

GREENWOOD CEMETERY ADVISORY BOARD AGENDA
FRIDAY, APRIL 14, 2023
MUNICIPAL BUILDING, 151 MARTIN, ROOM 205
8:30 A.M.

The Greenwood Cemetery Advisory Board provides the recommendations to the City Commission:

1. Modifications: As to modifications of the rules and regulations governing Greenwood Cemetery.
2. Capital Improvements: As to what capital improvements should be made to the cemetery.
3. Future Demands: As to how to respond to future demands for cemetery services.

I. CALL TO ORDER

Chairperson, Linda Buchanan

II. ROLL CALL

City Clerk, Alexandria Bingham

III. APPROVAL OF THE MINUTES

A. Approval of meeting minutes of February 3, 2023

IV. UNFINISHED BUSINESS

A. Update on Cemetery Contract Process

B. Continue discussion of strategic plan – vision, SWOC, mission, and value development

V. NEW BUSINESS

A. Grave Release Recommendation

B. Update on Requests from the Friends of the Museum

C. Planning Future Meetings

a. June 2, 2023 – Review Draft Strategic Plan

b. August 4, 2023 – Prioritize Projects & Begin Annual Report

VI. REPORTS

A. Update from Museum Director Leslie Pielack Re: Marker Preservation

B. Update from Clerk's Office

C. Financial Reports

D. Cemetery Sales & Activity

E. City Managers Report – February 2023 & March 2023

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

VIII. BOARD COMMENTS

IX. ADJOURN

Next Meeting: June 2, 2023

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/98983856041>

Meeting ID: 989 8385 6041

You may also present your written statement to the City Clerk,

151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the meeting.

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) 644-5115 (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 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).

Greenwood Cemetery Advisory Board DRAFT Minutes
February 3, 2023
Municipal Building, 151 Martin
8:30 a.m.

I. Call To Order

Linda Buchanan, Chair, called the meeting to order at 8:30 a.m.

II. Roll Call

Present: Chair Linda Buchanan
Pam DeWeese (left at 9:42 a.m.)
Linda Peterson
Laura Schreiner
George Stern (left at 9:51 a.m.)
Margaret Suter
Joseph Vercellone

Absent: None

Staff: City Clerk Bingham; Deputy Clerk Woods

III. Introduction of Guests

Cheri Arcome of Creative Collaborations answered questions from the Board.

In reply to Board inquiry, Ms. Arcome stated:

- Her typical work week includes sales, burials, vendor coordination, communications with funeral directors, regular inspections of Greenwood, maintenance communications, updating records, customer service, and genealogy;
- Usually if someone wants to purchase a grave, Ms. Arcome would email them the relevant information, meet them at Greenwood at a later date to show them available graves, provide them with instructions for purchasing the grave via email, and then would update the records and issue a deed once payment is received. In burials that were not pre-planned, sometimes Ms. Arcome or the funeral director selects a grave, and then sometimes she works with the family and the funeral director to facilitate grave selection. Persons hoping to bury cremated remains can also reach out to Ms. Arcome to potentially purchase available burial space;
- She advises families initially that often grass seed will not take if too many decorative items are placed on a grave;
- She was not aware of any rules or regulations limiting the number of decorative items that could be left by a grave;
- She is aware of green burials and said she did not personally like burials with only a shroud or burials with biodegradable boxes. She said the former were sometimes upsetting for loved ones and the latter were unsafe in terms of transporting the body. She said she would be willing to pursue green burials further if that was the City's direction;
- Cremations are on the rise, and second and third rights of interment seemed be accommodating most everyone;

- Given the size of Greenwood, there would not be a lot of room for growth. Focusing on maintenance and top-notch service would likely be a more effective focus;
- Since Greenwood is small, she does not work to generate sales leads. The sales leads that do occur usually stem from the community via word-of-mouth, funeral directors, relatives with loved ones at Greenwood, and houses of worship;
- In order to generate more income, the rest of the graves should be released;
- Greenwood's strengths include its historical significance on a state-wide scale and could be used in tours, educational programming, and to procure grants, the advocacy and stewardship of the Greenwood Cemetery Advisory Board, the Endowment Fund, the Museum's involvement, the location of the Cemetery in a residential area, and the Cemetery's importance to the community;
- Greenwood's weaknesses include limited burial space, a declining number of grave sales, no real opportunity to develop additional burial space;
- Greenwood's opportunities include fundraising for educational purposes, audio tours, tour maps, and the Endowment Fund, a partnership with the Museum, educational programming for elementary and middle schoolers, and volunteer opportunities for students and community members;
- Greenwood's challenges include limited space and limited earning opportunities;
- The Cemetery is reaching the end of its revenue life and the Board should be planning to increase the Endowment Fund through fundraising in order to maintain the present maintenance standards into the future;
- She could be available for the May 5, 2023 meeting;
- The split between pre-need and at-need purchases is about equal, presently;
- She only shows graves available to sell. On occasion a family may request that Ms. Arcome verify that there is no available space near a family member, and Ms. Arcome will verify that for a requesting family;
- Tours of the Cemetery tend to be up to two hours for at-need situations;
- Greenwood presently does not allow for a green burial, since vaults are required. She works with three cemeteries that allow for green burials and they have not had one yet, so there is limited demand in the area so far;
- Asking families to remove decorations that have been present for years might be a contentious issue;
- If the Board wants to limit decorations, the consequences for exceeding the limits should be made clear in the Rules and Regulations and possibly posted in the Cemetery;
- Purchasers of graves have not been provided the Rules and Regulations at time of purchase thus far, but they can be provided with the Rules and Regulations moving forward;
- Glenwood in Flint, Michigan could provide fundraising examples as a historic cemetery that does fundraising events to build up its Endowment;
- She believed that if Greenwood had niches available in a columbarium or more graves they would sell.

In reply to Ms. Peterson, CC Bingham said the City Manager still needed to approve the recent updates proposed by the Board for the Cemetery Rules and Regulations.

Ms. Arcome asked how limitations on grave decorations would be enforced.

Ms. Peterson said the issue historically has been referred to Ms. Arcome to be addressed in the best way possible. She said it would also be helpful to have the updated Rules available on the City website. She said she wanted to make sure the Rules and Regulations were being submitted to the City Manager for approval so they can be updated. She said she was in favor of the volunteer opportunities. She said

that she had an opportunity to meet one of the vendors that works with Ms. Arcome and was very impressed with him.

Chair Buchanan said an imminent Board goal would be to remove obstructions and then to release more plots.

Ms. Suter said she was in support of expanding volunteer opportunities as well.

Ms. DeWeese said the Board should review its limitations on decorations to make sure they could be enforced in a fair way.

Ms. Schreiner said that while those families placing many decorations are experiencing grief, their grief could not be elevated over the grief of the other families with descendants in the Cemetery. She said the City could send out a copy of the Rules and Regulations to all families to remind them of the requirements, and then the City could enforce the Rules and Regulations after a bit of time. She stated that potential purchasers of graves should be provided the Rules and Regulations before making a purchase and at the time of purchase.

The Board and Ms. Arcome discussed:

- Ways of transmitting the Rules and Regulations in a sensitive manner to the families and loved ones of those buried in Greenwood; and,
- The possibility of implementing a summer flowers and winter blankets program for the Cemetery in order to raise Endowment funds.

Ms. Peterson suggested some ways that the upcoming Memorial Day event could be made more engaging.

The Chair stated that MD Pielack had committed the excess funds raised for the Taylors' gravestones to be used for the Cemetery's maintenance.

Ms. Arcome recommended the Board get that commitment in writing so those funds could be used for maintenance before using the Cemetery's Endowment Fund.

Dr. Vercellone raised a concern that using the funds raised for the Taylors for general Cemetery maintenance might be an issue.

The Chair said the donors were informed that might occur.

Ms. Schreiner noted that the Board should receive documentation demonstrating that.

The Board thanked Ms. Arcome for coming.

IV. Approval Of The Minutes

A. Review of the Minutes of December 2, 2022

MOTION: by Schreiner, seconded by Peterson:
To approve the minutes of December 2, 2022 as submitted.

VOTE: Yeas, 5

Nays, 0

Absent, 2

Pam DeWeese (left at 9:42 a.m.)

George Stern (left at 9:51 a.m.)

V. Unfinished Business

VI. New Business

The new business items were postponed to the next meeting.

VII. Reports

- A. **Update from Clerk's Office**
- B. **Financial Reports**
- C. **Cemetery Sales & Activity**
- D. **City Manager's Report - December 2022 & January 2023**

VIII. Open To The Public For Matters Not On The Agenda

IX. Board Comments

X. Adjourn

Chair Buchanan adjourned the meeting at 9:54 a.m.

Alexandria Bingham, City Clerk



Laura Eichenhorn, City Transcriptionist

04-129-21 7E

GREENWOOD CEMETERY MANAGEMENT SERVICES AGREEMENT

THIS AGREEMENT, made this 26 day of Apr., 2021, by and between **THE CITY OF BIRMINGHAM**, having its principal municipal office at 151 Martin Street, Birmingham, MI (hereinafter "CITY"), and **CREATIVE COLLABORATIONS, LLC**, a cemetery services company, having its principal office at 31356 Newport Dr., Warren, MI (hereinafter "CONTRACTOR"), provides as follows:

WITNESSETH:

WHEREAS, the CITY, desires to have management services; and,

WHEREAS, the CONTRACTOR has made a bid to provide management services in accordance with their bid/proposal dated November 21, 2019, which bid/proposal has been accepted by the CITY, included in the bid proposal is the "Management Agreement Between City of Birmingham and Cheri Arcome"; and,

WHEREAS, two (2) sections of the bid proposal in the "Management Agreement Between City of Birmingham and Cheri Arcome" are now changed: Section iii.b. "Consideration" which is hereby modified to reflect the effective date of this Agreement, which is written above, and Section v. "Indemnification," is hereby removed.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE RESPECTIVE AGREEMENTS AND UNDERTAKINGS HEREIN CONTAINED, THE PARTIES AGREE AS FOLLOWS:

1. It is mutually agreed by and between the parties that the documents consisting of RFP, Bid Form, performance bond, general contract specifications and conditions, and plans and other documents mentioned in connection with the award of the bid for this project shall

be incorporated herein by reference, which are attached hereto, and shall become a part of this Agreement, and shall be binding upon both parties hereto. If any of these documents are in conflict with this Agreement, the terms of this Agreement shall take precedence. In addition, the Scope of Work is further defined in the attachment hereto which is incorporated by reference.

2. The CONTRACTOR agrees to provide the management services in accordance with the specifications and conditions contained in the RFP and outlined in the letter of November 21, 2019 which is attached hereto and incorporated by reference.

3. The CITY agrees to pay the CONTRACTOR for the annual services rendered pursuant to this Agreement in the amount of Forty-five Thousand Six Hundred Dollars (\$45,600.00).

4. This Agreement shall renew annually unless terminated as provided herein.

5. In addition to the above, either party may terminate this Agreement, for any reason, by providing ninety (90) days written notice to the other party of its intention to do so.

6. The CONTRACTOR shall employ personnel of good moral character and fitness in performing all services under this Agreement.

7. 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.

8. 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. This Agreement shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Michigan. The CONTRACTOR agrees to perform

all services provided for in this Agreement in accordance with and in full compliance with all local, state and federal laws and regulations.

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

11. This Agreement shall be binding upon the successors and assigns of the parties hereto, but no such assignment shall be made by the CONTRACTOR without the prior written consent of the CITY. Any attempt at assignment without prior written consent shall be void and of no effect.

12. The CONTRACTOR agrees that neither it nor its subcontractors will discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight or marital status. The CONTRACTOR shall inform the CITY of all claims or suits asserted against it by the CONTRACTOR's employees who work pursuant to this Agreement. The CONTRACTOR shall provide the CITY with periodic status reports concerning all such claims or suits, at intervals established by the CITY.

13. The CONTRACTOR shall not commence work under this Agreement until it has, at its sole expense, obtained the insurance required by this paragraph. All certificates of insurance shall be with insurance carriers licensed and admitted to do business in the State of Michigan and shall be with insurance carriers acceptable to the CITY. The CONTRACTOR

shall procure and maintain during the life of this Agreement the types of insurance coverage and minimum limits as set forth below:

- A. Workers Compensation Insurance: Workers Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable Statutes of the State of Michigan.
- B. Comprehensive Motor Vehicle Liability: Comprehensive Motor Vehicle Liability Insurance, including Michigan No-Fault Coverage, 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.
- C. Commercial General Liability: Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence and/or aggregate 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 Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, (F) Per Contract Aggregate, if applicable
- D. Additional Insured: Commercial General Liability Insurance and Comprehensive Motor Vehicle Liability Insurance as described above shall include an endorsement stating the following shall be "Additional Insured" with the following verbiage: "It is understood and agreed that the following shall be named as Additional Insured: The City of Birmingham, all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and their board members, including employees and volunteers thereof. This coverage shall be primary to the additional insured, and not contributing with any other insurance or similar protections available to the additional insured, whether said other available coverage be primary, contributing or excess."
- E. Cancellation Notice: All insurance policies listed above shall include an endorsement stating the following: "Should any of the above described policies be canceled before the expiration date thereof, the issuing company will mail 30 days written notice to: Director of Finance, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan, 48012."

F. Proof of Insurance Coverage: The CONTRACTOR shall provide the CITY, at the time the contracts are returned to the CITY for execution, certificates and policies as listed below:

- (1) Two (2) copies of Certificate of Insurance for Workers Compensation Insurance;
- (2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
- (3) Two (2) copies of Certificate of insurance for Motor Vehicle Liability Insurance;
- (4) If so requested, certified copies of all policies mentioned above will be furnished.

G. Expiration: If any of the above coverage expire during the term of this Agreement, the CONTRACTOR shall deliver renewal certificates and/or policies to the CITY at least thirty (30) days prior to the expiration date.

H. Failure to Maintain Insurance: Upon failure of the CONTRACTOR to obtain or maintain such insurance coverage for the term of the Agreement, the CITY may at its option, purchase such coverage to and subtract the cost of obtaining such coverage to the CONTRACTOR. In obtaining such coverage, the CITY shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.

14. 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.

The CITY agrees that the contractors shall be solely responsible for job site safety and all contractors shall be required in the CITY'S contract with such contractors to indemnify the CONTRACTOR for any liability incurred by the CONTRACTOR as a result of the contractor's negligent acts or omissions. However, such indemnification shall not extend to liability resulting from the negligence of the CONTRACTOR.

15. 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 the Oakland County Circuit Court or the 48th District Court.

16. 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, 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, 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 and death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this contract. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of the CITY, its elected or appointed officials, employees, volunteers or others working on behalf of the CITY.

17. 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%)

CITY OF BIRMINGHAM

By: _____

Pierre Boutros, Mayor

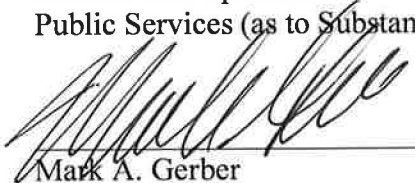
By: _____

Alexandria D. Bingham, City Clerk

APPROVALS:



Lauren Wood
Director of Department of Public
Public Services (as to Substance)



Mark A. Gerber
Director of Finance
(as to Financial Obligation)



Thomas M. Markus,
City Manager (as to Substance)



Mary M. Kucharek
City Attorney (as to Form)

SCOPE OF SERVICES

1. **Records.** The Contractor shall keep records of all sales, burials and deeds issued and reported to the City Clerk within five (5) days after each transaction.

The Contractor shall be responsible and submit forms as required by the State of Michigan as necessary, and such forms shall be reported to the City Clerk within five (5) days of filing.

2. **Financial.** The Contractor will provide receipts for sales and/or refunds within five (5) days to the City Clerk.

The Contractor shall not deed to any individual or family until the grave has been fully paid for.

The Contractor will not prepare any grave for burial without a deed having been issued and fully paid.

3. **Customer Service Marketing.** The Contractor will be responsible for answering all telephone calls, web inquiries and emails regarding Greenwood Cemetery with the expectation that it will be within two (2) business days, if reasonably practical.

4. **Burial Arrangements.** The Contractor will meet with family members to discuss burial arrangements.

The Contractor will coordinate with all funeral directors regarding the burial to ensure that all conditions of the cemetery rules and regulations are met.

5. **Maintenance.** The Contractor will maintain the cemetery so as to be in compliance with the City's adopted operational procedures, conditions and regulations as they may be changed from time-to-time.

6. **Cemetery Policies and Procedures.** The Contractor shall ensure that the family members of the decedent understand the cemetery policies and procedures by providing them a copy of the current cemetery policies and procedures in effect at that time upon the purchase of the grave or interment.

7. **Communications and Reports.** The Contractor will provide monthly reports summarizing the total receipts, disbursements, grave sales and refunds.

8. **Advisory Board Meetings.** The Contractor shall be reasonably available to present at Greenwood Cemetery Advisory Board meetings to report contracted services and they will be permitted to bill hourly in excess of the meeting limit with the prior approval of the Greenwood Cemetery Advisory Board and the City Commission.

The Contractor shall provide the Greenwood Cemetery annual report to the Advisory Board and to the City Commission.

An annual review of the contract with the Contractor shall be performed by the Greenwood Cemetery Advisory Board. There shall be at least one (1) meeting every quarter between the Greenwood Advisory Board and the Contractor with a minimum of two (2) meetings per year. The Contractor shall also communicate and conduct a meeting with the City Clerk's Office as needed.

9. **Coordinating Services.** The Contractor shall coordinate services with the Department of Public Services with respect to the following items:

- Tree removal;
- Fence maintenance;
- Road maintenance;
- Snow removal;
- Acts of Vandalism;
- Weather damage;
- Lawn and weed maintenance; and,
- Monument maintenance (the Contractor may contact the families if needed).

10. **Other Duties.**

- The Contractor will provide access to its records to the City Clerk with reasonable notice.
- The Contractor shall maintain the historic character of the cemetery.
- The Contractor shall perform all operations required by this Scope of Work under the MIOSHA Rules and Regulations.

11. **Duties and Responsibilities.**

- The Contractor shall coordinate internments and disinternments with outside vendors and funeral homes.
- The Contractor shall conduct sales, delivery of rights of internment, merchandise and services.
- Manage and process all accounts and provide the records thereof to the City Clerk.
- All checks shall be sent to the City Clerk for processing.
- The Contractor shall be responsible for the timing and collection of all fees with respect to the cemetery.
- The Contractor shall maintain records in a digitized format and provide them to the City Clerk's Office.

- The Contractor shall be responsible for collecting all bills on a monthly basis.

12. **Financial reporting.** The Contractor shall maintain a standard system of accounting.

13. **Termination of Event.** If there is a breach of the contract, it may be terminated in writing within thirty (30) days, if issues are unresolved. All monies due after termination shall be paid within thirty (30) days of termination.



REQUEST FOR PROPOSALS
For Greenwood Cemetery Professional Management Services

Sealed proposals endorsed **"Greenwood Cemetery Management"**, will be received at the Office of the City Clerk, 151 Martin Street, PO Box 3001, Birmingham, Michigan, 48012; until 3:00pm on Wednesday, October 29, 2019 after which time bids will be publicly opened and read.

The City of Birmingham, Michigan is accepting sealed bid proposals from qualified professional firms to provide professional management services for the City's historic Greenwood Cemetery. This work must be performed as specified accordance with the specifications contained in the Request For Proposals (RFP).

The RFP, including the Specifications, may be obtained online from the Michigan Inter-governmental Trade Network at <http://www.mitn.info> or at the City of Birmingham, 151 Martin St., Birmingham, Michigan, ATTENTION: James Gallagher, Assistant to the City Manager.

The acceptance of any proposal made pursuant to this invitation shall not be binding upon the City until an agreement has been executed.

Submitted to MITN:	Tuesday, October 8, 2019
Deadline for Submissions:	3:00 p.m. on Tuesday, October 29, 2019
Contact Person:	James Gallagher, Assistant to the City Manager P.O. Box 3001, 151 Martin Street Birmingham, MI 48012-3001 Phone: 248.530.1807 Email: jgallagher@bhamgov.org



REQUEST FOR PROPOSALS
For Greenwood Cemetery Professional Management Services

Contents

INTRODUCTION	3
REQUEST FOR PROPOSALS (RFP)	3
INVITATION TO SUBMIT A PROPOSAL	3
INSTRUCTIONS TO BIDDERS	4
EVALUATION PROCEDURE AND CRITERIA.....	5
TERMS AND CONDITIONS	5
SERVICE PROVIDER'S RESPONSIBILITIES	6
CITY RESPONSIBILITY	7
SETTLEMENT OF DISPUTES	7
INSURANCE.....	7
CONTINUATION OF COVERAGE	7
EXECUTION OF CONTRACT	7
INDEMNIFICATION.....	8
CONFLICT OF INTEREST	8
EXAMINATION OF PROPOSAL MATERIALS.....	8
PROJECT TIMELINE.....	8
SCOPE OF WORK.....	9
ATTACHMENT A - AGREEMENT	12
ATTACHMENT B - BIDDER'S AGREEMENT	18
ATTACHMENT C - COST PROPOSAL	19
ATTACHMENT D - IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM	20
ATTACHMENT E – EXISTING POLICIES AND PROCEDURES	21
ATTACHMENT F – GREENWOOD CEMETERY FEE SCHEDULE	29

INTRODUCTION

For purposes of this request for proposals the City of Birmingham will hereby be referred to as "City" and the private firm will hereby be referred to as "Service Provider."

The City of Birmingham, Michigan is accepting sealed bid proposals from qualified professional firms to provide professional management services for the City's historic Greenwood Cemetery. This work must be performed as specified accordance with the specifications outlined by the Scope of Work contained in this Request For Proposals (RFP).

During the evaluation process, the City reserves the right where it may serve the City's best interest to request additional information or clarification from proposers, or to allow corrections of errors or omissions. At the discretion of the City, firms submitting proposals may be requested to make oral presentations as part of the evaluation.

It is anticipated the selection of a firm will be completed by early November 2019. An Agreement for services will be required with the selected Service Provider. A copy of the Agreement is contained herein for reference. Contract services will commence upon execution of the service agreement by the City.

REQUEST FOR PROPOSALS (RFP)

The purpose of this RFP is to request sealed bid proposals from qualified parties presenting their qualifications, capabilities and costs to provide professional management services for the City's historic Greenwood Cemetery..

INVITATION TO SUBMIT A PROPOSAL

Proposals shall be submitted no later than 3:00 p.m. on Tuesday, October 29, 2019 to:

City of Birmingham
Attn: City Clerk
151 Martin Street
Birmingham, Michigan 48009

One (1) original and one (1) copy of the proposal shall be submitted. The proposal should be firmly sealed in an envelope, which shall be clearly marked on the outside, **"Greenwood Cemetery Management"**. Any proposal received after the due date cannot be accepted and will be rejected and returned, unopened, to the proposer. Proposer may submit more than one proposal provided each proposal meets the functional requirements.

