

BIRMINGHAM CITY COMMISSION MINUTES
MAY 24, 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 Hoff Commissioner Nickita Commissioner Sherman
Absent,	Commissioner DeWeese

Administration: City Manager Valentine, City Attorney Currier, Police Chief Clemence, Finance Director Gerber, City Clerk Mynsberge, Human Resources Manager Taylor

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

05-147-18 ANNOUNCEMENTS

Oakland County Commissioner Taub reported the County offers free housing counseling to anyone buying a home. For more information 248-858-1891.

Mayor Harris announced:

- The annual observance of Memorial Day in Shain Park will take place on Monday, May 28 at 10:00 a.m. The program includes addresses by the Mayor and State Representative, patriotic music, and introduction of veterans.
- The 80th birthday of Frank Conjarvitz, one of Birmingham's longtime business operators. Mr. Konjarvich, owner of Frank's Shoe Repair Service on S. Old Woodward, opened his business in Birmingham in 1959 and has been a downtown staple for nearly 60 years. The Commission wished Frank a very happy birthday and continued success with his store.

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.

05-148-18 APPROVAL OF CONSENT AGENDA

The following items were removed from the Consent Agenda:

- Commissioner Hoff: Item D, Traffic Logix Speed Trailer Purchase

MOTION: Motion by Commissioner Sherman, seconded by Mayor Pro Tem Bordman: To approve the Consent Agenda, with Item D removed, and with special recognition and thanks to Peter Lyon and George Abraham.

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

- A. Resolution approving the City Commission meeting minutes of May 14, 2018.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated May 16, 2018 in the amount of \$178,215.44.
- C. Resolution approving the 2018 Michigan Medical Marijuana Operation and Oversight Grant Subrecipient Agreement between the City of Birmingham and Oakland County. Further, authorizing the Mayor to sign the agreement on behalf of the City.
- E. Resolution appointing City Manager Joseph A. Valentine as Representative and DPS Director Lauren Wood as Alternate Representative for the City of Birmingham, on the SOCRRA Board of Trustees for the fiscal year starting July 1, 2018.
- F. Resolution appointing City Engineer Paul T. O'Meara, as representative, and Austin Fletcher, Assistant City Engineer, as alternate representative, for the City of Birmingham, on the Southeastern Oakland County Water Authority Board of Trustees for the period starting July 1, 2018.
- G. Resolution accepting the resignation of Peter Lyon from the Board of Zoning Appeals as a Regular Member, thanking him for his service, and directing the City Clerk to begin the process of filling the vacancy.
- H. Resignation accepting the resignation of George Abraham from the Cablecasting Board as an Alternate Member, thanking him for his service, and directing the City Clerk to begin the process of filling the vacancy.
- I. Resolution awarding the Birkerts Roof Replacement at the Baldwin Public Library contract to Butcher & Butcher Co., Inc. in an amount not to exceed \$138,819.00 and authorizing the Mayor and City Clerk to sign the agreement for these services.
- J. Resolution setting Monday, June 25, 2018 at 7:30 PM for a public hearing to consider a Special Land Use Permit & Final Site Plan Review for 191 N. Chester – The Jeffrey, to allow office use over 3,000 sf. Ft.
- K. Resolution approving the service agreement with Next in the amount of \$104,800 for services described in Attachment A of the agreement for fiscal year 2018-2019, account number 101-299.000-811.0000, and further directing the Mayor and City Clerk to sign the agreement on behalf of the City.

- L. Resolution approving the outside agency service agreements for services described in Attachment A of the agreement for fiscal year 2018-19 with Birmingham Youth Assistance in the amount of \$18,000, Common Ground in the amount of \$1,500 and HAVEN in the amount of \$2,000 from account number 101-301.000-811.0000, further directing the Mayor and City Clerk to sign the agreements on behalf of the city.
- M. Resolution approving a request submitted by Woodward Camera requesting permission to place one tent in the parking area in front of 33501 Woodward Ave 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.

