

BIRMINGHAM CITY COMMISSION AGENDA - [AMENDED](#)¹
REGULAR MEETING
MAY 19, 2025
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Therese Longe, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk

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

ANNOUNCEMENTS

- Senator McMorrow - Legislative Update
- Proclamation in recognition of National Public Works Week
- Proclamation in recognition of National Gun Violence Awareness Day

APPOINTMENTS

- A. Introduction and Swearing in of New Police Department Personnel and Promotions / 2024 Departmental Awards and Citations
1. Introduction of new members to the Police Department
 - i. Parking Enforcement Gary Kashouty
 - ii. Parking Enforcement Jocelyn Castillo
 - iii. Dispatcher Taylor Hicks
 - iv. Police Officer D'Lawrence Williams
 - v. Police Officer George Toma
 - vi. Auxiliary Officer Anthony Sanfilippo
 2. Promotions
 - i. Sergeant Stefan Syts
 - ii. Lieutenant Rebekah Springer
 3. Certificate of Merit
 - i. Capt. Christopher Koch
 - ii. Det. Sgt. David Buttigieg
 - iii. Sgt. Anthony Parades
 - iv. Ofc. Brent Macumber
 - v. Sgt. Joshua Husted
 - vi. Sgt. Joshua Bouchard
 - vii. Ofc. Michael Pranger
 - viii. Disp. Joseph Misiak
 - ix. Lt. Rebekah Springer
 - x. Sgt. Kyle McCanham

¹ See new business item 7C regarding the 2025-2026 Budget

- xi. Lt. Alex Linke
- 4. Community Service Award
 - i. Lt. Raymond Faes
 - ii. Disp. Joseph Misiak
- 5. Departmental Citation
 - i. Ofc. Jeffrey Whipple
 - ii. Det. Sgt. Jordan Zale
 - iii. Ofc. Michael Pranger
- 6. Chief's Recognition Award
 - i. Capt. Greg Wald
 - ii. Ofc. Michael Pranger
 - iii. Ofc. Nicholas Krumm
- 7. Civilian of the Year
 - i. Jennifer Davis
- 8. Officer of the Year
 - i. TFO. Scott McIntyre

- B. Board of Building Trades Appeals
 - 1. Bradley H. Klein

To appoint _____ to the Board of Building Trades Appeals as a regular member to serve a three-year term expiring May 23, 2028.

- C. Brownfield Redevelopment Authority
 - 1. Harry Awdey

To concur with the Mayor's appointment of _____ as a regular member to the Brownfield Redevelopment Authority to serve a three-year term to expire May 23, 2028.

- D. Housing Board of Appeals
 - 1. Robert E. Taylor, Jr.

To appoint _____ as a regular member to the Housing Board of Appeals to serve a three-year term to expire May 4, 2028.

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

V. 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.
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- A. Resolution to approve the City Commission meeting minutes for the April 26, 2025 Budget Hearing.
- B. Resolution to approve the City Commission workshop meeting minutes of May 5, 2025.
- C. Resolution to approve the City Commission regular meeting minutes of May 5, 2025.

- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated May 8, 2025 in the amount of \$949,886.90.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated May 15, 2025 in the amount of \$1,579,210.78.
- F. Resolution to set a public hearing date of June 23, 2025 to consider the Special Land Use Permit Amendment, Final Site Plan & Design Review application for 185 N. Old Woodward, to permit the modification of the current approved outdoor dining facility in front of the building and increase the number of seats from 4 to 22.
- G. Resolution to set a public hearing date of June 23, 2025 to consider the lot division of 1829 Norfolk resulting in two new parcels.
- H. Resolution to set the public hearing to Confirm the Assessment Roll for the installation of cape seal treatment within the project area on Wimbleton Drive from Woodward Ave. to Oxford Road, Abbey Street from Wimbleton south to the dead end, and Twin Oaks Lane from Wimbleton north to the dead end on Monday, June 23, 2025, at 7:30 P.M.
- I. Resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Big Rock Chophouse Ventures, LLC, and to approve the transfer of the Class C Liquor License, with Sunday Sales (AM and PM) Permit, 3 additional bar permits, outdoor service area permit (4 areas), and Dance/Entertainment permit from MLCC, LLC. to Big Rock Chophouse Ventures, LLC. that will be located at 245 S. Eton St., Birmingham, Oakland County, MI.
- J. Resolution to accept the resignation of Charles Heid from the Architectural Review Committee, to thank him for his service and to direct the City Clerk to begin the process of filling the vacancy.

VI. CITY MANAGER'S REPORT

The City Manager's Report regularly occurs on the second City Commission meeting of the month. Additionally, reports from prior months can be viewed on the City'.

- A. May City Manager's Report

VII. UNFINISHED BUSINESS

None.

VIII. NEW BUSINESS

- A. Public Hearing for 115 Willits – e Fiore (Formerly Mare Mediterranean) – Special Land Use Permit Amendment (Ownership Change)
 - 1. Resolution to approve the Special Land Use Permit Amendment for 115 Willits – e Fiore – to transfer ownership and update the Special Land Use Permit with the new owner, Abruzzese Hospitality, LLC.

AND

Make a motion adopting a resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Abruzzese Hospitality, LLC. To approve the request for a transfer of ownership of the Class C liquor license, with Sunday sales, outdoor service area, dance and entertainment permit from, LLC located at 115 Willits, MI from Birmingham Omni Hospitality, LLC to Abruzzese Hospitality, LLC that will be located at the same address.

- B. Public Hearing - Renewal of Uniform Video Service Local Franchise Agreement with Comcast
1. Make a motion adopting a resolution after the public hearing has been conducted to approve the Uniform Video Service Local Franchise Agreement with Comcast; and further to authorize the Mayor and City Manager to sign the Agreement on behalf of the City.
- C. Resolution to adopt the following budget appropriations resolution and establishing the total number of mills for ad valorem property taxes to be levied for the fiscal year commencing July 1, 2025 and ending June 30, 2026.

BUDGET APPROPRIATIONS RESOLUTION

WHEREAS, the City Manager has submitted the proposed 2025-2026 Budget, and;

WHEREAS, the City Commission has reviewed the 2025-2026 Budget, and;

WHEREAS, the City Commission has held a Public Hearing on the 2025-2026 Budget;

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

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, 2025, and ending June 30, 2026:

GENERAL FUND:

Taxes	\$38,853,740
Special Assessments	731,890
Licenses & Permits	2,721,350
Federal Grants	356,500
State Grants	2,881,500
Local Contributions	139,000
Charges for Services	4,117,890
Fines and Forfeitures	1,825,300
Interest and Rent	2,075,020
Other Revenue	59,250
Other Financing Sources	<u>100,000</u>
Total General Fund	\$53,861,440

GREENWOOD CEMETERY PERPETUAL CARE FUND:

Charges for Services	\$ 40,000
Interest and Rent	<u>43,000</u>
Total Greenwood Cemetery Perpetual Care Fund	\$ 83,000

MAJOR STREETS FUND:

Special Assessments	\$ 241,800
State Grants	3,174,940
Interest and Rent	56,300
Other Financing Sources	<u>6,000,000</u>
Total Major Streets Fund	\$ 9,473,040

LOCAL STREETS FUND:

Special Assessments	\$ 883,950
State Grants	813,400
Interest and Rent	20,880
Other Revenue	5,000
Other Financing Sources	<u>4,013,000</u>
Total Local Streets Fund	\$ 5,736,230

SOLID WASTE DISPOSAL FUND:

Taxes	\$ 2,418,990
State Grants	5,000
Interest and Rent	<u>64,700</u>
Total Solid Waste Disposal Fund	\$ 2,488,690

BROWNFIELD REDEVELOPMENT AUTHORITY FUND:

Taxes	\$ 284,760
Interest and Rent	4,000
Other Revenue	<u>10,000</u>
Total Brownfield Redevelopment Authority Fund	\$ 298,760

PRINCIPAL SHOPPING DISTRICT FUND:

Special Assessments	\$ 1,254,070
Charges for Services	25,000
Interest and Rent	46,900
Other Revenue	230,000
Draw from Fund Balance	<u>108,320</u>
Total Principal Shopping District Fund	\$ 1,664,290

COMMUNITY DEVELOPMENT BLOCK GRANT FUND:

Federal Grants	\$ 35,950
TRIANGLE DISTRICT CORRIDOR IMPROVEMENT AUTHORITY FUND:	
Interest and Rent	\$ 600
INDIGENT DEFENSE FUND:	
State Grants	\$ 489,500
Local Contributions	17,600
Interest and Rent	<u>7,600</u>
Total Indigent Defense Fund	\$ 514,700
OPIOID SETTLEMENT FUND:	
Interest and Rent	\$ 1,000
Other Revenue	<u>50,000</u>
Total Opioid Settlement Fund	\$ 51,000
LAW AND DRUG ENFORCEMENT FUND:	
Interest and Rent	\$ 6,000
Fines and Forfeitures	<u>25,000</u>
Total Law and Drug Enforcement Fund	\$ 31,000
SENIOR SERVICES FUND:	
Taxes	\$ 1,188,560
Interest and Rent	<u>70,000</u>
Total Senior Services Fund	\$ 1,258,560
SUSTAINABILITY AND CLIMATE ACTION FUND	
Interest and Rent	\$ 400
BALDWIN LIBRARY FUND:	
Taxes	<u>\$4,667.550</u>
	\$ 4,719,690
State Grants	45,000
Local Contributions	1,167,400
Charges for Services	28,950
Interest and Rent	15,000
Fines and Forfeitures	7,000
Other Revenue	<u>500</u>
Total Baldwin Library Fund	<u>\$5,931,400</u>
	5,983,540

DEBT SERVICE FUND:

Taxes	\$ 823,280
Intergovernmental	3,000
Interest and Rent	<u>8,300</u>
Total Debt Service Fund	\$ 834,580

CAPITAL PROJECTS FUND:

Local Contributions	\$ 120,000
Other Financing Sources	<u>612,990</u>
Total Capital Projects Fund	\$ 732,990

PARK SYSTEM CONSTRUCTION FUND:

State Grants	\$ 400,000
Interest and Rent	225,000
Draw from Fund Balance	<u>3,025,000</u>
Total Park System Construction Fund	\$ 3,650,000

AUTOMOBILE PARKING SYSTEM FUND:

Charges for Services	\$ 9,773,110
Interest and Rent	<u>1,312,000</u>
Total Automobile Parking System Fund	\$11,085,110

SEWAGE DISPOSAL FUND:

Taxes	\$ 33,320
Special Assessments	2,000
Charges for Services	14,680,820
Interest and Rent	141,000
Other Financing Sources	546,000
Draw from Net Position	<u>2,079,900</u>
Total Sewage Disposal Fund	\$17,483,040

WATER-SUPPLY SYSTEM RECEIVING FUND:

Federal Grants	250,000
Charges for Services	8,052,530
Interest and Rent	225,000
Draw from Net Position	<u>1,198,270</u>
Total Water-Supply System Fund	\$ 9,725,800

LINCOLN HILLS GOLF COURSE:

Charges for Services	\$ 1,068,740
Interest and Rent	60,500

Other Revenue	<u>600</u>
Total Lincoln Hills Golf Course Fund	\$ 1,129,840

SPRINGDALE GOLF COURSE:

Charges for Services	\$ 707,930
Interest and Rent	30,000
Other Revenue	200
Draw from Net Position	<u>313,050</u>
Total Springdale Golf Course Fund	\$ 1,051,180

COMPUTER EQUIPMENT FUND:

Interest and Rent	\$ 1,362,650
Draw from Net Position	<u>36,820</u>
Total Computer Equipment Fund	\$ 1,399,470

AND, BE IT FURTHER RESOLVED, that the City Commission does hereby adopt on a budgetary center basis the following expenditures for 2025-2026:

GENERAL FUND:

General Government	\$ 7,665,310
Judicial	2,113,940
Public Safety	21,445,070
Public Works	6,176,430
Health and Welfare	235,570
Community and Economic Development	1,246,790
Recreation and Culture	3,806,340
Transfers Out	<u>11,171,990</u>
Total General Fund	\$53,861,440

GREENWOOD CEMETERY PERPETUAL CARE FUND:

Expenditures	\$ -
Contribution to Fund Balance	<u>83,000</u>
Total Greenwood Cemetery Perpetual Care Fund	\$ 83,000

MAJOR STREETS FUND:

Public Works	\$ 9,307,060
Contribution to Fund Balance	<u>165,980</u>
Total Local Street Fund Balance	\$ 9,473,040

LOCAL STREETS FUND:

Public Works	\$ 5,718,990
Contribution to Fund Balance	<u>17,240</u>

Total Local Street Fund Balance	\$ 5,736,230
SOLID WASTE DISPOSAL FUND:	
Public Works	\$ 2,488,690
BROWNFIELD REDEVELOPMENT AUTHORITY FUND:	
Community and Economic Development	\$ 294,760
Contribution to Fund Balance	<u>4,000</u>
Total Brownfield Redevelopment Authority Fund	\$ 298,760
PRINCIPAL SHOPPING DISTRICT FUND:	
Community and Economic Development	\$ 1,664,290
COMMUNITY DEVELOPMENT BLOCK GRANT FUND:	
Health and Welfare	\$ 35,950
TRIANGLE DISTRICT CORRIDOR IMPROVEMENT AUTHORITY FUND:	
Contribution to Fund Balance	\$ 600
INDIGENT DEFENSE FUND:	
Health and Welfare	\$ 514,700
OPIOID SETTLEMENT FUND:	
Health and Welfare	\$ 50,000
Contribution to Fund Balance	<u>1,000</u>
Total Opioid Settlement Fund	\$ 51,000
LAW AND DRUG ENFORCEMENT FUND:	
Public Safety	\$ 12,500
Contribution to Fund Balance	<u>18,500</u>
Total Law and Drug Enforcement Fund	\$ 31,000
SENIOR SERVICES FUND:	
Contribution to Fund Balance	\$1,258,560
SUSTAINABILITY AND CLIMATE ACTION FUND	
Contribution to Fund Balance	\$ 400
BALDWIN LIBRARY FUND:	
Recreation and Culture	\$ 5,276,510
Contribution to Fund Balance	<u>654,890</u>
	<u>707,030</u>

Total Baldwin Library Fund	\$ <u>5,931,400</u> 5,983,540
DEBT SERVICE FUND:	
Debt Service	\$ 834,580
CAPITAL PROJECTS FUND:	
Capital Outlay	\$ 732,990
PARK SYSTEM CONSTRUCTION FUND:	
Capital Outlay	\$ 3,650,000
AUTOMOBILE PARKING SYSTEM FUND:	
Public Works	\$10,411,520
Contribution to Net Position	<u>673,590</u>
Total Automobile Parking System Fund	\$11,085,110
SEWAGE DISPOSAL SYSTEM FUND:	
Public Works	\$17,483,040
WATER-SUPPLY SYSTEM RECEIVING FUND:	
Public Works	\$ 9,725,800
LINCOLN HILLS GOLF COURSE:	
Recreation and Culture	\$ 913,210
Contribution to Net Position	<u>216,630</u>
Total Lincoln Hills Golf Course	\$ 1,129,840
SPRINGDALE GOLF COURSE:	
Recreation and Culture	\$ 1,051,180
COMPUTER EQUIPMENT FUND:	
General Government	\$ 1,399,470

BE IT FURTHER RESOLVED that the budget summary above be approved as the 2025-2026 City Budget and that this resolution shall be known as the City of Birmingham 2025-2026 General Appropriations Act.

BE IT FURTHER RESOLVED that the City Commission does hereby designate \$38,855,060 to be raised by 10.6121 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 \$~~4,734,690~~ 4,682,550 to be raised by ~~1.2789~~ 1.2931 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 \$2,424,990 to be raised by 0.6623 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 Commission does hereby designate \$1,188,560 to be raised by 0.3246 mills levied on the taxable valuation of all real and personal property subject to taxation in the City for the purpose of providing senior services within the City as authorized by MCL 401.571, et seq.

BE IT FURTHER RESOLVED that the City Commission does hereby designate \$828,280 to be raised by 0.2262 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 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 2025-2026 budget shall be automatically amended on July 1, 2025, to re-appropriate encumbrances outstanding and reserved at June 30, 2025.

BE IT FINALLY RESOLVED that the City Treasurer be authorized to add to all taxes paid after September 2, 2025, 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 17, 2026, and through March 2, 2026, there shall be added a late penalty charge equal to three percent (3%) of such tax.

- D. Resolution to amend the Schedule of Fees, Charges, Bonds and Insurance for changes in water, sewer, storm water, industrial surcharge, and industrial waste control charge rates effective for bills with read dates on or after July 1, 2025.
- E. Resolution to approve BCT Design Group to complete the Schematic Design phase of the Interior/Exterior Parking Garage Design Services Project with the inclusion of the City Commission's feedback and direction.
- F. Resolution to approve an amended agreement with ASI Signage Innovations to extend the term through November 10, 2025 for wayfinding signage fabrication and installation services and to authorize the Mayor and City Clerk to sign the extension on behalf of the City. In addition, to approve a modification to the agreement with ASI Signage Innovations for wayfinding electrification in an amount not to exceed \$42,312 from account # 101.0-

701.000-981.0100 and further, to approve the appropriations and amendment to the General Fund budget as follows:

Revenues:		
Draw from Fund Balance	101.0-000.000-400.0000	\$42,312
Expenses:		
Capital Outlay (Public Improvements)	101.0-701.000-981.0100	\$42,312

- G. Resolution to protest the Oakland County Board of Commissioners Resolution #2025-5051 and directing the City Clerk to transmit the resolution to Chairman Dave Woodward, the entire Oakland County Board of Commissioners, and County Executive David Coulter.
- H. Commission Items for Future Discussion. A motion is required to bring up the item for future discussion at the next reasonable agenda, no discussion on the topic will happen tonight.
- I. Commission discussion on items from a prior meeting.
 - 1. Resident Survey

IX. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

- A. Communications regarding the Birmingham Community and Senior Center
- B. Communications regarding Wimbledon
- C. Communications regarding Bird
- D. Communication regarding Leaf Blowers

XI. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Architectural Review Committee
 - 2. Notice of intention to appoint to the Historic District Study Committee
 - 3. Notice of intention to appoint to the Board of Zoning Appeals
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. 3rd Quarter Budget Report
 - 2. 3rd Quarter Investment Report

INFORMATION ONLY

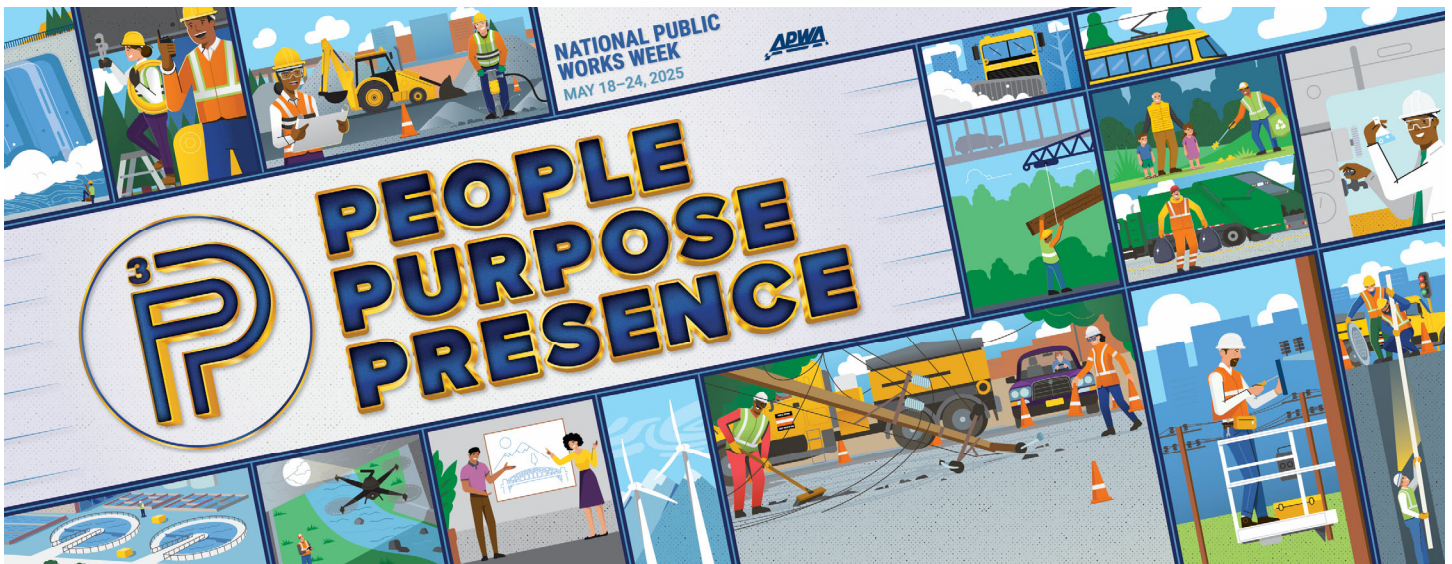
XII. ADJOURN

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

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) 644-3405 (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](tel:(248)530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).



PROCLAMATION
In Recognition of National Public Works Week
May 18–24, 2025

WHEREAS, Public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to public health, high quality of life, and the well-being of Birmingham’s citizens;

WHEREAS, These infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, It is in the public interest for the citizens, civic leaders, and children in the City of Birmingham to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, The year 2025 marks the 65th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association;

NOW THEREFORE BE IT RESOLVED, with this official proclamation that I, Therese Longe, Mayor of the City of Birmingham, on behalf of the City Commission, citizens and businesses of Birmingham, do hereby designate the week of May 18-24, 2025, as National Public Works Week. I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and advancing the quality of life for all.

On behalf of the City Commission and the residents of Birmingham
on this 19th day of May, 2025.

Therese Longe, Mayor



**PROCLAMATION
CITY OF BIRMINGHAM
DECLARING JUNE 6, 2025 TO BE
GUN VIOLENCE AWARENESS DAY**

This proclamation declares Friday, June 6, 2025 to be National Gun Violence Awareness Day in the City of Birmingham to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to end this public health crisis.

- WHEREAS,* Every day, 125 people in the United States are killed by gun violence and more than 260 are shot and wounded, with an average of more than 19,000 gun homicides every year; and
- WHEREAS,* People in the United States are 26 times more likely to die by gun homicide than people in other high-income countries; and
- WHEREAS,* Michigan has 1,421 gun deaths every year with a rate of 14.2 deaths per 100,000 people, a crisis that costs \$16.8 billion each year, of which \$380.5 million is paid by taxpayers. Michigan has the 27th highest rate of gun deaths in the United States; and
- WHEREAS,* Gun homicides and assaults are concentrated in cities, with more than half of all gun homicides in the nation occurring in 42 cities; and
- WHEREAS,* Cities across the nation, including Birmingham are working to end the senseless violence with evidence-based solutions; and
- WHEREAS,* Protecting public safety in the communities they serve is the highest responsibility of all mayors; and
- WHEREAS,* Support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from those who are a danger to themselves or others; and
- WHEREAS,* Mayors, city commissioners, and law enforcement officers - in partnership with local violence intervention activists and resources - know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, Gun violence prevention is more important than ever as we see gun violence continue to impact communities across the country; and

WHEREAS, In January 2013, Hadiya Pendleton was tragically shot and killed at age 15; and on June 6, 2025 to recognize the 28th birthday of Hadiya Pendleton (born: June 2, 1997), people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to —

(1) Hadiya Pendleton and other victims of gun violence; and

(2) the loved ones of those victims; and

WHEREAS, The idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods, and orange is a color that symbolizes the value of human life; and

WHEREAS, Anyone can join this campaign by pledging to wear orange on June 6th, the first Friday in June 2025, to help raise awareness about gun violence; and

WHEREAS, By wearing orange on June 6, 2025 people across the United States will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, We renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the hands of people who should not have access to them and encourage responsible gun ownership to help keep our families and communities safe.

THEREFORE I, Mayor Therese Longe of the City of Birmingham declare the first Friday in June, June 6, 2025, to be National Gun Violence Awareness Day. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

On behalf of the City Commission and the residents
of Birmingham on this 19th day of May 2025.

Therese Longe, Mayor



MEMORANDUM

Police Department

DATE: May 13, 2025

TO: Jana L. Ecker, City Manager

FROM: Scott A. Grewe, Chief of Police

SUBJECT: Introduction and Swearing in of New Police Department Personnel and Promotions / 2024 Departmental Awards and Citations

Recruitment and retention continue to be an ongoing challenge for law enforcement, and the Birmingham Police Department is no different. Our department has been very busy recruiting to fill vacancies. We have recently filled vacancies in multiple positions, including Sergeant, Lieutenant, Patrol Officer, Dispatcher, Parking Enforcement, and Auxiliary Officer. The Police Department will continue its strong recruitment program to ensure the most highly qualified applicants are selected and prepared for promotional testing in the future.

We are very excited to introduce the newest members of the Birmingham Police Department:

Parking Enforcement Gary Kashouty
Parking Enforcement Jocelyn Castillo
Dispatcher Taylor Hicks
Police Officer D'Lawrence Williams
Police Officer George Toma
Auxiliary Officer Anthony Sanfilippo

Additionally, after an extensive promotional process, the Police Department is pleased to introduce the following newly promoted members:

Sergeant Stefan Syts
Lieutenant Rebekah Springer

The Birmingham Police Department proudly presents the 2024 Award and Citation recipients. The Police Department's awards program has been absent for approximately 20 years. In 2024, the Police Department created an awards committee to renew the program and update our awards policy and review all incidents from 2024 to submit award

recommendations. The awards committee is comprised of members from several classifications within the department (Lieutenant, Sergeant, Officer, Dispatcher, and Civilian). These recommendations are submitted to the Chief's office for final review and approval.

I am proud to present the 2024 Birmingham Police Department award recipients:

Certificate of Merit:

Capt. Christopher Koch	Sgt. Joshua Husted	Lt. Rebekah Springer
Det. Sgt. David Buttigieg	Sgt. Joshua Bouchard	Sgt. Kyle McCanham
Sgt. Anthony Parades	Ofc. Michael Pranger	Lt. Alex Linke
Ofc. Brent Macumber	Disp. Joseph Misiak	

Community Service Award:

Lt. Raymond Faes	Disp. Joseph Misiak
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Departmental Citation:

Ofc. Jeffrey Whipple	Det. Sgt. Jordan Zale	Ofc. Michael Pranger
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Chief's Recognition Award:

Capt. Greg Wald	Ofc. Michael Pranger	Ofc. Nicholas Krumm
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Civilian of the Year:

Jennifer Davis

Officer of the Year:

TFO. Scott McIntyre



NOTICE OF INTENTION TO APPOINT TO THE BOARD OF BUILDING TRADES APPEALS

At the regular meeting on Monday, May 19, 2025 the Birmingham City Commission intends to appoint the following positions to the Board of Building Trades Appeals:

- Two regular members to serve three-year terms expiring May 23, 2028
- Two regular members to serve the remainder of three-year terms expiring May 23, 2027

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, May 14, 2025. These documents will appear in the public agenda for the regular meeting at which time the City Commission may make nominations and vote on appointments.

Board Duties

The Board of Building Trades Appeals hears and grants or denies requests for variances from strict application of the provisions of the Michigan Building, Residential, Mechanical and Plumbing Codes and the National Electrical Code. The Board of Building Trades Appeals will decide on matters pertaining to specific code requirements related to the construction or materials to be used in the erection, alteration or repair of a building or structure.

Applicant(s) Presented for City Commission Consideration:

Applicant Name	Qualifications
	The majority of members must be Birmingham residents and register electors. Applicants shall be qualified by experience or training in fields such as architecture, engineering, mechanical engineering, building, electrical, plumbing, heating or refrigeration.
Bradley H. Klein	14-year resident and State of Michigan Master Electrician currently serving on the Board of Building Trades Appeals.

SUGGESTED ACTION:

To appoint _____ to the Board of Building Trades Appeals as a regular member to serve a three-year term expiring May 23, 2028.

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.

APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest Board of Building Trades Appeal

Specific Category/Vacancy on Board _____ (see back of this form for information)

Name Bradley H. Klein

Phone (248) 863-6302

Residential Address 5063 Parkside Drive

Email * bklein@kleinelectric.net

Residential City, Zip West Bloomfield, MI 48323

Length of Residence 14 years

Business Address 2044 Winner Street

Occupation Electrician

Business City, Zip Commerce, MI 48390

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied _____

I believe that this will be my 3rd ter volunteering for the position.

List your related employment experience Familiar with the installation of electrical in both residential and commercial installations and provide consulting services for repairs in the insurance restoration business.

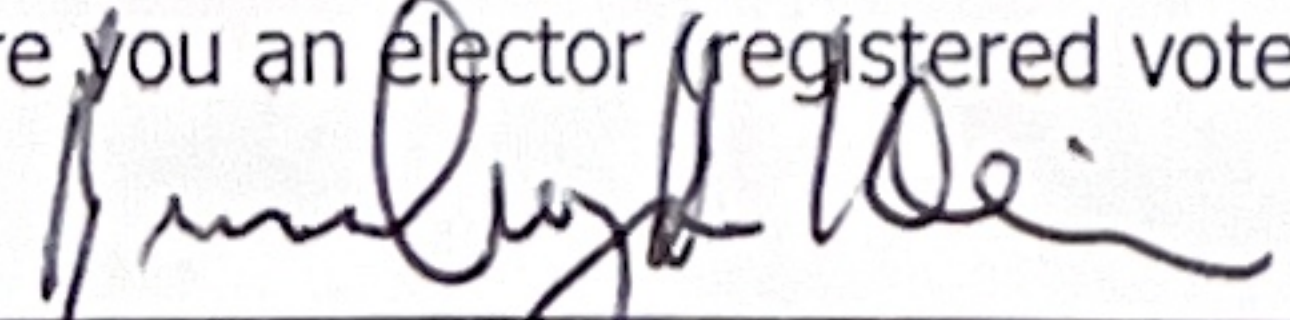
List your related community activities _____

List your related educational experience BS Psychology from The University of Michigan, Ann Arbor
State of Michigan Master Electrician, State of Michigan Electrical Contractor

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: NO

Do you currently have a relative serving on the board/committee to which you have applied? NO

Are you an elector (registered voter) in the City of Birmingham? NO


Signature of Applicant

May 1, 2025
Date

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to clerk@bhamgov.org or fax to 248.530.1080. Updated 11/18/2020

**By providing your email to the City, you agree to receive news & notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.*



BOARD OF BUILDING TRADES APPEALS

Chapter 22, Article II, 1972 PA 230, MCL 125.1514

Members shall be qualified by experience or training (such as Architect, Engineer, Mechanical Engineer, Building Contractor, Electrical Contractor, Plumbing Contractor, Heating Contractor, and Refrigeration Contractor).

Term: Three years – 6 members

The Board of Building Trades Appeal hears and grants or denies requests for variances from strict application of the provisions of the Michigan Building, Residential, Mechanical and Plumbing Codes and the National Electrical Code. The board will decide on matters pertaining to specific code requirements related to the construction or materials to be used in the erection, alteration or repair of a building or structure.

Last Name	First Name	Home Business	E-Mail	Appointed	Term Expires
Klein	Bradley	(248)863-6302	5/8/2023	5/23/2025	
5063 Parkside Drive			Electrical Contractor		
West Bloomfield	48323	<i>bklein@kleinelectric.net</i>			
Mando	Dennis	(248) 767-0515	1/30/2006	5/23/2026	
5310 Heron Cove		(248) 669-4338	Heating contractor		
Beaverton	48612	<i>denny@dennysonline.com</i>			
Saroki	Victor	(248)860-3600	5/8/2023	5/23/2025	
323 Baldwin Rd			Architect		
Birmingham	48009	<i>vsaroki@sarokiarchitecture.com</i>			
Sirich	Scott H.	(248) 385-5398	8/10/2020	5/23/2026	
1756 Melbourne			Construction law attorney		
Birmingham	48009	<i>ssirich@plunkettcooney.com</i>			
vacated	5/23/2024			5/23/2027	
			Builder		

Last Name	First Name	Home Business	Appointed	Term Expires
Home Address	E-Mail			
vacated	5/23/2024		Builder/engineer	5/23/2027

BOARD OF BUILDING TRADES APPEALS

Rosters

- 1993 03 The earliest roster in our folder is from March 1993
- Donald Worsely is listed as having been appointed 5/20/1968
- Webster Buell is listed as having been appointed 6/3/1968
- Cites Chapter 85** (*no longer exists*). 7 members; 3 year terms; appointed by Commission.
- 1995 05 **Citation changes to Section 22-26** (*no longer exists*). Still 7 members; 3 year terms; appointed by Commission.
- 2001 02 27 Still 7 members. 6 listed, plus 1 vacancy for plumbing contractor = 7.
- 2001 03 27 Now 6 members. 6 listed, plus 1 vacancy for plumbing contractor = 7. Vacancy is for term ending 5/23/2001.
- 2002 04 30 Still lists membership as 6. Still lists 7 spots, plus Timothy Wangler as staff advisor. Now 2 vacancies:
- Plumbing contractor – 5/23/2001
- Heating Contractor - 5/23/2002
- 2002 09 30 Still lists membership as 6, and now only 6 spots listed. Architect, Michael Willoughby, drops off list (his term expiration on previous roster was listed as 3/23/01). Now 3 vacancies:
- Plumbing contractor – 5/23/2004
- Heating Contractor - 5/23/2005
- Refrigeration Contractor – 5/23/2005
- 2003 05 21 Plumbing spot filled by Felix Charlier, appointed 12/16/2002. Six listed (see above).
- 2006 01 31 Heating Contractor spot filled by Dennis Mando on 1/30/2006 for term ending 5/28/2008. 2 vacancies:
- Refrigeration Contractor – 5/23/2008
- Building Contractor – 5/23/2006

2006 11 13 **Citation changes to Chapter 22.** It is the only thing that changes.

2006 12 12 Building Contractor spot filled by David Force on 12/11/2006 for term ending 5/23/2009.

2006 12 13 Refrigeration Contractor spot filled by Dennis Cline on 12/11/2006 for term ending 5/23/2008.

2010 06 08 Plumbing Contractor Felix Charlier drops off of roster. Vacancy for unspecified spot; term ending 5/23/2010.

2011 01 10 Vacancy now specified for "Plumbing or Architect"; term ending 5/23/2013.

2013 09 12 **Citation changes to Chapter 22, Article II, 1972 PA 230, MCL 125.1514.** Bruce Johnson remembers working with Laura on this. Staff advisor drops off of roster.

2014 06 11 Refrigeration Contractor Dennis Cline drops off of roster. 2 vacancies for unspecified spots. Vacancies expire 5/23/2017 (Refrigeration Contractor) and 5/23/2016 (Plumbing/Architect).

2016 02 27 Benjamin Stahelin appointed on 2/22/2016 for term ending 5/23/2017. No specialty is listed for him, but this would be the Refrigeration Contractor spot vacated above (based on expiration date).

2016 03 17 Adam Charles appointed on 3/14/2016 for term ending 5/23/2016. No specialty is listed for him. His application lists "Engineer" as occupation. Six spots listed, all filled.

2017 01 13 Adam Charles drops off of roster. The vacancy has expiration of 5/23/2019.

2017 05 09 A. James Partridge drops off of roster. So does his vacancy.
Two vacancies *should* be listed: expirations of 5/23/2019 and 5/23/2018.

NOW Six spots are filled. No mention of 7th spot. 7th spot would now have expiration of 5/23/2019.

CODE OF ORDINANCES/STATE LAW

Current Code of Ordinances has no Chapter 85, and no Section 22-26.

Ordinance 1745 (9/11/2000) repealed former Chapter 22 in its entirety and replaced it with new Chapter 22 . . . removing all provisions that . . . are already provided for in the state construction codes.

Section 22-58 stated that reference in the Building Code (state code) to "board of survey" and "board of appeals" shall mean the board of building trades appeals"

Ordinance 2070 slightly reworded Section 22-58 to:

Section 22, Article II: City assumes responsibility for the administration and enforcement of said Act (the Michigan Building, Plumbing, Electrical and Mechanical Code - PA 230 of 1972, MCL 125.1514) throughout its corporate limits.

Section 22-58 Reference within the Michigan Building Code codes and within this chapter . . . and references to "board of appeals" shall mean the board of building trades appeals.

MCL 125.1514 (PA 230 of 1972) states:

Sec. 14. (1) A construction board of appeals for each governmental subdivision enforcing the code shall be created consisting of not less than 3 nor more than 7 members, as determined by the governing body of the governmental subdivision.

Unless otherwise provided by local law or ordinance, the members of the board of appeals shall be appointed for 2-year terms by the chief executive officer of a city, village, or township . . .

A member of the board of appeals shall be qualified by experience or training to perform the duties of members of the board of appeals.

STILLE-DEROSSETT-HALE SINGLE STATE CONSTRUCTION CODE ACT (EXCERPT)
Act 230 of 1972

125.1514 Construction board of appeals; creation; appointment, qualifications, and terms of members; appeal to board; hearing; decision; statement of reasons for decision; appeal to commission; copy of decision; additional powers or duties; procedures; conducting business at public meeting; notice; availability of certain writings to public.

Sec. 14. (1) A construction board of appeals for each governmental subdivision enforcing the code shall be created consisting of not less than 3 nor more than 7 members, as determined by the governing body of the governmental subdivision. Unless otherwise provided by local law or ordinance, the members of the board of appeals shall be appointed for 2-year terms by the chief executive officer of a city, village, or township and the chairperson of the county board of commissioners of a county. A member of the board of appeals shall be qualified by experience or training to perform the duties of members of the board of appeals. A person may serve on the board of appeals of more than 1 governmental subdivision. If an enforcing agency refuses to grant an application for a building permit, or if the enforcing agency makes any other decision pursuant or related to this act, or the code, an interested person, or the person's authorized agent, may appeal in writing to the board of appeals. The board of appeals shall hear the appeal and render and file its decision with a statement of reasons for the decision with the enforcing agency from whom the appeal was taken not more than 30 days after submission of the appeal. Failure by the board of appeals to hear an appeal and file a decision within the time limit is a denial of the appeal for purposes of authorizing the institution of an appeal to the commission. A copy of the decision and statement of the reasons for the decision shall be delivered or mailed, before filing, to the party taking the appeal.

(2) This act does not prevent a governmental subdivision from granting its board of appeals additional powers or duties not inconsistent with this act, or from establishing procedures to be followed by its board of appeals insofar as the procedures do not conflict with this act. Except as otherwise provided by this act, or by other laws or ordinances, a board of appeals may by rules establish its own procedures.

(3) The business which the board of appeals may perform shall be conducted at a public meeting of the board of appeals held in compliance with Act No. 267 of the Public Acts of 1976. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

(4) A record of decisions made by the board of appeals, properly indexed, and any other writing prepared, owned, used, in the possession of, or retained by the board of appeals in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976.

History: 1972, Act 230, Eff. Jan. 1, 1973;—Am. 1977, Act 195, Imd. Eff. Nov. 17, 1977;—Am. 1978, Act 442, Imd. Eff. Oct. 9, 1978.

Popular name: Act 230

Popular name: Uniform Construction Code



NOTICE OF INTENTION TO APPOINT TO THE BROWNFIELD REDEVELOPMENT AUTHORITY

At the regular meeting of Monday, May 19, 2025 the Birmingham City Commission intends to appoint the following positions to the Brownfield Redevelopment Authority:

- Two regular members to serve three-year terms to expire May 23, 2028
- One regular member to serve the remainder of a three-year term to expire May 23, 2027
- One regular member to serve the remainder of a three-year term to expire May 23, 2026

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, May 14, 2025. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

Board Duties

The Brownfield Redevelopment Authority shall have the powers and duties to the full extent as provided by and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended. Among other matters, in the exercise of its powers, the Board may prepare Brownfield plans pursuant to Section 13 of the Act and submit the plans to the City Commission for consideration pursuant to Section 13 and 14 of the Act.

Members shall be appointed by the Mayor, subject to approval by the City Commission.

Applicant(s) Presented for City Commission Consideration:

Applicant Name	Qualifications
	Members shall, in so far as possible, be residents of the City of Birmingham.
Harry Awdey	8-year resident who is a currently a member on the Brownfield Redevelopment Board.

SUGGESTED ACTION:

To concur with the Mayor's appointment of _____, as a regular member to the Brownfield Redevelopment Authority to serve a three-year term to expire May 23, 2028.

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.

APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest Brownfield

Specific Category/Vacancy on Board _____ (see back of this form for information)

Name Harry Awdey

Phone 586-453-4677

Residential Address 1633 Graefield Rd

Email * hawdey@gmail.com

Residential City, Zip Birmingham MI 48009

Length of Residence 8 years

Business Address 3001 W Big Beaver Ste 504

Occupation Underwriter

Business City, Zip Troy MI 48084

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied _____

Currently serving on the board

List your related employment experience _____

List your related community activities _____

List your related educational experience _____

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: _____

NO

Do you currently have a relative serving on the board/committee to which you have applied? No
yes

Are you an elector (registered voter) in the City of Birmingham? _____

Harry Awdey
Signature of Applicant

5/2/25
Date

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to clerk@bhamgov.org or fax to 248.530.1080.

Updated 11/18/2020

**By providing your email to the City, you agree to receive news & notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.*



BROWNFIELD REDEVELOPMENT AUTHORITY

Resolution # 04-123-05

5 members, three-year terms, appointed by the mayor subject to approval of the commission.

The authority shall have the powers and duties to the full extent as provided by and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the state of Michigan of 1996, as amended. Among other matters, in the exercise of its powers, the Board may prepare Brownfield plans pursuant to Section 13 of the Act and submit the plans to the Commission for consideration pursuant to Section 13 and 14 of the Act.

Last Name Home Address	First Name	Home Business E-Mail	Appointed	Term Expires
Awdey 1633 Graefield	Harry	(586) 453-4677 <i>hawdey@gmail.com</i>	9/25/2017	5/23/2025
Runco 1556 Lakeside	Robert	(248) 388-8100 <i>rrunco@runcowaste.com</i>	5/9/2005	5/23/2026
Torcolacci 2047 Windemere	Daniella	(248) 217-4805 <i>dtorcolacci@gmail.com</i>	10/27/2014	5/23/2025
Vacated	3/1/2022			5/23/2027
Vacated	5/8/2023			5/23/2026



STATE OF MICHIGAN
TERRI LYNN LAND, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

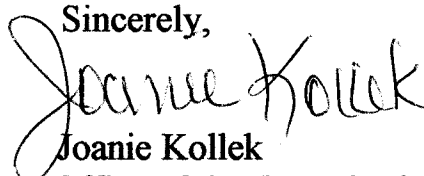
May 5, 2005

City of Birmingham
Nancy M. Weiss, Clerk
151 Martin Street
P.O. Box 3001
Birmingham, MI 48012-3001

Dear Ms. Weiss:

This letter acknowledges receipt and filing by the Birmingham City Commission on April 28, 2005, with the Secretary of State, a resolution creating the City of Birmingham Brownfield Redevelopment Authority in accordance with Act 381 of the Public Acts of 1996.

Sincerely,


Joanie Kollek
Office of the Great Seal
(517) 335-0718

RECEIVED

MAY 09 2005

CLERK'S OFFICE

April 26, 2005

Michigan Secretary of State
Office of the Great Seal
7064 Crowner Blvd.
Lansing, Michigan 48918

On April 25, 2005, the Birmingham City Commission adopted a resolution creating a Brownfield Redevelopment Authority. In accordance with the public act, I am enclosing herewith a certified copy of the establishing resolution. Please acknowledge receipt of this document.

Sincerely,

Nancy M. Weiss
City Clerk

**NOTICE OF PUBLIC HEARING ON THE ADOPTION OF A PROPOSED
RESOLUTION
CREATING A BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE CITY OF
BIRMINGHAM IN ACCORDANCE WITH ACT 381
OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

PLEASE TAKE NOTICE THAT a public hearing shall be held before the City Commission of the City of Birmingham, on the 25th day of April, 2005, at 7:30 p.m. in Room 205, Birmingham Municipal Building, 151 Martin, Birmingham, Michigan on the adoption of a proposed resolution creating a Brownfield redevelopment authority for the City of Birmingham within which the authority shall exercise its powers, all pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Authority Act, being act 381 of the Public Acts of the State of Michigan of 1996, as amended.

At the hearing, all citizens, taxpayers and property owners of the City of Birmingham and officials from any taxing jurisdiction whose millage may be subject to capture under any Brownfield plan that may be adopted with respect to an area or areas within the City shall have the right to be heard in regard to the establishment of the Brownfield redevelopment authority.

Nancy Weiss, City Clerk

Published on: March 27, 2005 & March 31, 2005

CITY OF BIRMINGHAM
RESOLUTION
ESTABLISHING A BROWNFIELD REDEVELOPMENT AUTHORITY

At a regular meeting of the City Commission of the City of Birmingham, Oakland County, Michigan, held in the Commission Chambers at 151 Martin, Birmingham, Michigan at 7:30 p.m., on the 25th day of April, 2005

The following resolution was offered by Commissioner Thorsby and supported by Commissioner McKeon.

WHEREAS, the City Commission of the City of Birmingham (the "Commission"), by resolution adopted on March 21, 2005, (the "Resolution"), determined that it is in the best interests of the public to facilitate the implementation of plans relating to the identification and treatment of distressed areas so as to promote revitalization in certain areas of the City of Birmingham and declared its intention to provide for the operation of a Brownfield Redevelopment Authority for the City of Birmingham (the "Authority") pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"); and

WHEREAS, on this date, pursuant to and in accordance with the Act and the Resolution of Intent, the Commission held a public hearing, notice of which was given as required by Section 4(2) of the Act, on the adoption of a resolution creating the Authority; and

WHEREAS, all citizens, taxpayers and property owners of the City of Birmingham and officials of the affected taxing jurisdictions had the right and opportunity to be heard at the public hearing on the establishment of the Authority; and

WHEREAS, the Commission desires to proceed with the establishment of the Authority for the City within which the Authority shall exercise its powers, all pursuant to and in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authority Created. Pursuant to the authority vested in the Commission by the Act, the Authority is hereby established and shall be known as the City of Birmingham Brownfield Redevelopment Authority.
2. Supervision of the Authority. The Authority shall be under the supervision and control of a board of five persons (the "Board") appointed by the Mayor of the City of Birmingham, in accordance with the membership provisions set forth in Section 5(1) of the Act, subject to the approval of the Commission. The members of the Board shall hold office, and the Board shall conduct its procedures, in accordance with the Act, and, in particular, Section 5 thereof.
3. Powers and Duties of the Authority. The Authority shall have the powers and duties to the full extent as provided by and in accordance with the Act. Among other matters, in the exercise of its powers the Board may prepare Brownfield plans pursuant to Section 13 of the Act and submit the plans to the Commission for consideration pursuant to Sections 13 and 14 of the Act.
4. Bylaws and Rules of the Authority. The Authority shall elect officers and adopt bylaws and rules governing its procedures and the holding of its meetings, all in accordance with Sections 5(3) and 5(5) of the Act, and shall immediately forward a copy of the bylaws and rules after adoption by the Board to the Commission in care of the City Clerk of the City of Birmingham (the "City Clerk"). The Authority's bylaws and rules shall be subject to the approval of the Commission; provided, however, that if the Commission fails to either approve or disapprove the Authority's bylaws and

5. Director's Bond. If the Board employs a Director as authorized by Section 6(1) of the Act, the Director shall not be required to post a bond.
6. Form of Approvals by City Commission of the City of Birmingham. Except as may otherwise be provided by the Act or other applicable law, approvals by the Commission of all matters pertaining to the Authority or its Board shall be by resolution.
7. Severability. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
8. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.
9. Publication. The City Clerk is hereby directed to file a true and complete copy with the Secretary of State of the State of Michigan promptly after adoption and to take all other actions incident upon such adoption pursuant to applicable charter or other provisions.

RESOLUTION ADOPTED

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this 26th day of April, 2005.

Nancy Weiss
Nancy Weiss, City Clerk



**BIRMINGHAM CITY/ELECTION COMMISSION
MARCH 21, 2005
RESOLUTION 03-96-05
RESOLUTION OF INTENT TO CREATE A
BROWNFIELD REDEVELOPMENT AUTHORITY**

Present: Mayor Hoff, Commissioners Carney, McDaniel, McKeon, Moore, Plotnik,
Thorsby
Absent: None

At a regular meeting of the Birmingham City Commission held at 151 Martin Street, Birmingham, Michigan on Monday, March 21, 2005, the commission adopted the following resolution:

MOTION: Motion by Thorsby, seconded by Moore:

WHEREAS, the City Commission of the City of Birmingham (the "Commission") has received and reviewed testimony that it is in the best interests of the public to facilitate the implementation of Brownfield plans relating to the designation and treatment of areas within the City of Birmingham (the "City") and to promote the revitalization of distressed areas within the City; and

WHEREAS, in order to further such interests, it is appropriate for the Commission to create and provide for the operation of a Brownfield redevelopment authority (the "authority") within the municipal limits of the City pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"); and

WHEREAS, pursuant to the Act, this Commission is required to hold a public hearing on the adoption of a proposed resolution creating a Brownfield redevelopment authority under the Act, and to publish notice of the public hearing in a newspaper of general circulation in the City, all in accordance with Section 4(2) of the Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Commission hereby determines that it is in the best interests of the public to facilitate the implementation of Brownfield redevelopment plans relating to the designation and treatment of areas within the City to promote the revitalization of distressed areas.

2. The Commission hereby declares its intention to create and provide for the operation of the Authority within the City pursuant to and in accordance with the provisions of the Act.

3. A public hearing shall be held before the Commission on the 25th day of April, 2005 at 7:30 p.m. in the Commission Chambers in the Birmingham City Hall, 151 Martin,

Birmingham, Michigan, on the adoption of a resolution creating the Authority within the City boundaries, within which the Authority shall exercise its powers.

4. The City Clerk of the City (the "City Clerk") shall give notice to the public of the public hearing by causing notice to be published, in the form attached hereto as Exhibit A, a daily newspaper of general circulation in the City, on March 27, 2005 and March 31, 2005 pursuant to the practice of the City Clerk.

Stuart Sherman urged the commission to pass this and move forward expeditiously. He stated there is no reason to give up dollars to the county to administer this program.

VOTE: Yeas, 7
Nays, None
Absent, None

I, Nancy M. Weiss, 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 their regular meeting of March 21, 2005.


Nancy M. Weiss
City Clerk

CITY COMMISSION MEETING MINUTES
APRIL 25, 2005
MUNICIPAL BUILDING, 151 MARTIN
7:30 PM

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Rackline J. Hoff called the meeting order at 7:31 PM.

II. ROLL CALL

Present: Mayor Hoff
Commissioner Carney
Commissioner McDaniel
Commissioner McKeon
Commissioner Moore
Commissioner Plotnik
Commissioner Thorsby

Absent: None

Administration: Manager Markus, Clerk Weiss, Attorney Currier, Museum Director McElhone, Finance Director Ostin, Police Chief Patterson, Deputy Chief Studt, Assistant Director of Public Services Fox, PSD Director Heiney

*Authority
Created*

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

**04-119-05 INTERVIEWS FOR APPOINTMENT TO
AD HOC JOINT VENTURE COMMITTEE**

Ralph Seger and Stacey Cassis were not present. Mr. Markus confirmed that a requirement for residency was not included in the resolution establishing this committee.

MOTION: Motion by Thorsby:

To appoint Rex Greenslade, 347 W. Brown, to the Ad Hoc Joint Venture Committee as the Barnum Committee Member to serve a term to expire October 24, 2005.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by Carney:

To appoint Ralph Seger, 1199 Pilgrim, to the Ad Hoc Joint Venture Committee, as the Barnum Steering Committee member, to serve a term to expire October 24, 2005.

VOTE: Yeas, 7
Absent, None

The commission interviewed Mike Wooley, 1427 Fairway, and Haithem K. Sarafa, Oakland Athletic Club, 355 S. Old Woodward for appointment.

MOTION: Motion by McDaniel:

To appoint Mike Wooley to the Ad Hoc Joint Venture Committee, as the member at large from the public, to serve a term to expire October 24, 2005.

VOTE: Yeas, 7
Absent, None

MOTION: Motion by Thorsby:

To appoint Therese Longe, Parks and Recreation Board Chairperson, to the Ad Hoc Joint Venture Committee to serve a term to expire October 24, 2005.

VOTE: Yeas, 7
Absent, None

Commissioner Carney and Commissioner Plotnik expressed interest in serving on this committee.

MOTION: Motion by Moore:

To appoint Commissioner Plotnik to the Ad Hoc Joint Venture Committee, as the City Commission member, to serve a term to expire October 24, 2005.

VOTE: Yeas, 4 (Hoff, McKeon, Moore, Plotnik)
Absent, None

The clerk administered the oath of office to the appointed board members.

IV. CONSENT AGENDA

04-120-05 APPROVAL OF CONSENT AGENDA

Mayor Hoff removed Item A – Minutes of April 11, 2005

Mayor Hoff abstained from check 159984 on the April 13, 2004 warrant list – Reimbursement for National League of Cities Conference

Commissioner Thorsby abstained from check 160060 on the April 13, 2005 warrant list – Reimbursement for National League of Cities Conference

MOTION: Motion by Carney, seconded by McKeon:

To approve the consent agenda as follows:

- B. Approval of city commission/advisory parking committee joint workshop session of April 18, 2005.
- C. Approval of warrant list of April 13, 2005 in the amount of \$1,266,538.93.
- D. Approval of warrant list of April 20, 2005 in the amount of \$1,089,832.85.
- E. Resolution renewing the lease for the copier/scanner/printer with Albin Business Machines in the amount of \$210.60 per month to be charged to clerk's office account #101-1006-706.31-05, and \$30.13 per month to be charged to ice arena account #101-2554-774.20-03.
- F. Resolution directing the Treasurer to transfer the unpaid and delinquent water/sewage bills of the properties listed in the report to the 2005 city tax roll and authorizing removal from the list any bills paid after City Commission approval.

- G. Resolution awarding the bid to Commercial Building & Retrofit, Inc. for the purchase and installation of the low e-ceiling for the ice arena in the amount not to exceed \$38,600.00 in accordance with the bid specifications, contingent upon compliance with insurance requirements; further authorizing the Mayor and City Clerk to sign the agreement upon receipt of all required insurances. Funds are available in the Capital Projects Fund-Ice Arena Restoration account #401-2566-786.50-02.
- H. Resolution approving the purchase of a John Deere tractor with backhoe, front end loader attachments and a hydrostatic transmission for the net bid amount, after trade-in, of \$15,281.11 from D & G Equipment. Further, funds for this purchase are in account #641-2565-785.50-08.
- I. Resolution approving the purchase of two Cushman Auto Trucksters from W. F. Miller, Inc. for the bid amount of \$33,284.00. Further funds for this purchase are in account #641-2565-785.50-08.

- and -

Resolution approving the trade-in bid for two John Deere Utility vehicles to Cheung Leasing, in the amount of \$1,700.00.

- J. Resolution approving a request submitted by Juvenile Diabetes Research Foundation requesting permission to hold an event in Lot 7 and around Shain Park, Friday, August 19, 2005 from 6:00PM to 2:00AM, 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.

Roll Call Vote: Yeas,

Commissioner Carney
Commissioner McDaniel
Commissioner McKeon
Commissioner Moore
Commissioner Plotnik
Commissioner Thorsby
Mayor Hoff

Nays,

None

Abstentions:

Commissioner Hoff from check 159985
Commissioner Thorsby from check 160060

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

04-121-05 PUBLIC HEARING – 2005-06 BUDGET

The mayor opened the public hearing for the 2005-2006 Budget at 7:50 PM.

Mr. McElhone updated the commission on the activities at the Allen House Museum. Mr. McElhone explained for Mayor Hoff that the other contractual services are for painting and for reinstallation of the kitchen. He stated they are currently seeking donated goods and services for the kitchen work.

Mr. Markus and Ms. Ostin explained for Commissioner Thorsby that the five year financial forecast is a trend and is prepared prior to the submission of departmental details.

Mr. McElhone explained for Commissioner McDaniel that the items listed as other contractual services are not categorized as capital improvements since they are under \$25,000.

Tom Sweeney, Library Board President, presented the budget for the Baldwin Public Library. Mr. Sweeney stated that the library board is considering a special election in February for a Headlee rollback proposal.

Commissioner Plotnik questioned the personnel summary which indicates that staff has increased significantly. Mr. Sweeney stated that they have eliminated the use of substitute staff on Sundays. He also cited that the library activity has increased.

Mr. Markus confirmed that full time library staff receive the same benefit package as city employees.

Ms. Ostin and Mr. Sweeney responded to a question from Commissioner Carney regarding the expendable trust fund which must legally be kept separate from the fund balance. Mr. Sweeney explained that endowment funds must be used for whatever the donor has directed.

In response to Commissioner Moore, Mr. Sweeney explained that the increase in marketing and design is due to contracting out this service as they have no full time marketing director.

Ms. Ostin confirmed for Commissioner Carney that the library has an independent computer system.

Mr. Sweeney explained for Dorothy Conrad that revenue funds are from Beverly Hills and Bingham Farms as well as charges for fees collected.

John Heiney introduced the PSD budget and emphasized that no residential tax dollars are used for the PSD.

Mr. Heiney explained the significant increase in printing of the PSD magazine for Commissioner Plotnik. He stated that they have enhanced that magazine to a higher level of quality.

Mr. Heiney stated for Mayor Hoff that moving the PSD office to another location has been discussed by staff and the executive committee. He stated that the rent could potentially double. He stated this is not being considered at this time.

Theresa Monsour, Director of BASCC, introduced their request for funding. Ms. Monsour confirmed that Bloomfield Township will not longer be contributing.

In response to Commissioner McDaniel, Henry Nabors stated that Birmingham residents make up half of the BASCC membership while 20 percent is made up of Bloomfield Township residents. Mr. Markus noted that the Birmingham School District provides the facility for the organization.

Representatives from the following organizations presented their budget requests:

- Birmingham Bloomfield Symphony Orchestra
- Birmingham Bloomfield Community Coalition
- Birmingham Concert Band
- Birmingham Youth Assistance
- Common Ground
- Cultural Council of Birmingham-Bloomfield
- Deaf & Hearing Impaired Services, Inc.
- HAVEN
- Birmingham Bloomfield Families in Action (First time request)

Commissioner Moore suggested a three percent increase for funding for BASCC, Birmingham Youth Assistance and Birmingham Bloomfield Community Coalition, since these agencies provide services the city would have to fund if these organizations did not provide services. He also suggested that Birmingham Bloomfield Families in Action be considered for funding.

Commissioner Hoff supported the manager's recommendation as the city is trying to cut back spending and state revenue sharing continues to decline. Commissioner Carney agreed.

Commissioner Thorsby agreed with Commissioner Moore as the funding provided to these organizations comes back to the community almost 100%.

Commissioner McKeon agreed with the three percent increase for the three agencies, however, hesitated to add another group to the funding right now.

Commissioner McDaniel supported Commissioner Moore's suggestion but also did not agree to adding new agencies. The commissioner further stated that agencies not involved in social services should be put on a limited period of time for funding and eventually phased out.

Commissioner Plotnik agreed with the three percent and added that she would like to see Birmingham Bloomfield Families in Actions get funding as well.

MOTION: Motion by Carney, seconded by Thorsby:

To adopt a three percent increase for BASCC, Birmingham Youth Assistance and Birmingham Bloomfield Community Coalition.

VOTE: Yeas, 7
 Nays, None
 Absent, None

MOTION: Motion by Carney, seconded by Thorsby:

To approve the request from the Birmingham Bloomfield Families in Action for the allocation of \$1,000; further that before requesting funding for next year, that other communities that they serve be contributing on a proportionate basis per capita.

In response to Commissioner McDaniel, Mr. Markus stated that the city is not in a position to encourage or discourage other organizations from approaching the city for funding.

Commissioner Plotnik and Commissioner Moore stated that the city would be well advantaged with funding this locally based organization. Commissioner Thorsby agreed stating the city does not have staff to provide these benefits.

Mayor Hoff expressed concern with increased spending of taxpayer dollars for these organizations when other communities are not participating.

Commissioner McDaniel and Commissioner McKeon expressed that funding should continue to help the health and human services organizations, but should be phased out for the concert band, symphony orchestra and the cultural council. Commissioner McDaniel expressed his hope that next year, the city manager's recommendation would reflect that philosophy.

Commissioner Moore disagreed and pointed out that the cultural council is working with the city's Public Arts Board.

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

Ms. Conrad agreed that there is no department in the city that provides the services that these organizations provide.

**04-122-05 HEARING TO CONSIDER SUSPENSION
VALET LICENSE – GREAT LAKES VALET**

MOTION: Motion by Carney, seconded by Plotnik:
To have the city attorney conduct the hearing.

Commissioner Moore indicated he would recuse himself from this matter as his wife is a complainant.

VOTE: Yeas, 6
Nays, None
Absent, None
Abstention, 1 (Moore)

Police Chief Patterson stated that Great Lakes Valet has two locations in Birmingham. He stated he suspended the license for one location only for 2005. The company may continue to operate in the second location. The chief stated that another company is

now operating at the Mitchell's location. Chief Patterson presented the reasons for the suspension of the license including numerous driving complaints, warnings, altercations with police officers, and the suspicion that they were not paying properly for parking. Chief Patterson also informed the commission that two accidents had occurred by the same Great Lakes driver. The police chief added that a new ordinance is being developed which will be brought to the city commission in May.

Catherine Burch, Central Parking, spoke in support of the police chief's decision stating her belief that valet companies take advantage of the two hour free parking.

Brian Lynch from Great Lakes Valet stated that the employee who had two accidents is no longer employed with the company. He stated that the business has been operating for ten years in the city. He stated there is no evidence that these problems were created by Great Lakes drivers. Bill Babcock, Great Lakes Valet, stated that other valet companies are switching parking tickets.

In response to Mayor Hoff, Mr. Lynch stated he wished the outcome of this would be that they could resume working at Mitchell's with the opportunity to resolve the problems. Mr. Lynch stated he did not believe Great Lakes Valet should accept the blame for all of the problems.

In response to the city manager, Ms. Burch reported that the valet companies have been parking approximately 300 cars per night and the garage is seeing very little revenue from them.

MOTION: Motion by Carney, seconded by Thorsby:

To uphold the police chief's decision to suspend the 2005 valet license for Great Lakes Valet.

Commissioner Plotnik stated there is not enough proof that it was Great Lakes Valet violating the ordinance and traffic laws.

Commissioner Carney pointed out the ordinance gives the police chief discretion to make these decisions and unless he abuses this discretion, the suspension is valid.

Commissioner McKeon supported the decision of the chief stating that the commission has urged the police department to rectify some of the unwieldy valet problems and this sends a clear message.

Commissioner Plotnik suggested a compromise which would suspend the license until the new ordinance was reviewed and adopted. Mayor Hoff agreed.

Commissioner Thorsby pointed out that the compromise is that the company continues to work in town at another location.

ROLL CALL VOTE: Yeas,

Commissioner McDaniel
Commissioner McKeon
Commissioner Thorsby

Nays, Commissioner Carney
Commissioner Plotnik
Mayor Hoff
Abstention, Commissioner Moore

Commissioner McDaniel pointed out that the traffic signal at Bates and Willets is exceptionally long for Bates.

04-123-05 BROWNFIELD REDEVELOPMENT AUTHORITY

The mayor opened the public hearing to consider the creation of a Brownfield Redevelopment Authority at 9:46 P.M.

Jeff Haynes, City Attorney, explained that Oakland County has a Brownfield Redevelopment Authority, however, there are costs involved for the city to utilize that authority.

In response to Commissioner McDaniel, Mr. Haynes explained that the five member board would approve remedial aspects of projects and tax financing of plans sent to the Michigan Department of Environmental Quality for approval. The land use elements would still be submitted to the planning board for site plan approval. Mr. Haynes stated that tax increment financing pays for costs of consultants, legal counsel and staff for the city to assist in these projects.

Mr. Haynes stated for Mayor Hoff that the developer pays initial costs for remediation and is reimbursed through tax increment financing.

Mr. Markus added that the intention is to clean up these properties and have them contributing fully to all taxing jurisdictions as soon as possible. Mr. Markus stated there is no residency or occupational requirement to participate as a board member.

In response to Commissioner McDaniel, Mr. Markus stated he is comfortable with the interest he has received so far from potential candidates for the board and did not recommend that a requirement for occupation be imposed.

Mr. Haynes stated that a commission member appointed to this board would present a conflict.

Mr. Markus and Mr. Haynes responded to an inquiry from Ms. Conrad that all taxing authorities, including the schools, would participate proportionately. Ms. Conrad supported the creation of this authority.

Stuart Sherman encouraged the commission to pass this resolution.

Walter Cohen commended the city's efforts in this regard.

Mr. Haynes confirmed for Commissioner Carney that the commission can dissolve this authority.

The mayor closed the public hearing at 11:12 PM.

MOTION: Motion by Thorsby, seconded by McKeon:

WHEREAS, the City Commission of the City of Birmingham (the "Commission"), by resolution adopted on March 21, 2005, (the "Resolution"), determined that it is in the best interests of the public to facilitate the implementation of plans relating to the identification and treatment of distressed areas so as to promote revitalization in certain areas of the City of Birmingham and declared its intention to provide for the operation of a Brownfield Redevelopment Authority for the City of Birmingham (the "Authority") pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"); and

WHEREAS, on this date, pursuant to and in accordance with the Act and the Resolution of Intent, the Commission held a public hearing, notice of which was given as required by Section 4(2) of the Act, on the adoption of a resolution creating the Authority; and

WHEREAS, all citizens, taxpayers and property owners of the City of Birmingham and officials of the affected taxing jurisdictions had the right and opportunity to be heard at the public hearing on the establishment of the Authority; and

WHEREAS, the Commission desires to proceed with the establishment of the Authority for the City within which the Authority shall exercise its powers, all pursuant to and in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authority Created. Pursuant to the authority vested in the Commission by the Act, the Authority is hereby established and shall be known as the City of Birmingham Brownfield Redevelopment Authority.
2. Supervision of the Authority. The Authority shall be under the supervision and control of a board of five persons (the "Board") appointed by the Mayor of the City of Birmingham, in accordance with the membership provisions set forth in Section 5(1) of the Act, subject to the approval of the Commission. The members of the Board shall hold office, and the Board shall conduct its procedures, in accordance with the Act, and, in particular, Section 5 thereof.
3. Powers and Duties of the Authority. The Authority shall have the powers and duties to the full extent as provided by and in accordance with the Act. Among other matters, in the exercise of its powers the Board may prepare Brownfield plans pursuant to Section 13 of the Act and submit the plans to the Commission for consideration pursuant to Sections 13 and 14 of the Act.
4. Bylaws and Rules of the Authority. The Authority shall elect officers and adopt bylaws and rules governing its procedures and the holding of its meetings, all in accordance with Sections 5(3) and 5(5) of the Act, and shall immediately forward a copy of the bylaws and rules after adoption by the Board to the

Commission in care of the City Clerk of the City of Birmingham (the "City Clerk"). The Authority's bylaws and rules shall be subject to the approval of the Commission; provided, however, that if the Commission fails to either approve or disapprove the Authority's bylaws and rules at its next regular meeting after receipt of a copy thereof by the City Clerk, the Authority's bylaws and rules shall be deemed to have been approved by the Commission for all purposes.

5. Director's Bond. If the Board employs a Director as authorized by Section 6(1) of the Act, the Director shall not be required to post a bond.
6. Form of Approvals by City Commission of the City of Birmingham. Except as may otherwise be provided by the Act or other applicable law, approvals by the Commission of all matters pertaining to the Authority or its Board shall be by resolution.
7. Severability. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
8. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.
9. Publication. The City Clerk is hereby directed to file a true and complete copy with the Secretary of State of the State of Michigan promptly after adoption and to take all other actions incident upon such adoption pursuant to applicable charter or other provisions.

VOTE: Yeas, 7
 Nays, None
 Absent, None

MOTION: Motion by Thorsby, seconded by Carney:
That the members of the Brownfield Redevelopment Authority Board be Birmingham residents inasmuch as possible.

VOTE: Yeas, 7
 Nays, None
 Absent, None

**04-124-05 CONSOLIDATION OF DISPATCH SERVICES
 VILLAGE OF BEVERLY HILLS**

Mr. Markus reported that Beverly Hills Council deferred action on this and requested more information.

MOTION: Motion by Thorsby, seconded by Plotnik:
To direct the administrative staff of Birmingham and Beverly Hills to prepare an agreement for joint dispatch services for the City of Birmingham and the Village of Beverly Hills.

VOTE: Yeas, 7
Nays, None
Absent, None

VII. REMOVED FROM CONSENT AGENDA

**04-125-05 APPROVAL OF CITY COMMISSION MINUTES
APRIL 11, 2005**

Mayor Hoff requested the following correction to Resolution 04-111-05:
Ms. Ecker explained that this came about due to complaints at the condominiums at ~~Southfield and 14 Mile.~~ Birmingham North at Adams and Derby.

Mayor Hoff requested the following clarifications to Resolution 04-115-05:
he commission received a letter of objection from Steven Habib, 1678 Maryland,
regarding snow removal fees.

The commission received a letter and petition from Alice Thimm, 2338 Manchester,
regarding the size of garages.

MOTION: Motion by Thorsby, seconded by McKeon:
To approve the city commission meeting minutes of April 11, 2005 as corrected.

VOTE: Yeas, 7
Nays, None
Absent, None

VIII. REPORTS

04-126-05 COMMISSIONER REPORTS

The commission intends to appoint Birmingham residents, inasmuch as possible to the Brownfield Redevelopment Authority on May 9, 2005.

The mayor reported that the city was selected to receive the award for the best new townscape by the Woodward Avenue Action Association.

Mayor Hoff reported that the city is one of the host communities for the South Oakland County Mayors' Association dinner on May 11, 2005.

Mr. Markus explained the letter written to Kevin Sayers by the DPS, regarding a request from People for Parks for a grant for planting trees. Commissioner McDaniel pointed out that this organization has committed city equipment and staff. The manager confirmed that this organization cannot plant trees in a public park without permission from the commission.

04-127-05 REPORT ON THE CABLECASTING BOARD

The commission received the report of the Cablecasting board budget from fiscal year 2005-06.

04-128-05 SDM LICENSE – 180 PIERCE

The commission received a report on a new SDM license for 180 Pierce, Birmingham,
Rae, Joe and Ed, LLC

IX	GENERAL
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X.	ADJOURN
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The mayor adjourned the meeting at 11:30 PM.

Nancy M. Weiss
City Clerk

From: "Pat Greve" <Grevep@aktpeerless.com>
Subject: "Tom Markus" <Tmarkus@ci.birmingham.mi.us>
3/8/2005 4:36:45 PM
Brownfield Authority

Tom,

I have attached the following:

1. Resolution of intent to create a brownfield authority
2. Required public notice document
3. Resolution to create the authority
4. A step by step procedure.
5. A copy of PA 381 of 1996 as amended -- the Brownfield Redevelopment Financing Act.

Section 4 of the act deals with the mechanics of setting up the Authority.

Section 5 deals with the board and its membership. Let me know if we need to talk further about this.

I took a shot at setting this up for the commission meetings as follows:

March 21: adopt notice of intent

March 22: publish first notice (can you have this prearranged with the paper so we can make the 20 day notice period?)

March 29: publish second notice

April 11: Hold public hearing and adopt resolution creating authority (also appoint board at same meeting)

I will be happy to attend any of the meetings if you would like me to in order to answer questions.

I will also be happy to come to the organizational meeting of the board to provide what we call a brownfield 101.

I have sample bylaws and all of that kind of stuff you will need once the board is in place.

Let me know what else you may need or if you have any questions.

Pat

**RESOLUTION OF INTENT TO CREATE AND PROVIDE FOR THE OPERATION OF
A BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE CITY OF BIRMINGHAM
PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE
PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

At a regular meeting of the City Commission of the City of Birmingham, Oakland County, Michigan, held in the Commission Chambers at _____, Birmingham, Michigan at ____ p.m. on the 21st day of _____ March, 2005.

The following resolution was offered by Commissioner _____ and supported by Commissioner _____:

WHEREAS, the City Commission of the City of Birmingham (the "Commission") has received and reviewed testimony that it is in the best interests of the public to facilitate the implementation of brownfield plans relating to the designation and treatment of areas within the City of Birmingham (the "City") and to promote the revitalization of distressed areas within the City; and

WHEREAS, in order to further such interests, it is appropriate for the Commission to create and provide for the operation of a brownfield redevelopment authority (the "authority") within the municipal limits of the City pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"); and

WHEREAS, pursuant to the Act, this Commission is required to hold a public hearing on the adoption of a proposed resolution creating a brownfield redevelopment authority under the Act, and to publish notice of the public hearing in a newspaper of general circulation in the City, all in accordance with Section 4(2) of the Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Commission hereby determines that it is in the best interests of the public to facilitate the implementation of brownfield redevelopment plans relating to the designation and treatment of areas within the City to promote the revitalization of distressed areas.
2. The Commission hereby declares its intention to create and provide for the operation of the Authority within the City pursuant to and in accordance with the provisions of the Act.
3. A public hearing shall be held before the Commission on the 11th day of April, 2005 at ____ p.m. in the Commission Chambers in the Birmingham City Hall, _____, Birmingham, Michigan, on the adoption of a resolution creating the Authority within the City boundaries, within which the Authority shall exercise its powers.
4. The City Clerk of the City (the "City Clerk") shall give notice to the public of the public hearing by causing notice to be published, in the form attached hereto as Exhibit A, in _____, a daily newspaper of general circulation in the City, on March 22, 2005 and March 29, 2005 pursuant to the practice of the City Clerk.

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

RESOLUTION ADOPTED

STATE OF MICHIGAN)

)SS

COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and appointed City Clerk of the City of Birmingham, Oakland County, Michigan do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the City Commission held on the 21st day of March, 2005, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this ____ day of _____, 2005.

_____, City Clerk

(EXHIBIT A)**NOTICE OF PUBLIC HEARING ON THE ADOPTION OF A PROPOSED RESOLUTION
CREATING A BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE CITY OF
BIRMINGHAM IN ACCORDANCE WITH ACT 381
OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

PLEASE TAKE NOTICE THAT a public hearing shall be held before the City Commission of the City of Birmingham, on the 11th day of April, 2005, at ____ p.m. in the Commission Chambers, Birmingham City Hall, _____, Birmingham, Michigan on the adoption of a proposed resolution creating a brownfield redevelopment authority for the City of Birmingham within which the authority shall exercise its powers, all pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Authority Act, being act 381 of the Public Acts of the State of Michigan of 1996, as amended.

At the hearing, all citizens, taxpayers and property owners of the City of Birmingham and officials from any taxing jurisdiction whose millage may be subject to capture under any brownfield plan that may be adopted with respect to an area or areas within the City shall have the right to be heard in regard to the establishment of the brownfield redevelopment authority.

_____, City Clerk

Published on:

March 22, 2005

&

March 29, 2005

CITY OF BIRMINGHAM
RESOLUTION
ESTABLISHING A BROWNFIELD REDEVELOPMENT AUTHORITY

At a regular meeting of the City Commission of the City of Birmingham, Oakland County, Michigan, held in the Commission Chambers at _____, Birmingham, Michigan at ____ p.m., on the 11th day of April, 2005

The following resolution was offered by Commissioner _____ and supported by Commissioner _____:

WHEREAS, the City Commission of the City of Birmingham (the "Commission"), by resolution adopted on March 21, 2005, (the "Resolution"), determined that it is in the best interests of the public to facilitate the implementation of plans relating to the identification and treatment of distressed areas so as to promote revitalization in certain areas of the City of Birmingham and declared its intention to provide for the operation of a Brownfield Redevelopment Authority for the City of Birmingham (the "Authority") pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"); and

WHEREAS, on this date, pursuant to and in accordance with the Act and the Resolution of Intent, the Commission held a public hearing, notice of which was given as required by Section 4(2) of the Act, on the adoption of a resolution creating the Authority; and

WHEREAS, all citizens, taxpayers and property owners of the City of Birmingham and officials of the affected taxing jurisdictions had the right and opportunity to be heard at the public hearing on the establishment of the Authority; and

WHEREAS, the Commission desires to proceed with the establishment of the Authority for the City within which the Authority shall exercise its powers, all pursuant to and in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authority Created. Pursuant to the authority vested in the Commission by the Act, the Authority is hereby established and shall be known as the City of Birmingham Brownfield Redevelopment Authority.
2. Supervision of the Authority. The Authority shall be under the supervision and control of a board (the "Board") appointed by the Mayor of the City of Birmingham, in accordance with the membership provisions set forth in Section 5(1) of the Act, subject to the approval of the Commission. The members of the Board shall hold office, and the Board shall conduct its procedures in accordance with the Act, and, in particular, Section 5 thereof.
3. Powers and Duties of the Authority. The Authority shall have the powers and duties to the full extent as provided by and in accordance with the Act. Among other matters, the exercise of its powers, the Board shall prepare brownfield plans pursuant to Section 13 of the Act and submit the plans to the Commission for consideration pursuant to Section 14 of the Act.
5. Bylaws and Rules of the Authority. The Authority shall elect officers and adopt bylaws and rules governing its procedures and the holding of its meetings, all in accordance with Sections 5(3) and 5(5) of the Act, and shall immediately forward a copy of the bylaws and rules after adoption by the Board to the Commission in care of the City Clerk of the City of Birmingham (the "City Clerk"). The Authority's bylaws and rules shall be subject to the approval of the Commission; provided, however, that if the Commission fails to either approve or disapprove the Authority's bylaws and rules at its next regular meeting after receipt of a copy thereof by the City Clerk, the Authority's bylaws and rules shall be deemed to have been approved by the Commission for all purposes.
6. Form of Approvals by City Commission of the City of Birmingham. Except as may otherwise be

7. Severability. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
8. Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.
9. Publication. The City Clerk is hereby directed to file a true and complete copy with the Secretary of State of the State of Michigan promptly after adoption and to take all other actions incident upon such adoption pursuant to applicable charter or other provisions.

