

BIRMINGHAM CITY COMMISSION MINUTES
AUGUST 8, 2016
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Rackeline J. Hoff, Mayor, called the meeting to order at 7:30 PM.

II. ROLL CALL

ROLL CALL:	Present,	Mayor Hoff Commissioner Bordman Commissioner Boutros Commissioner DeWeese Commissioner Harris Mayor Pro Tem Nickita Commissioner Sherman
	Absent,	None

Administration: City Manager Valentine, City Attorney Currier, Clerk Pierce, Planner Baka, City Engineer O'Meara, Police Commander Grewe

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

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.

08-252-16 APPROVAL OF CONSENT AGENDA

The following items were removed from the consent agenda:

- Item B (Minutes of July 11, 2016) by Mayor Hoff
- Item C (Minutes of July 25, 2016) by Commissioner Harris

MOTION: Motion by Sherman, seconded by Nickita:

To approve the consent agenda as follows:

- A. Approval of City Commission minutes of June 27, 2016.
- D. Approval of warrant list, including Automated Clearing House payments, of July 27, 2016 in the amount of \$1,488,835.57.
- E. Approval of warrant list, including Automated Clearing House payments, of August 3, 2016 in the amount of \$5,229,699.76.
- F. Resolution approving a service agreement with Nagy Devlin Land Design, LLC to provide landscape architect services for the museum in the amount of \$4,800 with additional renderings of \$300 for an amount not to exceed \$5,100.00, with funds provided by the Friends of the Birmingham Museum from a grant from the Rosso Family Foundation for

account #101-804.002-811.0000. Further, directing the Mayor and City Clerk to sign the agreement on behalf of the City.

- G. Resolution approving the purchase of one (1) new 2016 Dodge Durango AWD in the amount of \$33,360.00 from Lafontaine Chrysler Dodge Jeep Ram through the State of Michigan MiDEAL purchasing contract #071B1300010. Funds for this purchase are available in the Auto Equipment Fund, account #641-441.006-971.0100.
- H. 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, 2016 at 11:00 AM, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- I. Resolution amending special event permit for the Birmingham Cruise Event to include an additional day for set up to begin on Tuesday, August 16 in the 555 Triangle to accommodate the Historic Vehicle Association Camaro #1 display.
- J. Resolution approving state law drug forfeitures and authorizing the finance department to transfer \$1,079.48 from the drug enforcement bond account number 701-000.000- 256.0005 to the state drug forfeiture account number 265- 000.000- 660.0001.
- K. Resolution setting Monday, September 12, 2016 at 7:30 PM for a public hearing to consider amendments to Chapter 126, Zoning, Article 4, section 4.19, Height Standards, to increase the maximum height of buildings in the MX district.
- L. Resolution approving the purchase of lighting equipment for the Park St. Structure from Grainger, through the TCPN extendable purchasing contract #R142102 for a total expenditure of \$260,055.87. Funds for this purchase are available in the Auto Parking Fund, account #585-538.003-977.0000. Further, directing the Mayor and City Clerk to approve the purchase of light fixtures on behalf of the City,

AND

Resolution approving the agreement with Lee & Associates, in the amount not to exceed \$ 36,170.00 to install light fixtures at the Park St. parking structure. Further, directing the Mayor and City Clerk to sign the agreement on behalf of the City.

- M. Resolution amending the Fee Schedule to increase the fee for the combination of platted lots from \$50 per lot to \$200 per lot, consistent with the fee for the separation of platted lots and lot splits.

ROLL CALL VOTE: Yeas, Commissioner Bordman
 Commissioner Boutros
 Commissioner DeWeese
 Commissioner Harris
 Mayor Pro Tem Nickita
 Commissioner Sherman
 Mayor Hoff

 Nays, None
 Absent, None
 Abstention, None

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

**08-253-16 PUBLIC HEARING – LOT REARRANGEMENT
976 & 1058 ARDEN LANE**

Mayor Hoff opened the Public hearing to consider a lot rearrangement at 976 and 1058 Arden Lane at 7:34 PM.

