

AMENDED

BIRMINGHAM CITY COMMISSION AGENDA

OCTOBER 12, 2020

MUNICIPAL BUILDING, 151 MARTIN

7:30 P.M.

VIRTUAL MEETING

MEETING ID: 655 079 760

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk Designee

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

ANNOUNCEMENTS:

- The Clerk's office would like to remind voters to turn in an absentee ballot application if they wish to vote by mail for the November 3, 2020 General Election. Return your absentee ballot to the clerk's office as soon as possible via drop box or mail, return postage for absentee ballots has been covered by the city for this election. To review your specific voting information and preview your ballot visit mi.gov/vote. The online and mail voter registration deadline is October 19th. After October 19th new voters must register in person at the clerk's office.

APPOINTMENTS:

- A. Board of Zoning Appeals
1. Kevin Hart
 2. Jason Canvasser
 3. Richard M. Lilley
 4. Jerry Attia
 5. Ron Reddy

To appoint _____ as a regular member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2023.

To appoint _____ as a regular member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2023.

To appoint _____ as a regular member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2023.

To appoint _____ as an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expired 2/17/2023.

To appoint _____ as an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expired 2/17/2023.

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 approving the City Commission meeting minutes of September 21, 2020.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated September 23, 2020 in the amount of \$2,500,184.98.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated September 30, 2020 in the amount of \$1,179,039.25.
- D. Resolution approving the warrant list, including Automated Clearing House payments, dated October 7, 2020 in the amount of \$652,087.32.
- E. Resolution approving the appointment of election inspectors, absentee voter counting board inspectors, receiving board inspectors and other election officials as recommended by the City Clerk for the November 3, 2020 State General Election pursuant to MCL 168.674(1) and to grant 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.
- F. Resolution approving \$19,760 in Municipal Credits and \$19,416 in Community Credits from fiscal year 2021 to Next in support of their specialized transportation program; to approve \$11,000 in Community Credits from fiscal year 2021 to purchase and install a bus shelter (location to be determined); and further to direct the Mayor to sign the Municipal Credit and Community Credit contract for fiscal year 2021 on behalf of the City.
- G. Resolution authorizing the City Manager to cast a vote, on the City's behalf, for the four candidates for the Michigan Municipal League Liability and Property Pool Board of Directors for three-year terms, beginning January 1, 2021.
- H. Resolution approving the purchase and planting of one-hundred (100) trees from KLM Landscape for the Fall 2020 Tree Purchase and Planting Project for a total project cost not to exceed \$45,865.00. Funds are available from the Local Streets Fund-Forestry Service Contract account #203-449.005- 819.0000, the Major Streets Fund-Forestry Service Contract account #202-449.005-819.0000, the Local Streets Fund-Operating Supplies account #203-449.005-

729.0000, the Major Streets Fund-Operating Supplies account #202-449.005-729.0000 and the Parks- Other Contractual Services account #101-751.000-811.0000 for these services. Further, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

- I. Resolution setting a public hearing for November 9th, 2020 to consider the proposed lot combination of 34350 Woodward and 907-911 Haynes, parcel # 19-36-281-022 and parcel # 19-36-281-030.
- J. Resolution setting a public hearing date for November 9, 2020 to consider the Special Land Use Permit and Final Site Plan for 768 N. Old Woodward – The French Lady – to allow the operation of a food and drink establishment in the O2 Zoning District.
- K. Resolution approving a special event permit as requested by the Lutheran Church of the Redeemer to display the Christmas Nativity in Shain Park beginning November 24th-December 31st, 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.
- L. Resolution authorizing the City Manager to sign the agreement with ASTI for the Brownfield Redevelopment Authority.
- M. Resolution approving the purchase of (20) FN15 SRP G2 carbine tactical rifles from Kiesler Police Supply via MiDEAL state contract pricing in the amount of \$19,380.00; further to authorize this budgeted expenditure from account number 101-301.000-734.0000.

VI. UNFINISHED BUSINESS

- A. Resolution accepting the proposal from Nelson Nygaard/Mission North to perform a study of management structures and best practices for managing the City's parking system in the amount of \$17,980.00 and to charge the Automobile Parking Fund Account number 585-538.001-811.0000 for these services, and further, to authorize the Mayor to sign an Addendum to the Agreement with Nelson Nygaard in an acceptable form to the City Attorney for these services.
- B. Resolution to pursue an engagement with _____ to advise the Commission on matters relating to the procurement of legal services as well as the framework and options that should be considered when undertaking an engagement in legal services.

VII. NEW BUSINESS

- A. Public hearing to consider approval of a Revised Final Site Plan and Design and Special Land Use Permit Amendment to allow the expansion of the existing Luxe bistro into the vacant storefront to the south.
 - 1. Resolution to approve the Revised Final Site Plan and Design and Special Land Use Permit Amendment to allow the expansion of the existing Luxe bistro into the vacant storefront to the south.

- B. Resolutions adopting and supporting the grant applications made to the Michigan State Historic Preservation Office for the following:
 - 1. A reimbursement grant application for \$15,000 to develop updated historic design guidelines with an emphasis on new and emerging materials; and
 - 2. A reimbursement grant application for \$8,000 to conduct a reconnaissance level survey of the Little San Francisco neighborhood.

- C. City Manager Recruitment Process

- D. Review of Existing Noise Regulations

- E. Commission Discussion on items from prior meeting
 - I. Commissioner Report Requests
 - II. Zoning

- F. 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.

- G. Resolution to meet in closed session to:
 - 1. Discuss an Attorney/Client communication pursuant to 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.)

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports - Notice of Intent to appoint to Planning Board, Multi-Modal Transportation Board, Birmingham Shopping District, Parks and Recreation Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Memo from Planning Director Jana Ecker in regards to O2 and B2 Zoning Districts

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).