

Birmingham City Commission Minutes

February 8, 2021

7:30 P.M.

Virtual Meeting

Meeting ID: 655 079 760

Vimeo Link: <https://vimeo.com/event/3470/videos/504655949/>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

Alexandria Bingham, City Clerk, called the roll.

Present: Mayor Boutros (location: Birmingham, MI)
Mayor Pro Tem Longe (location: Birmingham, MI)
Commissioner Baller (location: Birmingham, MI)
Commissioner Hoff (location: Birmingham, MI)
Commissioner Host (location: Birmingham, MI)
Commissioner Nickita (location: Birmingham, MI)
Commissioner Sherman (location: Birmingham, MI)

Absent: None

Administration: City Manager Markus, City Clerk Bingham, City Planner Cowan, City Attorney Currier, Planning Director Ecker, Assistant to the City Manager Fairbairn, City Attorney Kucharek

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

Announcements

- The City Commission would like to wish Commissioner Nickita a happy birthday!
- Senator Mallory McMorrow's Constituent Director Liz Trombley.

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.

02-021-21 Consent Agenda

The following items were pulled from the Consent Agenda:

Commissioner Host: Item A – City Commission Minutes of January 23, 2021
Commissioner Sherman:
Item B – City Commission Minutes of January 25, 2021

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
To approve the Consent Agenda with the exception of Items A and B.

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

Nays, None

- C. Resolution approving the warrant list, including Automated Clearing House payments, dated January 27, 2021, in the amount of \$1,753,893.79.
- D. Resolution approving the warrant list, including Automated Clearing House payments, dated February 3, 2021, in the amount of \$728,388.09.
- E. Resolution to set a public hearing date for March 8th, 2021 to consider the Special Land Use Permit, Final Site Plan and Design Review to allow the operation of the All Seasons 2 independent senior living facility at 219 Elm St.
- F. Resolution to award the Adams Park Design Consultant services to Michael J. Dul & Associates, Inc. in the amount not to exceed \$7,675.00. Funds are available in the Parks – Other Contractual Service account #101-751.000-811.0000 for this project. Further, to authorize the Director of Public Services to sign the Professional Service proposal on behalf of the City upon receipt of the required insurance coverage.
- G. Resolution to approve the 2021 annual flower purchase from Croswell Greenhouse Inc. in the amount not to exceed \$19,649.60 and the 2022 annual flower purchase in the amount not to exceed \$19,972.75. Funds are available from the General Fund – Property Maintenance – Operating Supplies account #101-441.003-729.0000.
- H. Resolution to confirm the City Manager’s authorization for the emergency expenditure related to the repair of vehicle #26 by J.B.DLCO Auto Repair Center & Multistate Transmissions for \$7,871.71 to be charged to the Auto Equipment account #641-441.006-933.0200, pursuant to Sec. 2-286 of the City Code.
- I. Resolution to approve a request from the Birmingham Shopping District to hold the 2021 Farmers Market season beginning Sunday, May 2, 2021 to October 31, 2021 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.
- J. Resolution to approve a request from the Birmingham Shopping District to hold the 2021 Day on the Town special event on Saturday, July 31, 2021. Approval is 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.

- K. Resolution to approve a special event permit as requested by the Birmingham Shopping District to hold the 2021 Movie Nights on Fridays, June 11, July 16, and August 13, 2021, with rain dates scheduled on Saturdays, June 12, July 17, and August 14, 2021. Approval is 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.
- L. Resolution setting Monday, February 22, 2021 at 7:30 PM to consider the renewal of all existing liquor licenses in the city.

02-022-21 (Item A) City Commission Minutes of January 23, 2021

On page four, in two places, Commissioner Host said 'underground lighting' should be changed to 'underground utilities'.

On page five, Commissioner Hoff noted 'seems' in the middle of the page should be corrected to 'seams'.

MOTION: Motion by Commissioner Host, seconded by Commissioner Baller:
To approve the City Commission meeting minutes of January 23, 2021.