RESOLUTION ADOPTED

City Clerk

PROCESS FOR CREATION OF BROWNFIELD REDEVELOPMENT AUTHORITY

- 3/21 1. Adopt Resolution of intent to create Brownfield Redevelopment Authority and set date for public hearing
- 3/29 ~~3/29~~ 2. Publish first notice of public hearing in a newspaper of general circulation not more than 40 or less than 20 days before the date of the public hearing.
- 3/31 3. Publish second notice of public hearing in a newspaper of general circulation not more than 40 or less than 20 days before the date of the public hearing.
- 4/25 4. Hold public hearing on date advertised.
- 4/25 5. Not more than 30 days after date of public hearing, adopt resolution creating Brownfield Redevelopment Authority. *Notice of Intention to appoint*
- 4/26 6. Promptly file copy of resolution creating Brownfield Redevelopment Authority with Michigan Secretary of State.
- 5/19 7. Appoint Brownfield Redevelopment Authority board members.
- (?) 8. Hold organizational meeting of Brownfield Redevelopment Authority Board to adopt bylaws and elect officers.



NOTICE OF INTENTION TO APPOINT TO THE HOUSING BOARD OF APPEALS

At the meeting of Monday, May 19, 2025 the Birmingham City Commission intends to appoint the following positions to the Housing Board of Appeals:

- Two regular members to serve three year terms to expire May 4, 2028
- Three regular members to serve the remainder of three-year terms to expire May 4, 2026

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, May 14, 2025. These documents will appear in the public agenda for the regular meeting at which time the City Commission may make nominations and vote on appointments.

Board Duties

The Housing Board of Appeals was established in order to provide an appeal process from regulations derived from the housing and maintenance requirements found in Chapter 22 of the City Code. The purpose of the housing and maintenance regulations is to protect, preserve and promote the physical and social wellbeing of the people, to regulate privately and publicly owned dwellings for the purpose of maintaining adequate sanitation and public health.

Applicant(s) Presented for City Commission Consideration:

Applicant Name	Qualifications
	Members shall be educated or experienced in building, construction administration, social services, real estate or other responsible positions.
Robert E. Taylor Jr.	30-year resident and practicing relator who has served on the board for the last 10-years.

SUGGESTED ACTION:

To appoint _____ as a regular member to the Housing Board of Appeals to serve a three-year term to expire May 4, 2028.

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.

APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities.

(Please print clearly)

Board/Committee of Interest Housing Board of Appeals

Specific Category/Vacancy on Board Reappointment (see back of this form for information)

Name Robert E. Taylor, Jr

Phone 248-892-3316

Residential Address 3693 W. Bradford Dr.

Email * Bobtaylr@gmail.com

Residential City, Zip Bloomfield Hills, Mi 48301

Length of Residence 30 years

Business Address 710 Notre Dame, Suite 2

Occupation Association Executive

Business City, Zip Grosse Pointe, MI 48230

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied _____

A practicing REALTOR for 40 years working in the Birmingham market for Weir, Manuel, Snyder & Ranke and then Coldwell Banker Weir Manuel, I remain active in this market despite my duties taking me elsewhere providing market data to both the City Of Birmingham, and Birmingham Public Schools.

List your related employment experience 2014 to present, CEO of the Grosse Pointe Board of REALTORS which has many members within the City of Birmingham such as The Agency Hall & Hunter, Coldwell banker Professionals, Signature Sothebys, Max Brook Berkshire Hathaway Home Services, and Keller Williams Domain

List your related community activities Member of Birmingham Housing Board of Appeals for more than 10 years, speaker at annual chamber forum, attendee of Birmingham Builder forum (twice a year)

List your related educational experience Published author on real estate practices, multiple real estate designations, have served on Assessor's Board of Review (21 years) and Zoning Board of Appeals (20 years) for Bloomfield Twp.

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: No

Do you currently have a relative serving on the board/committee to which you have applied? No

Are you an elector (registered voter) in the City of Birmingham? No


Signature of Applicant

May, 2, 2025

Date

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to clerk@bhamgov.org or fax to 248.530.1080. Updated 11/18/2020

*By providing your email to the City, you agree to receive news & notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.



HOUSING BOARD OF APPEALS

Chapter 22 - Sections 22-312 – 22-314

Seven Members

Requirements: Qualified by education or experience in building, construction administration, social services, real estate, or other responsible positions.

Terms: Three year - expire the first Monday in May

Meetings held as needed.

Appointed by the City Commission

Last Name	First Name	Home Business	Appointed	Term Expires
Home Address	E-Mail			
Bradford	Wadette	256-509-7193	6/3/2019	5/4/2025
1221 Bowers St 2714			Regular Member - Investments	
Birmingham	48012	<i>Wadettebradford@yahoo.com</i>		
Claussen	Karson	(248) 688-4517	4/26/2021	5/4/2027
1627 Maryland Blvd			Regular Member - Building Inspector	
Birmingham	48009	<i>karson.claussen@gmail.com</i>		
Taylor	Robert	248-892-3316	5/10/2010	5/4/2025
3693 W. Bradford			Regular Member - Realtor	
Bloomfield Twp	48301	<i>bobtaylr@gmail.com</i>		
Vacated	5/4/2023			5/4/2026
			Regular Member	
Vacated	5/4/2023			5/4/2026
			Regular Member	

Last Name	First Name	Home Business	Appointed	Term Expires
Home Address	E-Mail			
Vacated	5/4/2023		Regular Member	5/4/2026
Vincenti	Philip	(248) 722-4747	4/9/2018	5/4/2027
938 Lakeside			Regular Member - building/contractor	
Birmingham	48009	<i>pvincenti@tcwall.com</i>		

DIVISION 3. APPEALS

Sec. 22-311. Authorized.

- (a) Any owner or person who is aggrieved with the ruling or decision of the building official in any matter relative to the interpretation or enforcement of any of the provisions of this article, may appeal the decision or interpretation.
- (b) The appeal shall be made to the housing board of appeals.

(Ord. No. 2070, 10-24-11)

Sec. 22-312. Board created; purpose.

In order that the provisions of this article may be reasonably applied and substantial justice done in instances where practical difficulties are apparent or undue hardship would result from carrying out the strict letter of this article, a housing board of appeals is hereby created. The duty of the board shall be to consider appeals from the decision of the officials charged with the enforcement of this article, and to determine in particular cases whether any deviation from the strict enforcement of this article will violate the intent of this article and jeopardize public health and safety.

(Ord. No. 2070, 10-24-11)

Sec. 22-313. Membership and appointment.

The housing board of appeals shall consist of seven members, who shall be appointed by the city commission. The city commission shall appoint to the board, members qualified by education or experience in building construction, administration, social services, real estate or other responsible positions. The building official, the fire chief and the health officer or their representatives shall be ex officio members.

(Ord. No. 2070, 10-24-11)

Sec. 22-314. Term of office.

The term of office of members of the housing board of appeals shall be for three years, but in the first instance after the passage of this Code, two members shall be appointed for one year, two members for two years and three members for three years. These terms shall then expire the first Monday in May.

(Ord. No. 2070, 10-24-11)

Sec. 22-315. Meetings, rules of procedure, quorum.

The housing board of appeals shall meet once a month, provided there are pending appeals. There shall be a fixed place of meeting and all meetings shall be open to the public. The board shall adopt its own rules of

procedure and keep a record of its proceedings, showing the action of the board, and the vote of each member upon each question considered. The presence of five members shall be necessary to constitute a quorum.

(Ord. No. 2070, 10-24-11)

Sec. 22-316. Officers, records.

The housing board of appeals shall elect from its membership a chairman and vice-chairman. A secretary, who shall be an employee of the city, shall be appointed whose duty it shall be to maintain a permanent official record of all of its transactions; such records shall be public records.

(Ord. No. 2070, 10-24-11)

Sec. 22-317. Appeals procedure.

Appeals from the rulings of the building official may be made to the housing board of appeals within 20 days of the issuance of an order by the official. Such appeal may be taken by any person aggrieved by any ruling or determination of any officer, department, board or commission of the city. The appellant shall file with the building official and with the board a notice of appeal specifying the grounds therefor. With each notice of appeal filed, there shall be paid a fee in the amount set forth in the schedule of fees, charges, bonds and insurance to cover the city's cost of handling such appeal, provided that such fees may be returned or retained after hearing at the discretion of the board. The building official shall forthwith transmit to the board a summary report of all previous action taken. The board may at its discretion call upon the building official to explain his action. The final disposition of such appeal shall be in the form of a resolution, either reversing, modifying or affirming, wholly or partly, the decision of the determination appealed from. In order to find for the appellant, four members of the board must concur. In order to overturn a previous decision of the board, five members of the board must concur.

(Ord. No. 2070, 10-24-11)

Sec. 22-318. Hearings.

The housing board of appeals shall fix a reasonable time for the hearing of the appeal and give due notice thereof to interested parties and decide the same within a reasonable time. Within the limits of its jurisdiction, the board of appeals may reverse or affirm, in whole or in part, or may make such order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have all the power of the building official from whom such appeal is taken.

(Ord. No. 2070, 10-24-11)

Sec. 22-319. Decisions.

The decision of the housing board of appeals shall be final unless an appeal therefrom to Oakland County Circuit Court is taken within 20 days from the date of the board's decision.

(Ord. No. 2070, 10-24-11)

Sec. 22-320. Notices.

The housing board of appeals may prescribe such notice to any interested person and the neighbors surrounding the structure or premises in connection with which the appeal is taken, as shall be deemed reasonable by the board.

(Ord. No. 2070, 10-24-11)

Secs. 22-321—22-330. Reserved.

Birmingham City Commission Minutes
Public Hearing on the 2025-2026 Recommended Budget
April 26, 2025
8:30 a.m.
Municipal Building, 151 Martin
Video Link: <https://vimeo.com/1077465200>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Therese Longe, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

Alexandria Bingham, City Clerk, called the roll.

Present: Mayor Longe
MPT Baller
Commissioner Emerine
Commissioner Haig
Commissioner Host
Commissioner Long
Commissioner Schafer

Absent: None

Staff: City Manager Ecker; Assistant Fire Chief Bartalino, Birmingham Shopping District Director Bassett, City Clerk Bingham, Information Technology Manager Brunk, Finance Director Chavez, Human Resources Manager Ciluffo, Assistant City Manager Clemence, City Engineer Coatta, Baldwin Library Director Craft, Planning Director Dupuis, Assistant City Manager Fairbairn, Parking Systems Manager Ford, Building Maintenance Superintendent Galik, Police Chief Grewe, City Attorney Kucharek, Museum Director Pielack, Police Captain Wald, Fire Chief Wells, Department of Public Services Director Zielinski, Building Official Zielke

III. PUBLIC HEARING – 2025-2026 RECOMMENDED BUDGET

Mayor Longe and CM Ecker provided introductory comments. FD Chavez presented the budget overview and staff answered informational questions from the Commission.

There was no public comment regarding the introductory comments or the budget overview.

Commissioners raised the following points during discussion:

- The cost of water is set, and the maintenance cost reflects Birmingham's investment in upgrading and repairing its sewer and water infrastructure.
- The City decided to stop having property taxes support the cost of water, in part as the result of a number of lawsuits across the State regarding that topic.
- The increase in water and sewer costs next year will not be as high. The increases are presently high because Birmingham chose to accelerate its transition from subsidizing the system with property taxes.

- It would be helpful to understand why the swings in water consumption occur and why the cost of water and sewage disposal increases year-to-year.

For the General Fund, ACM Fairbairn presented the Commission and the Manager's Office budgets, BMS Galik presented the City Hall & Grounds and the Property Maintenance-Library budgets, HRM Ciluffo presented the Human Resources budget, CC Bingham presented the Clerk's Office budget, and FD Chavez and CM Ecker presented the Finance Department, Legal, and General Administration budgets.

There was no public comment regarding the General Fund. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The cost of assessing reflected in this packet will be going up by 46% if the City continues to use Oakland County's assessing services.
- The City Clerk earned thanks for her work on the planned software upgrades.

FD Chavez presented the Judicial budget.

There was no public comment regarding the Judicial budget. Staff answered informational questions from the Commission.

For Public Safety, PC Grewe presented the Police and Dispatch budgets, FC Wells presented the Fire and Emergency Management budgets, and BO Zielke presented the Building budget.

There was no public comment regarding the Public Safety budget. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- Given that patrol vehicles must remain running, patrol vehicles accumulate high miles relatively quickly.

For Public Works, CE Coatta presented the Engineering budget and DPSD Zielinski presented the Public Services budget.

There was no public comment regarding the Public Works budget. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- It would be helpful if all of the road infrastructure related funds were presented at one time so that a discussion of the funds could occur at one time.
- Expenses and revenues should be presented together.

The Commission took a brief recess, and returned from recess.

FD Chavez presented the Health and Welfare budget.

There was no public comment regarding the Health and Welfare budget. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The significant notes referencing this section should clarify how the funds for the Next Senior Services Center were budgeted.
- It would be worth looking into having a full-time mental health co-responder for Birmingham in the future. The return on investment for this service has been significant.
- Working with OCHN on the co-responder team allows Birmingham to access more resources, of a higher quality, than the City could otherwise on its own.
- The City should consider whether the mental health mobile application presently available to the Police Department should be offered to other City employees as well.
- The Police Department should inform the Commission if 24-hour coverage for the co-responders would be beneficial.

PD Dupuis presented the Community and Economic Development budget.

There was no public comment regarding the Community and Economic Development budget. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The 2040 Plan is a hugely important document to the City. The Michigan Planning and Enabling Act requires that master plans be updated every five years. The City is two years into the adoption of the 2040 Plan and has not yet taken significant steps towards implementing it. The City cannot delay updating the Zoning Ordinance, which would be the first significant step towards implementing the 2040 Plan. The Planning Department deserves the Commission's support in this effort.
- The data provided about civic and built environment improvements in the Planning Department's section of the budget was helpful.
- A workshop on how the Commission might fund its wayfinding and branding goals would be appropriate.

For Recreation and Culture, DPSD Zielinski presented the Parks & Recreation, Ice Arena, and Community Activities budgets. MD Pielack presented the Birmingham Historical Museum budget.

There was no public comment regarding the Recreation and Culture budget. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- MD Pielack was commended again for her appointment to the Michigan Historical Commission.

FD Chavez presented the Transfers Out budget.

There was no public comment regarding the Transfers Out budget. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The City is planning an approximately 50% increase in total spending on road repairs and improvements for FY 2026. Each following fiscal year presently budgeted also plans for increased road repair and improvements.
- The budget seems to indicate that ending fund balances are decreasing every year. The Commission may need to discuss this topic.
- Page 37 offers a good indication of the total of all funds, less depreciation. After that page, it would be helpful to see the ending fund balances for each individual unit.

- It might be possible to reallocate funds to allow for further road repairs and improvements. The Commission could explore increasing the budget for the resurfacing program.
- The State designates 'major' streets. The Commission should evaluate how major streets are assessed within the City, and the City should also advocate for State support for repairs to major streets.
- The surfaces of Cole and Lincoln have caused much consternation among residents. They are streets with high volumes of traffic. It might be possible to resurface Cole when Eton is being done.
- The City should poll a statistically significant number of residents to determine City investment priorities. It would be important for City staff to have input on the poll. The poll should also be designed to account for the importance of some priorities that might not reach the level of public awareness, such as water and sewer infrastructure.

FD Chavez introduced the Special Revenue Funds budget. CE Coatta presented the Major and Local Streets budgets, DPSD Zielinski presented the Solid Waste Disposal budget, CM Ecker presented the Sustainability and Climate Action Fund and the Senior Services Fund budget, and FD Chavez presented the Michigan Indigent Defense Commission, the Law & Drug Enforcement Fund, the Opioid Settlement Fund, and the Community Development Block Grant budgets.

There was no public comment regarding the Special Revenue Funds budget. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The City has a millage for refuse collection.
- Fund budgets are categorized in a number of different ways within the budget.
- The senior services funds can be accrued until the appropriate use is available. It does not have to be spent immediately upon receipt.

For Enterprise Funds, PSM Ford presented the Automobile Parking System budget, CE Coatta and DPSD Zielinski presented the Water Supply System and the Sewage Disposal budgets, and DPSD Zielinski presented both of the Golf Course budgets.

There was no public comment regarding the Enterprise Funds budget. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The Parking Enterprise fund should be approached as a business. The Commission should provide the Parking Department with direction on what it would like to see within a five-year plan.
- The APC should study appropriate ways of increasing parking revenue. The parking system is heavily utilized by non-residents who use City services and infrastructure while within the City. The parking system should have better ways of recouping some of those costs from non-residents.
- A congestion tax is one option that could be explored. Detroit is considering an entertainment tax like Chicago has. If these taxes are levied, the APC and other City bodies should study how those taxes should then be allocated to different funds.
- The City also needs to balance its desire to generate more revenue from parking with its desire to continue attracting visitors to its downtown.
- It does make sense not to increase monthly permit parking costs for each garage until the repairs on that garage are complete.
- Complaints about parking in the City are likely more due to wayfinding and perception issues than

an actual lack of parking spaces. The City has almost 5,000 parking spaces. It is also normal within walkable cities that one may not be able to find parking directly in front of the business being visited.

- Sewer rates are based on which sewage district a property is in. Birmingham does not determine sewer rates for properties.
- It would be useful to understand why these rates are being increased.
- The rates tend to be higher than other states that do not have access to as much fresh water as Michigan does.
- The higher rates reflect the challenges of old infrastructure.
- Municipalities have representation in the rate setting process.
- Residents remain concerned about flooding backups into basements.
- Residents can install a backflow preventer in order to address the issue. The City should invest more into publicizing backflow preventers, advising how it is installed, and advising the approximate costs.
- It must also be noted that installing a backflow preventer could impact the likelihood of a neighbor's basement flooding.
- The City is working to separate storm and sewer with the aim of reducing backflow issues.
- Oakland County and Birmingham require large commercial projects to do onsite water detention.
- Oakland County Water Resources Commissioner Jim Nash offered to do a presentation for Birmingham on some of these topics. The City should pursue that opportunity.
- Mr. Nash will also be offering a presentation for elected officials on May 8, 2025, on these topics. Commissioner Emerine plans to be in attendance.
- Birmingham's water and sewer infrastructure flows into infrastructure located in neighboring municipalities. Since Birmingham cannot directly control that infrastructure, anything the City can do within its boundaries to decrease or slow flow into the water and sewer systems will be beneficial. As a result, options like rain gardens and retention ponds are important.
- Springdale Golf Course shows revenue under expenses and Lincoln Hills Golf Course shows revenue above expenses.
- The golf course enterprise fund is not losing money. The Lincoln Hills clubhouse expenditure is still being reimbursed to the City's General Fund. The golf courses pay for their portion of DPS services.
- The City manages any issues that arise with parties showing up late to their tee times.
- The golf courses are valuable. They are also expensive to maintain and serve a relatively small group, including a number of non-residents.
- When there is an emergency expense allocation, the City does not amend the budget book for that year.
- The City will be pursuing grant opportunities for streambank stabilization.

ITM Brunk presented the Information Technology budget.

There was no public comment regarding the Information Technology budget. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- Artificial intelligence should continue to be evaluated for uses within the City.

The Commission took a brief recess, and returned from recess.

For Component Units, BSDD Bassett presented the Principal Shopping District budget, LD Craft and CM Ecker presented the Baldwin Public Library budget, and FD Chavez presented the Brownfield Redevelopment Authority and the Triangle District Corridor Improvement Authority (TDCIA) budgets.

There was no public comment regarding the Component Units budget. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The Library budget does not reflect potential future funding reductions at the State level.
- Birmingham schools presently have generators. It might be more practical to use the schools as resiliency centers since they presently have generators than it would be to install a generator at the library.
- It might also be possible to increase the number of solar panels planned for the library, and to use solar battery backups instead of using a traditional generator in the event of a power outage.
- The library should solicit another quote for solar panels because economic conditions and prices are changing.

FD Chavez presented the Debt Service Fund and the Greenwood Cemetery Perpetual Care Fund budgets.

There was no public comment regarding the Debt Service Fund or the Greenwood Cemetery Perpetual Care Fund budgets. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The City is well below its allowed debt service limit.

At the request of the Mayor, CM Ecker and FD Chavez discussed the Capital Improvement Plan.

Commissioners raised the following points during discussion:

- The City should better narrativize its investments and increases in capital improvements for the public. It would be helpful if some specific projects and the investment of tax dollars was highlighted.
- Residents are also often confused about where the City's increased taxable value revenue is invested.
- The budget also indicates where increased revenue is invested throughout the City. It pays for capital improvements, new projects, capital equipment, repairs, vehicles, wages, and other necessary expenses.
- Increased taxable value revenue in part allows the City to weather potential adverse macroeconomic conditions.
- The City is lucky that its taxable value continues to increase so that it does not have to access its emergency fund balance.
- The dollar bill graphic of where the millages go could be improved with a bit more granularity and further publicized for residents.
- A stacked bar chart showing where money was invested in past fiscal years and where it will be invested in future fiscal years could be useful. The vertical axis should be dollars instead of a percentage in order to communicate more impactfully.
- Pages 317-321 were very helpful.
- In its efforts at fiscal responsibility, the City decided previously not to improve road surfaces without improvements to the underlying infrastructure. The Commission should evaluate whether there are conditions where the road surface might be so deteriorated that it would be appropriate to carry out road resurfacing without improving the underlying infrastructure.

- The Commission should also evaluate whether it would like to increase its wayfinding budget.
- Polling residents for their priorities could be discussed at a future meeting.
- Oak, west of Woodward, is a very difficult road surface to drive on.
- Ranking the streets based on overall repair needs is appropriate.
- Isolating the road surface criterion and using it to choose and conduct some extra road surface repairs per year could be beneficial.
- Residents remain concerned about the road surfaces and the driving experience. The City should allow for some flexibility of road repairs because some of the road surfaces are so deteriorated.
- Extra payments into the retiree healthcare fund could be reduced, and that reduction could be used for emergency road repairs.
- City expenditures overall should be evaluated based on discretionary and non-discretionary spending, and based on the best long-term use.
- The City could re-balance its spending on some aspects of discretionary projects in order to moderately increase its spending on non-discretionary ones.
- The City experienced a prior period of under-investment in infrastructure. This Commission has been diligent in increasing the amount of infrastructure investment.
- The City's road repair metric could include other criteria as well, including funding sources, flow of water and sewage, patterns of commercial, residential, and non-residential usage, and other aspects.
- It might be appropriate to explore the legality of funding road repairs for streets with increased non-residential usage differently from streets with primarily residential usage.
- Some of the discretionary mast arm replacements could be postponed, and those funds could be redirected to wayfinding.
- Staff should identify prior commission-directed expenditures that do not align with current priorities and propose reallocating those funds by June 2025.
- There is an opportunity to learn how to improve resident communication based on the recent experience with Wimbledon. For example, Abbey Street has planned repairs divided over a number of fiscal years. To improve resident understanding of this and similar multi-year road repair projects, proactively communicating project timelines and the rationale for phasing the work is crucial. The City can also use charrettes and community feedback meetings for communicating about these and similar projects.
- It might be appropriate to have a workshop on improving project-related communications.

The Mayor thanked all the staff involved in the budget process.

IV. ADJOURN

The Commission adjourned at 1:36 p.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

Birmingham City Commission Special Meeting Minutes - Workshop

May 5, 2025

Municipal Building, 151 Martin

6:30 p.m.

Vimeo Link: <https://vimeo.com/1081625048>

This will be considered a workshop session of the City Commission. No formal actions will be taken. The purpose of this workshop is to discuss the Aging in Place Citywide Action Plan.

I. Call to Order

Therese Longe, Mayor

II. Roll Call

Present: Mayor Longe
MPT Baller
Commissioner Emerine
Commissioner Haig
Commissioner Host
Commissioner Long
Commissioner Schafer

Absent: None

Staff: City Manager Ecker; City Clerk Bingham, Assistant City Manager Clemence, Assistant City Manager Fairbairn, City Attorney Kucharek

III. Presentation and Commission Discussion

A. Presentation from Assistant City Manager Mark Clemence

ACM Clemence presented the item. Staff answered informational questions from the Commission.

B. City Commission Discussion and Comment

Commissioners made the following comments during discussion:

- Providing people interested in volunteering with organized opportunities to work with seniors in the community would be beneficial.
- This survey yielded a higher response rate than other City surveys thus far, which indicates the quality of the data.
- The work done and information provided was great.
- Since Next is not a governmental organization, the distinctions and complements between Next's work for seniors and the City's work for seniors should be clarified.

- The City should hold a workshop to encourage interested seniors to apply for board positions relevant to their experience.
- A permanent board could meet at the schools to encourage students to participate and attend. It might also be worthwhile for some classes to participate in these meetings from an educational perspective.
- A priority ranking would be beneficial.
- This plan would advise and not direct the City in these efforts if adopted.
- There was Commission consensus supporting the creation of a permanent aging in place committee.
- There are certified aging in place builders in the community that might be willing to hold informational workshops on the construction process.

IV. Public Comment

Kristy Barrett commented that the City should actively invest in and support all members of vulnerable communities, including adults with various forms of disabilities.

V. Adjourn

The meeting was adjourned at 7:18 p.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

Birmingham City Commission Minutes
May 5, 2025
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/1081625048>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Therese Longe, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

Present: Mayor Longe
MPT Baller
Commissioner Emerine
Commissioner Haig
Commissioner Host
Commissioner Long
Commissioner Schafer

Absent: None

Staff: City Manager Ecker; City Clerk Bingham, City Planner Blizinski, Assistant City Manager Clemence, City Engineer Coatta, Planning Director Dupuis, Assistant City Manager Fairbairn, Police Chief Grewe, City Attorney Kucharek, Department of Public Services Director Zielinski

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

Announcements

Happy Birthday Commissioner Emerine

Happy Mothers' Day

Proclamation in recognition of National Historic Preservation Month 2025 and Wallace Frost

Proclamation in recognition of Amyotrophic Lateral Sclerosis (ALS) Awareness Month

Appointments

05-171-25 Ad Hoc Senior Rec Center

Analie Nguyen was interviewed for the appointment.

MOTION: Motion by Long:

To appoint Analie Nguyen to the Ad Hoc Senior/Recreation Center Committee to serve the remainder of a three-year term to expire March 4, 2027.

VOICE VOTE: Ayes, Commissioner Emerine
Commissioner Schafer
MPT Baller
Commissioner Host
Commissioner Haig
Mayor Longe
Commissioner Long

Nays, None

05-172-25 Board of Zoning Appeals

MOTION: Motion by Host:

To appoint Carl Kona as a regular member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire October 10, 2025.

VOICE VOTE: Ayes, Commissioner Emerine
Commissioner Schafer
MPT Baller
Commissioner Host
Commissioner Haig
Mayor Longe
Commissioner Long

Nays, None

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

Alison Gaudreau commented on behalf of Camille Jayne regarding the Community House.

Tim Hunt commented regarding the Community House.

Rodney Lockwood supported the establishment of a citizen tree preservation advisory committee within the City.

Joy Cantor and Patrice Lockwood supported an improved approach to tree maintenance and related communication in the City.

George Dilgard supported the establishment of a tree ordinance in the City.

V. CONSENT AGENDA

05-173-25 Consent Agenda

MOTION: Motion by Long, seconded by Haig:
To move the consent agenda with the exception of Item F.

ROLL CALL VOTE: Ayes, Commissioner Emerine
Commissioner Schafer
MPT Baller
Commissioner Host
Commissioner Haig
Mayor Longe
Commissioner Long

Nays, None

- A. Resolution to approve the City Commission regular meeting minutes of April 21, 2025.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 24, 2025 in the amount of \$526,743.84.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated May 1, 2025 in the amount of \$531,232.39.
- D. Resolution regarding delinquent special assessments and invoices to the tax roll:

WHEREAS, the City Treasurer, in accordance with the provisions in the City Code has reported certain special assessments and invoices, including interest and penalty, unpaid and delinquent on May 1, 2025, and

WHEREAS, the City Code provides that these delinquent special assessments and invoices shall be carried to the next annual City tax roll,

NOW THEREFORE BE IT RESOLVED, that the listing of unpaid and delinquent special assessments and invoices, including interest and penalty, be transferred and reassessed to the 2025 City tax roll with an additional 15% penalty, and that authorization is provided to remove from the list any bills paid after Commission approval.

AND

Resolution regarding delinquent water and sewer charges to the tax roll:

WHEREAS, The City Treasurer, in accordance with Chapter 114, Section 114-303, of the City Code has reported certain water/sewage accounts, including interest and penalty, unpaid and delinquent on May 1, 2025, and

WHEREAS, Chapter 114, Section 114-303, of the City Code provides that these payments shall be carried to the next annual City tax roll.

NOW, THEREFORE, BE IT RESOLVED, that the properties with unpaid and delinquent water/sewage accounts, listed in the Delinquent Water/Sewer Tax Roll, dated April 24, 2025, including interest and penalty, be transferred and reassessed to the 2025 City tax roll and authorization be given to remove from the list any bills paid or a payment plan agreement signed after Commission approval.

- E. Resolution to set a public hearing date of June 9, 2025 to consider the Special Land Use Permit Amendment, Final Site Plan & Design Review application for 280 E. Maple, to permit the renovation of an existing religious institution and associated parking lot.

05-174-25 License and Donation Agreement with The Patricia A. Andrews Reading Library Foundation – April 7, 2025 (Item F)

Commissioner Host disclosed a personal relationship with one of the officers of this project. No conflict of interest was noted.

MPT Baller pulled Item F to highlight the item for the public. Commissioner Host spoke about Patricia A. Andrews.

MOTION: Motion by Host, seconded by Baller:
To see 'F' as in 'Frank' passed.

ROLL CALL VOTE: Ayes, Commissioner Emerine
Commissioner Schafer
MPT Baller
Commissioner Host
Commissioner Haig
Mayor Longe
Commissioner Long

Nays, None

VI. CITY MANAGER'S REPORT

VII. UNFINISHED BUSINESS

05-175-25 Finalized Schematic Design Option 1D.1 for 400 E. Lincoln

Mayor Longe described the initiation of the project through the present conditions. She asked the Commission to reconsider the Birmingham Community Senior Center project at a future meeting due to present conditions, and to table the two items under unfinished business until that discussion has occurred.

MOTION: Motion by Longe, seconded by Host:

To have a conversation about this project at a future Commission meeting, and to table the approval of the final design and the discussion about any proposed bond until we have had that discussion.

Commissioners raised the following points during discussion of the motion:

- At the outset of this project, a Federal grant would have funded about a third of the anticipated construction costs.
- Due to actions taken at the Federal level, those funds are no longer available to the City.
- Tariffs imposed at the Federal level have also increased construction costs.
- The anticipated uses have also changed from the original plans.
- The original anticipated costs, prior to the tariffs and loss of the grant, were estimated to be near or below \$32 million for the project.
- The new cost estimates have increased by approximately \$5 million from the original estimate. As a result, it is appropriate to pause and reflect on this project. Since the proposed square footage has also decreased, this represents an approximately 22% cost increase.
- Birmingham offers significant support to its seniors. Commissioners have also expressed a desire to further increase support for the community's seniors.
- A number of Commissioners have vociferously supported this project.
- Needing to pause and further evaluate this project at this inflection point is disappointing but fiscally responsible. This project must be discussed within the context of all other City obligations and within the context of prevailing economic headwinds.
- Neumann Smith has done exceptional work on the project so far.
- Providing increased services to seniors is not necessarily contingent on building this particular facility. The Commission will continue to do everything in its power to support residents in having their social and emotional needs met.
- The City has put forth significant efforts to retain access to low cost recreational services and to a community pool.
- The Mayor's leadership and courage in raising the possibility of a pause was commendable.
- The SCC, staff, Next, and the YMCA have put a lot of work into this project.
- Taking a pause at this point demonstrates the Commission's commitment to making both well-informed and independent evaluations.

Public Comment

George Dilgard commented regarding the need for this facility, the benefits the facility would bring to the community, the benefits of an educational campaign on the project, the less than \$200 per year the project would cost each household, and his support for option two.

Danny Hill supported a re-evaluation of this project and a re-evaluation of the Wimbledon special assessment district.

Tim Bradley supported a re-evaluation of the project and supported focusing on infrastructure and roads instead of on optional project due to uncertain economic conditions.

Rick Brodsky concurred with Messrs. Hill and Bradley, and supported the City in pursuing a bond to fund the remainder of the City's road improvement work.

Parrish Underwood, President and CEO of the YMCA of Metropolitan Detroit, commented that the YMCA would continue to participate in these conversations with the hopes of remaining within the community.

Kristy Barrett commented her thanks.

ROLL CALL VOTE: Ayes, Commissioner Emerine
 Commissioner Schafer
 MPT Baller
 Commissioner Host
 Commissioner Haig
 Mayor Longe
 Commissioner Long

Nays, None

VIII. NEW BUSINESS

05-176-25 Confirmation of SAD Roll 915 Wembleton Phase 1 Project – Paving

CM Ecker provided information regarding the item and answered informational questions.

Mayor Longe opened the public hearing at 8:29 p.m.

DT Katz presented the item. Staff answered informational questions from the public.

Chris Bidlake, 139 Wembleton, asked informational questions of staff and protested the inclusion of his home within the special assessment district.

Mr. Hill, 282 Wembleton, reserved his right to protest and commented regarding the financial impact of the proposed special assessment district, the rate of assessment for major streets, and the desire for changes to the special assessment district proposal for Wembleton.

Mr. Bradley, 519 Wembleton, reserved his right to protest, commented regarding funds for major road improvements from the State, and commented regarding the need for creative solutions regarding special assessment districts.

Mr. Brodsky reserved his right to protest, concurred with Messrs. Hill and Bradley, commented regarding House Bill 4230 of 2025, and supported re-evaluation of the City's road improvement and special assessment process, especially as regards major roads.

Patrick White, 886 Wembleton, reserved his right to protest, commented about future road safety on Wembleton and commented about the appropriate dynamic between elected governance, projects for a given street, and residents of said street.

Cliff Rager, 541 Wembleton, reserved his right to protest and commented on the need for further information regarding the implications of Wembleton being a major street.

Catherine Dobrowitsky, 826 Shephardbush, supported the comments made by Wimbledon residents, supported re-evaluation of the City's road improvement and special assessment process, and reserved her right to protest.

Mel Smart, 928 Poppleton, reserved her right to protest and commented regarding how the combined impact of reduced tourism and a special assessment would affect her household's ability to remain in Birmingham.

Travis Bouchard, 715 Wimbledon, commented regarding the impact of the special assessment on the neighborhood and on potential future damage to the re-done roads.

Kevin Cleary, 460 Wimbledon, reserved his right to protest and supported re-evaluation of the City's road improvement and special assessment process, especially as regards major roads.

Ming Su, 733 Wimbledon, reserved his right to protest and supported re-evaluation of the City's road improvement and special assessment process.

A resident of 980 Wimbledon supported re-evaluation of the City's road improvement and special assessment process.

Sally Swift, 541 Wimbledon, reserved her right to protest and commented regarding the financial impact of the proposed special assessment district.

Jack McInerney, 129 Abbey, reserved his right to protest and commented that the impact of the assessment was unfair given the levels of through traffic on the road.

Brian Duffy, 700 Wimbledon, reserved his right to protest and supported re-evaluation of the City's road improvement and special assessment process, especially as regards major roads.

Sue Hornung, 144 Wimbledon, supported re-evaluation of the City's road improvement and special assessment process.

Ben Frank, 592 Madison, commented support for his neighbors and reserved his right to protest.

Grace Jividen, 175 Wimbledon, reserved her right to protest and supported re-evaluation of the City's road improvement and special assessment process.

Sue Hornung, 144 Wimbledon, Dan Kowal, 266 Wimbledon, Danny Seidman, 652 Wimbledon, and Margaret Desmond, 380 Wimbledon, concurred with their neighbors and reserved their right to protest.

Sean Vaughan, 421 Wimbledon, Kent Fairless, 323 Wimbledon, the Millers, 147 Abbey, Erin Phillips, 111 Abbey, Dan Rivers, 205 Wimbledon, and the Aroras, 701 Wimbledon, reserved their rights to protest.

Erin McGuire, 187 Wimbledon, thanked her neighbors and reserved her right to protest.

Kim Kezlarian, 554 Wimbleton, reserved his right to protest and requested more enforcement on Wimbleton if the project were to increase traffic.

Erica Hill, 282 Wimbleton, commented regarding the financial impact of the proposed special assessment district.

Seeing no further public comment, the Mayor closed the public hearing at 9:33 p.m.

Commissioners raised the following points during discussion:

- Wimbleton has been designated a major street for more than 50 years.
- The City does not intend to designate Wimbleton for other pass through use. The concern regarding larger vehicles, such as snowplows or emergency vehicles, was regarding their ability to service Wimbleton.
- The Commission has negotiated with residents on road improvements regularly, even when it goes against best practices for street design.
- The Ad Hoc Unimproved Streets Study Committee (AHUSSC) worked on the matter of unimproved streets in Birmingham for a little more than three years before the AHUSSC report was accepted.
- The AHUSSC report recommended the 85-15% split be maintained.
- The cost split in the Major Street Fund referenced in the AHUSSC report was of a snapshot in time. Property taxes have continued to rise while Act 51 funds have remained approximately level.
- The AHUSSC report studied all of the different possible funding mechanisms, recommended the present cost split continue, and explained its reasoning.
- A general obligation bond issue requires a majority vote. There is a concern that residents who have already paid for their own roads to be improved might not vote in favor of a bond to pay for other road improvements.
- There is also a concern that people who have paid to improve their roads might litigate if a bond for general road improvements were approved.
- Other bonds, with higher interest rates, could be available.
- It may be appropriate to re-evaluate the City's road improvement funding processes given the amount of resident dissatisfaction and the challenges encountered so far in implementing its adopted road standards.
- If the City chooses to proceed with bonds, it would be important for the residents advocating for bonds at this time to canvass in favor for it at the time of the vote as well.
- General obligation bond projects also have to be completed within three years, so bonds could not be issued for all unimproved roads at once. It would have to be a sequence of bond votes over time.
- The bonding process could also take a few years to work out, resulting in a longer delay.
- The City could also consider raising its millage, which would require a Headlee override.
- Special assessments are particularly challenging for younger families and senior citizens, both groups Birmingham is trying to retain.
- Using a temporary gravel surface on the road has drawbacks that may be prohibitive.
- Temporary gravel as an option could be evaluated a bit further.
- It would be possible to prohibit traffic during the phase two of Wimbleton to not travel on the phase one portion of Wimbleton.
- This project should be done with curbs in order to allow the road surface to last longer.

- Residents of Abbey and Wimbledon had to reserve their rights to protest twice before, and residents had access to that information in advance. Residents were accommodated in terms of the methods via which they were permitted to reserve their right to protest during this meeting.
- If the City Attorney had provided residents with legal advice during this meeting, it would have been inappropriate. Residents should not have criticized her for representing the interests of the City.
- Doing all of Wimbledon at once to capitalize upon economies of scale could be efficient. It could also lead to increased costs next year – it is not possible to predict how costs would change in that time. If residents want the Commission to postpone the project in order to benefit from economies of scale, they must understand that there is a risk of higher costs.
- The Multi-Modal Transportation Board puts a lot of time into these reviews and its recommendations.
- The water and sewer under Wimbledon still need to be redone for reasons of safety, and postponing that has its own ramifications.
- The City already uses tax dollars for road maintenance.
- The issue of deferred water and sewer maintenance was an issue inherited by this Commission because residents did not want to pay and did not want their roads disrupted. This is an issue this Commission is endeavoring to resolve in a logical fashion.
- The City receives 34% of the taxes collected. More than half of that is already allocated to public safety and services. Since there is a limited amount of money available to the City, it would be appropriate to poll residents to determine their top five to ten priorities for spending.
- The Commission seeks to be responsive to residents.
- Residents could submit their top priorities via email to the Commission.
- Since this is a major road, it should be paved with curbs and gutters.
- The City needs an infrastructure master plan covering every type of road, and needs to receive buy-in from the community on the plan. It needs to have an updated road prioritization algorithm. Major streets should be calculated differently from local streets. It may also be appropriate to consider caps on amounts residents would be required to pay.
- The Multi-Modal Transportation Board could be tasked with studying this item and making recommendations.
- Other options to proceed could be:
 - Conduct the water and sewer repairs for phase one of Wimbledon, have the City pay for cape seal for this project only, study funding mechanisms, and insist that the road be fully improved subsequent to the end of that study.
 - Proceed with the project as presently proposed for phase one, just changing the cost split to 50-50%. Some residents did cite other communities' cost split of 50-50% as feeling more fair.
- There were concerns about setting precedent.
- The Commission found necessity for the water and sewer repairs, and that necessity remains.
- The Commission asked the City Attorney to author a revised motion with which to proceed.

The Commission entered a brief recess, and returned from recess.

MOTION: Motion by Schafer, seconded by Long:
WHEREAS, the City Commission, hearing all objections, to the assessment roll; and

WHEREAS, the City Commission does not find that the assessments are in proportion to the benefits received to the parcels in phase one of Wimbledon paving special assessment district as the City Commission has confirmed that Wimbledon is a major road in a residential area that is unimproved; and

WHEREAS, the City Commission has determined that the 85-15% split is not proportional in this particular circumstance;

BE IT FURTHER RESOLVED, that special assessment roll number 915 be annulled, and direct that a new roll be prepared following the same procedures applicable to the making of the original roll and directing a 50-50% split.

Commissioner comment on the motion was as follows:

- The options were to proceed with this motion, or to delay the entire project for one year.
- It would not be appropriate to vote in favor of this motion because this portion of Wimbledon should be fully improved.
- Sometimes the best result is one in which no one is fully satisfied.
- The water and sewer needs to be repaired immediately.
- This portion of Wimbledon should have curbs.
- The City is not contemplating repairing the cape seal if damage occurs after phase one. The City would direct phase two contractors not to drive on the completed phase one cape seal.
- It would be appropriate to consider the situation of lots that receive larger assessments because of their greater frontage.
- While it may be appropriate to consider how to treat lots with greater frontage, that consideration is not part of this motion.
- It is not appropriate to say that the residents would not be receiving proportional benefit for the paving.
- The Commission should not be considering cost split changes at this late hour without further study.
- This could set a precedent that could be detrimental to the City.
- Alternatively, this motion only applies to a major, unimproved road in a residential area, which effectively limits the possible precedent.
- This represents an improvement over the previous options. There is unanimity about the need for water and sewer repairs.
- The intent of the motion is to move this project forward.
- Upon consultation with the City Attorney, this cost split would apply to all listed homes in this roll, not just homes on Wimbledon.
- It is not likely appropriate at this time to attempt to add curbs to this motion.
- It may be appropriate to delay the project for a year in order to consider curbs and to educate residents more fully on the likely changes to the streetscape.

- This motion may remain the most appropriate because it is the most aligned with the Commission's previous motions.

Public Comment

Mr. Bradley supported either delaying this portion of the project to be completed with Wimbledon phase two, or a curb and cape seal option with a 50-50% split.

Mr. Bidlake supported there being clearer information for residents regarding the special assessment process and their options, there being longer-term plans for addressing high-priority infrastructure conditions in order to reduce costs, there being more collaboration with developers on road repairs, and the City assuming a greater proportion of the costs to improve a major road.

Mr. McInerney questioned whether a 50-50% split would apply to Abbey as well as Wimbledon.

Mr. Brodsky supported the Commission factoring House Bill 4230 of 2025 into its thinking about how to fund this project and supported the City using its resources to advocate for House Bill 4230 of 2025.

Mr. Hill supported the Commission's willingness to consider alternatives, and commented regarding his previous comments, residents' lack of information regarding potential future costs, and previous project scope and expectations versus the present ones.

Mr. White opposed fully improving the east side of Wimbledon if it is against the majority of residents' wishes.

A resident of 980 Wimbledon thanked the Commission for its effort and revisions to the project proposal.

Mr. Rager thanked the Commission, and noted that part of Wimbledon phase one would also apply to roads that are not major, residential streets.

Ms. McGuire supported the addition of curbs.

ROLL CALL VOTE: Ayes, Commissioner Schafer
 Commissioner Host
 Mayor Longe
 Commissioner Long

 Nays, MPT Baller
 Commissioner Haig
 Commissioner Emerine

**05-177-25 Public Hearing - Confirmation of SAD Roll 916 Bird Phase 1A Project –
 Sewer and Water Laterals**

Mayor Longe opened the public hearing at 11:36 p.m.

DT Katz presented the item.

Seeing no public comment, the Mayor closed the public hearing at 11:37 p.m.

MOTION: Motion by Schafer, seconded by Haig:
WHEREAS, Special Assessment Roll, designated Roll No. 916, has been heretofore prepared for Collection; and

WHEREAS, notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property to be assessed; and

WHEREAS, the Commission has deemed it practicable to cause payment of the cost thereof to be made after the time of construction; and

WHEREAS, the Commission Resolution 04-167-25 provided it would meet this 5th day of May, 2025 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this May 5, 2025, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 916 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in five (5) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of eight and one half percent (8.50%) on all unpaid installments.

ROLL CALL VOTE: Ayes, MPT Baller
Commissioner Haig
Commissioner Emerine
Commissioner Schafer
Commissioner Host
Mayor Longe
Commissioner Long

Nays, None

05-178-25 Award of Bird Phase 1A Project #7-25 (W)

CE Coatta presented the item.

MOTION: Motion by Long, seconded by Haig:
To award the Bird Phase 1A Project #7-25 (W) to F.D.M. Contracting, Inc. in the amount of \$1,675,691.00 plus a 10% construction contingency for a total of \$1,843,260.10. In addition, to authorize the Mayor and Clerk to sign the agreement on behalf of the City, contingent upon execution of the agreement and meeting all the insurance and bond requirements by F.D.M. Contracting, Inc.

ROLL CALL VOTE: Ayes, MPT Baller
Commissioner Haig
Commissioner Emerine
Commissioner Schafer
Commissioner Host
Mayor Longe
Commissioner Long

Nays, None

Commission Items for Future Discussion

05-179-25 Resident Survey

MOTION: Motion by Haig, seconded by Host:
Survey idea would require Commission direction and discussion before anything is mailed out.

VOICE VOTE: Ayes, MPT Baller
Commissioner Haig
Commissioner Emerine
Commissioner Schafer
Commissioner Host
Mayor Longe
Commissioner Long

Nays, None

05-180-25 Tree-Related Resident Communication

MOTION: Motion by Schafer, seconded by Host:
To consider how we communicate with the residents and to understand the communication.

VOICE VOTE: Ayes, MPT Baller
Commissioner Haig
Commissioner Emerine
Commissioner Schafer
Commissioner Host
Mayor Longe
Commissioner Long

Nays, None

05-181-25 Service Standards

MOTION: Motion by Baller, seconded by Host:
To talk about establishing standards of service.

VOICE VOTE: Ayes, MPT Baller
Commissioner Haig
Commissioner Emerine
Commissioner Schafer
Commissioner Host
Mayor Longe
Commissioner Long

Nays, None

Commission Discussion On Items From A Prior Meeting

05-182-25 Infrastructure

MOTION: Motion by Host, seconded by Long:
To take the unimproved roads discussion and turn it into an infrastructure discussion.

VOICE VOTE: Ayes, MPT Baller
Commissioner Haig
Commissioner Emerine
Commissioner Schafer
Commissioner Host
Mayor Longe
Commissioner Long

Nays, None

IV. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

- A. Communications regarding the Birmingham Community and Senior Center
- B. Communications regarding Wimbledon
- C. Communications regarding Bird

XI. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Board of Ethics

2. Notice of intention to appoint to the Greenwood Cemetery Advisory Board
 3. Notice of intention to appoint to the Hearing Officer
 4. Notice of intention to appoint to the Museum Board
- B. Commissioner Comments

Commissioner Long asked about whether an SCC would be held on May 7, 2025.

Commissioner Schafer noted that when the City says it communicates with residents, and the residents do not feel communicated with, that indicates a disjuncture that must be repaired.

Commissioner Haig concurred with Commissioner Schafer.

The Mayor noted the City has made significant progress in the realm of communication, and noted that further improvements were also possible.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 1. Memo from City Attorney Kucharek regarding the NEXT Interlocal Agreement

INFORMATION ONLY

XII. ADJOURN

The Commission motioned to adjourn at 11:53 p.m.

Alexandria Bingham, City Clerk


Laura Eichenhorn, City Transcriptionist

City of Birmingham

Warrant List Dated 05/08/2025

Meeting of 05/19/2025

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
303397	*	000855	48TH DISTRICT COURT	606.00
303398	*	009346	ACCUFORM PRINTING & GRAPHICS, INC	239.00
303399		BDREFUND	ADVANCED HOME SOLUTIONS	700.00
303400		BDREFUND	ADVOCATE CONSTRUCTION	100.00
303401	*	009986	ALBAUGH MASONARY STONE AND TILE INC	231,212.75
303402		BDREFUND	AMERICAN STANDARD ROOFING	100.00
303403	*	MISC	ANDY AUBREY	200.00
303404	*	006759	AT&T	255.20
303405	*	006759	AT&T	210.72
303406	*	006759	AT&T	89.09
303407	*	006759	AT&T	576.26
303408	*	MISC	ATARA ABRAMSKY	165.00
303409	*	010030	AUSTIN GREEN	51.04
303410		000843	BAKER & TAYLOR BOOKS	210.17
303411	*	010026	BCT DESIGN GROUP	6,770.00
303412		002231	BILLINGS LAWN EQUIPMENT INC.	560.26
303413		003526	BOUND TREE MEDICAL, LLC	215.16
303414	*	MISC	BRAD FEDDERS	200.00
303415		003907	CADILLAC ASPHALT, LLC	823.99
303416		BDREFUND	CAMERON INVESTMENT PROPERTY LLC	1,000.00
303417	*	008082	CAMFIL USA INC	2,822.72
303418	*	000444	CDW GOVERNMENT INC	185.52
303419		BDREFUND	CEDAR PRESERVATION SYSTEMS LLC	100.00
303420		000902	CENGAGE LEARNING INC	174.93
303421		BDREFUND	CONSTANTINE CONSTRUCTION INC	100.00
303422	*	000627	CONSUMERS ENERGY	1,038.00
303423	*	009145	CREATIVE COLLABORATIONS	3,800.00
303424	*	009815	CULLIGAN OF ANN ARBOR/DETROIT	53.59
303425		BDREFUND	CYDERMAN & ASSOCIATES	100.00
303426		BDREFUND	D.W. WILLIAMS	100.00
303427		BDREFUND	DALE JAMES WEGRZYN	400.00
303428		BDREFUND	DENALI OUTDOOR SERVICES LLC	100.00
303429		BDREFUND	DOYLE W MOSHER	200.00
303430	*	006688	DRUM DANCER RECORDS INC	200.00
303431	*	000179	DTE ENERGY	208.71
303432	*	000179	DTE ENERGY	94.19
303433	*	000179	DTE ENERGY	22.47
303434	*	000179	DTE ENERGY	20.19
303435	*	000179	DTE ENERGY	21.64
303436	*	000179	DTE ENERGY	403.19
303437		007505	EAGLE LANDSCAPING & SUPPLY	1,486.00
303438		001495	ETNA SUPPLY	4,175.00

City of Birmingham
Warrant List Dated 05/08/2025

Meeting of 05/19/2025

Check Number	Early Release	Vendor #	Vendor	Amount
303439	*	009690	FAIRYTALE ENTERAINMENT PARTYS INC	1,474.00
303440	*	008574	DENNIS FARAC	200.00
303441		BDREFUND	FAST SIGNS OF BIRMINGHAM	300.00
303442		BDREFUND	FOUNDATION SYSTEMS OF MICHIGAN INC.	100.00
303443		BDREFUND	FOUR SEASONS GARDEN CENTER	100.00
303444		BDREFUND	GILBERT CUSTOM HOMES INC	500.00
303445		BDREFUND	GINSTE, WAYNE P	5,000.00
303446	*	004604	GORDON FOOD	2,013.18
303447		001822	GRISSIM METZ ANDRIESE ASSOCIATES	34,425.00
303448		001531	GUNNERS METER & PARTS INC	503.00
303449		BDREFUND	HANSONS GROUP LLC	500.00
303450		001836	HISTORICAL SOCIETY OF MICHIGAN	100.00
303451	*	001956	HOME DEPOT CREDIT SERVICES	1,172.08
303452		BDREFUND	HOME INSPECTION PLUS INC	100.00
303453		BDREFUND	HOMESTEAD CONSTRUCTION CO	1,000.00
303454		BDREFUND	HOPE BROTHERS CUSTOM BUILDING	200.00
303455	*	009563	HOWIES HOCKEY INC	74.80
303456		BDREFUND	IMAGE 360 BRIGHTON	300.00
303457		BDREFUND	JDS CUSTOM REMODELING & BUILDING	300.00
303458		BDREFUND	K.D. CEMENT LLC	100.00
303459		BDREFUND	KASTLER CONSTRUCTION INC	500.00
303460		BDREFUND	KETTY, JOHNNY	2,000.00
303461		BDREFUND	KITCHEN & BATH BY RITE-WAY INC	200.00
303462	*	006738	KRIEGER KLATT ARCHITECTS, INC.	5,516.25
303463		BDREFUND	LEADHEAD CONSTRUCTION	2,500.00
303464		BDREFUND	LUCA EXTERIORS	200.00
303465		BDREFUND	LUDWIG MD, MSG CRAIG	100.00
303466		007910	MACALLISTER RENTALS	1,207.30
303467		BDREFUND	MAINSTREET DESIGN & BUILD	25.00
303468	*	009645	MARIA FOURNIER	200.00
303469	*	009200	MICHAEL MORRISON	4,200.00
303470		BDREFUND	MICHAEL W MORSS ROOFING CO	200.00
303471	*	007479	MICHIGAN BREAD BAKERY	45.50
303472		009630	MIDWAY CLEANING CO, LLC	800.00
303473		BDREFUND	MOCERI RESIDENTIAL SERVICES LLC	100.00
303474	*	009047	ROBERT MONTELEONE	200.00
303475	*	001452	MONTGOMERY & SONS INC	450.00
303476		BDREFUND	MOORE, KEVIN A	100.00
303477	*	004827	NICK'S MAINTENANCE SERVICE	21,400.00
303478		BDREFUND	NOSAN VENTURES LLC	2,000.00
303479	*	BDREFUND	OAK ELECTRIC SERVICES INC	200.00
303480		009915	OAKLAND COMMUNITY HEALTH NETWORK	9,348.78
303481	*	004370	OCCUPATIONAL HEALTH CENTERS	132.00

City of Birmingham
Warrant List Dated 05/08/2025

Meeting of 05/19/2025

Check Number	Early Release	Vendor #	Vendor	Amount
303482	*	009478	ODP BUSINESS SOLUTIONS, LLC	438.98
303483		BDREFUND	OHANA FAMILY CONSTRUCTION LLC	200.00
303484	*	009827	PARKER TECHNOLOGY, LLC	2,851.46
303485	*	009856	PENS.COM	1,009.95
303486		BDREFUND	PHILLIPS SIGN & LIGHTING INC	300.00
303487		BDREFUND	PHILLIPS, FREDERICK J	200.00
303488	*	001883	PIONEER DOOR COMPANY INC	185.00
303489	*	009367	PRECISION PLUMBING	1,499.00
303490		009614	PROGRESSIVE PLUMBING SUPPLY CO	21.48
303491		007252	RAY WIEGAND'S NURSERY INC.	2,904.00
303492		BDREFUND	ROLLINS, KYLE	100.00
303493		BDREFUND	ROY RICHARD ROCKENSUESS	100.00
303494		000218	ROYAL OAK P.D.Q. LLC	151.95
303495		BDREFUND	ROYAL ROOFING CO.INC.	100.00
303496	*	002806	SAM'S CLUB/SYNCHRONY BANK	1,344.55
303497	*	006590	SECURE DOOR, LLC	347.72
303498	*	009009	SIGNATURE CLEANING LLC	8,148.99
303499		BDREFUND	SINGER BUILDING COMPANY	50.00
303500	*	008073	SITEONE LANDSCAPE SUPPLY, INC	632.56
303501		004544	STRYKER SALES CORPORATION	274.84
303502		009867	SUBURBAN LANDSCAPING MANAGEMENT INC	90.00
303503		BDREFUND	SUPERB CUSTOM REMODELING LLC	200.00
303504	*	007781	SWANK MOTION PICTURES, INC	735.00
303505	*	010038	SYNATEK,LP	3,881.43
303506		008697	T-MOBILE USA, INC	330.00
303507		000286	TARGET SPECIALTY PRODUCTS	750.00
303508	*	009658	STEVE TAYLOR MUSIC	200.00
303509		BDREFUND	THE BIG PAW LLC	300.00
303510		BDREFUND	THOMAS SEBOLD & ASSOCIATES, IN	500.00
303511		BDREFUND	TOWER CONSTRUCTION LLC	1,000.00
303512		BDREFUND	TRENTO CONSTRUCTION CO	100.00
303513		BDREFUND	TRESNAK CONSTRUCTION INC	100.00
303514	*	007226	VALLEY CITY LINEN, INC	61.12
303515	*	000158	VERIZON WIRELESS	1,028.41
303516	*	000158	VERIZON WIRELESS	618.59
303517	*	000158	VERIZON WIRELESS	103.84
303518	*	000158	VERIZON WIRELESS	76.02
303519		BDREFUND	WALLSIDE INC	1,500.00
303520		BDREFUND	WALLSIDE WINDOWS	500.00
303521		BDREFUND	WEATHERGARD WINDOWS CO INC	1,000.00
303522	*	010046	WINK TALENT, LLC	1,098.00
303523	*	007620	WJE-WISS, JANNEY, ELSTNER ASSOC.INC	46,500.00
303524		004512	WOLVERINE POWER SYSTEMS	1,427.14

City of Birmingham

Warrant List Dated 05/08/2025

Meeting of 05/19/2025

Check Number	Early Release	Vendor #	Vendor	Amount
303525	*	007683	ZORO'S CHRISTMAS LIGHTS	2,175.00
SUBTOTAL PAPER CHECK				\$445,312.71
<u>ACH TRANSACTION</u>				
13184	*	000282	APOLLO FIRE APPARATUS SALES AND SER	1,125.95
13185	*	001357	ART/DESIGN GROUP LTD	1,071.00
13186	*	000517	BEIER HOWLETT P.C.	264.00
13187	*	007345	BEVERLY HILLS ACE	99.91
13188		009183	BOB ADAMS TOWING	448.05
13189	*	008983	BRENNA SANDLES	990.00
13190		008545	JAIMI BROOK	24.89
13191		000605	CINTAS CORPORATION	259.45
13192	*	000605	CINTAS CORPORATION	196.60
13193	*	008044	CLUB PROPHET	869.00
13194		002668	CONTRACTORS CLOTHING CO	900.78
13195	*	009557	ZECO, LLC	550.00
13196	*	006077	DI PONIO CONTRACTING INC	179,840.75
13197	*	000565	DORNBOS SIGN & SAFETY INC	97.78
13198	*	006528	DOWNTOWN PUBLICATIONS INC	420.00
13199	*	001077	DUNCAN PARKING TECH INC	6,202.35
13200		003801	JANA ECKER	517.00
13201	*	000995	EQUATURE	7,886.83
13202	*	009250	ERIKA BASSETT	156.59
13203		009916	FASTFIELD, INC.	83.95
13204	*	000213	FIRE DEFENSE EQUIP CO INC	1,334.00
13205		001230	FIRE SYSTEMS OF MICHIGAN LLC	222.25
13206	*	009387	FRAIBERG & PERNIE PLLC	5,213.54
13207	*	009833	GEN OIL COMPANY	1,265.83
13208	*	000243	GRAINGER	151.28
13209		000948	HYDROCORP	1,429.00
13210	*	008851	INSIGHT INVESTMENT	7,910.33
13211		000261	J.H. HART URBAN FORESTRY	80,472.79
13211	*	000261	J.H. HART URBAN FORESTRY	1,971.60
13212	*	009482	JAMIL KIM	1,480.00
13213		009249	JCC CREATIVE LLC	350.00
13213	*	009249	JCC CREATIVE LLC	500.00
13214	*	009559	JENETTE MAITZ	1,947.50
13215	*	003458	JOE'S AUTO PARTS, INC.	140.59
13216	*	004085	KONE INC	1,287.04
13217	*	009900	KRAMER MANAGEMENT GROUP, INC.	19,000.00
13218	*	005876	KROPF MECHANICAL SERVICE COMPANY	341.86
13219	*	005550	LEE & ASSOCIATES CO., INC.	2,621.58
13220		009663	MACQUEEN EQUIPMENT, LLC	199.49
13221	*	009888	MEGAN B...	536.50

City of Birmingham
Warrant List Dated 05/08/2025

Meeting of 05/19/2025

Check Number	Early Release	Vendor #	Vendor	Amount
13222		007146	MIDSTATES RECREATION	16,158.80
13223		002013	MIDWEST TAPE	784.06
13224	*	009242	MILES PARTNERSHIP LLLP	1,505.00
13225	*	009331	MY CONCIERGE MICHIGAN, LLC	484.00
13226		001194	NELSON BROTHERS SEWER	618.00
13226	*	001194	NELSON BROTHERS SEWER	280.00
13227		007755	NETWORK SERVICES COMPANY	31.26
13227	*	007755	NETWORK SERVICES COMPANY	1,367.04
13228	*	010015	NEUMANN/SMITH ARCHITECTURE	50,701.00
13229	*	007856	NEXT	371.27
13230	*	002767	OSCAR W. LARSON CO.	312.50
13231	*	006853	PAUL C SCOTT PLUMBING INC	841.00
13232	*	001753	PEPSI COLA	429.72
13233	*	000478	ROAD COMM FOR OAKLAND CO	1,588.04
13234	*	003785	SIGNS-N-DESIGNS INC	275.00
13235		000254	SOCRRA	88,506.00
13236	*	002037	TOTAL ARMORED CAR SERVICE, INC.	303.97
13237	*	000969	VIGILANTE SECURITY INC	231.37
13238	*	007278	WHITLOCK BUSINESS SYSTEMS, INC.	1,651.10
13239	*	005360	WORRY FREE INC	7,755.00
SUBTOTAL ACH TRANSACTION				\$504,574.19
GRAND TOTAL				\$949,886.90

All bills, invoices and other evidences of claim have been audited and approved for payment.



Mary Chavez
Finance Director/ Treasurer

*-Indicates checks released in advance and prior to commission approval in order to avoid penalty or to meet contractual agreement/obligation.

City of Birmingham

Warrant List Dated 05/15/2025

Meeting of 05/19/2025

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
303526		005430	21ST CENTURY MEDIA- MICHIGAN	353.50
303526	*	005430	21ST CENTURY MEDIA- MICHIGAN	767.50
303527		009699	ADVANCED VETERINARY MEDICAL CENTER	1,072.50
303528	*	007266	AETNA BEHAVIORAL HEALTH LLC	579.09
303529		006092	ALLIANCE OF ROUGE COMMUNITIES	4,465.00
303530		010041	ALPHA AUTOMATION, INC.	4,748.00
303531		009872	AMERICAN MULCH PRODUCERS	2,040.00
303532		000167	ANDERSON ECKSTEIN WESTRICK INC	828.80
303533		009202	AQUARIUM DESIGN INC	270.00
303534		009688	ARTPACK SERVICES, INC	3,484.97
303535	*	006759	AT&T	61.66
303536	*	006759	AT&T	52.13
303537	*	BDREFUND	AXIOM CONSTRUCTION	100.00
303538		000843	BAKER & TAYLOR BOOKS	179.70
303538	*	000843	BAKER & TAYLOR BOOKS	78.89
303539		009609	BALIAN LEGAL, PLC	3,050.00
303540		001122	BOB BARKER CO INC	504.99
303541		003692	BEST TECHNOLOGY SYS INC	1,650.00
303542		007540	BIO SYSTEMS, INC.	1,245.00
303543		005003	BIRMINGHAM BLOOMFIELD COMMUNITY	2,441.30
303544	*	009554	JOSHUA BOUCHARD	106.14
303545		003526	BOUND TREE MEDICAL, LLC	7.92
303546		007365	BSN SPORTS LLC	1,200.00
303547		003907	CADILLAC ASPHALT, LLC	1,449.97
303548	*	008082	CAMFIL USA INC	618.40
303549	*	009078	CANON SOLUTIONS AMERICA INC	60.70
303550		000902	CENGAGE LEARNING INC	421.97
303551	*	006115	CORRIGAN MOVING SYSTEMS	207.00
303552		MISC	CRIME PREVENTION ASSOC. OF MICHIGAN	70.00
303553	*	MISC	DANBOISE MECHANICAL INC.	13,659.00
303554		000575	DEMCO, INC	152.58
303555		009455	DEPATIE FLUID POWER GROUP	980.00
303556	*	000190	DOWNRIVER REFRIGERATION	2,071.08
303557	*	000179	DTE ENERGY	38.23
303558	*	000179	DTE ENERGY	742.05
303559	*	000179	DTE ENERGY	2,675.68
303560	*	000179	DTE ENERGY	92.10
303561	*	000179	DTE ENERGY	22.29
303562	*	000179	DTE ENERGY	893.55
303563	*	000179	DTE ENERGY	225.66
303564	*	000179	DTE ENERGY	133.75
303565	*	000179	DTE ENERGY	2,211.60

City of Birmingham
Warrant List Dated 05/15/2025

Meeting of 05/19/2025

Check Number	Early Release	Vendor #	Vendor	Amount
303566	*	000179	DTE ENERGY	175.73
303567	*	000180	DTE ENERGY	53,638.35
303568		000975	DUKE'S ROOT CONTROL INC.	112,615.40
303569	*	009488	ANDREW ERICKSON	298.39
303570	*	004604	GORDON FOOD	79.95
303571	*	MISC	GREGORY CRANDELL	165.00
303572	*	008481	HART INTERCIVIC, INC	793.00
303573		010006	HJP LEGAL	2,775.00
303574	*	001956	HOME DEPOT CREDIT SERVICES	545.95
303575	*	001415	HORNUNG'S PRO GOLF SALES INC	622.19
303576		009910	IDI	144.00
303577	*	009401	IRENE S WASSEL	375.00
303578		000344	J.T. EXPRESS, LTD.	5,273.11
303579	*	009234	JEFFREY RONDEAU	238.68
303580	*	009946	JORDAN ZUPPKE LAW	437.50
303581	*	009403	JUSTIN ZAYID	750.00
303582		MISC	KATHRYN SKALESKI	7.14
303583		010007	KFD TRAINING & CONSULTATION LLC	1,485.00
303584	*	004088	KGM DISTRIBUTORS INC	812.00
303585	*	009963	LAW OFFICE OF ROBERT J MORAD PLLC	375.00
303586	*	009422	ALEX LINKE	295.95
303587		001669	MACP	1,000.00
303588		010003	MANOOGIAN LAW PLLC	637.50
303589		009995	MARINA CHUPAC PLLC	562.50
303590	*	BDREFUND	MARK ALAN CROREY	100.00
303591		004753	MICHIGAN ASSN OF PLANNING	775.00
303592		010019	NARGIZ NESIMOVA, PLLC	1,700.00
303593	*	001686	OAKLAND CO CLERKS ASSOC	70.00
303594		002853	OAKLAND COMMUNITY COLLEGE	1,725.00
303595	*	000477	OAKLAND COUNTY	536,790.17
303596		BLREFUND	PETER'S ICE CREAM	500.00
303597	*	001883	PIONEER DOOR COMPANY INC	5,736.00
303598		009612	PLAYAWAY PRODUCTS LLC	1,904.87
303599	*	009394	RABAA & NACHAWATI PLLC	375.00
303600	*	009394	RABAA & NACHAWATI PLLC	375.00
303601		BDREFUND	SACHSE CONSTRUCTION	100.00
303602	*	002806	SAM'S CLUB/SYNCHRONY BANK	950.76
303603	*	006590	SECURE DOOR, LLC	1,213.00
303604	*	009178	SERVICE GLASS COMPANY INC	489.48
303605	*	009201	STEPHEN SHUKWIT	900.00
303606		004544	STRYKER SALES CORPORATION	602.16
303607		007408	T-MOBILE	767.24
303608	*	001076	TAYLOR FREEZER OF MICH INC	325.00

City of Birmingham
Warrant List Dated 05/15/2025

Meeting of 05/19/2025

Check Number	Early Release	Vendor #	Vendor	Amount
303609		007115	TERMINIX PROCESSING CENTER	113.06
303610	*	009905	THIELEN TURF IRRIGATION INC	95,990.00
303611		BDREFUND	TRENTO CONSTRUCTION CO	92.00
303612	*	004379	TURNER SANITATION, INC	290.00
303613	*	008941	UPTOWN MARKET OF BIRMINGHAM	273.28
303614	*	009863	US BANK EQUIPMENT FINANCE	69.93
303615	*	000158	VERIZON WIRELESS	49.24
303616	*	000158	VERIZON WIRELESS	1,194.28
303617	*	000158	VERIZON WIRELESS	149.76
303618	*	000158	VERIZON WIRELESS	152.58
303619	*	002996	GREG WALD	128.57
303620	*	005360	WORRY FREE INC	7,755.00
303621		MISC	YVONNE GIBSON	9.99
SUBTOTAL PAPER CHECK				\$901,781.41

ACH TRANSACTION

13245	*	009393	AMANDA MCBRIDE	3,125.00
13246	*	009383	BATTI LAW PLLC	2,262.50
13247	*	007345	BEVERLY HILLS ACE	29.39
13248	*	001441	BIRMINGHAM CONCERT BAND	500.00
13249		006683	BIRMINGHAM LAWN MAINTENANCE, INC	20,290.00
13249	*	006683	BIRMINGHAM LAWN MAINTENANCE, INC	248.00
13250	*	007624	BIRMINGHAM OIL CHANGE CENTER, LLC	152.94
13251	*	000542	BLUE WATER INDUSTRIAL PRODUCTS INC	118.50
13252	*	008983	BRENNA SANDLES	1,065.00
13253	*	009396	CECILIA QUIRINDONGO BAUNSOE	787.50
13254	*	009122	CLAIRE CHUNG	506.00
13255		000605	CINTAS CORPORATION	195.69
13256		000605	CINTAS CORPORATION	259.90
13256	*	000605	CINTAS CORPORATION	163.42
13257		000605	CINTAS CORPORATION	45.04
13258	*	000605	CINTAS CORPORATION	58.79
13259		000605	CINTAS CORPORATION	347.65
13260		001750	COMERICA BANK	1,378.75
13260		001750	COMERICA BANK	299,286.93
13261		003176	COMERICA BANK - RHC	842.25
13261		003176	COMERICA BANK - RHC	101,230.18
13262		002668	CONTRACTORS CLOTHING CO	385.15
13263		009840	THOMAS S. KLISE COMPANY, INC	105.36
13264	*	009557	ZECO, LLC	330.00
13265	*	009181	DELTA TEMP SERVICES INC	20,807.00
13266	*	007538	EGANIX, INC.	960.00
13267	*	009998	EMME KRAMER	696.00
13268	*	009387	FRAIBERG PERNIE PLLC	3,375.00

City of Birmingham
Warrant List Dated 05/15/2025

Meeting of 05/19/2025

Check Number	Early Release	Vendor #	Vendor	Amount
13269	*	009833	GEN OIL COMPANY	1,855.18
13270	*	000243	GRAINGER	792.09
13271		000331	HUBBELL ROTH & CLARK INC	18,886.81
13272	*	009390	IDUMESARO LAW FIRM, PLLC	2,025.00
13273		000186	JACK DOHENY COMPANIES INC	247.78
13274		009298	JCR SUPPLY INC	1,235.42
13275	*	005465	RYAN KEARNEY	99.57
13276	*	004085	KONE INC	2,086.45
13277	*	003404	LADUKE ROOF.& SHT.METAL CORP	460.00
13278	*	005550	LEE & ASSOCIATES CO., INC.	3,003.67
13279	*	003527	LOWER HURON SUPPLY CO INC	902.92
13280		009663	MACQUEEN EQUIPMENT, LLC	1,575.08
13281	*	009398	MARCIA C ROSS PC	1,937.50
13282	*	009888	MEGAN BECK	159.50
13283		002013	MIDWEST TAPE	268.33
13284	*	009395	ORLANDO LAW PRACTICE PC	1,400.00
13285	*	001753	PEPSI COLA	1,098.04
13286		008028	PK SAFETY SUPPLY	607.50
13287	*	009820	PLUNKETT COONEY	3,057.50
13288	*	008875	JESSICA RAK	25.00
13289	*	003554	RKA PETROLEUM	8,736.52
13290	*	001181	ROSE PEST SOLUTIONS	111.00
13291	*	009939	RYAN KATZ	22.02
13292		006832	SAFEWARE INC.	2,015.00
13293	*	009603	SERV-ICE REFRIGERATION, INC	449.00
13294	*	001097	SOCWA	164,600.05
13295	*	000969	VIGILANTE SECURITY INC	220.50
SUBTOTAL ACH TRANSACTION				\$677,429.37
GRAND TOTAL				\$1,579,210.78

All bills, invoices and other evidences of claim have been audited and approved for payment.



Mary Chavez
Finance Director/ Treasurer

*-Indicates checks released in advance and prior to commission approval in order to avoid penalty or to meet contractual agreement/obligation.



MEMORANDUM

Planning Department

DATE: May 5, 2025

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Set Public Hearing for 185 N. Old Woodward – Bell Bistro – Special Land Use Permit Amendment, Final Site Plan & Design Review

INTRODUCTION:

The applicant has submitted a Special Land Use Permit Amendment, Final Site Plan & Design Review application to modify the current approved outdoor dining patio in front of the building. The current outdoor dining patio consists of one table and 4 chairs located directly in front of the newly renovated storefront.

The subject site, 185 N. Old Woodward, is located in Downtown Birmingham in the B4 (Business-Residential) and D4 (Downtown Overlay) zoning districts. Bell Bistro has inhabited this site since 2014, and was formerly known as the Mad Hatter. In 2022, the restaurant was approved for a Special Land Use Permit (SLUP) amendment to perform significant renovations to the concept, the interior, and the exterior of the space. The bistro is currently approved with 64 seats inside and 4 seats outside.

BACKGROUND:

On April 23, 2025 ([Agenda](#) - [Video](#)), the Planning Board moved to recommend approval to the City Commission the Special Land Use Permit Amendment, Final Site Plan & Design Review application for 185 N. Old Woodward – Bell Bistro – subject to the following conditions:

1. The applicant must submit revised site plans demonstrating the quantity and placement of all required outdoor dining elements including the trash receptacles;
2. The approval is contingent upon the approval of the outdoor dining plan consistent with the entire proposal shown here for Paris Baguette, including whatever approval is necessary from the owner of the building to the south, if any;
3. The applicant will be required to confirm the approval from the property owner immediately to the south of Bell Bistro pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance;
4. The applicant must maintain a valid outdoor dining permit; and,
5. The applicant must comply with all requests of City Departments.

LEGAL REVIEW:

The City Attorney has reviewed this request and has no objections as to form and content.

FISCAL IMPACT:

All outdoor dining establishments in the public right of way are required to pay annual fees that include the leasing of public space to operate the outdoor dining facilities. The footprint of this outdoor dining facility for which the lease fees are calculated is increasing, thus the permit fees will be increasing based on the market value of the area of land being leased, which is calculated annually.

SUSTAINABILITY:

There are no direct sustainability considerations as a part of this Special Land Use Permit Amendment.

DESIGN CONSIDERATIONS:

Generally speaking, the design of the new outdoor dining facility is of a high quality and would fit the aesthetics of Downtown Birmingham. The proposal to consolidate the outdoor dining facilities for Bell Bistro and Paris Baguette should provide for a better urban condition and a clear walking path for the patrons along N. Old Woodward.

PUBLIC COMMUNICATIONS:

As required for Special Land Use Permit Reviews, a legal ad was placed in a newspaper of local circulation to advertise the public hearing at the Planning Board on April 23, 2025. In addition, postcards were sent out to property owners and occupants within 300 feet of the subject site. Similar notices will be sent out in advance of the public hearing at the City Commission on June 23, 2025.