INSTRUCTIONS TO BIDDERS

1. Any and all forms requesting information from the bidder must be completed on the attached forms contained herein (see Service Provider's Responsibilities). If more than one bid is submitted, a separate bid proposal form must be used for each.
2. Any request for clarification of this RFP shall be made in writing and delivered to: James Gallagher at 248.530.1807 or jgallagher@bhamgov.org. Such request for clarification shall be delivered, in writing, no later than 5 days prior to the deadline for submissions.
3. All proposals must be submitted following the RFP format as stated in this document and shall be subject to all requirements of this document including the instruction to respondents and general information sections. All proposals must be regular in every respect and no interlineations, excisions, or special conditions shall be made or included in the RFP format by the respondent.
4. The contract will be awarded by the City of Birmingham to the most responsive and responsible bidder with the lowest price and the contract will require the completion of the work pursuant to these documents.
5. Each respondent shall include in his or her proposal, in the format requested, the cost of performing the work. Municipalities are exempt from Michigan State Sales and Federal Excise taxes. Do not include such taxes in the proposal figure. The City will furnish the successful company with tax exemption information when requested.
6. Each respondent shall include in their proposal the following information: Firm name, address, city, state, zip code, telephone number, and fax number. The company shall also provide the name, address, telephone number and e-mail address of an individual in their organization to whom notices and inquiries by the City should be directed as part of their proposal.

EVALUATION PROCEDURE AND CRITERIA

The evaluation panel will consist of City staff and any other person(s) designated by the City who will evaluate the proposals based on, but not limited to, the following criteria:

1. Ability to provide services as outlined.
2. Related experience with similar projects, Service Provider background, and personnel qualifications.
3. Quality of materials proposed.
4. Overall Costs.
5. References.

TERMS AND CONDITIONS

1. The City reserves the right to reject any or all proposals received, waive informalities, or accept any proposal, in whole or in part, it deems best. The City reserves the right to award the contract to the next most qualified Service Provider if the successful Service Provider does not execute a contract within ten (10) days after the award of the proposal.
2. The City reserves the right to request clarification of information submitted and to request additional information of one or more Service Providers.
3. The City reserves the right to terminate the contract at its discretion should it be determined that the services provided do not meet the specifications contained herein. The City may terminate this Agreement at any point in the process upon notice to Service Provider sufficient to indicate the City's desire to do so. In the case of such a stoppage, the City agrees to pay Service Provider for services rendered to the time of notice, subject to the contract maximum amount.
4. Any proposal may be withdrawn up until the date and time set above for the opening of the proposals. Any proposals not so withdrawn shall constitute an irrevocable offer, for a period of ninety (90) days, to provide the services set forth in the proposal.
5. The cost of preparing and submitting a proposal is the responsibility of the Service Provider and shall not be chargeable in any manner to the City.
6. The successful bidder will be required to furnish a Performance Bond in an amount not less than 100% of the contract price in favor of the City of Birmingham, conditioned upon the faithful performance of the contract, and completion on or before the date specified.
7. Payment will be made within thirty (30) days after invoice. Acceptance by the City is defined as authorization by the designated City representative to this project that all the criteria requested under the Scope of Work contained herein have been provided. Invoices are to be rendered each month following the date of execution of an Agreement with the City.

8. The Service Provider will not exceed the timelines established for the completion of this project.
9. The successful bidder shall enter into and will execute the contract as set forth and attached as Attachment A.

SERVICE PROVIDER'S RESPONSIBILITIES

Each bidder shall provide the following as part of their proposal:

1. Complete and sign all forms requested for completion within this RFP.
 - a. Bidder's Agreement (Attachment B - p. 18)
 - b. Cost Proposal (Attachment C - p. 19)
 - c. Iran Sanctions Act Vendor Certification Form (Attachment D - p. 20)
 - d. Agreement (p. 12 – **only if selected by the City**).
2. Provide a description of completed projects that demonstrate the firm's ability to complete projects of similar scope, size, and purpose, and in a timely manner, and within budget.
3. Provide a written plan detailing the anticipated timeline for completion of the tasks set forth in the Scope of Work (p. 9).
4. The Service Provider will be responsible for any changes necessary for the plans to be approved by the City of Birmingham.
5. Provide a description of the firm, including resumes and professional qualifications of the principals involved in administering the project.
6. Provide a list of sub-Contractors and their qualifications, if applicable.
7. Provide three (3) client references from past projects, include current phone numbers. At least two (2) of the client references should be for projects utilizing the same materials included in the Service Provider's proposal.
8. The Service Provider will be responsible for the disposal of all material and any damages which occur as a result of any of employees or subcontractors of the Service Provider during this project.
9. The Service Provider will be responsible for getting the building and parking permits at no cost to the Service Provider.
10. The successful bidder shall provide a Performance Bond in an amount not less than 100% of the contract price in favor of the City of Birmingham, conditioned

upon the faithful performance of the contract, and completion on or before the date specified.

11. Provide a project timeline addressing each section within the Scope of Work and a description of the overall project approach. Include a statement that the Service Provider will be available according to the proposed timeline.

CITY RESPONSIBILITY

1. The City will provide a designated representative to work with the Service Provider to coordinate both the City's and Service Provider's efforts and to inspect and verify any work performed by the Service Provider.
2. The City will provide access to the City of Birmingham during regular business hours or during nights and weekends as approved by the City's designated representative.

SETTLEMENT OF DISPUTES

The successful bidder agrees to certain dispute resolution avenues/limitations. Please refer to paragraph 17 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

INSURANCE

The successful bidder is required to procure and maintain certain types of insurances. Please refer to paragraph 12 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

CONTINUATION OF COVERAGE

The Service Provider also agrees to provide all insurance coverages as specified. Upon failure of the Service Provider to obtain or maintain such insurance coverage for the term of the agreement, the City may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the contract amount. In obtaining such coverage, Birmingham shall have no obligation to procure the most cost effective coverage but may contract with any insurer for such coverage.

EXECUTION OF CONTRACT

The bidder whose proposal is accepted shall be required to execute the contract and to furnish all insurance coverages as specified within ten (10) days after receiving notice of such acceptance. Any contract awarded pursuant to any bid shall not be binding upon the City until a written contract has been executed by both parties. Failure or refusal to execute the contract shall be considered an abandoned all rights and interest in the award and the contract may be awarded to another. The successful bidder agrees to enter into and will execute the contract as set forth and attached as Attachment A.

INDEMNIFICATION

The successful bidder agrees to indemnify the City and various associated persons. Please refer to paragraph 13 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

CONFLICT OF INTEREST

The successful bidder is subject to certain conflict of interest requirements/restrictions. Please refer to paragraph 14 of the Agreement attached as Attachment A for the details and what is required of the successful bidder.

EXAMINATION OF PROPOSAL MATERIALS

The submission of a proposal shall be deemed a representation and warranty by the Service Provider that it has investigated all aspects of the RFP, that it is aware of the applicable facts pertaining to the RFP process and its procedures and requirements, and that it has read and understands the RFP. Statistical information which may be contained in the RFP or any addendum thereto is for informational purposes only.

PROJECT TIMELINE

It is anticipated that the Birmingham City Commission will consider the agreement with the successful bidder in November 2019. Following approval, City staff will schedule a meeting with the successful bidder to begin transition of daily management tasks from current Service Provider to the successful bidder.

SCOPE OF WORK

The Service Provider, hereby referred to as "Provider", shall perform the following services in accordance with the requirements as defined and noted herein:

1. **Sales Administration & Management:** The Service Provider shall provide service to the City within Greenwood Cemetery to include, but not limited to, the following:
 - a. **Permanent Record Keeping:** Provider shall make necessary updates, edits, and deletions to ensure that the record book and map of Greenwood Cemetery are as accurate as possible. Provider is responsible for proper documentation of all burial and space ownership records to include, but not limited to, the following:
 - i. Recording all sales of grave plots with the City Clerk within five (5) business days
 - ii. Recording all grave locations with the City Clerk within five (5) business days
 - iii. Recording all title deeds with the City Clerk within five (5) business days
 - iv. Recording burials and provide any and all related burial transit permits at least once every five (5) business days with the City Clerk
 - v. Submitting all applicable forms and documents to the State of Michigan, as may be required
 - b. **Financial Record Keeping:** Provider shall be responsible for all financial transactions associated with grave plot sales and burial services including, but not limited to, the following services:
 - i. Provider shall collect, record, remit and report all sales, receipts, funds, and refunds on behalf of the City within five (5) business days
 - ii. Provider shall not execute a deed to the customer until Provider receives full payment for the cemetery space
 1. No grave can be dug or body buried without a deed of ownership
 - iii. Provider shall forward all sums collected on sales of burial plots within five (5) business days to the City Clerk
 - c. **Customer service and marketing:** Provider shall sell cemetery services and property in accordance with established policies and procedures, including but not limited to, the following services:
 - i. Provider shall be available to answer telephone, email, and web-based inquiries and to meet with persons wishing to purchase burial plots
 - ii. Provider shall provide a designated location to meet with families and discuss burial arrangements and meet on site as necessary to confirm arrangements with families as necessary
 - iii. Provider shall be available to meet with interested parties within two (2) business days to arrange for the sale of burial plots

- iv. Provider shall work directly with funeral directors and family of deceased persons in arranging all funerals at Greenwood Cemetery
- v. Provider must maintain the Cemetery in a manner which is fully in compliance with the City's adopted Operational Procedures, Conditions, and Regulations
- vi. Provider shall ensure the family of deceased persons understands and has a copy of Greenwood Cemetery's Policies & Procedures upon the sale of burial plots. The current version is included as **Attachment E – pg. 21.**

d. **Communication and Reports:** Provider shall prepare and submit to the City reports of the operation, financials, records, and any other pertinent records to include, but not be limited to, the following:

- i. Provider shall include in their report monthly totals for receipts, disbursements, grave plot sales, grave plot inventory, interments, repairs, number of burials, number of cremations, and safety and environmental events.
- ii. Provider is requested to be present at all Greenwood Cemetery Advisory Board meetings to report on contracted services.

2. **Cemetery Operations:** The Provider is responsible for hiring a Sexton who shall provide service to the City within the Greenwood Cemetery to include, but not limited to, the following:

- a. The Sexton shall report directly to and work directly with the Service Provider in arranging all funerals at Greenwood Cemetery.
- b. Stake gravesites
- c. Complete opening and closing of graves.
- d. Make arrangements for laying and setting foundations.
- e. Damage to any markers, headstones, foundations or other fixtures during the normal routine activities shall be the Providers responsibility to correct, subject to the City's approval, that sufficient actions have taken place to correct the damaged property.

3. **Services Excluded From Contract:** Provider shall not be responsible for providing services not specified in this Contract, including but not limited to the following services:

- a. Tree removal
- b. Fence maintenance
- c. Road maintenance
- d. Snow removal
- e. Any acts of vandalism in Greenwood Cemetery
- f. All damage caused by weather events
- g. Lawn care including weed control monument maintenance services.

4. The City, upon reasonable prior notice, shall be provided with access to any information or financial records associated with the Greenwood Cemetery.

5. Greenwood Cemetery is a historic site within the City of Birmingham. All actions and recommendations by the Service Provider shall be done in a manner which maintains the historic character and setting of the cemetery.
6. The Service Provider shall ensure all operations under its control are conducted in a safe manner and will observe all MIOSHA guidelines as necessary.
7. This section and referenced documents shall constitute the Scope of Work for this

GREENWOOD CEMETERY MANAGEMENT SERVICES AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2020, by and between **THE CITY OF BIRMINGHAM**, having its principal municipal office at 151 Martin Street, Birmingham, MI (hereinafter "CITY"), and **CREATIVE COLLABORATIONS, LLC**, a cemetery services company, having its principal office at 31356 Newport Dr., Warren, MI (hereinafter "CONTRACTOR"), provides as follows:

WITNESSETH:

WHEREAS, the CITY, desires to have management services; and,

WHEREAS, the CONTRACTOR has made a bid to provide management services in accordance with their bid/proposal dated November 21, 2019, which bid has been accepted by the CITY.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE RESPECTIVE AGREEMENTS AND UNDERTAKINGS HEREIN CONTAINED, THE PARTIES AGREE AS FOLLOWS:

1. It is mutually agreed by and between the parties that the documents consisting of RFP, Bid Form, performance bond, general contract specifications and conditions, and plans and other documents mentioned in connection with the award of the bid for this project shall be incorporated herein by reference, and shall become a part of this Agreement, and shall be binding upon both parties hereto. If any of these documents are in conflict with this Agreement, the terms of this Agreement shall take precedence.

2. The CONTRACTOR agrees to provide the management services in accordance with the specifications and conditions contained in the RFP and outlined in the letter of November 21, 2019 which is attached hereto and incorporated by reference.

3. The CITY agrees to pay the CONTRACTOR for the annual services rendered pursuant to this Agreement in the amount of Forty-five Thousand Six Hundred Dollars (\$45,600.00).

4. This Agreement shall renew annually unless terminated as provided herein.

5. In addition to the above, either party may terminate this Agreement, for any reason, by providing ninety (90) days written notice to the other party of its intention to do so.

6. The CONTRACTOR shall employ personnel of good moral character and fitness in performing all services under this Agreement.

7. 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.

8. 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. This Agreement shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Michigan. The CONTRACTOR agrees to perform all services provided for in this Agreement in accordance with and in full compliance with all local, state and federal laws and regulations.

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

11. This Agreement shall be binding upon the successors and assigns of the parties hereto, but no such assignment shall be made by the CONTRACTOR without the prior written consent of the CITY. Any attempt at assignment without prior written consent shall be void and of no effect.

12. The CONTRACTOR agrees that neither it nor its subcontractors will discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight or marital status. The CONTRACTOR shall inform the CITY of all claims or suits asserted against it by the CONTRACTOR's employees who work pursuant to this Agreement. The CONTRACTOR shall provide the CITY with periodic status reports concerning all such claims or suits, at intervals established by the CITY.

13. The CONTRACTOR shall not commence work under this Agreement until it has, at its sole expense, obtained the insurance required by this paragraph. All certificates of insurance shall be with insurance carriers licensed and admitted to do business in the State of Michigan and shall be with insurance carriers acceptable to the CITY. The CONTRACTOR shall procure and maintain during the life of this Agreement the types of insurance coverage and minimum limits as set forth below:

- A. Workers Compensation Insurance: Workers Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable Statutes of the State of Michigan.
- B. Comprehensive Motor Vehicle Liability: Comprehensive Motor Vehicle Liability Insurance, including Michigan No-Fault Coverage, 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.

- C. Commercial General Liability: Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence and/or aggregate 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 Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, (F) Per Contract Aggregate, if applicable
- D. Additional Insured: Commercial General Liability Insurance and Comprehensive Motor Vehicle Liability Insurance as described above shall include an endorsement stating the following shall be "Additional Insured" with the following verbiage: "It is understood and agreed that the following shall be named as Additional Insured: The City of Birmingham, all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and their board members, including employees and volunteers thereof. This coverage shall be primary to the additional insured, and not contributing with any other insurance or similar protections available to the additional insured, whether said other available coverage be primary, contributing or excess."
- E. Cancellation Notice: All insurance policies listed above shall include an endorsement stating the following: "Should any of the above described policies be canceled before the expiration date thereof, the issuing company will mail 30 days written notice to: Director of Finance, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan, 48012."
- F. Proof of Insurance Coverage: The CONTRACTOR shall provide the CITY, at the time the contracts are returned to the CITY for execution, certificates and policies as listed below:
- (1) Two (2) copies of Certificate of Insurance for Workers Compensation Insurance;
 - (2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
 - (3) Two (2) copies of Certificate of insurance for Motor Vehicle Liability Insurance;

(4) If so requested, certified copies of all policies mentioned above will be furnished.

G. Expiration: If any of the above coverage expire during the term of this Agreement, the CONTRACTOR shall deliver renewal certificates and/or policies to the CITY at least thirty (30) days prior to the expiration date.

H. Failure to Maintain Insurance: Upon failure of the CONTRACTOR to obtain or maintain such insurance coverage for the term of the Agreement, the CITY may at its option, purchase such coverage to and subtract the cost of obtaining such coverage to the CONTRACTOR. In obtaining such coverage, the CITY shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.

14. 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, 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, 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 and death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this contract. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of the CITY, its elected or appointed officials, employees, volunteers or others working on behalf of the CITY.

15. 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.

16. 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.

17. Any disputes arising under this Agreement shall be settled either by commencement of a suit in Oakland County Circuit Court or by compulsory arbitration, at the election of the CITY. The CONTRACTOR shall notify the CITY of any dispute it has arising out of this Agreement and shall demand that the CITY elect whether the dispute is to be resolved by submitting it to compulsory arbitration or by commencement of a suit in Oakland County Circuit Court. The CITY shall make its election in writing within thirty (30) days from the receipt of such notice. If the CITY elects to have the dispute resolved by compulsory arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan, with each of the parties appointing one arbitrator and the two thus appointed appointing a third. In the event the CITY fails to make such an election, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court.

IN WITNESS WHEREOF, the said parties have caused this Agreement to be executed as of the date and year above written.

CITY OF BIRMINGHAM

By: _____
Pierre Boutros, Mayor

By: _____
Alexandria D. Bingham, City Clerk

CREATIVE COLLABORATIONS, LLC

By: _____

Its: _____

APPROVALS:

Lauren Wood
Director of Department of Public
Public Services as to Substance

Joseph A. Valentine,
City Manager as to Substance

Mark Gerber
Director of Finance as to
Financial Obligation

Timothy J. Currier
City Attorney as to Form

MANAGEMENT AGREEMENT BETWEEN CITY OF BIRMINGHAM AND CHERI ARCOME

Creative Collaborations, LLC
Cheri Arcome
31356 Newport Drive
Warren, MI 48088

November 21, 2019

Ms. Tiffany Gunter
Assistant City Manager
City of Birmingham
151 Martin
Birmingham, MI 48009

Dear Ms. Gunter,

The purpose of this letter is to outline the management services that I will provide for Greenwood Cemetery, financial responsibilities and termination guidelines.

i. DUTIES AND RESPONSIBILITIES

- a. Coordinate all interments and disinterments with an outside vendor and funeral homes.
- b. Conduct all sales and complete delivery of cemetery property rights, merchandise and services at the cemetery.
- c. On behalf of Greenwood Cemetery manage, process and pay accounts payable for interment vendors.
- d. On behalf of Greenwood Cemetery bill and collect all accounts receivable.
- e. Maintain complete books and records regarding the operation of the cemetery including but not limited to, accounts reconciliation, inventory and file maintenance and budgeting services. The City of Birmingham shall have access to all such records at any and all times.
- f. Agree to attend a minimum of two Greenwood Advisory Board meetings on a yearly basis.
- g. Coordinate the lawn care, weed control, snow removal and tree work with Birmingham's Department of Public Services.
- h. Coordinate work orders with outside vendors and Birmingham's Department of Public Services.
- i. Provide customer service to interested parties.

ii. FINANCIAL REPORTING

- a. Agree to maintain a standard system of accounting customary for cemetery operations consistent with GAAP relative to the duties and responsibilities under this agreement.
- b. Agree to remit 100% of lot sales and any collected revenue from interments, second rights of burial, installations and foundations. These funds will be issued to the City the on a monthly basis.
- c. The City of Birmingham's employees shall have the right upon reasonable notice to have access to and review such books, records and other information as well as the cemetery as it shall reasonably request with respect to this agreement.

iii. CONSIDERATION

a. In return for the services outlined in this agreement, the City of Birmingham agrees to pay Creative Collaborations, LLC a flat fee of \$3,800 monthly.

b. This agreement will come into effect December 1, 2019 with an option to renew in May 2020.

iv. TERMINATION – This agreement may be terminated as follows:

a. by either party, by giving written notice to the other party in the event the other party is in breach of any provision contained in this agreement, and such breach is not cured (if curable) within thirty (30) days following delivery of such written notice of such breach; or

b. by either party for any reason or no reason at all by giving written notice to the other party of at least ninety (90) days.

c. Post-Termination Obligations – All monies due by one party to the other party shall be paid in full within thirty (30) days after the effective date of the termination of this agreement.

v. INDEMNIFICATION

a. The City of Birmingham and Cheri Arcome agree to indemnify and hold each other harmless from and against any and all claims, demands, charges, losses, damages, liabilities, and obligations (including without limitation reasonable attorneys' and accountants' fees and other costs and expenses of the indemnified party incurred as an incident thereto) arising out of, based on or relating to the performance of their respective obligations under this agreement.

vi. ENTIRE AGREEMENT

a. This agreement and any exhibits attached hereto contain the complete agreement among the parties with respect to the transactions contemplated hereby and supersede all prior agreements and understandings among the parties with respect to such transactions.

vii. GOVERNING LAW

a. This agreement shall be governed, construed and enforced in accordance with the laws of the State of Michigan.



MEMORANDUM

Clerk's Office

DATE: Thursday, April 6, 2023

TO: Greenwood Cemetery Advisory Board

FROM: Christina Woods, Deputy Clerk

APPROVED: Alexandria Bingham, City Clerk

SUBJECT: Cemetery Management Request for Quote

INTRODUCTION:

The City Clerk and Greenwood Cemetery Advisory Board began the process of curating a Request for Quote (RFQ) for cemetery management service providers. The intent was to review the services scope, creating a RFQ document, soliciting for service providers, and selection of service provider before June 5, 2023. Subsequent to the initiation of these discussions, a review of the current contract for Cemetery Management services revealed that this anticipated timeline would not be permitted with the current enacted contract.

BACKGROUND:

Discussions involving scope and contract items to be included in a RFQ document the cemetery management contract began at the December 2, 2022 Greenwood Cemetery Advisory Board meeting. The board and clerk's office initiated the process to review the current cemetery provider contract and scope of services, identify items which may need to be modified to align with the needs of the cemetery, to solicit for service quotes, review said quotes and have to the City Manager to review by June 5, 2023.

In a meeting with City Attorney Kucharek, review of the contract identified a timeline discrepancy which would prohibit soliciting for a new provider by the July 2023 date. The current enacted contract was dated April 26, 2021 and states that the agreement will renew annually unless terminated by providing written notice 90 days prior to termination. Because of this, we are unable to make any changes to the contract or provider at this time, because we do not have 90 days to provide written notice.

It is recommended that this topic be revisited later in the 2023 year and plan to release a RFQ document before January 27, 2024, in order to align with the 90-day stipulation in the current cemetery management contract.

ATTACHMENTS:

Current Cemetery Management Contract with Creative Collaborations with the pertinent section highlighted.

SUGGESTED ACTION:

Revisit the discussion on identifying the needed items in a cemetery services management contract and plan to release a Request for Quote for Cemetery Management Services before January 27, 2024.



MEMORANDUM

Clerk's Office

DATE: February 1, 2023

TO: Greenwood Cemetery Advisory Board

FROM: Alexandria Bingham, City Clerk

SUBJECT: Greenwood Cemetery Board Strategic Plan Process

INTRODUCTION:

The Greenwood Cemetery Advisory Board (GCAB) has requested to discuss and create a strategic plan. A strategic plan will emerge through discussions on the Greenwood Cemetery and will identify the cumulative vision of the board. The strategic plan is not a budgetary or policy document, however, it should be a reference that guides the board when making decisions and recommendations going forward. At the culmination of this process, a report will be created outlining the steps taken during the process, the outcomes of these discussions, and ultimately a strategic plan with a mission, values, and strategic goals as derived from the process.

