

# BIRMINGHAM CITY COMMISSION AGENDA

DECEMBER 4, 2017

MUNICIPAL BUILDING, 151 MARTIN

7:30 P.M.

## I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Andrew M. Harris, 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:*

- Commissioner Boutros' and Commissioner Hoff's Birthdays
- The Santa House will be open for visitors on select days through December 24<sup>th</sup> in the pavilion area in Shain Park. And you can enjoy the beauty of downtown Birmingham aglow for the holidays on a quaint carriage ride through town. The complimentary carriages are first-come first-served; carriages load at the corner of Henrietta & Merrill near Shain Park. Visit [www.enjoybirmingham.com](http://www.enjoybirmingham.com) for the Santa House and carriage ride schedules.
- The City of Birmingham has schedule a public review period for all interested parties to review the draft 2018 Parks and Recreation Master Plan for the City of Birmingham, Oakland County, Michigan which will be available for review and comment for 30 days beginning Monday, December 4, 2017 at the following locations during regular business hours: Birmingham Municipal Building, Birmingham Department of Public Services, Birmingham Ice Arena, and Birmingham Baldwin Public Library. The draft plan is also available for review on the following website: [bhamgov.org/ParksRecPlan](http://bhamgov.org/ParksRecPlan).

### *Appointments:*

- A. Interviews for Ad Hoc Unimproved Street Study Committee
1. Scott Seltzer, 1500 Lakeside Dr. – resident living on an unimproved street
  2. Scott Moore, 984 Rivenoak – resident at corner of Rivenoak (improved street) and Worth (unimproved street)
  3. David Lurie, 755 Lakeview – resident living on an unimproved street
  4. Dominick Pulis, 824 Wimbleton – resident living on an unimproved street
  5. Michael Fenberg, 908 Chesterfield – resident living on an unimproved street
  6. Jeffrey Heldt, 1415 Lakeside – resident living on an unimproved street
  7. Julie Hollinshead, 590 Lakeview – resident living on an unimproved street
  8. Christina McKenna, 608 Lakeview – resident living on an unimproved street
  9. John Rusche, 358 Henley – resident living on an unimproved street
  10. Robert Lavoie, 555 Lakeview – resident with road design and maintenance background
- B. Appointments to the Ad Hoc Unimproved Street Study Committee

1. To appoint \_\_\_ to the Ad Hoc Unimproved Street Study Committee as the resident representative living on an **improved street** to serve a term expiring on December 31, 2018.
  2. To appoint \_\_\_ to the Ad Hoc Unimproved Street Study Committee as a resident representative living on an **unimproved street** to serve a term to expire December 31, 2018.
  3. To appoint \_\_\_ to the Ad Hoc Unimproved Street Study Committee as a resident representative living on an **unimproved street** to serve a term to expire December 31, 2018.
  4. To appoint \_\_\_ to the Ad Hoc Unimproved Street Study Committee as a resident representative living on an **unimproved street** to serve a term to expire December 31, 2018.
  5. To appoint \_\_\_ to the Ad Hoc Unimproved Street Study Committee as a member with a **background in road design and maintenance** to serve a term to expire December 31, 2018.
  6. To appoint \_\_\_ to the Ad Hoc Unimproved Street Study Committee as **a member of the City Commission** to serve a term to expire December 31, 2018.
  7. To appoint \_\_\_ to the Ad Hoc Unimproved Street Study Committee as **a member of the City Commission** to serve a term to expire December 31, 2018.
- C. Interviews for Board of Review
1. Jill Stress
  2. Guy Di Placido
  3. Lester Richey
- D. Appointments to the Board of Review
1. To appoint \_\_\_ to the Board of Review as a regular member to serve a three-year term to expire December 31, 2020.
  2. To appoint \_\_\_ to the Board of Review as a regular member to serve a three-year term to expire December 31, 2020.
  3. To appoint \_\_\_ to the Board of Review as an alternate member to serve a three-year term to expire December 31, 2020.
- E. Interviews for Cablecasting Board
1. Donovan Shand
- F. Appointment to the Cablecasting Board
1. To appoint \_\_\_ to the Cablecasting Board as a regular member to serve the remainder of a term to expire March 30, 2020.
- G. Administration of Oath of Office to appointees

