

Birmingham City Commission Minutes

July 26, 2021

7:30 p.m.

Municipal Building, 151 Martin

Vimeo Link: <https://vimeo.com/event/3470/videos/574277410/>

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
Mayor Pro Tem Longe
Commissioner Baller
Commissioner Hoff
Commissioner Host
Commissioner Nickita
Commissioner Sherman

Absent: None

Administration: City Manager Markus, City Clerk Bingham, Police Chief Clemence, City Planner Dupuis, Planning Director Ecker, Operations Commander Grewe, City Attorney Grochowski, Consulting City Engineer Surhigh, DPS Director Wood

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

APPOINTMENTS

07-188-21 Appointment of Linda Peterson to the Greenwood Cemetery Advisory Board

The Commission interviewed Linda Peterson for the appointment.

MOTION: Nomination by Commissioner Sherman:
To appoint Linda Peterson to the Greenwood Cemetery Advisory Board as a regular member to serve a three-year term to expire July 6, 2024.

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

Commissioner Host

Nays, None

07-189-21 Appointment of George Stern to the Greenwood Cemetery Advisory Board

The Commission interviewed George Stern for the appointment.

MOTION: Nomination by Commissioner Hoff:
To appoint George Stern to the Greenwood Cemetery Advisory Board as a regular member to serve a three-year term to expire July 6, 2024.

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

Nays, None

07-190-21 Appointment of Laura Schreiner to the Greenwood Cemetery Advisory Board

Laura Schreiner was unavailable for an interview.

MOTION: Nomination by Mayor Pro-Tem Longe:
To appoint Laura Schreiner to the Greenwood Cemetery Advisory Board as a regular member to serve a three-year term to expire July 6, 2024.

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

Nays, None

07-191-21 Appointment of Bev Erickson to the Museum Board

The Commission interviewed Bev Erickson for the appointment. She noted that she would renew her membership with the Historical Society if it has lapsed since membership may be required of regular Museum Board members.

MOTION: Nomination by Commissioner Hoff:

To appoint Bev Erickson to the Museum Board as a regular member to serve a three-year term to expire July 5, 2024 subject to verification as to whether membership with the Historical Society is required and that Ms. Erickson will renew her membership if so determined by legal counsel.

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

Nays, None

07-192-21 Appointment of Alexandra Harris to the Museum Board

The Commission interviewed Alexandra Harris for the appointment.

MOTION: Nomination by Commissioner Host:
To appoint Alexandra Harris to the Museum Board as an alternate member to serve the remainder of a three-year term to expire July 5, 2023 subject to verification as to whether membership with the Historical Society is required and that Ms. Harris will renew her membership if so determined by legal counsel.

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

Nays, None

City Clerk Bingham swore in all present appointees.

IV. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

Stephanie Ruseckas asked the City to address rats in the area of Washington.

Denise Rumsey asked the City to address flooding on E. Lincoln and Cole.

The Mayor told Ms. Ruseckas and Ms. Rumsey that the City would get in touch to discuss their concerns.

Frank Pisano thanked outgoing Commissioners Hoff, Nickita and Sherman for their service to the City.

Andrew Haig asked the City to look into working with other municipalities, Oakland County and the State to address flooding issues. He asked the City to also see whether there might be federal infrastructure funding available for addressing the issue.

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.

07-193-21 Consent Agenda

The following items were pulled from the Consent Agenda:

- Public: Item F – Vehicle 501 Replacement
Item H – Vehicle 564 Replacement
- Commissioner Baller: Item J – Outside Agency Agreements Police FY 21-22
- Commissioner Sherman: Item K – Pavement Marking Agreement Extensions FY 21-22
- Commissioner Hoff: Item L – City Commission Proposed Meeting Schedule

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Hoff:
To approve the Consent Agenda with the exception of Items F, H, J, K and L, with discussion of Items F and H to occur prior to discussion of Items J, K and L.

