

BIRMINGHAM CITY COMMISSION AGENDA
FEBRUARY 25, 2019
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Patty Bordman, Mayor

II. ROLL CALL

J. Cherilynn Mynsberge, City Clerk

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

Announcements:

- Registration for Ice Skating Lessons at the Birmingham Ice Sports Arena will take place on Wednesday, February 27, from 5:00 until 7:00 pm and again on Saturday, March 2, from 10:00 am until 1:00 pm. For additional information visit www.bhamgov.org and navigate to the Ice Arena page.
- Wendy Carriveau, Stroke Coordinator at Beaumont Hospital in Royal Oak, will share tips for stroke prevention on Tuesday, March 5 at 7:00 p.m. The event will take place in the lower level meeting room at the Baldwin Public Library.
- The Friends of the Baldwin Public Library are now collecting gently used handbags, purses, totes, and wallets for their Books, Bags, and Bagels sale on Sunday, March 24 from 1-4:00 p.m. All proceeds from the sale will support the Friends of the Baldwin Public Library in their ongoing efforts to support programs, services, and the annual summer reading program at the Baldwin Public Library.
- Celebration of Commissioner DeWeese's birthday.

Appointments:

- A. Resolution recognizing the following eleven student representatives for their service in 2018 on Birmingham boards and committees and awarding each student a certificate in appreciation for their civic involvement.

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| Planning Board | Madison Daminato Sam Fogel Ellie McElroy | Seaholm High School Seaholm High School Seaholm High School |
| Parks & Recreation Board | Jakob Sayer CeCe Cousins | Seaholm High School Seaholm High School |
| Museum Board | Joy Tenjeras | Groves High School |
| Public Arts Board | Cole Wolhfiel Amelia Berry | Seaholm High School Seaholm High School |
| Advisory Parking Committee | Ajney Yaple | International Academy |
| Historic District Commission | | |

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| and Design Review Board | Ava Wells | Seaholm High School |
| | Grace Donati | Seaholm High School |

B. Resolution appointing the following students as non-voting members for the calendar year 2019:

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| Planning Board: | John Utley | Seaholm High School |
| | Sophia Trimble | Seaholm High School |

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| Parks & Recreation Board: | John Butcher | Seaholm High School |
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| Museum Board: | Meredith Weddell | Seaholm High School |
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| Multi-Modal Transportation Board: | Bennett Pompei | Seaholm High School |
| | Chris Capone | Seaholm High School |

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| Historic District Commission and Design Review Board: | Klea Ahmet | Seaholm High School |
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C. Administration of Oath of Office to Student Board Representatives

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. Resolution approving the City Commission meeting minutes of February 11, 2019.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated February 13, 2019 in the amount of \$3,281,975.47.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated February 20, 2019 in the amount of \$572,646.86.
- D. Resolution approving a special event permit as requested by the Birmingham Shopping District to hold the 2019 Movie Nights on Fridays, June 14, July 12, and August 23, 2019, with rain dates scheduled on Saturdays, June 15, July 13, and August 24, 2019. Approval is 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.
- E. Resolution approving a request from the Birmingham Shopping District to hold the 2019 Day on the Town special event on Saturday, July 27, 2019 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.
- F. Resolution approving a request from the Birmingham Shopping District to hold the 2019 Birmingham Cruise special event, with the expanded footprint, on Saturday, August 17, 2019 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.
- G. Resolution approving a special event permit as requested by the Birmingham Shopping District to hold the 2019 Santa House beginning the week-end of November 30, 2019

