

BIRMINGHAM CITY COMMISSION AGENDA

MARCH 9, 2020

MUNICIPAL BUILDING, 151 MARTIN

7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Pierre Boutros, Mayor

II. ROLL CALL

Cheryl Arft, Acting City Clerk

III. PUBLIC COMMENT

The City of Birmingham welcomes public comment limited at the Mayor's discretion on items that do not appear in the printed agenda in order to allow for an efficient meeting. The Commission will not participate in a question and answer session and will take no action on any item not appearing on the posted agenda. The public can also speak to agenda items as they occur when the presiding officer opens the floor to the public. When recognized by the presiding officer, please step to the microphone, state your name for the record, and direct all comments or questions to the presiding officer.

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

ANNOUNCEMENTS:

- The Presidential Primary is tomorrow, March 10th. The polls will be open from 7 AM to 8 PM. Voters are reminded to bring photo ID with them. If you are not registered to vote in Birmingham and wish to vote in this election, you may register tomorrow at the Clerk's Office between 7 AM and 8 PM, with acceptable residency verification. If you have questions, call the Clerk's Office at 248-530-1880.
- Residents who vote in Precinct 2 and 3 located at Derby Middle School are being relocated to classrooms 100 and 101, which are located inside the west entrance of the school. Parking is available on Adams and Derby. Signs redirecting voters will be placed in the area of the gymnasium where the precincts were previously located within the school.
- The Birmingham Museum and Baldwin Public Library will present "Wonder Women of Birmingham", an adult lecture series in honor of the centennial of the 19th Amendment giving women the right to vote. On March 12th, "Early Aviation and the Ferguson Women" will be presented, and on April 9th, the presentation will be "The Three Prindle Sisters who tamed the Wilderness". Both lectures begin at 7:00 PM at the Baldwin Library.
- On Sunday, March 22, 2020, from 1:00 – 3:00 PM at the Baldwin Public Library, you can shop for gently used purses, handbags, totes, wallets, and briefcases priced at \$1 and up. Enjoy bagels and coffee as you browse through a selection of high-quality used books. The Friends are now accepting donations for the sale. Please bring your gently used items to the Circulation desk in the lobby. All proceeds benefit the Friends of the Baldwin Public Library.

- The 2020 Citizens Academy is now taking applications. This free, interactive 8-week program is open to all Birmingham residents 18 years or older. The intent of the program is to provide a fun and informative learning experience for citizens who want to know more about how the City of Birmingham operates. Participants will have an opportunity to learn more about various departments such as: police, fire, engineering, building, planning, finance, DPS, and more. Classes are offered on Tuesday and Thursday evenings from 6pm – 8:30pm, with the first session beginning on April 21st. Spots are limited and applications are accepted on a first-come basis. The application form is available for download on the front page of the City's website at www.bhamgov.org
- The City Commission would like to thank Daniel Rontal and Amy Folberg, Multi-Modal Transportation Board members, for their years of dedicated service and commitment to the Board.

APPOINTMENTS:

- A. City Clerk Designee Appointment
Resolution accepting the recommendation of the City Clerk Selection Sub-Committee to appoint Alexandria D. Bingham as the Birmingham City Clerk (Designee) effective March 16, 2020, and as City Clerk upon the retirement of Acting City Clerk Cheryl Arft.

- B. Parks & Recreation Board
 - 1. Jeffrey LaBelle
 - 2. James P. Cleary
 - 3. Martha Moyer
 - 4. Ross Kaplan
 - 5. Susan Collins
 - 6. Eleanor Noble

- C. To appoint _____ to the Parks and Recreation Board as a regular member to serve a three-year term to expire March 13, 2023.

To appoint _____ to the Parks and Recreation Board as a regular member to serve a three-year term to expire March 13, 2023.

To appoint _____ to the Parks and Recreation Board as an alternate member to serve a three-year term to expire March 13, 2023.

To appoint _____ to the Parks and Recreation Board as an alternate member to serve the remainder of a three-year term to expire March 13, 2022.

- D. Multi-Modal Transportation Board
 - 1. Andrew Haig

- E. To appoint _____, as an alternate member who has traffic-focused education and/or experience to the Multi-Modal Transportation Board to serve a three-year term to expire March 24, 2022.

- F. Planning Board
 - 1. Bert Koseck
 - 2. Janelle Boyce

G. To appoint _____, to the Planning Board as a regular member to serve a three-year term to expire March 28, 2023.

To appoint _____, to the Planning Board as a regular member to serve a three-year term to expire March 28, 2023.

H. Cablecasting Board
1. Michael Fenberg

I. To appoint _____, to the Cablecasting Board as a regular member to serve a three-year term to expire March ____, 2023.

