

BIRMINGHAM CITY COMMISSION AGENDA

July 10, 2023

MUNICIPAL BUILDING, 151 MARTIN

7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Therese Longe, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk

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

ANNOUNCEMENTS

- Happy Birthday Mayor Longe!

APPOINTMENTS

A. Museum Board

1. Kristy Hull Barrett

To appoint _____ to the Museum Board as an alternate member to serve a three-year term to expire July 6, 2026.

B. Employee Recognition

1. Building Department – Permit Technicians
 - Teri Walker
 - Lauren Gieraltowski

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 City Commission meeting minutes of June 26, 2023.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 29, 2023, in the amount of \$1,875,028.80.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 6, 2023, in the amount of \$429,498.47.
- D. Resolution to approve a special event permit as requested by Quarton Elementary to hold the Slow Roll on September 30, 2023 contingent upon compliance with all permit and

insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.

- E. Resolution to appropriate and amend the 2023-2024 Capital Projects Fund budget as follows:

Revenues:

403.0-000.000-400.0000	Contribution from Fund Balance	\$1,000,000
403.0-901.757-674.0100	Contribution from NEXT	<u>\$ 500,000</u>
	Total Revenues	\$1,500,000

Expenditures:

403.0-901.757-977.0000	Buildings	\$1,500,000
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- F. Resolution to award the Phase 1 and 2 ADA Parking and Path project to Dave’s Contracting, Inc. in the amount of \$72,460 and to appropriate and amend the 2023-2024 CDBG Fund budget as follows:

Revenues:

285.0-000.000-522.0000	CDBG Grant	\$28,730
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Expenditures:

285.0-694.000-836.0100	Barrier Free Improvements	\$28,730
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- G. Resolution to approve the Settlement Agreement of May 31, 2023 between the City of Birmingham and AFSCME Local 998 for the term of July 1, 2023 through June 30, 2026, and to authorize staff to execute a collective bargaining agreement consistent with its terms and conditions. Further, to authorize the transfer of the appropriate funds by the Finance Department from the wage adjustment account to the respective department budgets for these expenditures.

- H. Resolution to authorize the City Clerk to complete the Local Approval Notice at the request of S-Three Restaurant, LLC to transfer the membership of S-Three Restaurant, LLC which is owned 100% by Stephen Simon, which holds the Class C and SDM License with Sunday Sales (PM) and Outdoor Service Area located at 117 Willits St., Birmingham, Oakland County, MI to 82% Stephen Simon, 9% Karen Crabill and 9% Wayne Rusnell.

- I. Resolution to award the Pierce Street Paving Project Contract #3-23(W) to Angelo Iafate Construction Company in the amount of \$2,753,777.50 and a 5% construction contingency for a total of \$2,891,466.37. In addition, authorize the Mayor and City Clerk to sign the agreement on behalf of the City after the review of Angelo Iafate Construction Company’s insurance, and bonds contingent upon execution of the agreement and meeting all insurance and bonding requirements. Funding for this project has been budgeted in the following accounts:

Fund Account	Fund ID Number	Project Award	5% Contingencies	Total
Major Street Fund	202.0-449.001-981.0100	\$1,101,751.85	\$55,087.59	\$1,156,839.44

Sewer Fund	590.0-537.000-981.0100	\$137,573.64	\$6,878.68	\$144,452.32
Water Fund	591.0-544.000-981.0100	\$1,514,452.01	\$75,722.60	\$1,590,174.61

AND

To approve the appropriation and amendment of the fiscal year 2023/2024 budget as follows:

Major Street Fund:

Revenues:

202.0-000.000-400.0000	Draw from Fund Balance	\$1,156,840
Total Revenue		<u>\$1,156,840</u>

Expenditures:

202.0-449.001-981.0100	Public Improvement	\$1,156,840
Total Expenses		<u>\$1,156,840</u>

Sewer Fund:

Revenues:

590.0-000.000-400.0000	Draw from Net Position	\$144,460
Total Revenue		<u>\$144,460</u>

Expenditures:

590.0-537.000-981.0100	Public Improvement	\$144,460
Total Expenses		<u>\$144,460</u>

Water Fund:

Revenues:

591.0-000.000-400.0000	Draw from Net Position	\$1,590,180
Total Revenue		<u>\$1,590,180</u>

Expenditures:

591.0-544.000-981.0100	Public Improvement	\$1,590,180
Total Expenses		<u>\$1,590,180</u>

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

- A. Public Hearing - Confirmation of SAD Roll 905 Pierce Street Paving – Water Laterals
 - 1. Resolution confirming Special Assessment Roll 905 as follows:
 - WHEREAS, Special Assessment Roll, designated Roll No. 905, 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 the Commission Resolution 06-128-23 provided it would meet this 10th day of July, 2023 for the sole purpose of reviewing the assessment roll, and

WHEREAS, at said hearing held this July 10, 2023, 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, and

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 905 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 quarter percent (9.25%) on all unpaid installments.

Parcel ID / Sidwell Number	Street Address	SAD Assessment
19-36-401-006	1105 Pierce Street	\$ 3,277.50
19-36-329-011	1234 Pierce Street	\$ 4,312.50
19-36-401-009	1245 Pierce Street	\$ 3,450.00
19-36-329-012	1252 Pierce Street	\$ 4,197.50
19-36-329-013	1270 Pierce Street	\$ 4,197.50
19-36-329-014	1290 Pierce Street	\$ 4,485.00
19-36-401-046	1321 Pierce Street	\$ 3,220.00
19-36-329-015	1340 Pierce Street	\$ 4,830.00
19-36-401-013	1355 Pierce Street	\$ 3,220.00
19-36-329-017	1380 Pierce Street	\$ 4,485.00
19-36-401-017	1415 Pierce Street	\$ 2,990.00
19-36-333-020	1418 Pierce Street	\$ 4,600.00
19-36-401-018	1421 Pierce Street	\$ 2,990.00
19-36-333-021	1424 Pierce Street	\$ 4,600.00
19-36-333-022	1436 Pierce Street	\$ 4,600.00
19-36-401-019	1437 Pierce Street	\$ 2,990.00
19-36-333-023	1450 Pierce Street	\$ 4,830.00
19-36-401-021	1469 Pierce Street	\$ 2,990.00
19-36-333-025	1474 Pierce Street	\$ 4,600.00
19-36-333-027	1492 Pierce Street	\$ 4,600.00
19-36-333-028	1510 Pierce Street	\$ 4,600.00
19-36-333-032	1570 Pierce Street	\$ 5,980.00

19-36-333-033	1584 Pierce Street	\$ 5,980.00
19-36-333-035	1638 Pierce Street	\$ 6,440.00
19-36-333-036	1682 Pierce Street	\$ 5,750.00
19-36-379-025	100 W. 14 Mile Road	\$ 5,635.00

\$ 113,850.00

- B. Resolution to approve a three year agreement ending July 1, 2026 with the Birmingham School District for the provision of a full-time School Resource Officer, with all salary and benefits for this officer to be paid by the Birmingham School District. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.
- C. Resolution to designate the following dates as City recognized legal Holidays pursuant to Section 2-26 of the Birmingham City Code:

New Year's Day	Pasca/ Easter (Eastern Orthodox Christian)	Simchat Torah *
Martin Luther King, Jr. Day	Memorial Day	General Election Day
Chinese New Year	Shavuot *	Diwali
Ash Wednesday President's Day	Eid al-Adha *	Veterans Day
Purim *	Juneteenth	Thanksgiving Day
Holi	Independence Day	Day after Thanksgiving
Maundy Thursday	Ashura *	Christmas Eve
Good Friday	Labor Day	Christmas Day
Easter Sunday	Rosh Hashana *	Hanukkah *
Eid al-Fitr	Yom Kippur *	Kwanzaa
Passover *	Columbus Day/Indigenous Peoples Day	Bodhi Day
Holy Friday (Eastern Orthodox Church)	Sukkot*	New Year's Eve
	Shemini Atzeret *	*Holiday begins sundown the previous day

And further, to designate Juneteenth as an annual day of closure for City Hall offices and instructing the administration to include this day as a paid holiday for eligible employees, identified in the collective bargaining agreements and employee handbooks for 2024 and beyond.

- D. Resolution to meet in closed session to discuss a written attorney/client privilege communication pursuant to MCL § 15.268 Sec. 8(h) of the Open Meetings Act.

(A roll call vote is required and the vote must be approved by a 2/3 majority of the commission. The commission will adjourn to closed session after all other business has been addressed in open session and reconvene to open session, after the closed session, for purposes of taking formal action resulting from the closed session and for purposes of adjourning the meeting.)

- E. 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.
- F. Commission discussion on items from a prior meeting.

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of Intention to Appoint to the Advisory Parking Committee
 - 2. Notice of Intention to Appoint to the Public Arts Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff

INFORMATION ONLY

XI. 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) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

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



NOTICE OF INTENTION TO APPOINT TO THE MUSEUM BOARD

At the regular meeting of Monday, July 10, 2023, the Birmingham City Commission intends to appoint to the Museum Board to appoint one alternate member to serve a three-year term to expire July 6, 2026.

Interested parties may submit an application available at the City Clerk's office on or before noon on Wednesday, July 5, 2023. These applications will appear in the public agenda for the regular meeting at which time the commission will discuss recommendations, and may make nominations and vote on appointments.

Board Duties

The Museum Board is charged with collecting, arranging, cataloguing and preserving historical material. The Board may locate and erect plaques or markers at historic sites, buildings or properties in the City of Birmingham with the consent of the owner or owners of any such property and subject to the approval of the City Commission with respect to properties that, in the opinion of the Board, have historic significance. Further, the Board shall have the power to develop, operate and maintain the Allen House as a museum and to exercise authority, control and management over the Hunter House and John West Hunter Memorial Park.

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.

Applicant(s) Presented For City Commission Consideration:

Applicant Name	Criteria/Qualifications
Kristy Hull Barrett	<ul style="list-style-type: none"> • Shall be qualified electors of the City and members of the Friends of the Birmingham Museum Past Museum Board member; qualified elector and Friends of the Birmingham Museum member *applying as alternate member

SUGGESTED COMMISSION ACTION:

To appoint _____ to the Museum Board as an alternate member to serve a three-year term to expire July 6, 2026.



MUSEUM BOARD

Chapter 62 - Section 62-26

Terms - Three years - expiring first Monday in July

Eight Members: Six are electors and appointed by city commission
 One member is an Alternate
 One is owner of a business and appointed by the city manager

The Museum Board is charged with collecting, arranging, cataloguing and preserving historical material. The board may locate and erect plaques or markers at historic sites, buildings or properties in the City of Birmingham with the consent of the owner or owners of any such property and subject to the approval of the city commission with respect to properties that, in the opinion of the board, have historic significance. Further, the board shall have the power to develop, operate and maintain the Allen House as a museum and to exercise authority, control and management over the Hunter House and John West Hunter Memorial Park.

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Ashleigh 800 E Lincoln St	Caroline	(248)613-4056 <i>info@appraiseyourart.com</i>	6/26/2023 Regular member/BHS	7/6/2026
Erickson 1841 Maryland	Bev	(248) 561-4178 <i>beverickson@comcast.net</i>	7/26/2021 Regular member/BHS	7/5/2024
Harris 2600 Buckingham	Alexandra	(248) 686-4077 <i>akharrisart@gmail.com</i>	6/26/2023 Regular member/BHS	7/6/2026

BIRMINGHAM MUSEUM, 556 West Maple, Birmingham, MI 48009
 phone: 248.530.1928 fax: 248.530.1685 www.bhamgov.org/museum
 Leslie Pielack, Museum Director: lpielack@ci.birmingham.mi.us

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Hughes 915 Kennesaw	Patrick J	(248)417-0470 <i>phughes@brickstory.com</i>	9/23/2019 City manager appointee/business owner	7/5/2025
Keefer 505 E. Lincoln #4	Judith	(248)249-0996 <i>jlwk2014@gmail.com</i>	7/11/2016 Regular member/BHS	7/5/2025
Logue 2010 Buckingham	Marty	(248) 649-4921 <i>gtfieros@comcast.net</i>	6/26/2023 Regular member/BHS	7/6/2026
Motea	Alex		2/27/2023 Student representative	12/31/2023
Schaufler	Alexandria		2/27/2023 Student representative	12/31/2023
Shell 1121 Northlawn	Jay R.	(248) 890-6333 <i>jay.shell@gmail.com</i>	8/9/2021 Regular member/BHS	7/5/2024
Vacant			alternate	7/6/2026

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 phone: 248.530.1928 fax: 248.530.1685 www.bhamgov.org/museum
 Leslie Pielack, Museum Director: lpielack@ci.birmingham.mi.us

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Name of Board: Museum Board

Year: 2023

Members Required for Quorum: 4

MEMBER NAME	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	SPEC MTG	SPEC MTG	Total Mtgs. Att.	Total Absent	Percent Attended Available
REGULAR MEMBERS																	
Marty Logue	P	P	P	NM	P	P									5	0	100%
Judith Keefer	P	A	P	NM	A	A									2	3	40%
Pat Hughes	A	P	A	NM	P	A									2	3	40%
Jay Shell	P	P	A	NM	P	P									4	1	80%
Bev Erickson	P	P	P	NM	P	P									5	0	100%
Kristy Barrett	P	A	P	NM	P	P									4	1	80%
Alexandra Harris	P	P	P	NM	P	P									5	0	100%
Reserved															0	0	#DIV/0!
Reserved															0	0	#DIV/0!
ALTERNATES																	
Caroline Ashleigh	P	P	P	NM	P	P									5	0	100%
Member 2															0	0	#DIV/0!
Reserved															0	0	#DIV/0!
Reserved															0	0	#DIV/0!
Present or Available	7	6	6	0	7	6	0	0	0	0	0	0	0	0			

- KEY:**
- A** = Member absent
 - P** = Member present or available
 - CP** = Member available, but meeting canceled for lack of quorum
 - CA** = Member not available and meeting was canceled for lack of quorum
 - NA** = Member not appointed at that time
 - NM** = No meeting scheduled that month
 - CM** = Meeting canceled for lack of business items

Department Head Signature

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Name of Board: **Museum Board**

Year: **2022**

Members Required for Quorum: **4**

MEMBER NAME	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	SPEC MTG	SPEC MTG	Total Mtgs. Att.	Total Absent	Percent Attended Available
REGULAR MEMBERS																	
Marty Logue	P	P	P	P	P	P	NM	P	P	P	P	P			11	0	100%
Judith Keefer	P	P	A	P	P	A	NM	A	A	P	P	A			6	5	55%
Pat Hughes	P	A	P	P	A	A	NM	P	P	P	A	P			7	4	64%
Jay Shell	P	P	A	P	P	A	NM	P	P	P	P	A			8	3	73%
Bev Erickson	P	A	A	P	A	P	NM	A	P	P	P	P			7	4	64%
Kristy Barrett	NA	NA	NA	NA	P	P	NM	P	P	P	A	P			6	1	86%
Caitlin Rosso	A	A	P	A	P	A	NM	A	NA	NA	NA	NA	NA	NA	2	5	29%
Reserved															0	0	#DIV/0!
Reserved															0	0	#DIV/0!
ALTERNATES																	
Alexandra Harris	P	P	P	P	P	P									6	0	100%
Member 2															0	0	#DIV/0!
Reserved															0	0	#DIV/0!
Reserved															0	0	#DIV/0!
Present or Available	6	4	4	6	6	4	0	4	5	6	4	4	0	0			

- KEY:**
- A** = Member absent
 - P** = Member present or available
 - CP** = Member available, but meeting canceled for lack of quorum
 - CA** = Member not available and meeting was canceled for lack of quorum
 - NA** = Member not appointed at that time
 - NM** = No meeting scheduled that month
 - CM** = Meeting canceled for lack of business items

Department Head Signature

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Birmingham Museum Board

Year: 21-22

4

MEMBER NAME	2021 JULY	AUG	SEPT	OCT	NOV	DEC	2022 JAN	FEB	MAR	APR	MAY	JUNE	SPEC MTG	SPEC MTG	Total Mtgs. Att.	Total Absen t	Percent Attend ed
REGULAR MEMBERS																	
Patt, Jacquie	P	P	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA			3	0	100%
Dixon, Russ	*P	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA			0	0	#DIV/0!
Keefer, Judith	P	P	P	P	A	P	P	P	A	P	P	A			9	3	75%
Krizanic, Tina	A	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA			0	1	0%
Logue, Marty	P	P	P	P	P	P	P	P	P	P	P	P			12	0	100%
Rosso, Caitlin	P	A	P	P	A	P	A	A	P	A	P	A			6	6	50%
Erickson, Bev	NA	P	P	P	P	A	P	A	A	P	A	P			7	4	64%
Hughes, Pat	P	A	A	P	P	P	P	A	P	P	A	A			7	5	58%
Shell, Jay	NA	NA	P	P	P	P	P	P	A	P	P	A					
Barrett, Kristy	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	P	P					
ALTERNATE MEMBER																	
Harris, Alexandra	NA	P	P	P	P	P	P	P	P	P	P	P			11	0	100%
Present or Available	5	5	6	7	5	6	6	4	4	6	6	4	0	0			

KEY:

* Meeting was held on July 1, 2021. Retiring members still considered in FY 20-21 until AFTER July 1. Therefore attendance for FY 21-2

CITY BOARD/COMMITTEE ATTENDANCE RECORD

Year: 20-2021

4

MEMBER NAME	2020 JULY	AUG	SEPT	OCT	NOV	DEC	2021 JAN	FEB	MAR	APR	MAY	JUNE	SPEC MTG	SPEC MTG	Total Mtgs. Att.	Total Absen t	Percent Attend ed
REGULAR MEMBERS																	
Patt, Jacquie	NA	NA	NA	NA	NA	NA	NA	NA	NA	P	P	P			3	0	100%
Dixon, Russ	P	P	P	P	P	P	P	P	P	P	P	P			12	0	100%
Keefer, Judith	P	P	P	P	P	P	A	P	P	P	A	P			10	2	83%
Krizanic, Tina	P	P	P	P	P	P	P	P	P	P	P	P			12	0	100%
Logue, Marty	P	P	P	A	P	P	P	P	P	P	P	P			11	1	92%
Rosso, Caitlin	A	P	A	A	P	P	A	P	P	P	P	A			7	5	58%
Haugen, Dan	A	P	P	P	A	NA	NA	NA	NA	NA	NA	NA			3	2	60%
Hughes, Pat	A	P	P	P	P	P	P	A	P	P	P	P			10	2	83%
Present or Available	4	7	6	5	6	6	4	5	6	7	6	6	0	0			

KEY:



OFFICE USE ONLY	
Meets Requirements?	<input checked="" type="radio"/> Yes <input type="radio"/> No
	<input checked="" type="radio"/> Will Attend <input type="radio"/> Unable to Attend

APPLICATION FOR CITY BOARD OR COMMITTEE

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

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

(Please print clearly)

Board/Committee of Interest Birmingham Museum Board

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

Name Kristy Hull Barrett

Phone 248-504-1981

Residential Address 915 Harmon St

Email * kristybarrett1@yahoo.com

Residential City, Zip Birmingham MI 48009

Length of Residence 27 years

Business Address _____

Occupation retired

Business City, Zip _____

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

List your related employment experience _____

List your related community activities _____

List your related educational experience *Kristy Hull Barrett*

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: _____

none

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

Kristy Hull Barrett
Signature of Applicant

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.

ARTICLE II. MUSEUM BOARD¹

Sec. 62-26. Establishment; composition.

- (a) There is hereby established the museum board for the city which shall consist of seven members who shall serve without compensation. Six of the members shall be appointed by the city commission and shall be qualified city electors. One member shall be the owner of a business located in the city to be appointed by the city manager with the concurrence of the city commission (need not be a resident). A majority of the members of the museum board shall also be members of the Birmingham Historical Society.
- (b) In addition to the seven members of the museum board, the city commission shall appoint one alternate member to serve a term of three years, who shall be a qualified city elector.

(Ord. No. 2005, 1-25-10; Ord. No. 2349, 7-20-20)

Sec. 62-27. Terms of members.

Each member shall be appointed for a term of three years ending on the first Monday of July of the third year after appointment, or upon the appointment of his successor, whichever is later, except that in the first instance three of the members shall be appointed for a one-year term and two shall be appointed for two-year terms. Members of the museum board shall hold office at the pleasure of the city commission. Vacancies occurring other than through the expiration of term shall be filled for the unexpired term by the city commission.

(Ord. No. 2005, 1-25-10)

Sec. 62-28. Organization.

The museum board shall elect a chairman from its membership annually at its first meeting after the first Monday of July. The city clerk shall be a nonvoting ex officio member of the museum board and shall serve as its secretary; and the city treasurer shall be a nonvoting ex officio member of the museum board and shall serve as its treasurer.

(Ord. No. 2005, 1-25-10)

Sec. 62-29. Meetings.

The museum board shall hold at least one regular public meeting in each quarter on such date and at such time and place as may be established by resolution of the museum board. Special meetings may be called by the secretary on the written request of the chairman or any three members of the museum board on at least two days'

¹Editor's note(s)—Ord. No. 2005, adopted January 25, 2010, amended article II in its entirety to read as herein set out. Formerly, article II pertained to the historical board, and derived from the Code of 1963, §§ 1.201—1.210, and Ord. No. 1719, adopted December 20, 1999.

Cross reference(s)—Boards and commissions, § 2-171 et seq.

notice. The museum board shall adopt such rules for the conduct of its business as it may from time to time adopt by resolution. The museum board shall keep a written or printed record of its proceedings which shall be a public record and property of the city.

(Ord. No. 2005, 1-25-10)

Sec. 62-30. Expenditures.

The museum board shall have the power to expend such funds as may from time to time be appropriated to it by the city commission or otherwise received by it for the purpose of carrying out the powers and duties of the museum board. An account of all its receipts and expenditures shall be maintained which shall be a public record and property of the city.

(Ord. No. 2005, 1-25-10)

Sec. 62-31. Powers and duties.

- (a) Mission statement. The Birmingham Museum will explore meaningful connections with our past, in order to enrich our community and enhance its character and sustainability. Our mission is to promote understanding of Birmingham's historical and cultural legacy through preservation and interpretation of its ongoing story.
- (b) In general, it shall be the duty of the museum board to:
 - (1) Collect, arrange, catalogue and preserve historical material including books, pamphlets, maps, charts, manuscripts, papers, records and archives, paintings, statuary and other objects and materials relating to the history of the city and the surrounding area;
 - (2) Procure and preserve narratives of the residents of such area;
 - (3) Collect material of every description relative to the history, and culture of our Oakland County Native American tribes;
 - (4) Collect, prepare and display objects indicative of the life, customs, dress and resources of the residents of this area; and
 - (5) Make available from time to time source materials and historical studies relative to and illustrative of the history of the area.
- (c) The museum board shall have the power, with the assistance of all city public officials, to collect from the public offices in the city reproductions of any records, files, documents, books and papers which, in the opinion of the museum board are of historical value.
- (d) The museum board shall have the power to develop, operate and maintain the 1928 Allen House, 1822 John West Hunter House and John West Hunter Memorial Park, as part of the Birmingham Museum, as a museum and to serve as an advisory authority exercising control and management over this cultural resource.
- (e) The museum board shall have the power to raise funds for the exercise of its powers and duties.

(Ord. No. 2005, 1-25-10; Ord. No. 2176, 3-14-16)

Sec. 62-32. Executive director.

There shall be an executive director who shall be an employee of the city. The executive director shall, among other duties as established by the museum board, operate and manage the museum. The executive

director shall report to the museum board and shall be appointed, removed and supervised by the city manager. The executive director shall attend all meetings of the museum board.

(Ord. No. 2005, 1-25-10)

Sec. 62-33. Reports.

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

(Ord. No. 2005, 1-25-10; Ord. No. 2176, 3-14-16)

Sec. 62-34. Budget.

The executive director, on behalf of the museum board, will submit a complete itemized budget for the ensuing fiscal year to the city manager based on guidelines established in the city budgetary process.

(Ord. No. 2005, 1-25-10)

Sec. 62-35. Protection of property.

No person shall take, use, or occupy any property under the control of the museum board except in accordance with such rules and regulations governing such as may from time to time be prescribed by the museum board.

(Ord. No. 2005, 1-25-10)

Secs. 62-36—62-55. Reserved.



MEMORANDUM

Building Department

DATE: June 29, 2023
TO: Jana L. Ecker, City Manager
FROM: Bruce R. Johnson, Building Official
SUBJECT: Staff Introductions

I am delighted to introduce two of our newest team members in the Building Department, Teri Walker and Lauren Gieraltowski, who joined us over the past few weeks as permit technicians.

Teri and Lauren both bring a wealth of experience to our department, and we are thrilled to have them join our team. With their impressive backgrounds in office settings and customer service, they will undoubtedly make significant contributions to our ongoing success.

