

BIRMINGHAM CITY COMMISSION AGENDA
JULY 14, 2014
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Scott D. Moore, 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 Family Movie Night, featuring Cloudy with a chance of Meatballs 2, will be held in Booth Park on Friday, July 18th. Activities will begin at 7:30 PM and the movie will begin at dusk.
- The annual Day on the Town event will be held in downtown Birmingham on Saturday, July 26th from 9:00 AM to 7:00 PM. The Bike Parade will kick off the day at 8:30 AM.
- Introduction of Management Analyst, Amanda Thomas

Appointments:

- A. Interviews for appointment to the Retirement Board.
 - 1. Christopher Conti, 759 Greenwood (unable to attend)
- B. To appoint _____ to the Retirement Board as the citizen member to serve a three-year term to expire July 1, 2017.
- C. Interviews for appointment to the Museum Board.
 - 1. Marty Logue, 2010 Buckingham
 - 2. Gretchen Maricak, 1040 Chapin (unable to attend)
 - 3. Shawn O'Rourke, 540 Berwyn
- D. To appoint _____ as a member to the Museum Board to serve a three-year term to expire July 5, 2017.
- E. To appoint _____ as a member to the Museum Board to serve a three-year term to expire July 5, 2017.
- F. To appoint _____ as a member to the Museum Board to serve a three-year term to expire July 5, 2017.
- G. Interviews for appointment to the Multimodal Transportation Board.
 - 1. Stuart Bordman, 1091 Lake Park
 - 2. Alicia Chandler, 955 Shirley
 - 3. Malcolm Hendy, 2336 Northlawn
- H. To appoint _____ to the Multi-modal Transportation Board, as the Member-at-large from different geographical areas of the City, to complete a three-year term to expire March 24, 2017.
- 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/Planning Board Workshop Session minutes of June 16, 2014.
- B. Approval of City Commission meeting minutes of June 23, 2014.
- C. Approval of warrant list, including Automated Clearing House payments, of June 25, 2014 in the amount of \$333,526.44.
- D. Approval of warrant list, including Automated Clearing House payments, of July 2, 2014 in the amount of \$472,776.60.
- E. Approval of warrant list, including Automated Clearing House payments, of July 9, 2014 in the amount of \$907,277.44.
- F. Resolution accepting the resignation of Virginia Reynolds from the Public Arts Board, thanking Ms. Reynolds for her service, and directing the Clerk to begin the process to fill the vacancy.
- G. 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 and aerial fly over on November 11, 2014 at 11:00AM, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- H. Resolution approving the appointment of election inspectors for the August 5, 2014 Primary Election pursuant to MCL 168.674(1) and authorizing the City Clerk to make revisions as needed.
- I. Resolution approving chemical/fertilizer purchases for Lincoln Hills and Springdale golf courses from Harrell's for \$16,000, Residex Turfgrass for \$24,000, Great Lakes Turf for \$8,000, and John Deere Landscapes for \$2,500. Funds will be charged to account numbers 584/597-753.001-729.0000.
- J. Resolution awarding the contract, for the replacement of matting at the Birmingham Ice Sports Arena, to All-American Arena Products, of Little Canada, MN in the amount of \$13,615.00, to be funded from Capital Projects Fund account #401-901.001-977.0000. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances. And approving the appropriation and budget amendments to the fiscal year 2014-2015 budget as follows:
 Capital Projects Fund
 Revenues:

Draw from fund balance	401-000.000-400.0000	<u>\$ 1,115.00</u>
Total Revenue Adjustments		\$ 1,115.00

 Expenditures:

Buildings	401-901.001-977.0000	<u>\$ 1,115.00</u>
Total Expenditure Adjustments		\$ 1,115.00
- K. Resolution waiving the formal bidding requirements and approving the purchase of repairs to the Rotary brand AP52E-200 16,000 lb. capacity truck lift in the motor pool garage from Allied Inc. in the amount not to exceed \$9,655.00. Funds for the truck lift repairs are available in the Auto Equipment Fund account #641.441.006-971.0100.
- L. Resolution approving Change Order No. 1 to Contract 7-14(SW), in the amount not to exceed \$42,500.00, to Luigi Ferdinandi & Son Cement Company for concrete parking lot and sidewalk repairs at the Department of Public Services facility. Funds for this purchase are available in the Capital Projects Fund account #401-901.013-977.0000.
- M. Resolution approving the agreement with Tech Mechanical Inc., in the amount not to exceed \$6,654.00 to perform replacement of the HVAC System for the Birmingham

Historical Museum & Park in the City of Birmingham; and further authorizing the mayor to sign the agreement on behalf of the City. Further, approving the appropriations and amendments to the fiscal year 2014-2015 budget as follows:

General Fund

Revenues:

Draw from fund balance	101-000.000-400.0000	<u>\$ 6,654.00</u>
Total Revenue Adjustments		\$ 6,654.00

Expenditures:

Buildings- Allen House	101-804.002-977.0000	<u>\$ 6,654.00</u>
Total Expenditure Adjustments		\$ 6,654.00