SUMMARY:

The Planning Department requests that the City Commission set a public hearing date of June 23, 2025 to consider the Special Land Use Permit Amendment, Final Site Plan & Design Review application for 185 N. Old Woodward, to permit the modification of the current approved outdoor dining facility in front of the building and increase the number of seats from 4 to 22.

ATTACHMENTS:

Please see attached the following documents:

- Special Land Use Permit Resolution
- Special Land Use Permit Contract (DRAFT)
- Site/Design Plans
- Planning Board Report

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to set a public hearing date of June 23, 2025 to consider the Special Land Use Permit Amendment, Final Site Plan & Design Review application for 185 N. Old Woodward, to permit the modification of the current approved outdoor dining facility in front of the building and increase the number of seats from 4 to 22.

**Bell Bistro
185 N. Old Woodward
Special Land Use Permit Amendment 2025**

WHEREAS, The City Commission granted the original Special Land Use Permit, Final Site Plan and Design Review approval for the Mad Hatter at 185 N. Old Woodward on February 13, 2014;

WHEREAS, The City Commission granted Special Land Use Permit Amendment, Final Site Plan and Design Review approval for a new concept in the existing space, Bell Bistro, at 185 N. Old Woodward on July 11, 2022;

WHEREAS, A Special Land Use Permit Amendment, Final Site Plan & Design Review application was filed in March 2025 seeking approval to modify the current approved outdoor dining facility in front of the building and increase the number of seats from 4 to 22.;

WHEREAS, The land for which the Special Land Use Permit is sought is located on the west side of N. Old Woodward at the intersection of N. Old Woodward and Hamilton Row;

WHEREAS, The land is zoned B4 (Business-Residential) and D4 (Downtown Overlay), which permits alcoholic beverage sales for on premise consumption with a Special Land Use Permit;

WHEREAS, Article 7, section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit to be considered and acted upon by the Birmingham City Commission, after receiving recommendations on the site plan and design from the Planning Board for the proposed Special Land Use;

WHEREAS, The Birmingham Planning Board on April 23, 2025 reviewed the application for Special Land Use Permit, Final Site Plan & Design Review and moved to adopt the findings of the Planning Department in the report dated April 23, 2025 related to the approval criteria outlined in Article 7, Sections 7.27 and 7.36 of the Zoning Ordinance and recommend approval to the City Commission the modification of the current approved outdoor dining facility in front of the building and increase the number of seats from 4 to 22.;

1. The applicant must submit revised site plans demonstrating the quantity and placement of all required outdoor dining elements including the trash receptacles;
2. The approval is contingent upon the approval of the outdoor dining plan consistent with the entire proposal shown here for Paris Baguette, including whatever approval is necessary from the owner of the building to the south, if any;
3. The applicant will be required to confirm the approval from the property owner immediately to the south of Bell Bistro pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance;
4. The applicant must maintain a valid outdoor dining permit; and,
5. The applicant must comply with all requests of City Departments.

WHEREAS, The Birmingham City Commission has conducted a public hearing on May 19, 2025, and has reviewed the Special Land Use Permit, Final Site Plan & Design Review application and the standards for such review as set forth in Article 7, sections 7.27 and 7.36 of

Chapter 126, Zoning, of the City Code;

NOW, THEREFORE, BE IT RESOLVED, The Birmingham City Commission adopts the findings of Planning Board and finds the standards imposed in Article 7, Sections 7.27 and 7.36 of the Zoning Ordinance and other applicable standards in the City Code have been met, subject to the conditions below, and that Bell Bistro's application for a Special Land Use Permit Amendment, Final Site Plan & Design Review at 185 N. Old Woodward is hereby approved;

BE IT FURTHER RESOLVED, That the City Commission determines that to ensure continued compliance with Code standards and to protect public health, safety, and welfare, this Special Land Use Permit Amendment is granted subject to the following conditions:

1. Bell Bistro shall abide by all provisions of the Birmingham City Code;
2. Bell Bistro shall comply with the approved site and design plans and any amendments thereto; and
3. The Special Land Use Permit may be canceled by the City Commission upon finding after proper notice and a hearing that the continued use is not in the public interest.

BE IT FURTHER RESOLVED, That failure to comply with any of the above conditions shall result in termination of the Special Land Use Permit.

BE IT FURTHER RESOLVED, Except as herein specifically provided, Bell Bistro and its heirs, successors, and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, and as they may be subsequently amended. Failure of Bell Bistro to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit.

BE IT FURTHER RESOLVED that Bell Bistro is recommended for approval of a modification of the current approved outdoor dining facility in front of the building and increase the number of seats from 4 to 22 at 185 N. Old Woodward, above all others, subject to final inspection.

I, Alexandria Bingham, City Clerk of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on June 23, 2025.

Alexandria Bingham
City Clerk

CONTRACT FOR A SPECIAL LAND USE PERMIT 185 N. OLD WOODWARD – BELL BISTRO

This Contract is entered into this ____ day of _____, 2025 by and between **RAM RESTAURANT GROUP, INC.**, whose address is 501 Lewis St., Birmingham, MI 48009 (hereinafter referred to as "Bell Bistro"), **BIRMINGHAM RIVERSIDE, LLC**, whose address is 5785 Clearview Dr., Troy, MI 48098 ("Property Owner"), and the **CITY OF BIRMINGHAM**, a Michigan Municipal Corporation, whose address is 151 Martin Street, Birmingham, Michigan 48009 ("City").

R E C I T A L S:

WHEREAS, The City Commission granted the original Special Land Use Permit, Final Site Plan and Design Review approval for the Mad Hatter at 185 N. Old Woodward on February 13, 2014;

WHEREAS, The City Commission granted Special Land Use Permit Amendment, Final Site Plan and Design Review approval for a new concept in the existing space, Bell Bistro, at 185 N. Old Woodward on July 11, 2022;

WHEREAS, A Special Land Use Permit Amendment, Final Site Plan & Design Review application was filed in March 2025 seeking approval to modify the current approved outdoor dining facility in front of the building and increase the number of seats from 4 to 22.;

WHEREAS, The land for which the Special Land Use Permit is sought is located on the west side of N. Old Woodward at the intersection of N. Old Woodward and Hamilton Row;

WHEREAS, The land is zoned B4 (Business-Residential) and D4 (Downtown Overlay), which permits alcoholic beverage sales for on premise consumption with a Special Land Use Permit;

WHEREAS, Article 7, section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit to be considered and acted upon by the Birmingham City Commission, after receiving recommendations on the site plan and design from the Planning Board for the proposed Special Land Use;

WHEREAS, The Birmingham Planning Board on April 23, 2025 reviewed the application for Special Land Use Permit, Final Site Plan & Design Review and moved to adopt the findings of the Planning Department in the report dated April 23, 2025 related to the approval criteria outlined in Article 7, Sections 7.27 and 7.36 of the Zoning Ordinance and recommend approval to the City Commission the modification of the current approved outdoor dining facility in front of the building and increase the number of seats from 4 to 22.;

1. The applicant must submit revised site plans demonstrating the quantity and placement of all required outdoor dining elements including the trash receptacles;

2. The approval is contingent upon the approval of the outdoor dining plan consistent with the entire proposal shown here for Paris Baguette, including whatever approval is necessary from the owner of the building to the south, if any;
3. The applicant will be required to confirm the approval from the property owner immediately to the south of Bell Bistro pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance;
4. The applicant must maintain a valid outdoor dining permit; and,
5. The applicant must comply with all requests of City Departments.

WHEREAS, The Birmingham City Commission has conducted a public hearing on June 23, 2025, and has reviewed the Special Land Use Permit, Final Site Plan & Design Review application and the standards for such review as set forth in Article 7, sections 7.27 and 7.36 of Chapter 126, Zoning, of the City Code;

NOW, THEREFORE, the parties agree as follows:

1. Bell Bistro will utilize a state issued liquor license for use solely at the Property. Any transfer of the aforementioned license from the Property to any other location in the City of Birmingham shall require the approval of the Birmingham City Commission in accordance with Section 10-83 of the City of Birmingham Code of Ordinances. In addition, any expansion of the Property shall also require the approval of the Birmingham City Commission.

2. Bell Bistro further acknowledges that it must maintain a Special Land Use Permit for the sale of alcoholic liquors for on premise consumption as required by the Birmingham City Code of Ordinances. It is agreed that Bell Bistro shall comply with all provisions of the Special Land Use Permit, or any amendments thereto, as a condition of this contract. Bell Bistro further acknowledges and agrees that a violation of any provision of the Special Land Use Permit or the Michigan Liquor Control Code is a violation of the terms of this contract entitling the City to exercise any or all of the remedies provided herein.

3. Bell Bistro acknowledges that no modifications to the site plan, floor plan, elevations or operation of the establishment may be made unless approved by the City Commission through a Special Land Use Permit Amendment as required in the Zoning Ordinance. Modifications include, but are not limited to, name changes, ownership changes, remodeling, changes in the number of interior or exterior seats, etc.

4. Bell Bistro acknowledges that outdoor dining is permitted with a valid Outdoor Dining License which is applied for and granted annually.

5. Bell Bistro agrees that it shall not apply or seek from the Michigan Liquor Control Commission any permit endorsements to its liquor license whether available in the current Michigan Liquor Control Code or in future Michigan Liquor Control Codes, or amendments thereto, without the prior approval of the Birmingham City Commission.

6. Bell Bistro further agrees that it shall not seek any change in its license status/class whether such changes are available now in the current Michigan Liquor Control Code or in future Michigan Liquor Control Codes, or amendments thereto, without prior approval of the Birmingham City Commission.

7. Bell Bistro agrees that it shall adhere to all Federal, State and Local ordinances currently in effect or as subsequently amended or enacted.

8. Bell Bistro agrees that its failure to follow any of the provisions herein may be grounds for the Michigan Liquor Control Commission to suspend, revoke or not renew its liquor license and/or for the Birmingham City Commission to revoke the Special Land Use Permit, either of which would prohibit Bell Bistro from operating the establishment. Bell Bistro agrees that in addition to the City of Birmingham's right to seek suspension, revocation or non-renewal of its liquor license and/or revocation of the Special Land Use Permit, the City retains any and all rights to enforce this Contract that may be available to it in law or in equity. Bell Bistro further agrees that it shall reimburse the City all of its costs and actual attorney fees incurred by the City in seeking the suspension, revocation or non-renewal of its liquor license and revocation of the Special Land Use Permit, as well as enforcing such other rights as may be available at law and/or in equity.

9. To the fullest extent permitted by law, Bell Bistro and any entity or person for whom Bell Bistro is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City, its elected and appointed officials, employees and volunteers and others working on behalf of the City against any and all claims, demands, suits, or loss, including all costs connected therewith, including all costs and actual attorney fees, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on behalf of the City, by reason of personal injury, including bodily injury, death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with Bell Bistro's operation of an establishment at the Property. Bell Bistro is not liable if the act or omission is the City's.

10. In the event Bell Bistro fails to reimburse the City the costs and/or attorney fees as required herein, or any part thereof, then said amount could be transferred to the tax roll in accordance with Section 1-14 of the Birmingham City Code as acknowledged by the Property Owner.

11. Any disputes arising under this Contract, not within the jurisdiction of the Michigan Liquor Control Commission, shall be settled either by commencement of a suit in Oakland County Circuit Court or by compulsory arbitration, at the election of the City. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds \$1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in a federal or state court with jurisdiction over Oakland County, Michigan.

12. This contract shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Michigan.

13. If any provision of this contract is declared invalid, illegal or unenforceable, such provision shall be severed from this contract and all other provisions shall remain in full force and effect.

14. The City determines that to ensure continued compliance with Code standards and to protect public health, safety, and welfare, this Special Land Use Permit Amendment is granted subject to the following conditions:

1. Bell Bistro shall abide by all provisions of the Birmingham City Code;
2. Bell Bistro shall comply with the approved site and design plans and any amendments thereto;
3. The Special Land Use Permit may be canceled by the City Commission upon finding after proper notice and a hearing that the continued use is not in the public interest.

15. Failure to comply with any of the above conditions may result in termination of the Special Land Use Permit after Bell Bistro has been given notice and a hearing.

16. Except as herein specifically provided, Bell Bistro and its heirs, successors, and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, and as they may be subsequently amended. Failure of Bell Bistro to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit, after notice and a hearing.

17. Bell Bistro is recommended for the operation of an establishment serving alcoholic beverages for on premise consumption, above all others, subject to final inspection.

18. This Contract shall be binding upon and apply and inure to the benefit of the parties hereto and their respective successors or assigns. The covenants, conditions, and the agreements herein contained are hereby declared binding on the City and Bell Bistro. It is further agreed that there shall be no change, modification, or alteration hereof, except in writing, signed by all of the parties hereto. Neither party shall assign any of the rights under this contract without prior approval, in writing, of the other. Any attempt at assignment without prior written consent shall be void and of no effect.

(This space intentionally left blank)

IN WITNESS WHEREOF, the parties hereby have executed this Contract as of the date set forth above.

RAM RESTAURANT GROUP, INC. (Bell Bistro)

By: _____

Its: _____

Date: _____

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this _____ day of _____, 2025, before me personally appeared _____ who acknowledged that with authority on behalf **RAM RESTAURANT GROUP, INC.** to do so signed this Agreement.

Notary Public

County, Michigan
Acting in _____ County, Michigan
My commission expires: _____

BIRMINGHAM RIVERSIDE, LLC (Property Owner)
(as to paragraph 10 only)

By: _____

Its: _____

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this _____ day of _____, 2025, before me personally appeared _____, who acknowledged that with authority on behalf of **BIRMINGHAM RIVERSIDE, LLC** to do so signed this Agreement.

Notary Public

County, Michigan
Acting in _____ County, Michigan
My commission expires: _____

CITY OF BIRMINGHAM

By: _____
Therese Longe, Mayor

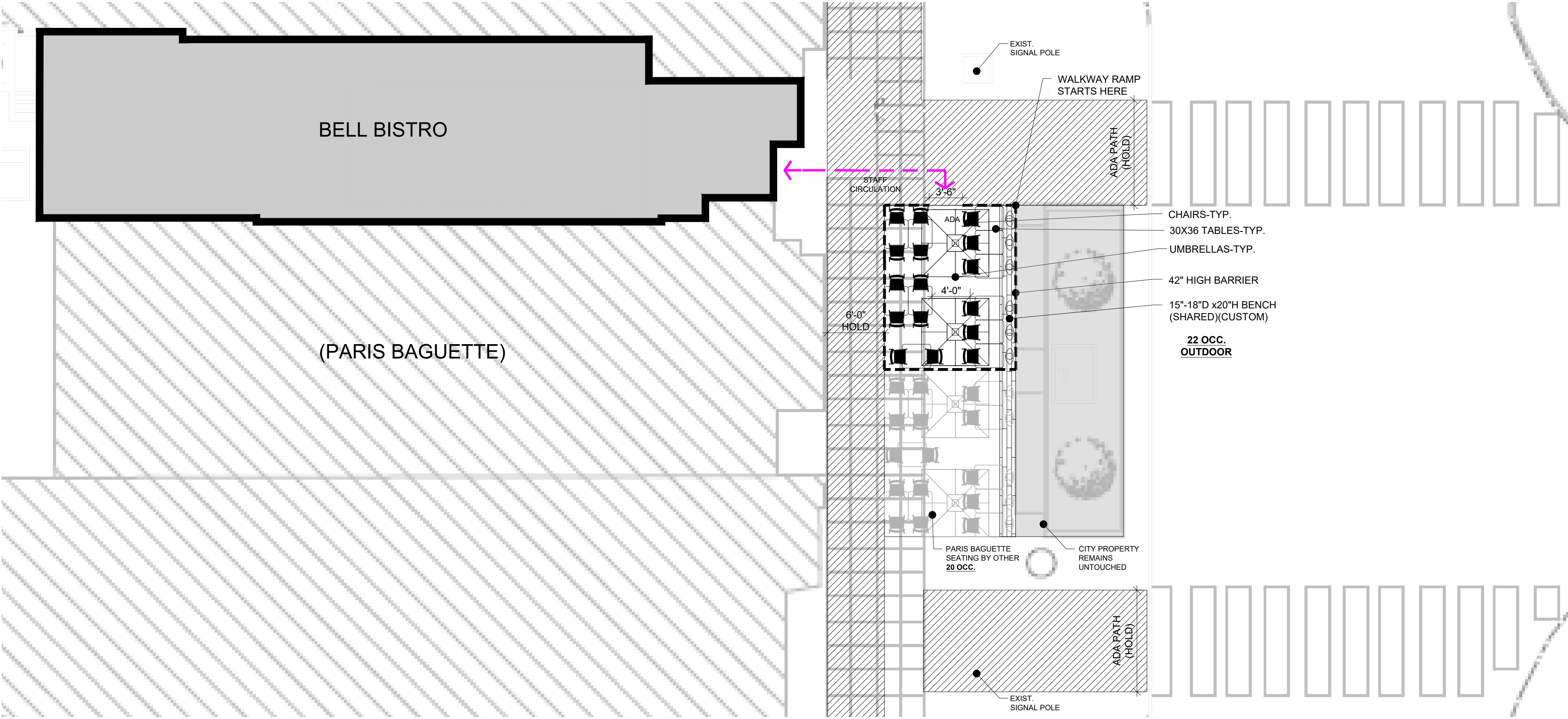
By: _____
Alexandria D. Bingham, City Clerk

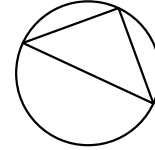
APPROVED:

Jana L. Ecker, City Manager
(Approved as to substance)

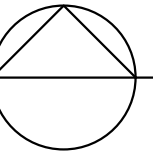
Nicholas J. Dupuis, Planning Director
(Approved as to substance)

Mary M. Kucharek, City Attorney
(Approved as to form)



 **OUTDOOR FURNITURE CONCEPT**
SCALE: 1/8" = 1'-0"



 **LOCATION MAP**
NO SCALE



BOWERS+ASSOCIATES, INC.
2400 SOUTH HURON PARKWAY
ANN ARBOR, MI 48104
P: 734-975-2400
WWW.BOWERSARCH.COM

CONSULTANT + NAME

PROJECT + INFORMATION

**BELL BISTRO
(OUTDOOR SEATING)**

185 OLD NORTH WOODWARD AVE
BIRMINGHAM, MICHIGAN

PROJECT + NUMBER

23-312

ISSUE + DATE

07 MAR 2025	PERMIT
25 MAR 2025	OWN REV
28 MAR 2025	PERMIT
16 APR 2025	PERMIT

SHEET + TITLE

OUTDOOR
SEATING PLAN

SHEET + NUMBER

SP-200

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LAW OFFICES

ADKISON, NEED, ALLEN, & RENTROP

PROFESSIONAL LIMITED LIABILITY COMPANY

KELLY A. ALLEN
JESSICA A. HALLMARK
JOHN W. KUMMER
GREGORY K. NEED
G. HANS RENTROP
CHRISTOPHER J. TOWER

39572 Woodward, Suite 222
Bloomfield Hills, Michigan 48304
Telephone (248) 540-7400
Facsimile (248) 540-7401
www.ANAfirm.com

OF COUNSEL:

PHILLIP G. ADKISON
KEVIN M. CHUDLER
JENNIFER H. ELOWSKY
GARY R. RENTROP
KATHERINE A. TOMASIK

March 7, 2025

Via Electronic Mail

Nicholas Dupuis, Planning Director
City of Birmingham
151 Martin Street
Birmingham, MI 48009
ndupuis@bhamgov.org

**Re: Bell Bistro
185 N Old Woodward Avenue
Request to Amend Special Land Use Permit to Add Platform for Outdoor Dining**

Dear Mr. Dupuis:

Our firm represents RAM Restaurant Group, Inc., which does business as Bell Bistro at 185 N. Old Woodward.

Bell Bistro operates with a Bistro license under the City's Ordinances. As such, it is required to have outdoor dining.

Bell Bistro previously operated as Mad Hatter, under the same ownership. Mad Hatter had a platform directly in front of its business for years. Once North Old Woodward's streetscape was beautified, the parking space upon which the platform was placed was eliminated.

Enclosed for this request is the Special Land Use Application – Bistro and a diagram of the proposed platform.

The fee to the City in the amount of \$3,800 is being hand delivered to the Planning Department today.

Thank you for your consideration of this application. We, as always, look forward to working with you.

Very truly yours,

ADKISON, NEED, ALLEN, & RENTROP, PLLC


Kelly A. Allen

/kjp
Enclosures



MEMORANDUM

Planning Department

DATE: April 23, 2025

TO: Planning Board Members

FROM: Nick Dupuis, Planning Director

SUBJECT: 185 N. Old Woodward – Bell Bistro – Special Land Use Permit Amendment, Final Site Plan & Design Review

The subject site is located on the west side of N. Old Woodward at the intersection of N. Old Woodward and Hamilton Row. The applicant is applying for a new outdoor dining facility in the N. Old Woodward right-of-way. The uniqueness of the streetscape in this area at a “T” intersection created a large open space where there currently exist two large granite benches. The area is currently inhabited seasonally by the outdoor dining facility for the neighboring business, Paris Baguette. The proposal would condense the existing seating for Paris Baguette to provide for a larger outdoor dining facility for Bell Bistro, which currently has approval to provide one single table (4 chairs) in front of their storefront. The new outdoor dining facility for Bell Bistro would consist of 22 seats, while the outdoor dining patio for Paris Baguette would increase from 16 seats to 20 seats. **Although closely related, the application submitted is for Bell Bistro only. Paris Baguette will be expected to apply for an Administrative Approval application to update their outdoor dining facility plans should the application for Bell Bistro be approved by the City Commission.**

There are several other outdoor dining facilities on the same block north of Maple including Starbucks and Sweet Green. There are no other changes proposed to the subject building or site.

Article 7, Section 7.43 states that Site Plan and Design Review for special land uses shall be considered and acted upon by the City Commission. Prior to its consideration of a special land use application for an initial permit or an amendment to a permit, the City Commission shall refer the Site Plan and the design to the Planning Board for its review and recommendation.

In addition, as required by Article 7, Section 7.37 of the Zoning Ordinance, once a permit for a special land use has been granted as to any parcel of land, no change in that use may be made nor may any addition to or change in the building or improvements on the parcel of land take place until a new request for approval has been filed with the City Commission and the City Commission has approved the request for change.

As noted above, Bell Bistro received Special Land Use Permit, Final Site Plan and Design Review approval from the City Commission on July 11, 2022 ([Agenda](#) – [Minutes](#)). The approval was granted for major renovations to the bistro space and a concept shift from the Mad Hatter to Bell Bistro. The original approval included the outdoor dining required for bistros, but was limited to a single 4-top table in front of the windows.

1.0 Land Use and Zoning

1.1 Existing Land Use – Two-story commercial building.

1.2 Zoning – B4 (Business-Residential) & D4 (Downtown Overlay)

1.3 Summary of Adjacent Land Use and Zoning –

	North	South	East	West
Existing Land Use	Commercial	Commercial	Commercial	Commercial
Existing Zoning District	B4 (Business Residential)	B4 (Business Residential)	B4 (Business Residential)	B4 (Business Residential)
Overlay Zoning District	D4	D4	D4	D4

2.0 Setback and Height Requirements

No changes are proposed to the footprint of the building.

3.0 Screening and Landscaping

3.1 Dumpster Screening – There are no changes proposed to the dumpster or screening on site.

3.2 Parking Lot Screening – There are no off-street parking facilities on site.

- 3.3 Mechanical Equipment Screening – There are no changes proposed to the mechanical equipment or screening on site.
- 3.4 Landscaping – There are no changes proposed to the landscaping on site.
- 3.5 Streetscape – There are no changes proposed to the existing streetscape on site.

4.0 Parking, Loading and Circulation

- 4.1 Parking – There are no changes to the parking requirements on site.
- 4.2 Loading – There are no changes proposed to the loading requirements.
- 4.3 Vehicular Circulation and Access – There are no changes proposed to vehicular circulation and access to the site.
- 4.4 Pedestrian Circulation and Access – There are no changes proposed to pedestrian circulation and access to the site.

5.0 Lighting

There are no new light fixtures or changes in lighting proposed that will significantly alter the light intensity on the site at this time.

6.0 Design Review

The proposed outdoor dining platform is subject to several design requirements found in [Article 4, Section 4.44](#) of the Zoning Ordinance. In addition, the platform will be subject to the requirements of [Chapter 98, Article III, Sec. 98-71](#) of the City Code.

Bell Bistro is proposing to have 22 seats predominantly in an area located within the amenity zone of the N. Old Woodward right-of-way. The outdoor dining facility will consist of tables, chairs and umbrellas, and will be enclosed with a 42 in. high partition. All outdoor dining elements will be in shades of black to match the color scheme of the bistro establishment. The site plan indicates 6 ft. of continuous sidewalk space for pedestrian passage between the building frontage and the outdoor dining facility. The applicant does not show a trash receptacle within the outdoor dining facility, which is required. Thus, **the applicant must submit revised site plans demonstrating the quantity and placement of all outdoor dining elements including, but not limited to, overhead weather protection, heating elements, and trash receptacles.**

As is required for all outdoor dining facilities, the applicant will be required to obtain an Outdoor Dining Permit annually. As the proposed platform is located in the public right-

of-way, the applicant will be required to enter into a license agreement with the City as well. As a part of the annual outdoor dining permit process, the applicant is expected to pay fees to lease the total square footage of public property that is being utilized.

Finally, the proposed outdoor dining facility extends beyond the storefront of Bell Bistro to the south in front of the adjacent business, Paris Baguette. Although the two adjacent tenant spaces are within the limits of the same property, **the applicant will be required to confirm the approval from the property owner pursuant to [Article 4, Section 4.44 \(B\)\(4\)](#) of the Zoning Ordinance.**

7.0 Required Attachments

	Submitted	Not Submitted	Not Required
Existing Conditions Plan	☐	☐	☐
Detailed and Scaled Site Plan	☒	☐	☐
Certified Land Survey	☐	☐	☒
Interior Floor Plans	☐	☐	☒
Landscape Plan	☐	☐	☒
Photometric Plan	☐	☐	☒
Colored Elevations	☐	☐	☒
Material Specification Sheets	☐	☒	☐
Material Samples	☐	☐	☒
Site & Aerial Photographs	☒	☐	☐

8.0 Approval Criteria

In accordance with Article 7, section 7.27 of the Zoning Ordinance, the proposed plans for development must meet the following conditions:

1. *The location, size and height of the building, walls and fences shall be such that there is adequate landscaped open space so as to provide light, air and access to the persons occupying the structure.*
 - The proposed outdoor dining facility will not affect the open space requirements of the site, as it is located within the public right-of-way.
2. *The location, size and height of the building, walls and fences shall be such that there will be no interference with adequate light, air and access to adjacent lands and buildings.*

- There are no buildings proposed as a part of the Special Land Use Permit Amendment, Final Site Plan & Design Review application submitted.
3. *The location, size and height of the building, walls and fences shall be such that they will not hinder the reasonable development of adjoining property nor diminish the value thereof.*
 - There are no buildings proposed as a part of the Special Land Use Permit Amendment, Final Site Plan & Design Review application submitted.
 4. *The site plan, and its relation to streets, driveways and sidewalks, shall be such as to not interfere with or be hazardous to vehicular and pedestrian traffic.*
 - The proposed outdoor dining facility provides for a bit more than the minimum required clear path at 6 ft. The facility is proposed to be wholly enclosed by a barrier, which will reduce conflicts between pedestrian and patrons of the outdoor dining facility.
 5. *The proposed development will be compatible with other uses and buildings in the neighborhood and will not be contrary to the spirit and purpose of this chapter.*
 - There are no buildings proposed as a part of the Special Land Use Permit Amendment, Final Site Plan & Design Review application submitted. Generally speaking, though, outdoor dining facilities are compatible with Downtown Birmingham and promote the spirit and purpose of the Zoning Ordinance.
 6. *The location, shape and size of required landscaped open space is such as to provide adequate open space for the benefit of the inhabitants of the building and the surrounding neighborhood.*
 - There is no required landscaped open space as a part of this project.

In addition, Article 7, Section 7.36 requires applications for a Special Land Use Permit to meet the following criteria:

1. *The use is consistent with and will promote the intent and purpose of this Zoning Ordinance.*
 - Outdoor dining facilities are consistent with and will promote the intent and purpose of this Zoning Ordinance.

2. *The use will be compatible with adjacent uses of land, the natural environment, and the capabilities of public services and facilities affected by the land use.*
 - Generally, this use will remain compatible with adjacent uses of land, the natural environment, and the capabilities of public services and facilities affected by the land use.
3. *The use is consistent with the public health, safety and welfare of the city.*
 - This use is consistent with the public health, safety and welfare of the city.
4. *The use is in compliance with all other requirements of this Zoning Ordinance.*
 - The use as an outdoor dining facility appears to be in compliance with the requirements of the Zoning Ordinance.
5. *The use will not be injurious to the surrounding neighborhood.*
 - The existing use is not expected to be injurious to the surrounding neighborhood.
6. *The use is in compliance with state and federal statutes.*
 - Top the best of our knowledge, the use is in compliance with state and federal statutes.

9.0 Recommendation

Based on a review of the site plan submitted and the approval criteria of Article 7, Sections 7.27 and 7.36 of the Zoning Ordinance, the Planning Department recommends that the Planning Board recommend **APPROVAL** to the City Commission the Special Land Use Permit, Final Site Plan & Design Review application for 185 N. Old Woodward – Bell Bistro – subject to the following conditions:

1. The applicant must submit revised site plans demonstrating the quantity and placement of all outdoor dining elements including, but not limited to, overhead weather protection, heating elements, and trash receptacles;
2. The applicant will be required to confirm the approval from the property owner pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance;
3. The applicant must maintain a valid outdoor dining permit; and
4. The applicant must comply with all requests of City Departments.

10.0 Sample Motion Language (Special Land Use Permit Amendment)

Motion to adopt the findings of the Planning Department in the report dated April 23, 2025 related to the approval criteria outlined in Article 7, Section 7.36 of the Zoning Ordinance and recommend **APPROVAL** to the City Commission the Special Land Use Permit Amendment application for 185 N. Old Woodward – Bell Bistro – subject to the following conditions:

1. The applicant must submit revised site plans demonstrating the quantity and placement of all outdoor dining elements including, but not limited to, overhead weather protection, heating elements, and trash receptacles;
2. The applicant will be required to confirm the approval from the property owner pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance;
3. The applicant must maintain a valid outdoor dining permit; and
4. The applicant must comply with all requests of City Departments.

OR

Motion to **POSTPONE** the Special Land Use Permit Amendment application for 185 N. Old Woodward – Bell Bistro – pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to recommend **DENIAL** of the Special Land Use Permit Amendment application for 185 N. Old Woodward – Bell Bistro – for the following reasons:

1. _____
2. _____
3. _____

11.0 Sample Motion Language (Final Site Plan & Design Review)

Motion to adopt the findings of the Planning Department in the report dated April 23, 2025 related to the approval criteria outlined in Article 7, Section 7.27 of the Zoning Ordinance and recommend **APPROVAL** to the City Commission the Final Site Plan & Design Review application for 185 N. Old Woodward – Bell Bistro – subject to the following conditions:

1. The applicant must submit revised site plans demonstrating the quantity and placement of all outdoor dining elements including, but not limited to, overhead weather protection, heating elements, and trash receptacles;
2. The applicant will be required to confirm the approval from the property owner pursuant to Article 4, Section 4.44 (B)(4) of the Zoning Ordinance;

3. The applicant must maintain a valid outdoor dining permit; and
4. The applicant must comply with all requests of City Departments.

OR

Motion to **POSTPONE** the Final Site Plan & Design Review application for 185 N. Old Woodward – Bell Bistro – pending receipt of the following:

1. _____
2. _____
3. _____

OR

Motion to recommend **DENIAL** of the Final Site Plan & Design Review application for 185 N. Old Woodward – Bell Bistro – for the following reasons:

1. _____
2. _____
3. _____



MEMORANDUM

Planning Department

DATE: May 7, 2025

TO: Jana Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Set Public Hearing for Lot Division of 1829 Norfolk

INTRODUCTION:

The owner of 1829 Norfolk has applied to divide an existing lot into two parcels resulting in two buildable parcels. The existing bungalow will be demolished in favor of a new single-family house on each resulting lot.

BACKGROUND:

The subject property is located on the eastern side of Norfolk across from the Birmingham Country Club and Pumphouse Park. 1829 Norfolk is a corner lot south of Wakefield. The division of the existing lot as proposed triggers a lot division review based on the Municipal Code standards of Chapter 102 of the Birmingham Code of Ordinances.

Lot Division

The Subdivision Regulation Ordinance (Chapter 102, Section 102-53) requires that the following standards be met for approval of a lot division.

- (1) *All lots formed or changed by the division shall conform to the minimum requirements of chapter 126 of this Code for the zone district in which the property is located.*

The subject property is zoned R2 Single Family Residential. The resulting parcels are noted in the documents submitted as "Parcel A" and "Parcel B" and will have an area of 11,125 sq. ft. and 6,375 sq. ft. respectively, meeting the minimum lot size requirements of the Zoning Ordinance.

As noted above, the existing home will be demolished and two new homes will be constructed on the resulting separate lots. The plans indicate a building area on "Parcel A" on the north that appears to be developable in the future in accordance with all zoning requirements. A front setback of 30 ft. and a rear setback of 30 ft. is outlined on the plans with side setbacks of 5 ft. and 31 ft. As for "Parcel B" to the south, the plans also indicate a building area that appears to be developable in the future in accordance with all zoning

requirements. Parcel B shows a front setback of 30 ft. and a rear setback of 30 ft. with side setbacks of 9 ft. and 5 ft.

Any new residential dwelling proposed in the future for either parcel on Norfolk will be subject to review from the Building Department and all requirements of the Zoning Ordinance's R2 (Single Family Residential) zoning district.

Accordingly, the applicant satisfies this requirement.

- (2) *All residential lots formed or changed by the division shall have a lot width, as defined in chapter 126, of not less than the average lot width of all lots on the same street within 300 feet of the lots formed or changed and within the same zone district.*

The average lot width on Norfolk within 300 ft. of the subject properties is around 55 ft. The resulting lot widths are proposed to be 55 ft. and 67 ft. respectively, each being no less than the average within 300 ft. on the same street and same zone.

Accordingly, the applicant satisfies this requirement.

- (3) *The division will not adversely affect the interest of the public and of the abutting property owners. In making this determination, the City Commission shall consider, but not be limited to the following:*
- a. *The location of proposed buildings or structures, the location and nature of vehicular ingress or egress so that the use of appropriate development of adjacent land or buildings will not be hindered, nor the value thereof impaired.*
 - b. *The effect of the proposed division upon any flood plain areas, wetlands or other natural features and the ability of the applicant to develop buildable sites on each resultant parcel without unreasonable disturbance of such natural features.*
 - c. *The location, size, density and site layout of any proposed structures or buildings as they may impact an adequate supply of light and air to adjacent properties and the capacity of essential public facilities such as police and fire protection, drainage structures, municipal sanitary sewer and water, and refuse disposal.*

It does not appear that the location of proposed buildings or structures nor the location and nature of vehicular ingress or egress will hinder the development of adjacent land nor impair the value of said land.

The subject property is not located within the floodplain or soil erosion limit of a recognized stream, river, lake or other water body. The site does not appear to exhibit evidence of regulated wetlands or endangered species of flora and fauna. The proposed lot division does not appear to unreasonably disturb the natural features of the site.

The proposed lot division will not negatively affect the supply of light and air to adjacent properties. It will not negatively affect the capacity of essential public facilities. City departments have no objections to the proposed lot split.

Accordingly, the applicant satisfies this requirement.

LEGAL REVIEW:

The City Attorney has reviewed the application and has no concerns related to the form or substance.

FISCAL IMPACT:

The demolition of one residential home and the construction of two new homes will increase the taxable value of the land.

SUSTAINABILITY:

There are no direct sustainability issues related to this agenda item in terms of current City policy. Naturally, the demolition of an existing home in favor of two new homes will have a significant carbon footprint, although it is expected that the new homes will be built to code which could increase the energy efficiency of the new homes.

DESIGN CONSIDERATIONS:

There are no design considerations for the proposed lot division.

PUBLIC COMMUNICATIONS:

As required for lot divisions, a legal ad will be placed in a newspaper of local circulation to advertise the nature of the request in advance of the public hearing at the City Commission, and notices will be sent out to all property owners and tenants within 300 ft. of the property.

SUMMARY:

The Planning Department requests that the City Commission set a public hearing date of June 23, 2025 to consider the lot division of 1829 Norfolk resulting in two new parcels.

ATTACHMENTS:

- Registered Land Surveys
- Application Materials

SUGGESTED ACTION:

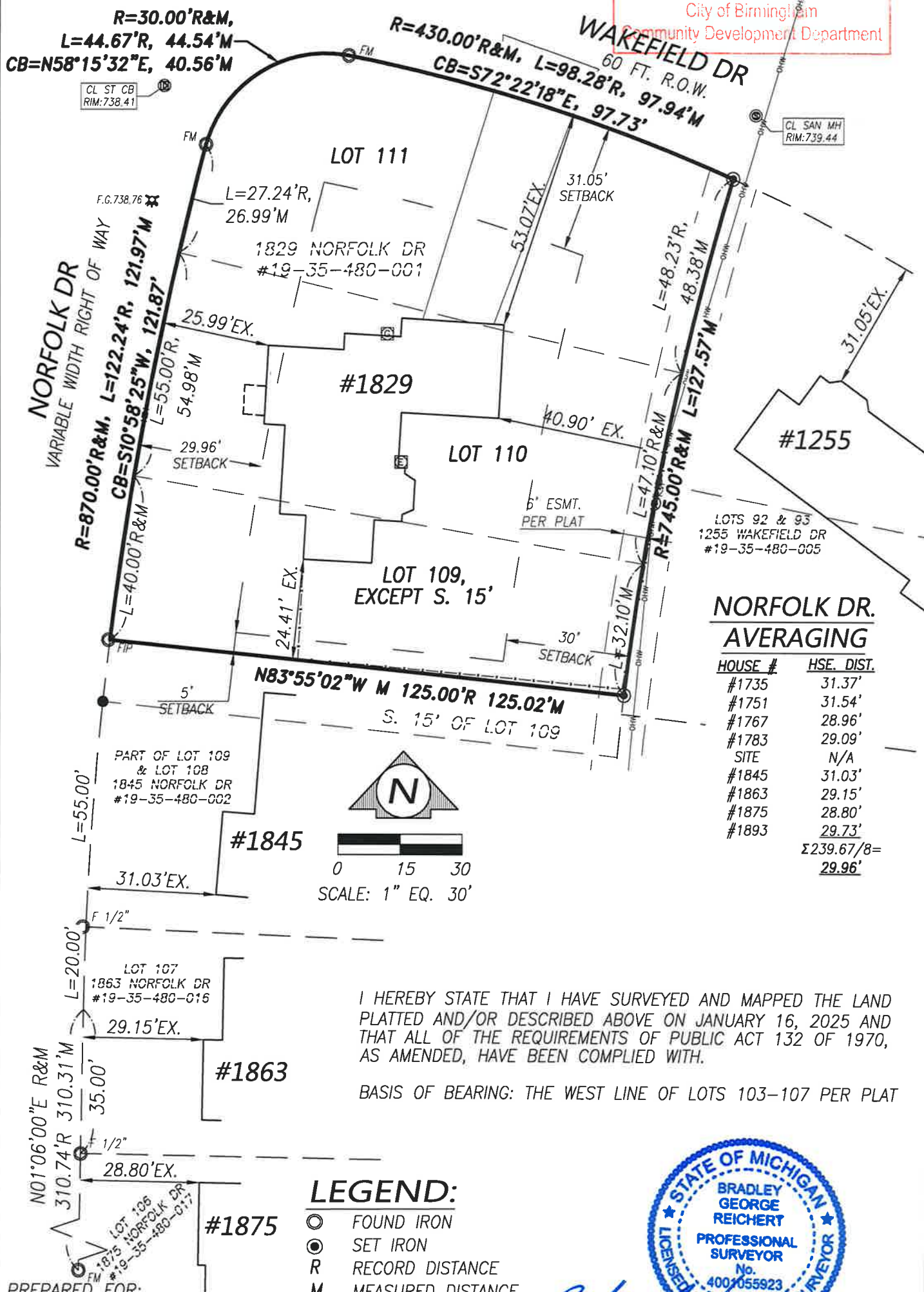
Make a motion adopting a resolution to set a public hearing date of June 23, 2025 to consider the lot division of 1829 Norfolk resulting in two new parcels.

EXISTING LOT CONFIGURATION

RECEIVED

LOT 109 EXCEPT THE S. 15.0', ALSO LOTS 110 & 111 OF "J. LEE BAKER CO'S. BIRMINGHAM HILLS SUB'N." OF PART OF THE E. 1/2 OF THE S.E. 1/4 OF SEC. 35, T.2N., R.10E., CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN AS RECORDED IN L.41 OF PLATS, P.40, O.C.R.

APR 17 2025
City of Birmingham
Community Development Department



PREPARED FOR:
LEX NOVUS PLC
801 W. BIG BEAVER RD. STE. 401
TROY, MI 48084
(248) 581-0987

SHEET: 1 OF 4 BRADLEY GEORGE REICHERT P.S. #4001055923

Scale: 1"=30'
Date: 2/19/25
Job No. 24-165
Drawn: B.G.R.

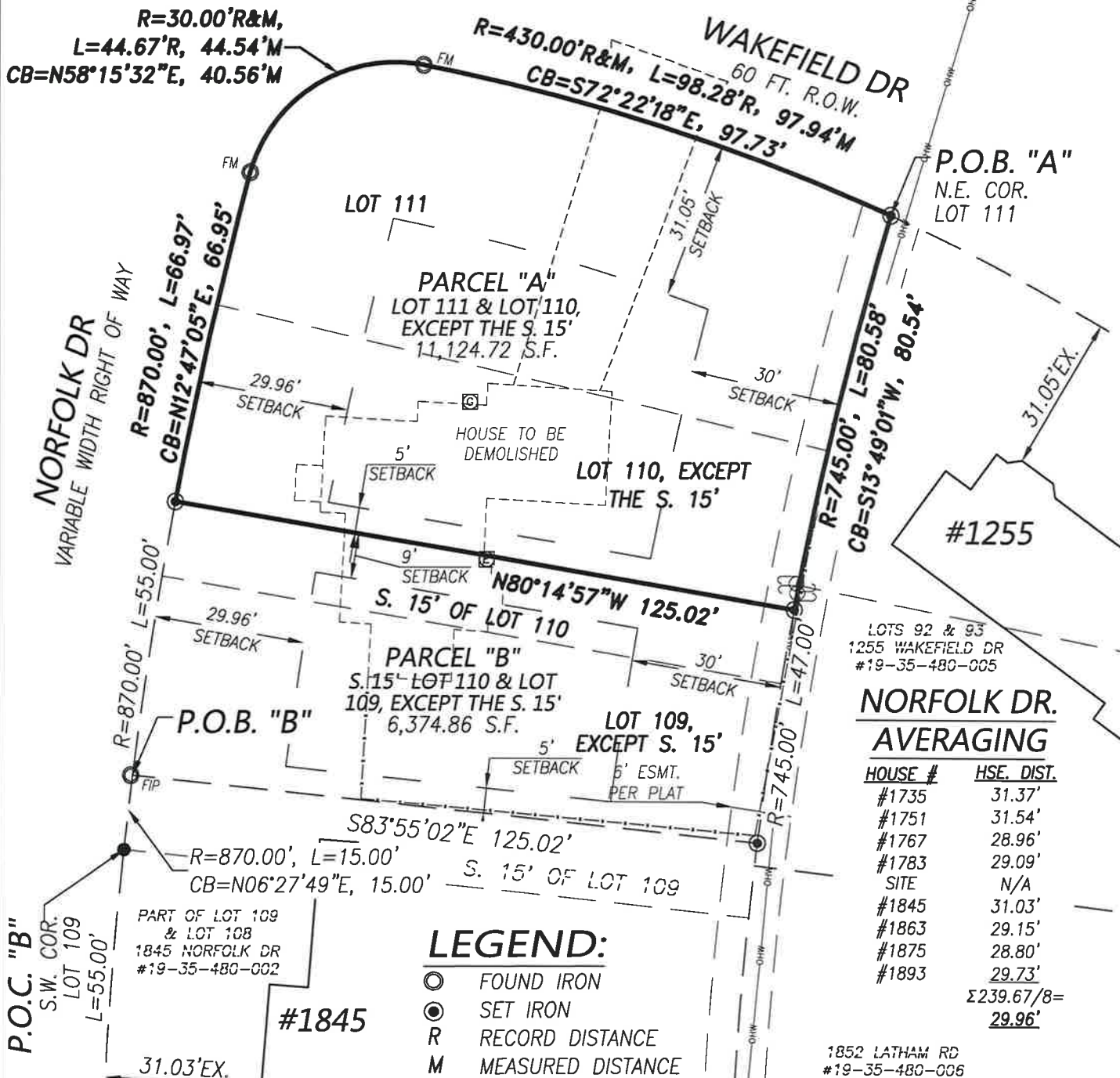
REICHERT
SURVEYING INC.

P 248.651.0592 F 248.656.7099
Mail@ReichertSurveying.com
140 Flumerfelt Lane - Rochester, MI 48306

Date: Rev. By:

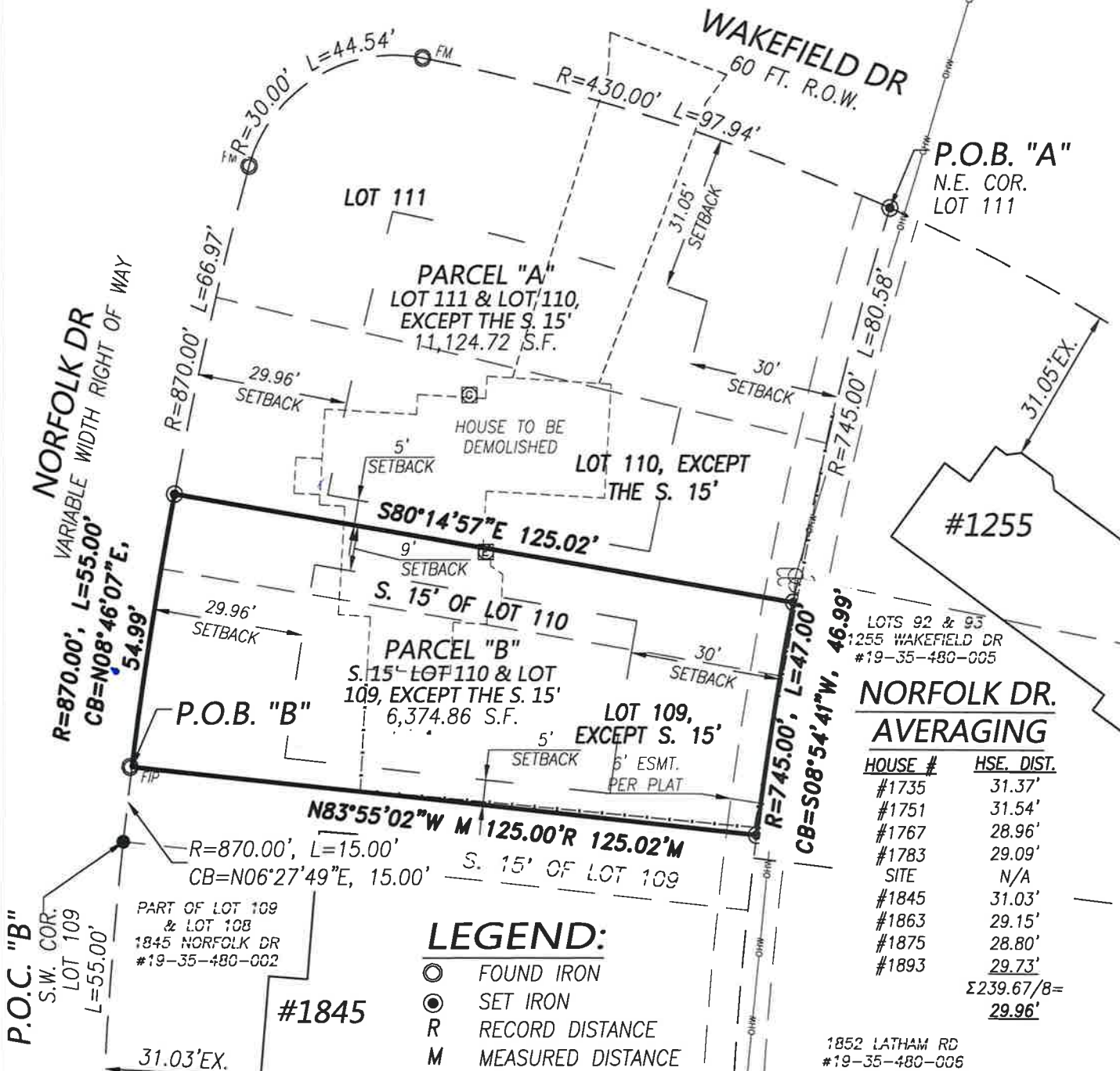
CERTIFICATE OF SURVEY

PART OF LOT 110 AND ALL OF LOT 111 OF "J. LEE BAKER CO'S. BIRMINGHAM HILLS SUB'N."
CITY OF BIRMINGHAM, OAKLAND CO., MICHIGAN AS RECORDED IN L.41 OF PLATS, P.40, O.C.R.



CERTIFICATE OF SURVEY

PARTS OF LOTS 109 & 110 OF "J. LEE BAKER CO'S. BIRMINGHAM HILLS SUB'N."
CITY OF BIRMINGHAM, OAKLAND CO., MICHIGAN AS RECORDED IN L.41 OF PLATS, P.40, O.C.R.



ZONING:

ZONING: R-2 - SINGLE FAMILY RESIDENTIAL

SETBACK:

FRONT: AVERAGE OF HOMES WITHIN 200 FT., IF NO HOMES WITHIN 200 FT., THEN 25 FEET

SIDE: 5 FT. MIN. / 14 FT. TOTAL
9 FEET OR 10% OF TOTAL LOT WIDTH
WHICHEVER IS LARGER FOR ONE SIDE YARD
14 FEET OR 25% OF TOTAL LOT WIDTH
WHICHEVER IS LARGER FOR BOTH SIDE YARDS;
NO SIDE YARD SHALL BE LESS THAN 5 FT.

REAR: 30 FT.
HEIGHT: 26 FT. TO MID ROOF

IF DETACHED GARAGE:

SIDE: 3 FT.
REAR: 3 FT.
OUT OF UTIL. ESMT.,
INCLUDING OVERHANG.

MINIMUM LOT AREA: 6,000 SQ FT PER UNIT
MINIMUM OPEN SPACE: 40%
MAXIMUM LOT COVERAGE: 30%

PREPARED FOR:
LEX NOVUS PLC
801 W. BIG BEAVER RD. STE. 401
TROY, MI 48084
(248) 581-0987

I HEREBY STATE THAT I HAVE SURVEYED AND MAPPED THE LAND
PLATTED AND/OR DESCRIBED ABOVE ON JANUARY 16, 2025 AND
THAT ALL OF THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970,
AS AMENDED, HAVE BEEN COMPLIED WITH.

BASIS OF BEARING: THE WEST LINE OF LOTS 103-107 PER PLAT

THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE
POLICY THEREFORE, ALL EASEMENT OF RECORD AND OTHER
FACTORS RELEVANT TO TITLE MAY NOT BE SHOWN. CLIENT
PROVIDED DESCRIPTION FOR PROPERTY.



0 15 30

SCALE: 1" EQ. 30'



SHEET: 3 OF 4 BRADLEY GEORGE REICHERT P.S. #4001055923

Scale: 1"=30'
Date: 2/19/25
Job No. 24-165
Drawn: B.G.R.



REICHERT
SURVEYING INC.

P 248.651.0592 F 248.656.7099
Mail@ReichertSurveying.com
140 Flumerfelt Lane - Rochester, MI 48306

Date: Rev. By:

LEGAL DESCRIPTIONS

LEGAL DESCRIPTION PARCEL "A"

LOT 110, EXCEPT THE SOUTH 15.0 FT. AND ALL OF LOT 111 OF "J. LEE BAKER CO'S. BIRMINGHAM HILLS SUB'N." OF PART OF THE E. 1/2 OF THE S.E. 1/4 OF SECTION 35, T.2N., R.10E., CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 41 OF PLATS, PAGE 40, OAKLAND COUNTY RECORDS. BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE N.E. OF SAID LOT 111 OF SAID "J. LEE BAKER CO'S. BIRMINGHAM HILLS SUB'N.", THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 745.00 FT. AND AN ARC DISTANCE OF 80.58 FT., CHORD THAT BEARS S.13°49'01"W., 80.54 FT., THENCE N.80°14'57"W., 125.02 FT. TO THE WEST LINE OF SAID LOT 110; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 870.00 FT. AND AN ARC DISTANCE OF 66.97 FT., CHORD THAT BEARS N.12°47'05"E., 66.95 FT., THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FT. AND AN ARC DISTANCE OF 44.54 FT. (RECORDED AS 44.67 FT.), CHORD THAT BEARS N.58°15'32"E., 40.56 FT., THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 430.00 FT. AND AN ARC DISTANCE OF 97.94 FT. (RECORDED AS 98.28 FT.), CHORD THAT BEARS S.72°22'18"E., 97.73 FT. TO THE POINT OF BEGINNING. CONTAINING 11,124.72 S.F.
ADDRESS: _____ NORFOLK, BIRMINGHAM ST., MI 48009
PARCEL#19-35-480-_____

LEGAL DESCRIPTION PARCEL "B"

LOT 109 EXCEPT THE S. 15.0 FT., AND THE SOUTH 15.0 FT FT. OF LOT 110 OF "J. LEE BAKER CO'S. BIRMINGHAM HILLS SUB'N." OF PART OF THE E. 1/2 OF THE S.E. 1/4 OF SECTION 35, T.2N., R.10E., CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 41 OF PLATS, PAGE 40, OAKLAND COUNTY RECORDS. BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE S.W. CORNER OF SAID LOT 109 OF SAID "J. LEE BAKER CO'S. BIRMINGHAM HILLS SUB'N.", THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 870.00 FT. AND AN ARC DISTANCE OF 15.00 FT., CHORD THAT BEARS N.06°27'49"E., 15.00 FT. TO THE POINT OF BEGINNING; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 870.00 FT. AND AN ARC DISTANCE OF 55.00 FT., CHORD THAT BEARS N.08°46'07"E., 54.99 FT.; THENCE S.80°14'57"E., 125.02 FT. TO THE EAST LINE OF SAID LOT 110; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 745.00 FT. AND AN ARC DISTANCE OF 47.00 FT., CHORD THAT BEARS S.08°54'41"W., 46.99 FT., THENCE N.83°55'02"W., 125.02 FT. (RECORDED AS 125.00 FT.) TO THE POINT OF BEGINNING. CONTAINING 6,374.86 S.F.
ADDRESS: _____ NORFOLK, BIRMINGHAM ST., MI 48009
PARCEL#19-35-480-_____

LEGAL DESCRIPTION EXISTING PARCEL#:19-35-480-001:

LOT 109 EXCEPT THE S. 15.0 FT., ALSO LOTS 110 & 111 OF "J. LEE BAKER CO'S. BIRMINGHAM HILLS SUB'N." OF PART OF THE E. 1/2 OF THE S.E. 1/4 OF SECTION 35, T.2N., R.10E., CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 41 OF PLATS, PAGE 40, OAKLAND COUNTY RECORDS.
ADDRESS: 1829 NORFOLK, BIRMINGHAM ST., MI 48009

PREPARED FOR:
LEX NOVUS PLC
801 W. BIG BEAVER RD., STE. 401
TROY, MI 48084
(248) 581-0987

SHEET: 4 OF 4

Scale: N.T.S.
Date: 2/19/25
Job No. 24-165
Drawn: B.G.R.

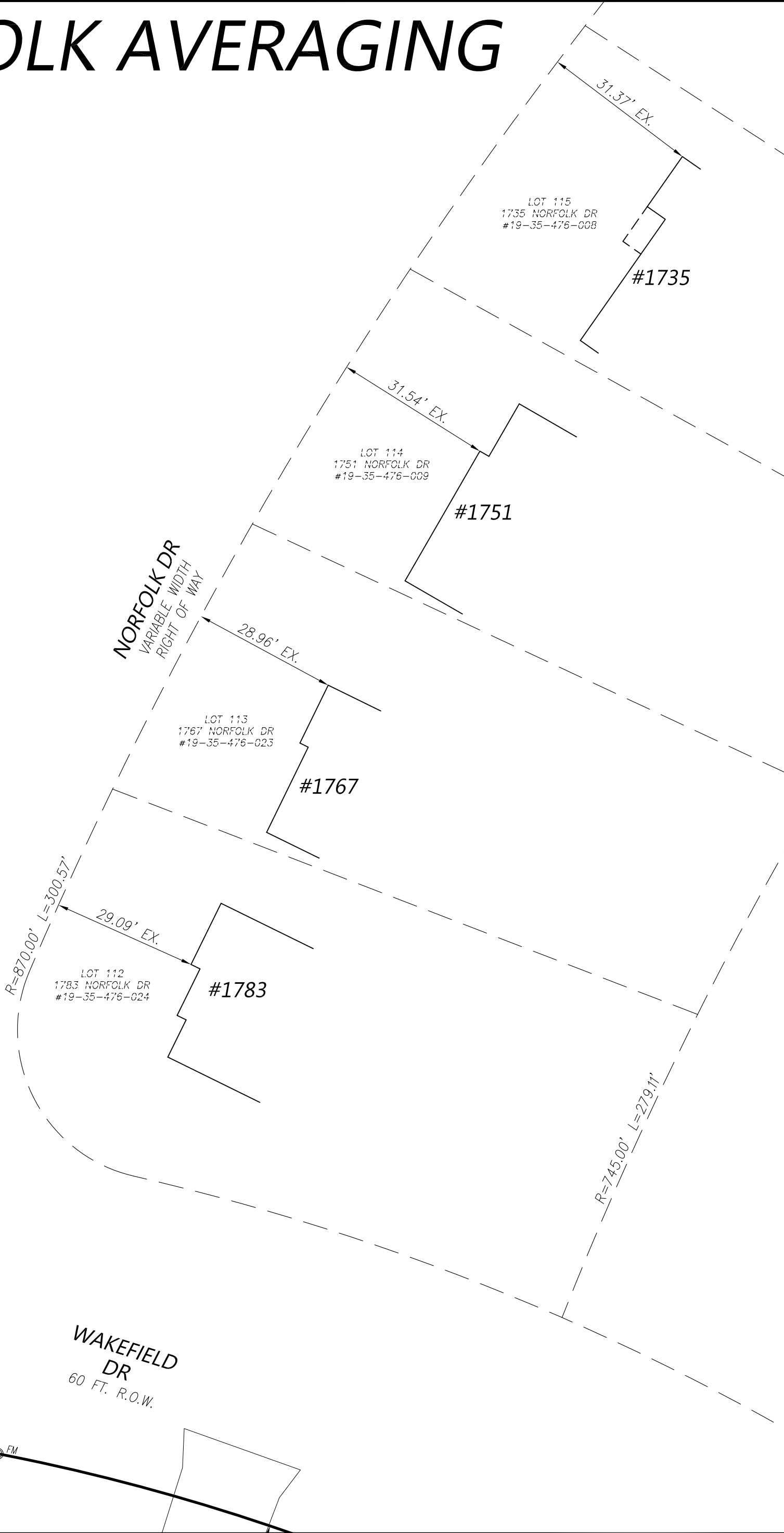
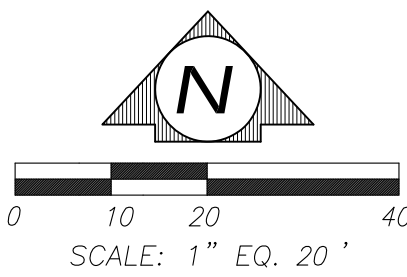


REICHERT
SURVEYING INC.

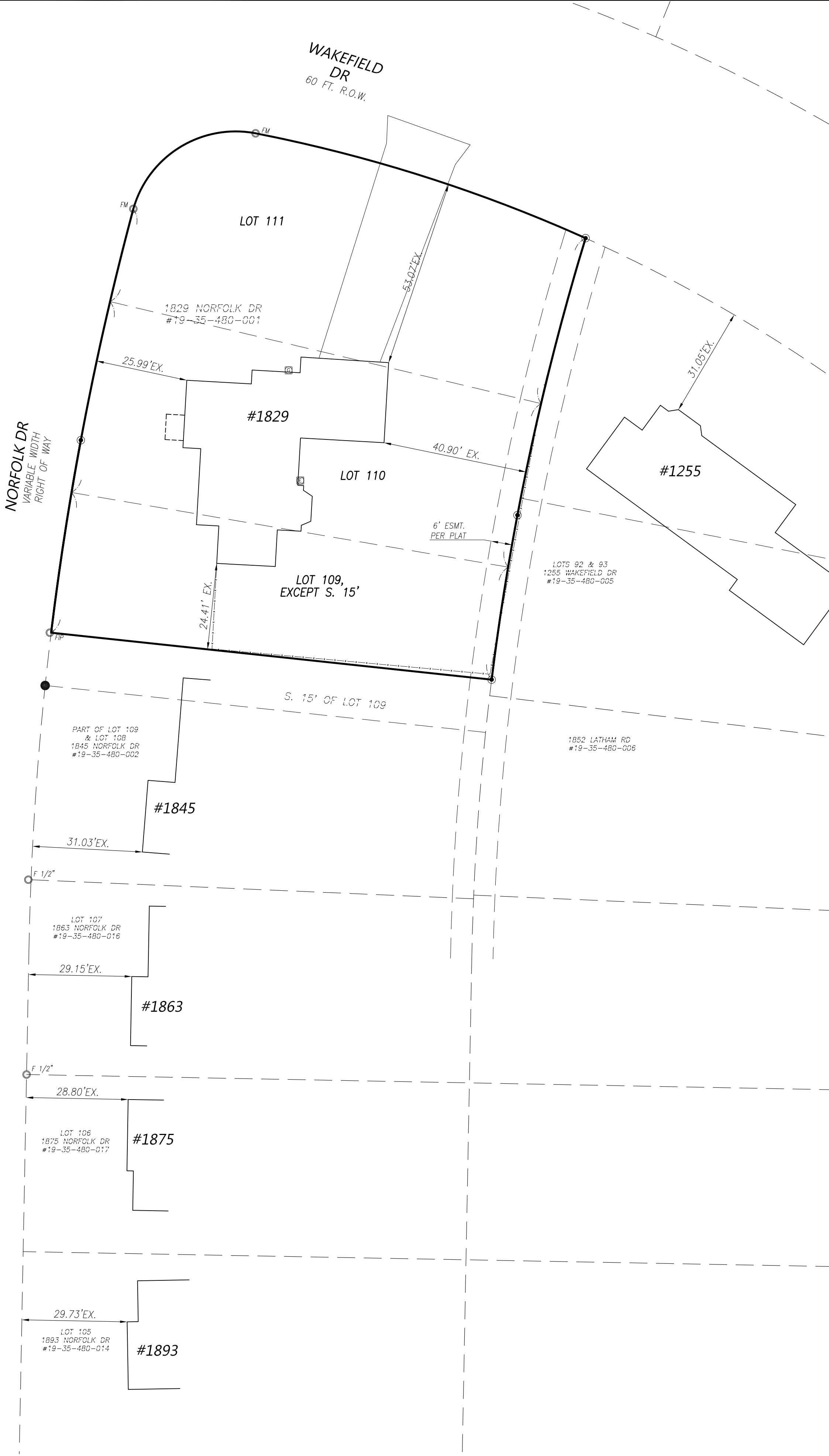
P 248.651.0592 F 248.656.7099
Mail@ReichertSurveying.com
140 Flumerfelt Lane - Rochester, MI 48306

DATE:	REV. BY:

NORFOLK AVERAGING

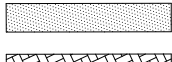
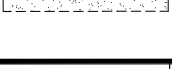
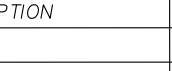


NORFOLK DR. AVERAGING	
HOUSE #	HSE. DIST.
#1735	31.37'
#1751	31.54'
#1767	28.96'
#1783	29.09'
SITE	N/A
#1845	31.03'
#1863	29.15'
#1875	28.80'
#1893	29.73'
Σ 239.67/8 =	
29.96'	

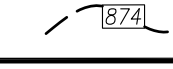
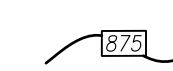
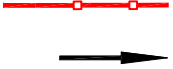




REICHERT
SURVEYING INC.
P 248.651.0592
F 248.656.7099
Mail@ReichertSurveying.com
140 Flumerfelt Lane
Rochester, MI 48306

LEGEND:			
	FOUND IRON		EXISTING GRAVEL
	SET IRON		EXISTING PAVER STONE
	RECORD DISTANCE		EXISTING BUILDING
	MEASURED DISTANCE		EXISTING CONCRETE
			EXISTING ASPHALT
			EXISTING LANDSCAPED AREA
			EX. MAJOR CONTOURS
			EX. MINOR CONTOURS
			EXISTING STORM SEWER
			EXISTING SANITARY SEWER
			EXISTING WATERMAIN
			EXISTING OVERHEAD WIRES
			EXISTING FENCE
			EXISTING UTILITY POLE
			EXISTING WATER SHUT OFF
			EXISTING GATE VALVE
			EXISTING HYDRANT
			EXISTING WELL
			EXISTING GAS SHUT OFF
			EXISTING SANITARY STRUCTURE
			EXISTING STORM STRUCTURE
			EXISTING DOWN SPOUT
			EXISTING UTILITY PEDESTAL
			EXISTING BOULDER RET. WALL
			EXISTING GRADE
			PROPOSED GRADE

PREPARED FOR:
LEX NOVUS PLC
801 W. BIG BEVER RD. STE. 401
TROY, MI 48084
(248) 581-0987



PROPOSED CONCRETE
PROPOSED BUILDING
PROPOSED SILT FENCE
PROP. DRAINAGE ARROW
PROP. MAJOR CONTOURS
PROP. MINOR CONTOURS

DATE: 3/13/25

JOB # 24-165

SCALE: 1"=20'

SHEET: 1 OF 1

DRAWN: B.G.R.

CHECK: G.H.R.

**3 FULL WORKING DAYS
BEFORE YOU DIG CALL**

811

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Call before you dig

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1-800-482-7171 www.missdig.net
(TOLL FREE)



BIRMINGHAM

RECEIVED

APR 17 2025

City of Birmingham
Community Development Department

Division of Platted Lots Application Planning Division

1. Applicant

Name: ABBY GROUP LLC
Address: 30100 Telegraph Road
Birmingham MI 48009-3082
Phone Number: _____
Email: mrsadeghia@gmail.com

2. Property Owner (☒ same as applicant)

Name: _____
Address: _____
Phone Number: _____
Email: _____

3. Project Contact Person (☐ same as applicant)

Name: Hala Dagher
Address: 32954 Chatham Avenue
Franklin MI 48025
Phone Number: (773) 842-6401
Email: hdagher00@hotmail.com

4. Project Designer/Developer

Name: _____
Address: _____
Phone Number: _____
Email: _____

5. Required Attachments

- One (1) copy or a registered land survey showing:
 - All existing and proposed platted lot lines;
 - Legal descriptions of proposed lots;
 - Locations of existing lots and structures within a 300 ft. radius;
 - Footprints of proposed development(s) including proposed building envelope with front, side and rear setbacks clearly labeled;
- One (1) digital copy of plans;
- Proof of ownership;
- Written statement of reasons for request;
- A letter of authority or power of attorney in the event that the application is made by a person other than the owner;
- Sketches of proposed development (*optional*);
- Other data having a direct bearing on the request;
- Any other information requested by the City Commission, Planning or other Departments.

6. Project Information

Address: 1829 Norfolk Drive
Birmingham MI 48009
Parcel ID#: 19-35-480-001
Current Use: Residence
Current Zoning: R-2

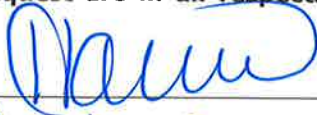
Legal Description: Lot 109, exc the South 15 feet,
also all of Lots 110 and 111, J Lee Baker's Co's
Birmingham Hills Sub, accprding to the plat recorded
at Liber 41, page 40 of Plats, OCR

7. Details of the Proposed Lot Combination (attach separate sheet if necessary)

The existing lot will be split along an east-west line resulting in 2 buildable parcels. Parcel A to the north will have an area of 11,124.72 SF and Parcel B to the South will be 6,374.86 SF. The existing bungalow, built in 1967, will be razed and a new single-family residence will be constructed on each the new lots.

(I), (We), the undersigned, do hereby request to combine lots of record in the City of Birmingham, Oakland County, Michigan. (I), (We), do hereby swear that all of the statements, signatures, and descriptions appearing on and with this request are in all respects true and accurate to the best of (my), (our), knowledge.

Signature of Property Owner:

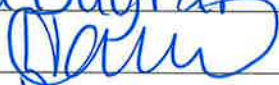


Date: 04/15/2025

Print Name:

Hala Dagher

Signature of Applicant:



Date: 04/15/2025

Print Name:

Hala Dagher

Office Use Only

Application #: PLSP20-0001

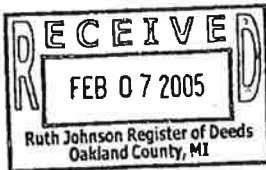
Date Received: 5/6/25

Fee: \$

Date of Approval:

Date of Denial:

Reviewed By:



44943
 LIBER 34972 PAGE 266
 \$10.00 DEED - COMBINED
 \$4.00 REMUNERATION
 02/14/2005 12:08:26 P.M. RECEIPT# 16623
 PAID RECORDED - OAKLAND COUNTY
 RUTH JOHNSON, CLERK/REGISTER OF DEEDS

QUIT CLAIM DEED
 STATUTORY FORM

KNOW ALL MEN BY THESE PRESENTS: That Shelley Traywick, a married woman
 whose address is 5390 Franklin Road, Bloomfield Hills, Michigan 48301

Quit Claims to Abby Group, LLC

whose address is 12900 Greenfield Road, Detroit, Michigan 48227
 the following described premises situated in the City of Birmingham, County of Oakland,
 State of Michigan, to-wit:

Lot 109, except the South 15 feet, also all of Lots 110 and 111 - J. LEE
 BAKER CO.'S BIRMINGHAM HILLS SUBDIVISION, according to the plat
 thereof as recorded in Liber 41, page(s) 40 of Plats, Oakland County
 Records.

Commonly known as : 1829 Norfolk
 Tax ID: 19-35-480-001

41040

Together with all and singular the tenements, hereditaments and appurtenances thereunto
 belonging or in anywise appertaining, for the sum of One (\$1.00) Dollar. Exempt pursuant to
 MCLA 207.505(a), MCLA 207.526(a) and MCLA 207.526(s).

Dated this 26th day of January, 2005.

Signed by:

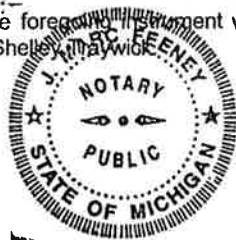

 SHELLEY TRAYWICK

STATE OF MICHIGAN)

) ss.

COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 26th day of January,
 2005, by Shelley Traywick.




 Notary Public
 County, Michigan
 My Commission Expires: June 23, 2008

When Recorded Return To:
 J. Marc Feeney, Esquire
 SPILKIN, SHAPIRO & FEENEY, P.C.
 P.O. Box 5039
 Southfield, MI 48066-5039

Send Subsequent Tax Bills To:
 Grantee

Drafted by:
 J. Marc Feeney, Esquire
 Spilkin, Shapiro & Feeney, P.C.
 P.O. Box 5039
 Southfield, MI 48066-5039

Tax Parcel # _____ Recording Fee _____ Revenue Stamps _____

O.K. - MH

1829 NORFOLK DR BIRMINGHAM MI 48009-3028

3 beds / 2 full baths / 1 half baths / 2082 sq ft

Residential Property Profile

19-35-480-001

Note: Please be advised the data included in Property Gateway originates from multiple local municipalities. Data, in regard to properties, may be classified and updated differently by municipalities. If you have any questions, please contact the local community where the data originated.

Owner Information

Owner(s) : ABBY GROUP LLC
Postal Address : 1829 NORFOLK DR BIRMINGHAM MI 48009-3028

Location Information

Site Address : 1829 NORFOLK DR BIRMINGHAM MI 48009-3028
PIN : 19-35-480-001 Neighborhood Code : 35U
Municipality : City of Birmingham
School District : 63010 BIRMINGHAM CITY SCHOOL DIST
Class Code : 401 Residential - Improved

Property Description

T2N, R10E, SEC 35 J LEE BAKER CO'S BIRMINGHAM HILLS SUB LOT 109 EXC S 15.0 FT, ALSO ALL OF LOTS 110 & 111

Most Recent Sale Since 1994

Date : 01/26/2005
Amount : \$1 Liber : 34972:266
Grantor : TRAYWICK, SHELLEY Grantee : ABBY GROUP

Next Most Recent Sale

Date : 11/19/2004
Amount : \$551,000 Liber : 34779:196
Grantor : ROSMAN, ANN
FOLTYN, ANN R Grantee : TRAYWICK, SHELLEY

1829 NORFOLK DR BIRMINGHAM MI 48009-3028

3 beds / 2 full baths / 1 half baths / 2082 sq ft

Residential Property Profile

19-35-480-001

Note: Please be advised the data included in Property Gateway originates from multiple local municipalities. Data, in regard to properties, may be classified and updated differently by municipalities. If you have any questions, please contact the local community where the data originated.

Tax Information

Taxable Value	: \$238,470	State Equalized Value	: \$402,940
Current Assessed Value	: \$402,940	Capped Value	: \$238,470
Effective Date For Taxes	: 12/01/2024	Principal Residence Exemption Type	: N/A
Summer Principal Residence Exemption Percent	: 0%	Winter Principal Residence Exemption Percent	: 0%
2023 Taxes		2024 Taxes	
Summer	: \$8,974.55	Summer	: \$9,404.08
Winter	: \$2,376.71	Winter	: \$2,565.19
Village	:	Village	:

Lot Information

Description	: LEVEL	Area	: 0.398 ACRES
-------------	---------	------	---------------

Primary Structure

Structure	: Bungalow	Living Area	: 2082 SQ FT
Ground Floor	: 1499 SQ FT	Year Built	: 1942
Effective Year	: 1967	Remodel Year	: 0
Stories	: 1.5 Story	Rooms	: 8
Bedrooms	: 3	Full Baths	: 2
Half Baths	: 1	Fireplaces	: 2
Ext Walls	: Brick	Basement	: YES - FULL
Garage	: ATTACHED - 2 car (541 SQ FT)	Heat	: Forced Heat & Cool
Fuel Type	: Gas	Central Air	: Yes

Basement Information

Finish	: RECREATION ROOM FINISH	Area	: 1160 SQ FT
--------	--------------------------	------	--------------

Porch Information

Type	Area
CPP	30 SQ FT
Roof Cover Only	396 SQ FT
Treated Wood	30 SQ FT



BIRMINGHAM

RECEIVED

APR 17 2025

City of Birmingham
Community Development Department

Notice Sign Rental Application Community Development

1. Applicant

Name: ABBY GROUP LLC
Address: 30100 Telegraph Road
Birmingham MI 48009-3082
Phone Number: _____
Email: mrsadeghia@gmail.com

2. Property Owner (☒ same as applicant)

Name: _____
Address: _____
Phone Number: _____
Email: _____

3. Project Information

Address: 1829 Norfolk Drive
Name of Development: _____
Parcel ID#: 19-35-480-001
Current Use: Residence
Proposed Use: _____
Area of Site in Acres: _____
Current Zoning: R-2

	Yes	No
Is the property located in a floodplain? ----	☐	☐
Is the property within a Historic District? ---	☐	☐
→ If so, which? _____		
Will the project require a variance? -----	☐	☐
→ If so, how many? _____		
Has the project been reviewed by a Board?	☐	☐
→ If so, which? _____		

4. Date of Board/Commission Review

City Commission: _____
Planning Board: _____
Historic District Commission: _____
Design Review Board: _____

Board of Zoning Appeals: _____
Advisory Parking Committee: _____
Multimodal Transportation Board: _____
Other: _____

The undersigned states the above information is true and correct, and understands that it is the responsibility of the applicant to post the Notice Sign(s) at least 15 days prior to the date on which the project will be reviewed by the appropriate board or commission, and to ensure that the Notice Sign(s) remains posted during the entire 15 day mandatory posting period. The undersigned further agrees to pay a rental fee and security deposit for the Notice Sign(s), and to remove all such signs on the day immediately following the date of the hearing at which the project was reviewed. The security deposit will be refunded when the Notice Sign(s) are returned undamaged to the Community Development Department. Failure to return the Notice Sign(s) and/or damage to the Notice Sign(s) will result in forfeiture of the security deposit.

