

BIRMINGHAM CITY COMMISSION AGENDA
OCTOBER 26, 2015
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Stuart Lee Sherman, Mayor

II. ROLL CALL

Laura M. Pierce, City Clerk

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

Announcements:

- The Clerk's Office will be open to accept and issue absentee ballots on Saturday, October 31st from 9:00 AM – 2:00 PM.
- The City Election will be held on Tuesday, November 3rd. Polls will be open from 7:00 AM to 8:00 PM. Election results can be obtained at www.bhamgov.org/electionresults.
- The City of Birmingham is partnering with ReLeaf Michigan to plant 20 trees on Saturday, November 7th in Manor Park. The City is looking for volunteers to help. Contact the Department of Public Service at 248.530.1714 to register.
- The Baldwin Public Library is hosting its Books & Bites Fundraiser on Friday, November 13th from 6:00 p.m. to 9:00 p.m. Tickets are \$75 and all proceeds will fund a makerspace in the Library. The event includes food and drink, a raffle auction and casino games for your entertainment.

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.

- A. Approval of City Commission minutes of October 12, 2015.
- B. Approval of warrant list, including Automated Clearing House payments, of October 14, 2015 in the amount of \$489,304.46.
- C. Approval of warrant list, including Automated Clearing House payments, of October 21, 2015 in the amount of \$864,679.02.
- D. Resolution approving the purchase and planting of 101 trees from Greg Davis Landscape Service, Inc. for the 2015 fall tree purchase and planting project for a total project cost not to exceed \$39,150.00. Funds are available from the Local Streets Fund-Forestry Service Contract account #203-449.005-819.0000, the Major Streets Fund-Forestry Service Contract account #202-449.005-819.0000, the Local Streets Fund-Operating Supplies account #203-449.005-729.0000 and the Major Streets Fund-Operating Supplies account #202-449.005-729.0000 for these services. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

- E. Resolution approving the street light agreement between the City of Birmingham and DTE Energy regarding the installation of street lights at 2200 Holland Rd. Further, directing the Mayor to sign the agreement on behalf of the City. All costs relative to this agreement will be charged to the adjacent owner.
- F. Resolution approving the Live Scan fingerprinting system equipment upgrade purchase from Oakland County CLEMIS in the amount of \$7,985.74; further, waiving normal bidding requirements and authorizing this expenditure to the General Fund Police Department Equipment Maintenance account #101-301-000-933.0200.
- G. Resolution approving a request from Common Ground to hold the 42nd Annual Birmingham Street Art Fair on South Old Woodward on September 17 - 18, 2016, 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.
- H. Resolution adopting the "Working Hours" Policy Amendment as a City policy and authorizing the HR Department to implement and enforce accordingly.

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| V. UNFINISHED BUSINESS |
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- A. Resolution approving the City of Birmingham Parks and Recreation Donor Policy as submitted.

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| VI. NEW BUSINESS |
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- A. Public Hearing to consider confirmation of Special Assessment Roll No. 871, Catalpa Drive Paving Project, Sewer Laterals
 - 1. Resolution confirming Special Assessment Roll No. 871, defraying the cost of installing sewer laterals on Catalpa Drive. (complete Resolution in agenda packet)
- B. Audit Presentation
- C. Resolution receiving the 2016 proposed budget from the 48th Judicial District Court; and further, approving the budget as submitted.
- D. Resolution directing the following bistro applications, in the priority order below, to the Planning Board for full site plan and design review and Special Land Use Permit review:
 - 1. _____
 - 2. _____
- E. Resolution approving the Request to Transfer 50% Membership Interest of Class C Liquor License and SDM Liquor Licenses with Sunday Sales (PM), Catering Permit, Outdoor Service Permit and Official Permit (Food) from Elm Restaurant Group, LLC (Business Id. No. 205823) located at 735 Forest, Birmingham, MI., Oakland County, to SSE Restaurant Group, LLC. Furthermore, pursuant to Birmingham City Ordinance, authorizing the City Clerk to complete the Local Approval Notice at the request of SSE Restaurant Group, LLC approving the Request to Transfer 50% Membership Interest of Class C Liquor License and SDM Liquor Licenses with Sunday Sales (PM), Catering Permit, Outdoor Service Permit and Official Permit (Food) from Elm Restaurant Group, LLC (Business Id. No. 205823) located at 735 Forest, Birmingham, MI., Oakland County, to SSE Restaurant Group, LLC.
- F. Resolution approving the agreement with Albert Kahn Associates, Inc., for the Downtown Parking System Expansion Projects Parking Development Consultant Services in the amount not to exceed \$67,860, charged to account number 585-538.001-981.0100, Parking System General Capital Improvements Account. Further, approving the appropriation and budget amendment as follows:

Auto Parking System Fund

Revenues:

Draw from Fund Balance #585-000.000-400.0000 \$67,860

Total Revenue Adjustments \$67,860

Expenditures:

Major Street Public Improvements #585-538.001-981.0100 \$67,860

Total Expenditure Adjustments \$67,860

- G. Resolution approving the Agreement and Declaration with Alden Development Group, LLC, for the acquisition of land on the south side of the Brookside Development project, and authorizing the Mayor and Clerk to execute the Agreement.

-OR-

Resolution rejecting the proposed Agreement and Declaration with Alden Development Group, LLC, for the acquisition of land on the south side of the Brookside Development project.

- H. Resolution to meet in closed session to review pending litigation regarding Wolf v City of Birmingham pursuant to Section 8(e) 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.)

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

- A. Alice Thimm regarding South Eton

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

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of Intention to appoint members to the Principal Shopping District Board on November 23, 2015.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

XI. ADJOURN

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](tel:248-530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).

INFORMATION ONLY