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

Nays, None

- A. Resolution to approve the City Commission meeting minutes of July 13, 2021.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 14, 2021, in the amount of \$792,651.95.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 21, 2021, in the amount of \$976,399.27.
- D. Resolution to approve the purchase of uniforms with Contractors Clothing Company for an expected annual cost not to exceed \$12,000 per year for the Teamster contract uniform allowance for fiscal years 2021-2022, 2022-2023 and 2023-2024. Funds are available for this purchase in the Public Services - Uniform Allowance account #101-441.002-743.0000.
- E. Resolution to approve the fertilizer/chemical purchases for Lincoln Hills and Springdale Golf Courses from Harrell's for \$22,000, Target Specialty Products for \$22,000, and Great Lakes Turf for \$8,000. The total purchase from all vendors will not exceed a total of \$52,000. Funds will be charged to account numbers 584/597-753.001-729.0000.
- G. Resolution to approve the purchase of one (1) 2022 Ford Transit Connect Cargo Van from Gorno Ford through the State of Michigan MIDEAL extendable purchasing contract #071B7700181 in the amount

not to exceed \$25,690.00. Funds for this purchase are available in the FY 2021-2022 Auto Equipment Fund account #641-441.006.971.0100.

- I. Resolution to authorize the IT department to purchase the G-Suite license renewal from Newmind Group Inc. The cost not to exceed \$18,720.00. Using available funds from the Computer Maintenance account 636-228.000-993.0600
- M. Resolution to approve a special event permit as requested by Piety Hill Chapter, NSDAR to hold the Veterans Day Wreath Laying Ceremony in Shain Park November 11, 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, 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.

07-194-21 (Item F) Vehicle 501 Replacement

Gerald Randolph asked for an explanation of the cost difference between Item F and Item H.

Police Chief Clemence stated Vehicle 501 will be an administrative/investigative vehicle whereas Vehicle 564 will be a police vehicle. He stated that the latter vehicle comes with less equipment, hence the lower cost.

MOTION: Motion by Commissioner Hoff, seconded by Mayor Pro Tem Longe:
To approve the purchase of one (1) 2022 Chevrolet Tahoe LS 4WD police package from Berger Chevrolet Inc. through the State of Michigan MIDEAL extendable purchasing contract #071B7700181 in the amount not to exceed \$45,893.00. Funds for this purchase are available in the FY 2021-2022 Auto Equipment Fund account #641-441.006.971.0100.

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

Nays, None

07-195-21 (Item H) Vehicle 564 Replacement

See explanation under Item F.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Nickita:
To approve the purchase of one (1) 2022 Chevrolet Tahoe 4WD police package from Berger Chevrolet Inc. through the State of Michigan MIDEAL extendable purchasing contract #071B7700181 in the amount not to exceed \$39,885.00. Funds for this purchase are available in the FY 2021-2022 Auto Equipment Fund account #641-441.006.971.0100.

ROLL CALL VOTE: Ayes, Commissioner Hoff

Commissioner Nickita
Commissioner Sherman
Commissioner Baller
Mayor Boutros
Commissioner Host
Mayor Pro Tem Longe

Nays, None

07-196-21 (Item J) Outside Agency Agreements Police FY 21-22

Commissioner Baller highlighted the work of the Birmingham Bloomfield Community Coalition on behalf of youth mental health in the community. He noted residents can learn more about the organization and donate at bbcoalition.org.

MOTION: Motion by Commissioner Baller, seconded by Mayor Pro Tem Longe:
To approve the outside agency service agreements for services described in Attachment A of the agreement for fiscal year 2021-22 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 to direct the Mayor and City Clerk to sign the agreements on behalf of the City.

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

Nays, None

07-197-21 (Item K) Pavement Marking Agreement Extensions FY 21-22

In reply to Commissioner Sherman, CM Markus stated that the Commission's direction had been to wait for road repaving or resurfacing before replacing crosswalks. It was noted that choice was made because removing and replacing crosswalks without repaving or resurfacing leaves scarring on the road.

In response to Commissioner Nickita, Police Chief Clemence said he would speak with the contractor that paints the crosswalks to see if the continental pattern B, with one foot lines and three foot spaces, could be turned into the preferred continental pattern A, with two foot lines and two foot spaces. He stated he would also make sure Consulting City Engineer Surhigh has the MMTB/Commission decisions from February 2017 that specified the types of crosswalks to be used in different City locations.

Commissioner Nickita stated that the City should only be using continental pattern A, with two foot lines and two foot spaces, in locations where the continental pattern for crosswalks is to be used.

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

To approve the addendum to extend the contract for 2021-22 handwork pavement markings with Hart Pavement Striping Corporation in the amount of \$107,000.00 for combined fall 2021 and spring 2022 applications; further to approve the addendum to extend the contract for pavement marking longlines with PK Contracting, Inc. in the amount of \$10,027.00 for spring 2022 pavement markings; further authorizing and directing the mayor and city clerk to sign the addenda on behalf of the city; further to authorize these budgeted expenditures from account number 202-303-001-937.0200.

