

BIRMINGHAM CITY COMMISSION MEETING
AUGUST 10, 2020
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.
VIRTUAL MEETING

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, Mayor, called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

II. ROLL CALL

Alexandria Bingham, City Clerk Designee

PRESENT: Mayor Boutros
Mayor Pro-Tem Longe
Commissioner Baller
Commissioner Hoff
Commissioner Host
Commissioner Nickita
Commissioner Sherman

ABSENT: None

Administration: City Manager Valentine, City Attorneys Currier, Planning Director Ecker, Building Official Johnson, IT Manager Brunk, Assistant Planning Engineer Cowan, City Clerk Designee Bingham, Chief Clemence

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

ANNOUNCEMENTS:

- All city offices remain closed to the public. All departments are accessible via phone and email. Payments may be dropped off using the convenient drop box, located behind City Hall and accessible via the Police Department parking lot off Henrietta Street.
- The Baldwin Library is open to the public. Building capacity is limited, and people are asked to limit their stay to 45 minutes. Public computer use is restricted to 30 minutes. Masks and social distancing are required. The Library is open on its regular schedule, seven days a week, and is also offering Curbside Pickup service to patrons during limited hours, which are listed on the Library's website.
- MeLCat, Michigan's statewide interlibrary loan program, is resuming service on Monday, August 10. The Baldwin Library will begin accepting requests on that day.
- We encourage everyone to sign up for our email distribution system to receive the latest information from the City. You can do this by going to our website and clicking on the box in the lower right corner of your screen to sign up.
- The City Commission would like to thank Bill Wiebrecht for his years of service as a long-standing member of the Parks and Recreation Board. Bill was appointed to the Parks

Board in October 1991 and resigned his term in June of 2020, with 29 years of dedicated service to the City of Birmingham.

- The City Commission thanks Michael Horowitz for his service to the city on the Advisory Parking Committee.
- The Clerk's Office and City Commission would like to thank all of the Election Inspectors and City Staff that helped with conducting a successful election on August 4th for the State Primary. We appreciate all of the voters who participated safely, turnout for this election was about 39% which was above the average for Oakland County.

APPOINTMENTS:

08-138-20 APPOINTMENT OF STEVEN KALCZYNSKI TO THE ADVISORY PARKING COMMITTEE

The Commissioners interviewed current member Steven Kalczynski for appointment to the Advisory Parking Committee.

NOMINATION: Nomination by Commissioner Nickita:
To appoint Steven Kalczynski to the Advisory Parking Committee as a regular member who is a large retail representative within the parking assessment district to serve a three-year term to expire September 4, 2023.

ROLL CALL VOTE: Ayes, Commissioner Nickita
Mayor Pro-Tem Longe
Commissioner Baller
Commissioner Hoff
Commissioner Host
Commissioner Sherman
Mayor Boutros
Nays, None

08-139-20 APPOINTMENT OF JOSEPH VERCELLONE TO THE GREENWOOD CEMETERY ADVISORY BOARD

The Commissioners interviewed Dr. Joseph Vercellone to the Greenwood Cemetery Advisory Board.

NOMINATION: Nomination by Commissioner Host
To appoint Joseph Vercellone to the Greenwood Cemetery Advisory Board as a regular member to serve a three-year term to expire July 6, 2023.

ROLL CALL VOTE: Ayes, Commissioner Host
Commissioner Baller
Commissioner Nickita
Commissioner Sherman
Mayor Pro-Tem Longe
Commissioner Baller
Nays, None
Absent, Commissioner Hoff (due to technical difficulties)

08-140-20 APPOINTMENT OF JENNY ROUSH TO THE HISTORIC DISTRICT STUDY COMMITTEE

The Commissioners interviewed Jenny Roush for appointment to the Historic District Study Committee.

NOMINATION: Nomination by Commissioner Sherman
To appoint Jenny Roush, as a regular member to the Historic District Study Committee to serve a three-year term to expire June 25, 2023.