Signature of Applicant: _____

Date: _____

4/15/25

Office Use Only

Application #: _____ Date Received: _____ Fee: \$ _____
Date of Approval: _____ Date of Denial: _____ Reviewed By: _____



MEMORANDUM

Engineering Department

DATE: May 13, 2025

TO: Jana L. Ecker, City Manager

FROM: Mary Chavez, Finance Director/Treasurer
Melissa A. Coatta, City Engineer

SUBJECT: Wimbleton Phase 1 Project, Contract #6-25(W)
Set Public Hearing Date for Confirmation of Roll for Paving Special Assessment District (SAD)

INTRODUCTION:

Wimbleton Drive from Woodward Ave. to Oxford Road, Abbey Street from Wimbleton south to the dead end, and Twin Oaks Lane from Wimbleton north to the dead end will receive water main replacement and sewer improvements. The road surface within the project limits will receive cape seal treatment, along with the installation of sidewalk sections where none exist on Wimbleton per the City Commission resolutions from October 28, 2024, April 7, 2025, and April 21, 2025.

BACKGROUND:

This project was presented in detail to the City Commission at the regular meeting on October 28, 2024. At this meeting, the City Commission adopted a resolution for the Engineering Department to proceed with the final design of the Wimbleton Phase 1 Project to include water main replacement and sewer improvements, concrete curb and gutter with cape seal treatment of the road surfaces within the project area, and the installation of sidewalk sections where none exist on Wimbleton.

At the April 21, 2025, City Commission meeting, the City Commission declared the necessity of the project and a special assessment district for paving as part of the Wimbleton Phase 1 project without curb and gutter. Discussion occurred at the May 5, 2025, City Commission meeting during the Confirmation of the Roll hearing, at which time the City Commission directed a 50-50 split of the costs, and the creation of a revised roll. This requires setting a new public hearing date for the Confirmation of the Roll for the Paving SAD, which will occur on June 23, 2025.

City policy has been to defray the costs of cape-seal treatments on unimproved streets by creating a special assessment district consisting of the properties that benefit from this treatment. The parcels located within the project area that are subject to the paving SAD are highlighted on the attached map.

LEGAL REVIEW:

Chapter 94 – Special Assessments of the Birmingham City Code outlines the process by which a special assessment is conducted in the City of Birmingham. This project will follow the prescribed City Code procedures.

FISCAL IMPACT:

Revenue generated from the Paving SAD for the Wimbleton Phase 1 Project will cover the construction costs incurred by the City for the construction of these improvements.

SUSTAINABILITY:

As part of this project, additional catch basins will be installed at low points of the road, and this road runoff will go to a new separated storm system discharging to the Rouge River.

DESIGN CONSIDERATIONS:

The City Commission previously approved the road to be 26' wide in accordance with the City's standard street width policy.

PUBLIC COMMUNICATIONS:

Notice of the Confirmation of Roll is to be distributed by the Clerk's Office. The Engineering Department previously held a property owners meeting on Wednesday, April 2, 2025, to explain the associated work, the proposed assessment, and to answer questions.

SUMMARY:

The Finance Department and Engineering Department recommend that a Public Hearing of Confirmation of the Roll to form a Special Assessment District for Paving as part of the Wimbleton Phase 1 Project be scheduled at the regularly scheduled City Commission meeting on June 23, 2025.

ATTACHMENTS:

- Map of Proposal Special Assessment District for Paving

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to set the public hearing to Confirm the Assessment Roll for the installation of cape seal treatment within the project area on Wimbleton Drive from Woodward Ave. to Oxford Road, Abbey Street from Wimbleton south to the dead end, and Twin Oaks Lane from Wimbleton north to the dead end on Monday, June 23, 2025, at 7:30 P.M.



MEMORANDUM

Police Department

DATE: April 30, 2025

TO: Jana L. Ecker, City Manager

FROM: Chris Koch, Investigative Captain

APPROVED BY: Scott A. Grewe, Chief of Police

SUBJECT: Request to transfer ownership and location of Class C and SDM Liquor License with Sunday Sales (AM and PM) Permit, 2 additional bar permits, outdoor service area permit (4 areas), and Dance/Entertainment permit from Station MLCC, LLC (Business Id. No. 275183) to be located at 245 S. Eton St., Birmingham, Oakland County to Big Rock Chophouse Ventures, LLC; and request for a new additional bar permit and to drop space and redefine the licensed premises and remove 325 S. Eton St, Birmingham as a portion of the licensed premises.

INTRODUCTION:

The Police Department has received a request from the Law Offices of Adkison, Need, Allen, & Rentrop regarding the request to transfer ownership and location of a Class C and SDM Liquor License with Sunday Sales (AM and PM) Permit, 2 additional bar permits, outdoor service area permit (4 areas), and Dance/Entertainment permit from Station MLCC, LLC (Business Id. No. 275183) to be located at 245 S. Eton St., Birmingham, Oakland County to Big Rock Chophouse Ventures, LLC; and request for a new additional bar permit and to drop space and redefine the licensed premises to remove 325 S. Eton St. from the license.

Big Rock Chophouse Ventures, LLC current MLCC application status indicates that it is submitted, in escrow and is under the transfer process. Big Rock Chophouse Ventures, LLC. has paid the initial application fee of \$1500.00 for a business that serves alcoholic beverages for consumption on the premises per section 10.81 of the Birmingham City Code. Big Rock Chophouse Ventures, LLC is comprised of MCM Big Rock, LLC, (CMR) its sole Member is Cameron Mitchell and Big Rock Investment Fund, LLC and its sole member is Celani family LLC. (BRIF)

Member

Percent of Interest

Cameron Mitchell (MCM Big Rock, LLC)	25%
Thomas Celani (Big Rock Investment Fund, LLC Owned by Celani Family, LLC)	75%

Chapter 10 (Alcoholic Liquors), Section 10-42 of the Birmingham City Code requires that “any and all transfers of a liquor license for consumption of intoxicating liquor on premises require the approval of the City Commission of any kind including, but not limited to ownership of the license; stock in a corporation that owns a license; interest in a license through any entity; or location of the licensed premises.”

BACKGROUND:

Big Rock Chophouse Ventures, LLC is comprised of two partners, MCM Big Rock, LLC and Big Rock Investment Fund, LLC. MCM Big Rock LLC, which will have 25% ownership, is operated by Cameron Mitchell, 390 W Nationwide Blvd suite 300, Columbus OH 43215. Big Rock Investment Fund, LLC which will have 75% ownership is operated by Celani Family LLC, under Thomas Celani, 42875 Grand River Ave suite 201, Novi MI 48375. Big Rock Chophouse Ventures, LLC has a lease agreement for the property at 245 S Eton for 15 years with monthly payments of \$22,916.

Big Rock Chophouse Ventures, LLC has been renovating the premises since July 2023. The expected cost for the renovations, liquor license, furniture and equipment will be approximately \$6,000,000 and will be financed by capital contributions of \$1,700,000 from MCM Big Rock, LLC and \$5,100,000 from Big Rock Investment Fund, LLC. The proposed hours of operation will be from 11:30 a.m. to 10:00 p.m. Sunday to Thursday and 11:30 a.m. to 11:00 p.m. Friday and Saturday.

The Police Department was provided with funding documents from Cameron Mitchell Capital Contribution (CMR) and Big Rock Investment Fund Contribution (BRIF), verifying that there are sufficient funds available to purchase and renovate this property and purchase this liquor license. Verification of available funds was confirmed, the money from CMR was from an account located at Huntington Bank and the funds for BRIF were from three Comerica Bank accounts, Charles Schwab account and an Oppenheimer account. A background check was conducted on both Thomas Celani and Cameron Mitchell. Celani and Mitchell were checked using the Law Enforcement Information Network (LEIN) and the Court’s Enforcement Management Information System (CLEMIS). Celani and Mitchell have no criminal convictions.

LEGAL REVIEW:

The City Attorney has no objections to the suggested Commission action.

FISCAL IMPACT:

\$1,500.00 liquor license application fee received.

PUBLIC COMMUNICATIONS:

None

ATTACHMENTS:

None

SUMMARY:

The request is before the City Commission to approve the transfer of the Class C and SDM license from Station MLCC, LLC. to Big Rock Chophouse Ventures, LLC. with Sunday Sales (AM and PM) Permit, 2 additional bar permits, outdoor service area permit (4 areas), and Dance/Entertainment permit at 245 S. Eton St., Birmingham, Oakland County, MI. Cameron Mitchell and Thomas Celani have successfully completed the police background check. The Police Department has not uncovered any information that would give cause to deny the applicant’s request.

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Big Rock Chophouse Ventures, LLC, and to approve the transfer of the Class C Liquor License, with Sunday Sales (AM and PM) Permit, 3 additional bar permits, outdoor service area permit (4 areas), and Dance/Entertainment permit from MLCC, LLC. to Big Rock Chophouse Ventures, LLC. that will be located at 245 S. Eton St., Birmingham, Oakland County, MI.



MEMORANDUM

Clerk's Office

DATE: April 30, 2025
TO: Jana L. Ecker, City Manager
FROM: Alexandria Bingham, City Clerk
SUBJECT: Architectural Review Committee Member Resignation

INTRODUCTION/BACKGROUND:

The Architectural Review Committee Member Charles Heid submitted his resignation from the board effective April 8, 2025.

LEGAL REVIEW:

None.

FISCAL IMPACT:

None.

SUSTAINABILITY IMPACT:

None.

PUBLIC COMMUNICATIONS:

The City Clerk's office will publish a notice of intention to appoint to this position, post the vacancy on the "board and commission opportunities" portion of the City's website and include it in the City's digital news vehicles as publication schedules permit.

SUMMARY:

The City Commission is being asked to accept the resignation of Charles Heid from the Architectural Review Committee, thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.

ATTACHMENTS:

1. Resignation letter dated April 8, 2025.

SUGGESTED COMMISSION ACTION:

To make a motion to accept the resignation of Charles Heid from the Architectural Review Committee, to thank him for his service and to direct the City Clerk to begin the process of filling the vacancy.



Mya Brown <mbrown@bhamgov.org>

FromClerksOffice- Re: City Board Application Received– Next Steps Below

Martha Valone <mvalone@bhamgov.org>
To: Mya Brown <mbrown@bhamgov.org>

Wed, Apr 30, 2025 at 1:08 PM

**Charles Heid**

to me

10:27 AM (2 hours
ago)

Martha,

After considering the position further, I'm unfortunately not able to serve on the Architectural Review Committee at this time. I did already show up for the Committee meeting on April 7 and agreed to serve, so I need to understand how I can be removed from the committee at this time.

If you can direct me to the appropriate party I would appreciate it.

Sincerely,

Charles Heid AIA

Principal, HEID Architects

O: 313.765.8260

C: 248.207.0179

www.heidarchitects.com

[Quoted text hidden]

May 2025 City Manager's Report

Baldwin Public Library

Holiday Closures

The library will be closed on Memorial Day weekend from Saturday, May 24 through Monday, May 26 and will reopen on Tuesday, May 27 at 9:30 a.m.

The library will be closed on Thursday, June 19, in honor of Juneteenth.

Library Board

The Library Board will meet on Monday, May 19 at 7:30 p.m. for its regular meeting. The Trust meeting will be held immediately after the Library Board meeting and the Board will vote to withdraw \$59,320 in interest earnings to help fund programs and services at the library in the following year.

Repair work in the Library's Atrium

Due to failure of the concrete sealer that was installed in the Library's new vestibule and atrium last spring, the existing sealer will be sanded off and reapplied while the library is closed on June 19. For the winter months, when heavy salt is in use on sidewalks, we will be installing an interior walk off carpet runner from the front entry to the base of the stairs to collect salt as people enter the building. The Phase 3 construction warranty covers this repair.



Partnership with Birmingham Public Schools

May is a busy month for Baldwin staff as we host 24 local history tours for each of Birmingham's second grade classrooms and visit 47 different K-11 classrooms or school assemblies to share information about our 2025 Summer Reading Program. Baldwin staff will be meeting with more than 5,000 BPS students over the course of a month.

Newsletter Mailed to Homes

Baldwin's quarterly Learn.Connect.Discover newsletter has been mailed to all homes in Birmingham and includes information about upcoming programs this summer. Register for these upcoming programs and more at baldwinlib.org/calendar.

Library Tours

If you'd like to learn even more about the library, join Director Rebekah Craft for a Behind the Scenes Tour. You'll visit staff areas, learn how items are added to the collection, and hear about new programs and services. The next tour will meet in the library's atrium on Thursday, June 12 at 11:00 a.m.

Idea Lab: The Grand Tour

Have you always wondered what the Idea Lab is all about, but were afraid to ask? On Wednesday, June 4 at 7:00 p.m., Jeff will take you on a tour of the Idea Lab, including a quick demo of our exciting equipment. Registration required.

Upcoming events of interest

3rd Tuesday Book Club: "James" by Percival Everett

Tuesday, May 20, 2025, 7:00pm - 8:00pm

Join us for our book club on the third Tuesday of every month! We feature mostly fiction selections with occasional non-fiction titles. This month's book club pick is "James" by Percival Everett, winner of the 2025 Pulitzer Prize. This discussion will be held both in person and online (hybrid). To join the virtual meeting please contact adult services librarian Vicki Sower at vicki.sower@baldwinlib.org.

ELL Talk Time

Tuesdays, from 10:00am - 11:00am

Join us to practice English conversation skills. We'll meet every Tuesday at the library. All levels are welcome. Coffee, tea, and snacks will be provided.

After Hours Teen Study Night with Therapy Dogs: Grades 9-12

Saturday, June 7 from 5:30pm - 7:30pm

Is school stressing you out? Maybe petting dogs will help! After the library closes to the public, the library will remain open for students in grades 9-12. Pizza will be provided.

Summer Reading Kickoff!

Friday, June 13 from 3:00pm - 5:00pm

Color Your World at Baldwin's Summer Reading kickoff. Visit the ice cream truck, get your face painted, and decorate the patio with chalk art. Sign up and track your progress at baldwinlib.beanstack.org. Summer Reading runs from June 13 to August 8.



Learn more about these events and other programs coming to Baldwin at baldwinlib.org/calendar.

Birmingham Museum

New article on Architect Wallace Frost

For Historic Preservation Month, Museum Board member and Wallace Frost homeowner Mike Ableson has been researching and writing an article on the locally well-known architect. Frost's 1920s quaint English and Tudor style homes are sprinkled around Birmingham and sought after by those who love their charming and sometimes quirky character. Ableson worked with the museum's archives and combed through available information to put together a comprehensive look at Frost and what it is like to live in one of his homes. His article supports the City's efforts to promote understanding of Frost and his work and to raise awareness of the benefits of preserving the architect's remaining houses. The article will be posted on the City's website with a link on the Planning Department's [Historic Preservation Month webpage](#).

Juneteenth Display at City Hall

During June, Birmingham residents can stop by the Municipal Building Monday through Friday from 8:00 a.m. to 5:00 p.m. to see a museum exhibit banner about Birmingham's connection to the Underground Railroad network and the Juneteenth national holiday. In 2020, museum volunteers discovered that a formerly enslaved couple, George and Eliza Taylor, were buried in Greenwood Cemetery without a marker, and that pioneer settler Elijah Fish, also buried at Greenwood, was an abolitionist. This discovery led to the listing of their burial sites on the National Park Service's Underground Railroad Network to Freedom official register and a public celebration in 2022. Donations to the Friends of the Birmingham Museum led to the installation of a grave monument for the Taylors with the inscription, "*Born into slavery/Died free in Birmingham.*" The exhibit is in the main lobby and will be on display until the end of June.

Birmingham Shopping District

SPECIAL EVENTS

Farmers Market

The [Farmers Market](#) season is off to a busy start! Enjoy live music and kids activities, and shop 50+ vendors with fresh produce and plants, artisan baked goods, prepared foods and more every Sunday from 9 a.m. – 2 p.m. through October 26. Highlights this season include free *Second Sundays* fitness activities and monthly special events including Strawberry Jamboree, Super Farmer Day, Corn Festival and more.

Outdoor Movie Nights

Outdoor Movie Nights return to Booth Park on select Friday evenings starting Friday, June 6. All are invited to pack their blankets and lawn chairs and join us for free, family-friendly fun and giveaways. Pre-show entertainment begins at 6:30 p.m.; movie at 7:30 p.m.

For more information on the Farmers Market and all upcoming events, visit the [Event Calendar](#).



Call for Volunteers

The BSD is [recruiting volunteers](#) of all ages to support the Farmers Market, Movie Nights, Day On The Town, Birmingham Cruise Event and other fun events! It's a great way to get volunteer hours and give back to the community.

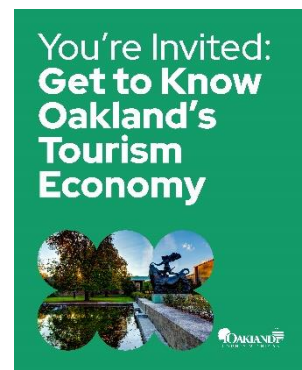


TOURISM

BSD Executive Director, Erika Bassett, continues to represent Birmingham as a member of the Steering Committee for the [Visit Oakland County Tourism Strategic Plan](#).

Hear what we are learning about the economic impact of tourism on Oakland County and its communities from the research conducted for this new initiative during the **Tourism Diagnostic Webinar** on May 21, 2025. Two identical sessions are available – register today!

- [Morning Webinar Session](#) (9-10:30 a.m.)
- [Afternoon Webinar Session](#) (1-2:30 p.m.)



BUSINESS RECRUITMENT AND RETENTION

New Businesses

The BSD welcomed over 10 new retail and dining merchants so far this year including La Pecora Nera, Bobbles and Lace, Drop 02, DayCap and others. Full directories of all businesses located in the district can be found on the BSD [website](#).

Business Anniversaries

The BSD recognizes its longstanding businesses in a variety of ways through its Business Anniversary Recognition Program, at 5, 10, 25, 50 and 75 years of operating within the district. In 2025, we have nearly 40 businesses celebrating milestone anniversaries!

BUSINESS NAME	ADDRESS	DATE OPENED	5 YEAR	10 YEAR	25 YEAR	75 YEAR
Coldwell Banker Weir Manuel	690 South Old Woodward Avenue	1950				2025
Max Brook	275 South Old Woodward Avenue	1950				2025
Legacy Jewelry	700 North Old Woodward Avenue Suite 200	2000			2025	
The Birmingham Tailor	139 West Maple Road - Suite K 2nd Floor	2000			2025	
Willits Property Management	111 Willits Street	2000			2025	
all seasons of birmingham	111 South Elm Street	2015		2025		
baus	790 North Old Woodward Avenue	2015		2025		
David Purvis Agency - Farm Bureau Insurance Agency	1010 Bowers Street - Suite A	2015		2025		
Imagine Palladium Theatre	209 Hamilton Row	2015		2025		
Forest	735 Forest Avenue	2015		2025		
Jeff Glover & Associates	330 Hamilton Row	2015		2025		
La Strada Italian Kitchen & Bar	243 East Merrill Street	2015		2025		
Legato Salon & Spa	335 East Maple Road	2015		2025		
Lucido Fine Jewelry	250 North Old Woodward Avenue	2015		2025		
MadDog Technology	233 Pierce Street	2015		2025		
NNG North America	320 Martin Street - Suite 110	2015		2025		
Paymasters Inc.	550 West Merrill Street - Suite 220	2015		2025		
Seeds marketing + design	170 West Maple Road	2015		2025		
Sidecar Slider Bar	117 Willits Street	2015		2025		
Studio 4 Bodywork	1010 Bowers Street - Suite C	2015		2025		
Studio Balayage Michigan	255 South Old Woodward Avenue - Suite 19	2015		2025		
Tilt	108 Willits Street	2015		2025		
Toby Beach, LMSW	300 East Maple Road - Suite 315	2015		2025		
ABC Vintage	154 West Maple Road	2020	2025			
Bakehouse 46	250 West Maple Road	2020	2025			
Community Yoga Studio	555 South Old Woodward Avenue - Suite 21L	2020	2025			
Essential Nail Bar	254 West Maple Road	2020	2025			
First Community Bank	379 South Old Woodward Avenue	2020	2025			
Holistically Well	751 Chestnut Street - Suite 205	2020	2025			
Johnny Was	115 South Old Woodward Avenue	2020	2025			
Law Offices of Yasmine I. Poles, PLLC	550 West Merrill Street - Suite 100	2020	2025			
Mayweather Boxing & Fitness	34000 Woodward Avenue	2020	2025			
Paint Nail Bar	229 North Old Woodward Avenue	2020	2025			
Shift Cocktail Bar	117 Willits Street	2020	2025			
Slice	117 Willits Street	2020	2025			
Strength Capital Partners	102 Pierce Street	2020	2025			
The Colore Room	588 North Old Woodward Avenue	2020	2025			
The Pearl Luxury Apartments	856 North Old Woodward Avenue	2020	2025			
Urban Wick Candle Bar	172 North Old Woodward Avenue	2020	2025			

Building Department

Board of Zoning Appeals

There were five cases on the agenda for the April 8, 2025 Board of Zoning Appeals regular meeting:

1. 774 Lakeside: The owner requested variances from the maximum lot coverage and the rear setback to construct an addition to their existing non-conforming home. The request was approved 7/0.
2. 1792 Banbury: The owner requested a variance from the side yard setback to construct a new detached garage that is along a side street. The request was approved 7/0.
3. 719 Larchlea: The owner requested variances from the minimum total side yard setback and the minimum distance between the neighbor's building along with another request that the addition is in front of the garage. The request was approved 7/0.

4. 1000 Shirley: The owner requested a variance from the minimum rear yard setback to construct an addition on the existing attached garage. The request was denied 7/0.
5. 488 Willits: The owner requested variances on the height of the building to construct a new home. The request was approved 7/0.

Online Permit Applications

In the month of April, we processed 367 permits online bringing this year's total permits processed electronically to 1,252.

Monthly Report

The Building Department's [monthly report](#) shows the previous month's permit activity, along with charts showing the building permit activity trend over the past year.

City Clerk's Office

2025 Election Dates

- November 4, 2025 - Local General Election

*Petition Filing Deadline: July 22, 2025 by 4:00 p.m.

- City Commission - Vote for no more than three, 4-year terms
- Library Board - Vote for no more than three, 4-year terms

Persons wishing to file as a candidate for the City Commission or Library Board for the November 4, 2025 election can pick up the required forms and informational materials at the City Clerk's Office during office hours Monday through Friday, 8:00 a.m. to 5:00 p.m.

The wording of a ballot question must be certified to the proper local or county clerk **not later than 4 p.m. on the twelfth Tuesday before the election**. If the wording is certified to a clerk other than the county clerk, the clerk shall certify the ballot wording to the county clerk at least 82 days before the election.

Greenwood Cemetery & the Greenwood Cemetery Advisory Board (GCAB)

The next meeting for the GCAB is scheduled for September 5, 2025. To view Greenwood Cemetery Advisory Board agendas and minutes visit www.bhamgov.org/GCAB.

Also note that for those visiting the cemetery and placing decorations for loved ones it is important to be aware of the [Greenwood Cemetery Operational Procedures, Conditions & Regulations](#), specifically sections II, III, and V.

Board of Ethics

Stay tuned for announcements regarding the next scheduled Board of Ethics meeting. At this time there are no opinion requests or complaints to be processed. To view the Ethics Board agendas and minutes visit www.bhamgov.org/ethics.

Board Appointments

The City of Birmingham is looking for dedicated individuals who want to give back to their community by serving on one of our many boards or commissions. Birmingham's different boards and commissions make recommendations that shape the City's future. Serving on a board or commission is a great way to get involved in your community, meet new people and make a positive impact. Don't miss out on the chance to make a difference - go to www.bhamgov.org/boardopportunities to view all the available openings and apply at bhamgov.org/boardapplication.

City Manager's Office

Congratulations, Bruce!

Congratulations to Building Official Bruce Johnson, who retired on May 15 after more than 25 years with the City. His leadership, integrity and passion for helping others succeed has earned the respect of residents, coworkers and builders alike. His contributions have shaped Birmingham in countless ways, and he will be greatly missed! We wish Bruce all the best in retirement.



Birmingham to receive \$2,231,297 in SEMCOG TAP funds

In 2023, the Multi-Modal Transportation Board worked with residents and businesses to create an updated S. Eton road design that incorporated pedestrian enhancements and bike lanes on each side of the street. The City has been working to secure a TAP (Transportation Alternative Program) Grant to fund a large portion of the project. Earlier this month, the SEMCOG Regional Review Committee announced the S. Eton Road Bike Lanes project has been selected to receive the TAP funding for a total award of \$2,231,297. Project design work will be completed from fall 2025 through spring 2026, and construction along S. Eton between Maple and 14 Mile will begin in the summer of 2026. Thank you to our Engineering team and all who worked to secure this funding!



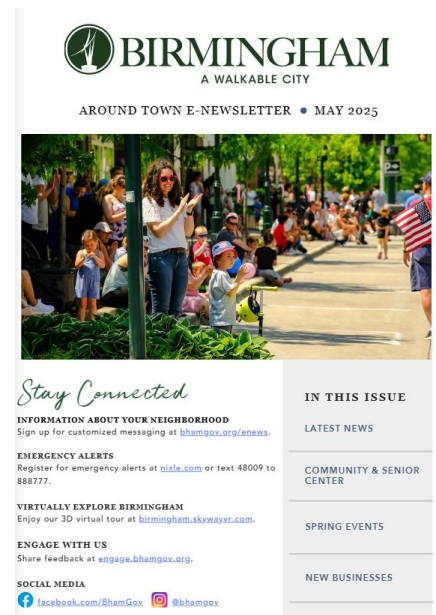
Communications

Around Town e-Newsletter

The communications team is working on the May edition of the Around Town e-newsletter, which will include information about the In the Park Summer Concert Series, outdoor Movie Nights, golf programs and more. Follow [this link to view the May edition](#) of the Around Town e-Newsletter.

Summer edition of the Birmingham Beat Newsletter

The team is working on the summer edition of the Birmingham Beat newsletter, which will be mailed to Birmingham residents in mid-June. This edition will feature the Consumers Annual Report on Water Quality, the Police Open House and other summer events, new zoning requirements for whole-home generators, the November election and more.





How well do you know Wallace Frost?

How well do you know Wallace Frost, Birmingham's famed local architect? Put your knowledge to the test with our Frost Trivia Challenge — live now on Engage Birmingham at bhamgov.org/frosttrivia! It's part of the City's National Historic Preservation Month celebration, intended to both honor the renowned architect and educate the public about his work. Whether you live in a "Wally", are a history or architecture buff, or just enjoy a good quiz - this is for you!

Learn more about Frost, National Historic Preservation Month and other ways Birmingham is celebrating both at bhamgov.org/nhpm25. The quiz will remain open through May 30.



Wallace Frost, 1952, Courtesy Frost family. (Birmingham Museum Collection)

Share feedback on new park names and playgrounds

Birmingham's Pumpphouse Park and West Lincoln Well Parks are getting makeovers this summer, with new playground equipment and new names! Review playground design concepts, suggest a name and share your ideas for both mini-parks on our survey at <https://engage.bhamgov.org/parks-projects> by May 23!

Both parks' playground equipment dates back to the 1990s and is scheduled for replacement thanks to funding from Birmingham's voter-approved Parks and Recreation bond. Learn more about the bond at bhamgov.org/parksbond.



Receive Updates from Birmingham

Receive the latest news from Birmingham by signing up to receive our newsletter and alerts at bhamgov.org/enews. Subscribers receive important information specific to their neighborhood, emergency alerts and our newsletter featuring upcoming events, meetings, City projects, developments and more. Also follow us on [Facebook](#) and [Instagram](#) @BhamGov, and visit bhamgov.org/communications to view all City communication tools.

BIRMINGHAM CITY COMMISSION - UPCOMING AGENDA ITEMS

Meeting	Topic	Dates Addressed	Status
1/27/25	Business Recycling Practices	1/27/25	Commission to discuss
1/27/25	Information Technology Advisory Board	1/27/25 3/10/25	Commission to discuss
9/23/24	Code of Conduct for Landscapers	9/23/24	In progress

5/20/24	RFP Process	6/3/24 7/22/24	In progress
4/15/24	Discuss City property on Shirley Road that is not designated as Right of Way	4/15/24	In progress

Department of Public Services

Playgrounds

Planning is underway for our Citywide playground improvements project, the City's next initiative to accomplish Parks and Recreation Bond projects. First up is Pumphouse Park and West Lincoln Well Park. The department hosted planning sessions in mid-April and held a public input session at the May 6, 2025 Parks and Recreation Board meeting. DPS wants input from residents this month as it plans makeovers – including new names and new playgrounds – at both parks! Please take our [survey](#), available through May 23, 2025, at <https://engage.bhamgov.org/parks-projects>. Visit the project on Engage Birmingham and review playground design concepts, suggest names and share your ideas for both mini-parks.

Playground equipment at both parks dates back to the 1990s and is scheduled for replacement thanks to funding from Birmingham's voter-approved 2020 [parks and recreation bond](#). The projects are the first in a series of playscape improvements planned for parks throughout the City over the next four years. Up next is Poppleton Park, followed by Pembroke Park and eventually Crestview, Kenning, Howarth, St. James and Linden parks.

Booth Park Entry Plaza & Trail Improvements Update

Grissim, Metz, and Andriese, the consultant hired to prepare design work and construction drawings for this project, is working to prepare bid documents and specifications for the Booth Park Entry Plaza and Trail Improvements project. Once State legislation approves the Michigan Natural Resources Trust Fund (MNRTF) Grant recommendations, the City will enter into an agreement with the Michigan Department of Natural Resources (MDNR). The City has begun providing required information to the grant coordinator such as a boundary map and legal description of the project area so that we are ready to execute an agreement as soon as possible. To encourage the passing of the legislation for grant funding, residents may contact their State representatives.

Forestry Quarterly Update:

2024 Tree City USA and Tree City USA Growth Award

The Arbor Day Foundation has honored the City of Birmingham as a Tree City USA for the 47th year in a row now. Also, for the first time the City applied for and was awarded the Tree City USA Growth Award! The Tree City USA Growth Award is awarded to participating Tree City USA cities that demonstrate a high level of tree care and community engagement during the calendar year. Cities must gain points by completing certain tasks and achieving metrics, all of which are considered and must be included in the application. The Growth Award recognizes major milestones and annual activities in five categories that combine to build sustainable community forestry programs over the long term.

Spring Tree Purchase and Plant Project

DPS is finalizing a request for proposals for the Spring Tree Purchase and Plant project for 208 trees to be installed along various street right-of-ways and in parks. We anticipate this project to be reviewed by the City Commission at the June 9 City Commission meeting. The City replants trees after they have been removed and/or when there is adequate spacing in the easement using the "right tree, right place" method and with a focus on species diversity (native when possible, with 35 different species and cultivars this planting). Existing overhead and underground utilities are taken into account, as well as other standard urban forestry practices such as appropriate spacing from other trees, signs, light poles, driveway approaches, and crosswalks.

Upon project award, planting will likely commence shortly thereafter during the month of June as it has in the past. All residents who will receive a new tree in the City easement will be visited by forestry staff for tree care and watering instructions, or receive a door hanger explaining the watering requirements and other recommended cultural maintenance practices, such as avoiding fertilizing the tree during the first few years of establishment.

Engineering Department

Lead Service Replacement Program

In November 2024, the City mailed a notice to property owners with lead water service, galvanized pipes previously connected to lead materials or unknown water service material per EGLE's requirements. For more information regarding these letters, or if you would like to sign up for lead service replacement at no cost, please contact the Engineering Department at (248) 530-1840.

The City will be starting a door-knocking effort to replace lead water services. If the property owner is not available, a flyer will be left. Please follow the steps in the flyer to schedule your water service replacement.

Arlington, Shirley, and Brandon Project

The contractor is currently working on punchlist items and should have them completed by the end of this month, weather permitting.

2024-2025 Concrete Repair Program

The contractor started work on this program and it includes sidewalk repairs to: Residential Area 7 (from the Rouge River east to Adams Road and Maple Road north to the City limits), Downtown Area 1A (Maple Road and west of N. Old Woodward within the downtown district), concrete pads for three new bus shelters and eleven new bike rack areas, sidewalk replacements in Shain Park, parking lot repairs at Fire Station 1, and scattered sidewalk, alley, and concrete street patches throughout the City.

2024 Resurfacing Program

The contractor completed work on Ann Street and Henrietta Street. The construction start date for Birmingham Blvd is being coordinated with the work done by Consumers Energy.

2023-2024 and 2024-2025 Cape Seal Program

The contractor is in town starting work on this project, and work will continue through June. Affected residents will receive notification through letters, flyers and emails about the status of construction.

Oakland and Haynes Project

The contractor will restart paving construction the week of May 19. Residents and property owners on these streets have received emails and fliers with additional information about the project.

Traffic Signal Mast Arm Project

The contractor will be starting construction on the three remaining locations: Brown and Southfield, Maple and Elm/Poppleton, and Maple and Adams in June. Information will be posted on the City's social media outlets about construction information.

N. Adams Resurfacing Project

The contractor will start mobilizing and begin construction of the watermain at the beginning of June, and start road construction on June 16. Lane closures will occur during the road construction portion of the project.

Bird Ave. Phase 1A Project (Pierce Street to Grant Street)

Construction for this project will start on June 16, 2025, with the contractor mobilizing to the project area the week of June 9.

Wimbledon Phase 1 Project (Woodward Ave to Oxford Street)

Construction on this project is projected to start in July. The Engineering Department will issue a letter prior to the start of construction on this project.

Consumers Energy Project

Consumers Energy is restoring areas from last year's project and has started on the gas main on the following streets:

- Birmingham Blvd: Lincoln to 14 Mile Road
- Maryland Blvd: Lincoln to Southlawn
- Shipman Blvd: Lincoln to Northlawn
- Washington Blvd: Lincoln to 14 Mile Road

Consumers Energy has notified residents of this project. For more information, contact:

- General construction – Gas Construction Operations: 517-768-3640
- Relight pilot lights after gas service interruption: 1-800-477-5050
- Landscaping, grass, road, and sidewalks: 1-844-660-3477

If you have any questions about these projects or programs, please contact the Engineering Department at 248-530-1840.

Fire Department

BRIC Grant

In FY 24-25 the decision was made by the City Manager, Fire Chief, City Engineer and City Attorney to not proceed with the FEMA awarded FY23 Building Resilient Infrastructure and Communities (BRIC) grant for a parking lot #6 flood wall. The decision was based on many factors such as reducing the amount of parking places required for the wall, blocking private building access, farmers market temporary relocation, shared cost, etc.

As it turns out, had the City proceeded with the project, we would have spent a minimum of \$215,940 for cost sharing associated with the \$1,295,680 FEMA award plus additional costs depending on how far along the project was since BRIC grants are reimbursement grants. Effective April 4, 2025 FEMA cancelled all BRIC reimbursement grants even if they were ongoing, leaving many State and Local governments in an unfortunate situation.

Per a press release on the FEMA website:

Release Date: April 4, 2025

Under Secretary Noem, DHS is eliminating waste, fraud and abuse

WASHINGTON -- FEMA is ending the Building Resilient Infrastructure and Communities (BRIC) program and canceling all BRIC applications from Fiscal Years 2020-2023. If grant funds have not been distributed to states, tribes, territories and local communities, funds will be immediately returned either to the Disaster Relief Fund or the U.S. Treasury.

Life Saving Awards

On March 18, 2025 at 9:22 a.m. Rescue 2 and Engine 2 responded from Station 2 for a call of a driver slumped over in a car in the middle of the road. The crew arrived on scene in two minutes flat to find a 72-year-old male in cardiac arrest. Battalion Chief Alan Soave and Firefighter/Paramedics Steve Bonora, Shawn Brown and Robert Abraham provided Advanced Cardiac Life Support (ACLS) care to the patient at the scene until he was stabilized for transport to the hospital. The patient has made a full recovery with no deficits. On May 22, 2025 the crew will be receiving an award from the Oakland County Medical Control Authority in recognition of their excellent service provided to the Birmingham community.



Again, on April 18, 2025 (Good Friday) at 9:50 a.m. Rescue 1 and Squad 1 were clearing a previous medical call when they were dispatched to a female patient having a seizure. The crew arrived on scene in 30 seconds (they happened to be just a few blocks away) and found the 27-year-old patient to be in cardiac arrest with bystander CPR in progress. Battalion Chief Tom Hughes and Firefighter/Paramedics Steve Bonora, Randy Bearden and Brendt Frederick provided Advanced Cardiac Life Support (ACLS) care to the patient at the scene until she was stabilized for transport to the hospital. This patient has also made a full recovery with no deficits.



The Fire Department would like to commend these individuals for their hard work and professionalism in stressful situations enabling positive outcomes for our patients.

Human Resources

New Hires

The City of Birmingham extends warm congratulations to our newly hired employees as of May 12, 2025. Their skills, expertise and enthusiasm are a valuable addition to our team. We welcome them to the City of Birmingham!

Department	Name	Position	Type
Police	Jocelyn Jimenez	Parking Enforcement Assistant	Part Time (AFSCME)
DPS - Golf	Makenzy Vincent	Clubhouse Service & Maintenance	Seasonal Rehire
DPS - Golf	Morrise Kent	Clubhouse Service & Maintenance	Seasonal Rehire
DPS - Golf	Gavin Minni	Clubhouse Service & Maintenance	Seasonal Rehire
BSD	Jacob Fines	BSD Events Assistant	Seasonal
Engineering	Kameron Dimitry	Public Works Inspector	Seasonal Rehire
DPS - Golf	Cira Racco	Clubhouse Service & Maintenance	Seasonal
DPS - Golf	Michael Davies	Clubhouse Service & Maintenance	Seasonal Rehire
DPS - Golf	Myles Hilgen	Clubhouse Service & Maintenance	Seasonal
DPS - Golf	Lauren Stehney	Clubhouse Service & Maintenance	Seasonal Rehire
Engineering	Mohamed Chammaa	Public Works Inspector	Seasonal Rehire
DPS - Golf	David Judd	Clubhouse Service & Maintenance	Seasonal

May Hiring Anniversaries

The City of Birmingham celebrated the hiring anniversaries of several employees. We extend our heartfelt appreciation for their exceptional service and unwavering dedication. Their contributions are deeply valued and recognized.

Years Of Service	Employee		Department	Position
1	Maliek	Humes	Police	Police Officer
2	Samantha	Hollo	Library	Library Page
3	Kelly	Dolland	Clerks	Part Time Clerical
3	Will	Isaacson	Police	Police Officer
3	Joseph	Roberts	Police	Police Officer
4	Trevor	Hulbert	Fire	Fire / AEMT
4	Emily	Malek	Library	Substitute Librarian
4	Grace	Noble	Library	Library Assistant
4	Anthony	Paredes	Police	Police Sergeant
6	Melissa	Behrens	Library	Substitute Librarian
6	Joan	Jennings	Library	Library Assistant
6	Ryan	Neuville	Fire	Fire / AEMT
6	Hannah	Stoloff	Library	Substitute Librarian
7	James	Adams	Library	IT Assistant
7	Robbie	Terman	Library	Substitute Librarian
8	Nadia	Bertala	Library	Library Page
8	H	Jennings	Library	Library Department Head
8	Ross	Leibold	DPS	Parks & Forestry Operator

9	Jason	Granroth	Fire	Fire / AEMT
11	Jamie	Debano	Police	Police Officer
12	Brian	Freels	Fire	Fire Lt/AEMT
12	Kenneth	Hitchcock	Police	Clerk
13	Douglas	Manigold	Building	Zoning Officer
22	Thomas	Hughes	Fire	Battalion Chief
25	Gregory	Wald	Police	Police Captain
26	Bruce	Johnson	Building	Building Official

Hiring Status

The City is seeking candidates for the following positions. Below is the current status of each opening. To apply or for more information, visit www.bhamgov.org/jobs.

Department	Position	Type	Status
Clerks Office	Election Coordinator	Part Time (AFSCME)	Posting closes 5/27/2025
DPS	Ice Arena Concessions/Maintenance	Part Time	Open Until Filled
DPS	Parks Seasonal	Seasonal	Open Until Filled
DPS	Golf Seasonal	Seasonal	Open Until Filled
Building	Plumbing and Mechanical Inspector	Full Time (AFSCME)	Open Until Filled
Engineering	Senior Engineering Technician	Full Time (AFSCME)	Open Until Filled
Police	Dispatcher	Part Time	Reviewing Applicants
DPS	Recreation Coordinator	Full Time (AFSCME)	Reviewing Applicants
BSD	Events & Farmers Market	Seasonal	Onboarding

Planning Department

Planning Board

The Planning Board has reviewed eight site plans so far this year, and is expecting applications to be steady moving into the summer. Meanwhile, the Planning Board continues to perform study sessions, pre-application discussions, and other related work. In addition, the Planning Board is preparing to embark on the major Zoning Ordinance update that is the next natural progression of the Birmingham Plan 2040.

A tentative Planning Board list of scheduled and/or recently completed items is provided below:

1. 185 Oakland – Belfor – Final Site Plan & Design Review (POSTPONED INDEFINITELY)
 - Request for a new large, whole-building generator at the rear of the property behind the existing building with associated screening and landscaping improvements.
2. 2425 E. 14 Mile – Clover Hill Park Cemetery – Final Site Plan & Design Review (PB 4/23/25, BZA 5/13/25)
 - Request for renovation to north side of property for a nonconforming use.
 - Project was approved by the Planning Board with conditions.
 - Board of Zoning Appeals granted the requested variance.
3. 163 W. Maple – Origins Café – Final Site Plan & Design Review (5/28/25 – POSTPONED FROM 4/23/25)
 - Request for New Outdoor Dining Platform in W. Maple Right-of-Way.
4. 479 S. Old Woodward – Birmingham Tower – Special Land Use Permit, Final Site Plan & Design Review – (5/28/25)
 - Request to modify the floor plans and parking requirements at an approved 5-story mixed-use building.
5. Triangle District Bonus Height Provisions Phase 2 – Study Session – (6/11/25)
 - A continuation of the review of the available provisions to receive additional building height in the current Triangle District of Birmingham.
6. Impervious Surface – Public Hearing (6/11/25)
 - A review of the definition of impervious surface and open space requirements in the City.
7. Child Care Ordinance – Public Hearing (6/11/25)
 - A review of the City's childcare standards related to Family Child Care Homes and Group Child Care Homes as it related to definitions, use specific standards, permitted zoning districts, and other issues.

Historic District Commission (HDC) & Design Review Board

A tentative list of scheduled items is provided below:

1. Historic Plaques – Study Session (6/4/25)
 - The HDC will be reviewing plaque designs for residential historic resources to provide a consistent and recognizable design.
2. Historic Preservation Master Plan – Study Session (6/4/25)
 - The HDC and City staff are developing an organized, holistic, and long-range Historic Preservation Master Plan to help guide preservation efforts into the future.
3. Wallace Frost Program (Ongoing)
 - To try and gain momentum after the recent designation of 1283 Buckingham, the HDC and City staff developed a program to feature the architect Wallace Frost during National Historic Preservation Month in May 2025. The program includes social media engagement, presentations, maps/tours, and other unique engagement opportunities.

Up to this point, the City has experienced a lot of support and engagement from the Birmingham Community, from Wally owners and enthusiasts alike. The City has hosted the programming and happenings on a [National Historic Preservation Month](#) page on the City website, which has been regularly updated after each engagement and/or activity was held. This program has been considered a success and can serve as a model for future historic preservation programs in the City.

Environmental Sustainability Committee (ESC)

The ESC held its second meeting on May 19, 2025. At the meeting, the ESC began the process of implementing the recommendations of the Birmingham Green: Healthy Climate Plan by making progress on the Community Engagement Plan. In addition, the ESC began working through recommendations for leaf blowers, as was directed by the City Commission. The City Commission has seated the 7 members of the formal, standing Environmental Sustainability Committee (ESC) as well as 2 new student members. There are currently two alternate positions still open.

Police Department

OCHN CoRe Program Update

In a recent report from OCHN, Officer Pranger of our Police Department was highlighted for his continued dedication towards helping others and his important role within our department.

OAKLAND COMMUNITY HEALTH NETWORK

OAKLAND COUNTY'S PUBLIC BEHAVIORAL HEALTH SYSTEM

Co-Response Community Outreach (CoRe) Impact Update

OFFICER HIGHLIGHT



Officer Pranger from **Birmingham PD** is an incredible CIT officer. CoRe has had many opportunities to assist the community alongside Officer Pranger and witnessed how he is able to de-escalate individuals who are in crisis. Officer Pranger is also trained in Critical Incident Stress Management (CISM) and has willingly stepped-up to assist other jurisdictions with his skills and knowledge during a hard time. Officer Pranger is a great example for new officers and displays leadership by handling scenes with compassion and empathy.

Drone Program

The Birmingham Police Department's Drone Program has been a great addition. Our drones have been used to provide security at special events, search for missing persons, locate suspects fleeing from police and provide aerial surveillance during covert operations. Our drone team has had several successful cases involving locating suspects who have fled from police to bring a quick closure to an otherwise dangerous search for a suspect.

In April 2025, an officer from a neighboring jurisdiction was assaulted by a suspect and sustained serious injuries. Officers from our department and other surrounding agencies responded to assist in locating the suspect who fled from the scene. A drone operator from our department responded to the area, launched our drone and quickly located the suspect and directed officers to the location to safely take the suspect into custody.

Our program continues to grow as we train more certified officers to fly the drones and make them more readily available. The Police Department will be adding GPS measuring tools to our drone which will allow additional use by our traffic accident investigators to take precise measurements at major accident scenes from a position above the crash location.

2025 Great Lakes Homeland Security Training Conference and Expo

Several members of the Police Department attended this conference held on May 6-8, 2025, hosted in partnership by the Michigan State Police, Emergency Management and Homeland Security Division, the Federal Bureau of Investigation, and the Michigan Department of Health and Human Services.

This conference provides numerous training opportunities in areas such as school safety, human trafficking, cybersecurity, behavioral assessments, disaster response, etc.

Police Department Training

Throughout the year, the Police Department schedules four mandatory training days for all sworn personnel. In April, two of the four days were scheduled where officers received training for multiple topics. The training included: responding to children with special needs, active shooter response, training on new Axon Tasers recently purchased, and an update provided by the FBI on investigating financial crimes involving digital currency.

Parking Systems Update

BCT Design Group Update

The City Commission awarded a contract to BCT Design Group to provide design services for both the interior and exterior of all five City parking garages. BCT presented their "Schematic Designs" for the Chester Garage to the Advisory Parking Committee. The APC was impressed with the proposed designs and the limited questions they had were addressed by BCT. BCT intends to work with the City Commission to receive approval for designs for all five parking garages by the end of May.

Monthly Parking Update

As is usually the case, when spring arrives downtown Birmingham gets livelier. As such, the parking system subsequently sees increased activity in the parking garages. Occupancy in all five garages has increased since winter. There is currently a waitlist for monthly parking at four of the five garages with limited wait time at two of the four. There has been significant progress at the Pierce Garage with the waitlist being reduced to the smallest it has been in years. Much of the increased activity in monthly parking can be attributed to the return of office workers on Tuesday through Thursday.

Parking Reports

Download the [monthly parking report](#) to view the following data: total citations issued, average weekly maximum capacity, meter revenue by amount and percentage, monthly passes compared to garage capacity and monthly permits sold.

Future Agenda Items

Download a summary of [future agenda items](#).

Potential Future Workshop Topics

June – Oakland County Water Resources Commissioner Jim Nash (tentative)

Future workshop topics:

Unimproved Roads

Police Department/Building Security



MEMORANDUM

Planning Department

DATE: May 5, 2025

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Public Hearing for 115 Willits – e Fiore (Formerly Mare Mediterranean) – Special Land Use Permit Amendment (Ownership Change)

INTRODUCTION:

The applicant has submitted a Special Land Use Permit Amendment application to change ownership of Mare Mediterranean, an existing food and drink establishment serving alcoholic liquors for on premise consumption in Downtown Birmingham. The subject site is located on the south side of Willits between Bates St. and N. Old Woodward.

The transfer of ownership will include limited changes to the interior and the restaurant's concept/menu, but will not include any changes to the exterior of the building or the greater site as a result of this transfer. Important to note, this business is not a bistro and thus is not beholden to an approved concept/menu or interior seating layout. If approved, the Special Land Use Permit would be transferred from Birmingham Omni Hospitality, LLC (Sprazzo) to Abruzzese Hospitality, LLC. The new owner also owns Casa Pernoi, a bistro at 310 E. Maple.

In addition to the transfer of the Special Land Use Permit, the transfer of a Class C Liquor License is also reviewed by the Birmingham Police Department. The full review memorandum is attached to this report.

BACKGROUND:

On July 8, 2024 ([Agenda](#) – [Minutes](#)), the City Commission approved a Special Land Use Permit Amendment for 115 Willits to transfer ownership and update the Special Land Use Permit to the then new owner, Birmingham Omni Hospitality, LLC (Sprazzo).

LEGAL REVIEW:

The City Attorney has reviewed this request and has no objections as to form and content.

FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

SUSTAINABILITY:

Not applicable.

PUBLIC COMMUNICATIONS:

As required for Special Land Use Permit Reviews, a legal ad was placed in a newspaper of local circulation to advertise the public hearing at the City Commission meeting on May 19, 2025. In addition, postcards were sent out to property owners and occupants within 300 feet of the subject site.

SUMMARY:

The Planning Department requests that the City Commission consider the Special Land Use Permit Amendment for 115 Willits – e Fiore – to transfer ownership and update the Special Land Use Permit with the new owner, Abruzzese Hospitality, LLC.

AND

The Police Department request that the City Commission authorize the City Clerk to complete the Local Approval Notice at the request of Abruzzese Hospitality, LLC. To approve the request for a transfer of ownership of the Class C liquor license, with Sunday sales, outdoor service area, dance and entertainment permit from, LLC located at 115 Willits, MI from Birmingham Omni Hospitality, LLC to Abruzzese Hospitality, LLC that will be located at the same address.

ATTACHMENTS:

Please see attached the following documents:

- Special Land Use Permit Resolution
- Special Land Use Permit Contract
- Police Department Liquor License Transfer Report
- Application Materials

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to APPROVE the Special Land Use Permit Amendment for 115 Willits – e Fiore – to transfer ownership and update the Special Land Use Permit with the new owner, Abruzzese Hospitality, LLC.

AND

Make a motion adopting a resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Abruzzese Hospitality, LLC. To approve the request for a transfer of ownership of the Class C liquor license, with Sunday sales, outdoor service area, dance and entertainment permit from, LLC located at 115 Willits, MI from Birmingham Omni Hospitality, LLC to Abruzzese Hospitality, LLC that will be located at the same address.

**E Fiore
115 Willits
Special Land Use Permit Amendment 2025**

WHEREAS, The City Commission granted a Special Land Use Permit, Final Site Plan and Design Review approval for the original restaurant, Mare Mediterranean, located at 115 Willits on July 12, 2021;

WHEREAS, The City Commission on July 8, 2024 approved a Special Land Use Permit Amendment for 115 Willits to transfer ownership and update the Special Land Use Permit to the then new owner, Birmingham Omni Hospitality, LLC;

WHEREAS, A new Special Land Use Permit Amendment application was filed in March 2025 for approval of the transfer of ownership of an existing food and drink establishment serving alcoholic liquors for on premise consumption at 115 Willits from Birmingham Omni Hospitality, LLC to Abruzzese Hospitality, LLC;

WHEREAS, The land for which the Special Land Use Permit is sought is located on the south side of Willits between Bates St. and N. Old Woodward;

WHEREAS, The land is zoned B4 (Business-Residential) and D4 (Downtown Overlay), which permits alcoholic beverage sales for on premise consumption with a Special Land Use Permit;

WHEREAS, Article 7, section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit to be considered and acted upon by the Birmingham City Commission, after receiving recommendations on the site plan and design from the Planning Board for the proposed Special Land Use;

WHEREAS, The Special Land Use Permit Amendment request for the transfer of ownership does not include any changes to the premises that require site plan and design review by the Planning Board;

WHEREAS, The Birmingham City Commission has conducted a public hearing on May 19, 2025 and has reviewed e Fiore's Special Land Use Permit Amendment application and the standards for such review as set forth in Article 7, section 7.36 of Chapter 126, Zoning, of the City Code.

NOW, THEREFORE, BE IT RESOLVED, The Birmingham City Commission finds the standards imposed under the City Code have been met, subject to the conditions below, and that e Fiore's application for a Special Land Use Permit Amendment at 115 Willits is hereby approved;

BE IT FURTHER RESOLVED, That the City Commission determines that to ensure continued compliance with Code standards and to protect public health, safety, and welfare, this Special Land Use Permit Amendment is granted subject to the following conditions:

1. e Fiore shall abide by all provisions of the Birmingham City Code;
2. e Fiore shall comply with the approved site and design plans and any

amendments thereto, and all conditions of approval assigned by the Planning Board and City Commission in 2021; and

3. The Special Land Use Permit may be canceled by the City Commission upon finding that the continued use is not in the public interest.

BE IT FURTHER RESOLVED, That failure to comply with any of the above conditions shall result in termination of the Special Land Use Permit.

BE IT FURTHER RESOLVED, Except as herein specifically provided, e Fiore and its heirs, successors, and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, and as they may be subsequently amended. Failure of e Fiore to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit.

BE FURTHER RESOLVED that e Fiore is recommended for approval of the transfer of ownership of an existing food and drink establishment serving alcoholic liquors for on premise consumption at 115 Willits from Birmingham Omni Hospitality, LLC to Abruzzese Hospitality, LLC, above all others, subject to final inspection.

I, Alexandria Bingham, City Clerk of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on May 19, 2025.

Alexandria Bingham
City Clerk

CONTRACT FOR A SPECIAL LAND USE PERMIT 115 WILLITS – E FIORE

This Contract is entered into this 9 day of May, 2025 by and between **ABRUZZESE HOSPITALITY, LLC**, whose address is 30500 Northwest Highway Suite 425, Farmington Hills MI 48334 (hereinafter referred to as "e Fiore"), **WILLITS RETAIL, LLC**, whose address is 1 Towne Square, Suite 1913, Southfield, MI 48076 ("Property Owner"), and the **CITY OF BIRMINGHAM**, a Michigan Municipal Corporation, whose address is 151 Martin Street, Birmingham, Michigan 48009 ("City").

R E C I T A L S:

WHEREAS, The City Commission granted a Special Land Use Permit, Final Site Plan and Design Review approval for the original restaurant, Mare Mediterranean, located at 115 Willits on July 12, 2021;

WHEREAS, The City Commission on July 8, 2024 approved a Special Land Use Permit Amendment for 115 Willits to transfer ownership and update the Special Land Use Permit to the then new owner, Birmingham Omni Hospitality, LLC (Sprazzo);

WHEREAS, A new Special Land Use Permit Amendment application was filed in March 2025 for approval of the transfer of ownership of an existing food and drink establishment serving alcoholic liquors for on premise consumption at 115 Willits from Birmingham Omni Hospitality, LLC to Abruzzese Hospitality, LLC;

WHEREAS, The land for which the Special Land Use Permit is sought is located on the south side of Willits between Bates St. and N. Old Woodward;

WHEREAS, The land is zoned B4 (Business-Residential) and D4 (Downtown Overlay), which permits alcoholic beverage sales for on premise consumption with a Special Land Use Permit;

WHEREAS, Article 7, section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit to be considered and acted upon by the Birmingham City Commission, after receiving recommendations on the site plan and design from the Planning Board for the proposed Special Land Use;

WHEREAS, The Special Land Use Permit Amendment request for the transfer of ownership does not include any changes to the premises that require site plan and design review by the Planning Board;

WHEREAS, The Birmingham City Commission has conducted a public hearing on May 19, 2025 and has reviewed e Fiore's Special Land Use Permit Amendment application and the standards for such review as set forth in Article 7, section 7.36 of Chapter 126, Zoning, of the City Code.

NOW, THEREFORE, the parties agree as follows:

1. e Fiore will utilize a state issued liquor license for use solely at the Property. Any transfer of the aforementioned license from the Property to any other location in the City of Birmingham shall require the approval of the Birmingham City Commission in accordance with Section 10-83 of the City of Birmingham Code of Ordinances. In addition, any expansion of the Property shall also require the approval of the Birmingham City Commission.

2. e Fiore further acknowledges that it must maintain a Special Land Use Permit for the sale of alcoholic liquors for on premise consumption as required by the Birmingham City Code of Ordinances. It is agreed that e Fiore shall comply with all provisions of the Special Land Use Permit, or any amendments thereto, as a condition of this contract. e Fiore further acknowledges and agrees that a violation of any provision of the Special Land Use Permit or the Michigan Liquor Control Code is a violation of the terms of this contract entitling the City to exercise any or all of the remedies provided herein.

3. e Fiore acknowledges that no modifications to the site plan, elevations or operation of the establishment may be made unless approved by the City Commission through a Special Land Use Permit Amendment as required in the Zoning Ordinance. Modifications include, but are not limited to, name changes, ownership changes, major remodeling, changes in the number of interior or exterior seats, etc.

4. e Fiore acknowledges that outdoor dining is permitted with a valid Outdoor Dining License which is applied for and granted annually.

5. e Fiore agrees that it shall not apply or seek from the Michigan Liquor Control Commission any permit endorsements to its liquor license whether available in the current Michigan Liquor Control Code or in future Michigan Liquor Control Codes, or amendments thereto, without the prior approval of the Birmingham City Commission.

6. e Fiore further agrees that it shall not seek any change in its license status/class whether such changes are available now in the current Michigan Liquor Control Code or in future Michigan Liquor Control Codes, or amendments thereto, without prior approval of the Birmingham City Commission.

7. e Fiore agrees that it shall adhere to all Federal, State and Local ordinances currently in effect or as subsequently amended or enacted.

8. e Fiore agrees that its failure to follow any of the provisions herein may be grounds for the Michigan Liquor Control Commission to suspend, revoke or not renew its liquor license and/or for the Birmingham City Commission to revoke the Special Land Use Permit, either of which would prohibit e Fiore from operating the establishment. e Fiore agrees that in addition to the City of Birmingham's right to seek suspension, revocation or non-renewal of its liquor license and/or revocation of the Special Land Use Permit, the City retains any and all rights to enforce this Contract that may be available to it in law or in equity. e Fiore further agrees that it shall reimburse the City all of its costs and actual attorney fees incurred by the City in seeking the suspension, revocation or non-renewal of its liquor license and revocation of the Special Land Use Permit, as well as enforcing such other rights as may be available at law and/or in equity.

9. To the fullest extent permitted by law, e Fiore and any entity or person for whom e Fiore is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City, its elected and appointed officials, employees and volunteers and others working on behalf of the City against any and all claims, demands, suits, or loss, including all costs connected therewith, including all costs and actual attorney fees, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on behalf of the City, by reason of personal injury, including bodily injury, death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with e Fiore's operation of an establishment at the Property. e Fiore is not liable if the act or omission is the City's.

10. In the event e Fiore fails to reimburse the City the costs and/or attorney fees as required herein, or any part thereof, then said amount could be transferred to the tax roll in accordance with Section 1-14 of the Birmingham City Code as acknowledged by the Property Owner.

11. Any disputes arising under this Contract, not within the jurisdiction of the Michigan Liquor Control Commission, shall be settled either by commencement of a suit in Oakland County Circuit Court or by compulsory arbitration, at the election of the City. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds \$1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in a federal or state court with jurisdiction over Oakland County, Michigan.

12. This contract shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Michigan.

13. If any provision of this contract is declared invalid, illegal or unenforceable, such provision shall be severed from this contract and all other provisions shall remain in full force and effect.

14. The City determines that to ensure continued compliance with Code standards and to protect public health, safety, and welfare, this Special Land Use Permit Amendment is granted subject to the following conditions:

- a. e Fiore shall abide by all provisions of the Birmingham City Code;
- b. e Fiore shall comply shall comply with the approved site and design plans and any amendments thereto, and all conditions of approval assigned by the Planning Board and City Commission in 2021; and

- c. The Special Land Use Permit may be canceled by the City Commission upon finding after proper notice and a hearing that the continued use is not in the public interest.

15. Failure to comply with any of the above conditions may result in termination of the Special Land Use Permit after e Fiore has been given notice and a hearing.

16. Except as herein specifically provided, e Fiore and its heirs, successors, and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, and as they may be subsequently amended. Failure of e Fiore to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit, after notice and a hearing.

17. e Fiore is recommended for the operation of an establishment serving alcoholic beverages for on premise consumption, above all others, subject to final inspection.

18. This Contract shall be binding upon and apply and inure to the benefit of the parties hereto and their respective successors or assigns. The covenants, conditions, and the agreements herein contained are hereby declared binding on the City and e Fiore. It is further agreed that there shall be no change, modification, or alteration hereof, except in writing, signed by all of the parties hereto. Neither party shall assign any of the rights under this contract without prior approval, in writing, of the other. Any attempt at assignment without prior written consent shall be void and of no effect.

(This space intentionally left blank)

IN WITNESS WHEREOF, the parties hereby have executed this Contract as of the date set forth above.

ABRUZZESE HOSPITALITY, LLC (E Fiore)

By: [Signature]
Its: MEMBER
Date: 5/9/2025

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this 9 day of May, 2025, before me personally appeared Nicole Antakli who acknowledged that with authority on behalf **ABRUZZESE HOSPITALITY, LLC** to do so signed this Agreement.

[Signature]
Kayla Kieleszewski Notary Public
Macomb County, Michigan
Acting in Oakland County, Michigan
My commission expires: 11/29/2029

KAYLA KIELESZEWSKI Notary Public, State of Michigan County of Macomb My Commission Expires Jan. 29, 2029 Acting In the County of <u>Oakland</u>

WILLITS RETAIL, LLC (Property Owner)
(as to paragraph 10 only)

By: [Signature] Ryan Coopersmith
Its: VP Asset Management

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this 7th day of May, 2025, before me personally appeared Ryan Coopersmith, who acknowledged that with authority on behalf of **WILLITS RETAIL, LLC** to do so signed this Agreement.

[Signature]
Corrie Ragalyi Notary Public
Oakland County, Michigan
Acting in Oakland County, Michigan
My commission expires: 06/18/27

Corrie Ragalyi
Notary Public, State of Michigan
County of Oakland
My Commission Expires June 18, 2027

CITY OF BIRMINGHAM

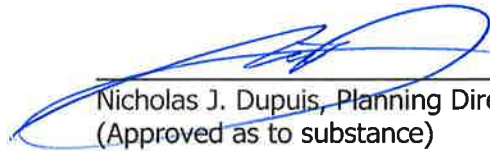
By: _____
Therese Longe, Mayor

By: _____
Alexandria D. Bingham, City Clerk

APPROVED:



Jana L. Ecker, City Manager
(Approved as to substance)



Nicholas J. Dupuis, Planning Director
(Approved as to substance)



Mary M. Kucharek, City Attorney
(Approved as to form)



MEMORANDUM

Police Department

DATE: April 3, 2025

TO: Jana L. Ecker, City Manager

FROM: Chris Koch, Investigative Captain

APPROVED: Scott A. Grewe, Chief of Police

SUBJECT: Abruzzese Hospitality, LLC is requesting approval to transfer ownership of a Class C Liquor License with Sunday sales (AM/PM) permits, outdoor service area permit, and dance/entertainment permit from Birmingham Omni Hospitality, LLC (Business ID No 28244) located at 115 Willits, Birmingham, Oakland County, to Abruzzese Hospitality, LLC.

INTRODUCTION:

The Police Department received a request from the Law Offices of Adkinson, Need, Allen, and Rentrop for a transfer of a class C liquor license. Abruzzese Hospitality, LLC, which will do business as "e Fiore" is requesting approval to transfer ownership which will remain in the same location, of a Class C License from Birmingham Omni Hospitality, LLC, located at 115 Willits, Birmingham MI. Abruzzese Hospitality, LLC is requesting the following permits: Sunday sales (AM/PM) permit, a dance permit, an outdoor service area permit and an entertainment permit. Abruzzese Hospitality, LLC, has paid the initial liquor license application fee of \$1,500.00 for a business that serves alcoholic beverages for consumption on the premises per Chapter 1, Section 1-16 (fee schedule) of the Birmingham City Code. Abruzzese Hospitality, LLC will have two owners as listed below:

<u>Members</u>	<u>Membership</u>
Luciano Delsignore	50%
Nicole Antakli	50%

Chapter 10 (Alcoholic Liquors), Section 10-42 of the Birmingham City Code requires that "any and all transfers of a liquor license for consumption of intoxicating liquor on premises require the approval of the City Commission of any kind including, but not limited to ownership of the license; stock in a corporation that owns a license; interest in a license through any entity; or location of the licensed premises."

BACKGROUND:

Luciano Delsignore and Nicole Antakli will be equal partners in Abruzzese Hospitality, LLC, doing business as e Fiore with Antakli listed as the agent at 852 Canterbury Crescent, Bloomfield Hills, MI 48304.

Abruzzese Hospitality, LLC has a purchase price for the inventory, personal property, liquor license and good will at \$1,540,000. The term for the purchase are as follows, \$75,000 down payment and \$265,000 paid at closing. The balance of \$1,200,000 will be payable with monthly payment of \$25,000. e Fiore's proposed hours of operation are Sunday-Thursday from 11:00 am to 11:00pm. Friday and Saturday from 11:00am to midnight. Abruzzese has an assignment of the current lease with Willits Retail, LLC. The lease was effective in February 2021 for 10 years, monthly rental payment start at \$10,721.25.

A background check was conducted on Luciano Delsignore and Nicole Antakli using the Law Enforcement Information Network (LEIN), the Court's Law Enforcement Management Information System (CLEMIS), and no negative information was uncovered. Verification of available funds was confirmed, the money was in two accounts with J.P. Morgan Chase. One account is in the name of Luciano Delsignore and the other account is in the name of Nicole Antakli.

LEGAL REVIEW:

The City Attorney has no objections to the suggested Commission action.

FISCAL IMPACT:

\$1,500.00 liquor license application fee received.

SUSTAINABILITY:

Not-applicable

PUBLIC COMMUNICATIONS:

Not-applicable

SUMMARY:

Abruzzese Hospitality, LLC is requesting a transfer of a class C liquor license. They're requesting approval to transfer ownership of a Class C License from Birmingham Omni Hospitality, LLC, located at 115 Willits, Birmingham, MI to Abruzzese Hospitality, LLC. Abruzzese Hospitality, LLC is requesting the following permits: Sunday sales (AM/PM) permit, an outdoor service area permit, a dance permit, and an entertainment permit. Abruzzese Hospitality, LLC submitted the Special Land Use Permit ("SLUP") application required under the Ordinance. Luciano Delsignore and Nicole Antakli have successfully completed the police background check. The police department has not uncovered any information that would give cause to deny the applicant's request

ATTACHMENTS:

Not-applicable

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Abruzzese Hospitality, LLC. To approve the request for a transfer of ownership of the Class C liquor license, with Sunday sales, outdoor service area, dance and entertainment permit from, LLC located at 115 Willits, MI from Birmingham Omni Hospitality, LLC to Abruzzese Hospitality, LLC that will be located at the same address.



LAW OFFICES

ADKISON, NEED, ALLEN, & RENTROP

PROFESSIONAL LIMITED LIABILITY COMPANY

KELLY A. ALLEN
JESSICA A. HALLMARK
JOHN W. KUMMER
GREGORY K. NEED
G. HANS RENTROP
CHRISTOPHER J. TOWER

39572 Woodward, Suite 222
Bloomfield Hills, Michigan 48304
Telephone (248) 540-7400
Facsimile (248) 540-7401
www.ANAfirm.com

OF COUNSEL:

PHILLIP G. ADKISON
KEVIN M. CHUDLER
JENNIFER H. ELOWSKY
GARY R. RENTROP
KATHERINE A. TOMASIK

March 26, 2025

Via Electronic Mail

Nicholas Dupuis, Planning Director
City of Birmingham
151 Martin Street
Birmingham, MI 48009
ndupuis@bhamgov.org

Re: Special Land Use Permit Amendment for 115 Willits Street

Dear Mr. Dupuis:

We represent Abruzzese Hospitality, LLC, which will do business at 115 Willits Street as "e Fiore." This is the site of the former Mare Mediterranean restaurant.

Abruzzese Hospitality, LLC is purchasing the business. The members of Abruzzese Hospitality, LLC are Luciano Delsignore and Nicole Antakli. As you know, Luciano owns Casa Perno in Birmingham.

We are requesting that the Special Land Use Permit for this site be amended as to the ownership and the name of the business. There are also minor changes to the interior layout. There are no changes to the exterior of the building at this time.

We have filed an application with the police department regarding the change of ownership.

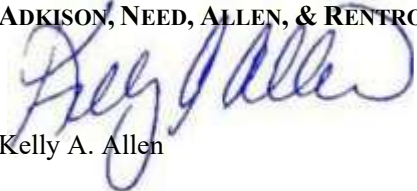
We would appreciate it if the SLUP amendment and the police department application could be considered at the same City Commission meeting.

Our client delivered a check in the amount of \$1,950 to the Planning Division yesterday.

Please let us know if you require anything further. Thank you, as always, for your assistance.

Very truly yours,

ADKISON, NEED, ALLEN, & RENTROP, PLLC


Kelly A. Allen

/kjp



BIRMINGHAM

Special Land Use Permit Application – General Planning Division

1. Applicant

Name: Abruzzese Hospitality, LLC, d/b/a e Fiore
 Address: 115 Willits St., Birmingham, MI 48009
 Phone Number: Luciano Delsignore 248-207-8700/Nicole Antakli 248-709-1200
 Email: luciano@baccoristorante.com/nvantakli@antakli.com

3. Project Contact Person (☐ same as applicant)

Name: Kelly A. Allen, Esq.
 Address: 39572 Woodward Avenue, Suite 222, Bloomfield Hills, MI 48304
 Phone Number: 248-540-7400
 Email: kallen@anafirm.com

5. Required Attachments

- One (1) paper copy and of all project plans including:
 - Existing Conditions Plan including the subject site in its entirety, including all property lines, buildings, structures, curb cuts, sidewalks, drives, ramps and all parking on site and on the street(s) adjacent to the site, and must show the same detail for all adjacent properties within 200 ft. of the subject site's property lines;
 - Detailed and scaled Site Plan depicting accurately and in detail the proposed construction, alteration or repair;
 - Certified Land Survey;
 - Interior floor plans;
 - Landscape Plan;

6. Project Information

Address: 115 Willits Street
 Name of Development: _____
 Parcel ID#: 08-19-25-378-029
 Current Use: A-2
 Proposed Use: A-2
 Area of Site in Acres: _____
 Current Zoning: B-1

2. Property Owner (☐ same as applicant)

Name: Willits Retail LLC
 Address: c/o Seligman and Associates Inc.
One Towne Square #1913, Southfield, MI 48076
 Phone Number: _____
 Email: rcoopersmith@seligmangroup.com

4. Project Designer/Developer

Name: Saroki Architecture
 Address: 430 Old Woodward, Birmingham, MI 48009
 Phone Number: 248-776-2010
 Email: asaroki@sarokiarchitecture.com

- Photometric Plan;
- Colored elevation drawings for each building elevation;
- One (1) digital copy of all project plans;
- Specification sheets for all proposed materials, light fixtures and mechanical equipment;
- Samples of all proposed materials;
- Photographs of existing conditions on the site including all structures, parking areas, landscaping and adjacent structures;
- Current aerial photographs of the site and surrounding properties;
- Proof of ownership;
- Any other data requested by a review board, Planning Department, or other City Departments.

	Yes	No
Is the property located in a floodplain? -----	☐	☐
Is the property within a Historic District? ---	☐	☐
→ If so, which? _____		
Will the project require a variance? -----	☐	☐
→ If so, how many? _____		
Has the project been reviewed by a Board?	☐	☐
→ If so, which? _____		

7. Details of the Request for Preliminary Site Plan Review

The Applicant is purchasing the business which formerly operated as "Mare." The Applicant is requesting an ownership and name change. The Applicant will operate under the name "e Fiori." There will be no exterior changes to the building at this time. The interior floor plan is being revised slightly as set forth on the attached floor plan.

8. Buildings and Structures

Number of buildings on site: _____
 Use of building(s): _____

Height of building(s): Approximately 70'
 Number of stories: _____

9. Floor Use and Area (in Square Feet)

Proposed Commercial Uses:

Total basement floor area: n/a
 Total ground floor area: 6,600 square feet
 Square feet per upper floor(s): n/a

Commercial floor area: 6,600 square feet
 Industrial floor area: n/a
 Office floor area: n/a
 Total floor area: 6,600 square feet

Proposed Residential Uses:

Total number of units: n/a
 Number of two or less room units: n/a
 Number of three or more room units: n/a

Residential unit floor area: n/a
 Residential amenity floor area: n/a
 Unit Type(s): ☐ Rental ☐ Condominiums ☐ Both

Proposed Additions:

Existing total floor area: n/a
 Proposed total floor area: n/a

Location of addition(s): ☐ Rooftop ☐ Side ☐ Rear
☐ Front ☐ Other (please specify) _____

10. Required and Proposed Setbacks

Required front setback: n/a
 Required rear setback: n/a
 Required side setback(s): n/a

Proposed front setback: n/a
 Proposed rear setback: n/a
 Proposed side setback(s): n/a

11. Required and Proposed Parking

Required number of parking spaces: n/a
 Proposed number of parking spaces: n/a

Typical size of parking spaces: 8' x 88'
 Number of barrier free spaces: _____

12. Landscaping

Description of proposed landscaping: _____
No change.

☐ I have reviewed the City of Birmingham's Prohibited Species in Article 4, Section 4.20 of the Zoning Ordinance

13. Streetscape

Required sidewalk width: No change
 Required benches: _____
 Required street trees: _____
 Required street lights: _____
 Required trash receptacles: _____
 Required bike racks: _____

Proposed sidewalk width: _____
 Proposed benches: _____
 Proposed street trees: _____
 Proposed street lights: _____
 Proposed trash receptacles: _____
 Proposed bike racks: _____

14. Loading

Required loading spaces: No change
 Required dimensions: _____

Proposed loading spaces: _____
 Proposed dimensions: _____

15. Waste Receptacles

Location of waste receptacle(s): No change

Types of waste receptacles: ☐ Dumpster ☐ Recycling
☐ Compactor ☐ Cans ☐ Grease ☐ Other

16. Mechanical Equipment

Rooftop Mechanical Equipment:

Description of location of units on rooftop: _____
 No change _____

Number of units: _____
 Types of units: _____

Ground Mounted Mechanical Equipment:

Description of location of units on ground: _____
 No change _____

Number of units: _____
 Types of units: _____

Utilities and Transformers:

Description of location of units on ground: _____
 No change _____

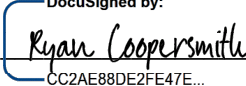
Number of units: _____
 Types of units: _____

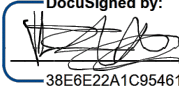
17. Lighting

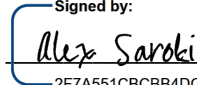
Location of light fixtures: _____
 No change _____

Types of light fixtures: ☐ Spot ☐ Flood ☐ Area
☐ Bollard ☐ In-grade ☐ Goosenecks ☐ Lanterns
☐ Security ☐ Pole-Mounted ☐ Wall Pack ☐ Other

The undersigned states the above information is true and correct, and understands that it is the responsibility of the applicant to advise the Planning Division and / or Building Division of any additional changes made to an approved site plan. The undersigned further states that they have reviewed the procedures and guidelines for Site Plan Review in Birmingham, and have complied with the same. The undersigned will be in attendance at the Planning Board meeting when this application will be discussed.

Signature of Property Owner:  **Date:** 3/25/2025
 DocuSigned by: CC2AE88DE2FE47E...
Print Name: Ryan Coopersmith

Signature of Applicant:  **Date:** 3/25/2025
 DocuSigned by: 38E6E22A1C95461...
Print Name: Nicole Antakli

Signature of Architect:  **Date:** 3/25/2025
 Signed by: 2F7A551CBCBB4DC...
Print Name: Alex Saroki

Office Use Only		
Application #: _____	Date Received: _____	Fee: \$ _____
Date of Approval: _____	Date of Denial: _____	Reviewed By: _____



MEMORANDUM

City Attorney

DATE: May 8, 2025

TO: Jana L. Ecker, City Manager

FROM: Mary M. Kucharek, City Attorney

SUBJECT: Public Hearing for Renewal of Uniform Video Service Local Franchise Agreement with Comcast

INTRODUCTION:

Comcast is requesting the approval of the City Commission at a public hearing on May 19, 2025 of the renewal of a Uniform Video Service Local Franchise Agreement ("Franchise Agreement") with the City of Birmingham in compliance with the Michigan Public Service Commission and with the provisions set forth in Section 3(7) of Public Act 480 of 2006, to complete renewal of the City's Uniform Video Service Local Franchise Agreements for 10 years as prescribed by State law.

