

BIRMINGHAM CITY COMMISSION AGENDA
JULY 11, 2016
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Rackeline J. Hoff, 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 Family Movie Night, featuring “Star Wars – The Force Awakens”, will be held on Friday, July 15th in Booth Park. Activities begin at 7:30 PM and the movie will begin at dusk. Contact the Birmingham Shopping District for additional information – 248.530.1200.
- A Mom-to-Mom Sale will be held on Saturday, July 16th at the Birmingham Ice Arena. The sale will be held from 8:00 AM – Noon. Contact the Ice Arena for additional information – 248.530.1642.
- The annual Day on the Town event will be held in downtown Birmingham on Saturday, July 23rd from 9:00 AM – 7:00 PM. Contact the Birmingham Shopping District for additional information – 248.530.1200.

Introduction of Guests:

- Citizens Academy Plaque Presentation by Jack Burns
- Regional Transit Authority Representative

Appointments:

- A. Interviews for appointment to the Greenwood Cemetery Advisory Board.
 - 1. Linda Buchanan, 1280 Suffield
 - 2. Margaret Suter, 1795 Yosemite (unable to attend)
- B. To appoint_____ to the Greenwood Cemetery Advisory Board to serve a three-year term to expire July 6, 2019.
- C. To appoint_____ to the Greenwood Cemetery Advisory Board to serve a three-year term to expire July 6, 2019.
- D. Interviews for appointment to the Museum Board.
 - 1. Judith Keefer, 505 East Lincoln, #4
- E. To appoint_____ to the Museum Board to serve a three-year term to expire July 5, 2019.
- F. Administration of oath to the appointed board members.

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/Planning Board workshop minutes of June 20, 2016.
- B. Approval of City Commission minutes of June 27, 2016
- C. Approval of warrant list, including Automated Clearing House payments, of June 29, 2016 in the amount of \$747,133.71.
- D. Approval of warrant list, including Automated Clearing House payments, of July 6, 2016 in the amount of \$723,771.57.
- E. Resolution approving the purchase of 36A hot asphalt mix at \$58.00/ton and \$59.00/ton, UPM cold patch (delivered) at \$115.00/ton and \$116.00/ton and UPM cold patch (picked up) at \$111.00/ton and \$112.00/ton for fiscal years 2016-2017 and 2017-2018; respectively from Cadillac Asphalt LLC to be charged to account #s 202-449.003-729.0000, 203-449.003-729.0000, 590-536.002-729.0000 and 591-537.005-729.0000.
- F. Resolution approving a 12-month service agreement with Logicalis, Inc. for City Information Technology services. Further, directing the City Manager to sign the agreement on behalf of the City.
- G. Resolution setting Monday, August 8, 2016 at 7:30 PM for a Public Hearing to consider the proposed Lot Rearrangement of 976 Arden Ln. and 1058 Arden Ln.
- H. Resolution approving the Birmingham Police Departments participation in the amended Oakland County Law Enforcement Mutual Aid Agreement. Further, directing the Chief of Police to submit a copy of the approved resolution to the Oakland County Association of Chiefs of Police.
- I. Resolution recognizing FAR Therapeutic Arts and Recreation, 1669 West Maple, Birmingham, Michigan 48009 as a 501(c) (3) non-profit organization for the purpose of obtaining a State of Michigan Gaming License with the State of Michigan Charitable Gaming Division. Furthermore, authorizing the City Clerk to complete the Local Governing Body Resolution Form, forwarding same to the Charitable Gaming Division, Lansing, Michigan.
- J. Resolution accepting the resignation of Jeff Wilmot from the Museum Board, thanking Mr. Wilmot for his service.
- K. Resolution approving the Contract for Skating Director with Jill Kolaitis effective July 12, 2016 up to and including May 26, 2017. Further, authorizing the Mayor and City Clerk to sign the Contract on behalf of the City of Birmingham upon receipt of all required insurances.
- L. Resolution approving a request from the Birmingham Shopping District to hold the Winter Markt, in Shain Park and surrounding streets from December 2 - 4, 2016 and to allow the use of temporary liquor licenses in Shain Park for this event, 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.

V. UNFINISHED BUSINESS

- A. Resolution approving the 2016-2017 outside agency contracts for Birmingham Bloomfield Community Coalition in the amount of \$3,000, Birmingham Youth Assistance in the amount of \$18,000, Common Ground in the amount of \$1,500, Haven in the amount of \$2,000, and, further authorizing and directing the mayor and city clerk to sign the agreements on behalf of the city.

- B. Resolution approving the service agreement with Deaf & Hearing Impaired, Inc. in the amount of \$2,400.00 for services described in Attachment A of the agreement for fiscal year 2016-2017, account number 101-215.000-811-0000. Further, directing the Mayor and City Clerk to sign the agreement on behalf of the City.

