

BIRMINGHAM CITY COMMISSION MINUTES
APRIL 9, 2018
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Harris called the meeting to order at 7:30 p.m.

II. ROLL CALL

ROLL CALL: Present,	Mayor Harris Mayor Pro Tem Bordman Commissioner Boutros Commissioner DeWeese Commissioner Hoff Commissioner Nickita Commissioner Sherman
Absent,	None

Administration: City Manager Valentine, City Attorney Currier, Golf Manager Brito, IT Director Brunk, Chief of Police Clemence, Planning Director Ecker, DPS Manager Filipski, Finance Director Gerber, Assistant City Manager Gunter, Building Official Johnson, Assistant Building Official Morad, City Clerk Mynsberge, City Engineer O'Meara, BSD Director Tighe, Director of Public Services Wood

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

04-090-18 ANNOUNCEMENTS

Representative Mike McCready reported on the legislature's 2018-2019 budget process, emphasizing funding for road improvements.

Mayor Harris announced:

- The 2018 Bicentennial Lecture Series co-presented by The Birmingham Museum and The Baldwin Public Library continues on April 19th from 7:00 until 8:00 p.m. at the Baldwin Public Library. Please register online at www.baldwinlib.org on the Event Calendar, or call 248-647-1700 for more information.
- The Birmingham Citizens Academy starts on Tuesday, April 24th. Applications are being accepted through April 20th. For more information contact the City Manager's office at 248-530-1807 or visit www.bhamgov.org.

04-091-18 APPOINTMENTS TO THE PLANNING BOARD

City Manager Valentine reported:

- On March 12, 2018 the City Commission considered Stuart Jeffares, J. Bryan Williams, Nasseem Ramin, and Daniel Share for appointment to three positions on the Planning Board.

- The City Commission left the nominations for the Planning Board open until April 9, 2018 in order for staff to determine the intended definition of “central business district” in Chapter 82, Section 82-27 of the Birmingham Code of Ordinances and to determine if 442 S. Old Woodward is located within the defined “central business district”.
- On March 26, 2018 the City Commission adopted an ordinance amending Chapter 1-General provisions, Sec. 1-2 Definitions, to define the Central Business District as those areas included within the Downtown Birmingham Overlay District as described in Article Three: Overlay Districts, 3.02 Section D of the Birmingham Zoning Ordinance.
- By the new definition 442 South Old Woodward is within the Central Business District, and Daniel Share is an eligible candidate for the Planning Board position which requires building ownership within the District.

Nominations left open from March 12, 2018:

MOTION: Motion by Mayor Pro Tem Bordman:

To appoint Daniel Share to the Planning Board as a regular member who is a building owner in the Central Business or Shain Park Historic District to serve a three-year term to expire March 28, 2021.

MOTION: Motion by Commissioner Boutros:

To appoint Stuart Jeffares to the Planning Board as a regular member to serve a three-year term to expire March 28, 2021.

MOTION: Motion by Commissioner DeWeese:

To appoint J. Bryan Williams to the Planning Board as a regular member to serve a three-year term to expire March 28, 2021.

Mayor Harris called for additional nominations. There being no further nominations, Mayor Harris called for a vote on each nomination.

VOTE FOR STUART JEFFARES:

Yeas, 7
Nays, 0
Absent, 0

VOTE FOR J. BRYAN WILLIAMS:

Yeas, 7
Nays, 0
Absent, 0

VOTE FOR DANIEL SHARE:

Yeas, 7
Nays, 0
Absent, 0

04-092-18 APPOINTMENT TO THE ARCHITECTURAL REVIEW COMMITTEE

Larry Bertollini, currently serving on the Committee, submitted an application but was unable to attend.

MOTION: Motion by Commissioner DeWeese:
To appoint Larry Bertollini to the Architectural Review Committee as a regular member to serve a three-year term to expire April 11, 2021.

VOTE: Yeas, 7
 Nays, 0
 Absent, 0

04-093-18 APPOINTMENTS TO THE HOUSING BOARD OF APPEALS

Ken Peterson, currently serving on the Board, submitted an application but was unable to attend. The City Commission interviewed Philip Vincenti.

MOTION: Motion by Commissioner Hoff:
To appoint Ken Peterson to the Housing Board of Appeals as a regular member to serve a three-year term to expire May 4, 2021.

