

BIRMINGHAM CITY COMMISSION AGENDA
MAY 5, 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 Special City Election will be held on Tuesday, May 6th. Polls will be open from 7:00 AM to 8:00 PM. Election results can be obtained at www.bhamgov.org/electionresults.
- The annual Arbor Day event will be held on Wednesday, May 7th at Pembroke Park. The ceremony will begin at 8:00 AM.
- Art Birmingham will be held in Shain Park on May 10th-11th.
- The 2014 Birmingham Ice Show will be held on May 17th -18th. Tickets available at Ice Arena.
- The Andres Duany visit will take place on May 19th-21st.
- The Celebrate Birmingham Parade will be held on May 18th.

Appointments:

- A. Interviews for appointment to the Multi-Modal Transportation Board.
 - 1. Barry Silver, 2557 Coolidge, Troy (mobility impairment member)
 - 2. Malcolm Hendy, 2336 Northlawn (planning/design or traffic focused member)
 - 3. Johanna Slanga, 1875 Winthrop (traffic focused member)
 - 4. Amanda Warner, 671 E. Lincoln (urban planning/member at large)
- B. To appoint _____ to the Multi-modal Transportation Board, as the Mobility or Vision Impairment member, to serve a one-year term to expire March 24, 2015.
- C. To appoint _____ to the Multi-modal Transportation Board, as the Traffic-focused member, to serve a two-year term to expire March 24, 2016.
- D. To appoint _____ to the Multi-modal Transportation Board, as the Urban Planning, Architecture, or Design member, to serve a three-year term to expire March 24, 2017.
- E. 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 28, 2014.

- B. Approval of warrant list, including Automated Clearing House payments, of April 30, 2014 in the amount of \$414,530.86.
- C. Resolution requesting reimbursement for the maximum allotment of \$2,648.39 for eligible mosquito control activity under the Oakland County's West Nile Virus Fund Program.
- D. Resolution approving the two year Agreement with Dynamic Systems, Inc. in the amount not to exceed \$12,700.00 for power washing services. Funds are available in the Property Maintenance, Other Contractual Services account #101-441.003-811.0000 and the PSD Maintenance account #247-748-000-935.0200. Further, authorizing the Mayor and City Clerk to sign the Power Washing Services Agreement upon receipt of the required insurances.
- E. Resolution setting a public hearing date for June 9, 2014 to consider the following ordinance amendments:
 - 1. To amend Chapter 126, Zoning, Article 03, Overlay District of the Code of the City of Birmingham to add sections 3.17 – 3.24, Zoning Transition Overlay
 - 2. To amend Article 09, Definitions, section 9.02, to add Definitions.
 - 3. To consider a proposal to rezone the following transitional parcel that are adjacent to residential zones throughout the city as follows:
 - a) 300 Ferndale, 233, 247, 267 & 287 Oakland, 404, 416 & 424 Park, Birmingham, MI
Rezoning from R-2 Single-Family Residential to TZ1 - Attached Single-Family.
 - b) 191 N. Chester Rd. Birmingham, MI
Rezoning from R-2 Single-Family Residential to TZ1 - Attached Single-Family to allow Attached Single-Family and Multi-Family Residential uses.
 - c) 400 W. Maple Birmingham, MI
Rezoning from O1 Office to TZ3 Mixed Use to allow Commercial and Residential uses.
 - d) 115, 123, 195 W. Brown, 122, 178 E. Brown, 564, 588, Purdy Birmingham, MI
Rezoning from O2 Office to TZ2 - Mixed Use to allow Commercial and Residential uses.
 - g) 1221 Bowers & 1225 Bowers Birmingham, MI
Rezoning from O1- Office/ P - Parking to TZ1 - Attached Single-Family to allow Attached Single-Family, Multi-Family Residential uses.
 - h) 1111 & 1137 Holland; 801, 887, 999, 1035 & 1105 S. Adams Rd.; 1108, 1132 & 1140 Webster; 1137 & 1143 Cole St.; 1101 & 1120 E. Lincoln, Birmingham, MI
Rezoning from O2 Office to TZ2 - Mixed Use to allow Commercial and Residential uses.
 - i) 500, 522 & 576 E. Lincoln; 1148 & 1160 Grant; 1193 Floyd Birmingham, MI
Rezoning from B-1 Neighborhood Business to TZ2 - Mixed Use to allow Commercial and Residential uses.
 - j) 36801, 36823 & 36877 Woodward, Birmingham MI
Rezoning from O1- Office & P-Parking to TZ3 - Mixed Use to allow Commercial and Residential uses.