#### **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 November 20, 2017.
- B. Approval of warrant list, including Automated Clearing House payments dated 11/22/17, in the amount of \$965,041.92
- C. Approval of warrant list, including Automated Clearing House payments dated 11/29/17, of \$1,235,902.82
- D. Resolution accepting the resignation of Kristen Baiardi from the Board of Zoning Appeals, thanking her for her service, and directing the City Clerk to begin the process of filling the vacancy.

- E. Resolution approving a request submitted by the Memorial Day Committee to hold the Memorial Day Ceremony and aerial fly over on May 28, 2018 at 10:00AM, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- F. Resolution approving a request submitted by the Birmingham Bloomfield Chamber to hold the Village Fair in the Shain Park area, May 30 – June 3, 2018, including the private party, 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.

**V. UNFINISHED BUSINESS**

**VI. NEW BUSINESS**

- A. Public Hearing to consider the Final Site Plan and Special Land Use Permit – 33353 Woodward Avenue – Tide Dry Cleaners
  - 1. Resolution approving the Final Site Plan and Special Land Use Permit to allow service to patrons in their vehicles at 33353 Woodward Avenue – Tide Dry Cleaners as recommended by the Planning Board on October 25, 2017. (complete resolution in agenda packet)
- B. Public Hearing to consider the Final Site Plan and Special Land Use Permit Amendment – 250 & 280 E. Merrill – Sale of Rojo and Sidecar Restaurants
  - 1. Resolution approving the Special Land Use Permit Amendment and Final Site Plan to allow the sale of Rojo and Sidecar restaurants at 250 & 280 E. Merrill from Rojo Five, LLC to Sidecar Birmingham, LLC., subject to execution of a Special Land Use Permit contract between Sidecar Birmingham, LLC and the City of Birmingham;
 

**AND**

  - 2. Resolution authorizing the Chief of Police to sign the MLCC Police Investigation Report (LC-1800) and approving the liquor license transfer for The Sidecar Birmingham, LLC, that requests a transfer of Class C License issued under MCL 436.1521(A)(1)(B) located at 250-280 E. Merrill, Birmingham, Oakland County, MI 48009;
 

**AND**

  - 3. Furthermore, pursuant to Birmingham City Ordinance, resolution authorizing the City Clerk to complete the Local Approval Notice at the request of The Sidecar Birmingham, LLC approving the liquor license transfer request of The Sidecar Birmingham, LLC for the transfer of a Class C License to be issued under MCL 436.1521 (A)(1)(B) located at 250-280 E. Merrill, Birmingham, Oakland County, MI 48009. (complete resolution in agenda packet)
- C. Public Hearing to consider 2018 Program Year Community Development Block Grant application
  - 1. Resolution authorizing the Finance Director to complete the 2018 Program Year Community Development Block Grant application and conflict of interest certification and authorizing the mayor to sign the application and conflict of interest certification and other documents resulting from this application on behalf of the City and submit them to Oakland County. The project(s) to be included in the application and the respective allocations of Community Development Block Grant Funds are as follows:

	APPROVED
	2018
1. Public Services – Yard Services	\$ 6,306

- 2. Public Services – Senior Services 3,300
- 3. Remove Architectural Barriers –  
Retrofit tennis bubble entrance doors to comply  
with ADA standards 22,414

