

BIRMINGHAM CITY COMMISSION MEETING MINUTES
MAY 18, 2020
VIRTUAL MEETING
MUNICIPAL BUILDING, 151 MARTIN 7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, Mayor, opened the meeting with the Pledge of Allegiance at 7:35 p.m.

II. ROLL CALL

Alexandria Bingham, City Clerk Designee, called the roll:

PRESENT:	Mayor Boutros Mayor Pro-Tem Longe Commissioner Baller Commissioner Hoff Commissioner Host (occasionally absent due to technical difficulties) Commissioner Nickita Commissioner Sherman
ABSENT:	None

Administration: City Manager Valentine, Assistant City Manager Gunter, City Attorney Currier, Attorney Carmago, DPS Director Wood, BSD Executive Director Tighe, Planning Director Ecker, Planning Assistant Dupuis, Liaison to the Public Arts Board Cowan, Police Chief Clemence, Commander Grewe, IT Manager Brunk, City Clerk Designee Bingham, and Acting City Clerk Arft.

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

ANNOUNCEMENTS:

- All City offices remain closed to the public. All departments are accessible via phone and email. Payments may be dropped off using the convenient drop box, located behind City Hall and accessible via the Police Department parking lot off Henrietta Street.
- The City has created a hotline to provide residents with information about City and County COVID19 resources. Elderly, quarantined and immuno-compromised individuals are encouraged to use the hotline to request assistance with essential functions, and obtaining necessary supplies Call 248-530-1805, Monday through Friday from 8 a.m. – 5 p.m.
- We encourage everyone to sign up for our email distribution system to receive the latest information from the City. You can do this by going to our website and clicking on the box in the lower right corner of your screen to sign up.

- On June 5th we would like to recognize Gun Violence Awareness Day. On this day we encourage everyone to wear orange to honor those that were victims of gun violence in our country. Visit our social media platforms for further information.
- This year residents can watch an online Memorial Day Ceremony on our Facebook page as there will be no public event in the park. The online ceremony will begin at 10am on Monday, May 25th and can be accessed at www.facebook.com/BhamGov
- All registered Birmingham voters as of Tuesday, April 28, 2020 who were not on our absentee voter mailing list will be receiving a post card soon, complete and return this postcard to be placed on our absentee voter mailing list.
- The Birmingham Farmers Market will take place every Sunday, 9am-12pm, in public parking lot #6. Visit www.allinbirmingham.com for more information.

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.

05-075-20 APPROVAL OF CONSENT AGENDA

The following items were removed from the Consent Agenda:

Commissioners Baller and Sherman: Item F, Birmingham Bloomfield Chamber of Commerce Village Fair.

Commissioner Nickita: Item A, City Commission Meeting Minutes of May 11, 2020.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Hoff:
To approve the consent agenda excluding Items A and F.

ROLL CALL VOTE: Ayes, Commissioner Sherman
Commissioner Hoff
Mayor Pro-Tem Longe
Commissioner Baller
Commissioner Host
Commissioner Nickita
Mayor Boutros

Nays, None

- B. Resolution approving the warrant list, including Automated Clearing House payments, dated May 13, 2020 in the amount of \$988,127.99.
- C. Resolution directing the Treasurer to transfer the unpaid and delinquent special assessments and invoices as of May 20, 2020 as presented, including interest and penalty, and reassess to the 2020 City tax roll with an additional 15% penalty, and further authorizing the Treasurer to remove from the list any bills paid after Commission approval (complete resolution in agenda packet).
- D. Resolution directing the Treasurer to transfer and reassess to the 2020 City tax roll the properties with unpaid and delinquent water/sewage accounts listed in the Delinquent Water/Sewer Tax Roll dated April 16, 2020, including interest and penalty, and authorizing

the Treasurer to remove from the list any bills paid or a payment plan agreement signed after Commission approval. (complete resolution in agenda packet)

- E. Resolution authorizing the IT department to purchase the Cortex XDR antivirus endpoint clients from AmeriNet. The purchase price not to exceed \$7415.20. Funds are available in the IT Software Fund Account: 636-228.000-742.0000.

