

BIRMINGHAM CITY COMMISSION AGENDA
AUGUST 23, 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 highly transmissible COVID-19 Delta variant is spreading throughout the nation at an alarming rate. As a result, the CDC is recommending that vaccinated and unvaccinated personnel wear a facemask indoors while in public if you live or work in a substantial or high transmission area. Oakland County is currently classified as a substantial transmission area. The City has reinstated mask requirements for all employees while indoors. The mask requirement also applies to all board and commission members as well as the public attending public meetings.
- In The Park Summer Concerts are being held weekly in Shain Park on Wednesday evenings from 7 pm - 9 pm. Upcoming groups include the following:
 - August 25th Ben Sharkey
 - September 1st Sun Messengers
 - September 8th "The Byron Legacy Show" starring Bryon Cancelmo
- Patriot Week Proclamation
- Director of Professional Development Neal Rossow and his staff from the MACP Accreditation Program

APPOINTMENTS

- A. Advisory Parking Committee
1. Algirdas Vaitas
 2. James J. Arpin
 3. Sarsgar Nasserian
 4. Richard Astrein

To appoint ___ to the Advisory Parking Committee as a regular member who is a small retail owner to serve a three-year term to expire September 4, 2024.

To appoint ___ to the Advisory Parking Committee as a regular member who is a resident who does not qualify under the following categories: downtown commercial representative of large retail, small retail, a professional firm, a building owner, a restaurant owner, or a downtown employee to serve a three-year term to expire September 4, 2024.

To appoint ___ to the Advisory Parking Committee as a regular member who is a BSD member to serve a three-year term to expire September 4, 2024.

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.

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 August 9, 2021.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 11, 2021, in the amount of \$9,141,601.76.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 18, 2021, in the amount of \$1,537,613.98.
- D. Resolution setting a public hearing for September 20, 2021 to consider the Special Land Use Permit amendment, Final Site Plan and Design Review application for 260 N. Old Woodward – The Morrie – to allow the addition of a new outdoor dining platform in the N. Old Woodward right-of-way.
- E. Resolution setting a public hearing for September 20, 2021 to consider the following amendments to Chapter 126, Zoning:
 - 1. Article 7, Section 7.01 (General) to add general public notice requirements; and
 - 2. Article 7, Section 7.29 (Site Plan Review: Hearing on Review; Notice) to remove and relocate public notice requirements.
- F. Resolution approving the Interlocal Agreement between the seven (7) control units of the 48th District Court in order to receive the grant and local share funding from the State of Michigan as demanded by the MDIC and authorizing the City of Birmingham as the lead community to receive and administer all monies on behalf of the 48th District Court MDIC program, and authorizing the City Manager, Thomas M. Markus, to sign on behalf of the City.
- G. Resolution approving the Agreement for the Managed Assigned Counsel Coordinator (MACC) Under the Michigan Indigent Defense Commission (MDIC) between the City of Birmingham as the Lead Community for the District Control Units of the 48th District Court and Stephanie Ann Achenbach for the period of time from October 1, 2021 through September 30, 2022 and, to authorize the City Manager to sign on behalf of the City.
- H. Resolution authorizing the IT department to purchase 126 block hours of GIS support from Geographic Information Services, Inc. 2100 Riverchase Center, Suite 105, Birmingham, AL 35244, the total purchase not to exceed \$19,936.98. Funds are available in the IT Computer

Maintenance fund account # 636-228.000-993.0600. This purchase is considered a sole source purchase pursuant to section 2-280(d) of the City Code.