A tentative timeline will be used in this process:

December 2, 2022	GCAB Meeting	Review of the recent Birmingham Commission Strategic Goals document Board members create SWOT worksheet and deliver to Clerk before January 31, 2023
February 3, 2023 April 14, 2023	GCAB Meeting	Vision Tour Discussion Discussion to compile the SWOT analysis If time allows discussion to draft the strategic areas for short term objectives, a vision statement, and values.
April 1, 2023 June 2, 2023	GCAB Meeting	Clerk's Office presents a review of objectives with feasible short-term action items GCAB Discussion to formulate 3-4 strategic goals, a mission statement, and values based on February 3 rd discussion and summary.
May 5, 2023 August 4, 2023	GCAB Meeting	GCAB reviews Strategic Plan report as compiled by the Clerk's Office

Different Kinds of Plans:

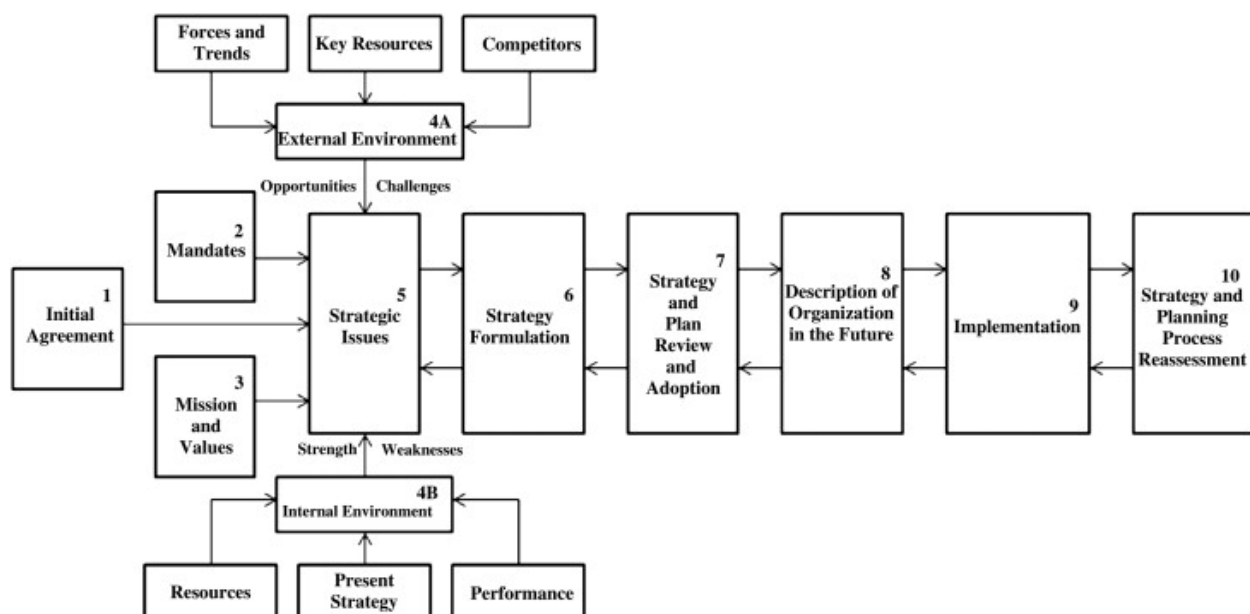
Strategic Plan – a disciplined effort to produce fundamental decisions and actions that shape and guide what an organization is, what it does, and why it does it. (Bryson, 1995)

Master Plan – a document and policy guide designed to help communities create a vision of what they want to look like in the future. Master Plans help guide communities in their decisions on land use development and preservation. (American Planning Association, Michigan Chapter)

Long Range Plan – Long-range planning, and consequently the name “long-range plan”, arose in the 1950s and 1960s, when the economic development in various countries gave rise to the first five- and four-year plans (Maqueda Lafuente, 1996, p. 11). This planning was considered an extension of the regular one-year financial planning, in the form of budgets and operating plans. It hardly took into consideration any social or political factors, and assumed a relative stability of the markets. (Pacios, 2004)

Strategic Planning Process:

- (1) environmental analysis (macro, micro and corporate or internal environment), SWOT analysis, planning assumptions, and developing scenarios;
- (2) mission;
- (3) values;
- (4) vision;
- (5) priorities (critical success factors, key result areas, information services priorities);
- (6) goals;
- (7) strategies; and
- (8) formal plans



FISCAL IMPACT:

A strategic plan is aspirational and not a budgeting document, therefore has no fiscal impact at this time.

PUBLIC COMMUNICATIONS:

All GCAB meetings fall under the Open Meetings Act and are open to public comment, and all GCAB agendas, packets and minutes are available online for public viewing.

ATTACHMENTS:

- Vision Tour
- Worksheet: Strengths Weaknesses Opportunities and Threats
- Draft Mission Language & Values
- 2022 City of Birmingham Strategic Plan
- 2021 Greenwood Cemetery Annual Report
- Greenwood Cemetery Board Ordinance

SUGGESTED ACTION:

The Greenwood Cemetery Advisory board members will participate in a discussion to illustrate a shared five-year vision tour of the Greenwood Cemetery then begin a round table discussion to generate a SWOC analysis.

If time allows the board can begin discussing and outlining the mission language for GCAB and identifying values for GCAB.



Greenwood Cemetery Advisory Board Shared Five-Year Vision Tour

Aspirational Thinking:

What will the Historic Greenwood Cemetery look Like in the next five years?

What kind of accomplishments and projects will GCAB have made progress on in the next 5 years?

Strengths-Weaknesses-Opportunities-Challenges (SWOC) Analysis

<u>Strengths</u>	<u>Weaknesses</u>
<u>Opportunities</u>	<u>Challenges (or Threats)</u>



Greenwood Cemetery Advisory Board DRAFTING – Mission & Values

A mission statement is a concise explanation of the organization's reason for existence. It describes the organization's purpose and its overall intention. The mission statement supports the vision and serves to communicate purpose and direction to employees, customers, vendors and other stakeholders.

DRAFT – Mission

Organizational values are a set of core beliefs held by an organization. They act as guiding principles that provide an organization with purpose and direction and set the tone for its interactions with its customers, employees and other stakeholders.

DRAFT – Values

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MEMORANDUM

City Manager's Office

DATE: November 7, 2022

TO: Thomas M. Markus, City Manager

FROM: Melissa Fairbairn, Assistant to the City Manager

SUBJECT: Strategic Goals

INTRODUCTION:

At the October 11, 2022, Strategic Planning meeting facilitated by Dr. Lew Bender, the Commission identified its priorities for strategic goals as community and sustainability. The Commission directed staff to create recommended actions for each priority. The Manager's Office staff discussed the priorities with various department heads to expand upon the priorities and identify recommended actions for the next 3-5 years.

STRATEGIC GOALS:

- **Engaged and Connected Community** → Birmingham is a community that is connected to one another and engaged in the decision making process
 - o Bridge the divide that Woodward Avenue creates in the city and transform the Woodward environment
 - Recommended Actions: Create a coalition with Woodward corridor communities, seek partnerships with community groups and elected officials, advocate MDOT for a transformational road diet
 - o Offer City services and amenities that enrich the lives of residents of all ages
 - Recommended Actions: Create a task force to facilitate an aging in place plan, develop a plan for a permanent senior/community center to house Next senior services and to offer space for multigenerational programs, engage with youth in the community with a teen board or committee
 - o Encourage robust resident engagement with their government and community
 - Recommended Actions: Expand use of Engage Birmingham, redevelop the Citizens Academy, create a Citizens Academy designed for high school aged community members
 - o Increase connectivity between the Rouge River trail system, Downtown, and the neighborhoods

- Recommended Actions: Conduct community engagement opportunities to gauge ideas from the public, reimagine the City property between Bates and the North Old Woodward structure to allow public access to the Rouge River
- **Environmental Sustainability** → The City of Birmingham positions itself for a changing future by instituting policies and practices that protect the natural environment and reduce extreme weather impacts on the community
 - o Create a sustainability board to review projects, investigate funding opportunities, and offer public education opportunities
 - Recommended Actions: Create a framework to determine the environmental impact of purchases and project plans, create plan to transition to the purchase of EV fleet vehicles as appropriate
 - o Maintain and upgrade infrastructure to prepare for future climate conditions
 - Recommended Actions: Increase storm water retention capabilities, replenish the City's tree canopy, incorporate green infrastructure into City projects
 - o Modernize City facilities for energy efficiency and sustainability
 - Recommended Actions: Add electric vehicle charging capabilities to City facilities, include increased energy efficiency measures in renovation projects, expand recycling capabilities in City facilities
- **Efficient and Effective Services** → Birmingham will address the needs of the community in a timely and respectful manner.
 - o Incorporate new technologies to improve service delivery for residents including digitization of public records and museum materials
 - Recommended Actions: Utilize open budget software to allow residents to easily navigate the City's budget, continuously review the City's software to identify inefficiencies and gaps
 - o Build and retain an effective and professional staff who serve the community
 - Recommended Actions: Foster an environment of creativity, cooperation, and collaboration between staff, expand training and education opportunities for staff, share staff successes with the community
 - o Create community risk reduction policies and programs that emphasize citywide increased safety and security
 - Recommended Actions: Create a role within the Fire Department to meet with community groups to educate residents on health and safety risks, expand Code Enforcement to proactively enforce City codes, upgrade safety and security measures at City facilities

ATTACHMENTS:

- Final Report: Strategic Planning Process by Dr. Lew Bender

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve the City's strategic goals and direct the City Manager to begin implementing the strategic goals.



City of Birmingham, Michigan

Final Report

Strategic Planning Process

Submitted by:
Lewis G. Bender, Ph.D.

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www.lewbender.com

November 7, 2022

Contents:

- I. Overview Strategic Planning Process**
- II. City Commission Strategic Goals 2022-2027**
- III. Next Steps**
- IV. Appendixes**
 - A. Initial City Commission Discussion**
 - **SWOT Analysis**
 - **Shared Five-Year Vision Tour**
 - B. Staff and City Board Chairs Input**
 - C. Community Members Input**
 - D. Potential Goal Areas for the City of Birmingham**
 - E. Suggested Mission and Values Statements**

I. Overview Strategic Planning Process

The Birmingham City Commission and Staff engaged in a four-step process in creating the strategic direction for the organization:

Meeting One: Initial Commission Discussion August 24, 2022	Participants: Mayor, City Commission, City Manager, and Senior Staff.	Focus: • Reviewed and finalized the strategic planning process. • Reviewed the state of the City and discussed major trends and changes. • Identified the Strengths and Weaknesses of the City and the Opportunities and Challenges facing the community (SWOC). • Created an Initial shared Five-Year Vision Tour of the City of Birmingham.
Meeting Two: Staff input. August 25, 2022	Participants: City Staff, City Board Chairs in various meetings.	Focus: • Staff and Board Chairs identified strengths, weaknesses, opportunities, and challenges facing the City. • Goals and Objectives that the Commission might consider.
Meeting Three: In-person resident input to the Commissioners September 14, 2022	Participants: City Residents, Business Owners and Community Leaders, Mayor, Commissioners, Manager, Department Heads, and identified Staff.	Focus: • Commissioners gained public input related to challenges, opportunities, and achievable five-year goals from assembled groups of citizens. • Commissioners facilitated breakout sessions with assembled citizens. • Department Heads and Staff assisted in the note-taking and providing information.
Meeting Four: Putting it together. October 14, 2022	Participants Mayor, Commissioners, Manager, and some Department Heads.	Focus: • Reviewed and discussed previous groups' input. • Identify the top Two Strategic Areas. • Identify key objectives and guidelines for each goal area. • Asked the City Manager to identify One-Year Tasks to be completed.

II. City Commission Strategic Goals - 2022-2027

In the final Commission strategic planning session, the commissioners determined that they wished to focus on two areas over the next five years:

Sustainability in:

- Environmental
- Infrastructure
- Efficient Operations
- Technology

Community

- East-West Divide. Woodward Diet
- Senior Center
- Citizen Engagement
- Multi-Generational Programming
- NOW

III. Suggested Next Steps

- The City Manager and Staff will review this document and prepare a workable list of items to be completed next year. The one-year tasks and the strategic plan will be submitted to the Commission for final approval.
- Upon approval of the plan, the Commission will have monthly discussions regarding some element(s) of this strategic plan.
- Six to seven months after adopting the plan, The Commission and Senior Staff will review the strategic plan and one-year tasks and revise them if necessary.
- Twelve to thirteen months after formal adoption, the Commission and Senior Staff will review and revise the plan and identify the one-year tasks for 2023 and 2024.
- It is recommended that future decisions by the Commission should be reviewed in light of the strategic plan.

IV. Appendixes

A. Initial City Commission Discussion

- **SWOT Analysis**
- **Shared Five-Year Vision Tour**

B. Staff and City Board Chairs Input

C. Community Members Input

D. Potential Goal Areas for the City of Birmingham

E. Suggested Mission and Values Statements

Appendix A: Initial City Commission Discussion

Wednesday, August 24

Participants:

- Mayor Therese Longe
- Mayor Pro Tem Pierre Boutros
- Commissioner Clinton Baller
- Commissioner Andrew Haig
- Commissioner Brad Host
- Commissioner Elaine McLain
- City Manager, Tom Markus
- Assistant City Manager, Jana Ecker
- Clerk Alexandria Bingham
- Assistant to the City Manager, Melissa Fairbairn
- City Attorney Mary Kucharek
- *4 members of the public

Strengths, Weaknesses, Opportunities, Challenges (SWOC)	
<i>Strengths</i> • Reputation • Financial stability • Recreational assets • Inclusive and respectful community • Well run • Ability to prioritize improvements • Robust parking system • Two golf courses • Community organizations and churches • Library • Police and Fire Department services • Safe and outstanding public services • Safe, vibrant, walkable, and stable	<i>Weaknesses</i> • Housing prices • Aging infrastructure • Unimproved streets • Combined sewer system – backups • McMansions • East/West divide
<i>Opportunities</i> • Take advantage of private funding • Private/public partnership • Bate/N. Old Woodward property • Bandshell in Shain Park • Facilities	<i>Challenges</i> • Maintaining reputation • Schools • Speed to get things done • Lack of a senior center • Sidewalk gaps and streets without sidewalks • Climate change • Providing broad services to people from other communities • Housing that is not used year-round • Loss of school-age children

Initial shared Five-Year Vision Tour of the City of Birmingham.

- Downtown completed with no big gaps – concept complete
- Progress in the Triangle District – connect the east and west
- East- West walkable Woodward Road diet completed (plans submitted)
- At least a plan for a senior center – involving neighboring communities
- More cultural events
- Good shape with staffing (experience and culture)
- Plans for Bates/NOW – public access to the riverfront
- The continued evolution of all neighborhoods
- High-quality, desirable housing stock
- Pickleball courts/completion of Parks Bond projects
- Tighter land use ordinances
- Improve streets, water, and sewer
- Incentivizing good behavior from developers and builders
- Maintain what we have

Appendix B: Staff and City Board Chairs Input

Thursday, August 25

Participants

8 a.m.

- City Manager, Tom Markus
- Assistant City Manager, Jana Ecker
- Assistant to the City Manager, Melissa Fairbairn
- Communications Director, Marianne Gamboa
- HR Manager, Joseph Lambert
- Police Chief, Mark Clemence
- Director of Public Services, Lauren Wood
- Fire Chief, Paul Wells
- Finance Director, Mark Gerber
- IT Director, Eric Brunk
- Parking Manager, Aaron Ford
- Museum Director, Leslie Pielack
- City Clerk, Alexandria Bingham
- Planning Director, Nicholas Dupuis
- Assistant Building Official, Mike Morad
- City Engineer, Melissa Coatta
- City Attorney, Mary Kucharek

10 a.m.

- Assistant City Manager, Jana Ecker
- Assistant to the City Manager, Melissa Fairbairn
- Parks and Forestry Manager, Carrie Laird
- Public Services Manager, Mike Bernal
- Assistant Fire Chief, Matt Bartalino
- Senior City Planner, Brooks Cowan
- Caitlin Donnelly, Museum
- Ann Tappan, Clerk's Office
- Heather Tolliver, Community Development

Challenges facing the City of Birmingham and goals that the Commission might consider.

- Housing diversity
- Employee retention and recruitment, employee appreciation and recognition
- Fear of change
- Civility
- Know your role
- Service expectations from the Commission and the public
- Negative polarization
- Improved technology acceptance
- Infrastructure improvement and funding (who pays?)
- Modern infrastructure (water mains, hydrants, combined sewer)
- Climate change – extreme weather events
- Communication
- No band-aids, be proactive

Staff and City Board Chairs Input continued

Goal Areas

- Trust the staff
- Sustainability initiative
- United commission projects - increased productivity
- More reasonable expectations that can be controlled, reality check
- Continued practice of chain of command through the city manager to staff - be mindful of burden and burnout
- Shorter commission meetings, time management, efficient debate, and less grandstanding
- Employee training programs, active shootings, etc.
- Getting more grant money – working with legislators
- Stop catering to the vocal minority
- Learn that "no" is an answer – efficient use of staff time
- Evaluate benefit pay – consider staff feedback
- Add more full-time positions and interns

Participants

Noon

- Assistant City Manager, Jana Ecker
- Assistant to the City Manager, Melissa Fairbairn
- Parks and Recreation Board Chair, Heather Carmona
- Building Zoning Appeals Board Chair, Eric Morganroth
- Greenwood Cemetery Board, Chair Linda Buchanan

Challenges facing the City of Birmingham and goals that the Commission might consider.

- Climate resiliency, climate change, extreme weather events
- Changing demographics (older-younger)
- Lead in anticipating services
- Housing rebuilds – loss of character and legacy
- Upgrade streets
- Residential street parking (high-rise condos exacerbate)
- Impacts of development – sewer rates
- Electric vehicle charging stations
- Government access – connection to the community

Goal Areas

- Streets
- Housing rebuilds – control the contractors
- Climate resiliency – be responsive and anticipating
- Transparency – citizen trust issues – engagement

Appendix C: Community Members' Input

Wednesday, September 14, 2022

Participants:

- Mayor Therese Longe
 - Mayor Pro Tem Pierre Boutros excused
 - Commissioner Clinton Baller
 - Commissioner Andrew Haig
 - Commissioner Brad Host
 - Commissioner Elaine McLain
 - City Manager, Tom Markus
 - Assistant City Manager, Jana Ecker
 - Clerk Alexandria Bingham
 - Assistant to the City Manager, Melissa Fairbairn
 - City Attorney Mary Kucharek
- *Approximately 30 members of the public

Community members were asked to list their views of the top four or five challenges facing the City of Birmingham.

- BPS de-population
- Meeting the needs of the aging population
- Housing
 - Affordable housing (3)
 - Housing density (2)
- Quality and continuity of staff – leadership and retention
- Traffic control, speed, etc. (2)
 - Safety
 - Crosswalk safety
 - Enforcement
- Commercial parking requirements – review versus modern needs
- The east/west divide
- Development in the Triangle District
- Accessibility to more parks
- Trail Accessibility
- Preserving neighborhoods
- Age-specific services
- Neighborhood/small businesses (for example, grocery stores or hardware stores)
- Woodward noise, Dream Cruise noise (2)
- More or less density
- Type of housing/housing density
- Sense of community – neighborhood
- Limited real estate space
- No permanent senior center
- Loss of historic residential property – character
- Maintaining the character during growth

Community Members' Input continued

- Review zoning ordinances and codes – a balance of scale and size
- Enhance communications between commission/boards/city commission/HOA/residents
- Construction design planning for downtown parking

The community members were asked to list their opinion on the top future focus areas.

- Plan for changing demographics
- Managing growth and redevelopment
- Sustainability of development
- A balance between residential and business interests
- Balanced zoning (2)
- Neighborhood, staffing, infrastructure, commercial pressure
- Affordable housing
- Traffic control on Woodward (speed, etc.) (2)
- Benchmarking similar cities, collaboration
- ??? Distribution of parks
- Parks improvement
- Community participation
- Special events – farmers market, concerts, movies
- Work with schools
- Resolving longstanding issues – senior center, unimproved roads, infrastructure
- Resurfacing streets, improving streets
- Safety
 - pedestrians/cycling
 - Crosswalks, consistent crosswalk design
 - Pedestrian safety study
- Access to on-street parking
- Street improvements – just do it
- Tranquility

Appendix D – Potential Goal Areas for the City of Birmingham

The following potential goal areas are based on the initial City Commission discussion and input from staff and Birmingham Board Chairs. These goal areas were presented to the Commissioners for consideration at the final meeting.

I. CONNECTED COMMUNITY

- East-West walkable-connected. Complete Woodward Diet downtown completed without large gaps.
- High-quality, desirable housing stock.
- The continued evolution of the neighborhoods.
- Transparency-Citizens Trust Issues. (Board Chairs)

II. COMMUNITY LIFE

- More Cultural Events
- A plan for the Senior Center in conjunction with neighboring communities.
- Plans for Bates/NOW-Public access to the riverfront.
- Pickleball Courts and completion of the Parks Bond Project.
- Incentivized good behavior of developers and builders
- Protect what we have.
- Family supporting programs (Residents)

III. STAFF AND ORGANIZATIONAL SUSTAINABILITY

- Good shape with staffing in terms of experience and culture.
- Reasonable-sustainable workloads for staff (staff)
- Continued use of Commission-Managed Chain of Command (staff)
- Efficient use of staff time. Reduction of small distractions diverting staff from priorities. (staff)
- Stronger communication-trust between Commission and staff. (staff)
- Staff training programs. (staff)
- Evaluate staff benefits and pay and the number of full-time/part-time positions.

IV. INFRASTRUCTURE

- Improve streets, water, and sewer
- Tighter land use ordinances.
- Climate Resiliency-Electric Vehicle charging stations (Board Chairs)
- Balanced zoning-managed growth and redevelopment (Residents)
- Present-future parking needs Assessment (Residents)
- Traffic control-Woodward (Residents)
- Safety for pedestrians and cyclists (Residents)

Appendix E: Suggested Mission and Values Statements

Mission:

The mission of the City of Birmingham, Michigan, is to deliver fiscally responsible, highly dependable, and sustainable municipal services with an emphasis on public safety, community livability, responsible planning for infrastructure improvements, and the environment. In pursuit of this mission, we use data to make decisions and measure progress based on economic, social, and environmental factors.

Values:

- Customer Service Focus – We engage citizens with a focus on listening and supporting their needs, anticipating and delivering high-quality service.
- Integrity – We conduct ourselves in a manner that is ethical, legal, and professional.
- Innovation – We look for and embrace new and effective ways to do things.
- Accountability – We promote openness and transparency in our operations, ensuring we are always accountable.
- Stewardship – We serve as stewards of the public's financial, environmental, social, and physical resources seeking to responsibly utilize, conserve and sustain for current and future generations.

