

BIRMINGHAM CITY COMMISSION AGENDA
JUNE 3, 2024
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.
AMENDED

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

APPOINTMENTS

- A. Parks and Recreation Board
1. Narlu Castellano
 2. Martha Wilker

To appoint _____ to the Parks and Recreation Board as an alternate member to serve the remainder of a three-year term to expire March 13, 2025.

- B. Ad Hoc Senior/Recreation Center Committee
1. Evan Dix – Student

To appoint _____ as a non-voting student member to the Ad Hoc Senior/Recreation Center Committee to serve three-year terms to expire March 4, 2027.

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 regular City Commission meeting minutes of the meeting held on May 20, 2024.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated May 23, 2024 in the amount of \$929,851.97.

- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated May 30, 2024 in the amount of \$313,226,77.
- D. Resolution to approve a special event permit as requested by the Birmingham Shopping District to hold the Birmingham Cruise Event on August 17, 2024 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, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.
- E. Special Event Application Cancellation: Out of Office Cruise Event. No action required.
- F. Resolution to approve the appropriations and amendments to the fiscal year 2022-2023 budget as follows:

General Fund:

Expenditures:

Judicial	101.0-286.000-959.0300	\$ 186,000
Public Works	101.0-444.000-981.0100	(604,360)
Recreation and Culture	101.0-751.000-702.0001	100,000
	101.0-751.000-811.0000	80,000
	101.0-758.000-702.0001	30,000
	101.0-785.001-702.0001	100,000
	101.0-785.002-889.0000	20,000
	101.0-804.002-702.0001	40,000
Transfers Out	101.0-999.000-995.4030	<u>48,360</u>
Total Expenditure Adjustments		<u>\$ 0</u>

Brownfield Redevelopment Authority:

Revenues:

Draw from Fund Balance	243.0-000.000-400.0000	\$46,700
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Expenditures:

Community & Economic Dev.	243.0-726.000-967.0100	\$46,700
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Capital Projects Fund:

Revenues:

Draw from Fund Balance	403.0-000.000-400.0000	\$(48,360)
Transfers In	403.0-901.018-699.0101	<u>48,360</u>
Total Revenue Adjustment		<u>\$ 0</u>

- G. Resolution to set a public hearing date of July 8, 2024 to consider the Special Land Use Permit Amendment for 115 Willits to transfer ownership and update the Special Land Use Permit with the new owner, Birmingham Omni Hospitality, LLC (Sprazzo).
- H. Resolution to set a public hearing date of July 8, 2024 to consider the Special Land Use Permit Amendment, Final Site Plan and Design Review for 219 Elm St. – All Seasons 2 – to

revise the first-floor layout to include one commercial tenant space with associated interior and exterior renovations and to reconsider the conditions for additional building height.

- I. 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 24, 2024 at 7:30 P.M.; and

If necessity is determined on June 24, 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.

- J. 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 N. Adams Road, between south of Madison Street and the north City limits, on Monday, July 8, 2024 at 7:30 P.M.; and

If necessity is determined on July 8, 2024, to meet on Monday, July 22, 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 N. Adams Road, between south of Madison Street and the north City limits.

- K. Resolution to approve a change order to the 2022-2023 Cape Seal Program #6-22 (P) for the 2024 Cape Seal Program #5-24 (P) in the amount not to exceed \$315,961.55. In addition, to authorize the Mayor and City Clerk to sign the First Amendment to the 2022-2023 Cape Seal Program, and the City Engineer to sign the change order. Funding for this project has been budgeted in the following account:

<u>Fund Account</u>	<u>Fund ID Number</u>	<u>Budget</u>	<u>Change Order Amount</u>
Local Street Fund	203.0-449.001-981.0100	\$370,000.00	\$315,961.55

- L. Resolution to award the 2024 Asphalt Resurfacing Program Project #2-24 (P) to Best Asphalt, Inc. in the amount of \$834,583.50 and a 10% construction contingency for a total of \$918,041.85. In addition, authorize the Mayor and the City Clerk to sign the agreement on behalf of the City after the review of Best Asphalt, Inc. insurance and bond, contingent upon execution of the agreement and meeting all insurance and bonding requirements. Funding for this project has been budgeted in the following accounts:

