

BIRMINGHAM CITY COMMISSION AGENDA
SEPTEMBER 11, 2023
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

- Happy Birthday Commissioner Host
- National Recovery Month Proclamation
- National Suicide Prevention Month Proclamation

EMPLOYEE RECOGNITION

- Police Department
 - Chyna Harmon - Part-Time Dispatcher, hired on July 31, 2023
 - Ashley Martin - Part-Time Parking Enforcement Assistant, hired on July 31, 2023
 - Cameron Lease - Police Officer, hired on August 14, 2023
 - Matthew Walker – Police Officer, hired on September 5, 2023
 - Robert Van Acker - Auxiliary Police Officer, hired on April 15, 2023

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 August 28, 2023.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 31, 2023, in the amount of \$1,269,029.63.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated September 7, 2023, in the amount of \$405,946.67.
- D. Resolution to add an alternate position to the Ad Hoc Aging in Place Committee for a term consistent with all regular members of the committee ending in January 2025 and to

further direct the City Clerk to notice the available alternate Ad Hoc Aging in Place Committee member position and begin the process of filling this vacancy.

- E. Resolution to enter into a lease agreement with F.H.S Birmingham, LLC in the amount of \$200.00 per year for an encroachment of 160 sq. ft. of right-of-way for private residential balconies at 707 S. Worth. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.
- F. Resolution to approve the addendum to extend the contract for 2022-23 handwork pavement markings plus additional cost with Hart Pavement Striping Corporation in the amount of \$252,270.00 annually to May 26, 2025; further to approve the addendum to extend the contract for spring 2023 long/center lines with PK Contracting, Inc. for \$12,697.00 annually to June 1, 2025; and further to fund both contracts from account 202.0-316.000-937.0200. In addition, to authorize the Mayor and City Clerk to sign the agreements on behalf of the City.
- G. Resolution to approve the 5 Year METRO Act Permit Extension of Michigan Bell Telephone Company d/b/a AT&T Michigan, and to authorize the Mayor to sign the Extension Form on behalf of the City.

VI. UNFINISHED BUSINESS

- A. Resolution to declare the intent of the City Commission in regards to two-stroke, gas powered leaf blowers and to set goals in regards to the phasing out of such.

VII. NEW BUSINESS

- A. Resolution to accept the Trail Improvement Concept Plan

AND,

To direct staff to move forward with the preparation of a Request for Proposal to prepare construction drawings for the Booth Park Section of the Trail Improvements Concept Plan.
- B. 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.
- C. Commission discussion on items from a prior meeting.
 - 1. ROW Plantings/Biodiversity – Haig
- D. Resolution to meet in closed session to discuss pending litigation pursuant to MCL § 15.268 Sec. 8(e) of the Open Meetings Act regarding John Reinhart, et al v City of Birmingham; U.S. District Court Case No.: 2:22-cv-11074-MAG-DRG, and The New 555 Commercial, LLC, The New 555 Residential, LLC, Manorwood Properties, LLC and Associates of 555, LP v City of Birmingham, State of Michigan Department of Licensing & Regulatory Affairs, Michigan Administrative Hearing System, Michigan Tax Tribunal Docket No.: 22-000772-TT, Property Nos.: 08-19-36-210-001, 08-19-36-210-003, and 08-19-36-210-005, which

was appealed to the Michigan Court of Appeals bearing Docket 364563, and currently appealed to the Michigan Supreme Court bearing Docket No.: 165973.

(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

IX. COMMUNICATIONS

- A. Letter regarding the YMCA Pool from Catherine Stoll

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of Intention to appoint to the Board of Zoning Appeals
 - 2. Notice of Intention to appoint tot the Birmingham Shopping District Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
 - 1. 2022-2023 Greenwood Cemetery Advisory Board Annual Report
- D. Legislation
- E. City Staff
 - 1. Local Regulation of Short-Term Rentals – Mary M. Kucharek

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).