

**BIRMINGHAM CITY COMMISSION AGENDA**  
**SEPTEMBER 17, 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:*

- Introduction of new City staff.
- The second annual Read in the Park is being held in Beverly Park on Saturday, September 22<sup>nd</sup> from 1:00 to 4:00 p.m. In the event of rain, this event will take place at Baldwin Public Library.

**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 September 6, 2018.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated September 5, 2018 in the amount of \$228,748.31.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated September 12, 2018 in the amount of \$755,829.44.
- D. Resolution approving a request submitted by Ascension of Christ Lutheran Church requesting permission to place a Nativity scene in Shain Park from November 23, 2018 to December 31, 2018, 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.
- E. Resolution approving a request from the Birmingham Shopping District to hold the Winter Markt, in Shain Park and surrounding streets from November 27 - December 2, 2018 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 and related activities as described in the Special Event application in Shain Park between the week of November 24<sup>th</sup>, 2018 through the week of January 5, 2019

including free parking at the on street meters on November 24, 2018, 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 approving the federal funds in the amount of \$21,781.00 for the 2018 Emergency Management Performance Grant period of 10/1/2017 to 9/30/2018. Further, to direct the Mayor to sign the agreement on behalf of the City.
- H. Resolution authorizing the Mayor of the City of Birmingham to sign the Emergency Management Performance Grant Work Agreement on behalf of the City.
- I. Resolution approving the purchase of one (1) new Toro Debris Blower from Spartan Distributors, through State of Michigan extendable purchasing contract #2017025 for a total expenditure of \$7,436.04. Funds for this purchase are available in the Equipment Fund account # 641-441.006-971.0100.
- J. Resolution amending the 2018 City of Birmingham Fee Schedule, City Clerk's Office section, to include an "Administrative Applicant Review" fee of \$350.00 in cases where an existing party to the liquor license is being removed without any additional applicants or operational changes.
- K. Resolution approving the 2018-19 agreement with RS Contracting, Inc. for painting yellow centerline and white long line pavement markings in the amount of \$8,356.00 for the 2018-19 fiscal year; further authorizing and directing the mayor and city clerk to sign the agreement on behalf of the city; further to authorize this budgeted expenditure from account number 202-303-001-937.0200.
- L. Resolution setting a public hearing for October 8, 2018 to consider recommended amendments to Chapter 126, Zoning, of the City Code to remove all references to Church or Churches and replace the terms with religious institution(s) and provide a definition for same.
- M. Resolution approving the landscape plan next to 345 Hawthorne, on park property which is part of the City trail system in Linden Park, including the removal of invasive buckthorn, dead trees, and planting of thirteen new Canadian Hemlock trees. All costs to be borne by the applicant, Mr. Anthony Cupisz. Further, to authorize the Department of Public Services to issue a Tree and Shrub Permit in accordance with the Tree Preservation Ordinance for such work on public property.

## **V. UNFINISHED BUSINESS**

- A. Resolution accepting the recommendation of the Greenwood Cemetery Advisory Board as submitted and approving the amendment to the Operational Procedures, Conditions and Regulations for the Greenwood Cemetery to add Section IX. Lot Sales – Payment Plan Policy.

## **VI. NEW BUSINESS**

- A. Resolution denying the request by the property owner to eliminate the historic designation on 361 E. Maple as recommended by the Historic District Study Committee.
- B. Public Hearing to consider the nine recommended bistro ordinance amendments to Chapter 126, Zoning of the Birmingham City Code

1. Resolution approving the nine recommended bistro ordinance amendments to Chapter 126, Zoning of the Birmingham City Code.
- C. Resolution approving the developer's request to amend the Brownfield Plan for 34965 Woodward to include the property known as 215 Peabody as recommended by the Brownfield Redevelopment Authority on September 5, 2018.
  - D. Resolution approving the contract with DPZ Partners, LLC as recommended by the Ad Hoc Master Plan Selection Committee, in the amount of \$298,000.00 payable from account # 101-721-000-811.000, to provide professional services to prepare an update to the City's comprehensive master plan, and to direct the Mayor to execute same.
  - E. Resolution approving the recommendation from the Multi-Modal Transportation Board that the attached list of priority locations for bus shelters be used as a guide when new bus shelters are considered for installation.

**AND**

Directing City staff to work with SMART to install three SMART enhanced FAST style shelters at SMART FAST bus stops on Woodward Ave. northbound at 14 Mile Rd. and northbound and southbound at Maple Rd.

**AND**

Relocating the existing standard Birmingham shelter on northbound Woodward Ave. at 14 Mile Rd. to westbound 14 Mile Rd. at Woodward Ave. in order to facilitate the installation of a SMART enhanced FAST style shelter at the existing bus stop.

**AND**

Approving a bus shelter at westbound E. Maple Rd. and Coolidge as the next bus shelter to be installed.

- F. Resolution authorizing the Mayor to sign the Concurrence Form regarding the Request for Declaratory Ruling filed by the Great Lakes Water Authority, the Detroit Water & Sewer Dept., and the Oakland Co. Water Resources Commissioner pertaining to the new Lead & Copper Rules as issued by the Michigan Dept. of Environmental Quality dated June 14, 2018.
- G. Hearing on Appeal of FOIA Request

**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. Resolution accepting the 2017 Annual Report of the Greenwood Cemetery Advisory Board.

**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).*