

BIRMINGHAM CITY COMMISSION AGENDA
JUNE 12, 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:

- Citizen's Academy graduation

Appointments:

- A. Interview for Board of Ethics.
 - 1. Sophie Fierro-Share
- B. To appoint _____ to the Board of Ethics to serve a three-year term to expire June 30, 2020.
- C. Interviews for Historic District Study Committee.
 - 1. Jonathan DeWindt
 - 2. Michael Xenos
- D. To appoint _____ to the Historic District Study Committee to serve a three-year term to expire June 25, 2020.
- E. To appoint _____ to the Historic District Study Committee to serve the remainder of a three-year term to expire June 25, 2019.
- F. Interviews for Museum Board.
 - 1. James Cunningham
 - 2. Lorraine (Lori) Eaton
 - 3. Marty Logue
 - 4. Caitlin Rosso
- G. To concur with the City Manager's recommendation to appoint _____, as the business owner member, to the Museum Board to serve the remainder of a three-year term to expire July 5, 2019.
- H. To appoint _____ to the Museum Board to serve a three-year term to expire July 5, 2020.
- I. To appoint _____ to the Museum Board to serve a three-year term to expire July 5, 2020.
- J. To appoint _____ to the Museum Board to serve a three-year term to expire July 5, 2020.
- K. Interviews for Retirement Board.
 - 1. Lawrence Smith
 - 2. Christopher Conti

- L. To concur with the Mayor's recommendation to appoint _____ to the Retirement Board, as the resident member who is not eligible to participate in the retirement system, to serve a three-year term to expire July 1, 2020.
- M. Administration of oath to the appointed board member(s).

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 City Commission minutes of May 22, 2017
- C. Approval of warrant list, including Automated Clearing House payments, of May 24, 2017 in the amount of \$1,017,911.63.
- D. Approval of warrant list, including Automated Clearing House payments, of May 31, 2017 in the amount of \$130,688.65.
- E. Approval of warrant list, including Automated Clearing House payments, of June 7, 2017 in the amount of \$187,549.31.
- F. Resolution setting Monday, July 10, 2017 at 7:30 PM for a public hearing to consider the proposed lot split of 839 Randall Ct., Parcel #1925352018.
- G. Resolution setting Monday, July 10, 2017 at 7:30 PM for a public hearing to consider necessity related to the 2017 cape seal program, and setting Monday, July 24, 2017 at 7:30 PM for a public hearing to consider confirmation of the roll for the 2017 cape seal program.
- H. Resolution authorizing and directing the City Clerk to execute and enter into the Help America Vote Act (HAVA) Grant Agreement between the City of Birmingham and the State of Michigan, Michigan Department of State to receive Federal HAVA and State appropriated funded voting systems, including optical scan tabulators, accessible voting devices and Election Management System (EMS) software, pursuant to the Federal Help America Vote Act (HAVA) of 2002, contingent upon review and approval of the formal Agreement by the City Attorney. (complete resolution in agenda packet)
- I. Resolution approving the purchase of twenty-five (25) Dumor benches and five (5) trash receptacles for a total purchase price of \$35,000.00 from the sole source vendor, Penchura, LLC. Funds have been budgeted in fiscal year 2016-2017 Capital Projects Fund- Park Benches & Trash Cans for Streetscapes from Account #401-901.009-981.0100 for this equipment purchase.
- J. Resolution approving the Amendment to the Golf Car Lease Agreement between the City of Birmingham and Pifer, Inc. for a term commencing March 10, 2017 and terminating on October 31, 2017 in the annual amount \$32,500.00. Further, authorizing the Mayor and City Clerk to sign the amended lease document on behalf of the City upon receipt of proper insurances. Funds for this lease are contained with the Equipment Rental line items, account #s 584-753.002- 941.0000 and 597-753.002-941.0000.
- K. Resolution approving the annual subscription with MADCAD.com for online access to essential building codes and standards for Fiscal Year 2017-2018, in the amount of \$7,150.00 from account #101-371.000-728.000.
- L. Resolution approving the revised request from the Birmingham Shopping District requesting permission to hold Day on the Town in downtown Birmingham, July 22, 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.

- M. Resolution approving the revised request from the Birmingham Shopping District to hold the Birmingham Cruise Event on August 19, 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.
- N. Resolution approving a request submitted by Woodward Camera requesting permission to place one tent in the parking area in front of 33501 Woodward Ave on August 19, 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. Public Hearing to consider the Final Site Plan and Special Land Use Permit – 160 W. Maple – Dick O’Dow’s
 - 1. Resolution approving the Final Site Plan and Special Land Use Permit for 160 W. Maple - Dick O’Dow’s, to allow the renovation of the existing restaurant.

OR

 Resolution postponing the Final Site Plan and Special Land Use Permit for 160 W. Maple – Dick O’Dow’s;

OR

 Take no action at this time.
- B. Public Hearing to consider amendments to Chapter 126, Zoning of the City Code.
 - 1. Ordinance amending Chapter 126, Zoning, of the City Code, as follows:
 Article 2, section 2.43, TZ2 (Transition Zone 2) District Intent, permitted uses, and special uses to add the TZ2 zoning classification;
 Article 2, section 2.44, TZ2 Development Standards to add Standards for the TZ2 District;
 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;
 Renumber the existing TZ3 (Transition Zone 3) zoning classification, Development Standards to article 2, section 2.46 with no changes;
 Article 5, section 5.15, Use Specific Standards, to add use specific standards for the TZ2 zone district.

