

BIRMINGHAM CITY COMMISSION AGENDA
JULY 12, 2021
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

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.

ANNOUNCEMENTS

- The City Commission wishes Mayor Pro Tem Longe a happy birthday!

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 Joint Planning Meeting minutes of June 21, 2021
- B. Resolution to approve the City Commission meeting minutes of June 28, 2021
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 30, 2021, in the amount of \$1,855,327.66.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 7, 2021, in the amount of \$825,847.61
- E. Resolution to approve a request from the Birmingham Shopping District to hold the scaled-down 2021 Birmingham Cruise special event on Saturday, August 21, 2021, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any modifications or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event, due to health and safety measures.

- F. Resolution to approve a request from the City of Birmingham Department of Public Services for a special event permit to hold the 2021 In the Park Concert series in Shain Park on the dates as presented, 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.
- G. Resolution to approve the TouchPrint 5600 cabinet booking station fingerprinting system purchase from IDEMIA, a sole source vendor, in the amount of \$18,094.00; further to waive normal bidding requirements and authorize this expenditure to the general fund police LEIN/CLEMIS expense account #101-301-000-731.0000.
- H. Resolution to authorize the IT department to purchase the components to upgrade the existing Mitel phone system and replace the ESNA Voicemail system as proposed, from BSB Communications. With a total cost of the upgrade, parts and labor not to exceed \$35,221.25 using funds in the network upgrade account 636-228.000-973.0400.
- I. Resolution to set a public hearing date for August 9, 2021 to consider the Special Land Use Permit, Final Site Plan and Design Review application for 300 - 394 S. Old Woodward and a portion of 294 E. Brown to allow a new building for Restoration Hardware, including a restaurant operating with an Economic Development Liquor License.
- J. Resolution to authorize the City Manager to cast a vote, on the City's behalf, for the five (5) candidates of the Michigan Municipal League Workers' Compensation Fund for four-year terms, beginning October 1, 2021.

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

- A. Public Hearing – Rezoning Request for 300-394 S. Old Woodward and a portion of 294 E. Brown Street from D3 to D4
 - 1. Resolution to APPROVE 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);
 - OR
 - To DENY 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);
 - OR
 - To POSTPONE the public hearing on 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. Public Hearing – Application to Amend the Economic Development License Map
1. Resolution to approve an amendment to 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 eligible for an Economic Development License.

OR

To deny an amendment to 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 eligible for an Economic Development License.

- C. Public Hearing - Special Land Use Permit, Final Site Plan & Design Review – MARE Mediterranean – 115 Willits

1. Resolution to approve the Special Land Use Permit, Final Site Plan and Design Review application for 115 Willits – MARE Mediterranean;

AND

To authorize the Chief of Police to sign the MLCC Police Investigation Report (LC-1800) and to approve the liquor license request of Hospitality 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 (AM and PM) with Outdoor Service, and an Entertainment Permit located at 115 Willits, Birmingham, Oakland County, MI 48009.

Furthermore, pursuant to Birmingham City Ordinance, to authorize the City Clerk to complete the Local Approval Notice at the request of Hospitality Birmingham, LLC approving the liquor license transfer request of Hospitality Birmingham, LLC that requested a Class C License be transferred under MCL 436.1521 (A)(1)(B) & SDM License with Outdoor Service and an Entertainment Permit located at 115 Willits, Birmingham, Oakland County, MI 48009.

- D. Public Hearing – Special Land Use Permit, Final Site Plan & Design Review for 176 S. Old Woodward – Sushi Japan

1. Resolution to approve the Special Land Use Permit, Final Site Plan and Design Review application for 176 S. Old Woodward – Sushi Japan.

- E. Public Hearing – Special Land Use Permit, Final Site Plan & Design Review for 239 N. Old Woodward – Bloom Bistro

1. Resolution to approve the Special Land Use Permit, Final Site Plan and Design Review application for 239 N. Old Woodward – Bloom Bistro.

- F. Resolution to approve the Chapter 20 Section 471 Agreement with the Evergreen-Farmington Sanitary Drain Drainage District, agreeing to pay the City's share of apportioned costs related to the capital improvements described in said agreement. The total amount of the City's share of the cost is \$79,970: to be charged to 590-536.001-981.0100, Sewer Fund, Public Improvements. Also, to direct the Mayor to sign the agreement on behalf of the City.

- G. Resolution to approve the addendum to the Parking Structural Assessment Program with Wiss, Janney, Elstner Associates, Inc. (WJE) to include the design and bid

documentation preparation of parking structure repairs to take place during the 2021 construction season. Furthermore, to authorize the Mayor and City Clerk to sign the contract on behalf of the city.

- H. Commission discussion on items from prior meeting.
- I. 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.
- J. Resolution to meet in closed session to discuss a written Attorney/Client Privilege communications pursuant to MCL § 15.268(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

- A. Letter from Birmingham Roast

X. REPORTS

- A. Commissioner Reports
 - 1. Notice to Appoint: Advisory Parking Committee
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

INFORMATION ONLY

XI. ADJOURN

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760
You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

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