

BIRMINGHAM CITY COMMISSION AGENDA
JUNE 26, 2017
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mark Nickita, Mayor

II. ROLL CALL

J. Cherilynn Brown, City Clerk

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

Announcements:

- Proclamation honoring Groves Scriptor Magazine students
- The Summer Concerts are in full swing at Shain Park with concerts on June 28th and July 5th. A special Fourth of July concert has been added to this year's schedule featuring the Jazz Ambassadors of the U.S. Army Field Band. The concerts begin at 7:00 PM. Visit www.bhamgov.org/summerconcerts for the list of performers and the upcoming schedule of concerts.
- City offices and Baldwin Library will be closed Tuesday, July 4th for Independence Day.

Appointments:

- A. Interviews for Retirement Board.
 - 1. Christopher Conti
 - 2. Lawrence Smith (interviewed previously)
- B. To concur with the Mayor's recommendation to appoint _____ to the Retirement Board, as the resident member who is not eligible to participate in the retirement system, to serve a three-year term to expire July 1, 2020.
- C. Administration of oath to the appointed board member(s).

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 June 12, 2017.
- B. Approval of warrant list, including Automated Clearing House payments, of June 14, 2017 in the amount of \$1,948,346.44.
- C. Approval of warrant list, including Automated Clearing House payments, of June 21, 2017 in the amount of \$324,850.26.
- D. Resolution approving the Verizon Access Transmission Services Right-of-Way Metro Act Safe Harbor Application and Safe Harbor Bi-Lateral Permit. (complete resolution in agenda packet)

- E. Resolution approving the purchase of a 4-ton hot box patch trailer from Falcon Asphalt Repair Equipment through the State of Michigan extendable purchasing contract #071B770092 in the amount of \$23,105.69 from account #641- 441.006-971.0100.
- F. Resolution approving Change Order Numbers 1-6 to the Springdale Pavilion Concrete Project, in the amount not to exceed \$108,098.00, to Luigi Ferdinandi & Son Cement Company for a new concrete floor and foundation reconstruction. Further, authorizing the payment amount of \$102,693.10 until final inspection and approval is provided by the Building Department. After which time, the remaining balance of \$5,404.90 will be paid. Funds for this project are available in the Capital Projects Fund account #401-751.001-981.0100.
- G. Resolution authorizing the IT department to purchase the recommended count of Microsoft Office 2016 Standard and Pro Software Licenses from CDWG using the SelectPlus Pricing Agreement. The purchase price not to exceed \$20,575.00. Funds are available in the IT Computer Software fund account # 636-228.000-742.0000.
- H. Resolution accepting the resignation of Mark Coir from the Historic District Study Commission and Design Review Board, thanking him for his service, and directing the Clerk to begin the process of filling the vacancies.
- I. Resolution accepting the resignation of Paul Robertson, Jr. from the Brownfield Redevelopment Committee, thanking him for his service, and directing the Clerk to begin the process to fill the vacancy.
- J. Resolution accepting the resignation of Robert Ziegelman from the Triangle District Corridor Improvement Authority and the Housing Board of Appeals, thanking him for his service, and directing the Clerk to begin the process to fill the vacancies
- K. Resolution authorizing the IT department to purchase the Microsoft Windows server and SQL Licenses from CDWG using the Select Plus Pricing Agreement. The purchase price not to exceed \$25,024.00. Funds are available in the IT Computer Software fund account # 636-228.000-742.0000.
- L. Resolution approving \$19,760 in Municipal Credits and \$25,347 in Community Credits to provide support for NEXT's specialized transportation program; and further directing the Mayor to sign the Municipal Credit and Community Credit contract for fiscal year 2018 on behalf of the City.
- M. Resolution awarding the "Flat Roof Replacement at the Birmingham Ice Sports Arena" project to LaDuke Roofing and Sheet Metal for a total expenditure of \$84,890 and authorizing the Mayor and City Clerk to sign the contract on behalf of the City upon the receipt of all required insurances. Further, approving the appropriations and budget amendments to the fiscal year 2016-2017 Capital Projects Fund and General Fund budgets as follows:

