

**BIRMINGHAM CITY COMMISSION MINUTES**  
**MAY 06, 2019**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Patty Bordman called the meeting to order at 7:30 PM.

**II. ROLL CALL**

Present: Mayor Bordman  
Mayor Pro Tem Boutros  
Commissioner DeWeese  
Commissioner Harris  
Commissioner Hoff  
Commissioner Nickita  
Commissioner Sherman (arrived at 10:55 p.m.)

Absent: none

Administration: City Manager Valentine, Assistant City Manager Gunter, City Attorney Ballard, City Attorney Currier, Senior Planner Cowan, Planning Director Ecker, Finance Director Gerber, Police Commander Grewe, Deputy Treasurer Klobucar, Assistant Building Official Morad, Human Resources Manager Myers, City Clerk Mynsberge, DPS Director Wood

**III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS, INTRODUCTION OF GUESTS AND ANNOUNCEMENTS**

**05-106-19 GUESTS**

State Representative Mari Manoogian provided an update on her office's opposition of the state's reach to overturn local control on the issue of short-term rentals. Ms. Manoogian serves on following committees: Energy, Commerce & Military, and Veterans & Homeland Security. The latter committee is working on firearm reform legislation.

Commissioner Harris inquired about the recent court decision on how state senate districts were drawn. The ruling requires the entire map to be redrawn for 2020 due to gerrymandering practices. It is believed it will be done by summer 2019.

Mayor Pro Tem Boutros asked about the new legislation relative to texting and driving; or distracted driving. State Representative Manoogian explained that she is involved in a three (3) bill package to address distracted driving. The bill focuses on new drivers between the ages of 16 and 25 and specifically during the "100 deadliest days of Summer" (Memorial Day through Labor Day). The other piece is the proposed fines for distracted driving. Currently the fine schedule is as follows: 1<sup>st</sup> Offense \$100 and \$200 for the second offense. The proposed fine schedule is \$250 for the 1<sup>st</sup> offense, \$500 for the 2<sup>nd</sup> offense, and loss of license for the 3<sup>rd</sup> offense. The bill was passed in Transportation Committee and is now in Ways and Means Committee. Ms. Manoogian expressed bills that pass Ways and Means are likely to be approved on the floor. State Representative Manoogian can be reached by phone at 517.373.8670 or marimanoogian@house.mi.gov.

**05-107-19 ANNOUNCEMENTS**

Mayor Bordman announced:

- On Wednesday, May 8<sup>th</sup> at 7:00 p.m., the Baldwin Public Library is hosting a lecture on Frank Lloyd Wright Homes of Southeast Michigan. Dr. Dale Gyure will speak about various Wright homes, including the Affleck, Smith, Turkel, Wall, and Goddard houses.
- On Thursday, May 9<sup>th</sup> at 7:00 p.m., the jointly sponsored Spring Lecture Series of the Birmingham Museum and Baldwin Public Library will feature its final program. The presentation will explore the past and present of Birmingham's renowned downtown and how it has evolved, co-presented by Museum Director Leslie Pielack and Birmingham Shopping District Executive Director, Ingrid Tighe.
- The 3<sup>rd</sup> Annual Quarton Lake Garlic Mustard Pull is on Saturday, May 11<sup>th</sup> from 1:00 until 3:00 p.m. Volunteers should meet at Pine & Lake Park. Long pants and long sleeves are recommended. Call DPS for more details at 248.530.1700.
- The public engagement program for gathering input on "The Birmingham Plan: A Citywide Master Plan for 2040" is underway. The centerpiece of the program is a week-long Charrette from May 14<sup>th</sup> through the 21<sup>st</sup>. The event will include public presentations, meetings focused on specific topics, targeted stakeholder meetings, and other methods of engaging residents and property owners. Charrettes are periods of intense design and public engagement, during which future plans are developed with stakeholder input and review. For more information visit [www.TheBirminghamPlan.com](http://www.TheBirminghamPlan.com).
- Don't miss the Celebrate Birmingham Hometown Parade at 1:00 p.m. on Sunday, May 19<sup>th</sup>. Family fun continues afterward at the Party in Shain Park. Visit [www.bhamgov.org](http://www.bhamgov.org) for more information.

**05-108-19 APPOINTMENTS TO THE MARTHA BALDWIN PARK BOARD**

The Commission interviewed current member Andrew Linovitz. Current member Linda Forrester was unable to attend.

**MOTION:** Motion by Commissioner DeWeese:

To appoint Andrew Linovitz as a regular member to the Martha Baldwin Park Board to serve a four-year term to expire May 1, 2023.

VOTE:	Yeas,	6
	Nays,	0

**MOTION:** Motion by Commissioner Hoff:

To appoint Linda Forrester as a regular member to the Martha Baldwin Park Board to serve a four-year term to expire May 1, 2023.

VOTE:	Yeas,	6
	Nays,	0

**05-109-19 APPOINTMENTS TO THE BROWNFIELD REDEVELOPMENT AUTHORITY**

The Commission interviewed current members Harry Awdey and Dani Torcolacci.

**MOTION:** Motion by Commissioner Hoff:  
To concur with the Mayor's appointment of Harry Awdey as a regular member to the Brownfield Redevelopment Authority to serve a three-year term to expire May 23, 2022.

VOTE:           Yeas,           6  
                  Nays,           0

**MOTION:** Motion by Commissioner Boutros:  
To concur with the Mayor's appointment of Dani Torcolacci as a regular member to the Brownfield Redevelopment Authority to serve a three-year term to expire May 23, 2022.

VOTE:           Yeas,           6  
                  Nays,           0

City Clerk Mynsberge administered the oath of office to the appointees.

**IV. 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.

**05-110-19 APPROVAL OF CONSENT AGENDA**

The following items were removed from the Consent Agenda:

- Commissioner Nickita           Item H, Items regarding Toast. Commissioner Nickita stated he will recuse himself due to a current business relationship with one of the owners.
- Mayor Bordman                 Item A, Approval of the April 22, 2019 City Commission Meeting minutes.  
  Item F, Request for Special Event Permit.