05-076-20 APPROVAL OF MAY 11, 2020 REGULAR CITY COMMISSION MEETING MINUTES (ITEM A)

Commissioner Nickita noted that at the very end of the meeting, just prior to adjournment, the minutes reflected that there was a consensus among four Commissioners to bring the subject of public comment to a future meeting. He suggested that it be struck from the minutes because there was no discussion or dialogue between the seven Commissioners present, therefore it was not a consensus; and the statement is inaccurate.

Commissioner Baller disagreed with Commissioner Nickita. He went on to say that, it was an accurate reflection of what occurred; he, Mayor Pro-Tem Longe, Commissioner Host, and Mayor Boutros were in favor of bringing the subject back to the Commission for discussion.

Commissioner Nickita asked to be accurate in the minutes that the minutes be held with no action until staff can review the video for clarification and confirm that there was no consensus.

City Clerk Designee Bingham affirmed that staff would review the video, make the appropriate adjustments, and bring the minutes back for approval at a future meeting.

Commissioner Host noted on page 11, second to last paragraph under Public Comment, that he would like the word "unauthorized" stricken from the record.

There was no action taken.

Public Comment

David Bloom, resident, would like the minutes to reflect the comment he made at the very end of the meeting during public comment about Hunter House; where he suggested that the City should not build or approve more offices in Birmingham without discussions regarding parking. He further clarified his comment to include if someone wants to build and invest in Birmingham because it is desirable, they should design buildings that respect the character and quality of Birmingham.

05-077-20 APPROVAL FOR THE BIRMINGHAM BLOOMFIELD CHAMBER OF COMMERCE TO HOLD THE VILLAGE FAIR ON JULY 7-12, 2020 (ITEM F)

Commissioner Baller pulled this item for consideration of the options. He suggested that Joe Bauman, President of the Birmingham Bloomfield Chamber of Commerce (BBCC), address the Commission.

City Manager Valentine expressed that Commissioner Baller pulled the item for discussion and it would be appropriate for Mr. Bauman to address concerns by Commissioner Baller at this time.

Commissioner Sherman pointed out that Commissioner Baller may have an economic relationship with the Chamber of Commerce and may need to recuse himself due to conflict in interest.

Commissioner Baller agreed and recused himself from the discussion.

Mr. Bauman addressed the Commission and availed himself for questions.

City Manager Valentine expressed concerns that are relative to issues surrounding the status of the pandemic and planning a public event in early July. He asked Mr. Bauman to speak to what precautions the BBCC planned to allow the event to occur.

Mr. Bauman explained that the event is traditionally held the week following Memorial Day and they knew early that it would not be possible for 2020 due to the Governor's order and the health concerns surrounding public gatherings. The BBCC reached out to the fair operator and July 9-12 was the latest possible reschedule date available. He also stated that the BBCC and the fair operators are committed to following whatever recommendations and mandates from local, county, and State government to whether or not this fair takes place.

Commissioner Hoff expressed that she knows this is the BBCC's major fundraiser and in her opinion, if the fair were held in July, attendance would be low. She asked would it be worth the effort knowing that attendance would not be the same as previous fairs.

Mr. Bauman agreed that the fair is the Chamber's largest revenue producer. He went on to say that the Chamber's concern is less about the loss of revenue and more about the safety of the guests and residents of Birmingham, and continuing the 65-year tradition if it can be done safely.

Mayor Pro-Tem Longe asked if the revenue generated from sponsorships and ticket sales do not cover the fixed cost associated with this type of event; would you be risking losing money rather than benefiting the Chamber.

