

**BIRMINGHAM CITY COMMISSION AGENDA**

**DECEMBER 7, 2020**

**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 City has reinstated the hotline to provide residents with information about City and County COVID-19 resources. Elderly, quarantined and immuno-compromised individuals are encouraged to use the hotline to request assistance with essential functions, and obtaining necessary supplies Call 248-530-1805, Monday through Friday from 8 a.m. – 5 p.m, excluding holidays.
- The City Commission would like to thank JC Cataldo for 12 years of service on the Triangle District Corridor Improvement Authority.
- The City Commission would like to thank Luran Keener for 4 years of service on the Stormwater Appeals Board.
- The City Commission plans to recognize departing City Manager Joe Valentine for his exceptional work and service to the City of Birmingham at the beginning of the regularly scheduled City Commission Meeting on December 21, 2020.
- Mayor Boutros Birthday.

**Appointments:**

- A. Birmingham Triangle District Improvement Authority
1. Samuel Oh
  2. G.A. "Kip" Cantrick

To appoint \_\_\_\_\_ who is a resident of the Development Area, or of an area within ½ mile of any part of the Development Area to serve the remainder of a term to expire December 15, 2023.

To appoint \_\_\_\_\_ who is a resident of the Development Area, or of an area within ½ mile of any part of the Development Area to serve the remainder of a term to expire December 15, 2021.

To appoint \_\_\_\_\_ who is a resident of the Development Area, or of an area within ½ mile of any part of the Development Area to serve the remainder of a term to expire December 15, 2023.

To appoint \_\_\_\_\_ who is a resident of the Development Area, or of an area within ½ mile of any part of the Development Area to serve a four-year term to expire December 15, 2024.

To appoint \_\_\_\_\_ who has an ownership or business interest in property located in the development area, to the Triangle District Corridor Improvement Authority for a four-year term to expire December 15, 2024.

B. Board of Review

1. Guy DiPlacido
2. Lester Richey

To appoint \_\_\_\_\_ to the Board of Review as a regular member to serve a three-year term to expire December 31, 2023.

To appoint \_\_\_\_\_ to the Board of Review as a regular member to serve a three-year term to expire December 31, 2023.

To appoint \_\_\_\_\_ to the Board of Review as an alternate member to serve a three-year term to expire December 31, 2023.

C. Board of Zoning Appeals

1. Jerry Attia
2. Erin Rodenhouse

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

D. Historic District Commission

1. Steven Lemberg

To appoint \_\_\_\_\_, to the Historic District Commission as an alternate member to serve the remainder of a three-year term to expire September 25, 2022.

E. Advisory Parking Committee

1. Aaron Black

To appoint \_\_\_\_\_ to the Advisory Parking Committee as a regular member who is a resident shopper to serve the remainder of a three-year term to expire September 4, 2022.

To appoint \_\_\_\_\_ to the Advisory Parking Committee as a regular member who is a restaurant owner to serve the remainder of a three-year term to expire September 4, 2023.