**MOTION:** Motion by Commissioner Hoff, seconded by Mayor Pro Tem Boutros:  
To approve the Consent Agenda, with the exception of Item(s) A and F and noting the recusal of Commissioner Nickita on Item H.

ROLL CALL VOTE:   Ayes:           Mayor Bordman  
  Mayor Pro Tem Boutros  
  Commissioner DeWeese  
  Commissioner Harris  
  Commissioner Hoff  
  Commissioner Nickita  
  Nays:           None

- B. Resolution approving the warrant list, including Automated Clearing House payments, dated April 24, 2019 in the amount of \$262,116.29.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated May 1, 2019 in the amount of \$959,444.42.

- D. Resolution approving the reimbursement for the maximum allotment of \$2,648.39 for eligible mosquito control activity under the Oakland County’s West Nile Virus Fund Program.
- E. Resolution approving the Program Year 2019 High Intensity Drug Trafficking Area (HIDTA) Sub recipient agreement between the County of Oakland and the City of Birmingham. Further, authorize the Mayor and the City Manager to sign the agreement on behalf of the City.
- G. Resolution approving the purchase of two (2) 2020 Ford Explorer Police Interceptors from Gorno Ford, through the Oakland County extendable purchasing contract #4944 in the amount of \$70,249 from account #641-441.006.971.0100.
- H. Resolution setting Monday, June 3, 2019 at 7:30 PM for a Public Hearing to consider a Special Land Use Permit Amendment for 203 Pierce – Toast, to reflect an ownership change and change in the hours of operation.

**AND**

Resolution authorizing the Chief of Police to sign the MLCC Police Investigation Report (LC-1800) and approve the liquor license request of Toast Birmingham, LLC that requests a transfer of interest in a Class C License to be issued under MCL 436.1521(A)(1)(B) and SDM License with Outdoor Service (1 Area) located at 203 Pierce, Birmingham, Oakland County, MI 48009. Furthermore, pursuant to Birmingham City Ordinance, authorize the City Clerk to complete the Local Approval Notice at the request of Toast Birmingham, LLC approving the liquor license transfer request of Toast Birmingham, LLC that requested a Class C License be transferred under MCL 436.1521 (A)(1)(B) & SDM License with Outdoor Service (1 Area) located at 203 Pierce, Birmingham, Oakland County, MI 48009.

**05-111-19                    APPROVAL OF THE APRIL 22, 2019 CITY COMMISSION MEETING MINUTES (ITEM A).**

Mayor Bordman noted that Richard Astrein is not a resident but a long-time business owner in the City.

**MOTION:**     Motion by Commissioner Hoff, seconded by Commissioner DeWeese:  
To approve the Regular City Commission meeting minutes of April 22, 2019 as corrected.

VOTE:            Yeas,                    6  
                      Nays,                    0

**05-112-19                    APPROVAL OF SPECIAL EVENT PERMIT FOR ART IN THE ALLEY. (ITEM F).**

Mayor Bordman expressed that she was struck that two student representatives, Cole Wohlfiel and Amelia Berry<sup>1</sup>, took the initiative to propose this event and plan it with other students of their high schools. Mr. Wohlfield spoke about plans for the event.<sup>2</sup>

**MOTION:**     Motion by Commissioner DeWeese, seconded by Commissioner Boutros:

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<sup>1</sup> As amended on May 20, 2019.

<sup>2</sup> As amended on May 20, 2019.

To approve a special event permit as requested by the City of Birmingham Public Arts Board to hold Art in the Alley in the public areas of Willits Alley on Thursday, June 20, 2019 from 2:00 PM – 9:00 PM, with set-up and tear-down on the same day, 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.

VOTE:           Yeas,           6  
                  Nays,           0

**V. UNFINISHED BUSINESS**

None

**VI. NEW BUSINESS**

**05-113 -19 PUBLIC HEARING TO CONFIRM SAD #890 – QUARTON LAKE SUBDIVISION RECONSTRUCTION – PHASE 1 WATER LATERALS SPECIAL ASSESSMENT DISTRICT**

Mayor Bordman opened the public hearing at 7:57 p.m.

Deputy Treasurer Klobucar presented the item.

Mayor Bordman closed the public hearing at 7:58 p.m.

**MOTION:** Motion by Commissioner DeWeese, and seconded by Commissioner Nickita: To confirm Special Assessment Roll No. 890, to defray the cost of installing new water laterals in Phase 1 of the Quarton Lake Subdivision Reconstruction:

WHEREAS, Special Assessment Roll, designated Roll No. 890, has been heretofore prepared for collection, and

WHEREAS, notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property to be assessed, and

WHEREAS, the Commission has deemed it practicable to cause payment of the cost thereof to be made at a date closer to the time of construction, and

WHEREAS, Commission Resolution 04-100-19 provided it would meet this 6th day of May 2019 for the sole purpose of reviewing the assessment roll, and

WHEREAS, at said hearing held this May 6, 2019, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll as determined in Section 94-9 of the Code of the City of Birmingham.

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 890 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that special assessments shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of six and a half percent (6.5%) on all unpaid installments.

	SAD 890 Water Laterals	
Quarton Lake Subdivision Paving Project		
Parcel Number	Property Address	Amount
19-26-179-031	920 N. Glenhurst	\$1,100.00
19-26-179-029	966 N. Glenhurst	\$1,100.00
Total		\$2,200.00

VOTE:        Yeas,            6  
                  Nays,                0

**05-114-19                    PUBLIC HEARING TO CONFIRM SAD #891 – QUARTON LAKE SUBDIVISION RECONSTRUCTION – PHASE 1 SEWER LATERALS SPECIAL ASSESSMENT DISTRICT**

Mayor Bordman opened the public hearing at 7:58 p.m.

Deputy Treasurer Klobucar presented the item.

Mayor Bordman closed the public hearing at 7:59 p.m.

