

**BIRMINGHAM CITY COMMISSION MINUTES**  
**FEBRUARY 22, 2016**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

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

Rackeline J. Hoff, Mayor, called the meeting to order at 7:30 PM.

**II. ROLL CALL**

ROLL CALL: Present,	Mayor Hoff Commissioner Bordman Commissioner Boutros Commissioner DeWeese Commissioner Harris Mayor Pro Tem Nickita (arrived at 7:32 PM) Commissioner Sherman
Absent,	None

Administration: City Manager Valentine, City Attorney Currier, Clerk Pierce, Finance Director Gerber, DPS Director Wood, Planning Director Ecker, Fire Chief Connaughton, Police Chief Studdt, Deputy Police Chief Clemence, Commander Busen, Assistant to the Manager Haines, Building Official Johnson, Assistant City Engineer Fletcher

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

**02-46-16 APPOINTMENT TO THE BOARD OF REVIEW**

**MOTION:** Motion by Boutros:

To appoint Elicia Katrib, 1832 East Lincoln, as a regular member, to the Board of Review to serve the remainder of a three-year term to expire December 31, 2018.

**MOTION:** Motion by DeWeese:

To appoint Kathleen Devereaux, 1019 Rivenoak, as a regular member, to the Board of Review to serve the remainder of a three-year term to expire December 31, 2016.

VOTE ON NOMINATION OF KATRIB:

Yeas, 7  
Absent, None

VOTE ON NOMINATION OF DEVEREAUX:

Yeas, 7  
Absent, None

**02-47-16 APPOINTMENT TO THE BOARD OF BUILDING TRADES APPEALS**

The Commission interviewed Benjamin Stahelin, 1832 East Lincoln. Applicant Adam Charles, 1539 Bennaville was unable to attend to be interviewed.

**MOTION:** Motion by Sherman:

To appoint Benjamin Stahelin, 1832 East Lincoln, to serve the remainder of a three-year term on the Board of Building Trades Appeals to expire May 23, 2017.

VOTE: Yeas, 7  
Absent, None

**02-48-16 APPOINTMENT TO THE  
CABLECASTING BOARD**

**MOTION:** Motion by Harris:

To appoint Jeffrey Bozell, 1564 Penistone, to serve the remainder of a three-year term on the Cablecasting Board to expire March 30, 2018.

VOTE: Yeas, 7  
Absent, None

**02-49-16 APPOINTMENT TO THE  
HISTORIC DISTRICT STUDY COMMITTEE**

**MOTION:** Motion by DeWeese:

To appoint Michael Xenos, 1116 Washington Blvd, to the Historic District Study Committee to serve a three year term to expire June 25, 2017.

VOTE: Yeas, 7  
Absent, None

**02-50-16 APPOINTMENT TO THE  
AD HOC RAIL DISTRICT REVIEW COMMITTEE**

The Commission interviewed the following individuals for appointment to the Ad Hoc Rail District Review Committee. Norman LePage, Big Rock Chophouse, 245 South Eton, was unable to attend to be interviewed.

- Terry Adams, Bob Adams Towing, 2499 Cole St.
- Larry Bertollini, 1275 Webster
- Cynthia Chiara, 1622 South Eton

**MOTION:** Motion by Boutros:

To appoint Norman LePage, Big Rock Chophouse, 245 South Eton, to the Ad Hoc Rail District Review Committee, as the business owner in the Rail District member, to serve a term to expire December 31, 2016.

VOTE: Yeas, 6 (Boutros, DeWeese, Harris, Hoff, Nickita, Sherman)  
Absent, None

**MOTION:** Motion by DeWeese:

To appoint Larry Bertollini, 1275 Webster, to the Ad Hoc Rail District Review Committee, as the resident member living in the neighborhood adjoining South Eton between Maple and Lincoln, to serve a term to expire December 31, 2016.

VOTE: Yeas, 7  
Absent, None

**MOTION:** Motion by Harris:

To appoint Cynthia Chiara, 1622 South Eton, to the Ad Hoc Rail District Review Committee, as the resident member living in the neighborhood adjoining South Eton between Lincoln and 14 Mile Road, to serve a term to expire December 31, 2016.

