BIRMINGHAM CITY COMMISSION MINUTES
JANUARY 12, 2015
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Stuart Lee Sherman, Mayor, called the meeting to order at 7:30 PM.

II. ROLL CALL

ROLL CALL: Present, Mayor Sherman
Commissioner Dilgard
Mayor Pro Tem Hoff
Commissioner McDaniel
Commissioner Nickita
Commissioner Rinschler
Absent, Commissioner Moore

Administration: City Manager Valentine, City Attorney Currier, Clerk Pierce, Assistant Finance Director Gerber, Billing Manager Laing, Planner Baka

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

01-01-15 APPOINTMENT TO THE PUBLIC ARTS BOARD

MOTION: Motion by Hoff:
To appoint Barbara Heller, 176 Linden Rd, as a resident member to the Public Arts Board to serve a three-year term to expire January 28, 2018.

MOTION: Motion by Rinschler:
To appoint Maggie Mettler, 544 Wallace St, as a resident member to the Public Arts Board to serve the remainder of a three-year term to expire January 28, 2016.

MOTION: Motion by McDaniel:
To appoint Phyllis Klinger, 1844 Bowers St, as a resident member to the Public Arts Board to serve a three-year term to expire January 28, 2018.

VOTE ON NOMINATION OF HELLER:
Yeas, 6
Absent, 1 (Moore)

VOTE ON NOMINATION OF METTLER:
Yeas, 6
Absent, 1 (Moore)

VOTE ON NOMINATION OF KLINGER:
Yeas, 6
Absent, 1 (Moore)

01-02-15 APPOINTMENT TO THE MARTHA BALDWIN PARK BOARD

The Commission interviewed the following individuals for appointment to the Martha Baldwin Park Board.

1. Charles Blank, 943 Donmar Court
2. Ronald Buchanan, 1280 Suffield

MOTION: Motion by Hoff:
To appoint Ronald Buchanan, 1280 Suffield, as a male member, on the Martha Baldwin Park Board to serve the remainder of a four-year term to expire May 1, 2015.

MOTION: Motion by Rinschler:
To appoint Charles Blank, 943 Donmar Court, as a male member, on the Martha Baldwin Park Board to serve the remainder of a four-year term to expire May 1, 2015.

VOTE ON NOMINATION OF BUCHANAN:
Yeas, 4 (Hoff, McDaniel, Sherman, Nickita)
Absent, 1 (Moore)

Mr. Buchanan was appointed to the Martha Baldwin Park Board.

The Clerk administered the oath to the appointed board members.

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.

01-03-15 APPROVAL OF CONSENT AGENDA

The following item was removed from the consent agenda:

- Item F (Set Public Hearing for 820 E. Maple) by Commissioner Rinschler.

MOTION: Motion by Hoff, seconded by Dilgard:
To approve the consent agenda as follows:

A. Approval of City Commission minutes of December 15, 2014.
B. Approval of warrant list, including Automated Clearing House payments, of December 17, 2014 in the amount of $ 1,122,076.13.
C. Approval of warrant list, including Automated Clearing House payments, of December 30, 2014 in the amount of $ 477,633.01.
D. Approval of warrant list, including Automated Clearing House payments, of January 7, 2015 in the amount of $ 2,546,382.33.
E. Resolution approving a request submitted by the Lungevity Foundation to hold Breathe Deep Michigan, a 5K walk, on Saturday, June 6, 2015, 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.

ROLL CALL VOTE: Yeas, Commissioner Dilgard

	Mayor Pro Tem Hoff
	Commissioner McDaniel
	Commissioner Nickita
	Commissioner Rinschler
	Mayor Sherman
Nays,	None
Absent,	1, (Moore)
Abstentions,	None

The Commission agreed to consider Item F (820 E. Maple) at this time.

01-04-15 SET PUBLIC HEARING
ALL SEASONS SENIOR LIVING, 820 EAST MAPLE

Commissioner Rinschler requested that the normal notification criteria be expanded to include the adjacent neighborhoods as this is a large development.

MOTION: Motion by Rinschler, seconded by Nickita:
To set a public hearing date for February 9, 2015 to consider an application for a Special Land Use Permit and Final Site Plan for All Seasons Senior Living at 820 E. Maple.

VOTE: Yeas, 6
Nays, None
Absent, 1 (Moore)

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

01-05-15 PUBLIC HEARING OF CONFIRMATION
HAMILTON ALLEY – HAMILTON AVENUE TO PARK STREET

Mayor Sherman opened the Public Hearing of Confirmation for the Hamilton Alley from Hamilton Avenue to Park Street at 7:43 PM.

The Public Hearing was closed at 7:44 PM.

