

BIRMINGHAM CITY COMMISSION AGENDA
MARCH 27, 2023
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 recommends members of the public wear a mask if they have been exposed to COVID-19 or have a respiratory illness. City staff, City Commission and all board and committee members must wear a mask if they have been exposed to COVID-19 or actively have a respiratory illness. The City continues to provide KN-95 respirators and triple-layered masks for attendees.

- Proclamation recognizing April 24, 2023 as Armenian Genocide Remembrance Day

APPOINTMENTS

- A. Appointment to the Planning Board
1. Janelle Boyce
 2. Bert Koseck

To appoint _____ to the Planning Board as a regular member to serve a three-year term to expire March 28, 2026.

To appoint _____ to the Planning Board as a regular member to serve a three-year term to expire March 28, 2026.

- B. Appointment to the Ad Hoc Environmental Sustainability Committee
1. Joseph Mercurio
 2. Patrick Hillberg
 3. Jessica Newman
 4. Jeremy Caverly
 5. Lindsay Wold
 6. Rachna Gulati
 7. Albert Harvey Bell, IV
 8. Lois DeBacker
 9. Danielle Todd
 10. Debra Horner

11. Kevin Bopp
12. Lara Edwards
13. Jerome S. Amber
14. Veronica Rivera
15. Daniella Torcolacci
16. Tom Fink

To appoint _____ to the Ad Hoc Environmental Sustainability Committee as a regular member to serve an eighteen-month term to expire September 27, 2024.

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C. Appointment to the Public Arts Board

1. Andi Harris

To appoint _____ to the Public Arts Board as an alternate member to serve the remainder of a three-year term to expire January 28, 2026.

To appoint _____ to the Public Arts Board as an alternate member to serve the remainder of a three-year term to expire January 28, 2025.

D. Appointment to the Parks and Recreation Board

1. Steve Sweeney
2. Sarah Kupczyk
3. Joel Wrobel

To appoint _____ to the Parks and Recreation Board as a regular member to serve a three-year term to expire March 13, 2026.

To appoint _____ to the Parks and Recreation Board as a regular member to serve a three-year term to expire March 13, 2026.

To appoint _____ to the Parks and Recreation Board as an alternate member to serve a three-year term to expire March 13, 2026.

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.
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- A. Resolution to approve the City Commission special meeting minutes of March 13, 2023.
- B. Resolution to approve the City Commission regular meeting minutes of March 13, 2023.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated March 15, 2023 in the amount of \$892,206.85.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated March 23, 2023 in the amount of \$1,658,168.44.
- E. Resolution to approve a special event permit as requested by the HDSA Michigan Chapter to hold Yoga in the Park on 06/24/23 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 approve a special event permit as requested by Birmingham Little League to hold the Little League Minors State Tournament on July 27-August 2, 2023 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.
- G. Resolution to approve an extension of the public services and minor home repair contract with NEXT for the purpose of expending remaining program year 2021-2022 Community Development Block Grant funds for the Yard Services, Senior Outreach Services, and Minor Home Repair Services administered by NEXT through December 31, 2023; and further, to authorize the Mayor and the City Clerk to sign the amendment on behalf of the City.
- H. Resolution to approve the purchase a 2023 Jeep Grand Cherokee Laredo 4x4, from Lafontaine Chrysler, Dodge, Jeep, Ram, located at 6131 S. Pennsylvania Ave., Lansing, MI 48911, under the MiDeal Cooperative Agreement #071B7700183, in the amount not

to exceed \$41,723. Funds for this purchase are available in the FY 2022-2023 Auto Equipment Fund account #661.0-441.006.971.0100.

- I. Resolution to set a public hearing date of April 24, 2023 to consider amendments to Chapter 126 (Zoning), Article 3, Section 3.04, Article 3, Section 3.16, Article 4, Section 4.44, and Article 9, Section 9.02 to provide clear and enforceable outdoor dining standards.

AND

Resolution to consider amendments to Chapter 98 (Streets, Sidewalks and Other Public Places), Articles 2 and 3 on April 24, 2023 to add language for outdoor dining facilities on public property.

- J. Resolution to set a public hearing date of April 24th, 2023 to consider the lot division of 1429 Quarton Road, parcel # 19-26-203-003.
- K. Resolution to approve the art-on-loan agreement with Gary Kulak for the sculpture "Windswept" in Barnum Park for an additional 3 years, and to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

- A. Public Hearing for 2023 Liquor License

1. CASA PERNOI

Resolution to approve the renewal of liquor license for the 2023 licensing period for Casa Pernoi, who holds a Class C Liquor License and is in compliance with Chapter 10, Alcoholic Liquors of the City Code.

2. PAPA JOES/BISTRO JOES

Resolution to approve the renewal of liquor license for the 2023 licensing period for Papa Joes/Bistro Joes, who holds a Class C Liquor License that is in compliance with Chapter 10, Alcoholic Liquors of the City Code.

OR

Resolution to file an objection with the Michigan Liquor Control Commission regarding the renewal of the liquor license for Papa Joes/Bistro Joes, who holds a Class C Liquor License that is NOT in compliance with Chapter 10, Alcoholic Liquors of the City Code.

3. TOAST

Resolution to approve the renewal of liquor license for the 2023 licensing period for Toast, who holds a Class C Liquor License that is in compliance with Chapter

10, Alcoholic Liquors of the City Code, with the following condition:

1. Toast provide the City with a written understanding of the requirements of Chapter 10, Alcoholic Liquors of the City Code and compliance with approved site plans. In addition, that failure to remain in compliance may result in the termination of the Special Land Use Permit.

OR

Resolution to file an objection with the Michigan Liquor Control Commission for the renewal of the liquor license for Toast, who holds a Class C Liquor License that has historical compliance issues with Chapter 10, Alcoholic Liquors of the City Code.

4. WHOLE FOODS

Resolution to direct staff to facilitate and formalize the relinquishing of the Special Land Use Permit for alcoholic beverage sales for on premise consumption at Whole Foods.

- B. Resolution to approve the proposed Employment Agreement between Jana Ecker and the City of Birmingham and to direct the Mayor and City Clerk to execute same.
- C. 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.
- D. Commission discussion on items from a prior meeting

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 1. City Manager's Report March 2023
 2. Planning Division Annual 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).