

BIRMINGHAM CITY COMMISSION AGENDA
JULY 22, 2024
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk

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

ANNOUNCEMENTS

- Proclamation designating July as Parks and Recreation Month

APPOINTMENTS

- A. Multi Modal Transportation Board
1. Laura Engelland

To appoint _____ as a regular member to the Multi-Modal Transportation Board to serve the remainder of a three-year term to expire October 27, 2025.

- B. Board of Zoning Appeals
1. Donald Rogers

To appoint _____ as an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 18, 2026.

- C. Principal Shopping District
1. Lia Jamerson

To concur in the City Manager's appointment of _____ to the Birmingham Shopping District Board to serve the remainder of a four-year term to expire November 16, 2026.

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

V. CONSENT AGENDA

All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.

- A. Resolution to approve the amended regular City Commission meeting minutes of the meeting held on June 24, 2024.

- B. Resolution to approve the regular City Commission meeting minutes of the meeting held on July 8, 2024.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 4, 2024 in the amount of \$1,145,317.67.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 11, 2024 in the amount of \$3,013,416.95.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 17, 2024 in the amount of \$1,699,761.35.
- F. Resolution to approve an Amendment and Extension to the 2020-2021 Public Service Contract with Next extending the contract expiration date to December 21, 2025, and to authorize the Mayor and the City Clerk to sign the Amendment and Extension on behalf of the City.
- G. Resolution to approve an Amendment and Extension to the 2022-2023 Public Service Contract with Next extending the contract expiration date to December 21, 2025, and to authorize the Mayor and the City Clerk to sign the Amendment on behalf of the City.
- H. Resolution to award the 2023-2024 Public Services contract totaling \$10,388.00 for Yard Services and Senior Outreach Services to NEXT under the Community Development Block Grant Program; and further, to authorize the Mayor to sign the contract on behalf of the City.
- I. Resolution to claim an exemption from the Publicly Funded Health Insurance Contribution Act 2011 PA 152. Further, to direct the City Engineer and Finance Director to sign the Annual Certification for Employee-related Conditions for the year 2024 and submit the required form to the Michigan Department of Transportation as required by Public Act 51.
- J. Resolution to approve an agreement with Delta Temp for the replacement of the air conditioning unit for the foreman's office, in the amount of \$27,750.00 to be funded from account number 101.0-441.000-977.0000, Public Services – General; further, to approve the appropriation and amendment to the fiscal year 2024-2025 General Fund budget as follows:

General Fund

Revenues:

101.0-000.000-400.0000	Draw from Fund Balance	\$27,750.00
Total Revenue		\$27,750.00

Expenses:

101.0-441.000-977.0000	Public Services – General	\$27,750.00
Total Expenditures		\$27,750.00

And further, to authorize the City Manager to sign the agreement on behalf of the City.

VI. CITY MANAGER'S REPORT

The City Manager's Report regularly occurs on the second City Commission meeting of the month. Additionally, reports from prior months can be viewed on the City's [website bhamgov.org/manager](http://website.bhamgov.org/manager).

- A. July 22, 2024 City Manager's Report

VII. UNFINISHED BUSINESS

None.

VIII. NEW BUSINESS

- A. Public Hearing – Confirmation of SAD Roll 911 N. Adams Road Resurfacing – Sewer and Water Laterals

1. Resolution confirming Special Assessment Roll 911 as follows:

WHEREAS, Special Assessment Roll, designated Roll No. 911, has been heretofore prepared for Collection; and

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

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

WHEREAS, the Commission Resolution 07-483-24 provided it would meet this 22nd day of July, 2024 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this July 22, 2024, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 911 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in five (5) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments.

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
19-25-279-017	1001 N ADAMS RD	\$ 857.50	\$ -
19-25-279-018	1013 N ADAMS RD	\$ 857.50	\$ -
19-25-279-019	1025 N ADAMS RD	\$ 857.50	\$ -
19-25-279-020	1037 N ADAMS RD	\$ 857.50	\$ -
19-25-279-021	1049 N ADAMS RD	\$ 857.50	\$ -
19-25-279-022	1051 N ADAMS RD	\$ 857.50	\$ -
19-25-279-023	1063 N ADAMS RD	\$ 857.50	\$ -
19-25-279-024	1075 N ADAMS RD	\$ 857.50	\$ -
19-25-279-025	1087 N ADAMS RD	\$ 857.50	\$ -
19-25-279-026	1099 N ADAMS RD	\$ 857.50	\$ -
20-30-151-001	1100 N ADAMS RD	\$ -	\$ 7,375.00
20-30-151-002	1050 N ADAMS RD	\$ 12,765.00	\$ 7,375.00
20-30-151-007	1109 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-008	1109 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-009	1109 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-010	1109 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-011	1109 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-012	1109 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-013	1109 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-014	1109 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-015	1127 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-016	1127 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-017	1127 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-018	1127 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-019	1127 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-020	1127 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-021	1127 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-022	1127 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-023	1155 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-024	1155 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-025	1155 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-026	1155 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-027	1155 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-028	1155 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-029	1155 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-030	1155 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-031	850 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-032	850 N ADAMS RD APT 5	\$ 49.66	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-033	850 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-034	850 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-035	850 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-036	850 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-037	850 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-038	850 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-039	868 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-040	868 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-041	868 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-042	868 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-043	868 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-044	868 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-045	868 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-046	868 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-047	1195 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-048	1195 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-049	1195 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-050	1195 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-051	1195 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-052	1195 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-053	1195 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-054	1195 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-055	1225 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-056	1225 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-057	1225 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-058	1225 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-059	1225 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-060	1225 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-061	1225 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-062	1225 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-063	1245 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-064	1245 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-065	1245 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-066	1245 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-067	1245 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-068	1245 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-069	1245 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-070	1245 DERBY RD APT 7	\$ 49.66	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-071	880 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-072	880 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-073	880 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-074	880 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-075	880 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-076	880 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-077	880 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-078	880 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-079	898 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-080	898 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-081	898 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-082	898 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-083	898 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-084	898 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-085	898 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-086	898 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-087	946 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-088	946 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-089	946 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-090	946 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-091	946 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-092	946 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-093	946 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-094	946 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-095	928 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-096	928 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-097	928 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-098	928 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-099	928 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-100	928 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-101	928 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-102	928 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-103	910 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-104	910 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-105	910 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-106	910 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-107	910 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-108	910 N ADAMS RD APT 5	\$ 782.38	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-109	910 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-110	910 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-111	964 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-112	964 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-113	964 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-114	964 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-115	964 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-116	964 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-117	964 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-118	964 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-119	982 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-120	982 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-121	982 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-122	982 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-123	982 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-124	982 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-125	982 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-126	982 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-127	900 N ADAMS RD	\$ 782.38	\$ -

\$57,390.38 \$14,750.00

B. Public Hearing - Oakland Avenue and Haynes Street Project #7-24 (P) Hearing of Necessity for Sewer and Water Lateral Special Assessment District (SAD)

1. WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards and replacing water services that are 60 years or older or less than 1 inch in diameter on Oakland Avenue from N. Old Woodward to Woodward Avenue; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that is not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that Oakland Avenue and Haynes Street Project, the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of sewer service and water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of sewer service laterals and water service laterals located within the limits of the following streets shall be installed as part of the Oakland Avenue and Haynes Street Project (Contract #7-24(P)):

Oakland Avenue – N. Old Woodward to Woodward Avenue

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral services that are 50 years of age or older or constructed of materials that are not acceptable and water services that are 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$125.00 per foot of 6" diameter sewer service pipe, and \$90.00 per foot of 1-inch water service pipe).

THEREFORE, LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation of the Roll on August 12, 2024, and give notice of same.

Water and/or Sewer Lateral

Sidwell Number	Street Address	Water SAD Costs	Sewer SAD Costs
19-25-451-034	400 Park	\$1,125.00	\$0.00
19-25-452-018	247 Oakland	\$2,625.00	\$8,190.00
19-25-452-019	267 Oakland	\$2,625.00	\$7,980.00
19-25-452-026	233 Oakland	\$2,625.00	\$0.00

- C. Public Hearing - to amend Chapter 86 (Signs) to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number
1. Motion adopting an ordinance to amend Chapter 86 (Signs), Article 1, Table B, Table D, Section 1.08 and Section 1.09 to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number of signs committed.
- D. Public Hearing - for Combination of Land Parcels 1110 & 1114 Lakeside Road - 1114 Lakeside
1. Resolution to DENY the lot combination of 1114 & 1110 Lakeside Drive, parcels 19-25-151-069 & 19-25-151-070.
- E. Resolution to lift the pause on new sidewalk installation that was put in place on June 3, 2024, to ensure compliance with Chapter 98 of the City Code, the Multi-Modal Transportation Plan, the 2040 Plan and the longstanding desire for Birmingham to be a walkable community that prioritizes the comfort and safety of pedestrians.
- F. Resolution accepting the recommendation of the Ad Hoc Senior/Recreation Committee that option 1, as presented by Consultants and Staff, being a renovation of the existing YMCA building located at 400 E Lincoln St, Birmingham, MI 48009, not be considered because it is not financially responsible and does not meet the goals 1 through 4 of the senior/recreation center project and that a new facility is the preferred choice;
- AND
- To adopt a resolution to accept the recommendation of the Ad Hoc Senior/Recreation Committee that a new building according to option 4A as presented by the Staff and City Consultants be built, not to exceed approximately 28 million dollars, as it meets goals 1 through 4 and objectives 1 through 6 of the senior/recreation center project, with an option for consideration of a pool not to exceed 3.6 million dollars in cost;
- AND
- Furthermore, to direct the City Manager to take the necessary steps in order to facilitate the design, funding and construction of a new senior/recreation facility.
- G. City Commission Selection of City Manager Performance Evaluation Structure
- H. Resolution to appoint _____ as the City of Birmingham's official voting delegate and _____ as the alternate delegate, for the Michigan Municipal League Annual Meeting to be held in Traverse City, Michigan on September 11, 2024.
- I. Commission Items for Future Discussion. A motion is required to bring up the item for future discussion at the next reasonable agenda, no discussion on the topic will happen tonight.
- J. Commission discussion on items from a prior meeting.
1. Pesticides

IX. REMOVED FROM CONSENT AGENDA
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X. COMMUNICATIONS

- A. Shirley & Arlington
- B. Eton
- C. Northlawn

XI. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

INFORMATION ONLY

XII. ADJOURN

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

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

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-3405 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).



PROCLAMATION
Designation of July as Parks and Recreation Month

- WHEREAS,** Parks and recreation is an integral part of communities throughout this country, including Birmingham, MI; and
- WHEREAS,** Parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and
- WHEREAS,** Parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimers; and
- WHEREAS,** Parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and
- WHEREAS,** Parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and
- WHEREAS,** Park and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and
- WHEREAS,** Parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and
- WHEREAS,** Parks and recreation is fundamental to the environmental well-being of our community; and
- WHEREAS,** Our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and
- WHEREAS,** The U.S. House of Representatives has designated July as Parks and Recreation Month; and
- WHEREAS,** Birmingham recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, be it resolved with this official proclamation that I, Elaine McLain, Mayor of the City of Birmingham, on behalf of the City Commission and citizens of Birmingham, that July is recognized as Parks and Recreation month in the City of Birmingham, Michigan.

On behalf of the City Commission and the residents of
Birmingham on this 22nd day of July, 2024.

Elaine McLain, Mayor



**NOTICE OF INTENTION TO APPOINT TO THE
MULTI-MODAL TRANSPORTATION BOARD**

At the regular meeting of Monday, July 22, 2024, the Birmingham City Commission intends to appoint to the Multi-Modal Transportation Board two alternate members with terms expiring October 27, 2025.

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, July 17, 2024. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

In so far as possible, the seven-member committee shall be composed of the following: one pedestrian advocate member; one member with a mobility or vision impairment; one member with traffic-focused education and/or experience; one bicycle advocate member; one member with urban planning, architecture or design education and/or experience; and two members at large living in different geographical areas of the City. Applicants for this position do not have to be a qualified elector or property owner in Birmingham.

Duties of the Multi-Modal Transportation Board

The purpose of the Multi-Modal Transportation Board shall be to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the City and to advise the City Commission on the implementation of the Multi-Modal Transportation Plan, including reviewing project phasing and budgeting.

Applicant(s) Presented For City Commission Consideration:

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

	Criteria/Qualifications
	Traffic-focused education/experience, mobility/vision impairment, urban planning, architecture or design education/experience. In addition, 2 members at large living in different geographical areas of the City.
Laura Engelland	Self-employed entrepreneur with experience related to design, urban planning, & traffic management; Pedestrian & Bicycle advocate

SUGGESTED COMMISSION ACTION:

To appoint _____ as a regular member to the Multi-Modal Transportation Board to serve the remainder of a three-year term to expire October 27, 2025.

To appoint _____ as a regular member to the Multi-Modal Transportation Board to serve the remainder of a three-year term to expire October 27, 2025.

FromClerksOffice- APPLICATION FOR CITY BOARD OR COMMITTEE [#16]

1 message

'Wufoo' via Clerks Office <ClerksOffice@bhamgov.org>

Mon, Jul 1, 2024 at 5:02 PM

Reply-To: no-reply@wufoo.com

To: clerksOffice@bhamgov.org

Board/Committee of Interest	Multi-Modal Transportation Board
Specific Category/Vacancy on Board (see below)	Experience related to design, urban planning, & traffic management; Pedestrian & Bicycle advocate
Name	Laura Engelland
Residential Address	 390 Larchlea Drive Birmingham, MI 48009 United States
Phone Number *	(248) 688-7556
Email By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.	ljengelland@gmail.com
Length of Residence	3 years
Occupation	Entrepreneur / Self-Employed

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

As an enthusiastic advocate for multi-modal transportation, I am eager to contribute my skills and experiences to enhance the board. Let me elaborate on how my background aligns with this mission.

Firstly, my passion for multi-modal transportation has driven both personal and professional exploration. I actively seek out transit systems to understand their efficiency and impact, and how people of varying capabilities experience them. Additionally, I love exploring new places on foot, appreciating the importance of pedestrian-friendly infrastructure. Currently, I rely on biking and walking—including with strollers—within Birmingham, emphasizing the need for safe and accessible pathways.

Secondly, I am deeply committed to our community's development. Having moved across the United States during my early adulthood, I am proud to call Birmingham home. As a homeowner and registered voter, I am invested in the well-being of our city. Raising two young children here, I recognize the significance of sustainable transportation options for families. Birmingham's thriving community and walkability were key factors in my decision to live here.

Lastly, my teamwork and problem-solving abilities make me a valuable asset. My background as a distance runner has honed my collaboration skills, emphasizing the value of working together to achieve common goals. Throughout my career, I've focused on mobility solutions:

- At AT&T, I contributed to their transition into a mobility company, emphasizing digital wayfinding and safety tools.
- My global travels with iRobot exposed me to the impact of autonomous robots on daily life, which is highly relevant as

we integrate new technologies into roadways.

- At Ford Motor Company, I provided planning and investment recommendations for various mobility systems, including autonomous vehicles, shared platforms, scooters, and even electric aircraft designed for daily commuting.

In summary, my passion, community ties, and problem-solving abilities uniquely position me to contribute to the Multi-Modal Transportation Board. I am committed to improving everyday life for our residents through innovative – and simple – transportation solutions.

List your related employment experience

Uphill Partners – Principal (Birmingham, MI; 2023-present)

- Family office dedicated to investment in local small business.
- Responsible for private and public relationship development and investment evaluation.

FINN – Vice President, Partnerships (Detroit, MI; 2021-2023)

- Start-up mobility services provider based in Munich, Germany; recently launched in US market.
- Led corporate partnership development between FINN and OEMs.

Ford Motor Company – multiple roles, latest Associate Director (Palo Alto, CA & Dearborn, MI; 2016-2021)

- Drove global primary research in the US, China, and Europe to identify, understand, and embed consumer needs in multi-modal product development. Identified ways to develop shared, multi-modal transportation systems, including methods to change consumer behavior and drive adoption.
- Followed a Universal Design approach to product development. Leveraged ethnographic studies of wide range of people, including the disabled, to understand gaps in current systems and customer needs.
- Navigated Ford through complicated regulatory and cost barriers to create enabling technologies for Smart City development.
- Led investigation of and provided recommendations for micro mobility (i.e. scooters) investment.
- Identified opportunities in nascent Advanced Air Mobility market. Presented landscape analysis and market entry pathways to CEO and C-suite team.
- Developed and presented strategy to address Ride Hail market. Defined business models, M&A pathways, and go-to-market implications, which justified spinout of AV LLC (Ford's autonomous vehicle unit) and informed pilot projects with 3rd parties.
- Developed and secured Board approval for global strategic plan for newly formed Enterprise Connectivity organization; plan led to creation of FordPro business unit.
- Built high-performing, cross-functional team of diverse talent across discipline, gender, race, and ethnicity to prioritize and execute wide range of projects across newly formed global organization.
- Negotiated \$125M contract to deliver connected vehicle services worldwide after one full year of complex negotiations.

iRobot Corporation – Manager, Global Communications (Bedford, MA; 2011 – 2014)

- Drove business development and market adoption of consumer, B2B, and industrial robots by leading communications strategy, that involved events, product messaging, and executive speaking engagements, across 60 countries and 3 business units.
- Managed agencies on 3 continents in London, Shanghai, and New York City; traveled quarterly to Shanghai, Tokyo, Seoul, Munich, and Berlin.
- Spearheaded brand launch in China; achieved 200% of sales plan and thought leadership in market. Worked with sales and marketing to coordinate press conference in Shanghai and localize communications.

FleishmanHillard – Account Supervisor, Public Relations (New York, NY; 2008-2011)

- Planned and executed 100+ new product launches, such as AT&T iPhone and Emerging Devices, Barnes & Noble,

and Chobani. Managed national media strategy, reviews, press events, and executive interviews.

- Served as on-camera spokesperson for AT&T.

List your related community activities

- Active with University of Michigan alumni clubs, via mentorship, candidate interviews, meet-ups and volunteering – 2016-present
- AIARE I Avalanche Certified – 2021
- Multiple Sclerosis charity bike rides 175 miles – 2013-2015
- University of Arkansas Alumni Club President, Boston – 2012-2014
- Inner City Scholarship Fund volunteer (tutor, student events) – 2008-2011

List your related educational experience

Master of Business Administration (MBA) with distinction — University of Michigan, Ann Arbor, MI

- Selected as Section President
- Business & Land Development Project in Sri Lanka

Bachelor of Science (BS), Marketing Management, magna cum laude — University of Arkansas, Fayetteville, AR

- NCAA D1 Track and Cross Country Athlete — 5-time NCAA Academic All-American
- Student-Athlete representative to NCAA compliance review process
- Top Marketing Student (graduating class) Award

IDEO University — Human Centered Design certifications

- Leading with Creativity – February 2020
- Insights for Innovation – July 2017

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

No, we do not.

Do you currently have a relative serving on the board/committee to which you have applied?

No

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

Yes



MULTI-MODAL TRANSPORTATION BOARD

Chapter 110, Sections 110-26 & 110-27

The purpose of the Multi-Modal Transportation Board shall be to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the city and to advise the city commission on the implementation of the Multi-Modal Transportation Plan, including reviewing project phasing and budgeting.

In so far as possible, the seven member committee shall be composed of the following: one pedestrian advocate member; one member with a mobility or vision impairment; one member with traffic-focused education and/or experience; one bicycle advocate member; one member with urban planning, architecture or design education and/or experience; and two members at large living in different geographical areas of the city. At least five Board members shall be electors or property owners in the city. The remaining Board members may or may not be electors or property owners in the City.

Term: Three years.

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Davies	Gordon	(248)701-5462	10/24/2022	3/4/2027
969 Bennaville Birmingham	48009	<i>gordonhdavies@yahoo.com</i>	Regular Member	
Doolittle	Mark	(248) 535-0632	10/24/2022	3/24/2026
1305 S. Bates St Birmingham	48009	<i>mark.j.doolittle@gmail.com</i>	Regular Member at large from a different geographical area of city	
Hillberg	Patrick	(248)797-1804	10/24/2022	3/4/2027
1853 Fairview Birmingham	48009	<i>patrick_hillberg@hotmail.com</i>	Regular Member	

Last Name Home Address	First Name	Home Business E-Mail	Appointed	Term Expires
Hocker 898 Pilgrim Birmingham	David 48009	(313) 917-4718 <i>dhocker@globalfacilitiesinc.com</i>	11/23/2020 Regular member at large/plan experience	3/24/2025
Koul 662 Purdy #103 Birmingham	Z. Rosie 48009	(248) 420-0906	12/18/2023 Regular member-at-large from different geographical areas of the city	3/24/2025
Lassen	Jack		3/12/2024 Student representative	12/31/2024
Peard 645 Suffield Birmingham	Thomas 48009	(248) 770-7761 <i>thomaspeard@yahoo.com</i>	1/13/2020 Urban planning /architecture /design	3/24/2025
Reibschaid	Owen		2/12/2024 Student representative	12/31/2024

VACATED	3/4/2024		10/27/2025
			Alternate

Last Name	First Name	Home Business	Appointed	Term Expires
Home Address	E-Mail			
VACATED	3/4/2024		Alternate	10/27/2025
Zane	Joseph	(248) 563-3381	12/10/2018	3/24/2025
1014 Chestnut St.			Regular Member	
Birmingham	48009			
		Joseph.Michael.Zane@gmail.com		

ARTICLE II. - MULTI-MODAL TRANSPORTATION BOARD

*Footnotes:**--- (2) ---*

Editor's note— Ord. No. 2138, adopted February 10, 2014, amended article II in its entirety to read as herein set out. Formerly, article II pertained to the traffic and safety board, and derived from the Code of 1963, §§ 10.91—10.96.

Sec. 110-26. - Composition.

- (a) The multi-modal transportation board shall consist of nonvoting ex officio members and seven members appointed by the city commission. The nonvoting ex officio members shall be appointed by the city manager. They may include the city engineer, city planner, police chief, or their designated representative, or other representatives as the city manager deems appropriate. Insofar as possible, the city commission shall appoint members as follows:
- (1) One pedestrian advocate member;
 - (2) One member with a mobility or vision impairment;
 - (3) One member with traffic-focused education and/or experience;
 - (4) One bicycle advocate member;
 - (5) One member with urban planning, architecture or design education and/or experience; and
 - (6) Two members at large living in different geographical areas of the city.

At least five board members shall be electors or property owners in the city. The remaining board members may or may not be electors or property owners in the city.

- (b) The city commission may appoint two alternate members to serve as needed on the multi-modal transportation board during their term of appointment. An alternate member may be called on a rotating basis to sit as a regular member of the multi-modal transportation board in the absence of a regular member. An alternate member may also be called to service in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. An alternate member having been appointed shall serve in the case until a final decision has been made. An alternate member shall have the same voting rights as a regular member of the multi-modal transportation board.

(Ord. No. 2138, 2-10-14; Ord. No. 2200, 9-12-16; Ord. No. 2203, 10-10-16)

Sec. 110-27. - Terms of members.

Initial members of the multi-modal transportation board shall serve for the following terms: two members shall be appointed for one-year terms, two members shall be appointed for two-year terms, and three members shall be appointed for three-year terms. Thereafter, all appointments, except to fill vacancies, shall be for a term of three years. All appointments for the purpose of filling vacancies occurring otherwise than by expiration of term of office shall be for the unexpired term.

(Ord. No. 2138, 2-10-14)

Sec. 110-28. - Compensation.

All members of the multi-modal transportation board shall serve without compensation.

(Ord. No. 2138, 2-10-14)

Sec. 110-29. - Organization.

The multi-modal transportation board shall, from its appointed members, elect a chair who shall be the presiding officer of the board, and a vice-chair who shall serve in the absence of the chair. A secretary, who shall keep and maintain the proceedings of the board, shall be appointed by the board. The secretary need not be a member of the board. The terms of office for such officers shall be one year and until their successors have been elected. The ex officio members of the board may not act as the chair or vice-chair but may serve as secretary.

(Ord. No. 2138, 2-10-14)

Sec. 110-30. - Meetings and quorum.

The multi-modal transportation board shall hold meetings at such time and place as may be established by the board. Special meetings may be called by the secretary at the written request of the chair or any three members of the board on at least two days' notice. A quorum for the transaction of business at the regular and special meetings shall be four appointed members and at least one ex officio member or their designated representative.

(Ord. No. 2138, 2-10-14)

Sec. 110-31. - Scope of authority.

The multi-modal transportation board is a non-administrative board serving solely in an advisory capacity. In that capacity the board may make recommendations to the city commission but may not assume any legislative or administrative authority of the city commission or any department or board

established by the city commission except as specifically provided in this chapter. The multi-modal transportation board is not authorized to expend city funds.

(Ord. No. 2138, 2-10-14)

Sec. 110-32. - Purpose and duties.

The purpose of the multi-modal transportation board shall be to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the city and to advise the city commission on the implementation of the multi-modal transportation plan, including reviewing project phasing and budgeting. In furtherance of its purpose, the board shall endeavor to provide the following:

- (1) Advice on the implementation of the city's multi-modal transportation plan to the city commission.
- (2) Review of the multi-modal transportation plan to assure that it remains current with citywide multi-modal transportation movements and regional transportation plans and initiatives.
- (3) An objective and technical multi-modal evaluation of plans for all road reconstruction and road resurfacing projects, sidewalk and pedestrian crossing projects, intersection or bridge projects, bicycle and transit facility improvement projects.
- (4) An objective and technical evaluation of transportation issues brought to the attention of or identified by the board.
- (5) An objective and technical evaluation of the transportation plan submitted for proposed development or redevelopment, as referred to the board by the planning board.
- (6) An objective and technical multi-modal evaluation of site plans submitted for proposed development or redevelopment, as referred to the board by the planning board.
- (7) An objective and technical multi-modal evaluation of any ordinance amendments related to transportation issues, as referred to the board by the planning board or city commission.
- (8) The application of accepted transportation engineering practices, multi-modal transportation planning and complete streets practices and national standards, including those published by the American Association of State Highway and Transportation Officials, in solving and preventing transportation problems.
- (9) Objective and technical recommendations regarding transportation engineering safety issues to the city commission.
- (10) A forum for the voluntary coordination of groups interested in transportation issues.
- (11) A forum to review and decide appeals of administrative decisions made by the police department on transportation-related regulatory requests under article VII of this chapter.

(Ord. No. 2138, 2-10-14)

Secs. 110-33—110-55. - Reserved.



NOTICE OF INTENTION TO APPOINT TO BOARD OF ZONING APPEALS

At the regular meeting of Monday, July 22, 2024, the Birmingham City Commission intends to appoint an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 18, 2026.

Interested parties may recommend others or themselves for these positions by submitting a form available from the City Clerk's office. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, July 17, 2024. Applications will appear in the public agenda at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

Duties of Board

The Board of Zoning Appeals acts on questions arising from the administration of the Zoning Ordinance, including the interpretation of the zoning map. The Board hears and decides appeals from and reviews any order, requirement, decision or determination made by the Building Official.

Applicant Name	Criteria Applicants shall be property owners of record and registered voters.	Qualifications
Donald Rogers	Birmingham Property owner and registered voter	Retired contractor with over 42 years of field experience.

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

SUGGESTED ACTION:

To appoint _____ as an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 18, 2026.

APPLICATION FOR CITY BOARD OR COMMITTEE

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

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities. Applications must be submitted to the city clerk's office at or before noon on the Wednesday prior to the City Commission meeting.

(Please print clearly)

Board/Committee of Interest ZONING BOARD OF APPEALS
 Specific Category/Vacancy on Board CONTRACTOR (see back of this form for information)
 Name DONALD ROGERS Phone (313) 820-0987
 Residential Address 2409 BUCKINGHAM AVE. Email * DONROGERS4420@GMAIL.COM
 Residential City, Zip BIRMINGHAM 38209 Length of Residence 8+ YEARS
 Business Address _____ Occupation RETIRED - CONSTRUCT. ENGINEER
 Business City, Zip _____

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

RETIRED AFTER A 42 YEAR CAREER AS A CONSTRUCTION PROJECT MANAGER FOR COMMERCIAL BUILDING PROJECTS.

List your related employment experience PROJECT MANAGER / EXECUTIVE FOR TURNER CONSTRUCTION, BARTON MALOW, SKANSKA AND CLARK CONSTRUCTION.

List your related community activities CURRENTLY SERVING ON THE AD HOC SENIOR RECREATION CENTER COMMITTEE - CONTRACTOR POSITION

List your related educational experience BACHELOR OF SCIENCE DEGREE CONSTRUCTION ENGINEERING, LAURENCE TECH. REGISTERED PROFESSIONAL ENGINEER 1981

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

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

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

Donald A. Rogers
Signature of Applicant

7/10/24
Date

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to clerksoffice@bhamgov.org or by fax to 248.530.1080. Updated 3/24/2021

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



BOARD OF ZONING APPEALS

Chapter 126 – Section 126-671 – Seven Members – Three Year Terms
Requirements – Property owners of record and registered voter

The Board of Zoning Appeals acts on questions arising from the administration of the zoning ordinance, including the interpretation of the zoning map. The board hears and decides appeals from and reviews any order, requirement, decision or determination made by the building official.

Last Name Home Address	First Name	Home Business E-Mail	Appointed	Term Expires
Canvasser 369 Kimberly st	Jason	248-231-9972 <i>jcanvasser@clark.hill.com</i>	 Regular member	10/10/2026
Hart 2051 Villa	Kevin	(248) 4967363 <i>khartassociates@aol.com</i>	2/27/2012 Architect	10/10/2026
Kona 439 W. Merrill St	Carl	(248)540-2810 <i>carlsbox@hotmail.com</i>	4/25/2022 Alternate Member, Financial Services	2/18/2026
Lilley 648 Cherry Ct.	Richard	248-594-6737 <i>dicklilley@icloud.com</i>	9/6/2018 Regular Member	10/10/2025
Miller 544 Brookside	John	(248) 703-9384 <i>jnmillerstudio@gmail.com</i>	1/23/2012 Architect	10/10/2024
Morganroth 631 Ann	Erik	(248) 762-9822 <i>emorganroth@comcast.net</i>	10/12/2015 Real Estate/Builder	10/10/2024

Last Name Home Address	First Name	Home Business E-Mail	Appointed	Term Expires
Reddy 763 Wallace	Ron	(313) 820-7491 <i>ron.reddy01@gmail.com</i>	2/11/2019 Regular member	10/10/2025
Vacant				2/18/2026 Alternate Member
Yaldo 1936 Graefield	Pierre	(248) 534-5585 <i>Pierre@BluelandMGT.com</i>	2/28/2022 Attorney	10/10/2025

CITY AND VILLAGE ZONING ACT (EXCERPT)
Act 207 of 1921

***** 125.585 THIS SECTION IS REPEALED BY ACT 110 OF 2006 EFFECTIVE JULY 1, 2006 *****

125.585 Board of appeals; rules governing procedure; appointment and terms of members; powers and duties of board; appeals; variances; remuneration; finality of decision; judicial review.

Sec. 5. (1) The legislative body of a city or village may act as a board of appeals upon questions arising under a zoning ordinance. The legislative body may establish rules to govern its procedure as a board of appeals. In the alternative, the legislative body may appoint a board of appeals consisting of not less than 5 members, each to be appointed for a term of 3 years. Appointments of the first members shall be for terms of 1, 2, and 3 years, respectively, so as nearly as possible to provide for the subsequent appointment of an equal number of members each year. After the initial appointments, each member shall hold office for the full 3-year term.

(2) Under procedures specified in the zoning ordinance, the legislative body of a city or village may appoint not more than 2 alternate members for the same term as regular members of the board of appeals. The alternate members may be called on a rotating basis as specified in the zoning ordinance to sit as regular members of the board of appeals in the absence of a regular member. An alternate member may also be called to serve in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member called shall serve in the case until a final decision is made. The alternate member has the same voting rights as a regular member of the board of appeals.

(3) The board of appeals shall hear and decide appeals from and review any order, requirements, decision, or determination made by an administrative official or body charged with the enforcement of an ordinance adopted under this act. The board of appeals shall also hear and decide matters referred to the board or upon which the board is required to pass under an ordinance adopted under this act. For special land use and planned unit development decisions, an appeal may be taken to the board of appeals only if provided for in the zoning ordinance.

(4) In a city or village having a population of less than 1,000,000, the concurring vote of a majority of the members of the board is necessary to reverse an order, requirement, decision, or determination of an administrative official or body, or to decide in favor of the applicant a matter upon which the board is required to pass under an ordinance, or to effect a variation in an ordinance except that a concurring vote of 2/3 of the members of the board is necessary to grant a variance from uses of land permitted in an ordinance. In a city having a population of 1,000,000 or more, the concurring vote of 2/3 of the members of the board is necessary to reverse an order, requirement, decision, or determination of an administrative official or body, or to decide in favor of the applicant a matter upon which the board is required to pass under an ordinance, or to grant a variance in an ordinance.

(5) An appeal may be taken by a person aggrieved, or by an officer, department, board, or bureau of the city or village. In addition, a variance in an ordinance may be applied for and granted pursuant to section 4 of the uniform condemnation procedures act, 1980 PA 87, MCL 213.54, and this act. A board of rules or board of building appeals of a city or village may be enlarged to consist of not less than 5 members, and these may be appointed as the board of appeals as provided in this section.

(6) An appeal under this section shall be taken, within a time prescribed by the board of appeals by general rule, by filing, with the officer or body from whom the appeal is taken and with the board of appeals, a notice of appeal specifying the grounds for the appeal. The officer or body from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record upon which the action appealed from was taken.

(7) An appeal under this section stays all proceedings in furtherance of the action appealed from unless the officer or body from whom the appeal is taken certifies to the board of appeals, after the notice of appeal is filed, that by reason of facts stated in the certificate, a stay would in the opinion of the officer or body cause imminent peril to life or property. If such a certification is filed, the proceedings shall only be stayed by a restraining order. A restraining order may be granted by the board of appeals or by the circuit court, on application, on notice to the officer or body from whom the appeal is taken and on due cause shown.

(8) The board of appeals shall fix a reasonable time for the hearing of the appeal and give notice of the appeal to the persons to whom real property within 300 feet of the premises in question is assessed, and to the occupants of single and 2-family dwellings within 300 feet. The notice shall be delivered personally or by mail addressed to the respective owners and tenants at the address given in the last assessment roll. If a

tenant's name is not known, the term "occupant" may be used. Upon the hearing, a party may appear in person or by agent or by attorney.

(9) The board of appeals shall decide the appeal within a reasonable time. The board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and shall make an order, requirement, decision, or determination as in the board's opinion ought to be made in the premises, and to that end shall have all the powers of the officer or body from whom the appeal is taken. If there are practical difficulties or unnecessary hardship in carrying out the strict letter of the ordinance, the board of appeals may in passing upon appeals grant a variance in any of its rules or provisions relating to the construction, or structural changes in, equipment, or alteration of buildings or structures, or the use of land, buildings, or structures, so that the spirit of the ordinance shall be observed, public safety secured, and substantial justice done.

(10) The board of appeals may impose conditions upon an affirmative decision, as provided in section 4c(2). The legislative body of a city or village may authorize the remuneration of the members of the board for attendance at each meeting.

(11) The decision of the board of appeals is final. However, a person having an interest affected by the zoning ordinance may appeal to the circuit court. Upon appeal, the circuit court shall review the record and decision of the board of appeals to ensure that the decision meets all of the following requirements:

- (a) Complies with the constitution and laws of this state.
- (b) Is based upon proper procedure.
- (c) Is supported by competent, material, and substantial evidence on the record.
- (d) Represents the reasonable exercise of discretion granted by law to the board of appeals.

(12) If the court finds the record of the board of appeals inadequate to make the review required by this section, or that additional material evidence exists that with good reason was not presented to the board of appeals, the court shall order further proceedings before the board of appeals on conditions that the court considers proper. The board of appeals may modify its findings and decision as a result of the new proceedings, or may affirm the original decision. The supplementary record and decision shall be filed with the court.

(13) As a result of the review required by this section, the court may affirm, reverse, or modify the decision of the board of appeals.

History: 1921, Act 207, Imd. Eff. May 17, 1921;—CL 1929, 2637;—Am. 1941, Act 306, Eff. Jan. 10, 1942;—Am. 1947, Act 272, Eff. Oct. 11, 1947;—CL 1948, 125.585;—Am. 1952, Act 97, Eff. Sept. 18, 1952;—Am. 1968, Act 202, Eff. Nov. 15, 1968;—Am. 1973, Act 204, Imd. Eff. Jan. 11, 1974;—Am. 1978, Act 638, Eff. Mar. 1, 1979;—Am. 1979, Act 180, Eff. Mar. 18, 1980;—Am. 1986, Act 191, Imd. Eff. July 8, 1986;—Am. 2000, Act 20, Imd. Eff. Mar. 8, 2000.

8.01 The Board of Zoning Appeals

- A. Establish: There shall be established and appointed by the City Commission, in accordance with Section 5, Act No. 207 of the Public Acts of Michigan of 1921 (MCL 125.585, MSA 5.2935), as amended, a Board of Zoning Appeals consisting of seven members each to be appointed for a term of three years.
- B. Alternate Members: The City Commission may also appoint not more than two alternate members for the same term as regular members of the Board of Zoning Appeals. The alternate member may be called on a rotating basis to sit as a regular member of the Board of Zoning Appeals in the absence of a regular member. An alternate member may also be called to service in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member having been appointed shall serve in the case until a final decision has been made. The alternate member shall have the same voting rights as a regular member of the Board of Zoning Appeals.
- C. Procedure: Meetings of the Board of Zoning Appeals shall be held at the call of the chairperson, and at such other times as the Board of Zoning Appeals may determine. Such chairperson, or in his/her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. The Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and the action thereon, which shall be a public record.
- D. Appeals: An appeal to the Board of Zoning Appeals, based in whole or in part on the provisions of the Zoning Ordinance, may be taken by any person aggrieved, or by any governmental officer, department, Board of Zoning Appeals or bureau affected by the decision of the Building Official. Such appeal shall be taken by filing with the Board of Zoning Appeals a notice of appeal, on forms provided by the Building Official, specifying the ground thereof, and by paying the required fee. The Building Official shall transmit to the Board of Zoning Appeals all papers constituting the records upon which the appeal action was taken.
- E. Hearing and Notice: The Board of Zoning Appeals shall fix a reasonable time for the hearing of an appeal and shall give due notice of the appeal to the persons to whom real property within 300 feet of the premises in question is assessed, and to the occupants of single- and two-family dwellings within 300 feet, the notice to be delivered personally or by mail to the respective owners and tenants at the address given in the last assessment roll. If the tenant's name is not known, the term "occupant" may be used. A notice sign shall also be posted in a conspicuous place on the subject property. Notice signs will be provided by the City of Birmingham. It is the responsibility of the applicant to post the notice sign as required, to ensure that the notice sign remains posted during the entire notice period and to remove the notice sign the day after the public hearing the notice sign was advertising. At the hearing, any person or party may appear in person, by agent or by attorney. All such hearings shall be open to the public.
- F. Powers and Duties: The Board of Zoning Appeals shall have the powers and duties set forth in MCL 125.581 et seq., MSA 5.2931 et seq. and as more particularly hereinafter enumerated. The Board of Zoning Appeals shall not have the power to change the zoning district of any property. The Board of Zoning Appeal's power and duties shall include the following:
1. Review of administrative decisions.
 - a. The Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision or determination made by an administrative official charged with the enforcement of the Zoning Ordinance.
 - b. It may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the situation, and to that end shall have all the powers of the officer from whom the appeal is taken.
 2. Mapping disputes.
 - a. Where disputes arise as to the location of the floodplain boundary or the limits of the floodway, the Board of Zoning Appeals shall resolve the dispute and establish the boundary location in accordance with Section 1.15. In all cases, the decision of the Board of Zoning Appeals shall be based upon the most current floodplain studies issued by the Office of Federal Insurance and Hazard Mitigation. Where the Office of Federal Insurance and Hazard Mitigation information is not available, the best available floodplain information shall be utilized.
 - b. Where a dispute involves an allegation that the boundary is incorrect as mapped and Office of Federal Insurance and Hazard Mitigation floodplain studies are being questioned, the Board of Zoning Appeals shall modify the boundary of the floodplain or the floodway only upon receipt of an official letter of map amendment issued by the Office of Federal Insurance and Hazard Mitigation.
 3. Variances.
 - a. The Board of Zoning Appeals shall hear and grant or deny requests for variances from the strict application of the provisions of the Zoning Ordinance where there are practical difficulties or unnecessary hardships in

carrying out the strict letter of such chapter. In granting a variance, the Board of Zoning Appeals may attach such conditions as it may deem reasonably necessary to promote the spirit and intent of the Zoning Ordinance. The Board of Zoning Appeals shall not grant any variance unless it first determines that:

- i. Because of special conditions applicable to the property in question, the provisions of the Zoning Ordinance, if strictly applied, unreasonably prevent the property owner from using the property for a permitted purpose;
 - ii. Literal enforcement of the chapter will result in unnecessary hardship;
 - iii. The granting of the variance will not be contrary to the spirit and purpose of the Zoning Ordinance nor contrary to the public health, safety and welfare; and
 - iv. The granting of the variance will result in substantial justice to the property owner, the owners of property in the area and the general public.
- b. Variances from the provisions of Section 4.13, Floodplain Regulations, shall only be granted by the Board of Zoning Appeals upon a determination of compliance with the general standards for variances contained in the Zoning Ordinance and in accordance with the following:
- i. The variance granted will not result in flood heights in excess of those permitted by the Zoning Ordinance, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
 - ii. The variance granted shall be the minimum necessary, considering the flood hazard, to afford relief to the applicant.
 - iii. Variances may be granted for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the Michigan Historic Markers listing of historic sites, or any other state register of historic places without meeting the requirements of this section.
- c. Sign Variance Procedure. Any person who feels aggrieved by a decision of the City Planner or Design Review Board may have the sign reviewed by the Board of Zoning Appeals. A variance may be granted by the Board of Zoning Appeals only in cases involving practical difficulties when the evidence in the official record of the appeal supports all the following affirmative findings:
- i. That the alleged practical difficulties are peculiar to the property of the person requesting the variance by reasons of the physical and/or dimensional constraints of the building and/or site, and result from conditions which do not exist generally throughout the City;
 - ii. That the granting of the requested variance would not be materially detrimental to the property owners in the immediate vicinity;
 - iii. That the granting of the variance would not be contrary to the general objectives of this Chapter and is in keeping with the spirit and intent of this ordinance; and
 - iv. That granting the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board of Zoning Appeals to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.
 - v. In granting a variance, the Board of Zoning Appeals may attach such conditions as it may deem reasonably necessary to promote the spirit and intent of the Zoning Ordinance and the conditions specified in the sign ordinance, Chapter 86, Article 02, Section 2.06.

G. Miscellaneous:

1. No order of the Board of Zoning Appeals permitting the erection or alteration of buildings shall be valid for a period longer than one year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is commenced and proceeds to completion in accordance with the terms of such permit.
2. No order of the Board of Zoning Appeals permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that if the use of such permit is dependent upon the erection or alteration of a building, such order shall continue in full force and effect if a building permit for such use, erection or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.

**CITY OF BIRMINGHAM
BOARD OF ZONING APPEALS
RULES OF PROCEDURE**

ARTICLE I - Appeals

- A. Appeals may be filed under the following conditions:
1. A property owner may appeal for variance, modification or adjustment of the requirements of the Zoning Ordinance.
 2. A property owner may appeal for variance, modification or adjustment of the requirements of the Sign Ordinance.
 3. Any aggrieved party may appeal the decision of the Planning Board and/or the Building Official in accordance with the City of Birmingham Zoning Ordinance, Article Eight, Section 8.01 (D) Appeals. If an appellant requests a review of any determination of the Building Official, a complete statement setting forth the facts and reasons for the disagreement with the Building Official's determination shall include the principal point, or points on the decision, order or section of the ordinance appealed from, on which the appeal is based.
- B. Procedures of the Board of Zoning Appeals (BZA) are as follows:
1. Regular BZA meetings, which are open to the public, shall be held on the second Tuesday of the month at 7:30 P.M. provided there are pending appeals. There will be a maximum of seven appeals heard at the regular meeting which are taken in the order received. If an appeal is received on time after the initial seven appeals have been scheduled, it will be scheduled to the next regular meeting.
 2. All applications for appeal shall be submitted to the Community Development Department on or before the 12th day of the month preceding the next regular meeting. If the 12th falls on a Saturday, Sunday, or legal holiday, the next working day shall be considered the last day of acceptance.
 3. All property owners and occupants within 300 feet of the subject property will be given written notice of a hearing by the City of Birmingham.
 4. See the application form for specific requirements. If the application is incomplete, the BZA may refuse to hear the appeal. The Building Official or City Planner may require the applicant to provide additional information as is deemed essential to fully advise the Board in reference to the appeal. Refusal or failure to comply shall be grounds for dismissal of the appeal at the discretion of the Board.

5. In variance requests, applicants must provide a statement that clearly sets forth all special conditions that may have contributed to a practical difficulty that is preventing a reasonable use of the property.
6. Where the Birmingham Zoning Ordinance requires site plan approval of a project by the City Planning Board before the issuance of a building permit, applicants must obtain preliminary site plan approval by the Planning Board before appeal to the BZA for a variance request. If such appeal is granted by the BZA, the applicant must seek final site plan and design review approval from the Planning Board before applying for a building permit.
7. An aggrieved party may appeal a Planning Board decision. Such appeal must be made within 30 days of the date of the decision. The BZA, in its discretion, may grant additional time in exceptional circumstances.
8. Appeals from a decision of the Building Official shall be made within 30 days of the date of the order, denial of permit, or requirement or determination contested. The BZA, in its discretion, may grant additional time in exceptional circumstances.
9. An appeal stays all proceedings in accordance with Act #110, Public Acts of 2006, Article VI, Section 125.3604 (3).

C. The order of hearings shall be:

1. Presentation of official records of the case by the Building Official or City Planner as presented on the application form.
2. Applicant's presentation of his/her case—the applicant or his/her representative must be present at the appeal hearing.
3. Interested parties' comments and view on the appeal.
4. Rebuttal by applicant.
5. The BZA may make a decision on the matter or request additional information.

D. Motions and Voting

1. A motion is made to either grant or deny a petitioner's request
 - a) For a motion to grant or deny a non-use variance request, the motion must receive four (4) affirmative votes to be approved.
 - b) For a motion to grant or deny a use variance request, the motion must receive five (5) affirmative votes to be approved.
 - c) For a motion to grant or deny an appeal of a decision or order by an administrative official or board, the motion must receive four (4) affirmative votes to be approved.

2. When a motion made is to approve or deny a petitioner's request and if there is a tie vote, then the vote results in no action by the board and the petitioner shall be given an opportunity to have his or her request heard the next regularly scheduled meeting when all the members are present.
3. When there are less than seven (7) members of the board present for a meeting, then a petitioner requesting a use variance shall be given an opportunity at the beginning of the meeting to elect to have it heard at the next regularly scheduled meeting.
4. When there are less than six (6) members present for a meeting, then all petitioners shall be given an opportunity at the beginning of the meeting to elect to have the request heard at the next regularly scheduled meeting.

ARTICLE II - Results of an Appeal

- A. The Board may reverse, affirm, vary or modify any order, requirement, decision or determination as in its opinion should be made, and to that end, shall have all the powers of the officer from whom the appeal has been taken.
- B. The decisions of the Board shall not become final until the expiration of five (5) days from the date of entry of such orders or unless the Board shall find that giving the order immediate effect is necessary for the preservation of property and/or personal rights and shall so certify on the record.
- C. Whenever any variation or modification of the Zoning Ordinance is authorized by resolution of the BZA, a Certificate of Survey must be submitted to the Community Development Department with the building permit application. A building permit must be obtained within one year of the approval date.
- D. Failure of the appellant, or his representative, to appear for his appeal hearing will result in the appeal being adjourned to the next regular meeting. If, after notice, the appellant fails to appear for the second time, it will result in an automatic withdrawal of the appeal. The appellant may reapply to the BZA.
- E. Any applicant may, with the consent of the Board, withdraw his application at any time before final action.
- F. Any decision of the Board favorable to the applicant is tied to the plans submitted, including any modifications approved by the Board at the hearing and agreed to by the applicant, and shall remain valid only as long as the information or data provided by the applicant is found to be correct and the conditions upon which the resolution was based are maintained.

ARTICLE III - Rehearings

A. No rehearing of any decision of the Board shall be considered unless new evidence is submitted which could not reasonably have been presented at the previous hearing or unless there has been a material change of facts or law.

B. Application or rehearing of a case shall be in writing and subject to the same rules as an original hearing, clearly stating the new evidence to be presented as the basis of an appeal for rehearing.

I certify that I have read and understand the above rules of procedure for the City of Birmingham Board of Zoning Appeals.

Signature of Applicant



**NOTICE OF INTENTION TO INTERVIEW FOR APPOINTMENT TO THE
BIRMINGHAM SHOPPING DISTRICT BOARD**

At the regular meeting of Monday, July 22, 2024, the Birmingham City Commission intends to appoint one applicant to the Birmingham Shopping District Board to serve the remainder of a four-year term to expire November 16, 2026.

The goal of the shopping district board shall be to promote economic activity in the principal shopping districts of the City by undertakings including, but not limited to, conducting market research and public relations campaigns, developing, coordinating and conducting retail and institutional promotions, and sponsoring special events and related activities (Section 82-97(a)). The board may expend funds it determines reasonably necessary to achieve its goal, within the limits of those monies made available to it by the City Commission from the financing methods specified in this article. (Section 82-97(b)).

The City Code states that the City Manager will make the appointment with the concurrence of the City Commission.

Interested persons may submit a form available from the City Clerk's office. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, July 17, 2024. These documents will appear in the public agenda.

Applicant(s) Presented for City Commission Consideration:

Applicant Name	Criteria/Qualifications Applicants shall be: • District Resident • Resident from an adjacent neighborhood
Lia Jamerson	District Resident

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

SUGGESTED RESOLUTION:

To concur in the City Manager's appointment of _____ to the Birmingham Shopping District Board to serve the remainder of a four-year term to expire November 16, 2026.

FromClerksOffice- APPLICATION FOR CITY BOARD OR COMMITTEE [#17]

'Wufoo' via Clerks Office <ClerksOffice@bhamgov.org>

Tue, Jul 9, 2024 at 8:23 AM

Reply-To: no-reply@wufoo.com

To: clerksOffice@bhamgov.org

Board/Committee of Interest	Birmingham Shopping District
Specific Category/Vacancy on Board (see below)	Resident
Name	Lia Jamerson
Residential Address	 245 Townsend Street Birmingham, Michigan 48009 United States
Phone Number *	(248) 385-2320
Email By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.	liajamerson@dayspringvision.com
Length of Residence	32 years (off and on).
Occupation	Licensed and Board Certified Mental Health Counselor; CEO of Private Practice

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

My name is Lia Jamerson, and I'm interested in serving on the Birmingham Shopping District Board. Having grown up in Birmingham, I attended the Birmingham schools Harlan Elementary, Derby Middle School, and graduated as a proud Maple from Seaholm High School. I'm also happy to have served as a student representative on the Birmingham Shopping District while attending Seaholm.

I've not only witnessed the beautiful growth and progress the downtown Birmingham area has undergone the past 32 years. I've also experienced the Birmingham Shopping District from a wide range of perspectives while growing up here. As a small child, I loved playing with my family and friends in Shain Park. Transitioning into the preteen years, I hosted my 13th birthday party at the Palladium (now Emagine theater), a memory I will never forget. I was able to enjoy shopping Downtown Birmingham as a teenager; and driving with friends to Leo's Coney or Sy Thai during our Seaholm lunch breaks. Now, full circle, I get to experience the downtown Birmingham area as an adult and proud resident.

I have nothing but an immense amount of gratitude to be able to live in Birmingham — a walkable town where I look forward to dining, shopping, and participating in the many activities it has to offer. This personal experience paired with my knowledge of human behaviors and professional background (see below in educational and employment

experience) as a business owner and mental health counselor will allow me to be an asset to the board. Thank you for your consideration.

List your related employment experience

- Licensed Professional Counseling (LPC) and Board Certified Counselor (NCC)
- Founder and CEO of Dayspring Vision Counseling, PLLC (solo private practice located in Troy, MI)
- Content Creator for my trademarked blog, Eclectic Chic, LLC
- Product Specialist/Presenter for General Motors at the North American International Auto Shows (NAIAS).

List your related community activities

My background as an active participant in the downtown Birmingham area and Principal Shopping District will allow me to be an asset to this board:

- Student Representative on the Birmingham Principal Shopping District while attending Seaholm High School.
- Member of the Blue Yoga community.
- Student at Detroit Guitar (weekly lessons).
- Regular at The Birmingham Farmers Market (student volunteer while attending Seaholm High School).
- Regular at many downtown Birmingham restaurants and businesses, including Rugby Grille, 220, Social, Birmingham Roast, Paris Baguette, Starbucks, Lululemon, Toys and Teacups, Anthropologie (rest in peace to the Birmingham location), Birmingham 8, Emagine Palladium, and many more.
- Avid walker of my Shiba Inu pup in our downtown Birmingham neighborhood.

List your related educational experience

Hawaii Pacific University
Honolulu, Hawai'i
Master of Arts (MA) in Clinical Mental Health Counseling

Hawaii Pacific University
Honolulu, Hawai'i
Bachelor of Arts (BA) in Psychology, minor in Chemistry
Cum Laude

Ernest W. Seaholm High School
Birmingham, Michigan
High School Diploma

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

No.

Do you currently have a relative serving on the board/committee to which you have applied?

No.

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

No.



BIRMINGHAM SHOPPING DISTRICT BOARD

Ordinance 1534 - Adopted September 14, 1992

The Board shall consist of 12 members as follows:

- a) City Manager.
- b) Resident from an area designated as a principal shopping district.
- c) Resident from an adjacent residential area.
- d) A majority of the members shall be nominees of individual businesses located within a principal shopping district who have an interest in property located in the district.
- e) The remaining members shall be representatives of businesses located in the district.

4-Year Terms

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Astrein	Richard	(248) 399-4228 (248) 644-1651 <i>richard@astreins.com</i>	11/16/1992	11/16/2025
13125 Ludlow Huntington Woods	48070		Business representative with interest in property located in district	
Cristina	Sheppard-Decius	(248) 530-1250 <i>csdecius@bhamgov.org</i>	Executive Director	
151 Martin Street Birmingham	48009			
Ecker	Jana	(248) 530-1811 <i>jecker@bhamgov.org</i>	City Manager	
151 Martin Birmingham	48009			

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Eid 1800 Rathnmor Bloomfield Hills 588 S. Old Woodward Birmingham	Samy 48304 48009	(248) 840-8127 <i>samyeid@mac.com</i>	11/14/2016 Business representative with interest in property located in district	11/16/2025
Fehan	Douglas	(248)705-3000 <i>godug@aol.com</i>	Director Emeritus	
Hussey 3422 Chickering Lane Bloomfield Hills 24977 Woodward Ave Suite 100 Birmingham	Beth 48301 48009	(248)765-0237 <i>beth@eatathazels.com</i>	11/28/2022 Business representative	11/16/2026
Kay 173 N Glengary Rd. Bloomfield Hills 168 South Old Woodward Birmingham	Zachary 48301 48009	(248) 770-0646 (248) 220-4999 <i>zak@shopfoundobjects.com</i>	7/9/2018 Business representative	11/16/2027
Lipari 359 Ferndale Birmingham	Sarvy 48009	(248) 321-8895 <i>srlipari@gmail.com</i>	5/10/2021 District resident	11/16/2024

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
McKenzie 2123 Windemere Birmingham	Michael 48009	(312) 785-4906 <i>mike_mckenzie@mac.com</i>	11/23/2020 Resident from adjacent neighborhood	11/16/2027
Pohlod 1360 Edgewood Birmingham	Amy 48009	(248) 219-5042 <i>amypohlod@hotmail.com</i>	7/25/2016 Business representative with interest in property located in district	11/16/2026
Roberts 320 Martell Ct Bloomfield Hills	William 48304	(248) 463-8606 (248) 646-6395 <i>BR@RobertsRestaurantGroup.com</i>	11/10/1997 Business representative	11/16/2025
Surnow 1310 S. Bates Birmingham	Sam 48009	(248) 877-4000 (248) 865-3000 <i>sam@surnow.com</i>	11/23/2015 Business representative with interest in property located in district	11/16/2027
Taddei 500 E Long Lake Road Bloomfield Hills	Michele 48304	(248) 275-3125 <i>michele@fullercentralpark.com</i>	11/16/2023 Business representative with interest in property located in district, Member greater than 5% total sq ft	11/16/2027

Last Name	First Name	Home		
Home Address		Business		
Business Address		E-Mail	Appointed	Term Expires
Vacant				11/16/2026
			Business representative with interest in property located in district	

BIRMINGHAM CODE OF ORDINANCES – CHAPTER 82

DIVISION 2. - SHOPPING DISTRICT BOARD

Sec. 82-91. - Created.

A shopping district board is hereby created and shall exercise its powers within the boundaries of the principal shopping districts established by the city commission.

(Code 1963, § 1.801; Ord. No. 1541, § 1.801, 11-23-92)

Sec. 82-92. - Composition; appointment.

- (a) The shopping district board shall consist of 12 members. One member shall be the city manager, one shall be a resident of an area designated as a principal shopping district, and one shall be a resident of an adjacent residential area. A majority of the members shall be nominees of individual businesses located within a principal shopping district who have an interest in property located in the district. The remaining members shall be representatives of businesses located in the district.
- (b) The board shall be appointed by the city manager with the concurrence of the city commission. However, if all the following requirements are met, a business may appoint a member of the board, which member shall be counted toward the majority of members required to be nominees of businesses located within a principal shopping district:
 - (1) The business is located within a principal shopping district.
 - (2) The business is located within a special assessment district established by the city commission to defray all or a portion of the costs of the board's activities under this article.
 - (3) The special assessment district is divided into special assessment rate zones reflecting varying levels of special benefits.
 - (4) The business is located in the special assessment rate zone with the highest special assessment rates.
 - (5) The square footage of the business is greater than five percent of the total square footage of businesses in the special assessment rate zone.

If a member is appointed by a business meeting the requirements of this section at a time all 12 positions on the board are filled, the city commission shall, by resolution, remove one or more members of the board in order that its membership not exceed 12 in number.

(Code 1963, § 1.801; Ord. No. 1541, § 1.801, 11-23-92)

Sec. 82-93. - Terms.

Of the members first appointed to the shopping district board, an equal number of the members, as near as practicable, shall be appointed for one-year, two-year, three-year and four-year terms. A member shall hold office until the member's successor is appointed. Thereafter, each member shall serve for a term of four years. An appointment to fill a vacancy shall be made by the city manager, with the concurrence of the city commission, for the unexpired term only.

(Code 1963, § 1.802; Ord. No. 1534, § 1.802, 9-14-92)

Sec. 82-94. - Organization and compensation.

The shopping district board shall, from its appointed members, elect a chairperson who shall be the presiding officer of the board, and a vice-chairperson, who shall serve in the absence of the chairperson. A secretary, who shall keep and maintain proceedings of the board, shall be appointed by the board. The secretary need not be a member of the board. The officers shall each serve for one year and until their successors have been elected by the board. Members shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

(Code 1963, § 1.803; Ord. No. 1534, § 1.803, 9-14-92)

Sec. 82-95. - Meetings and quorum.

The shopping district board shall hold at least one regular public meeting each month at such time and place as may be established by the board. Public notice of the time, date and place of all meetings shall be given in the manner required by the Open Meetings Act (MCL 15.261, MSA 4.1800(11) et seq.). Special meetings may be called by the secretary at the written request of the chairperson or any three members of the board on at least two days' notice. A quorum for the transaction of business at regular and special meetings shall be a majority of the current members of the board.

(Code 1963, § 1.804; Ord. No. 1534, § 1.804, 9-14-92)

Sec. 82-96. - Records and budget.

The shopping district board shall keep minutes of its meetings and records of all expenses incurred by it in the performance of its duties. The board shall prepare and submit annually for approval of the city commission a budget for its activities for the ensuing fiscal year. The budget shall be prepared in the manner and contain the information required of municipal departments.

(Code 1963, § 1.805; Ord. No. 1534, § 1.805, 9-14-92)

Sec. 82-97. - Goal and powers.

- (a) The goal of the shopping district board shall be to promote economic activity in the principal shopping districts of the city by undertakings including, but not limited to, conducting market research and public relations campaigns, developing, coordinating and conducting retail and institutional promotions, and sponsoring special events and related activities. In furtherance of its goal, the board may recommend to the city commission that the city undertake one or more of the following in a principal shopping district:
- (1) Open, widen, extend, realign, pave, maintain or otherwise improve highways and construct, reconstruct, maintain or relocate pedestrian walkways.
 - (2) Prohibit or regulate vehicular traffic where necessary to carry out the purposes of a development or redevelopment project.
 - (3) Regulate or prohibit vehicular parking on highways.
 - (4) Acquire, own, maintain or operate off-street parking lots or structures.
 - (5) Contract for the operation or maintenance by others of city off-street parking lots or structures, or appoint agents for the operation or maintenance of those lots or structures.
 - (6) Construct, maintain and operate malls with bus stops, information centers and other buildings that will serve the public interest.

- (7) Acquire by purchase, gift or condemnation, and own, maintain, or operate real or personal property necessary to implement the goals of the board.
- (8) Provide for the maintenance, security and operation of a district.
- (b) The board may expend funds it determines reasonably necessary to achieve its goal, within the limits of those monies made available to it by the city commission from the financing methods specified in this article.

(Code 1963, § 1.806; Ord. No. 1534, § 1.806, 9-14-92)

THE BY LAWS
OF
THE BIRMINGHAM SHOPPING DISTRICT BOARD OF DIRECTORS

(A BSD formed pursuant to Act No. 120 of 1961 , MCL 125.981,
Code of Ordinances, City of Birmingham Ordinance Chapter 82, Article IV —

ARTICLE I

NAME, OFFICE, REGISTERED AGENT, GOALS AND POWER

Section 1. Name. The name of this principal shopping district shall be the Birmingham Shopping District (BSD).

Section 2. Goals. The goal of the BSD shall be to promote economic activity in the principal shopping district of the City of Birmingham by undertakings including, but not limited to, conducting market research and public relations campaigns, developing, coordinating and conducting retail and institutional promotions, and sponsoring special events and related activities. The Board may expend funds it determines reasonably necessary to achieve its goal, within the limits of those monies made available to it by the City Commission from the financing methods specified in City of Birmingham Ordinance 82-77 and 82-78. In furtherance of its goal, the Board may recommend to the City Commission that the City undertake one or more the following activities in the principal shopping district:

- 1) Open, widen, extend, realign, pave, maintain or otherwise improve highways and construct, reconstruct, maintain or relocate pedestrian walkways.
- 2) Prohibit or regulate vehicular traffic where necessary to carry out the purposes of a development or redevelopment project.
- 3) Regulate or prohibit vehicular parking on highways.
- 4) Acquire, own, maintain or operate off-street parking lots or structures.
- 5) Contract for the operation or maintenance by others of city off-street parking lots or structures, or appoint agents for the operation or maintenance of those lots or structures.

- 6) Construct, maintain and operate malls with bus stops, information centers and other buildings that will serve the public interest.
- 7) Acquire by purchase, gift or condemnation, and own, maintain, or operate real or personal property necessary to implement the goals of the board.
- 8) Provide for the maintenance, security and operation of a district.

ARTICLE II

BOARD OF DIRECTORS

Section 1. General Powers. The BSD shall be under the supervision and control of the Board of Directors, except as otherwise provided by Act No. 120 of 1961 and Code of Ordinances—City of Birmingham Ordinance Chapter 82, Article IV. Division 2 - Shopping District Board, as amended.

Section 2. Board Composition: Appointments, Replacement and Vacancies. The Board shall consist of 12 members. One member shall be the city manager, one shall be a resident of an area designated as part of the BSD, and one shall be a resident of an adjacent residential area. A majority of the members shall be individual businesses located within the BSD who have an interest in property located in the district. The remaining members shall be representatives of businesses located in the district.

Members shall be appointed to the Board for a four-year term by the City Manager with the concurrence of the City Commission. However, if all the following requirements are met, a business may appoint a member of the Board, which member shall be counted toward the majority of members required to be nominees of businesses located within the BSD:

- (1) The business is located within a principal shopping district.
- (2) The business is located within a special assessment district established by the city commission to defray all or a portion of the costs of the board's activities under this article.

(3) The special assessment district is divided into special assessment rate zones reflecting varying levels of special benefits.

(4) The business is located in the special assessment rate zone with the highest special assessment rates.

(5) The square footage of the business is greater than five percent of the total square footage of businesses in the special assessment rate zone.

If a member is appointed by a business meeting the requirements at a time all 12 positions on the board are filled, the city commission shall, by resolution, remove one or more members of the board in order that its membership not exceed 12 in number.

The Board may nominate and elect non-voting emeritus members for two year terms. An emeritus member must either currently or have previously served the BSD Board with distinction and excellence, and shall be entitled to receive all written notices and information which are provided to the board of directors, to attend all board meetings, to participate in meetings of the committees in which they serve, and encouraged to attend all other events conducted by the BSD. A board member emeritus shall not be subject to any attendance policy counted in determining if a quorum is present at a meeting, entitled to hold office, or entitled to vote at any board meeting.

An appointment to fill a vacancy shall be made by the City Manager, with the concurrence of the City Commission, for the unexpired term only. A Member whose term of office has expired shall continue to hold office until a successor is appointed. A Member may be appointed to additional terms in accordance with the provisions hereunder.

Section 3. Removal. Pursuant to notice and after having been given an opportunity to be heard, a member of the Board may be removed for cause by the City Manager with concurrence from the City Commission upon recommendation from the Board.

Section 4. Conflict of Interest. A Member who has a conflict between a personal interest and the public interest shall fully disclose the nature of the interest prior to the

BSD taking any action with respect to the matter. Such disclosure shall become a part of the record of the BSD's official proceedings. Such declaration shall be made before discussion on the item begins. Except as provided by law, or Birmingham Ethics Ordinance, Chapter 2 Article IX, no Member may participate in, act upon, or vote upon any matter if a conflict exists. Any Board member is permitted to inquire about potential conflicts that may exist among other members.

Section 5. Meetings. The BSD shall hold at least one regular public meeting each month. At the October meeting of the calendar year, the BSD shall set the dates, times, and places of the BSD's regular meetings for the coming year. Special meetings of the BSD may be called by the secretary at the written request of the Chairperson of the Board or any three Members on at least two days' notice. All business which the Board may perform shall be conducted at a public meeting of the Board held in compliance with the Open Meetings Act, Act. No. 267 of 1976, as amended.

Section 6. Public Participation at Meetings. A reasonable opportunity shall be given for members of the public to be heard at any open meeting on agenda items before the BSD during discussion. In the interest of ensuring the orderly processing of items of business before the BSD, such public comments shall be heard at the end of the agenda item discussion. Any items not on the agenda shall be heard at the end of the meeting agenda. Consistent with the Open Meetings Act, the BSD may impose a time limitation up to three (3) minutes per person for public comment. All individuals who wish to address the BSD must identify themselves by name and address prior to speaking at the meeting.

Section 7. Notice. Public notice of all meetings of the Board or its Committees which provides the time, date, and location of the meeting shall be given in the manner required by the Open Meetings Act, Act No. 267 of 1976, as amended. There shall be a public notice posting within ten (10) days after the first meeting in each calendar year of the annual schedule of BSD meetings, stating the dates, times, and places of its regular meetings. For a rescheduled regular or a special meeting of the BSD, a public notice stating the date, time, and place of the meeting shall be posted at least eighteen (18)

hours before the meeting. The public notice shall contain the name of the BSD Board or Committee, its telephone number, its address, and shall be posted at the City Hall of the City of Birmingham and any other location considered appropriate by the BSD.

Section 8. Quorum. A majority of the members of the BSD then in office constitutes a quorum for the transaction of business at any meeting of the Board. An affirmative vote of the majority of a quorum shall be required to adopt any resolution. A 2/3 roll call vote of the Members on the Board at the meeting shall be required to call a closed session and the Board shall meet in closed session only for the purposes permitted by law pursuant to the Open Meetings Act, Act No. 267 of 1976, as amended.

Section 9. Participation by Communication Equipment. All meetings of the BSD must be open to the public and must be held in a place available to the general public. Only as permitted by law pursuant to the Open Meetings Act, Act No. 267 of 1976, as amended, an absent Member may participate in, and vote on, business before the BSD by way of a two-way electronic communication device wherein all discussions and deliberations are able to be heard by the public in attendance at the meeting. For any member attending the meeting remotely, a public announcement at the outset of the meeting to be included in the meeting minutes must be made, announcing that a Member is in fact attending the meeting remotely. Participation by communication equipment shall be permitted only in accordance with the Open Meetings Act, Act No. 267 of 1976, as amended.

Section 10. Attendance. Each Member is required to attend a minimum of two-thirds of the regularly scheduled Board meetings in a twelve (12) month period. If a Member has not fulfilled this requirement after a twelve (12) month period, the Board may recommend that the City Commission declare that Member's position vacant and remove the Member from the Board, in accordance with Section 3. The Board may grant a waiver, given a sufficient explanation of extenuating circumstances. Waivers shall be considered monthly by the Board or upon request.

Section 11 Committees. The Board may, by resolution, designate one or more committees, each committee shall consist of at least one of the Members. Each Member shall serve on a committee. The Board shall appoint all committee members and the chair of the committee. A committee, and each member thereof, shall serve at the pleasure of the Board. Committees shall consist of less than a quorum of Board Members and shall meet in accordance with the Open Meetings Act, Act No. 267 of 1976, as amended. Standing committees shall consist of Executive, Marketing and Advertising, Maintenance and Capital Improvements, Business Development and Special Events with up to eight (8) members per committee made up of Board members, BSD businesses and property owners, Birmingham residents and persons with business interest in the BSD. Committees shall only make recommendations to the Board on matters of the District, and shall not enter into agreements without Board approval. A majority of the committee members constitutes a quorum for the transaction of business at any committee meeting. If the committee lacks a quorum, the committee members may receive reports and comments from the public or staff and shall not make any recommendations to the Board.

Section 12 Personnel. The Board may employ personnel as deemed necessary. Such personnel may include, but is not limited to an executive director, treasurer, secretary, and legal counsel. The Executive Director, Treasurer, Secretary and Legal Counsel shall report to the Board. All other employees shall be appointed by, directed by and report to the Executive Director. Board Members shall not give direction to or interfere with the work of the employees under the direction of the Executive Director. The duties, rights and responsibilities of employees of the BSD shall be consistent with the provisions of the City of Birmingham Employee Handbook. The Board may employ and fix the compensation of an executive director, subject to the approval of the City Commission. The full-time employees of the BSD shall be eligible to participate in municipal retirement and insurance programs of the City of Birmingham.

ARTICLE III

OFFICERS

Section 1. Officers. The officers of the BSD shall be elected by the Board annually at its January meeting and shall consist of a Chairperson, Vice-Chairperson and Secretary. An officer shall not execute a contract on behalf of the BSD without a resolution adopted by the Board.

Section 2. Election and Term of Office. Each officer so elected shall hold office until December 31 of the year in which she or he is elected, or until his or her term expires, or upon resignation or removal, whichever occurs first.

Section 3. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled at any meeting of the Board for the unexpired portion of the term of such office, in accordance with Public Act No. 120 of 1961 and the Birmingham Code of Ordinances.

Section 4. Chairperson. The Chairperson shall perform all duties of the office as provided in these Bylaws, by Public Act No. 120 of 1961, and the Birmingham Code of Ordinances. The Chairperson shall preside over all meetings of the BSD and shall perform all duties as directed by the Board. The Chairperson shall be an ex-officio member of all standing committees, and shall have the general oversight of the Board. The Chairperson shall also act as Chair of the Executive Committee, assuming the same powers of the BSD as listed above, and further described in Article III, Section 8. To qualify to serve as the Chairperson, it is preferred that the Board Member have served at least one full year as an active Board Member.

Section 5. Vice-Chair. The Vice-Chair shall act as the Chair when the Chair is absent or unable to act, and otherwise be vested with the powers and shall perform such duties and exercise such other powers as may from time to time be imposed upon or vested by resolution of the Board.

Section 6. Secretary. The Board may employ and fix the compensation of a Secretary, and need not be a member of the Board. The Secretary shall attend meetings of the Board, and keep and maintain a record of its proceedings. The minutes of the BSD shall contain the date, time, place, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is held. The minutes shall include all roll call votes taken at the meeting. The Secretary shall give, or cause to be given, notice of all meetings of the Board and shall perform such other duties as may be prescribed by the Board. The Secretary shall, when authorized by the Board, attest by signature to actions of the Board. The Secretary shall perform all other duties as may be delegated to him or her by the Board.

Section 7. Delegation of Duties and Officers. In the absence of any officer of the BSD, or for any other reason that the Board may deem sufficient, the Board may, by resolution, delegate from time to time and for such time as it may deem appropriate, the powers or duties, or any of them, of such officer to any other officer, or to any Member, provided a majority of the Board then in office concurs therein.

Section 8. Executive Committee. The Executive Committee shall consist of five Board Members including the Chair, Vice-Chair, City Manager, and two committee chairs). The Executive Committee shall be responsible for reviewing the agenda for the regular Board meetings and proposing the agenda for the Board. The committee shall meet as necessary and all such meetings shall comply with the notice requirements, as set forth in Article II, Section 7.

ARTICLE IV

CONTRACTS, DONATIONS, AND POWERS OF THE BOARD

Section 1. Contracts.

The Board may make and enter into contracts necessary or incidental to the exercise of powers and the performance of its duties. The Board may, by resolution, authorize an agent of the BSD to execute contracts and/or documents on behalf of the BSD. A copy

of the resolution approving such contracts must be attached to such contract and must adhere to any Purchasing/Procurement policies that the BSD may adopt.

Section 2. Checks, Drafts, etc. All orders for the payment of money, notes, or other evidences of indebtedness shall be signed by the Board's authorized agent and submitted to the Finance Department of the City of Birmingham for signature and for the issuance of payment.

Section 3. Grants and Donation. The Board may accept grants and donations of property, labor, or other things of value from a public or private source, consistent with Public Act No. 120 of 1961.

Section 4. Deposits. All funds of the BSD shall immediately be deposited into the appropriate fund or account to the credit of the BSD in such banks, trust companies, or other depositories as the BSD or Finance Director of the City of Birmingham may select. Report of these receipts shall be provided to its Executive Director for review and submission to the Board.

Section 5. Other Powers of the Board. The Board shall perform and exercise all such powers as provided in Public Act No. 120 of 1961.

Section 6. Budget

Pursuant to Birmingham City Charter, Section 7, the Executive Director of the BSD or designee shall prepare and submit for the approval of the Board a budget for the operation of the BSD for the ensuing fiscal year. The budget shall be prepared in the manner and contain the information required of municipal departments. Before the budget may be adopted by the Board, it shall be approved by the City Commission. The BSD shall submit an annual budget to the City Commission each year for inclusion in the City's annual budget presentation. The budget shall be adopted by the Board no later than by July 1 each year.

Section 7. Audit

The governing body of the City of Birmingham may assess a reasonable pro rata share of the funds for the cost of handling and auditing the funds against the funds of the BSD, other than those committed, which cost shall be paid annually by the board pursuant to an appropriate item in its budget.

ARTICLE V FISCAL YEAR

The fiscal year of the BSD shall correspond at all times to the fiscal year of the City of Birmingham.

ARTICLE VI REPORTING REQUIREMENTS

All expense items of the BSD shall be recorded monthly and financial records shall be open to the public. If the Board does not employ an Executive Director, the Board shall file any and all necessary reports. Annually, the Board shall submit to the City Commission a report on the status of any special assessments utilized by the BSD.

ARTICLE VII AMENDMENTS

These Bylaws may be altered or amended or repealed by the affirmative vote of the Board then in office. Approved changes to these Bylaws take effect immediately.

I HEREBY CERTIFY that the above Bylaws were written by the Birmingham Shopping District, of the City of Birmingham on the 19th day of April, 2023.


CHAIRPERSON

Birmingham City Commission Minutes
June 24, 2024
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/967258500>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

Present: Mayor McLain
Commissioner Baller
Commissioner Haig
Commissioner Host
Commissioner Long
Commissioner Longe

Absent: MPT Schafer

Staff: City Manager Ecker; City Clerk Bingham, Assistant City Manager Clemence, City Engineer Coatta, Planning Director Dupuis, Assistant City Manager Fairbairn, Parking Systems Manager Ford, Police Chief Grewe, Deputy Treasurer Katz, City Attorney Kucharek, Fire Marshall Scaife, Department of Public Services Director Zielinski

06-460-24 Temporary Mayor Pro Tem

MOTION: Nomination by Commissioner Baller:
To nominate Commissioner Longe to serve as the temporary Mayor Pro Tem.

VOICE VOTE: Ayes, Commissioner Baller
Commissioner Longe
Commissioner Haig
Commissioner Host
Mayor McLain
Commissioner Long

Nays, None

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

GUESTS AND ANNOUNCEMENTS

Appointments

06-461-24 Historic District Study Committee

Jake German was unavailable for an interview. The Mayor noted this would be a reappointment and asked the Commission if they were willing to proceed.

MOTION: Nomination by Commissioner Haig:
To appoint Jake German as a regular member to the Historic District Study Committee to serve a three-year term to expire June 25, 2027.

VOICE VOTE: Ayes, Commissioner Baller
tMPT Longe
Commissioner Haig
Commissioner Host
Mayor McLain
Commissioner Long

Nays, None

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

Diane Anderson commented regarding some sidewalk maintenance issues on Southfield Road and Martin Street.

Steven ~~Torok~~ ~~Torrack~~¹ commented regarding a petition supporting the replanting of trees along Westwood Drive.

V. CONSENT AGENDA

06-462-24 Consent Agenda

MOTION: Motion by tMPT Longe, seconded by Commissioner Long:
To approve the Consent Agenda omitting Items E, L, and U.

ROLL CALL VOTE: Ayes, Commissioner Baller
tMPT Longe
Commissioner Haig
Commissioner Host
Mayor McLain
Commissioner Long

Nays, None

¹As amended at the July 8, 2024 meeting.

- A. Resolution to approve the regular City Commission meeting minutes of the meeting held on June 3, 2024.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 6, 2024 in the amount of \$816,859.66.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 13, 2024 in the amount of \$1,527,578.31.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 20, 2024 in the amount of \$1,627,287.13.
- F. Resolution appointing election inspectors, absentee voter counting board inspectors, receiving board inspectors and other election officials as recommended by the City Clerk for the August 6, 2024 State Primary Election pursuant to MCL 168.674, and further grant the City Clerk the authority to make emergency appointments of qualified candidates should circumstances warrant in order to maintain adequate staffing in the various precincts, counting boards and receiving boards.

AND

To authorize the use of an Absent Voter Counting Board for the City of Birmingham pursuant to MCL 168.765a(1) as the City Commission has previously resolved on May 6, 2024, resolution 05-418-24.

AND

To authorize the use of the Oakland County Absent Voter Counting Board for the purpose of processing and tabulating absent voter ballots on August 6, 2024, as prescribed in the terms and responsibilities previously agreed upon at the July 12, 2020 meeting by Commission resolution 07-120-20.

- G. Resolution designating Finance Director Mark Gerber, Assistant Finance Director Kim Wickenheiser, DPS Director Scott Zielinski, Building Official Bruce Johnson, Assistant Building Official Mike Morad, Museum Director Leslie Pielack, and Police Commander Ryan Kearney as proxy representatives of Election Commissioners Mayor Elaine McLain, Mayor Pro Tem Katie Schafer, Commissioner Clinton Baller, Commissioner Brad Host, Commissioner Andrew Haig, Commissioner Anthony Long, and Commissioner Therese Longe, to conduct the Public Accuracy Test on Tuesday, July 9, 2024 at 8:45 a.m. in room 205 to test the electronic tabulating equipment which will be used to count votes at Birmingham precincts during the August 6, 2024 State Primary Election.
- H. Resolution to amend the 2024 Schedule of Fees, Charges, Bonds and Insurance to include late fees for One Day Valet applications submitted with less than 72 hours' notice from the desired day of valet services.

- I. Resolution adopting the following amendment to the budget appropriations resolution and establishing the number of mills for ad valorem property taxes to be levied for Senior Services for the fiscal year commencing July 1, 2024 and ending June 30, 2025.

BE IT FURTHER RESOLVED that the City Commission does hereby designate \$1,134,510 to be raised by 0.3279 mills levied on the taxable valuation of all real and personal property subject to taxation in the City for the purpose of providing senior services within the City as authorized by MCL 401.571, et seq.

- J. Resolution to set a public hearing date of July 22, 2024 to consider the lot combination of 1114 & 1110 Lakeside Drive, parcels 19-25-151-069 & 19-25-151-070.
- K. Resolution to set a public hearing date of July 22, 2024 to consider ordinance amendments to Chapter 86 (Signs), Article 1, Table B, Table D, Section 1.08 and Section 1.09 to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number of signs permitted.
- M. Resolution to approve the purchase of a 2024 Ford F-350 Regular Cab 4X4, located at 1960 E Main St, Owosso, MI 48867, through the State of Michigan Contract #071B770180 and Macomb County Contract #21-18, in an amount not to exceed \$84,023.00, upon the completion of a signed contract by Lunghamer Ford of Owosso. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funds for this purchase are available in the FY 2023-2024 Auto Equipment Fund account #661.0-441.006.971.0100.
- N. Resolution to approve the purchase of a Wolverine Freightliner, Single Axle, located at 107 S. Groesbeck, Mt. Clemens, MI 48043, per the Rochester Hills Co-op RFPRH- 20-023 contract, in an amount not to exceed \$247,617.00, upon the completion of a signed contract by Wolverine Freightliner. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funds for this purchase are available in the FY 2024-2025 Auto Equipment Fund account #661.0-441.006.971.0100.
- O. Resolution to approve the purchase of a Wolverine Freightliner, Tandem Axle, located at 107 S. Groesbeck, Mt. Clemens, MI 48043, per the Rochester Hills Co-op RFPRH- 20-023 contract, in an amount not to exceed \$257,772.00, upon the completion of a signed contract by Wolverine Freightliner. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funds for this purchase are available in the FY 2023-2024 Auto Equipment Fund account #661.0-441.006.971.0100.
- P. Resolution to set the Public Hearing of the Necessity of the replacement and improvements of sewer and water laterals meeting the requirements of assessments, for all properties within the project area on Oakland Avenue, between North Old Woodward Avenue to Woodward Avenue on Monday, July 22, 2024, at 7:30 P.M.; and

If necessity is determined on July 22, 2024, to meet on Monday, August 12, 2024, at 7:30 P.M., for all the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the replacement and improvements of sewer and water lateral meeting the requirements for assessment, for all properties within the project on Oakland Avenue, between North Old Woodward Avenue to Woodward Avenue.

- Q. Resolution to approve the Road Safety Audit Agreement between the Southeast Michigan Council of Governments (SEMCOG) and the City of Birmingham. In addition, authorize the Mayor to sign the agreement on behalf of the City. Funding for this has been budgeted in account 202.0-449.001-811.0000.
- R. Resolution to approve the Local Road Improvement Matching Fund Program Cost Participation Agreement between Oakland County and the City of Birmingham. In addition, authorize the Mayor to sign the agreement on behalf of the City. Funding for this project has been budgeted in accounts 202.0-449.001-981.0100, 590.0-537.000-981.0100, and 591.0-544.000-981.0100.
- S. Resolution to approve a new contract for a Multi-Modal Transportation Consultant Contract for Fleis & Vanderbrink to provide as-requested professional services related to multi-modal transportation review and support for the Multi-Modal Transportation Board. In addition, to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance requirements.
- T. Resolution to approve an agreement for OHM Advisors to provide as-requested professional services including, but not limited to, construction engineering and administration services, for a three (3) year term. In addition, to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance requirements.

06-463-24 Birmingham City Commission 2025 Meeting Schedule (Item E)

Commissioner Baller pulled Item E from the Consent Agenda and staff answered an informational question.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Long:
To approve the Birmingham City Commission 2025 Meeting Schedule as submitted.

ROLL CALL VOTE: Ayes, tMPT Longe
Commissioner Long
Commissioner Haig
Commissioner Baller
Commissioner Host
Mayor McLain

Nays, None

06-464-24 Contract with Thielen Turf Irrigation, Inc. for Springdale Golf Course (Item L)

Commissioner Baller pulled Item L from the Consent Agenda. Staff answered informational questions from the Commission.

Commissioner comment on the item was as follows:

- An expenditure of this size should be presented by staff, rather than being placed on

the Consent Agenda.

- A high-level review of the golf courses by staff would be appropriate. The review should include sustainability considerations, other potential uses, the history of the golf courses, information on the user base of the golf courses, and the financials of the golf courses. The review should be followed by a discussion of Commission's policy goals for the golf courses.
- In an instance where the golf courses require improvements that cannot be covered by the enterprise fund, a loan is taken from the City's general fund and then is paid back over time. All improvements to the golf courses are ultimately funded through golf course revenue.
- The pump house should be designed and located in a way that damage would not occur in the event of flooding.
- It would be appropriate to consider adding a sign for Springdale Golf Course to the Big Beaver frontage.
- It might be useful to review how much the City charges for a round of golf.
- In order to continue providing the expected golfing experience at Springdale, the requested repairs are necessary.
- The need for these repairs was known a number of years ago. At that time, there was no appetite to undertake the repairs because the golf courses were not operating in the black.
- Delaying these repairs could have a negative financial outcome.

MOTION:

Motion by Commissioner Host, seconded by Commissioner Haig:

To approve a contract with Thielen Turf Irrigation, Inc. in an amount not to exceed \$1,263,770 to relocate the Springdale Golf Course pump station, and to install a new irrigation system. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

AND

To approve the appropriation and amendment of the fiscal year 2024/2025 budget for Springdale Golf Course and construction costs as follows:

Revenues:

584.2-000.000-400.00	Draw from Fund Balance	<u>\$393,770</u>
Total Revenue		\$393,770

Expenditures:

584.2-753.001-981.0100	Public Improvement Fund	<u>\$393,770</u>
Total Expenses		\$393,770

Individual Commissioner comment on the motion was as follows:

- It would be useful to have more information on this request before voting on it. It might be more appropriate to delay the request for a month or two in order to receive more information and to have a discussion.
- Opposition to the motion was stated.

Public Comment

Staff answered an informational question from Kent Johnston.

David Mendelson supported the continued maintenance and operation of both golf courses.

ROLL CALL VOTE: Ayes, tMPT Longe
 Commissioner Long
 Commissioner Haig
 Commissioner Host

 Nays, Mayor McLain
 Commissioner Baller

06-465-24 Traffic Signal Modification Project #13-24 (Item U)

Commissioner Haig pulled Item U from the Consent Agenda and staff answered an informational question.

MOTION: Motion by Commissioner Haig, seconded by tMPT Longe:
To award the Traffic Signal Modification Project #13-24 (T) to Dan's Excavating in the amount of \$1,398,949.00 plus a 10% construction contingency for a total of \$1,538,343.40. In addition, to authorize the Mayor and the Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance and bond requirements by Dan's Excavating. Funding for this project has been budgeted in the following account for the following years:

Major Street Traffic Control Fund - 202.0-316.000-971.0100

Fiscal Year	Budget Amount	Budget Request
FY 2023/2024	\$660,700.00	\$660,700.00
FY 2024/2025	\$300,000.00	\$300,000.00
FY 2025/2026	\$0.00	\$741,550.00
Total	\$960,700.00	\$1,702,250.00

AND

To approve the appropriation and amendment of the fiscal year 2025/2026 budget for construction cost, which includes Dan's Excavating's bid of \$1,398,949.00 and 10% construction contingency, and engineering costs as follows:

Major Street Fund:

Revenues:

202.0-000.000-400.0000	Draw from Fund Balance	<u>\$741,550</u>
Total Revenue		<u>\$741,550</u>

Expenditures:

202.0-316.000-971.0100 Traffic Control
\$741,550
Total Expenses
\$741,550

ROLL CALL VOTE: Ayes, tMPT Longe
 Commissioner Long
 Commissioner Haig
 Commissioner Baller
 Commissioner Host
 Mayor McLain

Nays, None

VI. CITY MANAGER’S REPORT

CM Ecker presented the report. Staff answered informational questions from the Commission.

VII. UNFINISHED BUSINESS

06-466-24 2024 Chester St. Parking Garage Repair Project

PSM Ford introduced the item. Sarah Rush, engineer from WJE, and PSM Ford presented the item and answered informational questions from the Commission.

Commissioner comment on the item was as follows:

- The uplighting at N. Old Woodward was attractive. Illuminart is well-known and could provide other lighting options. It might not be necessary to hire an interior designer for the decks. It is possible that design decisions could be made for Chester based off the City’s wayfinding and branding designs and future lighting recommendations from Illuminart.
- The structural and safety updates to the decks are necessary.
- Considering the aesthetic environment as well as the functions of the decks is important.

MOTION: Motion by Commissioner Long, seconded by Commissioner Haig:
To award a contract to RAM Construction for the proposed work at the Chester St. Parking Garage, excluding lighting, in the amount of \$4,938,259.00; to charge this expense to account number 514.1-594.008-977.000; to authorize the Mayor and City Clerk to sign the contract on behalf of the City; and further to appropriate and amend the 2024-2025 Automobile Parking System Fund budget as follows:

<u>Revenues</u>		
514.1-000.000-400.0000	Draw from Net Position	\$462,159
<u>Expenses</u>		
514.1-594.008-977.0000	Buildings	\$462,159

Individual Commissioner comment on the motion was as follows:

- There was support for the motion.
- There was a lack of support for the motion, resulting from concerns about a lack of familiarity with the previous work of City's internal design staff.
- There was a lack of support for the motion if it included relying on the City's internal design professional. Continuing to work with Illuminart, the City's Wayfinding and Branding Committee, and the architects at WJE would be appropriate.
- Relying on the City's internal design staff for a proposal could be appropriate because any proposal from Illuminart and the City's staff would be reviewed by the Commission before any implementation would occur. Additionally, if the proposal was not approved by the Commission, other options could be considered at that time.

Public Comment

Patricia Batey commented on the aesthetic impacts of the garages on the overall experience of the cityscape.

Jim Arpin commented that WJE has architects on staff.

Victor Saroki commented regarding the design considerations for the garages.

Darko Banfic, principal at Illuminart, commented on the project.

ROLL CALL VOTE: Ayes, tMPT Longe
 Commissioner Long
 Commissioner Haig
 Commissioner Baller
 Commissioner Host
 Mayor McLain

Nays, None

06-467-24 RFP for the Chester St. Parking Garage Architectural Services

MOTION: Motion by Commissioner Baller, seconded by Commissioner Long:
To recommend City staff create an RFP for an architect to work on the Chester St. Parking Garage.

Commissioner discussion of the motion was as follows:

- Since the previous motion authorized work on the structural aspects of the Chester St. Garage, this motion could help the City find a way forward in terms of design decisions for the garages as well.
- While the benefits of an architect were clear, hiring an architect was not a previously planned expenditure and there was no proposed budget for this aspect of the project.

Staff and the WJE team answered informational questions from the Commission.

ROLL CALL VOTE: Ayes, tMPT Longe
 Commissioner Long
 Commissioner Baller

Mayor McLain

Nays, Commissioner Haig
Commissioner Host

06-468-24 2024 Chester St. Garage Repair – Construction Period Services

PSM Ford and Ms. Rush presented the item.

MOTION: Motion by Commissioner Host, seconded by Commissioner Long:
To award the contract to Wiss, Janney, Elstner Associates, Inc. for construction period services in an amount of \$465,000; further, to charge this expense to account number 514.1-594.008-977.000; to authorize the Mayor and City Clerk to sign the contract on behalf of the City; and further to appropriate and amend the 2024-2025 Automobile Parking System Fund budget as follows:

<u>Revenues</u>		
514.1-000.000-400.0000	Draw from Net Position	\$288,000
<u>Expenses</u>		
514.1-594.008-977.0000	Buildings	\$288,000

Commissioner comment on the motion was as follows:

- PSM Ford and WJE deserved thanks for their work on this project.

ROLL CALL VOTE: Ayes, Commissioner Haig
Commissioner Host
tMPT Longe
Commissioner Long
Commissioner Baller
Mayor McLain

Nays, None

VIII. NEW BUSINESS

06-469-24 Public Hearing of Necessity - Arlington, Shirley, and Brandon Street Project, Contract #6-24(W) Hearing of Necessity for Sewer and Water Lateral Special Assessment District (SAD)

Commissioner Baller's recusal was noted and he left the room at 10:50 p.m. The Mayor opened the public hearing at 10:50 p.m.

CM Ecker addressed some public discourse that had occurred regarding the item, and CE Coatta presented the item.

Public Comment

Jim Mirro commented regarding sustainability, assessments, and a petition from some residents.

Staff answered informational questions from Tony Trease, 905 Shirley. Mr. Trease protested the special assessment in order to preserve his right to appeal.

Staff answered informational questions from Sarah Winkler, 1000 Shirley. Ms. Winkler said she was registering a protest on behalf of the trees.

The Mayor answered an informational question from Patricia Batey.

Staff answered informational questions from Niharika Ramdev, 280 Arlington. Ms. Ramdev commented regarding the project's potential impact on landscaping and sprinkler systems. She said she was protesting to preserve her optionality.

Seeing no additional public comment, the Mayor closed the public hearing at 11:42 p.m.

Commissioner comment on the item was as follows:

- In previous Commission discussions, a Commissioner had indicated that some residents of Westwood were unhappy with the results of Westwood's cape-sealing. More recently, two residents of Westwood stated that they were indeed satisfied with the results of Westwood's cape-sealing.
- This project was appropriate because the 100-year-old sewer needed to be replaced.

MOTION: Motion by Commissioner Long, seconded by Commissioner Host:

WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards and replacing water services that are 60 years or older or less than 1 inch in diameter on Arlington Street from Lincoln Road to Maple Road, and Shirley Road from Lincoln Road to Maple Road; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that is not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that Arlington, Shirley, and Brandon Project, the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of sewer service and water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of sewer service lateral and water service laterals located within the limits of the following streets shall be installed as part of the Arlington, Shirley, and Brandon Project (Contract #6-24(W)):

Arlington Street – Lincoln Street to Maple Road; and
Shirley Road – Lincoln Road to Maple Road

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral service that is 50 years of age or older or constructed of materials that are not acceptable and water service that is 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$200.00 per foot of 6" diameter sewer service pipe, \$250.00 per foot of 8" diameter sewer service pipe, \$70.00 per foot of 1-inch water service pipe, \$75.00 per foot of 1.5-inch water service pipe, and \$90.00 per foot of 2-inch water service pipe).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll and is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation on July 8, 2024 and give notice of same.

The sidwell numbers and street addresses are located on pages four and five of Item 8A of tonight's agenda packet, including the cost of each assessment.

Staff answered informational questions from the Commission.

Individual Commissioner comment was as follows:

- There was support for the motion. There was a recent article about the Sterling Heights canopy.
- This portion of the project was necessary.
- Some sitting Commissioners have had to pay for similar improvements at their present or former residences. The City aims to preserve as many trees as possible in these projects. Having to replace any potentially disturbed sprinkler systems is not always an onerous process.

ROLL CALL VOTE: Ayes, Commissioner Haig
Commissioner Host
tMPT Longe
Commissioner Long

Mayor McLain

Nays, None

06-470-24 Public Hearing of Necessity - Arlington, Shirley, and Brandon Street Project, Contract #6-24(W) Hearing of Necessity for Paving Special Assessment District (SAD)

Commissioner Baller's recusal continued for this item. The Mayor opened the public hearing at 11:54 p.m.

CE Coatta presented the item.

Public Comment

Staff answered informational questions from Dr. Mendelson. Dr. Mendelson thanked staff and the Commission.

Mr. Mirro commented regarding a potential exemption process for certain driveway surfaces.

Mr. Trease, 905 Shirley, commented that he was preserving his option to file a special assessment appeal with the Michigan Tax Tribunal by protesting the paving special assessment district.

Ms. Ramdev, 280 Arlington, commented that she was preserving her optionality by protesting the paving special assessment district.

Clinton Baller commented regarding the procedural appropriateness of him speaking as a member of the project area at this juncture. He stated that he was strictly speaking on his own behalf. He commented regarding the project's process, and supported seeking a landscape architect's recommendations for the project.

Seeing no additional public comment, the Mayor closed the public hearing at 12:18 a.m.

MOTION: Motion by Commissioner Long, seconded by MPT Longe:
WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project paving on Arlington Street from Lincoln Road to Maple Road, Shirley Road from Lincoln Road to Maple Road, and Brandon Street to Arlington Street and Shirley Street; and

WHEREAS, The City has previously established a policy requiring converting an unimproved road to an improved road; and

WHEREAS, The City Commission, after the public hearing, has determined that paving Arlington Street from Lincoln Road to Maple Road, Shirley Road from Lincoln Road to Maple Road, and Brandon Street to Arlington Street and Shirley Street, is a necessity and is in the best interest of the City and will specially benefit the properties included in the Special Assessment District; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of paving has been determined; and

WHEREAS, The City Engineer has determined the boundaries of paving located within the limits of the following streets shall be installed as part of the Arlington, Shirley, and Brandon Project (Contract #6-24(W)):

Arlington Street – Lincoln Street to Maple Road; and
Shirley Road – Lincoln Road to Maple Road; and
Brandon Street – Arlington Street and Shirley Street

WHEREAS, The formula used in making the assessment for paving is 85% of the front-foot costs are assessed on all properties fronting on the improvement. The City pays 15% of the cost and for single-family houses, if the longer side of a corner property faces the street being constructed, the City will pay two-thirds (2/3) of the cost of the assessment for that property. The property owner will be charged the remaining third (1/3). If the short side of a corner property faces the street to be constructed, the owner pays 100% of the assessment, and for approaches is 100% of the contractor's charge for replacing the approach with concrete within the public right-of-way between the proposed curb and the property line (calculated at the rate of \$156.84 per front footage for paving, \$4.00 per square foot to remove and salvage brick pavers, \$105.00 per square yard for remove concrete approach and install concrete approach, and \$100.00 per square yard to remove asphalt approach and install concrete approach).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation on July 8, 2024 and give notice of same, and the sidwell numbers, street addresses, and total paving costs are set forth on pages four, five, and six of 8B of tonight's packet.

Staff answered informational questions from the Commission.

Individual Commissioner comment was as follows:

- Given some residents' opposition to this aspect of the project, there was opposition to the motion.

- More information about Commissioner Baller's recusal and speaking as a member of the public was provided.
- This is the right decision for the health, safety, and welfare of this community. This decision would represent a compromise of a number of perspectives.

ROLL CALL VOTE: Ayes, Commissioner Haig
tMPT Longe
Commissioner Long
Mayor McLain

Nays, Commissioner Host

06-471-24 370 E. Brown Construction Staging and Construction Coordination Agreement

Commissioner Baller rejoined the meeting at 12:34 a.m.

CE Coatta presented the item. Staff answered informational questions from the Commission.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Host:
To approve a Construction Staging Area and Construction Coordination Agreement with 370 E. Brown LLC and Sachse Construction and Development for the coordination of construction activities related to 370 E. Brown on Brown Street and Daines Street and to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City.

ROLL CALL VOTE: Ayes, Commissioner Baller
Commissioner Host
Commissioner Haig
tMPT Longe
Commissioner Long
Mayor McLain

Nays, None

06-472-24 Birmingham Wayfinding & Gateway Signage Fabrication and Installation – Phase 1 Contractor Selection

PD Dupuis presented the item. Staff answered informational questions from the Commission.

Individual Commissioner comment on the item was as follows:

- There was support for implementing the proposed lighting using a budget amendment.
- Solar could be used to implement the proposed lighting temporarily.
- A lighting proposal could be created by staff and brought to the Commission for implementation prior to the end of 2024.
- The impact of the lighting for the two ground mounted identification signs should be considered from all angles.

Public Comment

Doug Feehan commented on the wayfinding and branding recommendations.

MOTION:

Motion by Commissioner Long, seconded by Commissioner Host:

To approve an agreement with ASI Signage Innovations for wayfinding fabrication and installation in an amount not to exceed \$108,400 from account # 101.0-701.000-981.0100. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City and further, to approve the appropriations and amendment to the General Fund budget as follows:

Revenues:

Draw from Fund Balance	101.0-000.000-400.0000	\$8,400
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Expenses:

Capital Outlay (Public Improvements)	101.0-701.000-981.0100	\$8,400
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ROLL CALL VOTE: Ayes, Commissioner Baller
Commissioner Host
Commissioner Haig
tMPT Longe
Commissioner Long
Mayor McLain

Nays, None

Commission Items for Future Discussion

06-473-24 Golf Courses

MOTION:

Motion by Commissioner Baller, seconded by Mayor McLain:

To talk about the golf courses.

ROLL CALL VOTE: Ayes, Commissioner Baller
Commissioner Host
Commissioner Haig
Commissioner Long
Mayor McLain

Nays, None

Commissioner Host made a motion to put parking on the agenda. The motion died for lack of a second.²

06-474-24 48th District Court

MOTION:

Motion by Commissioner Host, seconded by Commissioner Baller:

²As amended at the July 8, 2024 meeting.

To assign the City Manager and the City Attorney the task of conducting a comparable analysis of the costs and the efficiencies of staying with our current arrangement with the 48th District Court, or having the City of Birmingham assume more responsibility for the delivery of the services. We ask that this report of their findings and recommendations be presented to the Commission no later than November 25, 2024.

Commissioner discussion of the motion was as follows:

- Many Michigan communities are faced with challenges in organizing the funding and delivery of their judicial services.

ROLL CALL VOTE: Ayes, Mayor McLain
 Commissioner Host

 Nays, tMPT Longe
 Commissioner Haig
 Commissioner Long
 Commissioner Baller

Commission Discussion On Items From A Prior Meeting

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

A. YMCA/NEXT Letters

X. REPORTS

A. Commissioner Reports

The Mayor reported back from conversations with MDOT and with the Secretary of State. She noted she would be attending the FBI Citizens' Academy National Conference in Detroit.

B. Commissioner Comments

Commissioner Long thanked CM Ecker and PC Grewe for their work regarding a recent incident. He advocated for publicizing and implementing a zero tolerance policy towards violence in the City.

Commissioner Haig concurred with Commissioner Long and supported the City installing high-resolution cameras.

The Mayor concurred with Commissioner Long as well.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

The Commission deferred these reports to the next meeting.

1. Dumpster Report
2. Expanding Special Event Offerings

INFORMATION ONLY

XI. ADJOURN

The Commission motioned to adjourn at 1:18 a.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

DRAFT

Birmingham City Commission Minutes
July 8, 2024
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/980944784>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

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

Absent: None

Staff: City Manager Ecker; City Clerk Bingham, Assistant City Manager Clemence, City Engineer Coatta, Planning Director Dupuis, Assistant City Manager Fairbairn, Police Chief Grewe, Deputy Treasurer Katz, City Attorney Kucharek

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

Announcements

Happy Birthday Commissioner Therese Longe

Appointments

Jay Shell applied for an appointment to the Museum Board but was unavailable for an interview.

07-475-24 Greenwood Cemetery Advisory Board

Laura Schreiner was unavailable for an interview. The Mayor noted this would be a reappointment.

The Commission interviewed Linda Peterson and Paul Connell for appointments.

MOTION: Nomination by Commissioner Long:
To appoint Laura Schreiner, Linda Peterson, and Paul O'Connell to the Greenwood Cemetery Advisory Board as regular members to serve three-year terms to expire July 6, 2027.

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

Nays, None

07-476-24 Museum Board

The Commission interviewed Beverly Erickson for the appointment.

MOTION: Nomination by Commissioner Host:
To appoint Beverly Erickson to the Museum Board as a regular member to serve a three-year term to expire July 6, 2027.

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

Nays, None

07-477-24 Museum Board

The Commission interviewed Eva Kirkman for the appointment.

MOTION: Nomination by Commissioner Longe:
To appoint Eva Kirkman to the Museum Board as a regular member to serve a three-year term to expire July 6, 2027.

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

Nays, None

07-478-24 Alternate Hearing Officer

The Commission interviewed Alexander Simpson for the appointment.

MOTION: Nomination by Commissioner Longe:
To appoint Alexander Simpson as the alternate Hearing Officer to serve a three-year term to expire June 30, 2027.

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

Nays, None

CC Bingham swore in the appointees.

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

Diane Anderson commented regarding ongoing issues with her landlord at 1468 Southfield Road.

Peter Hyler commented regarding road conditions in Birmingham.

V. CONSENT AGENDA

07-479-24 Consent Agenda

MOTION: Motion by Commissioner Longe, seconded by Commissioner Long:
To move the Consent Agenda excluding Items B and D.

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

Nays, None

- A. Resolution to approve the City Commission/Planning Board meeting minutes for the meeting held on June 10, 2024.

- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 27, 2024 in the amount of \$924,916.56.

Birmingham City Commission Meeting Minutes – June 24, 2024 (Item B)

Commission Host pulled Item B. Two corrections to the minutes were recommended. It was noted that the minutes would be returned for approval at the next meeting.

07-480-24 SLUP Amendment for 260 N. Old Woodward (Item D)

Commissioner Haig pulled Item D. PD Dupuis and Joseph Shallal, attorney representing the Terra applicant team, answered an informational question from the Commission.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Longe:
To set a public hearing date of August 12, 2024 to consider the Special Land Use Permit Amendment for 260 N. Old Woodward to transfer ownership and update the Special Land Use Permit with the new owner, Old Woodward STA, LLC (Terra).

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

Nays, None

VI. CITY MANAGER'S REPORT

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

07-481-24 Public Hearing for 115 Willits – Sprazzo – Special Land Use Permit (SLUP) Amendment (Ownership Change)

The Mayor opened the public hearing at 8:05 p.m.

PD Dupuis presented the item.

Joseph Shallal, attorney, Yousif Kakos, co-owner, and Paulina Faranso, co-owner, spoke on behalf of the request.

Seeing no public comment, the Mayor closed the public hearing at 8:10 p.m.

Staff and the applicant team answered informational questions from the Commission.

Commissioner comment on the item was as follows:

- Residents of the Willits were concerned about the potential for evening noise, and the applicant was asked to keep those concerns in mind.
- If there were violations of the SLUP, the Commission would be within its rights to not recommend renewal of the liquor license.

MOTION: Motion by Commissioner Long, seconded by Commissioner Haig:
To approve the Special Land Use Permit Amendment for 115 Willits to transfer ownership and update the Special Land Use Permit to the new owner, Birmingham Omni Hospitality, LLC (Sprazzo).

AND

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

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

Nays, None

07-482-24 Public Hearing for 219 Elm St. – All Seasons 2 – SLUP Amendment

The applicant's request to postpone the item was noted.

The Mayor opened the public hearing at 8:26 p.m.

PD Dupuis noted it would be the applicant's preference to postpone the item to August 12, 2024.

Seeing no public comment, the Mayor closed the public hearing at 8:26 p.m.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Host:
To postpone to August 12, 2024.

Patrick Howe, attorney for the applicant, answered an informational question from the

Commission.

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

Nays, None

07-483-24 Public Hearing of Necessity for Sewer and Water Lateral Special Assessment District (SAD) - N. Adams Road Resurfacing, Contract #12-24(P)

The Mayor opened the public hearing at 8:31 p.m.

CE Coatta presented the item.

Public Comment

Staff and the Commission answered informational questions from Thomas December, Gary Laskowsky, Jeff Knight, Cheryl Mayor, and Lisa McFarland.

Mr. Laskowsky commented on the noticing timing and on concerns from senior residents of the SAD.

The Mayor closed the public hearing at 8:45 p.m.

Staff answered informational questions from the Commission.

MOTION: Motion by Commissioner Longe, seconded by Commissioner Haig:
WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards on N. Adams near the intersection of Putney Street and replacing water services that are 60 years or older or less than 1 inch in diameter on N. Adams Road from Mohegan Street to Putney Street; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that are not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs; and

WHEREAS, The City Commission, after the public hearing, has determined that the N. Adams Road Project, including the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, The City Engineer has determined the boundaries of sewer service lateral and water service laterals located within the limits of the following streets shall be installed as part of the N. Adams Road Project (Contract #12-24(P)):

Sewer Lateral – N. Adams Road - Near the intersection of Putney; and

Water Lateral – N. Adams Road – Mohegan Street to Putney Street

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral service that is 50 years of age or older or constructed of materials that are not acceptable and water service that is 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$250.00 per foot of 8" diameter sewer service pipe, \$115.00 per foot of 1-inch water service pipe, and \$125.00 per foot of 2-inch water service pipe).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll, and is a necessity, and the City Commission directs the City Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation on July 22, 2024, and give notice of same.

This applies to the water and sewer laterals with sidwell numbers, street addresses, water special assessment, district costs, and sewer special assessment district costs as shown in Section 8C of tonight's Commission agenda on pages three, four, five, and six and map on page seven.

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

Nays, None

07-484-24 Public Hearing - Confirmation of SAD Roll 910 Arlington, Shirley, and Brandon Street Project

Commissioner Baller's recusal from the item was noted at 8:52 p.m. and he exited the room at that time. The Mayor opened the public hearing at 8:52 p.m.

DT Katz and CA Kucharek presented the item.

Public Comment

David Mendelson commented about appreciating the open discourse, and that although he signed a previous petition regarding the item, he and his wife were not participating in the lawsuit to which the petition was attached.

Jim Mirro also commented about appreciating the open discourse and the accuracy of the Engineering Department's work on the item.

The Mayor closed the public hearing at 8:59 p.m.

Commissioner comment on the item was as follows:

- The comments about open discourse from the public were appreciated. This project was understood as necessary, especially given the Fire Chief's previous presentation on the conditions in the area.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Long:
WHEREAS, Special Assessment Roll, designated Roll No. 910S and Roll No. 910W, has been heretofore prepared for Collection; and

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

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

WHEREAS, the Commission Resolution 06-469-24 provided it would meet this 8th day of July, 2024 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this July 8, 2024, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 910S and Roll No. 910W be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments.

Sidwell numbers, street addresses, sewer lateral SAD assessments as specified on pages three, and four, and water lateral SAD assessments as specified on page five of Section 8D of tonight's package.

Commissioner comment on the motion was as follows:

- This motion was about the water and the sewer, which was 100 years old and needed to be replaced.

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

Nays, None

07-485-24 Public Hearing - Confirmation of SAD Roll 910 Arlington, Shirley, and Brandon Street Project – Paving

Commissioner Baller's recusal continued through this item. The Mayor opened the public hearing at 9:04 p.m.

DT Katz presented the item.

Public Comment

Staff answered an informational question from a resident of 218 Arlington.

CA Kucharek noted that Judge Martha D. Anderson of the Sixth Circuit Court struck the complaint and corresponding summons referenced in Item 8DE from the court record pursuant to MCR 2.115, subsection B.

The Mayor closed the public hearing at 9:12 p.m.

MOTION: Motion by Commissioner Long, seconded by Commissioner Longe:
WHEREAS, Special Assessment Roll, designated Roll No. 910, has been heretofore prepared for Collection; and

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

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

WHEREAS, the Commission Resolution 06-470-24 provided it would meet this 8th day of July, 2024 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this July 8, 2024, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 910 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments for the sidewalk numbers, street addresses, and paving assessment amounts listed in today's agenda packet under Section 8E on pages three, four, and five.

Individual Commissioner comments on the motion were as follows:

- This motion would mandate a change that many homeowners in the project area did not want. Some residents were concerned about cost, disruption, and risks to the tree canopy.
- This motion represented a necessary health, safety, and welfare improvement as well as an infrastructure improvement. There has been a significant amount of public and expert participation in this process.
- Resident concern regarding this project was largely driven by concerns about sidewalks and overall costs. While the unimproved streets methodology may be imperfect, a better one has not yet been presented. This motion reflected the wishes of the majority of the residents who have provided feedback. The costs in the contract award came in under the City Engineer's estimates from 2023, which was welcome news. Those figures might be used as benchmarks for future work.
- Staff earned commendation for their work in negotiating the costs for this project.
- This motion was appropriate for many of the aforementioned reasons. The Commission compromised in its direction by not requiring sidewalks on both sides of the street. The project has been discussed in public many times. This was a welcome resolution to the project discussions.

Public Comment

Mr. Mirro commented regarding the motion and the aforementioned complaint and corresponding summons.

ROLL CALL VOTE: Ayes, MPT Schafer
 Commissioner Haig
 Commissioner Longe
 Commissioner Long
 Mayor McLain

Nays, Commissioner Host

07-486-24 Award of the Arlington, Shirley, and Brandon Project #6-24 (W) to DiPonio Contracting, LLC

Commissioner Baller's recusal continued through this item.

CE Coatta presented the item.

Public Comment

Mr. Mirro commented further regarding the aforementioned complaint and corresponding summons.

MOTION:

Motion by MPT Schafer, seconded by Commissioner Long:

To award the Arlington, Shirley, and Brandon Project #6-24 (W) to DiPonio Contracting, LLC in the amount of \$5,596,814.90 plus a 10% construction contingency for a total of \$6,156,496.39. In addition, to authorize the Mayor and Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance and bond requirements by DiPonio Contracting, LLC. Funding for this project has been budgeted in the following accounts for the following years, as represented in the packet 8F,

AND

To approve the appropriation and amendment of the fiscal year 2024/2025 budget as follows, under the sidewalk fund and that which follows in the packet under 8F including local street fund, sewer fund, and water fund, pages three and four.

Public Comment

Mr. Mirro commented further regarding the motion and the aforementioned complaint and corresponding summons.

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

Nays, None

07-487-24 Birmingham 2040 Plan Next Steps

Commissioner Baller rejoined the meeting at 9:35 p.m.

PD Dupuis presented the item. Staff answered informational questions from the Commission.

Commissioner comment on the item was as follows:

- Noting easier-to-achieve goals in some way would be beneficial.

MOTION:

Motion by Commissioner Longe, seconded by Commissioner Haig:

To assign each prioritization matrix related to the Birmingham 2040 Plan to the corresponding board/commission. In addition, to authorize the Planning Board to provide oversight of the prioritization matrices, with the understanding that the Planning Board would provide annual updates to the City Commission of progress and any changes.

ROLL CALL VOTE: Ayes, Commissioner Baller

Commissioner Host
MPT Schafer
Commissioner Haig
Commissioner Longe
Commissioner Long
Mayor McLain

Nays, None

07-488-24 E. Lincoln Street, east of S. Eton Street

CE Coatta presented the item. Staff answered informational questions from the Commission.

Commissioner discussion of the item was as follows:

- Staff deserved thanks for putting together the presentation. The road is in poor condition and is heavily used. The road should be improved. It could be added to improvements of Eton. Drivers sometimes drive through the parking lot in order to avoid the road. The condition represents a health and safety concern. Putting the electrical underground could be beneficial.
- The road condition has been raised at meetings of the Torrey Community Association. The design of the improvements should be considered.
- A number of roads might benefit from being milled and overlaid.
- Given the PASER ratings, an appropriate reprioritization of road repairs was not immediately apparent. It might be possible to keep costs low by adding this asphalt order to the Arlington and Shirley asphalt order. It would be necessary to determine how the project might be funded.
- Many roads in the community are also in poor condition. Repairing this road outside of the Engineering Department's ranked order may not be beneficial. The condition of the road can also encourage drivers to proceed at lower speeds.
- Repairing this road outside of the rankings may establish a detrimental precedent.
- It may be appropriate to repair this road more immediately due to the safety concerns and the volume of traffic.

MOTION: Motion by Commissioner Long, seconded by Commissioner Host:
To direct staff to reconfigure or reprioritize funding to allow us to look at whether we can add this as an existing change order into one of our other mill and overlay contracts, and if so, how we would do that financially, and to bring it back.

Commissioner comment on the motion was as follows:

- Speed bumps could be added to the parking lot to lower speeds.
- The PASER rating is low, and milling and overlaying may not have the desired longevity. Staff may be able to propose alternate solutions that would cost less than these repair would. The costs of this project may also not be presently warranted based on the limited accounts of the issues in the area.

ROLL CALL VOTE: Ayes, Commissioner Long

Nays, Mayor McLain

Commissioner Baller
Commissioner Host
MPT Schafer
Commissioner Haig
Commissioner Longe

07-489-24 E. Lincoln Street, east of S. Eton Street (Part II)

MOTION: Motion by Commissioner Host, seconded by Commissioner Long:
To direct the City Manager and staff to come up with a creative solution.

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

Nays, Commissioner Haig

07-490-24 Closed Session Pursuant to MCL § 15.268, Sec.8(1)(e) of the Open Meetings Act

MOTION: Motion by Commissioner Host, seconded by Commissioner Long:
To adopt a resolution to meet in closed session pursuant to MCL § 15.268, Sec.8(1)(e) of the Open Meetings Act.

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

Nays, None

The Commission went into closed session at 11:46 p.m.

The Commission returned from closed session at 12:07 a.m.

Commission Items for Future Discussion

07-491-24 Ban Broad Spectrum Insecticide

MOTION: Motion by Commissioner Haig, seconded by Commissioner Baller:
To discuss banning all broad spectrum insecticide use within Birmingham as soon as possible.

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

Nays, None

Commission Discussion On Items From A Prior Meeting

07-492-24 Golf Courses

Commissioner comment on the topic was as follows:

- A presentation on the golf courses should include the history of the acquisition, the sizes, whether they are included in the City's total park acreage, any restrictions on use of the properties, financials, whether the money spent on the golf courses would be coming out of the enterprise fund, the status of the enterprise fund, future planned maintenance or improvements, information about the users, and whether it would be appropriate to contract out the administration of the golf courses.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Haig:
To have a review of the golf courses.

Commissioner comment on the motion was as follows:

- The golf courses are presently self-sustaining, which indicates regular use of the courses.

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

Nays, None

It was noted the review would be conducted as a workshop.

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

- A. Shirley & Arlington letters from a prior meeting

Public Comment

Mr. Mirro commented further regarding the motion and the aforementioned complaint and corresponding summons.

- B. Westwood letter from a prior meeting
- C. YMCA/NEXT Letters

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Advisory Parking Committee
- B. Commissioner Comments

The Mayor commented regarding a visit from residents of Birmingham, England, a meeting with Birmingham's State Senator and Representative, the condition of the cape seal on Westwood, and efforts to reduce noise on Woodward.

Commissioners Long and Host commented regarding prior discussions of cape seal projects.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Dumpster Report

Commissioner comment on the report was as follows:

- It would be helpful to know what other communities do and whether there would be room for improvement.
 - Improving the way dumpsters are managed in the City would be worthwhile. Doing so would also increase the appeal of the alleyways. It would also be important to have information on the constraints.
- 2. Expanding Special Event Offerings

ACM Fairbairn summarized the report.

Commissioner discussion related to the report was as follows:

- The City's present events are well-organized and well-attended. Exploring additional opportunities for events would be welcome. Closing some streets to vehicular traffic occasionally to allow for dining and walking in the roads might be a good event option.
- Social districts were explored and no establishments expressed interest. Adding more family-friendly events might be of interest.
- Social districts might work better if the City takes steps to promote the option first.
- Events should be for the benefit of Birmingham residents.
- Increasing City events could result in security concerns.

- Additional events could further enhance Birmingham's appeal. Determining the appropriate administrative structure would be necessary. The Commission would have to decide whether it would be willing to invest in additional events. Events should benefit the Birmingham community and the surrounding community. The events could be selected in order to mitigate the risk of security concerns. One of the significant benefits would be building community.
- Family-friendly events could help attract younger families to the City. Building community is worthwhile. Events also help promote the financial health of the City's businesses, which benefits the City overall.
- Surveys indicate that people move to Birmingham because of its parks and recreational offerings, and the vibrancy of the downtown. Birmingham is unusual in that home prices are higher the closer they are to the downtown. Supporting the City's businesses supports the neighborhoods and maintains the City's ability to collect taxes, remain desirable, and provide services.
- Lunchtime events and youth-oriented events in the afternoons could help expand the variety of events offered.
- Brother Rice is currently holding discussions on safe socialization opportunities for youth in the community, and it might be appropriate for Birmingham to participate.
- The senior and community center should provide opportunities for youth-oriented activities.
- It would be beneficial to receive an informational presentation from a contractor that organizes this type of program for other municipalities.
- The City should explore expanding the concerts in the park, closing streets temporarily for buskers or other attractions, specialty dinners at appealing City locations, ticketed food events, a Birmingham homecoming for former residents, collaborations between restaurants, Le Dinner en Blanc, a chalk festival, something to feature Birmingham's automotive history, a blues festival, a weekly food truck day, a public art mural event, ethnic festivals, health-focused events, outdoor recreation focused events, and/or film or writers festivals.

3. Grant Update

ACM Fairbairn summarized the report.

Commissioner discussion related to the report was as follows:

- Staff earned thanks for their grant-related efforts.

INFORMATION ONLY

XI. ADJOURN

The Commission motioned to adjourn at 12:07 a.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

DRAFT

City of Birmingham

Warrant List Dated 07/04/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
298697		BDREFUND	AARON DWIGHT BAUGHEY	2,250.00
298698	*	009346	ACCUFORM PRINTING & GRAPHICS, INC	7,793.00
298699		MISC	ALYSSA ROTHERMEL	200.00
298700		000881	APWA	775.00
298701		MISC	ARJUN DHAKE	450.00
298702	*	006759	AT&T	433.43
298703	*	006759	AT&T	210.51
298704	*	006759	AT&T	433.43
298705	*	006759	AT&T	210.51
298706	*	006759	AT&T	3,862.26
298707	*	006759	AT&T	72.66
298708		000408	BALDWIN PUBLIC LIBRARY	55.29
298709	*	002716	BENDZINSKI & CO	31,120.00
298710		002231	BILLINGS LAWN EQUIPMENT INC.	42.80
298711		003526	BOUND TREE MEDICAL, LLC	845.87
298712		003786	C & G PUBLISHING INC.	405.00
298713		003907	CADILLAC ASPHALT, LLC	188.49
298714	*	003904	CAPITAL ONE BANK	4,306.78
298716	*	000444	CDW GOVERNMENT INC	2,088.54
298717	*	008006	CLEAR RATE COMMUNICATIONS, INC	1,646.11
298718	*	000627	CONSUMERS ENERGY	82.19
298719	*	009145	CREATIVE COLLABORATIONS	3,800.00
298720		003923	CUMMINS BRIDGEWAY LLC	1,833.09
298721	*	009873	D/A CENTRAL INC.	75,518.15
298722		BDREFUND	DALLOO, KHALID G	100.00
298723	*	009549	DAN'S LAWN MAINTENANCE	1,650.00
298724		BDREFUND	DARBY E HADLEY REVOC TRUST	100.00
298725		MISC	DAVID SARAFA	234.00
298726		BDREFUND	DECKS UNLIMITED	100.00
298727	*	006412	TOM DIAB	1,000.00
298728		009130	DOG WASTE DEPOT	899.85
298729	*	000179	DTE ENERGY	9,860.34
298730	*	000179	DTE ENERGY	200.30
298731	*	000179	DTE ENERGY	80.29
298732	*	000179	DTE ENERGY	25.13
298733	*	000179	DTE ENERGY	27.89
298734	*	000179	DTE ENERGY	2,204.21
298735	*	000179	DTE ENERGY	97.18
298736	*	000179	DTE ENERGY	548.67
298737	*	000179	DTE ENERGY	9,702.48
298738	*	000179	DTE ENERGY	1,710.38
298739	*	000179	DTE ENERGY	3,980.90

City of Birmingham
Warrant List Dated 07/04/2024

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Check Number	Early Release	Vendor #	Vendor	Amount
298740	*	000179	DTE ENERGY	2,263.44
298741	*	000179	DTE ENERGY	18.90
298742	*	000179	DTE ENERGY	1,233.08
298743	*	000179	DTE ENERGY	41.34
298744	*	000179	DTE ENERGY	19.76
298745	*	000179	DTE ENERGY	24.72
298746	*	000179	DTE ENERGY	21.17
298747	*	000179	DTE ENERGY	390.88
298748	*	000179	DTE ENERGY	140.00
298749		000179	DTE ENERGY	35.61
298750		000493	ED RINKE CHEVROLET BUICK GMC	13,467.60
298751		008164	GARY EISELE	78.39
298752		UBREFUND	EQUITY TITLE AGENCY	110.89
298753		001495	ETNA SUPPLY	2,460.00
298754		007415	EZ GOLF CART CO. INC	39.96
298755	*	009317	FAUM SOLUTIONS LLC	2,991.00
298756		BDREFUND	FOUNDATION SYSTEMS OF MICHIGAN INC.	200.00
298757		BDREFUND	FRICK, ROBERT	100.00
298758		MISC	GENERAL DOGS	255.00
298759	*	004604	GORDON FOOD	932.59
298760	*	MISC	GOWDY MISSION	706.00
298761		001531	GUNNERS METER & PARTS INC	2,480.00
298762		001447	HALT FIRE INC	1,185.93
298763		BDREFUND	HAMI CONSTRUCTION	300.00
298764	*	008481	HART INTERCIVIC, INC	9,356.00
298765	*	001956	HOME DEPOT CREDIT SERVICES	2,745.55
298766	*	009659	EMILY JOY HOWARD	300.00
298767		009884	HURON VALLEY GUNS LLC	419.93
298768	*	001204	ICMA	1,200.00
298769		009374	CIT INTERNATIONAL INCORPORATED	450.00
298770	*	MISC	JACK A DANOU	30.00
298771		009882	BIG DAY PRODUCTIONS LLC	7,500.00
298772		BDREFUND	JCB DESIGN AND BUILD LLC	100.00
298773	*	UBREFUND	JENNIFER FURDOCK	43.59
298774		MISC	JOELLE ABOOD	117.00
298775	*	MISC	JOSHUA PARKS	25.88
298776		004088	KGM DISTRIBUTORS INC	424.00
298777	*	000353	KNAPHEIDE TRUCK EQUIPMENT	131.28
298778	*	009900	KRAMER MANAGEMENT GROUP, INC.	18,250.00
298779		BDREFUND	LAMARCO HOMES LLC	2,500.00
298780		MISC	LAUREN AYAR	261.00
298781		000797	THE LIBRARY NETWORK	5,335.00
298782	*	009877	KEVIN O' DONNELL	3,650.00

City of Birmingham

Warrant List Dated 07/04/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
298783	*	008467	MAGIC BUS BAND LLC	2,400.00
298784	*	007273	MAINSTREET SOUL LLC	1,800.00
298785	*	009888	MEGAN BECK	112.50
298786	*	009200	MICHAEL MORRISON	750.00
298787	*	009143	MICHAEL SHUKWIT	250.00
298788		002207	MICHIGAN AUTOMATIC SPRINKLER, INC.	1,382.00
298789		007479	MICHIGAN BREAD BAKERY	67.70
298790		000230	MIKE SAVOIE CHEVROLET INC	2,384.45
298791	*	001950	MILLER CANFIELD PADDOCK AND	39,970.00
298792		000673	NEW YORK TIMES, THE	2,080.00
298793	*	005431	NILFISK, INC.	19.20
298794		BDREFUND	OAK ELECTRIC SERVICES INC	200.00
298795	*	009478	ODP BUSINESS SOLUTIONS, LLC	59.54
298796		BDREFUND	ORCHARD DEVELOPMENT AND CONSTRUCTIO	2,000.00
298797		BDREFUND	PELLA WINDOWS & DOORS, INC.	500.00
298798		BDREFUND	PERFORMANCE ROOF SYSTEMS LLC	100.00
298799		007775	THE PGA OF AMERICA	681.00
298800	*	MISC	PHOENIX NASH	17.96
298801	*	008342	RAIN MASTER CONTROL SYSTEMS	38.85
298802	*	009879	REBECCA VIOLASSI	1,000.00
298803	*	009878	JST REMONDAS MUSIC LLC	1,500.00
298804		BDREFUND	RSS CONSTRUCTION LLC	1,400.00
298805	*	007960	S&P GLOBAL RATINGS	19,500.00
298806		MISC	SCOTT SELTZER	200.00
298807	*	009009	SIGNATURE CLEANING LLC	9,875.98
298808		007503	SYDNEY SOLUTIONS LLC	299.00
298809	*	009552	TRAFFIC & SAFETY CONTROL SYSTEMS	5,070.00
298810		005481	TRI-COUNTY INTL TRUCKS, INC.	14,560.21
298811		004379	TURNER SANITATION, INC	150.00
298812	*	009081	TYLER TECHNOLOGIES INC	2,524.22
298813		009199	UNIQUE IMAGE STUDIO OF PHOTOGRAPHY	304.00
298814	*	007226	VALLEY CITY LINEN, INC	159.36
298815	*	000293	VAN DYKE GAS CO.	60.00
298816	*	000158	VERIZON WIRELESS	980.12
298817	*	000158	VERIZON WIRELESS	98.34
298818		009897	VIMHUE	1,077.20
298819	*	007620	WJE-WISS, JANNEY, ELSTNER ASSOC.INC	19,290.00
298820	*	008902	ZORO TOOLS, INC.	762.43
SUBTOTAL PAPER CHECK				\$387,104.28

ACH TRANSACTION

10989	*	008649	ROBERT ABRAHAM JR.	750.00
10990	*	005686	ADVANCED MARKETING PARTNERS INC	916.50
10991	*	007510	GRANT JANNEY	750.00

City of Birmingham
Warrant List Dated 07/04/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
10992	*	001357	ART/DESIGN GROUP LTD	130.00
10993	*	008009	TREVOR BAKER	750.00
10994	*	009042	RANDY BEARDEN	750.00
10995		006683	BIRMINGHAM LAWN MAINTENANCE, INC	78.00
10996	*	007624	BIRMINGHAM OIL CHANGE CENTER, LLC	84.95
10997		009183	BOB ADAMS TOWING	85.00
10998	*	009095	STEVEN BONORA	750.00
10999	*	009304	DUSHAWN BRANDY	750.00
11000	*	009355	SHAUN BROWN	750.00
11001	*	009122	CLAIRE CHUNG	69.00
11002		000605	CINTAS CORPORATION	453.91
11003	*	009845	CITY OF BIRMINGHAM #257	62,152.71
11004		009540	CIVICPLUS, LLC	7,188.00
11005		002668	CONTRACTORS CLOTHING CO	767.77
11006	*	007638	MARSHALL CRAWFORD	750.00
11007		009840	THOMAS S. KLISE COMPANY, INC	48.72
11008	*	009181	DELTA TEMP SERVICES INC	545.50
11009	*	006999	CHRISTOPHER DEMAN	750.00
11010		003801	JANA ECKER	500.00
11010	*	003801	JANA ECKER	1,153.00
11011		000196	EJ USA, INC.	1,306.34
11012	*	006689	F.D.M. CONTRACTING INC.	545,724.43
11013	*	000213	FIRE DEFENSE EQUIP CO INC	10,446.44
11014	*	000929	CONNIE FOLK	49.50
11015	*	009357	BRENDT FREDERICK	750.00
11016	*	007289	BRIAN FREELS	750.00
11017	*	008648	HUNTER GILICK	750.00
11018	*	008105	JASON GRANROTH	750.00
11019		009824	H&H POWDERCOATING	2,250.00
11020	*	003824	THOMAS I. HUGHES	750.00
11021	*	009303	TREVOR HULBERT	750.00
11022	*	008851	INSIGHT INVESTMENT	6,537.99
11023	*	006500	INTERIOR ENVIRONMENTS	12,871.00
11024	*	007870	J.C. EHRLICH CO. INC.	179.13
11025		000261	J.H. HART URBAN FORESTRY	56,478.40
11025	*	000261	J.H. HART URBAN FORESTRY	1,186.00
11026		000186	JACK DOHENY COMPANIES INC	2,850.64
11027	*	009482	JAMIL KIM	1,600.00
11028		009249	JCC CREATIVE LLC	850.00
11029	*	003458	JOE'S AUTO PARTS, INC.	23.99
11030	*	007244	CHRISTOPHER JUDKINS	750.00
11031	*	007511	ADAM KNOWLES	750.00
11032	*	009287	KYLE KRAFT	750.00

City of Birmingham
Warrant List Dated 07/04/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
11033	*	005550	LEE & ASSOCIATES CO., INC.	1,107.33
11034	*	009582	MARC SCHWARTZ	750.00
11035	*	009555	STEVEN MCINERNEY	750.00
11036		002013	MIDWEST TAPE	351.99
11037	*	007306	MARK MISCHLE	750.00
11038		007755	NETWORK SERVICES COMPANY	1,354.50
11039	*	009096	RYAN NEUVILLE	750.00
11040	*	009204	OWEN BACHUSZ	750.00
11041	*	003963	DAVID PAPANDREA	750.00
11042		007215	PDQ.COM CORPORATION	1,696.00
11043	*	005688	PEGASUS ENTERTAINMENT INC	5,500.00
11044		009895	PELOTON INTERACTIVE, INC.	528.00
11045	*	001062	QUALITY COACH COLLISION	762.00
11046	*	008875	JESSICA RAK	750.00
11047	*	001181	ROSE PEST SOLUTIONS	434.00
11048	*	007898	JEFFREY SCHEMANSKY	750.00
11049	*	009305	JEREMY SHULTZ	750.00
11050	*	006591	MICHAEL SLACK	750.00
11051	*	007899	NICHOLAS SLANDA	750.00
11052	*	003466	ALAN SOAVE	750.00
11053	*	007245	NICK SOPER	750.00
11054		005787	SOUTHEASTERN EQUIPMENT CO. INC	906.80
11055	*	009356	JUSTIN STRASSBURG	750.00
11056	*	002037	TOTAL ARMORED CAR SERVICE, INC.	281.45
11057		009708	JEREMY TURNER	750.00
11058	*	007278	WHITLOCK BUSINESS SYSTEMS, INC.	1,764.78
11059	*	007900	RYAN WISEMAN	750.00
11060		009128	WITMER PUBLIC SAFETY GROUP INC	1,499.62
SUBTOTAL ACH TRANSACTION				\$758,213.39
GRAND TOTAL				\$1,145,317.67

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



Mark Gerber
Finance Director/ Treasurer

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

City of Birmingham

Warrant List Dated 07/11/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
298821		BDREFUND	1ST CLASS CONSTRUCTION & RENOVATION	100.00
298822		005430	21ST CENTURY MEDIA- MICHIGAN	399.25
298822	*	005430	21ST CENTURY MEDIA- MICHIGAN	1,519.75
298823	*	000855	48TH DISTRICT COURT	466,481.00
298824		BDREFUND	AARON DWIGHT BAUGHEY	1,000.00
298825		006638	ACTION MAT & TOWEL RENTAL, INC	20.00
298826		BDREFUND	ALL SEASONS SUNROOMS PLUS	900.00
298827	*	006686	ALLTRONICS SYSTEMS LTD	160.00
298828	*	000161	ALPHA PSYCHOLOGICAL SERVICES PC	775.00
298829		MISC	ANGELA FULLER	192.86
298830		BDREFUND	ANTHONY NEPHI TAORMINA	100.00
298831		009202	AQUARIUM DESIGN INC	240.00
298832		000500	ARTECH PRINTING INC	168.00
298833		009568	BEDROCK EXPRESS LTD	2,716.04
298834		003361	BERGER CHEVROLET	51,553.00
298835		BDREFUND	BESHOURI HOMES, INC	100.00
298836		BDREFUND	BESHOURI RESIDENTIAL DEVELOPMENT	1,000.00
298837		BDREFUND	BINGHAM DEVELOPMENT LLC	3,400.00
298838		BLREFUND	BIRMINGHAM BLOOMFIELD ART CENTER	151.12
298839		BDREFUND	BIRMINGHAM PLBG CO INC	700.00
298840		BDREFUND	BIRMINGHAM PROFESSIONAL OFFICES	100.00
298841		008355	BIRMINGHAM PUBLIC SCHOOLS	600.00
298842		BDREFUND	BLOOMINGDALE HOMES INC	800.00
298843		BDREFUND	BORMAN, STUART	600.00
298844		003526	BOUND TREE MEDICAL, LLC	772.20
298845		006966	BRIDGESTONE GOLF, INC	345.58
298846	*	006953	JACQUELYN BRITO	24.00
298847		BDREFUND	BRS FIELD OPS, LLC	200.00
298848		005717	BSB COMMUNICATIONS, INC.	1,028.08
298849		003907	CADILLAC ASPHALT, LLC	8,223.65
298850		BDREFUND	CALICO CONSTRUCTION	200.00
298851	*	009078	CANON SOLUTIONS AMERICA INC	470.41
298852		008959	CASS COLLISION CLAWSON, INC	1,634.60
298853		008243	CHARTER TOWNSHIP OF BLOOMFIELD	7,711.00
298854		BDREFUND	CHRIS OBRY	100.00
298855		BDREFUND	CHRISTOPHER G MALLEY	100.00
298856		009815	CULLIGAN OF ANN ARBOR/DETROIT	10.00
298857		BDREFUND	DAVID KELSO	250.00
298858		009309	DEALER AUTO PARTS	55.55
298859		001555	DIXON ENGINEERING INC	3,500.00
298860		BDREFUND	EVOLVE CONSTRUCTION LLC	100.00
298861		BDREFUND	EXCEL HOME IMPROVEMENTS	200.00

City of Birmingham

Warrant List Dated 07/11/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
298862		001223	FAST SIGNS	999.75
298862	*	001223	FAST SIGNS	288.14
298863		BDREFUND	FORWARD DESIGN BUILD GROUP	100.00
298864		BDREFUND	GEMINI HARDSCAPE, LLC	100.00
298865	*	004604	GORDON FOOD	343.44
298866		BDREFUND	GRACO GENERAL CONTRACTING CORP	1,000.00
298867		BDREFUND	GREAT LAKES CUSTOM BUILDER LLC	1,000.00
298868		009901	GREAT LAKES SEGWAY	7,770.50
298869		001822	GRISSIM METZ ANDRIESE ASSOCIATES	31,350.00
298870		BDREFUND	HOBART, BRUCE R	100.00
298871	*	009906	HOCKEY BOARD DOCTOR	575.00
298872		BLREFUND	HOLY NAME SCHOOL	663.66
298873	*	001956	HOME DEPOT CREDIT SERVICES	1,311.16
298874		BDREFUND	HRH CONSTRUCTION LLC	1,000.00
298875		009374	CIT INTERNATIONAL INCORPORATED	450.00
298876		BDREFUND	J & J ROOFING	100.00
298877		BDREFUND	JEF FORWARD	100.00
298878		009564	JOE PIZIK ELECTRIC	565.00
298879		005291	KAESER & BLAIR INC	404.24
298880		MISC	KAREN DIETRICH	81.81
298881		MISC	KATHLEEN WESTLUND	7.43
298882		BDREFUND	KBK LANDSCAPE & BEYOND	100.00
298883	*	002659	CHRISTOPHER KOCH	211.00
298884		BDREFUND	LAKES DEVELOPMENT GROUP	1,000.00
298885		BDREFUND	LEMAN ADEL AUSI	100.00
298886		BDREFUND	LEVEL UP IMPROVEMENT	100.00
298887		006817	LEXISNEXIS RISK DATA MANAGEMENT INC	100.00
298888		009375	LITHIA MOTORS, INC SUPPORT SERVICES	386.77
298889		BDREFUND	LIVE WELL CUSTOM HOME LLC	1,000.00
298890		BDREFUND	LIVIDINI & WATSON BUILDING LLC	200.00
298891		002648	MARC DUTTON IRRIGATION INC	1,152.50
298892		000888	MCKENNA ASSOCIATES INC	42,333.02
298893		008793	MERGE MOBILE, INC.	83.95
298894		009351	MERRITT CIESLAK DESIGN PLC	1,285.00
298895	*	009085	MGSE SECURITY LLC	16,365.00
298896		002207	MICHIGAN AUTOMATIC SPRINKLER, INC.	275.00
298896	*	002207	MICHIGAN AUTOMATIC SPRINKLER, INC.	12,675.00
298898		BDREFUND	MICHIGAN EGRESS LLC	200.00
298899		000639	MICHIGAN LIBRARY ASSN	2,088.00
298900		009630	MIDWAY CLEANING CO, LLC	800.00
298901		006349	MIDWEST COLLABORATIVE	125.00
298902		BDREFUND	MILLS SIDING & ROOFING	100.00
298903		BDREFUND	MSA HOME IMPROVEMENTS INC	200.00

City of Birmingham
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Check Number	Early Release	Vendor #	Vendor	Amount
298904		000673	NEW YORK TIMES, THE	2,366.00
298905		008687	NORTH BREATHING AIR, LLC	315.00
298906		BDREFUND	NORTH POINTE INTERIORS	500.00
298907		BDREFUND	NORTHERN SIGN CO INC	100.00
298908		002853	OAKLAND COMMUNITY COLLEGE	11,100.00
298909	*	009478	ODP BUSINESS SOLUTIONS, LLC	212.12
298910		BDREFUND	PANDOLFI, ERNEST	100.00
298911		BDREFUND	PELLA WINDOWS & DOORS, INC.	500.00
298912		BDREFUND	PHILLIPS SIGN & LIGHTING INC	200.00
298913		001263	POSITIVE PROMOTIONS INC	718.91
298914		BDREFUND	RALPH L BIANCHI TRUST	3,400.00
298915		BDREFUND	Rapid Roofing	100.00
298916		007252	RAY WIEGAND'S NURSERY INC.	806.92
298917		008852	REDGUARD FIRE & SECURITY INC	300.00
298918		003447	RAFT	2,940.00
298919		BDREFUND	ROCK BUILDING & REMODELING	500.00
298920		BDREFUND	ROYAL OAK BUILDING CO LLC	900.00
298921		BDREFUND	ROYAL OAK BUILDING CO LLC	100.00
298922		000218	ROYAL OAK P.D.Q. LLC	136.00
298923		BDREFUND	RSS CONSTRUCTION LLC	800.00
298924	*	BDREFUND	RUMSEY, DENISE A	1,000.00
298925	*	002806	SAM'S CLUB/SYNCHRONY BANK	4.97
298926		BDREFUND	SHAO, GEOFFREY	100.00
298927		002602	SIRCHIE ACQUISITION COMPANY	593.07
298928		BDREFUND	SMOLYANOV HOME IMPROVMENT	100.00
298929		000260	SPARTAN DISTRIBUTORS INC	646.98
298930		BDREFUND	SPENCER KNISH CONSTRUCTION INC	100.00
298931		BDREFUND	STERLING DEVELOPMENT CORP	100.00
298932		MISC	TARA PUTRUS	17.34
298933		BDREFUND	THE ROOF COMPANY	300.00
298934		004379	TURNER SANITATION, INC	150.00
298934	*	004379	TURNER SANITATION, INC	406.13
298935		009863	US BANK EQUIPMENT FINANCE	59.62
298936	*	004580	V.I.L. CONSTRUCTION, INC.	350,000.00
298937	*	007226	VALLEY CITY LINEN, INC	67.92
298938	*	000293	VAN DYKE GAS CO.	60.00
298939	*	000158	VERIZON WIRELESS	904.55
298940	*	000158	VERIZON WIRELESS	103.32
298941	*	000158	VERIZON WIRELESS	349.57
298942	*	000158	VERIZON WIRELESS	152.04
298943	*	000158	VERIZON WIRELESS	295.02
298944	*	000158	VERIZON WIRELESS	49.17
298945	*	000158	VERIZON WIRELESS	1,152.86

City of Birmingham

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Check Number	Early Release	Vendor #	Vendor	Amount
298946	*	009300	VIRTRU CORPORATION	12,230.20
298947		BDREFUND	VOSGANIAN, KATHIE	100.00
298948	*	002996	GREG WALD	165.36
298949		BDREFUND	WHITAKER, ERIC	1,000.00
298950		BDREFUND	WINNICK HOMES LLC	500.00
298951		BDREFUND	WORK COMPANY LLC	500.00
298952		BDREFUND	WRIGHT WAY CONTRACTORS LLC	200.00
SUBTOTAL PAPER CHECK				\$1,085,394.53
<u>ACH TRANSACTION</u>				
11066	*	009323	ALEXANDRIA BINGHAM	75.57
11067	*	000282	APOLLO FIRE APPARATUS SALES AND SER	47,385.93
11068	*	007345	BEVERLY HILLS ACE	48.56
11069		008840	BIRMINGHAM PUBLIC SCHOOLS-TAXES	434,020.70
11070	*	000542	BLUE WATER INDUSTRIAL PRODUCTS INC	118.50
11071		000605	CINTAS CORPORATION	195.85
11072	*	000605	CINTAS CORPORATION	178.02
11073	*	000605	CINTAS CORPORATION	68.63
11074		002668	CONTRACTORS CLOTHING CO	54.40
11075		001367	CONTRACTORS CONNECTION INC	374.70
11076	*	000565	DORNBOS SIGN & SAFETY INC	138.35
11077	*	001077	DUNCAN PARKING TECH INC	7,642.35
11078		009697	FLOCK GROUP INC	7,300.00
11079		009833	GEN OIL COMPANY	1,541.19
11080		002532	GOLLING CHRYSLER JEEP DODGE INC	33.53
11081	*	001663	SCOTT GREWE	282.35
11082		003938	HART PAVEMENT STRIPING CORP	157,060.00
11083	*	001672	HAYES PRECISION INC	90.00
11084	*	003824	THOMAS I. HUGHES	764.00
11085		000948	HYDROCORP	2,858.00
11086	*	000261	J.H. HART URBAN FORESTRY	30,743.72
11087		009298	JCR SUPPLY INC	260.15
11088	*	003458	JOE'S AUTO PARTS, INC.	789.45
11089		009663	MACQUEEN EQUIPMENT, LLC	1,210.06
11090		002013	MIDWEST TAPE	303.22
11091		006812	MUNICIPAL ADVISORY COUNCIL OF MI	100.00
11092	*	001194	NELSON BROTHERS SEWER	1,431.00
11093		007755	NETWORK SERVICES COMPANY	1,248.78
11094	*	006359	NYE UNIFORM COMPANY	1,248.00
11095	*	008843	OAKLAND COUNTY TREASURER- TAX PYMNT	856,200.74
11096	*	006853	PAUL C SCOTT PLUMBING INC	325.00
11097	*	001753	PEPSI COLA	614.68
11098		006729	QUENCH USA INC	430.74
11099	*	003554	RKA PETROLEUM	11,810.10

City of Birmingham
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Check Number	Early Release	Vendor #	Vendor	Amount
11100	*	000478	ROAD COMM FOR OAKLAND CO	2,708.26
11101		005380	SALZBURG LANDSCAPE SUPPLY, INC	3,179.00
11102	*	003785	SIGNS-N-DESIGNS INC	145.00
11103		000254	SOCRRA	86,202.00
11104	*	001097	SOCWA	250,560.76
11105	*	004887	TRUCK & TRAILER SPECIALTIES INC	316.65
11106	*	009266	US SIGNAL COMPANY LLC	17,964.48
SUBTOTAL ACH TRANSACTION				\$1,928,022.42
GRAND TOTAL				\$3,013,416.95

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



Mark Gerber
Finance Director/ Treasurer

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

City of Birmingham

Warrant List Dated 07/17/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
298953		BDREFUND	1292 MAPLE LLC	200.00
298954	*	005430	21ST CENTURY MEDIA- MICHIGAN	1,580.50
298955	*	005430	21ST CENTURY MEDIA- MICHIGAN	537.25
298956	*	005430	21ST CENTURY MEDIA- MICHIGAN	307.25
298957	*	005430	21ST CENTURY MEDIA- MICHIGAN	3,711.25
298958	*	005430	21ST CENTURY MEDIA- MICHIGAN	2,791.25
298959	*	005430	21ST CENTURY MEDIA- MICHIGAN	2,239.25
298960	*	006965	7UP DETROIT	270.80
298961	*	007266	AETNA BEHAVIORAL HEALTH LLC	579.09
298962	*	009088	ALADTEC INC	3,837.60
298963		BDREFUND	ALLSHIRE BUILDING	100.00
298964	*	009393	AMANDA MCBRIDE	360.00
298965		000167	ANDERSON ECKSTEIN WESTRICK INC	33,696.80
298966		009290	ARSENAL POWERSPORTS LLC	915.31
298967		000500	ARTECH PRINTING INC	463.00
298968		BDREFUND	ARTISTIC POOLS & CONCRETE	1,000.00
298969		009688	ARTPACK SERVICES, INC	3,529.01
298970	*	009907	YMCA OF METROPOLITAN DETROIT	500,000.00
298971		009609	BALIAN LEGAL, PLC	720.00
298972		BDREFUND	BCM HOME IMPROVEMENT	100.00
298974		009568	BEDROCK EXPRESS LTD	2,992.56
298975		BLREFUND	BIRMINGHAM BLOOMFIELD CHAMBER OF CO	8,471.28
298976		BDREFUND	BLOOMINGDALE HOMES INC	1,400.00
298977	*	004465	BMI	435.00
298978		003526	BOUND TREE MEDICAL, LLC	226.15
298980		BDREFUND	BRADLEY D KLINTWORTH	100.00
298981		003907	CADILLAC ASPHALT, LLC	689.91
298982	*	009078	CANON SOLUTIONS AMERICA INC	2,524.96
298984	*	000444	CDW GOVERNMENT INC	9,015.76
298985		BDREFUND	CEDAR WORKS INC	200.00
298986		008243	CHARTER TOWNSHIP OF BLOOMFIELD	842.40
298987	*	001086	CITY OF BIRMINGHAM	5,785.08
298988	*	008955	COMCAST	1,277.02
298990	*	009656	CORBIN DESIGN, INC	1,318.75
298991		BDREFUND	CREATIVE BRICK PAVING & LANDSCAPING	400.00
298992		MISC	CRIME PREVENTION ASSOC. OF MICHIGAN	425.00
298993		003802	CROSWELL GREENHOUSE, INC	19,648.09
298994		BDREFUND	DANSWAY CONSTRUCTION	300.00
298996		008559	DETROIT BATTERY COMPANY LLC	163.27
298997		BDREFUND	DEYONKER WINDOW & DOOR CO	500.00
298998		009130	DOG WASTE DEPOT	1,175.64
298999		BDREFUND	DOMINION SERVICE CO	182.00

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Check Number	Early Release	Vendor #	Vendor	Amount
299000		BDREFUND	DONS ELECTRICAL SERVICE INC	130.00
299001		000190	DOWNRIVER REFRIGERATION	69.56
299002	*	000179	DTE ENERGY	105.35
299003	*	000179	DTE ENERGY	22.73
299004	*	000179	DTE ENERGY	606.36
299005	*	000179	DTE ENERGY	932.56
299006	*	000179	DTE ENERGY	104.23
299007	*	000179	DTE ENERGY	37.14
299008	*	000179	DTE ENERGY	220.00
299009	*	000179	DTE ENERGY	2,285.55
299010	*	000179	DTE ENERGY	223.96
299011	*	000179	DTE ENERGY	90.25
299012	*	000179	DTE ENERGY	1,854.78
299013	*	000179	DTE ENERGY	1,044.29
299014	*	000179	DTE ENERGY	1,051.04
299015	*	000179	DTE ENERGY	1,038.44
299016	*	000179	DTE ENERGY	74.07
299017	*	000179	DTE ENERGY	36.17
299018	*	000179	DTE ENERGY	42.04
299019	*	000180	DTE ENERGY	52,548.30
299020		000493	ED RINKE CHEVROLET BUICK GMC	214.46
299021		001495	ETNA SUPPLY	4,935.00
299026		009737	FIRECATT, LLC	5,558.00
299027		BDREFUND	FOUR SEASONS GARDEN CENTER	200.00
299028	*	009387	FRAIBERG & PERNIE PLLC	360.00
299030		BDREFUND	GILLETTE BROTHERS POOL & SPA	1,000.00
299031	*	004604	GORDON FOOD	1,468.41
299032		009275	GREAT LAKES COCA-COLA DISTRIBUTION	418.00
299034		000726	GUARDIAN ALARM	305.12
299035		001531	GUNNERS METER & PARTS INC	3,249.00
299036		003132	HASTINGS AIR-ENERGY CONTROL INC	393.00
299037	*	001956	HOME DEPOT CREDIT SERVICES	200.52
299038		BDREFUND	HRH CONSTRUCTION LLC	2,000.00
299039		006416	HUNTINGTON WOODS POOLS & SPAS, INC	323.88
299042	*	009551	INTERMEDIA. NET INC	797.76
299043	*	009401	IRENE S WASSEL	360.00
299044		000344	J.T. EXPRESS, LTD.	2,025.75
299045		BDREFUND	JAMES FISHER LICENSED BUILDERS	100.00
299047		BDREFUND	JOHN MCCARTER CONSTRUCTION LLC	200.00
299048	*	009403	JUSTIN ZAYID	420.00
299049		BDREFUND	KBJ GROUP, LLC	1,400.00
299050		004088	KGM DISTRIBUTORS INC	474.00
299052	*	009386	LAW OFFICE OF BRIAN P. FENECH	660.00

City of Birmingham
Warrant List Dated 07/17/2024

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Check Number	Early Release	Vendor #	Vendor	Amount
299053	*	009388	LAW OFFICE OF PATRICK G. GAGNIUK	360.00
299054		008518	LERMA, INC	275.00
299057		009375	LITHIA MOTORS, INC SUPPORT SERVICES	714.68
299058		BDREFUND	LIVE WELL CUSTOM HOME LLC	1,750.00
299059		BDREFUND	LL CUSTOM CONTRACTING OF MICHIGAN	500.00
299061	*	009546	MASTERS TELECOM	64.24
299062		000972	MCKESSON MEDICAL-SURGICAL	124.38
299063	*	008793	FASTFIELD, INC.	83.95
299064	*	008793	FASTFIELD, INC.	83.95
299065	*	009085	MGSE SECURITY LLC	141.00
299066		007479	MICHIGAN BREAD BAKERY	54.20
299067		001660	MICHIGAN CAT	223.82
299068		007765	MICHIGAN INDEPENDENT DOOR CO.	1,560.55
299069	*	006461	MID AMERICA RINK SERVICES	66.73
299070		007163	MOBILE HEALTH RESOURCES	1,556.94
299071		BDREFUND	MR. ROOF HOLDING CO., LLC	100.00
299073	*	001686	OAKLAND CO CLERKS ASSOC	80.00
299074		001174	OAKLAND CO MEDICAL CONTROL AUTH.	75.00
299075	*	000477	OAKLAND COUNTY	533,866.18
299076		001325	P.K. CONTRACTING INC	13,497.00
299077		009702	PACE SYSTEMS, INC.	4,800.00
299079	*	009394	RABAA & NACHAWATI PLLC	360.00
299080	*	009394	RABAA & NACHAWATI PLLC	360.00
299081		BDREFUND	RENEWAL BY ANDERSEN	267.00
299082		BDREFUND	ROBERT GREGORY HOMES	2,000.00
299083		BDREFUND	ROCK SOLID EXTERIOR	200.00
299084		BDREFUND	ROMA CEMENT CO INC	100.00
299085	*	009772	RYAN KATZ	14.41
299086	*	002806	SAM'S CLUB/SYNCHRONY BANK	330.66
299088	*	009009	SIGNATURE CLEANING LLC	3,207.59
299089		BDREFUND	SIGNGRAPHIX, INC.	200.00
299090		002602	SIRCHIE ACQUISITION COMPANY	205.34
299091	*	008150	SITEIMPROVE, INC	2,820.76
299092		000260	SPARTAN DISTRIBUTORS INC	3,112.46
299093		004544	STRYKER SALES CORPORATION	30.94
299098		009905	THIELEN TURF IRRIGATION INC	26,883.00
299100		004379	TURNER SANITATION, INC	85.00
299100	*	004379	TURNER SANITATION, INC	985.00
299101	*	008941	UPTOWN MARKET OF BIRMINGHAM	246.41
299102	*	001279	US FIGURE SKATING ASSOC.	1,221.69
299103	*	007226	VALLEY CITY LINEN, INC	67.92
299104	*	009903	VECTOR SOLUTIONS	5,848.00
299105	*	000158	VERIZON WIRELESS	152.11

City of Birmingham

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Check Number	Early Release	Vendor #	Vendor	Amount
299106		BDREFUND	WALLSIDE INC	500.00
299107	*	004497	WATERFORD REGIONAL FIRE DEPT.	196.33
299108	*	008391	XEROX CORPORATION	105.41
SUBTOTAL PAPER CHECK				\$1,314,068.60
<u>EFT TRANSFER</u>				
" "	*	009593	BLUE CROSS BLUE SHIELD OF MICHIGAN	81,507.81
SUBTOTAL EFT TRANSFER				\$81,507.81
<u>ACH TRANSACTION</u>				
11112	*	009383	BATTI LAW PLLC	1,428.00
11114	*	000517	BEIER HOWLETT PC	43,837.25
11115		006683	BIRMINGHAM LAWN MAINTENANCE, INC	19,154.00
11115	*	006683	BIRMINGHAM LAWN MAINTENANCE, INC	1,276.00
11116	*	008983	BRENNA SANDLES	349.75
11117		000605	CINTAS CORPORATION	195.85
11118		000605	CINTAS CORPORATION	25.88
11119		000605	CINTAS CORPORATION	359.76
11120		002668	CONTRACTORS CLOTHING CO	177.94
11121		001367	CONTRACTORS CONNECTION INC	2,417.35
11123		009529	DAVEY RESOURCE GROUP, INC.	2,275.00
11124	*	009557	ZECO, LLC	330.00
11125	*	009181	DELTA TEMP SERVICES INC	18,272.00
11126	*	007359	DETROIT CHEMICAL & PAPER SUPPLY	181.61
11127	*	000565	DORNBOS SIGN & SAFETY INC	70.35
11128	*	001077	DUNCAN PARKING TECH INC	1,320.00
11129		004574	FAIR-WAY TILE & CARPET, INC.	1,211.00
11130		000217	FOUR SEASON RADIATOR SERVICE INC	1,237.30
11131	*	000243	GRAINGER	99.74
11132	*	009382	HB LAW, PLLC	240.00
11133		000331	HUBBELL ROTH & CLARK INC	35,516.25
11133	*	000331	HUBBELL ROTH & CLARK INC	1,125.63
11134	*	008378	THE HUNTINGTON NATIONAL BANK	500.00
11135	*	009390	IDUMESARO LAW FIRM, PLLC	360.00
11137		009298	JCR SUPPLY INC	865.54
11138	*	003458	JOE'S AUTO PARTS, INC.	118.65
11139	*	000891	KELLER THOMA	123.75
11140		006370	KLM SCAPE & SNOW LLC	93,575.00
11141	*	004085	KONE INC	2,693.57
11142	*	009398	MARCIA C ROSS PC	1,008.00
11146	*	001194	NELSON BROTHERS SEWER	165.00
11147		009276	NEWTONS SOLUTIONS LLC	1,550.00
11148	*	009706	NORTHSTAR MAT SERVICE	327.48
11149	*	009395	ORLANDO 5E PRACTICE PC	624.00

City of Birmingham
Warrant List Dated 07/17/2024

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Check Number	Early Release	Vendor #	Vendor	Amount
11151	*	009666	RAM CONSTRUCTION SERVICES OF MICHIG	58,736.35
11152	*	001181	ROSE PEST SOLUTIONS	82.00
11153		005380	SALZBURG LANDSCAPE SUPPLY, INC	3,179.00
11154	*	009301	SECURE-CENTRIC INC	1,512.00
11156		008711	VOLVIK USA	1,315.94
11157	*	009379	YELLOW DOOR LAW	6,348.00
SUBTOTAL ACH TRANSACTION				\$304,184.94
GRAND TOTAL				\$1,699,761.35

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



Mark Gerber
Finance Director/ Treasurer

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



MEMORANDUM

Finance Department

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Mark Gerber, Director of Finance/Treasurer
Kathryn Burrick, Senior Accountant

SUBJECT: Amendment and Extension to 2020-2021 Public Service Contract

INTRODUCTION:

Staff is recommending an extension of the 2020-2021 Public Service Contract with NEXT in order to expend the remaining CDBG funds for that program year.

BACKGROUND:

The City previously entered into an agreement with NEXT for the 2020-2021 Community Development Block Grant (CDBG) program year. Under the CDBG program, the contract provides for Yard Services, Senior Outreach Services, and Minor Home Repair Services to resident homeowners administered by NEXT for the City.

Currently, there are unexpended balances in Community Development Block Grant Funds from the program year 2020-2021 (Minor Home Repair \$10,676.86). In order to provide for continued expenditures of these funds, the Department of Community and Economic Development at Oakland County has advised the City that our current 2020-2021 contract with NEXT which expired on June 30, 2024, must be extended until December 31, 2025.

LEGAL REVIEW:

Legal has reviewed and approved the contract amendment.

FISCAL IMPACT:

Extending the contract will allow the City to spend the remaining CDBG funds.

SUSTAINABILITY:

Not applicable.

DESIGN CONSIDERATIONS:

Not applicable.

PUBLIC COMMUNICATIONS:

Not applicable.

SUMMARY:

It is recommended that the City Commission approve the amendment to extend the contract with NEXT through December 31, 2025.

ATTACHMENTS:

- Amendment and Extension to the 2020-2021 Public Service Contract

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve an Amendment and Extension to the 2020-2021 Public Service Contract with Next extending the contract expiration date to December 21, 2025, and to authorize the Mayor and the City Clerk to sign the Amendment and Extension on behalf of the City.

**AMENDMENT AND EXTENSION TO THE COMMUNITY
DEVELOPMENT BLOCK GRANT PUBLIC SERVICE CONTRACT
FOR YARD SERVICES, SENIOR OUTREACH SERVICES,
AND MINOR HOME REPAIR SERVICES
FOR PROGRAM YEAR 2020-2021**

THIS AGREEMENT, made as of this ____ day of _____, 2024, by and between the City of Birmingham and NEXT provides as follows:

WHEREAS, the City and NEXT entered into a Yard Services, Senior Outreach Services, and Minor Home Repair Services Public Service Contract on June 25, 2021 for the Community Development Block Grant program year 2020-2021 to provide for Yard Services, Senior Outreach Services, and Minor Home Repair Services to resident homeowners of the City of Birmingham;

WHEREAS, the Contract provided that NEXT would administer these services for the City until December 31, 2021 in the funding amounts as follows: \$7,327 for yard services, \$3,500 for senior services, and \$25,550 for Minor Home Repair.

WHEREAS, the City and NEXT desired to extend this Contract through December 31, 2022 for purposes of expending remaining 2020-2021 Community Development Block Grant Funds.

WHEREAS, the City and NEXT and desired to extend this Contract through June 30, 2024 for purposes of expending remaining 2020-2021 Community Development Block Grant Funds.

WHEREAS, the City and NEXT now desire to extend this Contract through December 31, 2025 for purposes of expending remaining 2020-2021 Community Development Block Grant Funds.

NOW, THEREFORE for and in consideration of the respective agreements and undertakings herein contained, the parties agree as follows:

1. The parties agree to further extend the Contract until December 31, 2025.
2. All other terms of the original and amended contract that do not conflict with this Agreement shall remain in full force and in effect throughout the term of this extension.

WITNESSES:

NEXT

By: _____



) ss:
COUNTY OF OAKLAND)

On this 15 day of July, 2024, before me personally appeared
Christine Brown, who acknowledged that with authority on behalf of
NEXT to do so he/she signed this Agreement.

M. Brown
Notary Public
Oakland County, Michigan
Acting in Oakland County, Michigan

My commission expires: 2023 3/25/2030

M BROWN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Mar 25, 2030
ACTING IN COUNTY OF Oakland

CITY OF BIRMINGHAM

By: _____

Elaine McLain
Its: Mayor

By: _____

Alexandria Bingham
Its: City Clerk



MEMORANDUM

Finance Department

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Mark Gerber, Director of Finance/Treasurer
Kathryn Burrick, Senior Accountant

SUBJECT: Amendment and Extension to 2022-2023 Public Service Contract

INTRODUCTION:

Staff is recommending an extension of the 2022-2023 Public Service Contract with NEXT in order to expend the remaining CDBG funds for that program year.

BACKGROUND:

The City previously entered into an agreement with NEXT for the 2022-2023 Community Development Block Grant (CDBG) program year. Under the CDBG program, the contract provides for Yard Services and Senior Outreach Services to resident homeowners administered by NEXT for the City.

Currently, there are unexpended balances in Community Development Block Grant Funds from the program year 2022-2023 (Yard Services \$6,945). In order to provide for continued expenditures of these funds, the Department of Community and Economic Development at Oakland County has advised the City that our current 2022-2023 contract with NEXT, which expired on December 31, 2023, must be extended until December 31, 2025.

LEGAL REVIEW:

Legal has reviewed and approved the contract amendment.

FISCAL IMPACT:

Extending the contract will allow the City to spend the remaining CDBG funds.

SUSTAINABILITY:

Not applicable.

DESIGN CONSIDERATIONS:

Not applicable.

PUBLIC COMMUNICATIONS:

Not applicable.

SUMMARY:

It is recommended that the City Commission approve the amendment to extend the contract with NEXT through December 31, 2025.

ATTACHMENTS:

- Amendment and Extension to the 2022-2023 Public Service Contract

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve an Amendment and Extension to the 2022-2023 Public Service Contract with Next extending the contract expiration date to December 21, 2025, and to authorize the Mayor and the City Clerk to sign the Amendment on behalf of the City.

**AMENDMENT AND EXTENSION TO THE COMMUNITY DEVELOPMENT
BLOCK GRANT
PUBLIC SERVICE CONTRACT
FOR YARD SERVICES AND SENIOR OUTREACH SERVICES
FOR PROGRAM YEAR 2022-2023**

THIS AGREEMENT, made as of this ____ day of _____, 2024, by and between the City of Birmingham and NEXT provides as follows:

WHEREAS, the City and NEXT entered into a Yard Services and Senior Outreach Services Public Service Contract on April 19, 2023 for the Community Development Block Grant program year 2022-2023 to provide for Yard Services and Senior Outreach Services to resident homeowners of the City of Birmingham;

WHEREAS, the Contract provided that NEXT would administer these services for the City until December 31, 2023 in the funding amounts as follows: \$6,945 for Yard Services and \$3,500 for Senior Services.

WHEREAS, the City and NEXT now desire to extend this Contract through December 31, 2025 for purposes of expending remaining 2022-2023 Community Development Block Grant Funds.

NOW, THEREFORE for and in consideration of the respective agreements and undertakings herein contained, the parties agree as follows:

1. The parties agree to further extend the Contract until December 31, 2025.
2. All other terms of the original and amended contract that do not conflict with this Agreement shall remain in full force and in effect throughout the term of this extension.

WITNESSES:

NEXT

By: _____



Christine Braun
Its: Executive Director

STATE OF MICHIGAN)

) ss:
COUNTY OF OAKLAND)

M. Brown
Notary Public
Oakland County, Michigan
Acting in Oakland County, Michigan

M BROWN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Mar 25, 2030
ACTING IN COUNTY OF *Oakland*

By: _____

By: _____

5G



MEMORANDUM

Finance Department

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Mark Gerber, Director of Finance/Treasurer
Kathryn Burrick, Senior Accountant

SUBJECT: PY 2023 Community Development Block Grant (CDBG) Public Services Contract

INTRODUCTION:

The City has been notified by Oakland County that funding from the federal government for the program year 2023 Community Development Block Grant (CDBG) has been secured and the City may start spending these funds. The City contracts with an outside agency to administer the public services portion of the grant. The public services contract must be approved by the City and submitted to Oakland County in order for those funds to be spent.

BACKGROUND:

The City Commission approved the program year 2023 CDBG grant application on December 19, 2022 which provided estimated funding for yard services and senior outreach services in the amount of \$12,500 and \$3,500, respectively. On January 19, 2024, the City received notification from Oakland County that the City could start expending these funds as evidenced in the Approval Letter to Spend dated January 19, 2024. The funds approved to spend are \$6,888 in yard services and \$3,500 in senior outreach services.

In order to spend the funding for yard services and senior outreach services, the City needs to contract with an outside agency to provide these services to its residents. On June 12, 2024, a request for proposal (RFP) for yard services and senior outreach services was advertised in the Oakland Press Newspaper and sent to three potential agencies using a Public Service Directory provided by Oakland County.

On Friday, July 5, 2024, bid proposals entitled, "CDBG Bid Proposal" were opened. The City received one bid as follows:

Bid Results:

Agency	Bid
NEXT	\$7,327 Yard Services, \$3,500 Senior Services Total: \$10,827
Oakland Livingston Human Services Agency (OLHSA)	No bid was received

Community Services of Oakland (CSO)	No bid was received
-------------------------------------	---------------------

The bid was evaluated on a point rating system as required by Oakland County's procurement guidelines. This system allows the decision to be based on the best service provider not solely based on the lowest price. The criteria and points rating system was established before the RFP was issued and all potential bidders were informed of this process.

In evaluating the bid, NEXT received a point score of 99 based on NEXT's past experience with the City, availability of qualified personnel, capability, and familiarity with the CDBG program. Currently, NEXT is administering the City's 2022-2023 CDBG Yard Service and Senior Outreach Service program.

LEGAL REVIEW:

The attached contract between NEXT and the City is based on a template provided by Oakland County CDBG requirements and was reviewed by the City's attorney. There are no legal issues pertaining to this contract.

FISCAL IMPACT:

This service was included in the 2024-2025 budget.

SUSTAINABILITY:

Not applicable.

DESIGN CONSIDERATIONS:

Not applicable.

PUBLIC COMMUNICATIONS:

Not applicable.

SUMMARY:

It is recommended that the Public Services Contract be awarded to NEXT for the 2023-2024 Program Year with an ending contract date of December 31, 2024 which is the maximum 1.5 year contract date allowable by Oakland County. This will allow NEXT until December 31, 2024 to expend their grant balance.

ATTACHMENTS:

- 1) Oakland County Letter to Spend and Project Summaries
- 2) NEXT/City Public Services Contract
- 3) Minutes approving 2023 CDBG application
- 4) RFP advertisement

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to award the 2023-2024 Public Services contract totaling \$10,388.00 for Yard Services and Senior Outreach Services to NEXT under the Community Development Block Grant Program; and further, to authorize the Mayor to sign the contract on behalf of the City.

NEIGHBORHOOD
& HOUSING DEVELOPMENT

Khadija Walker-Fobbs, Officer
Office: (248) 858-0493 | nhd@oakgov.com

January 19, 2024

Dear Community Development Block Grant (CDBG) Administrator:

The Neighborhood & Housing Development Division is pleased to inform you that you may now obligate and expend program year (PY) 2023 Community Development Block Grant (CDBG) funds.

The attached materials including this letter, Subrecipient Agreement, Funding Approval/Agreement, and Project Summary should be maintained in your PY 2023 application file to document the official release of funds.

The enclosed Subrecipient Agreement is required under federal regulation and specifies your record keeping, auditing, monitoring, property disposition, environmental and other responsibilities under the Oakland County CDBG program. The Subrecipient Agreement is in effect until all PY 2023 funds are expended and record keeping, record retention and audit responsibilities are satisfied as specified. Please file your signed copy of the Subrecipient Agreement with your PY 2023 application.

Review the PY 2023 Project Summary carefully. It is the official description of your community's approved 2023 CDBG activities and takes precedence over the application.

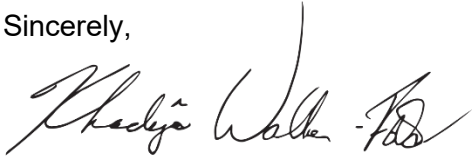
All CDBG funds must be expended in compliance with applicable federal, state and county laws and regulations, and with any restrictions listed on the project summary. The following comments and/or instructions constitute part of your project summary:

- No projects funded in whole or in part by CDBG funds may take place within wetlands areas unless an eight-step* environmental review process is followed to determine that no practicable alternative to the project exists, and all necessary state permits have been obtained.
 - No categorically excluded or environmentally assessed project (coded 2 or 3 respectively on the project summary) funded in whole or in part by CDBG funds, may take place within a 100 or 500-year floodplain as identified by the Federal Emergency Management Agency (FEMA) unless an eight-step* process is followed to determine that no practicable alternative to the project exists.
- * Environmental reviews must be approved by Katie Tierney, Environmental Officer, at time of application.

As part of the County's environmental review record procedures, various local, state and federal agencies received a copy of the 2023 CDBG application for review. If an agency commented on activities their remarks are also enclosed as attachments. These comments constitute part of your PY 2023 Project Summary.

If you have questions regarding the enclosed information, please contact Samantha Ferguson, Grant Compliance and Program Coordinator, at cdbg@oakgov.com or (248) 858-5312. We look forward to working with you during this new program year.

Sincerely,

A handwritten signature in black ink, appearing to read "Khadija Walker-Fobbs". The signature is fluid and cursive, with a large initial "K" and a stylized "Fobbs" at the end.

Khadija Walker-Fobbs
Housing Officer

**Oakland County Neighborhood and Housing Development
PY 2023 Community Development Block Grant Project Summary**

PY	2023	REGION C	Birmingham	SPEND CAT	731619	ID	8
PROJECT	PUBLIC FACILITIES AND IMPROVEMENTS			ACCOUNT	Remove Architectural Barriers		
IDIS PROJECT #	10	IDIS ACTIVITY #	9704	UNITS	1	APPROPRIATION	\$24,241.00
DESCRIPTION	Installation of a handicap parking space, pathways, and boardwalk to provide barrier-free access to the Allen House Historical Museum.						
LOCATION	Allen House Historical Museum					PIN	
ADDRESS	556 W. Maple Rd				LOCALITY	Birmingham 48009	
L/M							
ENV CODE	A (2) Cat Excluded per 24 CFR 58.35			MATRIX	03Z	AUTHORITY	570.201 ©
☒	CONTRACT REQUIRED		☒	CONTACT CONTRACT COMPLIANCE WHEN COMPILING BIDS/SPECS			
☐	HOUSEHOLD DBA REQUIRED		☐	PERSON DBA REQUIRED			
OBJECTIVE	Suitable Living Environment			GOAL	Strengthen Communities		
INDICATOR	# of LMI persons with new or improved access			OUTCOME	Availability/Accessibility		
NOTES	A finding of No Significant Environmental Impact has been determined. MI SHPO review may be required.						
REVISED							
					TOTAL APPROPRIATION		

SPENDING PERFORMANCE	HUD requires Oakland County to achieve a 1.5 Spending Performance Ratio by May 1st of each year.
REQUIRED DRAWS	Monthly draws are required from the letter to spend date.
REQUIRED EXPENDITURES	All funds per year per activity must be spent in 2 years from Letter to Spend date in IDIS.
RECAPTURE POLICY	After 2 years all unobligated funds will be evaluated for possible recapture.
EMERGENCY SERVICES	Income and other relevant documentation must be provided to the Contract Compliance Officer. If the emergency assistance includes grant payments, these payments cannot last more than 3 consecutive months per household.
YOUTH SERVICES	OCYA CDBG eligible activities include: Camp, Case Management, Challenge Day, Counseling, Drivers Training, Educational, Enrichment, Mentoring, Recreational, School Supplies, Skill Building, Sports, Tutoring, Transportation and
FLOOD PLAIN AREAS	Communities with floodplain areas may have issues related to Environmentally Assessed and Categorically Excluded activities. Contact the Environmental Officer (248) 858-5309.
INCOME QUALIFICATION	Eligibility for all types of Minor Home Repair, Special Assessment and some Public Services is based on household income and requires 3rd party verification based on HUD Section 8 income guidelines. Contact Contract Compliance (248) 858-0196.
PROCUREMENT	All goods and services must be purchased in accordance with CDBG competitive procurement guidelines. Contact Contract Compliance (248) 858-0196.
ELDERLY DEFINITION	HUD defines elderly person as 62 yrs or more.
SEVERLY DISABLED ADULT DEFINITION = 18 YRS AND OLDER	Use wchair/aid 6/+mo; unable to perform 1/+ func activities; need assist w/daily living instrl activities of daily living; prevented fr work/housework; autism, cerebral palsy, Alzheimer's, senility/dementia mental retardation; or <65 Medicare/SSI.

Oakland County Use Only

FND #	11006	CCN #	1060703	PROGRAM #	172170	SPEND CATEGORY	731619	REGION #	40240
BUDGET REF	2023	PROJ #	GRN - 1004313	ACT	CP	SOURCE	CP		

**Oakland County Neighborhood and Housing Development
PY 2023 Community Development Block Grant Project Summary**

PY	2023	REGION C	Birmingham	SPEND CAT	732170	ID	9
PROJECT	PUBLIC SERVICES			ACCOUNT	Yard Services		
IDIS PROJECT #	11	IDIS ACTIVITY #	9705	UNITS	20	APPROPRIATION	\$6,888.00
DESCRIPTION	Yard services for income qualified senior 62&+ and disabled adults 18&+ households. Services will conform to Oakland County guidelines & include lawn service/snow removal/spring/fall cleanup/gutter cleaning/tree trim/removal.						
LOCATION	City wide					PIN	
ADDRESS	Specific			LOCALITY	Birmingham 48012		
L/M							
ENV CODE	A (1) Exempt per 24 CFR 58.34			MATRIX	05A	AUTHORITY	570.201 (e)
☒ CONTRACT REQUIRED	☒ CONTACT CONTRACT COMPLIANCE WHEN COMPILING BIDS/SPECS						
☐ HOUSEHOLD DBA REQUIRED	☒ PERSON DBA REQUIRED						
OBJECTIVE	Suitable Living Environment			GOAL	Improve Quality of Life		
INDICATOR	# of LMI persons with new access to service			OUTCOME	Availability/Accessibility		
NOTES	A finding of No Significant Environmental Impact has been determined.						
REVISED							
						TOTAL APPROPRIATION	

SPENDING PERFORMANCE	HUD requires Oakland County to achieve a 1.5 Spending Performance Ratio by May 1st of each year.
REQUIRED DRAWS	Monthly draws are required from the letter to spend date.
REQUIRED EXPENDITURES	All funds per year per activity must be spent in 2 years from Letter to Spend date in IDIS.
RECAPTURE POLICY	After 2 years all unobligated funds will be evaluated for possible recapture.
EMERGENCY SERVICES	Income and other relevant documentation must be provided to the Contract Compliance Officer. If the emergency assistance includes grant payments, these payments cannot last more than 3 consecutive months per household.
YOUTH SERVICES	OCYA CDBG eligible activities include: Camp, Case Management, Challenge Day, Counseling, Drivers Training, Educational, Enrichment, Mentoring, Recreational, School Supplies, Skill Building, Sports, Tutoring, Transportation and
FLOOD PLAIN AREAS	Communities with floodplain areas may have issues related to Environmentally Assessed and Categorically Excluded activities. Contact the Environmental Officer (248) 858-5309.
INCOME QUALIFICATION	Eligibility for all types of Minor Home Repair, Special Assessment and some Public Services is based on household income and requires 3rd party verification based on HUD Section 8 income guidelines. Contact Contract Compliance (248) 858-0196.
PROCUREMENT	All goods and services must be purchased in accordance with CDBG competitive procurement guidelines. Contact Contract Compliance (248) 858-0196.
ELDERLY DEFINITION	HUD defines elderly person as 62 yrs or more.
SEVERLY DISABLED ADULT DEFINITION = 18 YRS AND OLDER	Use wchair/aid 6/+mo; unable to perform 1/+ func activities; need assist w/daily living instrl activities of daily living; prevented fr work/housework; autism, cerebral palsy, Alzheimer's, senility/dementia mental retardation; or <65 Medicare/SSI.

Oakland County Use Only

FND #	11006	CCN #	1060703	PROGRAM #	172160	SPEND CATEGORY	732170	REGION #	40240
BUDGET REF	2023	PROJ #	GRN - 1004313	ACT	CP	SOURCE	CP		

**Oakland County Neighborhood and Housing Development
PY 2023 Community Development Block Grant Project Summary**

PY	2023	REGION C	Birmingham	SPEND CAT	731712	ID	10
PROJECT	PUBLIC SERVICES			ACCOUNT	Senior Services		
IDIS PROJECT #	11	IDIS ACTIVITY #	9706	UNITS	20	APPROPRIATION	\$3,500.00
DESCRIPTION	Outreach, information, referral and counseling services for income qualified senior 62 years of age and older and disabled adult 18 years of age and older households.						
LOCATION	City wide					PIN	
ADDRESS	Specific			LOCALITY	Birmingham 48009		
L/M							
ENV CODE	A (1) Exempt per 24 CFR 58.34			MATRIX	05A	AUTHORITY	570.201 (e)
☒	CONTRACT REQUIRED		☒ CONTACT CONTRACT COMPLIANCE WHEN COMPILING BIDS/SPECS				
☐	HOUSEHOLD DBA REQUIRED		☒ PERSON DBA REQUIRED				
OBJECTIVE	Suitable Living Environment			GOAL	Improve Quality of Life		
INDICATOR	# of LMI persons with new access to service			OUTCOME	Availability/Accessibility		
NOTES	A finding of No Significant Environmental Impact has been determined.						
REVISED							
TOTAL APPROPRIATION						\$34,629.00	

SPENDING PERFORMANCE	HUD requires Oakland County to achieve a 1.5 Spending Performance Ratio by May 1st of each year.
REQUIRED DRAWS	Monthly draws are required from the letter to spend date.
REQUIRED EXPENDITURES	All funds per year per activity must be spent in 2 years from Letter to Spend date in IDIS.
RECAPTURE POLICY	After 2 years all unobligated funds will be evaluated for possible recapture.
EMERGENCY SERVICES	Income and other relevant documentation must be provided to the Contract Compliance Officer. If the emergency assistance includes grant payments, these payments cannot last more than 3 consecutive months per household.
YOUTH SERVICES	OCYA CDBG eligible activities include: Camp, Case Management, Challenge Day, Counseling, Drivers Training, Educational, Enrichment, Mentoring, Recreational, School Supplies, Skill Building, Sports, Tutoring, Transportation and
FLOOD PLAIN AREAS	Communities with floodplain areas may have issues related to Environmentally Assessed and Categorically Excluded activities. Contact the Environmental Officer (248) 858-5309.
INCOME QUALIFICATION	Eligibility for all types of Minor Home Repair, Special Assessment and some Public Services is based on household income and requires 3rd party verification based on HUD Section 8 income guidelines. Contact Contract Compliance (248) 858-0196.
PROCUREMENT	All goods and services must be purchased in accordance with CDBG competitive procurement guidelines. Contact Contract Compliance (248) 858-0196.
ELDERLY DEFINITION	HUD defines elderly person as 62 yrs or more.
SEVERLY DISABLED ADULT DEFINITION = 18 YRS AND OLDER	Use wchair/aid 6/+mo; unable to perform 1/+ func activities; need assist w/daily living instrl activities of daily living; prevented fr work/housework; autism, cerebral palsy, Alzheimer's, senility/dementia mental retardation; or <65 Medicare/SSI.

Oakland County Use Only

FND #	11006	CCN #	1060703	PROGRAM #	172160	SPEND CATEGORY	731712	REGION #	40240
BUDGET REF	2023	PROJ #	GRN - 1004313	ACT	CP	SOURCE	CP		

Services (20% Admin \$1,377.60) and Senior Services \$3,500.00. These programs will be administered for the City through NEXT and a volunteer board appointed by NEXT for the 2023-2024 program year beginning July 1, 2023 and ending December 31, 2024. Costs are derived using the number of low-moderate income persons with new access to service.

B) Federal CDBG Performance Measures are pre-determined for public service activities and include: Goal - Improve Quality of Life; Objective - Suitable Living Environment; Indicator - # of Low/Moderate Income Persons with New Access to Service as reported in the Direct Benefit Activity Report; Outcome - Improved Availability/Accessibility.

Section III. THE SERVICE AGENCY'S RESPONSIBILITIES

The Service Agency shall:

- A) Maintain records pertaining to the monies received and services provided in accordance with this agreement for a minimum of four years from the completion of this agreement. Allow the County of Oakland, the U.S. Department of Housing and Urban Development (HUD), the Comptroller General of the United States and any of their authorized representative's access to financial records pertaining to Community Development Block Grant Funds and this agreement for the purpose of audit or examination.
- B) Provide the Municipality and Oakland County Neighborhood & Housing Development Division a specific unit(s) of measure for all services. NEXT will bill administrative costs 20% of the contract amount.
- C) Provide the Municipality invoices for services rendered based on actual costs.
- D) Submit payment requests that include required supporting documentation monthly or quarterly. Required documentation includes the "Direct Benefit Activity Report" to capture client information.
- E) Provide management and personnel to adequately perform the services prescribed by this agreement.
- F) Be solely responsible for any and all taxes (federal, state and/or local); worker's compensation insurance; disability payments; social security payments; unemployment insurance payments; insurance, and/or any similar type of payments for the Agency or any employee thereof; and shall hold the Municipality harmless from any and all such payments.
- G) Provide insurance in the kind and amount specified by the Municipality. The Municipality shall be named as an additional insured thereon and furnished with a certificate thereof when applicable.
- H) The Agency will not solicit or apply funds from any other source for the services reimbursed under this agreement.

Section IV. THE MUNICIPALITY'S RESPONSIBILITIES

The Municipality shall:

- A) In consideration for services rendered by the Service Agency, pay a total sum not to exceed the CDBG program year funded amount specified above.
- B) The municipality shall require written documentation of the client benefit qualification to be kept on site with the agency.
- C) The municipality must monitor the service agency at least once during the contract period.
- D) Recompense the Service Agency upon receipt of a payment request that includes accurate required supporting documentation from the Service Agency in amounts and time intervals as specified here.

Revised 7/12/17

Payment requests from the Service Agency are to be received monthly, quarterly, or annually.

Section V. COMPLIANCE

- A) The Service Agency shall comply with applicable laws, ordinances, codes and regulations of the Federal, State and local governments.
- B) Client Eligibility: All clients served under this agreement shall be qualified via either the HUD section 8 income verification or the HUD "presumed benefit" verification.

Section VI. DISCRIMINATION PROHIBITED

The Service Agency shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, condition or privileges of employment on a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status pursuant to the Elliot Larsen Civil Rights Act, 1976, P.A. 453. The Service Agency and the Municipality shall also comply with the provisions of the Michigan Handicappers Civil Rights Act, 1976, P.A. 220 and the Federal Rehabilitation Act of 1973, P.A. 93-112, 87 Stat. 394, which require that no employee or client or otherwise qualified handicapped individual shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance. No person shall, on the grounds of race, creed, color, sex, age, national origin, height, weight, handicap, marital status, sexual orientation, or gender identity be excluded from participation in, be denied the proceeds of, or be subject to discrimination in the performance of this contract.

Section VII. PROHIBITION OF POLITICAL AND RELIGIOUS ACTIVITY

There shall be no religious worship, instruction or proselytization as part of, or in connection with, the performance of this agreement. None of the funds, materials, property or services under this agreement shall be used in the performance of this agreement for any partisan political activity, including lobbying, as specified in Federal Circular A-122 Cost Principles for Nonprofit Organizations -- lobbying revisions, or to further the election, defeat, recall, impeachment, appointment or dismissal of any candidate for or from any public office.

Section VIII. GENERAL CONTRACT PROVISIONS

- A) Merger or Integration: This agreement constitutes the entire agreement between the Service Agency and the Municipality with respect to the subject matter hereof; there are no other further written or oral understandings or agreements with respect hereto.
- B) Modification, Assignment or Subcontracting Absent Prior Written Consent: No variation or modification of this agreement and no waiver of its provisions shall be valid unless in writing and signed by the duly authorized officers of the Service Agency and the Municipality. Any alterations, additions or deletions to the terms of this agreement, which are required by the enactment of legislation, regulations and directives, are automatically incorporated into this agreement on the date designated by law, regulation or directive.

Revised 7/12/17

- C) Termination: Either party may, at any time during the life of this agreement, terminate this agreement by giving thirty (30) days written notice to the other party and Oakland County Neighborhood & Housing Development Division of its intention to terminate and an opportunity for consultation prior to termination. In the event of a termination, the Municipality's obligation shall only be to reimburse the Service Agency for services rendered up to notification of termination.
- D) Addendum: A contract duration may be extended or shortened, funds may be added or subtracted via an addendum signed by a representative from the Municipality and the Service Agency indicating the exact changes. The Municipality shall provide a copy to Oakland County Neighborhood & Housing Development.
- E) Hold Harmless: To the fullest extent permitted by law, the Service Agency agrees to indemnify, pay in behalf of, and hold harmless the Municipality, Oakland County Neighborhood & Housing Development, their elected and appointed officials, employees, volunteers, boards, commissions and others working in behalf of the Municipality and/or County, against any and all claims, demands, suits, losses, including all costs connected therewith for any damages which may be asserted, claimed or recovered against or from the Municipality and/or County, 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 the activity authorized by this contract.
- F) Confidentiality: The use or disclosure of information by the Municipality or Service Agency concerning services, applicants or recipients obtained in connection with the performance of the agreement shall be restricted to the purposes directly connected with the administration of the services provided under this agreement. Such information shall not be used for any other purpose unless required by law, statute or other legal process and is disclosed to Oakland County Neighborhood & Housing Development.
- G) Disputes: The Municipality shall notify the Service Agency in writing of its intent to pursue a claim against the Service Agency for breach of any terms of this agreement. No suit may be commenced by the Municipality for breach of the agreement prior to the expiration of ninety (90) days from the date of such notification. Within this ninety (90) day period, the Municipality at the request of the Service Agency must meet with an appointed representative of the Service Agency for the purpose of attempting to resolve the dispute. The Service Agency shall be given the opportunity to cure or remedy any breach within such ninety (90) day period.
- H) Notices: Whenever under this agreement a provision is made for notice of any kind, unless otherwise herein expressly provided, it shall be in writing and shall be served personally or sent by registered or certified mail with postage prepaid to the designated representatives at the addresses supplied below. A copy shall be provided to Oakland County Neighborhood & Housing Development.

- I) Equal Employment Opportunity: The Service Agency shall comply with Executive Order 11246 of Sept. 24, 1965, entitled "Equal Employment Opportunity, "as amended by Executive Order 11375 October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60).
- J) Copeland "Anti-Kickback" Act: The Service Agency shall comply with the Copeland "Anti-Kickback" Act (18 U.S.C.874) as supplemented in Department of Labor regulations (29 CFR part 3). (Applies to contracts and sub grants for construction or repair)_
- K) Reporting/Monitoring Requirements: The Municipality shall monitor the operations of vendor activities under this contract to assure compliance with applicable Federal requirements, contract provisions and that performance goals are being achieved on an annual basis.
- L) Patent Regulations: The Service Agency shall comply with the Municipality's requirements pertaining to patent rights with respect to any discovery or invention, copyrights and rights in data which arise or is developed in the course of or under such contract.
- M) Debarment, Suspension, Ineligibility and Voluntary Exclusion
The Service Agency shall comply with the provisions of 24 CFR Part 24 that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this contract. Additionally, the Contractor shall not use, directly or indirectly, any of the funds provided by this contract to employ, award contracts to, or otherwise engage the services of, or fund any contractor/subcontractor during any period that the contractor/subcontractor is debarred, suspended or ineligible under the provisions of 24 CFR Part 24. Using the SAM.gov website (<https://sam.gov/content>), Oakland County Neighborhood & Housing Development Division has determined, as of the date of this contract that the Contractor is not excluded from Federal Procurement and Non-procurement Programs.
- N) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)
Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

IX. SERVICE AGENCY AND MUNICIPALITY CONTACT INFORMATION

SERVICE AGENCY

MUNICIPALITY

Name: NEXT

Name: CITY OF BIRMINGHAM

Representative Name: Christine Braun

Representative Name: Alexandria Bingham

Phone #: (248) 203-5270

Phone #: (248) 530-1802

Address: 2121 Midvale Avenue

Address: 151 Martin Street

Birmingham, Michigan 48009

Birmingham, Michigan 48009

E-mail Address: cbraun@birmingham.k12.mi.us

E-mail Address: abingham@bhamgov.org

IRS #: 38-2280601

IRS #: 38-6004664

X. CONTRACT ACCEPTANCE

The undersigned indicate by their signatures that they are authorized to act on behalf of their respective party in this capacity. CDBG funds may not be legally obligated until after the municipality has received the official award of funds letter for this program year.

WITNESSES:

NEXT

By: 

Christine Braun
Its: Executive Director

Revised 7/12/17

) ss:
COUNTY OF OAKLAND)

NEXT

Notary Public

Acting in Oakland County, Michigan

My commission expires: 3/25/2030

M BROWN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Mar 25, 2030
ACTING IN COUNTY OF *Oakland*

CITY OF BIRMINGHAM

By: _____

Elaine McLain
Its: Mayor

By: _____

Alexandria Bingham
Its: City Clerk



**BIRMINGHAM CITY COMMISSION REGULAR MEETING
DECEMBER 19, 2022 at 7:30 PM
151 MARTIN, BIRMINGHAM, MI 48009**

PRESENT: Mayor Longe, Mayor Pro Tem McLain, Commissioners Baller, Boutros, Haig, Host, Schafer

ABSENT: None

Resolution Number 12-312-22

Mayor Longe Opened the Public Hearing to consider the 2023-2024 Community Development Block Grant Application at 8:43 pm.

Finance Director Mark Gerber gave an overview of the project.

Seeing no requests for public comment, Mayor Longe closed the public hearing at 8:46 pm.

Motion by Commissioner Host, Seconded by Mayor Pro Tem McLain:

Resolution to approve the Program Year 2023 Community Development Block Grant application with the following projects and respective allocations:

	Approved 2023- 2024**
1. Public Services – Yard Services	\$12,500
2. Public Services – Senior Services	\$3,500
3. Remove Architectural Barriers – Museum Park	\$20,912
Total	\$ 36,912

***** (TO BE DETERMINED BY THE CITY COMMISSION AT THE DECEMBER 19, 2022 MEETING); and authorize the mayor to sign the application, conflict of interest certification, sub-recipient agreement when available, and other documents resulting from this application on behalf of the City and submit the documents to Oakland County.***

**THE CITY OF BIRMINGHAM IS ACCEPTING BID PROPOSALS
FROM QUALIFIED SERVICE PROVIDERS
TO MANAGE AND ADMINISTER A PUBLIC SERVICES PROGRAM
FOR YARD SERVICES AND SENIOR SERVICES
FOR QUALIFIED LOW AND MODERATE-LOW INCOME
RESIDENTS OF THE CITY OF BIRMINGHAM
FOR THE PROGRAM YEAR JULY 1, 2023 THROUGH JUNE 30, 2024**

Bid proposals must include a detailed explanation of the bidder's ability to manage and administer the Public Services Program for Yard Services and Senior Services, the capability of provider having available contractors and staff to do the work required, a detailed cost and/or fees charged to run the above program, and provide reference letters of experience. This program will be funded with Community Development Block Grant (CDBG) funds; therefore, all CDBG program requirements will apply.