VOTE: Yeas, 7  
Absent, None

**MOTION:** Motion by Bordman, seconded by Sherman:

To concur in the recommendation of the following board members to the Ad Hoc Rail District Review Committee:

- Janelle Whipple-Boyce, Planning Board Member
- Lara Edwards, Multi-Modal Transportation Board Member

VOTE: Yeas, 7  
Absent, None

The Clerk administered the 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.

#### **02-51-16 APPROVAL OF CONSENT AGENDA**

The following items were removed from the consent agenda:

- Item A (Minutes of February 8, 2016) by Commissioner Bordman
- Item E (Purchase of Tables for Barnum Park) by Commissioner Bordman
- Item I (W. Maple Rd. Sewer Improvement Project Contract) by Mayor Hoff

**MOTION:** Motion by Nickita, seconded by Bordman:

To approve the consent agenda as follows:

- B. Approval of warrant list, including Automated Clearing House payments, of February 10, 2016 in the amount of \$852,738.80.
- C. Approval of warrant list, including Automated Clearing House payments, of February 17, 2016 in the amount of \$808,220.93.
- D. Resolution approving the 2016 annual flower purchase from Croswell Greenhouse in the amount not to exceed \$15,860.00. Funds are available from the General Fund – Property Maintenance – Operating Supplies account #101-441.003-729.0000.
- F. Resolution confirming the City Manager's authorization for the emergency expenditure regarding the installation of a chain link fence and gate system at Buckingham and Cambridge along the west side of the railroad right-of-way, in the amount of \$7,573.40 to be paid from the City Property Maintenance, Other Contractual Services account #101-441.003-811.0000, pursuant to Sec. 2-286 of the City Code.

G. Resolution approving a request submitted by the Birmingham Bloomfield Chamber to hold the Village Fair in the Shain Park area, June 1-5, 2016, 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.

H. Act 51 Mileage Recertification Street Systems:

Manchester Rd. Resolution

1. Resolution approving the legal description for the right-of-way of the newly dedicated Manchester Rd. as described in the City Engineer's report dated January 25, 2016, and further accepting Manchester Rd. into the City of Birmingham Local Street System as of December 31, 2015:

WHEREAS, on February 25, 2013, the Birmingham City Commission approved a lot split that included the granting of right-of-way known as Manchester Rd. so as to provide an access to four new single-family lots, and

WHEREAS, after construction by others, the City of Birmingham accepted the new concrete pavement located within this new right-of-way, and

WHEREAS, Manchester Rd., as it extends east of Adams Rd. is now fully open and utilized by the public, and

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

That the right-of-way of the newly dedicated Manchester Rd. is described as follows:

All that part of said Lots 248 through 251 inclusive of "Birmingham Estates No. 1," a subdivision as recorded in Liber 32 of Plats, Page 16, Oakland Co. Records, and the adjacent vacated Manchester Rd. as recorded in Liber 451, Page 432, Oakland Co. Records, described as follows: BEGINNING at the southwest corner of said Lot 251; thence N02°50'24"W 12.00 ft. along the East right-of-way line of North Adams Rd. (66.00 ft. wide) and the West line of said Lot 251; thence N88°16'40"E 258.78 ft.; thence N02°50'24"W 5.00 ft.; thence N88°16'40"E 53.93 ft.; thence S02°50'24"E 50.00 ft.; along the East line of said Lot 248; thence S88°16'40"W 312.71 ft. along the centerline of said vacated Manchester Rd.; thence N02°50'24"W 33.00 ft. along the East right-of-way line of said North Adams Rd. and the west line of said vacated Manchester Rd. to the Point of Beginning, containing 0.329 acres of land, more or less, being subject to easements and restrictions of record, if any.

That said street is located within a right-of-way dedicated to the City of Birmingham, and is under the control of the City.

That said street is accepted into the City of Birmingham Local Street System, and was open to the public as of December 31, 2015.