Teri and Lauren are both experienced administrative professionals with experience working in office environments. Teri is a licensed Real Estate Salesperson and Lauren has prior building department experience.

In their roles as permit technicians, Teri and Lauren will be responsible for answering phones, assisting the public at the counter and processing permit applications. They will work closely with all of the Community Development Department team members to ensure customers, phone calls and permit applications are routed to appropriate staff. I am confident that they will excel in their new roles and bring fresh ideas and perspectives to our team.

Please join me in extending a warm welcome to Teri and Lauren!

Birmingham City Commission Minutes
June 26, 2023
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/event/3470>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

II. ROLL CALL

City Clerk Bingham called the roll.

Present: Mayor Longe
Mayor Pro Tem McLain
Commissioner Baller
Commissioner Haig
Commissioner Host
Commissioner Schafer

Absent: Commissioner Boutros

Staff: Acting City Manager Ecker; City Clerk Bingham, City Engineer Coatta, Library Director Craft, Planning Director Dupuis, Finance Director Gerber, City Attorney Kucharek, Parks & Forestry Foreman McGaughey, Museum Director Pielack, Department of Public Services Director Zielinski

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

Announcements

- Proclamation Recognizing Astrein's Creative Jewelers for 50 Years Serving Birmingham

Appointments

The Mayor acknowledged Rebekah Craft as the Representative from Baldwin Library for the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025.

The Mayor acknowledged Leslie Pielack as the Representative from Birmingham Museum for the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025.

06-142-23 Appointment to the Ad Hoc Aging in Place Committee

Rosemary O'Malley was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Baller:

To appoint Rosemary O'Malley to the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025.

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

Nays, None

06-143-23 Appointment to the Ad Hoc Aging in Place Committee

Rackeline Hoff was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Haig:
To appoint Rackeline Hoff to the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025.

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

Nays, None

06-144-23 Appointment to the Ad Hoc Aging in Place Committee

Cris Braun was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Schafer:
To appoint Cris Braun to the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025.

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

Nays, None

06-145-23 Appointment to the Ad Hoc Aging in Place Committee

Melissa Mark was interviewed by the Commission for the appointment.

It was noted that CA Kucharek would verify whether Ms. Mark could simultaneously serve on this Committee and the Baldwin Library Board.

MOTION: Nomination by Commissioner Host:

To appoint Melissa Mark to the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025, subject to concurrence from CA Kucharek that she may serve on both committees.

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

Nays, None

The Mayor noted there was one remaining vacancy on the Ad Hoc Aging in Place Committee.

The Mayor noted the vacancies on the Board of Ethics.

06-146-23 Appointment to the Museum Board

Marty Logue was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Haig:

To appoint Marty Logue to the Museum Board as a regular member to serve a three-year term to expire July 6, 2026.

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

Nays, None

06-147-23 Appointment to the Museum Board

Caroline Ashleigh was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Baller:

To appoint Caroline Ashleigh to the Museum Board as a regular member to serve a three-year term to expire July 6, 2026.

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

Nays, None

06-148-23 Appointment to the Museum Board

Alexandra Harris was interviewed by the Commission for the appointment.

MOTION: Nomination by MPT McLain:
To appoint Alexandra Harris to the Museum Board as a regular member to serve a three-year term to expire July 6, 2026.

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

Nays, None

06-149-23 Appointment to the Public Arts Board

Andi Harris was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Host:
To appoint Andi Harris to the Public Arts Board as a regular member to serve the remainder of a three-year term to expire January 28, 2025.

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

Nays, None

06-150-23 Appointment to the Martha Baldwin Park Board

Linda Forrester 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 Baller:
To appoint Linda Forrester as a regular member to the Martha Baldwin Park Board to serve a four-year term to expire May 1, 2027.

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

Nays, None

06-151-23 Appointment to the Retirement Board

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

MOTION: Recommendation by Mayor Longe:
To concur with the Mayor's recommendation to appoint Christopher Conti to the Retirement Board, as the resident member who is not eligible to participate in the retirement system, to serve a three-year term to expire July 1, 2026.

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

Nays, None

06-152-23 Appointment to the Greenwood Cemetery Advisory Board

Paul S. Connell was interviewed by the Commission for the appointment.

MOTION: Recommendation by Mayor Longe:
To appoint Paul S. Connell to the Greenwood Cemetery Advisory Board as a regular member to serve the remainder of a three-year term to expire July 6, 2024.

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

Nays, None

The Mayor noted vacancies on the boards and pended Lisa M. Beverly’s potential appointment to a future meeting.

The Clerk swore in the present appointees and it was noted that absent appointees would be sworn in at a future date.

Employee Recognition

1. City Clerk Bingham received the Certified Municipal Clerk (CMC) Designation from the International Institute of Municipal Clerks (IIMC) for demonstrating mastery of administrative skills critical to good government.

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

Tim Lennon made comments about a police investigation.

V. CONSENT AGENDA

06-153-23 Consent Agenda

The following items were pulled from the Consent Agenda:

- | | |
|----------------|---|
| Commr. Host: | Item B – City Commission Workshop Minutes of June 5, 2023 |
| Commr. Baller: | Item G – Forestry Services Contract 2023-2026 Award |
| | Item I – Landscape Bed Maintenance Contract Addendum |
| | Item R – Next Service Agreement 2023-2024 |
| Commr. Haig: | Item H – Purchase of Police, Engineering, and DPS Fleet Vehicles |
| | Item Q – Repair of 10-Inch Sewer - Maple Road East of Suffield Avenue |

MOTION: Motion by Commissioner Baller, seconded by Commissioner MPT McLain: To approve the Consent Agenda excluding Items B, G, H, I, Q, and R.

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

Nays, None

06-154-23 Consent Agenda (Part II)

MOTION: Motion by Commissioner Baller, seconded by Commissioner MPT McLain: To rescind the previous motion as it related to Item A and to recommend approval of Item B.

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

Commissioner Haig
 Commissioner Schafer
 Commissioner Baller

Nays, None

- B. Resolution to approve the City Commission workshop meeting minutes of June 5, 2023.
- C. Resolution to approve the City Commission meeting minutes of June 5, 2023.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 7, 2023, in the amount of \$1,197,876.28.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 14, 2023, in the amount of \$821,955.20.
- F. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 22, 2023, in the amount of \$1,891,383.34.
- J. Resolution, authorizing Birmingham to apply for a grant from the Michigan Spark Grants Program, and further, directing the City Clerk to sign the resolution.
- K. Resolution to approve the purchase of the replacement for the Nutanix Hyper-converged Server Infrastructure from CDWG at a total cost not to exceed \$203,192.00. Funds are available in the Machinery and Equipment fund account # 636.0-228.000-971.0100.
- L. Resolution to approve the replacement of the Darktrace appliance, purchase of additional security services and renewal the 4-year agreement with the initial payment of \$43,936.00 and a total 4-year contract price of \$271,555.00 from SHI using funds available in account #636.0-228.000-973.0400.
- M. 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, 101.0-444.000-981.0100, 590.0-537.000-981.0100, and 591.0-544.000-981.0100.
- N. Resolution to award the 2023 Asphalt Resurfacing Program Project #7-23 (P) to Asphalt Specialist, Inc. in the amount of \$845,485.00 plus a 10% construction contingency for a total of \$930,033.50. In addition, authorize the Mayor and City Clerk to sign the agreement on behalf of the City after the review of Asphalt Specialist, Inc.'s insurance and bonds, contingent upon execution of the agreement and meeting all insurance and bonding requirements. Funding for this project has been budgeted in the following accounts:

2022-2023 Fiscal Year

Fund Account	Fund ID Number	Project Award	10% Contingencies	Total
Major Street Fund	202.0-449.001-981.0100	\$435,772.80	\$43,577.28	\$479,350.08
Local Street Fund	203.0-449.001-981.0100	\$108,943.20	\$10,894.32	\$119,837.52
Sewer Fund	590.0-537.000-981.0100	\$84,030.50	\$8,403.05	\$92,433.55

Water Fund	591.0-544.000-981.0100	\$84,030.50	\$8,403.05	\$92,433.55
Total Construction Costs		\$712,777.00	\$71,277.70	\$784,054.70

2023-2024 Fiscal Year

Fund Account	Fund ID Number	Project Award	10% Contingencies	Total
Golf Course Fund	584.2-753.001-981.0100	\$132,708.00	\$13,270.80	\$145,978.80
Total Construction Costs		\$132,708.00	\$13,270.80	\$145,978.80

And to approve the appropriation and amendment of the fiscal year 2022/2023 budget as follows:

Sewer Fund:

Revenues:

590.0-000.000-400.0000	Draw from Net Position	\$92,440
Total Revenue		\$92,440

Expenditures:

590.0-537.000-981.0100	Public Improvement	\$92,440
Total Expenses		\$92,440

Water Fund:

Revenues:

591.0-000.000-400.0000	Draw from Net Position	<u>\$52,440</u>
Total Revenue		<u>\$52,440</u>

Expenditures:

591.0-544.000-981.0100	Public Improvement	<u>\$52,440</u>
Total Expenses		<u>\$52,440</u>

And to approve the appropriation and amendment of the fiscal year 2023/2024 budget as follows:

Golf Course Fund:

Revenues:

584.2-000.000-400.0000	Draw from Net Position	<u>\$145,980</u>
Total Revenue		<u>\$145,980</u>

Expenditures:

584.2-753.001-981.0100	Public Improvement	<u>\$145,980</u>
Total Expenses		<u>\$145,980</u>

- O. Resolution to approve the appropriation and amendment of the 2022/2023 budget as follows:

Major Street Fund:

Revenues:

202.0-000.000-400.0000	Draw from Fund Balance	\$23,010
Total Revenue		\$23,010

Expenditures:

202.0-449.001-981.0100	Public Improvement	\$23,010
Total Expenses		\$23,010

Sewer Fund:

Revenues:

590.0-000.000-400.0000	Draw from Fund Balance	\$23,010
Total Revenue		\$23,010

Expenditures:

590.0-537.000-981.0100	Public Improvement	\$23,010
Total Expenses		\$23,010

And to award a contract to repair the 10 inch sewer on Maple to D'Angelo Brothers Inc., in an amount not to exceed \$43,824.50.

- P. Resolution to set a public hearing date of July 24th, 2023 to consider the proposed ordinance amendments to Article 2, Section 2.27, Article 4, Section 4.46 Table A, Article 5, Section 5.09, and Article 9, Section 9.02 for the B1 Neighborhood Business District to include Specialty Food Store, Boutique, Bank, and Café as permitted uses, to include Health Club/Studio as a use requiring a Special Land Use Permit, to include indoor dining as an accessory use limited to 500 square feet or less, to create a definition for a Café use, and to create a parking ratio requirement for a Café use.
- S. Resolution awarding the contract to Wiss, Janney, Elstner Associates, Inc. for construction period services in an amount not to exceed \$88,000; further, to charge the contract to the structure's capital outlay account as costs are incurred. Furthermore, to authorize the Mayor and City Clerk to sign the contract on behalf of the city.

06-155-23 Revised City Commission Minutes - May 22, 2023 (Item A)

MOTION:

Motion by Commissioner Host, seconded by Commissioner Schafer:
To approve the revised City Commission meeting minutes of May 22, 2023 with two amendments.

ROLL CALL VOTE:

Ayes, MPT McLain
Commissioner Host
Mayor Longe
Commissioner Haig
Commissioner Schafer
Commissioner Baller

Nays, None

06-156-23 Forestry Services Contract 2023-2026 Award (Item G)

Commissioner Baller noted for the public that the City spends over \$1 million a year on forestry services and commented positively on the forestry service provided by J. H. Hart Urban Forestry.

The Mayor noted that J. H. Hart Urban Forestry was out first thing in the morning of June 26, 2023 clearing tree debris from the previous night's storm.

MOTION: Motion by Commissioner Baller, seconded by MPT McLain:
To approve the Forestry Services Contract 2023-2026 agreement with J. H. Hart Urban Forestry, for three years commencing July 1, 2023 and ending June 30, 2026, for forestry services in the amounts set forth in Attachment C – Cost Proposal, and to further approve the City Manager's ability to extend the service contract for up to an additional 2-years pending future staff review. Funds are available in each of the following accounts for these services: Major Street Fund – Street Trees account #202.0-449.005-819.0000; Local Street Fund – Street Trees account #203.0-449.005-819.0000; Parks Forestry Services account #101.0-751.000-819.0000; and Property Maintenance Forestry Services account #101.0- 441.003-819.0000. Further, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City Commission.

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

Nays, None

06-157-23 Purchase of Police, Engineering, and DPS Fleet Vehicles (Item H)

DPSD Zielinski answered a question regarding potential hybrid purchases from Commissioner Haig.

Commissioner Baller asked that Sustainability Impacts be included in reports when appropriate moving forward.

MOTION: Motion by Commissioner Haig, seconded by MPT McLain:
To approve, pending the signed Purchase Agreement by Gorno Ford, the purchase of (1) 2023 Hybrid Explorer, and (2) Police Admin Package Explorers from Gorno Ford, located at 22025 Allen Rd, Woodhaven, MI 48183, through the State of Michigan MiDeal Contract # 071B7700181, MiDeal Spec # 3003-POL, in an amount not to exceed \$51,902.00 for the Police Hybrid Explorer, and \$47,243.00 Per Police Admin Package Explorer (total amount not to exceed \$146,388.00 for all three vehicle purchases combined). 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 2022-2023 Auto Equipment Fund account #661.0-441.006.971.0100.

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

Nays, None

06-158-23 Landscape Bed Maintenance Contract Addendum (Item I)

PFF McGaughey answered a question about the landscape bed at Buckingham and Cambridge from Commissioner Baller.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Host:
To approve the Second Addendum with Superior Scape, Inc. for landscape bed maintenance services for an additional amount not to exceed \$55,166 for a total yearly amount not to exceed \$120,100. In addition, to authorize the Mayor and City Clerk to sign the addendum on behalf of the City. Funding for this project has been budgeted in the following accounts: Parks Other Contractual Services, 101.0-751.000-811.0000, Property Maintenance Other Contractual Services, 101.0-441.003-811.0000, and Major Streets Contract Maintenance, 202.0-449.003-937.0400.

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

Nays, None

06-159-23 Repair of 10-Inch Sewer - Maple Road East of Suffield Avenue (Item Q)

Commissioner Haig raised issues with the applicant's potential loading and unloading plan.

Gary Laundroche with the LaFontaine Automotive Group explained that vehicles would arrive at the location individually, as opposed to via truck.

MOTION: Motion by Commissioner Haig, seconded by MPT McLain:
To approve the right-of-way parking request for 33866 Woodward to permit 3 on-street parking spaces in the Woodward right-of-way to be counted towards the required off street parking requirements of the subject site pursuant to Article 4, Section 4.45 (G)(1) and subject to the condition that the area be improved in accordance with plans which have been approved by the Engineering Department.

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

Commissioner Haig
Commissioner Schafer
Commissioner Baller

Nays, None

06-160-23 Next Service Agreement 2023-2024 (Item R)

Commissioner Baller drew attention to the City's contribution to Next this year.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Host:
To approve the service agreement with Next in the amount of \$126,632 for services described in Attachment A of the agreement for fiscal year 2023-2024, account number 101.0-656.000-811.0000, and further direct the Mayor and City Clerk to sign the agreement on behalf of the City.

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

Nays, None

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

06-161-23 Public Hearing of Necessity – Pierce Street Paving Project – Hearing of Necessity for Water Service Special Assessment District

The Mayor opened the public hearing at 8:44 p.m.

CE Coatta presented the item.

CE Coatta answered questions from Chet Falk, representative for one of the residents on Pierce St., regarding the assessments.

CA Kucharek provided Mr. Falk with further information regarding the assessment and appeals processes.

The Mayor closed the public hearing at 8:55 p.m.

Staff answered informational questions from the Commission.

MOTION: Motion by Commissioner Host, seconded by Commissioner Schafer:
To adopt the following resolution:

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 to proceed with the project of replacing water services that are less than 1 inch in diameter on Pierce Street between E. Lincoln Street and W. 14 Mile Road; and

WHEREAS, The City has previously established a policy requiring replacement of water services less than 1 inch in diameter when a water main is being replaced and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that the Pierce Street Project, and the replacing of water services that are 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 water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of water service laterals located within the limits of the following streets shall be installed as part of the Pierce Street Project (Contract #3-23(W)):

Pierce Street – Lincoln Street to 14 Mile Road; and

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the water service that is less than 1 inch in diameter within the public right-of-way between the new water main and the property line (calculated at the rate of \$115.00 per foot of 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 the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the Commission for confirmation and further set a Public Hearing and give notice on July 10, 2023.

The parcel IDs, Sidwell numbers, and street addresses as reflected on Page 7A of the packet on page three.

MPT McLain reiterated CE Coatta's explanation that the City makes all necessary street repairs while a street is open and that these types of repairs are included within that policy.

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

 Nays, None

06-162-23 Birmingham Historic District Design Guidelines

PD Dupuis presented the item.

Commissioner Haig offered high praise for the Birmingham Historic District Design Guidelines, commended everyone who worked on the Guidelines, and encouraged the City to distribute the Guidelines as widely as possible within the City.

MPT McLain and Commissioners Baller and Host concurred.

MPT McLain noted a typographical error in the spelling of her name and asked that it be corrected.

Commissioner Baller:

- Recommended that 'historic' be removed from 'Perhaps the primary concern was that infill construction included the removal of existing, historic housing and the construction of new housing that was out of scale to the surrounding neighborhood' on page six of the Guidelines;
- Said that 'Eco City' was built in the post-war era and not in the early 20th century; and,
- Clarified that neighborhoods were not historic districts.

PD Dupuis clarified that a portion of 'Eco City' was built in the 1920s and a portion was built in the post-war period. He noted that could be clarified in the document.

In response to Commission consensus, CM Ecker said that clarifications regarding Commissioner Baller's first and third points could be added to the Guidelines as well.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Host:
To adopt in its entirety the completed Birmingham Historic District Design Guidelines as recommended by the Historic District Commission on June 7, 2023 subject to the minor modifications and linguistic updates as discussed.

VOICE VOTE: Ayes, MPT McLain
 Commissioner Host

Mayor Longe
Commissioner Haig
Commissioner Schafer
Commissioner Baller

Nays, None

06-163-23 4th Quarter Budget Amendment

FD Gerber presented the item.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Host:
To approve the appropriations and amendments to the fiscal year 2022-2023 budget as reflected on page three of packet 7C.

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

Nays, None

06-164-23 Closed Session Pursuant to MCL § 15.268 Sec. 8(h) of the Open Meetings Act

CA Kucharek presented the item.

MOTION: Motion by Commissioner Host, seconded by MPT McLain:
To meet in closed session to discuss a written attorney/client privilege communication pursuant to MCL § 15.268 Sec. 8(h) of the Open Meetings Act.

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

Nays, None

The Commission went into closed session at 10:47 p.m.

The Commission returned from closed session at 11:18 p.m.

Commission Items for Future Discussion

After brief Commission discussion, it was decided that the City Attorney would do research on whether realtors could be required by the City to notify prospective buyers if a home is designated historic or if infrastructure improvements are likely to be required in the future.

In reply to a topic raised by Commissioner Host and discussed among the Commission and Staff, Commissioner Haig recommended the Commission follow the Rules of Procedure as written instead of making motions to extend meetings past 10 p.m. on workshop evenings.

The Mayor concurred.

Commission Discussion On Items From A Prior Meeting

Unimproved Streets

After Commission discussion, CM Ecker recommended holding a workshop in the fall on the topic of improving City streets. She confirmed Staff would be able to provide user-friendly versions of the street surface and infrastructure rankings.

MPT McLain recommended the City create a one-page summary for the public regarding the process of improving City streets.

Commissioners Baller and Host said they would like to discuss financing and acceleration of road improvements at the workshop.

Commissioner Haig recommended the City clarify the benefits to homeowners of the different road improvements.

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

A. Short Term Rentals Letter

Ms. Bellfield offered support for her neighbors, the Vorhees.

The Mayor listed additional correspondences received regarding short term rentals from Ms. Ransom, the Guillemets, Ms. Leary, Ms. Beady, and the Vorhees.

CM Ecker provided guidance for the public regarding submittals of correspondence.

Ms. Vorhees asked the City to increase the restrictions on short term rentals.

Ms. Shain concurred with Ms. Vorhees.

X. REPORTS

A. Commissioner Reports

MPT McLain commended Birmingham Police and Fire after her recent ride along experiences with the Police Department. She noted that the State Legislature was working on finalizing the budget

for the fiscal year. She noted that Michigan was awarded funds to increase the availability of high speed internet.

B. Commissioner Comments

Commissioner Baller suggested the City should have a policy regarding whether City-maintained landscape beds should be located within neighborhoods. He said another relevant consideration was whether residents should be permitted to beautify and maintain public property if desired.

Commissioner Baller stated that Commissioner Host had indicated in a Facebook post that the City owned the YMCA. Commissioner Baller noted that the City did not presently own the YMCA.

CM Ecker confirmed that the City did not presently own the YMCA, and that the process of acquiring the YMCA was moving forward.

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

CA Kucharek presented the item and answered informational questions from the Commission.

In reply to the Mayor, CA Kucharek confirmed she would review both Ferndale's and Ann Arbor's short term rental ordinances to see if there may be any useful and replicable aspects.

MPT McLain said that the present ordinances in place seemed to be insufficient deterrents for certain behavior. She said it would also be helpful to have a button on the City website that would direct residents to more information about short term rentals.

Commissioner Haig recommended that the topic of a voluntary Code of Conduct for landlords be considered in order to discourage certain behavior.

Commissioner Baller recommended, if the option was not already available, that the City amend its processes in order to be able to revoke a landlord's license if necessary.

2. City Manager's Report

CM Ecker presented the report.

