

BIRMINGHAM CITY COMMISSION AGENDA
JUNE 24, 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:

- City Offices and the Baldwin Public Library will be closed on Thursday, July 4th in honor of Independence Day.
- The City will hold an informational session on the proposed new parking structure plan on July 16th at 6:30 p.m. at the Birmingham Bloomfield Art Center located at 1516 S. Cranbrook Road.

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 June 3, 2019.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated June 5, 2019 in the amount of \$366,395.54.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated June 12, 2019 in the amount of \$1,622,930.08.
- D. Resolution approving the warrant list, including Automated Clearing House payments, dated June 19, 2019 in the amount of \$1,055,120.58.
- E. Resolution accepting the resignation of Rabbi Boruch Cohen from the Public Arts Board, thanking him for his service, and directing the City Clerk to begin the process of filling the vacancy.
- F. Resolution approving a special event permit as requested by Birmingham First United Methodist Church to hold Worship in the Park: Blessing of the Animals in Shain Park on August 18, 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 the purchase of (3) workstations, (2) lateral files and (1) open shelving unit in the amount of \$8,705.71 from Partnr Haus; further to authorize this budgeted expenditure from account number 101-215.000-972.00; and further to authorize and direct the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

- H. Resolution approving the purchase for the 2019 Spring Light Pole Painting Project with Seaway Painting, LLC of 155 light poles and traffic signal poles in Downtown Birmingham in an amount not to exceed \$39,525.00. Funds are available in the Street Lighting Maintenance Account #202-449.003-937.0500 for this purchase. Further, waiving the normal bidding requirements, as a sole source vendor Seaway Painting, LLC is a DTE selected contractor. Further, authorizing the Mayor and City Clerk to sign on behalf of the City upon the receipt of the required insurance.
- I. Resolution approving the Springdale Shelter Picnic Table Purchase in the amount not to exceed \$34,195.00 from Penchura, LLC. Funds are available from the 2018-2019 Capital Projects Fund account #401-751.000-981.0100 in the amount of \$25,000.00 and in the 2019-2020 Capital Projects Fund account #401-751.000-981.0100 in the amount of \$9,195.00 for this purchase. In addition, waiving the normal bidding requirements because Penchura, LLC provides pricing through a cooperative purchase program, HGAC Buy. Further, authorizing the Mayor and City Clerk to sign on behalf of the City upon the receipt of the required insurance.
- J. Resolution approving the purchase and installation of Green Basalt boulders with Rockworks, LLC, in the amount of \$21,950.00, to be located at Quarton Lake Park north of Oak Street along Oak, Lake Park Drive, Midland Street, and Lakeside Drive and Manor Park along Shepardsbush Rd. Funds are available from the Parks Capital Projects account # 401-751.000-981.0100 in the amount of \$21,950.00. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City.
- K. Resolution approving the agreement between the City of Birmingham and Cartegraph Systems, LLC for the purchase, implementation, and support of the Cartegraph CMMS Solution, for an amount not to exceed \$76,800.00. Funds are available in the Sewage Disposal and Water System fund accounts #590-536.002-811.0000 and #591-537.005-811.0000. Further, authorizing the City Manager to sign the agreement on behalf of the City.
- L. Resolution awarding the Booth Park Turf Hill Repair project, including a portion of the synthetic turf and Poured-In-Place pathway to Michigan Recreational Construction, Inc., in an amount not to exceed \$27,593.00. Funds are available from Parks Other Contractual Services account # 101-751.000- 811.0000 in the amount of \$27,593.00 for these services. Further, authorizing the Mayor and Clerk to sign the agreement on behalf of the City.
- M. Resolution awarding the Park Street Paving Project, Contract #8-19 (P) to Koala-T Construction, Inc. in the amount of \$462,089.75, to be charged to the following accounts:

<u>Fund</u>	<u>Account Number</u>	<u>Costs</u>
Sewer Fund	590-536.001-981.0100	\$ 63,033.75
Water Fund	591-537.004-981.0100	\$ 500.00
Major Streets Fund	202-449.001-981.0100	\$ 265,966.00
Park Street Streetscape SAD	101-444.001-985.7800	\$ 132,590.00

contingent upon execution of the agreement and meeting all insurance requirements.

