

BIRMINGHAM CITY COMMISSION AGENDA
MAY 22, 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:

- The Memorial Day service will be held Monday, May 29, 2017 beginning at 10:00 AM in Shain Park
- Oakland County Commissioner Shelley G. Taub

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 May 8, 2017.
- B. Approval of warrant list, including Automated Clearing House payments of May 10, 2017 in the amount of \$231,832.78.
- C. Approval of warrant list, including Automated Clearing House payments of May 17, 2017 in the amount of \$1,312,772.80.
- D. Resolution opting into Oakland County's Urban County Community Development Block Grant (CDBG) programs for the years 2018, 2019 and 2020. Furthermore, remaining in Oakland County's Urban County Community Development programs, which shall be automatically renewed in successive three-year qualification periods of time, or until such time that it is in the best interest of the City to terminate the Cooperative Agreement.
- E. Resolution appointing City Manager Joseph A. Valentine as Representative and DPS Director Lauren Wood as Alternate Representative for the City of Birmingham, on the SOCRRA Board of Trustees for the fiscal year starting July 1, 2017.
- F. Resolution appointing City Engineer Paul T. O'Meara, as representative, and Austin Fletcher, Assistant City Engineer, as alternate representative, for the City of Birmingham, on the Southeastern Oakland County Water Authority Board of Trustees for the period starting July 1, 2017.
- G. Resolution approving the purchase of the traffic signal modernization for the intersection of Maple and Chesterfield from the Road Commission for Oakland County in the amount of \$91,595.41; further waiving normal bidding requirements and authorizing this expenditure from account number 202-303-001-971.0100.

- H. Resolution setting Monday, June 12, 2017 at 7:30 PM for a public hearing to consider the following amendments to Chapter 126, Zoning, of the City Code:
- To amend Article 2, Section 2.43, TZ2 (transition zone 2) District Intent, permitted uses, and special uses to add the TZ2 zoning classification;
 - To amend Article 2, Section 2.44, TZ2 Development Standards to add standards for the TZ2 district;
 - To renumber the existing TZ3 (transition zone 3) zoning classification, district intent, permitted uses, and special uses to Article 2, Section 2.45 with no changes;
 - To renumber the existing TZ3 (transition zone 3) zoning classification, Development Standards to Article 2, Section 2.46 with no changes;
 - To amend Article 5, Section 5.15, Use Specific Standards, to add use specific standards for the TZ2 zone district;
- AND
- To amend Chapter 126, Zoning, of the Code of the City of Birmingham, Article 4, to apply each section to the newly created TZ2 zone districts.
- I. Resolution removing "NO PARKING" signs on the east side of Lawndale from Madison to Oakland.
- J. Resolution approving the termination of the November 14, 1949 agreement restricting development of the North 40 fee of Lot 16 and Lots 17 and 18 of Assessor's Plat No. 27.
- K. Resolution approving the requests submitted by the Birmingham Harriers and the Oral Cancer Foundation to hold a joint race to benefit two causes, under the names of the Birmingham Harriers 5K Run/Walk and the Oral Cancer Awareness 5K Run/Walk, on Saturday, August 5, 2017, 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.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Resolution approving the Final Site Plan and Special Land Use Permit Amendment for The Townsend Hotel at 100 Townsend Street to allow the addition of a new limited partner to THC Investors Limited Partnership, DBA The Townsend Hotel, subject to execution of a Special Land Use Permit contract between THC Investors Limited Partnership and the City of Birmingham,
- AND**
- Resolution approving the transfer of 9.25254% interest in the licensed entity of THC from Mary Anne Hockman, trustee of the Mary Anne Hockman Trust to Gas Hotel, LLC, along with the transfer of 9.25254% interest from The Townsend Hotel Corporation to Gas Hotel, LLC. (Chapter 10, Alcoholic Liquors, Section 10-42). (complete resolution in agenda packet)
- B. Resolution approving the plan to reconstruct Lawndale Ave. from Oakland Blvd. to Woodward Ave. at a reduced width of 20 ft. Improvements to the block will include compliance with ADA requirements at the Oakland Ave. intersection, and increased

green space on the adjacent City owned park parcel directly west of this block. Further, directing staff to:

1. Pursue relocation of the crosswalk on Woodward Ave. (to be implemented with the MDOT resurfacing project scheduled for 2018), and
 2. Consider the installation of new trees in this green space area.
- C. Resolution approving the budget appropriations resolution adopting the City of Birmingham's budget and establishing the total number of mills for ad valorem property taxes to be levied for the fiscal year commencing July 1, 2017 and ending June 30, 2018. (complete resolution in agenda packet)
- D. Resolution authorizing the purchase of 40 permanent bike racks as proposed in Phases 2 and 3 of the Downtown Bicycle Parking Plan using the proposed inverted-U bike rack model with the plastisol finish from Cycle Safe in the amount of \$8,902 from account #101-721.000-811.0000, and further directing staff to proceed with the installation of 40 permanent bike racks as proposed in Phases 2 and 3 of the Downtown Bicycle Parking Plan.

OR

Resolution authorizing the purchase of 41 permanent bike racks as proposed in Phases 2 and 3 of the Downtown Bicycle Parking Plan, with the addition of one bike rack near the central entrance to City Hall on the south elevation of the building, using the proposed inverted-U bike rack model with the plastisol finish from Cycle Safe in the amount of \$9,130.96 from account #101-721.000-811.0000, and further directing staff to proceed with the installation of 41 permanent bike racks as proposed in Phases 2 and 3 of the Downtown Bicycle Parking Plan, with the addition of one bike rack near the central entrance to City Hall on the south elevation of the building.

- E. Resolution amending the ordinances of the Advisory Parking Committee, the Parks and Recreation Board, and the Public Arts Board, to add 2 alternate positions to each as follows:
Amending Resolution No. 08-882-84 – August 6, 1984, Advisory Parking Committee, Members.

AND

Ordinance amending Part II of the City Code, Chapter 78, Parks and Recreation, Article II, Parks and Recreation Board, Section 78-26, Created; composition.

AND

Ordinance amending Part II of the City Code, Chapter 78, Public Arts Board, Article V., Public Arts Board, Section 78-103, Composition and terms of members.

AND

Directing the city clerk to standardize the attendance reporting of all city boards and committees as outlined in the May 12, 2017 memorandum to the city manager.

- F. Resolution amending the Schedule of Fees, Charges, Bonds and Insurance, Engineering Department section to provide for a \$0.50 increase in all parking meter rates; further amending the Schedule of Fees, Charges, Bonds and Insurance, Police Department section to increase the daily meter bag fee to \$18.00; further amending the Schedule of Fees, Charges, Bonds and Insurance, City Clerk's Office section to incorporate outdoor dining café platform fees in the amount of \$2,280.00 per season per space in \$1.00 per hour metered areas and \$3,420.00 per space per season in \$1.50 per hour areas plus charges for removal and restoration of parking meter housings and or poles; further increasing valet parking bag meter fees to \$216.00 per bag per month.
- G. Ordinance amending Part II of the City Code, Chapter 98 Street, Sidewalks and other public places, Article II. Streets, to add section 98-37 Prohibition of the use of golf carts

on public roads within the city limits and authorizing the Mayor and City Clerk to sign the ordinance on behalf of the city.

H. Ordinance amending Part II of the City Code, Chapter 74 Offenses, Article VI – Offenses Against Public Safety, Division 2 Weapons with the following changes:

Sec. 74-206 – Definitions – to add Bow and Crossbow.

AND

Sec. 74-208 – Change Confiscation of firearms – to Confiscation of Weapons and to add “bows and arrows and crossbows”.

AND

Sec. 74-209 – Discharge – Add “bow and arrow and crossbows”.

AND

Sec. 74-210 – Possession – Add “bow and arrow and crossbows”.

AND

Sec. 74-213 – Brandishing – (a) add “or weapon”, eliminate current (2) and (3) and add “or weapon” to (4).

AND

Sec. 74-214 - Intentionally aiming a firearm without malice – add “or weapon”.

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

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
 - 1. 3rd Quarter CDBG Fund response, submitted by Finance Director Gerber

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).