**TOTAL \$ 32,020**

- D. Resolution approving a request from the Community House and Variety, The Children's Charity to hold the Kids Helping Kids Walk on Sunday, April 29, 2018 on the sidewalks of the Community House neighborhood streets, 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.
- E. Resolution approving the changes to the City's General Investment Policy as outlined by Insight Investment and recommended by Finance Director/Treasurer Gerber.
- F. Resolution approving the recommendation of the Multi-Modal Transportation Board and enter into an agreement with the MKSK/Fleis & Vandenbrink team to provide professional multi-modal transportation consulting services to the City of Birmingham for a three year term, to be payable from account #202-449.007-804.0100. Further, directing the Mayor and City Clerk to sign the agreement on behalf of the City.
- G. Resolution approving the recommendations of the Multi-Modal Transportation Board for S. Eton Rd. from Maple Rd. to 14 Mile Rd. for pedestrian and bicycle improvements throughout the corridor, as outlined below:
  - A. Maple Rd. to Yosemite Blvd.:
    - 1. Relocate the west side curb for the entire block from its current location to a point three feet closer to the center of the road, thereby allowing the west side sidewalk to be rebuilt at 8 feet wide.
    - 2. Install an enhanced, larger sidewalk ramp area at the southeast corner of Maple Rd.
    - 3. Install sharrows in both directions on the existing travel lanes.
  - AND**
  - B. Yosemite Blvd. to Villa Ave.:
    - 1. Relocate the curbs on both sides of the street to create a two-lane street with 15 foot travel lanes. Parking shall be removed from both sides of the street.
    - 2. Install a 4 ft. wide parkway between the sidewalks and the new curb, and install new street trees, at a spacing of 40 ft. each.
    - 3. Install 6.5 to 8 ft. wide sidewalks on both sides of the street.
    - 4. Install sharrows in both directions on the existing travel lanes.
  - AND**
  - C. Villa Ave. to Lincoln Ave.:
    - 1. Remove parking on the west side of the street, to be replaced with an 8.5 ft. wide bidirectional bike lane and a 1.5 ft. buffer with raised markers.
    - 2. Install a 3 ft. wide painted buffer between the northbound travel lane and the parking lane (on the east side of the street).
    - 3. Install curbed bumpouts at marked pedestrian crosswalks on the east side of the street, at the intersections of Villa Ave., Hazel St., Palmer Ct., Bowers St., Holland Ave., Webster Ave., Cole Ave., and Lincoln Ave.
    - 4. Install green marked bicycle crossings on the western leg of the intersections of Villa Ave., Hazel St., Bowers St., Haynes St., Holland Ave., Webster Ave., Cole Ave., and Lincoln Ave.

**AND**

- D. South of Lincoln Ave. to 14 Mile Rd.:
1. Install an 8 ft. wide on-street parking lane on the west side of the street, separated from traffic with a solid line, with 24-hour parking permitted;
  2. Install a double yellow centerline for S. Eton Rd. to create two 10 ft. wide travel lanes (on the east side of the street) for vehicles;
  3. Install an 8 ft. wide bi-directional bike lane 2 ft. from the back of curb on the west side of S. Eton Rd.;
  4. Maintain a 2 ft. wide landscaped buffer between the on-street parking lane and the bike lane;
  5. Install curb bumpouts and crosswalks at the intersections of Melton Rd., Humphrey Ave., Sheffield Rd., and Bradford Rd., as noted on the attached plan;
  6. Install green marked bicycle crossings on the western leg of the intersections of Lincoln Ave., Melton Rd., Humphrey Ave., Sheffield Rd., and Bradford Rd., as noted on the attached plan.
  7. The City shall assume responsibility for the maintenance of the 8 ft. bike lane.

**AND**

Further, directing staff to apply for federal funding for these improvements through the Transportation Alternatives Program administered by the Michigan Dept. of Transportation, and report back to the Commission when status of the grant for the 2018 application has been determined. Should the Commission decide later to phase the improvements over time, the \_\_\_\_\_ section of the project should receive first priority.

**AND**

Proceeding with a traffic study of the Maple Rd. intersection in the spring of 2018, with truck turning movements quantified, for further review by the Multi-Modal Transportation Board, and a final recommendation to the City Commission.

**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 two resident members to the Public Arts Board on January 8, 2018
  2. Notice of Intention to Appoint one alternate member to the Board of Zoning Appeals on January 22, 2018
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  1. Parking Utilization Report, submitted by City Engineer O'Meara

**XI. ADJOURN**

## **INFORMATION 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).*