

**BIRMINGHAM CITY COMMISSION AGENDA**  
**JUNE 25, 2018**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

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

Andrew M. Harris, Mayor

**II. ROLL CALL**

J. Cherilynn Mynsberge, City Clerk

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

***Announcements:***

- City Offices and the Baldwin Public Library will be closed on Wednesday, July 4<sup>th</sup> for Independence Day.
- Birmingham's In the Park free concert series continues on Wednesday, June 27<sup>th</sup>, in Shain Park at 7 p.m., with a pop/rock performance by Steve Aho. There will be no concert on July 4<sup>th</sup>.

***Appointments:***

- A. Interviews for resident members of the Ad-Hoc Master Plan Selection Committee
1. Tom McDaniel
  2. Steve Sollish
  3. Gordon Rinschler
- B. Appointments to the Ad-Hoc Master Plan Selection Committee
1. To appoint \_\_\_ to the Ad Hoc Master Plan Selection Committee as a resident representative who is a former City Commissioner to serve for the duration of the consultant selection process.
  2. To appoint \_\_\_ to the Ad Hoc Master Plan Selection Committee as a resident representative to serve for the duration of the consultant selection process.
  3. To concur with the Planning Board's recommendation and appoint Robin Boyle to the Ad Hoc Master Plan Selection Committee as a representative of the Planning Board to serve for the duration of the consultant selection process.
  4. To concur with the Planning Board's recommendation and appoint Stuart Jeffares to the Ad Hoc Master Plan Selection Committee as a representative of the Planning Board to serve for the duration of the consultant selection process.
  5. To concur with the Multi-Modal Transportation Board's recommendation and appoint Amy Folberg to the Ad Hoc Master Plan Selection Committee as a representative of the Multi-Modal Transportation Board to serve for the duration of the consultant selection process.
  6. To concur with the Advisory Parking Committee's recommendation and appoint Al Vaitas to the Ad Hoc Master Plan Selection Committee as a representative of the

Advisory Parking Committee to serve for the duration of the consultant selection process.

7. To concur with the Parks and Recreation Board's recommendation and appoint Heather Carmona to the Ad Hoc Master Plan Selection Committee as a representative of the Parks and Recreation Board to serve for the duration of the consultant selection process.
8. To concur with the Historic District Commission's recommendation and appoint \_\_\_\_\_ to the Ad Hoc Master Plan Selection Committee as a representative of the Historic District Commission to serve for the duration of the consultant selection process.
9. To concur with the Architectural Review Committee's recommendation and appoint Christopher Longe to the Ad Hoc Master Plan Selection Committee as a representative of the Architectural Review Committee to serve for the duration of the consultant selection process.

C. Administration of Oath of Office to Appointees

**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. Resolution approving the City Commission meeting minutes of June 4, 2018.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated June 6, 2018 in the amount of \$583,519.61.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated June 13, 2018 in the amount of \$1,494,189.50.
- D. Resolution approving the warrant list, including Automated Clearing House payments, dated June 20, 2018 in the amount of \$831,180.14.
- E. Resolution setting Monday, July 23, 2018 at 7:30 PM for a public hearing to consider the Final Site Plan & Design and a Special Land Use Permit Amendment at 33588 Woodward to allow the addition of a new accessible bathroom to the existing Shell gasoline service station. (complete resolution in agenda packet)
- F. Resolution setting Monday, July 23, 2018 at 7:30 PM for a public hearing to consider a Special Land Use Permit Amendment & Final Site Plan Review for 260 N. Old Woodward – The Morrie, to allow the operation of a restaurant, serving alcoholic liquors, and providing live entertainment with a dancing area. (complete resolution in agenda packet)
- G. Resolution approving the service agreement with the Cultural Council of Birmingham/Bloomfield in the amount of \$4,200 for services described in Attachment A of the agreement for fiscal year 2018-2019; charging account number 101-299.000-811.0000 for this expenditure; and further directing the Mayor and City Clerk to sign the agreement on behalf of the City.
- H. Resolution approving the Tree Care and Removal Agreement with J. H. Hart Urban Forestry, for five years commencing July 1, 2018 and ending June 30, 2023 in the

amount set forth in Attachment C – Cost Proposal, with all other terms and conditions remaining the same. Funds are available in each of the following accounts for these services: Major Street Fund – Street Trees – Tree Trimming Contract account #202-449.005-819.0000; Local Street Fund – Street Trees – Tree Trimming Contract account #203-449.005-819.0000; Parks – Tree Trimming Contract account #101-751.000-819.0000; and Property Maintenance – Tree Trimming Contract account #101- 441.003-819.0000. Further, authorizing the Mayor and City Clerk to sign the Agreement upon receipt of all required insurances.

