

**BIRMINGHAM CITY COMMISSION AGENDA**  
**MARCH 11, 2019**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

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

Patty Bordman, Mayor

**II. ROLL CALL**

J. Cherilynn Mynsberge, City Clerk

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

***Announcements:***

- On Thursday, March 14 at 7:00 PM, the jointly sponsored Spring Lecture Series of the Birmingham Museum and Baldwin Public Library returns with the theme, *Birmingham, Then and Now*. The first presentation focuses on Jacobson's Department store and its importance to Birmingham, presented by author and department store historian, Bruce Kopytek.

**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. Resolution approving the City Commission meeting minutes of February 25, 2019.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated February 27, 2019 in the amount of \$432,990.79.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated March 6, 2019 in the amount of \$5,738,194.11.
- D. Resolution approving a Special Event permit as requested by the LUNGeVity Foundation for the 2019 Breathe Deep Michigan 5K Walk & Fun Run to End Lung Cancer event on Saturday, June 1, 2019, 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.
- E. Resolution approving a Special Event permit as requested by the City of Birmingham Department of Public Services for the 2019 In the Park Concert series in Shain Park on the dates presented, 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.
- F. Resolution awarding the 2019 Concrete Sidewalk Repair Program, Contract #6-19 (SW) to Italia Construction, Inc., in the amount of \$546,927.45, to be charged to the various accounts as detailed in the report, contingent upon execution of the agreement and meeting all insurance requirements. Further, approving an amendment to the 2018-2019 fiscal year budget.

- G. Resolution authorizing the 2019 Sidewalk Repair Program, and directing the Engineering Department to notify the owners of properties on the attached list(s) of the City's intention to replace sidewalks to their properties.
- H. Resolution approving an extension of the 2018 Sidewalk Trip Elimination Program, Contract #6-18(SW) for the 2019 sidewalk program repair area, at 2018 contract prices, to Precision Concrete, Inc., in the amount of \$133,356.00, contingent upon submittal of the necessary bonds and insurance certificate. All costs shall be charged to account number 101- 444.001-981.0100.
- I. Resolution awarding the 2019 Quarton Lake Subdivision Reconstruction Phase 1 Project, Contract #1-19(P) to DiPonio Contracting, Inc., in the amount of \$2,124,010, to be charged to the Sewer Fund, account number 590-536.001-981.0100; the Water Fund, account number 591-537.004-981.0100; and the Local Streets Fund, account number 203-449.001-981.0100, contingent upon execution of the agreement and meeting all insurance requirements, and further approving the appropriation and amendment to the fiscal year 2018-2019 Local Street Fund budget.
- J. Resolution setting Monday, April 8, 2019 at 7:30 PM for a Public Hearing to consider necessity for the installation of water and sewer laterals within the Quarton Lake Reconstruction project area. Further, if necessity is declared, setting Monday, April 22, 2019 at 7:30 PM for a Public Hearing to consider confirming the roll for the installation of water and sewer laterals within the Quarton Lake Reconstruction project area.
- K. Resolution approving the purchase of one (1) 2019 Elgin Pelican from Bell Equipment Company through the State of Michigan cooperative purchasing agreement #071B7700091 in the amount of \$208,233.20 from account #641-441.006.971.0100.
- L. Resolution approving the purchase of one (1) 2019 Ford F-350 chassis from Gorno Ford of Woodhaven, MI, through the MiDeal Cooperative Purchasing Agreement #071B1300005 totaling \$32,649.00 from account #641-441.006.971.0100; further, approving the purchase and installation of a hydraulic dump body from Truck and Trailer Specialties, Inc., through the Rochester Hills Cooperative Purchasing Contract #RFP-RH-13-030 totaling \$18,925.00 from account #641-441.006.971.0100, for a total combined expenditure of \$51,574.00.
- M. Resolution approving the purchase of holiday lights from Wintergreen Corporation for a total cost not to exceed \$22,425.00. Funds are available from the General Fund-Community Activities Operating Supplies account #101-441.004-729.0000 and Property Maintenance Operating Supplies account #101-441.003-729.0000 for this purchase.
- N. Resolution authorizing the City Manager to sign the new contract with Applied Imaging for printer maintenance and supplies with a monthly cost of \$1,348.16 plus per page overages as necessary, total yearly cost of \$16,183.20. Funds are available in the IT Computer Maintenance fund account # 636-228.000-933.0600.
- O. Resolution authorizing the City Manager to sign the additional backup services contract with All Covered for an additional monthly cost of \$841.00 for a total additional yearly cost of \$10,200.00 Funds for the remainder of this year are available in the IT Computer Maintenance fund account # 636-228.000-933.0600.
- P. Resolution adopting the 2018 Amended Michigan Mutual Aid Box Alarm Association Agreement and the 2018 Amended Inter-Local Agreement. Further, authorizing the Mayor to sign the agreements on behalf of the City.

