

**BIRMINGHAM CITY COMMISSION MINUTES
NOVEMBER 11, 2013
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

George Dilgard, Mayor, called the meeting to order at 7:30 PM.

II. ROLL CALL

ROLL CALL:	Present,	Mayor Dilgard Commissioner Hoff Commissioner McDaniel Mayor Pro Tem Moore Commissioner Nickita Commissioner Rinschler Commissioner Sherman
	Absent,	None

Administration: City Manager Bruner, Attorney Currier, Clerk Pierce, Assistant City Manager Valentine, DPS Director Wood, City Engineer O'Meara, IT Manager Gemmell, City Planner Ecker, Police Chief Studt, Deputy Police Chief Clemence, Public Relations Specialist Gamboa,

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

11-305-13 OATH OF OFFICE - CITY COMMISSION

The Clerk administered the oath of office to City Commissioners Rackeline Hoff, Mark Nickita, and Stuart Sherman.

11-306-13 OATH OF OFFICE – LIBRARY BOARD

The Clerk administered the oath of office to Library Board members Sheila Brice, Andrew Harris, and Frank Pisano.

11-307-13 ORGANIZATION OF THE CITY COMMISSION

MOTION: Motion by Moore, seconded by McDaniel:

To nominate George Dilgard as temporary chair of the City Commission for purposes of conducting the Mayor and Mayor Pro Tem election.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by McDaniel:

To nominate Mayor Pro Tem Scott Moore as Mayor.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by Nickita
To nominate Commissioner Stuart Sherman as Mayor Pro Tem.

VOTE: Yeas, 7
Absent, None

The Clerk administered the oath of office to the Mayor and Mayor Pro Tem.

The meeting was recessed at 7:49 PM.
The Mayor reconvened the meeting at 8:02 PM.

11-308-13 APPOINTMENTS TO THE RETIREMENT BOARD, RETIREES HEALTH CARE FUND COMMITTEE, CORRIDOR IMPROVEMENT AUTHORITY, AND FOUNDATION FOR BIRMINGHAM SENIOR RESIDENTS.

MOTION: Motion by Hoff:
To appoint Scott Moore, Mayor, to the Retirement Board.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by Hoff:
To appoint Stuart Sherman, Mayor Pro Tem, to the Retirement Board.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by Nickita:
To appoint Scott Moore, Mayor, to the Retirees Health Care Fund Committee.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by Hoff:
To concur in the Mayor's appointment of Stuart Sherman, Mayor Pro Tem to the Triangle District Corridor Improvement Authority.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by Sherman:
To concur in the Mayor's appointment of Rackeline Hoff, City Commissioner, to the Foundation for Birmingham Senior Residents.

VOTE: Yeas, 7
Absent, None

11-309-13

**INTERVIEWS FOR APPOINTMENT TO THE
ADVISORY PARKING COMMITTEE**

MOTION: Motion by Sherman:

To appoint Julie Gheen, 272 Ravine Road, to the Advisory Parking Committee as the Resident Shopper Member to complete a three-year term to expire September 4, 2016.

VOTE: Yeas, 7
Absent, None

The Clerk administered the oath to the appointed board member.

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.

11-310-13 APPROVAL OF CONSENT AGENDA

The following items were removed from the consent agenda:

- Item B (Minutes of October 28, 2013) by Commissioner Hoff
- Item L (Parking Meter Time Limits on North Old Woodward) by Commissioner Hoff
- Item M (Parking Meter Time Limits on Brown) by Commissioner Hoff
- Item O (Engineering Consulting Services) by Commissioner Nickita
- Item Q (curb removal and replacement on Purdy and Landon) by Cindy Rose

MOTION: Motion by Rinschler, seconded by Sherman:

To approve the consent agenda as follows:

- A. Approval of City Commission minutes of October 21, 2013.
- C. Approval of warrant list, including Automated Clearing House payments, of October 23, 2013 in the amount of \$221,750.44.
- D. Approval of warrant list, including Automated Clearing House payments, of October 30, 2013 in the amount of \$816,320.94.
- E. Approval of warrant list, including Automated Clearing House payments, of November 6, 2013 in the amount of \$625,237.91.
- F. Resolution approving the purchase and planting of 143 trees from Agrosclaping, Inc. for the 2013 Fall Street Tree Planting project, contingent upon the approvals required by Sec. 2-289 of the Birmingham City Code, for a total project cost not to exceed \$32,805.00. Further, directing the Mayor and City Clerk to sign the agreement on behalf of the City. Funds are available from the Local Streets Fund-Forestry Service Contract account #203-449.005-819.0000, the Major Streets Fund-Forestry Service Contract account #202-449.005-819.0000, the Local Streets Fund-Operating Supplies account #203-449.005-729.0000 and the Major Streets Fund-Operating Supplies account #202-449.005-729.0000 for these services.
- G. Resolution approving the purchase of one (1) new 2115 Freightliner 108SD from Wolverine Freightliner – Eastside outfitted by Knapheide Truck Equipment Company with a Henderson underbody scraper, Henderson front plow, and a Henderson TaskForce salt spreader for a total expenditure of \$200,654.00. Funds for this purchase are available in the auto equipment fund, account #641-441.006-971.0100.

- H. Resolution approving the liquor license transfer of ownership of a Class C Liquor License with Sunday Sales (PM) Permit and Official Permit (Food) from American Blue Ribbon Holdings, LLC (Business Id. No. 224711) to Rojo Five, LLC, located at 250 Merrill, Birmingham, MI and request a new Sunday Sales (AM) Permit and an Outdoor Service Area Permit. Furthermore, pursuant to Birmingham City Ordinance, authorizing the city clerk to complete the Local Approval Notice at the request of Rojo Five, LLC transferring ownership of Class C Liquor License with Sunday Sales (PM) Permit, Official Permit (Food) and the request for a new Sunday Sales (AM) permit and an Outdoor Service Area Permit.
- I. Resolution approving the transfer of Ownership and Location of Class C and SDM Liquor Licenses with Sunday Sales (PM) Permit and Official Permit (Food) from National Coney Island, Inc. (Business Id. No. 472) to Crush, LLC located at 555 S. Old Woodward, Birmingham, MI and request Two New Additional Bar Permits, a New Sunday Sales (PM) Permit, a New Dance Permit and a New Outdoor Service Area Permit. Furthermore, pursuant to Birmingham City Ordinance, authorizing the city clerk to complete the Local Approval Notice at the request of Crush, LLC transferring ownership and location of Class C and SDM Liquor Licenses with Sunday Sales (PM) Permit, Official Permit (Food) and the request of Two New Additional Bar Permits, a New Sunday Sales (PM) Permit, a New Dance Permit and a New Outdoor Service Area Permit.
- J. Resolution approving a request submitted by the Birmingham Bike Festival LLC to hold the Birmingham Bike Festival on Sunday, August 24, 2014 in downtown Birmingham, 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.
- K. Ordinance amending Chapter 2, Administration, Article V, Boards and Commission, Division 3, Board of Review, Section 2-196(d) of the Code of the City of Birmingham to clarify the scheduling of Board of Review meetings.
- N. WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204e that the Michigan Finance Authority (the "MFA") in consultation with the Michigan Department of Environmental Quality (the "DEQ") shall establish a strategic water quality initiatives grant program; and
 WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to municipalities for sewage collection and treatment systems or storm water or nonpoint source pollution control; and
 WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and
 WHEREAS, the Municipality does hereby determine it necessary to establish an asset management plan and a plan for stormwater/wastewater,
 WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed \$1,930,000 ("Grant") be requested from the MFA and the DEQ to pay for the above-mentioned undertaking(s); and
 WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.
 NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Birmingham City Engineer, a position currently held by Paul O'Meara, is designated as the Authorized Representative for purposes of the SAW Grant Agreement.
 2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (see Sample Grant Agreement) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.
 3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.
 4. The Grant, if repayable, shall be a first budget obligation of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.
 5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.
 6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.
 7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.
 8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.
- P. Resolution awarding Contract #10-13(PK), Park Street Parking Structure Elevator Renovation, to Detroit Elevator Company of Ferndale, MI in the amount of \$250,490.00 (including the voluntary alternate to air condition the elevator controller), to be charged to the Park Street Parking Structure Building Improvements funds 585-538.003-977.0000.
- R. Resolution setting December 9, 2013 as the public hearing date for the 2014 Community Development Block Grant Program.
- S. Resolution approving upgrade of existing document management system from DSS Corporation, an effective sole source provider totaling \$25,295.00 to be charged against the 636-228.000-973.0400 Network Upgrade and 636-228.000-933.0600 Computer Maintenance accounts, further approving the replacement of six (6) document scanners to be purchased from HMB Inc. under GSA Schedule for \$17,970.00 and charging the purchase against the 636-228.000-971.0100 Machinery & Equipment account.