**MOTION:**     Motion by Commissioner Boutros, seconded by Commissioner Nickita: To confirm Special Assessment Roll No. 891 to defray the cost of installing new sewer laterals in Phase 1 of the Quarton Lake Subdivision Reconstruction:

WHEREAS, Special Assessment Roll, designated Roll No. 891, has been heretofore prepared for collection, and

WHEREAS, notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property to be assessed, and

WHEREAS, the Commission has deemed it practicable to cause payment of the cost thereof to be made at a date closer to the time of construction and

Commission Resolution 04-100-19 provided it would meet this 6th day of May 2019 for the sole purpose of reviewing the assessment roll, and

WHEREAS, at said hearing held this May 6, 2019, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll as determined in Section 94-9 of the Code of the City of Birmingham.

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 891 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that special assessments shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of six and a half percent (6.5%) on all unpaid installments.

	SAD 891 Sewer Laterals	
Quarton Lake Subdivision Paving Project		

Parcel Number	Property Address	Amount
19-26-177-017	945 N Glenhurst	\$1,050.00
19-26-177-016	967 N Glenhurst	\$1,610.00
19-26-177-015	991 N Glenhurst	\$2,100.00
19-26-177-014	1011 N Glenhurst	\$1,750.00
19-26-177-011	1065 N Glenhurst	\$ 980.00
19-26-177-010	1087 N Glenhurst	\$1,050.00
19-26-179-029	966 N Glenhurst	\$2,240.00
19-26-179-028	986 N Glenhurst	\$1,610.00
19-26-179-010	1030 N Glenhurst	\$2,310.00
19-26-179-009	1044 N Glenhurst	\$2,450.00
19-26-178-003	1076 N Glenhurst	\$2,590.00
19-26-178-017	1090 N Glenhurst	\$1,400.00
19-26-179-012	1906 Kenwood	\$2,100.00
19-26-179-044	1888 Kenwood	\$1,750.00
19-26-179-027	1901 Kenwood	\$1,750.00
19-26-178-019	977 Brookwood	\$1,400.00
19-26-178-020	1001 Brookwood	\$1,190.00
19-26-178-010	1069 Brookwood	\$1,330.00
19-26-179-058	900 Brookwood	\$2,310.00
19-26-179-004	998 Brookwood	\$2,380.00
19-26-179-047	1004 Brookwood	\$3,080.00
19-26-179-002	1020 Brookwood	\$3,080.00
19-26-179-001	1084 Brookwood	\$1,890.00
19-26-130-007	1120 Lyonhurst	\$2,450.00
19-26-178-006	1973 Raynale	\$1,540.00
19-26-178-007	1935 Raynale	\$1,540.00
19-26-178-008	1851 Raynale	\$1,400.00
Total		\$50,330.00

VOTE:        Yeas,            6  
                  Nays,             0

**05-115-19                    PUBLIC HEARING FOR A LOT COMBINATION OF 411 HANNA STREET AND 425 HANNA STREET**

Mayor Bordman opened the public hearing at 7:59 p.m.

Senior Planner Cowan presented the item.

Commissioner Hoff received clarification of the location of the new home in proximity to the existing family home.

Commissioner Nickita requested clarification on how average lot sizes were calculated in the documents presented by Planner Cowan. He wondered if it is really consistent, considering the sizes of the homes around this area of town are 45-55' wide except for two (2) houses. Mr. Cowan stated that his impression of this area of town, within 500' of the subject properties, ranges from 45'-100' and is therefore considered a mixed area.

Mr. Cowan stated the proposed footprint of the house is 4,356 square feet.

Commissioner Nickita noted this is the first implementation of the ordinance governing lot combinations.

Mr. Michael Kelter, applicant, 466 Hanna said it is important to realize what is currently on the two lots: 425 Hanna is a 1700 sf house built on a slab on a 40' lot. That is the smallest lot on Hanna. The corner homes in area are bigger, larger, grander homes than the homes in the middle of the block. He noted structures on the subject lots will be demolished.

Commissioner Hoff asked why Mr. Kelter wants to move from his current home. Mr. Kelter explained that his family needs have changed. He anticipates the new home to be approximately 6500 square feet, with two stories and a driveway on Chester.

Mr. Kelter expressed he was told by Planning Board that this is the first lot combination to come before the commission since the new ordinance was adopted.

Commissioner Hoff explained that the policy changed requiring lot combinations to come before the Commission because people were combining lots and building houses too big for the neighborhood.

Mayor Pro Tem Boutros concurred, and clarified:

- There has been some precedent in the past when lot combinations were in the hands of the administrative staff, and the City Commission realized what was being approved was not what we wanted to see in Birmingham overall.
- The Commission adopted the ordinance to prevent but not to prohibit.
- Long-time residents like Mr. Kelter choosing to stay in Birmingham should be considered.
- Everything in Mr. Kelter's proposal meets the requirements outlined in the ordinance and no neighbors appear to oppose the lot combination.

Mr. DeWeese said he will support the combination because the applicant has done due diligence and met requirements, but stated he is uneasy about it and hopes the master plan will address oversized houses to keep houses more in context with the natural charm of their neighborhood.

Commissioner Harris:

- Expressed concern because the applicant has satisfied all criteria in the ordinance; so deviating from the ordinance is not fair.
- Stated he is inclined to support the application.
- Contended if this application is denied there must be compelling reasons to do so.

Mayor Bordman closed the public hearing at 8:26 p.m.

Commissioner Nickita clarified:

- Lot combinations are completely different from lot splits.
- It's a relatively simple context discussion because it has usually been a previously combined lot that is being re-split.



- One of the primary things our master plan is to look at is our neighborhoods, and this is one of the issues flagged as important to address.
- The lot combination ordinance was a stop gap measure.
- The Commission should not approve any lot combinations until the issue has been studied as part of the master plan.
- His inclination is to hold the application for 411 and 425 Hanna, allow the master plan to be completed, apply the master plan findings to the neighborhood to determine whether the character of the neighborhood should be changed or maintained.

Commissioner DeWeese said he was opposed to changing the rules in the middle of the process for an applicant who has followed the rules as written.

Commissioner Hoff supported Commissioner Nickita’s point of view to wait until the master plan is complete.

**MOTION:** Motion by Commissioner Nickita, seconded by Commissioner Hoff:  
To deny the proposed lot combination of 411 Hanna Street, Parcel #1936182005 and 425 Hanna Street, Parcel #1936182004.