All bid proposals will be evaluated by a committee on a **100-point scale** using the following criteria:

1. **CAPABILITY** – Provider's ability to have and maintain qualified contractors and staff on hand to do required CDBG Yard Services, and Senior Outreach Services work. All service work is to be completed in an efficient and well-organized manner. **(25 points)**
2. **EXPERIENCE** – Provider's past experience regarding this type of administration of service will be considered under this criterion. Please include a minimum of three (3) reference letters of experience with the bid proposal request. **(20 points)**
3. **FAMILIARITY (CDBG requirements)** – Provider's familiarity with the Community Development Block Grant (CDBG) program requirements and ability to comply with all CDBG required guidelines. **(20 points)**
4. **METHODOLOGY** – Provider's method of approach or work plan summary to meet municipality requirements for the scope of work specified. **(10 points)**
5. **REFERENCES** – Provide a list of sources. **(10 points)**
6. **COST** – Costs and/or fees charged by Provider to manage and administer the CDBG Public Services Program for Yard Services and Senior Services to the residents of the City of Birmingham. **(15 points)**

ALL BID PROPOSALS ARE DUE BY WEDNESDAY, JULY 3, 2024 AT 2:00 P.M. AT THE CITY OF BIRMINGHAM CLERK OFFICE. BIDS CAN BE EITHER SUBMITTED ELECTRONICALLY TO: KBURRICK@BHAMGOV.ORG OR BIDS CAN BE IN A SEALED ENVELOPE ADDRESSED TO:

CITY OF BIRMINGHAM
CDBG Bid Proposal
ATTN: Kathryn Burrick
151 Martin Street
P.O. Box 3001
Birmingham, MI 48012

The City of Birmingham is an equal opportunity employer. Businesses owned by women or minorities are strongly encouraged to apply. If you have any questions regarding this bid request, please contact Kathryn Burrick in the Finance Department at (248) 530-1815.

AFFIDAVIT OF PUBLICATION

2125 Butterfield Dr, Suite 102N • Troy MI 48084

**City of Birmingham - Clerk
151 Martin**

**Birmingham, MI 48009
Attention: Kathryn Burrick**

**STATE OF MICHIGAN,
COUNTY OF OAKLAND**

The undersigned Cyndy Slater Cyndy Slater, being duly sworn the he/she is the principal clerk of Oakland Press, theoaklandpress.com, theoaklandpress.com2, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

City of Birmingham - Clerk

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theoaklandpress.com	06/12/24
theoaklandpress.com2	06/12/24

VICKI ARSENAULT
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Commission Expires May 11, 2028
Acting in the County of _____

Sworn to the subscribed before me this 13 June, 2024

Vicki Arsenault
Notary Public, State of Michigan
Acting in Oakland County

Advertisement Information

Client Id: 531979

Ad Id: 2611214

PO:

Sales Person: 200309



MEMORANDUM

Human Resources Department

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Christina Woods, Human Resources Manager

SUBJECT: 2024 Certification of Compliance with State of Michigan Public Act 152 of 2011

INTRODUCTION:

Since 2012, Michigan public employers have annually certified compliance with Public Act 152, the Publicly-funded Health Insurance Contribution Act, in order to maintain eligibility for state funding. Previously, this was a requirement for statutory revenue sharing disbursements tied to the Economic Vitality Incentive Program (EVIP) which has been discontinued. Now, the Michigan Department of Transportation (MDOT) uses PA 152 compliance for distribution of state road funds.

BACKGROUND:

Certification of compliance is required by September 30th of each year to guarantee eligibility for road funding in the current fiscal year. A local unit of government may comply with the Act by adopting any one of the following options:

1. Adopt a limitation on flat dollar amounts of employee medical costs by establishing the hard dollar caps set forth by the Michigan Department of Treasury for single coverage, 2-person coverage, and family coverage.
2. Adopt a limitation on a percentage of the total annual medical costs by establishing a maximum employer contribution of 80%.
3. Opt-out by exempting itself from the requirements of the Act by 2/3 vote of the governing body.

Since 2012, the City has elected to exempt itself from the requirements of the Act as a compliance alternative with PA 152 as well as to stay compliant with the current healthcare provisions in the collective bargaining agreements.

LEGAL REVIEW:

The City Attorney has no objection to the suggested commission action.

FISCAL IMPACT:

No fiscal impact is anticipated at this time as the City has elected this exemption since 2012.

SUSTAINABILITY:

No sustainability impact is anticipated at this time.

DESIGN CONSIDERATIONS:

None.

PUBLIC COMMUNICATIONS:

No public hearings or legal notifications are required beyond a 2/3 majority vote of the City Commission at a public meeting.

SUMMARY:

The Human Resources Department recommends a continuation of the current strategy with the City certifying compliance with Public Act 152 by selecting the exemption alternative for the 2024 year, via MDOT Form 2068.

ATTACHMENTS:

- MDOT Form 2068 Annual Certification of Employee-related Conditions

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to claim an exemption from the Publicly Funded Health Insurance Contribution Act 2011 PA 152. Further, to direct the City Engineer and Finance Director to sign the Annual Certification for Employee-related Conditions for the year 2024 and submit the required form to the Michigan Department of Transportation as required by Public Act 51.

PUBLIC ACT 51, SECTION 18j, MCL 247.668j
Annual Certification of Employee-related
Conditions

CERTIFICATION YEAR 2024

CITY OR VILLAGE NAME City of Birmingham

Beginning September 30, 2015, and annually each September 30 thereafter, certification must be made for compliance to Section 18j(1) of Public Act 51 of 1951, MCL 247.668j(1). A local road agency must certify that it has (a) developed an employee compensation plan for its employees as described OR (b) the local road agency must certify that medical benefits are offered to its employees or elected public officials in compliance with the publicly funded health insurance contribution act, 2011 PA 152, MCL 15.561 to 15.569, or, that it does not offer medical benefits to its employees or elected public officials.

☐ Compliance with(1)(a)
I certify compliance with MCL 247.668j(1)(a).
Our compensation plan for employees meets the minimum criteria of MCL 247.668j (a)(i - iv).

☒ Compliance with (1)(b)
I certify compliance with MCL 247.668J(1)(b), and as such, offer one of the following:

☐ I certify that medical benefits are offered to employees or elected public officials in compliance with the publically funded health insurance contribution act, 2011 PA 152; **or**

☒ I certify that the local road agency has exempted itself from the publically funded health insurance contribution act, 2011 PA 152; **or**

☐ I certify that medical benefits are not offered to employees or elected public officials.

☐ Non-compliance with (1)(a) or (1)(b)
I certify that we are not in compliance with MCL 247.668j(1).
I understand that failure to comply with certification of (a) or (b) of MCL 247.668j(1) may result in the withholding of all or part of the distributions made to this local road agency from the Michigan Transportation Fund.

This form must be signed by the Street Administrator and the Treasurer or Financial Director.

SIGNATURE		SIGNATURE	
PRINTED NAME Mark Gerber		PRINTED NAME Melissa Coatta	
TITLE Finance Director	DATE	TITLE City Engineer	DATE

Due Each September 30

Return the completed form to:

Michigan Department of Transportation, Financial Operations Division, P.O. Box 30050, Lansing, MI 48909, **OR**

E-mail to: MDOT-Outreach@Michigan.gov, **OR**

Fax to: (517) 335-1828



MEMORANDUM

Department of Public Services

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Scott D. Zielinski, DPS Director

SUBJECT: Budget Amendment for AC unit Replacement

INTRODUCTION:

Due to the age and condition of the Department of Public Service (DPS) main building some of the older utility systems for the building are reaching an age where unexpected failures of systems can occur. During the week of June 23rd -29th the Foreman's office air conditioner failed. The DPS is looking to replace the air conditioning unit.

BACKGROUND:

During the week of June 23rd to June 29th the air conditioning unit for the Foreman's office failed. The existing unit is an outdated model and part of the repairs would require replacement of its Freon R-22 in addition to other parts and repairs. The DPS was provided a rough estimate for repairs that would be \$15,000.00. The primary cause of the high expense to complete repairs to the unit is caused by the need to replace the R-22, Freon. R-22, Freon has been being phased out due to its environmental impacts, and therefore it is extremely expensive to refill the unit. Given the cost of repair, the efficiency of the existing equipment, and the environmental impacts of the Freon, the DPS determined that replacement of the unit is appropriate.

The DPS received 3 quotes to replace the air conditioning unit. As the DPS is confident that all quoted contractors can complete the replacement, the DPS is recommending the City use Delta Temp to replace the air conditioning unit as they provided the lowest quote to complete the replacement. Delta Temp also has offered to assist the City with acquiring rebates for the new AC unit.

LEGAL REVIEW:

The City Attorney has reviewed the contract for the removal and replacement of the existing air conditioning unit and has no concerns.

FISCAL IMPACT:

Although the DPS originally had funds budgeted in the FY 23/24 budget, due to the purchasing guidelines requiring the DPS to seek multiple quotes, the DPS was unable to obtain quotes and expend funds from FY 23/24 prior to the start of the new fiscal year on July 1, 2024, and thus a budget amendment is required for FY 24/25.

SUSTAINABILITY:

The U.S. Environmental Protection Agency (EPA) banned the production and import of R-22 refrigerant, also known as Freon, on January 1, 2020. This was due to R-22's harmful effects on the ozone layer when released into the air. However, people can still use existing R-22 air conditioners and heat pumps, and servicing needs can be met with recovered or reclaimed R-22. Replacement of the unit allows the City to move away from using R-22 for environmental reasons, and a newer unit provides higher efficiency resulting in lower energy usage.

DESIGN CONSIDERATIONS:

The City reviewed the area that will be serviced by the new unit, our normal operating hours, and general equipment efficiency standards of new equipment with each vendor who provided quotes for replacement of the unit.

PUBLIC COMMUNICATIONS:

None required.

SUMMARY:

The DPS is recommending the City Commission approve a budget amendment to allow for the DPS to replace the Foreman's office air conditioner which has failed.

ATTACHMENTS:

- Quotes from Delta Temp, Control Solutions, and Metro Piping, Inc.
- Unsigned Agreement with Delta Temp for services

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve an agreement with Delta Temp for the replacement of the air conditioning unit for the Foreman's office, in the amount of \$27,750.00 to be funded from account number 101.0-441.000-977.0000, Public Services – General; further, to approve the appropriation and amendment to the fiscal year 2024-2025 General Fund budget as follows:

General Fund

Revenues:

101.0-000.000-400.0000	Draw from Fund Balance	\$27,750.00
Total Revenue		\$27,750.00

Expenses:

101.0-441.000-977.0000	Public Services – General	\$27,750.00
Total Expenditures		\$27,750.00

And further, to authorize the City Manager to sign the agreement on behalf of the City.

Delta Temp Services Inc.

44285 N Groesbeck, Clinton Twp., MI. (248)589-2828 Fax (248)589-5539

City of Birmingham
851 S. Eton
Birmingham, MI 48009

Attn: Connie Folk
Ice Arena and Facilities Superintendent
Project Name: DPW Garage AC
Date: July 9, 2024

Delta Temp Services Inc. is pleased to submit our proposal to provide labor and materials provide replace the existing R22 AC cooling system with a new R410A cooling system. The scope of equipment being replaced would be the (2) DX coils with (2) DX coils, (1) dual circuited condensing unit with (2) single circuited condensing units and piping. This is a heat pump system that will run above 35 degrees F, below 35 degrees F the furnaces will be programmed to heat the space. **If successful we would also help with any DTE rebates that these units will be eligible for.**

Scope:

Samsung 5 ton Hyle

2 Samsung AC B UPCH/AA

- **2 M D U N Control Adapters**
- Inverter driven heat pump condensing unit compatible with air handling units and A-coils with a thermostatic expansion valve
- 100% Rated heating capacity at 5°F (-15°C) outside temperature
- Soft-start compressor minimizing current inrush
- Base pan heater equipped as standard

2 Aspen A coils

- R-410a
- Shipped with TXV
- Cased Coil

Amount.....\$27,750.00

To make repairs to the existing system we would have to pressure test the system and then replace the coils, condensing unit or both depending on the leak location. It is possible that the cost to repair by replacing the condensing unit, repiping and then adding R22 could easily surpass \$15,000.00. 25 lbs of R22 is \$1,687.50 as of today and going up. At this point with R22 being phased out I would not make repairs.

DTSI-David Karasinski

7/9/2024

City of Birmingham
Attn: Connie Folk

Project: AC upgrades
Location: Mechanics garage

Connie,

Control Solutions, Inc. to provide labor and materials necessary to upgrade the existing AC system in the mechanic garage. Our price includes the following:

Equipment Controlled/Monitored:

- Existing Furnaces

Including:

- Provide and install one new 10-ton dual circuit condensing unit
- Provide and install two new A coils to be installed in existing twinned furnaces
- Provide and install two new expansion valves
- R407F refrigerant
- Provide any materials and labor for sheet metal modifications to fit A coils
- All Installation labor and material
- System Start-up and Check-out
- One Year Parts and Installation Warranty

Total Sum: \$30,000.00

Assumptions and/or Exceptions:

- All installation labor and material by Control Solutions, Inc.
- No previous troubleshooting included in this proposal
- Work outside this scope to be quoted
- Reuse existing refrigeration piping

Submitted by: Dan Rademacher
East Branch Manager
Control Solutions, Inc.

Your signature below indicates acceptance of this proposal and authorization to proceed.
Payment terms are Net 30 days

Owner Rep.

Title

Date

Control Solutions Rep.

Title

Date



**CONTROL
SOLUTIONS INC**
West Michigan

PROPOSAL

BUILDING AUTOMATION





**CONTROL
SOLUTIONS INC**
West Michigan

PROPOSAL

BUILDING AUTOMATION





METRO PIPING, INC.

July 9, 2024



City of Birmingham
851 South Eton
Birmingham, MI 48009

Attn: Connie Folk

Re: DPW AC/Furnace Unit

We are pleased to offer our proposal for the above-mentioned project for the **Lump Sum Base Bid price of 32 15.** . The following information is a clarification of our quotation.

Qualifications

- Remove and replace existing AC Unit and associated coils and piping.
- Also included is refrigerant piping, refrigerant, start up, control wiring, insulation and warranty.
- Lead time for R22 equipment is 6 to 8 weeks currently.

We hope this proposal meets with your satisfaction. If you have any questions, or require additional information, please feel free to contact our office.

Respectfully,

John J. Morrison
Metro Piping, Inc.



MMSDC Certified Minority Owned Business

1500 B TROMBLY ST. DETROIT, MI 48211 313.872.4330 313.872.3348 (FAX)

5J

**AGREEMENT FOR PURCHASE OF A AC/HEAT PUMP FOR
FOREMAN'S OFFICE LOCATED AT
CITY OF BIRMINGHAM DEPARTMENT OF PUBLIC SERVICES**

THIS AGREEMENT is entered into this ____ day of _____, 2024, by and between the **CITY OF BIRMINGHAM**, whose address is 151 Martin Street, Birmingham, MI 48009 (hereinafter referred to as the City) and Delta Temp Services Inc., a Michigan company, whose address is 44285 N Groesbeck, Clinton Twp., MI 48036 (hereafter referred to as Contractor) and the foregoing shall collectively be referred to as the parties, and effective upon the date of the City Manager's signature.

WHEREAS, the City desires to have Contractor to purchase and install a new heat pump split system for the foreman's office located at the City of Birmingham Department of Public Services, 851 South Eton, Birmingham, MI 48009 has requested formal price quotes for purchase and install of a new heat pump split system for City of Birmingham and all related work; and

WHEREAS, the City requested quotes for the above mentioned work and Delta Temp Services Inc., Company was the lowest qualified company that provided a response that meets the project requirements to perform the purchase and installation of new heat pump split system for the office located in the foreman's office located at the City of Birmingham Department of Public Services, 851 South Eton, Birmingham, MI 48009.

NOW, THEREFORE, in consideration of the foregoing preambles, the adequacy of which is acknowledged by and between the parties to this Agreement, the parties agree as follows:

MUTUALLY AGREE: It is mutually agreed by and between the parties that the contractor's response dated July 9, 2024 will be fully incorporated for a new heat pump split system for the foreman's office located at the City of Birmingham Department of Public Services, 851 South Eton, Birmingham, MI 48009 and herein by reference shall become a part of this Agreement as attachment A, and shall be binding upon both parties hereto.

- 1. TERM:** This Agreement shall have a term of six (6) months from the date stated above. The City shall have the right to unilaterally terminate this Agreement on thirty (30) days written notice. In the event of termination, the Contractor shall receive compensation for services to the date the termination takes effect and the City shall be entitled to all material associated with the project, whether installed or not by the Contractor through such date.

2. **TERMS OF PAYMENT:** The Contractor will invoice monthly for all labor supplied and work completed. In no event shall invoices be submitted more than 45 days after completion of services. Submitted invoices shall include the following detailed information: the type of work performed, the time spent on the work, the individual who performed the work and the per hour billing rate charged. The City may, at its sole discretion demand review and the right to request at any time further detailed accounting information for any or all bills. The right to inspection of any bill and invoice shall never be at any cost or billings to the City, nor shall preparation of said invoices be billed to the City or against the general retainer. Payment terms will be net 30 days unless otherwise specified by the City.
3. **PERSONNEL:** Contractor shall employ personnel of good moral character and fitness in performing all services under this Agreement.
4. **INSURANCE SUBMISSION REQUIREMENTS:** The Contractor has submitted proof to the City that it meets all City insurance requirements. Insurance, with coverage amounts at no less than the City's minimum requirements, must be held by the Contractor throughout the term of this Agreement. Certificates of insurance as stated below will be required no later than five (5) business days from the date of Contractor acceptance of the terms of this Agreement.
5. **CONFIDENTIAL AND OR PROPRIETARY INFORMATION:** The Contractor 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.

- 6. INDEPENDENT CONTRACTOR:** The Contractor and the City agree that the Contractor is acting as an independent contractor with respect to the Contractor 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.
- 7. COMPLIANCE WITH LAWS:** Contractor agrees to fully and faithfully carry out the duties of set forth herein using its best efforts in accomplishing all assignments from the City, and further, in addition to upholding all federal, and state laws and applicable codes of professional conduct to which Contractor is subject, Contractor hereby agrees to be bound by all Federal, State, or City of Birmingham ordinances, rules, regulations and policies as are amended from time to time, and including without limitation the Fair Labor Standards Act, the Equal Employment Opportunity rules and regulations, the Transportation Safety Act and the Occupational Safety and Health Acts.
- 8. NON-COMPLIANCE WITH INSURANCE REQUIREMENTS:** Failure to deliver and maintain insurance in accordance with the terms of this Agreement will be cause for the City, by and through its City Manager, to terminate this Agreement, or at the City's option, the City may purchase on the open market such required insurance and shall be entitled to charge any additional cost to the Contractor, either by offset to any amounts due and owing Contractor for services provided to the City, or, by separate bill and demand for payment. Nothing in this paragraph shall be deemed to create or be interpreted as establishing a "for cause" termination; Contractor agrees and understands that its engagement is at will and may be terminated by the City Manager for any cause or no cause.

- 9. INDEMNIFICATION:** To the fullest extent permitted by law, the Contractor and any entity or person for whom the Contractor is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City of Birmingham, its elected and appointed officials, employees and volunteers and others working on their behalf against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on their behalf, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arise out of the acts, errors or omissions of the Contractor including its employees and agents, in the performance of this Agreement. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the City.

10. STANDARD INSURANCE REQUIREMENTS:

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

A. Workers' Compensation Insurance:

For Non-Sole Proprietorships: Contractor shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

For Sole Proprietorships: Contractor shall complete and furnish to the City prior to the commencement of work under this Agreement a signed and notarized Sole Proprietor Form, for sole proprietors with no employees or with employees, as the case may be.

- B. Commercial General Liability Insurance:** Contractor shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than **\$1,000,000** per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractor Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.

- C. Motor Vehicle Liability: Contractor shall procure and maintain during the life of this Agreement Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- D. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following **Additional Insureds: The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof.** This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.
- E. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, Contractor shall deliver renewal certificates and/or policies to the City at least (10) days prior to the expiration date.
- F. Proof of Insurance Coverage: Contractor shall provide the City of Birmingham at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City of Birmingham, as listed below.
- 1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance, or a signed and notarized copy of the Sole Proprietor Form;
 - 2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
 - 3) Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;
 - 4) Two (2) copies of Certificate of Insurance for Professional Liability Insurance, if applicable;
 - 5) If so requested, Certified Copies of all policies mentioned above will be furnished.

- G. Maintaining Insurance:** Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the Agreement, the City of Birmingham may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the City of Birmingham shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.

11. WRITTEN NOTICES: Written notices regarding this Agreement shall be addressed to the following:

City: City of Birmingham
P.O. Box 3001
Birmingham, Michigan 48012
Attn: Scott D. Zielinski, DPS Director

Contractor: Delta Temp Services Inc.
44285 N. Groesbeck
Clinton Twp., MI 48036
Attn: David Karasinski, Owner

12. AMENDMENTS: No amendment, modification or supplement to this Agreement shall be binding unless it is in writing and signed by authorized representatives of the parties.

13. WAIVER OF BREACH: No waiver by either party of any breach of any of the terms, covenants or conditions herein contained by the other party shall be construed as a waiver of any succeeding breach of this same or of any other term, covenant or condition.

14. COMPLETE AGREEMENT: The parties agree that the conditions set forth in this Agreement sets forth all terms and conditions of Contractor agreement with the City of Birmingham. This Agreement supersedes all prior agreements or understandings between the parties. There are no promises, conditions or understandings other than those stated herein, and, that any prior negotiations, terms or conditions discussed between the City and the Contractor shall not constitute a part of this Agreement. The term "agreement" as used in this clause shall include any future written amendments, modifications, or supplements made in accordance herewith.

15. DIRECT OR INDIRECT INTEREST: If, after the effective date of this

Agreement, any official of the City, or spouse, child, parent or in-law of such official or employee shall become directly or indirectly interested in this Agreement or the affairs of the Contractor, the City shall have the right to terminate this Agreement without further liability to the Contractor if the disqualification has not been removed within thirty (30) days after the City has given the Contractor notice of the disqualifying interest. Ownership of less than one percent (1%) of the stock or other equity interest in a corporation or partnership shall not be a disqualifying interest. Employment shall be a disqualifying interest.

16. FAILURE TO PERFORM. If Contractor fails to perform its obligations hereunder, the City may take any and all remedial actions provided by the general specifications or otherwise permitted by law.

17. LEGAL PROCEEDINGS: Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 48th District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds \$1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in a federal or state court with jurisdiction over Oakland County, Michigan.

18. RESPONSE TO REQUESTS FOR QUOTES: The Contractor shall be held to and bound by all terms, conditions, warranties and representations which it made in its written response dated July 9, 2024. In the event of a conflict in any of the terms of this Agreement and the Contractor's July 9, 2024 response, the terms of this Agreement shall prevail.

19. FAIR PROCUREMENT OPPORTUNITY: Procurement for the City of

Birmingham will be handled in a manner providing fair opportunity for all businesses. This will be accomplished without abrogation or sacrifice of quality and as determined to be in the best interest of the City of Birmingham.

IN WITNESS WHEREOF, the parties hereto agree to be bound by the above terms and conditions, and Contractor, by its authorized signature below, expressly accepts this Agreement upon the above provided terms and conditions contained in this Agreement as of the date first above written.

Contractor

By: David Karasinski

Its: David Karasinski
Pres.

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this 18th day of July, 2024 before me personally appeared David Karasinski, who acknowledged that with authority on behalf of _____ to do so he/she signed this Agreement.

Andrea Swanson

Notary Public
Macomb County, Michigan
Acting in Oakland County, Michigan
My commission expires: 8/29/26

ANDREA SWANSON
Notary Public, State of Michigan
County of Macomb
My Commission Expires 08-29-2026
Acting in the County of Oakland

CITY OF BIRMINGHAM:

APPROVED:

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

Scott D. Zielinski, DPS Director
(Approved as to substance)

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

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

IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM

Purchase of a AC/HEAT PUMP FOR FOREMAN'S OFFICE LOCATED AT

CITY OF BIRMINGHAM DEPARTMENT OF PUBLIC SERVICES

Pursuant to Michigan Law and the Iran Economic Sanction Act, 2012 PA 517 ("Act"), prior to the City accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must certify that it is not an "Iran Linked Business", as defined by the Act.

By completing this form, the Vendor certifies that it is not an "Iran Linked Business", as defined by the Act and is in full compliance with all provisions of the Act and is legally eligible to submit a bid for consideration by the City.

PREPARED BY
(Print Name)

DATE

TITLE

DATE

AUTHORIZED SIGNATURE

E-MAIL ADDRESS

COMPANY

ADDRESS

PHONE

NAME OF PARENT COMPANY

PHONE

ADDRESS

TAXPAYER I.D.#



CITY MANAGER'S REPORT

July 2024

Baldwin Public Library

Library Board

The Library Board will meet on Monday, August 19 at 7:30 p.m. for its regular meeting. The Board will be voting to adopt the 2025 calendar.

Phase 3 Construction Project

The Phase 3 addition opened to the public on July 9. While several items remain on the punch list, we are happy to have completed the majority of the project. Visitors to the library have been pleased with the results and we have received positive feedback from nearly everyone.

This transformative \$4.1 million project, funded through the library's voter-approved millage and generous donations to the library's Trust, marks the end of the library's three-phase improvement plan. The first phase of renovations included the library's adult services wing and was completed in 2017. Then the youth room was expanded and renovated during the second phase of improvements in 2020.

This final phase of improvements, which broke ground in July 2023, has been designed to enrich the library experience for patrons of all ages and connect the first two renovations together seamlessly.

Key highlights of the project include:

- Accessible street-level entrance equipped with an interior ramp and passenger elevator
- 2,000 square feet addition to house a new vending café and collaboration space
- 3,000 square feet renovation of interior space with new furniture, flooring, and energy-efficient lighting
- Centrally located information and checkout desk with integrated shelving for books on hold and self-checkout machines
- Energy-efficient, glare-reducing glass windows and underground water detention system
- Outdoor plaza and gardens with native plantings
- Addition of four private study rooms for one or two people
- Used Bookshop for the Friends of the Baldwin Public Library

We invite you to mark your calendars for our fall open house and ribbon-cutting ceremony on Sunday, September 15, 2024, from 1:00 to 3:00 p.m. For further details about the project, please visit www.baldwinlib.org/renovation.



Library Tours

If you'd like to learn even more about the library, join Director Rebekah Craft for a Behind the Scenes Tour. You'll visit staff areas, learn how items are added to the collection, and hear about new programs and services. The next tour will meet in the Library's lobby on Thursday, August 8, at 11:00 a.m.

Idea Lab: The Grand Tour

Have you always wondered what the Idea Lab is all about, but were afraid to ask? On Wednesday, August 7 at 7:00 p.m., Jeff will take you on a tour of the Idea Lab, including a quick demo of our exciting equipment. Registration required.

Upcoming events of interest

Baby Play Stations

Monday, July 22 — 11:00 a.m. to 12:00 p.m.

Have fun with your little one at this program filled with activities that highlight different developmental milestones. No registration required.

Cookbook Club

Tuesday, July 23 — 6:30 p.m. to 8:00 p.m.

Join us for a delightful potluck-style gathering where we'll savor the flavors of Deb Perelman's cookbook, "Smitten Kitchen Keepers." Prepare a dish from the book and share it with fellow food lovers. Please note that due to airborne peanut allergies, we kindly request avoiding any dishes containing peanuts.

Idea Lab Event: Screen Printing Extravaganza

Wednesday, July 24 — 7:00 p.m. to 8:00 p.m.

Visit the library, and see our screen-printing rig in action! Choose one of our cool designs, and silkscreen print onto a tote bag! Registration required.

Chocolate Olympics

Thursday, July 25 — 7:00 p.m. to 8:00 p.m.

Put a sweet spin on the Summer Olympics. Compete in a variety of chocolate-based games, races, taste-testing, and more. Please note: allergens may be present. Grades 7-12. Registration required.

Friends 4th Saturday Sale

Saturday, July 27 — 10:00 a.m. to 2:00 p.m.

Stop by the Friends Sorting Room on the lower level to shop exciting new inventory!

Adult Battle of the Books

Thursday, August 1 — 7:00 p.m. to 8:30 p.m.

Wrap up Summer Reading by battling other readers in a literary contest to the death! Or just come have fun with friends who like to read. Your team of up to five adults (18+), will read five books covering a variety of genres and styles. Join us on Thursday, August 1 at 7 p.m. in the Rotary Room to compete with other teams by answering trivia questions based on the books. Prizes and mayhem will ensue!

Learn more about these events and other programs coming to Baldwin at baldwinlib.org/calendar.

Birmingham Museum

Birmingham Museum to Receive Collaborators Award

The Birmingham Museum is proud to announce that it will receive an award from the Association of Midwest Museums for its leadership in a grant-funded multi-community public history project to study Oakland County's Underground Railroad. The Association of Midwest Museums (AMM) represents the eight-State region of the Midwest, including Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio

and Wisconsin. Its mission is to strengthen museums in the Midwest by providing nationally relevant, regionally specific programs, products, and networking opportunities, and it encourages and recognizes professional standards and excellence in the museum field. This year, the AMM has selected the Birmingham Museum to receive a special Collaborators Award to recognize the project and its impact, calling it 'inspiring' and 'extraordinary.' This unique project has generated an enormous amount of information about previously unknown formerly enslaved people who fled the south in the years before the Civil War and were sheltered in communities throughout Oakland County by everyday people who helped them reach safety in Canada.

The initial project began in 2023, with coordination and professional direction by the Birmingham Museum. It included the Farmington Historical Society, Oakland County Pioneer and Historical Society, Royal Oak Historical Society and Southfield Historical Society. Over the past year, the museum has created a database of primary sources identified by the project, designed a traveling exhibit, and provided numerous presentations to the public related to this newly discovered local history. But more than that, the museum has helped the partnering organizations use trained volunteers and their own collections to uncover their stories and explore how they fit into the bigger picture of the anti-slavery movement in Oakland County. This has raised public interest and awareness through school programs, public proclamations, special events, and other support, and has resulted in two more historic site designations with the National Park Service's Underground Railroad Network to Freedom in Southfield and Royal Oak. This public engagement and momentum has resulted in an expansion of the project into a second year, with additional funding, more partners, and the addition of historical organizations in Commerce, Oxford, Rochester, Troy and West Bloomfield.

The second project phase will enlarge the database of research and will create teacher and student resources, including planned Network to Freedom nominations for at least two additional sites. This type of collective effort is highly unusual in the museum field. It demonstrates a highly effective approach to cross-museum collaboration that incorporates creative use of resources and grass roots involvement to do original research that benefits a wide public audience.

The award will be presented to Museum Director Leslie Pielack and Museum Specialist Donna Casaceli at the MMA's annual conference in Columbus, Ohio on August 1, 2024. An additional virtual celebration will take place this fall that will be open to the Underground Railroad project partner organizations. The project will be continuing into 2025 and beyond, and plans are underway in partnering communities to utilize the research from the project in special celebrations and events in 2026, for America's 250th anniversary.

Birmingham Shopping District

Business Anniversaries

The Birmingham Shopping District (BSD) continues to recognize long-standing local businesses with the Business Anniversary program. Recognition includes a watercolor print of the storefront (5+ years), a boosted social media post (10+ years) and recognition at a BSD Board meeting (25+ years), among other things. This year, the BSD will recognize 10 businesses celebrating five years, 17 celebrating 10 years, four celebrating 25 years, one celebrating 50 years and two celebrating 75 years!

Summer Special Events

The BSD hosts nearly 60 special event days drawing over 300,000 attendees to downtown Birmingham each year, building community connections and increasing awareness and patronage of our local businesses. In the past few years, six new special events have been added to our lineup including a fourth outdoor movie night, Spring Stroll, Art Walk, BRRmingham Blast, the Farmers Market's Strawberry Jamboree and the BirminghamBURGER (new this fall!).

With summer event season well underway, BSD staff and volunteers have been very busy hosting, planning and marketing our special events, activities and more throughout the downtown. June and early-July events have seen a record turnout and we look forward to continuing the momentum. July event highlights include:

Sunday, July 14: Second Sunday Fitness at the Birmingham Farmers Market

The Birmingham Farmers Market hosted a free 45-minute yoga session featuring Community Yoga Studio. This is the third session in our ongoing Second Sunday Fitness series, which has been very successful so far this year! The intention of this series is to engage the community in new ways, increase awareness of the market and our local fitness providers, and provide a free opportunity to participate in activities that promote overall wellness within the community.

Friday, July 19: Outdoor Movie Night

Our Outdoor Movie Night series continues to draw hundreds of local families to Booth Park for free, family-friendly entertainment. July's event included a visit from Santa, sponsor exhibits and giveaways, and The Muppet Christmas Carol. June 1-30, the community was invited to vote for the August 9 and September 6 movie titles via Engage Birmingham, and we will be showing Shrek and Space Jam. It is wonderful to see so many families gathering on the hill, playing at the park, and dining and walking through the north side of downtown during our Movie Night events.

Sunday, July 21: Super Farmer Day at the Birmingham Farmers Market

The Birmingham Farmers Market's annual Super Farmer Day featured super-hero themed activities and special visits from our local hometown heroes from the Birmingham Police and Fire Departments. Upcoming market special events include the Corn Festival and Second Sunday Fitness with Jabs Gym on August 11, a Second Sunday Fitness run/walk with Gazelle Sports on September 8, and the Harvest Festival on September 15.

Saturday, July 27: Day On The Town

Day On The Town – the most anticipated retail event of the year – returns Saturday, July 27 from 9 a.m. – 5 p.m. Over 60 merchant sale displays will line the streets and sidewalks throughout downtown offering deeply discounted merchandise to thousands of shoppers from across the region. Food trucks, kids' activities, a chalk artist and free ice cream from the Channel 955 Ice Cream truck will provide entertainment throughout the day. Parking is free in municipal garages during the event.

Building Department

Board of Zoning Appeals

There was one case scheduled for the June 18, 2024 meeting of the Board of Zoning Appeals. However, after public notice of the request was completed it was determined that an additional variance was necessary for this case so it had to be postponed to the July regular meeting. The June meeting was cancelled due to lack of business items.

Online Permit Applications

In the month of June, we processed 376 permits online, bringing this year's total permits processed electronically to 2,239.

Monthly Report

The Building Department's [monthly report](#) shows the previous month's permit activity, along with charts showing the building permit activity trend over the past year.

City Clerk's Office

Elections

Trusted Sources and Outside Organizations

As you know election season comes with an abundance of political communications regarding voting. Outside organizations reach out to voters with texts, emails, phone calls, door knocking, etc.

Many times these outside organizations use old mailing and contact lists for their political communications and sometimes communications from outside organizations can cause confusion or doubt in the voting process. If you have any question about any information you received, please check with your TRUSTED resources.

The Michigan Bureau of Elections provides an abundance of information on mi.gov/vote, where voters can update their registration information, apply for an absentee ballot, track their absentee ballot, find out information such as polling locations, sample ballots, office hours for your local clerk, drop box locations, and so much more.

Additionally, voters can reach out to their local clerk to verify information. Birmingham voters should reach out to the Birmingham City Clerk's Office at elections@bhamgov.org or call 248-530-1880 with any questions regarding their voter registration and information about absentee voting, early voting, or voting on Election Day.

Redistricting Update

A ruling by a panel of three federal judges in a lawsuit, [Agee v. Benson](#), went to trial in November of 2023 alleging that the legislative boundaries drawn up by the [Michigan Independent Citizens Redistricting Commission](#) (MICRC) violated the Voting Rights Act (VRA) by diluting Black voting power in more than a dozen Detroit-area legislative districts. The outcome of this decision has resulted in changes for many Birmingham voters. Birmingham Precincts 1, 2, 4, 6, 7, 8, and 9 will see that the State House District has changed from district 5 to district 6 on their voter ID cards. Voter ID cards were mailed mid-June.

Election Inspectors

The City Clerk's Office is taking applications for Election Inspectors for the August 6, 2024 State Primary Election and the November 5, 2024 General Election. Individuals must be at least 16 years of age and a registered Michigan voter if over the age of 18.

At this time Birmingham is fully staffed but looking to add to our emergency backup inspector list. These inspectors would be on call to work in the event that a regularly scheduled inspector is no longer able to work.

Visit bhamgov.org/vote for more information.

August 6, 2024 - State Primary Election

The initial mailing of absentee ballots has been completed. The Clerk's Office is continuing to mail ballots as requested until the absentee ballot mailing deadline, Friday, August 2, 2024. Voters may also pick up their absentee ballot in person at the Clerk's Office until 4:00 p.m. Monday, August 5, 2024. Please bring your photo ID for this transaction.

November 5, 2024 - General Election

The initial mailing of absentee ballots is tentatively scheduled for the last week of September. If you will be out of town for the November election, please reach out to the clerk's office in early to mid-September to ensure your absentee ballot reaches your desired destination. Absentee ballots cannot be forwarded through the USPS.

Absentee Ballots

Voters with an absentee ballot can...

1. Return your ballot by mail or drop box
*Keep in mind the spoiling ballot deadlines listed below
2. Vote your absentee ballot at one of your Early Voting sites (NEW with Prop 22-2)
3. Vote your absentee ballot at your precinct on Election Day (NEW with Prop 22-2)

Absentee ballots will be issued as requests are received up until the absentee ballot issuing deadlines.

Early Voting Dates for August and November 2024

Day	August 6, 2024 Election	November 5, 2024 Election	Time
Saturday	7/27	10/26	8:30 a.m. to 4:30 p.m.
Sunday	7/28	10/27	8:30 a.m. to 4:30 p.m.
Monday	7/29	10/28	8:30 a.m. to 4:30 p.m.
Tuesday	7/30	10/29	8:30 a.m. to 4:30 p.m.
Wednesday	7/31	10/30	8:30 a.m. to 4:30 p.m.
Thursday	8/1	10/31	12:00 p.m. to 8:00 p.m.
Friday	8/2	11/1	8:30 a.m. to 4:30 p.m.
Saturday	8/3	11/2	8:30 a.m. to 4:30 p.m.
Sunday	8/4	11/3	8:30 a.m. to 4:30 p.m.

Early Voting Locations:

- Waterford Oaks Activities Center, 2800 Watkins Lake Road, Waterford, MI 48328
- Bloomfield Township Public Library, 1099 Lone Pine Rd. Bloomfield Twp., MI 48302

Early Voting is a component of proposal 2022-2 and includes a constitutional right to no less than 9 days of early voting in each Statewide and Federal election (even year election) for no less than 8 hours per day. Early voting will look and feel just like voting on Election Day.

For more information on early voting check out bhamgov.org/vote.

August 6, 2024 State Primary	<u>Important Election Deadlines</u>	November 5, 2024 General Election
Tuesday, July 23, 2024 through Election Day	Same-day voter registration <u>with your local clerk</u> , proof of residency required	Tuesday, October 22, 2024 through Election Day
Friday, July 26, 2024	5:00 p.m. Deadline to spoil an absentee ballot that was already submitted to the Clerk	Friday, October 25, 2024
Saturday, July 27, 2024 through Sunday, August 4, 2024	Early Voting	Saturday, October 26, 2024 through Sunday, November 3, 2024
Friday, August 2, 2024	5:00 p.m. deadline for the clerk to send absentee ballots by first class mail	Friday, November 1, 2024
Monday, August 5, 2024	4:00 p.m. deadline for voters to spoil their absentee ballot that was lost or destroyed in person at the Clerk's Office	Monday, November 4, 2024

Tuesday, August 6, 2024	8:00 p.m. deadline for absentee ballots to be delivered to the clerk for tabulation	Tuesday, November 5, 2024
Friday, August 9, 2024	5:00 p.m. deadline for a voter to cure a signature on an AV ballot return envelope that was otherwise a valid ballot to be tabulated	Friday, November 8, 2024
Monday, August 12, 2024	Deadline to receive and count a ballot submitted by an Overseas Voter postmarked on or before Election Day	Monday, November 11, 2024

Becoming a Permanent Ballot Voter

Since the passage of Proposal 2022-2, clerks now maintain a Permanent Ballot List. Birmingham voters began opting into the Permanent Ballot List by checking the box pictured below on their November 7, 2023 absentee ballot application. This box is also available on the 2024 absentee ballot applications, pictured below.

Voters can opt in or out of the Permanent Ballot list at any time by sending a written request to the City Clerk's Office.

Voters on the Permanent Ballot List should make sure they keep current contact information on file with the City Clerk's Office including mailing address (especially for those that travel outside of Birmingham during times that ballots are being mailed) as well as phone and email contacts. Ballots are not allowed to be forwarded so the Clerk's Office will be contacting all voters whose absentee ballots bounced back to the Clerk's Office in the mail.

No Postage Necessary!

Absentee ballot applications and absentee ballot return envelopes for the entire State of Michigan are equipped with a business reply mail permit that will cover the cost of postage for any ballot or application mailed within the United States.

Return Envelopes - What to look out for

Outgoing absentee ballots (to the voter) are blue.

All absentee ballot return envelopes (coming back to the Clerk) will be purple.

***Remember when using a drop box to only use drop boxes in your assigned jurisdiction.**

Example: Birmingham voters should use the Birmingham ballot drop boxes. Birmingham voters should NOT place their ballot in a drop box from a neighboring jurisdiction such as Troy, Royal Oak or Southfield Township.

Greenwood Cemetery Advisory Board (GCAB)

The next meeting for the GCAB is scheduled for September 6, 2024. To view Greenwood Cemetery Advisory Board agendas and minutes visit www.bhamgov.org/GCAB.

Also note that for those visiting the cemetery and placing decorations for loved ones, it is important to be aware of the [Greenwood Cemetery Operational Procedures, Conditions & Regulations](#), specifically sections II, III, and V.

Board of Ethics

The next Board of Ethics meeting has been scheduled for August 13, 2024 at 4:00 p.m. To view the Ethics Board agendas and minutes visit www.bhamgov.org/ethics.

Additionally, City Clerk Bingham is serving on an ad hoc committee with the Board of Ethics for the City of Detroit to assist in the planning of their 2024 Ethics Conference to be held on Thursday, September 12, 2024.

Board Appointments

The City of Birmingham is looking for dedicated individuals who want to give back to their community by serving on one of our many boards or committees. Birmingham's different boards and committees make recommendations that shape the City's future. Serving on a board or committee is a great way to get involved in your community, meet new people and make a positive impact. Visit bhamgov.org/boardopportunities to view all the available openings and apply to make a difference at bhamgov.org/boardapplication.

Board	Openings	Application due by noon Wednesday before the intended interview date	Interview/ Appointment at City Commission meeting 7:30 pm
Advisory Parking Committee	3 Regular member (BSD Member, retail, resident) terms ending 9/4/2027 1 Regular member (retail) term ending 9/1/2026 1 Alternate member term ending 9/1/2026	8/21/24	8/26/24
Architectural Review Committee	1 Regular member term ending 4/11/2025	Until Filled	
Birmingham Area Cable Board	1 Regular Birmingham resident, term ending 3/30/27 1 Alternate Birmingham resident, term ending 3/30/26 1 Alternate Birmingham resident, term ending 3/30/25	Until Filled	
Birmingham Shopping District	1 Member shall be a business operator or person with interest in property located within the district, 4-year term ending 11/16/2026	Until Filled	
Board of Building Trades Appeals	2 Regular member (builder & engineer) terms ending 5/23/2027	Until Filled	

Board of Review	1 Regular member to serve a 3-year term expiring 12/31/2024 1 Alternate member to serve 3-year term expiring 12/31/2026 1 Alternate member to serve the remainder of a 3-year term expiring 12/31/2025	Until filled	
Board of Zoning Appeals	1 Alternate member term ending 2/18/2026	Until Filled	
Brownfield Redevelopment Authority	1 Regular member term ending 5/23/2026 1 Regular member term ending 5/23/2027	Until Filled	
Historic District Study Committee	1 regular member term expiring 6/25/2027	Until Filled	
Housing Board of Appeals	3 Regular member terms ending 5/4/2026	Until Filled	
Martha Baldwin Park Board	2 Regular member terms ending 5/1/2028	Until Filled	
Multi Modal Transportation Board	2 Alternate members	Until Filled	
Museum Board	1 Regular member term ending 7/6/2026	Until Filled	
Stormwater Utility Appeals Board	2 Regular member terms ending 1/31/2026 2 Alternate members 1/31/2025	Until Filled	
Triangle District Corridor Improvement Authority	1 Resident of the developed area or area within 1/2 mile of the development area, term ending 12/15/2027	Until Filled	

City Manager's Office

Ad Hoc Aging in Place Committee (AIPC)

The AIPC will review the first draft of the City-Wide Action Plan at the July 24, 2024 regular meeting. The meeting will be held at City Hall on Wednesday, July 24, 2024 at 1 p.m.

YMCA Building: Senior/Recreation Center Project

In the past month, City staff, the City's owner's representative and the Ad Hoc Senior/Recreation Committee met twice and accomplished the following:

NORR, LLC (architect) and Kramer Management Group (City's owner's representative) came up with a joint final analysis report that included four options, three of which had an additional option "A" attached for the Senior/Recreation Center Project:
Here are the options:

Option 1 - Renovate Existing Building on Existing Footprint (No Pool)

Next utilizes 75% of the building and the YMCA utilizes 25% of the building. In this scenario, neither Next nor the YMCA gets the programming space that they would like. In this option, there is no pool.

- a. Next: 17,201 sq. ft. (42.3% of building, 70% of usable space)
- b. YMCA: 7,193 sq. ft. (17.7% of building, 29% of usable space)
- c. City of Birmingham Parks and Recreation: 294 sq. ft. (0.7% of building, 1% of usable space)
- d. Facility Areas: 1,527 sq. ft. (3.8% of building)
- e. Circulation Areas: 14,406 sq. ft. (35.5 % of building)
- f. Total Square Footage of Building: 40,631
- g. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$23,037.00, Electric - \$141,640.00): \$184,677.00

BUILDING CONSTRUCTION COST: \$15,462,687.00 (cost per sq. ft. \$380.56)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,425,458.00 (cost per sq. ft. \$133.53)

OPTION 1 TOTAL: \$20,888,144.00 (\$514.09 per sq. ft.)

Option 1A - Renovate Existing Building on Existing Footprint (Pool Included).

Next utilizes 75% of the building and the YMCA utilizes 25% of the building. By including the pool, it takes up almost all of the YMCA's utilization space. Similar to Option 1, both Next and the YMCA do not receive the programming space that they would like. However, in Option 1A, the pool remains.

- a. Next: 17,575 sq. ft. (43.3 % of building, 70% of usable space)
- b. YMCA: 7,394 sq. ft. (18.2 % of building, 30% of usable space)
- c. City of Birmingham Parks and Recreation: 0 sq. ft.
- d. Facility Areas: 1,841 sq. ft. (4.5% of building)
- e. Circulation Areas: 13,821 sq. ft. (34% of building)
- f. Total Square Footage of Building: 40,631
- g. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$23,037.00, Electric - \$141,640.00): \$184,677.00

BUILDING CONSTRUCTION COST: \$15,862,496.00.00 (cost per sq. ft. \$390.40)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,504,360.00 (cost per sq. ft. \$135.47)

OPTION 1A TOTAL: \$21,366,856.00 (\$525.87 per sq. ft.)

Option 2 - Renovate Existing Building and Add Additional Space

In this option, a large addition is added to the north section of the building on two levels (ground floor and second floor). Also, there is the possibility to excavate underneath the addition (underground level) to add either additional space for Next (pickleball courts) or additional space for the YMCA. In Option 2, Next receives additional space to meet most of their programming needs. However, there was not space for more than two pickleball courts. The YMCA also has more space for programing, but not enough for all of their preferred programming needs. No pool was shown in this option. However, the YMCA could opt for the pool if that is how they choose to use their allotted space (same choice from Option 1 and Option 1A).

- a. Next: 27,886 sq. ft. (43.1% of building, 64% of usable space)
- b. YMCA: 7,642 sq. ft. (11.8% of building, 18% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (.05% of building, 1 % of usable space)
- d. City of Birmingham (Optional Future Excavation Space): 7,422 sq. ft. (11.5% of the building, 17% of usable space)
- e. Facility Areas: 2,760 sq. ft. (4.5% of building)
- f. Circulation Areas: 18,570 sq. ft. (28.7% of building)
- g. Total Square Footage of Building: 64,640
- h. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$21,650.00, Electric - \$240,335.00): \$281,985.00

BUILDING CONSTRUCTION COST: \$23,774,798.00 (cost per sq. ft. \$367.80)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$7,963,752.00 (cost per sq. ft. \$123.20)

OPTION 2 TOTAL: \$31,738,550.00 (\$491.00 per sq. ft.)

Option 3 - Demolish Current Building and Build a New Building

In Option 3, all of the programming needs for Next are met (including four pickleball courts). With the additional space of a new building, more of the YMCA's programming needs can be met (additional exercise space). In this option, no pool was included. However, there is sufficient space for a pool to be added if the YMCA chooses to construct a new pool.

- a. Next: 32,068 sq. ft. (43.3% of the building, 59% of usable space)
- b. YMCA: 13,018 sq. ft. (17.6% of the building, 24% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.5% of the building, 1% of usable space)
- d. City of Birmingham (Optional Future Excavation Space): 8,959 sq. ft. (12.1% of the building, 16% of usable space)
- e. Facility Areas: 3,202 sq. ft. (4.3% of the building)
- f. Circulation Areas: 16,373 sq. ft. (22.1% of the building)
- g. Total Square Footage of Building: 73,980 sq. ft.
- h. Operational Costs (Gas - \$17,765.00, Electric - \$155,358.00): \$173,113.00

BUILDING CONSTRUCTION COST: \$28,751,579 (cost per sq. ft. \$388.64)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$9,256,709.00 (cost per sq. ft. \$125.12)

OPTION 3 TOTAL: \$38,008,288.00 (\$513.76 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 3 TOTAL COST with Pool: \$41,608,288.00 (\$530.17 per sq. ft.)

Option 3A – Same as option 3, but the north end of the lower level to be on slab on grade, reducing finished basement area by 7,030 sq. ft. This area is removed from the City of Birmingham space as well as from the gross and net building floor areas.

- a. Next: 32,068 sq. ft. (47.9% of the building, 68% of usable space)
- b. YMCA: 13,018 sq. ft. (19.4% of the building, 27% of usable space)

- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.5% of the building, 1% of usable space)
- d. City of Birmingham: 1,929 sq. ft. (2.9% of the building, 4% of usable space)
- e. Facility Areas: 3,202 sq. ft. (4.8% of the building)
- f. Circulation Areas: 16,373 sq. ft. (24.5% of the building)
- g. Total Square Footage of Building: 66,950 sq. ft.
- h. Operational Costs (Gas - \$16,068.00, Electric - \$140,595.00): \$156,663.00

BUILDING CONSTRUCTION COST: \$27,920,828.00 (cost per sq. ft. \$417.04)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$8,376,784.0000 (cost per sq. ft. \$125.12)

OPTION 3 TOTAL: \$36,297,612.00 (\$542.16 per sq. ft.)

The SCC discussed all of the options. The SCC found consensus among the board members that option 3, a new build, was the preferred choice. The SCC cited the following:

1. Cost: The SCC felt that to spend 15 million dollars on construction costs renovating the existing building where options were limited (main wall that cannot be touched) and where some existing MEP issues would remain (plumbing pipes) did not make sense. The SCC also felt that the cost differential between option 2 and option 3 was not substantial enough to warrant not spending the extra money to achieve greater value in the long run.
 - a. Operational Costs: Operational costs are lowest with option 3. A new building could be designed with efficiency and cost considerations built in.
 - b. In option 3, the possible use of sustainable products could be increased and considered when cost efficient to do so. Currently, the cost considerations are for basic building materials necessary to meet building codes and could be improved upon. Cost considerations of these upgraded features is a major factor to consider.
2. Building Design: The current footprint of the building makes it very problematic to remodel effectively. In option 1 and 1A, in order to make the building accessible for everyone, a considerable amount of space, approximately 35% of the building, would need to be used for circulation areas and not available as usable space. While option 2 provides for more usable space than option 1 or option 1A, it is still compromised by the existing footprint of the building. Option 3 provides for the most opportunity to design the building to meet the needs of Next, most of the needs of the YMCA and to provide the greatest opportunity to design as much "shared space" between the two that would meet their respective service needs and keep the footprint of the building as small as possible.
 - a. With option 3, the final design architect could work with Next and the YMCA to design the building to exactly what they need. There would be no need to compromise design or use that would occur with a remodel using the existing building and its current limitations.
 - b. With option 3, the end result would be a building that would align better with the stated vision and goals for the project.
3. Space Needs: Only option 3 meets the service needs requested from both Next and most of those requested by the YMCA. The importance of this building to the community cannot be understated. The Senior/Recreation Center will be the permanent home for Next and the focal point for the City's older adult population. The inclusion of the YMCA will provide a recreation component as well.
 - a. Circulation space is greatly reduced in option 3.
 - b. Space needs of Next and the YMCA can be clearly defined and any shared space opportunities identified.

After the SCC concluded that a new build was going to be the suggested recommendation to the City Commission, the City's Owner's Representative, Kramer Management Group, felt that it would be important for the City Commission to also examine scaled down versions of a new building. The following two options, listed as option 4 and option 4A are as follows:

Option 4 – This would be a demolition of the existing building and the new construction of a building on-grade that would be 40,000 square feet in size and directly in line with a 75% space allocation to Next and a 25% allocation to the YMCA:

- a. Next: 20,428 sq. ft. (51.1% of the building, 75% of usable space)
- b. YMCA: 6,810 sq. ft. (17% of the building, 24% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.9% of the building, 1% of usable space)
- d. City of Birmingham (Optional Future Excavation Space Deleted): 0 sq. ft.
- e. Facility Areas: 3,202 sq. ft. (8% of the building)
- f. Circulation Areas: 9,200 sq. ft. (23% of the building)
- g. Total Square Footage of Building: 40,000 sq. ft.
- h. Operational Costs (Gas - \$9,600.00, Electric - \$84,000.00): \$93,600

BUILDING CONSTRUCTION COST: \$16,930,289.00 (cost per sq. ft. \$423.26)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,793,093.00 (cost per sq. ft. \$144.83)

OPTION 4 TOTAL: \$22,723,382.00 (\$568.08 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 4 TOTAL COST with Pool: \$26,323,382.00 (\$591.54 per sq. ft.)

Option 4A – This would be a demolition of the existing building and the new construction of a building on-grade that would be 50,000 square feet in size and directly in line with a 75% space allocation to Next and a 25% allocation to the YMCA:

- a. Next: 26,204 sq. ft. (52.4% of the building, 75% of usable space)
- b. YMCA: 8,734 sq. ft. (17.5% of the building, 24% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.7% of the building, 1% of usable space)
- d. City of Birmingham (Optional Future Excavation Space Deleted): 0 sq. ft.
- e. Facility Areas: 3,202 sq. ft. (6.4% of the building)
- f. Circulation Areas: 11,500 sq. ft. (23% of the building)
- g. Total Square Footage of Building: 50,000 sq. ft.
- h. Operational Costs (Gas - \$12,000.00, Electric - \$105,000.00): \$117,000.00

BUILDING CONSTRUCTION COST: \$20,306,615.00 (cost per sq. ft. \$388.00)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$7,079,893.00 (cost per sq. ft. \$125.00)

OPTION 4A TOTAL: \$27,386,508.00 (\$513.00 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 4A TOTAL COST with Pool: \$30,986,508.00 (\$568.56 per sq. ft.)

SSC Recommendation:

The Senior/Recreation Center Committee (SCC) received the final report from NORR, LLC on the building assessment and the conceptual design plan options and cost estimates. City staff, the owner's

representative and the SCC thoroughly examined the final report. Based upon that analysis, it is the recommendation of the Ad Hoc Senior/Recreation Center Committee that the City Commission select Option 4A contained within the Kramer Management Financial Analysis Worksheet. Option 4A calls for the current building to be demolished and a new building to be built in its place. The size and scope of building currently is listed at 50,000 sq. ft. and carries an estimated cost of \$27,386,508.00. A new build has numerous advantages over the current building, which has building code and accessibility issues, aged mechanical, plumbing and electrical systems, structural issues that limit renovation options, and an inefficient layout that is not conducive to its intended uses. The proposed cost of renovating the current building (Option 1) came in at \$20,888,145.00 for 40,631 sq. ft. (\$514.09 per sq. ft.) Option 4A, a 50,000 sq. ft. new build, came in at \$27,386,508.00 (\$513.00 per sq. ft.). For the additional \$6,498,363.00, the City will be able to provide a modern, cost efficient building with a layout that meets all building, accessibility and safety codes, provides for the necessary space and programming needs of Next and for the agreed upon space for the YMCA.

The SCC believes that when all the factors are considered, including costs, building design elements and programming and space allocations, the best recommendation to the City Commission is Option 4A, a new build, 50,000 sq. ft. building not to exceed 28 million dollars in cost and the consideration to add a pool at a cost not to exceed 3.6 million dollars.

Communications

Share Feedback on Engage Birmingham

The City's online public engagement platform, [Engage Birmingham](#), makes it easier than ever for the community to share feedback at a place and time that is convenient for them.



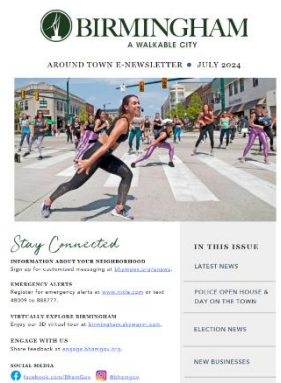
Share your feedback now on these projects:

[Historic Preservation Master Plan](#)

[Sustainability Goals](#)

Around Town e-Newsletter

The communications team is working on the August edition of the Around Town e-Newsletter, which will include information about the August election, Birmingham Cruise Event, progress on the Birmingham Green: Healthy Climate Plan, and more. Follow [this link to view the July edition](#) of the Around Town e-Newsletter.



Receive Updates from Birmingham

Receive the latest news from Birmingham by signing up to receive our newsletter and alerts at bhamgov.org/enews. Subscribers receive important information specific to their neighborhood, emergency alerts and our newsletter featuring upcoming events, meetings, City projects, developments and more. Also follow us on [Facebook](#) and [Instagram](#) @BhamGov.

City Board and Committee Promotions

The communications team has released a second video promoting board and committee openings. The video, [available to view here](#), features Parks and Recreation Board member Jessica Einstein discussing many reasons why residents should consider joining a board or committee. Thank you, Jessica!

Understanding Your Tax Dollars

The communications team worked with Finance Director Mark Gerber to create a document to help residents understand where their tax dollars go. The document also explains that Birmingham does not have a high local tax rate compared to surrounding communities. The document will be included in social media posts and the Around Town e-Newsletter. View the document and other tax information at bhamgov.org/taxes.

BIRMINGHAM CITY COMMISSION - UPCOMING AGENDA ITEMS

Meeting	Topic	Dates Addressed	Status
7/8/24	Pesticides	7/8/24	In progress
6/3/24	Installing sidewalks on new build projects	6/3/24 7/22/24	In progress
5/20/24	RFP Process	6/3/24	In progress
5/6/24	Garbage/Dumpsters Downtown	5/6/24 7/8/24	In progress
5/6/24	Consider moving up road project on Lincoln east of Eton	5/6/24 7/8/24	In progress
4/15/24	Discuss City property on Shirley Road that is not designated as Right of Way	4/15/24	In progress
4/8/24	Annual update on electric lawn equipment	4/8/24	In progress
4/8/24	Update Advisory Parking Committee duties	4/8/24	In progress
2/12/24	City-run events and sponsors	3/4/24 7/8/24	In progress
10/2/23	Implementation of crosswalk standards	10/2/23 10/16/23 11/13/23	In progress
5/8/23	Woodward noise	5/8/23 6/5/23	In progress
2/27/23	Bench and Little Library for Pat Andrews	3/13/23 5/8/23	In progress

Department of Public Services

Poppleton Park Multipurpose Courts

The tennis courts at Poppleton Park now have light blue pickleball lines, making them suitable for either tennis or pickleball. Picklers are asked to bring their own weights for the nets, as they will remain at the regulation height for tennis.

Booth Park Entry Plaza & Trail Improvements Update

Over the past month, the preliminary park landscape plan has been shared with the Multi-Modal Transportation Board, Wayfinding Committee and the Planning Board, and has been an on-going item at the Parks and Recreation Board. The plan is continuously updated based upon feedback and will go to the City Commission in August for a cursory review for input before finalizing plans for construction.

Manor Park Sustainable Planting Demonstration Areas

Recently, the Parks and Recreation Board approved a trial area for a natural area demonstration at Manor Park. Naturalizing areas in parks to eliminate maintained turf is one way to shift toward more sustainable practices, which is a goal of the City Commission. The demonstration areas at Manor consist of three different types of “no-mow” areas along the edge of the wooded areas. Section 1: un-mowed turf, Section 2: un-mowed turf with scattered native wildflower seed, Section 3: turf removed with native wildflower seed mix. Staff will monitor these areas and determine appropriate future installations based on findings.

Engineering Department

2024 Construction Update

Redding Road Project

Construction of this project started in April. Crews are completing the underground work and they are prepping for road and sidewalk construction. Redding Road is closed westbound between Lake Park Drive and Woodward Avenue. Local traffic only is being maintained eastbound on Redding Road.

Edgewood Road Project

Construction of this project started in April and concrete pavement is currently being installed. Local traffic only is being maintained southbound on Edgewood Road. Also included in this project is a water main replacement on Grant Street between Humphrey and Bennaville Road. The contractor has installed the water main and will complete pavement restoration this month.

2024 Asphalt Resurfacing Program Project

The contractor is working on trench maintenance repairs throughout the City. They will complete this prior to starting the resurfacing of asphalt streets.

2024 Trip Elimination Services

This project includes saw cutting concrete sidewalks to eliminate trip hazards. The contractor started work on this project and the targeted area is Area 8 – Adams Road to Coolidge Hwy, and Maple Road to the north City Limits.

MDOT – Woodward Ave. and Brown/Forest Intersections

The mast arms have been fabricated and shipped to the area but MDOT rejected them due to manufacturing issues with coating. They are being worked on, and MDOT anticipates construction will restart immediately following the Woodward Dream Cruise in August.

Upcoming Construction Projects

The following construction projects are scheduled to start either at the end of July or in August. Affected property owners will receive notices with detailed information:

- 2024 Sewer Rehabilitation Program

- Arlington, Shirley and Brandon Project
- Pierce Alley and West Maple Alley
- Oakland and Haynes Project
- 2023 Concrete Program

Illicit Discharge to Rouge River

The City has determined the source of the sanitary sewer discharge and discussions are occurring with the property owner. We have been keeping the Michigan Department of Environment, Great Lakes, and Energy (EGLE) aware of the City's progress in finding the source.

Water Service Verification Program

The City has a deadline of October 16, 2024, to submit material information from 364 water services to the Michigan Department of Environment, Great Lakes, and Energy (EGLE). The City randomly selected 364 water services to verify the material for this ELGE requirement and currently, 86 properties still need to verify the "In-Home/Business" water service line material.

The City will be knocking on doors to talk to property owners about verifying the "In-Home/Business" water service line material. If a property owner is not home, a flier will be left with the next steps. 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.

Lead Service Replacement Program

The City will be starting a door-knocking effort to replace lead water services at no cost to property owners. If the property owner is not available, a flier will be left. Flier recipients should follow the steps in the flier to schedule your water service replacement.

To learn more about these projects or programs, please contact the Engineering Department at (248) 530-1840.

Finance Department

On June 27, 2024, the City closed on the last bond issuance of the Parks and Recreation Bond Proposal approved by voters in November 2020. This was a competitive bond sale with 8 bids received. Huntington Securities was chosen to be the broker of the bonds, as their bid offered the lowest true interest cost. The par value of the bonds was \$5,855,000, sold at a premium of \$363,268.40 for a total of \$6,218,268.40 in bond proceeds. There was approximately \$114,000 in bond issuance costs. The true interest cost of the bonds was 3.76%. The bonds will have principal payments starting in October of 2026 with the final payment in October 2041.

Fire Department

The Birmingham Fire Department will soon start a new unique community Narcan Leave Behind Program. This program will be the first of its kind in the County. Birmingham Firefighter/Paramedics will have Narcan kits for patients who have a history of opioid addiction or risk indicators. The leave-behind Narcan kit, including training in its use, will be offered to patients, family members, or friends associated with the patient. Each kit will have literature on how to receive support to get help for addiction. Furthermore, each participant in this program will have a Mental Health Co-Responder (through the Birmingham Police Department's program) who will follow up to offer additional assistance.

Although Birmingham does not have an opioid issue, we do have cases of abuse where this one-of-a-kind three-tiered approach will give those in need the best chance of long-term survival. Once the final details are in place, a press release will be issued.



Human Resources

The City of Birmingham extends warm congratulations to our newly hired employees as of July 11, 2024. Their skills, expertise, and enthusiasm are a valuable addition to our team.

Department	First Name	Last Name	Position	Type
Parking	Mike	Valle	Parking Facilities Maintenance	Full-Time
Golf	Hank	Callison	Seasonal Jr Ranger	Seasonal
Golf	Alexander	Iannuzzi	Seasonal Club Maintenance/Service	Seasonal
Golf	Valentino	Samartino	Seasonal Jr Ranger	Seasonal
Golf	Kelci	Sikorsky	Seasonal Jr Ranger	Seasonal
Golf	Harrison	Ahmad	Seasonal Jr Ranger	Seasonal
Golf	Carsten	Lozser	Seasonal Jr Ranger	Seasonal
DPS	Tedd	Tice	SSW Operator	Full-Time (Teamsters)
Golf	Zoe	Zinchook	Seasonal Club Maintenance / Service	Seasonal
Golf	Ethan	Thomas	Seasonal Jr Ranger	Seasonal

July Hiring Anniversaries

The City of Birmingham celebrated the hiring anniversaries of several employees. We extend our heartfelt appreciation for their exceptional service and unwavering dedication. Their contributions are deeply valued and recognized.

Years Of Service	Employee		Department	Position
1	Rachel	Matti	HR	HR Generalist

1	Jeremy	Turner	Fire	Firefighter
1	Nathan	Baranski	DPS	P&F Operator
1	Ashley	Martin	Parking	Pt Parking Enforcement
2	Makenzy	Vincent	Golf	Seasonal Club Maintenance/Service Ft
2	Eric	Brunk	IT	Director Of IT
2	Valerie	Pitts	Treasury	Clerk/Typist B
2	Melissa	Coatta	Engineering	City Engineer
2	Destinee	Watson	Police	Police Dispatcher
3	Sheila	Sweeting	Library	Library Assistant II
5	Richard	Waynick	Parking	Parking Meter /Crossing Guard
6	Andrew	Erickson	Building	Inspector Building
6	Jeffrey	Rondeau	Building	Inspector Building
7	Jaimi	Brook	BSD	Operations & Events Manager
8	Brandi	Ljungvall	Police	Support Staff C
9	Stefan	Syts	Police	Police Officer
9	Rebekah	Craft	Library	Library Director
9	Christopher	Morton	Engineering	Engineering Tech Senior
24	Pamela	Reed	Treasury	Clerk/Typist B
24	Christopher	Koch	Police	Police Captain
26	Jennifer	Davis	Police	Police Coordinator
34	Connie	Folk	DPS	Ice Arena And Facilities Superintendent

Hiring Status

The City is seeking candidates for the following positions. Below is the current status of each opening. To apply or for more information, visit www.bhamgov.org/jobs.

Department	Position	Type	Status
DPS	Recreation Coordinator	Full Time (AFSCME)	External Posting closing 7/17/2024
DPS	SSW Assistant Foreman	Full Time (TEAMSTERS)	Internal Posting closing 7/15/2024
Police	Crossing Guard	Seasonal	External Posting closing 8/7/2024
Golf	Junior Ranger	Seasonal	Open Until Filled

Golf	Clubhouse Service	Seasonal	Open Until Filled
Golf	Golf Maintenance	Seasonal	Open Until Filled
DPS	Park Attendant	Seasonal	Open Until Filled
DPS	Parks Laborer	Seasonal	Open Until Filled
DPS	Ice Arena Concessions/Maintenance	Part Time	Open Until Filled
Building	Plumbing Inspector	Full Time	Open Until Filled
Community Development	Support Staff A	Full Time (AFSCME)	Reviewing Applicants
Engineering	Public Works Inspector	Seasonal	Interviews Scheduled
Finance	Finance Director Designee	Full Time	Interviews Scheduled
Building	Electrical Inspector	Full Time (AFSCME)	Onboarding
BSD	Public Relations and Marketing Specialist	Part Time	Onboarding

Planning Department

Planning Board

A tentative Planning Board list of scheduled and/or recently completed items is provided below:

1. 685 W. Maple – Kroger/Volta – Design Review request to install electric vehicle charging stations in rear lot (completed June 26, 2024)
2. 139 W. Maple – Field Building – Preliminary Site Plan Review request for four-story addition to rear of existing commercial building (completed June 26, 2024)
3. 33278 Woodward – Ducati Detroit – Request for Special Land Use, Final Site Plan and Design Review for Regulated Use (Motorcycle Sales) (July 10, 2024)
4. Triangle District Mixed-Use Standards – Study Session (July 10, 2024)
5. 245 Townsend – Parkview Townhomes – Request for Final Site Plan and Design Review for new attached single family development (July 22, 2024)
6. The Birmingham Plan 2040 – Prioritization of Key Actions (August 14, 2024)

Ad Hoc Environmental Sustainability Committee (ESC)

The ESC is making the final push to solicit feedback on the goals of the sustainability and climate action plan through a survey on Birmingham Engage ([SUSTANABILITY GOALS](#)). At this time, the survey is planned to close on July 24, 2024. Shortly after, on July 29, 2024, the ESC will be reviewing a 95% draft of the Birmingham Green: Healthy Climate Plan and will determine whether or not it will be released for Phase 3 of the public engagement plan, which is public comment. Should you have any questions about the progress of the project, how to engage, or wish to provide general feedback, please do not hesitate to contact Planning Director Nick Dupuis (ndupuis@bhamgov.org) or City Planner Leah Blizinski (lblizinski@bhamgov.org). Below is a list of the deliverables and activities we are currently engaged in with details on progress and next steps for each

- **Public Engagement Phase 2 (Ongoing)**
 - Close Survey #2 – July 24, 2024
 - Presentation @ NEXT – July 30, 2024 – 1 PM
- **Public Engagement Phase 3**
 - Open Final Draft of the Birmingham for Public Comment – August-September 2024
- **Greenhouse Gas Emissions Inventory (100%)**
 - Publish on City Website – July 2024
- **Sustainability and Climate Action Plan (95%)**

- Conclusion Sections – July 2024
- Glossary/Appendix/Citations – August-September 2024

Historic District Commission & Design Review Board

The Historic Preservation Master Plan will be discussed at the Historic District Commission and Design Review Board meeting on August 7, 2024.

Police Department

Accreditation Approved through 2027

On June 18, 2024, the Police Department Accreditation Team had our final hearing in front of the Michigan Association of Chiefs of Police Accreditation Panel for final approval to renew our accredited status. Accreditation is a progressive and time-proven way of helping law enforcement agencies calculate and improve their overall performance. The foundation of accreditation lies in the adoption of standards containing a clear statement of professional objectives. Upon completion of the hearing the Birmingham Police Department was approved and remains accredited through June of 2027. This accreditation status represents a significant professional achievement and acknowledges the implementation of policies and procedures that are conceptually sound and operationally effective.

Police Department Open House & Bike Rodeo

The community is invited to meet police officers—including Therapy K9 Maple—and learn about their work to keep the community safe at the Birmingham Police Department Open House & Bike Rodeo on Saturday, July 27, 2024 from 10 a.m. to 1 p.m. on Martin Street and Pierce Street near Birmingham City Hall. The open house will take place during the Birmingham Shopping District's Day On The Town retail event.

Birmingham Police Chief Scott Grewe and other officers will welcome community members as they demonstrate a variety of resources their department provides and hand out plenty of swag and ice cream. Attendees will enjoy an evidence technician demonstration, vehicle display, drone demonstration, driving simulator and photo booth with police props. The community will learn about the Adopt a Senior program, Michigan State Police Bomb Squad, Oakland Community Health Network and Comfort Canine/Therapy Dogs.

Attendees will also have an opportunity to operate a pedal cart with intoxication goggles, and the Birmingham Fire Department will demonstrate a simulated vehicle extrication. Birmingham staff members will be available to assist with prescription drug drop off and will hand out free gun safety locks.

Bike Rodeo

Throughout the open house, children of all ages are invited to participate in a bike rodeo featuring a fun and educational bicycle course. Several different stations will teach basic riding and safety techniques. Attendees will learn about City of Birmingham bicycle licenses (for residents) and receive a basic bicycle inspection, helmet fitting, participation certificate and safety equipment. For the safety and enjoyment of all, it is important that all participants bring their own bicycles and helmets.

Learn more at bhamgov.org/policeopenhouse.

Parking Systems Update

Repairs

The City Commission approved the proposed 2024 Chester Garage Repair Project at the June 24 City Commission meeting, however they elected to remove all lighting and painting components from the project as they were deemed to be aesthetic and should be handled separately. The primary project objectives are to address structural, waterproofing, stairwell improvements and stairwell window glazing repairs. Also included are mechanical, electrical, and plumbing system repairs and upgrades. The project is estimated to begin in late July and take twelve to fifteen months to complete.

The City Commission also directed City staff to draft an RFP for Parking Garage Interior Design Services. The intent of the RFP is to hire a qualified firm to provide interior design services for all five City garages. The goal is to make the City's garages nicer, friendlier and more inviting for those who use them. The selected firm will be expected to provide input on new lighting, painting and paint colors, and recommend artistic elements and any additional aesthetic improvements to the garages.

Operations

As part of the transition from SP+ to City control, the Parking Department filled the last two open fulltime maintenance positions. There are currently four fulltime maintenance staff and one fulltime Lead Attendant. These staff members are responsible for the day to day cleaning and upkeep of the five City garages.

Parking Reports

Download the [June 2024 Parking Report](#) to view the following data: total citations issued, average weekly maximum capacity, meter revenue by amount and percentage, monthly passes compared to garage capacity and monthly permits sold.

Future Agenda Items

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



MEMORANDUM

Treasury

DATE: July 10, 2024

TO: Jana L. Ecker, City Manager

FROM: Ryan Katz, Deputy Treasurer
Mark Gerber, Finance Director/Treasurer

SUBJECT: Confirmation of SAD Roll 911 N. Adams Road Resurfacing – Sewer and Water Laterals

INTRODUCTION:

A public hearing of Confirmation of the Special Assessment Roll for the N. Adams Road Resurfacing Program is being held on July 22, 2024. The special assessment will reimburse the City for improvements made. If the City Commission approves the roll, the property owners who benefit from these improvements will be billed for the cost of the improvements.

Comments during the hearing of confirmation are limited to those questions specifically addressing the assessment roll pursuant to Section 94-9 of the City Code.

BACKGROUND:

At the City Commission meeting on July 8, 2024, the City Commission determined the necessity of the N. Adams Road Resurfacing Program and a hearing of Confirmation of the Special Assessment Roll was set for July 22, 2024.

LEGAL REVIEW:

The City Attorney has reviewed the suggested resolution for compliance with City Code. The purpose of this hearing is to review and hear any objections to the Special Assessment Roll. The Special Assessment Roll is a listing of all of the properties to be assessed for improvements. Pursuant to the City Code at section 94-9, whenever a Special Assessment Roll shall be confirmed by the City Commission, it shall be final and conclusive.

FISCAL IMPACT:

If confirmed, the preliminary assessment roll would be \$72,140.38. Once the project is completed and final costs are known, the roll will be adjusted to actual costs as provided by City Code. Property owners have five (5) years to pay the special assessment.

SUSTAINABILITY:

Replacing laterals that do not meet the City's requirements during a construction project will protect the new road from disturbance of either sewer or water lateral replacement. This project will also install a portion of a separate storm sewer that will drain to an existing storm sewer along the west side of N. Adams Road.

DESIGN CONSIDERATIONS:

The previous decision by the City Commission to reduce the road to 3 lanes occurred at the March 4, 2024 City Commission meeting. The feasibility of adding a sidewalk along the west side of the N. Adams Road bridge is currently being researched.

PUBLIC COMMUNICATIONS:

Property owners were notified by mail of the public hearing dates. If the City Commission confirms the Special Assessment Roll, the Treasurer's office will notify the property owners in the Special Assessment District of the confirmation and the lien on their property.

SUMMARY:

The Treasurer's office recommends that the City Commission conduct the hearing of Confirmation of Special Assessment District Roll No. 911 and further to confirm the roll as attached to this report.

ATTACHMENTS:

- Proposed Special Assessment Roll
- Memorandum: Hearing of Necessity for N. Adams Road Resurfacing Program SAD

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution confirming Special Assessment Roll 911 as follows:

WHEREAS, Special Assessment Roll, designated Roll No. 911, has been heretofore prepared for Collection; and

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

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

WHEREAS, the Commission Resolution 07-483-24 provided it would meet this 22nd day of July, 2024 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this July 22, 2024, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 911 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in five (5) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments.

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
19-25-279-017	1001 N ADAMS RD	\$ 857.50	\$ -
19-25-279-018	1013 N ADAMS RD	\$ 857.50	\$ -
19-25-279-019	1025 N ADAMS RD	\$ 857.50	\$ -
19-25-279-020	1037 N ADAMS RD	\$ 857.50	\$ -
19-25-279-021	1049 N ADAMS RD	\$ 857.50	\$ -
19-25-279-022	1051 N ADAMS RD	\$ 857.50	\$ -
19-25-279-023	1063 N ADAMS RD	\$ 857.50	\$ -
19-25-279-024	1075 N ADAMS RD	\$ 857.50	\$ -
19-25-279-025	1087 N ADAMS RD	\$ 857.50	\$ -
19-25-279-026	1099 N ADAMS RD	\$ 857.50	\$ -
20-30-151-001	1100 N ADAMS RD	\$ -	\$ 7,375.00
20-30-151-002	1050 N ADAMS RD	\$ 12,765.00	\$ 7,375.00
20-30-151-007	1109 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-008	1109 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-009	1109 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-010	1109 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-011	1109 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-012	1109 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-013	1109 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-014	1109 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-015	1127 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-016	1127 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-017	1127 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-018	1127 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-019	1127 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-020	1127 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-021	1127 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-022	1127 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-023	1155 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-024	1155 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-025	1155 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-026	1155 DERBY RD APT 7	\$ 49.66	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-027	1155 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-028	1155 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-029	1155 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-030	1155 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-031	850 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-032	850 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-033	850 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-034	850 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-035	850 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-036	850 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-037	850 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-038	850 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-039	868 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-040	868 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-041	868 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-042	868 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-043	868 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-044	868 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-045	868 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-046	868 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-047	1195 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-048	1195 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-049	1195 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-050	1195 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-051	1195 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-052	1195 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-053	1195 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-054	1195 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-055	1225 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-056	1225 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-057	1225 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-058	1225 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-059	1225 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-060	1225 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-061	1225 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-062	1225 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-063	1245 DERBY RD APT 1	\$ 49.66	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-064	1245 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-065	1245 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-066	1245 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-067	1245 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-068	1245 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-069	1245 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-070	1245 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-071	880 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-072	880 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-073	880 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-074	880 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-075	880 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-076	880 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-077	880 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-078	880 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-079	898 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-080	898 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-081	898 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-082	898 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-083	898 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-084	898 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-085	898 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-086	898 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-087	946 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-088	946 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-089	946 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-090	946 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-091	946 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-092	946 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-093	946 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-094	946 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-095	928 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-096	928 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-097	928 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-098	928 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-099	928 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-100	928 N ADAMS RD APT 5	\$ 782.38	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-101	928 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-102	928 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-103	910 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-104	910 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-105	910 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-106	910 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-107	910 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-108	910 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-109	910 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-110	910 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-111	964 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-112	964 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-113	964 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-114	964 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-115	964 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-116	964 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-117	964 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-118	964 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-119	982 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-120	982 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-121	982 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-122	982 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-123	982 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-124	982 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-125	982 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-126	982 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-127	900 N ADAMS RD	\$ 782.38	\$ -

\$57,390.38 \$14,750.00



MEMORANDUM

Engineering Department

DATE: June 28, 2024

TO: Jana L. Ecker, City Manager

FROM: Melissa A. Coatta, City Engineer

SUBJECT: N. Adams Road Resurfacing, Contract #12-24(P)
Hearing of Necessity for Sewer and Water Lateral Special Assessment
District (SAD)

INTRODUCTION:

Some water and sewer laterals will be replaced as part of the upcoming N. Adams Road Resurfacing Program where a new water main will be installed from Mohegan Street to Putney Street, in addition to spot sewer repairs. The City plans to replace private sewer and water laterals that meet "useful life" criteria within the City's right-of-way (ROW) in an effort to protect public investments.

BACKGROUND:

The north end of Adams Road, from south of Madison Street to the northern City limits, will be resurfaced. At the March 3, 2024, City Commission meeting, a resolution was approved to direct the Engineering Department to proceed with the final design of the N. Adams Road Project from Madison Street to the northern City limits to reduce the existing 4 lanes to 3 lanes, and to investigate installing a sidewalk on the west side of Adams Road.

The existing watermain on this portion of N. Adams Road is 12" diameter, and was installed in 1924. The City has experienced several water main breaks on the 12" diameter water main north of Mohegan Street. The plans call for the replacement of this water main with the same size, 12" diameter from Mohegan Street to Putney Street.

In regards to the sewer, the project plans to separate a portion of the combined sewer at the north end of the project and install new storm sewer to connect to an existing storm sewer. There is a portion of the existing sewer in the center of N. Adams Road near Putney that needs open excavation for a spot repair.

In accordance with the current City policy established to protect the public investment being made with capital improvement projects in the public roadway, the following is proposed:

- Replacement of all sewer laterals near the open excavation of sewer repair that are 50 years of age or older, are less than 6" diameter or are constructed of an unsuitable material. All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC or match existing size if larger than 6".
- Replacement of water services in the area of the water main replacement that are 60 years of age or older, are less than one inch in diameter, or are constructed of an unsuitable material. All unsuitable water services will be replaced with a new 1-inch diameter service, or be replaced to match the existing diameter if greater than 1 inch.

LEGAL REVIEW:

Chapter 94 – Special Assessments of the Birmingham City Code outlines the process by which a special assessment is conducted in the City of Birmingham. This project will follow the prescribed City Code procedures. The City Attorney has no objections.

FISCAL IMPACT:

Revenue generated from the water and sewer lateral SAD for the N. Adams Resurfacing project will defray the cost incurred by the City for the construction of these improvements. The property owners pay one hundred percent (100%) of the cost for laterals within the ROW. This cost can be paid back in either a lump sum or over up to a 5-year period with interest. The interest rate will be confirmed at the Confirmation of the Roll Hearing.

SUSTAINABILITY:

Replacing laterals that do not meet the City's requirements during a construction project will protect the new road from disturbance of either sewer or water lateral replacement. This project will also install a portion of a separate storm that will drain to an existing storm sewer along the west side of N. Adams Road.

DESIGN CONSIDERATIONS:

The previous decision by the City Commission to reduce the road to 3 lanes occurred at the March 4, 2024 City Commission meeting. The feasibility of adding a sidewalk along the west side of the N. Adams Road bridge is currently being researched.

PUBLIC COMMUNICATIONS:

The Clerk's Office distributed the notice of Hearing of Necessity. The Engineering Department sent a letter to all property owners explaining the scope of work with the notice. A property owner's meeting will occur closer to the start of construction.

SUMMARY:

The Engineering Department recommends that the City Commission declare the necessity and approve a Special Assessment District for sewer and water laterals as part of the N. Adams Road Resurfacing Program project. Should the Commission approve the Special Assessment District, a public hearing for Confirmation of the Roll should be set for the City Commission meeting on July 22, 2024.

ATTACHMENTS:

- Map of proposed special assessment district of sewer and water lateral replacement
- N. Adams Road utility plans
- Spreadsheet with estimated cost of lateral replacement
- Clerk's confirmation of the public hearing notice

SUGGESTED COMMISSION ACTION:

WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards on N. Adams near the intersection of Putney Street and replacing water services that are 60 years or older or less than 1 inch in diameter on N. Adams Road from Mohegan Street to Putney Street; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that are not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs; and

WHEREAS, The City Commission, after the public hearing, has determined that the N. Adams Road Project, including the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, The City Engineer has determined the boundaries of sewer service lateral and water service laterals located within the limits of the following streets shall be installed as part of the N. Adams Road Project (Contract #12-24(P)):

Sewer Lateral – N. Adams Road - Near the intersection of Putney; and
Water Lateral – N. Adams Road – Mohegan Street to Putney Street

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral service that is 50 years of age or older or constructed of materials that are not acceptable and water service that is 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$250.00 per foot of 8" diameter sewer service pipe, \$115.00 per foot of 1-inch water service pipe, and \$125.00 per foot of 2-inch water service pipe).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll, and is a necessity, and the City Commission directs the City Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation on July 22, 2024, and give notice of same.

Water and/or Sewer Lateral

Sidwell Number	Street Address	Water SAD Costs	Sewer SAD Costs
19-25-279-017	1001 N ADAMS RD	\$857.50	\$0.00
19-25-279-018	1013 N ADAMS RD	\$857.50	\$0.00

19-25-279-019	1025 N ADAMS RD	\$857.50	\$0.00
19-25-279-020	1037 N ADAMS RD	\$857.50	\$0.00
19-25-279-021	1049 N ADAMS RD	\$857.50	\$0.00
19-25-279-022	1051 N ADAMS RD	\$857.50	\$0.00
19-25-279-023	1063 N ADAMS RD	\$857.50	\$0.00
19-25-279-024	1075 N ADAMS RD	\$857.50	\$0.00
19-25-279-025	1087 N ADAMS RD	\$857.50	\$0.00
19-25-279-026	1099 N ADAMS RD	\$857.50	\$0.00
20-30-151-001	1100 N ADAMS RD	\$0.00	\$7,375.00
20-30-151-002	1050 N ADAMS RD	\$12,765.00	\$7,375.00
20-30-151-007	1109 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-008	1109 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-009	1109 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-010	1109 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-011	1109 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-012	1109 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-013	1109 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-014	1109 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-015	1127 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-016	1127 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-017	1127 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-018	1127 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-019	1127 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-020	1127 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-021	1127 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-022	1127 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-023	1155 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-024	1155 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-025	1155 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-026	1155 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-027	1155 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-028	1155 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-029	1155 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-030	1155 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-031	850 N ADAMS RD APT 1	\$49.66	\$0.00
20-30-151-032	850 N ADAMS RD APT 5	\$49.66	\$0.00
20-30-151-033	850 N ADAMS RD APT 2	\$49.66	\$0.00
20-30-151-034	850 N ADAMS RD APT 6	\$49.66	\$0.00
20-30-151-035	850 N ADAMS RD APT 4	\$49.66	\$0.00
20-30-151-036	850 N ADAMS RD APT 8	\$49.66	\$0.00
20-30-151-037	850 N ADAMS RD APT 3	\$49.66	\$0.00
20-30-151-038	850 N ADAMS RD APT 7	\$49.66	\$0.00
20-30-151-039	868 N ADAMS RD APT 1	\$49.66	\$0.00
20-30-151-040	868 N ADAMS RD APT 5	\$49.66	\$0.00
20-30-151-041	868 N ADAMS RD APT 2	\$49.66	\$0.00
20-30-151-042	868 N ADAMS RD APT 6	\$49.66	\$0.00

20-30-151-043	868 N ADAMS RD APT 4	\$49.66	\$0.00
20-30-151-044	868 N ADAMS RD APT 8	\$49.66	\$0.00
20-30-151-045	868 N ADAMS RD APT 3	\$49.66	\$0.00
20-30-151-046	868 N ADAMS RD APT 7	\$49.66	\$0.00
20-30-151-047	1195 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-048	1195 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-049	1195 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-050	1195 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-051	1195 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-052	1195 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-053	1195 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-054	1195 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-055	1225 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-056	1225 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-057	1225 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-058	1225 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-059	1225 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-060	1225 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-061	1225 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-062	1225 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-063	1245 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-064	1245 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-065	1245 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-066	1245 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-067	1245 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-068	1245 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-069	1245 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-070	1245 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-071	880 N ADAMS RD APT 1	\$49.66	\$0.00
20-30-151-072	880 N ADAMS RD APT 5	\$49.66	\$0.00
20-30-151-073	880 N ADAMS RD APT 2	\$49.66	\$0.00
20-30-151-074	880 N ADAMS RD APT 6	\$49.66	\$0.00
20-30-151-075	880 N ADAMS RD APT 4	\$49.66	\$0.00
20-30-151-076	880 N ADAMS RD APT 8	\$49.66	\$0.00
20-30-151-077	880 N ADAMS RD APT 3	\$49.66	\$0.00
20-30-151-078	880 N ADAMS RD APT 7	\$49.66	\$0.00
20-30-151-079	898 N ADAMS RD APT 1	\$49.66	\$0.00
20-30-151-080	898 N ADAMS RD APT 5	\$49.66	\$0.00
20-30-151-081	898 N ADAMS RD APT 2	\$49.66	\$0.00
20-30-151-082	898 N ADAMS RD APT 6	\$49.66	\$0.00
20-30-151-083	898 N ADAMS RD APT 4	\$49.66	\$0.00
20-30-151-084	898 N ADAMS RD APT 8	\$49.66	\$0.00
20-30-151-085	898 N ADAMS RD APT 3	\$49.66	\$0.00
20-30-151-086	898 N ADAMS RD APT 7	\$49.66	\$0.00
20-30-151-087	946 N ADAMS RD APT 4	\$782.38	\$0.00
20-30-151-088	946 N ADAMS RD APT 8	\$782.38	\$0.00

20-30-151-089	946 N ADAMS RD APT 3	\$782.38	\$0.00
20-30-151-090	946 N ADAMS RD APT 7	\$782.38	\$0.00
20-30-151-091	946 N ADAMS RD APT 1	\$782.38	\$0.00
20-30-151-092	946 N ADAMS RD APT 5	\$782.38	\$0.00
20-30-151-093	946 N ADAMS RD APT 2	\$782.38	\$0.00
20-30-151-094	946 N ADAMS RD APT 6	\$782.38	\$0.00
20-30-151-095	928 N ADAMS RD APT 4	\$782.38	\$0.00
20-30-151-096	928 N ADAMS RD APT 8	\$782.38	\$0.00
20-30-151-097	928 N ADAMS RD APT 3	\$782.38	\$0.00
20-30-151-098	928 N ADAMS RD APT 7	\$782.38	\$0.00
20-30-151-099	928 N ADAMS RD APT 1	\$782.38	\$0.00
20-30-151-100	928 N ADAMS RD APT 5	\$782.38	\$0.00
20-30-151-101	928 N ADAMS RD APT 2	\$782.38	\$0.00
20-30-151-102	928 N ADAMS RD APT 6	\$782.38	\$0.00
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20-30-151-107	910 N ADAMS RD APT 1	\$782.38	\$0.00
20-30-151-108	910 N ADAMS RD APT 5	\$782.38	\$0.00
20-30-151-109	910 N ADAMS RD APT 2	\$782.38	\$0.00
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20-30-151-111	964 N ADAMS RD APT 1	\$782.38	\$0.00
20-30-151-112	964 N ADAMS RD APT 5	\$782.38	\$0.00
20-30-151-113	964 N ADAMS RD APT 2	\$782.38	\$0.00
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20-30-151-115	964 N ADAMS RD APT 4	\$782.38	\$0.00
20-30-151-116	964 N ADAMS RD APT 8	\$782.38	\$0.00
20-30-151-117	964 N ADAMS RD APT 3	\$782.38	\$0.00
20-30-151-118	964 N ADAMS RD APT 7	\$782.38	\$0.00
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20-30-151-121	982 N ADAMS RD APT 2	\$782.38	\$0.00
20-30-151-122	982 N ADAMS RD APT 6	\$782.38	\$0.00
20-30-151-123	982 N ADAMS RD APT 4	\$782.38	\$0.00
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20-30-151-125	982 N ADAMS RD APT 3	\$782.38	\$0.00
20-30-151-126	982 N ADAMS RD APT 7	\$782.38	\$0.00
20-30-151-127	900 N ADAMS RD	\$782.38	\$0.00

N. Adams Resurfacing Project Area



Properties Within Sewer and Water Lateral SAD



SEAL

PRO

CLIENT



SHEET
Paving & Utility Plan -
N. Adams Road Sta.
P.O.B. 10 5+00

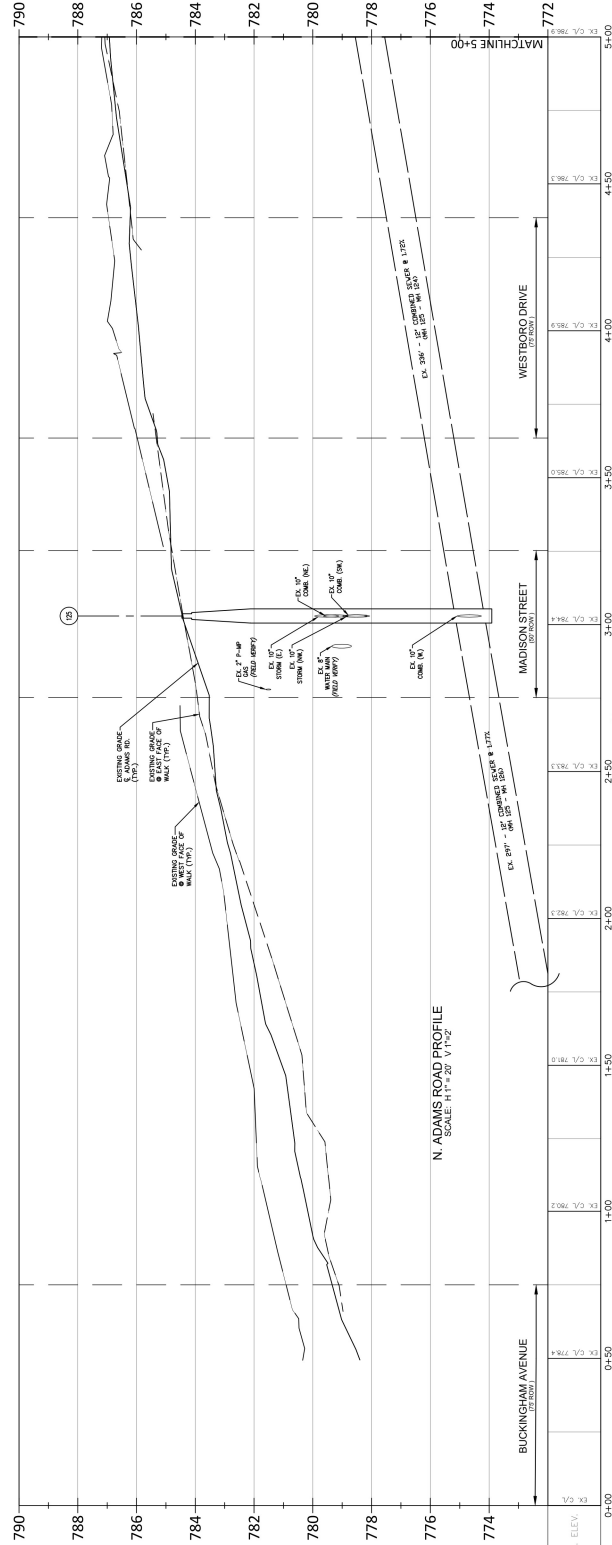
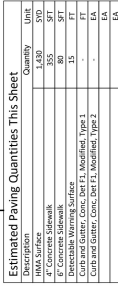


UTILITY NOTE

THE LOCATIONS AND ELEVATIONS OF SOME OF THE EXISTING UNDERGROUND UTILITIES AS SHOWN ON THE SURVEY DRAWING WERE OBTAINED FROM MUNICIPAL AND UTILITY COMPANY RECORDS AND MAPS. THEREFORE, NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

[illegible]

N788 C01





175	REPAIR & REPLACE	122	BULKHEAD	MANHOLE
124-53,002	25-62" W	124-52,231	43.78" H	144-45,103
CONCRETE	175	COMB. MH	122	STORM MH
100	381.83	RM 794.57		RM 784.04
10" X 100.00	(REMOVE)	12" X 2776.32		15" X 774.54
10" X 2776.32	(REMOVE)	15" X 2776.32		15" X 774.64
10" X 2776.32	(REMOVE)	12" X 776.37		
10" X 2776.32	(REMOVE)	12" X 2731.12	APPROX. X BULKHEAD	

REMOINE & REFURGE (122c)
 12+53.00 32.49 R
 CB 1220
 RM 33.68
 PR. RM XXXXX
 10" W 781.13 (REMOINE)
 10" E 117.7752 (10P)

Station	Water Depth (ft)	Water Temperature (°F)	Water Color	Salinity (ppt)	Dissolved Oxygen (mg/L)	pH	Secchi Disk Depth (ft)	Transparency (cm)	Bottom Type	Notes
102	12-53.5	40.56°	1	35.0	4.5	7.85	1.5	15	Sand	12-53.5 40.56°
103	12-57.1	31.74°	1	35.0	4.5	7.85	1.5	15	Sand	12-57.1 31.74°
104	12-58.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-58.16 82.43°
105	12-59.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-59.16 82.43°
106	12-60.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-60.16 82.43°
107	12-61.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-61.16 82.43°
108	12-62.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-62.16 82.43°
109	12-63.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-63.16 82.43°
110	12-64.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-64.16 82.43°
111	12-65.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-65.16 82.43°
112	12-66.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-66.16 82.43°
113	12-67.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-67.16 82.43°
114	12-68.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-68.16 82.43°
115	12-69.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-69.16 82.43°
116	12-70.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-70.16 82.43°
117	12-71.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-71.16 82.43°
118	12-72.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-72.16 82.43°
119	12-73.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-73.16 82.43°
120	12-74.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-74.16 82.43°
121	12-75.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-75.16 82.43°
122	12-76.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-76.16 82.43°
123	12-77.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-77.16 82.43°
124	12-78.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-78.16 82.43°
125	12-79.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-79.16 82.43°
126	12-80.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-80.16 82.43°
127	12-81.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-81.16 82.43°
128	12-82.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-82.16 82.43°
129	12-83.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-83.16 82.43°
130	12-84.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-84.16 82.43°
131	12-85.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-85.16 82.43°
132	12-86.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-86.16 82.43°
133	12-87.16	82.43°	1	35.0	4.5	7.85	1.5	15	Sand	12-87.16 82.43°
134	12-88.16	82.43°								

[illegible]

4	10	11
FG 734.62 EX. 17" 55M B/P 760.50 EX. 12" NM T/P 738.37 (VLF) VERTICAL CLEARANCE: 1.68 FT FG 734.62	FG 735.79 EX. 17" NM B/P 760.60 EX. ARMS: 37" NM B/P 760.68 (VLF) VERTICAL CLEARANCE: 8 FT FG 734.50	FG 734.62 EX. 17" 55M B/P 738.21 EX. 17" 55M T/P 738.77 VERTICAL CLEARANCE: - FT FG 734.27



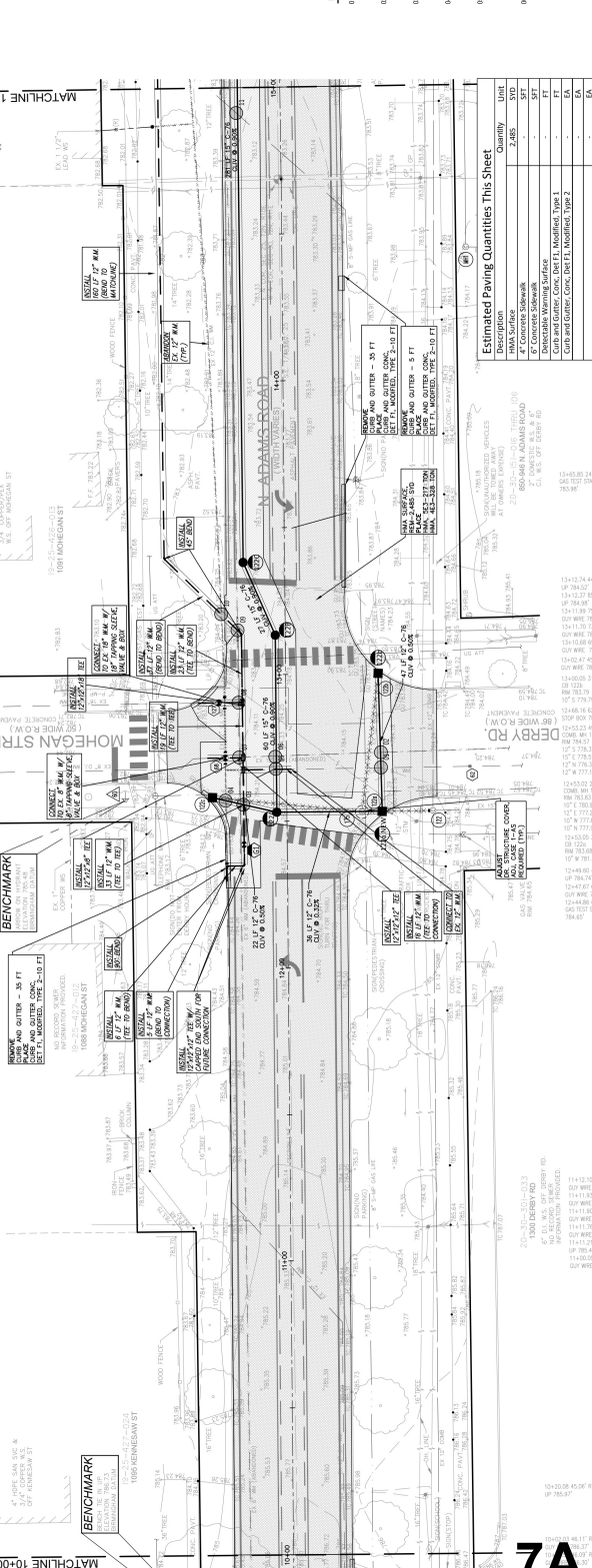
LEGEND

- SEWER: SINK PER (HOLE TOP) - CLEAR-OUT
- EXISTING SAN/COMB SEWER
- EXISTING WATER MAIN
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- EXISTING BURIED CABLES

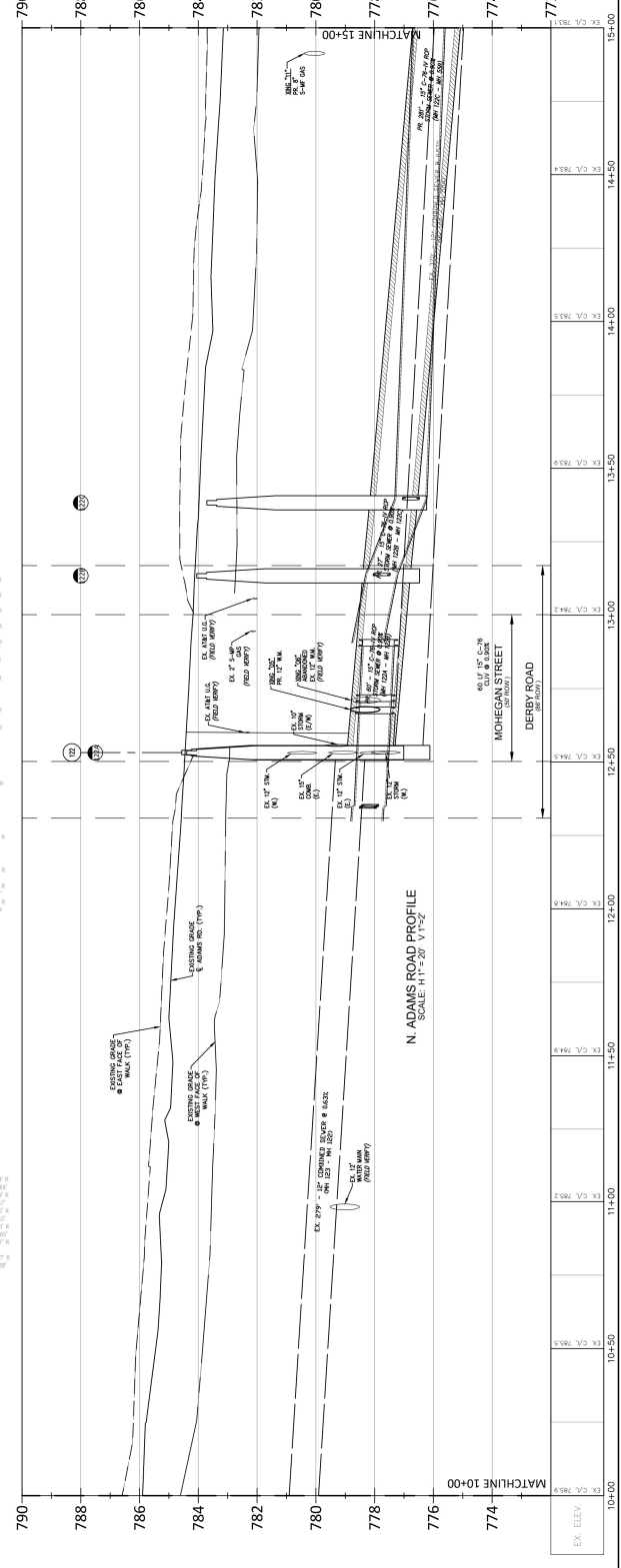
STRAIN POLE	QTY	UNIT	EX. PAINT	EX. PAINT	EX. PAINT
(RECORD) CURB STOP					
LOCATION (APPROX.)					
LANDSCAPE BED					
EX. SOIL BORING					
PUBLIC PHONE					
WELL					
PUMP					
SIGN					
POST/ROLLARD					

SCALE: 1" = 20' 1" = 2'

NFE JOB NO. SHEET NO.
N788 C03



Estimated Paving Quantities This Sheet		Quantity	Unit
Description	HMA Surface	2,485	SYD
	4" Concrete Sidewalk	-	SFT
	6" Concrete Sidewalk	-	SFT
	Detectable Warning Surface	-	FT
	Curb and Gutter, Conc. Det F1, Modified, Type 1	-	FT
	Curb and Gutter, Conc. Det F1, Modified, Type 2	-	EA
		-	EA
		-	FA



SEWER STRUCTURE SCHEDULE

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE
1	12" DIA. 10' MANHOLE	1	EA	1,200.00
2	12" DIA. 10' MANHOLE	1	EA	1,200.00
3	12" DIA. 10' MANHOLE	1	EA	1,200.00
4	12" DIA. 10' MANHOLE	1	EA	1,200.00
5	12" DIA. 10' MANHOLE	1	EA	1,200.00
6	12" DIA. 10' MANHOLE	1	EA	1,200.00
7	12" DIA. 10' MANHOLE	1	EA	1,200.00
8	12" DIA. 10' MANHOLE	1	EA	1,200.00
9	12" DIA. 10' MANHOLE	1	EA	1,200.00
10	12" DIA. 10' MANHOLE	1	EA	1,200.00

STORM STRUCTURE SCHEDULE

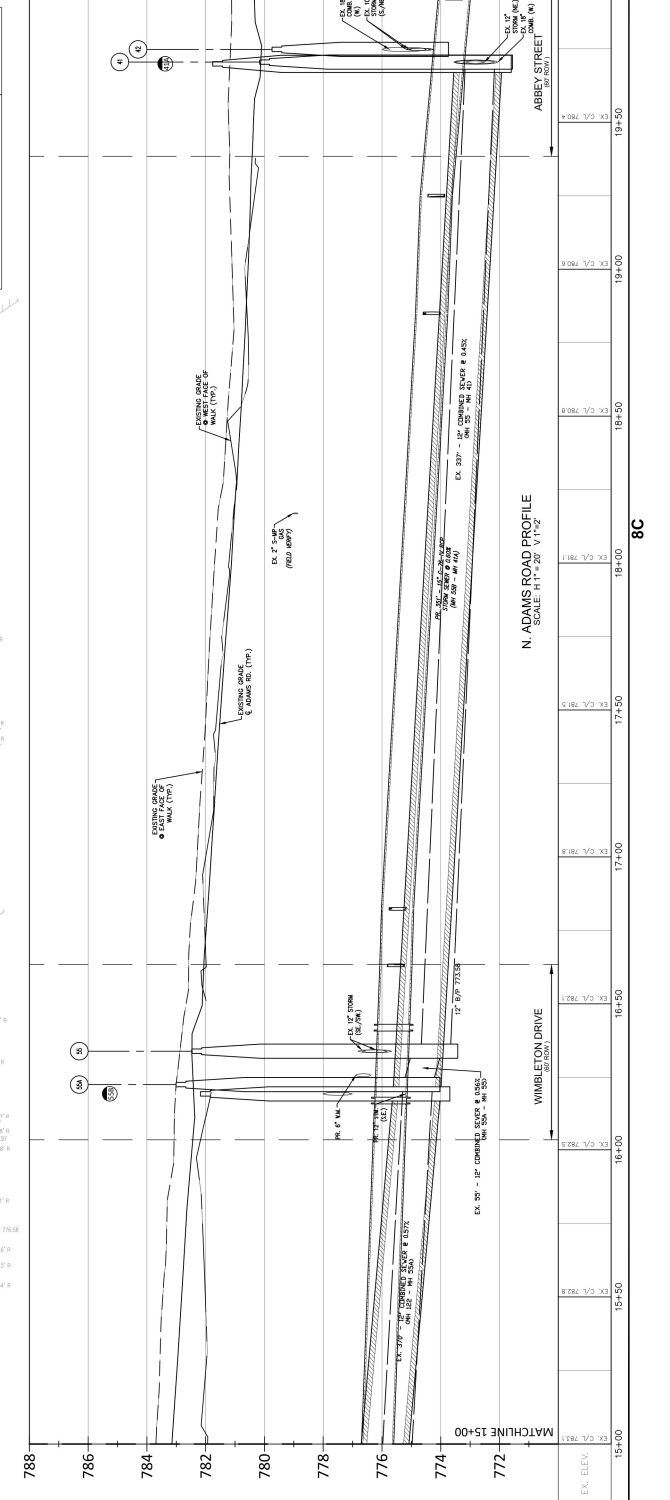
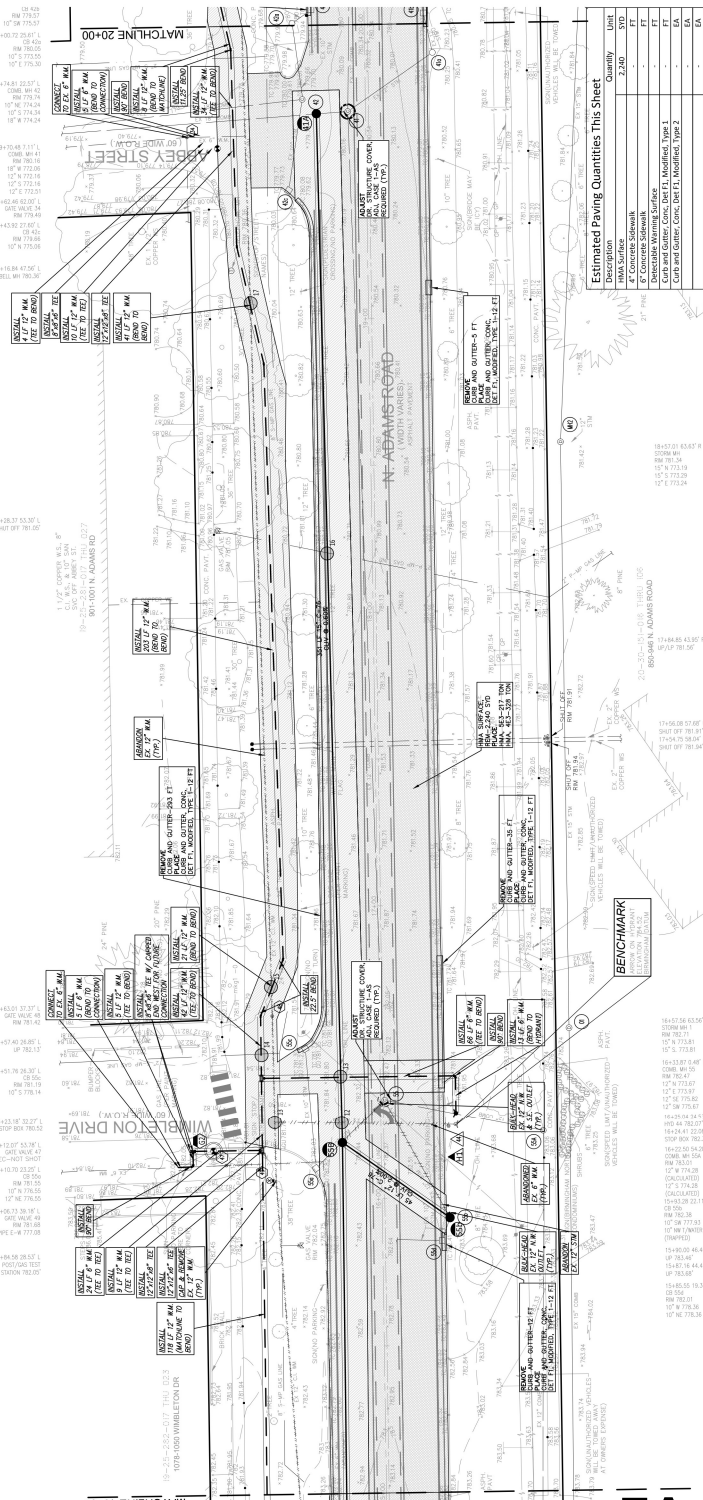
ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE
1	12" DIA. 10' MANHOLE	1	EA	1,200.00
2	12" DIA. 10' MANHOLE	1	EA	1,200.00
3	12" DIA. 10' MANHOLE	1	EA	1,200.00
4	12" DIA. 10' MANHOLE	1	EA	1,200.00
5	12" DIA. 10' MANHOLE	1	EA	1,200.00
6	12" DIA. 10' MANHOLE	1	EA	1,200.00
7	12" DIA. 10' MANHOLE	1	EA	1,200.00
8	12" DIA. 10' MANHOLE	1	EA	1,200.00
9	12" DIA. 10' MANHOLE	1	EA	1,200.00
10	12" DIA. 10' MANHOLE	1	EA	1,200.00

WATER MAIN SCHEDULE

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE
1	12" DIA. 10' MANHOLE	1	EA	1,200.00
2	12" DIA. 10' MANHOLE	1	EA	1,200.00
3	12" DIA. 10' MANHOLE	1	EA	1,200.00
4	12" DIA. 10' MANHOLE	1	EA	1,200.00
5	12" DIA. 10' MANHOLE	1	EA	1,200.00
6	12" DIA. 10' MANHOLE	1	EA	1,200.00
7	12" DIA. 10' MANHOLE	1	EA	1,200.00
8	12" DIA. 10' MANHOLE	1	EA	1,200.00
9	12" DIA. 10' MANHOLE	1	EA	1,200.00
10	12" DIA. 10' MANHOLE	1	EA	1,200.00

UTILITY CROSSING SCHEDULE

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE
1	12" DIA. 10' MANHOLE	1	EA	1,200.00
2	12" DIA. 10' MANHOLE	1	EA	1,200.00
3	12" DIA. 10' MANHOLE	1	EA	1,200.00
4	12" DIA. 10' MANHOLE	1	EA	1,200.00
5	12" DIA. 10' MANHOLE	1	EA	1,200.00
6	12" DIA. 10' MANHOLE	1	EA	1,200.00
7	12" DIA. 10' MANHOLE	1	EA	1,200.00
8	12" DIA. 10' MANHOLE	1	EA	1,200.00
9	12" DIA. 10' MANHOLE	1	EA	1,200.00
10	12" DIA. 10' MANHOLE	1	EA	1,200.00





STORM STRUCTURE SCHEDULE

205	MANITAN	25-03-09 24.27 R	MANITAN	28-03-09 21.58 L
		25-03-09 14		28-03-09 14
		12° 30' 758.54		12° 30' 783.40(C)
113	MANITAN	26-02-09 09.57 L	ADAKOT	26-02-09 08.51 L
		MA 113		MA 116
		26-02-09 46		RM 735.18
		21° 02' 779.45		PR, RM 000.00

WARNING 29-08-02 54.53 L DATE VALUE 4 REC - NOT SH	WARNING 20-01-81 58.88 L DATE VALUE 9 REC - NOT SH	WARNING 29-08-02 54.53 L DATE VALUE 4 REC - NOT SH
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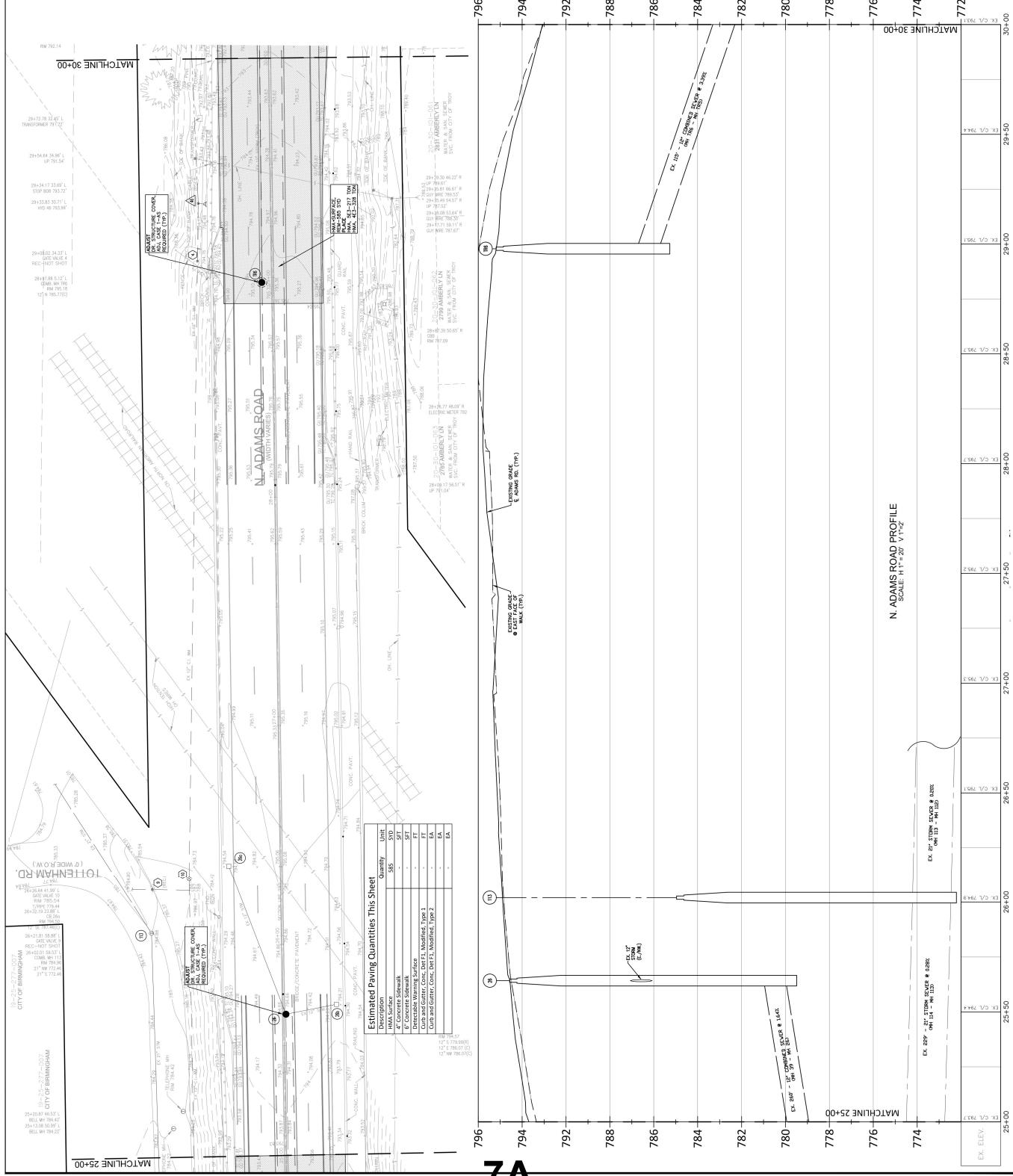
BIRMINGHAM
A VALUABLE CITY

SHEET
Paving & Utility Plan -
N. Adams Road Sta.



DRAWN BY: _____
 D. McConkey
 DESIGNED BY: _____
 A. Buchholz
 APPROVED BY: _____
 A. Buchholz
 EMAIL CONTACT: _____
 abuchholz@mc-engr.com
 DATE: _____

 SCALE: 1" = 20' / 1" = 2'
 20 10 0 10 20





PROJECT
City of Birmingham
Adams Road Paving Project
Contract #12-24(P)

BIRMINGHAM
A WALKABLE CITY

Engineering Department
151 Martin Street
Birmingham, MI 48012

PROJECT LOCATION
Part of the East 1/2 of
Section 25, T.2N, R.10E and
the West 1/2 of Section 30,
T.2N, R.11E
City of Birmingham,

SHEET
Paving & Utility Plan -
N. Adams Road Sta.



DATE	ISSUED/REVISED
5-28-2024	75% PLAN

DRAWN BY:
D. McConkey

DESIGNED BY:

APPROVED BY:
B. Buchholz

EMAIL CONTACT:
bbuchholz@nfe-engr.com

DATE:

SCALE: $1'' = 20' / 1'' = 2'$

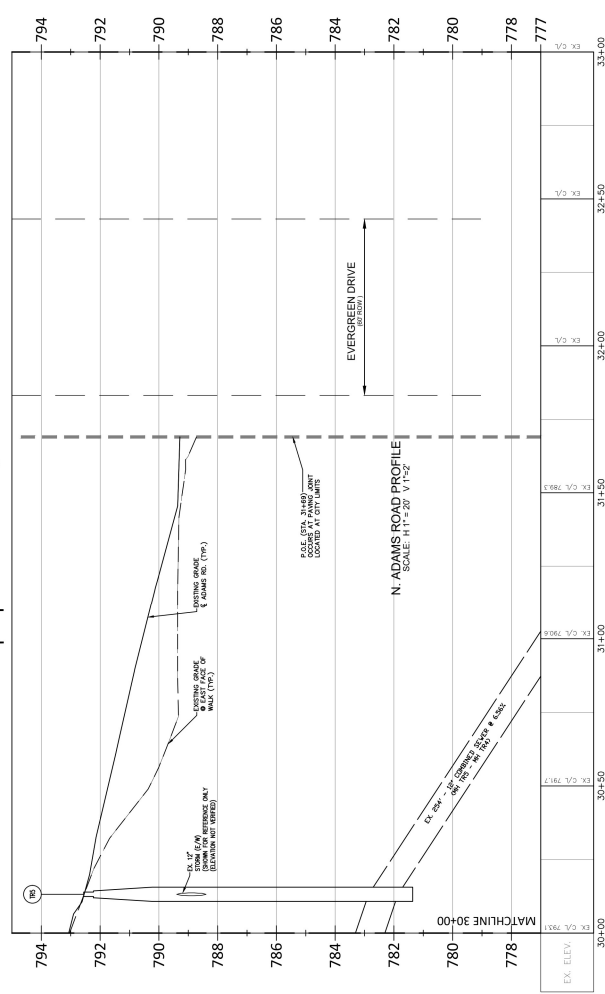
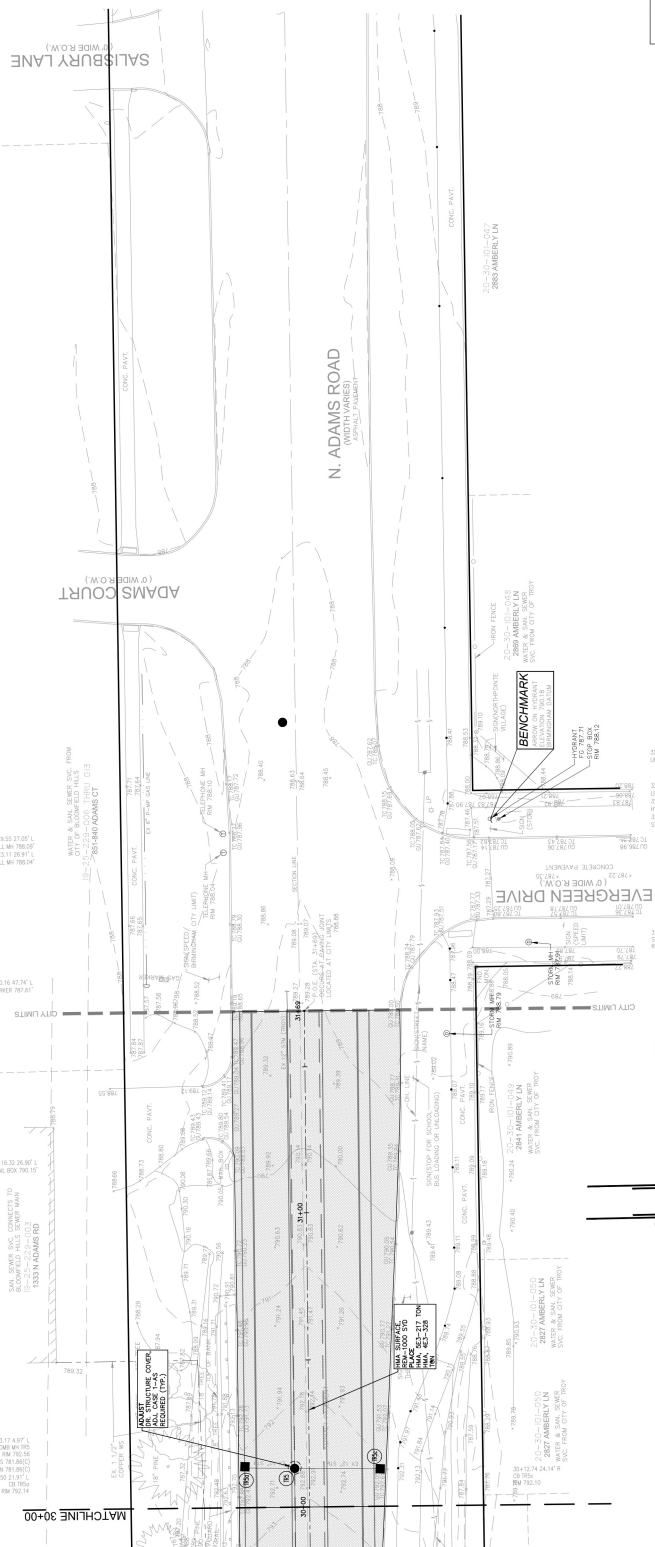
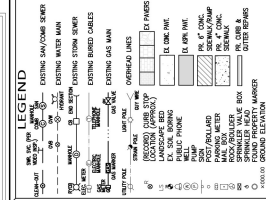
INFE JOB NO. SHEET NO.

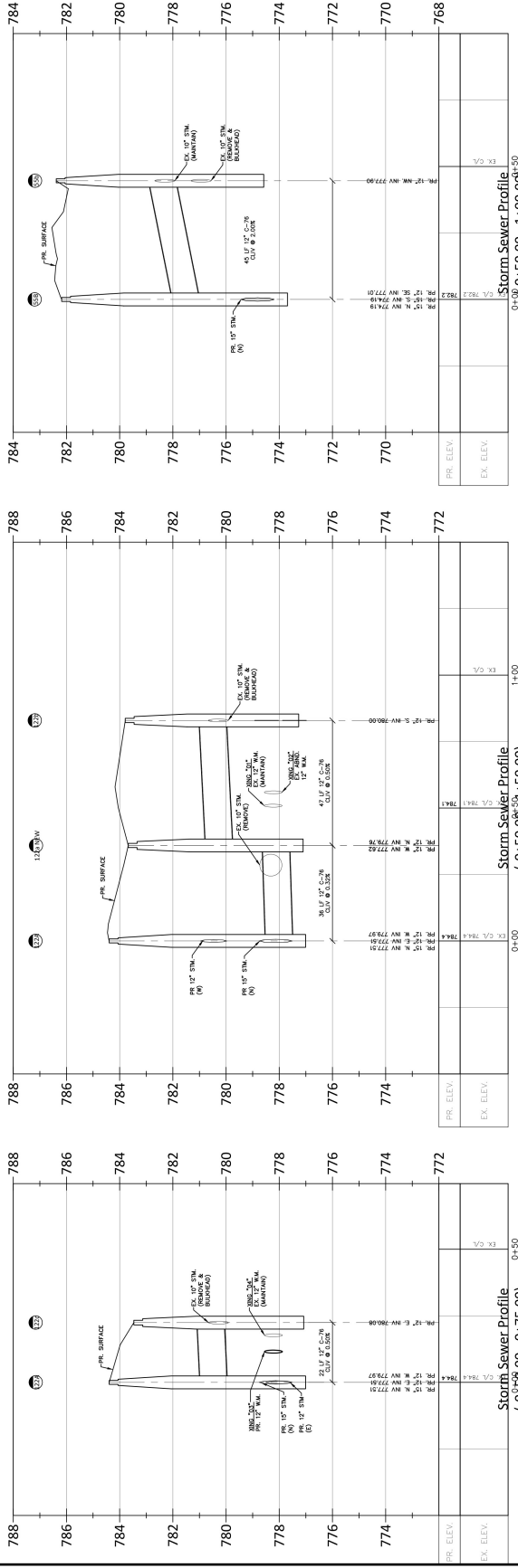
Estimated Paving Quantities This Sheet		
Description	Quantity	Unit
HMA Surface	-	SYD
4" Concrete Sidewalk	-	SFT
Concrete Sidewalk	-	SFT
Gravel Surface	-	FT
Crub and Gutter, Conc. Det F1, Modified, Type 1	-	EA
Crub and Gutter, Conc. Det F1, Modified, Type 2	-	EA
	-	EA

STORM STRUCTURE SCHEDULE

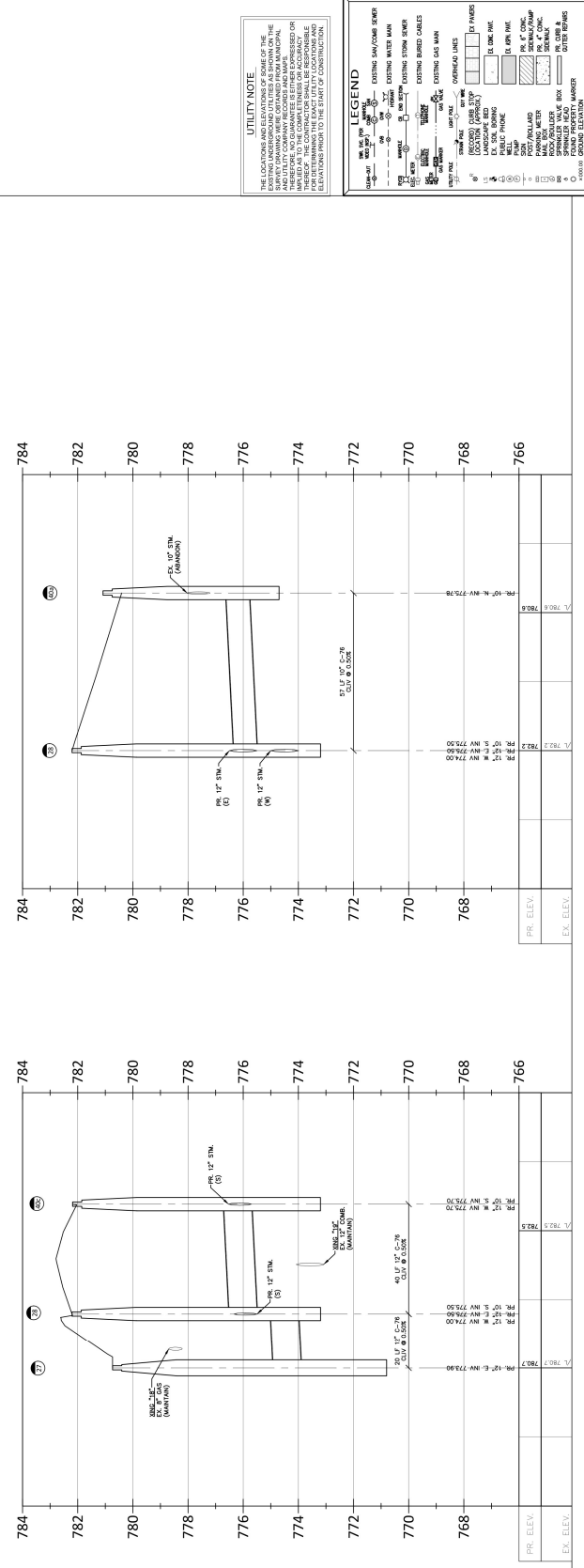
TRF5C	ADJUST	ADJUST	ADJUST
30-42.24, 24.14" R	30+13.17 4.97" L	30+13.50 21.91" L	
CB TRF5C	COMB MH TR5	CB TRF5C	
RW 792.10	RW 792.26	RW 792.14	
PR. RM XCCLXX	PR. RM XCCLXX	PR. RM XCCLXX	
	12" S 781.86(C)	12" N 781.86(C)	

UTILITY NOTE





7A



UTILITY NOTE
 THE LOCATION AND DEPTH OF ALL UTILITIES SHOWN ON THIS DRAWING ARE BASED ON THE RECORD DRAWINGS AND FIELD SURVEY DATA. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.

LEGEND

EXISTING SANITARY SEWER
 EXISTING WATER MAIN
 EXISTING BARRIED CABLES
 EXISTING GAS MAIN
 EXISTING OVERHEAD LINES
 EXISTING LANDSCAPE BED
 EXISTING PAVEMENT
 EXISTING CURB & GUTTER
 EXISTING SIDEWALK
 EXISTING DRIVEWAY
 EXISTING FENCE
 EXISTING FENCE LINE
 EXISTING FENCE POST
 EXISTING FENCE RAIL
 EXISTING FENCE BRACE
 EXISTING FENCE CAP
 EXISTING FENCE NAIL
 EXISTING FENCE SCREW
 EXISTING FENCE BRACKET
 EXISTING FENCE HOOK
 EXISTING FENCE LATCH
 EXISTING FENCE LOCK
 EXISTING FENCE KEY
 EXISTING FENCE PIN
 EXISTING FENCE WIRE
 EXISTING FENCE STRAP
 EXISTING FENCE TIE
 EXISTING FENCE ZIP TIE
 EXISTING FENCE STAPLE
 EXISTING FENCE NAIL
 EXISTING FENCE SCREW
 EXISTING FENCE BRACKET
 EXISTING FENCE HOOK
 EXISTING FENCE LATCH
 EXISTING FENCE LOCK
 EXISTING FENCE KEY
 EXISTING FENCE PIN
 EXISTING FENCE WIRE
 EXISTING FENCE STRAP
 EXISTING FENCE TIE
 EXISTING FENCE ZIP TIE
 EXISTING FENCE STAPLE

**N. Adam Resurfacing Project Area
Sewer and Water Lateral Special Assement District**

Sidwell Number	Street Address	Water Lateral Length (ft)	Water SAD Costs	Sewer Lateral Length (ft)	Sewer SAD Costs
19-25-279-017	1001 N ADAMS RD	49	\$857.50	-	\$0.00
19-25-279-018	1013 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-019	1025 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-020	1037 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-021	1049 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-022	1051 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-023	1063 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-024	1075 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-025	1087 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-026	1099 N ADAMS RD		\$857.50	-	\$0.00
20-30-151-001	1100 N ADAMS RD	-	\$0.00	59	\$7,375.00
20-30-151-002	1050 N ADAMS RD	111	\$12,765.00		\$7,375.00
20-30-151-007	1109 DERBY RD APT 4	103	\$49.66	-	\$0.00
20-30-151-008	1109 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-009	1109 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-010	1109 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-011	1109 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-012	1109 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-013	1109 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-014	1109 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-015	1127 DERBY RD APT 4		\$49.66	-	\$0.00
20-30-151-016	1127 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-017	1127 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-018	1127 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-019	1127 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-020	1127 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-021	1127 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-022	1127 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-023	1155 DERBY RD APT 4		\$49.66	-	\$0.00
20-30-151-024	1155 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-025	1155 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-026	1155 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-027	1155 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-028	1155 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-029	1155 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-030	1155 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-031	850 N ADAMS RD APT 1		\$49.66	-	\$0.00
20-30-151-032	850 N ADAMS RD APT 5		\$49.66	-	\$0.00
20-30-151-033	850 N ADAMS RD APT 2		\$49.66	-	\$0.00
20-30-151-034	850 N ADAMS RD APT 6		\$49.66	-	\$0.00
20-30-151-035	850 N ADAMS RD APT 4		\$49.66	-	\$0.00
20-30-151-036	850 N ADAMS RD APT 8		\$49.66	-	\$0.00
20-30-151-037	850 N ADAMS RD APT 3		\$49.66	-	\$0.00
20-30-151-038	850 N ADAMS RD APT 7		\$49.66	-	\$0.00
20-30-151-039	868 N ADAMS RD APT 1		\$49.66	-	\$0.00
20-30-151-040	868 N ADAMS RD APT 5		\$49.66	-	\$0.00
20-30-151-041	868 N ADAMS RD APT 2		\$49.66	-	\$0.00

**N. Adam Resurfacing Project Area
Sewer and Water Lateral Special Assement District**

20-30-151-042	868 N ADAMS RD APT 6		\$49.66	-	\$0.00
20-30-151-043	868 N ADAMS RD APT 4		\$49.66	-	\$0.00
20-30-151-044	868 N ADAMS RD APT 8		\$49.66	-	\$0.00
20-30-151-045	868 N ADAMS RD APT 3		\$49.66	-	\$0.00
20-30-151-046	868 N ADAMS RD APT 7		\$49.66	-	\$0.00
20-30-151-047	1195 DERBY RD APT 4		\$49.66	-	\$0.00
20-30-151-048	1195 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-049	1195 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-050	1195 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-051	1195 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-052	1195 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-053	1195 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-054	1195 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-055	1225 DERBY RD APT 4		\$49.66	-	\$0.00
20-30-151-056	1225 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-057	1225 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-058	1225 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-059	1225 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-060	1225 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-061	1225 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-062	1225 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-063	1245 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-064	1245 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-065	1245 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-066	1245 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-067	1245 DERBY RD APT 4		\$49.66	-	\$0.00
20-30-151-068	1245 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-069	1245 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-070	1245 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-071	880 N ADAMS RD APT 1		\$49.66	-	\$0.00
20-30-151-072	880 N ADAMS RD APT 5		\$49.66	-	\$0.00
20-30-151-073	880 N ADAMS RD APT 2		\$49.66	-	\$0.00
20-30-151-074	880 N ADAMS RD APT 6		\$49.66	-	\$0.00
20-30-151-075	880 N ADAMS RD APT 4		\$49.66	-	\$0.00
20-30-151-076	880 N ADAMS RD APT 8		\$49.66	-	\$0.00
20-30-151-077	880 N ADAMS RD APT 3		\$49.66	-	\$0.00
20-30-151-078	880 N ADAMS RD APT 7		\$49.66	-	\$0.00
20-30-151-079	898 N ADAMS RD APT 1		\$49.66	-	\$0.00
20-30-151-080	898 N ADAMS RD APT 5		\$49.66	-	\$0.00
20-30-151-081	898 N ADAMS RD APT 2		\$49.66	-	\$0.00
20-30-151-082	898 N ADAMS RD APT 6		\$49.66	-	\$0.00
20-30-151-083	898 N ADAMS RD APT 4		\$49.66	-	\$0.00
20-30-151-084	898 N ADAMS RD APT 8		\$49.66	-	\$0.00
20-30-151-085	898 N ADAMS RD APT 3		\$49.66	-	\$0.00
20-30-151-086	898 N ADAMS RD APT 7		\$49.66	-	\$0.00
20-30-151-087	946 N ADAMS RD APT 4	103	\$782.38	-	\$0.00
20-30-151-088	946 N ADAMS RD APT 8		\$782.38	-	\$0.00
20-30-151-089	946 N ADAMS RD APT 3		\$782.38	-	\$0.00
20-30-151-090	946 N ADAMS RD APT 7		\$782.38	-	\$0.00
20-30-151-091	946 N ADAMS RD APT 1		\$782.38	-	\$0.00
20-30-151-092	946 N ADAMS RD APT 5		\$782.38	-	\$0.00

**N. Adam Resurfacing Project Area
Sewer and Water Lateral Special Assement District**

20-30-151-093	946 N ADAMS RD APT 2		\$782.38	-	\$0.00
20-30-151-094	946 N ADAMS RD APT 6		\$782.38	-	\$0.00
20-30-151-095	928 N ADAMS RD APT 4		\$782.38	-	\$0.00
20-30-151-096	928 N ADAMS RD APT 8		\$782.38	-	\$0.00
20-30-151-097	928 N ADAMS RD APT 3		\$782.38	-	\$0.00
20-30-151-098	928 N ADAMS RD APT 7		\$782.38	-	\$0.00
20-30-151-099	928 N ADAMS RD APT 1		\$782.38	-	\$0.00
20-30-151-100	928 N ADAMS RD APT 5		\$782.38	-	\$0.00
20-30-151-101	928 N ADAMS RD APT 2		\$782.38	-	\$0.00
20-30-151-102	928 N ADAMS RD APT 6		\$782.38	-	\$0.00
20-30-151-103	910 N ADAMS RD APT 4		\$782.38	-	\$0.00
20-30-151-104	910 N ADAMS RD APT 8		\$782.38	-	\$0.00
20-30-151-105	910 N ADAMS RD APT 3		\$782.38	-	\$0.00
20-30-151-106	910 N ADAMS RD APT 7		\$782.38	-	\$0.00
20-30-151-107	910 N ADAMS RD APT 1		\$782.38	-	\$0.00
20-30-151-108	910 N ADAMS RD APT 5		\$782.38	-	\$0.00
20-30-151-109	910 N ADAMS RD APT 2		\$782.38	-	\$0.00
20-30-151-110	910 N ADAMS RD APT 6		\$782.38	-	\$0.00
20-30-151-111	964 N ADAMS RD APT 1		\$782.38	-	\$0.00
20-30-151-112	964 N ADAMS RD APT 5		\$782.38	-	\$0.00
20-30-151-113	964 N ADAMS RD APT 2		\$782.38	-	\$0.00
20-30-151-114	964 N ADAMS RD APT 6		\$782.38	-	\$0.00
20-30-151-115	964 N ADAMS RD APT 4		\$782.38	-	\$0.00
20-30-151-116	964 N ADAMS RD APT 8		\$782.38	-	\$0.00
20-30-151-117	964 N ADAMS RD APT 3		\$782.38	-	\$0.00
20-30-151-118	964 N ADAMS RD APT 7		\$782.38	-	\$0.00
20-30-151-119	982 N ADAMS RD APT 1		\$782.38	-	\$0.00
20-30-151-120	982 N ADAMS RD APT 5		\$782.38	-	\$0.00
20-30-151-121	982 N ADAMS RD APT 2		\$782.38	-	\$0.00
20-30-151-122	982 N ADAMS RD APT 6		\$782.38	-	\$0.00
20-30-151-123	982 N ADAMS RD APT 4		\$782.38	-	\$0.00
20-30-151-124	982 N ADAMS RD APT 8		\$782.38	-	\$0.00
20-30-151-125	982 N ADAMS RD APT 3		\$782.38	-	\$0.00
20-30-151-126	982 N ADAMS RD APT 7		\$782.38	-	\$0.00
20-30-151-127	900 N ADAMS RD		\$782.38	-	\$0.00



MEMORANDUM

City Clerk's Office

DATE: June 4, 2024

TO: Melissa Coatta, City Engineer

FROM: Alexandria Bingham, City Clerk

SUBJECT: Clerk's Confirmation of Public Hearing Notice: North Adams Resurfacing Project, Contract #12-24 (P): Water & Sewer Laterals Special Assessment District (SAD)

The public hearing notice process has been completed for North Adams Resurfacing Project, Contract #12-24 (P): Water & Sewer Laterals Special Assessment District (SAD). Please see attachments for further confirmation.

Mailing Date: 6/20/2024

Test Mail Return Date: 6/25/2024

Publishing Dates in the Oakland Press: 6/23/2024 & 6/30/2024

Posted in www.bhamgov/publicnotices: 6/20/2024

Attachments:

1. Public Hearing Notice
2. Addresses
3. Mailing Letter
4. Mail Machine Counter Report
5. Proof of publishing for 6/23/2024 & 6/30/2024

NOTICE OF PUBLIC HEARING			
BIRMINGHAM CITY COMMISSION			
PUBLIC HEARING OF NECESSITY & PUBLIC HEARING FOR CONFIRMATION OF THE ROLL			
Meeting Location:	Date,	Time,	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, July 8, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Location:	Date,	Time,	HEARING FOR CONFIRMATION OF THE ROLL Monday, July 22, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	North Adams Road. Below are the affected parcels: 20-30-151-001 1100 N ADAMS RD 20-30-151-002 1050 N ADAMS RD 20-30-151-007 1109 DERBY RD APT 4 20-30-151-008 1109 DERBY RD APT 8 20-30-151-009 1109 DERBY RD APT 3 20-30-151-010 1109 DERBY RD APT 7 20-30-151-011 1109 DERBY RD APT 1 20-30-151-012 1109 DERBY RD APT 5 20-30-151-013 1109 DERBY RD APT 2 20-30-151-014 1109 DERBY RD APT 6 20-30-151-015 1127 DERBY RD APT 4 20-30-151-016 1127 DERBY RD APT 8 20-30-151-017 1127 DERBY RD APT 3 20-30-151-018 1127 DERBY RD APT 7 20-30-151-019 1127 DERBY RD APT 1 20-30-151-020 1127 DERBY RD APT 5 20-30-151-021 1127 DERBY RD APT 2 20-30-151-022 1127 DERBY RD APT 6 20-30-151-023 1155 DERBY RD APT 4 20-30-151-024 1155 DERBY RD APT 8 20-30-151-025 1155 DERBY RD APT 3 20-30-151-026 1155 DERBY RD APT 7 20-30-151-027 1155 DERBY RD APT 1 20-30-151-028 1155 DERBY RD APT 5 20-30-151-029 1155 DERBY RD APT 2 20-30-151-030 1155 DERBY RD APT 6 20-30-151-031 850 N ADAMS RD APT 1 20-30-151-032 850 N ADAMS RD APT 5 20-30-151-033 850 N ADAMS RD APT 2 20-30-151-034 850 N ADAMS RD APT 6 20-30-151-035 850 N ADAMS RD APT 4 20-30-151-036 850 N ADAMS RD APT 8 20-30-151-037 850 N ADAMS RD APT 3 20-30-151-038 850 N ADAMS RD APT 7 20-30-151-039 868 N ADAMS RD APT 1 20-30-151-040 868 N ADAMS RD APT 5 20-30-151-041 868 N ADAMS RD APT 2 20-30-151-042 868 N ADAMS RD APT 6 20-30-151-043 868 N ADAMS RD APT 4 20-30-151-044 868 N ADAMS RD APT 8 20-30-151-045 868 N ADAMS RD APT 3 20-30-151-046 868 N ADAMS RD APT 7 20-30-151-047 1195 DERBY RD APT 4 20-30-151-048 1195 DERBY RD APT 8 20-30-151-049 1195 DERBY RD APT 3 20-30-151-050 1195 DERBY RD APT 7 20-30-151-051 1195 DERBY RD APT 1 20-30-151-052 1195 DERBY RD APT 5 20-30-151-053 1195 DERBY RD APT 2 20-30-151-054 1195 DERBY RD APT 6 20-30-151-083 898 N ADAMS RD APT 4 20-30-151-084 898 N ADAMS RD APT 8 20-30-151-085 898 N ADAMS RD APT 3 20-30-151-086 898 N ADAMS RD APT 7 20-30-151-087 946 N ADAMS RD APT 4 20-30-151-088 946 N ADAMS RD APT 8 20-30-151-089 946 N ADAMS RD APT 3 20-30-151-090 946 N ADAMS RD APT 7 20-30-151-091 946 N ADAMS RD APT 1 20-30-151-092 946 N ADAMS RD APT 5 20-30-151-093 946 N ADAMS RD APT 2 20-30-151-094 946 N ADAMS RD APT 6 20-30-151-095 928 N ADAMS RD APT 4 20-30-151-096 928 N ADAMS RD APT 8 20-30-151-097 928 N ADAMS RD APT 3 20-30-151-098 928 N ADAMS RD APT 7 20-30-151-099 928 N ADAMS RD APT 1 20-30-151-100 928 N ADAMS RD APT 5 20-30-151-101 928 N ADAMS RD APT 2 20-30-151-102 928 N ADAMS RD APT 6 20-30-151-103 910 N ADAMS RD APT 4 20-30-151-104 910 N ADAMS RD APT 8 20-30-151-105 910 N ADAMS RD APT 3 20-30-151-106 910 N ADAMS RD APT 7 20-30-151-107 910 N ADAMS RD APT 1 20-30-151-108 910 N ADAMS RD APT 5 20-30-151-109 910 N ADAMS RD APT 2 20-30-151-110 910 N ADAMS RD APT 6 20-30-151-111 964 N ADAMS RD APT 1 20-30-151-112 964 N ADAMS RD APT 5 20-30-151-113 964 N ADAMS RD APT 2 20-30-151-114 964 N ADAMS RD APT 6 20-30-151-115 964 N ADAMS RD APT 4 20-30-151-116 964 N ADAMS RD APT 8 20-30-151-117 964 N ADAMS RD APT 3 20-30-151-118 964 N ADAMS RD APT 7 20-30-151-119 982 N ADAMS RD APT 1 20-30-151-120 982 N ADAMS RD APT 5 20-30-151-121 982 N ADAMS RD APT 2 20-30-151-122 982 N ADAMS RD APT 6 20-30-151-123 982 N ADAMS RD APT 4 20-30-151-124 982 N ADAMS RD APT 8 20-30-151-125 982 N ADAMS RD APT 3 20-30-151-126 982 N ADAMS RD APT 7 20-30-151-127 900 N ADAMS RD 19-25-279-017 1001 N ADAMS RD 19-25-279-018 1013 N ADAMS RD 19-25-279-019 1025 N ADAMS RD 19-25-279-020 1037 N ADAMS RD 19-25-279-021 1049 N ADAMS RD		

	20-30-151-055 1225 DERBY RD APT 4 20-30-151-056 1225 DERBY RD APT 8 20-30-151-057 1225 DERBY RD APT 3 20-30-151-058 1225 DERBY RD APT 7 20-30-151-059 1225 DERBY RD APT 1 20-30-151-060 1225 DERBY RD APT 5 20-30-151-061 1225 DERBY RD APT 2 20-30-151-062 1225 DERBY RD APT 6 20-30-151-063 1245 DERBY RD APT 1 20-30-151-064 1245 DERBY RD APT 5 20-30-151-065 1245 DERBY RD APT 2 20-30-151-066 1245 DERBY RD APT 6 20-30-151-067 1245 DERBY RD APT 4 20-30-151-068 1245 DERBY RD APT 8 20-30-151-069 1245 DERBY RD APT 3 20-30-151-070 1245 DERBY RD APT 7 20-30-151-071 880 N ADAMS RD APT 1 20-30-151-072 880 N ADAMS RD APT 5 20-30-151-073 880 N ADAMS RD APT 2 20-30-151-074 880 N ADAMS RD APT 6 20-30-151-075 880 N ADAMS RD APT 4 20-30-151-076 880 N ADAMS RD APT 8 20-30-151-077 880 N ADAMS RD APT 3 20-30-151-078 880 N ADAMS RD APT 7 20-30-151-079 898 N ADAMS RD APT 1 20-30-151-080 898 N ADAMS RD APT 5 20-30-151-081 898 N ADAMS RD APT 2 20-30-151-082 898 N ADAMS RD APT 6	19-25-279-022 1051 N ADAMS RD 19-25-279-023 1063 N ADAMS RD 19-25-279-024 1075 N ADAMS RD 19-25-279-025 1087 N ADAMS RD 19-25-279-026 1099 N ADAMS RD 19-25-281-016 1055 WIMBLETON DR 19-25-281-017 1065 WIMBLETON DR 19-25-281-018 1075 WIMBLETON DR 19-25-281-019 1085 WIMBLETON DR 19-25-281-020 901 N ADAMS RD 19-25-281-021 911 N ADAMS 19-25-281-022 921 N ADAMS 19-25-281-023 931 N ADAMS 19-25-281-024 941 N ADAMS UNIT 9 19-25-281-025 951 N ADAMS 19-25-281-026 961 N ADAMS 19-25-281-027 971 N ADAMS 19-25-281-028 1084 ABBEY RD 19-25-281-029 1074 ABBEY RD 19-25-281-030 1064 ABBEY RD 19-25-281-031 1054 ABBEY RD 19-25-282-017 1078 WIMBLETON DR 19-25-282-018 1076 WIMBLETON DR 19-25-282-019 1072 WIMBLETON DR 19-25-282-020 1070 WIMBLETON DR 19-25-282-021 1064 WIMBLETON DR 19-25-282-022 1060 WIMBLETON DR 19-25-282-023 1050 WIMBLETON DR
Nature of Improvement:	This project will include the replacement of the water main and sewer improvements. The City intends to replace private sewer and water laterals meeting certain “useful life” criteria in the right-of-way in an effort to protect the public investments being made with this project.	
City Staff Contact:	Melissa Coatta, City Engineer mcoatta@bhamgov.org , (248)530-1839	
Notice Requirements:	Newspaper Notice and First Class Mail to affected property owners 10 days prior. Publish 6/23/2024 & 6/30/2024	
Approved minutes may be reviewed at:	City Clerk’s Office or www.bhamgov.org/commissionagendas	
Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: https://zoom.us/j/655079760 Meeting ID: 655 079 760		
You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012. The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll. All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed. Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.3405 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.		

Parcel Identification Number	First Owner Name	Postal Address	POSTALCITY	POSTALSTAT	POSTALZIP5	PNUM	Postal City Postal State Postal Zip 5
1925279017	ALLISON GREENE LVNG TRUST	1001 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-017	BIRMINGHAM, MI 48009
1925279018	SHANTHI LAKSHMI SIVANANDHAM	1013 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-018	BIRMINGHAM, MI 48009
1925279019	WALTER PALAMARCHUK	980 WORTHINGTON RD	BIRMINGHAM	MI	48009	08-19-25-279-019	BIRMINGHAM, MI 48009
1925279020	SABAH KEER	1037 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-020	BIRMINGHAM, MI 48009
1925279021	SHARON N MURPHY	1049 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-021	BIRMINGHAM, MI 48009
1925279022	SOMESCOTT REALTY LLC	PO BOX 1628	BIRMINGHAM	MI	48012	08-19-25-279-022	BIRMINGHAM, MI 48012
1925279023	SHARON SUE SPEYER TRUST	1063 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-023	BIRMINGHAM, MI 48009
1925279024	PAMELA A MEEK	1075 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-024	BIRMINGHAM, MI 48009
1925279025	HARRY S RADCLIFF JR REVOC TRUST	33 N MAIN ST	CLARKSTON	MI	48346	08-19-25-279-025	CLARKSTON, MI 48346
1925279026	JOEL J REMY	410 EVERNIA ST APT 515	WEST PALM BEACH	FL	33401	08-19-25-279-026	WEST PALM BEACH, FL 33401
1925281016	JOSEPH PARADISO	1055 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-281-016	BIRMINGHAM, MI 48009
1925281017	JOSEPH LEIDER	2820 WOODSLEE DR	ROYAL OAK	MI	48073	08-19-25-281-017	ROYAL OAK, MI 48073
1925281018	AMID HOLDINGS LLC	19091 BEDFORD ST	BEVERLY HILLS	MI	48025	08-19-25-281-018	BEVERLY HILLS, MI 48025
1925281019	RICHARD HEGGIE	1085 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-281-019	BIRMINGHAM, MI 48009
1925281020	DANIEL JEMINI	901 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-281-020	BIRMINGHAM, MI 48009
1925281021	TITAS LAURINAITIS	705 DAVIS AVE	BIRMINGHAM	MI	48009	08-19-25-281-021	BIRMINGHAM, MI 48009
1925281022	THOMAS J DECEMBER	921 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-281-022	BIRMINGHAM, MI 48009
1925281023	FRANK MONAGHAN	1039 N OLD WOODWARD AVE UNIT 5	BIRMINGHAM	MI	48009	08-19-25-281-023	BIRMINGHAM, MI 48009
1925281024	PENSCO TRUST COMPANY	5823 WELLWOOD DR	ROCHESTER	MI	48306	08-19-25-281-024	ROCHESTER, MI 48306
1925281025	MARK FLESZAR	951 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-281-025	BIRMINGHAM, MI 48009
1925281026	AI HOME PROPERTIES LLC	1407 WOODGLEN LN	BLOOMFIELD	MI	48304	08-19-25-281-026	BLOOMFIELD, MI 48304
1925281027	JANET K TALBOYS INTER VIVOS TRUST	971 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-281-027	BIRMINGHAM, MI 48009
1925281028	YVONNE CHAN	316 SHELL GATE RD	ALAMEDA	CA	94501	08-19-25-281-028	ALAMEDA, CA 94501
1925281029	KATHLEEN C RAFFERTY	1170 ARDEN LN	BIRMINGHAM	MI	48009	08-19-25-281-029	BIRMINGHAM, MI 48009
1925281030	MONIQUE CLARK	1064 ABBEY RD	BIRMINGHAM	MI	48009	08-19-25-281-030	BIRMINGHAM, MI 48009
1925281031	MAJID PEZHMAN	5598 WHITE HALL CIR	WEST BLOOMFIELD	MI	48323	08-19-25-281-031	WEST BLOOMFIELD, MI 48323
1925282017	CAROLYN NESBITT TRUST	5964 PELICAN BAY BLVD APT 435	NAPLES	FL	34108	08-19-25-282-017	NAPLES, FL 34108
1925282018	JOLENE B SCAVONE LVNG TRUST	1076 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-018	BIRMINGHAM, MI 48009
1925282019	ROBERT BROWN JR	1072 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-019	BIRMINGHAM, MI 48009
1925282020	ROBERT GEENENS	1070 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-020	BIRMINGHAM, MI 48009
1925282021	SANDRA COLDEN	1064 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-021	BIRMINGHAM, MI 48009
1925282022	DEBORAH UNDERWOOD	1060 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-022	BIRMINGHAM, MI 48009
1925282023	LISA BURK	1050 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-023	BIRMINGHAM, MI 48009
2030151007	MAHA BANNO	1109 DERBY RD APT 4	BIRMINGHAM	MI	48009	08-20-30-151-007	BIRMINGHAM, MI 48009
2030151008	REGINA EBRUCHE	1109 DERBY RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-008	BIRMINGHAM, MI 48009
2030151009	BARBARA CHAMBERLIN	1109 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-009	BIRMINGHAM, MI 48009
2030151010	PENSO TR CO CUSTODIAN	5823 WELLWOOD DR	ROCHESTER	MI	48306	08-20-30-151-010	ROCHESTER, MI 48306
2030151012	MICHELE CONNER	1109 DERBY RD APT 5	BIRMINGHAM	MI	48009	08-20-30-151-012	BIRMINGHAM, MI 48009
2030151013	SHEILA EVANS	1109 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-013	BIRMINGHAM, MI 48009
2030151014	JAY EDWIN BALASZ	419 MICHIGAN AVE	CHARLEVOIX	MI	49720	08-20-30-151-014	CHARLEVOIX, MI 49720
2030151011	MARY JANE KRIEGER	1109 DERBY RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-011	BIRMINGHAM, MI 48009
2030151015	NAK INVESTMENTS LLC	1127 DERBY RD APT 4	BIRMINGHAM	MI	48009	08-20-30-151-015	BIRMINGHAM, MI 48009
2030151016	OLGA A NOCHTCHIK	1127 DERBY RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-016	BIRMINGHAM, MI 48009
2030151017	WILBUR GALEN GARST JR TRUST	1127 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-017	BIRMINGHAM, MI 48009
2030151018	ACETYLENE LLC	25875 BALSAM RD	FRANKLIN	MI	48025	08-20-30-151-018	FRANKLIN, MI 48025
2030151019	SALLY K HUTWHAITE	1127 DERBY RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-019	BIRMINGHAM, MI 48009
2030151020	LAWRENCE T RYAN	1127 DERBY RD APT 5	BIRMINGHAM	MI	48009	08-20-30-151-020	BIRMINGHAM, MI 48009
2030151021	DOROTHY G JOHNSON TRUST	1127 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-021	BIRMINGHAM, MI 48009
2030151022	CHRISTOPHER DUFF	1127 DERBY RD APT 6	BIRMINGHAM	MI	48009	08-20-30-151-022	BIRMINGHAM, MI 48009
2030151023	MARGARET HAMM	1155 DERBY RD APT 4	BIRMINGHAM	MI	48009	08-20-30-151-023	BIRMINGHAM, MI 48009
2030151024	ODETA MUCAJ	1155 DERBY RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-024	BIRMINGHAM, MI 48009
2030151025	SHARON L MICHAEL	1155 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-025	BIRMINGHAM, MI 48009
2030151026	WILBUR GALEN GARST JR TRUST	1127 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-026	BIRMINGHAM, MI 48009
2030151027	TITAS LAURINAITIS	705 DAVIS AVE	BIRMINGHAM	MI	48009	08-20-30-151-027	BIRMINGHAM, MI 48009
2030151028	WILBUR GALEN GARST JR TRUST	1127 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-028	BIRMINGHAM, MI 48009
2030151029	MARGARITA DAVYDOVA	1155 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-029	BIRMINGHAM, MI 48009
2030151030	SUZANNE TAKLA	7035 CROCKETT RIDGE DR	RICHMOND	TX	77406	08-20-30-151-030	RICHMOND, TX 77406
2030151031	SURINDER CHAUHAN	731 CLARA CT	LAKE OSWEGO	OR	97034	08-20-30-151-031	LAKE OSWEGO, OR 97034
2030151032	MICHELLE A STASYUK	850 N ADAMS RD APT 5	BIRMINGHAM	MI	48009	08-20-30-151-032	BIRMINGHAM, MI 48009
2030151033	CAROLYN J BUTCHER	850 N ADAMS RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-033	BIRMINGHAM, MI 48009
2030151034	LIAM CAPITAL LLC	5859 BRAEMORE DR	CANTON	MI	48187	08-20-30-151-034	CANTON, MI 48187
2030151035	MARK ISAKOV	850 N ADAMS RD APT 4	BIRMINGHAM	MI	48009	08-20-30-151-035	BIRMINGHAM, MI 48009
2030151036	JACLYN ROTH SZILAGYI	850 N ADAMS RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-036	BIRMINGHAM, MI 48009
2030151037	SANDRA JACKSON	850 N ADAMS RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-037	BIRMINGHAM, MI 48009
2030151038	MASOUD POURABRAHIMI	850 N ADAMS RD APT 7	BIRMINGHAM	MI	48009	08-20-30-151-038	BIRMINGHAM, MI 48009
2030151040	FELICIA L CALABRESE	868 N ADAMS RD APT 5	BIRMINGHAM	MI	48009	08-20-30-151-040	BIRMINGHAM, MI 48009
2030151041	JANE SOLOMON DECL OF TRUST	8175 HENDRIE BLVD	HUNTINGTON WOODS	MI	48070	08-20-30-151-041	HUNTINGTON WOODS, MI 48070
2030151042	ALIREZA KAMALI	875 GREENVIEW CT APT 64	ROCHESTER HILLS	MI	48307	08-20-30-151-042	ROCHESTER HILLS, MI 48307
2030151039	JACK BELCHINSKY	1703 WHITEHALL DR UNIT 1C	LONGMONT	CO	80504	08-20-30-151-039	LONGMONT, CO 80504
2030151044	DANA LORRAINE LASKOWSKY BILICKI	3822 QUARTON RD	BLOOMFIELD HILLS	MI	48302	08-20-30-151-044	BLOOMFIELD HILLS, MI 48302
2030151043	LSI HOLDINGS LLC	1120 N GLENHURST DR	BIRMINGHAM	MI	48009	08-20-30-151-043	BIRMINGHAM, MI 48009
2030151045	ABOLGHASEM KAMALI	875 GREENVIEW CT APT 64	ROCHESTER HILLS	MI	48307	08-20-30-151-045	ROCHESTER HILLS, MI 48307
2030151046	ABOLGHASEM KAMALI	875 GREENVIEW CT APT 64	ROCHESTER HILLS	MI	48307	08-20-30-151-046	ROCHESTER HILLS, MI 48307
2030151047	BRIAN HILDEBRAND	1057 PRAGUE ST	SAN FRANCISCO	CA	94112	08-20-30-151-047	SAN FRANCISCO, CA 94112
2030151048	CHRISTOPHER D KAYE	1031 MADISON ST	BIRMINGHAM	MI	48009	08-20-30-151-048	BIRMINGHAM, MI 48009
2030151049	CARLOS ARTUTRO MUNOZ-ARAMBURU	1195 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-049	BIRMINGHAM, MI 48009
2030151050	VASILE BOZINTAN	29206 CHELSEA XING	FARMINGTON HILLS	MI	48331	08-20-30-151-050	FARMINGTON HILLS, MI 48331
2030151051	ANDY CHAPMAN	552 W JEFFERSON ST	PETOSKEY	MI	49770	08-20-30-151-051	PETOSKEY, MI 49770
2030151052	SCOTT HILL	932 HEMLOCK DR	OXFORD	MI	48370	08-20-30-151-052	OXFORD, MI 48370
2030151053	STEPHEN HERSHFIELD	1195 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-053	BIRMINGHAM, MI 48009
2030151054	PENSCO TRUST CO	5823 WELLWOOD DR	ROCHESTER	MI	48306	08-20-30-151-054	ROCHESTER, MI 48306
2030151055	AMJAY CAPITAL LLC	2804 ORCHARD LAKE RD STE 203	KEEGO HARBOR	MI	48320	08-20-30-151-055	KEEGO HARBOR, MI 48320
2030151056	SRINIVAS NAMA	1225 DERBY RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-056	BIRMINGHAM, MI 48009
2030151057	KATHY MARSHALL	201 W BIG BEAVER RD STE 1200	TROY	MI	48084	08-20-30-151-057	TROY, MI 48084
2030151058	HORST GRIESSER	520 MANITOU LN	LAKE ORION	MI	48362	08-20-30-151-058	LAKE ORION, MI 48362
2030151059	KATHY MARSHALL	201 W BIG BEAVER RD STE 1200	TROY	MI	48084	08-20-30-151-059	TROY, MI 48084
2030151060	STACIE N NISKAR	1225 DERBY RD APT 5	BIRMINGHAM	MI	48009	08-20-30-151-060	BIRMINGHAM, MI 48009
2030151061	MARY SHEARER	1225 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-061	BIRMINGHAM, MI 48009
2030151062	KENNETH HURTT	PO BOX 285	SOUTHFIELD	MI	48037	08-20-30-151-062	SOUTHFIELD, MI 48037
2030151063	LEON O BRAISTED III	1245 DERBY RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-063	BIRMINGHAM, MI 48009
2030151064	ROBERT FOLIN	4909 SCHAEFER CT	BETTENDORF	IA	52722	08-20-30-151-064	BETTENDORF, IA 52722
2030151065	LEON PAUL BURGMAN	1245 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-065	BIRMINGHAM, MI 48009
2030151066	BRENDA G SHUFELT	1245 DERBY RD APT 6	BIRMINGHAM	MI	48009	08-20-30-151-066	BIRMINGHAM, MI 48009
2030151067	ALEXAND L	1911 SHERWOOD GLN	BLOOMFIELD HILLS	MI	48302	08-20-30-151-067	BLOOMFIELD HILLS, MI 48302
2030151068	BRUCE E SMITH	2105 VINSETTA BLVD	ROYAL OAK	MI	48073	08-20-30-151-068	ROYAL OAK, MI 48073
2030151070	MARK A ROBY	1245 DERBY RD APT 7	BIRMINGHAM	MI	48009	08-20-30-151-070	BIRMINGHAM, MI 48009
2030151069	PENSCO TRUST COMPANY, FBO ROBERT G SIRNA IRA	5823 WELLWOOD DR	ROCHESTER	MI	48306	08-20-30-151-069	ROCHESTER, MI 48306
2030151071	STEPHEN T KWASNY TRUST	880 N ADAMS RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-071	BIRMINGHAM, MI 48009
2030151072	LSI HOLDINGS LLC	1120 N GLENHURST DR	BIRMINGHAM	MI	48009	08-20-30-151-072	BIRMINGHAM, MI 48009
2030151073	CHRISTINE KARAZIM	290 CHESTERFIELD RD	BLOOMFIELD HILLS	MI	48304	08-20-30-151-073	BLOOMFIELD HILLS, MI 48304
2030151074	LUIS LOPEZ COZAR	880 N ADAMS RD APT 6	BIRMINGHAM	MI	48009	08-20-30-151-074	BIRMINGHAM, MI 48009
2030151075	VIRGINIA GRAHAM	880 N ADAMS RD APT 4	BIRMINGHAM	MI	48009	08-20-30-151-075	BIRMINGHAM, MI 48009
2030151076	JEFFREY L KNIGHT	880 N ADAMS RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-076	BIRMINGHAM, MI 48009
2030151078	LINDA A BURTON	880 N ADAMS RD APT 7	BIRMINGHAM	MI	48009	08-20-30-151-078	BIRMINGHAM, MI 48009
2030151077	WILBUR GALEN GARST JR TRUST	1127 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-077	BIRMINGHAM, MI 48009
2030151079	ANDREA M WALWORTH	898 N ADAMS RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-079	BIRMINGHAM, MI 48009

2030151080 ELAINE H STREIFF	898 N ADAMS RD APT 5	BIRMINGHAM	MI	48009 08-20-30-151-080	BIRMINGHAM, MI 48009
2030151081 LINDA ANN MERLO LLC	PO BOX 1651	BIRMINGHAM	MI	48012 08-20-30-151-081	BIRMINGHAM, MI 48012
2030151082 DAVID MAHAZ	898 N ADAMS RD APT 6	BIRMINGHAM	MI	48009 08-20-30-151-082	BIRMINGHAM, MI 48009
2030151083 ISI HOLDINGS LLC	1120 N GLENHURST DR	BIRMINGHAM	MI	48009 08-20-30-151-083	BIRMINGHAM, MI 48009
2030151084 JERRY BILLITER	1012 BLUE WING CT	VENICE	FL	34293 08-20-30-151-084	VENICE, FL 34293
2030151085 JOHN J O'NEILL	898 N ADAMS RD APT 3	BIRMINGHAM	MI	48009 08-20-30-151-085	BIRMINGHAM, MI 48009
2030151086 HINESITE INVESTMENTS LLC	PO BOX 1651	BIRMINGHAM	MI	48012 08-20-30-151-086	BIRMINGHAM, MI 48012
2030151087 KIRK KARAMANIAN	655 OAKLAND AVE	BIRMINGHAM	MI	48009 08-20-30-151-087	BIRMINGHAM, MI 48009
2030151088 BKT VENTURES LLC	1958 BUCKTHORN CT	TROY	MI	48098 08-20-30-151-088	TROY, MI 48098
2030151089 CHRISTOPHER F HINES	PO BOX 1651	BIRMINGHAM	MI	48012 08-20-30-151-089	BIRMINGHAM, MI 48012
2030151090 MERYL GARDYNIK	31746 SHERIDAN DR	BEVERLY HILLS	MI	48025 08-20-30-151-090	BEVERLY HILLS, MI 48025
2030151091 LSI HOLDINGS LLC	1120 N GLENHURST DR	BIRMINGHAM	MI	48009 08-20-30-151-091	BIRMINGHAM, MI 48009
2030151092 ABOLGHASEM KAMALI	875 GREENVIEW CT APT 64	ROCHESTER HILLS	MI	48307 08-20-30-151-092	ROCHESTER HILLS, MI 48307
2030151093 DAVID PEREIRA	946 N ADAMS RD APT 2	BIRMINGHAM	MI	48009 08-20-30-151-093	BIRMINGHAM, MI 48009
2030151094 NUBIA PELAEZ-RODRIGUEZ	946 N ADAMS RD APT 6	BIRMINGHAM	MI	48009 08-20-30-151-094	BIRMINGHAM, MI 48009
2030151095 MICHAEL OSTROWSKI	928 N ADAMS RD APT 4	BIRMINGHAM	MI	48009 08-20-30-151-095	BIRMINGHAM, MI 48009
2030151096 NORTH ADAMS LLC	PO BOX 15536	DETROIT	MI	48215 08-20-30-151-096	DETROIT, MI 48215
2030151097 CHRISTOPHER F HINES	PO BOX 1651	BIRMINGHAM	MI	48012 08-20-30-151-097	BIRMINGHAM, MI 48012
2030151098 MARVIN E DRAYTON	928 N ADAMS RD APT 7	BIRMINGHAM	MI	48009 08-20-30-151-098	BIRMINGHAM, MI 48009
2030151099 HELEN CHEN-CAO	928 N ADAMS RD APT 1	BIRMINGHAM	MI	48009 08-20-30-151-099	BIRMINGHAM, MI 48009
2030151100 KIRK KARAMANIAN	655 OAKLAND AVE	BIRMINGHAM	MI	48009 08-20-30-151-100	BIRMINGHAM, MI 48009
2030151102 EL KRAS HOLDINGS LLC	2598 BUCKINGHAM AVE	BIRMINGHAM	MI	48009 08-20-30-151-102	BIRMINGHAM, MI 48009
2030151101 FARSHAD ADIB	PO BOX 1854	TROY	MI	48099 08-20-30-151-101	TROY, MI 48099
2030151103 RUDOLPH C VULPE	3498 ERIE DR	ORCHARD LAKE	MI	48324 08-20-30-151-103	ORCHARD LAKE, MI 48324
2030151104 STEPHANIE L SOUKAR	910 N ADAMS RD APT 8	BIRMINGHAM	MI	48009 08-20-30-151-104	BIRMINGHAM, MI 48009
2030151105 ENNA CAMPOS-GARCIA	910 N ADAMS RD APT 3	BIRMINGHAM	MI	48009 08-20-30-151-105	BIRMINGHAM, MI 48009
2030151106 910 SOUTH ADAMS LLC	4615 STONELEIGH RD	BLOOMFIELD	MI	48302 08-20-30-151-106	BLOOMFIELD, MI 48302
2030151107 SAVANNAH SCHODOWSKI	910 N ADAMS RD APT 1	BIRMINGHAM	MI	48009 08-20-30-151-107	BIRMINGHAM, MI 48009
2030151108 VASKA PETROVICH	1000 W GLENGARRY CIR	BLOOMFIELD HILLS	MI	48301 08-20-30-151-108	BLOOMFIELD HILLS, MI 48301
2030151109 DAGNYA IYLA	910 N ADAMS RD APT 2	BIRMINGHAM	MI	48009 08-20-30-151-109	BIRMINGHAM, MI 48009
2030151110 DR JOHN MAKRIS	33030 JEFFERSON AVE	SAINT CLAIR SHORES	MI	48082 08-20-30-151-110	SAINT CLAIR SHORES, MI 48082
2030151111 MONICA RAE LITTLE	964 N ADAMS RD APT 1	BIRMINGHAM	MI	48009 08-20-30-151-111	BIRMINGHAM, MI 48009
2030151112 KATHERINE SWARTZ	43728 VINTAGE OAKS DR	STERLING HEIGHTS	MI	48314 08-20-30-151-112	STERLING HEIGHTS, MI 48314
2030151113 JAMES A SIMMONS DECLARATION TRST	964 N ADAMS RD APT 2	BIRMINGHAM	MI	48009 08-20-30-151-113	BIRMINGHAM, MI 48009
2030151114 LOUISE MARIE NIZZARDI LLC	PO BOX 1651	BIRMINGHAM	MI	48012 08-20-30-151-114	BIRMINGHAM, MI 48012
2030151115 BETHANY SALTER	16969 BEECHWOOD AVE	BEVERLY HILLS	MI	48025 08-20-30-151-115	BEVERLY HILLS, MI 48025
2030151116 JAMES KELSEY	964 N ADAMS RD APT 8	BIRMINGHAM	MI	48009 08-20-30-151-116	BIRMINGHAM, MI 48009
2030151117 ABOLGHASEM KAMALI	875 GREENVIEW CT APT 64	ROCHESTER HILLS	MI	48307 08-20-30-151-117	ROCHESTER HILLS, MI 48307
2030151118 CLAIRE N KONIKOW	964 N ADAMS RD APT 7	BIRMINGHAM	MI	48009 08-20-30-151-118	BIRMINGHAM, MI 48009
2030151119 BESA PROPERTIES LLC	38543 CHELDON ST	CLINTON TWP	MI	48038 08-20-30-151-119	CLINTON TWP, MI 48038
2030151120 BOLTON FAMILY TRUST	1378 FAIRFAX ST	BIRMINGHAM	MI	48009 08-20-30-151-120	BIRMINGHAM, MI 48009
2030151121 CHRISTINE PETTWAY	982 N ADAMS RD APT 2	BIRMINGHAM	MI	48009 08-20-30-151-121	BIRMINGHAM, MI 48009
2030151122 JOSE ANTONIO GARCIA VALDEZ	200 AMYS WALK	AUBURN HILLS	MI	48326 08-20-30-151-122	AUBURN HILLS, MI 48326
2030151123 JOHN MAKRIS	33030 JEFFERSON AVE	SAINT CLAIR SHORES	MI	48082 08-20-30-151-123	SAINT CLAIR SHORES, MI 48082
2030151124 LORI A RHODES	982 N ADAMS RD APT 8	BIRMINGHAM	MI	48009 08-20-30-151-124	BIRMINGHAM, MI 48009
2030151125 ELIE SOUKAR	982 N ADAMS RD APT 3	BIRMINGHAM	MI	48009 08-20-30-151-125	BIRMINGHAM, MI 48009
2030151126 JACQUELINE K ORTWINE	982 N ADAMS RD APT 7	BIRMINGHAM	MI	48009 08-20-30-151-126	BIRMINGHAM, MI 48009
2030151127 ELIZABETH COTE BUTLER	900 N ADAMS RD UNIT 121	BIRMINGHAM	MI	48009 08-20-30-151-127	BIRMINGHAM, MI 48009
2030151001 URBANE ON ADAMS LLC	4031 CROOKS RD	ROYAL OAK	MI	48073 08-20-30-151-001	ROYAL OAK, MI 48073
2030151002 URBANE ON ADAMS LLC	4031 CROOKS RD	ROYAL OAK	MI	48073 08-20-30-151-002	ROYAL OAK, MI 48073



June 17, 2024

TO: parcel #
NAME
ADDRESS
CITY/STATE/ZIP

Re: North Adams Resurfacing Project, Contract #12-24 (P)
Water & Sewer Laterals Special Assessment District (SAD)

To whom it may concern,

The City of Birmingham North Adams Road Resurfacing Project will start in the Summer/Fall of 2024. The project includes resurfacing the pavement from south of Madison Street to the northern City limits, as well as some water main replacement, and sewer improvements.

This project will include the replacement of the water main and sewer improvements. The City intends to replace private sewer and water laterals meeting certain "useful life" criteria in the right-of-way in an effort to protect the public investments being made with this project. This will include the replacement of all sewer laterals that are 50 years of age or older, less than 6 inch diameter, or an unsuitable material. Water services less than the City minimum size of 1 inch diameter, are 60 years of age or older, or an unsuitable material will also be replaced. All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC, and unsuitable water services will be replaced with new 1 inch diameter pipe. The lengths of sewer and/or water laterals replacement will be within the right-of-way. Enclosed is a map of properties included in the Sewer and Water Lateral SAD.

With this letter, you are receiving notifications for two public hearings for the Paving Special Assessment District (SAD):

- The Public Hearing of the Necessity to form a Special Assessment District for the improved road installation meeting the requirements as part of the North Adams Resurfacing Project is **Monday, July 8, 2024**, at the regularly scheduled City Commission meeting at 7:30 p.m. in City Hall at 151 Martin St.
- If necessity is determined at the July 8 hearing, a Public Hearing of Confirmation to confirm the Special Assessment District will follow on **Monday, July 22, 2024**, at the regularly scheduled City Commission meeting at 7:30 p.m. in City Hall at 151 Martin St.

Consistent with previous projects of this nature, it has been the City's policy to assess 100% of the costs of replacing the portion of unsuitable water and sewer laterals within the right-of-way to the property owner.

After the work is completed, an invoice will be generated and sent to the property owner of record for the public improvements. Payment in full will be expected within 30 days of receipt. If you are not in a position to pay off the charge in one payment, it can be broken into as many as 10 annual payments. An annual interest charge on the remaining balance, currently about 9.50 percent, will apply. Official estimates of the water and sewer lateral replacements will be provided at the Hearing of Necessity.

If you have any questions or concerns, please contact the Engineering Office at (248) 530-1850. You will have the opportunity to ask questions and speak directly to the City Commission at the Public Hearing of Necessity and at the Confirmation of the Roll.

Sincerely,



Melissa A. Coatta, P.E.
City Engineer

Funds Report	Available:	\$6,707.99	PBP Account Number:	35884980
	Used:	\$43,052.01	Indicia Number:	0008029208
	Total Pieces:	58947	Meter Number:	8029208
	Control Sum:	\$49,760.00	Meter Name:	
	Resettable Piece Count:	157	Printed:	JUN 20 2024 10:56 AM
	Piece Count Value:	\$100.48		

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ELECTION 2024

For many voters, the Biden-Trump debate means a tough choice just got tougher

By Calvin Woodward
The Associated Press

WASHINGTON — The sound you might have heard after the presidential debate this past week was of voters falling between a rock and a hard place.

Apart from the sizable and pumped-up universe of Donald Trump's supporters, the debate suddenly crystallized the worries of many Americans, a portion of President Joe Biden's supporters among them, that neither man is fit to lead the nation.

Heading into the first debate of the general election campaign, voters had faced a choice between two strikingly unpopular candidates. They then watched as Trump told a stream of falsehoods with sharpness, vigor and conviction, while Biden struggled mightily to land debating points and even to get through many sentences. It added to doubts about the 81-year-old Democratic president's fitness to be in office for four more years.

Now, the options are even more dispiriting for many Democrats, undecided voters and anti-Trump Republicans. More than a few people came away from watching the debate very conflicted.

Outside a Whole Foods in downtown Denver on Friday, registered Democrat Matthew Toellner tilted his head sideways, mouth agape, in an imitation of his favored candidate, Biden, who was

seen doing that at times on the split screen when Trump was talking Thursday night. "I'm going to vote for Biden," said Toellner, 49, leaning against the wood siding of the grocery store. "Actually, I might not."

A few minutes later, Toellner looked out to the street and rethought again. "I'm going to vote for Biden, I think I'd be a fool not to. But I just hate that I have to."

His appeal to Biden and Democrats: "Please step down, get somebody electable."

On a Detroit park bench, Arabia Simeon was left feeling politically homeless after voting Democratic in the past two presidential elections. "It just feels like we're doomed no matter what," she said.

Trump's disregard for the facts suffused his arguments, though he was rarely challenged on the specifics during the debate. On abortion, for example, one of America's most divisive issues for generations, the former Republican president claimed there is universal agreement that states should decide on the legality of it. There is ferocious argument about that.

But did that matter? The public reaction to the interviews across the country, brought to mind Bill Clinton's post-presidency assessment of what voters want in fraught times: "When people feel uncertain, they're rather



CAROLYN KASTER/
THE ASSOCIATED PRESS

Jocardo Ralston, 47, from Pennsylvania, looks up to a television to watch the presidential debate between President Joe Biden and Republican presidential candidate former President Donald Trump at Tiller's Lounge on Thursday, in Cincinnati.

have someone strong and wrong than weak and right."

The debate unmoved Simeon just as it did Toellner. The 27-year-old owner of a Detroit start-up went into debate night deciding between Biden and an independent candidate, the most prominent of whom is long shot Robert F. Kennedy Jr. Now she's leaning against Biden.

"I think it just kind of validated the feeling that I was having that this election is going to be extremely hectic, and it's no longer the conversation of the lesser of two evils," she said from a park bench on a work break.

"It's more like both of these candidates don't feel like viable options."

Simeon said that as a Black and queer person, "It's really disheartening to know that no matter how far we come as a country, we're still going to factory reset when it comes to president and have to make a choice between two white men."

In large part, Democratic lawmakers in Washington and party officials across the United States closed ranks around Biden despite the panic that gripped many of them from his debate performance. But their remarks were measured, seeming to leave an opening if Biden were to make the extraordinary decision to have Democrats find another nominee.

"It's President Biden's decision what he wants to do with his life," said Sharif Street, chair of the Pennsylvania Democratic Party and a state senator. "So far, he's decided he's our nominee, and I'm with him."

To be sure, plenty of Biden supporters saw nothing to throw them off, as much as they tended to think he blew it.

"Worrisome," Jocardo Ralston of Philadelphia said of Biden's turn on the stage. Yet, Ralston said, "I'm not conflicted, nor do I feel that I am choosing the lesser of two evils. ... Biden is not the ideal choice for many, but he is the only choice for me, without regrets or hesitation."

ELECTION 2024

Jan. 6 shadows the 2024 campaign, but not on the debate stage. That alarms democracy advocates

By Lisa Mascaro
The Associated Press

WASHINGTON — In the first presidential debate, Republican Donald Trump skinned over the Jan. 6, 2021, attack at the Capitol, shifted blame for the violent mob siege and declined repeatedly to state unequivocally that he will accept the results of this year's White House election.

And President Joe Biden, who has said the work of his presidency is to restore the soul of the nation, flubbed and floundered, failing to forcefully confront, contradict and hold Trump, the indicted former president, accountable for the attack on the election — and democracy.

It is an extraordinary moment, or lack of one, that is alarming to democracy advocates, the far-reaching effort to overturn the 2020 election and the subsequent insurrection that defied the Trump presidency fading from view during the opening debate of the general election campaign.

Mississippi Rep. Bennie Thompson, the Democrat who chaired the House's Jan. 6 committee investigation in the last Congress, said it is a deeply unfortunate situation.

"We could have a Jan. 6, 2.0," Thompson said Friday outside the Capitol.

The outcome underscores the choice Americans face this fall as the riot over the 2020 election remains fundamental to the 2024 campaign,

but also obscured by it, despite the four-count federal indictment against Trump for working to overturn the results four years ago in the run-up to the violent siege and despite the convictions of more than 1,000 people in the Capitol attack.

It comes as the Supreme Court is weighing cases involving Jan. 6, including a decision Friday that makes it easier for some rioters to contest their charges and convictions, and another expected Monday on whether Trump can claim immunity in the federal election case.

All told, what seemed politically untenable, as the defeated Trump departed Washington downtown on Biden's inauguration day on Jan. 20, 2021, is now within reach as the president who tried to overturn an election is the Republican Party's presumptive nominee, edging toward an Oval Office return.

"We are four months away from the first presidential election since a violent attack on our Capitol. ... And the man responsible for that — Donald Trump — is currently the leading candidate," said Ian Bassin, executive director of the advocacy group Protect Democracy, which works to counter authoritarianism.

"You'd think that alone would be disqualifying, or at a minimum would be the central focus of the election," he said.

And yet, Bassin said, the topic was "relegated to an

afterthought" in the debate, "and the current president is struggling to press the case on why this issue should be of existential importance."

The forum itself is not necessarily to blame. The moderators pressed the candidates, asking Trump not once, but repeatedly, whether he would commit to not having another Jan. 6 and accepting the results of the election this time.

Trump insisted he had "virtually nothing to do" with the storming of the Capitol on Jan. 6 and tried to shift blame to then-House Speaker Nancy Pelosi, D-Calif., repeating his false claims about the delay in sending in the National Guard.

Biden, whose underwhelm-

ing debate performance of stunted answers and trailing thoughts has sent the Democratic Party into turmoil, struggled to deliver a cohesive response, despite having given high-profile speeches about Jan. 6, including on the first anniversary.

"Look, he encouraged those folks to go up on Capitol Hill," Biden said on the debate stage.

Thompson, whose committee produced a lengthy, 1,000-plus page report on its investigation into Trump's months-long attempt to overturn the election and the storming of the Capitol, said Biden missed a "golden opportunity" to set the record straight as millions of people watched the debate.

CITY OF ROCHESTER HILLS
2024 SUMMER PROPERTY TAX BILLS HAVE BEEN MAILED

ALL SUMMER TAX BILLS FOR REAL AND PERSONAL PROPERTY LOCATED IN THE CITY OF ROCHESTER HILLS have been mailed to all Rochester Hills property owners. If you have failed to receive a tax bill, please request a duplicate by calling the City Treasurer's Office at 248.656.4675 or in person at the City Treasurer's Office located on the upper level of City Hall, 2024 Summer Taxes are due JULY 1, 2024 and are payable without interest or penalty through Monday, SEPTEMBER 16, 2024 (normally due date is September 14 but the 14th falls on a Saturday this year so due date is extended to 16th). Tax payment must be received by the City Treasurer's Office on or before September 16, 2024; postmark is NOT honored. After September 16, 2024, interest of 1% will be added. An additional 1% is assessed on the first day of each month thereafter. On February 15, 2025 a 3% penalty will be added to the unpaid balance of 2024 summer taxes. Please allow AT LEAST 8 BUSINESS DAYS for delivery of mailed payments. Treasurer has no authority to waive interest or penalty.

Residents may be eligible to defer payment of the 2024 summer tax on their principal residence through February 14, 2025 if their total household income for the 2023 calendar year did not exceed \$40,000 AND they can qualify under one of the following categories:

- 62 YEARS OF AGE OR OLDER, OR THE UNREMARKED SURVIVING SPOUSE OF A PERSON WHO WAS 62 YEARS OF AGE OR OLDER AT THE TIME OF DEATH
- PARAPLEGIC, QUADRUPLEGIC, OR ELIGIBLE VETERAN
- ELIGIBLE SERVICE PERSON, ELIGIBLE VETERAN OR ELIGIBLE WIDOW OR WIDOWER
- BLIND PERSON
- TOTALLY AND PERMANENTLY DISABLED

Applications for 2024 Summer Tax Deferral are available at the City Treasurer's Office or by calling 248.656.4675 and must be filed by September 16, 2024.

- **RECURRING AUTOMATIC BILL PAYMENT** — The City will deduct the full amount of your summer and winter property tax bills from your specified checking or savings account on designated recurring dates. The summer property tax will be deducted on the due date this year, September 16. The winter property tax can be specified to be deducted on either the last business day in December, or the date that is normally February 14. The enrollment form must be completed and submitted at least 14 days prior to the due date of payment date. For secure online enrollment please email payments@rochesterhills.org or print the enrollment form that is available at www.rochesterhills.org/taxinfo which can either be mailed, placed in the City drop box or submitted in person at the Treasury Division counter.
- **ELECTRONIC PROPERTY TAX PAYMENT (SELF-INITIATED)**: Checks may be paid electronically using your checking or savings account. There is no charge to you to use this service. Call 1.833.440.2763 or access www.rochesterhills.org/paytaxes
- **CREDIT CARD PROPERTY TAX PAYMENT**: There is a 2.75% fee for this service. Access <http://www.rochesterhills.org/paytaxes> or call 1.833.440.2763. MasterCard, Visa, Discover and AMEX are accepted.

Note: You may check your tax payment status or print a receipt at www.rochesterhills.org/taxlookup

Please include parcel identification number and property address with all communications regarding taxes. We will not be responsible for lost or stolen receipts. If you wish to receive a paid tax receipt, please use the website above to print a statement showing the receipt of payment or call the City Treasurer's Office at 248.656.4675. Please remit payments to City of Rochester Hills, 1000 Rochester Hills Drive, Rochester Hills, MI 48066-3053.

JOSEPH M. SNYDER
CITY OF ROCHESTER HILLS
Dated at Rochester Hills, MI 48066 on June 20, 2024.

NOTICE OF MEETING

In accordance with Section 211.53(b) of the Michigan General Property Tax Law, the City of Rochester Hills, Board of Review will meet Tuesday, July 16, 2024 at 3:00 pm at the City of Rochester Hills Offices, 1000 Rochester Hills Drive, Rochester Hills, Oakland County, Michigan 48066.

The purpose of this meeting is to correct clerical errors or mutual mistakes of fact for 2024 and 2023, review property exemption applications for 2024 and correct the property transfer status 2021 through the 2024 assessment years.

Laurie A Taylor, Director
Department of Assessing
City of Rochester Hills
248-656-4605

6:30-24
POSTED:
City of Rochester Hills Communication Center

SUMMARY
ORDINANCE NO. C-6-2024
OAKLAND COUNTY, MICHIGAN

NOTICE of an Ordinance amending the Farmington Hills Code of Ordinances, Chapter 34, "Zoning," Article 5.0, "Site Standards," Section 5.5, "Signs," to include a new Subsection 3.A.1(a) addressing the area of electronic display areas.

A full copy of the Ordinance is on file in the Clerk's Office for public review between the hours of 8:30am and 4:30pm Monday through Friday.

Section 1: Ordinance Amendment
Section 2: Repealer
Section 3: Savings
Section 4: Severability
Section 5: Effective Date

The provisions of this Ordinance are ordered to take effect twenty-one (21) days after enactment.