BACKGROUND:

Chapter 30 of the Birmingham Code, Cable Communications, defines, in conjunction with State law, with State law preempting local jurisdiction, the requirements of activities related to agreements with public services and with the franchising of cablecasting. In 2015 the City of Birmingham entered into a Franchise Agreement with Comcast, and Comcast is requesting that there be a renewal of the Franchise Agreement for 10 years. In accordance with Sec. 30-85. – Franchise Renewal of the Birmingham City Code, this Franchise Agreement may be renewed by the City Commission upon application by the franchisee, in this case, Comcast, with advice of the Birmingham Area Cable Board. After giving proper public notice, which has been provided, the City Commission shall proceed upon the advice of the Birmingham Area Cable Board to determine whether the franchisee has satisfactorily performed all obligations under the Franchise Agreement in a public hearing.

As required by ordinance, the Cable Board was contacted and asked to review the performance of obligations and legalities under the Franchise Agreement and to make a recommendation to the City Commission as to whether we should continue our agreement with Comcast. On March 19, 2025, the Birmingham Area Cable Board reviewed the Franchise Agreement, and determined that the proposed Franchise Agreement does, in fact, comply with legal and technical requirements of the Uniform Video Service Local Franchise Act, Act No. 480 of Public Acts of 2006, MCL 484.3301, and that the Franchise Agreement is virtually the same that was executed back in 2015. As a result, the Birmingham Area Cable Board voted to recommend that the City of Birmingham renew the Franchise Agreement with Comcast.

LEGAL REVIEW:

The Franchise Agreement was reviewed and approved by the Birmingham Cable Board, its attorney, and the City Attorney. The City Attorney also approves of the notice given for the public hearing.

FISCAL IMPACT:

The City of Birmingham receives fees from Comcast and other broadcasting franchises due quarterly to the City of Birmingham. Annually, this has generated approximately \$295,253.00/year which is deposited in the general fund.

SUSTAINABILITY:

N.A.

PUBLIC COMMUNICATIONS:

Public notice has been completed pursuant to ordinance, Chapter 30-Sec. 200:

“Unless otherwise specifically set forth in this chapter, minimum public notice of any public hearing relating to a franchise shall be by publication, at least once per week, in a local newspaper of general circulation beginning 15 days prior to the meeting, and by announcement, in a format approved by the city commission, on at least two channels of the cable communications system between the hours of 7:00 p.m. and 9:00 p.m. for five consecutive days prior to the hearing.”

SUMMARY:

The Birmingham City Commission is being asked to execute the attached Franchise Agreement with Comcast to continue with its franchise of cablecasting in the City.

ATTACHMENTS:

- Letter of Request for Completion of Agreement by Eric Woody, Manager, Comcast
- Letter from the Birmingham Area Cable Board recommending approval
- Franchise Agreement with Comcast

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution after the public hearing has been conducted to approve the Uniform Video Service Local Franchise Agreement with Comcast; and further to authorize the Mayor and City Manager to sign the Agreement on behalf of the City.



MEMORANDUM

Legal Department

DATE: May 19, 2025

TO: Jana L. Ecker, City Manager

FROM: Mary M. Kucharek, City Attorney

SUBJECT: Renewal Uniform Video Service Local Franchise Agreement for Comcast

INTRODUCTION:

Comcast has requested compliance with the Michigan Public Service Commission and its provision of the Uniform Video Service Local Franchise Agreement with provisions set forth in Section 3(7) of Public Act 480 of 2006, to complete renewal of the City's Uniform Video Service Local Franchise Agreements for 10 years as prescribed by State law.

BACKGROUND:

The City of Birmingham Code at Chapter 30, Cable Communications defines, in conjunction with State law, with State law preempting local jurisdiction, the requirements of activities related to agreements with public services and with the franchising of cablecasting. In 2015 the City of Birmingham entered into a Franchise Agreement with Comcast, and Comcast is requesting that there be a renewal of the Franchise Agreement for 10 years. In accordance with Sec. 30-85. – Franchise renewal of the Birmingham City Code, this franchise may be renewed by the City Commission upon application by the franchisee, in this case, Comcast, with advice of the Birmingham Area Cable Board. After giving proper public notice, which we have, the City Commission shall proceed upon the advice of the Birmingham Area Cable Board to determine whether the franchisee has satisfactorily performed all obligations under the franchise in a public hearing.

Based upon ordinance, the Cable Board was contacted and asked to review the performance of obligations and legalities under the franchise and to make a recommendation to the City Commission as to whether we should continue our agreement with Comcast. Please find as an attachment, dated March 25, 2025, wherein the Birmingham Area Cable Board, at its regular meeting held on March 19, 2025, reviewed this request. The Birmingham Area Cable Board on that date and time determined that the proposed Comcast Franchise Agreement does, in fact, comply with legal and technical requirements of the Uniform Video Service Local Franchise Act, Act No. 480 of Public Acts of 2006, MCL 484.3301, and has stated that this Agreement is virtually the same that was executed back in 2015. As a result of the review, the Birmingham Area Cable Board is recommending that the City of Birmingham continue its agreement. Therefore, before you this evening is the Agreement which we recommend be approved and executed by the Birmingham City Commission.

LEGAL REVIEW:

This Agreement was reviewed and approved by the Birmingham Cable Board, its attorney, and the City Attorney.

FISCAL IMPACT:

The City of Birmingham receives fees from Comcast and other broadcasting franchises due quarterly to the City of Birmingham. Annually, this has generated approximately \$295,253.00 and is deposited in the general fund.

SUSTAINABILITY:

N.A.

PUBLIC COMMUNICATIONS:

Public notice has been completed pursuant to ordinance, Chapter 30-Sec. 200:

“Unless otherwise specifically set forth in this chapter, minimum public notice of any public hearing relating to a franchise shall be by publication, at least once per week, in a local newspaper of general circulation beginning 15 days prior to the meeting, and by announcement, in a format approved by the city commission, on at least two channels of the cable communications system between the hours of 7:00 p.m. and 9:00 p.m. for five consecutive days prior to the hearing.”

SUMMARY:

The Birmingham City Commission is being asked to execute the attached Franchise Agreement with Comcast to continue with its franchise of cablecasting in the City.

ATTACHMENTS:

- Letter of Request for Completion of Agreement by Eric Woody, Manager, Comcast
- The Birmingham Area Cable Board letter
- Franchise Agreement

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve the Uniform Video Service Local Franchise Agreement with Comcast.

AND

Make a motion to authorize the Mayor and City Manager to sign the Agreement on behalf of the City.



Sent via UPS

March 4, 2025

Ms. Alexandria Bingham, Clerk
City of Birmingham
51 Martin Street
Birmingham, MI 48009

Re: Michigan Uniform Video Service Local Franchise Agreement Renewal

Dear Ms. Bingham:

In accordance with the instructions set forth by the Michigan Public Service Commission in its provision of the Uniform Video Service Local Franchise Agreement, and with provisions set forth in Section 3(7) of Public Act 480 of 2006, enclosed please find two completed Renewal Uniform Video Service Local Franchise Agreements along with the necessary Attachment 1's thereto filed on behalf of Comcast Cable Communications Management, LLC. *Kindly return one executed copy of the Agreement to me in the self-addressed envelope.*

You will find several flags attached to the document indicating where the Franchising Entity is required to supply information. Please note that on page 9 of the UVSLFA in the box entitled, "Franchise Agreement (Franchising Entity to Complete), the "Date submitted" is the date the Franchising Entity receives the Agreement from Comcast and the "Date completed and approved" is when the Franchising Entity signs the Agreement.

If you have any questions, please contact me directly at (248) 924-4917 or Matt Kelley, Director, Government Affairs, at 317-771-2104.

Sincerely,

A handwritten signature in black ink that reads "Eric M. Woody".

Eric Woody
Manager, External Affairs
Comcast, Heartland Region
41112 Concept Dr.
Plymouth, MI 48170

Enclosure



March 25, 2025

Dear Ms. Kucharek:

Pursuant to your request, please be advised that the proposed Comcast Franchise Agreement was reviewed by the Birmingham Area Cable Board at its regular meeting held on March 19, 2025. It has been determined that the proposed Comcast Franchise Agreement does comply with the legal and technical requirements of the Uniform Video Service Local Franchise Act, Act No. 480 of Public Acts of 2006, MCL 484.3301, et seq ("Act"). It is virtually the same as what was executed before with Comcast in 2015. The gross revenues that are included and not included are consistent and comply with the Act. Accordingly, the Birmingham Area Cable Board adopted a resolution recommending that the City of Birmingham and the Village of Beverly Hills execute the Agreement as submitted to each community as it complies with the Act. It is further recommended that 5% be written in under the "Fees" section VI.A.ii. on page 4 of the Agreement.

Please let me know if you have any questions or desire anything further.

Very truly yours,

Cathy K. White
BACB Executive Director



INSTRUCTIONS FOR UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT

Pursuant to 2006 Public Act 480, MCL 484.3301 *et seq.*, any Video Service Provider seeking to provide video service in one or more service areas in the state of Michigan after January 30, 2007, shall file an application for a Uniform Video Service Local Franchise Agreement with the Local Unit of Government ("Franchising Entity") that the Provider wishes to service. Pursuant to Section 2(2) of 2006 PA 480, "Except as otherwise provided by this Act, a person shall not provide video services in any local unit of government without first obtaining a uniform video service local franchise as provided under Section 3." Procedures applicable to incumbent video service providers are set forth below.

As of the effective date (January 1, 2007) of the Act, no existing franchise agreement with a Franchising Entity shall be renewed or extended upon the expiration date of the agreement. The incumbent video Provider, at its option, may continue to provide video services to the Franchising Entity by electing to do one of the following:

1. Terminate the existing franchise agreement before the expiration date of the agreement and enter into a new franchise under a uniform video service local franchise agreement.
2. Continue under the existing franchise agreement amended to include only those provisions required under a uniform video service local franchise.
3. Continue to operate under the terms of an expired franchise until a uniform video service local franchise agreement takes effect. An incumbent video Provider with an expired franchise on the effective date has 120 days after the effective date of the Act to file for a uniform video service local franchise agreement.

On the effective date (January 1, 2007) of the Act, any provisions of an existing Franchise that are inconsistent with or in addition to the provisions of a uniform video service local Franchise Agreement are unreasonable and unenforceable by the Franchising Entity.

If, at a subsequent date, the Provider would like to provide video service to an additional Local Unit of Government, the Provider must file an additional application with that Local Unit of Government.

The forms shall meet the following requirements:

- The Provider must complete both the "Uniform Video Service Local Franchise Agreement" and "Attachment 1 - Uniform Video Service Local Franchise Agreement" forms if they are seeking a new/renewed Franchise Agreement, and send the forms by mail (certified, registered, first-class, return receipt requested, or by a nationally recognized overnight delivery service) to the appropriate Franchising Entity. Until otherwise officially notified by the Franchising Entity, the forms shall be sent to the Clerk or any official with the responsibilities or functions of the Clerk in the Franchising Entity. "Attachment 2 - Uniform Video Service Local Franchise Agreement" is not required to be filed at this time *unless* it is being used regarding amendments, terminations, or transfers pertaining to an existing Uniform Video Service Local Franchise Agreement. (Refer to Sections X to XII of the Agreement, as well as Section 3(4-6) of the Act.)
- Pursuant to Section 11 of the Act: Except under the terms of a mandatory protective order, trade secrets and commercial or financial information designated as such and submitted under the Act to the Franchising Entity or Commission are exempt from the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246 and **MUST BE KEPT CONFIDENTIAL**.
 1. The Provider may specify which items of information should be deemed "confidential." It is the responsibility of the provider to clearly identify and segregate any confidential information submitted to the franchising entity with the following information:

"[insert PROVIDER'S NAME]
[CONFIDENTIAL INFORMATION]"

2. The Franchising Entity receiving the information so designated as confidential is required (a) to protect such information from public disclosure, (b) exempt such information from any response to a

FOIA request, and (c) make the information available only to and for use only by such local officials as are necessary to approve the franchise agreement or perform any other task for which the information is submitted.

3. Any Franchising Entity which disputes whether certain information submitted to it by a provider is entitled to confidential treatment under the Act may apply to the Commission for resolution of such a dispute. Unless and until the Commission determines that part or all of the information is not entitled to confidential treatment under the Act, the Franchising Entity shall keep the information confidential.

- Responses to all questions must be provided and must be amended appropriately when changes occur.
- All responses must be printed out, typed, signed/dated (where appropriate), and mailed (certified, registered, first class, return receipt requested, or by a national recognized overnight delivery service) to the appropriate party.
- The Agreement and Attachments are templates. Tab through the documents and fill in as appropriate, use the appropriate "dropdown box" (City/Village/Township) when indicated.
- For sections that need explanation, if the Provider runs out of space, the Provider should then submit the application with typed attachments that are clearly identified.
- The Franchising Entity shall notify the Provider as to whether the submitted Franchise Agreement is complete as required by this Act within 15 business days after the date that the Franchise Agreement is filed. If the Franchise Agreement is not complete, the Franchising Entity shall state in its notice the reasons the franchise agreement is incomplete. The Franchising Entity cannot declare an application to be incomplete because it may dispute whether or not the applicant has properly classified certain material as "confidential."
- A Franchising Entity shall have 30 days after the submission date of a complete Franchise Agreement to approve the agreement. If the Franchising Entity does not notify the Provider regarding the completeness of the Franchise Agreement or approve the Franchise Agreement within the time periods required under this subsection, the franchise agreement shall be considered complete and the Franchise Agreement approved. The Provider shall notify both the Franchising Entity and the Michigan Public Service Commission of such an approved and completed Agreement by completing **Attachment 3 - Uniform Video Service Local Franchise Agreement**.
- For changes to an existing Uniform Video Service Local Franchise Agreement (amendments, transfers, or terminations), the Provider must complete the "**Attachment 2 - Uniform Video Service Local Franchising Entity**" form, and send the form to the appropriate Franchising Entity.
- For information that is to be submitted to the Michigan Public Service Commission, please use the following address:

Michigan Public Service Commission
Attn: Video Franchising
6545 Mercantile Way
P.O. Box 30221
Lansing, MI 48909

Fax: (517) 284-8200

Questions should be directed to the Telecommunications Division, Michigan Public Service Commission at (517) 284-8190.

UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT

THIS UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT ("Agreement") is made, pursuant to 2006 PA 480, MCL 484.3301 *et seq.* (the "Act") by and between the City of Birmingham, a Michigan municipal corporation (the "Franchising Entity"), and Comcast Cable Communications Management, LLC, a Delaware Limited Liability Company doing business as Comcast.

I. Definitions

For purposes of this Agreement, the following terms shall have the following meanings as defined in the Act:

- A. "Cable Operator" means that terms as defined in 47 USC 522(5).
- B. "Cable Service" means that terms as defined in 47 USC 522(6).
- C. "Cable System" means that term as defined in 47 USC 522(7).
- D. "Commission" means the Michigan Public Service Commission.
- E. "Franchising Entity" means the local unit of government in which a provider offers video services through a franchise.
- F. "FCC" means the Federal Communications Commission.
- G. "Gross Revenue" means that term as described in Section 6(4) of the Act and in Section VI(D) of the Agreement.
- H. "Household" means a house, an apartment, a mobile home, or any other structure or part of a structure intended for residential occupancy as separate living quarters.
- I. "Incumbent video provider" means a cable operator serving cable subscribers or a telecommunication provider providing video services through the provider's existing telephone exchange boundaries in a particular franchise area within a local unit of government on the effective date of this act.
- J. "IPTV" means internet protocol television.
- K. "Local unit of government" means a city, village, or township.
- L. "Low-income household" means a household with an average annual household income of less than \$35,000.00 as determined by the most recent decennial census.
- M. "METRO Act" means the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, 2002 PA 48, MCL 484.3101 *et seq.*
- N. "Open video system" or "OVS" means that term as defined in 47 USC 573.
- O. "Person" means an individual, corporation, association, partnership, governmental entity, or any other legal entity.
- P. "Public rights-of-way" means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easements dedicated for compatible uses.
- Q. "Term" means the period of time provided for in Section V of this Agreement.
- R. "Uniform video service local franchise agreement" or "franchise agreement" means the franchise agreement required under the Act to be the operating agreement between each franchising entity and video provider in this state.
- S. "Video programming" means that term as defined in 47 USC 522(20).
- T. "Video service" means video programming, cable services, IPTV, or OVS provided through facilities located at least in part in the public rights-of-way without regard to delivery technology, including internet protocol technology. This definition does not include any video programming provided by a commercial mobile service provider defined in 47 USC 332(d) or provided solely as part of, and via, a service that enables users to access content, information, electronic mail, or other services offered over the public internet.
- U. "Video service provider" or "Provider" means a person authorized under the Act to provide video service.
- V. "Video service provider fee" means the amount paid by a video service provider or incumbent video provider under Section 6 of the Act and Section VI of this Agreement.

II. Requirements of the Provider

- A. An unfranchised Provider will not provide video services in any local unit of government without first obtaining a uniform video service local franchise agreement as provided under **Section 3 of the Act** (except as otherwise provided by the Act).
- B. The Provider shall file in a timely manner with the Federal Communications Commission all forms required by that agency in advance of offering video service in Michigan.
- C. The Provider agrees to comply with all valid and enforceable federal and state statutes and regulations.
- D. The Provider agrees to comply with all valid and enforceable local regulations regarding the use and occupation of public rights-of-way in the delivery of the video service, including the police powers of the Franchising Entity.
- E. The Provider shall comply with all Federal Communications Commission requirements involving the distribution and notification of federal, state, and local emergency messages over the emergency alert system applicable to cable operators.
- F. The Provider shall comply with the public, education, and government programming requirements of Section 4 of the Act.
- G. The Provider shall comply with all customer service rules of the Federal Communications Commission under 47 CFR 76.309 (c) applicable to cable operators and applicable provisions of the Michigan Consumer Protection Act, 1976 PA 331, MCL 445.901 to 445.922.
 - i. Including but not limited to: MCL 445.902; MCL 445.903 (1)(a) through 445.903(1)(cc); MCL 445.903(1)(ff) through (jj); MCL 445.903(2); MCL 445.905; MCL 445.906; MCL 445.907; MCL 445.908; MCL 445.910; MCL 445.911; MCL 445.914; MCL 445.915; MCL 445.916; MCL 445.918.
- H. The Provider agrees to comply with in-home wiring and consumer premises wiring rules of the Federal Communications Commission applicable to cable operators.
- I. The Provider shall comply with the Consumer Privacy Requirements of 47 USC 551 applicable to cable operators.
- J. If the Provider is an incumbent video provider, it shall comply with the terms which provide insurance for right-of-way related activities that are contained in its last cable franchise or consent agreement from the Franchising Entity entered before the effective date of the Act.
- K. The Provider agrees that before offering video services within the boundaries of a local unit of government, the video Provider shall enter into a Franchise Agreement with the local unit of government as required by the Act.
- L. The Provider understands that as the effective date of the Act, no existing Franchise Agreement with a Franchising Entity shall be renewed or extended upon the expiration date of the Agreement.
- M. The Provider provides an exact description of the video service area footprint to be served, pursuant to **Section 2(3)(e) of the Act**. If the Provider is not an incumbent video Provider, the date on which the Provider expects to provide video services in the area identified under **Section 2(3)(e) of the Act** must be noted. The Provider will provide this information in Attachment 1 - Uniform Video Service Local Franchise Agreement.
- N. The Provider is required to pay the Provider fees pursuant to **Section 6 of the Act**.

III. Provider Providing Access

- A. The Provider shall not deny access to service to any group of potential residential subscribers because of the race or income of the residents in the local area in which the group resides.
- B. It is a defense to an alleged violation of Paragraph A if the Provider has met either of the following conditions:
 - i. Within 3 years of the date it began providing video service under the Act and the Agreement; at least 25% of households with access to the Provider's video service are low-income households.
 - ii. Within 5 years of the date it began providing video service under the Act and Agreement and from that point forward, at least 30% of the households with access to the Provider's video service are low-income households.
- C. [If the Provider is using telecommunication facilities] to provide video services and has more than 1,000,000 telecommunication access lines in Michigan, the Provider shall provide access to its video service to a number of households equal to at least 25% of the households in the provider's telecommunication

service area in Michigan within 3 years of the date it began providing video service under the Act and Agreement and to a number not less than 50% of these households within 6 years. **The video service Provider is not required to meet the 50% requirement in this paragraph until 2 years after at least 30% of the households with access to the Provider's video service subscribe to the service for 6 consecutive months.**

- D. The Provider may apply to the Franchising Entity, and in the case of paragraph C, the Commission, for a waiver of or for an extension of time to meet the requirements of this section if 1 or more of the following apply:
- i. The inability to obtain access to public and private rights-of-way under reasonable terms and conditions.
 - ii. Developments or buildings not being subject to competition because of existing exclusive service arrangements.
 - iii. Developments or buildings being inaccessible using reasonable technical solutions under commercial reasonable terms and conditions.
 - iv. Natural disasters
 - v. Factors beyond the control of the Provider
- E. The Franchising Entity or Commission may grant the waiver or extension only if the Provider has made substantial and continuous effort to meet the requirements of this section. If an extension is granted, the Franchising Entity or Commission shall establish a new compliance deadline. If a waiver is granted, the Franchising Entity or Commission shall specify the requirement or requirements waived.
- F. The Provider shall file an annual report with the Franchising Entity and the Commission regarding the progress that has been made toward compliance with paragraphs B and C.
- G. Except for satellite service, the provider may satisfy the requirements of this paragraph and Section 9 of the Act through the use of alternative technology that offers service, functionality, and content, which is demonstrably similar to that provided through the provider's video service system and may include a technology that does not require the use of any public right-of-way. The technology utilized to comply with the requirements of this section shall include local public, education, and government channels and messages over the emergency alert system as required under Paragraph II(E) of this Agreement.

IV. Responsibility of the Franchising Entity

- A. The Franchising Entity hereby grants authority to the Provider to provide Video Service in the Video Service area footprint, as described in this Agreement and Attachments, as well as the Act.
- B. The Franchising Entity hereby grants authority to the Provider to use and occupy the Public Rights-of-way in the delivery of Video Service, subject to the laws of the state of Michigan and the police powers of the Franchising Entity.
- C. The Franchising Entity shall notify the Provider as to whether the submitted Franchise Agreement is complete as required by the Act within 15 business days after the date that the Franchise Agreement is filed. If the Franchise Agreement is not complete, the Franchising Entity shall state in its notice the reasons the Franchise Agreement is incomplete. The Franchising Entity cannot declare an application to be incomplete because it may dispute whether or not the applicant has properly classified certain material as "confidential."
- D. The Franchising Entity shall have 30 days after the submission date of a complete Franchise Agreement to approve the agreement. If the Franchising Entity does not notify the Provider regarding the completeness of the Franchise Agreement or approve the Franchise Agreement within the time periods required under **Section 3(3) of the Act**, the Franchise Agreement shall be considered complete and the Franchise Agreement approved.
- i. If time has expired for the Franchising Entity to notify the Provider, The Provider shall send (via mail: certified or registered, or by fax) notice to the Franchising Entity and the Commission, using Attachment 3 of this Agreement.
- E. The Franchising Entity shall allow a Provider to install, construct, and maintain a video service or communications network within a public right-of-way and shall provide the provider with open, comparable, nondiscriminatory, and competitively neutral access to the public right-of-way.
- F. The Franchising Entity may not discriminate against a video service provider to provide video service for any of the following:
- i. The authorization or placement of a video service or communications network in public right-of-way.
 - ii. Access to a building owned by a governmental entity.
 - iii. A municipal utility pole attachment.
- G. The Franchising Entity may impose on a Provider a permit fee only to the extent it imposes such a fee on incumbent video providers, and any fee shall not exceed the actual, direct costs incurred by the Franchising Entity for issuing the relevant permit. A fee under this section shall not be levied if the Provider already has paid a permit fee of any kind in connection with the same activity that would otherwise be covered by the

permit fee under this section or is otherwise authorized by law or contract to place the facilities used by the Provider in the public right-of-way or for general revenue purposes.

- H. The Franchising Entity shall not require the provider to obtain any other franchise, assess any other fee or charge, or impose any other franchise requirement than is allowed under the Act and this Agreement. For purposes of this Agreement, a franchise requirement includes but is not limited to, a provision regulating rates charged by video service providers, requiring the video service providers to satisfy any build-out requirements, or a requirement for the deployment of any facilities or equipment.
- I. Notwithstanding any other provision of the Act, the Provider shall not be required to comply with, and the Franchising Entity may not impose or enforce, any mandatory build-out or deployment provisions, schedules, or requirements except as required by **Section 9 of the Act**.
- J. The Franchising Entity is subject to the penalties provided for under Section 14 of the Act.

V. Term

- A. This Franchise Agreement shall be for a period of 10 years from the date it is issued. The date it is issued shall be calculated either by (a) the date the Franchising Entity approved the Agreement, provided it did so within 30 days after the submission of a complete franchise agreement, or (b) the date the Agreement is deemed approved pursuant to **Section 3(3) of the Act**, if the Franchising Entity either fails to notify the Provider regarding the completeness of the Agreement or approve the Agreement within the time periods required under that subsection.
- B. Before the expiration of the initial Franchise Agreement or any subsequent renewals, the Provider may apply for an additional 10-year renewal under **Section 3(7) of the Act**.

VI. Fees

- A. A video service Provider shall calculate and pay an annual video service provider fee to the Franchising Entity. The fee shall be 1 of the following:
 - i. If there is an existing Franchise Agreement, an amount equal to the percentage of gross revenue paid to the Franchising Entity by the incumbent video Provider with the largest number of subscribers in the Franchising Entity.
 - ii. At the expiration of an existing Franchise Agreement or if there is no existing Franchise Agreement, an amount equal to the percentage of gross revenue as established by the Franchising Entity of 5 % (percentage amount to be inserted by Franchising Entity which shall not exceed 5%) and shall be applicable to all providers
- B. The fee shall be due on a quarterly basis and paid within 45 days after the close of the quarter. Each payment shall include a statement explaining the basis for the calculation of the fee.
- C. The Franchising Entity shall not demand any additional fees or charges from a provider and shall not demand the use of any other calculation method other than allowed under the Act.
- D. For purposes of this Section, "gross revenues" means all consideration of any kind or nature, including, without limitation, cash, credits, property, and in-kind contributions received by the provider from subscribers for the provision of video service by the video service provider within the jurisdiction of the franchising entity.
 - 1. **Gross revenues shall include all of the following:**
 - i. All charges and fees paid by subscribers for the provision of video service, including equipment rental, late fees, insufficient funds fees, fees attributable to video service when sold individually or as part of a package or bundle, or functionally integrated, with services other than video service.
 - ii. Any franchise fee imposed on the Provider that is passed on to subscribers.
 - iii. Compensation received by the Provider for promotion or exhibition of any products or services over the video service.
 - iv. Revenue received by the Provider as compensation for carriage of video programming on that Provider's video service.
 - v. All revenue derived from compensation arrangements for advertising to the local franchise area.
 - vi. Any advertising commissions paid to an affiliated third party for video service advertising.
 - 2. **Gross revenues do not include any of the following:**
 - i. Any revenue not actually received, even if billed, such as bad debt net of any recoveries of bad debt.
 - ii. Refunds, rebates, credits, or discounts to subscribers or a municipality to the extent not already offset by subdivision (D)(i) and to the extent the refund, rebate, credit, or discount is attributable to the video service.
 - iii. Any revenues received by the Provider or its affiliates from the provision of services or capabilities other than video service, including telecommunications services, information services, and services,

- capabilities, and applications that may be sold as part of a package or bundle, or functionality integrated, with video service.
- iv. Any revenues received by the Provider or its affiliates for the provision of directory or internet advertising, including yellow pages, white pages, banner advertisement, and electronic publishing.
 - v. Any amounts attributable to the provision of video service to customers at no charge, including the provision of such service to public institutions without charge.
 - vi. Any tax, fee, or assessment of general applicability imposed on the customer or the transaction by a federal, state, or local government or any other governmental entity, collected by the Provider, and required to be remitted to the taxing entity, including sales and use taxes.
 - vii. Any forgone revenue from the provision of video service at no charge to any person, except that any forgone revenue exchanged for trades, barter, services, or other items of value shall be included in gross revenue.
 - viii. Sales of capital assets or surplus equipment.
 - ix. Reimbursement by programmers of marketing costs actually incurred by the Provider for the introduction of new programming.
 - x. The sale of video service for resale to the extent the purchaser certifies in writing that it will resell the service and pay a franchise fee with respect to the service.
- E. In the case of a video service that is bundled or integrated functionally with other services, capabilities, or applications, the portion of the video Provider's revenue attributable to the other services, capabilities, or applications shall be included in gross revenue unless the Provider can reasonably identify the division or exclusion of the revenue from its books and records that are kept in the regular course of business.
 - F. Revenue of an affiliate shall be included in the calculation of gross revenues to the extent the treatment of the revenue as revenue of the affiliate has the effect of evading the payment of franchise fees which would otherwise be paid for video service.
 - G. The Provider is entitled to a credit applied toward the fees due under **Section 6(1) of the Act** for all funds allocated to the Franchising Entity from annual maintenance fees paid by the provider for use of public rights-of-way, minus any property tax credit allowed under **Section 8 of the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act (METRO Act)**, 2002 PA 48, MCL 484.3108. The credits shall be applied on a monthly pro rata basis beginning in the first month of each calendar year in which the Franchising Entity receives its allocation of funds. The credit allowed under this subsection shall be calculated by multiplying the number of linear feet occupied by the Provider in the public rights-of-way of the Franchising Entity by the lesser of 5 cents or the amount assessed under the **METRO Act**. The Provider is not eligible for a credit under this section unless the provider has taken all property tax credits allowed under the **METRO Act**.
 - H. All determinations and computations made under this section shall be pursuant to generally accepted accounting principles.
 - I. Any claims by a Franchising Entity that fees have not been paid as required under **Section 6 of the Act**, and any claims for refunds or other corrections to the remittance of the Provider shall be made within 3 years from the date the compensation is remitted.
 - J. The Provider may identify and collect as a separate line item on the regular monthly bill of each subscriber an amount equal to the percentage established under **Section 6(1) of the Act**, applied against the amount of the subscriber's monthly bill.
 - K. The Franchising Entity shall not demand any additional fees or charges from a Provider and shall not demand the use of any other calculation method other than allowed under the Act.

VII. Public, Education, and Government (PEG) Channels

- A. The video service Provider shall designate a sufficient amount of capacity on its network to provide for the same number of public, education, and government access channels that are in actual use on the incumbent video provider system on the **effective date of the Act** or as provided under **Section 4(14) of the Act**.
- B. Any public, education, or government channel provided under this section that is not utilized by the Franchising Entity for at least 8 hours per day for 3 consecutive months may no longer be made available to the Franchising Entity and may be programmed at the Provider's discretion. At such a time as the Franchising Entity can certify a schedule for at least 8 hours of daily programming for a period of 3 consecutive months, the Provider shall restore the previously reallocated channel.
- C. The Franchising Entity shall ensure that all transmissions, content, or programming to be retransmitted by a video service Provider is provided in a manner or form that is capable of being accepted and retransmitted by a Provider, without requirement for additional alteration or change in the content by the Provider, over the particular network of the Provider, which is compatible with the technology or protocol utilized by the Provider to deliver services.

- D. The person producing the broadcast is solely responsible for all content provided over designated public, education, or government channels. The video service Provider shall not exercise any editorial control over any programming on any channel designed for public, education, or government use.
- E. The video service Provider is not subject to any civil or criminal liability for any program carried on any channel designated for public, education, or government use.
- F. If a Franchising Entity seeks to utilize capacity pursuant to **Section 4(1) of the Act** or an agreement under **Section 13 of the Act** to provide access to video programming over one or more PEG channels, the Franchising Entity shall give the Provider a written request specifying the number of channels in actual use on the incumbent video provider's system or specified in the agreement entered into under **Section 13 of the Act**. The video service Provider shall have 90 days to begin providing access as requested by the Franchising Entity. The number and designation of PEG access channels shall be set forth in an addendum to this agreement effective 90 days after the request is submitted by the Franchising Entity.
- G. A PEG channel shall only be used for noncommercial purposes.

VIII. PEG Fees

- A. The video service Provider shall also pay to the Franchising Entity as support for the cost of PEG access facilities and services an annual fee equal to one of the following options:
 - 1. If there is an existing Franchise on the effective date of the Act, the fee (enter the fee amount 2%) paid to the Franchising Entity by the incumbent video Provider with the largest number of cable service subscribers in the Franchising Entity as determined by the existing Franchise Agreement;
 - 2. At the expiration of the existing Franchise Agreement, the amount required under (1) above, which is 2% of gross revenues. (The amount under (1) above is not to exceed 2% of gross revenues);
 - 3. If there is no existing Franchise Agreement, a percentage of gross revenues as established by the Franchising Entity and to be determined by a community need assessment, is -----% of gross revenues. (The percentage that is established by the Franchising Entity is not to exceed 2% of gross revenues.); and
 - 4. An amount agreed to by the Franchising Entity and the video service Provider.
- B. The fee required by this section shall be applicable to all providers, pursuant to Section 6(9) of the Act.
- C. The fee shall be due on a quarterly basis and paid within 45 days after the close of the quarter. Each payment shall include a statement explaining the basis for the calculation of the fee.
- D. All determinations and computations made under this section shall be pursuant to generally accepted accounting principles.
- E. Any claims by a Franchising Entity that fees have not been paid as required under **Section 6 of the Act**, and any claims for refunds or other corrections to the remittance of the Provider shall be made within 3 years from the date the compensation is remitted.
- F. The Provider may identify and collect as a separate line item on the regular monthly bill of each subscriber an amount equal to the percentage established under **Section 6(8) of the Act**, applied against the amount of the subscriber's monthly bill.
- G. The Franchising Entity shall not demand any additional fees or charges from a Provider and shall not demand the use of any other calculation method other than allowed under the Act.

IX. Audits

- A. No more than every 24 months, a Franchising Entity may perform reasonable audits of the video service Provider's calculation of the fees paid under **Section 6 of the Act** to the Franchising Entity during the preceding 24-month period only. All records reasonably necessary for the audits shall be made available by the Provider at the location where the records are kept in the ordinary course of business. The Franchising Entity and the video service Provider shall each be responsible for their respective costs of the audit. Any additional amount due verified by the Franchising Entity shall be paid by the Provider within 30 days of the Franchising Entity's submission of invoice for the sum. If the sum exceeds 5% of the total fees which the audit determines should have been paid for the 24-month period, the Provider shall pay the Franchising Entity's reasonable costs of the audit.
- B. Any claims by a Franchising Entity that fees have not been paid as required under **Section 6 of the Act**, and any claims for refunds or other corrections to the remittance of the provider shall be made within 3 years from the date the compensation is remitted.

X. Termination and Modification

This Franchise Agreement issued by a Franchising Entity may be terminated or the video service area footprint may be modified, except as provided under **Section 9 of the Act**, by the Provider by submitting notice to the Franchising Entity. The Provider will use Attachment 2, when notifying the Franchising Entity.

XI. Transferability

This Franchise Agreement issued by a Franchising Entity or an existing franchise of an incumbent video service Provider is fully transferable to any successor in interest to the Provider to which it is initially granted. A notice of transfer shall be filed with the Franchising Entity within **15 days** of the completion of the transfer. The Provider will use Attachment 2, when notifying the Franchising Entity. The successor in interest will assume the rights and responsibilities of the original provider and will also be required to complete their portion of the Transfer Agreement located within Attachment 2.

XII. Change of Information

If any of the information contained in the Franchise Agreement changes, the Provider shall timely notify the Franchising Entity. The Provider will use Attachment 2, when notifying the Franchising Entity.

XIII. Confidentiality

Pursuant to Section 11 of the Act: Except under the terms of a mandatory protective order, trade secrets and commercial or financial information designated as such and submitted under the Act to the Franchising Entity or Commission are exempt from the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246 and **MUST BE KEPT CONFIDENTIAL**.

- A. The Provider may specify which items of information should be deemed "confidential." It is the responsibility of the provider to clearly identify and segregate any confidential information submitted to the franchising entity with the following information:
 "[insert PROVIDER'S NAME]
 [CONFIDENTIAL INFORMATION]"
- B. The Franchising Entity receiving the information so designated as confidential is required (a) to protect such information from public disclosure, (b) exempt such information from any response to a FOIA request, and (c) make the information available only to and for use only by such local officials as are necessary to approve the franchise agreement or perform any other task for which the information is submitted.
- C. Any Franchising Entity which disputes whether certain information submitted to it by a provider is entitled to confidential treatment under the Act may apply to the Commission for resolution of such a dispute. Unless and until the Commission determines that part or all of the information is not entitled to confidential treatment under the Act, the Franchising Entity shall keep the information confidential.

XIV. Complaints/Customer Service

- A. The Provider shall establish a dispute resolution process for its customers. Provider shall maintain a local or toll-free telephone number for customer service contact.
- B. The Provider shall be subjected to the penalties, as described under **Section 14 of the Act**, and the Franchising Entity and Provider may be subjected to the dispute process as described in **Section 10 of the Act**.
- C. Each Provider shall annually notify its customers of the dispute resolution process required under **Section 10 of the Act**. Each Provider shall include the dispute resolution process on its website.
- D. Before a customer may file a complaint with the Commission under **Section 10(5) of the Act**, the customer shall first attempt to resolve the dispute through the dispute resolution process established by the Provider in **Section 10(2) of the Act**.
- E. A complaint between a customer and a Provider shall be handled by the Commission pursuant to the process as described in **Section 10(5) of the Act**.
- F. A complaint between a Provider and a franchising entity or between two or more Providers shall be handled by the Commission pursuant to the process described in **Section 10(6) of the Act**.
- G. In connection with providing video services to the subscribers, a provider shall not do any act prohibited by Section 10(1)(a-f) of the Act. The Commission may enforce compliance to the extent that the activities are not covered by **Section 2(3)(I) in the Act**.

XV. Notices

Any notices to be given under this Franchise Agreement shall be in writing and delivered to a Party personally, by facsimile or by certified, registered, or first-class mail, with postage prepaid and return receipt requested, or by a nationally recognized overnight delivery service, addressed as follows:

If to the Franchising Entity:
(must provide street address)

City of Birmingham:

Attn: _____
Fax No.: _____

If to the Provider:
(must provide street address)

1.
41112 Concept Dr.
Plymouth, MI 48170
Attn: VP of Government Affairs
Fax No.: 734-892-2159

2.
2605 Circle 75 Pkwy SE
Atlanta, GA 30339
Attn: Sr. Vice President, Government Relations

3.
One Comcast Center
Philadelphia, PA 19103
Attn: Government Affairs Department

Or such other addresses or facsimile numbers as the Parties may designate by written notice from time to time.

XVI. Miscellaneous

- A. **Governing Law.** This Franchise Agreement shall be governed by, and construed in accordance with, applicable Federal laws and laws of the State of Michigan.
- B. The parties to this Franchise Agreement are subject to all valid and enforceable provisions of the Act.
- C. **Counterparts.** This Agreement may be signed in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute on and the same agreement.
- D. **Power to Enter.** Each Party hereby warrants to the other Party that it has the requisite power and authority to enter into this Franchise Agreement and to perform according to the terms hereof.
- E. The Provider and Franchising Entity are subject to the provisions of 2006 Public Act 480.

IN WITNESS WHEREOF, the Parties, by their duly authorized representatives, have executed this Franchise Agreement.

City of Birmingham, a Michigan Municipal Corporation

**Comcast Cable Communications Management, LLC
a Delaware Limited Liability Company doing
business as Comcast**

By _____
Print Name _____
Title _____
Address _____
City, State, Zip _____
Phone _____
Fax _____
Email _____

Craig D'Agostini
By _____
Craig D'Agostini
Print Name _____
Vice President of Government and Regulatory
Affairs
Title _____
41112 Concept Drive
Address _____
Plymouth, MI 48170
City, State, Zip _____
734 359-2240
Phone _____
734-892-2159
Fax _____
Craig_D'agostini@cable.comcast.com
Email _____

FRANCHISE AGREEMENT *(Franchising Entity to Complete)*

Date submitted:

Date completed and approved:

date received

date approved

ATTACHMENT 1

UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT (Pursuant To 2006 Public Act 480) (Form must be typed)

Date: February 28, 2025		
Applicant's Name: Comcast Cable Communications Management, LLC		
Address 1: 41112 Concept Dr.		
Address 2		Phone: 248-233-4700
City: Plymouth	State: MI	Zip: 48170
Federal I.D. No. (FEIN): 23-2837543		

Company executive officers:

Name(s): Craig D'Agostini
Title(s): Vice President of Government and Regulatory Affairs

Person(s) authorized to represent the company before the Franchising Entity and the Commission:

Name: Eric Woody		
Title: Manager, External Affairs		
Address: 41112 Concept Dr., Plymouth, MI 48170		
Phone: (248) 924-4917	Fax:	Email: Eric_Woody@comcast.com

Name: Matt Kelley		
Title: Director, Government Affairs		
Address: 720 Taylor St., Ft. Wayne, IN 46802		
Phone: 317-771-2104	Fax:	Email: Matthew_Kelley@comcast.com

Describe the video service area footprint as set forth in Section 2(3e) of the Act. (An exact description of the video service area footprint to be served, as identified by a geographic information system digital boundary meeting or exceeding national map accuracy standards.)

As an incumbent provider, Comcast, is satisfying this requirement by allowing a franchising entity to seek right-of-way related information comparable to that required by a permit under the metropolitan extension telecommunications rights-of-way oversight act, 2002 PA 48, MCL 484.3101 to 484.3120, as set forth in its last cable franchise entered before the effective date of this act.

[Option A: for Providers that Options B and C are not applicable, a description based on a geographic information system digital boundary meeting or exceeding national map accuracy standards]

[Option B: for Providers with 1,000,000 or more access lines in Michigan using telecommunication facilities to provide Video Service, a description based on entire wire centers or exchanges located in the Franchising Entity]

[Option C: for an Incumbent Video Service Provider, it satisfies this requirement by allowing the Franchising Entity to seek right-of-way information comparable to that required by a permit under the METRO Act as set forth in its last cable franchise or consent agreement from the Franchising Entity entered into before the effective date of the Act]

Pursuant to Section 2(3)(d) of the Act, if the Provider is not an incumbent video Provider, provide the date on which the Provider expects to provide video services in the area identified under Section 2(3)(e) (the Video Service Area Footprint).

Date:

For All Applications:

**Verification
(Provider)**

I, Craig D'Agostini, of lawful age, and being first duly sworn, now states: As an officer of the Provider, I am authorized to do and hereby make the above commitments. I further affirm that all statements made above are true and correct to the best of my knowledge and belief.

Name and Title (printed): Craig D'Agostini, Vice President of Government & Regulatory Affairs

Signature:

Craig D'Agostini

Date: March 4, 2025

(Franchising Entity)

City of Birmingham, a Michigan municipal corporation

By

Print Name

Title

Address

City, State, Zip

Phone

Fax

Email

Date

ATTACHMENT 1



MEMORANDUM

Finance Department

DATE: May 13, 2025

TO: Jana L. Ecker, City Manager

FROM: Mary J. Chavez, Finance Director/Treasurer

SUBJECT: 2025-2026 Budget Appropriations Resolution

INTRODUCTION:

As required by State law and the City Charter, the City Commission must annually approve a budget for the following fiscal year and approve the property tax millage to be assessed on July 1st.

BACKGROUND:

The City held a public hearing on April 26, 2025, to review the 2025-2026 recommended budget and to receive comments and revisions from the City Commission and the general public. Based on the comments received and updates for new information in the recommended budget, the following are the changes from the recommended budget amounts:

1. General Fund Budget

The Assessing Department's budget increased by \$108,900 following the budget hearing, due to a significant rate adjustment approved by the Oakland County Board of Commissioners for contracted assessing services provided. The original budgeted amount of \$240,400 was revised to \$349,300 as a result.

The Planning Department's budget for wayfinding was increased to \$260,000 to fund additional Citywide wayfinding initiatives. This increase from the originally recommended amount of \$50,000 was made at the request of the City Commission during the April 26, 2025 budget hearing.

2. Local Street Fund Budget

In an effort to allocate additional funding to capital road projects, the Commission expressed strong interest in prioritizing pavement improvements to Cole, Oak, and East Lincoln during the budget hearing meeting. As a result, the local street budget for Fiscal Year 2025–2026 was adjusted to include \$300,000, transferred from the general fund, for milling and overlay resurfacing work on Cole Street.

The recommended budget, as presented at the budget hearing, already included funding for Oak Avenue, which is scheduled for a cape seal treatment in Fiscal Year 2025–2026, and for East Lincoln, which is planned for resurfacing in Fiscal Year 2026–2027.

3. Sewage Disposal Fund Budget

The City has received final sewage and storm water costs from the Oakland County Water Resources Commissioner for fiscal year 2025-2026. Based on this updated information, sewage disposal costs will exceed the recommended budget by \$187,110. This significant increase is primarily due to higher maintenance costs for three Combined Sewer Overflow (CSO) drains - Acacia Park, Birmingham, and Bloomfield - which are financed through special assessment rolls and cost-shared among the communities served by each drain. These systems, maintained by the Oakland County Water Resources Commissioner, require ongoing upkeep and upgrades to ensure environmental compliance and continued protection against flooding and sewer backups during heavy rainfall events.

LEGAL REVIEW:

None needed.

FISCAL IMPACT:

The impact of these adjustments to the recommended budget are as follows:

General Fund	Recommended Budget	Budget Resolution
Expenditures:		
Assessing (1)	\$240,400	\$349,300
Planning (1)	\$50,000	\$260,000
Local Street Fund	Recommended Budget	Budget Resolution
Revenue:	\$3,713,000	\$4,013,000
Other Financing Sources (2)		
Expenditures:	Recommended Budget	Budget Resolution
Capital Outlay (2)	\$3,048,550	\$3,348,550
Sewage Disposal Fund	Recommended Budget	Budget Resolution
Revenues:		
Charges for Services (3)	\$14,460,880	\$14,680,820
Expenses:		
Other Charges (3)	\$11,834,900	\$12,022,010

PUBLIC COMMUNICATIONS:

The budget hearing was noticed in the newspaper, included in the 2025 City calendar, and communicated on social media.

SUMMARY:

It is recommended that the City Commission 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, 2025 and ending June 30, 2026.

ATTACHMENTS:

None

SUGGESTED COMMISSION ACTION:

Make a motion adopting the following budget appropriations resolution and establishing the total number of mills for ad valorem property taxes to be levied for the fiscal year commencing July 1, 2025 and ending June 30, 2026.

BUDGET APPROPRIATIONS RESOLUTION

WHEREAS, the City Manager has submitted the proposed 2025-2026 Budget, and:

WHEREAS, the City Commission has reviewed the 2025-2026 Budget, and;

WHEREAS, the City Commission has held a Public Hearing on the 2025-2026 Budget;

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

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, 2025, and ending June 30, 2026:

GENERAL FUND:

Taxes	\$38,853,740
Special Assessments	731,890
Licenses & Permits	2,721,350
Federal Grants	356,500
State Grants	2,881,500
Local Contributions	139,000
Charges for Services	4,117,890
Fines and Forfeitures	1,825,300
Interest and Rent	2,075,020
Other Revenue	59,250
Other Financing Sources	<u>100,000</u>
Total General Fund	\$53,861,440

GREENWOOD CEMETERY PERPETUAL CARE FUND:

Charges for Services	\$ 40,000
Interest and Rent	<u>43,000</u>
Total Greenwood Cemetery Perpetual Care Fund	\$ 83,000

MAJOR STREETS FUND:

Special Assessments	\$ 241,800
State Grants	3,174,940
Interest and Rent	56,300
Other Financing Sources	<u>6,000,000</u>
Total Major Streets Fund	\$ 9,473,040

LOCAL STREETS FUND:

Special Assessments	\$ 883,950
State Grants	813,400
Interest and Rent	20,880
Other Revenue	5,000
Other Financing Sources	<u>4,013,000</u>
Total Local Streets Fund	\$ 5,736,230

SOLID WASTE DISPOSAL FUND:

Taxes	\$ 2,418,990
State Grants	5,000
Interest and Rent	<u>64,700</u>
Total Solid Waste Disposal Fund	\$ 2,488,690

BROWNFIELD REDEVELOPMENT AUTHORITY FUND:

Taxes	\$ 284,760
Interest and Rent	4,000
Other Revenue	<u>10,000</u>
Total Brownfield Redevelopment Authority Fund	\$ 298,760

PRINCIPAL SHOPPING DISTRICT FUND:

Special Assessments	\$ 1,254,070
Charges for Services	25,000
Interest and Rent	46,900
Other Revenue	230,000
Draw from Fund Balance	<u>108,320</u>
Total Principal Shopping District Fund	\$ 1,664,290

COMMUNITY DEVELOPMENT BLOCK GRANT FUND:

Federal Grants	\$ 35,950
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TRIANGLE DISTRICT CORRIDOR IMPROVEMENT AUTHORITY FUND:

Interest and Rent	\$ 600
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INDIGENT DEFENSE FUND:

State Grants	\$ 489,500
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Local Contributions	17,600
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Interest and Rent	<u>7,600</u>
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Total Indigent Defense Fund	\$ 514,700
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OPIOID SETTLEMENT FUND:

Interest and Rent	\$ 1,000
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Other Revenue	<u>50,000</u>
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Total Opioid Settlement Fund	\$ 51,000
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LAW AND DRUG ENFORCEMENT FUND:

Interest and Rent	\$ 6,000
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Fines and Forfeitures	<u>25,000</u>
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Total Law and Drug Enforcement Fund	\$ 31,000
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SENIOR SERVICES FUND:

Taxes	\$ 1,188,560
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Interest and Rent	<u>70,000</u>
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Total Senior Services Fund	\$ 1,258,560
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SUSTAINABILITY AND CLIMATE ACTION FUND

Interest and Rent	\$ 400
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BALDWIN LIBRARY FUND:

Taxes	<u>\$ 4,667,550*</u>
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	\$ 4,719,690
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State Grants	45,000
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Local Contributions	1,167,400
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Charges for Services	28,950
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Interest and Rent	15,000
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Fines and Forfeitures	7,000
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Other Revenue	<u>500</u>
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Total Baldwin Library Fund	\$ 5,931,400* \$ 5,983,540
DEBT SERVICE FUND:	
Taxes	\$ 823,280
Intergovernmental	3,000
Interest and Rent	<u>8,300</u>
Total Debt Service Fund	\$ 834,580
CAPITAL PROJECTS FUND:	
Local Contributions	\$ 120,000
Other Financing Sources	<u>612,990</u>
Total Capital Projects Fund	\$ 732,990
PARK SYSTEM CONSTRUCTION FUND:	
State Grants	\$ 400,000
Interest and Rent	225,000
Draw from Fund Balance	<u>3,025,000</u>
Total Park System Construction Fund	\$ 3,650,000
AUTOMOBILE PARKING SYSTEM FUND:	
Charges for Services	\$ 9,773,110
Interest and Rent	<u>1,312,000</u>
Total Automobile Parking System Fund	\$11,085,110
SEWAGE DISPOSAL FUND:	
Taxes	\$ 33,320
Special Assessments	2,000
Charges for Services	14,680,820
Interest and Rent	141,000
Other Financing Sources	546,000
Draw from Net Position	<u>2,079,900</u>
Total Sewage Disposal Fund	\$17,483,040
WATER-SUPPLY SYSTEM RECEIVING FUND:	
Federal Grants	250,000
Charges for Services	8,052,530
Interest and Rent	225,000
Draw from Net Position	<u>1,198,270</u>
Total Water-Supply System Fund	\$ 9,725,800

LINCOLN HILLS GOLF COURSE:

Charges for Services	\$ 1,068,740
Interest and Rent	60,500
Other Revenue	<u>600</u>
Total Lincoln Hills Golf Course Fund	\$ 1,129,840

SPRINGDALE GOLF COURSE:

Charges for Services	\$ 707,930
Interest and Rent	30,000
Other Revenue	200
Draw from Net Position	<u>313,050</u>
Total Springdale Golf Course Fund	\$ 1,051,180

COMPUTER EQUIPMENT FUND:

Interest and Rent	\$ 1,362,650
Draw from Net Position	<u>36,820</u>
Total Computer Equipment Fund	\$ 1,399,470

AND, BE IT FURTHER RESOLVED, that the City Commission does hereby adopt on a budgetary center basis the following expenditures for 2025-2026:

GENERAL FUND:

General Government	\$ 7,665,310
Judicial	2,113,940
Public Safety	21,445,070
Public Works	6,176,430
Health and Welfare	235,570
Community and Economic Development	1,246,790
Recreation and Culture	3,806,340
Transfers Out	<u>11,171,990</u>
Total General Fund	\$53,861,440

GREENWOOD CEMETERY PERPETUAL CARE FUND:

Expenditures	\$ -
Contribution to Fund Balance	<u>83,000</u>
Total Greenwood Cemetery Perpetual Care Fund	\$ 83,000

MAJOR STREETS FUND:

Public Works	\$ 9,307,060
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Contribution to Fund Balance	<u>165,980</u>
Total Local Street Fund Balance	\$ 9,473,040
LOCAL STREETS FUND:	
Public Works	\$ 5,718,990
Contribution to Fund Balance	<u>17,240</u>
Total Local Street Fund Balance	\$ 5,736,230
SOLID WASTE DISPOSAL FUND:	
Public Works	\$ 2,488,690
BROWNFIELD REDEVELOPMENT AUTHORITY FUND:	
Community and Economic Development	\$ 294,760
Contribution to Fund Balance	<u>4,000</u>
Total Brownfield Redevelopment Authority Fund	\$ 298,760
PRINCIPAL SHOPPING DISTRICT FUND:	
Community and Economic Development	\$ 1,664,290
COMMUNITY DEVELOPMENT BLOCK GRANT FUND:	
Health and Welfare	\$ 35,950
TRIANGLE DISTRICT CORRIDOR IMPROVEMENT AUTHORITY FUND:	
Contribution to Fund Balance	\$ 600
INDIGENT DEFENSE FUND:	
Health and Welfare	\$ 514,700
OPIOID SETTLEMENT FUND:	
Health and Welfare	\$ 50,000
Contribution to Fund Balance	<u>1,000</u>
Total Opioid Settlement Fund	\$ 51,000
LAW AND DRUG ENFORCEMENT FUND:	
Public Safety	\$ 12,500
Contribution to Fund Balance	<u>18,500</u>
Total Law and Drug Enforcement Fund	\$ 31,000
SENIOR SERVICES FUND:	

Contribution to Fund Balance	\$1,258,560
SUSTAINABILITY AND CLIMATE ACTION FUND	
Contribution to Fund Balance	\$ 400
BALDWIN LIBRARY FUND:	
Recreation and Culture	\$ 5,276,510
Contribution to Fund Balance	<u>654,890*</u>
	<u>707,030</u>
Total Baldwin Library Fund	<u>\$ 5,931,400*</u>
	\$ 5,983,540
DEBT SERVICE FUND:	
Debt Service	\$ 834,580
CAPITAL PROJECTS FUND:	
Capital Outlay	\$ 732,990
PARK SYSTEM CONSTRUCTION FUND:	
Capital Outlay	\$ 3,650,000
AUTOMOBILE PARKING SYSTEM FUND:	
Public Works	\$10,411,520
Contribution to Net Position	<u>673,590</u>
Total Automobile Parking System Fund	\$11,085,110
SEWAGE DISPOSAL SYSTEM FUND:	
Public Works	\$17,483,040
WATER-SUPPLY SYSTEM RECEIVING FUND:	
Public Works	\$ 9,725,800
LINCOLN HILLS GOLF COURSE:	
Recreation and Culture	\$ 913,210
Contribution to Net Position	<u>216,630</u>
Total Lincoln Hills Golf Course	\$ 1,129,840
SPRINGDALE GOLF COURSE:	
Recreation and Culture	\$ 1,051,180
COMPUTER EQUIPMENT FUND:	

General Government

\$ 1,399,470

BE IT FURTHER RESOLVED that the budget summary above be approved as the 2025-2026 City Budget and that this resolution shall be known as the City of Birmingham 2025-2026 General Appropriations Act.

BE IT FURTHER RESOLVED that the City Commission does hereby designate \$38,855,060 to be raised by 10.6121 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 ~~\$4,734,690~~ \$4,682,550* to be raised by ~~1.2931~~ 1.2789* 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 \$2,424,990 to be raised by 0.6623 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 Commission does hereby designate \$1,188,560 to be raised by 0.3246 mills levied on the taxable valuation of all real and personal property subject to taxation in the City for the purpose of providing senior services within the City as authorized by MCL 401.571, et seq.

BE IT FURTHER RESOLVED that the City Commission does hereby designate \$828,280 to be raised by 0.2262 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 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 2025-2026 budget shall be automatically amended on July 1, 2025, to re-appropriate encumbrances outstanding and reserved at June 30, 2025.

BE IT FINALLY RESOLVED that the City Treasurer be authorized to add to all taxes paid after September 2, 2025, three-fourths of one percent ($\frac{3}{4}$ of 1%) penalty each and every month, or fraction thereof, that remains unpaid. On all taxes paid after February 17, 2026, and through March 2, 2026, there shall be added a late penalty charge equal to three percent (3%) of such tax.



MEMORANDUM

Finance Department

DATE: May 9, 2025

TO: Jana L. Ecker, City Manager

FROM: Mary J. Chavez, Finance Director/Treasurer

SUBJECT: Water/Sewer Rate Changes for 2025-2026

INTRODUCTION:

Every year the City Commission sets water and sewer rates for the new fiscal year based on the approved Water Supply System Fund and Sewage Disposal Fund budgets.

BACKGROUND:

On April 26, 2025, the City Commission held a public hearing on the recommended budget for fiscal year 2025-2026. During this hearing, the City Commission reviewed the Water and Sewer Fund budgets proposed for 2025-2026 along with recommended changes to the water and sewer rates. These proposed rates were based on estimated costs.

Since that time, the City has received updated sanitary and storm water costs from the Oakland County Water Resources Commissioner. Based on the updated information, the sanitary sewage disposal rate and the storm water fees will need to be changed from what was proposed.

LEGAL REVIEW:

No legal review necessary.

FISCAL IMPACT:

Water Rates

Water rates for 2025-2026 are recommended to increase \$1.49 from \$7.38 to \$8.87/1,000 gallons of water used, or 20%. The increase would raise the annual cost to the average homeowner using 90 units of water by \$134.10 or approximately \$11/month. Approximately \$1.34 of the increase is related to increased funding for infrastructure improvements. Approximately \$.15 of the increase is related to the increase in the cost of water. As part of the Commission-approved two-year plan, a significant portion of the rate increase is tied to funding capital improvements for the water system. The first major increase occurred last year, and this year marks the final year of that planned two-year adjustment. After these two substantial increases, annual rate adjustments are expected to stabilize at approximately 6% to 7%.

Sewer Rates

Sewer rates are recommended to increase \$1.62 from \$11.26 to \$12.88/1,000 gallons of water used, or 14%. The increase would raise the annual cost to the average homeowner using 90 units of water by \$145.80 or approximately \$12/month. Approximately \$1.35 of the rate increase is related to infrastructure funding. Approximately \$.27 of the rate increase is related to an increase in sewage disposal costs. As part of the Commission-approved two-year plan, a significant portion of the rate increase is tied to funding capital improvements for the sewer system. The first major increase occurred last year, and this year marks the final year of that planned two-year adjustment. After these two substantial increases, annual rate adjustments are expected to stabilize at approximately 6% to 7%.

Storm Water Rates

Storm water rates are recommended to increase from \$317 to \$361 per year, or \$44 per ESWU (Equivalent Storm Water Unit) for the Evergreen-Farmington Sewage Disposal District and from \$301 to \$317, or \$16 per ESWU for Southeast Oakland Sewage Disposal District (George W. Kuhn), annually.

Industrial Surcharge and Industrial Waste Control Charge (IWC)

The charges for Industrial Surcharge and Industrial Waste Control Charge are determined by Great Lakes Water Authority (GLWA). These charges are collected by the City and remitted to GLWA. The City does not keep any of the money it collects for these fees. The Industrial Waste Control Charge is scheduled to increase approximately 3.9%. Currently, there is one Birmingham customer charged an Industrial Surcharge which is billed directly by the Great Lakes Water Authority.

The new rates will take effect for all billings where the read date is on or after July 1, 2025.

Below are the recommended fee changes:

FEES, CHARGES, BONDS AND INSURANCE AMENDMENT

DEPARTMENT OF PUBLIC SERVICE

<u>Section</u>	Existing Fee	Proposed Fee	Change Code
<u>Water</u>			
Additional charge for water used: For each 1,000 gallons or part thereof	\$ 7.38	\$ 8.87	B

FINANCE

<u>Section</u>	Existing Fee	Proposed Fee	Change Code
<u>Sewer Service Rates (Chapter 114)</u>			
For each 1,000 gallons or part thereof	\$ 11.26	\$ 12.88	B
<u>Storm Water Utility Fee (Chapter 114)</u>			
Evergreen-Farmington Sewage Disposal District For each Equivalent Storm Water Unit (ESWU) Quarterly Fee	\$ 79.25	\$ 90.30	B

Monthly Fee	\$ 26.42	\$ 30.10	B
Southeast Oakland County Sewage Disposal District			
For each Equivalent Storm Water Unit (ESWU)			
Quarterly Fee	\$ 74.00	\$ 79.26	B
Monthly Fee	\$ 24.67	\$ 26.42	B

Industrial Surcharge (Chapter 114)

An industrial surcharge shall be levied against industrial and commercial customers contributing sewage to the system with concentrations of pollutants exceeding the levels described as follows:

Amounts of Industrial Surcharge - Total Charge per pound of excess pollutants

Biochemical oxygen demand (BOD), over 275 mg/l	\$ 0.392	\$ 0.409	C
Total suspended solids (TSS), over 350 mg/l	\$ 0.525	\$ 0.548	C
Phosphorus (P), over 12 mg/l	\$ 7.571	\$ 7.907	C
Fats, oils, grease (FOG) over 100 mg/l	\$ 0.125	\$ 0.131	C

Industrial Waste Control IWC (Chapter 114)

An industrial waste control charge shall be levied against all non-residential properties, in accordance with rates established by resolution.

Meter Size - Quarterly Charge

5/8"	\$ 11.16	\$ 11.67	C
3/4"	\$ 16.74	\$ 17.52	C
1"	\$ 27.90	\$ 29.19	C
1 1/2"	\$ 61.38	\$ 64.20	C
2"	\$ 89.28	\$ 93.36	C
3"	\$ 161.82	\$ 169.23	C
4"	\$ 223.20	\$ 233.40	C
6"	\$ 334.80	\$ 350.10	C
8"	\$ 558.00	\$ 583.50	C
10"	\$ 781.20	\$ 816.90	C
12"	\$ 892.8	\$ 933.60	C
14"	\$1,116.00	\$1,167.00	C
16"	\$1,339.20	\$1,400.40	C
18"	\$1,562.40	\$1,633.80	C

20"	\$1,785.60	\$1,867.20	C
24"	\$2,008.80	\$2,100.60	C
30"	\$2,322.00	\$2,424.00	C
36"	\$2,455.20	\$2,567.40	C
48"	\$2,678.40	\$2,800.80	C

CHANGE CODES

- A. Fee has remained the same for many years
- B. Proposed fee covers current costs
- C. Pass through costs that reflects actual cost of service
- D. Fee consistent with neighboring communities
- E. New fee
- F. Increase to cover normal inflationary increase
- G. No longer provide this service
- H. Other – Explain

SUSTAINABILITY:

The new rates will help secure funding for infrastructure improvements that will reduce water and sewer line leaks.

PUBLIC COMMUNICATIONS:

Water and sewer rates were discussed at the public hearing for the recommended budget on April 26, 2025.

SUMMARY:

It is recommended that the City Commission amend the Schedule of Fees, Charges, Bonds and Insurance for changes in water, sewer, storm water, industrial surcharge, and industrial waste control charge rates effective for bills with read dates on or after July 1, 2025 as recommended above.

ATTACHMENTS:

None.

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to amend the Schedule of Fees, Charges, Bonds and Insurance for changes in water, sewer, storm water, industrial surcharge, and industrial waste control charge rates effective for bills with read dates on or after July 1, 2025.



MEMORANDUM

Parking System

DATE: May 14, 2025

TO: Jana L. Ecker, City Manager

FROM: Aaron Ford, Parking Systems Manager

SUBJECT: Parking Garage Schematic Design Review – Chester Garage

INTRODUCTION:

BCT Design Group was selected by the City Commission to provide interior/exterior aesthetic design services for the five City of Birmingham parking garages. BCT provided a project design schedule that breaks the project down into four phases:

1. Pre-Design
2. Concept Design
3. Schematic Design
4. Pre-Construction

BCT will present to the City Commission the phase three schematic design for the Chester Garage seeking feedback and direction for the final schematic design phase for all five garages moving forward.

BACKGROUND:

In June 2024, the City Commission approved RAM Construction to proceed with repairs to the Chester Parking Garage. Included in the approved repairs were structural, waterproofing, façade, and stairwell repairs. Replacement of the lighting fixtures with LED lights and painting of the ceilings, columns, and walls the color white was also proposed. The Commission elected to have all the lighting components removed from the scope of the project. The painting components were approved with the understanding that a design consultant would be hired to provide direction on colors, accents, and consideration of any other artistic elements.

In November 2024, the City Commission selected BCT Design Group to provide interior/exterior aesthetic designs for the five City parking garages. Design concepts could incorporate a variety of items including, but not limited to; new lighting (interior & exterior), recommendation of light fixtures, light temperature, locations, lighting controls, all paint color selections for the walls, ceilings, and columns, and artistic elements, including the use of graphics, columns, or other structural design elements or accoutrements (music, landscaping or art). All concepts must take

into consideration the City's wayfinding and interior garage signage proposals as provided by Corbin Design.

BCT Design Group presented the Chester Garage schematic designs to the Advisory Parking Committee at their May 7, 2025 meeting. Overall the schematic designs were very well received. Members of the committee liked the proposed wood tone canopies over the vehicle and pedestrian entrances. The APC thought the wood was a nice contrast and added warmth. The APC also thought the lights/signs over the vehicle entrance were a positive addition. The APC also discussed their concern about water collecting in the proposed canopies and pedestrian entrances and wanted to make sure that there is proper drainage. Last, they discussed the proposed banners on the exterior walls. The APC liked the idea of the banners, but wanted to make sure the following areas were addressed:

1. What type of material is proposed for the banners?
2. Cost of the banners?
3. Fading of the banners?
4. What would be the longevity of the banners?
5. What effect would the banners have on natural light inside the garage?
6. How would weather affect the banners?

LEGAL REVIEW:

None.

FISCAL IMPACT:

The total cost of the BCT suggested additions will be presented to the Commission at a later date once schematic designs are approved.

SUSTAINABILITY:

As the garages are updated, sustainability will be considered where possible. LED lights, solar panels, and sustainable material options are examples of items to be considered.

DESIGN:

BCT is currently in the third of a four stage design process for all five City garages.

PUBLIC COMMUNICATIONS:

All BCT reports have been noticed to the public through City Commission agendas. BCT has also met with the Public Arts Board and Advisory Parking Committee.

SUMMARY:

BCT Design Group was selected by the City Commission to provide interior/exterior design services for the five City parking garages. Representatives from the firm will meet with the City Commission four (4) times throughout the course of the project to seek feedback and gain approval to proceed through the project phases. At this time, BCT is seeking feedback and guidance on schematic designs for the Chester Garage. Each garage will have design elements specific to that garage but the general concepts for the Chester Garage will be used at the remaining four garages.

Included in the original Chester Garage repair project with RAM Construction was the painting of walls, columns, and ceilings (white paint). BCT Design Group is recommending additional accent painting in each of the garages that is beyond the scope of the original contract with RAM Construction.

ATTACHMENTS:

BCT Chester Garage Schematic Design Presentation

SUGGESTED COMMISSION ACTIONS:

Make a motion adopting a resolution to approve BCT Design Group to complete the Schematic Design phase of the Interior/Exterior Parking Garage Design Services Project with the inclusion of the City Commission's feedback and direction.

BIRMINGHAM PARKING GARAGES

CHESTER STREET GARAGE - SCHEMATIC DESIGN

May 19, 2025



PROJECT NARRATIVE

This schematic design package focuses on the scope of work for the Chester Street Parking Garage located at 180 Chester Street in Birmingham, MI. This package takes in consideration improvements made by WJE & the graphics/signage package put together by Corbin. The primary focus is to improve the overall experience for garage users through small architectural interventions, paint / graphics, and improved lighting.

To improve wayfinding of garage entry for pedestrians & motorists, canopies at pedestrian and vehicle entries will be added. The soffit of the canopies will continue into the interior, setting a theme for ceiling finish at every stair / elevator lobby.

Walls, ceilings, and beams to be painted with Corbin selected colors & graphics at busy areas of the garage, such as: stair / elevator lobbies and intersections. Wayfinding graphics shown in this package are suggestive and final selections are to be made by Corbin. Murals will be incorporated in selected areas to utilize blank walls and improve aesthetics of the interiors. All murals shown in the set are suggestive, final selection are to be done by Public Arts Board. Other parts of the garage interior to be painted white to brighten up the interior space. See Illuminart drawings for new lighting layout. New lighting fixtures throughout the interior will brighten the space with proper temperature of light.

Single bay of the garage exterior off Martin Street to be painted with a mural or applied with fin signage & banners that can promote garage parking or City events. New lighting design will illuminate entries and exterior murals on the facade and roof. Interior of the staircases will be better illuminated and seen as focal points of the garage for people who come to Birmingham to enjoy the City.

