

Birmingham City Commission Minutes

January 9, 2023

Municipal Building, 151 Martin

7:30 p.m.

Vimeo Link: <https://vimeo.com/782771118>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Therese Longe, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

Present: Mayor Longe
Mayor Pro Tem McLain
Commissioner Baller
Commissioner Boutros
Commissioner Haig
Commissioner Host
Commissioner Schafer

Absent: None

Staff: City Manager Markus; City Clerk Bingham, Assistant City Manager Ecker, Human Resources Manager Lambert

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

Announcements

- The City recommends members of the public wear a mask if they have been exposed to COVID-19 or have a respiratory illness. City staff, City Commission and all board and committee members must wear a mask if they have been exposed to COVID-19 or actively have a respiratory illness. The City continues to provide KN-95 respirators and triple-layered masks for attendees.
- The \$1.3 million Birmingham Combined Sewer System Critical Rehabilitation Program Project was funded in the Federal Omnibus Bill passed December 23, 2022. The Mayor thanked City Staff and Congresswoman Stevens for their work on documenting the need and securing the funding.
- County Commissioner Charles Cavell

Appointments

01-001-23 Appointment to the Historic District Commission

The Commission interviewed Mary E. Jaye for the appointment.

MOTION: Nomination by Commissioner Boutros:

To appoint Mary E. Jaye as an alternate member to the Historic District Commission to serve the remainder of a three-year term to expire September 25, 2025.

VOICE VOTE: Ayes, MPT McLain
 Commissioner Baller
 Commissioner Boutros
 Commissioner Schafer
 Commissioner Host
 Mayor Longe
 Commissioner Haig

Nays, None

CC Bingham swore in Ms. Jaye.

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

V. CONSENT AGENDA

01-002-23 Consent Agenda

The following items were pulled from the Consent Agenda:

Commissioner Haig: Item H – Set Public Hearing to amend Article 4, Section 4.44, Article 3, Section 3.04, Article 3, Section 3.16, and Article 9, Section 9.02 to provide clear and enforceable outdoor dining standards

MOTION: Motion by Commissioner Boutros, seconded by Commissioner McLain:
To approve the Consent Agenda excluding Item H.

ROLL CALL VOTE: Ayes, Commissioner Schafer
 Commissioner Host
 MPT McLain
 Commissioner Boutros
 Mayor Longe
 Commissioner Baller
 Commissioner Haig

Nays, None

- A. Resolution to approve the City Commission meeting minutes of November 28, 2022 as amended.
- B. Resolution to approve the City Commission meeting minutes of December 19, 2022.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated December 21, 2022, in the amount of \$2,376,100.61.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated January 4, 2023, in the amount of \$4,205,337.48.

- E. Resolution to hold a 2022 review of establishments who have liquor licenses for consumption on premises and to consider same establishments for 2023 renewal at the regular City Commission meeting on Monday, February 27, 2023 at 7:30 p.m.
- F. Resolution to approve a special event permit as requested by the Birmingham Clerk’s Office to hold the Celebrate Birmingham Parade and Party in Shain Park on Sunday, May 21, 2023 contingent upon compliance with all permit and insurance requirements and payment of all fees and further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event, or event cancellation that may be deemed necessary leading up to or at the time of the event.
- G. Resolution to set a public hearing date of February 13, 2023 to consider the Special Land Use Permit, Final Site Plan and Design Review application for 300 S. Old Woodward – RH.

01-003-23 (Item H) Set Public Hearing to amend Article 4, Section 4.44, Article 3, Section 3.04, Article 3, Section 3.16, and Article 9, Section 9.02 to provide clear and enforceable outdoor dining standards

Commissioner Haig said he would send along some recommended changes for minor errors and typographical issues, noting that none of the recommended changes were in regards to content.

MOTION: Motion by Commissioner Haig, seconded by Commissioner McLain:
To adopt a resolution to set a public hearing date of February 13, 2023 to consider ordinance amendments to Article 4, Section 4.44, Article 3, Section 3.04, Article 3, Section 3.16, and Article 9, Section 9.02 to provide clear and enforceable outdoor dining standards.

ROLL CALL VOTE: Ayes, Commissioner Schafer
Commissioner Host
MPT McLain
Commissioner Boutros
Mayor Longe
Commissioner Baller
Commissioner Haig

Nays, None

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

01-004-23 City Manager Recruitment Update

CM Markus, the Mayor, and HRM Lambert presented the item. CM Markus and HRM Lambert answered brief informational questions from the Commission.

Commissioner Host said that if two out of the six proposed candidates ended up having to exit the process for whatever reason, he would like the opportunity to review the seventh and eighth candidates.