- N. Resolution authorizing the Department of Building Facilities to participate in the Elevators Maintenance contract for Kone Elevators & Escalators offered through U.S. Communities Government Purchasing Alliance for a 3 year initial term beginning June 10, 2014 and ending May 31, 2017; with an option to renew for an additional two (2), one (1) year periods.
- O. Resolution waiving the normal bidding requirements and accepting the quote as written from Physio-Control to purchase the Lucas II chest compression device in the amount of \$14,270.35 using unused federal grant funds of \$9,045.00 and \$5,225.35 from the Fire Department budget account #101-336.000-971.0100.
- P. Resolution authorizing the City Manager to cast a vote, on the City's behalf, for the three incumbent members of the Michigan Municipal League Workers' Compensation Fund Board of Trustees for two-year terms, beginning October 1, 2014.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Public Hearing to consider a Special Land Use Permit Amendment for Toast Birmingham, 203 Pierce.
 - 1. Resolution approving the Final Site Plan & Special Land Use Permit Amendment at 203 Pierce – Toast Birmingham to add an outdoor dining platform;
 - OR -
 - Resolution denying the request for Final Site Plan and Special Land Use Permit Amendment at 203 Pierce – Toast Birmingham for the addition of an outdoor dining platform.
- B. Public Hearing of Necessity 2014 Capeseal Program
 - 1. Resolution declaring necessity for the improvement to be known as 2014 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:
 - 1. Eighty-five percent of the front-foot costs for improvement are assessed on all property fronting on the improvement.
 - 2. Twenty-five percent of the side-foot costs for improvement are assessed on all residential property siding on the improvement.
 - 3. Eighty-five percent of the side-foot costs for improvement are assessed on improved business property siding on the improvement.
 - 4. Twenty-five percent of side-foot costs for improvement are assessed on vacant business property siding on the improvement.

The, remaining balance, 15% and 75%, front footage and side footage respectively, are paid by the city.

Further, directing the City Manager to prepare the special assessment roll and present the same to the Commission for confirmation at the public hearing on July 28, 2014.

- C. Resolution approving the use of 4 parking spaces on Bennaville to fulfill a portion of the off-street parking requirements per Article 4, section 4.43 (G)(1) of the Zoning Ordinance for 33680 – 33692 Woodward Avenue, subject to any recommended repairs required by the Engineering Department.
- D. Resolution endorsing the map of the Central Business District labeled “City of Birmingham Mast Arm Traffic Signals Master Plan.” Further, directing staff to notify the MI Dept. of Transportation relative to the City’s desire to install a mast arm signal at the intersection of Woodward Ave. and Maple Rd. in conjunction with MDOT’s upcoming signal modernization, and budgeting for the work accordingly in the fiscal year 2015/16 budget request.
- E. Resolution approving the funding agreement with the Road Commission for Oakland Co. in the amount of \$31,000 for the local share of the cost of concrete patches for E. Maple Rd. (Woodward Ave. to Adams Rd.), and directing the Mayor to sign the agreement on behalf of the City, with funding for the \$31,000 local share to be distributed as follows:

Water System Fund	(acct.#591-537.004-811.0000)	\$11,900
General Sidewalk Fund	(acct. #101-444.001-981.0100)	\$ 2,500
Major Street Fund	(acct. #202-449.001-981.0100)	\$16,600
- F. Resolution receiving the report submitted by the Engineering Dept., and setting a public hearing of necessity for the installation of new sidewalk on the west side of Stanley Ave., adjacent to 508 W. Lincoln Ave. on August 11, 2014. If necessity is declared, setting a public hearing to confirm the roll on August 25, 2014. (complete resolution in agenda packet)
- G. Resolution approving the settlement agreement of July 2, 2014 between the City and the Birmingham Firefighters Association for a renewal of the collective bargaining agreement through June 30, 2017 and authorizing the transfer of the appropriate funds by the Finance Department.
- H. Resolution to meet in closed session to discuss an attorney/client privilege communication in accordance with Section 8(h) of the Open Meetings Act.
- I. Resolution to meet in closed session to discuss land acquisition pursuant to Section 8(d) of the Open Meetings Act.
- J. Request to meet in a closed session to consider the personnel evaluation of the City Manager pursuant to Section 8(a) of the Open Meetings Act (Act 267 of 1976). A 2/3 roll call vote of the City Commission is not required to call a closed session permitted under Section 8(a).

(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. Leslie Rogers, 180 Pierce, regarding the proposed outdoor dining platform at Toast
- B. Terence Gates, 1265 Bates, regarding the Library
- C. Robert & Susanne McNutt, 300 Shirley, regarding a Tri-Model Plan

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

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Public Arts Board on July 28, 2014.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Curbside Clothing Recycling Pilot, submitted by DPS Director Wood
 - 2. Quarton Lake Treatment Plan, submitted by DPS Director Wood
 - 3. Baldwin House Parking Spaces, submitted by Finance Director Ostin

XI. ADJOURN

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

INFORMATION ONLY