INFORMATION ONLY

XI. ADJOURN

Mayor Longe adjourned the meeting at 11:19 p.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

DRAFT

City of Birmingham
Warrant List Dated 06/29/2023

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Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
292836	*	005430	21ST CENTURY MEDIA- MICHIGAN	750.00
292837	*	000855	48TH DISTRICT COURT	1,000.00
292838	*	000855	48TH DISTRICT COURT	317.00
292839		BDREFUND	5K CONSTRUCTION	100.00
292840		009542	ACE CUTTING EQUIPMENT & SUPPLY INC.	317.78
292841		006638	ACTION MAT & TOWEL RENTAL, INC	40.00
292842		009088	ALADTEC INC	3,690.00
292843		BDREFUND	ALPINE CONSTRUCTION INC	100.00
292844		008988	ASTI ENVIRONMENTAL	475.00
292845	*	006759	AT&T	155.65
292846		006759	AT&T	318.22
292847		006759	AT&T	70.72
292848	*	003703	AT&T MOBILITY	837.85
292849		001122	BOB BARKER CO INC	162.60
292850		BDREFUND	BECKETT, ROBERT A	100.00
292851	*	MISC	BELLE TIRE	420.00
292852		002231	BILLINGS LAWN EQUIPMENT INC.	110.49
292853		BDREFUND	BRODY HOMES, INC.	50.00
292854		003907	CADILLAC ASPHALT, LLC	1,207.82
292855		008082	CAMFIL USA INC	422.19
292855	*	008082	CAMFIL USA INC	375.00
292856		BDREFUND	CAMPBELL, ANASTACIA M	100.00
292857		000444	CDW GOVERNMENT INC	10,800.00
292858		008243	CHARTER TOWNSHIP OF BLOOMFIELD	558.08
292860		008006	CLEAR RATE COMMUNICATIONS, INC	1,615.24
292861	*	000627	CONSUMERS ENERGY	2,788.81
292862		008512	COOL THREADS EMBROIDERY	542.93
292863		BDREFUND	CREATIVE BRICK PAVING & LANDSCAPING	100.00
292864		003802	CROSWELL GREENHOUSE, INC	19,903.75
292865		MISC	DAVID BLOCKER	225.00
292866		BDREFUND	DECRA-SCAPE INC	100.00
292867		001555	DIXON ENGINEERING INC	18,750.00
292868		BDREFUND	DOYLE, TIMOTHY J	100.00
292869	*	000179	DTE ENERGY	10.92
292870	*	000179	DTE ENERGY	21.63
292871	*	000179	DTE ENERGY	7,628.96
292872	*	000180	DTE ENERGY	8,272.75
292873	*	000975	DUKE'S ROOT CONTROL INC.	96,629.71
292874		008970	ENCODEPLUS, LLC	144.00
292875		009366	EXPERT HEATING & COOLING	325.00
292876		001223	FAST SIGNS	709.62
292877	*	004514	FEDEX OFFICE	38.61

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Check Number	Early Release	Vendor #	Vendor	Amount
292878		BDREFUND	GARIEPY, JAMES M	100.00
292879	*	004604	GORDON FOOD	1,658.44
292880		009275	GREAT LAKES COCA-COLA DISTRIBUTION	405.54
292881	*	008007	GREAT LAKES WATER AUTHORITY	8,174.93
292882	*	006666	GRID 4 COMMUNICATIONS INC.	227.25
292883		009691	HALIDAY PRODUCT, INC	241.24
292884		001447	HALT FIRE INC	640.16
292885		BDREFUND	HENTGEN BUILDING CO.	100.00
292886		007458	HERITAGE - CRYSTAL CLEAN, LLC	731.57
292887	*	001956	HOME DEPOT CREDIT SERVICES	2,193.88
292888	*	006801	HOWLEY AGENCY SALES	2,873.99
292889		BDREFUND	HYDROFLO SYSTEMS	100.00
292890		BDREFUND	INFRASOURCE	100.00
292891		001090	INGRAM LIBRARY SERVICES	1,752.12
292892		001625	J.B. DLCO & MULTISTATE	15,309.08
292893		BDREFUND	JEFFREY & SERAPHINA KAMEN	200.00
292894		BDREFUND	JOSEPH L DROUIN	100.00
292895		BDREFUND	K.D. CEMENT LLC	100.00
292896		BDREFUND	KEVIN LEWAND	500.00
292897		BDREFUND	KEVIN LEWAND	500.00
292898		004088	KGM DISTRIBUTORS INC	352.00
292899		BDREFUND	LEWAND, KEVIN M A	100.00
292900		BDREFUND	LILLIE SPILMAN IRREVOCABLE TRUST	100.00
292901		BDREFUND	LOCKWOOD, MARK	100.00
292902		BDREFUND	Luke Joseph	100.00
292903		BDREFUND	LYON, PETER M	100.00
292904		000888	MCKENNA ASSOCIATES INC	42,891.79
292905	*	000369	MCFI	6,865.42
292906		MISC	MEDICAL PRIORITY CONSULTANTS	147.00
292907		007394	MICHIGAN URBAN SEARCH & RESCUE	1,200.00
292908	*	006461	MID AMERICA RINK SERVICES	2,000.00
292909		008319	MKSK INC	4,875.00
292910		BDREFUND	MUSCAT BROTHERS CONSTRUCTION CO	200.00
292911		001174	OAKLAND CO MEDICAL CONTROL AUTH.	75.00
292912	*	000477	OAKLAND COUNTY	400,543.54
292913	*	004370	OCCUPATIONAL HEALTH CENTERS	60.00
292914		BDREFUND	PELLA WINDOWS & DOORS, INC.	500.00
292915	*	000801	POSTMASTER	1,550.00
292916		009154	POWERDMS INC	7,301.71
292917		004137	R & R FIRE TRUCK REPAIR INC	7,701.80
292918	*	005379	RED WING BUSINESS ADVANTAGE ACCT	175.00
292919		MISC	REINKENSMEYER, BRANDON B	100.00
292920		002566	REYNOLDS WATER	4,333.20

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Check Number	Early Release	Vendor #	Vendor	Amount
292921		BDREFUND	RICHARD KEITH WIAND	750.00
292922		MISC	ROBERT STRATTON	40.30
292923		BDREFUND	SAS SERVICES INC	100.00
292924		009601	SCNS INC	202.40
292925		UBREFUND	SELCANIN, DJOVANI	1,075.93
292926		009178	SERVICE GLASS COMPANY INC	332.74
292927		009548	SHARE CORPORATION	233.51
292928		007142	SHERWIN-WILLIAMS COMPANY	50.69
292929		BDREFUND	SINGER BUILDING COMPANY	50.00
292930		009587	REPCOLITE PAINTS INC	1,225.33
292931		007907	SP+ CORPORATION	14,752.00
292932		000260	SPARTAN DISTRIBUTORS INC	373.47
292933	*	007010	STATE OF MICHIGAN	8,950.00
292934		004544	STRYKER SALES CORPORATION	715.76
292935	*	006749	SUPERIOR SCAPE, INC	32,467.00
292936		009618	SUPERIOR DIESEAL REPAIR INC	175.00
292937		MISC	THERESA PERO	202.50
292938		BDREFUND	THOMAS MURPHY JR	500.00
292939		000275	TIRE WHOLESALERS CO INC	981.46
292940	*	004379	TURNER SANITATION, INC	1,032.35
292941		007226	VALLEY CITY LINEN, INC	117.81
292942	*	000293	VAN DYKE GAS CO.	87.60
292943	*	000158	VERIZON WIRELESS	661.52
292944	*	000158	VERIZON WIRELESS	829.75
292945		MISC	VICTORIA WATT	225.00
292946		BDREFUND	WALLSIDE INC	500.00
292947		BDREFUND	WELKIN CONSTRUCTION COMPANY LLC	100.00
SUBTOTAL PAPER CHECK				\$764,497.11
<u>ACH TRANSACTION</u>				
8394	*	002284	ABEL ELECTRONICS INC	1,050.00
8395		007013	AHEAD USA LLC	1,576.15
8396		009126	AMAZON CAPITAL SERVICES INC	39.88
8397		009126	AMAZON CAPITAL SERVICES INC	68.59
8398		009126	AMAZON CAPITAL SERVICES INC	84.03
8399		009126	AMAZON CAPITAL SERVICES INC	209.93
8400	*	009576	ARAMARK REFRESHMENT SERVICES	227.73
8401	*	000518	BELL EQUIPMENT COMPANY	4,094.26
8402	*	007345	BEVERLY HILLS ACE	68.16
8403		006683	BIRMINGHAM LAWN MAINTENANCE, INC	25,331.00
8404		007875	CANFIELD EQUIPMENT SERVICE INC.	940.66
8405		000605	CINTAS CORPORATION	207.55
8406		000605	CINTAS CORPORATION	76.40
8407		000605	CINTAS CORPORATION	393.86

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Check Number	Early Release	Vendor #	Vendor	Amount
8410		002668	CONTRACTORS CLOTHING CO	88.96
8411	*	006999	CHRISTOPHER DEMAN	39.00
8412	*	006689	F.D.M. CONTRACTING INC.	326,276.28
8413		000217	FOUR SEASON RADIATOR SERVICE INC	240.35
8414	*	007807	G2 CONSULTING GROUP LLC	15,234.06
8415	*	000243	GRAINGER	273.83
8416		000331	HUBBELL ROTH & CLARK INC	112,773.34
8417	*	009619	JACKLYN CONTRACTING, LLC	455,842.15
8418	*	002576	JAX KAR WASH	154.00
8419		009249	JCC CREATIVE LLC	1,425.00
8420	*	003458	JOE'S AUTO PARTS, INC.	1,960.97
8421	*	005876	KROPF MECHANICAL SERVICE COMPANY	978.00
8422		005550	LEE & ASSOCIATES CO., INC.	1,661.60
8422	*	005550	LEE & ASSOCIATES CO., INC.	13,851.81
8423		002013	MIDWEST TAPE	75.96
8424		000462	MOTOR CITY INDUSTRIAL	18.49
8425		002253	NATIONAL BUSINESS FURNITURE	7,873.55
8426		001194	NELSON BROTHERS SEWER	205.00
8427	*	009276	NEWTONS SOLUTIONS LLC	2,400.00
8428		001864	NOWAK & FRAUS ENGINEERS	53,065.25
8429	*	006359	NYE UNIFORM COMPANY	364.10
8430	*	002767	OSCAR W. LARSON CO.	183.00
8431	*	000478	ROAD COMM FOR OAKLAND CO	3,814.23
8432	*	001181	ROSE PEST SOLUTIONS	50.00
8433		000254	SOCRRA	73,144.00
8433	*	000254	SOCRRA	125.00
8434		009625	STANTEC CONSULTING SERVICES	943.65
8435		000273	TERMINAL SUPPLY CO.	188.61
8436	*	004320	TRI-COUNTY POWER RODDING, INC	900.00
8437	*	000301	PAUL WELLS	24.90
8438	*	007278	WHITLOCK BUSINESS SYSTEMS, INC.	1,988.40
SUBTOTAL ACH TRANSACTION				\$1,110,531.69

City of Birmingham
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Check Number	Early Release	Vendor #	Vendor	Amount
GRAND TOTAL				\$1,875,028.80

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
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Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
292949		008106	ACUSHNET COMPANY	694.91
292950		009519	ADVANTAGE REPORTING	72.40
292951	*	007266	AETNA BEHAVIORAL HEALTH LLC	2,895.45
292952		000951	ALL AMERICAN CASH REGISTER INC	220.00
292953		009440	ALLIANCE ENTERTAINMENT, LLC	282.42
292954	*	009393	AMANDA MCBRIDE	500.00
292955		000167	ANDERSON ECKSTEIN WESTRICK INC	13,024.60
292956	*	000500	ARTECH PRINTING INC	407.00
292957		MISC	ASP	30.00
292958	*	006759	AT&T	3,190.03
292959		009609	BALIAN LEGAL, PLC	300.00
292960		008036	BERMUDA SANDS	815.52
292961		002231	BILLINGS LAWN EQUIPMENT INC.	385.96
292962		008355	BIRMINGHAM PUBLIC SCHOOLS	1,030.07
292963		003526	BOUND TREE MEDICAL, LLC	852.46
292964		MISC	BRANDON TOWNSHIP PUBLIC LIBRARY	9.99
292965		005717	BSB COMMUNICATIONS, INC.	262.50
292966		003907	CADILLAC ASPHALT, LLC	1,038.53
292967	*	009078	CANON SOLUTIONS AMERICA INC	187.68
292968	*	003904	CAPITAL ONE BANK	1,966.79
292969		008959	CASS COLLISION CLAWSON, INC	4,371.56
292970		000902	CENGAGE LEARNING INC	642.17
292971		004269	CENTER POINT LARGE PRINT	142.65
292972		009167	COL'S FAMILY RESTAURANT	71.80
292973	*	000627	CONSUMERS ENERGY	208.52
292974		008512	COOL THREADS EMBROIDERY	434.96
292975		009207	D'ANGELO BROTHERS INC	21,358.00
292976		000575	DEMCO, INC	190.45
292977	*	000179	DTE ENERGY	29.51
292978	*	000179	DTE ENERGY	150.00
292979		000179	DTE ENERGY	24.29
292980	*	000179	DTE ENERGY	152.12
292981	*	000179	DTE ENERGY	33.91
292982	*	000179	DTE ENERGY	7,181.00
292983	*	000179	DTE ENERGY	1,635.79
292984	*	000179	DTE ENERGY	4,210.39
292985	*	000179	DTE ENERGY	2,404.86
292986	*	000179	DTE ENERGY	14.89
292987	*	000179	DTE ENERGY	1,417.40
292988	*	000179	DTE ENERGY	34.87
292989	*	000179	DTE ENERGY	15.65
292990	*	000179	DTE ENERGY	16.92

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Check Number	Early Release	Vendor #	Vendor	Amount
292991	*	000179	DTE ENERGY	356.78
292992	*	000179	DTE ENERGY	1,980.95
292993	*	000179	DTE ENERGY	46.94
292994	*	009340	DVM UTILITIES	50,683.87
292995		007505	EAGLE LANDSCAPING & SUPPLY	61.40
292996	*	003801	JANA ECKER	500.00
292997		000493	ED RINKE CHEVROLET BUICK GMC	179.48
292998		008164	GARY EISELE	105.78
292999		001495	ETNA SUPPLY	2,580.00
293000		009366	EXPERT HEATING & COOLING	1,382.00
293001	*	MISC	GAVIN MINNI	265.89
293002	*	004604	GORDON FOOD	728.13
293003		000249	GUARDIAN ALARM	279.60
293004		001531	GUNNERS METER & PARTS INC	858.00
293005		007339	HIGHEST HONOR, INC	83.50
293006	*	001956	HOME DEPOT CREDIT SERVICES	1,279.57
293007		001415	HORNUNG'S PRO GOLF SALES INC	389.64
293008		001090	INGRAM LIBRARY SERVICES	4,863.81
293010	*	009401	IRENE S WASSEL	600.00
293011	*	009403	JUSTIN ZAYID	600.00
293012	*	000362	KROGER COMPANY	10.46
293013		008553	L.G.K. BUILDING, INC	20,000.00
293014	*	009386	LAW OFFICE OF BRIAN P. FENECH	1,200.00
293015	*	009388	LAW OFFICE OF PATRICK G. GAGNIUK	800.00
293016		009375	LITHIA MOTORS, INC SUPPORT SERVICES	55.00
293017		BDREFUND	LYNCH CUSTOM HOMES	9,314.00
293018		009663	MACQUEEN EQUIPMENT, LLC	450.48
293019	*	009692	MILAN BERNERS-MARVIN SCHWARTZ	2,400.00
293020		MISC	MCKILOP FINE ART	6,000.00
293021		001660	MICHIGAN CAT	440.18
293022	*	006461	MID AMERICA RINK SERVICES	1,018.87
293023		006349	MIDWEST COLLABORATIVE	80.00
293024		000230	MIKE SAVOIE CHEVROLET INC	2,352.37
293025	*	005634	GINA MOODY	55.79
293026		000673	NEW YORK TIMES, THE	2,184.00
293027	*	004370	OCCUPATIONAL HEALTH CENTERS	1,521.00
293028	*	009478	ODP BUSINESS SOLUTIONS, LLC	957.36
293029		008669	OHM ADVISORS INC	5,492.25
293030	*	MISC	PAMELA GERBER	6.00
293031		009698	PCI INDUSTRIES, INC	54,958.62
293032		008028	PK SAFETY SUPPLY	965.00
293033		009612	PLAYAWAY PRODUCTS LLC	883.85
293034	*	008342	RAIN MASTER CONTROL SYSTEMS	38.85

City of Birmingham
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Check Number	Early Release	Vendor #	Vendor	Amount
293035	*	000492	REGISTER OF DEEDS	30.00
293036		000218	ROYAL OAK P.D.Q. LLC	42.95
293037		MISC	RYAN KATZ	14.41
293038	*	002806	SAM'S CLUB/SYNCHRONY BANK	581.39
293039		007098	SHAW SYSTEMS & INTEGRATION	616.00
293040		007142	SHERWIN-WILLIAMS COMPANY	349.45
293041		BDREFUND	SHKRELI, NICHOLAS C	30.00
293042	*	008073	SITEONE LANDSCAPE SUPPLY, INC	734.48
293043		009033	SITWORK SERVICES LLC	2,835.15
293044		000260	SPARTAN DISTRIBUTORS INC	2,812.50
293045	*	009384	THE EDITH BLAKNEY LAW FIRM, PLLC	600.00
293046		BDREFUND	TUFF SHED INC	115.00
293047		004379	TURNER SANITATION, INC	150.00
293048	*	000293	VAN DYKE GAS CO.	87.60
293049		001490	WEST SHORE FIRE INC	3,841.44
293050	*	009676	WHISKY ENTERTAINMENT	1,400.00
293051		007620	WJE-WISS, JANNEY, ELSTNER ASSOC. INC	42,820.00
SUBTOTAL PAPER CHECK				\$308,977.81

ACH TRANSACTION

8444	*	005686	ADVANCED MARKETING PARTNERS INC	799.00
8445		009126	AMAZON CAPITAL SERVICES INC	119.75
8446		009126	AMAZON CAPITAL SERVICES INC	66.58
8447		009126	AMAZON CAPITAL SERVICES INC	94.88
8448		009126	AMAZON CAPITAL SERVICES INC	49.96
8449		009126	AMAZON CAPITAL SERVICES INC	149.81
8450	*	009126	AMAZON CAPITAL SERVICES INC	60.18
8451		009126	AMAZON CAPITAL SERVICES INC	539.99
8452		006683	BIRMINGHAM LAWN MAINTENANCE, INC	548.00
8453	*	007624	BIRMINGHAM OIL CHANGE CENTER, LLC	107.96
8454	*	008983	BRENNA SANDLES	296.00
8455	*	009396	CECILIA QUIRINDONGO BAUNSOE	900.00
8456		000605	CINTAS CORPORATION	228.11
8457		002668	CONTRACTORS CLOTHING CO	247.04
8458		003801	JANA ECKER	717.00
8459		004574	FAIR-WAY TILE & CARPET, INC.	6,786.00
8460		001023	GABRIEL, ROEDER, SMITH & CO.	42,700.00
8461	*	000243	GRAINGER	309.43
8462	*	009382	HB LAW, PLLC	600.00
8463		000331	HUBBELL ROTH & CLARK INC	791.80
8464	*	003824	THOMAS I. HUGHES	97.74
8465	*	009390	IDUMESARO LAW FIRM, PLLC	2,351.50
8466		000261	J.H. HART URBAN FORESTRY	23,317.00
8466	*	000261	J.H. HART URBAN FORESTRY	1,162.00

City of Birmingham
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Check Number	Early Release	Vendor #	Vendor	Amount
8467		000186	JACK DOHENY COMPANIES INC	4,374.07
8468	*	003458	JOE'S AUTO PARTS, INC.	86.05
8469	*	007244	CHRISTOPHER JUDKINS	227.83
8470	*	000891	KELLER THOMA	2,598.75
8471	*	009392	LAMB LEGAL CONSULTING SERVICES	300.00
8472	*	009385	LAW OFFICE OF MICHAEL J. DICK	900.00
8473	*	005550	LEE & ASSOCIATES CO., INC.	1,115.90
8474	*	009398	MARCIA C ROSS PC	300.00
8475		002013	MIDWEST TAPE	1,710.48
8476		009276	NEWTONS SOLUTIONS LLC	2,300.00
8477	*	006359	NYE UNIFORM COMPANY	13.00
8478	*	009395	ORLANDO LAW PRACTICE PC	1,850.00
8479	*	001753	PEPSI COLA	260.40
8480	*	009397	RABAA PLLC	500.00
8481	*	001181	ROSE PEST SOLUTIONS	158.00
8482	*	003785	SIGNS-N-DESIGNS INC	90.00
8483	*	002037	TOTAL ARMORED CAR SERVICE, INC.	281.45
8484	*	009379	YELLOW DOOR LAW	6,390.00
8485	*	008649	ROBERT ABRAHAM JR.	425.00
8486	*	007510	GRANT ANKNEY	425.00
8487	*	008009	TREVOR BAKER	425.00
8488	*	009042	RANDY BEARDEN	425.00
8489	*	009095	STEVEN BONORA	425.00
8490	*	009304	DUSHAWN BRANDY	425.00
8491	*	009355	SHAUN BROWN	425.00
8492	*	007638	MARSHALL CRAWFORD	425.00
8493	*	006999	CHRISTOPHER DEMAN	425.00
8494	*	009357	BRENDT FREDERICK	425.00
8495	*	007289	BRIAN FREELS	425.00
8496	*	008648	HUNTER GILLICK	425.00
8497	*	008105	JASON GRANROTH	425.00
8498	*	003824	THOMAS I. HUGHES	425.00
8499	*	009303	TREVOR HULBERT	425.00
8500	*	007244	CHRISTOPHER JUDKINS	425.00
8501	*	007511	ADAM KNOWLES	425.00
8502	*	009287	KYLE KRAFT	425.00
8503	*	009582	MARC SCHWARTZ	425.00
8504	*	009555	STEVEN MCINERNEY	425.00
8505	*	007306	MARK MISCHLE	425.00
8506	*	009096	RYAN NEUVILLE	425.00
8507	*	009204	OWEN BACHUSZ	425.00
8508	*	003963	DAVID PAPANDREA	425.00
8509	*	008875	JESSICA RAK	425.00

City of Birmingham
Warrant List Dated 07/06/2023

Meeting of 07/10/2023

Check Number	Early Release	Vendor #	Vendor	Amount
8510	*	007898	JEFFREY SCHEMANSKY	425.00
8511	*	009305	JEREMY SHULTZ	425.00
8512	*	006591	MICHAEL SLACK	425.00
8513	*	007899	NICHOLAS SLANDA	425.00
8514	*	003466	ALAN SOAVE	425.00
8515	*	007245	NICK SOPER	425.00
8516	*	009356	JUSTIN STRASSBURG	425.00
8517	*	007900	RYAN WISEMAN	425.00
SUBTOTAL ACH TRANSACTION				\$120,520.66
GRAND TOTAL				\$429,498.47

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

City Clerk's Office

DATE: July 10, 2023

TO: Jana L. Ecker, City Manager

FROM: Alexandria Bingham, City Clerk

SUBJECT: Special Event Application: Quarton Elementary Slow Roll

INTRODUCTION:

Quarton Elementary has submitted a special event application to hold the Slow Roll on Saturday, September 30, 2023. Set up for the event is scheduled to begin at 8:30 a.m. The event begins at 9:30 a.m. and concludes at 12:30 p.m. Teardown is scheduled for 12:30 p.m.

BACKGROUND:

The necessary departments reviewed the proposed event details submitted in the application, and departments provided feedback on requirements and estimated costs. DPS, Planning, Building, Engineering, Police and Fire have indicated their approval.

The Slow Roll is a Quarton Elementary community-building event. Streets surrounding the school will be closed, and students and families riding bikes or scooters will be escorted through the streets by police.

The following events occur in September in Birmingham, and do not pose a conflict for this event:

Farmers Market	Sundays	Lot 6
Movie Nights	9/8/23	Booth Park
Common Ground Art Fair	9/23/23-9/24/23	Shain Park

LEGAL REVIEW:

The City Attorney has reviewed and has no concerns or objections.

FISCAL IMPACT:

All costs associated with this event will be paid by applicant. There are no sustainability measures associated with this event.

PUBLIC COMMUNICATIONS:

Quarton Elementary notified residents and businesses about the details of this event by letter mailed at least two weeks prior to the commission meeting. The addresses that were notified were within 300 feet of the event space.

SUMMARY:

The City Commission is being asked to approve a special event permit for the Slow Roll to be held Saturday, September 30, 2023 from 9:30 a.m. to 12:30 p.m., with set up Saturday September 30, 2023 at 8:30 a.m. Teardown will begin Saturday, September 30, 2023 at 12:30 p.m.

ATTACHMENTS:

1. Special event application
2. Notification letter with map of event area distributed to residents/businesses within 300 feet of the event area dated June 20, 2023. Notification addresses are on file in the Clerk's Office.
3. Hold harmless agreement
4. Department approval page with comments and estimated costs

SUGGESTED COMMISSION ACTION:

To make a motion adopting a resolution to approve a special event permit as requested by Quarton Elementary to hold the Slow Roll on September 30, 2023 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.



BIRMINGHAM

A WALKABLE CITY

23-00012216

6-12-23

151 Martin Street, P.O. Box 3001
Birmingham, MI 48012
248/530-1880 PHONE
248/530-1080 FAX

APPLICATION FOR SPECIAL EVENT PERMIT PARKS AND PUBLIC SPACES

- I. EVENT DETAILS
- II. EVENT INFORMATION
- III. EVENT LAYOUT
- IV. SAMPLE LETTER TO NOTIFY AFFECTED PROPERTY OWNERS/BUSINESSES WITHIN 300 FEET OF EVENT LOCATION
- V. INSURANCE INFORMATION
 - INSURANCE REQUIREMENTS
 - HOLD HARMLESS AGREEMENT
- VI. POLICIES AND PROCEDURES
- VII. CHECKLIST
- VIII. SAMPLE MAPS

TIME LINE AS REQUIRED BY COMMISSION ADOPTED POLICY

TIME	REQUIREMENT
At least 90 days prior to event	<ul style="list-style-type: none"> • Events utilizing city sidewalks and/or streets must meet with the Police Department special events officer prior to submitting this application. • Application and attachments must be submitted
At least two (2) weeks prior to Commission hearing	<ul style="list-style-type: none"> • Letters mailed to affected property owners/businesses within 300 feet of event area • Copy of letter and distribution list provided to City Clerk
Three (3) weeks prior to the event	<ul style="list-style-type: none"> • Final additions/changes must be submitted for approval.
Two (2) weeks prior to event	<ul style="list-style-type: none"> • All building, electrical, sign, and hydrant permits must be obtained • All permit fees must be paid and insurance certificates must be submitted and approved • All peddler/vendors applications must be submitted for approval

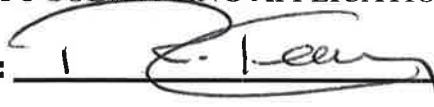
Special Event Application Revised – 03/30/2023

July 2, 2023 = 90 days

CITY OF BIRMINGHAM App rcvd on
APPLICATION FOR SPECIAL EVENT PERMIT
PARKS AND PUBLIC SPACES

IMPORTANT: EVENTS UTILIZING CITY SIDEWALKS AND/OR STREETS MUST MEET WITH POLICE DEPARTMENT SPECIAL EVENT OFFICE TO REVIEW PROPOSED EVENT DETAILS PRIOR TO SUBMITTING APPLICATION.

Police Department acknowledgement: _____



I. EVENT DETAILS

- **Incomplete applications will not be accepted.**
- **Changes in this information must be submitted to the City Clerk, in writing, at least three weeks prior to the event**

FEES: **FIRST TIME EVENT:** **\$200.00**
 ANNUAL APPLICATION FEE: **\$165.00**

(Please print clearly or type)

Date of Application 5/22/23

Name of Event Quarton Elementary Slow Roll

Detailed Description of Event (attach additional sheet if necessary) The Slow Roll is a community building event in which the streets surrounding the school (see map) are closed and students and families are escorted through the streets by police.