CARLY LINDAHL, City Clerk

Section 6: Date and Publication
Publish: Oakland Press 6/30/2024

NOTICE OF PUBLIC HEARING
BIRMINGHAM CITY COMMISSION
PUBLIC HEARING OF NECESSITY & HEARING FOR CONFIRMATION OF THE ROLL

Meeting Date: 10:00 AM
Time, Location: Municipal Building, 151 Martin, Birmingham, MI 48009

Meeting Date: 10:00 AM
Time, Location: Municipal Building, 151 Martin, Birmingham, MI 48009

Project Location: North Adams Road, Below are the affected parcels:

- 20-30-151-001 1100 N ADAMS RD
- 20-30-151-002 1050 N ADAMS RD
- 20-30-151-007 1109 DERBY RD APT 4
- 20-30-151-008 1109 DERBY RD APT 6
- 20-30-151-009 1109 DERBY RD APT 3
- 20-30-151-010 1109 DERBY RD APT 7
- 20-30-151-011 1109 DERBY RD APT 1
- 20-30-151-012 1109 DERBY RD APT 5
- 20-30-151-013 1109 DERBY RD APT 2
- 20-30-151-014 1109 DERBY RD APT 6
- 20-30-151-015 1127 DERBY RD APT 4
- 20-30-151-016 1127 DERBY RD APT 8
- 20-30-151-017 1127 DERBY RD APT 3
- 20-30-151-018 1127 DERBY RD APT 1
- 20-30-151-019 1127 DERBY RD APT 5
- 20-30-151-020 1127 DERBY RD APT 5
- 20-30-151-021 1127 DERBY RD APT 2
- 20-30-151-022 1127 DERBY RD APT 6
- 20-30-151-023 1155 DERBY RD APT 4
- 20-30-151-024 1155 DERBY RD APT 8
- 20-30-151-025 1155 DERBY RD APT 3
- 20-30-151-026 1155 DERBY RD APT 7
- 20-30-151-027 1155 DERBY RD APT 1
- 20-30-151-028 1155 DERBY RD APT 5
- 20-30-151-029 1155 DERBY RD APT 2
- 20-30-151-030 1155 DERBY RD APT 6
- 20-30-151-031 850 NADAMS RD APT 5
- 20-30-151-032 850 NADAMS RD APT 2
- 20-30-151-033 850 NADAMS RD APT 6
- 20-30-151-034 850 NADAMS RD APT 4
- 20-30-151-035 850 NADAMS RD APT 8
- 20-30-151-036 850 NADAMS RD APT 9
- 20-30-151-037 850 NADAMS RD APT 7
- 20-30-151-038 850 NADAMS RD APT 1
- 20-30-151-039 850 NADAMS RD APT 5
- 20-30-151-040 850 NADAMS RD APT 2
- 20-30-151-041 850 NADAMS RD APT 6
- 20-30-151-042 850 NADAMS RD APT 4
- 20-30-151-043 850 NADAMS RD APT 8
- 20-30-151-044 850 NADAMS RD APT 3
- 20-30-151-045 850 NADAMS RD APT 7
- 20-30-151-046 850 NADAMS RD APT 1
- 20-30-151-047 1195 DERBY RD APT 4
- 20-30-151-048 1195 DERBY RD APT 8
- 20-30-151-049 1195 DERBY RD APT 3
- 20-30-151-050 1195 DERBY RD APT 6
- 20-30-151-051 1195 DERBY RD APT 1
- 20-30-151-052 1195 DERBY RD APT 5
- 20-30-151-053 1195 DERBY RD APT 2
- 20-30-151-054 1195 DERBY RD APT 6
- 20-30-151-055 1225 DERBY RD APT 4
- 20-30-151-056 1225 DERBY RD APT 8
- 20-30-151-057 1225 DERBY RD APT 3
- 20-30-151-058 1225 DERBY RD APT 7
- 20-30-151-059 1225 DERBY RD APT 1
- 20-30-151-060 1225 DERBY RD APT 5
- 20-30-151-061 1225 DERBY RD APT 2
- 20-30-151-062 1225 DERBY RD APT 6
- 20-30-151-063 1245 DERBY RD APT 1
- 20-30-151-064 1245 DERBY RD APT 5
- 20-30-151-065 1245 DERBY RD APT 2
- 20-30-151-066 1245 DERBY RD APT 6
- 20-30-151-067 1245 DERBY RD APT 4
- 20-30-151-068 1245 DERBY RD APT 8
- 20-30-151-069 1245 DERBY RD APT 3
- 20-30-151-070 1245 DERBY RD APT 7
- 20-30-151-071 880 NADAMS RD APT 1
- 20-30-151-072 880 NADAMS RD APT 5
- 20-30-151-073 880 NADAMS RD APT 2
- 20-30-151-074 880 NADAMS RD APT 6
- 20-30-151-075 880 NADAMS RD APT 4
- 20-30-151-076 880 NADAMS RD APT 8
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- 20-30-151-082 880 NADAMS RD APT 6
- 20-30-151-083 880 NADAMS RD APT 4
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- 20-30-151-085 880 NADAMS RD APT 3
- 20-30-151-086 880 NADAMS RD APT 7
- 20-30-151-087 880 NADAMS RD APT 1
- 20-30-151-088 880 NADAMS RD APT 5
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- 20-30-151-096 880 NADAMS RD APT 5
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- 20-30-151-099 880 NADAMS RD APT 4
- 20-30-151-100 880 NADAMS RD APT 8
- 20-30-151-101 880 NADAMS RD APT 3
- 20-30-151-102 880 NADAMS RD APT 7
- 20-30-151-103 880 NADAMS RD APT 1
- 20-30-151-104 880 NADAMS RD APT 5
- 20-30-151-105 880 NADAMS RD APT 2
- 20-30-151-106 880 NADAMS RD APT 6
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- 20-30-151-108 880 NADAMS RD APT 8
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- 20-30-151-110 880 NADAMS RD APT 7
- 20-30-151-111 880 NADAMS RD APT 1
- 20-30-151-112 880 NADAMS RD APT 5
- 20-30-151-113 880 NADAMS RD APT 2
- 20-30-151-114 880 NADAMS RD APT 6
- 20-30-151-115 880 NADAMS RD APT 4
- 20-30-151-116 880 NADAMS RD APT 8
- 20-30-151-117 880 NADAMS RD APT 3
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- 20-30-151-121 880 NADAMS RD APT 2
- 20-30-151-122 880 NADAMS RD APT 6
- 20-30-151-123 880 NADAMS RD APT 4
- 20-30-151-124 880 NADAMS RD APT 8
- 20-30-151-125 880 NADAMS RD APT 3
- 20-30-151-126 880 NADAMS RD APT 7
- 20-30-151-127 900 NADAMS RD
- 19-25-279-017 1001 N ADAMS RD
- 19-25-279-018 1019 N ADAMS RD
- 19-25-279-019 1025 N ADAMS RD
- 19-25-279-020 1037 N ADAMS RD
- 19-25-279-021 1043 N ADAMS RD
- 19-25-279-022 1051 N ADAMS RD
- 19-25-279-023 1063 N ADAMS RD
- 19-25-279-024 1075 N ADAMS RD
- 19-25-279-025 1087 N ADAMS RD
- 19-25-279-026 1095 N ADAMS RD
- 19-25-281-016 1055 WIMBLETON DR
- 19-25-281-017 1065 WIMBLETON DR
- 19-25-281-018 1075 WIMBLETON DR
- 19-25-281-019 1085 WIMBLETON DR
- 19-25-281-020 901 N ADAMS RD
- 19-25-281-021 911 N ADAMS RD
- 19-25-281-022 921 N ADAMS RD
- 19-25-281-023 931 N ADAMS RD
- 19-25-281-024 941 N ADAMS UNIT 9
- 19-25-281-025 951 N ADAMS RD
- 19-25-281-026 961 N ADAMS RD
- 19-25-281-027 971 N ADAMS RD
- 19-25-281-028 1084 ABBEY RD
- 19-25-281-029 1074 ABBEY RD
- 19-25-281-030 1064 ABBEY RD
- 19-25-281-031 1054 ABBEY RD
- 19-25-282-017 1075 WIMBLETON DR
- 19-25-282-018 1085 WIMBLETON DR
- 19-25-282-019 1072 WIMBLETON DR
- 19-25-282-020 1070 WIMBLETON DR
- 19-25-282-021 1068 WIMBLETON DR
- 19-25-282-022 1060 WIMBLETON DR
- 19-25-282-023 1050 WIMBLETON DR

Nature of Improvement: This project will include the replacement of the water main and sewer improvements. The City intends to replace private sewer and water laterals meeting certain "useful life" criteria in the right-of-way in an effort to protect the public investments being made with this project.

City Staff Contact: Melissa Coats, City Engineer
Contact: mcosco@birmingham.gov, (205) 930-1839

Notice Requirements: Newspaper Notice and First Class Mail to affected property owners 10 days prior, Publish 6/23/2024 & 6/30/2024

Approved minutes may be reviewed at: City Clerk's Office or www.birmingham.gov/commission/agendas

Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012. The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the public hearing held for the purpose of confirming the roll. All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be a lien against the respective owners of the lots or parcels assessed.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.3405 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.



N. Adams Road Project

Hearing of Necessity for Sewer and Water Lateral
Special Assessment District (SAD)

8C

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤ Overview

- Limits of N. Adams Project is Madison Street to northern City limits
- Project includes:
 - New Water Main: Mohegan Street to Putney Street
 - Sewer Improvements: Spot Repair near Putney
- Special Assessment District (SAD) for Sewer and Water Laterals to be paid by the property owner at one hundred percent of the costs.

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤ General Construction Information: Water:

- Existing Water: 12" Cast Iron, installed 1924
- Proposed Water: 12" Ductile Iron

Sewer Near Spot Repair:

- Existing Sewer: 12" Clay Pipe, installed 1952
- Proposed Sewer: 12" PVC

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤ General Construction Information:

N. Adams Road Water Main

- Almost 100 years old
- These streets have experienced several watermain breaks north of Mohegan
- After completing a water main break repair, DPS has experienced an immediate additional water main break nearby

N Adams Road Sewer

- A spot sewer repair is required from televising sewer reports

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤ Policy

- City policy: To protect the public investment being made with capital improvement projects in public roadways, as part of the project
 - Water Laterals:
 - Replace all water services that are 60 years of age or older, are less than one inch in diameter, or are constructed of an unsuitable material.
 - All unsuitable water services will be replaced with a new 1" diameter service, or be replaced to match the existing diameter if greater than 1"

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤ Policy

- City policy: To protect the public investment being made with capital improvement projects in public roadways, as part of the project
 - Sewer Laterals:
 - Replacement of all sewer laterals that are 50 years of age or older, are less than 6" diameter, or are constructed of an unsuitable material.
 - All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC or match existing size if larger than 6".

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤SAD:

- Water Lateral: 100% cost of the property owner
- Sewer Lateral : 100% cost of the property owner
- Cost: The cost can be paid back in either a lump sum or over up to a 5-year period with interest. The interest rate will be confirmed at the Confirmation of Roll.

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤SAD:

- Water:
 - \$115 per lineal foot for 1" diameter water service
 - \$125 per lineal foot for 2" diameter water service
- Sewer:
 - \$250 per lineal foot for 8" sewer pipe

N. Adams Road Project Sewer and Water Lateral Special Assessment District



Properties Within Sewer and Water Lateral SAD

N. Adams Road Project

Sewer and Water Lateral Special Assessment District

PROPERTIES LOCATED IN WATER AND SEWER LATERAL SAD:

Sidwell Number	Street Address	Sidwell Number	Street Address	Sidwell Number	Street Address	Sidwell Number	Street Address
19-25-279-017	1001 N ADAMS RD	20-30-151-014	1109 DERBY RD APT 6	20-30-151-033	850 N ADAMS RD APT 2	20-30-151-052	1195 DERBY RD APT 5
19-25-279-018	1013 N ADAMS RD	20-30-151-015	1127 DERBY RD APT 4	20-30-151-034	850 N ADAMS RD APT 6	20-30-151-053	1195 DERBY RD APT 2
19-25-279-019	1025 N ADAMS RD	20-30-151-016	1127 DERBY RD APT 8	20-30-151-035	850 N ADAMS RD APT 4	20-30-151-054	1195 DERBY RD APT 6
19-25-279-020	1037 N ADAMS RD	20-30-151-017	1127 DERBY RD APT 3	20-30-151-036	850 N ADAMS RD APT 8	20-30-151-055	1225 DERBY RD APT 4
19-25-279-021	1049 N ADAMS RD	20-30-151-018	1127 DERBY RD APT 7	20-30-151-037	850 N ADAMS RD APT 3	20-30-151-056	1225 DERBY RD APT 8
19-25-279-022	1051 N ADAMS RD	20-30-151-019	1127 DERBY RD APT 1	20-30-151-038	850 N ADAMS RD APT 7	20-30-151-057	1225 DERBY RD APT 3
19-25-279-023	1063 N ADAMS RD	20-30-151-020	1127 DERBY RD APT 5	20-30-151-039	868 N ADAMS RD APT 1	20-30-151-058	1225 DERBY RD APT 7
19-25-279-024	1075 N ADAMS RD	20-30-151-021	1127 DERBY RD APT 2	20-30-151-040	868 N ADAMS RD APT 5	20-30-151-059	1225 DERBY RD APT 1
19-25-279-025	1087 N ADAMS RD	20-30-151-022	1127 DERBY RD APT 6	20-30-151-041	868 N ADAMS RD APT 2	20-30-151-060	1225 DERBY RD APT 5
19-25-279-026	1099 N ADAMS RD	20-30-151-023	1155 DERBY RD APT 4	20-30-151-042	868 N ADAMS RD APT 6	20-30-151-061	1225 DERBY RD APT 2
20-30-151-001	1100 N ADAMS RD	20-30-151-024	1155 DERBY RD APT 8	20-30-151-043	868 N ADAMS RD APT 4	20-30-151-062	1225 DERBY RD APT 6
20-30-151-002	1050 N ADAMS RD	20-30-151-025	1155 DERBY RD APT 3	20-30-151-044	868 N ADAMS RD APT 8	20-30-151-063	1245 DERBY RD APT 1
20-30-151-007	1109 DERBY RD APT 4	20-30-151-026	1155 DERBY RD APT 7	20-30-151-045	868 N ADAMS RD APT 3	20-30-151-064	1245 DERBY RD APT 5
20-30-151-008	1109 DERBY RD APT 8	20-30-151-027	1155 DERBY RD APT 1	20-30-151-046	868 N ADAMS RD APT 7	20-30-151-065	1245 DERBY RD APT 2
20-30-151-009	1109 DERBY RD APT 3	20-30-151-028	1155 DERBY RD APT 5	20-30-151-047	1195 DERBY RD APT 4	20-30-151-066	1245 DERBY RD APT 6
20-30-151-010	1109 DERBY RD APT 7	20-30-151-029	1155 DERBY RD APT 2	20-30-151-048	1195 DERBY RD APT 8	20-30-151-067	1245 DERBY RD APT 4
20-30-151-011	1109 DERBY RD APT 1	20-30-151-030	1155 DERBY RD APT 6	20-30-151-049	1195 DERBY RD APT 3	20-30-151-068	1245 DERBY RD APT 8
20-30-151-012	1109 DERBY RD APT 5	20-30-151-031	850 N ADAMS RD APT 1	20-30-151-050	1195 DERBY RD APT 7	20-30-151-069	1245 DERBY RD APT 3
20-30-151-013	1109 DERBY RD APT 2	20-30-151-032	850 N ADAMS RD APT 5	20-30-151-051	1195 DERBY RD APT 1	20-30-151-070	1245 DERBY RD APT 7

N. Adams Road Project

Sewer and Water Lateral Special Assessment District

PROPERTIES LOCATED IN WATER AND SEWER LATERAL SAD:

Sidwell Number	Street Address	Sidwell Number	Street Address	Sidwell Number	Street Address
20-30-151-071	880 N ADAMS RD APT 1	20-30-151-090	946 N ADAMS RD APT 7	20-30-151-109	910 N ADAMS RD APT 2
20-30-151-072	880 N ADAMS RD APT 5	20-30-151-091	946 N ADAMS RD APT 1	20-30-151-110	910 N ADAMS RD APT 6
20-30-151-073	880 N ADAMS RD APT 2	20-30-151-092	946 N ADAMS RD APT 5	20-30-151-111	964 N ADAMS RD APT 1
20-30-151-074	880 N ADAMS RD APT 6	20-30-151-093	946 N ADAMS RD APT 2	20-30-151-112	964 N ADAMS RD APT 5
20-30-151-075	880 N ADAMS RD APT 4	20-30-151-094	946 N ADAMS RD APT 6	20-30-151-113	964 N ADAMS RD APT 2
20-30-151-076	880 N ADAMS RD APT 8	20-30-151-095	928 N ADAMS RD APT 4	20-30-151-114	964 N ADAMS RD APT 6
20-30-151-077	880 N ADAMS RD APT 3	20-30-151-096	928 N ADAMS RD APT 8	20-30-151-115	964 N ADAMS RD APT 4
20-30-151-078	880 N ADAMS RD APT 7	20-30-151-097	928 N ADAMS RD APT 3	20-30-151-116	964 N ADAMS RD APT 8
20-30-151-079	898 N ADAMS RD APT 1	20-30-151-098	928 N ADAMS RD APT 7	20-30-151-117	964 N ADAMS RD APT 3
20-30-151-080	898 N ADAMS RD APT 5	20-30-151-099	928 N ADAMS RD APT 1	20-30-151-118	964 N ADAMS RD APT 7
20-30-151-081	898 N ADAMS RD APT 2	20-30-151-100	928 N ADAMS RD APT 5	20-30-151-119	982 N ADAMS RD APT 1
20-30-151-082	898 N ADAMS RD APT 6	20-30-151-101	928 N ADAMS RD APT 2	20-30-151-120	982 N ADAMS RD APT 5
20-30-151-083	898 N ADAMS RD APT 4	20-30-151-102	928 N ADAMS RD APT 6	20-30-151-121	982 N ADAMS RD APT 2
20-30-151-084	898 N ADAMS RD APT 8	20-30-151-103	910 N ADAMS RD APT 4	20-30-151-122	982 N ADAMS RD APT 6
20-30-151-085	898 N ADAMS RD APT 3	20-30-151-104	910 N ADAMS RD APT 8	20-30-151-123	982 N ADAMS RD APT 4
20-30-151-086	898 N ADAMS RD APT 7	20-30-151-105	910 N ADAMS RD APT 3	20-30-151-124	982 N ADAMS RD APT 8
20-30-151-087	946 N ADAMS RD APT 4	20-30-151-106	910 N ADAMS RD APT 7	20-30-151-125	982 N ADAMS RD APT 3
20-30-151-088	946 N ADAMS RD APT 8	20-30-151-107	910 N ADAMS RD APT 1	20-30-151-126	982 N ADAMS RD APT 7
20-30-151-089	946 N ADAMS RD APT 3	20-30-151-108	910 N ADAMS RD APT 5	20-30-151-127	900 N ADAMS RD

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤ Summary

- The Engineering Department recommends the City Commission declare necessity and approve the SAD for the N. Adams Road Project for sewer and water laterals
- Should the Commission approve the SAD, a public hearing for confirmation of the roll will be held on July 22, 2024

RECEIVED



June 24th, 2024

To: The City of Birmingham/City Engineer Melissa A. Coatta/City Commission

Re: North Adams Resurfacing Project

Contract #12-24 (P)/Water & Sewer Lateral Special Assessment District (SAD)

To whom it may concern,

I'm writing in response to the letter dated June 18th, 2024, regarding the North Adams Road Resurfacing Project that is slated to start in the Summer/Fall of 2024.

Unfortunately, I will be unable to attend the hearing on July 8th. I feel more notice should have been given and strongly disagree with the timing of the Monday after the 4th of July weekend to have such a meeting, as majority of Birmingham residents will be traveling up north or have other vacation plans. It seems as though in-person attendance will be much lower by having the meeting on this date, and I feel that is wrong, especially when the outcome is likely going to have a potentially large financial impact.

Next, the city hasn't provided ANY *estimated figures* simply noting this will come at the second meeting. As an owner of my condo for 20 years, as well as many of my fellow neighbors who are also long-term owners, all have the same sentiments about this: blindsiding us with this expense along with highly unreasonable payment terms of either full payment within 30 days or an installment plan that carries an exorbitant interest charge is not only poor planning by City Officials, but also just wrong. A project such as this is something that city has probably been aware of for years, and City Officials need to be more forthcoming with the potential costs, thus allowing homeowners to plan and budget accordingly. Furthermore, do you have any verification that the current residential sewer systems aren't working and must be replaced? I feel if the City of Birmingham wants to move forward with such a project, then the City of Birmingham should pay for this *entire project*.

To be clear, I'm 100% resolute with standing against the scope of this project and its related assessment charges for both myself and fellow neighbors. I would like for this letter to service as my official response and included within my property owner records, since I'm unable to attend this meeting with such poor notice. Again, please make note that my official standpoint is being 100% against this project and assessment plan. Lastly, please note that my agent, Gary Laskowsky, will be attending the meeting in my absence and has full approval to speak on my behalf when and if that opportunity is made available.

Respectfully,

Dana Lorraine Laskowsky Bilicki

Owner: 868 N. Adams #8

Birmingham, MI 48009

2030151044

(248) 330-7711



MEMORANDUM

Engineering Department

DATE: July 12, 2024

TO: Jana L. Ecker, City Manager

FROM: Melissa A. Coatta, City Engineer

SUBJECT: Oakland Avenue and Haynes Street Project #7-24 (P)
Hearing of Necessity for Sewer and Water Lateral Special Assessment District (SAD)

INTRODUCTION:

Some water and sewer laterals will be replaced as part of the upcoming Oakland Avenue project from N. Old Woodward to Woodward Ave., with the abandonment of some water main and sewer improvements. The City plans to replace private sewer and water laterals that meet "useful" end of life criteria within the City's right-of-way (ROW) in an effort to protect public investments.

BACKGROUND:

On Oakland Avenue from N. Old Woodward to Woodward Avenue, there are two existing watermain: a 6 inch that was installed in 1924 and a 12 inch watermain that was installed in 1968. In 2006, work was done in the intersections of Oakland Avenue and Ferndale Avenue and Oakland Avenue and Park Street to replace the watermain running north/south to an 8 inch watermain. The proposed plan includes the abandonment of a 6" water main while the existing 12" water main will remain in service.

There will also be sewer improvements on Oakland Avenue. There is an existing 8 inch sanitary sewer that was installed in 1925 and an 8 inch and 12 inch combined sewer. The proposed plan abandons a portion of the 8 inch sanitary sewer, and the 8 inch combined sewer.

No sewer improvements are proposed on Hayes Street since there is no existing water main and the sewer near Haynes was addressed in the South Old Woodward Phase 3 project.

In accordance with the current City policy established to protect the public investment being made with capital improvement projects in the public roadway, the following is proposed:

- Replacement of all sewer laterals near the open excavation of sewer repair that are 50 years of age or older, are less than 6" diameter, or are constructed of an unsuitable material. All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC or match existing size if larger than 6".

- Replacement of water services in the area of the water main replacement that are 60 years of age or older, are less than one inch in diameter or are constructed of an unsuitable material. All unsuitable water services will be replaced with a new 1-inch diameter service, or be replaced to match the existing diameter if greater than 1 inch.

LEGAL REVIEW:

Chapter 94 – Special Assessment of the Birmingham City Code outlines the process by which a special assessment is conducted in the City of Birmingham. This project will follow the prescribed City Code procedures. The City Attorney has no objections.

FISCAL IMPACT:

The property owners pay one hundred percent (100%) of the cost of laterals within the ROW. This cost can be paid back in either a lump sum or over up to a 5-year period with interest. The interest rate will be confirmed at the Confirmation of the Roll Hearing. Revenue generated for the water and sewer laterals SAD will defray the cost incurred by the City for the construction of these improvements.

SUSTAINABILITY:

This will protect the new road from disturbance of either sewer or water lateral replacement in the future if the laterals that do not meet the City's requirements are replaced during construction.

DESIGN CONSIDERATIONS:

At the City Commission meeting of January 8, 2024, a resolution was passed for the proposed designs for Oakland Ave between Woodward Ave and N. Old Woodward Ave with enhanced green space along Oakland Ave, a permanent bus stop loading area, and a permanent bumpout at the northwest corner of N. Old Woodward and Willits St.

PUBLIC COMMUNICATIONS:

The Clerk's Office distributed the notice of Hearing of Necessity along with a letter from the Engineering Department explaining the scope of the work with the notice. A property owner's meeting will occur closer to the start of construction.

SUMMARY:

The Engineering Department recommends that the City Commission declare the necessity and approve a Special Assessment District for sewer and water laterals as part of the Oakland Avenue and Haynes Street Project. Should the Commission approve the Special Assessment District, a public hearing for Confirmation of the Roll should be set for the City Commission meeting on August 12, 2024.

ATTACHMENTS:

- Map of proposed Special Assessment district of sewer and water lateral replacement.
- Oakland Avenue and Haynes Street plans
- Spreadsheet with estimated cost of lateral replacement
- Clerk's confirmation of public hearing notice

SUGGESTED COMMISSION ACTION:

WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards and replacing water services that are 60 years or older or less than 1 inch in diameter on Oakland Avenue from N. Old Woodward to Woodward Avenue; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that is not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that Oakland Avenue and Haynes Street Project, the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of sewer service and water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of sewer service laterals and water service laterals located within the limits of the following streets shall be installed as part of the Oakland Avenue and Haynes Street Project (Contract #7-24(P)):

Oakland Avenue – N. Old Woodward to Woodward Avenue

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral services that are 50 years of age or older or constructed of materials that are not acceptable and water services that are 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$125.00 per foot of 6" diameter sewer service pipe, and \$90.00 per foot of 1-inch water service pipe).

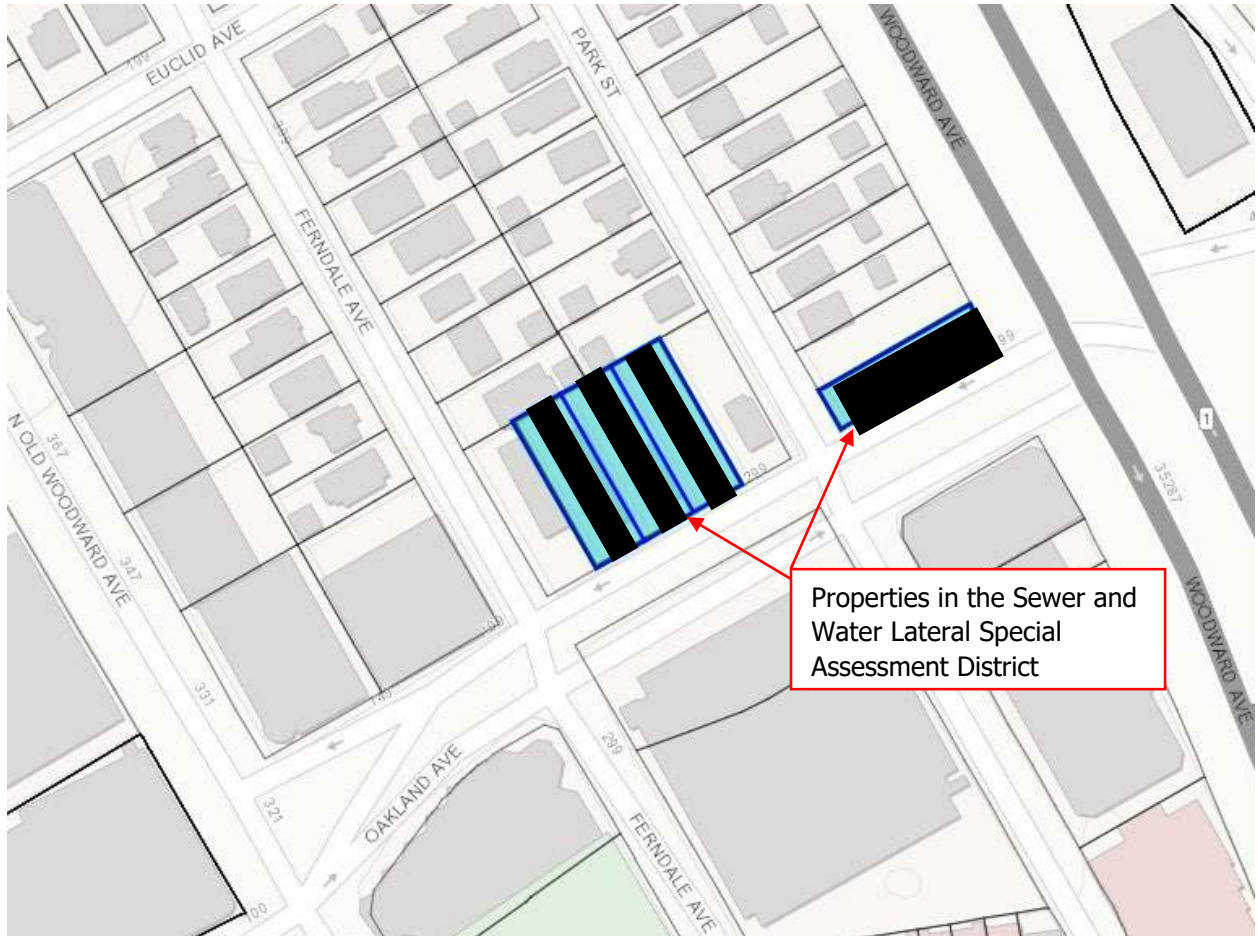
THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation of the Roll on August 12, 2024, and give notice of same.

Water and/or Sewer Lateral

Sidwell Number	Street Address	Water SAD Costs	Sewer SAD Costs
19-25-451-034	400 Park	\$1,125.00	\$0.00
19-25-452-018	247 Oakland	\$2,625.00	\$8,190.00

19-25-452-019	267 Oakland	\$2,625.00	\$7,980.00
19-25-452-026	233 Oakland	\$2,625.00	\$0.00

Oakland Avenue Project Area



BIRMINGHAM
A WALKABLE CITY

ENGINEERING DEPARTMENT
OAKLAND AVENUE PAVING PROJECT
CONTRACT #7-24(P)

SHEET INDEX

- C00 - Cover Sheet
- C01 - Utility Plan Oakland Ave. Sta. P.O.B To 4+75
- C02 - Utility Plan Oakland Ave. Sta. 4+75 To P.O.E.
- C03 - Paving & Grading Plan Oakland Ave. Sta. P.O.B To 4+75
- C04 - Paving & Grading Plan Oakland Ave. Sta. 4+75 To P.O.E.
- C05 - Paving & Grading Plan Haynes St.
- C06 - Intersection Grading Details 1 Of 2
- C07 - Intersection Grading Details 2 Of 2
- C08 - Advanced Warning Signage & Detour Plan
- C09 - Existing And Proposed Road Cross-Sections
- C10 - Notes And Details (1 Of 3)
- C11 - Notes And Details (2 Of 3)
- C12 - Notes And Details (3 Of 3)
- C13 - Signage Plan
- Q1 - Quantities

CITY OF BIRMINGHAM - WATER MAIN STANDARD DETAILS
CITY OF BIRMINGHAM - SEWER STANDARD DETAILS
CITY OF BIRMINGHAM - REFERENCE SHEET - Oakland Ave. Pocket Park Irrigation Plan

WATER / SEWER SERVICE NOTE

ALL WATER AND SEWER SERVICE LATERAL INFORMATION IS SHOWN PER RECORD, WITHIN THE PUBLIC RIGHT OF WAY. THE CONTRACTOR SHALL COORDINATE WITH CITY FOR ALL PRIVATE-USE WATER AND SEWER LATERAL INFORMATION, AS REQUIRED, TO CONSTRUCT THE PROJECT (INC.).

UTILITY NOTE

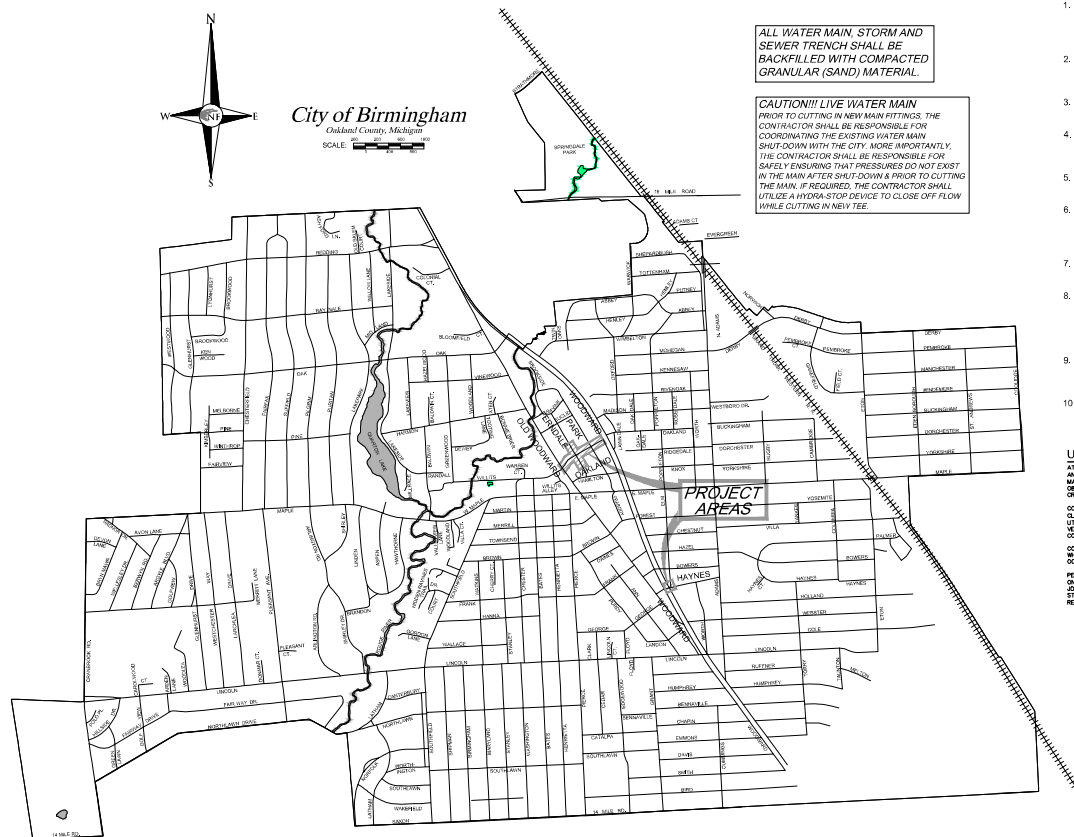
THE LOCATIONS AND ELEVATIONS OF SOME OF THE EXISTING UNDERGROUND UTILITIES AS SHOWN ON THE SURVEY DRAWING WERE OBTAINED FROM MUNICIPAL AND UTILITY COMPANY RECORDS AND MAPS. THEREFORE, NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATION AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.



BENCHMARK NOTE
BENCHMARKS SET AND SHOWN PER SHEET WERE ESTABLISHED OFF OF THE CITY OF BIRMINGHAM BENCHMARK DATUM.



City of Birmingham
Oakland County, Michigan
SCALE: 1" = 40'



ALL WATER MAIN, STORM AND SEWER TRENCH SHALL BE BACKFILLED WITH COMPACTED GRANULAR (SAND) MATERIAL.

CAUTION!!! LIVE WATER MAIN
PRIOR TO CUTTING IN NEW MAIN FITTINGS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE EXISTING WATER MAIN SHUT-DOWN WITH THE CITY. MORE IMPORTANTLY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR SAFELY ENSURING THAT PRESSURES DO NOT EXIST IN THE MAIN AFTER SHUT-DOWN & PRIOR TO CUTTING THE MAIN. IF REQUIRED, THE CONTRACTOR SHALL UTILIZE A HYDRA-STOP DEVICE TO CLOSE OFF FLOW WHILE CUTTING IN NEW TEE.

CONSTRUCTION NOTES

These notes shall apply for all work within this contract:

- The contractor shall notify MSS DIG 1-800-482-7171 at least 3 working days excluding Saturday, Sunday, and Holidays before making any excavations and notify the City of Birmingham Engineering Department a minimum of 24 hours prior to the start of construction (248-630-1850).
- See the City of Birmingham drawings "Sewer Standard Details" and "Water Main Standard Details" for details of manholes, catch basins, inlets, and related sewer and water main work.
- All excavation under or within three feet of pavement, public or private, shall be backfilled and compacted with sand.
- The joints at the edges of all excavations in the pavement shall be sawcut, or pavement will be removed to existing joints, as directed by the Engineer. There is no separate pay item for saw cutting pavements.
- The contractor shall be responsible for damage to existing utilities, pavement, trees, landscaping, gravel, etc., whether located on public or private property.
- Catch basin and inlet castings scheduled for replacement, or new construction shall be EJIW 500024 DI / 5000M4-DI Hinged Assembly unless specified otherwise. Manhole castings shall be EJIW 1000-A cover as noted on the detail sheets and plans, unless otherwise specified.
- Storm, sewer and water main trench shall be backfilled with MDOT Class II sand and properly compacted to 95% of modified proctor density.
- A permit from the Michigan Department of Environment, Great Lakes & Energy (EGLE) is required for all new water main installations. Also, no work shall be allowed on the combined sewer system until appropriate permits have been received by the Michigan Department of Environment, Great Lakes & Energy (EGLE).
- The contractor shall coordinate and cooperate with all other utility companies working in the same area, project related or not, during the same allotted construction period.
- All proposed Public Water Main for this project shall be Pressure Class 52 Ductile Iron Pipe (D.I.P.) in conformance with City of Birmingham specifications, unless otherwise noted.

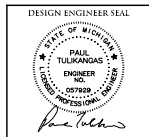
UTILITY CROSSING NOTE

AT LOCATIONS WHERE THERE ARE CROSSINGS WITH EXISTING UTILITIES AND THEIR DEPTH ARE UNKNOWN, 18" VERTICAL SEPARATION WILL BE MAINTAINED WHICHEVER POSSIBLE. IF THE 18" SEPARATION IS NOT OBTAINABLE, A CONCRETE DISCREETMENT WILL BE INSTALLED AT THE CROSSING.

CONTRACTOR SHALL MAINTAIN A MINIMUM OF 18" VERTICAL CLEARANCE AND A MINIMUM OF 10" HORIZONTAL SEPARATION BETWEEN UTILITIES WHERE UTILITY SEPARATION CANNOT BE MAINTAINED. 18" VERTICAL CLEARANCE SHALL BE PROVIDED AND UTILITIES SHALL BE CONSTRUCTED IN SEPARATE TRENCHES.

CONTRACTOR SHALL FIELD VERIFY EXIST DEPTH OF EXISTING PIPE WHERE EXISTING CROSSINGS PROPOSED. CONTACT ENGINEER IF CONFLICT OCCURS.

FOR THE 108 STATES STANDARDS, ARTICLE A.B. & D.3, "AT CROSSINGS, ONE FULL LENGTH OF WATER PIPE (CPI) SHALL BE LOCATED SO BOTH ENDS WILL BE AT LEAST 10' FROM THE SHOWN PROPOSED UTILITY. STRUCTURAL SUPPORT FOR THE WATER AND SEWER PIPES MAY BE REQUIRED."



APPROVED _____ DATE _____

06-21-24 ADDENDUM 1

ENGINEERING DEPARTMENT
OAKLAND AVENUE PAVING PROJECT
CONTRACT #7-24(P)



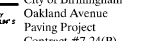
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-3032
TEL (248) 332-7931
FAX (248) 332-8257
WWW.NOWAKFRAUS.COM

PROJECT

City of Birmingham
Oakland Avenue
Paving Project
Contract #7-24(P)
A MANSION DET

CLIENT



The City of Birmingham
Engineering Department
151 Martin Street
Birmingham, MI 48012

PROJECT LOCATION

Part of the SW NE 1/4
of Section 25.36
T.2N, R.10E
City of Birmingham,
Oakland County, Michigan
SHEET
Utility Plan Oakland Ave.
Sta. P.O.B to 4+75



Know what's below
Call before you dig.

DATE ISSUED/REVISED

05-24-2014

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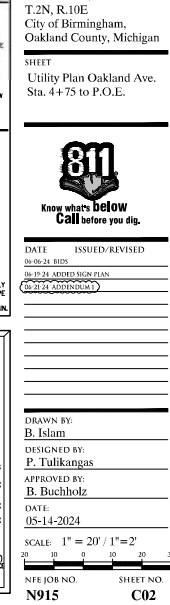
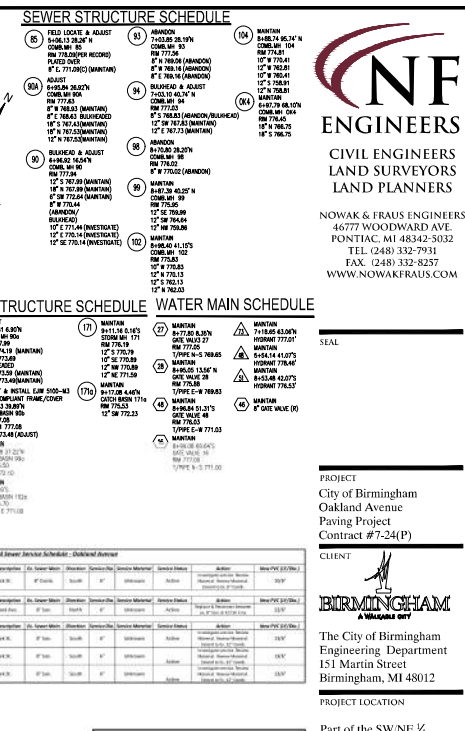
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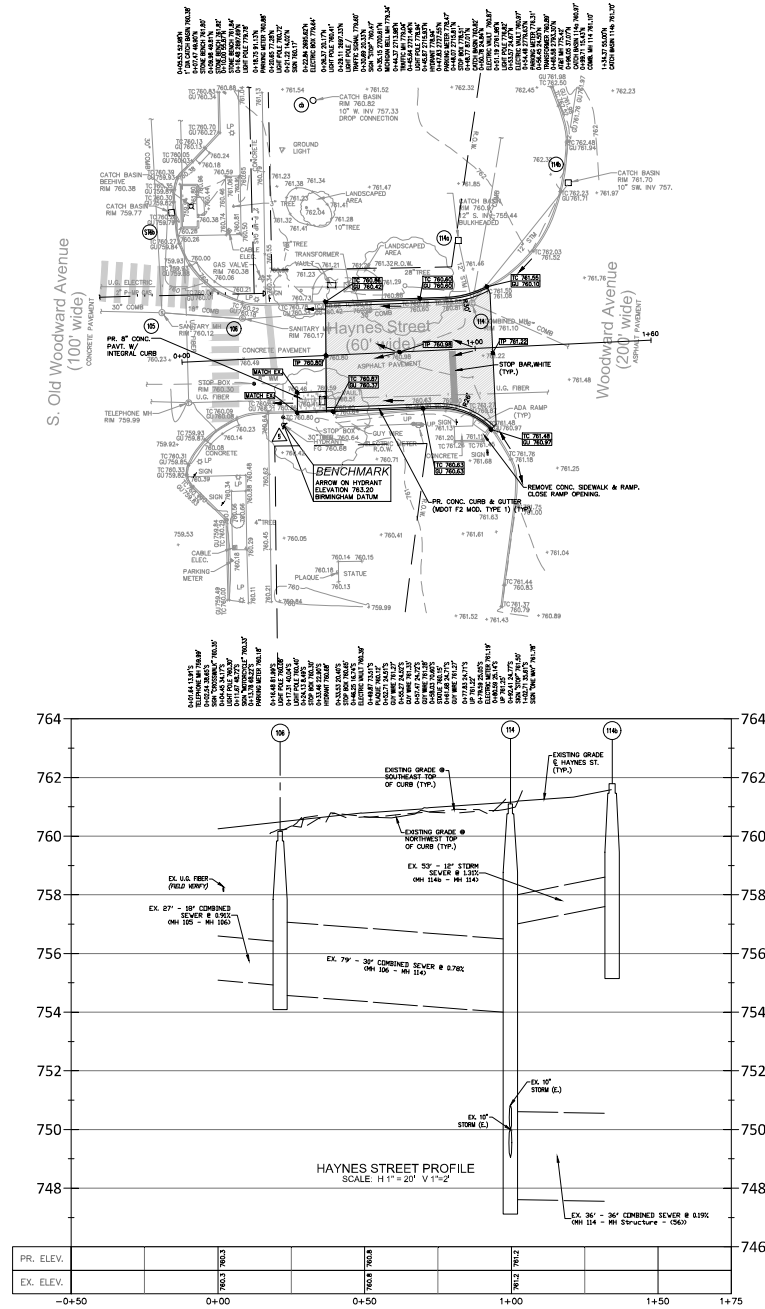
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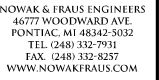
05-24-2014

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PROJECT
City of Birmingham
Oakland Avenue
Paving Project
Contract #7-24(P)

BIRMINGHAM

The City of Birmingham
Engineering Department
151 Martin Street
Birmingham, MI 48012

Part of the SW/NE ¼
of Section 25/36
T.2N, R.10E
City of Birmingham,
Oakland County, Michigan

SHEET
Intersection Grading
Details 2 of 2

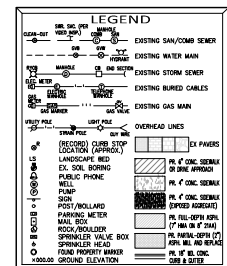


06-19-24 ADD'D SIGN PLAN

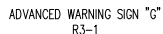
INFE JOB NO.



Dry Utility Adjustment Schedule						
STA 4+75 to 20+00						
Structure	TAG ID	Station	Offset	Ex. Rim Elevation	Pr. Rim Elevation	Adjustment
Oakland and Park						
Electric MH	76	6+63.95	5.54' S	779.34	N/A	Maintain



CLOSURES



36"x72" ADVANCE WARNING SIGN "A"
BLACK LEGEND ON ORANGE BACKGROUND

36"x72" ADVANCE WARNING SIGN "B"
BLACK LEGEND ON ORANGE BACKGROUND

10" x 30"
ADVANCED WARNING SIGN "I"
BLACK LEGEND ON ORANGE
BACKGROUND

10" x 30"
ADVANCED WARNING SIGN "J"
BLACK LEGEND ON ORANGE
BACKGROUND

30" x 30"
ADVANCED WARNING SIGN "C"
BLACK LEGEND ON ORANGE
BACKGROUND

30" x 30"
ADVANCED WARNING SIGN "D"
BLACK LEGEND ON ORANGE
BACKGROUND

30" x 30"
ADVANCED WARNING SIGN "E"
BLACK LEGEND ON ORANGE
BACKGROUND

ADVANCED WARNING SIGN "F"
 CK LEGEND ON ORANGE BACKGR

- TYPE III BARRICADES
- ADVANCED WARNING SIGN
- EASTBOUND OAKLAND A DETOUR
- WESTBOUND OAKLAND A DETOUR
- CHANNELIZATION DEVICES

[illegible]

S

PROJECT LOCATION

Part of the SW/NE ¼
of Section 25/36
T.2N, R.10E
City of Birmingham,
Oakland County, Michigan

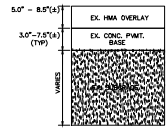
SHEET

**Advanced Warning
Signage & Detour Plan**

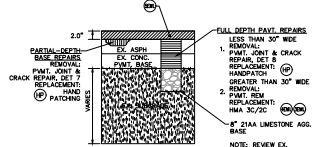
SCALE: N.T.S

NFE JOB NO. SHEET N
N915 C08

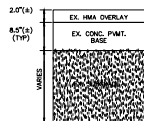
7B



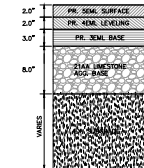
EXISTING PAVEMENT
CROSS-SECTION
(OAKLAND AVE.
1+35 - 8+92)



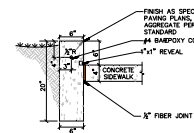
PROPOSED PAVEMENT
CROSS-SECTION
(OAKLAND AVE.
1+35 - 8+92)



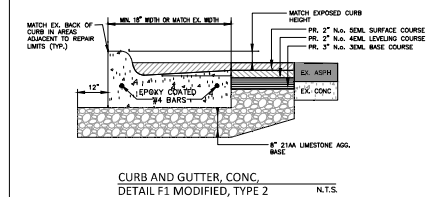
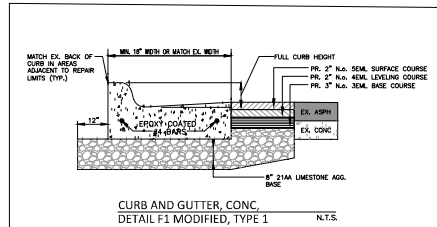
EXISTING PAVEMENT
CROSS-SECTION
(HAYNES STREET)



PROPOSED PAVEMENT
CROSS-SECTION
(HAYNES STREET)



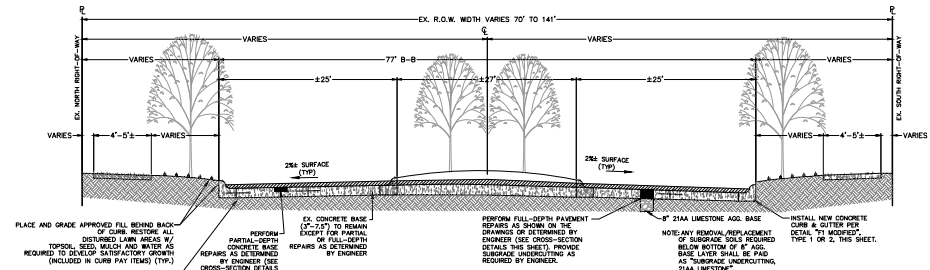
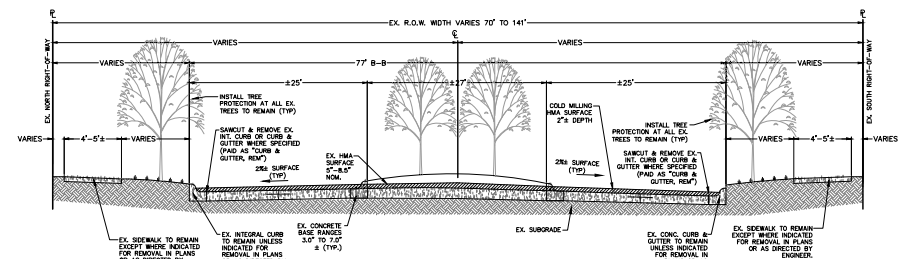
6\"/>



- NOTES:
1. REFER TO M.D.O.T. STANDARD PLAN R-44 FOR TYPICAL CURB AND GUTTER DIMENSIONS.
 2. ALL PROPOSED CURB & GUTTER SHALL PROVIDE 4\"/>

HMA APPLICATION CHART			
ITEM DESCRIPTION	RATE	PERFORMANCE GRADES	LOCATION/REMARKS
HMA, 5EML	220 LBS/SYD	PG 64-22	WEARING COURSE MINIMUM A.W.I. = 250
HMA, 4EML	220 LBS/SYD	PG 64-22	WEDGE, LEVELING COURSE
HMA, 3EML	330 LBS/SYD	PG 64-22	BASE COURSE
HAND PATCHING	220 LBS/SYD MAX	PG 64-22	(JOINT CRACK FILLER FOR DET 7/8 REPLACEMENT)
BOND COAT	0.05-0.15 GAL/SYD	N/A	SHALL MEET SS-1H

RECYCLED ASPHALT PAVEMENT (R.A.P.) IN HMA MIX NOTE:
ALL HMA WEARING MIXES USED ON THIS PROJECT SHALL MEET M.D.O.T. TIER 1 REQUIREMENTS FOR R.A.P. CONTENT.



- NOTES:
1. PAVING JOINTS IN ASPHALT TOP COURSE SHALL BE PLACED SUCH THAT LONGITUDINAL JOINTS ARE LOCATED AT LANE LINES.
 2. OFFERS PAVING JOINTS BETWEEN TOP AND LEVELING COURSES AND BETWEEN LEVELING COURSE AND EX. BASE LAYER SHALL BE PAID AS \"SURFACE UNDERCUTTING, 21A Limestone\".
 3. BOND COAT SS-1H SHALL BE APPLIED AT 0.05-0.15 GAL/SYD BETWEEN EACH LIFT.

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T.2N, R.10E
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Notes and Details (1 of 3)

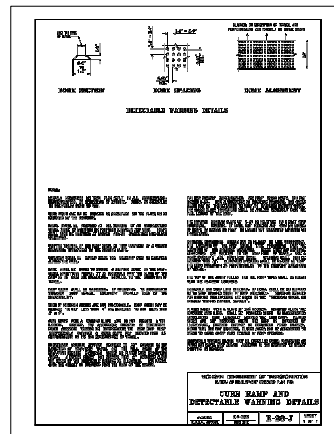


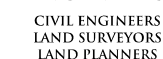
MTC

SCALE: N.T.S.

INFE JOB NO.

N915





SEAL

CLIENT  BIRMINGHAM

PROJECT LOCATION

Part of the SW/NE $\frac{1}{4}$
of Section 25/36
T.2N, R.10E
City of Birmingham,
Oakland County, Michigan



811
Know what's below
Call before you dig.

DRAWN BY:
B. Islam

DESIGNED BY:
P. Tulikangas

APPROVED BY:
B. Buchholz

DATE:
05-14-2024

SCALE: N.T.S.

NFE JOB NO. **N915** SHEET NO. **C11**





NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
WWW.NOWAKFRAUS.COM

SEAL

PROJECT
City of Birmingham
Oakland Avenue
Paving Project
Contract #7-24(P)

CLIENT



The City of Birmingham
Engineering Department
151 Martin Street
Birmingham, MI 48012

PROJECT LOCATION

Part of the SW/NE 1/4
of Section 25/36
T.2N, R.10E
City of Birmingham,
Oakland County, Michigan

SHEET

Quantities



DATE ISSUED/REVISED

06-09-24 R025

06-19-24 ATTACHED BIDDING PLAN

06-21-24 ADDENDUM 1

DRAWN BY:

B. Islam

DESIGNED BY:

P. Tullkangas

APPROVED BY:

B. Buchholz

DATE

05-14-2024

SCALE

N.T.S.

NFI JOB NO.

N915

SHEET NO.

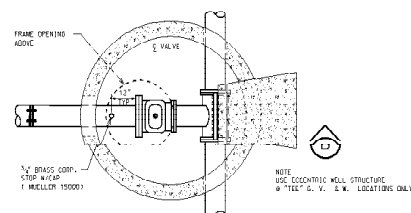
Q1

BIRMINGHAM CONTRACT #7-24(P) - OAKLAND AVENUE PAVING PROJECT PAY ITEMS

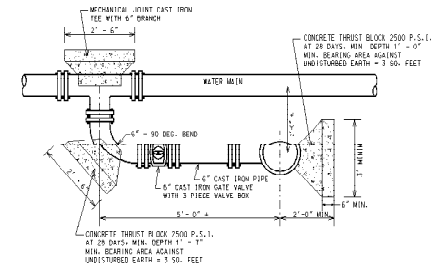
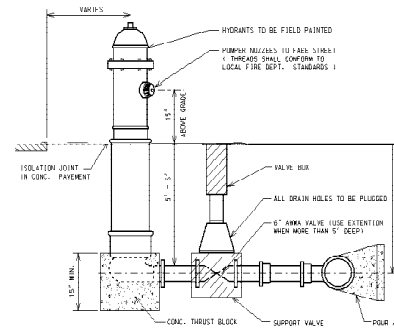
NO	ITEM DESCRIPTION	PAY UNIT	SHEET C1 Utility Plan	SHEET C2 Utility Plan	SHEET C3 P&G Plan	SHEET C4 P&G Plan	SHEET C5 P&G Plan	TOTAL QUANTITY
SEWER PAY ITEMS								
1	12" Storm Sewer, C78, CL=V, Trench A	LF	11					11
2	Sewer Service, 6" PVC SDR 23.5	LF	10	70				80
3	New 2'-0" Diameter Storm Inlet	EA	1					1
4	Sewer Investigation, Locals	EA						3
5	Sewer Service Tap, 6"	EA	1	4				5
6	Sewer Service Connection, 6"	EA	1	1				1
7	Sewer Tap, 12"	EA	1					1
8	Reconstruct Manhole (If and where needed)	LF						15
9	Remove & Replace Structure Cover (as directed by City)	LS						1,000
10	Abandon Ex. Sewer Manhole	EA	1	2				3
11	Abandon Ex. 8" Sewer	LF	180	385				555
12	Subhead Structure, 12" or Less	EA	2	2				4
13	Subhead Pipe, Larger than 8"	EA						5
SUBTOTAL SEWER PAY ITEMS								
WATER MAIN PAY ITEMS								
14	Remain Hydrant	EA	1					1
15	Abandon Gate Valve Wad	EA	4					4
16	Remove Ex. 12" Water Main	LF	10	10				20
17	Remove Ex. 8" Water Main	LF	65					65
18	Remove Ex. 6" Water Main	LF	16	20				36
19	8" Gate Valve & Box	EA	1					1
20	Fire Hydrant Assembly, Complete	EA	1					1
21	12" D.I. CL 52 Water Main w/ Polyprop. Trench A	LF	20					20
22	8" D.I. CL 52 Water Main w/ Polyprop. Trench A	LF	85					85
23	8" D.I. CL 52 Water Main w/ Polyprop. Trench A	LF	5					5
24	12" Water Main Connection to Ex. 12" Water Main	EA	4					4
25	8" Water Main Connection to Ex. 8" Water Main	EA	1					1
26	New Water Service, 6", Trench A, D.I. CL 52	LF	130					130
27	New Water Service, 1.5", Trench A, Copper	LF		59				59
28	New Water Service, 1", Trench A, Copper	LF		201				201
29	New Water Service, 1", Private Property (Bored), PEX	LF		32				32
30	Water Service Connection, 6"	EA	2	1				3
31	Water Service Connection, 1.5"	EA		1				1
32	Water Service Connection, 1"	EA		3				3
33	Water Service Connection, 1", Connection at Meter, 287 Oakland	EA	1	1				1
34	Install Curb Stop & Box, 1"	EA		1				1
35	Hydra-Stop, Insta-Valve 250, 12"	EA		1				1
36	Hydra-Stop, Line-Stop, 12"	EA		1				1
37	Hydra-Stop, Line-Stop, 6"	EA		4				4
38	Abandon Existing Water Mains, Entire Project	LS						1
SUBTOTAL WATER MAIN PAY ITEMS								
PAVING PAY ITEMS								
39	Earth Excavation	CV		235	140	60		435
40	Subgrade Undercutting, 21AA Limestone	CV		30	15	25		70
41	Subgrade Undercutting, 1x3" Limestone	CV		10	5	5		20
42	Subgrade Gravel Pad, 18" Tensar TSS TX300	SY						180
43	Reinforcing Concrete Drive Approaches	SY			4			4
44	Reinforcing Concrete Sidewalk & Ramp (sawcutting included)	SY		385	225			610
45	Reinforcing Pavement Full Depth (Curb & Gutter included)	SY		730	400	235		1,365
46	Cold Milling Inlay Surface, 2.0"	SY		2750	2400			5,150
47	Profile Milling to Surface Drainage, 9'-2.8"	SY			210			210
48	Joint and Crack Repr. Detail 7	LF			1,650			1,650
49	Joint and Crack Repr. Detail 8	LF			150			150
50	Aggregate Base, MDOT 21AA Limestone, 8"	SY		650	450	265		1,365
51	Bituminous Mixture No. SEM, Handplattings	TON		115	20			135
52	Bituminous Mixture No. SEM, 2.0" Wearing Course	TON		303	365	25		593
53	Bituminous Mixture No. 4EML, 2.0" Leveling Course	TON		38	40	25		103
54	Bituminous Mixture No. SEM, 3.0" Base Course	TON		57	60	38		155
55	Concrete Curb & Gutter (18" Wide, "MODOT F2 Modified, Type 1")	LF		815	215	120		1,150
56	Concrete Curb & Gutter (18" Wide, "MODOT F2 Modified, Type 2")	LF		115	230			345
57	Concrete Curb, Exposed Aggregate, 6" Tree Planters	LF		20				20
58	Concrete Drive Approach, 6"	SY			4			4
59	Concrete Sidewalk, 4"	SY		1285	225			1,480
60	Concrete Sidewalk, 4", Exposed Aggregate	SY		135				135
61	Concrete Sidewalk, 6"	SY		1975	635			2,610
62	Concrete Pavement, Non-reinforced, 8" incl. integral Detail F2 Curb & Gutter	SYD		5				5
63	Handicap Ramp, Tapered Curb	SY		320	120			440
64	Adjust Structure Cover	EA	5	4				9
65	Adjust Structure Cover & Install New EJV 5100-M3 Frame & Cover	EA	2	1				3
66	Adjust Structure Cover & Install New EJV 1540-N Frame & Cover	EA	1					1
67	Maintenance Aggregate for Entire Project	LS						1
SUBTOTAL PAVING PAY ITEMS								
GENERAL PAY ITEMS								
68	Mobilization (Max. 5% of Bid)	LS						1
69	Traffic Maintenance & Control	DAY						1
70	Inspector Crew Days	DAY						1
71	Water and Sewer Allowance	LS						1
72	Intigation Allowance	LS						1
73	Pavement Marking, Polyurea, 24 inch Stop Bar, White	LF		48	100	18		166
74	Pavement Marking, Polyurea, 24 inch Copulating White	LF		474	244			718
75	Pavement Marking, Polyurea, 4" inch Skip Lane Marking, White	LF		25	100			125
76	Pavement Marking, Polyurea, 4" inch Solid Lane Marking, White	LF		127	75			202
77	Pavement Marking, Polyurea, 4" inch Parking, White	LF		286	88			374
78	Pavement Marking, Polyurea, 4" inch Parking, Blue	LF			60			60
79	Pavement Marking, Polyurea, Lt Turn Arrow, White	EA		1				1
80	Pavement Marking, Polyurea, Rt Turn Arrow, White	EA		1	2			3
81	Pavement Marking, Polyurea, Stagger Arrow, White	EA		1				1
82	Pavement Marking, Polyurea, Only, White	LF		5	2			7
83	Recessing Paint Mfg. Logo	LF		438	333			771
84	Recessing Paint Mfg. Trans	SY		1044	642	38		1,722
85	Salvage Existing Signs	LS						1
86	New Signs	LF						50
87	Sign Post, U-Channel	LF						108
88	Tree Protection, 2" Dia. Or Greater	EA		17	20	3		40
89	Mulch, 3"	SY		42	73	8		123
90	Topsoil, 3"	SY		210	120	30		360
91	Test, Class A	SY		210	120	30		360
92	Test Filter	EA		5	4	2		11

GATE WELL PLAN

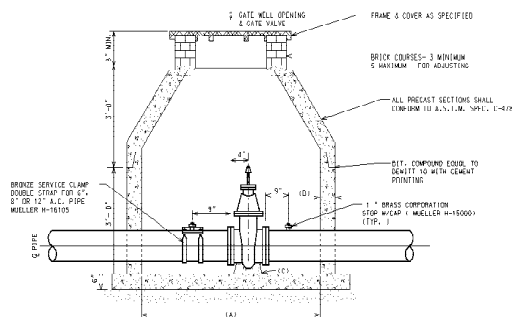
DESCRIPTION	DIM.	PIPE DIA. INCHES		
		6" & 6"	12"	16"
INSIDE DIA.	A	60"	72"	72"
WALL THICK.	B	5"	7"	7"
VALVE BLOCK THICK.	C	4"	4"	4"



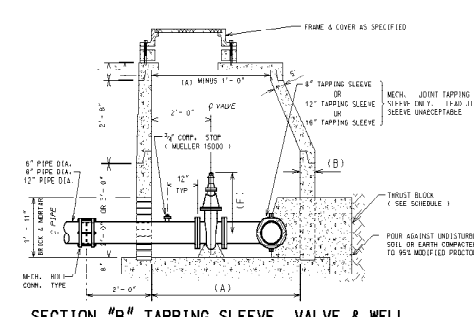
TAPPING SLEEVE, VALVE & WELL PLAN



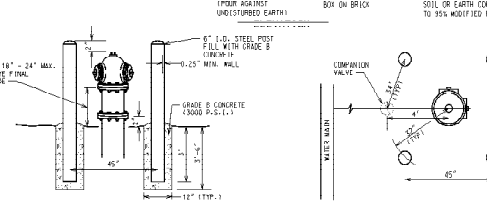
"L" HYDRANT CONNECTION



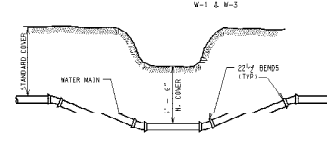
SECTION "A" GATE WELL



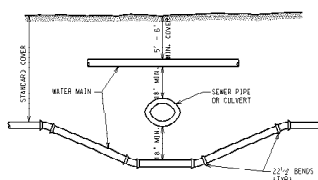
SECTION "B" TAPPING SLEEVE, VALVE & WELL



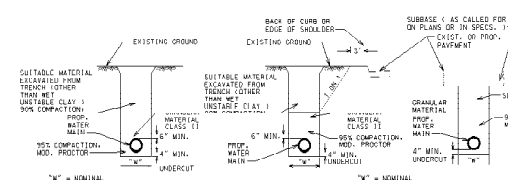
FIRE HYDRANT GUARD POSTS DETAIL



DITCH AND STREAM CROSSING

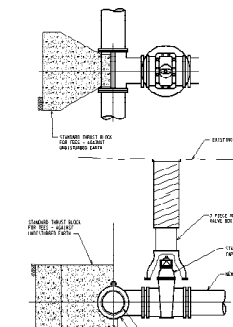


SEWER OR CULVERT CROSSING

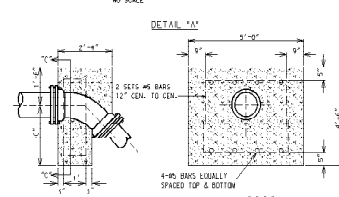


PROP. WATER MAINS
NOT UNDER PAVED SURFACE

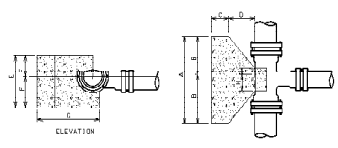
BEDDING DETAILS



STRAIGHT HYDRANT CONNECTION



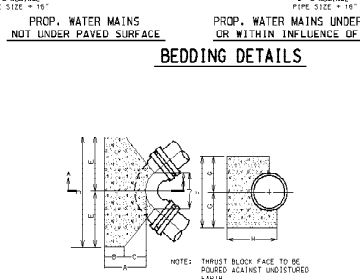
SECTION "C"-"C"



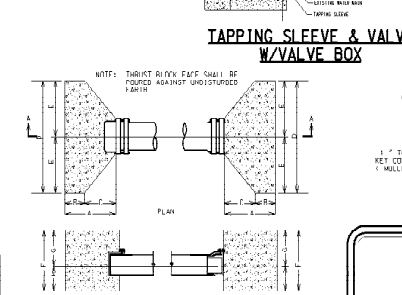
THRUST BLOCK FACE SHALL BE
POURED AGAINST UNDISTURBED
EARTH.

CONCRETE FOR THRUST BLOCKS
TO BE NET MIXED 2500 P.S.I.

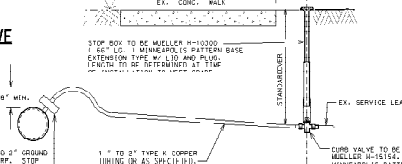
SCHEDULE OF THRUST BLOCK DIMENSIONS			
CUWL	TFF SIZE		
	8"x8" 12"x8" 16"x8" 24"x8"	12"x12" 16"x12" 24"x12"	16"x16" 24"x16"
A	3'-0"	4'-0"	5'-0"
B	1'-6"	2'-0"	2'-6"
C	0'-9"	0'-9"	0'-9"
D	1'-0"	1'-6"	2'-0"
E	2'-0"	2'-0"	2'-0"
G	2'-6"	2'-10"	3'-0"
H	2'-10"	3'-10"	3'-10"
I	0'-6"	0'-6"	0'-6"
J	0'-6"	0'-10"	0'-10"
K	0'-8"	0'-10"	1'-0"
L	0'-8"	0'-10"	1'-0"



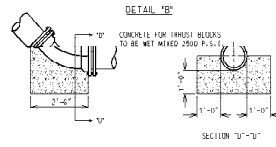
CONCRETE THRUST
FOR BENDS



**CONC. THRUST BLOCKS
FOR PLUGS & CAPS**

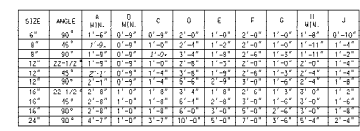


WATER SERVICE CONNECTION (TYP)



VERTICAL BEND THRUST BLOCKS
FOR 8"-12" MAINS

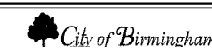
CONCRETE THRUST BLOCK
FOR TEES



CONCRETE THRUST
FOR BENDS

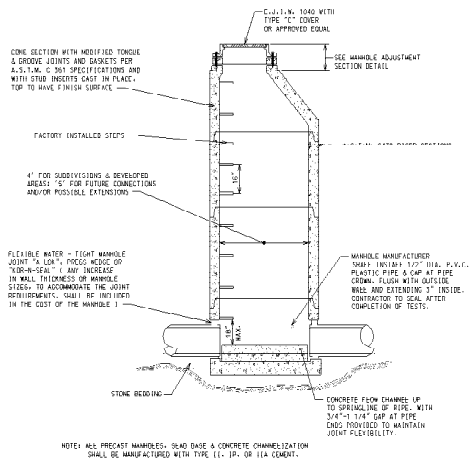
SIZE	A MIN.	B MIN.	C	D	E	F	G
8"	1'-11"	0'-9"	1'-2"	3'-0"	1'-8"	2'-0"	1'-0"
12"	2'-1"	0'-9"	1'-4"	4'-0"	2'-0"	3'-0"	1'-6"
16"	2'-8"	1'-0"	1'-8"	5'-0"	2'-6"	4'-0"	2'-0"

**CONC. THRUST BLOCKS
FOR PLUGS & CAPS**



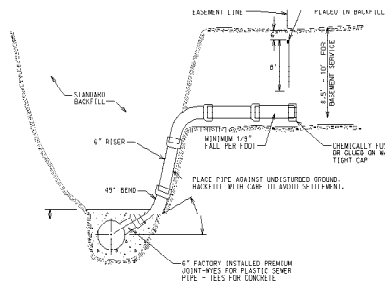
151 MARTIN STREET BIRMINGHAM, MICHIGAN 48102

WATER MAIN STANDARD DETAILS



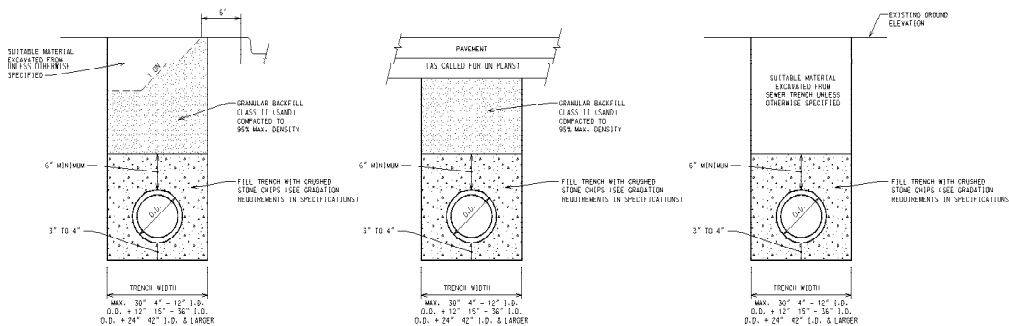
SEWER MANHOLE

(8" THRU 15" DIA. SEWERS)



BUILDING LEAD DETAIL

6" - 15" COVER



TRENCH DETAIL "A"

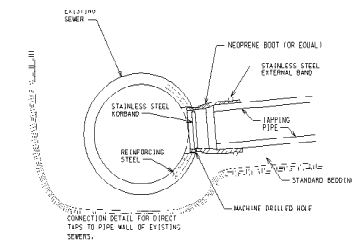
SEWER UNDER ROAD BED OR WITHIN THE INFLUENCE OF ROAD BED

NOT TO SCALE

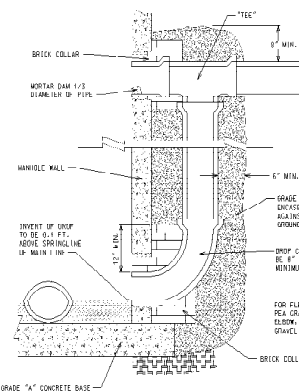
TRENCH DETAIL "B"

SEWER NOT UNDER ROAD BED

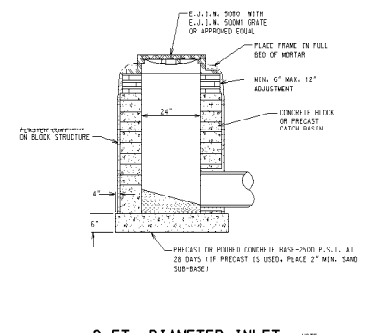
NOT TO SCALE



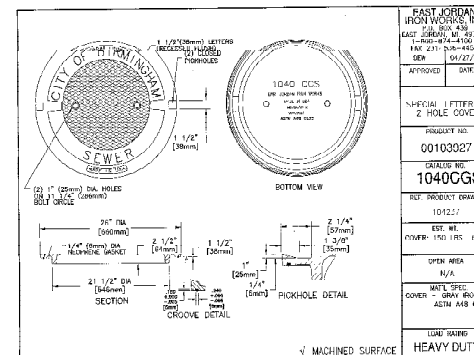
SANITARY MANHOLE ADJUSTMENT SECTION DETAIL



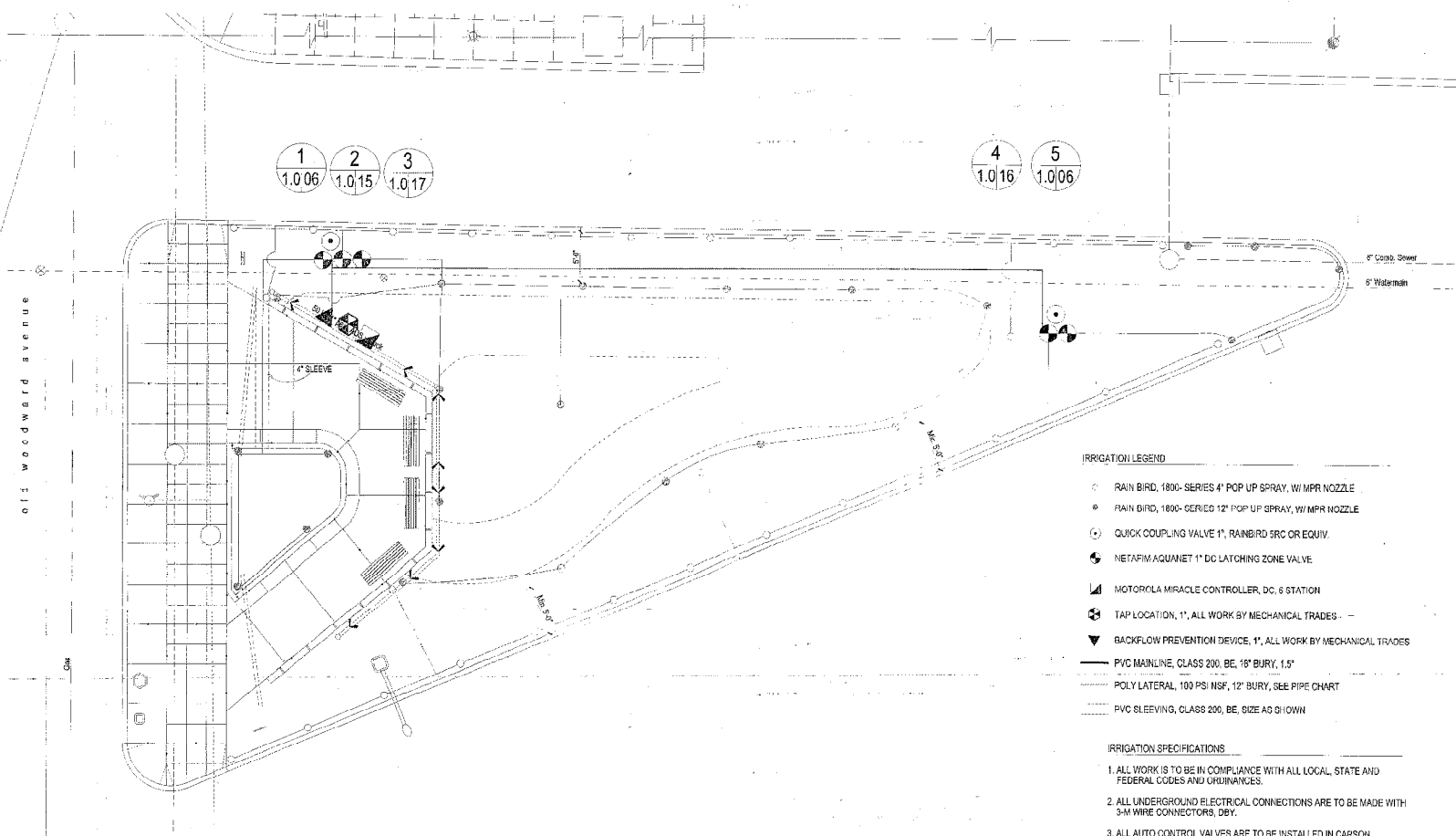
EXTERNAL DROP CONNECTION



4 FT. DIAMETER CATCH BASIN



SEWER STANDARD DETAILS

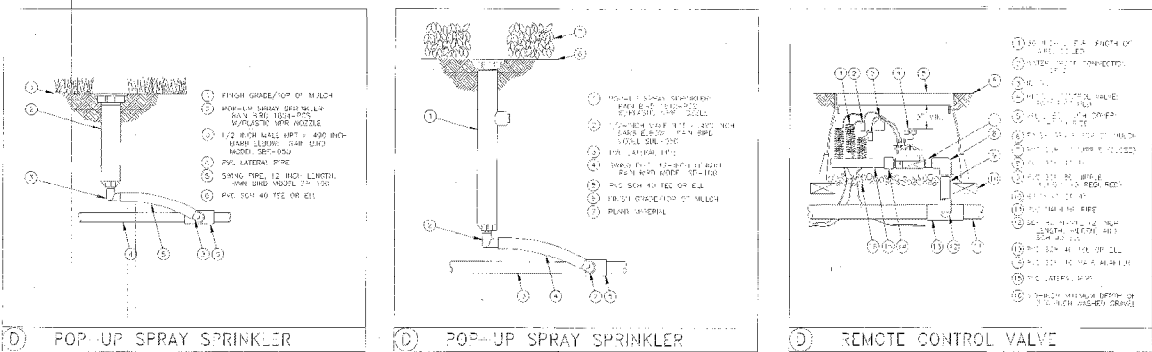


- IRRIGATION LEGEND**
- RAIN BIRD, 1800-SERIES 4" POP UP SPRAY, W/ MPR NOZZLE
 - RAIN BIRD, 1800-SERIES 12" POP UP SPRAY, W/ MPR NOZZLE
 - ⊕ QUICK COUPLING VALVE 1", RAINBIRD SRC OR EQUIV.
 - ⊗ NETAFIM AQUANET 1" DC LATCHING ZONE VALVE
 - Ⓜ MOTOROLA MIRACLE CONTROLLER, DC, 6 STATION
 - ⊙ TAP LOCATION, 1", ALL WORK BY MECHANICAL TRADES
 - ▼ BACKFLOW PREVENTION DEVICE, 1", ALL WORK BY MECHANICAL TRADES
 - PVC MAINLINE, CLASS 200, BE, 15" BURY, 1.5"
 - POLY LATERAL, 100 PSI NSF, 12" BURY, SEE PIPE CHART
 - PVC SLEEVING, CLASS 200, BE, SIZE AS GROWN

- IRRIGATION SPECIFICATIONS**
1. ALL WORK IS TO BE IN COMPLIANCE WITH ALL LOCAL, STATE AND FEDERAL CODES AND ORDINANCES.
 2. ALL UNDERGROUND ELECTRICAL CONNECTIONS ARE TO BE MADE WITH 3-M WIRE CONNECTORS, DEY.
 3. ALL AUTO CONTROL VALVES ARE TO BE INSTALLED IN CARSON VALVE BOXES OF APPROPRIATE SIZE, VP-10 OR VP-12.
 4. ALL CONTROL WIRING DOWNSTREAM OF THE CONTROLLER IS TO BE 14 AWG, UL APPROVED FOR DIRECT BURY.
 5. ALL ROTORS AND SPRAY POP-UPS SHALL BE INSTALLED ON SWING PIPE.
 6. ALL GCV SHALL BE INSTALLED ON 3-ELBOW PVC SWING JOINTS.
 7. SYSTEM DESIGN BASED UPON 15 GPM @ 52 PSI.
 8. ANY CHANGES IN AVAILABILITY OF SUPPLY SHOULD BE NOTED AND MODIFICATIONS TO THE DESIGN SHOULD BE MADE.
 9. CONTRACTOR TO VERIFY WATER PRESSURE AND AVAILABILITY PRIOR TO INSTALLATION.
 10. ANY IRRIGATION PIPING SHOWN OUTSIDE OF CURBS FOR CLARITY ONLY.

PIPE SIZE CHART

0 - 12 GPM = 1" POLY PIPE
13 - 24 GPM = 1.25" POLY PIPE
25 - 36 GPM = 1.5" POLY PIPE
37 - 50 GPM = 2" POLY PIPE



Water Right Design Group
 Irrigation Systems Architecture
 1185 Oakdown Drive, Troy, MI 48060, 248.583.6501 F 248.583.1800 F

8 WORKING DAYS
 15% RETAINAGE
 1-800-482-7771

CITY OF BIRMINGHAM
 OAKLAND AVE.
 BIRMINGHAM, MI

**OAKLAND AVENUE
 POCKET PARK**

**IRRIGATION SYSTEM
 BASE SYSTEM**

North
 SCALE:
 3/16" = 1'

DESIGNER: []
 DRAWN: []
 DATE: []
 REVISION: []
 CHECKED: []
 APPROVED: []
 REVISION: []
 REVISION: []

11

**Oakland Avenue and Haynes Street Project Area
Sewer and Water Lateral Special Assement District**

Sidwell Number	Street Address	Water Lateral Length (ft)	Water SAD Costs	Sewer Lateral Length (ft)	Sewer SAD Costs
19-25-451-034	400 Park	9	\$1,125.00	-	\$0.00
19-25-452-018	247 Oakland	2	\$2,625.00	91	\$8,190.00
19-25-452-019	267 Oakland	21	\$2,625.00	89	\$7,980.00
19-25-452-026	233 Oakland	21	\$2,625.00	-	\$0.00



MEMORANDUM

City Clerk's Office

DATE: July 1, 2024

TO: Melissa Coatta, City Engineer

FROM: Alexandria Bingham, City Clerk

SUBJECT: Clerk's Confirmation of Public Hearing Notice: Oakland Avenue and Haynes Street Project #7-24 (P): Water & Sewer Laterals Special Assessment District (SAD)

The public hearing notice process has been completed for Oakland Avenue and Haynes Street Project #7-24 (P): Water & Sewer Laterals Special Assessment District (SAD). Please see attachments for further confirmation.

Mailing Date: 7/1/2024

Test Mail Return Date: 7/3/2024

Publishing Dates in the Oakland Press: 7/7/2024 & 7/28/2024

Posted in www.bhamgov/publicnotices: 7/1/2024

Attachments:

1. Public Hearing Notice
2. Addresses
3. Mailing Letter
4. Mail Machine Counter Report
5. Proof of publishing for 7/7/2024

NOTICE OF PUBLIC HEARING	
BIRMINGHAM CITY COMMISSION	
PUBLIC HEARING OF NECESSITY & PUBLIC HEARING FOR CONFIRMATION OF THE ROLL	
Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, July 22, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Date, Time, Location:	HEARING FOR CONFIRMATION OF THE ROLL Monday, August 12, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	Oakland Avenue from North Old Woodward Avenue to Woodward Avenue, and Haynes Street from South Old Woodward Avenue to Woodward Avenue. 1925451034 400 Park (Vacant Lot) 1925452018 247 Oakland 1925452019 267 Oakland 1925452026 233 Oakland
Nature of Improvement:	The project includes abandonment of some water main and sewer improvements. The City intends to replace some sewer improvements and private sewer and water laterals meeting certain "useful life" criteria in the right-of-way to protect the public investments being made with this project.
City Staff Contact:	Melissa Coatta, City Engineer mcoatta@bhamgov.org , (248)530-1839
Notice Requirements:	Newspaper Notice and First Class Mail to affected property owners 10 days prior. Publish 7/7/2024 & 7/28/2024
Approved minutes may be reviewed at:	City Clerk's Office or www.bhamgov.org/commissionagendas
Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: https://zoom.us/j/655079760 Meeting ID: 655 079 760	
You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012. The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll. All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed. Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.3405 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.	

Parcel Identification Number	First Owner Name	Postal Address	Postal City Postal State Postal Zip 5
PNUM: 1925451034	TERRANCE SULLIVAN	24530 SENECA ST	OAK PARK, MI 48237
PNUM: 1925452018	MICHAEL SCHUCK	247 OAKLAND AVE	BIRMINGHAM, MI 48009
PNUM: 1925452019	267 OAKLAND LLC	240 MANOR RD	BLOOMFIELD HILLS, MI 48304
PNUM: 1925452026	JANIS B WETSMAN TRUSTEE	233 OAKLAND AVE	BIRMINGHAM, MI 48009
	CITY OF BIRMINGHAM - TEST MAIL	151 MARTIN	BIRMINGHAM MI 48009



July 2, 2024

TO: «Parcel_Identification_Number»
«First_Owner_Name»
«Postal_Address»
«POSTALCITY» «POSTALSTAT» «POSTALZIP5»

Re: Oakland Avenue and Haynes Street Project #7-24 (P)
Water & Sewer Laterals Special Assessment District (SAD)

To whom it may concern,

The City of Birmingham Oakland Avenue and Haynes Paving project will start in August of 2024. The project resurfacing limits are Oakland Avenue from North Old Woodward Avenue to Woodward Avenue, and Haynes Street from South Old Woodward Avenue to Woodward Avenue. The project includes abandonment of some water main and sewer improvements. The City intends to replace some sewer improvements and private sewer and water laterals meeting certain "useful life" criteria in the right-of-way to protect the public investments being made with this project.

The City intends to replace private sewer and water laterals meeting certain "useful life" criteria in the Oakland Avenue right-of-way in an effort to protect the public investments being made with this project. This will include the replacement of all sewer laterals that are 50 years of age or older, less than 6 inch diameter, or an unsuitable material. Water services less than the City minimum size of 1 inch diameter, are 60 years of age or older, or an unsuitable material will also be replaced. All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC, and unsuitable water services will be replaced with new 1 inch diameter pipe. The lengths of sewer and/or water laterals replacement will be within the right-of-way. Enclosed is a map of properties included in the Sewer and Water Lateral SAD.

With this letter, you are receiving notifications for two public hearings for the Water and Sewer Laterals Special Assessment District (SAD):

- The Public Hearing of the Necessity to form a Special Assessment District for the replacement of water and sewer laterals meeting the requirements as part of the Oakland Avenue and Haynes Paving Project is **Monday, July 22, 2024**, at the regularly scheduled City Commission meeting at 7:30 p.m. in City Hall at 151 Martin St.
- If necessity is determined at the July 22 hearing, a Public Hearing of Confirmation to confirm the Special Assessment District will follow on **Monday, August 12, 2024**, at the regularly scheduled City Commission meeting at 7:30 p.m. in City Hall at 151 Martin St.

Consistent with previous projects of this nature, it has been the City's policy to assess 100% of the costs of replacing the portion of unsuitable water and sewer laterals within the right-of-way to the property owner.

After the work is completed, an invoice will be generated and sent to the property owner of record for the public improvements. Payment in full will be expected within 30 days of receipt. If you are not in a position to pay off the charge in one payment, it can be broken into as many as 5 annual payments. An annual interest charge on the remaining balance, currently about 9.50 percent, will apply. Official estimates of the water and sewer lateral replacements will be provided at the Hearing of Necessity.

If you have any questions or concerns, please contact the Engineering Office at (248) 530-1850. You will have the opportunity to ask questions and speak directly to the City Commission at the Public Hearing of Necessity and at the Confirmation of the Roll.

Sincerely,



Melissa A. Coatta, P.E.
City Engineer

Funds Report	Available:	\$5,615.73	PBP Account Number:	35884980
	Used:	\$44,144.27	Indicia Number:	0008029208
	Total Pieces:	60574	Meter Number:	8029208
	Control Sum:	\$49,760.00	Meter Name:	
	Resettable Piece Count:	5	Printed:	JUL 01 2024 10:20 AM
	Piece Count Value:	\$3.20		

Faith

FROM PAGE 4

ship Experiences at Noon at youtube.com/c/OrchardUMC and facebook.com/OrchardUMC/live_videos, 248-626-3620, orchardumc.org.

■ Our Lady of La Salette, 2600 Harvard Road, Berkley, 248-541-3762, par8551@gmail.com, lasalette-church.org, Mass is 4:30 p.m. Saturdays, and 8:30 a.m. and 10:30 a.m. Sundays.

■ Our Lady of the Lakes Catholic Church in-person Mass, Saturday at 5 p.m., Sunday at 8 a.m., 9:30 a.m., 11 a.m., 12:30 p.m., weekdays at 8:15 a.m., 5481 Dixie Hwy., Waterford Twp. Livestream Mass at 5 p.m. Saturdays and 9:30 a.m. Sunday, olonline.org/live.

■ Our Lady of Refuge Church, 3700 Commerce Road, Orchard Lake, olorcc.org, 248-682-4099, Mass is 5 p.m. Saturdays and 8 a.m., 9:30 a.m. or 11:30 a.m. Sundays.

■ Our Lady of Sorrows Church, 23815 Power Road, Farmington, church.olsorrows.com.

■ Oxford United Methodist Church, 21E. Burdick St. Oxford, 248 628-1289, oxfordunitedmc.org. People Feeding People (PFP) free breakfast is 9:30-10:30 a.m. Saturdays. In-person worship services and online at youtube.com/channel/UCN-2R96oWdXxzDqwd8YBlRQ.

■ Paint Creek United Methodist Church, 4420 Collins Road, Rochester, www.paintcreekumc.org, 248-373-2360, Sunday worship services are 11 a.m.

■ The River Church of Auburn Hills, 315 S. Squirrel Road, Auburn Hills, http://riverchurch.faith, 248-853-

1524. Worship services are 9 a.m. and 11:15 a.m. Sundays.

■ The River Church, Holly, Lake Orion, Waterford and more locations, live stream and videos of sermons, theriverchurch.cc, 248-328-0490.

■ Royal Oak First United Methodist Church, 320 W. 7th Street, Royal Oak, www.rofum.org, 248-541-4100. Worship services are 9 a.m. and 11 a.m. Sundays, in-person and online, www.rofum.org/live.

■ Sacred Heart Catholic Church, 3400 S. Adams Road, Auburn Hills. Mass times are at 4 p.m. Saturday, and 9 a.m. and 11 a.m. Sunday. Weekday Mass services are 9 a.m. Monday through Friday, www.esacredheart.org, 248-852-4170.

■ Sanctuary Church, 300 Willits St., Birmingham, in-person and online services, 10:30 a.m. Sundays, 248-644-0550, sanctuary-church.com.

■ St. Anne Catholic Church of Ortonville, 825 South Ortonville Road, Ortonville. Mass times are Sunday at 8:30 a.m. and 10:30 a.m.; Saturday at 5 p.m.; Monday at 7 p.m. and Tuesday, Wednesday and Friday at 9 a.m., 248-627-3965, churchofstanne.org.

■ St. Augustine Lutheran Troy (SALT) Church, 5475 Livernois in Troy, saltchurch.net, communications@saltchurch.net, 248-879-6400.

■ St. Benedict Catholic Church, 60 South Lynn Street, Waterford Twp., 248-681-1534. Sunday Mass times are 9 a.m. and 11 a.m., streaming at stbencc.org/live-stream.

■ St. David's Episcopal Church, 16200 W. Twelve Mile Road, Southfield, www.stdavidssf.org. Sunday wor-

ship services are at 8 a.m. and 10 a.m. both in person and via zoom. St. David's has a food pantry.

■ St. George's Episcopal Church, 801 E Commerce, Milford, 248-684-0495. Sunday worship services 8:30 a.m. and 10:15 a.m., in-person and online, www.stgeorgesmilford.org.

■ St. George Orthodox Church, 2160 E Maple Road, Troy, 248-589-0480, www.stgeorgeoftroy.org, www.facebook.com/stgeorgeoftroy.mi.

■ St. James Church, 46325 Ten Mile Road, Novi, Mass times are 8 a.m., 9:30 a.m. and 11:30 a.m. Sundays, and 4 p.m. Saturdays, live streaming services, 4 p.m. Saturdays, 248-347-7778, stjamesnovi.org.

■ St. John Lutheran Church & School, 1011 University Drive, Rochester. Traditional praise worship services are Sundays at 8 a.m. and 9:30 a.m. Modern praise services are Saturdays at 5 p.m. and Sundays at 10:45 p.m. The 8 a.m. and 10:45 a.m. Sunday worship services are live streamed and posted on the website at stjohndrochester.org.

■ St. John's Episcopal Church Royal Oak, 26998 Woodward Ave. Royal Oak. Services are 8 a.m. Sundays, in person and 10:15 a.m. Sundays, online and in-person worship, stjohnsroyaloak.org, 248-546-1255.

■ St. Joseph Chapel and Shrine of the Immaculate Heart of Mary, 400 South Blvd. West, Pontiac, https://terrasanctaministries.net.

■ St. Joseph Catholic Church, Lake Orion, view Mass services on the church's Youtube channel, youtube.com/user/stjoseph-massarchive, or at Facebook page, facebook.com/StJoeLo, stjoeo.org, 248-693-

0440.

■ St Mary's In-the-Hills Episcopal Church, 2512 Joslyn Court, Lake Orion, 248-391-0663, www.stmarysinthehills.org. Sunday Services are at 8:30 a.m.-Simple service of Holy Eucharist and at 10 a.m.-Service of Holy Eucharist with choir and Children's Church School-Service, live streamed on YouTube or Facebook or www.stmarysinthehills.org. Adult Bible Study is held Tuesdays at 10 a.m.

■ St. Mary of the Hills Roman Catholic Church, 2675 John R. Road, Rochester Hills. Live online Mass is 4 p.m. Saturday, on Facebook and YouTube. In-person Mass is 9 a.m. or 11 a.m. Sunday, sign up required, 248-853-5390, smoth.org.

■ St. Matthew Lutheran Church, 2040 S. Commerce Road, Walled Lake, 248-624-7676, st-matthew.org. Blended Worship services are 8:45 a.m. Sundays (also livestream on YouTube); Prayer & Praise Worship services are 11 a.m. Sundays; Monday Blended Worship services are 7 p.m.

■ St. Matthew Lutheran Church, 48380 Pontiac Trail, Wixom, 248-624-9525, st-matthew.org. Sunday worship services are 10 a.m.

■ St. Nicholas Greek Orthodox Church, Divine Liturgy at 9:30 a.m. Sundays, 760 W Wattles Road, Troy, 248-362-9575, stnicholastrof.org.

■ St. Owen Catholic Church, 6869 Franklin Road Bloomfield Hills, stowen.org.

■ St. Patrick's Episcopal Church, 1413 E. Thirteen Mile Road, Madison Heights, 248-585-9591, in-person Sunday worship services are at 10 a.m., or online at stpatsmh.org.

■ St. Paul Lutheran Church, 202 E. Fifth St, Royal Oak, worship services are 8:15 a.m. and 11 a.m. Sundays. Livestream also at 8:15 a.m. service, stpaulroyaloak.org, 248-930-3100.

■ St. Paul United Methodist Church, 165 E. Square Lake Road, Bloomfield Hills, 248-338-8233, services are at 9:45 a.m. Sundays, SPUMC.net, facebook.com/spumcbloomfieldhills, 248-216-1657.

■ St. Paul's United Methodist Church, 620 Romeo Street, Rochester. Open door worship services are at 9:30 a.m. Sundays and sanctuary worship services are at 11 a.m., Sundays, livestream available, facebook.com/stpaulsrochester, stpaulsrochester.org.

■ St. Philip's Episcopal Church, 100 Romeo Road, Rochester, stpfeeds.org.

■ St. Stephens Missionary Baptist Church, 69 S. Astor St., Pontiac, 248-335-5873, www.saintstephenmbc.com. Sunday worship services are at 11 a.m.

■ St. Thomas Chaldean Catholic Church, 6900 West Maple Road, West Bloomfield Twp., www.stccc.org.

■ St. Thomas Orthodox Church, Divine Liturgy at 10 a.m. Sundays, 29150 W. 10 Mile Road, Farmington Hills, 248-471-1059, stthomasalbanianorthodoxchurch.org.

■ St. William Parish, 531 Common St., Walled Lake, stwilliam.com, 248-624-1421.

■ Sashabaw Presbyterian Church, Clarkston, worship services via Zoom, services at 11 a.m. on 1st, 3rd and 5th Sundays of the month, and at 6 p.m. on 2nd and 4th Saturdays of the month. Email sashabawpresbyterianchurch@gmail.com for a link to services, sashabaw-

presbyterianchurch.org, 248-310-0792.

■ Scott Lake Baptist Church, Waterford, livestream online worship services at 11 a.m. and 6 p.m. Sundays, hisscottlake.org.

■ Seymour Lake United Methodist Church, 3050 S. Sashabaw Road, Oxford, in-person or online services are at 10 a.m. Sundays, 248-572-4200, email- office@seymourlakeumc.org, seymourlakeumc.org.

■ Shepherd of the Lakes Lutheran Church, 2905 S. Commerce Road, Walled Lake, worship services are 10 a.m. Sundays, and Wednesdays at 7 p.m. during Lent and Advent, www.shepherdlakes.org, 248-624-4238.

■ Spirit of Grace Church, 2399 Figa Ave., West Bloomfield Twp., Sunday worship at 10 a.m. The church opened a diabetic food pantry for those in need with dietary restrictions. The church seeks donations of non-perishable food items for diabetics including: proteins, nuts, grains and beans, sugar-free foods, low carb and high fiber foods as well as shopping bags and unused boxes. Drive up pantries are set for 10 a.m.-noon, 3rd Saturdays of the month, spiritofgrace.church, facebook.com/spiritofgrace/videos.

■ Spiritual Life Center, Troy, www.slctroy.com, 248-925-6214. A Message of Hope is 10 a.m. Sundays at www.youtube.com/c/SLCTroy.

■ Stone Haven Free Methodist Church, 1349 West Wattles Road, Troy, services are 11 a.m. Sundays, (limited in-person seating at 10:45 a.m.) online services at stonehavenfmc.org, 248-649-1465.

— MediaNews Group

NOTICE OF REGISTRATION FOR THE ELECTION TO BE HELD ON TUESDAY, AUGUST 6, 2024

SPRINGFIELD CHARTER TOWNSHIP, MICHIGAN

TO THE QUALIFIED ELECTORS OF SPRINGFIELD CHARTER TOWNSHIP:

PLEASE TAKE NOTICE that any qualified elector of Springfield Township who is not already registered, may register to vote at the office the Springfield Township Clerk, a Secretary of State branch office, or other designated state agency. Registration forms can be obtained at mi.gov/vote and mailed to the Township Clerk. Voters who are already registered may update their registration at www.expressSOS.com.

The last day to register in any manner other than in-person with the local clerk is **Monday, July 22, 2024**.

After this date, anyone who qualifies as an elector may register to vote in person with proof of residency (MCL 168.492) at the Springfield Township Clerk's Office at 12000 Davisburg Road, Davisburg, MI 48350 at the following times:

- Regular business hours: Monday thru Friday from 8:30 am to 4:30 pm
- Saturday July 27th, Sunday July 28th, Saturday August 3rd, and Sunday August 4th, 2024, from 8:30 am – 4:30 pm
Thursday, August 1st, 2024, from 8:30 am – 8:00 pm
- Election Day, Tuesday, August 6, 2024, from 7 am to 8 pm

PLEASE TAKE NOTICE: That the August 6, 2024, State Primary will be conducted in all voting precincts of Springfield Township, for the purpose of nominating candidates for the following offices:

CONGRESSIONAL	United States Senator, Representative in Congress 9 th District
LEGISLATIVE	Representative in State Legislature 51 st and 52 nd District
COUNTY	County Executive, Prosecuting Attorney, Sheriff, Clerk/Register of Deeds, Treasurer, Water Resources Commissioner, County Commissioner 7 th District
TOWNSHIP	Supervisor, Clerk, Treasurer, Trustee, Park Commissioner

AND FOR THE PURPOSE OF ELECTING DELEGATES TO COUNTY CONVENTION OF THE REPUBLICAN AND DEMOCRATIC PARTIES

A sample ballot may be viewed at mi.gov/vote or at the office of the Springfield Township Clerk, 12000 Davisburg Rd., Davisburg, MI 48350, telephone: 248-846-6510.

Persons with disabilities needing accommodations should contact the Springfield Charter Township Clerk's Office.

Township Clerk Sean R. Miller, MiPMC
Springfield Charter Township
Published: July 7, 2024

NOTICE OF PUBLIC HEARING

BIRMINGHAM CITY COMMISSION

PUBLIC HEARING OF NECESSITY & PUBLIC HEARING FOR CONFIRMATION OF THE ROLL

Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, July 22, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009		
Meeting Date, Time, Location:	HEARING FOR CONFIRMATION OF THE ROLL Monday, August 12, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009		
Project Location:	Oakland Avenue from North Old Woodward Avenue to Woodward Avenue, and Haynes Street from South Old Woodward Avenue to Woodward Avenue. 1925451034 400 Park (Vacant Lot) 1925452018 247 Oakland 1925452019 267 Oakland 1925452026 233 Oakland		
Nature of Improvement:	The project includes abandonment of some water main and sewer improvements. The City intends to replace some sewer improvements and private sewer and water laterals meeting certain "useful life" criteria in the right-of-way to protect the public investments being made with this project.		
City Staff Contact:	Melissa Coatta, City Engineer mcoatta@bhamgov.org, (248) 530-1839		
Notice Requirements:	Newspaper Notice and First Class Mail to affected property owners 10 days prior. Publish 7/7/2024 & 7/28/2024		
Approved minutes may be reviewed at:	City Clerk's Office or www.bhamgov.org/commissionagendas		
Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: https://zoom.us/j/655079760 Meeting ID: 655 079 760			
You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012. The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll. All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.			
Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.3405 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.			

NOTICE OF REGISTRATION FOR THE STATE PRIMARY ELECTION TO BE HELD ON TUESDAY, AUGUST 6, 2024

CHARTER TOWNSHIP OF WATERFORD

TO THE QUALIFIED ELECTORS OF THE CHARTER TOWNSHIP OF WATERFORD:

PLEASE TAKE NOTICE that any qualified elector of the Charter Township of Waterford who is not already registered may register to vote at the office of the Township Clerk, the office of the County Clerk, a Secretary of State Branch office, or other designated state agency. Registration forms can be obtained at www.michigan.gov/vote and mailed to the Township Clerk. Voters who are already registered may update their registration at www.michigan.gov/vote. You may register online with a driver's license or state identification number and social security number by going to www.michigan.gov/vote

The last day to register in any manner other than in-person with the local Clerk is **Monday, July 22, 2024**. **When registering after this date, you must show proof of residence at the Clerk's Office.**

After this date, anyone who qualifies as an elector may register to vote in person with proof of residency (MCL 168.497) at the Charter Township of Waterford, Clerk's office, located at 5200 Civic Center Drive, Waterford, Michigan 48329 at the following times:

- Regular Business hours: Monday through Friday, from 7:30 a.m. to 4:30 p.m.
- Saturday, July 27, 2024, from 8:30 a.m. to 4:30 p.m.
- Sunday, July 28, 2024, from 8:30 a.m. to 4:30 p.m.
- Thursday, August 1, 2024, from 4:30 p.m. to 8:00 p.m.
- Saturday, August 3, 2024, from 8:30 a.m. to 4:30 p.m.
- Sunday, August 4, 2024, from 8:30 a.m. to 4:30 p.m.
- Election Day, Tuesday, August 6, 2024, from 7:00 a.m. to 8:00 p.m.

This election is for the purpose of:

For the purpose of nominating candidates of all participating political parties for the following offices:

Congressional	United States Senator, Representative in Congress
Legislative	Representative in State Legislature
County	County Executive, Prosecuting Attorney, Sheriff, Clerk/Register of Deeds, Treasurer, Water Resources Commissioner and County Commissioner
Township	Supervisor, Clerk, Treasurer and (4) Trustees
Judicial	Judge of Circuit Court 6 th District Non-Incumbent Position

And For The Purpose of Electing Delegates to the County Convention of the Republican and Democratic Parties

For the following proposals: Renewal and Increase to Restore Lost Millage Due to Headlee Rollbacks of Parks & Recreation

Shall the existing authorized Parks and Recreation Millage within the Charter Township of Waterford be restored to the original voter approved .50 mills, of which .4530 mills (\$.4530 per \$1,000.00 of taxable value) is a renewal and .0470 mills (\$.0470 per \$1,000.00 of taxable value) is an increase to restore lost millage due to Headlee rollbacks, upon real property and tangible personal property within the Township of Waterford for the period of ten (10) years, 2025 through 2034 inclusive, with the first levy in December of 2024 for use in 2025, said funds to be used to maintain the cost of operation of the Parks and Recreation Department, and shall the Township levy such renewal in millage for said purpose, thereby generating in the first year an estimated \$1,529,294.41 (This millage is to renew the millage that will expire and to restore millage lost as a result of the Headlee amendment)?

Renewal and Increase to Restore Lost Millage Due to Headlee Rollbacks of Police Operating Millage #1

Shall the existing authorized Police Operating Millage #1 within the Charter Township of Waterford be restored to the original voter approved 1.50 mills, of which 1.3598 mills (\$.13598 per \$1,000.00 of taxable value) is a renewal and .1402 mills (\$.1402 per \$1,000.00 of taxable value) is an increase to restore lost millage due to Headlee rollbacks, upon real property and tangible personal property within the Township of Waterford for the period of ten (10) years, 2025 through 2034 inclusive, with the first levy in December of 2024 for use in 2025, said funds to be used to maintain the cost of operation of the Police Department, and shall the Township levy such renewal in millage for said purpose, thereby generating in the first year an estimated \$4,575,883.23 (This millage is to renew the millage that will expire and to restore millage lost as a result of the Headlee amendment)?

A sample ballot may be viewed at www.waterfordmi.gov/elections. Persons wishing to obtain an absentee ballot may do so by contacting the Township Clerk's Office. The Clerk, or designee, will be available in the Clerk's Office on the Saturday preceding the election, August 3, 2024, from 8:30 a.m. until 4:30 p.m. Early Voting Centers will be open July 27, 2024 through August 4, 2024, from 8:30 a.m. to 4:30 p.m., except Thursday when hours are noon to 8:00 p.m. Waterford Township residents may vote early at the Waterford Township Public Library, 5168 Civic Center Drive or the Waterford Oaks Activity Center, 2800 Watkins Lake Rd.

Persons with special needs as defined by the Americas with Disabilities Act should contact the Clerk's Office.

Kim Markee, Clerk
Waterford Township

NOTICE OF A PUBLIC HEARING WATERFORD TOWNSHIP PLANNING COMMISSION

Notice is hereby given of a public hearing to be held by the Waterford Township Planning Commission on **Tuesday, July 23, 2024 at 6:00 p.m.**

Members of the public will only be able to speak during the public comment period(s) provided during the meeting, unless otherwise permitted by the Chairperson. Public comments will be limited to three minutes per speaker.

To provide for orderly public participation, a person wishing to speak must first state their name and request to be recognized by the Chairperson of the meeting. The Chairperson will recognize all persons wishing to speak during a public hearing and the public comment period. Prior to the meeting, members of the public may contact the members of the Planning Commission to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

Jeffrey M. Polkowski, AICP
Director of Development Services
Charter Township of Waterford
5200 Civic Center Drive, Waterford, Michigan 48329

planning@waterfordmi.gov

Phone: (248) 674-6238

The Planning Commission will consider the following:

1. Special Approval Case No. PRSA 24-06-02, Watkins Lake Rd Short-Term Dwelling – PUBLIC HEARING

Parcel I.D. No. 13-14-178-006: T3N, R9E, SEC 14
Requesting: SUPERVISOR'S PLAT NO 37 LOT 6
Special approval to operate a short-term dwelling in a single-family residential district.

Property Location: 2055 Watkins Lake Rd
Property Zoned: R-1B, Single-Family Residential
Applicant: Lindsey & Mike Broadwell

2. Special Approval Case No. PRSA 24-06-03, Special Approval for a Second Hand Dealer – PUBLIC HEARING

Parcel I.D. No. 13-04-401-002: T3N, R9E, SEC 4 WATERFORD FARMS LOT 12 EXC NWLY 50 FT, ALSO THAT PART OF SE 1/4 LYING NELY OF NELY LINE OF US-10 HWY & WLY OF 'LAKELAND ESTATES NO 1'
Requesting: Special approval to operate a secondhand dealer for clothing resale

Property Location: 5310 Dixie Hwy
Property Zoned: C-4, Extensive Business
Applicant: Amali, LLC dba Plato's Closet

3. Special Approval Case No. PRSA 24-06-04, Schoolhouse Dr Short-Term Dwelling – PUBLIC HEARING

Parcel I.D. No. 13-11-252-020: T3N, R9E, SEC 11 INDIAN WOODS MANOR LOT 6
Requesting: Special approval to operate a short-term dwelling in a single-family residential district.

Property Location: 3261 Schoolhouse Dr
Property Zoned: R-1A, Single-Family Residential
Applicant: Brad Swineheart

4. Special Approval Case No. PRSA 24-06-05, Imperial Car Wash Pay Stations – PUBLIC HEARING

Parcel I.D. No. 13-26-201-065: T3N, R9E, SEC 26 SUNNY SLOPE ACRES PART OF LOTS 32, 33 & 36 BEG AT PT DIST N 89-35-00 E 42.60 FT FROM NW COR OF LOT 32, TH S 00-25-00 E 211.19 FT, TH S 45-02-45 W 152.70 FT, TH N 44-55-45 W 150.67 FT, TH N 45-04-15 E 300.76 FT TO BEG 5-4-88 FROM 026, 027 & 058
Requesting: Special approval for site improvements to an existing car wash.

Property Location: 3456 Highland Rd
Property Zoned: C-3, General Business
Applicant: Blue Sky 5 Inc dba Imperial Express Car Wash

5. Special Approval Case No. PRSA 24-06-06, Technological Assembly Facility – PUBLIC HEARING

Parcel I.D. No. 13-16-101-023: T3N, R9E, SEC 16 AIRPORT SUB LOT 30
Requesting: Special approval for a technological assembly facility that will research and develop electronic based technology and products.

Property Location: 2080 Airport Rd
Property Zoned: HT-1, High Tech Office
Applicant: ABTJ Property Management LLC

6. Special Approval Case No. PRSA 24-06-08, Steve's European Auto Vehicle Repair – PUBLIC HEARING

Parcel I.D. No. 13-22-151-022 & -023: T3N, R9E, SEC 22 PART OF NW 1/4 BEG AT PT DIST N 01-10-00 E 412.50 FT FROM W 1/4 COR, TH N 01-10-00 E 82.50 FT, TH S 88-38-00 E 351.87 FT, TH S 01-15-00 W 82.50 FT, TH N 88-38-00 W 351.51 FT TO BEG 0.67 A W480E-1 & T3N, R9E, SEC 22 PART OF NW 1/4 BEG AT PT DIST N 01-10-00 E 330 FT FROM W 1/4 COR, TH N 01-10-00 E 82.50 FT, TH S 88-38-00 E 351.51 FT, TH S 01-10-00 W 82.50 FT, TH N 88-38-00 W 351.51 FT TO BEG 0.67 A W480E-1
Requesting: Special approval for a vehicle repair facility.

Property Location: 1064 Crescent Lake Rd
Property Zoned: HT-1, High Tech Office
Applicant: Steven Fowler

7. Text Amendment Case No. PRSA 24-06-01, Higher Intensity Use Zoning Districts – PUBLIC HEARING

Requesting: Text Amendment to allow for the uses that are permitted within the HT-1, High Tech Office and HT-2, High Industrial & Office zoning districts to also be allowed in the M-1, Light Industrial and/or M-2, General Industrial districts.

Impacted Districts: M-1, Light Industrial & M-2, General Industrial
Applicant: Waterford Township

In conformance with the Americans with Disabilities Act (ADA), accommodations are available (large print agendas and meeting minutes etc.) upon request. Please contact the Development Services Department for more detail (248) 618-7427.

David Kramer, Planning Commission Secretary
Charter Township of Waterford
Oakland County, Michigan

Oakland Avenue and Haynes Street Project

Hearing of Necessity for Sewer and Water Lateral
Special Assessment District (SAD)



Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ Overview

- Limits of Project:
 - Oakland Avenue – N. Old Woodward to Woodward Avenue
 - Haynes Street – S. Old Woodward to Woodward Avenue
- Project includes:
 - Oakland Avenue:
 - Water Main: Abandonment between N. Old Woodward to Woodward Avenue
 - Sewer: Abandonment between N. Old Woodward to Woodward Avenue
 - No utility work proposed for Haynes Street
- Special Assessment District (SAD) for Sewer and Water Laterals to be paid by the property owner at one hundred percent of the costs.

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ General Construction Information:

Oakland Avenue Existing Water:

- 6" Cast Iron, installed 1924
- 12" Cast Iron, installed 1968

Oakland Avenue Existing Sewer:

- Existing Sanitary Sewer: 8" Clay Pipe, installed 1925
- Existing Combine Sewer: 8"-12" Clay Pipe, unknown installation date

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ General Construction Information:

Oakland Avenue Water Main

- 6 inch water main 100 years old
- Maintenance of 2 water main pipes on same street
- DPS has experienced water main breaks on 6 inch water main

Oakland Avenue Sewer

- Some sections of the sewer are close to 100 years old
- Maintenance of 2 sewer systems on same street
- From televising sewer, some of the sewer sections require work but not needed if abandoned

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ Policy

- City policy: To protect the public investment being made with capital improvement projects in public roadways, as part of the project
 - Water Laterals:
 - Replace all water services that are 60 years of age or older, are less than one inch in diameter, or are constructed of an unsuitable material.
 - All unsuitable water services will be replaced with a new 1" diameter service, or be replaced to match the existing diameter if greater than 1"

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ Policy

- City policy: To protect the public investment being made with capital improvement projects in public roadways, as part of the project
 - Sewer Laterals:
 - Replacement of all sewer laterals that are 50 years of age or older, are less than 6" diameter, or are constructed of an unsuitable material.
 - All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC or match existing size if larger than 6".

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤SAD:

- Water Lateral: 100% cost of the property owner
- Sewer Lateral : 100% cost of the property owner
- Cost: The cost can be paid back in either a lump sum or over up to a 5-year period with interest. The interest rate will be confirmed at the Confirmation of Roll.

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ SAD:

- Water:
 - \$90 per lineal foot for 1" diameter water service
- Sewer:
 - \$125 per lineal foot for 6" sewer pipe

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District



Properties in the Sewer and Water Lateral Special Assessment District

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

PROPERTIES LOCATED IN WATER AND SEWER LATERAL SAD:

Sidwell Number	Street Address
19-25-451-034	400 Park Street
19-25-452-018	247 Oakland Avenue
19-25-452-019	267 Oakland Avenue
19-25-452-026	233 Oakland Avenue

Sewer and Water Lateral SAD

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ Summary

- The Engineering Department recommends the City Commission declare necessity and approve the SAD for the Oakland Avenue and Haynes Street Project for sewer and water laterals
- Should the Commission approve the SAD, a public hearing for confirmation of the roll will be held on August 12, 2024



MEMORANDUM

Planning Department

DATE: July 10, 2024

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Public Hearing to amend Chapter 86 (Signs) to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number.

INTRODUCTION:

An application has been submitted to request an amendment to the Sign Ordinance to reconsider the maximum area and maximum number of sign requirements for church signs in the R1A through R8 residential zoning districts. At present, churches are permitted 1 sign at 20 square feet if located less than 500 feet from occupied residential dwellings, or 1 sign at 40 square feet if located more than 500 feet from occupied residential dwellings.

BACKGROUND:

On June 5, 2024 ([Agenda](#)), the Design Review Board (DRB) moved to recommend approval to the City Commission of several amendments to the Sign Ordinance aimed to increase the permitted combined sign area for Religious Institutions, Private Schools, Community Centers, Health Care Facilities and Government Signs. These changes were initiated by an applicant associated with Our Shepherd Lutheran Church located on 14 Mile. Over the course of 4 meetings, the DRB considered a number of critical aspects of these types of developments, including their location in sensitive residential settings. Ultimately, the proposed language was modeled after similar language in the Sign Ordinance to promote consistency, all while ensuring that the scale and combined sign area of signs on these properties had a nominal or neutral effect on the surrounding residential areas.

LEGAL REVIEW:

The City Attorney has reviewed the documentation as to form and substance and has no objections.

FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

SUSTAINABILITY:

There are no direct sustainability considerations for this agenda item.

DESIGN CONSIDERATIONS:

There are no design considerations for this agenda item.

PUBLIC COMMUNICATIONS:

As required for proposed Sign Ordinance amendments, a legal ad was placed in a newspaper of local circulation to advertise the public hearing at the Design Review Board meeting on June 5, 2024. A similar notice was provided for the public hearing at the City Commission on July 22, 2024.

SUMMARY:

The Planning Department requests that the City Commission consider ordinance amendments to Chapter 86 (Signs) to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number of signs permitted.

ATTACHMENTS:

Please see the following attached documents:

- Proposed Ordinance Language
- Design Review Board Report – June 5, 2024

SUGGESTED COMMISSION ACTION:

Make a motion adopting an ordinance to amend Chapter 86 (Signs), Article 1, Table B, Table D, Section 1.08 and Section 1.09 to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number of signs committed.

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE SIGN ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 1, TABLE B: PERMANENT RESIDENTIAL SIGN STANDARDS TO AMEND THE STANDARDS FOR CHURCHES, PRIVATE SCHOOLS, COMMUNITY CENTERS, HEALTH CARE FACILITIES AND GOVERNMENT SIGNS:

TABLE B: PERMANENT RESIDENTIAL SIGN STANDARDS					
Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Churches Religious Institutions , Private Schools, Community Centers, Health Care Facilities and Government Signs	Yes	20-square feet if less than 500 feet from occupied residential dwellings. 40-square feet if more than 500 feet from occupied residential dwellings. 0.25 square feet for each 1 linear foot of principal building frontage. The total area of all permanent exterior signs shall not exceed 75 square feet. No one permanent exterior sign shall exceed 25 square feet.	8-feet above grade. 6 feet above grade for ground signs. 24 in. for Wall Signs or Name Letter Signs.	Signs of health care facilities may not be illuminated; other uses permitted. Permitted.	1 sign. Limited by area per frontage.

ORDAINED this _____ day of _____, 2024 to become effective 7 days after publication.

Elaine McLain, Mayor

Alex Bingham, City Clerk

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE SIGN ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 1, TABLE D: TEMPORARY RESIDENTIAL SIGN STANDARDS TO ADJUST LANGUAGE FROM "CHURCHES" TO "RELIGIOUS INSTITUTIONS":

TABLE D: TEMPORARY RESIDENTIAL SIGN STANDARDS					
Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Church Religious Institutions and Private School Signs	Yes	15 square feet per side, 30 square feet total.	10 feet above grade.	Not permitted.	1 sign at a time; maximum of 6 per calendar year

ORDAINED this _____ day of _____, 2024 to become effective 7 days after publication.

Elaine McLain, Mayor

Alex Bingham, City Clerk

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE SIGN ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 1, SECTION 1.08, PERMANENT RESIDENTIAL SIGN STANDARDS, TO ADJUST LANGUAGE FROM "CHURCHES" TO "RELIGIOUS INSTITUTIONS":

1.08 Permanent Residential Sign Standards

This Permanent Residential Sign Standards section applies to the following districts:



The following permanent residential sign standards apply:

- A. Prohibited Signs. No cloth pennants, banners or advertising devices of a similar nature may be erected.
- B. Bulletin Board Signs.
 - 1. Permit: See Table D for specific permitting requirements.
 - 2. Additional Signs: Additional bulletin board signs for public charitable or religious institutions, including community centers, may be permitted by the City Commission through a special land use permit, and shall meet the following requirements:
 - a. More than 1 public, charitable or religious institution, or community center, is located on the same site.
 - b. The bulletin board signs do not exceed 20 square feet in total surface area and shall be located on the premises of the institutions.
 - c. The City Commission finds that the public convenience will be served by the bulletin board signs.
 - d. The bulletin board signs will not create a traffic hazard.
- C. ~~Churches~~ **Religious Institutions**, Private Schools, Community Centers, Health Care Facilities and Government Signs.
 - 1. Permit: See Table D for specific permitting requirements.
- D. Multiple-Family Residential Signs.
 - 1. Permit: See Table D for specific permitting requirements.
- E.

ORDAINED this _____ day of _____, 2024 to become effective 7 days after publication.

Elaine McLain, Mayor

Alex Bingham, City Clerk

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE SIGN ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 1, SECTION 1.09, TEMPORARY RESIDENTIAL SIGN STANDARDS, TO ADJUST LANGUAGE FROM "CHURCHES" TO "RELIGIOUS INSTITUTIONS":

1.09 Temporary Residential Sign Standards

This Temporary Residential Sign Standards section applies to the following districts:



The following temporary residential sign standards apply:

- A. Advertising Lots and/or Building in One Subdivision Sign.
 - 1. Permit: See Table D for specific permitting requirements.
- B.
- C. Church **Religious Institutions** and Private School Signs.
 - 1. Permit: See Table D for specific permitting requirements.
 - 2. Duration: May be displayed 1 week prior to and for the duration of the event, maximum of 3 weeks.
- D. Home Improvement Signs.
 - 1. Permit: See Table D for specific permitting requirements.
 - 2. Duration: One (1) sign displayed in any 30 day period.
- E. Private Residence Signs.
 - 1. Permit: See Table D for specific permitting requirements.
 - 2. Duration: 1 sign displayed for a single 90-day period per calendar year.
- F. Special Event Signs.
 - 1. Permit: See Table D for specific permitting requirements.
 - 2. Duration: 7 days.

ORDAINED this _____ day of _____, 2024 to become effective 7 days after publication.

Elaine McLain, Mayor

Alex Bingham, City Clerk



MEMORANDUM

Planning Division

DATE: June 5, 2024

TO: Design Review Board

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Church Signs in Residential Districts – Public Hearing

An application has been submitted to request an amendment to the Sign Ordinance to reconsider that maximum area and maximum number requirements for church signs in the R1A through R8 residential zoning districts. At present, churches are permitted 1 sign at 20 square feet if less than 500 feet from occupied residential dwellings, or 1 sign at 40 square feet if more than 500 feet from occupied residential dwellings. Regulations regarding church signs from other cities are as follows:

Community	Wall Signs	Monument Signs
Royal Oak, MI	20 sq. ft. per façade	1 sign @ 25 sq. ft. per side
Rochester Hills, MI	20 sq. ft. total	48 sq. ft. total
Berkley, MI	6 sq. ft. total	15 sq. ft. per sign face
Ferndale, MI	10% of wall surface	1 sign at 32 sq. ft.
Plymouth, MI	N/A	1 sign at 18-25 sq. ft. per side
Pontiac, MI	2 sq. ft. per lineal ft. of frontage	1 sign @ 50 sq. ft.
Clawson, MI	1 sign, 36 sq. ft. maximum	1 sign @ 24 sq. ft.

As is apparent through research, regulations for church or institutional signs appear to be somewhat inconsistent in this area, although relatively simple. In any proposed amendments to the City of Birmingham Sign Ordinance, we would endeavor to keep it as simple as possible while also considering the unique circumstances that may be found.

As one example where this issue recently came up, the Our Shepherd Lutheran Church sought to install 3 new signs at a total of around 70 sq. ft. of new signage. Because of their location, the Sign Ordinance permits only 20 sq. ft. The applicant sought a variance for 50 sq. ft. of signage and was denied. This particular parcel has over 500 ft. of frontage on 14 Mile, and is larger than 1 acre.

On February 21, 2024 ([Agenda - Minutes](#)), the Design Review Board reviewed amended language that provided for permitted sign area to be calculated from a percentage of principal street

frontage. After some conversation, the Design Review Board determined that they would prefer to base the area on principal building frontage to be more consistent with other regulations and to accommodate more signage, but also maintain a delicate balance of signage in residential zoning districts. In addition, the Design Review Board requested some data on the principle building frontage of religious institutions in the City to get an idea of how much signage may be available should the ordinance be changed.

The DRB reviewed the table below which provides the linear building frontage of buildings in the sign category that is proposed to be amended. In addition, the maximum area of signage permitted was estimated based on the currently proposed ordinance language to try and demonstrate the possibilities for signage on these properties.

Religious Institution	Building Frontage (ft.)	Max. Area (sq. ft.)	Existing
Our Shepherd Lutheran Church	370	75*	20
Sanctuary Church	155	39	44.1
Holy Name Catholic Church	158	40	-
Birmingham First United Methodist Church	391	75*	20
First Presbyterian Church	227	57	-
Lutheran Church of the Redeemer	260	65	-
Grace Baptist Church	142	36	20
True Life Christian Church	156	39	-
Private Schools			
Eton Academy	333	84	-
Our Shepherd Lutheran School	547	75*	-
Roeper Middle & Upper School	206	52	-
Holy Name School	181	46	40

**Reached Maximum Total Permitted*

On March 6, 2024 ([Agenda](#)), the Design Review Board provided direction to the Planning Department to pursue a building frontage based requirement and held discussions regarding the other standards in Table B. The DRB requested information on any existing signs that the City has data for to understand what might be existing in the City.

On May 1, 2024 ([Agenda](#)), the Design Review Board moved to set a public hearing date to review the proposed ordinance and make a recommendation to the City Commission.

Suggested Motion Language

I move that the Design Review Board recommend APPROVAL to the City Commission amendments to the Sign Ordinance to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number.



MEMORANDUM

Planning Division

DATE: July 16, 2024

TO: Jana Ecker, City Manager

FROM: Brooks Cowan, Senior Planner

APPROVED: Nicholas Dupuis, Planning Director

SUBJECT: Public Hearing for Combination of Land Parcels 1110 & 1114 Lakeside Road

INTRODUCTION:

The owner of 1110 & 1114 Lakeside Road has applied to combine the two parcels into one.

BACKGROUND:

The subject properties consist of two “flag lots” on the east side of Lakeside Road. The lots have a narrow portion that provides access to Lakeside Road for the wider portion of the lot which is located behind the neighboring residential lots. Both lots back up to the Rouge River and have an extensive amount of land within the floodway and the 100-year floodplain.

A floodway is the channel of a river or other watercourse and the adjacent land area that is reserved from encroachment in order to discharge the base flood without cumulatively increasing the water surface elevation by more than a designated height. A single family residential structure is not permitted within a floodway.

The 100-year floodplain is the land FEMA predicts will flood during a 100-year storm. The 100-year floodplain is a statistical average based on past precipitation records. It is possible to build within a 100-year floodplain by raising the site elevation through City permitting and approval from EGLE. Properties within the 100-year floodplain are also subject to the Zoning Ordinance Floodplain Standards of Article 4, Section 4.13.

The applicant has demolished the home on the southern lot which existed within the 100-year floodplain. Combining the lots will allow for new driveway placement centrally located throughout the narrow portion connecting Lakeside Road to the residence. **The applicant is aware that the size of the proposed lot combination does not satisfy the City’s lot combination requirements, thus the applicant has indicated that they are amenable to a restrictive deed limiting future development on the site. A draft deed has been provided by the applicant.**

The Combination of Land Parcels Ordinance (Chapter 102, Section 102-83) requires that the following standards be met for approval of a lot combination:

- (1) *The Combination will result in lots or parcels of land consistent with the character of the area where the property is located, Chapter 126 of this Code for the zone district in which the property is located, and all applicable master land use plans.*

The shape of the existing lots and the proposed lot and the placement of the residential structure are not consistent with the character of the area where the surrounding lots are rectangular in shape and line the street.

The property is zoned R1 – Single Family Residential, which has a minimum lot area of 9,000 SF. The applicant has provided a survey with a building footprint indicating side setbacks of 30' on each side, and a rear setback of 30'. Any new development would be subject to a maximum lot coverage of 30% and a minimum open space of 40%.

The Birmingham 2040 Plan classifies this area as a "Traditional" Neighborhood District Fabric which is typical for the R1 and R2 zones. The proposed combined lot is 148,104 SF, which is not typical for the traditional R1 and R2 single family lots.

Accordingly, the lot combination proposal does not meet the requirements of (1).

- (2) *All residential lots formed as a result of a combination shall be a maximum width of no more than twice the average lot width of all lots in the same zone district within 300 feet on the same street.*

The Zoning Ordinance defines lot width as the length of a straight line drawn between the points where the front setback cuts the side lot lines. Lot width is not just the portion of the lot line along the street. The westernmost lot lines along the neighboring rear yards to the north and south for the subject properties also counts as frontage line for the lot width to be measured from. Thus the proposed lot width per the Zoning Ordinance is 283'.

The average lots width of properties on the same street within 300' along Lakeside Road is 102.9', ranging between 70' and 208'. The proposed lot width of 283' is greater than two times the average which is 205.8', thus not satisfying this criteria. As previously mentioned, these are considered flag lots with a narrow street frontage providing access to a wide lot area located behind the surrounding lots.

Accordingly, the lot combination proposal does not meet the requirement of (2).

- (3) *All residential lots formed as a result of a combination shall be a maximum area of no more than twice the average lot area of all lots in the same zone district within 300 feet on the same street.*

The average lot area within 300' on the same street is 21,975 SF, thus the proposed lot combination cannot exceed 43,950 SF. The applicant is proposing a lot that is 148,104 SF in total, exceeding the allowable amount of this provision by 104,154 SF and does not satisfy this requirement.

It is of note that the majority of the property is within the floodway and 100 year floodplain

of the Rouge River. 33,977 SF of the proposed lot is not in the 100 year floodplain or floodway, while 74,923 SF of the proposed lot is not in the floodway and thus buildable. As previously mentioned, it is possible to build within a 100 year floodplain with proper treatment, permitting, and approval from EGLE, however the 148,104 SF proposed lot and 74,924 SF of space outside the floodway far exceeds the maximum lot size of 43,950 SF.

It is also of note that the approval of the lot combination would make the property eligible for a single-family cluster development subject to the requirements of Article 5, Section 5.02(E). Single family cluster developments in the R1 zone have a minimum lot area of 36,000 SF and require review and approval from the Planning Board.

Accordingly, the lot combination proposal does not meet the requirements of (3).

- (4) *The combination will result in building envelopes on the combined parcels that will allow for the placement of buildings and structures in a manner consistent with the existing rhythm and pattern of development within 500 feet in all directions in the same zone district.*

The existing and proposed parcels have existed in a unique location for a number of decades. The flag lot shape is not typical for this Birmingham neighborhood and does not allow for the placement of buildings and structures in a manner consistent with the existing rhythm and pattern of development within 500'. The surrounding lots are all rectangular along the street and do not have extended driveways to place a home behind other residential homes.

Accordingly, the lot combination proposal does not meet the requirements of (4).

- (5) *Any due or unpaid taxes or special assessments upon the property have been paid in full.*

There are no outstanding taxes due on this property.

The proposal meets this requirement.

- (6) *The combination will not adversely affect the interest of the public or the abutting property owners. In making this determination, the City Commission shall consider, but not be limited to the following:*

a.) The location of proposed buildings or structures, the location and nature of vehicular ingress or egress so that the use or appropriate development of adjacent land or buildings will not be hindered, nor the value thereof impaired.

The location of the proposed lot is behind multiple homes along Lakeside Drive. Vehicular ingress and egress currently consists of two driveways passing the entire length of neighboring residential lots. The applicant intends on consolidating the driveways into one. The existence of an extended driveway does not appear to hinder the use of adjacent land nor hinder the value. It is of note that City staff does not make subjective determinations on land value. City staff relies upon County Assessors for land valuations and the neighboring properties appear to have similar assessments as properties in the general area.

The proposal appears to meet this requirement.

- b.) The effect of the proposed combination upon any floodplain areas, wetlands and other natural features and the ability of the applicant to develop a buildable site on the resulting parcel without unreasonable disturbances of such natural features.*

The majority of the property is located in a floodway and floodplain. The City does not allow development within a floodway, however it is possible to develop within a floodplain if proper permits are acquired from EGLE. The applicant has demolished the home on the southern lot which was located entirely within a floodplain, however it is possible to build a new structure within that space.

The proposed lot combination could have an impact on the floodplain area.

- c.) The location, size, density and site layout of any proposed structures or buildings as they may impact an adequate supply of light and air to adjacent properties and the capacity of essential public facilities such as police and fire protection, drainage structures, municipal sanitary sewer and water, and refuse disposal.*

The proposed lot combination does not appear to impact the supply of light and air to adjacent properties or the ability of the City to provide essential services.

The proposed lot combination does not appear to satisfy the Municipal Code Chapter 102, Article V - Combination of Land Parcels, Section 102-83 Standards for approval. Thus, the Planning Division recommends that the City Commission deny the proposed lot combination. The applicant is amenable to a deed restriction that would restrict the development of land on the proposed lot and has provided a draft deed restriction for review. The Planning Division does not recommend approval with the condition of a deed restriction in this case.

LEGAL REVIEW:

The City Attorney has reviewed the proposal and supports the staff recommendation for City Commission to deny the application due to the number of items not meeting the Municipal Code Chapter 102, Article V - Combination of Land Parcels, Section 102-83 Standards for approval.

FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

SUSTAINABILITY:

Future designs and construction for the subject area may have an impact on open space and the area within the 100-year floodplain.

DESIGN CONSIDERATIONS:

There are no design considerations for the proposed lot configuration.

PUBLIC COMMUNICATIONS:

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

SUMMARY:

The Planning Division requests that the City Commission consider the lot combination of 1114 & 1110 Lakeside Drive, parcels 19-25-151-069 & 19-25-151-070, and the potential for a deed restriction. The Planning Division recommends denial of the lot combination due to the size of the proposed lot exceeding the standards of approval for the Municipal Code Chapter 102, Article V - Combination of Land Parcels, Section 102-83 Standards for approval.

ATTACHMENTS:

- Letter to the City
- Registered Land Surveys
- Oakland County FEMA Floodway and Floodplain map
- Applicant Proposed Declaration of Use Restrictions
- Application

SUGGESTED ACTION:

Make a motion adopting a resolution to DENY the lot combination of 1114 & 1110 Lakeside Drive, parcels 19-25-151-069 & 19-25-151-070.

Application for lot recombination // 1114 + 1100 Lakeside Drive
March 21, 2024

Dear Planning Staff and City Commission,

I am writing on behalf of Sandra Collins, the owner of both 1114 Lakeside (her home) and 1100 Lakeside (vacant land). Ms. Collins has owned both properties for several years and now that the structure on 1100 Lakeside has been demolished, she would like to recombine the parcels. The lots were originally one property. Ms. Collins purchased 1114 Lakeside from the Crabb family in 1980, after the Crabbs split the lot and built the structure that was previously on 1100 Lakeside. Both flag-shaped lots include part of lot 63 (Quarton Lake Estates Replat). Both also include land that was never platted along the Rouge River. The entire lot at 1100 Lakeside Drive is below the floodplain elevation and unbuildable according to current regulations.

We are requesting that City Commission grant the recombination for the following reasons:

- The parcels were originally one property and, if not for the area that was never platted in the rear of the property, city staff could have administratively approved the recombination of lot 63.
- The property at 1100 Lakeside is entirely below the floodplain elevation and is not buildable, therefore it will never be suitable for a separate single-family home again.
- Recombining the lots will allow the driveway that services Ms. Collins property to be further away from her neighbors rather than being located on the property line as it is currently. This will be beneficial to her neighbors on each side.
- Ms. Collins has extensively landscaped and maintained the property at 1100 Lakeside and it has been used as one yard since she purchased the property after that Crabb family were deceased.
- The combined property will be beneficial to the neighbors as it will create more green background behind their properties.
- 1114 Lakeside and 1100 Lakeside are unique lots that do not conform to the typical pattern of the adjacent properties.

We look forward to answering any questions and presenting to the City staff and commission.

Sincerely submitted,



Jonathan Disbrow, AIA
(Architect for Ms. Collins 1114 Lakeside home)

DISBROW IANNUZZI

517 LIVERNOIS
FERNDAL, MICHIGAN 48220
313.625.9500
www.di.studio

PROFESSIONAL CIVIL ENGINEERS AND LAND SURVEYORS



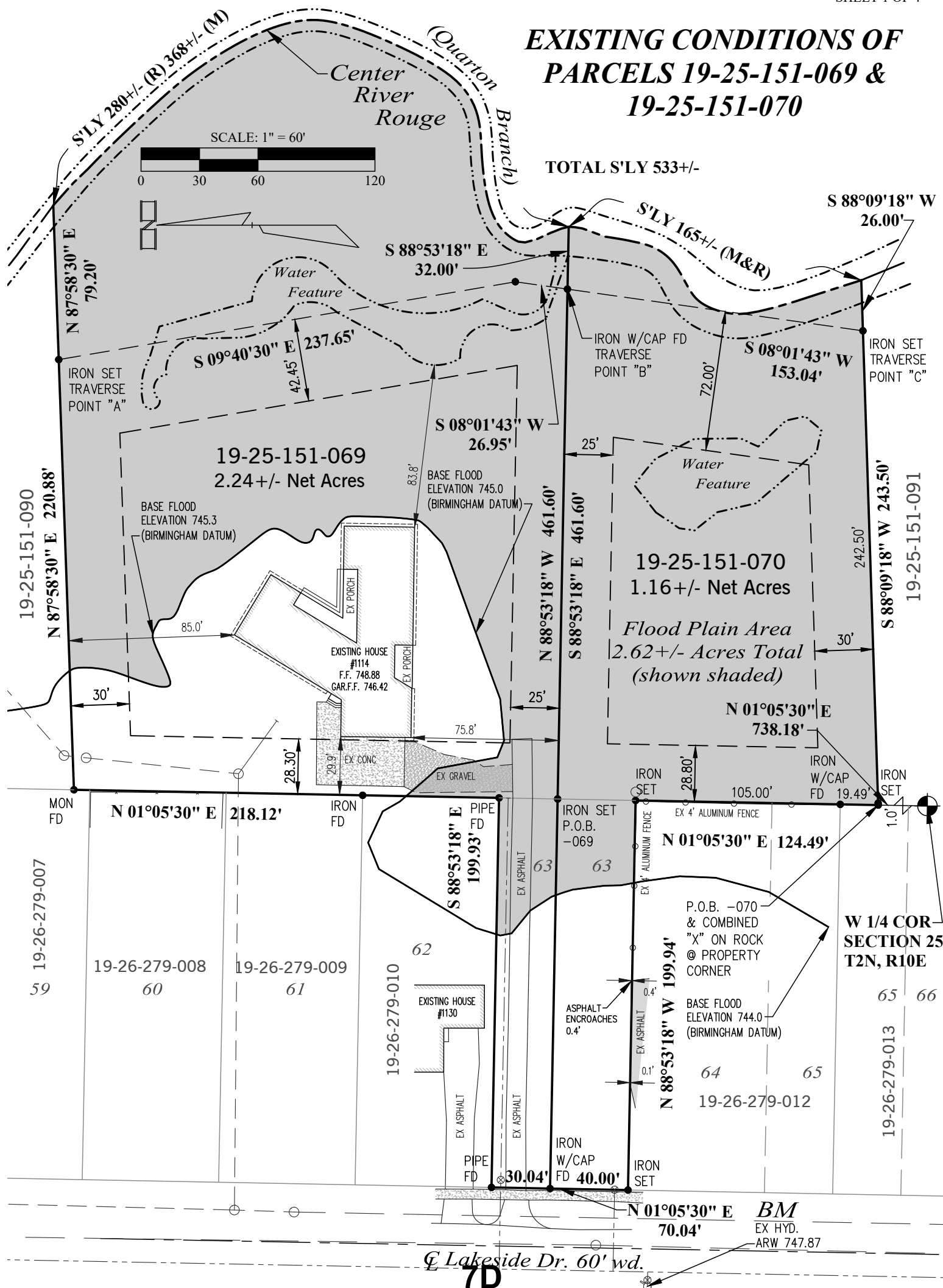
5852 South Main Street, Ste #1
Clarkston, Michigan 48346
Tel: 248-625-5251
Fax: 248-625-7110
www.kiefteng.com

A circular professional seal for a surveyor in the State of Michigan. The outer ring contains the text "STATE OF MICHIGAN" at the top and "LICENSED PROFESSIONAL SURVEYOR" at the bottom, separated by two stars. The center of the seal contains the name "WILLIAM JERRILL NORMAN II" and the license number "4001046680".

William J. Norman III
SHEET 1 OF 4

Date 10-26-2021

Job No. 2021.256



KIEFT ENGINEERING, INC.

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CERTIFICATE OF SURVEY

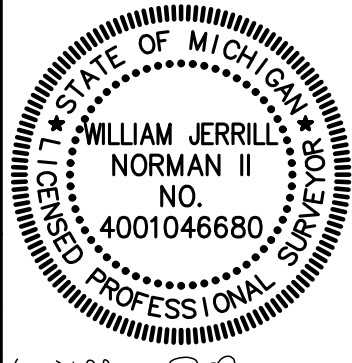
Survey for SANDRA COLLINS

REV. 3-12-2024

Date 10-26-2021

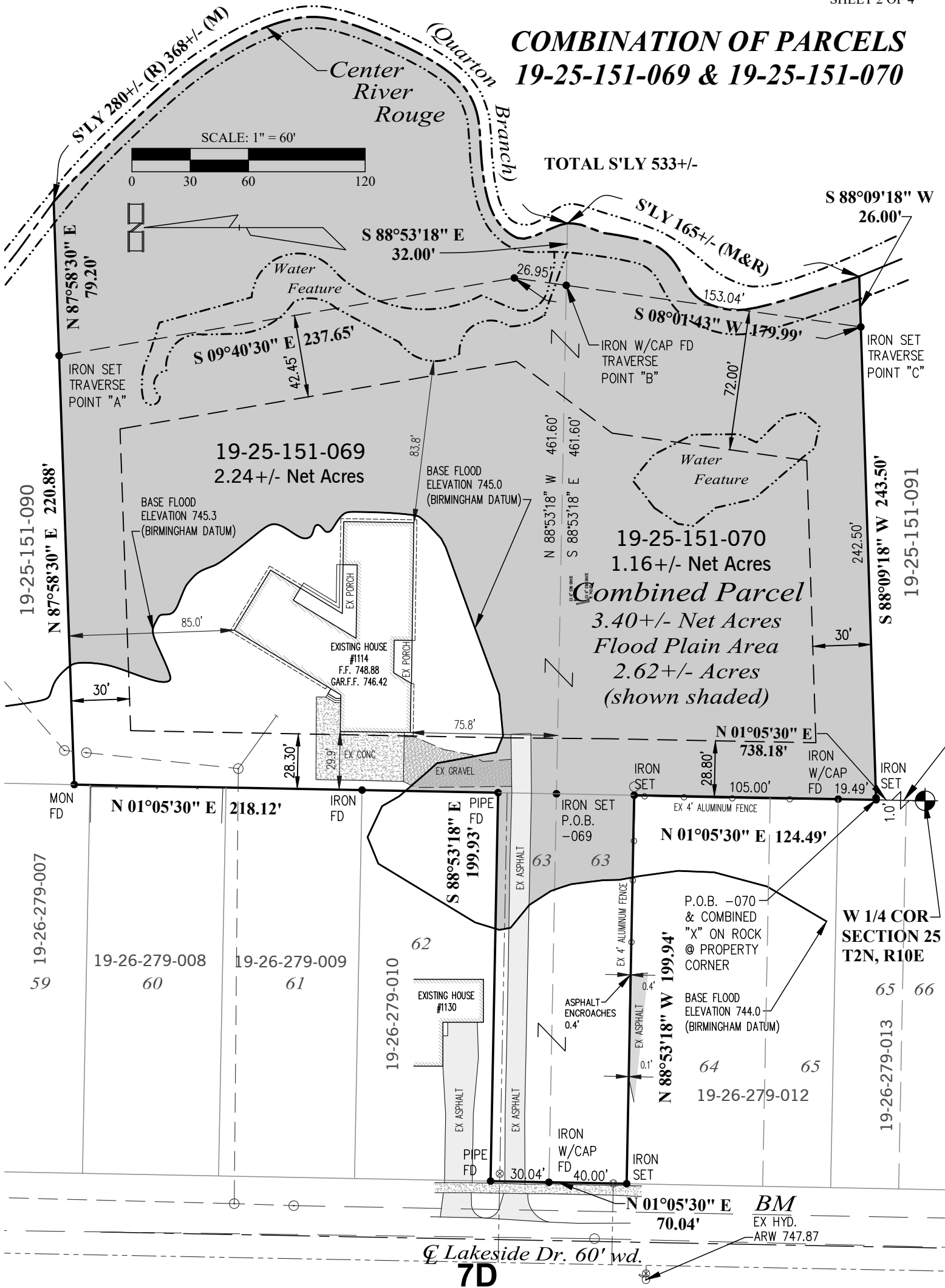
Address 1114 LAKESIDE RD. BIRMINGHAM, MI 48009

Job No. 2021.256



SHEET 2 OF 4

COMBINATION OF PARCELS 19-25-151-069 & 19-25-151-070



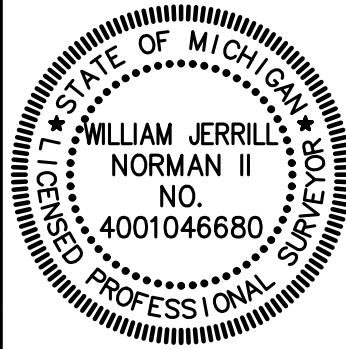
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CERTIFICATE OF SURVEY



Survey for	SANDRA COLLINS	REV.	3-12-2024
		Date	10-26-2021
Address	1114 LAKESIDE RD. BIRMINGHAM, MI 48009	Job No.	2021.256

SHEET 3 OF 4

COMBINATION OF PARCELS
19-25-151-069 & 19-25-151-070 DESCRIPTIONS

I hereby certify that I surveyed and mapped said land platted and/or described on March 12, 2024, and that the relative positional precision of each corner are within limits accepted by the practice of professional surveying and that all of the requirements of P.A. 132 1970 as Amended have been complied with. Bearings shown on this survey were determined in the following manner:"Quarton Lake Estates Replat" A Subdivision of Part of the East 1/2 of Section 26 & Part of the NE 1/4 of Section 35 & NW 1/4 of Section 25, T2N, R10E, City of Birmingham, Oakland County, Michigan. As Recorded in Liber 38 of Plats, Pages 24-24A, Oakland County Records.

This is to certify that I, William J. Norman II, a Professional Land Surveyor, have this date made a survey of a parcel of land described as follows:

PARCEL 19-25-151-069 (EXISTING PARCEL)

PART OF LOT 63; "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. BEGINNING AT A POINT LOCATED N 01°05'30" E 902.67 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E; TH N 88°53'18" E 199.94 FT; TH N 01°05'30" W 30.04 FT; TH S 88°53'18" E 199.93 FT; TH N 01°05'30" E 218.12 FT; TH N 87°58'30" E 220.88 FT TO TRAVERSE POINT "A"; TH CONTINUING N 87°58'30" E 79.20 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER; TH SOUTHERLY 280 FT MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER; TH N 88°53'18" W 32.00 FT MORE OR LESS TO TRAVERSE POINT "B", SAID POINT BEING LOCATED S 09°40'30" E 237.65 FT & S 08°01'43" W 26.95 FT FROM FIRST MENTIONED TRAVERSE POINT "A"; TH N 88°53'18" W 261.66 FT TO THE POINT OF BEGINNING. CONTAINING 2.24+/- NET ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

PARCEL 19-25-151-070 (EXISTING PARCEL)

PART OF LOT 63; "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. BEGINNING AT A POINT LOCATED N 01°05'30" E 738.18 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E; TH CONTINUING N 01°05'30" E 124.49 FT; TH N 88°53'18" W 199.94 FT; TH N 01°05'30" E 40.00 FT; TH S 88°53'18" E 461.60 FT TO TRAVERSE POINT "B"; TH CONTINUING S 88°53'18" E 32 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER; TH SOUTHERLY 165 FT MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER, TH S 88°09'18" W 26 FT MORE OR LESS TO TRAVERSE POINT "C", SAID POINT BEING LOCATED S 08°01'43" W 153.04 FT FROM FIRST MENTIONED TRAVERSE POINT "B", TH S 88°09'18" W 243.50 FT TO THE POINT OF BEGINNING. CONTAINING 1.16+/- NET ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

COMBINED PARCELS 19-25-151-069 & 19-25-151-070

ALL OF LOT 63; "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. TOTAL PARCEL DESCRIBED AS BEGINNING AT A POINT LOCATED N 01°05'30" E 738.18 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E; TH CONTINUING N 01°05'30" E 124.49 FT; TH N 88°53'18" W 199.94 FT; TH N 01°05'30" E 70.04 FT; TH S 88°53'18" E 199.93 FT; TH N 01°05'30" E 218.12 FT; TH N 87°58'30" E 220.88 FT TO TRAVERSE POINT "A"; TH CONTINUING N 87°58'30" E 79.20 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER; TH SOUTHERLY 533 FT MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER; TH S 88°09'18" W 26 FT MORE OR LESS TO TRAVERSE POINT "C", SAID POINT BEING LOCATED S 09°40'30" E 237.65 FT & S 08°01'43" W 179.99 FT FROM FIRST MENTIONED TRAVERSE POINT "A", TH S 88°09'18" W 243.50 FT TO THE POINT OF BEGINNING. CONTAINING 3.40+/- NET ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

WITNESSES

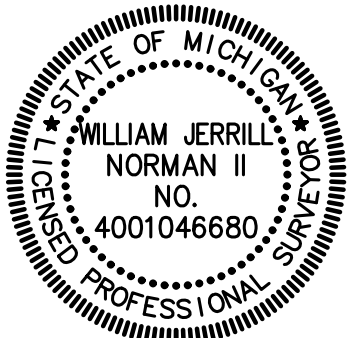
W 1/4 COR., SEC. 25, T2N, R10E, FD O.C. REMON CAP
S 51° E 39.89', PK/REMON W/TAG
NE FACE 26" OAK
N 50° E 34.46', PK/REMON W/ TAG
SE FACE 18" ELM
N 17° W 35.59', PK/REMON W/ TAG
E FACE 12" MAPLE
S 55° W 71.36', PK/REMON W/ TAG
SE FACE 24" MAPLE
S 25° E 21.63', PK/REMON W/ TAG
NW CORNER LOT 28 "GREENWOOD SUBDIVISION"

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CERTIFICATE OF SURVEY



William J. Norman II
SHEET 4 OF 4

Survey for	SANDRA COLLINS	Date	REV. 3-12-2024 10-26-2021
Address	1114 LAKESIDE RD. BIRMINGHAM, MI 48009	Job No.	2021.256

COMBINATION OF PARCELS
19-25-151-069 & 19-25-151-070
NOTES & BENCHMARK

***PROPERTY IS ZONED R1 - SINGLE FAMILY
RESIDENTIAL:***

SETBACKS

*FRONT- 25 FEET - AVERAGE SETBACK COULD NOT BE DETERMINED DUE
TO LOCATION OF PARCEL*

*SIDE SETBACK - 9 FEET OR 10% OF TOTAL LOT WIDTH AT FRONT
SETBACK LINE, WHICHEVER IS LARGER.*

283.00 x 0.10 = 28.30 FEET (PARCEL 19-25-151-069)

288.00 x 0.10 = 28.80 FEET (PARCEL 19-25-151-070)

*TOTAL TWO SIDES - 14 FEET OR 25% OF TOTAL LOT WIDTH AT FRONT
SETBACK LINE, WHICHEVER IS LARGER.*

283.00' x 0.25 = 70.75 FEET (PARCEL 19-25-151-069)

288.00' x 0.25 = 72.00 FEET (PARCEL 19-25-151-070)

*MINIMUM SIDE SETBACKS ARE 10 FEET FOR ONE SIDE AND 5 FEET FOR
THE OTHER.*

REAR SETBACK - 30 FEET

***OWNER / BUILDER / ARCHITECT TO VERIFY SETBACKS WITH CITY OF
BIRMINGHAM.***

*DETACHED GARAGE - MINIMUM 3' SETBACK & 6' FROM OVERHEAD
UTILITY LINES.*

SURVEY NOTE:

SURVEY PERFORMED WITHOUT THE BENEFIT OF TITLEWORK

BENCHMARK:

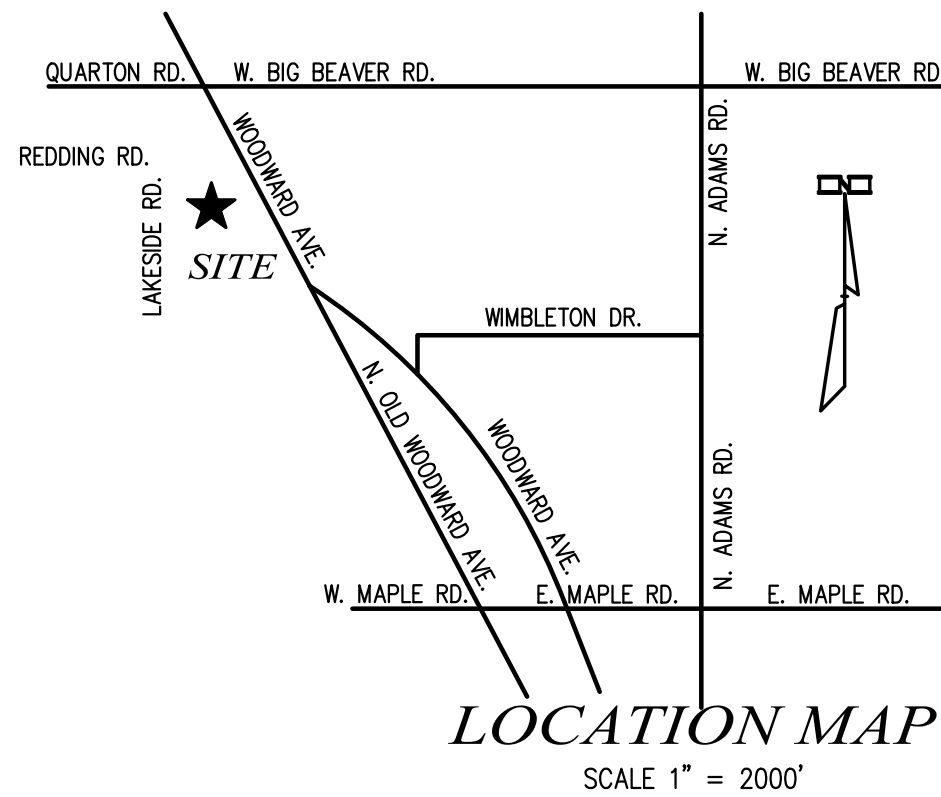
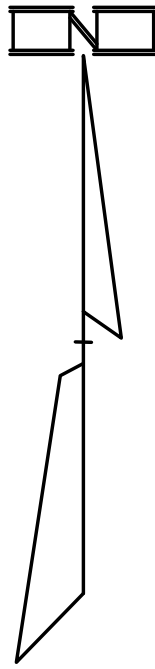
EX HYDRANT ARROW

LOCATED ACROSS THE STREET FROM PARCEL -070

ELEVATION - 747.87 (CITY OF BIRMINGHAM DATUM)

NOTE:

CITY DATUM IS ONE (1) FOOT HIGHER THAN THE NAVD 1988 DATUM



FLOOD PLAIN / FLOODWAY NOTE:

IN GENERAL, CONSTRUCTION AND FILL MAY BE PERMITTED IN THE PORTIONS OF THE FLOODPLAIN THAT ARE NOT FLOODWAY. PROVIDED LOCAL ORDINANCE AND BUILDING STANDARDS ARE MET. IN ADDITION, COMPENSATING EXCAVATION MUST BE PROVIDED THAT IS EQUAL TO THE VOLUME OF FILL PLACED IN THE FLOODPLAIN. FLOODWAYS ARE THE CHANNEL OF A RIVER OR STREAM AND THOSE PORTIONS OF THE FLOODPLAIN ADJOINING THE CHANNEL WHICH ARE REASONABLY REQUIRED TO CARRY AND DISCHARGE THE 100 YEAR FLOOD; THESE ARE AREAS OF MOVING WATER DURING TIMES OF FLOOD. NEW RESIDENTIAL CONSTRUCTION IS SPECIFICALLY PROHIBITED IN THE FLOODWAY. PERMITTING WOULD BE NEEDED THROUGH THE STATE OF MICHIGAN (EGLE), UNDER PART 31.

SURVEY NOTE:

SURVEY PERFORMED WITHOUT THE BENEFIT OF TITLEWORK.

PROPERTY IS ZONED R1 - SINGLE FAMILY RESIDENTIAL:

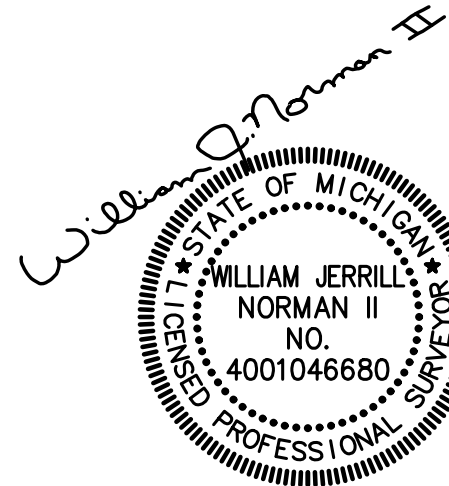
SETBACKS
FRONT: 25 FEET. AVERAGE SETBACK COULD NOT BE DETERMINED DUE TO LOCATION OF PARCEL.
SIDE SETBACK - 9 FEET OR 10% OF TOTAL LOT WIDTH AT FRONT SETBACK LINE, WHICHEVER IS LARGER.
TOTAL TWO SIDES - 14 FEET OR 25% OF TOTAL LOT WIDTH AT FRONT SETBACK LINE, WHICHEVER IS LARGER.
MINIMUM SIDE SETBACKS ARE 10 FEET FOR ONE SIDE, AND 5 FEET FOR THE OTHER.
REAR SETBACK - 30 FEET
OWNER / BUILDER / ARCHITECT TO VERIFY SETBACKS WITH CITY OF BIRMINGHAM.
DETACHED GARAGE - MINIMUM 3' SETBACK & 6' FROM OVERHEAD UTILITY LINES.

- **AVERAGE LOT WIDTHS OF LOTS WITHIN 300 FEET ALONG LAKESIDE DRIVE - 102.9 FT.**
- **2x AVERAGE LOT WIDTH - 205.8 FT.**
- **PROPOSED LOT WIDTH - 283.0 FT.**
- **AVERAGE LOT AREA OF LOTS WITHIN 300 FEET ALONG LAKESIDE DRIVE - 21,975 SQ. FT.**
- **2x AVERAGE LOT AREA - 43,950 SQ. FT.**
- **PROPOSED LOT AREA - 148,104 SQ. FT.**
- **PROPOSED LOT AREA (IN FLOODWAY) - 73,181 +/- SQ. FT.**
- **PROPOSED LOT AREA (NOT IN FLOODWAY) - 74,923 +/- SQ. FT.**
- **PROPOSED LOT AREA (IN 100 YEAR FLOOD PLAIN) - 114,127 +/- SQ. FT.**
- **PROPOSED LOT AREA (NOT IN 100 YEAR FLOOD PLAIN) - 33,977 +/- SQ. FT.**

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PARCEL 19-25-151-070 (EXISTING PARCEL)
ALL OF LOT 63: "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. TOTAL PARCEL DESCRIBED AS BEGINNING AT A POINT LOCATED N 01°05'30" E 738.18 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E; TH CONTINUING N 01°05'30" E 124.49 FT; TH N 88°53'18" W 199.94 FT; TH N 01°05'30" E 70.04 FT; TH S 88°53'18" E 199.93 FT; TH N 01°05'30" E 218.12 FT; TH N 87°58'30" E 220.88 FT TO TRAVERSE POINT "A"; TH CONTINUING N 87°58'30" E 79.20 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER; TH SOUTHERLY 533 FT MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER; TH S 88°09'18" W 26 FT MORE OR LESS TO TRAVERSE POINT "C"; SAID POINT BEING LOCATED S 08°01'43" W 153.04 FT FROM FIRST MENTIONED TRAVERSE POINT "A"; TH S 88°09'18" W 243.50 FT TO THE POINT OF BEGINNING. CONTAINING 1.16 +/- NET ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

COMBINED PARCELS 19-25-151-069 & 19-25-151-070
ALL OF LOT 63: "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. TOTAL PARCEL DESCRIBED AS BEGINNING AT A POINT LOCATED N 01°05'30" E 738.18 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E; TH CONTINUING N 01°05'30" E 124.49 FT; TH N 88°53'18" W 199.94 FT; TH N 01°05'30" E 70.04 FT; TH S 88°53'18" E 199.93 FT; TH N 01°05'30" E 218.12 FT; TH N 87°58'30" E 220.88 FT TO TRAVERSE POINT "A"; TH CONTINUING N 87°58'30" E 79.20 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER; TH SOUTHERLY 533 FT MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER; TH S 88°09'18" W 26 FT MORE OR LESS TO TRAVERSE POINT "C"; SAID POINT BEING LOCATED S 08°01'43" W 153.04 FT FROM FIRST MENTIONED TRAVERSE POINT "A"; TH S 88°09'18" W 243.50 FT TO THE POINT OF BEGINNING. CONTAINING 3.40 +/- NET ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.



DATE	ISSUE

PROPRIETOR:
SANDRA COLLINS
1114 LAKESIDE ROAD
BIRMINGHAM, MI 48009
(248) 514-5334



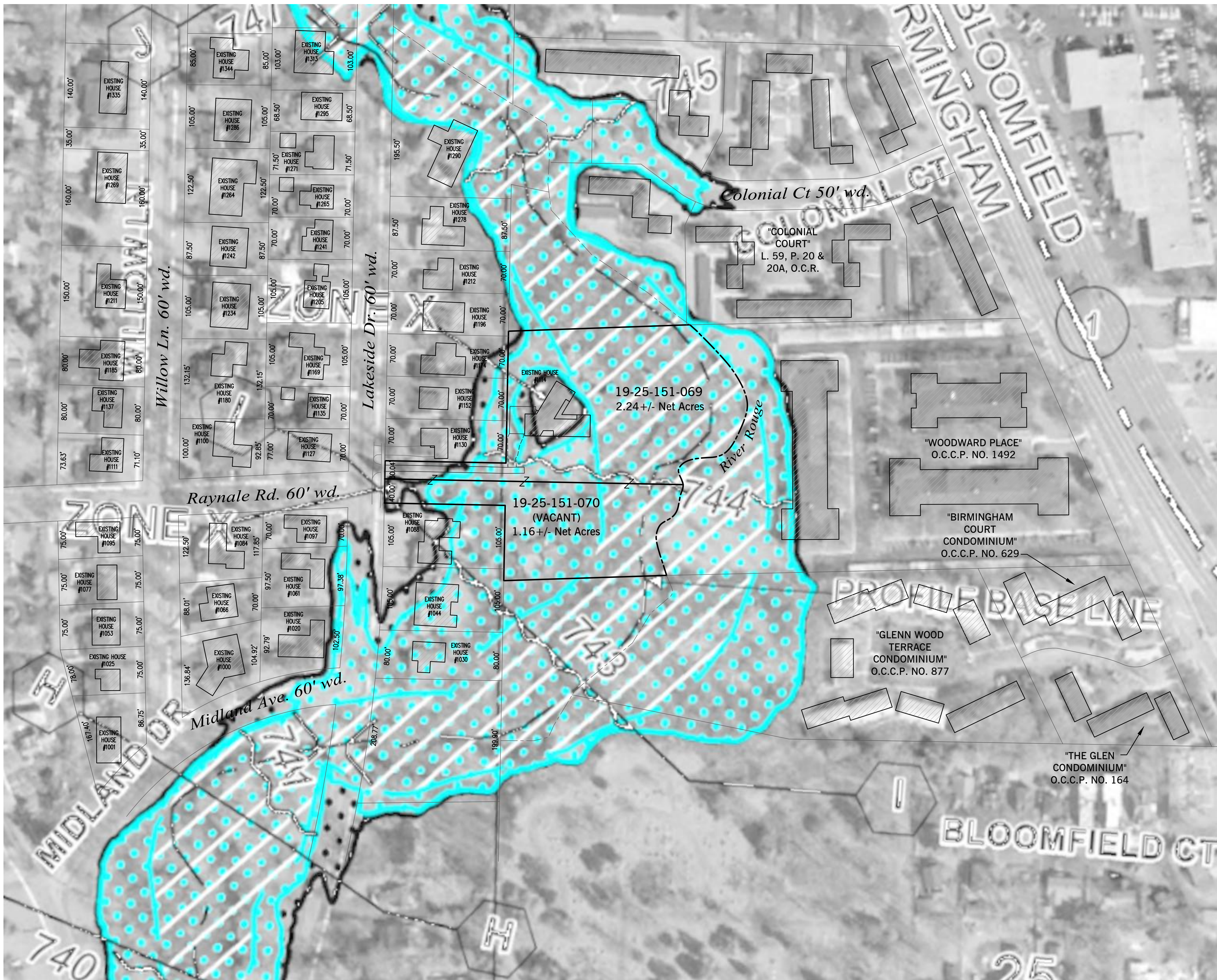
KIEFT ENGINEERING, INC.
REG. PROF. ENGINEER AND REG. LAND SURVEYOR
5852 SOUTH MAIN STREET, STE #1, CLARKSTON, MICHIGAN 48346
PHONE (248) 625-5251 FAX (248) 625-7110

DATE 5-28-2024	CKD. BY	DATE
DRAWN JM		
DESIGN WJN		
SECTION 25 & 26	T- 2 -N- R- 10 -E-	

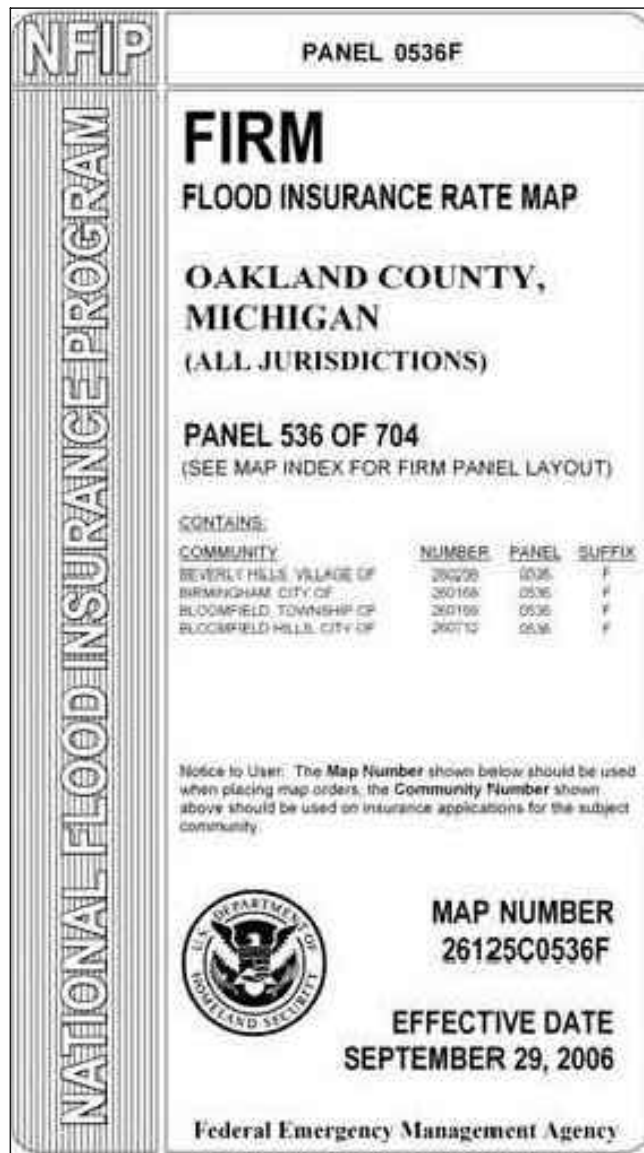
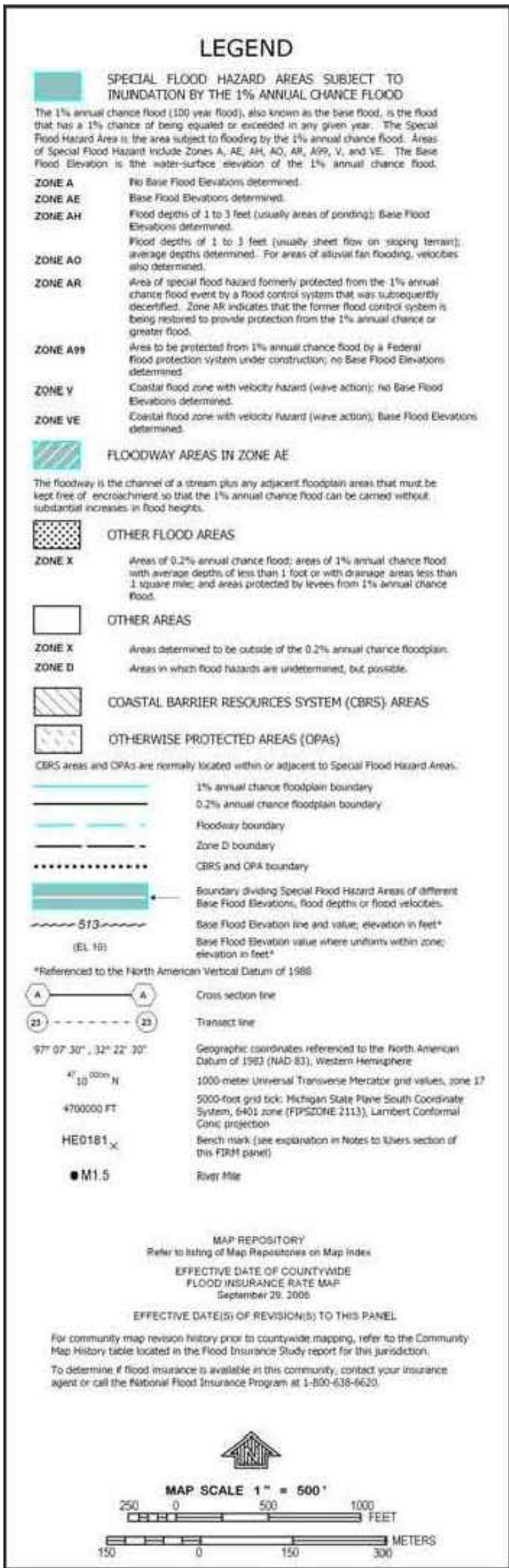


OVERALL NEIGHBORHOOD PLAN
PARCEL NO. 19-25-151-069 & 19-25-151-070
CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN

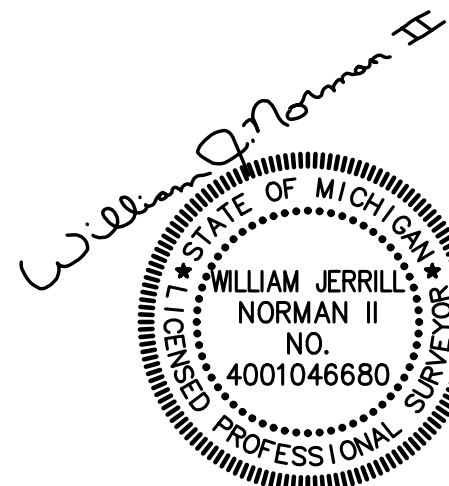
SCALE 1" = 100'
SHEET 1 OF 2
KE 2021.256



- DUINS OVERALL SITE PLAN



COMBINED PARCEL 19-25-151-069 & 19-25-151-070
ALL OF LOT 63, "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24, OAKLAND COUNTY RECORDS, ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, TOTAL PARCEL DESCRIBED AS BEGINNING AT A POINT LOCATED N 01°05'30" E 738.18 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E, TH CONTINUING N 01°05'30" E 124.49 FT, TH N 88°53'18" E 199.94 FT, TH N 01°05'30" E 70.04 FT, TH S 58°53'18" E 199.93 FT, TH N 01°05'30" E 218.12 FT, TH N 87°58'30" E 220.88 FT TO TRAVERSE POINT "A", TH CONTINUING N 87°58'30" E 79.20 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER, TH SOUTHERLY 533 FT MORE OR LESS ALONG SAID CENTER LINE TO TRAVERSE POINT "B", TH S 88°09'43" E 179.99 FT TO TRAVERSE POINT "C", SAID POINT "C" BEING LOCATED S 89°04'30" E 237.65 FT & S 08°01'43" E 179.99 FT FROM FIRST MENTIONED TRAVERSE POINT "A", TH S 88°09'43" E 243.50 FT TO THE POINT OF BEGINNING, CONTAINING 3.40+/- NET ACRES, SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.





DECLARATION OF USE RESTRICTIONS

This Declaration of Use Restrictions (the “Declaration”) is made as of _____, 2024, by Sandra F. Collins, Trustee under Sandra F. Collins Trust Under Agreement Dated June 13, 1986, as Amended, whose address is 1114 Lakeside Drive, Birmingham, Michigan 48009 (Declarant).

RECITALS

WHEREAS, the Declarant is the owner of certain real property located in the City of Birmingham, Oakland County, Michigan, more particularly described on the attached Exhibit A incorporated herein by reference, which is commonly known as 1100 Lakeside Drive (the “1100 Property”);

WHEREAS, the Declarant is the owner of certain real property located in the City of Birmingham, Oakland County, Michigan, more particularly described on the attached Exhibit B incorporated herein by reference, which is commonly known as 1114 Lakeside Drive (the “1114 Property”);

WHEREAS, the Declarant desires to combine the 1100 Property and the 1114 Property into a single tax parcel;

WHEREAS, in connection with such tax parcel combination, the Declarant wishes to declare certain use restrictions on, over and against the 1100 Property, all as contained herein which shall be binding on Declarant and its successors and assigns.

NOW, THEREFORE, Declarant, in consideration of the foregoing, hereby declares as follows:

1. Restrictions. From and after the date the tax parcels for the 1114 Property and the 1100 Property are combined and for so long as the 1114 Property and the 1100 Property constitute a single tax parcel, no Dwelling Unit may be constructed on the 1100 Property. For purposes hereof, “Dwelling Unit” means a building that provides independent living space for a family and has a sanitary connection. A Dwelling Unit does not include such a living space in an accessory structure used solely by the family living in the principal building on the same lot, except that such living space shall not be used as any person's primary living area. Nothing herein

shall prohibit a Dwelling Unit from being located or constructed on the 1114 Property.

2. Binding Effect. The declarations, covenants, and restrictions declared hereby shall benefit and burden the Declarant and its heirs, executors, administrators, beneficiaries, tenants, subtenants, successors and assigns, licensees and permittees. All agreements, covenants and restrictions contained in this Declaration shall run with the land described or referenced therein, and shall be binding upon each successive owner during the term of its ownership of the Property, or any interest therein, and each person having any interest therein derived in any matter through an owner of such parcel, or any portion thereof.
3. Waivers and Amendments. Any amendment, modification or waiver of the terms or conditions of this Declaration shall require in each instance the prior written approval of all the then existing owners of all or any part of the 1100 Property and the City of Birmingham, Michigan (the "City") which shall be deemed a third party beneficiary of the restrictions declared hereby.
4. Default. If any party bound by the terms hereof shall neglect or fail to perform or strictly comply with the foregoing covenants and restrictions, the City or any owner (including Declarant, its successors and assigns) of the 1100 Property or any part thereof and any other beneficial party hereto, may at any time thereafter serve on such property owner a notice in writing specifying the default or breach thereof and directing such owner remedy such default or breach. In the event a party or an owner shall, for a period of thirty (30) days after receipt of such notice, fails to remedy such default or breach, the City or any other owner or party benefitted hereby shall be entitled to pursue all remedies available hereunder to them at law or in equity.
5. Remedies. Any violation of the foregoing covenants may cause irreparable injury or damage, the amount of which will be extremely difficult, if not impossible to determine and which cannot be adequately compensated by monetary damages alone. Therefore, Declarant establishes for itself or its successors and/or assigns that if a party breaches or threatens to breach the foregoing covenants, in addition to any other remedies which may be available under this Declaration at law or equity, such parties, or any party benefitted hereby (including the City), may obtain an injunction, restraining order or other equitable relief against such owner and such other persons as are appropriate.
6. Severability. Whenever possible, each provision of this Declaration will be interpreted in such a manner to be effective and valid under applicable law, but if any provision of this Declaration is held to be invalid, illegal or unenforceable in any respect under any applicable law or rule in any jurisdiction, such invalidity, illegality or enforceability will not affect any other provision, but this Declaration will be reformed, construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained herein.

7. Merger. The restrictions described in this Declaration shall remain in effect and shall not be defeated as a result of the merger of the fee title interest in the land or any portion hereof.
8. Governing Laws. This Declaration shall be construed in accordance with and governed by the laws of the State of Michigan.

(Signatures on the next page)

DRAFT

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date and year first above written.

DECLARANT:

Sandra F. Collins, Trustee under Sandra
F. Collins Trust under Agreement Dated
June 13, 1986, as Amended

STATE OF MICHIGAN)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by Sandra F. Collins, Trustee under Sandra F. Collins Trust under Agreement Dated June 13, 1986, as Amended, to me personally known to be the person who executed the foregoing instrument and acknowledged that she executed the same on behalf of said Trust.

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

Drafted by and after recording return to:

Sandra F. Collins
1114 Lakeside Drive
Birmingham, Michigan 48009

Exhibit A

1100 Property
(Legal Description)

Property located in the City of Birmingham, County of Oakland, State of Michigan.

Part of the Northeast quarter of Section 26 and the Northwest quarter of Section 25, Town 2 North, Range 10 East, more particularly described as commencing at the West quarter corner of Section 25; thence North 1 degree 05 minutes 30 seconds East along the East line of Quarton Lake Estates Company Replat of East part of Quarton Lake Estates Subdivision, according to the recorded plat thereof, as recorded in Liber 38, Pages 24 and 24A of Plats, 738.18 feet to a point of beginning; thence North 1 degree 05 minutes 30 seconds East, 124.49 feet to the Southeast corner of Lot 63 of said Plat; thence North 88 degrees 53 minutes 18 seconds West, 199.94 feet along the South line of said Lot to a point on the East right of way line of Lakeside Road; thence North 1 degree 05 minutes 30 seconds East, 40.00 feet along said right of way; thence South 88 degrees 53 minutes 18 seconds East, 493.64 feet to the centerline of the Rouge River; thence along the centerline of said River Southerly 165 feet; thence South 88 degrees 09 minutes 18 seconds West, 269.5 feet to the point of beginning.

Commonly known as: 1100 Lakeside Drive, Birmingham, Michigan

Tax Parcel Number: 19-25-151-070

Exhibit B

1114 Property
(Legal Description)

Property located in the City of Birmingham, County of Oakland, State of Michigan.

Part of the Northeast 1/4 of Section 26 and the Northwest 1/4 of Section 25, Town 2 North, Range 10 East, City of Birmingham, Oakland County, Michigan, more particularly described as commencing at the West 1/4 corner of Section 25; thence North 1 degree 05 minutes 30 seconds East along the East line of "Quarton Lake Estates Subdivision", (Liber 38, Pages 24 and 24A) 902.67 feet to a point of beginning; thence North 88 degrees 53 minutes 18 seconds West 199.94 feet to a point on the East right of way line of Lakeside Road; thence North 1 degree 05 minutes 30 seconds East along said right of way 30.04 feet to the Northwest corner of Lot 63 of said plat; thence South 88 degrees 53 minutes 18 seconds East 199.93 feet along the North line of said Lot 63; thence North 1 degree 05 minutes 30 seconds East 218.12 feet to the Southwest corner of "Colonial Court" (Liber 59, Page 20); thence North 87 degrees 58 minutes 30 seconds East 300.0 feet (previously recorded 289.6 feet) to the centerline of the Rouge River; thence Southerly along the centerline of said river 280 feet; thence North 88 degrees 53 minutes 18 seconds West 293.7 feet to the point of beginning.

Commonly known as: 1114 Lakeside Drive, Birmingham, Michigan 48009
Tax Parcel Number: 19-25-151-069



Combination of Platted Lots Application
Planning Division

1. Applicant

Name: Sandra Collins
Address: 1114 Lakeside Drive
Birmingham, MI 48009
Phone Number: 248-840-1261
Email: scollins2848@gmail.com

2. Property Owner (☒ *same as applicant*)

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

3. Project Contact Person (☒ *same as applicant*)

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

4. Project Designer/Developer

Name: Jonathan Disbrow (Architect)
Address: 517 Livernois
Ferndale, MI 48220
Phone Number: 248-514-5334
Email: jon@di.studio

5. Required Attachments

- One (1) copy or a registered land survey showing:
 - All existing and proposed platted lot lines;
 - Legal descriptions of proposed lots;
 - Locations of existing lots and structures within a 500 ft. radius;
 - Footprints of proposed development(s) including proposed building envelope with front, side and rear setbacks clearly labeled;
- One (1) digital copy of plans;
- Proof of ownership;
- Written statement of reasons for request;
- A letter of authority or power of attorney in the event that the application is made by a person other than the owner;
- Sketches of proposed development (*optional*);
- Other data having a direct bearing on the request;
- Any other information requested by the City Commission, Planning or other Departments.

6. Project Information

Address: 1114 Lakeside Drive / 1100 Lakeside Drive
Parcel ID#: 19-25-151-069 & 19-25-151-070
Current Use: Single family residence / Vacant
Current Zoning: R-2

Legal Description: _____
See attached

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

See attached letter and engineering drawings.

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

Signature of Property Owner: _____ Date: 3/21/2024

Print Name: Sandra Collins

Signature of Applicant: _____ Date: 3/21/2024

Print Name: Sandra Collins

Office Use Only

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



Notice Sign Rental Application Community Development

1. Applicant

Name: Sandra Collins
Address: 1114 Lakeside Drive
Birmingham, MI 48009
Phone Number: 248-840-1261
Email: scollins2848@gmail.com

2. Property Owner (☒ same as applicant)

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

3. Project Information

Address: _____
Name of Development: N/A
Parcel ID#: 19-25-151-069 & 19-25-151-070
Current Use: Single family residence / Vacant
Proposed Use: _____
Area of Site in Acres: 3.4 Acres combined
Current Zoning: R-2

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

4. Date of Board/Commission Review

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

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

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

Signature of Applicant: _____ Date: 3/21/2024

Office Use Only

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

Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1893, Sec. 211.24 (c) and Sec.211.34c, as amended. This is a model assessment notice to be used by the local assessor.

FROM: CITY OF BIRMINGHAM MICHEAL R. LOHMEIER, ASSESSOR PO BOX 3001 BIRMINGHAM MI 48012-3001		PARCEL IDENTIFICATION PARCEL NUMBER: 08-19-25-151-070 PROPERTY ADDRESS: 1100 LAKESIDE RD BIRMINGHAM, MI 48009-1381	
OWNER'S NAME & ADDRESS/PERSON NAMED ON ASSESSMENT ROLL: SANDRA F COLLINS TRUST COLLINS TRUSTEE, SANDRA F 1114 LAKESIDE DR BIRMINGHAM MI 48009-1381		PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence": 100.00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": ☐ Yes ☒ No Exempt As "Development Property": ☐ Yes ☒ No	
LEGAL DESCRIPTION: T2N, R10E, SEC 25 & 26 PART OF NW 1/4 OF SEC 25 & PART OF LOT 63 OF 'QUARTON LAKE ESTATES REPLAT' DESC AS BEG AT PT DIST N 01-05-30 E 738.18 FT FROM W 1/4 COR OF SEC 25, TH N 01-05-30 E 124.49 FT, TH N 88-53-18 W 199.94 FT, TH N 01-05-30 E 40.00 FT, TH S 88-53-18 E 461.60 FT TO TRAVERSE POINT, TH S 88-53-18 E 32 FT TO CEN LINE OF ROUGE RIVER,			
ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS:		401 (RESIDENTIAL-IMPROVED)	
PRIOR YEAR'S CLASSIFICATION: 401 (RESIDENTIAL-IMPROVED)			
The change in taxable value will increase/decrease your tax bill for the 2024 year by approximately: \$937		PRIOR AMOUNT YEAR: 2023	CURRENT TENTATIVE AMOUNT YEAR: 2024
1. TAXABLE VALUE:		484,950	509,190
2. ASSESSED VALUE:		608,230	628,510
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (SEV):		608,230	628,510
5. There WAS or WAS NOT a transfer of ownership on this property in 2023: WAS NOT			
6. Assessor Change Reason(s): Market Adjustment			

The 2024 Inflation Rate Multiplier is: 1.05

Questions regarding the Notice of Assessment, Taxable Valuation, and Property Classification may be directed to the following:

Oakland County Equalization	(248)858-0776 or (248)858-0773	equal@oakgov.com
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March Board of Review Appeal Information:

The Board of Review will meet at Birmingham City Hall on Tuesday, March 5th for an Organizational Meeting from 9:00 am until Completion of Business. Appointments will be held at Baldwin Public Library (300 W. Merrill, Birmingham 48009) beginning on: Monday, March 11th and Tuesday, March 12th from 9:00 am until 12:00 noon and 1:30 pm until 4:30 pm. Thursday, March 14th from 1:30 pm until 4:30 pm and 6:00 pm until 9:00 pm. Friday, March 15th from 1:30 pm until 4:30 pm.

Protests may be made by written appeal or in person. Petitioner agents must provide a written appeal with the ORIGINAL signature of the petitioner represented and current date. (Fax not accepted.) Written appeals must be received by 9:00 am on Friday, March 15th. NO FAX APPEALS WILL BE ACCEPTED.

For an appointment IN ADVANCE, please contact Oakland County Equalization Division at (248) 858-0776.

NOTE: Written appeals MUST be in letter form. Emails will NOT be accepted.

Notice of Assessment, Taxable Valuation, and Property Classification

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OWNER'S NAME & ADDRESS/PERSON NAMED ON ASSESSMENT ROLL: SANDRA F COLLINS TRUST COLLINS TRUSTEE, SANDRA F 1114 LAKESIDE RD BIRMINGHAM MI 48009-1381		PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence": 100.00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": ☐ Yes ☒ No Exempt As "Development Property": ☐ Yes ☒ No	
LEGAL DESCRIPTION: T2N, R10E, SEC 25 & 26 PART OF NW 1/4 OF SEC 25 & PART OF LOT 63 OF 'QUARTON LAKE ESTATES REPLAT' DESC AS BEG AT PT DIST N 01-05-30 E 902.67 FT FROM W 1/4 COR OF SEC 25, TH N 88-53-18 W 199.94 FT, TH N 01-05-30 E 30.04 FT, TH S 88-53-18 E 199.93 FT, TH N 01-05-30 E 218.12 FT, TH N 87-58-30 E 220.88 FT TO TRAVERSE POINT, TH N 87-58-30 E 79.2 FT TO			
ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS:		401 (RESIDENTIAL-IMPROVED)	
PRIOR YEAR'S CLASSIFICATION: 401 (RESIDENTIAL-IMPROVED)			
The change in taxable value will increase/decrease your tax bill for the 2024 year by approximately: \$2,173		PRIOR AMOUNT YEAR: 2023	CURRENT TENTATIVE AMOUNT YEAR: 2024
1. TAXABLE VALUE:		1,124,460	1,180,680
2. ASSESSED VALUE:		1,182,050	1,224,350
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (SEV):		1,182,050	1,224,350
5. There WAS or WAS NOT a transfer of ownership on this property in 2023: WAS NOT			
6. Assessor Change Reason(s): Market Adjustment			

The 2024 Inflation Rate Multiplier is: 1.05

Questions regarding the Notice of Assessment, Taxable Valuation, and Property Classification may be directed to the following:

Oakland County Equalization	(248)858-0776 or (248)858-0773	equal@oakgov.com
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Protests may be made by written appeal or in person. Petitioner agents must provide a written appeal with the ORIGINAL signature of the petitioner represented and current date. (Fax not accepted.) Written appeals must be received by 9:00 am on Friday, March 15th. NO FAX APPEALS WILL BE ACCEPTED.

For an appointment IN ADVANCE, please contact Oakland County Equalization Division at (248) 858-0776.

NOTE: Written appeals MUST be in letter form. Emails will NOT be accepted.



MEMORANDUM

Engineering Department

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Melissa A. Coatta, City Engineer

SUBJECT: Sidewalk Requirements for Residential Development

INTRODUCTION:

The City Commission passed a resolution at the June 3, 2024 meeting requesting a report posthaste from staff about the requirement to have sidewalks constructed along the front or side of a property which borders a right-of-way where a new principal building is erected. The resolution also directed staff to direct the contractors, where a contractor is being required to put in a sidewalk as part of a new build, to postpone work on the sidewalks until the City Commission could discuss the matter at a future meeting.

BACKGROUND:

The City has advocated for the addition of continuous sidewalks on all streets, and filling in sidewalk gaps in all locations in the City since the Multi-Modal Transportation Plan was adopted in 2013. Given the City logo of "a walkable community" has been in place for over 25 years, the importance of sidewalks and the desire to prioritize pedestrian comfort and safety has been a priority for many decades.

In the past, the Engineering Department has irregularly required contractors to install new sidewalks where a continuous sidewalk did not exist. Starting around 2020-2021, the Engineering Department began reviewing site plans for new homes on single-family zoned property. Around October 2022, the Engineering Department started enforcing the ordinance requiring the installation of a new sidewalk where a sidewalk did not previously exist as part of the residential site plan review process. If the plan was submitted before October 2022, the site plan was not reviewed in detail by the Engineering Department, and thus despite the ordinance requiring the installation of sidewalks, this was often overlooked.

The Engineering Department pulled records from June 2022 to the present for new house construction approvals. Out of 121 approvals, 16 of them were in locations where no existing sidewalks exist either in front of, or for a corner parcel, along the side of the house. Out of these 16 houses, 11 of them have approved site plans to install a sidewalk along the front or side of

their property. The 5 remaining houses had submitted their plans prior to the Engineering Department conducting full site plan reviews in October 2022. Below is a list of properties where sidewalk installation is part of their approved site plan and the status of the sidewalk installation:

Address	Status of Sidewalk Installation
309 ARLINGTON	Prepped for Sidewalk
327 ARLINGTON	Prepped for Sidewalk
1525 CHESTERFIELD	No work completed for Sidewalk
2455 FAIRWAY	Sidewalk Installed
1165 HILLSIDE	Sidewalk Installed
1230 LATHAM	No work completed for Sidewalk
1323 NORTHLAWN	No work completed for Sidewalk
1355 NORTHLAWN	No work completed for Sidewalk
2190 NORTHLAWN	No work completed for Sidewalk
2428 NORTHLAWN	No work completed for Sidewalk
503 SHIRLEY	No work completed for Sidewalk

For the properties where sidewalks have not been installed, the attached letter was mailed to them. The Engineering Department just recently approved a site plan for 1057 Arlington. The approved site plan does include a proposed sidewalk, but the approval included the following note "At the June 3, 2024, City Commission Meeting, a motion was passed to put a moratorium on requirements for a new sidewalk to be installed where no sidewalk exists during a new residential house process. This will be discussed further at the next City Commission meeting on Monday, June 24, 2024, at 7:30 pm. Please do not proceed with any prep work for installing the sidewalk, until a letter is issued by the City after the June 24, 2024 meeting."

The City Manager and staff recommend lifting the pause or moratorium that has temporarily suspended enforcement on the requirement to install sidewalks where there is new home construction and sidewalk gaps exist for the following reasons:

- **Multi-Modal Transportation Plan (2013)** – Clearly states that the City's goal is to have continuous sidewalks throughout the City along all streets in both residential and commercial areas, and to provide pedestrian pathways through public parks and public space that link up with the City's sidewalk system.
- **Birmingham 2040 Plan (2023)** – Chapter 1 of the 2040 Plan is entitled "Connect the City" and prioritizes the accommodation of all modes of travel, pedestrian connections along streets, safe pedestrian crossings across streets, and promotes keeping and/or improving all streets pedestrian oriented across the City.
- **Site Grading** - Usually most new houses will have grading complete in front of the new home and in the City right-of-way. It is less costly and simpler for the builder to prep for sidewalk grades during their grading operations than for the City to come back later and possibly need a temporary access agreement to grade on private property in order to install the sidewalk.
- **Sidewalks through Driveways** - It is less costly and simpler for the builder to install a sidewalk through an approach than for the City to come back at a later date and install a sidewalk. In most cases, the City would spend more removing additional driveways either in front of or behind the sidewalk to meet the required 2% or less cross slope for the sidewalk per ADA requirements.
- **Special Treatments** - A special treatment permit is required when landscape features, sprinkler systems, snow melt systems, brick pavers, and decorative

approaches are installed in the City's right-of-way. This permit allows work to occur, but the City will not replace these items. If the City comes back later and installs sidewalks, the City will incur the costs of removing or protecting landscaping, trying to protect sprinkler or snowmelt systems during construction, and removing brick pavers by hand and salvaging them. Also, the Engineering Department does hear complaints from property owners about the City not installing these features back as part of a construction project. These issues would be avoided by enforcing the existing ordinance and installing sidewalks at the time of construction.

- **Costs** - It is most cost-effective to grade and install a sidewalk during new house construction since other grading operations are ongoing and concrete will be used onsite.
- **Reduce the amount of Sidewalk Gap Closure** - After a new sidewalk is installed on residential property, it reduces the amount of sidewalk gap closure on each street. In future years, the City could install sidewalks on 1 to 2 parcels and start connecting sidewalks that were previously installed. An example of this is at 2455 Hillside. Currently, this property is two lots west of Cranbrook Road which had a sidewalk installed in 2023. Only one sidewalk needs to be installed in front of 2497 Fairway to close the sidewalk gap.

For residential development where there is an existing sidewalk, the Engineering Department does review the condition of the existing sidewalk and for ADA compliance. Also, most builders drive over existing sidewalks with vehicles and equipment during construction. In several cases, the sidewalk is proposed to be removed and replaced as part of the approved Site Plan Evaluation. Any sidewalk proposed to remain is reviewed for damage during construction and part of the inspection of the sidewalk and approach permit, and the final certificate of occupancy. Damaged sidewalks are required to be repaired or replaced.

LEGAL REVIEW:

The City Attorney has reviewed this memo and concurs with the City Manager and staff that codified ordinances and adopted master plans should be followed.

FISCAL IMPACT:

The City's current policy is to assess the City's sidewalk installation costs when no sidewalk currently exists for residential property at the following:

Sec. 98-63. - Original construction; allocation of costs.

(a) The cost of original sidewalk construction shall be allocated between the city and the abutting property owner as follows:

- (1) Front sidewalk. The entire cost shall be borne by the abutting property owner.
- (2) Side street sidewalks:

- a. If the abutting property is zoned for other than residential use and is in a new subdivision or is in an unimproved area, the entire cost shall be borne by the abutting property owner.

- b. If the abutting property is zoned for residential use and is not in a new subdivision or in an unimproved area, 33 percent of the cost shall be borne by the abutting property owner and 67 percent shall be borne by the city.

(b) When a sidewalk is contiguous to more than one lot or parcel, the costs of such original sidewalk construction shall be prorated between adjoining property owners on the basis of front footage repaired. Sidewalks shall be constructed along the frontage of a property

which borders a right-of-way in the following instances:

- (1) Where a new principal building is erected.
- (2) When an existing principal building is altered, partially rebuilt or remodeled at a cost that meets or exceeds 100 percent of its recorded state equalized value.

