

**BIRMINGHAM CITY COMMISSION MINUTES**  
**NOVEMBER 21, 2016**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mark Nickita, Mayor, called the meeting to order at 7:40 PM.

**II. ROLL CALL**

ROLL CALL:	Present,	Mayor Nickita Commissioner Bordman Commissioner Boutros Mayor Pro Tem Harris Commissioner Sherman Commissioner DeWeese
	Absent,	Commissioner Hoff

Administration: City Manager Valentine, City Attorney Currier, City Attorney Studt, Acting Clerk Arft, DPS Director Wood, Police Chief Clemence, Finance Director Gerber, Building Official Johnson, City Planner Ecker, City Engineer O'Meara, Assistant to City Manager Haines

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

Mayor Nickita recognized and congratulated the fall 2016 Citizens Academy class on behalf of the City Commission.

Paul Beshouri	William Lelich
Karen Caserio	Eloise Liddell
Cindy Chiara	Patricia Mason
Patty Edwards	Martha Moyer
Kristy Hansen	Jamie Olivarez
Hannah Hawthorne	Susan Riley
Julie Hollinshead	Sravan Survana
Klaudia Janik	David Underdown
Donna Klein	Cory Zolondek

**ADDITION TO CONSENT AGENDA**

City Manager Valentine noted the addition of Item 4D to the Consent agenda which is to consider the appointment of the Acting City Clerk.

**11-345-16 APPOINTMENT TO THE BIRMINGHAM SHOPPING DISTRICT BOARD**

City Manager Valentine explained that Ms. Solomon has been a valuable member of the board, and said she has expressed interest in continuing to serve on the board.

**MOTION:** Motion by Sherman, seconded by DeWeese:

To concur in the City Manager's appointment of Judith Solomon to the Birmingham Shopping District Board, as the resident from an adjacent neighborhood member, to serve a four-year term to expire November 16, 2020.

VOTE:            Yeas, 6  
                      Nays, None  
                      Absent, 1 (Hoff)

**11-346-16 APPOINTMENT TO THE DESIGN REVIEW BOARD AND HISTORIC DISTRICT COMMISSION (ALTERNATE MEMBER).**

**MOTION:** Motion by DeWeese:

To appoint Adam Charles, as an alternate member, to serve a three-year term on the Design Review Board and Historic District Commission to expire September 25, 2019.

VOTE:            Yeas, 6  
                      Nays, None  
                      Absent, 1 (Hoff)

The Acting City Clerk administered the 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.

**11-347-16**

**MOTION:** Motion by Bordman, seconded by Boutros:

To approve the Consent Agenda as follows:

- A. Approval of City Commission minutes of October 27, 2016.
- B. Approval of warrant list, including Automated Clearing House payments, of November 16, 2016 in the amount of \$599,861.56.
- C. Resolution setting a Public Hearing for Monday, December 12, 2016 to consider the proposed lot split of 1286 Willow Ln, Parcel #1926230025.
- D. Resolution appointing Cheryl Arft as Acting Clerk during the selection of a City Clerk for the City of Birmingham.

ROLL CALL VOTE:    Yeas,            Commissioner Bordman  
   Commissioner Boutros  
   Commissioner DeWeese  
   Mayor Pro Tem Harris  
   Commissioner Sherman  
   Mayor Nickita  
   Nays,            None  
   Absent,        Commissioner Hoff  
   Abstention,   None

**V. UNFINISHED BUSINESS**

**VI. NEW BUSINESS**

## **11-348-16 AUDIT PRESENTATION**

Finance Director Gerber explained that representatives from Plante Moran will review their presentation and answer any questions.

City Manager Valentine introduced Beth Bailey, who this year replaced Joe Heffernan who retired, and Timothy St. Andrew.

Ms. Bailey explained that this presentation will focus on a few of the key areas. As an overview, she noted that as part of the audit, a transmittal letter is included, and a management's discussion and analysis that includes the financial information with comparisons from last year to this year, and discusses the upcoming budget and economic conditions.

She noted that the city did add to the fund balance in the general fund, and there were also some planned uses of fund balance in the street funds. She said that spending was below budget in several different departments. The city continues to have an AAA bond rating which is a testament to the city's strong financial condition. Another thing that the city does that sets it apart in terms of fiscal responsibility is five-year financial projection. The fact that the fund balance has been maintained at such a good level is tied to the fact that long range planning is undertaken by the city.

Legacy costs are going to continue to be an area of challenge. Pension and retiree health care are based on actuarial estimates and assumptions which Plante Moran looks to for reasonableness. The pension system is older, and the city has more retirees than active employees. She noted that the city is 86% funded which is a good level of funding. Eight or nine years ago, the city was funded at 100%, but because of the recession and downturn in the investments, it has dropped. She said the city has done well on containing the costs on the liability side. Likewise, the retiree health care is funded at 41% currently and is an outstanding funding level. She said the city has been able to put aside the amount that the actuary would like to see plus additional funding.