E. Lincoln Ave. Resolution

2. Resolution approving the legal description for the right-of-way of the newly dedicated E. Lincoln Ave. as described in the City Engineer's report dated January 25, 2016, and further accepting E. Lincoln Ave. into the City of Birmingham Local Street System as of December 31, 2015:

WHEREAS, on April 8, 2013, the Birmingham City Commission approved a lot split that included the granting of right-of-way known as E. Lincoln Ave. so as to provide an access to three new commercial or mixed use zone lots, and

WHEREAS, after construction by others, the City of Birmingham accepted the new concrete pavement located within this new right-of-way, and

WHEREAS, E. Lincoln Ave., as it extends east from its former easterly terminus, is now fully open and utilized by the public, and

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

That the right-of-way of the newly dedicated E. Lincoln Ave. is described as follows: Commencing at the southeast corner of Lot 907 of "Sheffield Estates No. 1" as recorded in Liber 44 of Plats, Page 40, Oakland Co. Records, said point being distant S89°57'28"E 1,311.85 ft. and N00°19'55"E 1,728.45 ft. from the south ¼ corner of said Section 31; thence along the east line of said "Sheffield Estates No. 1" N00°19'65"E 489.80 ft.; thence continuing along said east line N00°24'27"E 252.85 ft. to the Point of Beginning; thence continuing along said east line N00°24'27"E 60.00 ft.; thence N89°03'12"E 318.77 ft.; thence N00°56'48"E 35.50 ft.; thence S89°03'12"E 41.43 ft. to a point on the current westerly right-of-way line of the Grand Trunk Western Railroad; thence along said line S41°50'26"E 27.34 ft.; thence S00°56'48"W 99.93 ft.; thence N 89°03'12"W 60.00 ft.; thence N00°56'48"E 24.50 ft.; thence N89°03'12"W 318.21 ft.; to the Point of Beginning.

That said street is located within a right-of-way dedicated to the City of Birmingham, and is under the control of the City.

That said street is accepted into the City of Birmingham Local Street System, and was open to the public as of December 31, 2015.

W. Merrill St. Resolution

3. Resolution decertifying a portion of W. Merrill St., between Bates St. and Henrietta St. for a total decertification length of 265 ft:

WHEREAS, the City of Birmingham does wish to decertify a portion of W. Merrill St. This decertification of W. Merrill St. is located between Bates St. and Henrietta St. for a total decertification length of 265 ft.

J. Resolution awarding the 2016 Concrete Sidewalk Repair Program, Contract #2-16(SW) to J.B. Contractors, Inc., of Detroit, MI, in the amount of \$797,300, to be charged to the various accounts as detailed in the report; and further approving the appropriations and budget amendments as detailed in the report:

General Fund – Adams Fire Station

Revenues:

Draw from Fund Balance #101-000.000-400.0000	\$ 126,380
Total Revenue Adjustments	<u>\$ 126,380</u>

Expenditures:

Transfer to Capital Projects #101-999.000-999.4010	\$ 126,380
Total Expenditure Adjustments	<u>\$ 126,380</u>

Capital Project Fund – Adams Fire Station

Revenues:

Transfer from General Fund #401-339.000-699.0101	\$ 126,380
Total Revenue Adjustments	<u>\$ 126,380</u>

Expenditures:		
Public Improvements #401-339.000-981.0100		\$ 126,380
	Total Expenditure Adjustments	<u>\$ 126,380</u>
<u>Major Street Fund</u>		
Revenues:		
Draw from Fund Balance #202-000.000-400.0000		\$ 12,320
	Total Revenue Adjustments	<u>\$ 12,320</u>
Expenditures:		
Public Improvements #202-449.001-981.0100		\$ 12,320
	Total Expenditure Adjustments	<u>\$ 12,320</u>
<u>Local Street Fund</u>		
Revenues:		
Draw from Fund Balance #203-000.000-400.0000		\$ 37,530
	Total Revenue Adjustments	<u>\$ 37,530</u>
Expenditures:		
Public Improvements #203-449.001-981.0100		\$ 37,530
	Total Expenditure Adjustments	<u>\$ 37,530</u>
<u>Water Fund</u>		
Revenues:		
Draw from net position #591-000.000-400.0000		\$ 39,590
	Total Revenue Adjustments	<u>\$ 39,590</u>
Expenditures:		
Other Contractual Services #591-537.004-811.0000		\$ 26,960
Other Contractual Services #591-537.005-811.0000		\$ 12,630
	Total Expenditure Adjustments	<u>\$ 39,590</u>