GREENWOOD CEMETERY ADVISORY BOARD



2021/2022 ANNUAL REPORT

September 2022

Linda Buchanan, Chair
Linda Peterson, Vice Chair
Pam DeWeese
Laura Schreiner
George Stern
Margaret Suter
Joseph Vercellone

INTRODUCTION

The Greenwood Cemetery Advisory Board was established by the Birmingham City Commission on October 13, 2014. One of its duties is to submit a report to the Commission on an annual basis of the general activities, operation, and condition of the cemetery for the preceding 12-month period. The Greenwood Cemetery Advisory Board Annual Report includes a summary and update of the cemetery's status, related finances, and the GCAB's planned activities for the next fiscal year.

In alignment with the City's fiscal year, the current GCAB's report covers the period from July 1, 2021 through June 30, 2022.

GENERAL ACTIVITIES

Meetings

The Greenwood Cemetery Advisory Board is required to meet at least quarterly. During the report period, the board met four times in 2021 and five times in 2022. The Greenwood Cemetery Advisory Board has met and exceeded the quarterly meeting requirement. Board activities focused primarily on established project priorities for the period.

2021/2022 Accomplishments

- Produced the 2020-2021 Annual Report
- Thoroughly reviewed the Greenwood Cemetery Operational Procedures, Conditions, and Regulations
- Discussed the concept of continuing the sidewalk in front of the cemetery along Oak Ave.
- Drafted and revised a Policy for Approving and Installing Markers for Persons of Historical Significance
- Made recommendation to the City Commission for the renewal of the Cemetery Service Provider Contract
- Discussed the installation of a sign acknowledging the cemetery's recent designation in the National Underground Railroad Network to Freedom
- Advocated for enhancements to the cemetery including improving the appearance of the pole and chain in section F and the installation of an additional trash receptacle
- Reflected on the 2020-2021 Annual Report and participated in goal setting discussions in order to produce the 2021-2022 report and goals

OPERATION

Sales and Financial Information

On December 1, 2019, Creative Collaborations, LLC became transitional provider for cemetery services, with the exception of grounds maintenance, which is provided by the City's Department of Public Services. On May 1, 2020, Creative Collaborations entered into a one-year renewable contract with the City to provide cemetery services on an ongoing basis, the contract was renewed again on April 26, 2021 for the 2021-2022 fiscal year and again on May 9, 2022 for the 2022-2023 fiscal year. Grounds maintenance continues to be provided by DPS with ongoing communication and collaboration between Creative Collaborations, DPS, and the City Clerk's office.

On January 14, 2019, the City Commission approved a payment plan policy for cemetery plots that requires full payment within 24 months. During the 2021-2022 fiscal year, no new payment plans have been initiated, 3 of the existing plans have been paid in full, 4 payment plans are still in progress. The Clerk's Office and Treasurer's Office monitors active payment plans. Plots under a payment plan are considered sold for purposes of availability unless the plot becomes available again in the event of a purchaser default.

Grave Sales Detail, July 2020 - June 2021

<i>Month</i>	<i>Sec B</i>	<i>Sec C</i>
July 2021	1	1
August 2021	-	-
September 2021	-	1
October 2021	-	1
November 2021	-	-
December 2021	1	-
January 2022	-	-
February 2022	1	-
March 2022	-	-
April 2022	-	-
May 2022	-	-
June 2022	-	-
Total Sold	3	3
Total Available Under Current Authorization	24	2
Total Available (Not Released)	123	0
<i>*Graves Obstructed - On 1/29/21 Creative Collaborations noted that graves 1 & 2 in Section C rows 18-A & 19-A are not able to be used due to obstructions.</i> <i>* Graves Obstructed - On 3/25/21 DPS noted that graves in row 19-A 1,2,13,14,16 are obstructed by trees</i> <i>* Grave Release Approved by Commission on April 26, 2021 – Section B, Rows 17-C, 16-C, 15-C & 14-A for a total of 38 Graves, 9 of which are obstructed)</i> <i>* Grave Release Approved by Commission on December 13, 2021 - 1 grave in section B, row 2-A for an at-need situation for a family with adjacent space.</i>		

**On April 12, 2021 the City Commission approved the grave price increase for plots that can accommodate one full burial from \$3,000 to \$4,000 per plot. All graves sold in the 2021-22 FY were at the rate of \$4,000 per grave.*

FY 21-22 Grand Totals	
Sales in B	3
Sales in C	3
Sales in Other	0
Resident Purchases	2
Non-Resident Purchases	4
Payment Plans Initiated	0
Total Graves Sold	6
Transfer of Ownership Filed	6
Additional Burial Rights Purchased	5

**Plots in Sections B and C sold under a payment plan are included in the number of sales made for the quarter in which the payment plan was initiated. The remittance to the Perpetual Care Fund of payment for the plots is recorded in total in the quarter in which the final payment is made.*

Beginning December 1, 2019, Creative Collaborations, LLC, remits 100% of revenue to the City, which then makes payments to the contractor for services performed.

Burials and Inurnments, July 2021 - June 2022

Burials and inurnment activity during the period can be used to understand utilization of graves and assist in planning for future sales.

Cremation vs. Burial: According to NFDA's 2021 Cremation and Burial Report, the 2021 cremation rate is projected to be 57.5% and the burial rate is projected to be 36.6%. The City of Birmingham's 2021-2022 cremation rate is above the national average at 75.0% and the full burial rate is below the national average at 25.0%.

	Sec B		Sec C		Other		Total by Month	
	Full	Crem	Full	Crem	Full	Crem	Full	Crem
July 2021	0	1	1	0	1	3	2	4
August 2021	1	1	0	0	1	0	2	1
September 2021	0	0	0	1	0	4	0	5
October 2021	0	1	0	0	1	2	1	3
November 2021	0	1	1	3	0	1	1	5
December 2021	0	3	0	0	1	1	1	4
January 2022	0	0	0	0	0	0	0	0
February 2022	0	0	0	0	0	0	0	0
March 2022	0	0	0	0	1	0	1	0
April 2022	0	0	0	0	0	0	0	0
May 2022	1	0	0	0	0	4	1	4
June 2022	0	0	0	0	0	1	0	1
Totals	2	7	2	4	5	16	9	27

Perpetual Care Fund

Revenues from grave sales are used to increase the Perpetual Care Fund for Greenwood Cemetery, with investment earnings remaining with the PCF. Currently all cemetery care and maintenance is funded through the general fund. Eventually the goal is for the perpetual care fund to be able to take over the financial burden of cemetery maintenance through interest accrued.

Detail for July 2021 through June 2022:

2021 Q Ending September 30

Proceeds from cemetery plot sales	\$ 4,436.00
Investment income	<u>5,159.61</u>
Revenue for Perpetual Care Fund	\$ 9,595.61

2021 Q Ending December 31

Proceeds from cemetery plot sales	\$27,410.00
Investment income	4,879.42
Realized gain (loss)	<u>(305.42)</u>
Revenue for Perpetual Care Fund	\$32,594.84

2022 Q Ending March 31

Proceeds from cemetery plot sales	\$ 0.00
Investment income	<u>5,533.64</u>
Revenue for Perpetual Care Fund	\$ 5,533.64

2022 Q Ending June 30

Proceeds from cemetery plot sales	\$ 400.00
Investment income	5,721.46
Unrealized Loss	<u>(177,192.36)</u>
Revenue for Perpetual Care Fund	\$ (171,070.90)

Notes

1. We have created a new department within the General Fund to better track cemetery expenses. This will allow the City to get a better estimate of costs that the perpetual care fund will need to cover in the future.
2. While the fund has sustained a significant unrealized market loss (paper loss not a real loss) for this fiscal year, the fund overall has a net positive market gain on investments since inception.
3. The focus of the perpetual care fund right now is for long-term growth. To achieve this goal, the fund is invested in equity investments near the maximum allowed by state law with no more than 40% of the amount invested in equities in any one asset class (large cap, mid cap, small cap) as per our investment policy.
4. Investment gains will only go so far to grow the perpetual care fund. More plots will need to be sold or other sources of income need to be determined to achieve a sustainable principal balance from which investment income can be generated to fund cemetery maintenance.

CITY OF BIRMINGHAM
PERPETUAL CARE FUNDS
INVESTMENT REPORT
6/30/2022

	PRINCIPAL	INCOME	TOTAL
BEGINNING BALANCE 6/30/2021	\$ 1,046,957.48	\$ 77,502.09	\$ 1,124,459.57
SALE OF GRAVES	36,246.00	-	36,246.00
CAPITAL GAINS (LOSSES)	(305.42)	-	(305.42)
INTEREST/DIVIDENDS	-	23,833.97	23,833.97
CHANGE IN MARKET VALUE	<u>(177,192.36)</u>	<u>-</u>	<u>(177,192.36)</u>
ENDING BALANCE 6/30/2022	<u>\$ 906,316.54</u>	<u>\$ 101,336.06</u>	<u>\$ 1,007,652.60</u>
<u>INVESTMENTS</u>			
BOND MUTUAL FUNDS	\$ 468,651.91	46.5%	
EQUITY MUTUAL FUNDS	<u>539,000.69</u>	53.5%	
TOTAL	<u>\$ 1,007,652.60</u>		

CITY OF BIRMINGHAM
PERPETUAL CARE FUNDS
ANNUAL INVESTMENT REPORT
6/30/2022

	PRINCIPAL (NONSPENDABLE)	INCOME (SPENDABLE)	TOTAL
BEGINNING BALANCE 6/30/2021			
Pooled Funds	\$ -	\$ -	\$ -
Bond Mutual Funds	459,843.87	53,239.99	513,083.86
Equity Mutual Funds	<u>587,113.61</u>	<u>24,262.10</u>	<u>611,375.71</u>
	\$ 1,046,957.48	\$ 77,502.09	\$ 1,124,459.57
SALE OF PLOTS			
Bond Mutual Funds	12,410.00	-	
Equity Mutual Funds	<u>23,836.00</u>	<u>-</u>	
	\$ 36,246.00	\$ -	\$ 36,246.00
CAPITAL GAINS (LOSSES)			
Pooled Fund	\$ -		
Bond Mutual Funds	(305.42)		
Equity Mutual Funds	<u>-</u>		
	\$ (305.42)		\$ (305.42)
INTEREST/DIVIDENDS			
Pooled Fund		\$ -	
Bond Mutual Funds		15,706.81	
Equity Mutual Funds		<u>8,127.16</u>	
		\$ 23,833.97	\$ 23,833.97
CHANGE IN MARKET VALUE			
Pooled Fund	\$ -		
Bond Mutual Funds	(72,854.18)		
Equity Mutual Funds	<u>(104,338.18)</u>		
	\$ (177,192.36)		\$ (177,192.36)
ENDING BALANCE 6/30/2022	<u>\$ 906,316.54</u>	<u>\$ 101,336.06</u>	<u>\$ 1,007,652.60</u>
<u>INVESTMENTS</u>			
BOND MUTUAL FUNDS	399,705.11	68,946.80	468,651.91
EQUITY MUTUAL FUNDS	<u>506,611.43</u>	<u>32,389.26</u>	<u>539,000.69</u>
TOTAL	<u>\$ 906,316.54</u>	<u>\$ 101,336.06</u>	<u>\$ 1,007,652.60</u>

CONDITION

During the 2021-2022 fiscal year, the City's Department of Public Services has overseen cemetery landscape maintenance, which has included:

- Oversight of Lawn Mowing Contractor including weekly cuts and spring and fall cleanup
- Oversight of Forestry Contractor for Tree Maintenance as directed by DPS
- Maintenance of the Tree Inventory Program
- Lawn fertilization twice a year
- Burial topsoil and seeding: spring and fall
- As-needed general clean up: grave blankets, old flowers, fallen branches
- Trash removal: 2 to 3 times per week
- Maintenance of water system: start up, winterizing, and repair as needed
- Repair of turf as needed
- Removal of snow stakes
- Snow removal
- Raising and leveling of markers/monuments or approval of arrangements with vendor for same
- Building/fencing/road maintenance as needed

PLAN FOR 2022/2023

The Greenwood Cemetery Advisory Board has prioritized the following action items for 2022-2023:

CRITICAL GOALS

Short Term

- ***Review the Cemetery Management Agreement***
 - Creative Collaborations, LLC. has been the contracted cemetery service provider since December 1, 2019. The contract has been renewed in one-year increments on May 18, 2020, April 26, 2021, and May 9, 2022.
 - GCAB wishes to review the contract, ensure that all Greenwood Cemetery needs are being met. GCAB is interested in issuing a new RFP to reassess the current market of providers for cemetery services to make sure that the City of Birmingham is able to retain the best cemetery service provider available.
 - This includes reviewing the cost of clerical services, as well as cost of labor for installing markers, performing burials, and inurnments.
- ***Finalize a policy and application process to allow the installation of markers for persons of historical significance***
 - The need for a policy and application process to allow the installation of markers for persons of historical significance recently emerged as special interest groups have identified specific persons in the cemetery that they would like to memorialize or give extra recognition to. Typically, only deed holders and immediate family arrange to purchase and install monuments in honor of an individual. The process being developed will allow thorough review from staff and related advisory boards in order to permit the installation of these monuments.
- ***Develop a Strategic Plan for the Greenwood Cemetery Advisory Board***
 - GCAB will benefit from going through the strategic planning process to evaluate strengths, weaknesses, opportunities, and threats/challenges the cemetery faces. In going through the process, the board will come up with a vision of what the cemetery should look like in the future, consider stakeholder perspectives, expectations, and needs as well as reconfirm the mission, vision, and values. Strategic planning will empower the board to function more efficiently. The City Clerk will continue to work as the staff liaison to the board and ensure that the board has a clear understanding of their expectations such as being in "growth" or "maintenance" mode.
- ***Conduct an Obstruction Survey***
 - An obstruction survey would be beneficial to determining the status of available graves in the cemetery. Trees and foliage in the cemetery change over time. The obstruction survey would provide a more accurate assessment of what is available right now, as well as what space may become available in the future. Space that is currently obstructed by trees and shrubs may not always be obstructed. An obstruction survey could also give way for staff to determine space that can be used for future plantings.

Long Term

- ***Confirm the baseline amount of known available plots in the cemetery***
 - Record reconciliation is an ongoing process in the Clerk's Office. GCAB closely monitors sales activity in the cemetery as well as internments and inurnments throughout the cemetery. Section B and C are active in regard to sales as well as internments and inurnments. Transfers of ownership, internments, and inurnments are the most common activities taking place in in the cemetery's sections other than B and C with the occasional private sale. This goal partners with the planned monument/marker inventory survey and the GIS mapping initiative to reconfirm that all space in Greenwood Cemetery is owned, used, or is part of the more recently plotted graves in sections B and C from 2015.
- ***Monitor the continued growth of the perpetual care fund***
 - The GCAB monitors the growth of the perpetual care fund and can propose strategies for increasing the funds growth in order for the fund to reach a point where the interest accrued can cover most or all of the general maintenance requirements of the cemetery.
- ***Monitor the demand for cemetery services***
 - GCAB members review cemetery data in regards to sales, internments and inurnments and consider trends in order to suggest ways Greenwood Cemetery may need to adapt in order to meet future demands.
- ***Continue historic preservation efforts***
 - The GCAB works collaboratively with the Museum Board and Friends of the Birmingham Museum (a.k.a. the Birmingham Historical society) GCAB develops projects such as the monument/marker inventory survey, and the Friends of the Birmingham Museum conducts bi-annual tours in the cemetery to continue to educate and engage citizens while preserving history in the cemetery.

DESIRED GOALS

Short Term

- ***Replace pole & chain in section F***
 - The pole and chain in section F remains in place for the safety of cemetery users and to allow access as needed for cemetery operations. The current pole and chain functions as a safety measure, GCAB wishes to find an alternative safety barrier that meets the aesthetics of the cemetery. DPS and the cemetery contractor will provide input to make sure any proposed changes meet safety and operational requirements.
- ***Reevaluate the effectiveness and possible need for GPR in the cemetery***
 - GCAB wishes to reevaluate the potential benefits of Ground Penetrating Radar (GPR) and take into consideration any change in cost of this type of survey as well as improvements in technology since the item was last reviewed.

Long Term

- ***Monument/marker inventory survey***
 - GCAB began working on planning for the process and survey for a monument/marker inventory with the guidance of Museum Director Pielack and City Clerk Bingham at the June 4, 2021 GCAB meeting. The GCAB wishes to conduct this survey with volunteers and the support of city staff in order to cross-reference general information and collect baseline condition data and photos that could potentially be linked with the GIS data project. Monuments or markers that may need maintenance may also be identified through this survey.

- ***GIS Mapping – Launching a digital map for public reference***
 - City Staff in the planning department with GIS expertise created a GIS map of the cemetery. Data points from DPS on tree locations within the cemetery were added as a layer to the map in the spring of 2021. This goal ties in with the monument/marker inventory survey and confirming the baseline information of known available plots in the cemetery. Ongoing efforts are being made as time allows, the Clerk's office provides progress updates to GCAB as needed.
- ***Determine Capital Outlay Projects***
 - GCAB may discuss and study the potential benefits of a capital outlay project. The GCAB will provide a recommendation and report to the City Commission if a capital outlay project is identified.
- ***Explore Above Ground Crematorium Opportunities***
 - With the limited space in the cemetery and shifting demand towards cremation and inurnments, the GCAB wishes to explore the costs, benefits, and opportunities for installing a columbarium.
- ***Review and update Greenwood Cemetery Operational Procedures, Conditions and Regulations***
 - The GCAB spent a considerable amount of time in the 2021-2022 FY reviewing and updating the rules and regulations. To keep the rules and regulations current going forward they will conduct an annual read through to maintain the document.

SUMMARY AND RECOMMENDATIONS

Grave sale activity primarily occurs in sections B and C and is closely monitored by the City Clerk's office.

	Section C (released) Rows: 18-A, 19-A, 20-A	Section B (released) Rows: 14-A, 15-C, 16-C, 17-C	Section B (reserved) Rows: A-1 through A-13
Obstructed	31	9	*Currently being reviewed
Owned	41	63	187
Available	0	24	*123

The GCAB, Clerks Office, DPS, Museum, and contracted cemetery service provider continue to work collaboratively to preserve the historic charm and ambiance of Greenwood Cemetery while ensuring the highest standards of maintenance and service are being provided. The GCAB will continue to monitor data as provided by the City Clerk, work on their goals as laid out in this document, and make recommendations for future grave releases and/or improvements for the preservation and operation of the Historic Greenwood Cemetery.

The cemetery is in a state of slow growth and preservation.

For the 2022-2023 FY GCAB is encouraged to continue working on the goals as identified in this report at their regular monthly meetings. Recommendations made by the Greenwood Cemetery Advisory Board will be presented to the City Manager's Office for further direction and implementation.

ARTICLE II. - GREENWOOD CEMETERY

Sec. 34-26. - Supervision.

The care, maintenance and operation of Greenwood Cemetery in the city shall be under the supervision and control of the city manager.

(Code 1963, § 3.41)

Sec. 34-27. - Sale of lots.

The sale of the lots in Greenwood Cemetery, and the issuance of burial and other permits pertaining to the use of lots in the cemetery shall be under the control and supervision of the city clerk. Upon payment of an administrative fee in the amount set forth in the schedule of fees, charges, bonds and insurance, such clerk shall record all sales and transfers of lots in the cemetery. The clerk shall keep an accurate record of all interments in the cemetery.

(Code 1963, § 3.42; Ord. No. 1507, § 3.42, 11-25-91; Ord. No. 2010, 2-8-10)

Sec. 34-28. - Rules and regulations.

The city manager may adopt such rules and regulations for the control of Greenwood Cemetery, for the conduct of persons therein, and governing the charges for lots, burial spaces and services, as he may deem necessary. Such regulations shall, when approved by resolution of the city commission, have the full force and effect of law, and shall be binding upon all persons in and about the cemetery. All such regulations shall be available to the public at the office of the city clerk, and elsewhere as the manager may direct.

(Code 1963, § 3.43)

Sec. 34-29. - Perpetual care fund.

- (a) *Establishment of fund; name.* The city hereby establishes, subject to the control of the city commission, a fund separate and apart from all other funds, property or securities belonging to the city, or belonging to any other entity, for the perpetual care and maintenance of Greenwood Cemetery property owned by the city, together with its buildings and appurtenances, any extension or enlargements thereof, and any mausoleum or burial crypts thereon. All deposits hereafter deposited with the city pursuant to this section and earnings thereon (such deposits and earnings being hereinafter referred to collectively as "Care Funds"), shall be administered in

accordance with Act 215 of 1937 (MCL § 128.1 et seq.) and the terms of this section. The perpetual care fund hereby established shall be known as the Greenwood Cemetery Perpetual Care Fund.

(b) *Deposits.*

(1) *General.* The city shall set aside and deposit within the perpetual care fund, within the time period required by law, the amount of funds required by the Act. The city agrees to accept care funds paid in accordance with this section and to maintain such amounts and records as are necessary to carry out its obligations.

(2) *Multiple care funds.* The city may establish more than one care fund as specified by the city commission, provided that the procedures and requirements for establishing a care fund, under this section are complied with separately for each separate care fund. Each separate care fund shall be handled by the city in like manner as if each such care fund were governed by its own separate and distinct agreement with terms identical to those contained herein.

(3) *Rejection of donation.* The city reserves the right to reject any donation.

(c) *Investments.* The city is hereby expressly authorized and empowered to manage the care fund in accordance with Act 20 of 1943 (MCL § 129.91), as amended and within the parameters of the city's investment policy as adopted by the city commission and conforming to all statutes governing the investment of public funds.

(d) *Distribution of income.* The ordinance of the care fund shall be held intact by the city pursuant to the terms herein, and any interest and dividends (i.e. income, generated from the principal of the care fund) shall be paid for the care and maintenance of the cemetery. For purposes of this section, net capital gains shall be treated as principal. To the extent that income so generated is not immediately paid, such income shall be retained and shall be characterized as undistributed income.

(e) *Records.* The city shall maintain such records for each care fund and will evidence the amounts received for deposit, the amounts disbursed and withdrawn, the total amount of care funds held and the location, description, and character of the investments of the care fund.

(f) *Reports.*

(1) *Annual.* The city shall provide an annual (fiscal year, July 1 through June 30) accounting as of June 30 of each year.

(2) *Other.* The city will furnish such additional reports or information related to the care fund as may be required by ordinance and as may be required by the city or the state.

(Ord. No. 2145, 10-13-14)

Sec. 34-30. - Establishment of the Greenwood Cemetery advisory board.