Mr. St. Andrew explained that city has had four straight years of taxable value growth. He noted that the 2017 levels are now in line with the 2008 levels. The decline of 16% in taxable growth was made up in five years, which is significant. He believes that the redevelopment and construction has helped, and is expected to continue into the near term.

Mr. St. Andrew noted that the reason that expenditures exceeded revenues in the general fund, and the major and local street funds in some years, was due to planned use of fund balance. He said the use of five-year planning allows the city to look at the opportunities and trends ahead for increased spending or reduced spending in order to manage the fund balance to keep it within the target policy. The general fund unassigned fund balance is at 38% at the end of 2016 which is in line with the commission's target policy.

Mr. St. Andrew noted that actual expenditures in the general fund were under budget. He said each function is under budget for the year.

Capital investments-general government include all the city assets, excluding the water and sewer system, parking and golf courses. He noted that the city was above the depreciation line in all but one year. He added it is clear it has been made a focus and priority to invest in the infrastructure and not defer those costs for later when the price tag can climb significantly. He

said the same is true of the enterprise funds comprised of water and sewer system, parking system and the golf courses.

Mr. St. Andrew said over the past three to five years the new standard for reporting the city's pension liability has been implemented. The new standard for retiree health care liability is a two year implementation that mirrors the pension standard. In 2018, the liability will have to be recorded on the full accrual financial statements. He explained that Plante Moran put together a pro forma to show what that statement of net position looks like now compared to what it may look like in two years when implemented. The unrestricted net position on June 30, 2016 was \$27 million. Based upon the latest actuary report which is two years old and will be updated, once the retiree health care obligation is recorded, there will be a \$41 million swing in the unrestricted net position. It will be an unrestricted deficit of \$14 million. He said compared to the other 47 Oakland County communities, Birmingham is in the middle in funding percentages. He continued that if Birmingham compares itself with the more significant communities, Birmingham would fall in the top third to top quarter in terms of retiree health care funding percentage.

City Manager Valentine complimented Plante Moran's efforts in this process.

**11-349-16 2017 48<sup>TH</sup> JUDICIAL DISTRICT COURT BUDGET**

City Manager Valentine introduced Jim VerPloeg, 48<sup>th</sup> District Court Administrator and Nicole Odell, Director of Finance and Human Resources.

Mr. VerPloeg explained the increases that the court will experience in 2017.

Commissioner Sherman commended Mr. VerPloeg on the court's budget and the use of a sinking fund for capital improvements. Commissioner Sherman asked about the security cost increase and the reasons for it. Mr. VerPloeg noted the camera system is being updated and an additional court officer is being added for a total of two officers. A security assessment was done recently by the Supreme Court with a few recommendations to minimize the dangers that might occur with that type of population.

Commissioner DeWeese explained that this process includes the budget proposal review by the commission, and the city agrees to head-in the court the funds to operate. Through the court fees charged, Birmingham and the three other communities the court serves are then reimbursed. The court basically funds itself, with the communities acting as a reserve for the court.

**MOTION:** Motion by Boutros, seconded by Bordman:

To receive the 2017 proposed budget from the 48<sup>th</sup> Judicial District Court; and further, approving the budget as submitted.

VOTE:           Yeas,    6  
                  Nays,   None  
                  Absent, 1 (Hoff)

D'Angelo Espree, resident, commented on security.

Mr. VerPloeg noted that the court has an arrangement with county to handle head-in door security for screening. That relationship has existed for some time and is a three year

agreement. Ms. Dell added that the training that the county provides the court security team is second to none. Mr. VerPloeg noted that the part-time, retired deputies are paid hourly, with no benefits, and said that the addition to the security team would not be a retired deputy, but an individual from the outside.

### **11-350-16 FUTURE CROSSWALK PAVEMENT MARKINGS STANDARDS**

Mayor Nickita explained that the commission is seeing the recommendations from the Multi-Modal Transportation Board. We are looking for a clear standard for crosswalk pavement markings. He continued that we are looking for feedback at this time, since we will not be painting over the winter.

City Engineer O'Meara explained the two areas focused on included the total width of the walking surface which could vary from 6 feet to something much larger, depending upon the conditions. The other focus was the width of the painted bar. As roads are improved, we are changing to the continental style. The typical width would be a 12 inch wide bar with a spacing of 24 to 30 inches in between. A 24 inch bar is also being explored for higher impact.

He explained that there are four categories, with one being broken into two parts. The first category where the biggest crosswalk would be is at Old Woodward and Maple, where we have high traffic and high pedestrian demand. A wide walking path of 12-14 feet is being suggested, as well as the wide 24 inch bar.