Capital Projects Fund

Revenues:

Transfers In-General Fund	#401-901.001-699.0101	\$24,890
Total Revenue Adjustments		\$24,890

Expenditures:

Ice Arena/Buildings	#401-901.001-977.0000	\$24,890
Total Expenditure Adjustments		\$24,890

General Fund

Revenues:

Draw from Fund Balance	#101-000.000-400.0000	\$24,890
Total Revenue Adjustments		\$24,890

Expenditures:

Transfers Out-Capital

	Projects Fund	#101-999.000-999.4010	\$24,890
	Total Expenditure Adjustments		\$24,890
N.	Resolution approving the purchase of the Rink Seal Pro Cooling Solution from Rink Seal Pro in an amount not to exceed \$12,150.00. Funds are available from the General Fund – Ice Arena account #101-752.000-930.0300.		
O.	Resolution waiving the competitive bidding requirement for the sole source vendor and approving the purchase of six (6) additional security cameras along with an updated hard drive, for a total expenditure not to exceed \$8,004.00. Funds for this purchase are available in the General Fund, Ice Rink Sports Arena, Buildings, account #101-752.000-977.0000.		
P.	Resolution approving the service agreement with Deaf & Hearing Impaired, Inc. in the amount of \$2,400.00 for services described in Attachments A & B of the agreement for fiscal year 2017- 2018, account number 101-215.000-811-0000, providing notice to Deaf & Hearing Impaired, Inc. that this will be the final service contract with the City of Birmingham, and directing the Mayor and City Clerk to sign the agreement on behalf of the City.		
Q.	Resolution approving the service agreement with NEXT in the amount of \$99,810 for services described in Attachment A of the agreement for fiscal year 2017-2018, account number 101-299.000-811.0000, and further directing the Mayor and City Clerk to sign the agreement on behalf of the City.		
R.	Resolution approving the outside agency service agreements for services described in Attachment A of the agreement for fiscal year 2017-18 with Birmingham Bloomfield Community Coalition in the amount of \$3,000, Birmingham Youth Assistance in the amount of \$18,000, Common Ground in the amount of \$1,500 and HAVEN in the amount of \$2,000 from account number 101-301.000-811.0000, further directing the Mayor and City Clerk to sign the agreements on behalf of the city.		
S.	Resolution approving the purchase of uniforms with Contractors Clothing Company for the total amount not to exceed \$9,000 for fiscal year 2017-2018. Funds are available for this purchase in the Public Services - Uniform Allowance account # 101-441.002-743.0000.		
T.	Resolution setting Monday, July 24, 2017 at 7:30 PM for a public hearing to consider ordinance amendments for glazing standards.		
U.	Resolution awarding the Recreation Master Plan Professional Services Agreement to McKenna Associates in the amount not to exceed \$24,500 and authorizing the Mayor and City Clerk to sign the agreement upon receipt of all required insurances. Funds are available in the General Fund – Parks – Other Contractual Services account #101-751.000-811.0000.		

V. UNFINISHED BUSINESS

- A. Resolution approving the Special Land Use Permit Amendment and Final Site Plan Review for 250 N. Old Woodward, Emagine Palladium Theatre and Ironwood Grill restaurant to allow the establishment to change their name to Emagine Palladium Theatre and Four Story Burger.

OR

Resolution denying an Amendment to the Special Land Use Permit at 250 N. Old Woodward, Emagine Palladium Theatre and Ironwood Grill and thus deny the proposed name change to Emagine Palladium Theatre and Four Story Burger.

- B. Resolution terminating the Special Land Use Permit at 250 N. Old Woodward, Emagine Palladium Theatre and Ironwood Grill restaurant for failure to comply with the terms of the SLUP.