- N. Resolution approving the purchase of two (2) Toro Sand Pro 3040s from Spartan Distributors, through the State of Michigan extendable purchasing contract #2017025 for a total expenditure of \$40,224.52 from the Auto Equipment Fund account #641-441.006-971.0100.
- O. Resolution approving the purchase of one (1) new 2019 Ford Fusion from Gorno Ford through the State of Michigan Mi-Deal extendable purchasing contract #071B7700181 in the amount of \$18,678.00 from account #641-441.006.971.0100.

- P. Resolution approving the purchase of a Canon IMAGEPROGRAPH TX-3000 large-scale scanner/printer with an additional roller unit from Canon Solutions America, Inc. through the National Intergovernmental Purchasing Alliance for \$8,665.00 from account #101-371.000-971.0100.
- Q. Resolution setting a public hearing date for July 22, 2019 to consider approval of a Special Land Use Permit and Final Site Plan and Design Review for 310 E. Maple to allow the operation of a new bistro, Pernoï, in accordance with Article 7, Section 7.34 of the Zoning Ordinance.
- R. Resolution confirming the City Manager's authorization for the emergency expenditure related to the repair of vehicle #160 by Jack Doheny Companies in the amount of \$10,894.97 from the Auto Equipment Fund account #641-441.006-933.0200, pursuant to Sec. 2-286 of the City Code.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Public Hearing to consider approval of a Special Land Use Permit Amendment-250 & 280 E. Merrill
 - 1. Resolution approving a Special Land Use Permit Amendment for 250 & 280 E. Merrill, to expand the existing Sidecar Slider Bar restaurant into a portion of the neighboring restaurant, Rojo, in accordance with Article 7, Section 7.34 of the Zoning Ordinance.
- B. Public Hearing to consider amending Article 3, Section 3.04(E)(12) of the Zoning Code.
 - 1. Ordinance amending Article 3, Section 3.04(E)(12) of the Zoning Code to regulate balcony, railing and porch materials in the Downtown Overlay District.
- C. Public Hearing to consider amending Article 4, Section 4.54(B)(8) of the Zoning Code.
 - 1. Ordinance amending Article 4, Section 4.54(B)(8) of the Zoning Code to regulate the permitted screening materials for trash enclosures
- D. Resolution approving the agreement with The Dailey Company for the Baldwin Public Library Youth Services Expansion & Renovation as described in the attachment A of the Request for Proposals, in the amount not to exceed \$1,910,000.00 from account #271-790.000-977.0000, and further directing the Mayor and City Clerk to sign the agreement on behalf of the City.
- E. Resolution approving the Agreement Between Owner and Developer with Woodward Bates Partners, LLC as to form,

AND

Resolution authorizing the City Manager, with the advice of counsel for the City, to make or agree to nonmaterial modifications and amendments to the form of the Agreement between Owner and Developer (the Agreement) to consent and approve non-material modifications to the form of Agreement between Owner and Design Builder attached to the Agreement so long as such modifications and amendments (i) do not increase the Contract Price (as defined in the Agreement) payable by the City , (ii) do not materially or unreasonably increase the obligations or liability of the City or (iii) are otherwise detrimental to the interests of the City,

AND

Resolution directing the Mayor and Clerk to sign the agreement upon issuance of the City Approval Notice,

AND

Resolution directing the Planning Board to conduct a courtesy review of the public elements of the project.

- F. Resolution authorizing the release of the Owner’s Representative RFP for professional services to oversee the demolition of the existing North Old Woodward Parking structure located at 333 N. Old Woodward, construction of a new parking structure with expanded capacity at the same site, and the extension of Bates Street from Willits to N. Old Woodward.
- G. Resolution approving the appropriations and amendments to the fiscal year 2018-2019 budget as presented.

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

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

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of Intent to Appoint, on August 5, 2019, one regular member to the Public Arts Board to serve the remainder of a three-year term to expire January 28, 2022.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions’ Reports and Agendas
- D. Legislation
- E. City Staff

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).*