

Birmingham City Commission Minutes

September 20, 2021

7:30 p.m.

Municipal Building, 151 Martin

Vimeo Link: <https://vimeo.com/event/3470/videos/604426064/>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

Alexandria Bingham, City Clerk, called the roll.

Present: Mayor Boutros
Mayor Pro Tem Longe
Commissioner Baller
Commissioner Hoff
Commissioner Host
Commissioner Nickita
Commissioner Sherman

Absent: None

Administration: City Manager Markus, City Clerk Bingham, Planning Director Dupuis, Operations Commander Grewe, City Attorney Kucharek, Consulting City Engineer Surhigh

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

- The highly transmissible COVID-19 Delta variant is spreading throughout the nation at an alarming rate. As a result, the CDC is recommending that vaccinated and unvaccinated personnel wear a facemask indoors while in public if you live or work in a substantial or high transmission area. **Oakland County is now at the HIGH level of community transmission for COVID-19.** The City has reinstated mask requirements for all employees while indoors. The mask requirement also applies to all board and commission members as well as the public attending public meetings.
- The City Clerk's office encourages voters wishing to vote absentee for the November 2, 2021 election to return their absentee ballot applications as soon as possible. The City Clerk's office will begin mailing ballots out to voters who have submitted an application by the end of this week. Precinct 6 voters are reminded that their new polling location is the Baldwin Public Library, all precinct 6 voters should be receiving new voter ID cards in the mail soon with their updated precinct assignment.
- CM Markus reviewed the circumstances of a fatal pedestrian accident which occurred on the evening of September 17, 2021 when a pedestrian crossed against a signal. He expressed the City's sympathy and condolences to the family for the loss of their loved one. He reminded the community that a family is in mourning and advised the community to be mindful of that fact when using social

media. He advised the community that MDOT is entirely responsible for the area in which the accident occurred. He noted that the City has repeatedly expressed concerns to MDOT regarding the safety of the intersection at Woodward and Brown/Forest and outlined the safety improvements the City had requested for said intersection. He noted that a meeting with MDOT was scheduled, prior to the accident, for the upcoming week to discuss the safety of this intersection. He stressed that all concerned Michigan residents should reach out to their State representatives, Senators, and the Governor's Office to ask them to direct MDOT to prioritize funding along Woodward for the improvement of the pedestrian environment and specifically for safety improvements at the intersection of Woodward and Brown/Forest.

09-238-21 Public Comment on the Baldwin House

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Sherman:
To allow members of the public to speak for three minutes each regarding the Baldwin House announcement.

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

Nays, None

Tina Marzlof, Chief Operating Officer, Nicole Lumberg, Executive Director, Rob Gillette, CEO, and Jim Nichols, co-owner, all of Baldwin House, were present.

Ms. Marzlof stated that the ownership of the Baldwin house has not changed. She explained that there had initially been resistance in the City to allowing low-income housing at the Baldwin House and that a case regarding the matter went to the U.S. Supreme Court and the Court found in the Baldwin House's favor. She stated that having low-income housing at the Baldwin House has only been beneficial to the community. She noted that the term limit for low-income housing at the Baldwin House expires in 2025 with a grandfather-in period expiring in 2028.

Mr. Nichols explained that the Baldwin House will be asking the City and State if they would be willing to continue providing financial assistance to offset the costs of maintaining low-income housing. He confirmed that any low-income residents established in the Baldwin House by 2025 would be welcome to stay at those rates until 2028, and that the matter of rates beyond 2028 is not yet decided.

CM Markus briefly reviewed the history of the consent judgment that helped establish the Baldwin House and the successful recall of some Birmingham elected officials launched in response to the Court's finding that Birmingham had been discriminatory. He noted that none of the fears of declining property values or other potential issues from allowing low-income housing were realized, and said the Baldwin House has had an immensely positive impact on the community. He stated he would encourage the City to pursue ways of helping the Baldwin House maintain its low-income offerings.

Commissioner Hoff expressed concern that senior low-income residents are being told they may have to move within four to seven years if they will no longer be able to afford the rent at the Baldwin House. She explained that asking someone to move at that age is prohibitive, and that even if they were able to move they would be unlikely to find another place to live in Birmingham.

In reply to Commissioner Baller, Mr. Nichols stated that the Baldwin House received a beneficial mortgage, a payment-in-lieu-of-taxes agreement, and tax credits for providing low-income housing.

CM Markus noted that the City's settlement with the Baldwin House also helped offset costs in a way that allowed low-income housing.

