BIRMINGHAM CITY COMMISSION MINUTES
NOVEMBER 10, 2014
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Scott D. Moore, Mayor, called the meeting to order at 7:30 PM.

II. ROLL CALL

ROLL CALL: Present, Mayor Moore
Commissioner Dilgard
Commissioner Hoff
Commissioner McDaniel
Commissioner Nickita
Commissioner Rinschler
Mayor Pro Tem Sherman
Absent, None

Administration: City Manager Valentine, City Attorney Currier, Clerk Pierce, DPS Director Wood, Assistant Finance Director Gerber, IT Director Gemmell, City Engineer O'Meara, Assistant City Engineer Cousino

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

11-258-14 ORGANIZATION OF THE CITY COMMISSION

MOTION: Motion by Rinschler:
To nominate Scott Moore, Mayor, as temporary chair of the City Commission for purposes of conducting the Mayor and Mayor Pro Tem election.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by Hoff:
To nominate Stuart Sherman, Mayor Pro Tem as Mayor.

ROLL CALL VOTE: Yeas, Commissioner McDaniel
Commissioner Dilgard
Commissioner Hoff
Commissioner Nickita

The Chair declared the motion carried.

MOTION: Motion by McDaniel:
To nominate Rackeline Hoff, Commissioner, as Mayor Pro Tem.

ROLL CALL VOTE: Yeas, Commissioner Dilgard
Commissioner Nickita
Commissioner McDaniel
Commissioner Rinschler

The Chair declared the motion carried.

The Clerk administered the oath of office to the Mayor and Mayor Pro Tem.

The meeting was recessed at 7:48.
The Mayor reconvened the meeting at 8:03 PM.

11-259-14 APPOINTMENTS TO THE RETIREMENT BOARD, RETIREES HEALTH CARE FUND COMMITTEE, CORRIDOR IMPROVEMENT AUTHORITY, AND FOUNDATION FOR BIRMINGHAM SENIOR RESIDENTS.

MOTION: Motion by Hoff:
To appoint Stuart Sherman, Mayor, to the Retirement Board.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by Rinschler:
To appoint Rackeline Hoff, Mayor Pro Tem, to the Retirement Board.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by McDaniel:
To appoint Stuart Sherman, Mayor, to the Retirees Health Care Fund Committee.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by Moore:
To concur in the Mayor's appointment of Stuart Sherman, Mayor, to the Triangle District Corridor Improvement Authority.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by Sherman:
To appoint Rackeline Hoff, Mayor Pro Tem, to the Foundation for Birmingham Senior Residents.

VOTE: Yeas, 7
Absent, None

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.

11-260-14 APPROVAL OF CONSENT AGENDA

The following items were removed from the consent agenda:

- Item A (Minutes of October 20, 2014) by Commissioner Rinschler
- Item G (2014 Downtown Tree purchase) Mr. Valentine explained that the contractor could not meet the terms of the bid award.

MOTION: Motion by Nickita, seconded by Hoff:

To approve the consent agenda as follows:

B. Approval of City Commission minutes of October 27, 2014.

C. Approval of warrant list, including Automated Clearing House payments, of October 29, 2014 in the amount of $872,021.37.

D. Approval of warrant list, including Automated Clearing House payments, of November 5, 2014 in the amount of $303,814.53.

E. Resolution approving the purchase of a multi-function printer from Xerox, using MiDEAL extendable contract, in an amount not to exceed $9,278.00 and charge the purchase against the Machinery & Equipment account #636-228.000-971.0100.

F. Resolution setting December 8, 2014 as the public hearing date for the 2015 Community Development Block Grant Program.

ROLL CALL VOTE:	Yeas,	Mayor Pro Tem Hoff
		Commissioner Nickita
		Commissioner Rinschler
		Commissioner Dilgard
		Commissioner Moore
		Commissioner McDaniel
		Mayor Sherman
	Nays,	None
	Absent,	None
	Abstentions,	None

V. UNFINISHED BUSINESS

11-261-14 SET PUBLIC HEARING FOR THE SOUTH HAMILTON ALLEY RECONSTRUCTION

City Engineer O'Meara explained that the project has been reviewed by the Architectural Review Committee and Planning Board. He explained the elements of the design and noted that there are two design versions for Commission to review.

The Commission discussed the amount of aggregate in each design. Some Commissioners were in favor of additional aggregate and others were not. Mayor Sherman suggested this could be sent to the Public Hearing to hear what would be preferable to the property owners. Mr. O'Meara confirmed that two cost options will be presented.

The Commission discussed the via signage and whether it should be directional signage or identification signage. The Commission agreed the signage should be directional in nature.

The Commission discussed the dumpster screens, materials used, and that the waste management companies be contacted. Mr. O'Meara suggested that the businesses with the dumpsters that have a screening need be assessed for the cost.

MOTION: Motion by Moore, seconded by McDaniel:
That this Commission shall meet on Monday, December 8, 2014, at 7:30 P.M., for the purpose of conducting a public hearing of necessity for the reconstruction of the S. Hamilton Alley, from Hamilton Ave. to Park St. FURTHER RESOLVED, if necessity is determined on December 8, a hearing to review the assessments and to confirm the roll will be held on January 12, 2015, at 7:30 P.M.