- I. Resolution approving the purchase of ten (10) Dumor benches and fourteen (14) trash receptacles for a total purchase price of \$34,055.00 from the sole source vendor, Penchura, LLC. Further, waiving the formal bidding requirements. Funds have been budgeted in fiscal year 2017-2018 Capital Projects Fund- Park Benches & Trash Cans for Streetscapes account #401-901.009-981.0100 for this equipment purchase.
- J. Resolution approving the purchase of five (5) Murdock drinking fountains in the amount of \$21,756.00 from the sole source vendor, Diversified Spec Sales. Further, waiving the formal bidding requirements. Funds have been budgeted in fiscal year 2017-2018 Capital Projects Fund-Drinking Fountains account #401-901.009-981.0100 for this equipment purchase.
- K. Resolution approving the purchase of 36A hot asphalt mix at \$72.50/ton (2018-2019) and \$76.50/ton (2019-2020) and UPM cold patch (delivered) at \$119.00/ton (2018-2019) and \$123.00/ton (2019-2020) from Cadillac Asphalt LLC for a two year period for the fiscal years 2018-2020 to be charged to accounts #202-449.003-729.0000, #203-449.003-729.0000, #590-536.002-729.0000 and #591-537.005-729.0000.
- L. Resolution approving the purchase and installation of three (3) new Carrier Comfort Series furnaces from Great Dane Heating and Cooling in the amount of \$8,995.00 from account #401-901.013-977.0000.
- M. Resolution awarding the Maple Staircase Retaining Wall contract to Rockworks, LLC in an amount not to exceed \$52,000.00. Funds for this project are available in the following accounts: #401-441.003-981.0100-Capital Projects in the amount of \$45,000.00 and #101-441.003-811.0000-Property Maintenance-Other Contractual Service in the amount of \$7,000.00. Further, authorizing the Mayor and Clerk to sign the agreement upon receipt of the required insurance.
- N. Resolution approving the five-year extension of the Metro Act Right of Way Permit for Michigan Bell Telephone Company d/b/a AT&T. (complete resolution in agenda packet)
- O. Resolution delegating to the Birmingham City Clerk and her authorized assistants, those being the members of her staff, the following duties of the election commission for the August 7, 2018 Primary Election and the November 6, 2018 General Election:
  - Preparing meeting materials for the election commission, including ballot proofs for approval and a listing of election inspectors for appointment;
  - Contracting for the preparation, printing and delivery of ballots;
  - Providing candidates and the Secretary of State with proof copies of ballots;
  - Providing notice to voters in the case of precinct changes/consolidations;

- Providing election supplies and ballot containers; and
  - Preliminary logic and accuracy testing.
  
- P. Resolution approving a 24-month service agreement renewal with Logicalis, Inc. effective July 1, 2018 for City Information Technology services. Further, directing the City Manager to sign the renewal agreement on behalf of the City.
  
- Q. Resolution approving the painting of 109 light poles in Downtown Birmingham with Seaway Painting, LLC in the amount not to exceed \$26,125.00. Funds are available in the Street Lighting Maintenance account #202-449.003-937.0500 in the amount of \$21,085.00; Local Streets Maintenance, Other Contractual Service account #203-449.003-937.0500 in the amount of \$3,150.00 and the Parking Fund account #585-538.006-811.0000 in the amount of \$1,890.00 for a total project cost of \$26,125.00. Further, waiving the normal bidding requirements because Seaway is a DTE selected contractor. Further, to authorize the Mayor and City Clerk to sign on behalf of the City upon the receipt of the required insurance.
  
- R. Resolution adopting the "Vehicle Use" Policy Amendment as a City policy and authorizing the HR Department to implement and enforce accordingly.
  
- S. Resolution approving the purchase of one (1) new 2018 RAM ProMaster City Tradesman van from Galeana's Van Dyke Dodge through the State of Michigan extendable purchasing contract #071B7700182 in the amount of \$19,488.74 from account #641-441.006.971.0100.
  