The second category would also be in the downtown area, such as at Martin and Bates Streets. Traffic speeds are quite slow typically as drivers are expecting many pedestrians and hazards. A 12 inch bar is suggested, and with a wider crosswalk of 8 to 10 feet because there is a high pedestrian demand. Also in that category, we have local streets in the downtown area where a 24 inch bar is suggested where there may be a safety hazard because the crosswalk is not as visible, such as Bates and Willits. Sight distance issues are present there.

The third category would include areas coming out of the downtown area where we have higher speeds such as Maple and Chesterfield. Pedestrians are not expected in that area, so a 24 inch bar, but a more typical 6 foot width is suggested because we do not typically have a large number of pedestrians.

The fourth category would be anywhere else we have a painted crosswalk, such as a neighborhood intersection like Vinewood and Greenwood. A 6 foot wide crosswalk is sufficient, along with a typical 12 inch bar.

Mayor Nickita said in terms of definition, we are trying to define criteria of where these crosswalks would go. He said there are many different traffic patterns, pedestrian patterns and so on. He asked why the downtown would be the only commercial district designated, and asked if there was discussion about adding the other commercial districts such as the Triangle District and Rail District

Mr. O'Meara said discussions were conducted and that is why the description "or other high pedestrian demand crossings" was included, so that we can move those other districts into that category. Mayor Nickita would like this to become something definitive enough so it is very clear.

Mayor Nickita asked how do we define high pedestrian traffic vs. other lower pedestrian traffic, what is a major street vs. a minor street, how is the spacing of the bars determined. He said this does not seem so clear.

Mr. O'Meara said that for a major vs. local street, he suggested that they were looking at Maple, Adams, Woodward, and Old Woodward. For this purpose, he did not include Pierce Street, because it generally a 25 mph zone, and traffic is relatively low. He continued that with respect to what is a high vs. low pedestrian demand crossing, data is not collected for those numbers, and therefore, it is more a judgment that the designer needs to make.

Mr. O'Meara said he reviewed what MDOT recommends, and the issue is that there should be some room for the person laying out the spacing of the bars. It is suggested that the bar should not be placed right where the wheels are always crossing because it will be worn away more quickly. This allows the designer to determine the spacing to alleviate that issue.

Commissioner DeWeese expressed concern that the spacing allows consistency all the way across the street. Mr. O'Meara confirmed that it does.

Commissioner Bordman noted that there could be a cost difference in using all 24 inch wide bars and varying the bar from 24 inches to 12 inches. Mr. O'Meara said that more paint will be required. Her concern is the cost difference, and Mr. O'Meara said he would research that question.

Commissioner Bordman noted the difference of opinion on the MMTB and asked how many votes it took to reach this recommendation. Mr. O'Meara said there had been previous discussions of the Board to refine the guidelines to something all could agree with, but it was a 5-0 vote. He said there was some debate by members about using the 24 inch bar more frequently which was cautioned against because it tends to lose its impact if that width is used everywhere.

Commissioner Bordman is concerned with the use of 12 inch wide bars as opposed to 24 inch. It appears that the suggestion is to use the 12 inch in the less travelled or lower pedestrian demand streets, and she thinks that is where the biggest impact is needed from the driver's point of view.

Mayor Nickita noted there is an example in our region to illustrate that point. Livernois in Ferndale, between 8 and 9 Mile, was recently narrowed and he recalls that all of the crosswalks in that stretch are 24 inch bars with 24 inch gaps. He considers this a low pedestrian, neighborhood area. He added the impact is that it is clearly recognized as a pedestrian crossing. He also questions the fact in areas that are not active we would not do that. Another location in Royal Oak used the same crosswalk markings as Ferndale. He thinks this would make sense on Eton, Lincoln and Harmon. His feeling is that we have the time to revisit some of the inconsistencies that are up for interpretation and fine tune them. He would like to see some refinements and clarity.

Commissioner DeWeese expressed concern with the width of the walk and not the spacing. In general, he thinks it should be consistent in terms of the spacing and 24 inches should be common. He thinks the protection of the pedestrian is important.

Commissioner Sherman concurs with Mayor Nickita that utilizing one size bar and spacing, but having a variance of up to 12 inches seems excessive. We should be able to adjust slightly without that range. The other issue is the width of the crosswalk which will depend somewhat on the street size, visual range and sidewalks. He would also like to see the cost difference between painting a 12 inch bar vs. 24 inch bar.

Commissioner Boutros expressed concern with narrow streets and the difference between each bar. It would not be recognized as a crosswalk. Mayor Nickita said the smallest street is 22 feet, so if we had by 24 by 24, there should 5-7 markings.

Commissioner Harris referred to MDOT standards as it relates to measuring high pedestrian activity and asked if there are no standards, will staff have to take those measurements to determine the activity. Mr. O'Meara said MDOT leaves that up to the designer to make that decision because each situation is different.

Based upon the comments this evening, this will be referred back to the Multi-Modal Transportation Board to basically further refine the plan.