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

Nays, None

07-198-21 (Item L) City Commission Proposed Meeting Schedule

Commissioner Hoff recommended the City consider moving the regular Commission meeting following the January LRP meeting from January 22, 2022 to January 31, 2022 in order to give more of a break between the two meetings.

Commissioner Sherman noted that Birmingham schools' winter break ends on January 21, 2022 meaning that many people may still be out of town for the January LRP meeting on January 22, 2022. Accordingly, he suggested that the LRP meeting either be rescheduled to January 29, 2022 with the regular meeting following on January 31, 2022, or that the regular Commission meeting be held on January 24, 2022 with the LRP meeting being held on January 29, 2022.

CM Markus noted that the Commission could accept the proposed meeting schedule as submitted and could make amendments at a later date if necessary.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Sherman:
To approve the Birmingham City Commission 2022 Meeting Schedule as submitted.

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

Nays, None

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

07-199-21 Public Hearing of Necessity – Townsend and Peabody Paving Project

The Mayor opened the public hearing at 8:26 p.m.

Mayor Pro Tem Longe recused herself from the item at 8:26 p.m., noting that her spouse is a tenant in the area of Peabody being discussed.

CCE Surhigh presented the item.

Public Comment

Steve Samona was present on behalf of the Balmoral ownership. He stated that the Balmoral has been having issues with flooding in its basement and asked if that could be looked at.

CCE Surhigh said he would look at the sewer conditions near the Balmoral to see if any rehabilitations or repairs could be made as part of this project. He said he would also be able to meet with Mr. Samona to discuss the matter further.

The Mayor closed the public hearing at 8:31 p.m.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
To approve the complete resolution as included in the evening’s agenda packet.

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

Nays, None

07-200-21 Public Hearing 501 S. Eton – Whistle Stop – Special Land Use Permit, Final Site Plan & Design Review

Mayor Pro Tem Longe rejoined the meeting at 8:32 p.m.

The Mayor opened the public hearing at 8:33 p.m.

CP Dupuis presented the item.

Police Chief Clemence confirmed for Commissioner Hoff that the formal police liquor license investigation was completed.

In reply to Commissioner Hoff, CP Dupuis noted that the current plans addressed Items One, Two, Five and Six from Engineering’s comments as included in the June 9, 2021 memo. He said that the applicant would comment on Items Three and Four, and that the plans would be reviewed again by Engineering as part of the building and grading permit submissions to see if further changes need to occur.

Commissioner Hoff noted that meant that some of the issues raised by Engineering were not yet resolved.

CP Dupuis confirmed.

In reply to Commissioner Hoff, CP Dupuis described the changes made to the outdoor dining proposal.

Commissioner Sherman recommended that the sidewalk be clearly denoted in the plans. He also noted that another bistro was denied a change in hours of operation that would have removed dinner hours. Since Whistle Stop proposes no dinner hours, he suggested there might be issues with disparate treatment.

Mayor Boutros noted that Whistle Stop has historically been a breakfast, brunch and lunch only establishment.

Commissioner Sherman noted that the other bistro in question has a second location outside the City with only breakfast, brunch and lunch hours, and that the Commission still required their Birmingham location to remain open for dinner hours to activate the street.

The City Attorney said the matter was worth considering carefully. He said there was some precedent for allowing Whistle Stop to operate without dinner hours.

Commissioner Nickita noted that there was a difference between denying an already-granted bistro licensee the right to remove evening hours, and granting a bistro license for an applicant that has no history of maintaining evening hours.

Subsequent to further Commission discussion, the City Attorney stated that the Whistle Stop's longstanding history of operating only during the day, and operating outside the downtown area, would be legally defensible reasons to prevent it from setting a precedent for other bistro applications.

Patrick Howe, attorney for the applicants, Elda and Valter Xhomaqi, applicants, and Jawan Matti, architect, were present on behalf of the request.

Commissioner Hoff expressed concern about the width of the pedestrian area on the sidewalk, the significant fall between the existing walk at the building and exiting top of curb, and the lack of sidewalk to the live work areas on Hazel. She also shared concerns about parking, given the establishment's planned increase in seating.

Ms. Matti noted that the City requires the pedestrian area of a sidewalk to be five feet wide, and that the present proposal was for a width of six feet.

Mr. Howe noted that the City's Engineering Department supported the proposed sidewalk width and that it was consistent with the sidewalks in front of other restaurants throughout the City.

