

BIRMINGHAM CITY COMMISSION MINUTES
MARCH 26, 2018
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. ELECTION OF PRESIDING OFFICER, CALL TO ORDER AND PLEDGE OF ALLEGIANCE

City Manager Valentine called the meeting to order at 7:30 PM.

City Manager Valentine explained that according to the City Charter, the Commission must elect a Presiding Officer in the event the Mayor and Mayor Pro Tem are absent for a meeting. He called for nominations to elect a Presiding Officer for the meeting.

03-082-18 ELECTION OF PRESIDING OFFICER

MOTION: Motion by Commissioner DeWeese, seconded by Commissioner Hoff:
To elect Commissioner Boutros Presiding Officer for this meeting.

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

II. ROLL CALL

ROLL CALL:	Present,	Commissioner Boutros Commissioner DeWeese Commissioner Hoff Commissioner Nickita Commissioner Sherman
	Absent,	Mayor Harris Mayor Pro Tem Bordman

Administration: City Manager Valentine, City Attorney Currier, Deputy Clerk Arft, Planning Director Ecker, Finance Director Mark Gerber, Director of Public Services Wood

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

03-383-18 ANNOUNCEMENTS

Presiding Officer Boutros announced:

- To foster the love of reading in young children, the Baldwin Public Library has launched a program called "1,000 Books before Kindergarten." Studies show that families who start reading aloud to their children at birth and continue to do so over the years will strengthen their children's language skills and build their vocabulary. The more that

children are read to, the better prepared they are for kindergarten and beyond. To sign up for the program, visit the Youth Room reference desk. The "1,000 Books before Kindergarten" program is sponsored by the Bob and Jean Kelly Endowment fund.

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.

03-384-18 APPROVAL OF CONSENT AGENDA

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

To approve the Consent Agenda as follows:

- A. Approval of City Commission meeting minutes of March 12, 2018.
- B. Approval of warrant list, including Automated Clearing House payments, dated March 14, 2018 in the amount of \$1,561,970.91.
- C. Approval of warrant list, including Automated Clearing House payments, dated March 21, 2018 in the amount of \$1,078,394.02.
- D. Resolution authorizing the IT department to renew the existing Granicus Subscription for the yearly cost of \$7295.40. Funds available in the IT Connectivity account 636-228.000-933.0700.
- E. Resolution approving the proposal from Johnson-Hill Land Ethics Studio in the amount not to exceed \$24,700.00 for landscape architectural consultant services for design development, construction documentation, bid period services and construction period services to construct two Little League fields along the eastern edge of Kenning Park. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City of Birmingham upon receipt of proper insurance. Further, waiving the formal bidding requirements. Funds for this purchase are available from General Fund – Parks – Other Contractual Services account #101-751.000-811.0000.
- F. Resolution setting Monday, April 23, 2018 at 7:30 PM for a public hearing to consider the ordinance amendments to amend the submittal requirements for site plan and Special Land Use Permit review.
- G. Resolution setting Monday, April 23, 2018 at 7:30 PM for a public hearing to consider an application for a Special Land Use Permit Amendment and Final Site Plan for First Presbyterian Church at 1669 W. Maple.
- H. Resolution setting Monday, April 23, 2018 at 7:30 PM for a Public Hearing to consider the proposed lot combination of 325 W. Brown & 298 S. Old Woodward.
- I. Resolution setting Monday, April 23, 2018 at 7:30 PM for a Public Hearing to consider the proposed lot combination of 215 Peabody & 34965 Woodward.

V. UNFINISHED BUSINESS

03-385-18 PUBLIC HEARING TO CONSIDER ADOPTION OF THE CITY OF BIRMINGHAM 2018 PARKS AND RECREATION MASTER PLAN

Presiding Officer Boutros continued the public hearing at 7:35 p.m.

Director of Public Services Wood noted the updated accessibility ratings within the 2018 Parks and Recreation Master Plan and asked the Commission to approve the resolution to adopt the Plan. Director of Public Services Wood then introduced Sarah Traxler from McKenna to present the updated accessibility ratings.

The updated accessibility ratings were reached through a three-day, 30-item survey of Birmingham parks, Ms. Traxler explained.

