

**BIRMINGHAM CITY COMMISSION AGENDA**  
**MAY 20, 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**

- National Public Works Week Proclamation
- Wear Orange Day - Gun Violence Awareness Proclamation
- Recognizing Amyotrophic Lateral Sclerosis (ALS) Awareness Month 2024

**APPOINTMENTS**

- A. Board of Ethics
1. Melissa Demorest LeDuc, Esq.
  2. Judy Doyle

To appoint \_\_\_\_\_ as a regular member to the Board of Ethics to serve a three-year term to expire June 30, 2027.

- B. Storm Water Utility Appeals Board
1. Robert Lavoie

To appoint \_\_\_\_\_ to the Storm Water Utilities Appeal Board as a regular member to serve a three-year term to expire January 31, 2026.

To appoint \_\_\_\_\_ to the Storm Water Utilities Appeal Board as an alternate member to serve a three-year term to expire January 31, 2025.

**RECOGNITION OF STAFF**

- C. Police Department
1. Police Officer James Cardenas
  2. Police Officer Luxie Kouza
  3. Police Officer Maksym Mishchanchuk
  4. Dispatcher Lorna Turner
  5. Dispatcher Brandon Ryan
  6. Auxiliary Officer CT Charlton
  7. Parking Enforcement Assistant Kevin Druzinski
- D. Principal Shopping District
1. Erika Bassett, BSD Director

**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 amended regular meeting minutes of the City Commission meeting held on April 15, 2024.
- B. Resolution to approve the Budget Hearing meeting minutes of the City Commission meeting held on April 27, 2024.
- C. Resolution to approve the meeting minutes of the regular City Commission meeting held on May 6, 2024.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated May 9, 2024 in the amount of \$653,558.98.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated May 15, 2024 in the amount of \$773,827.38.
- F. Resolution to appoint Jana Ecker as Representative and Scott Zielinski as Alternate Representative of the City of Birmingham on the SOCRRA Board of Trustees for the fiscal year starting July 1, 2024.
- G. Resolution to appoint Melissa Coatta as Representative and Jana Ecker as Alternate Representative of the City of Birmingham on the SOCWA Board of Trustees for the fiscal year starting July 1, 2024.
- H. Resolution to approve the 2024 Spring Tree Purchase and Plant of 185 trees to be installed by KLM Landscape, pending KLM provide updated insurance and the completion of a signed agreement, for a total cost of \$93,575. In addition, to authorize the Mayor and City Clerk to sign the completed agreement on behalf of the City. Funding for this purchase has been budgeted in the following accounts; 202.0-449.005-819.0000 major streets forestry other contractual services, 202.0-449.005-729.0000 major streets forestry operating supplies, 203.0-449.005-729.0000 local streets forestry operating supplies, and 101.0-751.000-811.0000 parks other contractual services.
- I. Resolution to approve the purchase of three 2025 Ford Explorer Police Interceptors from Gorno Ford, located at 22025 Allen Road, Woodhaven, 48183 through the MI-Deal Contract #071B7700091, in an amount not to exceed \$143,457.00 or \$47,819.00 per vehicle. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf on behalf of the City. Total funds of \$150,000 or \$50,000 per vehicle where set aside for this purchase and are available in the FY 2024-2025 Auto Equipment Fund account #661.0-441.006.971.0100.

- J. Motion adopting an ordinance amendment to Chapter 118. Vegetation, Article IX. Grass and Noxious Weeds, Sec. 118-7 Cutting required, to provide notice regarding noxious weeds and grass by publication in a newspaper circulating in the City of Birmingham and by publication of the ordinance requirements regarding weeds, grass and other rank vegetation on the City calendar which is distributed annually to properties in the City of Birmingham.
- K. Resolution to set the Public Hearing of Necessity for the installation of new pavement, for all properties within the project area on Arlington Street from Lincoln Street to Maple Road, Shirley Road from Lincoln Street to Maple Road, and Brandon Street from Shirley Road to Linden Road on Monday, June 26, 2024, at 7:30 P.M.; and

If necessity is determined on June 26, 2024, to meet on Monday, July 8, 2024, at 7:30 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the installation of new pavement, for all properties within the project area on Arlington Street from Lincoln Street to Maple Road, Shirley Road from Lincoln Street to Maple Road, and Brandon Street from Shirley Road to Linden Road.