To appoint \_\_\_\_\_ to the Advisory Parking Committee as an alternate to serve the remainder of a three-year term to expire September 4, 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 November 23, 2020.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated November 25, 2020, in the amount of \$658,291.66.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated December 2, 2020, in the amount of \$876,749.94.
- D. Resolution approving the contract with Wolverine Power Systems in an amount not to exceed \$39,500.00 to perform City of Birmingham Adams Fire Station Upgrade Emergency Generator from account #101-336-000-971-0100; and to direct the Mayor and City Clerk to sign the agreement on behalf of the City.
- E. Resolution to appoint City Manager Thomas M. Markus as Representative and DPS Director Lauren Wood as Alternate Representative of the City of Birmingham on the SOCRRA Board of Trustees for the remainder of the fiscal year starting January 1, 2021.
- F. Resolution to appoint Consulting City Engineer Jim Surhigh as Representative and City Manager Thomas M. Markus as Alternate Representative of the City of Birmingham on the SOCWA Board of Trustees for the remainder of the fiscal year starting January 1, 2021.
- G. Resolution to appoint Thomas M. Markus to serve as the alternate member to SEMCOG on behalf of the City of Birmingham.
- H. Resolution to authorize the IT department to renew the Laserfiche support contract with MCCi for a total cost of \$12,775.00. Funds are available in the IT Computer Maintenance Fund Account: 636-228.000-933.0600
- I. Resolution to approve the removal of four on-street parking meters on S. Old Woodward, north of Brown Street (in front of 298 S. Old Woodward) to allow for the operation of a shared valet service by the property owner (Daxton Hotel) consistent with the terms contained in Attachment "A" of the property owner's valet license application dated May 21, 2020.
- J. Resolution to adopt the Performance Resolution for Governmental Agencies with the Michigan Department of Transportation (MDOT), and furthermore, to authorize James J. Surhigh, Consulting City Engineer, Lauren Wood, Director of DPS, and Scott Zielinski, City Construction Engineer to apply to MDOT for the necessary Annual Permit, and other Individual Permits for work within the State Highway Right-of-Way on behalf of the City of Birmingham.
- K. Resolution to approve the interlocal agreement with Oakland County and authorize Mayor Boutros to sign the agreement on behalf of the City Commission.

- L. Resolution to adopt the Resolution for Designation of Street Administrator, with James J. Surhigh, Consulting City Engineer, as the authorized designee.

## **VI. UNFINISHED BUSINESS**

- A. Public Hearing – 34350 Woodward & 907-911 Haynes – Lot Combo
  - 1. Resolution to deny the proposed lot combination of 34350 Woodward and 907-911 Haynes, parcel # 19-36- 281-022 and parcel #19-36-281-030, as the resulting parcel would not be consistent with the requirements for the MU-5 and MU-7 Zones, nor consistent with the recommendations in the Triangle District Plan.
- B. Resolution to approve the cost sharing agreement with the Road Commission for Oakland County, agreeing to pay the City of Birmingham's share of the cost to replace the traffic signal at the intersection of Coolidge Highway and Maple Road, at a cost not to exceed \$75,000, to be charged to account number 202-303.001-971.0100. Also, to authorize the Mayor to sign the agreement on behalf of the City.
- C. Resolution to direct the proposed ordinance amendments Chapter 126, Zoning, Article 4, Section 4.44 to the Planning Board for their review and recommendation.
- D. Resolution to approve the continuation of free parking in all structures through March 31, 2021.

## **VII. NEW BUSINESS**

- A. Public Hearing – 470 N. Old Woodward - EM Bistro
  - 1. Resolution to approve the Final Site Plan and Design and Special Land Use Permit at 470 N. Old Woodward to allow for the operation of a new bistro, EM, at 470 N. Old Woodward.
- B. Resolution to accept the proposed Birmingham Museum Collection Policy.
- C. Resolution to accept the proposed final design for the Birmingham Museum Heritage Zone and plan for implementation of its first phase elements of primary signage, fencing modifications and gates, and installation of three Pioneer elm trees.
- D. Resolution to approve the release of an additional 50 graves in Sections B and C in Greenwood Cemetery for sale to the public.
- E. Resolution to go into closed session to review pending litigation in the matter of Lyons v City of Birmingham pursuant to Section 8(e) of the Open Meetings Act, MCL 15.261 – 15.275,

**(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.)**

- F. Commission Discussion on items from prior meeting.
- G. 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 – Notice of intent to appoint to the Public Arts Board & the Storm Water Utility Appeals Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
  - 1. Ethics Majority Opinion for case # 2020-01
  - 2. Ethics Minority Opinion for case # 2020-01
  - 3. Greenwood Cemetery Annual Report
  - 4. City Commission Sub Committee to Recognize City Manager Joe Valentine
- D. Legislation
- E. City Staff
  - 1. Outdoor Dining Enclosure Status Report

INFORMATION ONLY

**XI. ADJOURN**

*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:2485301880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*