Ms. Traxler continued that:

- The updated ratings were accidentally omitted from the inventory, but the individual ratings will be updated in the inventory for the final Plan.
- Some of the Parks may never reach the highest accessibility rating due to various circumstances, and the goal for accessibility should be looking at Birmingham parks from a systems perspective.

Ms. Traxler told Commissioner Hoff that:

- ADA-compliant equipment or circumstances were mentioned in three parks but not others because McKenna used its discretion in what to mention in the park descriptions.
- There is no reference to the removal of the overgrowth water lilies at Quarton Lake for the same discretionary reasons.
- This Plan is meant to provide a conceptual overview, not a square-foot by square-foot description – those details are better covered during the individual park planning which will occur after the approval of this conceptual plan.
- The Poppleton Park conceptual plan was added to the appendix of the Parks and Recreation Master Plan.
- Relevant minutes, letters, and resolutions will be added to the final draft.

There being no further comments, Presiding Officer Boutros closed the public hearing at 8:45 p.m.

MOTION: Motion by Commissioner DeWeese, seconded by Commissioner Nickita: To adopt the City of Birmingham 2018 Parks and Recreation Master Plan, subject to the comments recommended tonight. *(Formal resolution appended to these minutes as Attachment A)*

Commissioner Nickita expressed his approval of the conceptual Parks Plan and his appreciation for the effort that went into its creation and revisions.

VOTE: Yeas, 5
 Nays, 0
 Absent, 2 (Bordman, Harris)

VI. NEW BUSINESS

03-386-18 PUBLIC HEARING TO CONSIDER THE REPROGRAMMING OF PROGRAM YEAR 2017 CDBG FUNDS

Presiding Officer Boutros opened the public hearing at 8:46 p.m.

Finance Director Gerber explained:

- This project proposes to repurpose \$17,834 from the Minor Home Repair category of the Community Development Block Grants to the ADA-barriers project to make the Police Department doors ADA-compliant.
- After the transfer of funds there will still be \$19,434 for minor home repairs.

Seeing no comment from the public, Presiding Officer Boutros closed the public hearing at 8:47 p.m.

Commissioner Hoff:

- Thanked NEXT for allowing this repurposing of funds.
- Stated she represents the Commission on the Foundation for Birmingham Senior Residents and acknowledged the Foundation has money available for senior residents who qualify for home repair.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Hoff:

To authorize the Finance Director to submit a request along with the public hearing advertisement and City Commission resolution to Oakland County to reprogram the Community Development Block Grant (CDBG) program year 2017 funds in the amount of \$17,834 from Minor Home Repair (Account 731227) to the Remove Architectural Barriers project (Account 731619) – Police Department Main Entrance ADA Retrofit; and further approving the appropriation and amendment to the General and Community Development Block Grant Funds as follows:

General Fund:

Revenues		
Draw from Fund Balance	101-000.000-401.0000	\$(17,834)
Expenditures		
City Hall and Grounds		
Buildings	101-265.001-977.0000	\$(17,834)

Community Block Grant Fund:

Revenues		
Federal Grants	248-000.000-503.0000	\$ 17,834
Expenditures		
Barrier Free Improvements	248-690.000-836.0100	\$ 17,834

VOTE: Yeas, 5
Nays, 0
Absent, 2 (Bordman, Harris)

03-387-18 ORDINANCE AMENDMENT TO CITY CODE

City Manager Valentine presented the geographic definition of the Central Business District as following the parameters of the overlay zoning district. City Manager Valentine continued that the proposed amendment would add to the ordinance in order to make its parameters explicit.

City Attorney Currier added that:

- The overlay zoning district definition for the central business district provided in the proposed amendment to Section A of the ordinance will apply within the ordinance unless a different definition is provided.
- In an instance where a different definition is provided, as for example in reference to skateboarding within the City, the specific, already-extant definition will take precedence over the general definition provided.

City Attorney Currier told Commissioner Nickita that the definition of the overlay district is represented on the overlay map within the ordinance, and the definition is graphic-only.

Commissioner Nickita asked City staff to verify that a graphic-only definition provides sufficient clarity moving forward.