- (a) *Composition.* There is hereby established the Greenwood Cemetery advisory board for the city which shall consist of seven members who shall serve without compensation. Members must be chosen from among the citizens of Birmingham and, insofar as possible, represent diverse interests, such as persons with family members interred in Greenwood Cemetery; owners of burial sites within Greenwood Cemetery intending to be interred in Greenwood Cemetery; persons familiar with and interested in the history of Birmingham; persons with familiarity and experience in landscape architecture, horticulture, law or cemetery or funeral professionals. The city manager or his/her designee shall serve as ex officio, non-voting members of the board.
- (b) *Terms of members.* Each member shall be appointed for a term of three years ending on the first Monday of July of the third year after appointment, or upon the appointment of his successor, whichever is later, except that in the first instance three of the members shall be appointed for a one-year term and two shall be appointed for two-year terms. Vacancies occurring other than through the expiration of term shall be filled for the unexpired term by the city commission.
- (c) *Removal of members.* Members of the Greenwood Cemetery advisory board shall hold office at the pleasure of the city commission and can be removed at any time with or without cause.
- (d) *Organization.* The Greenwood Cemetery Advisory Board shall elect a chairperson and vice-chairperson from its membership annually at its first meeting after the first Monday of July.
- (e) *Meetings.* The Greenwood Cemetery Advisory Board shall hold at least one regular public meeting in each quarter on such date and at such time and place as may be established by resolution of the Greenwood Cemetery advisory board. The Greenwood Cemetery advisory board shall keep a written or printed record of its proceedings which shall be a public record and property of the city.
- (f) *Expenditures and assistance.* The Greenwood Cemetery advisory board may call upon the city manager for such services and data from the various departments as it may require. The Greenwood Cemetery advisory board may recommend to the city commission the securing of such professional and consulting services as it may require, however, the Greenwood Cemetery advisory board shall not have any authority to authorize or otherwise obligate the city to incur expenses and/or approve contracts. Requests for expenditures shall be routed through the ex-officio member(s) of the board to the city commission for consideration.
- (g) *Powers and duties.* In general, it shall be the duty of the Greenwood Cemetery advisory board to provide recommendations to the city commission:
- (1) *Modifications.* As to modifications of the rules and regulations governing Greenwood Cemetery;
 - (2) *Capital improvements.* As to what capital improvements should be made to the cemetery;
 - (3) *Future demands.* As to how to respond to future demands for cemetery services; and

(4) *Day to day administration.* The day to day administration of the cemetery shall be under the direction and control of the city, through the city manager or his/her designee.

(h) *Reports.* The Greenwood Cemetery advisory board shall make and submit to the city commission annually a report of the general activities, operation, and condition of the Greenwood Cemetery for the preceding 12 months. The Greenwood Cemetery advisory board shall, from time to time, as occasion requires, either in the annual report, or at any time deemed necessary by the Greenwood Cemetery advisory board, advise the city commission in writing on all matters necessary and proper for and pertaining to the proper operation of Greenwood Cemetery and any of its activities or properties.

(i) *Protection of property.* No person shall take, use, or occupy the Greenwood Cemetery except in accordance with such rules and regulations governing such as may from time to time be authorized by the city commission.

(Ord. No. 2146, 10-13-14)



MEMORANDUM

Clerk's Office

DATE: Friday, April 14, 2023

TO: Greenwood Cemetery Board

FROM: Christina Woods, Deputy Clerk

APPROVED BY: Alexandria Bingham, City Clerk

SUBJECT: Consideration to release plots in Greenwood Cemetery for sale

INTRODUCTION:

The sale of graves in Greenwood Cemetery has depleted the number of plots released by the City Commission in 2020. Interest in purchasing plots has continued in recent months, and the Greenwood Cemetery Advisory Board believes interest will continue in the near future. The Clerk's Office recommends the release of additional plots for public sale in Sections B and C of the cemetery.

BACKGROUND:

On April 26, 2021, the City Commission released 38 plots for sale (resolution # 04-128-21), limiting the sale of newly identified graves in Sections B and C, lots 17-C, 16-C, 15-C, and 14-A. As of March 31, 2023, 296 plots Sections B and C have been sold. Historic sales for Greenwood Cemetery are as follows:

Section	2015 - June 2018	July 2018- June 2019	July 2019 - June 2020	July 2020- June 2021	July 2021 - June 2022	July 2022 - 2023 Total	TOTAL Number of Graves Sold To Date	Number of Graves Remaining (Unreleased)
B	147	11	32	10	3	5	208	123
C	52	5	10	9	3	9	88	0
TOTAL	199	16	42	19	6	14	296	123

The Clerk's office is recommending 20% of available plots in Section B be released at the \$4,000 per plot fee, which equates to 25 plots or \$100,000.00 income to the Perpetual Fund.

The Clerk's office recommends that all plots available for purchase in section B become eligible for purchase, and to not contain available plots based on specific lots. This is to reverse the downturn in plot sales due to lack of options for interested buyers. After these 25 plots are sold, the Greenwood Cemetery Advisory Board will discuss an increase in the plot fee taking into consideration to account for demand of these newly released plots.

Alternately, the Greenwood Cemetery Advisory Board could recommend a lot-specific release of Lot 10-A, Lot 11-A, Lot 12-A, and Lot 13-A for a total of 24 plots. This option is not recommended as it is unknown how many plots in these lots are unusable due to obstruction. Additionally, the largest complaint from prospective buyers are the limited options of plot locations. Demand for plots when the supply goes down will continue to increase, but restricting the available plots will result in prospective buyers "holding out" for the next release to purchase the plot they desire.

FISCAL IMPACT:

The release of 25 plots will benefit the Perpetual Care fund by providing an income of \$100,000.00. The Perpetual Care Fund portfolio's ending fund balance on February 28, 2023 was \$1,079,026.99

SUMMARY:

Due to the depletion of available grave plots over the past five years and continued interest in ongoing grave sales, a release of additional grave plots is recommended.

ATTACHMENTS:

1. Maps, Greenwood Cemetery and Graves Sold/Available
2. Michigan Association of Municipal Cemeteries guidance on grave sales

SUGGESTED ACTION:

To make a recommendation to the City Commission to release for purchase 25 unspecified plots in the flush rows in Section B, and to review the fee schedule for plot costs after these 25 plots have been sold.

OR

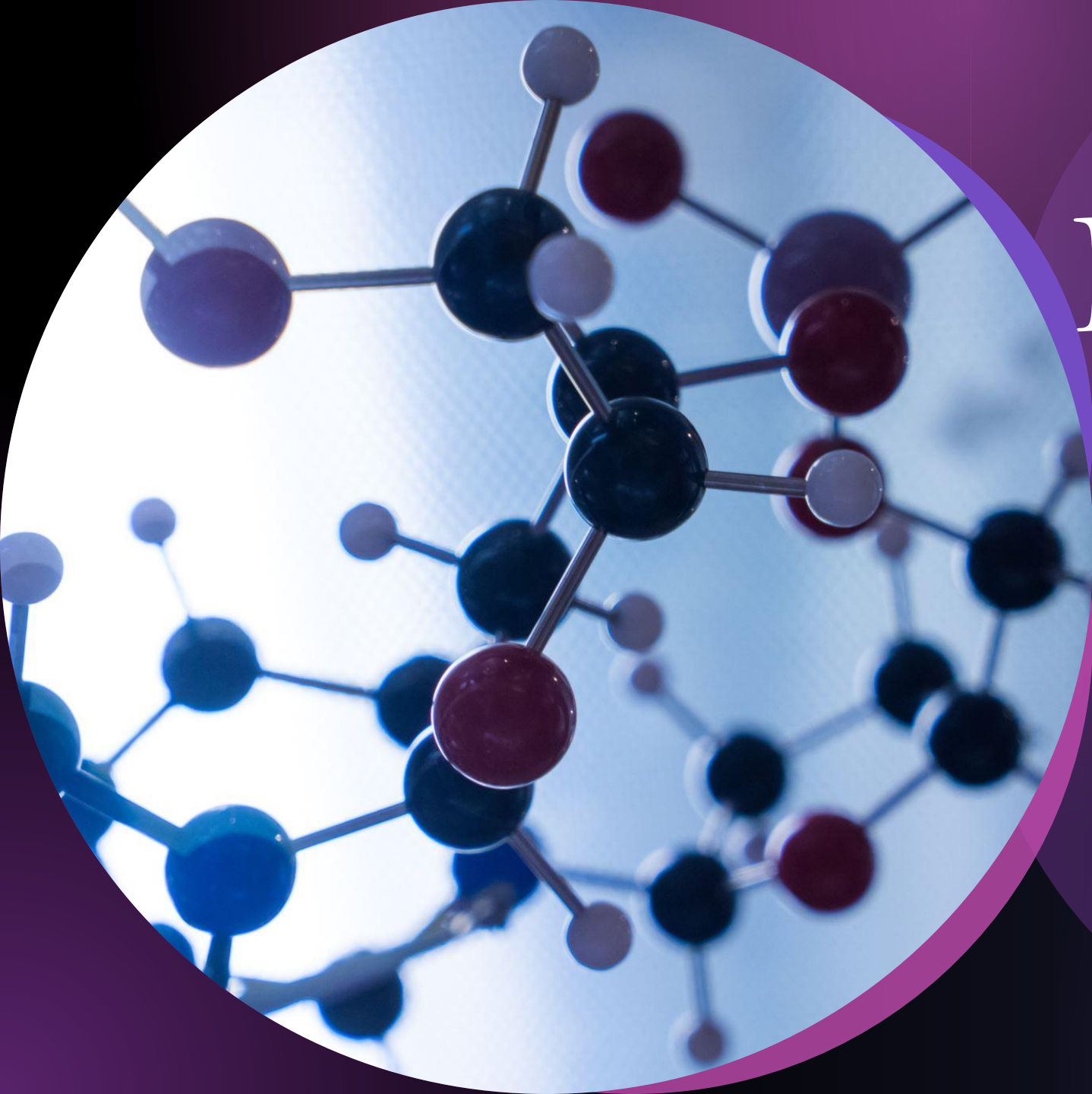
To make a recommendation to the City Commission to release plots in Lot 10-A, Lot 11-A, Lot 12-A, and Lot 13-A for an estimated 24 available plots, and to review the fee schedule for plot costs after these plots are sold.

Section C

Section B **Grey= Obstructed Green= Sold**

Grey= Obstructed Green= Sold

[illegible]



Feet Under & Feet Apart

PRESENTED BY: CINDY DODGE, LIAISON,
MICHIGAN TOWNSHIPS ASSOCIATION

CINDY@MICHIGANTOWNSHIPS.ORG

Planning and Forecasting

- Did you have an increase in burials?
- When was the last time you added a new service or reviewed your pricing structure?
 - Cremation options
 - Columbarium, cremation garden
 - Green Burials
 - Pets
- Every time you turn 20% of your inventory, you should consider increasing prices.
- Other options:
 - Every five years
 - When new situations arise
 - When new technologies/ideas/information are introduced



MEMORANDUM

City Clerk's Office

DATE: April 6, 2023

TO: Greenwood Cemetery Advisory Board

FROM: Alexandria Bingham, City Clerk

SUBJECT: Update on the Requests from the Friends of the Birmingham Museum

INTRODUCTION:

On March 29, 2023 City Clerk Bingham received correspondence from George Getschman outlining three items of interest for the Friends of the Birmingham Museum.

1. A 12" by 12" tile from Pewabic Pottery in honor of Mary Chase Stratton
2. A 12" by 5" sign commemorating those buried in the cemetery with no monument
3. The monument placement for Civil War Veteran Hiram Daniels

NEXT STEPS:

1. A 12" by 12" tile from Pewabic Pottery in honor of Mary Chase Stratton

- Requestor Next Steps
 - i. Provide specs on the current monument in place
 - ii. Provide specs of the iron base and tile
 - iii. Provide acknowledgement that the requestor will be liable for any loss or damage to the proposed items to be installed
- Administrative Next Steps
 - i. Confer with Creative Collaborations and perform a field survey to measure and lay out the proposed items to be installed on the Mary Chase Stratton plot. Review of any rules and regulations that could be in conflict of proposed items to be installed
 - ii. Obtain Greenwood Cemetery Advisory Board vote in favor of proposed items to be installed
 - iii. Confer with City Attorney
 - iv. Confer with City Manager

2. A 12" by 5" sign commemorating those buried in the cemetery with no monument

- Administrative Next Steps
 - i. Take an inventory of all signage in the cemetery for consistent appearance in line with the City's style guide
 - ii. Conferring with the Department of Public Works for their input on details regarding location, installation and maintenance
 - iii. Conferring with Community Development in respect to the sign ordinance
 - iv. Obtain Greenwood Cemetery Advisory Board vote in favor of proposed sign to be installed
 - v. Confer with City Manager Office for approval
 - vi. Obtain acknowledgement from the requestor that they will be liable for any loss or damage to the proposed items to be installed

3. The monument placement for Civil War Veteran Hiram Daniels

- In late fall of 2022 Cheri Arcome, Creative Collaborations reported to Leslie, Marty and Jacquie that Creative Collaborations would perform the due diligence (research and field surveys) in the spring of 2023 weather permitting and make a recommendation to the Clerk's Office. Creative Collaborations is still planning to conduct the research after Easter, weather permitting.

LEGAL REVIEW:

The City Clerk will need to confer with the City Attorney on these matters before proceeding.

FISCAL IMPACT:

The newly proposed sign and Pewabic Pottery piece shall not have an impact on the city's budget. The city shall not be liable for the maintenance or potential loss or damage of those items.

ATTACHMENTS:

- Email from George Getschman dated March 29, 2023

Greenwood Questions/Friend of the Birmingham Museum

George Getschman <getschmandds@outlook.com>
To: Alex Bingham <abingham@bhamgov.org>

Wed, Mar 29, 2023 at 4:24 PM

Hi Alex-

I am George Getschman, one of the people who organize our biannual tours of Greenwood Cemetery for the Friends of the B. Museum. We have been waiting for several years for the process of application for monument addition to be completed, but Leslie Pielack has told us that the items that we are interested in addressing fall outside the scope of the application process.

The three things that we are seeking a decision on are:

1. A memorial monument for the for the grave of Mary Chase Stratton, Section O, Lot 1. She and her husband already have a small monument, so the Pewabic monument in question would be considered a "decoration". This monument was made by Pewabic Pottery several years ago at no cost to the Friends. It is 12" X 12" and I understand that they have made an iron base for it to secure it. I have attached an image of the monument. The Friends, I am sure would cover any installation expenses. The Strattons had no children and did not live in Birmingham, but Mary's brother Fred married into the Peabody family and is buried nearby.
2. A small sign, approximately 12' X 5", painted dark green with white letters commemorating those buried in the cemetery with no monument. The wording is also attached to this email. The sign could be placed anywhere, perhaps on the bottom of the map in Section L. The sentiment was triggered by our rediscovery of the Taylors who were forgotten for 120 years because they had no monument. While it's impossible to place monuments of other nearly 600 unmarked graves, we thought that it would be appropriate to remember them as a whole.
3. Moving an improperly placed Civil War veteran's monument. Hiram Daniels, Jr. was a veteran of the MI 22nd Regiment in the Civil War and survived Andersonville prison. He is buried in Section B, Lot 38, Grave 9. He has a very substantial monument, but his Civil War veteran's monument was erroneously placed years ago on his father's grave, Hiram Daniels, Sr, Section B, Lot 50A, Grave 2. This has always bothered me- and I think that they would approve of correcting this. Aren't you a descendent of their family? If so, I guess that you would have a personal as well as professional say in this matter!

Linda Buchanan, who you may know, is the President of the Cemetery Board, has been leading the efforts on the first two items.

Please let me know what we need to do to address these requests. Linda and I are available to meet with you if you feel that is necessary.

Thanks so much for your time!

George Getschman

2 attachments



MCPS_Greenwood-Cemetery[2779].jpg
1569K



THERE ARE OVER 3.docx
13K

**THERE ARE OVER 3,700 INTERNMENTS IN GREENWOOD CEMETERY
AND WELL OVER 500 THAT WERE NEVER MEMORIALIZED WITH
MONUMENTS. THOSE GRAVES ARE UNMARKED.**

**IT IS OUR HOPE THAT THESE PEOPLE, WHO WERE ONCE LOVED
AND WERE ONCE MEMBERS OF BIRMINGHAM'S EARLY COMMUNITIES
WILL NOT BE ENTIRELY OVERLOOKED BY THOSE OF US WHO VISIT THIS
BEAUTIFUL PLACE OF REMEMBRANCE AND PEACE.**

THE FRIENDS OF THE BIRMINGHAM MUSEUM



MEMORANDUM

Museum

DATE: April 14, 2023

TO: Greenwood Cemetery Advisory Board

FROM: Leslie Pielack, Museum Director

SUBJECT: Elijah Fish and Utter Marker Restoration/Preservation This Spring

INTRODUCTION:

The Friends of the Birmingham Museum have determined that extra funds that were raised for the installation of a marker for George and Eliza Taylor should be used to restore and/or preserve historic Greenwood Cemetery markers. Of particular concern has been abolitionist Elijah Fish's marker. To this end, Museum Director Leslie Pielack arranged for a cemetery preservation expert to visit Greenwood and meet with city staff, the cemetery manager, and a Friends board representative to assess conditions and make recommendations. A proposal for work on the Fish and Utter monuments has been submitted to the Friends, who have authorized the expenditure. The Fish family has also given its approval. The work is planned for this spring when the weather breaks, and will give city staff and all interested parties an opportunity to assess whether additional restoration/preservation work by this company would be beneficial in the future.

BACKGROUND:

Elijah Fish's burial site is now listed on the National Park Service's Underground Railroad Network to Freedom register for his important role in early anti-slavery efforts in Birmingham and Oakland County. However, his marker has fallen in recent years, accelerating its deterioration and making its inscription more difficult to read. Because of its importance, the Friends identified it as a high priority for assessment and intervention. In addition, many of Greenwood's oldest grave markers are leaning or damaged, and need cleaning to remove stains or moss that contribute to their deterioration.

The proper stabilization and preservation of historic cemetery markers is a specialty area, and experts are generally difficult to locate or costly to engage. Fortunately, Carter's Cemetery Preservation is a qualified firm that is located in southeast Michigan, and was available to make a site visit to assess the Fish marker and general conditions of the oldest

section of the cemetery-Section A. Carter's has worked with many municipal cemeteries in Michigan and has an excellent reputation as a careful and competent cemetery preservation professional service.

Owner Dave Carter met with City Clerk Alex Bingham and Deputy City Clerk Christina Woods; Museum Director Leslie Pielack and Museum archivist Donna Casaceli; Parks Manager Carrie Laird; Cemetery Manager Cheri Arcome; and Friends treasurer Marty Logue to view and discuss conditions at the cemetery. Mr. Carter indicated that the Fish marker needed attention as quickly as possible to be set upright and cleaned to slow its deterioration, and further, that the Utter monument, which is also of great historical significance in the cemetery, is also badly in need of leveling and cleaning. He also discussed his approach to cleaning and preserving markers and general maintenance issues with markers of various materials and ages.

Carter's Cemetery Preservation provided a proposal to the Friends that was reasonable, and could schedule the work for early this spring. The Fish family descendants have indicated their appreciation and support for the work. (There are no known descendants of the Utter family.) The Friends have reviewed and authorized the expenditure and engaged Carter's to do the work in the next few weeks.

SUMMARY:

Carter's Cemetery Preservation is available to provide needed expertise to level and clean the Elijah S. Fish and the John-Polly-and Cynthia Ann Utter markers. The Friends of the Birmingham Museum will cover the cost, and the work can be done this spring. This project will address immediate concerns of two of the most important markers in Greenwood Cemetery. It will also provide an opportunity for the City and other stakeholders to review options and consider best practices and planning for the cemetery in the future.

April 2023 Updates

Clerk's Office Update

In March of 2023, City Clerk Bingham graduated from the Michigan Association of Municipal Clerk's three-year institute program. The MAMC Institute program provides robust training and professional development for clerks seeking their Michigan Professional Clerk (MiPMC) credentials. In addition to applying for the MiPMC designation Clerk Bingham has also applied for the Certified Municipal Clerk (CMC) credential from the International Institute of Municipal Clerks (IIMC).

Deputy Clerk Woods completed her second year of MAMC Clerk's institute this past March and plans to complete the MAMC institute program in March of 2024.

The Clerk's office is busy in preparation of the Celebrate Birmingham Parade and Party in Shain Park that will be held on Sunday, May 21, 2023.

Later this summer the clerk's office will begin preparation for the November 7, 2023 General Election.

Engineering Update

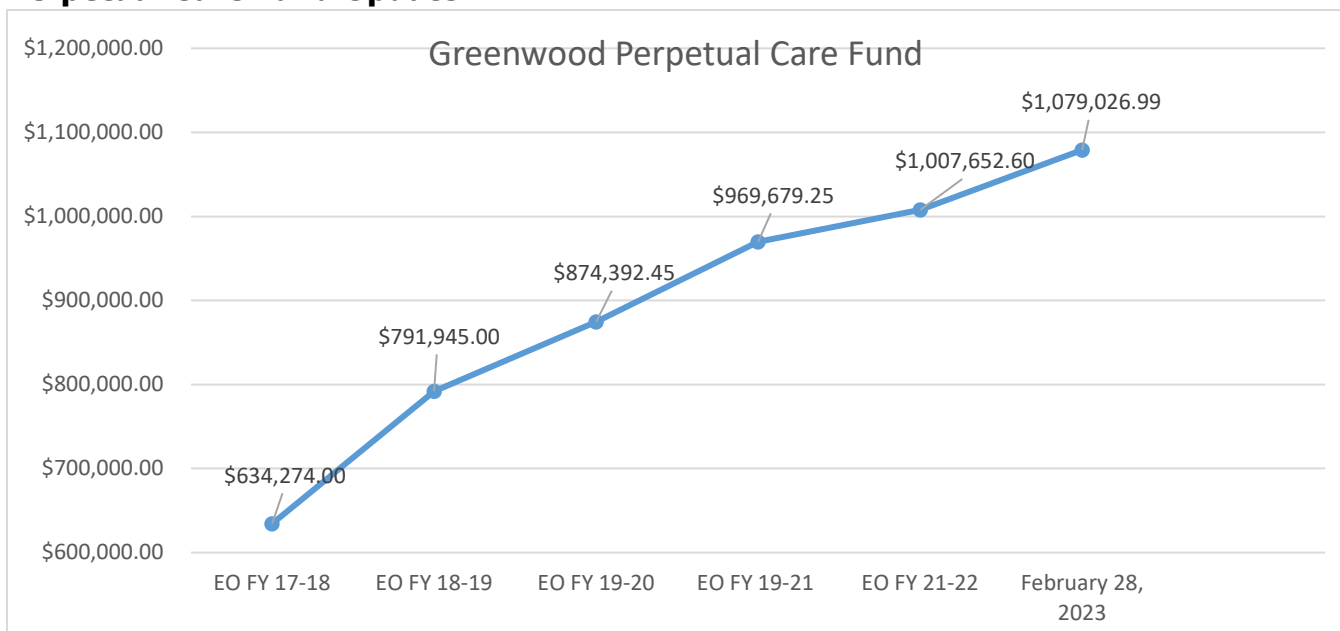
The Sidewalk contractor is going to be in town starting the end of April/beginning of May. We do not have a detailed schedule yet of when they will work on punch list items in front of the cemetery. Once we know, we will forward the information.