- Q. Resolution approving an addendum of the public services contract with NEXT for the purpose of expending remaining program year 2017-2018 Community Development Block Grant funds for the Minor Home Repair Program administered by NEXT through June 30, 2019; and further, authorizing the Mayor to sign the amendment on behalf of the City.
- R. Resolution confirming the City Manager's authorization for the emergency expenditure regarding the power outage at the Peabody parking garage to cover expenses associated with providing a temporary power supply and replacing the main distribution panel board and current transformer cabinet totaling \$20,524.80 to be paid from the Parking Fund account #585-538.004-930.0200, pursuant to Sec. 2-286 of the City Code.
- S. Resolution authorizing the IT department to purchase the License and support renewal for the ArcGIS software from ESRI Inc. Total cost not to exceed \$8950.00. Funds are available in the GIS fund account #636-228.000-973.0500.

**V. UNFINISHED BUSINESS**

None

**VI. NEW BUSINESS**

- A. Public hearing to consider the rezoning of 469 - 479 S. Old Woodward from B3/D4 to B3/D5.
  - 1. Resolution approving the rezoning of 469 - 479 S. Old Woodward from B3/D4 to B3/D5;
 

**OR**

 Resolution denying the rezoning of 469 - 479 S. Old Woodward from B3/D4 to B3/D5;
 

**OR**

 Resolution postponing the hearing on the rezoning of 469 - 479 S. Old Woodward from B3/D4 to B3/D5 until \_\_\_\_\_, 2019;
 

**AND / OR**

 Resolution directing the Advisory Parking Committee to review the properties at 469 - 479 S. Old Woodward for inclusion into the Parking Assessment District and to provide a recommendation to the City Commission.
- B. Public Hearing to consider creating a Special Assessment District within the Oak Grove Addition Plat and Assessor's Plat No. 21 – Park Street Streetscape.
  - 1. Resolution declaring necessity to create a Special Assessment District for the installation of standard streetscape and lighting within the following districts:
    - “Oak Grove Addition Plat”  
Lots 37, 38 & 39 except for that portion taken for Oakland Avenue and Woodward Avenue rights-of-way, and
    - “Assessor's Plat No. 21”  
Lot 42 except for that portion taken for Woodward Avenue right-of-way, lot 43 except for that portion taken for Park Street right-of-way, lot 44 except for that portion taken for the Park Street right-of-way and rear alley, lots 70 thru 76 except for that portion taken for Woodward Avenue right-of-way.

**AND**
  - 2. Resolution setting Monday, March 25, 2019 at 7:30 PM for a Public Hearing to consider confirming the roll for the Park Street Streetscape & Street Light Enhancement.

C. Resolution approving the installations of "Yield" signs at the following locations:

1. Henley at Abbey
2. Henley at Oxford
3. Henley at Warwick
4. Henley at Tottenham
5. Tottenham at Warwick

And the installation of a "Stop" sign at:

1. Oakdale at Rivenoak

D. Resolution to meet in closed session pursuant to the Open Meetings Act, Section 8(h) to consider material exempt from discussion or disclosure by state or federal statute, and Section 8(e) to review pending litigation in the matter of Darakjian v City of Birmingham.

**(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. The City Commission will appoint two regular members to the Architectural Review Committee on April 8, 2019.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  1. Parking Utilization Report, submitted by Assistant City Manager Gunter
  2. Annual Report of the Planning Board, Historic District Commission and Design Review Board by Planning Director Ecker

## 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.*

*AQqLas 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:2485301880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*