K. Resolution approving the agreement between the City and Kin Properties relative to the use of six parking spaces on their parking lot located at 211-223 W. Maple Rd., in exchange for nominal maintenance duties that are charged to the Auto Parking System Fund. Further, authorizing the City Manager to execute the agreement on behalf of the City.

ROLL CALL VOTE:	Yeas,	Commissioner Bordman Commissioner Boutros Commissioner DeWeese Commissioner Harris Mayor Pro Tem Nickita Commissioner Sherman Mayor Hoff
	Nays,	None
	Absent,	None
	Abstention,	None

<b>V. UNFINISHED BUSINESS</b>
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<b>VI. NEW BUSINESS</b>
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**02-52-16 PUBLIC HEARING OF NECESSITY  
REPLACEMENT OF SEWER LATERALS WITHIN THE  
HAMILTON AVENUE PAVING PROJECT AREA**

Mayor Hoff opened the Public Hearing of Necessity for the replacement of sewer laterals within the limits of the Hamilton Avenue paving project area at 8:06 PM.

Assistant Engineer Fletcher explained that sewer laterals that are fifty years or old will be replaced as part of the Hamilton Avenue road project.

Mayor Hoff closed the Public Hearing at 8:07 PM.

**MOTION:** Motion by DeWeese, seconded by Sherman:

To declare necessity for replacement of sewer laterals within the limits of the Hamilton Avenue paving project area. The Public Hearing of Confirmation will be held on March 14, 2016 at 7:30 PM:

WHEREAS, The City Commission has passed Ordinance No. 1906, to establish and adopt requirements and procedures for the replacement of sewer lateral lines when the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission is of the opinion that replacement of sewer laterals not meeting current criteria as a part of the planned road paving project is declared a necessity; and

WHEREAS, formal bids have been received and the actual cost per foot for replacement of the sewer laterals has been determined,

RESOLVED, that all sewer laterals not meeting current criteria located within the limits of the following streets shall be replaced as a part of the paving project on Hamilton Ave. between N. Old Woodward Ave. and Woodward Ave.

RESOLVED, that at such time as the Assessor is directed to prepare the assessment roll, of which 100% of the contractor's charge to replace sewer lateral (calculated at the rate of \$75 per linear foot) shall be charged to the adjoining property owners benefiting from the sewer lateral,

RESOLVED, that there be a special assessment district created and special assessments levied in accordance with benefits against the properties within such assessment district, said special assessment district shall be all properties, within the following district:

"Assessor's Plat No. 21"

The northerly portion of Lot 28 measuring 42.91 ft. wide at the west end, and 38.08 ft. wide at the east end, lot 36, lot 44 except for the northerly 10 ft. and that portion taken for Park St. right-of-way, lots 45 through 48 except for the northerly 10 ft.

RESOLVED, that the Commission shall meet on Monday, March 14, 2016, at 7:30 P.M., for the purpose of conducting a public hearing to confirm the roll for the replacement of sewer laterals within the Hamilton Ave. Paving Project.

VOTE: Yeas, 7  
Nays, None  
Absent, None

**02-53-16 PUBLIC HEARING OF NECESSITY  
SIDEWALK ENHANCEMENTS ON  
HAMILTON AVE FROM NORTH OLD WOODWARD TO WOODWARD  
AND PARK STREET FROM HAMILTON TO EAST MAPLE**

Mayor Hoff opened the Public Hearing of Necessity for sidewalk enhancements on Hamilton Ave. from N. Old Woodward Ave. to Woodward Ave., and Park St. from Hamilton Ave. to E. Maple Rd at 8:07 PM.