Department of Public Services Update

Spring cleanup has occurred at Greenwood Cemetery and our lawn mowing crews will be starting up soon, weather permitting. Greenwood will receive one new tree this spring as part of the city's tree planting project. The new tree will be placed in the Northeast corner, near the maintenance garage area, in the vicinity of where one was recently removed.

Water meters are currently being installed at all of our city locations, water will soon be available at the cemetery.

Perpetual Care Fund Update



Cemetery Sales

Greenwood Cemetery Sales and Availability				
	Sec B	Sec C	Resident	Non-Resident
July 2022	1	1	1	1
August 2022	0	0	0	0
September 2022	1	3	1	4
October 2022	0	0	0	0
November 2022	0	3	0	3
December 2022	0	1	0	1
January 2023	1	1	1	1
February 2023	2	0	0	2
March 2023	0	0	0	0
April 2023				
May 2023				
June 2023				
Total Sold	2	8		
Current Total Available Under Authorization	9	5		
Current Total Not Released	123	0		

Cemetery Burials

	Sec B		Sec C		Other		Total by Month	
	Full	Crem	Full	Crem	Full	Crem	Full	Crem
July 2022	1	0	1	0	1	1	2	1
August 2022	0	1	1	0	0	1	1	2
September 2022	1	0	1	1	1	2	3	3
October 2022	0	0	0	2	0	4	0	6
November 2022	1	0	0	0	0	0	1	0
December 2022	0	2	0	0	1	0	1	2
January 2023	1	1	0	1	0	0	1	2
February 2023	1	0	0	0	0	0	1	0
March 2023	0	0	0	1	1	0	1	1
April 2023								
May 2023								
June 2023								
Totals	5	4	3	5	3	8	11	17



CITY MANAGER'S REPORT

March 2023

Baldwin Public Library

Library Board

The Library Board met on March 20, 2023 for its regular meeting and annual budget hearing for the FY 2023-2024 budget. The Board approved an updated Hours of Service policy.

Phase 3 Construction

The Phase 3 expansion and renovation project is progressing on track. PCI Dailey, the construction management firm, is collecting bids for each trade involved in the project. A project walk through was held at the library on March 21 and all bids will be due on March 28. We expect to have the guaranteed maximum price for the project available by mid-April.

Library Tour

If you'd like to learn even more about the library, join Library 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 vestibule on Thursday, April 13 at 10:00 a.m.

Did you know that Baldwin has a Seed Library?

You can learn more about this service and select seeds to grow at your home by visiting www.baldwinlib.org/seedlibrary. A seed library is a collection of seeds available for lending to the community. Users "borrow" (or take) seeds from the library to grow food and flowers. After harvesting mature seeds, people may "return" (or donate) seeds back to the seed library. Seed libraries facilitate a connection to the Earth and to the past – humans have been saving and sharing seeds for over 10,000 years! – and help to raise awareness about the importance of genetic diversity, regional adaptability, and seed stories. BPL's seed library hopes to aid the conservation of local and heirloom varieties while encouraging patrons to grow their own food, be outside, share with the community, and have fun.

Register for the following upcoming programs and more at baldwinlib.org/calendar.

Read to Seed

Monday, April 10, from 4:30 to 5:30pm

Did you know seeds love being read to? It is true! At this program, participants will plant their own special seed to take home. At home, seeds will need water, sunlight, and reading to help

them grow. Read to your seed every day until it sprouts. Registration required. For students in grades 1 to 3.

College Info Series: Myth-Busting, College Admissions Edition

Wednesday, April 12 at 7:00pm

There is a lot of information in the media about college admissions—some of it is fact, some of it is fiction, and a lot of it is exaggeration. Hear from a college-admissions-counselor-turned-college-counselor about some of the top myths about the college admissions process, as well as tips to be the best applicant you can be. Teens and parents are welcome. You may attend these sessions in-person or on Zoom. Registration required.

Guardians of Michigan

Monday, April 24 at 7:00pm

Historian and photographer Jeff Morrison will present a sixty-minute program with more than 250 spectacular pictures of interesting architectural sculptures found on buildings throughout Michigan, from Ann Arbor to Ontonagon and all points in between, including Birmingham. You will learn about the symbolism behind the sculpture and hear some of the untold stories of the artists, artisans, and architects involved in the creation of these wonderful structures and the unique art that adorns them. Morrison is the author of two books, the multi-award-winning Guardians of Detroit: Architectural Sculpture in the Motor City and the just-released 2023 Michigan Notable Book Guardians of Michigan: Architectural Sculpture of the Pleasant Peninsulas. There will be time for questions and answers, and both books will be available for sale after the presentation.

The Birmingham Museum

2nd Grade School Resources and Tours

The Birmingham Museum has been invited by school staff to develop updated content to aid 2nd grade teachers in their Birmingham-focused local history curriculum. A special focus will be the diverse community, the changing environment, and family life over the past 200 years in Birmingham. Teacher resources will include primary source material such as historic photos, documents, and objects from the museum's collection.

In addition, the museum has updated its on-site 2nd grade Hunter House tours to enhance and personalize each student's experience. Twenty-seven classrooms and nearly 500 students are expected this spring. Annual school tours were suspended during the pandemic, but will return in May as part of the museum's regular programming.

Birmingham Shopping District (BSD)

Strategic Planning

Preliminary review of the BSD's Strategic Plan has been held by the Board and they will be holding a special meeting on April 4 at 8 a.m. at Hazel's to finalize the plan.

April Board Meeting Rescheduled Due to Holiday Observance

The BSD Board meeting for April has been rescheduled for April 19, 2023, at 8 a.m. due to the observance of Passover.

Spring Stroll

Spring Stroll is planned for April 15, 2023, from 11 a.m. - 2 p.m. where families, couples and friends will be encouraged to explore the businesses downtown and shop local while taking advantage of the retail promotions and free giveaways.

Farmers Market Opening Day

The Birmingham Farmers Market opens May 7, 2023, and will run through October 29, 2023, every Sunday from 9 a.m. - 2 p.m. in Lot 6 located along North Old Woodward. Children in grades K-8 participated in the Farmers Market Tote Bag design contest. The winning design will be featured on the 2023 reusable tote bags distributed at the market this season.

Restaurant Promotion

The Special Events Committee will be presenting its recommendation to the Board in April for its planned restaurant promotion that will replace Restaurant Week. Also notable, Madam at the Daxton Hotel is HOUR Detroit Magazine's Restaurant of the Year, and Tallulah Wine Bar and Bistro is the Detroit Free Press' Restaurant of the Year.

Bylaws

Draft bylaws for the BSD have been presented to the Board for review, and they will consider it for approval at its April meeting.

2023/24 Holiday Lighting Plan

The Maintenance and Capital Improvement Committee is working with DPS to modify the holiday lighting plan for 2023/24 in order to reduce costs yet still maintain the quality lighting throughout the district. A final determination will be presented to the Board in April.

New Businesses

The much anticipated CB2 opened in February at the corner of Maple and Woodward in a beautifully restored building. We also welcome the following businesses who opened this month:

- RenU Acupuncture Medical
- The Taco Stand Taquerie Restaurant
- Face Foundrie Salon

2023 Dashboard Metrics

Retail Occupancy Rate - 96% (out of 1.5 million sq.ft.)

Office Occupancy - 89% (out of 2 million sq.ft.)

8 New Business Openings in 2023 (5 more in process)

Building Department

Construction Activity

Despite rising material costs and interest rates, construction activity in the City has remained consistent. January and February permits increased 35% over last year and we saw a construction value increase of \$22,652,549.

McKenna Inspector

An additional inspector from McKenna was brought on to help provide consistent oversight for the many commercial projects underway in the City.

Monthly Report

The [Building Department's monthly report](#) provides an update on the following construction activity: building permits issued, building inspections conducted, trades permits issued and trades inspections conducted. In February, we processed 276 online permit applications for a total of 521 in 2023.

City Clerk's Office

General Election on November 7, 2023

Birmingham will hold a General Election on Tuesday, November 7, 2023. At this time, four Birmingham Commissioner positions for a 4 year term and three Birmingham Library Board positions for a 4 year term will be on this ballot. The petition and candidate filing deadline for the November 7, 2023 General Election is 4:00 p.m. on July 25, 2023. For more information regarding petition and candidate filing please visit www.bhamgov.org/elections.

Election Change Updates

The effects of the State constitutional amendment known as Proposal 22-2, Right to Vote are still being fine-tuned in the State House and State Senate. Legislature will need to be drafted, approved and signed into a bill before the Board of Elections will finalize procedures to implement the changes. There are currently a lot of moving parts but implementation is projected to be in time for the Presidential Primary.

The changes we will see in future elections are as follows:

- State-funded postage for ballot applications and return postage on Ballots. Ballot mailing will continue to be funded by the local municipality.
- Mandatory, approved drop boxes for every 15,000 voters, secured and under video surveillance.
- Military and overseas civilian absentee ballots will be accepted if post dated by Election Day and received within 6 days after the election.
- Permanent ballot registration to allow voters to automatically receive a mailed absentee ballot without having to send in an application for each election.
- Mandatory 9 days of early voting for State and Federal elections, to be set up as a precinct but will service multiple precincts simultaneously. This may be done in conjunction with other municipalities or through the county.

Michigan Association of Municipal Clerk Institute Training

Deputy Clerk Woods completed her second year of the Michigan Association of Municipal Clerk Institute Training during the week of March 13th.

City Clerk Bingham completed her third year and graduated from the Institute during the week of March 20th and will soon receive her Michigan Professional Clerk (MiPMC) certification.

Party & Parade in Shain Park

SAVE THE DATE: Sunday, May 21, 2023 Parade at 1:00 p.m. with party to follow in Shain Park

Planning is picking up steam for the 2023 Celebrate Birmingham Hometown Parade on Sunday, May 21st at 1:00 p.m. Community groups, local businesses, dance teams, scout troops, children and adults

of all ages are encouraged to march in this year's parade. It's a great opportunity to spotlight your group!

Sponsors are welcome to join in the 2023 festivities. Being a sponsor is another way for a business, group, organization or individual to be recognized as part of this family-friendly event which reflects the hometown feel of Birmingham. The Hometown Parade is televised by Bloomfield Community Television and is covered by traditional and social media, giving sponsors a fantastic PR opportunity. Visit www.bhamgov.org/parade for registration forms and sponsorship packages.

Greenwood Cemetery Advisory Board

The Greenwood Cemetery Advisory Board met on Friday, February 3, 2023 and received an update from Cheri Arcome of Creative Collaborations who coordinates cemetery services for the city. The board will continue to discuss strategic planning and cemetery services contract elements at the next Greenwood Cemetery Advisory Board meeting on Friday, April 14, 2023 at 8:30 a.m.

Ethics Board

The Ethics Board met on Monday, March 10, 2023 to continue their work on reviewing the city's current Ethics Ordinance and to hold a hearing for the Ethics Opinion Request regarding Commissioner Brad Host submitted by City Manager Tom Markus. The April date for the next Ethics Board meeting will soon be determined.

Board Appointments

The following City of Birmingham boards and commissions have vacant positions or members with terms expiring soon. Applications are due before noon the Wednesday prior to the commission interview/ appointment date:

Board	Openings	Application Due by Noon	Interview/ Appointment at City Commission meeting 7:30 pm
Ad Hoc Environmental Sustainability Committee	9 Members terms ending 9/27/2024. Preferred qualifications/areas of professional expertise: energy, equity, civil/construction engineering, water quality, environmental engineering/consulting/law, recycling and solid waste.	3/22/23	3/27/23
Advisory Parking Committee	1 resident shopper term ending 9/1/2025 1 large retail member term ending 9/1/2025	3/22/23	3/27/23
Architectural Review Committee	1 regular member term ending 4/11/2026	Until Filled	

	1 regular member term ending 4/11/2025		
Birmingham Shopping District	1 business representative term ending 11/16/2026	Until Filled	
Birmingham Area Cable Board	1 regular members terms ending 3/30/2026 1 regular member term ending 3/30/2024 1 alternate member term ending 3/30/2025	Until Filled	
Board of Building Trades Appeals	1 regular member term ending 5/23/25 1 regular member term ending 5/23/24 2 regular members term ending 5/23/2026	4/19/23	4/28/23
Board of Review	2 alternate members term ending 12/31/2025	Until Filled	
Board of Zoning Appeals	1 alternate members term ending 2/18/2026	Until Filled	
Brownfield Redevelopment Authority	2 Regular Members term ending 5/23/2026 1 regular member Term ending 5/23/2024	5/3/23	5/8/23
Martha Baldwin Park Board	1 Regular member term ending 5/1/24	3/22/23	3/27/23
Parks & Rec Board	2 regular members, 1 alternate member terms expiring 3/13/2026	Until Filled	
Planning Board	3 regular members terms ending 3/28/2026	3/22/23	3/27/23
Public Arts Board	1 alternate member term ending 1/28/2026 1 alternate member term ending 1/28/2025	Until Filled	

Stormwater Utility Appeals Board	3 regular member term ending 1/31/2026 2 alternate members 1/31/2025	Until Filled	
Triangle District Corridor Improvement Authority	1 regular business owner term ending 12/15/2026	Until Filled	

City Manager's Office

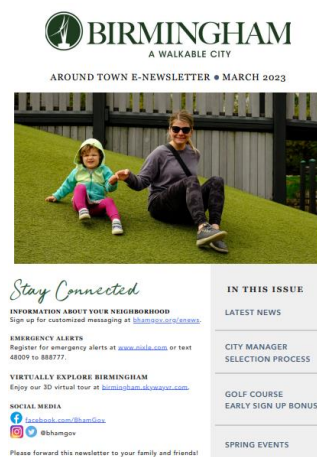
Communications

Around Town e-Newsletter

The communications team is working on the April edition of the Around Town e-Newsletter, which will include information about yard waste collection, spring events, pet safety information and more. Follow [this link to view the March edition](#) of the Around Town e-Newsletter.

Reels

The communications team began publishing reels on social media and they have been well received. Video reels published to date have featured the city's sledding hills, skaters at the Birmingham Ice Sports Arena, our new parking structure equipment, spring drone footage and more. Enjoy our reels on [Facebook](#) and [Instagram](#).



The Birmingham Beat Newsletter

We are pleased to introduce the redesigned Birmingham Beat newsletter! The team worked with a new graphic designer to create a fresh, modern look that is easy to read and aesthetically pleasing. This edition features updates about the city's new Environmental Sustainability Committee, spring and summer community events, Junior Golf Program, Parks & Recreation bond projects, the Birmingham Museum's new podcast, construction projects and more. Keep an eye out for it in your mailbox around April 1, 2023.

Webpage for DTE Updates

During the recent snow and ice storms, the communications team created a webpage to provide DTE updates, infographics, videos, safety tips and power outage links all in one place. The page also features a message from City Manager Markus explaining how electric, gas and telecommunications are regulated in our state, and how to engage with the agency empowered to regulate these services. Access the webpage at www.bhamgov.org/poweroutage.

Human Resources

Human Resources Manager Joseph Lambert has resigned to take a new position. Assistant City Manager Melissa Fairbairn will be overseeing HR until a permanent replacement is hired. The new Assistant Director of Engineering is expected to begin in mid-April. The city will be recruiting for two Secretary A positions in the Building Department. Other vacancies with the city include: Fleet Mechanic, Parks and Forestry Operator, Plumbing Inspector, and Streets Sewer Water Operator.

BIRMINGHAM CITY COMMISSION - UPCOMING AGENDA ITEMS

Topics brought up by the Commission

Meeting	Topic	Commissioner	Staff Follow Up	Dates Addressed	Status (resolved/ongoing)
In Progress					
3/13	Discussion on policy for sponsoring and administering events	Baller		4/24	In progress
3/13	Community foundation (review former letter from Kucharek)	Baller	CM/Atty	4/24	In progress
2/27	Bench and Little Library for Pat Andrews	Host	DPS & Staff	3/13 - commission to discuss further	In progress
1/9/23	Ad Hoc Senior Services Committee	M: Baller S: Longe	CM	2/13 Commission to discuss further - no action at this time, 3/13 Commission gave direction via resolution	In progress
12/5/22	Becoming Mayor	McLain	Mary	12/19 - Motion to make a workshop Workshop TBD, possibly May	In progress
11/14/22	Renters Rights	M: Host	Mary	11/28 CC Discussion Scheduled - Voted to make a formal agenda item at the next available meeting 1/23/23 Tabled, will be brought back soon	In progress
3/28/22	City Manager Selection Process	M: Host S: Boutros	Managers Office & HR	4/25/22 - direct to formal agenda item 5/9/22 - New Business Item 5/23/22 CM report 10/3/22 - motion for CM to conduct formal recruitment 10/25/22 - CM recruitment portfolio posted 1/9/23 - Scheduling Interviews	In Progress

				2/8&2/9 First round interviews 2/15 Meet & Greet March - Final Interviews, Direction from CC, contract negotiation	
1/10/22	Commissioner Conduct	No vote	Mary Kucharek	2/14/22 - Workshop 2/28/22 Directed CM to prepare Code of Conduct for future agenda 7/11/22 - Initial presentation to Commission by CA 2/13/23 - City Commission reviewed draft Code and will provide feedback to CM for future workshop.	In progress
Resolved					
4/11/22	BBCC - Mental Health Workshop - More time to talk	M: Baller S: Haig	Marianne Gamboa	4/25/22 - clarify commissioners intent 5/9/22 - added time on the agenda to discuss Tom directed staff to add mental health info in city publications	Resolved
5/9/22	Pickleball	Baller, no vote	Lauren Wood	Agenda item 5/23/22	Installed on 6-3- 22
1/24/22	Social Districts	M: Schafer S: Boutros	Nick Dupuis/Jana Ecker	2/14/22 - make formal item 3/9/22 - Workshop 3/14/22 - Informally brought up by Host 6/20/22 Commission and Planning Board Discussed	No formal action taken by the Commission
5/23/22	Commission Meeting Start Time	Baller	Mary Kucharek	On agenda for 6/27/22 - Mary to draft generic ordinance language and discuss in july On agenda for 7/11/22 - Commission decided not to proceed	No changes for now
8/15/22	Birmingham Country Club	M: Host S: Haig	Fairbairn, Dupuis, Clerk's Office	8/29 - CC Discussion Possibly plan to write a letter, invite bham cc and twp to meeting to collaborate *Draft a letter	Resolved, letter sent
8/15/22	Speed Bumps	M: Haig S: Host	Grewe/Brooks	8/29 - Staff report *Further study by MMTB *Report/Resolved in March Mgr Report 2023	Resolved
9/12/22	Banner	M: Baller S: Host	TBD	11/14 CC discussion scheduled	Completed

12/5/22	Lighting to sustainability board	Haig	Nick Dupuis	12/19 - Direction for staff to prepare list for Sustainability Board	To be explored by Sustainability Board
6/13/22	Sustainability Board	M: Schafer S: Host	Nick Dupuis	On agenda for 6/27/22 - direction for staff to draft requirements to establish board, coming back at next available meeting 10/3/22 Workshop - staff given direction to return with recommendation 1/23/23 - ad hoc board established	Resolved - Recruiting Board Members
1/10/22	Leaf Blowers	M: Baller S: Host	Nick Dupuis	1/24/22 - make formal item 10/3/22 Workshop - staff given direction to return with recommendation	Item sent to sustainability board
1/10/22	Food Trucks	M: Host S: Schafer	Nick Dupuis/Jana Ecker	1/24/22 - CC req. more info 3/9/22 - Workshop 3/14/22 - Informally brought up by Host 6/20/22 Commission and Planning Board Discussed 6/27/22 - City Manager Directed to encourage food trucks at all city sponsored events, BSD events, and direct the BSD to organize a rotation of food truck events	Staff monitoring
4/25/22	Improvements in Information Provision and Methodology	M: Haig S: Baller	TBD	1/9/23 M: Haig, S: Host To continue discussion -Addressed in Jan 2023 CM report	Resolved

Topics Failed

4/25/22	On Street Parking Study	M: Haig S: Host
4/11/22	Downtown Parking	M: Host S: Haig
3/28/22	Parking Matters	M: Host S: Haig
6/13/22	479 SOW (Doraid) PAD	M: Boutros

Topics With No Vote - Resolved

1/10/22	Unimproved Streets	Discussed during the Long Range Planning meeting.
2/28/22	Solidarity with Ukraine	City Manager arranged for exterior lighting at City Hall.

Topics With No Vote

5/9/22	-PAD ordinance/cleanup	Baller, no vote	No vote
5/9/22	-Policy for granting public space ODD/Valet	Baller, no vote	No vote

Department of Public Services

Forestry News

Tree City USA

Birmingham earned recognition as a Tree City USA in 2022, making it its 45th year as a Tree City USA! Residents of Birmingham should be proud to live in a place that makes the planting and care of trees a priority! We plan to celebrate our Tree City USA status during our Arbor Day Celebration coming up next month. An announcement is forthcoming.

Tree Inventory Update

Davey Resource Group recently completed the second phase of the Tree Inventory Update, collecting a total of 4,866 sites in the northwest quadrant of the city in addition to some parks and golf courses, bringing the total updated tree count to over 10,000 sites. We are halfway through this update (two of four years complete).

Storm Damage

The month of March has not been kind to our forest, piling ice and heavy snow on top of our canopy causing hundreds of city trees' (and many more private trees) branches, and limbs to fail. During our normal season of brush route pick up (April through October), one brush route crew is able to make it through the city in seven to ten business days, often quicker. With the amount of damage received back to back with ice and heavy snow, we had three brush route crews from our forestry contractor and one from DPS cleaning up, for a total of four crews. Even with the amount of brush crews, the cleanup has taken over a week for each storm event. There were dozens of requests submitted to GovPilot, which proves to be an effective reporting tool for the public and City employees.

Prescribed Burn at Barnum Park

DPS hired David Borneman, LLC, www.restoringnaturewithfire.com, to conduct a prescribed burn at Barnum Park in late March or early April, weather permitting. We added prescribed burning to our natural areas maintenance program in 2017 and it's proven to be successful. Fire was once a regular and frequent component of our landscape in the Midwest. Before development, many of our local ecosystems such as prairies, woodlands, and certain wetlands burned often from lightning strikes. The fire stimulates native plant species to grow more vigorously and discourages others that did not adapt to the heat from fire including many invasive species. Barnum Park is regularly treated and Booth Park and Quarton Lake have been part of this program in the past as well.

Birmingham Little League Agreement:

Birmingham Little League (BLL) wishes to donate dugout covers to Kenning Park, fields #2, and #3 (Palmeri field). We are in the midst of formulating an agreement for BLL to procure, install, and maintain these seasonal fabric dugout covers that will attach to our existing fencing system around the players benches.

mParks Play is Essential Grant

Birmingham was selected for a mParks Play is Essential Grant for the amount of \$2,000. We applied for the grant in order to install accessible equipment at Adams Park including seat backs for the sea-saw and a stationary cyler on the new structure.