VI. NEW BUSINESS

- A. Public Hearing of Confirmation – S.A.D. #877 – Villa Ave. Water Main Project Sewer Laterals
 - 1. Resolution confirming Special Assessment Roll No. 877 for the Villa Ave. Water Main Project Sewer Laterals, and instructing the City Clerk to endorse said roll, showing the date of confirmation thereof, and certifying said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.
- B. Resolution approving the installation of 2 Hour Parking 7am to 4pm School Days for S. Glenhurst Street between Lincoln and Midvale. Further, to direct the Chief of Police and the City Clerk to sign the traffic control order on behalf of the City establishing restricted parking on S. Glenhurst between Lincoln and Midvale.
- C. Resolution approving the installation of residential permit parking for Frank Street between Bates and Chester from 8am to 8pm. Further, directing the Chief of Police and the City Clerk to sign the traffic control order on behalf of the City establishing residential permit parking on Frank Street between Bates and Chester at all times.
- D. Resolution accepting the final report that West Maple Road, between Cranbrook Road and Southfield Road, be reconfigured from four lanes of traffic to three lanes of traffic on a permanent basis as part of the City of Birmingham’s plan to re-surface the road.
 - OR -
 - Resolution accepting the final report, but leave West Maple Road, between Cranbrook Road and Southfield Road a four lane roadway, as part of the City of Birmingham’s plan to re-surface the road.
- E. Ordinance repealing City Code, Chapter 74, Offenses, Article I In General, Section 74-5 Fortunetelling, in its entirety. Furthermore, authorizing the Mayor and City Clerk to sign the ordinance for the removal of behalf of the City.
- F. Ordinance amending Part II of the City Code, Chapter 74 Offenses, Article VII Offenses Against Public Morals, Division 5 Controlled Substances, Subdivision II Alcoholic Liquors Generally, Section 74- 324 Persons under 21, unlawful purpose, consumption or possession, section (2) and (3) to add “complete a term of probation” and authorizing the Mayor and City Clerk to sign the ordinance on behalf of the City.
- G. Resolution directing the Police Department to proceed with 30 day trials of (16) each IPS Group M5 and CivicSmart Liberty smart meters and vehicle detection sensors to be installed on Martin Street between Pierce and Henrietta, further authorizing the mayor to sign the agreements on behalf of the city.
- H. Greenwood Cemetery Advisory Board Annual Report
- I. Greenwood Cemetery Report/Contractor Update
- J. Current Planning Issues for Discussion

(1) Transitional Zoning (TZ2 District)

Resolution directing staff to work with the Planning Board to prepare a narrative on the recent study of transitional zoning including the following:

- (i) What initiated the transitional zoning study;
- (ii) What options have been considered to date; and

- (iii) A comparison of existing O1 and O2 uses in relation to the proposed TZ2 uses.

And further, directing the Planning Board to review the number and type of uses proposed to be permitted in TZ2, outline the next steps planned, and to conduct a public hearing with sufficient public notice to gather input on the proposed changes and develop a recommendation based on input received that can be forwarded to the City Commission.

(2) Commercial Development Parking Requirements

Resolution directing the Planning Board to review the parking requirements for private developments, including but not limited to, considering the possible reduction of parking standards for residential units, and considering the impacts of multi-modal transportation options on the required number of parking spaces; and further to direct staff to include a discussion on parking requirements in the City-wide master plan update.

(3) Existing Commercial Non-Conforming Buildings

Resolution reviewing the non-conformance provisions pertaining to commercial buildings to provide specific requirements that allow for changes to non-conforming buildings for the maintenance and renovation of existing buildings consistent with those permitted for residential buildings and structures.

(4) Definition of Retail

Resolution directing the Planning Board to study the following:

- (i) To evaluate the success of the red line retail district in Downtown Birmingham to determine if the intended objectives are being met;
- (ii) To study the existing definition of retail in the Zoning Ordinance and recommend any needed amendments to the definition; and
- (iii) To review all retail-related requirements contained in the Zoning Ordinance and recommend any needed amendments.

(5) Dormer Considerations

Resolution directing the Planning Board to review the dormer and habitable attic regulations in the Zoning Ordinance as they relate to current dormer construction trends in residential zoned districts. Specifically, to conduct a detailed public input and review process to:

- (1) Clarify the types of dormers permissible that project from second story roofs enclosing habitable attics;
- (2) Provide recommended width limitations for dormers projecting from second story roofs; and
- (3) Refine the maximum area regulations for habitable attics that would not count as a story.

(6) Planning Board Action List

Resolution directing the Planning Board to revise their 2016-2017 Planning Board Action List to reflect the City Commission's recent and pending directives as of July 11, 2016.

- K. Resolution approving the proposed schedule of regular City Commission meetings for 2017.

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

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

X. REPORTS

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

XI. ADJOURN

INFORMATION ONLY

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).