

BIRMINGHAM CITY COMMISSION AGENDA
FEBRUARY 14, 2022
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.
AMENDED

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

- The CDC recommends vaccinated and unvaccinated individuals wear a facemask indoors while in public. The City requires masks in City Hall for all employees, board and commission members, and the public. KN-95 respirators and medical 3 ply masks will be provided to everyone attending public meetings.

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 Long Range Planning Meeting minutes of January 22, 2022.
- B. Resolution to approve the City Commission Regular Meeting minutes of January 24, 2022.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated January 26, 2022, in the amount of \$836,235.31.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated February 2, 2022, in the amount of \$2,007,252.52.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated February 9, 2022, in the amount of \$2,851,707.60.
- F. Resolution to amend the City's schedule of fees, charges, bonds and insurance under the City Clerk's office section, relating to Outdoor Dining Licenses, as requested by the Clerk's office.

- G. Resolution to approve a special event permit as requested by the Birmingham Memorial Day Committee to hold the 2022 Memorial Day Service on Monday, May 30, 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.
- H. Resolution to approve a request from the Birmingham City Clerk's office to hold the Celebrate Birmingham Parade on downtown streets and the Party in Shain Park as presented on May 15, 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.
- I. Resolution to amend the Birmingham Fee Schedule for the addition of a Wall Art Application Fee for the amount of \$200.
- J. Resolution to approve the purchase agreement with CMP Distributors, Inc. for (3) Point Blank ARMIS II SE-WARSOC tactical vests with Paraclete level III+ plate and Point Blank 555 level III+ steel plate in the amount not to exceed \$9,180.00. 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 101-301.000-743.0000.
- K. Resolution to approve the Verizon Wireless application for placement of Verizon Wireless' new pole and small cell equipment at the proposed location along the east side of Columbia St.
- L. Resolution to set the Public Hearing of Necessity for the construction of sidewalk and streetscape improvements adjacent to all properties within the project area on S. Old Woodward Avenue, from Brown St. to Landon St., on Monday, March 14, 2022 at 7:30 P.M.; and

If necessity is determined on March 14, 2022, to meet on Monday, April 11, 2022 at 7:30 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for construction of sidewalk and streetscape improvements adjacent to all properties within the project area on S. Old Woodward Avenue, from Brown St. to Landon St.
- M. Resolution to set the Public Hearing of Necessity for the replacement and improvement of Water and Sewer leads meeting the requirements for assessment, for all properties within project area on S. Old Woodward Avenue, from Brown St. to Landon St., on Monday, March 14, 2022 at 7:30 P.M.; and

If necessity is determined on March 14, 2022, to meet on Monday, April 11, 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 leads meeting the requirements for assessment, for all properties within project area on S. Old Woodward Avenue, from Brown St. to Landon St.

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

- A. Public Hearing - Confirming Roll for Special Assessment District #896 – Maple Road Reconstruction Project
 - 1. Resolution confirming special assessment roll 896 as indicated in the staff report.

- B. Public Hearing – Necessity of Maple Road Sewer Lateral Special Assessment District
 - 1. Resolution declaring necessity and creating a Special Assessment District (SAD) and that special assessments be levied in accordance with benefits against the properties within such assessment district, (sewer laterals) said special assessment district shall be all properties, within the following district, of (10) ten parcels (as listed in the staff report), and that the Commission meet on Monday, February 28, 2022 at 7:30 P.M. for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the SAD for properties within the project area with sewer laterals meeting the requirements for replacement on Maple Road, between Bates Street and Pierce Street, and between Old Woodward Avenue and Woodward Avenue.

- C. Public Hearing – Special Land Use Permit – 211 Hamilton Row - Sybil
 - 1. Resolution to APPROVE the Special Land Use Permit, Final Site Plan and Design Review application and contract for 211 Hamilton Row – Sybil – to allow the addition of a new food and drink establishment serving alcoholic beverages for on premise consumption and associated interior/exterior renovations.

- D. Public Hearing – Proposed Amendments for Article 4, Section 4.44 – Outdoor Dining Standards
 - 1. Motion adopting an ordinance to amend Article 4, Section 4.44, Outdoor Dining Standards, to remove temporal restrictions on outdoor dining patios in the public right-of-way, and to allow outdoor dining fixtures and furnishings to stay outside overnight.

- E. Resolution to adopt a formal Resolution Concerning Next and Their Need for a Long Term Written Agreement to House Next Services and Operate at Midvale School in Birmingham, Michigan.

- F. Resolution to meet in closed session to discuss an Attorney/Client privilege communication pursuant to MCL § 15.268 Sec. 8(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.)

- G. 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.

- H. Commission discussion on items from prior meeting
 - 1. Social Districts

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

- A1. Letter from Hillary Callaghan dated January 9, 2022.
- A2. City response to Callaghan

- B1. Letter from David Hendrickson, City Manager, City of Bloomfield Hills dated January 25, 2022.
- B2. City response to Hendrickson

X. REPORTS

- A. Commissioner Reports
 - Notice of intention to appoint:
 - 1. Parks & Rec
 - 2. Multi Modal
 - 3. Planning
 - 4. Cablecasting
 - 5. Alternate Hearing Officer
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Attorney General's Opinion Regarding OMA and Virtual Accommodations for Disabled Persons – Mary Kucharek

INFORMATION ONLY – **2 Additional Items**

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).