Location Quarton Elementary

Date(s) of Event 9/30/23 Hours of Event 9:30 - 12:30

Date(s) of Set-up 9/30/23 Hours of Set-up 8:30 - 9:30

NOTE: No set-up to begin before 7:00 AM, per city ordinance.

Date(s) of Tear-down 9/30/23 Hours of Tear-down 12:30 - 1:00

Organization Sponsoring Event Quarton Elementary

Organization Address 771 Chesterfield Ave Birmingham, MI 48009

Organization Phone 248-203-3425

Contact Person Jill Ghiardi-Coignet

Contact Phone 248-203-3425

Contact Email jghiardi-coignet@birmingham.k12.mi.us

* Form completed by Laura Markle - event organizer
248-770-2252 lmarkle@yahoo.com

II. EVENT INFORMATION

1. Organization Type Non profit public school
(city, non-profit, community group, etc.)

2. Additional sponsors or participants (Provide name, address, contact person, status, etc. for all additional organizations sponsoring your event.) will reach out to Little Bws Bike and Trek for repeat participation. Also SWAG for DJ.

3. ***The city encourages collaboration amongst non-profit organizations to bring the greatest benefit to the community. Please explain your efforts to do so** We are hoping to highlight the benefits of community building within Birmingham Public Schools.

4. Is the event a fundraiser? YES NO
List beneficiary _____
List expected income _____ Attach information about the beneficiary.

5. First time event in Birmingham? YES NO
If no, describe We hosted the same event last year. We're hoping this is an annual event for years to come.

6. Total number of people expected to attend per day 350

7. The event will be held on the following City property: (Please list)
 Street(s) Chesterfield, Pine, Oak, Glenhurst
 Sidewalk(s) only on Quarton property
 Park(s) _____

8. Will street closures be required? YES NO

(Police Department acknowledgement prior to submission of application is required) (initial here) RK

1 Supervisor & 2 officers for traffic control.

What parking arrangements will be necessary to accommodate attendance?

Describe we are planning for most families to ride bikes/scooters to the event. others will use neighboring streets

9. Will staff be provided to assist with safety, security and maintenance? YES NO

If yes, please provide number of staff to be provided and any specialized training received.

Describe Parent volunteers will be stationed along the route and throughout the event.

10. Will the event require safety personnel (police, fire, paramedics)? YES NO

(Police Department acknowledgement prior to submission of application is required.) (initial here) RK

Describe We are planning to have police present to help encourage positive community relations

11. Will alcoholic beverages be served? YES NO

If yes, additional approval by the City Commission is required, as well as the Michigan Liquor Control Commission.

12. Will music be provided? YES NO

Live K Amplification DJ K Loudspeakers

Recorded Time music will begin 9:30 - 11:30

Time music will end 11:30

Location of live band, DJ, loudspeakers, equipment must be shown on the layout map.

13. Will there be signage in the area of the event? YES NO

Number of signs/banners _____

Size of signs/banners _____

Submit a photo/drawing of the sign(s). **A sign permit may be required.**

14. Will food/beverages/merchandise be sold? YES NO *potentially food trucks*

- Peddler/vendor permits must be submitted to the Clerk's Office, **at least two weeks prior to the event.**
- You must obtain approval from the Oakland County Health Department for all food/beverage sales/donations. Contact ehclerk@oakgov.com or 248-535-9612 to obtain Health Department approval.
- There is a \$50.00 application fee for all vendors and peddlers, in addition to the \$10.00 daily fee, per location.

LIST OF VENDORS/PEDDLERS
(attach additional sheet if necessary)

VENDOR NAME	GOODS TO BE SOLD	WATER HOOK-UP REQUIRED?	ELECTRIC REQUIRED?

III. EVENT LAYOUT

- Include a map showing the park set up, street closures, and location of each item listed in this section.
- Include a map and written description of run/walk route and the start/finish area

1. Will the event require the use of any of the following municipal equipment?
(show location of each on map)

EQUIPMENT	QUANTITY	COST	NOTES
Picnic Tables		6 for \$500.00	A request for more than six tables will be evaluated based on availability.
Trash Receptacles	<i>supplied by Quarters</i>	\$10.00 each includes 1 bag For additional bags, the cost is \$32/per case.	Trash box placement and removal of trash is the responsibility of the event. Additional cost could occur if DPS is to perform this work.
Dumpsters		\$350.00/per dumpster per day	Includes emptying the dumpster one time per day. The City may determine the need for additional dumpsters based on event requirements.
Utilities (electric)	# of vendors requiring utilities	Varies	Charges according to final requirements of event.
Water/Fire Hydrant		\$224.75/per hydrant Includes the use of 5,000 gallons of water. Any additional water usage will be billed.	Applicant must supply their own means of disposal for all sanitary waste water. Waste water is NOT allowed to be poured into the street or on the grass.
Meter Bags / Traffic Cones / Barricades	# to be determined by the Police Department.		

2. Will the following be constructed or located in the area of the event? YES NO
(show location of each on map) NOTE: Stakes are not allowed.

TYPE	QUANTITY	SIZE
Tents/Canopies/Awnings (A permit is required for tents over 400 square feet)		
Portable Toilets <i>Building will be open for bathroom</i>		
Rides		
Displays		
Vendors		
Temporary Structure (must attach a photo)		
Other (describe)		

SIGNATURE OF APPLICANT REQUIRED

EVENT NAME Quarton Elementary Slow Roll
EVENT DATE 9/30/23

The Birmingham City Commission shall have sole and complete discretion in deciding whether to issue a permit. Nothing contained in the City Code shall be construed to require the City Commission to issue a permit to an applicant and no applicant shall have any interest or right to receive a permit merely because the applicant has received a permit in the past.

As the authorized agent of the sponsoring organization, I hereby agree that this organization shall abide by all conditions and restrictions specific to this special event as determined by the City administration and will comply with all local, state and federal rules, regulations and laws.


Signature _____ Date 5/22/23

*By providing your e-mail 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.*

IV. SAMPLE LETTER TO NOTIFY ANY AFFECTED PROPERTY/BUSINESS OWNERS

- Organizer must notify all potentially affected residential property and business owners of the date and time this application will be considered by the City Commission. (Sample letter attached to this application.)
- Attach a copy of the proposed letter to this application. The letter will be reviewed and approved by the Clerk's Office. The letter must be distributed at least two weeks prior to the Commission meeting.
- A copy of the letter and the distribution list must be submitted to the Clerk's Office at least two weeks prior to the Commission meeting.
- If street closures are necessary, a map must be included with the letter to the affected property/business owners.


CERTIFICATE OF INSURANCE

Producer SET SEG 1520 Earl Ave East Lansing, MI 48823	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
COMPANIES AFFORDING COVERAGE	
Insured Birmingham School District 31301 Evergreen Road Beverly Hills, MI 48025	A MASB-SEG Property/Casualty Pool, Inc.

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE DATE	EXPIRATION DATE	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> Comprehensive Form <input checked="" type="checkbox"/> Premises/Operations <input checked="" type="checkbox"/> Incidental Medical Malpractice Coverage <input checked="" type="checkbox"/> Products/Completed Operations <input checked="" type="checkbox"/> Contractual <input checked="" type="checkbox"/> Independent Contractors <input checked="" type="checkbox"/> Broad Form Property Damage <input checked="" type="checkbox"/> Personal Injury	PC 0000114	7/1/23	7/1/24	BI & PD COMBINED OCCURRENCE BI & PD COMBINED AGGREGATE PERSONAL INJURY OCCURRENCE PERSONAL INJURY AGGREGATE	\$1,000,000 N/A \$1,000,000 N/A

DESCRIPTION The City of Birmingham is hereby added as an additional insured for liability but only as respects to the activities performed by or on behalf of the named Insured as it represents the Quarton Elementary Slow Roll.

CERTIFICATE HOLDER City of Birmingham 151 Martin Street Birmingham, MI 48012	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.
AUTHORIZED REPRESENTATIVE  Katie Lehman PROPERTY/CASUALTY DEPARTMENT	
Date 06/01/2023	

SPECIAL EVENT REQUEST NOTIFICATION LETTER

DATE: 6/19/23

To Homeowner:

The Birmingham City Code requires that we receive approval from the Birmingham City Commission to hold the following special event. The code further requires that we notify any property owners or business owners that may be affected by the special event of the date and time that the City commission will consider our request so that an opportunity exists for comments prior to this approval.

EVENT INFORMATION

NAME OF EVENT: Quarton Elementary Slow Roll

LOCATION: 771 Chesterfield Avenue Birmingham MI 48009

DATE(S) OF EVENT: 9/30/23

HOURS OF EVENT: 3

BRIEF DESCRIPTION OF EVENT/ACTIVITY: The Slow Roll is hosted by the Quarton PTA with intentions to gather as a school community. We plan to have bike companies come to offer tune ups on bikes, a bike safety talk, bike decorating and tables set up to share information with parents about events happening throughout the year at Quarton. At 10:30 we will begin our Slow Roll with Quarton kindergarteners leading the pack by police escort as they bike or scooter the traditional "Fun Run" route. Each grade will then leave the school parking lot in order with the 5th grader pulling up the rear, wearing their safety belts if they choose. We'd like to have Police escort at the front and back with two police officers on bicycles stay with the riders. The event will finish with food trucks on site for families to stay for lunch.

DATE(S) OF SET-UP: 9/30/23

HOURS OF SET-UP: 8:30-9:30

DATE(S) OF TEAR-DOWN: 9/30/23

HOURS OF TEAR-DOWN: 12:30-1:30

DATE OF CITY COMMISSION MEETING: **July 10, 2023**

City Commission Meeting, July 10, 2023 7:30 pm

In Person: City Commission Room, 151 Martin, Birmingham 48009

Zoom: <https://zoom.us/j/655079760> Meeting ID: 655 079 760

EVENT ORGANIZER: Quarton Elementary PTA

ADDRESS: 771 Chesterfield Avenue Birmingham, MI 48009

PHONE: 248-203-3425

FOR QUESTIONS ON DAY OF EVENT, CONTACT: Laura Markle, Event Coordinator 248-770-2252

W

E

Barricade + officer

Parent 2

Barricade + officer
Oak Avenue & Chesterfield Avenue

Oak Ave

Parent

13 min
0.7 miles

Quarton Elementary School

Barricade parent

Melbourne St

Kimberly St

Barricade Parent

Barricade parent

5D

Barricade and officer

Pine St



Jill Ghiardi-Coignet, Principal • JGhiardi-Coignet@birmingham.k12.mi.us
Phone: 248.203.3425 • Fax: 248.203.3218 • 771 Chesterfield, Birmingham, MI 48009

May 30, 2023

HOLD-HARMLESS AGREEMENT

“To the fullest extent permitted by law, Quarton Elementary and any entity or person for whom Quarton Elementary 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 behalf of the City of Birmingham 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 of Birmingham, its elected and appointed officials, employees, volunteers or others working on behalf of the City of Birmingham, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this activity/event. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of the City of Birmingham, its elected or appointed officials, employees, volunteers or others working on behalf of the City of Birmingham.”

Sincerely,

Jill Ghiardi-Coignet

Quarton Elementary Principal

DEPARTMENT APPROVALS

EVENT NAME: Quarton Elementary Slow Roll

COMMISSION HEARING DATE: 07/10/23

LICENSE NUMBER # 23-00012216

DATE OF EVENT: 09/30/23

NOTE TO STAFF: Please submit approval by 06-26-23

DEPARTMENT	APPROVED	COMMENTS	PERMITS REQUIRED (Must be obtained directly from individual departments)	ESTIMATED COSTS (Must be paid two weeks prior to the event. License will not be issued if unpaid.)	ACTUAL COSTS (Event will be invoiced by the Clerk's office after the event)
PLANNING 101.0-000.000-636.0005 248.530.1855	TBC	No Cost No Comment		0	
BUILDING 101.0-000.000.636.0005 248.530.1850	MJM	No Department Involvement.		\$0	
FIRE 101.0-000.000-636.0004 248.530.1900		Fire engine can be made available for standby (would still be in service for calls) if interested call Fire Marshal at 248-530-1903 to set up. Food trucks will need commission approval, and will need to be inspected the day of event. No blocking of fire hydrants along route, and maintain access for emergency vehicles to enter through barricades if needed.		\$0	
POLICE 101.0-000.000.636.0003 248.530.1870	RK	1 supervisor, 2 officers, & barricades for street closures. **Must have at least 10 volunteers along route, inside closure. At least 2 adult volunteers will ride in front. SRO/PIO to assist if available. On-duty road patrol will provide extra patrol, PR.		\$686.79	
PUBLIC SERVICES 101.0-000.000-636.0002 248.530.1642	Carrie Laird	DPS staff will handle barricade drop off		\$300	

ENGINEERING 101.0-000.000.636.0002 248.530.1839	MC	Nature of program causes obstruction of streets throughout the course of the event.	Obstruction Permit	\$100	
SP+ PARKING				0	
INSURANCE 248.530.1807		Need to submit COI no less than 2 weeks prior to event Need to submit Hold Harmless Agreement	None	\$0	\$0
CLERK 101.0-000.000-614.0000 248.530.1803		Notification letters to be mailed by applicant no later than ____. Notification addresses on file in the Clerk's Office.	Applications for vendors license must be submitted no later than ____.	\$	
				TOTAL DEPOSIT REQUIRED \$1,086.79	ACTUAL COST \$ 0.00

FOR CLERK'S OFFICE USE

Deposit paid _____

Actual Cost _____

Due/Refund_____



MEMORANDUM

Finance

DATE: June 30, 2023
TO: Jana Ecker, City Manager
FROM: Mark Gerber, Finance Director/Treasurer
SUBJECT: Senior Center Budget Amendment

INTRODUCTION:

A budget amendment is necessary to fund the purchase of the YMCA building.

BACKGROUND:

The City Commission approved the purchase of the YMCA on June 5, 2023. The purchase price is \$2,000,000 of which \$1,500,000 is due at closing and the remaining \$500,000 is due a year later. The source of funding for the purchase is \$1,500,000 from the City and \$500,000 from NEXT.

The timing and the details for the purchase of the building were not known at the time the 2023-2024 adopted budget was approved, therefore, a budget amendment will be necessary.

LEGAL REVIEW:

No legal review is required for this action.

FISCAL IMPACT:

The Capital Projects Fund has resources available along with the contribution from NEXT to make the initial payment of \$1,500,000. The remaining payment of \$500,000 will be budgeted in fiscal year 2024-2025.

SUSTAINABILITY:

There are no sustainability comments related to the requested action.

PUBLIC COMMUNICATIONS:

No public communications are necessary.

SUMMARY:

Staff is requesting that the budget amendment be approved for the initial payment of \$1,500,000.

ATTACHMENTS:

None.

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to appropriate and amend the 2023-2024 Capital Projects Fund budget as follows:

Revenues:

403.0-000.000-400.0000	Contribution from Fund Balance	\$1,000,000
403.0-901.757-674.0100	Contribution from NEXT	<u>500,000</u>
	Total Revenues	<u>\$1,500,000</u>

Expenditures:

403.0-901.757-977.0000	Buildings	\$1,500,000
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MEMORANDUM

Finance

DATE: June 30, 2023
TO: Jana L. Ecker, City Manager
FROM: Mark Gerber, Finance Director/Treasurer
SUBJECT: CDBG Budget Amendment

INTRODUCTION:

A budget amendment is necessary to fund the ADA parking and pathway at the Birmingham Museum.

BACKGROUND:

The Museum has approved a \$72,460 contract to construct ADA parking and a path to the area in the back of the Museum property. CDBG funds will pay for \$49,636 amount of the work and the remaining amount of \$22,824 will be paid by the General Fund.

Additionally, Oakland County, from which we receive CDBG funds, requires that the City Commission by resolution award the contract to Dave's Contracting, Inc. even though it is not required by the City's purchasing guidelines.

LEGAL REVIEW:

Legal reviewed and approved the contract with Dave's Contracting, Inc.

FISCAL IMPACT:

Currently, there is \$20,910 budgeted for barrier free improvements in the CDBG Fund for fiscal year 2023-2024. A budget amendment would be needed to increase the grant revenue and the public improvement expenditure.

SUSTAINABILITY:

There is no sustainability comment related to this action.

PUBLIC COMMUNICATIONS:

No public communications are necessary.

SUMMARY:

Staff is requesting that the budget amendment be approved and a resolution passed to award the contract to Dave’s Contracting, Inc., as required by Oakland County.

ATTACHMENTS:

- Contract with Dave’s Contracting, Inc.

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to award the Phase 1 and 2 ADA Parking and Path project to Dave’s Contracting, Inc. in the amount of \$72,460 and to appropriate and amend the 2023-2024 CDBG Fund budget as follows:

Revenues:

285.0-000.000-522.0000	CDBG Grant	\$28,730
------------------------	------------	----------

Expenditures:

285.0-694.000-836.0100	Barrier Free Improvements	\$28,730
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AGREEMENT

Phase 1 and 2-ADA Parking and Path, John West Hunter Park/Birmingham Museum

This **AGREEMENT**, entered into this _____ day of _____, 2023, by and between the **CITY OF BIRMINGHAM**, whose address is 151 Martin Street, Birmingham, MI 48009 (hereinafter referred to as the City) and _____, a Michigan _____, whose address is _____ (hereinafter referred to as "Contractor") and the foregoing shall collectively be referred to as the parties.

WHEREAS, the City desires to construct an ADA compliant, accessible parking space and connecting path along Willits Street to provide barrier-free access to the north portion of the John West Hunter Park, located at the Birmingham Museum in the City of Birmingham, and in connection therewith has requested proposals for Phase 1 and 2-ADA Parking and Path, John West Hunter Park/Birmingham Museum; and

WHEREAS, the City has indicated this is a Federally Funded project. The Contractor and Subcontractors on this project must comply with HUD contract provisions 24CFR part 85.36(i), the Davis-Bacon Act, Nondiscrimination, Equal Employment Opportunity, Affirmative Action, Section 3 requirements, Anti-Kickback Act, Federal Occupational Safety and Health Act and Department of Labor Standards and Regulations as set forth in the Contract Bid Documents; and

WHEREAS, the Contractor attended a Pre-Construction Meeting on _____ 2023, located at 556 W. Maple, Birmingham, MI 48009 to go over the Federal Required Documents to construct an ADA compliant, accessible parking space and connecting path along Willits Street to provide barrier-free access to the north portion of the John West Hunter Park, located at the Birmingham Museum in the City of Birmingham; and

WHEREAS, the Contractor will follow the Davis Bacon Prevailing Wage Decision (the federal document which convey the minimum wage rates that must be paid to Laborers and Mechanics) in order to construct an ADA compliant accessible parking space, and create an ADA compliant accessible connecting path along Willits Street and to provide barrier-free access to the north portion of the John West Hunter Park, located at the Birmingham Museum in the City of Birmingham; and

WHEREAS, the Contractor must complete the Federally required forms and guidelines following the Pre-Construction Meeting (date to be determined) in order to construct an ADA compliant accessible parking space, and create an ADA compliant accessible connecting path along Willits Street and to provide barrier-free access to the north portion of the John West Hunter Park, located at the Birmingham Museum in the City of Birmingham. The Federally required forms and guidelines are:

1. "Notice To All Employees" SIGN (WH1321)
2. Agreement of the Prime Contractor
3. Contractor Certification
4. Sub-Contractor Certification
5. Certified Payroll Form (WH-347)
6. Statement of Compliance (WH-348)
7. Payroll Reporting Instructions

8. Employee Interview Form
9. Davis Bacon Prevailing Wage Decision
10. HUD 4010 Labor Relations letter
11. EEO Executive Order 11246
12. Section 3 Requirements
13. Ethnic Ownership Report
14. HUD Contract Provisions
15. Bonding Requirements
16. Sworn Statement
17. Full Unconditional Waiver
18. Labor Standards Compliance Requirements for Self-Employed Laborers & Mechanics
19. Section 3 Vicinity Hiring
20. Section 3 Employee Income Certification Form; and

WHEREAS, Contractor has qualifications that meet the project requirements and has provided a response and cost proposal for the Phase 1 and 2-ADA Parking and Path, John West Hunter Park/Birmingham Museum.

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

1. **MUTUALLY AGREE:** It is mutually agreed by and between the parties that the City's Request for Proposal for Phase 1 and 2-ADA Parking and Path, John West Hunter Park/Birmingham Museum dated _____, 2023, which includes Attachments B, C, D, E, F, and G, shall be fully incorporated herein by reference and shall become a part of this Agreement, and shall be binding upon both parties hereto (attached hereto as Attachment "A").
2. **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 retain and use the results of all services prepared by the Contractor through such date.
3. **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.
4. Contractor shall employ personnel of good moral character and fitness in performing all services under this Agreement.

5. **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.
6. **CONFIDENTIAL AND OR PROPRIETARY INFORMATION:** The Contractor acknowledges that in performing services pursuant to this Agreement, certain confidential and/or proprietary information (including, but not limited to, internal organization, methodology, personnel and financial information, etc.) may become involved. The Contractor recognizes that unauthorized exposure of such confidential or proprietary information could irreparably damage the City. Therefore, the Contractor agrees to use reasonable care to safeguard the confidential and proprietary information and to prevent the unauthorized use or disclosure thereof. The Contractor shall inform its employees of the confidential or proprietary nature of such information and shall limit access thereto to employees rendering services pursuant to this Agreement. The Contractor further agrees to use such confidential or proprietary information only for the purpose of performing services pursuant to this Agreement.
7. **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.
8. **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.
9. **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.

10. **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.

11. **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:**
 1. **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.
 2. **For Sole Proprietorships:** Contractor shall complete and furnish to the City prior to the commencement of work under this Agreement a signed and notarized Sole Proprietor Form, for sole proprietors with no employees or with employees, as the case may be.
 - B. **Commercial General Liability Insurance:** Contractor shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractor Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.
 - C. **Motor Vehicle Liability:** Contractor shall procure and maintain during the life of this Agreement Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
 - D. **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. **Professional Liability:** If applicable, professional liability insurance with limits of not less than \$2,000,000 per claim if Contractor will provide services that are customarily subject to this type of coverage.
- F. **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.
- G. **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.
- H. **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

12. **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: Leslie Pielack, Museum Director

Contractor _____

Attn: _____

13. **COVID:** The Contractor shall follow all of the City's COVID-19 safety protocols while on City property. Additionally, Contractor staff that will be in physical contact with city staff must have current vaccinations against COVID-19. The City, at its discretion, may ask for proof of vaccination of Contractor staff. Failure to provide proof of vaccination when requested will

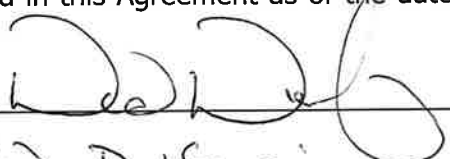
cause the City to request un-vaccinated personnel to leave, request alternate staff, and if the Contractor is unable to comply, this violation of safety protocols will constitute a breach of contract by the Contractor.

14. **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.
15. **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.
16. **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.
17. **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.
18. **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.
19. **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.

20. **RESPONSE TO REQUESTS FOR PROPOSALS:** The Contractor shall be held to and bound by all terms, conditions, warranties and representations which it made in its written response dated _____, to the City's Request for Proposals dated _____ (attached hereto as Attachment "B"). In the event of a conflict in any of the terms of this Agreement and the Contractor _____ (date of response) response, the terms of this Agreement shall prevail.


21. **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 Dalfonsi
Its: Pres

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this 16 day of June, 2023 before me personally appeared David Dalfonsi, who acknowledged that with authority on behalf of Pewe's Contracting to do so he/she signed this Agreement.


