

**BIRMINGHAM CITY COMMISSION AGENDA**  
**JANUARY 8, 2024**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Elaine McLain, Mayor

**II. ROLL CALL**

Alexandria Bingham, City Clerk

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

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

**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.

- A. Resolution to approve the City Commission regular meeting minutes of December 18, 2023.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated December 20, 2023 in the amount of \$1,378,750.34.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated January 4, 2024 in the amount of \$1,091,382.32.
- D. Resolution to amend the 2024 Schedule of Fees, Charges, Bonds and Insurance to include a change in the Birmingham Museum's research fee from \$25 to \$30 per hour.
- E. Resolution to install all-way stop control at the intersections of Columbia St and Villa Rd and Columbia St and Haynes St. Further, to direct the Chief of Police and the City Clerk to sign the traffic control orders on behalf of the City.
- F. Resolution to enter into a lease agreement with Birmingham Tower Partners, LLC in the amount of \$850.00 per year with annual inflationary adjustments for an encroachment of 360 sq. ft. of right-of-way for private residential balconies at 479 S. Old Woodward.
- G. Resolution to accept the resignation of Cynthia Rose from the Board of Review, to thank her for her service and direct the City Clerk to begin the process of filling the vacancy.

- H. Resolution to award the Redding Road Sewer and Water Main Improvements Project #9-23(S) to FDM Contracting, Inc. in the amount of \$2,957,637.00 and a 5% construction contingency for a total of \$3,105,518.85. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance and bonding requirements by FDM Contracting, Inc. Funding for this project has been budgeted in the following accounts:

Fund Account	Fund ID Number	Project Award	5% Contingencies	Total
Major Street Fund	202.0-449.001-981.0100	\$1,167,173.89	\$58,358.69	\$1,225,532.59
Sidewalk Fund	101.0-444.000-981.0100	\$101,927.92	\$5,096.40	\$107,024.31
Sewer Fund	590.0-537.000-981.0100	\$913,043.84	\$45,652.19	\$958,696.03
Water Fund	591.0-544.000-981.0100	\$775,491.35	\$38,774.57	\$814,265.92

AND

To approve the appropriation and amendment of the fiscal year 2023/2024 budget as follows:

Sewer Fund:

Revenues:

590.0-000.000-400.0000	Draw from Net Position	<u>\$548,700</u>
Total Revenue		<u>\$548,700</u>

Expenditures:

590.0-537.000-981.0100	Public Improvement	<u>\$548,700</u>
Total Expenses		<u>\$548,700</u>

Water Fund:

Revenues:

591.0-000.000-400.0000	Draw from Net Position	<u>\$324,270</u>
Total Revenue		<u>\$324,270</u>

Expenditures:

591.0-544.000-981.0100	Public Improvement	<u>\$324,270</u>
Total Expenses		<u>\$324,270</u>

**VI. CITY MANAGER'S REPORT**

**VII. UNFINISHED BUSINESS**

**VIII. NEW BUSINESS**

- A. Public Hearing of Necessity - Edgewood Road Project #6-24 (S) Water and Sewer Lateral Special Assessment District

1. WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined to proceed with the project of replacing sewer services 50 years of age or older or of material that are not acceptable for City standards and replacing water services that are less than 1 inch in diameter on Edgewood Road between E. Lincoln Street and E. Southlawn Blvd.; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or of material that are not acceptable for City standard and water services less than 1 inch in diameter and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that the Edgewood Road Project, the replacement of sewer services that are 50 years of age or older or of material that are not acceptable for City standards, the replacement of water services that are less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of sewer service and water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of sewer service lateral and water service laterals located within the limits of the following streets shall be installed as part of the Edgewood Road Project (Contract #4-23(S)): Edgewood Road – E. Lincoln Street to E. Southlawn Blvd.; and

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral service that is 50 years of age or older or constructed of materials that are not acceptable for City standard and water service that is less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$170.00 per foot of sewer service pipe and \$110.00 per foot of water service pipe).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing and give notice on January 22, 2024.

Sewer Lateral SAD

<b>Parcel ID / Sidewell Number</b>	<b>Street Address</b>
19-36-402-049	280 E. Lincoln
19-36-403-032	400 E. Lincoln
19-36-402-023	1204 Edgewood
19-36-402-024	1212 Edgewood
19-36-402-025	1236 Edgewood
19-36-402-027	1260 Edgewood
19-36-402-028	1272 Edgewood
19-36-402-030	1300 Edgewood
19-36-402-032	1332 Edgewood
19-36-402-033	1348 Edgewood
19-36-402-035	1416 Edgewood
19-36-402-036	1450 Edgewood
19-36-402-038	1486 Edgewood
19-36-402-039	1498 Edgewood

Water Lateral SAD

<b>Parcel ID / Sidewell Number</b>	<b>Street Address</b>
19-36-402-023	1204 Edgewood
19-36-402-027	1260 Edgewood
19-36-402-029	1288 Edgewood
19-36-402-030	1300 Edgewood
19-36-402-032	1332 Edgewood
19-36-402-035	1416 Edgewood
19-36-402-036	1450 Edgewood
19-36-402-037	1472 Edgewood
19-36-402-039	1498 Edgewood

- B. Resolution to direct the Engineering Department to proceed with final design of the Arlington Street and Shirley Project to include the planned improvements to the sewer and water systems, and the full reconstruction of the streets within the project area that will meet the City standards for an improved street with a 5 foot sidewalk on each side of the road as indicated in Exhibit A.
- C. Resolution to approve the proposed design for N. Old Woodward and Oakland Ave between Woodward Ave and N. Old Woodward Ave with enhanced green space along Oakland Ave, a permanent bus stop loading area with an island, and a permanent bump out at the northwest corner of N. Old Woodward and Willits St. as pictured in Exhibit A.
- D. 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.

- E. Commission discussion on items from a prior meeting.
  - 1. Speed Mitigation Report
  - 2. Adding Brandon Street to the Shirley & Arlington Project

**IX. REMOVED FROM CONSENT AGENDA**

**X. COMMUNICATIONS**

**XI. REPORTS**

- A. Commissioner Reports
  - 1. Notice of Intention to Appoint to the Cable Casting Board
  - 2. Notice of Intention to Appoint to the Board of Review
  - 3. Notice of Intention to Appoint to the Parks and Recreation Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

**INFORMATION ONLY**

**XI!. ADJOURN**

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760  
You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

*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 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*