

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

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

Patty Bordman, Mayor

**II. ROLL CALL**

Cheryl Arft, Acting City Clerk

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

***Announcements:***

- Commissioner Sherman's birthday
  
- The Fire Department Open House will be held on Saturday, October 12<sup>th</sup>, 2019 at the Adams Fire Station, 572 S. Adams from 1:00 – 4:00 PM. Learn about fire safety and enjoy the many interactive displays and activities. For more information, visit [www.bhamgov.org/fire](http://www.bhamgov.org/fire).
  
- The Birmingham Museum's fall lecture series will continue on October 17<sup>th</sup> at 7:00 PM at the Baldwin Public Library with "The Levinsons: First Jewish Family in Birmingham". Special guests are Levinson descendants Senator Carl Levin and Representative Sander Levin who will be participating in the discussion of their family's legacy in Birmingham. Seating is limited. Registration is required for this free presentation by going to the Baldwin Library's website calendar.

***Appointments:***

- A. Interviews for Design Review Board
1. Natalia Dukas (previously interviewed and appointed to Historical District Committee)
  2. Michael Willoughby
- B. Appointments to the Design Review Board
- To appoint \_\_\_\_\_ to the Design Review Board for a three-year term to expire September 25, 2022.
- To appoint \_\_\_\_\_ to the Design Review Board for a three-year term to expire September 25, 2022.
- C. Interviews for Historic District Commission
1. Michael Willoughby
- D. Appointments to the Historic District Commission
- To appoint \_\_\_\_\_ to the Historic District Commission for a three-year term to expire \_\_\_\_\_, 2022.

- E. Interviews to the Board of Zoning Appeals
  - 1. Charles Lillie (will attend)
  - 2. Francis Rodriguez (attendance uncertain)
  - 3. Adam Rubin (will attend)
  
- F. Appointments to the Board of Zoning Appeal
 

To appoint \_\_\_\_ to the Board of Zoning Appeals for a three-year term to expire October 10, 2022.

To appoint \_\_\_\_ to the Board of Zoning Appeals for a three-year term to expire October 10, 2022.
  
- G. Interviews for the Multi-Modal Transportation Board – Alternate member
  - 1. Joseph Zane (will attend)
  
- H. Appointment to the Multi-Modal Transportation Board – Alternate member
 

To appoint \_\_\_\_ to the Multi-Modal Transportation Board - Alternate position for a three-year term to expire October 27, 2022.
  
- I. Interviews to Advisory Parking Committee (4 VACANCIES)
  - 1. Judith Paskiewicz-Professional firm (previously interviewed)
  - 2. Lisa Silverman – Resident and business owner
  
- J. Appointments to the Advisory Parking Committee
 

To appoint \_\_\_\_ to the Advisory Parking Committee as a representative of a professional firm for a three-year term to expire September 4, 2022.

To appoint \_\_\_\_ to the Advisory Parking Committee as a resident for a three-year term to expire September 4, 2022.

**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 September 23, 2019.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated September 25, 2019 in the amount of \$8,284,484.48.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated October 2, 2019 in the amount of \$1,241,488.72.
- D. Resolution approving the appointment of election inspectors, absent voter counting board inspectors, receiving board inspectors and other election officials as recommended by the City Clerk for the November 5, 2019 Election pursuant to MCL 168.674(1), setting 10:00 a.m. as the start time for the Absent Voter Counting Board, and granting the City Clerk authority to make emergency appointments of qualified candidates should circumstances warrant to maintain adequate staffing in the various precincts, counting boards and receiving boards.
- E. Resolution approving the recommended changes to the Articles of Incorporation for the Southeast Oakland County Water Authority, as approved by the SOCWA Board on August 21, 2019.