VOTE: Yeas, 7
 Nays, 0
 Absent, 0

MOTION: Motion by Commissioner Boutros:
To appoint Philip Vincenti to the Housing Board of Appeals as a regular member to serve a three-year term to expire May 4, 2021.

VOTE: Yeas, 7
 Nays, 0
 Absent, 0

The City Clerk administered the Oath of Office to the appointees.

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.

04-094-18 APPROVAL OF CONSENT AGENDA

The following items were removed from the Consent Agenda:

- Mayor Pro Tem Bordman: Item L, Irrigation Services
 Item M, Purchase of Larvicide Material for Mosquito Control Program
- Mayor Pro Tem Bordman stated she would not vote on Item A, approval of the City Commission meeting minutes of March 26, 2018 because she was absent from that meeting.
- Mayor Harris stated he would not vote on Item A, approval of the City Commission meeting minutes of March 26, 2018 because he was absent from that meeting.
- Commissioner Hoff: Item D, 2018 Spring Tree Purchase and Planting Project

Item K, 2018 Catch Basin Cleaning Program
Item R, Springdale Golf Course Bridge Enhancement
Change Order

MOTION: Motion by Commissioner Boutros, seconded by Commissioner Hoff:
To approve the Consent Agenda, with Items D, K, L, M, and R removed, and with the notation
that Mayor Pro Tem Bordman and Mayor Harris are not voting on Item A.

ROLL CALL VOTE:	Yeas,	Mayor Pro Tem Bordman Commissioner Boutros Commissioner DeWeese Mayor Harris Commissioner Hoff Commissioner Nickita Commissioner Sherman
	Nays,	None
	Absent,	None

- A. Resolution approving the City Commission meeting minutes of March 26, 2018.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated March 28, 2018 in the amount of \$283,865.49.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated April 4, 2018 in the amount of \$646,548.74.
- E. Resolution approving the purchase of one (1) 2019 Freightliner 108 chassis from Wolverine Freightliner through the Rochester Hills Cooperative Award Agreement #RFP-RH-13-30 totaling \$106,471.00 from account #641-441.006.971.0100; further, approving the purchase and installation of snow removal up-fitting equipment from Truck & Trailer Specialties, Inc. through the Rochester Hills Cooperative Award Agreement #RFP-RH-13-30 totaling \$115,200.00 from account #641-441.006.971.0100, for a total combined expenditure of \$221,671.00.
- F. Resolution waiving the formal bidding requirements and approving the purchase of repairs to City Vehicle #154 by Cannon Truck Equipment at a cost not to exceed \$7,280.00 with funds from the Auto Equipment Fund account #641-441.006-933.0200.
- G. Resolution scheduling a formal Public Hearing of Necessity related to the 2018 Cape Seal Program during the May 14, 2018 meeting of the City Commission; further, scheduling the formal Confirmation of the Special Assessment Roll related to the 2018 Cape Seal Program during the June 4, 2018 meeting of the City Commission, pending an affirmative determination of necessity.
- H. Resolution accepting the resignation of Katie Schafer from the Multi-Modal Transportation Board as an Alternate Member, thanking her for her service, and directing the City Clerk to begin the process of filling the vacancy.
- I. Resolution approving a request from the Birmingham Shopping District to hold the Birmingham Cruise Event on August 18, 2018, 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.