- T. Resolution awarding the 2018 Sewer Inspection Program, to Doetsch Industrial Services of Warren, MI in the amount of \$345,224.89 to be charged to account number 590-536.001-981.0100. Further, approving the appropriation and budget amendment as follows:
 

Sewer Fund:

Revenues:

Draw from Net Position	590-000.000-400.0000	\$ 34,522.49(City Share)
State Grant	590-000.000-540.0000	\$310,702.40 (Grant share)
Total Revenues		\$345,224.89

Expenses:

Other Contractual Service	590-536.001-811.0000	\$345,224.89 (Total contract)
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- U. Resolution authorizing the IT department to purchase the recommended count of Microsoft Office Suite Standard 2016 and Microsoft Server Standard 2016 Software Licenses from SHI using the Select plus Pricing Agreement. The purchase price not to exceed \$26,304.60. Funds are available in the IT Computer Software fund account # 636-228.000-742.0000
  
- V. Resolution approving the proposal from Plante & Moran CRESA, LLC in the amount not to exceed \$21,000, plus out-of-pocket expenses for the purpose of assisting with capital planning and operational review consulting services for the Birmingham Ice Arena; contingent upon receipt of proper insurance. Further, waiving the formal bidding requirements. Funds for this purchase are available from General Fund – Parks – Other Contractual Service account #101-751.000-811.0000.

**V. UNFINISHED BUSINESS**

**VI. NEW BUSINESS**

- A. Public Hearing to consider a Special Land Use Permit & Final Site Plan Review at 191 N. Chester – The Jeffrey
  - 1. Resolution approving a Special Land Use Permit & Final Site Plan Review for 191 N. Chester – The Jeffrey, to allow office use over 3,000 sf. ft. in the TZ2 zone district. (complete resolution in agenda packet)
- B. Public Hearing to consider a Special Land Use Permit at 34977 Woodward–Hazel Ravines Downtown
  - 1. Resolution approving a Special Land Use Permit Amendment for 34977 Woodward to allow a new restaurant, Hazel Ravines Downtown, to open in the former Stand restaurant, and to allow for design and signage changes for the new restaurant;

**AND**

Resolution authorizing the Chief of Police to sign the MLCC Police Investigation Report (LC-1800) and approving the liquor license transfer request of Hazel & Ravines LLC that requests a transfer of a Class C License to be issued under MCL 436.1521(A)(1)(B) and SDM License with Outdoor Service (1 Area) to be located at 34977 Woodward Avenue, Birmingham, Oakland County, MI 48009;

**AND**

Furthermore, pursuant to Birmingham City Ordinance, authorizing the City Clerk to complete the Local Approval Notice at the request of Hazel & Ravines LLC approving the liquor license transfer request of Hazel & Ravines LLC that requested a Class C License transfer to be issued under MCL 436.1521 (A)(1)(B) & SDM License with Outdoor Service (1 Area) to be located at 34977 Woodward Avenue , Birmingham, Oakland County, MI 48009. (complete resolution in agenda packet)

- C. Resolution authorizing the issuance of the Request for Proposals as recommended by the Library Board to finalize designs and prepare for the expansion and renovation of the Youth Services section of the Baldwin Public Library, with the necessary funds to be paid by the Library.
- D. Resolution authorizing the City to engage the firm of Jones Lang LaSalle, Inc. to provide development consulting services for an amount not to exceed \$91,240 utilizing the Parking Enterprise Fund account #585-538.001-811.0000. Further, directing the Mayor and City Clerk to sign the agreement on behalf of the City contingent upon receipt of required Insurance Certificates. Also, authorizing the City to engage the legal services of Miller Canfield to serve as the development attorney and bond counsel.
- E. Resolution authorizing the restoration and expansion of Parking Lot #6 located near 600 N. Old Woodward. Further, waiving the option of creating a special assessment district to defray the cost of this work, and proceed to the plan preparation phase, charging all costs to the Auto Parking System.
- F. Resolution accepting the recommendation of the Greenwood Cemetery Advisory Board as approved on June 1, 2018, and approving the amendment to the Operational Procedures, Conditions and Regulations for the Greenwood Cemetery to add Section IX- LOT SALES-PAYMENT PLAN POLICY.

- G. Resolution amending the Schedule of Fees, Charges, Bonds and Insurance, Water and Sewer Service Sections, for changes in water, sewer, storm water, industrial surcharge, and industrial waste control charge rates effective for bills with read dates on or after July 1, 2018.
- H. Resolution creating an Ad Hoc Joint Senior Services Committee to conduct a long term study and evaluation of the necessary funding and governance model to effectively provide adequate senior services to participating residents, and further, to begin solicitation of one resident member to the committee.

**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

**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:2485301880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*