SHEET INDEX

KEY PLANS	A.100
ENLARGED PLANS	A.200
INTERIOR PAINTING PLANS	A.300
3D VIEWS & RENDERINGS	A.400
LIGHTING PLANS & SPECS	A.500

COLOR INDEX

PT-1 GREEN - CORBIN

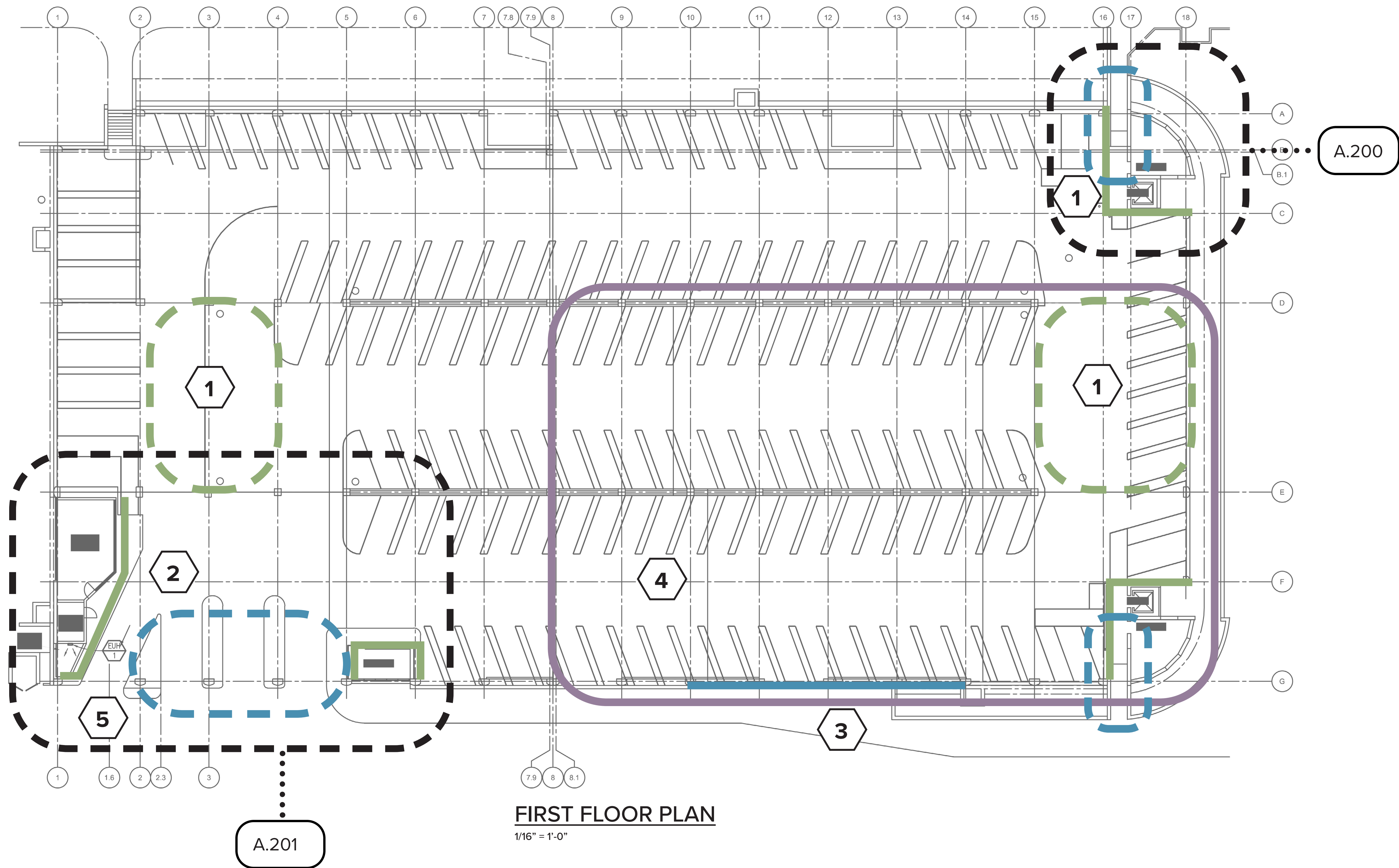
PT-3 BIRMINGHAM GREEN

PT-2 GREEN - CORBIN

PT-4 WHITE



IMAGE PRECEDENTS



- ENLARGED FLOOR PLANS**

 - TYPICAL STAIR / ELEVATOR LOBBY
 - PEDESTRIAN ENTRY AT STAIR ELEVATOR LOBBY
 - AREAS OF NEW LIGHTING
- INTERIOR PAINTING SCHEMES**

 - COLUMNS & BEAMS
 - GENERAL WALLS
 - TERMINATIONS
 - ACCENTS & MURALS
- EXTERIOR**

 - MURALS
 - CANOPIES & SIGNAGE
 - LIGHTING
- GARAGE LIGHTING SCHEMATIC**

 - TYPICAL BAYS
 - TOWERS
 - ROOF
 - ENTRANCE
 - FEATURES
 - FIXTURES

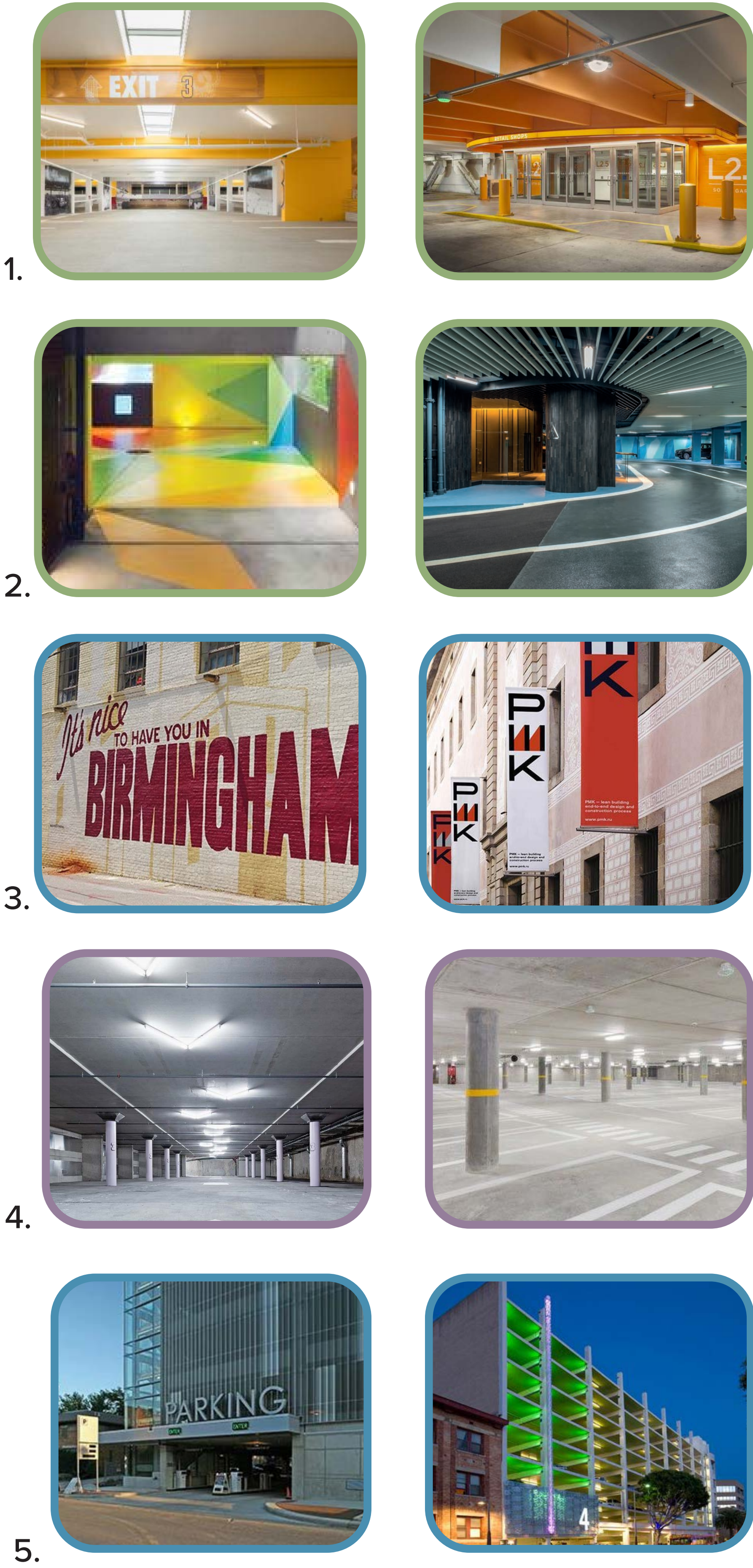
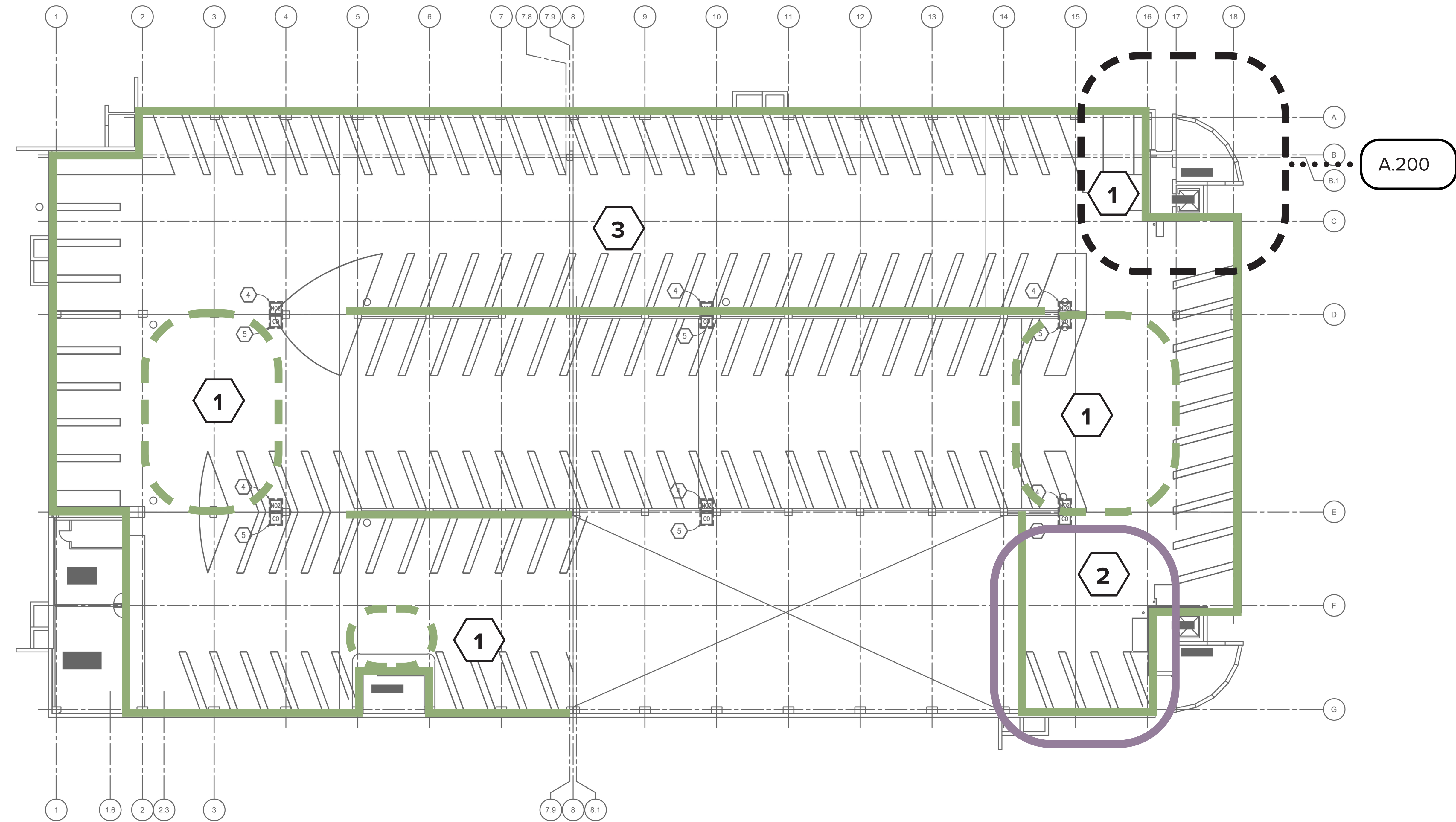


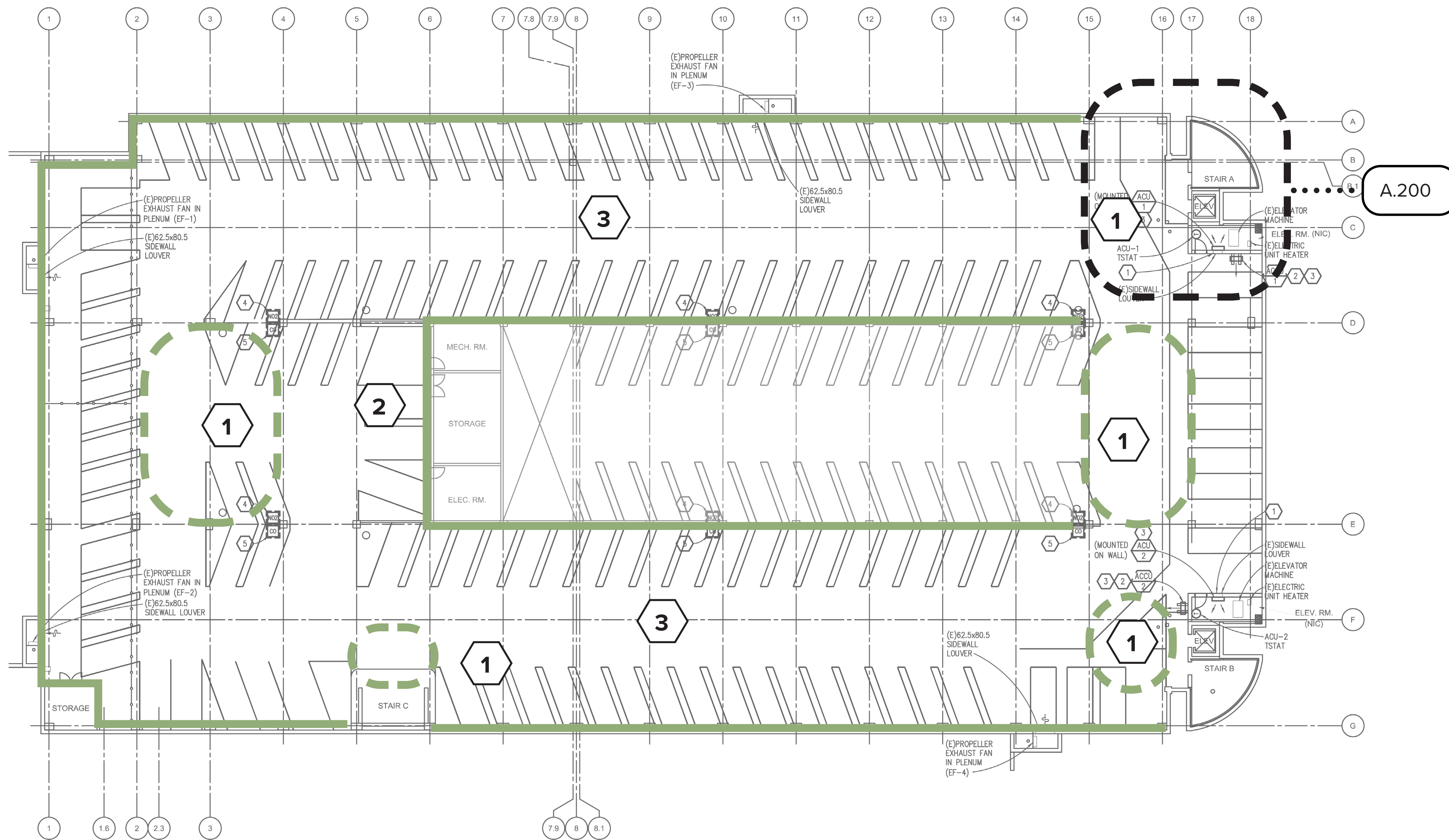
IMAGE PRECEDENTS



- ENLARGED FLOOR PLANS**
 - TYPICAL STAIR / ELEVATOR LOBBY
 - PEDESTRIAN ENTRY AT STAIR ELEVATOR LOBBY
 - AREAS OF NEW LIGHTING
- INTERIOR PAINTING SCHEMES**
 - COLUMNS & BEAMS
 - GENERAL WALLS
 - TERMINATIONS
 - ACCENTS & MURALS

- EXTERIOR**
 - MURALS
 - CANOPIES & SIGNAGE
 - LIGHTING
- GARAGE LIGHTING SCHEMATIC**
 - TYPICAL BAYS
 - TOWERS
 - ROOF
 - ENTRANCE
 - FEATURES
 - FIXTURES

IMAGE PRECEDENTS



LOWER LEVEL 2-3 FLOOR PLAN

$$1/16'' = 1'-0''$$


ENLARGED FLOOR PLANS

- TYPICAL STAIR / ELEVATOR LOBBY
- PEDESTRIAN ENTRY AT STAIR ELEVATOR LOBBY
- AREAS OF NEW LIGHTING

INTERIOR PAINTING SCHEMES

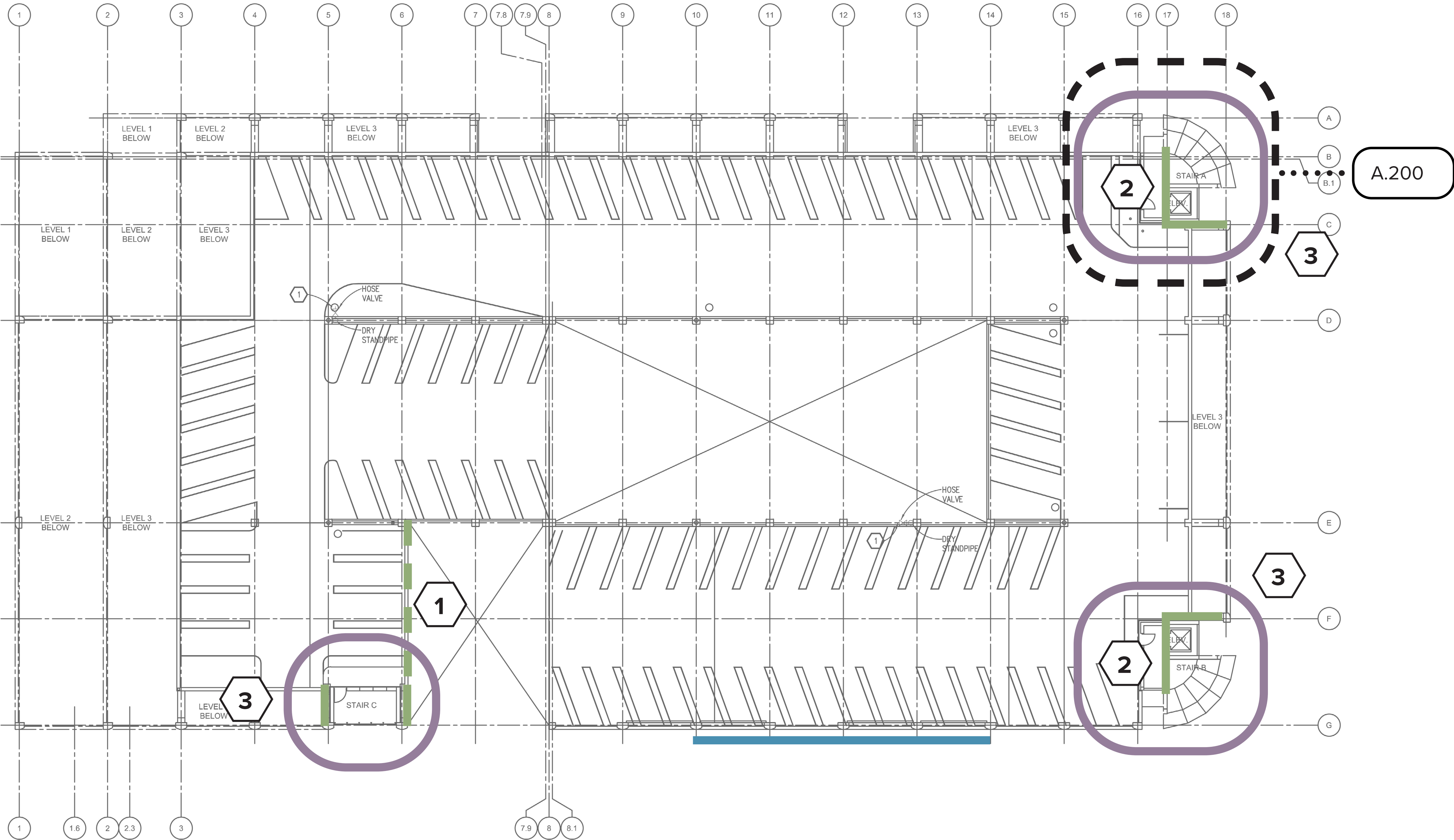
- COLUMNS & BEAMS
- GENERAL WALLS
- TERMINATIONS
- ACCENTS & MURALS

EXTERIOR

- MURALS
- CANOPIES & SIGNAGE
- LIGHTING

GARAGE LIGHTING SCHEMATIC

- TYPICAL BAYS
- TOWERS
- ROOF
- ENTRANCE
- FEATURES
- FIXTURES



FOURTH FLOOR PLAN

1/16" = 1'-0"

ENLARGED FLOOR PLANS

- TYPICAL STAIR / ELEVATOR LOBBY
- PEDESTRIAN ENTRY AT STAIR ELEVATOR LOBBY
- AREAS OF NEW LIGHTING

INTERIOR PAINTING SCHEMES

- COLUMNS & BEAMS
- GENERAL WALLS
- TERMINATIONS
- ACCENTS & MURALS

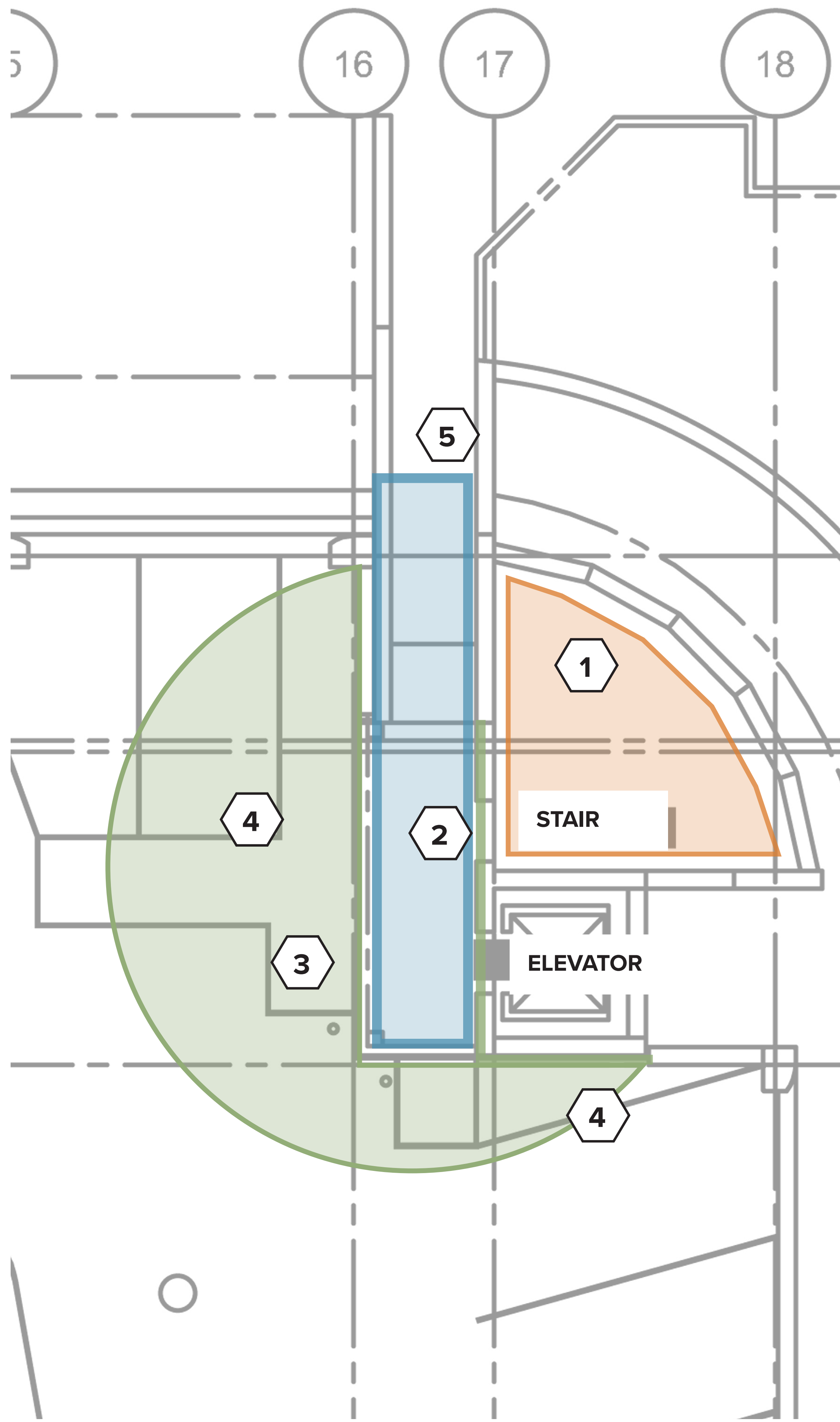
EXTERIOR

- MURALS
- CANOPIES & SIGNAGE
- LIGHTING

GARAGE LIGHTING SCHEMATIC

- TYPICAL BAYS
- TOWERS
- ROOF
- ENTRANCE
- FEATURES
- FIXTURES



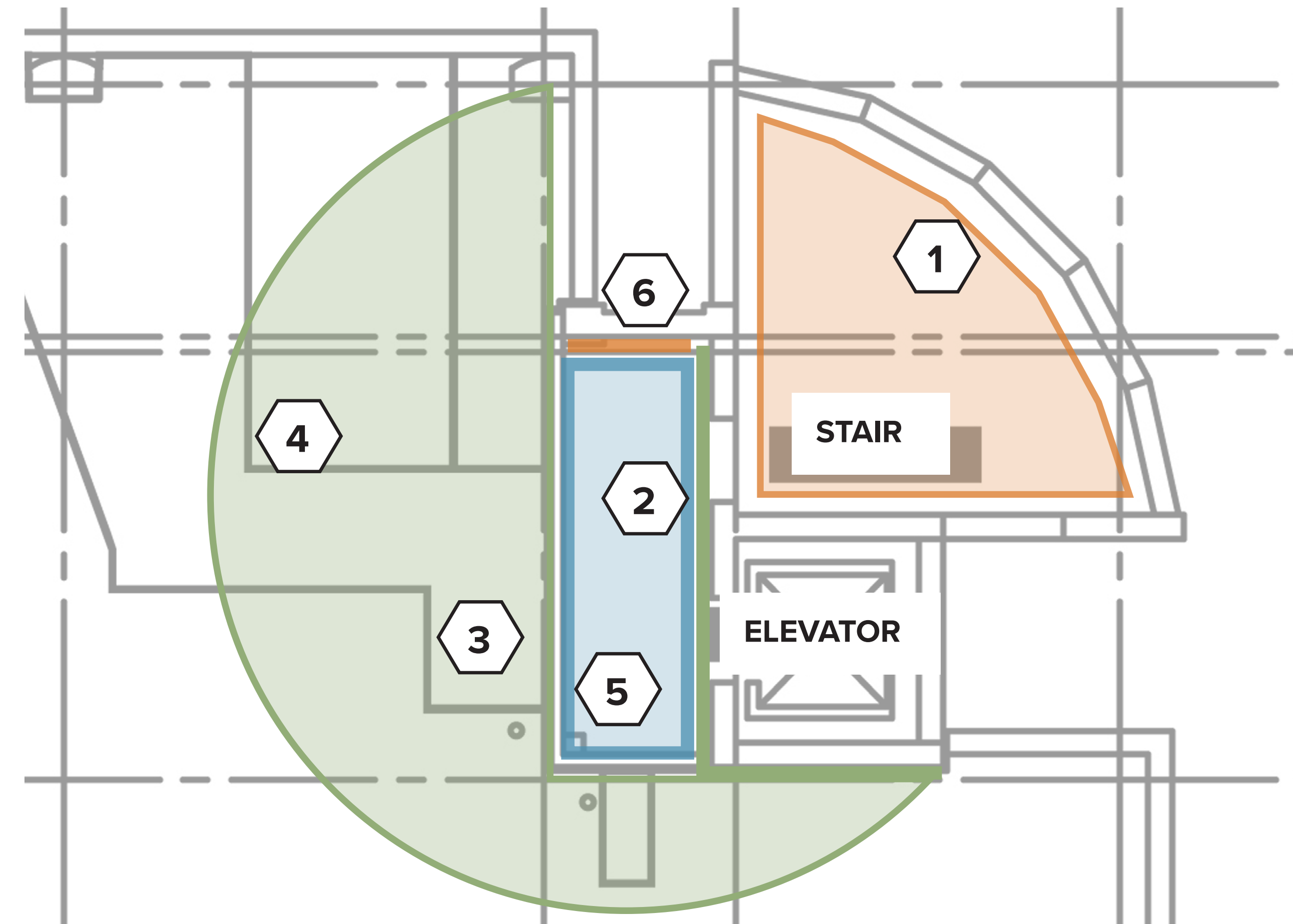


STAIR A LEVEL 1 ENLARGED PLAN

1/4" = 1'-0"

KEY NOTES:

1. PAINT STAIRCASE & PRE-ENGINEERED STAIRCASE STRUCTURE A SINGLE COLOR. SEE **SHEET A.401.**
2. PAINT WALL AREA WITH CORBIN COLORS & WAYFINDING SIGNAGE. SEE **SHEET A.401.**
3. PAINT FACE OF BEAM ABOVE. MATCH CORBIN GRAPHICS. SEE **SHEET A.401.**
4. PAINT AREA OF CEILING TO MATCH WALL GRAPHICS. SEE **SHEET A.401.**
5. PROVIDE CANOPY WITH CEILING SOFFIT WITH LINEAR LIGHT. SEE **SHEET A.401.**

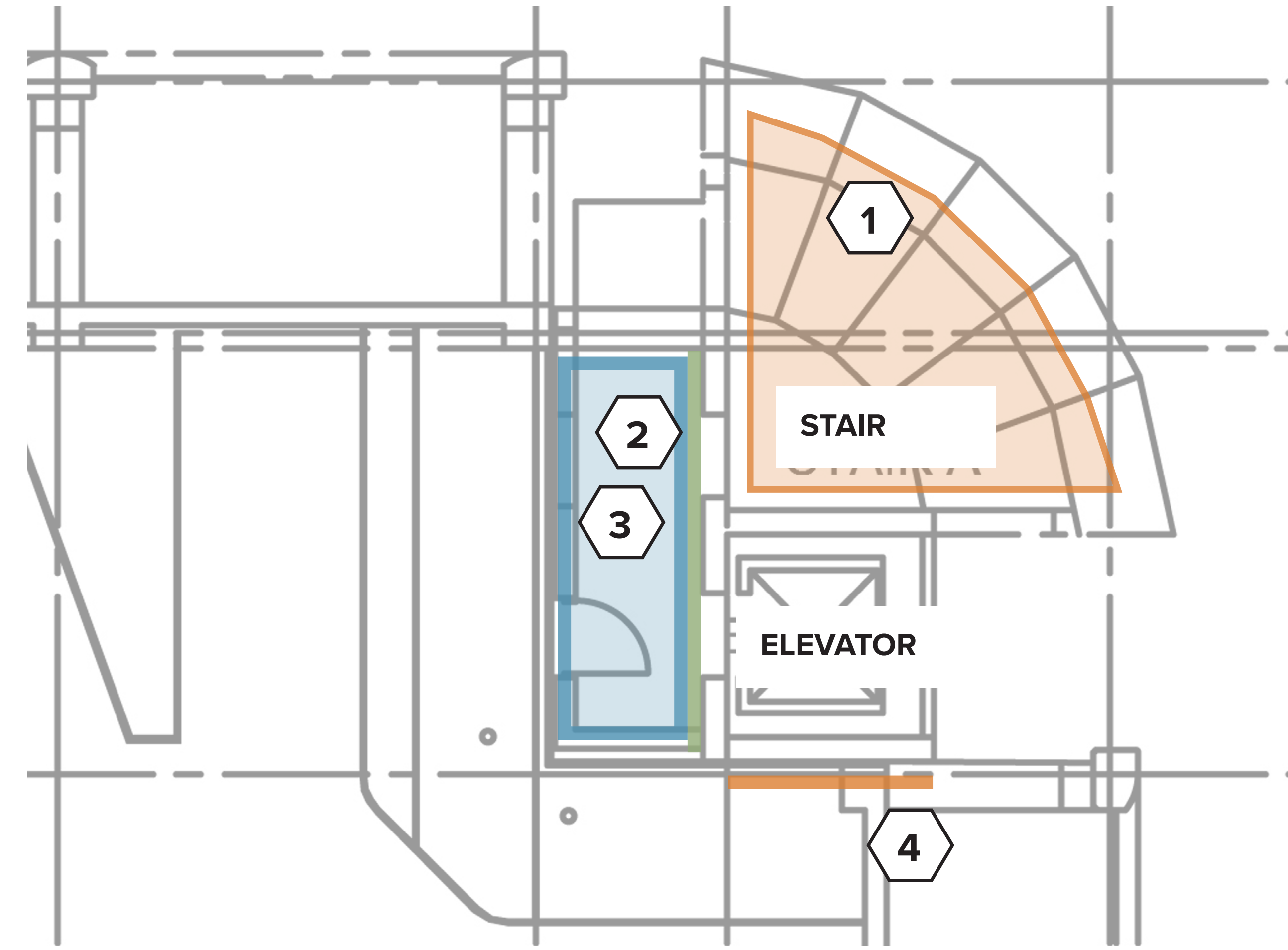


STAIR A LOWER LEVEL ENLARGED PLAN

1/4" = 1'-0"

KEY NOTES:

1. PAINT STAIRCASE & PRE-ENGINEERED STAIRCASE STRUCTURE A SINGLE COLOR.
2. PAINT WALL AREA WITH CORBIN COLORS & WAYFINDING SIGNAGE
3. PAINT FACE OF BEAM ABOVE. MATCH CORBIN GRAPHICS. SEE **SHEET A.401.**
4. PAINT AREA OF CEILING TO MATCH WALL GRAPHICS. SEE **SHEET A.401.**
5. PROVIDE CEILING SOFFIT WITH LINEAR LIGHT TO MATCH THE SOFFIT OF THE CANOPIES. SEE **SHEET A.401.**
6. PAINT WALL AREA WITH A MURAL. CONSULT WITH PUBLIC ARTS BOARD & ARTIST FOR MURAL. SEE **SHEET A.401.**



STAIR A LEVEL 4 ENLARGED PLAN

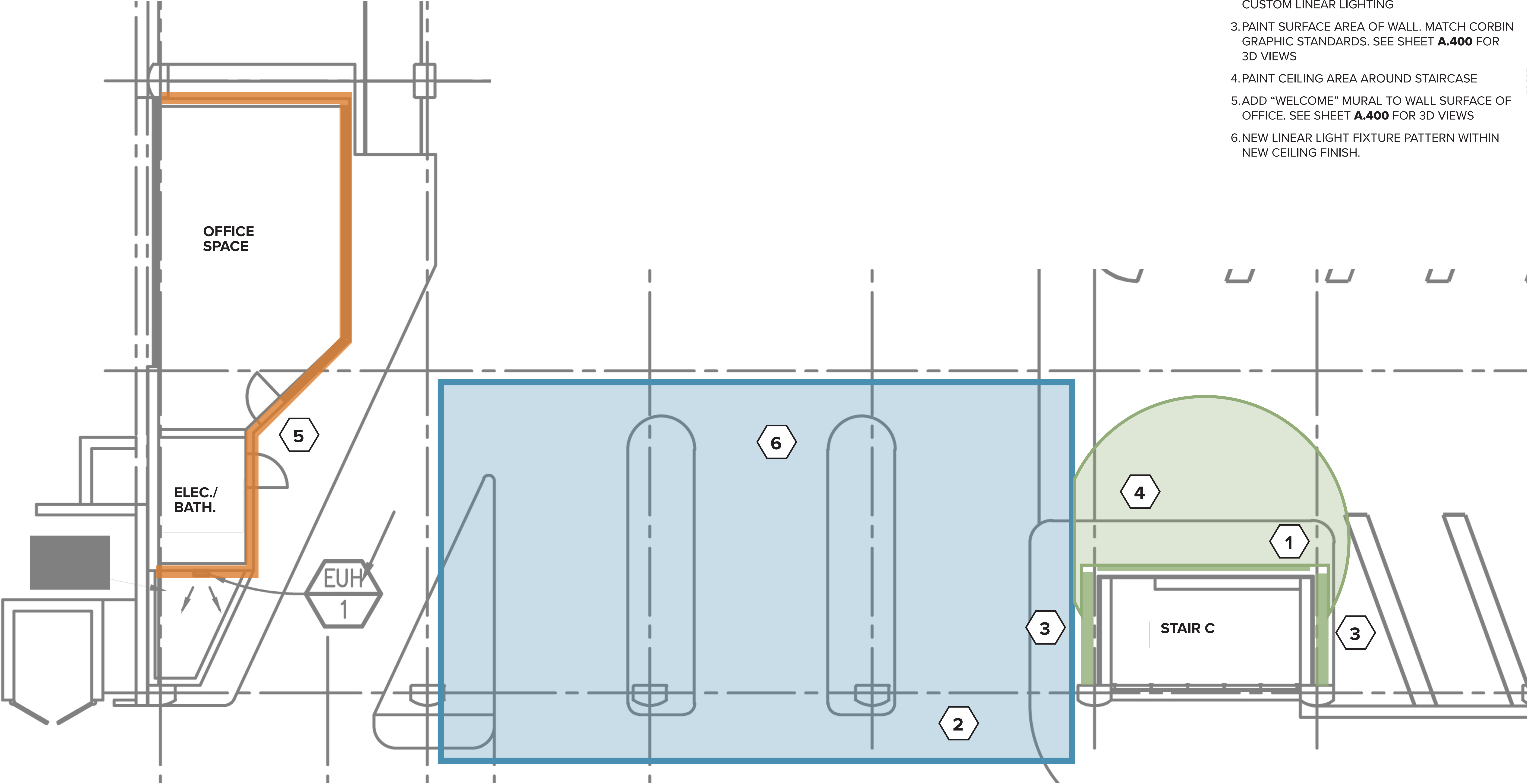
1/4" = 1'-0"

KEY NOTES:

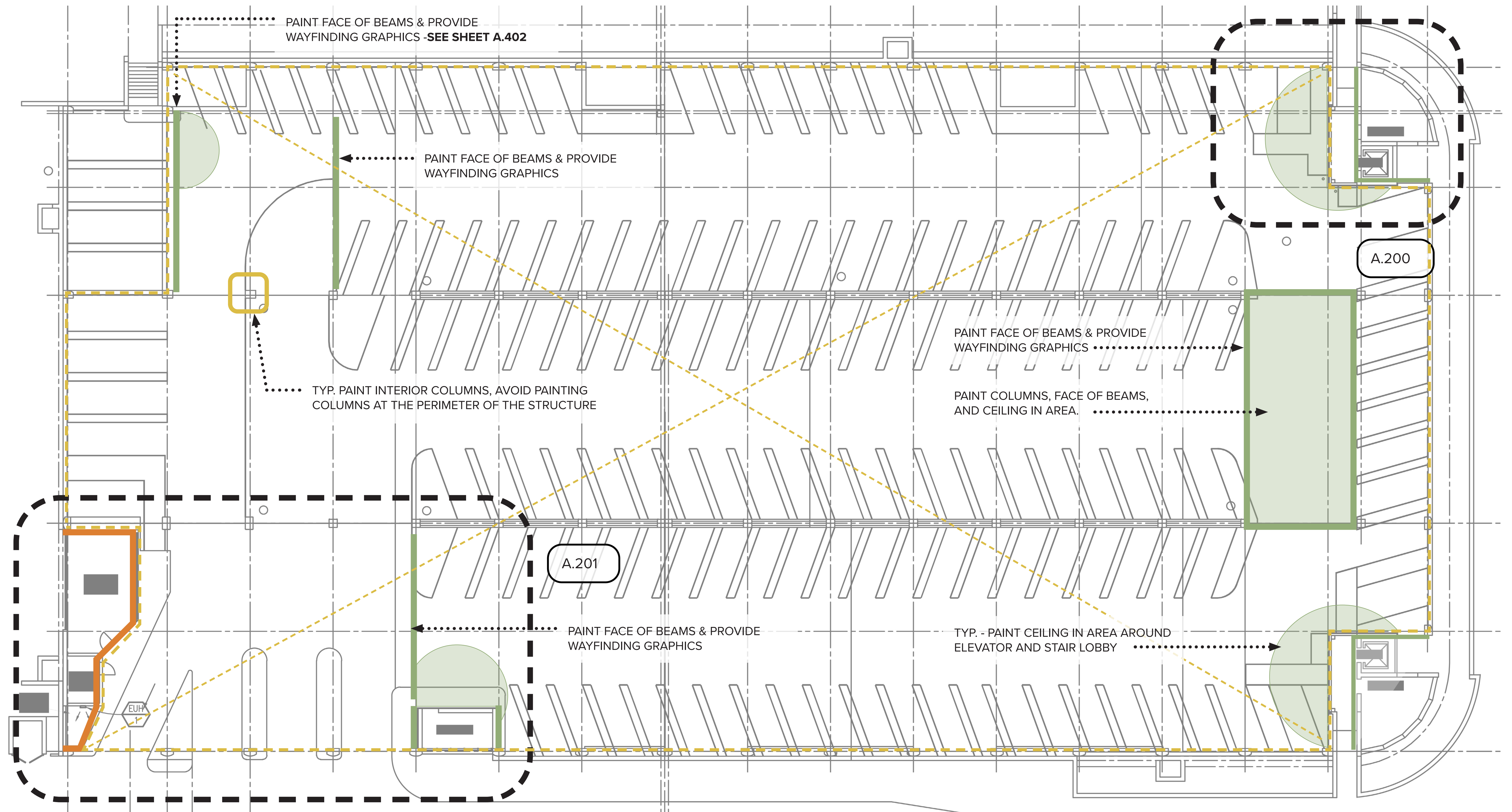
1. PAINT STAIRCASE & PRE-ENGINEERED STAIRCASE STRUCTURE A SINGLE COLOR.
2. PAINT WALL AREA WITH CORBIN COLORS & WAYFINDING SIGNAGE.
3. PROVIDE CEILING SOFFIT WITH LINEAR LIGHT TO MATCH THE SOFFIT OF THE CANOPIES. SEE **SHEET A.403**
4. PAINT WALL AREA WITH A MURAL. CONSULT WITH PUBLIC ARTS BOARD & ARTIST FOR MURAL SELECTION

KEY NOTES:

- 1. PAINT FACE OF BEAM ABOVE WITH WAYFINDING GRAPHICS. MATCH CORBIN GRAPHICS. SEE SHEET **A.400** FOR 3D
- 2. NEW CANOPY WITH NEW CEILING FINISH WITH CUSTOM LINEAR LIGHTING
- 3. PAINT SURFACE AREA OF WALL. MATCH CORBIN GRAPHIC STANDARDS. SEE SHEET **A.400** FOR 3D VIEWS
- 4. PAINT CEILING AREA AROUND STAIRCASE
- 5. ADD "WELCOME" MURAL TO WALL SURFACE OF OFFICE. SEE SHEET **A.400** FOR 3D VIEWS
- 6. NEW LINEAR LIGHT FIXTURE PATTERN WITHIN NEW CEILING FINISH.



VEHICLE ENTRY ENLARGED PLAN
1/4" = 1'-0"



LEVEL 1 PAINT FLOOR PLAN

3/32" = 1'-0"

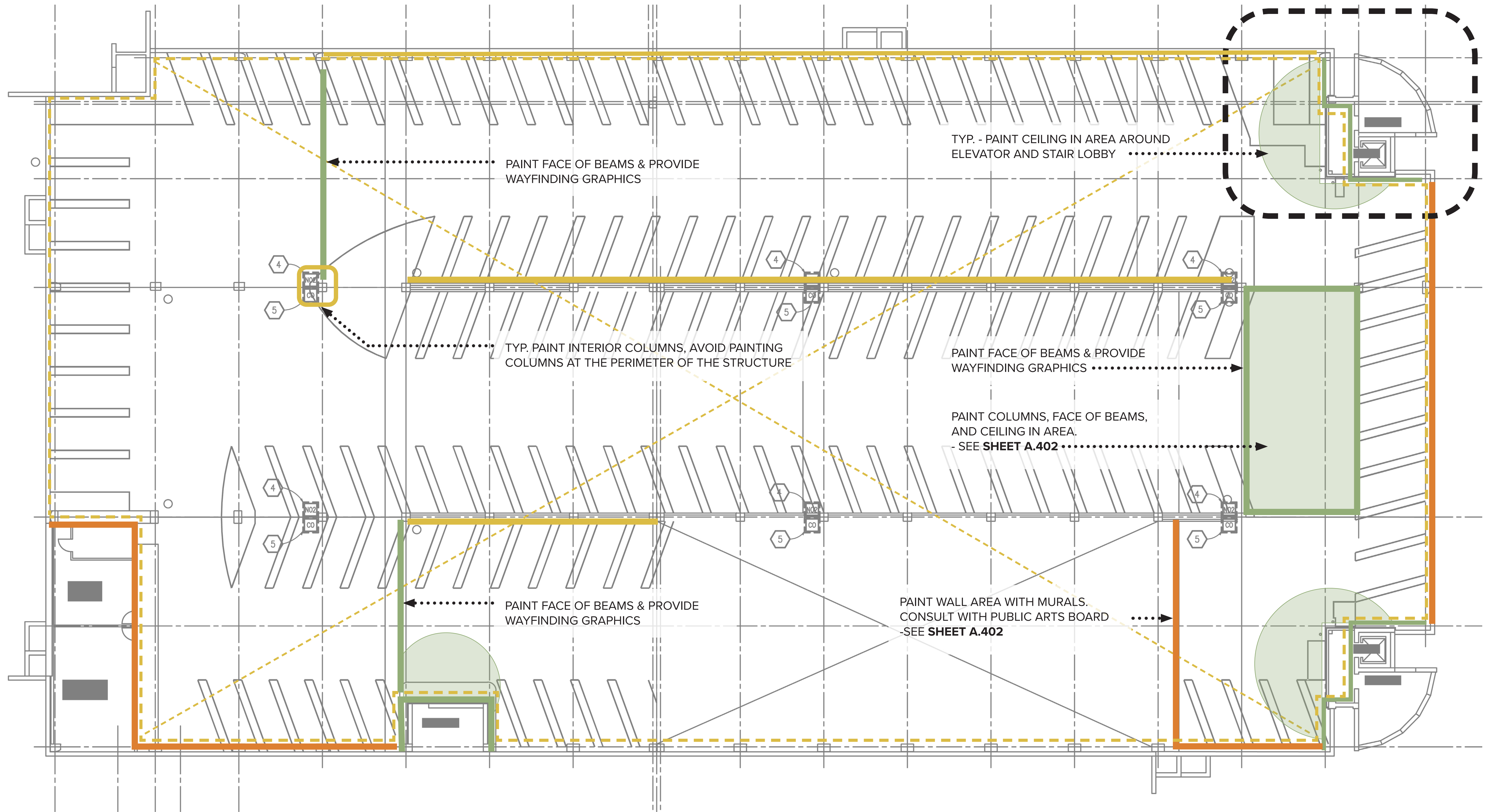
GENERAL NOTE:

PRESSURE CLEAN PARKING GARAGE INTERIOR.
PREP & CLEAN EXPOSED CONCRETE COLUMNS,
CEILINGS, BEAMS, & FLOOR SLAB.

PAINT WALL AREAS WITH ART MURALS.
COORDINATE WITH PUBLIC ARTS BOARD

PAINT WALL, COLUMN, AND BEAM AREAS WITH
CORBIN GRAPHICS. INCORPORATE SIGNAGE
FOR WAYFINDING.

PAINT INTERIOR OF GARAGE WHITE, INTERIOR
COLUMNS, WALLS, AND CEILINGS. COLUMNS AT
THE PERIMETER TO REMAIN AS IS.

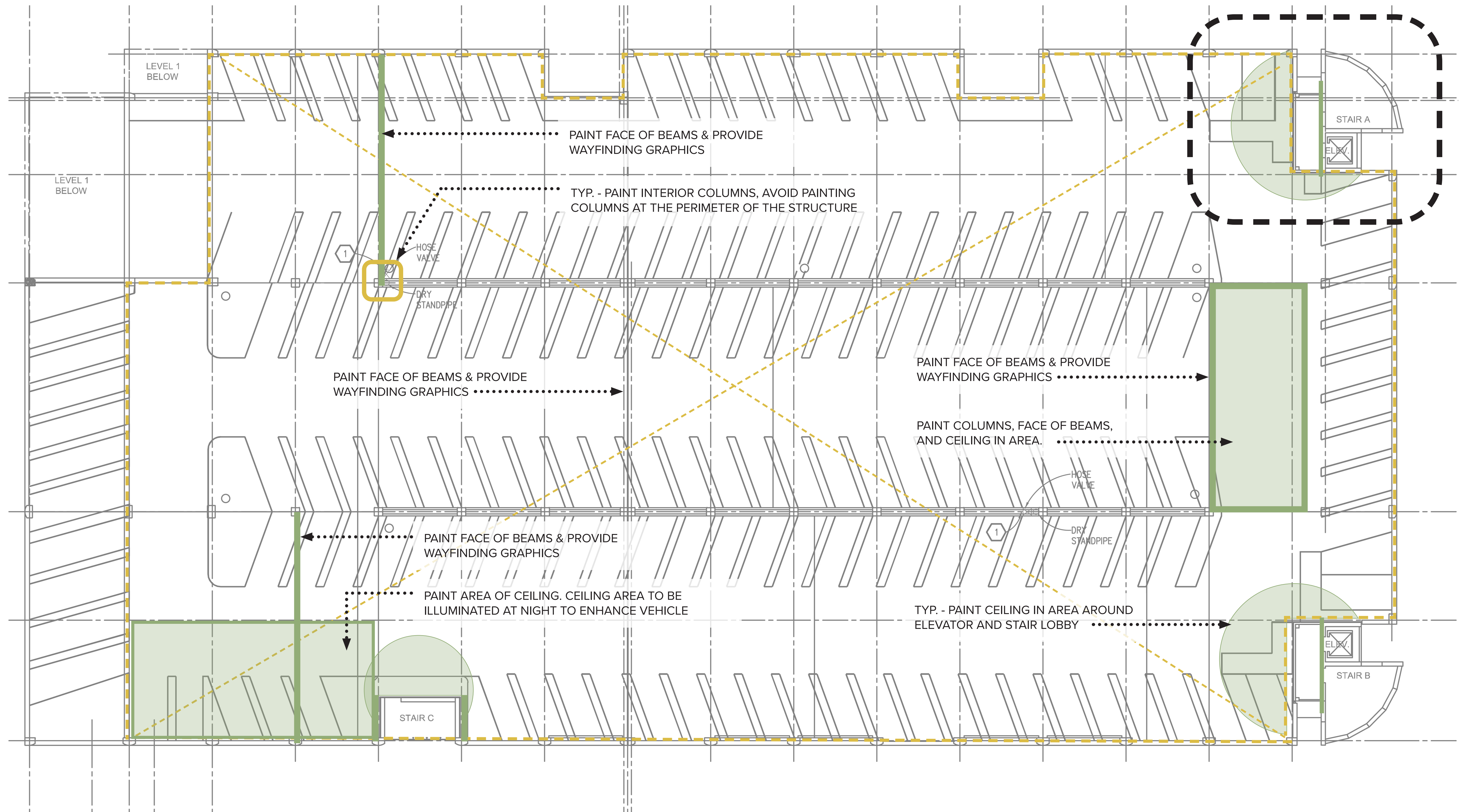


LOWER LEVEL 1 PAINT FLOOR PLAN

3/32" = 1'-0"

GENERAL NOTE:
PRESSURE CLEAN PARKING GARAGE INTERIOR.
PREP & CLEAN EXPOSED CONCRETE COLUMNS,
CEILINGS, BEAMS, & FLOOR SLAB.

- PAINT WALL AREAS WITH ART MURALS. COORDINATE WITH PUBLIC ARTS BOARD
- PAINT WALL, COLUMN, AND BEAM AREAS WITH CORBIN GRAPHICS. INCORPORATE SIGNAGE FOR WAYFINDING.
- PAINT INTERIOR OF GARAGE WHITE, COLUMNS, WALLS, AND CEILINGS

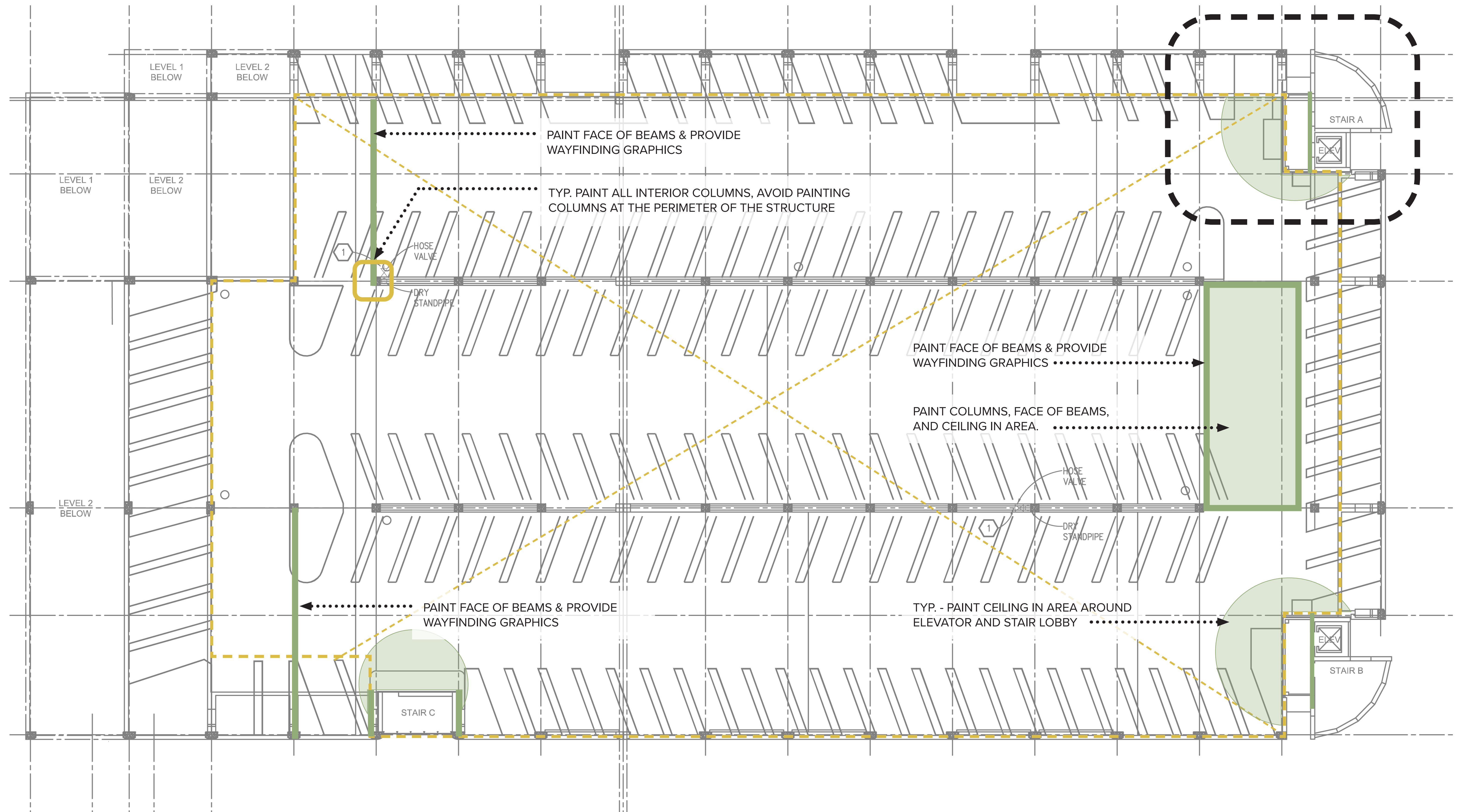


LEVEL 2 PAINT FLOOR PLAN

3/32" = 1'-0"

GENERAL NOTE:
PRESSURE CLEAN PARKING GARAGE INTERIOR.
PREP & CLEAN EXPOSED CONCRETE COLUMNS,
CEILINGS, BEAMS, & FLOOR SLAB.

- PAINT WALL AREAS WITH ART MURALS. COORDINATE WITH PUBLIC ARTS BOARD
- PAINT WALL, COLUMN, AND BEAM AREAS WITH CORBIN GRAPHICS. INCORPORATE SIGNAGE FOR WAYFINDING.
- PAINT INTERIOR OF GARAGE WHITE, INTERIOR COLUMNS, WALLS, AND CEILINGS. COLUMNS AT THE PERIMETER TO REMAIN AS IS.



LEVEL 3 PAINT FLOOR PLAN

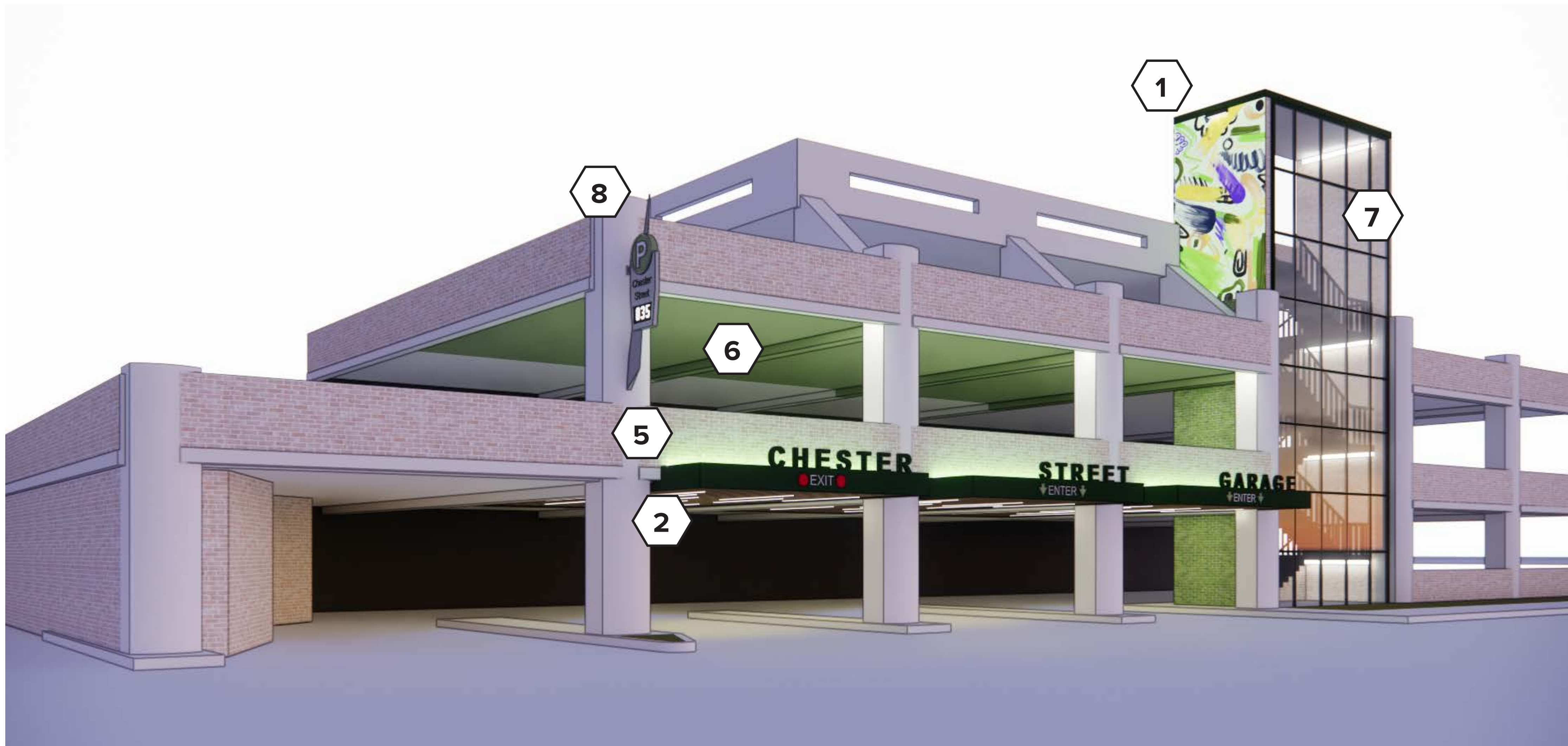
3/32" = 1'-0"

GENERAL NOTE:
PRESSURE CLEAN PARKING GARAGE INTERIOR.
PREP & CLEAN EXPOSED CONCRETE COLUMNS,
CEILINGS, BEAMS, & FLOOR SLAB.

PAINT WALL AREAS WITH ART MURALS.
COORDINATE WITH PUBLIC ARTS BOARD

PAINT WALL, COLUMN, AND BEAM AREAS WITH
CORBIN GRAPHICS. INCORPORATE SIGNAGE
FOR WAYFINDING.

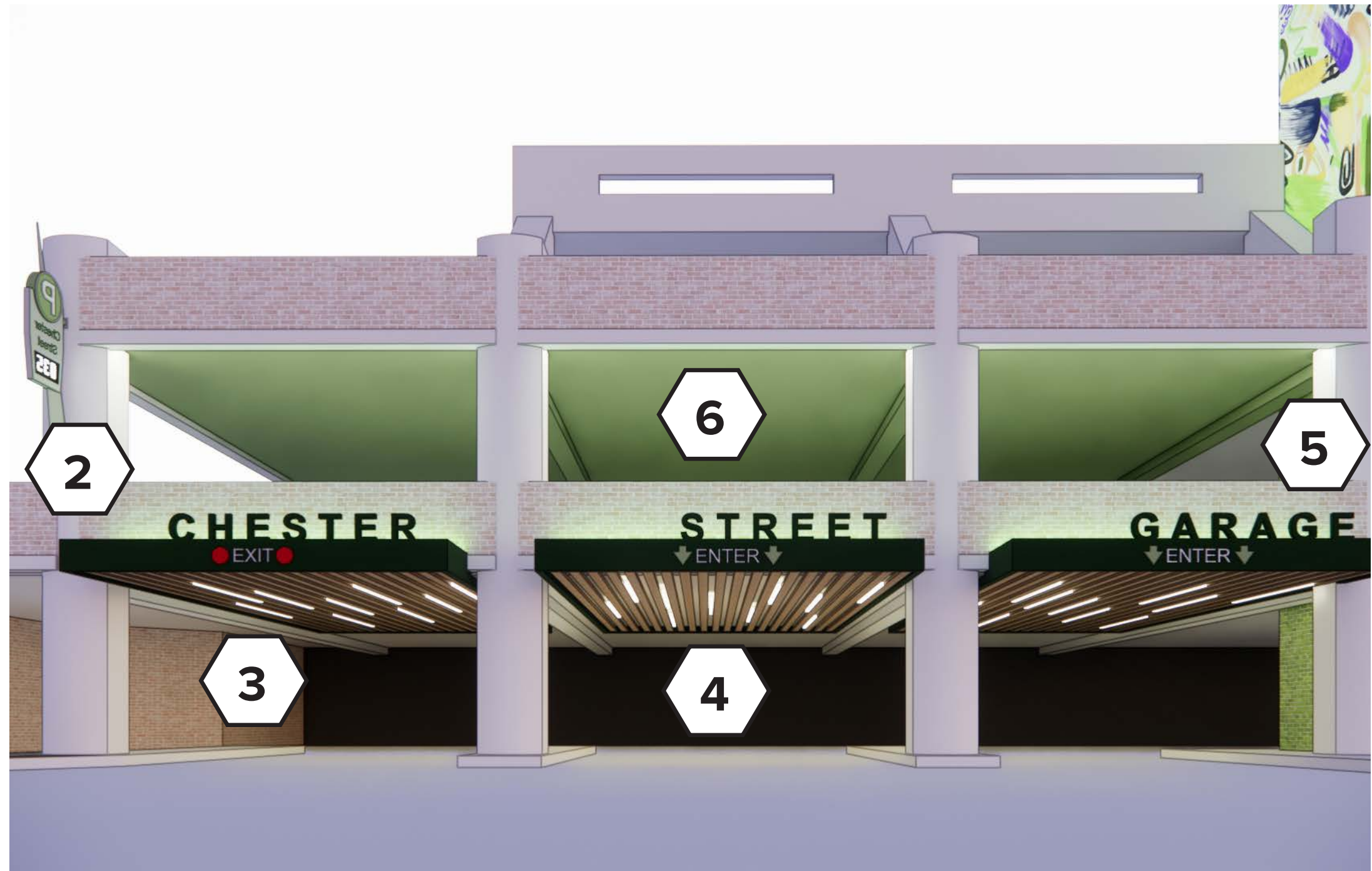
PAINT INTERIOR OF GARAGE WHITE, INTERIOR
COLUMNS, WALLS, AND CEILINGS. COLUMNS AT
THE PERIMETER TO REMAIN AS IS.



PROPOSED EXTERIOR VIEW OF VEHICLE ENTRY



PROPOSED GARAGE VEHICLE ENTRY INTERIOR VIEW



PROPOSED EXTERIOR VIEW OF VEHICLE ENTRY

KEY NOTES:

1. MURAL PAINTED ON WALL SURFACE. ALL MURALS TO BE COORDINATED WITH PUBLIC ARTS BOARD AND ARTISTS.
- 2.(3) NEW METAL CANOPIES WITH PIN LETTER SIGNAGE. PAINT NEW CANOPIES "BIRMINGHAM GREEN" TO MATCH EXISTING ACCENTS.
3. WOOD DECK SOFFIT WITH GAPS AT THE NEW CANOPY TO EXTEND TO THE INTERIOR.
4. LINEAR LIGHTING FIXTURES IN STAGGERED PATTERN LOCATED WITHIN THE GAPS OF WOOD SOFFIT.
5. "GREEN" TONE LIGHTING ABOVE ENTRY. ILLUMINATE THE WALL AREA BEHIND SIGNAGE TO HELP THE PIN LETTERS STAND OUT.
6. PAINT CEILING & BEAMS OF THE SECOND FLOOR ABOVE ENTRY CORBIN COLORS. ILLUMINATE THE CEILING SURFACE OF THE SECOND FLOOR ABOVE VEHICLE ENTRY.
7. ILLUMINATE THE INTERIOR WALLS INSIDE THE STAIRCASE.
8. NEW BLADE SIGNAGE PER CORBIN DESIGN.
9. PAINT CEILING & BEAMS INSIDE OF THE GARAGE AROUND STAIR C AREA.



PROPOSED VIEW AT STAIRCASE C



PROPOSED ELEVATOR / STAIR LOBBY



PROPOSED PEDESTRIAN ENTRY



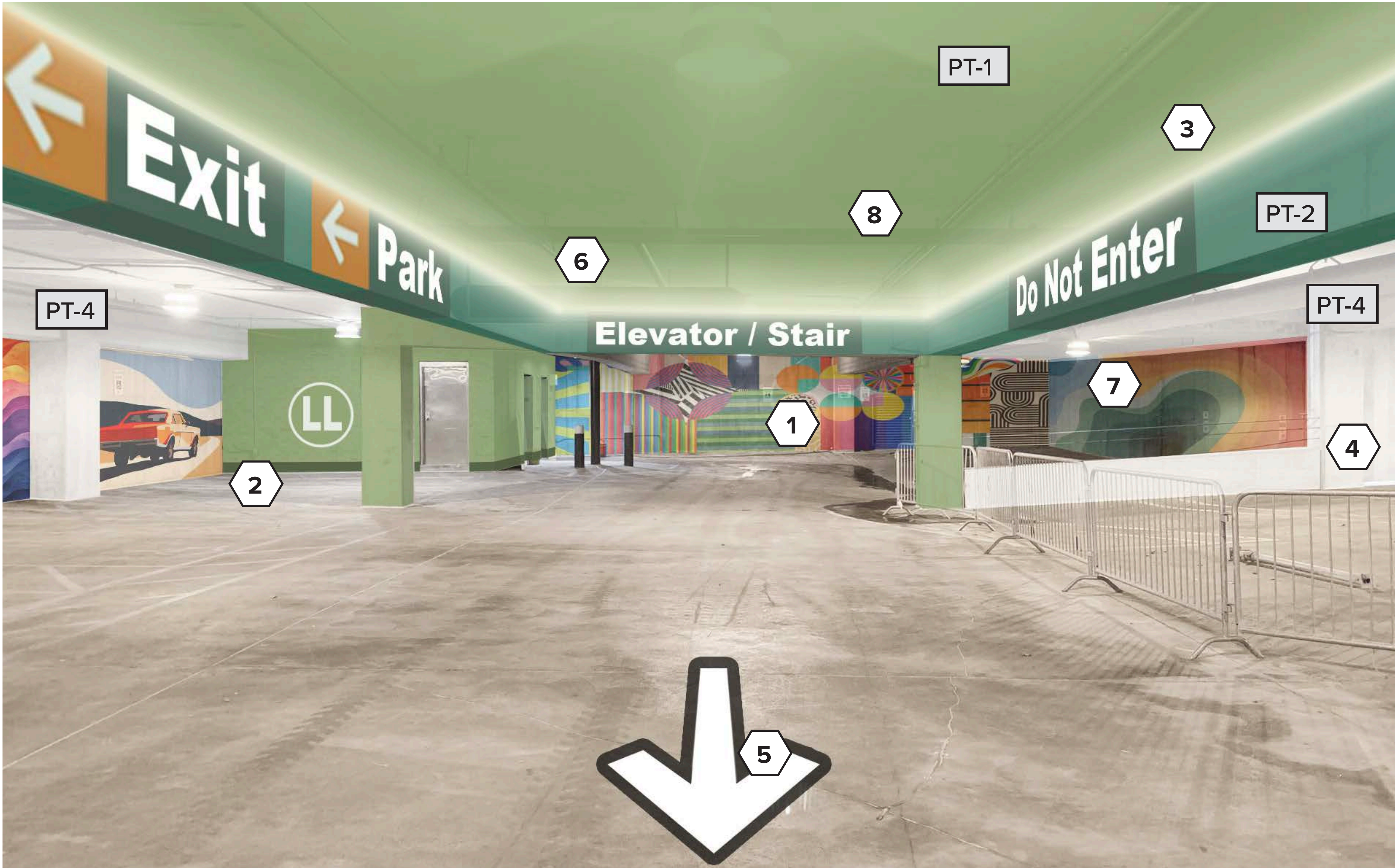
PROPOSED L1 ELEVATOR STAIR LOBBY

KEY NOTES:

1. MURAL PAINTED ON WALL SURFACE. ALL MURALS TO BE COORDINATED WITH PUBLIC ARTS BOARD AND ARTISTS.
2. NEW PEDESTRIAN METAL CANOPY WITH PIN LETTER SIGNAGE. PAINT NEW CANOPIES "BIRMINGHAM GREEN" TO MATCH EXISTING ACCENTS.
3. WOOD DECK SOFFIT WITH GAPS AT THE NEW CANOPY TO EXTEND TO THE INTERIOR.
4. LINEAR LIGHTING FIXTURES IN STAGGERED PATTERN LOCATED WITHIN THE GAPS OF WOOD SOFFIT.
5. PAINT WALL SURFACE WITH CORBIN COLOR SCHEME & WAYFINDING GRAPHICS.
6. PAINT CEILING & BEAMS WITH CORBIN COLOR SCHEME & WAYFINDING GRAPHICS.
7. ILLUMINATE THE INTERIOR WALLS INSIDE THE STAIRCASE.
8. PAINT CEILINGS, BEAMS, AND INTERIOR COLUMNS "WHITE" TO BRIGHTEN THE INTERIOR SPACE.
9. PAINT STAIRCASE A SINGLE "BIRMINGHAM GREEN" TO MATCH EXISTING ACCENT.



STAIR A INTERIOR

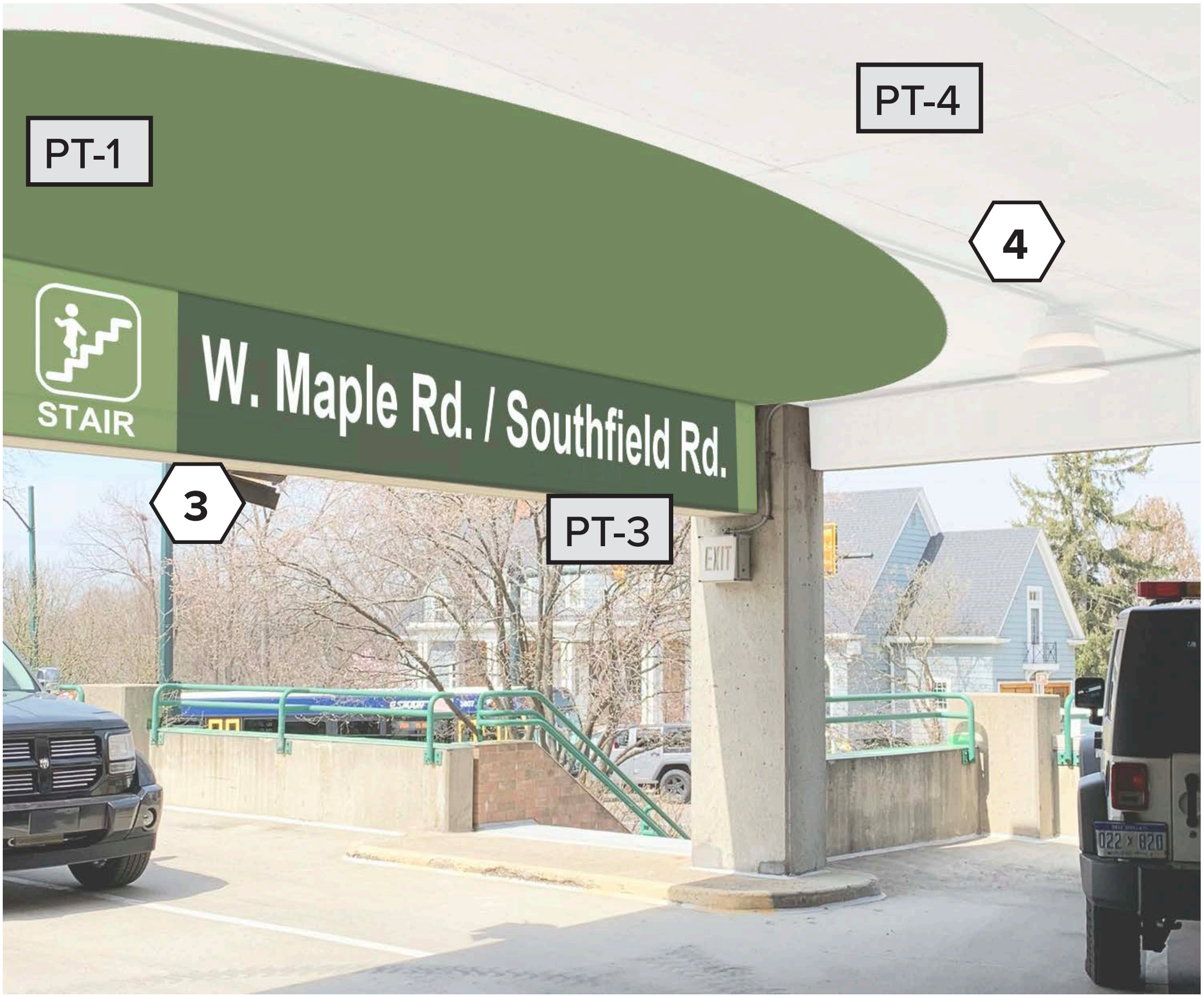


LOWER LEVEL ELEVATOR / STAIR LOBBY

KEY NOTES:

- 1. MURAL PAINTED ON WALL SURFACE. ALL MURALS TO BE COORDINATED WITH PUBLIC ARTS BOARD AND ARTISTS.
- 2. PAINT WALL SURFACE WITH CORBIN COLOR SCHEME & WAYFINDING GRAPHICS.
- 3. PAINT CEILING & BEAMS WITH CORBIN COLOR SCHEME & WAYFINDING GRAPHICS.
- 4. PAINT CEILINGS, BEAMS, AND INTERIOR COLUMNS “WHITE” TO BRIGHTEN THE INTERIOR SPACE.
- 5. PAINT NEW WAYFINDING ARROWS ON THE FLOOR. COORDINATE GRAPHICS WITH CORBIN.

- 6. PROVIDE LINEAR LIGHTING ALONG THE EDGE OF THE BEAMS TO ILLUMINATE WAYFINDING GRAPHICS & COLUMNS.
- 7. PROVIDE CEILING MOUNTED LIGHT FIXTURES ALONG THE WALLS TO ILLUMINATE WALLS. MAKE WALL & GRAPHICS MORE PRONOUNCED IN DARK SPACES.
- 8. PAINT PLUMBING COMPONENTS AT THE CEILING TO MATCH CEILING COLOR TO HELP CONCEAL EXISTING PIPING.



NORTHWEST STAIR AT INTERIOR



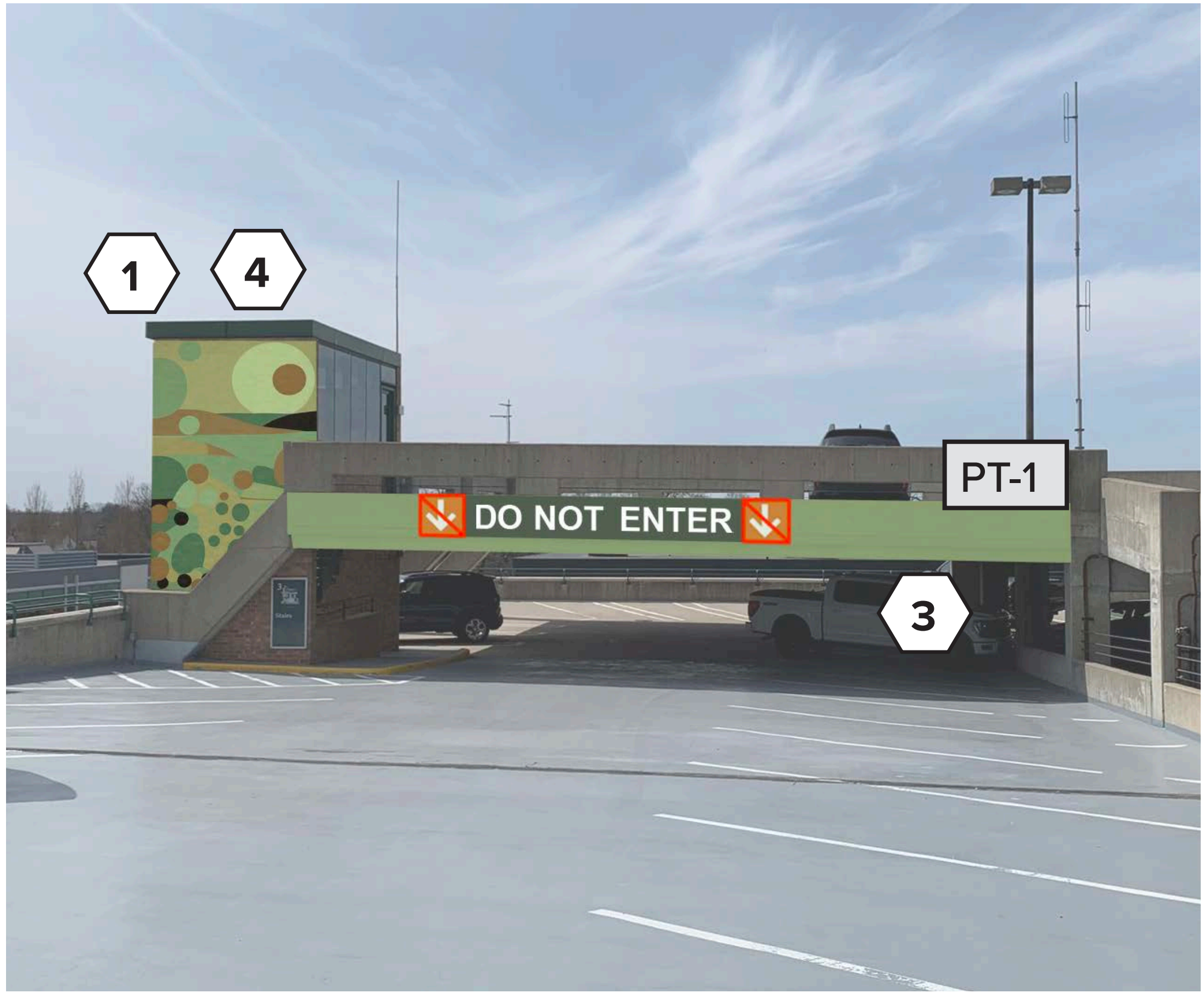
TYPICAL MIDDLE END BAY AT GARAGE INTERIOR



SOUTH ELEVATION

KEY NOTES:

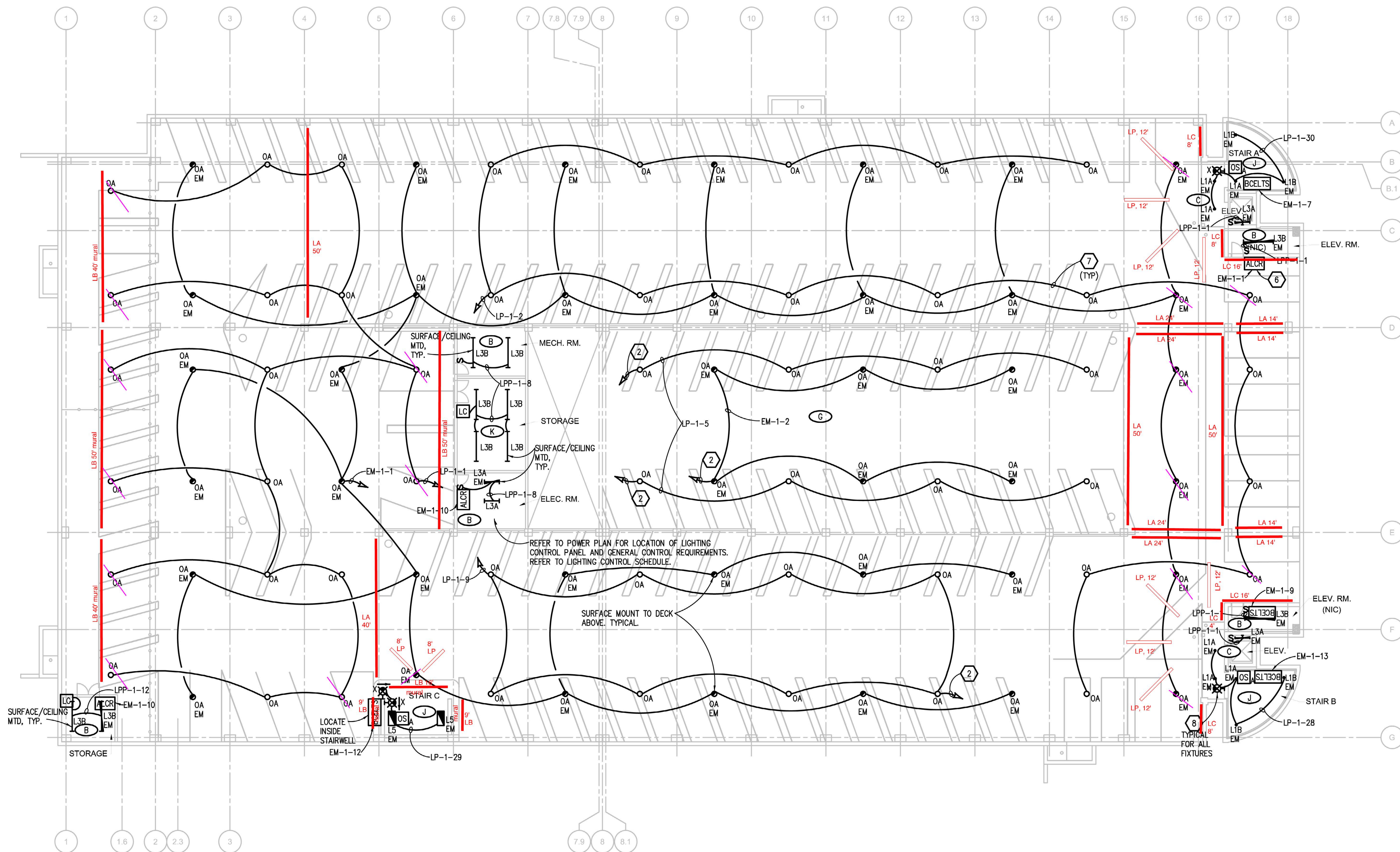
- 1. MURAL PAINTED ON WALL SURFACE. ALL MURALS TO BE COORDINATED WITH PUBLIC ARTS BOARD AND ARTISTS.
- 2. NEW BANNERS HANG ACROSS (3) OPENINGS. BANNERS CAN BE USED TO PROMOTE THE CITY AND LOCAL EVENTS.
- 3. PAINT BEAMS WITH CORBIN COLOR SCHEME & WAYFINDING GRAPHICS.
- 4. PROVIDE FACADE LIGHTING TO ILLUMINATE WALL MURALS
- 5. PROVIDE WALL MOUNTED ARM FIXTURES TO ILLUMINATE THE NEW BANNERS.