Planner Baka explained request is to move the property line due to a small portion of the walkway which infringes onto the neighbor's property. He explained that the standards that must be met in order to recommend the approval of a lot split. In this situation, both lots are non-conforming at this time and both would be non-conforming if this was approved. The lots meet the other two standards, meaning that their lot width would not be less than all the other properties within 300 feet on the same street in the same zone and the change would not create any new buildable lots, no new structures and the lots are not located in a flood zone. He explained that the Commission has the authority to issue a waiver to grant the lot rearrangement.

Mayor Hoff disclosed that she lives on this street. She has no vested interest in this request and can remain neutral.

In response to a question from Commissioner DeWeese, Arlene Ross, 976 Arden Lane, explained the background on the sidewalk. She explained that both neighbors agreed to remedy the situation for a potential future sale.

The Commission commended the neighbors for resolving the issue between themselves and being good neighbors.

The Mayor closed the Public Hearing at 7:43 PM.

MOTION: Motion by Sherman, seconded by DeWeese:
To approve the proposed lot rearrangement at 976 & 1058 Arden Ln. as proposed by granting a waiver per Chapter 102, Subdivisions, Sec. 102-4 of the City Code;

VOTE: Yeas, 7
Nays, None
Absent, None

08-254-16 A COALITION FOR TRANSIT (ACT)

Michael Ford, from the Regional Transit Authority (RTA), explained that the RTA exists to ensure regional connections between four counties – Oakland, Macomb, Wayne, and Washtenaw. He explained that it is currently not a connected region. Transportation gets people to jobs, appointments, and the quality of life does not exist that could exist better than it does now. He explained the presentations and meetings that have been held to talk about the needs of the community. He explained that the a 1.2 mil millage will be on the November ballot to help support and fund what is needed for regional transit. He explained that the regional transit plan builds on the foundation of the other existing transit providers. It is an integrated system coordinated to work together to improve services, to create more frequency, later night, earlier morning, and more direct services. He further explained the economic development benefits and the leverage for state funding.

In response to a question from Commissioner Bordman regarding the funding, Mr. Ford explained that the 1.2 mils pays for all the services. 85% of the funding stays within that given community. Mayor Hoff commented that the 85% will be a different amount of money in each county. She questioned how you will ensure that each county has comparable services. Mr.

Ford explained that they are working on a checks and balance resolution to rebalance the level of service. There would be continued auditing processes and an annual review of how the services are being addressed and if there are changes in revenues and projects. The guarantee is that it is legislatively bound to make sure that money is being spent in that area.

Mayor Hoff expressed concern that the revenues in some counties will be more than the revenues in others. In order to ensure the balance, she questioned if a county with more money would have to give it to a county that did not have enough. Mr. Ford stated no, absolutely not. The balance is within that county. You are not paying for services in other counties. You are paying for the services that you are receiving. He stated that each county is paying for that connection to that service.

Commissioner DeWeese commented that there are a lot of outlying regions in this county where no transit reaches and it is not too feasible to have regular transit. He questioned if those residents would still fall under the 1.2 mil. Mr. Ford explained that the entire county would be under the 1.2 mil. In those areas, they are looking at para-transit type services working with the existing providers and putting in more money into those areas to get people connected.

In response to a question from DeAngello Espree, Mr. Ford explained that the existing transit services will remain and operate at their current levels.

Mr. Ford confirmed for Amy Folberg, 1580 Latham, that the public will be educated on what is available through a community outreach at meetings, festivals, and events.

Marie Donnigan, from ACT, explained the surveys and polling done. She explained that a transit summit will be held in September. She encouraged the City to designate a representative as the contact to receive the ACT information.

Mr. Ford confirmed for Commissioner Harris that the RTA would work with SMART to coordinate services.

In response to a question from Mayor Pro Tem Nickita, Mr. Ford explained that the funding initially goes to the Authority, then is redistributed back to the different providers. He stated that there is more leverage for funding opportunities.