- J. Resolution approving a request from the Birmingham Shopping District requesting permission to hold Day on the Town in downtown Birmingham, July 28, 2018, with the footprint of the event to be that depicted on Plan A in the application if the Old Woodward construction is complete and the footprint to be that depicted on Plan B in the application if the Old Woodward construction is incomplete. Approval is 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.
- N. Resolution approving the street light agreement between the City of Birmingham and DTE Energy regarding the installation of street lights at 35975 Woodward Ave. Further, directing the Mayor to sign the agreement on behalf of the City. All costs relative to this agreement will be charged to the adjacent owner.
- O. Resolution approving an amendment of the public services contract with NEXT for the purpose of modifying program year 2017-2018 Community Development Block Grant funds for the Yard Services, Senior Outreach Services, and Minor Home Repair program administered by NEXT; and further authorizing the Mayor to sign the amendment on behalf of the City.
- P. Resolution setting a public hearing date of May 14, 2018 to consider the following ordinance amendments:
 - 1. To amend Chapter 10, Alcoholic Liquors, Article II, Division 5, to allow hotels in Downtown Birmingham to qualify to operate with liquor licenses, similar to theaters;
 - 2. To amend Chapter 126, Zoning, Article 2, section 2.37, B-4 Business Residential, to allow the sale of liquor in hotels in the B-4 zoning district with a valid Special Land Use Permit.
- Q. Resolution setting a public hearing date of May 14, 2018 to consider a Special Land Use Permit & Final Site Plan for 260 N. Old Woodward – The Morrie, to allow the operation of a restaurant, serving alcoholic liquors, and providing live entertainment.
- S. Resolution approving the recommendation from the Advisory Parking Committee to authorize a one-time expenditure of \$60,000.00 to be paid from account #585-538.001-901.0300 in support of the BSD reconstruction marketing campaign.
- T. Resolution approving the IT Services Agreement with Oakland County to provide unlimited ArcGIS Online services at no cost to the City and further, authorizing the Mayor to sign the Agreement on behalf of the City.
- U. Resolution authorizing the 2018 Sidewalk Repair Program, and directing the Engineering Department to notify the owners of properties on the attached list of the City's intention to replace sidewalks adjacent to their properties.

04-095-18 2018 SPRING TREE PURCHASE AND PLANTING PROJECT (ITEM 4D)

DPS Director Wood told Commissioner Hoff that:

- Residents are responsible for watering the trees once planted.
- The trees are warrantied for two years after planting.

- DPS tracks the need to replace trees. In general, the replacements are not due to lack of care; rather, they result from the trees not surviving the implantation process.

MOTION: Motion by Commissioner Hoff, seconded by Mayor Pro Tem Bordman:

To approve the purchase and planting of 102 trees from KLM Landscape for the 2018 spring tree purchase and planting project for a total project cost not to exceed \$47,180.00. 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, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

04-096-18 2018 CATCH BASIN CLEANING PROGRAM (ITEM 4K)

DPS Manager Filipski clarified that:

- The catch basin cleaning program is scheduled for every other fiscal year, not every other calendar year.
- Catch basin cleaning occurs first and larvacide application follows.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Boutros:

To award the contract for the 2018 Catch Basin Cleaning Program to National Industrial Maintenance of Dearborn, MI in an amount not to exceed \$118,250.00 from the Major and Local Streets Funds, account #s 202/203-449.004-937.0400, and further to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City upon receipt of required insurances. Further, to approve the appropriation and budget amendments to the fiscal year 2017-2018 budget:

Major Street Fund

Revenues:

Draw from Fund Balance	
202-000.000-400.0000	\$14,500.00
Total Revenue	\$14,500.00

Expenses:

Contract Maintenance	
202-449.004-937.0400	\$14,500.00
Total Expenses	\$14,500.00

Local Street Fund

Revenues:

Draw from Fund Balance	
203-000.000-400.0000	\$21,750.00
Total Revenue	\$21,750.00

Expenses:

Contract Maintenance	
203-449.004-937.0400	\$21,750.00
Total Expenses	\$21,750.00

VOTE: Yeas, 7
 Nays, 0
 Absent, 0

04-097-18 IRRIGATION SERVICES (ITEM 4L)

DPS Director Wood told Mayor Pro Tem Bordman that:

- Birmingham has not used Techseven before, but their prices are comparable to the previous vendor the City used.
- Sterling Heights, Livonia, and Warren all use Techseven and highly recommend their services.
- Repairs result from accidents and damages to the material. The City has historically only needed \$3,000/year for repairs, but DPS wanted the latitude of \$21,000 over three years in case more repairs are needed.

MOTION: Motion by Mayor Pro Tem Bordman, seconded by Commissioner Boutros:
To approve the Agreement for Irrigation Services to Techseven Company in the amount of the base bid total of \$9,960.00 plus an amount not to exceed \$21,000.00 for routine maintenance, repairs, and miscellaneous system improvements commencing April 2018 to October 2020. Funds are available from the Major Streets Maintenance account #202-449.003-937.0400, Parking Fund account #'s 585-538.002-811.0000, 585-538.003-811.0000, 585-538.004-811.0000, 585-538.005-811.0000, 585-538.008-811.0000, 585-538.009-811.0000, Property Maintenance Other Contractual Services account #101-441.003-811.0000, and the Parks Other Contractual Services account #101-751.000-811.0000. Further, to authorize the Mayor and City Clerk to sign the Agreement on behalf of the City upon receipt of required insurances.