Public Comment

Linda Buchanan spoke as a City resident and the Vice-President of the Baldwin House Board of Directors. She stated that the Board was not notified by ownership of the potential changes, that the Board was dismayed to hear that the low-income housing may not continue, and that the Board is interested in potentially assisting residents who may be displaced in the future find other housing. She said the Board was unsure about the future of its own existence beyond 2025.

David Bloom expressed displeasure that the owners entered into a mortgage that would seemingly require the raising of the rental rates for residents.

APPOINTMENTS

09-239-21 Appointment of Patrick Rock to the Martha Baldwin Park Board

The Commission interviewed Patrick Rock for the appointment.

MOTION: Nomination by Commissioner Hoff:
To appoint Patrick Rock as a regular member to the Martha Baldwin Park Board to serve the remainder of a four-year term to expire May 1, 2024.

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

Nays, None

09-240-21 Appointment of Thomas Loafman to the Historic District Study Committee

The Commission interviewed Thomas Loafman for the appointment.

MOTION: Nomination by Commissioner Nickita:
To appoint Thomas Loafman as a regular member to the Historic District Study Committee to serve the remainder of a three-year term to expire June 25, 2022.

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

Nays, None

09-241-21 Appointment of Patricia Lang to the Historic District Commission

The Commission interviewed Patricia Lang for the appointment.

MOTION: Nomination by Commissioner Host:
To appoint Patricia Lang to the Historic District Commission as a regular member to serve a three-year term to expire September 25, 2024.

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

Nays, None

09-242-21 Appointment of John W. Henke III to the Historic District Commission

The Commission interviewed John W. Henke III for the appointment.

MOTION: Nomination by Commissioner Sherman:
To appoint John W. Henke III to the Historic District Commission as a regular member to serve a three-year term to expire September 25, 2024.

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

Nays, None

09-243-21 Appointment of Gigi Debbrecht to the Historic District Commission

The Commission interviewed Gigi Debbrecht for the appointment.

MOTION: Nomination by Commissioner Baller:
To appoint Gigi Debbrecht to the Historic District Commission as a regular member to serve a three-year term to expire September 25, 2024.

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

Nays, None

09-244-21 Appointment of Patricia Lang to the Design Review Board

MOTION: Nomination by Commissioner Host:
To appoint Patricia Lang as a regular member of the Design Review Board to serve a three-year term to expire September 25, 2024.

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

Nays, None

09-245-21 Appointment of Julijana Rasawehr to the Design Review Board

The Commission interviewed Julijana Rasawehr for the appointment.

MOTION: Nomination by Commissioner Hoff:
To appoint Julijana Rasawehr as a regular member of the Design Review Board to serve a three-year term to expire September 25, 2024.

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

Nays, None

09-246-21 Appointment of John W. Henke III to the Design Review Board

MOTION: Nomination by Commissioner Sherman:
To appoint John W. Henke III as a regular member of the Design Review Board to serve a three-year term to expire September 25, 2024.

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

Nays, None

City Clerk Bingham swore in the present appointees, and the Mayor noted that any appointees attending via Zoom would be sworn in in person at a later date.

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

Joan Schloop spoke about the danger of the Woodward and Brown/Forest intersection. She said that some organized effort on the part of the City would be more persuasive to MDOT than individual residents writing their representatives. She volunteered to participate in any organized effort the City puts forth.

John Hoeffler echoed Ms. Schloop’s comments and offer to volunteer in an organized effort. He thanked the Commission and Staff for their efforts.

The Mayor emphasized the City’s historic and ongoing efforts to improve the safety of Woodward and its intersections in Birmingham.

Anthony Long said Staff was accurately representing their ongoing efforts to communicate the dire situation on Woodward to MDOT in terms of pedestrian safety. He recommended that flashing lights be considered for pedestrian crossings on Woodward.

Heather Carmona spoke about the City’s planned improvements to the Oak-Lakeview-Lakeside area. She described the pedestrian improvements as critically important. She asked the Commission to meet with the Multi-Modal Transportation Board (MMTB) and to move the long-term improvements forward as quickly as possible. She thanked the MMTB for their work. She said she would continue to be involved in the conversations about improving the area.

CM Markus said he would recommend that the MMTB and the Greenwood Cemetery Advisory Board study the addition of a sidewalk along Greenwood Cemetery to improve the pedestrian safety in the the Oak-Lakeview-Lakeside area.

The Commission concurred with CM Markus’ recommendation.

