

BIRMINGHAM CITY COMMISSION AMENDED AGENDA
REGULAR MEETING
AUGUST 26, 2024
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, 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

APPOINTMENTS

- A. Advisory Parking Committee
1. James Arpin

To appoint _____ to the Advisory Parking Committee as a regular member to serve a three-year term to expire September 4, 2027.

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 regular City Commission meeting minutes of the meeting held on August 12, 2024.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 15, 2024 in the amount of \$8,460,655.04.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 22, 2024 in the amount of \$1,560,065.20.
- D. Resolution to set a public hearing date of September 23, 2024 to consider the lot division and lot combination of 532 & 568 Lakeside Drive, parcels 19-26-427-012 & 19-26-427-011.
- E. Resolution to set a public hearing date of October 6, 2024 to consider the Special Land Use Permit Amendments for the Baldwin House Senior Living Center at 200 S. Chester Street.

- F. Motion to adopt motion adopting an ordinance to amend part II, Chapter 26.-Business, Article III.-Initial Merchants, sections 71, 73, 86, and 89.
- G. Resolution to award the 2024 Concrete Sidewalk Repair Program #1- 24 (SW) to Italia Construction, Inc. in the amount of \$611,055.85 and a 10% construction contingency, and \$200,000.00 for random concrete panel repairs throughout the City at the Engineering Department discretion for a total of \$872,161.44. In addition, authorize the Mayor and the City Clerk to sign the agreement on behalf of the City after the review of Italia Construction, Inc.'s insurance and bond, contingent upon execution of the agreement and meeting all insurance and bonding requirements. Funding for this project has been budgeted in the following accounts:

Fund Account	Fund ID Number	Project Award	10% Contingencies	Additional Random Repairs	Total
General Sidewalk	101.0-444.001-981.0100	\$306,696.85	\$30,669.69		\$337,366.54
Major Street Fund	202.0-449.001-981.0100	\$20,703.16	\$2,070.32		\$22,773.48
Local Street Fund	203.0-449.001-981.0100	\$247,292.84	\$24,729.38	\$200,000.00	\$472,022.12
Alley Fund	101.0-523.000-981.0100	\$36,363.00	\$3,636.30		\$39,999.30
Total Construction Costs		\$611,055.85	\$61,105.59	\$200,000.00	\$872,161.44

VI. CITY MANAGER'S REPORT

The City Manager's Report regularly occurs on the second City Commission meeting of the month. Additionally, reports from prior months can be viewed on the City's [website bhamgov.org/manager](https://www.bhamgov.org/manager).

- A. City Manager's Report for August 2024.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

- A. Resolution to meet in closed session pursuant to MCL § 15.268, Sec.8(1)(e) of the Open Meetings Act to discuss pending litigation of Christine Lindsey v City of Birmingham; Oakland County Circuit Court Case No.: 2022-197456-NI, and to discuss a written attorney/client privilege communication pursuant to MCL § 15.268, Sec.8(1)(h) 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.~~)¹

- B. Resolution to proceed with the Request for Proposal (RFP) for the final design of a 40,000 square foot building for Next senior services, phase 1, with the YMCA of Metropolitan Detroit

¹ Amended on 8/26/24 at 3:15 p.m.

to join as a partner and construct the YMCA space as a phase two when the YMCA has sufficient funding to cover the cost of this construction.

- C. 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.
- D. Commission discussion on items from a prior meeting.
 - 1. Redding Well Site
 - 2. Noise Ordinance
 - 3. Speed Mitigation on Shirley and Arlington

IX. REMOVED FROM CONSENT AGENDA
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X. COMMUNICATIONS

- A. Coleman Letter regarding speeding on Arlington

XI. REPORTS

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

INFORMATION ONLY

XII. 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) 644-3405 (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).*