OR

- Resolution taking no action at this time.
- C. Resolution approving the donation of Wind Rapids by Russell Thayer to the City of Birmingham and directing staff to insure this sculpture on the City's existing insurance policy.
- D. Resolution approving the Birmingham City Commission 2018 Meeting Schedule as presented.
- E. Resolution approving the Lower Baldwin Trail Extension project to X-Tier Design and Build Landscape in the amount of \$17,585.00. Further, waiving the normal bidding requirements due to X Tier Design and Build Landscape being the sole source installer of this product. Funds are available in the Parks - Other Contractual Services #101-751.000-811.0000 for these services. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances and contingent upon the approval of the Maple Road at-grade pedestrian crossing island on Maple Road, just west of Baldwin Road, west of the Bridge.

VI. NEW BUSINESS

- A. Public Hearing to consider confirming the S.A.D. roll #878 – Oak Avenue Water Laterals
 - 1. Resolution confirming and ratifying Special Assessment Roll No. 878, and instructing the City Clerk to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement. (complete resolution in agenda packet)
- B. Resolution approving the relocation of two metered parking spaces on E. Frank St. west of S. Old Woodward Ave. from the south side to the north side of the street, using an existing area designated as a loading zone, and further approving the extension of green space on the south side of Frank St. across the entire property now known as 420 E. Frank St., to be completed at developer expense, as a part of the final site plan approval.
- C. Resolution concurring with the Advisory Parking Committee, and directing staff to restrict all future Parking Lot 6 area monthly permit sales to employees working at businesses located north of the intersection of N. Old Woodward Ave. and Euclid Ave., and further, allowing current Lot 6 area permit holders located south of Euclid Ave. to purchase a monthly permit in the parking structure of their choice.
- D. Resolution concurring with the Advisory Parking Committee to make the following adjustments to the number of accessible parking spaces in parking structures, to better meet both the requirements of the Americans with Disabilities Act as well as current demand trends, as noted:
 - Pierce St. Structure – Remove 4 accessible spaces.
 - Park St. Structure – Add 2 accessible spaces.
 - Peabody St. Structure – Add 2 accessible spaces.
 - N. Old Woodward Ave. Structure – Remove 6 accessible spaces.
- E. Resolution authorizing the Mayor to sign the Memorandum of Understanding with the Oakland County Water Resources Commissioner pertaining to the Quarton Rd. Pump Station located at 1371 Quarton Rd., authorizing the renovation of the facility to their

standards, with the intention of the County taking ownership and responsibility for it upon completion, through a subsequent Bill of Sale.

- F. Resolution approving the award of the Adams Bridge Painting Project to Cross Renovation, Inc. in an amount not to exceed \$18,777.00. Funds are available from the Parks - Other Contractual Services account #101-751.000-811.0000 for these services. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

OR

Resolution approving the award of the Adams Bridge Painting Project to Cross Renovation, Inc. in an amount not to exceed \$38,777.00 for painting and the anti-graffiti coating. Funds are available from the Parks - Other Contractual Services account #101-751.000-811.0000 for these services. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

- G. Resolution amending the Schedule of Fees, Charges, Bonds and Insurance, Water and Sewer Service Sections, for changes in water, sewer, storm water, industrial surcharge, and industrial waste control charge rates effective for bills with read dates on or after July 1, 2017; and further approving the appropriations and amendments to the 2017-2018 Sewage Disposal Fund budget as follows:

Sewage Disposal Fund

Revenues:

Charges for Services	\$184,000
Total Revenues	\$184,000

Expenses:

Other Charges	\$184,000
Total Expenses	\$184,000

- H. 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
 - 1. Notice of Intent to Appoint to the Brownfield Redevelopment Authority, Design Review Board, Historic District Commission, Housing Board of Appeals and the Triangle District Corridor Improvement Authority on August 14, 2017.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Quarton Lake updates, submitted by DPS Director Wood

2. MDOT Construction Update for Woodward Ave., Quarton Rd. to 14 Mile Rd., submitted by Engineer O'Meara
3. Oak Street (west of Chesterfield) Sanitary Sewer report, submitted by 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).