V. 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.

09-247-21 Consent Agenda

The following items were pulled from the Consent Agenda:

Commissioner Baller:

Item B – 2022 Village Fair – June 1 – June 5, 2022

MOTION: Motion by Commissioner Host, seconded by Commissioner Baller:
To approve the Consent Agenda with the exception of Item B.

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

Nays, None

**Minutes from the September 13, 2021 workshop and regular meeting will be included in the October 4, 2021 packet for approval.*

- A. Resolution to approve the warrant list, including Automated Clearing House payments, dated September 15, 2021, in the amount of \$36,958,844.23.
- C. Resolution approving a special event permit as requested by Ascension of Christ Lutheran Church to erect the 2021 Nativity Display in Shain Park on Saturday, Nov. 27 through Friday, December 31, 2021, 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.
- D. Resolution authorizing the City’s compliance with the provisions of State of Michigan Public Act 152 of 2011, by exercising the City’s option to exempt itself from the requirements of the Act; and further, to direct the Assistant City Engineer and Finance Director to sign and submit the required from to MDOT.

09-248-21 (Item B) 2022 Village Fair – June 1 – June 5, 2022

Commissioner Baller reported speaking with Joe Bauman, President of the Birmingham Bloomfield Chamber, about potentially opening the Fair to the service recipients of local non-profits on the Wednesday before the Fair is open to the general public for Fairs in 2023 and beyond. Commissioner Baller explained it would be a charitable sponsorship opportunity to underwrite the costs of opening up the Fair a day early to those the service recipients of those organizations.

Mr. Bauman stated organizations like Orchard Children’s Services, Variety Children’s Charity, Haven and Lighthouse were some groups that might be considered.

In reply to Commissioner Sherman, Commissioner Baller confirmed that he is both a vendor for the Chamber and a member of the Chamber.

In reply to the City Attorney, Commissioner Baller stated that there he had no fiduciary relationship to the Village Fair, and that he received no gain from the Village Fair.

CM Markus said that if tickets could be purchased with a credit card then there was a financial connection between Commissioner Baller and the Village Fair.

Mr. Bauman confirmed that tickets could be purchased with a credit card.

Commissioner Baller suggested that the fees he pays to the Chamber more than offset whatever proceeds he receives from credit card sales of Village Fair tickets.

The City Attorney reiterated that if there is any gain a Commissioner should recuse themselves from the relevant vote.

Commissioner Baller maintained his position that there is no gain.

CM Markus said that a recommendation should be made by the City Attorney after an appropriate review and that presently was not the time for the City Attorney to make the determination.

It was emphasized that these disclosures should occur in advance of meetings whenever possible to give the City Attorney enough time to review a potential conflict-of-interest.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Host:
To approve a special event permit as requested by the Birmingham Bloomfield Chamber of Commerce to hold the 57th Annual Village Fair and private party in Shain Park and on the surrounding streets and sidewalks, June 1 through June 5, 2022, 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, or event cancellation that may be deemed necessary by administrative staff leading up to or at the time of the event due to public health and safety measures.

Commissioner Nickita reiterated that the conversation regarding the potential conflict-of-interest should not have been conducted during the meeting and said he trusted the City Attorney to conduct an appropriate review.

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

Nays, None
Abstain, Commissioner Baller

VI. UNFINISHED BUSINESS

09-249-21 Amended Contract with SP Plus Corporation

Ops. Cmdr. Grewe summarized the item.

Commissioner Hoff raised concerns that the figures in the memo did not align with the figures in the contract.

Mayor Pro Tem Longe noted that the figures in the memo may have been the bid amount, which may have changed when the final contract was negotiated.

CM Markus noted that none of the figures had been changed from when the City entered into the contract in 2019. He reiterated that the changes to the contract only added protections so that SP Plus employees could not be considered City employees. He stated that the contract, and the figures therein, takes precedence over the memo and the minutes from that time. He stated he would have Staff review the figures in the contract again to ensure that there were no inaccuracies.

In reply to Mayor Pro Tem Longe, CM Markus stated that it was understood that the City was not paying the \$1500/month mobile application fee at this time since the associated mobile application had not yet been implemented.

MOTION: Motion by Commissioner Nickita, seconded by Mayor Pro Tem Longe: To approve the amended contract with SP Plus Corporation for Parking Management Services for the five City owned parking structures. Furthermore, to direct the Mayor and City Clerk to sign the agreement on behalf of the City.

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

Nays, None

VII. NEW BUSINESS

**09-250-21 Public Hearing for 260 N. Old Woodward – The Morrie –
Special
Land Use Permit Amendment, Final Site Plan & Design Review**

The Mayor opened the public hearing at 9:18 p.m.