V. 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 amended City Commission Long Range Planning meeting minutes of January 25, 2020.
- B. Resolution approving the Ad Hoc Clerk's Selection Committee meeting minutes of February 12, 2020.
- C. Resolution approving the City Commission regular meeting minutes of February 24, 2020.
- D. Resolution approving the warrant list, including Automated Clearing House payments, dated February 26, 2020 in the amount of \$4,738,814.61.
- E. Resolution approving the warrant list, including Automated Clearing House payments, dated March 4, 2020 in the amount of \$442,429.14.
- F. Resolution approving a request from the City of Birmingham Department of Public Services for a special event permit to hold the 2020 In the Park Concert series in Shain Park on the dates as presented, 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 State Trunkline Maintenance Contract for Woodward Avenue between Michigan Department of Transportation (MDOT) and the City of Birmingham for ground maintenance only for a term of October 1, 2019 through September 30, 2024. Further, authorizing the Mayor and City Clerk to sign the Contract.
- H. Resolution awarding the Woodward Avenue Landscape Enhancements and Maintenance contract to Superior Scape, Inc. in an amount not to exceed \$127,714.00. Funds are available from the Capital Projects fund account #401-441.003-981.0100 in the amount of \$85,000.00 and from the Property Maintenance; Other Contractual Services acct #101-441.003-811.0000 in the amount of \$22,377.00 for a total project cost of \$107,377 for fiscal year 2019-2020. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

- I. Resolution approving the contract amendment with Nowak & Fraus Engineers for professional services, to be charged to the various capital improvement accounts for work being undertaken by the City, and further, directing the Mayor and City Clerk to sign the agreement on behalf of the City.
- J. Resolution setting Monday, April 6, 2020 at 7:30 PM for a public hearing to consider approval of a Special Land Use Permit Amendment and Final Site Plan and Design Review for Dick O'Dows at 160 W. Maple to allow outdoor dining at the rear of the building from April 1 through November 15, 2020 during construction on E. and W. Maple.
- K. Resolution approving the contract amendment with G2 Consulting Group, L.L.C. for professional services, to be charged to the various capital improvement accounts for work being undertaken by the City, and further, directing the Mayor and City Clerk to sign the agreement on behalf of the City.
- L. Resolution accepting the resignation of Doug Burley, member of the Historic District Commission, thanking him for his service, and directing the Acting Clerk to begin the process to fill the vacancy.

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

- A. Public Hearing to consider the proposed lot combination of 1680 S. Bates and 1684 S. Bates
 - 1. Resolution approving the proposed lot combination of 1680 S. Bates Street, Parcel # 19-36-331-038 and 1698 S. Bates Street, Parcel # 19-36-331-039.
- B. Resolution approving the renewal, for the 2020 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.)

- a. Resolution settomg a public hearing for 7:30 PM on Monday, March 23, 2020 in Room 205 of the Birmingham Municipal Building, 151 Martin, Birmingham, MI 48009, 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

Resolution approving the renewal for the 2020 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 authorizing the Mayor to sign Contract No. 19-5643 between the City of Birmingham and the Michigan Department of Transportation to authorize the City's participation in a Federal Surface Transportation and Federal Highway Safety Improvement Program to fund a portion of the planned improvements at the Southfield and Maple intersection as well as Maple Road between Chester Road and Woodward Avenue. The estimated cost to the City in the fiscal year 2019-2020 is \$7,181,732.82, charged to the following account numbers:

Fund	Account Number	Cost
Sewer Fund	590-536.001-981.0100	\$ 707,406.40
Water Fund	591-537.004-981.0100	\$ 1,321,282.40
Major Streets	202-449.001-981.0100	\$ 2,369,166.10
Major Streets (Traffic Control)	202-303.001-981.0100	\$ 355,306.00
Sidewalk SAD	101-444.001-985.7900	\$ 2,282,918.67
General Fund	101-444.003-981.0100	\$ 135,653.25
APS Fund (Parking Meters)	585-305.000-811.0000	\$ 10,000.00
TOTAL		\$ 7,181,732.82

And further; approving the appropriation and amendment to the fiscal year 2019-2020 General Fund, Major Street Fund, and Water Fund budgets. (complete resolution in agenda packet)

- D. Resolution to meet in closed session to discuss labor negotiations in accordance with Section 8(c) of the Open Meetings Act.
(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.)
- E. Resolution approving the settlement agreement of February 14, 2020 between the City and BCOA/COAM for a renewal of the collective bargaining agreement through June 30, 2022. Further, authorizing the transfer of the appropriate funds by the Finance Department for the contract effective July 1, 2019.

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
The City Commission intends to appoint members to the Architectural Review Committee, Housing Board of Appeals, and Brownfield Redevelopment Authority on April 6, 2020.
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

INFORMATION ONLY

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).