As part of Road Reconstruction Project: 85% of the front-foot costs for sidewalk improvement are assessed on all properties fronting on the improvement and 25% of the side-foot costs for improvement. This defrays the costs incurred by the City for the construction of these improvements. If a residential property installs a new sidewalk where none exists as part of their house build, the City will not assess the property owner for any future repairs on the sidewalk.

SUSTAINABILITY:

There is a reduction in construction emissions if the sidewalk is installed with new residential property. Also, the addition of sidewalks encourages a mode shift from motor vehicles (that increase greenhouse gas emissions) to walking and/or biking.

DESIGN CONSIDERATIONS:

All new sidewalks are designed for ADA compliance and built to the City's standards.

PUBLIC COMMUNICATIONS:

A letter was issued to both the building and property owners on June 6, 2024, asking them to pause on the construction of a new sidewalk where no previous sidewalk existed for new residential home construction. An additional letter will be issued to building and property owners of the City Commission's actions after the July 22, 2024 meeting.

SUMMARY:

It is recommended that the City Commission pass a motion lifting the postponement of new sidewalk installation work in accordance with Chapter 98 of the City Code, the Multi-Modal Transportation Plan, the 2040 Plan and the longstanding desire for Birmingham to be a walkable community that prioritizes the comfort and safety of pedestrians.

ATTACHMENTS:

- City of Birmingham Charter and Ordinances concerning New Sidewalk Installation
- Template of June 6, 2024 Builder and Property Owner Letter
- Photos of New Houses – New Sidewalk Where None Exists

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to lift the pause on new sidewalk installation that was put in place on June 3, 2024, to ensure compliance with Chapter 98 of the City Code, the Multi-Modal Transportation Plan, the 2040 Plan and the longstanding desire for Birmingham to be a walkable community that prioritizes the comfort and safety of pedestrians.

City of Birmingham Charter and Ordinances Concerning Sidewalk

Charter:

CHAPTER XI. - STREETS AND SIDEWALKS

Section 1. - [General authority.]

The city shall have reasonable control of all the streets, alleys and public highways within its limits and may use and enjoy the same and the space above and beneath them. The city may adopt a plan of streets, alleys and public highways within its limits and so far beyond its limits as may be permitted by law.

Section 2. - [Power to improve.]

The commission shall have power to improve streets, alleys and public highways in the city, by grading, graveling, curbing, paving, repairing, repaving, illuminating, maintaining the same free from dust and nuisance; by constructing, reconstructing and repairing sidewalks; or otherwise. It shall have authority to lay out, open, widen, extend, straighten, alter, close, vacate or abolish any street, alley or public highway or part thereof in the city, except as herein otherwise prohibited, whenever it shall deem such action to be a public improvement; provided that it shall not vacate any state or county highway designated as such.

Section 5. - [Change of grade.]

Whenever any sidewalk has been built in conformity to a grade established by the city and the cost thereof paid for by the abutting property owner by special assessment or otherwise, then such owner or his successor in title shall not be required to reconstruct such sidewalk nor shall the abutting property be subject to a special assessment therefor, in event a reconstruction is made necessary by a change in grade made by the city, provided such sidewalk is in good condition.

Section 6. - [Control of sidewalks; owners to construct.]

The city shall have control of all sidewalks in the streets, alleys and public highways of the city and may require the abutting owners to construct, reconstruct and repair such sidewalks. If any abutting property owner shall fail to construct, reconstruct or repair the sidewalk in the street adjacent to his premises after being required to do so by resolution of the commission and upon such notice as the commission shall provide, then the city may construct, reconstruct or repair such sidewalk and collect the costs thereof from the abutting property owner, or may make a special assessment against such owner and such abutting property, in the same manner as herein provided for the making of special assessments where any expense has been incurred by the city upon or in respect to any particular lot or parcel of land.

If the commission shall by resolution determine that it is necessary to construct a sidewalk in front of two or more adjacent properties or on any side street within the city it may declare the same to be a public improvement within the meaning of chapter X of this Charter and may provide for the payment of the cost thereof by owners of the property benefited thereby in accordance with the provisions of said chapter X.

ARTICLE III. - SIDEWALKS

Sec. 98-56. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Owner means the person to whom a lot or parcel of land is assessed on the city tax rolls. When the person listed on the tax rolls is the holder of a mortgage on the assessed premises, the owner shall be the person named as the mortgagor in the mortgage held by the person named on the tax rolls.

Sec. 98-57. - Specifications and permits.

No person shall construct, rebuild or repair any sidewalk except in accordance with the line, grade, slope and specifications established by the city engineer nor without first obtaining a written permit from the engineer, except that sidewalk repairs of less than 50 square feet of sidewalk may be made without a permit. The fee for such permit shall be as set forth in the schedule of fees, charges, bonds and insurance.

Sec. 98-58. - Line and grade stakes.

The city engineer shall furnish line and grade stakes as may be necessary for proper control of the work, but this shall not relieve the owner of responsibility for making careful and accurate measurements in constructing the work to the lines furnished by the city engineer. Where it is necessary to replace engineer's stakes disturbed or destroyed without fault on the part of the city or its employees, a charge of \$1.00 per stake shall be paid.

Sec. 98-59. - Sidewalk specifications.

The city engineer shall keep on file in his office standard specifications for the construction of sidewalks. All sidewalks shall be constructed in accordance with such specifications.

Sec. 98-60. - Permit revocation.

(a) The city manager may revoke any permit issued under the terms of this article for incompetency or failure to comply with the terms of this article or the rules, regulations, plans and specifications furnished by the engineering department for the construction, replacement or repair of any sidewalks.

(b) The city manager may cause work to be stopped under any permit granted for the construction, replacement or repair of any sidewalks for any of the causes enumerated in this section.

Sec. 98-61. - Ordering construction.

The city commission may, acting on its own initiative or as a result of petition, determine the necessity for the construction, replacement or repair of sidewalks in any street or public right-of-way in the city. If a property owner is liable, either in whole or in part, for the construction, replacement or repair of a sidewalk under this article, the city shall notify the owner abutting the improvement of its intent to construct, replace or repair such sidewalk by personal service or by publication of a notice in a newspaper of general circulation in the community. In that event, if the owner elects to construct the sidewalk at his own expense, the city clerk shall be

notified accordingly by the owner within ten days and such construction, replacement or repair shall be completed in accordance with the plans and specifications prepared therefor by the engineering department within 30 days of the receipt of such notice.

Sec. 98-62. - Payment of cost.

If a property owner is liable, either in whole or in part, for the construction, replacement or repair of a sidewalk under this article and does not elect to install or repair the sidewalk himself or fails to complete the construction, replacement or repair within the period set forth in section 98-61, the city may perform the construction, replacement or repair and bill the owner for the total cost together with an additional fee of 15 percent for engineering, supervision and general administration expense thereof. The fees for the city to perform the construction, replacement or repair of a sidewalk when the property owner does not elect to install or repair the sidewalk or fails to complete the construction, replacement or repair, shall become a lien on the premises immediately upon the work being performed by the city.

Payment shall be due to the city within 30 days of the bill being sent to the property owner for the performance of such services. The bill shall notify the property owner of his or her right to dispute all or any part of the bill before a hearing officer, as established by section 1-17 of this Code, prior to the due date of the bill. Except as otherwise determined by the hearing officer, if payment is not received by the city within 30 days after such billing, the city treasurer shall add an additional penalty of one percent per month to the delinquent bill. The city treasurer shall annually, on May 1, certify any delinquent billing, or any part thereof, together with all accrued interest and penalty, to the commission; and, it shall be transferred and reassessed, with an additional 15 percent penalty, on the next annual city tax roll. Such charges so assessed shall be collected in the same manner as general city taxes.



6/6/2024

(NAME)
(ADDRESS)
(CITY, STATE, ZIP)

Dear Property Owner,

The City Commission for the City of Birmingham has put a pause on the requirement that a new sidewalk must be installed where no previous sidewalk existed for new residential home construction. This hold applies only to properties that have not already installed an existing sidewalk. The property of _____ is one of the properties placed on a brief pause. This will be discussed further at the next City Commission meeting on Monday, June 24, 2024 at 7:30pm. The agenda for this meeting will be posted at www.bhamgov.org/about_birmingham/city_government/boards_commissions/city_commission. Should you have any questions, please contact the Engineering Department at (248) 530-1838.

Sincerely,

Melissa Coatta, P.E.
City Engineer

New Residential Houses – New Sidewalk Where None Existed



309 and 327 Arlington (View South)

New Residential Houses – New Sidewalk Where None Existed



2455 Fairway (View West)

New Residential Houses – New Sidewalk Where None Existed



2455 Fairway (View West)

New Residential Houses – New Sidewalk Where None Existed



2455 Fairway (View West)

New Residential Houses – New Sidewalk Where None Existed



1165 Hillside (View Southwest)

New Residential Houses – New Sidewalk Where None Existed



1165 Hillside (View Southwest)

New Residential Houses – New Sidewalk Where None Existed



1165 Hillside (View south on Greenlawn)



MEMORANDUM

City Manager's Office

DATE: July 18, 2024
TO: City Commission
FROM: Jana L. Ecker, City Manager
SUBJECT: Senior/Recreation Center Project Final Report

INTRODUCTION:

In November 2022, the City Commission adopted several strategic goals, one of which was to support an engaged and connected community by offering City services and amenities that enrich the lives of residents of all ages as a main goal. This strategic goal included a recommendation to "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."

In April 2023, based on the above mentioned goal identified in the Strategic Plan, the City Commission unanimously passed a motion to direct the formation of an ad hoc committee. The ad hoc committee was directed to study demographics and trends in our population and conduct resident surveys to determine the services needed to support our aging population.

City staff recommended creating a new ad hoc committee with a distinct name and a scope of work that clearly distinguished the new committee from the former Ad Hoc Joint Senior Services Committees. The creation of an Ad Hoc Aging in Place Committee (AIPC) composed of seven members with a broad range of experience in providing senior services, experience in senior health, nutrition, elder law and educational outreach was preferred. One member that can offer an experience in providing intergenerational connections/programming was also recommended. An initial eighteen month term was suggested. The scope of work of the AIPC should include the following:

1. A detailed demographic study of trends and patterns in our population;
2. A review of existing senior services and identification of unmet needs;

3. Development of a City-wide action plan outlining the vision and goals to encourage senior residents to age comfortably in Birmingham.

The AIPC is one year into their eighteen month schedule and is currently working on the last phase of their mission, the City-wide action plan for presentation to the public and eventual submission to the City Commission.

In early 2023, the City became aware that the YMCA was looking to combine their Birmingham location with their Royal Oak location into a new joint location near 13 Mile Rd. and Woodward in Royal Oak. The City and the YMCA negotiated the City's purchase of the current YMCA branch at 400 E. Lincoln in Birmingham for two million dollars (\$2,000,000.00). The City purchased the YMCA Building to serve as the new and permanent home for Next. In fact, of the two million dollar purchase price, the City contributed \$1,500,000.00 and Next contributed the other \$500,000.00. In exchange, the City agreed to rent the building to Next for one dollar a year in rent (memo of understanding). The YMCA and the City negotiated a lease agreement that would allow the YMCA to stay in the current building for three years while the YMCA worked out the details of their move to Royal Oak. The City and the YMCA agreed that the City was not interested in the pool and the YMCA agreed to continue to be responsible for all expenses related to the operation, staffing and maintenance of the pool for the duration of the lease. Additionally, it was also anticipated that Next would only need approximately 75% of the total space of the building moving forward. As a result, the City, seeing an opportunity for intergenerational contact and continued service to community members, negotiated with the YMCA to allow the YMCA to remain in Birmingham and utilize about 25% of the building's space to maintain a presence in the Birmingham community.

BACKGROUND:

In working to achieve their strategic goal of supporting an engaged and connected community by offering services and amenities that enrich the lives of residents of all ages, the City Commission:

- Formed the AIPC and are awaiting their final report.
- Successfully purchased the former YMCA Building at 400 E. Lincoln for the purpose of providing a permanent home for Next.
- Negotiated an agreement with the YMCA to continue to operate in the building and provide a community aspect to the project providing for intergenerational contact and recreational services for all community residents.

The focus of this staff report is to outline the process that the City has undertaken to develop a plan to create a permanent home for Next and potentially the YMCA, which will be now referred to as the "senior/recreation center project", by:

- Conducting an assessment of the existing building's current condition (structural, mechanical, plumbing electrical, accessibility and security).
- Conducting an assessment of service space needs for the primary tenant, Next (75%) and for the secondary tenant, the YMCA (25%).
- Determining options for the building and developing conceptual plans with accompanying cost estimates.

The following is a condensed timeline of events leading to the delivery of the conceptual design options and associated costs for the Senior/Recreation Center Project:

- City purchased the Birmingham YMCA Building at 400 E. Lincoln, Birmingham for \$2,000,000.00 (\$1,500,000.00 from the City and \$500,000.00 from Next) (Spring/Summer 2023).
- MOU between City and Next completed (75% of building for Next and 25% allocated to the YMCA) (Spring/Summer 2023).
- Senior millage of .33 mills approved by voters (November 2023).
- Building Assessment and Conceptual Designs RFP completed and issued (December 2023).
- NORR, LLC (architectural firm) chosen by the City Commission to complete the building assessment and create the conceptual plans and cost estimates (February 2024).
- Leadership changed at Birmingham YMCA, with the intention to maintain a strong presence in Birmingham and to utilize their full 25% (or additional space, if available) and possibly maintain a pool (February 2024).
- City Commission created the Ad Hoc Senior/Recreation Center Committee (SCC) to provide oversight and to provide recommendations throughout the process to the City Commission (February 2024).
- Community survey issued (April 2024).
- RFP for Owner's Representative issued (April 2024).
- RFQ for architects issued to qualify to be eligible to bid on the Final Design and Construction Plans (April 2024).
- Community Open House was conducted at the YMCA Building (April 2024).
- Kramer Management Group chosen by the City Commission to be the City's Owner Representative for the Senior/Recreation Center Project (May 2024).
- Three architectural firms were selected by the SCC to be qualified bidders to prepare Final Design and Construction Plans (May 2024).
- A second Town Hall Meeting was conducted at Next (May 2024).
- NORR, LLC issued a draft of the Final Report (no cost estimates included) that included four options: renovate the existing building without a pool, renovate the existing building with a pool, renovate the existing building and add an addition to the existing footprint, and demolish the current building and build a new facility (June 2024).
- Funding options were discussed by the SCC (June 2024).
- NORR, LLC issued Final Report with cost estimates (July 2024).
- SCC issues recommendation to the City Commission

The Ad Hoc Senior/Recreation Center Committee (SCC) has been meeting almost weekly since its inception. The SCC is comprised of the following members:

Name	Member Type
Elaine McLain	City Commissioner
Anthony Long	City Commissioner
Daniel Share	Planning Board Member
Pam Graham	Parks and Recreation Board Member
Bert Koseck	Architect
Donald Rodgers	Construction Contractor
Cris Braun	NEXT Representative
Kelly Plocharczyk	YMCA Representative
Jason Emerine	Engineer
Evan Dix	Student (non-voting)
Jana Ecker	City Manager (ex-officio)

One of the first orders of business of this board was to craft the project's vision, goals and objectives and prepare the project timeline.

Vision Statement:

Create a welcoming and dynamic hub where all the members of the community can gather in an environment that promotes socialization, physical activity and lifelong learning that enhance both personal and community wellness.

Goals:

1. Develop a plan for an open, welcoming, adaptable active senior/community facility with flexibility for current and future uses.
2. Integrate the design and use of the senior/community center with St. James Park.
3. Ensure safe and accessible design of the building(s) and site for users of all ages and abilities.
4. Incorporate sustainable concepts, design and materials, when practical, to reduce environmental impact.
5. Complete design and construction of a new or renovated facility and site on time and within the established budget.

Objectives:

1. Create a permanent home for Next.
2. Support Next in providing a wide range of programs and services.
3. Provide community gathering spaces (indoors and outdoors).
4. Provide a facility that promotes the provision of health, fitness, and recreation programming for the community.

5. Design a facility that encourages social interaction and emotional enrichment for the community.
6. Design a facility that promotes multigenerational programming opportunities and lifelong learning.

A project timeline was completed as well (see attached timeline) and all of these documents were presented to the City Commission for their approval on April 8, 2024. The City Commission voted unanimously to approve the vision, goals, objectives and timeline for the senior/recreation center project.

City staff, the City's owners' representative (KMG) and the SCC worked together with the City's chosen architect, NORR, LLC to complete the project. The project was completed in two phases:

Phase 1:

- Facility Condition Assessment
- Community Engagement (on-line community survey, hard copy community survey, (2) open house/town hall events)
- Programming and Space Assessment (Next, YMCA, City)

Phase 2:

- Final Report - Includes Building Options, Engineering Summaries and Cost Estimates

The Final NORR, LLC Report listed three main options, a remodel, a remodel with an expansion of the existing footprint and a new build. NORR, LLC issued cost estimates for construction costs only and did not include the "soft costs" (design & review plans, management & inspection, final finishes and equipment) associated with each building option. NORR, LLC based their cost estimates on remodeling/building a center that would meet all basic building and accessibility codes. Operational costs for each option were also included. For Option 1, there is also an Option 1A and for Option 3, there is also an Option 3A. All of the options are explained in detail below.

With the assistance of the City owner's representative (KMG), an additional two options were added to the mix, Option 4 and Option 4A. KMG has compiled a financial Analysis worksheet that details all of the options and their associated costs (see attached).

The updated Final Report included costs estimates to build each of the options listed above. The options are as follows:

1. **Option 1 - Renovate Existing Building on Existing Footprint (No Pool)** - Next utilizes 75% of the building and the YMCA utilizes 25% of the building. In this scenario, neither Next nor the YMCA gets the programming space that they would like. In this option, there is no pool.
 - a. Next: 17,201 sq. ft. (42.3 % of building, 70% of usable space)

- b. YMCA: 7,193 sq. ft. (17.7% of building, 29% of usable space)
- c. City of Birmingham Parks and Recreation: 294 sq. ft. (0.7% of building, 1% of usable space)
- d. Facility Areas: 1,527 sq. ft. (3.8% of building)
- e. Circulation Areas: 14,406 sq. ft. (35.5 % of building)
- f. Total Square Footage of Building: 40,631
- g. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$23,037.00, Electric - \$141,640.00): \$184,677.00

BUILDING CONSTRUCTION COST: \$15,462,687.00 (cost per sq. ft. \$380.56)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,425,458.00 (cost per sq. ft. \$133.53)

OPTION 1 TOTAL: \$20,888,144.00 (\$514.09 per sq. ft.)

2. **Option 1A - Renovate Existing Building on Existing Footprint (Pool Included)** - Next utilizes 75% of the building and the YMCA utilizes 25% of the building. By including the pool, it takes up almost all of the YMCA's space. Similar to Option 1, both Next and the YMCA do not receive the programming space that they would like. However, in Option 1A, the pool remains.
 - a. Next: 17,575 sq. ft. (43.3 % of building, 70% of usable space)
 - b. YMCA: 7,394 sq. ft. (18.2 % of building, 30% of usable space)
 - c. City of Birmingham Parks and Recreation: 0 sq. ft.
 - d. Facility Areas: 1,841 sq. ft. (4.5% of building)
 - e. Circulation Areas: 13,821 sq. ft. (34% of building)
 - f. Total Square Footage of Building: 40,631
 - g. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$23,037.00, Electric - \$141,640.00): \$184,677.00

BUILDING CONSTRUCTION COST: \$15,862,496.00.00 (cost per sq. ft. \$390.40)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,504,360.00 (cost per sq. ft. \$135.47)

OPTION 1A TOTAL: \$21,366,856.00 (\$525.87 per sq. ft.)

3. **Option 2 - Renovate Existing Building and Add Additional Space:** In this option, a large addition is added to the north section of the building on two levels (ground floor and second floor). Also, there is the possibility to excavate underneath the addition (underground level) to add either additional space for Next (pickleball courts) or additional space for the YMCA. In Option 2, Next receives additional space to meet most of their programming needs. However, there was not space for more than two pickleball courts. The YMCA also has more space for programing, but not enough for all of their preferred programming needs. No pool was shown in this option. However, the YMCA could opt for the pool if that is how they choose to use their allotted space (same choice from Option 1 and Option 1A).

- a. Next: 27,886 sq. ft. (43.1% of building, 64% of usable space)
- b. YMCA: 7,642 sq. ft. (11.8% of building, 18% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (.05% of building, 1 % of usable space)
- d. City of Birmingham (Optional Future Excavation Space): 7,422 sq. ft. (11.5% of the building, 17% of usable space)
- e. Facility Areas: 2,760 sq. ft. (4.5% of building)
- f. Circulation Areas: 18,570 sq. ft. (28.7% of building)
- g. Total Square Footage of Building: 64,640
- h. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$21,650.00, Electric - \$240,335.00): \$281,985.00

BUILDING CONSTRUCTION COST: \$23,774,798.00 (cost per sq. ft. \$367.80)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$7,963,752.00 (cost per sq. ft. \$123.20)

OPTION 2 TOTAL: \$31,738,550.00 (\$491.00 per sq. ft.)

4. **Option 3 - Demolish Current Building and Build a New Building:** In Option 3, all of the programming needs for Next are met (including four pickleball courts). With the additional space of a new building, more of the YMCA's programming needs can be met (additional exercise space). In this option, no pool was included. However, there is sufficient space for a pool to be added if the YMCA chooses to construct a new pool.
- a. Next: 32,068 sq. ft. (43.3% of the building, 59% of usable space)
 - b. YMCA: 13,018 sq. ft. (17.6% of the building, 24% of usable space)
 - c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.5% of the building, 1% of usable space)
 - d. City of Birmingham (Optional Future Excavation Space): 8,959 sq. ft. (12.1% of the building, 16% of usable space)
 - e. Facility Areas: 3,202 sq. ft. (4.3% of the building)
 - f. Circulation Areas: 16,373 sq. ft. (22.1% of the building)
 - g. Total Square Footage of Building: 73,980 sq. ft.
 - h. Operational Costs (Gas - \$17,765.00, Electric - \$155,358.00): \$173,113.00

BUILDING CONSTRUCTION COST: \$28,751,579 (cost per sq. ft. \$388.64)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$9,256,709.00 (cost per sq. ft. \$125.12)

OPTION 3 TOTAL: \$38,008,288.00 (\$513.76 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 3 TOTAL COST with Pool: \$41,608,288.00 (\$530.17 per sq. ft.)

5. **Option 3A – Same as option 3, but the north end of the lower level to be slab on grade, reducing finished basement area by 7,030 sq. ft.** This area is removed from the City of Birmingham space as well as from the gross and net building floor areas.

- a. Next: 32,068 sq. ft. (47.9% of the building, 68% of usable space)
- b. YMCA: 13,018 sq. ft. (19.4% of the building, 27% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.5% of the building, 1% of usable space)
- d. City of Birmingham: 1,929 sq. ft. (2.9% of the building, 4% of usable space)
- e. Facility Areas: 3,202 sq. ft. (4.8% of the building)
- f. Circulation Areas: 16,373 sq. ft. (24.5% of the building)
- g. Total Square Footage of Building: 66,950 sq. ft.
- h. Operational Costs (Gas - \$16,068.00, Electric - \$140,595.00): \$156,663.00

BUILDING CONSTRUCTION COST: \$27,920,828.00 (cost per sq. ft. \$417.04)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$8,376,784.0000 (cost per sq. ft. \$125.12)

OPTION 3 TOTAL: \$36,297,612.00 (\$542.16 per sq. ft.)

SCC Analysis of Options

The SCC found consensus among the board members that option 3, a new build, was the preferred choice. The SCC cited the following:

1. **Cost:** The SCC felt that to spend 15 million dollars on construction costs renovating the existing building where options were limited (main wall that cannot be touched) and some existing MEP issues (plumbing pipes) would remain did not make sense. The SCC also felt that the cost differential between option 2 and option 3 was not substantial enough to warrant not spending the extra money to achieve greater value in the long run.
 - a. Operational Costs: Operational costs are lowest with option 3. A new building could be designed with efficiency and cost considerations built in.
 - b. In option 3, the possible use of sustainable products could be increased and considered when cost efficient to do so. Currently, the cost considerations are for basic building materials necessary to meet building codes and could be improved upon. Cost considerations of these upgraded features is a major factor to consider.
2. **Building Design:** The current footprint of the building makes it very problematic to remodel effectively. In option 1 and 1A, in order to make the building accessible for everyone, a considerable amount of space, approximately 35% of the building, would need to be used for circulation areas and not available as usable space. While option 2 provides for more useable space than option 1 or option 1A, it is still compromised by the existing footprint of the building. Option 3 provides for the most opportunity to design the building to meet the needs of Next, most of the needs of the YMCA and to provide the greatest opportunity to design as much "shared space" between the two that would meet their respective service needs and keep the footprint of the building as small as possible.
 - a. With option 3, the final design architect could work with Next and the YMCA to design the building to exactly what they need. There would be no need to compromise design or use that would occur with a remodel using the existing building and its current limitations.

- b. With option 3, the end result would be a building that would align better with the stated vision and goals for the project.
- 3. **Space Needs:** Only option 3 meets the service needs requested from both Next and most of those requested by the YMCA. The importance of this building to the community cannot be understated. The Senior/Recreation Center will be the permanent home for Next and the focal point for the City's older adult population. The inclusion of the YMCA will provide a multi-generational recreation component as well.
 - a. Circulation space is greatly reduced in option 3.
 - b. Space needs of Next and the YMCA can be clearly defined and any shared space opportunities identified.

After the SCC concluded that a new build was going to be the suggested recommendation to the City Commission, the City's Owner's Representative, Kramer Management Group, felt that it would be important for the City Commission to also examine scaled down versions of a new building. The following two options, listed as option 4 and option 4A are as follows:

1. Option 4 – This would be a demolition of the existing building and new construction of a building on-grade that would be 40,000 square feet in size and directly in line with a 75% space allocation to Next and a 25% allocation to the YMCA:

- a. Next: 20,428 sq. ft. (51.1% of the building, 75% of usable space)
- b. YMCA: 6,810 sq. ft. (17% of the building, 24% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.9% of the building, 1% of usable space)
- d. City of Birmingham (Optional Future Excavation Space Deleted): 0 sq. ft.
- e. Facility Areas: 3,202 sq. ft. (8% of the building)
- f. Circulation Areas: 9,200 sq. ft. (23% of the building)
- g. Total Square Footage of Building: 40,000 sq. ft.
- h. Operational Costs (Gas - \$9,600.00, Electric - \$84,000.00): \$93,600

BUILDING CONSTRUCTION COST: \$16,930,289.00 (cost per sq. ft. \$423.26)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,793,093.00 (cost per sq. ft. \$144.83)

OPTION 4 TOTAL: \$22,723,382.00 (\$568.08 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 4 TOTAL COST with Pool: \$26,323,382.00 (\$591.54 per sq. ft.)

2. Option 4A - This would be a demolition of the existing building and the new construction of a building on-grade that would be 50,000 square feet in size and directly in line with a 75% space allocation to Next and a 25% allocation to the YMCA:

- a. Next: 26,204 sq. ft. (52.4% of the building, 75% of usable space)
- b. YMCA: 8,734 sq. ft. (17.5% of the building, 24% of usable space)

- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.7% of the building, 1% of usable space)
- d. City of Birmingham (Optional Future Excavation Space Deleted): 0 sq. ft.
- e. Facility Areas: 3,202 sq. ft. (6.4% of the building)
- f. Circulation Areas: 11,500 sq. ft. (23% of the building)
- g. Total Square Footage of Building: 50,000 sq. ft.
- h. Operational Costs (Gas - \$12,000.00, Electric - \$105,000.00): \$117,000.00

BUILDING CONSTRUCTION COST: \$20,306,615.00 (cost per sq. ft. \$388.00)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$7,079,893.00 (cost per sq. ft. \$125.00)

OPTION 4 TOTAL: \$27,386,508.00 (\$513.00 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 4 TOTAL COST with Pool: \$30,986,508.00 (\$568.56 per sq. ft.)

LEGAL REVIEW:

The City Attorney has been present at all of the SCC meetings. The City Attorney is very familiar with the project and assisted the City with the original purchase of the property. The question before the City Commission is to decide what, if any, senior/recreation center option should be selected to move forward to final design. If a selection is made, the City Attorney will work with City staff, Next and the YMCA to address any and all legal issues that arise related to the senior/recreation center project except for any bond counsel assistance. This list includes any and all matters related to the current MOU between the City and Next, the purchase agreement and subsequent contractual agreements with the YMCA, any future financial agreements involving the City, any interlocal agreement adjustments with the City's partners in support of Next, and any other contractual/lease/tenant or other legal matters.

FISCAL IMPACT:

From the time of the purchase of the YMCA building by the City in spring/summer of 2023, it has been contemplated that the City may have to invest funding into the building to create a permanent home for Next and to support Next services. The YMCA also was offered and accepted a presence in the project, albeit a much smaller role at approximately 25% of the building for continued community and recreation programming. In her May 31, 2023 report to the City Commission, City Manager Markus and City Manager Ecker on the potential purchase of the YMCA Building by the City, City Attorney Kucharek mentioned more than once in the body of the report that, "There may also be an opportunity/need to seek bonds to be issued for permanent improvements at the YMCA building." In the fiscal impact section of that same staff report, City Attorney Kucharek stated, "Also, financially, there will most likely be a senior millage and the potential for ongoing fundraising and the possibility of the issuance of bonds for the renovation of the YMCA building, and ongoing maintenance costs."

As has been previously stated, the City proposed a senior millage in November of 2023 for a .33 mill senior millage. The senior millage passed overwhelmingly, 69% in favor of the millage and 31% opposed. This senior millage will generate approximately one million dollars a year for the next three years (2024-2025 budget year through the 2026-2027 budget year).

The SCC held a meeting for the sole purpose of discussing the financing of this project. The SCC understands that it is the purview of the City Commission to decide on the option moving forward in this project and how the project will be financed. With the assistance of the City's Finance Department, the following information was presented to the SCC in June of this year providing for a "high level" summary of potential funding options for this project:

1. Additional Millage

Birmingham voters approved a senior millage of 0.33 mills commencing July 1, 2024, for a three year period, for the purpose of making interim improvements and establishing a sinking fund for the operation of a senior center to provide a full array of services for older citizens. The City's current operating millage is 0.3 mills under the Headlee maximum. If the City were to maximize its operating millage, it would generate an additional \$1,000,000 annually. However, this would leave no cushion should an emergency or a downturn in the economy happen. The City cannot levy any additional millage other than the 0.3 mills without a Headlee override approved by the voters. There are no other State statutes that would allow the City to generate additional tax revenue for construction of this facility.

2. General Obligation Bonds

The City is permitted to issue general obligation bonds to fund the construction of capital projects. The City Commission could request voter approval for a bond sale to raise funds to renovate and/or construct a new facility. This is called an unlimited tax general obligation bond. In this case, the voters can provide approval to increase the debt levy to pay for the debt service. An alternative to this is called a limited tax general obligation bond. In this alternative, the City Commission could approve the bond sale. The debt service would have to be paid from the current operating millage and/or other sources of funding. This type of bond sale can be subject to voter approval if enough signatures are gathered to force a referendum vote on the issue. This type of bond issue has been used in the City, but not in recent years. The City's debt capacity as of June 30, 2024 was approximately \$402,523,000. The City currently has obligations of approximately \$12,100,000, leaving plenty of room for additional debt. Thus, the City does have the availability, within our debt limit, to ask voters to approve a bond and debt millage to fund the renovation or construction of a senior/recreation center.

3. Use of Fund Balance

The City maintains an unassigned fund balance at all times to ensure financial security in case of unexpected events. Occasionally, the City Commission may vote to use a portion of the unassigned fund balance to assist in the funding of capital improvements. In the 2024-2025 General Fund budget, the projected 2023-2024 Unassigned Fund Balance was \$15,957,500, which is currently 33.8% of the 2024-2025 budgeted expenditures. It has long been City policy to maintain an unassigned fund balance of 20% - 40% of the City's budgeted expenditures. Thus, the City could use approximately \$1,600,000 of the unassigned fund balance towards funding the renovation or construction of a senior/recreation center. Doing so would bring our fund balance down to 30%, which would still remain within the 20% - 40% goal range. Using fund balance is not the preferred option, nor should it be the primary option for funding a senior/recreation center, but may be used to supplement other funding sources.

4. Grant Funding

The concept planning phase of this project has already been funded by a grant through Oakland County. In addition, the City has applied for a Federal Congressional Direct Spending appropriation in the amount of \$8,000,000 to fund the renovation/construction of the senior/recreation center. Many other grant opportunities exist and may be available for the provision of community services, construction of a community building or to fund any sustainable elements of the building or site, to name a few.

5. Philanthropic Donations

The solicitation of potential donors and/or fundraising could be used to combine with any or all of the other options to fund the senior/recreation center. Building naming rights could also be offered to attract a large donor.

6. Contributions from Other Organizations

Currently, Bingham Farms, Beverly Hills and the Village of Franklin contribute funds to Next to provide senior services to their residents through an inter-local agreement with Birmingham. An updated inter-local agreement could be negotiated between the municipalities to increase the contributions for operating expenses and/or construction costs. The City has been in discussion with all three of these member communities to discuss the need for additional funding in the future to allow for the expansion of Next and relocation to 400 W. Lincoln. Member communities may choose to contribute their share of funding for senior services through a bond issue, senior millage, general fund payments, and/or through a prorated membership fee structure. In addition, Next and the YMCA could enter into agreements with the City to fund a portion of construction costs. Next has already contributed \$500,000 to the purchase of the existing building and in exchange the City has agreed to rent future space in the building at a cost of \$1 per year.

If an option for the senior/recreation center is selected by the City Commission, City staff, Next and the YMCA will continue working together to finalize a financial plan moving forward for consideration by the City Commission. This will of course include the City continuing to work with all of our interlocal member communities that support Next and all of the other funding options previously discussed. However, for the purposes of this report, the fiscal impact process will be more detailed moving forward once the City Commission chooses an option for the senior/recreation center project with an accompanying budget and scope of work.

SUSTAINIBILITY:

The senior/recreation center project has the potential to include multiple sustainability components. Various building materials and/or sustainable initiatives will be considered by the final design architect and the City Commission at a later date. Should the City Commission move forward with a new building, there is also the opportunity to construct a LEED certified building. The costs associated with sustainable building materials and/or practices as well as LEED certification can be considered by the City Commission during the next phase of this project (final design and construction plans).

DESIGN CONSIDERATIONS:

All of the work to date on the senior/recreation center project has been to complete a comprehensive assessment of the existing facility, conduct a space program analysis for both

Next and the YMCA and to receive public input into the project, both from a community survey and two town hall meetings. The City has created the Ad Hoc Senior/Recreation Center Committee to assist and guide City staff and to make recommendations to the City Commission on the project, the City has hired an Owner's Representative to assist City staff and the SCC in accomplishing their goals and objectives and the City has also hired a professional architectural firm to complete the assessment and preliminary conceptual plans and cost options.

Design considerations will be far more prevalent in the next phase of the project, final design and construction plans. City staff, the Owner's Representative and the SCC have already completed an RFQ for final design and construction plans and architectural/engineering services. City staff, the Owner's Representative and the SCC have identified three professional architectural firms that have been selected through the RFQ to bid on the preferred option of the City Commission.

PUBLIC COMMUNICATIONS:

There have been considerable public communications on this project. From the purchase of the YMCA Building in the spring of 2023 until now, the project has received media attention, attention from Next members, attention from YMCA members and attention from the general public. The City has provided the following public communications:

1. Press releases
2. E- Blasts
3. Created a web page on the City's website dedicated to the project
4. Promoted the project on the home page of the City's website
5. Updates have been provided in all of the monthly City Manager's Reports as well as the City's Around Town E-Newsletters
6. Updates have been provided in the City's summer edition of the Birmingham Beat Newsletter
7. The project has been promoted on the City's social media channels including Facebook and Instagram
8. Two in-person town hall meetings were held at the YMCA and Next
9. The Ad Hoc Senior/Recreation Center Committee was created and has met almost weekly since its inception. All meetings were open to the public and provided an opportunity for members of the public to speak.

SUMMARY:

The City purchased the YMCA Building located at 400 E. Lincoln Street in the spring/summer of 2023 for the purpose of providing a permanent home for Next to provide senior services. At the time of the purchase, the current owner, the YMCA, expressed that they would like to have a continued presence in the City and the City agreed to work out an agreement allowing them to remain in 25% of the building in order to provide a recreation component for the City.

City staff, Next, the YMCA have worked together to come up with a workable plan to move a senior/recreation center project forward. The City created an Ad Hoc Senior/Recreation Center Committee (SCC) to assist City staff and to provide recommendations to the City Commission on the senior/recreation center project. The City engaged a professional architectural firm (NORR, LLC) to conduct an assessment of the YMCA building (Phase 1) and to come with conceptual design plan options for the building and associated cost estimates (Phase 2). The City hired an owner's representative (Kramer Management Group) to assist City staff, the SCC and the engaged architect to come up with options for the City Commission to consider moving forward on the senior/recreation center project.

The SCC received the final report from NORR, LLC on the building assessment and the conceptual design plan options and cost estimates. City staff, the owner's representative and the SCC thoroughly examined the final report. Based upon that analysis, it is the recommendation of the Ad Hoc Senior/Recreation Center Committee that the City Commission select Option 4A contained within the Kramer Management Financial Analysis Worksheet. Option 4A calls for the current building to be demolished and a new building to be built in its place. The size and scope of that building currently is listed at 50,000 sq. ft. and carries an estimated cost of \$27,386,508.00. A new build has numerous advantages over the current building, which has building code and accessibility issues, aged mechanical, plumbing and electrical systems, structural issues that limit renovation options and an inefficient layout that is not conducive to its intended uses. The proposed cost of renovating the current building (Option 1) came in at \$20,888,145.00 for 40,631 sq. ft. (\$514.09 per sq. ft.) Option 4A, a 50,000 sq. ft. new build, came in at \$27,386,508.00 (\$513.00 per sq. ft.). For the additional \$6,498,363.00, the City will be able to provide a modern, cost efficient building with a layout that meets all building, accessibility and safety codes, provides for the necessary space and programming needs of Next and for the agreed upon space for the YMCA.

The SCC believes that when all the factors are considered, including costs, building design elements and programming and space allocations, the best recommendation to the City Commission is Option 4A, a new build 50,000 sq. ft. building not to exceed 28 million dollars in cost and the consideration to add a pool at a cost not to exceed 3.6 million dollars.

ATTACHMENTS:

1. [NORR, LLC Final Report – Senior/Recreation Center](#)
2. Kramer Management Group – Financial Analysis Worksheet
3. Vision, Goals and Objectives
4. Project Timeline

SUGGESTED COMMISSION ACTIONS:

To adopt a resolution accepting the recommendation of the Ad Hoc Senior/Recreation Committee that option 1, as presented by Consultants and Staff, being a renovation of the existing YMCA building located at 400 E Lincoln St, Birmingham, MI 48009, not be considered because it is not financially responsible and does not meet the goals 1 through 4 of the senior/recreation center project and that a new facility is the preferred choice;

AND

To adopt a resolution to accept the recommendation of the Ad Hoc Senior/Recreation Committee that a new building according to option 4A as presented by the Staff and City Consultants be built, not to exceed approximately 28 million dollars, as it meets goals 1 through 4 and objectives 1 through 6 of the senior/recreation center project, with an option for consideration of a pool not to exceed 3.6 million dollars in cost;

AND

Furthermore, to direct the City Manager to take the necessary steps in order to facilitate the design, funding and construction of a new senior/recreation facility.

	Option 1 - Exst Bldg		Option 1A - Exst Bldg w/Pool		Option 2 - Exst Bldg w/ Addition		Option 3 - New Building		Option 3A - New Building Reduce Future		Option 4 - New Building - On Grade 40k SF		Option 4A - New Building - On Grade 50k SF	
Building Area Breakdown	Square Footage	% of Total /	Square Footage	% of Total /	Square Footage	% of Total /	Square Footage	% of Total /	Square Footage	% of Total /	Square Footage	% of Total /	Square Footage	% of Total /
Birmingham NEXT	17,201 SF	2.3%/70%	17,575 SF	3.3%/70%	27,886 SF	3.1%/64%	32,068 SF	3.3%/59%	32,068 SF	7.9%/68%	20,428 SF	1.1%/75%	26,204 SF	2.4%/75%
Birmingham YMCA	7,193 SF	7.7%/29%	7394 SF	3.2%/30%	7,642 SF	1.8%/18%	13,018 SF	7.6%/24%	13,018 SF	9.4%/27%	6,810 SF	17%/24%	8,734 SF	7.5%/24%
City of Birmingham (Parks & Rec)	294 SF	0.7%/1%	0 SF	0	360 SF	0.6%/1%	360 SF	0.5%/1%	360 SF	0.5%/1%	360 SF	0.9%/1%	360 SF	0.7%/1%
City of Birmingham Future Lease	0 SF	0%	0 SF	0%	7,422 SF	1.5%/17%	8,959 SF	2.1%/16%	1,929 SF	2.9%/4%	0 SF	0%	0 SF	0%
Facility Areas	1,537 SF	3.80%	1,841 SF	4.50%	2,760 SF	4.30%	3,202 SF	4.30%	3,202 SF	4.80%	3,202 SF	8.00%	3,202 SF	6.40%
Circulation	14,406 SF	35.50%	13,821 SF	34.00%	18,570 SF	28.70%	16,373 SF	22.10%	16,373 SF	24.50%	9,200 SF	23.00%	11,500 SF	23.00%
Total	40,631 SF	100%	40,631 SF	100%	64,640 SF	100%	73,980 SF	100%	66,950 SF	100%	40,000 SF	100%	50,000 SF	100%
Building Circulation	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total
Gross Building Area	40,631 SF	100%	40,631 SF	100%	64,640 SF	100%	73,980 SF	100%	66,950 SF	100%	40,000 SF	100%	50,000 SF	100%
Net Lease Area	26,225 SF	64.5%	26,810 SF	66.0%	46,070 SF	71.3%	57,607 SF	77.9%	50,577 SF	75.5%	30,800 SF	77.0%	38,500 SF	77.0%
Circulation	14,406 SF	35.5%	13,821 SF	34.0%	18,570 SF	28.7%	16,373 SF	22.1%	16,373 SF	24.5%	9,200 SF	23.0%	11,500 SF	23.0%
Building Cost		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF
Construction	\$15,462,687	\$380.56	\$15,862,496	\$390.40	\$23,774,798	\$367.80	\$28,751,579	\$388.64	\$27,921,029	\$417.04	\$16,930,289	\$423.26	\$20,306,615	\$388.00
Soft Costs	\$5,425,458	\$133.53	\$5,504,360	\$135.47	\$7,963,752	\$123.20	\$9,256,709	\$125.12	\$8,858,876	\$132.32	\$5,793,093	\$144.83	\$7,079,893	\$125.00
Total	\$20,888,145	\$514.09	\$21,366,856	\$525.87	\$31,738,550	\$491.00	\$38,008,288	\$513.76	\$36,779,905	\$549.36	\$22,723,382	\$568.08	\$27,386,508	\$513.00
Add for 4,500 SF Pool - Total Project Cost							\$3,600,000	\$800.00			\$3,600,000	\$800.00	\$3,600,000	\$800.00
Construction Duration (Months) / Finish based on Const Start - May 2025	12	May-26	14	Jul-26	18	Nov-26	18	Nov-26	18	Nov-26	14	Jul-26	14	Jul-26
Building Operating Cost														
Deferred Maintenance	\$20,000	\$0.49	\$20,000	\$0.49	\$20,000	\$0.31	\$0	\$0.00	\$0	\$0.00	\$0	\$0.00	\$0	\$0.00
Gas	\$23,037		\$23,037		\$21,650		\$17,755		\$16,068		\$9,600		\$12,000	
Electric	\$141,640		\$141,640		\$240,335		\$155,358		\$140,595		\$84,000		\$105,000	
Total	\$184,677		\$184,677		\$281,985		\$173,113		\$156,663		\$93,600		\$117,000	
Parking	145		145		145		145		145		145		145	
Exist 149 (72 Y, 55 St James, Floyd ROW 22)														
Notes														
	30% Savings for Elec and Gas with new equip		30% Savings for Elec and Gas with new equip		30% Savings for Elec and Gas with new equip									

SUMMARY OF COSTS			Option 1		40,631	Option 1B		40,631	Option 2		64,640	Option 3		73,980	Option 3a		66,950
ITEM	TRADE SUMMARY		AMOUNT		\$/SF	AMOUNT		\$/SF	AMOUNT		\$/SF	AMOUNT		\$/SF	AMOUNT		\$/SF
A10	Foundations		\$ 413,258		10.17	\$ 159,758		3.93	\$ 459,526		7.11	\$ 228,746		3.09	\$ 228,746		3.42
A20	Basement Construction		\$ 125,000		3.08	\$ 125,000		3.08	\$ 679,933		10.52	\$ 1,135,222		15.34	\$ 898,430		13.42
B10	Superstructure		\$ 199,150		4.90	\$ 199,150		4.90	\$ 866,105		13.40	\$ 1,720,975		23.26	\$ 1,671,765		24.97
B20	Exterior Enclosure		\$ 287,951		7.09	\$ 287,951		7.09	\$ 999,415		15.46	\$ 1,771,605		23.95	\$ 1,764,575		26.36
B30	Roofing		\$ 592,425		14.58	\$ 602,425		14.83	\$ 716,521		11.08	\$ 751,571		10.16	\$ 751,571		11.23
C10	Interior Construction		\$ 1,282,137		31.56	\$ 1,264,266		31.12	\$ 1,971,876		30.51	\$ 2,392,496		32.34	\$ 2,385,818		35.64
C20	Stairs		\$ 258,080		6.35	\$ 258,080		6.35	\$ 357,385		5.53	\$ 482,850		6.53	\$ 482,850		7.21
C30	Interior Finishes		\$ 815,116		20.06	\$ 889,971		21.90	\$ 1,270,601		19.66	\$ 1,584,366		21.42	\$ 1,456,069		21.75
D10	Conveying Systems		\$ 185,000		4.55	\$ 185,000		4.55	\$ 370,000		5.72	\$ 370,000		5.00	\$ 370,000		5.53
D20	Plumbing		\$ 867,200		21.34	\$ 966,900		23.80	\$ 1,058,900		16.38	\$ 1,339,780		18.11	\$ 1,339,780		20.01
D30	HVAC		\$ 2,431,593		59.85	\$ 2,570,341		63.26	\$ 3,282,305		50.78	\$ 3,229,630		43.66	\$ 3,048,345		45.53
D40	Fire Protection		\$ 325,195		8.00	\$ 331,960		8.17	\$ 391,780		6.06	\$ 559,000		7.56	\$ 521,750		7.79
D50	Electrical		\$ 1,779,385		43.79	\$ 1,518,753		37.38	\$ 2,842,550		43.98	\$ 3,047,558		41.19	\$ 3,047,558		45.52
E10	Equipment		\$ 24,000		0.59	\$ 199,000		4.90	\$ 199,000		3.08	\$ 199,000		2.69	\$ 199,000		2.97
E20	Furnishings		\$ 53,000		1.30	\$ 53,000		1.30	\$ 63,000		0.97	\$ 68,000		0.92	\$ 68,000		1.02
F10	Special Construction		\$ 0		0.00	\$ 286,913		7.06	\$ 0		0.00	\$ 0		0.00	\$ 0		0.00
F20	Selective Demolition		\$ 442,679		10.90	\$ 392,679		9.66	\$ 544,039		8.42	\$ 869,912		11.76	\$ 869,912		12.99
G10	Site Preparation		\$ 170,829		4.20	\$ 170,829		4.20	\$ 170,829		2.64	\$ 176,329		2.38	\$ 176,329		2.63
G20	Site Improvement		\$ 590,932		14.54	\$ 590,932		14.54	\$ 590,932		9.14	\$ 660,432		8.93	\$ 660,432		9.86
G30	Site Mechanical Utilities		\$ 175,893		4.33	\$ 175,893		4.33	\$ 175,893		2.72	\$ 259,268		3.50	\$ 259,268		3.87
G40	Site Electrical Utilities		\$ 237,250		5.84	\$ 237,250		5.84	\$ 237,250		3.67	\$ 243,250		3.29	\$ 243,250		3.63
Z10	General Requirements for Construction		\$ 114,000		2.81	\$ 175,000		4.31	\$ 261,000		4.04	\$ 261,000		3.53	\$ 261,000		3.90
	Design Contingency - 15%		\$ 1,705,511		41.98	\$ 1,710,570		42.10	\$ 2,626,326		40.63	\$ 3,202,649		43.29	\$ 3,105,667		46.39
	Subtotal		\$ 13,075,583		321.81	\$ 13,351,621		328.61	\$ 20,135,167		311.50	\$ 24,553,639		331.90	\$ 23,810,114		355.64
	Construction Contingency - 5%		\$ 653,800		16.09	\$ 655,700		16.14	\$ 1,006,800		15.58	\$ 1,227,700		16.60	\$ 1,190,500		17.78
	Subcontractor Default Insurance - 4.24% 0.5%	0.50%	\$ 65,378		1.61	\$ 66,758		1.64	\$ 100,676		1.56	\$ 122,768		1.66	\$ 119,051		1.78
	Building Permit Allowance	1.00%	\$ 135,000		3.32	\$ 135,000		3.32	\$ 201,500		3.12	\$ 241,000		3.26	\$ 241,000		3.60
	Pre-Construction		\$ 24,000		0.59	\$ 24,000		0.59	\$ 35,000		0.54	\$ 35,000		0.47	\$ 35,000		0.52
	Construction Staffing		\$ 480,000		11.81	\$ 560,000		13.78	\$ 720,000		11.14	\$ 720,000		9.73	\$ 720,000		10.75
	General Conditions for Construction		\$ 180,000		4.43	\$ 210,000		5.17	\$ 270,000		4.18	\$ 270,000		3.65	\$ 270,000		4.03
	Performance Bond - 1%	1.00%	\$ 130,756		3.22	\$ 133,516		3.29	\$ 201,352		3.11	\$ 245,536		3.32	\$ 238,101		3.56
	Builder's Risk Insurance - 0.25%	0.25%	\$ 32,689		0.80	\$ 33,379		0.82	\$ 50,338		0.78	\$ 61,384		0.83	\$ 59,525		0.89
	Project Insurance - .95%	0.95%	\$ 146,339		3.60	\$ 147,842		3.64	\$ 225,004		3.48	\$ 272,095		3.68	\$ 264,236		3.95
	Construction Manager's Fee - 3.5%	3.50%	\$ 539,142		13.27	\$ 544,680		13.41	\$ 828,962		12.82	\$ 1,002,456		13.55	\$ 973,502		14.54
ESTIMATED CONSTRUCTION			\$ 15,462,687		\$ 380.56	\$ 15,862,496		\$ 390.40	\$ 23,774,798		\$ 367.80	\$ 28,751,579		\$ 388.64	\$ 27,921,029		\$ 417.04

	Design & Review		\$ 1,511,948	37.21	\$ 1,547,331	38.08	\$ 2,337,570	36.16	\$ 2,803,015	37.89	\$ 2,729,511	40.77
	A/E Fees	7%	\$ 1,082,388	26.64	\$ 1,110,375	27.33	\$ 1,664,236	25.75	\$ 2,012,611	27.20	\$ 1,954,472	29.19
	Reimbursables	5%	\$ 54,119	1.33	\$ 55,519	1.37	\$ 83,212	1.29	\$ 100,631	1.36	\$ 97,724	1.46
	Other Consultants(Commissioning, etc)		\$ 100,000	2.46	\$ 100,000	2.46	\$ 100,000	1.55	\$ 100,000	1.35	\$ 100,000	1.49
	Regulatory/Tap Fees	1.5%	\$ 231,940	5.71	\$ 237,937	5.86	\$ 356,622	5.52	\$ 431,274	5.83	\$ 418,815	6.26
	Phase 1 & 2 Surveys			0.00		0.00		0.00		0.00		0.00
	Geotech/Soil Borings		\$ 10,000	0.25	\$ 10,000	0.25	\$ 25,000	0.39	\$ 25,000	0.34	\$ 25,000	0.37
	Abatement Specification & Monitoring		\$ 8,500	0.21	\$ 8,500	0.21	\$ 8,500	0.13	\$ 8,500	0.11	\$ 8,500	0.13
	Abatement (included in const)			0.00		0.00		0.00		0.00		0.00
	Construction Testing		\$ 25,000	0.62	\$ 25,000	0.62	\$ 100,000	1.55	\$ 125,000	1.69	\$ 125,000	1.87
				0.00		0.00		0.00		0.00		0.00
	Management & Inspection		\$ 650,500	16.01	\$ 650,500	16.01	\$ 650,500	10.06	\$ 650,500	8.79	\$ 650,500	9.72
	Owner Admin. Costs (KMG)		\$ 625,500	15.39	\$ 625,500	15.39	\$ 625,500	9.68	\$ 625,500	8.45	\$ 625,500	9.34
	Move-in/Reloc. Costs		\$ 25,000	0.62	\$ 25,000	0.62	\$ 25,000	0.39	\$ 25,000	0.34	\$ 25,000	0.37
				0.00		0.00		0.00		0.00		0.00
	FF&E		\$ 1,364,088	33.57	\$ 1,364,088	33.57	\$ 2,090,360	32.34	\$ 2,372,895	32.07	\$ 2,160,238	32.27
	Artwork	\$ 2.00	\$ 81,262	2.00	\$ 81,262	2.00	\$ 129,280	2.00	\$ 147,960	2.00	\$ 133,900	2.00
	Furnishings	\$ 10.00	\$ 406,310	10.00	\$ 406,310	10.00	\$ 646,400	10.00	\$ 739,800	10.00	\$ 669,500	10.00
	Interior Plantings	\$ 1.25	\$ 50,789	1.25	\$ 50,789	1.25	\$ 80,800	1.25	\$ 92,475	1.25	\$ 83,688	1.25
	IT Cabling	\$ 6.00	\$ 243,786	6.00	\$ 243,786	6.00	\$ 387,840	6.00	\$ 443,880	6.00	\$ 401,700	6.00
	IT Equipment/Access Points		\$ 0	0.00	\$ 0	0.00	\$ 0	0.00	\$ 0	0.00	\$ 0	0.00
	Security Wiring & Equipment	\$ 5.00	\$ 203,155	5.00	\$ 203,155	5.00	\$ 323,200	5.00	\$ 369,900	5.00	\$ 334,750	5.00
	AV Equipment	\$ 3.00	\$ 121,893	3.00	\$ 121,893	3.00	\$ 193,920	3.00	\$ 221,940	3.00	\$ 200,850	3.00
	Interior Signage	\$ 1.50	\$ 60,947	1.50	\$ 60,947	1.50	\$ 96,960	1.50	\$ 110,970	1.50	\$ 100,425	1.50
	Exterior Signage		\$ 35,000	0.86	\$ 35,000	0.86	\$ 35,000	0.54	\$ 35,000	0.47	\$ 35,000	0.52
	Fitness Equipment			0.00		0.00		0.00		0.00		0.00
	Food Service Equipment		\$ 100,000	2.46	\$ 100,000	2.46	\$ 100,000	1.55	\$ 100,000	1.35	\$ 100,000	1.49
	Misc. FF&E	\$ 1.50	\$ 60,947	1.50	\$ 60,947	1.50	\$ 96,960	1.50	\$ 110,970	1.50	\$ 100,425	1.50
			\$ 0	0.00	\$ 0	0.00	\$ 0	0.00	\$ 0	0.00	\$ 0	0.00
	Owner Contingency	10%	\$ 1,898,922	46.74	\$ 1,942,442	47.81	\$ 2,885,323	44.64	\$ 3,457,799	46.74	\$ 3,346,128	49.98
	ESTIMATED SOFT COSTS		\$ 5,425,458	\$ 133.53	\$ 5,504,360	\$ 135.47	\$ 7,963,752	\$ 123.20	\$ 9,284,209	\$ 125.50	\$ 8,886,376	\$ 132.73
	TOTAL PROJECT		\$ 20,888,144	514.09	\$ 21,366,857	525.88	\$ 31,738,551	491.00	\$ 38,035,787	514.14	\$ 36,807,405	549.77



Senior / Recreation Center Project

Vision Statement:

Create a welcoming and dynamic hub where all the members of the community can gather in an environment that promotes socialization, physical activity and lifelong learning that enhance both personal and community wellness.

Goals:

1. Develop a plan for an open, welcoming, adaptable active senior/community facility with flexibility for current and future uses.
2. Integrate the design and use of the senior/community center with St. James Park.
3. Ensure safe and accessible design of the building(s) and site for users of all ages and abilities.
4. Incorporate sustainable concepts, design and materials, when practical, to reduce environmental impact.
5. Complete design and construction of a new or renovated facility and site on time and within the established budget.

Objectives:

1. Create a permanent home for Next.
2. Support Next in providing a wide range of programs and services.
3. Provide community gathering spaces (indoors and outdoors).
4. Provide a facility that promotes the provision of health, fitness, and recreation programming for the community.
5. Design a facility that encourages social interaction and emotional enrichment for the community.
6. Design a facility that promotes multigenerational programming opportunities and lifelong learning.

Relevant City Strategic Goal:

- 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

Project Timeline

Phase 1: Needs Assessment

2/12 - CC	Hired Consultants for Needs Assessment & Concept Plans
3/4 - CC	Creation of Ad Hoc Senior/Recreation Center Committee
3/18 - CC	Appointments to Ad Hoc Senior/Recreation Center Committee
3/20 - SCC	- Select Chair and Vice-Chair - Establish future meeting schedule - Review purpose of Ad Hoc Committee - Discuss duties of Ad Hoc Committee - Review draft Community Survey - Begin crafting vision, goals & objectives of project - Prepare draft project process and timeline - Go live with Community Survey (through 4/26) - Finalize vision, goals and objectives of project - Finalize project process and timeline - Finalize project process and timeline - Discuss use and timing of owner's representative
3/22 - Survey	
3/27 - SCC	
4/3 - SCC	
4/8 - CC	
4/10 - SCC	
4/17 - SCC	YMCA facility tour (meeting to be held on site at 400 E. Lincoln)
4/18 - Post RFP for OR	- Review findings of Programming Study - Review and finalize RFP for owner's representative - Post RFP on MITN for owner's representative (due 5/10)
4/24 - SCC	Finalize RFQ for architects to qualify for final design and construction plan preparation
4/25 - Post RFQ for Architects	Post RFQ on MITN for architects to qualify for final design and construction plan preparation (due 5/16)
4/26 - Report	Delivery of Needs Assessment Report
4/29 - Open House	- Conduct community open house at YMCA (6-8pm) - Present findings of Community Survey
5/1 - SCC	- Review community survey & open house public input - Review Needs Assessment Report
5/8 - SCC	Final review and recommendation of Needs Assessment Report to City Commission
5/10 - OR Responses	Responses due from RFP for owner's representative
5/15 - SCC	- Review and evaluate proposals for owner's representative - Recommend preferred owner's representative to City Commission
5/16 - RFQ Responses	Responses due from RFQ for architects
5/20 - CC	- Needs Assessment Report presented to City Commission for approval - City Commission selects owner's representative

Project Timeline

Phase 2: Concept Plans

5/22 - SCC	• Owner's representative attends first ad hoc meeting • Review responses from RFQ for architects
5/29 - SCC	• Review draft RFP for final design and construction plan preparation
6/11 – Report (90%)	• Delivery of Draft Report (90% complete)
6/12 - SCC	• Finalize RFP for final design and construction plan preparation • Discuss potential funding options
6/19 - SCC	• Review Draft Report
6/21 – Concept Plans & Final Report	• Delivery of concept plan options • Delivery of Final Report
6/26 - SCC	• Evaluate concept plan options • Review Final Report
7/10 - SCC	• Recommend preferred concept plan & Final Report to City Commission
7/22 - CC	• Preferred concept plan & Final Report presented to City Commission for approval • Discuss potential funding options

Phase 3: Final Site Plan & Design Review, Preparation of Construction Plans

7/23 – Post RFP	• Post RFP for final design and construction plan preparation (due 8/22)
7/24 - SCC	• Available if needed
7/31 - SCC	• Discuss parameters and applicable regulations for site plan and design review
8/22 – RFP Proposals	• Final design and construction plan proposals due
8/28 - SCC	• Review and evaluate architectural proposals received
9/4 - SCC	• Interview architectural consultants • Recommend architectural consultants to City Commission
9/9 – CC	• Recommend and/or interview architectural consultants at City Commission • Award consultant contract
9/18 - SCC	• Begin design discussions with architectural consultants
9/25 - SCC	• Review draft RFP / bid for project construction
10/2 - SCC	• Begin site plan and design review
10/9 – SCC	• Continue site plan and design review
10/16 - SCC	• Continue site plan and design review
10/23 – SCC	• Continue site plan and design review • Recommend final site plan and design to City Commission
10/28 - CC	• Final site plan and design for 400 E. Lincoln presented to City Commission for approval
10/30 - SCC	• Finalize RFP / bid for project construction
11/18 - CC	• Second meeting if needed for final site plan and design approval

Project Timeline

Phase 4: Construction & Construction Management

11/11 – 12/2 Post RFP/Bid	• Post RFP or bid for construction with approved site plan and design plans (due in 30-45 days)
1/27/25 - CC	• Award construction contract

City Manager

Presented by: J. Ecker /B.
Deming KMG

Date: July 22, 2024

Senior / Recreation Center

Conceptual Report Review and Recommendation



Final Report Outline

- Community Engagement
- Programming
- Facility Condition Assessment
- Recommendations
 - Options
 - Engineering Summaries
 - Cost Estimates



Community Engagement

- Online Surveys
- Paper Surveys
- Open House / Town Hall Events

How important you find the following amenities: (1- Not important at all to 5- Very Important)	Response	Total weight	Total Responses	Weighted Average
	Nearby parking with safe, well-lit spaces	864	188	4.58
	Lifelong learning	805	188	4.28
	Indoor fitness equipment	812	191	4.25
	Adult education classes	641	159	4.03
	Creative arts	691	181	3.82
	Outdoor seating and tables	955	250	3.82
	Locker rooms	675	180	3.75
	Handicap parking spaces	643	171	3.76
	Restrooms easily accessed from St. James Park	666	182	3.66
	Craft space	645	179	3.60
	Performing arts	620	172	3.60
	Swimming pool	686	198	3.46
	Extended evening hours	594	175	3.39
	Civic events	579	174	3.33
	Separation of recreation and senior spaces	571	174	3.28
	Early morning hours	578	179	3.23
	Showers	546	173	3.16
	Snack bar	548	177	3.10
	Shared recreation and senior spaces	528	171	3.09
	Outdoor fitness equipment	511	168	3.04
	Vending machines	511	186	2.75
	Space rentals for parties	458	170	2.69
	Youth/family programs	489	181	2.70
	Indoor children's playspace	392	155	2.53
	Birmingham Parks and Recreation offices	390	157	2.48
	Child watch	386	170	2.27

SENIOR/RECREATION CENTER COMMUNITY SURVEY

Complete this form or take this survey online at www.bhamgov.org/senior-recreation-center. Submit your feedback by Friday, April 26, 2024.

BIRMINGHAM
A WALKABLE CITY

The new Birmingham recreational facility located at 400 S. Lincoln will become the new home of Next Senior Services and provide recreational opportunities for Birmingham residents. Please complete this survey by April 26 and share your ideas about what should be included in the new facility.

Demographics

What city do you live in? _____ Number of people living in your home: _____

Your age range: ☐ Under 35 ☐ 36-45 ☐ 46-55 ☐ 56-65 ☐ 66-75 ☐ 76-85 ☐ Over 85

Gender: _____

Senior/Recreation Center Usage

In what ways do you envision yourself utilizing the senior/recreation facility? Check all that apply.

☐ As a member of Next (Next programs and activities) ☐ Renting an event room (hosting a party, baby shower, etc.) ☐ Serving court time

☐ Open gym ☐ Using fitness equipment ☐ Youth sports league ☐ Fitness classes

☐ Youth sports league ☐ Using a meeting room for a community meeting ☐ Other: _____

What activities would you like to do at this facility? Check all that apply.

☐ Walking/running ☐ Basketball ☐ Pickleball ☐ Volleyball ☐ Lift weights ☐ Play cards or table games ☐ Meet with friends ☐ Participate as a member of Next ☐ Other: _____

Developed by NORR, LLC and the Ad Hoc Senior/Recreation Center Committee www.bhamgov.org/arc

Programming

Individual Programs

	Next	YMCA	City of Birmingham
Program Net Square Footage	30,940 SF	17,060 SF	460 SF
Circulation/Part (30%)	12,902 SF	7,114 SF	197 SF
Gross Square Footage	43,842 SF	24,174 SF	657 SF

Combined Program with Shared Spaces

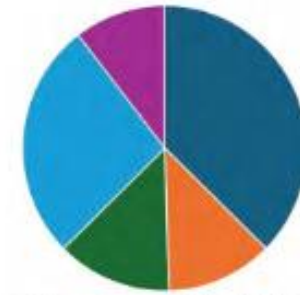
44,390 SF	Building Area Subtotal (Net Square Footage)
13,317 SF	Circulation (30%)
5,194 SF	Partitions / MEP (9%)
62,901 SF	Building Area Grand Total (Gross Square Footage)



Facility Condition Assessment

- Numerous Code and Accessibility Issues
- Aged Mechanical and Electrical Systems
- Inefficient Layout for intended use
- Structural Issues

Existing Door Summary
82 Total Doors



- Door Hardware not Compliant
- Doors Not Properly Reopened
- Existing Doors that are Compliant
- Door Width Not ADA Compliant
- Doors not ADA Compliant



Recommendations

- Options – test fit of program information
 - 1 – Renovate Existing Building
 - 2 – Renovate Existing with Addition
 - 3 – New Building
- Engineering Summaries
 - Detailed to provide basis for estimate
- Cost Estimates
 - Additional Options
 - New Building, 40,000 SF, No Basement
 - New Building, 50,000 SF, No Basement



Summary of Options & Cost Estimates

	Option 1 - Exst Bldg		Option 1A - Exst Bldg w/Pool		Option 2 - Exst Bldgw/ Addition		Option 3 - New Building		Option 3A - New Building Reduce Future		Option 4 - New Building - On Grade 40k SF		Option 4A - New Building - On Grade 50k SF	
	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease
Building Area Breakdown														
Birmingham NEXT	17,201 SF	42.3%/70%	17,575 SF	43.3%/70%	27,886 SF	43.1%/64%	32,068 SF	43.3%/59%	32,068 SF	47.9%/68%	20,428 SF	51.1%/75%	26,204 SF	52.4%/75%
Birmingham YMCA	7,193 SF	17.7%/29%	7,394 SF	18.2%/30%	7,642 SF	11.8%/18%	13,018 SF	17.6%/24%	13,018 SF	19.4%/27%	6,810 SF	17%/24%	8,734 SF	17.5%/24%
City of Birmingham (Parks & Rec)	294 SF	0.7%/1%	0 SF	0	360 SF	0.6%/1%	360 SF	0.5%/1%	360 SF	0.5%/1%	360 SF	0.9%/1%	360 SF	0.7%/1%
City of Birmingham Future Lease	0 SF	0%	0 SF	0%	7,422 SF	11.5%/17%	8,959 SF	12.1%/16%	1,929 SF	2.9%/4%	0 SF	0%	0 SF	0%
Facility Areas	1,537 SF	3.80%	1,841 SF	4.50%	2,760 SF	4.30%	3,202 SF	4.30%	3,202 SF	4.80%	3,202 SF	8.00%	3,202 SF	6.40%
Circulation	14,406 SF	35.50%	13,821 SF	34.00%	18,570 SF	28.70%	16,373 SF	22.10%	16,373 SF	24.50%	9,200 SF	23.00%	11,500 SF	23.00%
Total	40,631 SF	100%	40,631 SF	100%	64,640 SF	100%	73,980 SF	100%	66,950 SF	100%	40,000 SF	100%	50,000 SF	100%
Building Circulation														
Gross Building Area	40,631 SF	100%	40,631 SF	100%	64,640 SF	100%	73,980 SF	100%	66,950 SF	100%	40,000 SF	100%	50,000 SF	100%
Net Lease Area	26,225 SF	64.5%	26,810 SF	66.0%	46,070 SF	71.3%	57,607 SF	77.9%	50,577 SF	75.5%	30,800 SF	77.0%	38,500 SF	77.0%
Circulation	14,406 SF	35.5%	13,821 SF	34.0%	18,570 SF	28.7%	16,373 SF	22.1%	16,373 SF	24.5%	9,200 SF	23.0%	11,500 SF	23.0%
Building Cost		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF
Construction	\$15,462,687	\$380.56	\$15,862,496	\$390.40	\$23,774,798	\$367.80	\$28,751,579	\$388.64	\$27,921,029	\$417.04	\$16,930,289	\$423.26	\$20,306,615	\$388.00
Soft Costs	\$5,425,458	\$133.53	\$5,504,360	\$135.47	\$7,963,752	\$123.20	\$9,256,709	\$125.12	\$8,858,876	\$132.32	\$5,793,093	\$144.83	\$7,079,893	\$125.00
Total	\$20,888,145	\$514.09	\$21,366,856	\$525.87	\$31,738,550	\$491.00	\$38,008,288	\$513.76	\$36,779,905	\$549.36	\$22,723,382	\$568.08	\$27,386,508	\$513.00
Add for 4,500 SF Pool - Total Project Cost							\$3,600,000	\$800.00			\$3,600,000	\$800.00	\$3,600,000	\$800.00
Construction Duration (Months) / Finish based on Const Start - May 2025														
	12	May-26	14	Jul-26	18	Nov-26	18	Nov-26	18	Nov-26	14	Jul-26	14	Jul-26
Building Operating Cost														
Deferred Maintenance	\$20,000	\$0.49	\$20,000	\$0.49	\$20,000	\$0.31	\$0	\$0.00	\$0	\$0.00	\$0	\$0.00	\$0	\$0.00
Gas	\$23,037		\$23,037		\$21,650		\$17,755		\$16,068		\$9,600		\$12,000	
Electric	\$141,640		\$141,640		\$240,335		\$155,358		\$140,595		\$84,000		\$105,000	
Total	\$184,677		\$184,677		\$281,985		\$173,113		\$156,663		\$93,600		\$117,000	
Parking	145		145		145		145		145		145		145	
Exist 149 (72 Y, 55 St James, Floyd ROW 22)														
Notes														
	30% Savings for Elec and Gas with new equip		30% Savings for Elec and Gas with new equip		30% Savings for Elec and Gas with new equip									

Additional Discusssion

- Legal Review
- Fiscal Impact
 - Additional Millage
 - General Obligation Bonds
 - Use of Fund Balance
 - Grant Funding
 - Philanthropic Donations
 - Contributions from Other Organization
- Sustainability
- Public Communications



Recommendations from Ad Hoc Committee

- Option 1, as presented by consultants and staff, being a renovation of the existing YMCA building located at 400 E Lincoln St, Birmingham, MI 48009, not be considered because it is not financially responsible and does not meet the goals 1 through 4 of the senior/recreation center project and that a new facility is the preferred choice;
 - AND
- A new building according to option 4A as presented by the staff and City consultants be built, not to exceed approximately 28 million dollars, as it meets goals 1 through 4 and objectives 1 through 6 of the senior/recreation center project, with an option for consideration of a pool not to exceed 3.6 million dollars in costs;
 - AND
- Furthermore, to direct the City Manager to take the necessary steps in order to facilitate the design, funding and construction of a new senior/recreation facility.

Next Steps

- Issue RFP for Architect for Short Listed Firms
- Consider funding options and approve any proposed ballot language
- Select the architectural/engineering team to complete final design and construction drawings
- Consider and select construction manager to coordinate procurement and construction
- Continue to work with Next, the YMCA and the other communities served by Next to formalize agreements as needed



MEMORANDUM

City Manager's Office

DATE: July 15, 2024
TO: City Commission
FROM: Jana L. Ecker, City Manager
SUBJECT: 12 Month Performance Review

As of July 1, 2024, I have completed one year of service as City Manager. Per the terms of our agreement, "the Commission agrees that it shall establish certain goals and objectives upon which the Employee's performance may be evaluated, and the City will conduct performance evaluations after six (6) months, at the one (1) year anniversary and annually thereafter."

During the regular meeting on April 8, 2024, the City Commission conducted a performance evaluation of my tenure. This evaluation was conducted in a closed session as permitted by the Open Meetings Act under MCL §15.268(a).

For my twelve-month review, I propose that the City Commission consider conducting a structured evaluation focusing on the achievement of goals and objectives established for my role. I have included examples of City Manager evaluation instruments utilized by other municipalities for the Commission's review and consideration. It is recommended that the City Commission select one of the attached performance evaluation forms. Once selected, each City Commissioner may complete the form prior to the proposed closed session evaluation on August 12, 2024.

ATTACHMENTS:

- City Manager Performance Evaluation, City of Austin
- City Manager Performance Evaluation, City of Port Huron
- City Manager Performance Evaluation, City of Lexington
- City Manager Performance Evaluation, City of Durand

City Manager Performance Evaluation

City of Austin

Evaluation period: _____ to _____

Council Member's Name

Each Council Member should complete this evaluation form, sign it in the space below, and return it to the Director of the Human Resources Department. The deadline for submitting this performance evaluation is five business days prior to the City Manager's posted evaluation. Evaluations will be summarized by Human Resources staff and provided to the Mayor and Council Members for discussion during Executive Session on _____.

Council Member's Signature

Date Submitted

INSTRUCTIONS

This evaluation form includes two parts: A quantitative score sheet, covering multiple categories of performance criteria; and a narrative comments section. A summary of the score sheet results and all narrative comments will be distributed to all Council Members in executive session, and will be used as a basis for Council discussion of the City Manager's performance.

Score sheet. Each of the categories contains multiple statements that describe a behavior standard in that category. For each statement, rate the City Manager's performance along the following scale.

- 5 = excellent (almost always exceeds the performance standard)
- 4 = above average (generally exceeds the performance standard)
- 3 = average (generally meets the performance standard)
- 2 = below average (usually does not meet the performance standard)
- 1 = poor (rarely meets the performance standard)

If you do not have enough information to rate the City Manager on a particular characteristic, leave it blank. Blanks will not be included in the numerical scoring, but the number of blanks for that characteristic will be recorded.

Narrative comments. At the end of the form you will have an opportunity to respond to specific questions, and to provide any other comments you believe appropriate and pertinent to the City Manager's evaluation. Please write legibly or attach a printed Word document.

Please leave all pages of this evaluation form attached. Initial each page, including any printed sheets you attached. Sign and date the cover page. All evaluations submitted prior to the deadline will be included in the summary prepared for Council discussion.

PERFORMANCE CATEGORY SCORING

1. INDIVIDUAL CHARACTERISTICS

- _____ Diligent and thorough in the discharge of duties, "self-starter"
- _____ Exercises good judgment
- _____ Displays enthusiasm, cooperation, and will to adapt
- _____ Exhibits composure and attitude appropriate for executive position

2. PROFESSIONAL SKILLS AND STATUS

- _____ Maintains knowledge of current developments affecting the practice of local government management
- _____ Demonstrates a capacity for innovation and creativity
- _____ Anticipates and analyzes problems to develop effective approaches for solving them
- _____ Willing to try new ideas proposed by governing body members and/or staff
- _____ Sets a professional example by handling affairs of the public office in a fair and impartial manner

3. RELATIONS WITH ELECTED MEMBERS OF THE GOVERNING BODY

- _____ Carries out directives of the body as a whole as opposed to those of any one member or minority group
- _____ Sets meeting agendas that reflect the guidance of the governing body and avoids unnecessary involvement in administrative actions
- _____ Disseminates complete and accurate information equally to all members in a timely manner
- _____ Assists by facilitating decision making without usurping authority
- _____ Responds well to requests, advice, and constructive criticism

4. POLICY EXECUTION

- _____ Implements governing body actions in accordance with the intent of Council
- _____ Supports the actions of the governing body after a decision has been reached, both inside and outside the organization
- _____ Understands, supports, and enforces local government's laws, policies, and ordinances
- _____ Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness
- _____ Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical

5. REPORTING

- _____ Provides regular information and reports to the governing body concerning matters of importance to the local government, using the City Charter as a guide
- _____ Responds in a timely manner to requests from the governing body for special reports
- _____ Takes the initiative to provide information, advice, and recommendations to the governing body on matters that are non-routine and not administrative in nature
- _____ Reports produced by the manager are accurate, comprehensive, concise and written to their intended audience
- _____ Produces and handles reports in a way to convey the message that affairs of the organization are open to public scrutiny

6. CITIZEN RELATIONS

- _____ Responsive to requests from citizens
- _____ Demonstrates a dedication to service to the community and its citizens
- _____ Maintains a nonpartisan approach in dealing with the news media
- _____ Meets with and listens to members of the community to discuss their concerns and strives to understand their interests
- _____ Makes appropriate efforts to maintain citizen satisfaction with city services

7. STAFFING

- _____ Recruits and retains competent personnel for staff positions
- _____ Applies an appropriate level of supervision to improve any areas of substandard performance
- _____ Stays accurately informed and appropriately concerned about employee relations
- _____ Ensures professional management of the compensation and benefits plan
- _____ Promotes training and development opportunities at all levels of the organization

8. SUPERVISION

- _____ Encourages heads of departments to make decisions within their jurisdictions with minimal city manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff
- _____ Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level
- _____ Develops and maintains a friendly and informal relationship with the staff and work force in general, yet maintains the professional dignity of the City Manager's office
- _____ Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback
- _____ Encourages teamwork, innovation, and effective problem-solving among staff members

9. FISCAL MANAGEMENT

- _____ Prepares a balanced budget to provide services at a level directed by Council
- _____ Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- _____ Prepares a budget and budgetary recommendations in an intelligent and accessible format
- _____ Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability
- _____ Appropriately monitors and manages fiscal activities of the organization

10. COMMUNITY

- _____ Shares responsibility for addressing the difficult issues facing the City
- _____ Avoids unnecessary controversy
- _____ Cooperates with neighboring communities and the country
- _____ Helps the Council address future needs and develop adequate plans to address long term trends
- _____ Cooperates with other regional, state, and federal government agencies

NARRATIVE EVALUATION

What would you identify as the City Manager's strengths, expressed in terms of the principal results achieved during the rating period?

What performance areas would you identify as most critical for improvement?

[illegible]

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.



**CITY OF PORT HURON
MAYOR AND CITY COUNCIL
CITY MANAGER PERFORMANCE EVALUATION**

PERIOD BEING EVALUATED: July 1, 2014, through June 30, 2015

This performance evaluation form is designed to assist in the evaluation of the City Manager's performance, to provide the necessary feedback to identify areas in need of improvement and to recognize positive contributions and achievements.

Carefully consider each characteristic to be evaluated. Each characteristic will receive one of six different ratings determined by the level of performance. In the event that "unacceptable" is circled, comments should be included in order to make the evaluation process constructive. For all categories, specific comments will improve communication.

Please use the following ratings and circle the appropriate number corresponding to your evaluation of the City Manager's performance in the space provided after each question. Any additional comments may be written in the comments section.

- 5: Outstanding – This rating reflects a thorough, efficient and exceptional effort
- 4: Exceeds Expectations – Above average performance, performance in excess of expected results
- 3: Meets Expectations – Satisfactory performance, all expectations met
- 2: Needs improvement – Performance is inconsistent and often ineffective
- 1: Unacceptable – Performance consistently fails to meet the minimum requirements of the job
- N/A: Not Applicable – Unable to rate; no opportunity to observe

After completing the evaluation form, it should be returned to the Mayor who will tabulate the evaluations for City Council's review and discussions with the City Manager.

The form has nine general categories for rating evaluations: (1) Relationship with City Council; (2) Management; (3) Economic Development; (4) Accomplishments; (5) Leadership; (6) Interpersonal Relations; (7) Communications; (8) Decision-Making, Problem Solving and Judgment; and (9) Personal and Professional. Additional comments may be attached.

A tenth category is for written comments on Strengths, Weaknesses, Failures and Accomplishments. Specific facts, examples and citations are very much appreciated. The final tenth category is an overall evaluation using the five point scale.

It may be helpful to ask yourself the following questions as you work through your evaluation form:

Service Delivery Management – How well is the City Manager managing the various departments? How well are those departments performing?

Human Resources Management – How effective are City employees overall? How responsive are City employees to citizens and businesses, what is the service orientation and how is the follow-through? What is the level of overall morale within the organization? How much are employees improving their work skills and what is employee retention like? How well are employee evaluations done and is discipline, when necessary, applied appropriately, fairly and even-handedly?

Financial Management – How efficiently does the organization use its limited financial resources? How good, and appropriate, is the budget process, presentation and implementation? How well is financial planning and management undertaken and, given relative economic conditions and factors outside the control of the City, is the financial condition of the City improving?

Economic Development – How well have meaningful goals and objectives been developed? How well have City programs and projects been developed? How well has Council policy-making been facilitated by good advance staff work?

Accomplishments – Have established goals and objectives been met? How well have city programs and projects been implemented? How well have Council policy directives been carried out?

City Council Relationships – How effective is the City Manager's communication and support of City Council's policy development and problem-solving?

Leadership – Has the City Manager been an effective leader and advocate for Port Huron in the regional community? Has the City Manager led the organization by creating a good example? Does the City Manager display foresight, imagination and vision and demonstrate reasonable risk-taking where rewards may be great? Does the City Manager display strategic thinking?

Interpersonal Relations – What is the status of the City Manager's relationship with the City Council? With citizens and community groups? With City employees generally? With other government agencies? With the press?

Communications – How well does the City Manager communicate orally? In written form? Does the City Manager project a positive image of the City in his/her communications? How responsive is the City Manager to citizen complaints and inquiries?

Decision-making, Problem-solving and Judgment – Does the City Manager display integrity, honesty and ethical behavior? Is the City Manager fair, impartial and objective? Are the City Manager's analyses and reports logical, clear and concise? How successful are outcomes of various negotiations the City Manager been part of? Does the City Manager display a good sense of timing? Does the City Manager exercise good judgment?

Personal and Professional – Does the City Manager approach the job with enthusiasm, energy and a positive attitude? Is the City Manager good at self-assessment and improvement? How good is the City Manager's personal and professional reputation? How good are the city Manager's listening skills? Is the City Manager full engaged in the job and fully dedicated and committed? How well does the City Manager handle stressful situations? How much job knowledge does the City Manager possess and does the City Manager diligently pursue professional development opportunities?

Other – Additional written comments and suggestions are very much appreciated and need not wait until the next formal performance evaluation.

Rating Key: 5-Outstanding; 4-Exceeds Expectations; 3-Meets Expectations; 2-Needs Improvement; 1-Unacceptable;
N/A-Unable to Rate

Rating

1. RELATIONSHIP WITH COUNCIL

Supports City Council Vision

Maintains effective communications, both verbal and written

Maintains availability to Council either personally or through designated subordinate

Plans and organizes materials for presentations to the Council either verbally or orally in the most concise, clear and comprehensive manner possible

Provides Council with sufficient alternatives to avoid being forced into a decision

Responds in a positive way to suggestions and guidance from Council

Meets time estimates

Maintains a system of reporting to Council current plans and activities of the staff

2. MANAGEMENT

Service Delivery Management

City Manager/City Clerk's Office

Economic Development

Community Safety (Police/Fire)

Public Works Department

Human Services

Administrative/Business Systems

Parks and Recreation

Human Resource Management

Staff effectiveness: How effective are City employees overall?

Staff responsiveness and follow-through: How responsive are City employees to citizens and businesses? What is the service orientation and how is the follow-through?

Rating Key: 5-Outstanding; 4-Exceeds Expectations; 3-Meets Expectations; 2-Needs Improvement; 1-Unacceptable;
N/A-Unable to Rate

Rating

Staff morale: What is the level of overall morale within the organization?

Staff development and retention: How much are employees improving their work skills and what is employee retention like?

Staff evaluations (and discipline as necessary): How well are employee evaluations done and is discipline, when necessary, applied appropriately, fairly and even-handedly?

Financial Management

Organizational efficiency: How efficiently does the organization use its limited financial resources?

Budget: How good, and appropriate, is the budget process, presentation and implementation?

Financial position: How well is financial planning and management undertaken and, given relative economic conditions and factors outside the control of the City; is the financial condition of the City government improving?

3. ECONOMIC DEVELOPMENT

Maintains knowledge of new technologies, systems and methods in relation to city services.

Keeps Council advised of new and impending legislation and developments in the area of public policy.

Plans and organizes a process of program planning in anticipation of future needs and problems.

Establishes and maintains an awareness of developments occurring within other cities or jurisdictions that may have an impact on city activities.

Overall degree of confidence that Council will be setting policy with City Manager's help in a proactive manner, rather than a reactive manner.

4. ACCOMPLISHMENTS

Goals and objectives: Have established goals and objectives been met?

Program implementation: How well have City programs and projects been implemented?

Policy execution: How well have Council policy directives been carried out?

Rating Key: 5-Outstanding; 4-Exceeds Expectations; 3-Meets Expectations; 2-Needs Improvement; 1-Unacceptable;
N/A-Unable to Rate

Rating

5. LEADERSHIP

Regional leadership: Has the City Manager been an effective leader and advocate for Port Huron in the regional community?

Leadership by example: Has the City Manager led the organization by creating a good example?

Foresight, imagination and vision: Does the City Manager display foresight, imagination and vision and demonstrate reasonable risk-taking where rewards may be great?

Strategic thinking: Does the City Manager display strategic thinking?

6. INTERPERSONAL RELATIONS

What is the status of the City Manager's relationship with the City Council? With citizens and community groups? With City employees generally? With other government agencies? With the press?

Council relations

Citizen and community relations

Public and press relations

7. COMMUNICATIONS

How well does the City Manager communicate orally? In written form? Does the City Manager project a positive image of the City in his communications? How responsive is the City Manager to citizen complaints and inquiries?

Oral communications

Written communications

Projection of a positive image of the City

Responsiveness to citizen complaint and inquiries

8. DECISION-MAKING, PROBLEM-SOLVING AND JUDGMENT

Integrity, honesty and ethical behavior: Does the City Manager display integrity, honesty and ethical behavior?

Fairness and objectivity: Is the City Manager fair, impartial and objective?

Analysis and reporting skills: Are the City Manager's analyses and reports logical,

Rating Key: 5-Outstanding; 4-Exceeds Expectations; 3-Meets Expectations; 2-Needs Improvement; 1-Unacceptable;
N/A-Unable to Rate

Rating

clear and concise?

Negotiation skills and outcomes: How successful are outcomes of various negotiations the City Manager has been part of?

Sense and good use of timing: Does the City Manager display a good sense of timing?

Good judgment: Does the City Manager exercise good judgment?

9. PERSONAL AND PROFESSIONAL

Attitude and energy: Does the City Manager approach the job with enthusiasm, energy and a positive attitude?

Self-assessment and improvement: Is the City Manager good at self-assessment and improvement?

Personal and professional reputation: How good is the City Manager's personal and professional reputation?

Listening skills: How good are the City Manager's listening skills?

Dedication and commitment: Is the City Manager fully engaged in the job and fully dedicated and committed to the city organization and the community?

Stress management: How well does the City Manager handle stressful situations?

Job knowledge and professional development: How much job knowledge does the City Manager possess and does the City Manager diligently pursue professional development opportunities?

10. STRENGTHS, WEAKNESSES, FAILURES AND ACCOMPLISHMENTS

Areas for City Manager to seek to improve his performance and constructive ideas for improvement

Most significant organizational failures in the last 12 months.

Most significant organizational accomplishments in the last 12 months.

11. OVERALL EVALUATION OF CITY MANAGER'S PERFORMANCE

Overall evaluation on scale of 1 to 5: _____



City Manager Performance Evaluation

September 2020

For each performance factor, please rate the City Manager on a scale from one (1) to five (5), according to how well she met your expectations for that factor:

-----1-----2-----3-----4-----5-----
Does Not Meets Exceeds
Meet Expectations Expectations Expectations

There are three reference points on the scale, defined as follows:

Exceeds Expectations (5): The City Manager’s performance clearly exceeds your expectations in this area, even of someone fully qualified to do the job of Lexington City Manager. The City Manager’s performance and contributions produce a positive impact on the performance of others and the operation of the City of Lexington.

Meets Expectations (3): The City Manager’s performance meets your expectations of someone fully qualified to do the job of Lexington City Manager. This does not mean a perfect job on everything. For the most part, she did the job the way it should be done and would not need to improve in order for her performance to be fully acceptable.

Does Not Meet Expectations (1): The City Manager's performance does not meet your expectations of someone fully qualified to do the job of Lexington City Manager and needs to improve significantly in order to satisfy you in this area.

PERFORMANCE FACTORS

- I. MANAGEMENT OF THE ORGANIZATION:** Effectively runs the operations of the organization. Creates a collaborative, team building environment for staff as a Workplace of Choice. Recognizes the accomplishments of staff and other agencies working on behalf of the City. Supports a commitment to diversity/inclusion, professional growth, succession planning, and opportunity within the organization. Accepts full accountability for staff and the outcome of City projects or decisions. Actively addresses mission critical services, identifies organizational problems and takes remedial action.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- II. EXECUTION OF POLICY:** Understands and complies with ordinances, policies and procedures governing the City including Federal and State legislation and directives. Implements City policy, fairly and consistently, based upon Council decisions, initiatives, and applicable laws and regulations. Presents matters in a factual, analytical way. Coordinates Council policy decisions to staff, other organizations and the community.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- III. FINANCIAL MANAGEMENT:** Properly prepares and manages the budget. Demonstrates ingenuity and creativity in approaching budgetary matters, including long-range financial needs, monitoring and adaptation for the organization. Incorporates evolving role of technology in service provision. Actively works to sustain cost-competitive government and utility services.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- IV. RELATIONS WITH THE COUNCIL:** Makes an effort to be accessible to Council members. Handles issues that are brought by the Council in a consistent and timely manner. Maintains an honest, truthful and professional relationship with each Council member. Keeps a positive attitude and approach to new ideas, issues and complaints raised by Council members.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- V. COMMUNITY RELATIONS AND ENGAGEMENT:** Makes an effort to understand issues, concerns, and the values of the community. Meets with and listens to members of the community to discuss concerns and strives to understand their interests. Leverages public engagements and community interactions to educate and advocate on City initiatives and services. Represents the City well and in a professional and positive manner. Works proactively and maintains a nonpartisan professional approach with the media and press. Professionally leverages social media. Works effectively and synergizes collaboration with partner agencies, neighboring jurisdictions and community organizations.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- VI. COMMUNICATIONS:** Ensures that Council members receive important information in a timely and effective manner. Provides regular updates to the Council, keeping them informed about current and critical issues. Presents the Council and community with clear and accurate reports and correspondence. Responds to correspondence, requests and complaints, timely and appropriately. Facilitates open two-way communication and encourages mutual honesty and respect with Council, staff and the community.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- VII. LEADERSHIP:** Provides the Council and the organization with real solutions and creative alternatives to issues and problems that reflect the values of the community. Anticipates and responds to issues. Assures that Council decisions are thought out, objective, consistent with past practices and are legal and ethical. Makes use of sound administrative practices. Positively leads through collaboration, mentoring, coaching and motivational techniques. Represents the organization as a positive City ambassador.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- VIII. PROFESSIONALISM:** Deals effectively and appropriately with the public and other organizations. Devotes time and energy to the job. Demonstrates high ethical standards and integrity. Works to keep “politics” and personal perspectives out of the decision making process. Stays abreast and active in professional organizations and current issues.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- IX. VISION, INITIATIVE, PLAN EXECUTION:** Sets an example that urges the organization and the community toward innovation, problem solving and solution oriented action. Actively works to envision a future state resisting the status quo and develops new ideas and initiatives for consideration. Adapts to evolving technological advancements and social media platforms. Leverages City Council Annual Summit to identify priorities for the Annual Budget and work plan and accepts responsibility for the results. Offers professional recommendations and implements Council's vision to make Lexington a City of Choice.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

NARRATIVE EVALUATION

What would you identify as the City Manager's strengths, expressed in terms of the principal results achieved during the rating period?

Click or tap here to enter text.

What performance areas would you identify as most critical for improvement?

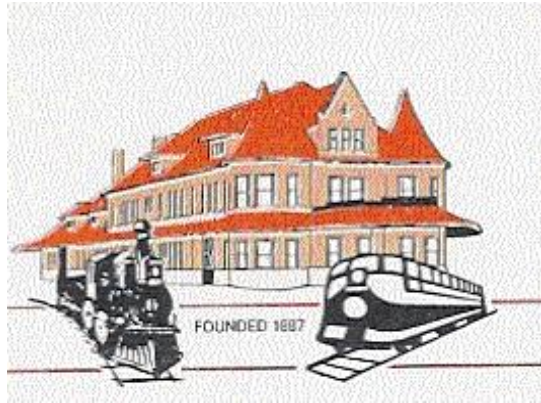
Click or tap here to enter text.

What suggestions or assistance can you offer the City Manager?

Click or tap here to enter text.

What other comments do you have for the City Manager (for example, about priorities, expectations, or specific objectives for the next year)?

Click or tap here to enter text.



**ANNUAL
CITY MANAGER
PERFORMANCE
EVALUATION
2015**

Evaluation Instructions

This evaluation is an annual critical look at the performance of the City Manager. This is also an introspective look at the relationship between the City Council and the City Manager; a communication and an opportunity on the part of the City Council to align expectations. It is an opportunity to re establish the goals and objectives for the City of Durand. It should be a positive exchange and learning process for both parties.

Responsibilities

To provide an accurate evaluation, all City Council members should keep personal notations on a minimum of a monthly basis so as to be able to refresh individual memories at the time the annual evaluation process begins. These personal notations should not be shared with other members of the City Council. In order to meet the objectives of a fair and unbiased evaluation it is important to have evaluations from all members.

Forms and Process

The following evaluation will consist of several categories for which the City Manager is responsible or has regular involvement. A ten-point assessment scale is provided in order to provide a numerical value to each question and/or category. A score of 1 would be unsatisfactory while a score of 5 would be exceptional.

Evaluations will be signed and should be completed independently. Comments in the comment area should be used to support numerical point assessments. All evaluations will be submitted to the Mayor for tabulation. After tabulation, a meeting will be set for an oral evaluation based on written evaluations. This meeting will be closed session at the request of the City Manager. It is hoped that a positive free flowing oral discussion will provide the City Manager with the direction of the City Council for the future.

To aid in the discussion of the evaluation, the City Manager will use the same form for a self-evaluation. The City Manager's self-evaluation will be completed and given to the Mayor prior to the evaluation forms being sent to the City Council. Each member of the City Council will receive the City Manager's self-evaluation and Job Description, along with a blank evaluation form to be completed and returned to the Mayor for tabulation. The City Manager's self-evaluation will be returned at the time of the evaluation meeting.

The Mayor will provide a Tabulation Summary Page to the City Manager and each member of the City Council. This page will include individual council members (but not identified by name) scoring, as well as a combined score of the board. Also on this page will be the City Manager's self evaluation score. Additionally, there will be a summary of notations, listed by question categories, or City Council comments. After the oral evaluation, the Tabulation Summary, subject to changes by the Council at the evaluation, will be kept as a permanent record. The evaluations themselves will be destroyed.

There are no perfect evaluations but this should be a thoughtful, sensitive, positive and effective attempt to move forward the needs of the City of Durand.

CITY OF DURAND CITY MANAGER EVALUATION

RATING:

1. Unsatisfactory
2. Needs strengthening
3. Satisfactory Performance
4. Good Performance
5. Outstanding Performance

COMPILED RATE:
MANAGER SELF RATE:

Organizational Management	RATING				
	1	2	3	4	5
1. Provides that the organization does not violate agreement or appropriate established board procedures.					
2. Plans and organizes ongoing programs and services to the City Council.					
3. Plans and organizes areas of concern brought to the attention of the City Manager by the City Council or responses to public requests.					
4. Evaluates new and innovative technology as it may relate to areas of concern in the improvement of the City.					
COMMENTS/SUGGESTIONS:					
Fiscal Management	RATING				
	1	2	3	4	5
1. Includes the Mayor and City Council in preparations of the annual budget.					
2. Plans and prepares the annual budget with the input of the Mayor and the City Council with documentation and full explanation of the annual budget.					
3. Administers the adopted budget within the framework of the approved revenues and expenditures.					
4. Plans and provides for a system of reports, as requested, for the City Council to evaluate expenses and revenues.					
5. Prepares and presents to the City Council appropriate budgetary transfers, as necessary.					
6. Plans and provides for necessary information for the City Council which requires bonding or borrowing of funds for long term projects.					

7. Plans for, organizes and supervises the most economical utilizations of manpower, materials and equipment for City services.					
8. Plans and provides for future economical growth in relationship to projected revenues and expenditures.					
COMMENTS/SUGGESTIONS:					
Intermediate and Long Range Planning					
	1	2	3	4	5
1. Plans and organizes a process of program planning in anticipating the future of the City.					
2. Plans and organizes maximum utilization and maintenance of City owned equipment					
3. Plans and organizes a program of addressing the current needs and requirements of infrastructure and infrastructure needs of the future.					
4. Has a vision of the future for the City of Durand and shares that vision with the City Council and the public.					
5. Keeps the Mayor and City Council aware of new or impending legislation, potential grants and developments in the public policy, which may have an impact on the city.					
6. Maintains knowledge of new technologies, systems and methods that may enhance the City's economics.					
7. Carries out intermediate and long range planning concerns approved by the City Council.					
COMMENTS/SUGGESTIONS:					

Intergovernmental Relationships	RATING				
	1	2	3	4	5
1. Maintains awareness of developments and plans in other jurisdictions, which may impact the City.					
2. Maintains communication with governmental jurisdictions in area of service that improves or enhances City programs					
3. Initiates communication with other governmental entities or outside parties, which the City may be involved with or become involved.					
4. Attends and relays appropriate information from current intergovernmental agreement meetings to the City Council.					
5. Willingness to participate with other governmental entities in sharing resources or equipment.					
COMMENTS/SUGGESTIONS:					
Relationship with the Public	RATING				
	1	2	3	4	5
1. Ensures that an attitude and feeling of helpfulness, courtesy and sensitivity to perception exist in employees coming in contact with the public.					
2. Establishes and maintains an image of the City of Durand to the community that represents service, enthusiasm and professionalism.					
3. Establishes and maintains a liaison with private organizations, service groups or individuals involved in areas of concern that relate to the service or activities of the City.					
4. Promote and provide information to public inquiries regarding activities, services or potential employment development with the City.					
COMMENTS/SUGGESTIONS:					

Management of Employees and Relationship	RATING				
	1	2	3	4	5
1. Plans, organizes and maintains training of employees through in-house training or outside training.					
2. Maintains regular staff meetings.					
3. Maintains contact and professional interaction with subordinates at all levels of the organization.					
4. Ability to appropriately motivate and discipline employees for peak performance.					
5. Equitably handles problem of grievances among subordinate employees.					
6. Maintains an organization that is efficient, helpful and courteous to the public and to the employees.					
7. Provides for annual evaluation of all employees.					
COMMENTS/SUGGESTIONS:					

Relationship with City Council	RATING				
	1	2	3	4	5
1. Maintains effective communication, both verbal and written with the City Council.					
2. Maintains availability to the City Council.					
3. Provides information needed for City Council action in a timely manner.					
4. Establishes a system of reporting to the City Council the current plans and activities of the City.					
5. Provides for clear presentations to the City Council in the most concise, clear and comprehensive manner possible.					
6. Provides the City Council with all perspectives of an issue and provides a recommendation and reason to support that recommendation.					
7. Always prepared to answer questions of the City Council.					
COMMENTS/SUGGESTIONS:					

Professional Development	RATING				
	1	2	3	4	5
1. Is the City Manager viewed with respect as compared to others in Public Administration?					
2. Does the City Manager enthusiastically seek and support professional improvement through pertinent seminars and conferences?					
3. Does the City Manager deal effectively with other governmental managers?					
4. Is the City Manager always interested in learning new techniques or envisioning new ways to conduct business?					
COMMENTS/SUGGESTIONS:					

Personal Characteristics	RATING				
	1	2	3	4	5
1. Imagination: Does the City Manager show originality in approaching problems? Is she able to visualize the implications of various approaches?					
2. Objectivity: Is the City Manager unemotional and unbiased? Does she take a rational viewpoint based on facts and qualified opinions?					
3. Drive: Is the City Manager energetic, willing to spend whatever time is necessary to do a good job?					
4. Decisiveness: Is the City Manager able to reach timely decisions and initiate action?					
5. Attitude: Is the City Manager enthusiastic, cooperative and willing to adapt?					
COMMENTS/SUGGESTIONS:					

OTHER COMMENTS THAT MAY BE RELEVANT TO THIS EVALUATION:

Signature

Date



MEMORANDUM

City Clerk's Office

DATE: July 18, 2024

TO: Jana Ecker, City Manager

FROM: Alexandria Bingham, City Clerk

SUBJECT: Designation of Voting Delegate(s) for the Michigan Municipal League Annual Meeting

INTRODUCTION:

The City of Birmingham is a member of the Michigan Municipal League (MML). The MML is holding its annual meeting on Mackinac Island, MI on Wednesday, September 11, 2024. On the agenda for the meeting is the election of five members to the MML Board of Trustees and a vote on the Core Legislative Principles document.

BACKGROUND:

A resolution by the City Commission is required to designate a voting delegate and alternate voting delegate to vote on behalf of the City. The deadline to submit delegate information to the MML is August 11, 2024.

LEGAL REVIEW:

n/a

FISCAL IMPACT:

n/a

SUSTAINABILITY:

n/a

PUBLIC COMMUNICATIONS:

Information regarding this appointment will be provided along with the agenda packet on the City website and public communication is permissible in accordance with standard commission procedure.

DESIGN CONSIDERATIONS:

n/a

SUMMARY:

The City Commission is being asked to appoint a City Commission member or City Official as official voting delegate and appoint a City Commission member or City Official as the alternate voting delegate, for the MML Annual Meeting to be held September 11, 2024 on Mackinac Island, MI.

ATTACHMENTS:

1. Letter from MML dated July 5, 2024

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to appoint_____as the City of Birmingham's official voting delegate and_____as the alternate delegate, for the Michigan Municipal League Annual Meeting to be held on Mackinac Island, Michigan on September 11, 2024.

July 5, 2024

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Michigan Municipal League Annual Convention will be held on Mackinac Island, September 11-13, 2024. The League's "**Annual Meeting**" is scheduled for 4:30 pm on Wednesday, September 11 in the Terrace at the Grand Hotel. The meeting will be held for the following purposes:

1. **Election of Trustees.** To elect five members of the Board of Trustees for terms of four years each (see #1 on page 2).
2. **Policy.** A) **To vote on the Core Legislative Principles document.**

In regard to the proposed League Core Legislative Principles, the document is available on the League website at <https://mml.org/resources-research/delegate/>. If you would like to receive a copy of the proposed principles by fax, please call Monica Druksis at the League at 800-653-2483.

B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)

In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by **August 11, 2024.**

3. **Other Business.** To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <https://mml.org/resources-research/delegate/> **no later than August 11, 2024.**

We love where you live.



Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

“Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary Members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative.”

1. Election of Trustees

Regarding election of Trustees, under Section 5.3 of the League Bylaws, five members of the Board of Trustees will be elected at the annual meeting for a term of four years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus, the deadline this year for the League to receive resolutions is **August 11, 2024**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. **Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.**

Further, “Every proposed resolution submitted to the Board of Trustees by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or a modification thereof.

We love where you live.



3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, or at the League registration desk to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the Annual Meeting.

The Board of Trustees will meet on Tuesday, September 10, 2024, at the Grand Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

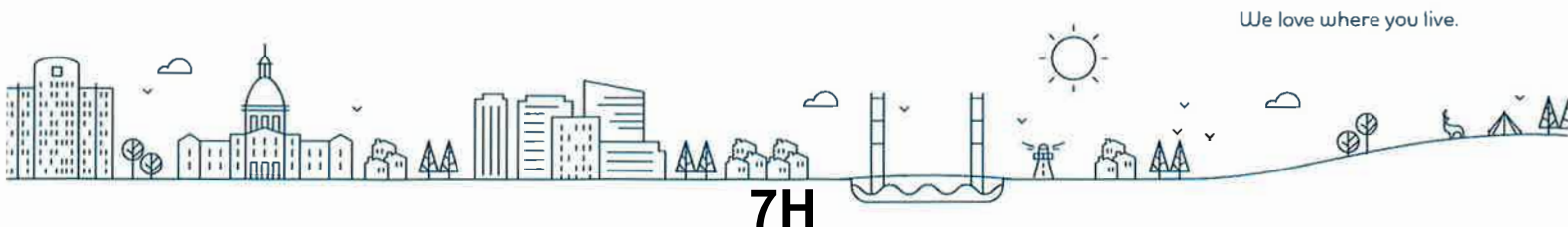
Sincerely,



Robert E. Clark
President
Mayor, City of Monroe



Daniel P. Gilmartin
Executive Director & CEO



Fwd: Arlington & Shirley Road Project

1 message

Jana Ecker <Jecker@bhamgov.org>
To: Alex Bingham <abingham@bhamgov.org>

Mon, Jul 8, 2024 at 2:01 PM

For communications in next CC agenda packet (and also please print these to distribute to the CC this evening as well).

Jana L. Ecker
City Manager
Birmingham, MI
(248) 530-1811

----- Forwarded message -----

From: **Douglas Friedel, Jr.** <dougjr@ddpdm.com>

Date: Mon, Jul 8, 2024 at 12:34 PM

Subject: Arlington & Shirley Road Project

To: <emclain@bhamgov.org>, Katie Schafer <kschafer@bhamgov.org>, <cballer@bhamgov.org>, <ahaig@bhamgov.org>, Brad Host <bhost@bhamgov.org>, <along@bhamgov.org>, <tlonge@bhamgov.org>, Brooks Cowan <bcowan@bhamgov.org>, Jana Ecker <jecker@bhamgov.org>, Melissa Coatta <mcoatta@bhamgov.org>

Dear Mayor, Mayor Pro Tem, Commissioners, and City Staff,

I am writing because my wife and I own a house at 577 Arlington and I wanted to inform the City regarding a number of issues affecting my family, our property, and how it pertains to the Arlington & Shirley Road Reconstruction Project. My apologies in advance for the length of this email but while it lacks brevity, at least it is truthful.

- Our neighbor Jim Mirro has filed a Complaint with the Oakland County 6th Circuit Court and has requested a Temporary Restraining Order against the City in the name of "*Save Our Streets & Trees*", a Michigan Domestic Nonprofit Corporation ID 803145138.

- Dorothy and I are not members or parties to this complaint. This clarification is required because Mr. Mirro and *Save Our Streets & Trees* included a copy of a petition Dorothy & I signed on 6-24-24 formalizing our right to appeal our assessment to the Michigan Tax Tribunal.

- Mr. Mirro and *Save Our Streets & Trees* obtained our signatures under false pretenses and did not inform us that he planned to use our petition signatures in a legal action against the City of Birmingham.

- Mr. Mirro is a liar and saboteur. This is not an opinion, it is a fact. Mr. Mirro has been lying to the media (and anyone who will listen) for many years:

<https://news.yahoo.com/news/blogs/detroit/birmingham-neighbors-arms-over-plans-extreme-home-141043048.html>

<https://www.freep.com/story/news/local/michigan/oakland/2015/12/03/birmingham-maple-road-lanes-ballot-initiative/76733522/>

<https://www.wxyz.com/news/region/oakland-county/birmingham-residents-rally-to-stop-proposed-neighborhood-construction-that-would-kill-historic-trees>

<https://www.freep.com/story/news/local/michigan/oakland/2024/01/31/birmingham-leaders-hold-outdoor-meeting-before-vote-on-sidewalks/72414083007/>

- Mr. Mirro has consistently misrepresented himself in public meetings and private dealings with the City as representing the wishes of homeowners in the affected construction area. Mr. Mirro DOES NOT REPRESENT us in any way: Either through *Save Our Streets & Trees*, The Coryell Park Residents Association, or any other group or organization, or as a friend or neighbor.

- Some FACTS the Commission needs to reflect on:

- The infrastructure in the area is aging and needs repair. The road surfaces have deteriorated and need rebuilding
- Adding sidewalks for pedestrians will not make the area less safe (as has been claimed by Mr. Mirro).
- Walking in the street is not enjoyable and is not the best method for pedestrian travel (as has been suggested by Mr. Mirro on the record).
- Re-constructing the roads and adding sidewalks in this area **will** further Birmingham's goals of walkability and safe travels for all users of the roads.
- Installing sidewalks will **not** make the area less estate-like. The area has large residential properties and sidewalks won't eliminate this.
- Replacing the dying and non-conforming trees will enhance the aesthetic beauty of the area and further biodiversity.
- The opposing opinions being voiced regarding the reconstruction proposal(s) are drummed-up by a few 'squeaky wheels'. Their opinions do not represent the majority of residents.

- Mr. Mirro's objection to the proposed construction is based on the fact he owns two properties: 645 Arlington & 737 Arlington with a total frontage of ~300 LF. I know his objections to the project in the name of 'saving the trees' are disingenuous because he told me as much in person.

- In conclusion:

- a. The City Commission has been misled by Jim Mirro and the Coryell Park Association by believing there is significant community opposition to the project. There is not significant community opposition to the project.
- b. The City Commission erred when it voted to not include sidewalks in the Arlington & Shirley Road project.
- c. The City Commission should follow the charter and MMTB recommendations and revisit the issue of Arlington & Shirley reconstruction to allow the project to continue as proposed by Brooks Cowan
- d. Mr. Mirro has been lying to the City at every turn in the name of 'democracy' and the City Commission should refrain from believing his lies.

--

Best regards,

Douglas Friedel, Jr.

D&D Planning Design Millwork LLC

8646 E. 9 Mile Road

Warren, MI 48089

586.754.6500 / -6501-Fax

www.boothsandbars.com

Fwd: Arlington/Shirley Street Project Status Report

1 message

Jana Ecker <Jecker@bhamgov.org>

Mon, Jul 8, 2024 at 2:03 PM

To: Melissa Fairbairn <mfairbairn@bhamgov.org>, Mark Clemence <clemencem@bhamgov.org>, "Kucharek, Mary" <Mkucharek@bhlaw.us.com>, Alex Bingham <abingham@bhamgov.org>

FYI

Jana L. Ecker
City Manager
Birmingham, MI
(248) 530-1811

----- Forwarded message -----

From: **Clinton Baller** <clinton@baller4bham.com>

Date: Mon, Jul 8, 2024 at 9:54 AM

Subject: Fwd: Arlington/Shirley Street Project Status Report

To: Jana Ecker <Jecker@bhamgov.org>, Kucharek, Mary <mkucharek@bhlaw.us.com>

----- Forwarded message -----

From: **James Mirro** <jmirro@intromarketing.com>

Date: Mon, Jul 8, 2024 at 9:03 AM

Subject: Arlington/Shirley Street Project Status Report

To: Lou Baughman <jolobman@sbcglobal.net>, <salexander@fumcbirmingham.org>, Frank Turco <fturco@fumcbirmingham.org>, <karleenovice@gmail.com>, <asimmons@boon-health.com>, Kerry Milliron <kerrymilliron@gmail.com>, <loriconway@comcast.net>, <carnegied@msn.com>, <mike_walsh_4@yahoo.com>, <midgemoran@kw.com>, <georgenemoran@gmail.com>, <n.ramdev@yahoo.com>, <jrsteeds@gmail.com>, <mike@minellifamily.com>, <pam@minellifamily.com>, <repstein@ajmpack.com>, <jmce55@aol.com>, <joemdurham@gmail.com>, <vanessar626@yahoo.com>, <ggdavidson444@gmail.com>, <christinetobiascolman@gmail.com>, <dgdeltgrosso@comcast.net>, <paula_deltgrosso@comcast.net>, Douglas Friedel, Jr. <dougjr@ddpdm.com>, <szmccorm789@aol.com>, <elizanc@icloud.com>, <ryanchayka@mac.com>, <llschwegman18@gmail.com>, <jeschweg7@gmail.com>, shay spaniola <shayspaniola@gmail.com>, <dcspatch11231@yahoo.com>, Great Lakes Roofing <glr@glroofinginc.com>, <sawbone@comcast.net>, Paddy Scott <scott.paddy@gmail.com>, Lisa Miller <lisa.katt.miller@gmail.com>, <bconnolly1@aol.com>, <mlconnolly7@gmail.com>, <dianamarsh@gmail.com>, <kmarsh@angleadvisors.com>, <lindsay.lee.vansyckle@gmail.com>, <babydoc54@gmail.com>, <gabraham@comcast.net>, <vtree@aol.com>, <gatree@aol.com>, <dabloom2002@yahoo.com>, <antiquer62@aol.com>, <poshrental@gmail.com>, <jlannen57@aol.com>, <jeanlannen@mac.com>, <lshaffou@gmail.com>, <tshaffou@gmail.com>, Elaine C Hazel <echazel2@yahoo.com>, Gary Saltzgiver <gsaltzgiver@yahoo.com>, <jcshebib@yahoo.com>, <nshebib@yahoo.com>, <rbillmey@gmail.com>, <dbillmey@gmail.com>, Alfred Fisher IV <AJFisher4@fisherco.com>, <brookesfisher@me.com>, <drteetime@aol.com>, <asilbergleit@gmail.com>, <kmilford47@aol.com>, <docmilford@aol.com>, <kalex328@aol.com>, <judycurran248@gmail.com>, Patrick Curran <pcurran127@gmail.com>, <andrea@andreabrowninteriors.com>, <dm@mendelsonlaw.com>, <dave.mitchell@trpfund.com>, <davidfw8@gmail.com>, <duncan.alred@gmail.com>, <theresacarter@gmail.com>, s h <sbh_999@yahoo.com>, <gretamyers@gmail.com>, <teamr5@comcast.net>, Paul DeLaRosa <delaros2@gmail.com>, <virgie.holcombe@gmail.com>, Stuart Borman <sb@borman.net>, <hiliaryborman@gmail.com>, <mosquetfamily@hotmail.com>, <cgaudette@aigai.com>, <lynn.trease@comcast.net>, <tony.trease@comcast.net>, <diana.peraino@gmail.com>, <nwperaino@gmail.com>, <aliciablumenfeldchandler@gmail.com>, <jchandler@vtcins.com>, <eclevy@edwclevy.net>, <sjlnc@aol.com>, Sarah Dodge <sdodge2011@gmail.com>, <williamedmunds@gmail.com>, <cherbear1648@yahoo.com>, JOHN SMITH <johnjrpop@aol.com>, <lightbodysmith@aol.com>

Dear Neighbors & Friends,

I just returned last evening from a 4-day, fly fishing trip up north with my grandchildren and had limited ability to respond to emails that some of you sent me during that time. But now that I am back, here is a status report on the Arlington/Shirley Street Project prior to this evening's Commission Meeting that starts at 7:30 pm with the Arlington/Shirley assessment approvals scheduled as part of New Business, Section VIII, D. You can go to the City's website to see your own assessment amounts in the agenda.

-

6-24-24 Commission Meeting: As previously reported, the City Commission voted at this meeting to ignore our assessment protest petition and individual protest letters submitted by an overwhelming majority of Arlington/Shirley property owners against the cost and scope of the street project as proposed by the City Staff.

7-8-24 Commission Meeting: Last week, the City posted an agenda for this meeting that includes a street project confirmation vote and a contractor award to DiPonio Contracting to begin the Arlington/Shirley Street Project this summer. Despite a request to treat our street upgrade like Westwood at 1/3 of the proposed cost and without risk to our trees, the City has ignored all compromise proposals offered by Arlington/Shirley property owners, as well as north Linden property owners whose trees bordering north Shirley are also at risk to under-street root disturbance.

Complaint Filed: Based on the City's action, Save Our Streets & Trees filed a Complaint with the 6th Circuit Court and a Request for a Temporary Restraining Order against the City until a hearing occurs before a Judge to review the situation. In response, the City has added a "closed session" to the agenda for Monday's Commission Meeting, presumably to determine how to proceed with the project and the litigation.

Individuals: A number of individuals have emailed me asking whether or not their name is on the Court Complaint. The answer to this question is No. Save Our Streets & Trees is a nonprofit foundation incorporated in the state of Michigan last December to take this type of legal action in the event the City forced this response—which is exactly what happened. Our judicial system does not allow anyone to file a lawsuit on behalf of someone else unless you have signed an engagement letter with an attorney who agrees to act on your behalf in a court of law.

Petitions: The neighborhood submitted 3 petitions to the City since December, 2023, as follows:

12-23 Petition: This petition asked the City not to narrow our streets, not to add sidewalks and not to replace our asphalt streets with concrete—all of which the City agreed to on 2-5-24.

5-24 Petition: This petition asked the City to treat our street project like Westwood Drive (which was completed last year) from the standpoint of construction and assessment which averaged about \$7,500 per property owner versus an average \$24,000 in our assessments. The City would not bring this to a vote.

6-24 Petition: This protest petition preserved our legal right to appeal our assessment to the Michigan Tax Tribunal in the event the City does not reduce the assessment amount provided to each property owner.

Explanation: All 3 of these petitions were signed by a majority of Arlington/Shirley property owners for the purposes stated above and have become part of the public record that cannot be changed. They were not a Court Complaint or lawsuit, nor do they make anyone who signed one or more of them a party to any lawsuit.

Goal of Our Efforts: In asking the City to treat our streets like the Westwood Drive precedent, we are asking for replacement of water mains/sewers, but not to have full excavation/replacement of our streets which includes

removal/replacement of our curbs, gutters and driveway approaches. By not losing curbs/gutters/driveway approaches and having a less thick foundation/pavement than in the City proposal, we save almost 2/3 of the proposed cost, we save sprinkler systems and landscaping near the curbs, we save upscale driveway approaches made of exposed aggregate or pavers and we save removal of 6 identified trees and the risk of losing over 200 other trees from under-street root disturbance. We also save the planet by not spewing unnecessary carbon into the air to replace curbs/gutters/driveway approaches that are still serviceable for many years. Finally, we avoid being unable to reach our homes by vehicle for 2 to 4 weeks that is required for new concrete curbs, gutters and driveway approaches to cure/dry after being constructed.

Photos: For those unable to visit Westwood Drive, the 1st attachment is a photo taken on 6-30-24, one year after project completion. It shows a quite acceptable outcome that a majority of the property owners believe to be the right combination of quality and cost. The 2nd and 3rd photos show what is happening to the tree roots on Tilbury Street where new gutters and driveway approaches have been added to the streets for the first time. Even more root damage will occur when new wooden forms/footings are built between the gutters and trees for pouring curb cement. This is what we are trying to avoid for our heritage trees on Arlington and Shirley Streets.

-

Minority Opinion: We recognize and respect the viewpoint of a minority of Arlington/Shirley property owners who prefer new curbs/gutters/driveway approaches for everyone and don't have mature trees within 17' of the curb to worry about losing. For these property owners, the City does allow them to remove/replace these items between their property and the street by fulfilling a permit request that does not burden the majority of property owners with a different priority. Also to be kept in mind is that the City's contractors will repair any breaks in our curbs during the street project based on the Westwood experience.

Please contact me if you have any other questions and reply "Unsubscribe" if you do not wish to receive future updates. Thank you.

Jim Mirro

248-420-5113

3 attachments



Westwood Drive Photo, 6-30-24...JPG
123K



Tree Root Damage on Tilbury Street, 6-30-24...JPG
163K



Tree Root Debris on Tilbury Street, 6-30-24..JPG
165K

July 8 Commission Meeting Agenda

1 message

James Mirro <jmirro@intromarketing.com>

Wed, Jul 3, 2024 at 8:41 AM

To: emclain@bhamgov.org, kschafer@bhamgov.com, along@bhamgov.org, tlonge@bhamgov.org, ahaig@bhamgov.org, bhost@bhamgov.org

Cc: Jana Ecker <Jecker@bhamgov.org>, mkucharek@bhlaw.us.com, abingham@bhamgov.org, cballer@bhamgov.org

Dear Commissioners,

For planning purposes, I am forwarding to you the following court documents which impact the Arlington/Shirley project as discussed at the last Commission Meeting/Public Hearing of Necessity on 6-24-24 and as scheduled for a Confirmation Approval at the 7-8-24 Commission Meeting.

Court Complaint/Summons: On 6-28-24, the Complaint shown in the first attachment was filed in the 6th Circuit Court of Oakland County. This resulted in a Court Summons (2nd Attachment) served on the City on 7-1-24 both in person and by certified mail (3rd Attachment).

Motion for TRO/PI: On 7-2-24, a motion was filed for a Temporary Restraining Order and Preliminary Injunction which includes 21 exhibits, all of which you have received during the past 7 months and are shown again in the 4th attachment.

Hearing Date: On 7-2-24, I met with one of Judge Anderson's law clerks and, based on the Judge's case load/July 4th holiday, it is not likely that she will set a first hearing date on this case until after the 7-8-24 Commission Meeting. Because of this, the Commission's plan to approve the Arlington/Shirley project as now written and award the project on 7-9-24 cannot happen without the City risking a contempt of court citation. Because today is the deadline for agenda changes, please have the Arlington/Shirley Hearing of Confirmation/contract award removed from the 7-8-24 meeting agenda, but maintain discussion about the project for the reason shown below.

Settlement Offer: The majority of Arlington/Shirley property owners are open to settling this matter out of court if the City is willing to treat the project like the Westwood project which has been the essence of all petitions submitted since last year. This means not removing curbs/gutters/driveway approaches and use of some type of asphalt pavement at a cost close to what Westwood property owners experienced. If we can agree on this compromise plan during the next meeting by a motion/vote from a majority of Commissioners, then this Complaint/TRO Request will be withdrawn and it is possible that the street project can be completed this year as currently planned. Toward this end, I am willing to meet with anyone on the City Staff or any Commissioners to work cooperatively toward this goal.

Happy 4th of July and please contact me if you have any questions. Thank you.

Jim Mirro, Resident Agent

Save Our Streets & Trees

A MI Nonprofit Foundation

248-420-5113

4 attachments



Court Complaint & Application for TRO..pdf
511K



Court Summons..pdf
629K



Court Proof of Service..pdf
522K



Court Motion For TRO and Preliminary Injunction..pdf
2830K



RECEIVED

STATE OF MICHIGAN
IN THE 6TH CIRCUIT COURT OF OAKLAND COUNTY

Save Our Streets & Trees

2024-208305-CZ

Plaintiff

JUDGE MARTHA D. ANDERSON

V.

City of Birmingham, MI

This case has been designated as an eFiling case, for more information please visit www.oakgov.com/efiling.

Defendant

Plaintiff, Save Our Streets & Trees, brings forth the following Complaint and TRO Application.

Plaintiff is a nonprofit foundation incorporated in the State of Michigan, ID #803145138, with a resident agent address of 737 Arlington Street, Birmingham, MI 48009.

The Defendant is an incorporated City in Oakland County, 151 Martin Street, Birmingham, MI 48009.

COMPLAINT

On 12-14-23, a majority of property owners delivered a petition to the City of Birmingham opposing the Arlington & Shirley sewer/water/street upgrade project, followed by a second petition delivered 5-6-24.

On 6-3-24, the City of Birmingham passed a resolution to set a Public Hearing of Necessity for a sewer/water/street upgrade project for Arlington & Shirley Streets to be held on 6-24-24.

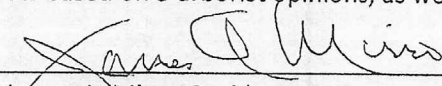
On 6-4-24, the City conducted an information meeting for Arlington & Shirley property owners to provide proposed Special Assessment District (SAD) amounts for adjoining parcels to pay for the project.

On 6-21-24, a majority of property owners delivered a third petition to the City as is their right under Michigan Public Act #246 to protest: 1) average assessments of \$24,000 that are more than 3 times higher than the same type of street upgraded one year ago (Westwood) and 18 times higher than the expected property value increase after completion based on 3 realtor opinions; 2) removal of 6 trees and root damage to over 200 trees within 17' of the street and 3) damage to adjoining private property.

At the 6-24-24 Public Meeting of Necessity, the City ignored the last 2 petitions and set a date of 7-8-24 for a Public Hearing to Confirm the Assessment Roll, with plans to award the project contract on 7-9-24.

APPLICATION FOR TEMPORARY RESTRAINING ORDER

The Plaintiff requests the Court to issue a TRO to avoid irreparable harm from the City's plan to remove 6 mature trees and fatally disturb under-street tree roots of over 200 other mature trees bordering the two streets based on 5 arborist opinions, as well as damages to private property adjoining the streets.

Signed: 

James A. Mirro, Resident Agent, Save Our Streets & Trees

Date: 6-28-24

FILED Received for Filing Oakland County Clerk 6/28/2024 4:25 PM

JUL 1 2024 4:38 PM

Approved, SCAO

Original - Court
1st copy - Defendant

2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN

JUDICIAL DISTRICT
JUDICIAL CIRCUIT
COUNTY

SUMMONS

CASE NO.

2024-208305-CZ

JUDGE MARTHA D. ANDERSON

Court address

Court telephone no.

Plaintiff's name, address, and telephone no.
Save Our Streets & Trees
737 Arlington Street
Birmingham, MI 48009
248-420-5113

Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name, address, and telephone no.
City of Birmingham
151 Martin Street
Birmingham, MI 48009
248-530-1800

This case has been designated as an eFiling case, for more information please visit www.oakgov.com/efiling.

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside of Michigan).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 7/1/2024	Expiration date* 09/30/2024	Court clerk Lisa Brown
------------------------	--------------------------------	---------------------------

*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

JUL 01 2024
4:33 PM

Summons (3/23)

Case No. 2024-208305 CZ

PROOF OF SERVICE

TO PROCESS SERVER: You must serve the summons and complaint and file proof of service with the court clerk before the expiration date on the summons. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE OF SERVICE / NONSERVICE

☒ I served ☒ personally ☒ by registered or certified mail, return receipt requested, and delivery restricted to the addressee (copy of return receipt attached) a copy of the summons and the complaint, together with the attachments listed below, on:

☐ I have attempted to serve a copy of the summons and complaint, together with the attachments listed below, and have been unable to complete service on:

Name CITY OF BIRMINGHAM, MI	Date and time of service 7-1-24; 4:35 PM
Place or address of service 151 MARTIN STREET, BIRMINGHAM, MI 48009	
Attachments (if any)	

☐ I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party.

☐ I am a legally competent adult who is not a party or an officer of a corporate party. I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Signature

JAMES A. MIRRO

Name (type or print)

ACKNOWLEDGMENT OF SERVICE

DIANE M LEMANSKI
Notary Public - State of Michigan
County of Macomb
My Commission Expires Oct 11, 2025
Acting in the County of Oakland

I acknowledge that I have received service of a copy of the summons and complaint, together with

Rec'd by Kelly Dolland on 7-1-24; 4:35 PM
Attachments (if any) Date and time

**U.S. Postal Service
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Birmingham, MI 48009

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee \$4.40/Rate)

☐ Return Receipt (hardcopy) \$0.00

☐ Return Receipt (electronic) \$0.00

☐ Certified Mail Restricted Delivery \$0.00

☐ Adult Signature Required \$0.00

☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$8.73

Sent To **CITY OF BIRMINGHAM**

Street and Apt. No., or PO Box No.
151 MARTIN ST.

City, State, ZIP+4®
BIRMINGHAM, MI 48009

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

10A

STATE OF MICHIGAN
IN THE 6TH CIRCUIT COURT OF OAKLAND COUNTY

Save Our Streets & Trees

Plaintiff

Case NO. 2024-208305-CZ
Judge Martha D. Anderson

V.

City of Birmingham, MI

Defendant

MOTION FOR TEMPORARY RESTRAINING ORDER & PRELIMINARY INJUNCTION

Background: In the fall of 2023, the City of Birmingham issued Expressions of Interest letters to all Arlington/Shirley property owners regarding the City's planned sewer/water/street upgrade project. On 12-14-23, a majority of property owners delivered a petition to the City opposing the project. On 2-5-24, the City Commissioners amended the original project by maintaining the street width of 33' (vs. planned 26'), permitting an asphalt surface (vs. planned concrete surface) and deleting planned sidewalks which would have removed over 100 trees. On 5-6-24, a majority of property owners delivered a 2nd petition to the City agreeing to the sewer/water main upgrades, but opposing full excavation of their streets which would remove curbs, gutters and driveway approaches. This is due to the high cost of this plan (average of \$24,000 per property owner), the destruction of property owner landscaping/sprinklers/walls/driveways near the curbs, the loss of 6 trees identified by the City for removal and the risk to over 200 other nearby trees from under-street root disturbance based on expert letters from 5 road construction organizations, 5 expert tree arborists and 2 expert realtors who cited property value declines should this happen. This petition also asked for Arlington/Shirley Streets to be treated exactly like Westwood Drive that was upgraded in 2023 and had the exact same engineered features: concrete curbs/gutters, crowns, asphalt pavement, service chambers, drain grates, etc. On 6-21-24, a majority of property owners delivered a 3rd petition to the City protesting the proposed Special Assessment District (SAD) amounts which are, on average, \$24,000 per property owner. This is 3 times the Westwood cost/precedent and 18 times more than the expected property value increase when completed based on 3 expert realtor letters. As such, it does not meet the state of Michigan SAD guideline that requires a SAD cost to be "in proportion to the increased value of adjacent parcels."

Analysis/Request: At a 6-24-24 Hearing of Necessity, the City ignored property owner petitions required by MI PA 246, refused to honor the Westwood precedent and said the more expensive streets planned for Arlington/Shirley are for "the benefit of the entire city, not just the adjacent property owners." The project is to be approved at the 7-8-24 Hearing of Confirmation and the contract awarded on 7-9-24. This is despite the fact that Arlington/Shirley Streets are ranked 28th on the City's scoring list of 30 streets scheduled for upgrade, with no crisis requiring them to be upgraded sooner than the 27 higher-ranked streets. Furthermore, the bidding contractors can easily requote the job to delete replacement of curbs/gutters/driveway approaches prior to the "late summer" timetable planned for start of the project using Westwood specifications. Based on this information, the Plaintiff requests the Court to issue a TRO/Preliminary Injunction to maintain the status quo and avoid irreparable harm until a hearing on the merits of the case can be heard regarding the property owner relief sought in their petitions.

STATE OF MICHIGAN
IN THE 6TH CIRCUIT COURT OF OAKLAND COUNTY

Save Our Streets & Trees

Plaintiff

Case No. 2024-208305-CZ
Judge Martha D. Anderson

V.

City of Birmingham, MI

Defendant

LIST OF EXHIBITS RELATED TO REQUEST FOR TRO & PRELIMINARY INJUNCTION

Exhibit A: 12-14-23 Petition.

Exhibit B: 5-6-24 Petition

Exhibit C: Five Road Construction Organization Letters

Cranbrook Pavement
Oakland County Road Commission
Michigan Department of Transportation
Michigan State University
Edward Levy/Levy Company

Exhibit D: Five Expert Tree Arborist Letters

Father & Son Tree Service
Franklin's Tree Care
Davey Tree Service
SavATree Company
Alpine Tree Service

Exhibit E: Two Expert Realtor Letters

Exhibit F: Westwood Drive Project

Exhibit G: 6-21-24 Petition

Exhibit H: Special Assessment District (SAD) List

Exhibit I: Three Expert Realtor Letters

Exhibit J: Road Scoring List

Coryell Park Association of Arlington/Shirley Property Owners

We, the undersigned property owners on Arlington/Shirley Streets, petition the City of Birmingham: 1) Not to narrow our streets; 2) Not to install sidewalks on either side; 3) Not to replace our sewers/water mains; & 4) Not to replace our streets. But to make normal repairs as necessary to streets/sewers/water mains as in the past at City expense.

Name	Address	Date
Midge Moran	269 Arlington	11/14/23
Suzanne Mann	269 Arlington	11/14/23
James Q. Moore	⁶⁴⁵ 737 Arlington	11-14-23
James Q. Moore	⁶⁴⁵ 737 Arlington	11/14/23
Edward L. Baughman	117 ARLINGTON	11/18/23
Josann Baughman	117 ARLINGTON	11/18/23
Julie C. Miller	218 Arlington	11/18/23
Julie C. Miller	218 Arlington	11/18/23
Niharika Pandey	280 Arlington	11/18/23
SUMAN SARKAR	280 Arlington	11/18/23
Brooke Fisher	258 Shirley Rd	11/18/23
Gary Saltzger	188 Shirley Rd	11/18/23
Gary Saltzger	226 Shirley	11/18/23
Glenn K. Silbaugh	345 Shirley Rd.	11/18/23
Kari Connerley	222 Arlington	11/18/23
VM Connerley	222 Arlington	11/18/23
Chris Melton	361 Shirley	11/18/23
Kathy Milford	361 Shirley	11/18/23
John Schwegman	700 Arlington	11/18/23
Josy Schwegman	700 Arlington	11/18/23

Coryell Park Association of Arlington/Shirley Property Owners

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Name	Address	Date
Fremont Scott	776 Arlington	11/18/23
Mary P Scott	776 Arlington	11/18/23
Franklin Brown	945 Arlington	11/18/23
John A. Brown	968 Arlington	11/18/23
Donald Brown	968 Arlington	11/18/23
Sam Brown	611 Shirley	11/19/23
Kelley Barran	811 Shirley	11/19/23
Duncan Baker	735 SHIRLEY RD	11/19/23
John Baker	735 Shirley Rd	11/19/23
Ben Albrecht	735 Shirley Rd	11/19/23
Simon Leopold	1000 Shirley Rd.	11/19/23
Sam Wanner	1000 Shirley Rd.	11/19/23
John	881 Arlington	11/19/23
Lindsay VanSyckle	881 Arlington	11/19/23
David Wankub	619 Shirley	11/19/23
Samantha Chappell	619 Shirley	11/19/23
Douglas DeGrosso	487 Arlington	11/19/23
Rachel DeGrosso	487 Arlington	11/19/23
John B. Tiller	381 SHIRLEY RD.	11/19/23
John A. Tiller	381 SHIRLEY RD.	11/19/23

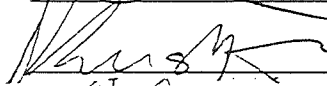
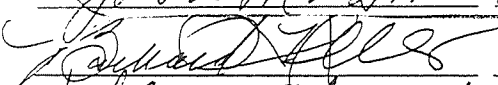
Coryell Park Association of Arlington/Shirley Property Owners

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Name	Address	Date
Vanessa Munkit	377 Arlington St	11/19/23
Mark Munkit	377 ARLINGTON ST.	11/19/23
MIKE WALSH	243 ARLINGTON	11/19/23
Ed Dole	243 ARLINGTON	11/19/23
Shay Spaulding	503 Arlington	11/19/23
DAVE HENNING	503 ARLINGTON	11/19/23
JANET LANNEN	992 ARLINGTON	11/21/23
Jennifer	992 ARLINGTON	11/21/23
Geoffrey A. Trivette	924 ARLINGTON	11/21/23
Valerie Lunn	924 ARLINGTON	11/21/23
Elaine Hazel	188 Shirley	11/21/23
Alex Simmons	175 Arlington	11/21/23
Karlee Norice	175 ARLINGTON	11/21/23
Brian Connolly	843 Arlington	11/21/2023
Mary Connolly	843 Arlington	11/21/2023
Nick Sheehy	226 Shirley	11/21/2023
Reuel Billmeyer	252 Shirley	11/21/2023
Drew Billmeyer	252 Shirley	11/21/2023
Heidi Pinkert	730 Arlington	11/23/2023
Robert Myers	730 Arlington	11/23/2023

Coryell Park Association of Arlington/Shirley Property Owners

We, the undersigned property owners on Arlington/Shirley Streets, petition the City of Birmingham: 1) Not to narrow our streets; 2) Not to install sidewalks on either side; 3) Not to replace our sewers/water mains; & 4) Not to replace our streets. But to make normal repairs as necessary to streets/sewers/water mains as in the past at City expense.

Name	Address	Date
Kevin Marsh	860 Arlington	11/22/23
Cheryl J. Pollack	200 Linden*	11/25/23
Ryan Chayka	600 Arlington	11/26/2023
Eliza Nasrwan Chayka	600 Arlington	11/26/23
Sherry M'Corrigan	550 ARLINGTON	BM 4/2007
David M. Riden	300 Shirley	11/26/23
Lois M. Riden	300 Shirley	11-26-23
DEV STALL	144 LINDEN *	11/26/23
COURTNEY STALL	144 LINDEN *	11/26/23
	975 Arlington	11/27/23
	975 Arlington	11/27/23
John R. Smith	230 Linden Rd. *	11/28/2023
Juan M. Smith	230 Linden Rd *	11/28/2023
	146 Linden Rd *	11/28/2023
William Edmunds	1420 WEST LINCOLN	11/28/2023
Nancy Edmunds	1420 West Lincoln	11/28/2023
Dave Tross	136 Linden Rd. *	11/28/2023
Mary VanHuffel	136 Linden Rd. *	11/28/2023
John Mitchell	663 SHIRLEY	11/30/23
Karen Mitchell	Cc 3 Shirley	11/30/23

* BACKS UP TO SHIRLEY

Arlington-Shirley Property Owner Petition

We, the undersigned, petition Birmingham to: 1) Replace water mains/sewers; 2) Use narrow trenching/patching or HDD; 3) Not excavate streets to save tree roots; 4) Repair pavement; 5) Use cape seal when done; 6) Treat project/assessment like Westwood Dr.

Name	Address	Date
[Signature]	130 Arlington	5/2/2024
[Signature]	130 Arlington	5/2/2024
Edward L. Baughman	117 ARLINGTON	5/2/2024
Joan Z. Baughman	117 ARLINGTON	5/2/2024
[Signature]	361 Shirley	5/2/2024
[Signature]	361 Shirley	5/2/2024
[Signature]	1057 Arlington	5/3/2024
Lana Shaffer	1057 Arlington	5-3-24
Sherry Sparola	503 Arlington	5-3-24
David Henning	503 Arlington	5-3-24
Douglas Zosso	487 Arlington	05/03/24
Sherry M. Cornish	530 Arlington	5/3/2024
Brian Russell	645 Arlington	5/3/2024
Emily Russell	645 Arlington	5/3/2024
David A. Sawyer	968 Arlington	5/3/2024
Ronald F. Sawyer	968 Arlington	5/3/2024
Alexander F. Sawyer	968 Arlington	5/3/2024
Nicole F. Sawyer	968 Arlington	5/3/2024
[Signature]	737 Arlington	5/3/24

Arlington-Shirley Property Owner Petition

We, the undersigned, petition Birmingham to: 1) Replace water mains/sewers; 2) Use narrow trenching/patching or HDD; 3) Not excavate streets to save tree roots; 4) Repair pavement; 5) Use cape seal when done; 6) Treat project/assessment like Westwood Dr.

Name	Address	Date
William Edmunds	1420 WEST LINCOLN	5-3-2024
Nancy Edmunds	1420 West Lincoln	5-3-2024
John Schwegman	700 Arlington St	5-3-2024
Jerry Schwegman	700 Arlington St	5-3-2024
Duff Fred	735 SHIRLEY RD	5-3-2024
Joanne Fred	735 SHIRLEY RD	5-3-2024
Carlton Fred	735 SHIRLEY RD	5-3-2024
Benjamin Fred	735 Shirley Rd	5-3-2024
Life Fred	735 Shirley Rd	5-3-2024
SAFI HAMID	708 Shirley	5/3/2024
Greta MISCHKE	708 Shirley	5/3/2024
Bonnie Bloom	945 Arlington	5/3/2024
David Weyant	619 Shirley	5/4/24
STUART Bonmar	811 Shirley	5-4-24
Hilary Bonmar	811 Shirley	5-4-24
Edward C. Bonmar	970 Shirley Rd	5-4-24
Linda Osmer	970 Shirley Rd	5-4-24
Joseph Carter	640 Shirley	5/4/24
Theresa Carter	640 Shirley	5/4/24

* NORTH WEST CORNER OF ARLINGTON & W. LINCOLN

Arlington-Shirley Property Owner Petition

We, the undersigned, petition Birmingham to: 1) Replace water mains/sewers; 2) Use narrow trenching/patching or HDD; 3) Not excavate streets to save tree roots; 4) Repair pavement; 5) Use cape seal when done; 6) Treat project/assessment like Westwood Dr.

Name	Address	Date
JANET LANNEN	992 ARLINGTON	5/4/24
<i>[Signature]</i>	992 ARLINGTON	5/4/24
Gregory A. TRIVAS	924 ARLINGTON	5/4/24
Valerie Lewis	924 ARLINGTON	5/4/24
Heidi Pinkert	730 Arlington	5/4/2024
Robert Myers	730 Arlington	5/4/2024
Simon Leopold	1000 Shirley Rd.	5/4/24
<i>[Signature]</i>	1000 Shirley Rd.	5/4/24
Kari Connerly	222 Arlington	5/4/24
VM Connerly	222 Arlington	5/4/24
Michelle Dandson	444 Arlington	5/4/24



February 26, 2024

Jim Mirro
737 Arlington
Birmingham, MI
48009

Dear Jim,

With respect to the road project we discussed the other day and your question about whether it was possible and/or feasible to install a new 8" water main with all necessary connections to the existing homes on both sides of both Arlington and or Shirley with minimal disturbance to the existing road, the short answer is yes.

Having driven and walked Arlington and Shirley Streets innumerable times (given that I live on Pleasant Street in Birmingham) I am quite sure that a new 8" water main with all needed connections, stop box valves, gate wells could easily be designed and installed using Horizontal Directional Drilling (HDD) and High-Density Polyethylene (HDPE) pipe in lieu of the more commonly used Ductile Iron (DI) and "open cut" installation methods.

Not only is this method approved in Oakland County by the Water Resource Department (OCWRC) but it has the potential to address many of the items I understand to be of concern to many residents. It also does not force a complete reconstruction of a street that could easily be restored to pristine status with other techniques we can discuss at another time.

There is no question that the City of Birmingham would be well served to explore this option as a viable alternative to their earlier plans and you have my permission to share this letter or the content thereof with the City Commission.

All the best,

Nick Talmers, Managing Member
Cranbrook Contractual Services, LLC
aka Cranbrook Pavement

(See attached details and specifications for horizontal drilling of watermain from OCWRC).



QUALITY LIFE THROUGH GOOD ROADS:
ROAD COMMISSION FOR OAKLAND COUNTY
"WE CARE."

Board of Road Commissioners

Andrea LaLonde
Commissioner

Eric D. McPherson
Commissioner

Nancy Quarles
Commissioner

Dennis G. Kolar, P.E.
Managing Director

Gary Piotrowicz, P.E., P.T.O.E.
Deputy Managing Director
County Highway Engineer

Central Operations Department
Inventory Control

2420 Pontiac Lake Road
Waterford, MI 48328

248-858-4798

www.rcocweb.org

March 8, 2024

Mr. Jim Mirro
737 Arlington Road
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for inviting me to inspect Arlington and Shirley Streets which I was able to do on March 7, 2024. Based on my 35 years of experience on two road commissions and after reading Birmingham's published definition of "improved" vs. "unimproved" roads, it is my professional opinion that these two streets meet the definition of "improved." Also based on my experience, Horizontal Directional Drilling (HDD) would seem to be a good way to avoid excavating what is basically a very durable road in good condition to replace your water mains and sewers. It is my understanding that you have already talked to my colleague, Mark Davis, who has explained that the City of Birmingham has all the specification information needed from Oakland County to obtain bids from local contractors who know how to do HDD work very successfully.

The property owners of Arlington and Shirley Streets are to be congratulated on proposing a very good plan to save the root system of the 100 trees you have identified as "at risk" if open trench excavation were used instead of HDD. Best wishes for accomplishing your goals and allowing me to comment on your plans.

Sincerely,


Mary N. Gillis, P.E.
Director of Central Operations

Exhibit C-3



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
METRO REGION

BRADLEY C. WIEFERICH, P.E.
DIRECTOR

March 15, 2024

Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim Mirro:

Thank you for contacting the Michigan Department of Transportation (MDOT) with your concern regarding the proposed method of construction to install a new water main on Arlington and Shirley Streets. I reviewed the provided photos and information. My review included the letter from the Oakland County Road Commission and published data from the City of Birmingham. In my professional opinion and for all planning purposes, Arlington and Shirley Streets should be considered "improved streets" and not "unimproved streets".

The Arlington Street and Shirley Street property owners' plan to save these streets with the use of Horizontal Directional Drilling (HDD) to replace water mains and sewers is commendable given the economic and environmental benefits of not excavating two streets that appear to be in excellent condition. If the use of HDD saves the 100 trees you have identified as vulnerable to root disturbance from excavation of the streets, this is a good reason to proceed with HDD.

Again, I thank you for sharing your concern with us. If you have any additional questions regarding this matter, please feel free to contact me at 248-361-0234 or SwansonL@Michigan.gov.

Sincerely,

Lori Swanson, PE
Digitally signed by: Lori Swanson, PE
DN: CN = Lori Swanson, PE email =
swansonl@michigan.gov C = US O = MDOT OU
= MDOT
Date: 2024.03.15 12:59:59 -04'00'

Lori Swanson, P.E.
Oakland TSC Manager

OAKLAND TRANSPORTATION SERVICE CENTER
800 VANGUARD DRIVE • PONTIAC, MICHIGAN 48341
www.Michigan.gov/MDOT • 248-451-0001

LH-LAN-0 (01/2023)

**MICHIGAN STATE
UNIVERSITY**

April 18, 2024

Mr. Jim Mirro
737 Arlington
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for your inquiry regarding construction plans being considered for Arlington and Shirley Streets. I appreciate receiving the photos of your streets/trees, the description of an "improved" vs. "unimproved" street published by the City of Birmingham and the opinion letters from Cranbrook Pavement, The Oakland County Road Commission and the Michigan Department of Transportation.

Using this information, I had a discussion with my Construction Management student, Angelo Buttazzoni, who has conducted an on-site inspection of your streets. Based on this information and our discussion, I believe that your streets should be classified as "Improved" due to their many engineered features and sound pavement/foundation.



**School of
Planning,
Design, and
Construction**

I would further agree with the proposal to use HDD (Horizontal Directional Drilling) to replace your water mains and sewers. This is due to the obvious economic and environmental reason that HDD prevents the need to excavate and reconstruct these streets when a more efficient alternative exists that does not risk damage to your mature trees with under-street root systems.

Please let me know if I can provide you with any other advice regarding the improvement plans being considered for your two streets.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean P. Huberty".

Sean P. Huberty
Teaching Specialist – School of Planning, Design, and Construction
Construction Management Program Faculty
Michigan State University

Human Ecology Building
Michigan State University
552 West Circle Dr
East Lansing, MI 48824

517-881-5380
spdc.msu.edu

Edward C. Levy, Jr.
970 Shirley Road
Birmingham, MI 48009

May 17, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim,

I want to extend my gratitude for taking the time to visit two weeks ago and for keeping me informed about the plans regarding Arlington St. and Shirley Rd. Linda and I are grateful for the opportunity to sign the petition advocating against full excavation of our streets during the replacement of the water main and sewers.

While preserving over 200 trees from root disturbance due to excavation is crucial, there's another significant reason to reconsider complete excavation. The existing base material of Arlington and Shirley is already well-compacted, and the current road contains valuable blast furnace slag chips from previous chip seal applications. Slag is a co-product of iron production, and it makes a strong, stable base for new asphalt pavement. Leaving the road undisturbed could provide cost savings and increased quality.

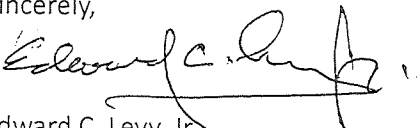
If feasible, Horizontal Directional Drilling (HDD) for water/sewer pipe replacement may be a more prudent approach. The associated costs could be charged to the Water & Sewer Fund. Following this, the current road surface can be milled and replaced with new asphalt. This method ensures a more durable street compared to full excavation, at a reasonable cost and with minimal risk to nearby tree roots. This cost could serve as the foundation for the Special Assessment District and would be perceived by property owners as providing excellent value for their investment.

If HDD is deemed unfeasible or too costly due to the current location of the existing water main and sewer lines, trenching for utility replacement should be considered to preserve and minimize disturbance to the existing road base. The excavated material could then be reused onsite.

By adopting HDD or trenching, our streets will maintain the appearance of other excavated streets while performing better and costing less. This approach presents a win-win scenario for both the City and property owners.

Thank you for considering these suggestions. I am hopeful that together, we can arrive at a solution that benefits everyone involved.

Sincerely,


Edward C. Levy, Jr.



May 10, 2024

Mr. James A. Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for calling me yesterday to visit Arlington and Shirley Streets today since I was working nearby. And I am glad that you enjoyed learning that our company's name, Franklin's Tree Care, is derived from owner Cameron Bogard's middle name, Franklin. There is a reason for everything.

I also appreciated reading the letters you received from MDOT, The Oakland County Road Commission, Cranbrook Pavement and The MSU School of Construction. It is heart-warming to see that they all recommend narrow trenching or HDD instead of complete excavation for your streets when replacing water mains and sewers to avoid loss of trees from root cutting. In our business, we are always pleased to see construction-related organizations be concerned for our trees as well as building roads.

As a certified tree arborist, it makes complete sense to me to use the least invasive method to work under streets where many roots exist. Because tree roots are attracted to water, we must assume that the some roots of trees in the right-of-way space and just outside the right-of-way space live under the street where the pipes are located.

If you and your neighbors have identified 208 trees near the street, then avoiding excavation will probably save most of them and this is something you want to do to maintain the appearance of the street. Arlington and Shirley have some of the oldest and tallest trees in the City of Birmingham that make the neighborhood so special. You definitely do not want to risk losing this valuable benefit.

Please call me for any other tree advice in the future and best wishes on saving your trees.

Best,

Douglas Creamer
Certified Tree Arborist



DAVEY

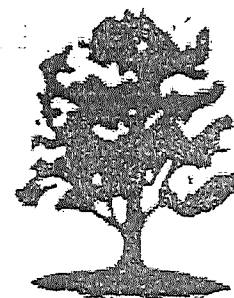


Exhibit
D-3

May 13, 2024

Mr. James Mirro
737 Arlington
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for making an appointment with Alicia last week for me to visit Arlington and Shirley Streets today. And I appreciate you telling me about your streets being part of the Coryell Tree Nursery founded in 1915.

I also appreciate reading the letters you received from Cranbrook Pavement, MDOT and the Oakland County Road Commission, as well as the letter from Michigan State University. It looks like all of them agree that street excavation would be an unwise method to replace your water mains and sewers because of the danger to under-street tree roots of the 208 trees located within 17 feet of the curbs.

Based on my professional experience, I agree with the letters you have already received and also recommend a less invasive approach such as HDD or narrow trenching. These two methods would minimize the number of feeder roots cut and, as a result, also minimize the number of trees that might die from excavation root cutting.

While the loss of any number of mature trees is a shame, to lose them in a neighborhood that was once a tree nursery would be especially sad. I am hopeful that this does not happen and that Davey can service your trees for years to come.

Sincerely Yours,

A handwritten signature in dark ink, appearing to read "M. Witucki".

Mark Witucki
Certified Tree Arborist

Mark D. Witucki

Sales Representative

ISA Certified Arborist® MI-0609A

ISA Tree Risk Assessment Qualified

Associate of Science in Horticulture, Oakland Community College

O: 248.371.9007

F: 248.371.9076

mark.witucki@davey.com

THE DAVEY TREE EXPERT COMPANY



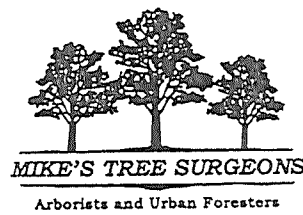


Exhibit D-4

Two leading companies joining forces
to serve Metro Detroit communities.

May 14, 2024

Mr. Jim Mirro
737 Arlington
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for allowing me to visit Arlington and Shirley Streets to advise your neighborhood on the best practices for insuring the long-term health of your trees. I also appreciate seeing the recommendations from Cranbrook Pavement, the Oakland County Road Commission, MDOT, and Michigan State University, all of whom do not recommend excavation of your streets to avoid under-street root disturbance.

As a certified tree arborist, I would also suggest a less-invasive approach like narrow trenching or Horizontal Directional Drilling to avoid root disturbance that could seriously impact the long-term health of all your trees. I understand that you and your neighbors have made a count of 208 trees on your two streets within 17 feet of the curb. Based on this count, excavation could have a tremendous impact on quite a few trees and the overall appearance of your neighborhood if they were to die from street excavation.

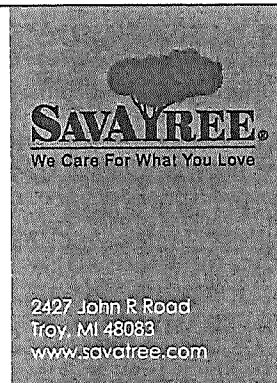
Assuming that you are successful in using a less-invasive process and your trees continue to thrive, SavATree is here for you and your neighbors to serve all your tree needs as done in the past. Thank you.

Sincerely,

Al Sexton
Certified Tree Arborist

MI-0398-A

SAVATREE LLC



Al Sexton
ISA Certified Arborist® (MI-0398A)



phone: (248) 588-0202
mobile: (248) 789-3039
email: asexton@savatree.com



May 15, 2024

Mr. James Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for calling me last week to set up today's appointment. As the owner of Alpine Tree Service, I am always happy to meet with Arlington and Shirley property owners about the lovely trees in your neighborhood and how Alpine Tree Service can maintain them in the best possible way.

Also thank you for sharing with me the letters you received from the Oakland County Road Commission and MDOT about seeking a minimally invasive method of replacing your water and sewer pipes. It looks like MSU and Cranbrook Pavement agree with them, as well as the two realtors who each provided their opinion on how not losing trees to root disturbance will help maintain your property values.

While we can never be sure what a street excavation will do to nearby tree roots, it is always better to be safe rather than sorry. If your aging pipes under the street are dripping water, then it does make sense that feeder roots have been attracted to them. And, under this scenario, yes, a full excavation will do more damage to these roots than either HDD or narrow trenching/patching.

It is also my understanding that your street foundation is made of slag chips rather than gravel and you prefer to keep this superior base. In this event, then HDD makes the most sense since even narrow trenching would remove some of the slag. With the camera/sensors used in HDD, contractors have the ability to steer the bit around any root encountered which is the best way to avoid root disturbance. And, as you can see from our logo, we think that maintaining good roots is very important.

Please keep me posted on what happens. I hope that you and your neighbors can save as many of your magnificent trees as possible. Assuming that this occurs, I look forward to providing our tree services to you and your neighbors for a long time to come.

Yours truly,

Anthony Crismon
Owner
ISA Certified Arborist
TCIA Member



Removal • Trimming • Plant Health Care



Anthony Crismon
ISA Certified Arborist
MI-4406A

P.O. Box 571
Oxford, MI 48371
Office: 248-758-4718
Cell: 248-758-4717
www.alpinetreeinc.com

BETTY FINKBEINER
MAX BROOCK REAL ESTATE

James A. Mirro
737 Arlington Street
Birmingham, MI 48009

April 28, 2024

Dear Mr. Mirro

I appreciate the opportunity to provide my real estate market knowledge to the residents of Arlington and Shirley Streets. As you know, I have been a licensed realtor in Birmingham for 47 years with Max Broock/Real Estate One Realtors and a member of the President's Council of Excellence. With this experience, I have access to real estate transactions in the City of Birmingham and I also have an intimate knowledge of real estate values by neighborhood.

Your two streets are already regarded as premiere locations in the city with their unique winding streets, large (near one acre) lots and mature trees. For these reasons, property sales on Arlington/Shirley Streets have always been on the high end of the market.

In comparing property sales on Arlington/Shirley Streets with other similar size age homes on other Birmingham streets, I must conclude that the larger lot size and greater number of mature trees are two of the reasons for the higher prices that buyers are willing to pay. Mature trees in an established neighborhood has always been a defining reason for premium values.

Based on this knowledge and looking at "sales comps" over the past year, I would further estimate that a property with healthy mature trees in your neighborhood will account for a price premium over the same property with no trees or recently-planted trees. Because properties on your streets are selling for \$1 million to \$3 million plus, this means the value of mature trees is an important factor.

In view of this, I understand your concern about the City's proposed street project that could endanger mature trees near the front of your properties due to under-street root disturbance. Because the street view is the first impression made to a prospective buyer, this risk is all the more concerning. For these reasons, I recommend that Birmingham replace your water mains/sewers without total street excavation/replacement to minimize risk to your many mature trees that could seriously affect property values.

Yours truly,



Betty Finkbeiner
Max Broock Realtor

MIDGE MORAN
KELLER WILLIAMS

April 29, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim,

As a Birmingham resident for my whole life and a realtor for the past 31+ years, I am glad to provide my opinion on what factors create value for property owners on Arlington and Shirley Streets.

I purchased my home on Arlington in 1984 as I could see the value of Arlington and Shirley Streets. It far exceeded other properties, as we have larger lots and more mature trees, and as we have 100' width lots. My assessment continues to hold true today as verified by the assessed value allocated by the City.

Based on this assessment, I share your concern that fully excavating Arlington and Shirley Streets to replace water and sewer pipes is a huge risk to the property values on these two streets. With other techniques available to replace aging infrastructure, they surely should be fully explored before a final decision is made. I know that this has been done on other Birmingham streets and the same should be done on our streets.

This issue should not even be debated with the value of Birmingham's "jewel" streets being placed in jeopardy when there exists no risk and less expensive ways, such as HDD or narrow trenching, to achieve the same goal of an infrastructure upgrade. Thank you.

Best Regards,



Midge Moran
Licensed Realtor #6501147440

2023 Westwood Improvement
Cape Seal Program



Understanding Improved and Unimproved Roads

Improved Road

Improved Road – An improved road is a road with curb and gutters which has a surface of concrete or asphalt.

Benefits:

- It is professionally engineered and constructed as a durable roadway.
- Provides for adequate drainage from the roadway.
- Once improved, an improved road is maintained by the City for any future road repairs.
- Improved streets with curbs are provided routine street sweeping and leaf pick-up each Fall, which allows residents to rake their leaves into the street at the curb.
- The average life span is 20 to 30 years.

Disadvantages:

- Initial one time higher cost for installation.

Unimproved Road

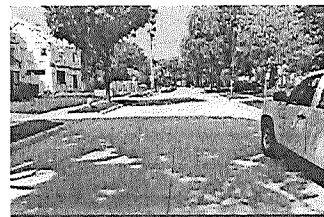
Unimproved Road – An unimproved road is a gravel road with or without curbs that has been treated with cape seal to provide a relatively smooth and dust free driving surface.

Benefits:

- Enhances rural neighborhood characteristics.

Disadvantages:

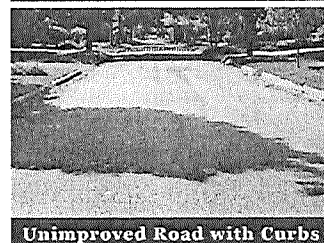
- The roadway is not professionally engineered and does not have a durable foundation.
- Unimproved roads without curbs do not provide adequate drainage from the roadway.
- Unimproved roads without curbs do not receive street sweeping and must bag their leaves.
- The average life span is 7 to 10 years and the need for repairs is more frequent.
- The cost for road repair and replacement is the responsibility of the homeowners on the street.



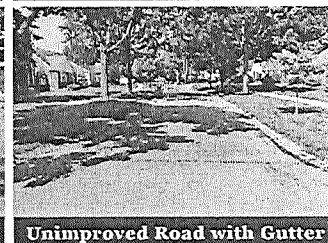
Improved Road



Unimproved Road



Unimproved Road with Curbs



Unimproved Road with Gutter

For specific details regarding your respective road, contact the Engineering Department at (248) 530-1840.

2023 Westwood Road Improvement Project

With the City Commission's approval of the policy modifications related to initiation of street improvement projects, the Engineering Department is planning to initiate design of a street improvement project to be constructed in 2022 on the following unimproved streets:

- Westwood Drive, Raynale St. to Oak St.
- Oak St., N. Glenhurst Dr. to western City Limits
- Raynale St., N. Glenhurst Dr. to western City Limits

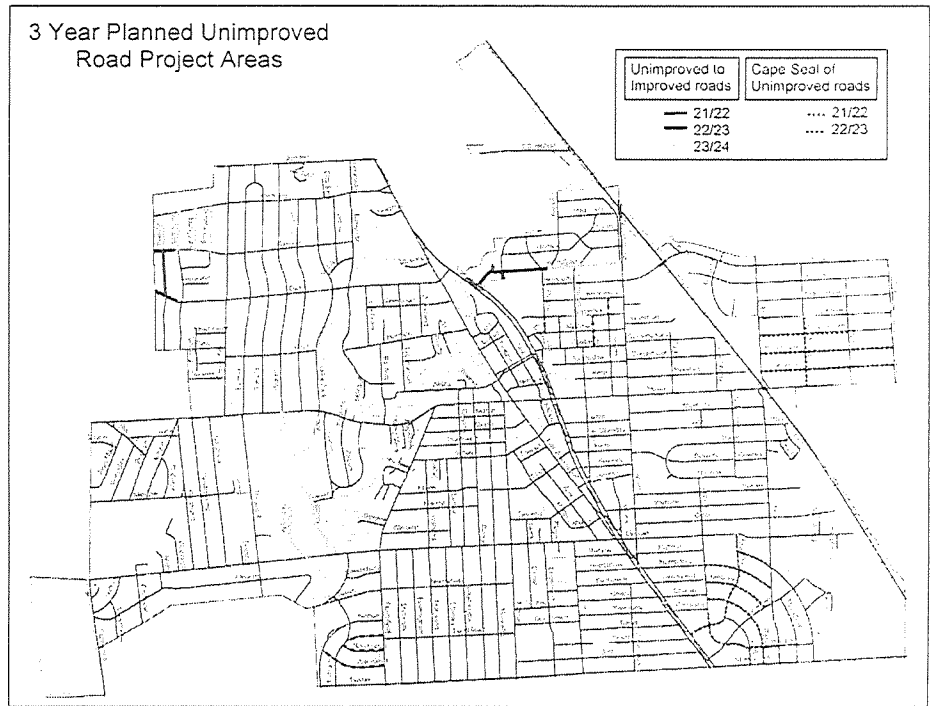
This project will include replacement of undersized water mains, extension of storm sewers previously constructed on Raynale and Oak to alleviate the risk of basement flooding due to sewer backups in the immediate area and reduce storm water that enters the combined sewer system, and repair/rehabilitation of the existing combined sewers that will continue to provide sanitary service. The preliminary estimated cost for this project is approximately \$1,830,000, and is accounted for in the current budget between the “unassigned unimproved street” project for FY21/22, and re-allocating the Oak St. project that is currently planned for FY23/24. Some of the benefits for selecting this project at this time include:

- Providing for continued extension of the storm sewers in this neighborhood as described in the 2011 Backyard Sewer & Water Master Plan, and allowing for further extension in FY23/24 on Westwood, N. Glenhurst, Lyonhurst and Brookwood north of Raynale. Once this storm sewer extension is complete, proposed modifications to the regulator on the Bloomfield Village Drain (Oakland County Water Resources Commissioner) at Raynale can be considered that would provide relief to the combined sewer system south of this area.
- Replacement of water mains will create an improved “loop” that help with available fire flows on surrounding streets (a number of fire hydrants in this area that may not be able to produce even 500 gpm under existing conditions).
- This first project will be a test of the newly modified policy allowing the City to initiate a street improvement project, and then special assess the costs associated with the street paving to the adjoining property owners in accordance with the current policy. Success of this process will allow the City to better plan future infrastructure improvements that continue to improve the quality of life of its residents

2022/23 Cape Seal Project

In 2022, a cape-sealing program will also be put out for bids to address the most severely deteriorated street surfaces, mostly in the southeast part of the City. Streets selected for this treatment are based on recent pavement condition evaluation efforts (PASER ratings)

3 Year Planned Unimproved
Road Project Areas



ARLINGTON/SHIRLEY SPECIAL ASSESSMENT DISTRICT PROTEST PETITION TO CITY OF BIRMINGHAM, MI

We, the undersigned, protest the proposed SAD amounts prior to 6-24-24 Public Hearing of Necessity.

STREET ADDRESS	ASSESSMENT	SIGNATURE OF PROPERTY OWNER	DATE
737 Arlington	28,528.61	[Signature]	6-8-24
737 Arlington	28,528.61	[Signature]	6-8-24
776 Arlington	16,293.04	[Signature]	6-8-24
776 Arlington	16,293.04	Mary P. Scott	6-8-24
968 ARLINGTON	18,244.04	[Signature]	6-8-24
968 Arlington	18,244.04	[Signature]	6-8-24
1420 WEST LINCOLN	17,358.62	William C. Edmunds	6-8-24
1420 WEST LINCOLN	17,358.62	Nancy Edmunds	6-8-24
735 SHIRLEY ROAD	21,121.86	Duncan Haezel	6-8-24
735 SHIRLEY ROAD	21,121.86	[Signature]	6-8-24
708 Shirley	32,877.18	[Signature]	6-8-24
708 Shirley	32,877.18	G.M.	6-8-24
970 Shirley	24,349.09	Linda Bremer	6-8-24
811 Shirley	25,003.32	Stuart Bonman	6-8-24
188 Shirley	25,042.16	Elaine C. Hazel	6-8-24
188 Shirley	25,042.16	Gary Saltzman	6-8-24
361 Shirley Rd	29,147.88	Ernest Miller	6/8/24
361 Shirley	29,147.88	Kathy Miller	6/8/24
700 Arlington	21,551.46	[Signature]	6/8/24
700 Arlington	21,551.46	Looy Schweg	6/8/24

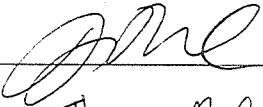
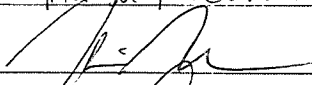
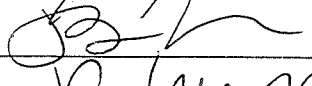
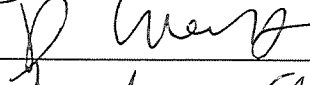
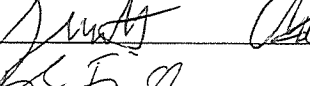
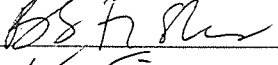
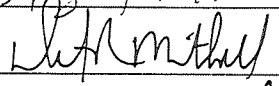
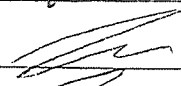
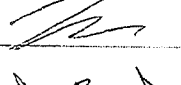
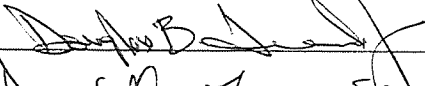
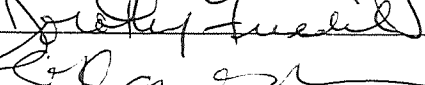
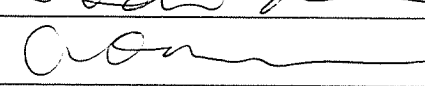
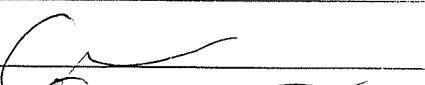
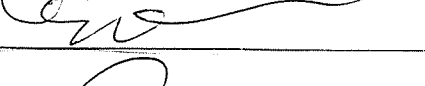
ARLINGTON/SHIRLEY SPECIAL ASSESSMENT DISTRICT PROTEST PETITION TO CITY OF BIRMINGHAM, MI

We, the undersigned, protest the proposed SAD amounts prior to 6-24-24 Public Hearing of Necessity.

STREET ADDRESS	ASSESSMENT	SIGNATURE OF PROPERTY OWNER	DATE
280 ARLINGTON ST	\$21,931.37	Kuman Sarka	06/08/2024
280 Arlington St	\$21,931.37	[Signature]	06/05/2024
924 ARLINGTON	15,434.33	[Signature]	6/9/24
924 ARLINGTON	15,436.91	VA Lums	6/9/24
1057 Arlington	\$151,629.82	[Signature]	6-9-24
1057 Arlington	\$151,629.82	Lane Sheth	6-9-24
117 ARLINGTON	15,868.70	Edward L. Baughman	6-9-24
117 ARLINGTON	15,868.70	Joann Baughman	6-9-24
218 Arlington	\$22,371.35	[Signature]	6/9/24
218 Arlington	\$22,371.35	[Signature]	6/9/24
381 Shirley	\$29,690.81	[Signature]	6/9/24
381 SHIRLEY	\$29,690.81	[Signature]	6/9/24
645 Arlington	\$36,976.91	[Signature]	6-10-24
645 Arlington	\$36,976.91	[Signature]	6-10-24
730 ARLINGTON	\$17,700.04	[Signature]	6/10/2024
730 ARLINGTON	\$17,700.04	Robert W Myers	6/10/2024
222 Arlington	\$15,073.81	[Signature]	6/10/24
222 Arlington	\$15,073.81	[Signature]	6/10/24
843 Arlington	\$24,732.07	[Signature]	6/10/24
843 Arlington	\$24,732.07	Mary Connolly	6/10/24

ARLINGTON/SHIRLEY SPECIAL ASSESSMENT DISTRICT PROTEST PETITION TO CITY OF BIRMINGHAM, MI

We, the undersigned, protest the proposed SAD amounts prior to 6-24-24 Public Hearing of Necessity.

STREET ADDRESS	ASSESSMENT	SIGNATURE OF PROPERTY OWNER	DATE
640 Shirley	22,722.28		6/10/24
640 Shirley	22,722.28	Theresa M. Carter	6/10/24
860 Arlington	16,139.87		6/10/24
860 Arlington	16,139.87		6/10/24
619 Shirley	22,833.90		6/12/24
619 Shirley	22,833.90		6/12/24
288 Shirley	16,534.17		6/13/24
288 Shirley	16,534.17	A. S. Fisher	6/13/24
663 SHIRLEY	27,416.80		6/14/24
663 Shirley	27,416.80	Karen Metell	6/14/24
130 Arlington AKA 1589 W. Maple	33,106.69	Traci Truico, Finance Director	6/11/24
309 Arlington	15,592.57		6/10/24
327 Arlington	21,786.37		6/10/24
517 ARLINGTON	21,521.45		6-14-24
517 Arlington	21,321.45		6-14-24
444 Arlington	37,515.47		6-15-24
444 Arlington	37,515.47		6-15-24
500 Arlington	20,971.43		6-15-24
500 Arlington	20,971.43		6-15-24
975 Arlington	\$ 26,126.25		6/13/24

We, the undersigned, protest the proposed SAD amounts prior to 6-24-24 Public Hearing of Necessity.

10A

Sidwell Number	Street Address	Sewer SAD Costs	Water SAD Costs	Road SAD Costs	Approach SAD Costs	Total SAD Costs
19-35-202-069	1589 W. Maple	\$5,000.00		\$25,661.69	\$1,445.00	\$32,106.69
19-35-202-033	218 Arlington	\$5,600.00	\$2,380.00	\$13,128.20	\$1,263.15	\$22,371.35
19-35-202-034	222 Arlington			\$13,128.20	\$1,945.62	\$15,073.81
19-35-202-035	280 Arlington	\$4,600.00		\$15,655.37	\$1,676.00	\$21,931.37
19-35-202-036	316 Arlington	\$4,400.00		\$15,655.37	\$1,731.00	\$21,786.37
19-35-202-068	400 Arlington			\$33,424.39	\$4,165.35	
19-35-202-068	400 Arlington					\$37,589.74
19-35-202-039	414 Arlington	\$6,000.00		\$15,898.25	\$1,670.00	\$23,568.25
19-35-202-040	432 Arlington			\$15,898.25	\$1,753.50	\$17,651.75
19-35-202-041	444 Arlington			\$34,590.17	\$2,925.30	\$37,515.47
19-35-202-042	500 Arlington	\$3,000.00		\$15,865.43	\$2,106.00	\$20,971.43
19-35-202-043	550 Arlington	\$6,800.00		\$15,865.43	\$3,873.45	\$26,538.88
19-35-202-044	600 Arlington		\$825.00	\$14,555.23	\$3,769.00	\$19,149.23
19-35-202-045	700 Arlington	\$4,400.00	\$2,175.00	\$14,555.23	\$1,606.00	\$22,736.23
19-35-202-046	730 Arlington		\$2,240.00	\$12,754.04	\$2,706.00	\$17,700.04
19-35-202-047	776 Arlington		\$2,170.00	\$12,754.04	\$1,369.00	\$16,293.04
19-35-202-048	800 Arlington	\$4,000.00	\$2,100.00	\$13,175.46	\$2,276.00	\$21,551.46
19-35-202-049	860 Arlington			\$13,176.77	\$2,963.10	\$16,139.87
19-35-202-050	898 Arlington	\$4,200.00	\$2,100.00	\$13,839.74	\$2,767.00	\$22,906.74
19-35-202-051	924 Arlington			\$13,843.68	\$2,092.65	\$15,936.33
19-35-202-052	968 Arlington			\$15,549.04	\$2,695.00	\$18,244.04
19-35-202-053	992 Arlington			\$15,547.72	\$1,679.56	\$17,227.28
19-35-202-055	1420 W Lincoln	\$5,600.00		\$10,296.62	\$1,462.00	\$17,358.62
19-35-226-001	117 Arlington			\$13,128.20	\$2,740.50	\$15,868.70
19-35-226-002	175 Arlington	\$5,200.00	\$1,200.00	\$13,128.20	\$3,062.85	\$22,591.05
19-35-226-003	243 Arlington	\$4,600.00	\$1,120.00	\$13,128.20	\$3,491.00	\$22,339.20
19-35-226-004	269 Arlington	\$5,600.00	\$1,260.00	\$13,121.63	\$1,814.00	\$21,795.63
19-35-226-018	309 Arlington			\$13,150.51	\$2,442.00	\$15,592.51
19-35-226-019	327 Arlington			\$14,443.64	\$2,442.00	\$16,885.64
19-35-226-006	345 Arlington	\$6,000.00	\$2,590.00	\$16,684.62	\$1,314.60	\$26,589.22
19-35-226-016	377 Arlington	\$5,400.00		\$19,822.03	\$4,288.00	\$29,510.03
19-35-276-001	503 Arlington	\$6,400.00	\$1,050.00	\$26,994.66	\$3,812.55	\$38,257.21
19-35-276-002	577 Arlington	\$3,600.00	\$2,310.00	\$13,128.20	\$2,483.25	\$21,521.45
19-35-276-003	645 Arlington	\$5,000.00	\$2,730.00	\$27,835.71	\$1,411.20	\$36,976.91
19-35-276-023	737 Arlington	\$5,800.00	\$1,330.00	\$19,954.86	\$1,443.75	\$28,528.61
19-35-276-006	779 Arlington	\$6,000.00	\$1,330.00	\$15,163.07	\$1,773.00	\$24,266.07
19-35-276-007	843 Arlington	\$6,200.00	\$1,400.00	\$15,163.07	\$1,969.00	\$24,732.07
19-35-276-008	881 Arlington	\$6,000.00	\$1,400.00	\$13,128.20	\$2,922.00	\$23,450.20
19-35-276-009	945 Arlington	\$3,400.00		\$14,480.40	\$1,694.00	\$19,574.40
19-35-276-010	975 Arlington			\$23,762.04	\$2,414.21	\$26,176.25
19-35-276-011	1057 Arlington	\$7,000.00	\$1,540.00	\$41,353.82	\$1,736.00	\$51,629.82
19-35-226-009	100 Shirley	\$6,800.00	\$2,240.00	\$15,950.76	\$3,018.00	\$28,008.76
19-35-226-010	188 Shirley	\$4,600.00	\$2,590.00	\$16,309.16	\$1,543.00	\$25,042.16
19-35-226-011	226 Shirley	\$4,200.00	\$2,380.00	\$14,047.17	\$2,930.00	\$23,557.17
19-35-226-012	252 Shirley (Vacant)	\$3,400.00	\$2,520.00	\$14,047.17	\$2,871.00	\$22,838.17
19-35-226-013	288 Shirley			\$14,047.17	\$2,487.00	\$16,534.17
19-35-226-014	300 Shirley			\$14,047.17	\$4,345.00	\$18,392.17
19-35-226-017	350 Shirley	\$6,600.00		\$22,734.10	\$3,841.00	\$33,175.10
19-35-227-037	200 Linden			\$3,137.25	\$2,091.00	\$5,228.25
	Linden Parcels (0% SAD)			\$0.00	\$0.00	\$0.00
19-35-227-004	345 Shirley	\$4,800.00	\$980.00	\$20,107.15	\$2,539.00	\$28,426.15
19-35-227-005	361 Shirley	\$3,800.00	\$3,000.00	\$19,035.88	\$3,312.00	\$29,147.88

19-35-227-006	381 Shirley	\$7,000.00	\$2,870.00	\$17,696.81	\$2,124.00	\$29,690.81
19-35-227-008	421 Arlington	\$7,000.00	\$4,200.00	\$16,298.66	\$1,479.00	\$28,977.66
19-35-227-009	445 Arlington	\$5,800.00	\$3,600.00	\$16,298.66	\$2,897.00	\$28,595.66
19-35-227-010	463 Arlington	\$4,800.00		\$16,901.24	\$2,869.60	\$24,570.84
19-35-227-011	487 Arlington	\$5,800.00		\$17,358.10	\$3,229.60	\$26,387.70
19-35-227-012	503 Shirley			\$15,651.44	\$2,655.00	\$18,306.44
19-35-227-013	585 Shirley	\$7,400.00		\$15,570.04	\$3,201.44	\$26,171.49
19-35-227-035	619 Shirley	\$8,200.00		\$13,128.20	\$1,505.70	\$22,833.90
19-35-227-036	663 Shirley	\$8,200.00	\$0.00	\$18,147.80	\$1,069.00	\$27,416.80
19-35-277-001	735 Shirley			\$17,752.41	\$3,369.45	\$21,121.86
19-35-277-002	789 Shirley			\$13,128.20	\$2,684.00	\$15,812.20
19-35-277-003	811 Shirley	\$7,400.00	\$2,520.00	\$13,653.32	\$1,430.00	\$25,003.32
19-35-277-004	855 Shirley			\$15,828.67	\$3,964.00	\$19,792.67
19-35-277-005	905 Shirley	\$5,200.00	\$1,820.00	\$15,048.85	\$1,317.00	\$23,385.85
19-35-277-006	955 Shirley	\$6,400.00		\$19,298.45	\$2,013.90	\$27,712.35
19-35-277-048	City's Property			\$0.00	\$0.00	\$0.00
19-35-277-048	City's Property			\$21,464.60	\$0.00	\$21,464.60
19-35-277-049	Vacant			\$0.00	\$0.00	\$0.00
19-35-277-034	Vacant			\$0.00	\$0.00	\$0.00
19-35-276-022	1000 Shirley	\$1,600.00		\$0.00	\$2,621.00	\$4,221.00
19-35-276-024	970 Shirley			\$21,924.09	\$2,425.00	\$24,349.09
19-35-276-018	914 Shirley	\$5,400.00	\$1,125.00	\$15,505.71	\$1,578.15	\$23,608.86
19-35-276-017	880 Shirley	\$7,400.00	\$1,275.00	\$15,504.40	\$3,302.00	\$27,481.40
19-35-276-016	822 Shirley	\$4,400.00	\$2,240.00	\$15,097.43	\$1,331.40	\$23,068.83
19-35-276-015	770 Shirley	\$3,000.00	\$2,450.00	\$15,097.43	\$1,808.00	\$22,355.43
19-35-276-014	708 Shirley			\$28,446.18	\$4,431.00	\$32,877.18
19-35-276-013	640 Shirley	\$2,000.00		\$19,035.88	\$1,686.40	\$22,722.28
19-35-276-012	550 Shirley			\$13,128.20	\$3,108.00	\$16,236.20
19-35-227-034	680 Linden			\$7,104.67	\$0.00	\$7,104.67

LAUREN M. BUTTAZZONI
REAL ESTATE ATTORNEY & BROKER

June 1, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim

I have been a licensed attorney for 32 years and a licensed realtor and broker for 25 years. Based on this experience, I can give you my opinion of how the City's planned work on your streets will impact the value of the homes there.

Regarding work to the street surfaces, while there can be value differences between homes on paved versus gravel or dirt roads, there is negligible difference in the value of homes on an older paved road versus a newer paved road. Arlington and Shirley are currently paved roads and after the City's work they will be the same and therefore no difference in the value of the homes.

As for the City's plan to replace the water and sewer pipes, that will also have negligible effect on the value of the homes. Functioning water and sewer services are basic expected services for any property owner in the City of Birmingham, on any street, and in any city. Whether they have been recently updated or not is not a factor in market value, nor is it a factor in its appraisal value.

That said, what WOULD BE a factor is an active or pending ASSESSMENT for such work which becomes a LIEN on the property and which would most definitely affect the market and appraised values. Especially an approximately \$50,000 assessment which would not only negatively affect the market and appraisal values, but would also negatively affect the marketing of the home in general and hinder the sale by longer days on market, among other things.

In sum, it is my opinion there is no basis for any increase in market or appraisal value of the homes on Arlington and Shirley due to any of the work the City has planned. Please feel free to call me if you have any questions.

Sincerely,



Lauren M. Buttazzoni
Attorney & Real Estate Broker
MI Bar # P47174
MI Broker License # 6502427378

MIDGE MORAN
KELLER WILLIAMS REAL ESTATE

June 2, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim,

Thank you for talking with me today about the City of Birmingham's plans to upgrade the water mains/sewers of Arlington and Shirley Streets and to excavate/replace the existing streets in the process. I understand that the City plans to charge property owners an assessment to cover 85% of the cost for doing this and you would like to know the impact on the average value of each property on these two streets should these changes occur.

As a Birmingham resident for my entire life and a realtor for the past 31+ years, I know that anyone planning to buy a property on Arlington and Shirley Streets expect that the water mains and sewers will work properly, especially in view of the size/value of these homes. So, replacing underground water mains/sewer pipes that no one can see will have zero effect on what someone is willing to pay for a property on these two streets.

As to the street excavation and replacement, as long as Arlington and Shirley Streets are similar to other streets in the City of Birmingham, which they are, a new property buyer is not going to make a big deal about whether or not there is a low spot in the pavement or a crack in the curb when making an offer on a property that is currently on the market. He/she will assume that the City will repair any defects in the street as needed to bring it "up to code."

Based on my viewpoint as an experienced realtor, I believe that the planned upgrade in Arlington and Shirley Streets will not make a difference in the appraised value of any property by more than a few thousand dollars. It is also entirely possible that an appraisal will not change at all after the streets are upgraded. Based on these two scenarios, I believe that the infrastructure and street changes planned by the City will have an appraisal change from zero to \$2,000 per property.

Thank you for the opportunity to comment on the appraised value impact of these proposed changes.

Sincerely,



Midge Moran
Keller Williams Realtor
MI License #6501147440

BETTY FINKBEINER
MAX BROOCK REAL ESTATE

June 4, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Mr. Mirro,

As you know, I have been a licensed realtor in Birmingham for 47 years with Max Broock/Real Estate One and a member of the President's Council of Excellence. Based on this experience, I am pleased to give you my opinion on how the City's plan for your streets could affect your property values.

It is my understanding that Birmingham plans to completely excavate both Arlington and Shirley Streets, then replace the water pipes and sewer pipes, then replace your current street foundation and pavement. While this will result in a smooth, new street, I do not believe that the cost of the planned assessment will be reflected in any significant change in your property values.

Prospective buyers I work with every day are more interested in the structure of the house, how new is the kitchen and how open is the floor plan. They assume that the water and sewer lines under the street and to the house work as expected, especially in expensive houses. To some extent, this also applies to the newness of the street surface. A prospective buyer certainly appreciates a new street pavement, but does not necessarily take this into consideration when making an offer.

While many streets in Birmingham are in terrible condition, I do not think that Arlington and Shirley Streets fall into this category based on my recent trip there a few weeks ago. Based on this recollection, it is my professional opinion that the changes being planned by the City will not increase your property values by more than \$2,000 to \$3,000 compared with property values before the change.

Please let me know if I can be of any other help during this project. Thank you.

Best Regards,



Betty Finkbeiner
Max Broock Realtor

Unimproved Road Scoring List

Unimproved Roads Infrastructure Block Ratings

Roads/Block Name	Street (GIS Block Name)	Begin	End	Road Type	2023 Weight Points (0-100)	2019 Score Points (0-100)	Road Points (0-100)	Total Block Rating (0-300)
BLOOMFIELD OLDWOODWARD	BLOOMFIELD	OLDWOODWARD	DEAD END	Unimproved	100	89	73	262
WIMBLETON OXFORD POPPLETON	WIMBLETON	OXFORD	POPPLETON	Unimproved	94	91	70	258
OXFORD ABBEY WIMBLETON	OXFORD	ABBAY	WIMBLETON	Unimproved	100	77	73	250
SHEPARD BUSH WARWICK	SHEPARD BUSH	WARWICK	WIMBLETON	Unimproved	100	77	70	250
TORRY TAUNTON SHEPHERD BRADFORD	TORRY	TAUNTON	SHEPHERD	Unimproved	94	72	82	248
HENLEY ABBEY OXFORD	HENLEY	ABBAY	OXFORD	Unimproved	100	73	70	246
HENLEY WARWICK OXFORD	HENLEY	WARWICK	OXFORD	Unimproved	100	73	70	246
TAUNTON WOODWARD TORRY	TAUNTON	WOODWARD	TORRY	Unimproved	100	71	70	244
BRADFORD SHEPHERD TORRY CROFT	BRADFORD	SHEPHERD	TORRY	Unimproved	94	72	70	239
WARWICK ABBEY HENLEY	WARWICK	ABBAY	HENLEY	Unimproved	100	75	60	239
ABBAY HENLEY	ABBAY	HENLEY	DEAD END	Unimproved	100	64	70	237
ABBAY HENLEY OXFORD	ABBAY	HENLEY	OXFORD	Unimproved	100	64	70	237
LARCHFIELD LINCOLN MIDVALE	LARCHFIELD	LINCOLN	MIDVALE	Unimproved	100	80	50	235
TOTTERHAM HENLEY	TOTTERHAM	HENLEY	SHEPHERD BUSH	Unimproved	100	59	70	232
WARWICK HENLEY WIMBLETON	WARWICK	HENLEY	WIMBLETON	Unimproved	100	77	50	232
HENLEY TOTTERHAM PUTNEY	HENLEY	TOTTERHAM	PUTNEY	Unimproved	100	58	70	231
TOTTERHAM HENLEY WARWICK	TOTTERHAM	HENLEY	WARWICK	Unimproved	100	58	70	231
HUMPHREY ETON TAUNTON	HUMPHREY	ETON	TAUNTON	Unimproved	76	77	80	230
WESTWOOD RAYNALE OAK	WESTWOOD	RAYNALE	OAK	Unimproved	100	75	50	230
STABLEY WALLACE LINCOLN	STABLEY	WALLACE	LINCOLN	Unimproved	87	86	50	228
FAIRWAY GREENHAWK GOLFVIEW	FAIRWAY	GREENHAWK	GOLFVIEW	Unimproved	83	79	65	226
GREENHAWK HILLSIDE FAIRWAY	GREENHAWK	HILLSIDE	FAIRWAY	Unimproved	82	79	60	226
WESTWOOD OAK PARK	WESTWOOD	OAK	PARK	Unimproved	76	86	60	226
FLOYD GEORGE LINCOLN	FLOYD	GEORGE	LINCOLN	Unimproved	74	86	60	224
SOUTHDAWN LATHAM SOUTHFIELD	SOUTHDAWN	LATHAM	SOUTHFIELD	Unimproved	76	74	70	223
WIMBLETON POPPLETON ADAMS	WIMBLETON	POPPLETON	ADAMS	Unimproved	59	89	70	221
WOSCHMATE YANKEE COLUMBIA	WOSCHMATE	YANKEE	COLUMBIA	Unimproved	83	74	60	221
ARLINGTON SHIRLEY LINCOLN	ARLINGTON	SHIRLEY	LINCOLN	Unimproved	81	75	60	220
HENLEY ABBEY WARWICK	HENLEY	ABBAY	WARWICK	Unimproved	76	71	70	220
HUMPHREY TORRY TAUNTON	HUMPHREY	TORRY	TAUNTON	Unimproved	76	62	80	220

Photos of Arlington/Shirley, Westwood and Tilbury Streets

2 messages

James Mirro <jmirro@intromarketing.com>

Mon, Jul 8, 2024 at 4:16 PM

To: emclain@bhamgov.org, kschafer@bhamgov.com, along@bhamgov.org, tlonge@bhamgov.org, ahaig@bhamgov.org, bhost@bhamgov.org

Cc: Jana Ecker <Jecker@bhamgov.org>, abingham@bhamgov.org, mkucharek@bhlaw.us.com

Dear Commissioners,

Please vote this evening to allow Arlington and Shirley Streets (1st and 2nd attachments) to be treated like Westwood Drive (3rd attachment) for the street project now under review. If you do this, it will permit us to keep our curbs, gutters and driveway approaches to avoid the type of tree root damage we have witnessed recently on a number of streets north of Maple undergoing upgrades.

For example, the 3rd and 4th attachments show the damage that has occurred to under-street tree roots on Tilbury Street due to the addition of curbs, gutters and driveway approaches. This is what we are trying to avoid on Arlington and Shirley Streets with our historic, over 100-year-old trees that trace back to the founding of Coryell Tree Nursery in 1915 and give our neighborhood the character it has today.

Not only does the Westwood treatment save trees, it also saves about 2/3 of the proposed project cost due to avoidance of labor-intensive work to make forms/footings for curbs, gutters and driveway approaches. It also saves repair of our sprinkler systems, landscaping, brick/stone walls, ground cover and driveway approaches that use exposed aggregate, pavers and other upscale materials that cannot be replicated.

Finally, by not removing our curbs, gutters and driveway approaches that still have a serviceable life, we avoid spewing tons of carbon into the atmosphere by eliminating unnecessary cement production. Based on all these benefits, we request that the Commission vote on using the Westwood type of street upgrade for Arlington and Shirley Streets at the 7-8-24 Meeting this evening. Thank you.

Jim Mirro

Save Our Streets & Trees

A MI Nonprofit Foundation

248-420-5113

5 attachments



Arlington Middle Facing North..jpeg
100K



Shirley Mid North Facing South..jpeg
130K



Westwood Drive Photo, 6-30-24..JPG
123K



Tree Root Damage on Tilbury Street, 6-30-24..JPG
163K



Tree Root Debris on Tilbury Street, 6-30-24..JPG
165K

Jana Ecker <Jecker@bhamgov.org>

Mon, Jul 8, 2024 at 4:44 PM

To: Melissa Fairbairn <mfairbairn@bhamgov.org>, Mark Clemence <clemencem@bhamgov.org>, "Kucharek, Mary" <Mkucharek@bhlaw.us.com>

Cc: Melissa Coatta <mcoatta@bhamgov.org>, Cory Borton <cborton@bhamgov.org>, Scott Zielinski <szielinski@bhamgov.org>, Brooks Cowan <bcowan@bhamgov.org>, Alex Bingham <abingham@bhamgov.org>

FYI

Jana L. Ecker
City Manager
Birmingham, MI
(248) 530-1811

[Quoted text hidden]

5 attachments



Arlington Middle Facing North..jpeg
100K



Shirley Mid North Facing South..jpeg
130K



Westwood Drive Photo, 6-30-24...JPG
123K



Tree Root Damage on Tilbury Street, 6-30-24...JPG
163K



Tree Root Debris on Tilbury Street, 6-30-24..JPG
165K

FromClerksOffice- Attn: Alexandria Bingham -- Special Assessment Roll -- SAD Roll 910S and 910W

1 message

'Gary Saltzgiver' via Clerks Office <ClerksOffice@bhamgov.org>

Mon, Jul 8, 2024 at 1:34 PM

Reply-To: Gary Saltzgiver <gsaltzgiver@yahoo.com>

To: "clerksoffice@bhamgov.org" <clerksoffice@bhamgov.org>

Re: Public Hearing -- Confirmation of Special Assessment Roll 910S and 910W:

[188 Shirley Rd](#) protests the amount of the paving assessment as unreasonably disproportionate to the value accruing to the land (increase in fair market value) of 188 Shirley Rd, #19-35-226-010, hereby preserving a right of appeal.

Thank you.

Gary Saltzgiver

[188 Shirley Rd](#)

[Birmingham MI](#)

Approved, SCAO

Original - Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	SUMMONS	CASE NO. 2024-208305-CZ JUDGE MARTHA D. ANDERSON
Court address		Court telephone no.

Plaintiff's name, address, and telephone no.
 Save Our Streets & Trees
 737 Arlington Street
 Birmingham, MI 48009
 248-420-5113

Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name, address, and telephone no.

City of Birmingham
 151 Martin Street
 Birmingham, MI 48009
 248-530-1800

This case has been designated as an
 eFiling case, for more information
 please visit www.oakgov.com/efiling.

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside of Michigan).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 7/1/2024	Expiration date* 09/30/2024	Court clerk Lisa Brown
------------------------	--------------------------------	---------------------------

*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

MC 01 (3/23) **SUMMONS**

MCR 1.109(D), MCR 2.102(B), MCR 2.103, MCR 2.104, MCR 2.105

PROOF OF SERVICE

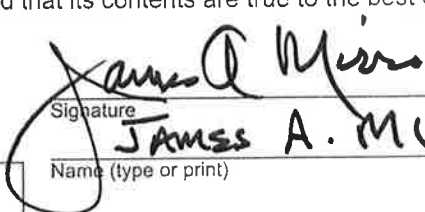
TO PROCESS SERVER: You must serve the summons and complaint and file proof of service with the court clerk before the expiration date on the summons. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE OF SERVICE / NONSERVICE

- ☒ I served ☒ personally ☒ by registered or certified mail, return receipt requested, and delivery restricted to the addressee (copy of return receipt attached) a copy of the summons and the complaint, together with the attachments listed below, on:
- ☐ I have attempted to serve a copy of the summons and complaint, together with the attachments listed below, and have been unable to complete service on:

Name CITY OF BIRMINGHAM, MI	Date and time of service 7-1-24;
Place or address of service 151 MARTIN STREET, BIRMINGHAM, MI 48009	
Attachments (if any)	

- ☐ I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party.
- ☐ I am a legally competent adult who is not a party or an officer of a corporate party. I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled	Fee \$	TOTAL FEE \$	Signature  JAMES A. MIRRO Name (type or print)
Incorrect address fee \$	Miles traveled	Fee \$		

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of a copy of the summons and complaint, together with

Rec'd by Kelly Dolland on **7-1-24; 4:35 pm**

Attachments (if any)

Date and time

Signature

Name (type or print)

STATE OF MICHIGAN
IN THE 6TH CIRCUIT COURT OF OAKLAND COUNTY

Save Our Streets & Trees

Plaintiff

V.