<u>Fund Account</u>	<u>Fund ID #</u>	<u>Project Award</u>	<u>10% Conting.</u>	<u>Total</u>
Maj. Street Fund	202.0-449.001-981.0100	\$205,967.11	\$20,596.71	\$226,563.82
Local Street Fund	203.0-449.001-981.0100	\$565,878.89	\$56,587.89	\$622,466.78
General Fund - Parks	101.0-751.000-811.0000	\$62,737.50	\$6,273.75	\$69,011.25
Total Construction Costs		\$834,583.50	\$83,458.35	\$918,041.85

And to approve the appropriation and amendment of the 2023-2024 fiscal year budget as follows:

Major Street Fund:

Revenues:

202.0-000.000-400.0000	Draw from Fund Balance	\$32,570
Total Revenue		\$32,570

Expenditures:

202.0-449.001-981.0100	Public Works - Public Improvement	\$32,570
Total Expenses		\$32,570

Local Street Fund:

Revenues:

203.0-000.000-400.0000	Draw from Fund Balance	\$89,470
Total Revenue		\$89,470

Expenditures:

203.0-449.001-981.0100	Public Works - Public Improvement	\$89,470
Total Expenses		\$89,470

General Fund:

Revenues:

101.0-000.000-400.0000	Draw from Fund Balance	\$19,020
Total Revenue		\$19,020

Expenditures:

101.0-751.000-811.0000	Parks – Other Contracted Services	\$19,020
Total Expenses		\$19,020

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).

None.

VII. UNFINISHED BUSINESS

None.

VIII. NEW BUSINESS

- A. Public Hearing - 260 N. Old Woodward - Coterie (formerly “The Morrie”) – Special Land Use Permit Amendment (Ownership Change)

1. Resolution to approve the Special Land Use Permit Amendment for 260 N. Old Woodward to transfer ownership and update the Special Land Use Permit with the new owner, Old Woodward STA, LLC.

AND

Make a motion adopting a resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Old Woodward STA, LLC (Coterie). To approve the request for a transfer of ownership of the Class C liquor license, with Sunday sales, outdoor service area, dance and entertainment permit from The Morrie Birmingham, LLC (The Morrie) located at 260 N Old Woodward, MI to Old Woodward STA, LLC (Coterie) that will be located at the same address.

- B. Resolution to approve an agreement with Kraemer Design Group for historical surveying services in the amount not to exceed \$19,880 from account # 101.0-701.000- 825.0100. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.
- C. Resolution awarding the contract to RAM Construction for the proposed work at the Chester St. Parking Structure in the amount of \$5,930,008.00; to charge this expense to account number 514.1-594.008-977.000; to authorize the Mayor and City Clerk to sign the contract on behalf of the city; and further to appropriate and amend the 2024-2025 Automobile Parking System Fund budget as follows:

Revenues

514.1-000.000-400.0000	Draw from Net Position	\$1,453,908
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Expenses

514.1-594.008-977.0000	Buildings	\$1,453,908
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- D. Resolution awarding the contract to Wiss, Janney, Elstner Associates, Inc. for construction period services in an amount of \$465,000; further, to charge this expense to account number 514.1-594.008-977.000; to authorize the Mayor and City Clerk to sign the contract on behalf of the city; and further to appropriate and amend the 2024-2025 Automobile Parking System Fund budget as follows:

Revenues

514.1-000.000-400.0000	Draw from Net Position	\$288,000
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Expenses

514.1-594.008-977.0000	Buildings	\$288,000
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- E. 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.
- F. Commission discussion on items from a prior meeting.

1. **Design Considerations**

2. Review of RFP processes¹

IX. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

- A. Shirley & Arlington Letters

XI. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Greenwood Cemetery Advisory Board
 - 2. Notice of intention to appoint to the Hearing Officer
 - 3. Notice of intention to appoint to the Museum Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Parking Kiosk Help Button

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).

¹ Added to the agenda on 5/31/2024 at 11:59 a.m.