

BIRMINGHAM CITY COMMISSION AGENDA
JUNE 27, 2016
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Rackeline J. Hoff, 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 annual fireworks display will be held on Friday, July 3rd at Lincoln Hills Golf Course. The gates will open at 7:00 PM. The fireworks will begin at dusk, approximately 10:00PM. Rain date is Sunday, July 5th.
- City Offices will be closed on Monday, July 4th in observance of Independence Day.

Introduction of Guest:

- U.S. Congressman Dave Trott

Appointments:

- A. Interviews for appointment to the Martha Baldwin Park Board.
 - 1. Ronald Buchanan, 1280 Suffield
 - 2. Bob Kenning, 1700 Villa
 - 3. Linda Forrester, 1252 South Bates
- B. To appoint _____ on the Martha Baldwin Park Board to serve the remainder of a four-year term to expire May 1, 2020.
- C. To appoint _____ on the Martha Baldwin Park Board to serve the remainder of a four-year term to expire May 1, 2020.
- D. To appoint _____ on the Martha Baldwin Park Board to serve the remainder of a four-year term to expire May 1, 2019.
- E. Interviews for appointment of the Hearing Officer and Alternate Hearing Officer.
 - 1. Alexander Stotland, 698 Hanna
 - 2. Patricia Papadopoulos, 1588 Bennaville (unable to attend)
- G. To appoint _____ as the Hearing Officer to serve a three-year term to expire June 30, 2019.
- H. To appoint _____ as the alternate Hearing Officer to serve a three-year term to expire June 30, 2018.
- I. 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 June 6, 2016.
- B. Approval of warrant list, including Automated Clearing House payments, of June 8, 2016 in the amount of \$900,497.25.
- C. Approval of warrant list, including Automated Clearing House payments, of June 15, 2016 in the amount of \$1,583,670.79.
- D. Approval of warrant list, including Automated Clearing House payments, of June 22, 2016 in the amount of \$559,547.20.
- E. Resolution approving a request submitted by the Seaholm Cross Country Team to hold Birmingham Harriers 5K Run/Walk on August 7, 2016, 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.
- F. Resolution approving the purchase of one (1) new Toro Workman MDX Utility Vehicle from Spartan Distributors, through State of Michigan extendable purchasing contract #071B0200329 for a total purchase price not to exceed \$11,746.77. Funds for this purchase are available in the Auto Equipment Fund, account #641.441.006-971.0100.
- G. Resolution awarding the 2016 Asphalt Resurfacing Project, Contract #5-16(P), to Cadillac Asphalt LLC, of Clarkston, MI in the amount of \$1,072,270.00 to be charged to the following accounts:

Major Street Fund	202-449.001-981.0100	\$219,786.00
Local Street Fund	203-449.001-981.0100	\$435,759.00
Sewer Fund	590-536.001-981.0100	\$396,340.00
Water Fund	591-537.004-981.0100	\$ 20,385.00
TOTAL		\$1,072,270.00

And further; approving the appropriation and amendment to the 2016-2017 Major Street Funds, as well as the Sewer Fund budgets as follows:

Major Streets Fund

Revenues:

Draw from Fund Balance	202-000.000-400.0000	\$ 39,786.00
Total Revenue		\$ 39,786.00

Expenditures:

EPS-Construction/ Public Improvements	202-449.001-981.0100	\$ 39,786.00
Total Expenditures		\$ 39,786.00

Sewer Fund

Revenues:

Draw from Fund Balance	590-000.000-400.0000	\$196,340.00
Total Revenue		\$196,340.00

Expenditures:

EPS-Construction/ Public Improvements	590-536.001-981.0100	\$196,340.00
Total Expenditures		\$196,340.00
- H. Resolution approving the appointment of election inspectors for the August 2, 2016 Primary Election pursuant to MCL 168.674(1) and authorizing the City Clerk to make revisions as needed.
- I. Resolution approving the Amendment and Resolution to the Tree Care and Removal Agreement with J. H. Hart Urban Forestry that ends on June 30, 2016 and authorizing a sixty (60) day extension with all terms and conditions remaining the same until August

31, 2016. Further, authorizing the Mayor and City Clerk to sign the Agreement upon receipt of all required insurances.

