BIRMINGHAM CITY COMMISSION MINUTES
JULY 13, 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 Moore
Commissioner Nickita
Commissioner Rinschler
Absent, None

Administration: City Manager Valentine, City Attorney Currier, Clerk Pierce, DPS Director Wood, Police Chief Studt, Interim Fire Chief Connaughton, City Engineer O'Meara, City Planner Baka

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

07-143-15 APPOINTMENT TO THE GREENWOOD CEMETERY ADVISORY BOARD

MOTION: Motion by Rinschler:
To appoint George Stern, 1090 Westwood, to the Greenwood Cemetery Advisory Board to serve a three-year term to expire July 6, 2018.

MOTION: Motion by Nickita:
To appoint Linda Peterson, 1532 Melton, to the Greenwood Cemetery Advisory Board to serve a three-year term to expire July 6, 2018.

MOTION: Motion by Dilgard:
To appoint Laura Schreiner, 591 Bird, to the Greenwood Cemetery Advisory Board to serve a three-year term to expire July 6, 2018.

VOTE ON NOMINATION OF STERN:
Yeas, 7
Absent, None

VOTE ON NOMINATION OF PETERSON:
Yeas, 7
Absent, None

VOTE ON NOMINATION OF SCHREINER:
Yeas, 7
Absent, None

07-144-15 APPOINTMENT TO THE MUSEUM BOARD

MOTION: Motion by McDaniel:
To appoint Russ Dixon, 1460 Bennaville, to the Museum Board to serve a three-year term to expire July 5, 2018.

MOTION: Motion by Nickita:
To appoint Tina Krizanic, 2450 Northlawn, to the Museum Board to serve a three-year term to expire July 5, 2018.

VOTE ON NOMINATION OF DIXON:
Yeas, 7
Absent, None

VOTE ON NOMINATION OF KRIZANIC:
Yeas, 7
Absent, None

07-145-15 APPOINTMENT TO THE HISTORIC DISTRICT STUDY COMMITTEE

Mayor Pro Tem Hoff suggested the roster and notice be updated to reflect the recent changes made to the Committee.

MOTION: Motion by Moore:
To appoint Gigi Debbrecht, 564 Frank, to the Historic District Study Committee to serve a three year term to expire June 25, 2018.

MOTION: Motion by Rinschler:
To appoint Patricia Lang, 1023 Floyd, to the Historic District Study Committee to serve a three year term to expire June 25, 2018.

MOTION: Motion by Nickita:
To appoint Gretchen Maricak, 1040 Chapin, to the Historic District Study Committee to serve a three year term to expire June 25, 2017.

VOTE ON NOMINATION OF DEBBRECHT:
Yeas, 7
Absent, None

VOTE ON NOMINATION OF LANG:
Yeas, 7
Absent, None

VOTE ON NOMINATION OF MARICACK:
Yeas, 7
Absent, None

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.

07-146-15 APPROVAL OF CONSENT AGENDA

The following items were removed from the consent agenda:

- Item A (Minutes of June 15, 2015) by Mayor Pro Tem Hoff
- Item K (2015 Asphalt Resurfacing Project) by Mayor Pro Tem Hoff
- Item L (Relocation of Traffic Control Equipment) by Mayor Pro Tem Hoff
- Item N (Set Public Hearing for Rezoning) by Mayor Pro Tem Hoff

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

B. Approval of City Commission minutes of June 29, 2015.

C. Approval of warrant list, including Automated Clearing House payments, of July 1, 2015 in the amount of $1,280,951.98.

D. Approval of warrant list, including Automated Clearing House payments, of July 8, 2015 in the amount of $1,306,378.86.

E. Resolution approving a request submitted by the Birmingham Bloomfield Chamber, Junior League of Birmingham, and The Community House to hold the annual Halloween Parade and Pumpkin Patch on Sunday, October 18, 2015 in downtown Birmingham, 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.

F. Resolution approving a request submitted by the Community House to hold the Farm to Table Block Party on Merrill and Bates on September 12, 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.

G. Resolution approving the purchase of one (1) new 2015 Dodge Charger Pursuit from Bill Snethkamp Lansing Dodge, of Lansing, MI, using State of Michigan MiDeal Cooperative Contract #071B1300010 for a total expenditure of $24,565.00. Funds for this purchase are available in the Auto Equipment Fund, account #641.441.006-971.0100.

H. Resolution approving chemical/fertilizer purchases for Lincoln Hills and Springdale golf courses from Harrell's for $20,000, Residex Turfgrass for $22,000 and Great lakes Turf for $8,000. The total purchase from all vendors will not exceed a total of $50,000. Funds will be charged to account numbers 584/597-753.001-729.0000.

