

BIRMINGHAM CITY COMMISSION AGENDA
NOVEMBER 13, 2017
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mark Nickita, Mayor

II. ROLL CALL

J. Cherilynn Mynsberge, City Clerk

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

Announcements:

- City offices will be closed for Thanksgiving on Thursday, November 23rd and Friday, November 24th.

Recognition of Citizen's Academy Graduates

Administration of Oath to Elected Officials:

- A. Administration of Oath of Office to City Commissioners
- B. Administration of Oath of Office to Library Board Members

Organization of City Commission

- C. Election of Temporary Chair of City Commission for purposes of conducting the Mayor and Mayor Pro Tem election.
- D. Election of Mayor and Mayor Pro Tem:
 - 1. Acceptance of nominations for Mayor from City Commissioners
 - 2. Election of Mayor
 - 3. Acceptance of nominations for Mayor Pro Tem from City Commissioners
 - 4. Election of Mayor Pro Tem
- E. Oath of Office to Mayor and Mayor Pro Tem
- F. Comments by newly elected Mayor and Mayor Pro Tem
- G. Presentation to outgoing mayor Commissioner Nickita by new mayor
- H. Comments by Commissioner Nickita

INTERMISSION

- I. Appointment of _____, Mayor, to the Retirement Board.
- J. Appointment of _____, Mayor Pro Tem, to the Retirement Board.
- K. Appointment of _____, Mayor, to the Retirees Health Care Fund Committee.
- L. Appointment of _____ (Mayor or his/her assignee), to the Triangle District Corridor Improvement Authority. *Member shall be appointed by the Mayor, subject to approval by the City Commission.* (Commissioner Sherman is currently serving on the Authority.)

- M. Appointment of _____ (city commissioner), to the Foundation for Birmingham Senior Residents. *Member shall be appointed by the Mayor.* (Commissioner Hoff is currently serving on the Foundation.)

IV. 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. Approval of City Commission minutes of October 30, 2017.
- B. Approval of warrant list, including Automated Clearing House payments dated 11/1/17, in the amount of \$665,659.89.
- C. Approval of warrant list, including Automated Clearing House payments dated 11/8/17, in the amount of \$1,446,526.12.
- D. Resolution accepting the resignation of Lisa Prasad from the Planning Board, thanking her for her service, and directing the City Clerk to begin the process of filling the vacancy.
- E. Resolution authorizing the mayor to sign the 2017 Program Year Community Development Block Grant (CDBG) Subrecipient Agreement on behalf of the City.
- F. Resolution setting Monday, December 4, 2017 at 7:30 PM for the Public Hearing date for the 2018 Community Development Block Grant Program.
- G. Resolution setting Monday, December 4, 2017 at 7:30 PM for a Public Hearing to consider the Final Site Plan and Special Land Use Permit to allow service to patrons in their vehicles at 33353 Woodward Avenue – Tide Dry Cleaners.
- H. Resolution setting Monday, December 4, 2017 at 7:30 PM for a Public Hearing to consider the approval of the Final Site Plan and Special Land Use Permit Amendment to allow the sale of Rojo and Sidecar restaurants at 250 & 280 E. Merrill from Rojo Five, LLC to Sidecar Birmingham, LLC., subject to execution of a Special Land Use Permit contract between Sidecar Birmingham, LLC and the City of Birmingham.
- I. Resolution approving a request from the Birmingham Shopping District to hold Birmingham Farmers' Market on Sundays, May through October, 2018 from 9:00 AM to 2:00 PM, in Municipal Parking Lot No. 6 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.
- J. Resolution approving a request from the Birmingham Shopping District to hold the Family Movie Night on June 22, July 20, and August 24 in Booth Park, 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.
- K. Resolution approving the settlement agreement and mutual release and authorizing the Mayor and Clerk to sign the same on behalf of the city.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Public Hearing to consider the Final Site Plan and Special Land Use Permit Amendment-505 N. Old Woodward.

1. Resolution approving the Final Site Plan and Special Land Use Permit Amendment for 505 N. Old Woodward to allow interior and exterior changes to the existing Salvatore Scallopini bistro at 505 N. Old Woodward.
- B. Public Hearing to consider the proposed lot combination-607 & 635 S. Bates
 1. Resolution approving the proposed lot combination of 607 & 635 S. Bates as proposed.
- C. Public Hearing to consider an amendment to Article 9 of the Zoning Ordinance.
 1. Ordinance amending Article 9, Section 9.02, Definitions, to add a definition for personal services to the Zoning Ordinance.

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

- A. Common Ground

X. REPORTS

- A. Commissioner Reports
 1. Notice of Intention to appoint to the Triangle District Corridor Improvement Authority and Board of Review on December 4, 2017.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 1. Parking usage report, submitted by City Engineer O'Meara
 2. 1st Quarter Financial Reports, submitted by Finance Director Gerber

XI. ADJOURN

INFORMATION ONLY

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](tel:2485301880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).