

**BIRMINGHAM CITY COMMISSION AGENDA**  
**JULY 10, 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:***

- *Finding Dory* is the featured movie at Booth Park on Friday, July 14<sup>th</sup> at 7:30 PM. For more information about upcoming Movie Nights in Booth Park, visit [www.enjoybirmingham.com](http://www.enjoybirmingham.com).
- Summer Concerts in Shain Park continue on Wednesday, July 12<sup>th</sup> at 12 PM featuring Rock/Classical music performed by Gia Warner & Bobby Lewis, and at 7 PM featuring the Psychedelic Music of the 60's and 70's with the Magic Bus. For upcoming performers and the schedule, visit [www.bhamgov.org/summerconcerts](http://www.bhamgov.org/summerconcerts).
- The immensely popular Farmers Market continues on Sundays from 9 AM to 2 PM in Municipal Parking Lot #6 on N. Old Woodward.
- Day on the Town is Saturday, July 22<sup>nd</sup> from 9 AM to 7 PM. There will be great shopping and sales, as well as activities for the entire family in downtown Birmingham. For more information on this event and others coming up, visit [www.enjoybirmingham.com](http://www.enjoybirmingham.com).
- Birmingham is competing for a Community Excellence Award from the Michigan Municipal League. The Birmingham Multi-Modal Transportation Board is the City's entry. Public voting determines the winner, so please log on to <http://cea.mml.org/vote/> to vote for Birmingham's Multi-Modal Transportation Board. You can vote once a day.

***Appointments:***

- A. Interviews for Greenwood Cemetery Advisory Board
  - 1. Darlene Gehringer
  - 2. Kevin Desmond
- B. To appoint \_\_\_\_ to the Greenwood Cemetery Advisory Board to serve a three-year term to expire July 6, 2020.
- C. To appoint \_\_\_\_ to the Greenwood Cemetery Advisory Board to serve a three-year term to expire July 6, 2020.
- D. Interviews for Parks and Recreation Board Alternates
  - 1. Eleanor Noble
  - 2. John Rusche
  - 3. Heather Carmona
  - 4. Wendy DeWindt
  - 5. Amara Manoogian

- E. To appoint \_\_\_\_ to the Parks and Recreation Board as an Alternate to serve a three-year term to expire March 13, 2020.
- F. To appoint \_\_\_\_ to the Parks and Recreation Board as an Alternate to serve a three-year term to expire March 13, 2020.
- G. Administration of Oath of Office 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 Joint City Commission/Planning Board meeting minutes of June 19, 2017.
- B. Approval of City Commission meeting minutes of June 26, 2017.
- C. Approval of warrant list, including Automated Clearing House payments of June 28, 2017 in the amount of \$617,375.12.
- D. Approval of warrant list, including Automated Clearing House payments of July 5, 2017 in the amount of \$994,286.29.
- E. Resolution approving a request from the Piety Hill Chapter, National Society Daughters of the American Revolution to hold the Veteran's Day Wreath Laying Ceremony on November 11, 2017 at 11:00AM, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- F. Resolution authorizing the City Manager to cast a vote, on the City's behalf, for the five incumbent members of the Michigan Municipal League Workers' Compensation Fund Board of Trustees for four-year terms, beginning October 1, 2017.
- G. Resolution approving the street light agreement between the City of Birmingham and DTE Energy regarding the installation of street lights at 750 Forest Ave. Further, directing the Mayor to sign the agreement on behalf of the City. All costs relative to this agreement will be charged to the adjacent owner.
- H. Resolution approving the Contract for Skating Director with Jill Kolaitis effective July 11, 2017 up to and including May 11, 2018. Further, authorizing the Mayor and City Clerk to sign the Contract on behalf of the City of Birmingham upon receipt of all required insurances.

**V. UNFINISHED BUSINESS**

- A. Resolution approving the sidewalk improvement plans recommended by the Multi-Modal Transportation Board for Oakland Ave. from Woodward Ave. to Lawndale Ave., to be implemented as a part of upcoming City of Birmingham and MI Dept. of Transportation projects planned in 2017 and 2018.

**VI. NEW BUSINESS**

- A. Resolution approving the award with Highway Maintenance and Construction, Inc. for services related to the 2017 Cape Seal Program – contingent upon the results of the related public hearing of necessity and confirmation of the special assessment roll – in amounts not to exceed the per unit pricing as submitted; Double chip seal \$3.13/sq. yd., Single chip seal \$1.70/sq. yd., Slurry seal \$2.61/sq. yd., Pulverizing \$1.90/sq. yd., Street preparation \$395.00/ton and Manhole adjustment \$550.00 each. Further, authorizing the Mayor and Clerk to sign the agreement on behalf of the City upon receipt of proper insurances.