ROLL CALL VOTE: Ayes, Commissioner Sherman
Commissioner Host
Commissioner Nickita
Mayor Pro-Tem Longe
Commissioner Baller
Mayor Boutros
Nays, None
Absent, Commissioner Hoff (due to technical difficulties)

Joy Cantor was not in attendance; therefore her interview for appointment to the Historic District Study Committee was rescheduled for a later date.

08-141-20 APPOINTMENT OF DENNY MANDO TO THE BOARD OF BUILDING TRADES APPEALS

The Commissioners interviewed Denny Mando for appointment to the Board of Building Trades Appeals.

NOMINATION: Nomination by Commissioner Host
To appoint Denny Mando, to the Board of Building Trades Appeals as a regular member to serve a three-year term to expire May 23, 2023.

ROLL CALL VOTE: Ayes, Commissioner Host
Commissioner Nickita
Commissioner Sherman
Mayor Pro-Tem Longe
Commissioner Baller
Commissioner Hoff
Mayor Boutros
Nays, None

08-142-20 APPOINTMENT OF SCOTT SIRICH TO THE BOARD OF BUILDING TRADES APPEALS

The Commissioners interviewed Scott Sirich for appointment to the Board of Building Trades Appeals.

NOMINATION: Nomination by Commissioner Nickita
To appoint Scott Sirich, to the Board of Building Trades Appeals as a regular member to serve a three-year term to expire May 23, 2023.

ROLL CALL VOTE: Ayes, Commissioner Nickita
 Commissioner Sherman
 Mayor Pro-Tem Longe
 Commissioner Baller
 Commissioner Hoff
 Commissioner Host
 Mayor Boutros
 Nays, None

IV. PUBLIC COMMENT

- Andrew Haig, resident, asked how the City planned to manage cruising on Woodward and complying with social distancing this weekend, in lieu of the Woodward Dream Cruise.
 - Mayor Boutros explained that the City of Birmingham has a plan in place that discourages gathering, vending, and other activities associated with the cruise.
- Debbie Harrington, DAR, petitioned for a flag raising ceremony scheduled for Veteran’s Day.

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.

08-143-20 CONSENT AGENDA

The following items were removed from the Consent Agenda:

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| Mayor Pro-Tem Longe: | Item K – Resignation of William Wiebrect from the Parks and Recreation Board. |
| Commissioner Host: | Item A – City Commission Meeting Minutes of July 20, 2020. |
| Commissioner Hoff: | Item H – Outside agency service agreements. |

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
 To approve the Consent Agenda excluding Items A, H and K; and recusing Commissioner Hoff from the vote on Item A.

ROLL CALL VOTE: Yeas, Commissioner Sherman
 Commissioner Nickita
 Mayor Pro-Tem Longe
 Commissioner Baller
 Commissioner Hoff
 Commissioner Host
 Mayor Boutros
 Nays, None

- B. Resolution approving the warrant list, including Automated Clearing House payments, dated July 22, 2020 in the amount of \$695,837.64.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated July 29, 2020 in the amount of \$7,023,607.81.