- L. Resolution to set the Public Hearing of Necessity of the replacement and improvement of sewer and water laterals meeting the requirements for assessment, for all properties within the project area on Arlington Street from Lincoln Street to Maple Road, Shirley Road from Lincoln Street to Maple Road, and Brandon Street from Shirley Road to Linden Road on Monday, June 26, 2024 at 7:30 P.M.; and

If necessity is determined on June 26, 2024, to meet on Monday, July 8, 2024, at 7:30 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the replacement and improvement of sewer and water laterals meeting the requirements for assessment, for all properties within the project area on Arlington Street from Lincoln Street to Maple Road, Shirley Road from Lincoln Street to Maple Road, and Brandon Street from Shirley Road to Linden Road.

- M. Resolution to award the Valve and Hydrant Assessment Program #16-24(S) to M.E. Simpson Co., Inc. in the amount of \$180,260.00 and a 5% construction contingency for a total of \$189,273.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting the insurance requirement by M.E. Simpson Co., Inc. Funding for this project is through the Drinking Water Asset Management (DWAM) Grant, and has been budgeted in the following account:

<u>Fund Account</u>	<u>Fund ID #</u>	<u>Project Award</u>	<u>5% Cont.</u>	<u>Total</u>
Water Fund	591.0-544.000-811.0000	\$180,260.00	\$9,013.00	\$189,273.00

- N. Resolution to approve the Title VI Non-Discrimination Plan update and to designate HR Manager Christina Woods as the City of Birmingham Title VI Coordinator. Further, to authorize the Mayor and City Manager to sign the appropriate sections of the plan.
- O. Resolution to increase the Administrative Management and Non Organized pay ranges and wages of current Administrative, Management and Non-Organized personnel by 2.5% effective July 1, 2024.

And, authorize the City Manager and Human Resources to perform performance evaluations on Administrative, Management and Non-Organized personnel for the purpose of performance adjustments.

Further, to authorize the budget amendments from the wage adjustment account 101.0-272.000-709.0000 to the appropriate departments.

**VI. CITY MANAGER'S REPORT**

The City Manager's Report regularly occurs on the second City Commission meeting of the month. Additionally, reports from prior months can be viewed on the City's [website bhamgov.org/manager](http://www.bhamgov.org/manager).

- A. City Manager's Report – May 2024

**VII. UNFINISHED BUSINESS**

None.

**VIII. NEW BUSINESS**

- A. Public Hearing - Confirmation of SAD Roll 909 Pierce Alley and West Maple Alley Project - Paving
  - 1. Resolution confirming Special Assessment Roll 909 as follows:

WHEREAS, Special Assessment Roll, designated Roll No. 909, has been heretofore prepared for Collection; and

WHEREAS, notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property to be assessed; and

WHEREAS, the Commission has deemed it practicable to cause payment of the cost thereof to be made after the time of construction; and  
The Commission Resolution 05-422-24 provided it would meet this 20th day of May, 2024 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this May 20, 2024, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 909 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments.

- B. Public Hearing - Confirmation of SAD Roll 908 2024 Cape Seal Program
  - 1. Resolution confirming Special Assessment Roll 908 as follows:

WHEREAS, Special Assessment Roll, designated Roll No. 908, has been heretofore prepared for collection; and

WHEREAS, notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property to be assessed; and

WHEREAS, the Commission has deemed it practicable to cause payment of the cost thereof to be made after the time of construction; and

The Commission Resolution 05-423-24 provided it would meet this 20th day of May, 2024 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this May 20, 2024, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 908 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in five (5) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments.

- C. Resolution to award the Pierce and West Maple Project #6-24(S) to Eminent Excavating LLC in the amount of \$778,001.00 and a 5% construction contingency for a total of \$816,901.05. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance and bond requirements by Eminent Excavating LLC. Funding for this project has been budgeted in the following accounts:

<u>Fund Account</u>	<u>Fund ID #</u>	<u>Project Award 5% Cont.</u>		<u>Total</u>
Alley Fund	101.0-523.000-981.0100	\$649,151.00	\$32,457.55	\$681,608.55
Sewer Fund	590.0-537.000-981.0100	\$128,850.00	\$6,442.50	\$135,292.50

