

**BIRMINGHAM CITY COMMISSION AGENDA**  
**APRIL 28, 2014**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

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

Scott D. Moore, 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:***

- The Clerk's Office will be open to accept and issue absentee ballots on Saturday, May 3<sup>rd</sup> from 9:00 AM – 2:00 PM.
- The Breathe Deep Michigan 5K walk will be held on Saturday, May 3<sup>rd</sup>.
- The Dash for Destiny 5K run will be held on Sunday, May 4<sup>th</sup>.
- The Farmers Market will open on Sunday, May 4<sup>th</sup>. It will be open from 9:00 AM to 2:00 PM. The Farmers Market is located in Lot 6 on North Old Woodward.
- The Special City Election will be held on Tuesday, May 6<sup>th</sup>. Polls will be open from 7:00 AM to 8:00 PM. Election results can be obtained at [www.bhamgov.org/electionresults](http://www.bhamgov.org/electionresults).
- Art Birmingham will be held in Shain Park on May 10<sup>th</sup>-11<sup>th</sup>.

***Appointments:***

- A. Interviews for appointment to the Multi-Modal Transportation Board.
1. Malcolm Hendy, 2336 Northlawn (member at large)
  2. Danielle Todd, 1775 Maryland (pedestrian advocate or member at large)
  3. Andy Lawson, 1351 E. Maple (pedestrian advocate or member at large)
  4. Amanda Warner, 671 E. Lincoln (pedestrian advocate or member at large) (unable to attend)
  5. Stuart Bordman, 1091 Lakepark (member at large)
  6. Kristine Frias, 1788 Bowers St. (pedestrian advocate or member at large)
  7. Lara Edwards, 1636 Bowers St. (member at large)
- B. To appoint \_\_\_\_\_ to the Multi-modal Transportation Board, as the Member-at-large from different geographical areas of the City, to serve a three-year term to expire March 24, 2017.
- C. To appoint \_\_\_\_\_ to the Multi-modal Transportation Board, as the Pedestrian Advocate member, to serve a one-year term to expire March 24, 2015.

**NOTE:** The following positions are still available on the Multi-Modal Transportation Board:

- Mobility or Vision Impairment member
  - Traffic-focused member
  - Urban Planning, Architecture, or Design member
- 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 3, 2014.
- B. Approval of warrant list, including Automated Clearing House payments, of April 2, 2014 in the amount of \$994,782.89.
- C. Approval of warrant list, including Automated Clearing House payments, of April 9, 2014 in the amount of \$529,583.59.
- D. Approval of warrant list, including Automated Clearing House payments, of April 16, 2014 in the amount of \$208,868.09.
- E. Approval of warrant list, including Automated Clearing House payments, of April 23, 2014 in the amount of \$490,516.00.
- F. Resolution approving the request from Julian Boivin Courage for Cures Foundation to hold a movie night on July 21, 2014 in Booth Park, 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.
- G. Resolution approving the request submitted by the Seaholm Cross Country Team to hold Birmingham Harriers 5K Run/Walk on August 3, 2014, 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.
- H. Resolution approving the request submitted by the Principal Shopping District to hold the Birmingham Cruise Event on August 16, 2014, 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.
- I. Resolution recognizing Bike Festival of Michigan, 320 Martin Street, Ste. 100, Birmingham, Michigan 48009 as a non-profit organization for the purpose of obtaining a State of Michigan Gaming License with the State of Michigan Charitable Gaming Division. Further, authorizing the City Clerk to complete the Local Governing Body Resolution Form, forwarding same to the Charitable Gaming Division, Lansing, Michigan.
- J. Resolution recognizing Detroit2Nepal, 320 Martin Street, Ste. 100, Birmingham, Michigan 48009 as a nonprofit organization for the purpose of obtaining a State of Michigan Gaming License with the State of Michigan Charitable Gaming Division. Further, authorizing the City Clerk to complete the Local Governing Body Resolution Form, forwarding same to the Charitable Gaming Division, Lansing, Michigan.
- K. Resolution approving the purchase of multi-function printer from Xerox, using MiDEAL extendable contract, in an amount not to exceed \$8,859.00 and charging the purchase against the Network Upgrade account #636-228.000-973.0400.
- L. Resolution authorizing the purchase of new Wi-Fi equipment for the Municipal Building and Historical Museum in an amount not to exceed \$11,000.00 under the MICTA extendable purchase contract and charge this expense to account #636-228-000-973.0400 Network Upgrade to offset the grant amount of up to \$11,000.00 awarded by the Birmingham Area Cable Board for this expense.

