

BIRMINGHAM CITY COMMISSION AGENDA
AUGUST 5, 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:

- Introduction of James Gallagher, Assistant to the City Manager.
- On Thursday, August 8 at 7:00 PM, the jointly sponsored Summer Lecture Series of the Birmingham Museum and Baldwin Public Library will conclude with "Birmingham at the Movies," a look at how Birmingham has contributed to the film industry, presented by movie buff and museum staff MEMBER, Kyle Phillips.
- The City of Birmingham has an election tomorrow, August 6, 2019. The polls will be open from 7:00 a.m. until 8:00 p.m. Qualified residents who are not yet registered to vote may register tomorrow in person at the City Clerk's Office with proof of residency and will then be eligible to vote.
- In The Park Summer Concert Series continues this week on Wednesday, August 7, 2019 with Magic Bus (A journey to Woodstock Late 1960's) at 7:00 PM in Shain Park.

Next week we have our last two concerts, afternoon performance Surf Zup (Surf Guitar Band) on Wednesday, August 14th beginning at Noon - 2:00 PM; and the 7:00 PM band is Nobody's Business (Rockabilly/Roots Rock) in Shain Park.

Appointments:

- A. Appointment of Birmingham Fire Chief, Paul Wells
- B. Administration of Oath of Office to Fire Chief, Paul Wells

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 July 22, 2019.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated July 31, 2019 in the amount of \$ 881,404.65.

- C. Resolution approving the warrant list, including Automated Clearing House payments, dated July 24, 2019 in the amount of \$ 7,327,657.57.
- D. Resolution approving the street light agreement between the City of Birmingham and DTE Energy Co. regarding the installation of streetlights at 2254 Cole Ave. Further, to direct the Mayor to sign the agreement on behalf of the City. All costs relative to this agreement will be charged to the adjacent owner.
- E. Resolution approving the street light agreement between the City of Birmingham and DTE Energy Co. regarding the installation of street lights on Park Street and to charge those costs to account number 401-901.010-981.0100; to direct the Mayor to sign the agreement on behalf of the City; and approve the appropriation and amendment to the FY 2019-2020 Capital Projects Fund budget as follows:

Capital Projects Fund:

Revenues:

Draw from Fund Balance	401-000.000-400.0000	\$60,501
Special Assessment	401-901.010-672.0888	<u>6,723</u>
Total Revenues		\$67,224

Expenditures:

Capital Improvements	401-901.010-981.0100	<u>\$67,224</u>
Total Expenditures		\$67,224

- F. Resolution approving the City Manager to cast a vote, on the City's behalf, for the three incumbent members of the Michigan Municipal League Workers' Compensation Fund Board of Trustees for four year terms, beginning October 1, 2019.
- G. Resolution approving the Piano in the Park timeline to be extended beyond August 31, 2019 to sometime before December 25, 2019, depending on weather and coordination with Professional Movers.
- H. Resolution approving the purchase of the replacement motor for the Shain Park plaza fountain pump from Roman Fountains in the amount not to exceed \$6,996.00. Funds are available from the Parks Operating Supplies account #101-751.000-729.0000. Further, to waive the normal bidding requirements as Roman Fountains is a sole source provider.
- I. Resolution approving a special event permit as requested by Birmingham Bloomfield Chamber of Commerce to hold the annual Halloween Parade and Pumpkin Patch in Shain Park and streets surrounding the park on October 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.
- J. Resolution approving a special event permit as requested by Piety Hill Chapter, NSDAR to hold the Veterans Day Wreath Laying Ceremony in Shain Park November 11, 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 purchase of a traffic signal modernization for the intersection of Derby and Adams from the Road Commission for Oakland County in the amount of \$143,226.23; further to waive normal bidding requirements and to authorize this expenditure from account number 202-303.001-971.0100; and further to approve the appropriation and amendment to the 2019-20 Major Street Fund as follows:

