

**BIRMINGHAM CITY COMMISSION  
SPECIAL MEETING MINUTES  
FEBRUARY 2, 2017  
MUNICIPAL BUILDING, 151 MARTIN  
5:00 P.M.**

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

Mayor Mark Nickita called the meeting to order at 5:00 PM.

**II. ROLL CALL**

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

Administration: City Manager Valentine, City Attorney Currier, Acting Clerk Arft, City Planner Ecker, City Engineer O'Meara

**III. NEW BUSINESS**

**02-22-17: MKSK DESIGN FOR OLD WOODARD AND MAPLE**

On December 12, 2016, the MKSK team presented their final plans and recommendations to the City Commission, including their recommended design elements, streetscape, furnishing of materials, final striping and landscaping. After discussion, the City Commission directed the MKSK team to further study and add mid-block pedestrian crossings on Old Woodward south of Maple, and on E. Maple east of Old Woodward, and to add pedestrian safety islands or medians with landscaping at Hamilton and N. Old Woodward, Merrill and S. Old Woodward, and on W. Maple just west of Pierce. In addition, the City Commission noted that the corrections had not been made to the drawings to show the existing alley just west of Pierce on the north side of W. Maple. The MKSK team was requested to refine the plans based on the comments made, and to return to the City Commission on January 9, 2017 with the proposed changes.

On January 9, 2017, MKSK presented revised plans that added a mid-block crossing on S. Old Woodward south of Maple, and on E. Maple east of Old Woodward as requested by the City Commission, and street views of each of these crossings. The MKSK team indicated that their studies have shown that the installation of medians or crossing islands at each of the identified locations would interfere with truck turning movements, and thus they cannot recommend the addition of such islands or medians at Hamilton and N. Old Woodward, Merrill and S. Old Woodward or at Pierce and W. Maple. The MKSK team also presented the revised design of W. Maple at Pierce to show the one way entrance to the alley on the north side of W. Maple, and has updated the plans to show the use of flush curbs on only two corners of Maple and Old Woodward where acute angles are present. In reviewing the proposed plans, the City Commission expressed concern regarding the location of the proposed mid-block crossing on E.

Maple, and expressed their desire to have landscape medians installed at S. Old Woodward and Merrill, and N. Old Woodward and Hamilton. The City Commission further suggested switching the direction of vehicular flow in the alley adjacent to W. Maple and Pierce to accommodate the installation of a landscape median on W. Maple to further protect the pedestrian crossing.

Based on the input provided by the City Commission on January 9, 2017, MKSK has now revised the plans to include the requested landscape medians on N. and S. Old Woodward and on Maple. The mid-block crossing on E. Maple has been shifted to the east to line up with the Café Via pedestrian passage as requested by the City Commission, and the curb bump outs on the proposed mid-block crossing on Old Woodward have been reconfigured to minimize impacts of reverse movement of vehicles into the crosswalk. In addition, some of the handicapped parking spaces have been relocated near crosswalks to reduce conflicts between reverse movements of vehicles and pedestrians in the crosswalk. Finally, MKSK has refined the drive entrance to the Willits Alley from W. Maple by widening the approach, maintaining one-way inbound traffic, and restricting eastbound left turns into the alley with a landscape median.

Based on the input of the City Commission, staff will develop a bid package with two alternatives: one option including specifications for the use of the existing City standard materials in the proposed design; and a second set of alternate specifications for the use of enhanced materials as proposed. The project will then be bid out with both alternatives, and be brought to the Commission for their decision.

City Manager Valentine explained that Brian Kinzelman and Brad Straiter of MKSK are present to describe the modifications to the design requested by the Commission.

Mr. Kinzelman described the changes to the center medians and center turn lanes on Old Woodward and Maple. He noted the pedestrian-protective islands at some of the mid-block crossings. MKSK was asked to look at narrowing the mid-block crossings in an effort to gain additional parking. They have investigated that, and there is no additional parking.

Mr. Kinzelman described the Old Woodward center median installations at both Merrill and Hamilton Row which encompasses a mid-block crossing. In consultation with the City Engineer, it has been determined the best solution is to design a roll curb on the center islands, and put in low plant material to the extent there is available space to alleviate damage by broad-turning vehicles. He explained that in situations such as these, a hard surface nosing is suggested, which would be the same paving material being used in the median elsewhere in the flush condition, so that it takes that abuse. Where that condition does not exist, low evergreen material can be used to break down the scale of the street. He explained that this will all be refined as this goes to final engineering.