Notary Public
Oakland County, Michigan
Acting in Oakland County, Michigan
My commission expires: 11/2/26

ALEXANDRIA D. BINGHAM
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Nov 2, 2026
ACTING IN COUNTY OF Oakland

APPROVED:

Jana Ecker, City Manager
(Approved as to substance)

Leslie Pielack, Museum Director
(Approved as to substance)

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

Mark Gerber, Director of Finance
(Approved as to financial obligation)

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	<p>1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p>	
	<p>2 Business name/disregarded entity name, if different from above <i>Dave's Contracting, Inc</i></p>	
	<p>3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.</p> <p><input type="checkbox"/> Individual/sole proprietor or single-member LLC</p> <p><input checked="" type="checkbox"/> C Corporation</p> <p><input type="checkbox"/> S Corporation</p> <p><input type="checkbox"/> Partnership</p> <p><input type="checkbox"/> Trust/estate</p> <p><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____</p> <p>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</p> <p><input type="checkbox"/> Other (see instructions) ▶ _____</p>	<p>4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p><small>(Applies to accounts maintained outside the U.S.)</small></p>
	<p>5 Address (number, street, and apt. or suite no.) See instructions. <i>1101 N. Denwood</i></p>	Requester's name and address (optional)
	<p>6 City, state, and ZIP code <i>Dearborn MI 48128</i></p>	
	<p>7 List account number(s) here (optional)</p>	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								
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-	-							
or								
Employer identification number								
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black;">38</td> <td style="width: 25%; border: 1px solid black;">-29</td> <td style="width: 25%; border: 1px solid black;">96</td> <td style="width: 25%; border: 1px solid black;">808</td> </tr> </table>	38	-29	96	808				
38	-29	96	808					

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	<p>Signature of U.S. person ▶ <i>[Signature]</i></p>	<p>Date ▶ <i>6/15/23</i></p>
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. IF SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ZERVOS GROUP INC 24724 Farmbrook P O Box 2067 Southfield, MI 48037-2067	CONTACT NAME: Michael Zervos/Sarah Laney PHONE (A/C, No, Ext): 248 355-4411 E-MAIL ADDRESS: sarah@zervosgroup.com	FAX (A/C, No): 248 355-2175	
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED DAVE'S CONTRACTING COMPANY, INC 1101 N. Denwood Dearborn, MI 48128-1102	INSURER A: Michigan Millers Mutual Insurance Co		
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> X,C,U <input checked="" type="checkbox"/> Contractual GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	X	C0509292	12/20/2022	12/20/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY	X	X	V0505401	12/20/2022	12/20/2023	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$10000	X	X	L0105033	12/20/2022	12/20/2023	EACH OCCURRENCE \$2,000,000 AGGREGATE \$2,000,000 \$
A	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input checked="" type="checkbox"/> Y <input checked="" type="checkbox"/> N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		X	W0510771	12/20/2022	12/20/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$500,000 E.L. DISEASE - EA EMPLOYEE \$500,000 E.L. DISEASE - POLICY LIMIT \$500,000
A	<input checked="" type="checkbox"/> Installation Fltr			C0509292	12/20/2022	12/20/2023	Limit \$25,000 Ded \$500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 The City of Birmingham, including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members including employees and volunteers thereof are listed as an additional insured on the general, auto and umbrella liability as where required by written contract on a primary and non contributory basis. Waiver of subrogation applies in favor of the additional insured for all line of coverage. Written 30 day notice of cancellation shall be provided by the issuing carrier.

CERTIFICATE HOLDER City of Birmingham PO Box 3001 Birmingham, MI 48012	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Michael G. Zervos

RLI Insurance Company

BID BOND

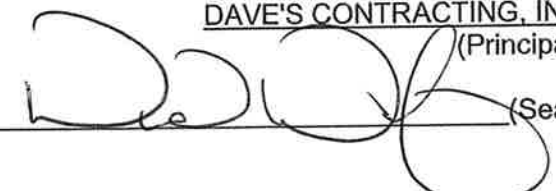
KNOW BY ALL MEN THAT THESE PRESENTS: That we DAVE'S CONTRACTING, INC of 1101 N. Denwood , Dearborn, MI 48128, hereinafter referred to as Principal, and RLI Insurance Company as Surety, are held and firmly bound unto City of Birmingham of 151 Martin St. , Birmingham, MI 48009, hereinafter referred to as Obligee, in the sum of FIVE AND 00/100 PERCENT Dollars (5.00%) for the payment of which we bind ourselves, our legal representatives, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal has submitted or is about to submit a proposal to Obligee on a contract for

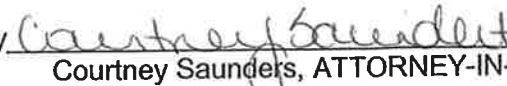
Phase 1 and 2 - ADA Parking and Path
John Western Hunter Park / Birmingham Museum

NOW, THEREFORE, if the said contract be awarded to Principal and Principal shall, within such time as may be specified, enter into the contract in writing and give such bond or bonds as may be specified in the bidding or contract documents with surety acceptable to Obligee; or if Principal shall fail to do so, pay to Obligee the damages which Obligee may suffer by reason of such failure not exceeding the penalty of this bond, then this obligation shall be void; otherwise to remain in full force and effect.

Signed and sealed this May 19, 2023.

DAVE'S CONTRACTING, INC
(Principal)
by  (Seal)

RLI Insurance Company
(Surety)

by  (Seal)
Courtney Saunders, ATTORNEY-IN-FACT

POWER OF ATTORNEY

RLI Insurance Company Contractors Bonding and Insurance Company

9025 N. Lindbergh Dr. Peoria, IL 61615
Phone: 800-645-2402

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That RLI Insurance Company and/or Contractors Bonding and Insurance Company, each an Illinois corporation, (separately and together, the "Company") do hereby make, constitute and appoint:

Angelo G. Zervos, Gus E. Zervos, Donald W. Burden, Michael G. Zervos, Stephen M. Zervos, Courtney Saunders, jointly or severally

in the City of Southfield, State of Michigan its true and lawful Agent(s) and Attorney(s) in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds and undertakings in an amount not to exceed Twenty Five Million Dollars (\$25,000,000.00) for any single obligation.

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon the Company as if such bond had been executed and acknowledged by the regularly elected officers of the Company.

RLI Insurance Company and/or Contractors Bonding and Insurance Company, as applicable, have each further certified that the following is a true and exact copy of a Resolution adopted by the Board of Directors of each such corporation, and is now in force, to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

IN WITNESS WHEREOF, the RLI Insurance Company and/or Contractors Bonding and Insurance Company, as applicable, have caused these presents to be executed by its respective Vice President with its corporate seal affixed this 6th day of October, 2022.



RLI Insurance Company
Contractors Bonding and Insurance Company

By: B. W. Davis
Barton W. Davis Vice President

State of Illinois }
County of Peoria } SS

CERTIFICATE

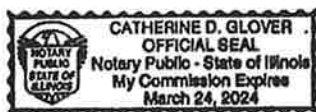
On this 6th day of October, 2022, before me, a Notary Public, personally appeared Barton W. Davis, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the RLI Insurance Company and/or Contractors Bonding and Insurance Company and acknowledged said instrument to be the voluntary act and deed of said corporation.

I, the undersigned officer of RLI Insurance Company and/or Contractors Bonding and Insurance Company, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the RLI Insurance Company and/or Contractors Bonding and Insurance Company this 19th day of May, 2023.

By: Catherine D. Glover
Catherine D. Glover Notary Public

RLI Insurance Company
Contractors Bonding and Insurance Company

By: Jeffrey D. Jick
Jeffrey D. Jick Corporate Secretary





MEMORANDUM

Human Resource Department

DATE: July 5, 2023

TO: Jana L. Ecker, City Manager

FROM: Christina Woods, HR Manager

SUBJECT: American Federation of State, County, and Municipal Employees Local 998 Settlement Agreement and Contract Renewal for July 1, 2023 through June 30, 2026

INTRODUCTION:

AFSCME represents full-time clerical, part-time clerical, technical employees and parking enforcement assistants employed by the City of Birmingham. Negotiations began this year in April to update the agreement which was due to expire on June 30, 2023. Negotiations continued through April and May until a tentative agreement was agreed upon by the City and AFSCME representatives. This agreement was reached voluntarily by the parties without the assistance of outside mediation. The Union membership ratified the agreement on June 21, 2023. The agreement term is active from July 1, 2023 through June 30, 2026.

BACKGROUND:

The primary economic provisions are consistent with the City's overall bargaining strategy of balancing wages with health care and other benefits costs. Significant provisions of the Settlement Agreement include:

1. Increases in the City and employee contributions to the 401(a) retirement plan.
2. AFSCME personnel wage increases of 4.5% on July 1, 2023; 3.5% on July 1, 2024; 3.5% on July 1, 2025.
3. A one-time payment of \$800 for each full-time member and \$400 to each part-time member of the bargaining unit.
4. Eliminate the supplemental training program hourly premium rate increase for DPS/Treasury/non-TAC certified police staff. Employees currently holding this supplemental training incentive will have this rate rolled into their base wages going forward.
5. Addition of Juneteenth to the list of recognized paid holidays.
6. Effective July 1, 2024, the PBGC mortality assumption will be replaced with an updated assumption calculation.

LEGAL REVIEW:

The City's labor attorney has reviewed, and is party to, the signed Settlement Agreement.

FISCAL IMPACT:

Funds are budgeted and available in the fiscal year 2023-2024 General Administration – Wage Adjustment budget.

SUSTAINABILITY:

The agreement which both the City and AFSCME landed on supports the sustainability of the workforce by ensuring fair compensation and benefits to promote employee retention, which minimizes time and productivity loss which occurs with employee turnover.

PUBLIC COMMUNICATIONS:

The settlement agreement terms are provided to the public in the agenda packet, and therefore become part of the public record.

SUMMARY:

The Human Resources Department recommends approval of the Settlement Agreement.

ATTACHMENTS:

1. Settlement Agreement between the City of Birmingham and AFSCME Local 998
2. Ratification notification from the Union

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve the Settlement Agreement of May 31, 2023 between the City of Birmingham and AFSCME Local 998 for the term of July 1, 2023 through June 30, 2026, and to authorize staff to execute a collective bargaining agreement consistent with its terms and conditions. Further, to authorize the transfer of the appropriate funds by the Finance Department from the wage adjustment account to the respective department budgets for these expenditures.

The City of Birmingham

and

Local 998, Birmingham Clerical Employees Chapter, affiliated with International Union, American Federation of State, County, and Municipal Employees and Council No. 25

Tentative Agreement

IT IS HEREBY AGREED between the City of Birmingham (“the City”) and Local 998, Birmingham Clerical Employees Chapter, affiliated with International Union, American Federation of State, County, and Municipal Employees and Council No. 25 (“the Union”) that, in tentative settlement of all outstanding issues under negotiation, the parties’ bargaining teams agree, and agree to recommend ratification to their respective principals, as follows:

1. The parties agree to a collective bargaining agreement commencing the date this Agreement is ratified by all parties to, and including, June 30, 2023.
2. The parties’ new agreement shall be the same as the existing collective bargaining agreement, except as modified herein by this Agreement.
3. Amend Article XXVI, Section A (“Retirement”) to reflect that employer contributions to the Birmingham 401(a) defined contribution plan shall be increased to 9.5% effective July 1, 2023 and employee contributions shall be increased to 4.5% effective July 1, 2023.
4. Article XXXIII, Wages.
 - Base wage increase as follows:

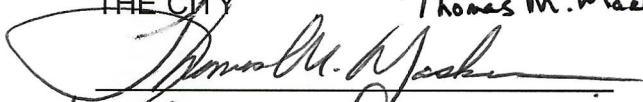
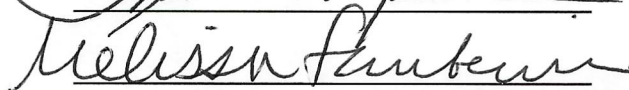
7/1/23: 4.5%
7/1/24: 3.5%
7/1/25: 3.5%
 - One time, off schedule payment of \$800 to each full time member of the bargaining unit and \$400 to each part-time member of the bargaining unit. These off schedule payments shall be made upon ratification by both parties.
 - Eliminate the supplemental training program for DPS/Treasury/non-TAC certified police staff; the hourly premium for the supplemental training for these employees shall be rolled in base wages effective July 1, 2023 (.50 cents/hour for full time employees/.25 cents/hour for part-time employees); the MCAT hourly premium of


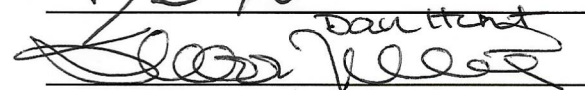


premium of .50 cents/hour shall be rolled into the base wages of affected Treasury Department employees effective July 1, 2023.

- 5. Add Juneteenth to the list of recognized holidays in Article XXI, Section A(1).
- 6. Amend Article XXVI, Section E as follows:

The amount of the reduction will be determined based upon the mortality assumption adopted by the Retirement Board and the interest assumption published by the Pension benefit Guaranty Corporation and effective for PBGC purposes, for the month of retirement. **Effective July 1, 2024, the amount of the reduction will be determined based upon the mortality assumption adopted by the Retirement Board and the interest assumption determined by the Pension Benefit Guaranty Corporation Final 4022 Rule published September 9, 2020, for the month of retirement.**

- 7. Replace all references to "Secretary A-B-C" in the contract to "Support Staff A-B-C."
- 8. The parties withdraw all other proposals.
- 9. The Union shall ratify this Tentative Agreement first and shall provide written notice to the City upon ratification.

THE CITY Thomas M. Machos


Melissa Fairbairn

THE UNION


Sherri White

PAMELA R REED

EDWARD ROSSETTI

Date: 5-31-23

Date: 5/31/23

Please let this serve as notice that AFSCME local 998 members voted on 6-21-2023 to ratify the settlement agreement dated 5-31-2023 for a renewal of the collective bargaining agreement through June 30, 2026.

A handwritten signature in black ink, appearing to read "Sherri White", written over a horizontal line.

Sherri White, AFSCME Chairperson 6-21-2023



MEMORANDUM

Police Department

DATE: June 30, 2023

TO: Jana Ecker, City Manager

FROM: Chris Koch, Investigative Captain

APPROVED: Scott A. Grewe, Chief of Police

SUBJECT: S-Three Restaurant, LLC doing business as Slice Pizzeria, Shift Cocktail Bar and Sidecar Slider Bar Requests a transfer of membership in the Class C and SDM License with Sunday Sales (PM) and Outdoor Service Area located at 117 Willits St. Birmingham, Oakland County, MI from 100% Stephen Simon to 82% Stephen Simon 9% Karen Crabill, and 9% Wayne Rusnell.

INTRODUCTION:

The police department received a request from the Law Offices of Adkison, Need, Allen, and Rentrop for a transfer of membership in S-Three Restaurant, LLC. Doing business at Slice Pizzeria, Shift Cocktail Bar, and Sidecar Slider Bar. S-Three Restaurant has a Class C and SDM liquor licensed entity which operates with Sunday Sales (PM) and an Outdoor Service Area permit located at 117 Willits St., Birmingham, Oakland County, MI 48009. S-Three Restaurant, LLC has paid the initial fee of \$1500.00 for a business that serves alcoholic beverages for consumption on the premises per section 7.33 of the Birmingham City Code. S-Three Restaurant, LLC, is comprised of one member:

<u>Members</u>	<u>Membership</u>
Stephen Simon	100%

Chapter 10 (Alcoholic Liquors), Section 42 of the Birmingham City Code requires that “any and all transfers of a liquor license for consumption of intoxicating liquor on premises require the approval of the City Commission of any kind including, but not limited to ownership of the license; stock in a corporation that owns a license; interest in a license through any entity; or location of the licensed premises.” In this case, the interest in the license through an entity is the reason this issue is coming before the City Commission.

BACKGROUND:

On January 7, 2020, Karen Crabill loaned S-Three Restaurant, LLC \$150,000 for the renovation of the premises. The loan was evidenced by a promissory note between S-three Restaurant, LLC and Karen Crabill.

Karen Crabill assigned 50% of the note to her husband Wayne Rusnell.

On March 8, 2022, Karen Crabill and Wayne Rusnell entered into an option to convert the promissory note to an equity interest in S-Three Restaurant, LLC under which Karen Crabill and Wayne Rusnell would each obtain 9% in S-Three Restaurant, LLC. After the option was exercised percentage of interest in S-Three is as follows:

<u>Member</u>	<u>Membership</u>
Stephen Simon	82%
Karen Crabill	9%
Wayne Rusnell	9%

S-Three Restaurant, LLC continues to lease the property from the landlord Willits Retail, LLC. Slice is open from 11:00 a.m. to 9:00 p.m. 7 days a week. Shift is open from 5:00 p.m. to midnight on Sunday, 5:00 p.m. to 10:00 p.m. Monday –Tuesday, 5:00 p.m. to 11:00 p.m. Wednesday, 5:00 p.m. to 1:00 a.m. Thursday and 5:00 p.m. to 2:00 a.m. on Friday and Saturday. Sidecar is open from 11:00 a.m. to 2:00 a.m. 7 days a week.

There will be no changes to the operations of the businesses, the layout of the establishments, the concepts, the menus, or the hours of operation. There are no changes to the capacity or layout of the restaurants. There are no changes in the Special Land Use Permit (SLUP).

A background check was conducted on Karen Crabill and Wayne Rusnell using the Law Enforcement Information Network (LEIN), the Court’s Law Enforcement Management Information System (CLEMIS), and the Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN) FBI N-DEX national database. No negative information was uncovered for Karen Crabill. Wayne Rusnell has one prior conviction for operating while intoxicated out of Royal Oak in 2010.

It should be noted that there have been no violations for S-Three Restaurants with The Michigan Liquor Control Commission (MLCC)

LEGAL REVIEW:

This was reviewed and approved by the City Attorney.

FISCAL IMPACT:

\$1,500.00 liquor license application fee received.

SUSTAINABILITY:

Not-applicable.

PUBLIC COMMUNICATIONS:

Not-applicable.

SUMMARY:

S-Three Restaurant, LLC is requesting a transfer of its membership interest in doing business as Slice Pizzeria, Shift Cocktail Bar, and Sidecar Slider Bar. S-Three Restaurant, LLC holds the Class C and SDM License with Sunday Sales (PM) and Outdoor Service Area located at 117 Willits St., Birmingham, Oakland County, MI, and is requesting that membership in S-Three Restaurant, LLC which is owned 100% by Stephen Simon to transfer 9% to Karen Crabill and 9% to Wayne Rusnell leaving 82% to Stephen Simon. The current SLUP in place for Slice Pizzeria, Shift Cocktail Bar, and Sidecar Slider Bar is in the name of S-Three Restaurant, LLC, this will not change. The police department has not uncovered any information that would give cause to deny the applicant's request.

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to authorize the City Clerk to complete the Local Approval Notice at the request of S-Three Restaurant, LLC to transfer the membership of S-Three Restaurant, LLC which is owned 100% by Stephen Simon, which holds the Class C and SDM License with Sunday Sales (PM) and Outdoor Service Area located at 117 Willits St., Birmingham, Oakland County, MI to 82% Stephen Simon, 9% Karen Crabill and 9% Wayne Rusnell.



MEMORANDUM

Engineering Department

DATE: July 11, 2023

TO: Jana L. Ecker, City Manager

FROM: Melissa A. Coatta, City Engineer

SUBJECT: Pierce Street Paving Project
Contract #3-23(W) Contract Award

INTRODUCTION:

The City received and opened bids for the Pierce Street Paving Project Contract #3-23(W) on June 15, 2023. Five (5) bids were received for consideration, and the Engineering Department recommends awarding this contract to Angelo Iafrate Construction Company.

BACKGROUND:

The Pierce Street Paving Project is a several block project from 14 Mile Road to Lincoln Avenue. This project includes work designed to improve water infrastructure while replacing deteriorated pavement. The Pierce Street Paving Project was presented to the Multi-Modal Transpiration Board (MMTB) for review on October 4, 2022. As part of the pavement replacement, the City will place new curb and gutters along with replacing driveway approaches, and improving sidewalk ramps as needed. There were no additional project recommendations by the MMTB.

The Engineering Department opened bids on June 15, 2023. Five (5) bids were received, as listed in the attached summary. The low bidder was Angelo Iafrate Construction Company with their bid of \$2,926,560.00. The lowest bid was approximately \$835,969.00 higher (40%) than the engineer's estimate. Factors that influence bid pricing include rising material and labor costs. The bid documents include a pavement cross-section of concrete pavement and asphalt pavement. The asphalt pavement was a lower cost for all bidders, and for the low bidder, it was \$107,897.00 lower than concrete pavement.

A post-bid meeting was conducted with the two lower bidders to review the detail of their bid and discuss the following valve engineering (VE) items that could reduce the project's cost:

1. Reduce scope of storm sewer: \$147,920.00
2. Alternative pipe material for water main and water services: \$13,978.00
3. Switch 21AA limestone to 21AA crushed concrete: \$10,884.50

For VE Item No. 2, the Engineering Department recommends proceeding with a plastic water service pipe. Both low bidders provide an alternative plastic pipe material, C909, but the Engineering Department and Department of Public Services do not recommend this since the City currently does not have the equipment and material to maintain C909 pipe material.

Angelo Iafrate Construction Company has completed several projects for the City in the past, including the Maple Road and Old Woodward Project. Based on their performance on previous projects, we are confident that they are fully qualified to perform the type of work included in the Pierce Street Paving Project.

As required for all City construction projects, Angelo Iafrate Construction Company has submitted a 5% bid security with their bid which will be forfeited if they do not provide signed contracts, bonds, and insurance required by the contract following the award by the City Commission.

LEGAL REVIEW:

The City's standard contract language was used for this bidding document which the City Attorney had reviewed and approved. No legal issues exist based on the documentation.

FISCAL IMPACT:

This project was budgeted for in the 2022/2023 fiscal year, and a budget amendment is required for the 2023/2024 fiscal year. The total construction cost for the project is estimated to be \$2,891,466.37 which includes the Angelo Iafrate Construction Company bid amount with VE items 1 and 3 at a total of \$2,753,777.50 and a 5% construction contingency. The project award will be funded by the following accounts:

Fund Account	Fund ID Number	Project Award	5% Contingencies	Total
Major Street Fund	202.0-449.001-981.0100	\$1,101,751.85	\$55,087.59	\$1,156,839.44
Sewer Fund	590.0-537.000-981.0100	\$137,573.64	\$6,878.68	\$144,452.32
Water Fund	591.0-544.000-981.0100	\$1,514,452.01	\$75,722.60	\$1,590,174.61

SUSTAINABILITY:

Switching the road aggregate base to 21AA crushed concrete is more sustainable than limestone since crushed concrete is recycled material from previous concrete roads.

PUBLIC COMMUNICATIONS:

The Engineering Department held a property owner meeting on June 6, 2023, to discuss the project, water lateral special assessments, and to answer questions. Property owners received the notification for the water lateral special assessment district. Communication with property owners in the project will be included in the general project announcement.

SUMMARY:

The Engineering Department recommends the Pierce Street Paving Project Contract #3-23(W) be awarded to Angelo Iafrate Construction Company.

