

**BIRMINGHAM CITY COMMISSION MINUTES**  
**SEPTEMBER 8, 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 Rinschler Mayor Pro Tem Sherman
	Absent,	Commissioner Nickita

Administration: City Manager Valentine, City Attorney Currier, Clerk Pierce, Police Chief Studdt, DPS Director Wood, City Engineer O'Meara, Finance Director Ostin, City Planner Ecker, Library Director Koschik, Assistant Library Director Bergeron

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

**09-212-14 RECOGNITION OF COUNTY COMMISSIONER**

County Commissioner Shelley Taub presented an update on the cyber security program through Oakland County.

**09-213-14 INTERVIEWS FOR APPOINTMENT TO THE ADVISORY PARKING COMMITTEE**

**MOTION:** Motion by Sherman:

To appoint Susan Peabody, 34965 Woodward Ave, to the Advisory Parking Committee, as the restaurant owner member, to serve a three year term to expire September 4, 2017.

**MOTION:** Motion by Hoff:

To appoint Steven Kalczynski, 100 Townsend, to the Advisory Parking Committee, as the large retail member, to serve a three year term to expire September 4, 2017.

VOTE ON NOMINATION OF PEABODY AND KALCZYNSKI:

Yeas, 6

Absent 1 (Nickita)

**09-214-14 INTERVIEWS FOR APPOINTMENT TO THE DESIGN REVIEW BOARD & HISTORIC DISTRICT COMMISSION**

**MOTION:** Motion by Dilgard:

To appoint Shelli Weisberg, 651 W. Frank, to the Design Review Board and Historic District Commission, as a regular member, to serve a three-year term to expire September 25, 2017.

**MOTION:** Motion by Hoff:

To appoint Keith Deyer, 1283 Buckingham, to the Design Review Board and Historic District Commission, as a regular member, to serve a three-year term to expire September 25, 2017.

VOTE ON NOMINATION OF WEISBERG AND DEYER:

Yeas, 6

Absent 1 (Nickita)

The Commission requested applicant Kate Montgomery, 1798 Torry, be contacted regarding the available alternate positions on the boards.

**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.

**09-215-14 APPROVAL OF CONSENT AGENDA**

The Commission recognized the service of David Lurie on the Cablecasting Board.

**MOTION:** Motion by Hoff, seconded by Sherman:

To approve the consent agenda as follows:

- A. Approval of City Commission meeting minutes of August 25, 2014.
- B. Approval of warrant list, including Automated Clearing House payments, of August 27, 2014 in the amount of \$474,634.01.
- C. Approval of warrant list, including Automated Clearing House payments, of September 3, 2014 in the amount of \$7,268,235.69.
- D. Resolution accepting the resignation of David Lurie from the Cablecasting Board, thanking Mr. Lurie for his service and directing the Clerk to begin the process to fill this vacancy.
- E. Resolution approving \$19,760 in Municipal Credits and \$5,305 in Community Credits to provide support for BASCC'S specialized transportation program; approving \$20,042 in Community Credit funds for the purchase of a new bus shelter located on the west side of S. Old Woodward south of Merrill; and further directing the Mayor to sign the Municipal Credit and Community Credit contract for fiscal year 2015 on behalf of the City.
- F. Resolution approving the purchase of holiday lights from Wintergreen Corporation for a total cost not to exceed \$16,155.00. Funds will be charged to the General Fund-Community Activities Operating Supplies account #101-441.004-729.0000 in the amount of \$10,000.00, and the General Fund-Property Maintenance Operating Supplies account #101-441.003-729.0000 in the amount of \$6,155.00.
- G. Resolution approving the contract for Pembroke and Poppleton Ballfields Maintenance project to Homefield Turf and Athletic, Inc. in the amount not to exceed \$14,650.00, to be funded from Capital Project Fund account #401-751.001-981.0100. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

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

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

**V. UNFINISHED BUSINESS**

**VI. NEW BUSINESS**

**09-216-14 CONTINUATION OF PUBLIC HEARING OF NECESSITY  
HAMILTON ALLEY RECONSTRUCTION**

Mayor Moore opened the Public Hearing of Necessity for the Hamilton Alley Reconstruction at 7:42 PM.

Mr. O'Meara explained the request to continue the Public Hearing to give the public a chance to process the information recently distributed.

**MOTION:** Motion by Rinschler, seconded by Sherman:

To continue the Public Hearing of Necessity for the paving of the Hamilton Alley, extending from Hamilton Ave. to Park St., from Monday, September 8, to Monday, September 22, 2014.

**VOTE:** Yeas, 6  
Nays, None  
Absent, 1 (Nickita)

**09-217-14 REQUEST TO FORM A JOINT COMMITTEE TO STUDY  
THE LIBRARY BUILDING**

Library Director Koschik explained that the Library Board is recommending a committee be formed to conduct a professional survey of what the community would like in library building and develop a ten year vision statement as part of a Phase One plan. Phase Two would include professional assistance to review alternatives and cost estimates.

The Commission discussed the potential duties of the Committee and questioned what new information would be obtained. Commissioners Hoff noted that a lot of information had been gathered in the previous survey. She suggested the Library Board determine the areas in the library that need improvement then work toward how that could be accomplished in cost. Commissioner McDaniel suggested taking the information previously gathered and reprioritize it.