I. Resolution awarding the contract for the 2015 Catch Basin Cleaning Program to United Resource, LLC, of Livonia, MI in an amount not to exceed $78,636.25, to be funded from the Major and Local Streets Fund account #s 202/203-449.004-937.0400. Further, authorizing the Mayor and City Clerk to sign the contract on behalf of the City upon

receipt of required insurances. And approving the appropriation and budget amendments to the fiscal year 2014-2015 budget as follows:

Local Roads Fund

Revenues:

Draw from fund balance	#203-000.000.400.000	$8,636.25
Total Revenue Adjustments		$8,636.25

Expenditures:

Contract Maintenance	#203-449.003-937.0400	$8,636.25
Total Expenditure Adjustments		$8,636.25

J. Resolution accepting the bid of P.K. Contracting, Inc. for painting centerline striping in the amount of $10,027.00 for the spring 2016 pavement marking contract; further authorizing and directing the mayor and city clerk to sign the agreement on behalf of the city; further to award the contract for 2015-16 pavement marking handwork contract to Hart Pavement Striping Corporation in the amount of $66,400.00 for combined fall 2015 and spring 2016 paintings; further authorizing and directing the mayor and city clerk to sign the contract on behalf of the city; further authorizing these budgeted expenditures from account number 202-303-001-937.0200.

M. Resolution approving the agreement with Kone, Inc. in the amount not to exceed $36,700.00 to replace the old handicap lift with a new ADA Compliant Vertical Platform Lift at City Hall. Further, directing the Mayor and City Clerk to sign the agreement on behalf of the City, and further approving the amendment to the 2015-2016 Community Development Block Grant Fund (CDBG) budget in the total available federal grant as follows:

Revenue:

Federal Grants	#248-000.000-503.0000	$39,959
Total Revenue Adjustment		$39,959

Expenditure:

Barrier Free Improvements	#248-690.000-836.0100	$39,959
Total Expenditure Adjustment		$39,959

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

07-147-15 APPROVAL OF CITY COMMISSION/PLANNING BOARD WORKSHOP MINUTES OF JUNE 15, 2015

Mayor Pro Tem Hoff suggested the following correction on page 3:

"Commissioner Nickita agreed that the Board should look at the broader picture, and not support spot zoning. Planner Ecker noted that are many ways in which buildings are non-conforming in the City. This draft ordinance would not cover Merrillwood ~~or Gateway~~."

MOTION: Motion by Hoff, seconded by McDaniel:
To approve the City Commission/Planning Board workshop minutes of June 15, 2015 as corrected.

VOTE: Yeas, 7
Nays, None
Absent, None

V. UNFINISHED BUSINESS

07-148-15 CONTINUED PUBLIC HEARING TO CONSIDER A LOT REARRAGEMENT AT 1530 PILGRIM

City Manager Valentine stated that the applicant has requested this item be postponed to July 27th.

The Commission agreed that this item will be heard on July 27th.

MOTION: Motion by McDaniel, seconded by Hoff:
To postpone this item to July 27th.

VOTE: Yeas, 7
Nays, None
Absent, None

07-149-15 GREENWOOD CEMETERY RULES AND REGULATIONS AND FEE SCHEDULE AMENDMENT

Ms. Pierce presented the proposed revisions to the Greenwood Cemetery Rules and Regulations and fee schedule. She explained that the Greenwood Cemetery Advisory Board (GCAB) discussed the potential to use the green space in the cemetery for additional burials. After review by the Historic District Commission, the GCAB recommended that the City offer the graves in the green space in Sections B, C, D, K, L and O for sale, limiting to flush markers only to maintain the visual landscape, set a lot resale policy and pending the results of ground penetrating radar. She explained that the contractor agreed to do the ground penetrating on the green space at no cost to the City. Ms. Pierce explained that the lot resale policy would require individuals who purchase the new graves and later wish to sell them, to sell them back to the City for 50% of the purchase price. However, the new graves could be transferred to family with supporting genealogical documentation. Ms. Pierce explained the process to be used to sell the new graves would be based off the Interest List. Individuals interested in purchasing graves would have to add their name to the Interest List through the City or the contractor.

City Manager Valentine confirmed for Mayor Pro Tem Hoff that he authorized the contractor to move forward with the ground penetrating radar as there was no cost to the City. In addition the timeframe for its completion coincides with the recommendations coming before the Commission to move this process forward. He noted that there are over 100 individuals on the Interest List and others in the community interested in obtaining a grave at Greenwood.

In response to a question from Mayor Pro Tem Hoff, Mr. Valentine explained that the recommendation would use existing unsold, unidentified spaces that have not been utilized where the reclamation process would affect previously sold graves.

Commissioner McDaniel questioned if the layout is unusual. George Stern, chairperson of the GCAB, explained that the more modern era designed cemeteries were designed without natural features such as walking paths and nature features.

Ron Buchanan, 1280 Suffield, expressed concern with the visual impact in Sections B and C when fully implemented. He also expressed concern with the orientation of the graves. He suggested eight graves per row be left vacant to enhance the green space.

Pam DeWeese, 932 Purdy, agreed with Mr. Buchanan. She noted that the GCAB has two goals which include finding graves for people and preserving the aesthetics and historic integrity of the cemetery.