PD Dupuis summarized the item.

Kevin Biddison, architect, and Aaron Belen, owner, were present on behalf of the project.

Mr. Biddison confirmed that the dining deck could be used until the close of business each night. He stated that the dining deck tends not to get much use later in the evening since the evening entertainment occurs inside the restaurant. He stated that The Morrie was aware of the prohibition on propane storage.

Commissioner Hoff said she was reluctant to approve the deck given the importance of maintaining parking in the downtown area.

In reply to Commissioner Sherman, Mr. Belen confirmed that that Bianchi Salon and Lucido, the adjacent businesses, were supportive of a larger parking deck as the foot traffic generated helps support their businesses.

Commissioner Baller asked the City Attorney whether the present public hearing was proceeding according to her recommendation on best practices from her August 23, 2021 memo which was included in the September 13, 2021 agenda packet.

The City Attorney said it was not. She briefly reiterated how public hearings should be conducted.

Given the City Attorney's recommendations, and seeing no public comment, the Mayor closed the public hearing at 9:38 p.m.

Commissioner Host recommended that the Commission postpone this decision until it had an opportunity to discuss it with the Planning Board at the upcoming joint meeting.

While Commissioners Sherman and Nickita thought it might be beneficial to allow the use of a fifth parking space for the dining deck, Mayor Pro Tem Longe thought it more prudent to adhere to the Advisory Parking Committee's recommendation of using only four parking spaces since establishments across the street might also be requesting dining decks in the near future. She suggested that doing so would still allow for increased foot traffic while maintaining some parking in the area.

Mr. Belen stated that allowing the use of a fifth parking space for the dining deck would allow the addition of one or two more two-top tables.

CM Markus opined that the fifth parking space would have greater benefit as a parking space than as an addition to the dining platform given that only two tables maximum could be added.

Commissioner Baller said he was disappointed that the dining deck would occupy four parking spaces all day while The Morrie was not serving lunch. He also said that the City should review the cost to operators to lease parking spaces more generally.

Commissioner Nickita noted that dining decks have both traffic calming and street activation benefits, and that this is a relatively under-activated area of the City. He said that while it would be good if The Morrie could eventually open for lunch, the Covid-19 pandemic has made staffing restaurants very difficult at this time. He also stated that the Commission should not apply bistro expectations of activating the street to Class C licensees.

The Mayor concurred with Commissioner Nickita.

After brief discussion of how to include an end date to the SLUP in order to anticipate potential future recommendations from the Planning Board regarding outdoor dining standards, the City Manager

recommended that the Commission table the remainder of the present discussion to the end of the evening's New Business to allow the City Attorney time to formulate appropriate language for the motion.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Host:
To table the remainder of the discussion on the present item to the end of the evening's New Business.

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

Nays, None

09-251-21 Public Hearing for Amendments to Article 7, Sections 7.01 and 7.29 of Chapter 126, Zoning – Public Notice

The Mayor opened the public hearing at 10:12 p.m.

PD Dupuis summarized the item.

Seeing no public comment, the Mayor closed the public hearing at 10:14 p.m.

CM Markus stated it would most benefit the public to have their comments on City projects solicited at a public hearing where they have the opportunity to hear summaries of the matters under consideration from Staff. He said that adding other ways of soliciting feedback would unnecessarily complicate the process.

Commissioner Nickita said that streamlining the process via these proposed ordinance amendments was appropriate.

MOTION: Motion by Commissioner Nickita, seconded by Commissioner Sherman:
To adopt ordinance amendments to Chapter 126, Zoning:
1. Article 7, Section 7.01 (General) to add general public notice requirements; and,
2. Article 7, Section 7.29 (Site Plan Review: Hearing on Review; Notice) to remove and relocate public notice requirements.

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

Nays, None

09-252-21 2021 Park, Peabody, and Chester Structure Repair Award

The City Manager requested a brief pause to the meeting at 10:24 p.m.

The meeting reconvened at 10:29 p.m.

Ops. Cmdr. Grewe summarized the item.

Commissioner Baller said he hoped that occupancy in the structures continues to be tracked regularly so trends can be established.

Ops. Cmdr. Grewe confirmed occupancy would continue to be tracked.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Nickita:
To award the contract to Pullman SST for the proposed work at the Park, Peabody, and Chester parking Structures in the amount of \$523,800.00; further, to approve the appropriation and amendment to the 2021-2022 Automobile Parking System Fund budget as outlined. Furthermore, to authorize the Mayor and City Clerk to sign the contract on behalf of the city.

