

**BIRMINGHAM CITY COMMISSION AGENDA**  
**APRIL 8, 2019**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

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

Patty Bordman, 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:***

- On Thursday, April 11 at 7:00 PM, the jointly sponsored Spring Lecture Series of the Birmingham Museum and Baldwin Public Library will return with the theme, "Birmingham, Then and Now." The second presentation of the series will focus on Birmingham's neighborhoods and their stories, presented by local historians Pam De Weese and George Gestchman.
- The DPS Open House will be held on May 4<sup>th</sup>, from 10:00 a.m. until 2:00 p.m., not on May 11<sup>th</sup> as printed on the City Calendar
- City Offices will be closed on Good Friday, April 19<sup>th</sup>.

***Appointments:***

- A. Interviews for the Architectural Review Committee
  - 1. Christopher Longe
- B. Appointment to the Architectural Review Committee  
To appoint \_\_\_\_\_, as a regular member to the Architectural Review Committee to serve a three-year term to expire April 11, 2022.
- C. Administration of Oath of Office to Appointee

**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 Regular City Commission meeting minutes of March 25, 2019.
- B. Resolution approving the Special City Commission meeting minutes of March 26, 2019.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated March 27, 2019 in the amount of \$533,099.76 .
- D. Resolution approving the warrant list, including Automated Clearing House payments, dated April 3, 2019 in the amount of \$740,176.41.
- E. Resolution approving a request from the City of Birmingham Public Arts Board for a special event permit to hold the 2019 Birmingham in Stitches in Shain Park and on surrounding

streetscapes, benches, parking meters, and trees from September 14th through October 5th, 2019, with setup on September 12<sup>th</sup> and 13th, 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 accepting the resignation of Dominick Pulis from the Parks and Recreation Board as an Alternate Member, thanking him for his service, and directing the City Clerk to begin the process of filling the vacancy.
- G. Resolution approving the purchase of Larvicide material from Clarke Mosquito Control in an amount not to exceed \$9,454.08. Further, waiving the normal bidding requirements based on the government regulated pricing for this type of material. Funds for this purchase will come from the Sewer Fund-Operating Supplies Account #590-536.002-729.0000.
- H. Resolution approving the purchase and installation of Barnum Park Brick Planters project from Brixnstone, LLC, as described in Attachment A, in an amount not to exceed \$20,450.00, to be located at Barnum Park Arch, as part of the Barnum Park Arch Landscape Enhancements. Funds are available from the Barnum Park Donations account #401-751.000-674.0004 in the amount of \$12,000.00 and Parks Other Contractual Services account #101.751.000-811.0000 in the amount of \$8,450.00 for these services. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.
- I. Resolution awarding the Bowers Street Water Main Replacement Project, Contract #2-19(W) to FDM Contracting, Inc., in the amount of \$727,291.25, to be charged to the following accounts:  
Sewer Fund                    590-536.001-981.0100  
Water Fund                    591-537.004-981.0100  
Local Streets Fund        203-449.001-981.0100  
Major Streets Fund        202-449.001-981.0100  
contingent upon execution of the agreement and meeting all insurance requirements, and further approving the appropriation and amendment to the fiscal year 2018-2019 Major Streets Fund and Water Fund budget.
- J. Resolution authorizing the Chief of Police to sign the MLCC Police Investigation Report (LC-1800) and approving the liquor license request of The Morrie, LLC that requests a transfer of interest in a Class C License to be issued under MCL 436.1521(A)(1)(B), and request for a new SDM License with new Outdoor Service (1 Area), New Sunday Sales (AM and PM) and New Dance/Entertainment Permits located at 260 N Old Woodward, Birmingham, Oakland County, MI 48009.

Furthermore, pursuant to Birmingham City Ordinance, authorizing the City Clerk to complete the Local Approval Notice at the request of The Morrie, LLC approving the liquor license transfer request of The Morrie, LLC that requested a Class C License to be issued under MCL 436.1521(A)(1)(B), and request for a new SDM License with new Outdoor Service (1 Area), New Sunday Sales (AM and PM) and New Dance/Entertainment Permits located at 260 N Old Woodward, Birmingham, Oakland County, MI 48009.

**V. UNFINISHED BUSINESS**

- A. Resolution directing staff to use Option A: Staggered Tree Placement for the landscape and street furnishing design of the Maple Road project area as recommended by the City's planning consultant, and further, to use Frontier Elms along all on-street parking zones, and to use Honey Locusts at pedestrian crossing locations.

**OR**

Resolution directing staff to use Option B: Aligned Tree Placement for the landscape and street furnishing design of the Maple Road project area, and further to use Frontier Elms along all on-street parking zones and to use Honey Locust at pedestrian crossing locations.