Engineering Department

Construction Update

The following construction projects will start in April:

Westwood, Oak, and Raynale Project
Cranbrook Road Non-Motorized Pathway Improvement Program
Parking Lot No. 5 Slope Repair

Sign up to receive project updates at www.bhamgov.org/enews.

The following construction projects are tentatively scheduled to start at the end of April/beginning of May, weather dependent:

2022 Cape Seal Program
Water Tower Maintenance and Coating

Affected property owners will receive information about these projects.

Water Service Verification Program

As a reminder, the "In-Home/Business" water service line material needs to be determined as part of this program and is included in the City's reporting for the State of Michigan. Property owners can schedule an inspection by an authorized City Representative at (248) 303-2292 or determine the in-home/business material themselves with the steps provided in the property owner letter.

S. Eton Public Open House – April 18, 2023

The City will host a Public Open House for S. Eton from 14 Mile Road to Yosemite Blvd on Tuesday, April 18, 2023 from 6 p.m. – 8 p.m. at Department of Public Service Conference Room – 851 S. Eton Street to receive public feedback on bike lane options.

Fire Department

The Birmingham Fire Department sent Firefighter Ryan Wiseman along with three other OAKWAY firefighters to Menominee County in October to help extinguish a very large commercial fire.

Follow [this link](#) to download a thank you letter and photo of the fire.

Planning Department

Master Plan 2040

During a public hearing on March 8, 2023, the Planning Board completed its review of the Birmingham Plan 2040 ("2040 Plan") and recommended the City Commission adopt and approve in its entirety the Birmingham Plan 2040, inclusive of all maps, plans, charts, and other related matter, figures and the Future Land Use Map. At this point, the 2040 Plan will move to the City Commission for final review and approval per the requirements of the Michigan Planning Enabling Act. The remaining schedule of review should closely resemble the following:

Date	Meeting Type	Action Needed
April 3, 2023	City Commission	• Set the public hearing date and provide an additional public comment period. • Provide required public notice as described in the MPEA.
May 22, 2023	City Commission	• Present the final Plan and hold a public hearing. • If prepared to do so, the City Commission may adopt the Plan by resolution.

All of the documents related to the 2040 Plan remain available on www.thebirminghamplan.com. You can also watch a recording of past meetings on the City of Birmingham website. As a reminder, you can still submit comments directly to the consultant team through the aforementioned 2040 Plan website, and can submit comments directly to the Planning Division to be placed in the packet for the public hearing at the City Commission.

Planning Board

Now that the Planning Board has wrapped up its review of the 2040 Plan, it will begin to chip away at its Action List and begin reviewing several major developments that have submitted applications. Due to a holiday issue in April, the regularly scheduled meeting of the Planning Board on April 12th, 2023 was cancelled, and a special meeting was set on April 17th, 2023 to handle the business that was planned on the 12th. A tentative Planning Board list of scheduled items is provided below:

1. 479 S. Old Woodward – Special Land Use, Final Site Plan & Design Review (3/22/23)
2. 34952 Woodward & 690 E. Maple – Community Impact Study & Preliminary Site Plan Review (4/17/23)
3. B1 Zoning District Commercial Permitted Uses – Study Session (4/17/23)
4. 380 S. Bates- Community House – Community Impact Study & Preliminary Site Plan Review (4/26/23)

Multi-Modal Transportation Board

The Multi-Modal Transportation Board (MMTB) is in the process of reviewing design concepts for S. Eton Road resurfacing. An open house was held in January where the public was invited to provide input on proposed concepts. Upon review of possibilities at the meetings in February and March, the Multi-Modal Transportation Board has narrowed down their preferences of concepts. Preliminary concepts under review for S. Eton between Lincoln and Yosemite include either additional pavement on the west side,

or removing on-street parking on the east side in order to improve visibility and accommodate space for bike lanes. Concepts for S. Eton between 14 Mile and Lincoln involve additional pavement to extend the bike lanes and connect them to Royal Oak. A second open house for public review and comment on S. Eton designs will be held on Tuesday April 18, 2023 at the Department of Public Services building from 6 p.m. to 8 p.m. Comments from the public at the open house will be considered by the MMTB during their May 4, 2023 meeting.

Public Arts Board

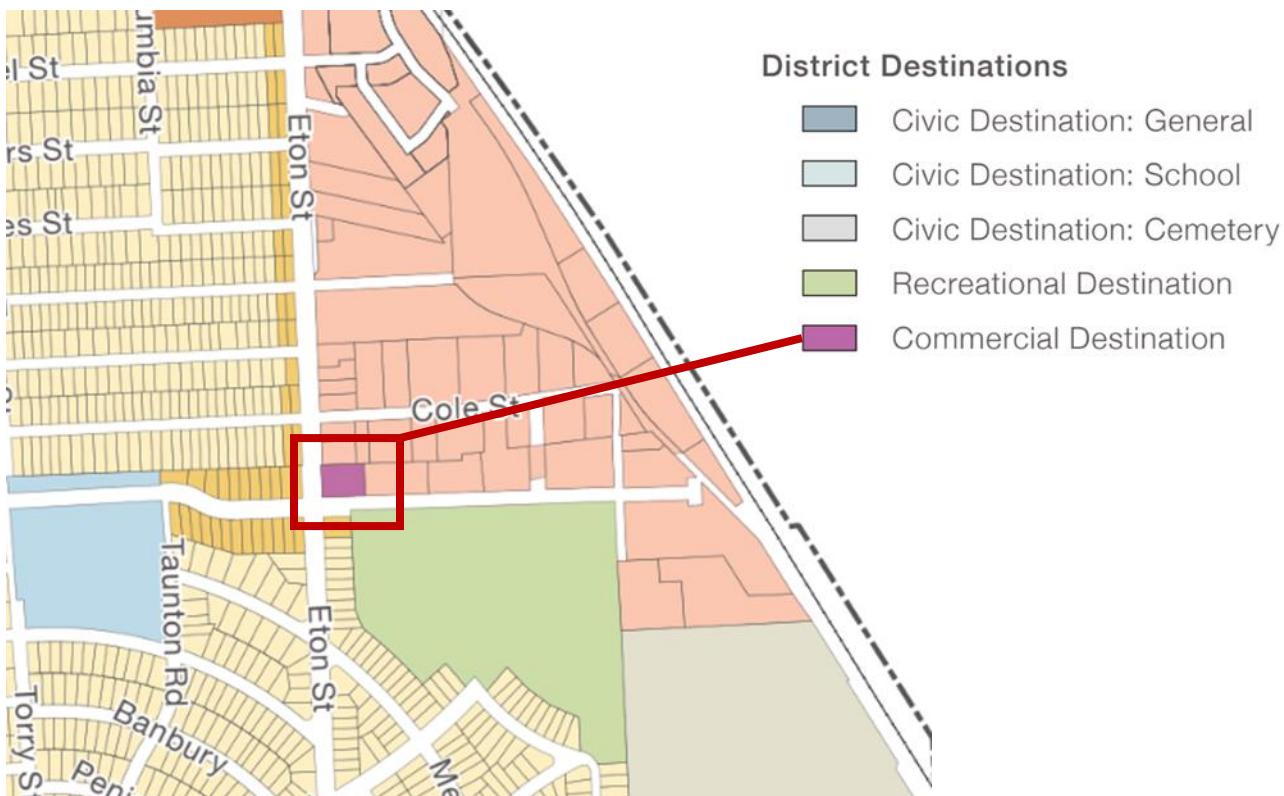
The Public Arts Board (PAB) will begin planning events for the summer and fall. Such events will include piano painting, chalk artists at Day on the Town, and potential involvement with an art walk in the fall. The PAB is also considering a “color to the music” event to occur during an In the Park Summer Concert.

Sustainability

The City has received several applications for the Environmental Sustainability Committee, which have been reviewed by the Planning Division to better understand how the applicants might fit into the defined roles of the ESC once appointed by the City Commission. Meanwhile, the City continues to push sustainability in all aspects of City government, which have culminated into several sustainability wins, with more to come. One major success was the securing of nearly \$450,000 for the conversion of the City’s streetlights to LED bulbs. Special thanks to Leah Blizinski, City Planner for putting together an excellent application in conjunction with Melissa Coatta, City Engineer. The Planning Division is aware of, and will be pursuing many more grant opportunities that are (and will continue to be) available to help fund our sustainability goals.

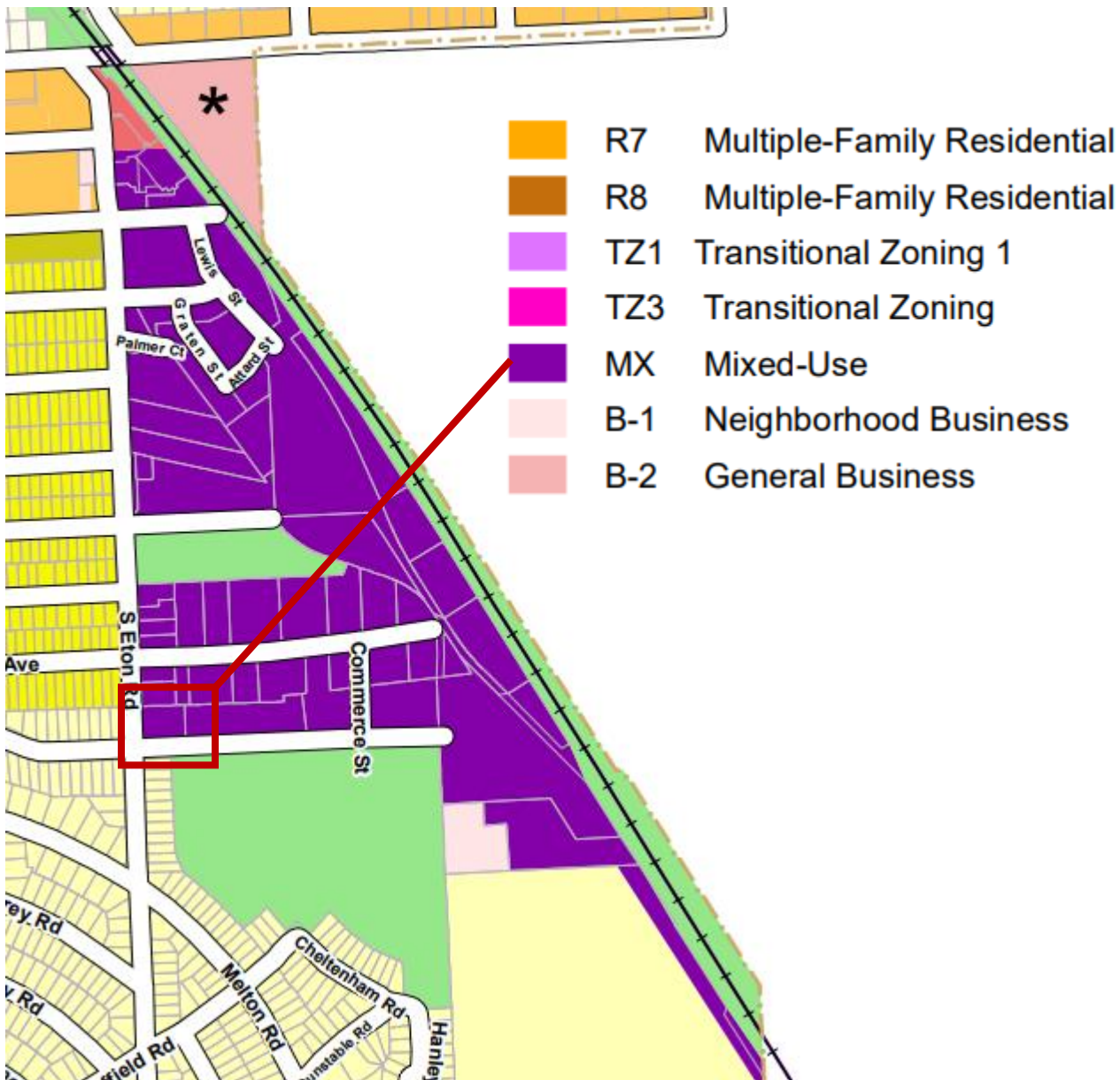
Setting the Record Straight – Lincoln & Eton Commercial Destination

Over the course of the last two Planning Board meetings, the City has received substantial public comment regarding the proposed commercial destination at the northeast corner of Lincoln and Eton in the Birmingham Plan 2040.

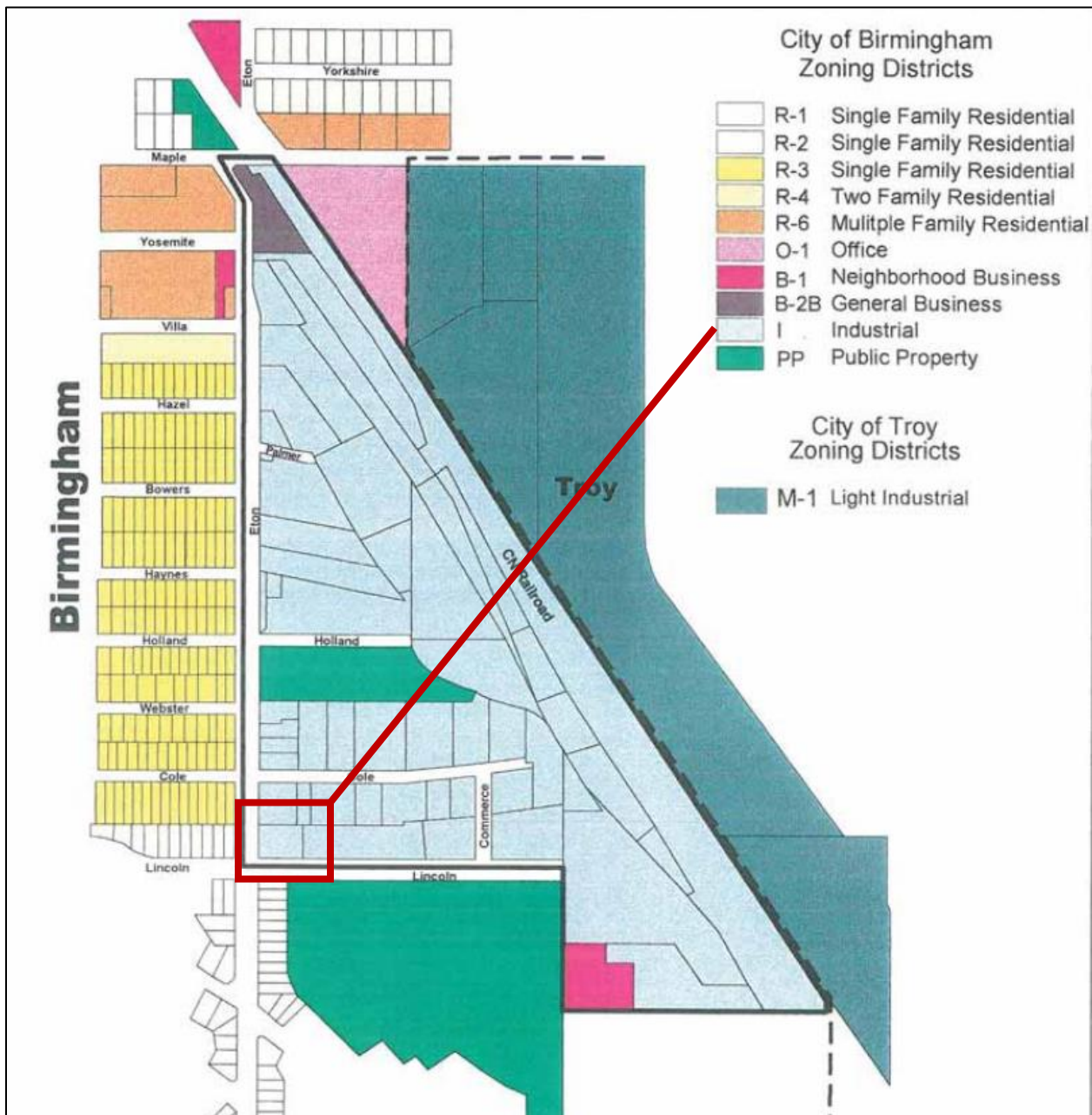


By way of background, the commercial destination proposal is a part of the larger planning districts concept in which several of the recommendations of the 2040 Plan are based upon. In the 2040 Plan, commercial destinations are described as a special category of non-residential uses that serve a local rather than regional customer base due to their size, hours of operation, and the specific category of business, and would be intended for new zoning categories, which limit development and operational parameters necessary to promote compatibility with surroundings.

Although this parcel is without question publicly owned property, the history of zoning on the site has been consistently aligned with the greater district, which has resulted in the zoning conditions that are applicable today. When the official zoning map received comprehensive updates in 2001, the parcel in question was zoned MX (Mixed-Use), and remains zoned MX to this day:



It is worth noting that this is not the first time that this parcel was zoned consistently with the greater area. Prior to the zoning map updates in 2001, the Rail District area was zoned as industrial, including the subject parcel despite it being publicly owned.



Based on the history of the zoning on this parcel, a conclusion can be drawn that the proposed commercial destination concept in the 2040 Plan does NOT contemplate a future zoning for this site that is substantially different than exists today. It also remains that a master plan does not rezone property, but rather informs future zoning.

Finally, as it relates to the current status of the subject property, City Staff is currently undergoing extensive research in an attempt to discover if it was ever formally designated as a park, or part of a park, by the City Commission. As has come up in recent conversations about the property adjacent to the Fire Station and Market Square, a formally designated park and the functions thereof are very different from non-park public open space. Any future findings relating to the status of this property will be reported to the City Commission at a future date.

Police Department

Police Department Annual Training

During the month of April, all officers will be attending two days of mandatory training. Every year officers are scheduled to attend these department training days where a variety of topics are taught. This year officers will be receiving training updates in First Aid, CPR and the use of Narcan. Additionally, officers will be trained in the use of Automated External Defibrillators (AED) which the Police Department recently purchased to be placed in patrol cars, as officers are often the first to arrive on medical calls for service.

Also, due to recent incidents involving railroads, training with CN Rail was scheduled. The training provides first responders with critical information allowing them to effectively respond to and safely investigate incidents involving the railroad.

Lastly, officers will participate in scenario-based training. This type of reality-based training is to help officers hone their skills and develop better judgment when faced with real-world situations. It requires officers to problem-solve and respond quickly under pressure, testing their response and decision-making skills in pressure situations. It also provides trainers with the opportunity to provide a more accurate assessment of what future training may be needed to enhance officer performance and protect the department from liability.

Police Department Annual Report

The Birmingham Police Department annually publishes a report detailing departmental activities and statistics. Download the [Birmingham Police Department's 2022 Annual Report here](#).

Parking Systems Update

Equipment

Installation of the new TIBA parking equipment is almost complete. The new equipment has been installed at the Chester St. Garage, Pierce Garage, Peabody Garage, and Park Garage. The N. Old Woodward Garage is the only remaining garage and it will be completed by the start of April.

Once the new TIBA equipment is installed, City staff is looking to implement a "scan to pay" option that allows guests to scan a QR code that takes them to a check out screen to pay for their parking. This will give guests another way to pay for parking before getting in line to exit the garage, helping to prevent backups.

Occupancy

FEBRUARY AVG CAPACITY	
Chester Garage (880)	54.80%
Old Woodward (745)	62.02%
Park Garage (811)	57.46%
Peabody Garage (437)	58.05%
Pierce Garage (706)	62.71%

Future Agenda Items

Download a summary of [future agenda items](#).

Future Workshop Items

Download a summary of [future workshop items](#).



CITY MANAGER'S REPORT

February 2023

Baldwin Public Library

Library Board

The Library Board met on February 20, 2023 for its regular meeting. The Board approved an updated Employee Handbook. The Board also voted to approve updates to the following policies: Bylaws of the Board of Directors, Idea Lab User Agreement and Purchasing Guidelines. Library Director Rebekah Craft will present the FY 2023-2024 library budget at the March 20, 2023 Board meeting in a public hearing.

Friends of the Baldwin Public Library

On February 14, 2023, the Friends of the Baldwin Public Library adopted their [new Code of Conduct](#), which works in tandem with the [Baldwin Public Library's Code of Conduct](#).

Phase 3 Construction

Construction drawings for the Phase 3 expansion and renovation have been completed. PCI Dailey, the construction management firm, is currently working with the Building Department to have the plans approved. PCI Dailey will be soliciting bids for each trade involved in the project during the month of March. We expect to have the guaranteed maximum price for the project available in early April.

Library Tour

If you'd like to learn even more about the library, join Library 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 vestibule on Tuesday, March 7 at 4:00 p.m.

Student Representative to the Library Board

We welcomed Titus Smith, III as our new student representative to the Library Board. Titus is a current Junior at Groves High School. He will be working with the board and our teen librarian Elisabeth Phou on planning and marketing some teen programs throughout the year.

Upcoming Programs

The Fire of Frederick Douglass

Tuesday, February 28 at 7:00pm

Dr. Richard Bell, Professor of History at the University of Maryland, returns to examine the visionary

contributions of Frederick Douglass. A slave who dreamed of being a senator, a great literary figure without formal schooling, a courageous freedom fighter, as well as an outspoken feminist, Douglass was a prophet who saw a better future. This is a virtual event.

College Info Series: How to Find the Right College for You

Wednesday, March 15 at 7:00pm

There are over 2,000 four-year colleges in the United States for students to consider. How can families identify those schools at which their student will be happiest and most successful? We'll share ways for attendees to evaluate the many factors that need to be considered. Teens and parents are welcome. You may attend these sessions in-person or on Zoom.

New York Times & Wall Street Journal from Home

Thursday, March 30 at 3:00pm

Learn how to access popular newspapers, including the New York Times and the Wall Street Journal with your Baldwin Public Library card.

Register for these upcoming programs and more at baldwinlib.org/calendar.

The Birmingham Museum

Museum Board Update

The Museum Board has established a Collections Subcommittee, whose role will be to consider proposed deaccessions from the museum's collection of items that are damaged, duplicates, or not in the museum's scope. The Birmingham Museum's 2020 Collections Policy specifies the conditions under which items may be removed from the collection, which begins with the Collections Subcommittee review, followed by the Museum Board's review, and, if recommended, coming to the City Commission for final review and approval. It is anticipated that the first group of deaccessions will be brought before the City Commission later this year, and will include unneeded school yearbooks that are duplicates, damaged, and/or mold/mildew compromised.

Birmingham Museum Podcast

In March, the Birmingham Museum will launch its new podcast, which will stream twice monthly with approximately 25 minute episodes that highlight some of Birmingham's colorful characters in the past two hundred years. The podcast will reach new audiences in the 12-36 age range who like to listen to podcasts while doing other things, such as driving or cooking, and are interested in local history with a fun twist. Among the planned episodes are titles like, "A Tale of Two Fishes" (featuring stories of brothers Elijah Fish, abolitionist, and Imri Fish, convicted murderer); "Prindles Go Everywhere Together" (featuring the story of the three Prindle sisters who married three of the first settlers in Birmingham); and "How to Steal a Train" (featuring the story of the colorful John Allen Bigelow, who stole a train--twice--while serving in the Union Army during the Civil War).

