# Birmingham City Commission Agenda

**September 10, 2015**

**Municipal Building, 151 Martin**

**7:30 P.M.**

## I. Call to Order and Pledge of Allegiance

Stuart Lee Sherman, Mayor

## II. Roll Call

Laura M. Pierce, City Clerk


**Announcements:**
- The Birmingham Street Art Fair will be held Saturday and Sunday, September 19 and 20, 2015 on Old Woodward. For more information and times, contact Common Ground at 248.451.3732.

## 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 August 24, 2015. |
| B. Approval of warrant list, including Automated Clearing House payments, of August 26, 2015 in the amount of $556,213.15. |
| C. Approval of warrant list, including Automated Clearing House payments, of September 2, 2015 in the amount of $7,821,476.30. |
| D. Resolution setting a public hearing date for October 12, 2015 to consider approval of a SLUP application for 1098 S. Adams to allow the operation of an auto sales agency and showroom. |
| E. Resolution setting a public hearing date of October 12, 2015 to consider the approval of the Brownfield Plan and Reimbursement Agreement for 2483 W. Maple, DFCU Financial. |
| F. Resolution setting a public hearing date for October 12, 2015 to consider the rezoning the property at 369 N. Old Woodward - Brookside Terrace from R-6 Multiple Family Residential to R-6 Multiple Family Residential and D-4 in the Downtown Overlay District. |
| G. Resolution setting a public hearing date of October 12, 2015 to consider an amendment to Article 1, Zoning Ordinance Foundation, Section 1.14, Zoning Map, to provide for the update of the Zoning Map as needed. |
| H. Resolution approving the purchase of holiday lights from Wintergreen Corporation for a total cost not to exceed $12,701.00. Funds are available from the General Fund-Community Activities Operating Supplies account #101-441.004-729.0000 for this purchase. |
I. Resolution approving $19,760 in Municipal Credits and $5,305 in Community Credits to provide support for Next’s specialized transportation program; approving $20,042 in Community Credit funds for the purchase of a new bus shelter located on West Maple (location to be recommended by the Multi-Modal Committee); and further directing the Mayor to sign the Municipal Credit and Community Credit contract for fiscal year 2016 on behalf of the City.

J. Resolution approving a contract with Sidock Group, Inc. in the amount of $154,600 for the provision of full architectural design services for the Chesterfield Fire Station, to be funded from account number 401-339.000-977.0000; further, authorizing the Mayor and Clerk to sign the agreement on behalf of the City; and further, approving the appropriation and budget amendment as follows:

   Capital Projects Fund
   Revenues:
   Draw from Fund Balance  401-000.000-400.0000  $154,600
   Expenditures:
   Building Improvements  401-339.000-977.0000  $154,600

K. Resolution setting a public hearing date for October 12, 2015 to consider approval of the Revised Final Site Plan and Special Land Use Permit Amendment for 735 Forest - Forest Grill.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

A. Ordinance amending Chapter 110. Article X—Pedicabs and Commercial Quadricycles. Further authorizing the mayor to sign on behalf of the City:
   - To prohibit the operation of pedi-cabs and pedi-pubs within the city.
   - or -
   - To allow the operation of pedi-cabs and pedi-pubs without the service of alcohol, and to amend the schedule of fees, charges , bond and insurance, Police Department section to add a fee for pedi-cabs and commercial quadricycles application in the amount of $50.
   - or -
   - To allow the operation of pedi-cabs and pedi-pubs with the service of alcohol, and to amend the schedule of fees, charges , bond and insurance, Police Department section to add a fee for pedi-cabs and commercial quadricycles application in the amount of $50.

B. Resolution accepting the recommendation of the Advisory Parking Committee to purchase new traffic control equipment at the Chester St. Parking Structure without cash payment being available, and to award Contract #15-15(PK), Parking Structure Traffic Control Equipment, to Skidata, approving the purchase of cashless payment equipment for the Chester Street Parking Structure in the amount of $195,000, charged to account #585-538.001-971.0100 (phase 1 of the contract). And further, asking the Advisory Parking Committee to review the cashless system and return to the City Commission with a recommendation on whether to continue with the cashless system at the remaining parking structures, prior to awarding the remaining phase 2 of the contract.

C. Resolution approving the agreement between the City of Birmingham and the MI Dept. of Transportation to proceed with the project known as the E. Maple Rd. Concrete Patching project, from Poppleton Ave. to Coolidge Hwy., with federal funding up to $208,000 included. The estimated cost of the local City share is $54,800, charged to account number 202-449.001-981.0100.
Further, approving the appropriation and budget amendment as follows:

**Major Street Fund**

Revenues:
- Draw from Fund Balance #202-000.000-400.0000 $54,800
- Total Revenue Adjustments $54,800

Expenditures:
- Major Street Public Improvements #202-449.001-981.0100 $54,800
- Total Expenditure Adjustments $54,800

**D. Acacia Drain Replacement - Catalpa Dr. – Edgewood Dr. to Grant St.**

1. Resolution accepting the request from the Oakland Co. Water Resources Commissioner's office to replace the remaining 589 feet of the Acacia Drain on Catalpa Dr. from Edgewood Dr. to Grant St., to be funded by Acacia Drain maintenance fund reserves, subject to a cost reimbursement agreement between the OCWRC and the City being finalized.

   - and -

2. Resolution authorizing Change Order #1 to the 2015 Local Streets Paving Program, Contract #2-15(P), in the amount of $475,000, to be charged to the following accounts, subject to a cost reimbursement agreement being finalized:
   - Acacia Drain Maintenance Fund 590-536.001-985.6900 $311,000.00
   - Sewer Fund 590-536.001-981.0100 $46,000.00
   - Water Fund 591-537.004-981.0100 $94,000.00
   - Local Street Fund 203-449.001-981.0100 $24,000.00

   - and -

3. Resolution setting a public hearing for the replacement of sewer laterals as follows: RESOLVED, that the City Commission shall meet on Monday, October 12, 2015 at 7:30 P.M., for the purpose of conducting a public hearing of necessity for the installation of lateral sewers on Catalpa Dr., between Edgewood Dr. and Grant St. Should the district be declared at that time, be it further RESOLVED, that the City Commission meet on Monday, October 26, 2015 at 7:30 P.M. for the purpose of conducting a public hearing to confirm the roll for the installation of lateral sewers on Catalpa Dr., between Edgewood Dr. and Grant St.

**E. Resolution to meet in closed session to review pending litigation regarding Wolf v City of Birmingham pursuant to Section 8(e) 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 open 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**

A. Building Better Families Through Action regarding funding

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

**X. REPORTS**
A. Commissioner Reports
   1. Notice of Intention to appoint members to the Board of Zoning Appeals on October 12, 2015.
B. Commissioner Comments
C. Advisory Boards, Committees, Commissions’ Reports and Agendas
D. Legislation
E. City Staff

XI. ADJOURN

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 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).

INFORMATION ONLY