

**BIRMINGHAM CITY COMMISSION AGENDA**

**AMENDED August 29, 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. All City employees, commissioners, and board members must wear a mask while indoors because adequate ventilation 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 November 8, 2022 State General Election. Absentee Ballots are tentatively scheduled to be mailed out the last week of September. If you have already turned in your application to receive a November absentee ballot and need to change the mailing location, please contact the Clerk's office as soon as possible. To review your specific voting information, request an absentee ballot, or update your voter name or address go to [mi.gov/vote](http://mi.gov/vote). The online and mail voter registration deadline is October 24th. After October 24th new voters must register in person at the clerk's office.
- National Recovery Month Proclamation
- Village Players Proclamation
- **Timothy J. Currier Proclamation<sup>1</sup>**

**APPOINTMENTS**

- A. Appointments to the Advisory Parking Committee
1. Kevin Kozlowski
  2. Lisa Silverman

To appoint \_\_\_\_\_ to the Advisory Parking Committee as a regular member who is a resident shopper to serve a three-year term to expire September 1, 2025.

To appoint \_\_\_\_\_ to the Advisory Parking Committee as a regular member who is a representative of a downtown Birmingham professional firm to serve a three-year term to expire September 1, 2025.

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<sup>1</sup> Addition to agenda 8/29/22 11:30am

To appoint \_\_\_\_\_ to the Advisory Parking Committee as a regular member who is a resident to serve a three-year term to expire September 1, 2025.

- B. Appointment to the Board of Review
  - 1. Maria Chirco

To appoint \_\_\_\_\_ to the Board of Review as an alternate member to serve the remainder of a three-year term to expire December 31, 2023.

- C. Appointment to Hearing Officer
  - 2. Lawrence Lyng

To appoint \_\_\_\_\_ as the Hearing Officer to serve a three-year term to expire June 30, 2025.

- D. Appointment to the Board of Zoning Appeals
  - 1. Richard Lilley

To appoint \_\_\_\_\_ as an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 18, 2023.

- E. Appointment to the Triangle District Corridor Improvement Authority
  - 1. Erica Ahmed

To appoint \_\_\_\_\_ to the Triangle District Corridor Improvement Authority as a member with ownership or business interest in property located in the Development Area to serve the remainder of a four-year term to expire December 15, 2022.

To appoint \_\_\_\_\_ to the Triangle District Corridor Improvement Authority as a member with ownership or business interest in property located in the Development Area to serve the remainder of a four-year term to expire December 15, 2023.

- F. Appointment to the Brownfield Redevelopment Authority
  - 1. Harry Awdey

To appoint \_\_\_\_\_ as a regular member to the Brownfield Redevelopment Authority to serve the remainder of a three-year term to expire May 23, 2024.

To appoint \_\_\_\_\_ as a regular member to the Brownfield Redevelopment Authority to serve a three-year term to expire May 23, 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.

*\*Minutes from the City Commission workshop of August 24, 2022 will be available at the September 12, 2022 meeting.*

- A. Resolution to approve the City Commission meeting minutes of August 15, 2022.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 17, 2022, in the amount of \$8,340,531.37.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 24, 2022, in the amount of \$1,075,548.31.
- D. Resolution to approve the purchase of the Nutanix expansion for the Hyper-converged infrastructure from CDWG at total cost not to exceed \$33,608.00. Funds are available in the Machinery and Equipment fund account #636.0-228.000-971.0100.
- E. Resolution to approve the First Amendment Software Agreement between the City and Sensus (needed to initiate the software upgrade),

AND

Resolution to approve an agreement with ETNA Supply Company for the one-time Sensus Meter System Upgrade and the year one hosting fee totaling (\$82,450) and to approve the annual web hosting fees to be paid over the following four years as cited below. Funding will be available in account number 591-537.001-811.0000 for the system upgrade and annual costs; further, to approve the appropriation and amendment to the fiscal year 2022 thru 2027 Water Fund budget as follows:

**Expenses:**

Fiscal Year 2022-2023

591-537.001-811.0000	One-time Upgrade Fee	\$49,000
591-537.007-811.0000	Fiscal Year 2022-2023 Annual Hosting Fee	<u>\$33,450</u>
		\$82,450

