

**BIRMINGHAM CITY COMMISSION AGENDA**  
**JUNE 3, 2019**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

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

Patty Bordman, Mayor

**II. ROLL CALL**

J. Cherilynn Mynsberge, City Clerk

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

***Announcements:***

- Presentation of Citizens Academy graduates.
- Birmingham Movie Night kicks off the season with a showing of Disney's Zootopia in Booth Park on Friday, June 14<sup>th</sup>. Pre-show entertainment begins at 7:30 p.m., and the movie begins at dusk.
- June 7th is National Gun Violence Awareness Day. Wearing of orange on that day is encouraged to raise awareness of gun violence in this country.
- This year marks the 100<sup>th</sup> anniversary of Michigan's ratification of the National Suffrage Amendment, which, on August 26, 1920, became the 19<sup>th</sup> Amendment to the U.S. Constitution, guaranteeing women the right to vote.
- The City Commission extends its thanks to Jonathan DeWindt for his service on the Historic District Study Committee and wishes him well in his future endeavors.

***Appointments:***

- A. Interview for the Board of Building Trades Appeals
  - 1. Brad Klein
- B. Appointment to the Board of Building Trades Appeals  
To appoint \_\_\_\_\_, as a regular member to the Board of Building Trades Appeals to serve a three-year term to expire May 23, 2022.
- C. Interviews for the Housing Board of Appeals
  - 1. Robert Taylor
  - 2. Wadette Bradford
- D. Appointments to the Housing Board of Appeals  
To appoint \_\_\_\_\_, as a regular member to the Housing Board of Appeals to serve a three-year term to expire May 4, 2022.  
  
To appoint \_\_\_\_\_, as a regular member to the Housing Board of Appeals to serve a three-year term to expire May 4, 2022.  
  
To appoint \_\_\_\_\_, as a regular member to the Housing Board of Appeals to serve the remainder of a three-year term to expire May 4, 2020.

- E. Interview for the Historic District Study Committee
  - 1. Paul Beshouri
- F. Appointment to the Historic District Study Committee  
To appoint \_\_\_\_\_, as a regular member to the Historic District Study Committee to serve a three-year term to expire June 25, 2022.
- G. Interview for the Board of Ethics
  - 1. James Robb
- H. Appointment to the Board of Ethics  
To appoint \_\_\_\_\_, as a regular member to the Board of Ethics to serve a three-year term to expire June 30, 2022.
- I. Interview for Hearing Officer
  - 1. Alexander Stotland
- J. Appointment of Hearing Officer  
To appoint \_\_\_\_\_ as the Hearing Officer to serve a three-year term to expire June 30, 2022.
- K. Interview for the Board of Zoning Appeals
  - 1. Richard Lilley
- L. Appointment to the Board of Zoning Appeals  
To appoint \_\_\_\_\_ as a regular member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire October 10, 2020.
- M. Interview for Parks and Recreation Board Alternate
  - 1. Pam Graham
- N. Appointment to the Parks and Recreation Board  
To appoint \_\_\_\_\_ to the Parks and Recreation Board as an alternate member to serve the remainder of a three-year term to expire March 13, 2020.
- O. Interview for Museum Board
  - 1. Dan Haugen
- P. Appointment to the Museum Board  
To appoint \_\_\_\_\_ to the Birmingham Museum Board to serve the remainder of a three-year term to expire July 5, 2020.
- Q. Administration of Oath of Office to Appointee

**IV. 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 approving the Regular City Commission meeting minutes of May 20, 2019.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated May 22, 2019 in the amount of \$726,352.19.

