

BIRMINGHAM CITY COMMISSION AGENDA
NOVEMBER 9, 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

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

Announcements

- The Veterans Day Ceremony will be held at 11:00 AM in Shain Park on November 11, 2015.

Recognition of Outgoing City Commissioners

- Commissioner George Dilgard
- Commissioner Tom McDaniel
- Commissioner Scott Moore
- Commissioner Gordon Rinschler

Commissioner Transition

Administration of Oath to Elected Officials

- A. Administration of Oath of Office to City Commissioners
- B. Administration of Oath of Office to Library Board Members

Organization of City Commission

- A. Election of Temporary Chair of City Commission for purposes of conducting the Mayor and Mayor Pro Tem election.
- B. Election of Mayor and Mayor Pro Tem:
 - 1. Acceptance of nominations for Mayor from City Commissioners
 - 2. Election of Mayor
 - 3. Acceptance of nominations for Mayor Pro Tem from City Commissioners
 - 4. Election of Mayor Pro Tem
- C. Oath of Office to Mayor and Mayor Pro Tem
- D. Comments by newly elected Mayor and Mayor Pro Tem
- E. Presentation to outgoing mayor Commissioner Sherman by new mayor
- F. Comments by Commissioner Sherman

INTERMISSION

- G. Appointment of _____, Mayor, to the Retirement Board.
- H. Appointment of _____, Mayor Pro Tem, to the Retirement Board.
- I. Appointment of _____, Mayor, to the Retirees Health Care Fund Committee.
- J. Appointment of _____ (Mayor or his/her assignee), to the Triangle District Corridor Improvement Authority. *Member shall be appointed by the Mayor, subject to approval by the City Commission.* (Commissioner Sherman is currently serving on the Authority.)
- K. Appointment of _____ (city commissioner), to the Foundation for Birmingham Senior Residents. *Member shall be appointed by the Mayor.* (Commissioner Hoff is currently serving on the Foundation.)

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 October 26, 2015.
- B. Approval of warrant list, including Automated Clearing House payments, of October 28, 2015 in the amount of \$1,121,116.86.
- C. Approval of warrant list, including Automated Clearing House payments, of November 4, 2015 in the amount of \$723,028.01.
- D. Resolution approving expenditure of remaining balance of Birmingham Area Cable Board grant awards to the City of Birmingham for expansion of wireless services to the park grounds of the City of Birmingham Historical Museum & Park and award project to Netech in an amount not to exceed \$48,792.35 to be funded as follows:

Network Upgrade	636-228.000-973.0400	\$48,792.35
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Further, approving the appropriations and budget amendments as follows:

Computer Equipment Fund		
Revenues:		
Cable Board Grant	636-000.000.588.0000	\$31,488.18
Draw from Fund Balance	636-000.000-400.0000	\$17,304.77
Total		\$48,792.35
Expense:		
Network Upgrade	636-228.000-973.0400	\$48,792.35
- E. Resolution authorizing the expenditure of \$25,000 from the Automobile Parking System fund promotion account (Account No. 585-538.001-901.0300) to assist the PSD in creating their proposed 2015 holiday promotional TV campaign.
- F. Resolution approving the contract for the Invasive Species Removal Project 2015 to Cardno for a total project cost not to exceed \$13,000.00. Funds are available from the Parks - Other Contractual Service account #101-751.000-811.0000 in the amount of \$12,100.00 and in the Allen House -Other Contractual Service account #101-804.002-811.0000 in the amount of \$900.00 for these services. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of all required insurances.
- G. Resolution setting a public hearing date for December 7, 2015 to consider an application for a Special Land Use Permit Amendment and Final Site Plan for ROJO and Sidecar at 250 - 280 E. Merrill, under common ownership, operating under one Class C Liquor License, owned by Rojo Five, LLC.

- H. Resolution accepting the resignation of Patricia Bordman from the Parks and Recreation Board, thanking Ms. Bordman for her service, and directing the Clerk to begin the process to fill the vacancy.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Public Hearing to consider declaring necessity for Villa Ave. paving, from Adams Rd. to Columbia Ave.
1. Resolution declaring necessity for paving Villa Ave. from Adams Rd. to Columbia Ave. and further, the public hearing of confirmation will be held on November 23, 2015. (complete Resolution in agenda packet)
- B. Resolution approving the agreement with the Acacia Park CSO Drain Drainage District to reimburse the City the district's share of the costs of replacing the Acacia Drain located on Catalpa Dr. between Edgewood Ave. and Grant St., as authorized under Change Order #1 to Contract #2-15(P), the 2015 Local Streets Paving Program.
- C. 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 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.)

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

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 Corridor Improvement Authority, Board of Review and Parks and Recreation Board on December 7, 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](tel:248-530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).

INFORMATION ONLY