

**BIRMINGHAM CITY COMMISSION AGENDA
DECEMBER 6, 2021
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Therese Longe, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk

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

ANNOUNCEMENTS

- COVID-19 cases locally are the highest they have been since the beginning of the pandemic. Michigan and Oakland County continue to be at a high level of community transmission. As a result, the CDC recommends vaccinated and unvaccinated individuals wear a facemask indoors while in public. The City requires masks in City Hall for all employees, board and commission members, and the public. Please visit the CDC's website on how to safely celebrate the holidays and for more COVID-19 information.
- Mayor Pro Tem Boutros Birthday.

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.

- A. Resolution to approve the City Commission meeting minutes of November 22, 2021.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated November 24, 2021, in the amount of \$2,211,260.33.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated December 1, 2021, in the amount of \$167,982.15.
- D. Resolution to set a public hearing date of January 10, 2022 to consider the Special Land Use Permit Amendment at 298 S. Old Woodward – Daxton Hotel – to allow the transfer of ownership of an existing liquor license.
- E. Resolution to approve the lease agreement between the City and Water Tower Properties and authorize the Mayor and the City Clerk to sign the agreement on behalf of the City.

- F. Resolution approving Dynamic Systems, Inc. be awarded the "Power Washing Sidewalks in Downtown Birmingham 2022-2024" contract for a total project cost not to exceed \$66,300.00. Funds are available from the Birmingham Shopping District Maintenance account #247-748.000-935.0200, and the Parks Other Contractual Services account #101-751.000-811.0000 for these services. Further, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of the required insurance coverage.
- G. Resolution to install a No Parking from 7 a.m. to 5 p.m., Permit Exempt zone for School Days on Bird Ave. from Pierce to Edgewood. Further, to direct the Chief of Police and the City Clerk to sign the traffic control order on behalf of the City.
- H. Resolution to reschedule the October 10, 2022 joint meeting of the Birmingham City Commission and Planning Board to a new date of November 21, 2022.
- I. Resolution confirming City Manager's authorization for the emergency expenditure related to the repair of the Park Street Structure elevator by KONE Elevator for a cost not to exceed \$22,765.00 to be charged to the Automobile Parking System Fund, Park Parking Structure Elevator Maintenance account #585-538.003-930.0200.

VI. UNFINISHED BUSINESS

None

VII. NEW BUSINESS

- A. Public Hearing – Wall Art – Request to Continue
 - 1. Resolution to continue the public hearing to consider ordinance amendments to Article 7, Section 7.41-7.46- Processes, Permits, and Fees & Article 9, Section 9.02 Definitions of the Zoning Ordinance to create a wall art definition and review process to the City Commission meeting of December 13, 2021.
- B. Public Hearing – 203 Pierce Street - Toast – Special Land Use Permit Amendment, Final Site Plan and Design Review
 - 1. Resolution to APPROVE the Special Land Use Permit Amendment, Final Site Plan and Design Review application for 203 Pierce Street – Toast – to amend the hours of operation.
 - OR
 - 2. Resolution to POSTPONE the Special Land Use Permit Amendment and Final Site Plan application for 203 Pierce Street – Toast – pending receipt of the following:
 - 1. _____
 - 2. _____
 - 3. _____
 - OR
 - 3. Resolution to DENY the Special Land Use Permit Amendment, Final Site Plan and Design Review application for 203 Pierce Street – Toast.

C. Public Hearing – 2022-2023 Community Development Block Grant Application

1. Resolution approving the Program Year 2022 Community Development Block Grant application with the following projects and respective allocations:

	<u>APPROVED</u> <u>2022-2023**</u>
i. Public Services – Yard Services	\$7,573
ii. Public Services – Senior Services	3,500
iii. Remove Architectural Barriers – Museum Park	<u>25,839</u>
TOTAL	<u>\$36,912</u>

** (TO BE DETERMINED BY THE CITY COMMISSION AT THE DECEMBER 6, 2021 MEETING); and authorize the mayor to sign the application, conflict of interest certification, subrecipient agreement (when available), and other documents resulting from this application on behalf of the City and submit the documents to Oakland County.

- D. Commission discussion on items from prior meeting
(none)
- E. 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.
- F. Resolution to meet in closed session to discuss pending litigation pursuant to MCL § 15.268(e) of the Open Meetings Act.

(A roll call vote is required and the vote must be approved by a 2/3 majority of the commission. The commission will adjourn to closed session after all other business has been addressed in open session and reconvene to open session, after the closed session, for purposes of taking formal action resulting from the closed session and for purposes of adjourning the meeting.)

VIII. REMOVED FROM CONSENT AGENDA
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IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
 1. Notice of Intention to Appoint to the Multi Modal Transportation Board
 2. Public Arts Board
 3. Cablecasting Board
 4. Stormwater Utility Appeals Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

1. Plante Moran Ice Arena Update & Project Recap
2. Administering a Foundation or Charity
3. Commissioner Attendance at Various Advisory Boards and Committees

INFORMATION ONLY

XI. ADJOURN

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).