ROLL CALL VOTE: Yeas, Commissioner Dilgard
 Commissioner Hoff
 Commissioner McDaniel

Commissioner Nickita
 Commissioner Rinschler
 Mayor Pro Tem Sherman
 Mayor Moore
 Nays, None
 Absent, None
 Abstentions, None

The Commission agreed to consider Item Q, curb removal and replacement on Purdy and Landon, at this time.

**11-311-13 CURB REMOVAL AND REPLACEMENT
 PURDY AND LANDON**

Cindy Rose suggested the Commission discuss paving and road standards.

MOTION: Motion by Rinschler, seconded by Sherman:
 To accept the report from the City Engineer regarding the emergency purchase of subgrade undercutting and curb removal and replacement as outlined in Change Order #2, on Purdy St. and Landon St. to ensure a timely, quality pavement on these streets, using the applicable contract unit prices bid for a total of \$61,373 over that originally estimated, (to be charged to the Local Street Fund, account #203-449.001-981.0100), as authorized by the City Manager pursuant to Sec. 2-286 of the City Code.

VOTE: Yeas, 7
 Nays, None
 Absent, None

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

**11-312-13 PUBLIC HEARING TO CONSIDER CONCEPTUAL PLANS
 MULTI-MODAL IMPROVEMENTS –
 LINCOLN AND ETON RESURFACING PROJECTS**

Mayor Moore opened the Public Hearing to consider the conceptual plans as presented to implement multi-modal improvements to the Lincoln Ave. Resurfacing Project at 8:12 PM.

Mr. O'Meara explained that the design for Lincoln includes four lanes with parking on the outside lanes and two driving lanes, with improvements at nine locations where the road would be narrowed or modified to improve pedestrian crossing as well as reduce traffic speeds. He noted that there are two areas where there would be an island to allow the crosswalk to have a resting space in the middle. He noted that bicycles will share the car lanes.

Jeff Surnow noted that Lincoln is not a well-traveled street by bicyclists. He noted that if there was a way to make more room for bicyclist, it would be helpful; however it is much safer when the cars are going slower. He explained the bicycle symbols on the street are to educate the driver of the vehicle to be careful of the bicyclist.

The Commission discussed the pinch point at Clark and Cedar. City Planner Ecker noted that the bulbouts were placed at regular intervals.

The following individuals spoke in favor of the improvements:

Frank Ferfecki, 192 E. Lincoln

Joyce Ward, 1128 Pierce

Commissioner Hoff noted that the homeowner at 235 E. Lincoln requested the bulbout be moved from in front of his house as it will take away parking.

Mayor Moore closed the Public Hearing at 8:58 PM.

MOTION: Motion by Nickita, seconded by Hoff:

To accept the conceptual plans as presented to implement multi-modal improvements to the Lincoln Ave. Resurfacing Project (Southfield Rd. to Woodward Ave.) planned for 2014, using the Alternate 2 plan at Grant St., further, to direct City staff to proceed with the final construction plans as modified and to move the tree extension to a corner bulbout to the east side of Cedar and Lincoln.

Robert Huer, 1755 Graefield, suggested the bulbouts both sides of the intersection be moved.

The following individuals spoke in favor of moving the bulbout:

David Smith, 151 E. Lincoln

Cindy Rose, 1011 Clark

VOTE: Yeas, 7
 Nays, None
 Absent, None

City Engineer O'Meara explained the proposed improvements to North Eton include eliminating parking in the northbound lane and the addition of striping for bike lanes. Three intersections will be narrowed or modified to reduce traffic speeds.