Larry Bertollini, a Birmingham resident, stated he supports the lot combination and noted there are wider lots in the neighborhood so it is not out of line.

Mr. Kelter pointed out:

- The Commission passed an ordinance in 2016, and this is the first request to combine lots since the new ordinance was adopted.
- It is therefore hardly a trend in Birmingham.
- Not one of his neighbors has opposed this application.

Brad Host, a former resident of the neighborhood, stated Mr. Kelter complies with the ordinance and no one is here to complain, so he did not understand the opposition of some Commissioners.

Mayor Bordman said:

- She is concerned about lot combinations because for each combination one dwelling is lost in Birmingham, which means fewer families in Birmingham, which affects schools.
- If Birmingham schools lose more students they will have to take actions that are not good for Birmingham as a whole.
- On the other hand the applicant has satisfied all of the requirements of the ordinance, and therefore she will not support the motion to deny.

VOTE:           Yeas,           2  
                  Nays,           4           (Bordman, Boutros, DeWeese, Harris)

MOTION FAILED

**MOTION:** Motion by Commissioner DeWeese, seconded by Mayor Pro Tem Boutros:  
To approve the proposed lot combination of 411 Hanna Street, Parcel #1936182005 and 425 Hanna Street, Parcel #1936182004.

Commissioner Hoff said she will support the motion because it would not be fair to Mr. Kelter if the motion to deny was carried.

VOTE:           Yeas,           5  
                  Nays,           1           (Nickita)

**05-116-19                   PUBLIC HEARING FOR AMENDMENT TO ARTICLE 7, SECTION 7.08 AND SECTION 7.25 OF THE ZONING ORDINANCE**

Mayor Bordman opened the public hearing at 8:54 p.m.

Planning Director Ecker presented the item.

Ms. Ecker confirmed the amendment affects multi-family, commercial, and mixed use, but not single family residential in R1, R1A, R2 or R3.

Commissioner Nickita asked for an explanation of 33% versus any other amount. Ms. Ecker explained:

- It came down to studying individual cases which created concern in the past and discussion as to what would have been enough to trigger a site plan review.
- That 33% applies to exposed walls.
- Alteration to a façade is reconstruction, such as tearing down a wall and rebuilding it.

Mayor Bordman closed the public hearing at 9:03 p.m.

**MOTION:**    Motion by Mayor Pro Tem Boutros, seconded by Commissioner Harris:  
To amend Chapter 126, Zoning, of the Code of the City of Birmingham to clarify the board review process for the renovation and new construction of buildings:

- A.    Article 7, Processes, Permits and Fees, Section 7.08, Design Review Requirements and;
  - B.    Article 7, Processes, Permits and Fees, Section 7.25; Site Plan Review.
- Ordinances appended to these minutes as Attachments A & B.*

Commissioner Nickita expressed this amendment will curtail significant redevelopment without City review and approval, but the guideline of 33% and how it is calculated should be monitored.

VOTE:           Yeas,           6  
                  Nays,           0

**05-117-19                   PUBLIC HEARING FOR AMENDMENT TO ARTICLE 4, SECTION 4.74 SS-01 OF THE ZONING ORDINANCE – PROJECTIONS INTO THE RIGHT OF WAY**

Mayor Bordman opened the public hearing at 9:05 p.m.

Planning Director Ecker presented the item.

Commissioner Hoff believed that fences, planters, etc. are covered in other ordinances.

Commissioner DeWeese clarified that 5' of clearance is required on all sidewalks.

Mayor Bordman closed the public hearing at 9:24 p.m.

**MOTION:** Motion by Commissioner Nickita, seconded by Commissioner DeWeese:  
To amend Article 4, Section 4.74 SS-01 of Chapter 126, Zoning, of the Code of the City of Birmingham to establish standards regulating projections in the public right-of-way. *Ordinance appended to these minutes as Attachment C.*

VOTE:           Yeas,           6  
                  Nays,           0

**05-118-19           N. OLD WOODWARD PARKING GARAGE/BATES STREET  
EXTENSION AND SITE REDEVELOPMENT PROJECT – BOND  
AUTHORIZATION AND RESOLUTION FOR PUBLIC PROJECT  
COMPONENTS**

City Manager Valentine made opening remarks and recognized members of the development team:

- Miller Canfield, Development Counsel, Joe Fazio
- Miller Canfield, Bond Counsel, Pat McGow
- Bizenski and Company, Financial Adviser, Bobby Bizenski
- Jones Lang LaSalle, Development Consultant, Azzara Brogland

Ron Bojee, President of Bojee Group and member of Woodward Bates Partners, complimented the City for making a considered decision and emphasized the importance of time involving this project.

Victor Saroki, Saroki Architecture, part of Woodward Bates Partners introduced David Stanček, President and Chief Real Estate Officer of Restoration Hardware. Mr. Stanček presented RH's strategy, its new galleries, and vision for Birmingham. He commented Birmingham is the home of the RH customer base in the Detroit metro area, and explained the RH lease at Somerset is expiring.

Assistant City Manager Gunter presented the item.

Discussion focused primarily on the Guaranteed Maximum Price (GMP) for the Bates Parking Structure layout, comparing the GMP for the original plan with proposed alternate layouts.

Mr. Saroki felt Alternate 3, Eliminate all below grade parking beneath Site 2 (LL1, 2,&3)<sup>3</sup> is the best value.

Ms. Brogland explained Jones Lang LaSalle (JLL) conducted an independent review of the GMP to identify potential issues or inconsistencies in the cost estimates. They participated, along with the City and the Developer team in each discussion regarding the cost estimates, revisions, and

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<sup>3</sup> As corrected May 20, 2019.

alternates and concluded that the revised GMP provides a reliable number that is compatible with current and future projected market.

City Manager Valentine elaborated on the alternatives for lowering the GMP and recommended Alternate 3.

Finance Director Gerber explained:

- Current assessed value for Birmingham is \$300 billion.
- By state law, bonding capacity is 10% of assessed value or \$300 million.
- The City's current bond debt is \$12.5 million, which will diminish over the next few years as the sewer bond debt is retired.
- The City's current bond debt represents 4% of the City's total bonding capacity.
- If the City issues \$57.4 million in parking bonds, the City's total debt would be 23% of its total bonding capacity.
- The parking bonds will be paid by the parking system.
- The parking system is projected to have unrestricted reserves of approximately \$17.5M at the end of the fiscal year.
- The system has the capacity to fund this project with an approximate increase in monthly permit rates of \$15/month, while keeping the daily transient rates the same.