Birmingham Shopping District (BSD)

Retail Recruitment Strategy

The BSD continues to explore adding an incentive-based program for local realtors and properties to recruit targeted businesses researched by the BSD. A business mix analysis and tenant recruitment recommendation is in the process of being prepared. The Board will then determine whether or not a revised scope of work is needed for a retail recruiter in the future. Outreach has started with local realtors and property owners to develop relationships.

Strategic Planning Meeting

The BSD held its strategic planning meeting on February 6 with the Board, committee, City staff, BSD staff and local merchants. The plan content is being compiled for review by the Board and Committees for the next Board meeting.

Merchant Meeting

The BSD's Merchant Meeting will be held on February 15, 2023, at 9 a.m. at Zahra, one of the newest retail store additions to the district.

Spring Stroll

Spring Stroll is planned for April 15 where families, couples and friends will be encouraged to explore the businesses downtown and shop local while taking advantage of the retail promotions and free giveaways.

Restaurant Promotion

The BSD held a meeting with about 14 local restaurateurs on January 24, 2023, to discuss possible new concepts for a restaurant promotion. The Special Events Committee has since reviewed the feedback and has developed two concepts that they are now vetting with the restaurants who attended the meeting.

Bylaws

The BSD is in the process of developing bylaws that are currently being reviewed by the City Attorney and Finance Department for their respective knowledge on areas within the bylaws.

2023/24 Holiday Lighting Plan

The Maintenance and Capital Improvement Committee is working with DPS to modify the holiday lighting plan for 2023/24 in order to reduce costs yet still maintain the quality lighting throughout the district. A final determination will be presented to the Board in April.

New Businesses

The BSD welcomes the following new businesses who have opened since January's reporting period:

- | | |
|---|------------------|
| ● Chrysalis Couture, 554 North Old Woodward | Apparel |
| ● Sugaring NYC, 34110 Woodward Avenue | Salon |
| ● RH, 320 Martin Street | Home furnishings |
| ● Via Manzoni, 239 Pierce Street | Apparel |
| ● CB2, 100 N. Old Woodward | Home furnishings |

2023 Dashboard Metrics

Retail Occupancy Rate - 96% (out of 1.5 million sq.ft.)

Office Occupancy - 89% (out of 2 million sq.ft.)

4 New Business Openings in 2023 (4 more in process)

Building Department

Snow and Ice Enforcement

In the months of December and January, the Building Department logged 158 snow and ice enforcements. Many of the violations were received through GovPilot. Residential and commercial property owners are asked to clear snow and ice from the sidewalks in front of their homes or businesses. When a complaint is received, Code Enforcement will inspect and place a notice on the resident's door if the sidewalk has not been cleared. The Department of Public Services is notified and will clear snow and ice from the sidewalk usually within 24 hours of the notice and bill the resident in accordance with the fee schedule.

Code Enforcement officers issued 16 tickets to contractors for failure to clear snow and ice from sidewalks in front of their sites in accordance with the City's snow ordinance.

Congratulations, Suzanne!

Suzanne Pedigo just earned her International Zoning Inspector certification. This achievement demonstrates Suzanne's excellent knowledge of zoning principles, increases her creditability and helps substantiate the professionalism of both the Building Department and the City.

Monthly Report

The [Building Department's monthly report](#) provides an update on the following construction activity: building permits issued, building inspections conducted, trades permits issued and trades inspections conducted. In January, we processed 245 online permit applications.

City Clerk's Office

General Election on November 7, 2023

Birmingham will hold a General Election on Tuesday, November 7, 2023. At this time, four Birmingham Commissioner positions for a 4-year-term and three Birmingham Library Board positions for a 4-year-term will be on this ballot. The petition and candidate filing deadline for the November 7, 2023 General Election is 4:00 p.m. on July 25, 2023. For more information regarding petition and candidate filing please visit www.bhamgov.org/elections.

Michigan Association of Municipal Clerk Institute Training

Deputy Clerk Woods is scheduled to complete her second year of Municipal Clerk Institute Training the week of March 13th. City Clerk Bingham is scheduled to complete her third year and graduate from the Institute the week of March 20th.

Party & Parade in Shain Park

SAVE THE DATE: Sunday, May 21, 2023 Parade at 1:00 p.m. and party to follow in Shain Park

Planning is picking up steam for the 2023 Celebrate Birmingham Hometown Parade on Sunday, May 21 at 1:00 p.m. Community groups, local businesses, dance teams, scout troops, children and adults of all ages are encouraged to march in this year's parade. It's a great opportunity to spotlight your group!

Sponsors are welcome to join in the 2023 festivities. Being a sponsor is another way for a business, group, organization or individual to be recognized as part of this family-friendly event which reflects the hometown feel of Birmingham. The Hometown Parade is televised by Bloomfield Community Television

and is covered by traditional and social media, giving sponsors a fantastic PR opportunity. Visit www.bhamgov.org/parade for registration forms and sponsorship packages.

Greenwood Cemetery Advisory Board

The Greenwood Cemetery Advisory Board met on Friday, February 3, 2023 to get an update from Cheri Arcome of Creative Collaborations who coordinates cemetery services for the city. The board will continue to discuss strategic planning and cemetery services contract elements at the next Greenwood Cemetery Advisory Board meeting on Friday, April 14, 2023 at 8:30 a.m.

Ethics Board

The Ethics Board met on Monday, January 30, 2023 to continue their work on reviewing the city's current Ethics Ordinance and to set a date for the Ethics Opinion Request submitted by City Manager Tom Markus. The next meeting of the Ethics Board will be on Tuesday, March 7, 2023 at 1:00 p.m.

Board Appointments

The following City of Birmingham boards and commissions have vacant positions or members with terms expiring soon. Applications are due before noon the Wednesday prior to the commission interview/ appointment date:

Board	Openings	Application Due by Noon	Interview/ Appointment at City Commission meeting 7:30 pm
Ad Hoc Environmental Sustainability Committee	9 Member terms ending 9/27/2024. Preferred qualifications/areas of professional expertise: energy, equity, civil/construction engineering, water quality, environmental engineering/consulting/law, recycling and solid waste.	3/22/23	3/27/23
Advisory Parking Committee	1 Resident shopper term ending 9/1/2025 1 Large Retail Member term ending 9/1/25	3/22/23	3/27/23
Birmingham Shopping District	1 Business Representative term ending 11/16/2026	Until Filled	
Birmingham Area Cable Board	2 Regular Member terms ending 3/30/2026 1 Regular member term ending 3/30/2024 1 Alternate Member term ending 3/30/2025	Until Filled	
Board of Building Trades Appeals	1 Regular member term ending 5/23/25 1 Regular member term ending 5/23/24	Until Filled	
Board of Review	2 alternate members terms ending 12/31/2025	Until Filled	

Board of Zoning Appeals	1 alternate members term ending 2/18/2026	Until Filled	
Brownfield Redevelopment Authority	1 regular member term ending 5/23/2024	Until filled	
Martha Baldwin Park Board	1 Regular member term ending 5/1/24	3/22/23	3/27/23
Public Arts Board	1 regular member term ending 1/28/2026, 1 alternate member term ending 1/28/2026, 1 alternate member term ending 1/28/2025	Until Filled	
Stormwater Utility Appeals Board	3 regular member terms ending 1/31/2026 2 alternate member terms ending 1/31/2025	Until Filled	
Triangle District Corridor Improvement Authority	1 regular business owner term ending 12/15/2026	Until Filled	

City Manager's Office

Communications

Around Town e-Newsletter

The communications team is working on the March edition of the Around Town e-Newsletter, which will include information about how to use the new parking structure equipment, early golf incentives, upcoming construction projects, daylight savings safety reminders and more. Follow [this link to view the February edition](#) of the Around Town e-Newsletter.

Parking Equipment Video

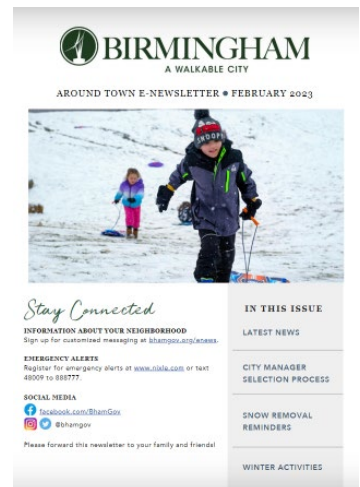
The communications team has been working on an instructional video which shows the community how to use our new and improved parking structure equipment. The video will soon be available at www.bhamgov.org/parking and in upcoming editions of the Around Town e-Newsletter.

Spring edition of The Birmingham Beat Newsletter

The team is working on the spring edition of The Birmingham Beat, which will have a fresh, modern look that is easy to read and aesthetically pleasing. Keep an eye out for it in your mailbox around April 1, 2023.

Human Resources

A top applicant for the role of Secretary A in Community Development's Building Department has been identified, and should be hired in the next week. Bill Helm is a new Streets/Sewer/Water Operator, hired into the Department of Public Services. A vacancy for a new Fleet Mechanic is actively receiving applications. Applications are being collected for the role of Assistant City Engineer, backfilling the vacancy left by Scott Zielinski's promotion. Applications for the Plumbing Inspector position continue to



be collected. Fire Marshal Al Soave is returning to his role of Battalion Chief, and an internal and external recruitment for a new Fire Marshal has opened for applications.

BIRMINGHAM CITY COMMISSION - UPCOMING AGENDA ITEMS

Topics brought up by the Commission

Meeting	Topic	Commissioner	Staff Follow Up	Dates Addressed	Status (resolved/ongoing)
In Progress					
1/9/23	Ad Hoc Senior Services Committee	M: Baller S: Longe		2/13 Commission to discuss further - no action at this time	In progress
12/5/22	Becoming Mayor	McLain	Mary	12/19 - Motion to make a workshop Workshop scheduled for March 2023	In progress
11/14/22	Renters Rights	M: Host	Mary	11/28 CC Discussion Scheduled - Voted to make a formal agenda item at the next available meeting 1/23/23 Tabled, will be brought back soon	In progress
8/15/22	Speed Bumps	M: Haig S: Host	Clemence/Brooks	8/29 - Staff report *Further study by MMTB	In progress, sent to MMTB
3/28/22	City Manager Selection Process	M: Host S: Boutros	Managers Office & HR	4/25/22 - direct to formal agenda item 5/9/22 - New Business Item 5/23/22 CM report 10/3/22 - motion for CM to conduct formal recruitment 10/25/22 - CM recruitment portfolio posted 1/9/23 - Scheduling Interviews 2/8&2/9 First round interviews 2/15 Meet & Greet	In Progress
1/10/22	Commissioner Conduct	No vote	Mary Kucharek	2/14/22 - Workshop	In progress

				2/28/22 Directed CM to prepare Code of Conduct for future agenda 7/11/22 - Initial presentation to Commission by CA 2/13/23 – Commission reviewed draft Code and will provide feedback to CM for future workshop.	
Resolved					
4/11/22	BBCC - Mental Health Workshop - More time to talk	M: Baller S: Haig	Marianne Gamboa	4/25/22 - clarify commissioners intent 5/9/22 - added time on the agenda to discuss Tom directed staff to add mental health info in city publications	Resolved
5/9/22	Pickleball	Baller, no vote	Lauren Wood	Agenda item 5/23/22	Installed on 6-3-22
1/24/22	Social Districts	M: Schafer S: Boutros	Nick Dupuis/Jana Ecker	2/14/22 - make formal item 3/9/22 - Workshop 3/14/22 - Informally brought up by Host 6/20/22 Commission and Planning Board Discussed	No formal action taken by the Commission
5/23/22	Commission Meeting Start Time	Baller	Mary Kucharek	On agenda for 6/27/22 - Mary to draft generic ordinance language and discuss in july On agenda for 7/11/22 - Commission decided not to proceed	No changes for now
8/15/22	Birmingham Country Club	M: Host S: Haig	Fairbairn, Dupuis, Clerk's Office	8/29 - CC Discussion Possibly plan to write a letter, invite bham cc and twp to	Resolved, letter sent

				meeting to collaborate *Draft a letter	
9/12/22	Banner	M: Baller S: Host	TBD	11/14 CC discussion scheduled	Completed
12/5/22	Lighting to sustainability board	Haig	Nick Dupuis	12/19 - Direction for staff to prepare list for Sustainability Board	To be explored by Sustainability Board
6/13/22	Sustainability Board	M: Schafer S: Host	Nick Dupuis	On agenda for 6/27/22 - direction for staff to draft requirements to establish board, coming back at next available meeting 10/3/22 Workshop - staff given direction to return with recommendation 1/23/23 - ad hoc board established	Resolved - Recruiting Board Members
1/10/22	Leaf Blowers	M: Baller S: Host	Nick Dupuis	1/24/22 - make formal item 10/3/22 Workshop - staff given direction to return with recommendation	Item sent to sustainability board
1/10/22	Food Trucks	M: Host S: Schafer	Nick Dupuis/Jana Ecker	1/24/22 - CC req. more info 3/9/22 - Workshop 3/14/22 - Informally brought up by Host 6/20/22 Commission and Planning Board Discussed 6/27/22 - City Manager Directed to encourage food trucks at all city sponsored events, BSD events, and direct the BSD to organize a rotation of food truck events	Staff monitoring
4/25/22	Improvements in Information	M: Haig S: Baller	TBD	1/9/23 M: Haig, S: Host	Resolved

	Provision and Methodology			To continue discussion -Addressed in Jan 2023 CM report	
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Topics Failed

4/25/22	On Street Parking Study	M:Haig S: Host
4/11/22	Downtown Parking	M: Host S: Haig
3/28/22	Parking Matters	M: Host S: Haig
6/13/22	479 SOW (Doraid) PAD	M: Boutros

Topics With No Vote - Resolved

1/10/22	Unimproved Streets	Discussed during the Long Range Planning meeting.
2/28/22	Solidarity with Ukraine	City Manager arranged for exterior lighting at City Hall.

Topics With No Vote

5/9/22	-PAD ordinance/cleanup	Baller, no vote	No vote
5/9/22	-Policy for granting public space ODD/Valet	Baller, no vote	No vote

SOCWA Quarterly Report

The Southeastern Oakland County Water Authority (SOCWA) quarterly report covers the first six months operation of the fiscal year 2022/23. The report contains a financial statement of the Authority's operation and an outline of projects in progress or completed during the second quarter. Download [SOCWA's quarterly report here](#).

eCities Award

The City of Birmingham has been recognized as a 5-star community in UM-Dearborn's 2022 eCities program. The eCities project collects and analyzes data across Michigan communities as it relates to entrepreneurship, economic development, and job growth. Specifically, the study examines five-year's worth of publicly available data relating to community growth and investment metrics that impact the business community. The data points are benchmarked against the State of Michigan, as well as all of the other participating communities. Download Birmingham's [eCities certificate and performance report here](#).

Engineering Department

Construction Update

Construction season will begin soon, but work has been ongoing over the winter as weather conditions allow:

Water Service Verification Program

As a reminder, the "In-Home/Business" water service line material needs to be determined as part of this program. Property owners can schedule an inspection by an authorized City Representative at (248) 303-2292 or determine the in-home/business material themselves with the steps provided in the property owner letter.

2021-2022 Sewer Rehabilitation Program

DVM Utilities has completed this project during the winter, which included basic cleaning and inspection of sewer lines, plus specialized rehabilitation/repairs of minor issues that were found in the system.

The following projects will start in the next few months:

Westwood, Oak, and Raynale Project
2022-2023 Cape Seal Program
Cranbrook Road Non-Motorized Pathway Improvement Program
Parking Lot No. 5 Slope Repair
Water Tower Maintenance and Coating

Affected property owners will receive information about these projects.

Fire Department

Assistance to Firefighters Grant

The Fire Department recently submitted an Assistance to Firefighters Grant (AFG) for replacement of the department's Self Contained Breathing Apparatus (SCBA) harnesses, masks, and bottles due to their ageing stock. The grant request is for \$340,000.00; of which a 10% match will be required from the City if the grant is awarded later this fall. The City will have time to agree to the \$34,000.00 match prior to acceptance of the grant if it is awarded to the Fire Department. The Fire Department has opportunities to apply for the grant for the next two years before the SCBAs will be at their 15-year end of life span. Currently, the department has budgeted \$200,000.00 in FY 2024-2025 and \$200,000.00 in FY 2025-2026 to cover the replacement costs of this equipment if the grant application attempts are unsuccessful.

Station 1 Roof Replacement

Station 1's metal roof replacement and insulation improvement is currently underway and should be done by March 1.

Planning Department

Master Plan 2040

The City of Birmingham is deep into its review of the third and final draft of the Birmingham Plan 2040, which is available to read and download on www.thebirminghamplan.com. At a minimum, the remaining schedule of review will consist of a public hearing at the Planning Board, and a public hearing at the City Commission. The remaining schedule of review should closely resemble the following:

Date	Meeting Type	Action Needed
March 8, 2023	Planning Board	• Hold a public hearing and further discuss comments received during the distribution period as needed. • Adopt plan; recommend to the City Commission for adoption.
May 2023 (Exact date TBD)	City Commission	• Present the final Plan and hold a public hearing. • If prepared to do so, the City Commission may adopt the Plan by resolution.

All of the documents related to the 2040 Plan remain available on www.thebirminghamplan.com. You can also watch a recording of past meetings on the City of Birmingham website. As a reminder, you can still submit comments directly to the consultant team through the aforementioned 2040 Plan website, and can submit comments directly to the Planning Division to be placed in the next available Planning Board agenda.

Planning Board

As prime development season inches closer and closer, the Planning Division is starting to field phone calls and applications for new developments at an accelerated rate. The Planning Board reviewed 34 development applications in 2022, which is an average of three per meeting. The 2023 schedule is expected to be a similar workload. In addition, the Planning Board is developing a new action list and new priorities for the year, which will be reported to the City Commission in March 2023. A tentative Planning Board list of scheduled items is provided below:

1. 2040 Master Plan – Draft #3 Review (Ongoing)
2. B1 Zoning District Commercial Permitted Uses – Study Session (2/8/23)
3. 479 S. Old Woodward – Special Land Use, Final Site Plan & Design Review (3/22/23)
4. 34952 Woodward & 690 E. Maple – Community Impact Study & Preliminary Site Plan Review (3/22/23)

Multi-Modal Transportation Board

The MMTB is continuing to review design concepts for S. Eton resurfacing. Considerations under review include pedestrian crossings, protected bike lanes, and enhanced sight distance turning onto S. Eton. The MMTB will also begin reviewing operations of Adams Road in March 2023.

Public Arts Board

The Public Arts Board is reviewing interactive art projects to engage with the community for 2023.

Sustainability

With the recent establishment of the Ad Hoc Environmental Sustainability Committee (ESC), City Staff have begun to formulate a plan of action for the completion of the greenhouse gas emissions inventory, and have started on an outline of a formal sustainability plan. Once ESC members are appointed, staff will begin to introduce the outline to the group for input and direction. In the meantime, the Birmingham Green Team sustainability meetups have been going very well with robust participation and dissemination of information/ideas.

Police Department

Introduction of Newly Hired Police Officers

The Birmingham Police Department is excited to welcome its newest members.

On January 16, 2023, Officer Maryna Elia was sworn in as a Birmingham Police Officer. Officer Elia graduated with her bachelor's degree from Oakland University and is fluent in three languages. After graduating, she was enrolled in the Oakland Police Academy. During her academy, the Birmingham Police Department conducted a recruitment presentation to the recruits, which resulted in her and several other applications being submitted. After interviewing candidates, Officer Elia was at the top of the list.

On January 17, 2023, Meghan Bade was hired by the Birmingham Police Department. Meghan graduated from Michigan State University in 2016 with a bachelor's degree. She has worked as a CrossFit Instructor and in Pharmaceutical sales. However, Meghan always had a passion for law enforcement growing up

having a police officer for a father. In fact, her father, Mathew Bade, started his career as a police officer many years ago right here in the City of Birmingham in 1986 and later transferred to another department. Meghan is currently enrolled at the Mott Community College Police Academy and will be sworn in as a Birmingham Police Officer upon successful completion of the academy. Meghan is excited to start her career in the same department her father did.

Speed Hump Study

The City Commission directed city staff and traffic consultants—Fleis & Vandenbrink (F&V) and MKSK Studios to study speed humps as an October 2022 agenda item for research and possible implementation. In preparation for review by the Multi-Modal Transportation Board (MMTB) several cities utilizing speed humps were analyzed to develop both a baseline and speed hump criteria for the City of Birmingham.

Speed humps went before the Multi-Modal Transportation Board (MMTB) on October 6th, 2022 and again on November 3rd, 2022. Based on the cities studied, there was not a street in Birmingham that met the criteria based on current conditions such as speeds, volume, and if the street was improved/unimproved. This led to the discussion of lowering the proven and necessary criteria identified in other communities, which the MMTB did not support. There was a general Board consensus not to recommend speed hump criteria presently since few-to-no streets would qualify based on established criteria used by others and existing conditions in the City of Birmingham.

Follow these links to the MMTB full agenda packet regarding speed humps: [October 6, 2022](#) and [November 3, 2022](#).

Towing Contract

The Birmingham Police Department recently submitted an invitation to bid to MITN to renew the towing and impound contract currently set to expire on February 25, 2023. One bid was returned from Bob Adams Towing with whom the existing contracts exist. Bob Adams Towing submitted a fee schedule consistent with our existing contract with only a minor increase of \$5 per day for storage fees. The contract was reviewed and approved for a three-year term until February 25, 2026, with an optional two-year extension, upon mutual agreement between the City and Bob Adams Towing.

ADA Annual Report

The police department, in cooperation with the engineering and public services department, has worked to update all of the existing curb ramps and on-street parking spaces to bring them into compliance with the American for Disabilities Act (ADA) Standards. This work was started as part of a consent decree giving the City five years to correct any locations that do not meet the standards. We have completed the third year of this project and the vast majority of locations out of tolerance have been updated. Please see the [attached annual report](#) documenting all the work that has been completed to date.

Crime Report – Marijuana sales to minors

In early January, Birmingham detectives investigating minors in possession of marijuana learned of a nearby shop selling to minors regularly. A Birmingham detective assigned to the Oakland County Narcotics Enforcement Team (NET) investigated the case. This investigation led to criminal charges and the closure of a business in the City of Southfield.

Parking Systems Update

Equipment:

Installation of the new TIBA parking equipment is rolling along. The new equipment has been installed at the Chester St. garage, Pierce Garage, and Peabody Garage. Park and the N. Old Woodward garages are the only remaining garages, and they will be complete by the end of March.

Once the new TIBA equipment is installed, City staff is looking to extend the agreement with ParkMobile into its parking structures, giving the City one consistent online payment provider for all things parking. Currently ParkMobile is offered as a form of online payment for all of the City's metered parking.

Occupancy:

JANUARY AVG CAPACITY	
Chester Garage (880)	29.42%
Old Woodward (745)	51.36%
Park Garage (811)	56.40%
Peabody Garage (437)	78.95%
Pierce Garage (706)	62.22%

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Future Workshop Items

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