Assistant Engineer Fletcher explained that the streetscapes in the Hamilton Avenue project area will be redone. He noted that the goal is to have all streetscapes throughout downtown look the same.

In response to a question from Commissioner Boutros regarding the size of the bumpouts, Mr. Valentine confirmed that the Multi-Modal Transportation Board will come back with a recommendation as to the size of the bumpouts.

Jordan Jonna, of Jonna Development, commented that construction hurts new businesses. He suggested the process be sped up as it would be a great help to the businesses.

In response to a question from Chris Butler, property owner on Hamilton, Mr. Fletcher explained that trees will be planted in the treewells that are empty and a few trees will be replaced.

The Mayor closed the Public Hearing at 8:14 PM.

In response to a question from Mayor Pro Tem Nickita, Mr. Fletcher explained the incentives and penalties built into the agreement to encourage the contractor to remain on schedule.

**MOTION:** Motion by Nickita, seconded by Boutros:

To declare necessity for the sidewalk enhancements on Hamilton Ave. from N. Old Woodward Ave. to Woodward Ave., and Park St. from Hamilton Ave. to E. Maple Rd. The Public Hearing of Confirmation will be held on March 14, 2016 at 7:30 PM.

WHEREAS, The City Commission is of the opinion that construction of the improvement herein is declared a necessity; and

RESOLVED, that there be constructed an improvement to be hereinafter known as HAMILTON AVE. STREETScape ENHANCEMENTS

consisting of the construction of exposed aggregate concrete and regular concrete pavement sidewalks, as well as new trees and landscaping where needed, be it further

RESOLVED, that at such time as the Assessor is directed to prepare the assessment roll, seventy-five percent (75%) of the estimated cost be levied against the assessment district, and twenty-five percent (25%) of the estimated cost be charged against the City at large, be it further

RESOLVED, that there be a special assessment district created and special assessments levied in accordance with benefits against the properties within such assessment district, said special assessment district shall be all properties, both public and private, within the following district:

“Assessor’s Plat No. 21”

The easterly 50.20 ft. of lot 10, the northerly portion of lot 28, measuring 42.91 ft. on the west end, and 38.08 ft. on the east end, lots 29 through 32, lots 33 and 34 except for that portion taken for a 4 ft. wide property known as tax I.D. number 19-25-456-040, lot 35, lot 36, lot 42, lot 43 except for that portion taken for Park St. right-of-way, lot 44 except for the northerly 10 ft. and that portion taken for Park St. right-of-way, lots 45 through 48, except for the northerly 10 ft.

RESOLVED, that the Commission shall meet on Monday, March 14, 2016, at 7:30 P.M., for the purpose of conducting a public hearing to confirm the roll for the Hamilton Ave. Streetscape Enhancement.

VOTE: Yeas, 7  
Nays, None  
Absent, None

**02-54-16 STREET NAME CHANGE REVIEW POLICY**

Assistant to the Manager Haines explained that a policy has been developed to establish a procedure for street name change requests. The procedure will consider administrative and

historical implications of each request as well as providing a means of review by the City Commission.

Commissioner Bordman noted that the Historic District Commission and/or the Historic District Study Committee will review the requests. She suggested including a review by the Parks and Recreation Board when a street name change is on a street adjacent to a park. In addition, she suggested the percent of homeowners requesting the change be included as part of the policy.

Mayor Hoff noted that she would like both the Historic District Commission and Historic District Study Committee to review each request.

Mayor Pro Tem Nickita noted that not all the items the Parks and Recreation Board review are technically parks such as the Rouge River Trail. He suggested that Parks and Recreation Board review anything relevant to parks and recreation.

Commissioner Harris suggested reconstructing the second paragraph to allow staff to determine which agencies or boards should review the request. He noted that there are some circumstances where the Parks and Recreation Board should not look at a name change. He also suggested a timetable be included from the time of submission to the time the request comes before the City Commission.

