

**BIRMINGHAM CITY COMMISSION AGENDA**  
**DECEMBER 5, 2016**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

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

Mark Nickita, Mayor

**II. ROLL CALL**

Cheryl Arft, Acting Clerk

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

***Announcements:***

- The Santa House will be open week-ends on Saturdays and Sundays from 12 PM – 3:30 PM through Saturday, December 24<sup>th</sup>.
- There will be an informational meeting on the Poppleton Park concept plan on December 8<sup>th</sup> at 6:30 PM at City Hall.

***Appointments:***

- A.. Appointment to the Birmingham Shopping District Board.
  - 1. To concur in the city manager's appointment of Douglas Fehan to the Principal Shopping District Board, as the resident member, to serve a four-year term to expire November 16, 2020.
- B. Interviews for appointment to the Board of Review.
  - 1. Leland Feiste, 1474 Maryland
  - 2. Kathleen Devereaux, 1019 Rivenoak
- C. To appoint \_\_\_\_\_ to the Board of Review to serve a three-year term to expire December 31, 2019.
- D. To appoint \_\_\_\_\_ to the Board of Review to serve a three-year term to expire December 31, 2019.
- E. Interviews for appointment to the Triangle District Corridor Improvement Authority.
  - 1. G.A. "Kip" Cantrick, Jr., 774 Lakeside
- F. To concur in the Mayor's appointment of \_\_\_\_\_ to the Corridor Improvement Authority to serve a four-year term to expire December 15, 2020.
- G. Interviews for appointment to the Public Arts Board.
  - 1. MaryAnn Schlie, 19186 Devonshire, Beverly Hills (already interviewed)
  - 2. Jason Eddleston, 892 Purdy
  - 3. Heather Duggan, 9427 Wendover Ct., Brighton (already interviewed)
- H. To appoint \_\_\_\_\_ to the Public Arts Board to serve the remainder of a three-year term to expire January 28, 2017.
- I. Administration of oath to the appointed board members by the Acting Clerk.

**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 14, 2016.
- B. Approval of warrant list, including Automated Clearing House payments, of November 23, 2016 in the amount of \$764,134.84.
- C. Approval of warrant list, including Automated Clearing House payments, of November 30, 2016 in the amount of \$357,941.01.
- D. Resolution approving purchase of multi-function printer from Xerox, using MiDEAL extendable contract, in an amount not to exceed \$9,280.00 and charging the purchase against the 636-228-000-971.0100, Machinery & Equipment account.
- E. Resolution approving the 2016 Michigan Medical Marijuana Operation and Oversight Grant Subrecipient Agreement between the City of Birmingham and Oakland County. Further, authorizing the Mayor and City Manager to sign the agreement on behalf of the City.
- F. Resolution approving the purchase and planting of fifty-three (53) trees from KLM Landscape for the 2016 Woodward North of Oakland tree planting project for a total project cost not to exceed \$12,310.00; further authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of all required insurances. Funds are available from the Major Streets Fund-Forestry Service Contract account #202-449.005-819.0000 in the amount of \$6,155 and the Major Streets Fund-Operating Supplies account #202-449.005-729.0000 in the amount of \$6,155 for these services.
- G. Resolution authorizing the City Manager to sign the Proposal and Scope of Work for Technical Services, to enlist the services of Data Partner Inc. for the installation and configuration of the brocade network infrastructure utilizing pricing for installation services under MiCTA Contract 134AN-TISA2013-0416 at a cost not to exceed \$7,200.00. Funds are available in the IT Network Upgrade fund account #636-228.000-973.0400.
- H. Resolution accepting the resignation of Victor Saroki from the Triangle District Corridor Improvement Authority, thanking Mr. Saroki for his service, and directing the Acting Clerk to being the process to fill the vacancy.

## **V. UNFINISHED BUSINESS**

## **VI. NEW BUSINESS**

- A. Resolution concurring in the recommendation of the Greenwood Cemetery Advisory Board denying Mr. Robertson's request for an exemption to the flush marker regulation in Section F-North of Greenwood Cemetery.  
OR  
Resolution approving Mr. Robertson's request for an exemption to the flush marker regulation in Section F-North of Greenwood Cemetery.
- B. Public Hearing to consider the allocation of 2017 Community Development Block Grant Funds.
  - 1. Resolution authorizing the Finance Director to complete the 2017 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 2017**
1. Public Services – Yard Services	\$ 6,306
2. Public Services – Senior Services	3,300
3. Minor Home Repair	22,414
<b>TOTAL</b>	<b>\$ 32,020</b>

\*\* (TO BE DETERMINED BY THE CITY COMMISSION AT THE DECEMBER 5, 2016 MEETING)

- C. Public Hearing to consider an ordinance amending Chapter 114 of the City Code.
  - 1. Ordinance amending part II of the City Code, Chapter 114 Utilities, adding Article VI. Storm Water to add Division 6. Storm Water Utility Fee.
- D. Resolution amending the Schedule of Fees, Charges, Bonds and Insurance, Water and Sewer Service Sections, for changes in sewer rates and the addition of a storm water utility fee as outlined in the report dated November 21, 2016, to be effective for bills on or after January 1, 2017.
- E. Resolution accepting the recommendation of the Multi-Modal Transportation Board, approving the conceptual plans for the reconstruction of Oak St. between Glenhurst Dr. and Chesterfield Ave. in 2017. (complete resolution in agenda packet)

OR

Resolution authorizing the Mayor and City Clerk to sign the Intergovernmental Agreement between Birmingham Public Schools and the City authorizing the construction of a parent drop off lane within the Oak St. right-of-way and an easement to be dedicated by the School District for this purpose.

- F. Resolution approving the contract between the County and the Municipalities relating to the acquisition and construction of the Evergreen Farmington Sewage Disposal System North Evergreen Interceptor Quarton Road Storage Improvements (the "Contract"), which Contract provides that the City will pay its share of the cost of the Project in cash; that for the making of such payment thereunder the City will pledge its full faith and credit and limited taxing power; and for other matters relating to the Project and the acquisition, construction, financing and operation thereof, all under and pursuant to Act No. 342, Public Acts of Michigan, 1939, as amended. Further, approving the preliminary plans for the Project, and the estimates of the cost and period of usefulness thereof, as contained in Exhibits A and B to the Contract. Further, authorizing and directing the Mayor and the City Clerk to execute and deliver the Contract for and on behalf of the City. Further, authorizing and directing the City Clerk to publish the notice hereunto attached in the Birmingham Eccentric and so as to be prominently displayed therein. (complete contract in agenda packet)
- G. Resolution amending the Schedule of Fees, Charges, Bonds and Insurance, Engineering Department/Department of Public Service section, and Building Department section, as stated in the report and adopting the revised Public Records Policy.
- H. Resolution to meet in closed session to discuss an attorney/client privilege communication in accordance with Section 8(h) 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 Public Arts Board on January 9, 2016.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

**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).*