through December 24, 2019 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 approving a special event permit as requested by the Birmingham Shopping District to hold the 2019 Winter Markt Friday, December 6 – Sunday, December 8, 2019 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.
- I. Resolution approving Attachment 2 to the Uniform Video Service Local Franchise Agreement with Comcast, effective April 27, 2015 through April 26, 2025, accepting the name change of the entity holding the cable franchise from Comcast of Colorado/Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC to Comcast of Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC, effective January 2, 2019, and authorizing the Mayor and City Clerk to execute same on behalf of the City.
- J. Resolution approving the 2019 annual flower purchase from Crowell Greenhouse Inc. in the amount not to exceed \$17,812.85. Funds are available from the General Fund – Property Maintenance – Operating Supplies account #101-441.003-729.0000.
- K. Resolution approving the agreement with In-House Valet, Inc. for City Sponsored On Street Valet Services in the amount of \$78,000 from account #585-538-001-811.0000, and further directing the Mayor to sign the agreement on behalf of the City.
- L. Resolution that the City Commission shall meet on Monday, March 25, 2019 at 7:30 P.M., for the purpose of conducting a public hearing of necessity for the creation of a special assessment district to reconstruct the pavement, update street lighting, and add dumpster screens and wayfinding signs for the Pierce St. Alley, from Pierce St. to E. Merrill St.;

AND

If necessity is determined on March 25, setting a public hearing on April 8, 2019, at 7:30 P.M. to review the assessments and to confirm the roll.

- M. Resolution approving the Title VI Non-Discrimination Plan update incorporating the change of Title VI Coordinator designation to Benjamin I. Myers, Human Resources Manager. Further, authorizing the Mayor and City Manager to sign the appropriate sections of the plan.
- N. Resolution approving the agreement with Saber Window Cleaning DBA Transparent Window Cleaning in the amount not to exceed \$48,360.00 to perform window cleaning services to the City of Birmingham facilities and charge these services to the respective department accounts; and directing the Mayor and City Clerk to sign the agreement on behalf of the City.
- O. Resolution approving an agreement with Mechanical Design & Installation, LLC. in the amount not to exceed \$226,318.00 from the City Hall and Grounds Capital Improvement Account #401-265-001-977-0000 to perform the New Boilers and Controls Upgrade for City Hall; and directing the Mayor and City Clerk to sign the agreement on behalf of the City.

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| V. UNFINISHED BUSINESS |
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None

VI. NEW BUSINESS

- A Resolution authorizing the issuance of the Request for Proposals included with the Library Director's February 19th memo for the renovation of the Youth Room section of the Baldwin Public Library.
- B. Resolution approving the renewal, for the 2019 licensing period, of all Class B, Class C, and microbrewery liquor licenses for which a current year application was received.

OR

(Each of the following resolutions to be considered with separate motions.)

Resolution setting a public hearing for 7:30 PM on Monday, March 25, 2019 in Room 205 of the Birmingham Municipal Building, 151 Martin, Birmingham, MI 48009, to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of _____, for the following reasons: _____; Further, directing the City Manager to notify the owners/operators of _____, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

AND

Approving the renewal for the 2019 licensing period, of all Class B, Class C, and microbrewery liquor licenses for which a current year application was received, except for the license(s) held by _____, for which a public hearing has been set.

- C Resolution awarding the Kenning Park Ball Field Construction to WCI Contractors, Inc., in the amount not to exceed \$737,000, to be funded from account 401-751.001-981.0100 and further; approving the appropriation and amendment to the fiscal year 2018-2019 General Fund and Capital Projects Fund budgets. In addition, authorizing the Mayor and the City Clerk to sign the Agreement on behalf of the City upon receipt of required insurances.
- D Resolution amending Chapter 98, Streets, Sidewalks and Other Public Places, Article 02, Streets, Section 28, to revise the inspection requirements during backfill of trenches after water and sewer repairs have been made.
- E Resolution replacing Part II of the City Code, Chapter 74 Offenses, Article VI Offenses Against Public Safety, Division 1 – Generally. Section 74-194 with a revised Sec. 74-194 Use of Consumer Fireworks Prohibited, and authorizing the Mayor and City Clerk to sign the ordinance on behalf of the city.
- F. Request to meet in closed session to review pending litigation in the matter of Darakjian v City of Birmingham pursuant to Section 8(e) of the Open Meetings Act, MCL 15.261 – 15.275.

(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

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).