05-149-18 TRAFFIC LOGIX SPEED TRAILER PURCHASE (ITEM D)

Police Chief Clemence explained that this is a trailer with a message board to advise drivers about their driving speed. This is part of a general effort to respond to citizens' concerns about speeding on Birmingham streets.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Boutros:
 To approve the purchase of (1) Traffix Logix SafePace 800 speed display sign trailer in the amount of \$12,572.12 from Enforcement Products, Inc.; further authorizing this budgeted expenditure from account number 202-303.001-971.0100.

VOTE: Yeas, 6
 Nays, 0
 Absent, 1 (DeWeese)

V. UNFINISHED BUSINESS

None.

VI. NEW BUSINESS

05-150-18 CHANGES TO 2018-2019 RECOMMENDED BUDGET AND 2018-2019 BUDGET APPROPRIATIONS RESOLUTION

Finance Director Gerber presented his May 17 memorandum to City Manager Valentine regarding changes to the 2018-2019 Recommended Budget and the 2018-2019 Budget Appropriations Resolution.

Finance Director Gerber explained that the recommended security costs for the 48th District Court were not included in the proposed budget. He continued that the City would add those costs via budget amendment to either the current or the upcoming fiscal year.

City Manager Valentine clarified:

- Once the 48th District Court sends Birmingham the final requested amount for security provisions, the City will adjust its budget with an amendment.
- At this time, there is a possibility that Bloomfield Township will pay the initial amount the Court requests, with an agreement that the other involved municipalities will pay the Township back for their respective portions. This will be agreed to or not by the involved municipalities before it moves forward.

Finance Director Gerber said in the Budget Appropriations Resolution:

- “Contributions from Other Funds” are instances where other City funding sources, such as the golf course, reimburse the City.
- “Draw from Fund Balance” are instances where expenditures are greater than revenue and additional funds will be drawn from the fund balance to cover the difference.

MOTION: Motion by Commissioner Hoff, seconded by Mayor Pro Tem Bordman:
 To approve the budget appropriations resolution adopting the City of Birmingham’s budget and establishing the total number of mills for ad valorem property taxes to be levied for the fiscal year commencing July 1, 2018 and ending June 30, 2019. (*Formal resolution appended to these minutes as Attachment A.*)

VOTE: Yeas, 6
 Nays, 0
 Absent, 1 (DeWeese)

05-151-18 CITY COMMISSION CONSIDERATION OF BIRMINGHAM FIREFIGHTERS ASSOCIATION GRIEVANCE

Human Resources Manager Taylor presented the May 14 memorandum to City Manager Valentine regarding this matter.

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Nickita:
 To waive consideration of the Birmingham Firefighters Association Local 911 grievance of March 5, 2018.

VOTE: Yeas, 6
 Nays, 0
 Absent, 1 (DeWeese)

VII. REMOVED FROM THE CONSENT AGENDA

Items removed from the consent agenda were discussed earlier in the meeting.

VIII. COMMUNICATIONS

None.

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

None.

X. REPORTS

05-152-18 COMMISSIONER REPORTS

The City Commission will appoint one regular member to the Board of Zoning Appeals on July 9, 2018.

The City Commission will appoint one alternate member to the Cablecasting Board on July 9, 2018.

The City Commission will appoint two resident members to the Ad Hoc Master Plan Selection Committee on June 25, 2018.

05-153-18 COMMISSIONER COMMENTS

Commissioner Hoff commended the volunteers and police personnel who participated in the 2018 Parkinson's Foundation Walk, citing a great improvement over last year's walk.

Mayor Pro Tem Bordman attended two classes at NEXT. One was an active shooter training conducted by Police Commander Grewe, for which Mayor Pro Tem Bordman had high praise. The second was an Introduction to the Adult Fitness Equipment at NEXT. She said this was also very good. Mayor Pro Tem Bordman concluded by asking people to pay attention to mosquito control by eliminating standing water.