MOTION: Motion by Rinschler, seconded by Dilgard:
To confirm Special Assessment Roll No. 864, to defray the cost of construction of new concrete pavement on Hamilton Alley-Hamilton Avenue to Park Street:

WHEREAS, Special Assessment Roll, designated Roll No. 864, has been heretofore prepared by the Billing Manager for collection, and

WHEREAS, notice was given pursuant to Section 94-7 of the City Code, to each owner or party- in-interest of property to be assessed, and

WHEREAS, the Commission has deemed it practicable to cause payment of the cost thereof to be made at a date closer to the time of construction and

Commission Resolution 12-287-14 provided it would meet this 12th day of January, 2015 for the sole purpose of reviewing the assessment roll, and

WHEREAS, at said hearing held this January 12th, 2015, all those property owners or their

representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll as determined in Section 94-9 of the Code of the City of Birmingham,

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 864 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that special assessments shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of four and a quarter percent (4.25%) on all unpaid installments.

VOTE: Yeas, 6
Nays, None
Absent, 1 (Moore)

01-06-15 AMENDMENT TO THE PURCHASING GUIDELINES

Assistant Finance Director Gerber presented the changes to the purchasing guidelines. He noted that most of the changes are a result of new rules regarding federal grants. While adding that info, staff did a complete review of the entire policy. He confirmed for Mayor Pro Tem that the purchasing guidelines address purchases under $6,000.00.

MOTION: Motion by McDaniel, seconded by Rinschler:
To approve the suggested amendments to the purchasing guidelines as outlined in the memo dated December 29, 2014 relating to Federal grant and non-federal purchases.

VOTE: Yeas, 6
Nays, None
Absent, 1 (Moore)

01-07-15 SIGN ORDINANCE AMENDMENT REGARDING VACANT WINDOW COVERING

Planner Baka explained that the proposed ordinance allows storefronts which are vacant or under construction to cover their windows. He explained that the regulations allow images or a limited amount of text in the window covering.

In response to a question from Commissioner Nickita, Mr. Baka explained that as long as the window covering is maintained in good condition, it would be allowed for vacant storefronts. For those businesses under construction, it would be allowed during the construction.

MOTION: Motion by McDaniel, seconded by Nickita:
To adopt an ordinance amending the Sign Ordinance of the City of Birmingham, Article 1, Section 1.06, Temporary Business Sign Standards, Subsection E, to permit Vacant Window Covering.

-AND-

To adopt an ordinance amending the Sign Ordinance of the City of Birmingham, Article 2, Table B, Temporary Business Sign Standards, to add Vacant Window Coverings Standards.

VOTE: Yeas, 6

Nays, None
Absent, 1 (Moore)

01-08-15 APPOINTMENT OF FINANCE DIRECTOR/TREASURER

City Manager Valentine recommended Assistant Finance Director Gerber be appointed the Finance Director/Treasurer due to the retirement of the current Finance Director/Treasurer.

MOTION: Motion by Rinschler, seconded by Hoff:
To concur in the City Manager's appointment of Mark Gerber as Finance Director/Treasurer, effective January 17, 2015.

VOTE: Yeas, 6
Nays, None
Absent, 1 (Moore)

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

01-09-15 COMMUNICATIONS

The Commission received the following communications:

- Paula Butler, Bloomfield Hills, regarding West Maple
- Robert Gibbs, 240 Martin, regarding West Maple
- Pleasant Street Neighborhood Petition, regarding West Maple

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

X. REPORTS

01-10-15 COMMISSIONER COMMENTS

Commissioner Rinschler commented that correspondence has been received regarding West Maple suggesting an alternate process. He suggested a response from the city manager to Mr. Mirro that the Commission supports the process in place would be appropriate.

The Commission agreed that the process set up is to study issues and reach resolutions that are in the best interest of the community.

01-11-15 CITY STAFF REPORTS

The Commission received the Oakland County Water Resources Commissioner Operations Report submitted by Assistant Finance Director Gerber and City Engineer O'Meara.

Mr. Valentine explained that the intent of the meeting with the Water Resources Commissioner is to have an open dialog on specific issues relative to the different districts, fund balances within those districts, and the charges that the users in Birmingham are experiencing as a result of those fund balances and financial arrangements of the Water Resources Commissioner's office.

Commissioners McDaniel and Hoff suggested the questions be shared with the Water Resources Commissioner in advance of the meeting.

The Commission received the 2014 Museum Year in Review Report, submitted by Museum Director Pielack.

The Commission received the Parks and Recreation Board Report, submitted by Director of Public Services Wood.

Mayor Sherman pointed out that the Parks and Recreation Board report is contrary to the approved minutes. Commissioner Rinschler noted that the report is a minority opinion and pointed out that the Commission is the body which approves the minutes.

Mayor Sherman suggested this item should have been a communication instead of a board report.

XI. ADJOURN

The Mayor adjourned the meeting at 8:14 PM.

Laura M. Pierce
City Clerk