- I. Resolution confirming the City Manager's authorization for the emergency expenditure related to the sewer repair on W. Maple Road at Henrietta Street by Aaron's Excavating, for a cost not to exceed \$6,650.00 to be charged to the Sewer Fund, Other Contractual Services account #590-536.001-811.0000, pursuant to Sec. 2-286 of the City Code.
- J. Resolution confirming the City Manager's authorization for the emergency expenditure related to the repair of the Quarton Dam auxiliary spillway gate lifting mechanism by Midwest Power Systems, for a cost not to exceed for \$17,150.00 to be charged to the Quarton Lake Maintenance account #101-751.000-935.0300, pursuant to Sec. 2-286 of the City Code.
- K. Resolution confirming the City Manager's authorization for the emergency expenditure related to the repair of the Chester Street structure elevator by KONE Elevator for a cost not to exceed \$7,345.00 to be charged to the Automobile Parking System Fund, Chester Parking Structure Elevator Maintenance account #585-538.008-930.0200, pursuant to Sec. 2-286 of the City Code.
- L. Resolution to amend the contract with SP Plus Corporation for Parking Management Services for the five City owned parking structures. Furthermore, to direct the Mayor and City Clerk to sign the agreement on behalf of the City.
- M. Resolution to approve the installation of a 4-way stop control at the intersection of Ferndale and Ravine and an installation of a stop sign on the southbound approach of Brookside at Ravine.
- N. Resolution approving a special event permit as requested by the Birmingham Shopping District to hold the 2021 Santa House beginning the weekend of November 27, 2021 through December 24, 2021 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, or event cancellation that may be deemed necessary by administrative staff leading up to or at the time of the event due to public health and safety measures.
- O. Resolution approving a special event permit as requested by the Birmingham Shopping District to hold the 2021 Winter Markt Friday, December 3 – Sunday, December 5, 2021 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 due to public health and safety measures.
- P. Resolution approving the renewal of Brooklyn Pizza's liquor license for 2021.
- Q. Resolution approving the suggested precinct change as required by the Election Commission and as recommended by the City Clerk. Precinct 6 presently located at City Hall will be permanently located at the Baldwin Public Library effective immediately.

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

A. Resolution awarding the Townsend and Peabody Street Paving Project #6-21(P), to DiPonio Contracting, Inc. contingent upon execution of the agreement and meeting all insurance and bonding requirements. In the amount of \$1,154,870.95, to be charged to the following accounts:

Sewer Fund, Public Imp.	590-536.001-981.0100	\$ 405,754.24
Water Fund, Public Imp.	591-537.004-981.0000	\$ 178,440.03
Local Streets Fund	203-449.001-981.0100	\$ 353,210.22
Major Streets Fund	202-449.001-981.0100	\$ 195,840.46
General Fund	101-444.002-981.0100	\$ 21,626.00
Total		\$ 1,154,870.95

To authorize the Mayor to sign the contract on behalf of the City; and

To approve the appropriation and amendment to the 2021/2022 budget as follows:

General Fund:

Revenues:

Draw from Fund Balance 101-000.000-400.0000 \$21,630

Expenditures:

Engineering and Public Services – Alleys 101-444.002-981.0100 \$21,630

Major Street Fund:

Revenues:

Draw from Fund Balance 202-000.000-400.0000 \$195,840

Expenditures:

Construction of Roads and Bridges 202-449.001-981.0100 \$195,840

Local Street Fund:

Revenues:

Draw from Fund Balance 203-000.000-400.0000 \$353,210

Expenditures:

Construction of Roads and Bridges 203-449.001-981.0100 \$353,210

Sewer Fund:

Revenues:

Draw from Fund Balance 590-000.000-400.0000 \$405,760

Expenditures:

Sewer Improvements 590-536.001-981.0100 \$405,760

Water Fund:

Revenues:

Draw from Fund Balance 591-000.000-400.0000 \$178,440

Expenditures:

Water Main Improvements 591-537.004-981.0100 \$178,440

- B. Resolution approving the City of Birmingham's participation in an Interlocal Agreement for Joint Senior Services, which together with three (3) neighboring communities, articulates their intention to contribute money so that NEXT and its Board of Directors may rely upon these monies in order to serve the seniors residing in the governmental units, and to authorize the City Manager to sign the Agreement on behalf of the City.
- C. Commission discussion on items from prior meeting.
 - 1. Glass Standards
- D. 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
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Greenwood Cemetery Advisory Board Annual Report
 - 2. Interim Report on Infrastructure Ratings
 - 3. Manager's Report

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).