

BIRMINGHAM CITY COMMISSION AGENDA
MONDAY, JULY 25, 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

- The City continues to recommend the public wear masks while attending City meetings per CDC guidelines. The cases of COVID-19 are increasing in the area. 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 City Clerk's Office will be open on Saturday, July 30, 2022 from 8am-4pm for your last minute absentee voting needs. The deadline to request and receive an absentee ballot by mail is 5pm Friday, July 29. The deadline to obtain an absentee ballot in person at the City Clerk's Office is no later than 4pm on August 1st. If you need to register to vote or update your voter registration, all registration actions must take place in person at the City Clerk's office from now through Election Day.
- Join us in Shain Park for our In The Park Summer Concert Series on Wednesday evenings beginning at 7 PM. July 27th is Thornetta Davis (R&B), August 3rd is Captain Fantastic Detroit and The Donny Rod Show (Rod Stewart & Elton John Tribute) and on August 10th we have Itchycoo (Psychedelic Rock).
- Proclamation Farmers Market
- Introduce Aaron Ford, new Parking System Manager
- Introduce Melissa Coatta, new City Engineer

Appointments

- A. Appointment to the Greenwood Cemetery Advisory Board
1. Margaret Suter
 2. Linda Buchanan

To appoint _____ to the Greenwood Cemetery Advisory Board as a regular member to serve a three-year term to expire July 7, 2025.

To appoint _____ to the Greenwood Cemetery Advisory Board as a regular member to serve a three-year term to expire July 7, 2025.

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 regular City Commission meeting minutes of July 11, 2022.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 13, 2022, in the amount of \$794,198.65.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 20, 2022 in the amount of \$1,319,579.99.
- D. Resolution to set a public hearing date of August 29th, 2022 to consider the rezoning application for a portion of 695 W. Brown, parcel #19-36-151-027, from R8 Attached Single Family to R2 Single Family Residential.
- E. Resolution to set a public hearing date of August 29th, 2022 to consider finalizing the lot division of 695 W. Brown, parcel # 19-36-159-009 & parcel # 19-36-151-027.
- F. Resolution to approve an agreement with Span Systems, Inc. for the fabrication and installation of two windscreen panels and overall tensile structure maintenance in the amount not to exceed \$12,500. 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- 751.000-811.0000.
- G. Resolution to approve and award the 2022 Concrete Sidewalk Repair Program #8-22(P), to Luigi Ferdinandi and Sons Cement Company, Inc., in the amount not to exceed \$399,928.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project has been budgeting in the following accounts;

<u>Funding Account</u>	<u>Fund ID Number</u>	<u>Project Award</u>
General Sidewalk	101-444.001-981.0100	\$ 326,687.21
Major Streets Fund	202-449.001-981.0100	\$ 41,851.88
Local Streets Fund	203-449.001-981.0100	\$ 31,388.91
	Total Costs	\$ 399,928.00

- H. Resolution to approve the increased payment of \$14,400.00 with Hart Pavement Striping Corporation over the contracted amount for \$64,000.00 for additional handwork pavement services conducted in the 2021-2022 fiscal year. Further, to approve the appropriations and budget amendment to the fiscal year 2021-2022 budget as follows:

Major Street Funds

Revenues:

Draw from fund balance #202-303.001-937.0200	\$14,400.00
Total Revenue Adjustment	\$14,400.00

Expenditures:

Contract Lane Painting -#202-303.001-937.0200	\$14,400.00
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Total Expenditures Adjustment: \$14,400.00

- I. Resolution to authorize the IT department to purchase the Palo Alto Firewall hardware and 3-year security subscription and support License bundle, the purchase price not to exceed \$31,461.00, from funds available in the IT machinery and equipment fund account # 636-228.000-971.0100;
AND
Make a motion adopting a resolution to authorize the IT department to purchase the Cortex XDR Pro / Data Lake Integration for the Firewall, the purchase price not to exceed \$41,478.06, from funds available in the IT computer maintenance fund account # 636-228.000-933.0600.
- J. Resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Bus Bar, LLC to approve the request of Bus Bar, LLC to transfer the membership in Bus Bar, LLC which holds the Class C and SDM License with Sunday Sales (AM and PM) and Outdoor Service Area located at 2159 E. Lincoln, Birmingham, Oakland County, MI from 50% Keith Crain Jr to 50% RPJP Holdings, LLC and the other 50% remain with Curt Catallo Trust.

VI. UNFINISHED BUSINESS

- A. Continuation of 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.

VII. NEW BUSINESS

- A. Public Hearing for 220 Merrill – 220 Restaurant – Review for Compliance – Special Land Use Permit
 - 1. Resolution to continue the public hearing until August 15, 2022, to allow the applicant to complete the installation of the tree grates.
OR
Resolution that the Special Land Use Permit for 220 Restaurant remain in place with the terms and conditions previously approved, removing the last condition to reappear before the City Commission in July, 2022.
- B. Public Hearing for 1160 Grant Street – Ortiz Educare – Special Land Use Permit, Final Site Plan & Design Review
 - 1. Resolution to APPROVE the Special Land Use Permit, Final Site Plan and Design Review application for 1160 Grant St. – Ortiz Educare with the following condition:
 - The applicant provide a photometric plan indicating all lighting requirements for the parking lot circulation area have been met.
- C. Public Hearing for 36877 Woodward Ave – Gasow Veterinary Clinic – Special Land Use Permit, Final Site Plan & Design Review
 - 1. Resolution to APPROVE the Special Land Use Permit, Final Site Plan and Design Review application for 36877 Woodward Ave – Gasow Veterinary Clinic and to enter into a Special Land Use Permit Contract with Midwest Veterinary Partners PLLC and 36877

Woodward Avenue LLC to allow for a veterinary clinic use to operate in the TZ-3 Transition zone with the condition that the applicant obtain lot combination approval from City Commission.

- D. First Time Special Event - Quarton Elementary Slow Roll
 - 1. Resolution to approve a special event permit as requested by the Quarton Elementary to hold the Slow Roll on October 1, 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.

- E. First Time Special Event - Baldwin Society "An Autumn Affair of Dignity and Hope"
 - 1. Resolution to approve a special event permit as requested by the Baldwin Society to hold the event "An Autumn Affair of Dignity and Hope" on September 22, 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. 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.

- G. Commission discussion on items from a prior meeting
 - 1. None

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
 - 1. Ethics Opinion 2022-02 Koseck
- D. Legislation
- E. City Staff
 - 1. Parking Assessment District
 - 2. City Managers 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](tel:248-530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).