Mr. Bauman explained that in the contractual agreement with the fair operator, there is a guaranteed minimum payment to the Chamber. He further said that the Chamber as well as other chambers throughout Oakland County and the State of Michigan is in a crisis; and the real risk is the Chamber's goals to support local businesses to insure that they are successful. Finally, he expressed that this event would at least provide some revenue to assist local businesses.

Mayor Pro-Tem Longe asked how complying with social distancing and proper sanitation of equipment would be achieved in the tight space that is traditionally used for this fair.

Mr. Bauman expressed that the fair operator, North America Midway, puts those processes in place; and would work with City Staff to insure compliance. He went on to say he does not seek approval tonight to have the Village Fair or not, it is a step in allowing the BBCC to continue to explore whether it makes sense to move forward with the event in 2020.

Commissioner Hoff asked if the Commission were to approve the resolution tonight and decide on July 1, 2020 to cancel, are there any repercussions for you with the fair operator.

Mr. Bauman thanked Commissioner Hoff and expressed that he does not know yet; however, he is planning to have that discussion with the fair operator at their scheduled call to discuss this meeting.

Commissioner Sherman noted that the fair operator has a canned COVID remediation plan and it is not specific in terms of recommendations. He further asked what additional actions have the CCBB planned to assist in the protection of the community's health.

Mr. Bauman agreed that it is not specific and one of the reasons is that the situation has a lot of moving parts and is changing rapidly. He went on to say they are unable to have a final plan in place until they understand what regulation and restrictions will be in place at that time of the event. Finally, Mr. Bauman said He and the BBCC envision many volunteers serving in guest relations identifying the locations of hand washing/sanitizing stations and answering guest questions. These guest service volunteers would monitor social distancing regulations that will be marked along lines for rides and vendors.

Commissioner Sherman suggested using the chamber's resources to provide sanitizer, mask, etc. to protect the public.

Mr. Bauman noted that North American, the fair operator, is providing hand washing and hand sanitation stations. If Commissioner Sherman is referring to handing out kits, he mentioned that there is a cost effect in doing so. While the BBCC will comply with all requirements, if it becomes too onerous that there will be no benefit then that would be a consideration as to whether to move forward.

Commissioner Hoff commented that she understands that this is an important Chamber event. She went on to say that a drop-dead date for a decision is important.

Mr. Bauman felt that the resolution in front of the Commission is contingent upon certain requirements being satisfied. Therefore, he saw it as a conditional approval with an actual decision being made in the future, as more information is available in terms of what types of businesses and activities would be okay by June 15, 2020, for example.

Commissioner Host asked for a drop-dead date for the Commission to make a decision.

City Manager Valentine expressed that the resolution is set up to authorize staff to make that decision at the appropriate time based on the status of the City relative to COVID19. He agreed that there is a big question as to where the State will be in July.

Mayor Boutros commented that his concern is the safety of the public.

Commissioner Nickita commented that a number of things could happen between now and then. He would prefer to let the situation play out until clarity is established. He went on to say that if the Chamber would like to continue exploring the possibilities, he would like to give them the opportunity.

Mayor Boutros felt that the resolution would satisfy Commissioner Nickita concerns.

Commissioner Hoff expressed that the main factor would be the drop-dead date between the Chamber and the fair operator.

Commissioner Sherman asked when the St. Mary's fair would be held.

Mr. Bauman clarified that St. Mary cancelled the fair due to the size of the event and the number of volunteers required was too much in this environment. He went on to say that his only concern with cancelling at this point is having a fair that everyone is comfortable with holding, and attendees feel safe.

Public Comment:

David Bloom, resident, commented that the Dream Cruise is on the agenda for cancellation; therefore, he asked the Commission to be fair, reasonable, and consistent in the decision. He went on to say that Michigan has the highest death rate from COVID19 and the statistics should be considered in the Commissioners' decision.

Commissioner Hoff suggested that no action be taken until more information is available.

Mr. Bauman agreed to coming back with a date certain. He went on to say that his concern lays with the question of the fair operator needing an answer prior to the Commission next meeting.