- C. Resolution approving the warrant list, including Automated Clearing House payments, dated May 29, 2019 in the amount of \$288,606.73.
- D. Resolution approving a special event permit as requested by Birmingham Seaholm Harriers for the Birmingham Seaholm Harriers 5K walk/run on Sunday, August 4, 2019 from 9:00 AM – 12:00 PM, with set-up and tear-down on August 4th, 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.
- E. Resolution approving a special event permit as requested by Oral Cancer Awareness for the Oral Cancer Awareness 5K walk/run on Sunday, August 4, 2019 from 9:00 AM – 12:00 PM, with set-up and tear-down on August 4th, 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.
- F. Resolution approving the service agreement with Cultural Council in the amount of \$4,200 for services described in Attachment A of the agreement for fiscal year 2019-2020, account number 101-299.000-811.0000, and further directing the Mayor and City Clerk to sign the agreement on behalf of the City.
- G. Resolution approving the service agreement with Next in the amount of \$107,944 for services described in Attachment A of the agreement for fiscal year 2019-2020, account number 101-299.000-811.0000, and further directing the Mayor and City Clerk to sign the agreement on behalf of the City.
- H. Resolution approving the outside agency service agreements for services described in Attachment A of the agreement for fiscal year 2019-20 with Birmingham Bloomfield Community Coalition in the amount of \$3,000, Birmingham Youth Assistance in the amount of \$18,000, Common Ground in the amount of \$1,500 and HAVEN in the amount of \$2,000 from account number 101-301.000-811.0000, further directing the Mayor and City Clerk to sign the agreements on behalf of the City.
- I. Resolution setting Monday, July 8, 2019 at 7:30 PM for a formal Public Hearing of Necessity related to the 2019 Cape Seal Program; further, setting Monday, July 22, 2019 at 7:30 PM for a formal Confirmation of the Special Assessment Roll related to the 2019 Cape Seal Program, contingent upon an affirmative determination of necessity.
- J. Resolution approving the change of the Greenwood Cemetery Advisory Board’s reporting year from a calendar year to the City’s fiscal year.
- K. Resolution approving the use of two parking spaces on the east side of Mansfield just north of 14 Mile Road to fulfill the parking requirements per Article 4, section 4.43 (G)(1) of the Zoning Ordinance for the property located on the NE corner of Mansfield and 14 Mile Road to be used for medical/dental office use, subject to the recommended repairs being completed as required by the Engineering Department.

<b>V. UNFINISHED BUSINESS</b>
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**VI. NEW BUSINESS**

- A. Public Hearing to consider a Special Land Use Amendment and Liquor License ownership change for Toast – 203 Pierce.
  - 1. Resolution approving a Special Land Use Permit Amendment for 203 Pierce – Toast, to reflect an ownership change and change in the hours of operation.

**AND**

Resolution authorizing the Chief of Police to sign the MLCC Police Investigation Report (LC-1800) and to approve the liquor license request of Toast Birmingham, LLC that requests a transfer of interest in a Class C License to be issued under MCL 436.1521(A)(1)(B) and SDM License with Outdoor Service (1 Area) located at 203 Pierce, Birmingham, Oakland County, MI 48009. Furthermore, pursuant to Birmingham City Ordinance, authorizing the City Clerk to complete the Local Approval Notice at the request of Toast Birmingham, LLC approving the liquor license transfer request of Toast Birmingham, LLC that requested a Class C License be transferred under MCL 436.1521 (A)(1)(B) & SDM License with Outdoor Service (1 Area) located at 203 Pierce, Birmingham, Oakland County, MI 48009.

- B. Resolution to meet in closed session to discuss an attorney/client privilege communication in accordance with Section 8(h) of the Open Meetings Act.  
**(A roll call vote is required and the vote must be approved by a 2/3 majority of the commission. The commission will adjourn to closed session after all other business has been addressed in open session and reconvene to open session, after the closed session, for purposes of taking formal action resulting from the closed session and for purposes of adjourning the meeting.)**

**VII. REMOVED FROM CONSENT AGENDA**

**VIII. COMMUNICATIONS**

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

**X. REPORTS**

- A. Commissioner Reports
  - 1. Notice of intent to appoint, on July 8, 2019, two regular members to the Museum Board for three-year terms to expire July 5, 2022.
  - 2. Notice of intent to appoint, on July 8, 2019, two regular members to the Greenwood Cemetery Advisory Board for three-year terms to expire July 6, 2022.
  - 3. Notice of intent to appoint, on July 8, 2019, one regular member to the Historic District Study Committee to serve the remainder of a three-year term to expire June 25, 2022.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions’ Reports and Agendas
- D. Legislation
- E. City Staff

**XI. ADJOURN**

**PLEASE NOTE: Due to building security, public entrance during non-business hours is through the Police Department – Pierce St. entrance only.**

*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](tel:248-530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*