

**BIRMINGHAM CITY COMMISSION AGENDA**

**May 9, 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 cases locally are the highest they have been since the beginning of the pandemic. Michigan and Oakland County continue to be at a high level of community transmission. As a result, 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 will be provided to everyone attending public meetings.
- DPS Open House is on Saturday, May 14 10 am – 2 pm. Location is at 851 S. Eton Public Services Facility. Come join us for a day of family fun, meet City staff, view equipment displays, find informational and educational exhibits. Enjoy hot dogs and refreshments!
- Join us for the 2022 Celebrate Birmingham Parade and Party in Shain Park on Sunday, May 15. The Parade will begin at 1pm on N. Old Woodward near Booth Park and end in Shain Park with a celebration featuring entertainment and family activities. Celebration in Shain Park ends at 4 pm.
- The Baldwin Public Library will be holding a public open house on Sunday, May 22 from 2:00 to 4:00 p.m., with remarks to be held at 2:30 p.m. The open house will celebrate the grand reopening of the expanded Youth Room and second floor renovations, honor Doug Koschik's retirement, dedicate Jim Miller-Melberg's Michigan Spring Statue, and commemorate Martha Baldwin's induction into the Michigan Women's Hall of Fame.
- Proclamation Supporting Participation in United Way for Southeastern Michigan's 21 Day Equity Challenge
- Proclamation Declaring the First Friday in June to be National Gun Violence Awareness Day

**APPOINTMENTS**

- A. Advisory Parking Committee
  - 1. Jim Arpin

To appoint \_\_\_\_\_ to the Advisory Parking Committee as a regular member who is a resident to serve the remainder of a three-year term to expire September 4, 2024.

**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 and Planning Board joint meeting minutes of April 18, 2022.
- B. Resolution to approve the City Commission meeting minutes of April 25, 2022.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 27, 2022, in the amount of \$1,049,582.18.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated May 4, 2022, in the amount of \$ 214,454.81.
- E. Resolution to approve an extension of the public services and minor home repair contracts with NEXT for the purpose of expending remaining program year 2018-2019 and 2020-2021 Community Development Block Grant funds for the Yard Services, Senior Outreach Services, and Minor Home Repair Services administered by NEXT through December 31, 2022; and further, to authorize the Mayor and the City Clerk to sign the amendments on behalf of the City.
- F. Resolution to approve the recommendation to add Juneteenth to the City of Birmingham's designated legal holidays pursuant to Section 2-26 of the Birmingham City Code.
- G. Resolution to approve the addendum to the Greenwood Management Services Agreement with provider Creative Collaborations, LLC, to act on behalf of the city as the service provider to the Historic Greenwood Cemetery for a term of one year, with annual renewals until either party exercises the termination provisions as stated in the contract. The addendum to the annual contract is set for an amount not to exceed \$45,600.00, which will be paid from account #101-215.000-811.0000.
- H. Resolution to authorize the IT department to renew the Cortex XDR antivirus endpoint software license from AmeriNet. The purchase price not to exceed \$9,530.56. Funds are available in the IT Software Fund Account: 636-228.000-742.0000.
- I. Resolution to approve the request for reimbursement for the maximum allotment of \$2,705.23 for eligible mosquito control activity under the Oakland County's West Nile Virus Fund Program.
- J. Resolution to approve the City Manager's authorization for the emergency expenditure related to the repair of vehicle #160 by Jack Doheny Company, the sole supplier of the

repair, for \$7,893.52 to be charged to the Auto Equipment account #641-441.006-933.0200, pursuant to Sec. 2-286 of the City Code.

- K. Resolution to approve the DTE Master Street Lighting Agreement for the removal of existing lighting and installation of the planned new lighting for the Phase 3 S. Old Woodward work. In addition, to authorize the Mayor to sign the agreement on behalf of the City. Funding for this project has been budgeted in account #401-901.010-981.0100.
- L. Resolution to set a public hearing date of June 13, 2022 to consider the Special Land Use Permit Amendment, Final Site Plan and Design Review application for 243 E. Merrill – La Strada – to allow for the expansion of the existing bistro and the associated interior renovations and the addition of a new outdoor dining platform in the Merrill St. right-of-way.
- M. Resolution to set a public hearing date of June 13, 2022 to consider the request to rezone Parcel # 08-19-127-027 from R8 Attached Single Family Residential to R2 Single Family Residential.

## **VI. UNFINISHED BUSINESS**

## **VII. NEW BUSINESS**

- A. Public Hearing: 2100 E. Maple – Whole Foods/Maple Road Taproom – Special Land Use Permit
  - 1. Due to observed compliance with the provisions of their Special Land Use Permit, no action is required.
- B. Public Hearing – 220 Merrill – 220 Restaurant – Special Land Use Permit Amendment, Final Site Plan and Design Review
  - 1. Resolution to APPROVE the Special Land Use Permit Amendment, Final Site Plan and Design Review application for 220 Merrill – 220 Restaurant – to allow the addition of a new outdoor dining platform in the Merrill St. right-of-way with the following conditions:
    - I. The applicant must remove all privately owned obstructions such as the existing planter boxes, as well as the hanging planters proposed on the new fence on the east side of the existing patio from the public right-of-way or relocate them to private property;
    - II. The applicant must install city standard tree grates over both tree boxes that exist along the right-of-way adjacent to the property; and
    - III. The applicant must submit revised site/design plans addressing the conditions of approval from the Historic District Commission for review and approval by the Planning Director.

**OR**

Make a motion adopting a resolution to DENY the Special Land Use Permit Amendment, Final Site Plan and Design Review application for 220 Merrill – 220 Restaurant – to deny the addition of a new outdoor dining platform in the Merrill St. right-of-way with the conditions noted above in Staff Notes.

- C. Request to include 469-479 S. Old Woodward into the parking system.
- D. Resolution in Opposition to GLWA Member Communities Paying for the City of Highland Park’s GLWA Debt, and to direct the City Manager to forward copies of the approved resolution to Governor Whitmer, our State legislators and to the Great Lakes Water Authority.
- E. Resolution to amend the City of Birmingham Charter, Chapter IV. – REGISTRATIONS, NOMINATIONS AND ELECTIONS as provided, and to direct the Mayor’s signature for approval and the Clerk to proceed as dictated by state law.
- F. Resolution to amend the City of Birmingham Charter, Chapter VI. – CONTRACTS, Sections 1., 2., and 3. as provided, and to direct the Mayor’s signature for approval and the Clerk to proceed as dictated by state law.
- G. Resolution directing the current City Manager to continue to train, educate and acclimate the current Assistant City Manager in order to be able to assume the duties of the City Manager. Further, the City Commission directs the City Manager to take the necessary actions to assist the City Commission in order to effectuate option \_\_\_ in the City Manager selection process.
- H. Resolution to amend the City Manager’s Employment Agreement increasing the annual salary.
- 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. Commission discussion on items from prior meeting
  - 1. BBCC Mental Health – More Time to Discuss – Commissioner Baller

**VIII. REMOVED FROM CONSENT AGENDA**

**IX. COMMUNICATIONS**

**X. REPORTS**

- A. Commissioner Reports
  - 1. Notice of intention to appoint to the Historic District Study Committee
  - 2. Notice of intention to appoint to the Board of Ethics

3. Notice of intention to appoint to the Museum Board
4. Notice of intention to appoint Hearing Officer
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff Report
  1. Update Concerning OMA
  2. 3rd Quarter Budget Report
  3. 3rd Quarter Investment 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).*