It was noted that the Whistle Stop would be decreasing its interior seating in the new design from 80 seats to 64. The 28 outdoor dining seats would be present only during the outdoor dining season or in the off-season by additional permit.

It was also noted that the Whistle Stop decreased the number of indoor seats proposed since their parking variance was approved, from 73 to 64, which would also result in a reduction of parking pressure in the area.

A number of Commissioners asked the applicants to work with the City to come up with ways of making the pavement in front of the restaurant more visually appealing in the off-season, whether via off-season outdoor dining, decorations or other amenities.

Commissioner Sherman expressed concern that the shared parking agreement between the Whistle Stop and the Griffin Claw was only verbal in nature.

It was noted that attempts were made to convert the shared parking agreement into a written one, but that the owner of the Griffin Claw had not been comfortable doing so at the time.

Mr. Howe stated:

- While the Commission has broad discretion in granting a SLUP, hours and meals are not included in the definition of a bistro.
- He regretted that the Commission was only now receiving his letter, noting he filed it with the Planning Department on July 7, 2021.
- The applicants were not interested in pursuing dinner hours since their current hours allow the restaurant to operate well in its residential context.
- Many of the customers are local so they tend to walk to the restaurant, additionally reducing the burden on parking.
- Both residents that spoke at the Planning Board's June 9, 2021 review of the item said their concerns were regarding traffic and parking in the area, and not the granting of a bistro license to the Whistle Stop in particular.

Public Comment

Chris Parfitt, resident of Eton, echoed the comments made by Jim Schmier and the other Eton resident, who he named as Diane Karens, during the Planning Board's discussion of the plans on June 9, 2021. He said that while the parking and traffic issues were not Whistle Stop's fault, now would be an appropriate time to address the issues.

Mr. Haig proposed a potential redesign of the area in front of the establishment. He said the shared parking agreement between the Griffin Claw and Whistle Stop should be recorded, and that the issue of permit parking in the residential areas nearby should be addressed.

Mr. Howe stated that the Whistle Stop could implement the plans as-written by right if they chose to forego adding a few alcoholic beverages to their menu. He stated that the Whistle Stop would operate largely in the same way it has.

The Mayor closed the public hearing at 9:50 p.m.

In reply to Mr. Howe, Commissioner Baller noted that the Planning Board vote on this item was 6-1, and not unanimous as Mr. Howe had stated. He said he was not concerned about the parking, but was concerned about the design of the streetscape. He said he wanted the City to work with the applicant on making changes to it.

Mayor Pro Tem Longe attested to the functionality of the shared parking arrangement between the Griffin Claw and the Whistle Stop. She acknowledged Mr. Parfitt's concerns about parking and traffic, while noting that they did not derive from Whistle Stop specifically, and asked the City to look into the matter. She echoed Commissioner Baller's recommendation that the applicant work with the City to improve the streetscape.

MOTION: Motion by Mayor Pro Tem Longe, seconded by Commissioner Host:
To approve the Special Land Use Permit, Final Site Plan and Design Review application for 501 S. Eton – Whistle Stop to allow the operation of a bistro.

Commissioner Nickita stated that while he was not supportive of bistros without evening hours in general, he was comfortable in this case that it was unique enough to avoid setting a precedent. He said that the addition of 12 total seats, which would only be present in outdoor dining, would not overburden parking. He said he was comfortable with the more organic shared parking arrangement. He reiterated that the applicant should find some way of livening up the front of the building in winter months, whether with outdoor dining or something else.

Commissioner Sherman said the existing business license was the strongest factor preventing this bistro license for daytime-only hours from establishing a precedent. He said it would be a mistake to not require a written shared parking agreement and asked that it be pursued.

Commissioner Hoff reiterated her previously stated concerns and asked that the applicant work with the City to address those issues.

Mayor Pro Tem Longe echoed Commissioner Nickita's comfort regarding the current state of the shared parking arrangement between the Griffin Claw and the Whistle Stop.

Mayor Boutros reiterated that this is an established restaurant that has been functioning well in the City. He said that if it were a new restaurant he would be more concerned about getting a written parking arrangement. He said he was supportive of the proposal.

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

 Nays, Commissioner Hoff

The Mayor paused the meeting at 10:09 p.m.

The meeting resumed at 10:16 p.m.

**07-201-21 Public Hearing – Amendments to Section 3.04, 4.90 and 9.02
of Chapter 126, Zoning – Window and Glazing Standards**

The Mayor opened the public hearing at 10:16 p.m.

CP Dupuis reviewed the item.