VEHICLE ROOF ENTRY



STAIR A ELEVATOR / STAIR ROOF LOBBY



LOWER LEVEL 2 LIGHTING PLAN

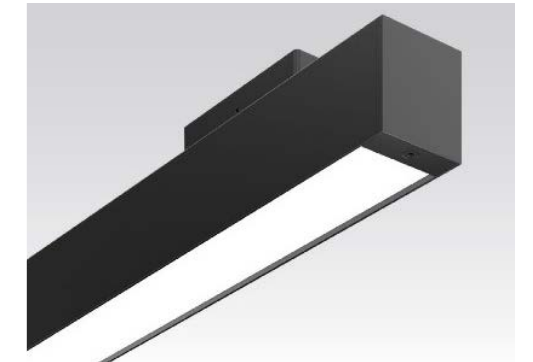
1/16" = 1'-0"

LIGHTING LEGEND:

CA - ROUND, 3.5" DIA.
SURFACE MOUNTED.
UNDERSIDE OF LANDINGS
WHERE SUPPLEMENTAL
ILLUMINATION IS REQUIRED



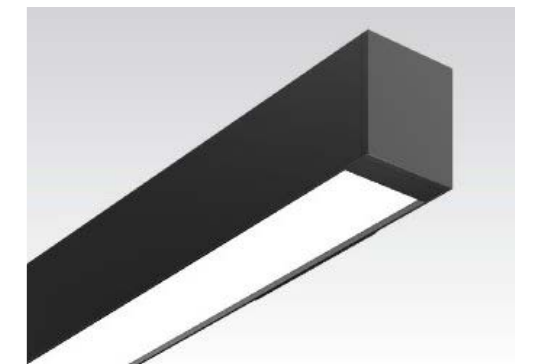
LA - LINEAR, SURFACE
MOUNTED. ILLUMINATE
PAINTED BEAMS & COLUMNS
IN PARKING / DRIVE AREAS



LB - LINEAR, PENDANT. USE
TO ILLUMINATE MURALS
& GENERAL LIGHTING
SUSPENDED BETWEEN
CEILING SLATS



LC - LINEAR, WALL MOUNTED.
GRAZE WALLS @ STAIR
TOWERS



LP - LINEAR, PENDANT,
DIRECT / INDIRECT @
CANOPY, ENTRANCE, AND IN
FRONT OF STAIR TOWERS.
4', 8', & 12' LENGTHS

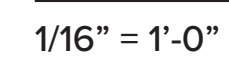


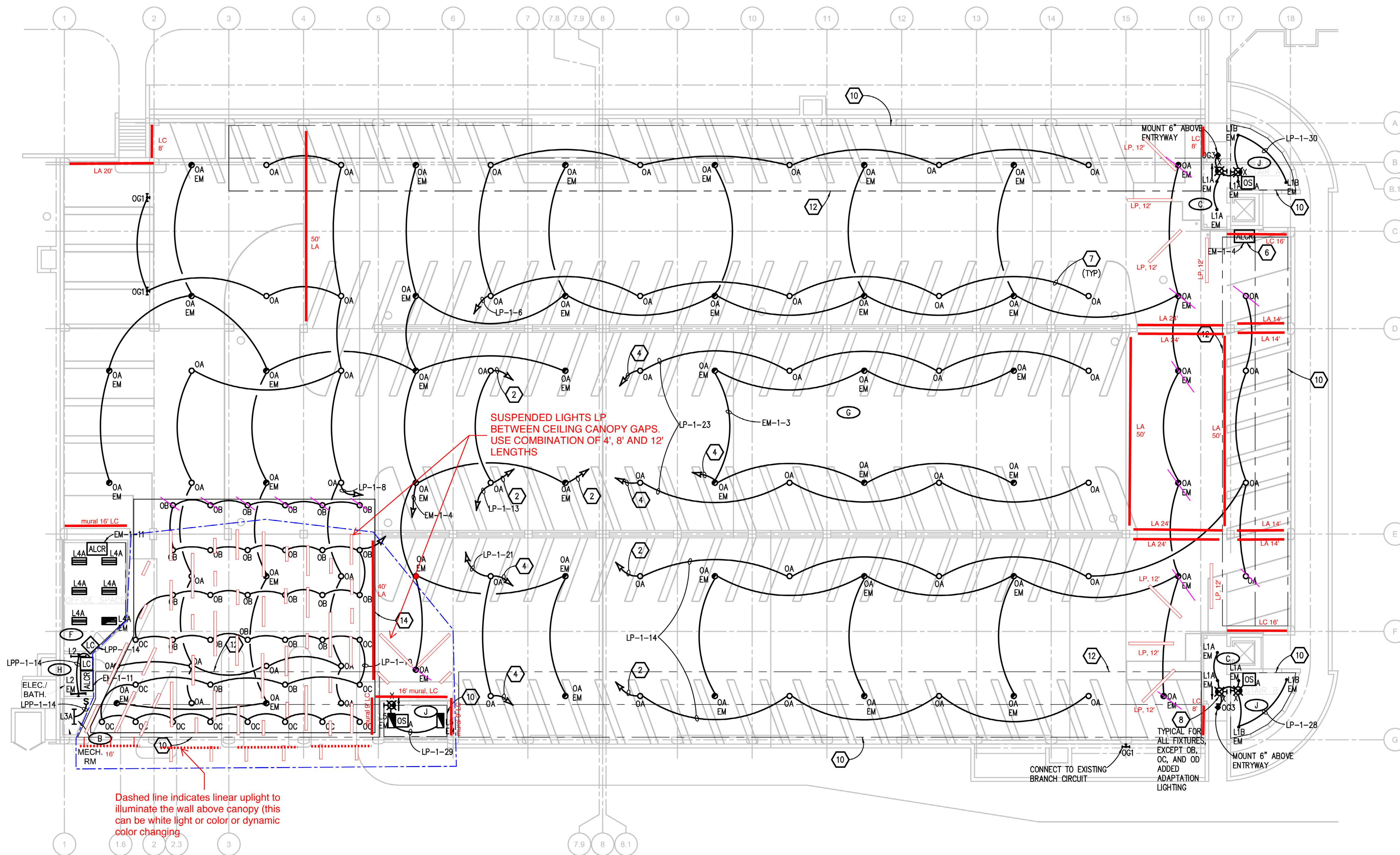
OA (ARM) - EXTERIOR WALLS,
FACADES, & MURALS.



OA - PARKING GARAGE
LUMINAIRE, GENERAL AREA







LEVEL 1 LIGHTING PLAN

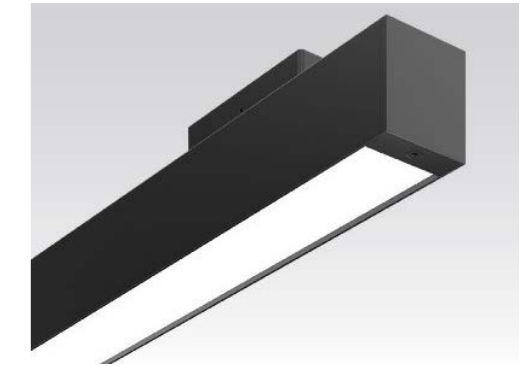
1/16" = 1'-0"

LIGHTING LEGEND:

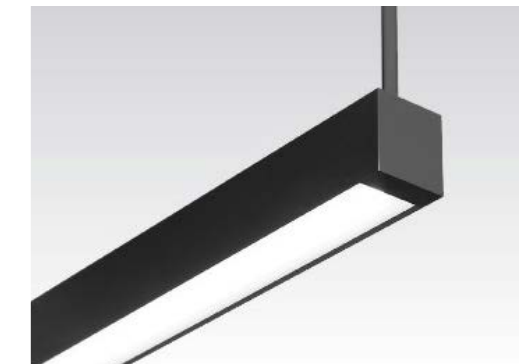
CA - ROUND, 3.5" DIA.
SURFACE MOUNTED.
UNDERSIDE OF LANDINGS
WHERE SUPPLEMENTAL
ILLUMINATION IS REQUIRED



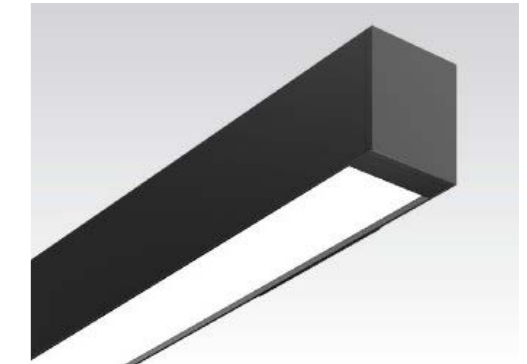
LA - LINEAR, SURFACE
MOUNTED. ILLUMINATE
PAINTED BEAMS & COLUMNS
IN PARKING / DRIVE AREAS



LB - LINEAR, PENDANT. USE
TO ILLUMINATE MURALS
& GENERAL LIGHTING
SUSPENDED BETWEEN
CEILING SLATS



LC - LINEAR, WALL MOUNTED.
GRAZE WALLS @ STAIR
TOWERS



LP - LINEAR, PENDANT,
DIRECT / INDIRECT @
CANOPY, ENTRANCE, AND IN
FRONT OF STAIR TOWERS.
4', 8', & 12' LENGTHS

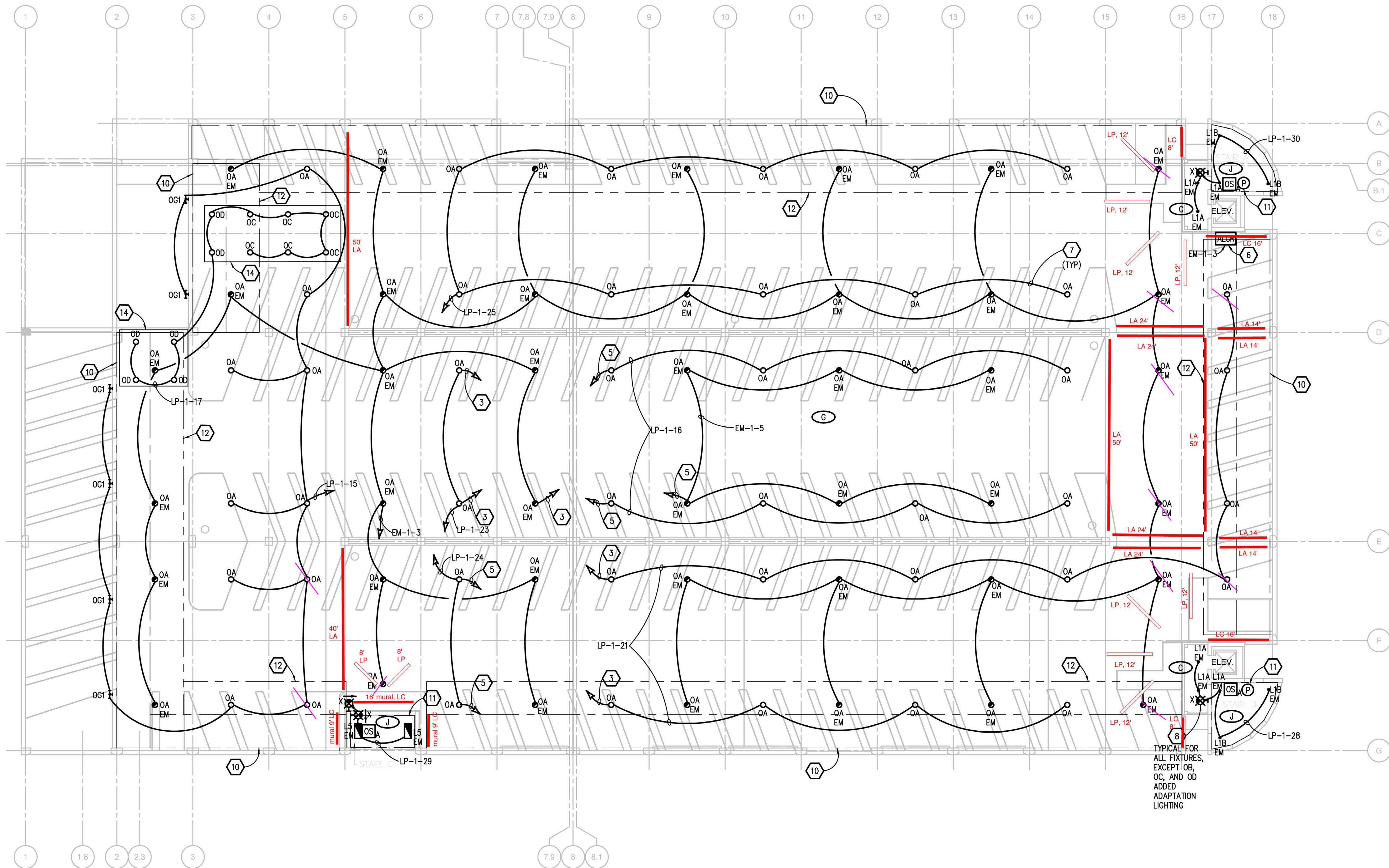


OA (ARM) - EXTERIOR WALLS,
FACADES, & MURALS.



OA - PARKING GARAGE
LUMINAIRE, GENERAL AREA





LEVEL 2 LIGHTING PLAN

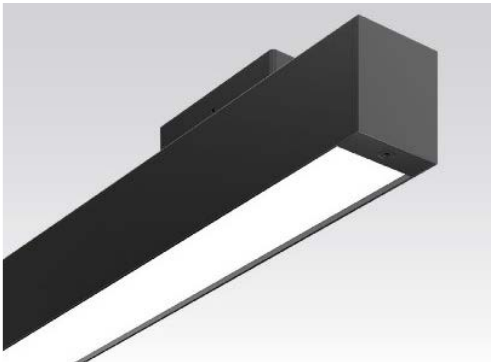
1/16" = 1'-0"

LIGHTING LEGEND:

CA - ROUND, 3.5" DIA.
SURFACE MOUNTED.
UNDERSIDE OF LANDINGS
WHERE SUPPLEMENTAL
ILLUMINATION IS REQUIRED



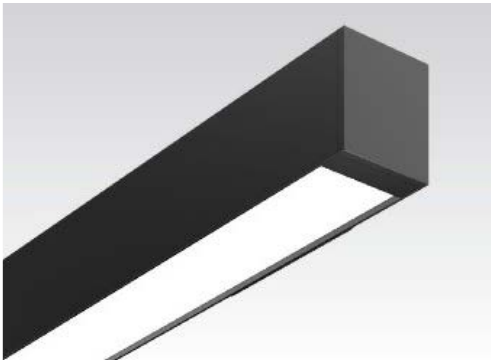
LA - LINEAR, SURFACE
MOUNTED. ILLUMINATE
PAINTED BEAMS & COLUMNS
IN PARKING / DRIVE AREAS



LB - LINEAR, PENDANT. USE
TO ILLUMINATE MURALS
& GENERAL LIGHTING
SUSPENDED BETWEEN
CEILING SLATS



LC - LINEAR, WALL MOUNTED.
GRAZE WALLS @ STAIR
TOWERS



LP - LINEAR, PENDANT,
DIRECT / INDIRECT @
CANOPY, ENTRANCE, AND IN
FRONT OF STAIR TOWERS.
4', 8', & 12' LENGTHS

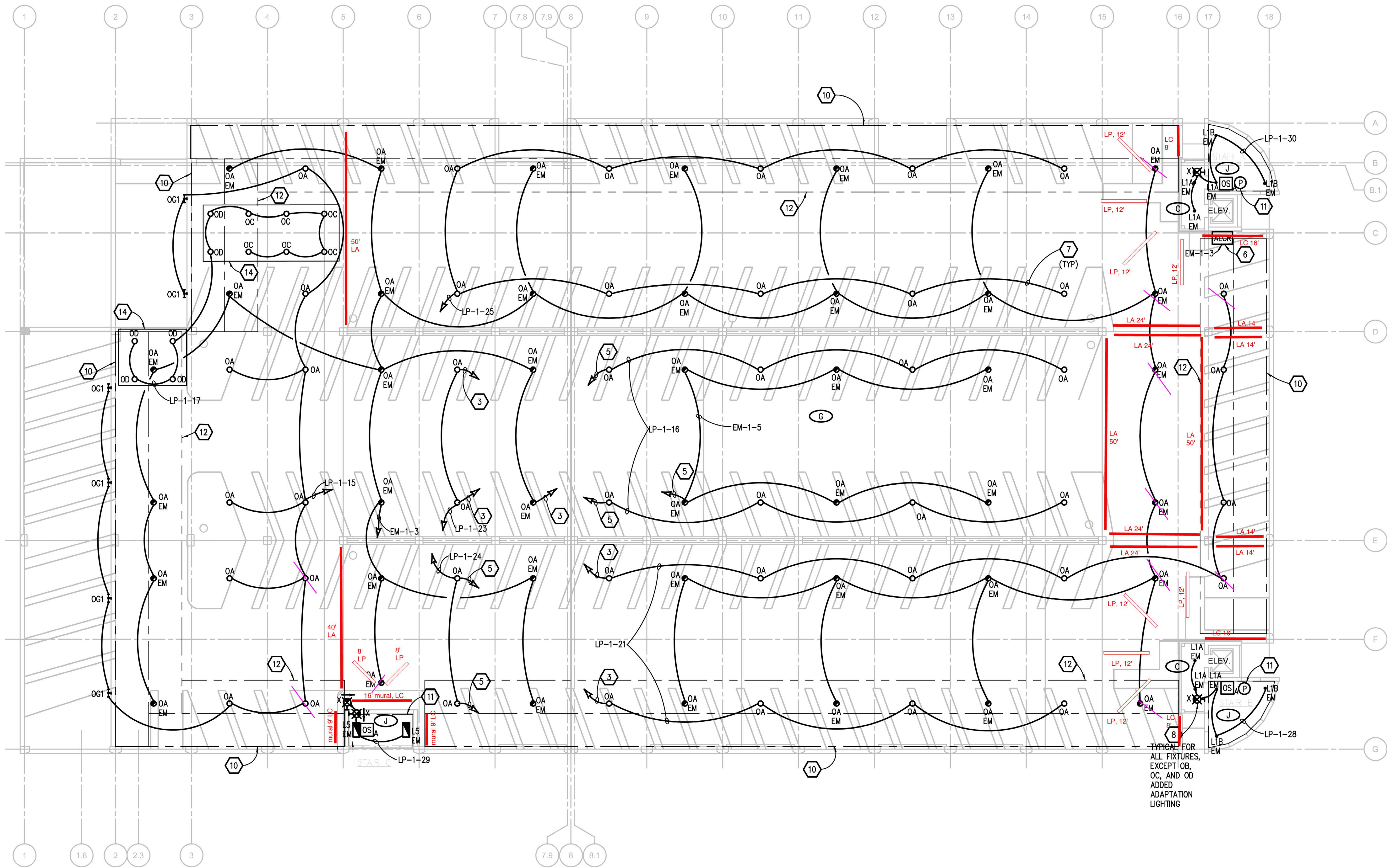


OA (ARM) - EXTERIOR WALLS,
FACADES, & MURALS.



OA - PARKING GARAGE
LUMINAIRE, GENERAL AREA





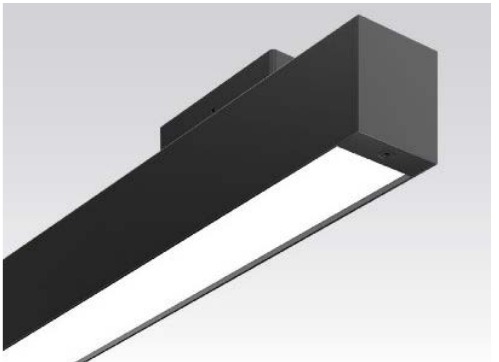
LEVEL 3 LIGHTING PLAN
1/16" = 1'-0"

LIGHTING LEGEND:

CA - ROUND, 3.5" DIA.
SURFACE MOUNTED.
UNDERSIDE OF LANDINGS
WHERE SUPPLEMENTAL
ILLUMINATION IS REQUIRED



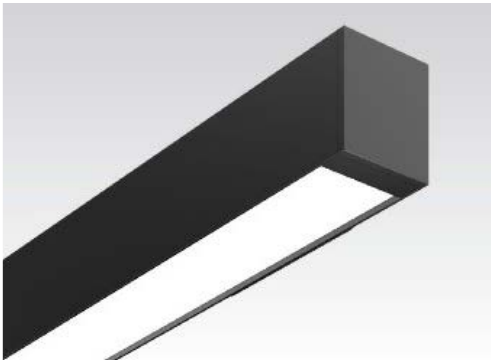
LA - LINEAR, SURFACE
MOUNTED. ILLUMINATE
PAINTED BEAMS & COLUMNS
IN PARKING / DRIVE AREAS



LB - LINEAR, PENDANT. USE
TO ILLUMINATE MURALS
& GENERAL LIGHTING
SUSPENDED BETWEEN
CEILING SLATS



LC - LINEAR, WALL MOUNTED.
GRAZE WALLS @ STAIR
TOWERS



LP - LINEAR, PENDANT,
DIRECT / INDIRECT @
CANOPY, ENTRANCE, AND IN
FRONT OF STAIR TOWERS.
4', 8', & 12' LENGTHS

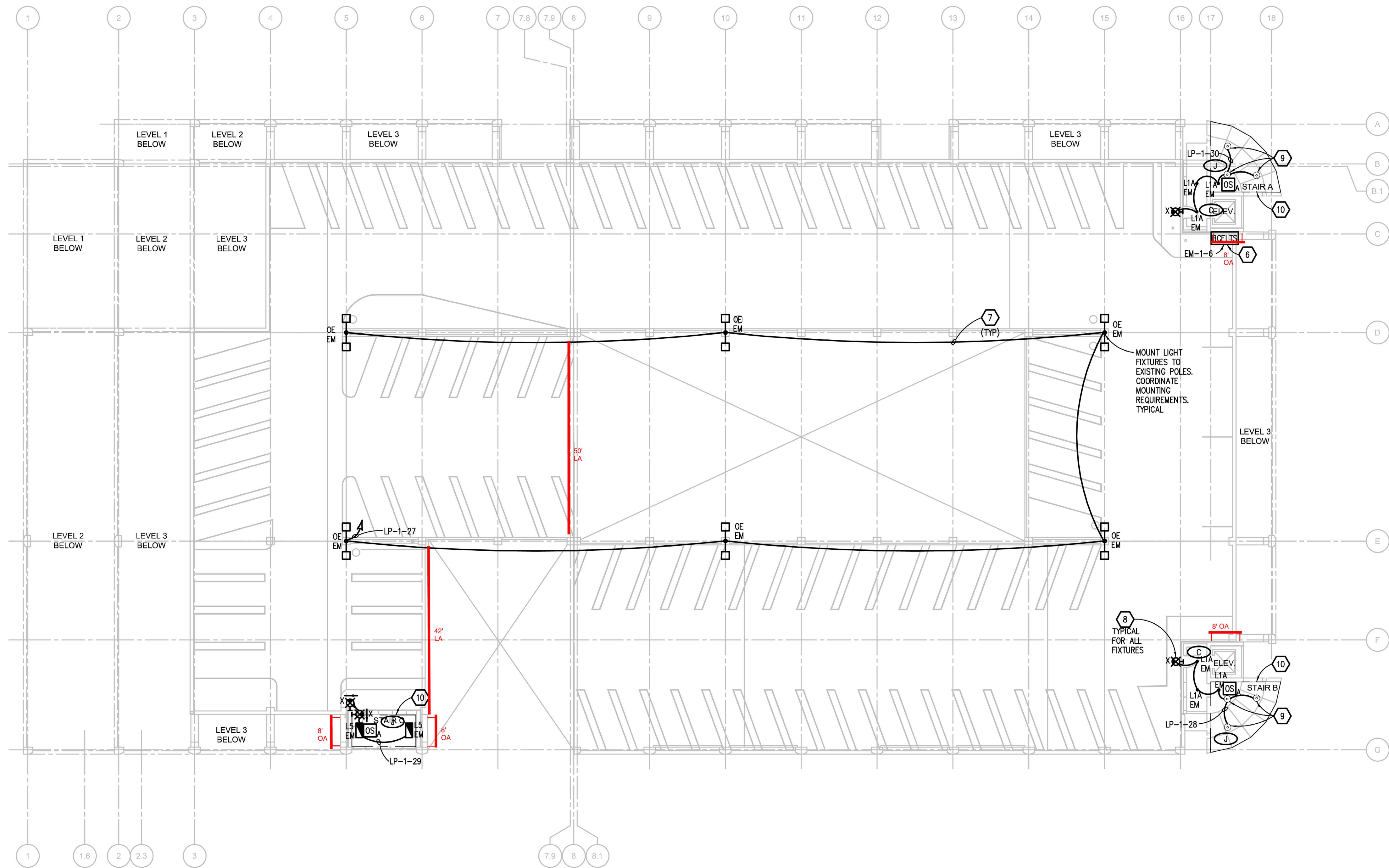


OA (ARM) - EXTERIOR WALLS,
FACADES, & MURALS.



OA - PARKING GARAGE
LUMINAIRE, GENERAL AREA





LEVEL 4 LIGHTING PLAN

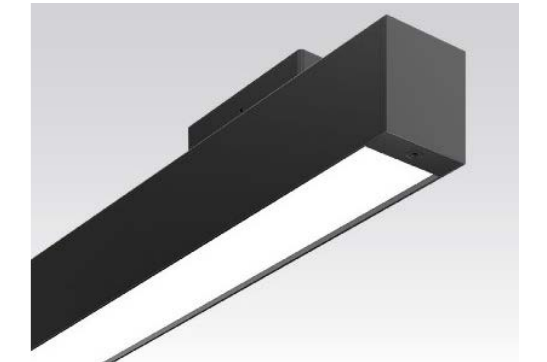
1/16" = 1'-0"

LIGHTING LEGEND:

CA - ROUND, 3.5" DIA.
SURFACE MOUNTED.
UNDERSIDE OF LANDINGS
WHERE SUPPLEMENTAL
ILLUMINATION IS REQUIRED



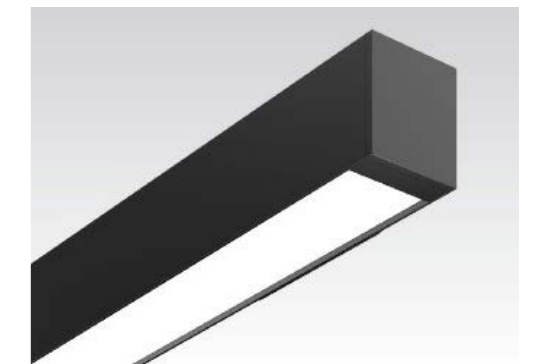
LA - LINEAR, SURFACE
MOUNTED. ILLUMINATE
PAINTED BEAMS & COLUMNS
IN PARKING / DRIVE AREAS



LB - LINEAR, PENDANT. USE
TO ILLUMINATE MURALS
& GENERAL LIGHTING
SUSPENDED BETWEEN
CEILING SLATS



LC - LINEAR, WALL MOUNTED.
GRAZE WALLS @ STAIR
TOWERS



LP - LINEAR, PENDANT,
DIRECT / INDIRECT @
CANOPY, ENTRANCE, AND IN
FRONT OF STAIR TOWERS.
4', 8', & 12' LENGTHS

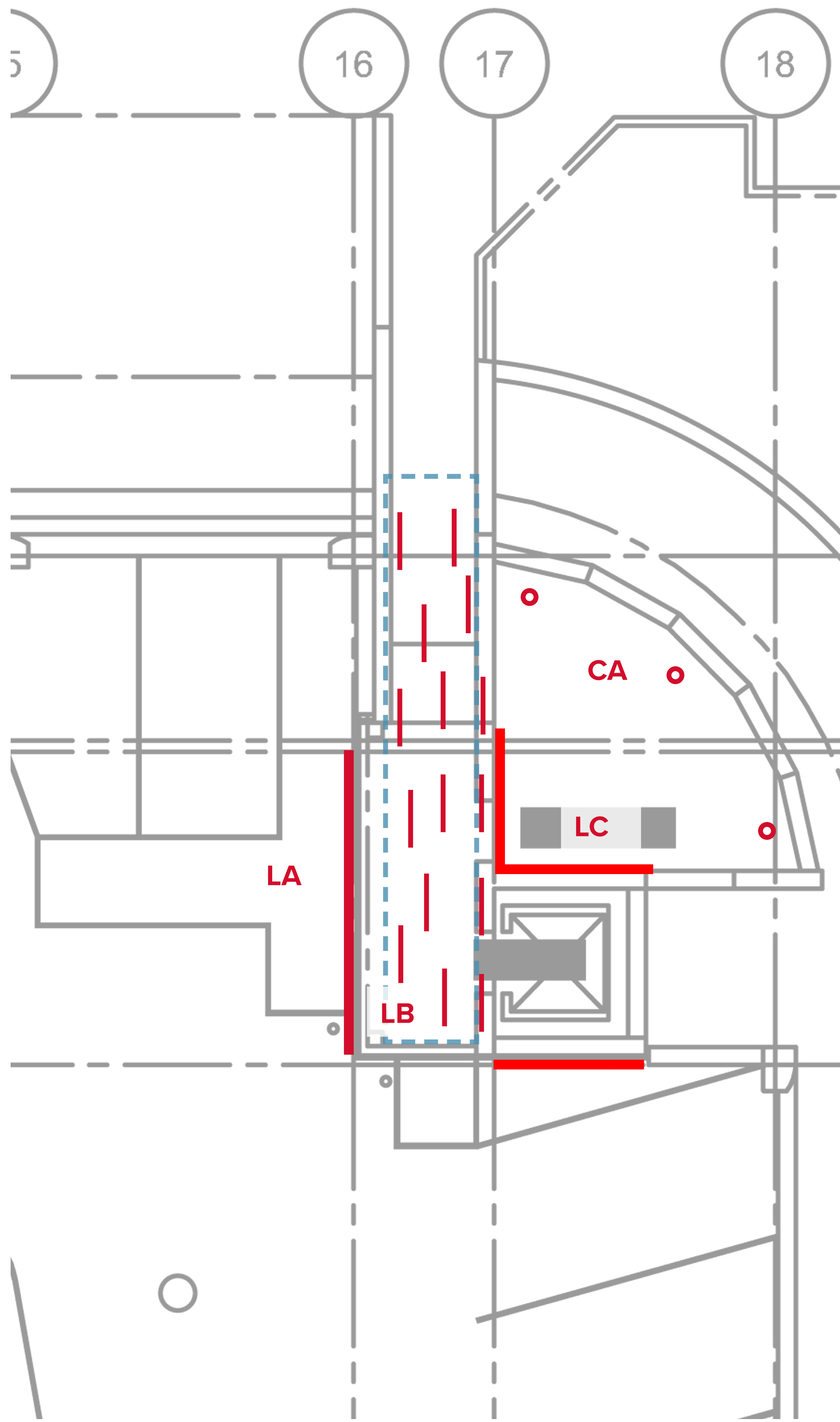


OA (ARM) - EXTERIOR WALLS,
FACADES, & MURALS.

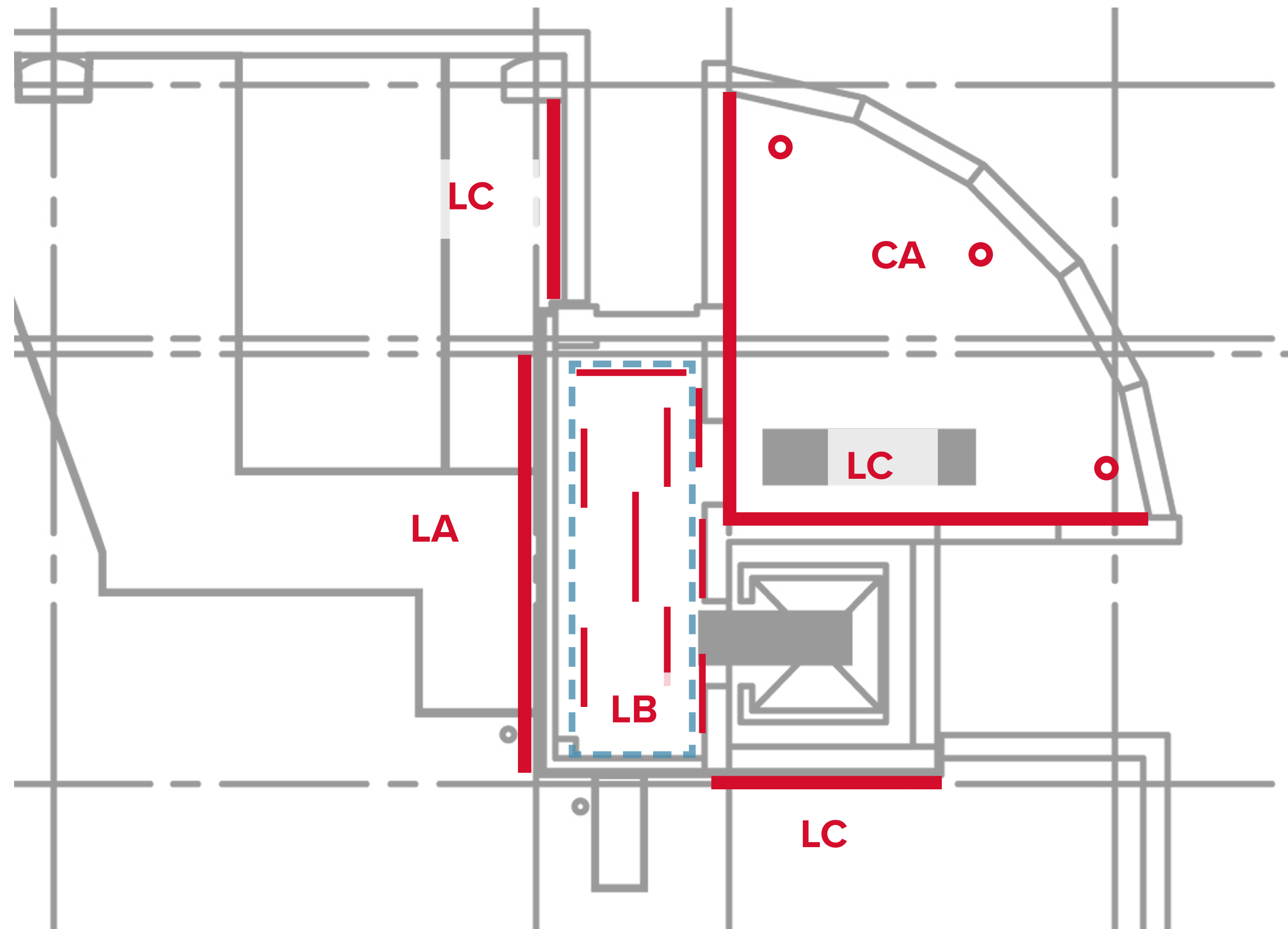


OA - PARKING GARAGE
LUMINAIRE, GENERAL AREA

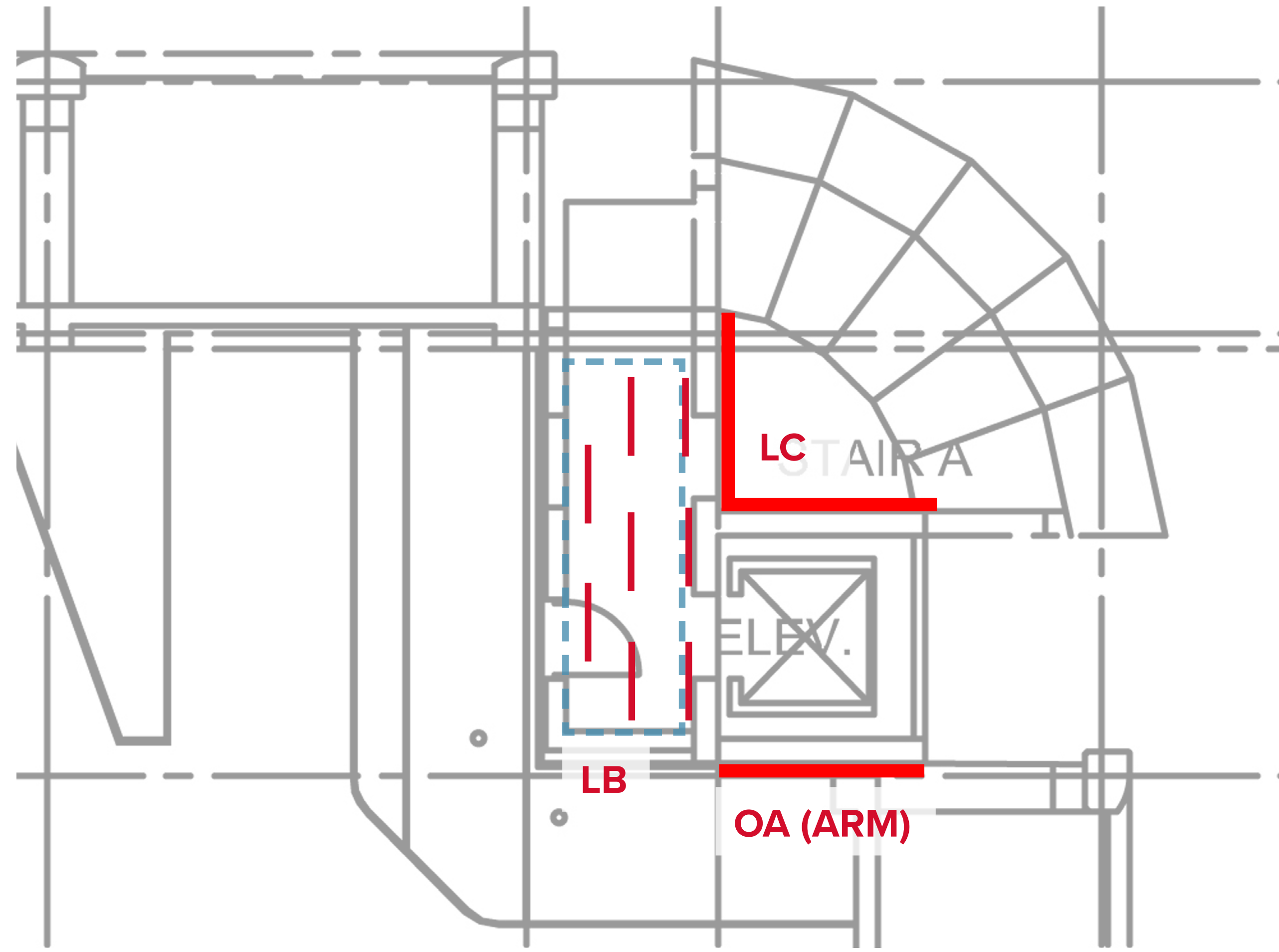




STAIR A LEVEL 1 ENLARGED LIGHTING PLAN
1/4" = 1'-0"



STAIR A LOWER LEVEL ENLARGED LIGHTING PLAN
1/4" = 1'-0"



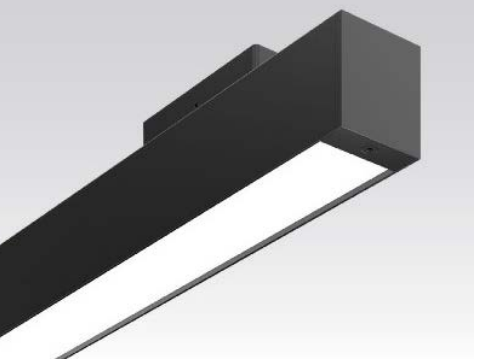
STAIR A LEVEL 4 ENLARGED LIGHTING PLAN
1/4" = 1'-0"

LIGHTING LEGEND:

CA - ROUND, 3.5" DIA. SURFACE MOUNTED. UNDERSIDE OF LANDINGS WHERE SUPPLEMENTAL ILLUMINATION IS REQUIRED



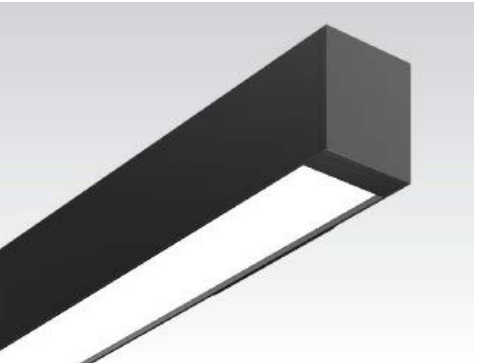
LA - LINEAR, SURFACE MOUNTED. ILLUMINATE PAINTED BEAMS & COLUMNS IN PARKING / DRIVE AREAS



LB - LINEAR, PENDANT. USE TO ILLUMINATE MURALS & GENERAL LIGHTING SUSPENDED BETWEEN CEILING SLATS



LC - LINEAR, WALL MOUNTED. GRAZE WALLS @ STAIR TOWERS



LP - LINEAR, PENDANT, DIRECT / INDIRECT @ CANOPY, ENTRANCE, AND IN FRONT OF STAIR TOWERS. 4', 8', & 12' LENGTHS



OA (ARM) - EXTERIOR WALLS, FACADES, & MURALS.

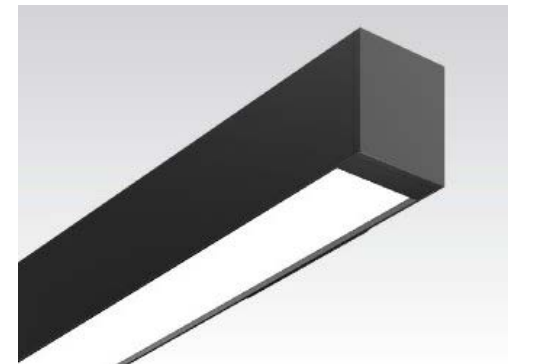


OA - PARKING GARAGE LUMINAIRE, GENERAL AREA

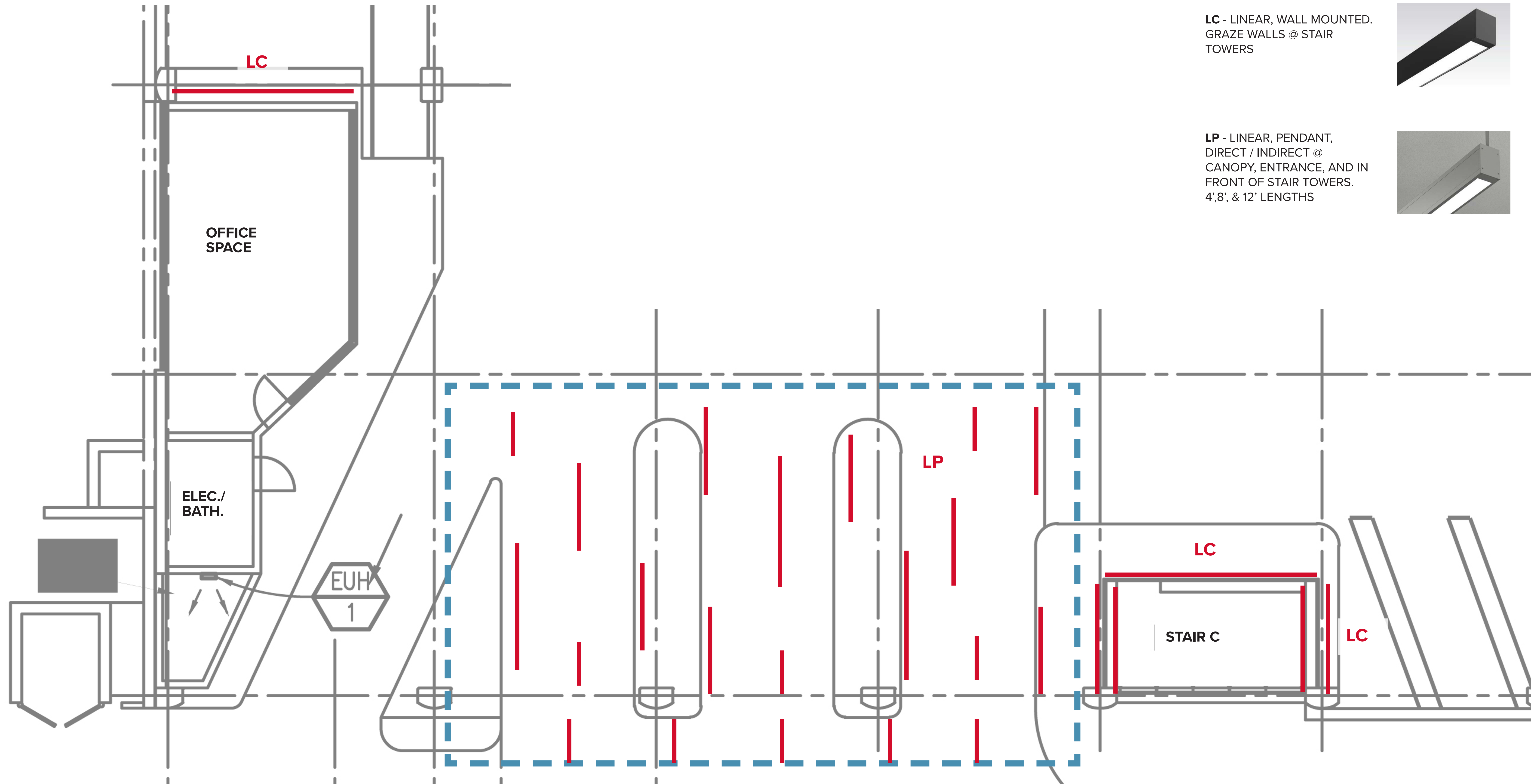


LIGHTING LEGEND:

LC - LINEAR, WALL MOUNTED.
GRAZE WALLS @ STAIR
TOWERS



LP - LINEAR, PENDANT,
DIRECT / INDIRECT @
CANOPY, ENTRANCE, AND IN
FRONT OF STAIR TOWERS.
4', 8', & 12' LENGTHS



VEHICLE ENTRY ENLARGED LIGHTING PLAN

1/4" = 1'-0"



PROPOSED LIGHTING BELOW
PEDESTRIAN CATWALK



PROPOSED LIGHTING BELOW
PEDESTRIAN CATWALK



PROPOSED LIGHTING IN STAIRCASE



PROPOSED LIGHTING AT TOP OF
STAIRCASE



MEMORANDUM

Planning Department

DATE: May 13, 2025

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Birmingham Wayfinding & Gateway Signage Fabrication and Installation – ASI Signage Innovations Agreement Extension & Phase 1 Electrification

INTRODUCTION:

The newly adopted [Wayfinding and Signage Master Plan](#) (the “Plan”) contains designs, location details, and specifications for a new system of wayfinding in the City of Birmingham. In June 2024, the City approved an agreement with ASI Signage Innovations to perform fabrication and installation services to the City of Birmingham for Phase 1 of the Wayfinding and Signage program. The initial agreement stipulated that the work be completed by December 2024, but that the agreement could be extended should additional time be needed. The agreement was extended in December 2024 to allow more time for permitting, fabrication, and the addition of illumination.

Due to the complicated design and the process to obtain a permit from the Michigan Department of Transportation, another extension is needed to complete the contracted work. At this time, the Planning Department is requesting an extension of roughly 5 months through November 10, 2025 to complete the fabrication and installation of the Phase 1 signage (2 gateway signs and 2 pedestrian kiosk signs). In addition, the Planning Department has obtained a quote to electrify the two ground mounted identification signs using solar power and is requesting a budget amendment to cover the additional cost.

BACKGROUND:

On June 24, 2024 ([Agenda](#) – [Minutes](#)) the City Commission moved to adopt a resolution to approve an agreement with ASI Signage Innovations for wayfinding fabrication and installation in an amount not to exceed \$108,400 and to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. As is evident, the resolution also included a budget amendment for the additional \$8,400 required for the services. In terms of electrical work, the budget included preparing the two ground mounted identification signs with LED lighting and the associated electrical equipment, but did not include the connection to an electrical source. During this meeting the City Commission requested that the Planning Department explore what it would take to electrify the signs and to return to the City Commission for a budget amendment if necessary.

On December 16, 2024 ([Agenda](#) – [Minutes](#)) the City Commission moved to adopt a resolution to approve a 6-month extension to the existing agreement with ASI Signage Innovations for wayfinding signage fabrication and installation services. This extension is set to expire in June 2025.

After significant research and per the direction of the City Commission, the Planning Department has concluded that the most viable option to electrify the sign would be through solar power. Other options included boring underneath Woodward to a nearby electrical source (at an exorbitant cost/effort) or connecting to the existing nearby DTE owned street lights (denied by DTE). To that end, the Planning Department contacted four contractors to obtain quotes for the solar installation and connection and was only able to obtain one quote, which is from ASI Signage Innovations who is currently contracted with the City to perform Phase 1 fabrication and installation services. Due to the attempts of the Planning Department to obtain quotes and the lack of responses from other contractors, the work may be considered sole-source and may be approved without obtaining three formal quotes as required by the City's Purchasing Guidelines. The quote provided is for \$42,312 and provides for all of the necessary work to electrify the two signs.

LEGAL REVIEW:

The City Attorney has reviewed the documentation as to form and substance and has no objections.

FISCAL IMPACT:

The Planning Department has \$108,400 budgeted for this project in account # 101.0-701.000-981.0100 (Capital Outlay – Public Improvements). With the addition of electrification, a budget amendment is recommended for an additional \$42,312 upon approval by the City Commission.

SUSTAINABILITY:

The use of solar power to electrify these signs is a direct and sustainable approach to electrification that uses renewable energy and LED light sources with minimal power demands.

DESIGN CONSIDERATIONS:

The design of the proposed wayfinding signage was fully vetted by the Wayfinding and Branding Committee and City Commission. The electrification and illumination of these signs (halo-type lighting) is expected to enhance the characteristics of the signs and accentuate details and visual recognition by passersby.

PUBLIC COMMUNICATIONS:

There are no required public communications for this agenda item.

SUMMARY:

The Planning Department requests that the City Commission consider approving an extension to the existing agreement with ASI Signage Innovations for wayfinding signage fabrication and installation services and to authorize the Mayor and City Clerk to sign the extension on behalf of the City.

The Planning Department requests that the City Commission consider accepting the bid for the electrification of two ground mounted identification signs from ASI Signage Innovations and

authorize the Mayor and City Clerk to sign an amended agreement on behalf of the City. In addition, to approve a budget amendment in the amount not to exceed \$42,312 to cover the additional cost.

ATTACHMENTS:

Please see the following attached documents:

- Agreement Amendment – ASI Signage Innovations

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve an amended agreement with ASI Signage Innovations to extend the term through November 10, 2025 for wayfinding signage fabrication and installation services and to authorize the Mayor and City Clerk to sign the extension on behalf of the City. In addition, to approve a modification to the agreement with ASI Signage Innovations for wayfinding electrification in an amount not to exceed \$42,312 from account # 101.0-701.000-981.0100 and further, to approve the appropriations and amendment to the General Fund budget as follows:

Revenues:

Draw from Fund Balance	101.0-000.000-400.0000	\$42,312
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Expenses:

Capital Outlay (Public Improvements)	101.0-701.000-981.0100	\$42,312
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**SECOND AMENDMENT TO THE AGREEMENT DATED MAY 29, 2024 BETWEEN THE
CITY OF BIRMINGHAM AND ASI SIGNAGE INNOVATIONS**

THIS SECOND AMENDMENT TO THE AGREEMENT DATED MAY 29, 2024 BETWEEN THE CITY OF BIRMINGHAM AND ASI SIGNAGE INNOVATIONS ("Amendment"), by and between **the CITY OF BIRMINGHAM**, a Michigan Municipal Corporation, having its principal municipal office at 151 Martin Street, Birmingham, MI, 48009 ("City") and **ASI SIGNAGE INNOVATIONS, a Michigan Corporation**, whose address is 1119 Wheaton Ave, Troy, MI 48063 ("ASI") does hereby amend its Agreement as follows:

WHEREAS, the City and ASI entered into an agreement on May 29, 2024, which is attached hereto as Exhibit A; and,

WHEREAS, the City and ASI amended the Agreement on December 16, 2024; and

WHEREAS, pursuant to paragraph 2 of said Agreement, the parties desire to extend the term of the agreement; and

WHEREAS, the parties also desire to add an additional scope of work besides that included in Attachment "A," as stated in paragraph 1; and

WHEREAS, Attachment "B" will now be added to include additional work for a total of \$42,312.00 to install a solar array and connect the power to two gateway signs.

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions set forth in the Agreement, the parties hereto mutually covenant and agree to delete Section 1 and Section 2 of the original Agreement and replace it with the following provisions:

1. **MUTUALLY AGREE:** It is mutually agreed by and between the parties that the City's Request for Proposal for wayfinding & signage phase 1 fabrication and installation dated May 6, 2024, which includes the City's Wayfinding & Signage Master Plan, location details, and detailed design drawings, shall be fully incorporated herein by reference and shall become a part of this Agreement, and shall be binding upon both parties hereto. (Attached hereto as Attachment "A"). Attachment "B" shall also be fully incorporated herein by reference and shall become a part of this Agreement, providing the details of installing a solar array connecting the power to two gateway signs. In the event of a conflict in any of the terms of this Agreement and the City's Wayfinding & Signage Master Plan, or Attachments "A" and "B", the terms of this Agreement shall prevail.

2. **TERM:** The term of this Agreement shall have an end date of November 10, 2025. The City shall have the right to unilaterally terminate this Agreement, with or without cause, on thirty (30) days written notice. In the event of termination, the Vendor shall receive compensation for services up to the date the termination takes effect and the City shall be entitled to retain and use the results of all services, goods and information prepared by the ASI through such date.

All other provisions of the Agreement dated May 29, 2024, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto agree to be bound by the above terms and conditions, and ASI, by its authorized signature below, expressly accepts this Second Amendment to Agreement upon the above provided terms and conditions contained in this Second Amendment as of the date first above written.

ASI SIGNAGE INNOVATIONS
(Contractor)

By: _____
Its: _____

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this _____ day of _____, 2025 before me personally appeared _____, who acknowledged that with authority on behalf of ASI SIGNAGE INNOVATIONS to do so he/she signed this Agreement.

Notary Public

County, Michigan
Acting in _____ County, Michigan
My commission expires: _____

CITY OF BIRMINGHAM:

By: _____
Therese Longe, Mayor
Dated: _____

By: _____
Alexandria D. Bingham, City Clerk
Dated: _____

APPROVED:

Jana L. Ecker, City Manager
(Approved as to substance)

Nicholas Dupuis, Planning Director
(Approved as to substance)

Mary M. Kucharek, City Attorney
(Approved as to form)

Mary J. Chavez, Finance Director
(Approved as to Financial Obligation)

ATTACHMENT A

EXHIBIT A

AGREEMENT BETWEEN

THIS AGREEMENT is entered into this 17th day of MAY, 2024, by and between the **CITY OF BIRMINGHAM**, whose address is 151 Martin Street, Birmingham, MI 48009 (hereinafter referred to as the City) and AR BORN, a CORPORATION (Corporation, Limited Liability Co., etc.), whose address is 1000 10th Avenue (hereafter referred to as "Contractor") and the foregoing shall collectively be referred to as the parties, and effective upon the date of the Mayor's signature.

WHEREAS, the City desires to implement the vision and design for the community's current and future signage needs found in the Wayfinding & Signage Master Plan (2024), and in connection therewith has requested proposals for wayfinding & signage phase 1 fabrication and installation and;

WHEREAS, Contractor has qualifications that meet the project requirements and has provided a response and cost proposal to perform wayfinding & signage phase 1 fabrication and installation.

NOW, THEREFORE, in consideration of the foregoing preambles, the adequacy of which is acknowledged by and between the parties to this Agreement, the parties agree as follows:

1. MUTUALLY AGREE: It is mutually agreed by and between the parties that the City's Request for Proposal for wayfinding & signage phase 1 fabrication and installation dated May 6, 2024, which includes the City's Wayfinding & Signage Master Plan, location details, and detailed design drawings, shall be fully incorporated herein by reference and shall become a part of this Agreement, and shall be binding upon both parties hereto. (Attached hereto as Attachment "A.") In the event of a conflict in any of the terms of this Agreement and the City's Wayfinding & Signage Master Plan, the terms of this Agreement shall prevail.

2. TERM: This Agreement shall have a term of 6 months from the date stated above, and is renewable upon expiration for 3 month terms. The City shall have the right to unilaterally terminate this Agreement, with or without cause, on thirty (30) days written notice. In the event of termination, the Vendor shall receive compensation for services up to the date the termination takes effect and the City shall be entitled to retain and use the results of all services, goods and information prepared by the Vendor through such date.

3. FEES: The fees for this entire project, which includes design, construction and final project completion shall be a total of 108,400 Dollars (\$108,400.00), as are contained in Attachment "A."

4. TERMS OF PAYMENT: The Contractor will invoice monthly for all labor supplied and work completed. In no event shall invoices be submitted more than 45 days after completion of services. Submitted invoices shall include the following detailed information: the type of work performed, the time spent on the work, the individual who performed the work and the per hour billing rate charged. The City may, at its sole discretion demand review and the right to request at any time further detailed accounting information for any or all bills. The right to inspection of any bill and

invoice shall never be at any cost or billings to the City, nor shall preparation of said invoices be billed to the City or against the general retainer. Payment terms will be net 30 days unless otherwise specified by the City.

5. UTILITIES AND DOT RIGHT OF WAY: Contractor shall ensure that all necessary permits and permissions required to operate on MDOT right-of way, where applicable, have been secured and remain valid throughout the duration of the project. In addition, Contractor is responsible for locating all utilities prior to installation of signs.

6. GOOD MORAL CHARACTER: Contractor shall employ personnel of good moral character and fitness in performing all services under this Agreement.

7. INSURANCE SUBMISSION REQUIREMENTS: The Contractor has submitted proof to the City that it meets all City insurance requirements. Insurance, with coverage amounts at no less than the City's minimum requirements, must be held by the Contractor throughout the term of this Agreement. Certificates of insurance as stated below will be required no later than five (5) business days from the date of Contractor's acceptance of the terms of this Agreement.

8. CONFIDENTIAL AND OR PROPRIETARY INFORMATION: The Contractor acknowledges that in performing services pursuant to this Agreement, certain confidential and/or proprietary information (including, but not limited to, internal organization, methodology, personnel and financial information, etc.) may become involved. The Contractor recognizes that unauthorized exposure of such confidential or proprietary information could irreparably damage the City. Therefore, the Contractor agrees to use reasonable care to safeguard the confidential and proprietary information and to prevent the unauthorized use or disclosure thereof. The Contractor shall inform its employees of the confidential or proprietary nature of such information and shall limit access thereto to employees rendering services pursuant to this Agreement. The Contractor further agrees to use such confidential or proprietary information only for the purpose of performing services pursuant to this Agreement.

9. INDEPENDENT CONTRACTOR: The Contractor and the City agree that the Contractor is acting as an independent contractor with respect to the Contractor's role in providing services to the City pursuant to this Agreement, and as such, shall be liable for its own actions and neither the Contractor nor its employees shall be construed as employees of the City. Nothing contained in this Agreement shall be construed to imply a joint venture or partnership and neither party, by virtue of this Agreement, shall have any right, power or authority to act or create any obligation, express or implied, on behalf of the other party, except as specifically outlined herein. Neither the City nor the Contractor shall be considered or construed to be the agent of the other, nor shall either have the right to bind the other in any manner whatsoever, except as specifically provided in this Agreement, and this Agreement shall not be construed as a contract of agency. The Contractor shall not be considered entitled or eligible to participate in any benefits or privileges given or extended by the City, or be deemed an employee of the City for purposes of federal or state withholding taxes, FICA taxes, unemployment, workers' compensation or any other employer contributions on behalf of the City.

10. COMPLIANCE WITH LAWS: Contractor agrees to fully and faithfully carry out

the duties of set forth herein using its best efforts in accomplishing all assignments from the City, and further, in addition to upholding all federal, and state laws and applicable codes of professional conduct to which Contractor is subject, Contractor hereby agrees to be bound by all Federal, State, or City of Birmingham ordinances, rules, regulations and policies as are amended from time to time, and including without limitation the Fair Labor Standards Act, the Equal Employment Opportunity rules and regulations, the Transportation Safety Act and the Occupational Safety and Health Acts.

11. NON-COMPLIANCE WITH INSURANCE REQUIREMENTS: Failure to deliver and maintain insurance in accordance with the terms of this Agreement will be cause for the City, by and through its City Manager, to terminate this Agreement, or at the City's option, the City may purchase on the open market such required insurance and shall be entitled to charge any additional cost to the Contractor, either by offset to any amounts due and owing Contractor for services provided to the City, or, by separate bill and demand for payment. Nothing in this paragraph shall be deemed to create or be interpreted as establishing a "for cause" termination; Contractor agrees and understands that its engagement is at will and may be terminated by the City Manager for any cause or no cause.

12. INDEMNIFICATION: To the fullest extent permitted by law, the Contractor and any entity or person for whom the Contractor is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City of Birmingham, its elected and appointed officials, employees and volunteers and others working on their behalf against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on their behalf, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arise out of the acts, errors or omissions of the Contractor including its employees and agents, in the performance of this Agreement. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the City.

13. STANDARD INSURANCE REQUIREMENTS:

The Contractor shall maintain during the life of this Agreement the applicable types of insurance coverage and minimum limits as set forth below:

A. Workers' Compensation Insurance:

For Non-Sole Proprietorships: Contractor shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

For Sole Proprietorships: Contractor shall complete and furnish to the City prior to the commencement of work under this Agreement a signed and notarized Sole Proprietor Form, for sole proprietors with no employees or with employees, as the case may be.

B. Commercial General Liability Insurance Contractor shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractor Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.

C. Motor Vehicle Liability: Contractor shall procure and maintain during the life of this Agreement Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.

D. Pollution Liability Insurance: Contractor shall procure and maintain during the life of this Agreement Pollution Liability Insurance, with limits of liability of \$1,000,000, per occurrence preferred, but claims made accepted.

E. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following **Additional Insureds: The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof.** This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.

F. Professional Liability: If applicable, professional liability insurance with limits of not less than \$2,000,000 per claim if Contractor will provide services that are customarily subject to this type of coverage.

G. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, Contractor shall deliver renewal certificates and/or policies to the City at least (10) days prior to the expiration date.

H. Proof of Insurance Coverage: Contractor shall provide the City of Birmingham at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City of Birmingham, as listed below.

- 1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance, or a signed and notarized copy of the Sole Proprietor Form;
- 2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
- 3) Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;

- 4) Two (2) copies of Certificate of Insurance for Professional Liability Insurance, if applicable;
- 5) If so requested, Certified Copies of all policies mentioned above will be furnished.

I. **Maintaining Insurance:** Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the Agreement, the City of Birmingham may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the City of Birmingham shall have no obligation to procure the most cost-effective coverage but may contract with any Insurer for such coverage.

14. WRITTEN NOTICES: Written notices regarding this Agreement shall be addressed to the following:

City: City of Birmingham
151 Martin St.
Birmingham, Michigan 48009
Attn: Nicholas Dupuis, Planning Director

Contractor: ALCO (SIL) JACO 11116/11116
1111 W/HPAT-001
1111 AL 11116
Attn: 11116 11116

15. AMENDMENTS: No amendment, modification or supplement to this Agreement shall be binding unless it is in writing and signed by authorized representatives of the parties.

16. WAIVER OF BREACH: No waiver by either party of any breach of any of the terms, covenants or conditions herein contained by the other party shall be construed as a waiver of any succeeding breach of this same or of any other term, covenant or condition.

17. COMPLETE AGREEMENT: The parties agree that the conditions set forth in this Agreement sets forth all terms and conditions of Contractor's agreement with the City of Birmingham. This Agreement supersedes all prior agreements or understandings between the parties. There are no promises, conditions or understandings other than those stated herein, and, that any prior negotiations, terms or conditions discussed between the City and the Contractor not constitute a part of this Agreement. The term "agreement" as used in this clause shall include any future written amendments, modifications, or supplements made in accordance herewith.

18. DIRECT OR INDIRECT INTEREST: If, after the effective date of this Agreement, any official of the City, or spouse, child, parent or in-law of such official or employee shall become directly or indirectly interested in this Agreement or the affairs of the Contractor, the City shall have the right to terminate this Agreement without further liability to the Contractor if the disqualification has not been removed within thirty (30) days after the City has given the Contractor notice of the disqualifying interest. Ownership of less than one percent (1%) of the stock or other equity interest in a corporation or partnership shall not be a disqualifying interest. Employment shall be a disqualifying interest.

19. FAILURE TO PERFORM. If Contractor fails to perform its obligations hereunder, the City may take any and all remedial actions provided by the general specifications or otherwise permitted by law.

20. LEGAL PROCEEDINGS: Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 48th District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds \$1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in a federal or state court with jurisdiction over Oakland County, Michigan.

21. RESPONSE TO REQUESTS FOR PROPOSALS: The Contractor shall be held to and bound by all terms, conditions, warranties and representations which it made in its written response dated 5/14/17, to the City's Request for Proposals dated May 6, 2024. In the event of a conflict in any of the terms of this Agreement and the Contractor's 5/14/17 (date of response) response, the terms of this Agreement shall prevail. (Attached hereto as Attachment "B.")

22. FAIR PROCUREMENT OPPORTUNITY: Procurement for the City of Birmingham will be handled in a manner providing fair opportunity for all businesses. This will be accomplished without abrogation or sacrifice of quality and as determined to be in the best interest of the City of Birmingham.

By: _____ (Contractor)
Its: _____

8F

ATTACHMENT B

Quote No. DETR 407445

September 10, 2024

Page 1 of 2



Customer City of Birmingham
Location Primary Location
Reference Adder for Solar Power

Bill to
City of Birmingham
151 Martin Street
Birmingham, 48009
US

Ship to
City of Birmingham
151 Martin Street
Birmingham, 48009
US

Valid Until	Revision Date 09/10/2024	Lead Time	SR Kelly Larson
F.O.B. Shipping Point	Revision No	Ship Method Installed	PM Amy Davenport
Terms 1/2 Deposit balance Net 30			

No.	Item	Description	Qty	UOM	Unit Price	Extension
1.	ID-1 Solar Lighting Solution	Solar Sign Lighting Specifications for (1) single sided, 22.68 square feet sign. Assumes 12 hours maximum operating duration. Electrical Performance: •2 Battery Backup Protection (days) •48 System Voltage (Safe DC Low Voltage) •1170 Solar Array Max Power (Watts) •6.48 Battery Storage Capacity (kWh) Includes: •41"x34"x16" Metal Battery & Electronics Housing Unit •79"x129" Solar Array •10' of cable from Battery Housing to Lighting •10' of cable from Solar Array to Battery Housing •(2) 3" diameter painted aluminum mounting posts for Solar Array. 1/4" wall thickness. Price includes installation.	2	Each	21,156.00	42,312.00

Subtotal	42,312.00
Sales Tax (6 %)	0.00
Deposit Required	21,156.00
Total	42,312.00

By signing below, I approve and authorize this quote and acknowledge that I have read and agree to the attached terms and conditions.

Submitted by

Date

Approved by

Date

Print Name

continued on next page

Quote No. DETR 407445

September 10, 2024

Page 2 of 2



Customer City of Birmingham
Location Primary Location
Reference Adder for Solar Power

Conditions

50% Deposit; Balance Net 30 days. Visa and MasterCard accepted. If you have any further questions or concerns, do not hesitate to contact me at the above number. Thank you for giving ASI Signage Innovations the opportunity to fulfill your signing needs.

GENERAL TERMS AND CONDITIONS

Unless otherwise noted, the following will apply:

- * ASI Signage Innovations has a minimum order of \$120.00
- * Excludes sales tax (if applicable), unless included above.
- * Excludes bid, payment and performance bond.
- * Excludes shipping/handling/crating charges. These costs are prepaid and actual charges will be invoiced.
- * Quote is based upon quantities and descriptions as stated and not necessarily on any plans or specifications that exist.
- * Quote is based upon ASI standard colors, typestyles, imprints and manufacture.
- * Customer is to provide acceptable half size camera ready art. If submitted artwork is not half size, or requires touch-up, additional costs will be incurred and a revised quotation submitted.
- * Drawings (maps, plaques, layouts, etc.) will be submitted to client or representative for approval. The project will go on "hold" while approval is pending.
- * Lead time is based upon date of returned approved submittal drawings.
- * No determination has been made as to compliance with local signage codes.
- * Excludes permit fees unless included above. If ASI to provide permits, the cost of permits will be billed at the time of their receipt.
- * Excludes removal of existing signage.
- * ASI is not responsible for condition of wall surface after removal of existing signage.
- * ASI is not responsible for the replacement or repair to landscape should such damage occur in the normal installation of exterior signs.
- * Excludes installation, unless included above.
- * Excludes manufacture of any type base. Examples include brick and concrete.
- * Installation of posts are based on normal sandy conditions; installation through asphalt and/or concrete may be additional.
- * Electrical hookup and running of electrical to site is to be completed by others. ASI to supply electrical pigtail only.
- * Customer is to provide ASI with blueprints or diagrams noting sign locations and elevations at time of order and contact on day of installation.
- * If project is not ready at the time ASI is to install, client will be billed 100% of product, net 30 at that time. Installation will be billed when complete.
- * Orders that are canceled are subject to a cancellation fee equal to \$72.00 per hour of labor used plus the cost of materials used up to the date of cancellation.
- * Quote is void after 30 days.
- * If terms are negotiated to include progress payments (30% upon completion of submittal drawings, 30% upon receipt of materials, 30% upon shipment/installation, 10% retainage), those payments are due at each stage of completion (NOT Net 30 days from each stage of completion).



MEMORANDUM

Treasury

DATE: May 15, 2025

TO: Jana L. Ecker, City Manager

FROM: Ryan Katz, Deputy Treasurer
Mary Chavez, Finance Director/Treasurer

SUBJECT: Condemnation of Oakland County Board of Commissioners Resolution #2025-5051

INTRODUCTION:

On May 1, 2025 the Oakland County Board of Commissioners passed resolution #2025-5051, increasing the per parcel rate charge to municipalities across Oakland County.

BACKGROUND:

The rate adjustment approved by the Board of Commissioners reflects a 46% increase in FY2026, significantly increasing the cost burden on the City of Birmingham.

LEGAL REVIEW:

N/A

FISCAL IMPACT:

The rate adjustment approved by the Oakland County Board of Commissioners reflects a 46% increase in FY2026, significantly raising the City of Birmingham's cost burden. The City's cost will increase by \$110,625 in FY2026, bringing the total to \$349,300. Further increases will bring the cost to \$363,451 in FY2027—an additional \$14,151—and to \$382,267 in FY2028, with an added \$18,816. This resolution came a month before most contracts with the county ended, leaving Birmingham and other communities without time to look into other options.

SUSTAINABILITY:

N/A

PUBLIC COMMUNICATIONS:

N/A

SUMMARY:

The Treasurer's office recommends that the City Commission speak out publicly against the Oakland County Board of Commissioners Resolution #2025-5051.

ATTACHMENTS:

N/A

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to protest the Oakland County Board of Commissioners Resolution #2025-5051; and

WHEREAS: The City of Birmingham is a local unit of government subsidiary to Oakland County in the state of Michigan, has a population of 21,434 residents, and is an ideal place to live, work, and play; and

WHEREAS: The City of Birmingham has a dedicated and passionate staff of 317 employees who provide critical services and resources to its citizenry; and

WHEREAS: The City of Birmingham has 11,319 real and personal parcels in its jurisdiction, and has utilized the Oakland County Department of Management and Budget's Equalization Division to provide property assessment administrative services for 17 years; and

WHEREAS: The most recent contract for these services, expiring June 30, 2025, contains a per parcel rate of \$21.09, generating \$238,675 for the County; and

WHEREAS: In a span of less than one month, the Oakland County of Board of Commissioners introduced, passed out of committee, and adopted Resolution #2025-5051, which raises the per parcel rate to \$30.86, representing a 46% increase, and growing the City of Birmingham cost burden by \$110,625; and

WHEREAS: This increase shifts 100% of the property assessment administrative service cost burden, including unnecessary and controversial indirect costs, to communities like the City of Birmingham, despite there being a tangible monetary and real benefit to Oakland County for providing these services to dozens of municipalities across its jurisdiction; and

WHEREAS: While this county-wide increase would generate an additional \$10 million in revenue for the County over three years, numerous members of the Board of Commissioners articulated at their May 1, 2025 meeting where resolution #2025-5051 was adopted, that this revenue has not been earmarked or allocated for current or future programs or initiatives, nor would it address any budget deficit, rendering it superfluous to the County's operation while reducing each municipal customer's budget; and

WHEREAS: This resolution was passed with a loathsome lack of transparency, communication, and regard for dozens of communities like the City of Birmingham and with an urgency and process that prioritized political expediency over effective representation; and

WHEREAS: The Gingell Amendment to resolution #2025-5051, which was defeated, would have increased per parcel rates by only 4% for one year while giving municipalities an opportunity to meaningfully shape a significant policy shift by directing the Board Chair to "appoint a subcommittee composed of representatives from the County, Cities, Villages, and Townships to study the provision of assessing services and provide long-term recommendations to the Board of Commissioners"; and

WHEREAS: As a result of the Board of Commissioners' actions, the City of Birmingham, and dozens of other municipal bodies across Oakland County, which are currently working on

our FY2026 budgets, must now make expeditious budget changes and endure unnecessary difficulties that will directly result in the reduction of services and headcount for no discernible reason other than to pad the County's coffers;

THEREFORE, BE IT RESOLVED: That the City of Birmingham City Commission condemns, in the strongest possible terms, Resolution #2025-5051, the undemocratic and roughshod process that led to its adoption, and the votes of Commissioners in favor of it despite universal opposition by constituent communities; and

BE IT FURTHER RESOLVED: That the City of Birmingham City Commission directs the City Manager to solicit proposals for a cooperative interlocal and/or private sector property assessment administrative service contract that is not only affordable, but collaborative and mutually beneficial; and

BE IT FURTHER RESOLVED: The City of Birmingham City Commission implores the Oakland County Board of Commissioners to reverse course, actually engage with and solicit the input of those they purport to represent, and pass an alternative proposal that more carefully weighs the legitimate need for a cost increase alongside the corresponding financial burden to municipal customers; and

BE IT FURTHER RESOLVED: That this resolution be transmitted to Chairman Dave Woodward, the entire Oakland County Board of Commissioners, and County Executive David Coulter.

FromClerksOffice- voting

1 message

Gerry Anders <ra6684105@gmail.com>
To: clerksoffice@bhamgov.org

Sun, May 4, 2025 at 9:50 AM

Hello,
Please place the issue of the Community/Senior Center on the ballot.
Geraldine Anders

Next YMCA

'm1l1b1@aol.com' via City Commission <city-commission@bhamgov.org>

Sat, May 10, 2025 at 12:05 AM

Reply-To: "m1l1b1@aol.com" <m1l1b1@aol.com>

To: city-commission@bhamgov.org

The project must go through

What is needed?

I am a senior citizen and a long-term Birmingham Resident

Manny Brown

[Sent from the all new AOL app for iOS](#)

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FromClerksOffice- Proposal for the new Birmingham Community & Senior Center on the ballot.

1 message

annie chi <annie.k.chi@gmail.com>
To: clerksoffice@bhamgov.org

Mon, May 5, 2025 at 12:53 PM

I encourage the Commissioners to place this issue about the Birmingham Community & Senior Center on the ballot for the community to decide on the community center.

Thank you,
Annie Chi

FromClerksOffice- Birmingham Community and Senior Center

1 message

'Michael Clift' via Clerks Office <ClerksOffice@bhamgov.org>

Sun, May 4, 2025 at 9:26 AM

Reply-To: Michael Clift <inkamike@icloud.com>

To: clerksoffice@bhamgov.org

We encourage the Commissioners to place this issue on the ballot for the community to decide on the community center.

