

**BIRMINGHAM CITY COMMISSION AGENDA**  
**SEPTEMBER 25, 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 Mynsberge, City Clerk

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

***Announcements:***

- The first session of the Fall Citizens Academy begins tomorrow evening at 6:00 PM in the City Commission Room. If you are interested in attending, you must register with the City Manager's office at 248.530.1807.
- The Farmers Market continues on Sundays through October 29<sup>th</sup> from 9:00 AM to 2:00 PM in Municipal Parking Lot #6 on N. Old Woodward.
- The Fire Department is hosting its annual Open House on Saturday, October 14<sup>th</sup> from 1:00 PM to 4:00 PM at 572 S. Adams.

***Appointments:***

- A. Interviews for Brownfield Redevelopment Authority
  1. Dan Haugen
  2. Harry Awdey
- B. To concur in the Mayor's appointment of \_\_\_\_\_ to the City of Birmingham Brownfield Redevelopment Authority as a regular member to serve the remainder of a three-year term to expire May 23, 2019.
- C. Administration of Oath of Office to the appointed board member.

**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 September 11, 2017
- B. Approval of City Commission/Planning Board Joint Workshop minutes of September 18, 2017
- C. Approval of warrant list, including Automated Clearing House payments, of September 13, 2017 in the amount of \$1,063,737.15
- D. Approval of warrant list, including Automated Clearing House payments, of September 20, 2017 in the amount of \$17,647,605.35
- E. Resolution approving a request from the Birmingham Shopping District to hold the Winter Markt, in Shain Park and surrounding streets from December 1 - 3, 2017 and to allow the use of temporary liquor licenses in Shain Park for this event, 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 a request from the Birmingham Shopping District to place the Santa House in Shain Park from November 22 to December 24, 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.
- G. Resolution setting Monday, October 16, 2017 at 7:30 PM for a Public Hearing to consider the proposed rezoning of 191 N. Chester from TZ1 (Transitional Zoning) to TZ2 (Transitional Zoning).
- H. Resolution approving the purchase of two (2) 2018 GMC Sierra 4x4 pickup trucks from Todd Wenzel Buick GMC through the Oakland County extendable purchasing contract #4850 in the amount of \$55,992.00 from account #641-441.006.971.0100.
- I. Resolution approving Change Order #1 to Florence Cement Co., in the amount of \$50,500 be authorized for the 2017 Asphalt Resurfacing Program, Contract #5-17(P), to provide asphalt conditioning services and prepare the following sections of local streets for cape sealing:

Webster Ave. – Woodward Ave. to Adams Rd.

S. Worth Ave. – 300 Ft. North of Webster Ave. to Woodward Ave.

Further, approving the appropriations and budget amendment as follows:

Local Street Fund

Revenues:

Draw from Fund Balance	#203-000.000-400.0000	\$26,955
Oakland County Local Road Improvement Grant	#203-000.000-583.0005	\$30,598
Total Revenue Adjustments		\$57,553

Expenditures:

Public Improvements	#203-449.001-985.7500	\$57,553
Total Expenditure Adjustments		\$57,553

**V. UNFINISHED BUSINESS**

- A. Resolution adopting Advisory Opinion 2016-03 as guidance for Commissioners with respect to serving on community based Organizations.
- B. Resolution setting Monday, October 16, 2017 at 7:30 PM for a Public Hearing to consider an amendment to Article 9, Section 9.02, Definitions, to add a definition for personal services to the Zoning Ordinance.

**VI. NEW BUSINESS**

- A. Resolution stating that following the taking and subscribing to the oath of office required by Chapter III, Section 31 of the Birmingham City Charter, every officer elected or appointed to any city office shall also take and subscribe to the following oath:  

“I do solemnly swear (or affirm) that I will support the City of Birmingham Charter and Code of Ordinances in the performance of the duties of my office.”  
 (complete resolution in agenda packet)
- B. Resolution creating an Ad Hoc Unimproved Street Study Committee to conduct a city-wide study of unimproved roads and provide a recommendation to the City Commission outlining a long term plan for these roads.
- C. 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**

**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. Birmingham Brand Development, submitted by Assistant to City Manager Haines

**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).*