MOTION: Motion by Nickita, seconded by Bordman:

To support A Coalition for Transit:

WHEREAS, Southeast Michigan's regional public transit system is severely underfunded compared to the rest of the country and is one of the worst regional transit systems in the country; and

WHEREAS, seniors and people with disabilities are underserved by an unreliable system that prevents them from safe and independent travel in the region; and

WHEREAS, Southeast Michigan is failing to secure billions in potential economic benefit, that studies show accompany regional transit investments; and

WHEREAS, a large majority of jobs in the region are not readily accessible by regional transit; and

WHEREAS, Southeast Michigan's four counties and major population centers are not effectively connected by regional transit; and

WHEREAS, younger generations continue to look outside of Southeast Michigan to relocate to regions with effective, reliable regional transit; and

WHEREAS, regional transit must be strengthened and improved to make Southeast Michigan more competitive, which will help local communities attract more businesses and create local jobs; and

WHEREAS, Southeast Michigan cannot expect to compete economically with other major metropolitan areas without modern, effective and reliable public transit system;

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of Birmingham hereby expresses its strong support for A Coalition for Transit (ACT) and the need for a modern, reliable regional transportation system that connects Southeast Michigan's four counties.

VOTE: Yeas, 7
 Nays, None
 Absent, None

**08-255-16 AGREEMENT WITH BUCCILLI GROUP
 FOR ENGINEERING SERVICES**

City Engineer O'Meara explained that due to the workload and staffing level of the department, the City recommends entering into an agreement for engineering services. The agreement is for a three-year term.

Commissioner Bordman questioned the cost for regular time versus the time for overtime. Mr. O'Meara explained that the City is paying a fee to the consultant. The consultant is then paying their staff. Commissioner Sherman explained that the City is hiring a firm, not an individual, and their profit margin is different on that overtime.

MOTION: Motion by Sherman, seconded by Boutros:
To authorize the Mayor and Clerk to sign the agreement between Buccilli Group and the City of Birmingham for engineering services.

VOTE: Yeas, 7
 Nays, None
 Absent, None

**08-256-16 CLOSED SESSION
 CITY MANAGER PERFORMANCE EVALUATION**

At the request of the City Manager, the Commission agreed to meet in closed session to discuss the City Manager Performance Evaluation.

VII. REMOVED FROM CONSENT AGENDA

**08-257-16 CITY COMMISSION MINUTES
 OF JULY 11, 2016**

Mayor Hoff stated that she received an email from Darlene Gehringer with corrections to the minutes specific to her comments. City Manager Valentine suggested this be referred back to the Clerk to review the tape.

City Manager Valentine confirmed for Mayor Hoff that staff will be following up with the items which needed follow up.

Mayor Hoff requested the following change to Resolution #07-226-16:
"It is a research and data ~~date~~ information process."

Mayor Hoff requested the following change to Resolution #07-220-16:
"Police Chief Clemence explained that a petition was received for residential permit parking on South Glenhurst between Lincoln and Midvale from 7:00 AM – 4:00 PM to address the school parking issue. He noted Glenhurst is the first street east of the high school that does not have residential ~~permit~~-parking restrictions."

Commissioner Bordman requested the spelling of her name be corrected in Resolution #07-218-16.

The Commission agreed to return this at the next meeting.

**08-258-16 CITY COMMISSION MINUTES
OF JULY 25, 2016**

Commissioner Harris requested additional information be included in Resolution #07-240-16, Item 6 regarding the Planning Board Priority List to explain what was discussed about the priorities.

The Commission agreed to return this at the next meeting.

Commissioner Bordman suggested adding the word "draft" to the minutes. Commissioner Sherman noted that the minutes are all draft. The Commission discussed the minutes as it relates to the Open Meeting Act. Commissioner Sherman pointed out that the approved minutes are available on the website and in the Clerk's Office.

VIII. COMMUNICATIONS

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

X. REPORTS

08-259-16 COMMISSIONER REPORTS

The Commission intends to appoint to the Advisory Parking Committee, Historic District Commission and Design Review Board on September 12, 2016.

08-260-16 COMMISSIONER COMMENTS

Mayor Hoff commented that the Michigan Municipal League Annual Meeting will be held in September. Several Commissioners will be in attendance.

Mayor Hoff noted that each Commissioner will be receiving a letter from the City's auditor Plante Moran with an overview. It is anticipated the audit will be presented to the Commission in November.

Mayor Hoff commented on the Knox box program now available on loan to seniors through the Foundation for Birmingham Seniors.

The Commission recessed to closed session at 9:08 PM.

The Commission reconvened in open session at 10:56 PM.

XI. ADJOURN

The meeting adjourned at 10:56 PM.

Laura M. Pierce
City Clerk