City of Birmingham, MI

Defendant

2024-208305-CZ

JUDGE MARTHA D. ANDERSON

This case has been designated as an eFiling case, for more information please visit www.oakgov.com/efiling.

Plaintiff, Save Our Streets & Trees, brings forth the following Complaint and TRO Application.

Plaintiff is a nonprofit foundation incorporated in the State of Michigan, ID #803145138, with a resident agent address of 737 Arlington Street, Birmingham, MI 48009.

The Defendant is an incorporated City in Oakland County, 151 Martin Street, Birmingham, MI 48009.

COMPLAINT

On 12-14-23, a majority of property owners delivered a petition to the City of Birmingham opposing the Arlington & Shirley sewer/water/street upgrade project, followed by a second petition delivered 5-6-24.

On 6-3-24, the City of Birmingham passed a resolution to set a Public Hearing of Necessity for a sewer/water/street upgrade project for Arlington & Shirley Streets to be held on 6-24-24.

On 6-4-24, the City conducted an information meeting for Arlington & Shirley property owners to provide proposed Special Assessment District (SAD) amounts for adjoining parcels to pay for the project.

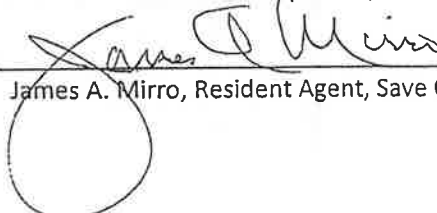
On 6-21-24, a majority of property owners delivered a third petition to the City as is their right under Michigan Public Act #246 to protest: 1) average assessments of \$24,000 that are more than 3 times higher than the same type of street upgraded one year ago (Westwood) and 18 times higher than the expected property value increase after completion based on 3 realtor opinions; 2) removal of 6 trees and root damage to over 200 trees within 17' of the street and 3) damage to adjoining private property.

At the 6-24-24 Public Meeting of Necessity, the City ignored the last 2 petitions and set a date of 7-8-24 for a Public Hearing to Confirm the Assessment Roll, with plans to award the project contract on 7-9-24.

APPLICATION FOR TEMPORARY RESTRAINING ORDER

The Plaintiff requests the Court to issue a TRO to avoid irreparable harm from the City's plan to remove 6 mature trees and fatally disturb under-street tree roots of over 200 other mature trees bordering the two streets based on 5 arborist opinions, as well as damages to private property adjoining the streets.

Signed:


James A. Mirro, Resident Agent, Save Our Streets & Trees

Date:

6-28-24

FILED Received for Filing Oakland County Clerk 6/28/2024 4:25 PM

Shirley and Arlington

1 message

'Jenny Shebib' via City Commission <city-commission@bhamgov.org>

Mon, Jul 8, 2024 at 12:58 PM

Reply-To: Jenny Shebib <jcshebib@yahoo.com>

To: City Commission <city-commission@bhamgov.org>

I just wanted to pass on a note. Jim Mirro does not represent our neighborhood association. He has been canvassing the neighborhood and collecting signatures on petitions under false pretenses. I want to let you know, if you haven't already been told. Most of the Shirley and Arlington residents are upset with jim and do not agree with a law suit against the city. I have learned to not even engage with jim let alone sign something he is supporting.

I just felt it important to pass this information along. The majority of the residents are in agreement with what the city is planning for our 2 streets. I personally hope Jim's actions will not prolong the process and push this project out further. I wish we could make him stop but unfortunately the more we try the more he engages.....

Thanks

Jenny and Nick Shebib

Jenny Shebib

(248)925-8464 cell

jcshebib@yahoo.com

--

You received this message because you are subscribed to the Google Groups "City Commission" group.

To unsubscribe from this group and stop receiving emails from it, send an email to city-commission+unsubscribe@bhamgov.org.

To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/1740156799.2296471.1720457891197%40mail.yahoo.com>.

Fwd: Arlington/Shirley project

2 messages

Jana Ecker <Jecker@bhamgov.org>
To: Alex Bingham <abingham@bhamgov.org>

Mon, Jul 8, 2024 at 2:12 PM

Please add to communications for next CC meeting and the print outs for tonight.

Thanks,

Jana L. Ecker
City Manager
Birmingham, MI
(248) 530-1811

----- Forwarded message -----

From: **Therese Longe** <tlonge@bhamgov.org>
Date: Mon, Jul 8, 2024 at 2:06 PM
Subject: Fwd: Arlington/Shirley project
To: Jana Ecker <Jecker@bhamgov.org>, Mary Kucharek <mkucharek@bhlaw.us.com>

----- Forwarded message -----

From: **Jean Steed** <jrsteeds@gmail.com>
Date: Mon, Jul 8, 2024 at 1:38 PM
Subject: Arlington/Shirley project
To: <bhost@bhamgov.org>, <emclain@bhamgov.org>, <along@bhamgov.org>, <tlonge@bhamgov.org>, <kschafer@bhamgov.com>, <ahaig@bhamgov.org>, <cballer@bhamgov.org>

Dear Commissioners,

I am not a public speaker and I don't want to get in the crosshairs of Jim Mirro, but I need to make it clear that not all of us who live on Arlington and Shirley support Mr. Mirro's opinions and the tactics he is using to push his agenda. I have never signed his petitions. And based on the flurry of emails from neighbors over the weekend asking Mr. Mirro to remove their names from the petitions they signed, I think he can no longer speak for the "majority" of the street as he claims. No one I know around me is a member of his Save our Trees and Streets organization and no one I know supports him filing complaints and motions on their behalf.

I am ready to move forward with the improvements and I believe there are many of us in this "minority" who feel the same.

Thank you for your patience and civility during these tedious council meetings that have addressed our issues over the last several months.

Respectfully,

Jean Steed
345 Arlington

Jana Ecker <Jecker@bhamgov.org>
To: Melissa Fairbairn <mfairbairn@bhamgov.org>, Mark Clemence <clemencem@bhamgov.org>, "Kucharek, Mary" <Mkucharek@bhlaw.us.com>, Alex Bingham <abingham@bhamgov.org>
Cc: Melissa Coatta <mcoatta@bhamgov.org>, Cory Borton <cborton@bhamgov.org>, Scott Zielinski <szielinski@bhamgov.org>, Brooks Cowan <bcowan@bhamgov.org>

Mon, Jul 8, 2024 at 2:14 PM

FYI

[Quoted text hidden]

Re: North Eton

1 message

Clinton Baller <cmballer@avidpays.com>

Tue, Jul 9, 2024 at 8:53 AM

To: GEORGIA VITICK <gvitick@msn.com>

Cc: City Commission <city-commission@bhamgov.org>, Jana Ecker <Jecker@bhamgov.org>, Scott Grewe <sgrewe@bhamgov.org>, rkearny@bhamgov.org

Hi, Georgia! I am going to share your email (with one minor edit) with a few people in city government, with a request to them that it be included under Communications in the next agendas of both the Multi Modal Transportation Board and the City Commission. I have similar concerns about the upcoming improvement to my street, where the bumps and potholes slowing traffic will soon be replaced by super smooth shiny new asphalt. I agree we could be more aggressive in addressing speeding. Parking regulations, permanent speed boards, speed humps, signage and more should all be in our toolbox, and residents should have a clear path for requesting their use in their neighborhoods.

Clinton

On Mon, Jul 8, 2024 at 5:25 PM GEORGIA VITICK <gvitick@msn.com> wrote:

Hi Clinton

I'm your former neighbor and need your help.

Since the poor street redesign on North Eton the speeding has become ridiculous...it looks like a cross between a dragstrip and an airport runway...any sane person would not ride a bike in the street.

The only people riding bikes on the street are in packs.

Bringing back parking on both sides would eliminate most of the problems.

Eliminate all the painted lines....it will look more the the residential street it is....it can still safely be a bike route...it always was before the redesign.

I have been in constant contact with Ryan Kearney who has regularly installed a temporary radar sign and increased patrols but it is useless without a permanent radar sign facing south. Ryan is trying to help but cannot give me a valid reason for a permanent sign.

If I were not constantly annoying him with my requests the constant speed on North Eton would be 40.

Today I was honked at because I stopped at our driveway to let a lady and her dog pass before I made my turn.

North Eton is not what it used to be when you lived here....it's crazyland!

At minimum...we need a permanent radar sign facing southbound traffic....why would the city assume that if we have speeders going north..we do not have speeders goin south???? Help!!!!

Thank you for serving on the Commission....after being Graefield condo president multiple times I can totally appreciate what you are doing for the whole city....

Georgia Vitick

667 North Eton

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You received this message because you are subscribed to the Google Groups "City Commission" group.
To unsubscribe from this group and stop receiving emails from it, send an email to city-commission+unsubscribe@bhamgov.org.
To view this discussion on the web visit https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/CAG8Vh9HucTtMPVnj_BZj%2Bnn4quQyEBwpAfiUPX_cpfbfXuODpw%40mail.gmail.com.

Kent E & Shantih Johnston
2428 Northlawn
Birmingham, MI 48009

June 24, 2024

City of Birmingham
Planning and Zoning Department
151 Martin Street
Birmingham, MI 48009

Subject: Objection to Mandated Partial Sidewalk Installations

Dear City Council,

We are writing to express our strong opposition to the City of Birmingham's proposal mandating the installation of partial sidewalks along Northlawn and Greenlawn (applicable to new residential home construction). This proposal, if implemented, would create significant safety hazards for both pedestrians and motorists and exacerbate existing drainage issues that have already been reported to the City for our property along Greenlawn.

The installation of partial sidewalks introduces multiple entry and exit points for pedestrians onto the road. This creates a misleading and potentially dangerous situation for drivers. Motorists, accustomed to clear and consistent pedestrian pathways, might be caught off guard by unexpected pedestrian crossings, increasing the risk of accidents.

Below are several points, supported by recent research and articles, that highlight the potential dangers and complications associated with intermediate sidewalk construction:

Increased Risk of Pedestrian Accidents

According to the National Highway Traffic Safety Administration (NHTSA) report on crash characteristics (<https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813310>), 75% of pedestrian accidents in 2020 occurred at locations that were not intersections, with an additional 10% occurring at 'other' locations such as roadsides, shoulders, and sidewalks. This data suggests that partial sidewalks, which force pedestrians to transition unpredictably between sidewalks and roadways, may significantly increase the risk of accidents.

Connectivity Issues

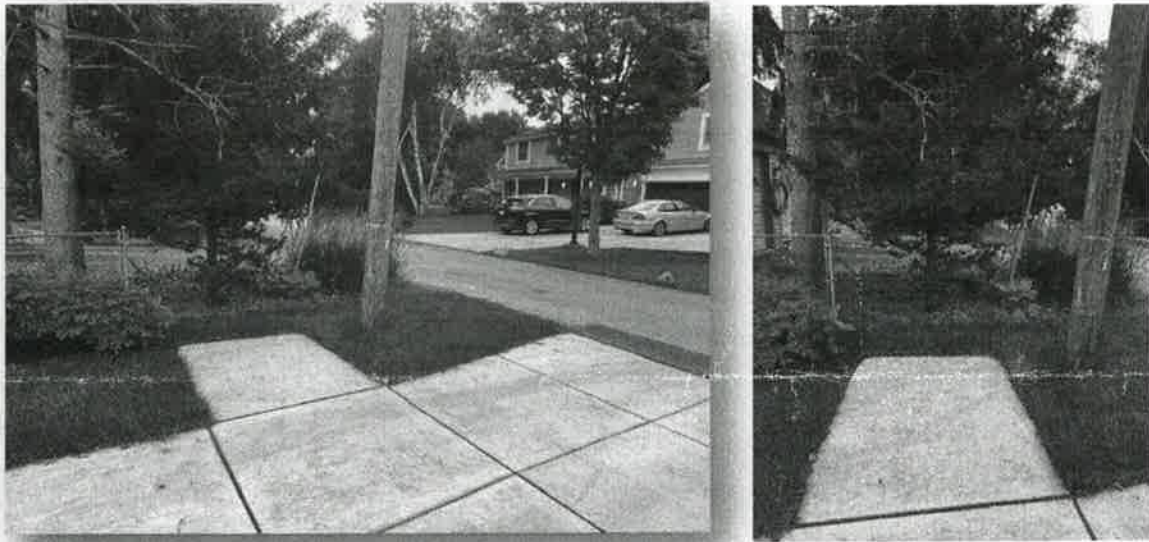
The USDOT Federal Highway Transportation article, "A Resident's Guide for Creating Safer Communities for Walking and Biking" (<https://highways.dot.gov/>), emphasizes that poor connectivity, such as dead-end streets and bike lanes that end unexpectedly, can create hazardous conditions for pedestrians. Intermediate sidewalks would contribute to poor connectivity, leading to abrupt ends where pedestrians may take risks, such as crossing

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the street in unsafe locations or running across to reach the next sidewalk segment (see below).



Visibility and Safety Concerns

The same USDOT article highlights that children and older pedestrians often have difficulty seeing and being seen by drivers. Children may have trouble deciding where it is safe to cross the street and gauging vehicle speeds, while older pedestrians may have reduced motor skills and require more time to cross streets safely. Intermediate sidewalks, with their frequent starts and stops, could exacerbate these visibility and safety issues, putting vulnerable pedestrians at greater risk. From our own experience with children, once they are ahead of you and there is a bend or stop to the path, they head to where they want next.

Accessibility Challenges

People with disabilities face significant challenges with intermediate sidewalks. Surface irregularities, changes in slope or elevation, lack of accessible curb ramps, and sidewalk width restrictions can all make navigating these areas difficult and dangerous. Without continuous, accessible pathways, individuals using wheelchairs, crutches, or those with visual or cognitive impairments may struggle to traverse the street safely.

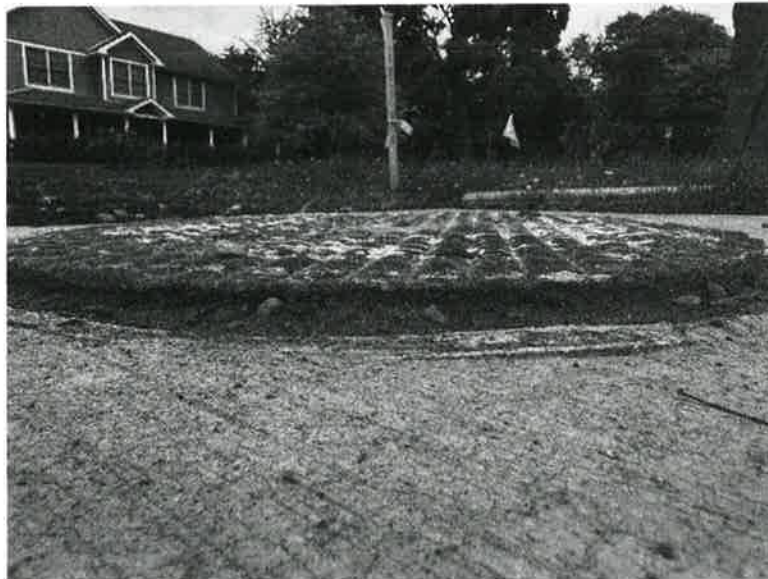
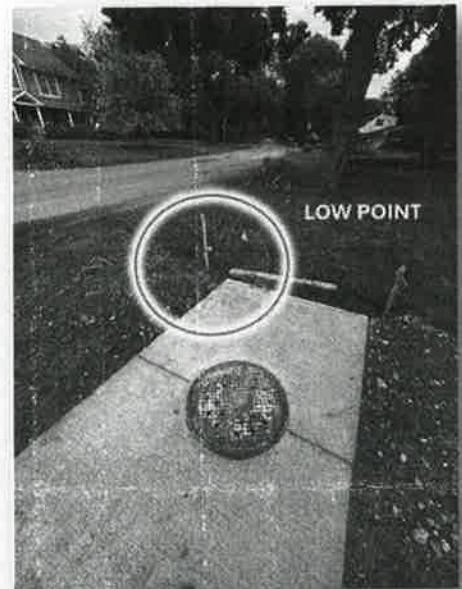
Poor Surface Conditions

Intermediate sidewalks are likely to suffer from poor surface conditions, including uneven or broken pavement and debris. The USDOT article points out that such conditions are hazardous for all pedestrians, particularly those on bicycles or using mobility aids. Consistent, well-maintained sidewalks are essential for ensuring safety, which piecemeal construction cannot provide. The recent sidewalk on Fairway has a raised drainage cover not even located at the low point of the sidewalk (both a trip hazard and ineffective in allowing the water to drain); there will certainly be ice for pedestrians to slip on (see below).

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Unsafe Street Crossings

The proposal for intermediate sidewalks may result in unsafe street crossings due to long crossing distances and wide intersections. The absence of pedestrian signals, curb ramps, median crossing islands, and proper markings can make these crossings dangerous. Furthermore, signals that do not accommodate the time needed for safe pedestrian or bicyclist crossing only compound the problem.

2428 Northlawn-specific Issue: Revised Elevation of 1356 Greenlawn

I have reported significant issues with standing water on Greenlawn resulting from the City's approval of my neighbor's construction. Their renovation raised their elevation by ~1.5 feet causing significant drainage issues to our backyards and Greenlawn. The City's failure to validate and enforce proper elevation standards has led to improper drainage on

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my property (see attached photos). The accumulation of standing water not only poses immediate inconveniences (mosquitos, ducks, mud), but also presents serious risks in winter months: the standing water freezes, creating icy patches (increasing the likelihood of slip-and-fall accidents). Without rectification by the City, this will endanger residents and poses a liability risk for the City.



I trust that the City of Birmingham will take these concerns seriously and take the necessary actions to protect its residents. I look forward to your prompt attention and a favorable resolution to these matters.

Sincerely,

Kent E & Shantih Johnston
2428 Northlawn
Birmingham, MI 4800

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BIRMINGHAM CITY COMMISSION AGENDA
JULY 22, 2024
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk

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

ANNOUNCEMENTS

- Proclamation designating July as Parks and Recreation Month

APPOINTMENTS

- A. Multi Modal Transportation Board
1. Laura Engelland

To appoint _____ as a regular member to the Multi-Modal Transportation Board to serve the remainder of a three-year term to expire October 27, 2025.

- B. Board of Zoning Appeals
1. Donald Rogers

To appoint _____ as an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 18, 2026.

- C. Principal Shopping District
1. Lia Jamerson

To concur in the City Manager's appointment of _____ to the Birmingham Shopping District Board to serve the remainder of a four-year term to expire November 16, 2026.

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

V. CONSENT AGENDA

All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.

- A. Resolution to approve the amended regular City Commission meeting minutes of the meeting held on June 24, 2024.

- B. Resolution to approve the regular City Commission meeting minutes of the meeting held on July 8, 2024.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 4, 2024 in the amount of \$1,145,317.67.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 11, 2024 in the amount of \$3,013,416.95.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 17, 2024 in the amount of \$1,699,761.35.
- F. Resolution to approve an Amendment and Extension to the 2020-2021 Public Service Contract with Next extending the contract expiration date to December 21, 2025, and to authorize the Mayor and the City Clerk to sign the Amendment and Extension on behalf of the City.
- G. Resolution to approve an Amendment and Extension to the 2022-2023 Public Service Contract with Next extending the contract expiration date to December 21, 2025, and to authorize the Mayor and the City Clerk to sign the Amendment on behalf of the City.
- H. Resolution to award the 2023-2024 Public Services contract totaling \$10,388.00 for Yard Services and Senior Outreach Services to NEXT under the Community Development Block Grant Program; and further, to authorize the Mayor to sign the contract on behalf of the City.
- I. Resolution to claim an exemption from the Publicly Funded Health Insurance Contribution Act 2011 PA 152. Further, to direct the City Engineer and Finance Director to sign the Annual Certification for Employee-related Conditions for the year 2024 and submit the required form to the Michigan Department of Transportation as required by Public Act 51.
- J. Resolution to approve an agreement with Delta Temp for the replacement of the air conditioning unit for the foreman's office, in the amount of \$27,750.00 to be funded from account number 101.0-441.000-977.0000, Public Services – General; further, to approve the appropriation and amendment to the fiscal year 2024-2025 General Fund budget as follows:

General Fund

Revenues:

101.0-000.000-400.0000	Draw from Fund Balance	\$27,750.00
Total Revenue		\$27,750.00

Expenses:

101.0-441.000-977.0000	Public Services – General	\$27,750.00
Total Expenditures		\$27,750.00

And further, to authorize the City Manager to sign the agreement on behalf of the City.

VI. CITY MANAGER'S REPORT

The City Manager's Report regularly occurs on the second City Commission meeting of the month. Additionally, reports from prior months can be viewed on the City's [website bhamgov.org/manager](http://website.bhamgov.org/manager).

- A. July 22, 2024 City Manager's Report

VII. UNFINISHED BUSINESS

None.

VIII. NEW BUSINESS

- A. Public Hearing – Confirmation of SAD Roll 911 N. Adams Road Resurfacing – Sewer and Water Laterals

1. Resolution confirming Special Assessment Roll 911 as follows:

WHEREAS, Special Assessment Roll, designated Roll No. 911, has been heretofore prepared for Collection; and

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

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

WHEREAS, the Commission Resolution 07-483-24 provided it would meet this 22nd day of July, 2024 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this July 22, 2024, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 911 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in five (5) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments.

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
19-25-279-017	1001 N ADAMS RD	\$ 857.50	\$ -
19-25-279-018	1013 N ADAMS RD	\$ 857.50	\$ -
19-25-279-019	1025 N ADAMS RD	\$ 857.50	\$ -
19-25-279-020	1037 N ADAMS RD	\$ 857.50	\$ -
19-25-279-021	1049 N ADAMS RD	\$ 857.50	\$ -
19-25-279-022	1051 N ADAMS RD	\$ 857.50	\$ -
19-25-279-023	1063 N ADAMS RD	\$ 857.50	\$ -
19-25-279-024	1075 N ADAMS RD	\$ 857.50	\$ -
19-25-279-025	1087 N ADAMS RD	\$ 857.50	\$ -
19-25-279-026	1099 N ADAMS RD	\$ 857.50	\$ -
20-30-151-001	1100 N ADAMS RD	\$ -	\$ 7,375.00
20-30-151-002	1050 N ADAMS RD	\$ 12,765.00	\$ 7,375.00
20-30-151-007	1109 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-008	1109 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-009	1109 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-010	1109 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-011	1109 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-012	1109 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-013	1109 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-014	1109 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-015	1127 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-016	1127 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-017	1127 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-018	1127 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-019	1127 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-020	1127 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-021	1127 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-022	1127 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-023	1155 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-024	1155 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-025	1155 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-026	1155 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-027	1155 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-028	1155 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-029	1155 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-030	1155 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-031	850 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-032	850 N ADAMS RD APT 5	\$ 49.66	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-033	850 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-034	850 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-035	850 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-036	850 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-037	850 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-038	850 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-039	868 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-040	868 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-041	868 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-042	868 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-043	868 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-044	868 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-045	868 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-046	868 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-047	1195 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-048	1195 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-049	1195 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-050	1195 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-051	1195 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-052	1195 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-053	1195 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-054	1195 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-055	1225 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-056	1225 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-057	1225 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-058	1225 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-059	1225 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-060	1225 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-061	1225 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-062	1225 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-063	1245 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-064	1245 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-065	1245 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-066	1245 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-067	1245 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-068	1245 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-069	1245 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-070	1245 DERBY RD APT 7	\$ 49.66	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-071	880 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-072	880 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-073	880 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-074	880 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-075	880 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-076	880 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-077	880 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-078	880 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-079	898 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-080	898 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-081	898 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-082	898 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-083	898 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-084	898 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-085	898 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-086	898 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-087	946 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-088	946 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-089	946 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-090	946 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-091	946 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-092	946 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-093	946 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-094	946 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-095	928 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-096	928 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-097	928 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-098	928 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-099	928 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-100	928 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-101	928 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-102	928 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-103	910 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-104	910 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-105	910 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-106	910 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-107	910 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-108	910 N ADAMS RD APT 5	\$ 782.38	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-109	910 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-110	910 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-111	964 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-112	964 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-113	964 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-114	964 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-115	964 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-116	964 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-117	964 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-118	964 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-119	982 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-120	982 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-121	982 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-122	982 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-123	982 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-124	982 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-125	982 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-126	982 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-127	900 N ADAMS RD	\$ 782.38	\$ -

\$57,390.38 \$14,750.00

B. Public Hearing - Oakland Avenue and Haynes Street Project #7-24 (P) Hearing of Necessity for Sewer and Water Lateral Special Assessment District (SAD)

1. WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards and replacing water services that are 60 years or older or less than 1 inch in diameter on Oakland Avenue from N. Old Woodward to Woodward Avenue; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that is not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that Oakland Avenue and Haynes Street Project, the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of sewer service and water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of sewer service laterals and water service laterals located within the limits of the following streets shall be installed as part of the Oakland Avenue and Haynes Street Project (Contract #7-24(P)):

Oakland Avenue – N. Old Woodward to Woodward Avenue

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral services that are 50 years of age or older or constructed of materials that are not acceptable and water services that are 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$125.00 per foot of 6" diameter sewer service pipe, and \$90.00 per foot of 1-inch water service pipe).

THEREFORE, LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation of the Roll on August 12, 2024, and give notice of same.

Water and/or Sewer Lateral

Sidwell Number	Street Address	Water SAD Costs	Sewer SAD Costs
19-25-451-034	400 Park	\$1,125.00	\$0.00
19-25-452-018	247 Oakland	\$2,625.00	\$8,190.00
19-25-452-019	267 Oakland	\$2,625.00	\$7,980.00
19-25-452-026	233 Oakland	\$2,625.00	\$0.00

- C. Public Hearing - to amend Chapter 86 (Signs) to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number
1. Motion adopting an ordinance to amend Chapter 86 (Signs), Article 1, Table B, Table D, Section 1.08 and Section 1.09 to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number of signs committed.
- D. Public Hearing - for Combination of Land Parcels 1110 & 1114 Lakeside Road - 1114 Lakeside
1. Resolution to DENY the lot combination of 1114 & 1110 Lakeside Drive, parcels 19-25-151-069 & 19-25-151-070.
- E. Resolution to lift the pause on new sidewalk installation that was put in place on June 3, 2024, to ensure compliance with Chapter 98 of the City Code, the Multi-Modal Transportation Plan, the 2040 Plan and the longstanding desire for Birmingham to be a walkable community that prioritizes the comfort and safety of pedestrians.
- F. Resolution accepting the recommendation of the Ad Hoc Senior/Recreation Committee that option 1, as presented by Consultants and Staff, being a renovation of the existing YMCA building located at 400 E Lincoln St, Birmingham, MI 48009, not be considered because it is not financially responsible and does not meet the goals 1 through 4 of the senior/recreation center project and that a new facility is the preferred choice;
- AND
- To adopt a resolution to accept the recommendation of the Ad Hoc Senior/Recreation Committee that a new building according to option 4A as presented by the Staff and City Consultants be built, not to exceed approximately 28 million dollars, as it meets goals 1 through 4 and objectives 1 through 6 of the senior/recreation center project, with an option for consideration of a pool not to exceed 3.6 million dollars in cost;
- AND
- Furthermore, to direct the City Manager to take the necessary steps in order to facilitate the design, funding and construction of a new senior/recreation facility.
- G. City Commission Selection of City Manager Performance Evaluation Structure
- H. Resolution to appoint _____ as the City of Birmingham's official voting delegate and _____ as the alternate delegate, for the Michigan Municipal League Annual Meeting to be held in Traverse City, Michigan on September 11, 2024.
- I. Commission Items for Future Discussion. A motion is required to bring up the item for future discussion at the next reasonable agenda, no discussion on the topic will happen tonight.
- J. Commission discussion on items from a prior meeting.
1. Pesticides

IX. REMOVED FROM CONSENT AGENDA
--

X. COMMUNICATIONS

- A. Shirley & Arlington
- B. Eton
- C. Northlawn

XI. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

INFORMATION ONLY

XII. ADJOURN

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760
You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

*NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-3405 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.
Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*



PROCLAMATION
Designation of July as Parks and Recreation Month

- WHEREAS,** Parks and recreation is an integral part of communities throughout this country, including Birmingham, MI; and
- WHEREAS,** Parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and
- WHEREAS,** Parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimers; and
- WHEREAS,** Parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and
- WHEREAS,** Parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and
- WHEREAS,** Park and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and
- WHEREAS,** Parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and
- WHEREAS,** Parks and recreation is fundamental to the environmental well-being of our community; and
- WHEREAS,** Our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and
- WHEREAS,** The U.S. House of Representatives has designated July as Parks and Recreation Month; and
- WHEREAS,** Birmingham recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, be it resolved with this official proclamation that I, Elaine McLain, Mayor of the City of Birmingham, on behalf of the City Commission and citizens of Birmingham, that July is recognized as Parks and Recreation month in the City of Birmingham, Michigan.

On behalf of the City Commission and the residents of
Birmingham on this 22nd day of July, 2024.

Elaine McLain, Mayor



**NOTICE OF INTENTION TO APPOINT TO THE
MULTI-MODAL TRANSPORTATION BOARD**

At the regular meeting of Monday, July 22, 2024, the Birmingham City Commission intends to appoint to the Multi-Modal Transportation Board two alternate members with terms expiring October 27, 2025.

Interested citizens may submit an application available at the City Clerk's office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, July 17, 2024. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

In so far as possible, the seven-member committee shall be composed of the following: one pedestrian advocate member; one member with a mobility or vision impairment; one member with traffic-focused education and/or experience; one bicycle advocate member; one member with urban planning, architecture or design education and/or experience; and two members at large living in different geographical areas of the City. Applicants for this position do not have to be a qualified elector or property owner in Birmingham.

Duties of the Multi-Modal Transportation Board

The purpose of the Multi-Modal Transportation Board shall be to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the City and to advise the City Commission on the implementation of the Multi-Modal Transportation Plan, including reviewing project phasing and budgeting.

Applicant(s) Presented For City Commission Consideration:

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

	Criteria/Qualifications
	Traffic-focused education/experience, mobility/vision impairment, urban planning, architecture or design education/experience. In addition, 2 members at large living in different geographical areas of the City.
Laura Engelland	Self-employed entrepreneur with experience related to design, urban planning, & traffic management; Pedestrian & Bicycle advocate

SUGGESTED COMMISSION ACTION:

To appoint _____ as a regular member to the Multi-Modal Transportation Board to serve the remainder of a three-year term to expire October 27, 2025.

To appoint _____ as a regular member to the Multi-Modal Transportation Board to serve the remainder of a three-year term to expire October 27, 2025.

FromClerksOffice- APPLICATION FOR CITY BOARD OR COMMITTEE [#16]

1 message

'Wufoo' via Clerks Office <ClerksOffice@bhamgov.org>

Mon, Jul 1, 2024 at 5:02 PM

Reply-To: no-reply@wufoo.com

To: clerksOffice@bhamgov.org

Board/Committee of Interest	Multi-Modal Transportation Board
Specific Category/Vacancy on Board (see below)	Experience related to design, urban planning, & traffic management; Pedestrian & Bicycle advocate
Name	Laura Engelland
Residential Address	 390 Larchlea Drive Birmingham, MI 48009 United States
Phone Number *	(248) 688-7556
Email	ljengelland@gmail.com
By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.	
Length of Residence	3 years
Occupation	Entrepreneur / Self-Employed

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

As an enthusiastic advocate for multi-modal transportation, I am eager to contribute my skills and experiences to enhance the board. Let me elaborate on how my background aligns with this mission.

Firstly, my passion for multi-modal transportation has driven both personal and professional exploration. I actively seek out transit systems to understand their efficiency and impact, and how people of varying capabilities experience them. Additionally, I love exploring new places on foot, appreciating the importance of pedestrian-friendly infrastructure. Currently, I rely on biking and walking—including with strollers—within Birmingham, emphasizing the need for safe and accessible pathways.

Secondly, I am deeply committed to our community's development. Having moved across the United States during my early adulthood, I am proud to call Birmingham home. As a homeowner and registered voter, I am invested in the well-being of our city. Raising two young children here, I recognize the significance of sustainable transportation options for families. Birmingham's thriving community and walkability were key factors in my decision to live here.

Lastly, my teamwork and problem-solving abilities make me a valuable asset. My background as a distance runner has honed my collaboration skills, emphasizing the value of working together to achieve common goals. Throughout my career, I've focused on mobility solutions:

- At AT&T, I contributed to their transition into a mobility company, emphasizing digital wayfinding and safety tools.
- My global travels with iRobot exposed me to the impact of autonomous robots on daily life, which is highly relevant as

we integrate new technologies into roadways.

- At Ford Motor Company, I provided planning and investment recommendations for various mobility systems, including autonomous vehicles, shared platforms, scooters, and even electric aircraft designed for daily commuting.

In summary, my passion, community ties, and problem-solving abilities uniquely position me to contribute to the Multi-Modal Transportation Board. I am committed to improving everyday life for our residents through innovative – and simple – transportation solutions.

List your related employment experience

Uphill Partners – Principal (Birmingham, MI; 2023-present)

- Family office dedicated to investment in local small business.
- Responsible for private and public relationship development and investment evaluation.

FINN – Vice President, Partnerships (Detroit, MI; 2021-2023)

- Start-up mobility services provider based in Munich, Germany; recently launched in US market.
- Led corporate partnership development between FINN and OEMs.

Ford Motor Company – multiple roles, latest Associate Director (Palo Alto, CA & Dearborn, MI; 2016-2021)

- Drove global primary research in the US, China, and Europe to identify, understand, and embed consumer needs in multi-modal product development. Identified ways to develop shared, multi-modal transportation systems, including methods to change consumer behavior and drive adoption.
- Followed a Universal Design approach to product development. Leveraged ethnographic studies of wide range of people, including the disabled, to understand gaps in current systems and customer needs.
- Navigated Ford through complicated regulatory and cost barriers to create enabling technologies for Smart City development.
- Led investigation of and provided recommendations for micro mobility (i.e. scooters) investment.
- Identified opportunities in nascent Advanced Air Mobility market. Presented landscape analysis and market entry pathways to CEO and C-suite team.
- Developed and presented strategy to address Ride Hail market. Defined business models, M&A pathways, and go-to-market implications, which justified spinout of AV LLC (Ford's autonomous vehicle unit) and informed pilot projects with 3rd parties.
- Developed and secured Board approval for global strategic plan for newly formed Enterprise Connectivity organization; plan led to creation of FordPro business unit.
- Built high-performing, cross-functional team of diverse talent across discipline, gender, race, and ethnicity to prioritize and execute wide range of projects across newly formed global organization.
- Negotiated \$125M contract to deliver connected vehicle services worldwide after one full year of complex negotiations.

iRobot Corporation – Manager, Global Communications (Bedford, MA; 2011 – 2014)

- Drove business development and market adoption of consumer, B2B, and industrial robots by leading communications strategy, that involved events, product messaging, and executive speaking engagements, across 60 countries and 3 business units.
- Managed agencies on 3 continents in London, Shanghai, and New York City; traveled quarterly to Shanghai, Tokyo, Seoul, Munich, and Berlin.
- Spearheaded brand launch in China; achieved 200% of sales plan and thought leadership in market. Worked with sales and marketing to coordinate press conference in Shanghai and localize communications.

FleishmanHillard – Account Supervisor, Public Relations (New York, NY; 2008-2011)

- Planned and executed 100+ new product launches, such as AT&T iPhone and Emerging Devices, Barnes & Noble,

and Chobani. Managed national media strategy, reviews, press events, and executive interviews.

- Served as on-camera spokesperson for AT&T.

List your related community activities

- Active with University of Michigan alumni clubs, via mentorship, candidate interviews, meet-ups and volunteering – 2016-present
- AIARE I Avalanche Certified – 2021
- Multiple Sclerosis charity bike rides 175 miles – 2013-2015
- University of Arkansas Alumni Club President, Boston – 2012-2014
- Inner City Scholarship Fund volunteer (tutor, student events) – 2008-2011

List your related educational experience

Master of Business Administration (MBA) with distinction — University of Michigan, Ann Arbor, MI

- Selected as Section President
- Business & Land Development Project in Sri Lanka

Bachelor of Science (BS), Marketing Management, magna cum laude — University of Arkansas, Fayetteville, AR

- NCAA D1 Track and Cross Country Athlete — 5-time NCAA Academic All-American
- Student-Athlete representative to NCAA compliance review process
- Top Marketing Student (graduating class) Award

IDEO University — Human Centered Design certifications

- Leading with Creativity – February 2020
- Insights for Innovation – July 2017

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

No, we do not.

Do you currently have a relative serving on the board/committee to which you have applied?

No

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

Yes



MULTI-MODAL TRANSPORTATION BOARD

Chapter 110, Sections 110-26 & 110-27

The purpose of the Multi-Modal Transportation Board shall be to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the city and to advise the city commission on the implementation of the Multi-Modal Transportation Plan, including reviewing project phasing and budgeting.

In so far as possible, the seven member committee shall be composed of the following: one pedestrian advocate member; one member with a mobility or vision impairment; one member with traffic-focused education and/or experience; one bicycle advocate member; one member with urban planning, architecture or design education and/or experience; and two members at large living in different geographical areas of the city. At least five Board members shall be electors or property owners in the city. The remaining Board members may or may not be electors or property owners in the City.

Term: Three years.

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Davies	Gordon	(248)701-5462	10/24/2022	3/4/2027
969 Bennaville			Regular Member	
Birmingham	48009	<i>gordonhdavies@yahoo.com</i>		
Doolittle	Mark	(248) 535-0632	10/24/2022	3/24/2026
1305 S. Bates St			Regular Member at large from a different geographical area of city	
Birmingham	48009	<i>mark.j.doolittle@gmail.com</i>		
Hillberg	Patrick	(248)797-1804	10/24/2022	3/4/2027
1853 Fairview			Regular Member	
Birmingham	48009	<i>patrick_hillberg@hotmail.com</i>		

Last Name Home Address	First Name	Home Business E-Mail	Appointed	Term Expires
Hocker 898 Pilgrim Birmingham	David 48009	(313) 917-4718 <i>dhocker@globalfacilitiesinc.com</i>	11/23/2020 Regular member at large/plan experience	3/24/2025
Koul 662 Purdy #103 Birmingham	Z. Rosie 48009	(248) 420-0906	12/18/2023 Regular member-at-large from different geographical areas of the city	3/24/2025
Lassen	Jack		3/12/2024 Student representative	12/31/2024
Peard 645 Suffield Birmingham	Thomas 48009	(248) 770-7761 <i>thomaspeard@yahoo.com</i>	1/13/2020 Urban planning /architecture /design	3/24/2025
Reibschaid	Owen		2/12/2024 Student representative	12/31/2024

VACATED

3/4/2024

10/27/2025

Alternate

Last Name	First Name	Home Business	Appointed	Term Expires
Home Address	E-Mail			
VACATED	3/4/2024		Alternate	10/27/2025
Zane	Joseph	(248) 563-3381	12/10/2018	3/24/2025
1014 Chestnut St.			Regular Member	
Birmingham	48009			
		Joseph.Michael.Zane@gmail.com		

ARTICLE II. - MULTI-MODAL TRANSPORTATION BOARD

*Footnotes:**--- (2) ---*

Editor's note— Ord. No. 2138, adopted February 10, 2014, amended article II in its entirety to read as herein set out. Formerly, article II pertained to the traffic and safety board, and derived from the Code of 1963, §§ 10.91—10.96.

Sec. 110-26. - Composition.

- (a) The multi-modal transportation board shall consist of nonvoting ex officio members and seven members appointed by the city commission. The nonvoting ex officio members shall be appointed by the city manager. They may include the city engineer, city planner, police chief, or their designated representative, or other representatives as the city manager deems appropriate. Insofar as possible, the city commission shall appoint members as follows:
- (1) One pedestrian advocate member;
 - (2) One member with a mobility or vision impairment;
 - (3) One member with traffic-focused education and/or experience;
 - (4) One bicycle advocate member;
 - (5) One member with urban planning, architecture or design education and/or experience; and
 - (6) Two members at large living in different geographical areas of the city.

At least five board members shall be electors or property owners in the city. The remaining board members may or may not be electors or property owners in the city.

- (b) The city commission may appoint two alternate members to serve as needed on the multi-modal transportation board during their term of appointment. An alternate member may be called on a rotating basis to sit as a regular member of the multi-modal transportation board in the absence of a regular member. An alternate member may also be called to service in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. An alternate member having been appointed shall serve in the case until a final decision has been made. An alternate member shall have the same voting rights as a regular member of the multi-modal transportation board.

(Ord. No. 2138, 2-10-14; Ord. No. 2200, 9-12-16; Ord. No. 2203, 10-10-16)

Sec. 110-27. - Terms of members.

Initial members of the multi-modal transportation board shall serve for the following terms: two members shall be appointed for one-year terms, two members shall be appointed for two-year terms, and three members shall be appointed for three-year terms. Thereafter, all appointments, except to fill vacancies, shall be for a term of three years. All appointments for the purpose of filling vacancies occurring otherwise than by expiration of term of office shall be for the unexpired term.

(Ord. No. 2138, 2-10-14)

Sec. 110-28. - Compensation.

All members of the multi-modal transportation board shall serve without compensation.

(Ord. No. 2138, 2-10-14)

Sec. 110-29. - Organization.

The multi-modal transportation board shall, from its appointed members, elect a chair who shall be the presiding officer of the board, and a vice-chair who shall serve in the absence of the chair. A secretary, who shall keep and maintain the proceedings of the board, shall be appointed by the board. The secretary need not be a member of the board. The terms of office for such officers shall be one year and until their successors have been elected. The ex officio members of the board may not act as the chair or vice-chair but may serve as secretary.

(Ord. No. 2138, 2-10-14)

Sec. 110-30. - Meetings and quorum.

The multi-modal transportation board shall hold meetings at such time and place as may be established by the board. Special meetings may be called by the secretary at the written request of the chair or any three members of the board on at least two days' notice. A quorum for the transaction of business at the regular and special meetings shall be four appointed members and at least one ex officio member or their designated representative.

(Ord. No. 2138, 2-10-14)

Sec. 110-31. - Scope of authority.

The multi-modal transportation board is a non-administrative board serving solely in an advisory capacity. In that capacity the board may make recommendations to the city commission but may not assume any legislative or administrative authority of the city commission or any department or board

established by the city commission except as specifically provided in this chapter. The multi-modal transportation board is not authorized to expend city funds.

(Ord. No. 2138, 2-10-14)

Sec. 110-32. - Purpose and duties.

The purpose of the multi-modal transportation board shall be to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the city and to advise the city commission on the implementation of the multi-modal transportation plan, including reviewing project phasing and budgeting. In furtherance of its purpose, the board shall endeavor to provide the following:

- (1) Advice on the implementation of the city's multi-modal transportation plan to the city commission.
- (2) Review of the multi-modal transportation plan to assure that it remains current with citywide multi-modal transportation movements and regional transportation plans and initiatives.
- (3) An objective and technical multi-modal evaluation of plans for all road reconstruction and road resurfacing projects, sidewalk and pedestrian crossing projects, intersection or bridge projects, bicycle and transit facility improvement projects.
- (4) An objective and technical evaluation of transportation issues brought to the attention of or identified by the board.
- (5) An objective and technical evaluation of the transportation plan submitted for proposed development or redevelopment, as referred to the board by the planning board.
- (6) An objective and technical multi-modal evaluation of site plans submitted for proposed development or redevelopment, as referred to the board by the planning board.
- (7) An objective and technical multi-modal evaluation of any ordinance amendments related to transportation issues, as referred to the board by the planning board or city commission.
- (8) The application of accepted transportation engineering practices, multi-modal transportation planning and complete streets practices and national standards, including those published by the American Association of State Highway and Transportation Officials, in solving and preventing transportation problems.
- (9) Objective and technical recommendations regarding transportation engineering safety issues to the city commission.
- (10) A forum for the voluntary coordination of groups interested in transportation issues.
- (11) A forum to review and decide appeals of administrative decisions made by the police department on transportation-related regulatory requests under article VII of this chapter.

(Ord. No. 2138, 2-10-14)

Secs. 110-33—110-55. - Reserved.



NOTICE OF INTENTION TO APPOINT TO BOARD OF ZONING APPEALS

At the regular meeting of Monday, July 22, 2024, the Birmingham City Commission intends to appoint an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 18, 2026.

Interested parties may recommend others or themselves for these positions by submitting a form available from the City Clerk's office. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, July 17, 2024. Applications will appear in the public agenda at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

Duties of Board

The Board of Zoning Appeals acts on questions arising from the administration of the Zoning Ordinance, including the interpretation of the zoning map. The Board hears and decides appeals from and reviews any order, requirement, decision or determination made by the Building Official.

Applicant Name	Criteria Applicants shall be property owners of record and registered voters.	Qualifications
Donald Rogers	Birmingham Property owner and registered voter	Retired contractor with over 42 years of field experience.

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

SUGGESTED ACTION:

To appoint _____ as an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 18, 2026.

APPLICATION FOR CITY BOARD OR COMMITTEE

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

Information on various Boards and Committees and a list of current openings can be found on the City website at www.bhamgov.org/boardopportunities. Applications must be submitted to the city clerk's office at or before noon on the Wednesday prior to the City Commission meeting.

(Please print clearly)

Board/Committee of Interest ZONING BOARD OF APPEALS
 Specific Category/Vacancy on Board CONTRACTOR (see back of this form for information)
 Name DONALD ROGERS Phone (313) 820-0987
 Residential Address 2409 BUCKINGHAM AVE. Email * DONROGERS4420@GMAIL.COM
 Residential City, Zip BIRMINGHAM 38209 Length of Residence 8+ YEARS
 Business Address _____ Occupation RETIRED - CONSTRUCT. ENGINEER
 Business City, Zip _____

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

RETIRED AFTER A 42 YEAR CAREER AS A CONSTRUCTION PROJECT MANAGER FOR COMMERCIAL BUILDING PROJECTS.

List your related employment experience PROJECT MANAGER / EXECUTIVE FOR TURNER CONSTRUCTION, BARTON MALOW, SKANSKA AND CLARK CONSTRUCTION.

List your related community activities CURRENTLY SERVING ON THE AD HOC SENIOR RECREATION CENTER COMMITTEE - CONTRACTOR POSITION

List your related educational experience BACHELOR OF SCIENCE DEGREE CONSTRUCTION ENGINEERING, LAURENCE TECH. REGISTERED PROFESSIONAL ENGINEER 1981

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

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

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

Donald A. Rogers
Signature of Applicant

7/10/24
Date

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to clerksoffice@bhamgov.org or by fax to 248.530.1080. Updated 3/24/2021

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



BOARD OF ZONING APPEALS

Chapter 126 – Section 126-671 – Seven Members – Three Year Terms
Requirements – Property owners of record and registered voter

The Board of Zoning Appeals acts on questions arising from the administration of the zoning ordinance, including the interpretation of the zoning map. The board hears and decides appeals from and reviews any order, requirement, decision or determination made by the building official.

Last Name Home Address	First Name	Home Business E-Mail	Appointed	Term Expires
Canvasser 369 Kimberly st	Jason	248-231-9972 <i>jcanvasser@clark.hill.com</i>	 Regular member	10/10/2026
Hart 2051 Villa	Kevin	(248) 4967363 <i>khartassociates@aol.com</i>	2/27/2012 Architect	10/10/2026
Kona 439 W. Merrill St	Carl	(248)540-2810 <i>carlsbox@hotmail.com</i>	4/25/2022 Alternate Member, Financial Services	2/18/2026
Lilley 648 Cherry Ct.	Richard	248-594-6737 <i>dicklilley@icloud.com</i>	9/6/2018 Regular Member	10/10/2025
Miller 544 Brookside	John	(248) 703-9384 <i>jnmillerstudio@gmail.com</i>	1/23/2012 Architect	10/10/2024
Morganroth 631 Ann	Erik	(248) 762-9822 <i>emorganroth@comcast.net</i>	10/12/2015 Real Estate/Builder	10/10/2024

Last Name Home Address	First Name	Home Business E-Mail	Appointed	Term Expires
Reddy 763 Wallace	Ron	(313) 820-7491 <i>ron.reddy01@gmail.com</i>	2/11/2019 Regular member	10/10/2025
Vacant				2/18/2026 Alternate Member
Yaldo 1936 Graefield	Pierre	(248) 534-5585 <i>Pierre@BluelandMGT.com</i>	2/28/2022 Attorney	10/10/2025

CITY AND VILLAGE ZONING ACT (EXCERPT)
Act 207 of 1921

***** 125.585 THIS SECTION IS REPEALED BY ACT 110 OF 2006 EFFECTIVE JULY 1, 2006 *****

125.585 Board of appeals; rules governing procedure; appointment and terms of members; powers and duties of board; appeals; variances; remuneration; finality of decision; judicial review.

Sec. 5. (1) The legislative body of a city or village may act as a board of appeals upon questions arising under a zoning ordinance. The legislative body may establish rules to govern its procedure as a board of appeals. In the alternative, the legislative body may appoint a board of appeals consisting of not less than 5 members, each to be appointed for a term of 3 years. Appointments of the first members shall be for terms of 1, 2, and 3 years, respectively, so as nearly as possible to provide for the subsequent appointment of an equal number of members each year. After the initial appointments, each member shall hold office for the full 3-year term.

(2) Under procedures specified in the zoning ordinance, the legislative body of a city or village may appoint not more than 2 alternate members for the same term as regular members of the board of appeals. The alternate members may be called on a rotating basis as specified in the zoning ordinance to sit as regular members of the board of appeals in the absence of a regular member. An alternate member may also be called to serve in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member called shall serve in the case until a final decision is made. The alternate member has the same voting rights as a regular member of the board of appeals.

(3) The board of appeals shall hear and decide appeals from and review any order, requirements, decision, or determination made by an administrative official or body charged with the enforcement of an ordinance adopted under this act. The board of appeals shall also hear and decide matters referred to the board or upon which the board is required to pass under an ordinance adopted under this act. For special land use and planned unit development decisions, an appeal may be taken to the board of appeals only if provided for in the zoning ordinance.

(4) In a city or village having a population of less than 1,000,000, the concurring vote of a majority of the members of the board is necessary to reverse an order, requirement, decision, or determination of an administrative official or body, or to decide in favor of the applicant a matter upon which the board is required to pass under an ordinance, or to effect a variation in an ordinance except that a concurring vote of 2/3 of the members of the board is necessary to grant a variance from uses of land permitted in an ordinance. In a city having a population of 1,000,000 or more, the concurring vote of 2/3 of the members of the board is necessary to reverse an order, requirement, decision, or determination of an administrative official or body, or to decide in favor of the applicant a matter upon which the board is required to pass under an ordinance, or to grant a variance in an ordinance.

(5) An appeal may be taken by a person aggrieved, or by an officer, department, board, or bureau of the city or village. In addition, a variance in an ordinance may be applied for and granted pursuant to section 4 of the uniform condemnation procedures act, 1980 PA 87, MCL 213.54, and this act. A board of rules or board of building appeals of a city or village may be enlarged to consist of not less than 5 members, and these may be appointed as the board of appeals as provided in this section.

(6) An appeal under this section shall be taken, within a time prescribed by the board of appeals by general rule, by filing, with the officer or body from whom the appeal is taken and with the board of appeals, a notice of appeal specifying the grounds for the appeal. The officer or body from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record upon which the action appealed from was taken.

(7) An appeal under this section stays all proceedings in furtherance of the action appealed from unless the officer or body from whom the appeal is taken certifies to the board of appeals, after the notice of appeal is filed, that by reason of facts stated in the certificate, a stay would in the opinion of the officer or body cause imminent peril to life or property. If such a certification is filed, the proceedings shall only be stayed by a restraining order. A restraining order may be granted by the board of appeals or by the circuit court, on application, on notice to the officer or body from whom the appeal is taken and on due cause shown.

(8) The board of appeals shall fix a reasonable time for the hearing of the appeal and give notice of the appeal to the persons to whom real property within 300 feet of the premises in question is assessed, and to the occupants of single and 2-family dwellings within 300 feet. The notice shall be delivered personally or by mail addressed to the respective owners and tenants at the address given in the last assessment roll. If a

tenant's name is not known, the term "occupant" may be used. Upon the hearing, a party may appear in person or by agent or by attorney.

(9) The board of appeals shall decide the appeal within a reasonable time. The board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and shall make an order, requirement, decision, or determination as in the board's opinion ought to be made in the premises, and to that end shall have all the powers of the officer or body from whom the appeal is taken. If there are practical difficulties or unnecessary hardship in carrying out the strict letter of the ordinance, the board of appeals may in passing upon appeals grant a variance in any of its rules or provisions relating to the construction, or structural changes in, equipment, or alteration of buildings or structures, or the use of land, buildings, or structures, so that the spirit of the ordinance shall be observed, public safety secured, and substantial justice done.

(10) The board of appeals may impose conditions upon an affirmative decision, as provided in section 4c(2). The legislative body of a city or village may authorize the remuneration of the members of the board for attendance at each meeting.

(11) The decision of the board of appeals is final. However, a person having an interest affected by the zoning ordinance may appeal to the circuit court. Upon appeal, the circuit court shall review the record and decision of the board of appeals to ensure that the decision meets all of the following requirements:

- (a) Complies with the constitution and laws of this state.
- (b) Is based upon proper procedure.
- (c) Is supported by competent, material, and substantial evidence on the record.
- (d) Represents the reasonable exercise of discretion granted by law to the board of appeals.

(12) If the court finds the record of the board of appeals inadequate to make the review required by this section, or that additional material evidence exists that with good reason was not presented to the board of appeals, the court shall order further proceedings before the board of appeals on conditions that the court considers proper. The board of appeals may modify its findings and decision as a result of the new proceedings, or may affirm the original decision. The supplementary record and decision shall be filed with the court.

(13) As a result of the review required by this section, the court may affirm, reverse, or modify the decision of the board of appeals.

History: 1921, Act 207, Imd. Eff. May 17, 1921;—CL 1929, 2637;—Am. 1941, Act 306, Eff. Jan. 10, 1942;—Am. 1947, Act 272, Eff. Oct. 11, 1947;—CL 1948, 125.585;—Am. 1952, Act 97, Eff. Sept. 18, 1952;—Am. 1968, Act 202, Eff. Nov. 15, 1968;—Am. 1973, Act 204, Imd. Eff. Jan. 11, 1974;—Am. 1978, Act 638, Eff. Mar. 1, 1979;—Am. 1979, Act 180, Eff. Mar. 18, 1980;—Am. 1986, Act 191, Imd. Eff. July 8, 1986;—Am. 2000, Act 20, Imd. Eff. Mar. 8, 2000.

8.01 The Board of Zoning Appeals

- A. Establish: There shall be established and appointed by the City Commission, in accordance with Section 5, Act No. 207 of the Public Acts of Michigan of 1921 (MCL 125.585, MSA 5.2935), as amended, a Board of Zoning Appeals consisting of seven members each to be appointed for a term of three years.
- B. Alternate Members: The City Commission may also appoint not more than two alternate members for the same term as regular members of the Board of Zoning Appeals. The alternate member may be called on a rotating basis to sit as a regular member of the Board of Zoning Appeals in the absence of a regular member. An alternate member may also be called to service in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member having been appointed shall serve in the case until a final decision has been made. The alternate member shall have the same voting rights as a regular member of the Board of Zoning Appeals.
- C. Procedure: Meetings of the Board of Zoning Appeals shall be held at the call of the chairperson, and at such other times as the Board of Zoning Appeals may determine. Such chairperson, or in his/her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. The Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and the action thereon, which shall be a public record.
- D. Appeals: An appeal to the Board of Zoning Appeals, based in whole or in part on the provisions of the Zoning Ordinance, may be taken by any person aggrieved, or by any governmental officer, department, Board of Zoning Appeals or bureau affected by the decision of the Building Official. Such appeal shall be taken by filing with the Board of Zoning Appeals a notice of appeal, on forms provided by the Building Official, specifying the ground thereof, and by paying the required fee. The Building Official shall transmit to the Board of Zoning Appeals all papers constituting the records upon which the appeal action was taken.
- E. Hearing and Notice: The Board of Zoning Appeals shall fix a reasonable time for the hearing of an appeal and shall give due notice of the appeal to the persons to whom real property within 300 feet of the premises in question is assessed, and to the occupants of single- and two-family dwellings within 300 feet, the notice to be delivered personally or by mail to the respective owners and tenants at the address given in the last assessment roll. If the tenant's name is not known, the term "occupant" may be used. A notice sign shall also be posted in a conspicuous place on the subject property. Notice signs will be provided by the City of Birmingham. It is the responsibility of the applicant to post the notice sign as required, to ensure that the notice sign remains posted during the entire notice period and to remove the notice sign the day after the public hearing the notice sign was advertising. At the hearing, any person or party may appear in person, by agent or by attorney. All such hearings shall be open to the public.
- F. Powers and Duties: The Board of Zoning Appeals shall have the powers and duties set forth in MCL 125.581 et seq., MSA 5.2931 et seq. and as more particularly hereinafter enumerated. The Board of Zoning Appeals shall not have the power to change the zoning district of any property. The Board of Zoning Appeal's power and duties shall include the following:
1. Review of administrative decisions.
 - a. The Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision or determination made by an administrative official charged with the enforcement of the Zoning Ordinance.
 - b. It may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the situation, and to that end shall have all the powers of the officer from whom the appeal is taken.
 2. Mapping disputes.
 - a. Where disputes arise as to the location of the floodplain boundary or the limits of the floodway, the Board of Zoning Appeals shall resolve the dispute and establish the boundary location in accordance with Section 1.15. In all cases, the decision of the Board of Zoning Appeals shall be based upon the most current floodplain studies issued by the Office of Federal Insurance and Hazard Mitigation. Where the Office of Federal Insurance and Hazard Mitigation information is not available, the best available floodplain information shall be utilized.
 - b. Where a dispute involves an allegation that the boundary is incorrect as mapped and Office of Federal Insurance and Hazard Mitigation floodplain studies are being questioned, the Board of Zoning Appeals shall modify the boundary of the floodplain or the floodway only upon receipt of an official letter of map amendment issued by the Office of Federal Insurance and Hazard Mitigation.
 3. Variances.
 - a. The Board of Zoning Appeals shall hear and grant or deny requests for variances from the strict application of the provisions of the Zoning Ordinance where there are practical difficulties or unnecessary hardships in

carrying out the strict letter of such chapter. In granting a variance, the Board of Zoning Appeals may attach such conditions as it may deem reasonably necessary to promote the spirit and intent of the Zoning Ordinance. The Board of Zoning Appeals shall not grant any variance unless it first determines that:

- i. Because of special conditions applicable to the property in question, the provisions of the Zoning Ordinance, if strictly applied, unreasonably prevent the property owner from using the property for a permitted purpose;
 - ii. Literal enforcement of the chapter will result in unnecessary hardship;
 - iii. The granting of the variance will not be contrary to the spirit and purpose of the Zoning Ordinance nor contrary to the public health, safety and welfare; and
 - iv. The granting of the variance will result in substantial justice to the property owner, the owners of property in the area and the general public.
- b. Variances from the provisions of Section 4.13, Floodplain Regulations, shall only be granted by the Board of Zoning Appeals upon a determination of compliance with the general standards for variances contained in the Zoning Ordinance and in accordance with the following:
- i. The variance granted will not result in flood heights in excess of those permitted by the Zoning Ordinance, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
 - ii. The variance granted shall be the minimum necessary, considering the flood hazard, to afford relief to the applicant.
 - iii. Variances may be granted for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the Michigan Historic Markers listing of historic sites, or any other state register of historic places without meeting the requirements of this section.
- c. Sign Variance Procedure. Any person who feels aggrieved by a decision of the City Planner or Design Review Board may have the sign reviewed by the Board of Zoning Appeals. A variance may be granted by the Board of Zoning Appeals only in cases involving practical difficulties when the evidence in the official record of the appeal supports all the following affirmative findings:
- i. That the alleged practical difficulties are peculiar to the property of the person requesting the variance by reasons of the physical and/or dimensional constraints of the building and/or site, and result from conditions which do not exist generally throughout the City;
 - ii. That the granting of the requested variance would not be materially detrimental to the property owners in the immediate vicinity;
 - iii. That the granting of the variance would not be contrary to the general objectives of this Chapter and is in keeping with the spirit and intent of this ordinance; and
 - iv. That granting the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board of Zoning Appeals to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.
 - v. In granting a variance, the Board of Zoning Appeals may attach such conditions as it may deem reasonably necessary to promote the spirit and intent of the Zoning Ordinance and the conditions specified in the sign ordinance, Chapter 86, Article 02, Section 2.06.

G. Miscellaneous:

1. No order of the Board of Zoning Appeals permitting the erection or alteration of buildings shall be valid for a period longer than one year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is commenced and proceeds to completion in accordance with the terms of such permit.
2. No order of the Board of Zoning Appeals permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that if the use of such permit is dependent upon the erection or alteration of a building, such order shall continue in full force and effect if a building permit for such use, erection or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.

**CITY OF BIRMINGHAM
BOARD OF ZONING APPEALS
RULES OF PROCEDURE**

ARTICLE I - Appeals

- A. Appeals may be filed under the following conditions:
1. A property owner may appeal for variance, modification or adjustment of the requirements of the Zoning Ordinance.
 2. A property owner may appeal for variance, modification or adjustment of the requirements of the Sign Ordinance.
 3. Any aggrieved party may appeal the decision of the Planning Board and/or the Building Official in accordance with the City of Birmingham Zoning Ordinance, Article Eight, Section 8.01 (D) Appeals. If an appellant requests a review of any determination of the Building Official, a complete statement setting forth the facts and reasons for the disagreement with the Building Official's determination shall include the principal point, or points on the decision, order or section of the ordinance appealed from, on which the appeal is based.
- B. Procedures of the Board of Zoning Appeals (BZA) are as follows:
1. Regular BZA meetings, which are open to the public, shall be held on the second Tuesday of the month at 7:30 P.M. provided there are pending appeals. There will be a maximum of seven appeals heard at the regular meeting which are taken in the order received. If an appeal is received on time after the initial seven appeals have been scheduled, it will be scheduled to the next regular meeting.
 2. All applications for appeal shall be submitted to the Community Development Department on or before the 12th day of the month preceding the next regular meeting. If the 12th falls on a Saturday, Sunday, or legal holiday, the next working day shall be considered the last day of acceptance.
 3. All property owners and occupants within 300 feet of the subject property will be given written notice of a hearing by the City of Birmingham.
 4. See the application form for specific requirements. If the application is incomplete, the BZA may refuse to hear the appeal. The Building Official or City Planner may require the applicant to provide additional information as is deemed essential to fully advise the Board in reference to the appeal. Refusal or failure to comply shall be grounds for dismissal of the appeal at the discretion of the Board.

5. In variance requests, applicants must provide a statement that clearly sets forth all special conditions that may have contributed to a practical difficulty that is preventing a reasonable use of the property.
6. Where the Birmingham Zoning Ordinance requires site plan approval of a project by the City Planning Board before the issuance of a building permit, applicants must obtain preliminary site plan approval by the Planning Board before appeal to the BZA for a variance request. If such appeal is granted by the BZA, the applicant must seek final site plan and design review approval from the Planning Board before applying for a building permit.
7. An aggrieved party may appeal a Planning Board decision. Such appeal must be made within 30 days of the date of the decision. The BZA, in its discretion, may grant additional time in exceptional circumstances.
8. Appeals from a decision of the Building Official shall be made within 30 days of the date of the order, denial of permit, or requirement or determination contested. The BZA, in its discretion, may grant additional time in exceptional circumstances.
9. An appeal stays all proceedings in accordance with Act #110, Public Acts of 2006, Article VI, Section 125.3604 (3).

C. The order of hearings shall be:

1. Presentation of official records of the case by the Building Official or City Planner as presented on the application form.
2. Applicant's presentation of his/her case—the applicant or his/her representative must be present at the appeal hearing.
3. Interested parties' comments and view on the appeal.
4. Rebuttal by applicant.
5. The BZA may make a decision on the matter or request additional information.

D. Motions and Voting

1. A motion is made to either grant or deny a petitioner's request
 - a) For a motion to grant or deny a non-use variance request, the motion must receive four (4) affirmative votes to be approved.
 - b) For a motion to grant or deny a use variance request, the motion must receive five (5) affirmative votes to be approved.
 - c) For a motion to grant or deny an appeal of a decision or order by an administrative official or board, the motion must receive four (4) affirmative votes to be approved.

2. When a motion made is to approve or deny a petitioner's request and if there is a tie vote, then the vote results in no action by the board and the petitioner shall be given an opportunity to have his or her request heard the next regularly scheduled meeting when all the members are present.
3. When there are less than seven (7) members of the board present for a meeting, then a petitioner requesting a use variance shall be given an opportunity at the beginning of the meeting to elect to have it heard at the next regularly scheduled meeting.
4. When there are less than six (6) members present for a meeting, then all petitioners shall be given an opportunity at the beginning of the meeting to elect to have the request heard at the next regularly scheduled meeting.

ARTICLE II - Results of an Appeal

- A. The Board may reverse, affirm, vary or modify any order, requirement, decision or determination as in its opinion should be made, and to that end, shall have all the powers of the officer from whom the appeal has been taken.
- B. The decisions of the Board shall not become final until the expiration of five (5) days from the date of entry of such orders or unless the Board shall find that giving the order immediate effect is necessary for the preservation of property and/or personal rights and shall so certify on the record.
- C. Whenever any variation or modification of the Zoning Ordinance is authorized by resolution of the BZA, a Certificate of Survey must be submitted to the Community Development Department with the building permit application. A building permit must be obtained within one year of the approval date.
- D. Failure of the appellant, or his representative, to appear for his appeal hearing will result in the appeal being adjourned to the next regular meeting. If, after notice, the appellant fails to appear for the second time, it will result in an automatic withdrawal of the appeal. The appellant may reapply to the BZA.
- E. Any applicant may, with the consent of the Board, withdraw his application at any time before final action.
- F. Any decision of the Board favorable to the applicant is tied to the plans submitted, including any modifications approved by the Board at the hearing and agreed to by the applicant, and shall remain valid only as long as the information or data provided by the applicant is found to be correct and the conditions upon which the resolution was based are maintained.

ARTICLE III - Rehearings

A. No rehearing of any decision of the Board shall be considered unless new evidence is submitted which could not reasonably have been presented at the previous hearing or unless there has been a material change of facts or law.

B. Application or rehearing of a case shall be in writing and subject to the same rules as an original hearing, clearly stating the new evidence to be presented as the basis of an appeal for rehearing.

I certify that I have read and understand the above rules of procedure for the City of Birmingham Board of Zoning Appeals.

Signature of Applicant



**NOTICE OF INTENTION TO INTERVIEW FOR APPOINTMENT TO THE
BIRMINGHAM SHOPPING DISTRICT BOARD**

At the regular meeting of Monday, July 22, 2024, the Birmingham City Commission intends to appoint one applicant to the Birmingham Shopping District Board to serve the remainder of a four-year term to expire November 16, 2026.

The goal of the shopping district board shall be to promote economic activity in the principal shopping districts of the City by undertakings including, but not limited to, conducting market research and public relations campaigns, developing, coordinating and conducting retail and institutional promotions, and sponsoring special events and related activities (Section 82-97(a)). The board may expend funds it determines reasonably necessary to achieve its goal, within the limits of those monies made available to it by the City Commission from the financing methods specified in this article. (Section 82-97(b)).

The City Code states that the City Manager will make the appointment with the concurrence of the City Commission.

Interested persons may submit a form available from the City Clerk's office. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, July 17, 2024. These documents will appear in the public agenda.

Applicant(s) Presented for City Commission Consideration:

Applicant Name	Criteria/Qualifications Applicants shall be: • District Resident • Resident from an adjacent neighborhood
Lia Jamerson	District Resident

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

SUGGESTED RESOLUTION:

To concur in the City Manager's appointment of _____ to the Birmingham Shopping District Board to serve the remainder of a four-year term to expire November 16, 2026.

FromClerksOffice- APPLICATION FOR CITY BOARD OR COMMITTEE [#17]

'Wufoo' via Clerks Office <ClerksOffice@bhamgov.org>

Tue, Jul 9, 2024 at 8:23 AM

Reply-To: no-reply@wufoo.com

To: clerksOffice@bhamgov.org

Board/Committee of Interest	Birmingham Shopping District
Specific Category/Vacancy on Board (see below)	Resident
Name	Lia Jamerson
Residential Address	 245 Townsend Street Birmingham, Michigan 48009 United States
Phone Number *	(248) 385-2320
Email	liajamerson@dayspringvision.com
By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.	
Length of Residence	32 years (off and on).
Occupation	Licensed and Board Certified Mental Health Counselor; CEO of Private Practice

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

My name is Lia Jamerson, and I'm interested in serving on the Birmingham Shopping District Board. Having grown up in Birmingham, I attended the Birmingham schools Harlan Elementary, Derby Middle School, and graduated as a proud Maple from Seaholm High School. I'm also happy to have served as a student representative on the Birmingham Shopping District while attending Seaholm.

I've not only witnessed the beautiful growth and progress the downtown Birmingham area has undergone the past 32 years. I've also experienced the Birmingham Shopping District from a wide range of perspectives while growing up here. As a small child, I loved playing with my family and friends in Shain Park. Transitioning into the preteen years, I hosted my 13th birthday party at the Palladium (now Emagine theater), a memory I will never forget. I was able to enjoy shopping Downtown Birmingham as a teenager; and driving with friends to Leo's Coney or Sy Thai during our Seaholm lunch breaks. Now, full circle, I get to experience the downtown Birmingham area as an adult and proud resident.

I have nothing but an immense amount of gratitude to be able to live in Birmingham — a walkable town where I look forward to dining, shopping, and participating in the many activities it has to offer. This personal experience paired with my knowledge of human behaviors and professional background (see below in educational and employment

experience) as a business owner and mental health counselor will allow me to be an asset to the board. Thank you for your consideration.

List your related employment experience

- Licensed Professional Counseling (LPC) and Board Certified Counselor (NCC)
- Founder and CEO of Dayspring Vision Counseling, PLLC (solo private practice located in Troy, MI)
- Content Creator for my trademarked blog, Eclectic Chic, LLC
- Product Specialist/Presenter for General Motors at the North American International Auto Shows (NAIAS).

List your related community activities

My background as an active participant in the downtown Birmingham area and Principal Shopping District will allow me to be an asset to this board:

- Student Representative on the Birmingham Principal Shopping District while attending Seaholm High School.
- Member of the Blue Yoga community.
- Student at Detroit Guitar (weekly lessons).
- Regular at The Birmingham Farmers Market (student volunteer while attending Seaholm High School).
- Regular at many downtown Birmingham restaurants and businesses, including Rugby Grille, 220, Social, Birmingham Roast, Paris Baguette, Starbucks, Lululemon, Toys and Teacups, Anthropologie (rest in peace to the Birmingham location), Birmingham 8, Emagine Palladium, and many more.
- Avid walker of my Shiba Inu pup in our downtown Birmingham neighborhood.

List your related educational experience

Hawaii Pacific University
Honolulu, Hawai'i
Master of Arts (MA) in Clinical Mental Health Counseling

Hawaii Pacific University
Honolulu, Hawai'i
Bachelor of Arts (BA) in Psychology, minor in Chemistry
Cum Laude

Ernest W. Seaholm High School
Birmingham, Michigan
High School Diploma

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

No.

Do you currently have a relative serving on the board/committee to which you have applied?

No.

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

No.



BIRMINGHAM SHOPPING DISTRICT BOARD

Ordinance 1534 - Adopted September 14, 1992

The Board shall consist of 12 members as follows:

- a) City Manager.
- b) Resident from an area designated as a principal shopping district.
- c) Resident from an adjacent residential area.
- d) A majority of the members shall be nominees of individual businesses located within a principal shopping district who have an interest in property located in the district.
- e) The remaining members shall be representatives of businesses located in the district.

4-Year Terms

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Astrein	Richard	(248) 399-4228 (248) 644-1651 <i>richard@astreins.com</i>	11/16/1992	11/16/2025
13125 Ludlow Huntington Woods	48070		Business representative with interest in property located in district	
Cristina	Sheppard-Decius	(248) 530-1250 <i>csdecius@bhamgov.org</i>	Executive Director	
151 Martin Street Birmingham	48009			
Ecker	Jana	(248) 530-1811 <i>jecker@bhamgov.org</i>	City Manager	
151 Martin Birmingham	48009			

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Eid 1800 Rathnmor Bloomfield Hills 588 S. Old Woodward Birmingham	Samy 48304 48009	(248) 840-8127 <i>samyeid@mac.com</i>	11/14/2016 Business representative with interest in property located in district	11/16/2025
Fehan	Douglas	(248)705-3000 <i>godug@aol.com</i>	Director Emeritus	
Hussey 3422 Chickering Lane Bloomfield Hills 24977 Woodward Ave Suite 100 Birmingham	Beth 48301 48009	(248)765-0237 <i>beth@eatathazels.com</i>	11/28/2022 Business representative	11/16/2026
Kay 173 N Glengary Rd. Bloomfield Hills 168 South Old Woodward Birmingham	Zachary 48301 48009	(248) 770-0646 (248) 220-4999 <i>zak@shopfoundobjects.com</i>	7/9/2018 Business representative	11/16/2027
Lipari 359 Ferndale Birmingham	Sarvy 48009	(248) 321-8895 <i>srlipari@gmail.com</i>	5/10/2021 District resident	11/16/2024

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
McKenzie 2123 Windemere Birmingham	Michael 48009	(312) 785-4906 <i>mike_mckenzie@mac.com</i>	11/23/2020 Resident from adjacent neighborhood	11/16/2027
Pohlod 1360 Edgewood Birmingham	Amy 48009	(248) 219-5042 <i>amypohlod@hotmail.com</i>	7/25/2016 Business representative with interest in property located in district	11/16/2026
Roberts 320 Martell Ct Bloomfield Hills	William 48304	(248) 463-8606 (248) 646-6395 <i>BR@RobertsRestaurantGroup.com</i>	11/10/1997 Business representative	11/16/2025
Surnow 1310 S. Bates Birmingham	Sam 48009	(248) 877-4000 (248) 865-3000 <i>sam@surnow.com</i>	11/23/2015 Business representative with interest in property located in district	11/16/2027
Taddei 500 E Long Lake Road Bloomfield Hills	Michele 48304	(248) 275-3125 <i>michele@fullercentralpark.com</i>	11/16/2023 Business representative with interest in property located in district, Member greater than 5% total sq ft	11/16/2027
112 Peabody St. Birmingham	48009			

Last Name	First Name	Home		
Home Address		Business		
Business Address		E-Mail	Appointed	Term Expires
Vacant				11/16/2026
			Business representative with interest in property located in district	

BIRMINGHAM CODE OF ORDINANCES – CHAPTER 82

DIVISION 2. - SHOPPING DISTRICT BOARD

Sec. 82-91. - Created.

A shopping district board is hereby created and shall exercise its powers within the boundaries of the principal shopping districts established by the city commission.

(Code 1963, § 1.801; Ord. No. 1541, § 1.801, 11-23-92)

Sec. 82-92. - Composition; appointment.

- (a) The shopping district board shall consist of 12 members. One member shall be the city manager, one shall be a resident of an area designated as a principal shopping district, and one shall be a resident of an adjacent residential area. A majority of the members shall be nominees of individual businesses located within a principal shopping district who have an interest in property located in the district. The remaining members shall be representatives of businesses located in the district.
- (b) The board shall be appointed by the city manager with the concurrence of the city commission. However, if all the following requirements are met, a business may appoint a member of the board, which member shall be counted toward the majority of members required to be nominees of businesses located within a principal shopping district:
 - (1) The business is located within a principal shopping district.
 - (2) The business is located within a special assessment district established by the city commission to defray all or a portion of the costs of the board's activities under this article.
 - (3) The special assessment district is divided into special assessment rate zones reflecting varying levels of special benefits.
 - (4) The business is located in the special assessment rate zone with the highest special assessment rates.
 - (5) The square footage of the business is greater than five percent of the total square footage of businesses in the special assessment rate zone.

If a member is appointed by a business meeting the requirements of this section at a time all 12 positions on the board are filled, the city commission shall, by resolution, remove one or more members of the board in order that its membership not exceed 12 in number.

(Code 1963, § 1.801; Ord. No. 1541, § 1.801, 11-23-92)

Sec. 82-93. - Terms.

Of the members first appointed to the shopping district board, an equal number of the members, as near as practicable, shall be appointed for one-year, two-year, three-year and four-year terms. A member shall hold office until the member's successor is appointed. Thereafter, each member shall serve for a term of four years. An appointment to fill a vacancy shall be made by the city manager, with the concurrence of the city commission, for the unexpired term only.

(Code 1963, § 1.802; Ord. No. 1534, § 1.802, 9-14-92)

Sec. 82-94. - Organization and compensation.

The shopping district board shall, from its appointed members, elect a chairperson who shall be the presiding officer of the board, and a vice-chairperson, who shall serve in the absence of the chairperson. A secretary, who shall keep and maintain proceedings of the board, shall be appointed by the board. The secretary need not be a member of the board. The officers shall each serve for one year and until their successors have been elected by the board. Members shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

(Code 1963, § 1.803; Ord. No. 1534, § 1.803, 9-14-92)

Sec. 82-95. - Meetings and quorum.

The shopping district board shall hold at least one regular public meeting each month at such time and place as may be established by the board. Public notice of the time, date and place of all meetings shall be given in the manner required by the Open Meetings Act (MCL 15.261, MSA 4.1800(11) et seq.). Special meetings may be called by the secretary at the written request of the chairperson or any three members of the board on at least two days' notice. A quorum for the transaction of business at regular and special meetings shall be a majority of the current members of the board.

(Code 1963, § 1.804; Ord. No. 1534, § 1.804, 9-14-92)

Sec. 82-96. - Records and budget.

The shopping district board shall keep minutes of its meetings and records of all expenses incurred by it in the performance of its duties. The board shall prepare and submit annually for approval of the city commission a budget for its activities for the ensuing fiscal year. The budget shall be prepared in the manner and contain the information required of municipal departments.

(Code 1963, § 1.805; Ord. No. 1534, § 1.805, 9-14-92)

Sec. 82-97. - Goal and powers.

- (a) The goal of the shopping district board shall be to promote economic activity in the principal shopping districts of the city by undertakings including, but not limited to, conducting market research and public relations campaigns, developing, coordinating and conducting retail and institutional promotions, and sponsoring special events and related activities. In furtherance of its goal, the board may recommend to the city commission that the city undertake one or more of the following in a principal shopping district:
- (1) Open, widen, extend, realign, pave, maintain or otherwise improve highways and construct, reconstruct, maintain or relocate pedestrian walkways.
 - (2) Prohibit or regulate vehicular traffic where necessary to carry out the purposes of a development or redevelopment project.
 - (3) Regulate or prohibit vehicular parking on highways.
 - (4) Acquire, own, maintain or operate off-street parking lots or structures.
 - (5) Contract for the operation or maintenance by others of city off-street parking lots or structures, or appoint agents for the operation or maintenance of those lots or structures.
 - (6) Construct, maintain and operate malls with bus stops, information centers and other buildings that will serve the public interest.

- (7) Acquire by purchase, gift or condemnation, and own, maintain, or operate real or personal property necessary to implement the goals of the board.
- (8) Provide for the maintenance, security and operation of a district.
- (b) The board may expend funds it determines reasonably necessary to achieve its goal, within the limits of those monies made available to it by the city commission from the financing methods specified in this article.

(Code 1963, § 1.806; Ord. No. 1534, § 1.806, 9-14-92)

THE BY LAWS
OF
THE BIRMINGHAM SHOPPING DISTRICT BOARD OF DIRECTORS

(A BSD formed pursuant to Act No. 120 of 1961 , MCL 125.981,
Code of Ordinances, City of Birmingham Ordinance Chapter 82, Article IV —

ARTICLE I

NAME, OFFICE, REGISTERED AGENT, GOALS AND POWER

Section 1. Name. The name of this principal shopping district shall be the Birmingham Shopping District (BSD).

Section 2. Goals. The goal of the BSD shall be to promote economic activity in the principal shopping district of the City of Birmingham by undertakings including, but not limited to, conducting market research and public relations campaigns, developing, coordinating and conducting retail and institutional promotions, and sponsoring special events and related activities. The Board may expend funds it determines reasonably necessary to achieve its goal, within the limits of those monies made available to it by the City Commission from the financing methods specified in City of Birmingham Ordinance 82-77 and 82-78. In furtherance of its goal, the Board may recommend to the City Commission that the City undertake one or more the following activities in the principal shopping district:

- 1) Open, widen, extend, realign, pave, maintain or otherwise improve highways and construct, reconstruct, maintain or relocate pedestrian walkways.
- 2) Prohibit or regulate vehicular traffic where necessary to carry out the purposes of a development or redevelopment project.
- 3) Regulate or prohibit vehicular parking on highways.
- 4) Acquire, own, maintain or operate off-street parking lots or structures.
- 5) Contract for the operation or maintenance by others of city off-street parking lots or structures, or appoint agents for the operation or maintenance of those lots or structures.

- 6) Construct, maintain and operate malls with bus stops, information centers and other buildings that will serve the public interest.
- 7) Acquire by purchase, gift or condemnation, and own, maintain, or operate real or personal property necessary to implement the goals of the board.
- 8) Provide for the maintenance, security and operation of a district.

ARTICLE II

BOARD OF DIRECTORS

Section 1. General Powers. The BSD shall be under the supervision and control of the Board of Directors, except as otherwise provided by Act No. 120 of 1961 and Code of Ordinances—City of Birmingham Ordinance Chapter 82, Article IV. Division 2 - Shopping District Board, as amended.

Section 2. Board Composition: Appointments, Replacement and Vacancies. The Board shall consist of 12 members. One member shall be the city manager, one shall be a resident of an area designated as part of the BSD, and one shall be a resident of an adjacent residential area. A majority of the members shall be individual businesses located within the BSD who have an interest in property located in the district. The remaining members shall be representatives of businesses located in the district.

Members shall be appointed to the Board for a four-year term by the City Manager with the concurrence of the City Commission. However, if all the following requirements are met, a business may appoint a member of the Board, which member shall be counted toward the majority of members required to be nominees of businesses located within the BSD:

- (1) The business is located within a principal shopping district.
- (2) The business is located within a special assessment district established by the city commission to defray all or a portion of the costs of the board's activities under this article.

(3) The special assessment district is divided into special assessment rate zones reflecting varying levels of special benefits.

(4) The business is located in the special assessment rate zone with the highest special assessment rates.

(5) The square footage of the business is greater than five percent of the total square footage of businesses in the special assessment rate zone.

If a member is appointed by a business meeting the requirements at a time all 12 positions on the board are filled, the city commission shall, by resolution, remove one or more members of the board in order that its membership not exceed 12 in number.

The Board may nominate and elect non-voting emeritus members for two year terms. An emeritus member must either currently or have previously served the BSD Board with distinction and excellence, and shall be entitled to receive all written notices and information which are provided to the board of directors, to attend all board meetings, to participate in meetings of the committees in which they serve, and encouraged to attend all other events conducted by the BSD. A board member emeritus shall not be subject to any attendance policy counted in determining if a quorum is present at a meeting, entitled to hold office, or entitled to vote at any board meeting.

An appointment to fill a vacancy shall be made by the City Manager, with the concurrence of the City Commission, for the unexpired term only. A Member whose term of office has expired shall continue to hold office until a successor is appointed. A Member may be appointed to additional terms in accordance with the provisions hereunder.

Section 3. Removal. Pursuant to notice and after having been given an opportunity to be heard, a member of the Board may be removed for cause by the City Manager with concurrence from the City Commission upon recommendation from the Board.

Section 4. Conflict of Interest. A Member who has a conflict between a personal interest and the public interest shall fully disclose the nature of the interest prior to the

BSD taking any action with respect to the matter. Such disclosure shall become a part of the record of the BSD's official proceedings. Such declaration shall be made before discussion on the item begins. Except as provided by law, or Birmingham Ethics Ordinance, Chapter 2 Article IX, no Member may participate in, act upon, or vote upon any matter if a conflict exists. Any Board member is permitted to inquire about potential conflicts that may exist among other members.

Section 5. Meetings. The BSD shall hold at least one regular public meeting each month. At the October meeting of the calendar year, the BSD shall set the dates, times, and places of the BSD's regular meetings for the coming year. Special meetings of the BSD may be called by the secretary at the written request of the Chairperson of the Board or any three Members on at least two days' notice. All business which the Board may perform shall be conducted at a public meeting of the Board held in compliance with the Open Meetings Act, Act. No. 267 of 1976, as amended.

Section 6. Public Participation at Meetings. A reasonable opportunity shall be given for members of the public to be heard at any open meeting on agenda items before the BSD during discussion. In the interest of ensuring the orderly processing of items of business before the BSD, such public comments shall be heard at the end of the agenda item discussion. Any items not on the agenda shall be heard at the end of the meeting agenda. Consistent with the Open Meetings Act, the BSD may impose a time limitation up to three (3) minutes per person for public comment. All individuals who wish to address the BSD must identify themselves by name and address prior to speaking at the meeting.

Section 7. Notice. Public notice of all meetings of the Board or its Committees which provides the time, date, and location of the meeting shall be given in the manner required by the Open Meetings Act, Act No. 267 of 1976, as amended. There shall be a public notice posting within ten (10) days after the first meeting in each calendar year of the annual schedule of BSD meetings, stating the dates, times, and places of its regular meetings. For a rescheduled regular or a special meeting of the BSD, a public notice stating the date, time, and place of the meeting shall be posted at least eighteen (18)

hours before the meeting. The public notice shall contain the name of the BSD Board or Committee, its telephone number, its address, and shall be posted at the City Hall of the City of Birmingham and any other location considered appropriate by the BSD.

Section 8. Quorum. A majority of the members of the BSD then in office constitutes a quorum for the transaction of business at any meeting of the Board. An affirmative vote of the majority of a quorum shall be required to adopt any resolution. A 2/3 roll call vote of the Members on the Board at the meeting shall be required to call a closed session and the Board shall meet in closed session only for the purposes permitted by law pursuant to the Open Meetings Act, Act No. 267 of 1976, as amended.

Section 9. Participation by Communication Equipment. All meetings of the BSD must be open to the public and must be held in a place available to the general public. Only as permitted by law pursuant to the Open Meetings Act, Act No. 267 of 1976, as amended, an absent Member may participate in, and vote on, business before the BSD by way of a two-way electronic communication device wherein all discussions and deliberations are able to be heard by the public in attendance at the meeting. For any member attending the meeting remotely, a public announcement at the outset of the meeting to be included in the meeting minutes must be made, announcing that a Member is in fact attending the meeting remotely. Participation by communication equipment shall be permitted only in accordance with the Open Meetings Act, Act No. 267 of 1976, as amended.

Section 10. Attendance. Each Member is required to attend a minimum of two-thirds of the regularly scheduled Board meetings in a twelve (12) month period. If a Member has not fulfilled this requirement after a twelve (12) month period, the Board may recommend that the City Commission declare that Member's position vacant and remove the Member from the Board, in accordance with Section 3. The Board may grant a waiver, given a sufficient explanation of extenuating circumstances. Waivers shall be considered monthly by the Board or upon request.

Section 11 Committees. The Board may, by resolution, designate one or more committees, each committee shall consist of at least one of the Members. Each Member shall serve on a committee. The Board shall appoint all committee members and the chair of the committee. A committee, and each member thereof, shall serve at the pleasure of the Board. Committees shall consist of less than a quorum of Board Members and shall meet in accordance with the Open Meetings Act, Act No. 267 of 1976, as amended. Standing committees shall consist of Executive, Marketing and Advertising, Maintenance and Capital Improvements, Business Development and Special Events with up to eight (8) members per committee made up of Board members, BSD businesses and property owners, Birmingham residents and persons with business interest in the BSD. Committees shall only make recommendations to the Board on matters of the District, and shall not enter into agreements without Board approval. A majority of the committee members constitutes a quorum for the transaction of business at any committee meeting. If the committee lacks a quorum, the committee members may receive reports and comments from the public or staff and shall not make any recommendations to the Board.

Section 12 Personnel. The Board may employ personnel as deemed necessary. Such personnel may include, but is not limited to an executive director, treasurer, secretary, and legal counsel. The Executive Director, Treasurer, Secretary and Legal Counsel shall report to the Board. All other employees shall be appointed by, directed by and report to the Executive Director. Board Members shall not give direction to or interfere with the work of the employees under the direction of the Executive Director. The duties, rights and responsibilities of employees of the BSD shall be consistent with the provisions of the City of Birmingham Employee Handbook. The Board may employ and fix the compensation of an executive director, subject to the approval of the City Commission. The full-time employees of the BSD shall be eligible to participate in municipal retirement and insurance programs of the City of Birmingham.

ARTICLE III

OFFICERS

Section 1. Officers. The officers of the BSD shall be elected by the Board annually at its January meeting and shall consist of a Chairperson, Vice-Chairperson and Secretary. An officer shall not execute a contract on behalf of the BSD without a resolution adopted by the Board.

Section 2. Election and Term of Office. Each officer so elected shall hold office until December 31 of the year in which she or he is elected, or until his or her term expires, or upon resignation or removal, whichever occurs first.

Section 3. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled at any meeting of the Board for the unexpired portion of the term of such office, in accordance with Public Act No. 120 of 1961 and the Birmingham Code of Ordinances.

Section 4. Chairperson. The Chairperson shall perform all duties of the office as provided in these Bylaws, by Public Act No. 120 of 1961, and the Birmingham Code of Ordinances. The Chairperson shall preside over all meetings of the BSD and shall perform all duties as directed by the Board. The Chairperson shall be an ex-officio member of all standing committees, and shall have the general oversight of the Board. The Chairperson shall also act as Chair of the Executive Committee, assuming the same powers of the BSD as listed above, and further described in Article III, Section 8. To qualify to serve as the Chairperson, it is preferred that the Board Member have served at least one full year as an active Board Member.

Section 5. Vice-Chair. The Vice-Chair shall act as the Chair when the Chair is absent or unable to act, and otherwise be vested with the powers and shall perform such duties and exercise such other powers as may from time to time be imposed upon or vested by resolution of the Board.

Section 6. Secretary. The Board may employ and fix the compensation of a Secretary, and need not be a member of the Board. The Secretary shall attend meetings of the Board, and keep and maintain a record of its proceedings. The minutes of the BSD shall contain the date, time, place, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is held. The minutes shall include all roll call votes taken at the meeting. The Secretary shall give, or cause to be given, notice of all meetings of the Board and shall perform such other duties as may be prescribed by the Board. The Secretary shall, when authorized by the Board, attest by signature to actions of the Board. The Secretary shall perform all other duties as may be delegated to him or her by the Board.

Section 7. Delegation of Duties and Officers. In the absence of any officer of the BSD, or for any other reason that the Board may deem sufficient, the Board may, by resolution, delegate from time to time and for such time as it may deem appropriate, the powers or duties, or any of them, of such officer to any other officer, or to any Member, provided a majority of the Board then in office concurs therein.

Section 8. Executive Committee. The Executive Committee shall consist of five Board Members including the Chair, Vice-Chair, City Manager, and two committee chairs). The Executive Committee shall be responsible for reviewing the agenda for the regular Board meetings and proposing the agenda for the Board. The committee shall meet as necessary and all such meetings shall comply with the notice requirements, as set forth in Article II, Section 7.

ARTICLE IV

CONTRACTS, DONATIONS, AND POWERS OF THE BOARD

Section 1. Contracts.

The Board may make and enter into contracts necessary or incidental to the exercise of powers and the performance of its duties. The Board may, by resolution, authorize an agent of the BSD to execute contracts and/or documents on behalf of the BSD. A copy

of the resolution approving such contracts must be attached to such contract and must adhere to any Purchasing/Procurement policies that the BSD may adopt.

Section 2. Checks, Drafts, etc. All orders for the payment of money, notes, or other evidences of indebtedness shall be signed by the Board's authorized agent and submitted to the Finance Department of the City of Birmingham for signature and for the issuance of payment.

Section 3. Grants and Donation. The Board may accept grants and donations of property, labor, or other things of value from a public or private source, consistent with Public Act No. 120 of 1961.

Section 4. Deposits. All funds of the BSD shall immediately be deposited into the appropriate fund or account to the credit of the BSD in such banks, trust companies, or other depositories as the BSD or Finance Director of the City of Birmingham may select. Report of these receipts shall be provided to its Executive Director for review and submission to the Board.

Section 5. Other Powers of the Board. The Board shall perform and exercise all such powers as provided in Public Act No. 120 of 1961.

Section 6. Budget

Pursuant to Birmingham City Charter, Section 7, the Executive Director of the BSD or designee shall prepare and submit for the approval of the Board a budget for the operation of the BSD for the ensuing fiscal year. The budget shall be prepared in the manner and contain the information required of municipal departments. Before the budget may be adopted by the Board, it shall be approved by the City Commission. The BSD shall submit an annual budget to the City Commission each year for inclusion in the City's annual budget presentation. The budget shall be adopted by the Board no later than by July 1 each year.

Section 7. Audit

The governing body of the City of Birmingham may assess a reasonable pro rata share of the funds for the cost of handling and auditing the funds against the funds of the BSD, other than those committed, which cost shall be paid annually by the board pursuant to an appropriate item in its budget.

ARTICLE V FISCAL YEAR

The fiscal year of the BSD shall correspond at all times to the fiscal year of the City of Birmingham.

ARTICLE VI REPORTING REQUIREMENTS

All expense items of the BSD shall be recorded monthly and financial records shall be open to the public. If the Board does not employ an Executive Director, the Board shall file any and all necessary reports. Annually, the Board shall submit to the City Commission a report on the status of any special assessments utilized by the BSD.

ARTICLE VII AMENDMENTS

These Bylaws may be altered or amended or repealed by the affirmative vote of the Board then in office. Approved changes to these Bylaws take effect immediately.

I HEREBY CERTIFY that the above Bylaws were written by the Birmingham Shopping District, of the City of Birmingham on the 19th day of April, 2023.


CHAIRPERSON

Birmingham City Commission Minutes
June 24, 2024
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/967258500>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

Present: Mayor McLain
Commissioner Baller
Commissioner Haig
Commissioner Host
Commissioner Long
Commissioner Longe

Absent: MPT Schafer

Staff: City Manager Ecker; City Clerk Bingham, Assistant City Manager Clemence, City Engineer Coatta, Planning Director Dupuis, Assistant City Manager Fairbairn, Parking Systems Manager Ford, Police Chief Grewe, Deputy Treasurer Katz, City Attorney Kucharek, Fire Marshall Scaife, Department of Public Services Director Zielinski

06-460-24 Temporary Mayor Pro Tem

MOTION: Nomination by Commissioner Baller:
To nominate Commissioner Longe to serve as the temporary Mayor Pro Tem.

VOICE VOTE: Ayes, Commissioner Baller
Commissioner Longe
Commissioner Haig
Commissioner Host
Mayor McLain
Commissioner Long

Nays, None

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

GUESTS AND ANNOUNCEMENTS

Appointments

06-461-24 Historic District Study Committee

Jake German was unavailable for an interview. The Mayor noted this would be a reappointment and asked the Commission if they were willing to proceed.

MOTION: Nomination by Commissioner Haig:
To appoint Jake German as a regular member to the Historic District Study Committee to serve a three-year term to expire June 25, 2027.

VOICE VOTE: Ayes, Commissioner Baller
tMPT Longe
Commissioner Haig
Commissioner Host
Mayor McLain
Commissioner Long

Nays, None

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

Diane Anderson commented regarding some sidewalk maintenance issues on Southfield Road and Martin Street.

Steven ~~Torok~~ ~~Torrack~~¹ commented regarding a petition supporting the replanting of trees along Westwood Drive.

V. CONSENT AGENDA

06-462-24 Consent Agenda

MOTION: Motion by tMPT Longe, seconded by Commissioner Long:
To approve the Consent Agenda omitting Items E, L, and U.

ROLL CALL VOTE: Ayes, Commissioner Baller
tMPT Longe
Commissioner Haig
Commissioner Host
Mayor McLain
Commissioner Long

Nays, None

¹As amended at the July 8, 2024 meeting.

- A. Resolution to approve the regular City Commission meeting minutes of the meeting held on June 3, 2024.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 6, 2024 in the amount of \$816,859.66.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 13, 2024 in the amount of \$1,527,578.31.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 20, 2024 in the amount of \$1,627,287.13.
- F. Resolution appointing election inspectors, absentee voter counting board inspectors, receiving board inspectors and other election officials as recommended by the City Clerk for the August 6, 2024 State Primary Election pursuant to MCL 168.674, and further grant the City Clerk the authority to make emergency appointments of qualified candidates should circumstances warrant in order to maintain adequate staffing in the various precincts, counting boards and receiving boards.

AND

To authorize the use of an Absent Voter Counting Board for the City of Birmingham pursuant to MCL 168.765a(1) as the City Commission has previously resolved on May 6, 2024, resolution 05-418-24.

AND

To authorize the use of the Oakland County Absent Voter Counting Board for the purpose of processing and tabulating absent voter ballots on August 6, 2024, as prescribed in the terms and responsibilities previously agreed upon at the July 12, 2020 meeting by Commission resolution 07-120-20.

- G. Resolution designating Finance Director Mark Gerber, Assistant Finance Director Kim Wickenheiser, DPS Director Scott Zielinski, Building Official Bruce Johnson, Assistant Building Official Mike Morad, Museum Director Leslie Pielack, and Police Commander Ryan Kearney as proxy representatives of Election Commissioners Mayor Elaine McLain, Mayor Pro Tem Katie Schafer, Commissioner Clinton Baller, Commissioner Brad Host, Commissioner Andrew Haig, Commissioner Anthony Long, and Commissioner Therese Longe, to conduct the Public Accuracy Test on Tuesday, July 9, 2024 at 8:45 a.m. in room 205 to test the electronic tabulating equipment which will be used to count votes at Birmingham precincts during the August 6, 2024 State Primary Election.
- H. Resolution to amend the 2024 Schedule of Fees, Charges, Bonds and Insurance to include late fees for One Day Valet applications submitted with less than 72 hours' notice from the desired day of valet services.

- I. Resolution adopting the following amendment to the budget appropriations resolution and establishing the number of mills for ad valorem property taxes to be levied for Senior Services for the fiscal year commencing July 1, 2024 and ending June 30, 2025.

BE IT FURTHER RESOLVED that the City Commission does hereby designate \$1,134,510 to be raised by 0.3279 mills levied on the taxable valuation of all real and personal property subject to taxation in the City for the purpose of providing senior services within the City as authorized by MCL 401.571, et seq.

- J. Resolution to set a public hearing date of July 22, 2024 to consider the lot combination of 1114 & 1110 Lakeside Drive, parcels 19-25-151-069 & 19-25-151-070.
- K. Resolution to set a public hearing date of July 22, 2024 to consider ordinance amendments to Chapter 86 (Signs), Article 1, Table B, Table D, Section 1.08 and Section 1.09 to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number of signs permitted.
- M. Resolution to approve the purchase of a 2024 Ford F-350 Regular Cab 4X4, located at 1960 E Main St, Owosso, MI 48867, through the State of Michigan Contract #071B770180 and Macomb County Contract #21-18, in an amount not to exceed \$84,023.00, upon the completion of a signed contract by Lunghamer Ford of Owosso. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funds for this purchase are available in the FY 2023-2024 Auto Equipment Fund account #661.0-441.006.971.0100.
- N. Resolution to approve the purchase of a Wolverine Freightliner, Single Axle, located at 107 S. Groesbeck, Mt. Clemens, MI 48043, per the Rochester Hills Co-op RFPRH- 20-023 contract, in an amount not to exceed \$247,617.00, upon the completion of a signed contract by Wolverine Freightliner. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funds for this purchase are available in the FY 2024-2025 Auto Equipment Fund account #661.0-441.006.971.0100.
- O. Resolution to approve the purchase of a Wolverine Freightliner, Tandem Axle, located at 107 S. Groesbeck, Mt. Clemens, MI 48043, per the Rochester Hills Co-op RFPRH- 20-023 contract, in an amount not to exceed \$257,772.00, upon the completion of a signed contract by Wolverine Freightliner. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funds for this purchase are available in the FY 2023-2024 Auto Equipment Fund account #661.0-441.006.971.0100.
- P. Resolution to set the Public Hearing of the Necessity of the replacement and improvements of sewer and water laterals meeting the requirements of assessments, for all properties within the project area on Oakland Avenue, between North Old Woodward Avenue to Woodward Avenue on Monday, July 22, 2024, at 7:30 P.M.; and

If necessity is determined on July 22, 2024, to meet on Monday, August 12, 2024, at 7:30 P.M., for all the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the replacement and improvements of sewer and water lateral meeting the requirements for assessment, for all properties within the project on Oakland Avenue, between North Old Woodward Avenue to Woodward Avenue.

- Q. Resolution to approve the Road Safety Audit Agreement between the Southeast Michigan Council of Governments (SEMCOG) and the City of Birmingham. In addition, authorize the Mayor to sign the agreement on behalf of the City. Funding for this has been budgeted in account 202.0-449.001-811.0000.
- R. Resolution to approve the Local Road Improvement Matching Fund Program Cost Participation Agreement between Oakland County and the City of Birmingham. In addition, authorize the Mayor to sign the agreement on behalf of the City. Funding for this project has been budgeted in accounts 202.0-449.001-981.0100, 590.0-537.000-981.0100, and 591.0-544.000-981.0100.
- S. Resolution to approve a new contract for a Multi-Modal Transportation Consultant Contract for Fleis & Vanderbrink to provide as-requested professional services related to multi-modal transportation review and support for the Multi-Modal Transportation Board. In addition, to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance requirements.
- T. Resolution to approve an agreement for OHM Advisors to provide as-requested professional services including, but not limited to, construction engineering and administration services, for a three (3) year term. In addition, to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance requirements.

06-463-24 Birmingham City Commission 2025 Meeting Schedule (Item E)

Commissioner Baller pulled Item E from the Consent Agenda and staff answered an informational question.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Long:
To approve the Birmingham City Commission 2025 Meeting Schedule as submitted.

ROLL CALL VOTE: Ayes, tMPT Longe
Commissioner Long
Commissioner Haig
Commissioner Baller
Commissioner Host
Mayor McLain

Nays, None

06-464-24 Contract with Thielen Turf Irrigation, Inc. for Springdale Golf Course (Item L)

Commissioner Baller pulled Item L from the Consent Agenda. Staff answered informational questions from the Commission.

Commissioner comment on the item was as follows:

- An expenditure of this size should be presented by staff, rather than being placed on

the Consent Agenda.

- A high-level review of the golf courses by staff would be appropriate. The review should include sustainability considerations, other potential uses, the history of the golf courses, information on the user base of the golf courses, and the financials of the golf courses. The review should be followed by a discussion of Commission's policy goals for the golf courses.
- In an instance where the golf courses require improvements that cannot be covered by the enterprise fund, a loan is taken from the City's general fund and then is paid back over time. All improvements to the golf courses are ultimately funded through golf course revenue.
- The pump house should be designed and located in a way that damage would not occur in the event of flooding.
- It would be appropriate to consider adding a sign for Springdale Golf Course to the Big Beaver frontage.
- It might be useful to review how much the City charges for a round of golf.
- In order to continue providing the expected golfing experience at Springdale, the requested repairs are necessary.
- The need for these repairs was known a number of years ago. At that time, there was no appetite to undertake the repairs because the golf courses were not operating in the black.
- Delaying these repairs could have a negative financial outcome.

MOTION:

Motion by Commissioner Host, seconded by Commissioner Haig:

To approve a contract with Thielen Turf Irrigation, Inc. in an amount not to exceed \$1,263,770 to relocate the Springdale Golf Course pump station, and to install a new irrigation system. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

AND

To approve the appropriation and amendment of the fiscal year 2024/2025 budget for Springdale Golf Course and construction costs as follows:

Revenues:

584.2-000.000-400.00	Draw from Fund Balance	<u>\$393,770</u>
Total Revenue		\$393,770

Expenditures:

584.2-753.001-981.0100	Public Improvement Fund	<u>\$393,770</u>
Total Expenses		\$393,770

Individual Commissioner comment on the motion was as follows:

- It would be useful to have more information on this request before voting on it. It might be more appropriate to delay the request for a month or two in order to receive more information and to have a discussion.
- Opposition to the motion was stated.

Public Comment

Staff answered an informational question from Kent Johnston.

David Mendelson supported the continued maintenance and operation of both golf courses.

ROLL CALL VOTE: Ayes, tMPT Longe
 Commissioner Long
 Commissioner Haig
 Commissioner Host

 Nays, Mayor McLain
 Commissioner Baller

06-465-24 Traffic Signal Modification Project #13-24 (Item U)

Commissioner Haig pulled Item U from the Consent Agenda and staff answered an informational question.

MOTION: Motion by Commissioner Haig, seconded by tMPT Longe:
To award the Traffic Signal Modification Project #13-24 (T) to Dan's Excavating in the amount of \$1,398,949.00 plus a 10% construction contingency for a total of \$1,538,343.40. In addition, to authorize the Mayor and the Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance and bond requirements by Dan's Excavating. Funding for this project has been budgeted in the following account for the following years:

Major Street Traffic Control Fund - 202.0-316.000-971.0100

Fiscal Year	Budget Amount	Budget Request
FY 2023/2024	\$660,700.00	\$660,700.00
FY 2024/2025	\$300,000.00	\$300,000.00
FY 2025/2026	\$0.00	\$741,550.00
Total	\$960,700.00	\$1,702,250.00

AND

To approve the appropriation and amendment of the fiscal year 2025/2026 budget for construction cost, which includes Dan's Excavating's bid of \$1,398,949.00 and 10% construction contingency, and engineering costs as follows:

Major Street Fund:

Revenues:

202.0-000.000-400.0000	Draw from Fund Balance	<u>\$741,550</u>
Total Revenue		<u>\$741,550</u>

Expenditures:

202.0-316.000-971.0100 Traffic Control
\$741,550
Total Expenses
\$741,550

ROLL CALL VOTE: Ayes, tMPT Longe
 Commissioner Long
 Commissioner Haig
 Commissioner Baller
 Commissioner Host
 Mayor McLain

Nays, None

VI. CITY MANAGER’S REPORT

CM Ecker presented the report. Staff answered informational questions from the Commission.

VII. UNFINISHED BUSINESS

06-466-24 2024 Chester St. Parking Garage Repair Project

PSM Ford introduced the item. Sarah Rush, engineer from WJE, and PSM Ford presented the item and answered informational questions from the Commission.

Commissioner comment on the item was as follows:

- The uplighting at N. Old Woodward was attractive. Illuminart is well-known and could provide other lighting options. It might not be necessary to hire an interior designer for the decks. It is possible that design decisions could be made for Chester based off the City’s wayfinding and branding designs and future lighting recommendations from Illuminart.
- The structural and safety updates to the decks are necessary.
- Considering the aesthetic environment as well as the functions of the decks is important.

MOTION: Motion by Commissioner Long, seconded by Commissioner Haig:
To award a contract to RAM Construction for the proposed work at the Chester St. Parking Garage, excluding lighting, in the amount of \$4,938,259.00; to charge this expense to account number 514.1-594.008-977.000; to authorize the Mayor and City Clerk to sign the contract on behalf of the City; and further to appropriate and amend the 2024-2025 Automobile Parking System Fund budget as follows:

<u>Revenues</u>		
514.1-000.000-400.0000	Draw from Net Position	\$462,159
<u>Expenses</u>		
514.1-594.008-977.0000	Buildings	\$462,159

Individual Commissioner comment on the motion was as follows:

- There was support for the motion.
- There was a lack of support for the motion, resulting from concerns about a lack of familiarity with the previous work of City's internal design staff.
- There was a lack of support for the motion if it included relying on the City's internal design professional. Continuing to work with Illuminart, the City's Wayfinding and Branding Committee, and the architects at WJE would be appropriate.
- Relying on the City's internal design staff for a proposal could be appropriate because any proposal from Illuminart and the City's staff would be reviewed by the Commission before any implementation would occur. Additionally, if the proposal was not approved by the Commission, other options could be considered at that time.

Public Comment

Patricia Batey commented on the aesthetic impacts of the garages on the overall experience of the cityscape.

Jim Arpin commented that WJE has architects on staff.

Victor Saroki commented regarding the design considerations for the garages.

Darko Banfic, principal at Illuminart, commented on the project.

ROLL CALL VOTE: Ayes, tMPT Longe
 Commissioner Long
 Commissioner Haig
 Commissioner Baller
 Commissioner Host
 Mayor McLain

Nays, None

06-467-24 RFP for the Chester St. Parking Garage Architectural Services

MOTION: Motion by Commissioner Baller, seconded by Commissioner Long:
To recommend City staff create an RFP for an architect to work on the Chester St. Parking Garage.

Commissioner discussion of the motion was as follows:

- Since the previous motion authorized work on the structural aspects of the Chester St. Garage, this motion could help the City find a way forward in terms of design decisions for the garages as well.
- While the benefits of an architect were clear, hiring an architect was not a previously planned expenditure and there was no proposed budget for this aspect of the project.

Staff and the WJE team answered informational questions from the Commission.

ROLL CALL VOTE: Ayes, tMPT Longe
 Commissioner Long
 Commissioner Baller

Mayor McLain

Nays, Commissioner Haig
Commissioner Host

06-468-24 2024 Chester St. Garage Repair – Construction Period Services

PSM Ford and Ms. Rush presented the item.

MOTION: Motion by Commissioner Host, seconded by Commissioner Long:
To award the contract to Wiss, Janney, Elstner Associates, Inc. for construction period services in an amount of \$465,000; further, to charge this expense to account number 514.1-594.008-977.000; to authorize the Mayor and City Clerk to sign the contract on behalf of the City; and further to appropriate and amend the 2024-2025 Automobile Parking System Fund budget as follows:

<u>Revenues</u>		
514.1-000.000-400.0000	Draw from Net Position	\$288,000
<u>Expenses</u>		
514.1-594.008-977.0000	Buildings	\$288,000

Commissioner comment on the motion was as follows:

- PSM Ford and WJE deserved thanks for their work on this project.

ROLL CALL VOTE: Ayes, Commissioner Haig
Commissioner Host
tMPT Longe
Commissioner Long
Commissioner Baller
Mayor McLain

Nays, None

VIII. NEW BUSINESS

06-469-24 Public Hearing of Necessity - Arlington, Shirley, and Brandon Street Project, Contract #6-24(W) Hearing of Necessity for Sewer and Water Lateral Special Assessment District (SAD)

Commissioner Baller's recusal was noted and he left the room at 10:50 p.m. The Mayor opened the public hearing at 10:50 p.m.

CM Ecker addressed some public discourse that had occurred regarding the item, and CE Coatta presented the item.

Public Comment

Jim Mirro commented regarding sustainability, assessments, and a petition from some residents.

Staff answered informational questions from Tony Trease, 905 Shirley. Mr. Trease protested the special assessment in order to preserve his right to appeal.

Staff answered informational questions from Sarah Winkler, 1000 Shirley. Ms. Winkler said she was registering a protest on behalf of the trees.

The Mayor answered an informational question from Patricia Batey.

Staff answered informational questions from Niharika Ramdev, 280 Arlington. Ms. Ramdev commented regarding the project's potential impact on landscaping and sprinkler systems. She said she was protesting to preserve her optionality.

Seeing no additional public comment, the Mayor closed the public hearing at 11:42 p.m.

Commissioner comment on the item was as follows:

- In previous Commission discussions, a Commissioner had indicated that some residents of Westwood were unhappy with the results of Westwood's cape-sealing. More recently, two residents of Westwood stated that they were indeed satisfied with the results of Westwood's cape-sealing.
- This project was appropriate because the 100-year-old sewer needed to be replaced.

MOTION: Motion by Commissioner Long, seconded by Commissioner Host:

WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards and replacing water services that are 60 years or older or less than 1 inch in diameter on Arlington Street from Lincoln Road to Maple Road, and Shirley Road from Lincoln Road to Maple Road; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that is not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that Arlington, Shirley, and Brandon Project, the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of sewer service and water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of sewer service lateral and water service laterals located within the limits of the following streets shall be installed as part of the Arlington, Shirley, and Brandon Project (Contract #6-24(W)):

Arlington Street – Lincoln Street to Maple Road; and
Shirley Road – Lincoln Road to Maple Road

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral service that is 50 years of age or older or constructed of materials that are not acceptable and water service that is 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$200.00 per foot of 6" diameter sewer service pipe, \$250.00 per foot of 8" diameter sewer service pipe, \$70.00 per foot of 1-inch water service pipe, \$75.00 per foot of 1.5-inch water service pipe, and \$90.00 per foot of 2-inch water service pipe).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll and is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation on July 8, 2024 and give notice of same.

The sidwell numbers and street addresses are located on pages four and five of Item 8A of tonight's agenda packet, including the cost of each assessment.

Staff answered informational questions from the Commission.

Individual Commissioner comment was as follows:

- There was support for the motion. There was a recent article about the Sterling Heights canopy.
- This portion of the project was necessary.
- Some sitting Commissioners have had to pay for similar improvements at their present or former residences. The City aims to preserve as many trees as possible in these projects. Having to replace any potentially disturbed sprinkler systems is not always an onerous process.

ROLL CALL VOTE: Ayes, Commissioner Haig
Commissioner Host
tMPT Longe
Commissioner Long

Mayor McLain

Nays, None

06-470-24 Public Hearing of Necessity - Arlington, Shirley, and Brandon Street Project, Contract #6-24(W) Hearing of Necessity for Paving Special Assessment District (SAD)

Commissioner Baller's recusal continued for this item. The Mayor opened the public hearing at 11:54 p.m.

CE Coatta presented the item.

Public Comment

Staff answered informational questions from Dr. Mendelson. Dr. Mendelson thanked staff and the Commission.

Mr. Mirro commented regarding a potential exemption process for certain driveway surfaces.

Mr. Trease, 905 Shirley, commented that he was preserving his option to file a special assessment appeal with the Michigan Tax Tribunal by protesting the paving special assessment district.

Ms. Ramdev, 280 Arlington, commented that she was preserving her optionality by protesting the paving special assessment district.

Clinton Baller commented regarding the procedural appropriateness of him speaking as a member of the project area at this juncture. He stated that he was strictly speaking on his own behalf. He commented regarding the project's process, and supported seeking a landscape architect's recommendations for the project.

Seeing no additional public comment, the Mayor closed the public hearing at 12:18 a.m.

MOTION: Motion by Commissioner Long, seconded by MPT Longe:
WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project paving on Arlington Street from Lincoln Road to Maple Road, Shirley Road from Lincoln Road to Maple Road, and Brandon Street to Arlington Street and Shirley Street; and

WHEREAS, The City has previously established a policy requiring converting an unimproved road to an improved road; and

WHEREAS, The City Commission, after the public hearing, has determined that paving Arlington Street from Lincoln Road to Maple Road, Shirley Road from Lincoln Road to Maple Road, and Brandon Street to Arlington Street and Shirley Street, is a necessity and is in the best interest of the City and will specially benefit the properties included in the Special Assessment District; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of paving has been determined; and

WHEREAS, The City Engineer has determined the boundaries of paving located within the limits of the following streets shall be installed as part of the Arlington, Shirley, and Brandon Project (Contract #6-24(W)):

Arlington Street – Lincoln Street to Maple Road; and
Shirley Road – Lincoln Road to Maple Road; and
Brandon Street – Arlington Street and Shirley Street

WHEREAS, The formula used in making the assessment for paving is 85% of the front-foot costs are assessed on all properties fronting on the improvement. The City pays 15% of the cost and for single-family houses, if the longer side of a corner property faces the street being constructed, the City will pay two-thirds (2/3) of the cost of the assessment for that property. The property owner will be charged the remaining third (1/3). If the short side of a corner property faces the street to be constructed, the owner pays 100% of the assessment, and for approaches is 100% of the contractor's charge for replacing the approach with concrete within the public right-of-way between the proposed curb and the property line (calculated at the rate of \$156.84 per front footage for paving, \$4.00 per square foot to remove and salvage brick pavers, \$105.00 per square yard for remove concrete approach and install concrete approach, and \$100.00 per square yard to remove asphalt approach and install concrete approach).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation on July 8, 2024 and give notice of same, and the sidwell numbers, street addresses, and total paving costs are set forth on pages four, five, and six of 8B of tonight's packet.

Staff answered informational questions from the Commission.

Individual Commissioner comment was as follows:

- Given some residents' opposition to this aspect of the project, there was opposition to the motion.

- More information about Commissioner Baller's recusal and speaking as a member of the public was provided.
- This is the right decision for the health, safety, and welfare of this community. This decision would represent a compromise of a number of perspectives.

ROLL CALL VOTE: Ayes, Commissioner Haig
tMPT Longe
Commissioner Long
Mayor McLain

Nays, Commissioner Host

06-471-24 370 E. Brown Construction Staging and Construction Coordination Agreement

Commissioner Baller rejoined the meeting at 12:34 a.m.

CE Coatta presented the item. Staff answered informational questions from the Commission.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Host:
To approve a Construction Staging Area and Construction Coordination Agreement with 370 E. Brown LLC and Sachse Construction and Development for the coordination of construction activities related to 370 E. Brown on Brown Street and Daines Street and to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City.

ROLL CALL VOTE: Ayes, Commissioner Baller
Commissioner Host
Commissioner Haig
tMPT Longe
Commissioner Long
Mayor McLain

Nays, None

06-472-24 Birmingham Wayfinding & Gateway Signage Fabrication and Installation – Phase 1 Contractor Selection

PD Dupuis presented the item. Staff answered informational questions from the Commission.

Individual Commissioner comment on the item was as follows:

- There was support for implementing the proposed lighting using a budget amendment.
- Solar could be used to implement the proposed lighting temporarily.
- A lighting proposal could be created by staff and brought to the Commission for implementation prior to the end of 2024.
- The impact of the lighting for the two ground mounted identification signs should be considered from all angles.

Public Comment

Doug Feehan commented on the wayfinding and branding recommendations.

MOTION:

Motion by Commissioner Long, seconded by Commissioner Host:

To approve an agreement with ASI Signage Innovations for wayfinding fabrication and installation in an amount not to exceed \$108,400 from account # 101.0-701.000-981.0100. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City and further, to approve the appropriations and amendment to the General Fund budget as follows:

Revenues:

Draw from Fund Balance	101.0-000.000-400.0000	\$8,400
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Expenses:

Capital Outlay (Public Improvements)	101.0-701.000-981.0100	\$8,400
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ROLL CALL VOTE: Ayes, Commissioner Baller
Commissioner Host
Commissioner Haig
tMPT Longe
Commissioner Long
Mayor McLain

Nays, None

Commission Items for Future Discussion

06-473-24 Golf Courses

MOTION:

Motion by Commissioner Baller, seconded by Mayor McLain:

To talk about the golf courses.

ROLL CALL VOTE: Ayes, Commissioner Baller
Commissioner Host
Commissioner Haig
Commissioner Long
Mayor McLain

Nays, None

Commissioner Host made a motion to put parking on the agenda. The motion died for lack of a second.²

06-474-24 48th District Court

MOTION:

Motion by Commissioner Host, seconded by Commissioner Baller:

²As amended at the July 8, 2024 meeting.

To assign the City Manager and the City Attorney the task of conducting a comparable analysis of the costs and the efficiencies of staying with our current arrangement with the 48th District Court, or having the City of Birmingham assume more responsibility for the delivery of the services. We ask that this report of their findings and recommendations be presented to the Commission no later than November 25, 2024.

Commissioner discussion of the motion was as follows:

- Many Michigan communities are faced with challenges in organizing the funding and delivery of their judicial services.

ROLL CALL VOTE: Ayes, Mayor McLain
 Commissioner Host

 Nays, tMPT Longe
 Commissioner Haig
 Commissioner Long
 Commissioner Baller

Commission Discussion On Items From A Prior Meeting

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

A. YMCA/NEXT Letters

X. REPORTS

A. Commissioner Reports

The Mayor reported back from conversations with MDOT and with the Secretary of State. She noted she would be attending the FBI Citizens' Academy National Conference in Detroit.

B. Commissioner Comments

Commissioner Long thanked CM Ecker and PC Grewe for their work regarding a recent incident. He advocated for publicizing and implementing a zero tolerance policy towards violence in the City.

Commissioner Haig concurred with Commissioner Long and supported the City installing high-resolution cameras.

The Mayor concurred with Commissioner Long as well.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

The Commission deferred these reports to the next meeting.

1. Dumpster Report
2. Expanding Special Event Offerings

INFORMATION ONLY

XI. ADJOURN

The Commission motioned to adjourn at 1:18 a.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

DRAFT

Birmingham City Commission Minutes
July 8, 2024
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/980944784>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

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

Absent: None

Staff: City Manager Ecker; City Clerk Bingham, Assistant City Manager Clemence, City Engineer Coatta, Planning Director Dupuis, Assistant City Manager Fairbairn, Police Chief Grewe, Deputy Treasurer Katz, City Attorney Kucharek

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

Announcements

Happy Birthday Commissioner Therese Longe

Appointments

Jay Shell applied for an appointment to the Museum Board but was unavailable for an interview.

07-475-24 Greenwood Cemetery Advisory Board

Laura Schreiner was unavailable for an interview. The Mayor noted this would be a reappointment.

The Commission interviewed Linda Peterson and Paul Connell for appointments.

MOTION: Nomination by Commissioner Long:
To appoint Laura Schreiner, Linda Peterson, and Paul O'Connell to the Greenwood Cemetery Advisory Board as regular members to serve three-year terms to expire July 6, 2027.

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

Nays, None

07-476-24 Museum Board

The Commission interviewed Beverly Erickson for the appointment.

MOTION: Nomination by Commissioner Host:
To appoint Beverly Erickson to the Museum Board as a regular member to serve a three-year term to expire July 6, 2027.

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

Nays, None

07-477-24 Museum Board

The Commission interviewed Eva Kirkman for the appointment.

MOTION: Nomination by Commissioner Longe:
To appoint Eva Kirkman to the Museum Board as a regular member to serve a three-year term to expire July 6, 2027.

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

Nays, None

07-478-24 Alternate Hearing Officer

The Commission interviewed Alexander Simpson for the appointment.

MOTION: Nomination by Commissioner Longe:
To appoint Alexander Simpson as the alternate Hearing Officer to serve a three-year term to expire June 30, 2027.

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

Nays, None

CC Bingham swore in the appointees.

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

Diane Anderson commented regarding ongoing issues with her landlord at 1468 Southfield Road.

Peter Hyler commented regarding road conditions in Birmingham.

V. CONSENT AGENDA

07-479-24 Consent Agenda

MOTION: Motion by Commissioner Longe, seconded by Commissioner Long:
To move the Consent Agenda excluding Items B and D.

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

Nays, None

- A. Resolution to approve the City Commission/Planning Board meeting minutes for the meeting held on June 10, 2024.

- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 27, 2024 in the amount of \$924,916.56.

Birmingham City Commission Meeting Minutes – June 24, 2024 (Item B)

Commission Host pulled Item B. Two corrections to the minutes were recommended. It was noted that the minutes would be returned for approval at the next meeting.

07-480-24 SLUP Amendment for 260 N. Old Woodward (Item D)

Commissioner Haig pulled Item D. PD Dupuis and Joseph Shallal, attorney representing the Terra applicant team, answered an informational question from the Commission.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Longe:
To set a public hearing date of August 12, 2024 to consider the Special Land Use Permit Amendment for 260 N. Old Woodward to transfer ownership and update the Special Land Use Permit with the new owner, Old Woodward STA, LLC (Terra).

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

Nays, None

VI. CITY MANAGER'S REPORT

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

07-481-24 Public Hearing for 115 Willits – Sprazzo – Special Land Use Permit (SLUP) Amendment (Ownership Change)

The Mayor opened the public hearing at 8:05 p.m.

PD Dupuis presented the item.

Joseph Shallal, attorney, Yousif Kakos, co-owner, and Paulina Faranso, co-owner, spoke on behalf of the request.

Seeing no public comment, the Mayor closed the public hearing at 8:10 p.m.

Staff and the applicant team answered informational questions from the Commission.

Commissioner comment on the item was as follows:

- Residents of the Willits were concerned about the potential for evening noise, and the applicant was asked to keep those concerns in mind.
- If there were violations of the SLUP, the Commission would be within its rights to not recommend renewal of the liquor license.

MOTION: Motion by Commissioner Long, seconded by Commissioner Haig:
To approve the Special Land Use Permit Amendment for 115 Willits to transfer ownership and update the Special Land Use Permit to the new owner, Birmingham Omni Hospitality, LLC (Sprazzo).

AND

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

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

Nays, None

07-482-24 Public Hearing for 219 Elm St. – All Seasons 2 – SLUP Amendment

The applicant's request to postpone the item was noted.

The Mayor opened the public hearing at 8:26 p.m.

PD Dupuis noted it would be the applicant's preference to postpone the item to August 12, 2024.

Seeing no public comment, the Mayor closed the public hearing at 8:26 p.m.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Host:
To postpone to August 12, 2024.

Patrick Howe, attorney for the applicant, answered an informational question from the

Commission.

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

Nays, None

**07-483-24 Public Hearing of Necessity for Sewer and Water Lateral Special
Assessment District (SAD) - N. Adams Road Resurfacing, Contract #12-
24(P)**

The Mayor opened the public hearing at 8:31 p.m.

CE Coatta presented the item.

Public Comment

Staff and the Commission answered informational questions from Thomas December, Gary Laskowsky, Jeff Knight, Cheryl Mayor, and Lisa McFarland.

Mr. Laskowsky commented on the noticing timing and on concerns from senior residents of the SAD.

The Mayor closed the public hearing at 8:45 p.m.

Staff answered informational questions from the Commission.

MOTION: Motion by Commissioner Longe, seconded by Commissioner Haig:
WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards on N. Adams near the intersection of Putney Street and replacing water services that are 60 years or older or less than 1 inch in diameter on N. Adams Road from Mohegan Street to Putney Street; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that are not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs; and

WHEREAS, The City Commission, after the public hearing, has determined that the N. Adams Road Project, including the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, The City Engineer has determined the boundaries of sewer service lateral and water service laterals located within the limits of the following streets shall be installed as part of the N. Adams Road Project (Contract #12-24(P)):

Sewer Lateral – N. Adams Road - Near the intersection of Putney; and

Water Lateral – N. Adams Road – Mohegan Street to Putney Street

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral service that is 50 years of age or older or constructed of materials that are not acceptable and water service that is 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$250.00 per foot of 8" diameter sewer service pipe, \$115.00 per foot of 1-inch water service pipe, and \$125.00 per foot of 2-inch water service pipe).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll, and is a necessity, and the City Commission directs the City Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation on July 22, 2024, and give notice of same.

This applies to the water and sewer laterals with sidwell numbers, street addresses, water special assessment, district costs, and sewer special assessment district costs as shown in Section 8C of tonight's Commission agenda on pages three, four, five, and six and map on page seven.

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

Nays, None

07-484-24 Public Hearing - Confirmation of SAD Roll 910 Arlington, Shirley, and Brandon Street Project

Commissioner Baller's recusal from the item was noted at 8:52 p.m. and he exited the room at that time. The Mayor opened the public hearing at 8:52 p.m.

DT Katz and CA Kucharek presented the item.

Public Comment

David Mendelson commented about appreciating the open discourse, and that although he signed a previous petition regarding the item, he and his wife were not participating in the lawsuit to which the petition was attached.

Jim Mirro also commented about appreciating the open discourse and the accuracy of the Engineering Department's work on the item.

The Mayor closed the public hearing at 8:59 p.m.

Commissioner comment on the item was as follows:

- The comments about open discourse from the public were appreciated. This project was understood as necessary, especially given the Fire Chief's previous presentation on the conditions in the area.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Long:
WHEREAS, Special Assessment Roll, designated Roll No. 910S and Roll No. 910W, has been heretofore prepared for Collection; and

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

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

WHEREAS, the Commission Resolution 06-469-24 provided it would meet this 8th day of July, 2024 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this July 8, 2024, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 910S and Roll No. 910W be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments.

Sidwell numbers, street addresses, sewer lateral SAD assessments as specified on pages three, and four, and water lateral SAD assessments as specified on page five of Section 8D of tonight's package.

Commissioner comment on the motion was as follows:

- This motion was about the water and the sewer, which was 100 years old and needed to be replaced.

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

Nays, None

07-485-24 Public Hearing - Confirmation of SAD Roll 910 Arlington, Shirley, and Brandon Street Project – Paving

Commissioner Baller's recusal continued through this item. The Mayor opened the public hearing at 9:04 p.m.

DT Katz presented the item.

Public Comment

Staff answered an informational question from a resident of 218 Arlington.

CA Kucharek noted that Judge Martha D. Anderson of the Sixth Circuit Court struck the complaint and corresponding summons referenced in Item 8DE from the court record pursuant to MCR 2.115, subsection B.

The Mayor closed the public hearing at 9:12 p.m.

MOTION: Motion by Commissioner Long, seconded by Commissioner Longe:
WHEREAS, Special Assessment Roll, designated Roll No. 910, has been heretofore prepared for Collection; and

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

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

WHEREAS, the Commission Resolution 06-470-24 provided it would meet this 8th day of July, 2024 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this July 8, 2024, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 910 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments for the sidwell numbers, street addresses, and paving assessment amounts listed in today's agenda packet under Section 8E on pages three, four, and five.

Individual Commissioner comments on the motion were as follows:

- This motion would mandate a change that many homeowners in the project area did not want. Some residents were concerned about cost, disruption, and risks to the tree canopy.
- This motion represented a necessary health, safety, and welfare improvement as well as an infrastructure improvement. There has been a significant amount of public and expert participation in this process.
- Resident concern regarding this project was largely driven by concerns about sidewalks and overall costs. While the unimproved streets methodology may be imperfect, a better one has not yet been presented. This motion reflected the wishes of the majority of the residents who have provided feedback. The costs in the contract award came in under the City Engineer's estimates from 2023, which was welcome news. Those figures might be used as benchmarks for future work.
- Staff earned commendation for their work in negotiating the costs for this project.
- This motion was appropriate for many of the aforementioned reasons. The Commission compromised in its direction by not requiring sidewalks on both sides of the street. The project has been discussed in public many times. This was a welcome resolution to the project discussions.

Public Comment

Mr. Mirro commented regarding the motion and the aforementioned complaint and corresponding summons.

ROLL CALL VOTE: Ayes, MPT Schafer
 Commissioner Haig
 Commissioner Longe
 Commissioner Long
 Mayor McLain

Nays, Commissioner Host

07-486-24 Award of the Arlington, Shirley, and Brandon Project #6-24 (W) to DiPonio Contracting, LLC

Commissioner Baller's recusal continued through this item.

CE Coatta presented the item.

Public Comment

Mr. Mirro commented further regarding the aforementioned complaint and corresponding summons.

MOTION:

Motion by MPT Schafer, seconded by Commissioner Long:

To award the Arlington, Shirley, and Brandon Project #6-24 (W) to DiPonio Contracting, LLC in the amount of \$5,596,814.90 plus a 10% construction contingency for a total of \$6,156,496.39. In addition, to authorize the Mayor and Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance and bond requirements by DiPonio Contracting, LLC. Funding for this project has been budgeted in the following accounts for the following years, as represented in the packet 8F,

AND

To approve the appropriation and amendment of the fiscal year 2024/2025 budget as follows, under the sidewalk fund and that which follows in the packet under 8F including local street fund, sewer fund, and water fund, pages three and four.

Public Comment

Mr. Mirro commented further regarding the motion and the aforementioned complaint and corresponding summons.

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

Nays, None

07-487-24 Birmingham 2040 Plan Next Steps

Commissioner Baller rejoined the meeting at 9:35 p.m.

PD Dupuis presented the item. Staff answered informational questions from the Commission.

Commissioner comment on the item was as follows:

- Noting easier-to-achieve goals in some way would be beneficial.

MOTION:

Motion by Commissioner Longe, seconded by Commissioner Haig:

To assign each prioritization matrix related to the Birmingham 2040 Plan to the corresponding board/commission. In addition, to authorize the Planning Board to provide oversight of the prioritization matrices, with the understanding that the Planning Board would provide annual updates to the City Commission of progress and any changes.

ROLL CALL VOTE: Ayes, Commissioner Baller

Commissioner Host
MPT Schafer
Commissioner Haig
Commissioner Longe
Commissioner Long
Mayor McLain

Nays, None

07-488-24 E. Lincoln Street, east of S. Eton Street

CE Coatta presented the item. Staff answered informational questions from the Commission.

Commissioner discussion of the item was as follows:

- Staff deserved thanks for putting together the presentation. The road is in poor condition and is heavily used. The road should be improved. It could be added to improvements of Eton. Drivers sometimes drive through the parking lot in order to avoid the road. The condition represents a health and safety concern. Putting the electrical underground could be beneficial.
- The road condition has been raised at meetings of the Torry Community Association. The design of the improvements should be considered.
- A number of roads might benefit from being milled and overlaid.
- Given the PASER ratings, an appropriate reprioritization of road repairs was not immediately apparent. It might be possible to keep costs low by adding this asphalt order to the Arlington and Shirley asphalt order. It would be necessary to determine how the project might be funded.
- Many roads in the community are also in poor condition. Repairing this road outside of the Engineering Department's ranked order may not be beneficial. The condition of the road can also encourage drivers to proceed at lower speeds.
- Repairing this road outside of the rankings may establish a detrimental precedent.
- It may be appropriate to repair this road more immediately due to the safety concerns and the volume of traffic.

MOTION: Motion by Commissioner Long, seconded by Commissioner Host:

To direct staff to reconfigure or reprioritize funding to allow us to look at whether we can add this as an existing change order into one of our other mill and overlay contracts, and if so, how we would do that financially, and to bring it back.

Commissioner comment on the motion was as follows:

- Speed bumps could be added to the parking lot to lower speeds.
- The PASER rating is low, and milling and overlaying may not have the desired longevity. Staff may be able to propose alternate solutions that would cost less than these repair would. The costs of this project may also not be presently warranted based on the limited accounts of the issues in the area.

ROLL CALL VOTE: Ayes, Commissioner Long

Nays, Mayor McLain

Commissioner Baller
Commissioner Host
MPT Schafer
Commissioner Haig
Commissioner Longe

07-489-24 E. Lincoln Street, east of S. Eton Street (Part II)

MOTION: Motion by Commissioner Host, seconded by Commissioner Long:
To direct the City Manager and staff to come up with a creative solution.

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

Nays, Commissioner Haig

07-490-24 Closed Session Pursuant to MCL § 15.268, Sec.8(1)(e) of the Open Meetings Act

MOTION: Motion by Commissioner Host, seconded by Commissioner Long:
To adopt a resolution to meet in closed session pursuant to MCL § 15.268, Sec.8(1)(e) of the Open Meetings Act.

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

Nays, None

The Commission went into closed session at 11:46 p.m.

The Commission returned from closed session at 12:07 a.m.

Commission Items for Future Discussion

07-491-24 Ban Broad Spectrum Insecticide

MOTION: Motion by Commissioner Haig, seconded by Commissioner Baller:
To discuss banning all broad spectrum insecticide use within Birmingham as soon as possible.

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

Nays, None

Commission Discussion On Items From A Prior Meeting

07-492-24 Golf Courses

Commissioner comment on the topic was as follows:

- A presentation on the golf courses should include the history of the acquisition, the sizes, whether they are included in the City's total park acreage, any restrictions on use of the properties, financials, whether the money spent on the golf courses would be coming out of the enterprise fund, the status of the enterprise fund, future planned maintenance or improvements, information about the users, and whether it would be appropriate to contract out the administration of the golf courses.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Haig:
To have a review of the golf courses.

Commissioner comment on the motion was as follows:

- The golf courses are presently self-sustaining, which indicates regular use of the courses.

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

Nays, None

It was noted the review would be conducted as a workshop.

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

- A. Shirley & Arlington letters from a prior meeting

Public Comment

Mr. Mirro commented further regarding the motion and the aforementioned complaint and corresponding summons.

- B. Westwood letter from a prior meeting
- C. YMCA/NEXT Letters

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Advisory Parking Committee
- B. Commissioner Comments

The Mayor commented regarding a visit from residents of Birmingham, England, a meeting with Birmingham's State Senator and Representative, the condition of the cape seal on Westwood, and efforts to reduce noise on Woodward.

Commissioners Long and Host commented regarding prior discussions of cape seal projects.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Dumpster Report

Commissioner comment on the report was as follows:

- It would be helpful to know what other communities do and whether there would be room for improvement.
 - Improving the way dumpsters are managed in the City would be worthwhile. Doing so would also increase the appeal of the alleyways. It would also be important to have information on the constraints.
- 2. Expanding Special Event Offerings

ACM Fairbairn summarized the report.

Commissioner discussion related to the report was as follows:

- The City's present events are well-organized and well-attended. Exploring additional opportunities for events would be welcome. Closing some streets to vehicular traffic occasionally to allow for dining and walking in the roads might be a good event option.
- Social districts were explored and no establishments expressed interest. Adding more family-friendly events might be of interest.
- Social districts might work better if the City takes steps to promote the option first.
- Events should be for the benefit of Birmingham residents.
- Increasing City events could result in security concerns.

- Additional events could further enhance Birmingham's appeal. Determining the appropriate administrative structure would be necessary. The Commission would have to decide whether it would be willing to invest in additional events. Events should benefit the Birmingham community and the surrounding community. The events could be selected in order to mitigate the risk of security concerns. One of the significant benefits would be building community.
- Family-friendly events could help attract younger families to the City. Building community is worthwhile. Events also help promote the financial health of the City's businesses, which benefits the City overall.
- Surveys indicate that people move to Birmingham because of its parks and recreational offerings, and the vibrancy of the downtown. Birmingham is unusual in that home prices are higher the closer they are to the downtown. Supporting the City's businesses supports the neighborhoods and maintains the City's ability to collect taxes, remain desirable, and provide services.
- Lunchtime events and youth-oriented events in the afternoons could help expand the variety of events offered.
- Brother Rice is currently holding discussions on safe socialization opportunities for youth in the community, and it might be appropriate for Birmingham to participate.
- The senior and community center should provide opportunities for youth-oriented activities.
- It would be beneficial to receive an informational presentation from a contractor that organizes this type of program for other municipalities.
- The City should explore expanding the concerts in the park, closing streets temporarily for buskers or other attractions, specialty dinners at appealing City locations, ticketed food events, a Birmingham homecoming for former residents, collaborations between restaurants, Le Dinner en Blanc, a chalk festival, something to feature Birmingham's automotive history, a blues festival, a weekly food truck day, a public art mural event, ethnic festivals, health-focused events, outdoor recreation focused events, and/or film or writers festivals.

3. Grant Update

ACM Fairbairn summarized the report.

Commissioner discussion related to the report was as follows:

- Staff earned thanks for their grant-related efforts.

INFORMATION ONLY

XI. ADJOURN

The Commission motioned to adjourn at 12:07 a.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

DRAFT

City of Birmingham

Warrant List Dated 07/04/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
298697		BDREFUND	AARON DWIGHT BAUGHEY	2,250.00
298698	*	009346	ACCUFORM PRINTING & GRAPHICS, INC	7,793.00
298699		MISC	ALYSSA ROTHERMEL	200.00
298700		000881	APWA	775.00
298701		MISC	ARJUN DHAKE	450.00
298702	*	006759	AT&T	433.43
298703	*	006759	AT&T	210.51
298704	*	006759	AT&T	433.43
298705	*	006759	AT&T	210.51
298706	*	006759	AT&T	3,862.26
298707	*	006759	AT&T	72.66
298708		000408	BALDWIN PUBLIC LIBRARY	55.29
298709	*	002716	BENDZINSKI & CO	31,120.00
298710		002231	BILLINGS LAWN EQUIPMENT INC.	42.80
298711		003526	BOUND TREE MEDICAL, LLC	845.87
298712		003786	C & G PUBLISHING INC.	405.00
298713		003907	CADILLAC ASPHALT, LLC	188.49
298714	*	003904	CAPITAL ONE BANK	4,306.78
298716	*	000444	CDW GOVERNMENT INC	2,088.54
298717	*	008006	CLEAR RATE COMMUNICATIONS, INC	1,646.11
298718	*	000627	CONSUMERS ENERGY	82.19
298719	*	009145	CREATIVE COLLABORATIONS	3,800.00
298720		003923	CUMMINS BRIDGEWAY LLC	1,833.09
298721	*	009873	D/A CENTRAL INC.	75,518.15
298722		BDREFUND	DALLOO, KHALID G	100.00
298723	*	009549	DAN'S LAWN MAINTENANCE	1,650.00
298724		BDREFUND	DARBY E HADLEY REVOC TRUST	100.00
298725		MISC	DAVID SARAFA	234.00
298726		BDREFUND	DECKS UNLIMITED	100.00
298727	*	006412	TOM DIAB	1,000.00
298728		009130	DOG WASTE DEPOT	899.85
298729	*	000179	DTE ENERGY	9,860.34
298730	*	000179	DTE ENERGY	200.30
298731	*	000179	DTE ENERGY	80.29
298732	*	000179	DTE ENERGY	25.13
298733	*	000179	DTE ENERGY	27.89
298734	*	000179	DTE ENERGY	2,204.21
298735	*	000179	DTE ENERGY	97.18
298736	*	000179	DTE ENERGY	548.67
298737	*	000179	DTE ENERGY	9,702.48
298738	*	000179	DTE ENERGY	1,710.38
298739	*	000179	DTE ENERGY	3,980.90

City of Birmingham

Warrant List Dated 07/04/2024

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Check Number	Early Release	Vendor #	Vendor	Amount
298740	*	000179	DTE ENERGY	2,263.44
298741	*	000179	DTE ENERGY	18.90
298742	*	000179	DTE ENERGY	1,233.08
298743	*	000179	DTE ENERGY	41.34
298744	*	000179	DTE ENERGY	19.76
298745	*	000179	DTE ENERGY	24.72
298746	*	000179	DTE ENERGY	21.17
298747	*	000179	DTE ENERGY	390.88
298748	*	000179	DTE ENERGY	140.00
298749		000179	DTE ENERGY	35.61
298750		000493	ED RINKE CHEVROLET BUICK GMC	13,467.60
298751		008164	GARY EISELE	78.39
298752		UBREFUND	EQUITY TITLE AGENCY	110.89
298753		001495	ETNA SUPPLY	2,460.00
298754		007415	EZ GOLF CART CO. INC	39.96
298755	*	009317	FAUM SOLUTIONS LLC	2,991.00
298756		BDREFUND	FOUNDATION SYSTEMS OF MICHIGAN INC.	200.00
298757		BDREFUND	FRICK, ROBERT	100.00
298758		MISC	GENERAL DOGS	255.00
298759	*	004604	GORDON FOOD	932.59
298760	*	MISC	GOWDY MISSION	706.00
298761		001531	GUNNERS METER & PARTS INC	2,480.00
298762		001447	HALT FIRE INC	1,185.93
298763		BDREFUND	HAMI CONSTRUCTION	300.00
298764	*	008481	HART INTERCIVIC, INC	9,356.00
298765	*	001956	HOME DEPOT CREDIT SERVICES	2,745.55
298766	*	009659	EMILY JOY HOWARD	300.00
298767		009884	HURON VALLEY GUNS LLC	419.93
298768	*	001204	ICMA	1,200.00
298769		009374	CIT INTERNATIONAL INCORPORATED	450.00
298770	*	MISC	JACK A DANOU	30.00
298771		009882	BIG DAY PRODUCTIONS LLC	7,500.00
298772		BDREFUND	JCB DESIGN AND BUILD LLC	100.00
298773	*	UBREFUND	JENNIFER FURDOCK	43.59
298774		MISC	JOELLE ABOOD	117.00
298775	*	MISC	JOSHUA PARKS	25.88
298776		004088	KGM DISTRIBUTORS INC	424.00
298777	*	000353	KNAPHEIDE TRUCK EQUIPMENT	131.28
298778	*	009900	KRAMER MANAGEMENT GROUP, INC.	18,250.00
298779		BDREFUND	LAMARCO HOMES LLC	2,500.00
298780		MISC	LAUREN AYAR	261.00
298781		000797	THE LIBRARY NETWORK	5,335.00
298782	*	009877	KEVIN O' DONNELL	3,650.00

City of Birmingham

Warrant List Dated 07/04/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
298783	*	008467	MAGIC BUS BAND LLC	2,400.00
298784	*	007273	MAINSTREET SOUL LLC	1,800.00
298785	*	009888	MEGAN BECK	112.50
298786	*	009200	MICHAEL MORRISON	750.00
298787	*	009143	MICHAEL SHUKWIT	250.00
298788		002207	MICHIGAN AUTOMATIC SPRINKLER, INC.	1,382.00
298789		007479	MICHIGAN BREAD BAKERY	67.70
298790		000230	MIKE SAVOIE CHEVROLET INC	2,384.45
298791	*	001950	MILLER CANFIELD PADDOCK AND	39,970.00
298792		000673	NEW YORK TIMES, THE	2,080.00
298793	*	005431	NILFISK, INC.	19.20
298794		BDREFUND	OAK ELECTRIC SERVICES INC	200.00
298795	*	009478	ODP BUSINESS SOLUTIONS, LLC	59.54
298796		BDREFUND	ORCHARD DEVELOPMENT AND CONSTRUCTIO	2,000.00
298797		BDREFUND	PELLA WINDOWS & DOORS, INC.	500.00
298798		BDREFUND	PERFORMANCE ROOF SYSTEMS LLC	100.00
298799		007775	THE PGA OF AMERICA	681.00
298800	*	MISC	PHOENIX NASH	17.96
298801	*	008342	RAIN MASTER CONTROL SYSTEMS	38.85
298802	*	009879	REBECCA VIOLASSI	1,000.00
298803	*	009878	JST REMONDAS MUSIC LLC	1,500.00
298804		BDREFUND	RSS CONSTRUCTION LLC	1,400.00
298805	*	007960	S&P GLOBAL RATINGS	19,500.00
298806		MISC	SCOTT SELTZER	200.00
298807	*	009009	SIGNATURE CLEANING LLC	9,875.98
298808		007503	SYDNEY SOLUTIONS LLC	299.00
298809	*	009552	TRAFFIC & SAFETY CONTROL SYSTEMS	5,070.00
298810		005481	TRI-COUNTY INTL TRUCKS, INC.	14,560.21
298811		004379	TURNER SANITATION, INC	150.00
298812	*	009081	TYLER TECHNOLOGIES INC	2,524.22
298813		009199	UNIQUE IMAGE STUDIO OF PHOTOGRAPHY	304.00
298814	*	007226	VALLEY CITY LINEN, INC	159.36
298815	*	000293	VAN DYKE GAS CO.	60.00
298816	*	000158	VERIZON WIRELESS	980.12
298817	*	000158	VERIZON WIRELESS	98.34
298818		009897	VIMHUE	1,077.20
298819	*	007620	WJE-WISS, JANNEY, ELSTNER ASSOC.INC	19,290.00
298820	*	008902	ZORO TOOLS, INC.	762.43
SUBTOTAL PAPER CHECK				\$387,104.28

ACH TRANSACTION

10989	*	008649	ROBERT ABRAHAM JR.	750.00
10990	*	005686	ADVANCED MARKETING PARTNERS INC	916.50
10991	*	007510	GRANT JANNEY	750.00

City of Birmingham
Warrant List Dated 07/04/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
10992	*	001357	ART/DESIGN GROUP LTD	130.00
10993	*	008009	TREVOR BAKER	750.00
10994	*	009042	RANDY BEARDEN	750.00
10995		006683	BIRMINGHAM LAWN MAINTENANCE, INC	78.00
10996	*	007624	BIRMINGHAM OIL CHANGE CENTER, LLC	84.95
10997		009183	BOB ADAMS TOWING	85.00
10998	*	009095	STEVEN BONORA	750.00
10999	*	009304	DUSHAWN BRANDY	750.00
11000	*	009355	SHAUN BROWN	750.00
11001	*	009122	CLAIRE CHUNG	69.00
11002		000605	CINTAS CORPORATION	453.91
11003	*	009845	CITY OF BIRMINGHAM #257	62,152.71
11004		009540	CIVICPLUS, LLC	7,188.00
11005		002668	CONTRACTORS CLOTHING CO	767.77
11006	*	007638	MARSHALL CRAWFORD	750.00
11007		009840	THOMAS S. KLISE COMPANY, INC	48.72
11008	*	009181	DELTA TEMP SERVICES INC	545.50
11009	*	006999	CHRISTOPHER DEMAN	750.00
11010		003801	JANA ECKER	500.00
11010	*	003801	JANA ECKER	1,153.00
11011		000196	EJ USA, INC.	1,306.34
11012	*	006689	F.D.M. CONTRACTING INC.	545,724.43
11013	*	000213	FIRE DEFENSE EQUIP CO INC	10,446.44
11014	*	000929	CONNIE FOLK	49.50
11015	*	009357	BRENDT FREDERICK	750.00
11016	*	007289	BRIAN FREELS	750.00
11017	*	008648	HUNTER GILICK	750.00
11018	*	008105	JASON GRANROTH	750.00
11019		009824	H&H POWDERCOATING	2,250.00
11020	*	003824	THOMAS I. HUGHES	750.00
11021	*	009303	TREVOR HULBERT	750.00
11022	*	008851	INSIGHT INVESTMENT	6,537.99
11023	*	006500	INTERIOR ENVIRONMENTS	12,871.00
11024	*	007870	J.C. EHRLICH CO. INC.	179.13
11025		000261	J.H. HART URBAN FORESTRY	56,478.40
11025	*	000261	J.H. HART URBAN FORESTRY	1,186.00
11026		000186	JACK DOHENY COMPANIES INC	2,850.64
11027	*	009482	JAMIL KIM	1,600.00
11028		009249	JCC CREATIVE LLC	850.00
11029	*	003458	JOE'S AUTO PARTS, INC.	23.99
11030	*	007244	CHRISTOPHER JUDKINS	750.00
11031	*	007511	ADAM KNOWLES	750.00
11032	*	009287	KYLE KRAFT	750.00

City of Birmingham
Warrant List Dated 07/04/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
11033	*	005550	LEE & ASSOCIATES CO., INC.	1,107.33
11034	*	009582	MARC SCHWARTZ	750.00
11035	*	009555	STEVEN MCINERNEY	750.00
11036		002013	MIDWEST TAPE	351.99
11037	*	007306	MARK MISCHLE	750.00
11038		007755	NETWORK SERVICES COMPANY	1,354.50
11039	*	009096	RYAN NEUVILLE	750.00
11040	*	009204	OWEN BACHUSZ	750.00
11041	*	003963	DAVID PAPANDREA	750.00
11042		007215	PDQ.COM CORPORATION	1,696.00
11043	*	005688	PEGASUS ENTERTAINMENT INC	5,500.00
11044		009895	PELOTON INTERACTIVE, INC.	528.00
11045	*	001062	QUALITY COACH COLLISION	762.00
11046	*	008875	JESSICA RAK	750.00
11047	*	001181	ROSE PEST SOLUTIONS	434.00
11048	*	007898	JEFFREY SCHEMANSKY	750.00
11049	*	009305	JEREMY SHULTZ	750.00
11050	*	006591	MICHAEL SLACK	750.00
11051	*	007899	NICHOLAS SLANDA	750.00
11052	*	003466	ALAN SOAVE	750.00
11053	*	007245	NICK SOPER	750.00
11054		005787	SOUTHEASTERN EQUIPMENT CO. INC	906.80
11055	*	009356	JUSTIN STRASSBURG	750.00
11056	*	002037	TOTAL ARMORED CAR SERVICE, INC.	281.45
11057		009708	JEREMY TURNER	750.00
11058	*	007278	WHITLOCK BUSINESS SYSTEMS, INC.	1,764.78
11059	*	007900	RYAN WISEMAN	750.00
11060		009128	WITMER PUBLIC SAFETY GROUP INC	1,499.62
SUBTOTAL ACH TRANSACTION				\$758,213.39
GRAND TOTAL				\$1,145,317.67

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



Mark Gerber
Finance Director/ Treasurer

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

City of Birmingham

Warrant List Dated 07/11/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
298821		BDREFUND	1ST CLASS CONSTRUCTION & RENOVATION	100.00
298822		005430	21ST CENTURY MEDIA- MICHIGAN	399.25
298822	*	005430	21ST CENTURY MEDIA- MICHIGAN	1,519.75
298823	*	000855	48TH DISTRICT COURT	466,481.00
298824		BDREFUND	AARON DWIGHT BAUGHEY	1,000.00
298825		006638	ACTION MAT & TOWEL RENTAL, INC	20.00
298826		BDREFUND	ALL SEASONS SUNROOMS PLUS	900.00
298827	*	006686	ALLTRONICS SYSTEMS LTD	160.00
298828	*	000161	ALPHA PSYCHOLOGICAL SERVICES PC	775.00
298829		MISC	ANGELA FULLER	192.86
298830		BDREFUND	ANTHONY NEPHI TAORMINA	100.00
298831		009202	AQUARIUM DESIGN INC	240.00
298832		000500	ARTECH PRINTING INC	168.00
298833		009568	BEDROCK EXPRESS LTD	2,716.04
298834		003361	BERGER CHEVROLET	51,553.00
298835		BDREFUND	BESHOURI HOMES, INC	100.00
298836		BDREFUND	BESHOURI RESIDENTIAL DEVELOPMENT	1,000.00
298837		BDREFUND	BINGHAM DEVELOPMENT LLC	3,400.00
298838		BLREFUND	BIRMINGHAM BLOOMFIELD ART CENTER	151.12
298839		BDREFUND	BIRMINGHAM PLBG CO INC	700.00
298840		BDREFUND	BIRMINGHAM PROFESSIONAL OFFICES	100.00
298841		008355	BIRMINGHAM PUBLIC SCHOOLS	600.00
298842		BDREFUND	BLOOMINGDALE HOMES INC	800.00
298843		BDREFUND	BORMAN, STUART	600.00
298844		003526	BOUND TREE MEDICAL, LLC	772.20
298845		006966	BRIDGESTONE GOLF, INC	345.58
298846	*	006953	JACQUELYN BRITO	24.00
298847		BDREFUND	BRS FIELD OPS, LLC	200.00
298848		005717	BSB COMMUNICATIONS, INC.	1,028.08
298849		003907	CADILLAC ASPHALT, LLC	8,223.65
298850		BDREFUND	CALICO CONSTRUCTION	200.00
298851	*	009078	CANON SOLUTIONS AMERICA INC	470.41
298852		008959	CASS COLLISION CLAWSON, INC	1,634.60
298853		008243	CHARTER TOWNSHIP OF BLOOMFIELD	7,711.00
298854		BDREFUND	CHRIS OBRY	100.00
298855		BDREFUND	CHRISTOPHER G MALLEY	100.00
298856		009815	CULLIGAN OF ANN ARBOR/DETROIT	10.00
298857		BDREFUND	DAVID KELSO	250.00
298858		009309	DEALER AUTO PARTS	55.55
298859		001555	DIXON ENGINEERING INC	3,500.00
298860		BDREFUND	EVOLVE CONSTRUCTION LLC	100.00
298861		BDREFUND	EXCEL HOME IMPROVEMENTS	200.00

City of Birmingham

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Check Number	Early Release	Vendor #	Vendor	Amount
298862		001223	FAST SIGNS	999.75
298862	*	001223	FAST SIGNS	288.14
298863		BDREFUND	FORWARD DESIGN BUILD GROUP	100.00
298864		BDREFUND	GEMINI HARDSCAPE, LLC	100.00
298865	*	004604	GORDON FOOD	343.44
298866		BDREFUND	GRACO GENERAL CONTRACTING CORP	1,000.00
298867		BDREFUND	GREAT LAKES CUSTOM BUILDER LLC	1,000.00
298868		009901	GREAT LAKES SEGWAY	7,770.50
298869		001822	GRISSIM METZ ANDRIESE ASSOCIATES	31,350.00
298870		BDREFUND	HOBART, BRUCE R	100.00
298871	*	009906	HOCKEY BOARD DOCTOR	575.00
298872		BLREFUND	HOLY NAME SCHOOL	663.66
298873	*	001956	HOME DEPOT CREDIT SERVICES	1,311.16
298874		BDREFUND	HRH CONSTRUCTION LLC	1,000.00
298875		009374	CIT INTERNATIONAL INCORPORATED	450.00
298876		BDREFUND	J & J ROOFING	100.00
298877		BDREFUND	JEF FORWARD	100.00
298878		009564	JOE PIZIK ELECTRIC	565.00
298879		005291	KAESER & BLAIR INC	404.24
298880		MISC	KAREN DIETRICH	81.81
298881		MISC	KATHLEEN WESTLUND	7.43
298882		BDREFUND	KBK LANDSCAPE & BEYOND	100.00
298883	*	002659	CHRISTOPHER KOCH	211.00
298884		BDREFUND	LAKES DEVELOPMENT GROUP	1,000.00
298885		BDREFUND	LEMAN ADEL AUSI	100.00
298886		BDREFUND	LEVEL UP IMPROVEMENT	100.00
298887		006817	LEXISNEXIS RISK DATA MANAGEMENT INC	100.00
298888		009375	LITHIA MOTORS, INC SUPPORT SERVICES	386.77
298889		BDREFUND	LIVE WELL CUSTOM HOME LLC	1,000.00
298890		BDREFUND	LIVIDINI & WATSON BUILDING LLC	200.00
298891		002648	MARC DUTTON IRRIGATION INC	1,152.50
298892		000888	MCKENNA ASSOCIATES INC	42,333.02
298893		008793	MERGE MOBILE, INC.	83.95
298894		009351	MERRITT CIESLAK DESIGN PLC	1,285.00
298895	*	009085	MGSE SECURITY LLC	16,365.00
298896		002207	MICHIGAN AUTOMATIC SPRINKLER, INC.	275.00
298896	*	002207	MICHIGAN AUTOMATIC SPRINKLER, INC.	12,675.00
298898		BDREFUND	MICHIGAN EGRESS LLC	200.00
298899		000639	MICHIGAN LIBRARY ASSN	2,088.00
298900		009630	MIDWAY CLEANING CO, LLC	800.00
298901		006349	MIDWEST COLLABORATIVE	125.00
298902		BDREFUND	MILLS SIDING & ROOFING	100.00
298903		BDREFUND	MSA HOME IMPROVEMENTS INC	200.00

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Check Number	Early Release	Vendor #	Vendor	Amount
298904		000673	NEW YORK TIMES, THE	2,366.00
298905		008687	NORTH BREATHING AIR, LLC	315.00
298906		BDREFUND	NORTH POINTE INTERIORS	500.00
298907		BDREFUND	NORTHERN SIGN CO INC	100.00
298908		002853	OAKLAND COMMUNITY COLLEGE	11,100.00
298909	*	009478	ODP BUSINESS SOLUTIONS, LLC	212.12
298910		BDREFUND	PANDOLFI, ERNEST	100.00
298911		BDREFUND	PELLA WINDOWS & DOORS, INC.	500.00
298912		BDREFUND	PHILLIPS SIGN & LIGHTING INC	200.00
298913		001263	POSITIVE PROMOTIONS INC	718.91
298914		BDREFUND	RALPH L BIANCHI TRUST	3,400.00
298915		BDREFUND	Rapid Roofing	100.00
298916		007252	RAY WIEGAND'S NURSERY INC.	806.92
298917		008852	REDGUARD FIRE & SECURITY INC	300.00
298918		003447	RAFT	2,940.00
298919		BDREFUND	ROCK BUILDING & REMODELING	500.00
298920		BDREFUND	ROYAL OAK BUILDING CO LLC	900.00
298921		BDREFUND	ROYAL OAK BUILDING CO LLC	100.00
298922		000218	ROYAL OAK P.D.Q. LLC	136.00
298923		BDREFUND	RSS CONSTRUCTION LLC	800.00
298924	*	BDREFUND	RUMSEY, DENISE A	1,000.00
298925	*	002806	SAM'S CLUB/SYNCHRONY BANK	4.97
298926		BDREFUND	SHAO, GEOFFREY	100.00
298927		002602	SIRCHIE ACQUISITION COMPANY	593.07
298928		BDREFUND	SMOLYANOV HOME IMPROVMENT	100.00
298929		000260	SPARTAN DISTRIBUTORS INC	646.98
298930		BDREFUND	SPENCER KNISH CONSTRUCTION INC	100.00
298931		BDREFUND	STERLING DEVELOPMENT CORP	100.00
298932		MISC	TARA PUTRUS	17.34
298933		BDREFUND	THE ROOF COMPANY	300.00
298934		004379	TURNER SANITATION, INC	150.00
298934	*	004379	TURNER SANITATION, INC	406.13
298935		009863	US BANK EQUIPMENT FINANCE	59.62
298936	*	004580	V.I.L. CONSTRUCTION, INC.	350,000.00
298937	*	007226	VALLEY CITY LINEN, INC	67.92
298938	*	000293	VAN DYKE GAS CO.	60.00
298939	*	000158	VERIZON WIRELESS	904.55
298940	*	000158	VERIZON WIRELESS	103.32
298941	*	000158	VERIZON WIRELESS	349.57
298942	*	000158	VERIZON WIRELESS	152.04
298943	*	000158	VERIZON WIRELESS	295.02
298944	*	000158	VERIZON WIRELESS	49.17
298945	*	000158	VERIZON WIRELESS	1,152.86

City of Birmingham

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Check Number	Early Release	Vendor #	Vendor	Amount
298946	*	009300	VIRTRU CORPORATION	12,230.20
298947		BDREFUND	VOSGANIAN, KATHIE	100.00
298948	*	002996	GREG WALD	165.36
298949		BDREFUND	WHITAKER, ERIC	1,000.00
298950		BDREFUND	WINNICK HOMES LLC	500.00
298951		BDREFUND	WORK COMPANY LLC	500.00
298952		BDREFUND	WRIGHT WAY CONTRACTORS LLC	200.00
SUBTOTAL PAPER CHECK				\$1,085,394.53
<u>ACH TRANSACTION</u>				
11066	*	009323	ALEXANDRIA BINGHAM	75.57
11067	*	000282	APOLLO FIRE APPARATUS SALES AND SER	47,385.93
11068	*	007345	BEVERLY HILLS ACE	48.56
11069		008840	BIRMINGHAM PUBLIC SCHOOLS-TAXES	434,020.70
11070	*	000542	BLUE WATER INDUSTRIAL PRODUCTS INC	118.50
11071		000605	CINTAS CORPORATION	195.85
11072	*	000605	CINTAS CORPORATION	178.02
11073	*	000605	CINTAS CORPORATION	68.63
11074		002668	CONTRACTORS CLOTHING CO	54.40
11075		001367	CONTRACTORS CONNECTION INC	374.70
11076	*	000565	DORNBOS SIGN & SAFETY INC	138.35
11077	*	001077	DUNCAN PARKING TECH INC	7,642.35
11078		009697	FLOCK GROUP INC	7,300.00
11079		009833	GEN OIL COMPANY	1,541.19
11080		002532	GOLLING CHRYSLER JEEP DODGE INC	33.53
11081	*	001663	SCOTT GREWE	282.35
11082		003938	HART PAVEMENT STRIPING CORP	157,060.00
11083	*	001672	HAYES PRECISION INC	90.00
11084	*	003824	THOMAS I. HUGHES	764.00
11085		000948	HYDROCORP	2,858.00
11086	*	000261	J.H. HART URBAN FORESTRY	30,743.72
11087		009298	JCR SUPPLY INC	260.15
11088	*	003458	JOE'S AUTO PARTS, INC.	789.45
11089		009663	MACQUEEN EQUIPMENT, LLC	1,210.06
11090		002013	MIDWEST TAPE	303.22
11091		006812	MUNICIPAL ADVISORY COUNCIL OF MI	100.00
11092	*	001194	NELSON BROTHERS SEWER	1,431.00
11093		007755	NETWORK SERVICES COMPANY	1,248.78
11094	*	006359	NYE UNIFORM COMPANY	1,248.00
11095	*	008843	OAKLAND COUNTY TREASURER- TAX PYMNT	856,200.74
11096	*	006853	PAUL C SCOTT PLUMBING INC	325.00
11097	*	001753	PEPSI COLA	614.68
11098		006729	QUENCH USA INC	430.74
11099	*	003554	RKA PETROLEUM	11,810.10

City of Birmingham
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Check Number	Early Release	Vendor #	Vendor	Amount
11100	*	000478	ROAD COMM FOR OAKLAND CO	2,708.26
11101		005380	SALZBURG LANDSCAPE SUPPLY, INC	3,179.00
11102	*	003785	SIGNS-N-DESIGNS INC	145.00
11103		000254	SOCRRA	86,202.00
11104	*	001097	SOCWA	250,560.76
11105	*	004887	TRUCK & TRAILER SPECIALTIES INC	316.65
11106	*	009266	US SIGNAL COMPANY LLC	17,964.48
SUBTOTAL ACH TRANSACTION				\$1,928,022.42
GRAND TOTAL				\$3,013,416.95

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



Mark Gerber
Finance Director/ Treasurer

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

City of Birmingham

Warrant List Dated 07/17/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
298953		BDREFUND	1292 MAPLE LLC	200.00
298954	*	005430	21ST CENTURY MEDIA- MICHIGAN	1,580.50
298955	*	005430	21ST CENTURY MEDIA- MICHIGAN	537.25
298956	*	005430	21ST CENTURY MEDIA- MICHIGAN	307.25
298957	*	005430	21ST CENTURY MEDIA- MICHIGAN	3,711.25
298958	*	005430	21ST CENTURY MEDIA- MICHIGAN	2,791.25
298959	*	005430	21ST CENTURY MEDIA- MICHIGAN	2,239.25
298960	*	006965	7UP DETROIT	270.80
298961	*	007266	AETNA BEHAVIORAL HEALTH LLC	579.09
298962	*	009088	ALADTEC INC	3,837.60
298963		BDREFUND	ALLSHIRE BUILDING	100.00
298964	*	009393	AMANDA MCBRIDE	360.00
298965		000167	ANDERSON ECKSTEIN WESTRICK INC	33,696.80
298966		009290	ARSENAL POWERSPORTS LLC	915.31
298967		000500	ARTECH PRINTING INC	463.00
298968		BDREFUND	ARTISTIC POOLS & CONCRETE	1,000.00
298969		009688	ARTPACK SERVICES, INC	3,529.01
298970	*	009907	YMCA OF METROPOLITAN DETROIT	500,000.00
298971		009609	BALIAN LEGAL, PLC	720.00
298972		BDREFUND	BCM HOME IMPROVEMENT	100.00
298974		009568	BEDROCK EXPRESS LTD	2,992.56
298975		BLREFUND	BIRMINGHAM BLOOMFIELD CHAMBER OF CO	8,471.28
298976		BDREFUND	BLOOMINGDALE HOMES INC	1,400.00
298977	*	004465	BMI	435.00
298978		003526	BOUND TREE MEDICAL, LLC	226.15
298980		BDREFUND	BRADLEY D KLINTWORTH	100.00
298981		003907	CADILLAC ASPHALT, LLC	689.91
298982	*	009078	CANON SOLUTIONS AMERICA INC	2,524.96
298984	*	000444	CDW GOVERNMENT INC	9,015.76
298985		BDREFUND	CEDAR WORKS INC	200.00
298986		008243	CHARTER TOWNSHIP OF BLOOMFIELD	842.40
298987	*	001086	CITY OF BIRMINGHAM	5,785.08
298988	*	008955	COMCAST	1,277.02
298990	*	009656	CORBIN DESIGN, INC	1,318.75
298991		BDREFUND	CREATIVE BRICK PAVING & LANDSCAPING	400.00
298992		MISC	CRIME PREVENTION ASSOC. OF MICHIGAN	425.00
298993		003802	CROSWELL GREENHOUSE, INC	19,648.09
298994		BDREFUND	DANSWAY CONSTRUCTION	300.00
298996		008559	DETROIT BATTERY COMPANY LLC	163.27
298997		BDREFUND	DEYONKER WINDOW & DOOR CO	500.00
298998		009130	DOG WASTE DEPOT	1,175.64
298999		BDREFUND	DOMINION SERVICE CO	182.00

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Check Number	Early Release	Vendor #	Vendor	Amount
299000		BDREFUND	DONS ELECTRICAL SERVICE INC	130.00
299001		000190	DOWNRIVER REFRIGERATION	69.56
299002	*	000179	DTE ENERGY	105.35
299003	*	000179	DTE ENERGY	22.73
299004	*	000179	DTE ENERGY	606.36
299005	*	000179	DTE ENERGY	932.56
299006	*	000179	DTE ENERGY	104.23
299007	*	000179	DTE ENERGY	37.14
299008	*	000179	DTE ENERGY	220.00
299009	*	000179	DTE ENERGY	2,285.55
299010	*	000179	DTE ENERGY	223.96
299011	*	000179	DTE ENERGY	90.25
299012	*	000179	DTE ENERGY	1,854.78
299013	*	000179	DTE ENERGY	1,044.29
299014	*	000179	DTE ENERGY	1,051.04
299015	*	000179	DTE ENERGY	1,038.44
299016	*	000179	DTE ENERGY	74.07
299017	*	000179	DTE ENERGY	36.17
299018	*	000179	DTE ENERGY	42.04
299019	*	000180	DTE ENERGY	52,548.30
299020		000493	ED RINKE CHEVROLET BUICK GMC	214.46
299021		001495	ETNA SUPPLY	4,935.00
299026		009737	FIRECATT, LLC	5,558.00
299027		BDREFUND	FOUR SEASONS GARDEN CENTER	200.00
299028	*	009387	FRAIBERG & PERNIE PLLC	360.00
299030		BDREFUND	GILLETTE BROTHERS POOL & SPA	1,000.00
299031	*	004604	GORDON FOOD	1,468.41
299032		009275	GREAT LAKES COCA-COLA DISTRIBUTION	418.00
299034		000726	GUARDIAN ALARM	305.12
299035		001531	GUNNERS METER & PARTS INC	3,249.00
299036		003132	HASTINGS AIR-ENERGY CONTROL INC	393.00
299037	*	001956	HOME DEPOT CREDIT SERVICES	200.52
299038		BDREFUND	HRH CONSTRUCTION LLC	2,000.00
299039		006416	HUNTINGTON WOODS POOLS & SPAS, INC	323.88
299042	*	009551	INTERMEDIA. NET INC	797.76
299043	*	009401	IRENE S WASSEL	360.00
299044		000344	J.T. EXPRESS, LTD.	2,025.75
299045		BDREFUND	JAMES FISHER LICENSED BUILDERS	100.00
299047		BDREFUND	JOHN MCCARTER CONSTRUCTION LLC	200.00
299048	*	009403	JUSTIN ZAYID	420.00
299049		BDREFUND	KBJ GROUP, LLC	1,400.00
299050		004088	KGM DISTRIBUTORS INC	474.00
299052	*	009386	LAW OFFICE OF BRIAN P. FENECH	660.00

City of Birmingham
Warrant List Dated 07/17/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
299053	*	009388	LAW OFFICE OF PATRICK G. GAGNIUK	360.00
299054		008518	LERMA, INC	275.00
299057		009375	LITHIA MOTORS, INC SUPPORT SERVICES	714.68
299058		BDREFUND	LIVE WELL CUSTOM HOME LLC	1,750.00
299059		BDREFUND	LL CUSTOM CONTRACTING OF MICHIGAN	500.00
299061	*	009546	MASTERS TELECOM	64.24
299062		000972	MCKESSON MEDICAL-SURGICAL	124.38
299063	*	008793	FASTFIELD, INC.	83.95
299064	*	008793	FASTFIELD, INC.	83.95
299065	*	009085	MGSE SECURITY LLC	141.00
299066		007479	MICHIGAN BREAD BAKERY	54.20
299067		001660	MICHIGAN CAT	223.82
299068		007765	MICHIGAN INDEPENDENT DOOR CO.	1,560.55
299069	*	006461	MID AMERICA RINK SERVICES	66.73
299070		007163	MOBILE HEALTH RESOURCES	1,556.94
299071		BDREFUND	MR. ROOF HOLDING CO., LLC	100.00
299073	*	001686	OAKLAND CO CLERKS ASSOC	80.00
299074		001174	OAKLAND CO MEDICAL CONTROL AUTH.	75.00
299075	*	000477	OAKLAND COUNTY	533,866.18
299076		001325	P.K. CONTRACTING INC	13,497.00
299077		009702	PACE SYSTEMS, INC.	4,800.00
299079	*	009394	RABAA & NACHAWATI PLLC	360.00
299080	*	009394	RABAA & NACHAWATI PLLC	360.00
299081		BDREFUND	RENEWAL BY ANDERSEN	267.00
299082		BDREFUND	ROBERT GREGORY HOMES	2,000.00
299083		BDREFUND	ROCK SOLID EXTERIOR	200.00
299084		BDREFUND	ROMA CEMENT CO INC	100.00
299085	*	009772	RYAN KATZ	14.41
299086	*	002806	SAM'S CLUB/SYNCHRONY BANK	330.66
299088	*	009009	SIGNATURE CLEANING LLC	3,207.59
299089		BDREFUND	SIGNGRAPHIX, INC.	200.00
299090		002602	SIRCHIE ACQUISITION COMPANY	205.34
299091	*	008150	SITEIMPROVE, INC	2,820.76
299092		000260	SPARTAN DISTRIBUTORS INC	3,112.46
299093		004544	STRYKER SALES CORPORATION	30.94
299098		009905	THIELEN TURF IRRIGATION INC	26,883.00
299100		004379	TURNER SANITATION, INC	85.00
299100	*	004379	TURNER SANITATION, INC	985.00
299101	*	008941	UPTOWN MARKET OF BIRMINGHAM	246.41
299102	*	001279	US FIGURE SKATING ASSOC.	1,221.69
299103	*	007226	VALLEY CITY LINEN, INC	67.92
299104	*	009903	VECTOR SOLUTIONS	5,848.00
299105	*	000158	VERIZON WIRELESS	152.11

City of Birmingham

Warrant List Dated 07/17/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
299106		BDREFUND	WALLSIDE INC	500.00
299107	*	004497	WATERFORD REGIONAL FIRE DEPT.	196.33
299108	*	008391	XEROX CORPORATION	105.41
SUBTOTAL PAPER CHECK				\$1,314,068.60
<u>EFT TRANSFER</u>				
" "	*	009593	BLUE CROSS BLUE SHIELD OF MICHIGAN	81,507.81
SUBTOTAL EFT TRANSFER				\$81,507.81
<u>ACH TRANSACTION</u>				
11112	*	009383	BATTI LAW PLLC	1,428.00
11114	*	000517	BEIER HOWLETT PC	43,837.25
11115		006683	BIRMINGHAM LAWN MAINTENANCE, INC	19,154.00
11115	*	006683	BIRMINGHAM LAWN MAINTENANCE, INC	1,276.00
11116	*	008983	BRENNA SANDLES	349.75
11117		000605	CINTAS CORPORATION	195.85
11118		000605	CINTAS CORPORATION	25.88
11119		000605	CINTAS CORPORATION	359.76
11120		002668	CONTRACTORS CLOTHING CO	177.94
11121		001367	CONTRACTORS CONNECTION INC	2,417.35
11123		009529	DAVEY RESOURCE GROUP, INC.	2,275.00
11124	*	009557	ZECO, LLC	330.00
11125	*	009181	DELTA TEMP SERVICES INC	18,272.00
11126	*	007359	DETROIT CHEMICAL & PAPER SUPPLY	181.61
11127	*	000565	DORNBOS SIGN & SAFETY INC	70.35
11128	*	001077	DUNCAN PARKING TECH INC	1,320.00
11129		004574	FAIR-WAY TILE & CARPET, INC.	1,211.00
11130		000217	FOUR SEASON RADIATOR SERVICE INC	1,237.30
11131	*	000243	GRAINGER	99.74
11132	*	009382	HB LAW, PLLC	240.00
11133		000331	HUBBELL ROTH & CLARK INC	35,516.25
11133	*	000331	HUBBELL ROTH & CLARK INC	1,125.63
11134	*	008378	THE HUNTINGTON NATIONAL BANK	500.00
11135	*	009390	IDUMESARO LAW FIRM, PLLC	360.00
11137		009298	JCR SUPPLY INC	865.54
11138	*	003458	JOE'S AUTO PARTS, INC.	118.65
11139	*	000891	KELLER THOMA	123.75
11140		006370	KLM SCAPE & SNOW LLC	93,575.00
11141	*	004085	KONE INC	2,693.57
11142	*	009398	MARCIA C ROSS PC	1,008.00
11146	*	001194	NELSON BROTHERS SEWER	165.00
11147		009276	NEWTONS SOLUTIONS LLC	1,550.00
11148	*	009706	NORTHSTAR MAT SERVICE	327.48
11149	*	009395	ORLANDO 5E PRACTICE PC	624.00

City of Birmingham
Warrant List Dated 07/17/2024

Meeting of 07/22/2024

Check Number	Early Release	Vendor #	Vendor	Amount
11151	*	009666	RAM CONSTRUCTION SERVICES OF MICHIG	58,736.35
11152	*	001181	ROSE PEST SOLUTIONS	82.00
11153		005380	SALZBURG LANDSCAPE SUPPLY, INC	3,179.00
11154	*	009301	SECURE-CENTRIC INC	1,512.00
11156		008711	VOLVIK USA	1,315.94
11157	*	009379	YELLOW DOOR LAW	6,348.00
SUBTOTAL ACH TRANSACTION				\$304,184.94
GRAND TOTAL				\$1,699,761.35

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



Mark Gerber
Finance Director/ Treasurer

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



MEMORANDUM

Finance Department

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Mark Gerber, Director of Finance/Treasurer
Kathryn Burrick, Senior Accountant

SUBJECT: Amendment and Extension to 2020-2021 Public Service Contract

INTRODUCTION:

Staff is recommending an extension of the 2020-2021 Public Service Contract with NEXT in order to expend the remaining CDBG funds for that program year.

BACKGROUND:

The City previously entered into an agreement with NEXT for the 2020-2021 Community Development Block Grant (CDBG) program year. Under the CDBG program, the contract provides for Yard Services, Senior Outreach Services, and Minor Home Repair Services to resident homeowners administered by NEXT for the City.

Currently, there are unexpended balances in Community Development Block Grant Funds from the program year 2020-2021 (Minor Home Repair \$10,676.86). In order to provide for continued expenditures of these funds, the Department of Community and Economic Development at Oakland County has advised the City that our current 2020-2021 contract with NEXT which expired on June 30, 2024, must be extended until December 31, 2025.

LEGAL REVIEW:

Legal has reviewed and approved the contract amendment.

FISCAL IMPACT:

Extending the contract will allow the City to spend the remaining CDBG funds.

SUSTAINABILITY:

Not applicable.

DESIGN CONSIDERATIONS:

Not applicable.

PUBLIC COMMUNICATIONS:

Not applicable.

SUMMARY:

It is recommended that the City Commission approve the amendment to extend the contract with NEXT through December 31, 2025.

ATTACHMENTS:

- Amendment and Extension to the 2020-2021 Public Service Contract

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve an Amendment and Extension to the 2020-2021 Public Service Contract with Next extending the contract expiration date to December 21, 2025, and to authorize the Mayor and the City Clerk to sign the Amendment and Extension on behalf of the City.

**AMENDMENT AND EXTENSION TO THE COMMUNITY
DEVELOPMENT BLOCK GRANT PUBLIC SERVICE CONTRACT
FOR YARD SERVICES, SENIOR OUTREACH SERVICES,
AND MINOR HOME REPAIR SERVICES
FOR PROGRAM YEAR 2020-2021**

THIS AGREEMENT, made as of this ____ day of _____, 2024, by and between the City of Birmingham and NEXT provides as follows:

WHEREAS, the City and NEXT entered into a Yard Services, Senior Outreach Services, and Minor Home Repair Services Public Service Contract on June 25, 2021 for the Community Development Block Grant program year 2020-2021 to provide for Yard Services, Senior Outreach Services, and Minor Home Repair Services to resident homeowners of the City of Birmingham;

WHEREAS, the Contract provided that NEXT would administer these services for the City until December 31, 2021 in the funding amounts as follows: \$7,327 for yard services, \$3,500 for senior services, and \$25,550 for Minor Home Repair.

WHEREAS, the City and NEXT desired to extend this Contract through December 31, 2022 for purposes of expending remaining 2020-2021 Community Development Block Grant Funds.

WHEREAS, the City and NEXT and desired to extend this Contract through June 30, 2024 for purposes of expending remaining 2020-2021 Community Development Block Grant Funds.

WHEREAS, the City and NEXT now desire to extend this Contract through December 31, 2025 for purposes of expending remaining 2020-2021 Community Development Block Grant Funds.

NOW, THEREFORE for and in consideration of the respective agreements and undertakings herein contained, the parties agree as follows:

1. The parties agree to further extend the Contract until December 31, 2025.
2. All other terms of the original and amended contract that do not conflict with this Agreement shall remain in full force and in effect throughout the term of this extension.

WITNESSES:

NEXT

By: _____



) ss:
COUNTY OF OAKLAND)

On this 15 day of July, 2024, before me personally appeared
Christine Brown, who acknowledged that with authority on behalf of
NEXT to do so he/she signed this Agreement.

M. Brown
Notary Public
Oakland County, Michigan
Acting in Oakland County, Michigan

My commission expires: 2023 3/25/2030

M BROWN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Mar 25, 2030
ACTING IN COUNTY OF Oakland

CITY OF BIRMINGHAM

By: _____

Elaine McLain
Its: Mayor

By: _____

Alexandria Bingham
Its: City Clerk



MEMORANDUM

Finance Department

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Mark Gerber, Director of Finance/Treasurer
Kathryn Burrick, Senior Accountant

SUBJECT: Amendment and Extension to 2022-2023 Public Service Contract

INTRODUCTION:

Staff is recommending an extension of the 2022-2023 Public Service Contract with NEXT in order to expend the remaining CDBG funds for that program year.

BACKGROUND:

The City previously entered into an agreement with NEXT for the 2022-2023 Community Development Block Grant (CDBG) program year. Under the CDBG program, the contract provides for Yard Services and Senior Outreach Services to resident homeowners administered by NEXT for the City.

Currently, there are unexpended balances in Community Development Block Grant Funds from the program year 2022-2023 (Yard Services \$6,945). In order to provide for continued expenditures of these funds, the Department of Community and Economic Development at Oakland County has advised the City that our current 2022-2023 contract with NEXT, which expired on December 31, 2023, must be extended until December 31, 2025.

LEGAL REVIEW:

Legal has reviewed and approved the contract amendment.

FISCAL IMPACT:

Extending the contract will allow the City to spend the remaining CDBG funds.

SUSTAINABILITY:

Not applicable.

DESIGN CONSIDERATIONS:

Not applicable.

PUBLIC COMMUNICATIONS:

Not applicable.

SUMMARY:

It is recommended that the City Commission approve the amendment to extend the contract with NEXT through December 31, 2025.

ATTACHMENTS:

- Amendment and Extension to the 2022-2023 Public Service Contract

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve an Amendment and Extension to the 2022-2023 Public Service Contract with Next extending the contract expiration date to December 21, 2025, and to authorize the Mayor and the City Clerk to sign the Amendment on behalf of the City.

**AMENDMENT AND EXTENSION TO THE COMMUNITY DEVELOPMENT
BLOCK GRANT
PUBLIC SERVICE CONTRACT
FOR YARD SERVICES AND SENIOR OUTREACH SERVICES
FOR PROGRAM YEAR 2022-2023**

THIS AGREEMENT, made as of this ____ day of _____, 2024, by and between the City of Birmingham and NEXT provides as follows:

WHEREAS, the City and NEXT entered into a Yard Services and Senior Outreach Services Public Service Contract on April 19, 2023 for the Community Development Block Grant program year 2022-2023 to provide for Yard Services and Senior Outreach Services to resident homeowners of the City of Birmingham;

WHEREAS, the Contract provided that NEXT would administer these services for the City until December 31, 2023 in the funding amounts as follows: \$6,945 for Yard Services and \$3,500 for Senior Services.

WHEREAS, the City and NEXT now desire to extend this Contract through December 31, 2025 for purposes of expending remaining 2022-2023 Community Development Block Grant Funds.

NOW, THEREFORE for and in consideration of the respective agreements and undertakings herein contained, the parties agree as follows:

1. The parties agree to further extend the Contract until December 31, 2025.
2. All other terms of the original and amended contract that do not conflict with this Agreement shall remain in full force and in effect throughout the term of this extension.

WITNESSES:

NEXT

By: _____



Christine Braun
Its: Executive Director

STATE OF MICHIGAN)

) SS:

On this 15 day of July, 2024, before me personally appeared John Braun, who acknowledged that with authority on behalf of NEXT to do so he/she signed this Agreement.

Notary Public

Oakland County, Michigan
Acting in Oakland County, Michigan

My commission expires: 3/25/2030

M BROWN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Mar 25, 2030
ACTING IN COUNTY OF *Oakland*

By: _____

By: _____

5G



MEMORANDUM

Finance Department

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Mark Gerber, Director of Finance/Treasurer
Kathryn Burrick, Senior Accountant

SUBJECT: PY 2023 Community Development Block Grant (CDBG) Public Services Contract

INTRODUCTION:

The City has been notified by Oakland County that funding from the federal government for the program year 2023 Community Development Block Grant (CDBG) has been secured and the City may start spending these funds. The City contracts with an outside agency to administer the public services portion of the grant. The public services contract must be approved by the City and submitted to Oakland County in order for those funds to be spent.

BACKGROUND:

The City Commission approved the program year 2023 CDBG grant application on December 19, 2022 which provided estimated funding for yard services and senior outreach services in the amount of \$12,500 and \$3,500, respectively. On January 19, 2024, the City received notification from Oakland County that the City could start expending these funds as evidenced in the Approval Letter to Spend dated January 19, 2024. The funds approved to spend are \$6,888 in yard services and \$3,500 in senior outreach services.

In order to spend the funding for yard services and senior outreach services, the City needs to contract with an outside agency to provide these services to its residents. On June 12, 2024, a request for proposal (RFP) for yard services and senior outreach services was advertised in the Oakland Press Newspaper and sent to three potential agencies using a Public Service Directory provided by Oakland County.

On Friday, July 5, 2024, bid proposals entitled, "CDBG Bid Proposal" were opened. The City received one bid as follows:

Bid Results:

Agency	Bid
NEXT	\$7,327 Yard Services, \$3,500 Senior Services Total: \$10,827
Oakland Livingston Human Services Agency (OLHSA)	No bid was received

Community Services of Oakland (CSO)	No bid was received
-------------------------------------	---------------------

The bid was evaluated on a point rating system as required by Oakland County's procurement guidelines. This system allows the decision to be based on the best service provider not solely based on the lowest price. The criteria and points rating system was established before the RFP was issued and all potential bidders were informed of this process.

In evaluating the bid, NEXT received a point score of 99 based on NEXT's past experience with the City, availability of qualified personnel, capability, and familiarity with the CDBG program. Currently, NEXT is administering the City's 2022-2023 CDBG Yard Service and Senior Outreach Service program.

LEGAL REVIEW:

The attached contract between NEXT and the City is based on a template provided by Oakland County CDBG requirements and was reviewed by the City's attorney. There are no legal issues pertaining to this contract.

FISCAL IMPACT:

This service was included in the 2024-2025 budget.

SUSTAINABILITY:

Not applicable.

DESIGN CONSIDERATIONS:

Not applicable.

PUBLIC COMMUNICATIONS:

Not applicable.

SUMMARY:

It is recommended that the Public Services Contract be awarded to NEXT for the 2023-2024 Program Year with an ending contract date of December 31, 2024 which is the maximum 1.5 year contract date allowable by Oakland County. This will allow NEXT until December 31, 2024 to expend their grant balance.

ATTACHMENTS:

- 1) Oakland County Letter to Spend and Project Summaries
- 2) NEXT/City Public Services Contract
- 3) Minutes approving 2023 CDBG application
- 4) RFP advertisement

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to award the 2023-2024 Public Services contract totaling \$10,388.00 for Yard Services and Senior Outreach Services to NEXT under the Community Development Block Grant Program; and further, to authorize the Mayor to sign the contract on behalf of the City.

NEIGHBORHOOD
& HOUSING DEVELOPMENT

Khadija Walker-Fobbs, Officer
Office: (248) 858-0493 | nhd@oakgov.com

January 19, 2024

Dear Community Development Block Grant (CDBG) Administrator:

The Neighborhood & Housing Development Division is pleased to inform you that you may now obligate and expend program year (PY) 2023 Community Development Block Grant (CDBG) funds.

The attached materials including this letter, Subrecipient Agreement, Funding Approval/Agreement, and Project Summary should be maintained in your PY 2023 application file to document the official release of funds.

The enclosed Subrecipient Agreement is required under federal regulation and specifies your record keeping, auditing, monitoring, property disposition, environmental and other responsibilities under the Oakland County CDBG program. The Subrecipient Agreement is in effect until all PY 2023 funds are expended and record keeping, record retention and audit responsibilities are satisfied as specified. Please file your signed copy of the Subrecipient Agreement with your PY 2023 application.

Review the PY 2023 Project Summary carefully. It is the official description of your community's approved 2023 CDBG activities and takes precedence over the application.

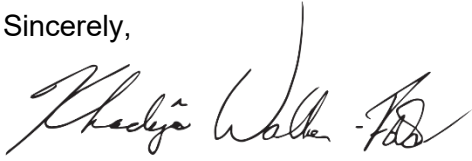
All CDBG funds must be expended in compliance with applicable federal, state and county laws and regulations, and with any restrictions listed on the project summary. The following comments and/or instructions constitute part of your project summary:

- No projects funded in whole or in part by CDBG funds may take place within wetlands areas unless an eight-step* environmental review process is followed to determine that no practicable alternative to the project exists, and all necessary state permits have been obtained.
 - No categorically excluded or environmentally assessed project (coded 2 or 3 respectively on the project summary) funded in whole or in part by CDBG funds, may take place within a 100 or 500-year floodplain as identified by the Federal Emergency Management Agency (FEMA) unless an eight-step* process is followed to determine that no practicable alternative to the project exists.
- * Environmental reviews must be approved by Katie Tierney, Environmental Officer, at time of application.

As part of the County's environmental review record procedures, various local, state and federal agencies received a copy of the 2023 CDBG application for review. If an agency commented on activities their remarks are also enclosed as attachments. These comments constitute part of your PY 2023 Project Summary.

If you have questions regarding the enclosed information, please contact Samantha Ferguson, Grant Compliance and Program Coordinator, at cdbg@oakgov.com or (248) 858-5312. We look forward to working with you during this new program year.

Sincerely,

A handwritten signature in black ink, appearing to read "Khadija Walker-Fobbs". The signature is fluid and cursive, with a large initial "K" and a stylized "F" at the end.

Khadija Walker-Fobbs
Housing Officer

**Oakland County Neighborhood and Housing Development
PY 2023 Community Development Block Grant Project Summary**

PY	2023	REGION C	Birmingham	SPEND CAT	731619	ID	8
PROJECT	PUBLIC FACILITIES AND IMPROVEMENTS			ACCOUNT	Remove Architectural Barriers		
IDIS PROJECT #	10	IDIS ACTIVITY #	9704	UNITS	1	APPROPRIATION	\$24,241.00
DESCRIPTION	Installation of a handicap parking space, pathways, and boardwalk to provide barrier-free access to the Allen House Historical Museum.						
LOCATION	Allen House Historical Museum					PIN	
ADDRESS	556 W. Maple Rd				LOCALITY	Birmingham 48009	
L/M							
ENV CODE	A (2) Cat Excluded per 24 CFR 58.35			MATRIX	03Z	AUTHORITY	570.201 ©
☒ CONTRACT REQUIRED				☒ CONTACT CONTRACT COMPLIANCE WHEN COMPILING BIDS/SPECS			
☐ HOUSEHOLD DBA REQUIRED				☐ PERSON DBA REQUIRED			
OBJECTIVE	Suitable Living Environment			GOAL	Strengthen Communities		
INDICATOR	# of LMI persons with new or improved access			OUTCOME	Availability/Accessibility		
NOTES	A finding of No Significant Environmental Impact has been determined. MI SHPO review may be required.						
REVISED							
						TOTAL APPROPRIATION	

SPENDING PERFORMANCE	HUD requires Oakland County to achieve a 1.5 Spending Performance Ratio by May 1st of each year.
REQUIRED DRAWS	Monthly draws are required from the letter to spend date.
REQUIRED EXPENDITURES	All funds per year per activity must be spent in 2 years from Letter to Spend date in IDIS.
RECAPTURE POLICY	After 2 years all unobligated funds will be evaluated for possible recapture.
EMERGENCY SERVICES	Income and other relevant documentation must be provided to the Contract Compliance Officer. If the emergency assistance includes grant payments, these payments cannot last more than 3 consecutive months per household.
YOUTH SERVICES	OCYA CDBG eligible activities include: Camp, Case Management, Challenge Day, Counseling, Drivers Training, Educational, Enrichment, Mentoring, Recreational, School Supplies, Skill Building, Sports, Tutoring, Transportation and
FLOOD PLAIN AREAS	Communities with floodplain areas may have issues related to Environmentally Assessed and Categorically Excluded activities. Contact the Environmental Officer (248) 858-5309.
INCOME QUALIFICATION	Eligibility for all types of Minor Home Repair, Special Assessment and some Public Services is based on household income and requires 3rd party verification based on HUD Section 8 income guidelines. Contact Contract Compliance (248) 858-0196.
PROCUREMENT	All goods and services must be purchased in accordance with CDBG competitive procurement guidelines. Contact Contract Compliance (248) 858-0196.
ELDERLY DEFINITION	HUD defines elderly person as 62 yrs or more.
SEVERLY DISABLED ADULT DEFINITION = 18 YRS AND OLDER	Use wchair/aid 6/+mo; unable to perform 1/+ func activities; need assist w/daily living instrl activities of daily living; prevented fr work/housework; autism, cerebral palsy, Alzheimer's, senility/dementia mental retardation; or <65 Medicare/SSI.