City Manager Valentine clarified that approval of the first resolution would address all of the concerns expressed. He went on to say that if this event were to proceed, there are many details

to work out and further recommendations would come back to the Commission in terms of a viable operational plan.

Commissioner Sherman noted that all events have been cancelled through the summer in Birmingham and he cannot imagine a plan that would make this event safer for the public. He went on to say that, he is not in support of moving forward with this event.

Mayor Pro-Tem Longe agreed with Commissioner Sherman and expressed that the most robust plan would not provide enough certainty to guarantee a good outcome.

Commissioner Hoff agreed and said that the Commission must take a leadership role and as much as she wants to support the Chamber, she feels this is just not the right time for this type of event.

MOTION: Motion by Commissioner Hoff, seconded by Mayor Pro-Tem Longe:

To deny the request from the Birmingham Bloomfield Chamber of Commerce to hold the Village Fair on July 7 - 12, 2020 due to concerns with the COVID-19 pandemic.

Commissioner Nickita agrees that more information would be desirable; he believes that as time goes on municipalities will be able to hold more events without regard to safety. He noted that if the event went on, it would be the only event held in Birmingham this summer; and he wants to be fair and consistent. He reluctantly agrees with the motion.

Public Comment:

Andrew Haig, resident, agreed with Commissioner Sherman in the sense that there is one possible upside outcome and many downsides to having this event. All events should be treated equally for public safety.

ROLL CALL VOTE:	Ayes,	Commissioner Hoff Mayor Pro-Tem Longe Commissioner Host Commissioner Nickita Commissioner Sherman Mayor Boutros
	Nays,	None
	Recused,	Commissioner Baller

V. UNFINISHED BUSINESS

05-078-20 CREATIVE COLLABORATIONS, LLC, A CEMETERY SERVICE PROVIDER AGREEMENT TO ACT ON BEHALF OF THE CITY IN PROVIDING SERVICES AT HISTORIC GREENWOOD CEMETERY.

Assistant City Manager Gunter addressed the Commission and presented this item.

Commissioner Hoff received calls from many members of the GCAB regarding the mention of automatic renewals; and thanked Assistant City Manager Gunter for addressing that language in the agreement. She went on to say that in the memorandum sent with the Agenda, automatic renewal was mentioned twice. She asked if including the language "upon annual review" was possible. Commissioner Hoff went on to address the termination provisions and asked if the language would be included in the agreement.

Assistant City Manager Gunter clarified that the termination provisions are included in the documents presented. She further deferred to City Attorney Currier to add the language "upon annual review" to the agreement.

Commissioner Sherman noted that the agreement addresses the issues that were presented at the last meeting. He went on to say that, the task for the Commission is whether to approve the contract and give staff direction for reviewing and reporting appropriately so that the Commission is able to make an intelligent decision when the contract comes back for review.

MOTION: Motion by Commissioner Sherman, seconded by Mayor Pro-Tem Longe: To authorize the agreement with Creative Collaborations, LLC, a Cemetery Service Provider firm to act, on behalf of the City, as the service provider to the Historic Greenwood Cemetery for a term of one year with annual renewals until either party exercises the termination provisions as stated in the contract. The annual contract is set for an amount not to exceed \$45,600.00, which will be paid from account #101-215.000-811.0000.

Public Comment:

David Bloom, resident, clarified his comments from the last meeting regarding his contact with George Stern. He stated that he initiated the contact.

ROLL CALL VOTE:	Ayes,	Commissioner Sherman Mayor Pro-Tem Longe Commissioner Hoff Commissioner Host Commissioner Nickita Commissioner Baller Mayor Boutros
	Nays,	None

VI. NEW BUSINESS

05-079-20 APPROVAL FOR THE INSTALLATION OF A STOP SIGN ON BENNAVILLE AT GRANT AND ON BENNAVILLE AT EDGEWOOD.

