UNFINISHED BUSINESS**

- A. Public Hearing – Wall Art – Ordinance Amendment
  - 1. Motion adopting an ordinance to amend Article 7, Section 7.41-7.46 – Processes, Permits, and Fees & Article 9, Section 9.02 Definitions of the Zoning Ordinance to create a wall art definition and review process.
  
- B. Public Hearing – 203 Pierce Street - Toast – Special Land Use Permit Amendment, Final Site Plan and Design Review
  - 1. Resolution to APPROVE the Special Land Use Permit Amendment, Final Site Plan and Design Review application for 203 Pierce Street – Toast – to amend the hours of operation.

OR

- 2. Resolution to POSTPONE the Special Land Use Permit Amendment and Final Site Plan application for 203 Pierce Street – Toast – pending receipt of the following:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

OR

- 3. Resolution to DENY the Special Land Use Permit Amendment, Final Site Plan and Design Review application for 203 Pierce Street – Toast.

**VII. NEW BUSINESS**

- A. Resolution approving the 48th District Court budget for fiscal year 2022 as submitted.
  
- B. Resolution to accept the Agreement between the City of Birmingham, the Charter Township of Bloomfield and the Charter Township of West Bloomfield to be the three (3) District Court Funding Units for the 48th District Court, and further authorize Thomas M. Markus as the City Manager to sign the Agreement.
  
- C. Resolution to amend the 2022 Schedule of Fees, Charges, Bonds and Insurance, in the Community Development Department, Department of Public Services, Engineering Department, and Fire Department as stated in this report, and to adopt the revised Public Records Policy.
  
- D. Resolution to adopt a policy stating that commissioners will not attend various advisory board and committee meetings.
  
- E. Resolution to direct the City Manager to sign the Settlement Agreement on behalf of the City, which will give the City of Birmingham the opportunity to receive monies from the National Opioid Settlement Agreement.

- F. Resolution to set the Public Hearing of Necessity for the construction of sidewalk and streetscape improvements adjacent to all properties within the project area on Maple Road, between Chester Street and Pierce Street, and between Old Woodward Avenue and Woodward Avenue on Monday, January 24, 2022 at 7:30 P.M. for the purpose of conducting; and

If necessity is determined on January 24, 2022, to meet on Monday, February 14, 2022 at 7:30 P.M. for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the construction of sidewalk and streetscape improvements adjacent to all properties within project area on Maple Road, between Chester Street and Pierce Street, and between Old Woodward Avenue and Woodward Avenue.

- G. Commission discussion on items from prior meeting

(none)

- H. 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.

**VIII. REMOVED FROM CONSENT AGENDA**

**IX. COMMUNICATIONS**

**X. REPORTS**

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  - 1. City Manager's Report
  - 2. Response to Andrew Haig Email
  - 3. Identifying Pending Litigation

INFORMATION ONLY

**XI. 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).*