### **11-351-16 ROAD DESIGN**

Mayor Nickita noted that his firm Archive DS has teamed with MKSK to submit a proposal to the City of Detroit for a potential project. To date, the project has not been awarded, so there is no contract, but he wished to disclose the relationship with MKSK.

City Engineer O'Meara provided some historical background for the reasons this project is being undertaken, which includes the aging water and sewer system, and ADA accessibility issues.

Planning Director Ecker explained that this is not a new concept and was included in the 2016 plan from 1996. The conditions include the overly wide street which does not work well for pedestrians, pedestrians having difficulty crossing some intersections, sidewalks too narrow for cafes', general sidewalk conditions, outdated lighting, and street trees not thriving. This is something the city has been working on for 20 years with many having been addressed already. The last big area is Maple and Woodward. It is a difficult project to deal with, but should be done for many reasons, including the design elements.

In September 2016, a RFP was issued to review the preliminary plans for the reconstruction of segments of Old Woodward and Maple that are scheduled for construction in 2017. MKSK was awarded the contract by the City Commission in October 2016 after a selection panel met to review and discuss the proposals submitted by MKSK and McKenna Associates.

Ms. Ecker introduced Brad Strader of MKSK, Brian Kinzelman, MKSK, and Joe Marsden, Traffic Engineer from Parsons Transportation who are representing MKSK. It has been a very tight schedule. She suggested that since this a great deal of information to be presented and digested tonight, that the City Commission may want to focus on the cross section width and type of parking, since they are fundamental decisions that have to be made before the concepts can be refined for the whole area. The goal was to get this to go to bid over this winter and start construction in the spring.

Mr. Strader emphasized the main focus tonight includes the street section studies, type of parking, street character and materials. He said the goals are to create a more vibrant, walkable downtown, retain as much of the parking as possible, create a safe and efficient traffic

flow, make the street safe for pedestrians, bikes and cars, accommodate trucks, and consider past plans. The idea is that Old Woodward and Maple are the signature streets in Birmingham. The focus is on the first phase now.

The original plan that the city Engineering department came up with was 70 foot section which would keep the angled parking as it is and have a 9 foot wide center turn lane and 16.5 foot travel lanes in each direction, which is similar to N. Old Woodward but without the median. The Multi-Modal Transportation Board felt that it was too intense an area and activity for medians for this segment. It provided about the same number of parking spaces but did not do much to add pedestrian area or sidewalk space. The alternatives were to look at a 61 foot section so the sidewalks could be widened, but ended up with a sub-standard travel lane. A 12 foot travel lane is tight when you have head-in angled parking. They also considered the alternative of parallel parking, or a combination of both, retaining the same number of parking spaces. Parallel parking eliminated too many spaces, so that is not an alternative.

They considered a 65 foot wide street, trying to strike a balance with a little wider sidewalk and more passable area. Currently there are places with pedestrian walking area of about 6.5 – 7 feet width. The goal is to have at least 10 feet for pedestrians so this gets us closer to that goal. The recommendation is for 66 feet.

They also looked at Maple, which is tighter, with 11 feet of sidewalk area with some of that taken up with lights. Parallel parking lane of 8 feet and a 14 foot lane exists. At the public open house, many said the sidewalk on Maple should be wider. They could potentially widen the sidewalk 2 feet on either side, then end up with a 12 foot travel lane. It becomes tight with parallel parking, and vehicles stopping in head-in of buildings to unload. So their recommendation is to move forward on Maple with 12 foot lanes and get a couple more feet of sidewalk.

Mr. Kinzelman added that as the street is being rebuilt, the double curb condition would be eliminated, planters which are tripping hazards replaced, which will capture more sidewalk space.

Mr. Strader summarized that MKSK's recommendations include a 66 foot section on Woodward, with back-in angled parking which gains a wider sidewalk area, a 13 foot travel lane and 9 foot center turn lane. One of the reasons for recommending back-in angled parking is the city plans call for this to be a bike-way with sharrows encouraging people to bike on it. Head-in angled parking is not a safe design when biking is trying to be promoted. They tried to decrease the width for pedestrians to cross by moving curb extensions or bump-outs which protects the parking area, extends the pedestrian out with flush curbs among other things to make it a shorter distance for pedestrians and also more aesthetic.

He said they also looked at turning dimensions for trucks, which led to some details on the intersection design and the radii. Mr. Kinzelman added there is an inherent conflict of trying to accommodate larger vehicles and the desire to have a shorter cross walk dimension. Mr. Kinzelman referred to a detail to illustrate that calls for a drop curb condition at these intersections with the pedestrians protected with a series of low bollards. The periodic large vehicle can drive over a flush curb condition, yet the pedestrian has the shorter walking distance with the change of pavement texture and marked crosswalks.