04-098-18 PURCHASE OF LARVICIDE MATERIAL FOR MOSQUITO CONTROL PROGRAM (ITEM 4M)

DPS Director Wood explained the City has been using an efficacious, natural product with spinosad that can be toxic to insects, but has largely no effects on any other animals, including humans.

Mayor Pro Tem Bordman stated that:

- Tablet application of the larvacide is safer than spray because it remains contained.
- Application of larvacide is also important due to diseases potentially carried and spread by mosquitoes such as Zika and West Nile Virus.
- Citizens should be careful to eliminate standing water on their properties in order to staunch the spread of mosquitoes.

MOTION: Motion by Mayor Pro Tem Bordman, seconded by Commissioner DeWeese:
To approve the purchase of the larvacide material from Clarke Mosquito Control in the amount not to exceed \$8,255.40. Further, to waive the normal bidding requirements based on the government regulated pricing for this type of material. Funds for this purchase will come from the Sewer Fund-Operating Supplies Account #590-536.002-729.0000.

VOTE: Yeas, 7
 Nays, 0
 Absent, 0

04-099-18 SPRINGDALE GOLF COURSE BRIDGE ENHANCEMENT CHANGE ORDER (ITEM 4R)

DPS Director Wood told Commissioner Hoff that:

- Kyle Builders was \$35,000 upfront in order to begin collecting materials for their work.
- The project was originally bid as a maintenance-repair project, which was approved February 26, 2018. Then AEW joined the project and suggested some more substantial changes to increase the longevity of the bridges. That proposal is before the Commission tonight.

Golf Manager Brito told Commissioner Hoff that:

- The proposed updates to the bridges were included in the MDEQ permits.
- All the bridges are now covered under the permits, whereas before bridges one and two were not going to be permitted.

MOTION: Motion by Commissioner Hoff, seconded by Mayor Pro Tem Bordman: To approve the Change Order for the Springdale Bridge Project to Kyle Builders, Inc., as reviewed and confirmed by AEW and staff, in the amount of \$41,040.00, to be funded from Springdale Golf Course – Public Improvement account #584-753.001-981.0100 and further; to approve the appropriation and amendment to the 2017-2018 Springdale Golf Course Fund budget:

<u>Springdale Golf Course Fund</u>		
Revenues:		
Draw from Net Position		
584-000.000-400.0000		<u>\$34,440.00</u>
Total Revenue		<u>\$34,440.00</u>
Expenses:		
Capital Outlay – Public Improvements		
584-753.001-981.0100		<u>\$34,440.00</u>
Total Expenses		<u>\$34,440.00</u>

VOTE: Yeas, 7
 Nays, 0
 Absent, 0

V. UNFINISHED BUSINESS

None.

VI. NEW BUSINESS

04-100-18 2018 – 2019 PLANNING BOARD ACTION LIST

Planning Director Ecker presented the action list as prepared by the Planning Board:

	TOPIC	SPECIFIC DIRECTION/ PROBLEM DEFINITION	STATUS
1	Bistro Parameters	<ul style="list-style-type: none"> • Review the bistro regulations on the location or number of outdoor dining seats permitted • Clarify and/or provide additional regulations to regulate the operation of bistros • Consider different standards for different districts 	In Progress