- D. Resolution to accept the Feasibility Study and Program Assessment report for the senior/recreation center at 400 E. Lincoln, Birmingham, MI 48009.
- E. Resolution to approve the 2024-bid proposal with Edge Design Associates for Owner's Representative Services to support the potential renovation/expansion or demolition/new build of the building at 400 East Lincoln, in the amount not to exceed \$587,165. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

AND

Make a motion adopting a resolution to approve a contract for owner's representation to Edge Design Associates for an amount not to exceed \$587,165.00; to charge this expenditure to account number 101.0-656.000-811.0000; and further to appropriate and amend the 2023-2024 General Fund budget as follows:

Revenues:

Use of Fund Balance	101.0-000.000-400.0000	\$587,165.00
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Expenditures:

Health and Welfare	101.0-656.000-811.0000	\$587,165.00
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OR

Make a motion adopting a resolution to approve the 2024-bid proposal with Kramer Management Group for Owner's Representative Services to support the potential renovation/expansion or demolition/new build of the building at 400 East Lincoln, in the amount not to exceed \$625,500. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

AND

Make a motion adopting a resolution to approve a contract for owner's representation to Kramer Management Group for an amount not to exceed \$625,500.00; to charge this expenditure to account number 101.0-656.000-811.0000; and further to appropriate and amend the 2023-2024 General Fund budget as follows:

Revenues:

Use of Fund Balance	101.0-000.000-400.0000	\$625,500.00
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Expenditures:

Health and Welfare	101.0-656.000-811.0000	\$625,500.00
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- F. Resolution adopting the budget appropriations resolution and establishing the total number of mills for ad valorem property taxes to be levied for the fiscal year commencing July 1, 2024 and ending June 30, 2025.
- G. Resolution to amend the Schedule of Fees, Charges, Bonds and Insurance for changes in water, sewer, storm water, industrial surcharge, and industrial waste control charge rates effective for bills with read dates on or after July 1, 2024.
- H. Option 1: Security Designs  
Make a motion adopting a resolution to approve an agreement with Security Designs for the Camera System Replacement, Install and Connectivity in the amount not to exceed \$659,379.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

OR

Make a motion adopting a resolution to approve an agreement with Security Designs for the Camera System Replacement, Install and Connectivity, including the three (3) year licensing

option in the amount not to exceed \$701,060.20. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

OR

Make a motion adopting a resolution to approve an agreement with Security Designs for the Camera System Replacement, Install and Connectivity, including the five (5) year licensing option in the amount not to exceed \$738,792.69. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

OR

Make a motion adopting a resolution to approve an agreement with Security Designs for the Camera System Replacement, Install and Connectivity, including the ten (10) year licensing option in the amount not to exceed \$832,398.96. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

OR

Option 2: D/A Central

Make a motion adopting a resolution to approve an agreement with D/A Central for the Camera System Replacement, Install and Connectivity in the amount not to exceed \$629,585.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

OR

Make a motion adopting a resolution to approve an agreement with D/A Central for the Camera System Replacement, Install and Connectivity, including the three (3) year licensing option in the amount not to exceed \$681,442.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

OR

Make a motion adopting a resolution to approve an agreement with D/A Central for the Camera System Replacement, Install and Connectivity, including the five (5) year licensing option in the amount not to exceed \$733,300.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

OR

Make a motion adopting a resolution to approve an agreement with D/A Central for the Camera System Replacement, Install and Connectivity, including the ten (10) year licensing option in the amount not to exceed \$794,786.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

- I. Motion adopting an ordinance to amend Part II of the City Code, Chapter 114, Utilities, Article III. Sewer Service, Division 4. Stormwater Runoff to reduce allowable discharge rates and to add a section requiring parcels 0.50 acres or greater to adopt Oakland County Water Resource

Commission stormwater design standards, and to amend Division 5 Separate Storm Sewer System to add a section with standards for parcels 0.50 acres or greater.

- J. Resolution supporting House Bill 5696.
- K. 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.
- L. Commission discussion on items from a prior meeting.

**IX. REMOVED FROM CONSENT AGENDA**

**X. COMMUNICATIONS**

- A. Shirley & Arlington Letters

**XI. REPORTS**

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

INFORMATION ONLY

**XII. 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) 644-3405 (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).*