Mr. Strader explained the reason for recommending back-in angled parking. He noted that there are about 20 accidents a year with about half of those directly related to the maneuver of backing out of the space. So, it is safer for vehicles, because the oncoming vehicles can be seen. It is less disruptive to traffic flow. The backing in maneuver is similar to parallel parking with drivers waiting while you back-in. The other reason is safety for bikers. Many communities that encourage bikes have gone to the back-in angled parking. MKSK has provided case study information and reviewed the numbers of accidents after changing to back-in angled parking.

The big downside is that people are not accustomed to it, so promotion would be important to emphasize the safety advantages. Their recommendation is for 9.5 foot space. He noted the MDOT has issued their standard, and it opposed head-in angled parking because of the safety concerns.

Mr. Strader explained that the MMTB met prior to this meeting, and voted 4-3 in favor of back-in angled parking with a 66 foot wide cross section. He felt the real debate was on the design of the street. The dissenting opinions questioned the need for a center turn lane and felt there should be wider sidewalks. He explained that MKSK looked at some of those alternatives, but they were all at the expense of parking, which was about a third to half of on-street parking.

Ms. Ecker added that the board felt it was not progressive enough for our main street. They felt we should take more from the vehicle traffic and give it to the pedestrians on the sidewalks. There were no negative comments about the back-in angled parking by the board.

Mayor Nickita confirmed with Mr. Strader that the 66 feet curb to curb can be done with head-in angled parking, using 40 degree angled and 9 foot wide spaces. There is a little bit of a loss of parking with head-in method.

Mayor Nickita asked about the MMTB suggestion to eliminate the center turn lane in order to gain sidewalk area. Mr. Strader explained that the board suggested eliminating the center turn in some area of the street and extend the sidewalk by 4.5 feet on either side. He added that the spaces that are currently angled would then have to be parallel. The positive to that design is that mid-block areas would gain more parking width, the downside is that about 20-25 % of the parking would be lost at the corners when going to parallel.

Commissioner Boutros asked if we remove the center lane, would the travel lane be 12 feet. Mr. Strader said they could still maintain 13 feet of travel lane, and the gain of 4 feet of sidewalk.

Mr. Strader explained that the reason for center turn lanes is to accommodate left turns at an intersection. Continuing it through the mid-block is for consistency so the travel lane is straight instead of weaving in and out. In addition, it gives a bit of forgiveness zone where angled parking is present, and it is a place to store the snow until it can be removed later.

Mr. O'Meara clarified that today we have a 40 foot wide travel way which is enough room for 4 lanes, so when a vehicle is waiting to make a left turn, others have enough room to go around. Without a left turn lane, backups will be much greater. Also, the left turn lanes line up to each other which is safest and best for visibility.

Mayor Nickita added that if the left lane is removed, that changes the traffic pattern. He said there are long stretches of Woodward that never function as a left turn lane. For example, just in head-in of the Birmingham Theater, southbound the entire center lane is unused for left turns. Similarly, heading north at Hamilton is the same situation. It is quite a significant amount of area where the center turn lane has actually no use, other than the spillover uses we have discussed. He said that is why the discussion earlier was whether part of that could become a median or not. He wondered if the amount of center turn lane that is required to create a proper queuing was studied.

Commissioner DeWeese said the center turn lane has a purpose other than turning. That is the place the city puts the snow when we have a heavy snow. When vehicles are pulling out, it provides a safety zone. It may not be heavily used by cars or trucks, but emergency vehicles use it to access the scene. If it is considered in a more complete sense, rather than strictly the immediacy of travel, he thinks there is purpose to the center lane that goes above and beyond normal turning. It may not have to be as wide as regular lanes, and 9 feet is probably fine, but it does have value. It effectively provides an additional emergency type lane.

Mayor Nickita expressed concern about designing our streetscape based on the few times we have snow.

Mayor Pro Tem Harris questioned the MDOT standard for back-in parking and whether that is a standard which suggests that this type of project should use back-in parking,

Mr. Strader clarified that MDOT will not allow head-in angled parking on a state road which has been their position for some time. Where it exists now, it is grandfathered in.

Commissioner Bordman understands the city had back-in parking at one time and asked about that trial. City Manager Valentine said the trial occurred on North Old Woodward.

City Attorney Studt clarified that this took place on North Old Woodward, north of Harmon on the east side of the street and took place in 2002. He said signs were put up, the road re-stripped, and parking ambassadors were on hand to explain the change. The thought was it was safer for children emptying out of a vehicle towards the sidewalk. Also, loading is done from the sidewalk, and it is easier to see when exiting the space. Survey cards were passed out and 52% in favor, and 45% against. At the time, the road was not being redone. It was much safer to back-in and pull straight in. It did not go forward at that time, basically because it too much of a change and too much work. He added that it involved only five spaces.

Mayor Nickita clarified that the change City Attorney Studt referred to was the change throughout the city. The commission did not feel that based on the survey results, there was a mandate to make such a wholesale change in the city.

City Attorney Studt added that the survey was quite extensive. He said that one of the complaints received was that it was easy to back into a meter or tree. He added there was no instance when a car backing in hit a car parked next to it.