Commander Grewe presented this item.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Sherman: Approving the installation of a stop sign on Bennaville at Grant and on Bennaville at Edgewood. Further, directing the Chief of Police and the City Clerk to sign the traffic control orders on behalf of the City establishing the installation of a "Stop" sign on Bennaville at Grant and on Bennaville at Edgewood.

Commissioner Hoff asked if there was any public input.

Commander Grewe replied that a resident called DPS and DPS forwarded the information to Commander Grewe. In researching he found that there was a sign at the location of Bennaville and Grant before construction on Grant street and was not replaced.

Commissioner Nickita asked if both intersections had stop signs in the past. He further asked how the most recent stop sign on Northlawn and Pleasant is different from the signs in this proposal.

Commander Grewe affirmed that there was one at Grant and not Edgewood. He explained that the stop sign on Northlawn, a thru street, did not decrease speeds. Bennaville is not a through street, and traffic studies show that the signs are warranted.

ROLL CALL VOTE: Ayes, Commissioner Baller
 Commissioner Sherman
 Commissioner Host
 Commissioner Nickita
 Mayor Pro-Tem Longe
 Commissioner Hoff
 Mayor Boutros

 Nays, None

05-080-20 APPROVAL TO AMMEND THE SIGN ORDINANCE. CHAPTER 86 OF THE CITY CODE

~~Planning Assistant Nick Dupris~~ Assistant City Planner Nick Dupuis¹ presented this item; Director Ecker was also available for questions.

Commissioner Hoff asked what differentiates an awning from a canopy.

Planning Assistant Dupris defined an awning as slanted and a canopy as straight.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
 Approving the following amendments to the Sign Ordinance, Chapter 86 of the City Code:

1. Article 1, section 1.05, Permanent Business Signs and Broadcast Media Device Standards, to amend canopy signs and add awning signs;
2. Article 1, Table B, Business Sign Standards, to amend the sign types and subsequent standards for canopy signs, and to add awning signs; and
3. Article 9, Section 9.02, Definitions, to add definitions for awning, awning sign, awning valence, awning shed and canopy, and to amend the Permanent Business Sign Standards and Table B.

ROLL CALL VOTE: Ayes, Commissioner Sherman
 Commissioner Nickita
 Mayor Pro-Tem Longe
 Commissioner Baller
 Commissioner Hoff
 Commissioner Host
 Mayor Boutros

 Nays, None

05-081-20 RECOMMENDATION TO PAINT THE ELECTRICAL BOX ON N. OLD WOODWARD AND HAMILTON ROW.

Brooks Cowan, Staff Liason for the Public Arts Board presented this item.

Commissioner Nickita commented that these type of projects are important to urban design, and asked about the study of terminated vistas and the status of the report.

Staff Liason Cowan explained the report is near completion and there are six recommendations. In light of COVID19, the board felt that this project would be something fun to do this summer.

¹ As corrected June 8, 2020.

Commissioner Nickita expressed that according to the 2016 Plan, the urban designs are permanent installations and long-term solutions. He went on to say that short-term solutions like what is presented now, should not become long-term solutions. He wants to see solutions that are more appropriate for permanency.

Commissioner Baller commented that he appreciates art and the work of the Public Arts Board. He went on to say that, in this case he does not support the plan for this particular vista. It is a historic district and the Historic District Commission and the Design Review Board should review the plan. Commissioner Baller suggested that everything done to the streetscape should enhance it. He also mentioned that he has not had enough time to review the proposal.

Mayor Pro-Tem Longe commended the Public Arts Board on the popcorn box at the movie theater. She is concerned that the crayon box does not represent the area. She went on to say that, the charging stations should be identified with appropriate signage.

Commissioner Hoff recalled that there was to be a theme throughout Birmingham or at least a discussion of a theme, more specific than pop art.

City Manager Valentine clarified that it was intended to be a comprehensive plan for discussion.