City Manager Valentine presented the proposed bond resolution for an amount not to exceed \$57,400,000 and emphasized adoption of the resolution does not obligate the City to issue the bonds or to issue bonds for the entire amount. He explained the City Commission is being asked to adopt the bond resolution tonight to meet the deadline for the August 6, 2019 election.

Commissioner DeWeese commented:

- The greatest advantage to Alternate 3 is that there is no parking below Building #2.
- He is concerned about the August election timing, but would fully support having the bond proposal on the November election ballot.
- He is concerned about asking for the maximum bond amount.

Mr. Saroki explained:

- Postponing the vote until November means construction won't begin until 2020 and normal inflationary cost escalations will occur.
- A world class retailer wants to lease Building 2. RH's lease at Somerset expires December 31, 2021, and a delay in construction could jeopardize their ability to lease Building 2.
- If the bond proposal is approved by the voters in August, it will take at least eight months to begin construction.

Commissioner Sherman arrived at 10:55 p.m.

Mayor Bordman commented:

- The goal is to increase parking and the proposed bond issue is about parking.
- Continuing development increased the existing parking deficit.
- The faster the Old N. Woodward Structure can be replaced, the better.

Mayor Pro Tem Boutros asked what would be gained by postponing the bond issue vote for three months. He noted:

- All the information needed to understand the project is available.
- He believes a tenant and project like RH should be secured as soon as possible.
- Getting approval for the bond issue for parking will ensure RH's relocation to Birmingham, enhance the shopping district and downtown, and draw people from the entire region.
- The City stands to lose by waiting.

Commissioner Hoff thanked Mr. Stancek for a great presentation and expressed her enthusiasm about RH coming to Birmingham. In response to questions from Commissioner Hoff, Mr. Saroki noted:

- A 20 year lease is being proposed for RH, with 6 5-year options.
- Saroki Architects are designing the building with RH.
- RH will have no input on the parking structure.
- Woodward Bates Partners are working on the Community Impact Statement.
- The Planning Board will offer many opportunities for public transparency.
- Neighborhood meetings will be held to gain input from stake holders.

Commissioner DeWeese expressed:

- The developer will need to extend themselves to residents who have questions about the plaza, the bridge, and what is the real contribution toward the public good.
- The GMP is an issue.
- The developer is going to have to be active in educating the public if the bond issue vote is in August and make a strong statement that Phase 2 is not a done deal.
- The vote will be a referendum on the entire project, not really just a referendum on the parking structure.

Commissioner Sherman stated:

- It should be made very clear this project was supposed to be about parking.
- The North Old Woodward parking structure is at the end of its life.
- The City needs to either spend a lot of money to maintain the current structure or to replace it.
- Doing the project in two phases makes sense.
- The parking structure is Phase 1, and tonight the Commission is being asked whether or not to move forward on the parking structure.

Mayor Bordman called for public comment.

David Bloom, 1591 Stanley, said:

- What RH has shown us is really cool. However the whole project is still an unfinished plan and has undergone behind the scenes changes by the week.
- We are not ready for a \$57 million decision right now.
- In its current format, the proposal is deceitful and possibly will have legal challenges regarding the bid process.
- He does not support an August ballot issue. It belongs in the November election.

Brad Coulter, 498 Wimbledon, said:

- He's uncomfortable with the parking portion not going out for a separate RFP to draw more bidders.
- The hype and the way the project is being rushed reminds him of Little Caesar's Arena in Detroit.
- August is premature for a vote.

Brad Host, 639 Puritan and 416 Park, said:

- The presentation by RH made him feel he was on Worth Ave in Palm Beach, which is scary because he doesn't want to live there.
- The project is not in the best interests of the stakeholders.
- August is too soon for a vote.
- A public private partnership is not in best interests of the community.

Mayor Bordman clarified that as of this moment:

- There is no agreement by the Commission to finalize anything.
- She is hopeful of replacing the garage.
- No lease has been signed with Woodward Bates Partners.

Derrick Dickdaw supported the project, saying it is a fantastic step in the right direction.

Larry Bertollini, Webster St.:

- Expressed concern about the parking deck plan because there is an alternate scheme without having parking underneath Building 2.
- He doesn't think the Commission has an understanding of the parking structure plan. Commercial developers saw a flaw in the line because they didn't think it was a marketable design.
- Asked if it is possible to get out of the contract for Phase 2 and have it be independent.

Linda Taubman, 327 N. Old Woodward, supported Woodward Bates Partners as the right developer for the project.

Sammy Eid, Phoenicia Restaurant and Forest, and a member of the Birmingham Shopping District Board, said:

- This feels like a once in a lifetime opportunity for everyone.
- This could be a game changer.
- Small towns can survive, and bricks and mortar retail can succeed.
- Please let it happen.

Clinton Baller, 822 Shirley, said:

- He can't believe how much the scope of the project has changed and keeps changing.
- It is about city land, the residents' property. The Commission hasn't asked the residents what they want.
- The Commission hasn't done land use planning.
- Nobody knows the total numbers.
- Put it on the ballot and let the residents have their say.

Bobby Shostack, Purdy, said:

- The issue is parking; the community needs more parking.
- This is a tremendous and sound project to provide parking.
- Time is important. The process needs to be diligently and aggressively attacked.
- Opportunities like RH are once in a lifetime.
- He spent four decades in mixed use development. This project is a dream.
- If time is important to the developer, it should be important to the Commission.

Mayor Bordman discussed the alternates presented, and stated the consultants and City staff all recommend Alternate 3.

Commissioner Harris said the proposed resolution has the GMP of the most expensive scheme, which gives flexibility over multiple options.

Commissioner Hoff wondered if having a lesser amount than \$57,400,000 in the resolution would make any difference to the voters because the Library bond was defeated due to cost.

