

BIRMINGHAM CITY COMMISSION AGENDA
OCTOBER 2, 2023
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

- Happy Birthday Commissioner Haig
- The second annual Birmingham Art Walk is October 12, 2023, from 5-8 p.m. This free strolling event will feature local artists and shops, entertainment and more throughout downtown Birmingham! Stop by participating merchants to meet local artists and enjoy special promotions. For more information visit allinbrimingham.com.
- Next Saturday, October 14, from 1-4 p.m., the Birmingham Fire Department will be hosting their annual open house. The day will be filled with many fire education opportunities, including a live vehicle extrication demonstration. This kid-friendly event will have face painting, popcorn, hot dogs, firehouse chili, and much more. The open house will take place at Station 1, located at 572 S. Adams Rd.
- Proclamation in recognition of Robert S. Kenning's 100th birthday on September 20, 2023

APPOINTMENTS

- A. Board of Zoning Appeals
1. Kevin D. Hart
 2. Nicole Braddock
 3. Jason Canvasser

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

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

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

EMPLOYEE RECOGNITION

- City Clerk's Office
 - Megan Trapp

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 Workshop meeting minutes of September 11, 2023.
- B. Resolution to approve the City Commission meeting minutes of September 11, 2023.
- C. Resolution to approve the City Commission meeting minutes of September 18, 2023.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated September 21, 2023, in the amount of \$2,666,040.44.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated September 28, 2023, in the amount of \$1,340,637.27.
- F. Resolution appointing election inspectors, absentee voter counting board inspectors, receiving board inspectors and other election officials as recommended by the City Clerk for the November 7, 2023 General 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

Authorize the use of the Oakland County Absent Voter Counting Board for the purpose of processing and tabulating absent voter ballots on November 7, 2023, as prescribed in the terms and responsibilities previously agreed upon at the July 12, 2020 meeting by Commission resolution 07-120-20.

- G. Resolution to approve a special event permit as requested by the Lutheran Church of the Redeemer to hold the 2023 Christmas Nativity Display daily, beginning on November 22, 2023 and ending December 29, 2023, contingent upon compliance with all permit and insurance requirements and payment of all fees, and further pursuant to any minor modifications or event cancellation that may be deemed necessary by administrative staff leading up to or at the time of the event.
- H. Resolution authorizing the City Manager to cast a vote, on the City's behalf, for the three (3) candidates for the Michigan Municipal League Liability and Property Pool Board of Directors for three-year terms, beginning January 1, 2024.
- I. Resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Churchill's Cigar Shop, Inc. approving the request for a transfer of shares for a business which holds the Class C and SDM License with Sunday Sales (PM) and Outdoor Service

Area located at 116-118 S. Old Woodward Ave., Birmingham, Oakland County, MI to now include Mazin Samona Living Trust, 306 Shares, and John Samona Living Trust, 102 Shares.

- J. Resolution to approve the Memorandum of Understanding with Oakland Community Health Network and to authorize the Chief of Police to sign the agreement on behalf of the City.
- K. Resolution to approve reducing the Advisory Parking Committee from eleven (11) members to nine (9) members by removing one downtown employee position and one restaurant owner position.
- L. Resolution to set a public hearing date of November 13, 2023 to consider the proposed ordinance amendments to Chapter 126 (Zoning), Article 2, Section 2.37 and Article 5, Section 5.12 to allow health club/studio uses in the B4 Business Residential District in the basement levels and floors two and above.

VI. UNFINISHED BUSINESS

None

VII. NEW BUSINESS

- A. Resolution to approve the State of Michigan Hazard Mitigation Assistance Grant Agreement for DR-4607-MI Hazard Mitigation Grant Program between the Michigan Department of State Police, Emergency Management and Homeland Security Division, and the City of Birmingham. In addition, authorize the Mayor to sign the agreement on behalf of the City.

AND make a motion adopting a resolution to charge the cost of this project to account #403.0-901.018-981.0100, and further to approve the appropriations and amendment to the Capital Project Funds – Streambank Improvement as follows:

Revenues:		
Appropriation from Fund Balance	403.0-000.000-400.0000	\$ 44,020
Federal Grants	403.0-901.018-503.0000	<u>264,120</u>
Total Revenues		\$308,140

Expenses:		
Capital Projects Fund – Capital Outlay	403.0-901.018-981.0100	\$308,140

- B. 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.
- C. Commission discussion on items from a prior meeting.
 - 1. Infrastructure & Flooding Abatement – Commissioner Host
 - 2. Remediation Strategies for Rodents and Vermin – Commissioner Haig

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of Intention to appoint to the Ad Hoc Aging in Place Committee
 - 2. Notice of Intention to appoint to the Triangle District
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
 - 1. Ethics Opinion 2023-02 Requested by Commissioner Clinton Baller regarding the potential establishment and management of a private, non-profit community foundation in Birmingham
- D. Legislation
- E. City Staff
 - 1. EGLE Water Violation Report
 - 2. Policy Regarding Email Distribution Lists

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).