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

Nays, None

02-023-21 (Item B) City Commission Minutes of January 25, 2021

On page nine, Commissioner Sherman asked that the motion be corrected to read:

To direct the City Manager and City Clerk to work with staff to prepare for the suggested workshops
AND
To direct the City Clerk to continue to maintain a list of desired workshops by the Commission
AND
To direct the City Clerk to coordinate with the Commission, City Manager and City Staff to schedule and notice future workshops as needed
AND
For the workshop meeting nights, for the meetings to end at 10 p.m.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Baller:

To approve the City Commission meeting minutes of January 25, 2021.

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

Nays, None

VI. UNFINISHED BUSINESS

None.

VII. NEW BUSINESS

02-024-21 Public Hearing – 251 E. Merrill - Tappers

The Mayor opened the public hearing at 8:02 p.m.

PD Ecker presented the item.

John Henke and Mark Tapper were present on behalf of the application.

PD Ecker confirmed that nearby businesses and residences were notified about this matter twice -- once at the Planning Board level, and once in advance of the current Commission discussion. She stated her office received no comments from the community regarding the proposal.

The Mayor closed the public hearing at 8:09 p.m.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Hoff:
To approve the Special Land Use Permit, Final Site Plan and Design Review to allow the operation of Tapper’s Gold Exchange at 251 E. Merrill, suite 236.

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

Nays, None

02-025-21 Public Hearing - 469-479 S. Old Woodward – Lot Combination

The Mayor opened the public hearing at 8:11 p.m.

Mayor Pro Tem Longe recused herself from discussion of the item citing a business relationship between her spouse and the applicant.

CP Cowan presented the item.

Commissioner Nickita asked that, when available, site plans be included in the agenda packet for similar items moving forward.

Rick Rattner, attorney for the project, and Duraid Markus, owner of the property, were present.

The Mayor closed the public hearing at 8:25 p.m.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
To approve the proposed lot combination of 469-479 S. Old Woodward, parcels 19-36-208-011 and 19-36-208-012.

ROLL CALL VOTE: Ayes, Commissioner Sherman
Commissioner Hoff
Commissioner Baller
Commissioner Host
Commissioner Nickita
Mayor Boutros

Nays, None

02-026-21 "Pyramid Earth" by Kegham Tazian - Sculpture Donation

Mayor Pro Tem Longe rejoined to the meeting.

CP Cowan presented the item.

Charlie Neff reviewed how he would be constructing the granite base. He and the artist's son, Kegham Tazian, were present. Mr. Tazian stated he was working with the Public Arts Board and said he was confident that through their shared work there would be sufficient funding for the project.

Commissioner Baller and the Mayor expressed appreciation on behalf of the community to Messrs. Tazian and Mr. Neff.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Host:
To accept the donation of the "Pyramid Earth" sculpture by Kegham Tazian and to approve the installation at Linden Park on the existing pad.

AND

To approve payment of \$2,000 in financial assistance from the Public Arts Board budget towards the construction of a granite base in partnership with the Cultural Council of Birmingham Bloomfield and the artist for the sculpture installation, to be charged to the Public Arts Board account #101-299-000-811-0000.

ROLL CALL VOTE: Ayes, Commissioner Sherman
Commissioner Host
Commissioner Hoff
Commissioner Baller
Mayor Pro Tem Longe

Commissioner Nickita
Mayor Boutros

Nays, None

02-027-21 Bang the Table License Purchase

Assistant to the City Manager Fairbairn and Mike McInerney of Bang the Table (BTT) presented.

Mr. McInerney explained:

- There are analysis tools available on the backend of the program;
- Other municipalities using BTT have seen public response increase from three to four comments a meeting to 7,000 to 8,000 registered and regular users of BTT;
- Members register to ensure that community interests are accurately represented and that trolling is not occurring;
- Round-the-clock moderation is provided by BTT;
- BTT provides translation tools for those users who are less confident communicating in English;
- BTT maintains high accessibility and security standards; and,
- Data is never provided to BTT - the City maintains sole access to all data.