Commissioner DeWeese clarified that the spacing then was 9 feet.

Commissioner Boutros noted that it appears the backing up or backing in is the problem. He said it is not a safety issue. City Attorney Studt said the safety issue is the backing up into the oncoming traffic.

Mayor Nickita asked about the idea of testing the back-in angled parking. Mr. Strader said that could be done, but the angle would have to be changed. The location of the meters may have to be changed also. Mr. Marsden added there is a possibility of using tape instead of paint to avoid the grinding off of paint. He estimated the tape could last a month or two.

Mr. Kinzelman addressed the fact that a 2 foot clear zone has been kept behind the curb, so that a meter could be hit in a very few situations.

Mayor Pro Tem Harris clarified that spaces would be lost if we maintain head-in angled parking with the 66 foot road. Mr. Strader confirmed they think the same number of spots will remain. He added that either one may reduce the number of spaces that are available now because some of the parking now interferes with cross walks. He said they also want to meet the standards for on-street barrier-free parking, which means some spaces will be wider for handicapped, so some spaces would be lost.

Commissioner Bordman said the commissioners received a letter from businesses and retailers that oppose back-in parking. She is concerned that if we go with back-in parking and because our retailers are opposed to it, it will negatively affect our retail environment both from empty stores, and attitude from shoppers. There is nowhere else in the metropolitan area that has back-in parking and she is very reluctant to experiment here which she thinks would be at the expense of the retailers.

Mr. Strader asked that the commission keep in mind that options considered were where some or all of the angled parking was converted to parallel. The MMTB wanted wider sidewalks, by converting to parallel parking which results in a loss of parking spaces.

Commissioner Sherman said he is not sure it is an either/or situation. He recalls the discussion on Maple Road and there was a clear advantage to going from 4 lanes to 3 lanes. It could be easily seen and demonstrated. With this situation, there is no comparable community in the area, and he is reluctant to do this in our downtown. He thinks it will scare people. It may be safer, or may not be. People who cannot back out of the spots cannot back-into the spots. If he was going to consider this, he would designate a small area on one end of Woodward and try for four to five months to see if people would adapt to it. He considers it a toss-up, and on a toss-up, he would stay with what we have.

Mayor Pro Tem Harris referenced the letter from retailers opposing back-in angled parking, and asked if BSD has weighed in on this. He was advised it has not.

Commissioner DeWeese said he is uneasy proceeding with this with no comparable community. He has heard from other people who are concerned. He is in agreement with Commissioner Bordman and Sherman. It may be potentially better, but it is not clearly better. He added that considering the issue of assessments, it is not a good situation that we are assessing the people who oppose this to help pay for what we are doing. Without more public support, clarity and definition, he thinks we are better with traditional head-in parking.

Commissioner Boutros understands the eagerness to move ahead with this. He thanked MKSK for their efforts thus far. He questioned the congestion a person might cause while trying to back-in to an angled space on Woodward.

Mr. Strader said that the impact on through traffic is a valid one, and there could be a delay similar to what is experienced in a parallel parking scenario when a driver is not comfortable with that maneuver. However, the driver has an option here in Birmingham of parking in a structure, or using the valet option if that is retained.

Mr. Strader said if the consensus is to go with head-in angled parking and keep generally the parking count, then he would recommend the city needs to remove the idea in the Multi-Modal Plan to have sharrows, because bikes should not be promoted on Old Woodward. If the option is to keep Old Woodward bike-able with head-in angled parking, then parallel parking should replace head-in parking. The sidewalks could be widened, and it would still be bike-able.

Craig Menuck, resident, was concerned about experimenting with parking. He is in favor of improving the sidewalks.

Gary Wachler, business owner, expressed concern about the back-in angled parking and thinks it may hinder the businesses.

Richard Greenstein, business owner, was concerned about experimenting with parking, and suggested the city wait to see the effect it has on other cities that decide to change to back-in parking.

Mr. Strader noted that Findlay, Ohio has started experimenting with side streets to gauge the effectiveness of back-in angled parking.

Mike Ceresnie, business owner, has received a negative reaction to the proposal from customers and business owners.

Mr. Strader clarified that the reported crash data is much higher with head-in angled parking than with back-in angled parking.

Mr. Ceresnie commented that he received notification only two weeks ago and understands the time constraints.

City Manager Valentine clarified that public notice of the public hearing was provided to all the members of the Birmingham Shopping District.

**MOTION:** Motion by DeWeese, seconded by Bordman:

To accept the recommended road design by MKSK and continue to refine the plan with head-in angled parking, preferably in such a way to be flexible in the future.

City Manager Valentine noted that the recommended road design refers to the 66 foot road width that is being proposed. Mayor Nickita added this proposal adds two feet to each side and a nine foot center lane to be utilized in some capacity to be determined.

