

**BIRMINGHAM CITY COMMISSION AGENDA**  
**MONDAY, JULY 11, 2022**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Therese Longe, 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**

- COVID-19 Update: Per the CDC, Oakland County has a COVID-19 transmission level of HIGH. The City continues to recommend the public wear masks while attending City meetings per CDC guidelines. All City employees, commissioners, and board members must wear a mask while indoors when 6-feet of social distancing cannot be maintained. This is to ensure the continuity of government is not affected by an exposure to COVID-19 that can be prevented by wearing a mask. The City continues to provide KN-95 respirators and triple-layered masks for all in-person meeting attendees.
- The Clerk's office would like to remind voters to turn in an absentee ballot application if they wish to vote by mail for the August 2, 2022 State Primary Election. Return your absentee ballot to the clerk's office as soon as possible via drop box or mail. To review your specific voting information and preview your ballot visit [mi.gov/vote](http://mi.gov/vote). The online and mail voter registration deadline is July 18th. After July 18th new voters must register in person at the clerk's office.
- Join us in Shain Park for our In The Park Summer Concert Series up next on July 13th is Shout Tribute Band (Beatles) at 7 pm and July 20th at 12 pm SURF ZUP (Beach Boys) and 7 pm Mainstream Drive (Classic Rock)
- The City Commission wishes Mayor 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 Joint City Commission and Planning Board meeting minutes of June 20, 2022.
- B. Resolution to approve the City Commission meeting minutes of June 27, 2022.

- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 29, 2022, in the amount of \$991,516.35.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 6, in the amount of \$1,071,614.27.
- E. Resolution to approve a special event permit as requested by Piety Hill DAR to hold the Veterans Day Wreath Laying on November 11, 2022, 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.
- F. Resolution to set the Public Hearing of Necessity for the road surface cape-seal treatment for all properties within project area on Westwood, between Raynale & Oak, Raynale, between N. Glenhurst and the west City limits, and Oak, between N. Glenhurst & the west City Limits, on Monday, August 15, 2022 at 7:30 P.M.; and  

If necessity is determined on August 15, 2022, to meet on Monday, August 29, 2022 at 7:30 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the for the road surface cape-seal treatment for all properties within project area on Westwood, between Raynale & Oak, Raynale, between N. Glenhurst and the west City limits, and Oak, between N. Glenhurst & the west City Limits.
- G. Resolution to set the Public Hearing of Necessity for the replacement and improvement of Water and Sewer Laterals meeting the requirements for assessment, for all properties within project area on Westwood, between Raynale & Oak, Raynale, between N. Glenhurst and the west City limits, and Oak, between N. Glenhurst & the west City Limits, on Monday, August 15, 2022 at 7:30 P.M.; and  

If necessity is determined on August 15, 2022, to meet on Monday, August 29, 2022 at 7:30 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the replacement and improvement of Water and Sewer Laterals meeting the requirements for assessment, for all properties within project area on Westwood, between Raynale & Oak, Raynale, between N. Glenhurst and the west City limits, and Oak, between N. Glenhurst & the west City Limits.
- H. Resolution to set a public hearing date of August 15, 2022 to consider the proposed lot combination of 770 S. Adams and 1000 Haynes Ave, Parcel ID # 19-36-283-016 & Parcel ID # 19-36-283-024.
- I. Resolution to approve the City of Birmingham Hardship Application and Policy.
- J. Resolution to authorize the City Manager to cast a vote, on the City's behalf, for the one (1) candidate seeking re-election to the Michigan Municipal League Workers' Compensation Fund for a four-year term, beginning October 1, 2022.
- K. Resolution to approve the award of the 2022-2023 Sidewalk Trip Elimination Services Contract #10-22 (SW) for the 2022-2023 sidewalk program repair area and emergency services, with the option for the City to extend the contract for up to two additional years for additional areas within the City at the proposed contract rates, with an initial budget of \$195,000.00 for proposed service work. In addition, to authorize the Mayor and City

Clerk to sign the agreement on behalf of the City. Funding for this project has been budgeted in account #101-444.001-981.0100.