Commissioner Sherman suggested that the Public Arts Board bring back a comprehensive plan.

Commissioner Hoff suggested that the theme could be pop art, but she would like to see a comprehensive plan for discussion by the Commission.

Mayor Boutros recommended taking no action until a comprehensive plan is presented for discussion.

Commissioner Nickita emphasized a long-term plan for terminated vistas including a time line for completion.

Anne Richie, Public Arts Board, commented that the response from residents was favorable toward the other installations. She went on to comment on the USB ports/charging stations are identified by the City of Birmingham logo.

Barbera Heller, Public Arts Board, affirmed that there is a comprehensive plan of recommendations and priorities, but they wanted to get one installation done this summer.

Public Comment:

David Bloom, resident, suggested that the City move forward with the \$800.00 expenditure and volunteered to pay for this project.

No action was taken.

05-082-20 AMENDMENT TO THE EXISTING AGREEMENT WITH DRV CONTRACTORS

Assistant City Manager Gunter presented this item.

Commissioner Baller expressed appreciation for all of the work that has been done. He asked about the \$150,000 used for lighting and recommended that the lighting portion of the project be put on hold until professional lighting designers are engaged for appropriate lighting.

Commissioner Hoff asked if the cost are doable based on the current balance in the enterprise fund. She further asked about the status of the structure assessment that is being done.

Assistant City Manager Gunter explained that last year a study began on the five parking decks for structural integrity; the study is near completion. In June, it will be presented to the Advisory Parking Committee for review. to the Commission.

Commissioner Hoff asked if that report would be helpful in this discussion for maintenance and rehabilitation projects.

Assistant City Manager Gunter expressed that WJE is working with DRV to complete the structural assessment for Commission review. She affirmed that the projects are not in conflict. Assistant City Manager Gunter reiterated that staff is trying to take advantage of the current low occupancy in the garages and move forward with as many components as possible.

Commissioner Nickita asked for clarity on the scope of work. The N. Old Woodward deck is closing in on \$900,000 for improvements and there are still issues that are not included in this package, specifically the column capitals.

Assistant City Manager Gunter deferred to WJE and DRV to address the columns.

Matt Lewis, WJE, found that the garages are in good shape for the most part. He went on to say that the column capitals are loose concrete and would be addressed in the full package.

Commissioner Nickita clarified the area that he is seeing would be cleaned up in this package, but additional repairs are still to come.

Derick Vektor, DRV, affirmed that the precast would be repaired and are addressed in this proposal.

Mayor Boutros clarified that Commissioner Nickita's concern is addressed in the proposal.

Mayor Pro-Tem Longe is delighted to see that the work is in progress. She supports Commissioner Baller's position on lighting and recommends that the Architectural Review Board be involved in the lighting discussion.

Public Comment:

Michael Poris, resident, commented that he appreciates the work being done to repair the garages and expressed concern about lighting and feels that this is an opportunity to improve lighting both esthetically and functionality. He further asked who approves the contractors design.

City Manager Valentine explained that time is of the essence due to light utilization of the parking structures. Specifications were included in the proposal for lighting and if time allows for review by the Architectural Review Committee, he would be happy to do that.

Commissioner Sherman suggested moving the resolution forward without the lighting component.

Commissioner Baller suggested instructing the staff to hire a lighting designer.

Mayor Boutros reiterated that this is the perfect time to move fast on this project due to light utilization.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:

To approve a resolution requesting the cancelation of the annual Woodward Dream Cruise event for 2020 due to public health and safety concerns attributed to the COVID-19 pandemic and encouraging the promotion of the cancelation of the event by WDC, Inc. to the public.

Commissioner Hoff commented that the City should support this resolution, but does not think this will stop the Cruise. She asked how the City would enforce social distancing.

City Manager Valentine agreed and expressed if the promotion of the event is discouraged, participation would be minimized.

Commissioner Hoff asked would additional officers be on hand to enforce social distancing.

