

BIRMINGHAM CITY COMMISSION AGENDA

May 10, 2021

7:30 P.M.

VIRTUAL MEETING

ZOOM MEETING ID: 655 079 760

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, 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.

APPOINTMENTS

- A. Birmingham Shopping District Board
 - 1. Sarvy Lipari
 - 2. Gerald Baker

Resolution to concur with the City Manager's appointment of Sarvy Lipari to the Birmingham Shopping District Board, as a member who is a resident from an adjacent neighborhood, to serve for the remainder of a 4-year term expiring November 16, 2024.

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 meeting minutes of April 19, 2021
- B. Resolution to approve the City Commission meeting minutes of April 26, 2021
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 28, 2021, in the amount of \$693,624.38.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated May 5, 2021, in the amount of \$137,783.89.

- E. Resolution to set a public hearing for June 14, 2021, for the application to amend Chapter 126, Zoning Ordinance, Appendix C, Exhibit 1, Licenses for Economic Development to include 300-394 S. Old Woodward and a portion of 294 E. Brown Street to be qualified to be eligible for an Economic.
- F. Resolution to set a public hearing date of June 14, 2021, to consider the rezoning of the new parcel encompassing 300 - 394 S. Old Woodward and portions of 294 E. Brown from B-2 (General Business) and D-3 (Downtown Overlay) to B-2 (General Business) and D-4 (Downtown Overlay).
- G. Resolution to approve the Amended and Restated Cross Connection Control Services Agreement with HydroCorp for services described in Attachment A in the amount not to exceed \$49,716.00 over a three-year period. Funds are available in the Water Fund account #591-537.007-811.0000. In addition, to waive the normal bidding requirements. Further, to authorize the Mayor and City Clerk to sign the Agreement on behalf of the City upon receipt of the required insurance coverage.
- H. Resolution To authorize the mayor to sign the 2020 Program Year Community Development Block Grant (CDBG) Subrecipient Agreement on behalf of the City and to approve the appropriations and amendment to the 2020-2021 CDBG Fund Budget as follows:
 Revenues:

Intergovernmental Revenue	248-000.000-503.0000	\$287
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 Expenditures:

Minor Home Repair	248-690.000-836.0300	\$287
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- I. Resolution to approve an extension of the public services and Minor Home Repair contract with NEXT for the purpose of expending remaining program year 2018-2019 Community Development Block Grant funds for the Minor Home Repair Program administered by NEXT through June 30, 2021; and further, to authorize the Mayor to sign the amendment on behalf of the City.
- J. Resolution To approve an extension of the public services contract with NEXT for the purpose of expending remaining program year 2019-2020 Community Development Block Grant funds for the Minor Home Repair Program administered by NEXT through June 30, 2021; and further, to authorize the Mayor to sign the amendment on behalf of the City.
- K. Resolution to approve a resolution directing the Historic District Study Committee to prepare a study committee report as outlined in Chapter 127, Section 127-4 of the City Code.

- L. Resolution to recognize Eisenhower Dance Ensemble, Inc., 2155 Cole Street, Birmingham, Michigan 48009 as a 501(c) (3) non-profit organization for the purpose of obtaining a State of Michigan Gaming License with the State of Michigan Charitable Gaming Division. Furthermore, authorizing the City Clerk to complete the Local Governing Body Resolution Form, forwarding it to the Charitable Gaming Division, Lansing, Michigan.
- M. Resolution to accept the donation of "Dynamic Tension" by Lois Teicher and to approve the recommended location at Henrietta and W. Maple Road.

AND

To approve the payment of a \$2,000 stipend from the Public Arts Board budget to the artist for the donation and installation of the sculpture, to be charged to the Public Arts Board account #101-299-000-811-0000.

- N. Resolution to approve the interlocal agreement for the Mental Health Co-Response Team, further to direct the Mayor and the Chief of Police to sign the agreement on behalf of the City.

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

- A. Public Hearing of Necessity - Grant Street Paving Project
 - 1. See complete resolution in agenda packet

- B. Public Hearing – 211 S. Old Woodward – Final Site Plan and SLUP
 - 1. Resolution to approve the Final Site Plan and Special Land Use Permit Amendment for 211 S. Old Woodward to allow the change in ownership of the Class C liquor license in use at Birmingham 8 Theater from Birmingham Theatro, LLC to CH Birmingham, LLC;

AND

To authorize the Chief of Police to sign the MLCC Police Investigation Report (LC-1800) and to approve the liquor license request of CH Birmingham, LLC that requests a transfer of interest in a Class C License to be issued under MCL 436.1521(A)(1)(B) located at 211 S Old Woodward, Birmingham, Oakland County, MI 48009;

AND

Pursuant to Birmingham City Ordinance, to authorize the City Clerk to complete the Local Approval Notice at the request of CH Birmingham, LLC approving the liquor license transfer request of CH Birmingham, LLC that requested a Class C License be transferred under MCL 436.1521 (A)(1)(B) located at 211 S Old Woodward, Birmingham, Oakland County, MI 48009.

- C. Public Hearing – Lot split of 300 S. Old Woodward, 294 E. Brown and the lot combination of the amended parcels at 300 and 394 S. Old Woodward.
 - 1. See complete resolution in agenda packet
- D. Resolution to approve an agreement with Revize LLC for website design services in the amount not to exceed \$33,850.00 from account #636-228.000-933.0700. Further to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.
- E. Resolution to approve the METRO Act Bilateral Form Right-Of-Way Telecommunications Permit for ZAYO Group and authorize the Mayor to sign the permit on behalf of the City.

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

- A. Outdoor Dining – Kelly Allen

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Historic District Study Committee
 - 2. Notice of intention to appoint to the Ethics Board
 - 3. Notice of intention to appoint for the Hearing Officer
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Bang the Table - Kucharek
 - 2. Outdoor Dining
 - 3. 3rd Quarter Budget Financial Report
 - 4. March 2021 Investment 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:248-530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).