Commissioner Nickita attended the annual Congress for New Urbanism conference, held in Savannah this year. Of particular interest were strategies for making downtown housing more affordable, which included institution of parking requirements, and the maintaining the health of downtown retail, which included using zoning and design to have a beneficial effect on downtowns.

05-154-18 CITY STAFF

The Commission received the 3rd Quarter Financial Report, submitted by Finance Director Gerber.

The Commission received the 3rd Quarter Investment Report, submitted by Finance Director Gerber.

XI. ADJOURN

Mayor Harris adjourned the meeting at 7:55 p.m.

J. Cherilynn Mynsberge, City Clerk

BUDGET APPROPRIATIONS RESOLUTION

WHEREAS, the City Manager has submitted the proposed 2018-2019 Budget, and;

WHEREAS, the City Commission has reviewed the 2018-2019 Budget, and;

WHEREAS, the City Commission has held a Public Hearing on the 2018-2019 Budget; and

WHEREAS, Chapter VII, Section 14 of the Birmingham City Charter requires that the City Commission pass an annual appropriations resolution.

NOW THEREFORE, BE IT RESOLVED, that the City Commission does hereby adopt the following estimated revenues for the City of Birmingham for the fiscal year commencing July 1, 2018, and ending June 30, 2019:

GENERAL FUND:

Taxes	\$ 24,941,490
Licenses & Permits	3,173,150
Intergovernmental Revenue	2,130,740
Charges for Services	3,356,410
Fines & Forfeitures	1,838,990
Interest & Rent	398,230
Other Revenue	536,410
Contributions from Other Funds	<u>100,000</u>
Total General Fund	\$ 36,475,420

MAJOR STREETS FUND:

Intergovernmental Revenue	\$ 1,205,910
Interest & Rent	12,980
Other Revenue	1,850
Contributions from Other Funds	<u>2,500,000</u>
Total Major Streets Fund	\$ 3,720,740

LOCAL STREETS FUND:

Intergovernmental Revenue	\$ 492,550
Interest & Rent	35,030
Other Revenue	644,970
Contributions from Other Funds	<u>2,500,000</u>
Total Local Streets Fund	\$ 3,672,550

COMMUNITY DEVELOPMENT BLOCK GRANT FUND:

Intergovernmental Revenue	<u>\$ 32,020</u>
Total Community Development Block Grant Fund	\$ 32,020

SOLID WASTE DISPOSAL FUND:

Taxes	\$ 1,875,000
Intergovernmental	4,450
Charges for Services	17,600
Interest	20,890
Draw from Fund Balance	<u>78,370</u>
Total Solid Waste Disposal Fund	\$ 1,996,310

LAW AND DRUG ENFORCEMENT FUND:

Fines & Forfeitures	\$ 35,000
Interest	1,620
Draw from Fund Balance	<u>26,200</u>
Total Law and Drug Enforcement Fund	\$ 62,820

DEBT SERVICE FUND:

Taxes	\$ 1,579,260
Intergovernmental	3,950
Interest	<u>4,290</u>
Total Debt Service Fund	\$ 1,587,500

GREENWOOD CEMETERY PERPETUAL CARE FUND:

Charges for Services	\$ 80,000
Interest	<u>12,000</u>
Total Greenwood Cemetery Perpetual Care Fund	\$ 92,000

PRINCIPAL SHOPPING DISTRICT FUND:

Special Assessments	\$ 897,300
Interest	6,390
Other Revenue	190,000
Draw from Fund Balance	<u>116,300</u>
Total Principal Shopping District Fund	\$ 1,209,990

BALDWIN LIBRARY FUND:

Taxes	\$ 3,234,870
Intergovernmental Revenue	1,001,380
Charges for Services	82,600
Interest	<u>36,920</u>
Total Baldwin Library Fund	\$ 4,355,770