Upcoming Annual Cost Schedule

Fiscal Year 2023-2024	Annual Hosting Fee	\$35,210
Fiscal Year 2024-2025	Annual Hosting Fee	\$37,070
Fiscal Year 2025-2026	Annual Hosting Fee	\$39,020
Fiscal Year 2026-2027	Annual Hosting Fee	<u>\$41,070</u>
Four-Year Total		\$152,370

And further, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

- F. Resolution confirming the City Manager’s authorization for the emergency expenditure related to the repair of a brick wall on the east side entrance of the Park Street Structure by Pullman SST Inc. for a cost not to exceed \$8,400.00 to be charged to the Automobile Parking System Fund, Park Street Structure Building Maintenance Account #514.1-594.003-930.0500. Furthermore, to direct the City Attorney to continue to seek restitution from the responsible driver’s insurance company for \$8,400.00.
- G. Resolution approving the purchase of two (2) 2022 Chevrolet Tahoe vehicles for \$40,466 each, from Berger Chevrolet located at 2525 28th Street S.E., Grand Rapids, MI 49512, under the State of Michigan MiDeal extendable purchasing contract #071B7700184, in the amount not to exceed \$80,932 for both vehicles. Funds for this purchase are available in the FY 2022-2023 Auto Equipment Fund account #641-441.006.971.0100.
- H. Resolution approving the sculpture donations of “Untitled #1” and “Untitled #2” by Hank Marx to be installed at Martha Baldwin Park.
- I. Resolution approving the sculpture donation of “Khyber” by Tom Fitzgerald, donated by Carolle Baskin to be installed at Fairway Park.
- J. Resolution to move the third strategic planning workshop from September 27, 2022 to October 11, 2022 at 7 p.m.
- K. Resolution to appoint City Engineer Melissa Coatta as Representative of the City of Birmingham on the SOCWA Board of Trustees for the remainder of the 2022/2023 fiscal year.
- L. Resolution to accept the resignation of Caitlin Rosso from the Museum Board, to thank her for her service and to direct the City Clerk to begin the process of filling the vacancy.

<b>VI. UNFINISHED BUSINESS</b>
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<b>VII. NEW BUSINESS</b>
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- A. Public Hearing – Confirming Roll for Westwood Cape-Seal Treatment Special Assessment District #898
  - 1. Resolution confirming special assessment roll 898 as indicated in the staff report.
- B. Public Hearing – Confirming Roll for Westwood, Raynale and Oak Sewer and Water Lateral Replacement Special Assessment District #898S and #898W
  - 1. Resolution confirming special assessment rolls 898S and 898W as indicated in the staff report.
- C. Public Hearing - Request to Rezone - 695 W. Brown - parcel # 08-19-36-151-027 from R8 Attached Single-Family Residential to R2 Single-Family Residential on Watkins Street
  - 1. Motion adopting an ordinance amendment to rezone a portion of 695 W. Brown, parcel #19-36-151-027, from R8 Attached Single Family to R2 Single Family Residential.
- D. Public Hearing – Proposed Lot Division on Watkins and Brown St. - 695 W. Brown Street, parcel # 19-36-159-009 & parcel # 19-36-151-027
  - 1. Resolution to approve the lot division of 695 W. Brown, parcel # 19-36-159-009 & parcel # 19-36-151-027.

- E. Resolution to appoint \_\_\_\_\_ as the City of Birmingham’s official voting delegate and \_\_\_\_\_ as the alternate delegate, for the Michigan Municipal League Annual Meeting to be held in Muskegon, Michigan on October 19, 2022.
- 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. Birmingham Country Club – Pickleball
  - 2. Traffic Calming Measures – Speed Tables/Speed Humps
- H. Resolution to meet in closed session to discuss pending litigation pursuant to MCL § 15.268 Sec. 8(e) of the Open Meetings Act regarding John Reinhart, et al the v City of Birmingham; U.S. District Court Case No.: 2:22-cv-11074-MAG-DRG.

AND

Resolution to meet in closed session to discuss a written 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.**

**VIII. REMOVED FROM CONSENT AGENDA**

**IX. COMMUNICATIONS**

**X. REPORTS**

- A. Commissioner Reports
  - 1. Notice of Intention to Appoint to the Museum Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions’ Reports and Agendas
- D. Legislation
- E. City Staff
  - 1. City Manager’s 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:2485301880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*