City Attorney Currier:

- Answered Commissioner Nickita affirmatively.
- Told Commissioner Sherman that there is no concrete difference between capitalizing or not capitalizing the words in 'Central Business District'. Commissioner Sherman accepted this.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
To approve the ordinance amendment to amend the City Code, Part II, Chapter 1-General provisions, Sec. 1-2 Definitions.

VOTE: Yeas, 5
 Nays, 0
 Absent, 2 (Bordman, Harris)

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

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

X. REPORTS

03-088-18 COMMISSIONER COMMENTS

Commissioner Hoff suggested that individuals not seeking reappointment to city Boards and Committees should be publically thanked under Section III – Proclamations, Congratulatory Resolutions, Awards, Appointments, Resignations and Confirmations, Administration of Oaths, Introduction of Guests and Announcements during City Commission meetings going forward.

Commissioner Hoff explained that unless an item featuring said recognition is pulled from the Consent Agenda, individuals not seeking reappointment are never verbally thanked by the

Commission for their service.

Commissioner DeWeese agreed with Commissioner Hoff, and noted that such public recognition also helps publicize new vacancies on the relevant City Boards or Commissions.

The Commission was in general agreement with Commissioner Hoff's proposal. City Manager Valentine confirmed City staff would take this as policy for recognitions moving forward.

Commissioner Nickita stated:

- He and City Manager Valentine were at the Michigan Municipal League Capital Conference in Lansing on March 20 and March 21, 2018.
- Topics covered at the Conference included legislation, medical marijuana ordinances and challenges, and funding for different issues including infrastructure.
- The conference is an interesting opportunity to hear other communities' concerns, perspectives and solutions.

City Manager Valentine concurred with Commissioner Nickita's observations and added:

- Cities throughout Michigan are facing similar challenges from a legislative perspective and the conference is a good opportunity to hear about approaches to said challenges, especially in regards to funding.
- It is important to keep an eye on what is happening in Lansing, and Birmingham will continue to make sure its voice is heard on a state level.

03-089-18 CITY STAFF

The Commission received the Annual Planning Division Report, submitted by City Planner Ecker.

Commissioner Hoff noted that most site plans reviewed by the Planning Board are commercial or multiple family, but that there was at least one site plan where the Planning Board looked at a single family residential parcel.

Planning Director Ecker explained that ordinances require the Planning Board to look at all commercial and multiple family zoned parcels – generally R4 or R5. Any single family homes that come before the Planning Board were built on parcels zoned for multiple family homes.

In response to a request from Commissioner Hoff, Planning Director Ecker gave a brief overview of the Historic District Commission goals.

The Commission received the Southfield and Maple Grant Funding Report, submitted by City Engineer O'Meara.

City Manager Valentine explained Birmingham received a grant for a portion of the reconstruction of Maple Road that will occur in 2020, and the City just received additional federal funds for the intersection at Southfield and Maple. In the 2020 fiscal year the City will receive \$600,000 for the above two projects.

XI. ADJOURN

The meeting adjourned at 8:08 p.m.

Cheryl Arft
Deputy City Clerk

**RESOLUTION OF ADOPTION
2018 Parks and Recreation Master Plan**

For the City of Birmingham
Oakland County, Michigan

CITY COMMISSION

WHEREAS, the City of Birmingham has undertaken a planning process to determine the recreation needs and desires of its residents during a five-year period covering the years 2018 through 2022; and

WHEREAS, the City of Birmingham began the process of developing a parks and recreation master plan in accordance with the most recent guidelines developed by the Michigan Department of Natural Resources and made available to local communities; and

WHEREAS, residents of the City of Birmingham were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the parks and recreation plan; and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days; and

WHEREAS, a public hearing was held on February 12, 2018, and reconvened on March 26, 2018 in the City Commission Chambers of City Hall to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the 2018 Parks and Recreation Master Plan; and

WHEREAS, the City of Birmingham has developed the plan as a guideline for improving parks and recreation within the City of Birmingham.

NOW, THEREFORE BE IT RESOLVED the Birmingham City Commission hereby adopts the 2018 Parks and Recreation Master Plan.

Yeas: All
Nays: None
Absent: 2 (Bordman, Harris)

I, J. Cherilynn Mynsberge, City Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Birmingham City Commission at a Regular Meeting thereof held on the 26th day of March, 2018.

J. Cherilynn Mynsberge