Mr. Kinzelman explained that the pedestrian protection island at the intersection of Pierce and Maple has complications of alley access into the service courts behind the retail on N. Old Woodward. Traffic has been restricted to one way in the alley, so there is no outbound, service traffic as vehicles exit the service court in an effort to minimize pedestrian conflicts. He noted that it is an 11 foot opening and a 27 foot wide dropped curb condition, so the service vehicles can make the turning motions out to go westbound on Maple. He said the design has sufficient turning motion for left turns out of Pierce on to Maple.

He described the mid-block crossings at Maple. It has been suggested that the width of the crosswalk be reduced by the width of the curb extensions that contain the crosswalks. After

looking at options, the taper for the left turn motions on to Old Woodward on the west, and the taper and turning motions on to Woodward at the east, provide a limited geography, and there is no way to diminish the crosswalk to the extent that a 24 foot parking space is possible. The crosswalk striping could be minimized, but the curb extensions would remain as they are. While losing two parking spaces, it provides added visibility for pedestrians who are stopped at the crosswalk waiting to make the crossing in moving traffic.

He explained that at the mid-block crossing at Old Woodward, the same issue of trying to gain additional parking was raised. He said that there is limited geography available between Merrill and Maple, and the back-out motions from head-in angled parking cause restrictions.

Commissioner DeWeese asked Mr. Kinzelman to comment on changes on the two bus stop locations in the southbound and northbound lanes of Old Woodward at Merrill. Mr. Kinzelman explained that the stops have been placed behind the street curb and not behind the parking curb where they exist today. This will allow riders to enter a bus without walking through a parking bay. He noted that both stops are before the intersection so that if the signal is red, the bus will stop to wait for the normal traffic signal cycle. When green, people will stack up behind the bus waiting for the riders to enter the bus. Pulling off the moving lane of traffic and back in again are dangerous movements for buses, and tend to be less safe than stopping and causing a back-up.

Commissioner Boutros said the Commission's suggestion was to go further south on this bus stop. He said that there is a business directly behind the shelter on the northwest corner of Merrill and Old Woodward. He asked if the stop is being eliminated on the southwest corner. Mr. Kinzelman confirmed that it is being moved from one side of the intersection to the other. Mr. Strait added that SMART prefers to be on the approach side of the signal. Accidents and back-ups occur when stops are on the other side of a signal.

Commissioner Hoff confirmed that the other stop is just before the Birmingham Theater. Mr. Kinzelman said it is planned to be in the same place as now, but located on a curb extension.

Commissioner Sherman confirmed that the alley on W. Maple will be kept as a one way alley. He asked about left turns into the alley, and Mr. Kinzelman said left turns would be prohibited. Commissioner Sherman pointed out that there are businesses in the alley. Mr. Kinzelman said access is not being cut off since access is available off Willits alley. Commissioner Sherman's concern is that the businesses in the alley are being cut off from people who make a left turn into the alley. He said maybe the pedestrian island is extended more than necessary. The left turn could be made just before the island, and reduce the size of the island a bit. He said that is the only way to get to those businesses that are in the alley between Maple and Willits. People will be forced to go around the block to make a right turn into the alley.

Mr. Straiter said with the congestion there, that is a preferred condition, and the vehicles can re-route and become accustomed to that pattern. He noted that the approach has been widened to 27 feet from 14 feet and right turns are a much easier movement. Commissioner Sherman noted the buildings are still 11 feet apart and the right turns are still difficult even with the wider approach.

Mr. Kinzelman explained that this is one of the trade-offs between parking, pedestrians, service vehicles, and traffic motions. Mr. Straiter suggested that if the island is shortened to accommodate for left turns into the alley, the island will be ineffective.

Mayor Nickita suggested that accessibility to the alley is definitely impacted with the pedestrian island. He asked to what degree the left turn is used, and maybe this is something we should monitor before we finalize the island at that location. He is reluctant to take out the island, but there may be a variation to allow it to be accommodated. He recognizes that there is some complexity to this situation. He suggested the Commission can approve tonight the general concepts and elements that are in place with the subtleties of how they are actually implemented.