Oakland County Use Only

FND #	11006	CCN #	1060703	PROGRAM #	172170	SPEND CATEGORY	731619	REGION #	40240
BUDGET REF	2023	PROJ #	GRN - 1004313	ACT	CP	SOURCE	CP		

**Oakland County Neighborhood and Housing Development
PY 2023 Community Development Block Grant Project Summary**

PY	2023	REGION C	Birmingham	SPEND CAT	732170	ID	9
PROJECT	PUBLIC SERVICES			ACCOUNT	Yard Services		
IDIS PROJECT #	11	IDIS ACTIVITY #	9705	UNITS	20	APPROPRIATION	\$6,888.00
DESCRIPTION	Yard services for income qualified senior 62&+ and disabled adults 18&+ households. Services will conform to Oakland County guidelines & include lawn service/snow removal/spring/fall cleanup/gutter cleaning/tree trim/removal.						
LOCATION	City wide					PIN	
ADDRESS	Specific			LOCALITY	Birmingham 48012		
L/M							
ENV CODE	A (1) Exempt per 24 CFR 58.34			MATRIX	05A	AUTHORITY	570.201 (e)
☒ CONTRACT REQUIRED	☒ CONTACT CONTRACT COMPLIANCE WHEN COMPILING BIDS/SPECS						
☐ HOUSEHOLD DBA REQUIRED	☒ PERSON DBA REQUIRED						
OBJECTIVE	Suitable Living Environment			GOAL	Improve Quality of Life		
INDICATOR	# of LMI persons with new access to service			OUTCOME	Availability/Accessibility		
NOTES	A finding of No Significant Environmental Impact has been determined.						
REVISED							
						TOTAL APPROPRIATION	

SPENDING PERFORMANCE	HUD requires Oakland County to achieve a 1.5 Spending Performance Ratio by May 1st of each year.
REQUIRED DRAWS	Monthly draws are required from the letter to spend date.
REQUIRED EXPENDITURES	All funds per year per activity must be spent in 2 years from Letter to Spend date in IDIS.
RECAPTURE POLICY	After 2 years all unobligated funds will be evaluated for possible recapture.
EMERGENCY SERVICES	Income and other relevant documentation must be provided to the Contract Compliance Officer. If the emergency assistance includes grant payments, these payments cannot last more than 3 consecutive months per household.
YOUTH SERVICES	OCYA CDBG eligible activities include: Camp, Case Management, Challenge Day, Counseling, Drivers Training, Educational, Enrichment, Mentoring, Recreational, School Supplies, Skill Building, Sports, Tutoring, Transportation and
FLOOD PLAIN AREAS	Communities with floodplain areas may have issues related to Environmentally Assessed and Categorically Excluded activities. Contact the Environmental Officer (248) 858-5309.
INCOME QUALIFICATION	Eligibility for all types of Minor Home Repair, Special Assessment and some Public Services is based on household income and requires 3rd party verification based on HUD Section 8 income guidelines. Contact Contract Compliance (248) 858-0196.
PROCUREMENT	All goods and services must be purchased in accordance with CDBG competitive procurement guidelines. Contact Contract Compliance (248) 858-0196.
ELDERLY DEFINITION	HUD defines elderly person as 62 yrs or more.
SEVERLY DISABLED ADULT DEFINITION = 18 YRS AND OLDER	Use wchair/aid 6/+mo; unable to perform 1/+ func activities; need assist w/daily living instrl activities of daily living; prevented fr work/housework; autism, cerebral palsy, Alzheimer's, senility/dementia mental retardation; or <65 Medicare/SSI.

Oakland County Use Only

FND #	11006	CCN #	1060703	PROGRAM #	172160	SPEND CATEGORY	732170	REGION #	40240
BUDGET REF	2023	PROJ #	GRN - 1004313	ACT	CP	SOURCE	CP		

**Oakland County Neighborhood and Housing Development
PY 2023 Community Development Block Grant Project Summary**

PY	2023	REGION C	Birmingham	SPEND CAT	731712	ID	10
PROJECT	PUBLIC SERVICES			ACCOUNT	Senior Services		
IDIS PROJECT #	11	IDIS ACTIVITY #	9706	UNITS	20	APPROPRIATION	\$3,500.00
DESCRIPTION	Outreach, information, referral and counseling services for income qualified senior 62 years of age and older and disabled adult 18 years of age and older households.						
LOCATION	City wide					PIN	
ADDRESS	Specific			LOCALITY	Birmingham 48009		
L/M							
ENV CODE	A (1) Exempt per 24 CFR 58.34			MATRIX	05A	AUTHORITY	570.201 (e)
☒	CONTRACT REQUIRED		☒ CONTACT CONTRACT COMPLIANCE WHEN COMPILING BIDS/SPECS				
☐	HOUSEHOLD DBA REQUIRED		☒ PERSON DBA REQUIRED				
OBJECTIVE	Suitable Living Environment			GOAL	Improve Quality of Life		
INDICATOR	# of LMI persons with new access to service			OUTCOME	Availability/Accessibility		
NOTES	A finding of No Significant Environmental Impact has been determined.						
REVISED							
TOTAL APPROPRIATION						\$34,629.00	

SPENDING PERFORMANCE	HUD requires Oakland County to achieve a 1.5 Spending Performance Ratio by May 1st of each year.
REQUIRED DRAWS	Monthly draws are required from the letter to spend date.
REQUIRED EXPENDITURES	All funds per year per activity must be spent in 2 years from Letter to Spend date in IDIS.
RECAPTURE POLICY	After 2 years all unobligated funds will be evaluated for possible recapture.
EMERGENCY SERVICES	Income and other relevant documentation must be provided to the Contract Compliance Officer. If the emergency assistance includes grant payments, these payments cannot last more than 3 consecutive months per household.
YOUTH SERVICES	OCYA CDBG eligible activities include: Camp, Case Management, Challenge Day, Counseling, Drivers Training, Educational, Enrichment, Mentoring, Recreational, School Supplies, Skill Building, Sports, Tutoring, Transportation and
FLOOD PLAIN AREAS	Communities with floodplain areas may have issues related to Environmentally Assessed and Categorically Excluded activities. Contact the Environmental Officer (248) 858-5309.
INCOME QUALIFICATION	Eligibility for all types of Minor Home Repair, Special Assessment and some Public Services is based on household income and requires 3rd party verification based on HUD Section 8 income guidelines. Contact Contract Compliance (248) 858-0196.
PROCUREMENT	All goods and services must be purchased in accordance with CDBG competitive procurement guidelines. Contact Contract Compliance (248) 858-0196.
ELDERLY DEFINITION	HUD defines elderly person as 62 yrs or more.
SEVERLY DISABLED ADULT DEFINITION = 18 YRS AND OLDER	Use wchair/aid 6/+mo; unable to perform 1/+ func activities; need assist w/daily living instrl activities of daily living; prevented fr work/housework; autism, cerebral palsy, Alzheimer's, senility/dementia mental retardation; or <65 Medicare/SSI.

Oakland County Use Only

FND #	11006	CCN #	1060703	PROGRAM #	172160	SPEND CATEGORY	731712	REGION #	40240
BUDGET REF	2023	PROJ #	GRN - 1004313	ACT	CP	SOURCE	CP		

**COMMUNITY DEVELOPMENT BLOCK GRANT
PUBLIC SERVICE CONTRACT
PY 2023**

CITY OF BIRMINGHAM

Municipality

NEXT

Service Agency

Effective Date: **July 1, 2023** *Ending Date:* **December 31, 2024**

This contract shall be effective for 1.5 years from the beginning effective date or when funding has been expended, whichever comes first. Contracts should not exceed 1.5 years in duration.

CONTRACT FUNDING SOURCES:

CDBG Program Year: 2023-2024 **Account Name:** Yard Services, Senior Services

Total CDBG Dollar Amount of Contract: \$ 10,388.00

Yard Services \$6,888.00 (20% NEXT Admin \$1,377.60)

Senior Services \$3,500.00

Section I. AGREEMENT

This contract is made this day, / / , between NEXT,
(Name of Service Agency)

hereinafter designated as the "Service Agency", having its principal office at
2121 Midvale Avenue, Birmingham, MI 48009

(Service Agency Address)

and, CITY OF BIRMINGHAM, hereinafter designated as the "Municipality",

(Name of Municipality)

having its principal office at 151 Martin Street, Birmingham, MI 48009.

(Municipality Address)

Section II. PURPOSE

A) The purpose of this contract shall be: (List a detailed description of services to be provided, for whom and at what cost. Include a specific unit of measure to document how costs are derived. Include attachments as needed) Providing Yard Services and Senior Services to low and moderate income homeowners, including senior citizens and persons with disabilities, of the City. The City of Birmingham has designated program year 2023-2024 CDBG funds in the amounts of \$6,888 for Yard

Revised 7/12/17

Services (20% Admin \$1,377.60) and Senior Services \$3,500.00. These programs will be administered for the City through NEXT and a volunteer board appointed by NEXT for the 2023-2024 program year beginning July 1, 2023 and ending December 31, 2024. Costs are derived using the number of low-moderate income persons with new access to service.

B) Federal CDBG Performance Measures are pre-determined for public service activities and include: Goal - Improve Quality of Life; Objective - Suitable Living Environment; Indicator - # of Low/Moderate Income Persons with New Access to Service as reported in the Direct Benefit Activity Report; Outcome - Improved Availability/Accessibility.

Section III. THE SERVICE AGENCY'S RESPONSIBILITIES

The Service Agency shall:

- A) Maintain records pertaining to the monies received and services provided in accordance with this agreement for a minimum of four years from the completion of this agreement. Allow the County of Oakland, the U.S. Department of Housing and Urban Development (HUD), the Comptroller General of the United States and any of their authorized representative's access to financial records pertaining to Community Development Block Grant Funds and this agreement for the purpose of audit or examination.
- B) Provide the Municipality and Oakland County Neighborhood & Housing Development Division a specific unit(s) of measure for all services. NEXT will bill administrative costs 20% of the contract amount.
- C) Provide the Municipality invoices for services rendered based on actual costs.
- D) Submit payment requests that include required supporting documentation monthly or quarterly. Required documentation includes the "Direct Benefit Activity Report" to capture client information.
- E) Provide management and personnel to adequately perform the services prescribed by this agreement.
- F) Be solely responsible for any and all taxes (federal, state and/or local); worker's compensation insurance; disability payments; social security payments; unemployment insurance payments; insurance, and/or any similar type of payments for the Agency or any employee thereof; and shall hold the Municipality harmless from any and all such payments.
- G) Provide insurance in the kind and amount specified by the Municipality. The Municipality shall be named as an additional insured thereon and furnished with a certificate thereof when applicable.
- H) The Agency will not solicit or apply funds from any other source for the services reimbursed under this agreement.

Section IV. THE MUNICIPALITY'S RESPONSIBILITIES

The Municipality shall:

- A) In consideration for services rendered by the Service Agency, pay a total sum not to exceed the CDBG program year funded amount specified above.
- B) The municipality shall require written documentation of the client benefit qualification to be kept on site with the agency.
- C) The municipality must monitor the service agency at least once during the contract period.
- D) Recompense the Service Agency upon receipt of a payment request that includes accurate required supporting documentation from the Service Agency in amounts and time intervals as specified here.

Revised 7/12/17

Section V. COMPLIANCE

- A) The Service Agency shall comply with applicable laws, ordinances, codes and regulations of the Federal, State and local governments.
- B) Client Eligibility: All clients served under this agreement shall be qualified via either the HUD section 8 income verification or the HUD "presumed benefit" verification.

Section VI. DISCRIMINATION PROHIBITED

The Service Agency shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, condition or privileges of employment on a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status pursuant to the Elliot Larsen Civil Rights Act, 1976, P.A. 453. The Service Agency and the Municipality shall also comply with the provisions of the Michigan Handicappers Civil Rights Act, 1976, P.A. 220 and the Federal Rehabilitation Act of 1973, P.A. 93-112, 87 Stat. 394, which require that no employee or client or otherwise qualified handicapped individual shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance. No person shall, on the grounds of race, creed, color, sex, age, national origin, height, weight, handicap, marital status, sexual orientation, or gender identity be excluded from participation in, be denied the proceeds of, or be subject to discrimination in the performance of this contract.

Section VII. PROHIBITION OF POLITICAL AND RELIGIOUS ACTIVITY

There shall be no religious worship, instruction or proselytization as part of, or in connection with, the performance of this agreement. None of the funds, materials, property or services under this agreement shall be used in the performance of this agreement for any partisan political activity, including lobbying, as specified in Federal Circular A-122 Cost Principles for Nonprofit Organizations -- lobbying revisions, or to further the election, defeat, recall, impeachment, appointment or dismissal of any candidate for or from any public office.

Section VIII. GENERAL CONTRACT PROVISIONS

- A) Merger or Integration: This agreement constitutes the entire agreement between the Service Agency and the Municipality with respect to the subject matter hereof; there are no other further written or oral understandings or agreements with respect hereto.
- B) Modification, Assignment or Subcontracting Absent Prior Written Consent: No variation or modification of this agreement and no waiver of its provisions shall be valid unless in writing and signed by the duly authorized officers of the Service Agency and the Municipality. Any alterations, additions or deletions to the terms of this agreement, which are required by the enactment of legislation, regulations and directives, are automatically incorporated into this agreement on the date designated by law, regulation or directive.

- C) Termination: Either party may, at any time during the life of this agreement, terminate this agreement by giving thirty (30) days written notice to the other party and Oakland County Neighborhood & Housing Development Division of its intention to terminate and an opportunity for consultation prior to termination. In the event of a termination, the Municipality's obligation shall only be to reimburse the Service Agency for services rendered up to notification of termination.
- D) Addendum: A contract duration may be extended or shortened, funds may be added or subtracted via an addendum signed by a representative from the Municipality and the Service Agency indicating the exact changes. The Municipality shall provide a copy to Oakland County Neighborhood & Housing Development.
- E) Hold Harmless: To the fullest extent permitted by law, the Service Agency agrees to indemnify, pay in behalf of, and hold harmless the Municipality, Oakland County Neighborhood & Housing Development, their elected and appointed officials, employees, volunteers, boards, commissions and others working in behalf of the Municipality and/or County, against any and all claims, demands, suits, losses, including all costs connected therewith for any damages which may be asserted, claimed or recovered against or from the Municipality and/or County, 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 the activity authorized by this contract.
- F) Confidentiality: The use or disclosure of information by the Municipality or Service Agency concerning services, applicants or recipients obtained in connection with the performance of the agreement shall be restricted to the purposes directly connected with the administration of the services provided under this agreement. Such information shall not be used for any other purpose unless required by law, statute or other legal process and is disclosed to Oakland County Neighborhood & Housing Development.
- G) Disputes: The Municipality shall notify the Service Agency in writing of its intent to pursue a claim against the Service Agency for breach of any terms of this agreement. No suit may be commenced by the Municipality for breach of the agreement prior to the expiration of ninety (90) days from the date of such notification. Within this ninety (90) day period, the Municipality at the request of the Service Agency must meet with an appointed representative of the Service Agency for the purpose of attempting to resolve the dispute. The Service Agency shall be given the opportunity to cure or remedy any breach within such ninety (90) day period.
- H) Notices: Whenever under this agreement a provision is made for notice of any kind, unless otherwise herein expressly provided, it shall be in writing and shall be served personally or sent by registered or certified mail with postage prepaid to the designated representatives at the addresses supplied below. A copy shall be provided to Oakland County Neighborhood & Housing Development.

- I) Equal Employment Opportunity: The Service Agency shall comply with Executive Order 11246 of Sept. 24, 1965, entitled "Equal Employment Opportunity, "as amended by Executive Order 11375 October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60).
- J) Copeland "Anti-Kickback" Act: The Service Agency shall comply with the Copeland "Anti-Kickback" Act (18 U.S.C.874) as supplemented in Department of Labor regulations (29 CFR part 3). (Applies to contracts and sub grants for construction or repair)_
- K) Reporting/Monitoring Requirements: The Municipality shall monitor the operations of vendor activities under this contract to assure compliance with applicable Federal requirements, contract provisions and that performance goals are being achieved on an annual basis.
- L) Patent Regulations: The Service Agency shall comply with the Municipality's requirements pertaining to patent rights with respect to any discovery or invention, copyrights and rights in data which arise or is developed in the course of or under such contract.
- M) Debarment, Suspension, Ineligibility and Voluntary Exclusion
The Service Agency shall comply with the provisions of 24 CFR Part 24 that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this contract. Additionally, the Contractor shall not use, directly or indirectly, any of the funds provided by this contract to employ, award contracts to, or otherwise engage the services of, or fund any contractor/subcontractor during any period that the contractor/subcontractor is debarred, suspended or ineligible under the provisions of 24 CFR Part 24. Using the SAM.gov website (<https://sam.gov/content>), Oakland County Neighborhood & Housing Development Division has determined, as of the date of this contract that the Contractor is not excluded from Federal Procurement and Non-procurement Programs.
- N) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)
Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person for influencing or attempting to influence an officer or employee of any agency, a member of congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

IX. SERVICE AGENCY AND MUNICIPALITY CONTACT INFORMATION

SERVICE AGENCY

MUNICIPALITY

Name: NEXT

Name: CITY OF BIRMINGHAM

Representative Name: Christine Braun

Representative Name: Alexandria Bingham

Phone #: (248) 203-5270

Phone #: (248) 530-1802

Address: 2121 Midvale Avenue

Address: 151 Martin Street

Birmingham, Michigan 48009

Birmingham, Michigan 48009

E-mail Address: cbraun@birmingham.k12.mi.us

E-mail Address: abingham@bhamgov.org

IRS #: 38-2280601

IRS #: 38-6004664

X. CONTRACT ACCEPTANCE

The undersigned indicate by their signatures that they are authorized to act on behalf of their respective party in this capacity. CDBG funds may not be legally obligated until after the municipality has received the official award of funds letter for this program year.

WITNESSES:

NEXT

By: 

Christine Braun
Its: Executive Director

Revised 7/12/17

) ss:
COUNTY OF OAKLAND)

NEXT

Notary Public

Acting in Oakland County, Michigan

My commission expires: 3/25/2030

M BROWN
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Mar 25, 2030
ACTING IN COUNTY OF *Oakland*

CITY OF BIRMINGHAM

By: _____

Elaine McLain
Its: Mayor

By: _____

Alexandria Bingham
Its: City Clerk



**BIRMINGHAM CITY COMMISSION REGULAR MEETING
DECEMBER 19, 2022 at 7:30 PM
151 MARTIN, BIRMINGHAM, MI 48009**

PRESENT: Mayor Longe, Mayor Pro Tem McLain, Commissioners Baller, Boutros, Haig, Host, Schafer

ABSENT: None

Resolution Number 12-312-22

Mayor Longe Opened the Public Hearing to consider the 2023-2024 Community Development Block Grant Application at 8:43 pm.

Finance Director Mark Gerber gave an overview of the project.

Seeing no requests for public comment, Mayor Longe closed the public hearing at 8:46 pm.

Motion by Commissioner Host, Seconded by Mayor Pro Tem McLain:

Resolution to approve the Program Year 2023 Community Development Block Grant application with the following projects and respective allocations:

	Approved 2023- 2024**
1. Public Services – Yard Services	\$12,500
2. Public Services – Senior Services	\$3,500
3. Remove Architectural Barriers – Museum Park	\$20,912
Total	\$ 36,912

***** (TO BE DETERMINED BY THE CITY COMMISSION AT THE DECEMBER 19, 2022 MEETING); and authorize the mayor to sign the application, conflict of interest certification, sub-recipient agreement when available, and other documents resulting from this application on behalf of the City and submit the documents to Oakland County.***

**THE CITY OF BIRMINGHAM IS ACCEPTING BID PROPOSALS
FROM QUALIFIED SERVICE PROVIDERS
TO MANAGE AND ADMINISTER A PUBLIC SERVICES PROGRAM
FOR YARD SERVICES AND SENIOR SERVICES
FOR QUALIFIED LOW AND MODERATE-LOW INCOME
RESIDENTS OF THE CITY OF BIRMINGHAM
FOR THE PROGRAM YEAR JULY 1, 2023 THROUGH JUNE 30, 2024**

Bid proposals must include a detailed explanation of the bidder's ability to manage and administer the Public Services Program for Yard Services and Senior Services, the capability of provider having available contractors and staff to do the work required, a detailed cost and/or fees charged to run the above program, and provide reference letters of experience. This program will be funded with Community Development Block Grant (CDBG) funds; therefore, all CDBG program requirements will apply.

All bid proposals will be evaluated by a committee on a **100-point scale** using the following criteria:

1. **CAPABILITY** – Provider's ability to have and maintain qualified contractors and staff on hand to do required CDBG Yard Services, and Senior Outreach Services work. All service work is to be completed in an efficient and well-organized manner. **(25 points)**
2. **EXPERIENCE** – Provider's past experience regarding this type of administration of service will be considered under this criterion. Please include a minimum of three (3) reference letters of experience with the bid proposal request. **(20 points)**
3. **FAMILIARITY (CDBG requirements)** – Provider's familiarity with the Community Development Block Grant (CDBG) program requirements and ability to comply with all CDBG required guidelines. **(20 points)**
4. **METHODOLOGY** – Provider's method of approach or work plan summary to meet municipality requirements for the scope of work specified. **(10 points)**
5. **REFERENCES** – Provide a list of sources. **(10 points)**
6. **COST** – Costs and/or fees charged by Provider to manage and administer the CDBG Public Services Program for Yard Services and Senior Services to the residents of the City of Birmingham. **(15 points)**

ALL BID PROPOSALS ARE DUE BY WEDNESDAY, JULY 3, 2024 AT 2:00 P.M. AT THE CITY OF BIRMINGHAM CLERK OFFICE. BIDS CAN BE EITHER SUBMITTED ELECTRONICALLY TO: KBURRICK@BHAMGOV.ORG OR BIDS CAN BE IN A SEALED ENVELOPE ADDRESSED TO:

CITY OF BIRMINGHAM
CDBG Bid Proposal
ATTN: Kathryn Burrick
151 Martin Street
P.O. Box 3001
Birmingham, MI 48012

The City of Birmingham is an equal opportunity employer. Businesses owned by women or minorities are strongly encouraged to apply. If you have any questions regarding this bid request, please contact Kathryn Burrick in the Finance Department at (248) 530-1815.



MICHIGAN GROUP

AFFIDAVIT OF PUBLICATION

2125 Butterfield Dr, Suite 102N • Troy MI 48084

City of Birmingham - Clerk
151 Martin

Birmingham, MI 48009
Attention: Kathryn Burrick

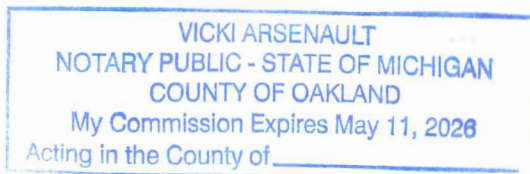
STATE OF MICHIGAN,
COUNTY OF OAKLAND

The undersigned Cyndy Slater Cindy Slater, being duly sworn the he/she is the principal clerk of Oakland Press, theoaklandpress.com, theoaklandpress.com2, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

City of Birmingham - Clerk

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Sworn to the subscribed before me this 13 June, 2024

Vicki Arsenault
Notary Public, State of Michigan
Acting in Oakland County

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MEMORANDUM

Human Resources Department

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Christina Woods, Human Resources Manager

SUBJECT: 2024 Certification of Compliance with State of Michigan Public Act 152 of 2011

INTRODUCTION:

Since 2012, Michigan public employers have annually certified compliance with Public Act 152, the Publicly-funded Health Insurance Contribution Act, in order to maintain eligibility for state funding. Previously, this was a requirement for statutory revenue sharing disbursements tied to the Economic Vitality Incentive Program (EVIP) which has been discontinued. Now, the Michigan Department of Transportation (MDOT) uses PA 152 compliance for distribution of state road funds.

BACKGROUND:

Certification of compliance is required by September 30th of each year to guarantee eligibility for road funding in the current fiscal year. A local unit of government may comply with the Act by adopting any one of the following options:

1. Adopt a limitation on flat dollar amounts of employee medical costs by establishing the hard dollar caps set forth by the Michigan Department of Treasury for single coverage, 2-person coverage, and family coverage.
2. Adopt a limitation on a percentage of the total annual medical costs by establishing a maximum employer contribution of 80%.
3. Opt-out by exempting itself from the requirements of the Act by 2/3 vote of the governing body.

Since 2012, the City has elected to exempt itself from the requirements of the Act as a compliance alternative with PA 152 as well as to stay compliant with the current healthcare provisions in the collective bargaining agreements.

LEGAL REVIEW:

The City Attorney has no objection to the suggested commission action.

FISCAL IMPACT:

No fiscal impact is anticipated at this time as the City has elected this exemption since 2012.

SUSTAINABILITY:

No sustainability impact is anticipated at this time.

DESIGN CONSIDERATIONS:

None.

PUBLIC COMMUNICATIONS:

No public hearings or legal notifications are required beyond a 2/3 majority vote of the City Commission at a public meeting.

SUMMARY:

The Human Resources Department recommends a continuation of the current strategy with the City certifying compliance with Public Act 152 by selecting the exemption alternative for the 2024 year, via MDOT Form 2068.

ATTACHMENTS:

- MDOT Form 2068 Annual Certification of Employee-related Conditions

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to claim an exemption from the Publicly Funded Health Insurance Contribution Act 2011 PA 152. Further, to direct the City Engineer and Finance Director to sign the Annual Certification for Employee-related Conditions for the year 2024 and submit the required form to the Michigan Department of Transportation as required by Public Act 51.

PUBLIC ACT 51, SECTION 18j, MCL 247.668j
Annual Certification of Employee-related
Conditions

CERTIFICATION YEAR 2024

CITY OR VILLAGE NAME City of Birmingham

Beginning September 30, 2015, and annually each September 30 thereafter, certification must be made for compliance to Section 18j(1) of Public Act 51 of 1951, MCL 247.668j(1). A local road agency must certify that it has (a) developed an employee compensation plan for its employees as described OR (b) the local road agency must certify that medical benefits are offered to its employees or elected public officials in compliance with the publicly funded health insurance contribution act, 2011 PA 152, MCL 15.561 to 15.569, or, that it does not offer medical benefits to its employees or elected public officials.

☐ Compliance with(1)(a)
I certify compliance with MCL 247.668j(1)(a).
Our compensation plan for employees meets the minimum criteria of MCL 247.668j (a)(i - iv).

☒ Compliance with (1)(b)
I certify compliance with MCL 247.668J(1)(b), and as such, offer one of the following:

☐ I certify that medical benefits are offered to employees or elected public officials in compliance with the publically funded health insurance contribution act, 2011 PA 152; **or**

☒ I certify that the local road agency has exempted itself from the publically funded health insurance contribution act, 2011 PA 152; **or**

☐ I certify that medical benefits are not offered to employees or elected public officials.

☐ Non-compliance with (1)(a) or (1)(b)
I certify that we are not in compliance with MCL 247.668j(1).
I understand that failure to comply with certification of (a) or (b) of MCL 247.668j(1) may result in the withholding of all or part of the distributions made to this local road agency from the Michigan Transportation Fund.

This form must be signed by the Street Administrator and the Treasurer or Financial Director.

SIGNATURE		SIGNATURE	
PRINTED NAME Mark Gerber		PRINTED NAME Melissa Coatta	
TITLE Finance Director	DATE	TITLE City Engineer	DATE

Due Each September 30

Return the completed form to:

Michigan Department of Transportation, Financial Operations Division, P.O. Box 30050, Lansing, MI 48909, **OR**

E-mail to: MDOT-Outreach@Michigan.gov, **OR**

Fax to: (517) 335-1828



MEMORANDUM

Department of Public Services

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Scott D. Zielinski, DPS Director

SUBJECT: Budget Amendment for AC unit Replacement

INTRODUCTION:

Due to the age and condition of the Department of Public Service (DPS) main building some of the older utility systems for the building are reaching an age where unexpected failures of systems can occur. During the week of June 23rd -29th the Foreman's office air conditioner failed. The DPS is looking to replace the air conditioning unit.

BACKGROUND:

During the week of June 23rd to June 29th the air conditioning unit for the Foreman's office failed. The existing unit is an outdated model and part of the repairs would require replacement of its Freon R-22 in addition to other parts and repairs. The DPS was provided a rough estimate for repairs that would be \$15,000.00. The primary cause of the high expense to complete repairs to the unit is caused by the need to replace the R-22, Freon. R-22, Freon has been being phased out due to its environmental impacts, and therefore it is extremely expensive to refill the unit. Given the cost of repair, the efficiency of the existing equipment, and the environmental impacts of the Freon, the DPS determined that replacement of the unit is appropriate.

The DPS received 3 quotes to replace the air conditioning unit. As the DPS is confident that all quoted contractors can complete the replacement, the DPS is recommending the City use Delta Temp to replace the air conditioning unit as they provided the lowest quote to complete the replacement. Delta Temp also has offered to assist the City with acquiring rebates for the new AC unit.

LEGAL REVIEW:

The City Attorney has reviewed the contract for the removal and replacement of the existing air conditioning unit and has no concerns.

FISCAL IMPACT:

Although the DPS originally had funds budgeted in the FY 23/24 budget, due to the purchasing guidelines requiring the DPS to seek multiple quotes, the DPS was unable to obtain quotes and expend funds from FY 23/24 prior to the start of the new fiscal year on July 1, 2024, and thus a budget amendment is required for FY 24/25.

SUSTAINABILITY:

The U.S. Environmental Protection Agency (EPA) banned the production and import of R-22 refrigerant, also known as Freon, on January 1, 2020. This was due to R-22's harmful effects on the ozone layer when released into the air. However, people can still use existing R-22 air conditioners and heat pumps, and servicing needs can be met with recovered or reclaimed R-22. Replacement of the unit allows the City to move away from using R-22 for environmental reasons, and a newer unit provides higher efficiency resulting in lower energy usage.

DESIGN CONSIDERATIONS:

The City reviewed the area that will be serviced by the new unit, our normal operating hours, and general equipment efficiency standards of new equipment with each vendor who provided quotes for replacement of the unit.

PUBLIC COMMUNICATIONS:

None required.

SUMMARY:

The DPS is recommending the City Commission approve a budget amendment to allow for the DPS to replace the Foreman's office air conditioner which has failed.

ATTACHMENTS:

- Quotes from Delta Temp, Control Solutions, and Metro Piping, Inc.
- Unsigned Agreement with Delta Temp for services

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve an agreement with Delta Temp for the replacement of the air conditioning unit for the Foreman's office, in the amount of \$27,750.00 to be funded from account number 101.0-441.000-977.0000, Public Services – General; further, to approve the appropriation and amendment to the fiscal year 2024-2025 General Fund budget as follows:

General Fund

Revenues:

101.0-000.000-400.0000	Draw from Fund Balance	\$27,750.00
Total Revenue		\$27,750.00

Expenses:

101.0-441.000-977.0000	Public Services – General	\$27,750.00
Total Expenditures		\$27,750.00

And further, to authorize the City Manager to sign the agreement on behalf of the City.

Delta Temp Services Inc.

44285 N Groesbeck, Clinton Twp., MI. (248)589-2828 Fax (248)589-5539

City of Birmingham
851 S. Eton
Birmingham, MI 48009

Attn: Connie Folk
Ice Arena and Facilities Superintendent
Project Name: DPW Garage AC
Date: July 9, 2024

Delta Temp Services Inc. is pleased to submit our proposal to provide labor and materials provide replace the existing R22 AC cooling system with a new R410A cooling system. The scope of equipment being replaced would be the (2) DX coils with (2) DX coils, (1) dual circuited condensing unit with (2) single circuited condensing units and piping. This is a heat pump system that will run above 35 degrees F, below 35 degrees F the furnaces will be programmed to heat the space. **If successful we would also help with any DTE rebates that these units will be eligible for.**

Scope:

Samsung 5 ton Hyle

2 Samsung AC B UPCH/AA

- **2 M D U N Control Adapters**
- Inverter driven heat pump condensing unit compatible with air handling units and A-coils with a thermostatic expansion valve
- 100% Rated heating capacity at 5°F (-15°C) outside temperature
- Soft-start compressor minimizing current inrush
- Base pan heater equipped as standard

2 Aspen A coils

- R-410a
- Shipped with TXV
- Cased Coil

Amount.....\$27,750.00

To make repairs to the existing system we would have to pressure test the system and then replace the coils, condensing unit or both depending on the leak location. It is possible that the cost to repair by replacing the condensing unit, repiping and then adding R22 could easily surpass \$15,000.00. 25 lbs of R22 is \$1,687.50 as of today and going up. At this point with R22 being phased out I would not make repairs.

DTSI-David Karasinski

7/9/2024

City of Birmingham
Attn: Connie Folk

Project: AC upgrades
Location: Mechanics garage

Connie,

Control Solutions, Inc. to provide labor and materials necessary to upgrade the existing AC system in the mechanic garage. Our price includes the following:

Equipment Controlled/Monitored:

- Existing Furnaces

Including:

- Provide and install one new 10-ton dual circuit condensing unit
- Provide and install two new A coils to be installed in existing twinned furnaces
- Provide and install two new expansion valves
- R407F refrigerant
- Provide any materials and labor for sheet metal modifications to fit A coils
- All Installation labor and material
- System Start-up and Check-out
- One Year Parts and Installation Warranty

Total Sum: \$30,000.00

Assumptions and/or Exceptions:

- All installation labor and material by Control Solutions, Inc.
- No previous troubleshooting included in this proposal
- Work outside this scope to be quoted
- Reuse existing refrigeration piping

Submitted by: Dan Rademacher
East Branch Manager
Control Solutions, Inc.

Your signature below indicates acceptance of this proposal and authorization to proceed.
Payment terms are Net 30 days

Owner Rep.

Title

Date

Control Solutions Rep.

Title

Date



**CONTROL
SOLUTIONS INC**
West Michigan

PROPOSAL

BUILDING AUTOMATION





**CONTROL
SOLUTIONS INC**
West Michigan

PROPOSAL

BUILDING AUTOMATION





METRO PIPING, INC.

July 9, 2024



City of Birmingham
851 South Eton
Birmingham, MI 48009

Attn: Connie Folk

Re: DPW AC/Furnace Unit

We are pleased to offer our proposal for the above-mentioned project for the **Lump Sum Base Bid price of 32 15.** . The following information is a clarification of our quotation.

Qualifications

- Remove and replace existing AC Unit and associated coils and piping.
- Also included is refrigerant piping, refrigerant, start up, control wiring, insulation and warranty.
- Lead time for R22 equipment is 6 to 8 weeks currently.

We hope this proposal meets with your satisfaction. If you have any questions, or require additional information, please feel free to contact our office.

Respectfully,

John J. Morrison
Metro Piping, Inc.



MMSDC Certified Minority Owned Business

1500 B TROMBLY ST. DETROIT, MI 48211 313.872.4330 313.872.3348 (FAX)

5J

**AGREEMENT FOR PURCHASE OF A AC/HEAT PUMP FOR
FOREMAN'S OFFICE LOCATED AT
CITY OF BIRMINGHAM DEPARTMENT OF PUBLIC SERVICES**

THIS AGREEMENT is entered into this ____ day of _____, 2024, by and between the **CITY OF BIRMINGHAM**, whose address is 151 Martin Street, Birmingham, MI 48009 (hereinafter referred to as the City) and Delta Temp Services Inc., a Michigan company, whose address is 44285 N Groesbeck, Clinton Twp., MI 48036 (hereafter referred to as Contractor) and the foregoing shall collectively be referred to as the parties, and effective upon the date of the City Manager's signature.

WHEREAS, the City desires to have Contractor to purchase and install a new heat pump split system for the foreman's office located at the City of Birmingham Department of Public Services, 851 South Eton, Birmingham, MI 48009 has requested formal price quotes for purchase and install of a new heat pump split system for City of Birmingham and all related work; and

WHEREAS, the City requested quotes for the above mentioned work and Delta Temp Services Inc., Company was the lowest qualified company that provided a response that meets the project requirements to perform the purchase and installation of new heat pump split system for the office located in the foreman's office located at the City of Birmingham Department of Public Services, 851 South Eton, Birmingham, MI 48009.

NOW, THEREFORE, in consideration of the foregoing preambles, the adequacy of which is acknowledged by and between the parties to this Agreement, the parties agree as follows:

MUTUALLY AGREE: It is mutually agreed by and between the parties that the contractor's response dated July 9, 2024 will be fully incorporated for a new heat pump split system for the foreman's office located at the City of Birmingham Department of Public Services, 851 South Eton, Birmingham, MI 48009 and herein by reference shall become a part of this Agreement as attachment A, and shall be binding upon both parties hereto.

- 1. TERM:** This Agreement shall have a term of six (6) months from the date stated above. The City shall have the right to unilaterally terminate this Agreement on thirty (30) days written notice. In the event of termination, the Contractor shall receive compensation for services to the date the termination takes effect and the City shall be entitled to all material associated with the project, whether installed or not by the Contractor through such date.

- 2. TERMS OF PAYMENT:** The Contractor will invoice monthly for all labor supplied and work completed. In no event shall invoices be submitted more than 45 days after completion of services. Submitted invoices shall include the following detailed information: the type of work performed, the time spent on the work, the individual who performed the work and the per hour billing rate charged. The City may, at its sole discretion demand review and the right to request at any time further detailed accounting information for any or all bills. The right to inspection of any bill and invoice shall never be at any cost or billings to the City, nor shall preparation of said invoices be billed to the City or against the general retainer. Payment terms will be net 30 days unless otherwise specified by the City.
- 3. PERSONNEL:** Contractor shall employ personnel of good moral character and fitness in performing all services under this Agreement.
- 4. INSURANCE SUBMISSION REQUIREMENTS:** The Contractor has submitted proof to the City that it meets all City insurance requirements. Insurance, with coverage amounts at no less than the City's minimum requirements, must be held by the Contractor throughout the term of this Agreement. Certificates of insurance as stated below will be required no later than five (5) business days from the date of Contractor acceptance of the terms of this Agreement.
- 5. CONFIDENTIAL AND OR PROPRIETARY INFORMATION:** The Contractor 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.

- 6. INDEPENDENT CONTRACTOR:** The Contractor and the City agree that the Contractor is acting as an independent contractor with respect to the Contractor 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.
- 7. COMPLIANCE WITH LAWS:** Contractor agrees to fully and faithfully carry out the duties of set forth herein using its best efforts in accomplishing all assignments from the City, and further, in addition to upholding all federal, and state laws and applicable codes of professional conduct to which Contractor is subject, Contractor hereby agrees to be bound by all Federal, State, or City of Birmingham ordinances, rules, regulations and policies as are amended from time to time, and including without limitation the Fair Labor Standards Act, the Equal Employment Opportunity rules and regulations, the Transportation Safety Act and the Occupational Safety and Health Acts.
- 8. NON-COMPLIANCE WITH INSURANCE REQUIREMENTS:** Failure to deliver and maintain insurance in accordance with the terms of this Agreement will be cause for the City, by and through its City Manager, to terminate this Agreement, or at the City's option, the City may purchase on the open market such required insurance and shall be entitled to charge any additional cost to the Contractor, either by offset to any amounts due and owing Contractor for services provided to the City, or, by separate bill and demand for payment. Nothing in this paragraph shall be deemed to create or be interpreted as establishing a "for cause" termination; Contractor agrees and understands that its engagement is at will and may be terminated by the City Manager for any cause or no cause.

- 9. INDEMNIFICATION:** To the fullest extent permitted by law, the Contractor and any entity or person for whom the Contractor is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City of Birmingham, its elected and appointed officials, employees and volunteers and others working on their behalf against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on their behalf, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arise out of the acts, errors or omissions of the Contractor including its employees and agents, in the performance of this Agreement. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the City.

10. STANDARD INSURANCE REQUIREMENTS:

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

A. Workers' Compensation Insurance:

For Non-Sole Proprietorships: Contractor shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

For Sole Proprietorships: Contractor shall complete and furnish to the City prior to the commencement of work under this Agreement a signed and notarized Sole Proprietor Form, for sole proprietors with no employees or with employees, as the case may be.

- B. Commercial General Liability Insurance:** Contractor shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than **\$1,000,000** per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractor Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.

- C. Motor Vehicle Liability: Contractor shall procure and maintain during the life of this Agreement Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- D. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following **Additional Insureds: The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof.** This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.
- E. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, Contractor shall deliver renewal certificates and/or policies to the City at least (10) days prior to the expiration date.
- F. Proof of Insurance Coverage: Contractor shall provide the City of Birmingham at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City of Birmingham, as listed below.
- 1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance, or a signed and notarized copy of the Sole Proprietor Form;
 - 2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
 - 3) Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;
 - 4) Two (2) copies of Certificate of Insurance for Professional Liability Insurance, if applicable;
 - 5) If so requested, Certified Copies of all policies mentioned above will be furnished.

- G. Maintaining Insurance:** Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the Agreement, the City of Birmingham may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the City of Birmingham shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.

11. WRITTEN NOTICES: Written notices regarding this Agreement shall be addressed to the following:

City: City of Birmingham
P.O. Box 3001
Birmingham, Michigan 48012
Attn: Scott D. Zielinski, DPS Director

Contractor: Delta Temp Services Inc.
44285 N. Groesbeck
Clinton Twp., MI 48036
Attn: David Karasinski, Owner

12. AMENDMENTS: No amendment, modification or supplement to this Agreement shall be binding unless it is in writing and signed by authorized representatives of the parties.

13. WAIVER OF BREACH: No waiver by either party of any breach of any of the terms, covenants or conditions herein contained by the other party shall be construed as a waiver of any succeeding breach of this same or of any other term, covenant or condition.

14. COMPLETE AGREEMENT: The parties agree that the conditions set forth in this Agreement sets forth all terms and conditions of Contractor agreement with the City of Birmingham. This Agreement supersedes all prior agreements or understandings between the parties. There are no promises, conditions or understandings other than those stated herein, and, that any prior negotiations, terms or conditions discussed between the City and the Contractor shall not constitute a part of this Agreement. The term "agreement" as used in this clause shall include any future written amendments, modifications, or supplements made in accordance herewith.

15. DIRECT OR INDIRECT INTEREST: If, after the effective date of this

Agreement, any official of the City, or spouse, child, parent or in-law of such official or employee shall become directly or indirectly interested in this Agreement or the affairs of the Contractor, the City shall have the right to terminate this Agreement without further liability to the Contractor if the disqualification has not been removed within thirty (30) days after the City has given the Contractor notice of the disqualifying interest. Ownership of less than one percent (1%) of the stock or other equity interest in a corporation or partnership shall not be a disqualifying interest. Employment shall be a disqualifying interest.

16. FAILURE TO PERFORM. If Contractor fails to perform its obligations hereunder, the City may take any and all remedial actions provided by the general specifications or otherwise permitted by law.

17. LEGAL PROCEEDINGS: Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 48th District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds \$1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in a federal or state court with jurisdiction over Oakland County, Michigan.

18. RESPONSE TO REQUESTS FOR QUOTES: The Contractor shall be held to and bound by all terms, conditions, warranties and representations which it made in its written response dated July 9, 2024. In the event of a conflict in any of the terms of this Agreement and the Contractor's July 9, 2024 response, the terms of this Agreement shall prevail.

19. FAIR PROCUREMENT OPPORTUNITY: Procurement for the City of

Birmingham will be handled in a manner providing fair opportunity for all businesses. This will be accomplished without abrogation or sacrifice of quality and as determined to be in the best interest of the City of Birmingham.

IN WITNESS WHEREOF, the parties hereto agree to be bound by the above terms and conditions, and Contractor, by its authorized signature below, expressly accepts this Agreement upon the above provided terms and conditions contained in this Agreement as of the date first above written.

Contractor

By: David Karasinski

Its: David Karasinski
Pres.

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this 18th day of July, 2024 before me personally appeared David Karasinski, who acknowledged that with authority on behalf of _____ to do so he/she signed this Agreement.

Andrea Swanson

Notary Public
Macomb County, Michigan
Acting in Oakland County, Michigan
My commission expires: 8/29/26

ANDREA SWANSON
Notary Public, State of Michigan
County of Macomb
My Commission Expires 08-29-2026
Acting in the County of Oakland

CITY OF BIRMINGHAM:

APPROVED:

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

Scott D. Zielinski, DPS Director
(Approved as to substance)

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

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

IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM

Purchase of a AC/HEAT PUMP FOR FOREMAN'S OFFICE LOCATED AT

CITY OF BIRMINGHAM DEPARTMENT OF PUBLIC SERVICES

Pursuant to Michigan Law and the Iran Economic Sanction Act, 2012 PA 517 ("Act"), prior to the City accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must certify that it is not an "Iran Linked Business", as defined by the Act.

By completing this form, the Vendor certifies that it is not an "Iran Linked Business", as defined by the Act and is in full compliance with all provisions of the Act and is legally eligible to submit a bid for consideration by the City.

PREPARED BY
(Print Name)

DATE

TITLE

DATE

AUTHORIZED SIGNATURE

E-MAIL ADDRESS

COMPANY

ADDRESS

PHONE

NAME OF PARENT COMPANY

PHONE

ADDRESS

TAXPAYER I.D.#



CITY MANAGER'S REPORT

July 2024

Baldwin Public Library

Library Board

The Library Board will meet on Monday, August 19 at 7:30 p.m. for its regular meeting. The Board will be voting to adopt the 2025 calendar.

Phase 3 Construction Project

The Phase 3 addition opened to the public on July 9. While several items remain on the punch list, we are happy to have completed the majority of the project. Visitors to the library have been pleased with the results and we have received positive feedback from nearly everyone.

This transformative \$4.1 million project, funded through the library's voter-approved millage and generous donations to the library's Trust, marks the end of the library's three-phase improvement plan. The first phase of renovations included the library's adult services wing and was completed in 2017. Then the youth room was expanded and renovated during the second phase of improvements in 2020.

This final phase of improvements, which broke ground in July 2023, has been designed to enrich the library experience for patrons of all ages and connect the first two renovations together seamlessly.

Key highlights of the project include:

- Accessible street-level entrance equipped with an interior ramp and passenger elevator
- 2,000 square feet addition to house a new vending café and collaboration space
- 3,000 square feet renovation of interior space with new furniture, flooring, and energy-efficient lighting
- Centrally located information and checkout desk with integrated shelving for books on hold and self-checkout machines
- Energy-efficient, glare-reducing glass windows and underground water detention system
- Outdoor plaza and gardens with native plantings
- Addition of four private study rooms for one or two people
- Used Bookshop for the Friends of the Baldwin Public Library

We invite you to mark your calendars for our fall open house and ribbon-cutting ceremony on Sunday, September 15, 2024, from 1:00 to 3:00 p.m. For further details about the project, please visit www.baldwinlib.org/renovation.



2022
AIA Detroit
Honoree Award

Baldwin Public Library Expansion
by Luckenbach Ziegelman Gardner Architects, PLLC
Interior Design: Karen Swanson
Construction: The Dailey Company
Interior: Library Design Associates
Doug Koschik, Library Director

2021-2024: Front Entrance & Access Services
MCD Architects
Construction: PCI Dailey
Rebekah Craft, Library Director

Board of Directors
Andrew Harris, 2015
Sheila Brice, 2015-2017
David Underdown, 2015-2019
Ashley Aidenbaum, 2015-2021
Bob Tera, 2015-2021
Jim Suhay, 2015-2023
Frank Pisano, 2015-2024
Melissa Mark, 2017-2024
Jennifer Wheeler, 2019-2024
Karen Rock, 2021-2024
Danielle Rumpel, 2021-2024
Wendy Friedman, 2023-2024

Baldwin Public Library Expansion

2015-2017: Adult Services &
2017-2020: Youth Services
Luckenbach Ziegelman Gardner Architects, PLLC
Interior Design: Karen Swanson
Construction: The Dailey Company
Interior: Library Design Associates
Doug Koschik, Library Director

2021-2024: Front Entrance & Access
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Melissa Mark, 2017-2024
Jennifer Wheeler, 2019-2024
Karen Rock, 2021-2024
Danielle Rumpel, 2021-2024
Wendy Friedman, 2023-2024

Library Tours

If you'd like to learn even more about the library, join Director Rebekah Craft for a Behind the Scenes Tour. You'll visit staff areas, learn how items are added to the collection, and hear about new programs and services. The next tour will meet in the Library's lobby on Thursday, August 8, at 11:00 a.m.

Idea Lab: The Grand Tour

Have you always wondered what the Idea Lab is all about, but were afraid to ask? On Wednesday, August 7 at 7:00 p.m., Jeff will take you on a tour of the Idea Lab, including a quick demo of our exciting equipment. Registration required.

Upcoming events of interest

Baby Play Stations

Monday, July 22 — 11:00 a.m. to 12:00 p.m.

Have fun with your little one at this program filled with activities that highlight different developmental milestones. No registration required.

Cookbook Club

Tuesday, July 23 — 6:30 p.m. to 8:00 p.m.

Join us for a delightful potluck-style gathering where we'll savor the flavors of Deb Perelman's cookbook, "Smitten Kitchen Keepers." Prepare a dish from the book and share it with fellow food lovers. Please note that due to airborne peanut allergies, we kindly request avoiding any dishes containing peanuts.

Idea Lab Event: Screen Printing Extravaganza

Wednesday, July 24 — 7:00 p.m. to 8:00 p.m.

Visit the library, and see our screen-printing rig in action! Choose one of our cool designs, and silkscreen print onto a tote bag! Registration required.

Chocolate Olympics

Thursday, July 25 — 7:00 p.m. to 8:00 p.m.

Put a sweet spin on the Summer Olympics. Compete in a variety of chocolate-based games, races, taste-testing, and more. Please note: allergens may be present. Grades 7-12. Registration required.

Friends 4th Saturday Sale

Saturday, July 27 — 10:00 a.m. to 2:00 p.m.

Stop by the Friends Sorting Room on the lower level to shop exciting new inventory!

Adult Battle of the Books

Thursday, August 1 — 7:00 p.m. to 8:30 p.m.

Wrap up Summer Reading by battling other readers in a literary contest to the death! Or just come have fun with friends who like to read. Your team of up to five adults (18+), will read five books covering a variety of genres and styles. Join us on Thursday, August 1 at 7 p.m. in the Rotary Room to compete with other teams by answering trivia questions based on the books. Prizes and mayhem will ensue!

Learn more about these events and other programs coming to Baldwin at baldwinlib.org/calendar.

Birmingham Museum

Birmingham Museum to Receive Collaborators Award

The Birmingham Museum is proud to announce that it will receive an award from the Association of Midwest Museums for its leadership in a grant-funded multi-community public history project to study Oakland County's Underground Railroad. The Association of Midwest Museums (AMM) represents the eight-State region of the Midwest, including Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio

and Wisconsin. Its mission is to strengthen museums in the Midwest by providing nationally relevant, regionally specific programs, products, and networking opportunities, and it encourages and recognizes professional standards and excellence in the museum field. This year, the AMM has selected the Birmingham Museum to receive a special Collaborators Award to recognize the project and its impact, calling it 'inspiring' and 'extraordinary.' This unique project has generated an enormous amount of information about previously unknown formerly enslaved people who fled the south in the years before the Civil War and were sheltered in communities throughout Oakland County by everyday people who helped them reach safety in Canada.

The initial project began in 2023, with coordination and professional direction by the Birmingham Museum. It included the Farmington Historical Society, Oakland County Pioneer and Historical Society, Royal Oak Historical Society and Southfield Historical Society. Over the past year, the museum has created a database of primary sources identified by the project, designed a traveling exhibit, and provided numerous presentations to the public related to this newly discovered local history. But more than that, the museum has helped the partnering organizations use trained volunteers and their own collections to uncover their stories and explore how they fit into the bigger picture of the anti-slavery movement in Oakland County. This has raised public interest and awareness through school programs, public proclamations, special events, and other support, and has resulted in two more historic site designations with the National Park Service's Underground Railroad Network to Freedom in Southfield and Royal Oak. This public engagement and momentum has resulted in an expansion of the project into a second year, with additional funding, more partners, and the addition of historical organizations in Commerce, Oxford, Rochester, Troy and West Bloomfield.

The second project phase will enlarge the database of research and will create teacher and student resources, including planned Network to Freedom nominations for at least two additional sites. This type of collective effort is highly unusual in the museum field. It demonstrates a highly effective approach to cross-museum collaboration that incorporates creative use of resources and grass roots involvement to do original research that benefits a wide public audience.

The award will be presented to Museum Director Leslie Pielack and Museum Specialist Donna Casaceli at the MMA's annual conference in Columbus, Ohio on August 1, 2024. An additional virtual celebration will take place this fall that will be open to the Underground Railroad project partner organizations. The project will be continuing into 2025 and beyond, and plans are underway in partnering communities to utilize the research from the project in special celebrations and events in 2026, for America's 250th anniversary.

Birmingham Shopping District

Business Anniversaries

The Birmingham Shopping District (BSD) continues to recognize long-standing local businesses with the Business Anniversary program. Recognition includes a watercolor print of the storefront (5+ years), a boosted social media post (10+ years) and recognition at a BSD Board meeting (25+ years), among other things. This year, the BSD will recognize 10 businesses celebrating five years, 17 celebrating 10 years, four celebrating 25 years, one celebrating 50 years and two celebrating 75 years!

Summer Special Events

The BSD hosts nearly 60 special event days drawing over 300,000 attendees to downtown Birmingham each year, building community connections and increasing awareness and patronage of our local businesses. In the past few years, six new special events have been added to our lineup including a fourth outdoor movie night, Spring Stroll, Art Walk, BRRmingham Blast, the Farmers Market's Strawberry Jamboree and the BirminghamBURGER (new this fall!).

With summer event season well underway, BSD staff and volunteers have been very busy hosting, planning and marketing our special events, activities and more throughout the downtown. June and early-July events have seen a record turnout and we look forward to continuing the momentum. July event highlights include:

Sunday, July 14: Second Sunday Fitness at the Birmingham Farmers Market

The Birmingham Farmers Market hosted a free 45-minute yoga session featuring Community Yoga Studio. This is the third session in our ongoing Second Sunday Fitness series, which has been very successful so far this year! The intention of this series is to engage the community in new ways, increase awareness of the market and our local fitness providers, and provide a free opportunity to participate in activities that promote overall wellness within the community.

Friday, July 19: Outdoor Movie Night

Our Outdoor Movie Night series continues to draw hundreds of local families to Booth Park for free, family-friendly entertainment. July's event included a visit from Santa, sponsor exhibits and giveaways, and The Muppet Christmas Carol. June 1-30, the community was invited to vote for the August 9 and September 6 movie titles via Engage Birmingham, and we will be showing Shrek and Space Jam. It is wonderful to see so many families gathering on the hill, playing at the park, and dining and walking through the north side of downtown during our Movie Night events.

Sunday, July 21: Super Farmer Day at the Birmingham Farmers Market

The Birmingham Farmers Market's annual Super Farmer Day featured super-hero themed activities and special visits from our local hometown heroes from the Birmingham Police and Fire Departments. Upcoming market special events include the Corn Festival and Second Sunday Fitness with Jabs Gym on August 11, a Second Sunday Fitness run/walk with Gazelle Sports on September 8, and the Harvest Festival on September 15.

Saturday, July 27: Day On The Town

Day On The Town – the most anticipated retail event of the year – returns Saturday, July 27 from 9 a.m. – 5 p.m. Over 60 merchant sale displays will line the streets and sidewalks throughout downtown offering deeply discounted merchandise to thousands of shoppers from across the region. Food trucks, kids' activities, a chalk artist and free ice cream from the Channel 955 Ice Cream truck will provide entertainment throughout the day. Parking is free in municipal garages during the event.

Building Department

Board of Zoning Appeals

There was one case scheduled for the June 18, 2024 meeting of the Board of Zoning Appeals. However, after public notice of the request was completed it was determined that an additional variance was necessary for this case so it had to be postponed to the July regular meeting. The June meeting was cancelled due to lack of business items.

Online Permit Applications

In the month of June, we processed 376 permits online, bringing this year's total permits processed electronically to 2,239.

Monthly Report

The Building Department's [monthly report](#) shows the previous month's permit activity, along with charts showing the building permit activity trend over the past year.

City Clerk's Office

Elections

Trusted Sources and Outside Organizations

As you know election season comes with an abundance of political communications regarding voting. Outside organizations reach out to voters with texts, emails, phone calls, door knocking, etc.

Many times these outside organizations use old mailing and contact lists for their political communications and sometimes communications from outside organizations can cause confusion or doubt in the voting process. If you have any question about any information you received, please check with your TRUSTED resources.

The Michigan Bureau of Elections provides an abundance of information on mi.gov/vote, where voters can update their registration information, apply for an absentee ballot, track their absentee ballot, find out information such as polling locations, sample ballots, office hours for your local clerk, drop box locations, and so much more.

Additionally, voters can reach out to their local clerk to verify information. Birmingham voters should reach out to the Birmingham City Clerk's Office at elections@bhamgov.org or call 248-530-1880 with any questions regarding their voter registration and information about absentee voting, early voting, or voting on Election Day.

Redistricting Update

A ruling by a panel of three federal judges in a lawsuit, [Agee v. Benson](#), went to trial in November of 2023 alleging that the legislative boundaries drawn up by the [Michigan Independent Citizens Redistricting Commission](#) (MICRC) violated the Voting Rights Act (VRA) by diluting Black voting power in more than a dozen Detroit-area legislative districts. The outcome of this decision has resulted in changes for many Birmingham voters. Birmingham Precincts 1, 2, 4, 6, 7, 8, and 9 will see that the State House District has changed from district 5 to district 6 on their voter ID cards. Voter ID cards were mailed mid-June.

Election Inspectors

The City Clerk's Office is taking applications for Election Inspectors for the August 6, 2024 State Primary Election and the November 5, 2024 General Election. Individuals must be at least 16 years of age and a registered Michigan voter if over the age of 18.

At this time Birmingham is fully staffed but looking to add to our emergency backup inspector list. These inspectors would be on call to work in the event that a regularly scheduled inspector is no longer able to work.

Visit bhamgov.org/vote for more information.

August 6, 2024 - State Primary Election

The initial mailing of absentee ballots has been completed. The Clerk's Office is continuing to mail ballots as requested until the absentee ballot mailing deadline, Friday, August 2, 2024. Voters may also pick up their absentee ballot in person at the Clerk's Office until 4:00 p.m. Monday, August 5, 2024. Please bring your photo ID for this transaction.

November 5, 2024 - General Election

The initial mailing of absentee ballots is tentatively scheduled for the last week of September. If you will be out of town for the November election, please reach out to the clerk's office in early to mid-September to ensure your absentee ballot reaches your desired destination. Absentee ballots cannot be forwarded through the USPS.

Absentee Ballots

Voters with an absentee ballot can...

1. Return your ballot by mail or drop box
*Keep in mind the spoiling ballot deadlines listed below
2. Vote your absentee ballot at one of your Early Voting sites (NEW with Prop 22-2)
3. Vote your absentee ballot at your precinct on Election Day (NEW with Prop 22-2)

Absentee ballots will be issued as requests are received up until the absentee ballot issuing deadlines.

Early Voting Dates for August and November 2024

Day	August 6, 2024 Election	November 5, 2024 Election	Time
Saturday	7/27	10/26	8:30 a.m. to 4:30 p.m.
Sunday	7/28	10/27	8:30 a.m. to 4:30 p.m.
Monday	7/29	10/28	8:30 a.m. to 4:30 p.m.
Tuesday	7/30	10/29	8:30 a.m. to 4:30 p.m.
Wednesday	7/31	10/30	8:30 a.m. to 4:30 p.m.
Thursday	8/1	10/31	12:00 p.m. to 8:00 p.m.
Friday	8/2	11/1	8:30 a.m. to 4:30 p.m.
Saturday	8/3	11/2	8:30 a.m. to 4:30 p.m.
Sunday	8/4	11/3	8:30 a.m. to 4:30 p.m.

Early Voting Locations:

- Waterford Oaks Activities Center, 2800 Watkins Lake Road, Waterford, MI 48328
- Bloomfield Township Public Library, 1099 Lone Pine Rd. Bloomfield Twp., MI 48302

Early Voting is a component of proposal 2022-2 and includes a constitutional right to no less than 9 days of early voting in each Statewide and Federal election (even year election) for no less than 8 hours per day. Early voting will look and feel just like voting on Election Day.

For more information on early voting check out bhamgov.org/vote.

August 6, 2024 State Primary	<u>Important Election Deadlines</u>	November 5, 2024 General Election
Tuesday, July 23, 2024 through Election Day	Same-day voter registration <u>with your local clerk</u> , proof of residency required	Tuesday, October 22, 2024 through Election Day
Friday, July 26, 2024	5:00 p.m. Deadline to spoil an absentee ballot that was already submitted to the Clerk	Friday, October 25, 2024
Saturday, July 27, 2024 through Sunday, August 4, 2024	Early Voting	Saturday, October 26, 2024 through Sunday, November 3, 2024
Friday, August 2, 2024	5:00 p.m. deadline for the clerk to send absentee ballots by first class mail	Friday, November 1, 2024
Monday, August 5, 2024	4:00 p.m. deadline for voters to spoil their absentee ballot that was lost or destroyed in person at the Clerk's Office	Monday, November 4, 2024

Tuesday, August 6, 2024	8:00 p.m. deadline for absentee ballots to be delivered to the clerk for tabulation	Tuesday, November 5, 2024
Friday, August 9, 2024	5:00 p.m. deadline for a voter to cure a signature on an AV ballot return envelope that was otherwise a valid ballot to be tabulated	Friday, November 8, 2024
Monday, August 12, 2024	Deadline to receive and count a ballot submitted by an Overseas Voter postmarked on or before Election Day	Monday, November 11, 2024

Becoming a Permanent Ballot Voter

Since the passage of Proposal 2022-2, clerks now maintain a Permanent Ballot List. Birmingham voters began opting into the Permanent Ballot List by checking the box pictured below on their November 7, 2023 absentee ballot application. This box is also available on the 2024 absentee ballot applications, pictured below.

MI ABSENT VOTER BALLOT APPLICATION 2024 Presidential Primary Feb. 27/Primary Aug. 6/General Nov. 5 See Reverse Side for Instructions ➔

I certify that I am a United States citizen and a qualified and registered elector in the CITY OF BIRMINGHAM, County of OAKLAND, State of Michigan, and I apply for an official ballot, to be voted by me in the election(s) checked below, and the statements in this application are true.

Select election(s) to receive ballot (required):

☐ ALL ☐ FEBRUARY 27, 2024 PRESIDENTIAL PRIMARY ☐ AUGUST 6, 2024 PRIMARY ☐ NOVEMBER 5, 2024 GENERAL

Other Elections: Complete to join the permanent absent voter ballot list (optional)

☒ Automatically send me an absent voter **ballot** for each future election for which I'm eligible.

Voters can opt in or out of the Permanent Ballot list at any time by sending a written request to the City Clerk's Office.

Voters on the Permanent Ballot List should make sure they keep current contact information on file with the City Clerk's Office including mailing address (especially for those that travel outside of Birmingham during times that ballots are being mailed) as well as phone and email contacts. Ballots are not allowed to be forwarded so the Clerk's Office will be contacting all voters whose absentee ballots bounced back to the Clerk's Office in the mail.

No Postage Necessary!

Absentee ballot applications and absentee ballot return envelopes for the entire State of Michigan are equipped with a business reply mail permit that will cover the cost of postage for any ballot or application mailed within the United States.

Return Envelopes - What to look out for

Outgoing absentee ballots (to the voter) are blue.

All absentee ballot return envelopes (coming back to the Clerk) will be purple.

***Remember when using a drop box to only use drop boxes in your assigned jurisdiction.**

Example: Birmingham voters should use the Birmingham ballot drop boxes. Birmingham voters should NOT place their ballot in a drop box from a neighboring jurisdiction such as Troy, Royal Oak or Southfield Township.

Greenwood Cemetery Advisory Board (GCAB)

The next meeting for the GCAB is scheduled for September 6, 2024. To view Greenwood Cemetery Advisory Board agendas and minutes visit www.bhamgov.org/GCAB.

Also note that for those visiting the cemetery and placing decorations for loved ones, it is important to be aware of the [Greenwood Cemetery Operational Procedures, Conditions & Regulations](#), specifically sections II, III, and V.

Board of Ethics

The next Board of Ethics meeting has been scheduled for August 13, 2024 at 4:00 p.m. To view the Ethics Board agendas and minutes visit www.bhamgov.org/ethics.

Additionally, City Clerk Bingham is serving on an ad hoc committee with the Board of Ethics for the City of Detroit to assist in the planning of their 2024 Ethics Conference to be held on Thursday, September 12, 2024.

Board Appointments

The City of Birmingham is looking for dedicated individuals who want to give back to their community by serving on one of our many boards or committees. Birmingham's different boards and committees make recommendations that shape the City's future. Serving on a board or committee is a great way to get involved in your community, meet new people and make a positive impact. Visit bhamgov.org/boardopportunities to view all the available openings and apply to make a difference at bhamgov.org/boardapplication.

Board	Openings	Application due by noon Wednesday before the intended interview date	Interview/ Appointment at City Commission meeting 7:30 pm
Advisory Parking Committee	3 Regular member (BSD Member, retail, resident) terms ending 9/4/2027 1 Regular member (retail) term ending 9/1/2026 1 Alternate member term ending 9/1/2026	8/21/24	8/26/24
Architectural Review Committee	1 Regular member term ending 4/11/2025	Until Filled	
Birmingham Area Cable Board	1 Regular Birmingham resident, term ending 3/30/27 1 Alternate Birmingham resident, term ending 3/30/26 1 Alternate Birmingham resident, term ending 3/30/25	Until Filled	
Birmingham Shopping District	1 Member shall be a business operator or person with interest in property located within the district, 4-year term ending 11/16/2026	Until Filled	
Board of Building Trades Appeals	2 Regular member (builder & engineer) terms ending 5/23/2027	Until Filled	

Board of Review	1 Regular member to serve a 3-year term expiring 12/31/2024 1 Alternate member to serve 3-year term expiring 12/31/2026 1 Alternate member to serve the remainder of a 3-year term expiring 12/31/2025	Until filled	
Board of Zoning Appeals	1 Alternate member term ending 2/18/2026	Until Filled	
Brownfield Redevelopment Authority	1 Regular member term ending 5/23/2026 1 Regular member term ending 5/23/2027	Until Filled	
Historic District Study Committee	1 regular member term expiring 6/25/2027	Until Filled	
Housing Board of Appeals	3 Regular member terms ending 5/4/2026	Until Filled	
Martha Baldwin Park Board	2 Regular member terms ending 5/1/2028	Until Filled	
Multi Modal Transportation Board	2 Alternate members	Until Filled	
Museum Board	1 Regular member term ending 7/6/2026	Until Filled	
Stormwater Utility Appeals Board	2 Regular member terms ending 1/31/2026 2 Alternate members 1/31/2025	Until Filled	
Triangle District Corridor Improvement Authority	1 Resident of the developed area or area within 1/2 mile of the development area, term ending 12/15/2027	Until Filled	

City Manager's Office

Ad Hoc Aging in Place Committee (AIPC)

The AIPC will review the first draft of the City-Wide Action Plan at the July 24, 2024 regular meeting. The meeting will be held at City Hall on Wednesday, July 24, 2024 at 1 p.m.

YMCA Building: Senior/Recreation Center Project

In the past month, City staff, the City's owner's representative and the Ad Hoc Senior/Recreation Committee met twice and accomplished the following:

NORR, LLC (architect) and Kramer Management Group (City's owner's representative) came up with a joint final analysis report that included four options, three of which had an additional option "A" attached for the Senior/Recreation Center Project:
Here are the options:

Option 1 - Renovate Existing Building on Existing Footprint (No Pool)

Next utilizes 75% of the building and the YMCA utilizes 25% of the building. In this scenario, neither Next nor the YMCA gets the programming space that they would like. In this option, there is no pool.

- a. Next: 17,201 sq. ft. (42.3% of building, 70% of usable space)
- b. YMCA: 7,193 sq. ft. (17.7% of building, 29% of usable space)
- c. City of Birmingham Parks and Recreation: 294 sq. ft. (0.7% of building, 1% of usable space)
- d. Facility Areas: 1,527 sq. ft. (3.8% of building)
- e. Circulation Areas: 14,406 sq. ft. (35.5 % of building)
- f. Total Square Footage of Building: 40,631
- g. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$23,037.00, Electric - \$141,640.00): \$184,677.00

BUILDING CONSTRUCTION COST: \$15,462,687.00 (cost per sq. ft. \$380.56)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,425,458.00 (cost per sq. ft. \$133.53)

OPTION 1 TOTAL: \$20,888,144.00 (\$514.09 per sq. ft.)

Option 1A - Renovate Existing Building on Existing Footprint (Pool Included).

Next utilizes 75% of the building and the YMCA utilizes 25% of the building. By including the pool, it takes up almost all of the YMCA's utilization space. Similar to Option 1, both Next and the YMCA do not receive the programming space that they would like. However, in Option 1A, the pool remains.

- a. Next: 17,575 sq. ft. (43.3 % of building, 70% of usable space)
- b. YMCA: 7,394 sq. ft. (18.2 % of building, 30% of usable space)
- c. City of Birmingham Parks and Recreation: 0 sq. ft.
- d. Facility Areas: 1,841 sq. ft. (4.5% of building)
- e. Circulation Areas: 13,821 sq. ft. (34% of building)
- f. Total Square Footage of Building: 40,631
- g. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$23,037.00, Electric - \$141,640.00): \$184,677.00

BUILDING CONSTRUCTION COST: \$15,862,496.00.00 (cost per sq. ft. \$390.40)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,504,360.00 (cost per sq. ft. \$135.47)

OPTION 1A TOTAL: \$21,366,856.00 (\$525.87 per sq. ft.)

Option 2 - Renovate Existing Building and Add Additional Space

In this option, a large addition is added to the north section of the building on two levels (ground floor and second floor). Also, there is the possibility to excavate underneath the addition (underground level) to add either additional space for Next (pickleball courts) or additional space for the YMCA. In Option 2, Next receives additional space to meet most of their programming needs. However, there was not space for more than two pickleball courts. The YMCA also has more space for programing, but not enough for all of their preferred programming needs. No pool was shown in this option. However, the YMCA could opt for the pool if that is how they choose to use their allotted space (same choice from Option 1 and Option 1A).

- a. Next: 27,886 sq. ft. (43.1% of building, 64% of usable space)
- b. YMCA: 7,642 sq. ft. (11.8% of building, 18% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (.05% of building, 1 % of usable space)
- d. City of Birmingham (Optional Future Excavation Space): 7,422 sq. ft. (11.5% of the building, 17% of usable space)
- e. Facility Areas: 2,760 sq. ft. (4.5% of building)
- f. Circulation Areas: 18,570 sq. ft. (28.7% of building)
- g. Total Square Footage of Building: 64,640
- h. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$21,650.00, Electric - \$240,335.00): \$281,985.00

BUILDING CONSTRUCTION COST: \$23,774,798.00 (cost per sq. ft. \$367.80)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$7,963,752.00 (cost per sq. ft. \$123.20)

OPTION 2 TOTAL: \$31,738,550.00 (\$491.00 per sq. ft.)

Option 3 - Demolish Current Building and Build a New Building

In Option 3, all of the programming needs for Next are met (including four pickleball courts). With the additional space of a new building, more of the YMCA's programming needs can be met (additional exercise space). In this option, no pool was included. However, there is sufficient space for a pool to be added if the YMCA chooses to construct a new pool.

- a. Next: 32,068 sq. ft. (43.3% of the building, 59% of usable space)
- b. YMCA: 13,018 sq. ft. (17.6% of the building, 24% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.5% of the building, 1% of usable space)
- d. City of Birmingham (Optional Future Excavation Space): 8,959 sq. ft. (12.1% of the building, 16% of usable space)
- e. Facility Areas: 3,202 sq. ft. (4.3% of the building)
- f. Circulation Areas: 16,373 sq. ft. (22.1% of the building)
- g. Total Square Footage of Building: 73,980 sq. ft.
- h. Operational Costs (Gas - \$17,765.00, Electric - \$155,358.00): \$173,113.00

BUILDING CONSTRUCTION COST: \$28,751,579 (cost per sq. ft. \$388.64)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$9,256,709.00 (cost per sq. ft. \$125.12)

OPTION 3 TOTAL: \$38,008,288.00 (\$513.76 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 3 TOTAL COST with Pool: \$41,608,288.00 (\$530.17 per sq. ft.)

Option 3A – Same as option 3, but the north end of the lower level to be on slab on grade, reducing finished basement area by 7,030 sq. ft. This area is removed from the City of Birmingham space as well as from the gross and net building floor areas.

- a. Next: 32,068 sq. ft. (47.9% of the building, 68% of usable space)
- b. YMCA: 13,018 sq. ft. (19.4% of the building, 27% of usable space)

- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.5% of the building, 1% of usable space)
- d. City of Birmingham: 1,929 sq. ft. (2.9% of the building, 4% of usable space)
- e. Facility Areas: 3,202 sq. ft. (4.8% of the building)
- f. Circulation Areas: 16,373 sq. ft. (24.5% of the building)
- g. Total Square Footage of Building: 66,950 sq. ft.
- h. Operational Costs (Gas - \$16,068.00, Electric - \$140,595.00): \$156,663.00

BUILDING CONSTRUCTION COST: \$27,920,828.00 (cost per sq. ft. \$417.04)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$8,376,784.0000 (cost per sq. ft. \$125.12)

OPTION 3 TOTAL: \$36,297,612.00 (\$542.16 per sq. ft.)

The SCC discussed all of the options. The SCC found consensus among the board members that option 3, a new build, was the preferred choice. The SCC cited the following:

1. Cost: The SCC felt that to spend 15 million dollars on construction costs renovating the existing building where options were limited (main wall that cannot be touched) and where some existing MEP issues would remain (plumbing pipes) did not make sense. The SCC also felt that the cost differential between option 2 and option 3 was not substantial enough to warrant not spending the extra money to achieve greater value in the long run.
 - a. Operational Costs: Operational costs are lowest with option 3. A new building could be designed with efficiency and cost considerations built in.
 - b. In option 3, the possible use of sustainable products could be increased and considered when cost efficient to do so. Currently, the cost considerations are for basic building materials necessary to meet building codes and could be improved upon. Cost considerations of these upgraded features is a major factor to consider.
2. Building Design: The current footprint of the building makes it very problematic to remodel effectively. In option 1 and 1A, in order to make the building accessible for everyone, a considerable amount of space, approximately 35% of the building, would need to be used for circulation areas and not available as usable space. While option 2 provides for more usable space than option 1 or option 1A, it is still compromised by the existing footprint of the building. Option 3 provides for the most opportunity to design the building to meet the needs of Next, most of the needs of the YMCA and to provide the greatest opportunity to design as much "shared space" between the two that would meet their respective service needs and keep the footprint of the building as small as possible.
 - a. With option 3, the final design architect could work with Next and the YMCA to design the building to exactly what they need. There would be no need to compromise design or use that would occur with a remodel using the existing building and its current limitations.
 - b. With option 3, the end result would be a building that would align better with the stated vision and goals for the project.
3. Space Needs: Only option 3 meets the service needs requested from both Next and most of those requested by the YMCA. The importance of this building to the community cannot be understated. The Senior/Recreation Center will be the permanent home for Next and the focal point for the City's older adult population. The inclusion of the YMCA will provide a recreation component as well.
 - a. Circulation space is greatly reduced in option 3.
 - b. Space needs of Next and the YMCA can be clearly defined and any shared space opportunities identified.

After the SCC concluded that a new build was going to be the suggested recommendation to the City Commission, the City's Owner's Representative, Kramer Management Group, felt that it would be important for the City Commission to also examine scaled down versions of a new building. The following two options, listed as option 4 and option 4A are as follows:

Option 4 – This would be a demolition of the existing building and the new construction of a building on-grade that would be 40,000 square feet in size and directly in line with a 75% space allocation to Next and a 25% allocation to the YMCA:

- a. Next: 20,428 sq. ft. (51.1% of the building, 75% of usable space)
- b. YMCA: 6,810 sq. ft. (17% of the building, 24% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.9% of the building, 1% of usable space)
- d. City of Birmingham (Optional Future Excavation Space Deleted): 0 sq. ft.
- e. Facility Areas: 3,202 sq. ft. (8% of the building)
- f. Circulation Areas: 9,200 sq. ft. (23% of the building)
- g. Total Square Footage of Building: 40,000 sq. ft.
- h. Operational Costs (Gas - \$9,600.00, Electric - \$84,000.00): \$93,600

BUILDING CONSTRUCTION COST: \$16,930,289.00 (cost per sq. ft. \$423.26)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,793,093.00 (cost per sq. ft. \$144.83)

OPTION 4 TOTAL: \$22,723,382.00 (\$568.08 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 4 TOTAL COST with Pool: \$26,323,382.00 (\$591.54 per sq. ft.)

Option 4A – This would be a demolition of the existing building and the new construction of a building on-grade that would be 50,000 square feet in size and directly in line with a 75% space allocation to Next and a 25% allocation to the YMCA:

- a. Next: 26,204 sq. ft. (52.4% of the building, 75% of usable space)
- b. YMCA: 8,734 sq. ft. (17.5% of the building, 24% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.7% of the building, 1% of usable space)
- d. City of Birmingham (Optional Future Excavation Space Deleted): 0 sq. ft.
- e. Facility Areas: 3,202 sq. ft. (6.4% of the building)
- f. Circulation Areas: 11,500 sq. ft. (23% of the building)
- g. Total Square Footage of Building: 50,000 sq. ft.
- h. Operational Costs (Gas - \$12,000.00, Electric - \$105,000.00): \$117,000.00

BUILDING CONSTRUCTION COST: \$20,306,615.00 (cost per sq. ft. \$388.00)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$7,079,893.00 (cost per sq. ft. \$125.00)

OPTION 4A TOTAL: \$27,386,508.00 (\$513.00 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 4A TOTAL COST with Pool: \$30,986,508.00 (\$568.56 per sq. ft.)

SSC Recommendation:

The Senior/Recreation Center Committee (SCC) received the final report from NORR, LLC on the building assessment and the conceptual design plan options and cost estimates. City staff, the owner's

representative and the SCC thoroughly examined the final report. Based upon that analysis, it is the recommendation of the Ad Hoc Senior/Recreation Center Committee that the City Commission select Option 4A contained within the Kramer Management Financial Analysis Worksheet. Option 4A calls for the current building to be demolished and a new building to be built in its place. The size and scope of building currently is listed at 50,000 sq. ft. and carries an estimated cost of \$27,386,508.00. A new build has numerous advantages over the current building, which has building code and accessibility issues, aged mechanical, plumbing and electrical systems, structural issues that limit renovation options, and an inefficient layout that is not conducive to its intended uses. The proposed cost of renovating the current building (Option 1) came in at \$20,888,145.00 for 40,631 sq. ft. (\$514.09 per sq. ft.) Option 4A, a 50,000 sq. ft. new build, came in at \$27,386,508.00 (\$513.00 per sq. ft.). For the additional \$6,498,363.00, the City will be able to provide a modern, cost efficient building with a layout that meets all building, accessibility and safety codes, provides for the necessary space and programming needs of Next and for the agreed upon space for the YMCA.

The SCC believes that when all the factors are considered, including costs, building design elements and programming and space allocations, the best recommendation to the City Commission is Option 4A, a new build, 50,000 sq. ft. building not to exceed 28 million dollars in cost and the consideration to add a pool at a cost not to exceed 3.6 million dollars.

Communications

Share Feedback on Engage Birmingham

The City's online public engagement platform, [Engage Birmingham](#), makes it easier than ever for the community to share feedback at a place and time that is convenient for them.



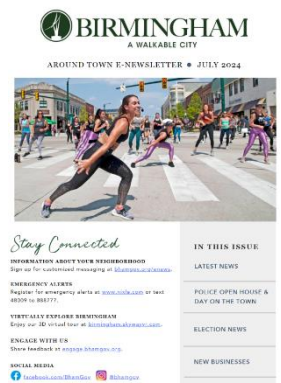
Share your feedback now on these projects:

[Historic Preservation Master Plan](#)

[Sustainability Goals](#)

Around Town e-Newsletter

The communications team is working on the August edition of the Around Town e-Newsletter, which will include information about the August election, Birmingham Cruise Event, progress on the Birmingham Green: Healthy Climate Plan, and more. Follow [this link to view the July edition](#) of the Around Town e-Newsletter.



Receive Updates from Birmingham

Receive the latest news from Birmingham by signing up to receive our newsletter and alerts at bhamgov.org/enews. Subscribers receive important information specific to their neighborhood, emergency alerts and our newsletter featuring upcoming events, meetings, City projects, developments and more. Also follow us on [Facebook](#) and [Instagram](#) @BhamGov.

City Board and Committee Promotions

The communications team has released a second video promoting board and committee openings. The video, [available to view here](#), features Parks and Recreation Board member Jessica Einstein discussing many reasons why residents should consider joining a board or committee. Thank you, Jessica!

Understanding Your Tax Dollars

The communications team worked with Finance Director Mark Gerber to create a document to help residents understand where their tax dollars go. The document also explains that Birmingham does not have a high local tax rate compared to surrounding communities. The document will be included in social media posts and the Around Town e-Newsletter. View the document and other tax information at bhamgov.org/taxes.

BIRMINGHAM CITY COMMISSION - UPCOMING AGENDA ITEMS

Meeting	Topic	Dates Addressed	Status
7/8/24	Pesticides	7/8/24	In progress
6/3/24	Installing sidewalks on new build projects	6/3/24 7/22/24	In progress
5/20/24	RFP Process	6/3/24	In progress
5/6/24	Garbage/Dumpsters Downtown	5/6/24 7/8/24	In progress
5/6/24	Consider moving up road project on Lincoln east of Eton	5/6/24 7/8/24	In progress
4/15/24	Discuss City property on Shirley Road that is not designated as Right of Way	4/15/24	In progress
4/8/24	Annual update on electric lawn equipment	4/8/24	In progress
4/8/24	Update Advisory Parking Committee duties	4/8/24	In progress
2/12/24	City-run events and sponsors	3/4/24 7/8/24	In progress
10/2/23	Implementation of crosswalk standards	10/2/23 10/16/23 11/13/23	In progress
5/8/23	Woodward noise	5/8/23 6/5/23	In progress
2/27/23	Bench and Little Library for Pat Andrews	3/13/23 5/8/23	In progress

Department of Public Services

Poppleton Park Multipurpose Courts

The tennis courts at Poppleton Park now have light blue pickleball lines, making them suitable for either tennis or pickleball. Picklers are asked to bring their own weights for the nets, as they will remain at the regulation height for tennis.

Booth Park Entry Plaza & Trail Improvements Update

Over the past month, the preliminary park landscape plan has been shared with the Multi-Modal Transportation Board, Wayfinding Committee and the Planning Board, and has been an on-going item at the Parks and Recreation Board. The plan is continuously updated based upon feedback and will go to the City Commission in August for a cursory review for input before finalizing plans for construction.

Manor Park Sustainable Planting Demonstration Areas

Recently, the Parks and Recreation Board approved a trial area for a natural area demonstration at Manor Park. Naturalizing areas in parks to eliminate maintained turf is one way to shift toward more sustainable practices, which is a goal of the City Commission. The demonstration areas at Manor consist of three different types of “no-mow” areas along the edge of the wooded areas. Section 1: un-mowed turf, Section 2: un-mowed turf with scattered native wildflower seed, Section 3: turf removed with native wildflower seed mix. Staff will monitor these areas and determine appropriate future installations based on findings.

Engineering Department

2024 Construction Update

Redding Road Project

Construction of this project started in April. Crews are completing the underground work and they are prepping for road and sidewalk construction. Redding Road is closed westbound between Lake Park Drive and Woodward Avenue. Local traffic only is being maintained eastbound on Redding Road.

Edgewood Road Project

Construction of this project started in April and concrete pavement is currently being installed. Local traffic only is being maintained southbound on Edgewood Road. Also included in this project is a water main replacement on Grant Street between Humphrey and Bennaville Road. The contractor has installed the water main and will complete pavement restoration this month.

2024 Asphalt Resurfacing Program Project

The contractor is working on trench maintenance repairs throughout the City. They will complete this prior to starting the resurfacing of asphalt streets.

2024 Trip Elimination Services

This project includes saw cutting concrete sidewalks to eliminate trip hazards. The contractor started work on this project and the targeted area is Area 8 – Adams Road to Coolidge Hwy, and Maple Road to the north City Limits.

MDOT – Woodward Ave. and Brown/Forest Intersections

The mast arms have been fabricated and shipped to the area but MDOT rejected them due to manufacturing issues with coating. They are being worked on, and MDOT anticipates construction will restart immediately following the Woodward Dream Cruise in August.

Upcoming Construction Projects

The following construction projects are scheduled to start either at the end of July or in August. Affected property owners will receive notices with detailed information:

- 2024 Sewer Rehabilitation Program

- Arlington, Shirley and Brandon Project
- Pierce Alley and West Maple Alley
- Oakland and Haynes Project
- 2023 Concrete Program

Illicit Discharge to Rouge River

The City has determined the source of the sanitary sewer discharge and discussions are occurring with the property owner. We have been keeping the Michigan Department of Environment, Great Lakes, and Energy (EGLE) aware of the City's progress in finding the source.

Water Service Verification Program

The City has a deadline of October 16, 2024, to submit material information from 364 water services to the Michigan Department of Environment, Great Lakes, and Energy (EGLE). The City randomly selected 364 water services to verify the material for this ELGE requirement and currently, 86 properties still need to verify the "In-Home/Business" water service line material.

The City will be knocking on doors to talk to property owners about verifying the "In-Home/Business" water service line material. If a property owner is not home, a flier will be left with the next steps. 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.

Lead Service Replacement Program

The City will be starting a door-knocking effort to replace lead water services at no cost to property owners. If the property owner is not available, a flier will be left. Flier recipients should follow the steps in the flier to schedule your water service replacement.

To learn more about these projects or programs, please contact the Engineering Department at (248) 530-1840.

Finance Department

On June 27, 2024, the City closed on the last bond issuance of the Parks and Recreation Bond Proposal approved by voters in November 2020. This was a competitive bond sale with 8 bids received. Huntington Securities was chosen to be the broker of the bonds, as their bid offered the lowest true interest cost. The par value of the bonds was \$5,855,000, sold at a premium of \$363,268.40 for a total of \$6,218,268.40 in bond proceeds. There was approximately \$114,000 in bond issuance costs. The true interest cost of the bonds was 3.76%. The bonds will have principal payments starting in October of 2026 with the final payment in October 2041.

Fire Department

The Birmingham Fire Department will soon start a new unique community Narcan Leave Behind Program. This program will be the first of its kind in the County. Birmingham Firefighter/Paramedics will have Narcan kits for patients who have a history of opioid addiction or risk indicators. The leave-behind Narcan kit, including training in its use, will be offered to patients, family members, or friends associated with the patient. Each kit will have literature on how to receive support to get help for addiction. Furthermore, each participant in this program will have a Mental Health Co-Responder (through the Birmingham Police Department's program) who will follow up to offer additional assistance.

Although Birmingham does not have an opioid issue, we do have cases of abuse where this one-of-a-kind three-tiered approach will give those in need the best chance of long-term survival. Once the final details are in place, a press release will be issued.



Human Resources

The City of Birmingham extends warm congratulations to our newly hired employees as of July 11, 2024. Their skills, expertise, and enthusiasm are a valuable addition to our team.

Department	First Name	Last Name	Position	Type
Parking	Mike	Valle	Parking Facilities Maintenance	Full-Time
Golf	Hank	Callison	Seasonal Jr Ranger	Seasonal
Golf	Alexander	Iannuzzi	Seasonal Club Maintenance/Service	Seasonal
Golf	Valentino	Samartino	Seasonal Jr Ranger	Seasonal
Golf	Kelci	Sikorsky	Seasonal Jr Ranger	Seasonal
Golf	Harrison	Ahmad	Seasonal Jr Ranger	Seasonal
Golf	Carsten	Lozser	Seasonal Jr Ranger	Seasonal
DPS	Tedd	Tice	SSW Operator	Full-Time (Teamsters)
Golf	Zoe	Zinchook	Seasonal Club Maintenance / Service	Seasonal
Golf	Ethan	Thomas	Seasonal Jr Ranger	Seasonal

July Hiring Anniversaries

The City of Birmingham celebrated the hiring anniversaries of several employees. We extend our heartfelt appreciation for their exceptional service and unwavering dedication. Their contributions are deeply valued and recognized.

Years Of Service	Employee		Department	Position
1	Rachel	Matti	HR	HR Generalist

1	Jeremy	Turner	Fire	Firefighter
1	Nathan	Baranski	DPS	P&F Operator
1	Ashley	Martin	Parking	Pt Parking Enforcement
2	Makenzy	Vincent	Golf	Seasonal Club Maintenance/Service Ft
2	Eric	Brunk	IT	Director Of IT
2	Valerie	Pitts	Treasury	Clerk/Typist B
2	Melissa	Coatta	Engineering	City Engineer
2	Destinee	Watson	Police	Police Dispatcher
3	Sheila	Sweeting	Library	Library Assistant II
5	Richard	Waynick	Parking	Parking Meter /Crossing Guard
6	Andrew	Erickson	Building	Inspector Building
6	Jeffrey	Rondeau	Building	Inspector Building
7	Jaimi	Brook	BSD	Operations & Events Manager
8	Brandi	Ljungvall	Police	Support Staff C
9	Stefan	Syts	Police	Police Officer
9	Rebekah	Craft	Library	Library Director
9	Christopher	Morton	Engineering	Engineering Tech Senior
24	Pamela	Reed	Treasury	Clerk/Typist B
24	Christopher	Koch	Police	Police Captain
26	Jennifer	Davis	Police	Police Coordinator
34	Connie	Folk	DPS	Ice Arena And Facilities Superintendent

Hiring Status

The City is seeking candidates for the following positions. Below is the current status of each opening. To apply or for more information, visit www.bhamgov.org/jobs.

Department	Position	Type	Status
DPS	Recreation Coordinator	Full Time (AFSCME)	External Posting closing 7/17/2024
DPS	SSW Assistant Foreman	Full Time (TEAMSTERS)	Internal Posting closing 7/15/2024
Police	Crossing Guard	Seasonal	External Posting closing 8/7/2024
Golf	Junior Ranger	Seasonal	Open Until Filled

Golf	Clubhouse Service	Seasonal	Open Until Filled
Golf	Golf Maintenance	Seasonal	Open Until Filled
DPS	Park Attendant	Seasonal	Open Until Filled
DPS	Parks Laborer	Seasonal	Open Until Filled
DPS	Ice Arena Concessions/Maintenance	Part Time	Open Until Filled
Building	Plumbing Inspector	Full Time	Open Until Filled
Community Development	Support Staff A	Full Time (AFSCME)	Reviewing Applicants
Engineering	Public Works Inspector	Seasonal	Interviews Scheduled
Finance	Finance Director Designee	Full Time	Interviews Scheduled
Building	Electrical Inspector	Full Time (AFSCME)	Onboarding
BSD	Public Relations and Marketing Specialist	Part Time	Onboarding

Planning Department

Planning Board

A tentative Planning Board list of scheduled and/or recently completed items is provided below:

1. 685 W. Maple – Kroger/Volta – Design Review request to install electric vehicle charging stations in rear lot (completed June 26, 2024)
2. 139 W. Maple – Field Building – Preliminary Site Plan Review request for four-story addition to rear of existing commercial building (completed June 26, 2024)
3. 33278 Woodward – Ducati Detroit – Request for Special Land Use, Final Site Plan and Design Review for Regulated Use (Motorcycle Sales) (July 10, 2024)
4. Triangle District Mixed-Use Standards – Study Session (July 10, 2024)
5. 245 Townsend – Parkview Townhomes – Request for Final Site Plan and Design Review for new attached single family development (July 22, 2024)
6. The Birmingham Plan 2040 – Prioritization of Key Actions (August 14, 2024)

Ad Hoc Environmental Sustainability Committee (ESC)

The ESC is making the final push to solicit feedback on the goals of the sustainability and climate action plan through a survey on Birmingham Engage ([SUSTANABILITY GOALS](#)). At this time, the survey is planned to close on July 24, 2024. Shortly after, on July 29, 2024, the ESC will be reviewing a 95% draft of the Birmingham Green: Healthy Climate Plan and will determine whether or not it will be released for Phase 3 of the public engagement plan, which is public comment. Should you have any questions about the progress of the project, how to engage, or wish to provide general feedback, please do not hesitate to contact Planning Director Nick Dupuis (ndupuis@bhamgov.org) or City Planner Leah Blizinski (lblizinski@bhamgov.org). Below is a list of the deliverables and activities we are currently engaged in with details on progress and next steps for each

- **Public Engagement Phase 2 (Ongoing)**
 - Close Survey #2 – July 24, 2024
 - Presentation @ NEXT – July 30, 2024 – 1 PM
- **Public Engagement Phase 3**
 - Open Final Draft of the Birmingham for Public Comment – August-September 2024
- **Greenhouse Gas Emissions Inventory (100%)**
 - Publish on City Website – July 2024
- **Sustainability and Climate Action Plan (95%)**

- Conclusion Sections – July 2024
- Glossary/Appendix/Citations – August-September 2024

Historic District Commission & Design Review Board

The Historic Preservation Master Plan will be discussed at the Historic District Commission and Design Review Board meeting on August 7, 2024.

Police Department

Accreditation Approved through 2027

On June 18, 2024, the Police Department Accreditation Team had our final hearing in front of the Michigan Association of Chiefs of Police Accreditation Panel for final approval to renew our accredited status. Accreditation is a progressive and time-proven way of helping law enforcement agencies calculate and improve their overall performance. The foundation of accreditation lies in the adoption of standards containing a clear statement of professional objectives. Upon completion of the hearing the Birmingham Police Department was approved and remains accredited through June of 2027. This accreditation status represents a significant professional achievement and acknowledges the implementation of policies and procedures that are conceptually sound and operationally effective.

Police Department Open House & Bike Rodeo

The community is invited to meet police officers—including Therapy K9 Maple—and learn about their work to keep the community safe at the Birmingham Police Department Open House & Bike Rodeo on Saturday, July 27, 2024 from 10 a.m. to 1 p.m. on Martin Street and Pierce Street near Birmingham City Hall. The open house will take place during the Birmingham Shopping District's Day On The Town retail event.

Birmingham Police Chief Scott Grewe and other officers will welcome community members as they demonstrate a variety of resources their department provides and hand out plenty of swag and ice cream. Attendees will enjoy an evidence technician demonstration, vehicle display, drone demonstration, driving simulator and photo booth with police props. The community will learn about the Adopt a Senior program, Michigan State Police Bomb Squad, Oakland Community Health Network and Comfort Canine/Therapy Dogs.

Attendees will also have an opportunity to operate a pedal cart with intoxication goggles, and the Birmingham Fire Department will demonstrate a simulated vehicle extrication. Birmingham staff members will be available to assist with prescription drug drop off and will hand out free gun safety locks.

Bike Rodeo

Throughout the open house, children of all ages are invited to participate in a bike rodeo featuring a fun and educational bicycle course. Several different stations will teach basic riding and safety techniques. Attendees will learn about City of Birmingham bicycle licenses (for residents) and receive a basic bicycle inspection, helmet fitting, participation certificate and safety equipment. For the safety and enjoyment of all, it is important that all participants bring their own bicycles and helmets.

Learn more at bhamgov.org/policeopenhouse.

Parking Systems Update

Repairs

The City Commission approved the proposed 2024 Chester Garage Repair Project at the June 24 City Commission meeting, however they elected to remove all lighting and painting components from the project as they were deemed to be aesthetic and should be handled separately. The primary project objectives are to address structural, waterproofing, stairwell improvements and stairwell window glazing repairs. Also included are mechanical, electrical, and plumbing system repairs and upgrades. The project is estimated to begin in late July and take twelve to fifteen months to complete.

The City Commission also directed City staff to draft an RFP for Parking Garage Interior Design Services. The intent of the RFP is to hire a qualified firm to provide interior design services for all five City garages. The goal is to make the City's garages nicer, friendlier and more inviting for those who use them. The selected firm will be expected to provide input on new lighting, painting and paint colors, and recommend artistic elements and any additional aesthetic improvements to the garages.

Operations

As part of the transition from SP+ to City control, the Parking Department filled the last two open fulltime maintenance positions. There are currently four fulltime maintenance staff and one fulltime Lead Attendant. These staff members are responsible for the day to day cleaning and upkeep of the five City garages.

Parking Reports

Download the [June 2024 Parking Report](#) to view the following data: total citations issued, average weekly maximum capacity, meter revenue by amount and percentage, monthly passes compared to garage capacity and monthly permits sold.

Future Agenda Items

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



MEMORANDUM

Treasury

DATE: July 10, 2024

TO: Jana L. Ecker, City Manager

FROM: Ryan Katz, Deputy Treasurer
Mark Gerber, Finance Director/Treasurer

SUBJECT: Confirmation of SAD Roll 911 N. Adams Road Resurfacing – Sewer and Water Laterals

INTRODUCTION:

A public hearing of Confirmation of the Special Assessment Roll for the N. Adams Road Resurfacing Program is being held on July 22, 2024. The special assessment will reimburse the City for improvements made. If the City Commission approves the roll, the property owners who benefit from these improvements will be billed for the cost of the improvements.

Comments during the hearing of confirmation are limited to those questions specifically addressing the assessment roll pursuant to Section 94-9 of the City Code.

BACKGROUND:

At the City Commission meeting on July 8, 2024, the City Commission determined the necessity of the N. Adams Road Resurfacing Program and a hearing of Confirmation of the Special Assessment Roll was set for July 22, 2024.

LEGAL REVIEW:

The City Attorney has reviewed the suggested resolution for compliance with City Code. The purpose of this hearing is to review and hear any objections to the Special Assessment Roll. The Special Assessment Roll is a listing of all of the properties to be assessed for improvements. Pursuant to the City Code at section 94-9, whenever a Special Assessment Roll shall be confirmed by the City Commission, it shall be final and conclusive.

FISCAL IMPACT:

If confirmed, the preliminary assessment roll would be \$72,140.38. Once the project is completed and final costs are known, the roll will be adjusted to actual costs as provided by City Code. Property owners have five (5) years to pay the special assessment.

SUSTAINABILITY:

Replacing laterals that do not meet the City's requirements during a construction project will protect the new road from disturbance of either sewer or water lateral replacement. This project will also install a portion of a separate storm sewer that will drain to an existing storm sewer along the west side of N. Adams Road.

DESIGN CONSIDERATIONS:

The previous decision by the City Commission to reduce the road to 3 lanes occurred at the March 4, 2024 City Commission meeting. The feasibility of adding a sidewalk along the west side of the N. Adams Road bridge is currently being researched.

PUBLIC COMMUNICATIONS:

Property owners were notified by mail of the public hearing dates. If the City Commission confirms the Special Assessment Roll, the Treasurer's office will notify the property owners in the Special Assessment District of the confirmation and the lien on their property.

SUMMARY:

The Treasurer's office recommends that the City Commission conduct the hearing of Confirmation of Special Assessment District Roll No. 911 and further to confirm the roll as attached to this report.

ATTACHMENTS:

- Proposed Special Assessment Roll
- Memorandum: Hearing of Necessity for N. Adams Road Resurfacing Program SAD

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution confirming Special Assessment Roll 911 as follows:

WHEREAS, Special Assessment Roll, designated Roll No. 911, has been heretofore prepared for Collection; and

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

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

WHEREAS, the Commission Resolution 07-483-24 provided it would meet this 22nd day of July, 2024 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this July 22, 2024, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 911 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in five (5) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of nine and one half percent (9.50%) on all unpaid installments.

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
19-25-279-017	1001 N ADAMS RD	\$ 857.50	\$ -
19-25-279-018	1013 N ADAMS RD	\$ 857.50	\$ -
19-25-279-019	1025 N ADAMS RD	\$ 857.50	\$ -
19-25-279-020	1037 N ADAMS RD	\$ 857.50	\$ -
19-25-279-021	1049 N ADAMS RD	\$ 857.50	\$ -
19-25-279-022	1051 N ADAMS RD	\$ 857.50	\$ -
19-25-279-023	1063 N ADAMS RD	\$ 857.50	\$ -
19-25-279-024	1075 N ADAMS RD	\$ 857.50	\$ -
19-25-279-025	1087 N ADAMS RD	\$ 857.50	\$ -
19-25-279-026	1099 N ADAMS RD	\$ 857.50	\$ -
20-30-151-001	1100 N ADAMS RD	\$ -	\$ 7,375.00
20-30-151-002	1050 N ADAMS RD	\$ 12,765.00	\$ 7,375.00
20-30-151-007	1109 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-008	1109 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-009	1109 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-010	1109 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-011	1109 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-012	1109 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-013	1109 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-014	1109 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-015	1127 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-016	1127 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-017	1127 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-018	1127 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-019	1127 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-020	1127 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-021	1127 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-022	1127 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-023	1155 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-024	1155 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-025	1155 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-026	1155 DERBY RD APT 7	\$ 49.66	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-027	1155 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-028	1155 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-029	1155 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-030	1155 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-031	850 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-032	850 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-033	850 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-034	850 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-035	850 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-036	850 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-037	850 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-038	850 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-039	868 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-040	868 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-041	868 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-042	868 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-043	868 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-044	868 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-045	868 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-046	868 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-047	1195 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-048	1195 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-049	1195 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-050	1195 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-051	1195 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-052	1195 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-053	1195 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-054	1195 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-055	1225 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-056	1225 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-057	1225 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-058	1225 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-059	1225 DERBY RD APT 1	\$ 49.66	\$ -
20-30-151-060	1225 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-061	1225 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-062	1225 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-063	1245 DERBY RD APT 1	\$ 49.66	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-064	1245 DERBY RD APT 5	\$ 49.66	\$ -
20-30-151-065	1245 DERBY RD APT 2	\$ 49.66	\$ -
20-30-151-066	1245 DERBY RD APT 6	\$ 49.66	\$ -
20-30-151-067	1245 DERBY RD APT 4	\$ 49.66	\$ -
20-30-151-068	1245 DERBY RD APT 8	\$ 49.66	\$ -
20-30-151-069	1245 DERBY RD APT 3	\$ 49.66	\$ -
20-30-151-070	1245 DERBY RD APT 7	\$ 49.66	\$ -
20-30-151-071	880 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-072	880 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-073	880 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-074	880 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-075	880 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-076	880 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-077	880 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-078	880 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-079	898 N ADAMS RD APT 1	\$ 49.66	\$ -
20-30-151-080	898 N ADAMS RD APT 5	\$ 49.66	\$ -
20-30-151-081	898 N ADAMS RD APT 2	\$ 49.66	\$ -
20-30-151-082	898 N ADAMS RD APT 6	\$ 49.66	\$ -
20-30-151-083	898 N ADAMS RD APT 4	\$ 49.66	\$ -
20-30-151-084	898 N ADAMS RD APT 8	\$ 49.66	\$ -
20-30-151-085	898 N ADAMS RD APT 3	\$ 49.66	\$ -
20-30-151-086	898 N ADAMS RD APT 7	\$ 49.66	\$ -
20-30-151-087	946 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-088	946 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-089	946 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-090	946 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-091	946 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-092	946 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-093	946 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-094	946 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-095	928 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-096	928 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-097	928 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-098	928 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-099	928 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-100	928 N ADAMS RD APT 5	\$ 782.38	\$ -

Sidwell Number	Street Address	Water Lateral SAD Assessment	Sewer Lateral SAD Assessment
20-30-151-101	928 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-102	928 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-103	910 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-104	910 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-105	910 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-106	910 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-107	910 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-108	910 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-109	910 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-110	910 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-111	964 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-112	964 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-113	964 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-114	964 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-115	964 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-116	964 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-117	964 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-118	964 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-119	982 N ADAMS RD APT 1	\$ 782.38	\$ -
20-30-151-120	982 N ADAMS RD APT 5	\$ 782.38	\$ -
20-30-151-121	982 N ADAMS RD APT 2	\$ 782.38	\$ -
20-30-151-122	982 N ADAMS RD APT 6	\$ 782.38	\$ -
20-30-151-123	982 N ADAMS RD APT 4	\$ 782.38	\$ -
20-30-151-124	982 N ADAMS RD APT 8	\$ 782.38	\$ -
20-30-151-125	982 N ADAMS RD APT 3	\$ 782.38	\$ -
20-30-151-126	982 N ADAMS RD APT 7	\$ 782.38	\$ -
20-30-151-127	900 N ADAMS RD	\$ 782.38	\$ -

\$57,390.38 \$14,750.00



MEMORANDUM

Engineering Department

DATE: June 28, 2024

TO: Jana L. Ecker, City Manager

FROM: Melissa A. Coatta, City Engineer

SUBJECT: N. Adams Road Resurfacing, Contract #12-24(P)
Hearing of Necessity for Sewer and Water Lateral Special Assessment
District (SAD)

INTRODUCTION:

Some water and sewer laterals will be replaced as part of the upcoming N. Adams Road Resurfacing Program where a new water main will be installed from Mohegan Street to Putney Street, in addition to spot sewer repairs. The City plans to replace private sewer and water laterals that meet "useful life" criteria within the City's right-of-way (ROW) in an effort to protect public investments.

BACKGROUND:

The north end of Adams Road, from south of Madison Street to the northern City limits, will be resurfaced. At the March 3, 2024, City Commission meeting, a resolution was approved to direct the Engineering Department to proceed with the final design of the N. Adams Road Project from Madison Street to the northern City limits to reduce the existing 4 lanes to 3 lanes, and to investigate installing a sidewalk on the west side of Adams Road.

The existing watermain on this portion of N. Adams Road is 12" diameter, and was installed in 1924. The City has experienced several water main breaks on the 12" diameter water main north of Mohegan Street. The plans call for the replacement of this water main with the same size, 12" diameter from Mohegan Street to Putney Street.

In regards to the sewer, the project plans to separate a portion of the combined sewer at the north end of the project and install new storm sewer to connect to an existing storm sewer. There is a portion of the existing sewer in the center of N. Adams Road near Putney that needs open excavation for a spot repair.

In accordance with the current City policy established to protect the public investment being made with capital improvement projects in the public roadway, the following is proposed:

- Replacement of all sewer laterals near the open excavation of sewer repair that are 50 years of age or older, are less than 6" diameter or are constructed of an unsuitable material. All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC or match existing size if larger than 6".
- Replacement of water services in the area of the water main replacement that are 60 years of age or older, are less than one inch in diameter, or are constructed of an unsuitable material. All unsuitable water services will be replaced with a new 1-inch diameter service, or be replaced to match the existing diameter if greater than 1 inch.

LEGAL REVIEW:

Chapter 94 – Special Assessments of the Birmingham City Code outlines the process by which a special assessment is conducted in the City of Birmingham. This project will follow the prescribed City Code procedures. The City Attorney has no objections.

FISCAL IMPACT:

Revenue generated from the water and sewer lateral SAD for the N. Adams Resurfacing project will defray the cost incurred by the City for the construction of these improvements. The property owners pay one hundred percent (100%) of the cost for laterals within the ROW. This cost can be paid back in either a lump sum or over up to a 5-year period with interest. The interest rate will be confirmed at the Confirmation of the Roll Hearing.

SUSTAINABILITY:

Replacing laterals that do not meet the City's requirements during a construction project will protect the new road from disturbance of either sewer or water lateral replacement. This project will also install a portion of a separate storm that will drain to an existing storm sewer along the west side of N. Adams Road.

DESIGN CONSIDERATIONS:

The previous decision by the City Commission to reduce the road to 3 lanes occurred at the March 4, 2024 City Commission meeting. The feasibility of adding a sidewalk along the west side of the N. Adams Road bridge is currently being researched.

PUBLIC COMMUNICATIONS:

The Clerk's Office distributed the notice of Hearing of Necessity. The Engineering Department sent a letter to all property owners explaining the scope of work with the notice. A property owner's meeting will occur closer to the start of construction.

SUMMARY:

The Engineering Department recommends that the City Commission declare the necessity and approve a Special Assessment District for sewer and water laterals as part of the N. Adams Road Resurfacing Program project. Should the Commission approve the Special Assessment District, a public hearing for Confirmation of the Roll should be set for the City Commission meeting on July 22, 2024.

ATTACHMENTS:

- Map of proposed special assessment district of sewer and water lateral replacement
- N. Adams Road utility plans
- Spreadsheet with estimated cost of lateral replacement
- Clerk's confirmation of the public hearing notice

SUGGESTED COMMISSION ACTION:

WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards on N. Adams near the intersection of Putney Street and replacing water services that are 60 years or older or less than 1 inch in diameter on N. Adams Road from Mohegan Street to Putney Street; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that are not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs; and

WHEREAS, The City Commission, after the public hearing, has determined that the N. Adams Road Project, including the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, The City Engineer has determined the boundaries of sewer service lateral and water service laterals located within the limits of the following streets shall be installed as part of the N. Adams Road Project (Contract #12-24(P)):

Sewer Lateral – N. Adams Road - Near the intersection of Putney; and
Water Lateral – N. Adams Road – Mohegan Street to Putney Street

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral service that is 50 years of age or older or constructed of materials that are not acceptable and water service that is 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$250.00 per foot of 8" diameter sewer service pipe, \$115.00 per foot of 1-inch water service pipe, and \$125.00 per foot of 2-inch water service pipe).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll, and is a necessity, and the City Commission directs the City Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation on July 22, 2024, and give notice of same.

Water and/or Sewer Lateral

Sidwell Number	Street Address	Water SAD Costs	Sewer SAD Costs
19-25-279-017	1001 N ADAMS RD	\$857.50	\$0.00
19-25-279-018	1013 N ADAMS RD	\$857.50	\$0.00

19-25-279-019	1025 N ADAMS RD	\$857.50	\$0.00
19-25-279-020	1037 N ADAMS RD	\$857.50	\$0.00
19-25-279-021	1049 N ADAMS RD	\$857.50	\$0.00
19-25-279-022	1051 N ADAMS RD	\$857.50	\$0.00
19-25-279-023	1063 N ADAMS RD	\$857.50	\$0.00
19-25-279-024	1075 N ADAMS RD	\$857.50	\$0.00
19-25-279-025	1087 N ADAMS RD	\$857.50	\$0.00
19-25-279-026	1099 N ADAMS RD	\$857.50	\$0.00
20-30-151-001	1100 N ADAMS RD	\$0.00	\$7,375.00
20-30-151-002	1050 N ADAMS RD	\$12,765.00	\$7,375.00
20-30-151-007	1109 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-008	1109 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-009	1109 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-010	1109 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-011	1109 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-012	1109 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-013	1109 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-014	1109 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-015	1127 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-016	1127 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-017	1127 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-018	1127 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-019	1127 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-020	1127 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-021	1127 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-022	1127 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-023	1155 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-024	1155 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-025	1155 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-026	1155 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-027	1155 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-028	1155 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-029	1155 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-030	1155 DERBY RD APT 6	\$49.66	\$0.00
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20-30-151-032	850 N ADAMS RD APT 5	\$49.66	\$0.00
20-30-151-033	850 N ADAMS RD APT 2	\$49.66	\$0.00
20-30-151-034	850 N ADAMS RD APT 6	\$49.66	\$0.00
20-30-151-035	850 N ADAMS RD APT 4	\$49.66	\$0.00
20-30-151-036	850 N ADAMS RD APT 8	\$49.66	\$0.00
20-30-151-037	850 N ADAMS RD APT 3	\$49.66	\$0.00
20-30-151-038	850 N ADAMS RD APT 7	\$49.66	\$0.00
20-30-151-039	868 N ADAMS RD APT 1	\$49.66	\$0.00
20-30-151-040	868 N ADAMS RD APT 5	\$49.66	\$0.00
20-30-151-041	868 N ADAMS RD APT 2	\$49.66	\$0.00
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20-30-151-043	868 N ADAMS RD APT 4	\$49.66	\$0.00
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20-30-151-054	1195 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-055	1225 DERBY RD APT 4	\$49.66	\$0.00
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20-30-151-127	900 N ADAMS RD	\$782.38	\$0.00

N. Adams Resurfacing Project Area



Properties Within Sewer and Water Lateral SAD

[illegible]

550 **ADJUST** 14" x 10.70" x 13.25" L
CB 556
C8 556
RM 781.38
PR. RM 100.00
10" SW 777.95
10" SW 3 164.00 778.56 (Old stock, 8. aluminum)

WATER MAIN SCHEDULE	
41	MARTIAN 18+25.54 34.25' R 89D 44 782.07' 18+34.41 22.58' R STOP BOX 782.30'
42	MARTIAN 18+00.73 39.16' L GATE VALVE 49 181.06 TYPE E-W 777.68
43	MARTIAN 16+63.01 37.37' GATE VALVE 46 181.81.42
47	MARTIAN 16+12.07 53.78' L GATE VALVE 47

[illegible]

Part of the East 1/2 of
Section 25, T.2N, R.10E and
the West 1/2 of Section 30,
T.2N, R.11E
City of Birmingham,
Oakland County, Michigan

Paving & Utility Plan -
N. Adams Road Sta.
15+00 to 20+00



N788 C04





STORM STRUCTURE SCHEDULE

115	MANTAIN	26°-02.01' 09.53" L	116	AGJUST	28°47.88' 5.12" L
	MM 11.3			MM 196	
	RM 794.06			RM 735.18	
	21° N 772.46			PR, RM 700.00	
	21° S 772.46			12° N 785.77(C)	

[illegible]

CLIENT

 **BIRMINGHAM**
A VALUABLE CITY

Engineering Department
151 Martin Street
Birmingham, MI 48012

PROJECT LOCATION
Part of the East 1/2 of
Section 25, T.2N, R.10E and
the West 1/2 of Section 30,
T.2N, R.11E
City of Birmingham,
Oakland County, Michigan

SHEET
Paving & Utility Plan -
N. Adams Road Sta.



DRAWN BY:
D. McConkey

DESIGNED BY:

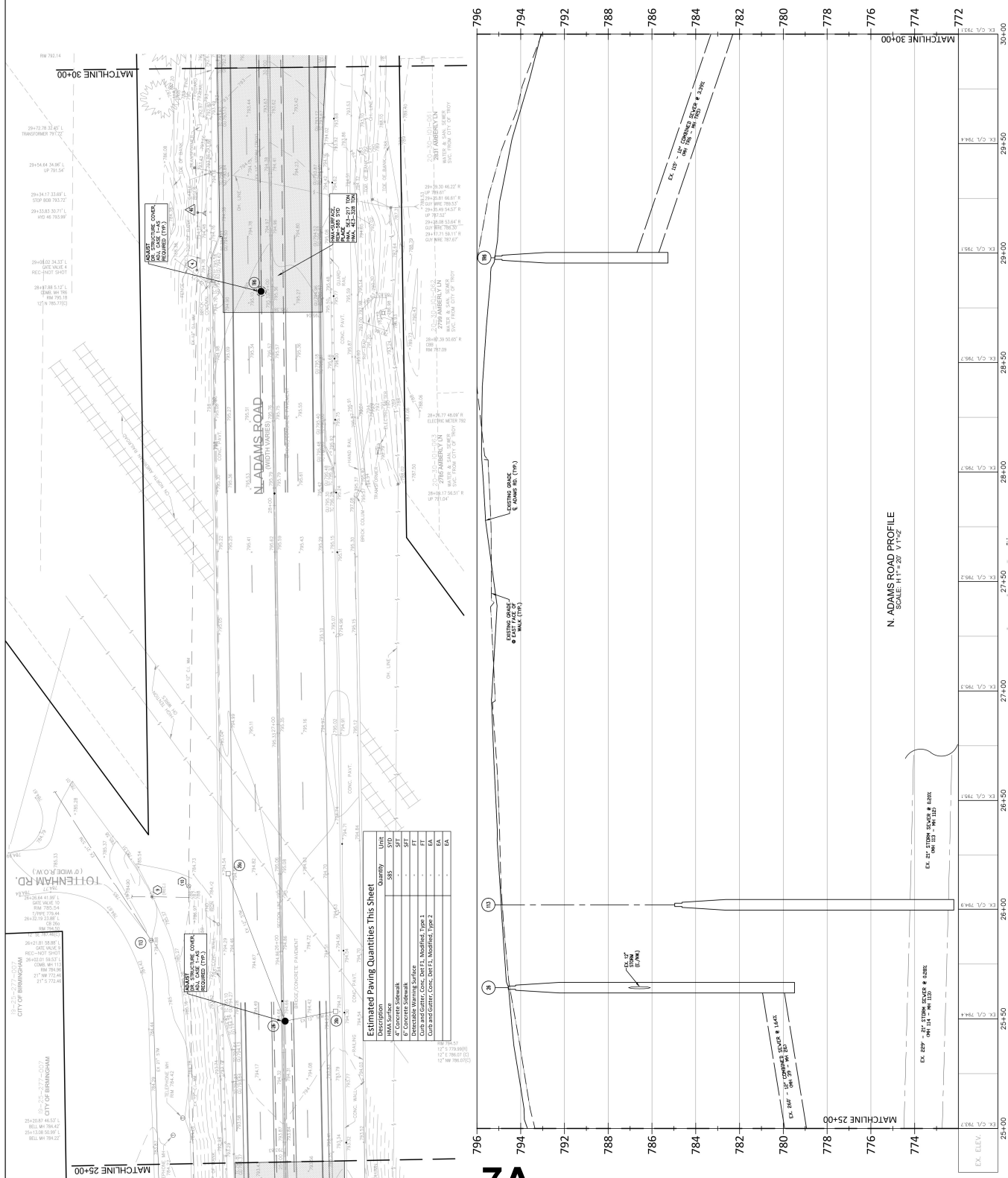
APPROVED BY:
B. Buehlholz

E-MAIL CONTACT:
bbuehlholz@nfe-engr.com

DATE:

SCALE: 1" = 20' / 1" = 2'

N788 C06



7A



SCALE

PROJECT
City of Birmingham
Adams Road Paving Project
Contract #12-24(P)

CLIENT

BIRMINGHAM
A CITY OF ALABAMA
Engineering Department
151 Martin Street
Birmingham, MI 48012

PROJECT LOCATION
Part of the East 1/2 of
Section 25, T.2N, R.10E and
the West 1/2 of Section 36,
T.2N, R.11E
City of Birmingham,
Oakland County, Michigan

NOTES
Paving & Utility Plan -
N Adams Road Sbs.
30'-H-00 to P.O.E.



DATE ISSUED: 04/14/12

DRAWN BY:
D. McConley

DESIGNED BY:

APPROVED BY:
B. Hachibayashi
bhachibayashi@nf-engineers.com

DATE:

SCALE: 1" = 20' / 1" = 2'

SHEET NO. N788

C07

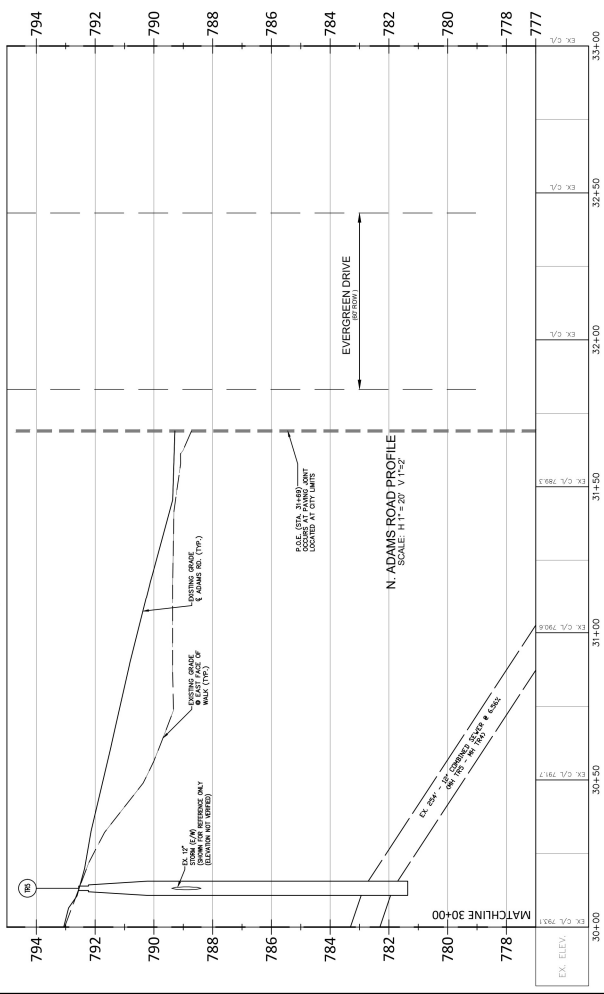
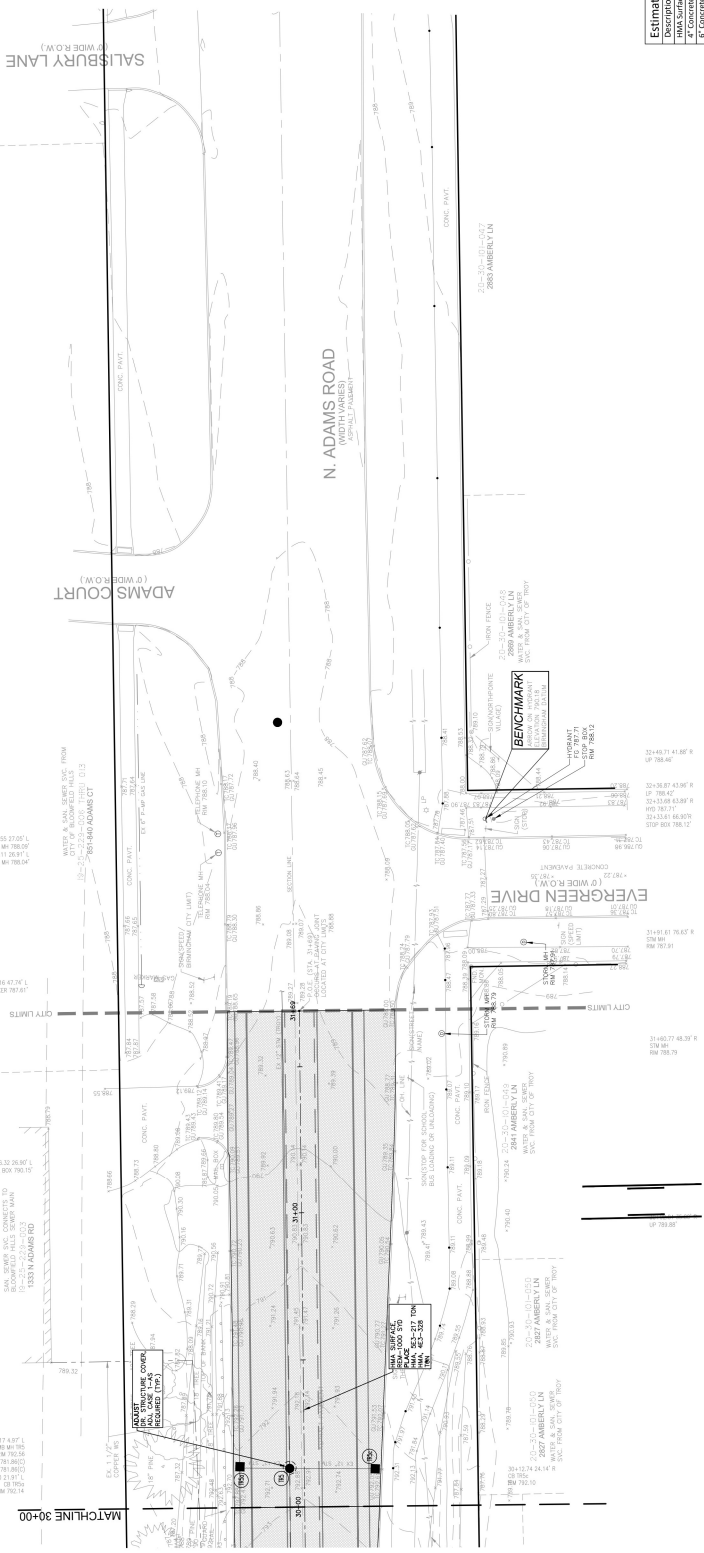
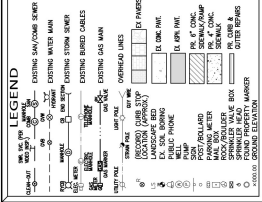
Estimated Paving Quantities This Sheet

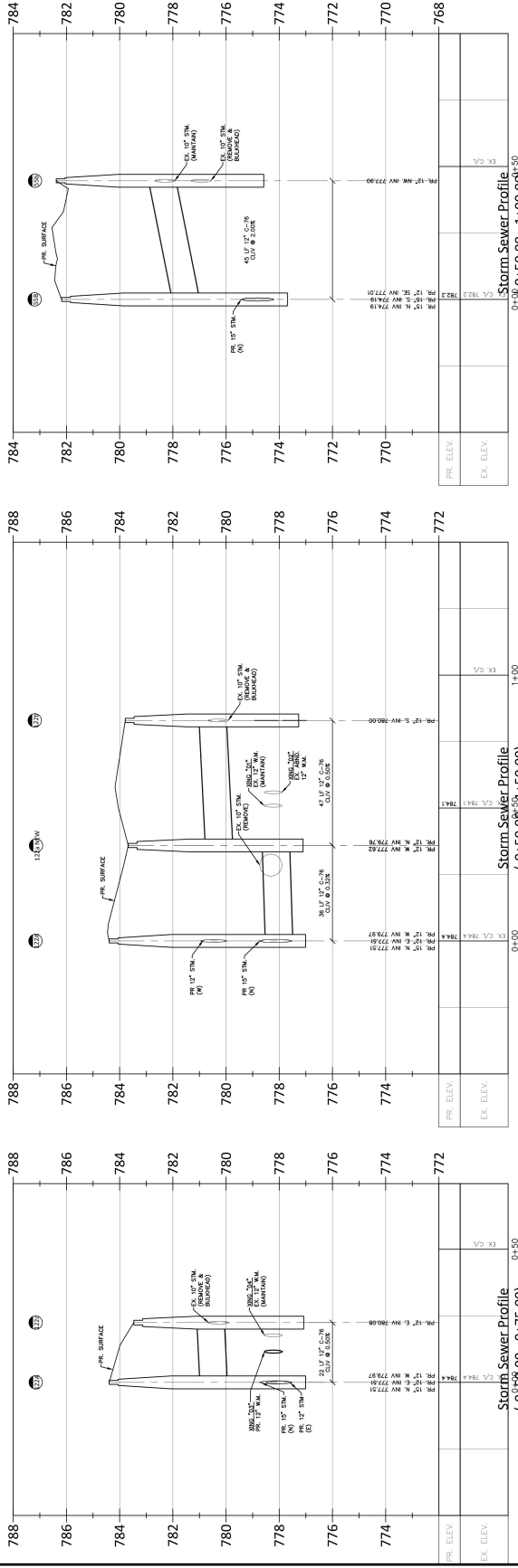
Description	Quantity	Unit
HMA Surface	-	SQYD
Concrete Subbase	-	SQYD
Concrete Base	-	SQYD
Direct Traffic Wearing Surface	-	SQYD
Concrete Subbase	-	SQYD
Concrete Base	-	SQYD
Concrete Subbase	-	SQYD
Concrete Base	-	SQYD
Concrete Subbase	-	SQYD
Concrete Base	-	SQYD

STORM STRUCTURE SCHEDULE

Structure	Material	Quantity	Unit
Storm Manhole	Concrete	1	Each
Storm Inlet	Concrete	1	Each
Storm Pipe	Concrete	1	Each
Storm Box	Concrete	1	Each
Storm Valve	Concrete	1	Each
Storm Manhole	Concrete	1	Each
Storm Inlet	Concrete	1	Each
Storm Pipe	Concrete	1	Each
Storm Box	Concrete	1	Each
Storm Valve	Concrete	1	Each

UTILITY NOTE
THE LOCATION AND ELEVATIONS OF SOME OF THE EXISTING UTILITIES SHOWN ON THIS PLAN WERE OBTAINED FROM A MUNICIPAL UTILITY RECORD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND ELEVATIONS OF ALL UTILITIES PRIOR TO THE START OF CONSTRUCTION.





**N. Adam Resurfacing Project Area
Sewer and Water Lateral Special Assement District**

Sidwell Number	Street Address	Water Lateral Length (ft)	Water SAD Costs	Sewer Lateral Length (ft)	Sewer SAD Costs
19-25-279-017	1001 N ADAMS RD	49	\$857.50	-	\$0.00
19-25-279-018	1013 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-019	1025 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-020	1037 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-021	1049 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-022	1051 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-023	1063 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-024	1075 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-025	1087 N ADAMS RD		\$857.50	-	\$0.00
19-25-279-026	1099 N ADAMS RD		\$857.50	-	\$0.00
20-30-151-001	1100 N ADAMS RD	-	\$0.00	59	\$7,375.00
20-30-151-002	1050 N ADAMS RD	111	\$12,765.00		\$7,375.00
20-30-151-007	1109 DERBY RD APT 4	103	\$49.66	-	\$0.00
20-30-151-008	1109 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-009	1109 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-010	1109 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-011	1109 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-012	1109 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-013	1109 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-014	1109 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-015	1127 DERBY RD APT 4		\$49.66	-	\$0.00
20-30-151-016	1127 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-017	1127 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-018	1127 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-019	1127 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-020	1127 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-021	1127 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-022	1127 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-023	1155 DERBY RD APT 4		\$49.66	-	\$0.00
20-30-151-024	1155 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-025	1155 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-026	1155 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-027	1155 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-028	1155 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-029	1155 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-030	1155 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-031	850 N ADAMS RD APT 1		\$49.66	-	\$0.00
20-30-151-032	850 N ADAMS RD APT 5		\$49.66	-	\$0.00
20-30-151-033	850 N ADAMS RD APT 2		\$49.66	-	\$0.00
20-30-151-034	850 N ADAMS RD APT 6		\$49.66	-	\$0.00
20-30-151-035	850 N ADAMS RD APT 4		\$49.66	-	\$0.00
20-30-151-036	850 N ADAMS RD APT 8		\$49.66	-	\$0.00
20-30-151-037	850 N ADAMS RD APT 3		\$49.66	-	\$0.00
20-30-151-038	850 N ADAMS RD APT 7		\$49.66	-	\$0.00
20-30-151-039	868 N ADAMS RD APT 1		\$49.66	-	\$0.00
20-30-151-040	868 N ADAMS RD APT 5		\$49.66	-	\$0.00
20-30-151-041	868 N ADAMS RD APT 2		\$49.66	-	\$0.00

**N. Adam Resurfacing Project Area
Sewer and Water Lateral Special Assement District**

20-30-151-042	868 N ADAMS RD APT 6		\$49.66	-	\$0.00
20-30-151-043	868 N ADAMS RD APT 4		\$49.66	-	\$0.00
20-30-151-044	868 N ADAMS RD APT 8		\$49.66	-	\$0.00
20-30-151-045	868 N ADAMS RD APT 3		\$49.66	-	\$0.00
20-30-151-046	868 N ADAMS RD APT 7		\$49.66	-	\$0.00
20-30-151-047	1195 DERBY RD APT 4		\$49.66	-	\$0.00
20-30-151-048	1195 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-049	1195 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-050	1195 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-051	1195 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-052	1195 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-053	1195 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-054	1195 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-055	1225 DERBY RD APT 4		\$49.66	-	\$0.00
20-30-151-056	1225 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-057	1225 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-058	1225 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-059	1225 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-060	1225 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-061	1225 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-062	1225 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-063	1245 DERBY RD APT 1		\$49.66	-	\$0.00
20-30-151-064	1245 DERBY RD APT 5		\$49.66	-	\$0.00
20-30-151-065	1245 DERBY RD APT 2		\$49.66	-	\$0.00
20-30-151-066	1245 DERBY RD APT 6		\$49.66	-	\$0.00
20-30-151-067	1245 DERBY RD APT 4		\$49.66	-	\$0.00
20-30-151-068	1245 DERBY RD APT 8		\$49.66	-	\$0.00
20-30-151-069	1245 DERBY RD APT 3		\$49.66	-	\$0.00
20-30-151-070	1245 DERBY RD APT 7		\$49.66	-	\$0.00
20-30-151-071	880 N ADAMS RD APT 1		\$49.66	-	\$0.00
20-30-151-072	880 N ADAMS RD APT 5		\$49.66	-	\$0.00
20-30-151-073	880 N ADAMS RD APT 2		\$49.66	-	\$0.00
20-30-151-074	880 N ADAMS RD APT 6		\$49.66	-	\$0.00
20-30-151-075	880 N ADAMS RD APT 4		\$49.66	-	\$0.00
20-30-151-076	880 N ADAMS RD APT 8		\$49.66	-	\$0.00
20-30-151-077	880 N ADAMS RD APT 3		\$49.66	-	\$0.00
20-30-151-078	880 N ADAMS RD APT 7		\$49.66	-	\$0.00
20-30-151-079	898 N ADAMS RD APT 1		\$49.66	-	\$0.00
20-30-151-080	898 N ADAMS RD APT 5		\$49.66	-	\$0.00
20-30-151-081	898 N ADAMS RD APT 2		\$49.66	-	\$0.00
20-30-151-082	898 N ADAMS RD APT 6		\$49.66	-	\$0.00
20-30-151-083	898 N ADAMS RD APT 4		\$49.66	-	\$0.00
20-30-151-084	898 N ADAMS RD APT 8		\$49.66	-	\$0.00
20-30-151-085	898 N ADAMS RD APT 3		\$49.66	-	\$0.00
20-30-151-086	898 N ADAMS RD APT 7		\$49.66	-	\$0.00
20-30-151-087	946 N ADAMS RD APT 4	103	\$782.38	-	\$0.00
20-30-151-088	946 N ADAMS RD APT 8		\$782.38	-	\$0.00
20-30-151-089	946 N ADAMS RD APT 3		\$782.38	-	\$0.00
20-30-151-090	946 N ADAMS RD APT 7		\$782.38	-	\$0.00
20-30-151-091	946 N ADAMS RD APT 1		\$782.38	-	\$0.00
20-30-151-092	946 N ADAMS RD APT 5		\$782.38	-	\$0.00

**N. Adam Resurfacing Project Area
Sewer and Water Lateral Special Assement District**

20-30-151-093	946 N ADAMS RD APT 2		\$782.38	-	\$0.00
20-30-151-094	946 N ADAMS RD APT 6		\$782.38	-	\$0.00
20-30-151-095	928 N ADAMS RD APT 4		\$782.38	-	\$0.00
20-30-151-096	928 N ADAMS RD APT 8		\$782.38	-	\$0.00
20-30-151-097	928 N ADAMS RD APT 3		\$782.38	-	\$0.00
20-30-151-098	928 N ADAMS RD APT 7		\$782.38	-	\$0.00
20-30-151-099	928 N ADAMS RD APT 1		\$782.38	-	\$0.00
20-30-151-100	928 N ADAMS RD APT 5		\$782.38	-	\$0.00
20-30-151-101	928 N ADAMS RD APT 2		\$782.38	-	\$0.00
20-30-151-102	928 N ADAMS RD APT 6		\$782.38	-	\$0.00
20-30-151-103	910 N ADAMS RD APT 4		\$782.38	-	\$0.00
20-30-151-104	910 N ADAMS RD APT 8		\$782.38	-	\$0.00
20-30-151-105	910 N ADAMS RD APT 3		\$782.38	-	\$0.00
20-30-151-106	910 N ADAMS RD APT 7		\$782.38	-	\$0.00
20-30-151-107	910 N ADAMS RD APT 1		\$782.38	-	\$0.00
20-30-151-108	910 N ADAMS RD APT 5		\$782.38	-	\$0.00
20-30-151-109	910 N ADAMS RD APT 2		\$782.38	-	\$0.00
20-30-151-110	910 N ADAMS RD APT 6		\$782.38	-	\$0.00
20-30-151-111	964 N ADAMS RD APT 1		\$782.38	-	\$0.00
20-30-151-112	964 N ADAMS RD APT 5		\$782.38	-	\$0.00
20-30-151-113	964 N ADAMS RD APT 2		\$782.38	-	\$0.00
20-30-151-114	964 N ADAMS RD APT 6		\$782.38	-	\$0.00
20-30-151-115	964 N ADAMS RD APT 4		\$782.38	-	\$0.00
20-30-151-116	964 N ADAMS RD APT 8		\$782.38	-	\$0.00
20-30-151-117	964 N ADAMS RD APT 3		\$782.38	-	\$0.00
20-30-151-118	964 N ADAMS RD APT 7		\$782.38	-	\$0.00
20-30-151-119	982 N ADAMS RD APT 1		\$782.38	-	\$0.00
20-30-151-120	982 N ADAMS RD APT 5		\$782.38	-	\$0.00
20-30-151-121	982 N ADAMS RD APT 2		\$782.38	-	\$0.00
20-30-151-122	982 N ADAMS RD APT 6		\$782.38	-	\$0.00
20-30-151-123	982 N ADAMS RD APT 4		\$782.38	-	\$0.00
20-30-151-124	982 N ADAMS RD APT 8		\$782.38	-	\$0.00
20-30-151-125	982 N ADAMS RD APT 3		\$782.38	-	\$0.00
20-30-151-126	982 N ADAMS RD APT 7		\$782.38	-	\$0.00
20-30-151-127	900 N ADAMS RD		\$782.38	-	\$0.00



MEMORANDUM

City Clerk's Office

DATE: June 4, 2024

TO: Melissa Coatta, City Engineer

FROM: Alexandria Bingham, City Clerk

SUBJECT: Clerk's Confirmation of Public Hearing Notice: North Adams Resurfacing Project, Contract #12-24 (P): Water & Sewer Laterals Special Assessment District (SAD)

The public hearing notice process has been completed for North Adams Resurfacing Project, Contract #12-24 (P): Water & Sewer Laterals Special Assessment District (SAD). Please see attachments for further confirmation.

Mailing Date: 6/20/2024

Test Mail Return Date: 6/25/2024

Publishing Dates in the Oakland Press: 6/23/2024 & 6/30/2024

Posted in www.bhamgov/publicnotices: 6/20/2024

Attachments:

1. Public Hearing Notice
2. Addresses
3. Mailing Letter
4. Mail Machine Counter Report
5. Proof of publishing for 6/23/2024 & 6/30/2024

NOTICE OF PUBLIC HEARING			
BIRMINGHAM CITY COMMISSION			
PUBLIC HEARING OF NECESSITY & PUBLIC HEARING FOR CONFIRMATION OF THE ROLL			
Meeting Location:	Date,	Time,	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, July 8, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Location:	Date,	Time,	HEARING FOR CONFIRMATION OF THE ROLL Monday, July 22, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	North Adams Road. Below are the affected parcels: 20-30-151-001 1100 N ADAMS RD 20-30-151-002 1050 N ADAMS RD 20-30-151-007 1109 DERBY RD APT 4 20-30-151-008 1109 DERBY RD APT 8 20-30-151-009 1109 DERBY RD APT 3 20-30-151-010 1109 DERBY RD APT 7 20-30-151-011 1109 DERBY RD APT 1 20-30-151-012 1109 DERBY RD APT 5 20-30-151-013 1109 DERBY RD APT 2 20-30-151-014 1109 DERBY RD APT 6 20-30-151-015 1127 DERBY RD APT 4 20-30-151-016 1127 DERBY RD APT 8 20-30-151-017 1127 DERBY RD APT 3 20-30-151-018 1127 DERBY RD APT 7 20-30-151-019 1127 DERBY RD APT 1 20-30-151-020 1127 DERBY RD APT 5 20-30-151-021 1127 DERBY RD APT 2 20-30-151-022 1127 DERBY RD APT 6 20-30-151-023 1155 DERBY RD APT 4 20-30-151-024 1155 DERBY RD APT 8 20-30-151-025 1155 DERBY RD APT 3 20-30-151-026 1155 DERBY RD APT 7 20-30-151-027 1155 DERBY RD APT 1 20-30-151-028 1155 DERBY RD APT 5 20-30-151-029 1155 DERBY RD APT 2 20-30-151-030 1155 DERBY RD APT 6 20-30-151-031 850 N ADAMS RD APT 1 20-30-151-032 850 N ADAMS RD APT 5 20-30-151-033 850 N ADAMS RD APT 2 20-30-151-034 850 N ADAMS RD APT 6 20-30-151-035 850 N ADAMS RD APT 4 20-30-151-036 850 N ADAMS RD APT 8 20-30-151-037 850 N ADAMS RD APT 3 20-30-151-038 850 N ADAMS RD APT 7 20-30-151-039 868 N ADAMS RD APT 1 20-30-151-040 868 N ADAMS RD APT 5 20-30-151-041 868 N ADAMS RD APT 2 20-30-151-042 868 N ADAMS RD APT 6 20-30-151-043 868 N ADAMS RD APT 4 20-30-151-044 868 N ADAMS RD APT 8 20-30-151-045 868 N ADAMS RD APT 3 20-30-151-046 868 N ADAMS RD APT 7 20-30-151-047 1195 DERBY RD APT 4 20-30-151-048 1195 DERBY RD APT 8 20-30-151-049 1195 DERBY RD APT 3 20-30-151-050 1195 DERBY RD APT 7 20-30-151-051 1195 DERBY RD APT 1 20-30-151-052 1195 DERBY RD APT 5 20-30-151-053 1195 DERBY RD APT 2 20-30-151-054 1195 DERBY RD APT 6 20-30-151-083 898 N ADAMS RD APT 4 20-30-151-084 898 N ADAMS RD APT 8 20-30-151-085 898 N ADAMS RD APT 3 20-30-151-086 898 N ADAMS RD APT 7 20-30-151-087 946 N ADAMS RD APT 4 20-30-151-088 946 N ADAMS RD APT 8 20-30-151-089 946 N ADAMS RD APT 3 20-30-151-090 946 N ADAMS RD APT 7 20-30-151-091 946 N ADAMS RD APT 1 20-30-151-092 946 N ADAMS RD APT 5 20-30-151-093 946 N ADAMS RD APT 2 20-30-151-094 946 N ADAMS RD APT 6 20-30-151-095 928 N ADAMS RD APT 4 20-30-151-096 928 N ADAMS RD APT 8 20-30-151-097 928 N ADAMS RD APT 3 20-30-151-098 928 N ADAMS RD APT 7 20-30-151-099 928 N ADAMS RD APT 1 20-30-151-100 928 N ADAMS RD APT 5 20-30-151-101 928 N ADAMS RD APT 2 20-30-151-102 928 N ADAMS RD APT 6 20-30-151-103 910 N ADAMS RD APT 4 20-30-151-104 910 N ADAMS RD APT 8 20-30-151-105 910 N ADAMS RD APT 3 20-30-151-106 910 N ADAMS RD APT 7 20-30-151-107 910 N ADAMS RD APT 1 20-30-151-108 910 N ADAMS RD APT 5 20-30-151-109 910 N ADAMS RD APT 2 20-30-151-110 910 N ADAMS RD APT 6 20-30-151-111 964 N ADAMS RD APT 1 20-30-151-112 964 N ADAMS RD APT 5 20-30-151-113 964 N ADAMS RD APT 2 20-30-151-114 964 N ADAMS RD APT 6 20-30-151-115 964 N ADAMS RD APT 4 20-30-151-116 964 N ADAMS RD APT 8 20-30-151-117 964 N ADAMS RD APT 3 20-30-151-118 964 N ADAMS RD APT 7 20-30-151-119 982 N ADAMS RD APT 1 20-30-151-120 982 N ADAMS RD APT 5 20-30-151-121 982 N ADAMS RD APT 2 20-30-151-122 982 N ADAMS RD APT 6 20-30-151-123 982 N ADAMS RD APT 4 20-30-151-124 982 N ADAMS RD APT 8 20-30-151-125 982 N ADAMS RD APT 3 20-30-151-126 982 N ADAMS RD APT 7 20-30-151-127 900 N ADAMS RD 19-25-279-017 1001 N ADAMS RD 19-25-279-018 1013 N ADAMS RD 19-25-279-019 1025 N ADAMS RD 19-25-279-020 1037 N ADAMS RD 19-25-279-021 1049 N ADAMS RD		

	20-30-151-055 1225 DERBY RD APT 4 20-30-151-056 1225 DERBY RD APT 8 20-30-151-057 1225 DERBY RD APT 3 20-30-151-058 1225 DERBY RD APT 7 20-30-151-059 1225 DERBY RD APT 1 20-30-151-060 1225 DERBY RD APT 5 20-30-151-061 1225 DERBY RD APT 2 20-30-151-062 1225 DERBY RD APT 6 20-30-151-063 1245 DERBY RD APT 1 20-30-151-064 1245 DERBY RD APT 5 20-30-151-065 1245 DERBY RD APT 2 20-30-151-066 1245 DERBY RD APT 6 20-30-151-067 1245 DERBY RD APT 4 20-30-151-068 1245 DERBY RD APT 8 20-30-151-069 1245 DERBY RD APT 3 20-30-151-070 1245 DERBY RD APT 7 20-30-151-071 880 N ADAMS RD APT 1 20-30-151-072 880 N ADAMS RD APT 5 20-30-151-073 880 N ADAMS RD APT 2 20-30-151-074 880 N ADAMS RD APT 6 20-30-151-075 880 N ADAMS RD APT 4 20-30-151-076 880 N ADAMS RD APT 8 20-30-151-077 880 N ADAMS RD APT 3 20-30-151-078 880 N ADAMS RD APT 7 20-30-151-079 898 N ADAMS RD APT 1 20-30-151-080 898 N ADAMS RD APT 5 20-30-151-081 898 N ADAMS RD APT 2 20-30-151-082 898 N ADAMS RD APT 6	19-25-279-022 1051 N ADAMS RD 19-25-279-023 1063 N ADAMS RD 19-25-279-024 1075 N ADAMS RD 19-25-279-025 1087 N ADAMS RD 19-25-279-026 1099 N ADAMS RD 19-25-281-016 1055 WIMBLETON DR 19-25-281-017 1065 WIMBLETON DR 19-25-281-018 1075 WIMBLETON DR 19-25-281-019 1085 WIMBLETON DR 19-25-281-020 901 N ADAMS RD 19-25-281-021 911 N ADAMS 19-25-281-022 921 N ADAMS 19-25-281-023 931 N ADAMS 19-25-281-024 941 N ADAMS UNIT 9 19-25-281-025 951 N ADAMS 19-25-281-026 961 N ADAMS 19-25-281-027 971 N ADAMS 19-25-281-028 1084 ABBEY RD 19-25-281-029 1074 ABBEY RD 19-25-281-030 1064 ABBEY RD 19-25-281-031 1054 ABBEY RD 19-25-282-017 1078 WIMBLETON DR 19-25-282-018 1076 WIMBLETON DR 19-25-282-019 1072 WIMBLETON DR 19-25-282-020 1070 WIMBLETON DR 19-25-282-021 1064 WIMBLETON DR 19-25-282-022 1060 WIMBLETON DR 19-25-282-023 1050 WIMBLETON DR
Nature of Improvement:	This project will include the replacement of the water main and sewer improvements. The City intends to replace private sewer and water laterals meeting certain “useful life” criteria in the right-of-way in an effort to protect the public investments being made with this project.	
City Staff Contact:	Melissa Coatta, City Engineer mcoatta@bhamgov.org , (248)530-1839	
Notice Requirements:	Newspaper Notice and First Class Mail to affected property owners 10 days prior. Publish 6/23/2024 & 6/30/2024	
Approved minutes may be reviewed at:	City Clerk’s Office or www.bhamgov.org/commissionagendas	
Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: https://zoom.us/j/655079760 Meeting ID: 655 079 760		
You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012. The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll. All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed. Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.3405 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.		

Parcel Identification Number	First Owner Name	Postal Address	POSTALCITY	POSTALSTAT	POSTALZIPS	PNUM	Postal City Postal State Postal Zip 5
1925279017	ALLISON GREENE LVNG TRUST	1001 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-017	BIRMINGHAM, MI 48009
1925279018	SHANTHI LAKSHMI SIVANANDHAM	1013 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-018	BIRMINGHAM, MI 48009
1925279019	WALTER PALAMARCHUK	980 WORTHINGTON RD	BIRMINGHAM	MI	48009	08-19-25-279-019	BIRMINGHAM, MI 48009
1925279020	SABAH KEER	1037 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-020	BIRMINGHAM, MI 48009
1925279021	SHARON N MURPHY	1049 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-021	BIRMINGHAM, MI 48009
1925279022	SOMESCOTT REALTY LLC	PO BOX 1628	BIRMINGHAM	MI	48012	08-19-25-279-022	BIRMINGHAM, MI 48012
1925279023	SHARON SUE SPEYER TRUST	1063 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-023	BIRMINGHAM, MI 48009
1925279024	PAMELA A MEEK	1075 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-279-024	BIRMINGHAM, MI 48009
1925279025	HARRY S RADCLIFF JR REVOC TRUST	33 N MAIN ST	CLARKSTON	MI	48346	08-19-25-279-025	CLARKSTON, MI 48346
1925279026	JOEL J REMY	410 EVERNIA ST APT 515	WEST PALM BEACH	FL	33401	08-19-25-279-026	WEST PALM BEACH, FL 33401
1925281016	JOSEPH PARADISO	1055 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-281-016	BIRMINGHAM, MI 48009
1925281017	JOSEPH LEIDER	2820 WOODSLEE DR	ROYAL OAK	MI	48073	08-19-25-281-017	ROYAL OAK, MI 48073
1925281018	AMID HOLDINGS LLC	19091 BEDFORD ST	BEVERLY HILLS	MI	48025	08-19-25-281-018	BEVERLY HILLS, MI 48025
1925281019	RICHARD HEGGIE	1085 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-281-019	BIRMINGHAM, MI 48009
1925281020	DANIEL JEMINI	901 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-281-020	BIRMINGHAM, MI 48009
1925281021	TITAS LAURINAITIS	705 DAVIS AVE	BIRMINGHAM	MI	48009	08-19-25-281-021	BIRMINGHAM, MI 48009
1925281022	THOMAS J DECEMBER	921 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-281-022	BIRMINGHAM, MI 48009
1925281023	FRANK MONAGHAN	1039 N OLD WOODWARD AVE UNIT 5	BIRMINGHAM	MI	48009	08-19-25-281-023	BIRMINGHAM, MI 48009
1925281024	PENSCO TRUST COMPANY	5823 WELLWOOD DR	ROCHESTER	MI	48306	08-19-25-281-024	ROCHESTER, MI 48306
1925281025	MARK FLESZAR	951 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-281-025	BIRMINGHAM, MI 48009
1925281026	AI HOME PROPERTIES LLC	1407 WOODGLEN LN	BLOOMFIELD	MI	48304	08-19-25-281-026	BLOOMFIELD, MI 48304
1925281027	JANET K TALBOYS INTER VIVOS TRUST	971 N ADAMS RD	BIRMINGHAM	MI	48009	08-19-25-281-027	BIRMINGHAM, MI 48009
1925281028	YVONNE CHAN	316 SHELL GATE RD	ALAMEDA	CA	94501	08-19-25-281-028	ALAMEDA, CA 94501
1925281029	KATHLEEN C RAFFERTY	1170 ARDEN LN	BIRMINGHAM	MI	48009	08-19-25-281-029	BIRMINGHAM, MI 48009
1925281030	MONIQUE CLARK	1064 ABBEY RD	BIRMINGHAM	MI	48009	08-19-25-281-030	BIRMINGHAM, MI 48009
1925281031	MAJID PEZHMAN	5598 WHITE HALL CIR	WEST BLOOMFIELD	MI	48323	08-19-25-281-031	WEST BLOOMFIELD, MI 48323
1925282017	CAROLYN NESBITT TRUST	5964 PELICAN BAY BLVD APT 435	NAPLES	FL	34108	08-19-25-282-017	NAPLES, FL 34108
1925282018	JOLENE B SCAVONE LVNG TRUST	1076 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-018	BIRMINGHAM, MI 48009
1925282019	ROBERT BROWN JR	1072 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-019	BIRMINGHAM, MI 48009
1925282020	ROBERT GEENENS	1070 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-020	BIRMINGHAM, MI 48009
1925282021	SANDRA COLDEN	1064 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-021	BIRMINGHAM, MI 48009
1925282022	DEBORAH UNDERWOOD	1060 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-022	BIRMINGHAM, MI 48009
1925282023	LISA BURK	1050 WIMBLETON DR	BIRMINGHAM	MI	48009	08-19-25-282-023	BIRMINGHAM, MI 48009
2030151007	MAHA BANNO	1109 DERBY RD APT 4	BIRMINGHAM	MI	48009	08-20-30-151-007	BIRMINGHAM, MI 48009
2030151008	REGINA EBRURCHE	1109 DERBY RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-008	BIRMINGHAM, MI 48009
2030151009	BARBARA CHAMBERLIN	1109 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-009	BIRMINGHAM, MI 48009
2030151010	PENSO TR CO CUSTODIAN	5823 WELLWOOD DR	ROCHESTER	MI	48306	08-20-30-151-010	ROCHESTER, MI 48306
2030151012	MICHELE CONNER	1109 DERBY RD APT 5	BIRMINGHAM	MI	48009	08-20-30-151-012	BIRMINGHAM, MI 48009
2030151013	SHEILA EVANS	1109 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-013	BIRMINGHAM, MI 48009
2030151014	JAY EDWIN BALASZ	419 MICHIGAN AVE	CHARLEVOIX	MI	49720	08-20-30-151-014	CHARLEVOIX, MI 49720
2030151011	MARY JANE KRIEGER	1109 DERBY RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-011	BIRMINGHAM, MI 48009
2030151015	NAK INVESTMENTS LLC	1127 DERBY RD APT 4	BIRMINGHAM	MI	48009	08-20-30-151-015	BIRMINGHAM, MI 48009
2030151016	OLGA A NOCHTCHIK	1127 DERBY RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-016	BIRMINGHAM, MI 48009
2030151017	WILBUR GALEN GARST JR TRUST	1127 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-017	BIRMINGHAM, MI 48009
2030151018	ACETYLENE LLC	25875 BALSAM RD	FRANKLIN	MI	48025	08-20-30-151-018	FRANKLIN, MI 48025
2030151019	SALLY K HUTWHAITE	1127 DERBY RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-019	BIRMINGHAM, MI 48009
2030151020	LAWRENCE T RYAN	1127 DERBY RD APT 5	BIRMINGHAM	MI	48009	08-20-30-151-020	BIRMINGHAM, MI 48009
2030151021	DOROTHY G JOHNSON TRUST	1127 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-021	BIRMINGHAM, MI 48009
2030151022	CHRISTOPHER DUFF	1127 DERBY RD APT 6	BIRMINGHAM	MI	48009	08-20-30-151-022	BIRMINGHAM, MI 48009
2030151023	MARGARET HAMM	1155 DERBY RD APT 4	BIRMINGHAM	MI	48009	08-20-30-151-023	BIRMINGHAM, MI 48009
2030151024	ODETA MUCAJ	1155 DERBY RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-024	BIRMINGHAM, MI 48009
2030151025	SHARON L MICHAEL	1155 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-025	BIRMINGHAM, MI 48009
2030151026	WILBUR GALEN GARST JR TRUST	1127 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-026	BIRMINGHAM, MI 48009
2030151027	TITAS LAURINAITIS	705 DAVIS AVE	BIRMINGHAM	MI	48009	08-20-30-151-027	BIRMINGHAM, MI 48009
2030151028	WILBUR GALEN GARST JR TRUST	1127 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-028	BIRMINGHAM, MI 48009
2030151029	MARGARITA DAVYDOVA	1155 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-029	BIRMINGHAM, MI 48009
2030151030	SUZANNE TAKLA	7035 CROCKETT RIDGE DR	RICHMOND	TX	77406	08-20-30-151-030	RICHMOND, TX 77406
2030151031	SURINDER CHAUHAN	731 CLARA CT	LAKE OSWEGO	OR	97034	08-20-30-151-031	LAKE OSWEGO, OR 97034
2030151032	MICHELLE A STASYUK	850 N ADAMS RD APT 5	BIRMINGHAM	MI	48009	08-20-30-151-032	BIRMINGHAM, MI 48009
2030151033	CAROLYN J BUTCHER	850 N ADAMS RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-033	BIRMINGHAM, MI 48009
2030151034	LIAM CAPITAL LLC	5859 BRAEMORE DR	CANTON	MI	48187	08-20-30-151-034	CANTON, MI 48187
2030151035	MARK ISAKOV	850 N ADAMS RD APT 4	BIRMINGHAM	MI	48009	08-20-30-151-035	BIRMINGHAM, MI 48009
2030151036	JACLYN ROTH SZILAGYI	850 N ADAMS RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-036	BIRMINGHAM, MI 48009
2030151037	SANDRA JACKSON	850 N ADAMS RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-037	BIRMINGHAM, MI 48009
2030151038	MASOUD POURABRAHIMI	850 N ADAMS RD APT 7	BIRMINGHAM	MI	48009	08-20-30-151-038	BIRMINGHAM, MI 48009
2030151040	FELICIA L CALABRESE	868 N ADAMS RD APT 5	BIRMINGHAM	MI	48009	08-20-30-151-040	BIRMINGHAM, MI 48009
2030151041	JANE SOLOMON DECL OF TRUST	8175 HENDRIE BLVD	HUNTINGTON WOODS	MI	48070	08-20-30-151-041	HUNTINGTON WOODS, MI 48070
2030151042	ALIREZA KAMALI	875 GREENVIEW CT APT 64	ROCHESTER HILLS	MI	48307	08-20-30-151-042	ROCHESTER HILLS, MI 48307
2030151039	JACK BELCHINSKY	1703 WHITEHALL DR UNIT 1C	LONGMONT	CO	80504	08-20-30-151-039	LONGMONT, CO 80504
2030151044	DANA LORRAINE LASKOWSKY BILICKI	3822 QUARTON RD	BLOOMFIELD HILLS	MI	48302	08-20-30-151-044	BLOOMFIELD HILLS, MI 48302
2030151043	LSI HOLDINGS LLC	1120 N GLENHURST DR	BIRMINGHAM	MI	48009	08-20-30-151-043	BIRMINGHAM, MI 48009
2030151045	ABOLGHASEM KAMALI	875 GREENVIEW CT APT 64	ROCHESTER HILLS	MI	48307	08-20-30-151-045	ROCHESTER HILLS, MI 48307
2030151046	ABOLGHASEM KAMALI	875 GREENVIEW CT APT 64	ROCHESTER HILLS	MI	48307	08-20-30-151-046	ROCHESTER HILLS, MI 48307
2030151047	BRIAN HILDEBRAND	1057 PRAGUE ST	SAN FRANCISCO	CA	94112	08-20-30-151-047	SAN FRANCISCO, CA 94112
2030151048	CHRISTOPHER D KAYE	1031 MADISON ST	BIRMINGHAM	MI	48009	08-20-30-151-048	BIRMINGHAM, MI 48009
2030151049	CARLOS ARTUTRO MUNOZ-ARAMBURU	1195 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-049	BIRMINGHAM, MI 48009
2030151050	VASILE BOZINTAN	29206 CHELSEA XING	FARMINGTON HILLS	MI	48331	08-20-30-151-050	FARMINGTON HILLS, MI 48331
2030151051	ANDY CHAPMAN	552 W JEFFERSON ST	PETOSKEY	MI	49770	08-20-30-151-051	PETOSKEY, MI 49770
2030151052	SCOTT HILL	932 HEMLOCK DR	OXFORD	MI	48370	08-20-30-151-052	OXFORD, MI 48370
2030151053	STEPHEN HERSHFELD	1195 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-053	BIRMINGHAM, MI 48009
2030151054	PENSCO TRUST CO	5823 WELLWOOD DR	ROCHESTER	MI	48306	08-20-30-151-054	ROCHESTER, MI 48306
2030151055	AMJAY CAPITAL LLC	2804 ORCHARD LAKE RD STE 203	KEEGO HARBOR	MI	48320	08-20-30-151-055	KEEGO HARBOR, MI 48320
2030151056	SRINIVAS NAMA	1225 DERBY RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-056	BIRMINGHAM, MI 48009
2030151057	KATHY MARSHALL	201 W BIG BEAVER RD STE 1200	TROY	MI	48084	08-20-30-151-057	TROY, MI 48084
2030151058	HORST GRIESSER	520 MANITOU LN	LAKE ORION	MI	48362	08-20-30-151-058	LAKE ORION, MI 48362
2030151059	KATHY MARSHALL	201 W BIG BEAVER RD STE 1200	TROY	MI	48084	08-20-30-151-059	TROY, MI 48084
2030151060	STACIE N NISKAR	1225 DERBY RD APT 5	BIRMINGHAM	MI	48009	08-20-30-151-060	BIRMINGHAM, MI 48009
2030151061	MARY SHEARER	1225 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-061	BIRMINGHAM, MI 48009
2030151062	KENNETH HURTT	PO BOX 285	SOUTHFIELD	MI	48037	08-20-30-151-062	SOUTHFIELD, MI 48037
2030151063	LEON O BRAISTED III	1245 DERBY RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-063	BIRMINGHAM, MI 48009
2030151064	ROBERT FOLIN	4909 SCHAEFER CT	BETTENDORF	IA	52722	08-20-30-151-064	BETTENDORF, IA 52722
2030151065	LEON PAUL BURGMAN	1245 DERBY RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-065	BIRMINGHAM, MI 48009
2030151066	BRENDA G SHUFELT	1245 DERBY RD APT 6	BIRMINGHAM	MI	48009	08-20-30-151-066	BIRMINGHAM, MI 48009
2030151067	ALEXAND L	1911 SHERWOOD GLN	BLOOMFIELD HILLS	MI	48302	08-20-30-151-067	BLOOMFIELD HILLS, MI 48302
2030151068	BRUCE E SMITH	2105 VINSETTA BLVD	ROYAL OAK	MI	48073	08-20-30-151-068	ROYAL OAK, MI 48073
2030151070	MARK A ROBY	1245 DERBY RD APT 7	BIRMINGHAM	MI	48009	08-20-30-151-070	BIRMINGHAM, MI 48009
2030151069	PENSCO TRUST COMPANY, FBO ROBERT G SIRNA IRA	5823 WELLWOOD DR	ROCHESTER	MI	48306	08-20-30-151-069	ROCHESTER, MI 48306
2030151071	STEPHEN T KWASNY TRUST	880 N ADAMS RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-071	BIRMINGHAM, MI 48009
2030151072	LSI HOLDINGS LLC	1120 N GLENHURST DR	BIRMINGHAM	MI	48009	08-20-30-151-072	BIRMINGHAM, MI 48009
2030151073	CHRISTINE KARAZIM	290 CHESTERFIELD RD	BLOOMFIELD HILLS	MI	48304	08-20-30-151-073	BLOOMFIELD HILLS, MI 48304
2030151074	LUIS LOPEZ COZAR	880 N ADAMS RD APT 6	BIRMINGHAM	MI	48009	08-20-30-151-074	BIRMINGHAM, MI 48009
2030151075	VIRGINIA GRAHAM	880 N ADAMS RD APT 4	BIRMINGHAM	MI	48009	08-20-30-151-075	BIRMINGHAM, MI 48009
2030151076	JEFFREY L KNIGHT	880 N ADAMS RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-076	BIRMINGHAM, MI 48009
2030151078	LINDA A BURTON	880 N ADAMS RD APT 7	BIRMINGHAM	MI	48009	08-20-30-151-078	BIRMINGHAM, MI 48009
2030151077	WILBUR GALEN GARST JR TRUST	1127 DERBY RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-077	BIRMINGHAM, MI 48009
2030151079	ANDREA M WALWORTH	898 N ADAMS RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-079	BIRMINGHAM, MI 48009

2030151080	ELAINE H STREIFF	898 N ADAMS RD APT 5	BIRMINGHAM	MI	48009	08-20-30-151-080	BIRMINGHAM, MI 48009
2030151081	LINDA ANN MERLO LLC	PO BOX 1651	BIRMINGHAM	MI	48012	08-20-30-151-081	BIRMINGHAM, MI 48012
2030151082	DAVID MAHAZ	898 N ADAMS RD APT 6	BIRMINGHAM	MI	48009	08-20-30-151-082	BIRMINGHAM, MI 48009
2030151083	ISI HOLDINGS LLC	1120 N GLENHURST DR	BIRMINGHAM	MI	48009	08-20-30-151-083	BIRMINGHAM, MI 48009
2030151084	JERRY BILLITER	1012 BLUE WING CT	VENICE	FL	34293	08-20-30-151-084	VENICE, FL 34293
2030151085	JOHN J O'NEILL	898 N ADAMS RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-085	BIRMINGHAM, MI 48009
2030151086	HINESITE INVESTMENTS LLC	PO BOX 1651	BIRMINGHAM	MI	48012	08-20-30-151-086	BIRMINGHAM, MI 48012
2030151087	KIRK KARAMANIAN	655 OAKLAND AVE	BIRMINGHAM	MI	48009	08-20-30-151-087	BIRMINGHAM, MI 48009
2030151088	BKT VENTURES LLC	1958 BUCKTHORN CT	TROY	MI	48098	08-20-30-151-088	TROY, MI 48098
2030151089	CHRISTOPHER F HINES	PO BOX 1651	BIRMINGHAM	MI	48012	08-20-30-151-089	BIRMINGHAM, MI 48012
2030151090	MERYL GARDYNIK	31746 SHERIDAN DR	BEVERLY HILLS	MI	48025	08-20-30-151-090	BEVERLY HILLS, MI 48025
2030151091	LSI HOLDINGS LLC	1120 N GLENHURST DR	BIRMINGHAM	MI	48009	08-20-30-151-091	BIRMINGHAM, MI 48009
2030151092	ABOLGHASEM KAMALI	875 GREENVIEW CT APT 64	ROCHESTER HILLS	MI	48307	08-20-30-151-092	ROCHESTER HILLS, MI 48307
2030151093	DAVID PEREIRA	946 N ADAMS RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-093	BIRMINGHAM, MI 48009
2030151094	NUBIA PELAEZ-RODRIGUEZ	946 N ADAMS RD APT 6	BIRMINGHAM	MI	48009	08-20-30-151-094	BIRMINGHAM, MI 48009
2030151095	MICHAEL OSTROWSKI	928 N ADAMS RD APT 4	BIRMINGHAM	MI	48009	08-20-30-151-095	BIRMINGHAM, MI 48009
2030151096	NORTH ADAMS LLC	PO BOX 15536	DETROIT	MI	48215	08-20-30-151-096	DETROIT, MI 48215
2030151097	CHRISTOPHER F HINES	PO BOX 1651	BIRMINGHAM	MI	48012	08-20-30-151-097	BIRMINGHAM, MI 48012
2030151098	MARVIN E DRAYTON	928 N ADAMS RD APT 7	BIRMINGHAM	MI	48009	08-20-30-151-098	BIRMINGHAM, MI 48009
2030151099	HELEN CHEN-CAO	928 N ADAMS RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-099	BIRMINGHAM, MI 48009
2030151100	KIRK KARAMANIAN	655 OAKLAND AVE	BIRMINGHAM	MI	48009	08-20-30-151-100	BIRMINGHAM, MI 48009
2030151102	EL KRAS HOLDINGS LLC	2598 BUCKINGHAM AVE	BIRMINGHAM	MI	48009	08-20-30-151-102	BIRMINGHAM, MI 48009
2030151101	FARSHAD ADIB	PO BOX 1854	TROY	MI	48099	08-20-30-151-101	TROY, MI 48099
2030151103	RUDOLPH C VULPE	3498 ERIE DR	ORCHARD LAKE	MI	48324	08-20-30-151-103	ORCHARD LAKE, MI 48324
2030151104	STEPHANIE L SOUKAR	910 N ADAMS RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-104	BIRMINGHAM, MI 48009
2030151105	ENNA CAMPOS-GARCIA	910 N ADAMS RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-105	BIRMINGHAM, MI 48009
2030151106	910 SOUTH ADAMS LLC	4615 STONELEIGH RD	BLOOMFIELD	MI	48302	08-20-30-151-106	BLOOMFIELD, MI 48302
2030151107	SAVANNAH SCHODOWSKI	910 N ADAMS RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-107	BIRMINGHAM, MI 48009
2030151108	VASKA PETROVICH	1000 W GLENGARRY CIR	BLOOMFIELD HILLS	MI	48301	08-20-30-151-108	BLOOMFIELD HILLS, MI 48301
2030151109	DAGNYA IYLA	910 N ADAMS RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-109	BIRMINGHAM, MI 48009
2030151110	DR JOHN MAKRIS	33030 JEFFERSON AVE	SAINT CLAIR SHORES	MI	48082	08-20-30-151-110	SAINT CLAIR SHORES, MI 48082
2030151111	MONICA RAE LITTLE	964 N ADAMS RD APT 1	BIRMINGHAM	MI	48009	08-20-30-151-111	BIRMINGHAM, MI 48009
2030151112	KATHERINE SWARTZ	43728 VINTAGE OAKS DR	STERLING HEIGHTS	MI	48314	08-20-30-151-112	STERLING HEIGHTS, MI 48314
2030151113	JAMES A SIMMONS DECLARATION TRST	964 N ADAMS RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-113	BIRMINGHAM, MI 48009
2030151114	LOUISE MARIE NIZZARDI LLC	PO BOX 1651	BIRMINGHAM	MI	48012	08-20-30-151-114	BIRMINGHAM, MI 48012
2030151115	BETHANY SALTER	16969 BEECHWOOD AVE	BEVERLY HILLS	MI	48025	08-20-30-151-115	BEVERLY HILLS, MI 48025
2030151116	JAMES KELSEY	964 N ADAMS RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-116	BIRMINGHAM, MI 48009
2030151117	ABOLGHASEM KAMALI	875 GREENVIEW CT APT 64	ROCHESTER HILLS	MI	48307	08-20-30-151-117	ROCHESTER HILLS, MI 48307
2030151118	CLAIRE N KONIKOW	964 N ADAMS RD APT 7	BIRMINGHAM	MI	48009	08-20-30-151-118	BIRMINGHAM, MI 48009
2030151119	BESA PROPERTIES LLC	38543 CHELDON ST	CLINTON TWP	MI	48038	08-20-30-151-119	CLINTON TWP, MI 48038
2030151120	BOLTON FAMILY TRUST	1378 FAIRFAX ST	BIRMINGHAM	MI	48009	08-20-30-151-120	BIRMINGHAM, MI 48009
2030151121	CHRISTINE PETTWAY	982 N ADAMS RD APT 2	BIRMINGHAM	MI	48009	08-20-30-151-121	BIRMINGHAM, MI 48009
2030151122	JOSE ANTONIO GARCIA VALDEZ	200 AMYS WALK	AUBURN HILLS	MI	48326	08-20-30-151-122	AUBURN HILLS, MI 48326
2030151123	JOHN MAKRIS	33030 JEFFERSON AVE	SAINT CLAIR SHORES	MI	48082	08-20-30-151-123	SAINT CLAIR SHORES, MI 48082
2030151124	LORI A RHODES	982 N ADAMS RD APT 8	BIRMINGHAM	MI	48009	08-20-30-151-124	BIRMINGHAM, MI 48009
2030151125	ELIE SOUKAR	982 N ADAMS RD APT 3	BIRMINGHAM	MI	48009	08-20-30-151-125	BIRMINGHAM, MI 48009
2030151126	JACQUELINE K ORTWINE	982 N ADAMS RD APT 7	BIRMINGHAM	MI	48009	08-20-30-151-126	BIRMINGHAM, MI 48009
2030151127	ELIZABETH COTE BUTLER	900 N ADAMS RD UNIT 121	BIRMINGHAM	MI	48009	08-20-30-151-127	BIRMINGHAM, MI 48009
2030151001	URBANE ON ADAMS LLC	4031 CROOKS RD	ROYAL OAK	MI	48073	08-20-30-151-001	ROYAL OAK, MI 48073
2030151002	URBANE ON ADAMS LLC	4031 CROOKS RD	ROYAL OAK	MI	48073	08-20-30-151-002	ROYAL OAK, MI 48073



June 17, 2024

TO: parcel #
NAME
ADDRESS
CITY/STATE/ZIP

Re: North Adams Resurfacing Project, Contract #12-24 (P)
Water & Sewer Laterals Special Assessment District (SAD)

To whom it may concern,

The City of Birmingham North Adams Road Resurfacing Project will start in the Summer/Fall of 2024. The project includes resurfacing the pavement from south of Madison Street to the northern City limits, as well as some water main replacement, and sewer improvements.

This project will include the replacement of the water main and sewer improvements. The City intends to replace private sewer and water laterals meeting certain "useful life" criteria in the right-of-way in an effort to protect the public investments being made with this project. This will include the replacement of all sewer laterals that are 50 years of age or older, less than 6 inch diameter, or an unsuitable material. Water services less than the City minimum size of 1 inch diameter, are 60 years of age or older, or an unsuitable material will also be replaced. All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC, and unsuitable water services will be replaced with new 1 inch diameter pipe. The lengths of sewer and/or water laterals replacement will be within the right-of-way. Enclosed is a map of properties included in the Sewer and Water Lateral SAD.

With this letter, you are receiving notifications for two public hearings for the Paving Special Assessment District (SAD):

- The Public Hearing of the Necessity to form a Special Assessment District for the improved road installation meeting the requirements as part of the North Adams Resurfacing Project is **Monday, July 8, 2024**, at the regularly scheduled City Commission meeting at 7:30 p.m. in City Hall at 151 Martin St.
- If necessity is determined at the July 8 hearing, a Public Hearing of Confirmation to confirm the Special Assessment District will follow on **Monday, July 22, 2024**, at the regularly scheduled City Commission meeting at 7:30 p.m. in City Hall at 151 Martin St.

Consistent with previous projects of this nature, it has been the City's policy to assess 100% of the costs of replacing the portion of unsuitable water and sewer laterals within the right-of-way to the property owner.

After the work is completed, an invoice will be generated and sent to the property owner of record for the public improvements. Payment in full will be expected within 30 days of receipt. If you are not in a position to pay off the charge in one payment, it can be broken into as many as 10 annual payments. An annual interest charge on the remaining balance, currently about 9.50 percent, will apply. Official estimates of the water and sewer lateral replacements will be provided at the Hearing of Necessity.

If you have any questions or concerns, please contact the Engineering Office at (248) 530-1850. You will have the opportunity to ask questions and speak directly to the City Commission at the Public Hearing of Necessity and at the Confirmation of the Roll.

Sincerely,



Melissa A. Coatta, P.E.
City Engineer

Funds Report	Available:	\$6,707.99	PBP Account Number:	35884980
	Used:	\$43,052.01	Indicia Number:	0008029208
	Total Pieces:	58947	Meter Number:	8029208
	Control Sum:	\$49,760.00	Meter Name:	
	Resettable Piece Count:	157	Printed:	JUN 20 2024 10:56 AM
	Piece Count Value:	\$100.48		

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Publish: Sunday, June 23, 2024

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Dated: June 17, 2024
Publish: Sunday, June 23, 2024

Publish: Sunday, June 23, 2024

ELECTION 2024

For many voters, the Biden-Trump debate means a tough choice just got tougher

By Calvin Woodward
The Associated Press

WASHINGTON — The sound you might have heard after the presidential debate this past week was of voters falling between a rock and a hard place.

Apart from the sizable and pumped-up universe of Donald Trump's supporters, the debate suddenly crystallized the worries of many Americans, a portion of President Joe Biden's supporters among them, that neither man is fit to lead the nation.

Heading into the first debate of the general election campaign, voters had faced a choice between two strikingly unpopular candidates. They then watched as Trump told a stream of falsehoods with sharpness, vigor and conviction, while Biden struggled mightily to land debating points and even to get through many sentences. It added to doubts about the 81-year-old Democratic president's fitness to be in office for four more years.

Now, the options are even more dispiriting for many Democrats, undecided voters and anti-Trump Republicans. More than a few people came away from watching the debate very conflicted.

Outside a Whole Foods in downtown Denver on Friday, registered Democrat Matthew Toellner tilted his head sideways, mouth agape, in an imitation of his favored candidate, Biden, who was

seen doing that at times on the split screen when Trump was talking Thursday night. "I'm going to vote for Biden," said Toellner, 49, leaning against the wood siding of the grocery store. "Actually, I might not."

A few minutes later, Toellner looked out to the street and rethought again. "I'm going to vote for Biden, I think I'd be a fool not to. But I just hate that I have to."

His appeal to Biden and Democrats: "Please step down, get somebody electable."

On a Detroit park bench, Arabia Simeon was left feeling politically homeless after voting Democratic in the past two presidential elections. "It just feels like we're doomed no matter what," she said.

Trump's disregard for the facts suffused his arguments, though he was rarely challenged on the specifics during the debate. On abortion, for example, one of America's most divisive issues for generations, the former Republican president claimed there is universal agreement that states should decide on the legality of it. There is ferocious argument about that.

But did that matter? The public reaction to the interviews across the country, brought to mind Bill Clinton's post-presidency assessment of what voters want in fraught times: "When people feel uncertain, they're rather



CAROLYN KASTER/
THE ASSOCIATED PRESS

Jocardo Ralston, 47, from Pennsylvania, looks up to a television to watch the presidential debate between President Joe Biden and Republican presidential candidate former President Donald Trump at Tiller's Lounge on Thursday, in Cincinnati.

have someone strong and wrong than weak and right."

The debate unmoved Simeon just as it did Toellner. The 27-year-old owner of a Detroit start-up went into debate night deciding between Biden and an independent candidate, the most prominent of whom is long shot Robert F. Kennedy Jr. Now she's leaning against Biden.

"I think it just kind of validated the feeling that I was having that this election is going to be extremely hectic, and it's no longer the conversation of the lesser of two evils," she said from a park bench on a work break.

"It's more like both of these candidates don't feel like viable options."

Simeon said that as a Black and queer person, "It's really disheartening to know that no matter how far we come as a country, we're still going to factory reset when it comes to president and have to make a choice between two white men."

In large part, Democratic lawmakers in Washington and party officials across the United States closed ranks around Biden despite the panic that gripped many of them from his debate performance. But their remarks were measured, seeming to leave an opening if Biden were to make the extraordinary decision to have Democrats find another nominee.

"It's President Biden's decision what he wants to do with his life," said Sharif Street, chair of the Pennsylvania Democratic Party and a state senator. "So far, he's decided he's our nominee, and I'm with him."

To be sure, plenty of Biden supporters saw nothing to throw them off, as much as they tended to think he blew it.

"Worrisome," Jocardo Ralston of Philadelphia said of Biden's turn on the stage. Yet, Ralston said, "I'm not conflicted, nor do I feel that I am choosing the lesser of two evils. ... Biden is not the ideal choice for many, but he is the only choice for me, without regrets or hesitation."

ELECTION 2024

Jan. 6 shadows the 2024 campaign, but not on the debate stage. That alarms democracy advocates

By Lisa Mascaro
The Associated Press

WASHINGTON — In the first presidential debate, Republican Donald Trump skinned over the Jan. 6, 2021, attack at the Capitol, shifted blame for the violent mob siege and declined repeatedly to state unequivocally that he will accept the results of this year's White House election.

And President Joe Biden, who has said the work of his presidency is to restore the soul of the nation, flubbed and floundered, failing to forcefully confront, contradict and hold Trump, the indicted former president, accountable for the attack on the election — and democracy.

It is an extraordinary moment, or lack of one, that is alarming to democracy advocates, the far-reaching effort to overturn the 2020 election and the subsequent insurrection that defied the Trump presidency fading from view during the opening debate of the general election campaign.

Mississippi Rep. Bennie Thompson, the Democrat who chaired the House's Jan. 6 committee investigation in the last Congress, said it is a deeply unfortunate situation.

"We could have a Jan. 6, 2.0," Thompson said Friday outside the Capitol.

The outcome underscores the choice Americans face this fall as the riot over the 2020 election remains fundamental to the 2024 campaign,

but also obscured by it, despite the four-count federal indictment against Trump for working to overturn the results four years ago in the run-up to the violent siege and despite the convictions of more than 1,000 people in the Capitol attack.

It comes as the Supreme Court is weighing cases involving Jan. 6, including a decision Friday that makes it easier for some rioters to contest their charges and convictions, and another expected Monday on whether Trump can claim immunity in the federal election case.

All told, what seemed politically untenable, as the defeated Trump departed Washington downcast on Biden's inauguration day on Jan. 20, 2021, is now within reach as the president who tried to overturn an election is the Republican Party's presumptive nominee, edging toward an Oval Office return.

"We are four months away from the first presidential election since a violent attack on our Capitol. ... And the man responsible for that — Donald Trump — is currently the leading candidate," said Ian Bassin, executive director of the advocacy group Protect Democracy, which works to counter authoritarianism.

"You'd think that alone would be disqualifying, or at a minimum would be the central focus of the election," he said.

And yet, Bassin said, the topic was "relegated to an

afterthought" in the debate, "and the current president is struggling to press the case on why this issue should be of existential importance."

The forum itself is not necessarily to blame. The moderators pressed the candidates, asking Trump not once, but repeatedly, whether he would commit to not having another Jan. 6 and accepting the results of the election this time.

Trump insisted he had "virtually nothing to do" with the storming of the Capitol on Jan. 6 and tried to shift blame to then-House Speaker Nancy Pelosi, D-Calif., repeating his false claims about the delay in sending in the National Guard.

Biden, whose underwhelm-

ing debate performance of stunted answers and trailing thoughts has sent the Democratic Party into turmoil, struggled to deliver a cohesive response, despite having given high-profile speeches about Jan. 6, including on the first anniversary.

"Look, he encouraged those folks to go up on Capitol Hill," Biden said on the debate stage.

Thompson, whose committee produced a lengthy, 1,000-plus page report on its investigation into Trump's monthslong attempt to overturn the election and the storming of the Capitol, said Biden missed a "golden opportunity" to set the record straight as millions of people watched the debate.

CITY OF ROCHESTER HILLS
2024 SUMMER PROPERTY TAX BILLS HAVE BEEN MAILED

ALL SUMMER TAX BILLS FOR REAL AND PERSONAL PROPERTY LOCATED IN THE CITY OF ROCHESTER HILLS have been mailed to all Rochester Hills property owners. If you have failed to receive a tax bill, please request a duplicate by calling the City Treasurer's Office at 248.656.4675 or in person at the City Treasurer's Office located on the upper level of City Hall, 2024 Summer Taxes are due JULY 1, 2024 and are payable without interest or penalty through Monday, SEPTEMBER 16, 2024 (normally due date is September 14 but the 14th falls on a Saturday this year so due date is extended to 16th). Tax payment must be received by the City Treasurer's Office on or before September 16, 2024; postmark is NOT honored. After September 16, 2024, interest of 1% will be added. An additional 1% is assessed on the first day of each month thereafter. On February 15, 2025 a 3% penalty will be added to the unpaid balance of 2024 summer taxes. Please allow AT LEAST 8 BUSINESS DAYS for delivery of mailed payments. Treasurer has no authority to waive interest or penalty.

Residents may be eligible to defer payment of the 2024 summer tax on their principal residence through February 14, 2025 if their total household income for the 2023 calendar year did not exceed \$40,000 AND they can qualify under one of the following categories:

- 62 YEARS OF AGE OR OLDER, OR THE UNREMARKED SURVIVING SPOUSE OF A PERSON WHO WAS 62 YEARS OF AGE OR OLDER AT THE TIME OF DEATH
- PARAPLEGIC, QUADRUPLEGIC, OR ELIGIBLE VETERAN
- ELIGIBLE SERVICE PERSON, ELIGIBLE VETERAN OR ELIGIBLE WIDOW OR WIDOWER
- BLIND PERSON
- TOTALLY AND PERMANENTLY DISABLED

Applications for 2024 Summer Tax Deferral are available at the City Treasurer's Office or by calling 248.656.4675 and must be filed by September 16, 2024.

- **RECURRING AUTOMATIC BILL PAYMENT** — The City will deduct the full amount of your summer and winter property tax bills from your specified checking or savings account on designated recurring dates. The summer property tax will be deducted on the due date this year, September 16. The winter property tax can be specified to be deducted on either the last business day in December, or the date that is normally February 14. The enrollment form must be completed and submitted at least 14 days prior to the due date of payment date. For secure online enrollment please email payments@rochesterhills.org or print the enrollment form that is available at www.rochesterhills.org/taxinfo which can either be mailed, placed in the City drop box or submitted in person at the Treasury Division counter.
- **ELECTRONIC PROPERTY TAX PAYMENT (SELF-INITIATED):** Checks may be paid electronically using your checking or savings account. There is no charge to you to use this service. Call 1.833.440.2763 or access www.rochesterhills.org/paytaxes
- **CREDIT CARD PROPERTY TAX PAYMENT:** There is a 2.75% fee for this service. Access <http://www.rochesterhills.org/paytaxes> or call 1.833.440.2763. MasterCard, Visa, Discover and AMEX are accepted.

Note: You may check your tax payment status or print a receipt at www.rochesterhills.org/taxlookup

Please include parcel identification number and property address with all communications regarding taxes. We will not be responsible for lost or stolen receipts. If you wish to receive a paid tax receipt, please use the website above to print a statement showing the receipt of payment or call the City Treasurer's Office at 248.656.4675. Please remit payments to City of Rochester Hills, 1000 Rochester Hills Drive, Rochester Hills, MI 48069-3053.

JOSEPH M. SNYDER
CITY OF ROCHESTER HILLS
Dated at Rochester Hills, MI on 30th day of June, 2024.

NOTICE OF MEETING

In accordance with Section 211.523b of the Michigan General Property Tax Law, the City of Rochester Hills, Board of Review will meet Tuesday, July 16, 2024 at 3:00 pm at the City of Rochester Hills Offices, 1000 Rochester Hills Drive, Rochester Hills, Oakland County, Michigan 48069.

The purpose of this meeting is to correct clerical errors or mutual mistakes of fact for 2024 and 2023, review property exemption applications for 2024 and correct the property transfer status 2021 through the 2024 assessment years.

Laurie A Taylor, Director
Department of Assessing
City of Rochester Hills
248-656-4605

6:30-24
POSTED:
City of Rochester Hills Communication Center

SUMMARY
ORDINANCE NO. C-6-2024
OAKLAND COUNTY, MICHIGAN

NOTICE of an Ordinance amending the Farmington Hills Code of Ordinances, Chapter 34, "Zoning," Article 5.0, "Site Standards," Section 5.5, "Signs," to include a new Subsection 3.A.4.i) addressing the area of electronic display areas.

A full copy of the Ordinance is on file in the Clerk's Office for public review between the hours of 8:30am and 4:30pm Monday through Friday.

Section 1: Ordinance Amendment
Section 2: Repealer
Section 3: Savings
Section 4: Severability
Section 5: Effective Date

The provisions of this Ordinance are ordered to take effect twenty-one (21) days after enactment.

CARLY LINDAHL, City Clerk

Section 6: Date and Publication
Publish: Oakland Press 6/30/2024

NOTICE OF PUBLIC HEARING
BIRMINGHAM CITY COMMISSION
PUBLIC HEARING OF NECESSITY & HEARING FOR CONFIRMATION OF THE ROLL

Meeting Date: 10:00 AM
Time, Location: Municipal Building, 151 Martin, Birmingham, MI 48009

Meeting Date: 10:00 AM
Time, Location: Municipal Building, 151 Martin, Birmingham, MI 48009

Project Location: North Adams Road, Below are the affected parcels:

20-30-151-001	1100 N ADAMS RD
20-30-151-002	1090 N ADAMS RD
20-30-151-007	1109 DERBY RD APT 4
20-30-151-008	1109 DERBY RD APT 6
20-30-151-009	1109 DERBY RD APT 3
20-30-151-010	1109 DERBY RD APT 7
20-30-151-011	1109 DERBY RD APT 1
20-30-151-012	1109 DERBY RD APT 5
20-30-151-013	1109 DERBY RD APT 2
20-30-151-014	1109 DERBY RD APT 6
20-30-151-015	1127 DERBY RD APT 4
20-30-151-016	1127 DERBY RD APT 8
20-30-151-017	1127 DERBY RD APT 3
20-30-151-018	1127 DERBY RD APT 7
20-30-151-019	1127 DERBY RD APT 1
20-30-151-020	1127 DERBY RD APT 5
20-30-151-021	1127 DERBY RD APT 2
20-30-151-022	1127 DERBY RD APT 6
20-30-151-023	1155 DERBY RD APT 4
20-30-151-024	1155 DERBY RD APT 8
20-30-151-025	1155 DERBY RD APT 3
20-30-151-026	1155 DERBY RD APT 7
20-30-151-027	1155 DERBY RD APT 1
20-30-151-028	1155 DERBY RD APT 5
20-30-151-029	1155 DERBY RD APT 2
20-30-151-030	1155 DERBY RD APT 6
20-30-151-031	850 NADAMS RD APT 5
20-30-151-032	850 NADAMS RD APT 2
20-30-151-033	850 NADAMS RD APT 6
20-30-151-034	850 NADAMS RD APT 1
20-30-151-035	850 NADAMS RD APT 4
20-30-151-036	850 NADAMS RD APT 8
20-30-151-037	850 NADAMS RD APT 3
20-30-151-038	850 NADAMS RD APT 7
20-30-151-039	868 NADAMS RD APT 1
20-30-151-040	868 NADAMS RD APT 5
20-30-151-041	868 NADAMS RD APT 2
20-30-151-042	868 NADAMS RD APT 6
20-30-151-043	868 NADAMS RD APT 4
20-30-151-044	868 NADAMS RD APT 8
20-30-151-045	868 NADAMS RD APT 3
20-30-151-046	868 NADAMS RD APT 7
20-30-151-047	1195 DERBY RD APT 4
20-30-151-048	1195 DERBY RD APT 8
20-30-151-049	1195 DERBY RD APT 3
20-30-151-050	1195 DERBY RD APT 7
20-30-151-051	1195 DERBY RD APT 1
20-30-151-052	1195 DERBY RD APT 5
20-30-151-053	1195 DERBY RD APT 2
20-30-151-054	1195 DERBY RD APT 6
20-30-151-055	1225 DERBY RD APT 4
20-30-151-056	1225 DERBY RD APT 8
20-30-151-057	1225 DERBY RD APT 3
20-30-151-058	1225 DERBY RD APT 7
20-30-151-059	1225 DERBY RD APT 1
20-30-151-060	1225 DERBY RD APT 5
20-30-151-061	1225 DERBY RD APT 2
20-30-151-062	1225 DERBY RD APT 6
20-30-151-063	1245 DERBY RD APT 1
20-30-151-064	1245 DERBY RD APT 5
20-30-151-065	1245 DERBY RD APT 2
20-30-151-066	1245 DERBY RD APT 6
20-30-151-067	1245 DERBY RD APT 4
20-30-151-068	1245 DERBY RD APT 8
20-30-151-069	1245 DERBY RD APT 3
20-30-151-070	1245 DERBY RD APT 7
20-30-151-071	880 NADAMS RD APT 1
20-30-151-072	880 NADAMS RD APT 5
20-30-151-073	880 NADAMS RD APT 2
20-30-151-074	880 NADAMS RD APT 6
20-30-151-075	880 NADAMS RD APT 4
20-30-151-076	880 NADAMS RD APT 8
20-30-151-077	880 NADAMS RD APT 3
20-30-151-078	880 NADAMS RD APT 7
20-30-151-079	898 NADAMS RD APT 1
20-30-151-080	898 NADAMS RD APT 5
20-30-151-081	898 NADAMS RD APT 2
20-30-151-082	898 NADAMS RD APT 6
20-30-151-083	898 NADAMS RD APT 4
20-30-151-084	898 NADAMS RD APT 8
20-30-151-085	898 NADAMS RD APT 3
20-30-151-086	898 NADAMS RD APT 7
20-30-151-087	946 NADAMS RD APT 1
20-30-151-088	946 NADAMS RD APT 5
20-30-151-089	946 NADAMS RD APT 2
20-30-151-090	946 NADAMS RD APT 6
20-30-151-091	946 NADAMS RD APT 4
20-30-151-092	946 NADAMS RD APT 8
20-30-151-093	946 NADAMS RD APT 3
20-30-151-094	946 NADAMS RD APT 7
20-30-151-095	928 NADAMS RD APT 1
20-30-151-096	928 NADAMS RD APT 5
20-30-151-097	928 NADAMS RD APT 2
20-30-151-098	928 NADAMS RD APT 6
20-30-151-099	928 NADAMS RD APT 4
20-30-151-100	928 NADAMS RD APT 8
20-30-151-101	928 NADAMS RD APT 3
20-30-151-102	928 NADAMS RD APT 7
20-30-151-103	910 NADAMS RD APT 1
20-30-151-104	910 NADAMS RD APT 5
20-30-151-105	910 NADAMS RD APT 2
20-30-151-106	910 NADAMS RD APT 6
20-30-151-107	910 NADAMS RD APT 4
20-30-151-108	910 NADAMS RD APT 8
20-30-151-109	910 NADAMS RD APT 3
20-30-151-110	910 NADAMS RD APT 7
20-30-151-111	964 NADAMS RD APT 1
20-30-151-112	964 NADAMS RD APT 5
20-30-151-113	964 NADAMS RD APT 2
20-30-151-114	964 NADAMS RD APT 6
20-30-151-115	964 NADAMS RD APT 4
20-30-151-116	964 NADAMS RD APT 8
20-30-151-117	964 NADAMS RD APT 3
20-30-151-118	964 NADAMS RD APT 7
20-30-151-119	982 NADAMS RD APT 1
20-30-151-120	982 NADAMS RD APT 5
20-30-151-121	982 NADAMS RD APT 2
20-30-151-122	982 NADAMS RD APT 6
20-30-151-123	982 NADAMS RD APT 4
20-30-151-124	982 NADAMS RD APT 8
20-30-151-125	982 NADAMS RD APT 3
20-30-151-126	982 NADAMS RD APT 7
20-30-151-127	900 NADAMS RD
19-25-279-017	1001 N ADAMS RD
19-25-279-018	1010 N ADAMS RD
19-25-279-019	1025 N ADAMS RD
19-25-279-020	1037 N ADAMS RD
19-25-279-021	1051 N ADAMS RD
19-25-279-022	1051 N ADAMS RD
19-25-279-023	1063 N ADAMS RD
19-25-279-024	1075 N ADAMS RD
19-25-279-025	1087 N ADAMS RD
19-25-279-026	1095 N ADAMS RD
19-25-281-016	1055 WIMBLETON DR
19-25-281-017	1065 WIMBLETON DR
19-25-281-018	1075 WIMBLETON DR
19-25-281-019	1085 WIMBLETON DR
19-25-281-020	901 N ADAMS RD
19-25-281-021	911 N ADAMS RD
19-25-281-022	921 N ADAMS RD
19-25-281-023	931 N ADAMS RD
19-25-281-024	941 N ADAMS UNIT 9
19-25-281-025	951 N ADAMS RD
19-25-281-026	961 N ADAMS RD
19-25-281-027	971 N ADAMS RD
19-25-281-028	1084 ABBEY RD
19-25-281-029	1074 ABBEY RD
19-25-281-030	1064 ABBEY RD
19-25-281-031	1054 ABBEY RD
19-25-282-017	1075 WIMBLETON DR
19-25-282-018	1085 WIMBLETON DR
19-25-282-019	1072 WIMBLETON DR
19-25-282-020	1070 WIMBLETON DR
19-25-282-021	1065 WIMBLETON DR
19-25-282-022	1060 WIMBLETON DR
19-25-282-023	1050 WIMBLETON DR

Nature of Improvement: This project will include the replacement of the water main and sewer improvements. The City intends to replace private sewer and water laterals meeting certain "useful life" criteria in the right-of-way in an effort to protect the public investments being made with this project.