ATTACHMENTS:

- Project Area Map (2 pages)
- Bid Summary (2 pages)
- VE Bid Summary (3 pages)
- Nowak and Fraus Recommendation Letter (2 pages)
- [Contract](#)
- [Plans](#)

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to award the Pierce Street Paving Project Contract #3-23(W) to Angelo Iafrate Construction Company in the amount of \$2,753,777.50 and a 5% construction contingency for a total of \$2,891,466.37. In addition, authorize the Mayor and City Clerk to sign the agreement on behalf of the City after the review of Angelo Iafrate Construction Company’s insurance, and bonds contingent upon execution of the agreement and meeting all insurance and bonding requirements. Funding for this project has been budgeted in the following accounts:

Fund Account	Fund ID Number	Project Award	5% Contingencies	Total
Major Street Fund	202.0-449.001-981.0100	\$1,101,751.85	\$55,087.59	\$1,156,839.44
Sewer Fund	590.0-537.000-981.0100	\$137,573.64	\$6,878.68	\$144,452.32
Water Fund	591.0-544.000-981.0100	\$1,514,452.01	\$75,722.60	\$1,590,174.61

AND

To approve the appropriation and amendment of the fiscal year 2023/2024 budget as follows:

Major Street Fund:

Revenues:

202.0-000.000-400.0000	Draw from Fund Balance	<u>\$1,156,840</u>
Total Revenue		<u>\$1,156,840</u>

Expenditures:

202.0-449.001-981.0100	Public Improvement	<u>\$1,156,840</u>
Total Expenses		<u>\$1,156,840</u>

Sewer Fund:

Revenues:

590.0-000.000-400.0000	Draw from Net Position	<u>\$144,460</u>
Total Revenue		<u>\$144,460</u>

Expenditures:

590.0-537.000-981.0100	Public Improvement	<u>\$144,460</u>
Total Expenses		<u>\$144,460</u>

Water Fund:

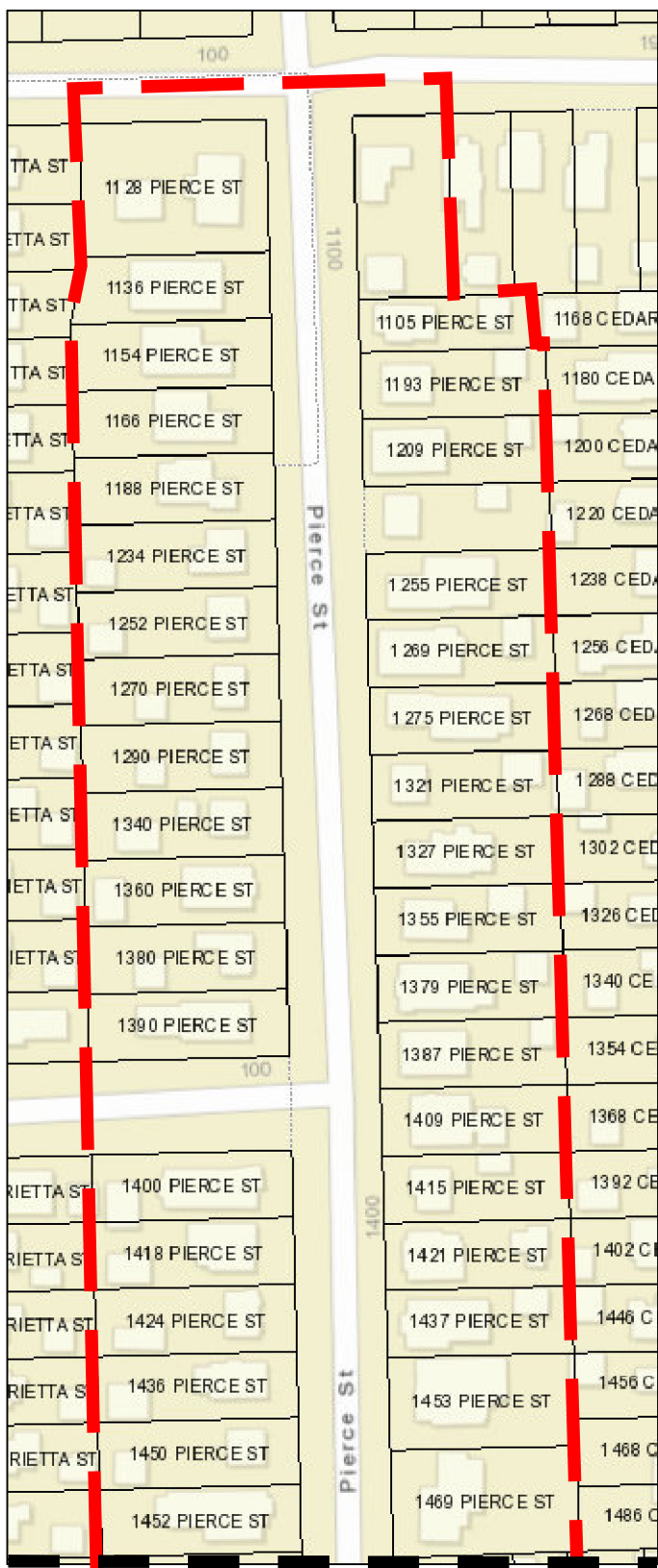
Revenues:

591.0-000.000-400.0000	Draw from Net Position	<u>\$1,590,180</u>
Total Revenue		<u>\$1,590,180</u>

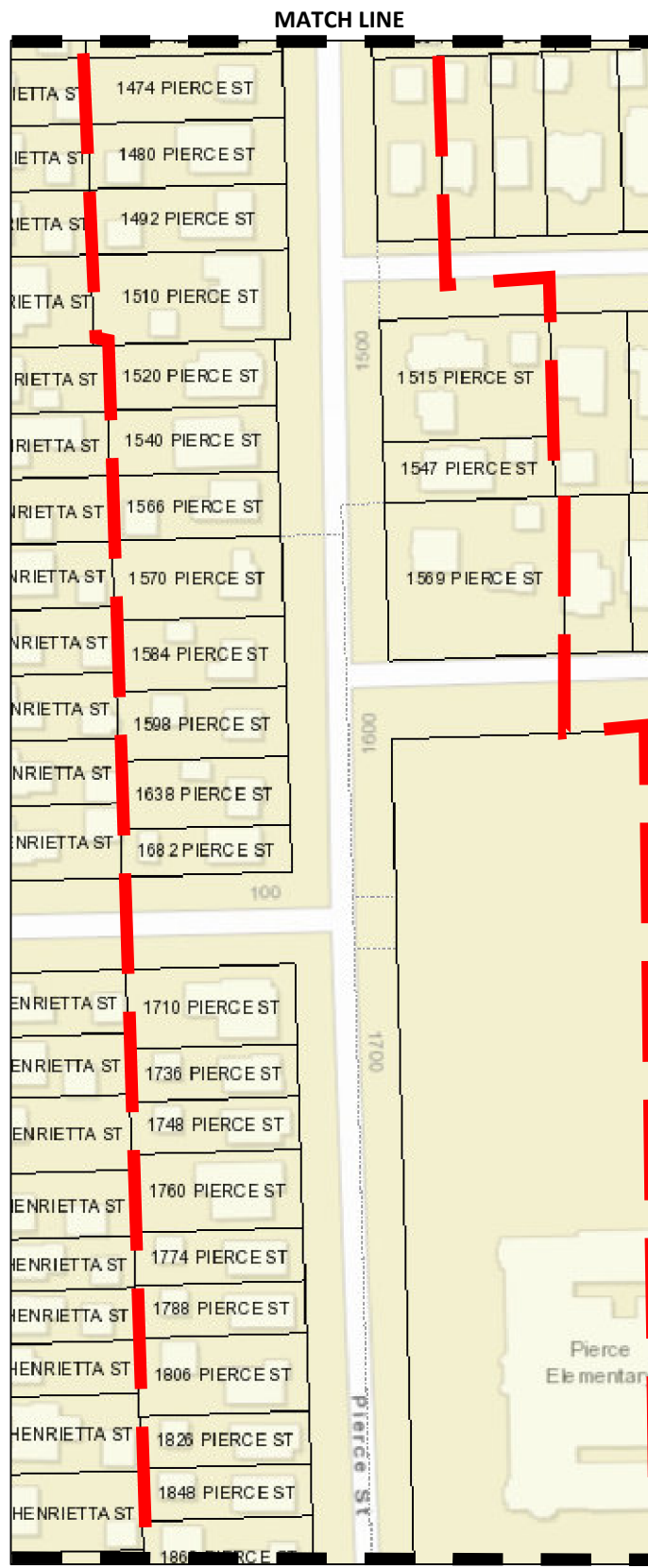
Expenditures:

591.0-544.000-981.0100	Public Improvement	<u>\$1,590,180</u>
Total Expenses		<u>\$1,590,180</u>

Pierce Street Project Area



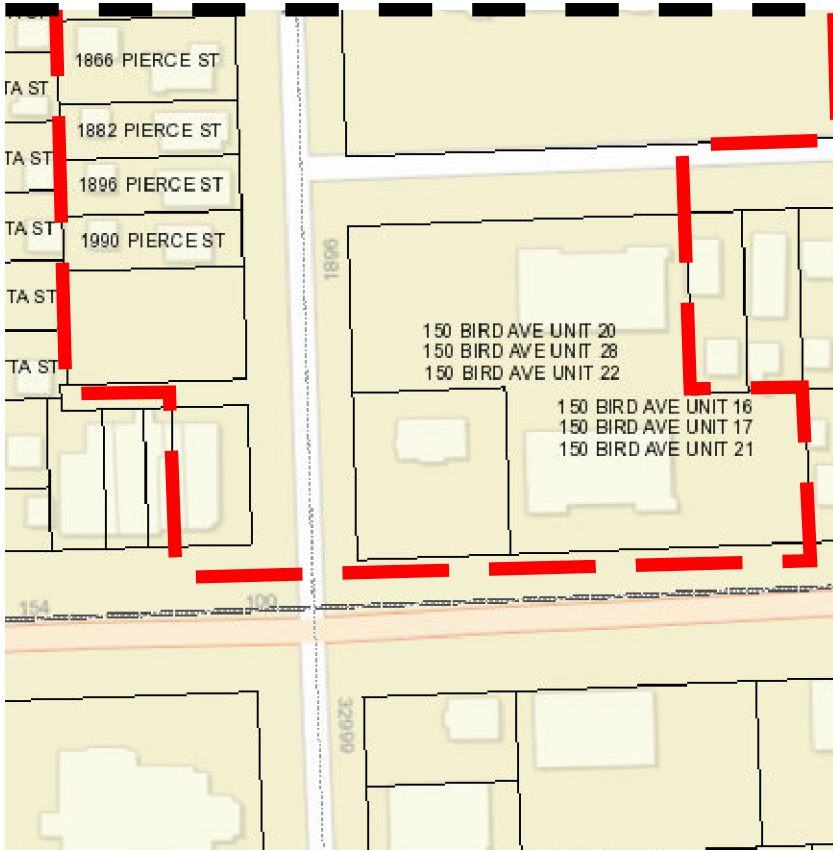
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Pierce Street Project Area

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**BID TABULATION
PIERCE STREET PAVING PROJECT
CONTRACT #3-23(P)**

NO.	ITEM DESCRIPTION	PAY UNIT	TOTAL QUANTITY	ENGINEER'S ESTIMATE		ANGELO IAFRATE		DIPONIO		F.D.M.		INNER CITY		V.I.L.	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
SEWER PAY ITEMS															
1	21" Storm Sewer, C76, CL-IV, Trench A	LF	319	135.00	\$ 43,065.00	120.00	\$ 38,280.00	200.00	\$ 63,800.00	225.00	\$ 71,775.00	386.50	\$ 123,293.50	241.00	\$ 76,879.00
2	18" Storm Sewer, C76, CL-IV, Trench A	LF	216	125.00	\$ 27,000.00	115.00	\$ 24,840.00	180.00	\$ 38,880.00	220.00	\$ 47,520.00	327.85	\$ 70,815.60	235.00	\$ 50,760.00
3	12" Storm Sewer, C76, CL-IV, Trench A	LF	132	95.00	\$ 12,540.00	100.00	\$ 13,200.00	120.00	\$ 15,840.00	150.00	\$ 19,800.00	313.45	\$ 41,375.40	230.00	\$ 30,360.00
4	New 5'-0" Diameter Storm Manhole (Construct Online)	EA	1	6,500.00	\$ 6,500.00	7,000.00	\$ 7,000.00	6,500.00	\$ 6,500.00	15,000.00	\$ 15,000.00	10,605.00	\$ 10,605.00	9,700.00	\$ 9,700.00
5	New 5'-0" Diameter Storm Manhole w/ 2' Sump & PVC Gas Trap	EA	1	5,500.00	\$ 5,500.00	8,000.00	\$ 8,000.00	7,000.00	\$ 7,000.00	12,000.00	\$ 12,000.00	7,997.00	\$ 7,997.00	10,100.00	\$ 10,100.00
6	New 5'-0" Diameter Storm Manhole w/ 2' Sump	EA	2	5,000.00	\$ 10,000.00	6,900.00	\$ 13,800.00	4,800.00	\$ 9,600.00	10,000.00	\$ 20,000.00	7,997.00	\$ 15,994.00	8,200.00	\$ 16,400.00
7	New 4'-0" Diameter Storm Manhole w/ 2' Sump (Construct Online)	EA	1	5,000.00	\$ 5,000.00	6,000.00	\$ 6,000.00	5,000.00	\$ 5,000.00	12,500.00	\$ 12,500.00	8,209.00	\$ 8,209.00	7,900.00	\$ 7,900.00
8	New 4'-0" Diameter Storm Manhole w/ 2' Sump	EA	1	4,500.00	\$ 4,500.00	5,000.00	\$ 5,000.00	4,800.00	\$ 4,800.00	8,500.00	\$ 8,500.00	6,259.00	\$ 6,259.00	6,200.00	\$ 6,200.00
9	New 2'-0" Diameter Inlet	EA	8	2,250.00	\$ 18,000.00	3,500.00	\$ 28,000.00	3,000.00	\$ 24,000.00	6,000.00	\$ 48,000.00	2,295.00	\$ 18,360.00	3,700.00	\$ 29,600.00
10	6" Perforated Pipe Underdrain (No sock)	LF	320	20.00	\$ 6,400.00	25.00	\$ 8,000.00	33.00	\$ 10,560.00	45.00	\$ 14,400.00	29.25	\$ 9,360.00	38.00	\$ 12,160.00
11	Sewer Tap, 21"	EA	1	1,750.00	\$ 1,750.00	4,500.00	\$ 4,500.00	2,000.00	\$ 2,000.00	2,500.00	\$ 2,500.00	2,240.00	\$ 2,240.00	2,400.00	\$ 2,400.00
12	Sewer Tap, 12"	EA	1	1,000.00	\$ 1,000.00	1,500.00	\$ 1,500.00	1,500.00	\$ 1,500.00	1,500.00	\$ 1,500.00	1,695.00	\$ 1,695.00	1,900.00	\$ 1,900.00
13	Reconstruct Manhole (if and where needed)	VF	30	400.00	\$ 12,000.00	450.00	\$ 13,500.00	500.00	\$ 15,000.00	150.00	\$ 4,500.00	397.00	\$ 11,910.00	200.00	\$ 6,000.00
14	Remove & Replace Structure Cover (as directed by City)	LB	2,750	2.00	\$ 5,500.00	2.60	\$ 7,150.00	3.50	\$ 9,625.00	5.00	\$ 13,750.00	2.30	\$ 6,325.00	2.00	\$ 5,500.00
15	Remove Ex. Drainage Structure	EA	3	750.00	\$ 2,250.00	950.00	\$ 2,850.00	800.00	\$ 2,400.00	1,000.00	\$ 3,000.00	1,013.00	\$ 3,039.00	800.00	\$ 2,400.00
16	Remove Ex. 12" Storm Sewer	LF	94	35.00	\$ 3,290.00	50.00	\$ 4,700.00	40.00	\$ 3,760.00	40.00	\$ 3,760.00	53.10	\$ 4,991.40	29.00	\$ 2,726.00
17	Remove Ex. 10" Storm Sewer	LF	25	30.00	\$ 750.00	65.00	\$ 1,625.00	40.00	\$ 1,000.00	40.00	\$ 1,000.00	53.10	\$ 1,327.50	26.00	\$ 650.00
18	Bulkhead Structure, 12"	EA	3	850.00	\$ 2,550.00	600.00	\$ 1,800.00	800.00	\$ 2,400.00	500.00	\$ 1,500.00	250.00	\$ 750.00	500.00	\$ 1,500.00
19	Bulkhead Structure, 10"	EA	1	800.00	\$ 800.00	550.00	\$ 550.00	750.00	\$ 750.00	500.00	\$ 500.00	230.00	\$ 230.00	450.00	\$ 450.00
20	Bulkhead Pipe, 8"	EA	1	1,000.00	\$ 1,000.00	250.00	\$ 250.00	300.00	\$ 300.00	400.00	\$ 400.00	210.00	\$ 210.00	400.00	\$ 400.00
21	CCTV Sewer Acceptance Inspection	LS	1	5,000.00	\$ 5,000.00	25,000.00	\$ 25,000.00	2,000.00	\$ 2,000.00	10,000.00	\$ 10,000.00	3,000.00	\$ 3,000.00	1,500.00	\$ 1,500.00
SUBTOTAL SEWER PAY ITEMS					\$ 174,395.00		\$ 215,545.00		\$ 226,715.00		\$ 311,905.00		\$ 347,986.40		\$ 275,485.00
WATER MAIN PAY ITEMS															
22	Remove Hydrant	EA	2	1,500.00	\$ 3,000.00	1,200.00	\$ 2,400.00	1,000.00	\$ 2,000.00	1,000.00	\$ 2,000.00	515.00	\$ 1,030.00	1,200.00	\$ 2,400.00
23	Remove Existing Gate Valve Well	EA	5	850.00	\$ 4,250.00	3,500.00	\$ 17,500.00	1,000.00	\$ 5,000.00	1,000.00	\$ 5,000.00	761.00	\$ 3,805.00	900.00	\$ 4,500.00
24	Fire Hydrant Assembly, Complete	EA	5	5,500.00	\$ 27,500.00	7,000.00	\$ 35,000.00	8,000.00	\$ 40,000.00	10,000.00	\$ 50,000.00	6,506.50	\$ 32,532.50	9,400.00	\$ 47,000.00
25	12" Gate Valve & Well	EA	8	5,000.00	\$ 40,000.00	9,995.00	\$ 79,960.00	10,000.00	\$ 80,000.00	12,500.00	\$ 100,000.00	10,080.00	\$ 80,640.00	10,300.00	\$ 82,400.00
26	8" Gate Valve & Well	EA	2	4,750.00	\$ 9,500.00	8,995.00	\$ 17,990.00	8,000.00	\$ 16,000.00	10,000.00	\$ 20,000.00	8,104.00	\$ 16,208.00	7,800.00	\$ 15,600.00
27	12" D.I. CL 52 Water Main w/ Polywrap, Trench A	LF	2,599	140.00	\$ 363,860.00	225.00	\$ 584,775.00	254.00	\$ 660,146.00	255.00	\$ 662,745.00	354.35	\$ 920,955.65	353.00	\$ 917,447.00
28	8" D.I. CL 52 Water Main w/ Polywrap, Trench A	LF	115	130.00	\$ 14,950.00	260.00	\$ 29,900.00	230.00	\$ 26,450.00	200.00	\$ 23,000.00	180.75	\$ 20,786.25	260.00	\$ 29,900.00
29	6" D.I. CL 52 Water Main w/ Polywrap, Trench A	LF	61	125.00	\$ 7,625.00	200.00	\$ 12,200.00	220.00	\$ 13,420.00	190.00	\$ 11,590.00	185.45	\$ 11,312.45	254.00	\$ 15,494.00
30	4" D.I. CL 52 Water Main w/ Polywrap, Trench A	LF	4	120.00	\$ 480.00	600.00	\$ 2,400.00	300.00	\$ 1,200.00	250.00	\$ 1,000.00	186.50	\$ 746.00	252.00	\$ 1,008.00
31	12" Water Main Connection to Ex. 12" Water Main	EA	2	3,500.00	\$ 7,000.00	7,500.00	\$ 15,000.00	15,000.00	\$ 30,000.00	10,000.00	\$ 20,000.00	10,160.00	\$ 20,320.00	9,500.00	\$ 19,000.00
32	8" Water Main Connection to Ex. 8" Water Main	EA	4	3,250.00	\$ 13,000.00	7,000.00	\$ 28,000.00	13,000.00	\$ 52,000.00	7,500.00	\$ 30,000.00	9,781.00	\$ 39,124.00	8,500.00	\$ 34,000.00
33	4" Water Main Connection to Ex. 4" Water Main	EA	1	2,750.00	\$ 2,750.00	3,000.00	\$ 3,000.00	12,000.00	\$ 12,000.00	6,500.00	\$ 6,500.00	6,894.00	\$ 6,894.00	7,000.00	\$ 7,000.00
34	New Water Service, 6", Trench A, CL 52 D.I.	LF	4	125.00	\$ 500.00	370.00	\$ 1,480.00	500.00	\$ 2,000.00	250.00	\$ 1,000.00	203.50	\$ 814.00	252.00	\$ 1,008.00
35	New Water Service, 1.5", Trench A, Copper	LF	106	60.00	\$ 6,360.00	145.00	\$ 15,370.00	65.00	\$ 6,890.00	85.00	\$ 9,010.00	99.15	\$ 10,509.90	35.00	\$ 3,710.00
36	New Water Service, 1", Trench A, Copper	LF	1,694	55.00	\$ 93,170.00	115.00	\$ 194,810.00	55.00	\$ 93,170.00	65.00	\$ 110,110.00	92.65	\$ 156,949.10	30.00	\$ 50,820.00
37	Water Service Connection, 6"	EA	1	950.00	\$ 950.00	1,670.00	\$ 1,670.00	4,000.00	\$ 4,000.00	6,500.00	\$ 6,500.00	7,347.00	\$ 7,347.00	7,500.00	\$ 7,500.00
38	Water Service Connection, 1.5"	EA	5	850.00	\$ 4,250.00	215.00	\$ 1,075.00	1,350.00	\$ 6,750.00	1,500.00	\$ 7,500.00	1,171.00	\$ 5,855.00	3,900.00	\$ 19,500.00
39	Water Service Connection, 1"	EA	61	750.00	\$ 45,750.00	210.00	\$ 12,810.00	800.00	\$ 48,800.00	1,000.00	\$ 61,000.00	702.60	\$ 42,858.60	2,800.00	\$ 170,800.00
40	Install Curb Stop & Box (Materials Provided by City), 1"	EA	24	400.00	\$ 9,600.00	210.00	\$ 5,040.00	350.00	\$ 8,400.00	600.00	\$ 14,400.00	257.50	\$ 6,180.00	300.00	\$ 7,200.00
41	Hydra-Stop, 12"	EA	4	9,000.00	\$ 36,000.00	5,495.00	\$ 21,980.00	4,700.00	\$ 18,800.00	250.00	\$ 1,000.00	6,969.00	\$ 27,876.00	500.00	\$ 2,000.00
42	Hydra-Stop, 8"	EA	4	7,000.00	\$ 28,000.00	4,595.00	\$ 18,380.00	3,800.00	\$ 15,200.00	200.00	\$ 800.00	6,069.00	\$ 24,276.00	400.00	\$ 1,600.00
43	Hydra-Stop, 6"	EA	2	5,000.00	\$ 10,000.00	4,095.00	\$ 8,190.00	3,500.00	\$ 7,000.00	100.00	\$ 200.00	5,769.00	\$ 11,538.00	350.00	\$ 700.00
44	Hydra-Stop, 4"	EA	1	4,000.00	\$ 4,000.00	3,795.00	\$ 3,795.00	3,200.00	\$ 3,200.00	100.00	\$ 100.00	5,469.00	\$ 5,469.00	300.00	\$ 300.00
45	Abandon Existing Water Mains, Entire Project	LS	1	10,000.00	\$ 10,000.00	50,000.00	\$ 50,000.00	10,000.00	\$ 10,000.00	10,000.00	\$ 10,000.00	6,180.00	\$ 6,180.00	2,500.00	\$ 2,500.00
SUBTOTAL WATER MAIN PAY ITEMS					\$ 742,495.00		\$ 1,162,725.00		\$ 1,162,426.00		\$ 1,153,455.00		\$ 1,460,206.45		\$ 1,443,387.00
PAVING PAY ITEMS															
46	<See Alternate #1 and Alternate #2 Below>														
47	Subgrade Undercutting	CY	321	35.00	\$ 11,235.00	28.00	\$ 8,988.00	65.00	\$ 20,865.00	35.00	\$ 11,235.00	37.85	\$ 12,149.85	50.00	\$ 16,050.00
48	Remove and Salvage Brick Pavers	SF	20	20.00	\$ 400.00	15.00	\$ 300.00	20.00	\$ 400.00	25.00	\$ 500.00	5.00	\$ 100.00	12.00	\$ 240.00
49	Removing Asphalt Drive Approach	SY	15	7.00	\$ 105.00	50.00	\$ 750.00	35.00	\$ 525.00	10.00	\$ 150.00	5.00	\$ 75.00	15.00	\$ 225.00
50	Removing Concrete Drive Approach	SY	1,370	8.00	\$ 10,960.00	15.00	\$ 20,550.00	25.00	\$ 34,250.00	12.00	\$ 16,440.00	13.15	\$ 18,015.50	15.00	\$ 20,550.00
51	Removing Concrete Sidewalk & Ramp (sawcutting included)	SY	671	6.00	\$ 4,026.00	17.00	\$ 11,407.00	25.00	\$ 16,775.00	10.00	\$ 6,710.00	13.15	\$ 8,823.65	15.00	\$ 10,065.00
52	Removing Pavement Full Depth (Curb & Gutter included)	SY	9,405	10.00	\$ 94,050.00	9.00	\$ 84,645.00	17.00	\$ 159,885.00	15.00	\$ 141,075.00	10.80	\$ 101,574.00	15.00	\$ 141,075.00
53	Cold Milling Asphalt, 1.5"	SY	19	20.00	\$ 380.00	140.00	\$ 2,660.00	200.00	\$ 3,800.00	50.00	\$ 950.00	250.00	\$ 4,750.00	150.00	\$ 2,850.00
54	Bituminous Mixture No. 13A, Repair Areas	TON	20	150.00	\$ 3,000.00	605.00	\$ 12,100.00	500.00	\$ 10,000.00	350.00	\$ 7,000.00	134.00	\$ 2,680.00	500.00	\$ 10,000.00
55	Aggregate Base, MDOT 21AA Limestone, 8"	SY	9,895	10.00	\$ 98,950.00	14.00	\$ 138,530.00	20.00	\$ 197,900.00	20.00	\$ 197,900.00	16.60	\$ 164,257.00	15.00	\$