Commissioner Boutros commented about the flexibility to change the parking in the future, and Commissioner DeWeese noted that his motion indicates a preference for flexibility to allow that in the future.

Commissioner Bordman commented that the proposed motion excludes the possibility of further widening the sidewalks.

Mayor Nickita said the motion does solidify that and if there is a question on whether or not there is some variation then we have to adjust the motion to remove that dimension.

Commissioner Sherman asked if the commissioners want to propose a motion strictly on the back-in angled parking

**MOTION:** Motion by DeWeese, seconded by Bordman:

To amend the motion on the table to refine the plan for head-in angled parking, preferably in such a way to be flexible in the future.

City Manager Valentine clarified that the motion amendment includes the caveat for the flexibility to allow for a change in the future.

Mayor Nickita commented he does not question the studies that show that back-in angled parking is a safer option. He said the commission has to balance the effect of the change on the public, retailers, and offices with the gain by doing the alternative. He said he is comfortable with moving forward with maintaining the consistency of what we have had, but allowing the flexibility to move forward with an alternative situation in the future as we may see fit.

VOTE:           Yeas,   5  
                  Nays,   1, (Harris)  
                  Absent, 1 (Hoff)

Commissioner Bordman expressed interest in the concept of widening the sidewalk further. If we have doubts about the utility of the turn lane, then it would make sense to eliminate it or narrow it for some other purpose

City Manager Valentine said there has been discussion in terms of the 9 foot width and what that provides. He noted that when going from a 20 foot drive lane which we have currently to a 13 foot lane which is being proposed, the ability is lost for the vehicles to have anywhere to park and unload. The 9 foot drive lane provides a safe section of road that these vehicles can utilize on the street. We can see this used this way on the North Old Woodward side currently. That ability would not exist with a 13 foot drive lane. That was one of the key drivers for maintaining the turn lane throughout the area and not just at the intersections.

City Manager Valentine confirmed for Commissioner Bordman that the engineers said that is the minimum width for a lane of that nature.

City Engineer O'Meara explained for Commissioner DeWeese that 66 feet is the bare minimum according to the engineering team. He said that space is needed to back out of a parking space.

Mayor Nickita said the commission needs to identify if we have a comfort level with 66 feet or if there is an alternative that the commission would like them to move toward.

City Manager Valentine noted that if the commission wanted to go narrower, the commission would then have to consider a parallel parking situation.

City Manager Valentine added that part of the 12 foot drive lane excluding the gutter, allowed for the flexibility for turns into a space to occur.

Commissioner Bordman suggested that another benefit for the 9 foot lane is it can be used by pedestrians waiting for traffic to clear.

Commission Sherman commented that it makes sense to allow room for deliveries, and he is comfortable with it for that reason.

**MOTION:** Motion by Boutros, seconded by DeWeese:

To accept the recommended road design by MKSK for 66 feet curb to curb.

Vote: Yeas, 6  
Nays 0  
Absent 1 (Hoff)

Mayor Nickita said the recommendation for Maple is to be narrowed a couple feet and having a 12 foot dimension which would allow for more sidewalk area.

Commissioner Sherman commented that the proposal looked at minimal parking loss where the bump-outs are proposed on Maple west of Old Woodward, and Mr. Strader confirmed. Commissioner Sherman's concern is that on the east side we would lose parking on both sides of Maple with the bump-outs. Mr. Kinzelman said exactly where the taper starts is going to be subject to final engineering.

Mayor Nickita said the general dimension of the road is the question and the team will come back with the tapers and bump-outs. He added that the commission must decide if 12 foot travel lanes and 8 foot parallel parking as it exists currently is acceptable.

Commissioner Sherman asked Mr. O'Meara for the width of lanes on Maple that were recently restriped. Mr. O'Meara said they are 12 feet.

Commissioner Sherman asked what the standard is for cars parked on the side and cars travelling next to them. Mr. Strader said 12 feet is normal and 13-14 feet is preferred. That is the trade-off for wider sidewalks. Mr. Strader noted that the MMTB recommended that engineering work with the 12 feet lane.

Mayor Pro Tem Harris asked about the MMTB vote on Maple. Mr. Strader said there was no vote, and it was the consensus for 12 feet in order to have wider sidewalks.

Commissioner Boutros asked if any problems are foreseen with large trucks using Maple. Mr. Strader said trucks and SMART prefer a wider lane because of the mirrors, and the MDOT standard is if there is a truck route, a 12 lane is needed.

Mr. Kinzelman noted that he has designed a number of streets that move trucks and buses with 11 foot lanes.

**MOTION:** Motion by Sherman, seconded by DeWeese:

To accept the recommended road design by MKSK for Maple Road for a 40 foot width curb to curb in a design to be determined.

Vote: Yeas, 6  
Nays, 0  
Absent, 1 (Hoff)

Mr. Kinzelman described Old Woodward as the city's main street. Maple and Old Woodward is a very important intersection. He feels that it has a special character and should have an upgrade in materials and quality. There will be capital costs associated with the enhanced materials.

