BIRMINGHAM CITY COMMISSION AGENDA
APRIL 13, 2015
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Stuart Lee Sherman, Mayor

II. ROLL CALL

Laura M. Pierce, City Clerk

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

Announcements:

- The City Commission Budget Hearing will be held on April 18th at 8:30 AM.
- Commissioner birthday: Commissioner McDaniel

Appointments:

A. Interviews for appointment to the Architectural Review Committee.
   1. Larry Bertollini, 1275 Webster

B. To appoint _____to the Architectural Review Committee to serve a three-year term to expire April 11, 2018.

C. Interviews for appointment to the Multi-Modal Transportation Board.
   1. Michael Surnow, 320 Martin, #100

D. To appoint _____ to the Multi-modal Transportation Board, as the bicycle advocate member to serve the remainder of a three-year term to expire March 24, 2016.

E. Administration of 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.

A. Approval of City Commission minutes of March 30, 2015.

B. Approval of warrant list, including Automated Clearing House payments, of April 1, 2015 in the amount of $1,231,933.40.

C. Approval of warrant list, including Automated Clearing House payments, of April 8, 2015 in the amount of $410,506.61.

D. Resolution approving the purchase and planting of 162 trees from Franks Landscaping and Supplies, LLC for the 2015 spring tree purchase and planting project for a total project cost not to exceed $48,262.00. Funds are available from the Local Streets Fund-Forestry Service Contract account #203-449.005-819.0000, the Major Streets Fund-Forestry Service Contract account #202- 449.005-819.0000, the Local Streets Fund-Operating Supplies account #203-449.005-729.0000 and the Major Streets Fund-Operating Supplies account #202-449.005-729.0000 for these services. Further,

authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

E. Resolution approving the purchase of twenty-two (22) City benches for a total purchase price of $29,665.00 from the sole source vendor, Superior Play, LLC. Further, waiving the normal bidding requirement as Superior Play, LLC is the sole source vendor for Dumor site furnishings. Funds for this acquisition will come from the Capital Projects Fund- Site Furnishings for Parks Account #401-901.009-981.0100.

F. Resolution waiving the competitive bidding requirement for the sole source vendor and approve the purchase of seven (7) security cameras and one (1) server from Abel Electronics, for a total expenditure not to exceed $ 14,005.00. Funds for this purchase are available in the Parks-Public Improvements fund, account #101-751.000-981.0100.

G. Resolution awarding Contract #3-15(P), Chester St. Structure Street Improvements to FDM Contracting, Inc., in the amount of $410,955.50, to be charged as follows:

Major Street Fund	202-449.001-981.0100	$ 92,444.75
Auto Parking Fund	585-536.008-981.0100	$306,686.75
Sewer Fund	590-536.001-981.0100	$ 11,824.00
TOTAL		$410,955.50

Further, approving the appropriation and budget amendment as follows:

Major Street Fund

Revenues:		
Draw from Fund Balance	#202-000.000-400.0000	$47,450.00
Total Revenue Adjustments		$47,450.00
Expenditures:		
Major Street Public Improvements	#202-449.001-981.0100	$47,450.00
Total Expenditure Adjustments		$47,450.00

H. Resolution authorizing the Mayor to sign and send the letter of April 13, 2015 to AT&T Corporate to request a meeting concerning the property at 155 Martin Street.

I. Resolution setting a public hearing date for May 18, 2015 to consider the Final Site Plan and Special Land Use Permit Amendment at 250 N. Old Woodward, to consider approval of the Final Site Plan and Special Land Use Permit to allow the operation of the Emagine Palladium Theatre and Ironwood Grill restaurant, operating under one Class C Liquor License to be held by CH Birmingham, LLC.

J. Resolution setting a Public Hearing for May 11, 2015 to consider the proposed Lot Rearrangement of 640 Baldwin Ct. and Parcel #1925304029.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

A. Public Hearing of Necessity for the Oak St. Paving Project Sewer Lateral Replacement Special Assessment District.

1. Resolution declaring necessity for the Oak Street Paving Project. The Public Hearing of confirmation will be held on April 27, 2015. (complete resolution in agenda packet)

B. Public Hearing to consider a Special Land Use Permit and Final Site Plan amendment at Toast Birmingham, 203 Pierce.

1. Resolution approving the Final Site Plan & Special Land Use Permit Amendment for 203 Pierce – Toast Birmingham, to allow the addition of an outdoor dining platform.

- OR -

Resolution denying the Final Site Plan & Special Land Use Permit Amendment for 203 Pierce – Toast Birmingham.

C. 2015 Spring Screening for Bistro Applicants

1. Resolution directing the following bistro applications, in the priority order below, to the Planning Board for full site plan and design review and Special Land Use Permit review:

   1._____

   2._____

D. Resolution authorizing Nowak & Fraus to prepare a boundary and topographic survey of Parking Lot #5 (also known as 333 N. Old Woodward Ave.) as detailed in their April 3, 2015 proposal, for a cost of $12,960.00, charged to account number 585-538.005-981.0100.

E. Resolution to meet in closed session to discuss an attorney/client privilege communication in accordance with Section 8(h) 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.)

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

A. Arbor Day Foundation recognizing Birmingham as a 2014 Tree City USA

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

X. REPORTS

A. Commissioner Reports

1. Notice of Intention to appoint to the Housing Board of Appeals, Board of Building Trades Appeals, and Brownfield Redevelopment Authority on May 11, 2015 and the Ad Hoc Parking Development Committee on April 30, 2015.

B. Commissioner Comments

C. Advisory Boards, Committees, Commissions' Reports and Agendas

D. Legislation

E. City Staff

1. Update on the Development Plan & Tax Increment Financing Plan for the Birmingham Triangle District, submitted by Planning Director Ecker.

XI. ADJOURN

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).