Our seniors deserve a community center and Birmingham needs a publicly accessible recreation center with an aquatic facility.

Respectfully,

Michael Clift

Sent from my iPhone

Keep the Birmingham YMCA!

1 message

Leslie Collins <coachleslie44@gmail.com>
To: city-commission@bhamgov.org

Wed, May 7, 2025 at 3:27 PM

I highly support the B'ham YMCA and Next program!

Leslie Collins

Sent from my iPhone

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YMCA/NEXT

1 message

Joan Duncan <dunmar915@gmail.com>
To: city-commission@bhamgov.org

Wed, May 7, 2025 at 11:51 AM

I am a Beverly Hills resident and I fully support the new proposed shared facility. And whatever cost to BH residents.

Joan Duncan

Sent from my iPhone

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Next

R Engelson <rengelson645@gmail.com>
To: city-commission@bhamgov.org

Sun, May 11, 2025 at 4:06 PM

Hello, I'm a senior citizen living in Birmingham. Next has many programs that I enjoy attending. Please use our tax dollars effectively to keep it open. My husband and I would have a void in our social activities without it. Thank you, Renee Engelson
Sent from my iPhone

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FromClerksOffice- New Birmingham Community & Senior Center

1 message

Maureen Field <maureen.b.field@gmail.com>
To: clerksoffice@bhamgov.org

Mon, May 5, 2025 at 7:21 AM

Dear City Commissioners and City Manager,

I encourage the Commissioners to place this issue on the ballot for the community to decide on the community center.

Sincerely,

Maureen Bell Field

1732

YMCA/NEXT

Jennifer Giroux <jcgiroux1999@gmail.com>
To: city-commission@bhamgov.org

Thu, May 8, 2025 at 8:24 PM

Hello to all,

I am writing to ask that the Commission restart what will be done with the YMCA building. As a resident of Birmingham for 15+ years, I have grown increasingly disappointed with the services the city delivers to all its residents. Snow plow services are deplorable, and the amount of money we have paid for water and sewer backups in our basement and the amount of money we were forced to pay to have Larchlea Drive repaved (and it's full of huge holes because of new builds on our street). I would much rather services be improved before paying for a \$30M+ senior center and community center.

We are living in unprecedented times. A recession could be coming. Tariffs will affect building costs. Many families are worried about the rising price of college, the effects of funding losses (and possibly enrollment) in our public schools, or a possible housing crash if people lose jobs. While I supported the purchase of the Y, I do not feel this is the right time to burden taxpayers with an overly expensive senior center.

As a side note, we live down the street from NEXT. There is no need for a massive space. The only time the parking lot is full is when at preschool drop-off in the mornings. My child attended Mldvale, and NEXT never held more than 30 people when I have been there.

Birmingham does need to look at the amount of costs that are passed on to its residents. We already have terrible side streets around here. Why not invest in the City's infrastructure to make our town more livable?

Thank you, Jennifer Giroux
608 Larchlea Drive

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FromClerksOffice- Community and Senior Center

1 message

'Amy Hochkammer' via Clerks Office <ClerksOffice@bhamgov.org>

Mon, May 5, 2025 at 11:51 AM

Reply-To: Amy Hochkammer <amy.hochkammer@yahoo.com>

To: "clerksoffice@bhamgov.org" <clerksoffice@bhamgov.org>

Good morning,

As a resident of Birmingham for more than 25 years, a long time member of the Birmingham YMCA, and a member of the Y's Board of Manager's, I am writing to implore the commission to vote to approve a ballot initiative that would fund the Birmingham Community and Senior Center.

Both the YMCA and NEXT are 501(c)3 organizations that have been servicing Birmingham and the surrounding communities for decades. These organizations provide essential services to a huge cross section of our city, including the most vulnerable members of our community, and enhance the quality of living for so many.

While I understand that this is a hard decision and that the commission is not aligned in their support, I believe that we should allow the voters to determine if a community and senior center is something they support.

Thank you.

Amy Hochkammer

FromClerksOffice- Birmingham Community and Senior Center

1 message

Nancy LaBella <nlgtennis@gmail.com>
To: clerksoffice@bhamgov.org

Sun, May 4, 2025 at 6:15 PM

I encourage the Commissioners to place this issue on the ballot for the community to decide on the community center. Birmingham residents want and can afford a community center on par with surrounding communities.

Nancy LaBella
989.615.7986
nlgtennis@gmail.com

YMCA/NEXT

Christine Stasiw Lazarchuk <cstasiw@gmail.com>
To: city-commission@bhamgov.org

Sat, May 10, 2025 at 4:00 PM

Dear Sirs:

Please continue your work on the world class community center for seniors and families in Birmingham. The taxes are high yet we do not have a community center similar to other less affluent communities like Warren, Troy. Shouldn't this center be part of the aging in place initiative the City of Birmingham has been promoting. I have been a Birmingham resident for over 25 years. Please do not abandon this project.

Christine Lazarchuk
Sent from my iPhone

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NEXT and YMCA

Michael McGillivray <mcgillvn@gmail.com>

Mon, May 12, 2025 at 9:47 AM

To: city-commission@bhamgov.org, "Sherwin, Cathy" <sherwinflt@gmail.com>

We support this project, and we are happy to add even \$20/month cost to our tax bill annually. It's money well spent in what appears to be a win/win. Thanks for supporting the agreement.....MJM

Michael J. McGillivray mcgillvn@gmail.com
Catherine L. Sherwin SherwinFLT@gmail.com
home/fax 248-645-9686
cell 248-703-3139

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YMCA

1 message

Larry Merritt <lpm4000@gmail.com>
To: city-commission@bhamgov.org

Thu, May 8, 2025 at 5:02 PM

I am a senior Birmingham resident and would gladly pay an increase in my taxes to support the new project . Thank you. I would also pay a larger monthly fee to keep the facility open. Especially the pool.

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FromClerksOffice- ballot proposal

1 message

'STEPHEN PACKARD' via Clerks Office <ClerksOffice@bhamgov.org>

Sun, May 4, 2025 at 10:26 AM

Reply-To: STEPHEN PACKARD <hstephen10@comcast.net>

To: "clerksoffice@bhamgov.org" <clerksoffice@bhamgov.org>

Dear City Commissioners,

Please consider including a bond proposal for the Birmingham Community & Senior Center on the ballot. We consider the passage of such a proposal as an opportunity to enhance the day-to-day lifestyle of our community.

Respectfully,

Stephen Packard

Millie Packard

FromClerksOffice- Birmingham Community Center bond ballot proposal

1 message

TERRY P PARKS <tparks6345@sbcglobal.net>
To: "clerksoffice@bhamgov.org" <clerksoffice@bhamgov.org>

Sun, May 4, 2025 at 12:25 PM

Dear commissioners:

We encourage the Commissioners to place this issue on the ballot for the community to decide on the community center.

Thank you,

Terry Parks
436 Linden
Birmingham, MI 48009

FromClerksOffice- As a member of the YMCA I and other people encourage the commisioners to place this issue on the ballot for the community to decide on the community center. Respectully, Thomas M. Rady Beverly Hills resident and YMCA member

1 message

Tom Rady <tomrady@hotmail.com>

Sun, May 4, 2025 at 11:39 PM

To: "clerksoffice@bhamgov.org" <clerksoffice@bhamgov.org>

New updates senior center

Fran Schlesinger <franschles@gmail.com>

Thu, May 8, 2025 at 9:36 AM

To: city-commission@bhamgov.org

We absolutely need a new Senior Center. There are many seniors in this community. The center we have is horrible and depressing. Bloomfield Township is be admired for there lovely up to date senior center. Birmingham taxes are higher per household than Bloomfield township. Skip the flowers and other frivolous things Birmingham does and take care of your seniors. Most young people cannot afford to live in this community.

It is the senior community that helps sustain Birmingham with our taxes. Seniors fortunately live much longer. We need a lovely place to enjoy and remain active in this community as well. I am a real estate agent in Birmingham. It would be extremely helpful to be able to boast about a new and up to date senior center as one of Birmingham assets. We have many new apartments and condos being built.

Birmingham needs additional appeal to seniors.

Fran Schlesinger

578 Wallace Street
Birmingham

FRAN
concierge/real estate

Max Broock Realtors

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FromClerksOffice- Birmingham community and senior center issue

1 message

'Beth Schrock' via Clerks Office <ClerksOffice@bhamgov.org>

Mon, May 5, 2025 at 9:06 AM

Reply-To: Beth Schrock <beth_schrock@yahoo.com>

To: clerksoffice@bhamgov.org

We encourage the Commissioners to place this issue on the ballot for the community to decide on the community center

Thanks,
Beth Schrock

FromClerksOffice- ballot

1 message

Karen Schroeder <kareneschroeder@hotmail.com>
To: "clerksoffice@bhamgov.org" <clerksoffice@bhamgov.org>

Sun, May 4, 2025 at 9:36 AM

We encourage the Commissioners to place this issue on the ballot for the community to decide on the community center.

Thank you

Next ymca

Alice Silbergleit <asilbergleit@gmail.com>
To: city-commission@bhamgov.org

Fri, May 9, 2025 at 2:27 PM

Hello,
Birmingham residents are aging and deserve a first class senior community healthy living/fitness center.

I am in support of the Next/YMCA project. I hope the plans will have another opportunity for revisions.

Alice Silbergleit
345 Shirley Road
Sent from my iPhone

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FromClerksOffice- Bond Issue

1 message

'barbara spencer' via Clerks Office <ClerksOffice@bhamgov.org>

Sun, May 4, 2025 at 3:41 PM

Reply-To: barbara spencer <bsallena@yahoo.com>

To: clerksoffice@bhamgov.org

I encourage you to put the Bond Issue on the fall ballot for the future senior center.

Sincerely,
Barbara Spencer
Beverly Hills

Sent from my iPhone

YMCA

'marina willisch' via City Commission <city-commission@bhamgov.org>

Tue, May 13, 2025 at 8:03 AM

Reply-To: marina willisch <mwillisch@googlemail.com>

To: city-commission@bhamgov.org

To the City of Birmingham

We are residents of the city of Birmingham, at 1416 Edgewood Rd.

My family, including my 3 kids, use regularly the YMCA facility in Birmingham for swimming lessons, judo lessons, gym, gymnastics lessons, child watch, weekend activities, basketball lessons, yoga lessons, summer camps etc.

The YMCA is the only high quality and affordable service provider in the city that offers a large variety of sports, pool, health and leisure activities for all ages, accessible 7 days a week.

Thus, we respectfully ask that the City supports and actively works to find a solution together with the YMCA and Next to have a similar facility that can offer quality and affordable services to the people of Birmingham.

Thank you

Marina Willisich

Sent from my iPhone

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Alex Bingham <abingham@bhamgov.org>

Resurfacing of Wimbledon Drive

1 message

'Tim Doyle' via City Commission <city-commission@bhamgov.org>

Mon, May 5, 2025 at 9:25 PM

Reply-To: Tim Doyle <timdoylephoto@aol.com>

To: city-commission@bhamgov.org

Dear Commissioners,

My wife, Pamela, and I live at 244 Wimbledon Drive. We would like to reserve our right to protest against the special assessment for Wimbledon Drive.

Respectfully yours,

Tim Doyle

--

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Wimbledon Project

2 messages

Jaclyn Bouchard <jaclynrbouchard@gmail.com>
To: city-commission@bhamgov.org

Thu, May 8, 2025 at 1:30 PM

Dear Commissioners -

Thank you for a collaborative meeting on Monday in regards to Wimbledon Drive. I had some thoughts and questions following the meeting that I've included below. Thank you in advance for your consideration to each of these points -

- It appeared that some neighbors on Phase 1 Wimbledon still had an interest in curbs. I know this was discussed as an ideal scenario and was supported/recommended by the commission, multimodal board as well as residents. I understand it was legally complicated to rescind certain things, but wondering if there will be an opportunity in another meeting to have the discussion and possibly add curbs back into the plan. Some commissioners noted that a cape seal would crumble at the edges without curbs. We've reverted back to cape seal for cost, but now ignored the multimodal board's best practices. It feels irresponsible to overlook this because of a legal process. We shouldn't press forward with an infrastructure plan that does not have longevity because the process is complicated. Or, is the thought that a cape seal is temporary? Some details were difficult to follow near the end of the meeting.

- Mayor Longe stated Phase 2 construction would be prohibited to drive on Phase 1. However, Commissioner Haig confirmed it is impossible for the long trucks to u-turn, so would be forced to drive either on phase 1 or on other residential streets. Can we continue to think more about the best-case route for trucks? North poppleton streets since those roads are next to be replaced?

- I respected Clinton Baller's comments about doing Wimbledon right and backing it with funding. Are we able to continue to explore this scenario if Major Road funding or another funding source (State, bonds, etc) becomes available? Traffic volume is high on Wimbledon, as we all know, and it doesn't feel like the resident investment is self-serving. We'd be paying a ton of money for a busy public cut-through road that is going to deteriorate quickly (as it has in the past).

- Since the time that Wimbledon has been designated as a major road, has it ever benefited from improvements paid for by the Major Roads Fund? Wimbledon has been crumbling for a long time and it's long overdue to do this road properly.

- In regards to road width, I think the idea of a road width of 26' sounds great in theory - cars can park comfortably, emergency vehicles can pass, however a nicer wider road will invite more cars and higher speeds than there already is. Cars drive fast and blow the stop sign at Wimbledon and Poppleton in front of my house all day long. We must consider the road width to ensure safety of the residents, especially the children, and maintain the charm of Poppleton Park that we all love. Please also consider any and all measures to mediate the traffic and enforce the speeds. What are our options? Speed bumps, digital speed sign, blinking stop signs, police presence, larger signage for "no turn" hours?

- Thank you again for collaborating and most importantly, listening to resident input and determining that the existing Special Assessment policy is no longer working. There are a number of reasons I could argue against the current policy, but ultimately, charging residents an exorbitant cost for a low-grade cape seal does not sit well with me. After paying the assessment, I don't own the road - I can't sell it or take it with me when I move. So, it is completely unfair to be required to pay a majority of the cost. And, any special assessments required should be made against the property, not the owner.

- Costs are getting increasingly higher year over year and as you heard in the meeting, residents simply cannot afford it. Birmingham is arguably the nicest and most desirable city and community in metro Detroit, and if we want decent roads the city must fund them. If we leave it up to a residential input, it will continually be the lowest cost, lowest quality option time and time again. Residents simply do not have the ability to fund these roads anymore.

On another note...

- Personally, I am not against a community center - it sounds great and I'd love the amenity in our city, but let's do this properly for resident use instead of bailing out a privately owned YMCA. We need to ensure we prioritize that it benefits Birmingham residents. Consider an ideal location as well as resident desires. I do not support my tax dollars going toward a community center that will be overcrowded with non-residents.

Thank you again for your considerations.

Sincerely,

10B

Jaclyn Bouchard

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Therese Longe <tlonge@bhamgov.org>

Thu, May 8, 2025 at 6:00 PM

To: Jana Ecker <Jecker@bhamgov.org>, Alex Bingham <abingham@bhamgov.org>

[Quoted text hidden]

FromClerksOffice- Re: Tim Bradley letter regarding Wimbledon Dr. special assessment

2 messages

Clinton Baller <cmballer@avidpays.com>

Wed, Apr 30, 2025 at 1:19 PM

To: tim.c.bradley@gmail.com

Cc: clerksoffice@bhamgov.org, tlonge@bhamgov.org, Katie Schafer <kschafer@bhamgov.org>, ahaig@bhamgov.org, Brad Host <bhost@bhamgov.org>, "jemerine@bhamgov.org" <jemerine@bhamgov.org>, along@bhamgov.org

Tim,

Thanks for writing. Your letter raises many points for discussion. I do want to elaborate on one assertion you seem to be making, and that is that the funding diagram from the committee report for fiscal year 2018-2019 represents city policy. You seem to be saying that because no special assessments for Major Roads were made in that year that our policy is not to do so. That would not be accurate, as special assessments were made some years back for Oak St., another Major Road. I suspect the diagram was included as an illustration of a single year's funding, and it was represented as such. City staff could address the Oak project, and any others that fit the bill, at a later date.

Again, this is not to say you do not raise some important points for discussion, one that is long overdue and for which I and others have pressed. I look forward to your continued engagement.

Clinton Baller

On Tue, Apr 29, 2025 at 9:22 PM Tim Bradley <tim.c.bradley@gmail.com> wrote:

Commissioners Baller, Emerine, Haig, Host, Long, Longe, and Schafer - Please see the attached letter regarding the proposed special assessment of Wimbledon Drive as it relates to Wimbledon's status as a "major street."

Ms. Bingham - Please ensure that my letter gets added to the information packet for the upcoming 5/5/2025 meeting.

Best Regards,

Tim Bradley
[519 Wimbledon Dr.](#)
[Birmingham, MI 48009](#)
(248) 390-4726

Tim Bradley <tim.c.bradley@gmail.com>

Thu, May 1, 2025 at 6:37 PM

Reply-To: tim.c.bradley@gmail.com

To: Clinton Baller <cmballer@avidpays.com>

Cc: clerksoffice@bhamgov.org, tlonge@bhamgov.org, Katie Schafer <kschafer@bhamgov.org>, ahaig@bhamgov.org, Brad Host <bhost@bhamgov.org>, "jemerine@bhamgov.org" <jemerine@bhamgov.org>, along@bhamgov.org

Hi Clinton,

Thank you for your response.

I took another look at the “Ad Hoc Unimproved Streets Committee Final Report” (https://cms7files1.revize.com/birmingham/Document_Center/Agenda%20&%20Minutes/Ad%20Hoc%20Unimproved%20Street%20Study%20Committee/!!FINAL%20DRAFT%20AHUSSC%20POLICY%20DOCUMENT-%20112520.pdf), and in particular at page 38, which is where the graph comes from. I see your point, in that the graphs are immediately preceded by the statement “Below is a comparison of the revenue budgets for fiscal year 2018-2019 for the major street fund and local street fund.”

However, at the beginning of that paragraph (which is reproduced below), and without any limitation to 2018-2019, it states that “**For streets designated as major streets, almost all of the funding comes from property taxes and Act 51**” (see below). Also, the page leads off with an introduction of “**How does the City fund the projects identified in the Five-Year Capital plan?**” Each of these statements suggest that there is a policy to fund major streets with non-special assessment funds.

For streets designated as major streets, almost all of the funding comes from property taxes and Act 51. This is because these streets are predominately improved streets. For streets designated as local streets, most of the funding comes from property taxes, with smaller contributions from Act 51 and special assessment revenue. The special assessment revenue is dependent on the number of roads either in the process of being improved or being cape sealed. Below is a comparison of the revenue budgets for fiscal year 2018-2019 for the major street fund and local street fund.

It seems that the commission's focus has been that Wimbleton is “unimproved” and that characterization has guided much of what follows. I submit that Wimbleton's status as a major street should instead be the primary factor in determining how the roadwork is paid for.

Best Regards,
Tim Bradley

[Quoted text hidden]



Alex Bingham <abingham@bhamgov.org>

SAD Roll 915 Wimbledon Phase 1 Project - Paving

1 message

Josh Dobrowitsky <joshd247@gmail.com>
To: city-commission@bhamgov.org
Cc: "Katy Dobrowitsky (E-mail)" <kdobrowitsky@gmail.com>

Mon, May 5, 2025 at 9:18 PM

City Commission:

I reserve the right to protest. I reiterate my wife's comments at the meeting. I agree with my neighbors on Wimbledon.

Please count me as against this plan.

Josh Dobrowitsky

[826 Shepardsbush St, Birmingham, MI 48009](#)

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Alex Bingham <abingham@bhamgov.org>

Reserve the Right to Protest the Assessment to Wimbledon for Road Improvements1 message

Cindy Fairless <cvfairless@gmail.com>
To: city-commission@bhamgov.org

Mon, May 5, 2025 at 9:19 PM

My husband and I are both listening remotely as we are traveling and don't see a. Option to raise our hands. We live at 323 Wimbledon and we reserve our right to protest.

Best,
Kent and Cindy Fairless

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Unacceptable Street

1 message

John Fallucca <jfallucc@gmail.com>
To: city-commission@bhamgov.org

Tue, May 6, 2025 at 11:40 AM

I am hoping someone can explain to me why the end of my driveway looks like this consistently. Considering the astronomical amounts we pay in property taxes, how is this not addressed? I've dealt with it for a long time but am getting frustrated. The stagnant water becomes a breeding ground for mosquitoes etc.

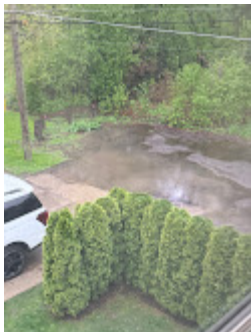
See attached photos.

John Fallucca
[202 Wimbledon Dr, Birmingham, MI 48009](#)

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2 attachments



IMG_0534.jpeg
4175K



IMG_0535.jpeg
8367K



Alex Bingham <abingham@bhamgov.org>

Reserve my right to protest

1 message

Donal O'Leary <doleary703@gmail.com>
To: city-commission@bhamgov.org

Mon, May 5, 2025 at 9:29 PM

I reserve my right to protest the assessments for redoing the street.
Donal O'Leary
444 Wimbleton Drive
Birmingham

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Alex Bingham <abingham@bhamgov.org>

Wimbledon Road Reserve my right to protect

1 message

Erin Phillips <erinmphilips77@gmail.com>
To: city-commission@bhamgov.org

Mon, May 5, 2025 at 9:16 PM

Erin and Fred Phillips 111 Abbey - reserve our right to protest

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FromClerksOffice- Bird Ave special assessment

'Allison Caducio' via Clerks Office <ClerksOffice@bhamgov.org>

Mon, May 5, 2025 at 12:05 PM

Reply-To: Allison Caducio <allyc2004@yahoo.com>

To: "jecker@bhamgov.org" <jecker@bhamgov.org>, "clerksoffice@bhamgov.org" <clerksoffice@bhamgov.org>

Yahoo Mail: [Search](#), [Organize](#), [Conquer](#)



Special appraisal .docx

30K

To whom it may concern,

My name is Allison Caducio and I live at 306 Bird Avenue with my husband Anthony and our two daughters, Eden (23) who is a full time student at CCS in Detroit and Erin (13) an 8th grader at Derby Middle School.

I am writing this letter as notification that I reserve my right to appeal the special assessment. This home has been in my husband's family since it was built and we are definitely expecting financial hardships.

I have been on social security disability for quite a few years with daily chronic migraines and only bring in \$1, 674.00 a month. I have been unable to work since 2017 and Anthony(248-217-0077) has also been put on social security

disability for his back and neck (total
neck fusion and

has spinal stenosis with cord compression and needs further back surgery) so his income has been reduced to \$1,073.00 but that will be reduced even more to \$891.88 come June due to being approved for Medicare.

Our mortgage payment alone is \$958.40, plus utilities, groceries, school expenses, gas and general cost of living. I am pleading with you, if there is any way possible to get any type of assistance to help with the special appraisal.

A handwritten signature in black ink, appearing to read "Allison Caducio", with a long horizontal flourish extending to the right. A small colon ":" is written below the signature.

Allison Caducio 248-229-9466

Special Assessment Appeal for Bird Street

Renee Cuchetti <rcuchetti@gmail.com>

To: city-commission@bhamgov.org

Renee

Cuchetti of the City Commission, Regarding the Special Assessment for Bird Street " I reserve my appeal of the special Assessment" Renee Cuchetti, [328 Bird Ave B](#)
appeal of the special Assessment" Renee Cuchetti, [328 Bird Ave Birmingham](#)

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248 566 3362

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Leaf Blowers: Stay the Course

1 message

David Jaffe <jaffe.db@gmail.com>
To: city-commission@bhamgov.org

Sun, May 4, 2025 at 3:39 PM

Dear Commissioners:

With the coming of Spring we in Birmingham are reminded every day of your good judgment in banning gasoline powered leaf blowers. The noise and the smell are ever-present.

I am writing to thank you, and to urge you to stay the course and not to dilute or delay the implementation of the restrictions.

Very truly yours,

David Jaffe

David B. Jaffe

248.321.9337
[1240 Dorchester Road](#)
[Birmingham, MI 48009](#)

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To view this discussion visit <https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/E33DDE4A-9940-4CF9-8F6C-7FC058D2C40F%40gmail.com>.



NOTICE OF INTENTION TO APPOINT TO THE ARCHITECTURAL REVIEW COMMITTEE

At the meeting of Monday, June 9, 2025, the Birmingham City Commission intends to appoint one regular member to the Architectural Review Committee to serve the remainder of a three-year term to expire April 11, 2028.

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, June 4, 2025. These applications will appear in the public agenda for the regular meeting at which time the City Commission may make nominations and vote on the appointments.

Board Duties

The purpose of the Architectural Review Committee is to review certain public improvement projects initiated by the City and referred to the committee by the City Manager or his/her designee. The committee is expected to offer opinions as to what physical alterations or enhancements could be made to these projects in order to improve the aesthetic quality of the project and the City's overall physical environment.

Members of this Committee will be appointed by the City Commission. The Committee shall consist of three Michigan licensed architects who reside in the City of Birmingham.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Michigan Licensed Architect & resident of the City of Birmingham	6/4/2025	6/9/2025

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.



NOTICE OF INTENTION TO APPOINT TO THE HISTORIC DISTRICT STUDY COMMITTEE

At the regular meeting of Monday, June 9, 2025 the Birmingham City Commission intends to appoint three regular members to the Historic District Study Committee to serve three-year terms to expire June 25, 2028.

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, June 4, 2025. These documents will appear in the public agenda for the regular meeting at which time the City Commission may make nominations and vote on appointments.

Committee Duties

The goal of the Historic District Study Committee is to conduct historical research regarding the proposed designation of historic landmarks or districts in the City of Birmingham.

A majority of the members shall have a clearly demonstrated interest in or knowledge of historic preservation, although city residency is not required if an expert on the potential historic district topic is not available among city residents. The Historic District Study Committee shall include representation of at least one member appointed from one or more duly organized local historic preservation organizations. The meetings are held by resolution of the City Commission.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Members shall have a clearly demonstrated interest in or knowledge of historic preservation.	6/4/2025	6/9/2025

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.



NOTICE OF INTENTION TO APPOINT TO THE BOARD OF ZONING APPEALS

At the regular meeting of Monday, June 9, 2025, the Birmingham City Commission intends to appoint one alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 18, 2026.

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, June 4, 2025. These documents will appear in the public agenda for the regular meeting at which time the City Commission may make nominations and vote on appointments.

Board Duties

The Board of Zoning Appeals acts on questions arising from the administration of the zoning ordinance, including the interpretation of the zoning map. The Board hears and decides appeals from and reviews any order, requirement, decision or determination made by the Building Official.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Members shall be property owners of record and registered electors.	6/4/2025	6/9/2025

NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.



MEMORANDUM

FINANCE

DATE: May 13, 2025
TO: Jana L. Ecker, City Manager
FROM: Mary J. Chavez, Finance Director, Treasurer
SUBJECT: 3rd Quarter Budget Report

Background

Chapter 7, Section 3(b) of the City Charter requires the Director of Finance to report on the financial condition of the City quarterly. Quarterly reports are prepared for the first 3 quarters of the year with the annual audit serving as the 4th quarter report. Only the following funds are reported quarterly because by State law they require a budget: General Fund, Greenwood Cemetery Perpetual Care Fund, Major and Local Street Funds, Solid Waste Fund, Senior Services Fund, Community Development Block Grant Fund, Law and Drug Enforcement Fund, Opioid Settlement Fund, Baldwin Public Library Fund, Principal Shopping District Fund, Brownfield Redevelopment Authority Fund, Triangle District Corridor Improvement Authority Fund, and the Debt Service Fund.

Below are the third quarter 2024-2025 fiscal year financial reports. The reports compare budget to actual for the current year and the prior fiscal year for the same quarter. This allows meaningful comparisons between fiscal years as well as percentage of budget received/spent for the year. Budget discussions will follow each fund's financial information.

Through March 31st, 75% of the fiscal year is over. However, some revenues and expenditures are not received/spent on a prorated amount every quarter. To the extent that the percentage of budget is materially different than the 75%, this will be noted in the discussion.

General Fund

Revenues are approximately \$1.6M higher than the previous year as a result of an increase in tax revenue of approximately \$.3M, an increase of \$.4M in licenses and permits, and an increase in interest and rent of \$.4M. Fines and forfeitures revenue increased \$.2M due to heavy parking fines and revenue from 48th district court. Taxes increased as a result of increase in taxable value. Revenue from fines and forfeitures increased by \$.02M, due to higher parking fines and earnings from the 48th District Court. Revenue from licenses and permits increased .4M from prior year as a result of large scale building permits issued. The increase in interest and rent is largely the result of higher interest rates.

Federal, State, and Local Grant funds and Special Assessments are below expected budget due to timing of when the revenues are received.

Total current year-to-date expenditures for the General Fund are higher than the prior year by approximately \$2.3M, or 7%. Most of the increase is related to an increase in Public Safety of \$1M, General Government \$.3M, Judicial \$.3M, Public Works \$.4M, and Health and Welfare \$.3M. The increase in Public Safety expenses is due to higher personnel costs, as well as building maintenance costs, including ignitor replacements, HVAC repairs, and the replacement of faulty fans. The increase in General Government is mainly the result of higher personnel costs. The increase in Judicial is the result of City's

higher case load percentage at 48th District Court. The increase in Public Works is due to higher costs associated with the LED streetlight conversion project under public improvements. The increase in Health and Welfare is due to costs associated with consulting services for design work and site plans for the Birmingham Community and Senior Center.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
TAXES	\$33,767,930	\$33,786,506	100%	\$33,524,900	\$33,484,660	100%
SPECIAL ASSESSMENTS	\$606,290	\$121,985	20%	\$656,810	\$206,743	31%
LICENSES & PERMITS	\$2,787,530	\$2,895,586	104%	\$2,720,510	\$2,465,717	91%
FEDERAL GRANTS	\$139,000	\$100,032	72%	\$133,190	\$151,198	114%
STATE GRANTS	\$3,100,300	\$1,547,221	50%	\$2,833,900	\$1,459,913	52%
LOCAL CONTRIBUTIONS	\$143,790	\$146,194	102%	\$151,650	\$38,381	25%
CHARGES FOR SERVICES	\$3,587,440	\$2,790,119	78%	\$3,557,890	\$2,482,526	70%
INTEREST & RENT	\$1,366,500	\$1,512,006	111%	\$756,500	\$1,123,369	149%
FINES & FORFEITURES	\$1,765,000	\$1,144,945	65%	\$1,957,340	\$976,555	50%
OTHER REVENUE	\$50,600	\$42,547	84%	\$250,130	\$78,387	31%
OTHER FINANCING SOURCES	\$100,000	\$75,000	75%	\$100,000	\$75,000	75%
USE OF FUND BALANCE	\$2,957,208	—	0%	\$3,509,707	—	0%
REVENUES TOTAL	\$50,371,588	\$44,162,142	88%	\$50,152,527	\$42,542,447	85%
EXPENDITURES						
GENERAL GOVERNMENT	\$6,974,379	\$4,573,031	66%	\$6,258,500	\$4,264,759	68%
JUDICIAL	\$1,793,420	\$1,901,460	106%	\$2,185,280	\$1,581,231	72%
PUBLIC SAFETY	\$21,760,443	\$15,167,356	70%	\$20,364,535	\$14,078,557	69%
PUBLIC WORKS	\$6,764,922	\$4,029,788	60%	\$8,261,862	\$3,599,845	44%
HEALTH AND WELFARE	\$1,298,840	\$485,949	37%	\$843,130	\$121,128	14%
COMMUNITY AND ECONOMIC DEVELOPMENT	\$895,450	\$481,974	54%	\$819,597	\$469,096	57%
RECREATION AND CULTURE	\$4,202,214	\$2,267,327	54%	\$3,771,263	\$2,249,971	60%
TRANSFERS OUT AND OTHER FINANCING USES	\$6,681,920	\$5,003,940	75%	\$7,648,360	\$5,250,000	69%
EXPENDITURES TOTAL	\$50,371,588	\$33,910,824	67%	\$50,152,527	\$31,614,587	63%

Greenwood Cemetery Perpetual Care Fund

Cemetery perpetual care revenue has increased significantly from the prior year due to an increase in lot sales. No expenditures have been budgeted for this fiscal year.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
CHARGES FOR SERVICES	\$40,000	\$82,000	205%	\$35,000	\$48,800	139%
INTEREST & RENT	\$35,500	\$34,200	96%	\$23,000	\$27,331	119%
OTHER FINANCING SOURCES	\$0	—	—	\$0	—	—
USE OF FUND BALANCE	-\$75,500	—	0%	-\$58,000	—	0%
REVENUES TOTAL	\$0	\$116,200	—	\$0	\$76,131	—
EXPENDITURES						
PUBLIC WORKS	\$0	—	—	\$0	—	—
EXPENDITURES TOTAL	\$0	—	—	\$0	—	—

Major Street Fund

Total revenues are lower than the previous year by approximately \$1.2M as a result of a decrease in funding from the General Fund. State funding is at 46% of budget as a result of February and March road funding being received after the quarter ended.

Overall expenditures are \$.8M lower than the previous year as a result of the timing of construction and maintenance of streets.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
SPECIAL ASSESSMENTS	\$0	–	–	\$0	–	–
FEDERAL GRANTS	\$0	–	–	\$0	–	–
STATE GRANTS	\$2,567,880	\$1,181,295	46%	\$1,841,950	\$1,128,017	61%
LOCAL CONTRIBUTIONS	\$72,250	–	0%	\$0	\$2,197	–
CHARGES FOR SERVICES	\$0	\$37,263	–	\$0	–	–
INTEREST & RENT	\$72,000	\$185,783	258%	\$35,180	\$126,737	360%
OTHER REVENUE	\$0	\$5,000	–	\$0	\$3,252	–
OTHER FINANCING SOURCES	\$1,750,000	\$1,312,500	75%	\$3,500,000	\$2,625,000	75%
USE OF FUND BALANCE	\$5,937,386	–	0%	\$5,260,649	–	0%
REVENUES TOTAL	\$10,399,516	\$2,721,840	26%	\$10,637,779	\$3,885,204	37%
EXPENDITURES						
PUBLIC WORKS						
FINANCE DEPARTMENT	\$21,410	\$16,520	77%	\$19,670	\$15,372	78%
TRAFFIC CONTROLS	\$1,967,852	\$727,149	37%	\$1,301,797	\$351,919	27%
TRAFFIC ENGINEERING	\$44,630	\$30,470	68%	\$45,610	\$29,961	66%
CONSTRUCTION	\$6,947,180	\$1,212,307	17%	\$7,721,145	\$2,331,875	30%
BRIDGE MAINTENANCE	\$110,000	\$15,108	14%	\$68,650	\$15,747	23%
STREET MAINTENANCE	\$400,035	\$167,474	42%	\$419,606	\$200,385	48%
STREET CLEANING	\$210,180	\$60,134	29%	\$236,050	\$122,633	52%
STREET TREES	\$462,130	\$358,420	78%	\$471,580	\$332,511	71%
SNOW AND ICE CONTROL	\$156,100	\$109,466	70%	\$278,670	\$73,319	26%
HIGHWAYS & STREETS	\$80,000	\$56,136	70%	\$75,000	\$66,967	89%
PUBLIC WORKS TOTAL	\$10,399,516	\$2,753,185	26%	\$10,637,779	\$3,540,689	33%
TRANSFERS OUT AND OTHER FINANCING USES	\$0	–	–	\$0	–	–
EXPENDITURES TOTAL	\$10,399,516	\$2,753,185	26%	\$10,637,779	\$3,540,689	33%

Local Street Fund

Total revenues for the year are approximately \$1.1M higher than the previous year as a result of higher transfers from the General Fund. As with the Major Street Fund, State grants are generally received two months after the close of the month which explains the low budget to actual variance.

Expenditures are approximately \$2.5 million higher than the previous year, primarily due to increased construction costs driven by public improvements associated with the Arlington, Shirley, and Brandon Road Project.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
SPECIAL ASSESSMENTS	\$537,160	\$156,351	29%	\$237,740	\$120,308	51%
FEDERAL GRANTS	\$0	–	–	\$0	–	–
STATE GRANTS	\$780,300	\$475,628	61%	\$752,340	\$453,933	60%
LOCAL CONTRIBUTIONS	\$0	–	–	\$0	\$2,785	–
CHARGES FOR SERVICES	\$0	\$111,788	–	\$0	–	–
INTEREST & RENT	\$114,100	\$135,998	119%	\$42,000	\$89,351	213%
OTHER REVENUE	\$5,000	\$8,604	172%	\$5,000	\$20,358	407%
OTHER FINANCING SOURCES	\$4,750,000	\$3,562,500	75%	\$3,500,000	\$2,625,000	75%
USE OF FUND BALANCE	\$3,870,741	–	0%	\$1,749,927	–	0%
REVENUES TOTAL	\$10,057,301	\$4,450,869	44%	\$6,287,007	\$3,311,736	53%
EXPENDITURES						
PUBLIC WORKS						
FINANCE DEPARTMENT	\$29,350	\$22,197	76%	\$27,690	\$21,258	77%
TRAFFIC CONTROLS	\$34,550	\$22,986	67%	\$33,760	\$24,825	74%
TRAFFIC ENGINEERING	\$46,230	\$28,067	61%	\$40,350	\$24,138	60%
CONSTRUCTION	\$7,813,742	\$2,884,213	37%	\$3,518,045	\$267,397	8%
BRIDGE MAINTENANCE	\$80,000	\$5,131	6%	\$91,320	\$20,943	23%
STREET MAINTENANCE	\$534,979	\$306,415	57%	\$1,122,682	\$532,944	47%
STREET CLEANING	\$324,140	\$262,330	81%	\$265,690	\$241,137	91%
STREET TREES	\$1,038,969	\$890,223	86%	\$982,950	\$810,662	82%
SNOW AND ICE CONTROL	\$125,340	\$128,753	103%	\$179,520	\$76,143	42%
HIGHWAYS & STREETS	\$30,000	\$18,712	62%	\$25,000	\$22,322	89%
PUBLIC WORKS TOTAL	\$10,057,301	\$4,569,028	45%	\$6,287,007	\$2,041,770	32%
EXPENDITURES TOTAL	\$10,057,301	\$4,569,028	45%	\$6,287,007	\$2,041,770	32%

Solid Waste Fund

Revenue and expenditures are approximately the same as the prior fiscal year.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
TAXES	\$2,338,490	\$2,341,264	100%	\$2,343,860	\$2,344,783	100%
STATE GRANTS	\$5,000	\$3,939	79%	\$4,000	\$4,976	124%
CHARGES FOR SERVICES	\$0	\$1,440	–	\$100	\$2,908	2,908%
INTEREST & RENT	\$60,000	\$59,646	99%	\$20,000	\$44,389	222%
OTHER REVENUE	\$0	\$241	–	\$300	\$200	67%
USE OF FUND BALANCE	\$3	–	0%	\$3,672	–	0%
REVENUES TOTAL	\$2,403,493	\$2,406,530	100%	\$2,371,932	\$2,397,256	101%
EXPENDITURES						
PUBLIC WORKS	\$2,403,493	\$1,735,008	72%	\$2,371,932	\$1,643,059	69%
EXPENDITURES TOTAL	\$2,403,493	\$1,735,008	72%	\$2,371,932	\$1,643,059	69%

Senior Services Fund

On November 7, 2023, the City of Birmingham voters approved a .33 millage for a three-year term, ending July 1, 2027 for a Senior Services Fund. This fund was established to provide for improvements to the

newly purchased senior center building and/or other senior services. Once an analysis of the senior center is completed, a plan for the use of this funding will be established.

Currently there is \$1.1M in revenue generated for this fiscal year. No expenditures have been budgeted for this fiscal year.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
TAXES	\$1,136,250	\$1,127,787	99%	\$0	-	-
INTEREST & RENT	\$28,000	\$28,481	102%	\$0	-	-
USE OF FUND BALANCE	-\$1,164,250	-	0%	\$0	-	-
REVENUES TOTAL	\$0	\$1,156,268	-	\$0	-	-
EXPENDITURES						
HEALTH AND WELFARE	\$0	-	-	\$0	-	-
EXPENDITURES TOTAL	\$0	-	-	\$0	-	-

Brownfield Redevelopment Authority Fund

Revenues are approximately higher by \$.1M than the prior year. This is the result of higher property taxes being captured on brownfield sites.

Reimbursement to developers for site contamination were approximately the same as prior the prior year.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
TAXES	\$580,670	\$562,855	97%	\$481,830	\$464,340	96%
STATE GRANTS	\$0	-	-	\$0	-	-
CHARGES FOR SERVICES	\$0	-	-	\$0	-	-
INTEREST & RENT	\$4,000	\$4,870	122%	\$880	\$3,944	448%
OTHER REVENUE	\$10,000	-	0%	\$20,000	\$2,464	12%
OTHER FINANCING SOURCES	\$0	-	-	\$0	-	-
USE OF FUND BALANCE	-\$4,000	-	0%	\$45,820	-	0%
REVENUES TOTAL	\$590,670	\$567,725	96%	\$548,530	\$470,748	86%
EXPENDITURES						
COMMUNITY AND ECONOMIC DEVELOPMENT	\$590,670	\$566,973	96%	\$548,530	\$462,145	84%
EXPENDITURES TOTAL	\$590,670	\$566,973	96%	\$548,530	\$462,145	84%

Triangle District Corridor Improvement Authority Fund

The City is attempting to re-engage with the County regarding tax capture for the district. To-date no property taxes have been captured and no funds spent on this activity.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
TAXES	\$0	-	-	\$0	-	-
INTEREST & RENT	\$600	\$610	102%	\$220	\$438	199%

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
OTHER REVENUE	\$0	–	–	\$0	–	–
OTHER FINANCING SOURCES	\$0	–	–	\$0	–	–
USE OF FUND BALANCE	-\$600	–	0%	-\$220	–	0%
REVENUES TOTAL	\$0	\$610	–	\$0	\$438	–
EXPENDITURES						
COMMUNITY AND ECONOMIC DEVELOPMENT	\$0	–	–	\$0	–	–
EXPENDITURES TOTAL	\$0	–	–	\$0	–	–

Indigent Defense Fund

Revenues and expenditures are approximately the same as the prior fiscal year.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
STATE GRANTS	\$489,500	\$364,921	75%	\$494,100	\$359,812	73%
LOCAL CONTRIBUTIONS	\$17,600	–	0%	\$17,600	\$0	0%
INTEREST & RENT	\$7,600	\$10,660	140%	\$3,000	\$6,078	203%
USE OF FUND BALANCE	\$0	–	–	\$0	–	–
REVENUES TOTAL	\$514,700	\$375,581	73%	\$514,700	\$365,891	71%
EXPENDITURES						
HEALTH AND WELFARE	\$514,700	\$318,469	62%	\$514,700	\$304,356	59%
EXPENDITURES TOTAL	\$514,700	\$318,469	62%	\$514,700	\$304,356	59%

Law and Drug Enforcement Fund

Revenues are dependent on receipt of forfeited property proceeds as a result of prosecution of drug cases.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
FEDERAL GRANTS	\$0	–	–	\$0	–	–
INTEREST & RENT	\$6,000	\$9,440	157%	\$0	\$6,014	–
FINES & FORFEITURES	\$25,000	\$18,491	74%	\$25,000	\$105,958	424%
OTHER REVENUE	\$0	–	–	\$0	–	–
USE OF FUND BALANCE	\$1,900	–	0%	\$29,790	–	0%
REVENUES TOTAL	\$32,900	\$27,931	85%	\$54,790	\$111,973	204%
EXPENDITURES						
PUBLIC SAFETY	\$32,900	\$31,278	95%	\$54,790	\$3,878	7%
EXPENDITURES TOTAL	\$32,900	\$31,278	95%	\$54,790	\$3,878	7%

Principal Shopping District

Revenues and expenditures are approximately the same as the prior fiscal year. Special assessments are normally billed in January.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
SPECIAL ASSESSMENTS	\$1,202,710	\$1,022,461	85%	\$1,201,500	\$1,020,653	85%
FEDERAL GRANTS	\$0	–	–	\$0	–	–
LOCAL CONTRIBUTIONS	\$0	\$2,500	–	\$0	\$1,000	–
CHARGES FOR SERVICES	\$25,000	\$25,000	100%	\$25,000	\$25,000	100%
INTEREST & RENT	\$36,000	\$41,696	116%	\$5,420	\$23,205	428%
OTHER REVENUE	\$230,000	\$194,516	85%	\$220,000	\$174,846	79%
OTHER FINANCING SOURCES	\$0	–	–	\$0	–	–
USE OF FUND BALANCE	\$62,619	–	0%	\$111,004	–	0%
REVENUES TOTAL	\$1,556,329	\$1,286,173	83%	\$1,562,924	\$1,244,704	80%
EXPENDITURES						
COMMUNITY AND ECONOMIC DEVELOPMENT	\$1,556,329	\$983,543	63%	\$1,562,924	\$967,965	62%
EXPENDITURES TOTAL	\$1,556,329	\$983,543	63%	\$1,562,924	\$967,965	62%

Baldwin Public Library Fund

Revenue are approximately \$.3M higher than the previous year as a result of an increase in property tax revenue.

Expenditures are approximately \$2.5M lower than last year due to building construction related activities in 2024.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
TAXES	\$4,482,490	\$4,491,448	100%	\$4,172,572	\$4,173,278	100%
FEDERAL GRANTS	\$0	\$1,050	–	\$16,000	–	0%
STATE GRANTS	\$45,000	\$7,011	16%	\$49,980	\$27,681	55%
LOCAL CONTRIBUTIONS	\$1,134,860	\$759,912	67%	\$1,103,253	\$791,190	72%
CHARGES FOR SERVICES	\$27,500	\$26,237	95%	\$30,700	\$22,951	75%
INTEREST & RENT	\$5,000	\$83,631	1,673%	\$80,000	\$81,922	102%
FINES & FORFEITURES	\$5,000	\$5,987	120%	\$5,000	\$4,666	93%
OTHER REVENUE	\$0	\$118	–	\$260,000	\$263	0%
OTHER FINANCING SOURCES	\$0	–	–	\$0	–	–
USE OF FUND BALANCE	-\$715,210	–	0%	\$2,203,880	–	0%
REVENUES TOTAL	\$4,984,640	\$5,375,395	108%	\$7,921,385	\$5,101,951	64%
EXPENDITURES						
RECREATION AND CULTURE	\$4,984,640	\$3,476,235	70%	\$8,060,721	\$5,938,173	74%
EXPENDITURES TOTAL	\$4,984,640	\$3,476,235	70%	\$8,060,721	\$5,938,173	74%

Community Development Block Grant Fund

Revenue and expenditures are lower than the prior year, as they are determined by reimbursement requests.

CDBG expenditures for this fiscal year represent work for yard services and minor home repair.

COMMUNITY DEVELOPMENT BLOCK GRANT FUND

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						

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	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
FEDERAL GRANTS	\$84,970	\$25,958	31%	\$65,640	\$3,950	6%
USE OF FUND BALANCE	\$0	—	—	\$0	—	—
REVENUES TOTAL	\$84,970	\$25,958	31%	\$65,640	\$3,950	6%
EXPENDITURES						
HEALTH AND WELFARE	\$84,970	\$25,958	31%	\$65,640	\$46,340	71%
EXPENDITURES TOTAL	\$84,970	\$25,958	31%	\$65,640	\$46,340	71%

Opioid Settlement Fund

This fund accounts for the distribution of the national opioid settlement with pharmaceutical companies. Funds from this settlement are restricted to prevention and treatment programs and recovery services.

Revenues are dependent on periodic receipts from settlements throughout the fiscal year.

Expenditures have increased compared to the previous year due to costs associated with mental health co-responders, which were covered by grants in the prior year.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
INTEREST & RENT	\$1,000	\$2,630	263%	\$0	\$814	—
OTHER REVENUE	\$50,000	\$33,173	66%	\$50,000	—	0%
USE OF FUND BALANCE	-\$1,000	—	0%	\$0	—	—
REVENUES TOTAL	\$50,000	\$35,804	72%	\$50,000	\$814	2%
EXPENDITURES						
HEALTH AND WELFARE	\$50,000	\$20,778	42%	\$50,000	—	0%
EXPENDITURES TOTAL	\$50,000	\$20,778	42%	\$50,000	—	0%

Debt Service Fund

Budgeted revenues and expenditures are based on scheduled debt service payments. Expenditures are at 99% spent for the year as a result of making all debt payments for the year by March.

March 31

	BUDGET	YTD ACTUAL		BUDGET - PRIOR YR	YTD ACTUAL - PRIOR YR	
	FY2025	FY2025	% OF BUDGET	FY2024	FY2024	% OF BUDGET - PRIOR YR
REVENUES						
TAXES	\$788,860	\$790,844	100%	\$1,637,910	\$1,639,832	100%
STATE GRANTS	\$1,670	\$2,741	164%	\$2,770	\$3,324	120%
INTEREST & RENT	\$3,300	\$8,532	259%	\$5,500	\$6,015	109%
OTHER REVENUE	\$0	—	—	\$0	—	—
OTHER FINANCING SOURCES	\$0	—	—	\$0	—	—
USE OF FUND BALANCE	\$0	—	—	\$0	—	—
REVENUES TOTAL	\$793,830	\$802,116	101%	\$1,646,180	\$1,649,171	100%
EXPENDITURES						
DEBT SERVICE	\$793,830	\$785,822	99%	\$1,646,180	\$1,645,673	100%
EXPENDITURES TOTAL	\$793,830	\$785,822	99%	\$1,646,180	\$1,645,673	100%



MEMORANDUM

Finance

DATE: May 13, 2025

TO: Jana L. Ecker, City Manager

FROM: Mary J. Chavez, Finance Director/Treasurer Designee

SUBJECT: 3rd Quarter Investment Report

Public Act 213 of 2007 requires investment reporting on the City's general investments to be provided to the City Commission on a quarterly basis. This information is also required to be provided annually, which the City has and will continue to include within the audited financial statements.

General investments of the City are governed by State law and the City's General Investment Policy approved by the City Commission. The services of an outside investment advisor are utilized to assist the Treasurer in determining which types of investments are most appropriate and permitted under the investment policy, maximize the return on the City's investments within investment policy constraints and provide for cash flow needs.

The two primary objectives for investment of City funds are the preservation of principal and liquidity to protect against losses and provide sufficient funds to enable the City to meet all operating requirements that might be reasonably anticipated. Investment activities include all City funds except the retirement and retiree health-care funds as follows:

- General Fund
- Permanent Funds
- Special Revenue Funds
- Capital Projects Fund
- Enterprise Funds
- Debt Service Funds
- Component Unit Funds
- Internal Service Funds

Overall, the City has \$133.2 million invested in various securities according to its general investment policy as of March 31, 2025.

The City has two pooled funds (CLASS Pool and J-Fund), which are used to meet payroll, contractor and other accounts payable needs. As indicated on the attached schedule, there is approximately \$10.4 million invested in pooled funds at the end of December. A maximum of 50% of the portfolio may be invested in pooled funds that meet State guidelines. The amount currently invested in pooled funds is 8%.

The City also holds approximately \$81.2 million, or 61%, of its investments in treasury notes and bills, which are obligations of the United States. The maximum amount of investments that may be held in government securities is 100%.

Investments in Federal agencies total approximately \$41.5 million, or 31%, of the City's investments. The maximum amount of the portfolio that may be invested in Federal agencies is 75%.

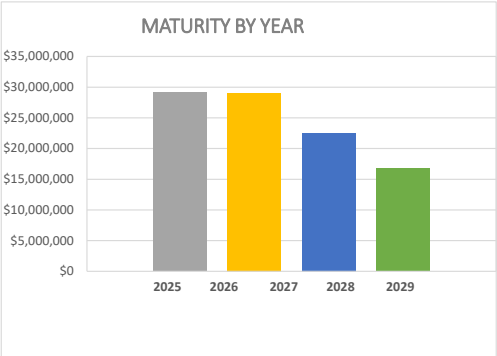
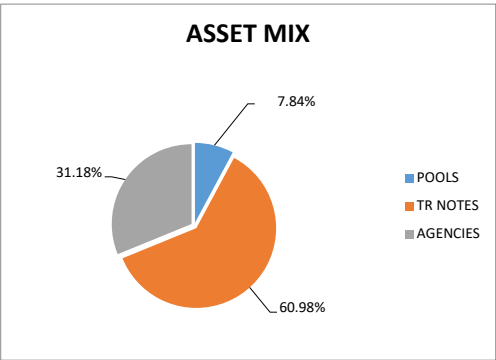
The Investment Policy requires that the average maturity of the portfolio may not exceed two and one-half years. The current average maturity of the portfolio is 1.9 years.

**CITY OF BIRMINGHAM
GENERAL INVESTMENT PORTFOLIO SUMMARY**

3/31/2025

YEAR	MATURITY DATE	DESCRIPTION	% YIELD	*	CURRENT MARKET VALUE	PAR VALUE	COST	YEARLY TOTAL
	3/31/2025	CLASS POOL	4.416%	CITY	2,465,214.65	2,465,214.65	2,465,214.65	
	3/31/2025	J FUND	4.120%	CITY	7,984,566.83	7,984,566.83	7,984,566.83	10,449,781.48
2025	4/22/2025	AGENCY	0.625%	INSIGHT	3,492,370.00	3,500,000.00	3,358,074.00	
	5/15/2025	TR NOTE	2.750%	INSIGHT	1,996,320.00	2,000,000.00	1,958,991.08	
	6/17/2025	AGENCY	4.126%	INSIGHT	1,983,620.00	2,000,000.00	1,948,596.00	
	6/30/2025	AGENCY	0.750%	INSIGHT	1,982,360.00	2,000,000.00	2,000,000.00	
	7/15/2025	TR NOTE	4.233%	INSIGHT	2,988,660.00	3,000,000.00	2,903,095.99	
	8/15/2025	TR NOTE	3.037%	INSIGHT	1,983,040.00	2,000,000.00	1,937,506.70	
	9/15/2025	TR NOTE	4.187%	INSIGHT	2,990,640.00	3,000,000.00	2,942,939.74	
	10/15/2025	TR NOTE	4.457%	INSIGHT	1,500,330.00	1,500,000.00	1,491,386.71	
	10/31/2025	TR NOTE	3.167%	INSIGHT	2,482,900.00	2,500,000.00	2,487,020.09	
	11/15/2025	TR NOTE	3.025%	INSIGHT	1,976,960.00	2,000,000.00	1,951,959.83	
	12/15/2025	TR NOTE	5.023%	INSIGHT	1,998,500.00	2,000,000.00	1,958,287.95	25,375,700.00
2026	1/15/2026	TR NOTE	5.005%	INSIGHT	3,993,360.00	4,000,000.00	3,957,669.66	
	2/25/2026	AGENCY	3.577%	INSIGHT	1,489,650.00	1,500,000.00	1,487,659.50	
	3/31/2026	TR NOTE	4.144%	INSIGHT	2,947,320.00	3,000,000.00	2,816,142.86	
	4/15/2026	TR NOTE	3.750%	INSIGHT	1,993,760.00	2,000,000.00	1,963,131.70	
	5/26/2026	AGENCY	5.015%	INSIGHT	1,909,488.75	1,965,000.00	1,797,385.50	
	6/16/2026	AGENCY	4.203%	INSIGHT	2,980,470.00	3,000,000.00	2,928,240.00	
	7/15/2026	TR NOTE	4.500%	INSIGHT	2,012,580.00	2,000,000.00	2,032,116.08	
	7/27/2026	AGENCY	4.412%	INSIGHT	1,509,570.00	1,500,000.00	1,504,590.00	
	8/14/2026	AGENCY	4.731%	INSIGHT	1,509,975.00	1,500,000.00	1,490,415.00	
	9/11/2026	AGENCY	4.963%	INSIGHT	2,023,520.00	2,000,000.00	1,995,156.00	
	10/15/2026	TR NOTE	4.847%	INSIGHT	3,029,760.00	3,000,000.00	2,981,611.61	
	11/15/2026	TR NOTE	4.852%	INSIGHT	1,939,380.00	2,000,000.00	1,838,131.70	
	12/18/2026	AGENCY	4.790%	INSIGHT	1,787,394.70	1,885,000.00	1,675,380.46	29,126,228.45
2027	1/15/2027	TR NOTE	4.082%	INSIGHT	4,004,240.00	4,000,000.00	4,016,888.40	
	2/15/2027	TR NOTE	4.267%	INSIGHT	1,505,385.00	1,500,000.00	1,495,669.09	
	3/15/2027	TR NOTE	3.463%	INSIGHT	2,012,580.00	2,000,000.00	2,036,959.83	
	3/31/2027	TR NOTE	4.071%	INSIGHT	1,460,160.00	1,500,000.00	1,406,430.81	
	4/30/2027	TR NOTE	4.867%	INSIGHT	1,465,725.00	1,500,000.00	1,398,930.81	
	5/5/2027	TR NOTE	4.265%	INSIGHT	1,517,820.00	1,500,000.00	1,508,266.74	
	6/30/2027	TR NOTE	3.701%	INSIGHT	2,959,680.00	3,000,000.00	2,943,867.19	
	7/15/2027	TR NOTE	4.111%	INSIGHT	1,515,525.00	1,500,000.00	1,509,965.96	
	8/15/2027	TR NOTE	4.510%	INSIGHT	1,878,025.50	1,950,000.00	1,799,643.25	
	9/30/2027	TR NOTE	4.005%	INSIGHT	1,508,730.00	1,500,000.00	1,507,851.56	
	10/13/2027	AGENCY	4.885%	INSIGHT	3,060,780.00	3,000,000.00	2,985,456.00	
	11/15/2027	TR NOTE	2.250%	INSIGHT	1,918,600.00	2,000,000.00	1,927,819.20	
	11/30/2027	TR NOTE	4.513%	INSIGHT	1,699,269.00	1,700,000.00	1,658,701.01	
	12/1/2027	AGENCY	3.803%	INSIGHT	1,506,195.00	1,500,000.00	1,520,295.00	
	12/10/2027	AGENCY	4.140%	INSIGHT	1,003,380.00	1,000,000.00	999,570.00	29,016,094.50
2028	1/31/2028	TR NOTE	3.470%	INSIGHT	2,968,590.00	3,000,000.00	3,002,705.36	
	2/29/2028	TR NOTE	4.736%	INSIGHT	2,005,860.00	2,000,000.00	1,942,272.32	
	3/10/2028	AGENCY	3.539%	INSIGHT	1,600,515.00	1,575,000.00	1,641,386.25	
	5/15/2028	TR NOTE	3.490%	INSIGHT	2,910,120.00	3,000,000.00	2,937,431.92	
	6/30/2028	AGENCY	4.433%	INSIGHT	1,502,805.00	1,500,000.00	1,471,840.50	
	7/31/2028	TR NOTE	4.825%	INSIGHT	1,510,605.00	1,500,000.00	1,455,825.34	
	8/28/2028	AGENCY	4.454%	INSIGHT	1,829,016.00	1,800,000.00	1,803,792.60	
	9/22/2028	AGENCY	4.779%	INSIGHT	2,032,460.00	2,000,000.00	1,975,600.00	
	10/31/2028	TR NOTE	4.875%	INSIGHT	3,095,520.00	3,000,000.00	3,157,744.43	
	11/24/2028	AGENCY	4.350%	INSIGHT	1,520,745.00	1,500,000.00	1,490,700.00	
	11/30/2028	AGENCY	1.500%	INSIGHT	1,523,325.00	1,500,000.00	1,487,758.93	22,499,561.00
2029	1/31/2029	TR NOTE	4.375%	INSIGHT	1,002,730.00	1,000,000.00	984,378.35	
	2/28/2029	TR NOTE	0.350%	INSIGHT	1,011,720.00	1,000,000.00	983,011.16	
	4/10/2029	AGENCY	4.000%	INSIGHT	1,523,250.00	1,500,000.00	1,485,489.00	
	5/31/2029	TR NOTE	4.500%	INSIGHT	1,021,680.00	1,000,000.00	1,003,128.35	
	6/8/2029	AGENCY	3.789%	INSIGHT	2,049,280.00	2,000,000.00	2,072,500.00	
	7/31/2029	TR NOTE	4.000%	INSIGHT	3,007,860.00	3,000,000.00	3,067,744.42	
	8/31/2029	TR NOTE	3.125%	INSIGHT	2,902,140.00	3,000,000.00	2,948,095.99	
	9/30/2029	AGENCY	3.521%	INSIGHT	1,711,027.50	1,750,000.00	1,748,295.50	
	10/31/2029	TR NOTE	4.114%	INSIGHT	2,518,350.00	2,500,000.00	2,501,180.25	16,748,037.50
			3.942%		122,765,621.45	133,574,781.48	131,732,465.16	133,215,402.93

AVERAGE MATURITY (YEARS): 1.94



POOLS	\$10,449,781.48	7.84%
TR NOTES	\$81,234,424.50	60.98%
AGENCIES	\$41,531,196.95	31.18%
TOTAL	\$133,215,402.93	100.00%

* INSIGHT: \$122,765,621.45
*ASSIGNED TO CITY: \$10,449,781.48
\$133,215,402.93

COMPARATIVE RETURNS			
	City Portfolio	1-Yr TR	2-Yr TR
Current Quarter	3.94%	4.06%	3.97%
Prior Quarter	3.76%	4.01%	4.29%
1 Year Ago	3.28%	5.03%	4.59%

CITY CLERK
CITY OF BIRMINGHAM
P.O. BOX 3001, 151 MARTIN STREET
BIRMINGHAM, MI 48012

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE
COMMISSION NOTICE OF HEARING
FOR THE ELECTRIC CUSTOMERS OF
DTE ELECTRIC COMPANY
CASE NO. U-21909**

- DTE Electric Company requests Michigan Public Service Commission's approval to implement a Performance Based Ratemaking mechanism.
- The information below describes how a person may participate in this case.
- You may call or write DTE Electric Company 1 Energy Plaza, Detroit, MI 48226, (800) 477-4747 for a free copy of its application. Any person may review the documents at the offices of DTE Electric Company or on the Commission's website at: <https://mi-psc.my.site.com/s/>.
- A pre-hearing will be held:

DATE/TIME: Tuesday, June 3, 2025 at 9:00 AM

BEFORE: Administrative Law Judge Lesley C. Fairrow

LOCATION: Video/Teleconference

PARTICIPATION: Any interested person may participate. Persons needing any assistance to participate or who are seeking access to the video/teleconference should contact the Administrative Law Judge's secretary at (517) 284-8130 or by email at LARA-MOHR-PSC@michigan.gov in advance of the hearing.

The Michigan Public Service Commission (Commission) will hold a pre-hearing to consider DTE Electric Company's (DTE Electric) April 15, 2025 application requesting the Commission to: 1) approve DTE Electric's Performance Based Ratemaking Mechanism and proposed updates thereto as consistent with the Commission's February 27, 2025 Order and all other applicable law; 2) approve DTE Electric's proposals regarding timelines and processes for filing and evaluating data related to: (a) actual performance in each of the metrics during each calendar year a mechanism is in effect, (b) performance relative to established baselines, (c) calculation of the financial incentive or disincentive based on performance relative to the baseline, and (d) utilization of regulatory accounting treatment for the financial incentive or disincentive that is determined; and 3) grant DTE Electric any further relief as may be lawful and appropriate.

INFORMATION ONLY

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: <https://mi-psc.my.site.com/s/>. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by May 27, 2025. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon DTE Electric Company's attorney, John A. Janiszewski, One Energy Plaza, 1635 WCB, Detroit, MI 48266.

The prehearing is scheduled to be held remotely by video conference or teleconference. Persons filing a petition to intervene will be advised of the process for participating in the hearing.

Any person wishing to appear at the hearing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of their wish to make a statement of position. Mich Admin Code, R 792.10413 (Rule 413).

Any person wishing to file a public comment may do so by filing a written statement in this docket. The written statement may be mailed or emailed and should reference Case No. **U-21909**. Statements may be emailed to: mpscedockets@michigan.gov. Statements may be mailed to: Executive Secretary, Michigan Public Service Commission, 7109 West Saginaw Hwy., Lansing, MI 48917.

All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private. For more information on how to participate in a case, you may contact the Executive Secretary at the above address or by telephone at (517) 284-8090.

Requests for adjournment must be made pursuant to Michigan Office of Administrative Hearings and Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and Parts 1 & 4 of the Administrative Hearing Rules of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, R 792.10106(2), (3), (4), (5), (6), and (7); R 792.10121; and R 792.10401 through R 792.10448.

U-21909

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Michigan Health Watch

As Michigan ages, funding gaps widen for senior centers. Some call for change



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May 9, 2025

[Robin Erb \(Email\)](#)[Michigan Health Watch](#)

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ADAURIS.AI

- **Senior centers may be more important than ever as Michigan confronts an aging crisis**
- **Many centers are forced to cobble together funding to survive because of the state's hodgepodge of local millages**
- **That builds wide inequities in the system — from country club-like centers that stand on their own to those fitted into old buildings or tucked into parks and rec departments**

ROCHESTER — Entering the sprawling OPC Social & Activity Center is an exercise in choice:

Pickleball or pottery? Table tennis or tai chi?

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Providing space for engagement and companionship is among the core missions of Michigan's senior centers. Performers of the spring variety show at the OPC Social & Activity Center in Rochester sing "Time Warp" from "The Rocky Horror Picture Show." (Charlie Nick for Bridge Michigan)

But this is a tale of two senior centers in Michigan, a state aging faster than most others. Each day, an average of 380 more Michiganders turn 65.

Yet the state's network of centers is largely built on a hodgepodge of local taxes that advocates say has created a system of have and have-nots — and led to calls for change that have gone unanswered in Lansing.

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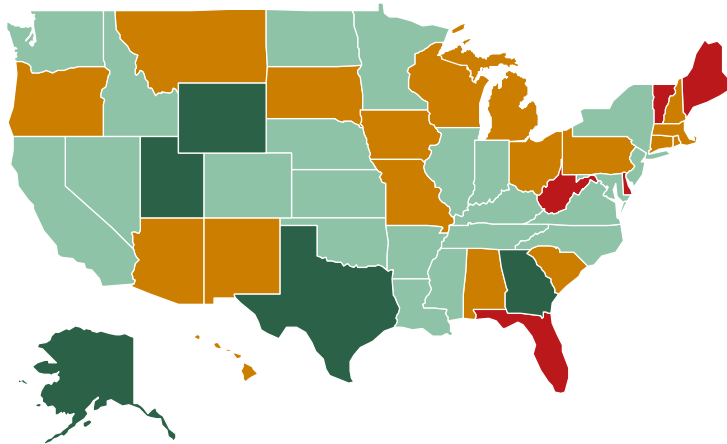
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But a rapidly graying population is putting extra pressure not only on centers, but also — as Bridge [has reported](#) — on the state's infrastructure of services that's both disjointed and becoming overwhelmed.

Michigan goes gray

Michigan has one of the oldest populations, with over 18% of the population now 65 years old or older.



Percent 65 or older

- More than 20%
- 17.5 to 19.9%
- 15 to 17.4%
- Less than 15%

Source: Bridge Michigan analysis of U.S. Census data.

— Mike Wilkinson



An hour south of Rochester's 90,000 square-foot facility is the Plymouth Friendship Center. Both serve areas whose median income is above-average.

The experience is worlds apart.

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Unlike the Rochester community that supports the OPC with a 0.32-mill levy that raises more than \$2.5 million each year, Plymouth voters don't pay for a senior tax.

Related:

- [Crush of retirees a crisis in Michigan. State unprepared to meet their needs](#)
- [How to plan for aging in Michigan or take care of others: What to know](#)
- [Experts: Michigan lawmakers should make 6 fixes to improve senior care](#)
- [Unlocking the secrets of Michigan's 'superagers,' who defy golden years](#)
- [Whitmer proposes more money for Michigan's aging crisis. Is it enough?](#)

Twelve of Michigan's 83 counties have no extra tax for senior care, including three of the largest: Wayne, Oakland and Macomb. Funding from those taxes can vary dramatically, from \$38 annually per senior in Iron County to \$301 in Otsego County.

Statewide, 21 cities also add on a separate tax for services. In Plymouth, the issue has never gone before voters, said Bobbie Pummill, director of the Plymouth Community Council on Aging.



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Council on Aging. (Robin Erb/Bridge Michigan)

Rather, as the center's only full-time employee, Pummill asks for money each budget cycle. Some funds come from the city of Plymouth, Plymouth Township and the United Way, while the township provides the building and pays utilities.

Until recently, the budget was bolstered by COVID-era funds and some community grants — enough to “float it out for a few years,” Pummill said.

For Easter, the center's part-time accountant used her own money for the nine dozen eggs and other groceries for Easter breakfast April 17. Another board member helped cook for the more than 50 residents who stopped by.

Another donation will pay for decorations for the upcoming 1960s-themed celebration, while a local business has stepped up to pay for the music.

Pummill said she receives about 300 calls or visits a year from seniors asking for services — help paying bills, finding home help, and otherwise navigating Michigan's complex structure of aging services.

Take a look inside the OPC in Rochester, Michigan, a senior...



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place people go to for help, but the last in line for funding opportunities.”

Whose priorities?

That is a question about priorities, said Rod Auton, manager of Senior Services in Calhoun County in south central Michigan.

There, \$3.5 million per year collected from a local tax are “absolutely critical,” he said.

SPONSOR

Combined with [Older Americans Act](#) dollars and other sources, last year those funds helped pay for fitness classes as well as 1,070 home-delivered and congregate meals, 3,131 rides, 520 vision, hearing and dental services, 869 sessions to help people navigate benefits, and 304 heating bills. Others received help for caregiving, legal assistance and money management and even for minor home repairs — patching a roof leak or fixing broken porch steps, he said.

“It’s about how we define a community and what it means to be part of a community. Within that definition, there’s got to be something about caring for our neighbors,” Auton said.

The core mission of senior centers — big, small, urban or rural — is to keep older

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care.

Even a semi-private nursing home room in Michigan cost about [\\$10,570](#) a month in 2023, a bill that can quickly wipe out a residents' savings. That, in turn, forces taxpayer-funded Medicaid to pick up the cost. About 2 in 3 residents of Michigan nursing homes are now paid by Medicaid.

"If we don't take care of our older adults so they can stay at home, who pays that Medicaid?" Auton said. "At the end of the day, the cost of care comes back to us, and it's going to be much more expensive if it's care in a nursing home."

Phillips agrees.

"We have to be forward-thinking and stop apologizing for needing to operate our senior centers like a business," Phillips said.

While Lansing is considering legislation to [protect older residents from scams](#) and [stay in homes](#), there's no movement to change the funding of senior centers.



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Nick for Bridge Michigan)

Federal money. Sometimes.

Michigan isn't alone in its cobbled funding for senior centers, said Pam Curtis, CEO of the Senior Resources of West Michigan.

The agency serves three west Michigan counties, and it must coordinate services from a variety of local funding. Oceana County's millage covers about [70% of the costs](#) for its Council on Aging, which serves residents 60 and older. Muskegon passed its first millage in 2016 and renewed it last year. And while some Ottawa County local communities have senior millages, other communities do not. Neither is there a county-wide millage.

In fact, Michigan does more than many other states in bolstering federal funds with local millages, said Curtis, who also is president of [USAging](#), the national organization that represents Area Agencies on Aging like Senior Resources.

Certainly, communities that wish to support seniors in a robust way should be able to do so, she said.

And she acknowledged: Millages aren't easy and they are limited — not only by voters' appetites for them, but by Michigan's [Headlee Amendment](#), too, which limits how much communities can raise taxes.

"Sometimes (voters) might be tapped out. Sometimes it might be that people just don't have the stomach for it," she said.

At the Senior Services at Macomb County, director Sheila Cote, has wanted to try to pass a tax for years. A task force considered such a tax just before the COVID pandemic, she said.

"Where it hit the wall was just competing interests for funds. and we were coming out

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"At least give us a chance to ask," she said.

City Manager Paul Sincock told Bridge by email that the city is instead considering an "independent senior needs survey" to help guide the city's priorities.

"We need to determine what are the varied needs of this population group," he wrote. "We are seeing a very large range of potential service needs for the area's senior population."

SPONSOR

Alexander, the consultant, said funding senior centers has always been a conundrum — one that's especially critical now.

She suggests a special state fund, earmarked only for essential operations of senior centers, to replace old kitchen equipment, patch roofs, or repair parking lots, she said. That would allow local communities to focus on the programming and services they most need. Senior centers could draw from the account only with their own "matching funds."

Afterall, a small cost can threaten an entire program, said Alexander, who worked under Republican Gov. Rick Snyder.

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Michigan Medicaid has ballooned. Cuts are likely. Here's what to know

May 1, 2025 | [Robin Erb](#) in [Michigan Health Watch](#)



Measles, whooping cough surge in Michigan amid falling vaccination rates

April 24, 2025 | [Janelle D. James](#) in [Michigan Health Watch](#)

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Michigan joins six other states with measles outbreaks. What to know

April 17, 2025 | [The Associated Press](#) in [Michigan Health Watch](#)

How impactful was this article for you?



Michigan Health Watch

Michigan Health Watch is made possible by generous financial support from:

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MOST READ

- 1 **Bridge Michigan News Quiz: May 9, 2025: Mother's Day love**
- 2 **Michigan voters reject half of school bond requests. Blame the economy?**
- 3 **It's state park season in Michigan. What's closed, back open and new?**

EDITOR'S CHOICE

After \$1B and mixed results, Michigan lawmakers cooling on corporate incentives

Pet project day in Lansing: Lawmakers seek \$3.3B for pools, roads and more

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Quarterly Update Sen. McMorrow

Birmingham City Commission
Legislative Update
May 19, 2025



Red Flag law updates

Between Feb 13, 2024 and Feb 6, 2025:

- 321 emergency risk protection orders to seize weapons across the State (7 of which were executed on juveniles and ERPO was used by both UM and MSU police)
- 303 of those remained active as of Feb. 6.

Of the 321 petitions in the first year:

- 212 (66%) referenced past or current mental health issues as one of the reasons for the firearm confiscation
- 96 (30%) mentioned current or past threats of self-harm or suicide in the petition for an extreme risk protection order

EARNED SICK TIME

Amount of paid leave required:

Small Businesses
40 Hours

Large Businesses
72 Hours

** A small business is defined as
10 or fewer employees*

EARNED SICK TIME

Small Business Considerations

- Businesses under 10 will have a runway to implement ESTA (Earned Sick Time Act), October 1, 2025
- New businesses under 10 will have up to 3 years to implement ESTA

Unique Classifications

- Individuals who control their own schedule are exempt
- Unpaid internships and unpaid work trainings are exempt
- Anyone under 17 that has a work permit through YESA is exempt
- An employer is not required to include overtime, holiday pay, bonuses, commissions, or tips in hourly wage

Budget Process

2025-2026

2023-2025 Budget District Wins

FY 2023-2024:

- \$3M - Detroit Zoo Infrastructure
- \$600K - Royal Oak Parking structure
- \$6.5M - Coleman Young Elementary School
- \$10M - Marygrove Conservancy
- \$380K - Berkley Community Center
- \$2M - Oak Park Event Center
- \$300K - Huntington Woods safe streets grant for school crosswalk
- **\$1.8M - Pleasant Ridge community center and water line replacements**
- \$500K - Ferndale Recreation Center
- \$13M - Area Agency on Aging 1B (Ageways) wage increases
- \$5M - Foreign Language Immersion and Cultural Studies School (FLICS) in Detroit Public Schools
- \$2M - Making it Happen Foundation
- \$1M - Junior Achievement Detroit
- \$200K - Women of Tomorrow
- \$2.5M - Detroiters facing eviction for legal support

FY 2024-2025:

- \$7M - Detroit Zoo Infrastructure
- \$1M - Judson Center Royal Oak Campus Reno
- \$50K - Royal Oak Township Recreation Center for Youth and Seniors
- \$1M - Clawson Water Infrastructure
- \$2M - Oak Park Water and Road Infrastructure
- \$2M - Invest Detroit for Senior Housing
- \$1M - Oak Park Community Center
- \$750K - Detroit Symphony Orchestra
- \$2.1M - Marygrove film school
- \$1M - Oakland Health Network
- \$200K - Women of Tomorrow
- City of Detroit:
 - \$1M - Public parks and greenway infrastructure
 - \$3M - Detroit Housing Program
 - \$500k - Sidewalk repairs and maintenance



District Updates



Recent events

Meeting at Lily's Seafood regarding ESTA and minimum wage legislation, Tuesday, Feb 18

Community Conversation with Rep. Price in Birmingham on Thursday, Feb. 27

Coffee and Conversation with Rep. MacDonell in Clawson on Saturday, March 1

Spoke with Royal Oak High School Government students on Monday, March 10

Read at MacDowell Prep, Einstein Elementary, Northwood Elementary, and Oak Park Service Learning Academy for March is Reading Month!

PLEASE continue to invite us/make us aware of events you're hosting or want us to be aware of !

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Show up	We host regular events – come out and be heard.
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