Mayor Bordman clarified the difference with the Library bond that failed was that it was using tax dollars. The proposed parking bonds are being paid from the Auto Parking System.

Commissioner DeWeese, referencing the proposed ballot language, asked for a definition of site improvements. City Manager Valentine defined it as streetscape, noting electrical, lighting and sidewalks will be paid for through a special assessment on the adjoining buildings. Commissioner DeWeese stated he does not want an increase in taxes.

Mayor Pro Tem Boutros said:

- The focus needs to be on the resolution itself, which is the next step in the process.
- Currently the City only has a non-binding agreement with Woodward Bates Partners, and we are continuing the discussion.
- The Commission is not leaving out the public.
- We need to move forward because time is money.
- The vote is for the public to have their say.

**MOTION:** Motion by Mayor Pro Tem Boutros, seconded by Commissioner Harris:

To approve the Authorizing Resolution for the parking structure bond proposal and ballot language for the August 6, 2019 referendum in the amount of \$57,400,000. *(Complete resolution appended to these minutes as Attachment D).*

Commissioner Nickita noted:

- He is confident this is being done in a highly credible manner.
- The project is driven by parking.
- To do a parking deck and not think about the broader context is irresponsible; it needs to be a context driven project.
- The project fits with 2016 Plan directly.
- He has heard a lot of public support and interest; there is a significant amount of excitement about the project which fills a parking need.<sup>4</sup>

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<sup>4</sup> As corrected on May 20, 2019.

- It will be an asset to the city by adding public space, providing linkage to parks, erasing an eye sore, and creating a live, work and play environment.
- As a bonus this great retailer, RH, wants to locate in the project. RH is not driving the project; they approached the City along the way.

Commissioner DeWeese said he supports the project but not the motion because he is concerned the bond issue will not pass in August. He feels with more time the perspective in the City could be shifted and a better consensus could be reached.

Clinton Baller, 822 Shirley, said:

- The RFP didn't split things up.
- If the City is just going to build a parking deck, the project should be rebid.
- It is not free money; it is public money.
- The whole project is based on a thumbnail sketch that is 20 years old.
- The Commission keeps saying every step of the way it can back out.
- Put it to a vote and the voters will tell you to back out.
- There are hundreds of thousands of dollars invested already.
- He is in favor of the motion.

Commissioner Sherman commented that the City has been down this path before when, in 2006, parking underneath Shain Park was being considered. The bond issue passed, but the Commission decided it did not make fiscal sense to build the deck or to issue the bonds. The current issue is the parking deck and whether or not it should be replaced.

VOTE:           Yeas,           6  
                   Nays,           1 (DeWeese)

**05-119-19                   CITY COMMISSION CONSIDERATION OF TEAMSTERS LOCAL 214  
 DPS UNION FEBRUARY 8, 2019 GRIEVANCE**

Human Resources Manager Myers presented the item.

**MOTION:**    Motion by Commissioner DeWeese, seconded by Commissioner Nickita:  
 To waive consideration of the Teamsters Local 214 DPS Union grievance of February 8, 2019.

VOTE:           Yeas,           6  
                   Nays,           0  
                   Absent,       1 (Commissioner Boutros)

**VII.   REMOVED FROM CONSENT AGENDA**

Items removed from the Consent Agenda were addressed earlier in the meeting.

**VIII.   COMMUNICATIONS**

None

**IX.    OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA**

None



**X. REPORTS**

**05-120-19 COMMISSIONER REPORTS**

The City Commission will appoint four regular members to the Historic District Study Committee on June 3, 2019.

The City Commission will appoint one regular member to the Board of Ethics on June 3, 2019.

The City Commission will appoint a Hearing Officer on June 3, 2019.

The City Commission will appoint one regular member to the Board of Zoning Appeals on June 3, 2019.

**05-121-19 COMMISSIONER COMMENTS**

Commissioner DeWeese asked to accelerate consideration of incentives to encourage residential parking in downtown.

Commissioner Nickita said the discussion will be part of the master plan process.

City Manager Valentine reported the topic will be on the agenda for the next joint meeting with the Planning Board.

**05-122-19 CITY STAFF**

Third Quarter Financial Report as submitted by Finance Director Gerber.

Third Quarter Investment Report as submitted by Finance Director Gerber.

**XI. ADJOURN**

Mayor Bordman adjourned the meeting at 12:06 a.m.

J. Cherilynn Mynsberge, City Clerk

**CITY OF BIRMINGHAM  
ORDINANCE NO. 2320**

THE CITY OF BIRMINGHAM ORDAINS: AN ORDINANCE TO AMEND CHAPTER 126, ZONING, OF THE CODE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 07 PROCESSES, PERMITS AND FEES, SECTION 7.25, REVIEW, TO CLARIFY REQUIREMENTS FOR SITE PLAN REVIEW.

Article 07, Section 7.25 shall be amended as follows:

7.25 Review

1. Site Plan Reviews by the Planning Board are required for all new construction of and additions to buildings for the following types of developments:
  - A. Single-family cluster developments.
  - B. Accessory building in all zoning district except single-family.
  - C. Attached Single-Family Residential (R8).
  - D. Two-Family Residential (R4).
  - E. Multiple-Family Residential (R5, R6, R7).
  - F. Neighborhood Business (B1).
  - G. General Business (B3, B2B, B2C).
  - H. Office/Residential (B3).
  - I. Business/Residential (B4).
  - J. Office (O1).
  - K. Office/Business (O2).
  - L. Parking (P) and all off-street parking facilities in any zoning district except in a district zoned single-family residential when the area thereof accommodates three or less vehicles.
  - M. Mixed Use (MX).
2. For properties located within historic districts designated under Chapter 62 of the Birmingham City Code, Site Plan Reviews will also be conducted by the Historic District Commission ~~and the Planning Board~~.
3. Site Plan Reviews by the Planning Board are also required for all expansions and/or alterations of buildings as follows:
  - a. Where reconstruction of exterior walls of existing buildings exceeds 33.3% of the total exterior wall area; and / or
  - b. Any alteration to an existing building and/or site which significantly alters the vehicular and/or pedestrian circulation as determined by the City Planner.