There was general consensus that two separate interview sessions scheduled for later in the afternoon would be most convenient.

MOTION: Motion by Commissioner Boutros, seconded by Commissioner Host:
To adopt a resolution to approve a time frame of two four-hour sessions, with three candidates each, (estimated time needed for all interviews would be 8 hours), in which City Manager candidates will be interviewed remotely by the City Commission.

The Commission confirmed for CM Markus that they would prefer interviews be scheduled to begin after 2:30 p.m. on whichever days were selected.

VOICE VOTE: Ayes, Commissioner Schafer
Commissioner Host
MPT McLain
Commissioner Boutros
Mayor Longe
Commissioner Baller
Commissioner Haig

Nays, None

01-005-23 Request For Closed Session To Discuss A Periodic Personnel Evaluation Of The City Manager

MOTION: Motion by MPT McLain, Commissioner Boutros:
To meet in closed session to discuss the personnel evaluation of the City Manager pursuant to Section 8(a) of the Open Meetings Act.

ROLL CALL VOTE: Ayes, Commissioner Schafer
Commissioner Host
MPT McLain
Commissioner Boutros
Mayor Longe
Commissioner Baller
Commissioner Haig

Nays, None

The Commission went into closed session at 9:14 p.m.

The Commission returned from closed session at 10:10 p.m.

01-008-23 Increase in City Manager Markus' Salary

MOTION: Motion by Commissioner Boutros, Commissioner Baller:
To amend City Manager Markus' employment agreement to increase the City Manager's annual salary by 4.5% in agreement with the executive pay action the Commission agreed to in July 2022.

MPT McLain thanked CM Markus for his service to the City.

Commissioner Baller stated that the performance review contained general positive comments on his tenure and expressions of gratitude from the Commissioners.

ROLL CALL VOTE: Ayes, Commissioner Schafer
Commissioner Host
MPT McLain
Commissioner Boutros
Mayor Longe
Commissioner Baller
Commissioner Haig

Nays, None

Commission Items for Future Discussion

01-006-23 Ad Hoc Senior Services Committee

The Mayor recommended the Commission discuss at a future meeting potentially scheduling an agenda item to consider the creation of an Ad Hoc Senior Services Committee.

MOTION: Motion by Commissioner Baller, Mayor Longe:
To discuss the formation of a committee to address senior services.

VOICE VOTE: Ayes, Commissioner Schafer
Commissioner Host
MPT McLain
Commissioner Boutros
Mayor Longe
Commissioner Baller
Commissioner Haig

Nays, None

01-007-23 Improvements in Communication Methodology

Commissioner Haig recommended the Commission discuss ways of improving communication methodologies.

MOTION: Motion by Commissioner Haig, Commissioner Host:
To discuss ways of improving communication methodologies.

VOICE VOTE: Ayes, Commissioner Schafer
Commissioner Host
MPT McLain
Commissioner Boutros
Mayor Longe

Commissioner Baller
Commissioner Haig

Nays, None

Commission Discussion On Items From A Prior Meeting

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Cablecasting Board
 - 2. Notice of intention to appoint to the Parks and Recreation Board
 - 3. Notice of intention to appoint to the Storm Water Utility Appeals Board
 - 4. Notice of intention to appoint to the Board of Zoning Appeals
- B. Commissioner Comments

MPT McLain provided updates on the Michigan Municipal League's (MML) new website, scheduled meetings, and available trainings. She stated that she was also appointed to the MML's Transportation, Infrastructure, and Technology Committee.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Update on the 48th District Court Discussions

ACM Ecker presented the update. ACM Ecker and CM Markus answered informational questions from the Commission. ACM Ecker noted that further information would be provided during an upcoming Commission agenda item.

- 2. Communication regarding Board and Committee Activities
- 3. Letter from Brad Host to residents & Nextdoor response

CM Markus presented both communications.

INFORMATION ONLY

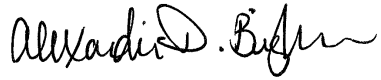
Public Comment

David Bloom provided comments regarding the 2040 Master Plan and his support for Commissioner Host's public engagement on the matter.

In reply to MPT McLain, the City Attorney confirmed that 'taking property' is a complex legal process that could not be decreed unilaterally by a commission or board.

XI. ADJOURN

Mayor Longe adjourned the meeting at 10:12 p.m.

A handwritten signature in black ink, appearing to read "Alexandria Bingham". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Alexandria Bingham
City Clerk

A handwritten signature in black ink, appearing to read "Laura Eichenhorn". The signature is more stylized and less legible than the one above, with a prominent initial.

Laura Eichenhorn
City Transcriptionist