2	Renovation of Commercial Properties	<ul style="list-style-type: none"> • Amend the review procedures for new construction and/or the renovation of existing buildings • Clarify the distinction between a renovation and new construction • Clarify the distinction between a site plan review and a design review • Consider Planning Board review for use changes 	In Progress
3	Definition of Retail – Long Term Study		In Progress
4	Commercial Projections onto Public Property / Architectural Allowances	<ul style="list-style-type: none"> • Clarify in the Zoning Ordinance which, if any, projections are permitted into the ROW • Draft regulations to address the height, projection or permitted materials for architectural features projecting into the ROW 	In Progress
5	Shared Parking	<ul style="list-style-type: none"> • Evaluate the success/difficulties encountered in other communities • Require a formal shared parking agreement 	
6	Church/Religious Institutions	<ul style="list-style-type: none"> • Add definitions for Church and/or Religious Institutions • Clarify in which zone district(s) each use is permitted 	
7	Amend cost of parking space for payment-in-lieu of parking to allow additional building height in the Triangle District	<ul style="list-style-type: none"> • Update cost of parking space to today's cost • Build in automatic cost increase/year into ordinance language 	
8	Consider looking at principal uses allowed and add flexibility (“and other similar uses”)	<ul style="list-style-type: none"> • Evaluate the current system of listing only permitted uses in each zone district • Determine whether to continue this system, or switch to broad use categories that do not list all specifically permitted uses (i.e. retail is permitted, instead of listing drugstore, shoe store, grocery store, etc.) 	
9	Potential residential zoning changes; MF & MX garage doors	<ul style="list-style-type: none"> • Consider adding garage placement standards and/or garage and garage door size or design standards for mixed use and multi-family residential developments 	
10	Sustainable Urbanism (Green building standards, pervious surfaces, geothermal, native plants, low impact development, etc.)	<ul style="list-style-type: none"> • Incentive option in Triangle District • Guest speakers in LEED • Certification, Pervious Concrete, LED Lighting, Wind Power, Deconstruction • Sustainability website & awards • Native Plant brochure 	<p>Solar ordinance completed.</p> <p>Wind ordinance completed.</p>

11	Additional Items to be Considered during Master Plan Process	<ul style="list-style-type: none"> • Woodward Avenue Gateway Plan (Lincoln to 14 Mile Road) • Parking • Complete Streets • Regional Planning 	On Hold
12	Review Process for Public Projects	<ul style="list-style-type: none"> • Clarify review process for projects on public property • Consider requiring same site plan review process as that for private projects 	

Planning Director Ecker told Commissioner Hoff that:

- Shared parking would occur outside of the Parking Assessment District in areas where there are no parking shortages.
- As far as looking at principal uses allowed and potentially adding flexibility, the Planning Board is looking into other communities' approaches, as well as considering the potential zoning difficulties created by more broad zoning categories. Best practices are to create specific zoning categories, but neighboring communities take both approaches.

Planning Director Ecker told Commissioner Nickita that the Commission will be able to direct parking considerations through the Master Plan process.

Discussion ensued pertaining to the relative position of items 1-5.

Commissioner Boutros noted all of the top priorities are currently underway indicating the list could be kept as-is.

Planning Director Ecker confirmed the Bistro Parameters are nearly complete, Renovation of Commercial Properties is nearly complete, the Definition of Retail – Long Term Study is well underway but a longer-term project, and that Commercial Projections onto Public Property / Architectural Allowances has started.

Planning Director Ecker told Commissioner Nickita that reordering the top priorities would yield a negligible difference due to progress already made on each project.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Nickita:
To approve the 2018-2019 Planning Board Action List as provided.

VOTE: Yeas, 7
 Nays, 0
 Absent, 0

04-101-18 COMPREHENSIVE MASTER PLAN UPDATE

Planning Director Ecker outlined the scope of work and other notable aspects of the proposed Request for Proposals (RFP) for a comprehensive update of the City's existing master plan.

Discussion among the Commission members yielded suggestions for clarifications to the RFP document as detailed below.

Introduction (pp 6 – 7)

Commissioner Bordman asked that the bullet points on page 7 emphasize residential neighborhoods as a priority, and that the review and update of the transportation section as detailed in the 6th bullet point focus on local data. Ensuing discussion about changing the order of bullet points on page 7 to emphasize residential neighborhoods resulted in agreement that the list was in the right order, because it begins on a global basis and drills down to local. The Commission suggested a statement be added to the introduction section to indicate that the plan needs to make residential a priority.

Commissioner Bordman asked how the parking study interacts with the master plan. City Manager Valentine explained the parking study is an operational analysis of the parking system, while the master plan focuses on land use issues associated with parking.

Scope of Work (pp 8 – 10)

Commissioner Bordman asked that #4.6 on pg. 9 clarify that the analysis of ride sharing, etc. should be “as it pertains to the metro Detroit area”.

Planning Director Ecker clarified funding for the master plan is budgeted in fiscal years 2017-2018 and 2018-2019.

Commissioner Hoff asked when and how the Commission would decide who should be on the evaluation committee. Planning Director Ecker said the consideration of the committee will come to the Commission as a separate agenda item after the RFP is released.

Project Timeline (pg 16)

After discussing the pros and cons of asking vendors to complete the work in a shorter timeframe, the Commission generally agreed to:

- Add “maximum” in parentheses after the “Project Timeline” heading; and
- Add “timeline of completion” to the list of criteria by which the proposals will be evaluated on pg. 13 under the “Evaluation Procedure and Criteria” heading.