- F. Resolution awarding the Oak St. Sewer Rehabilitation Project, Contract #11-19 (S), to Bidigare Contractors, Inc., in the amount of \$221,600, to be charged to account number 590-536.001-981.0200.
- G. Resolution confirming the City Manager's authorization for the emergency expenditure related to the repair of vehicle #42 by Southeastern Equipment Company in the amount of \$8,922.00 from the Auto Equipment Fund account #641.441.006-933.0200, pursuant to Sec. 2-286 of the City Code.
- H. Resolution setting Monday, October 28, 2019 at 7:30 PM for a public hearing to consider approval of a Zoning Amendment for Chapter 126, Zoning Ordinance, Appendix C, Exhibit 1, Licenses for Economic Development;

**AND**

Resolution setting Monday, October 28, 2019 at 7:30 PM for a public hearing for October 28, 2019 to consider approval of an amendment to Chapter 126, Zoning Ordinance, Article 2, Section 2.39 MX, Uses Requiring a Special Land Use Permit to allow the operation of establishments operating with a liquor license obtained under Chapter 10, Alcoholic Liquors, Article II, Division 3, Licenses for Economic Development identified in Appendix C, Exhibit 1.

- I. Resolution setting Monday, October 28, 2019 at 7:30 PM for a public hearing to consider approval of a Special Land Use Permit and Final Site Plan and Design Review for Lincoln Yard at 2159 E. Lincoln to allow the use of an economic development liquor license to serve alcohol on premise and to occupy a building more than 6,000 square feet in size in the MX Zone.
- J. Resolution setting Monday, October 28, 2019 at 7:30 PM for a public hearing date to consider approval of a Special Land Use Permit and Final Site Plan and Design Review for 298 S. Old Woodward to allow the operation of the Daxton Hotel with the service of alcoholic liquors, in accordance with Article 7, Section 7.34 of the Zoning Ordinance.
- K. Resoluiton approving the Shain Park and City Hall Granite Paver Restoration Project to Superior Scape, Inc., in the amount not to exceed \$24,010.00. Funds are available from the Capital Projects Fund account # 401-751.001-981.0100 in the amount of \$15,000 and from the Capital Projects Fund account # 401-441.003-981.0100 in the amount of \$9,010.00. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City.

<b>V. UNFINISHED BUSINESS</b>
-------------------------------

- A. Resolution approving a request from the Birmingham Bloomfield Art Center to hold Art Birmingham on S. Old Woodward between approximately Bowers St. and Landon on May 9th–10th, 2020 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.

<b>VI. NEW BUSINESS</b>
-------------------------

- A. Resolution approving a Special Land Use Permit and Final Site Plan and Design Review for 117 Willits to allow the operation of three new food and drink establishments Shift / Sidecar /Slice, serving alcoholic liquors, in accordance with Article 7, Section 7.34 of the Zoning Ordinance;

**AND**

Resolution authorizing the Chief of Police to sign the MLCC Police Investigation Report (LC-1800) and approving the liquor license request of S-Three, 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 New Outdoor Service and Two New Additional Bar Permits located at 117 Willits, Birmingham, Oakland County, MI 48009;

**AND**

Furthermore, pursuant to Birmingham City Ordinance, authorizing the City Clerk to complete the Local Approval Notice at the request of S-Three, LLC approving the liquor license transfer request of S-Three, LLC that requested a Class C License be transferred under MCL 436.1521 (A)(1)(B) & SDM License with New Outdoor Service and Two New Additional Bar permits located at 117 Willits, Birmingham, Oakland County, MI 48009.

- B. Presentation on the new water sampling rules under the Michigan Safe Water Drinking Act
- C. Resolution to meet in closed session to consider the City Manager's evaluation pursuant to Section 8(a) of the Open Meetings Act (Act 267 of 1976). A 2/3 roll call vote of the City Commission is not required to call a closed session permitted under Section 8(a).

**VII. REMOVED FROM CONSENT AGENDA**

**VIII. COMMUNICATIONS**

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

**X. REPORTS**

- A. Commissioner Reports  
Notice to appoint to Birmingham Shopping District, Historic District Study Committee, and Public Arts Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  - 1. Bistro application review

INFORMATION ONLY

**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).*