Commissioner Rinschler and Commissioner Nickita agreed that the striping and bulbouts will inherently change the feel of the street; however the traffic calming will not be a significant.

The following individuals expressed concern with the proposed improvements effect on traffic calming:

Georgia Vitick, 667 Eton

Dorothy Conrad, 2252 Yorkshire

The Commission discussed traffic calming options such as an island in the center of the street and bold striping lines. Mr. O'Meara confirmed for Commissioner Hoff that the bicycle symbols will be in the bike lane on Eton.

The Commission suggested the committee re-evaluate this street and incorporate ideas from the proposed Lincoln improvements.

The Commission took no action.

**11-313-13 SET PUBLIC HEARING – MULTI-MODAL RESURFACING PROJECT
LINCOLN FROM SOUTHFIELD TO WOODWARD AVE**

City Engineer O'Meara explained the request to set a public hearing is due to the Lincoln resurfacing project previously discussed. He noted a 50% assessment would be appropriate.

Commissioner Hoff questioned whether the residents had an opportunity to comment on the assessment at the meetings. Planning Director Ecker noted that some individuals stated that they should not be assessed; however the committee did not discuss an assessment.

The Commission discussed whether the assessment to residents is appropriate as it is the obligation of the City to build the roads and the right of way. It was noted that the multi-modal changes would be implemented when a road was reconstructed; however Lincoln is a resurfacing project. It was also noted that the traffic calming will benefit the entire City, not just residents along that street.

Frank Ferfecki, Lincoln, expressed opposition to the assessment.

MOTION: Motion by McDaniel, seconded by Nickita:

To receive the report prepared by the Engineering Dept. relative to the additional costs to be incurred to construct multi-modal and traffic calming improvements as a part of the planned resurfacing project on Lincoln Ave. from Southfield Rd. to Woodward Ave., and that there be no assessments for the Lincoln resurfacing project.

In response to a question from Commissioner Rinschler regarding funding for the project, Mr. Bruner explained that appropriations will be made once the cost has been determined.

VOTE: Yeas, 7
 Nays, None
 Absent, None

**11-314-13 PUBLIC HEARING TO CONSIDER VACATION
SOUTH EDGE OF LOT 5, RANDALL ADDITION**

Mayor Moore opened the Public Hearing to consider the vacation of the 20 foot alley running along the south edge of Lot 5, Randall Addition at 10:09 PM.

City Engineer O'Meara explained that no one is currently using the alley for access. He confirmed the utility companies have been notified and noted they requested an easement be retained for public utilities.

The following individuals spoke in favor of the proposed vacation:

Rick Rattner, representing Cliff Lunney
Richard Najarian 660 Dewey

The Commission received communications in support of the proposed vacation:

Richard Najarian, 660 Dewey
Ace Bailey, 648 Dewey
Clinton and Judy Baller, 388 Greenwood
Cliff and Leslie Lunney, 663 Harmon

Gino D'Agostini, 691 Harmon
Jay Feldman, 633 Harmon

The Commission received communications in opposition to the proposed vacation:
Luce Ann Mallak, 676 Dewey
Michael and Deborah Shinder, 452 Greenwood

The Mayor closed the Public Hearing at 10:19 PM.

MOTION: Motion by McDaniel, seconded by Dilgard:
To authorize the vacation of the 20 foot alley running along the south edge of Lot 5, Randall Addition, contingent upon a twenty foot wide easement being retained for public utilities over said alley.

VOTE: Yeas, 7
Nays, None
Absent, None

11-315-13 PUBLIC HEARING TO CONSIDER SPECIAL LAND USE PERMIT AMENDMENT – 1755 AND 1775 MELTON – ETON ACADEMY.

Mayor Moore opened the Public Hearing to consider the Special Land Use Permit Amendment and Final Site Plan for Eton Academy, 1755 and 1775 Melton at 10:20 PM.

Ms. Ecker explained that the applicant purchased St. Columban Church and is proposing to use it for office and tutoring space. There are no exterior changes proposed at this time. She noted that the only Planning Board requirement was to submit signage plans for review.