MOTION: Motion by Commissioner Boutros, seconded by Commissioner Hoff:

To direct the Planning Division to issue the Master Plan RFP on April 11, 2018 with the following changes:

- Addition to the Introduction section that states the sub-area plans that have been completed in the past have predominantly covered commercial areas; we need to have a focus on the predominantly residential areas in town.
- Clarify #4.6 on pg. 9 that the analysis of ride sharing, etc. should be “as it pertains to the metro Detroit area”.
- Addition to bullet point 6 on page 7 of the word “local”: “. . . section to include current “local” vehicular, pedestrian . . .”.

MOTION: Motion by Commissioner Nickita, seconded by Commissioner DeWeese:

To amend the motion:

- to add “maximum” in parentheses after the “Project Timeline” heading;
- to add a statement under the “Project Timeline” heading that a shorter timeline is encouraged; and

- to add “timeline of completion” to the list of criteria by which the proposals will be evaluated on pg. 13 under the “Evaluation Procedure and Criteria” heading.

VOTE ON AMENDMENT:

Yeas, 7
 Nays, 0
 Absent, 0

VOTE ON MAIN MOTION AS AMENDED:

Yeas, 7
 Nays, 0
 Absent, 0

04-102-18 TRIANGLE DISTRICT STREETScape-BIKE RACKS

Planning Director Ecker reported:

- The “Pi” style bike racks in the Triangle District are no longer being manufactured.
- As a result, the Multi-Modal Transportation Board (MMTB) was tasked with reviewing a number of other bike rack options.
- Since the Commission previously selected lighting, trash receptacles and benches from the 35 Collection by Landscape Forms for the Triangle District, the MMTB chose to recommend the “Loop” bicycle racks from the 35 Collection as well. The “Loop” bike racks cost approximately \$360 each.
- The MMTB recommends that the eleven extant “Pi” bike racks remain installed, since they are in good condition and nine are on private property. Removing the two “Pi” bike racks the City owns would cost about \$50 each.

Commissioner Hoff noted that the “Classic U” bike racks are installed downtown, are more cost-effective relative to the “Loop” bike rack, and may be suitable for the Triangle District since it is similar enough to other items from the 35 Collection.

Planning Director Ecker replied that:

- The MMTB thought the “Loop” bike rack kept the Triangle District’s aesthetic both internally consistent and distinct from the downtown aesthetic.
- The “Classic U” bike rack was solely available in a black finish.

MOTION: Motion by Commissioner Nickita, seconded by Commissioner Bordman:
 To approve keeping the installed “Pi” bike racks.

AND

To accept the recommendation of the Multi-Modal Transportation Board, and adopt the Loop model bike rack, embedded and with a metallic silver finish, produced by Landscape Forms to be the new standard bike rack for the Triangle District.

VOTE: Yeas, 7
 Nays, 0
 Absent, 0

04-103-18 VALET PARKING PROPOSAL – 298 S. OLD WOODWARD

City Engineer O’Meara reported:

- The Daxton Hotel (The Daxton) project at 298 S. Old Woodward Avenue requested the right to operate a full time valet station in front of the proposed hotel building before the Commission on October 16, 2017.
- After review, The Daxton concluded that during normal daily operations, the hotel can suitably function if six parking spaces are removed from the Old Woodward Ave. frontage of the building, leaving two angled parking spaces. They requested the two angled spaces be installed just south of the parking garage exit area near the north end of the site. During times of peak occupancy, the applicant would pay for and obtain two meter bags to close the two parking spaces, thereby allowing the valet area to operate at peak capacity.
 - The Advisory Parking Committee reviewed this option, and voted 6-1 to concur with the request.

Mike Darga, traffic engineer with Giffels Webster, explained that providing valet service for The Daxton on Brown Street would drop service to unacceptable levels due to various constraints, and would result in navigability issues in the area that would negatively impact the surrounding business community. Mr. Darga then clarified aspects of the study for the Commission.

City Manager Valentine told Commissioner Hoff that the Final License Agreement:

- Recognized the party of the agreement as Woodward-Brown Ventures LLC;
- Provided a 90-day expiration in paragraph five and seven; and,
- Updated the mayoral signatory to Mayor Harris.