Mayor Pro Tem Sherman agreed that it is a matter of needs and wants and reanalyzing the data. He noted that if a Committee is set up, it should be comprised of community members who view the library differently and not include elected officials.

Frank Pisano, Library Board member, commented that the City has an optimal library that just needs to be made better and have the space more flexible. He noted that some of the projects could be funded from the library fund balance.

Jim Suhay, Library Board member, expressed support of a joint committee.

No action was taken.

**09-218-14                    METERED PARKING SPACES ON OAKLAND AND CHESTER**

City Engineer O'Meara explained the proposal to add additional metered parking spaces on Oakland and Chester.

**MOTION:**     Motion by McDaniel, seconded by Rinschler:

To approve the installation of ten new on-street metered parking spaces on the south side of Oakland Blvd., between N. Old Woodward Ave. and Park St. with a 2-hour time limit, and having a rate of \$1 per hour, at an estimated cost of \$3,000. Further, to approve the installation of three new on-street metered parking spaces on the west side of Chester St., between W. Maple Rd. and Martin St., with a 2-hour time limit, and having a rate of 50¢ per hour, at an estimated cost of \$1,000. All costs shall be charged to account number 585-305.000-971.0200.

Michael Schuck, 247 Oakland, expressed opposition to the addition of parking on Oakland.

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

**09-219-14                    QUARTON ROAD AND CHESTERFIELD AVENUE  
                                     INTERSECTION IMPROVEMENTS PROJECT**

City Engineer O'Meara explained that the low bid price was not appropriate. He stated that MDOT confirmed the funds could be obtained in 2015. He suggested the project be rebid in December in anticipation that the price will decrease as the contractors will have the 2015 season to fit it into the schedule.

**MOTION:**     Motion by Sherman, seconded by McDaniel:

To reject all bids for the Quarton Rd. and Chesterfield Ave. Intersection Improvements Project, Contract #10-14(P), and to rebid the project in December, 2014, allowing for construction to be completed prior to the end of the 2015 construction season, contingent upon similar approval from the Bloomfield Hills City Commission.

Dorothy Conrad questioned whether residents will be notified. City Manager Valentine explained that additional communication will be held with the neighborhood as there has been interest from that neighborhood to hold a meeting with staff to discuss the street and intersection.

City Engineering O'Meara confirmed for County Commissioner Taub that the County has not yet been notified as City Commission input was needed first.

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

**09-220-14                    PALLADIUM BUILDING CONSENT JUDGMENT**

City Planner Ecker explained that the proposed changes to the building include converting the lower level to parking, split the second floor into two floors of office, and add three residential units to the top floor which would not increase the height of the building.

City Attorney Currier confirmed for Commissioner Hoff that all the elements in the consent judgment have been fulfilled.

In response to a question from Commissioner Hoff regarding the parking ramp off of Ferndale, Ms. Ecker explained that the traffic consultant reviewed the proposal and did not have any concerns except to add a sign to watch for pedestrians.

Jordan Jonna, the developer, discussed the building parking and elevators. He confirmed that the existing elevators will remain. The residential units will have key access to the top floor units.

**MOTION:** Motion by Rinschler, seconded by Dilgard:  
That the City Commission endorse the approval of the Planning Board for the proposed changes to the Palladium Building at 202 N. Old Woodward in accordance with the plans dated June 9, 2014 prepared by JPRA Architects, including the conversion of one floor of theater use to two floors of office use and the addition of three residential units on a new fifth floor; AND directing the City Attorney to initiate the process with the U.S. District Court which may result in the vacation of the Consent Judgment for the Palladium Building at 202 N. Old Woodward.

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

**09-221-14 COMPENSATION RECOMMENDATION**

City Manager Valentine presented the compensation recommendation for full time and part time employees in the Department Head and Administrative/Management classifications.

**MOTION:** Motion by Sherman, seconded by Rinschler:  
To approve a 2% salary table adjustment for full time and part time employees in the Department Head and Administrative/Management classifications; and further, to authorize in range adjustments based upon performance for employees mid-range in their salary classification; and further approving the transfer of the necessary funds by the Finance Department to the respective departmental personnel accounts.

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

**09-222-14 CLOSED SESSION REQUEST  
ATTORNEY/CLIENT PRIVILEGE COMMUNICATION**

**MOTION:** Motion by Hoff, seconded by Sherman:  
To meet in closed session to discuss an attorney/client privilege communication in accordance with Section 8(h) of the Open Meetings Act.

ROLL CALL VOTE: Yeas, Commissioner Hoff  
Commissioner McDaniel  
Commissioner Rinschler  
Mayor Pro Tem Sherman

	Commissioner Dilgard
	Mayor Moore
Nays,	None
Absent,	1 (Nickita)
Abstentions,	None

**VII. REMOVED FROM CONSENT AGENDA**

**VIII. COMMUNICATIONS**

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

**X. REPORTS**

**09-223-14 COMMISSIONER REPORTS**

The Commission intends to appoint members to the Board of Zoning Appeals and Cablecasting Board on October 13, 2014.

The Commission recessed to closed session at 9:05 PM.  
The Commission reconvened in open session at 9:49 PM.

**XI. ADJOURN**

The Mayor adjourned the meeting at 9:49 PM

Laura M. Pierce  
City Clerk