

**BIRMINGHAM CITY COMMISSION AGENDA**  
**APRIL 24, 2017**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

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

Mark Nickita, Mayor

**II. ROLL CALL**

Cherilynn Brown, City Clerk

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

*Announcements:*

- The next session of the Citizens Academy program begins tomorrow evening, April 25<sup>th</sup>. There are a few spots still available for interested residents. For more information on the program and how to register, contact Joellen Haines in the City Manager's Office at 248-530-1807.
- The spring Used Book Sale, sponsored by the Friends of Baldwin Public Library, will be held Friday, May 5<sup>th</sup> through Monday May 8<sup>th</sup> at the Library. For more information, contact Baldwin Library at 248-647-1700 or visit [www.baldwinlib.org](http://www.baldwinlib.org).
- The Farmer's Market begins Sunday, May 7<sup>th</sup> from 9:00 AM to 2 PM, in the Municipal Parking Lot #6 on N. Old Woodward. For more information, visit [www.enjoybirmingham.com](http://www.enjoybirmingham.com).

*Appointments:*

- A. Interviews for Storm Water Utility Appeals Board
  - 1. Robert Lavoie
  - 2. Laura T. Keener
- B. To appoint \_\_\_\_\_ to the Storm Water Utility Appeals Board to serve a three-year term to expire January 31, 2020.
- C. To appoint \_\_\_\_\_ to the Storm Water Utility Appeals Board to serve a three-year term to expire January 31, 2020.
- D. Administration of oath to the appointed Board members.

**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. Approval of City Commission minutes of April 13, 2017.
- B. Approval of warrant list, including Automated Clearing House payments of April 12, 2017, in the amount of \$520,628.04.
- C. Approval of warrant list, including Automated Clearing House payments, of April 19, 2017, in the amount of \$557,248.92.

- D. Resolution directing the Treasurer to transfer unpaid and delinquent special assessment and invoices, including interest and penalty, to the 2017 City tax roll and authorizing removal from the list any bills paid after City Commission approval.
- E. Resolution directing the Treasurer to transfer unpaid and delinquent water/sewage bills of subject properties to the 2017 city tax roll and authorizing removal from the list any bills paid or a payment plan agreement signed after City Commission approval.
- F. Resolution approving the service agreement with Hubbell, Roth & Clark, Inc. for electrical engineering consultation services related to a generator replacement project at the Department of Public Services facility in the amount not to exceed \$9,977 from the Auto Equipment Fund, Equipment Maintenance account #641-441.006-933.0200. Further, authorizing the Mayor and City Clerk to sign the agreement upon receipt of all required insurances.
- G. Resolution approving the purchase of one (1) new Tomcat-series refuse compactor body, and one (1) 2017 Isuzu NRR chassis from Bell Equipment Company through the H-GAC extendable purchasing contract #RH08-17, not to exceed \$124,406.00 from account #641- 441.006.971.0100.
- H. Resolution authorizing the IT department to purchase the Nutanix server environment from CDWG using National IPA Contract #130733, for a purchase price not to exceed \$100,989.00 from the Network Upgrade account number 636-228.000-973.0400, and further; approving the appropriation and amendment to the 2016-2017 Computer Equipment Fund and General Fund budgets as follows:

General Fund

Revenues:

Draw from Fund Balance	101-000.000-400.0000	\$35,000
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Expenditures:

Computer Equipment Rental	101-371.000-922.0000	\$35,000
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Computer Equipment Fund

Revenues:

Draw from Net Position	636-000.000-400.0000	\$54,500
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Lease Payments	636-000.000-667.0000	\$35,000
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Total Revenues

\$89,500

Expenses:

Network Upgrade	636-228.000-973.0400	\$89,500
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- I. Resolution accepting Mr. James Partridge's resignation from the Building Board of Trades Appeals, thanking him for his service, and directing the Clerk to begin the process to fill the vacancy.
- J. Resolution approving the Software License Agreement with Hart InterCivic, Inc. which sets forth the terms and conditions pursuant to which City of Birmingham may procure or license from Hart software for use in connection with the Verity voting system, and further authorizing the City Clerk to execute the Agreement on behalf of the City.
- K. Resolution awarding the "Water Utility Customer Portal" project to AmCoBi, of Colorado Springs, CO for a total expenditure of \$53,200.00 over three (3) years, and authorizing the Mayor and City Clerk to sign the contract on behalf of the City upon receipt of all required insurances. Funds for this project are available from the Water Supply Fund, account #591-537.001-811.0000.
- L. Resolution awarding the 2017 Concrete Sidewalk Repair Program, Contract #3-17(SW) to Italia Construction, Inc., in the amount of \$812,656.00, to be charged to the various accounts as detailed in the report; and further to approve the appropriations and budget amendments to the 2016-2017 budget as follows:  
Local Street Fund

Revenues:		
Draw from Fund Balance	203-000.000-400.0000	\$57,542
Total Revenue Adjustments		\$57,542
Expenditures:		
Contract Maintenance	203-449.003-937.0400	\$43,130
Webster/Worth Grant	203-449.001-985.7500	\$14,412
Total Expenditure Adjustments		\$57,542
Water Fund		
Revenues:		
Draw from net position	591-000.000-400.0000	\$35,000
Total Revenue Adjustments		\$35,000
Expenditures:		
Other Contractual Services	591-537.005-811.0000	\$35,000
Total Expenditure Adjustments		\$35,000

- M. Resolution setting Monday, May 22, 2017 at 7:30 PM for a Public Hearing to consider approval of the Final Site Plan and Special Land Use Permit Amendment for The Townsend Hotel at 100 Townsend Street to allow the addition of a new limited partner to THC Investors Limited Partnership, DBA The Townsend Hotel.

## **V. UNFINISHED BUSINESS**

## **VI. NEW BUSINESS**

- A. Resolution approving a request submitted by the Michigan Chapter of the Huntington's Disease Society of America requesting permission to hold Yoga in the Park, on Saturday, June 17, 2017, 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.
- B. Public Hearing to consider a Special Land Use Permit Amendment and Final Site Plan Review at 280 E. Lincoln – Grace Baptist Church.
1. Resolution approving a Special Land Use Permit Amendment and Final Site Plan Review for 280 E. Lincoln, Grace Baptist Church to allow for the installation of an illuminated ground sign.
- C. Public Hearings to consider the Bistro Applications for 2017:
1. To consider approval of the Final Site Plan and Special Land Use Permit for 2159 E. Lincoln - Lincoln Yard Bistro, to allow the operation of a new bistro. (complete resolution in agenda packet)
  2. To consider approval of the Final Site Plan and Special Land Use Permit for 325 S. Old Woodward - Adachi Bistro, to allow the operation of a new bistro. (complete resolution in agenda packet)
  3. To consider approval of the Final Site Plan and Special Land Use Permit for 2100 E. Maple - Whole Foods Bistro, to allow the operation of a new bistro within the Whole Foods grocery store. (complete resolution in agenda packet).
  4. Resolution awarding a Bistro License to \_\_\_\_\_ and \_\_\_\_\_ for 2017, and approving their respective Special Land Use Permits and Contracts, subject to any necessary contracts being executed by the Applicant and City.
- D. Resolution rejecting all bids for the Old Woodward Ave. Paving Project, Contract #2-17(P) and directing staff to rebid the project in the Fall of 2017.
- E. Resolution to meet in closed session to discuss an attorney/client privilege communication in accordance with 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**

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

**X. REPORTS**

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  - 1. Great Lakes Water Authority Sewer Rates Update, submitted by City Engineer O'Meara

**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).*