

**BIRMINGHAM CITY COMMISSION AGENDA  
OCTOBER 13, 2014  
MUNICIPAL BUILDING, 151 MARTIN  
7:30 P.M.**

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

Scott D. Moore, Mayor

**II. ROLL CALL**

Laura M. Pierce, City Clerk

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

***Announcements:***

- Commissioner Birthdays: Moore, Sherman, Rinschler

***Proclamation:***

- Proclamation recognizing David Conlin for his service on the Board of Zoning Appeals.
- Proclamation recognizing Dorothy Conrad recipient of the First Citizen award.

***Appointments:***

- A. Interviews for appointment to the Board of Zoning Appeals.
  - 1. Randolph Judd, 1592 Redding
  - 2. Rachel Loughrin, 1604 Mansfield
  - 3. Peter Lyon, 1498 Yosemite
  - 4. Kevin Hart, 2051 Villa
  - 5. Michael Minna, 857 Redding
- B. To appoint \_\_\_\_\_ as a member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2017.
- C. To appoint \_\_\_\_\_ as a member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2017.
- D. To appoint \_\_\_\_\_ as a member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2017.
- E. Administration of 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.

- A. Approval of City Commission/Parks and Recreation Board workshop minutes of September 15, 2014.
- B. Approval of City Commission meeting minutes of September 22, 2014.
- C. Approval of warrant list, including Automated Clearing House payments, of September 24, 2014 in the amount of \$1,790,695.33.
- D. Approval of warrant list, including Automated Clearing House payments, of October 1, 2014 in the amount of \$6,991,038.21.

- E. Approval of warrant list, including Automated Clearing House payments, of October 8, 2014 in the amount of \$493,275.77.
- F. Resolution approving the appointment of election inspectors for the November 4, 2014 General Election pursuant to MCL 168.674(1) and authorizing the City Clerk to make revisions as needed.
- G. Resolution setting a public hearing date for October 27, 2014 to consider the Brownfield Plan for 400 S. Old Woodward (former Green's Art Supply).
- H. Resolution receiving the petition submitted by Mr. Anthony Long requesting the paving of Cummings Street from Chapin Ave. to E. Fourteen Mile Rd., and setting a public hearing of necessity for the improvement proposed herein on November 10, 2014 and setting a public hearing to confirm the roll on November 24, 2014. (complete resolution in agenda packet)
- I. Resolution approving the Commercial Natural Gas Purchase contract with Constellation NewEnergy- Gas Division, LLC for natural gas purchases from December 1, 2014 thru November 30, 2015 at a rate not to exceed \$4.95/Mcf. Further directing the Mayor and City Clerk to sign the agreement on behalf of the City.
- J. Resolution approving the Lighting Agreements with Essco of Birmingham, and Merrillwood Building, granting permission for the City for holiday lighting to be placed over Merrill Street during the 2014 holiday season, and further directing the Mayor and the City Clerk to sign the agreement on behalf of the City.
- K. Resolution approving the agreement with Steel Equipment Company in the amount not to exceed \$6,200.00 to furnish all materials, equipment, including accessories and incidentals necessary for the installation of a new ADA Door Operator; further authorizing this expenditure from the Community Development Block Grant Fund account number 248-690.000-836.0100; further authorizing the mayor to sign the agreement on behalf of the City; and further approving the appropriation and amendment to the fiscal year 2014-2015 budget as follows:

Community Development Block Grant Fund

Revenues:

Draw from Fund Balance (Account #248-000.000-400.0000)	<u>\$6,200</u>
Total Revenues	\$6,200

Expenditures:

Barrier Free Improvements (Account #248-690.000-836.0100)	<u>\$6,200</u>
Total Expenditures	\$6,200

<b>V. UNFINISHED BUSINESS</b>
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<b>VI. NEW BUSINESS</b>
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- A. Public Hearing to consider the Final Site Plan & Design and a Special Land Use Permit at Shell Gas Station, 33588 Woodward (formerly Citgo).
  - 1. Resolution approving the Final Site Plan & Design and a Special Land Use Permit at 33588 Woodward to allow the operation of a Shell gasoline station with a convenience store and a Dunkin Donuts store on site.
- B. Initial Screening of Bistro Applicants - 2015
  - 1. Resolution directing the following bistro applications, in the priority order below, to the Planning Board for full site plan and design review and Special Land Use Permit review:
    - 1. \_\_\_\_\_
    - 2. \_\_\_\_\_

3. \_\_\_\_\_

- C. Resolution approving the amendment to a previous agreement and related proposal directing LSL Planning to update the parking study section of the Development and Tax Increment Financing Plan for the Triangle District at a cost of \$6,500, and authorizing the Mayor and Clerk to sign the amendment. Further, approving the 2014-2015 appropriation and budget amendment as follows:

Revenues:

Draw from Fund Balance	251-000.000-400.0000	<u>\$6,500</u>
Total Revenue Adjustments		\$6,500

Expenditures:

Other Contractual Services	251-729.000-811.0000	<u>\$6,500</u>
Total Expenditure Adjustments		\$6,500

- D. Ordinance amending Part II of the City Code Chapter 34 Cemeteries, Article II., Greenwood Cemetery to add section 34-29 Perpetual Care Fund.

- AND -

Ordinance amending Part II of the City Code Chapter 34 Cemeteries, Article II., Greenwood Cemetery to add section 34-30 Establishment.

**VII. REMOVED FROM CONSENT AGENDA**

**VIII. COMMUNICATIONS**

- A. Brian & Mary Connolly, 843 Arlington, regarding West Maple
- B. Barbara & Lawrence Kunkler, 619 Shirley, regarding West Maple
- C. Janice Petcoff, 968 Arlington, regarding West Maple
- D. Marianne & Alan Schwartz, 416 Hawthorne, regarding West Maple
- E. Terry Thomas, 235 Linden, regarding West Maple
- F. Jeff Wilmot, 147 Linden, regarding West Maple

**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 Principal Shopping District Board on November 24, 2014.
- 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**