VOTE: Yeas, 7
Nays, None
Absent, None

VI. NEW BUSINESS

11-262-14 PUBLIC HEARING OF NECESSITY
CUMMINGS STREET PAVING – CHAPIN TO E. FOURTEEN MILE

Mayor Sherman opened the Public Hearing of Necessity for Special Assessment District Cummings Street Paving - Chapin Avenue to East Fourteen Mile Road at 8:42 PM.

Assistant City Engineer Cousino explained that this road was scheduled to be capesealed, however the residents petitioned to have it permanently improved. In response to a question from Mayor Pro Tem Hoff, Mr. Cousino explained that there are two costs that would be assessed as part of this project – the construction of the drive approach and the construction of the road. He confirmed that none of the residents face Cummings.

Anthony Long expressed support of this project.

The Mayor closed the Public Hearing at 8:49 PM.

MOTION: Motion by McDaniel, seconded by Rinschler:
To declare necessity for the improvement of Cummings Street – Chapin Avenue to East Fourteen Mile Road, consisting of the construction of a 26 foot wide concrete pavement (face to face) with integral curb and gutter. The Public Hearing of Confirmation will be held on November 24, 2014.

WHEREAS, The City Commission has received the petition submitted by Mr. Anthony Long requesting the paving of Cummings St., from Chapin Ave. to E. Fourteen Mile Rd.; and

WHEREAS, The City Commission is of the opinion that construction of the improvement herein is declared a necessity; and

WHEREAS, The City Commission has not declared it practicable to cause estimates of cost thereof and plans to be made at this time, now therefore be it,

RESOLVED, that there be constructed an improvement to be hereinafter known as:

CUMMINGS STREET – CHAPIN AVE. TO E. FOURTEEN MILE RD.

consisting of the construction of a 26 foot wide concrete pavement (face to face) with integral curb and gutter, be it further

RESOLVED, that at such time as the Assessor is directed to prepare the assessment roll, eighty-five percent (85%) of the estimated cost be levied against the assessment district, and fifteen percent (15%) of the estimated cost be charged against the City at large, be it further

RESOLVED, that there be a special assessment district created and special assessments levied in accordance with benefits against the properties within such assessment district, said special assessment district shall be all properties, both public and private, within the following district:

Lots 649, 650, 697, 698, 763, 764, 811, 812, 868, 869, 916, 917, 963, 964 TO 972
inclusive, 1004 TO 1012 inclusive, 1013, 1050, 1051, 1100 and 1101 of the "Leinbach-Humphrey's Woodward Avenue Sub.", being part of the east ½ of the S.E. ¼ of Section 36, T. 2 N., R. 10 E., Bloomfield Twp. and part of the W. ½ of the S.W. ¼ of Section 31 and a part of the N.W. ¼ of Section 31, T. 2 N., R. 11 E., Troy Township, located within the City of Birmingham, Oakland County, Michigan

be it further

RESOLVED, that the Commission shall meet on Monday, November 24, 2014, at 7:30 P.M., for the purpose of conducting a public hearing to confirm the roll for the paving of Cummings St., from Chapin Ave. to E. Fourteen Mile Road.

VOTE: Yeas, 7
Nays, None
Absent, None

VII. REMOVED FROM CONSENT AGENDA

11-263-14 CITY COMMISSION/PLANNING BOARD WORKSHOP MINUTES OCTOBER 20, 2014

Commissioner Rinschler commented that the minutes did not capture the sense of the meeting. He noted that there was a general consensus that Duany recommendations were good ideas but some were higher priority such as parking, Bates Street extension, land control issues and parking in the triangle district.

Commissioner Nickita agreed that the essence of the meeting should be clarified. He suggested the key ideas be included such as incorporating Duany's ideas into a master plan, incorporating all of the plans as a part of a master plan, and priorities such as the Bates Street extension, land sale issue, and parking.

The Commission requested this item be returned at the next meeting.

VIII. COMMUNICATIONS

11-264-14 COMMUNICATIONS

The Commission received the following communications:

- Joann Baughman, regarding West Maple
- Gretchen & Ethan Davidson, 444 Arlington, regarding West Maple
- Joan Guenther, 380 Linden, regarding West Maple
- Jim and Suzanne Reinhart, 484 Linden, regarding West Maple
- Gary Saltzgiver & Elaine Hazel, 188 Shirley, regarding West Maple
- Charles Schwartz, 432 Arlington, regarding West Maple

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

X. REPORTS

11-265-14 COMMISSIONER REPORTS

The Commission intends to appoint members to the Planning Board on November 24, 2014 and the Corridor Improvement Authority and the Board of Review on December 8, 2014.

11-266-14 COMMISSIONER COMMENTS

Commissioner Rinschler gave kudos to the Engineering Department on the pavement of North Eton. He noted that residents expressed that the Birmingham representatives on the job site were outstanding.

Commissioner Rinschler commented on the number of letters received regarding West Maple. He commented that the City needs to make sure that the Multi-Modal Transportation Board has all the technical data available for this.

Mr. Valentine confirmed for Mayor Pro Tem Hoff that no further applications have been received for the final positions on the Board.

11-267-14 CITY STAFF REPORTS

The Commission received the Quarton Lake Management Plan update submitted by DPS Director Wood .

XI. ADJOURN

The Mayor adjourned the meeting at 8:58 PM.

Laura M. Pierce
City Clerk