**BID TABULATION
PIERCE STREET PAVINGPROJECT
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NO.	ITEM DESCRIPTION	PAY UNIT	TOTAL QUANTITY	ENGINEER'S ESTIMATE		ANGELO IAFRATE		DIPONIO	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
SEWER PAY ITEMS									
1	21" Storm Sewer, C76, CL-IV, Trench A	LF	0	135.00	\$ -	120.00	\$ -	200.00	\$ -
2	18" Storm Sewer, C76, CL-IV, Trench A	LF	0	125.00	\$ -	115.00	\$ -	180.00	\$ -
3	12" Storm Sewer, C76, CL-IV, Trench A	LF	132	95.00	\$ 12,540.00	100.00	\$ 13,200.00	120.00	\$ 15,840.00
4	New 5'-0" Diameter Storm Manhole (Construct Online)	EA	0	6,500.00	\$ -	7,000.00	\$ -	6,500.00	\$ -
5	New 5'-0" Diameter Storm Manhole w/ 2' Sump & PVC Gas Trap	EA	0	5,500.00	\$ -	8,000.00	\$ -	7,000.00	\$ -
6	New 5'-0" Diameter Storm Manhole w/ 2' Sump	EA	0	5,000.00	\$ -	6,900.00	\$ -	4,800.00	\$ -
7	New 4'-0" Diameter Storm Manhole w/ 2' Sump (Construct Online)	EA	0	5,000.00	\$ -	6,000.00	\$ -	5,000.00	\$ -
8	New 4'-0" Diameter Storm Manhole w/ 2' Sump	EA	2	4,500.00	\$ 9,000.00	5,000.00	\$ 10,000.00	4,800.00	\$ 9,600.00
9	New 2'-0" Diameter Inlet	EA	3	2,250.00	\$ 6,750.00	3,500.00	\$ 10,500.00	3,000.00	\$ 9,000.00
10	6" Perforated Pipe Underdrain (No sock)	LF	200	20.00	\$ 4,000.00	25.00	\$ 5,000.00	33.00	\$ 6,600.00
11	Sewer Tap, 21"	EA	0	1,750.00	\$ -	4,500.00	\$ -	2,000.00	\$ -
12	Sewer Tap, 12"	EA	2	1,000.00	\$ 2,000.00	1,500.00	\$ 3,000.00	1,500.00	\$ 3,000.00
13	Reconstruct Manhole (if and where needed)	VF	30	400.00	\$ 12,000.00	450.00	\$ 13,500.00	500.00	\$ 15,000.00
14	Remove & Replace Structure Cover (as directed by City)	LB	2,750	2.00	\$ 5,500.00	2.60	\$ 7,150.00	3.50	\$ 9,625.00
15	Remove Ex. Drainage Structure	EA	3	750.00	\$ 2,250.00	950.00	\$ 2,850.00	800.00	\$ 2,400.00
16	Remove Ex. 12" Storm Sewer	LF	0	35.00	\$ -	50.00	\$ -	40.00	\$ -
17	Remove Ex. 10" Storm Sewer	LF	25	30.00	\$ 750.00	65.00	\$ 1,625.00	40.00	\$ 1,000.00
18	Bulkhead Structure, 12"	EA	0	850.00	\$ -	600.00	\$ -	800.00	\$ -
19	Bulkhead Structure, 10"	EA	1	800.00	\$ 800.00	550.00	\$ 550.00	750.00	\$ 750.00
20	Bulkhead Pipe, 8"	EA	1	1,000.00	\$ 1,000.00	250.00	\$ 250.00	300.00	\$ 300.00
21	CCTV Sewer Acceptance Inspection	LS	0	5,000.00	\$ -	25,000.00	\$ -	2,000.00	\$ -
SUBTOTAL SEWER PAY ITEMS					\$ 56,590.00		\$ 67,625.00		\$ 73,115.00
WATER MAIN PAY ITEMS									
22	Remove Hydrant	EA	2	1,500.00	\$ 3,000.00	1,200.00	\$ 2,400.00	1,000.00	\$ 2,000.00
23	Remove Existing Gate Valve Well	EA	5	850.00	\$ 4,250.00	3,500.00	\$ 17,500.00	1,000.00	\$ 5,000.00
24	Fire Hydrant Assembly, Complete	EA	5	5,500.00	\$ 27,500.00	7,000.00	\$ 35,000.00	8,000.00	\$ 40,000.00
25	12" Gate Valve & Well	EA	8	5,000.00	\$ 40,000.00	9,995.00	\$ 79,960.00	10,000.00	\$ 80,000.00
26	8" Gate Valve & Well	EA	2	4,750.00	\$ 9,500.00	8,995.00	\$ 17,990.00	8,000.00	\$ 16,000.00
27	12" D.I. CL 52 Water Main w/ Polywrap, Trench A	LF	2,599	140.00	\$ 363,860.00	225.00	\$ 584,775.00	254.00	\$ 660,146.00
28	8" D.I. CL 52 Water Main w/ Polywrap, Trench A	LF	115	130.00	\$ 14,950.00	260.00	\$ 29,900.00	230.00	\$ 26,450.00
29	6" D.I. CL 52 Water Main w/ Polywrap, Trench A	LF	61	125.00	\$ 7,625.00	200.00	\$ 12,200.00	220.00	\$ 13,420.00
30	4" D.I. CL 52 Water Main w/ Polywrap, Trench A	LF	4	120.00	\$ 480.00	600.00	\$ 2,400.00	300.00	\$ 1,200.00
31	12" Water Main Connection to Ex. 12" Water Main	EA	2	3,500.00	\$ 7,000.00	7,500.00	\$ 15,000.00	15,000.00	\$ 30,000.00
32	8" Water Main Connection to Ex. 8" Water Main	EA	4	3,250.00	\$ 13,000.00	7,000.00	\$ 28,000.00	13,000.00	\$ 52,000.00
33	4" Water Main Connection to Ex. 4" Water Main	EA	1	2,750.00	\$ 2,750.00	3,000.00	\$ 3,000.00	12,000.00	\$ 12,000.00
34	New Water Service, 6", Trench A, CL 52 D.I.	LF	4	125.00	\$ 500.00	370.00	\$ 1,480.00	500.00	\$ 2,000.00
35	New Water Service, 1.5", Trench A, PE	LF	106	60.00	\$ 6,360.00	125.00	\$ 13,250.00	50.00	\$ 5,300.00
36	New Water Service, 1", Trench A, PE	LF	1,694	55.00	\$ 93,170.00	108.00	\$ 182,952.00	45.00	\$ 76,230.00
37	Water Service Connection, 6"	EA	1	950.00	\$ 950.00	1,670.00	\$ 1,670.00	4,000.00	\$ 4,000.00
38	Water Service Connection, 1.5"	EA	5	850.00	\$ 4,250.00	215.00	\$ 1,075.00	1,350.00	\$ 6,750.00
39	Water Service Connection, 1"	EA	61	750.00	\$ 45,750.00	210.00	\$ 12,810.00	800.00	\$ 48,800.00
40	Install Curb Stop & Box (Materials Provided by City), 1"	EA	24	400.00	\$ 9,600.00	210.00	\$ 5,040.00	350.00	\$ 8,400.00

**BID TABULATION
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41	Hydra-Stop, 12"	EA	4	9,000.00	\$ 36,000.00	5,495.00	\$ 21,980.00	4,700.00	\$ 18,800.00
42	Hydra-Stop, 8"	EA	4	7,000.00	\$ 28,000.00	4,595.00	\$ 18,380.00	3,800.00	\$ 15,200.00
43	Hydra-Stop, 6"	EA	2	5,000.00	\$ 10,000.00	4,095.00	\$ 8,190.00	3,500.00	\$ 7,000.00
44	Hydra-Stop, 4"	EA	1	4,000.00	\$ 4,000.00	3,795.00	\$ 3,795.00	3,200.00	\$ 3,200.00
45	Abandon Existing Water Mains, Entire Project	LS	1	10,000.00	\$ 10,000.00	50,000.00	\$ 50,000.00	10,000.00	\$ 10,000.00
	SUBTOTAL WATER MAIN PAY ITEMS				\$ 742,495.00		\$ 1,148,747.00		\$ 1,143,896.00
	PAVING PAY ITEMS								
46	<See Alternate #1 and Alternate #2 Below>								
47	Subgrade Undercutting	CY	321	35.00	\$ 11,235.00	28.00	\$ 8,988.00	65.00	\$ 20,865.00
48	Remove and Salvage Brick Pavers	SF	20	20.00	\$ 400.00	15.00	\$ 300.00	20.00	\$ 400.00
49	Removing Asphalt Drive Approach	SY	15	7.00	\$ 105.00	50.00	\$ 750.00	35.00	\$ 525.00
50	Removing Concrete Drive Approach	SY	1,370	8.00	\$ 10,960.00	15.00	\$ 20,550.00	25.00	\$ 34,250.00
51	Removing Concrete Sidewalk & Ramp (sawcutting included)	SY	671	6.00	\$ 4,026.00	17.00	\$ 11,407.00	25.00	\$ 16,775.00
52	Removing Pavement Full Depth (Curb & Gutter included)	SY	9,405	10.00	\$ 94,050.00	9.00	\$ 84,645.00	17.00	\$ 159,885.00
53	Cold Milling Asphalt, 1.5"	SY	19	20.00	\$ 380.00	140.00	\$ 2,660.00	200.00	\$ 3,800.00
54	Bituminous Mixture No. 13A, Repair Areas	TON	20	150.00	\$ 3,000.00	605.00	\$ 12,100.00	500.00	\$ 10,000.00
55	Aggregate Base, MDOT 21AA Crushed Concrete, 8"	SY	9,895	10.00	\$ 98,950.00	12.90	\$ 127,645.50	17.00	\$ 168,215.00
56	Concrete Pavement, Non-reinforced, 9", Incl. integral 6" curb	SY	295	60.00	\$ 17,700.00	96.00	\$ 28,320.00	70.00	\$ 20,650.00
57	<See Alternate #1 and Alternate #2 Below>								
58	<See Alternate #1 and Alternate #2 Below>								
59	<See Alternate #1 and Alternate #2 Below>								
60	<See Alternate #1 and Alternate #2 Below>								
61	<See Alternate #1 and Alternate #2 Below>								
62	<See Alternate #1 and Alternate #2 Below>								
63	Concrete Drive Approach, 6", Incl. integral 6" curb	SY	175	50.00	\$ 8,750.00	82.00	\$ 14,350.00	85.00	\$ 14,875.00
64	Concrete Drive Approach, 6"	SY	1,410	45.00	\$ 63,450.00	80.00	\$ 112,800.00	81.00	\$ 114,210.00
65	Concrete Sidewalk, 6" (Includes Ramps)	SF	755	6.00	\$ 4,530.00	13.00	\$ 9,815.00	13.00	\$ 9,815.00
66	Concrete Sidewalk, 4"	SF	5,090	5.00	\$ 25,450.00	9.50	\$ 48,355.00	8.00	\$ 40,720.00
67	Handicap Ramp Truncated Domes	SF	218	60.00	\$ 13,080.00	42.00	\$ 9,156.00	175.00	\$ 38,150.00
68	Adjust Structure Cover	EA	25	300.00	\$ 7,500.00	850.00	\$ 21,250.00	500.00	\$ 12,500.00
69	Maintenance Aggregate for Entire Project	LS	1	25,000.00	\$ 25,000.00	23,000.00	\$ 23,000.00	10,000.00	\$ 10,000.00
	SUBTOTAL PAVING PAY ITEMS				\$ 388,566.00		\$ 536,091.50		\$ 675,635.00
	GENERAL PAY ITEMS								
70	Mobilization (Max. 5% of Bid)	LS	1	\$ 105,000.00	\$ 105,000.00	\$ 108,000.00	\$ 108,000.00	\$ 147,000.00	\$ 147,000.00
71	Pavement Marking, Polyurea, 24 inch Stop Bar, White	LF	65	\$ 5.00	\$ 325.00	\$ 13.00	\$ 845.00	\$ 12.95	\$ 841.75
72	Pavement Marking, Polyurea, 24 inch Crosshatching, White	LF	478	\$ 5.00	\$ 2,390.00	\$ 13.00	\$ 6,214.00	\$ 12.95	\$ 6,190.10
73	Pavement Marking, Polyurea, 4 inch, Yellow	LF	258	\$ 2.50	\$ 645.00	\$ 2.00	\$ 516.00	\$ 2.50	\$ 645.00
74	Recessing Pavt Mkrng, Longit	LF	258	\$ 2.50	\$ 645.00	\$ 1.00	\$ 258.00	\$ 0.99	\$ 255.42
75	Recessing Pavt Mkrng, Transv	SF	1,086	\$ 2.50	\$ 2,715.00	\$ 3.00	\$ 3,258.00	\$ 2.95	\$ 3,203.70
76	Water and Sewer Allowance	LS	1	50,000.00	\$ 50,000.00	50,000.00	\$ 50,000.00	50,000.00	\$ 50,000.00
77	Salvage Existing Signs	LS	1	1,500.00	\$ 1,500.00	1,000.00	\$ 1,000.00	1,000.00	\$ 1,000.00
78	New Signs	SF	50	40.00	\$ 2,000.00	50.00	\$ 2,500.00	50.00	\$ 2,500.00

**BID TABULATION
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79	Sign Post, U-Channel	LF	96	15.00	\$ 1,440.00	25.00	\$ 2,400.00	25.00	\$ 2,400.00
80	Tree Protection, 3" Dia. Or Greater	EA	72	115.00	\$ 8,280.00	200.00	\$ 14,400.00	125.00	\$ 9,000.00
81	Furnish & Install Bike Rack Hoops	EA	3	1,000.00	\$ 3,000.00	650.00	\$ 1,950.00	800.00	\$ 2,400.00
82	Mulch, 3"	SY	100	10.00	\$ 1,000.00	30.00	\$ 3,000.00	7.90	\$ 790.00
83	Topsoil, 3"	SY	1,750	4.00	\$ 7,000.00	22.00	\$ 38,500.00	4.80	\$ 8,400.00
84	Sod, Class A	SY	1,750	4.00	\$ 7,000.00	16.00	\$ 28,000.00	6.95	\$ 12,162.50
85	Inlet Filter	EA	22	100.00	\$ 2,200.00	165.00	\$ 3,630.00	130.00	\$ 2,860.00
86	Inlet Sediment Pit	EA	8	100.00	\$ 800.00	250.00	\$ 2,000.00	120.00	\$ 960.00
87	<See Alternate #1 and Alternate #2 Below>								
88	<See Alternate #1 and Alternate #2 Below>								
	SUBTOTAL GENERAL PAY ITEMS				\$ 195,940.00		\$ 266,471.00		\$ 250,608.47
ALTERNATE #1 - "CONCRETE PAVEMENT"									
	ALTERNATE #1 - PAVING PAY ITEMS								
46	Earth Excavation	CY	3,212	20.00	\$ 64,240.00	41.00	\$ 131,692.00	50.00	\$ 160,600.00
57	Concrete Pavement, Non-reinforced, 7", Incl. integral 6" curb	SY	8,935	55.00	\$ 491,425.00	65.00	\$ 580,775.00	58.00	\$ 518,230.00
58	Bituminous Mixture No. 5EML (2.0" Wearing Course)	TON	0	130.00	\$ -		\$ -		\$ -
59	Bituminous Mixture No. 4EML (3.0" Leveling Course)	TON	0	125.00	\$ -		\$ -		\$ -
60	Concrete Curb & Gutter (18" Wide, "Birmingham Roll")	LF	40	50.00	\$ 2,000.00	42.00	\$ 1,680.00	50.00	\$ 2,000.00
61	MDOT "M" Approach Detail, 18" Wd. Curb & Gutter	LF	0	35.00	\$ -		\$ -		\$ -
62	MDOT "M" Approach Detail (Formed in Conc. Pavt. w/ int. curb)	LF	217	25.00	\$ 5,425.00	29.00	\$ 6,293.00	55.00	\$ 11,935.00
	ALTERNATE #1 - GENERAL PAY ITEMS								
87	Traffic Maintenance & Control	LS	1	50,000.00	\$ 50,000.00	44,300.00	\$ 44,300.00	26,500.00	\$ 26,500.00
88	Inspector Crew Days	DAYS	90	650.00	\$ 58,500.00	650.00	\$ 78,000.00	650.00	\$ 48,750.00
	SUBTOTAL ALTERNATE #1 PAVING & GENERAL PAY ITEMS				\$ 671,590.00		\$ 842,740.00		\$ 768,015.00
				TOTAL ESTIMATE W/ ALTERNATE #1:	\$ 2,055,181.00	TOTAL ESTIMATE W/ ALTERNATE #1:	\$ 2,861,674.50	TOTAL ESTIMATE W/ ALTERNATE #1:	\$ 2,911,269.47
ALTERNATE #2 - "ASPHALT PAVEMENT"									
	ALTERNATE #2- PAVING PAY ITEMS								
46	Earth Excavation	CY	2,732	20.00	\$ 54,640.00	52.00	\$ 142,064.00	50.00	\$ 136,600.00
57	Concrete Pavement, Non-reinforced, 7", Incl. integral 6" curb	SY	0	55.00	\$ -		\$ -		\$ -
58	Bituminous Mixture No. 5EML (2.0" Wearing Course)	TON	862	130.00	\$ 112,060.00	161.00	\$ 138,782.00	138.00	\$ 118,956.00
59	Bituminous Mixture No. 4EML (3.0" Leveling Course)	TON	1,294	125.00	\$ 161,750.00	146.00	\$ 188,924.00	122.00	\$ 157,868.00
60	Concrete Curb & Gutter (18" Wide, "Birmingham Roll")	LF	4,930	30.00	\$ 147,900.00	27.00	\$ 133,110.00	28.00	\$ 138,040.00
61	MDOT "M" Approach Detail, 18" Wd. Curb & Gutter	LF	217	35.00	\$ 7,595.00	39.00	\$ 8,463.00	35.00	\$ 7,595.00
62	MDOT "M" Approach Detail (Formed in Conc. Pavt. w/ int. curb)	LF	0	25.00	\$ -		\$ -		\$ -
	ALTERNATE #2 - GENERAL PAY ITEMS								
87	Traffic Maintenance & Control	LS	1	50,000.00	\$ 50,000.00	52,000.00	\$ 52,000.00	29,000.00	\$ 29,000.00
88	Inspector Crew Days	DAYS	85	650.00	\$ 55,250.00	650.00	\$ 71,500.00	650.00	\$ 46,800.00
	SUBTOTAL ALTERNATE #2 PAVING & GENERAL PAY ITEMS				\$ 589,195.00		\$ 734,843.00		\$ 634,859.00
				TOTAL ESTIMATE W/ ALTERNATE #2:	\$ 1,972,786.00	TOTAL ESTIMATE W/ ALTERNATE #2:	\$ 2,753,777.50	TOTAL ESTIMATE W/ ALTERNATE #2:	\$ 2,778,113.47

NOTE: RED Text Indicates quantity or unit price adjustment from V.E. evaluation.



CIVIL ENGINEERS

LAND SURVEYORS

LAND PLANNERS

June 30, 2023

City of Birmingham
151 Martin Street
Birmingham, MI 48012

Attn: Ms. Melissa A. Coatta, P.E.
City Engineer

Re: Recommendation for Bid Award
Pierce Street Paving Project - Contract #3-23P
NFE Job #M515

Dear Ms. Coatta,

Bids for the subject project were received, opened, and read on Thursday, June 15th, 2023, at 2:00 p.m. at City Hall. A total of five (5) bids were received and read. The bids have been tabulated, checked, and are in order. The low bidder for the project is Angelo lafrate Construction Company (lafrate), whose total bid amounts for the concrete and asphalt alternate paving options of \$3,034,457.00 and \$2,926,560.00, respectively, were both the lowest bids received. We note that the low bid amounts received from lafrate were substantially higher than the Engineer's Opinion of Probable Cost for both respective paving alternates, by approximately 40%.

Due to the high bid amounts received, and the fact that the 2nd lowest bidder (DiPonio Contracting, LLC) was less than 3% higher than lafrate for both paving alternates, the City requested that post-bid interviews be conducted with both companies to review potential value-engineering (VE) options to help reduce costs. After independent discussions with both companies, the City Engineering department worked with Nowak and Fraus Engineers to establish a list of feasible VE options, which was sent to both companies for pricing, and was subsequently provided by both companies.

Prior to receipt of VE alternate pricing, the City reviewed and confirmed the final desired scope of work, which included the asphalt paving alternate and selection of some, but not all VE alternates. The selected VE alternates included: reduction of the overall storm sewer scope of work, revised material for water services from the original bid, and revised material for the road aggregate base from the original bid. Based on the chosen scope of work, lafrate remained the low bidder, with a total amount of \$2,753,777.50, compared to DiPonio's total of \$2,778,113.47 for the same project scope.

Our office has experience working with lafrate on numerous previous successful projects in Birmingham and other surrounding communities. We have reviewed the references included with their bid and find them to be reputable and acceptable. Based on previous experience we are confident in lafrate's ability to perform the scope of work for this project.

NOWAK & FRAUS ENGINEERS

46777 WOODWARD AVENUE
PONTIAC, MI 48342-5032

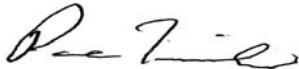
WWW.NOWAKFRAUS.COM

VOICE: 248.332.7931
FAX: 248.332.8257

In summary, in our capacity as Design and Consulting Engineers for the City of Birmingham, we have evaluated the bid pricing and contractor qualifications received from lafrate and are confident in their ability to perform the scope of work for this project. Although the bid pricing was substantially higher than estimated costs, implementation of VE alternates will help reduce overall project costs, and we understand the City's desire to complete this project this year. Further, there are no guarantees that delaying this project will result in overall cost reduction. We therefore recommend that Contract #3-23P for the Pierce Street Paving Project be awarded to lafrate Construction Company in the amount of **\$2,753,777.50**.

Please do not hesitate to contact our office if you have any questions or comments.

Sincerely,



Paul Tulikangas, P.E.
Associate / Engineering Manager



Brett Buchholz, P.E.,
Principal



MEMORANDUM

Treasury

DATE: July 5, 2023

TO: Jana L. Ecker, City Manager

FROM: Ryan Katz, Deputy Treasurer
Mark Gerber, Finance Director/Treasurer

SUBJECT: Confirmation of SAD Roll 905 Pierce Street Paving – Water Laterals

INTRODUCTION:

A public hearing on the confirmation of the special assessment roll for the Pierce Street Paving Project is being held on July 10, 2023. 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 June 26, 2023, the City Commission determined the necessity of the Pierce Street Paving project and a Hearing of Confirmation of the Special Assessment Roll was set for July 10, 2023.

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 the improvements to the property. Pursuant to the City Code at section 94-9, whenever a Special Assessment Roll shall be confirmed by the City Commission, it should be final and conclusive.

FISCAL IMPACT:

If confirmed, the preliminary assessment roll would be \$113,850.00. 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:

Not applicable.

PUBLIC COMMUNICATIONS:

Property owners were notified by mail of the public hearing dates. If the City Commission confirms the Special Assessment Rolls, 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 public hearing of confirmation of Special Assessment District 905 and further to confirm the rolls as attached to this report.

ATTACHMENTS:

- Proposed Special Assessment Roll
- Memorandum: Hearing of Necessity for Pierce Street Paving SAD

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution confirming Special Assessment Roll 905 as follows:

WHEREAS, Special Assessment Roll, designated Roll No. 905, 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

The Commission Resolution 06-128-23 provided it would meet this 10th day of July, 2023 for the sole purpose of reviewing the assessment roll, and

WHEREAS, at said hearing held this July 10, 2023, 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, and

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 905 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 quarter percent (9.25%) on all unpaid installments.

Parcel ID / Sidwell Number	Street Address	SAD Assessment
19-36-401-006	1105 Pierce Street	\$ 3,277.50
19-36-329-011	1234 Pierce Street	\$ 4,312.50
19-36-401-009	1245 Pierce Street	\$ 3,450.00
19-36-329-012	1252 Pierce Street	\$ 4,197.50
19-36-329-013	1270 Pierce Street	\$ 4,197.50
19-36-329-014	1290 Pierce Street	\$ 4,485.00
19-36-401-046	1321 Pierce Street	\$ 3,220.00
19-36-329-015	1340 Pierce Street	\$ 4,830.00
19-36-401-013	1355 Pierce Street	\$ 3,220.00
19-36-329-017	1380 Pierce Street	\$ 4,485.00
19-36-401-017	1415 Pierce Street	\$ 2,990.00
19-36-333-020	1418 Pierce Street	\$ 4,600.00
19-36-401-018	1421 Pierce Street	\$ 2,990.00
19-36-333-021	1424 Pierce Street	\$ 4,600.00
19-36-333-022	1436 Pierce Street	\$ 4,600.00
19-36-401-019	1437 Pierce Street	\$ 2,990.00
19-36-333-023	1450 Pierce Street	\$ 4,830.00
19-36-401-021	1469 Pierce Street	\$ 2,990.00
19-36-333-025	1474 Pierce Street	\$ 4,600.00
19-36-333-027	1492 Pierce Street	\$ 4,600.00
19-36-333-028	1510 Pierce Street	\$ 4,600.00
19-36-333-032	1570 Pierce Street	\$ 5,980.00
19-36-333-033	1584 Pierce Street	\$ 5,980.00
19-36-333-035	1638 Pierce Street	\$ 6,440.00
19-36-333-036	1682 Pierce Street	\$ 5,750.00
19-36-379-025	100 W. 14 Mile Road	\$ 5,635.00

\$ 113,850.00



MEMORANDUM

ENGINEERING DEPARTMENT

DATE: June 26, 2023

TO: Jana Ecker, Acting City Manager

FROM: Melissa A. Coatta, City Engineer
Cory Borton, Assistant Director of Engineering

SUBJECT: Pierce Street Paving Project
Hearing of Necessity for Water Service Special Assessment District (SAD)

INTRODUCTION:

The Pierce Street Paving Project includes the replacement of the water main on Pierce Street between E. Lincoln Street and 14 Mile Road and the repaving of that section of the road. The City proposes to replace private water services meeting size criteria in the Right-Of-Way (ROW) in an effort to protect the public investments being made with this project.

