

**BIRMINGHAM CITY COMMISSION AGENDA**  
**MARCH 28, 2016**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

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

Rackeline J. Hoff, Mayor

**II. ROLL CALL**

Laura M. Pierce, City Clerk

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

*Announcements:*

- Yard waste collection begins April 6<sup>th</sup>.
- The City Commission Budget Session will be held on Saturday, April 16<sup>th</sup>.

*Appointments:*

- A. Interviews for appointment to the Public Arts Board.
  1. Kaitlyn Tuson, 1007 Gardenia Ave, Royal Oak
- B. To appoint\_\_\_\_\_ to the Public Arts Board to serve the remainder of a three-year term to expire January 28, 2019.
- C. Resolution appointing Lisa Krueger, as the Advisory Parking Committee member, to the Ad Hoc Rail District Review Committee.
- D. Administration of oath to the 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 February 22, 2016.
- B. Approval of City Commission minutes of March 14, 2016.
- C. Approval of warrant list, including Automated Clearing House payments, of March 16, 2016 in the amount of \$920,274.69.
- D. Approval of warrant list, including Automated Clearing House payments, of March 23, 2016 in the amount of \$198,205.23.
- E. Resolution approving the purchase and planting of 22 native trees and 83 native shrubs and container plants from KLM Landscape for the 2016 Barnum Park and Quarton Lake Park planting project for a total project cost not to exceed \$9,530.00. Funds are available from the Parks – Other Contractual Services account #101-751.000-811.0000. In addition, donation dollars and grant funds will be applied to this account when appropriate. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.
- F. Resolution waiving the formal bidding requirements and approving the purchase and installation of the DeZurik PTW plug valve in the total amount not to exceed

\$17,899.00; from Kennedy Industries in the amount of \$5,779.00 for the plug valve and for replacement services from Midwest Power Systems in the amount of \$12,120.00 for the Quarton Road Pump Station to be paid from the Sewer Fund – Operating Supplies account #590-536.002-729.0000.

G. Resolution approving the purchase and planting of 100 trees from KLM Landscape for the 2016 spring tree purchase and planting project for a total project cost not to exceed \$30,325.00. Funds are available from the Local Streets Fund-Forestry Service Contract account #203-449.005-819.0000, the Major Streets Fund-Forestry Service Contract account #202-449.005-819.0000, the Local Streets Fund-Operating Supplies account #203-449.005-729.0000 and the Major Streets Fund-Operating Supplies account #202-449.005-729.0000 for these services. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

H. Resolution awarding the Birmingham Train Station Demolition, Contract #7-16(M), to ILE Excavating Co. of Canton, MI, in the amount of \$71,856, charged to account number 401-901.014-981.0100 and further, approving the appropriations and budget amendments for a total amount not to exceed \$90,000 for related engineering costs, as follows:

Capital Projects Fund

Revenues:

MDOT Grant	#401-901.014-540.0002	\$ 90,000
Total Revenue Adjustments		\$ 90,000

Expenditures:

Public Improvements	#401-901.014-981.0100	\$ 90,000
Total Expenditure Adjustments		\$ 90,000

I. Resolution approving the purchase of four (4) new 2016 GMC Sierra Pickup trucks from Todd Wenzel GMC through the Oakland County Purchasing Contract #4096 in the amount of \$112,874.00. Funds for this purchase are available in the Auto Equipment Fund, account #641.441.006-971.0100.

J. Resolution setting a public hearing on April 25, 2016 to consider the approval of the Brownfield Plan and Reimbursement Agreement for 34965 Woodward.

K. Resolution setting a public hearing on April 25, 2016 to consider the proposed Lot Split of 221 Baldwin, Parcel #1925352017.

L. Resolution setting a public hearing of necessity on April 25, 2016 to consider the installation of lateral sewers within the Webster Ave. Paving project area. If necessity is declared, setting a public hearing to confirm the roll on May 9, 2016.

M. Resolution awarding the Webster Ave. Paving Project, Contract #4-16(P) to DiPonio Contracting, Inc., of Shelby Twp., MI, in the amount of \$1,780,615.00, to be charged to the various accounts as detailed in the report; and further approving the appropriations and budget amendments as follows:

Sewer Fund

Revenues:

Draw from Fund Balance	#590-000.000-400.0000	\$ 85,520
Total Revenue Adjustments		\$ 85,520

Expenditures:

Public Improvements	#590-536.001-981.0100	\$ 85,520
Total Expenditure Adjustments		\$ 85,520

Water Fund

Revenues:

Draw from net position	#591-000.000-400.0000	\$ 76,475
Total Revenue Adjustments		\$ 76,475

Expenditures:		
Public Improvements	#591-537.004-981.0100	\$ 76,475
Total Expenditure Adjustments		\$ 76,475
Local Street Fund		
Revenues:		
Draw from Fund Balance	#203-000.000-400.0000	\$128,620
Total Revenue Adjustments		\$128,620
Expenditures:		
Public Improvements	#203-449.001-981.0100	\$128,620
Total Expenditure Adjustments		\$128,620

<b>V. UNFINISHED BUSINESS</b>
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<b>VI. NEW BUSINESS</b>
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- A. Ordinance amending Part II of the City Code, Chapter 2 Administration, Article IX Ethics, Section 2-321 Responsibilities of Public Office.
- B. Resolution approving a request submitted by the First United Methodist Church to hold the Feed 5K and Fun Run in Birmingham May 21, 2016, 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.
- C. Resolution approving a request submitted by the Community House to hold the Cruising with the Children’s Charity Coalition on August 19, 2016, 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 directing staff to proceed with implementation of the new disabled parking policy for the Central Business District, as follows:
  - 1. Reserved, designated spaces shall be provided at the rate of at least one per 25 existing parking metered spaces on each block, located near adjacent ramps, as well as near pedestrian traffic generators.
  - 2. Each reserved space shall have a blue marked parking meter and post, reserved parking sign using the standard accessible parking symbol, and blue pavement markings. The meter shall charge for parking at the same rate and time limit as the other meters on the block, except that no meter shall have a time limit of less than two hours.
  - 3. Parkmobile customers parked at disabled parking spaces shall have the ability to renew their parking fee remotely one time over and above the posted time limit.
  - 4. Staff shall implement the policy throughout the Central Business District during calendar year 2016, at which time the current policy of parking for free or at yellow curbed zones shall no longer be allowed. Disabled parkers with a yellow free parking tag affixed to their permit shall continue to be exempt.
  - 5. All new street projects within the Central Business District shall be designed with fully compliant reserved disabled spaces in accordance with the new ADA law.
  - 6. All costs relative to this project shall be charged to the Auto Parking System Fund.
- E. Ordinance amending Part II of the City Code, Chapter 1, to add General Provisions, Section 1-17, Hearing Officer for Disputed Fees.

-OR-

Resolution denying the requested amendment to add Section 1-17.

-AND-

Ordinance amending Part II of the City Code, Chapter 118, Article IX, Section 118-68(c) Work Done At Owner's Expense.

-OR-

Resolution denying the requested amendment to Section 118-68(c).

- F. Resolution amending the Schedule of Fees, Charges, Bonds and Insurance, Building Department section, Department of Public Services section, and Fire Department section as stated in the report and to adopt the revised Public Records Policy.
- G. Closed session to discuss a personnel matter in accordance with Section 8(a) of the Open Meetings Act at the request of Police Chief Studt. (Motion not required)
- H. Resolution to meet in closed session to discuss labor relations in accordance with Section 8(c) 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**

- A. Robert F. Riley regarding West Maple
- B. Richard C. Rollins regarding West Maple

**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

**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).*