Mr. Kinzelman noted that the dimensions of the street, parking and streetscape do not change, so the City Engineer can proceed with engineering drawings, and there is still time to discuss this further.

Commissioner Sherman clarified that his comment was not to remove the island, but to adjust the island to reflect the left turn. He said that island will create other issues the way it is designed, and we can finish designing this with engineering as part of the plan. He added the Commission does not need to have that discussion tonight, but it needs to be addressed.

Commissioner Hoff asked if the concern is that vehicles are going to go over the rolled curb on the medians, why not end it where the grass ends. Mr. Kinzelman noted that the medians provide the pedestrian crossing protection. It gives the pedestrian the opportunity to be behind the island as they make the crossing.

Commissioner Hoff asked if left turns will be allowed at Maple and Old Woodward all four ways, and about time limits for left turns at that intersection. City Engineer O'Meara said it has been designed so left turns can be made 24 hours a day.

Commissioner Hoff asked if the Fire Department's concerns about negotiating turns and medians were considered and accommodated. Mr. Kinzler responded that those concerns were considered. He added that there are some areas where medians will be present where it will be necessary for emergency vehicles to respect the single lane of traffic movement and will be unable to go left of vehicles to proceed around them.

Commissioner Hoff asked about snow removal and snow stacking during clean-up. Mr. Kinzler said some medians and the parking bay size will be available to accommodate for that work. He added that snow could be stacked on the plant material in the medians, if it is hardy enough to withstand the load.

Commissioner Hoff asked where delivery trucks will unload. Mr. Kinzler said they could utilize the un-landscaped medians where there is no stacking in the center turn lane. Mr. Straiter said adding a median limits the capacity for delivery vehicles, but there are still places for those vehicles to use the center lane safely.

Mr. Kinzler confirmed for Commissioner Hoff that the angled parking is maintained at 45 degrees. Mr. Kinzler noted that the number of parking spaces that will be lost will change as final engineering is completed.

City Manager Valentine added that completion of the phases of the reconstruction will change the number of lost spaces. He said that by the time the third phase is completed, there will be an overall increase in spaces. Mr. Kinzler said the numbers by phase can be provided.

Mayor Nickita added that at the south end of Old Woodward, just north of Brown on both sides of the street, we have parallel parking. Parallel parking allows for fewer spaces in the same area. In the new design, parallel parking will be eliminated, and we will have angled parking continuously from Brown going north. Mr. Straiter added that the new design tries to be as assertive as possible to regain some of the parking lost in some other areas of the project.

Commissioner Hoff asked if the new plan was circulated among the different city departments. City Manager Valentine said it has been circulated among the departments that would be impacted, and they have provided input along the way.

Commissioner Hoff asked for the estimated cost. City Manager Valentine said there are two different costs: the estimated budget and the project cost. He added the project cost will be clearer once the bidding of the project is complete, and is still a moving target in some respects based on some finality that must happen. He continued that any amounts that are mentioned are more related to what was budgeted by the City for the project, and not necessarily based on this design.

City Engineer O'Meara said the plans will be structured so the City has the ability to eliminate some elements to save costs.

Mayor Nickita noted that alternate materials will be explored when the bids come in, so we will have a better idea on how much we want to move the budget. He said the City will have an opportunity to identify certain items, specifically the materials and the approach of construction that will vary the number one way or the other.

Commissioner Hoff said she saw an estimated cost of \$1.5 million, and she assumes the cost will be more than that. City Engineer O'Meara confirmed that it would be higher.

City Manager Valentine confirmed for Mayor Pro Tem Harris that the Fire Department has been involved in reviewing the proposed design throughout and provide feedback, and if there were serious safety concerns, those would have been addressed in the design process before this stage.

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

To accept the MKSK design for Old Woodward and Maple, and direct City staff to prepare bid specifications for Phase 1 of the Old Woodward and Maple project, utilizing the City's existing standards, and solicit alternatives for the components of the enhanced plan in order to make any adjustments based on cost considerations at the time actual bids are received.

Commissioner Sherman asked if the motion is subject to the comments today.

Commissioner Boutros agreed, and said that the comments made are on the record, and the consultants were made aware of the Commission's interests and concerns to move this forward. He suggested the comments to be integrated.