- D. Resolution approving the warrant list, including Automated Clearing House payments, dated August 5, 2020 in the amount of \$549,867.45.
- E. Resolution authorizing the IT department to purchase 10 laptops from CDW Government, 75 Remittance Drive, Suite 1515 Chicago, IL 60675-1515 using MiDeal government pricing of \$924.88 each total cost of \$9,248.80 using funds from the Equipment under \$5,000 fund account # 636-228.000-799.0000.
- F. Resolution authorizing the IT department to purchase 95 block hours of GIS support from Geographic Information Services, Inc. 2100 Riverchase Center, Suite 105, Birmingham, AL 35244, the total purchase not to exceed \$15031.85. Funds are available in the IT Computer Maintenance fund account # 636-228.000-933.0600.
- G. Resolution approving a special event permit as requested by Piety Hill Chapter, NSDAR to hold the Veterans Day Wreath Laying Ceremony in Shain Park November 11, 2020 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 due to public health and safety measures.
- I. Resolution awarding the 2020 Concrete Sidewalk Repair Program, Contract #1-20 (SW) to Luigi Ferdinandi & Sons Cement Company, Inc., in the amount of \$573,970.00, to be charged to the various accounts as detailed in the report, contingent upon execution of the agreement and meeting all insurance requirements.
- J. Resolution authorizing the City Manager to cast a vote, on the City's behalf, for the two incumbent members of the Michigan Municipal League Workers' Compensation Fund for four-year terms, beginning October 1, 2020.
- L. Resolution approving the purchase of one 2021 Ford Explorer Police Interceptor from Gorno Ford through the MIDEAL extendable purchasing contract #071B7700181 in the amount not to exceed \$36,830.00 from the Auto Equipment Fund account #641-441.006.971.0100.
- M. Resolution approving the purchase of one 2020 Ford Escape S 4x2 FWD from Gorno Ford through the MIDEAL extendable purchasing contract #071B7700181 in the amount not to exceed \$20,928.00 from the Auto Equipment fund account #641-441.006.971.0100.

08-144-20 (ITEM A) COMMISSION MEETING MINUTES OF JULY 20, 2020

Commissioner Host removed this item from consent to correct a comment by Mayor Boutros on the last page, 4th paragraph, to read "not being rushed".

Commissioner Hoff referred to Page 6, 5 paragraphs down, and asked how could a West Bloomfield neighbor have concerns about where the Lutheran Church would be staging equipment during construction and asked for a review.

City Clerk Designee Bingham was directed to review the last meeting and make the appropriate corrections.

MOTION: Motion by Commissioner Host, seconded by Commissioner Hoff:
To approve the City Commission Meeting Minutes of July 20, 2020 (Item A), with the requested revisions if appropriate after review by the City Clerk Designee, Bingham.

ROLL CALL VOTE: Yeas, Commissioner Host
Commissioner Hoff
Mayor Pro-Tem Longe
Commissioner Baller
Commissioner Nickita
Commissioner Sherman
Mayor Boutros
Nays, None

08-145-20 (ITEM H) AGREEMENTS WITH OUTSIDE AGENCIES.

Commissioner Hoff removed this item from consent to call attention to the report submitted by the Birmingham Bloomfield Community Coalition; and asked what is happening with funds contributed for 2019 and 2020 if no activities were scheduled.

- Chief Clemence clarified that Attachment B outlined expenditures through the 4th quarter of 2020.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Nickita:
To approve the outside agency service agreements for services described in Attachment A of the agreement for fiscal year 2020-21 with Birmingham Bloomfield Community Coalition in the amount of \$3,000, Birmingham Youth Assistance in the amount of \$18,000 and Common Ground in the amount of \$1,500 from account number 101-301.000-811.0000, further directing the Mayor and City Clerk to sign the agreements on behalf of the City.

ROLL CALL VOTE: Yeas, Commissioner Hoff
Commissioner Nickita
Commissioner Baller
Commissioner Host
Commissioner Sherman
Mayor Pro-Tem Longe
Mayor Boutros
Nays, None

08-146-20 (ITEM K) RESIGNATION OF WILLIAM WIEBRECHT FROM THE PARKS & RECREATION BOARD

Mayor Pro-Tem Longe removed this item from consent to recognize Mr. Wiebrecht in more detail for his service.

- Longest Serving Member of the Parks and Recreation Board
- Passionate about serving
- Keen Eye for Budgeting and Operations
- Instrumental in improving Golf Course operations
- Extraordinary Service

MOTION: Motion by Mayor Pro-Tem Longe, seconded by Commissioner Host:
To accept the resignation of William Wiebrecht from the Parks & Recreation Board, thanking him for his service, and directing the City Clerk to fill the vacancy.