City Staff Contact: Melissa Coats, City Engineer
Contact: mcosco@birmingham.gov, (205) 930-1839

Notice Requirements: Newspaper Notice and First Class Mail to affected property owners 10 days prior, Publish 6/23/2024 & 6/30/2024

Approved minutes may be reviewed at: City Clerk's Office or www.birmingham.gov/commission/agendas

Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012. The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the public hearing held for the purpose of confirming the roll. All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be a lien against the respective owners of the lots or parcels assessed.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.3405 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.



N. Adams Road Project

Hearing of Necessity for Sewer and Water Lateral
Special Assessment District (SAD)

8C

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤ Overview

- Limits of N. Adams Project is Madison Street to northern City limits
- Project includes:
 - New Water Main: Mohegan Street to Putney Street
 - Sewer Improvements: Spot Repair near Putney
- Special Assessment District (SAD) for Sewer and Water Laterals to be paid by the property owner at one hundred percent of the costs.

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤General Construction Information: Water:

- Existing Water: 12" Cast Iron, installed 1924
- Proposed Water: 12" Ductile Iron

Sewer Near Spot Repair:

- Existing Sewer: 12" Clay Pipe, installed 1952
- Proposed Sewer: 12" PVC

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤ General Construction Information:

N. Adams Road Water Main

- Almost 100 years old
- These streets have experienced several watermain breaks north of Mohegan
- After completing a water main break repair, DPS has experienced an immediate additional water main break nearby

N Adams Road Sewer

- A spot sewer repair is required from televising sewer reports

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤ Policy

- City policy: To protect the public investment being made with capital improvement projects in public roadways, as part of the project
 - Water Laterals:
 - Replace all water services that are 60 years of age or older, are less than one inch in diameter, or are constructed of an unsuitable material.
 - All unsuitable water services will be replaced with a new 1" diameter service, or be replaced to match the existing diameter if greater than 1"

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤ Policy

- City policy: To protect the public investment being made with capital improvement projects in public roadways, as part of the project
 - Sewer Laterals:
 - Replacement of all sewer laterals that are 50 years of age or older, are less than 6" diameter, or are constructed of an unsuitable material.
 - All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC or match existing size if larger than 6".

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤SAD:

- Water Lateral: 100% cost of the property owner
- Sewer Lateral : 100% cost of the property owner
- Cost: The cost can be paid back in either a lump sum or over up to a 5-year period with interest. The interest rate will be confirmed at the Confirmation of Roll.

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤SAD:

- Water:
 - \$115 per lineal foot for 1" diameter water service
 - \$125 per lineal foot for 2" diameter water service
- Sewer:
 - \$250 per lineal foot for 8" sewer pipe

N. Adams Road Project Sewer and Water Lateral Special Assessment District



N. Adams Road Project

Sewer and Water Lateral Special Assessment District

PROPERTIES LOCATED IN WATER AND SEWER LATERAL SAD:

Sidwell Number	Street Address	Sidwell Number	Street Address	Sidwell Number	Street Address	Sidwell Number	Street Address
19-25-279-017	1001 N ADAMS RD	20-30-151-014	1109 DERBY RD APT 6	20-30-151-033	850 N ADAMS RD APT 2	20-30-151-052	1195 DERBY RD APT 5
19-25-279-018	1013 N ADAMS RD	20-30-151-015	1127 DERBY RD APT 4	20-30-151-034	850 N ADAMS RD APT 6	20-30-151-053	1195 DERBY RD APT 2
19-25-279-019	1025 N ADAMS RD	20-30-151-016	1127 DERBY RD APT 8	20-30-151-035	850 N ADAMS RD APT 4	20-30-151-054	1195 DERBY RD APT 6
19-25-279-020	1037 N ADAMS RD	20-30-151-017	1127 DERBY RD APT 3	20-30-151-036	850 N ADAMS RD APT 8	20-30-151-055	1225 DERBY RD APT 4
19-25-279-021	1049 N ADAMS RD	20-30-151-018	1127 DERBY RD APT 7	20-30-151-037	850 N ADAMS RD APT 3	20-30-151-056	1225 DERBY RD APT 8
19-25-279-022	1051 N ADAMS RD	20-30-151-019	1127 DERBY RD APT 1	20-30-151-038	850 N ADAMS RD APT 7	20-30-151-057	1225 DERBY RD APT 3
19-25-279-023	1063 N ADAMS RD	20-30-151-020	1127 DERBY RD APT 5	20-30-151-039	868 N ADAMS RD APT 1	20-30-151-058	1225 DERBY RD APT 7
19-25-279-024	1075 N ADAMS RD	20-30-151-021	1127 DERBY RD APT 2	20-30-151-040	868 N ADAMS RD APT 5	20-30-151-059	1225 DERBY RD APT 1
19-25-279-025	1087 N ADAMS RD	20-30-151-022	1127 DERBY RD APT 6	20-30-151-041	868 N ADAMS RD APT 2	20-30-151-060	1225 DERBY RD APT 5
19-25-279-026	1099 N ADAMS RD	20-30-151-023	1155 DERBY RD APT 4	20-30-151-042	868 N ADAMS RD APT 6	20-30-151-061	1225 DERBY RD APT 2
20-30-151-001	1100 N ADAMS RD	20-30-151-024	1155 DERBY RD APT 8	20-30-151-043	868 N ADAMS RD APT 4	20-30-151-062	1225 DERBY RD APT 6
20-30-151-002	1050 N ADAMS RD	20-30-151-025	1155 DERBY RD APT 3	20-30-151-044	868 N ADAMS RD APT 8	20-30-151-063	1245 DERBY RD APT 1
20-30-151-007	1109 DERBY RD APT 4	20-30-151-026	1155 DERBY RD APT 7	20-30-151-045	868 N ADAMS RD APT 3	20-30-151-064	1245 DERBY RD APT 5
20-30-151-008	1109 DERBY RD APT 8	20-30-151-027	1155 DERBY RD APT 1	20-30-151-046	868 N ADAMS RD APT 7	20-30-151-065	1245 DERBY RD APT 2
20-30-151-009	1109 DERBY RD APT 3	20-30-151-028	1155 DERBY RD APT 5	20-30-151-047	1195 DERBY RD APT 4	20-30-151-066	1245 DERBY RD APT 6
20-30-151-010	1109 DERBY RD APT 7	20-30-151-029	1155 DERBY RD APT 2	20-30-151-048	1195 DERBY RD APT 8	20-30-151-067	1245 DERBY RD APT 4
20-30-151-011	1109 DERBY RD APT 1	20-30-151-030	1155 DERBY RD APT 6	20-30-151-049	1195 DERBY RD APT 3	20-30-151-068	1245 DERBY RD APT 8
20-30-151-012	1109 DERBY RD APT 5	20-30-151-031	850 N ADAMS RD APT 1	20-30-151-050	1195 DERBY RD APT 7	20-30-151-069	1245 DERBY RD APT 3
20-30-151-013	1109 DERBY RD APT 2	20-30-151-032	850 N ADAMS RD APT 5	20-30-151-051	1195 DERBY RD APT 1	20-30-151-070	1245 DERBY RD APT 7

N. Adams Road Project

Sewer and Water Lateral Special Assessment District

PROPERTIES LOCATED IN WATER AND SEWER LATERAL SAD:

Sidwell Number	Street Address	Sidwell Number	Street Address	Sidwell Number	Street Address
20-30-151-071	880 N ADAMS RD APT 1	20-30-151-090	946 N ADAMS RD APT 7	20-30-151-109	910 N ADAMS RD APT 2
20-30-151-072	880 N ADAMS RD APT 5	20-30-151-091	946 N ADAMS RD APT 1	20-30-151-110	910 N ADAMS RD APT 6
20-30-151-073	880 N ADAMS RD APT 2	20-30-151-092	946 N ADAMS RD APT 5	20-30-151-111	964 N ADAMS RD APT 1
20-30-151-074	880 N ADAMS RD APT 6	20-30-151-093	946 N ADAMS RD APT 2	20-30-151-112	964 N ADAMS RD APT 5
20-30-151-075	880 N ADAMS RD APT 4	20-30-151-094	946 N ADAMS RD APT 6	20-30-151-113	964 N ADAMS RD APT 2
20-30-151-076	880 N ADAMS RD APT 8	20-30-151-095	928 N ADAMS RD APT 4	20-30-151-114	964 N ADAMS RD APT 6
20-30-151-077	880 N ADAMS RD APT 3	20-30-151-096	928 N ADAMS RD APT 8	20-30-151-115	964 N ADAMS RD APT 4
20-30-151-078	880 N ADAMS RD APT 7	20-30-151-097	928 N ADAMS RD APT 3	20-30-151-116	964 N ADAMS RD APT 8
20-30-151-079	898 N ADAMS RD APT 1	20-30-151-098	928 N ADAMS RD APT 7	20-30-151-117	964 N ADAMS RD APT 3
20-30-151-080	898 N ADAMS RD APT 5	20-30-151-099	928 N ADAMS RD APT 1	20-30-151-118	964 N ADAMS RD APT 7
20-30-151-081	898 N ADAMS RD APT 2	20-30-151-100	928 N ADAMS RD APT 5	20-30-151-119	982 N ADAMS RD APT 1
20-30-151-082	898 N ADAMS RD APT 6	20-30-151-101	928 N ADAMS RD APT 2	20-30-151-120	982 N ADAMS RD APT 5
20-30-151-083	898 N ADAMS RD APT 4	20-30-151-102	928 N ADAMS RD APT 6	20-30-151-121	982 N ADAMS RD APT 2
20-30-151-084	898 N ADAMS RD APT 8	20-30-151-103	910 N ADAMS RD APT 4	20-30-151-122	982 N ADAMS RD APT 6
20-30-151-085	898 N ADAMS RD APT 3	20-30-151-104	910 N ADAMS RD APT 8	20-30-151-123	982 N ADAMS RD APT 4
20-30-151-086	898 N ADAMS RD APT 7	20-30-151-105	910 N ADAMS RD APT 3	20-30-151-124	982 N ADAMS RD APT 8
20-30-151-087	946 N ADAMS RD APT 4	20-30-151-106	910 N ADAMS RD APT 7	20-30-151-125	982 N ADAMS RD APT 3
20-30-151-088	946 N ADAMS RD APT 8	20-30-151-107	910 N ADAMS RD APT 1	20-30-151-126	982 N ADAMS RD APT 7
20-30-151-089	946 N ADAMS RD APT 3	20-30-151-108	910 N ADAMS RD APT 5	20-30-151-127	900 N ADAMS RD

N. Adams Road Project Sewer and Water Lateral Special Assessment District

➤ Summary

- The Engineering Department recommends the City Commission declare necessity and approve the SAD for the N. Adams Road Project for sewer and water laterals
- Should the Commission approve the SAD, a public hearing for confirmation of the roll will be held on July 22, 2024

RECEIVED



June 24th, 2024

To: The City of Birmingham/City Engineer Melissa A. Coatta/City Commission

Re: North Adams Resurfacing Project

Contract #12-24 (P)/Water & Sewer Lateral Special Assessment District (SAD)

To whom it may concern,

I'm writing in response to the letter dated June 18th, 2024, regarding the North Adams Road Resurfacing Project that is slated to start in the Summer/Fall of 2024.

Unfortunately, I will be unable to attend the hearing on July 8th. I feel more notice should have been given and strongly disagree with the timing of the Monday after the 4th of July weekend to have such a meeting, as majority of Birmingham residents will be traveling up north or have other vacation plans. It seems as though in-person attendance will be much lower by having the meeting on this date, and I feel that is wrong, especially when the outcome is likely going to have a potentially large financial impact.

Next, the city hasn't provided ANY *estimated figures* simply noting this will come at the second meeting. As an owner of my condo for 20 years, as well as many of my fellow neighbors who are also long-term owners, all have the same sentiments about this: blindsiding us with this expense along with highly unreasonable payment terms of either full payment within 30 days or an installment plan that carries an exorbitant interest charge is not only poor planning by City Officials, but also just wrong. A project such as this is something that city has probably been aware of for years, and City Officials need to be more forthcoming with the potential costs, thus allowing homeowners to plan and budget accordingly. Furthermore, do you have any verification that the current residential sewer systems aren't working and must be replaced? I feel if the City of Birmingham wants to move forward with such a project, then the City of Birmingham should pay for this *entire project*.

To be clear, I'm 100% resolute with standing against the scope of this project and its related assessment charges for both myself and fellow neighbors. I would like for this letter to service as my official response and included within my property owner records, since I'm unable to attend this meeting with such poor notice. Again, please make note that my official standpoint is being 100% against this project and assessment plan. Lastly, please note that my agent, Gary Laskowsky, will be attending the meeting in my absence and has full approval to speak on my behalf when and if that opportunity is made available.

Respectfully,

Dana Lorraine Laskowsky Bilicki

Owner: 868 N. Adams #8

Birmingham, MI 48009

2030151044

(248) 330-7711



MEMORANDUM

Engineering Department

DATE: July 12, 2024

TO: Jana L. Ecker, City Manager

FROM: Melissa A. Coatta, City Engineer

SUBJECT: Oakland Avenue and Haynes Street Project #7-24 (P)
Hearing of Necessity for Sewer and Water Lateral Special Assessment District (SAD)

INTRODUCTION:

Some water and sewer laterals will be replaced as part of the upcoming Oakland Avenue project from N. Old Woodward to Woodward Ave., with the abandonment of some water main and sewer improvements. The City plans to replace private sewer and water laterals that meet "useful" end of life criteria within the City's right-of-way (ROW) in an effort to protect public investments.

BACKGROUND:

On Oakland Avenue from N. Old Woodward to Woodward Avenue, there are two existing watermain: a 6 inch that was installed in 1924 and a 12 inch watermain that was installed in 1968. In 2006, work was done in the intersections of Oakland Avenue and Ferndale Avenue and Oakland Avenue and Park Street to replace the watermain running north/south to an 8 inch watermain. The proposed plan includes the abandonment of a 6" water main while the existing 12" water main will remain in service.

There will also be sewer improvements on Oakland Avenue. There is an existing 8 inch sanitary sewer that was installed in 1925 and an 8 inch and 12 inch combined sewer. The proposed plan abandons a portion of the 8 inch sanitary sewer, and the 8 inch combined sewer.

No sewer improvements are proposed on Hayes Street since there is no existing water main and the sewer near Haynes was addressed in the South Old Woodward Phase 3 project.

In accordance with the current City policy established to protect the public investment being made with capital improvement projects in the public roadway, the following is proposed:

- Replacement of all sewer laterals near the open excavation of sewer repair that are 50 years of age or older, are less than 6" diameter, or are constructed of an unsuitable material. All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC or match existing size if larger than 6".

- Replacement of water services in the area of the water main replacement that are 60 years of age or older, are less than one inch in diameter or are constructed of an unsuitable material. All unsuitable water services will be replaced with a new 1-inch diameter service, or be replaced to match the existing diameter if greater than 1 inch.

LEGAL REVIEW:

Chapter 94 – Special Assessment of the Birmingham City Code outlines the process by which a special assessment is conducted in the City of Birmingham. This project will follow the prescribed City Code procedures. The City Attorney has no objections.

FISCAL IMPACT:

The property owners pay one hundred percent (100%) of the cost of laterals within the ROW. This cost can be paid back in either a lump sum or over up to a 5-year period with interest. The interest rate will be confirmed at the Confirmation of the Roll Hearing. Revenue generated for the water and sewer laterals SAD will defray the cost incurred by the City for the construction of these improvements.

SUSTAINABILITY:

This will protect the new road from disturbance of either sewer or water lateral replacement in the future if the laterals that do not meet the City's requirements are replaced during construction.

DESIGN CONSIDERATIONS:

At the City Commission meeting of January 8, 2024, a resolution was passed for the proposed designs for Oakland Ave between Woodward Ave and N. Old Woodward Ave with enhanced green space along Oakland Ave, a permanent bus stop loading area, and a permanent bumpout at the northwest corner of N. Old Woodward and Willits St.

PUBLIC COMMUNICATIONS:

The Clerk's Office distributed the notice of Hearing of Necessity along with a letter from the Engineering Department explaining the scope of the work with the notice. A property owner's meeting will occur closer to the start of construction.

SUMMARY:

The Engineering Department recommends that the City Commission declare the necessity and approve a Special Assessment District for sewer and water laterals as part of the Oakland Avenue and Haynes Street Project. Should the Commission approve the Special Assessment District, a public hearing for Confirmation of the Roll should be set for the City Commission meeting on August 12, 2024.

ATTACHMENTS:

- Map of proposed Special Assessment district of sewer and water lateral replacement.
- Oakland Avenue and Haynes Street plans
- Spreadsheet with estimated cost of lateral replacement
- Clerk's confirmation of public hearing notice

SUGGESTED COMMISSION ACTION:

WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards and replacing water services that are 60 years or older or less than 1 inch in diameter on Oakland Avenue from N. Old Woodward to Woodward Avenue; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that is not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that Oakland Avenue and Haynes Street Project, the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of sewer service and water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of sewer service laterals and water service laterals located within the limits of the following streets shall be installed as part of the Oakland Avenue and Haynes Street Project (Contract #7-24(P)):

Oakland Avenue – N. Old Woodward to Woodward Avenue

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral services that are 50 years of age or older or constructed of materials that are not acceptable and water services that are 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$125.00 per foot of 6" diameter sewer service pipe, and \$90.00 per foot of 1-inch water service pipe).

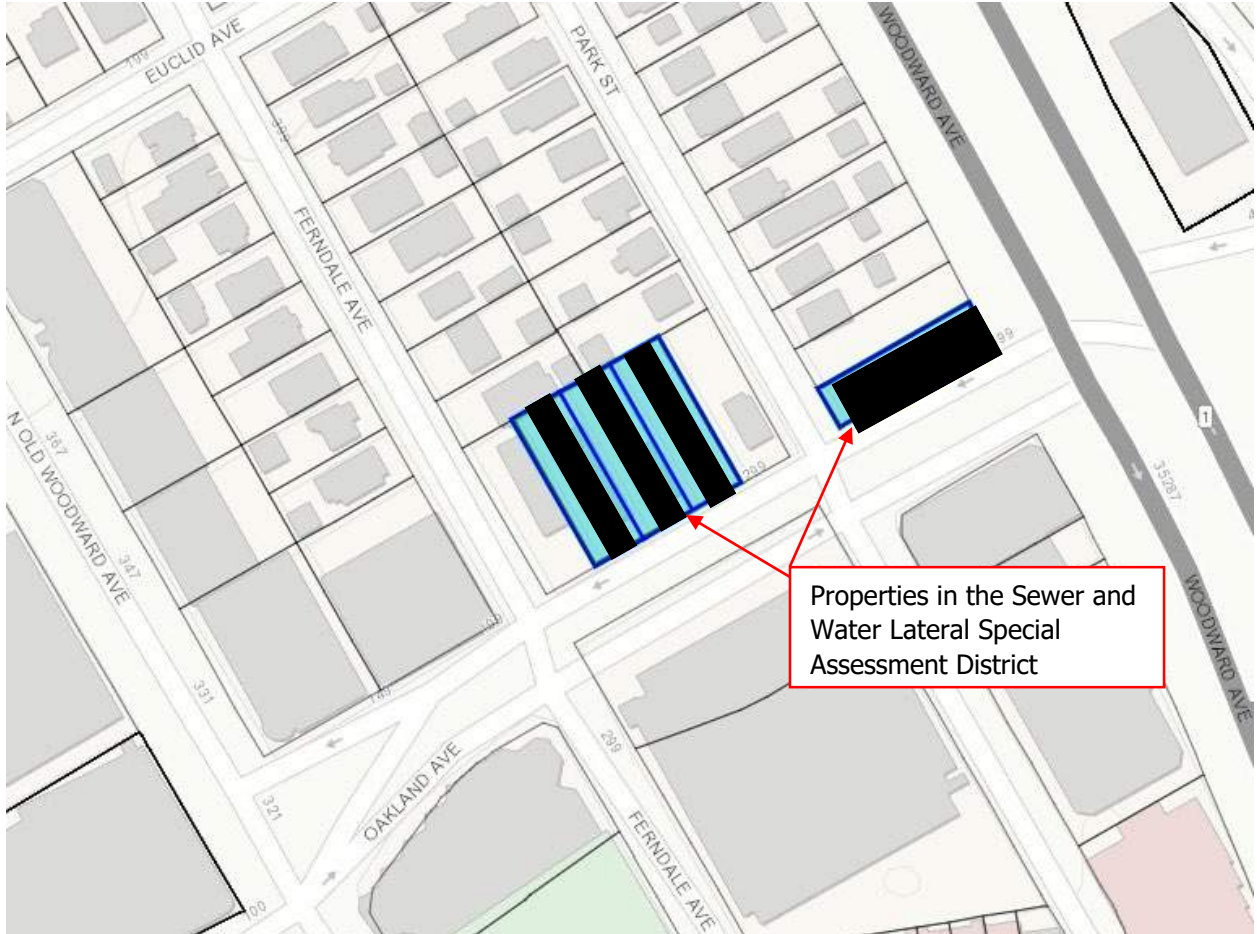
THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation of the Roll on August 12, 2024, and give notice of same.

Water and/or Sewer Lateral

Sidwell Number	Street Address	Water SAD Costs	Sewer SAD Costs
19-25-451-034	400 Park	\$1,125.00	\$0.00
19-25-452-018	247 Oakland	\$2,625.00	\$8,190.00

19-25-452-019	267 Oakland	\$2,625.00	\$7,980.00
19-25-452-026	233 Oakland	\$2,625.00	\$0.00

Oakland Avenue Project Area



BIRMINGHAM

A WALKABLE CITY

ENGINEERING DEPARTMENT OAKLAND AVENUE PAVING PROJECT CONTRACT #7-24(P)

SHEET INDEX

- C00 - Cover Sheet
- C01 - Utility Plan Oakland Ave. Sta. P.O.B To 4+75
- C02 - Utility Plan Oakland Ave. Sta. 4+75 To P.O.E.
- C03 - Paving & Grading Plan Oakland Ave. Sta. P.O.B To 4+75
- C04 - Paving & Grading Plan Oakland Ave. Sta. 4+75 To P.O.E.
- C05 - Paving & Grading Plan Haynes St.
- C06 - Intersection Grading Details 1 Of 2
- C07 - Intersection Grading Details 2 Of 2
- C08 - Advanced Warning Signage & Detour Plan
- C09 - Existing And Proposed Road Cross-Sections
- C10 - Notes And Details (1 Of 3)
- C11 - Notes And Details (2 Of 3)
- C12 - Notes And Details (3 Of 3)
- C13 - Signage Plan
- Q1 - Quantities

CITY OF BIRMINGHAM - WATER MAIN STANDARD DETAILS
CITY OF BIRMINGHAM - SEWER STANDARD DETAILS
CITY OF BIRMINGHAM - REFERENCE SHEET - Oakland Ave. Pocket Park Irrigation Plan

WATER / SEWER SERVICE NOTE

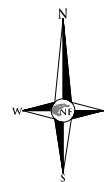
ALL WATER AND SEWER SERVICE LATERAL INFORMATION IS SHOWN PER RECORDS WITHIN THE PUBLIC RIGHT OF WAY. THE CONTRACTOR SHALL COORDINATE WITH CITY FOR ALL PRIVATE-USE WATER AND SEWER LATERAL INFORMATION AS REQUIRED TO CONSTRUCT THE PROJECT (IND.).

UTILITY NOTE

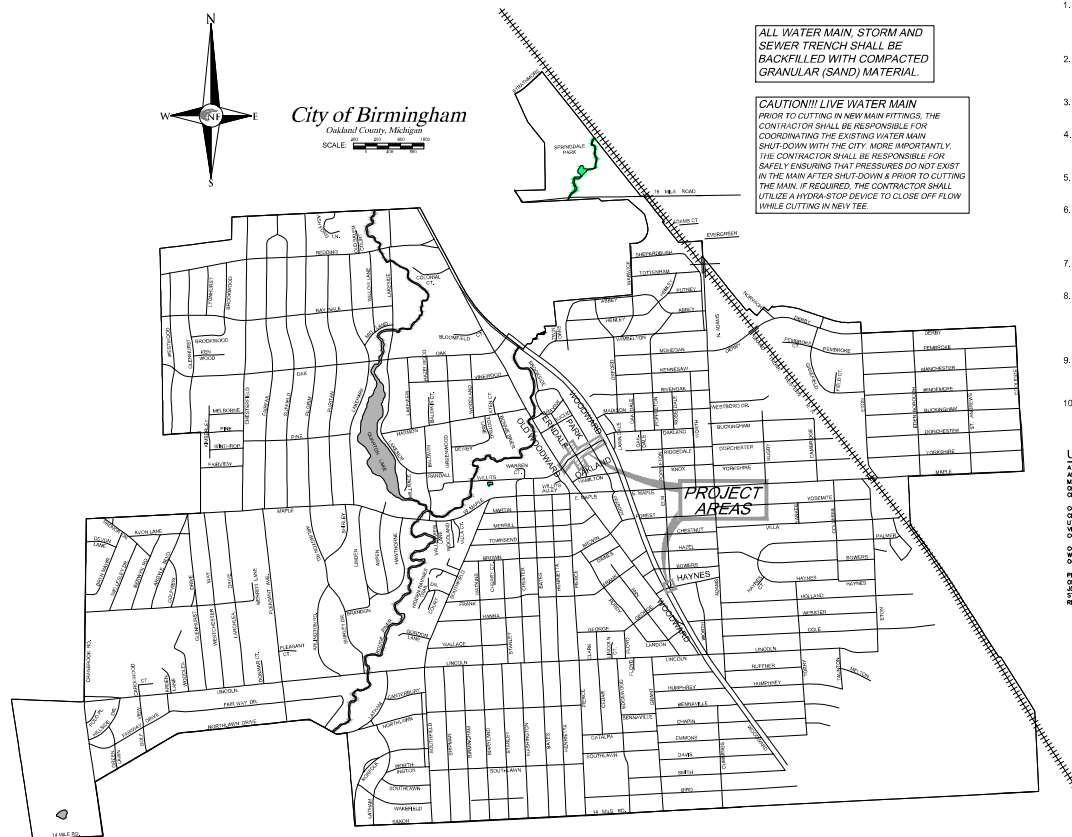
THE LOCATIONS AND ELEVATIONS OF SOME OF THE EXISTING UNDERGROUND UTILITIES AS SHOWN ON THE SURVEY DRAWING WERE OBTAINED FROM MUNICIPAL AND UTILITY COMPANY RECORDS AND MAPS. THEREFORE, NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATION AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.



BENCHMARK NOTE
BENCHMARKS SET AND SHOWN PER SHEET WERE ESTABLISHED OFF OF THE CITY OF BIRMINGHAM BENCHMARK DATUM.



City of Birmingham
Oakland County, Michigan
SCALE: 1" = 40'



ALL WATER MAIN, STORM AND SEWER TRENCH SHALL BE BACKFILLED WITH COMPACTED GRANULAR (SAND) MATERIAL.

CAUTION!!! LIVE WATER MAIN
PRIOR TO CUTTING IN NEW MAIN FITTINGS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE EXISTING WATER MAIN SHUT-DOWN WITH THE CITY. MORE IMPORTANTLY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR SAFELY ENSURING THAT PRESSURES DO NOT EXIST IN THE MAIN AFTER SHUT-DOWN & PRIOR TO CUTTING THE MAIN. IF REQUIRED, THE CONTRACTOR SHALL UTILIZE A HYDRA-STOP DEVICE TO CLOSE OFF FLOW WHILE CUTTING IN NEW TEE.

CONSTRUCTION NOTES

These notes shall apply for all work within this contract:

- The contractor shall notify MSS DIG 1-800-482-7171 at least 3 working days excluding Saturday, Sunday, and Holidays before making any excavations and notify the City of Birmingham Engineering Department a minimum of 24 hours prior to the start of construction (248-630-1850).
- See the City of Birmingham drawings "Sewer Standard Details" and "Water Main Standard Details" for details of manholes, catch basins, inlets, and related sewer and water main work.
- All excavation under or within three feet of pavement, public or private, shall be backfilled and compacted with sand.
- The joints at the edges of all excavations in the pavement shall be sawcut, or pavement will be removed to existing joints, as directed by the Engineer. There is no separate pay item for saw cutting pavements.
- The contractor shall be responsible for damage to existing utilities, pavement, trees, landscaping, gravel, etc., whether located on public or private property.
- Catch basin and inlet castings scheduled for replacement, or new construction shall be EJIW 500024 DI / 5000M4-DI Hinged Assembly unless specified otherwise. Manhole castings shall be EJIW 1000-A cover as noted on the detail sheets and plans, unless otherwise specified.
- Storm, sewer and water main trench shall be backfilled with MDOT Class II sand and properly compacted to 95% of modified proctor density.
- A permit from the Michigan Department of Environment, Great Lakes & Energy (EGLE) is required for all new water main installations. Also, no work shall be allowed on the combined sewer system until appropriate permits have been received by the Michigan Department of Environment, Great Lakes & Energy (EGLE).
- The contractor shall coordinate and cooperate with all other utility companies working in the same area, project related or not, during the same allotted construction period.
- All proposed Public Water Main for this project shall be Pressure Class 52 Ductile Iron Pipe (D.I.P.) in conformance with City of Birmingham specifications, unless otherwise noted.

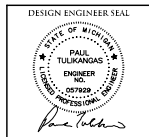
UTILITY CROSSING NOTE

AT LOCATIONS WHERE THERE ARE CROSSINGS WITH EXISTING UTILITIES AND THEIR DEPTHS ARE UNKNOWN, 18" VERTICAL SEPARATION WILL BE MAINTAINED WHICHEVER POSSIBLE. IF THE 18" SEPARATION IS NOT OBTAINABLE, A CONCRETE DISCREMENT WILL BE INSTALLED AT THE CROSSING.

CONTRACTOR SHALL MAINTAIN A MINIMUM OF 18" VERTICAL CLEARANCE AND A MINIMUM OF 10" HORIZONTAL SEPARATION BETWEEN UTILITIES WHERE UTILITY SEPARATION CANNOT BE MAINTAINED. 18" VERTICAL CLEARANCE SHALL BE PROVIDED AND UTILITIES SHALL BE CONSTRUCTED IN SEPARATE TRENCHES.

CONTRACTOR SHALL FIELD VERIFY EXACT DEPTH OF EXISTING PIPE WHERE EXISTING CROSSINGS PROPOSED. CONTACT ENGINEER IF CONFLICT OCCURS.

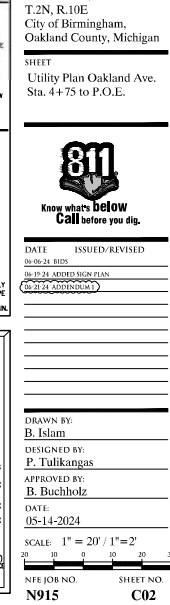
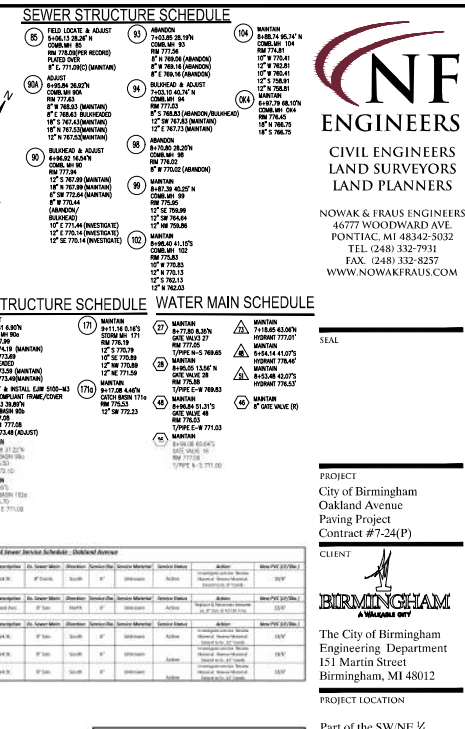
FOR THE 108 STATES STANDARDS, ARTICLE A.B. & D. "AT CROSSINGS, ONE FULL LENGTH OF WATER PIPE (CPI) SHALL BE LOCATED SO BOTH ENDS WILL BE AT LEAST 10' FROM THE STREET AS PROPOSED. STRUCTURAL SUPPORT FOR THE WATER AND SEWER PIPES MAY BE REQUIRED."



APPROVED _____ DATE _____

06-21-24 ADDENDUM 1





PROJECT
City of Birmingham
Oakland Avenue
Paving Project
Contract #7-24(P)
CLIENT

CLIENT



BIRMINGHAM

The City of Birmingham
Engineering Department
151 Martin Street
Birmingham, MI 48012

PROJECT LOCATION

Part of the SW/NE $\frac{1}{4}$
of Section 25/36
T.2N, R.10E
City of Birmingham,
Oakland County, Michigan

SHEET
Paving & Grading Plan
Oakland Ave. Sta. P.O.B
to 4+75



Know what's below
Call before you dig.

DATE	ISSUED/REVISED
06-06-24	BIDS
06-19-24	ADDED SIGN PLAN
06-21-24	ADDENDUM 1

DRAWN BY:
B. Islam

DESIGNED BY:
P. Tulikangas

APPROVED BY:
B. Buchholz

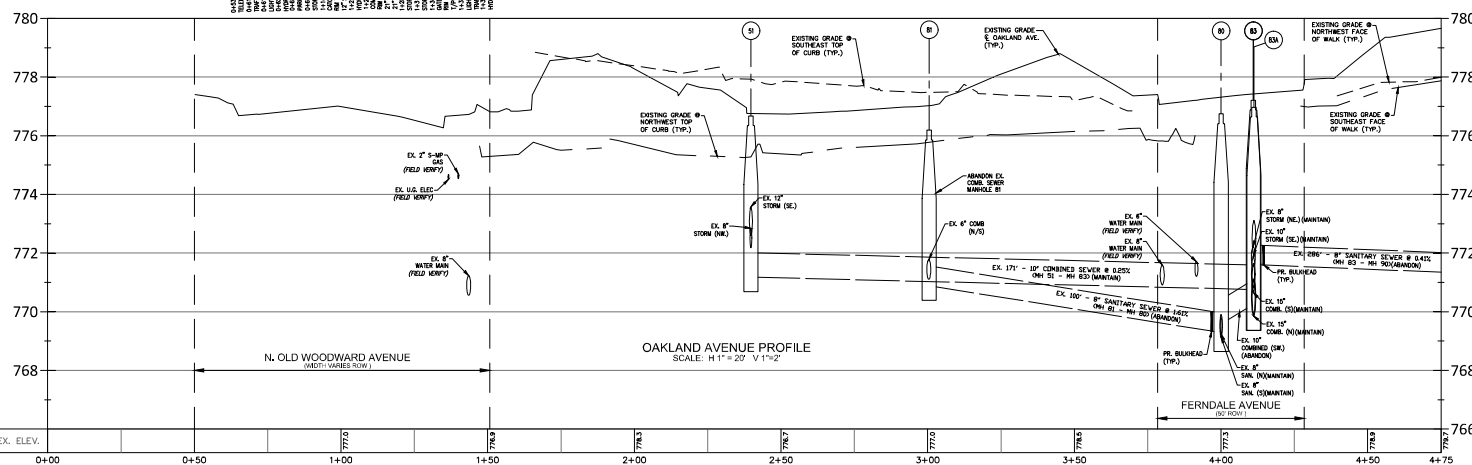
DATE: 05-14-2024

SCALE: 1" =

20 10

NFE JOB NO.
NO15

N915



UTILITY NOTE

THE LOCATIONS AND ELEVATIONS OF SOME OF THE EXISTING UNDERGROUND UTILITIES AS SHOWN ON THE SURVEY DRAWING WERE OBTAINED FROM MUNICIPAL AND UTILITY COMPANY RECORDS AND MAPS. THEREFORE, NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

[illegible]

PROJECT
City of Birmingham
Oakland Avenue
Paving Project
Contract #7-24(P)

The City of Birmingham
Engineering Department
51 Martin Street
Birmingham, MI 48012

Part of the SW/NE ¼
of Section 25/36
T.2N, R.10E
City of Birmingham,
Oakland County, Michigan

HEET
Paving & Grading Plan
Oakland Ave. Sta. 4+75 to
P.O.E.



DATE	ISSUED/REVISED
------	----------------

06-24 BIDS

1-21/24. ADDENDUM I

© 2004 Blackwell Publishing Ltd *Journal of Internal Medicine* 255: 399–407

Drawn by:
Islam

DESIGNED BY:

P. Tulikang

APPROVED BY:

3. Buchholz

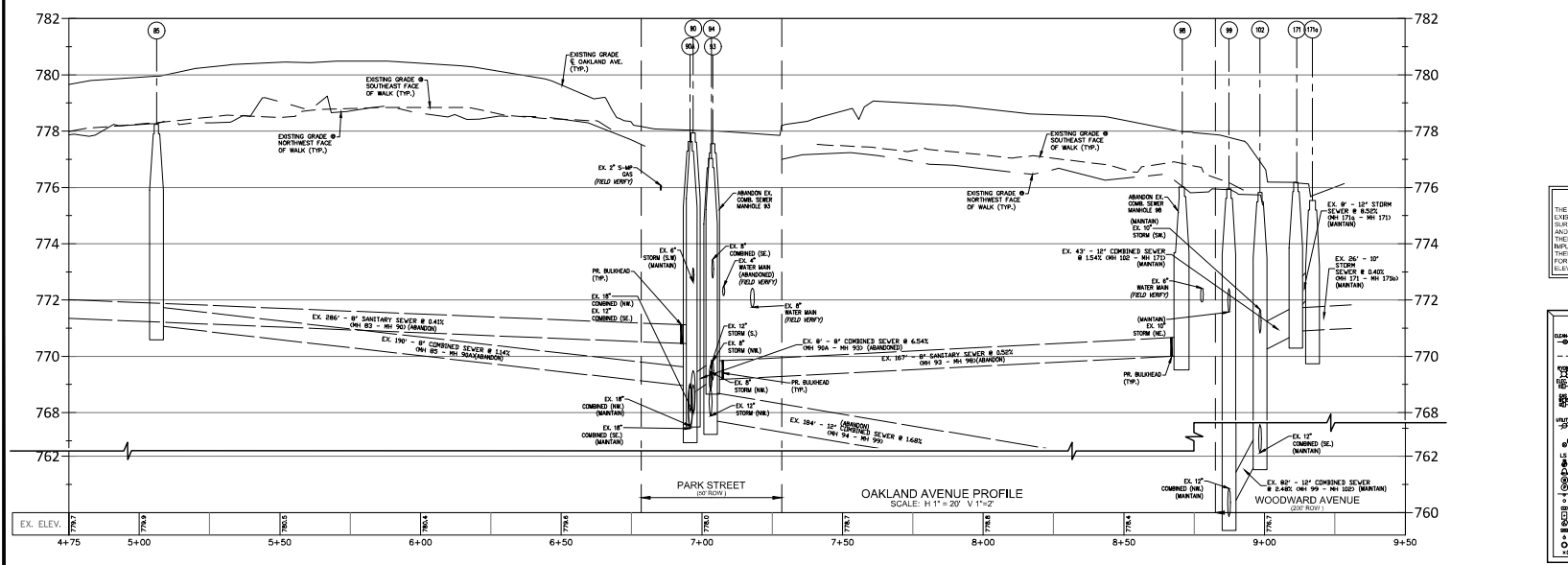
DATE: _____

05-14-2024

SCALE: $1'' = 20'$ / $1'' = 2'$

LIFE JOB NO. SHEET NO.

N915 C04



7B

SEAL

PROJECT
City of Birmingham
Oakland Avenue
Paving Project
Contract #7-24(P)

CLIENT

BIRMINGHAM
A MICHIGAN CITY

The City of Birmingham
Engineering Department
151 Martin Street
Birmingham, MI 48012

PROJECT LOCATION

Part of the SW NE ¼
of Section 25.36
T.2N, R.10E
City of Birmingham,
Oakland County, Michigan

SHEET
Paving & Grading Plan
Haynes St.



DATE ISSUED/REVISED

05-09-24 BIDS

05-12-24 APPROVED WORK PLAN

05-21-24 ADDENDUM 1

DRAWN BY:

B. Islam

DESIGNED BY:

P. Tullkangas

APPROVED BY:

B. Buchholz

DATE:

05-14-2024

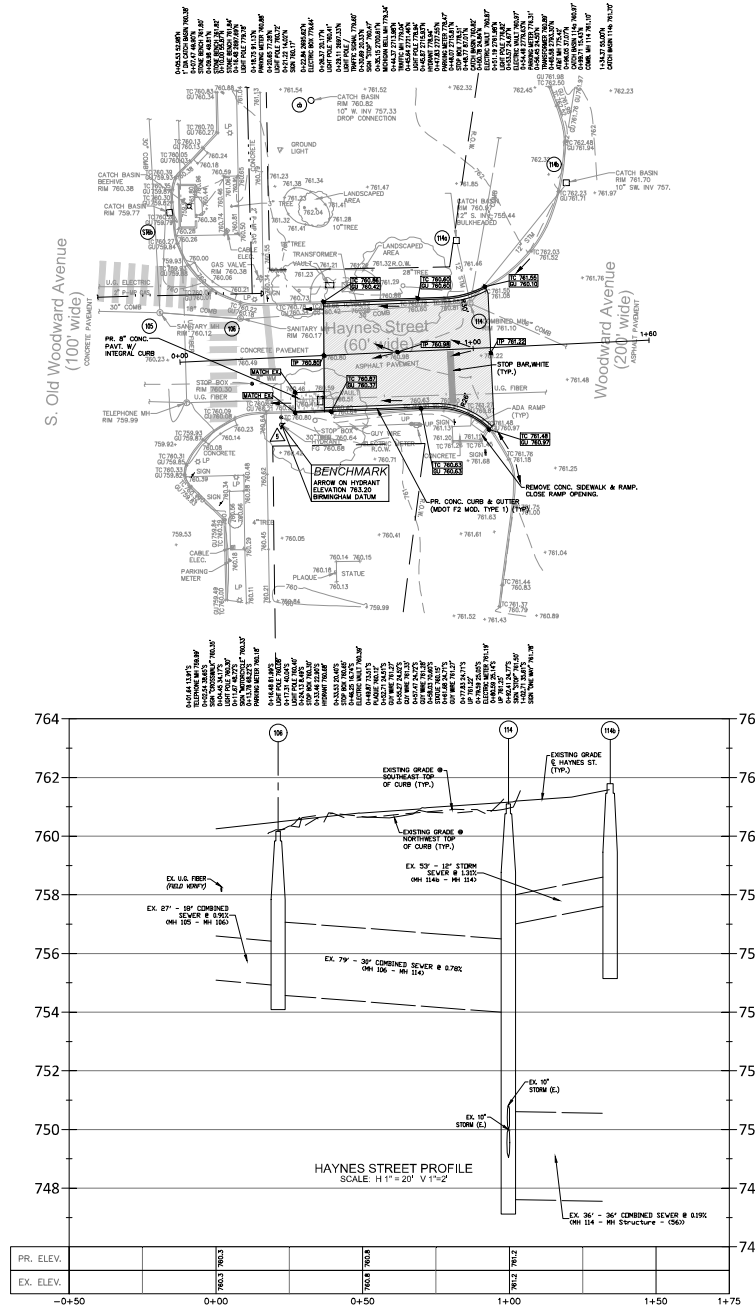
SCALE: 1" = 20' / 1" = 2'

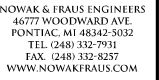
NFE JOB NO.

N915

SHEET NO.

C05





PROJECT
City of Birmingham
Oakland Avenue
Paving Project
Contract #7-24(P)

BIRMINGHAM

The City of Birmingham
Engineering Department
151 Martin Street
Birmingham, MI 48012

Part of the SW/NE ¼
of Section 25/36
T.2N, R.10E
City of Birmingham,
Oakland County, Michigan

SHEET
Intersection Grading
Details 2 of 2

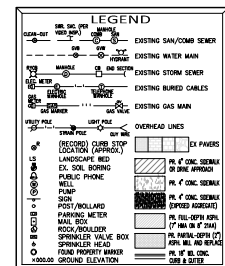


INFE JOB NO.

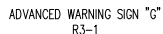
SHEET NO.



Dry Utility Adjustment Schedule						
STA 4+75 to 20+00						
Structure	TAG ID	Station	Offset	Ex. Rim Elevation	Pr. Rim Elevation	Adjustment
Oakland and Park						
Electric MH	76	6+63.95	5.54' S	779.34	N/A	Maintain



CLOSURES



36"x72" ADVANCE WARNING SIGN "A"
BLACK LEGEND ON ORANGE BACKGROUND

36"x72" ADVANCE WARNING SIGN "B"
BLACK LEGEND ON ORANGE BACKGROUND

10" x 30"
ADVANCED WARNING SIGN "I"
BLACK LEGEND ON ORANGE
BACKGROUND

10" x 30"
ADVANCED WARNING SIGN "J"
BLACK LEGEND ON ORANGE
BACKGROUND

30" x 30"
ADVANCED WARNING SIGN "C"
BLACK LEGEND ON ORANGE
BACKGROUND

30" x 30"
ADVANCED WARNING SIGN "D"
BLACK LEGEND ON ORANGE
BACKGROUND

30" x 30"
ADVANCED WARNING SIGN "E"
BLACK LEGEND ON ORANGE
BACKGROUND

ADVANCED WARNING SIGN "F"
 CK LEGEND ON ORANGE BACKGR

- TYPE III BARRICADES
- ADVANCED WARNING SIGN
- EASTBOUND OAKLAND AVE
DETOUR
- WESTBOUND OAKLAND AVE
DETOUR
- CHANNELIZATION DEVICE



NOTES

1. PLACE TRAFFIC CONTROL DEVICES AS SPECIFIED, OR AS OTHERWISE DIRECTED BY THE CITY OF BIRMINGHAM, INCLUDING BUT NOT LIMITED TO, CONE PLACEMENT, FLAG PLACEMENT, AND/OR SIGN PLACEMENT, TO MAINTAIN AN ACCURATE SLOW SUBSECTION DURING PLACEMENT OF SIGNS THROUGH VARIOUS TRAFFIC PATTERNS.

2. ALL SIGNS AND BARRICADING SHALL BE IN ACCORDANCE WITH CURRENT M.U.L.T.I.C.O. AND M.I.O.T. SPECIFICATIONS AND SHALL BE MAINTAINED THROUGHOUT THE PROJECT. ALL SIGNS AND BARRICADING SHALL BE SUBJECT TO THE PLANS TO CONTROL TRAFFIC, LANE SHIFTS, ETC.

3. ALL SIGNS AND BARRICADING SHALL REMAIN IN PLACE UNTIL THE NEW ROAD (OR A PORTION THEREOF) IS READY TO BE OPENED FOR TRAFFIC AS DETERMINED BY THE CITY.

4. MAINTAIN SIDEWALKS AND PISTONS. MAINTAIN FENCING & SIGNAGE AS NEEDED TO ENSURE PEDESTRIAN SAFETY AND PROTECT THE PROJECT. MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES.

5. ERECT, REMOVE, AND/OR INSTALL ALL ADVANCE WARNING, DETOURING, DETOURS AS DIRECTED BY THE CITY.

6. PLACE 2 BARRICADES (LIGHTED) SHALL BE PLACED FOR ALL LANE CLOSURES, AND SHALL INCLUDE A RIT-2 OR RIT-2K. ALL BARRICADES SHALL BE MAINTAINED THROUGHOUT THE PROJECT.

7. ALL SIDEWALK CLOSURES THROUGHOUT CITY LIMITS SHALL HAVE TWO BARRICADES AND INCLUDE ONE SIDEWALK CONE. ALL SIDEWALK CLOSURES ARE REQUIRED WITHIN M.I.O.T. RIGHT-OF-WAY ON WOODWARD AVENUE (E-15). TWO BARRICADES SHALL BE USED.

8. LOCAL RESIDENT TRAFFIC (TWO-WAY) SHALL TYPICALLY BE MAINTAINED DURING CONSTRUCTION.

9. CONTRACTOR SHALL PROVIDE ADDITIONAL ADVANCE WARNING SIGNAGE TO INDICATE WHEN FULL-LANE CLOSURES ARE REQUIRED. SUGGESTED ADVANCE WARNING SIGNAGE: (1) "ROAD AHEAD CLOSED - 1/2 MILE" SIGN AT 1/2 MILE FROM CLOSURE; (2) "ROAD AHEAD CLOSED - 1/4 MILE" SIGN AT 1/4 MILE FROM CLOSURE.

10. CONTRACTOR SHALL PROVIDE FLAG PERSONS, AS REQUIRED, THROUGHOUT DURATION OF PROJECT.

SE

BIRMINGHAM

PROJECT LOCATION

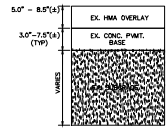
SHEET
Advanced Warning
Signage & Detour Plan

DATE	ISSUED/REVISED
06-06-24	BIDS
06-19-24	ADDED SIGN PLAN
06-24-24	ADDITIONAL

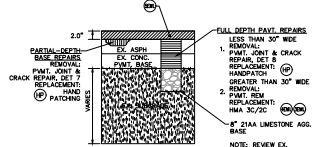
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NEE JOB NO.
N915

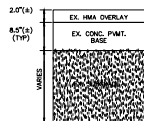
SHEET NO.
C08



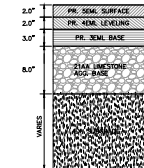
EXISTING PAVEMENT
CROSS-SECTION
(OAKLAND AVE.
1+35 - 8+92)



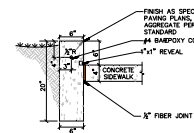
PROPOSED PAVEMENT
CROSS-SECTION
(OAKLAND AVE.
1+35 - 8+92)



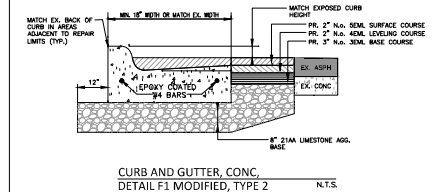
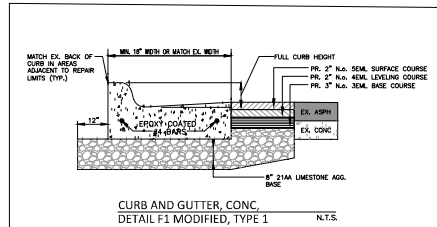
EXISTING PAVEMENT
CROSS-SECTION
(HAYNES STREET)



PROPOSED PAVEMENT
CROSS-SECTION
(HAYNES STREET)



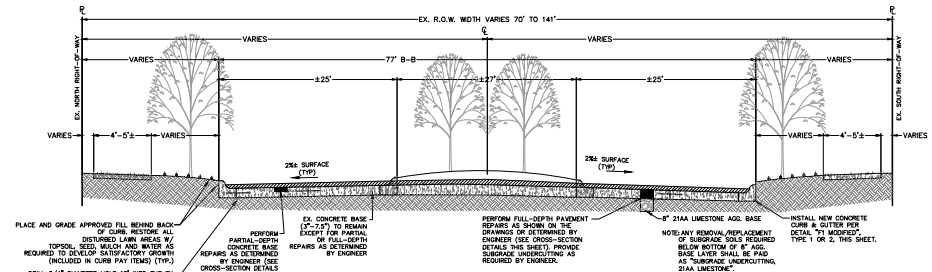
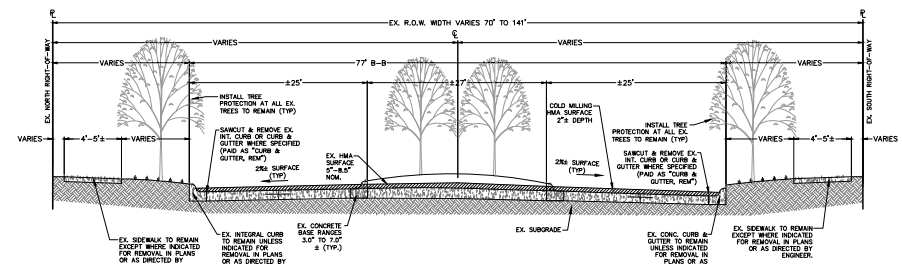
6\"/>



- NOTES:
1. REFER TO M.D.O.T. STANDARD PLAN R-44 FOR TYPICAL CURB AND GUTTER DIMENSIONS.
 2. ALL PROPOSED CURB & GUTTER SHALL PROVIDE 4\"/>

HMA APPLICATION CHART				
ITEM DESCRIPTION	RATE	PERFORMANCE GRADES	LOCATION/REMARKS	DESIGNATION
HMA, 5EML	220 LBS/SYD	PG 64-22	WEARING COURSE MINIMUM A.W.I. = 260	(H)
HMA, 4EML	220 LBS/SYD	PG 64-22	WEDGE, LEVELING COURSE	(H)
HMA, 3EML	330 LBS/SYD	PG 64-22	BASE COURSE	(H)
HAND PATCHING	220 LBS/SYD MAX	PG 64-22	(JOINT CRACK FILLER FOR DET 7/8 REPLACEMENT	(HP)
BOND COAT	0.05-0.15 GAL/SYD	N/A	SHALL MEET SS-1H	

RECYCLED ASPHALT PAVEMENT (R.A.P.) IN HMA MIX NOTE:
ALL HMA WEARING MIXES USED ON THIS PROJECT SHALL MEET M.D.O.T. TIER 1 REQUIREMENTS FOR R.A.P. CONTENT.



- NOTES:
1. PAVING JOINTS IN ASPHALT TOP COURSE SHALL BE PLACED SUCH THAT LONGITUDINAL JOINTS ARE LOCATED AT LANE LINES.
 2. OFFERS PAVING JOINTS BETWEEN TOP AND LEVELING COURSES AND BETWEEN LEVELING COURSE AND EX. BASE LAYER SHALL BE PAID AS \"SUBGRADE UNDERCUTTING, 21A Limestone\".
 3. BOND COAT SS-1H SHALL BE APPLIED AT 0.05-0.15 GAL/SYD BETWEEN EACH LIFT.

PROJECT
City of Birmingham
Oakland Avenue
Paving Project
Contract #7-24(P)

The City of Birmingham
Engineering Department
151 Martin Street
Birmingham, MI 48012

811
what's below
call before you dig.

DRAWN BY:
B. Islam

DESIGNED BY:
P. Tulikangas

APPROVED BY:
B. Buchholz

DATE:
05-14-2024

SCALE: N.T.S.

7B



CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL (248) 332-7931
FAX (248) 332-8357
WWW.NOWAKFRAUS.COM

SEAL

PROJECT
City of Birmingham
Oakland Avenue
Paving Project
Contract #7-24(P)

CLIENT

BIRMINGHAM
A MICHIGAN CITY

The City of Birmingham
Engineering Department
151 Martin Street
Birmingham, MI 48012

PROJECT LOCATION
Part of the SW/NE 1/4
of Section 25/36
T.2N, R.10E
City of Birmingham,
Oakland County, Michigan

SHEET
Notes and Details (2 of 3)



DATE	ISSUED/REVISED
06-09-24	R102
06-10-24	ATTACHED DESIGN PLAN
06-21-24	ADDENDUM 1

DRAWN BY:
B. Islam
DESIGNED BY:
P. Tullkangas
APPROVED BY:
B. Buchholz
DATE:
05-14-2024
SCALE: N.T.S.

NFE JOB NO. SHEET NO.
N915 C11



LEGEND

 CLEAN-OUT S.W. MANHOLE S.S. MANHOLE W.M. MANHOLE FIRE HYDRANT STREET LIGHT POLE SIGN POLE SURVEY POINT RECORD CORNER LANDSCAPE BED EXIST. ROAD EXIST. PUBLIC R.O.W. PUMP STATION POST/BOLLARD PARKING METER ROAD ROLLER SPRINKLER VALVE BOX SPRINKLER HEAD FOUND PROPERTY MARKER GROUND ELEVATION	 EXISTING SAN/COMB SEWER EXISTING WATER MAIN EXISTING STORM SEWER EXISTING BURIED CABLES EXISTING GAS MAIN OVERHEAD LINES EX PAVEMENT PL of CIRC. SEWER PL of CIRC. WATER MAIN PL of CIRC. STORM SEWER PL of CIRC. GAS MAIN PL of CIRC. SEWER (EXP. AREAS) PL. PAVE-SEWER APPL. OF 18" OR LTR. DIAM. PL. PAVE-SEWER APPL. OF 18" OR LTR. DIAM. AND REPAIRS CIRC. & SUTTER
--	--



NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
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SEAL

PROJECT
City of Birmingham
Oakland Avenue
Paving Project
Contract #7-24(P)

CLIENT



The City of Birmingham
Engineering Department
151 Martin Street
Birmingham, MI 48012

PROJECT LOCATION

Part of the SW/NE 1/4
of Section 25/36
T.2N, R.10E
City of Birmingham,
Oakland County, Michigan

SHEET

Quantities



DATE ISSUED/REVISED

06-09-24 R025

06-19-24 ATTACHED BIDDING PLAN

06-21-24 ADDENDUM 1

DRAWN BY:

B. Islam

DESIGNED BY:

P. Tullkangas

APPROVED BY:

B. Buchholz

DATE

05-14-2024

SCALE

N.T.S.

NFI JOB NO.

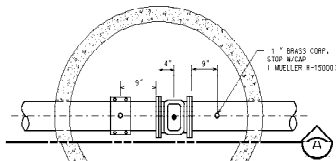
N915

SHEET NO.

Q1

BIRMINGHAM CONTRACT #7-24(P) - OAKLAND AVENUE PAVING PROJECT PAY ITEMS

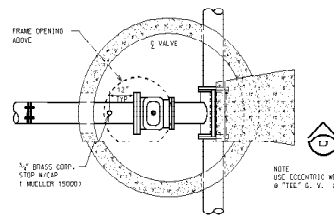
NO	ITEM DESCRIPTION	PAY UNIT	SHEET C1 Utility Plan	SHEET C2 Utility Plan	SHEET C3 P&G Plan	SHEET C4 P&G Plan	SHEET C5 P&G Plan	TOTAL QUANTITY
SEWER PAY ITEMS								
1	12" Storm Sewer, C78, CL=V, Trench A	LF	11					11
2	Sewer Service, 6" PVC SDR 23.5	LF	10	70				80
3	New 2'-0" Diameter Storm Inlet	EA	1					1
4	Sewer Investigation, Locals	EA						3
5	Sewer Service Tap, 6"	EA	1	4				5
6	Sewer Service Connection, 6"	EA	1	1				1
7	Sewer Tap, 12"	EA	1					1
8	Reconstruct Manhole (if and where needed)	LF						15
9	Remove & Replace Structure Cover (as directed by City)	LS						1,000
10	Abandon Ex. Sewer Manhole	EA	1	2				3
11	Abandon Ex. 8" Sewer	LF	180	385				555
12	Subhead Structure, 12" or Less	EA	2	2				4
13	Subhead Pipe, Larger than 8"	EA						5
SUBTOTAL SEWER PAY ITEMS								
WATER MAIN PAY ITEMS								
14	Remain Hydrant	EA	1					1
15	Abandon Gate Valve Wad	EA	4					4
16	Remove Ex. 12" Water Main	LF	10	10				20
17	Remove Ex. 8" Water Main	LF	65					65
18	Remove Ex. 6" Water Main	LF	16	20				36
19	8" Gate Valve & Box	EA	1					1
20	Fire Hydrant Assembly, Complete	EA	1					1
21	12" D.I. CL 52 Water Main w/ Polywrap, Trench A	LF	20					20
22	8" D.I. CL 52 Water Main w/ Polywrap, Trench A	LF	85					85
23	8" D.I. CL 52 Water Main w/ Polywrap, Trench A	LF	5					5
24	12" Water Main Connection to Ex. 12" Water Main	EA	4					4
25	8" Water Main Connection to Ex. 8" Water Main	EA	1					1
26	New Water Service, 6", Trench A, D.I. CL 52	LF	130					130
27	New Water Service, 1.5", Trench A, Copper	LF		59				59
28	New Water Service, 1", Trench A, Copper	LF		201				201
29	New Water Service, 1", Private Property (Bored), PEX	LF		32				32
30	Water Service Connection, 6"	EA	2	1				3
31	Water Service Connection, 1.5"	EA		1				1
32	Water Service Connection, 1"	EA		3				3
33	Water Service Connection, 1", Connection at Meter, 287 Oakland	EA	1	1				1
34	Install Curb Stop & Box, 1"	EA		1				1
35	Hydra-Stop, Insta-Valve 250, 12"	EA		1				1
36	Hydra-Stop, Line-Stop, 12"	EA		1				1
37	Hydra-Stop, Line-Stop, 6"	EA		4				4
38	Abandon Existing Water Mains, Entire Project	LS						1
SUBTOTAL WATER MAIN PAY ITEMS								
PAVING PAY ITEMS								
39	Earth Excavation	CV		235	140	60		435
40	Subgrade Undercutting, 21AA Limestone	CV		30	15	25		70
41	Subgrade Undercutting, 1x3" Limestone	CV		10	5	5		20
42	Subgrade Gravel Pad, 18" Tensar TSS TX300	SY						180
43	Reinforcing Concrete Drive Approaches	SY			4			4
44	Reinforcing Concrete Sidewalk & Ramp (sawcutting included)	SY		385	225			610
45	Reinforcing Pavement Full Depth (Curb & Gutter included)	SY		730	400	235		1,365
46	Cold Milling Inlay Surface, 2.0"	SY		2750	2400			5,150
47	Profile Milling to Surface Drainage, 9'-2.8"	SY		210				210
48	Joint and Crack Repr. Detail 7	LF						1,650
49	Joint and Crack Repr. Detail 8	LF						150
50	Aggregate Base, MDOT 21AA Limestone, 8"	SY		650	450	265		1,365
51	Bituminous Mixture No. SEM, Handplattings	TON		115	20			135
52	Bituminous Mixture No. SEM, 2.0" Wearing Course	TON		303	365	25		593
53	Bituminous Mixture No. 4EML, 2.0" Leveling Course	TON		38	40	25		103
54	Bituminous Mixture No. SEM, 3.0" Base Course	TON		57	60	38		155
55	Concrete Curb & Gutter (18" Wide, "MODOT F2 Modified, Type 1")	LF		815	215	120		1,150
56	Concrete Curb & Gutter (18" Wide, "MODOT F2 Modified, Type 2")	LF		115	230			345
57	Concrete Curb, Exposed Aggregate, 6" Tree Planters	LF		20				20
58	Concrete Drive Approach, 6"	SY			4			4
59	Concrete Sidewalk, 4"	SY		1285	225			1,480
60	Concrete Sidewalk, 4", Exposed Aggregate	SY		135				135
61	Concrete Sidewalk, 6"	SY		1975	635			2,610
62	Concrete Pavement, Non-reinforced, 8" incl. integral Detail F2 Curb & Gutter	SYD		5				5
63	Handicap Ramp, Tuncated Cornes	SY			320	120		440
64	Adjust Structure Cover	EA	5	4				9
65	Adjust Structure Cover & Install New EJV 5100-M3 Frame & Cover	EA	2	1				3
66	Adjust Structure Cover & Install New EJV 1540-N Frame & Cover	EA	1					1
67	Maintenance Aggregate for Entire Project	LS						1
SUBTOTAL PAVING PAY ITEMS								
GENERAL PAY ITEMS								
68	Mobilization (Max. 5% of Bid)	LS						1
69	Traffic Maintenance & Control	DAY						1
70	Inspector Crew Days	DAY						1
71	Water and Sewer Allowance	LS						1
72	Intigation Allowance	LS						1
73	Pavement Marking, Polyurea, 24 inch Stop Bar, White	LF		48	100	18		166
74	Pavement Marking, Polyurea, 24 inch Copulating White	LF		474	244			718
75	Pavement Marking, Polyurea, 4" inch Skip Lane Marking, White	LF		25	100			125
76	Pavement Marking, Polyurea, 4" inch Solid Lane Marking, White	LF		127	75			202
77	Pavement Marking, Polyurea, 4" inch Parking, White	LF		286	88			374
78	Pavement Marking, Polyurea, 4" inch Parking, Blue	LF			60			60
79	Pavement Marking, Polyurea, Lt Turn Arrow, White	EA		1				1
80	Pavement Marking, Polyurea, Rt Turn Arrow, White	EA		1	2			3
81	Pavement Marking, Polyurea, Straight Arrow, White	EA		1				1
82	Pavement Marking, Polyurea, Only, White	LF		5	2			7
83	Recessing Paint Mng. Logo	LF		438	333			771
84	Recessing Paint Mng. Trans	SY		1044	642	38		1,722
85	Salvage Existing Signs	LS						1
86	New Signs	LF						50
87	Sign Post, U-Channel	LF						108
88	Tree Protection, 2" Dia. Or Greater	EA		17	20	3		40
89	Mulch, 3"	SY		42	73	8		123
90	Topsoil, 3"	SY		210	120	30		360
91	Test, Class A	SY		210	120	30		360
92	Inlet Filter	EA		6	4	2		12



GATE WELL PLAN

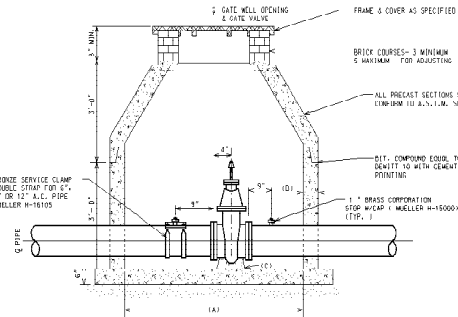
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GATE WELL SCHEDULE			
DESCRIPTION	DIM.	PIPE DIA.	INCHES
INSIDE DIA.	A	60"	72"
WALL THICK.	B	5"	7"
WELL BLOCK THICK.	C	4"	4"



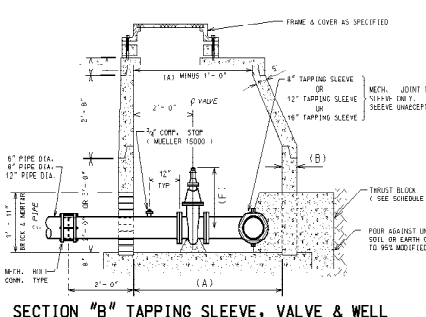
TAPPING SLEEVE, VALVE & WELL PLAN

NO SCALE



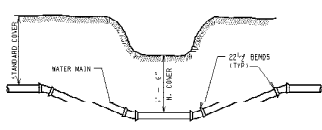
SECTION "A" GATE WELL

NO SCALE



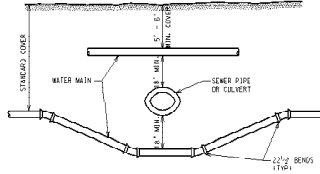
SECTION "B" TAPPING SLEEVE, VALVE & WELL

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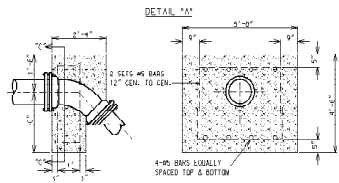
DITCH AND STREAM CROSSING

NO SCALE

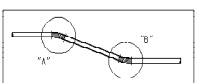


SEWER OR CULVERT CROSSING

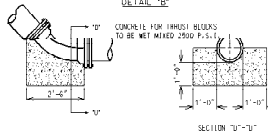
NO SCALE



DETAIL "A"



DETAIL "B"



DETAIL "C"

VERTICAL BEND THRUST BLOCKS FOR 8"-12" MAINS



VERTICAL BEND THRUST BLOCKS FOR 8"-12" MAINS

NO SCALE

SCHEDULE OF THRUST BLOCK DIMENSIONS			
PIPE DIA.	THRUST BLOCK DIA.	THRUST BLOCK THICK.	THRUST BLOCK DIA.
8"	12"	4"	12"
10"	14"	4"	14"
12"	16"	4"	16"
14"	18"	4"	18"
16"	20"	4"	20"
18"	22"	4"	22"
20"	24"	4"	24"
22"	26"	4"	26"
24"	28"	4"	28"
26"	30"	4"	30"
28"	32"	4"	32"
30"	34"	4"	34"
32"	36"	4"	36"
34"	38"	4"	38"
36"	40"	4"	40"
38"	42"	4"	42"
40"	44"	4"	44"
42"	46"	4"	46"
44"	48"	4"	48"
46"	50"	4"	50"
48"	52"	4"	52"
50"	54"	4"	54"
52"	56"	4"	56"
54"	58"	4"	58"
56"	60"	4"	60"
58"	62"	4"	62"
60"	64"	4"	64"
62"	66"	4"	66"
64"	68"	4"	68"
66"	70"	4"	70"
68"	72"	4"	72"
70"	74"	4"	74"
72"	76"	4"	76"
74"	78"	4"	78"
76"	80"	4"	80"
78"	82"	4"	82"
80"	84"	4"	84"
82"	86"	4"	86"
84"	88"	4"	88"
86"	90"	4"	90"
88"	92"	4"	92"
90"	94"	4"	94"
92"	96"	4"	96"
94"	98"	4"	98"
96"	100"	4"	100"

CONCRETE THRUST BLOCK FOR TEES

NO SCALE

SCHEDULE OF THRUST BLOCK DIMENSIONS			
PIPE DIA.	THRUST BLOCK DIA.	THRUST BLOCK THICK.	THRUST BLOCK DIA.
8"	12"	4"	12"
10"	14"	4"	14"
12"	16"	4"	16"
14"	18"	4"	18"
16"	20"	4"	20"
18"	22"	4"	22"
20"	24"	4"	24"
22"	26"	4"	26"
24"	28"	4"	28"
26"	30"	4"	30"
28"	32"	4"	32"
30"	34"	4"	34"
32"	36"	4"	36"
34"	38"	4"	38"
36"	40"	4"	40"
38"	42"	4"	42"
40"	44"	4"	44"
42"	46"	4"	46"
44"	48"	4"	48"
46"	50"	4"	50"
48"	52"	4"	52"
50"	54"	4"	54"
52"	56"	4"	56"
54"	58"	4"	58"
56"	60"	4"	60"
58"	62"	4"	62"
60"	64"	4"	64"
62"	66"	4"	66"
64"	68"	4"	68"
66"	70"	4"	70"
68"	72"	4"	72"
70"	74"	4"	74"
72"	76"	4"	76"
74"	78"	4"	78"
76"	80"	4"	80"
78"	82"	4"	82"
80"	84"	4"	84"
82"	86"	4"	86"
84"	88"	4"	88"
86"	90"	4"	90"
88"	92"	4"	92"
90"	94"	4"	94"
92"	96"	4"	96"
94"	98"	4"	98"
96"	100"	4"	100"

CONCRETE THRUST BLOCK FOR BENDS

NO SCALE

SCHEDULE OF THRUST BLOCK DIMENSIONS			
PIPE DIA.	THRUST BLOCK DIA.	THRUST BLOCK THICK.	THRUST BLOCK DIA.
8"	12"	4"	12"
10"	14"	4"	14"
12"	16"	4"	16"
14"	18"	4"	18"
16"	20"	4"	20"
18"	22"	4"	22"
20"	24"	4"	24"
22"	26"	4"	26"
24"	28"	4"	28"
26"	30"	4"	30"
28"	32"	4"	32"
30"	34"	4"	34"
32"	36"	4"	36"
34"	38"	4"	38"
36"	40"	4"	40"
38"	42"	4"	42"
40"	44"	4"	44"
42"	46"	4"	46"
44"	48"	4"	48"
46"	50"	4"	50"
48"	52"	4"	52"
50"	54"	4"	54"
52"	56"	4"	56"
54"	58"	4"	58"
56"	60"	4"	60"
58"	62"	4"	62"
60"	64"	4"	64"
62"	66"	4"	66"
64"	68"	4"	68"
66"	70"	4"	70"
68"	72"	4"	72"
70"	74"	4"	74"
72"	76"	4"	76"
74"	78"	4"	78"
76"	80"	4"	80"
78"	82"	4"	82"
80"	84"	4"	84"
82"	86"	4"	86"
84"	88"	4"	88"
86"	90"	4"	90"
88"	92"	4"	92"
90"	94"	4"	94"
92"	96"	4"	96"
94"	98"	4"	98"
96"	100"	4"	100"

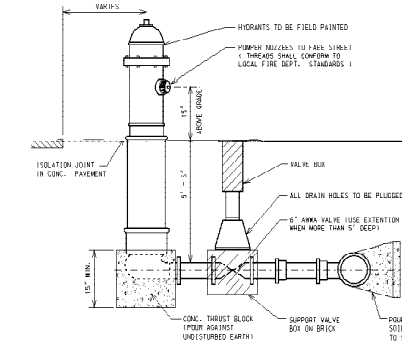
CONC. THRUST BLOCKS FOR PLUGS & CAPS

City of Birmingham

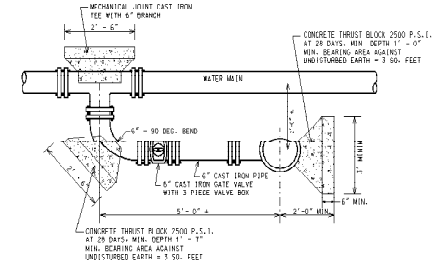
131 MARLIN STREET, BIRMINGHAM, MICHIGAN 48102

WATER MAIN STANDARD DETAILS

WM-1



FIRE HYDRANT GUARD POSTS DETAIL



"L" HYDRANT CONNECTION

NO SCALE

W-9

CONCRETE THRUST BLOCK 2500 P.S.I.

AT 20 DAYS MIN. DEPTH 1' - 0"

MIN. BEARING AREA AGAINST UNDISTURBED EARTH = 3 SQ. FEET

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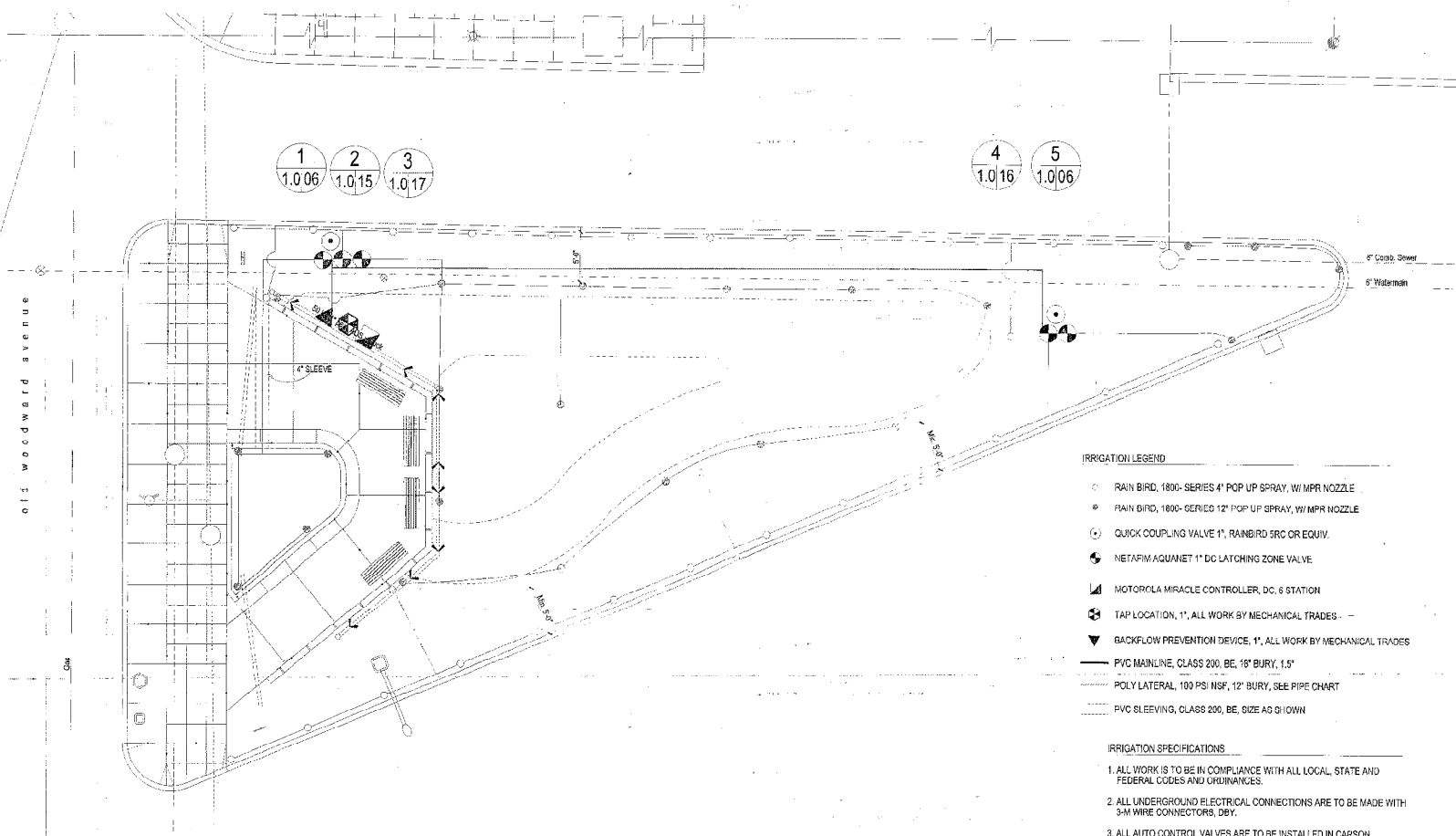
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MIN. BEARING AREA AGAINST UNDISTURBED EARTH = 3 SQ. FEET

CONCRETE THRUST BLOCK 2500 P.S.I.

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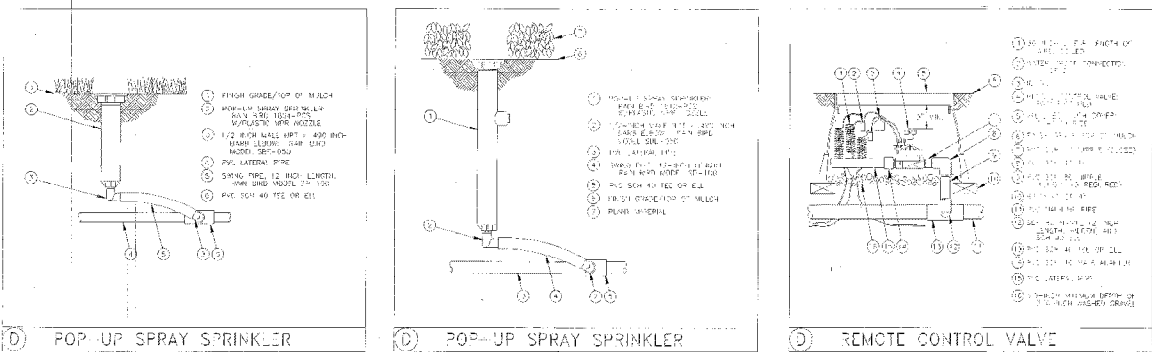


- IRRIGATION LEGEND**
- RAIN BIRD, 1800- SERIES 4" POP UP SPRAY, W/ MPR NOZZLE
 - RAIN BIRD, 1800- SERIES 12" POP UP SPRAY, W/ MPR NOZZLE
 - ⊕ QUICK COUPLING VALVE 1", RAINBIRD SRC OR EQUIV.
 - ⊗ NETAFIM AQUANET 1" DC LATCHING ZONE VALVE
 - Ⓜ MOTOROLA MIRACLE CONTROLLER, DC, 6 STATION
 - ⊙ TAP LOCATION, 1", ALL WORK BY MECHANICAL TRADES
 - ▼ BACKFLOW PREVENTION DEVICE, 1", ALL WORK BY MECHANICAL TRADES
 - PVC MAINLINE, CLASS 200, BE, 15" BURY, 1.5"
 - POLY LATERAL, 100 PSI NSF, 12" BURY, SEE PIPE CHART
 - PVC SLEEVING, CLASS 200, BE, SIZE AS SHOWN

- IRRIGATION SPECIFICATIONS**
1. ALL WORK IS TO BE IN COMPLIANCE WITH ALL LOCAL, STATE AND FEDERAL CODES AND ORDINANCES.
 2. ALL UNDERGROUND ELECTRICAL CONNECTIONS ARE TO BE MADE WITH 3-M WIRE CONNECTORS, DEY.
 3. ALL AUTO CONTROL VALVES ARE TO BE INSTALLED IN CARSON VALVE BOXES OF APPROPRIATE SIZE, VP-10 OR VP-12.
 4. ALL CONTROL WIRING DOWNSTREAM OF THE CONTROLLER IS TO BE 14 AWG, UL APPROVED FOR DIRECT BURY.
 5. ALL ROTORS AND SPRAY POP-UPS SHALL BE INSTALLED ON SWING PIPE.
 6. ALL GCV SHALL BE INSTALLED ON 3-ELBOW PVC SWING JOINTS.
 7. SYSTEM DESIGN BASED UPON 15 GPM @ 52 PSI.
 8. ANY CHANGES IN AVAILABILITY OF SUPPLY SHOULD BE NOTED AND MODIFICATIONS TO THE DESIGN SHOULD BE MADE.
 9. CONTRACTOR TO VERIFY WATER PRESSURE AND AVAILABILITY PRIOR TO INSTALLATION.
 10. ANY IRRIGATION PIPING SHOWN OUTSIDE OF CURBS FOR CLARITY ONLY.

PIPE SIZE CHART

0 - 12 GPM = 1" POLY PIPE
13 - 24 GPM = 1.25" POLY PIPE
25 - 36 GPM = 1.5" POLY PIPE
37 - 50 GPM = 2" POLY PIPE



Water Right Design Group
 Irrigation Systems Architecture
 1185 Oakwood Drive, Troy, MI 48060, 248.583.6501 F 248.583.1800 F

3 WORKING DAYS
 10% DEPOSIT
 1-800-482-7771

CITY OF BIRMINGHAM
 OAKLAND AVE.
 BIRMINGHAM, MI

OAKLAND AVENUE
POCKET PARK

IRRIGATION SYSTEM
BASE SYSTEM

North
 SCALE:
 3/16" = 1'

DESIGNER: []
 DRAWN: []
 DATE: []
 REVISION: []
 CHECKED: []
 APPROVED: []

11

**Oakland Avenue and Haynes Street Project Area
Sewer and Water Lateral Special Assement District**

Sidwell Number	Street Address	Water Lateral Length (ft)	Water SAD Costs	Sewer Lateral Length (ft)	Sewer SAD Costs
19-25-451-034	400 Park	9	\$1,125.00	-	\$0.00
19-25-452-018	247 Oakland	2	\$2,625.00	91	\$8,190.00
19-25-452-019	267 Oakland	21	\$2,625.00	89	\$7,980.00
19-25-452-026	233 Oakland	21	\$2,625.00	-	\$0.00



MEMORANDUM

City Clerk's Office

DATE: July 1, 2024

TO: Melissa Coatta, City Engineer

FROM: Alexandria Bingham, City Clerk

SUBJECT: Clerk's Confirmation of Public Hearing Notice: Oakland Avenue and Haynes Street Project #7-24 (P): Water & Sewer Laterals Special Assessment District (SAD)

The public hearing notice process has been completed for Oakland Avenue and Haynes Street Project #7-24 (P): Water & Sewer Laterals Special Assessment District (SAD). Please see attachments for further confirmation.

Mailing Date: 7/1/2024

Test Mail Return Date: 7/3/2024

Publishing Dates in the Oakland Press: 7/7/2024 & 7/28/2024

Posted in www.bhamgov/publicnotices: 7/1/2024

Attachments:

1. Public Hearing Notice
2. Addresses
3. Mailing Letter
4. Mail Machine Counter Report
5. Proof of publishing for 7/7/2024

NOTICE OF PUBLIC HEARING	
BIRMINGHAM CITY COMMISSION	
PUBLIC HEARING OF NECESSITY & PUBLIC HEARING FOR CONFIRMATION OF THE ROLL	
Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, July 22, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Date, Time, Location:	HEARING FOR CONFIRMATION OF THE ROLL Monday, August 12, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	Oakland Avenue from North Old Woodward Avenue to Woodward Avenue, and Haynes Street from South Old Woodward Avenue to Woodward Avenue. 1925451034 400 Park (Vacant Lot) 1925452018 247 Oakland 1925452019 267 Oakland 1925452026 233 Oakland
Nature of Improvement:	The project includes abandonment of some water main and sewer improvements. The City intends to replace some sewer improvements and private sewer and water laterals meeting certain "useful life" criteria in the right-of-way to protect the public investments being made with this project.
City Staff Contact:	Melissa Coatta, City Engineer mcoatta@bhamgov.org , (248)530-1839
Notice Requirements:	Newspaper Notice and First Class Mail to affected property owners 10 days prior. Publish 7/7/2024 & 7/28/2024
Approved minutes may be reviewed at:	City Clerk's Office or www.bhamgov.org/commissionagendas
Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: https://zoom.us/j/655079760 Meeting ID: 655 079 760	
You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012. The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll. All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed. Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.3405 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.	

Parcel Identification Number	First Owner Name	Postal Address	Postal City Postal State Postal Zip 5
PNUM: 1925451034	TERRANCE SULLIVAN	24530 SENECA ST	OAK PARK, MI 48237
PNUM: 1925452018	MICHAEL SCHUCK	247 OAKLAND AVE	BIRMINGHAM, MI 48009
PNUM: 1925452019	267 OAKLAND LLC	240 MANOR RD	BLOOMFIELD HILLS, MI 48304
PNUM: 1925452026	JANIS B WETSMAN TRUSTEE	233 OAKLAND AVE	BIRMINGHAM, MI 48009
	CITY OF BIRMINGHAM - TEST MAIL	151 MARTIN	BIRMINGHAM MI 48009



July 2, 2024

TO: «Parcel_Identification_Number»
«First_Owner_Name»
«Postal_Address»
«POSTALCITY» «POSTALSTAT» «POSTALZIP5»

Re: Oakland Avenue and Haynes Street Project #7-24 (P)
Water & Sewer Laterals Special Assessment District (SAD)

To whom it may concern,

The City of Birmingham Oakland Avenue and Haynes Paving project will start in August of 2024. The project resurfacing limits are Oakland Avenue from North Old Woodward Avenue to Woodward Avenue, and Haynes Street from South Old Woodward Avenue to Woodward Avenue. The project includes abandonment of some water main and sewer improvements. The City intends to replace some sewer improvements and private sewer and water laterals meeting certain "useful life" criteria in the right-of-way to protect the public investments being made with this project.

The City intends to replace private sewer and water laterals meeting certain "useful life" criteria in the Oakland Avenue right-of-way in an effort to protect the public investments being made with this project. This will include the replacement of all sewer laterals that are 50 years of age or older, less than 6 inch diameter, or an unsuitable material. Water services less than the City minimum size of 1 inch diameter, are 60 years of age or older, or an unsuitable material will also be replaced. All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC, and unsuitable water services will be replaced with new 1 inch diameter pipe. The lengths of sewer and/or water laterals replacement will be within the right-of-way. Enclosed is a map of properties included in the Sewer and Water Lateral SAD.

With this letter, you are receiving notifications for two public hearings for the Water and Sewer Laterals Special Assessment District (SAD):

- The Public Hearing of the Necessity to form a Special Assessment District for the replacement of water and sewer laterals meeting the requirements as part of the Oakland Avenue and Haynes Paving Project is **Monday, July 22, 2024**, at the regularly scheduled City Commission meeting at 7:30 p.m. in City Hall at 151 Martin St.
- If necessity is determined at the July 22 hearing, a Public Hearing of Confirmation to confirm the Special Assessment District will follow on **Monday, August 12, 2024**, at the regularly scheduled City Commission meeting at 7:30 p.m. in City Hall at 151 Martin St.

Consistent with previous projects of this nature, it has been the City's policy to assess 100% of the costs of replacing the portion of unsuitable water and sewer laterals within the right-of-way to the property owner.

After the work is completed, an invoice will be generated and sent to the property owner of record for the public improvements. Payment in full will be expected within 30 days of receipt. If you are not in a position to pay off the charge in one payment, it can be broken into as many as 5 annual payments. An annual interest charge on the remaining balance, currently about 9.50 percent, will apply. Official estimates of the water and sewer lateral replacements will be provided at the Hearing of Necessity.

If you have any questions or concerns, please contact the Engineering Office at (248) 530-1850. You will have the opportunity to ask questions and speak directly to the City Commission at the Public Hearing of Necessity and at the Confirmation of the Roll.

Sincerely,



Melissa A. Coatta, P.E.
City Engineer

Funds Report	Available:	\$5,615.73	PBP Account Number:	35884980
	Used:	\$44,144.27	Indicia Number:	0008029208
	Total Pieces:	60574	Meter Number:	8029208
	Control Sum:	\$49,760.00	Meter Name:	
	Resettable Piece Count:	5	Printed:	JUL 01 2024 10:20 AM
	Piece Count Value:	\$3.20		

Oakland Avenue and Haynes Street Project

Hearing of Necessity for Sewer and Water Lateral
Special Assessment District (SAD)



Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ Overview

- Limits of Project:
 - Oakland Avenue – N. Old Woodward to Woodward Avenue
 - Haynes Street – S. Old Woodward to Woodward Avenue
- Project includes:
 - Oakland Avenue:
 - Water Main: Abandonment between N. Old Woodward to Woodward Avenue
 - Sewer: Abandonment between N. Old Woodward to Woodward Avenue
 - No utility work proposed for Haynes Street
- Special Assessment District (SAD) for Sewer and Water Laterals to be paid by the property owner at one hundred percent of the costs.

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ General Construction Information:

Oakland Avenue Existing Water:

- 6" Cast Iron, installed 1924
- 12" Cast Iron, installed 1968

Oakland Avenue Existing Sewer:

- Existing Sanitary Sewer: 8" Clay Pipe, installed 1925
- Existing Combine Sewer: 8"-12" Clay Pipe, unknown installation date

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ General Construction Information:

Oakland Avenue Water Main

- 6 inch water main 100 years old
- Maintenance of 2 water main pipes on same street
- DPS has experienced water main breaks on 6 inch water main

Oakland Avenue Sewer

- Some sections of the sewer are close to 100 years old
- Maintenance of 2 sewer systems on same street
- From televising sewer, some of the sewer sections require work but not needed if abandoned

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ Policy

- City policy: To protect the public investment being made with capital improvement projects in public roadways, as part of the project
 - Water Laterals:
 - Replace all water services that are 60 years of age or older, are less than one inch in diameter, or are constructed of an unsuitable material.
 - All unsuitable water services will be replaced with a new 1" diameter service, or be replaced to match the existing diameter if greater than 1"

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ Policy

- City policy: To protect the public investment being made with capital improvement projects in public roadways, as part of the project
 - Sewer Laterals:
 - Replacement of all sewer laterals that are 50 years of age or older, are less than 6" diameter, or are constructed of an unsuitable material.
 - All unsuitable sewer laterals will be replaced with 6" schedule 40 PVC or match existing size if larger than 6".

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤SAD:

- Water Lateral: 100% cost of the property owner
- Sewer Lateral : 100% cost of the property owner
- Cost: The cost can be paid back in either a lump sum or over up to a 5-year period with interest. The interest rate will be confirmed at the Confirmation of Roll.

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ SAD:

- Water:
 - \$90 per lineal foot for 1" diameter water service
- Sewer:
 - \$125 per lineal foot for 6" sewer pipe

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District



Properties in the Sewer and Water Lateral Special Assessment District

Oakland Avenue and Haynes Street Project

Sewer and Water Lateral Special Assessment District

PROPERTIES LOCATED IN WATER AND SEWER LATERAL SAD:

Sidwell Number	Street Address
19-25-451-034	400 Park Street
19-25-452-018	247 Oakland Avenue
19-25-452-019	267 Oakland Avenue
19-25-452-026	233 Oakland Avenue

Sewer and Water Lateral SAD

Oakland Avenue and Haynes Street Project Sewer and Water Lateral Special Assessment District

➤ Summary

- The Engineering Department recommends the City Commission declare necessity and approve the SAD for the Oakland Avenue and Haynes Street Project for sewer and water laterals
- Should the Commission approve the SAD, a public hearing for confirmation of the roll will be held on August 12, 2024



MEMORANDUM

Planning Department

DATE: July 10, 2024

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Public Hearing to amend Chapter 86 (Signs) to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number.

INTRODUCTION:

An application has been submitted to request an amendment to the Sign Ordinance to reconsider the maximum area and maximum number of sign requirements for church signs in the R1A through R8 residential zoning districts. At present, churches are permitted 1 sign at 20 square feet if located less than 500 feet from occupied residential dwellings, or 1 sign at 40 square feet if located more than 500 feet from occupied residential dwellings.

BACKGROUND:

On June 5, 2024 ([Agenda](#)), the Design Review Board (DRB) moved to recommend approval to the City Commission of several amendments to the Sign Ordinance aimed to increase the permitted combined sign area for Religious Institutions, Private Schools, Community Centers, Health Care Facilities and Government Signs. These changes were initiated by an applicant associated with Our Shepherd Lutheran Church located on 14 Mile. Over the course of 4 meetings, the DRB considered a number of critical aspects of these types of developments, including their location in sensitive residential settings. Ultimately, the proposed language was modeled after similar language in the Sign Ordinance to promote consistency, all while ensuring that the scale and combined sign area of signs on these properties had a nominal or neutral effect on the surrounding residential areas.

LEGAL REVIEW:

The City Attorney has reviewed the documentation as to form and substance and has no objections.

FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

SUSTAINABILITY:

There are no direct sustainability considerations for this agenda item.

DESIGN CONSIDERATIONS:

There are no design considerations for this agenda item.

PUBLIC COMMUNICATIONS:

As required for proposed Sign Ordinance amendments, a legal ad was placed in a newspaper of local circulation to advertise the public hearing at the Design Review Board meeting on June 5, 2024. A similar notice was provided for the public hearing at the City Commission on July 22, 2024.

SUMMARY:

The Planning Department requests that the City Commission consider ordinance amendments to Chapter 86 (Signs) to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number of signs permitted.

ATTACHMENTS:

Please see the following attached documents:

- Proposed Ordinance Language
- Design Review Board Report – June 5, 2024

SUGGESTED COMMISSION ACTION:

Make a motion adopting an ordinance to amend Chapter 86 (Signs), Article 1, Table B, Table D, Section 1.08 and Section 1.09 to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number of signs committed.

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE SIGN ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 1, TABLE B: PERMANENT RESIDENTIAL SIGN STANDARDS TO AMEND THE STANDARDS FOR CHURCHES, PRIVATE SCHOOLS, COMMUNITY CENTERS, HEALTH CARE FACILITIES AND GOVERNMENT SIGNS:

TABLE B: PERMANENT RESIDENTIAL SIGN STANDARDS					
Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Churches Religious Institutions , Private Schools, Community Centers, Health Care Facilities and Government Signs	Yes	20-square feet if less than 500 feet from occupied residential dwellings. 40-square feet if more than 500 feet from occupied residential dwellings. 0.25 square feet for each 1 linear foot of principal building frontage. The total area of all permanent exterior signs shall not exceed 75 square feet. No one permanent exterior sign shall exceed 25 square feet.	8-feet above grade. 6 feet above grade for ground signs. 24 in. for Wall Signs or Name Letter Signs.	Signs of health care facilities may not be illuminated; other uses permitted. Permitted.	1 sign. Limited by area per frontage.

ORDAINED this _____ day of _____, 2024 to become effective 7 days after publication.

Elaine McLain, Mayor

Alex Bingham, City Clerk

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE SIGN ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 1, TABLE D: TEMPORARY RESIDENTIAL SIGN STANDARDS TO ADJUST LANGUAGE FROM "CHURCHES" TO "RELIGIOUS INSTITUTIONS":

TABLE D: TEMPORARY RESIDENTIAL SIGN STANDARDS					
Type of Sign	Permit Required	Maximum Area	Maximum Height	Illumination (see also Section 1.03)	Maximum Number
Church Religious Institutions and Private School Signs	Yes	15 square feet per side, 30 square feet total.	10 feet above grade.	Not permitted.	1 sign at a time; maximum of 6 per calendar year

ORDAINED this _____ day of _____, 2024 to become effective 7 days after publication.

Elaine McLain, Mayor

Alex Bingham, City Clerk

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE SIGN ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 1, SECTION 1.08, PERMANENT RESIDENTIAL SIGN STANDARDS, TO ADJUST LANGUAGE FROM "CHURCHES" TO "RELIGIOUS INSTITUTIONS":

1.08 Permanent Residential Sign Standards

This Permanent Residential Sign Standards section applies to the following districts:



The following permanent residential sign standards apply:

- A. Prohibited Signs. No cloth pennants, banners or advertising devices of a similar nature may be erected.
- B. Bulletin Board Signs.
 - 1. Permit: See Table D for specific permitting requirements.
 - 2. Additional Signs: Additional bulletin board signs for public charitable or religious institutions, including community centers, may be permitted by the City Commission through a special land use permit, and shall meet the following requirements:
 - a. More than 1 public, charitable or religious institution, or community center, is located on the same site.
 - b. The bulletin board signs do not exceed 20 square feet in total surface area and shall be located on the premises of the institutions.
 - c. The City Commission finds that the public convenience will be served by the bulletin board signs.
 - d. The bulletin board signs will not create a traffic hazard.
- C. ~~Churches~~ **Religious Institutions**, Private Schools, Community Centers, Health Care Facilities and Government Signs.
 - 1. Permit: See Table D for specific permitting requirements.
- D. Multiple-Family Residential Signs.
 - 1. Permit: See Table D for specific permitting requirements.
- E.

ORDAINED this _____ day of _____, 2024 to become effective 7 days after publication.

Elaine McLain, Mayor

Alex Bingham, City Clerk

CITY OF BIRMINGHAM

ORDINANCE NO. _____

THE CITY OF BIRMINGHAM ORDAINS:

AN ORDINANCE TO AMEND THE SIGN ORDINANCE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 1, SECTION 1.09, TEMPORARY RESIDENTIAL SIGN STANDARDS, TO ADJUST LANGUAGE FROM "CHURCHES" TO "RELIGIOUS INSTITUTIONS":

1.09 Temporary Residential Sign Standards

This Temporary Residential Sign Standards section applies to the following districts:



The following temporary residential sign standards apply:

- A. Advertising Lots and/or Building in One Subdivision Sign.
 - 1. Permit: See Table D for specific permitting requirements.
- B.
- C. Church **Religious Institutions** and Private School Signs.
 - 1. Permit: See Table D for specific permitting requirements.
 - 2. Duration: May be displayed 1 week prior to and for the duration of the event, maximum of 3 weeks.
- D. Home Improvement Signs.
 - 1. Permit: See Table D for specific permitting requirements.
 - 2. Duration: One (1) sign displayed in any 30 day period.
- E. Private Residence Signs.
 - 1. Permit: See Table D for specific permitting requirements.
 - 2. Duration: 1 sign displayed for a single 90-day period per calendar year.
- F. Special Event Signs.
 - 1. Permit: See Table D for specific permitting requirements.
 - 2. Duration: 7 days.

ORDAINED this _____ day of _____, 2024 to become effective 7 days after publication.

Elaine McLain, Mayor

Alex Bingham, City Clerk



MEMORANDUM

Planning Division

DATE: June 5, 2024

TO: Design Review Board

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Church Signs in Residential Districts – Public Hearing

An application has been submitted to request an amendment to the Sign Ordinance to reconsider that maximum area and maximum number requirements for church signs in the R1A through R8 residential zoning districts. At present, churches are permitted 1 sign at 20 square feet if less than 500 feet from occupied residential dwellings, or 1 sign at 40 square feet if more than 500 feet from occupied residential dwellings. Regulations regarding church signs from other cities are as follows:

Community	Wall Signs	Monument Signs
Royal Oak, MI	20 sq. ft. per façade	1 sign @ 25 sq. ft. per side
Rochester Hills, MI	20 sq. ft. total	48 sq. ft. total
Berkley, MI	6 sq. ft. total	15 sq. ft. per sign face
Ferndale, MI	10% of wall surface	1 sign at 32 sq. ft.
Plymouth, MI	N/A	1 sign at 18-25 sq. ft. per side
Pontiac, MI	2 sq. ft. per lineal ft. of frontage	1 sign @ 50 sq. ft.
Clawson, MI	1 sign, 36 sq. ft. maximum	1 sign @ 24 sq. ft.

As is apparent through research, regulations for church or institutional signs appear to be somewhat inconsistent in this area, although relatively simple. In any proposed amendments to the City of Birmingham Sign Ordinance, we would endeavor to keep it as simple as possible while also considering the unique circumstances that may be found.

As one example where this issue recently came up, the Our Shepherd Lutheran Church sought to install 3 new signs at a total of around 70 sq. ft. of new signage. Because of their location, the Sign Ordinance permits only 20 sq. ft. The applicant sought a variance for 50 sq. ft. of signage and was denied. This particular parcel has over 500 ft. of frontage on 14 Mile, and is larger than 1 acre.

On February 21, 2024 ([Agenda](#) - [Minutes](#)), the Design Review Board reviewed amended language that provided for permitted sign area to be calculated from a percentage of principal street

frontage. After some conversation, the Design Review Board determined that they would prefer to base the area on principal building frontage to be more consistent with other regulations and to accommodate more signage, but also maintain a delicate balance of signage in residential zoning districts. In addition, the Design Review Board requested some data on the principle building frontage of religious institutions in the City to get an idea of how much signage may be available should the ordinance be changed.

The DRB reviewed the table below which provides the linear building frontage of buildings in the sign category that is proposed to be amended. In addition, the maximum area of signage permitted was estimated based on the currently proposed ordinance language to try and demonstrate the possibilities for signage on these properties.

Religious Institution	Building Frontage (ft.)	Max. Area (sq. ft.)	Existing
Our Shepherd Lutheran Church	370	75*	20
Sanctuary Church	155	39	44.1
Holy Name Catholic Church	158	40	-
Birmingham First United Methodist Church	391	75*	20
First Presbyterian Church	227	57	-
Lutheran Church of the Redeemer	260	65	-
Grace Baptist Church	142	36	20
True Life Christian Church	156	39	-
Private Schools			
Eton Academy	333	84	-
Our Shepherd Lutheran School	547	75*	-
Roeper Middle & Upper School	206	52	-
Holy Name School	181	46	40

**Reached Maximum Total Permitted*

On March 6, 2024 ([Agenda](#)), the Design Review Board provided direction to the Planning Department to pursue a building frontage based requirement and held discussions regarding the other standards in Table B. The DRB requested information on any existing signs that the City has data for to understand what might be existing in the City.

On May 1, 2024 ([Agenda](#)), the Design Review Board moved to set a public hearing date to review the proposed ordinance and make a recommendation to the City Commission.

Suggested Motion Language

I move that the Design Review Board recommend APPROVAL to the City Commission amendments to the Sign Ordinance to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number.



MEMORANDUM

Planning Division

DATE: July 16, 2024

TO: Jana Ecker, City Manager

FROM: Brooks Cowan, Senior Planner

APPROVED: Nicholas Dupuis, Planning Director

SUBJECT: Public Hearing for Combination of Land Parcels 1110 & 1114 Lakeside Road

INTRODUCTION:

The owner of 1110 & 1114 Lakeside Road has applied to combine the two parcels into one.

BACKGROUND:

The subject properties consist of two “flag lots” on the east side of Lakeside Road. The lots have a narrow portion that provides access to Lakeside Road for the wider portion of the lot which is located behind the neighboring residential lots. Both lots back up to the Rouge River and have an extensive amount of land within the floodway and the 100-year floodplain.

A floodway is the channel of a river or other watercourse and the adjacent land area that is reserved from encroachment in order to discharge the base flood without cumulatively increasing the water surface elevation by more than a designated height. A single family residential structure is not permitted within a floodway.

The 100-year floodplain is the land FEMA predicts will flood during a 100-year storm. The 100-year floodplain is a statistical average based on past precipitation records. It is possible to build within a 100-year floodplain by raising the site elevation through City permitting and approval from EGLE. Properties within the 100-year floodplain are also subject to the Zoning Ordinance Floodplain Standards of Article 4, Section 4.13.

The applicant has demolished the home on the southern lot which existed within the 100-year floodplain. Combining the lots will allow for new driveway placement centrally located throughout the narrow portion connecting Lakeside Road to the residence. **The applicant is aware that the size of the proposed lot combination does not satisfy the City’s lot combination requirements, thus the applicant has indicated that they are amenable to a restrictive deed limiting future development on the site. A draft deed has been provided by the applicant.**

The Combination of Land Parcels Ordinance (Chapter 102, Section 102-83) requires that the following standards be met for approval of a lot combination:

- (1) *The Combination will result in lots or parcels of land consistent with the character of the area where the property is located, Chapter 126 of this Code for the zone district in which the property is located, and all applicable master land use plans.*

The shape of the existing lots and the proposed lot and the placement of the residential structure are not consistent with the character of the area where the surrounding lots are rectangular in shape and line the street.

The property is zoned R1 – Single Family Residential, which has a minimum lot area of 9,000 SF. The applicant has provided a survey with a building footprint indicating side setbacks of 30' on each side, and a rear setback of 30'. Any new development would be subject to a maximum lot coverage of 30% and a minimum open space of 40%.

The Birmingham 2040 Plan classifies this area as a "Traditional" Neighborhood District Fabric which is typical for the R1 and R2 zones. The proposed combined lot is 148,104 SF, which is not typical for the traditional R1 and R2 single family lots.

Accordingly, the lot combination proposal does not meet the requirements of (1).

- (2) *All residential lots formed as a result of a combination shall be a maximum width of no more than twice the average lot width of all lots in the same zone district within 300 feet on the same street.*

The Zoning Ordinance defines lot width as the length of a straight line drawn between the points where the front setback cuts the side lot lines. Lot width is not just the portion of the lot line along the street. The westernmost lot lines along the neighboring rear yards to the north and south for the subject properties also counts as frontage line for the lot width to be measured from. Thus the proposed lot width per the Zoning Ordinance is 283'.

The average lots width of properties on the same street within 300' along Lakeside Road is 102.9', ranging between 70' and 208'. The proposed lot width of 283' is greater than two times the average which is 205.8', thus not satisfying this criteria. As previously mentioned, these are considered flag lots with a narrow street frontage providing access to a wide lot area located behind the surrounding lots.

Accordingly, the lot combination proposal does not meet the requirement of (2).

- (3) *All residential lots formed as a result of a combination shall be a maximum area of no more than twice the average lot area of all lots in the same zone district within 300 feet on the same street.*

The average lot area within 300' on the same street is 21,975 SF, thus the proposed lot combination cannot exceed 43,950 SF. The applicant is proposing a lot that is 148,104 SF in total, exceeding the allowable amount of this provision by 104,154 SF and does not satisfy this requirement.

It is of note that the majority of the property is within the floodway and 100 year floodplain

of the Rouge River. 33,977 SF of the proposed lot is not in the 100 year floodplain or floodway, while 74,923 SF of the proposed lot is not in the floodway and thus buildable. As previously mentioned, it is possible to build within a 100 year floodplain with proper treatment, permitting, and approval from EGLE, however the 148,104 SF proposed lot and 74,924 SF of space outside the floodway far exceeds the maximum lot size of 43,950 SF.

It is also of note that the approval of the lot combination would make the property eligible for a single-family cluster development subject to the requirements of Article 5, Section 5.02(E). Single family cluster developments in the R1 zone have a minimum lot area of 36,000 SF and require review and approval from the Planning Board.

Accordingly, the lot combination proposal does not meet the requirements of (3).

- (4) *The combination will result in building envelopes on the combined parcels that will allow for the placement of buildings and structures in a manner consistent with the existing rhythm and pattern of development within 500 feet in all directions in the same zone district.*

The existing and proposed parcels have existed in a unique location for a number of decades. The flag lot shape is not typical for this Birmingham neighborhood and does not allow for the placement of buildings and structures in a manner consistent with the existing rhythm and pattern of development within 500'. The surrounding lots are all rectangular along the street and do not have extended driveways to place a home behind other residential homes.

Accordingly, the lot combination proposal does not meet the requirements of (4).

- (5) *Any due or unpaid taxes or special assessments upon the property have been paid in full.*

There are no outstanding taxes due on this property.

The proposal meets this requirement.

- (6) *The combination will not adversely affect the interest of the public or the abutting property owners. In making this determination, the City Commission shall consider, but not be limited to the following:*

a.) The location of proposed buildings or structures, the location and nature of vehicular ingress or egress so that the use or appropriate development of adjacent land or buildings will not be hindered, nor the value thereof impaired.

The location of the proposed lot is behind multiple homes along Lakeside Drive. Vehicular ingress and egress currently consists of two driveways passing the entire length of neighboring residential lots. The applicant intends on consolidating the driveways into one. The existence of an extended driveway does not appear to hinder the use of adjacent land nor hinder the value. It is of note that City staff does not make subjective determinations on land value. City staff relies upon County Assessors for land valuations and the neighboring properties appear to have similar assessments as properties in the general area.

The proposal appears to meet this requirement.

- b.) The effect of the proposed combination upon any floodplain areas, wetlands and other natural features and the ability of the applicant to develop a buildable site on the resulting parcel without unreasonable disturbances of such natural features.*

The majority of the property is located in a floodway and floodplain. The City does not allow development within a floodway, however it is possible to develop within a floodplain if proper permits are acquired from EGLE. The applicant has demolished the home on the southern lot which was located entirely within a floodplain, however it is possible to build a new structure within that space.

The proposed lot combination could have an impact on the floodplain area.

- c.) The location, size, density and site layout of any proposed structures or buildings as they may impact an adequate supply of light and air to adjacent properties and the capacity of essential public facilities such as police and fire protection, drainage structures, municipal sanitary sewer and water, and refuse disposal.*

The proposed lot combination does not appear to impact the supply of light and air to adjacent properties or the ability of the City to provide essential services.

The proposed lot combination does not appear to satisfy the Municipal Code Chapter 102, Article V - Combination of Land Parcels, Section 102-83 Standards for approval. Thus, the Planning Division recommends that the City Commission deny the proposed lot combination. The applicant is amenable to a deed restriction that would restrict the development of land on the proposed lot and has provided a draft deed restriction for review. The Planning Division does not recommend approval with the condition of a deed restriction in this case.

LEGAL REVIEW:

The City Attorney has reviewed the proposal and supports the staff recommendation for City Commission to deny the application due to the number of items not meeting the Municipal Code Chapter 102, Article V - Combination of Land Parcels, Section 102-83 Standards for approval.

FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

SUSTAINABILITY:

Future designs and construction for the subject area may have an impact on open space and the area within the 100-year floodplain.

DESIGN CONSIDERATIONS:

There are no design considerations for the proposed lot configuration.

PUBLIC COMMUNICATIONS:

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

SUMMARY:

The Planning Division requests that the City Commission consider the lot combination of 1114 & 1110 Lakeside Drive, parcels 19-25-151-069 & 19-25-151-070, and the potential for a deed restriction. The Planning Division recommends denial of the lot combination due to the size of the proposed lot exceeding the standards of approval for the Municipal Code Chapter 102, Article V - Combination of Land Parcels, Section 102-83 Standards for approval.

ATTACHMENTS:

- Letter to the City
- Registered Land Surveys
- Oakland County FEMA Floodway and Floodplain map
- Applicant Proposed Declaration of Use Restrictions
- Application

SUGGESTED ACTION:

Make a motion adopting a resolution to DENY the lot combination of 1114 & 1110 Lakeside Drive, parcels 19-25-151-069 & 19-25-151-070.

Application for lot recombination // 1114 + 1100 Lakeside Drive
March 21, 2024

Dear Planning Staff and City Commission,

I am writing on behalf of Sandra Collins, the owner of both 1114 Lakeside (her home) and 1100 Lakeside (vacant land). Ms. Collins has owned both properties for several years and now that the structure on 1100 Lakeside has been demolished, she would like to recombine the parcels. The lots were originally one property. Ms. Collins purchased 1114 Lakeside from the Crabb family in 1980, after the Crabbs split the lot and built the structure that was previously on 1100 Lakeside. Both flag-shaped lots include part of lot 63 (Quarton Lake Estates Replat). Both also include land that was never platted along the Rouge River. The entire lot at 1100 Lakeside Drive is below the floodplain elevation and unbuildable according to current regulations.

We are requesting that City Commission grant the recombination for the following reasons:

- The parcels were originally one property and, if not for the area that was never platted in the rear of the property, city staff could have administratively approved the recombination of lot 63.
- The property at 1100 Lakeside is entirely below the floodplain elevation and is not buildable, therefore it will never be suitable for a separate single-family home again.
- Recombining the lots will allow the driveway that services Ms. Collins property to be further away from her neighbors rather than being located on the property line as it is currently. This will be beneficial to her neighbors on each side.
- Ms. Collins has extensively landscaped and maintained the property at 1100 Lakeside and it has been used as one yard since she purchased the property after that Crabb family were deceased.
- The combined property will be beneficial to the neighbors as it will create more green background behind their properties.
- 1114 Lakeside and 1100 Lakeside are unique lots that do not conform to the typical pattern of the adjacent properties.

We look forward to answering any questions and presenting to the City staff and commission.

Sincerely submitted,



Jonathan Disbrow, AIA
(Architect for Ms. Collins 1114 Lakeside home)

DISBROW IANNUZZI

517 LIVERNOIS
FERNDAL, MICHIGAN 48220
313.625.9500
www.di.studio

PROFESSIONAL CIVIL ENGINEERS AND LAND SURVEYORS

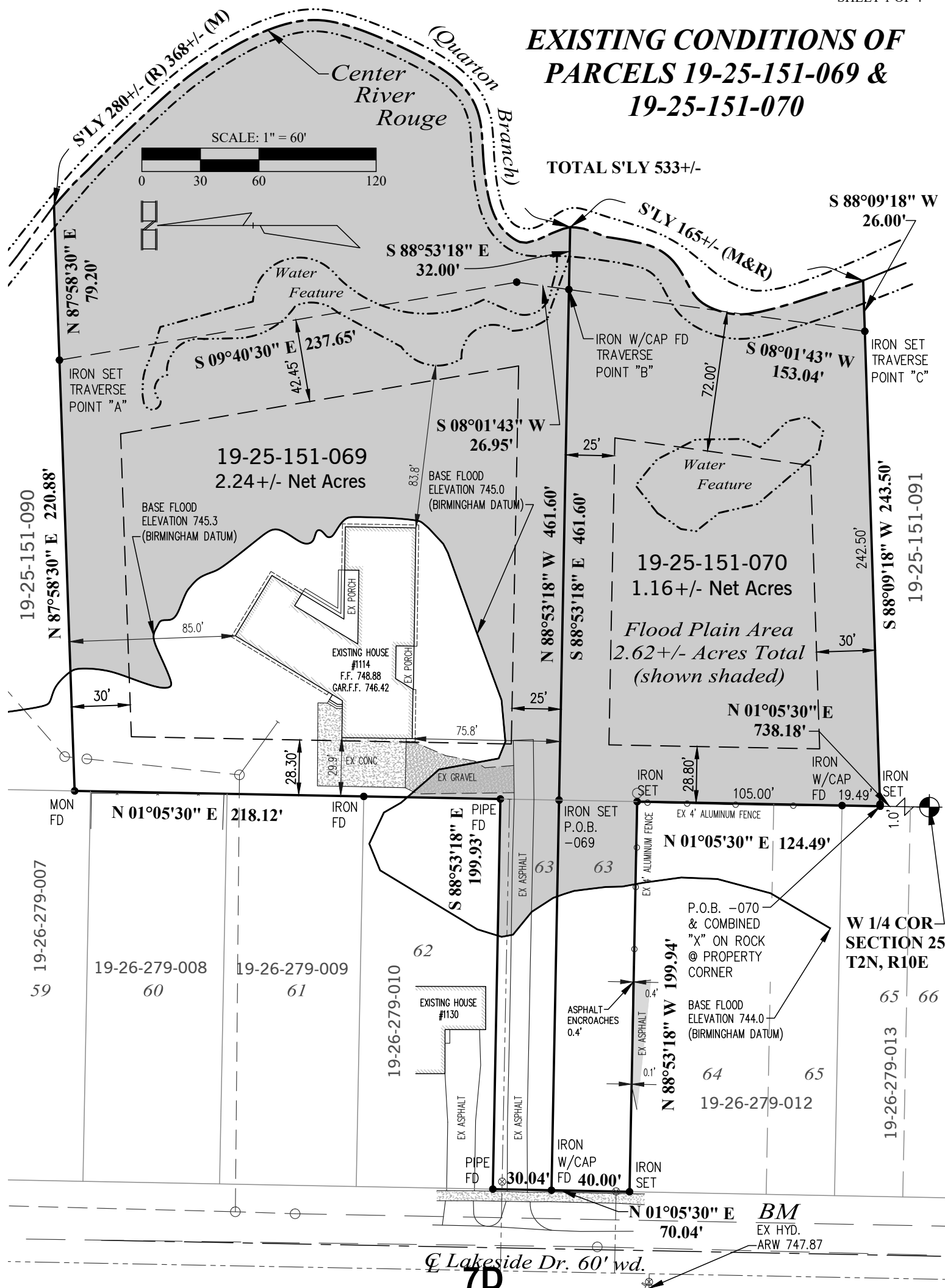


5852 South Main Street, Ste #1
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Fax: 248-625-7110
www.kiefteng.com

A circular professional seal for a surveyor in the State of Michigan. The outer ring contains the text "STATE OF MICHIGAN" at the top and "LICENSED PROFESSIONAL SURVEYOR" at the bottom, separated by two stars. The center of the seal contains the name "WILLIAM JERRILL NORMAN II" and the license number "4001046680".

William J. Norman III
SHEET 1 OF 4

REV. 3-12-2024
10-26-2021

Job No. 2021.256

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A circular professional seal for a surveyor in the State of Michigan. The outer ring contains the text "STATE OF MICHIGAN" at the top and "LICENSED PROFESSIONAL SURVEYOR" at the bottom, separated by two stars. The inner circle contains the name "WILLIAM JERRILL NORMAN II" and the license number "4001046680".

Survey for SANDRA COLLINS

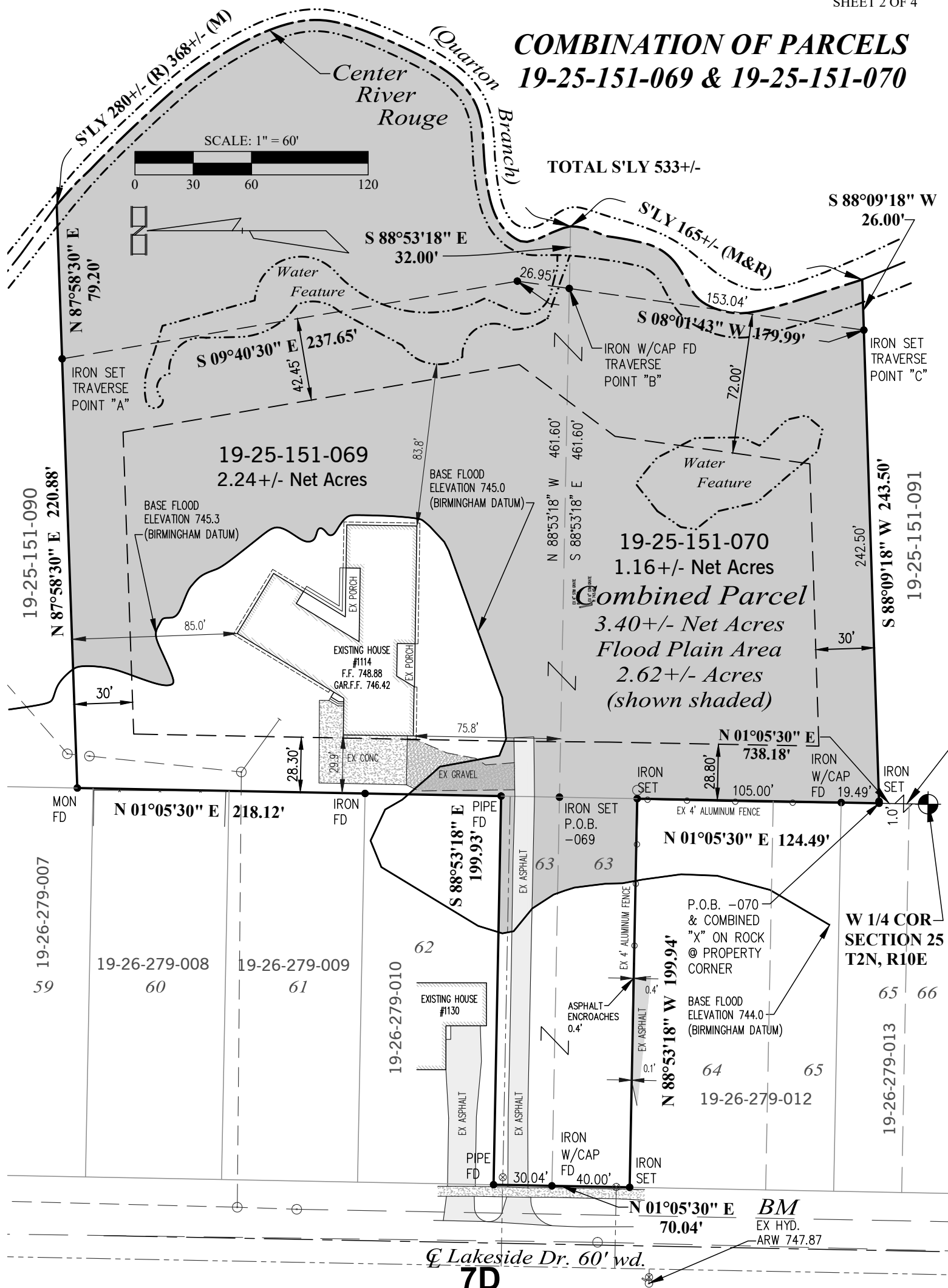
REV. 3-12-2024

10-26-2021

Address 1114 LAKESIDE RD. BIRMINGHAM, MI 48009

Job No. 2021.256

SHEET 2 OF 4



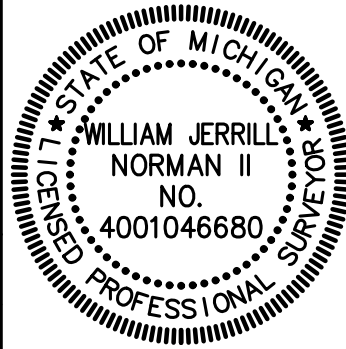
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CERTIFICATE OF SURVEY



Survey for	SANDRA COLLINS	REV. 3-12-2024
Date	10-26-2021	
Address	1114 LAKESIDE RD. BIRMINGHAM, MI 48009	Job No. 2021.256

SHEET 3 OF 4

COMBINATION OF PARCELS
19-25-151-069 & 19-25-151-070 DESCRIPTIONS

I hereby certify that I surveyed and mapped said land platted and/or described on March 12, 2024, and that the relative positional precision of each corner are within limits accepted by the practice of professional surveying and that all of the requirements of P.A. 132 1970 as Amended have been complied with. Bearings shown on this survey were determined in the following manner:"Quarton Lake Estates Replat" A Subdivision of Part of the East 1/2 of Section 26 & Part of the NE 1/4 of Section 35 & NW 1/4 of Section 25, T2N, R10E, City of Birmingham, Oakland County, Michigan. As Recorded in Liber 38 of Plats, Pages 24-24A, Oakland County Records.

This is to certify that I, William J. Norman II, a Professional Land Surveyor, have this date made a survey of a parcel of land described as follows:

PARCEL 19-25-151-069 (EXISTING PARCEL)

PART OF LOT 63; "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. BEGINNING AT A POINT LOCATED N 01°05'30" E 902.67 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E; TH N 88°53'18" E 199.94 FT; TH N 01°05'30" W 30.04 FT; TH S 88°53'18" E 199.93 FT; TH N 01°05'30" E 218.12 FT; TH N 87°58'30" E 220.88 FT TO TRAVERSE POINT "A"; TH CONTINUING N 87°58'30" E 79.20 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER; TH SOUTHERLY 280 FT MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER; TH N 88°53'18" W 32.00 FT MORE OR LESS TO TRAVERSE POINT "B", SAID POINT BEING LOCATED S 09°40'30" E 237.65 FT & S 08°01'43" W 26.95 FT FROM FIRST MENTIONED TRAVERSE POINT "A"; TH N 88°53'18" W 261.66 FT TO THE POINT OF BEGINNING. CONTAINING 2.24+/- NET ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

PARCEL 19-25-151-070 (EXISTING PARCEL)

PART OF LOT 63; "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. BEGINNING AT A POINT LOCATED N 01°05'30" E 738.18 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E; TH CONTINUING N 01°05'30" E 124.49 FT; TH N 88°53'18" W 199.94 FT; TH N 01°05'30" E 40.00 FT; TH S 88°53'18" E 461.60 FT TO TRAVERSE POINT "B"; TH CONTINUING S 88°53'18" E 32 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER; TH SOUTHERLY 165 FT MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER, TH S 88°09'18" W 26 FT MORE OR LESS TO TRAVERSE POINT "C", SAID POINT BEING LOCATED S 08°01'43" W 153.04 FT FROM FIRST MENTIONED TRAVERSE POINT "B", TH S 88°09'18" W 243.50 FT TO THE POINT OF BEGINNING. CONTAINING 1.16+/- NET ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

COMBINED PARCELS 19-25-151-069 & 19-25-151-070

ALL OF LOT 63; "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. TOTAL PARCEL DESCRIBED AS BEGINNING AT A POINT LOCATED N 01°05'30" E 738.18 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E; TH CONTINUING N 01°05'30" E 124.49 FT; TH N 88°53'18" W 199.94 FT; TH N 01°05'30" E 70.04 FT; TH S 88°53'18" E 199.93 FT; TH N 01°05'30" E 218.12 FT; TH N 87°58'30" E 220.88 FT TO TRAVERSE POINT "A"; TH CONTINUING N 87°58'30" E 79.20 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER; TH SOUTHERLY 533 FT MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER; TH S 88°09'18" W 26 FT MORE OR LESS TO TRAVERSE POINT "C", SAID POINT BEING LOCATED S 09°40'30" E 237.65 FT & S 08°01'43" W 179.99 FT FROM FIRST MENTIONED TRAVERSE POINT "A", TH S 88°09'18" W 243.50 FT TO THE POINT OF BEGINNING. CONTAINING 3.40+/- NET ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

WITNESSES

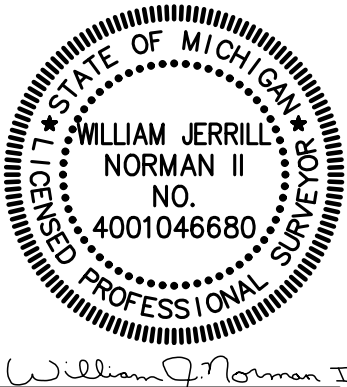
W 1/4 COR., SEC. 25, T2N, R10E, FD O.C. REMON CAP
S 51° E 39.89', PK/REMON W/TAG
NE FACE 26" OAK
N 50° E 34.46', PK/REMON W/ TAG
SE FACE 18" ELM
N 17° W 35.59', PK/REMON W/ TAG
E FACE 12" MAPLE
S 55° W 71.36', PK/REMON W/ TAG
SE FACE 24" MAPLE
S 25° E 21.63', PK/REMON W/ TAG
NW CORNER LOT 28 "GREENWOOD SUBDIVISION"

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CERTIFICATE OF SURVEY



Survey for	SANDRA COLLINS	Date	REV. 3-12-2024 10-26-2021
Address	1114 LAKESIDE RD. BIRMINGHAM, MI 48009	Job No.	2021.256

William J. Norman II
SHEET 4 OF 4

COMBINATION OF PARCELS
19-25-151-069 & 19-25-151-070
NOTES & BENCHMARK

PROPERTY IS ZONED R1 - SINGLE FAMILY
RESIDENTIAL:

SETBACKS

FRONT- 25 FEET - AVERAGE SETBACK COULD NOT BE DETERMINED DUE
TO LOCATION OF PARCEL

SIDE SETBACK - 9 FEET OR 10% OF TOTAL LOT WIDTH AT FRONT
SETBACK LINE, WHICHEVER IS LARGER.

$283.00 \times 0.10 = 28.30 \text{ FEET (PARCEL 19-25-151-069)}$

$288.00 \times 0.10 = 28.80 \text{ FEET (PARCEL 19-25-151-070)}$

TOTAL TWO SIDES - 14 FEET OR 25% OF TOTAL LOT WIDTH AT FRONT
SETBACK LINE, WHICHEVER IS LARGER.

$283.00' \times 0.25 = 70.75 \text{ FEET (PARCEL 19-25-151-069)}$

$288.00' \times 0.25 = 72.00 \text{ FEET (PARCEL 19-25-151-070)}$

MINIMUM SIDE SETBACKS ARE 10 FEET FOR ONE SIDE AND 5 FEET FOR
THE OTHER.

REAR SETBACK - 30 FEET

OWNER / BUILDER / ARCHITECT TO VERIFY SETBACKS WITH CITY OF
BIRMINGHAM.

DETACHED GARAGE - MINIMUM 3' SETBACK & 6' FROM OVERHEAD
UTILITY LINES.

SURVEY NOTE:

SURVEY PERFORMED WITHOUT THE BENEFIT OF TITLEWORK

BENCHMARK:

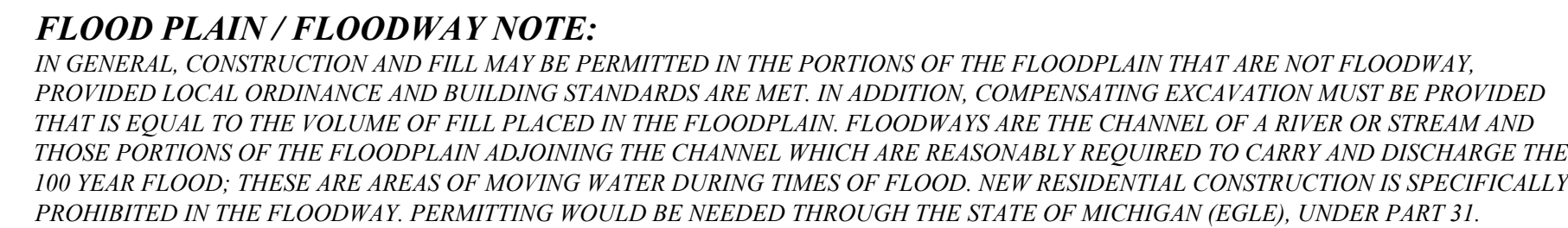
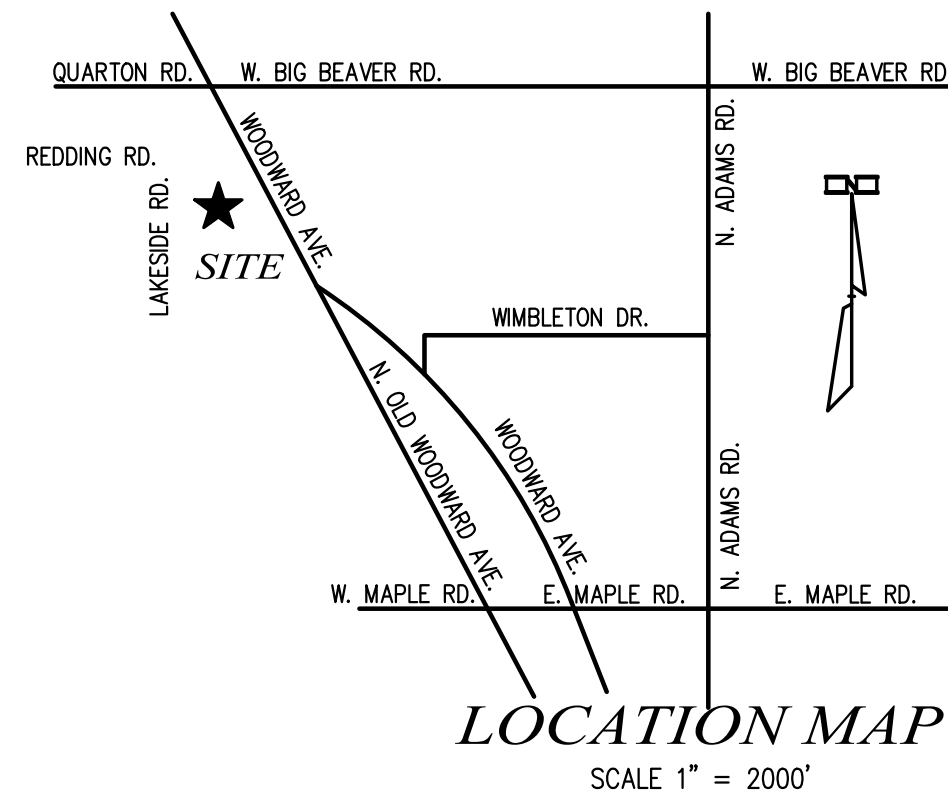
EX HYDRANT ARROW

LOCATED ACROSS THE STREET FROM PARCEL -070

ELEVATION - 747.87 (CITY OF BIRMINGHAM DATUM)

NOTE:

CITY DATUM IS ONE (1) FOOT HIGHER THAN THE NAVD 1988 DATUM



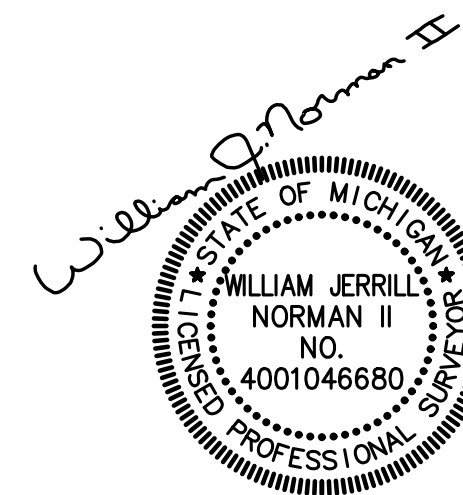
PROPERTY IS ZONED RI - SINGLE FAMILY RESIDENTIAL:
SETBACKS
 FRONT- 25 FEET, AVERAGE SETBACK COULD NOT BE DETERMINED DUE TO LOCATION OF PARCEL
 SIDE SETBACK - 9 FEET OR 10% OF TOTAL LOT WIDTH AT FRONT SETBACK LINE, WHICHEVER IS LARGER.
 TOTAL TWO SIDES - 14 FEET OR 25% OF TOTAL LOT WIDTH AT FRONT SETBACK LINE, WHICHEVER IS LARGER.
 MINIMUM SIDE SETBACKS ARE 10 FEET FOR ONE SIDE AND 5 FEET FOR THE OTHER.
 REAR SETBACK - 30 FEET
OWNER / BUILDER / ARCHITECT TO VERIFY SETBACKS WITH CITY OF BIRMINGHAM.
 DETACHED GARAGE - MINIMUM 3' SETBACK & 6' FROM OVERHEAD UTILITY LINES.

- **AVERAGE LOT WIDTHS OF LOTS WITHIN 300 FEET ALONG LAKESIDE DRIVE - 102.9 FT.**
- **2x AVERAGE LOT WIDTH - 205.8 FT.**
- **PROPOSED LOT WIDTH - 283.0 FT.**
- **AVERAGE LOT AREA OF LOTS WITHIN 300 FEET ALONG LAKESIDE DRIVE - 21,975 SQ. FT.**
- **2x AVERAGE LOT AREA - 43,950 SQ. FT.**
- **PROPOSED LOT AREA - 148,104 SQ. FT.**
- **PROPOSED LOT AREA (IN FLOODWAY) - 73,181 +/- SQ. FT.**
- **PROPOSED LOT AREA (NOT IN FLOODWAY) - 74,923 +/- SQ. FT.**
- **PROPOSED LOT AREA (IN 100 YEAR FLOOD PLAIN) - 114,127 +/- SQ. FT.**
- **PROPOSED LOT AREA (NOT IN 100 YEAR FLOOD PLAIN) - 33,977 +/- SQ. FT.**

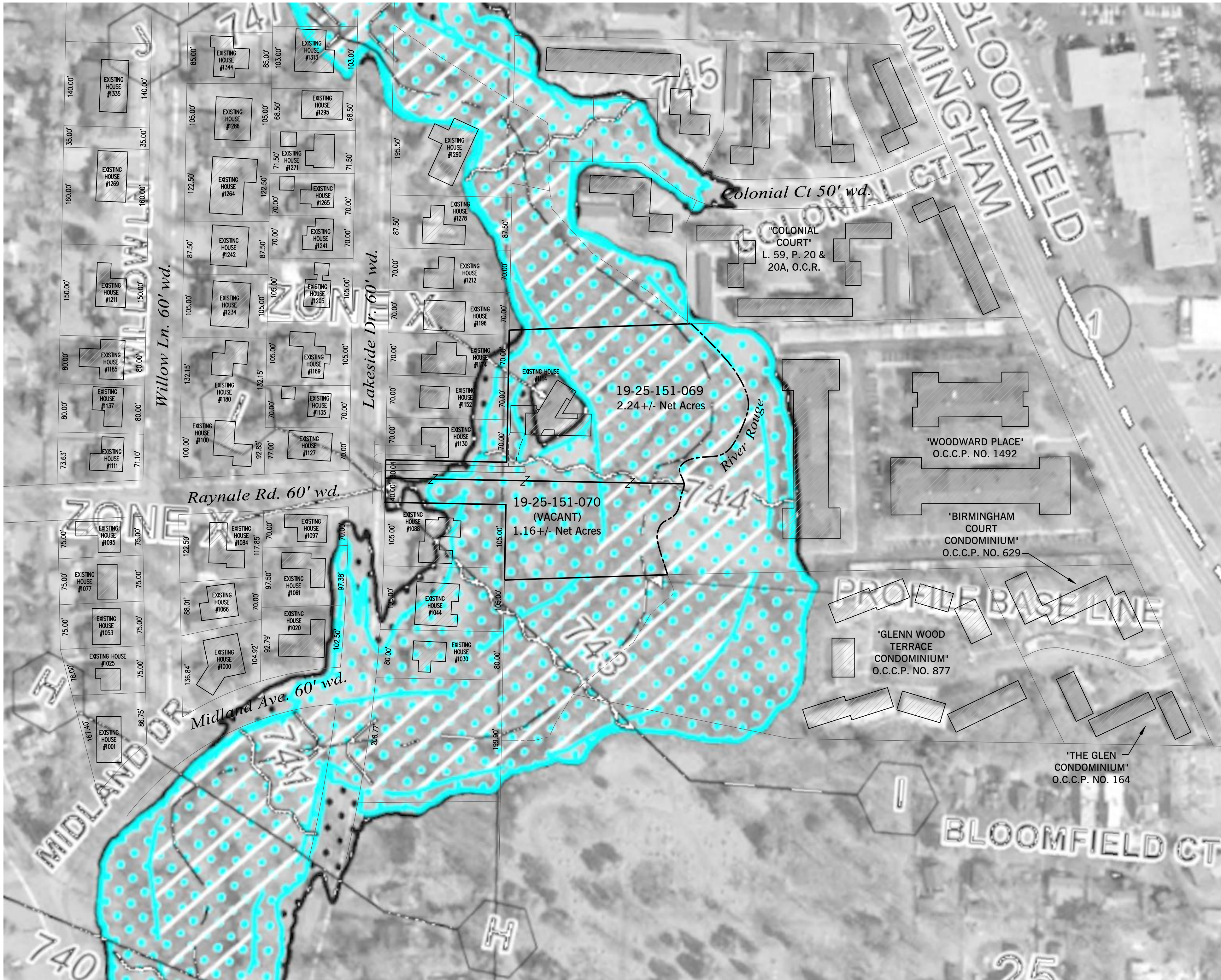
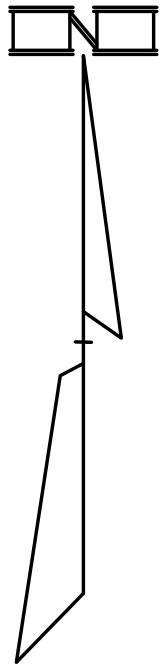
PARCEL 19-25-151-069 (EXISTING PARCEL)
 PART OF LOT 43, "QUARTON LAKE ESTATES REPLAT", A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26, & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OKLAHOMA COUNTY, MICHIGAN, AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OKLAHOMA COUNTY RECORDS, ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, BEGINNING AT A POINT LOCATED N 0°05'30" E 902.67' FT. TO CORNER OF LOT 43, CONTINUING S 88°53'31" E 220.88' FT. TO TRAVEVERSE POINT "A", TH N 88°53'31" E 220.88' FT. TO TRAVEVERSE POINT "A", TH N 0°05'30" E 218.12' FT., TH N 88°53'30" E 220.88' FT. TO TRAVEVERSE POINT "A", TH CONTINUING N 88°53'30" E 79.20' FT. MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER, TH SOUTHERLY 280' FT. MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER, TH N 88°53'31" W 32.00' FT. MORE OR LESS TO TRAVEVERSE POINT "B", AND POINT "B" BEING THE POINT OF BEGINNING OF THE 26.66' ACRES OF THE FIRST MENTIONED TRAVEVERSE POINT "A", TH N 88°53'31" W 261.66' FT. TO THE POINT OF BEGINNING, CONTAINING 2.24+/- NET ACRES, SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

PARCEL 19-25-151-070 (EXISTING PARCEL)
 PART OF LOT #3, "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 &
 PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY,
 MICHIGAN, AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-244, OAKLAND COUNTY RECORDS, ALSO PART OF THE
 NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, BEGINNING AT A POINT LOCATED N 0°05'30" E 738.18' ALONG
 THE S 88°53'18" E CORNER OF THE S 88°53'18" E 461.60' TO TRAVERSE POINT "B", TH 88°53'18" E 134.04' TO
 N 88°53'18" W 199.94' FT, TH N 0°05'30" E 40.00' FT, TH S 88°53'18" E 461.60' TO TRAVERSE POINT "B", TH
 CONTINUING S 88°53'18" E 32.37' MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER, TH SOUTHERLY 165' FT
 MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER, TH S 88°09'18" W 26.76' MORE OR LESS TO TRAVERSE
 POINT "C", SAID POINT BEING LOCATED S 08°03'43" W 153.04' FT FROM FIRST MENTIONED TRAVERSE POINT "B", TH
 S 88°09'18" W 153.04' FT TO THE POINT OF BEGINNING, CONTAINING 1.16+- AC. NET ACRES, SUBJECT TO EASEMENTS &
 RESTRICTIONS OF RECORD, IF ANY.

COMBINED PARCELS 19-25-151-069 & 19-25-151-070
 ALL OF LOT 62; "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 &
 PART OF THE NW 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY,
 MICHIGAN; AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE
 NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. TOTAL PARCEL DESCRIBED AS BEGINNING AT A POINT
 LOCATED S01°05'30" E 738.18 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E, TH CONTINUING
 N 01°05'30" E 124.49 FT, TH N 88°53'18" W 199.94 FT, TH N 01°05'30" E 70.04 FT, TH S88°53'18" E 199.93 FT, TH
 N 01°05'30" E 218.12 FT, TH N 87°58'30" E 220.88 FT TO TRAVERSE POINT "A", TH CONTINUING N 87°58'30" E 79.20 FT
 MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER, TH SOUTHERLY 533 FT MORE OR LESS ALONG SAID CENTER
 LINE OF ROUGE RIVER, TH S 88°53'18" E 72.75 FT MORE OR LESS TO TRAVERSE POINT "C", SAID POINT BEING
 LOCATED S 09°40'30" E 237.65 FT & S 08°40'13" E 179.99 FT FROM FIRST MENTIONED TRAVERSE POINT "A", TH
 S 88°09'18" W 243.50 FT TO A POINT OF BEGINNING, CONTAINING 3.40+/- NET ACRES, SUBJECT TO EASEMENTS &
 RESTRICTIONS OF RECORD, IF ANY.



DATE	ISSUE	PROPRIETOR: SANDRA COLLINS 1114 LAKESIDE ROAD BIRMINGHAM, MI 48009 (248) 514-5334	THIS DRAWING IS THE PROPERTY OF KIEFT ENGINEERING, INC. AND MAY NOT BE USED, REPRODUCED OR PUBLISHED, IN PART OR IN WHOLE, WITHOUT EXPRESSED WRITTEN PERMISSION FROM KIEFT ENGINEERING, INC.	 KIEFT ENGINEERING	KIEFT ENGINEERING, INC. REG. PROF. ENGINEER AND REG. LAND SURVEYOR 5852 SOUTH MAIN STREET, STE #1, CLARKSTON, MICHIGAN 48346 PHONE (248) 625-5251 FAX (248) 625-7110	DATE 5-28-2024 DRAWN JM DESIGN WJN SECTION 25 & 26	CKD. BY T- 2 -N- R- 10 -E-	 72 HOURS (3 WORKING DAYS) BEFORE YOU DIG CALL MISS DIG 800-482-7171 (TOLL FREE)	OVERALL NEIGHBORHOOD PLAN PARCEL NO. 19-25-151-069 & 19-25-151-070 CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN	SCALE 1" = 100' SHEET 1 OF 2 <i>KE 2021.256</i>
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- AVERAGE LOT WIDTHS OF LOTS WITHIN 300 FEET ALONG LAKESIDE DRIVE - 102.9 FT.
- 2x AVERAGE LOT WIDTH - 205.8 FT.
- PROPOSED LOT WIDTH - 283.0 FT.
- AVERAGE LOT AREA OF LOTS WITHIN 300 FEET ALONG LAKESIDE DRIVE - 21,975 SQ. FT.
- 2x AVERAGE LOT AREA - 43,950 SQ. FT.
- PROPOSED LOT AREA - 148,104 SQ. FT.
- PROPOSED LOT AREA (IN FLOODWAY) - 73,181 +/- SQ. FT.
- PROPOSED LOT AREA (NOT IN FLOODWAY) - 74,923 +/- SQ. FT.
- PROPOSED LOT AREA (IN 100 YEAR FLOOD PLAIN) - 114,127 +/- SQ. FT.
- PROPOSED LOT AREA (NOT IN 100 YEAR FLOOD PLAIN) - 33,977 +/- SQ. FT.

FLOOD PLAIN / FLOODWAY NOTE:

IN GENERAL, CONSTRUCTION AND FILL MAY BE PERMITTED IN THE PORTIONS OF THE FLOODPLAIN THAT ARE NOT FLOODWAY, PROVIDED LOCAL ORDINANCE AND BUILDING STANDARDS ARE MET. IN ADDITION, COMPENSATING EXCAVATION MUST BE PROVIDED THAT IS EQUAL TO THE VOLUME OF FILL PLACED IN THE FLOODPLAIN. FLOODWAYS ARE THE CHANNEL OF A RIVER OR STREAM AND THOSE PORTIONS OF THE FLOODPLAIN ADJOINING THE CHANNEL WHICH ARE REASONABLY REQUIRED TO CARRY AND DISCHARGE THE 100 YEAR FLOOD; THESE ARE AREAS OF MOVING WATER DURING TIMES OF FLOOD. NEW RESIDENTIAL CONSTRUCTION IS SPECIFICALLY PROHIBITED IN THE FLOODWAY. PERMITTING WOULD BE NEEDED THROUGH THE STATE OF MICHIGAN (EGLE), UNDER PART 31.

SURVEY NOTE:

SURVEY PERFORMED WITHOUT THE BENEFIT OF TITLEWORK.

PROPERTY IS ZONED R1 - SINGLE FAMILY RESIDENTIAL:

SETBACKS

FRONT- 25 FEET, AVERAGE SETBACK COULD NOT BE DETERMINED DUE TO LOCATION OF PARCEL
SIDE SETBACK - 9 FEET OR 10% OF TOTAL LOT WIDTH AT FRONT SETBACK LINE, WHICHEVER IS LARGER.
TOTAL TWO SIDES - 14 FEET OR 25% OF TOTAL LOT WIDTH AT FRONT SETBACK LINE, WHICHEVER IS LARGER.
MINIMUM SIDE SETBACKS ARE 10 FEET FOR ONE SIDE AND 5 FEET FOR THE OTHER.
REAR SETBACK - 30 FEET

OWNER / BUILDER / ARCHITECT TO VERIFY SETBACKS WITH CITY OF BIRMINGHAM.

DETACHED GARAGE - MINIMUM 3' SETBACK & 6' FROM OVERHEAD UTILITY LINES.



KIEFT ENGINEERING, INC.

REG. PROF. ENGINEER AND REG. LAND SURVEYOR

5852 SOUTH MAIN STREET, STE #1, CLARKSTON, MICHIGAN 48346

PHONE (248) 625-5251

FAX (248) 625-7110

DATE 5-28-2024

CKD. BY

DATE

DRAWN JM

DESIGN WJN

SECTION 25 & 26

T- 2 -N- R- 10 -E-



72 HOURS
(2 WORKING DAYS)
BEFORE YOU DIG
CALL MISS DIG
800-482-7171
(TOLL FREE)

OVERALL NEIGHBORHOOD PLAN FLOODWAY

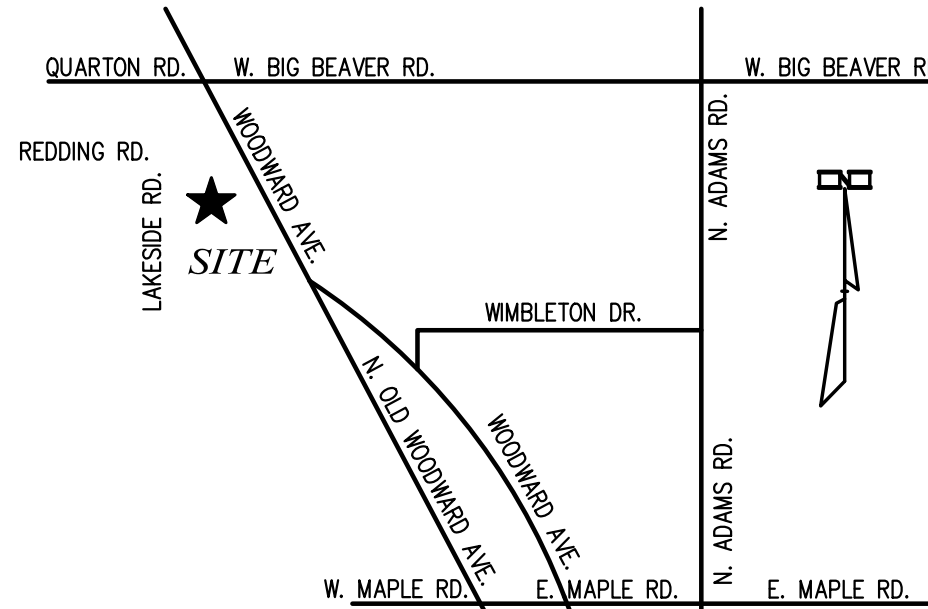
PARCEL NO. 19-25-151-069 & 19-25-151-070

CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN

SCALE 1" = 100'

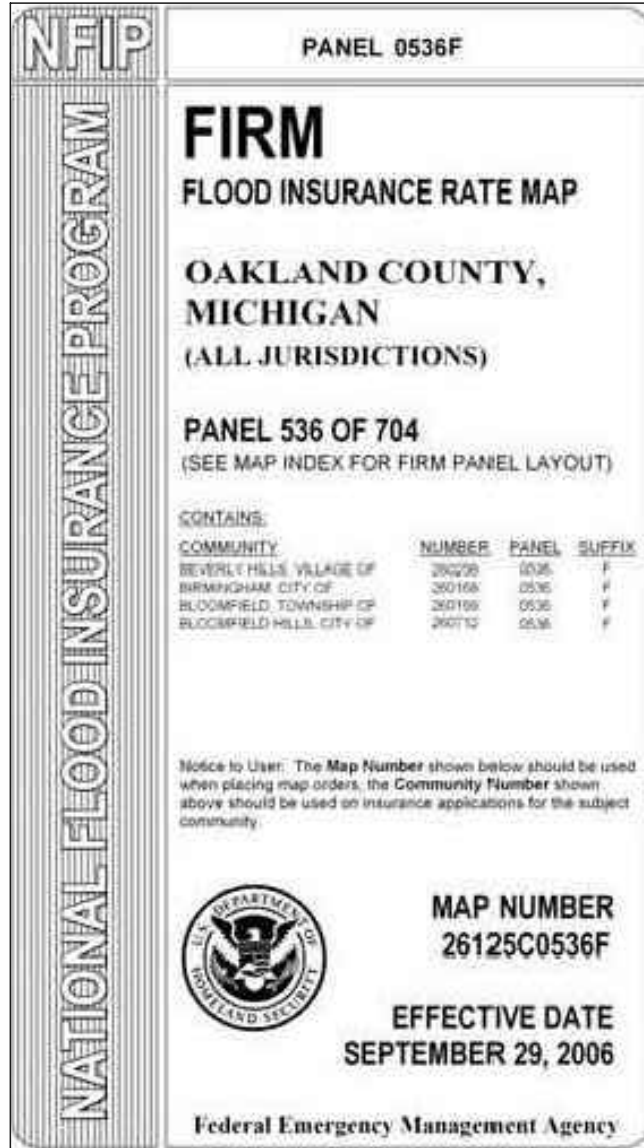
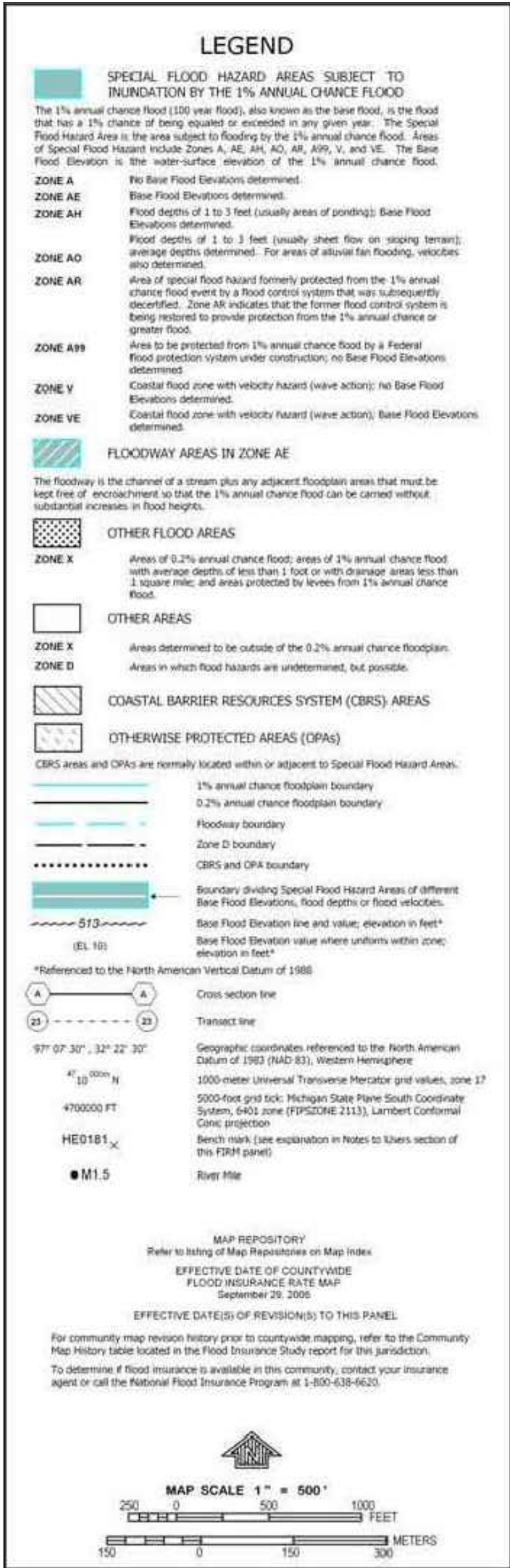
SHEET 2 OF 2

KE 2021.256



LOCATION MAP

SCALE 1" = 2000'



PARCEL 19-25-151-069 (EXISTING PARCEL)

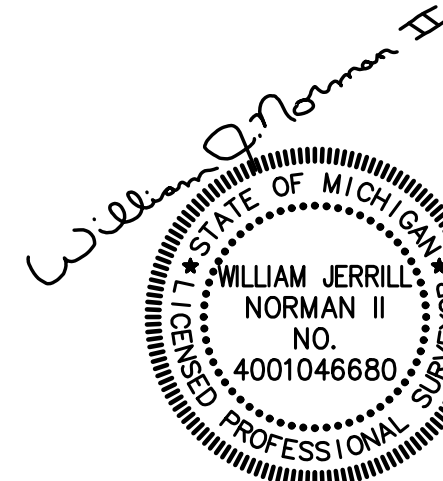
PART OF LOT 63: "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. BEGINNING AT A POINT LOCATED N 01°05'30" E 902.67 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E; TH N 88°53'18" E 199.94 FT; TH N 01°05'30" W 30.04 FT; TH S 88°53'18" E 199.93 FT; TH N 01°05'30" E 218.12 FT; TH N 87°58'30" E 220.88 FT TO TRAVERSE POINT "A"; TH CONTINUING N 87°58'30" E 79.20 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER; TH SOUTHERLY 280 FT MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER; TH S 88°53'18" W 32.00 FT MORE OR LESS TO TRAVERSE POINT "B"; SAID POINT BEING LOCATED S 08°09'18" E 237.65 FT & S 08°09'18" W 26.95 FT FROM FIRST MENTIONED TRAVERSE POINT "A"; TH N 88°53'18" W 261.66 FT TO THE POINT OF BEGINNING. CONTAINING 2.24 +/- NET ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

PARCEL 19-25-151-070 (EXISTING PARCEL)

PART OF LOT 63: "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. BEGINNING AT A POINT LOCATED N 01°05'30" E 738.18 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E; TH CONTINUING N 01°05'30" E 124.49 FT; TH N 88°53'18" W 199.94 FT; TH N 01°05'30" E 40.00 FT; TH S 88°53'18" E 461.60 FT TO TRAVERSE POINT "B"; TH CONTINUING S 88°53'18" E 32.00 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER; TH SOUTHERLY 165 FT MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER; TH S 88°09'18" W 26.95 FT MORE OR LESS TO TRAVERSE POINT "C"; SAID POINT BEING LOCATED S 08°09'18" W 153.04 FT FROM FIRST MENTIONED TRAVERSE POINT "B"; TH S 88°09'18" W 243.50 FT TO THE POINT OF BEGINNING. CONTAINING 1.16 +/- NET ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.

COMBINED PARCELS 19-25-151-069 & 19-25-151-070

ALL OF LOT 63: "QUARTON LAKE ESTATES REPLAT" A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 26 & PART OF THE NE 1/4 OF SECTION 35 & NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. AS RECORDED IN LIBER 38 OF PLATS, PAGES 24-24A, OAKLAND COUNTY RECORDS. ALSO PART OF THE NW 1/4 OF SECTION 25, T2N, R10E, CITY OF BIRMINGHAM. TOTAL PARCEL DESCRIBED AS BEGINNING AT A POINT LOCATED N 01°05'30" E 738.18 FT FROM THE W 1/4 CORNER OF SAID SECTION 25, T2N, R10E; TH CONTINUING N 01°05'30" E 124.49 FT; TH N 88°53'18" W 199.94 FT; TH N 01°05'30" E 70.04 FT; TH S 88°53'18" E 199.93 FT; TH N 01°05'30" E 218.12 FT; TH N 87°58'30" E 220.88 FT TO TRAVERSE POINT "A"; TH CONTINUING N 87°58'30" E 79.20 FT MORE OR LESS TO THE CENTER LINE OF ROUGE RIVER; TH SOUTHERLY 533 FT MORE OR LESS ALONG SAID CENTER LINE OF ROUGE RIVER; TH S 88°09'18" W 26.95 FT MORE OR LESS TO TRAVERSE POINT "C"; SAID POINT BEING LOCATED S 08°09'18" W 153.04 FT FROM FIRST MENTIONED TRAVERSE POINT "A"; TH S 88°09'18" W 243.50 FT TO THE POINT OF BEGINNING. CONTAINING 3.40 +/- NET ACRES. SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD, IF ANY.





DECLARATION OF USE RESTRICTIONS

This Declaration of Use Restrictions (the “Declaration”) is made as of _____, 2024, by Sandra F. Collins, Trustee under Sandra F. Collins Trust Under Agreement Dated June 13, 1986, as Amended, whose address is 1114 Lakeside Drive, Birmingham, Michigan 48009 (Declarant).

RECITALS

WHEREAS, the Declarant is the owner of certain real property located in the City of Birmingham, Oakland County, Michigan, more particularly described on the attached Exhibit A incorporated herein by reference, which is commonly known as 1100 Lakeside Drive (the “1100 Property”);

WHEREAS, the Declarant is the owner of certain real property located in the City of Birmingham, Oakland County, Michigan, more particularly described on the attached Exhibit B incorporated herein by reference, which is commonly known as 1114 Lakeside Drive (the “1114 Property”);

WHEREAS, the Declarant desires to combine the 1100 Property and the 1114 Property into a single tax parcel;

WHEREAS, in connection with such tax parcel combination, the Declarant wishes to declare certain use restrictions on, over and against the 1100 Property, all as contained herein which shall be binding on Declarant and its successors and assigns.

NOW, THEREFORE, Declarant, in consideration of the foregoing, hereby declares as follows:

1. Restrictions. From and after the date the tax parcels for the 1114 Property and the 1100 Property are combined and for so long as the 1114 Property and the 1100 Property constitute a single tax parcel, no Dwelling Unit may be constructed on the 1100 Property. For purposes hereof, “Dwelling Unit” means a building that provides independent living space for a family and has a sanitary connection. A Dwelling Unit does not include such a living space in an accessory structure used solely by the family living in the principal building on the same lot, except that such living space shall not be used as any person's primary living area. Nothing herein

shall prohibit a Dwelling Unit from being located or constructed on the 1114 Property.

2. Binding Effect. The declarations, covenants, and restrictions declared hereby shall benefit and burden the Declarant and its heirs, executors, administrators, beneficiaries, tenants, subtenants, successors and assigns, licensees and permittees. All agreements, covenants and restrictions contained in this Declaration shall run with the land described or referenced therein, and shall be binding upon each successive owner during the term of its ownership of the Property, or any interest therein, and each person having any interest therein derived in any matter through an owner of such parcel, or any portion thereof.
3. Waivers and Amendments. Any amendment, modification or waiver of the terms or conditions of this Declaration shall require in each instance the prior written approval of all the then existing owners of all or any part of the 1100 Property and the City of Birmingham, Michigan (the "City") which shall be deemed a third party beneficiary of the restrictions declared hereby.
4. Default. If any party bound by the terms hereof shall neglect or fail to perform or strictly comply with the foregoing covenants and restrictions, the City or any owner (including Declarant, its successors and assigns) of the 1100 Property or any part thereof and any other beneficial party hereto, may at any time thereafter serve on such property owner a notice in writing specifying the default or breach thereof and directing such owner remedy such default or breach. In the event a party or an owner shall, for a period of thirty (30) days after receipt of such notice, fails to remedy such default or breach, the City or any other owner or party benefitted hereby shall be entitled to pursue all remedies available hereunder to them at law or in equity.
5. Remedies. Any violation of the foregoing covenants may cause irreparable injury or damage, the amount of which will be extremely difficult, if not impossible to determine and which cannot be adequately compensated by monetary damages alone. Therefore, Declarant establishes for itself or its successors and/or assigns that if a party breaches or threatens to breach the foregoing covenants, in addition to any other remedies which may be available under this Declaration at law or equity, such parties, or any party benefitted hereby (including the City), may obtain an injunction, restraining order or other equitable relief against such owner and such other persons as are appropriate.
6. Severability. Whenever possible, each provision of this Declaration will be interpreted in such a manner to be effective and valid under applicable law, but if any provision of this Declaration is held to be invalid, illegal or unenforceable in any respect under any applicable law or rule in any jurisdiction, such invalidity, illegality or enforceability will not affect any other provision, but this Declaration will be reformed, construed and enforced as if such invalid, illegal or unenforceable provisions had never been contained herein.

7. Merger. The restrictions described in this Declaration shall remain in effect and shall not be defeated as a result of the merger of the fee title interest in the land or any portion hereof.
8. Governing Laws. This Declaration shall be construed in accordance with and governed by the laws of the State of Michigan.

(Signatures on the next page)

DRAFT

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date and year first above written.

DECLARANT:

Sandra F. Collins, Trustee under Sandra
F. Collins Trust under Agreement Dated
June 13, 1986, as Amended

STATE OF MICHIGAN)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2024, by Sandra F. Collins, Trustee under Sandra F. Collins Trust under Agreement Dated June 13, 1986, as Amended, to me personally known to be the person who executed the foregoing instrument and acknowledged that she executed the same on behalf of said Trust.

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

Drafted by and after recording return to:

Sandra F. Collins
1114 Lakeside Drive
Birmingham, Michigan 48009

Exhibit A

1100 Property
(Legal Description)

Property located in the City of Birmingham, County of Oakland, State of Michigan.

Part of the Northeast quarter of Section 26 and the Northwest quarter of Section 25, Town 2 North, Range 10 East, more particularly described as commencing at the West quarter corner of Section 25; thence North 1 degree 05 minutes 30 seconds East along the East line of Quarton Lake Estates Company Replat of East part of Quarton Lake Estates Subdivision, according to the recorded plat thereof, as recorded in Liber 38, Pages 24 and 24A of Plats, 738.18 feet to a point of beginning; thence North 1 degree 05 minutes 30 seconds East, 124.49 feet to the Southeast corner of Lot 63 of said Plat; thence North 88 degrees 53 minutes 18 seconds West, 199.94 feet along the South line of said Lot to a point on the East right of way line of Lakeside Road; thence North 1 degree 05 minutes 30 seconds East, 40.00 feet along said right of way; thence South 88 degrees 53 minutes 18 seconds East, 493.64 feet to the centerline of the Rouge River; thence along the centerline of said River Southerly 165 feet; thence South 88 degrees 09 minutes 18 seconds West, 269.5 feet to the point of beginning.

Commonly known as: 1100 Lakeside Drive, Birmingham, Michigan
Tax Parcel Number: 19-25-151-070

Exhibit B

1114 Property
(Legal Description)

Property located in the City of Birmingham, County of Oakland, State of Michigan.

Part of the Northeast 1/4 of Section 26 and the Northwest 1/4 of Section 25, Town 2 North, Range 10 East, City of Birmingham, Oakland County, Michigan, more particularly described as commencing at the West 1/4 corner of Section 25; thence North 1 degree 05 minutes 30 seconds East along the East line of "Quarton Lake Estates Subdivision", (Liber 38, Pages 24 and 24A) 902.67 feet to a point of beginning; thence North 88 degrees 53 minutes 18 seconds West 199.94 feet to a point on the East right of way line of Lakeside Road; thence North 1 degree 05 minutes 30 seconds East along said right of way 30.04 feet to the Northwest corner of Lot 63 of said plat; thence South 88 degrees 53 minutes 18 seconds East 199.93 feet along the North line of said Lot 63; thence North 1 degree 05 minutes 30 seconds East 218.12 feet to the Southwest corner of "Colonial Court" (Liber 59, Page 20); thence North 87 degrees 58 minutes 30 seconds East 300.0 feet (previously recorded 289.6 feet) to the centerline of the Rouge River; thence Southerly along the centerline of said river 280 feet; thence North 88 degrees 53 minutes 18 seconds West 293.7 feet to the point of beginning.

Commonly known as: 1114 Lakeside Drive, Birmingham, Michigan 48009
Tax Parcel Number: 19-25-151-069



Combination of Platted Lots Application
Planning Division

1. Applicant

Name: Sandra Collins
Address: 1114 Lakeside Drive
Birmingham, MI 48009
Phone Number: 248-840-1261
Email: scollins2848@gmail.com

2. Property Owner (☒ *same as applicant*)

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

3. Project Contact Person (☒ *same as applicant*)

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

4. Project Designer/Developer

Name: Jonathan Disbrow (Architect)
Address: 517 Livernois
Ferndale, MI 48220
Phone Number: 248-514-5334
Email: jon@di.studio

5. Required Attachments

- One (1) copy or a registered land survey showing:
 - All existing and proposed platted lot lines;
 - Legal descriptions of proposed lots;
 - Locations of existing lots and structures within a 500 ft. radius;
 - Footprints of proposed development(s) including proposed building envelope with front, side and rear setbacks clearly labeled;
- One (1) digital copy of plans;
- Proof of ownership;
- Written statement of reasons for request;
- A letter of authority or power of attorney in the event that the application is made by a person other than the owner;
- Sketches of proposed development (*optional*);
- Other data having a direct bearing on the request;
- Any other information requested by the City Commission, Planning or other Departments.

6. Project Information

Address: 1114 Lakeside Drive / 1100 Lakeside Drive
Parcel ID#: 19-25-151-069 & 19-25-151-070
Current Use: Single family residence / Vacant
Current Zoning: R-2

Legal Description: _____
See attached

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

See attached letter and engineering drawings.

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

Signature of Property Owner: _____ **Date:** 3/21/2024

Print Name: Sandra Collins

Signature of Applicant: _____ **Date:** 3/21/2024

Print Name: Sandra Collins

Office Use Only

Application #: _____ Date Received: _____ Fee: \$ _____

Date of Approval: _____ Date of Denial: _____ Reviewed By: _____



Notice Sign Rental Application Community Development

1. Applicant

Name: Sandra Collins
Address: 1114 Lakeside Drive
Birmingham, MI 48009
Phone Number: 248-840-1261
Email: scollins2848@gmail.com

2. Property Owner (☒ same as applicant)

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

3. Project Information

Address: _____
Name of Development: N/A
Parcel ID#: 19-25-151-069 & 19-25-151-070
Current Use: Single family residence / Vacant
Proposed Use: _____
Area of Site in Acres: 3.4 Acres combined
Current Zoning: R-2

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

4. Date of Board/Commission Review

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

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

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

Signature of Applicant: _____ Date: 3/21/2024

Office Use Only

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

Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1893, Sec. 211.24 (c) and Sec.211.34c, as amended. This is a model assessment notice to be used by the local assessor.

FROM: CITY OF BIRMINGHAM MICHEAL R. LOHMEIER, ASSESSOR PO BOX 3001 BIRMINGHAM MI 48012-3001		PARCEL IDENTIFICATION PARCEL NUMBER: 08-19-25-151-070 PROPERTY ADDRESS: 1100 LAKESIDE RD BIRMINGHAM, MI 48009-1381	
OWNER'S NAME & ADDRESS/PERSON NAMED ON ASSESSMENT ROLL: SANDRA F COLLINS TRUST COLLINS TRUSTEE, SANDRA F 1114 LAKESIDE DR BIRMINGHAM MI 48009-1381		PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence": 100.00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": ☐ Yes ☒ No Exempt As "Development Property": ☐ Yes ☒ No	
LEGAL DESCRIPTION: T2N, R10E, SEC 25 & 26 PART OF NW 1/4 OF SEC 25 & PART OF LOT 63 OF 'QUARTON LAKE ESTATES REPLAT' DESC AS BEG AT PT DIST N 01-05-30 E 738.18 FT FROM W 1/4 COR OF SEC 25, TH N 01-05-30 E 124.49 FT, TH N 88-53-18 W 199.94 FT, TH N 01-05-30 E 40.00 FT, TH S 88-53-18 E 461.60 FT TO TRAVERSE POINT, TH S 88-53-18 E 32 FT TO CEN LINE OF ROUGE RIVER,			
ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS:		401 (RESIDENTIAL-IMPROVED)	
PRIOR YEAR'S CLASSIFICATION: 401 (RESIDENTIAL-IMPROVED)			
The change in taxable value will increase/decrease your tax bill for the 2024 year by approximately: \$937		PRIOR AMOUNT YEAR: 2023	CURRENT TENTATIVE AMOUNT YEAR: 2024
1. TAXABLE VALUE:		484,950	509,190
2. ASSESSED VALUE:		608,230	628,510
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (SEV):		608,230	628,510
5. There WAS or WAS NOT a transfer of ownership on this property in 2023: WAS NOT			
6. Assessor Change Reason(s): Market Adjustment			

The 2024 Inflation Rate Multiplier is: 1.05

Questions regarding the Notice of Assessment, Taxable Valuation, and Property Classification may be directed to the following:

Oakland County Equalization	(248)858-0776 or (248)858-0773	equal@oakgov.com
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March Board of Review Appeal Information:

The Board of Review will meet at Birmingham City Hall on Tuesday, March 5th for an Organizational Meeting from 9:00 am until Completion of Business. Appointments will be held at Baldwin Public Library (300 W. Merrill, Birmingham 48009) beginning on: Monday, March 11th and Tuesday, March 12th from 9:00 am until 12:00 noon and 1:30 pm until 4:30 pm. Thursday, March 14th from 1:30 pm until 4:30 pm and 6:00 pm until 9:00 pm. Friday, March 15th from 1:30 pm until 4:30 pm.

Protests may be made by written appeal or in person. Petitioner agents must provide a written appeal with the ORIGINAL signature of the petitioner represented and current date. (Fax not accepted.) Written appeals must be received by 9:00 am on Friday, March 15th. NO FAX APPEALS WILL BE ACCEPTED.

For an appointment IN ADVANCE, please contact Oakland County Equalization Division at (248) 858-0776.

NOTE: Written appeals MUST be in letter form. Emails will NOT be accepted.

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OWNER'S NAME & ADDRESS/PERSON NAMED ON ASSESSMENT ROLL: SANDRA F COLLINS TRUST COLLINS TRUSTEE, SANDRA F 1114 LAKESIDE RD BIRMINGHAM MI 48009-1381		PRINCIPAL RESIDENCE EXEMPTION % Exempt As "Homeowners Principal Residence": 100.00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": ☐ Yes ☒ No Exempt As "Development Property": ☐ Yes ☒ No	
LEGAL DESCRIPTION: T2N, R10E, SEC 25 & 26 PART OF NW 1/4 OF SEC 25 & PART OF LOT 63 OF 'QUARTON LAKE ESTATES REPLAT' DESC AS BEG AT PT DIST N 01-05-30 E 902.67 FT FROM W 1/4 COR OF SEC 25, TH N 88-53-18 W 199.94 FT, TH N 01-05-30 E 30.04 FT, TH S 88-53-18 E 199.93 FT, TH N 01-05-30 E 218.12 FT, TH N 87-58-30 E 220.88 FT TO TRAVERSE POINT, TH N 87-58-30 E 79.2 FT TO			
ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS:		401 (RESIDENTIAL-IMPROVED)	
PRIOR YEAR'S CLASSIFICATION: 401 (RESIDENTIAL-IMPROVED)			
The change in taxable value will increase/decrease your tax bill for the 2024 year by approximately: \$2,173		PRIOR AMOUNT YEAR: 2023	CURRENT TENTATIVE AMOUNT YEAR: 2024
1. TAXABLE VALUE:		1,124,460	1,180,680
2. ASSESSED VALUE:		1,182,050	1,224,350
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (SEV):		1,182,050	1,224,350
5. There WAS or WAS NOT a transfer of ownership on this property in 2023: WAS NOT			
6. Assessor Change Reason(s): Market Adjustment			

The 2024 Inflation Rate Multiplier is: 1.05

Questions regarding the Notice of Assessment, Taxable Valuation, and Property Classification may be directed to the following:

Oakland County Equalization	(248)858-0776 or (248)858-0773	equal@oakgov.com
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NOTE: Written appeals MUST be in letter form. Emails will NOT be accepted.



MEMORANDUM

Engineering Department

DATE: July 16, 2024

TO: Jana L. Ecker, City Manager

FROM: Melissa A. Coatta, City Engineer

SUBJECT: Sidewalk Requirements for Residential Development

INTRODUCTION:

The City Commission passed a resolution at the June 3, 2024 meeting requesting a report posthaste from staff about the requirement to have sidewalks constructed along the front or side of a property which borders a right-of-way where a new principal building is erected. The resolution also directed staff to direct the contractors, where a contractor is being required to put in a sidewalk as part of a new build, to postpone work on the sidewalks until the City Commission could discuss the matter at a future meeting.

BACKGROUND:

The City has advocated for the addition of continuous sidewalks on all streets, and filling in sidewalk gaps in all locations in the City since the Multi-Modal Transportation Plan was adopted in 2013. Given the City logo of "a walkable community" has been in place for over 25 years, the importance of sidewalks and the desire to prioritize pedestrian comfort and safety has been a priority for many decades.

In the past, the Engineering Department has irregularly required contractors to install new sidewalks where a continuous sidewalk did not exist. Starting around 2020-2021, the Engineering Department began reviewing site plans for new homes on single-family zoned property. Around October 2022, the Engineering Department started enforcing the ordinance requiring the installation of a new sidewalk where a sidewalk did not previously exist as part of the residential site plan review process. If the plan was submitted before October 2022, the site plan was not reviewed in detail by the Engineering Department, and thus despite the ordinance requiring the installation of sidewalks, this was often overlooked.

The Engineering Department pulled records from June 2022 to the present for new house construction approvals. Out of 121 approvals, 16 of them were in locations where no existing sidewalks exist either in front of, or for a corner parcel, along the side of the house. Out of these 16 houses, 11 of them have approved site plans to install a sidewalk along the front or side of

their property. The 5 remaining houses had submitted their plans prior to the Engineering Department conducting full site plan reviews in October 2022. Below is a list of properties where sidewalk installation is part of their approved site plan and the status of the sidewalk installation:

Address	Status of Sidewalk Installation
309 ARLINGTON	Prepped for Sidewalk
327 ARLINGTON	Prepped for Sidewalk
1525 CHESTERFIELD	No work completed for Sidewalk
2455 FAIRWAY	Sidewalk Installed
1165 HILLSIDE	Sidewalk Installed
1230 LATHAM	No work completed for Sidewalk
1323 NORTHLAWN	No work completed for Sidewalk
1355 NORTHLAWN	No work completed for Sidewalk
2190 NORTHLAWN	No work completed for Sidewalk
2428 NORTHLAWN	No work completed for Sidewalk
503 SHIRLEY	No work completed for Sidewalk

For the properties where sidewalks have not been installed, the attached letter was mailed to them. The Engineering Department just recently approved a site plan for 1057 Arlington. The approved site plan does include a proposed sidewalk, but the approval included the following note "At the June 3, 2024, City Commission Meeting, a motion was passed to put a moratorium on requirements for a new sidewalk to be installed where no sidewalk exists during a new residential house process. This will be discussed further at the next City Commission meeting on Monday, June 24, 2024, at 7:30 pm. Please do not proceed with any prep work for installing the sidewalk, until a letter is issued by the City after the June 24, 2024 meeting."

The City Manager and staff recommend lifting the pause or moratorium that has temporarily suspended enforcement on the requirement to install sidewalks where there is new home construction and sidewalk gaps exist for the following reasons:

- **Multi-Modal Transportation Plan (2013)** – Clearly states that the City's goal is to have continuous sidewalks throughout the City along all streets in both residential and commercial areas, and to provide pedestrian pathways through public parks and public space that link up with the City's sidewalk system.
- **Birmingham 2040 Plan (2023)** – Chapter 1 of the 2040 Plan is entitled "Connect the City" and prioritizes the accommodation of all modes of travel, pedestrian connections along streets, safe pedestrian crossings across streets, and promotes keeping and/or improving all streets pedestrian oriented across the City.
- **Site Grading** - Usually most new houses will have grading complete in front of the new home and in the City right-of-way. It is less costly and simpler for the builder to prep for sidewalk grades during their grading operations than for the City to come back later and possibly need a temporary access agreement to grade on private property in order to install the sidewalk.
- **Sidewalks through Driveways** - It is less costly and simpler for the builder to install a sidewalk through an approach than for the City to come back at a later date and install a sidewalk. In most cases, the City would spend more removing additional driveways either in front of or behind the sidewalk to meet the required 2% or less cross slope for the sidewalk per ADA requirements.
- **Special Treatments** - A special treatment permit is required when landscape features, sprinkler systems, snow melt systems, brick pavers, and decorative

approaches are installed in the City's right-of-way. This permit allows work to occur, but the City will not replace these items. If the City comes back later and installs sidewalks, the City will incur the costs of removing or protecting landscaping, trying to protect sprinkler or snowmelt systems during construction, and removing brick pavers by hand and salvaging them. Also, the Engineering Department does hear complaints from property owners about the City not installing these features back as part of a construction project. These issues would be avoided by enforcing the existing ordinance and installing sidewalks at the time of construction.

- **Costs** - It is most cost-effective to grade and install a sidewalk during new house construction since other grading operations are ongoing and concrete will be used onsite.
- **Reduce the amount of Sidewalk Gap Closure** - After a new sidewalk is installed on residential property, it reduces the amount of sidewalk gap closure on each street. In future years, the City could install sidewalks on 1 to 2 parcels and start connecting sidewalks that were previously installed. An example of this is at 2455 Hillside. Currently, this property is two lots west of Cranbrook Road which had a sidewalk installed in 2023. Only one sidewalk needs to be installed in front of 2497 Fairway to close the sidewalk gap.

For residential development where there is an existing sidewalk, the Engineering Department does review the condition of the existing sidewalk and for ADA compliance. Also, most builders drive over existing sidewalks with vehicles and equipment during construction. In several cases, the sidewalk is proposed to be removed and replaced as part of the approved Site Plan Evaluation. Any sidewalk proposed to remain is reviewed for damage during construction and part of the inspection of the sidewalk and approach permit, and the final certificate of occupancy. Damaged sidewalks are required to be repaired or replaced.

LEGAL REVIEW:

The City Attorney has reviewed this memo and concurs with the City Manager and staff that codified ordinances and adopted master plans should be followed.

FISCAL IMPACT:

The City's current policy is to assess the City's sidewalk installation costs when no sidewalk currently exists for residential property at the following:

Sec. 98-63. - Original construction; allocation of costs.

(a) The cost of original sidewalk construction shall be allocated between the city and the abutting property owner as follows:

- (1) Front sidewalk. The entire cost shall be borne by the abutting property owner.
- (2) Side street sidewalks:

- a. If the abutting property is zoned for other than residential use and is in a new subdivision or is in an unimproved area, the entire cost shall be borne by the abutting property owner.

- b. If the abutting property is zoned for residential use and is not in a new subdivision or in an unimproved area, 33 percent of the cost shall be borne by the abutting property owner and 67 percent shall be borne by the city.

(b) When a sidewalk is contiguous to more than one lot or parcel, the costs of such original sidewalk construction shall be prorated between adjoining property owners on the basis of front footage repaired. Sidewalks shall be constructed along the frontage of a property

which borders a right-of-way in the following instances:

- (1) Where a new principal building is erected.
- (2) When an existing principal building is altered, partially rebuilt or remodeled at a cost that meets or exceeds 100 percent of its recorded state equalized value.

As part of Road Reconstruction Project: 85% of the front-foot costs for sidewalk improvement are assessed on all properties fronting on the improvement and 25% of the side-foot costs for improvement. This defrays the costs incurred by the City for the construction of these improvements. If a residential property installs a new sidewalk where none exists as part of their house build, the City will not assess the property owner for any future repairs on the sidewalk.

SUSTAINABILITY:

There is a reduction in construction emissions if the sidewalk is installed with new residential property. Also, the addition of sidewalks encourages a mode shift from motor vehicles (that increase greenhouse gas emissions) to walking and/or biking.

DESIGN CONSIDERATIONS:

All new sidewalks are designed for ADA compliance and built to the City's standards.

PUBLIC COMMUNICATIONS:

A letter was issued to both the building and property owners on June 6, 2024, asking them to pause on the construction of a new sidewalk where no previous sidewalk existed for new residential home construction. An additional letter will be issued to building and property owners of the City Commission's actions after the July 22, 2024 meeting.

SUMMARY:

It is recommended that the City Commission pass a motion lifting the postponement of new sidewalk installation work in accordance with Chapter 98 of the City Code, the Multi-Modal Transportation Plan, the 2040 Plan and the longstanding desire for Birmingham to be a walkable community that prioritizes the comfort and safety of pedestrians.

ATTACHMENTS:

- City of Birmingham Charter and Ordinances concerning New Sidewalk Installation
- Template of June 6, 2024 Builder and Property Owner Letter
- Photos of New Houses – New Sidewalk Where None Exists

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to lift the pause on new sidewalk installation that was put in place on June 3, 2024, to ensure compliance with Chapter 98 of the City Code, the Multi-Modal Transportation Plan, the 2040 Plan and the longstanding desire for Birmingham to be a walkable community that prioritizes the comfort and safety of pedestrians.

City of Birmingham Charter and Ordinances Concerning Sidewalk

Charter:

CHAPTER XI. - STREETS AND SIDEWALKS

Section 1. - [General authority.]

The city shall have reasonable control of all the streets, alleys and public highways within its limits and may use and enjoy the same and the space above and beneath them. The city may adopt a plan of streets, alleys and public highways within its limits and so far beyond its limits as may be permitted by law.

Section 2. - [Power to improve.]

The commission shall have power to improve streets, alleys and public highways in the city, by grading, graveling, curbing, paving, repairing, repaving, illuminating, maintaining the same free from dust and nuisance; by constructing, reconstructing and repairing sidewalks; or otherwise. It shall have authority to lay out, open, widen, extend, straighten, alter, close, vacate or abolish any street, alley or public highway or part thereof in the city, except as herein otherwise prohibited, whenever it shall deem such action to be a public improvement; provided that it shall not vacate any state or county highway designated as such.

Section 5. - [Change of grade.]

Whenever any sidewalk has been built in conformity to a grade established by the city and the cost thereof paid for by the abutting property owner by special assessment or otherwise, then such owner or his successor in title shall not be required to reconstruct such sidewalk nor shall the abutting property be subject to a special assessment therefor, in event a reconstruction is made necessary by a change in grade made by the city, provided such sidewalk is in good condition.

Section 6. - [Control of sidewalks; owners to construct.]

The city shall have control of all sidewalks in the streets, alleys and public highways of the city and may require the abutting owners to construct, reconstruct and repair such sidewalks. If any abutting property owner shall fail to construct, reconstruct or repair the sidewalk in the street adjacent to his premises after being required to do so by resolution of the commission and upon such notice as the commission shall provide, then the city may construct, reconstruct or repair such sidewalk and collect the costs thereof from the abutting property owner, or may make a special assessment against such owner and such abutting property, in the same manner as herein provided for the making of special assessments where any expense has been incurred by the city upon or in respect to any particular lot or parcel of land.

If the commission shall by resolution determine that it is necessary to construct a sidewalk in front of two or more adjacent properties or on any side street within the city it may declare the same to be a public improvement within the meaning of chapter X of this Charter and may provide for the payment of the cost thereof by owners of the property benefited thereby in accordance with the provisions of said chapter X.

ARTICLE III. - SIDEWALKS

Sec. 98-56. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Owner means the person to whom a lot or parcel of land is assessed on the city tax rolls. When the person listed on the tax rolls is the holder of a mortgage on the assessed premises, the owner shall be the person named as the mortgagor in the mortgage held by the person named on the tax rolls.

Sec. 98-57. - Specifications and permits.

No person shall construct, rebuild or repair any sidewalk except in accordance with the line, grade, slope and specifications established by the city engineer nor without first obtaining a written permit from the engineer, except that sidewalk repairs of less than 50 square feet of sidewalk may be made without a permit. The fee for such permit shall be as set forth in the schedule of fees, charges, bonds and insurance.

Sec. 98-58. - Line and grade stakes.

The city engineer shall furnish line and grade stakes as may be necessary for proper control of the work, but this shall not relieve the owner of responsibility for making careful and accurate measurements in constructing the work to the lines furnished by the city engineer. Where it is necessary to replace engineer's stakes disturbed or destroyed without fault on the part of the city or its employees, a charge of \$1.00 per stake shall be paid.

Sec. 98-59. - Sidewalk specifications.

The city engineer shall keep on file in his office standard specifications for the construction of sidewalks. All sidewalks shall be constructed in accordance with such specifications.

Sec. 98-60. - Permit revocation.

(a) The city manager may revoke any permit issued under the terms of this article for incompetency or failure to comply with the terms of this article or the rules, regulations, plans and specifications furnished by the engineering department for the construction, replacement or repair of any sidewalks.

(b) The city manager may cause work to be stopped under any permit granted for the construction, replacement or repair of any sidewalks for any of the causes enumerated in this section.

Sec. 98-61. - Ordering construction.

The city commission may, acting on its own initiative or as a result of petition, determine the necessity for the construction, replacement or repair of sidewalks in any street or public right-of-way in the city. If a property owner is liable, either in whole or in part, for the construction, replacement or repair of a sidewalk under this article, the city shall notify the owner abutting the improvement of its intent to construct, replace or repair such sidewalk by personal service or by publication of a notice in a newspaper of general circulation in the community. In that event, if the owner elects to construct the sidewalk at his own expense, the city clerk shall be

notified accordingly by the owner within ten days and such construction, replacement or repair shall be completed in accordance with the plans and specifications prepared therefor by the engineering department within 30 days of the receipt of such notice.

Sec. 98-62. - Payment of cost.

If a property owner is liable, either in whole or in part, for the construction, replacement or repair of a sidewalk under this article and does not elect to install or repair the sidewalk himself or fails to complete the construction, replacement or repair within the period set forth in section 98-61, the city may perform the construction, replacement or repair and bill the owner for the total cost together with an additional fee of 15 percent for engineering, supervision and general administration expense thereof. The fees for the city to perform the construction, replacement or repair of a sidewalk when the property owner does not elect to install or repair the sidewalk or fails to complete the construction, replacement or repair, shall become a lien on the premises immediately upon the work being performed by the city.

Payment shall be due to the city within 30 days of the bill being sent to the property owner for the performance of such services. The bill shall notify the property owner of his or her right to dispute all or any part of the bill before a hearing officer, as established by section 1-17 of this Code, prior to the due date of the bill. Except as otherwise determined by the hearing officer, if payment is not received by the city within 30 days after such billing, the city treasurer shall add an additional penalty of one percent per month to the delinquent bill. The city treasurer shall annually, on May 1, certify any delinquent billing, or any part thereof, together with all accrued interest and penalty, to the commission; and, it shall be transferred and reassessed, with an additional 15 percent penalty, on the next annual city tax roll. Such charges so assessed shall be collected in the same manner as general city taxes.



6/6/2024

(NAME)

(ADDRESS)

(CITY, STATE, ZIP)

Dear Property Owner,

The City Commission for the City of Birmingham has put a pause on the requirement that a new sidewalk must be installed where no previous sidewalk existed for new residential home construction. This hold applies only to properties that have not already installed an existing sidewalk. The property of _____ is one of the properties placed on a brief pause. This will be discussed further at the next City Commission meeting on Monday, June 24, 2024 at 7:30pm. The agenda for this meeting will be posted at www.bhamgov.org/about_birmingham/city_government/boards_commissions/city_commission. Should you have any questions, please contact the Engineering Department at (248) 530-1838.

Sincerely,

Melissa Coatta, P.E.
City Engineer

New Residential Houses – New Sidewalk Where None Existed



309 and 327 Arlington (View South)

New Residential Houses – New Sidewalk Where None Existed



2455 Fairway (View West)

New Residential Houses – New Sidewalk Where None Existed



2455 Fairway (View West)

New Residential Houses – New Sidewalk Where None Existed



2455 Fairway (View West)

New Residential Houses – New Sidewalk Where None Existed



1165 Hillside (View Southwest)

New Residential Houses – New Sidewalk Where None Existed



1165 Hillside (View Southwest)

New Residential Houses – New Sidewalk Where None Existed



1165 Hillside (View south on Greenlawn)



MEMORANDUM

City Manager's Office

DATE: July 18, 2024
TO: City Commission
FROM: Jana L. Ecker, City Manager
SUBJECT: Senior/Recreation Center Project Final Report

INTRODUCTION:

In November 2022, the City Commission adopted several strategic goals, one of which was to support an engaged and connected community by offering City services and amenities that enrich the lives of residents of all ages as a main goal. This strategic goal included a recommendation to "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."

In April 2023, based on the above mentioned goal identified in the Strategic Plan, the City Commission unanimously passed a motion to direct the formation of an ad hoc committee. The ad hoc committee was directed to study demographics and trends in our population and conduct resident surveys to determine the services needed to support our aging population.

City staff recommended creating a new ad hoc committee with a distinct name and a scope of work that clearly distinguished the new committee from the former Ad Hoc Joint Senior Services Committees. The creation of an Ad Hoc Aging in Place Committee (AIPC) composed of seven members with a broad range of experience in providing senior services, experience in senior health, nutrition, elder law and educational outreach was preferred. One member that can offer an experience in providing intergenerational connections/programming was also recommended. An initial eighteen month term was suggested. The scope of work of the AIPC should include the following:

1. A detailed demographic study of trends and patterns in our population;
2. A review of existing senior services and identification of unmet needs;

3. Development of a City-wide action plan outlining the vision and goals to encourage senior residents to age comfortably in Birmingham.

The AIPC is one year into their eighteen month schedule and is currently working on the last phase of their mission, the City-wide action plan for presentation to the public and eventual submission to the City Commission.

In early 2023, the City became aware that the YMCA was looking to combine their Birmingham location with their Royal Oak location into a new joint location near 13 Mile Rd. and Woodward in Royal Oak. The City and the YMCA negotiated the City's purchase of the current YMCA branch at 400 E. Lincoln in Birmingham for two million dollars (\$2,000,000.00). The City purchased the YMCA Building to serve as the new and permanent home for Next. In fact, of the two million dollar purchase price, the City contributed \$1,500,000.00 and Next contributed the other \$500,000.00. In exchange, the City agreed to rent the building to Next for one dollar a year in rent (memo of understanding). The YMCA and the City negotiated a lease agreement that would allow the YMCA to stay in the current building for three years while the YMCA worked out the details of their move to Royal Oak. The City and the YMCA agreed that the City was not interested in the pool and the YMCA agreed to continue to be responsible for all expenses related to the operation, staffing and maintenance of the pool for the duration of the lease. Additionally, it was also anticipated that Next would only need approximately 75% of the total space of the building moving forward. As a result, the City, seeing an opportunity for intergenerational contact and continued service to community members, negotiated with the YMCA to allow the YMCA to remain in Birmingham and utilize about 25% of the building's space to maintain a presence in the Birmingham community.

BACKGROUND:

In working to achieve their strategic goal of supporting an engaged and connected community by offering services and amenities that enrich the lives of residents of all ages, the City Commission:

- Formed the AIPC and are awaiting their final report.
- Successfully purchased the former YMCA Building at 400 E. Lincoln for the purpose of providing a permanent home for Next.
- Negotiated an agreement with the YMCA to continue to operate in the building and provide a community aspect to the project providing for intergenerational contact and recreational services for all community residents.