- J. Resolution approving the purchase of one (1) new 2016 Case 580SNWT Loader Backhoe from Southeastern Equipment Co., Inc., using National Joint Powers Alliance extendable purchasing pricing for a total expenditure not to exceed \$103,798.86. Funds for this purchase are available in the Auto Equipment Fund, account #641-441.006-971.0100.
- K. Resolution approving the purchase of two (2) Sunray 345 message boards from National Signal Inc. in an amount not to exceed \$28,650.00. Funds for this purchase are available in the Auto Equipment Fund, account #641-441.006-971.0100.
- L. Resolution setting July 25, 2016 as the date of a public hearing to consider the amendments to Chapter 126, Zoning, Article 04, Section 4.90 WN-01 and Article 07, Section 7.05 of the Zoning Ordinance to amend the glazing standards.
- M. Resolution approving the 2016-2017 outside agency contracts for Birmingham Bloomfield Community Coalition in the amount of \$3,000, Birmingham Youth Assistance in the amount of \$18,000, Common Ground in the amount of \$1,500, Haven in the amount of \$2,000, and, further authorizing and directing the mayor and city clerk to sign the agreements on behalf of the city.
- N. Resolution approving the service agreement with Deaf & Hearing Impaired, Inc. in the amount of \$2,400.00 for services described in Attachment A of the agreement for fiscal year 2016-2017, account number 101-215.000-811-0000. Further, directing the Mayor and City Clerk to sign the agreement on behalf of the City.
- O. Resolution approving the service agreement with Next in the amount of \$99,810 for services described in Attachment A of the agreement for fiscal year 2016- 2017, account number 101-299.000-811.0000, and further directing the Mayor and City Clerk to sign the agreement on behalf of the City.
- P. Resolution approving the First Amendment to the Ground Lease Agreement by and between the City of Birmingham and NCWPCS MPL. 23-Year Sites Tower Holdings, LLC and approving the Memorandum of the First Amendment to the Ground Lease and authorizing the Mayor and Clerk to execute the same on behalf of the city.

-OR-

Resolution rejecting the Amendment to the Ground Lease.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Public Hearing to consider the rezoning of 404 Park Street
 - 1. Resolution approving the rezoning of the property at 404 Park Street, Parcel #1925451021, lots 66 and 67 of Oak Grove Addition from R-2 Single Family Residential to TZ-1 Transitional in accordance with the recommendation of the Planning Board;
- OR-
- Resolution denying the rezoning of the property at 404 Park Street, Parcel #1925451021, lots 66 and 67 of Oak Grove Addition from R-2 Single Family Residential to TZ-1 Transitional. (complete resolution in agenda packet)
 - B. Public Hearing of Necessity for sewer lateral replacement within the Villa Ave. Paving Project
 - 1. Resolution declaring necessity for replacement of sewer laterals within the Villa Ave. Paving Project. The public hearing of confirmation will be held on Monday, July 11, 2016, at 7:30 P.M. (complete resolution in agenda packet)

- C. Public Hearing to consider the Final Site Plan and Special Land Use Permit – 100 Townsend - Townsend Hotel (Corner Bar)
 - 1. Resolution approving the Final Site Plan and Special Land Use Permit to allow the Townsend Hotel to convert The Corner Bar into a private reception and special event space. (complete resolution in agenda packet)
- D. Public Hearing to consider the Revised Final Site Plan and Temporary Special Land Use Permit Amendment – 835 & 909 Haynes – Lavery Porsche
 - 1. Resolution approving the Revised Final Site Plan and Temporary Special Land Use Permit Amendment of one year for 835 & 909 Haynes – Lavery Porsche with the condition that applicant provides the dimensions of the parking lot landscaping islands to verify that they comply with the requirements of the Zoning Ordinance. (complete resolution in agenda packet)
- E. Resolution approving the Amendment to the Interlocal Agreement for Participation in the South Oakland County Crash Investigation Team (SOCCIT) and Binder Agreement for Interlocal Agreement for Participation in the South Oakland County Crash Investigation Team (SOCCIT). Further, directing the Mayor and the City Clerk to sign the Amendment to the Interlocal Agreement for Participation in the South Oakland County Crash Investigation Team (SOCCIT) and Binder Agreement for Participation in the South Oakland County Crash Investigation Team (SOCCIT).
- F. Resolution approving the appropriations and amendments to the fiscal year 2015-2016 budget as follows:

General Fund:

Revenues:

Intergovernmental	101-000.000-569.0000	\$ 150,000
Fines & Forfeitures	101-000.000-657.0000	(170,000)
	101-000.000-656.0000	(80,000)
Other Revenue	101-000.000-678.0000	100,000
Draw from Fund Balance	101-000.000-400.0000	388,000
Total Revenue Adjustments		\$ 388,000

Expenditures:

General Government	101-191.000-702.0001	\$ (73,000)
	101-191.000-706.0012	(12,000)
	101-191.000-706.0013	(5,000)
	101-253.000-702.0001	(35,000)
	101-253.000-706.0002	(32,000)
	101-253.000-706.0004	(35,000)
	101-253.000-706.0010	(6,500)
	101-253.000-811.0000	(11,500)
	101-266.000-801.0200	(30,000)
	101-804.002-811.0000	(10,000)
	101-804.002-977.0000	(10,000)
Community Development	101-721.000-811.0000	(75,000)
	101-721.000-825.0100	(25,000)
Transfers Out	101-136.000-999.9999	(235,900)
	101-999.000-999.2430	(11,100)
	101-999.000-999.4010	(5,000)
	101-999.000-999.6770	1,000,000
Total Expenditure Adjustments		\$ 388,000

Major Streets Fund:

Expenditures:

Traffic Controls & Engineering	202-303.002-804.0200	\$ 60,000
Street Trees	202-449.005-702.0001	12,000
	202-449.005-702.0002	1,000
	202-449.005-706.0002	2,000
	202-449.005-941.0000	15,000
Snow & Ice Control	202-449.006-729.0000	(70,000)
	202-449.006-941.0000	(20,000)
Total Expenditure Adjustments		\$ -0-

Local Streets Fund:

Revenues:

Intergovernmental	203-000.000-540.0000	\$ 80,000
Total Revenue Adjustments		\$ 80,000

Expenditures:

Traffic Controls & Engineering	203-303.001-937.0300	\$ 2,000
Street Cleaning	203-449.004-941.0000	10,000
Capital Outlay – Engineering & Construction of Roads	203-449.001-981.0100	100,000
	203-449.001-985.7300	25,000
Snow & Ice Control	203-449.006-702.0001	(7,000)
	203-449.006-729.0000	(40,000)
	203-449.006-941.0000	(10,000)
Total Expenditure Adjustments		\$ 80,000

Principal Shopping District:

Revenues:

Other Revenue	247-000.000-676.0001	\$ 15,000
Draw from Fund Balance	247-000.000-400.0000	55,000
Total Revenue Adjustments		\$ 70,000

Expenditures:

Principal Shopping District	247-441.005-702.0002	\$ 15,000
	247-441.005-941.0000	15,000
	247-748.000-811.0000	25,000
	247-748.000-829.0200	(5,000)
	247-748.000-903.0000	(5,000)
	247-748.000-904.0000	10,000
	247-748.000-909.0000	15,000
Total Expenditure Adjustments		\$ 70,000

- G.. Resolution amending the Schedule of Fees, Charges, Bonds and Insurance, Water and Sewer Service Sections, for changes in water and sewer rates and changes in industrial surcharges and industrial waste control charges to be effective for bills with read dates on or after July 1, 2016.
- H. Resolution to meet in closed session to review pending litigation regarding Shellabarger v City of Birmingham pursuant to Section 8(e) of the Open Meetings Act.
- I. Resolution 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. Troy & Lisa Testa re: Villa Road paving project
- B. Terry Holmes re: Petition for Maddie
- C. Robin Smith re: Leash laws

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. Mosquito Control Update, submitted by DPS Director Wood
 - 2. Greenwood Cemetery Advisory Board Annual Report, submitted by Clerk Pierce
 - 3. Cemetery Report/Contractor Update, submitted by Clerk Pierce

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).