Mayor Nickita noted that these are concepts, and we understand that there is not a lot of detail in terms of dimensions. He is pleased to see that the elements that we were concerned about have been added. He said some subtleties have been pointed out and agrees with comments about the amount of greenscape and hardscape, particularly in the islands. He would like to

see this move forward, and thinks we have all the elements in place to do that. He believes that in the next level, there is some refinement that can achieve some of our goals that concern us. The fundamentals that we have often discussed such as a safe downtown, comfort, function, and advantages for our retailers' success can be achieved.

Commissioner Boutros thanked MKSK for their work. He asked if we have a start date.

City Manager Valentine said we will have a start date soon with approval tonight. The engineers will begin the design work and it is expected to go out to bid in early March. We will then get a sense of a definitive timeline.

VOTE:           Yeas,    7  
                  Nays,    None  
                  Absent, None

**02-23-17                   MKSK OLD WOODWARD CORRIDOR AGREEMENT-FIRST AMENDMENT**

City Manager Valentine explained we need to continue to refine elements of the streetscape and obtain some further detail on specifications to be incorporated into bidding documents. He asked MKSK to provide a proposal to continue their services to assist in incorporating what they have designed into the actual construction documents. This will give us the detail necessary to finalize the plan the way it is envisioned.

Mayor Nickita added that given other infrastructure projects, this is somewhat atypical, realizing that this project itself is atypical. We do not usually have an urban design consultant on infrastructure projects, and do not usually have a consultant carrying forward that design through to construction administration and implementation. It is a project that has brought these alternative approaches to light.

Commissioner Hoff said it is important to continue with MKSK. She asked what was going to be provided in the initial contract with MKSK. City Manager Valentine said they provided a plan with their compendium which includes the street design and supplemental detail work. In the compendium, they have outlined various elements for incorporation into the streetscape design. The specificity of the various elements needs to be finalized. Those details were not part of the initial scope which was to give us the concept plan and general scheme for the street, which has been completed. We are looking at getting into the engineering and detailed type of approach to carry it forward.

Commissioner Hoff asked what we normally would have done, or who would have done that detail. City Manager Valentine said this project scope is somewhat of an anomaly. We do not typically have as many changes on a project for any street that we have planned, so it is unique in that respect.

**MOTION:**    Motion by Hoff, seconded by DeWeese:  
To approve the execution of the First Amendment to the MKSK Old Woodward Corridor Agreement to provide detailed design input services in accordance with their January 18, 2017 proposal in an amount not to exceed \$39,500, and further, charge the Major Street Fund #202-449.001-981.0000 for these services.

Commissioner Boutros agrees it is crucial to continue with MKSK.

Mr. Kinzler said with the agreement, MKSK will be of service to the City Engineer O'Meara and his consultant engineers to back feed them with the detail. He added that this type of specialty street is a very common project for him. He said we are going from the capturing of the vision phase, to the details and specifications phase. MKSK will also provide any professional expertise along the way.

Mayor Pro Tem Harris supports maintaining MKSK through the next step of the project. He asked if the amount of \$39,500 covers the work until bidding contract administration. Mr. Kinzler confirmed. Thereafter, the City would be charged an hourly rate as MKSK's services would be needed. City Manager Valentine suggested that is not anticipated, since the staff can handle that stage of the project. City Manager Valentine said any bidding contract administration would be a subsequent amendment and agreement to come to the Commission. He added that the only financial figure we are approving is \$39,500.

Commissioner Sherman said it is very beneficial that MKSK is going to stay on the project, and expressed concern about its flexibility as it relates to changes suggested by the Commissioners.

Commissioner Bordman said she supports MKSK continuing assistance, and agreed with Commissioner Sherman's concern about flexibility. She expressed disappointment that Commissioners had to ask repeatedly for the same things as this process continued.

Mayor Nickita noted the fundamental point for MKSK's presence is to be a watchdog on the design brought to the table. He added that we do not want so see this diluted or lost in the translation, and wants MKSK to make sure the design comes from designers to be implemented in the manner in which it was designed.

VOTE:           Yeas, 7  
                  Nays, None  
                  Absent, None

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

**V. ADJOURN**

The meeting was adjourned at 6:00 PM.

Cheryl Arft,  
Acting City Clerk