Commissioner Hoff said the language did not sufficiently clarify whether the standards applied only to the first floor or to the whole principal building frontage.

PD Ecker asked for a few minutes to look up definitions that might resolve the issue.

The Mayor called for a break on this topic at 10:27 p.m. The Commission moved on to discuss solar electric system ordinance amendments with the understanding that they would return to this item once PD Ecker had definitions available.

07-202-21 Public Hearing – Zoning Amendments to Section 4.09 of Chapter 126, Zoning – Solar Electric Systems

The Mayor opened the public hearing at 10:27 p.m.

CP Dupuis presented the item.

In reply to Commissioner Baller, CP Dupuis confirmed the City would publicize the changes to the solar electric systems ordinances so that residents could be made aware that the process of installing solar electric systems has been simplified.

The Mayor closed the public hearing at 10:33 p.m.

The City Attorney recommended motion language that differed from the motion language offered in the agenda packet. Commissioner Hoff adopted the City Attorney’s recommended motion language.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Sherman:
To adopt Ordinance 2352 amending the sign ordinance, Article 4, Section 4.09 (Essential Services), to remove Roof Mounted Solar Electric Systems.

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

Nays, None

07-203-21 Public Hearing – Zoning Amendments to Section 4.88 of Chapter 126, Zoning – Solar Electric Systems

This item was discussed concurrently with the previous item. The City Attorney recommended motion language that differed from the motion language offered in the agenda packet. Commissioner Hoff adopted the City Attorney’s recommended motion language.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Sherman:
To adopt Ordinance 2353 amending the sign ordinance, Article 4, Section 4.88 (Alternative Energy) to add amended Roof Mounted Solar Electric Systems Language.

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

Nays, None

07-201-21 (Cont'd) Public Hearing – Amendments to Section 3.04, 4.90 and 9.02 of Chapter 126, Zoning – Window and Glazing Standards

Discussion of this item resumed at 10:37 p.m.

PD Ecker defined storefront facade as the portion of building on first floor per architectural standards in the overlay district.

The Commission directed the Planning Board to re-review the proposed language to clarify whether the same or different standards would apply to the ground and upper floors of a building.

The Mayor closed the public hearing at 10:44 p.m.

07-204-21 Designation of Voting Delegate(s) for the Michigan Municipal League Annual Meeting

Commissioner Host volunteered to serve as the alternate voting delegate.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Hoff:
To appoint City Manager Tom Markus as the Birmingham City Commission's official voting delegate, and Commissioner Brad Host as the alternate voting delegate, at the Michigan Municipal League Annual Meeting to be held in Grand Rapids, Michigan on September 22, 2021.

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

Nays, None

07-205-21 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.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Baller:
To invite representatives of the Baldwin House to a Commission meeting to explain the changes that are currently taking place.

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

Nays, None

There was no Commission interest in either revisiting bistro rules per Commissioner Host's inquiry or referring the matter of second-floor, rear-side porches and balconies to the Planning Board per Commissioner Sherman's inquiry.

Commission discussion on items from prior meeting.

None.

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments

Commissioner Host again recommended that the RFP for the annual audit require a breakdown of how tax revenues are spent in the commercial areas versus the neighborhoods. He said he was looking forward to the Parking Assessment District report from the City.

Commissioners Nickita, Sherman, Baller, Hoff, Mayor Pro Tem Longe and Mayor Boutros all emphasized the importance of treating Birmingham as one united community with business and residential areas that each mutually benefit the other.

Commissioner Nickita said that Toast was currently in violation of its SLUP in regards to hours of operation and asked the City to look into the issue. He noted that some flexibility had been granted to restauranteurs during the State's emergency orders regarding Covid-19, but that restauranteurs must now re-adhere to the parameters of their SLUPs since those orders have expired.

CM Markus confirmed the City would take appropriate action.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Birmingham Triangle District Corridor Improvement Authority (CIA)
 - 2. City Manager's Report

CM Markus summarized the City's approach to the MDOT Proposal for Interstate Signage on Woodward as detailed in the City Manager's Report. He asked the Commission to confirm that the City's approach aligned with the Commission's preferences. The Commission confirmed.

In reply to Mayor Pro Tem Longe, CM Markus said the City would create a tab on the City website for the City Manager Reports.

INFORMATION ONLY

XI. ADJOURN

Mayor Boutros adjourned the meeting at 11:30 p.m.

Alexandria D. Bingham

Alexandria Bingham, City Clerk
/le