In response to questions from the Commission, Ms. Ecker confirmed that it is a shared parking lot, which has excess capacity right now. She also confirmed that the bus traffic pattern will stay the same.

The Mayor closed the Public Hearing at 10:30 PM.

MOTION: Motion by Rinschler, seconded by McDaniel:
To approve the Special Land Use Permit Amendment and Final Site Plan for 1755 and 1775 Melton - Eton Academy, to allow Eton Academy to purchase St. Columban Church and expand school operations into the existing building:

WHEREAS, Eton Academy filed an application pursuant to Article 7, section 7.34 of Chapter 126, Zoning, of the City Code to combine both Eton Academy and St. Columban properties as well as the parking lot in a R-2 (Single Family Residential) zoning district in accordance Article 2, Section 2.01 and 2.21 of Chapter 126, Zoning, of the City Code;

WHEREAS, The land for which the Special Land Use Permit Amendment being sought is located on the south side of the existing Eton Academy;

WHEREAS, The land is zoned R-2, which permits the use of a school with a Special Land Use Permit;

WHEREAS, Article 7, section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit Amendment to be considered and acted upon by the Birmingham City Commission, after receiving recommendations on the site plan and design from the Planning Board for the proposed Special Land Use;

WHEREAS, The Planning Board on September 25, 2013 reviewed the application for a Special Land Use Permit Amendment and recommended approval of the application with the following conditions:

A) That the applicant submits all signage details for review prior to going before the City Commission for review and approval of the SLUP Amendment.

WHEREAS, The applicant submitted an application for a Special Land Use Permit Amendment and Revised Final Site Plan for Eton Academy;

WHEREAS, The Birmingham City Commission has reviewed Eton Academy's Special Land Use Permit application and the standards for such review as set forth in Article 7, section 7.36 of Chapter 126, Zoning, of the City Code;

NOW, THEREFORE, BE IT RESOLVED, The Birmingham City Commission finds the standards imposed under the City Code have been met, subject to the conditions below, and Eton Academy application for a Special Land Use Permit Amendment at 1755 and 1775 Melton. is hereby approved;

BE IT FURTHER RESOLVED, That the City Commission determines that to assure continued compliance with Code standards and to protect public health, safety, and welfare, this Special Land Use Permit is granted subject to the following conditions:

1. Eton Academy shall abide by all provisions of the Birmingham City Code; and
2. The Special Land Use Permit Amendment may be canceled by the City Commission upon finding that the continued use is not in the public interest.

BE IT FURTHER RESOLVED, That failure to comply with any of the above conditions shall result in termination of the Special Land Use Permit.

BE IT FURTHER RESOLVED, Except as herein specifically provided, Eton Academy and its heirs, successors, and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, and as they may be subsequently amended. Failure of Eton Academy to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit Amendment.

MAY IT BE FURTHER RESOLVED, that Eton Academy is recommended for a Special Land Use Permit Amendment to purchase the existing St. Columban Church building, parking lot and property at 1775 Melton, and to use the former Church building and property for school uses as described above, subject to final inspection.

VOTE: Yeas, 7
Nays, None
Absent, None

**11-316-13 CLOSED SESSION REQUEST
 PENDING LITIGATION**

MOTION: Motion by Nickita, seconded by Hoff:
To meet in a closed session to consult with the attorney regarding trial or settlement strategy in connection with specific pending litigation in accordance with Section 8(e) of the Open Meetings Act (Act 267 of 1976).

ROLL CALL VOTE: Yeas, Commissioner Hoff
 Commissioner McDaniel
 Commissioner Nickita
 Commissioner Rinschler
 Mayor Pro Tem Sherman

	Commissioner Dilgard
	Mayor Moore
Nays,	None
Absent,	None
Abstentions,	None

VII. REMOVED FROM CONSENT AGENDA

11-317-13 CITY COMMISSION/PLANNING BOARD WORKSHOP SESSION MINUTES OF OCTOBER 28, 2013

Commissioner Hoff requested the following change to the last paragraph in Item A:
"In response to a question from Dorothy Conrad, Mr. Bruner explained that a ~~bistro license cannot be sold or transferred.~~ the location of a bistro license cannot be transferred, but the ownership can be sold or transferred with City Commission approval."