ROLL CALL VOTE: Yeas, Mayor Pro-Tem Longe
Commissioner Host
Commissioner Hoff
Commissioner Nickita
Commissioner Sherman
Commissioner Baller
Mayor Boutros
Nays, None

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

08-147-20 PUBLIC HEARING – 1365 CHAPIN

Mayor Boutros opened the public hearing at 8:12 p.m.

Building Official Johnson presented this item and recommended cancelling the public hearing.

Commissioner Hoff asked if the City had heard from any of the residents regarding this matter.

Building Official Johnson acknowledged that there was a lot of positive feedback once the owners of the property completed demolition.

Mayor Boutros closed the public hearing at 8:15 p.m.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Nickita:
To cancel the public hearing as prescribed in Section 50-42 of the Birmingham City Code for August 10, 2020, for the property located at 1365 Chapin.

ROLL CALL VOTE: Yeas, Commissioner Hoff
Commissioner Host
Commissioner Nickita
Mayor Pro-Tem Longe
Commissioner Baller
Mayor Boutros
Nays, None
Absent, Commissioner Sherman (due to technical difficulties)

08-148-20 PUBLIC HEARING TO CONSIDER FINAL SITE PLAN AND SLUP – PERNOI, 310 E. MAPLE

Mayor Boutros opened the public hearing at 8:16 p.m.

Planning Ecker presented this item.

Commissioner Nickita asked for clarity on the seating arrangements.

Planning Director Ecker explained that the only change would be the name of the establishment from Pernoi to Casa Pernoi.

Mayor Boutros closed the public hearing at 8:21 p.m.

MOTION: Motion by Mayor Pro-Tem Longe, seconded by Commissioner Hoff: To approve a Final Site Plan and Special Land Use Permit Amendment for 310 E. Maple to allow a change in name from Pernoi to Casa Pernoi (complete resolution in agenda packet).

ROLL CALL VOTE: Yeas, Mayor Pro-Tem Longe
Commissioner Hoff
Commissioner Nickita
Commissioner Baller
Commissioner Host

Mayor Boutros

Nays, None
Absent, Commissioner Sherman (due to technical difficulties)

08-149-20 TEMPORARY INSTALLATION OF LAURIE TENNENT’S EIGHT ART WORKS ALONG BOOTH TRAIL, QUARTON LAKE TRAIL, AND LINDEN TRAIL

Planning Engineer Cowan presented this item.

Commissioner Baller asked if all of the installations would be lit; and do we have a statement from the artist.

Planning Engineer Cowan replied that only four would be lit.

Laurie Tennent affirmed that the installations would have statements attached and went on to give background information of her work and the method of installing if approved to address public safety.

Commissioner Hoff asked how would they stand up to the weather, and has there been any theft. She further asked who would finance the project.

Ms. Tennent affirmed that they are weather resistant and she has not had any theft or vandalism. She further affirmed that she is financing the project.

Mayor Boutros expressed support of the project.

Commissioner Hoff asked about the timing of the installations, if approved; and expressed favor for this project.

Ms. Tennent expressed that she could start installing at the end of the month.

Commissioner Nickita expressed admiration for Ms. Tennent’s work and felt the City is fortunate to have this type of talent in Birmingham. He also noted that the series of locations are appropriate, with the exception of the installations that were selected for the all-natural environments, which would be in conflict with the area. He further asked if there had been any

feedback from the Parks and Recreation Board or the public in terms of locating graphic art in a total natural environment.

Planning Engineer Cowan confirmed that it had not come up from the Parks and Recreation Board, but the Public Arts Board discussed how the project would work on the trail and park network. Therefore, the team tried to position most of them at the trailheads.

Commissioner Nickita continued that an entrance condition is more desired than in the middle of complete natural environments.

Commissioner Baller suggested having the Social Media team have some fun with this to address all of the questions that would generate as the project is installed.

City Manager Valentine affirmed that the Social Media team would be engaged.

Commissioner Hoff reiterated that the artwork is of nature, and would be appropriate in the locations selected; and would contribute to the trails.