Mr. Kinzelman said currently the curbs, street and sidewalks are cast-in-place concrete. He presented some suggestions for the improvements, using pavers in the intersection, left turn lane, crosswalks and sidewalks. Granite curb tree wells are also recommended, as well as new, energy efficient lighting and fixtures.

Mayor Nickita noted that what the consultants are looking for tonight are comments and direction to help them refine plans in accordance with what the commission comments are.

Commissioner Bordman understands the desirability of having different materials to delineate different areas of the street, and apparently, we are already over the budget by double for just concrete. Adding the brick would be more costly. She is interested to know what else we could do to keep the cost down, but still accomplish the goal of differentiating the areas. She suggested perhaps different color concrete, or a narrow, darker strip to separate the drive lane from the parking area.

Mr. Kinzelman recommended that the commission not use stamped or colored concrete, because it fades, is not as durable as normal cast-in-place concrete, and when needing patching, the color and texture will never match. He suggested using good quality concrete and use finishes and scoring. He said the stiffest concrete cast in place is 4000-4500 psi. Some of the brick materials are 12000-14000 psi material. He suggested the commission look for good value for the city to add a special character to portions of Old Woodward without turning this into something that is outside the value proposition.

Mayor Pro Tem Harris questioned the budget figures, since it was unclear that the figures Commissioner Bordman referenced represent the entire cost. City Engineer O'Meara stated that the budget of \$1.55 million is the entire cost. Parts of that could be assessed, but not a large part of it.

Commissioner DeWeese believes the reason the city used brushed concrete was to reduce slipping or tripping. Mayor Nickita stated that part of the 2016 plan stated specifically that the team recommended clean white concrete, scored finely in small increments. The goal was to not detract from what we wanted everyone to look at which was the storefronts. That was the concept behind the materials that we use, and for the differentiation of the functional vs. the walkable zone, we have the brown/tan aggregate.

One of the concerns Mayor Nickita has is whether or not we accommodate something different along Woodward and Maple, or if we deviate from what we have throughout the rest of the downtown. The question is do we want these to be different, or do we want them to be consistent with Pierce, Hamilton and with the other streets.

Mr. Kinzelman explained that they are proposing that only Old Woodward would become this special street. They suggest that maybe only the intersection of Old Woodward and Maple would have some special detail.

Commissioner DeWeese commented that everyone can agree on such things as bigger trees, bigger spaces, plantings, but when it comes to the detailing of the streets, we question what the value is for the money.

Mr. Kinzelman suggested that the commission give the team the opportunity to come back with their recommendations and options.

Mayor Nickita said cost and durability are concerns. He said this is an opportunity for the commission to provide insight for the team to bring back a refined series of recommendations. He added that there is a lot of interest in breaking down the 66 feet, but without a significant cost. There is a reluctance to brick paving, and to a deviation from the existing conditions which are working well for us. Focus on the retail, and less focus on the street, was a concern in the 2016 plan.

Commissioner Boutros added that we need to be clear on our directions to the team due to the timelines. Cost is very important but we need to be clear on whether we want standard options or enhanced options. He suggested that we are only doing this once and Birmingham needs to stand out. He is very aware of spending the tax dollars, but he is hearing mixed messages. He believes that we should go with enhanced options, but to get good value.

Mayor Nickita said we all would like the Rolls Royce of streetscapes, but it comes down to comparative analysis of costs vs. what we gain for that. We need to know more about the comparisons and what it will cost us.

Mr. Kinzelman stated that the direction given tonight is exactly what they wanted to generate. They want to make sure it is the right value-oriented clean-up of the corridor. The proof is in the bid documents which provide opportunity to look at bid alternates.

Mayor Nickita would like to add the following for further study and incorporation into the plan. We have a system of passageways, and within the scope of work, we asked to see where the passageway system can be incorporated. He would like to see serious consideration of crosswalk mid-block to add more pedestrian access and emphasize the pedestrian via. Also, a similar situation exists on Maple, and taking out a few parking spaces can enhance the pedestrian network by utilizing the passageways. Regarding the taper issue on Maple that Commissioner Sherman talked about, Mayor Nickita suggested studying diminishing the taper and allowing additional parking there. He would also like to see the radius tightened a bit and he would like them to look at that situation. Mayor Nickita would like the team to err on the side of the pedestrians.

**VII. REMOVED FROM CONSENT AGENDA**

**VIII. COMMUNICATIONS**

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

**X. REPORTS**

**11-352-16 CITY STAFF REPORTS**

City Manager Valentine noted the First Quarter Financial report and First Quarter Investment report submitted by Finance Director Gerber are required to be provided to the commission on a quarterly basis. He said there is nothing of concern in the reports.

**XI. ADJOURN**

The meeting adjourned at 11:12 PM.

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