	<b>Historic District Commission</b>	<b>Design Review Board</b>	<b>Planning Board</b>
<b>New construction and / or additions</b>	<b>Required if located in an Historic District</b>	<b>Not required</b>	<b>Required</b>

<b>Expansion/Alteration</b>	<b>Required if located in an Historic District</b>	<b>Not required</b>	<b>Required</b>
<b>Exterior modification without expansion/alteration of site per 7.25 (3)</b>	<b>Required if located in an Historic District</b>	<b>Required</b>	<b>Not required</b>

ORDAINED this 6<sup>th</sup> day of May, 2019 to become effective 7 days after publication.

Patricia Bordman, Mayor  
 J. Cherilynn Mynsberge, City Clerk

I, J. Cherilynn Mynsberge, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held May 6, 2019, and that a summary was published in the Observer & Eccentric Newspaper on May 19, 2019.

J. Cherilynn Mynsberge, City Clerk

**CITY OF BIRMINGHAM  
ORDINANCE NO. 2321**

THE CITY OF BIRMINGHAM ORDAINS: AN ORDINANCE TO AMEND CHAPTER 126, ZONING, OF THE CODE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 07 PROCESSES, PERMITS AND FEES, SECTION 7.08, REQUIREMENTS TO CLARIFY REQUIREMENTS FOR SITE PLAN REVIEW.

Article 07, Section 7.08 shall be amended as follows:

**7.08 Requirements**

All Design Review plans for new non-historic construction also requiring Site Plan Review will be submitted to and reviewed by the Planning Board. All plans, not requiring Site Plan Review or Historic District Review, for ~~new construction~~, the alteration or painting of the exterior of any building and/or the addition of any lighting, signs, equipment or other structures which substantially alter the exterior appearance as determined by the City Planner shall be submitted to the Design Review Board for review. All plans for additions or alterations to historic structures or structures within a historic district shall be submitted to the Historic District Commission in addition to any required Site Plan Review. For uses requiring a special land use permit, Design Review of such uses shall be undertaken by the City Commission with recommendations from the Planning Board pursuant to Section 7.26. Those items not requiring Design Review by the Design Review Board are as follows:

- A. Single-family residential buildings and structures not located within a cluster development.
- B. Uses requiring a special land use permit. Design Review of such uses shall be undertaken by the City Commission with recommendations from the Planning Board pursuant to Section 7.26.
- C. Items such as gutters, downspouts, door and window replacement when similar materials are used, antennas, roof vents and small mechanical equipment not readily visible to the public, painting to a similar color, and items of ordinary repair and maintenance.

ORDAINED this 6th day of May, 2019 to become effective 7 days after publication.

Patricia Bordman, Mayor  
J. Cherilynn Mynsberge, City Clerk

I, J. Cherilynn Mynsberge, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held May 6, 2019, and that a summary was published in the Observer & Eccentric Newspaper on May 19, 2019.

J. Cherilynn Mynsberge, City Clerk

**CITY OF BIRMINGHAM  
ORDINANCE NO. 2319**

THE CITY OF BIRMINGHAM ORDAINS: AN ORDINANCE TO AMEND CHAPTER 126, ZONING, OF THE CODE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 4, SECTION 4.74 SS-01, STRUCTURE STANDARDS TO ADD INTENT AND STANDARDS REGULATING ENCROACHMENTS INTO THE RIGHT OF WAY.

4.74 SS-01

(A-C Unchanged)

D. Encroachments into the Right of Way

1. Purpose and Intent: The purpose and intent of this section is to ensure that any allowable encroachments into the right of way do not impede the safety and welfare of the general public and foster a pedestrian friendly environment that prioritizes the accessibility of space, light and air for all users while simultaneously allowing for creative and innovative architectural design and construction.
2. Applicability: This section applies to all encroachments that extend into the public right of way at, above or below grade.
3. Approval Required: Any encroachment into the public right of way must comply with the Michigan Building Code and requires City approval. Encroachments may be subject to a Special Treatment License approved by the Engineering Department, lease agreement approved by the City Commission and/or may require monetary compensation to the City. Encroachments into the right of way may also require approval by an appropriate reviewing body as per Article 07, Processes, Permits and Fees and are subject to the requirements set forth in this section.
4. General Encroachment Standards:
  - a) *Below Grade Encroachments*: All below grade encroachments must be reviewed by the Community Development Department and approved by the City Commission through a lease agreement.
  - b) *Above grade encroachments 8' and below*: Permanent architectural features such as columns, pilasters, belt courses, lintels pediments and similar features may be approved by the Planning Board, Design Review Board and/or Historic District Commission or through administrative approval, as determined by the Planning Director, to project into the right of way provided they do not create any obstruction and that the encroachment complies with the design review standards set forth in Article 07 of the Birmingham Zoning Ordinance.
  - c) *Above grade encroachments above 8'*:
    - i. Removable architectural elements such as awnings, canopies, marquees may be approved by the Planning Board, Design Review Board and/or Historic District Commission or through administrative approval, as determined by the Planning Director, to project into the right of way provided that they are constructed to support applicable loads without any ground mounted supports on public property. Encroachments with less than 15' of clearance above the sidewalk shall not extend into or occupy more than two-thirds of the width of the sidewalk or 5 feet,

- whichever is less, and must not interfere with any existing or planned streetscape elements or infrastructure.
- ii. Permanent architectural features such as windows, balconies, overhangs and other architectural features that encroach into the right of way above 8' may be approved by the Planning Board, Design Review Board and/or the Historic District Commission provided that they do not extend 2' or more into the right of way or create an obstruction and that the encroachment complies with the design review standards set forth in Article 07 of the Birmingham Zoning Ordinance. Encroachments that extend more than 2' into the right of way will also require the approval of the City Commission through a lease agreement.
  - iii. Permanent encroachments that create usable space such as cantilevered rooms, dormers, elevated walkways, balconies, bridges and similar projections may be approved by the Planning Board, Design Review Board and/or the Historic District Commission provided they comply with the design review standards set forth in Article 07 of the Birmingham Zoning Ordinance and must be approved by the City Commission through a lease agreement.
- d. *Temporary encroachments:*
- i. Temporary encroachments associated with construction projects are subject to approval of an obstruction permit or logistical plan to be reviewed and approved by the Community Development and Engineering Departments.
  - ii. Temporary encroachments that are seasonal in nature such as vestibules or storm enclosures may be approved by the Planning Board, Design Review Board and/or Historic District Commission through the site plan and design review process provided that an unobstructed 5' public pedestrian path is provided at all times and that the temporary encroachments are is subject to a rental fee rate as indicated by the Birmingham Schedule for Fees, Charges, Bonds and Insurance.