Commissioner Sherman regained connectivity, first complimented the art, and expressed that the people that use the trails are there to relax in nature, and thinks that the installations may distract from the beauty of nature. He also prefers the trailheads as opposed to disrupting the peacefulness along the trails.

Ms. Tennent has no problem with relocating some of the installations to more public spaces and gain more exposure.

MOTION: Motion by Commissioner Host, seconded by Commissioner Baller: Resolution approving the temporary installation of Laurie Tennent’s eight art works along Booth Trail, Quarton Lake Trail and Linden Trail as identified in the application filed by Robert Kidd Gallery, dated June 16, 2020, for a period of one year.

Commissioner Baller asked if Ms. Tennent was the representative of Robert Kidd Gallery.

Ms. Tennent expressed that the Gallery represents her work and is not present tonight.

Commissioner Nickita while supporting the project expressed that he would like to see further review of the final placement of the pieces.

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| ROLL CALL VOTE: | Yeas, | Commissioner Host Commissioner Baller Commissioner Sherman Mayor Pro-Tem Longe Commissioner Hoff Mayor Boutros |
| | Nays, | None |
| | Absent, | None |

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| VIII. REMOVED FROM CONSENT AGENDA |
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| IX. COMMUNICATIONS |
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| X. REPORTS |
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A. Commissioner Reports

B. Commissioner Comments

- Commissioner Hoff expressed that she supports linking the minutes to the video replay as was suggested at the July 13, 2020 meeting. She is also looking forward to the Parliamentary Procedure Workshop.
- Commissioner Host also is excited about the workshop with the Parliamentarian, and hopes that it is the beginning of many to come. He went on to note that the Ad Hoc Senior Citizens committee met and have distributed a legal agreement to all of the communities anticipating responses within a month to 40 days.
- Commissioner Baller expressed that he would like to see a review of the management of the parking system; and suggested that the Commission ask City Manager Valentine to provide options for alternative management structures and best practices. He further expressed concern about the performance of the Advisory Parking Committee.

08-150-20 ALTERNATE MANAGEMENT STRUCTURES FOR PARKING SYSTEMS

MOTION: Motion by Commissioner Baller, seconded by Commissioner Host Requesting that City Manager Valentine provide the Commission, no later than September 14, 2020, options for studying alternative management structures and best practices for managing the parking systems.

Commissioner comments on the motion:

- Commissioner Hoff asked for specific examples of what Commissioner Baller is suggesting, because his comments were based on opinion.
- Commissioner Baller elaborated on the motion.
- Commissioner Sherman pointed out that municipal governance operates under a different set of rules than private management.
- Commissioner Nickita pointed out that the City plans well with the best information available that has led to continuous success. Others recognize Birmingham as a model City across the Midwest. He is not in support of directing the City Manager on a date certain for a task without facts or information available at this meeting to entertain an intelligent discussion. He would prefer a presentation by staff on the status of the parking system based on fact and possibly move forward with a discussion on how to improve the system for the users. He further disagrees with Motions during Commissioner Comment.
- Mayor Pro-Tem Longe suggested that this discussion take place in a workshop.
- Commissioner Host supports a workshop for this topic.
- Commissioner Hoff reminded everyone that parking in Birmingham is an extensive subject and it is unfair to ask for a presentation within the time frame requested.
- Commissioner Baller expressed that he is simply asking to explore options for a comparative analysis for better management.
- Mayor Boutros expressed that Commissioner Baller has presented a fair ask and it has merit because the parking system is due for a review.

ROLL CALL VOTE: Ayes, Commissioner Baller
 Commissioner Host
 Mayor Pro-Tem Longe
 Mayor Boutros
 Nay, Commissioner Hoff
 Commissioner Nickita
 Commissioner Sherman

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

INFORMATION ONLY

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| XI. ADJOURN |
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Mayor Boutros adjourned the meeting at 9:51 p.m.