Chief Clemence affirmed that there will be additional officers and all of the Chiefs are in support of cancelling. However, the police departments are going to function as if the event is going on.

Commissioner Sherman asked if MDOT would be available to enforce social gatherings.

Chief Clemence expressed that he could look into that option but that support has not happened in the past.

Mayor Pro-Tem Longe asked if local stores could sell merchandise outside.

City Manager Valentine expressed that it would be against local ordinances to do so.

ROLL CALL VOTE:	Ayes,	Commissioner Baller Commissioner Hoff Commissioner Host Commissioner Nickita Commissioner Sherman Mayor Pro-Tem Longe Mayor Boutros
	Nays,	None

05-084-20 APPROVAL TO MEET IN CLOSED SESSION TO REVIEW PENDING LITIGATION

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
To meet in Closed Session to review pending litigation in the matter of Coulston v City of Birmingham pursuant to Section 8(e) of the Open Meetings Act, MCL 15.261 – 15.275.

ROLL CALL VOTE:	Ayes,	Commissioner Sherman Commissioner Baller Commissioner Hoff Commissioner Host Commissioner Nickita Mayor Pro-Tem Longe Mayor Boutros
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VII. REMOVED FROM CONSENT

VIII. COMMUNICATIONS

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

David Bloom, Resident, commented on the noise complaints coming from Woodward Avenue. He went to Woodward and noticed that the noise was coming from rapid acceleration of vehicles. He reminded everyone that the City has a car culture, and taking a ride in the car is probably the only activity available to everyone at this time and suggested residents be tolerant of the noise.

X. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments
 - 1. Commissioner Host emphasized that there is little that the Commission and City can do about giving relief for rentals. It is the decision of the property owner. He felt that the relief that could be given to residents is to waive the 2% fee required for road improvements. It is an equitable way to help. He further asked if impounding cars would be helpful in controlling the noise on Woodward.
 - a. Chief Clemence reminded him that his team would need probable cause to impound a vehicle.
 - 2. Commissioner Baller asked if the other Commissioners support the public comment issue.
 - a. Mayor Boutros supports further discussion on the topic.
 - b. City Manager Valentine suggested a clear discussion with all of the Commissioners before declaring a consensus.
 - c. Commissioner Hoff expressed that no one disagreed with discussing the topic it just was not on the agenda. She went on to say that, the Commissioners should evaluate it in live session.
 - d. Commissioner Nickita agreed that no one disagreed but held that the minutes were incorrect. He requested that the Commissioners follow the appropriate process in bringing topics to the Commission for discussion.
 - 3. Commissioner Baller expressed his desire to set the record straight about an article published by the Downtown regarding lot combinations. He iterated that the story was false and members of the community should know that this is not how the Commission works. He commented that over 90,000 people have been lost in COVID19; 12 of the people were Birmingham residents. He shared an opinion editorial from the Washington Post dated May 18, 2020 by Micki McElya a history professor at the University of Connecticut on how Americans deal with national loses. He expressed to the families who have lost loved ones that he grieves and mourns with them. He also requested a moment of silence in memory of those who lost their lives in the fight against COVID19.
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

INFORMATION ONLY

Mayor Boutros adjourned to Closed Session at 10:43 p.m.

Mayor Boutros reconvened the meeting at 10:56 p.m.

05-085-20 RESOLUTION TO EXECUTE CONSENT DECREE

MOTION: Motion by Commissioner Sherman, seconded by Mayor Pro-Tem Longe:
For approval to execute the consent decree in the matter of Coulston v. the City of Birmingham.

ROLL CALL VOTE: Ayes Commissioner Sherman
 Mayor Pro-Tem Longe
 Commissioner Nickita
 Commissioner Baller
 Commissioner Hoff
 Mayor Boutros
 Nays, None
 Absent, Commissioner Host, due to technical difficulty

Mayor Boutros adjourned the meeting at 11:00 p.m.