BROWNFIELD REDEVELOPMENT AUTHORITY FUND:

Taxes	\$ 609,040
Charges for Services	1,500
Interest	1,620
Other Revenue	<u>20,000</u>
Total Brownfield Redevelopment Authority Fund	\$ 632,160

TRIANGLE DISTRICT CORRIDOR IMPROVEMENT AUTHORITY FUND:

Interest	\$ 290
Total Triangle District Corridor Improvement Authority Fund	\$ 290

CAPITAL PROJECTS FUND:

Intergovernmental Revenue	\$ 23,990
Interest	16,030
Other Revenue	333,000
Contribution from Other Funds	<u>1,031,000</u>
Total Capital Projects Fund	\$ 1,404,020

AUTOMOBILE PARKING SYSTEM FUND:

Charges for Services	\$ 8,097,810
Interest	<u>224,480</u>
Total Automobile Parking System Fund	\$ 8,322,290

WATER-SUPPLY SYSTEM RECEIVING FUND:

Taxes	\$ 750,000
Charges for Services	4,761,190
Interest	24,040
Draw from Net Position	<u>95,000</u>
Total Water-Supply System Fund	\$ 5,630,230

SEWAGE DISPOSAL FUND:

Taxes	\$ 1,632,290
Intergovernmental Revenue	227,710
Charges for Services	8,836,300
Interest	85,230
Contributions from Other Funds	<u>775,000</u>
Total Sewage Disposal Fund	\$ 11,556,530

LINCOLN HILLS GOLF COURSE:

Charges for Services	\$ 702,600
Interest	46,920
Other Revenue	<u>200</u>
Total Lincoln Hills Golf Course Fund	\$ 749,720

SPRINGDALE GOLF COURSE:

Charges for Services	\$ 495,930
Interest & Rent	19,200
Other Revenue	200
Draw from Net Position	<u>41,860</u>
Total Springdale Golf Course Fund	\$ 557,190

COMPUTER EQUIPMENT FUND:

Charges for Services	596,870
Interest	14,410
Other Revenue	3,000
Draw from Net Position	<u>380,600</u>
Total Computer Equipment Fund	\$ 994,880

AND, BE IT FURTHER RESOLVED, that the City Commission does hereby adopt on a budgetary center basis the following expenditures for 2018-2019:

GENERAL FUND:

General Government	\$ 5,959,170
Public Safety	13,666,220
Community Development	3,437,110
Engineering & Public Services	4,902,770
Transfers Out	<u>8,510,150</u>
Total General Fund	\$ 36,475,420

MAJOR STREETS FUND:

Maintenance of Streets and Bridges	\$ 454,580
Street Cleaning	156,840
Street Trees	255,670
Traffic Controls & Engineering	405,350
Snow and Ice Removal	322,820
Administrative	18,980
Capital Outlay-Engineering and Construction of Roads and Bridges	1,209,770
Contribution to Fund Balance	<u>896,730</u>
Total Major Streets Fund	\$ 3,720,740

LOCAL STREETS FUND:

Maintenance of Streets and Bridges	\$ 1,063,190
Street Cleaning	178,580
Street Trees	517,350
Traffic Controls & Engineering	70,020
Snow and Ice Removal	181,670
Administrative	26,730
Capital Outlay-Engineering and Construction of Roads and Bridges	1,294,270
Contribution to Fund Balance	<u>340,740</u>
Total Local Streets Fund	\$ 3,672,550

COMMUNITY DEVELOPMENT BLOCK GRANT FUND:

\$ 32,020

SOLID WASTE DISPOSAL FUND:

Personnel Services	\$ 162,820
Supplies	12,000
Other Charges	1,806,490
Capital Outlay	<u>15,000</u>
Total Solid Waste Disposal Fund	\$ 1,996,310

LAW AND DRUG ENFORCEMENT FUND: \$ 62,820

DEBT SERVICE FUND:

Debt Service	\$ 1,584,000
Contribution to Fund Balance	<u>3,500</u>
Total Debt Service Fund	\$ 1,587,500

PRINCIPAL SHOPPING DISTRICT FUND: \$ 1,209,990

BALDWIN LIBRARY FUND:

Expenditures	\$ 3,729,790
Contribution to Fund Balance	<u>625,980</u>
Total Baldwin Library Fund	\$ 4,355,770

BROWNFIELD REDEVELOPMENT AUTHORITY FUND:

Expenditures	\$ 531,760
Contribution to Fund Balance	<u>100,400</u>
Total Brownfield Redevelopment Authority Fund	\$ 632,160

CAPITAL PROJECTS FUND:

Expenditures	\$ 1,299,000
Contribution to Fund Balance	<u>105,020</u>
Total Capital Projects Fund	\$ 1,404,020

AUTOMOBILE PARKING SYSTEM FUND:

Expenses	\$ 6,287,850
Contribution to Net Position	<u>2,034,440</u>
Total Automobile Parking System Fund	\$ 8,322,290

WATER-SUPPLY SYSTEM RECEIVING FUND: \$ 5,630,230

SEWAGE DISPOSAL SYSTEM FUND:

Expenses	\$ 10,837,820
Contributions to Net Position	<u>718,710</u>
Total Sewage Disposal System Fund	\$ 11,556,530

LINCOLN HILLS GOLF COURSE:

Expenses	\$ 730,510
Contribution to Net Position	<u>19,210</u>
Total Lincoln Hills Golf Course	\$ 749,720

SPRINGDALE GOLF COURSE: \$ 557,190

COMPUTER EQUIPMENT FUND: \$ 994,880

BE IT FURTHER RESOLVED that the budget summary above be approved as the 2018-2019 City Budget and that this resolution shall be known as the City of Birmingham 2018-2019 General Appropriations Act.

BE IT FURTHER RESOLVED that the City Commission does hereby designate \$26,225,780 to be raised by 11.2099 mills levied for General Purposes on the taxable valuation of all real and personal property subject to taxation in the City.

BE IT FURTHER RESOLVED that the City Commission does hereby designate \$3,249,870 to be raised by 1.3891 mills levied for Library Operations on the taxable valuation of all real and personal property subject to taxation in the City

BE IT FURTHER RESOLVED that the City Commission does hereby designate \$2,628,260 to be raised by 1.1116 mills levied for Debt Service Requirements on the taxable valuation of all real and personal property subject to taxation in the City.

BE IT FURTHER RESOLVED that the City Commission does hereby designate \$1,880,000 to be raised by 0.8036 mills levied on the taxable valuation of all real and personal property subject to taxation in the City for the purpose of the collection and removal of garbage and trash of the City as authorized by MCL 123.261, et. seq.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to make budgetary transfers within the budgetary centers established through the adoption of this budget, and that all transfers between budgetary centers may be made only by further action of the City Commission pursuant to the provisions of the Michigan Uniform Accounting and Budgeting Act.

BE IT FURTHER RESOLVED that the 2018-2019 budget shall be automatically amended on July 1, 2018, to re-appropriate encumbrances outstanding and reserved at June 30, 2018.

BE IT FINALLY RESOLVED that the City Treasurer be authorized to add to all taxes paid after August 31, 2018, three-fourths of one percent (3/4 of 1%) penalty each and every month, or fraction thereof, that remains unpaid. On all taxes paid after February 14, 2019, and through February 28, 2019, there shall be added a late penalty charge equal to three percent (3%) of such tax.

I, J. Cherilynn Mynsberge, City Clerk of the City of Birmingham, do hereby certify that the above is a true and correct copy of a resolution adopted by the Birmingham City Commission at the regular meeting of May 24, 2018.

J. Cherilynn Mynsberge, City Clerk