Public Comment

Paul Reagan asked Mr. McInerney how governments best use BTT to follow up on resident input.

Mr. McInerney explained that in the first year of BTT use Birmingham staff will receive onboarding and training in recommendations from the International Association of Public Participation.

MOTION: Motion by Commissioner Host, seconded by Mayor Pro Tem Longe:
To authorize the IT department to purchase an annual license and one-time onboarding fee from Bang the Table public engagement software for a total of \$14,900. This purchase should be charged to account #636-228.000-933.0700 and further to approve the appropriation and amendment to the fiscal year 2020-2021 Computer Equipment Fund budget as follows:

<u>Revenues:</u>		
Appropriation from Net Position	636-000.000-400.0000	\$14,900
<u>Expenditures:</u>		
Connectivity	636-228.000-933.0700	\$14,900

Commissioner Hoff said she was unclear what further benefit BTT could bring to Birmingham since residents are already fairly engaged and vocal and since the City already uses social media and e-newsletters to communicate with the public.

Mr. McInerney said BTT can help provide a more complete picture of resident opinions. He cited two examples where there were a few dozen residents against a given proposal, but a look at statistics on BTT showed that thousands of residents had also reviewed the proposal and not commented, indicating that the silent majority was comfortable with the proposals as-is. He reiterated it also makes public participation more accessible to a much broader range of people which means more complete insight for the municipality.

In response to CM Markus, Mr. McInerney stated that there is no average demographic profile of a BTT user.

CM Markus said he was optimistic BTT would help Birmingham increase public participation among younger residents and said the cost was fairly reasonable.

Commissioner Nickita thanked the Staff for the work that went into researching the different options. He asked Staff to keep track of how the first year of using BTT goes so that there is information available when it is time to evaluate a potential renewal.

Mayor Pro Tem Longe stated that in a conversation towards the end of 2020 with former CM Valentine, he had stated that very few residents were reading the e-newsletters and watching the City's informational videos. Mayor Pro Tem Longe stated that BTT could be a very good opportunity to increase public participation. She said the City should also integrate BTT into the City's upcoming website improvements.

Public Comment

Andrew Haig said that while the residents are vocal, the City very much needs to make resident participation more convenient. He stated it is difficult for many to attend the meetings at the time they are held, and that the meetings often run long meaning residents must wait to comment. He said that if BTT is useful the fees would be very worthwhile.

Paul Reagan said that in order for BTT to be successful having one point-person on staff would likely be insufficient. He said the program would likely need full-time staffing to run well and that every City department should have a staff member whose responsibility it is to follow up on resident questions and comments posted on BTT.

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

Nays, None

02-028-21 Commission Workshops

City Clerk Bingham reviewed the item with CM Markus adding brief comment.

Commissioner Baller thanked Staff for their work on the item.

MOTION: Motion by Commissioner Baller, seconded by Mayor Pro Tem Longe:
To adopt the suggested workshop routines and conduct.

Commissioner Host thanked Staff for their work on the item.

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

Nays, None

Commission Discussion on items from prior meetings.

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.

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
 - 1. Notice to appoint – Parks and Recreation Board, Multi-Modal Transportation Board, Planning Board & Birmingham Area Cable Board
- B. Commissioner Comments

Commissioner Host commented on the master plan process, clarifying for residents that it is the Planning Board’s responsibility to solicit public feedback and shape the draft in combination with the Planning Department and the master planning team. He enjoined all residents to participate in the ongoing feedback processes respectfully.

Commissioner Host also asked that the City hire accountants to determine which City expenditures benefit the residential community, which benefit the commercial community, and which overlap. He said he would like that to be a requirement of the City’s annual audit moving forward.

- C. Advisory Boards, Committees, Commissions’ Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Manager’s Report


CM Markus provided a brief overview of his inaugural Manager’s Report and its purpose.

Mayor Pro Tem Longe and Commissioner Host both thanked CM Markus.

INFORMATION ONLY

XI. ADJOURN

Mayor Boutros adjourned the meeting at 9:45 p.m.



Alexandria Bingham, City Clerk
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