- M. Resolution directing the Treasurer to transfer the following unpaid and delinquent water/sewage bills of the properties listed in this report to the 2014 city tax roll and authorizing the removal from the list any bills paid after City Commission approval. (complete resolution in agenda packet)
- N. Resolution directing the Treasurer to transfer the following unpaid and delinquent special assessment and invoices, including interest and penalty, to the 2014 City tax roll and authorizing removal from the list any bills paid after City Commission approval. (complete resolution in agenda packet)
- O. Resolution approving the street light agreement between the City of Birmingham and DTE Energy regarding the installation of street lights at 820 E. Maple Rd. Further, directing the Mayor to sign the agreement on behalf of the City. All costs relative to this agreement will be charged to the adjacent owner.
- P. Resolution authorizing the issuance of a purchase order in the amount of \$122,855.00 to DTE Energy, for the manufacture, shipment, and installation of 19 street lights with associated wiring for the Park St. Structure Sidewalk Improvement Project. The work will be funded by the Auto Parking System, charged to account #585-538.001-981.0100.
- Q. Resolution approving the proposal from Traffic & Safety Control Systems, Inc. to furnish and install two new AVI card readers in the exit lanes of the Park St. Parking Structure for a total cost of \$8,902.24 from account #585-538.003-971.0100; further, waiving the normal bidding requirements as Traffic & Safety Control Systems is the sole authorized manufacturer's representative for this parking equipment.
- R. Resolution awarding Contract #12-14(PK), Park Street Parking Structure Sidewalk Improvements, to Lacaria Concrete Construction, Inc., MI in the amount of \$185,764.00, to be charged to the Auto Parking System Fund, account # 585-538.003- 981.0100.
- S. Resolution approving the contract for Irrigation Services to Progressive Irrigation in the amount of the base bid total of \$9,930.00 plus the proposed hourly costs of routine maintenance, repairs, and miscellaneous system improvements. Funds are available from the Major Streets Maintenance account #202-449.003-937.0400, Parking lot accounts #'s 585-538.002-811.0000, 585-538.003-811.0000, 585-538.004-811.0000, 585-538.005-811.0000, 585-538.008-811.0000, 585-538.009-811.0000, City Property Maintenance account #101-441.003-811.0000, and the Parks Maintenance account #101-751.000-811.0000 for these services. Further authorizing the Mayor and City Clerk to sign the Irrigation Services Agreement upon receipt of the required insurances.
- T. Resolution confirming the City Manager's authorization for the emergency expenditure regarding the repair to the water main by Den-Man Contractors in the amount of \$6,446.00 to be paid from the Water Supply Fund account #591-537.005-811.0000, pursuant to Sec. 2-286 of the City Code.
- U. Resolution confirming the City Manager's authorization for the emergency expenditure to thaw frozen water service lines by Rhodes Welding Co., Inc. in the amount of \$33,131.25 to be paid from the Water Supply Fund account #591-537.005-811.0000, pursuant to Sec. 2-286 of the City Code.
- V. Resolution authorizing the mayor to execute a service agreement with Philanthropy Services, LLC to provide workshop training in development/fund raising strategies to the Museum Board and Friends Board, conditioned upon execution by the contractor, for fiscal year 2013-2014 in the amount of \$1,600.00 from account #101-804.002-811.0000.
- W. Resolution approving the Landlord Estoppel and Consent Agreement between the City of Birmingham as landlord and Woodward Brown Associates as the tenant and the

PrivateBank and Trust Company as the lender, and authorizing the Mayor and Clerk to sign the same on behalf of the City of Birmingham.

- X. Resolution accepting the resignation of Dominick Pulis from the Parks and Recreation Board, thanking Mr. Pulis for his service, and directing the Clerk to begin the process to fill the vacancy.

**V. UNFINISHED BUSINESS**

**VI. NEW BUSINESS**

- A. Public Hearing of Confirmation for the replacement of sewer laterals on Mohegan Avenue and Kennesaw Avenue
  - 1. Resolution confirming Special Assessment Roll No. 858, to defray the cost of the installation of sewer laterals on Mohegan Avenue and Kennesaw Avenue. (complete resolution in agenda packet)
- B. Public Hearing of Necessity for the replacement of sewer laterals within the N. Eton Rd. Paving Project
  - 1. Resolution declaring necessity for the replacement of sewer laterals within the N. Eton Rd. Paving Project area. The Public Hearing of confirmation will be held on Monday, May 5, 2014, at 7:30 P.M. (complete resolution in agenda packet)
- C. Resolution recommending that a public hearing of necessity for the replacement of sewer laterals on Old Salem Ct. be scheduled for the Monday, May 19, 2014 City Commission meeting. Should the district be declared at that time, it is further recommended that the public hearing to confirm the roll be held on Monday, June 9, 2014 at the \$118.33/linear ft. unit price for 6" dia. sewer.

- OR -

Resolution accepting the report regarding the installation of Old Salem Ct. sewer laterals, and directing the Engineering Dept. to remove the replacement of sewer laterals on this street from the contract, at an estimated value of \$32,250.

- D. Resolution approving a request from the Community House to hold ParkArt on June 27, 2014 in Shain Park, 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 setting \_\_\_\_\_, 2014 as a joint meeting workshop session with the City Commission and Parks and Recreation Board.
- F. Resolution amending the Schedule of Fees, Charges, Bonds and Insurance, Community Development section, Fire Department section, Police Department section and Department of Public Service section as stated in the report and adopting the revised Public Records Policy.

**VII. REMOVED FROM CONSENT AGENDA**

**VIII. COMMUNICATIONS**

- A. First Presbyterian Church re: W. Maple Road conversion
- B. Birmingham Chocolate LLC re: W. Maple Road conversion
- C. John Meehan re: reappointment to Parks and Recreation Board
- D. Theresa M. Tubek re: W. Maple Road conversion

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

## **X. REPORTS**

- A. Commissioner Reports
  - 1. Notice of Intention to appoint to the Housing Board of Appeals, Board of Building Trades Appeals, Brownfield Redevelopment Authority, and Parks and Recreation Board on May 19, 2014.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  - 1. Quarterly Investment Report, submitted by Finance Director Ostin
  - 2. SOCWA Update, submitted by City Engineer O'Meara
  - 3. DWSD Rate Simplification Update, submitted by City Engineer O'Meara

## **XI. ADJOURN**

*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).*

## **INFORMATION ONLY**