ORDAINED this 6th day of May, 2019 to become effective 7 days after publication.

Patricia Bordman, Mayor  
J. Cherilynn Mynsberge, City Clerk

I, J. Cherilynn Mynsberge, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held May 6, 2019, and that a summary was published in the Observer & Eccentric Newspaper on May 19, 2019.

J. Cherilynn Mynsberge, City Clerk

**CITY OF BIRMINGHAM  
RESOLUTION 05-118-19**

**AUTHORIZING ELECTION ON AUGUST 6, 2019 FOR THE PURPOSE OF VOTING ON  
PARKING STRUCTURE BOND PROPOSAL  
AND  
CERTIFYING BALLOT LANGUAGE**

*Resolution is included in the Adobe Acrobat version of the minutes.*

## RESOLUTION SUBMITTING PARKING STRUCTURE BOND PROPOSAL

### CITY OF BIRMINGHAM County of Oakland, State of Michigan

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Minutes of a regular meeting of the City Commission of the City of Birmingham, County of Oakland, State of Michigan, held on the 6th day of May, 2019, at 7:30 p.m., prevailing Eastern Time.

PRESENT: Mayor Bordman, Mayor Pro Tem Boutros, City Commissioners DeWeese, Harris, Hoff, Nickita and Sherman

ABSENT: None

The following preamble and resolution were offered by Mayor Pro Tem Boutros and supported by Commissioner Harris.

WHEREAS, the City Commission (the "City Commission") of the City of Birmingham (the "City") has determined that it is necessary to pay part of the cost of acquiring and constructing a new parking structure to replace the North Old Woodward parking structure, including related demolition, street and site improvements (the "Project"); and

WHEREAS, the City Commission has determined that the City should borrow money in an amount not to exceed Fifty-Seven Million Four Hundred Thousand Dollars (\$57,400,000), and issue unlimited tax general obligation bonds of the City, in such amount for the purpose of paying part of the cost of the Project; and

WHEREAS, the City Commission has determined that a proposal to issue bonds for the Project shall be submitted to the qualified electors of the City at an election to be held in the City on Tuesday, August 6, 2019 (the "Election Date"); and

WHEREAS, in order for the bond proposal to be submitted to the qualified electors, it is necessary for the City Commission to certify the ballot wording of the proposal to the City Clerk and to the County Clerk of the County of Oakland (the "County Clerk"), as required by Act 116, Public Acts of Michigan, 1954, as amended (the "Michigan Election Law").

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The bond proposal attached hereto as Exhibit A (the "Bond Proposal") shall be submitted to a vote of the qualified electors of the City on the Election Date.
2. The ballot wording of the Bond Proposal is hereby certified to the City Clerk and the County Clerk for submission to the City's electors on the Election Date. The City Clerk is hereby authorized and directed to file this Resolution and/or complete any such forms, certificates



or documents as may be required by the County Clerk to evidence the foregoing certification and/or submission by no later than 4:00 p.m. on Tuesday, May 14, 2019.

3. The City Clerk and the County Clerk are hereby directed to (a) post and publish notice of last day of registration and notice of election as required by the Michigan Election Law; and (b) have prepared and printed, as provided by the Michigan Election Law, ballots for submitting the bond proposal at the election, which ballots shall contain the Bond Proposal, or the proposition shall be stated as a proposal on the voting machines, which ballots may include other matters presented to the electorate on the same date.

4. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

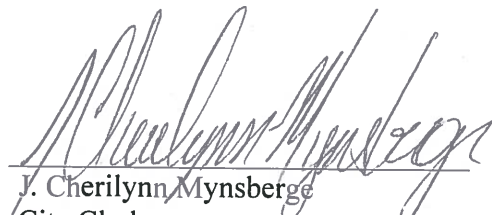
- (a) If the ballot proposal is approved by the electors, the City reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from the general funds of the City subsequent to sixty (60) days prior to today.
- (b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$57,400,000.
- (c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the Bonds to reimburse the City for a capital expenditure made pursuant to this resolution.

5. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution, are hereby repealed.

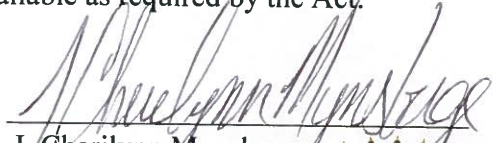
AYES: Mayor Bordman, Mayor Pro Tem Boutros, City Commissioners Harris,  
Hoff, Nickita, and Sherman

NAYS: City Commissioner DeWeese

**RESOLUTION DECLARED ADOPTED.**

  
J. Cherilynn Mynsberge  
City Clerk

I HEREBY CERTIFY that the attached is a true and complete copy of a resolution adopted by the City Commission of the City of Birmingham, County of Oakland, State of Michigan, at a regular meeting held on May 6, 2019, and that the meeting was conducted and public notice of the meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, and that the minutes of the meeting were kept and will be or have been made available as required by the Act.

  
\_\_\_\_\_  
J. Cherilynn Mynsberge  
City Clerk



**EXHIBIT A**

**PARKING STRUCTURE BOND PROPOSAL**

Shall the City of Birmingham, Oakland County, Michigan, borrow the principal sum of not to exceed Fifty-Seven Million Four Hundred Thousand Dollars (\$57,400,000) and issue its unlimited tax general obligation bonds in one or more series, payable over a period not to exceed thirty (30) years from the date of issuance, to be used by the City for the purpose of paying part of the cost of acquiring and constructing a new parking structure to replace the North Old Woodward parking structure, including related demolition, street and site improvements? The primary source of revenue intended to retire the bonds shall consist of revenues from the City's Automobile Parking System.

YES

NO

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