Commissioner Sherman questioned the Parks and Recreation Board's interest and concern with regard to a street name and how it would affect the park. He noted that the policy already requires a report from other agencies impacted relative to the name change request. He stated that the catchall is already in the policy.

Commissioner Bordman moved the proposed resolution to amend it to state the Historic District Commission and the Historic District Study Committee and the Parks and Recreation Board as outlined. There was no second.

Commissioner Boutros suggested the timeframe be established as a minimum of ninety days and a maximum of six months.

Commissioner Harris suggested a minimum threshold of consensus be met to start the process such as 60%.

The Commission agreed to send this item back to staff to make the revisions as discussed.

**02-55-16                    2015 LIQUOR LICENSE REVIEW AND  
2016 LIQUOR LICENSE RENEWALS**

City Clerk Pierce explained the review and renewal process for the establishments which sell intoxicating liquor for consumption on the premises in the City. She explained that staff has conducted investigations on each establishment to determine whether the licensee is in compliance with all applicable city and state codes, a review of the general condition of the licensed premises on the interior and exterior, whether all taxes and other monies due to the city are paid timely, and report any police activity. She noted that any violations that were found have either been corrected or staff is working with the establishments to correct the violations.

The Mayor questioned the establishments that had repeated complaints for loud music. Commander Busen confirmed that when the police arrive, the establishments become compliant.

The Commission expressed concern with one establishment which has an outstanding tax and water bill. The Commission discussed setting a public hearing to consider objecting to the renewal of that license to give the establishment a couple weeks to enter into a payment plan for the outstanding bills. If the payment plan is in place prior to the public hearing date, the public hearing would be cancelled and the license subsequently approved.

**MOTION:** Motion by Boutros, seconded by DeWeese:

To set a public hearing for 7:30 PM on Monday, March 14, 2016 in the City Commission Room at the Birmingham Municipal Building, 151 Martin, Birmingham, MI 48009, to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of Rojo, 250 Merrill, for the following reasons: Licensee's failure to comply with the terms of its liquor license or any conditions imposed by the city commission or the liquor control commission at the time of issuance or transfer of the license. (Section 10-40(5); Licensee's failure to timely pay its taxes or other monies due the city. (Section 10-40(7).

Further, to direct the City Manager to notify the owners/operators of Rojo, 250 Merrill, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

- AND -

To approve the renewal for the 2016 licensing period, of all Class B, Class C, and microbrewery liquor licenses for which a current year application was received, except for the license(s) held by Rojo, 250 Merrill, for which a public hearing has been set.

Dan Linnen, with Rojo, commented that under their lease arrangement, they did not think they had any taxes due. He stated that they will make the proper arrangement for the water bill.

VOTE:           Yeas, 7  
                  Nays, None  
                  Absent, None

## **02-56-16                   PUBLIC NOTICING ENHANCEMENTS**

City Planner Ecker presented the current public noticing procedures and the enhancements to the public notice process. She explained the use of QR codes on public notification signs and the enhanced e-notify features on the website. In addition, she explained the new public notice page on the website.

Commissioner DeWeese suggested that these enhancements be marketed to the homeowner associations and the library offer training to get people educated.

**MOTION:** Motion by Bordman, seconded by Nickita:

To adopt the public noticing enhancements outlined in the February 11, 2016 staff memo as the City's public notice practices.

VOTE: Yeas, 7  
Nays, None  
Absent, None

**02-57-16 CITY COMMISSION GOALS**

**MOTION:** Motion by Sherman, seconded by Nickita:

To approve City Commission Goals resulting from the January 9th and the February 8th, 2016 City Commission Goal Setting Workshops.

VOTE: Yeas, 7  
Nays, None  
Absent, None

**VII. REMOVED FROM CONSENT AGENDA**

**02-58-15 CITY COMMISSION MEETING MINUTES  
OF FEBRUARY 8, 2016**

Commissioners Bordman and Sherman requested that additional information be included in Resolution #02-39-16 regarding the lot rearrangement at 1366 Haynes Court and 725 South Adams as the minutes are not clear as to why the Public Hearing was continued.