City Attorney Currier added that the correct annual license fee is \$32,400.

Mayor Pro Tem Bordman reiterated concerns that the loss of six parking spaces may negatively impact surrounding businesses. Commissioner Nickita and Commissioner Sherman echoed those concerns.

Rick Rattner, representing the owner/applicant of The Daxton, said:

- One of the main objectives The Daxton had was to avoid interrupting the flow of traffic on S. Old Woodward.
- The Daxton is supplying thirty more parking spaces underground than are required by the City. Those spaces are available to the public, and with valet services The Daxton can park nearly eighty vehicles.
- The City will have a net gain of parking spaces with the implementation of the The Daxton's valet services, even after removal of the six on-street parking spaces.
- Valet frontage with space for only two vehicles at a time is insufficient.
- The Daxton took the Commission's direction to explore fewer spaces and the option of valet on Brown Street extremely seriously, and conducted involved studies over a number of months. The models reflected double the traffic on Brown Street at peak times of the morning, and 60% more time spent by vehicles on Brown Street at peak times in the afternoon.
- During events, The Daxton will run valet services through the parking structures at Pierce Street and Peabody Street. Other City businesses also utilize valet parking in the structures during events.
- Most visitors staying at The Daxton will not have their own vehicles.

Matt Schwan, principal and partner at Giffels Webster, stated that The Daxton employees will be encouraged to be dropped off at work or to take alternate transportation such as buses. Mr. Schwan said this initiative has proven successful at the Detroit hotels Giffels Webster advises.

Commissioner Nickita said:

- Brown Street could potentially accommodate three lanes and space for drop-offs during overflow or special events in order to diminish the number of spaces lost from S. Old Woodward.
- He would like to see fewer spaces permanently removed, with the possibility of temporarily clearing all eight spaces for valet use during overflow of special events.
- The Wurlitzer Hotel in downtown Detroit has 106 rooms and only two parallel spaces cut out for valet.
- The Daxton is proposing three other parking spaces be removed to provide egress from the underground parking lot in addition to the proposed removal of the six angled spots for the valet frontage.
- When the curb is re-done at the north side of Brown, a re-stripping of Brown could be done.

Commissioners Nickita and Sherman said The Daxton has insufficiently explored all the potential options for conserving more of the spaces on S. Old Woodward.

Mr. Darga said that pushing a lane closer to The Daxton on the north side of Brown creates serious geometric problems in terms of the horizontal and vertical grades. All the grades would have to be changed on that sidewalk.

Commissioner Nickita said:

- This possibility should be sufficiently studied before the Commission decides on it.
- Surface parking spaces are more valuable than underground parking spaces.

Commissioner DeWeese said that:

- The Daxton is being built in the overlay district, and is providing more parking than is required.
- The Daxton should construct a clear agreement providing them access to Birmingham Place.
- In hotels he has seen, having fewer spaces in front for valet is generally only possible on wider roads. Since S. Old Woodward has been narrowed with the angled parking, providing fewer valet spaces will be more difficult.
- The alternatives should be reviewed by The Daxton, but the Commission should look at this as a gain in parking spaces for the City.
- He is glad to see the City receiving more money from The Daxton for this licensing agreement.

Mayor Harris concurred with Commissioner Boutros and Commissioner DeWeese, but said he is not convinced that all effort has been exhausted towards conserving the parking spaces on S. Old Woodward.

Richard Astrein, downtown business owner, said he walks the area in question frequently, and that putting the valet on S. Old Woodward makes more sense due to the already-slowed traffic relative to Brown Street.

Mr. Rattner said further study would be performed, and will be returned to the Commission at a later date.

04-104-18 PARKING CAPACITY INCREASE – 34952 WOODWARD AVENUE

Assistant City Manager Gunter reported:

- 138 additional parking spaces can be made available at 34952 Woodward Avenue located on the corner of Woodward Avenue and Maple. The Advisory Parking Committee (APC) made a recommendation on April 4, 2018 for consideration by the City Commission.
- Additionally, the rendering illustrates a concrete section that runs along Woodward. Cars are currently parking for free in this location. The APC recommends the sale of 20 hangtag permits to further serve waitlisted customers. This recommendation will result in the sale of 170 total passes located near the existing Peabody garage.
- Staff negotiated a minimum term of eighteen (18) months to ensure the cost to implement the parking expansion program would not exceed the benefits. The capital outlay is estimated at \$87,400.
- Assuming a 10% contingency, the total cost for implementation would be \$96,100. The cost per space for opening this lot would be approximately \$700 per space. On average, the cost per space for surface lots in core downtown areas is upwards of \$27,000.
- Staff will instruct SP+ to offer the passes to the members of the Peabody waitlist first, and then open to other users if passes remain available.