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

Nays, None

CM Markus stated that the City owed Ops. Cmdr. Grewe and PC Clemence a debt of gratitude for their stewardship of the parking system over the last number of months.

The Mayor agreed and offered both Ops. Cmdr. Grewe and PC Clemence thanks on behalf of the City.

**09-253-21 Contract Award for 2021 Sewer Rehabilitation Program
City Contract #8-21(P)**

CCE Surhigh summarized the item.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Host:
To award the 2021 Sewer Rehabilitation Program #8-21(S), to D.V.M. Utilities, Inc., contingent upon execution of the agreement and meeting all insurance and bonding requirements, in the amount of \$1,045,323.50, to be charged to the following accounts;

Major Streets Fund	202-449.001- 981.0100	\$ 73,448.40
Sewer Fund	590-536.001- 981.0200	\$ 971,875.10
Total		\$ 1,045,323.50

To approve the appropriation and amendment to the fiscal year 2021-2022 budget as follows:

Sewer Fund:

Revenues:

590-000.000-400.0000	Draw from Net Position	\$ 471,880
Total Revenue		<u>\$ 471,880</u>

Expenses:

590-536.001-981.0200	Sewer Improvement	\$ 471,880
Total Expenses		<u>\$ 471,880</u>

And, to authorize the Mayor to sign the contract on behalf of the City.

In reply to Commissioner Nickita, CCE Surhigh clarified that the contract encompasses an analysis of the condition of the sewers and minor rehabilitation work. He also confirmed that that the Engineering Department and the City was continuing its work on addressing flooding and sewer capacity issues.

In reply to Commissioner Baller, CCE Surhigh said about 15% of the City's sewer system would be included in this contract.

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

Nays, None

09-254-21 Recission of Motion Naming October 18, 2021 as the date for the Joint Commission and Planning Board Meeting

MOTION:

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

To rescind the prior resolution approved on September 14, 2020 naming Monday, October 18, 2021 as the date for the Joint Commission and Planning Board meeting.

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

Nays, None

09-255-21 Motion Naming October 11, 2021 as the date for the Joint Commission and Planning Board Meeting

MOTION: Motion by Commissioner Hoff, seconded by Mayor Pro Tem Longe:
To change the Joint Commission and Planning Board meeting date to Monday, October 11, 2021 as published in the City Calendar.

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

Nays, None

09-256-21 Public Hearing for 260 N. Old Woodward – The Morrie – Special Land Use Permit Amendment, Final Site Plan & Design Review

MOTION: Motion by Mayor Pro Tem Longe, seconded by Commissioner Baller:
To adopt a resolution to approve the Special Land Use Permit amendment, Final Site Plan and Design Review application for 260 N. Old Woodward – The Morrie – to allow the addition of a new outdoor dining platform in the N. Old Woodward right-of-way, through November 15, 2022, and continuing on a yearly basis, unless there are changes to the Zoning Ordinance at Article 4, 4.44, Outdoor Dining Standards, which then, the Special Land Use Permit will end on November 15 of the year in which the Zoning Ordinance changes.

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

Nays, Commissioner Hoff
Commissioner Host

09-257-21 Commission discussion on items from prior meeting

1. Sidewalk Policy

Commissioner Nickita stated that the City should develop a stronger and more clear policy on how sidewalks will be added as part of the City's infrastructure improvements.

CM Markus noted that the City has exemplary sidewalk maintenance in order to avoid trip-hazards. He explained that adding sidewalks would add to the City's maintenance costs, and that the adjoining properties would be assessed for the installation of sidewalks. He estimated it would cost approximately \$1 million per mile to add sidewalks.

CM Markus and Commissioner Nickita concurred that focusing sidewalk additions in areas where there is more pedestrian traffic would be the prudent next step.

After Commission discussion, CM Markus said he would request that the MMTB rank which areas of the City should be considered for sidewalk installation first.

Commission Items for Future Discussion. A motion is required to bring up the item for future discussion at the next reasonable agenda, no discussion on the topic will happen tonight.

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments

Commissioner Host stated that the memorial for Pat Andrews would be on November 5, 2021 at Holy Name at 10 a.m.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. City Manager's Report

CM Markus reviewed his report.

The Commission said they were in favor of the Birmingham Shopping District creating a Birmingham Gateway Committee as outlined in the City Manager's Report.

INFORMATION ONLY

XI. ADJOURN

Mayor Boutros adjourned the meeting at 11:15 p.m.



Alexandria Bingham, City Clerk
/le