Major Street Fund Revenues:		
Draw from Fund Balance	202-000.000-400.0000	<u>\$13,960</u>
Total Revenue		\$13,960
Expenditures:		
Traffic Controls-Police	202-303.001-971.0100	
	(Machinery & Equipment)	<u>\$13,960</u>
Total Expenditures		\$13,960

L. Resolution approving the following improvements at the Maple Rd. and Southfield Rd. intersection, as an interim measure to improve pedestrian safety prior to the reconstruction of the intersection in 2020:

1. Modification of the traffic signal timing to add a 4-second LPI for those using the north/south crosswalk located on the east leg of the intersection.
2. Installation of an R10-15(R) sign stating TURNING VEHICLES YIELD TO PEDS sign for the northbound right turn lane.

M. Resolution approving the Agreement for Local Agency Highway-Railway Bridge Improvements with the Railroad Company in the amount not to exceed \$114,605.00 for painting and rehabilitation work of the Maple Road Railroad Bridge, to be funded from Property Maintenance – Other Contractual Service account #101-441.003-811.0000. In addition, to authorize the Mayor and Clerk to sign the agreement on behalf of the City. Further, to approve the appropriation and amendment to the fiscal year 2019-2020 General Fund budget as follows:

General Fund Revenues:		
Draw from Fund Balance	101-000.000-400.0000	<u>\$114,605.00</u>
Total Revenue:		\$114,605.00
Expenditures:		
Property Maintenance –		
Other Contractual Service	101-441.003-811.0000	<u>\$114,605.00</u>
Total Expenditure:		\$114,605.00

N. Resolution to receive the petition submitted requesting the paving of Lakeview Avenue from Harmon Street to Oak Avenue and to adopt the following resolution that this Commission shall meet on Monday, September 16, 2019 at 7:30 P.M., for the purpose of conducting a public hearing of necessity for the improvement proposed herein. FURTHER RESOLVED, if necessity is determined on September 16, 2019, a hearing to review the assessments and to confirm the roll will be held on September 23, 2019 at 7:30 P.M.

O. Resolution approving the contract amendment with Buccilli Group, L.L.C. for inspection services, to be charged to the various capital improvement accounts for work being undertaken by the City, and further, to direct the Mayor and City Clerk to sign the agreement on behalf of the City.

P. Resolution rejecting all bids for the Pierce Alley Paving project and to direct staff to re-bid the project in the winter/spring of 2020 with construction beginning late summer of 2020 after the Maple Road project.

Q. Resolution approving the purchase of Rink Seal Pro Preventative Solution from Shaler-Rink Seal Pro in the amount not to exceed of \$8,150.00. Funds are available from the Ice Arena - Other Contractual Services account #101-752.000-811.0000.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Public Hearing to amend Article 4, Section 4.18(A) for structures excluded from height standards, 4.19(A) for height standards in the MX Zone, Article 5, Section 5.03, 5.04, 5.05, 5.06, 5.07, 5.08, 5.09, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.16 for rooftop use standards, and Article 9 Definitions for Building Height, Building Height Overlay, and Rooftop.
- B. Resolution approving the selection of _____ as the new City logo and direct staff to finalize an implementation plan.

OR

Resolution approving the selection of _____ as the new City logo and appoint _____, _____ and _____ to an Ad Hoc Committee to finalize the implementation plan.

- C. It is requested that the city commission meet in closed session pursuant to the Open Meetings Act Section 8(e) regarding 2400 E. Lincoln v. City of Birmingham, TIR Equities v. City of Birmingham, and Baller/Bloom v. City of Birmingham, Schneider v. City of Birmingham and Section 8(h) to consider material exempt from discussion or disclosure by state or federal statute.

(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
 - 1. Notice of Intention to Appoint to the Design Review Board on September 16, 2019.
 - 2. Notice of Intention to Appoint to the Historic District Commission on September 16, 2019.
- 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 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).