The Commission agreed to request that the Clerk revise the minutes and return them at the next meeting.

**02-59-16 PURCHASE OF TABLES FOR BARNUM PARK**

Commissioner DeWeese disclosed that he is one of the donors for the park and is on the Committee for Barnum Park which recommended this purchase. He noted that he does not have any financial interest in this item. The Commission had no concerns with Commissioner DeWeese participating in this item.

Commissioner Bordman pointed out that the funds being used were from donors. She thanked Cindy Rose for her work to improve Barnum Park.

DPS Director Wood explained that the donated funds are placed in a revenue account. Funds for the items purchased are charged from the expenditure account. Funds are then transferred from the revenue account.

**MOTION:** Motion by Bordman, seconded by DeWeese:

To approve the purchase of the Thomas Steele 'Ashton' tables from Playworld Midstates for use in Barnum Park using NPP cooperative bid pricing for a total expenditure of \$20,102.00. Further, waiving the formal bidding requirements for this purchase based on the City's membership in the cooperative program National Purchasing Partners. Funds are available for this purchase in the Capital Projects Fund, Barnum Park Improvements account #401-751.001-981.0100.

VOTE: Yeas, 7  
Nays, None  
Absent, None

**02-60-16 W. MAPLE RD. SEWER IMPROVEMENT PROJECT CONTRACT**

Mayor Hoff expressed concern with the coordination of the West Maple sewer improvements, with the resurfacing and the portion by the fire station which will be rebuilt. Assistant Engineer Fletcher explained that there is plenty of coordination between the projects. The sewer project will happen in April/May and the paving will not happen until July/August. City Manager Valentine stated that it is anticipated that the demolition of the fire station will be done at the same time as the road resurfacing project. The construction would begin after.

**MOTION:** Motion by Sherman, seconded by Boutros:

To award the W. Maple Rd. Sewer Improvement Project, Contract #1-16(S), to Troelsen Excavating Co. of Troy, MI, in the amount of \$325,000, charged to account number 590-536.001-981.0100. And further, approving the appropriation and amendment to the 2015-2016 Sewer Fund budget as follows:

Sewer Fund	
Revenues:	
Draw from Fund Balance 590-0000.000-400.0000	\$75,000
Total Revenue	\$75,000
Expenditures:	
Sewer Capital Improvements 590-536.001-981.0100	\$75,000
Total Expenditures	\$75,000

VOTE:       Yeas, 7  
               Nays, None  
               Absent, None

**VIII. COMMUNICATIONS**

**02-61-15                   COMMUNICATIONS**

The Commission received a statement from the Great Lakes Water Authority regarding Flint and the water quality in the Great Lakes Water Authority served communities.

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

**X. REPORTS**

**02-62-15                   COMMISSIONER COMMENTS**

Mayor Pro Tem Nickita suggested the Commission discuss the planned expansion of I-75 and the potential impact it would have on the City. He noted that one of the concerns is the allocation of resources. The Commission agreed to discuss this at a future meeting.

Commissioner Harris noted that the Board of Ethics Advisory Opinion regarding the Library process to select an architect found that there was no violation of the Ethics Ordinance.

**02-63-15                   ADVISORY BOARD & COMMITTEES REPORTS**

The Commission received the Board of Ethics Advisory Opinions 2015-06 and 2015-07.

**02-64-15                   CITY STAFF REPORTS**

The Commission received the Second Quarter Investment Report submitted by Finance Director Gerber.

The Commission received the Second Quarter Budget Report submitted by Finance Director Gerber.

Mayor Hoff questioned the revenues in the Greenwood Cemetery Fund. Finance Director Gerber explained that the City receives 75% of the proceeds from the sale of graves. City Manager Valentine explained that the funds in this account will typically be used for capital type projects for maintenance, repair, and on-going care of the cemetery.

<b>XI. ADJOURN</b>
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The meeting adjourned at 9:57 PM.

Laura M. Pierce  
City Clerk