- B. Public Hearing to determine necessity for 2017 Cape Seal Program-Public Street Improvement
1. Resolution declaring necessity for the improvement to be known as 2017 Cape Seal Program-Public Street Improvement; further, approving the detailed cost estimates submitted by the Department of Public Services; further, creating a special assessment district and special assessments levied in accordance with benefits against the properties as described above; further that the following method of assessment be adopted: 85% of front-foot costs for improvement are assessed on all property fronting the improvement; 25% of side-foot costs for improvement are assessed on all residential property siding the improvement; 85% of side-foot costs for improvement are assessed on improved business property siding the improvement and; 25% of side-foot costs for improvement are assessed on vacant business property siding on the improvement; further, directing the City Manager to prepare the special assessment roll and present the same to the City Commission for confirmation at the Public Hearing on Monday, July 24, 2017 at 7:30 p.m.
- C. Public Hearing to consider a Lot Split – 839 Randall Ct., Parcel #1925352018
1. Resolution granting a waiver in accordance with Sec. 102-4 Waivers, and approving the proposed lot split of 839 Randall Ct.,
 

**OR**

 Resolution denying the lot split of 839 Randall Ct. as proposed as it may adversely affect the interest of the public and of the abutting property owners.
- D. Resolution authorizing the Mayor to sign DTE Electric Company Overhead Easement No. 47698093- 47698095, located on Lot 91 of Assessor's Plat #29, located in the northwest ¼ corner of Section 25, City of Birmingham.
- OR**
- Resolution denying the request to authorize the DTE Electric Company Overhead Easement No. 47698093- 47698095, located on Lot 91 of Assessor's Plat #29, located in the northwest ¼ corner of Section 25, City of Birmingham.
- E. Resolution directing staff to revise the bidding documents for the Old Woodward Ave. Reconstruction Project, prepared for 2018 construction, with the following directives:
1. Installation of Hadco standard Birmingham street lights.
 

**OR**

 Installation of Selux brand street lights for the Old Woodward Ave. corridor, with Hadco lights on Maple Rd.
  2. Inclusion of a separate electrical system.
 

**OR**

 Remove the separate electrical system from the plans.
  3. Installation of the City's standard streetscape and concrete street design throughout the project, known as Option A1.
 

**OR**

 Installation of the MKSK enhanced buff washed concrete streetscape and concrete street design on Old Woodward Ave., known as Option A2.
 

**OR**

 Installation of the MKSK brick paver and granite curb enhanced streetscape and street design on Old Woodward Ave., known as Option B.
- F. Resolution approving the Planning Board 2017 Action List as recommended.
- OR**
- Resolution approving the Planning Board 2017 Action List as amended.

- G. Resolution approving the quote from Axiom Construction in the amount of \$36,211.20 to remove the existing wooden fence and replace with 120 feet of six foot high masonry screen wall with capstone, to be funded from account number 401-339.001-977.0000

**OR**

Resolution denying the quote from Axiom Construction to remove the existing wooden fence and replace with 120 feet of six foot high masonry screen wall with capstone.

- H. Resolution approving the tentative agreements of June 12, 2017 and settlement agreement of June 19, 2017 between the City and BFFA for a renewal of the collective bargaining agreement through June 30, 2020. Further, authorizing the transfer of the appropriate funds by the Finance Department for the contract effective July 1, 2017.
- I. Resolution authorizing the city's compliance with the provisions of State of Michigan Public Act 152 of 2011, by exercising the City's option to exempt itself from the requirements of the Act; and further, directing the Finance Director to submit the required form with the Michigan Department of Transportation.
- J. Resolution approving the recommendation by Human Resources, to implement a 2% salary table adjustment and in-range adjustments based upon performance for full-time and part-time employees in the Department Head and Administrative/Management classifications effective July 1, 2017.

**AND**

Resolution approving the recommendation by Human Resources, to implement the 2% performance increment through June 30, 2018 with individual eligibility to be in accordance with merit increase guidelines.

**AND**

Resolution authorizing increased copays in the Administrative/Management and ACA-Eligible benefit plans effective January 1, 2018 as recommended.

**AND**

Resolution approving the transfer of the necessary funds by the Finance Department to the respective departmental personnel accounts.

<b>VII. REMOVED FROM CONSENT AGENDA</b>
---

<b>VIII. COMMUNICATIONS</b>
-----------------------------

<b>IX. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA</b>
---

<b>X. REPORTS</b>
-------------------

- A. Commissioner Reports
  - Notice of Intent to Appoint to the Advisory Parking Committee
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  - 1. Parking utilization report, submitted by Engineer O'Meara
  - 2. Museum Strategic Plan Update, submitted by Museum Director Pielack

<b>XI. ADJOURN</b>
--------------------

**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).*