AND

 Article 4, all sections noted below, to apply each section to the newly created TZ2 zone district as indicated:

Ordinance Section Name	Section Number
Accessory Structures Standards (AS)	4.02
	4.04
Essential Services Standards (ES)	4.09
Fence Standards (FN)	4.10
Floodplain Standards (FP)	4.13
Height Standards (HT)	4.16
	4.18
Landscaping Standards (LA)	4.20

Lighting Standards (LT)	4.21
	4.22
Loading Standards (LD)	4.24
Open Space Standards (OS)	4.30
Outdoor Dining Standards (OD)	4.44
Parking Standards (PK)	4.45
	4.46
	4.47
	4.53
Screening Standards (SC)	4.54
	4.59
Setback Standards (SB)	4.65
Street Standards (ST)	4.73
Structure Standards (SS)	4.74
	4.83
Temporary Use Standards (TU)	4.84
Utility Standards (UT)	4.88
Vision Clearance Standards (VC)	4.89
Window Standards (WN)	4.90

- C. Public Hearing to consider necessity for the installation of water laterals within the 2017 Local Street Paving Program area – Lot 97 of Harrowgate Subdivision and Lots 2,3 and 6 of Belmont Subdivision.
1. Resolution declaring necessity for the installation of water laterals within the 2017 Local Street Paving Program area – Lot 97 of Harrowgate Subdivision and Lots 2, 3 and 6 of Belmont Subdivision.
- D. Resolution approving the donation of *Wind Rapids* by Russell Thayer at its current location in the plaza next to Pierce Street Parking Structure and to direct staff to insure this sculpture on the City's existing insurance policy.
- E. Resolution approving the proposed schedule of regular City Commission meetings for 2018.
- F. Resolution approving the appropriations and amendments to the fiscal year 2016-2017 budget as follows:

General Fund:

Expenditures:

Public Safety	101-301.000-702.0001	\$(30,000)
	101-301.000-702.0002	(10,000)
	101-301.000-706.0002	(20,000)
	101-336.000-706.0002	(20,000)
Community Development	101-721.000-811.0000	30,000
Transfers Out	101-999.000-999.0639	50,000
Total Expenditure Adjustments		\$ -0-

Major Streets Fund:

Expenditures:

Traffic Controls & Engineering	202-303.001-937.0300	\$ 10,000
Street Cleaning	202-449.004-702.0001	5,000
	202-449.004-941.0000	15,000
Street Trees	202-449.005-702.0001	10,000
Snow & Ice Control	202-449.006-729.0000	(40,000)
Total Expenditure Adjustments		\$ -0-

Local Streets Fund:

Expenditures:

Traffic Controls & Engineering	203-303.001-937.0300	\$ 3,000
Maintenance of Streets and Bridges	203-449.003-702.0001	45,000
	203-449.003-941.0000	50,000
Street Trees	203-449.005-702.0001	15,000
Capital Outlay – Engineering & Construction of Roads	203-449.001-981.0100	(93,000)
Snow & Ice Control	203-449.006-729.0000	(20,000)
Total Expenditure Adjustments		\$ -0-

Solid Waste Fund:

Revenues:

Draw from Fund Balance	226-000.000-400.0000	\$ 31,700
Total Revenue Adjustments		\$ 31,700

Expenditures:

Personnel Services	226-582.000-702.0001	\$ 2,000
	226-582.000-702.0002	10,000
Supplies	226-582.000-729.0000	2,200
Other Contractual Services	226-582.000-827.0100	17,500
Total Expenditure Adjustments		\$ 31,700

Principal Shopping District:

Revenues:

Draw from Fund Balance	247-000.000-400.0000	\$ 59,000
Total Revenue Adjustments		\$ 59,000

Expenditures:

Principal Shopping District	247-441.005-702.0002	\$ 5,000
	247-441.005-941.0000	15,000
	247-748.000-811.0000	33,000
	247-748.000-904.0000	6,000
Total Expenditure Adjustments		\$ 59,000

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

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

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of Intention to appoint members to the Martha Baldwin Park Board and the Greenwood Cemetery Advisory Board, and to appoint alternate members to the Advisory Parking Committee, the Parks and Recreation Board and the Public Arts Board on July 10, 2017
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Parking utilization report (O'Meara)

XI. RECESS

- A. Resolution to recess the meeting and reconvene immediately outdoors by the easterly most streetlight on the north side of E. Lincoln Street, near the intersection with S. Eton Street (the closest building address is Armstrong White Advertising Agency, 2125 E. Lincoln Street, Birmingham MI 48009).
- B. Resolution approving the use of the GlasWerks Flat LED2 Hallbrook fixture by Holophane, at 69 watts, 7,928 lumens, 4000K, with L3 light distribution as the new street light standard in the Rail District.

The City Commission meeting will adjourn from this location.

XII. 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).