The focus of this staff report is to outline the process that the City has undertaken to develop a plan to create a permanent home for Next and potentially the YMCA, which will be now referred to as the "senior/recreation center project", by:

- Conducting an assessment of the existing building's current condition (structural, mechanical, plumbing electrical, accessibility and security).
- Conducting an assessment of service space needs for the primary tenant, Next (75%) and for the secondary tenant, the YMCA (25%).
- Determining options for the building and developing conceptual plans with accompanying cost estimates.

The following is a condensed timeline of events leading to the delivery of the conceptual design options and associated costs for the Senior/Recreation Center Project:

- City purchased the Birmingham YMCA Building at 400 E. Lincoln, Birmingham for \$2,000,000.00 (\$1,500,000.00 from the City and \$500,000.00 from Next) (Spring/Summer 2023).
- MOU between City and Next completed (75% of building for Next and 25% allocated to the YMCA) (Spring/Summer 2023).
- Senior millage of .33 mills approved by voters (November 2023).
- Building Assessment and Conceptual Designs RFP completed and issued (December 2023).
- NORR, LLC (architectural firm) chosen by the City Commission to complete the building assessment and create the conceptual plans and cost estimates (February 2024).
- Leadership changed at Birmingham YMCA, with the intention to maintain a strong presence in Birmingham and to utilize their full 25% (or additional space, if available) and possibly maintain a pool (February 2024).
- City Commission created the Ad Hoc Senior/Recreation Center Committee (SCC) to provide oversight and to provide recommendations throughout the process to the City Commission (February 2024).
- Community survey issued (April 2024).
- RFP for Owner's Representative issued (April 2024).
- RFQ for architects issued to qualify to be eligible to bid on the Final Design and Construction Plans (April 2024).
- Community Open House was conducted at the YMCA Building (April 2024).
- Kramer Management Group chosen by the City Commission to be the City's Owner Representative for the Senior/Recreation Center Project (May 2024).
- Three architectural firms were selected by the SCC to be qualified bidders to prepare Final Design and Construction Plans (May 2024).
- A second Town Hall Meeting was conducted at Next (May 2024).
- NORR, LLC issued a draft of the Final Report (no cost estimates included) that included four options: renovate the existing building without a pool, renovate the existing building with a pool, renovate the existing building and add an addition to the existing footprint, and demolish the current building and build a new facility (June 2024).
- Funding options were discussed by the SCC (June 2024).
- NORR, LLC issued Final Report with cost estimates (July 2024).
- SCC issues recommendation to the City Commission

The Ad Hoc Senior/Recreation Center Committee (SCC) has been meeting almost weekly since its inception. The SCC is comprised of the following members:

Name	Member Type
Elaine McLain	City Commissioner
Anthony Long	City Commissioner
Daniel Share	Planning Board Member
Pam Graham	Parks and Recreation Board Member
Bert Koseck	Architect
Donald Rodgers	Construction Contractor
Cris Braun	NEXT Representative
Kelly Plocharczyk	YMCA Representative
Jason Emerine	Engineer
Evan Dix	Student (non-voting)
Jana Ecker	City Manager (ex-officio)

One of the first orders of business of this board was to craft the project's vision, goals and objectives and prepare the project timeline.

Vision Statement:

Create a welcoming and dynamic hub where all the members of the community can gather in an environment that promotes socialization, physical activity and lifelong learning that enhance both personal and community wellness.

Goals:

1. Develop a plan for an open, welcoming, adaptable active senior/community facility with flexibility for current and future uses.
2. Integrate the design and use of the senior/community center with St. James Park.
3. Ensure safe and accessible design of the building(s) and site for users of all ages and abilities.
4. Incorporate sustainable concepts, design and materials, when practical, to reduce environmental impact.
5. Complete design and construction of a new or renovated facility and site on time and within the established budget.

Objectives:

1. Create a permanent home for Next.
2. Support Next in providing a wide range of programs and services.
3. Provide community gathering spaces (indoors and outdoors).
4. Provide a facility that promotes the provision of health, fitness, and recreation programming for the community.

5. Design a facility that encourages social interaction and emotional enrichment for the community.
6. Design a facility that promotes multigenerational programming opportunities and lifelong learning.

A project timeline was completed as well (see attached timeline) and all of these documents were presented to the City Commission for their approval on April 8, 2024. The City Commission voted unanimously to approve the vision, goals, objectives and timeline for the senior/recreation center project.

City staff, the City's owners' representative (KMG) and the SCC worked together with the City's chosen architect, NORR, LLC to complete the project. The project was completed in two phases:

Phase 1:

- Facility Condition Assessment
- Community Engagement (on-line community survey, hard copy community survey, (2) open house/town hall events)
- Programming and Space Assessment (Next, YMCA, City)

Phase 2:

- Final Report - Includes Building Options, Engineering Summaries and Cost Estimates

The Final NORR, LLC Report listed three main options, a remodel, a remodel with an expansion of the existing footprint and a new build. NORR, LLC issued cost estimates for construction costs only and did not include the "soft costs" (design & review plans, management & inspection, final finishes and equipment) associated with each building option. NORR, LLC based their cost estimates on remodeling/building a center that would meet all basic building and accessibility codes. Operational costs for each option were also included. For Option 1, there is also an Option 1A and for Option 3, there is also an Option 3A. All of the options are explained in detail below.

With the assistance of the City owner's representative (KMG), an additional two options were added to the mix, Option 4 and Option 4A. KMG has compiled a financial Analysis worksheet that details all of the options and their associated costs (see attached).

The updated Final Report included costs estimates to build each of the options listed above. The options are as follows:

1. **Option 1 - Renovate Existing Building on Existing Footprint (No Pool)** - Next utilizes 75% of the building and the YMCA utilizes 25% of the building. In this scenario, neither Next nor the YMCA gets the programming space that they would like. In this option, there is no pool.
 - a. Next: 17,201 sq. ft. (42.3 % of building, 70% of usable space)

- b. YMCA: 7,193 sq. ft. (17.7% of building, 29% of usable space)
- c. City of Birmingham Parks and Recreation: 294 sq. ft. (0.7% of building, 1% of usable space)
- d. Facility Areas: 1,527 sq. ft. (3.8% of building)
- e. Circulation Areas: 14,406 sq. ft. (35.5 % of building)
- f. Total Square Footage of Building: 40,631
- g. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$23,037.00, Electric - \$141,640.00): \$184,677.00

BUILDING CONSTRUCTION COST: \$15,462,687.00 (cost per sq. ft. \$380.56)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,425,458.00 (cost per sq. ft. \$133.53)

OPTION 1 TOTAL: \$20,888,144.00 (\$514.09 per sq. ft.)

2. **Option 1A - Renovate Existing Building on Existing Footprint (Pool Included) -** Next utilizes 75% of the building and the YMCA utilizes 25% of the building. By including the pool, it takes up almost all of the YMCA's space. Similar to Option 1, both Next and the YMCA do not receive the programming space that they would like. However, in Option 1A, the pool remains.
 - a. Next: 17,575 sq. ft. (43.3 % of building, 70% of usable space)
 - b. YMCA: 7,394 sq. ft. (18.2 % of building, 30% of usable space)
 - c. City of Birmingham Parks and Recreation: 0 sq. ft.
 - d. Facility Areas: 1,841 sq. ft. (4.5% of building)
 - e. Circulation Areas: 13,821 sq. ft. (34% of building)
 - f. Total Square Footage of Building: 40,631
 - g. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$23,037.00, Electric - \$141,640.00): \$184,677.00

BUILDING CONSTRUCTION COST: \$15,862,496.00.00 (cost per sq. ft. \$390.40)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,504,360.00 (cost per sq. ft. \$135.47)

OPTION 1A TOTAL: \$21,366,856.00 (\$525.87 per sq. ft.)

3. **Option 2 - Renovate Existing Building and Add Additional Space:** In this option, a large addition is added to the north section of the building on two levels (ground floor and second floor). Also, there is the possibility to excavate underneath the addition (underground level) to add either additional space for Next (pickleball courts) or additional space for the YMCA. In Option 2, Next receives additional space to meet most of their programming needs. However, there was not space for more than two pickleball courts. The YMCA also has more space for programing, but not enough for all of their preferred programming needs. No pool was shown in this option. However, the YMCA could opt for the pool if that is how they choose to use their allotted space (same choice from Option 1 and Option 1A).

- a. Next: 27,886 sq. ft. (43.1% of building, 64% of usable space)
- b. YMCA: 7,642 sq. ft. (11.8% of building, 18% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (.05% of building, 1 % of usable space)
- d. City of Birmingham (Optional Future Excavation Space): 7,422 sq. ft. (11.5% of the building, 17% of usable space)
- e. Facility Areas: 2,760 sq. ft. (4.5% of building)
- f. Circulation Areas: 18,570 sq. ft. (28.7% of building)
- g. Total Square Footage of Building: 64,640
- h. Operational Costs (Deferred Maintenance - \$20,000.00, Gas - \$21,650.00, Electric - \$240,335.00): \$281,985.00

BUILDING CONSTRUCTION COST: \$23,774,798.00 (cost per sq. ft. \$367.80)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$7,963,752.00 (cost per sq. ft. \$123.20)

OPTION 2 TOTAL: \$31,738,550.00 (\$491.00 per sq. ft.)

4. **Option 3 - Demolish Current Building and Build a New Building:** In Option 3, all of the programming needs for Next are met (including four pickleball courts). With the additional space of a new building, more of the YMCA's programming needs can be met (additional exercise space). In this option, no pool was included. However, there is sufficient space for a pool to be added if the YMCA chooses to construct a new pool.
- a. Next: 32,068 sq. ft. (43.3% of the building, 59% of usable space)
 - b. YMCA: 13,018 sq. ft. (17.6% of the building, 24% of usable space)
 - c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.5% of the building, 1% of usable space)
 - d. City of Birmingham (Optional Future Excavation Space): 8,959 sq. ft. (12.1% of the building, 16% of usable space)
 - e. Facility Areas: 3,202 sq. ft. (4.3% of the building)
 - f. Circulation Areas: 16,373 sq. ft. (22.1% of the building)
 - g. Total Square Footage of Building: 73,980 sq. ft.
 - h. Operational Costs (Gas - \$17,765.00, Electric - \$155,358.00): \$173,113.00

BUILDING CONSTRUCTION COST: \$28,751,579 (cost per sq. ft. \$388.64)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$9,256,709.00 (cost per sq. ft. \$125.12)

OPTION 3 TOTAL: \$38,008,288.00 (\$513.76 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 3 TOTAL COST with Pool: \$41,608,288.00 (\$530.17 per sq. ft.)

5. **Option 3A – Same as option 3, but the north end of the lower level to be slab on grade, reducing finished basement area by 7,030 sq. ft.** This area is removed from the City of Birmingham space as well as from the gross and net building floor areas.

- a. Next: 32,068 sq. ft. (47.9% of the building, 68% of usable space)
- b. YMCA: 13,018 sq. ft. (19.4% of the building, 27% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.5% of the building, 1% of usable space)
- d. City of Birmingham: 1,929 sq. ft. (2.9% of the building, 4% of usable space)
- e. Facility Areas: 3,202 sq. ft. (4.8% of the building)
- f. Circulation Areas: 16,373 sq. ft. (24.5% of the building)
- g. Total Square Footage of Building: 66,950 sq. ft.
- h. Operational Costs (Gas - \$16,068.00, Electric - \$140,595.00): \$156,663.00

BUILDING CONSTRUCTION COST: \$27,920,828.00 (cost per sq. ft. \$417.04)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$8,376,784.0000 (cost per sq. ft. \$125.12)

OPTION 3 TOTAL: \$36,297,612.00 (\$542.16 per sq. ft.)

SCC Analysis of Options

The SCC found consensus among the board members that option 3, a new build, was the preferred choice. The SCC cited the following:

1. **Cost:** The SCC felt that to spend 15 million dollars on construction costs renovating the existing building where options were limited (main wall that cannot be touched) and some existing MEP issues (plumbing pipes) would remain did not make sense. The SCC also felt that the cost differential between option 2 and option 3 was not substantial enough to warrant not spending the extra money to achieve greater value in the long run.
 - a. Operational Costs: Operational costs are lowest with option 3. A new building could be designed with efficiency and cost considerations built in.
 - b. In option 3, the possible use of sustainable products could be increased and considered when cost efficient to do so. Currently, the cost considerations are for basic building materials necessary to meet building codes and could be improved upon. Cost considerations of these upgraded features is a major factor to consider.
2. **Building Design:** The current footprint of the building makes it very problematic to remodel effectively. In option 1 and 1A, in order to make the building accessible for everyone, a considerable amount of space, approximately 35% of the building, would need to be used for circulation areas and not available as usable space. While option 2 provides for more useable space than option 1 or option 1A, it is still compromised by the existing footprint of the building. Option 3 provides for the most opportunity to design the building to meet the needs of Next, most of the needs of the YMCA and to provide the greatest opportunity to design as much "shared space" between the two that would meet their respective service needs and keep the footprint of the building as small as possible.
 - a. With option 3, the final design architect could work with Next and the YMCA to design the building to exactly what they need. There would be no need to compromise design or use that would occur with a remodel using the existing building and its current limitations.

- b. With option 3, the end result would be a building that would align better with the stated vision and goals for the project.
- 3. **Space Needs:** Only option 3 meets the service needs requested from both Next and most of those requested by the YMCA. The importance of this building to the community cannot be understated. The Senior/Recreation Center will be the permanent home for Next and the focal point for the City's older adult population. The inclusion of the YMCA will provide a multi-generational recreation component as well.
 - a. Circulation space is greatly reduced in option 3.
 - b. Space needs of Next and the YMCA can be clearly defined and any shared space opportunities identified.

After the SCC concluded that a new build was going to be the suggested recommendation to the City Commission, the City's Owner's Representative, Kramer Management Group, felt that it would be important for the City Commission to also examine scaled down versions of a new building. The following two options, listed as option 4 and option 4A are as follows:

1. Option 4 – This would be a demolition of the existing building and new construction of a building on-grade that would be 40,000 square feet in size and directly in line with a 75% space allocation to Next and a 25% allocation to the YMCA:

- a. Next: 20,428 sq. ft. (51.1% of the building, 75% of usable space)
- b. YMCA: 6,810 sq. ft. (17% of the building, 24% of usable space)
- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.9% of the building, 1% of usable space)
- d. City of Birmingham (Optional Future Excavation Space Deleted): 0 sq. ft.
- e. Facility Areas: 3,202 sq. ft. (8% of the building)
- f. Circulation Areas: 9,200 sq. ft. (23% of the building)
- g. Total Square Footage of Building: 40,000 sq. ft.
- h. Operational Costs (Gas - \$9,600.00, Electric - \$84,000.00): \$93,600

BUILDING CONSTRUCTION COST: \$16,930,289.00 (cost per sq. ft. \$423.26)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$5,793,093.00 (cost per sq. ft. \$144.83)

OPTION 4 TOTAL: \$22,723,382.00 (\$568.08 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 4 TOTAL COST with Pool: \$26,323,382.00 (\$591.54 per sq. ft.)

2. Option 4A - This would be a demolition of the existing building and the new construction of a building on-grade that would be 50,000 square feet in size and directly in line with a 75% space allocation to Next and a 25% allocation to the YMCA:

- a. Next: 26,204 sq. ft. (52.4% of the building, 75% of usable space)
- b. YMCA: 8,734 sq. ft. (17.5% of the building, 24% of usable space)

- c. City of Birmingham Parks and Recreation: 360 sq. ft. (0.7% of the building, 1% of usable space)
- d. City of Birmingham (Optional Future Excavation Space Deleted): 0 sq. ft.
- e. Facility Areas: 3,202 sq. ft. (6.4% of the building)
- f. Circulation Areas: 11,500 sq. ft. (23% of the building)
- g. Total Square Footage of Building: 50,000 sq. ft.
- h. Operational Costs (Gas - \$12,000.00, Electric - \$105,000.00): \$117,000.00

BUILDING CONSTRUCTION COST: \$20,306,615.00 (cost per sq. ft. \$388.00)

BUILDING SOFT COST (Design & Review, Management & Inspection, Final Finishes and Equipment): \$7,079,893.00 (cost per sq. ft. \$125.00)

OPTION 4 TOTAL: \$27,386,508.00 (\$513.00 per sq. ft.)

Estimated Cost to Add Pool: \$3,600,000.00 (\$800.00 per sq. ft.)

OPTION 4 TOTAL COST with Pool: \$30,986,508.00 (\$568.56 per sq. ft.)

LEGAL REVIEW:

The City Attorney has been present at all of the SCC meetings. The City Attorney is very familiar with the project and assisted the City with the original purchase of the property. The question before the City Commission is to decide what, if any, senior/recreation center option should be selected to move forward to final design. If a selection is made, the City Attorney will work with City staff, Next and the YMCA to address any and all legal issues that arise related to the senior/recreation center project except for any bond counsel assistance. This list includes any and all matters related to the current MOU between the City and Next, the purchase agreement and subsequent contractual agreements with the YMCA, any future financial agreements involving the City, any interlocal agreement adjustments with the City's partners in support of Next, and any other contractual/lease/tenant or other legal matters.

FISCAL IMPACT:

From the time of the purchase of the YMCA building by the City in spring/summer of 2023, it has been contemplated that the City may have to invest funding into the building to create a permanent home for Next and to support Next services. The YMCA also was offered and accepted a presence in the project, albeit a much smaller role at approximately 25% of the building for continued community and recreation programming. In her May 31, 2023 report to the City Commission, City Manager Markus and City Manager Ecker on the potential purchase of the YMCA Building by the City, City Attorney Kucharek mentioned more than once in the body of the report that, "There may also be an opportunity/need to seek bonds to be issued for permanent improvements at the YMCA building." In the fiscal impact section of that same staff report, City Attorney Kucharek stated, "Also, financially, there will most likely be a senior millage and the potential for ongoing fundraising and the possibility of the issuance of bonds for the renovation of the YMCA building, and ongoing maintenance costs."

As has been previously stated, the City proposed a senior millage in November of 2023 for a .33 mill senior millage. The senior millage passed overwhelmingly, 69% in favor of the millage and 31% opposed. This senior millage will generate approximately one million dollars a year for the next three years (2024-2025 budget year through the 2026-2027 budget year).

The SCC held a meeting for the sole purpose of discussing the financing of this project. The SCC understands that it is the purview of the City Commission to decide on the option moving forward in this project and how the project will be financed. With the assistance of the City's Finance Department, the following information was presented to the SCC in June of this year providing for a "high level" summary of potential funding options for this project:

1. Additional Millage

Birmingham voters approved a senior millage of 0.33 mills commencing July 1, 2024, for a three year period, for the purpose of making interim improvements and establishing a sinking fund for the operation of a senior center to provide a full array of services for older citizens. The City's current operating millage is 0.3 mills under the Headlee maximum. If the City were to maximize its operating millage, it would generate an additional \$1,000,000 annually. However, this would leave no cushion should an emergency or a downturn in the economy happen. The City cannot levy any additional millage other than the 0.3 mills without a Headlee override approved by the voters. There are no other State statutes that would allow the City to generate additional tax revenue for construction of this facility.

2. General Obligation Bonds

The City is permitted to issue general obligation bonds to fund the construction of capital projects. The City Commission could request voter approval for a bond sale to raise funds to renovate and/or construct a new facility. This is called an unlimited tax general obligation bond. In this case, the voters can provide approval to increase the debt levy to pay for the debt service. An alternative to this is called a limited tax general obligation bond. In this alternative, the City Commission could approve the bond sale. The debt service would have to be paid from the current operating millage and/or other sources of funding. This type of bond sale can be subject to voter approval if enough signatures are gathered to force a referendum vote on the issue. This type of bond issue has been used in the City, but not in recent years. The City's debt capacity as of June 30, 2024 was approximately \$402,523,000. The City currently has obligations of approximately \$12,100,000, leaving plenty of room for additional debt. Thus, the City does have the availability, within our debt limit, to ask voters to approve a bond and debt millage to fund the renovation or construction of a senior/recreation center.

3. Use of Fund Balance

The City maintains an unassigned fund balance at all times to ensure financial security in case of unexpected events. Occasionally, the City Commission may vote to use a portion of the unassigned fund balance to assist in the funding of capital improvements. In the 2024-2025 General Fund budget, the projected 2023-2024 Unassigned Fund Balance was \$15,957,500, which is currently 33.8% of the 2024-2025 budgeted expenditures. It has long been City policy to maintain an unassigned fund balance of 20% - 40% of the City's budgeted expenditures. Thus, the City could use approximately \$1,600,000 of the unassigned fund balance towards funding the renovation or construction of a senior/recreation center. Doing so would bring our fund balance down to 30%, which would still remain within the 20% - 40% goal range. Using fund balance is not the preferred option, nor should it be the primary option for funding a senior/recreation center, but may be used to supplement other funding sources.

4. Grant Funding

The concept planning phase of this project has already been funded by a grant through Oakland County. In addition, the City has applied for a Federal Congressional Direct Spending appropriation in the amount of \$8,000,000 to fund the renovation/construction of the senior/recreation center. Many other grant opportunities exist and may be available for the provision of community services, construction of a community building or to fund any sustainable elements of the building or site, to name a few.

5. Philanthropic Donations

The solicitation of potential donors and/or fundraising could be used to combine with any or all of the other options to fund the senior/recreation center. Building naming rights could also be offered to attract a large donor.

6. Contributions from Other Organizations

Currently, Bingham Farms, Beverly Hills and the Village of Franklin contribute funds to Next to provide senior services to their residents through an inter-local agreement with Birmingham. An updated inter-local agreement could be negotiated between the municipalities to increase the contributions for operating expenses and/or construction costs. The City has been in discussion with all three of these member communities to discuss the need for additional funding in the future to allow for the expansion of Next and relocation to 400 W. Lincoln. Member communities may choose to contribute their share of funding for senior services through a bond issue, senior millage, general fund payments, and/or through a prorated membership fee structure. In addition, Next and the YMCA could enter into agreements with the City to fund a portion of construction costs. Next has already contributed \$500,000 to the purchase of the existing building and in exchange the City has agreed to rent future space in the building at a cost of \$1 per year.

If an option for the senior/recreation center is selected by the City Commission, City staff, Next and the YMCA will continue working together to finalize a financial plan moving forward for consideration by the City Commission. This will of course include the City continuing to work with all of our interlocal member communities that support Next and all of the other funding options previously discussed. However, for the purposes of this report, the fiscal impact process will be more detailed moving forward once the City Commission chooses an option for the senior/recreation center project with an accompanying budget and scope of work.

SUSTAINIBILITY:

The senior/recreation center project has the potential to include multiple sustainability components. Various building materials and/or sustainable initiatives will be considered by the final design architect and the City Commission at a later date. Should the City Commission move forward with a new building, there is also the opportunity to construct a LEED certified building. The costs associated with sustainable building materials and/or practices as well as LEED certification can be considered by the City Commission during the next phase of this project (final design and construction plans).

DESIGN CONSIDERATIONS:

All of the work to date on the senior/recreation center project has been to complete a comprehensive assessment of the existing facility, conduct a space program analysis for both

Next and the YMCA and to receive public input into the project, both from a community survey and two town hall meetings. The City has created the Ad Hoc Senior/Recreation Center Committee to assist and guide City staff and to make recommendations to the City Commission on the project, the City has hired an Owner's Representative to assist City staff and the SCC in accomplishing their goals and objectives and the City has also hired a professional architectural firm to complete the assessment and preliminary conceptual plans and cost options.

Design considerations will be far more prevalent in the next phase of the project, final design and construction plans. City staff, the Owner's Representative and the SCC have already completed an RFQ for final design and construction plans and architectural/engineering services. City staff, the Owner's Representative and the SCC have identified three professional architectural firms that have been selected through the RFQ to bid on the preferred option of the City Commission.

PUBLIC COMMUNICATIONS:

There have been considerable public communications on this project. From the purchase of the YMCA Building in the spring of 2023 until now, the project has received media attention, attention from Next members, attention from YMCA members and attention from the general public. The City has provided the following public communications:

1. Press releases
2. E- Blasts
3. Created a web page on the City's website dedicated to the project
4. Promoted the project on the home page of the City's website
5. Updates have been provided in all of the monthly City Manager's Reports as well as the City's Around Town E-Newsletters
6. Updates have been provided in the City's summer edition of the Birmingham Beat Newsletter
7. The project has been promoted on the City's social media channels including Facebook and Instagram
8. Two in-person town hall meetings were held at the YMCA and Next
9. The Ad Hoc Senior/Recreation Center Committee was created and has met almost weekly since its inception. All meetings were open to the public and provided an opportunity for members of the public to speak.

SUMMARY:

The City purchased the YMCA Building located at 400 E. Lincoln Street in the spring/summer of 2023 for the purpose of providing a permanent home for Next to provide senior services. At the time of the purchase, the current owner, the YMCA, expressed that they would like to have a continued presence in the City and the City agreed to work out an agreement allowing them to remain in 25% of the building in order to provide a recreation component for the City.

City staff, Next, the YMCA have worked together to come up with a workable plan to move a senior/recreation center project forward. The City created an Ad Hoc Senior/Recreation Center Committee (SCC) to assist City staff and to provide recommendations to the City Commission on the senior/recreation center project. The City engaged a professional architectural firm (NORR, LLC) to conduct an assessment of the YMCA building (Phase 1) and to come with conceptual design plan options for the building and associated cost estimates (Phase 2). The City hired an owner's representative (Kramer Management Group) to assist City staff, the SCC and the engaged architect to come up with options for the City Commission to consider moving forward on the senior/recreation center project.

The SCC received the final report from NORR, LLC on the building assessment and the conceptual design plan options and cost estimates. City staff, the owner's representative and the SCC thoroughly examined the final report. Based upon that analysis, it is the recommendation of the Ad Hoc Senior/Recreation Center Committee that the City Commission select Option 4A contained within the Kramer Management Financial Analysis Worksheet. Option 4A calls for the current building to be demolished and a new building to be built in its place. The size and scope of that building currently is listed at 50,000 sq. ft. and carries an estimated cost of \$27,386,508.00. A new build has numerous advantages over the current building, which has building code and accessibility issues, aged mechanical, plumbing and electrical systems, structural issues that limit renovation options and an inefficient layout that is not conducive to its intended uses. The proposed cost of renovating the current building (Option 1) came in at \$20,888,145.00 for 40,631 sq. ft. (\$514.09 per sq. ft.) Option 4A, a 50,000 sq. ft. new build, came in at \$27,386,508.00 (\$513.00 per sq. ft.). For the additional \$6,498,363.00, the City will be able to provide a modern, cost efficient building with a layout that meets all building, accessibility and safety codes, provides for the necessary space and programming needs of Next and for the agreed upon space for the YMCA.

The SCC believes that when all the factors are considered, including costs, building design elements and programming and space allocations, the best recommendation to the City Commission is Option 4A, a new build 50,000 sq. ft. building not to exceed 28 million dollars in cost and the consideration to add a pool at a cost not to exceed 3.6 million dollars.

ATTACHMENTS:

1. [NORR, LLC Final Report – Senior/Recreation Center](#)
2. Kramer Management Group – Financial Analysis Worksheet
3. Vision, Goals and Objectives
4. Project Timeline

SUGGESTED COMMISSION ACTIONS:

To adopt a resolution accepting the recommendation of the Ad Hoc Senior/Recreation Committee that option 1, as presented by Consultants and Staff, being a renovation of the existing YMCA building located at 400 E Lincoln St, Birmingham, MI 48009, not be considered because it is not financially responsible and does not meet the goals 1 through 4 of the senior/recreation center project and that a new facility is the preferred choice;

AND

To adopt a resolution to accept the recommendation of the Ad Hoc Senior/Recreation Committee that a new building according to option 4A as presented by the Staff and City Consultants be built, not to exceed approximately 28 million dollars, as it meets goals 1 through 4 and objectives 1 through 6 of the senior/recreation center project, with an option for consideration of a pool not to exceed 3.6 million dollars in cost;

AND

Furthermore, to direct the City Manager to take the necessary steps in order to facilitate the design, funding and construction of a new senior/recreation facility.

	Option 1 - Exst Bldg		Option 1A - Exst Bldg w/Pool		Option 2 - Exst Bldg w/ Addition		Option 3 - New Building		Option 3A - New Building Reduce Future		Option 4 - New Building - On Grade 40k SF		Option 4A - New Building - On Grade 50k SF	
Building Area Breakdown	Square Footage	% of Total /	Square Footage	% of Total /	Square Footage	% of Total /	Square Footage	% of Total /	Square Footage	% of Total /	Square Footage	% of Total /	Square Footage	% of Total /
Birmingham NEXT	17,201 SF	2.3%/70%	17,575 SF	3.3%/70%	27,886 SF	3.1%/64%	32,068 SF	3.3%/59%	32,068 SF	7.9%/68%	20,428 SF	1.1%/75%	26,204 SF	2.4%/75%
Birmingham YMCA	7,193 SF	7.7%/29%	7394 SF	3.2%/30%	7,642 SF	1.8%/18%	13,018 SF	7.6%/24%	13,018 SF	9.4%/27%	6,810 SF	17%/24%	8,734 SF	7.5%/24%
City of Birmingham (Parks & Rec)	294 SF	0.7%/1%	0 SF	0	360 SF	0.6%/1%	360 SF	0.5%/1%	360 SF	0.5%/1%	360 SF	0.9%/1%	360 SF	0.7%/1%
City of Birmingham Future Lease	0 SF	0%	0 SF	0%	7,422 SF	1.5%/17%	8,959 SF	2.1%/16%	1,929 SF	2.9%/4%	0 SF	0%	0 SF	0%
Facility Areas	1,537 SF	3.80%	1,841 SF	4.50%	2,760 SF	4.30%	3,202 SF	4.30%	3,202 SF	4.80%	3,202 SF	8.00%	3,202 SF	6.40%
Circulation	14,406 SF	35.50%	13,821 SF	34.00%	18,570 SF	28.70%	16,373 SF	22.10%	16,373 SF	24.50%	9,200 SF	23.00%	11,500 SF	23.00%
Total	40,631 SF	100%	40,631 SF	100%	64,640 SF	100%	73,980 SF	100%	66,950 SF	100%	40,000 SF	100%	50,000 SF	100%
Building Circulation	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total
Gross Building Area	40,631 SF	100%	40,631 SF	100%	64,640 SF	100%	73,980 SF	100%	66,950 SF	100%	40,000 SF	100%	50,000 SF	100%
Net Lease Area	26,225 SF	64.5%	26,810 SF	66.0%	46,070 SF	71.3%	57,607 SF	77.9%	50,577 SF	75.5%	30,800 SF	77.0%	38,500 SF	77.0%
Circulation	14,406 SF	35.5%	13,821 SF	34.0%	18,570 SF	28.7%	16,373 SF	22.1%	16,373 SF	24.5%	9,200 SF	23.0%	11,500 SF	23.0%
Building Cost		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF
Construction	\$15,462,687	\$380.56	\$15,862,496	\$390.40	\$23,774,798	\$367.80	\$28,751,579	\$388.64	\$27,921,029	\$417.04	\$16,930,289	\$423.26	\$20,306,615	\$388.00
Soft Costs	\$5,425,458	\$133.53	\$5,504,360	\$135.47	\$7,963,752	\$123.20	\$9,256,709	\$125.12	\$8,858,876	\$132.32	\$5,793,093	\$144.83	\$7,079,893	\$125.00
Total	\$20,888,145	\$514.09	\$21,366,856	\$525.87	\$31,738,550	\$491.00	\$38,008,288	\$513.76	\$36,779,905	\$549.36	\$22,723,382	\$568.08	\$27,386,508	\$513.00
Add for 4,500 SF Pool - Total Project Cost							\$3,600,000	\$800.00			\$3,600,000	\$800.00	\$3,600,000	\$800.00
Construction Duration (Months) / Finish based on Const Start - May 2025	12	May-26	14	Jul-26	18	Nov-26	18	Nov-26	18	Nov-26	14	Jul-26	14	Jul-26
Building Operating Cost														
Deferred Maintenance	\$20,000	\$0.49	\$20,000	\$0.49	\$20,000	\$0.31	\$0	\$0.00	\$0	\$0.00	\$0	\$0.00	\$0	\$0.00
Gas	\$23,037		\$23,037		\$21,650		\$17,755		\$16,068		\$9,600		\$12,000	
Electric	\$141,640		\$141,640		\$240,335		\$155,358		\$140,595		\$84,000		\$105,000	
Total	\$184,677		\$184,677		\$281,985		\$173,113		\$156,663		\$93,600		\$117,000	
Parking	145		145		145		145		145		145		145	
Exist 149 (72 Y, 55 St James, Floyd ROW 22)														
Notes														
	30% Savings for Elec and Gas with new equip		30% Savings for Elec and Gas with new equip		30% Savings for Elec and Gas with new equip									

SUMMARY OF COSTS			Option 1		40,631	Option 1B		40,631	Option 2		64,640	Option 3		73,980	Option 3a		66,950
ITEM	TRADE SUMMARY		AMOUNT		\$/SF	AMOUNT		\$/SF	AMOUNT		\$/SF	AMOUNT		\$/SF	AMOUNT		\$/SF
A10	Foundations		\$ 413,258		10.17	\$ 159,758		3.93	\$ 459,526		7.11	\$ 228,746		3.09	\$ 228,746		3.42
A20	Basement Construction		\$ 125,000		3.08	\$ 125,000		3.08	\$ 679,933		10.52	\$ 1,135,222		15.34	\$ 898,430		13.42
B10	Superstructure		\$ 199,150		4.90	\$ 199,150		4.90	\$ 866,105		13.40	\$ 1,720,975		23.26	\$ 1,671,765		24.97
B20	Exterior Enclosure		\$ 287,951		7.09	\$ 287,951		7.09	\$ 999,415		15.46	\$ 1,771,605		23.95	\$ 1,764,575		26.36
B30	Roofing		\$ 592,425		14.58	\$ 602,425		14.83	\$ 716,521		11.08	\$ 751,571		10.16	\$ 751,571		11.23
C10	Interior Construction		\$ 1,282,137		31.56	\$ 1,264,266		31.12	\$ 1,971,876		30.51	\$ 2,392,496		32.34	\$ 2,385,818		35.64
C20	Stairs		\$ 258,080		6.35	\$ 258,080		6.35	\$ 357,385		5.53	\$ 482,850		6.53	\$ 482,850		7.21
C30	Interior Finishes		\$ 815,116		20.06	\$ 889,971		21.90	\$ 1,270,601		19.66	\$ 1,584,366		21.42	\$ 1,456,069		21.75
D10	Conveying Systems		\$ 185,000		4.55	\$ 185,000		4.55	\$ 370,000		5.72	\$ 370,000		5.00	\$ 370,000		5.53
D20	Plumbing		\$ 867,200		21.34	\$ 966,900		23.80	\$ 1,058,900		16.38	\$ 1,339,780		18.11	\$ 1,339,780		20.01
D30	HVAC		\$ 2,431,593		59.85	\$ 2,570,341		63.26	\$ 3,282,305		50.78	\$ 3,229,630		43.66	\$ 3,048,345		45.53
D40	Fire Protection		\$ 325,195		8.00	\$ 331,960		8.17	\$ 391,780		6.06	\$ 559,000		7.56	\$ 521,750		7.79
D50	Electrical		\$ 1,779,385		43.79	\$ 1,518,753		37.38	\$ 2,842,550		43.98	\$ 3,047,558		41.19	\$ 3,047,558		45.52
E10	Equipment		\$ 24,000		0.59	\$ 199,000		4.90	\$ 199,000		3.08	\$ 199,000		2.69	\$ 199,000		2.97
E20	Furnishings		\$ 53,000		1.30	\$ 53,000		1.30	\$ 63,000		0.97	\$ 68,000		0.92	\$ 68,000		1.02
F10	Special Construction		\$ 0		0.00	\$ 286,913		7.06	\$ 0		0.00	\$ 0		0.00	\$ 0		0.00
F20	Selective Demolition		\$ 442,679		10.90	\$ 392,679		9.66	\$ 544,039		8.42	\$ 869,912		11.76	\$ 869,912		12.99
G10	Site Preparation		\$ 170,829		4.20	\$ 170,829		4.20	\$ 170,829		2.64	\$ 176,329		2.38	\$ 176,329		2.63
G20	Site Improvement		\$ 590,932		14.54	\$ 590,932		14.54	\$ 590,932		9.14	\$ 660,432		8.93	\$ 660,432		9.86
G30	Site Mechanical Utilities		\$ 175,893		4.33	\$ 175,893		4.33	\$ 175,893		2.72	\$ 259,268		3.50	\$ 259,268		3.87
G40	Site Electrical Utilities		\$ 237,250		5.84	\$ 237,250		5.84	\$ 237,250		3.67	\$ 243,250		3.29	\$ 243,250		3.63
Z10	General Requirements for Construction		\$ 114,000		2.81	\$ 175,000		4.31	\$ 261,000		4.04	\$ 261,000		3.53	\$ 261,000		3.90
	Design Contingency - 15%		\$ 1,705,511		41.98	\$ 1,710,570		42.10	\$ 2,626,326		40.63	\$ 3,202,649		43.29	\$ 3,105,667		46.39
	Subtotal		\$ 13,075,583		321.81	\$ 13,351,621		328.61	\$ 20,135,167		311.50	\$ 24,553,639		331.90	\$ 23,810,114		355.64
	Construction Contingency - 5%		\$ 653,800		16.09	\$ 655,700		16.14	\$ 1,006,800		15.58	\$ 1,227,700		16.60	\$ 1,190,500		17.78
	Subcontractor Default Insurance - 4.24% 0.5%	0.50%	\$ 65,378		1.61	\$ 66,758		1.64	\$ 100,676		1.56	\$ 122,768		1.66	\$ 119,051		1.78
	Building Permit Allowance	1.00%	\$ 135,000		3.32	\$ 135,000		3.32	\$ 201,500		3.12	\$ 241,000		3.26	\$ 241,000		3.60
	Pre-Construction		\$ 24,000		0.59	\$ 24,000		0.59	\$ 35,000		0.54	\$ 35,000		0.47	\$ 35,000		0.52
	Construction Staffing		\$ 480,000		11.81	\$ 560,000		13.78	\$ 720,000		11.14	\$ 720,000		9.73	\$ 720,000		10.75
	General Conditions for Construction		\$ 180,000		4.43	\$ 210,000		5.17	\$ 270,000		4.18	\$ 270,000		3.65	\$ 270,000		4.03
	Performance Bond - 1%	1.00%	\$ 130,756		3.22	\$ 133,516		3.29	\$ 201,352		3.11	\$ 245,536		3.32	\$ 238,101		3.56
	Builder's Risk Insurance - 0.25%	0.25%	\$ 32,689		0.80	\$ 33,379		0.82	\$ 50,338		0.78	\$ 61,384		0.83	\$ 59,525		0.89
	Project Insurance - .95%	0.95%	\$ 146,339		3.60	\$ 147,842		3.64	\$ 225,004		3.48	\$ 272,095		3.68	\$ 264,236		3.95
	Construction Manager's Fee - 3.5%	3.50%	\$ 539,142		13.27	\$ 544,680		13.41	\$ 828,962		12.82	\$ 1,002,456		13.55	\$ 973,502		14.54
ESTIMATED CONSTRUCTION			\$ 15,462,687		\$ 380.56	\$ 15,862,496		\$ 390.40	\$ 23,774,798		\$ 367.80	\$ 28,751,579		\$ 388.64	\$ 27,921,029		\$ 417.04

	Design & Review		\$ 1,511,948	37.21	\$ 1,547,331	38.08	\$ 2,337,570	36.16	\$ 2,803,015	37.89	\$ 2,729,511	40.77
	A/E Fees	7%	\$ 1,082,388	26.64	\$ 1,110,375	27.33	\$ 1,664,236	25.75	\$ 2,012,611	27.20	\$ 1,954,472	29.19
	Reimbursables	5%	\$ 54,119	1.33	\$ 55,519	1.37	\$ 83,212	1.29	\$ 100,631	1.36	\$ 97,724	1.46
	Other Consultants(Commissioning, etc)		\$ 100,000	2.46	\$ 100,000	2.46	\$ 100,000	1.55	\$ 100,000	1.35	\$ 100,000	1.49
	Regulatory/Tap Fees	1.5%	\$ 231,940	5.71	\$ 237,937	5.86	\$ 356,622	5.52	\$ 431,274	5.83	\$ 418,815	6.26
	Phase 1 & 2 Surveys			0.00		0.00		0.00		0.00		0.00
	Geotech/Soil Borings		\$ 10,000	0.25	\$ 10,000	0.25	\$ 25,000	0.39	\$ 25,000	0.34	\$ 25,000	0.37
	Abatement Specification & Monitoring		\$ 8,500	0.21	\$ 8,500	0.21	\$ 8,500	0.13	\$ 8,500	0.11	\$ 8,500	0.13
	Abatement (included in const)			0.00		0.00		0.00		0.00		0.00
	Construction Testing		\$ 25,000	0.62	\$ 25,000	0.62	\$ 100,000	1.55	\$ 125,000	1.69	\$ 125,000	1.87
				0.00		0.00		0.00		0.00		0.00
	Management & Inspection		\$ 650,500	16.01	\$ 650,500	16.01	\$ 650,500	10.06	\$ 650,500	8.79	\$ 650,500	9.72
	Owner Admin. Costs (KMG)		\$ 625,500	15.39	\$ 625,500	15.39	\$ 625,500	9.68	\$ 625,500	8.45	\$ 625,500	9.34
	Move-in/Reloc. Costs		\$ 25,000	0.62	\$ 25,000	0.62	\$ 25,000	0.39	\$ 25,000	0.34	\$ 25,000	0.37
				0.00		0.00		0.00		0.00		0.00
	FF&E		\$ 1,364,088	33.57	\$ 1,364,088	33.57	\$ 2,090,360	32.34	\$ 2,372,895	32.07	\$ 2,160,238	32.27
	Artwork	\$ 2.00	\$ 81,262	2.00	\$ 81,262	2.00	\$ 129,280	2.00	\$ 147,960	2.00	\$ 133,900	2.00
	Furnishings	\$ 10.00	\$ 406,310	10.00	\$ 406,310	10.00	\$ 646,400	10.00	\$ 739,800	10.00	\$ 669,500	10.00
	Interior Plantings	\$ 1.25	\$ 50,789	1.25	\$ 50,789	1.25	\$ 80,800	1.25	\$ 92,475	1.25	\$ 83,688	1.25
	IT Cabling	\$ 6.00	\$ 243,786	6.00	\$ 243,786	6.00	\$ 387,840	6.00	\$ 443,880	6.00	\$ 401,700	6.00
	IT Equipment/Access Points		\$ 0	0.00	\$ 0	0.00	\$ 0	0.00	\$ 0	0.00	\$ 0	0.00
	Security Wiring & Equipment	\$ 5.00	\$ 203,155	5.00	\$ 203,155	5.00	\$ 323,200	5.00	\$ 369,900	5.00	\$ 334,750	5.00
	AV Equipment	\$ 3.00	\$ 121,893	3.00	\$ 121,893	3.00	\$ 193,920	3.00	\$ 221,940	3.00	\$ 200,850	3.00
	Interior Signage	\$ 1.50	\$ 60,947	1.50	\$ 60,947	1.50	\$ 96,960	1.50	\$ 110,970	1.50	\$ 100,425	1.50
	Exterior Signage		\$ 35,000	0.86	\$ 35,000	0.86	\$ 35,000	0.54	\$ 35,000	0.47	\$ 35,000	0.52
	Fitness Equipment			0.00		0.00		0.00		0.00		0.00
	Food Service Equipment		\$ 100,000	2.46	\$ 100,000	2.46	\$ 100,000	1.55	\$ 100,000	1.35	\$ 100,000	1.49
	Misc. FF&E	\$ 1.50	\$ 60,947	1.50	\$ 60,947	1.50	\$ 96,960	1.50	\$ 110,970	1.50	\$ 100,425	1.50
			\$ 0	0.00	\$ 0	0.00	\$ 0	0.00	\$ 0	0.00	\$ 0	0.00
	Owner Contingency	10%	\$ 1,898,922	46.74	\$ 1,942,442	47.81	\$ 2,885,323	44.64	\$ 3,457,799	46.74	\$ 3,346,128	49.98
	ESTIMATED SOFT COSTS		\$ 5,425,458	\$ 133.53	\$ 5,504,360	\$ 135.47	\$ 7,963,752	\$ 123.20	\$ 9,284,209	\$ 125.50	\$ 8,886,376	\$ 132.73
	TOTAL PROJECT		\$ 20,888,144	514.09	\$ 21,366,857	525.88	\$ 31,738,551	491.00	\$ 38,035,787	514.14	\$ 36,807,405	549.77



Senior / Recreation Center Project

Vision Statement:

Create a welcoming and dynamic hub where all the members of the community can gather in an environment that promotes socialization, physical activity and lifelong learning that enhance both personal and community wellness.

Goals:

1. Develop a plan for an open, welcoming, adaptable active senior/community facility with flexibility for current and future uses.
2. Integrate the design and use of the senior/community center with St. James Park.
3. Ensure safe and accessible design of the building(s) and site for users of all ages and abilities.
4. Incorporate sustainable concepts, design and materials, when practical, to reduce environmental impact.
5. Complete design and construction of a new or renovated facility and site on time and within the established budget.

Objectives:

1. Create a permanent home for Next.
2. Support Next in providing a wide range of programs and services.
3. Provide community gathering spaces (indoors and outdoors).
4. Provide a facility that promotes the provision of health, fitness, and recreation programming for the community.
5. Design a facility that encourages social interaction and emotional enrichment for the community.
6. Design a facility that promotes multigenerational programming opportunities and lifelong learning.

Relevant City Strategic Goal:

- 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

Project Timeline

Phase 1: Needs Assessment

2/12 - CC	Hired Consultants for Needs Assessment & Concept Plans
3/4 - CC	Creation of Ad Hoc Senior/Recreation Center Committee
3/18 - CC	Appointments to Ad Hoc Senior/Recreation Center Committee
3/20 - SCC	- Select Chair and Vice-Chair - Establish future meeting schedule - Review purpose of Ad Hoc Committee - Discuss duties of Ad Hoc Committee - Review draft Community Survey - Begin crafting vision, goals & objectives of project - Prepare draft project process and timeline - Go live with Community Survey (through 4/26) - Finalize vision, goals and objectives of project - Finalize project process and timeline - Finalize project process and timeline - Discuss use and timing of owner's representative
3/22 - Survey	
3/27 - SCC	
4/3 - SCC	
4/8 - CC	
4/10 - SCC	
4/17 - SCC	YMCA facility tour (meeting to be held on site at 400 E. Lincoln)
4/18 - Post RFP for OR	- Review findings of Programming Study - Review and finalize RFP for owner's representative - Post RFP on MITN for owner's representative (due 5/10)
4/24 - SCC	Finalize RFQ for architects to qualify for final design and construction plan preparation
4/25 - Post RFQ for Architects	Post RFQ on MITN for architects to qualify for final design and construction plan preparation (due 5/16)
4/26 - Report	Delivery of Needs Assessment Report
4/29 - Open House	- Conduct community open house at YMCA (6-8pm) - Present findings of Community Survey
5/1 - SCC	- Review community survey & open house public input - Review Needs Assessment Report
5/8 - SCC	Final review and recommendation of Needs Assessment Report to City Commission
5/10 - OR Responses	Responses due from RFP for owner's representative
5/15 - SCC	- Review and evaluate proposals for owner's representative - Recommend preferred owner's representative to City Commission
5/16 - RFQ Responses	Responses due from RFQ for architects
5/20 - CC	- Needs Assessment Report presented to City Commission for approval - City Commission selects owner's representative

Project Timeline

Phase 2: Concept Plans

5/22 - SCC	- Owner's representative attends first ad hoc meeting - Review responses from RFQ for architects
5/29 - SCC	Review draft RFP for final design and construction plan preparation
6/11 – Report (90%)	Delivery of Draft Report (90% complete)
6/12 - SCC	- Finalize RFP for final design and construction plan preparation - Discuss potential funding options
6/19 - SCC	Review Draft Report
6/21 – Concept Plans & Final Report	- Delivery of concept plan options - Delivery of Final Report
6/26 - SCC	- Evaluate concept plan options - Review Final Report
7/10 - SCC	Recommend preferred concept plan & Final Report to City Commission
7/22 - CC	- Preferred concept plan & Final Report presented to City Commission for approval - Discuss potential funding options

Phase 3: Final Site Plan & Design Review, Preparation of Construction Plans

7/23 – Post RFP	Post RFP for final design and construction plan preparation (due 8/22)
7/24 - SCC	Available if needed
7/31 - SCC	Discuss parameters and applicable regulations for site plan and design review
8/22 – RFP Proposals	Final design and construction plan proposals due
8/28 - SCC	Review and evaluate architectural proposals received
9/4 - SCC	- Interview architectural consultants - Recommend architectural consultants to City Commission
9/9 – CC	- Recommend and/or interview architectural consultants at City Commission - Award consultant contract
9/18 - SCC	Begin design discussions with architectural consultants
9/25 - SCC	Review draft RFP / bid for project construction
10/2 - SCC	Begin site plan and design review
10/9 – SCC	Continue site plan and design review
10/16 - SCC	Continue site plan and design review
10/23 – SCC	- Continue site plan and design review - Recommend final site plan and design to City Commission
10/28 - CC	Final site plan and design for 400 E. Lincoln presented to City Commission for approval
10/30 - SCC	Finalize RFP / bid for project construction
11/18 - CC	Second meeting if needed for final site plan and design approval

Project Timeline

Phase 4: Construction & Construction Management

11/11 – 12/2 Post RFP/Bid	• Post RFP or bid for construction with approved site plan and design plans (due in 30-45 days)
1/27/25 - CC	• Award construction contract

City Manager

Presented by: J. Ecker /B.
Deming KMG

Date: July 22, 2024

Senior / Recreation Center

Conceptual Report Review and Recommendation



Final Report Outline

- Community Engagement
- Programming
- Facility Condition Assessment
- Recommendations
 - Options
 - Engineering Summaries
 - Cost Estimates



Community Engagement

- Online Surveys
- Paper Surveys
- Open House / Town Hall Events

How important you find the following amenities: (1- Not important at all to 5- Very Important)	Response	Total weight	Total Responses	Weighted Average
	Nearby parking with safe, well-lit spaces	864	188	4.58
	Lifelong learning	805	188	4.28
	Indoor fitness equipment	812	191	4.25
	Adult education classes	641	159	4.03
	Creative arts	691	181	3.82
	Outdoor seating and tables	955	250	3.82
	Locker rooms	675	180	3.75
	Handicap parking spaces	643	171	3.76
	Restrooms easily accessed from St. James Park	666	182	3.66
	Craft space	645	179	3.60
	Performing arts	620	172	3.60
	Swimming pool	686	198	3.46
	Extended evening hours	594	175	3.39
	Civic events	579	174	3.33
	Separation of recreation and senior spaces	571	174	3.28
	Early morning hours	578	179	3.23
	Showers	546	173	3.16
	Snack bar	548	177	3.10
	Shared recreation and senior spaces	528	171	3.09
	Outdoor fitness equipment	511	168	3.04
	Vending machines	511	186	2.75
	Space rentals for parties	458	170	2.69
	Youth/family programs	489	181	2.70
	Indoor children's playspace	392	155	2.53
	Birmingham Parks and Recreation offices	390	157	2.48
	Child watch	386	170	2.27

SENIOR/RECREATION CENTER COMMUNITY SURVEY

Complete this form or take this survey online at www.bhamgov.org/senior-recreation-center. Submit your feedback by Friday, April 26, 2024.

BIRMINGHAM
A WALKABLE CITY

The new Birmingham recreational facility located at 400 S. Lincoln will become the new home of Next Senior Services and provide recreational opportunities for Birmingham residents. Please complete this survey by April 26 and share your ideas about what should be included in the new facility.

Demographics

What city do you live in? _____ Number of people living in your home: _____

Your age range: ☐ Under 35 ☐ 36-45 ☐ 46-55 ☐ 56-65 ☐ 66-75 ☐ 76-85 ☐ Over 85

Gender: _____

Senior/Recreation Center Usage

In what ways do you envision yourself utilizing the senior/recreation facility? Check all that apply.

☐ As a member of Next (Next programs and activities) ☐ Renting an event room (hosting a party, baby shower, etc.) ☐ Serving court time

☐ Open gym ☐ Using fitness equipment ☐ Youth sports league ☐ Fitness classes

☐ Youth sports league ☐ Using a meeting room for a community meeting ☐ Other: _____

What activities would you like to do at this facility? Check all that apply.

☐ Walking/running ☐ Basketball ☐ Pickleball ☐ Volleyball ☐ Lift weights ☐ Play cards or table games ☐ Meet with friends ☐ Participate as a member of Next ☐ Other: _____

Developed by NORR, LLC and the Ad Hoc Senior/Recreation Center Committee www.bhamgov.org/senior-recreation-center

Programming

Individual Programs

	Next	YMCA	City of Birmingham
Program Net Square Footage	30,940 SF	17,060 SF	460 SF
Circulation/Part (30%)	12,902 SF	7,114 SF	197 SF
Gross Square Footage	43,842 SF	24,174 SF	657 SF

Combined Program with Shared Spaces

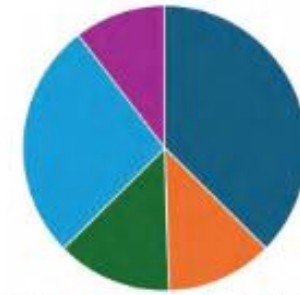
44,390 SF	Building Area Subtotal (Net Square Footage)
13,317 SF	Circulation (30%)
5,194 SF	Partitions / MEP (9%)
62,901 SF	Building Area Grand Total (Gross Square Footage)



Facility Condition Assessment

- Numerous Code and Accessibility Issues
- Aged Mechanical and Electrical Systems
- Inefficient Layout for intended use
- Structural Issues

Existing Door Summary
82 Total Doors



- Door Hardware Not Compliant
- Door Not Properly Reopened
- Existing Doors that are Compliant
- Door Width Not ADA Compliant
- Door Not ADA Compliant



Recommendations

- Options – test fit of program information
 - 1 – Renovate Existing Building
 - 2 – Renovate Existing with Addition
 - 3 – New Building
- Engineering Summaries
 - Detailed to provide basis for estimate
- Cost Estimates
 - Additional Options
 - New Building, 40,000 SF, No Basement
 - New Building, 50,000 SF, No Basement



Summary of Options & Cost Estimates

	Option 1 - Exst Bldg		Option 1A - Exst Bldg w/Pool		Option 2 - Exst Bldgw/ Addition		Option 3 - New Building		Option 3A - New Building Reduce Future		Option 4 - New Building - On Grade 40k SF		Option 4A - New Building - On Grade 50k SF	
	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease	Square Footage	% of Total / Net Lease
Building Area Breakdown														
Birmingham NEXT	17,201 SF	42.3%/70%	17,575 SF	43.3%/70%	27,886 SF	43.1%/64%	32,068 SF	43.3%/59%	32,068 SF	47.9%/68%	20,428 SF	51.1%/75%	26,204 SF	52.4%/75%
Birmingham YMCA	7,193 SF	17.7%/29%	7,394 SF	18.2%/30%	7,642 SF	11.8%/18%	13,018 SF	17.6%/24%	13,018 SF	19.4%/27%	6,810 SF	17%/24%	8,734 SF	17.5%/24%
City of Birmingham (Parks & Rec)	294 SF	0.7%/1%	0 SF	0	360 SF	0.6%/1%	360 SF	0.5%/1%	360 SF	0.5%/1%	360 SF	0.9%/1%	360 SF	0.7%/1%
City of Birmingham Future Lease	0 SF	0%	0 SF	0%	7,422 SF	11.5%/17%	8,959 SF	12.1%/16%	1,929 SF	2.9%/4%	0 SF	0%	0 SF	0%
Facility Areas	1,537 SF	3.80%	1,841 SF	4.50%	2,760 SF	4.30%	3,202 SF	4.30%	3,202 SF	4.80%	3,202 SF	8.00%	3,202 SF	6.40%
Circulation	14,406 SF	35.50%	13,821 SF	34.00%	18,570 SF	28.70%	16,373 SF	22.10%	16,373 SF	24.50%	9,200 SF	23.00%	11,500 SF	23.00%
Total	40,631 SF	100%	40,631 SF	100%	64,640 SF	100%	73,980 SF	100%	66,950 SF	100%	40,000 SF	100%	50,000 SF	100%
Building Circulation	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total	Square Footage	% of Total
Gross Building Area	40,631 SF	100%	40,631 SF	100%	64,640 SF	100%	73,980 SF	100%	66,950 SF	100%	40,000 SF	100%	50,000 SF	100%
Net Lease Area	26,225 SF	64.5%	26,810 SF	66.0%	46,070 SF	71.3%	57,607 SF	77.9%	50,577 SF	75.5%	30,800 SF	77.0%	38,500 SF	77.0%
Circulation	14,406 SF	35.5%	13,821 SF	34.0%	18,570 SF	28.7%	16,373 SF	22.1%	16,373 SF	24.5%	9,200 SF	23.0%	11,500 SF	23.0%
Building Cost		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF		\$/SF
Construction	\$15,462,687	\$380.56	\$15,862,496	\$390.40	\$23,774,798	\$367.80	\$28,751,579	\$388.64	\$27,921,029	\$417.04	\$16,930,289	\$423.26	\$20,306,615	\$388.00
Soft Costs	\$5,425,458	\$133.53	\$5,504,360	\$135.47	\$7,963,752	\$123.20	\$9,256,709	\$125.12	\$8,858,876	\$132.32	\$5,793,093	\$144.83	\$7,079,893	\$125.00
Total	\$20,888,145	\$514.09	\$21,366,856	\$525.87	\$31,738,550	\$491.00	\$38,008,288	\$513.76	\$36,779,905	\$549.36	\$22,723,382	\$568.08	\$27,386,508	\$513.00
Add for 4,500 SF Pool - Total Project Cost							\$3,600,000	\$800.00			\$3,600,000	\$800.00	\$3,600,000	\$800.00
Construction Duration (Months) / Finish based on Const Start - May 2025														
	12	May-26	14	Jul-26	18	Nov-26	18	Nov-26	18	Nov-26	14	Jul-26	14	Jul-26
Building Operating Cost														
Deferred Maintenance	\$20,000	\$0.49	\$20,000	\$0.49	\$20,000	\$0.31	\$0	\$0.00	\$0	\$0.00	\$0	\$0.00	\$0	\$0.00
Gas	\$23,037		\$23,037		\$21,650		\$17,755		\$16,068		\$9,600		\$12,000	
Electric	\$141,640		\$141,640		\$240,335		\$155,358		\$140,595		\$84,000		\$105,000	
Total	\$184,677		\$184,677		\$281,985		\$173,113		\$156,663		\$93,600		\$117,000	
Parking	145		145		145		145		145		145		145	
Exist 149 (72 Y, 55 St James, Floyd ROW 22)														
Notes														
	30% Savings for Elec and Gas with new equip		30% Savings for Elec and Gas with new equip		30% Savings for Elec and Gas with new equip									

Additional Discusssion

- Legal Review
- Fiscal Impact
 - Additional Millage
 - General Obligation Bonds
 - Use of Fund Balance
 - Grant Funding
 - Philanthropic Donations
 - Contributions from Other Organization
- Sustainability
- Public Communications



Recommendations from Ad Hoc Committee

- Option 1, as presented by consultants and staff, being a renovation of the existing YMCA building located at 400 E Lincoln St, Birmingham, MI 48009, not be considered because it is not financially responsible and does not meet the goals 1 through 4 of the senior/recreation center project and that a new facility is the preferred choice;
 - AND
- A new building according to option 4A as presented by the staff and City consultants be built, not to exceed approximately 28 million dollars, as it meets goals 1 through 4 and objectives 1 through 6 of the senior/recreation center project, with an option for consideration of a pool not to exceed 3.6 million dollars in costs;
 - AND
- Furthermore, to direct the City Manager to take the necessary steps in order to facilitate the design, funding and construction of a new senior/recreation facility.

Next Steps

- Issue RFP for Architect for Short Listed Firms
- Consider funding options and approve any proposed ballot language
- Select the architectural/engineering team to complete final design and construction drawings
- Consider and select construction manager to coordinate procurement and construction
- Continue to work with Next, the YMCA and the other communities served by Next to formalize agreements as needed



MEMORANDUM

City Manager's Office

DATE: July 15, 2024
TO: City Commission
FROM: Jana L. Ecker, City Manager
SUBJECT: 12 Month Performance Review

As of July 1, 2024, I have completed one year of service as City Manager. Per the terms of our agreement, "the Commission agrees that it shall establish certain goals and objectives upon which the Employee's performance may be evaluated, and the City will conduct performance evaluations after six (6) months, at the one (1) year anniversary and annually thereafter."

During the regular meeting on April 8, 2024, the City Commission conducted a performance evaluation of my tenure. This evaluation was conducted in a closed session as permitted by the Open Meetings Act under MCL §15.268(a).

For my twelve-month review, I propose that the City Commission consider conducting a structured evaluation focusing on the achievement of goals and objectives established for my role. I have included examples of City Manager evaluation instruments utilized by other municipalities for the Commission's review and consideration. It is recommended that the City Commission select one of the attached performance evaluation forms. Once selected, each City Commissioner may complete the form prior to the proposed closed session evaluation on August 12, 2024.

ATTACHMENTS:

- City Manager Performance Evaluation, City of Austin
- City Manager Performance Evaluation, City of Port Huron
- City Manager Performance Evaluation, City of Lexington
- City Manager Performance Evaluation, City of Durand

City Manager Performance Evaluation

City of Austin

Evaluation period: _____ to _____

Council Member's Name

Each Council Member should complete this evaluation form, sign it in the space below, and return it to the Director of the Human Resources Department. The deadline for submitting this performance evaluation is five business days prior to the City Manager's posted evaluation. Evaluations will be summarized by Human Resources staff and provided to the Mayor and Council Members for discussion during Executive Session on _____.

Council Member's Signature

Date Submitted

INSTRUCTIONS

This evaluation form includes two parts: A quantitative score sheet, covering multiple categories of performance criteria; and a narrative comments section. A summary of the score sheet results and all narrative comments will be distributed to all Council Members in executive session, and will be used as a basis for Council discussion of the City Manager's performance.

Score sheet. Each of the categories contains multiple statements that describe a behavior standard in that category. For each statement, rate the City Manager's performance along the following scale.

- 5 = excellent (almost always exceeds the performance standard)
- 4 = above average (generally exceeds the performance standard)
- 3 = average (generally meets the performance standard)
- 2 = below average (usually does not meet the performance standard)
- 1 = poor (rarely meets the performance standard)

If you do not have enough information to rate the City Manager on a particular characteristic, leave it blank. Blanks will not be included in the numerical scoring, but the number of blanks for that characteristic will be recorded.

Narrative comments. At the end of the form you will have an opportunity to respond to specific questions, and to provide any other comments you believe appropriate and pertinent to the City Manager's evaluation. Please write legibly or attach a printed Word document.

Please leave all pages of this evaluation form attached. Initial each page, including any printed sheets you attached. Sign and date the cover page. All evaluations submitted prior to the deadline will be included in the summary prepared for Council discussion.

PERFORMANCE CATEGORY SCORING

1. INDIVIDUAL CHARACTERISTICS

- _____ Diligent and thorough in the discharge of duties, "self-starter"
- _____ Exercises good judgment
- _____ Displays enthusiasm, cooperation, and will to adapt
- _____ Exhibits composure and attitude appropriate for executive position

2. PROFESSIONAL SKILLS AND STATUS

- _____ Maintains knowledge of current developments affecting the practice of local government management
- _____ Demonstrates a capacity for innovation and creativity
- _____ Anticipates and analyzes problems to develop effective approaches for solving them
- _____ Willing to try new ideas proposed by governing body members and/or staff
- _____ Sets a professional example by handling affairs of the public office in a fair and impartial manner

3. RELATIONS WITH ELECTED MEMBERS OF THE GOVERNING BODY

- _____ Carries out directives of the body as a whole as opposed to those of any one member or minority group
- _____ Sets meeting agendas that reflect the guidance of the governing body and avoids unnecessary involvement in administrative actions
- _____ Disseminates complete and accurate information equally to all members in a timely manner
- _____ Assists by facilitating decision making without usurping authority
- _____ Responds well to requests, advice, and constructive criticism

4. POLICY EXECUTION

- _____ Implements governing body actions in accordance with the intent of Council
- _____ Supports the actions of the governing body after a decision has been reached, both inside and outside the organization
- _____ Understands, supports, and enforces local government's laws, policies, and ordinances
- _____ Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness
- _____ Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical

5. REPORTING

- _____ Provides regular information and reports to the governing body concerning matters of importance to the local government, using the City Charter as a guide
- _____ Responds in a timely manner to requests from the governing body for special reports
- _____ Takes the initiative to provide information, advice, and recommendations to the governing body on matters that are non-routine and not administrative in nature
- _____ Reports produced by the manager are accurate, comprehensive, concise and written to their intended audience
- _____ Produces and handles reports in a way to convey the message that affairs of the organization are open to public scrutiny

6. CITIZEN RELATIONS

- _____ Responsive to requests from citizens
- _____ Demonstrates a dedication to service to the community and its citizens
- _____ Maintains a nonpartisan approach in dealing with the news media
- _____ Meets with and listens to members of the community to discuss their concerns and strives to understand their interests
- _____ Makes appropriate efforts to maintain citizen satisfaction with city services

7. STAFFING

- _____ Recruits and retains competent personnel for staff positions
- _____ Applies an appropriate level of supervision to improve any areas of substandard performance
- _____ Stays accurately informed and appropriately concerned about employee relations
- _____ Ensures professional management of the compensation and benefits plan
- _____ Promotes training and development opportunities at all levels of the organization

8. SUPERVISION

- _____ Encourages heads of departments to make decisions within their jurisdictions with minimal city manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff
- _____ Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level
- _____ Develops and maintains a friendly and informal relationship with the staff and work force in general, yet maintains the professional dignity of the City Manager's office
- _____ Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback
- _____ Encourages teamwork, innovation, and effective problem-solving among staff members

9. FISCAL MANAGEMENT

- _____ Prepares a balanced budget to provide services at a level directed by Council
- _____ Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- _____ Prepares a budget and budgetary recommendations in an intelligent and accessible format
- _____ Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability
- _____ Appropriately monitors and manages fiscal activities of the organization

10. COMMUNITY

- _____ Shares responsibility for addressing the difficult issues facing the City
- _____ Avoids unnecessary controversy
- _____ Cooperates with neighboring communities and the country
- _____ Helps the Council address future needs and develop adequate plans to address long term trends
- _____ Cooperates with other regional, state, and federal government agencies

NARRATIVE EVALUATION

What would you identify as the City Manager's strengths, expressed in terms of the principal results achieved during the rating period?

What performance areas would you identify as most critical for improvement?

[illegible]

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.



**CITY OF PORT HURON
MAYOR AND CITY COUNCIL
CITY MANAGER PERFORMANCE EVALUATION**

PERIOD BEING EVALUATED: July 1, 2014, through June 30, 2015

This performance evaluation form is designed to assist in the evaluation of the City Manager's performance, to provide the necessary feedback to identify areas in need of improvement and to recognize positive contributions and achievements.

Carefully consider each characteristic to be evaluated. Each characteristic will receive one of six different ratings determined by the level of performance. In the event that "unacceptable" is circled, comments should be included in order to make the evaluation process constructive. For all categories, specific comments will improve communication.

Please use the following ratings and circle the appropriate number corresponding to your evaluation of the City Manager's performance in the space provided after each question. Any additional comments may be written in the comments section.

- 5: Outstanding – This rating reflects a thorough, efficient and exceptional effort
- 4: Exceeds Expectations – Above average performance, performance in excess of expected results
- 3: Meets Expectations – Satisfactory performance, all expectations met
- 2: Needs improvement – Performance is inconsistent and often ineffective
- 1: Unacceptable – Performance consistently fails to meet the minimum requirements of the job
- N/A: Not Applicable – Unable to rate; no opportunity to observe

After completing the evaluation form, it should be returned to the Mayor who will tabulate the evaluations for City Council's review and discussions with the City Manager.

The form has nine general categories for rating evaluations: (1) Relationship with City Council; (2) Management; (3) Economic Development; (4) Accomplishments; (5) Leadership; (6) Interpersonal Relations; (7) Communications; (8) Decision-Making, Problem Solving and Judgment; and (9) Personal and Professional. Additional comments may be attached.

A tenth category is for written comments on Strengths, Weaknesses, Failures and Accomplishments. Specific facts, examples and citations are very much appreciated. The final tenth category is an overall evaluation using the five point scale.

It may be helpful to ask yourself the following questions as you work through your evaluation form:

Service Delivery Management – How well is the City Manager managing the various departments? How well are those departments performing?

Human Resources Management – How effective are City employees overall? How responsive are City employees to citizens and businesses, what is the service orientation and how is the follow-through? What is the level of overall morale within the organization? How much are employees improving their work skills and what is employee retention like? How well are employee evaluations done and is discipline, when necessary, applied appropriately, fairly and even-handedly?

Financial Management – How efficiently does the organization use its limited financial resources? How good, and appropriate, is the budget process, presentation and implementation? How well is financial planning and management undertaken and, given relative economic conditions and factors outside the control of the City, is the financial condition of the City improving?

Economic Development – How well have meaningful goals and objectives been developed? How well have City programs and projects been developed? How well has Council policy-making been facilitated by good advance staff work?

Accomplishments – Have established goals and objectives been met? How well have city programs and projects been implemented? How well have Council policy directives been carried out?

City Council Relationships – How effective is the City Manager's communication and support of City Council's policy development and problem-solving?

Leadership – Has the City Manager been an effective leader and advocate for Port Huron in the regional community? Has the City Manager led the organization by creating a good example? Does the City Manager display foresight, imagination and vision and demonstrate reasonable risk-taking where rewards may be great? Does the City Manager display strategic thinking?

Interpersonal Relations – What is the status of the City Manager's relationship with the City Council? With citizens and community groups? With City employees generally? With other government agencies? With the press?

Communications – How well does the City Manager communicate orally? In written form? Does the City Manager project a positive image of the City in his/her communications? How responsive is the City Manager to citizen complaints and inquiries?

Decision-making, Problem-solving and Judgment – Does the City Manager display integrity, honesty and ethical behavior? Is the City Manager fair, impartial and objective? Are the City Manager's analyses and reports logical, clear and concise? How successful are outcomes of various negotiations the City Manager been part of? Does the City Manager display a good sense of timing? Does the City Manager exercise good judgment?

Personal and Professional – Does the City Manager approach the job with enthusiasm, energy and a positive attitude? Is the City Manager good at self-assessment and improvement? How good is the City Manager's personal and professional reputation? How good are the city Manager's listening skills? Is the City Manager full engaged in the job and fully dedicated and committed? How well does the City Manager handle stressful situations? How much job knowledge does the City Manager possess and does the City Manager diligently pursue professional development opportunities?

Other – Additional written comments and suggestions are very much appreciated and need not wait until the next formal performance evaluation.

Rating Key: 5-Outstanding; 4-Exceeds Expectations; 3-Meets Expectations; 2-Needs Improvement; 1-Unacceptable;
N/A-Unable to Rate

Rating

1. RELATIONSHIP WITH COUNCIL

Supports City Council Vision

Maintains effective communications, both verbal and written

Maintains availability to Council either personally or through designated subordinate

Plans and organizes materials for presentations to the Council either verbally or orally in the most concise, clear and comprehensive manner possible

Provides Council with sufficient alternatives to avoid being forced into a decision

Responds in a positive way to suggestions and guidance from Council

Meets time estimates

Maintains a system of reporting to Council current plans and activities of the staff

2. MANAGEMENT

Service Delivery Management

City Manager/City Clerk's Office

Economic Development

Community Safety (Police/Fire)

Public Works Department

Human Services

Administrative/Business Systems

Parks and Recreation

Human Resource Management

Staff effectiveness: How effective are City employees overall?

Staff responsiveness and follow-through: How responsive are City employees to citizens and businesses? What is the service orientation and how is the follow-through?

Rating Key: 5-Outstanding; 4-Exceeds Expectations; 3-Meets Expectations; 2-Needs Improvement; 1-Unacceptable;
N/A-Unable to Rate

Rating

Staff morale: What is the level of overall morale within the organization?

Staff development and retention: How much are employees improving their work skills and what is employee retention like?

Staff evaluations (and discipline as necessary): How well are employee evaluations done and is discipline, when necessary, applied appropriately, fairly and even-handedly?

Financial Management

Organizational efficiency: How efficiently does the organization use its limited financial resources?

Budget: How good, and appropriate, is the budget process, presentation and implementation?

Financial position: How well is financial planning and management undertaken and, given relative economic conditions and factors outside the control of the City; is the financial condition of the City government improving?

3. ECONOMIC DEVELOPMENT

Maintains knowledge of new technologies, systems and methods in relation to city services.

Keeps Council advised of new and impending legislation and developments in the area of public policy.

Plans and organizes a process of program planning in anticipation of future needs and problems.

Establishes and maintains an awareness of developments occurring within other cities or jurisdictions that may have an impact on city activities.

Overall degree of confidence that Council will be setting policy with City Manager's help in a proactive manner, rather than a reactive manner.

4. ACCOMPLISHMENTS

Goals and objectives: Have established goals and objectives been met?

Program implementation: How well have City programs and projects been implemented?

Policy execution: How well have Council policy directives been carried out?

Rating Key: 5-Outstanding; 4-Exceeds Expectations; 3-Meets Expectations; 2-Needs Improvement; 1-Unacceptable;
N/A-Unable to Rate

Rating

5. LEADERSHIP

Regional leadership: Has the City Manager been an effective leader and advocate for Port Huron in the regional community?

Leadership by example: Has the City Manager led the organization by creating a good example?

Foresight, imagination and vision: Does the City Manager display foresight, imagination and vision and demonstrate reasonable risk-taking where rewards may be great?

Strategic thinking: Does the City Manager display strategic thinking?

6. INTERPERSONAL RELATIONS

What is the status of the City Manager's relationship with the City Council? With citizens and community groups? With City employees generally? With other government agencies? With the press?

Council relations

Citizen and community relations

Public and press relations

7. COMMUNICATIONS

How well does the City Manager communicate orally? In written form? Does the City Manager project a positive image of the City in his communications? How responsive is the City Manager to citizen complaints and inquiries?

Oral communications

Written communications

Projection of a positive image of the City

Responsiveness to citizen complaint and inquiries

8. DECISION-MAKING, PROBLEM-SOLVING AND JUDGMENT

Integrity, honesty and ethical behavior: Does the City Manager display integrity, honesty and ethical behavior?

Fairness and objectivity: Is the City Manager fair, impartial and objective?

Analysis and reporting skills: Are the City Manager's analyses and reports logical,

Rating Key: 5-Outstanding; 4-Exceeds Expectations; 3-Meets Expectations; 2-Needs Improvement; 1-Unacceptable;
N/A-Unable to Rate

Rating

clear and concise?

Negotiation skills and outcomes: How successful are outcomes of various negotiations the City Manager has been part of?

Sense and good use of timing: Does the City Manager display a good sense of timing?

Good judgment: Does the City Manager exercise good judgment?

9. PERSONAL AND PROFESSIONAL

Attitude and energy: Does the City Manager approach the job with enthusiasm, energy and a positive attitude?

Self-assessment and improvement: Is the City Manager good at self-assessment and improvement?

Personal and professional reputation: How good is the City Manager's personal and professional reputation?

Listening skills: How good are the City Manager's listening skills?

Dedication and commitment: Is the City Manager fully engaged in the job and fully dedicated and committed to the city organization and the community?

Stress management: How well does the City Manager handle stressful situations?

Job knowledge and professional development: How much job knowledge does the City Manager possess and does the City Manager diligently pursue professional development opportunities?

10. STRENGTHS, WEAKNESSES, FAILURES AND ACCOMPLISHMENTS

Areas for City Manager to seek to improve his performance and constructive ideas for improvement

Most significant organizational failures in the last 12 months.

Most significant organizational accomplishments in the last 12 months.

11. OVERALL EVALUATION OF CITY MANAGER'S PERFORMANCE

Overall evaluation on scale of 1 to 5: _____



City Manager Performance Evaluation

September 2020

For each performance factor, please rate the City Manager on a scale from one (1) to five (5), according to how well she met your expectations for that factor:

-----1-----2-----3-----4-----5-----
Does Not Meets Exceeds
Meet Expectations Expectations Expectations

There are three reference points on the scale, defined as follows:

Exceeds Expectations (5): The City Manager's performance clearly exceeds your expectations in this area, even of someone fully qualified to do the job of Lexington City Manager. The City Manager's performance and contributions produce a positive impact on the performance of others and the operation of the City of Lexington.

Meets Expectations (3): The City Manager’s performance meets your expectations of someone fully qualified to do the job of Lexington City Manager. This does not mean a perfect job on everything. For the most part, she did the job the way it should be done and would not need to improve in order for her performance to be fully acceptable.

Does Not Meet Expectations (1): The City Manager's performance does not meet your expectations of someone fully qualified to do the job of Lexington City Manager and needs to improve significantly in order to satisfy you in this area.

PERFORMANCE FACTORS

- I. MANAGEMENT OF THE ORGANIZATION:** Effectively runs the operations of the organization. Creates a collaborative, team building environment for staff as a Workplace of Choice. Recognizes the accomplishments of staff and other agencies working on behalf of the City. Supports a commitment to diversity/inclusion, professional growth, succession planning, and opportunity within the organization. Accepts full accountability for staff and the outcome of City projects or decisions. Actively addresses mission critical services, identifies organizational problems and takes remedial action.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- II. EXECUTION OF POLICY:** Understands and complies with ordinances, policies and procedures governing the City including Federal and State legislation and directives. Implements City policy, fairly and consistently, based upon Council decisions, initiatives, and applicable laws and regulations. Presents matters in a factual, analytical way. Coordinates Council policy decisions to staff, other organizations and the community.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- III. FINANCIAL MANAGEMENT:** Properly prepares and manages the budget. Demonstrates ingenuity and creativity in approaching budgetary matters, including long-range financial needs, monitoring and adaptation for the organization. Incorporates evolving role of technology in service provision. Actively works to sustain cost-competitive government and utility services.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

IV. RELATIONS WITH THE COUNCIL: Makes an effort to be accessible to Council members. Handles issues that are brought by the Council in a consistent and timely manner. Maintains an honest, truthful and professional relationship with each Council member. Keeps a positive attitude and approach to new ideas, issues and complaints raised by Council members.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- V. COMMUNITY RELATIONS AND ENGAGEMENT:** Makes an effort to understand issues, concerns, and the values of the community. Meets with and listens to members of the community to discuss concerns and strives to understand their interests. Leverages public engagements and community interactions to educate and advocate on City initiatives and services. Represents the City well and in a professional and positive manner. Works proactively and maintains a nonpartisan professional approach with the media and press. Professionally leverages social media. Works effectively and synergizes collaboration with partner agencies, neighboring jurisdictions and community organizations.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- VI. COMMUNICATIONS:** Ensures that Council members receive important information in a timely and effective manner. Provides regular updates to the Council, keeping them informed about current and critical issues. Presents the Council and community with clear and accurate reports and correspondence. Responds to correspondence, requests and complaints, timely and appropriately. Facilitates open two-way communication and encourages mutual honesty and respect with Council, staff and the community.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- VII. LEADERSHIP:** Provides the Council and the organization with real solutions and creative alternatives to issues and problems that reflect the values of the community. Anticipates and responds to issues. Assures that Council decisions are thought out, objective, consistent with past practices and are legal and ethical. Makes use of sound administrative practices. Positively leads through collaboration, mentoring, coaching and motivational techniques. Represents the organization as a positive City ambassador.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- VIII. PROFESSIONALISM:** Deals effectively and appropriately with the public and other organizations. Devotes time and energy to the job. Demonstrates high ethical standards and integrity. Works to keep “politics” and personal perspectives out of the decision making process. Stays abreast and active in professional organizations and current issues.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

- IX. VISION, INITIATIVE, PLAN EXECUTION:** Sets an example that urges the organization and the community toward innovation, problem solving and solution oriented action. Actively works to envision a future state resisting the status quo and develops new ideas and initiatives for consideration. Adapts to evolving technological advancements and social media platforms. Leverages City Council Annual Summit to identify priorities for the Annual Budget and work plan and accepts responsibility for the results. Offers professional recommendations and implements Council's vision to make Lexington a City of Choice.

Performance Factor Rating:

☐	☐	☐	☐	☐	☐
1 Does Not Meet Expectations	2	3 Meets Expectations	4	5 Exceeds Expectations	Unable to Rate

General Comments:

Click or tap here to enter text.

Improvement Suggestions:

Click or tap here to enter text.

NARRATIVE EVALUATION

What would you identify as the City Manager's strengths, expressed in terms of the principal results achieved during the rating period?

Click or tap here to enter text.

What performance areas would you identify as most critical for improvement?

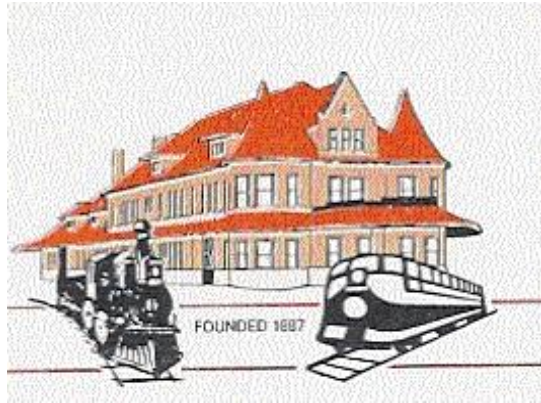
Click or tap here to enter text.

What suggestions or assistance can you offer the City Manager?

Click or tap here to enter text.

What other comments do you have for the City Manager (for example, about priorities, expectations, or specific objectives for the next year)?

Click or tap here to enter text.



**ANNUAL
CITY MANAGER
PERFORMANCE
EVALUATION
2015**

Evaluation Instructions

This evaluation is an annual critical look at the performance of the City Manager. This is also an introspective look at the relationship between the City Council and the City Manager; a communication and an opportunity on the part of the City Council to align expectations. It is an opportunity to re establish the goals and objectives for the City of Durand. It should be a positive exchange and learning process for both parties.

Responsibilities

To provide an accurate evaluation, all City Council members should keep personal notations on a minimum of a monthly basis so as to be able to refresh individual memories at the time the annual evaluation process begins. These personal notations should not be shared with other members of the City Council. In order to meet the objectives of a fair and unbiased evaluation it is important to have evaluations from all members.

Forms and Process

The following evaluation will consist of several categories for which the City Manager is responsible or has regular involvement. A ten-point assessment scale is provided in order to provide a numerical value to each question and/or category. A score of 1 would be unsatisfactory while a score of 5 would be exceptional.

Evaluations will be signed and should be completed independently. Comments in the comment area should be used to support numerical point assessments. All evaluations will be submitted to the Mayor for tabulation. After tabulation, a meeting will be set for an oral evaluation based on written evaluations. This meeting will be closed session at the request of the City Manager. It is hoped that a positive free flowing oral discussion will provide the City Manager with the direction of the City Council for the future.

To aid in the discussion of the evaluation, the City Manager will use the same form for a self-evaluation. The City Manager's self-evaluation will be completed and given to the Mayor prior to the evaluation forms being sent to the City Council. Each member of the City Council will receive the City Manager's self-evaluation and Job Description, along with a blank evaluation form to be completed and returned to the Mayor for tabulation. The City Manager's self-evaluation will be returned at the time of the evaluation meeting.

The Mayor will provide a Tabulation Summary Page to the City Manager and each member of the City Council. This page will include individual council members (but not identified by name) scoring, as well as a combined score of the board. Also on this page will be the City Manager's self evaluation score. Additionally, there will be a summary of notations, listed by question categories, or City Council comments. After the oral evaluation, the Tabulation Summary, subject to changes by the Council at the evaluation, will be kept as a permanent record. The evaluations themselves will be destroyed.

There are no perfect evaluations but this should be a thoughtful, sensitive, positive and effective attempt to move forward the needs of the City of Durand.

CITY OF DURAND CITY MANAGER EVALUATION

RATING:

1. Unsatisfactory
2. Needs strengthening
3. Satisfactory Performance
4. Good Performance
5. Outstanding Performance

COMPILED RATE:
MANAGER SELF RATE:

Organizational Management	RATING				
	1	2	3	4	5
1. Provides that the organization does not violate agreement or appropriate established board procedures.					
2. Plans and organizes ongoing programs and services to the City Council.					
3. Plans and organizes areas of concern brought to the attention of the City Manager by the City Council or responses to public requests.					
4. Evaluates new and innovative technology as it may relate to areas of concern in the improvement of the City.					
COMMENTS/SUGGESTIONS:					
Fiscal Management	RATING				
	1	2	3	4	5
1. Includes the Mayor and City Council in preparations of the annual budget.					
2. Plans and prepares the annual budget with the input of the Mayor and the City Council with documentation and full explanation of the annual budget.					
3. Administers the adopted budget within the framework of the approved revenues and expenditures.					
4. Plans and provides for a system of reports, as requested, for the City Council to evaluate expenses and revenues.					
5. Prepares and presents to the City Council appropriate budgetary transfers, as necessary.					
6. Plans and provides for necessary information for the City Council which requires bonding or borrowing of funds for long term projects.					

Intergovernmental Relationships	RATING				
	1	2	3	4	5
1. Maintains awareness of developments and plans in other jurisdictions, which may impact the City.					
2. Maintains communication with governmental jurisdictions in area of service that improves or enhances City programs					
3. Initiates communication with other governmental entities or outside parties, which the City may be involved with or become involved.					
4. Attends and relays appropriate information from current intergovernmental agreement meetings to the City Council.					
5. Willingness to participate with other governmental entities in sharing resources or equipment.					
COMMENTS/SUGGESTIONS:					
Relationship with the Public	RATING				
	1	2	3	4	5
1. Ensures that an attitude and feeling of helpfulness, courtesy and sensitivity to perception exist in employees coming in contact with the public.					
2. Establishes and maintains an image of the City of Durand to the community that represents service, enthusiasm and professionalism.					
3. Establishes and maintains a liaison with private organizations, service groups or individuals involved in areas of concern that relate to the service or activities of the City.					
4. Promote and provide information to public inquiries regarding activities, services or potential employment development with the City.					
COMMENTS/SUGGESTIONS:					

Management of Employees and Relationship	RATING				
	1	2	3	4	5
1. Plans, organizes and maintains training of employees through in-house training or outside training.					
2. Maintains regular staff meetings.					
3. Maintains contact and professional interaction with subordinates at all levels of the organization.					
4. Ability to appropriately motivate and discipline employees for peak performance.					
5. Equitably handles problem of grievances among subordinate employees.					
6. Maintains an organization that is efficient, helpful and courteous to the public and to the employees.					
7. Provides for annual evaluation of all employees.					
COMMENTS/SUGGESTIONS:					

Relationship with City Council	RATING				
	1	2	3	4	5
1. Maintains effective communication, both verbal and written with the City Council.					
2. Maintains availability to the City Council.					
3. Provides information needed for City Council action in a timely manner.					
4. Establishes a system of reporting to the City Council the current plans and activities of the City.					
5. Provides for clear presentations to the City Council in the most concise, clear and comprehensive manner possible.					
6. Provides the City Council with all perspectives of an issue and provides a recommendation and reason to support that recommendation.					
7. Always prepared to answer questions of the City Council.					
COMMENTS/SUGGESTIONS:					

Professional Development	RATING				
	1	2	3	4	5
1. Is the City Manager viewed with respect as compared to others in Public Administration?					
2. Does the City Manager enthusiastically seek and support professional improvement through pertinent seminars and conferences?					
3. Does the City Manager deal effectively with other governmental managers?					
4. Is the City Manager always interested in learning new techniques or envisioning new ways to conduct business?					
COMMENTS/SUGGESTIONS:					

Personal Characteristics	RATING				
	1	2	3	4	5
1. Imagination: Does the City Manager show originality in approaching problems? Is she able to visualize the implications of various approaches?					
2. Objectivity: Is the City Manager unemotional and unbiased? Does she take a rational viewpoint based on facts and qualified opinions?					
3. Drive: Is the City Manager energetic, willing to spend whatever time is necessary to do a good job?					
4. Decisiveness: Is the City Manager able to reach timely decisions and initiate action?					
5. Attitude: Is the City Manager enthusiastic, cooperative and willing to adapt?					
COMMENTS/SUGGESTIONS:					

OTHER COMMENTS THAT MAY BE RELEVANT TO THIS EVALUATION:

Signature

Date



MEMORANDUM

City Clerk's Office

DATE: July 18, 2024

TO: Jana Ecker, City Manager

FROM: Alexandria Bingham, City Clerk

SUBJECT: Designation of Voting Delegate(s) for the Michigan Municipal League Annual Meeting

INTRODUCTION:

The City of Birmingham is a member of the Michigan Municipal League (MML). The MML is holding its annual meeting on Mackinac Island, MI on Wednesday, September 11, 2024. On the agenda for the meeting is the election of five members to the MML Board of Trustees and a vote on the Core Legislative Principles document.

BACKGROUND:

A resolution by the City Commission is required to designate a voting delegate and alternate voting delegate to vote on behalf of the City. The deadline to submit delegate information to the MML is August 11, 2024.

LEGAL REVIEW:

n/a

FISCAL IMPACT:

n/a

SUSTAINABILITY:

n/a

PUBLIC COMMUNICATIONS:

Information regarding this appointment will be provided along with the agenda packet on the City website and public communication is permissible in accordance with standard commission procedure.

DESIGN CONSIDERATIONS:

n/a

SUMMARY:

The City Commission is being asked to appoint a City Commission member or City Official as official voting delegate and appoint a City Commission member or City Official as the alternate voting delegate, for the MML Annual Meeting to be held September 11, 2024 on Mackinac Island, MI.

ATTACHMENTS:

1. Letter from MML dated July 5, 2024

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to appoint_____as the City of Birmingham's official voting delegate and_____as the alternate delegate, for the Michigan Municipal League Annual Meeting to be held on Mackinac Island, Michigan on September 11, 2024.

July 5, 2024

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Michigan Municipal League Annual Convention will be held on Mackinac Island, September 11-13, 2024. The League's "**Annual Meeting**" is scheduled for 4:30 pm on Wednesday, September 11 in the Terrace at the Grand Hotel. The meeting will be held for the following purposes:

1. **Election of Trustees.** To elect five members of the Board of Trustees for terms of four years each (see #1 on page 2).
2. **Policy.** A) **To vote on the Core Legislative Principles document.**

In regard to the proposed League Core Legislative Principles, the document is available on the League website at <https://mml.org/resources-research/delegate/>. If you would like to receive a copy of the proposed principles by fax, please call Monica Druksis at the League at 800-653-2483.

B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)

In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by **August 11, 2024.**

3. **Other Business.** To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <https://mml.org/resources-research/delegate/> **no later than August 11, 2024.**

We love where you live.



Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

“Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary Members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative.”

1. Election of Trustees

Regarding election of Trustees, under Section 5.3 of the League Bylaws, five members of the Board of Trustees will be elected at the annual meeting for a term of four years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus, the deadline this year for the League to receive resolutions is **August 11, 2024**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. **Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.**

Further, “Every proposed resolution submitted to the Board of Trustees by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or a modification thereof.

We love where you live.



3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, or at the League registration desk to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the Annual Meeting.

The Board of Trustees will meet on Tuesday, September 10, 2024, at the Grand Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

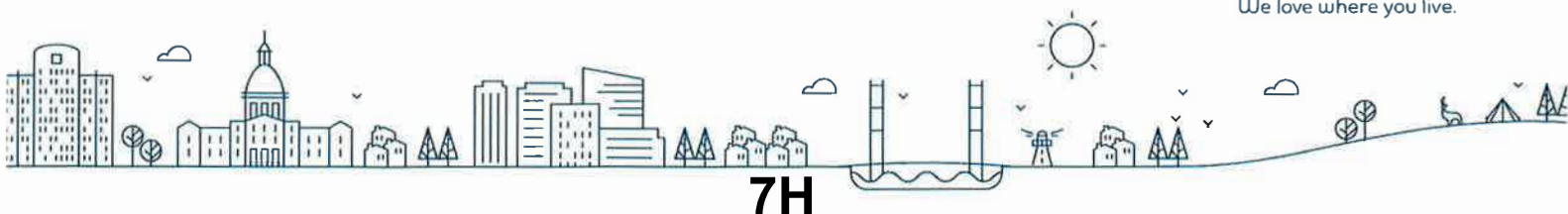
Sincerely,



Robert E. Clark
President
Mayor, City of Monroe



Daniel P. Gilmartin
Executive Director & CEO



Fwd: Arlington & Shirley Road Project

1 message

Jana Ecker <Jecker@bhamgov.org>
To: Alex Bingham <abingham@bhamgov.org>

Mon, Jul 8, 2024 at 2:01 PM

For communications in next CC agenda packet (and also please print these to distribute to the CC this evening as well).

Jana L. Ecker
City Manager
Birmingham, MI
(248) 530-1811

----- Forwarded message -----

From: **Douglas Friedel, Jr.** <dougjr@ddpdm.com>

Date: Mon, Jul 8, 2024 at 12:34 PM

Subject: Arlington & Shirley Road Project

To: <emclain@bhamgov.org>, Katie Schafer <kschafer@bhamgov.org>, <cballer@bhamgov.org>, <ahaig@bhamgov.org>, Brad Host <bhost@bhamgov.org>, <along@bhamgov.org>, <tlonge@bhamgov.org>, Brooks Cowan <bcowan@bhamgov.org>, Jana Ecker <jecker@bhamgov.org>, Melissa Coatta <mcoatta@bhamgov.org>

Dear Mayor, Mayor Pro Tem, Commissioners, and City Staff,

I am writing because my wife and I own a house at 577 Arlington and I wanted to inform the City regarding a number of issues affecting my family, our property, and how it pertains to the Arlington & Shirley Road Reconstruction Project. My apologies in advance for the length of this email but while it lacks brevity, at least it is truthful.

- Our neighbor Jim Mirro has filed a Complaint with the Oakland County 6th Circuit Court and has requested a Temporary Restraining Order against the City in the name of "*Save Our Streets & Trees*", a Michigan Domestic Nonprofit Corporation ID 803145138.

- Dorothy and I are not members or parties to this complaint. This clarification is required because Mr. Mirro and *Save Our Streets & Trees* included a copy of a petition Dorothy & I signed on 6-24-24 formalizing our right to appeal our assessment to the Michigan Tax Tribunal.

- Mr. Mirro and *Save Our Streets & Trees* obtained our signatures under false pretenses and did not inform us that he planned to use our petition signatures in a legal action against the City of Birmingham.

- Mr. Mirro is a liar and saboteur. This is not an opinion, it is a fact. Mr. Mirro has been lying to the media (and anyone who will listen) for many years:

<https://news.yahoo.com/news/blogs/detroit/birmingham-neighbors-arms-over-plans-extreme-home-141043048.html>

<https://www.freep.com/story/news/local/michigan/oakland/2015/12/03/birmingham-maple-road-lanes-ballot-initiative/76733522/>

<https://www.wxyz.com/news/region/oakland-county/birmingham-residents-rally-to-stop-proposed-neighborhood-construction-that-would-kill-historic-trees>

<https://www.freep.com/story/news/local/michigan/oakland/2024/01/31/birmingham-leaders-hold-outdoor-meeting-before-vote-on-sidewalks/72414083007/>

- Mr. Mirro has consistently misrepresented himself in public meetings and private dealings with the City as representing the wishes of homeowners in the affected construction area. Mr. Mirro DOES NOT REPRESENT us in any way: Either through *Save Our Streets & Trees*, The Coryell Park Residents Association, or any other group or organization, or as a friend or neighbor.

- Some FACTS the Commission needs to reflect on:

- The infrastructure in the area is aging and needs repair. The road surfaces have deteriorated and need rebuilding
- Adding sidewalks for pedestrians will not make the area less safe (as has been claimed by Mr. Mirro).
- Walking in the street is not enjoyable and is not the best method for pedestrian travel (as has been suggested by Mr. Mirro on the record).
- Re-constructing the roads and adding sidewalks in this area **will** further Birmingham's goals of walkability and safe travels for all users of the roads.
- Installing sidewalks will **not** make the area less estate-like. The area has large residential properties and sidewalks won't eliminate this.
- Replacing the dying and non-conforming trees will enhance the aesthetic beauty of the area and further biodiversity.
- The opposing opinions being voiced regarding the reconstruction proposal(s) are drummed-up by a few 'squeaky wheels'. Their opinions do not represent the majority of residents.

- Mr. Mirro's objection to the proposed construction is based on the fact he owns two properties: 645 Arlington & 737 Arlington with a total frontage of ~300 LF. I know his objections to the project in the name of 'saving the trees' are disingenuous because he told me as much in person.

- In conclusion:

- a. The City Commission has been misled by Jim Mirro and the Coryell Park Association by believing there is significant community opposition to the project. There is not significant community opposition to the project.
- b. The City Commission erred when it voted to not include sidewalks in the Arlington & Shirley Road project.
- c. The City Commission should follow the charter and MMTB recommendations and revisit the issue of Arlington & Shirley reconstruction to allow the project to continue as proposed by Brooks Cowan
- d. Mr. Mirro has been lying to the City at every turn in the name of 'democracy' and the City Commission should refrain from believing his lies.

--

Best regards,

Douglas Friedel, Jr.

D&D Planning Design Millwork LLC

8646 E. 9 Mile Road

Warren, MI 48089

586.754.6500/-6501-Fax

www.boothsandbars.com

Fwd: Arlington/Shirley Street Project Status Report

1 message

Jana Ecker <Jecker@bhamgov.org>

Mon, Jul 8, 2024 at 2:03 PM

To: Melissa Fairbairn <mfairbairn@bhamgov.org>, Mark Clemence <clemencem@bhamgov.org>, "Kucharek, Mary" <Mkucharek@bhlaw.us.com>, Alex Bingham <abingham@bhamgov.org>

FYI

Jana L. Ecker
City Manager
Birmingham, MI
(248) 530-1811

----- Forwarded message -----

From: **Clinton Baller** <clinton@baller4bham.com>

Date: Mon, Jul 8, 2024 at 9:54 AM

Subject: Fwd: Arlington/Shirley Street Project Status Report

To: Jana Ecker <Jecker@bhamgov.org>, Kucharek, Mary <mkucharek@bhlaw.us.com>

----- Forwarded message -----

From: **James Mirro** <jmirro@intromarketing.com>

Date: Mon, Jul 8, 2024 at 9:03 AM

Subject: Arlington/Shirley Street Project Status Report

To: Lou Baughman <jolobman@sbcglobal.net>, <salexander@fumcbirmingham.org>, Frank Turco <fturco@fumcbirmingham.org>, <karleenovice@gmail.com>, <asimmons@boon-health.com>, Kerry Milliron <kerrymilliron@gmail.com>, <loriconway@comcast.net>, <carnegied@msn.com>, <mike_walsh_4@yahoo.com>, <midgemoran@kw.com>, <georgenemoran@gmail.com>, <n.ramdev@yahoo.com>, <jrsteeds@gmail.com>, <mike@minellifamily.com>, <pam@minellifamily.com>, <repstein@ajmpack.com>, <jmce55@aol.com>, <joemdurham@gmail.com>, <vanessar626@yahoo.com>, <ggdavidson444@gmail.com>, <christinetobiascolman@gmail.com>, <dgdeltgrosso@comcast.net>, <paula_deltgrosso@comcast.net>, Douglas Friedel, Jr. <dougjr@ddpdm.com>, <szmccorm789@aol.com>, <elizanc@icloud.com>, <ryanchayka@mac.com>, <llschwegman18@gmail.com>, <jeschweg7@gmail.com>, shay spaniola <shayspaniola@gmail.com>, <dcspatch11231@yahoo.com>, Great Lakes Roofing <glr@glroofinginc.com>, <sawbone@comcast.net>, Paddy Scott <scott.paddy@gmail.com>, Lisa Miller <lisa.katt.miller@gmail.com>, <bconnolly1@aol.com>, <mlconnolly7@gmail.com>, <dianamarsh@gmail.com>, <kmarsh@angleadvisors.com>, <lindsay.lee.vansyckle@gmail.com>, <babydoc54@gmail.com>, <gabraham@comcast.net>, <vtree@aol.com>, <gatree@aol.com>, <dabloom2002@yahoo.com>, <antiquer62@aol.com>, <poshrental@gmail.com>, <jlannen57@aol.com>, <jeanlannen@mac.com>, <lshaffou@gmail.com>, <tshaffou@gmail.com>, Elaine C Hazel <echazel2@yahoo.com>, Gary Saltzgeber <gsaltzgeber@yahoo.com>, <jcshebib@yahoo.com>, <nshebib@yahoo.com>, <rbillmey@gmail.com>, <dbillmey@gmail.com>, Alfred Fisher IV <AJFisher4@fisherco.com>, <brookesfisher@me.com>, <drteetime@aol.com>, <asilbergleit@gmail.com>, <kmilford47@aol.com>, <docmilford@aol.com>, <kalex328@aol.com>, <judycurran248@gmail.com>, Patrick Curran <pcurran127@gmail.com>, <andrea@andreabrowninteriors.com>, <dm@mendelsonlaw.com>, <dave.mitchell@trpfund.com>, <davidfw8@gmail.com>, <duncan.alred@gmail.com>, <theresacarter@gmail.com>, s h <sbh_999@yahoo.com>, <gretamyers@gmail.com>, <teamr5@comcast.net>, Paul DeLaRosa <delaros2@gmail.com>, <virgie.holcombe@gmail.com>, Stuart Borman <sb@borman.net>, <hiliaryborman@gmail.com>, <mosquetfamily@hotmail.com>, <cgaudette@aigai.com>, <lynn.trease@comcast.net>, <tony.trease@comcast.net>, <diana.peraino@gmail.com>, <nwperaino@gmail.com>, <aliciablumenfeldchandler@gmail.com>, <jchandler@vtcins.com>, <eclevy@edwclevy.net>, <sjlnc@aol.com>, Sarah Dodge <sdodge2011@gmail.com>, <williamedmunds@gmail.com>, <cherbear1648@yahoo.com>, JOHN SMITH <johnjrpop@aol.com>, <lightbodysmith@aol.com>

Dear Neighbors & Friends,

I just returned last evening from a 4-day, fly fishing trip up north with my grandchildren and had limited ability to respond to emails that some of you sent me during that time. But now that I am back, here is a status report on the Arlington/Shirley Street Project prior to this evening's Commission Meeting that starts at 7:30 pm with the Arlington/Shirley assessment approvals scheduled as part of New Business, Section VIII, D. You can go to the City's website to see your own assessment amounts in the agenda.

-

6-24-24 Commission Meeting: As previously reported, the City Commission voted at this meeting to ignore our assessment protest petition and individual protest letters submitted by an overwhelming majority of Arlington/Shirley property owners against the cost and scope of the street project as proposed by the City Staff.

7-8-24 Commission Meeting: Last week, the City posted an agenda for this meeting that includes a street project confirmation vote and a contractor award to DiPonio Contracting to begin the Arlington/Shirley Street Project this summer. Despite a request to treat our street upgrade like Westwood at 1/3 of the proposed cost and without risk to our trees, the City has ignored all compromise proposals offered by Arlington/Shirley property owners, as well as north Linden property owners whose trees bordering north Shirley are also at risk to under-street root disturbance.

Complaint Filed: Based on the City's action, Save Our Streets & Trees filed a Complaint with the 6th Circuit Court and a Request for a Temporary Restraining Order against the City until a hearing occurs before a Judge to review the situation. In response, the City has added a "closed session" to the agenda for Monday's Commission Meeting, presumably to determine how to proceed with the project and the litigation.

Individuals: A number of individuals have emailed me asking whether or not their name is on the Court Complaint. The answer to this question is No. Save Our Streets & Trees is a nonprofit foundation incorporated in the state of Michigan last December to take this type of legal action in the event the City forced this response—which is exactly what happened. Our judicial system does not allow anyone to file a lawsuit on behalf of someone else unless you have signed an engagement letter with an attorney who agrees to act on your behalf in a court of law.

Petitions: The neighborhood submitted 3 petitions to the City since December, 2023, as follows:

12-23 Petition: This petition asked the City not to narrow our streets, not to add sidewalks and not to replace our asphalt streets with concrete—all of which the City agreed to on 2-5-24.

5-24 Petition: This petition asked the City to treat our street project like Westwood Drive (which was completed last year) from the standpoint of construction and assessment which averaged about \$7,500 per property owner versus an average \$24,000 in our assessments. The City would not bring this to a vote.

6-24 Petition: This protest petition preserved our legal right to appeal our assessment to the Michigan Tax Tribunal in the event the City does not reduce the assessment amount provided to each property owner.

Explanation: All 3 of these petitions were signed by a majority of Arlington/Shirley property owners for the purposes stated above and have become part of the public record that cannot be changed. They were not a Court Complaint or lawsuit, nor do they make anyone who signed one or more of them a party to any lawsuit.

Goal of Our Efforts: In asking the City to treat our streets like the Westwood Drive precedent, we are asking for replacement of water mains/sewers, but not to have full excavation/replacement of our streets which includes

removal/replacement of our curbs, gutters and driveway approaches. By not losing curbs/gutters/driveway approaches and having a less thick foundation/pavement than in the City proposal, we save almost 2/3 of the proposed cost, we save sprinkler systems and landscaping near the curbs, we save upscale driveway approaches made of exposed aggregate or pavers and we save removal of 6 identified trees and the risk of losing over 200 other trees from under-street root disturbance. We also save the planet by not spewing unnecessary carbon into the air to replace curbs/gutters/driveway approaches that are still serviceable for many years. Finally, we avoid being unable to reach our homes by vehicle for 2 to 4 weeks that is required for new concrete curbs, gutters and driveway approaches to cure/dry after being constructed.

Photos: For those unable to visit Westwood Drive, the 1st attachment is a photo taken on 6-30-24, one year after project completion. It shows a quite acceptable outcome that a majority of the property owners believe to be the right combination of quality and cost. The 2nd and 3rd photos show what is happening to the tree roots on Tilbury Street where new gutters and driveway approaches have been added to the streets for the first time. Even more root damage will occur when new wooden forms/footings are built between the gutters and trees for pouring curb cement. This is what we are trying to avoid for our heritage trees on Arlington and Shirley Streets.

-

Minority Opinion: We recognize and respect the viewpoint of a minority of Arlington/Shirley property owners who prefer new curbs/gutters/driveway approaches for everyone and don't have mature trees within 17' of the curb to worry about losing. For these property owners, the City does allow them to remove/replace these items between their property and the street by fulfilling a permit request that does not burden the majority of property owners with a different priority. Also to be kept in mind is that the City's contractors will repair any breaks in our curbs during the street project based on the Westwood experience.

Please contact me if you have any other questions and reply "Unsubscribe" if you do not wish to receive future updates. Thank you.

Jim Mirro

248-420-5113

3 attachments



Westwood Drive Photo, 6-30-24...JPG
123K



Tree Root Damage on Tilbury Street, 6-30-24...JPG
163K



Tree Root Debris on Tilbury Street, 6-30-24..JPG
165K

July 8 Commission Meeting Agenda

1 message

James Mirro <jmirro@intromarketing.com>

Wed, Jul 3, 2024 at 8:41 AM

To: emclain@bhamgov.org, kschafer@bhamgov.com, along@bhamgov.org, tlonge@bhamgov.org, ahaig@bhamgov.org, bhost@bhamgov.org

Cc: Jana Ecker <Jecker@bhamgov.org>, mkucharek@bhlaw.us.com, abingham@bhamgov.org, cballer@bhamgov.org

Dear Commissioners,

For planning purposes, I am forwarding to you the following court documents which impact the Arlington/Shirley project as discussed at the last Commission Meeting/Public Hearing of Necessity on 6-24-24 and as scheduled for a Confirmation Approval at the 7-8-24 Commission Meeting.

Court Complaint/Summons: On 6-28-24, the Complaint shown in the first attachment was filed in the 6th Circuit Court of Oakland County. This resulted in a Court Summons (2nd Attachment) served on the City on 7-1-24 both in person and by certified mail (3rd Attachment).

Motion for TRO/PI: On 7-2-24, a motion was filed for a Temporary Restraining Order and Preliminary Injunction which includes 21 exhibits, all of which you have received during the past 7 months and are shown again in the 4th attachment.

Hearing Date: On 7-2-24, I met with one of Judge Anderson's law clerks and, based on the Judge's case load/July 4th holiday, it is not likely that she will set a first hearing date on this case until after the 7-8-24 Commission Meeting. Because of this, the Commission's plan to approve the Arlington/Shirley project as now written and award the project on 7-9-24 cannot happen without the City risking a contempt of court citation. Because today is the deadline for agenda changes, please have the Arlington/Shirley Hearing of Confirmation/contract award removed from the 7-8-24 meeting agenda, but maintain discussion about the project for the reason shown below.

Settlement Offer: The majority of Arlington/Shirley property owners are open to settling this matter out of court if the City is willing to treat the project like the Westwood project which has been the essence of all petitions submitted since last year. This means not removing curbs/gutters/driveway approaches and use of some type of asphalt pavement at a cost close to what Westwood property owners experienced. If we can agree on this compromise plan during the next meeting by a motion/vote from a majority of Commissioners, then this Complaint/TRO Request will be withdrawn and it is possible that the street project can be completed this year as currently planned. Toward this end, I am willing to meet with anyone on the City Staff or any Commissioners to work cooperatively toward this goal.

Happy 4th of July and please contact me if you have any questions. Thank you.

Jim Mirro, Resident Agent

Save Our Streets & Trees

A MI Nonprofit Foundation

248-420-5113

4 attachments



Court Complaint & Application for TRO..pdf
511K



Court Summons..pdf
629K



Court Proof of Service..pdf
522K



Court Motion For TRO and Preliminary Injunction..pdf
2830K



RECEIVED

STATE OF MICHIGAN
IN THE 6TH CIRCUIT COURT OF OAKLAND COUNTY

Save Our Streets & Trees

2024-208305-CZ

Plaintiff

JUDGE MARTHA D. ANDERSON

v.

City of Birmingham, MI

This case has been designated as an eFiling case, for more information please visit www.oakgov.com/efiling.

Defendant

Plaintiff, Save Our Streets & Trees, brings forth the following Complaint and TRO Application.

Plaintiff is a nonprofit foundation incorporated in the State of Michigan, ID #803145138, with a resident agent address of 737 Arlington Street, Birmingham, MI 48009.

The Defendant is an incorporated City in Oakland County, 151 Martin Street, Birmingham, MI 48009.

COMPLAINT

On 12-14-23, a majority of property owners delivered a petition to the City of Birmingham opposing the Arlington & Shirley sewer/water/street upgrade project, followed by a second petition delivered 5-6-24.

On 6-3-24, the City of Birmingham passed a resolution to set a Public Hearing of Necessity for a sewer/water/street upgrade project for Arlington & Shirley Streets to be held on 6-24-24.

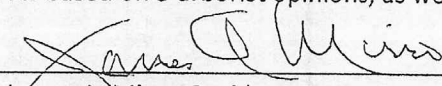
On 6-4-24, the City conducted an information meeting for Arlington & Shirley property owners to provide proposed Special Assessment District (SAD) amounts for adjoining parcels to pay for the project.

On 6-21-24, a majority of property owners delivered a third petition to the City as is their right under Michigan Public Act #246 to protest: 1) average assessments of \$24,000 that are more than 3 times higher than the same type of street upgraded one year ago (Westwood) and 18 times higher than the expected property value increase after completion based on 3 realtor opinions; 2) removal of 6 trees and root damage to over 200 trees within 17' of the street and 3) damage to adjoining private property.

At the 6-24-24 Public Meeting of Necessity, the City ignored the last 2 petitions and set a date of 7-8-24 for a Public Hearing to Confirm the Assessment Roll, with plans to award the project contract on 7-9-24.

APPLICATION FOR TEMPORARY RESTRAINING ORDER

The Plaintiff requests the Court to issue a TRO to avoid irreparable harm from the City's plan to remove 6 mature trees and fatally disturb under-street tree roots of over 200 other mature trees bordering the two streets based on 5 arborist opinions, as well as damages to private property adjoining the streets.

Signed: 
James A. Mirro, Resident Agent, Save Our Streets & Trees

Date: 6-28-24

FILED Received for Filing Oakland County Clerk 6/28/2024 4:25 PM

JUL 1 2024 4:38 PM

Approved, SCAO

Original - Court
1st copy - Defendant

2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN

JUDICIAL DISTRICT
JUDICIAL CIRCUIT
COUNTY

SUMMONS

CASE NO.

2024-208305-CZ

JUDGE MARTHA D. ANDERSON

Court address

Court telephone no.

Plaintiff's name, address, and telephone no.
Save Our Streets & Trees
737 Arlington Street
Birmingham, MI 48009
248-420-5113

Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name, address, and telephone no.
City of Birmingham
151 Martin Street
Birmingham, MI 48009
248-530-1800

This case has been designated as an eFiling case, for more information please visit www.oakgov.com/efiling.

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside of Michigan).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 7/1/2024	Expiration date* 09/30/2024	Court clerk Lisa Brown
------------------------	--------------------------------	---------------------------

*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

JUL 01 2024
4:33 PM

Summons (3/23)

Case No. 2024-208305 CZ

PROOF OF SERVICE

TO PROCESS SERVER: You must serve the summons and complaint and file proof of service with the court clerk before the expiration date on the summons. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE OF SERVICE / NONSERVICE

☒ I served ☒ personally ☒ by registered or certified mail, return receipt requested, and delivery restricted to the addressee (copy of return receipt attached) a copy of the summons and the complaint, together with the attachments listed below, on:

☐ I have attempted to serve a copy of the summons and complaint, together with the attachments listed below, and have been unable to complete service on:

Name CITY OF BIRMINGHAM, MI	Date and time of service 7-1-24; 4:35 PM
Place or address of service 151 MARTIN STREET, BIRMINGHAM, MI 48009	
Attachments (if any)	

☐ I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party.

☐ I am a legally competent adult who is not a party or an officer of a corporate party. I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Signature

JAMES A. MIRRO

Name (type or print)

ACKNOWLEDGMENT OF SERVICE

DIANE M LEMANSKI
Notary Public - State of Michigan
County of Macomb
My Commission Expires Oct 11, 2025
Acting in the County of Oakland

I acknowledge that I have received service of a copy of the summons and complaint, together with

Rec'd by Kelly Dolland on **7-1-24; 4:35 PM**
Attachments (if any) Date and time

**U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only**

For delivery information, visit our website at www.usps.com®.

Birmingham, MI 48009

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee \$4.40/flat fee)

☐ Return Receipt (hardcopy) \$0.00

☐ Return Receipt (electronic) \$0.00

☐ Certified Mail Restricted Delivery \$0.00

☐ Adult Signature Required \$0.00

☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$8.73

Sent To **CITY OF BIRMINGHAM**

Street and Apt. No., or PO Box No.
151 MARTIN ST.

City, State, ZIP+4®
BIRMINGHAM, MI 48009

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

10A

STATE OF MICHIGAN
IN THE 6TH CIRCUIT COURT OF OAKLAND COUNTY

Save Our Streets & Trees

Plaintiff

Case NO. 2024-208305-CZ
Judge Martha D. Anderson

V.

City of Birmingham, MI

Defendant

MOTION FOR TEMPORARY RESTRAINING ORDER & PRELIMINARY INJUNCTION

Background: In the fall of 2023, the City of Birmingham issued Expressions of Interest letters to all Arlington/Shirley property owners regarding the City's planned sewer/water/street upgrade project. On 12-14-23, a majority of property owners delivered a petition to the City opposing the project. On 2-5-24, the City Commissioners amended the original project by maintaining the street width of 33' (vs. planned 26'), permitting an asphalt surface (vs. planned concrete surface) and deleting planned sidewalks which would have removed over 100 trees. On 5-6-24, a majority of property owners delivered a 2nd petition to the City agreeing to the sewer/water main upgrades, but opposing full excavation of their streets which would remove curbs, gutters and driveway approaches. This is due to the high cost of this plan (average of \$24,000 per property owner), the destruction of property owner landscaping/sprinklers/walls/driveways near the curbs, the loss of 6 trees identified by the City for removal and the risk to over 200 other nearby trees from under-street root disturbance based on expert letters from 5 road construction organizations, 5 expert tree arborists and 2 expert realtors who cited property value declines should this happen. This petition also asked for Arlington/Shirley Streets to be treated exactly like Westwood Drive that was upgraded in 2023 and had the exact same engineered features: concrete curbs/gutters, crowns, asphalt pavement, service chambers, drain grates, etc. On 6-21-24, a majority of property owners delivered a 3rd petition to the City protesting the proposed Special Assessment District (SAD) amounts which are, on average, \$24,000 per property owner. This is 3 times the Westwood cost/precedent and 18 times more than the expected property value increase when completed based on 3 expert realtor letters. As such, it does not meet the state of Michigan SAD guideline that requires a SAD cost to be "in proportion to the increased value of adjacent parcels."

Analysis/Request: At a 6-24-24 Hearing of Necessity, the City ignored property owner petitions required by MI PA 246, refused to honor the Westwood precedent and said the more expensive streets planned for Arlington/Shirley are for "the benefit of the entire city, not just the adjacent property owners." The project is to be approved at the 7-8-24 Hearing of Confirmation and the contract awarded on 7-9-24. This is despite the fact that Arlington/Shirley Streets are ranked 28th on the City's scoring list of 30 streets scheduled for upgrade, with no crisis requiring them to be upgraded sooner than the 27 higher-ranked streets. Furthermore, the bidding contractors can easily requote the job to delete replacement of curbs/gutters/driveway approaches prior to the "late summer" timetable planned for start of the project using Westwood specifications. Based on this information, the Plaintiff requests the Court to issue a TRO/Preliminary Injunction to maintain the status quo and avoid irreparable harm until a hearing on the merits of the case can be heard regarding the property owner relief sought in their petitions.

STATE OF MICHIGAN
IN THE 6TH CIRCUIT COURT OF OAKLAND COUNTY

Save Our Streets & Trees

Plaintiff

Case No. 2024-208305-CZ
Judge Martha D. Anderson

V.

City of Birmingham, MI

Defendant

LIST OF EXHIBITS RELATED TO REQUEST FOR TRO & PRELIMINARY INJUNCTION

Exhibit A: 12-14-23 Petition.

Exhibit B: 5-6-24 Petition

Exhibit C: Five Road Construction Organization Letters

Cranbrook Pavement
Oakland County Road Commission
Michigan Department of Transportation
Michigan State University
Edward Levy/Levy Company

Exhibit D: Five Expert Tree Arborist Letters

Father & Son Tree Service
Franklin's Tree Care
Davey Tree Service
SavATree Company
Alpine Tree Service

Exhibit E: Two Expert Realtor Letters

Exhibit F: Westwood Drive Project

Exhibit G: 6-21-24 Petition

Exhibit H: Special Assessment District (SAD) List

Exhibit I: Three Expert Realtor Letters

Exhibit J: Road Scoring List

Coryell Park Association of Arlington/Shirley Property Owners

We, the undersigned property owners on Arlington/Shirley Streets, petition the City of Birmingham: 1) Not to narrow our streets; 2) Not to install sidewalks on either side; 3) Not to replace our sewers/water mains; & 4) Not to replace our streets. But to make normal repairs as necessary to streets/sewers/water mains as in the past at City expense.

Name	Address	Date
Midge Moran	269 Arlington	11/14/23
Suzanne Mann	269 Arlington	11/14/23
James Q. Moore	⁶⁴⁵ 737 Arlington	11-14-23
James Q. Moore	⁶⁴⁵ 737 Arlington	11/14/23
Edward L. Baughman	117 ARLINGTON	11/18/23
Josann Baughman	117 ARLINGTON	11/18/23
Julie C. Miller	218 Arlington	11/18/23
Julie C. Miller	218 Arlington	11/18/23
Niharika Pandey	280 Arlington	11/18/23
SUMAN SARKAR	280 Arlington	11/18/23
Brooke Fisher	258 Shirley Rd	11/18/23
Gary Saltzger	188 Shirley Rd	11/18/23
Gary Saltzger	226 Shirley	11/18/23
Glenn K. Silbaugh	345 Shirley Rd.	11/18/23
Kari Conner	222 Arlington	11/18/23
VM Conner	222 Arlington	11/18/23
Chris Melton	361 Shirley	11/18/23
Kathy Milford	361 Shirley	11/18/23
John Schwegman	700 Arlington	11/18/23
Josy Schwegman	700 Arlington	11/18/23

Coryell Park Association of Arlington/Shirley Property Owners

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Name	Address	Date
Fremont Scott	776 Arlington	11/18/23
Mary P Scott	776 Arlington	11/18/23
Franklin Brown	945 Arlington	11/18/23
John A. Brown	968 Arlington	11/18/23
Donald F. Brown	968 Arlington	11/18/23
Sam Brown	611 Shirley	11/19/23
Kelley Barron	811 Shirley	11/19/23
Duncan Baker	735 SHIRLEY RD	11/19/23
Robert	735 Shirley Rd	11/19/23
Ben Albrecht	735 Shirley Rd	11/19/23
Simon Leopold	1000 Shirley Rd.	11/19/23
Sam W. W. W.	1000 Shirley Rd.	11/19/23
W. W. W.	881 Arlington	11/19/23
Lindsay VanSyckle	881 Arlington	11/19/23
David Wankam	619 Shirley	11/19/23
Samantha Chappell	619 Shirley	11/19/23
Douglas DeGrosso	487 Arlington	11/19/23
Rachel DeGrosso	487 Arlington	11/19/23
W. W. W.	381 SHIRLEY RD.	11/19/23
W. W. W.	381 SHIRLEY RD.	11/19/23

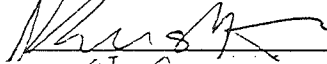
Coryell Park Association of Arlington/Shirley Property Owners

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Name	Address	Date
Vanessa Munkle	377 Arlington St	11/19/23
Mark Munkle	377 ARLINGTON ST.	11/19/23
MIKE WALSH	243 ARLINGTON	11/19/23
Ed Dole	243 ARLINGTON	11/19/23
Shay Spaulding	503 Arlington	11/19/23
DAVE HENNING	503 ARLINGTON	11/19/23
JANET LANNEN	992 ARLINGTON	11/21/23
Jennifer	992 ARLINGTON	11/21/23
Geoffrey A. Travis	924 ARLINGTON	11/21/23
Valerie Lewis	924 ARLINGTON	11/21/23
Elaine Hazel	188 Shirley	11/21/23
Alex Simmons	175 Arlington	11/21/23
Karlee Varice	175 ARLINGTON	11/21/23
Brian Connolly	843 Arlington	11/21/2023
Mary Connolly	843 Arlington	11/21/2023
Nick Sheh	226 Shirley	11/21/2023
Reuel Billmeyer	252 Shirley	11/21/2023
Drew Billmeyer	252 Shirley	11/21/2023
Heidi Pinkert	730 Arlington	11/23/2023
Robert Myers	730 Arlington	11/23/2023

Coryell Park Association of Arlington/Shirley Property Owners

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Name	Address	Date
Kevin Marsh	860 Arlington	11/22/23
Cheryl J. Pollack	200 Linden*	11/25/23
Ryan Chayka	600 Arlington	11/26/2023
Eliza Nasrwan Chayka	600 Arlington	11/26/23
Sherry M'Corrigan	550 ARLINGTON B'ham 4/2007	11/26/23
Diana M. Dole	300 Shirley	11/26/23
Loree M. Dole	300 Shirley	11-26-23
DEV STALL	144 LINDEN *	11/26/23
COURTNEY STALL	144 LINDEN *	11/26/23
	975 Arlington	11/27/23
	975 Arlington	11/27/23
John R. Smith	230 Linden Rd. *	11/28/2023
Juan M. Smith	230 Linden Rd *	11/28/2023
Bryan D. Allen	146 Linden Rd *	11/28/2023
William Edmunds	1420 WEST LINCOLN	11/28/2023
Nancy Edmunds	1420 West Lincoln	11/28/2023
Dave Tross	136 Linden Rd. *	11/28/2023
Mary VanHuffel	136 Linden Rd. *	11/28/2023
Leta Mitchell	663 SHIRLEY	11/30/23
Karen Mitchell	Cc 3 Shirley	11/30/23

* BACKS UP TO SHIRLEY

Arlington-Shirley Property Owner Petition

We, the undersigned, petition Birmingham to: 1) Replace water mains/sewers; 2) Use narrow trenching/patching or HDD; 3) Not excavate streets to save tree roots; 4) Repair pavement; 5) Use cape seal when done; 6) Treat project/assessment like Westwood Dr.

Name	Address	Date
[Signature]	130 Arlington	5/2/2024
[Signature]	130 Arlington	5/2/2024
Edward L. Baughman	117 ARLINGTON	5/2/2024
Joan Z. Baughman	117 ARLINGTON	5/2/2024
[Signature]	361 Shirley	5/2/2024
[Signature]	361 Shirley	5/2/2024
[Signature]	1057 Arlington	5/3/2024
Lana Shaffer	1057 Arlington	5-3-24
Sherry Sparola	503 Arlington	5-3-24
David Henning	503 Arlington	5-3-24
Douglas Zosso	487 Arlington	05/03/24
Sherry M. Cornish	530 Arlington	5/3/2024
Brian Russell	645 Arlington	5/3/2024
Emily Russell	645 Arlington	5/3/2024
David L. Sawyer	968 Arlington	5/3/2024
Ronald F. Sawyer	968 Arlington	5/3/2024
Alexander F. Sawyer	968 Arlington	5/3/2024
Nicole F. Sawyer	968 Arlington	5/3/2024
[Signature]	737 Arlington	5/3/24

Arlington-Shirley Property Owner Petition

We, the undersigned, petition Birmingham to: 1) Replace water mains/sewers; 2) Use narrow trenching/patching or HDD; 3) Not excavate streets to save tree roots; 4) Repair pavement; 5) Use cape seal when done; 6) Treat project/assessment like Westwood Dr.

Name	Address	Date
William Edmunds	1420 WEST LINCOLN	5-3-2024
Nancy Edmunds	1420 West Lincoln	5-3-2024
John Schwegman	700 Arlington St	5-3-2024
Jerry Schwegman	700 Arlington St	5-3-2024
Duff Fred	735 SHIRLEY RD	5-3-2024
Joanne Fred	735 SHIRLEY RD	5-3-2024
Carlton Fred	735 SHIRLEY RD	5-3-2024
Benjamin Fred	735 Shirley Rd	5-3-2024
Life Fred	735 Shirley Rd	5-3-2024
SAFI HAMID	708 Shirley	5/3/2024
Greta MISCHKE	708 Shirley	5/3/2024
Bonnie Bloom	945 Arlington	5/3/2024
David Weyant	619 Shirley	5/4/24
STUART Bonmar	811 Shirley	5-4-24
Hilary Bonmar	811 Shirley	5-4-24
Edward C. Bonmar	970 Shirley Rd	5-4-24
Linda Chesner	970 Shirley Rd	5-4-24
Joseph Carter	640 Shirley	5/4/24
Theresa Carter	640 Shirley	5/4/24

* NORTH WEST CORNER OF ARLINGTON & W. LINCOLN

We, the undersigned, petition Birmingham to: 1) Replace water mains/sewers; 2) Use narrow trenching/patching or HDD; 3) Not excavate streets to save tree roots; 4) Repair pavement; 5) Use cape seal when done; 6) Treat project/assessment like Westwood Dr.

10A



February 26, 2024

Jim Mirro
737 Arlington
Birmingham, MI
48009

Dear Jim,

With respect to the road project we discussed the other day and your question about whether it was possible and/or feasible to install a new 8" water main with all necessary connections to the existing homes on both sides of both Arlington and or Shirley with minimal disturbance to the existing road, the short answer is yes.

Having driven and walked Arlington and Shirley Streets innumerable times (given that I live on Pleasant Street in Birmingham) I am quite sure that a new 8" water main with all needed connections, stop box valves, gate wells could easily be designed and installed using Horizontal Directional Drilling (HDD) and High-Density Polyethylene (HDPE) pipe in lieu of the more commonly used Ductile Iron (DI) and "open cut" installation methods.

Not only is this method approved in Oakland County by the Water Resource Department (OCWRC) but it has the potential to address many of the items I understand to be of concern to many residents. It also does not force a complete reconstruction of a street that could easily be restored to pristine status with other techniques we can discuss at another time.

There is no question that the City of Birmingham would be well served to explore this option as a viable alternative to their earlier plans and you have my permission to share this letter or the content thereof with the City Commission.

All the best,

Nick Talmers, Managing Member
Cranbrook Contractual Services, LLC
aka Cranbrook Pavement

(See attached details and specifications for horizontal drilling of watermain from OCWRC).



QUALITY LIFE THROUGH GOOD ROADS:
ROAD COMMISSION FOR OAKLAND COUNTY
"WE CARE."

Board of Road Commissioners

Andrea LaLonde
Commissioner

Eric D. McPherson
Commissioner

Nancy Quarles
Commissioner

Dennis G. Kolar, P.E.
Managing Director

Gary Piotrowicz, P.E., P.T.O.E.
Deputy Managing Director
County Highway Engineer

Central Operations Department
Inventory Control

2420 Pontiac Lake Road
Waterford, MI 48328

248-858-4798

www.rcocweb.org

March 8, 2024

Mr. Jim Mirro
737 Arlington Road
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for inviting me to inspect Arlington and Shirley Streets which I was able to do on March 7, 2024. Based on my 35 years of experience on two road commissions and after reading Birmingham's published definition of "improved" vs. "unimproved" roads, it is my professional opinion that these two streets meet the definition of "improved." Also based on my experience, Horizontal Directional Drilling (HDD) would seem to be a good way to avoid excavating what is basically a very durable road in good condition to replace your water mains and sewers. It is my understanding that you have already talked to my colleague, Mark Davis, who has explained that the City of Birmingham has all the specification information needed from Oakland County to obtain bids from local contractors who know how to do HDD work very successfully.

The property owners of Arlington and Shirley Streets are to be congratulated on proposing a very good plan to save the root system of the 100 trees you have identified as "at risk" if open trench excavation were used instead of HDD. Best wishes for accomplishing your goals and allowing me to comment on your plans.

Sincerely,


Mary N. Gillis, P.E.
Director of Central Operations

Exhibit C-3



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
METRO REGION

BRADLEY C. WIEFERICH, P.E.
DIRECTOR

March 15, 2024

Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim Mirro:

Thank you for contacting the Michigan Department of Transportation (MDOT) with your concern regarding the proposed method of construction to install a new water main on Arlington and Shirley Streets. I reviewed the provided photos and information. My review included the letter from the Oakland County Road Commission and published data from the City of Birmingham. In my professional opinion and for all planning purposes, Arlington and Shirley Streets should be considered "improved streets" and not "unimproved streets".

The Arlington Street and Shirley Street property owners' plan to save these streets with the use of Horizontal Directional Drilling (HDD) to replace water mains and sewers is commendable given the economic and environmental benefits of not excavating two streets that appear to be in excellent condition. If the use of HDD saves the 100 trees you have identified as vulnerable to root disturbance from excavation of the streets, this is a good reason to proceed with HDD.

Again, I thank you for sharing your concern with us. If you have any additional questions regarding this matter, please feel free to contact me at 248-361-0234 or SwansonL@Michigan.gov.

Sincerely,

Lori Swanson, PE
Digitally signed by: Lori Swanson, PE
DN: CN = Lori Swanson, PE email =
swansonl@michigan.gov C = US O = MDOT OU
= MDOT
Date: 2024.03.15 12:59:59 -04'00'

Lori Swanson, P.E.
Oakland TSC Manager

OAKLAND TRANSPORTATION SERVICE CENTER
800 VANGUARD DRIVE • PONTIAC, MICHIGAN 48341
www.Michigan.gov/MDOT • 248-451-0001

LH-LAN-0 (01/2023)

**MICHIGAN STATE
UNIVERSITY**

April 18, 2024

Mr. Jim Mirro
737 Arlington
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for your inquiry regarding construction plans being considered for Arlington and Shirley Streets. I appreciate receiving the photos of your streets/trees, the description of an "improved" vs. "unimproved" street published by the City of Birmingham and the opinion letters from Cranbrook Pavement, The Oakland County Road Commission and the Michigan Department of Transportation.

Using this information, I had a discussion with my Construction Management student, Angelo Buttazzoni, who has conducted an on-site inspection of your streets. Based on this information and our discussion, I believe that your streets should be classified as "Improved" due to their many engineered features and sound pavement/foundation.



**School of
Planning,
Design, and
Construction**

I would further agree with the proposal to use HDD (Horizontal Directional Drilling) to replace your water mains and sewers. This is due to the obvious economic and environmental reason that HDD prevents the need to excavate and reconstruct these streets when a more efficient alternative exists that does not risk damage to your mature trees with under-street root systems.

Please let me know if I can provide you with any other advice regarding the improvement plans being considered for your two streets.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean P. Huberty".

Sean P. Huberty
Teaching Specialist – School of Planning, Design, and Construction
Construction Management Program Faculty
Michigan State University

Human Ecology Building
Michigan State University
552 West Circle Dr
East Lansing, MI 48824

517-881-5380
spdc.msu.edu

Edward C. Levy, Jr.
970 Shirley Road
Birmingham, MI 48009

May 17, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim,

I want to extend my gratitude for taking the time to visit two weeks ago and for keeping me informed about the plans regarding Arlington St. and Shirley Rd. Linda and I are grateful for the opportunity to sign the petition advocating against full excavation of our streets during the replacement of the water main and sewers.

While preserving over 200 trees from root disturbance due to excavation is crucial, there's another significant reason to reconsider complete excavation. The existing base material of Arlington and Shirley is already well-compacted, and the current road contains valuable blast furnace slag chips from previous chip seal applications. Slag is a co-product of iron production, and it makes a strong, stable base for new asphalt pavement. Leaving the road undisturbed could provide cost savings and increased quality.

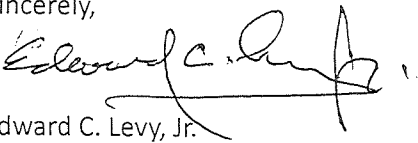
If feasible, Horizontal Directional Drilling (HDD) for water/sewer pipe replacement may be a more prudent approach. The associated costs could be charged to the Water & Sewer Fund. Following this, the current road surface can be milled and replaced with new asphalt. This method ensures a more durable street compared to full excavation, at a reasonable cost and with minimal risk to nearby tree roots. This cost could serve as the foundation for the Special Assessment District and would be perceived by property owners as providing excellent value for their investment.

If HDD is deemed unfeasible or too costly due to the current location of the existing water main and sewer lines, trenching for utility replacement should be considered to preserve and minimize disturbance to the existing road base. The excavated material could then be reused onsite.

By adopting HDD or trenching, our streets will maintain the appearance of other excavated streets while performing better and costing less. This approach presents a win-win scenario for both the City and property owners.

Thank you for considering these suggestions. I am hopeful that together, we can arrive at a solution that benefits everyone involved.

Sincerely,


Edward C. Levy, Jr.



May 10, 2024

Mr. James A. Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for calling me yesterday to visit Arlington and Shirley Streets today since I was working nearby. And I am glad that you enjoyed learning that our company's name, Franklin's Tree Care, is derived from owner Cameron Bogard's middle name, Franklin. There is a reason for everything.

I also appreciated reading the letters you received from MDOT, The Oakland County Road Commission, Cranbrook Pavement and The MSU School of Construction. It is heart-warming to see that they all recommend narrow trenching or HDD instead of complete excavation for your streets when replacing water mains and sewers to avoid loss of trees from root cutting. In our business, we are always pleased to see construction-related organizations be concerned for our trees as well as building roads.

As a certified tree arborist, it makes complete sense to me to use the least invasive method to work under streets where many roots exist. Because tree roots are attracted to water, we must assume that the some roots of trees in the right-of-way space and just outside the right-of-way space live under the street where the pipes are located.

If you and your neighbors have identified 208 trees near the street, then avoiding excavation will probably save most of them and this is something you want to do to maintain the appearance of the street. Arlington and Shirley have some of the oldest and tallest trees in the City of Birmingham that make the neighborhood so special. You definitely do not want to risk losing this valuable benefit.

Please call me for any other tree advice in the future and best wishes on saving your trees.

Best,

Douglas Creamer
Certified Tree Arborist



DAVEY

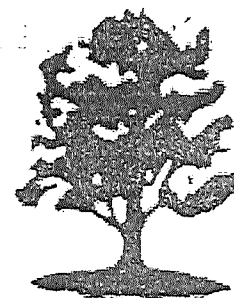


Exhibit
D-3

May 13, 2024

Mr. James Mirro
737 Arlington
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for making an appointment with Alicia last week for me to visit Arlington and Shirley Streets today. And I appreciate you telling me about your streets being part of the Coryell Tree Nursery founded in 1915.

I also appreciate reading the letters you received from Cranbrook Pavement, MDOT and the Oakland County Road Commission, as well as the letter from Michigan State University. It looks like all of them agree that street excavation would be an unwise method to replace your water mains and sewers because of the danger to under-street tree roots of the 208 trees located within 17 feet of the curbs.

Based on my professional experience, I agree with the letters you have already received and also recommend a less invasive approach such as HDD or narrow trenching. These two methods would minimize the number of feeder roots cut and, as a result, also minimize the number of trees that might die from excavation root cutting.

While the loss of any number of mature trees is a shame, to lose them in a neighborhood that was once a tree nursery would be especially sad. I am hopeful that this does not happen and that Davey can service your trees for years to come.

Sincerely Yours,

Mark Witucki
Certified Tree Arborist

Mark D. Witucki

Sales Representative

ISA Certified Arborist® MI-0609A

ISA Tree Risk Assessment Qualified

Associate of Science in Horticulture, Oakland Community College

O: 248.371.9007

F: 248.371.9076

mark.witucki@davey.com

THE DAVEY TREE EXPERT COMPANY



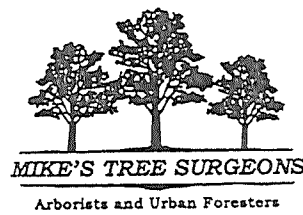


Exhibit D-4

Two leading companies joining forces
to serve Metro Detroit communities.

May 14, 2024

Mr. Jim Mirro
737 Arlington
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for allowing me to visit Arlington and Shirley Streets to advise your neighborhood on the best practices for insuring the long-term health of your trees. I also appreciate seeing the recommendations from Cranbrook Pavement, the Oakland County Road Commission, MDOT, and Michigan State University, all of whom do not recommend excavation of your streets to avoid under-street root disturbance.

As a certified tree arborist, I would also suggest a less-invasive approach like narrow trenching or Horizontal Directional Drilling to avoid root disturbance that could seriously impact the long-term health of all your trees. I understand that you and your neighbors have made a count of 208 trees on your two streets within 17 feet of the curb. Based on this count, excavation could have a tremendous impact on quite a few trees and the overall appearance of your neighborhood if they were to die from street excavation.

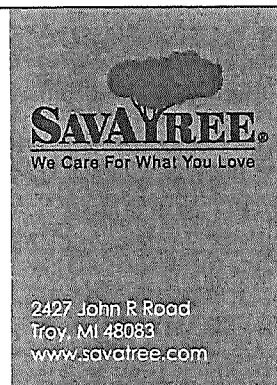
Assuming that you are successful in using a less-invasive process and your trees continue to thrive, SavATree is here for you and your neighbors to serve all your tree needs as done in the past. Thank you.

Sincerely,

Al Sexton
Certified Tree Arborist

MI-0398-A

SAVATREE LLC



Al Sexton
ISA Certified Arborist® (MI-0398A)



phone: (248) 588-0202
mobile: (248) 789-3039
email: asexton@savatree.com



May 15, 2024

Mr. James Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for calling me last week to set up today's appointment. As the owner of Alpine Tree Service, I am always happy to meet with Arlington and Shirley property owners about the lovely trees in your neighborhood and how Alpine Tree Service can maintain them in the best possible way.

Also thank you for sharing with me the letters you received from the Oakland County Road Commission and MDOT about seeking a minimally invasive method of replacing your water and sewer pipes. It looks like MSU and Cranbrook Pavement agree with them, as well as the two realtors who each provided their opinion on how not losing trees to root disturbance will help maintain your property values.

While we can never be sure what a street excavation will do to nearby tree roots, it is always better to be safe rather than sorry. If your aging pipes under the street are dripping water, then it does make sense that feeder roots have been attracted to them. And, under this scenario, yes, a full excavation will do more damage to these roots than either HDD or narrow trenching/patching.

It is also my understanding that your street foundation is made of slag chips rather than gravel and you prefer to keep this superior base. In this event, then HDD makes the most sense since even narrow trenching would remove some of the slag. With the camera/sensors used in HDD, contractors have the ability to steer the bit around any root encountered which is the best way to avoid root disturbance. And, as you can see from our logo, we think that maintaining good roots is very important.

Please keep me posted on what happens. I hope that you and your neighbors can save as many of your magnificent trees as possible. Assuming that this occurs, I look forward to providing our tree services to you and your neighbors for a long time to come.

Yours truly,

Anthony Crismon
Owner
ISA Certified Arborist
TCIA Member



Removal • Trimming • Plant Health Care



Anthony Crismon
ISA Certified Arborist
MI-4406A

P.O. Box 571
Oxford, MI 48371
Office: 248-758-4718
Cell: 248-758-4717
www.alpinetreeinc.com

BETTY FINKBEINER
MAX BROOCK REAL ESTATE

James A. Mirro
737 Arlington Street
Birmingham, MI 48009

April 28, 2024

Dear Mr. Mirro

I appreciate the opportunity to provide my real estate market knowledge to the residents of Arlington and Shirley Streets. As you know, I have been a licensed realtor in Birmingham for 47 years with Max Broock/Real Estate One Realtors and a member of the President's Council of Excellence. With this experience, I have access to real estate transactions in the City of Birmingham and I also have an intimate knowledge of real estate values by neighborhood.

Your two streets are already regarded as premiere locations in the city with their unique winding streets, large (near one acre) lots and mature trees. For these reasons, property sales on Arlington/Shirley Streets have always been on the high end of the market.

In comparing property sales on Arlington/Shirley Streets with other similar size age homes on other Birmingham streets, I must conclude that the larger lot size and greater number of mature trees are two of the reasons for the higher prices that buyers are willing to pay. Mature trees in an established neighborhood has always been a defining reason for premium values.

Based on this knowledge and looking at "sales comps" over the past year, I would further estimate that a property with healthy mature trees in your neighborhood will account for a price premium over the same property with no trees or recently-planted trees. Because properties on your streets are selling for \$1 million to \$3 million plus, this means the value of mature trees is an important factor.

In view of this, I understand your concern about the City's proposed street project that could endanger mature trees near the front of your properties due to under-street root disturbance. Because the street view is the first impression made to a prospective buyer, this risk is all the more concerning. For these reasons, I recommend that Birmingham replace your water mains/sewers without total street excavation/replacement to minimize risk to your many mature trees that could seriously affect property values.

Yours truly,



Betty Finkbeiner
Max Broock Realtor

MIDGE MORAN
KELLER WILLIAMS

April 29, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim,

As a Birmingham resident for my whole life and a realtor for the past 31+ years, I am glad to provide my opinion on what factors create value for property owners on Arlington and Shirley Streets.

I purchased my home on Arlington in 1984 as I could see the value of Arlington and Shirley Streets. It far exceeded other properties, as we have larger lots and more mature trees, and as we have 100' width lots. My assessment continues to hold true today as verified by the assessed value allocated by the City.

Based on this assessment, I share your concern that fully excavating Arlington and Shirley Streets to replace water and sewer pipes is a huge risk to the property values on these two streets. With other techniques available to replace aging infrastructure, they surely should be fully explored before a final decision is made. I know that this has been done on other Birmingham streets and the same should be done on our streets.

This issue should not even be debated with the value of Birmingham's "jewel" streets being placed in jeopardy when there exists no risk and less expensive ways, such as HDD or narrow trenching, to achieve the same goal of an infrastructure upgrade. Thank you.

Best Regards,



Midge Moran
Licensed Realtor #6501147440

2023 Westwood Improvement
Cape Seal Program



Understanding Improved and Unimproved Roads

Improved Road

Improved Road – An improved road is a road with curb and gutters which has a surface of concrete or asphalt.

Benefits:

- It is professionally engineered and constructed as a durable roadway.
- Provides for adequate drainage from the roadway.
- Once improved, an improved road is maintained by the City for any future road repairs.
- Improved streets with curbs are provided routine street sweeping and leaf pick-up each Fall, which allows residents to rake their leaves into the street at the curb.
- The average life span is 20 to 30 years.

Disadvantages:

- Initial one time higher cost for installation.

Unimproved Road

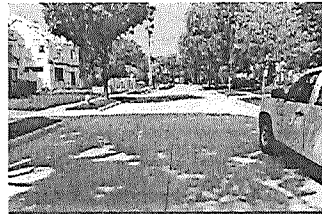
Unimproved Road – An unimproved road is a gravel road with or without curbs that has been treated with cape seal to provide a relatively smooth and dust free driving surface.

Benefits:

- Enhances rural neighborhood characteristics.

Disadvantages:

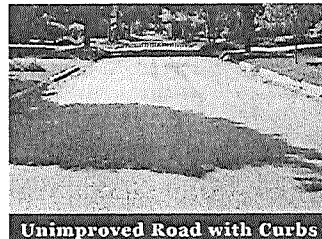
- The roadway is not professionally engineered and does not have a durable foundation.
- Unimproved roads without curbs do not provide adequate drainage from the roadway.
- Unimproved roads without curbs do not receive street sweeping and must bag their leaves.
- The average life span is 7 to 10 years and the need for repairs is more frequent.
- The cost for road repair and replacement is the responsibility of the homeowners on the street.



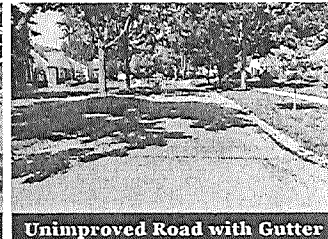
Improved Road



Unimproved Road



Unimproved Road with Curbs



Unimproved Road with Gutter

For specific details regarding your respective road, contact the Engineering Department at (248) 530-1840.

2023 Westwood Road Improvement Project

With the City Commission's approval of the policy modifications related to initiation of street improvement projects, the Engineering Department is planning to initiate design of a street improvement project to be constructed in 2022 on the following unimproved streets:

- Westwood Drive, Raynale St. to Oak St.
- Oak St., N. Glenhurst Dr. to western City Limits
- Raynale St., N. Glenhurst Dr. to western City Limits

This project will include replacement of undersized water mains, extension of storm sewers previously constructed on Raynale and Oak to alleviate the risk of basement flooding due to sewer backups in the immediate area and reduce storm water that enters the combined sewer system, and repair/rehabilitation of the existing combined sewers that will continue to provide sanitary service. The preliminary estimated cost for this project is approximately \$1,830,000, and is accounted for in the current budget between the “unassigned unimproved street” project for FY21/22, and re-allocating the Oak St. project that is currently planned for FY23/24. Some of the benefits for selecting this project at this time include:

- Providing for continued extension of the storm sewers in this neighborhood as described in the 2011 Backyard Sewer & Water Master Plan, and allowing for further extension in FY23/24 on Westwood, N. Glenhurst, Lyonhurst and Brookwood north of Raynale. Once this storm sewer extension is complete, proposed modifications to the regulator on the Bloomfield Village Drain (Oakland County Water Resources Commissioner) at Raynale can be considered that would provide relief to the combined sewer system south of this area.
- Replacement of water mains will create an improved “loop” that help with available fire flows on surrounding streets (a number of fire hydrants in this area that may not be able to produce even 500 gpm under existing conditions).
- This first project will be a test of the newly modified policy allowing the City to initiate a street improvement project, and then special assess the costs associated with the street paving to the adjoining property owners in accordance with the current policy. Success of this process will allow the City to better plan future infrastructure improvements that continue to improve the quality of life of its residents

2022/23 Cape Seal Project

In 2022, a cape-sealing program will also be put out for bids to address the most severely deteriorated street surfaces, mostly in the southeast part of the City. Streets selected for this treatment are based on recent pavement condition evaluation efforts (PASER ratings)

[illegible]

ARLINGTON/SHIRLEY SPECIAL ASSESSMENT DISTRICT PROTEST PETITION TO CITY OF BIRMINGHAM, MI

We, the undersigned, protest the proposed SAD amounts prior to 6-24-24 Public Hearing of Necessity.

STREET ADDRESS	ASSESSMENT	SIGNATURE OF PROPERTY OWNER	DATE
737 Arlington	28,528.61	[Signature]	6-8-24
737 Arlington	28,528.61	[Signature]	6-8-24
776 Arlington	16,293.04	[Signature]	6-8-24
776 Arlington	16,293.04	Mary P. Scott	6-8-24
968 ARLINGTON	18,244.04	[Signature]	6-8-24
968 Arlington	18,244.04	[Signature]	6-8-24
1420 WEST LINCOLN	17,358.62	William C. Edmunds	6-8-24
1420 WEST LINCOLN	17,358.62	Nancy Edmunds	6-8-24
735 SHIRLEY ROAD	21,121.86	Duncan Haezel	6-8-24
735 SHIRLEY ROAD	21,121.86	[Signature]	6-8-24
708 Shirley	32,877.18	[Signature]	6-8-24
708 Shirley	32,877.18	G.M.	6-8-24
970 Shirley	24,349.09	Linda Bremer	6-8-24
811 Shirley	25,003.32	Stuart Bonman	6-8-24
188 Shirley	25,042.16	Elaine C. Hazel	6-8-24
188 Shirley	25,042.16	Gary Saltzman	6-8-24
361 Shirley Rd	29,147.88	Ernest Miller	6/8/24
361 Shirley	29,147.88	Kathy Miller	6/8/24
700 Arlington	21,551.46	[Signature]	6/8/24
700 Arlington	21,551.46	Looy Schweg	6/8/24

ARLINGTON/SHIRLEY SPECIAL ASSESSMENT DISTRICT PROTEST PETITION TO CITY OF BIRMINGHAM, MI

We, the undersigned, protest the proposed SAD amounts prior to 6-24-24 Public Hearing of Necessity.

STREET ADDRESS	ASSESSMENT	SIGNATURE OF PROPERTY OWNER	DATE
280 ARLINGTON ST	\$21,931.37	Kuman Sarka	06/08/2024
280 Arlington St	\$21,931.37	[Signature]	06/05/2024
924 ARLINGTON	15,434.33	[Signature]	6/9/24
924 ARLINGTON	15,436.91	VA Lums	6/9/24
1057 Arlington	\$151,629.82	[Signature]	6-9-24
1057 Arlington	\$151,629.82	Lane Sheth	6-9-24
117 ARLINGTON	15,868.70	Edward L. Baughman	6-9-24
117 ARLINGTON	15,868.70	Joann Baughman	6-9-24
218 Arlington	\$22,371.35	[Signature]	6/9/24
218 Arlington	\$22,371.35	[Signature]	6/9/24
381 Shirley	\$29,690.81	[Signature]	6/9/24
381 SHIRLEY	\$29,690.81	[Signature]	6/9/24
645 Arlington	\$36,976.91	[Signature]	6-10-24
645 Arlington	\$36,976.91	[Signature]	6-10-24
730 ARLINGTON	\$17,700.04	[Signature]	6/10/2024
730 ARLINGTON	\$17,700.04	Robert W Myers	6/10/2024
222 Arlington	\$15,073.81	[Signature]	6/10/24
222 Arlington	\$15,073.81	[Signature]	6/10/24
843 Arlington	\$24,732.07	[Signature]	6/10/24
843 Arlington	\$24,732.07	Mary Connolly	6/10/24

ARLINGTON/SHIRLEY SPECIAL ASSESSMENT DISTRICT PROTEST PETITION TO CITY OF BIRMINGHAM, MI

We, the undersigned, protest the proposed SAD amounts prior to 6-24-24 Public Hearing of Necessity.

STREET ADDRESS	ASSESSMENT	SIGNATURE OF PROPERTY OWNER	DATE
640 Shirley	22,722.28		6/10/24
640 Shirley	22,722.28	Theresa M. Carter	6/10/24
860 Arlington	16,139.87		6/10/24
860 Arlington	16,139.87		6/10/24
619 Shirley	22,833.90		6/12/24
619 Shirley	22,833.90		6/12/24
288 Shirley	16,534.17		6/13/24
288 Shirley	16,534.17	A. S. Fisher	6/13/24
663 SHIRLEY	27,416.80		6/14/24
663 Shirley	27,416.80	Karen Metell	6/14/24
130 Arlington AKA 1589 W. Maple	33,106.69	Traci Truico, Finance Director	6/11/24
309 Arlington	15,592.57		6/10/24
327 Arlington	21,786.37		6/10/24
517 ARLINGTON	21,521.45		6-14-24
517 Arlington	21,321.45		6-14-24
444 Arlington	37,515.47		6-15-24
444 Arlington	37,515.47		6-15-24
500 Arlington	20,971.43		6-15-24
500 Arlington	20,971.43		6-15-24
975 Arlington	\$ 26,126.25		6/13/24

We, the undersigned, protest the proposed SAD amounts prior to 6-24-24 Public Hearing of Necessity.

10A

Sidwell Number	Street Address	Sewer SAD Costs	Water SAD Costs	Road SAD Costs	Approach SAD Costs	Total SAD Costs
19-35-202-069	1589 W. Maple	\$5,000.00		\$25,661.69	\$1,445.00	\$32,106.69
19-35-202-033	218 Arlington	\$5,600.00	\$2,380.00	\$13,128.20	\$1,263.15	\$22,371.35
19-35-202-034	222 Arlington			\$13,128.20	\$1,945.62	\$15,073.81
19-35-202-035	280 Arlington	\$4,600.00		\$15,655.37	\$1,676.00	\$21,931.37
19-35-202-036	316 Arlington	\$4,400.00		\$15,655.37	\$1,731.00	\$21,786.37
19-35-202-068	400 Arlington			\$33,424.39	\$4,165.35	
19-35-202-068	400 Arlington					\$37,589.74
19-35-202-039	414 Arlington	\$6,000.00		\$15,898.25	\$1,670.00	\$23,568.25
19-35-202-040	432 Arlington			\$15,898.25	\$1,753.50	\$17,651.75
19-35-202-041	444 Arlington			\$34,590.17	\$2,925.30	\$37,515.47
19-35-202-042	500 Arlington	\$3,000.00		\$15,865.43	\$2,106.00	\$20,971.43
19-35-202-043	550 Arlington	\$6,800.00		\$15,865.43	\$3,873.45	\$26,538.88
19-35-202-044	600 Arlington		\$825.00	\$14,555.23	\$3,769.00	\$19,149.23
19-35-202-045	700 Arlington	\$4,400.00	\$2,175.00	\$14,555.23	\$1,606.00	\$22,736.23
19-35-202-046	730 Arlington		\$2,240.00	\$12,754.04	\$2,706.00	\$17,700.04
19-35-202-047	776 Arlington		\$2,170.00	\$12,754.04	\$1,369.00	\$16,293.04
19-35-202-048	800 Arlington	\$4,000.00	\$2,100.00	\$13,175.46	\$2,276.00	\$21,551.46
19-35-202-049	860 Arlington			\$13,176.77	\$2,963.10	\$16,139.87
19-35-202-050	898 Arlington	\$4,200.00	\$2,100.00	\$13,839.74	\$2,767.00	\$22,906.74
19-35-202-051	924 Arlington			\$13,843.68	\$2,092.65	\$15,936.33
19-35-202-052	968 Arlington			\$15,549.04	\$2,695.00	\$18,244.04
19-35-202-053	992 Arlington			\$15,547.72	\$1,679.56	\$17,227.28
19-35-202-055	1420 W Lincoln	\$5,600.00		\$10,296.62	\$1,462.00	\$17,358.62
19-35-226-001	117 Arlington			\$13,128.20	\$2,740.50	\$15,868.70
19-35-226-002	175 Arlington	\$5,200.00	\$1,200.00	\$13,128.20	\$3,062.85	\$22,591.05
19-35-226-003	243 Arlington	\$4,600.00	\$1,120.00	\$13,128.20	\$3,491.00	\$22,339.20
19-35-226-004	269 Arlington	\$5,600.00	\$1,260.00	\$13,121.63	\$1,814.00	\$21,795.63
19-35-226-018	309 Arlington			\$13,150.51	\$2,442.00	\$15,592.51
19-35-226-019	327 Arlington			\$14,443.64	\$2,442.00	\$16,885.64
19-35-226-006	345 Arlington	\$6,000.00	\$2,590.00	\$16,684.62	\$1,314.60	\$26,589.22
19-35-226-016	377 Arlington	\$5,400.00		\$19,822.03	\$4,288.00	\$29,510.03
19-35-276-001	503 Arlington	\$6,400.00	\$1,050.00	\$26,994.66	\$3,812.55	\$38,257.21
19-35-276-002	577 Arlington	\$3,600.00	\$2,310.00	\$13,128.20	\$2,483.25	\$21,521.45
19-35-276-003	645 Arlington	\$5,000.00	\$2,730.00	\$27,835.71	\$1,411.20	\$36,976.91
19-35-276-023	737 Arlington	\$5,800.00	\$1,330.00	\$19,954.86	\$1,443.75	\$28,528.61
19-35-276-006	779 Arlington	\$6,000.00	\$1,330.00	\$15,163.07	\$1,773.00	\$24,266.07
19-35-276-007	843 Arlington	\$6,200.00	\$1,400.00	\$15,163.07	\$1,969.00	\$24,732.07
19-35-276-008	881 Arlington	\$6,000.00	\$1,400.00	\$13,128.20	\$2,922.00	\$23,450.20
19-35-276-009	945 Arlington	\$3,400.00		\$14,480.40	\$1,694.00	\$19,574.40
19-35-276-010	975 Arlington			\$23,762.04	\$2,414.21	\$26,176.25
19-35-276-011	1057 Arlington	\$7,000.00	\$1,540.00	\$41,353.82	\$1,736.00	\$51,629.82
19-35-226-009	100 Shirley	\$6,800.00	\$2,240.00	\$15,950.76	\$3,018.00	\$28,008.76
19-35-226-010	188 Shirley	\$4,600.00	\$2,590.00	\$16,309.16	\$1,543.00	\$25,042.16
19-35-226-011	226 Shirley	\$4,200.00	\$2,380.00	\$14,047.17	\$2,930.00	\$23,557.17
19-35-226-012	252 Shirley (Vacant)	\$3,400.00	\$2,520.00	\$14,047.17	\$2,871.00	\$22,838.17
19-35-226-013	288 Shirley			\$14,047.17	\$2,487.00	\$16,534.17
19-35-226-014	300 Shirley			\$14,047.17	\$4,345.00	\$18,392.17
19-35-226-017	350 Shirley	\$6,600.00		\$22,734.10	\$3,841.00	\$33,175.10
19-35-227-037	200 Linden			\$3,137.25	\$2,091.00	\$5,228.25
	Linden Parcels (0% SAD)			\$0.00	\$0.00	\$0.00
19-35-227-004	345 Shirley	\$4,800.00	\$980.00	\$20,107.15	\$2,539.00	\$28,426.15
19-35-227-005	361 Shirley	\$3,800.00	\$3,000.00	\$19,035.88	\$3,312.00	\$29,147.88

19-35-227-006	381 Shirley	\$7,000.00	\$2,870.00	\$17,696.81	\$2,124.00	\$29,690.81
19-35-227-008	421 Arlington	\$7,000.00	\$4,200.00	\$16,298.66	\$1,479.00	\$28,977.66
19-35-227-009	445 Arlington	\$5,800.00	\$3,600.00	\$16,298.66	\$2,897.00	\$28,595.66
19-35-227-010	463 Arlington	\$4,800.00		\$16,901.24	\$2,869.60	\$24,570.84
19-35-227-011	487 Arlington	\$5,800.00		\$17,358.10	\$3,229.60	\$26,387.70
19-35-227-012	503 Shirley			\$15,651.44	\$2,655.00	\$18,306.44
19-35-227-013	585 Shirley	\$7,400.00		\$15,570.04	\$3,201.44	\$26,171.49
19-35-227-035	619 Shirley	\$8,200.00		\$13,128.20	\$1,505.70	\$22,833.90
19-35-227-036	663 Shirley	\$8,200.00	\$0.00	\$18,147.80	\$1,069.00	\$27,416.80
19-35-277-001	735 Shirley			\$17,752.41	\$3,369.45	\$21,121.86
19-35-277-002	789 Shirley			\$13,128.20	\$2,684.00	\$15,812.20
19-35-277-003	811 Shirley	\$7,400.00	\$2,520.00	\$13,653.32	\$1,430.00	\$25,003.32
19-35-277-004	855 Shirley			\$15,828.67	\$3,964.00	\$19,792.67
19-35-277-005	905 Shirley	\$5,200.00	\$1,820.00	\$15,048.85	\$1,317.00	\$23,385.85
19-35-277-006	955 Shirley	\$6,400.00		\$19,298.45	\$2,013.90	\$27,712.35
19-35-277-048	City's Property			\$0.00	\$0.00	\$0.00
19-35-277-048	City's Property			\$21,464.60	\$0.00	\$21,464.60
19-35-277-049	Vacant			\$0.00	\$0.00	\$0.00
19-35-277-034	Vacant			\$0.00	\$0.00	\$0.00
19-35-276-022	1000 Shirley	\$1,600.00		\$0.00	\$2,621.00	\$4,221.00
19-35-276-024	970 Shirley			\$21,924.09	\$2,425.00	\$24,349.09
19-35-276-018	914 Shirley	\$5,400.00	\$1,125.00	\$15,505.71	\$1,578.15	\$23,608.86
19-35-276-017	880 Shirley	\$7,400.00	\$1,275.00	\$15,504.40	\$3,302.00	\$27,481.40
19-35-276-016	822 Shirley	\$4,400.00	\$2,240.00	\$15,097.43	\$1,331.40	\$23,068.83
19-35-276-015	770 Shirley	\$3,000.00	\$2,450.00	\$15,097.43	\$1,808.00	\$22,355.43
19-35-276-014	708 Shirley			\$28,446.18	\$4,431.00	\$32,877.18
19-35-276-013	640 Shirley	\$2,000.00		\$19,035.88	\$1,686.40	\$22,722.28
19-35-276-012	550 Shirley			\$13,128.20	\$3,108.00	\$16,236.20
19-35-227-034	680 Linden			\$7,104.67	\$0.00	\$7,104.67

LAUREN M. BUTTAZZONI
REAL ESTATE ATTORNEY & BROKER

June 1, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim

I have been a licensed attorney for 32 years and a licensed realtor and broker for 25 years. Based on this experience, I can give you my opinion of how the City's planned work on your streets will impact the value of the homes there.

Regarding work to the street surfaces, while there can be value differences between homes on paved versus gravel or dirt roads, there is negligible difference in the value of homes on an older paved road versus a newer paved road. Arlington and Shirley are currently paved roads and after the City's work they will be the same and therefore no difference in the value of the homes.

As for the City's plan to replace the water and sewer pipes, that will also have negligible effect on the value of the homes. Functioning water and sewer services are basic expected services for any property owner in the City of Birmingham, on any street, and in any city. Whether they have been recently updated or not is not a factor in market value, nor is it a factor in its appraisal value.

That said, what WOULD BE a factor is an active or pending ASSESSMENT for such work which becomes a LIEN on the property and which would most definitely affect the market and appraised values. Especially an approximately \$50,000 assessment which would not only negatively affect the market and appraisal values, but would also negatively affect the marketing of the home in general and hinder the sale by longer days on market, among other things.

In sum, it is my opinion there is no basis for any increase in market or appraisal value of the homes on Arlington and Shirley due to any of the work the City has planned. Please feel free to call me if you have any questions.

Sincerely,



Lauren M. Buttazzoni
Attorney & Real Estate Broker
MI Bar # P47174
MI Broker License # 6502427378

MIDGE MORAN
KELLER WILLIAMS REAL ESTATE

June 2, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim,

Thank you for talking with me today about the City of Birmingham's plans to upgrade the water mains/sewers of Arlington and Shirley Streets and to excavate/replace the existing streets in the process. I understand that the City plans to charge property owners an assessment to cover 85% of the cost for doing this and you would like to know the impact on the average value of each property on these two streets should these changes occur.

As a Birmingham resident for my entire life and a realtor for the past 31+ years, I know that anyone planning to buy a property on Arlington and Shirley Streets expect that the water mains and sewers will work properly, especially in view of the size/value of these homes. So, replacing underground water mains/sewer pipes that no one can see will have zero effect on what someone is willing to pay for a property on these two streets.

As to the street excavation and replacement, as long as Arlington and Shirley Streets are similar to other streets in the City of Birmingham, which they are, a new property buyer is not going to make a big deal about whether or not there is a low spot in the pavement or a crack in the curb when making an offer on a property that is currently on the market. He/she will assume that the City will repair any defects in the street as needed to bring it "up to code."

Based on my viewpoint as an experienced realtor, I believe that the planned upgrade in Arlington and Shirley Streets will not make a difference in the appraised value of any property by more than a few thousand dollars. It is also entirely possible that an appraisal will not change at all after the streets are upgraded. Based on these two scenarios, I believe that the infrastructure and street changes planned by the City will have an appraisal change from zero to \$2,000 per property.

Thank you for the opportunity to comment on the appraised value impact of these proposed changes.

Sincerely,



Midge Moran
Keller Williams Realtor
MI License #6501147440

BETTY FINKBEINER
MAX BROOCK REAL ESTATE

June 4, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Mr. Mirro,

As you know, I have been a licensed realtor in Birmingham for 47 years with Max Broock/Real Estate One and a member of the President's Council of Excellence. Based on this experience, I am pleased to give you my opinion on how the City's plan for your streets could affect your property values.

It is my understanding that Birmingham plans to completely excavate both Arlington and Shirley Streets, then replace the water pipes and sewer pipes, then replace your current street foundation and pavement. While this will result in a smooth, new street, I do not believe that the cost of the planned assessment will be reflected in any significant change in your property values.

Prospective buyers I work with every day are more interested in the structure of the house, how new is the kitchen and how open is the floor plan. They assume that the water and sewer lines under the street and to the house work as expected, especially in expensive houses. To some extent, this also applies to the newness of the street surface. A prospective buyer certainly appreciates a new street pavement, but does not necessarily take this into consideration when making an offer.

While many streets in Birmingham are in terrible condition, I do not think that Arlington and Shirley Streets fall into this category based on my recent trip there a few weeks ago. Based on this recollection, it is my professional opinion that the changes being planned by the City will not increase your property values by more than \$2,000 to \$3,000 compared with property values before the change.

Please let me know if I can be of any other help during this project. Thank you.

Best Regards,



Betty Finkbeiner
Max Broock Realtor

Unimproved Road Scoring List

Unimproved Roads Infrastructure Block Ratings

Roads/Block Name	Street (GIS Block Name)	Begin	End	Road Type	2023 Weight Points (0-100)	2019 Score Points (0-100)	Road Points (0-100)	Total Block Rating (0-300)
BLOOMFIELD OLDWOODWARD	BLOOMFIELD	OLDWOODWARD	DEAD END	Unimproved	100	89	73	262
WIMBLETON OXFORD POPPLETON	WIMBLETON	OXFORD	POPPLETON	Unimproved	94	91	70	258
OXFORD ABBEY WIMBLETON	OXFORD	ABBAY	WIMBLETON	Unimproved	100	77	73	250
SHEPARD BUSH WARWICK	SHEPARD BUSH	WARWICK	WIMBLETON	Unimproved	100	77	70	250
TORRY TAUNTON SHEPHERD BRADFORD	TORRY	TAUNTON	SHEPHERD	Unimproved	94	72	82	248
HENLEY ABBEY OXFORD	HENLEY	ABBAY	OXFORD	Unimproved	100	73	70	246
HENLEY WARWICK OXFORD	HENLEY	WARWICK	OXFORD	Unimproved	100	73	70	246
TAUNTON WOODWARD TORRY	TAUNTON	WOODWARD	TORRY	Unimproved	100	71	70	244
BRADFORD SHEPHERD TORRY CROFT	BRADFORD	SHEPHERD	TORRY	Unimproved	94	72	70	239
WARWICK ABBEY HENLEY	WARWICK	ABBAY	HENLEY	Unimproved	100	75	60	239
ABBAY HENLEY	ABBAY	HENLEY	DEAD END	Unimproved	100	64	70	237
ABBAY HENLEY OXFORD	ABBAY	HENLEY	OXFORD	Unimproved	100	64	70	237
LARCHFIELD LINCOLN MIDVALE	LARCHFIELD	LINCOLN	MIDVALE	Unimproved	100	80	50	235
TOTTERHAM HENLEY	TOTTERHAM	HENLEY	SHEPHERD BUSH	Unimproved	100	59	70	232
WARWICK HENLEY WIMBLETON	WARWICK	HENLEY	WIMBLETON	Unimproved	100	77	50	232
HENLEY TOTTERHAM PUTNEY	HENLEY	TOTTERHAM	PUTNEY	Unimproved	100	58	70	231
TOTTERHAM HENLEY WARWICK	TOTTERHAM	HENLEY	WARWICK	Unimproved	100	58	70	231
HUMPHREY ETON TAUNTON	HUMPHREY	ETON	TAUNTON	Unimproved	76	77	80	230
WESTWOOD RAYNALE OAK	WESTWOOD	RAYNALE	OAK	Unimproved	100	75	50	230
STABLEY WALLACE LINCOLN	STABLEY	WALLACE	LINCOLN	Unimproved	87	86	50	228
FAIRWAY GREENHAWK GOLFVIEW	FAIRWAY	GREENHAWK	GOLFVIEW	Unimproved	83	79	65	226
GREENHAWK HILLSIDE FAIRWAY	GREENHAWK	HILLSIDE	FAIRWAY	Unimproved	82	79	60	226
WESTWOOD OAK PARK	WESTWOOD	OAK	PARK	Unimproved	76	86	60	226
FLOYD GEORGE LINCOLN	FLOYD	GEORGE	LINCOLN	Unimproved	74	86	60	224
SOUTHDAWN LATHAM SOUTHFIELD	SOUTHDAWN	LATHAM	SOUTHFIELD	Unimproved	76	74	70	223
WIMBLETON POPPLETON ADAMS	WIMBLETON	POPPLETON	ADAMS	Unimproved	59	89	70	221
WOSCHMATE YANKEE COLUMBIA	WOSCHMATE	YANKEE	COLUMBIA	Unimproved	83	74	60	221
ARLINGTON SHIRLEY LINCOLN	ARLINGTON	SHIRLEY	LINCOLN	Unimproved	81	75	60	220
HENLEY ABBEY WARWICK	HENLEY	ABBAY	WARWICK	Unimproved	76	71	70	220
HUMPHREY TORRY TAUNTON	HUMPHREY	TORRY	TAUNTON	Unimproved	76	62	80	220

Photos of Arlington/Shirley, Westwood and Tilbury Streets

2 messages

James Mirro <jmirro@intromarketing.com>

Mon, Jul 8, 2024 at 4:16 PM

To: emclain@bhamgov.org, kschafer@bhamgov.com, along@bhamgov.org, tlonge@bhamgov.org, ahaig@bhamgov.org, bhost@bhamgov.org

Cc: Jana Ecker <Jecker@bhamgov.org>, abingham@bhamgov.org, mkucharek@bhlaw.us.com

Dear Commissioners,

Please vote this evening to allow Arlington and Shirley Streets (1st and 2nd attachments) to be treated like Westwood Drive (3rd attachment) for the street project now under review. If you do this, it will permit us to keep our curbs, gutters and driveway approaches to avoid the type of tree root damage we have witnessed recently on a number of streets north of Maple undergoing upgrades.

For example, the 3rd and 4th attachments show the damage that has occurred to under-street tree roots on Tilbury Street due to the addition of curbs, gutters and driveway approaches. This is what we are trying to avoid on Arlington and Shirley Streets with our historic, over 100-year-old trees that trace back to the founding of Coryell Tree Nursery in 1915 and give our neighborhood the character it has today.

Not only does the Westwood treatment save trees, it also saves about 2/3 of the proposed project cost due to avoidance of labor-intensive work to make forms/footings for curbs, gutters and driveway approaches. It also saves repair of our sprinkler systems, landscaping, brick/stone walls, ground cover and driveway approaches that use exposed aggregate, pavers and other upscale materials that cannot be replicated.

Finally, by not removing our curbs, gutters and driveway approaches that still have a serviceable life, we avoid spewing tons of carbon into the atmosphere by eliminating unnecessary cement production. Based on all these benefits, we request that the Commission vote on using the Westwood type of street upgrade for Arlington and Shirley Streets at the 7-8-24 Meeting this evening. Thank you.

Jim Mirro

Save Our Streets & Trees

A MI Nonprofit Foundation

248-420-5113

5 attachments



Arlington Middle Facing North..jpeg
100K



Shirley Mid North Facing South..jpeg
130K



Westwood Drive Photo, 6-30-24..JPG
123K



Tree Root Damage on Tilbury Street, 6-30-24..JPG
163K



Tree Root Debris on Tilbury Street, 6-30-24..JPG
165K

Jana Ecker <Jecker@bhamgov.org>

Mon, Jul 8, 2024 at 4:44 PM

To: Melissa Fairbairn <mfairbairn@bhamgov.org>, Mark Clemence <clemencem@bhamgov.org>, "Kucharek, Mary" <Mkucharek@bhlaw.us.com>

Cc: Melissa Coatta <mcoatta@bhamgov.org>, Cory Borton <cborton@bhamgov.org>, Scott Zielinski <szielinski@bhamgov.org>, Brooks Cowan <bcowan@bhamgov.org>, Alex Bingham <abingham@bhamgov.org>

FYI

Jana L. Ecker
City Manager
Birmingham, MI
(248) 530-1811

[Quoted text hidden]

5 attachments



Arlington Middle Facing North..jpeg
100K



Shirley Mid North Facing South..jpeg
130K



Westwood Drive Photo, 6-30-24...JPG
123K



Tree Root Damage on Tilbury Street, 6-30-24...JPG
163K



Tree Root Debris on Tilbury Street, 6-30-24..JPG
165K

FromClerksOffice- Attn: Alexandria Bingham -- Special Assessment Roll -- SAD Roll 910S and 910W

1 message

'Gary Saltzgiver' via Clerks Office <ClerksOffice@bhamgov.org>

Mon, Jul 8, 2024 at 1:34 PM

Reply-To: Gary Saltzgiver <gsaltzgiver@yahoo.com>

To: "clerksoffice@bhamgov.org" <clerksoffice@bhamgov.org>

Re: Public Hearing -- Confirmation of Special Assessment Roll 910S and 910W:

[188 Shirley Rd](#) protests the amount of the paving assessment as unreasonably disproportionate to the value accruing to the land (increase in fair market value) of 188 Shirley Rd, #19-35-226-010, hereby preserving a right of appeal.

Thank you.

Gary Saltzgiver

[188 Shirley Rd](#)

[Birmingham MI](#)

Approved, SCAO

Original - Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY	SUMMONS	CASE NO. 2024-208305-CZ JUDGE MARTHA D. ANDERSON
Court address		Court telephone no.

Plaintiff's name, address, and telephone no.
 Save Our Streets & Trees
 737 Arlington Street
 Birmingham, MI 48009
 248-420-5113

Plaintiff's attorney, bar no., address, and telephone no.

v

Defendant's name, address, and telephone no.
 City of Birmingham
 151 Martin Street
 Birmingham, MI 48009
 248-530-1800

This case has been designated as an
 eFiling case, for more information
 please visit www.oakgov.com/efiling.

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside of Michigan).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date 7/1/2024	Expiration date* 09/30/2024	Court clerk Lisa Brown
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

MC 01 (3/23) **SUMMONS**

MCR 1.109(D), MCR 2.102(B), MCR 2.103, MCR 2.104, MCR 2.105

PROOF OF SERVICE

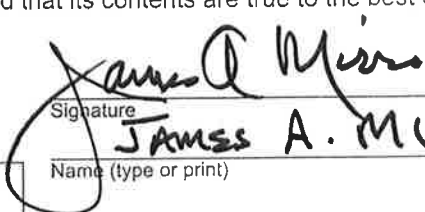
TO PROCESS SERVER: You must serve the summons and complaint and file proof of service with the court clerk before the expiration date on the summons. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE OF SERVICE / NONSERVICE

- ☒ I served ☒ personally ☒ by registered or certified mail, return receipt requested, and delivery restricted to the addressee (copy of return receipt attached) a copy of the summons and the complaint, together with the attachments listed below, on:
- ☐ I have attempted to serve a copy of the summons and complaint, together with the attachments listed below, and have been unable to complete service on:

Name CITY OF BIRMINGHAM, MI	Date and time of service 7-1-24;
Place or address of service 151 MARTIN STREET, BIRMINGHAM, MI 48009	
Attachments (if any)	

- ☐ I am a sheriff, deputy sheriff, bailiff, appointed court officer or attorney for a party.
- ☐ I am a legally competent adult who is not a party or an officer of a corporate party. I declare under the penalties of perjury that this certificate of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee \$	Miles traveled	Fee \$	TOTAL FEE \$	Signature  JAMES A. MIRRO Name (type or print)
Incorrect address fee \$	Miles traveled	Fee \$		

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of a copy of the summons and complaint, together with

Rec'd by Kelly Dolland on **7-1-24; 4:35 pm**

Attachments (if any)

Date and time

Signature

Name (type or print)

STATE OF MICHIGAN
IN THE 6TH CIRCUIT COURT OF OAKLAND COUNTY

Save Our Streets & Trees

Plaintiff

V.

City of Birmingham, MI

Defendant

2024-208305-CZ

JUDGE MARTHA D. ANDERSON

This case has been designated as an eFiling case, for more information please visit www.oakgov.com/efiling.

Plaintiff, Save Our Streets & Trees, brings forth the following Complaint and TRO Application.

Plaintiff is a nonprofit foundation incorporated in the State of Michigan, ID #803145138, with a resident agent address of 737 Arlington Street, Birmingham, MI 48009.

The Defendant is an incorporated City in Oakland County, 151 Martin Street, Birmingham, MI 48009.

COMPLAINT

On 12-14-23, a majority of property owners delivered a petition to the City of Birmingham opposing the Arlington & Shirley sewer/water/street upgrade project, followed by a second petition delivered 5-6-24.

On 6-3-24, the City of Birmingham passed a resolution to set a Public Hearing of Necessity for a sewer/water/street upgrade project for Arlington & Shirley Streets to be held on 6-24-24.

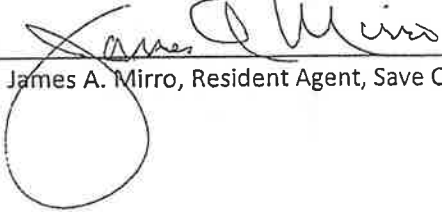
On 6-4-24, the City conducted an information meeting for Arlington & Shirley property owners to provide proposed Special Assessment District (SAD) amounts for adjoining parcels to pay for the project.

On 6-21-24, a majority of property owners delivered a third petition to the City as is their right under Michigan Public Act #246 to protest: 1) average assessments of \$24,000 that are more than 3 times higher than the same type of street upgraded one year ago (Westwood) and 18 times higher than the expected property value increase after completion based on 3 realtor opinions; 2) removal of 6 trees and root damage to over 200 trees within 17' of the street and 3) damage to adjoining private property.

At the 6-24-24 Public Meeting of Necessity, the City ignored the last 2 petitions and set a date of 7-8-24 for a Public Hearing to Confirm the Assessment Roll, with plans to award the project contract on 7-9-24.

APPLICATION FOR TEMPORARY RESTRAINING ORDER

The Plaintiff requests the Court to issue a TRO to avoid irreparable harm from the City's plan to remove 6 mature trees and fatally disturb under-street tree roots of over 200 other mature trees bordering the two streets based on 5 arborist opinions, as well as damages to private property adjoining the streets.

Signed: 
James A. Mirro, Resident Agent, Save Our Streets & Trees

Date: 6-28-24

FILED Received for Filing Oakland County Clerk 6/28/2024 4:25 PM

Shirley and Arlington

1 message

'Jenny Shebib' via City Commission <city-commission@bhamgov.org>

Mon, Jul 8, 2024 at 12:58 PM

Reply-To: Jenny Shebib <jcshebib@yahoo.com>

To: City Commission <city-commission@bhamgov.org>

I just wanted to pass on a note. Jim Mirro does not represent our neighborhood association. He has been canvassing the neighborhood and collecting signatures on petitions under false pretenses. I want to let you know, if you haven't already been told. Most of the Shirley and Arlington residents are upset with jim and do not agree with a law suit against the city. I have learned to not even engage with jim let alone sign something he is supporting.

I just felt it important to pass this information along. The majority of the residents are in agreement with what the city is planning for our 2 streets. I personally hope Jim's actions will not prolong the process and push this project out further. I wish we could make him stop but unfortunately the more we try the more he engages.....

Thanks

Jenny and Nick Shebib

Jenny Shebib

(248)925-8464 cell

jcshebib@yahoo.com

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You received this message because you are subscribed to the Google Groups "City Commission" group.

To unsubscribe from this group and stop receiving emails from it, send an email to city-commission+unsubscribe@bhamgov.org.

To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/1740156799.2296471.1720457891197%40mail.yahoo.com>.

Fwd: Arlington/Shirley project

2 messages

Jana Ecker <Jecker@bhamgov.org>
To: Alex Bingham <abingham@bhamgov.org>

Mon, Jul 8, 2024 at 2:12 PM

Please add to communications for next CC meeting and the print outs for tonight.

Thanks,

Jana L. Ecker
City Manager
Birmingham, MI
(248) 530-1811

----- Forwarded message -----

From: **Therese Longe** <tlonge@bhamgov.org>
Date: Mon, Jul 8, 2024 at 2:06 PM
Subject: Fwd: Arlington/Shirley project
To: Jana Ecker <Jecker@bhamgov.org>, Mary Kucharek <mkucharek@bhlaw.us.com>

----- Forwarded message -----

From: **Jean Steed** <jrsteeds@gmail.com>
Date: Mon, Jul 8, 2024 at 1:38 PM
Subject: Arlington/Shirley project
To: <bhost@bhamgov.org>, <emclain@bhamgov.org>, <along@bhamgov.org>, <tlonge@bhamgov.org>, <kschafer@bhamgov.com>, <ahaig@bhamgov.org>, <cballer@bhamgov.org>

Dear Commissioners,

I am not a public speaker and I don't want to get in the crosshairs of Jim Mirro, but I need to make it clear that not all of us who live on Arlington and Shirley support Mr. Mirro's opinions and the tactics he is using to push his agenda. I have never signed his petitions. And based on the flurry of emails from neighbors over the weekend asking Mr. Mirro to remove their names from the petitions they signed, I think he can no longer speak for the "majority" of the street as he claims. No one I know around me is a member of his Save our Trees and Streets organization and no one I know supports him filing complaints and motions on their behalf.

I am ready to move forward with the improvements and I believe there are many of us in this "minority" who feel the same.

Thank you for your patience and civility during these tedious council meetings that have addressed our issues over the last several months.

Respectfully,

Jean Steed
345 Arlington

Jana Ecker <Jecker@bhamgov.org>
To: Melissa Fairbairn <mfairbairn@bhamgov.org>, Mark Clemence <clemencem@bhamgov.org>, "Kucharek, Mary" <Mkucharek@bhlaw.us.com>, Alex Bingham <abingham@bhamgov.org>
Cc: Melissa Coatta <mcoatta@bhamgov.org>, Cory Borton <cborton@bhamgov.org>, Scott Zielinski <szielinski@bhamgov.org>, Brooks Cowan <bcowan@bhamgov.org>

Mon, Jul 8, 2024 at 2:14 PM

FYI

[Quoted text hidden]

Re: North Eton

1 message

Clinton Baller <cmballer@avidpays.com>

Tue, Jul 9, 2024 at 8:53 AM

To: GEORGIA VITICK <gvitick@msn.com>

Cc: City Commission <city-commission@bhamgov.org>, Jana Ecker <Jecker@bhamgov.org>, Scott Grewe <sgrewe@bhamgov.org>, rkearny@bhamgov.org

Hi, Georgia! I am going to share your email (with one minor edit) with a few people in city government, with a request to them that it be included under Communications in the next agendas of both the Multi Modal Transportation Board and the City Commission. I have similar concerns about the upcoming improvement to my street, where the bumps and potholes slowing traffic will soon be replaced by super smooth shiny new asphalt. I agree we could be more aggressive in addressing speeding. Parking regulations, permanent speed boards, speed humps, signage and more should all be in our toolbox, and residents should have a clear path for requesting their use in their neighborhoods.

Clinton

On Mon, Jul 8, 2024 at 5:25 PM GEORGIA VITICK <gvitick@msn.com> wrote:

Hi Clinton

I'm your former neighbor and need your help.

Since the poor street redesign on North Eton the speeding has become ridiculous...it looks like a cross between a dragstrip and an airport runway...any sane person would not ride a bike in the street.

The only people riding bikes on the street are in packs.

Bringing back parking on both sides would eliminate most of the problems.

Eliminate all the painted lines....it will look more the the residential street it is....it can still safely be a bike route...it always was before the redesign.

I have been in constant contact with Ryan Kearney who has regularly installed a temporary radar sign and increased patrols but it is useless without a permanent radar sign facing south. Ryan is trying to help but cannot give me a valid reason for a permanent sign.

If I were not constantly annoying him with my requests the constant speed on North Eton would be 40.

Today I was honked at because I stopped at our driveway to let a lady and her dog pass before I made my turn.

North Eton is not what it used to be when you lived here....it's crazyland!

At minimum...we need a permanent radar sign facing southbound traffic....why would the city assume that if we have speeders going north..we do not have speeders goin south???? Help!!!!

Thank you for serving on the Commission....after being Graefield condo president multiple times I can totally appreciate what you are doing for the whole city....

Georgia Vitick

667 North Eton

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Kent E & Shantih Johnston
2428 Northlawn
Birmingham, MI 48009

June 24, 2024

City of Birmingham
Planning and Zoning Department
151 Martin Street
Birmingham, MI 48009

Subject: Objection to Mandated Partial Sidewalk Installations

Dear City Council,

We are writing to express our strong opposition to the City of Birmingham's proposal mandating the installation of partial sidewalks along Northlawn and Greenlawn (applicable to new residential home construction). This proposal, if implemented, would create significant safety hazards for both pedestrians and motorists and exacerbate existing drainage issues that have already been reported to the City for our property along Greenlawn.

The installation of partial sidewalks introduces multiple entry and exit points for pedestrians onto the road. This creates a misleading and potentially dangerous situation for drivers. Motorists, accustomed to clear and consistent pedestrian pathways, might be caught off guard by unexpected pedestrian crossings, increasing the risk of accidents.

Below are several points, supported by recent research and articles, that highlight the potential dangers and complications associated with intermediate sidewalk construction:

Increased Risk of Pedestrian Accidents

According to the National Highway Traffic Safety Administration (NHTSA) report on crash characteristics (<https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813310>), 75% of pedestrian accidents in 2020 occurred at locations that were not intersections, with an additional 10% occurring at 'other' locations such as roadsides, shoulders, and sidewalks. This data suggests that partial sidewalks, which force pedestrians to transition unpredictably between sidewalks and roadways, may significantly increase the risk of accidents.

Connectivity Issues

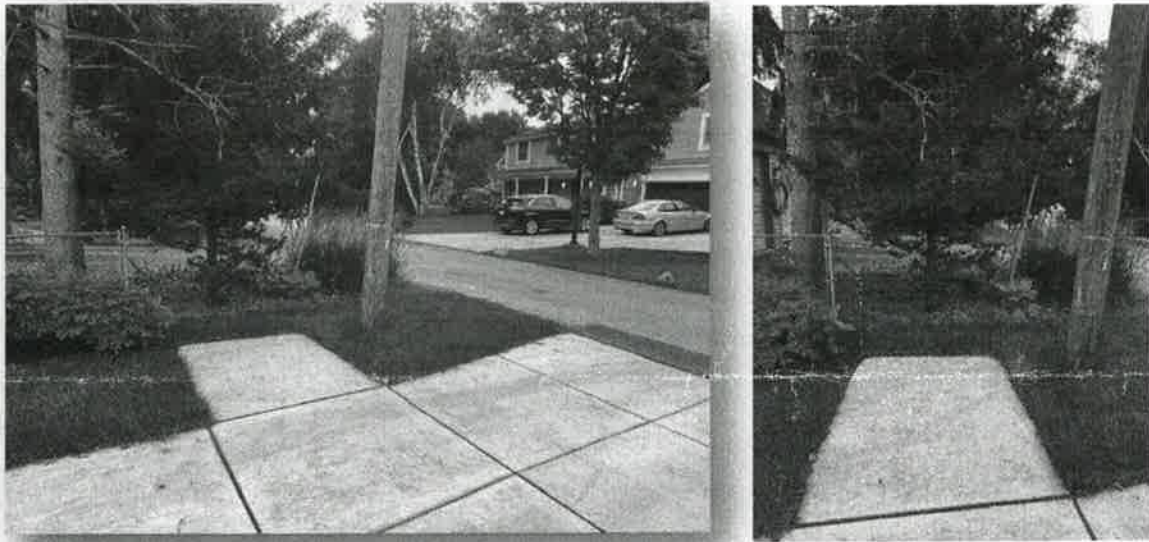
The USDOT Federal Highway Transportation article, "A Resident's Guide for Creating Safer Communities for Walking and Biking" (<https://highways.dot.gov/>), emphasizes that poor connectivity, such as dead-end streets and bike lanes that end unexpectedly, can create hazardous conditions for pedestrians. Intermediate sidewalks would contribute to poor connectivity, leading to abrupt ends where pedestrians may take risks, such as crossing

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the street in unsafe locations or running across to reach the next sidewalk segment (see below).



Visibility and Safety Concerns

The same USDOT article highlights that children and older pedestrians often have difficulty seeing and being seen by drivers. Children may have trouble deciding where it is safe to cross the street and gauging vehicle speeds, while older pedestrians may have reduced motor skills and require more time to cross streets safely. Intermediate sidewalks, with their frequent starts and stops, could exacerbate these visibility and safety issues, putting vulnerable pedestrians at greater risk. From our own experience with children, once they are ahead of you and there is a bend or stop to the path, they head to where they want next.

Accessibility Challenges

People with disabilities face significant challenges with intermediate sidewalks. Surface irregularities, changes in slope or elevation, lack of accessible curb ramps, and sidewalk width restrictions can all make navigating these areas difficult and dangerous. Without continuous, accessible pathways, individuals using wheelchairs, crutches, or those with visual or cognitive impairments may struggle to traverse the street safely.

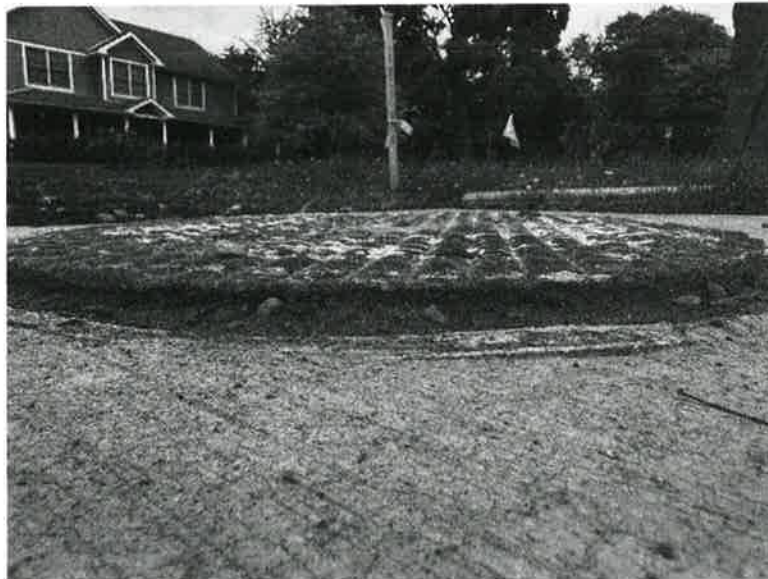
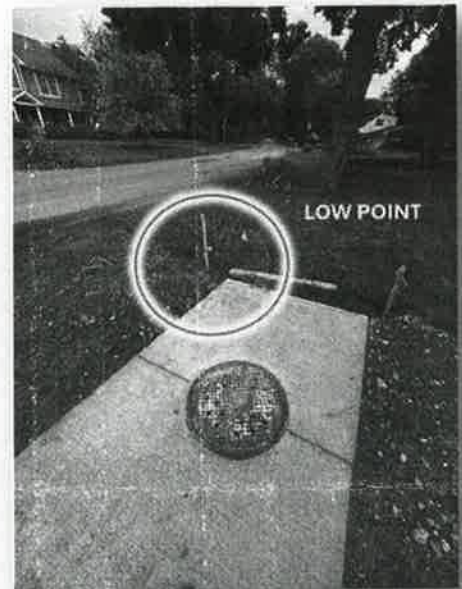
Poor Surface Conditions

Intermediate sidewalks are likely to suffer from poor surface conditions, including uneven or broken pavement and debris. The USDOT article points out that such conditions are hazardous for all pedestrians, particularly those on bicycles or using mobility aids. Consistent, well-maintained sidewalks are essential for ensuring safety, which piecemeal construction cannot provide. The recent sidewalk on Fairway has a raised drainage cover not even located at the low point of the sidewalk (both a trip hazard and ineffective in allowing the water to drain); there will certainly be ice for pedestrians to slip on (see below).

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Unsafe Street Crossings

The proposal for intermediate sidewalks may result in unsafe street crossings due to long crossing distances and wide intersections. The absence of pedestrian signals, curb ramps, median crossing islands, and proper markings can make these crossings dangerous. Furthermore, signals that do not accommodate the time needed for safe pedestrian or bicyclist crossing only compound the problem.

2428 Northlawn-specific Issue: Revised Elevation of 1356 Greenlawn

I have reported significant issues with standing water on Greenlawn resulting from the City's approval of my neighbor's construction. Their renovation raised their elevation by ~1.5 feet causing significant drainage issues to our backyards and Greenlawn. The City's failure to validate and enforce proper elevation standards has led to improper drainage on

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my property (see attached photos). The accumulation of standing water not only poses immediate inconveniences (mosquitos, ducks, mud), but also presents serious risks in winter months: the standing water freezes, creating icy patches (increasing the likelihood of slip-and-fall accidents). Without rectification by the City, this will endanger residents and poses a liability risk for the City.



I trust that the City of Birmingham will take these concerns seriously and take the necessary actions to protect its residents. I look forward to your prompt attention and a favorable resolution to these matters.

Sincerely,

Kent E & Shantih Johnston
2428 Northlawn
Birmingham, MI 4800

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