

BIRMINGHAM CITY COMMISSION AGENDA
FEBRUARY 5, 2024
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk

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

ANNOUNCEMENTS

- The City of Birmingham, along with the nation, recognizes Black History Month in February. We celebrate the legacy of Black Americans whose power to lead, to overcome and to expand the meaning and practice of American democracy has helped our nation become a more fair and just society. The city continues to make significant progress in understanding the important history of Black families in early Birmingham, and remains committed to seeking opportunities to share the whole story of our community in the future.

APPOINTMENTS

- A. Public Arts Board
 - 1. Shabman Hosseini
 - 2. Monica Neville

To appoint _____ to the Public Arts Board, as an alternate member, for the remainder of a three-year term to expire January 28, 2025.

To appoint _____ to the Public Arts Board, as a regular member, for a three-year term to expire January 28, 2027.

- B. Historic District Study Committee
 - 1. Katherine Barta

To appoint _____ as a regular member to the Historic District Study Committee to serve the remainder of a three-year term to expire June 25, 2026.

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

V. CONSENT AGENDA

All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.

- A. Resolution to approve the City Commission Long Range Planning meeting minutes of January 20, 2024.
- B. Resolution to approve the City Commission regular meeting minutes of January 22, 2024.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated January 25, 2024 in the amount of \$2,377,776.27.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated January 31, 2024 in the amount of \$396,739.34.
- E. Resolution to approve the Memorandum of Understanding and the Cost Reimbursement Agreement with the FBI and to authorize the Chief of Police to sign the agreements on behalf of the city.
- F. Resolution to approve an extension of the public services and minor home repair contract with NEXT for the purpose of expending remaining program year 2021-2022 Community Development Block Grant funds for Yard Services and Minor Home Repair Services administered by NEXT through December 31, 2024; and further, to authorize the Mayor and the City Clerk to sign the amendment on behalf of the City.
- G. Resolution to approve the purchase of root control services, as quoted by Duke's Root Control, Inc. for the 2024 Sewer Root Control Program, in the amount not to exceed \$125,085.30. Funding for this project has been budgeted in the following account:

Fund Account	Fund ID Number	Project Award
Sewer Fund	590.0-538.000-811.0000	\$125,085.30

AND

To approve the appropriation and amendment of the fiscal year 2023/2024 budget as follows:

Sewer Fund:

Revenues:			
590.0-00.00-400.0	Draw from Net Position		\$25,085.30
Total Revenue			<u>\$25,085.30</u>

Expenditures:			
590.0-537.000-811.0000	Other Contractual Services		\$25,085.30
Total Expenses			<u>\$25,085.30</u>

- H. Motion amending Chapter 2 – Administration, Article IX. – Ethics, Sec. 2-325(a) Board of ethics (4) allowing for a business or property owner in the City of Birmingham to serve on the Ethics Board as appointed by the City Commission.
- I. Resolution to split the award of the bid for truck transport and tank wagon deliveries of unleaded gasoline and diesel fuel to the following vendors based on bid factors included in their respective bids for a two-year period beginning February 1, 2024, with the option to extend terms and conditions an additional two years upon mutual consent:

Truck Transport deliveries:

- 1. RKA Petroleum Companies, 28340 Wick Rd., Romulus, MI, 48174 and
- 2. Marathon Flint Company, 1919 S Dort Highway, Flint, MI 48503

Tank Wagon deliveries:

- 1. RKA Petroleum Companies, 28340 Wick Rd., Romulus, MI, 48174 and
- 2. Gen Oil Company, 1238 Anderson Rd., Clawson, MI 48017

Funds for this purchase of gasoline and diesel fuels are budgeted in Auto Equipment Fund - Fuel Expense account #661-441.006-737.0000.

VI. CITY MANAGER’S REPORT

VII. UNFINISHED BUSINESS

- A. Shirley Rd. & Arlington St. Interim Report for City-Initiated Unimproved Street Project
 - 1. Resolution to direct the Engineering Department to proceed with final design of the Arlington Street and Shirley Project to include the planned improvements to the sewer and water systems, and the full reconstruction of the streets within the project area that will meet the City standards for an improved street with a 5-foot sidewalk on each side of the road as indicated in Exhibit A.

VIII. NEW BUSINESS

- A. Resolution to direct the Engineering Department to add Brandon Street to the Arlington Street and Shirley Street project and proceed with the final design to include construction of the street within the project area that will meet the City standards for an improved street with a 5-foot-wide sidewalk on each side of the road.
- B. Speed Mitigation Report
- C. Motion to meet in closed session to discuss a written attorney/client privilege communication pursuant to MCL § 15.268 Sec. 8(h) of the Open Meetings Act.

(A roll call vote is required and the vote must be approved by a 2/3 majority of the commission. The commission will adjourn to closed session after all other business has been addressed in open session and reconvene to open session, after the closed session, for purposes of taking formal action resulting from the closed session and for purposes of adjourning the meeting.)

- D. Commission Items for Future Discussion. A motion is required to bring up the item for future discussion at the next reasonable agenda, no discussion on the topic will happen tonight.
- E. Commission discussion on items from a prior meeting.

IX. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

XI. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Architectural Review Committee
 - 2. Notice of intention to appoint to the Planning Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
 - 1. Ethics Opinion 2023-03
 - 2. Ethics Opinion 2023-04
- D. Legislation
- E. City Staff

INFORMATION ONLY

XI!. ADJOURN

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760
 You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

*NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.
 Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*