Darlene Gehringer, 1108 West Maple, stated that the reference to the designated contractor in the Rules and Regulations is not needed. She stated that she still wants ground penetrating radar done on the entire cemetery. She agreed with Mr. Buchanan.

In response to a question from Commissioner Dilgard regarding ground penetrating radar on the entire cemetery, Mr. Valentine explained that the recommendation from the GCAB was to do ground penetrating radar for these sites and the entire cemetery and remains the same.

Commissioner Rinschler expressed support of the additional space. He stated that the phase in idea is not a bad idea until we see how fast the graves are being sold.

Mayor Pro Tem Hoff expressed concern and stated that Sections B and C should be left as it because it is historic. The other sections would get us started. She stated that the City is not in dire need of money. We could always go back and add some in B and C.

Commissioner Nickita pointed out the balance between an aesthetic issue with accommodating all the people waiting on the Interest List. He noted that the drawings do not show the actual aesthetic impact.

Commissioner Rinschler noted that there would not be 500 markers immediately. He stated that if there was a phase in plan, it could be modified. He stated that he would not want to move forward with less than a couple hundred graves.

MOTION: Motion by Hoff, seconded by Moore:
That the Commission set a time to meet at the cemetery to visualize the proposed changes.

The following individuals expressed support of the motion:
Darlene Gehringer
Pam DeWeese
George Stern

The Commission agreed to meet at the cemetery before the next City Commission meeting at 6:30 PM.

VOTE: Yeas, 7
Nays, None
Absent, None

VI. NEW BUSINESS

07-150-15 AGREEMENT WITH MDOT FOR THE DEMOLITION OF EXISTING BIRMINGHAM TRAIN STATION

City Engineer O'Meara explained that the train station at the end of Villa is no longer in use and could become a nuisance. MDOT has offered to provide funds toward its demolition with the proposed agreement.

MOTION: Motion by Rinschler, seconded by Nickita:
To approve the agreement with the Michigan Department of Transportation to reimburse the City of Birmingham for all related costs to demolish the existing Birmingham Train Station up to a cost not to exceed $40,000.

VOTE: Yeas, 7
Nays, None
Absent, None

VII. REMOVED FROM CONSENT AGENDA

07-151-15 2015 ASPHALT RESURFACING PROJECT AWARD

Mayor Pro Tem Hoff noted that sharrows would be installed on Derby for bicyclists. She questioned whether the residents on Derby have been notified. City Engineer O'Meara explained that the residents will be notified once the project has been awarded. He confirmed that the project will take approximately four weeks.

MOTION: Motion by Hoff, seconded by McDaniel:
To award the 2015 Asphalt Resurfacing Project, Contract #8-15(P), to Cadillac Asphalt LLC, of Clarkston, MI in the amount of $482,000.00 to be charged to the following accounts:

Major Streets Fund	202-449.001-981.0100	$ 239,742.00
Local Streets Fund	203-449.001-981.0100	$ 242,258.00
TOTAL		$ 482,000.00

VOTE: Yeas, 7
Nays, None
Absent, None

07-152-15 RELOCATION OF TRAFFIC CONTROL EQUIPMENT

In response to a question from Mayor Pro Tem Hoff, City Engineer O'Meara explained that there will always be an entrance and exit lane to the structure while the equipment is being relocated.

MOTION: Motion by Hoff, seconded by Dilgard:
To approve the agreement with Harvey Electronics to proceed with the relocation of the traffic control equipment from the Martin St. right-of-way and into the Chester St. Parking Structure,

for a cost of $7,012.50, charged to the Auto Parking System Fund, account number 585-538.008-981.0100.

VOTE: Yeas, 7
Nays, None
Absent, None

07-153-15 SET PUBLIC HEARING FOR REZONING TZ1, TZ2, TZ3 ZONES

Mayor Pro Tem Hoff requested documentation which shows each parcel or group of parcels with the current zoning and what the change will be. The Commission agreed and requested it be part of the agenda packet.

MOTION: Motion by Hoff, seconded by Nickita:
To set a public hearing date for August 24, 2015 to consider the creation of the TZ1, TZ2 &, TZ3 zones and associated development standards and definitions, as well as, the rezoning of selected parcels.

VOTE: Yeas, 7
Nays, None
Absent, None

VIII. COMMUNICATIONS

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

X. REPORTS

07-154-15 COMMISSIONER COMMENTS

Commissioner Nickita commented on a study done by LOCUS on walkable urban places in Michigan that were becoming economically valuable in terms of development, revenue, and investment. Out of fifty identified cities, Birmingham and Ann Arbor were the only cities that made it to the platinum level.

Mayor Sherman commented on the success of the fireworks.

07-155-15 CITY STAFF REPORTS

The Commission received the Chesterfield Fire Station RFP update submitted by Interim Fire Chief Connaughton.

The Commission received the Market Square update submitted by City Manager Valentine.

The Commission received the Pension and RHC GASB changes submitted by Finance Director Gerber.

XI. ADJOURN

The Mayor adjourned the meeting at 8:56 PM.

Laura M. Pierce
City Clerk