

City of Birmingham  
Advisory Parking Committee  
Regular Meeting

Held Remotely Via Zoom And Telephone Access  
Wednesday, December 2, 2020

**Minutes**

These are the minutes of the Advisory Parking Committee ("APC") regular meeting held on Wednesday, December 2, 2020. The meeting was called to order at 7:31 a.m. by Chair Al Vaitas.

1. Rollcall

**Present:** Chair Al Vaitas  
Richard Astrein  
Steven Kalczynski  
Lisa Krueger  
Judith Paskiewicz (arrived 7:35 a.m.)  
Jennifer Yert

(all members were located in Birmingham, MI except Mr. Astrein, who was located in Huntington Woods, MI.)

**Absent:** Anne Honhart  
Lisa Silverman

**SP+ Parking:** Catherine Burch  
Sarah Burton  
Jay O'Dell

**Administration:** Scott Grewe, Op. Commander  
Mike Albrecht, Police Commander  
Eric Brunk, IT Manager  
Brooks Cowan, City Planner  
Laura Eichenhorn, City Transcriptionist  
Mary Kucharek, City Attorney

2. Introductions

None.

3. Review of the Agenda

No changes.

4. Approval Of Minutes: Meeting Of November 4, 2020

**Motion by Mr. Astrein**

**Seconded by Ms. Krueger to approve the minutes of the regular APC meeting of November 4, 2020 as submitted.**

**Motion carried, 5-0.**

**ROLL CALL VOTE**

**Yeas: Astrein, Krueger, Vaitas, Kalczynski, Yert**

**Nays: None**

5. City Attorney Memo

Op. Cmdr. Grewe introduced the item.

City Attorney Kucharek reviewed her memo to the APC regarding the Open Meetings Act. Her memo dated November 17, 2020 can be found in the meeting's agenda packet.

6. Request to be included in the Parking Assessment District

Op. Cmdr. Grewe and CP Cowan reviewed the item.

CP Cowan stated the applicants want more intensive retail uses in the building which would necessitate parking over the amount currently available. He stated the applicant would have enough parking available for regular retail uses.

Dr. Paskiewicz suggested that Lot #6 be added to the parking assessment ranking system the City uses.

Dr. Paskiewicz also recalled that The Pearl came before the APC in the past and assured the APC that their plans included sufficient parking for both residential and retail.

Chair Vaitas concurred with Dr. Paskiewicz's recollection. Chair Vaitas expressed concern that it was somewhat of a backwards process for the applicant to assure the APC originally that there would be sufficient parking for regular retail uses, and then to come back later with a proposal for more intensive retail uses that would require admission to the Parking Assessment District (PAD).

Mr. Kalczynski said he wondered how an approval might create precedent for future requests for admission to the PAD.

Mr. Astrein said he would also be concerned about the amount the applicant would be charged for admittance to the PAD, and that if they paid too little that could set a precedent as well.

**Motion by Dr. Paskiewicz**

**Seconded by Mr. Astrein to deny the request by The Pearl and FLS Properties #5, LLC to be part of the Parking Assessment District.**

**Motion carried, 6-0.**

**ROLL CALL VOTE**

**Yeas: Paskiewicz, Astrein, Yert, Kalczynski, Krueger, Vaitas**

**Nays: None**

7. Meeting Open to the Public for items not on the Agenda
8. Miscellaneous Communications

Ms. Burton provided the most up-to-date numbers of parking permits relinquished and maintained by permit holders.

Dr. Paskiewicz opined that the charge of the APC and the intent of its members seemed to have been somewhat misunderstood by a specific, but unnamed, City Commissioner.

Ms. Krueger echoed Dr. Paskiewicz's concern. She asked if it might not be an ethical issue in terms of the Commissioner's influence since some of the negative appraisals of the APC were included in said City Commissioner's newsletter, albeit with a disclaimer.

Dr. Paskiewicz said she also wondered whether the newsletter's discussion of the APC might run afoul of the City's ethics ordinance, specifically citing Section 2-323 p. 5 and Section 2-321 p. 2.

Chair Vaitas said he had a similar concern. He noted that each member serving on the APC is nominated to the committee on the basis of being a particular kind of City stakeholder vis-a-vis the parking system -- business owner, resident shopper, etc. He noted that the APC specifies those roles to make sure that a variety of parking-related interests are represented in parking discussions and that that function is important. He also noted that when votes occur, all members of the APC are expected to vote according to what is best for the City as a whole, and not what is best for each member's individual stakeholder group. He cited previous APC votes on whether to raise parking permit rates, stating that all members voted unanimously to do so because it was best for the City overall even though it was somewhat financially detrimental to the business owners on the APC.

Dr. Paskiewicz expressed concern as to whether the City Commission understood the committee dynamic Chair Vaitas was describing. She reiterated a request from the previous meeting that the APC and CC schedule a joint meeting in order to discuss these possible sources of confusion.

Chair Vaitas said he was also interested in a joint meeting with the City Commission.

Op. Cmdr. Grewe said he could speak with incoming City Manager Tom Markus to see what options would be available for scheduling such a meeting. He noted that any member of the APC was also allowed to contact any member of the City Commission in a personal capacity to ask questions or express any concerns they may have.

Chair Vaitas and Mr. Astrein said they would attend the City Commission's upcoming meeting to speak in support of the APC's recommendation to extend free parking in the structures through March 31, 2021.

Dr. Paskiewicz said she wanted the City Commissioners to understand that recommendation was made not just in support of the Birmingham Shopping District, but in an effort to support the vibrancy of the City as a whole.

Op. Cmdr. Grewe then asked the APC to select a Chair and Vice-Chair since the former selection should have been made in September according to APC's bylaws and the latter position had been vacated when Ms. Champagne resigned from the committee.

**Motion by Dr. Paskiewicz**

**Seconded by Mr. Astrein to nominate Al Vaitas to continue his service as the Chair of the Advisory Parking Committee.**

**Motion carried, 6-0.**

**ROLL CALL VOTE**

**Yeas: Paskiewicz, Astrein, Yert, Kalczynski, Krueger, Vaitas**

**Nays: None**

**Motion by Ms. Yert**

**Seconded by Ms. Krueger to nominate Richard Astrein to serve as the Vice-Chair of the Advisory Parking Committee.**

**Motion carried, 6-0.**

**ROLL CALL VOTE**

**Yeas: Yert, Krueger, Vaitas, Paskiewicz, Astrein, Kalczynski**

**Nays: None**

9. Next Meeting: Wednesday, February 3, 2021

10. Adjournment

No further business being evident, the meeting adjourned at 8:41 a.m.

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Patrol Commander Scott Grewe