

**BIRMINGHAM CITY COMMISSION AGENDA**  
**APRIL 22, 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:*

- The Friends of the Baldwin Public Library semi-annual Used Book Sale is Saturday, May 4 through Monday, May 6. Proceeds support programs, services, and the annual summer reading program at the Baldwin Public Library.
- The DPS Open House will be held on May 4<sup>th</sup>, from 10:00 a.m. until 2:00 p.m., not on May 11<sup>th</sup> as printed on the City Calendar
- The Birmingham Farmers Market will kick off its 17th season on Sunday, May 5th in Public Parking Lot 6 on North Old Woodward. The market will be open from 9:00 a.m. until 2:00 p.m. every Sunday from May through October. Throughout Opening Day shoppers will enjoy farmers market bags, balloons, kids activities, music and more.

**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 Regular City Commission meeting minutes of April 8, 2019.
- B. Resolution approving the Special City Commission meeting minutes of April 15, 2019.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated April 10, 2019 in the amount of \$396,950.80.
- D. Resolution approving the warrant list, including Automated Clearing House payments, dated April 17, 2019 in the amount of \$844,663.81.
- E. Resolution transferring and reassessing the listing of unpaid and delinquent special assessments and invoices, including interest and penalty, to the 2019 City tax roll with an additional 15% penalty and authorization given to remove from the list any bills paid after commission approval.
- F. Resolution transferring the properties with unpaid and delinquent water/sewage accounts listed in the report dated April 11, 2019, including interest and penalty, be transferred and

reassessed to the 2019 city tax roll and authorizing the removal from the list any bills paid or a payment plan agreement signed after commission approval.

- G. Resolution approving the project for Natural Areas Maintenance with Cardno for a total cost not to exceed \$20,650.00. In addition, waiving the normal bidding requirements based on the Oakland County cooperative agreement for this purchase. Funds are available from the General Fund-Parks Other Contractual Services account #101-751.000-811.0000 for these services. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.
- H. Resolution approving a three-year contract between the City and Oakland County for assessing services for the period of July 1, 2019 through June 30, 2022 and authorizing the mayor to sign the agreement on behalf of the City.
- I. Resolution approving the Software as a Service Agreement between Sensus USA, Inc. and the City of Birmingham, Michigan; further, directing the City Manager to sign the agreement on behalf of the City.
- J. Resolution approving a special event permit as requested by Temple Beth El to hold the Havdalah in the Park 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.
- K. Resolution approving the crack repair and painting project at St. James and Quarton to Tennis Courts Unlimited for a total project cost not to exceed \$28,475.00. Funds are available from the Parks Capital Project Fund account #401-751.001-981.0100 for these services. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

**V. UNFINISHED BUSINESS**

- A. Continuation of Public Hearing to consider necessity for replacement of sewer/water laterals in Quarton Lake Subdivision Paving project area
  - 1. Resolution declaring necessity for the replacement of all sewer and water laterals not meeting current criteria located within the Quarton Lake Subdivision Paving Project area:  
N. Glenhurst Dr. – Raynale St. to Oak St.  
Raynale St. – N. Glenhurst Dr. to Chesterfield Ave.  
Brookwood – N. Glenhurst Dr. to Raynale St.  
Kenwood Ct. – N. Glenhurst Dr. to 220 ft. east.  
**AND**
  - 2. Resolution creating a special assessment district and special assessments levied in accordance with benefits against the properties within such assessment district, said special assessment district shall be all properties, within the following district:  
**“Harrowgate”**  
Lots 78-82 inclusive, the westerly 52.5 ft. of lot 85, lots 86-88 inclusive, the northerly 47 ft. of lot 89, lot 91, unplatted parcel tax I.D. #19-26-179-013, lots 92-94 inclusive, lot 96, lots 143-146 inclusive, the southerly 35 ft. of lot 147, lots 149-152 inclusive, the southerly 40 ft. of lot 153, lots 174 & 175, the northerly 50 ft. of lot 176, lots 180-183 inclusive, lots 185-187 inclusive, lots 207 & 208.

**AND**

3. Resolution setting Monday, May 6, 2019 at 7:30 p.m. for a Public Hearing to consider confirmation of the assessment roll for the replacement of water and sewer laterals within the Quarton Lake Subdivision Paving Project area. (*Complete resolution in agenda packet.*)

**VI. NEW BUSINESS**

- A. 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. \_\_\_\_\_
- B. Resolution approving the Development Agreement between the City and Woodward Bates Partners, LLC, and further, authorizing the Mayor and Clerk to sign the agreement on behalf of the City.
- C. Resolution to meet in closed session to (1) 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, and (2) to discuss an Attorney/Client communication pursuant to Section 8(h) of the Open Meetings Act.

(A roll call vote is required and the vote must be approved by a 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
  1. Greenwood Cemetery Advisory Board Annual Report submitted by City Clerk Mynsberge

**XI. ADJOURN**

**PLEASE NOTE: Due to building security, public entrance during non-business hours is through the Police Department – Pierce St. entrance 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).*