

BIRMINGHAM CITY COMMISSION AGENDA
APRIL 23, 2018
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Andrew M. Harris, 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:

- The City of Birmingham's annual ice show will be held on May 4-6 at the Birmingham Ice Arena. Tickets are available at the Ice Arena which is located at 2300 East Lincoln. Call 248-530-1640 for more information.
- Opening Day for the Birmingham Farmers Market is Sunday, May 6th. The market will be open 9:00 a.m. until 2:00 p.m. in Parking Lot #6 on N. Old Woodward between Ravine and Oak.
- The Museum Board invites the public to a reception on Saturday, May 12th from 2:00 until 4:00 p.m. for the current museum exhibit, "The People of Birmingham: Celebrating 200 Years of Stories". This is a crowd-sourced exhibit which showcases the stories of Birmingham's citizens.

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. Resolution approving the City Commission meeting minutes of April 9, 2018.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated April 11, 2018 in the amount of \$1,237,371.01.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated April 18, 2018 in the amount of \$518,434.82.
- D. Resolution accepting the resignation of Vionna Adams from the Multi-Modal Transportation Board as a regular member, thanking her for her service, and directing the City Clerk to begin the process of filling the vacancy.
- E. Resolution accepting the resignation of Daniel Share from the Planning Board as an alternate member, thanking him for his service, and directing the City Clerk to begin the process of filling the vacancy.
- F. Resolution setting a public hearing date of May 14, 2018 at 7:30 p.m. to consider the following Zoning Ordinance amendments:

1. To amend Article 3, Section 3.04(C)(10), Specific Standards, Building Use, to amend the regulations for a bistro in the Downtown Overlay District.
 2. To amend Article 5, Section 5.06(A), O1 – Office District, Specific Standards, Building Use, to amend the regulations for a bistro in the O1 District.
 3. To amend Article 5, Section 5.07(A), O2 – Office Commercial District, Specific Standards, Building Use, to amend the regulations for a bistro in the O2 District.
 4. To amend Article 5, Section 5.08(A), P – Parking District, Specific Standards, Building Use, to amend the regulations for a bistro in the P District.
 5. To amend Article 5, Section 5.10(B), B2 – General Business District, B2B – General Business District, B2C – General Business District, Specific Standards, Building Use, to amend the regulations for a bistro in the B2B District.
 6. To amend Article 5, Section 5.11(A), B3 – Office-Residential District, Specific Standards, Building Use, to amend the regulations for a bistro in the B3 District.
 7. To amend Article 5, Section 5.12(B), B4 – Business-Residential District, Specific Standards, Building Use, to amend the regulations for a bistro in the B4 District.
 8. To amend Article 5, Section 5.13, MX(C) – (M) – Mixed Use District, Specific Standards, Building Use, to add regulations for a bistro in the MX District and renumber regulations following (C).
 9. To amend Article 9, Section 9.02, Definitions, to amend the existing definition of bistro.
- G. Resolution approving a request from Temple Beth El to hold Havdalah in the Park in Shain Park, on June 9, 2018 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.
- H. Resolution approving the purchase of one (1) new Exmark LZX740EKC526WO Zero Turn Riding Mower from Weingartz Supply for a total expenditure not to exceed \$10,871.00. Funds for this purchase are available in the Auto Equipment Fund, account #641-441.006-971.0100.
- I. Resolution approving the use of two (2) parking spaces in the right-of-way on Mansfield Drive directly abutting the property located at 2075 14 Mile Road to fulfill a portion of the off-street parking requirements per Article 4, section 4.43 (G)(1) of the Zoning Ordinance.
- J. Resolution directing the Treasurer to transfer unpaid and delinquent special assessments and invoices, including interest and penalty, of subject properties to the 2018 City tax roll and authorizing removal from the list any bills paid or a payment plan agreement signed after City Commission approval.
- K. Resolution directing the Treasurer to transfer unpaid and delinquent water/sewage bills of subject properties to the 2018 City tax roll and authorizing removal from the list any bills paid or a payment plan agreement signed after City Commission approval.
- L. Resolution approving the purchase of WinDSX upgrades to the ReadyKey access control building security systems for the Department of Public Services, City Hall, and Police pistol range from Vigilante Security, Inc. in the amount of \$44,190; further charging the budgeted expenditures to account numbers 401-901.013-977.0000 (DPS - \$18,186) and 401-301.000-971.0100 (City Hall and Police - \$26,004).

- M. Resolution awarding the Landscape Maintenance Services contract to Superior Scape, Inc. for a two year agreement commencing May 1, 2018 and ending November 15, 2019 in an amount not to exceed \$66,896.00. Funds for this project are available in the following accounts: Property Maintenance-Other Contractual Services account #101-441.003-811.0000, Major Streets-Contract Maintenance account #202-449-003-937.0400, Local Streets-Contract Maintenance account #203-449.003-937.0400, and Parks-Other Contractual Services account #101-751.000- 811.0000. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.
- N. Resolution awarding the 2018 Concrete Sidewalk Repair Program, Contract #2-18(SW) to Italia Construction, Inc., in the amount of \$732,129.00, to be charged to the various accounts as detailed in the report; and further approving the appropriations and budget amendments to the 2017-2018 budget.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Public Hearing to consider a Special Land Use Permit Amendment & Final Site Plan – First Presbyterian Church, 1669 W. Maple
 - 1. Resolution approving the application for a Special Land Use Permit Amendment and Final Site Plan for First Presbyterian Church at 1669 W. Maple to allow the use of the Church’s kitchen by Canape Cart.

OR

Resolution denying the application for a Special Land Use Permit Amendment and Final Site Plan for First Presbyterian Church at 1669 W. Maple, as recommended by the Planning Board on March 14th, 2018, to deny the use of the Church’s kitchen by Canape Cart.
- B. Public Hearing to consider the proposed combination of 298 S. Old Woodward & 325 E. Brown
 - 1. Resolution approving the proposed lot combination of 298 S. Old Woodward, Parcel #1936202016 and 325 E. Brown, Parcel #1936202009 as proposed.
- C. Public Hearing to consider the proposed lot combination of 34965 Woodward & 215 Peabody
 - 1. Resolution approving the proposed lot combination of 34965 Woodward, Parcel #1936207008, and 215 Peabody, Parcel #1936207004.
- D. Public Hearing to consider ordinance amendments to Zoning Ordinance – Site Plan and Special Land Use Permit review
 - 1. Resolution approving the following ordinance amendments to amend the submittal requirements for Site Plan and Special Land Use Permit review:
 - (a) Ordinance amending Article 7, Section 7.26, Application, amending the site plan review submittal requirements to include adjacent property details; and
 - (b) Ordinance amending Article 7, Section 7.34, Special Land Use Permit Review, amending the Special Land Use Permit review process to include adjacent property details.

- E. Resolution directing the bistro application for Taste of Ethiopia to the Planning Board for full site plan and design review and Special Land Use Permit review.

OR

Resolution taking no action at this time.

- F. Resolution authorizing staff to submit application on behalf of the City to the Michigan State Historic Preservation Office and United States Department of the Interior/National Park Service to nominate the Allen House and grounds for listing on the National Register of Historic Places.
- G. Resolution directing staff to issue an RFP to solicit a professional firm to build on the existing efforts and finalize the concepts for a new city logo.
- H. Resolution to meet in closed session pursuant to 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 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. Metered Parking

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

X. REPORTS

- A. Commissioner Reports
 1. Notice of Intention to appoint one regular member to the Multi-Modal Transportation Board on May 14, 2018.
 2. Notice of Intention to appoint one alternate member to the Planning Board on May 14, 2018.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

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