Assistant City Manager Gunter added that the resolution should be updated to reflect the authorized expenditure, account number, and the lot number designation of 12.

City Engineer O'Meara told:

- Commissioner Hoff that the lot on the northwest corner of Brown and Peabody had just finished construction when the City became able to use it. That lot had 38 spaces and passes were \$70 each.
- Mayor Harris that the City will have no problem selling the 150 parking passes that will be coming available.

Commissioner Nickita stated that Lot 12 should be developed into something more attractive after the 18-month agreement concludes because it is in such a prominent location.

City Manager Valentine concurred with Commissioner Nickita's concern while acknowledging that the City should maintain options for parking until a new parking structure can be built in Birmingham.

City Engineer O'Meara confirmed for Commissioner Nickita that the spaces would be redrawn in the lot in order to enable vehicles sufficient parking access to all the designated spaces.

MOTION: Motion by Commissioner Nickita, seconded by Commissioner Boutros:

To approve the recommendation from the Advisory Parking Committee to authorize the contract between Maryko Hospitality, LLC and the City of Birmingham to expand the capacity for permit parking within the Central Business District by 150 parking spaces at a cost of \$60.00 per permit.

AND

To approve the recommendation from the Advisory Parking Committee to authorize the sale of 20 hangtag parking permits at a cost of \$60.00 per permit for the adjacent concrete lot on Woodward.

AND

To authorize the expenditure of \$96,100.00 from account no. 585-538.12-981.0100 to prepare the proposed site to allow permit parking for a minimum of 18 months.

VOTE: Yeas, 7
 Nays, 0
 Absent, 0

04-105-18 FREE PARKING GARAGE – SATURDAYS – DURING OLD WOODWARD CONSTRUCTION

Assistant City Manager Gunter reported that:

- In 2017, between the months of April and July, the total revenue collected for all parking garages on Saturdays was \$103,411. That utilization will likely be down by approximately 15% due to the reconstruction.
- The total impact to the Automobile Parking System (APS) resulting from offering free Saturdays would be approximately \$88,000. This amount is significantly less than 1% of the total revenue earned during the 2016-2017 Fiscal Year by the APS.
- Making this investment during construction would be a significant boon to the retailers and visitors to downtown Birmingham.

MOTION: Motion by May Pro Tem Bordman, seconded by Commissioner Boutros:
To approve the recommendation of the Advisory Parking Committee to implement a temporary free parking garage option on Saturdays during the period of reconstruction for Old Woodward.

VOTE: Yeas, 7
 Nays, 0
 Absent, 0

Mr. Astrein thanked the Commission for their work to aid retailers during the S. Old Woodward construction.

VII. REMOVED FROM THE CONSENT AGENDA

The items removed were discussed earlier in the meeting.

VIII. COMMUNICATIONS

None.

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

None.

X. REPORTS

04-106-18 COMMISSIONER REPORTS

The City Commission will appoint three regular members to the Board of Building Trades Appeals on May 14, 2018.

The City Commission will appoint one regular member to the Brownfield Redevelopment Authority on May 14, 2018.

The City Commission will appoint one alternate member to the Multi-Modal Transportation Board on May 14, 2018.

04-107-18 COMMISSIONER COMMENTS

Mayor Pro Tem Bordman noted a disconnect between parking utilization reports and the anecdotal comments from business owners about lack of available spaces. She suggested that the parking utilization reports be broken down into blocks of time in order to further study the issue.

Mayor Harris stated:

- He has also heard feedback from business owners that do not seem to reflect the data in the parking utilization reports.
- He would like to know how often the decks reach capacity for periods of less than one hour.

Commissioner DeWeese said he would like to know how many individuals park for less than two hours and how many individuals remain in the structures all day.

04-108-18 CITY STAFF

The Commission received the Parking Utilization report submitted by Assistant City Manager Gunter.

XI. ADJOURN

Mayor Harris adjourned the meeting at 10:23 p.m.

J. Cherilynn Mynsberge, City Clerk