- k) 1775, 1803, 1915, 1971, 1999, 2055, 2075 & 2151 Fourteen Mile Rd. Birmingham, MI
Rezoning from O1- Office to TZ2 - Mixed Use to allow Commercial and Residential uses.
- l) 100, 124, 130 & 152, W. Fourteen Mile Rd. & 101 E. Fourteen Mile Rd. Birmingham, MI
Rezoning from B1-Neighborhood Business, P-Parking, R5-Multi-Family Residential to TZ2 - Mixed Use to allow Commercial and Residential uses.
- m) 880 W. Fourteen Mile Rd., 1875, 1890 & 1950 Southfield Rd. Birmingham, MI
Rezoning from B1-Neighborhood Business, O1-Office to TZ2 - Mixed Use.
- n) 1712, 1728, 1732, 1740, 1744, 1794 & 1821 W. Maple Rd. Birmingham, MI
Rezoning from B1-Neighborhood Business, P-Parking, O1-Office to TZ2 - Mixed Use to allow Commercial and Residential uses.
- o) 2483 W. Maple Rd. Birmingham MI
Rezoning from B1-Neighborhood Business to TZ2 - Mixed Use to allow Commercial and Residential uses
- p) 151 N. Eton, Birmingham MI
Rezoning from B-1 Neighborhood Business to TZ2 - Mixed Use to allow Commercial and Residential uses.
- q) 412 & 420 E. Frank, Birmingham MI
Rezoning from B1-Neighborhood Business, B2B-General Business, R3-Single-Family Residential to TZ1 – Attached Single-Family Residential to allow Attached Single-Family and Multi-Family Residential uses.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Public Hearing of Confirmation for new sewer laterals within the N. Eton Paving Project
 - 1. Resolution confirming Special Assessment Roll No. 859, to defray the cost of installing new sewer laterals within the North Eton Paving Project limits.
(complete resolution in agenda packet)
- B. Resolution authorizing the Mayor to sign the agreement between the City of Birmingham and the Michigan Dept. of Transportation relative to the receipt of \$438,000 in state funding to pay for the majority of the Quarton Rd. & Chesterfield Ave. Intersection Improvements project, as awarded to the City under the state's Road and Risk Reserve Fund program. Further, authorizing the Mayor to sign the agreement between the City of Birmingham and the Road Commission for Oakland Co. relative to accepting Tri-Party Program funding in the amount of \$14,066 to assist in the local share cost for the improvement of Quarton Rd. & Chesterfield Ave. Further, authorizing the Mayor to sign the agreement between the City of Birmingham and the City of Bloomfield Hills relative to both Cities accepting responsibility for 50% each of all remaining costs incurred by the City of Birmingham in constructing the proposed improvements at the intersection of Quarton Rd. & Chesterfield Ave. Also, directing the Engineering Dept. to obtain confirmation that the City of Bloomfield Hills City Commission also signs this agreement at their regular meeting of May 13, 2014, prior to proceeding with the project, and to

endeavor to construct the improvement within the time constraints of the above agreements to ensure that all outside funding sources are fully secured.

- OR -

Resolution directing the Engineering Dept. to notify the Michigan Dept. of Transportation, the Road Commission for Oakland Co., and the City of Bloomfield Hills that it will not be accepting the grants offered for the improvement of the Quarton Rd. and Chesterfield Ave. intersection, further, sending a request to the City of Bloomfield Hills to consider reimbursing the City \$6,250 (50%) for design work performed by Hubbell, Roth, & Clark.

- C. Resolution endorsing the Kenning Park Parking Lot rendering for the 2014 construction project.
- D. Resolution requesting 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

- A. Richard Rollins dated April 11, 2014 re: W. Maple
- B. Arlington Shirley Neighborhood dated April 19, 2014 re: W. Maple
- C. Hawthorne Aspen Linden Neighborhood dated April 21, 2014 re: W. Maple

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

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of Intention to appoint to the Board of Ethics on June 9, 2014.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

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