- B. 1. Resolution directing staff to proceed with the pedestrian enhancement improvements for the block of S. Eton Rd. from Maple Rd. to Yosemite Blvd., as recommended by the Multi-Modal Transportation Board, including:
- Installation of a landscaped pedestrian refuge island at the S. Eton Rd. pedestrian crossing for Maple Rd. traffic, as designed in Option 1.
  - Relocation of the west side curb to allow for an 8 ft. wide sidewalk from Maple Rd. to Yosemite Blvd.
  - Enhanced sidewalk and handicap ramp at the southeast corner of the Maple Rd. intersection.
- Further, directing staff to amend the 2019 Concrete Sidewalk Program, Contract #6-19(SW), to construct these improvements in the 2019 construction season, at an estimated cost of \$76,000, and to approve the appropriation and amendment to the fiscal year 2018-2019 Major Streets Fund budget.
2. Resolution directing staff to proceed with the traffic signal timing improvement at the Maple Rd. and N. Eton Rd. intersection Alternate 3, as recommended by the Multi-Modal Transportation Board, to provide a separate protected phase for northbound traffic entering this intersection, at an estimated cost of \$8,550, directing staff to proceed with the necessary changes through the Road Commission for Oakland County, and, further, approving the appropriation and amendment to the fiscal year 2018-2019 Major Streets Fund budget
- C. Resolution approving the conceptual design of the Pierce Alley Paving Project, dated March 29, 2019.

## **VI. NEW BUSINESS**

- A. Public Hearing to consider confirmation of Pierce Street Alley Special Assessment District
1. Resolution confirming and ratifying Special Assessment Roll No. 889 to defray the cost of construction of new concrete and exposed aggregate concrete pavement on Pierce Street Alley from Pierce Street to E. Merrill Street and instructing the City Clerk to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement. (*Complete resolution in agenda packet.*)
- B. Public Hearing to consider necessity for the replacement of all sewer and water laterals not meeting current criteria located within the Quarton Lake Subdivision Paving Project area.
1. Resolution declaring necessity for the replacement of all sewer and water laterals not meeting current criteria located within the Quarton Lake Subdivision Paving Project area:  
N. Glenhurst Dr. – Raynale St. to Oak St.  
Raynale St. – N. Glenhurst Dr. to Chesterfield Ave.  
Brookwood – N. Glenhurst Dr. to Raynale St.  
Kenwood Ct. – N. Glenhurst Dr. to 220 ft. east.
- AND**
2. Resolution setting Monday, April 22, 2019 at 7:30 p.m. for a Public Hearing to consider confirmation of the assessment roll for the replacement of water and sewer laterals within the Quarton Lake Subdivision Paving Project area. (*Complete resolution in agenda packet.*)

- C. Resolution amending Chapter 30, Cable Communications, Article X, Telecommunications Rights-of-way, to add Section 308, Telecommunications Infrastructure: City Conduit System.

**AND**

Resolution approving the standard form Conduit Lease Agreement with future lessees of the fiber optic network system as now installed and to be expanded in the Central Business District.

**AND**

Resolution approving modifications to the Fee Schedule under the Engineering section, as it pertains to rental fees and application fees for telecommunication systems wishing to use the City's new Fiber Optic Network.

**AND**

Resolution approving the professional services agreement with Turnkey Network Solutions for services described in the letter of February 13, 2019 for a three-year period.

- D. Resolution to meet in closed session to review pending litigation in the matter of Darakjian v City of Birmingham pursuant to Section 8(e) of the Open Meetings Act, MCL 15.261 – 15.275.

**(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.)**

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| <b>VII. REMOVED FROM CONSENT AGENDA</b> |
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| <b>VIII. COMMUNICATIONS</b> |
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- A. Michael Schneider – Cemetery Monuments

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| <b>IX. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA</b> |
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| <b>X. REPORTS</b> |
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- A. Commissioner Reports
  1. Notice of intent to appoint one alternate member to the Parks and Recreation Board on May 6, 2019.
  2. Notice of intent to appoint two regular members to the Martha Baldwin Park Board on May 6, 2019.
  3. Notice of intent to appoint three regular members to the Housing Board of Appeals on May 6, 2019.
  4. Notice of intent to appoint one regular member to the Board of Building Trades Appeals on May 6, 2019.
  5. Notice of intent to appoint two regular members to the Brownfield Redevelopment Authority on May 6, 2019.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  1. Parking Utilization Report submitted by Assistant City Manager Gunter

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| <b>XI. ADJOURN</b> |
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**PLEASE NOTE: Due to building security, public entrance during non-business hours is through the Police Department – Pierce St. entrance 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).*