

BIRMINGHAM CITY COMMISSION AGENDA
JANUARY 27, 2014
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Stuart Sherman, Mayor Pro Tem

II. ROLL CALL

Cheryl Arft, Deputy Clerk

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

Announcements:

- Birmingham Restaurant Week begins today. Log on to www.birminghamrestaurantweek.org for a list of participating restaurants.
- Recognition of American Society of Civil Engineers Award to city intern Jayvon Garth
- Robot Garage, 637 S. Eton, recognition of award for being selected by the Mission Main Street Grants Program
- Administration of oath to new police officers

CLOSED SESSION:

Resolution to meet in closed session to discuss an attorney/client privilege communication in accordance with Section 8(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 and reconvene to open session, after the closed session, for purposes of taking formal action resulting from the closed session.)

Appointments:

- A. Interviews for appointment to the Housing Board of Appeals.
 - 1. Alexander Chapman, 1832 Cole St.
- B. To appoint _____ to complete a three-year term on the Housing Board of Appeals to expire May 4, 2016.
- C. Administration of oath to the appointed board member.

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 January 13, 2013.
- B. Approval of warrant list, including Automated Clearing House payments, of January 15, 2014 in the amount of \$366,429.26.
- C. Approval of warrant list, including Automated Clearing House payments, of January 22, 2014 in the amount of \$5,919,141.81.

- D. Resolution approving the request submitted by the Principal Shopping District to hold the 2014 Farmers Market in the Municipal Parking Lot #6 (on North Old Woodward) on Sundays in May through October 2014 from 9:00 AM to 2:00 PM, 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.
- E. Resolution approving the request submitted by the Principal Shopping District to hold Family Movie Nights in Booth Park on Friday, June 20, Friday, July 18, and Friday, August 8, 2014 at 7:30 PM, with movies to begin at dusk, 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.
- F. Resolution setting a public hearing date for February 24, 2014 to consider approval of the Final Site Plan and Special Land Use Permit for Mad Hatter, at 185 N. Old Woodward, pursuant to Article 7, section 7.34, Zoning, of the Birmingham City Code.
- G. Resolution approving the liquor license transfer request of Crowley Restaurant, LLC to remove 260 Old Woodward, LLC as Co-Licensee from the 2013 Class C and SDM License located at 260 N. Old Woodward, Birmingham, MI., 48009. Furthermore, authorizing the city clerk to complete a Local Approval Notice at the request of Crowley Restaurant, LLC transferring ownership of the 2013 Class C and SDM License removing 260 Old Woodward, LLC as Co-Licensee at 260 N. Old Woodward, Birmingham, MI., 48009.
- H. Resolution approving the liquor license transfer request of Palladium Restaurant II, LLC to remove 201 Hamilton Partners, LLC as Co-Licensee from the 2013 Class C and SDM License located at 201 Hamilton, Birmingham, MI., 48009. Furthermore, authorizing the city clerk to complete a Local Approval Notice at the request of Palladium Restaurant II, LLC transferring ownership of the 2013 Class C and SDM License by removing 201 Hamilton Partners, LLC as Co-Licensee at 201 Hamilton, Birmingham, MI., 48009.
- I. Resolution approving the installation of residential permit parking for Argyle Street from 8:00 AM to 4:00 PM on school days only. Further, directing the Chief of Police and the City Clerk to sign the traffic control order on behalf of the City establishing residential permit parking on Argyle Street on school days only between the hours of 8:00 AM and 4:00 PM.
- J. Resolution approving the proposal and agreement with DTE Energy Co. for the removal and replacement of one street light in front of 555 S. Old Woodward Ave., in the amount of \$8,503.98, to be charged to account #401-901.006-981.0100. Further, directing the Mayor to sign the agreement on behalf of the City.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Public Hearing to consider an ordinance amendment to Chapter 126, Article 04, Section 4.83 WN-01.
 - 1. Ordinance amending Article 04, Section 4.83 WN-01 (Window Standards) to allow design flexibility as permitted by the Planning Board, Design Review Board, or Historic District Commission as recommended by the Planning Board.
- B. Resolution directing staff to prepare ordinance language to establish a standing Multi-Modal Transportation Committee with representation from the following perspectives:

School District Representative (school board member or district employee)

Business Representative
 Pedestrian Representative
 Bicycle Representative
 Transit Rider Representative
 Representatives of the elderly/mobility/vision impaired community
 Representative under 35 years of age
 Traffic Representative
 Planning Representative
 AND

Further to analyze the existing review process for all transportation-related projects and transportation-related requests, including but not limited to a merger of the responsibilities of the Traffic and Safety Board and other City boards, to make recommendations for enhanced coordination among planning, engineering and public safety, and to prepare any ordinance amendments or Fee Schedule changes necessary to implement such recommendations.

- C. Resolution approving the liquor license transfer of ownership of the Class C License as well as all the Permits presently attached to it from Historical Edison Building, Inc. at 220 Merrill, Birmingham, MI 48009 to 220 Restaurant Hospitality, LLC. 220 Restaurant Hospitality, LLC also requests the issuance of a New SDM License, a Sunday Sales AM Permit, a Catering Permit and a Special Purpose Permit for the sale of food on Sundays between the hours of 8:00 AM and 12:00 noon. Furthermore, pursuant to Birmingham City Ordinance, authorizing the city clerk to complete the Local Approval Notice at the request of 220 Restaurant Hospitality, LLC transferring ownership of Class C License as well as all the Permits presently attached to it with the issuance of a New SDM License, a Sunday Sales AM Permit, a Catering Permit and a Special Purpose Permit for the sale of food on Sundays between the hours of 8:00 AM and 12:00 noon.
- D. Resolution approving the proposal to provide engineering design services related to the Quarton Rd. & Chesterfield Ave. Intersection Improvements project as prepared by Hubbell, Roth, & Clark, Inc., at a total cost of \$57,860, to be charged to account number 202-449.001-985.6700. Further, approving an appropriation and amendment to the Major Street Fund budget as follows:

Major Street Fund

Revenue

Draw From Fund Balance	
Account 202-000.000-400.0000	\$57,860
Total Revenue Adjustment	\$57,860

Expenditures

Capital Outlay – Quarton & Chesterfield Intersection	
Account 202-449.001-985.6700	\$57,860
Total Expenditure Adjustment	\$57,860

- E. Resolution to meet in a closed session to consider the purchase or lease of real property in accordance with Section 8(d) of the Open Meetings Act (Act 267 of 1976).

(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.)

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

- A. Correspondence from Mr. & Mrs. Thomas VanDeGrift re: pedestrian access to new train boarding platform
- B. Correspondence from Schokolad Chocolate Factory re: W. Maple Road lane conversion proposal
- C. Correspondence from Comcast re: channel changes dated 1/9/2014 and 1/14/2014
- D. Correspondence from Mayor of Ritto, Japan re: thanking city for visit and gifts
- E. Central Birmingham Residents Association re: proposed library renovation

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

X. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Crestview Sub Water Main Disconnections, submitted by Engineer O'Meara
 - 2. E. Maple Gardens Project Completion, submitted by Engineer O'Meara
 - 3. 2013 Police Department Annual Report, submitted by Police Chief Studt

XI. ADJOURN

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:248-530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).