- L. Resolution to approve an Addendum to the Coordination Agreement with RH and Sachse Construction to alter Recital D, and Sections 2, 7, and 11 of the original agreement approved on April 25, 2022.

<b>VI. UNFINISHED BUSINESS</b>
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<b>VII. NEW BUSINESS</b>
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- A. Resolution to direct the City Manager to meet with the NEXT Executive Director and Board and to assist with the study of alternative facilities and/or sites for construction of NEXT facilities that could be considered for the long term needs of the NEXT operations and services.
- B. Resolution to approve the City of Birmingham Code of Conduct and further direct staff to publish this document on the City of Birmingham website along with the Rules of Procedure of the Birmingham City Commission.
- C. Resolution to accept and adopt the Policy on Public Comments During Virtual Meetings as presented.
- D. Resolution adopting an ordinance amendment to Chapter 2 – Administration, Article II. - City Commission, Sec. 2-29. – Time and location of meetings, which will now change regular City Commission meetings to be from \_\_\_\_\_ p.m. to \_\_\_\_\_ p.m.
- E. Resolution to approve an agreement with Telluris Architecture for Police Department/City Hall Assessment and Conceptual Designs for Renovations/Expansion in the amount not to exceed \$74,833.00. In addition, to approve the appropriation and amendment to the FY 2022-2023 Capital Projects Fund budget as noted below and authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project has been budgeted in account # 401.301.000.979.0000.
- F. Resolution to approve a Ground Lease between Select Commercial Assets Hospitality and the City of Birmingham with a 50-year term to allow Select Commercial Assets Hospitality to lease City property adjacent to 35001 and 35075 Woodward Avenue to develop the proposed 5 story mixed use building with underground parking. In addition, to authorize the Mayor and City Clerk to sign the Ground Lease on behalf of the City.
- G. Public Hearing to amend Article 2, Sections 2.04, 2.06, 2.08 and 2.10 of the Zoning Ordinance to modify the minimum front yard setback requirement.
  - 1. Resolution adopting an ordinance to amend Article 2, Sections 2.04, 2.06, 2.08 and 2.10 of the Zoning Ordinance to modify the minimum front yard setback requirement.
- H. Public Hearing to amend Article 4, Section 4.30, Open Space Standards, to add language to permit accessibility ramps in the required open space.

1. Resolution adopting an ordinance to amend Article 4, Section 4.30 of the Zoning Ordinance to include provisions for accessible ramps that do not unintentionally inhibit persons in need as it relates to open space restrictions.
- I. Public Hearing for 185 N. Old Woodward – Bell Bistro (formerly Mad Hatter) – Special Land Use Permit Amendment, Final Site Plan & Design Review
    1. Resolution to approve the Special Land Use Permit Amendment, Final Site Plan and Design Review application for 185 N. Old Woodward – Bell Bistro – and enter into a Special Land Use Permit Contract with RAM Restaurant Group, Inc. to allow for interior and exterior renovations at an existing bistro and the addition of a new outdoor dining area on public/private property on N. Old Woodward.
  - J. Public Hearing for 310 E Maple – Casa Pernoï – Special Land Use Permit Amendment, Final Site Plan & Design Review
    1. Resolution to approve the Special Land Use Permit Amendment, Final Site Plan and Design Review application for 310 E. Maple – Casa Pernoï – and enter into a Special Land Use Permit Contract with Nuovo Holdings, LLC to allow for an isinglass enclosure and the expansion of the outdoor dining facility.
  - K. 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.
  - L. Commission discussion on items from a prior meeting
    1. None

**VIII. REMOVED FROM CONSENT AGENDA**

**IX. COMMUNICATIONS**

**X. REPORTS**

- A. Commissioner Reports
  1. Notice of intention to appoint Advisory Parking Committee
  2. Notice of intention to appoint Board of Review
- 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](tel:2485301880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*