

BIRMINGHAM CITY COMMISSION AGENDA
SEPTEMBER 13, 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 now at the HIGH level of community transmission for COVID-19.** 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.
- Rail Safety Week 2021 Proclamation

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 23, 2021.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 25, 2021, in the amount of \$11,448,905.61.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated September 1, 2021, in the amount of \$1,427,355.50.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated September 8, 2021, in the amount of \$1,241,819.32.

- E. Resolution delegating to the Birmingham City Clerk and her authorized assistants, those being the members of her staff, the following duties of the election commission for the November 2, 2021 election:
- Preparing meeting materials for the election commission, including ballot proofs for approval and a listing of election inspectors for appointment;
 - Contracting for the preparation, printing and delivery of ballots;
 - Providing candidates and the Secretary of State with proof copies of ballots;
 - Providing election supplies and ballot containers; and
 - Preliminary logic and accuracy testing.
- F. Resolution approving the designation of Finance Director Mark Gerber, Assistant Finance Director Kim Wickenheiser, DPS Director Lauren Wood, Building Official Bruce Johnson, Assistant Building Official Mike Morad, Birmingham Museum Director Leslie Pielack, and Police Commander Scott Grewe as representatives for Election Commission members Mayor Pierre Boutros, Mayor Pro Tem Therese Longe, and Commissioners Clinton Baller, Rackeline Hoff, Brad Host, Mark Nickita and Stuart Sherman for the purpose of conducting the Public Accuracy Tests of the electronic tabulating equipment which will be used to count votes cast at the November 2, 2021 election.
- G. Resolution seeking the establishment of a regional urban deer management plan for Oakland County.
- H. Resolution authorizing the IT department to convert the City's Zoom subscription from a monthly payment plan to a yearly payment plan with a total yearly cost of \$6717.60. Funds are available in the IT Connectivity fund account # 636-228.000-993.0700 This purchase is considered a sole source purchase pursuant to section 2-280(d) of the City Code.
- I. Resolution to set a public hearing for October 4, 2021 to consider the Special Land Use Permit Amendment, Final Site Plan and Design Review application for 160 W. Maple – Dick O' Dows – to allow changes to the front façade and outdoor dining plan.
- J. Resolution setting a public hearing on Monday, October 4, 2021, at 7:30 P.M., for the purpose of determining the necessity for the replacement of sewer and water services within the Lakeview Ave Paving project area.
- Be it further RESOLVED, that the City Commission meet on Monday, October 25, 2021 at 7:30 P.M. for the purpose of conducting a Public Hearing to Confirm the Assessment Roll for the replacement of sewer and water services in the Lakeview Ave Paving project area.
- K. Resolution to award the 2021 Concrete Sidewalk Repair Program #3-21(P), to JB Contractors, Inc., contingent upon execution of the agreement and meeting all insurance and bonding requirements. In the amount of \$312,625.00, to be charged to the following accounts;

General Sidewalk	101-444.001-981.0100	\$ 156,312.50
Major Streets Fund	202-449.001-981.0100	\$ 18,757.50
Local Streets Fund	203-449.001-981.0100	\$ 75,030.00
Sewer Fund	590-536.001-811.0000	\$ 31,262.50
Water Service Fund	591-537.005-811.0000	\$ 31,262.50
Total		\$ 312,625.00

Also, to authorize the Mayor to sign the contract on behalf of the City.

- L. Resolution to enter into an agreement with WJE for construction period services in an amount not to exceed \$117,200.00; further, to approve the appropriation and amendment to the 2021-2022 Automobile Parking System Fund budget as outlined. Furthermore, to authorize the Mayor and City Clerk to sign the contract on behalf of the city.

VI. UNFINISHED BUSINESS

- A. Resolution approving the Agreement for the Managed Assigned Counsel Coordinator (MACC) Under the Michigan Indigent Defense Commission (MIDC) 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.
- 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. Resolution to approve the amended 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.

VII. NEW BUSINESS

- A. Resolution approving the installation application of "Steel Horse" in Poppleton Park at Madison Ave and Woodward Ave under the City's Call-For-Entry program and to approve the payment of a \$2,000 stipend; \$1,000 is to be paid upon installation of the sculpture and an additional \$1,000 to be paid out at the end of the 3-year term, to be charged to the Public Arts Board account #101-299-000-811-0000.
- B. Resolution awarding the contract to Smith's Waterproofing for the proposed work at the North Old Woodward Parking Structure in the amount of \$891,303.00; further, to approve the appropriation and amendment to the 2021-2022 Automobile Parking System Fund budget as outlined. Furthermore, to authorize the Mayor and City Clerk to sign the contract on behalf of the city.

Automobile Parking Enforcement Fund

Revenues:	
Draw from Fund Balance	<u>\$891,303.00</u>
(Account #585-000.000-400.0000)	
Total Revenues	<u>\$891,303.00</u>
Expenditures:	
Capital Outlay – Buildings	<u>\$ 891,303.00</u>
(Account #585-538.005-977.0000)	
Total Expenditures	<u>\$891,303.00</u>

- C. Resolution awarding the 2021 Asphalt Resurfacing Project #5-21(P) to Pamar Enterprises Inc. contingent upon execution of the agreement and meeting all insurance and bonding requirements in the amount of \$1,476,831.04, to be charged to the accounts as listed in the report.
- D. Commission discussion on items from prior meeting.
 - 1. Ad Hoc Joint Senior Services Committee
- E. 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
 - 1. Notice of intention to appoint to the Board of Zoning Appeals
 - 2. Notice of intention to appoint to the Birmingham Shopping District Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Public Hearings Memo
 - 2. Clerical Error in Zoning Ordinance Article 2, Section 2.40 MX (Mixed Use) Table 2.40.3 – Maximum Total Floor Area

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](tel:248-530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).