MOTION: Motion by Hoff, seconded by McDaniel:
 To approve the City Commission/Planning Board workshop minutes of October 28, 2013 as corrected.

VOTE: Yeas, 7
 Nays, None
 Absent, None

11-318-13 PARKING METER TIME LIMITS ON NORTH OLD WOODWARD AND ON BROWN STREET

City Engineer O'Meara confirmed for Commissioner Hoff that notice was sent and there was very little response. He pointed out that the change does not affect the monthly permit parkers.

MOTION: Motion by Hoff, seconded by McDaniel:
 To accept the recommendation of the Advisory Parking Committee to reduce the time limit for the 49 parking meters in Area I (the west side of N. Old Woodward Ave. south of Harmon St.) from 12 hours to 2 hours, at an estimated cost of \$7,100, purchasing POM mechanisms, charged to account #585-305.000-971.0200.

-AND-

To accept the recommendation of the Advisory Parking Committee to increase the hourly rate for the 34 parking meters on the east side of N. Old Woodward Ave. from Parking Lot #6 to Euclid Ave. currently set at 50¢ per hour to \$1 per hour at an estimated cost of \$5,000, purchasing POM mechanisms, charged to account #585-305.000-971.0200.

VOTE: Yeas, 7
 Nays, None
 Absent, None

MOTION: Motion by Hoff, seconded by McDaniel:
 To accept the recommendation of the Advisory Parking Committee to increase the time limit for the 21 parking meters on the south side of W. Brown St. from Chester St. to Pierce St., from 2 hours to 12 hours, at an estimated cost of \$3,000, purchasing POM mechanisms, charged to account number 585-305.000-971.0200.

VOTE: Yeas, 7
Nays, None
Absent, None

11-319-13 ENGINEERING CONSULTING SERVICES

In response to a question from Commissioner Nickita, City Engineer O'Meara explained that the City has had a good working relationship with Walker Parking Consultants/Engineers. He noted that the contract is an hourly rate and the firm is efficient in their work.

MOTION: Motion by Nickita, seconded by Rinschler:

To approve the agreement between the City of Birmingham and Walker Parking Consultants/Engineers for consulting services related to the maintenance of the City's parking structures for a three year period, with all funding being charged to the Auto Parking System Fund. Further, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

VOTE: Yeas, 7
Nays, None
Absent, None

VIII. COMMUNICATIONS

11-320-13 COMMUNICATION

The Commission received a communication from Connie McEwan regarding marijuana.

Commissioner Hoff commented on several communications she received regarding construction sites. Mr. Bruner explained that the overall, building activity is increasing in Birmingham. He noted that on the properties in question, the building department has flagged the inspection so no further inspections will be done until the issues are addressed.

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

X. REPORTS

11-321-13 COMMISSIONER COMMENTS

Commissioner Rinschler presented an update on the Joint Library Building Committee.

Commissioner McDaniel requested the Joint Senior Services issue be placed on the Long Range Planning agenda.

Commissioner Hoff complimented the lights on Merrill.

Commissioner Nickita commented that the first meeting to plan for the 2016 Plan review for Duany was well attended.

11-322-13 COMMISSIONER REPORTS

The Commission intends to appoint members to the Greenwood Cemetery Advisory Committee on November 25, 2013 and the Board of Review and Triangle District Corridor Improvement Authority on December 9, 2013.

11-323-13 CITY STAFF REPORTS

The Commission received the report regarding the Oakland County Water Resource Commission work on the Bloomfield Village Drain submitted by City Engineer O'Meara.

The Commission received the report regarding the Oakland County Water Resource Commission work in Fairway Park submitted by City Engineer O'Meara.

The Commission received the Engineering Project update submitted by City Engineer O'Meara.

The Commission received the DPS Projects update submitted by DPS Director Wood.

The Commission received the Santa House addendum to the special event to add a tent and free parking sponsored by the Patch submitted by PSD Director Heiney and Clerk Pierce.

The Commission recessed to closed session at 10:56 PM.

The Commission reconvened in open session at 11:20 PM.

XI. ADJOURN

The Mayor adjourned the meeting at 11:20 PM.

Laura M. Pierce
City Clerk