BACKGROUND:

In accordance with current City policy established to protect the public investment being made with capital improvement projects in public roadways, as part of the project, the City intends to replace all water services less than 1 inch in diameter. All undersized water services less than 1 inch in diameter will be replaced with a new 1-inch diameter service, for service lengths located within the public road right-of-way. The City is not aware of any water services of unsuitable material, such as lead, in this area. Per rules from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) requiring the complete removal of lead water services from the water main to the water meter on private property, should a lead service be discovered it will also be replaced as part of the project. Per EGLE, the City is not allowed to charge a property owner for costs associated with the replacement of an existing lead water service.

The parcels within the project zone that are subject to the Water Service Special Assessment District are highlighted on the attached map. Appended to this report is a list of properties that the department plans to include in the assessment district, along with estimated construction costs to be assessed.

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 Service SAD for the Pierce Street Project will defray the costs incurred by the City for the construction of these improvements. One hundred percent of the costs for the water service within the public right-of-way will be paid by the property owner. 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.

PUBLIC COMMUNICATIONS:

Notice for the Confirmation of Roll is to be distributed by the Clerk’s Office. The Engineering Department previously sent a letter to all property owners explaining the scope of work and held a property owners meeting on June 6, 2023, to discuss the project. The department will send all property owners another letter explaining the project and an explanation of assessment costs.

SUMMARY:

The Engineering Department recommends that the Commission declare necessity and approve a Special Assessment District for Water Service as part of the Pierce Street Project. Should the Commission approve the Special Assessment District, a Public Hearing for Confirmation of the Roll should be set at the City Commission meeting on July 10, 2023.

ATTACHMENTS:

- Map of Proposed Special Assessment District for Water Service Replacements (2 pages)
- Pierce Street Paving Project Plans (25 pages)
- Spreadsheet with Estimated Costs of Services (1 page)
- Clerk’s Confirmation of Public Hearing Notice (11 pages)

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 to proceed with the project of replacing water services that are less than 1 inch in diameter on Pierce Street between E. Lincoln Street and W. 14 Mile Road; and

WHEREAS, The City has previously established a policy requiring replacement of water services less than 1 inch in diameter when a water main is being replaced and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that the Pierce Street Project, and the replacing of water services that are 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 water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of water service laterals located within the limits of the following streets shall be installed as part of the Pierce Street Project (Contract #3-23(W)):

Pierce Street – Lincoln Street to 14 Mile Road; and

WHEREAS, The formula used in making the assessment is 100% of the contractor’s charge for replacing the water service that is less than 1 inch in diameter within the public right-of-way between the new water main and the property line (calculated at the rate of \$115.00 per foot of water service pipe).

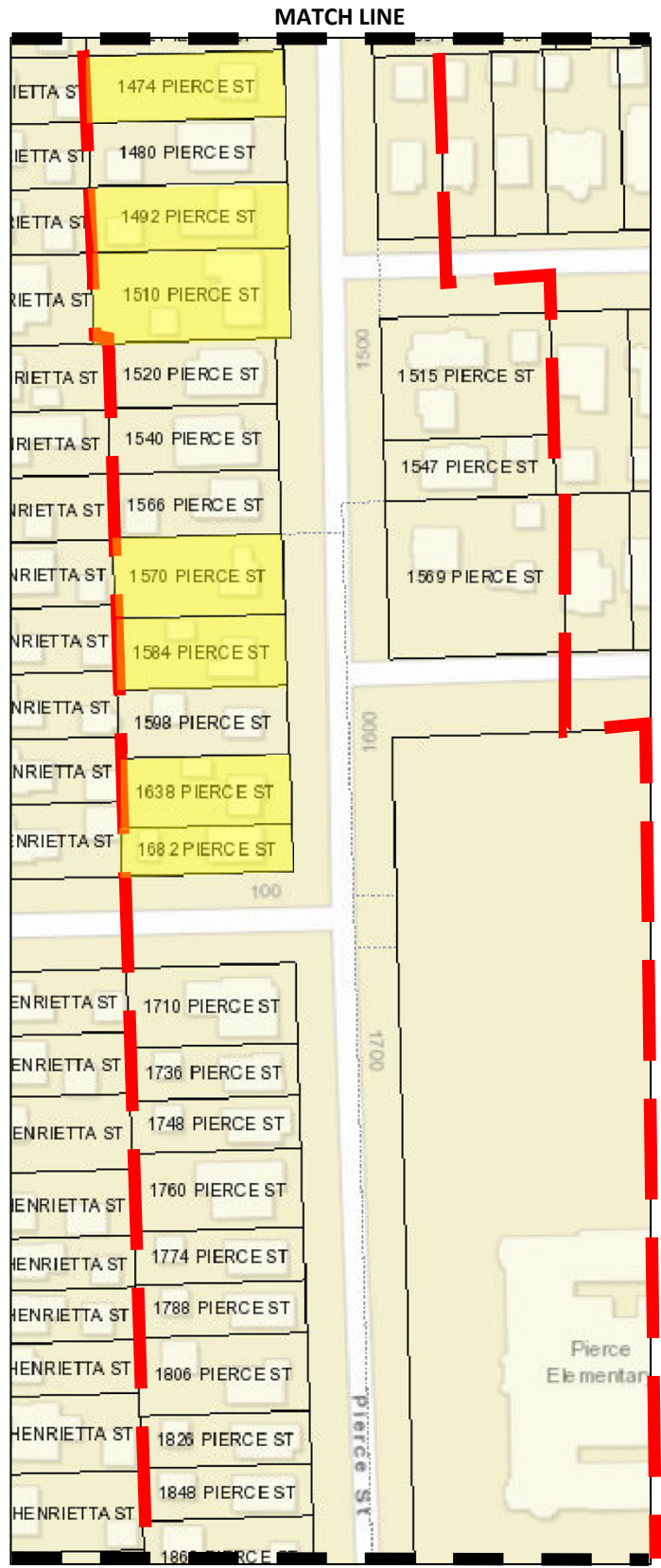
THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the Commission for confirmation and further set a Public Hearing and give notice on July 10, 2023.

Parcel ID / Sidwell Number	Street Address
19-36-401-006	1105 Pierce Street
19-36-329-011	1234 Pierce Street
19-36-401-009	1245 Pierce Street
19-36-329-012	1252 Pierce Street
19-36-329-013	1270 Pierce Street
19-36-329-014	1290 Pierce Street
19-36-401-046	1321 Pierce Street
19-36-329-015	1340 Pierce Street
19-36-401-013	1355 Pierce Street
19-36-329-017	1380 Pierce Street
19-36-401-017	1415 Pierce Street
19-36-333-020	1418 Pierce Street
19-36-401-018	1421 Pierce Street

Parcel ID / Sidwell Number	Street Address
19-36-333-021	1424 Pierce Street
19-36-333-022	1436 Pierce Street
19-36-401-019	1437 Pierce Street
19-36-333-023	1450 Pierce Street
19-36-401-021	1469 Pierce Street
19-36-333-025	1474 Pierce Street
19-36-333-027	1492 Pierce Street
19-36-333-028	1510 Pierce Street
19-36-333-032	1570 Pierce Street
19-36-333-033	1584 Pierce Street
19-36-333-035	1638 Pierce Street
19-36-333-036	1682 Pierce Street
19-36-379-025	100 W. 14 Mile Road

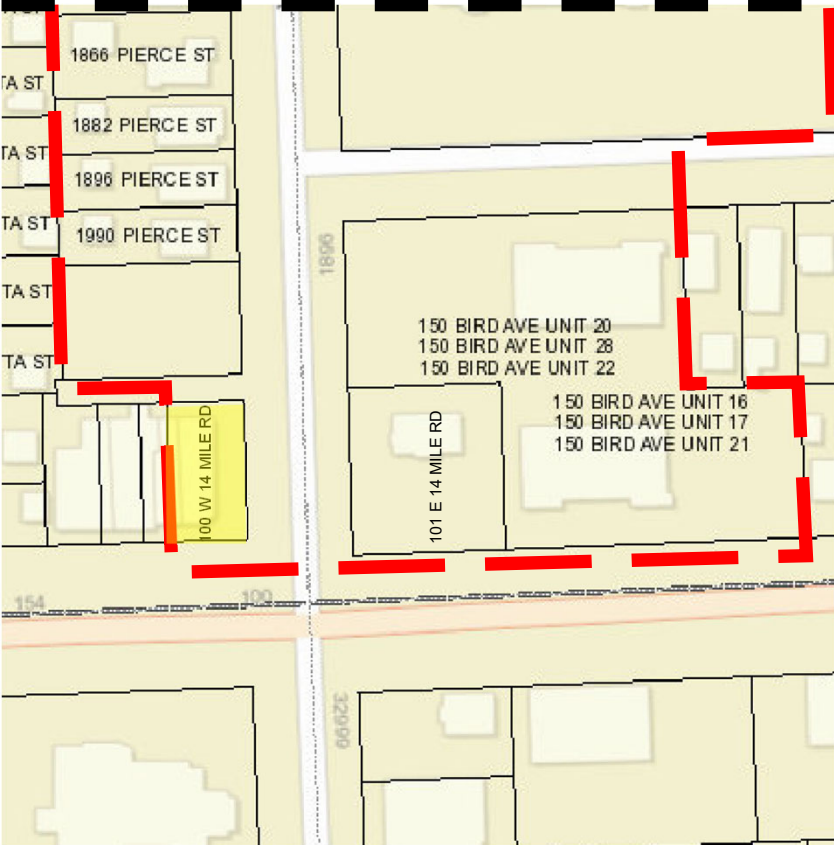


MATCH LINE



MATCH LINE NEXT PAGE

MATCH LINE PREVIOUS PAGE



= Limits of Project



= Property within Water Service SAD



BIRMINGHAM

A WALKABLE CITY

ENGINEERING DEPARTMENT

PIERCE STREET PAVING PROJECT CONTRACT#3-23(P)

SHEET INDEX

- COVER SHEET
 C1 PAVING & UTILITY PLAN STA. P.O.B. TO 5+00
 C2 PAVING & UTILITY PLAN STA. 5+00 TO 10+00
 C3 PAVING & UTILITY PLAN STA. 10+00 TO 15+00
 C4 PAVING & UTILITY PLAN STA. 15+00 TO 20+00
 C5 PAVING & UTILITY PLAN STA. 20+00 TO 25+00
 C6 PAVING & UTILITY PLAN STA. 25+00 TO P.O.E.
 C7 HYDRANT LEAD PROFILES
 C8 STORM SEWER PROFILES
 C9 GRADING PLAN STA. P.O.B. TO 5+00
 C10 GRADING PLAN STA. 5+00 TO 10+00
 C11 GRADING PLAN STA. 10+00 TO 15+00
 C12 GRADING PLAN STA. 15+00 TO 20+00
 C13 GRADING PLAN STA. 20+00 TO 25+00
 C14 GRADING PLAN STA. 25+00 TO P.O.E.
 C15 INTERSECTION GRADING DETAILS (1 of 2)
 C16 INTERSECTION GRADING DETAILS (2 of 2)
 C17 EXISTING & PROPOSED CROSS-SECTIONS
 C18 ADVANCED WARNING SIGNAGE DIAGRAM - PIERCE STREET
 C19 NOTES & DETAILS (1 of 3)
 C20 NOTES & DETAILS (2 of 3)
 C21 NOTES & DETAILS (3 of 3)

- Q1 QUANTITIES
 CITY OF BIRMINGHAM - SEWER STANDARD DETAILS
 CITY OF BIRMINGHAM - WATER MAIN STANDARD DETAILS

WATER / SEWER SERVICE NOTE

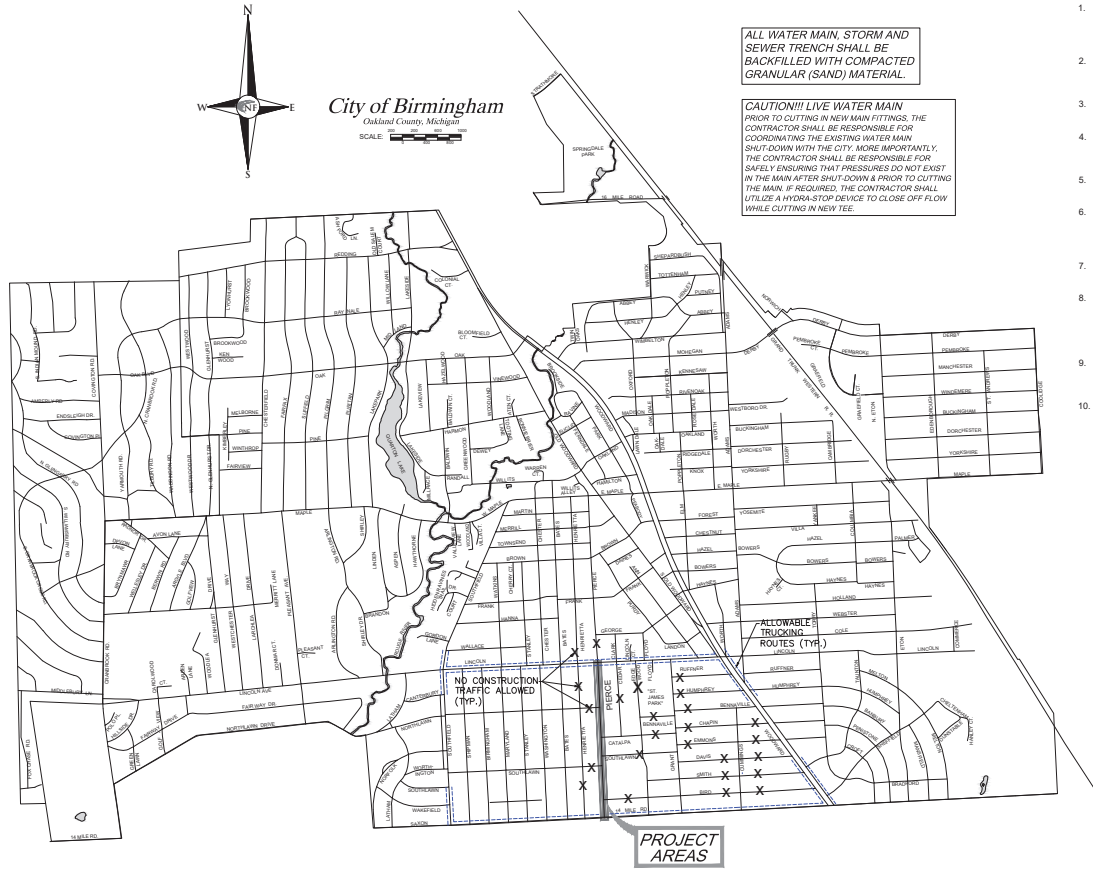
ALL WATER AND SEWER SERVICE LATERAL INFORMATION IS SHOWN PER RECORD, WITHIN THE PUBLIC RIGHT OF WAY. THE CONTRACTOR SHALL COORDINATE WITH CITY FOR ALL PRIVATE-SIDE WATER AND SEWER LATERAL INFORMATION AS REQUIRED, TO CONSTRUCT THE PROJECT (INC.).

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 LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.



City of Birmingham
 Oakland County, Michigan
 SCALE: 1" = 40'



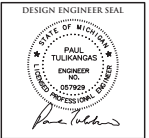
CONSTRUCTION NOTES

These notes shall apply for all work within this contract:

- The contractor shall notify MISS 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 (248-530-1850).
- 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 E.I.W. 500/24 DI 1500MM DI Hinged Assembly unless specified otherwise. Manhole castings shall be E.I.W. 1040-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.



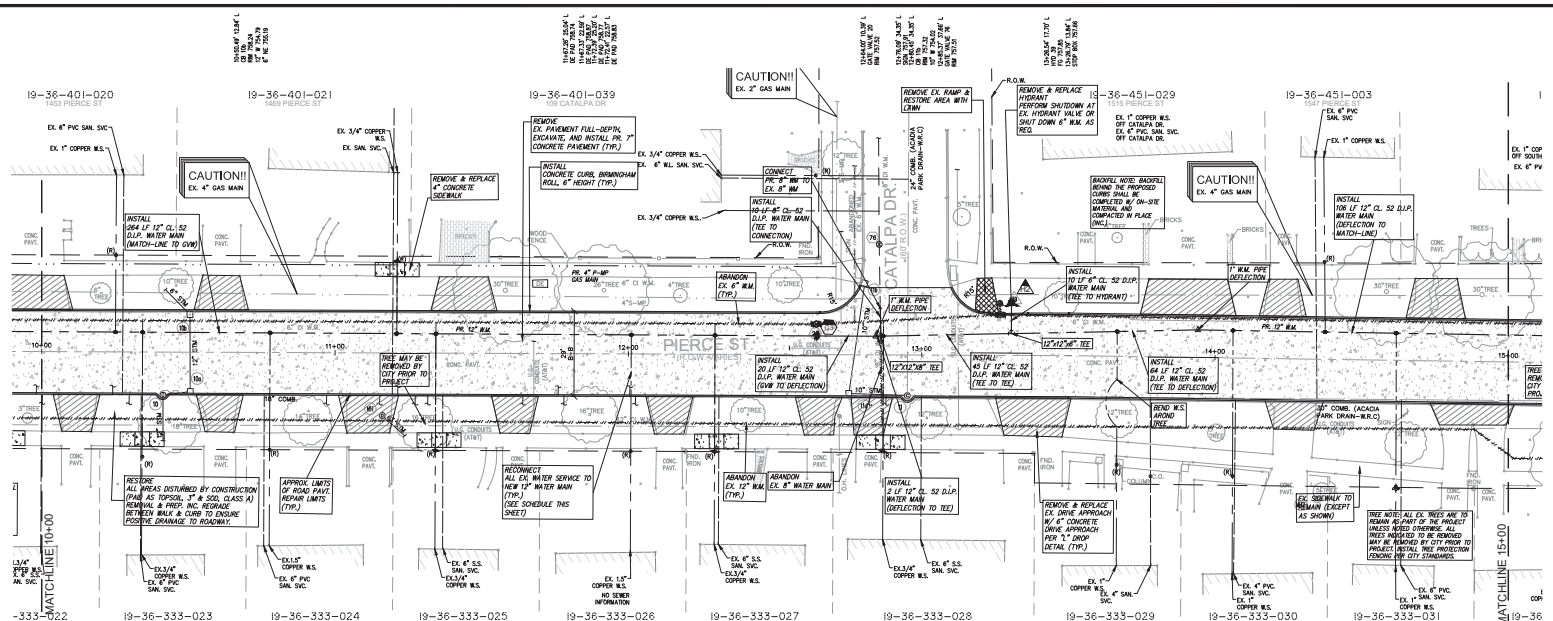
BENCHMARK NOTE
 BENCHMARKS SET AND SHOWN PER SHEET WERE ESTABLISHED OFF OF THE CITY OF BIRMINGHAM BENCHMARK DATUM.



APPROVED DATE

JUNE 08, 2023 ADDENDUM #1

PIERCE STREET PAVING PROJECT
CONTRACT#3-23(P)
7A



Public Water Main Quantities - Sheet C3

12" O.D. 52 Water Main	592 L.F.
18" O.D. 52 Water Main	10 L.F.
12" O.D. 52 Water Main	10 L.F.
12" Gate Valve in Well	1 EA.
Hydrant Assembly, Complete	1 EA.
1" Water Main Connection to Ex. 8" Water Main	1 EA.

SEWER STRUCTURE SCHEDULE

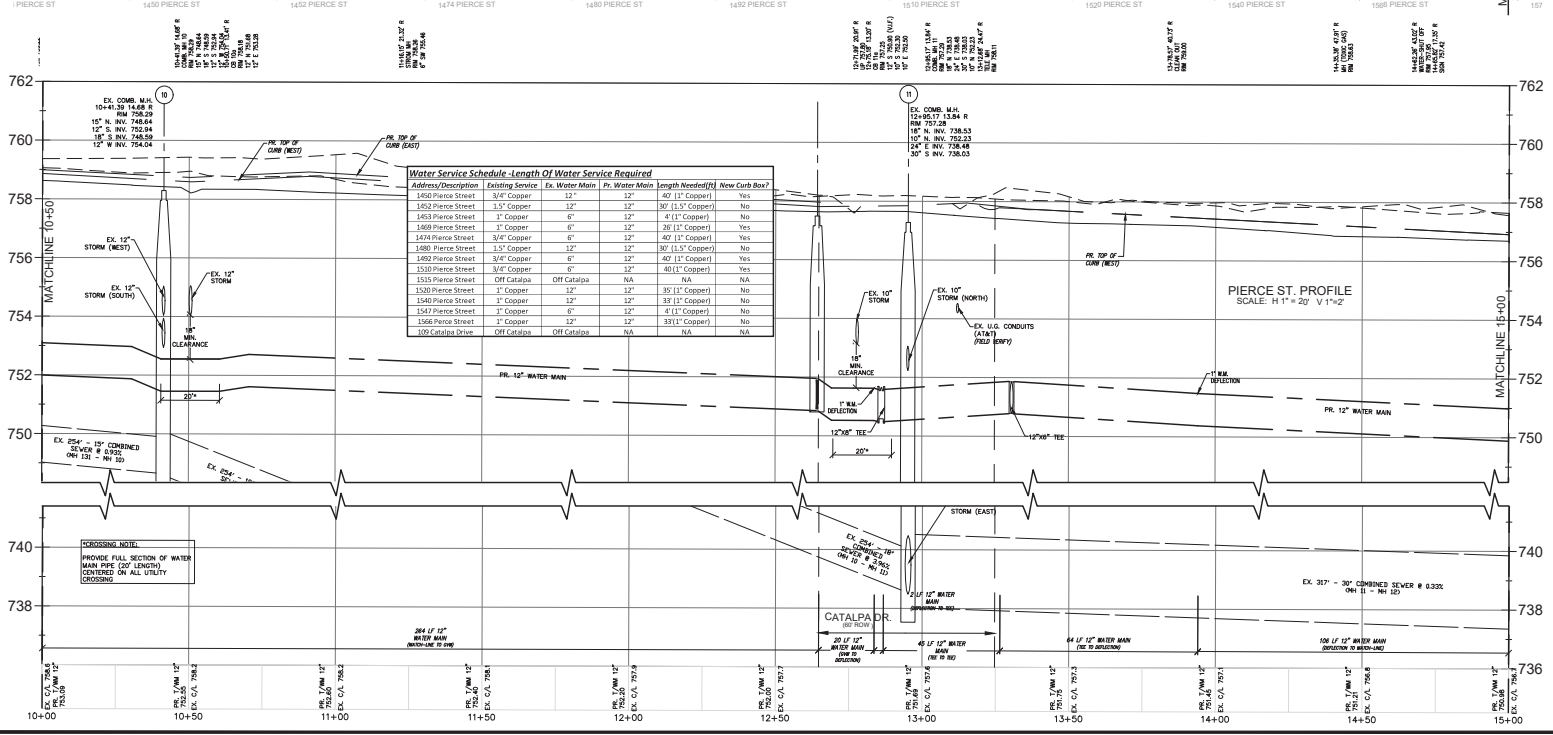
10	RENEW STRUCTURE IN FIELD TO 12" O.D. 52 WATER MAIN AS SHOWN TO THE ROAD ABOUT AS RECONSTRUCT AS REQ'D.	11	RENEW STRUCTURE IN FIELD TO 12" O.D. 52 WATER MAIN AS SHOWN TO THE ROAD ABOUT AS RECONSTRUCT AS REQ'D.
12	MANHOLE 12" O.D. 52 WATER MAIN AS SHOWN TO THE ROAD ABOUT AS RECONSTRUCT AS REQ'D.	13	MANHOLE 12" O.D. 52 WATER MAIN AS SHOWN TO THE ROAD ABOUT AS RECONSTRUCT AS REQ'D.

STORM STRUCTURE SCHEDULE

14	ADJUST AS RECONSTRUCT AS REQ'D.	15	ADJUST AS RECONSTRUCT AS REQ'D.
16	MANHOLE 12" O.D. 52 WATER MAIN AS SHOWN TO THE ROAD ABOUT AS RECONSTRUCT AS REQ'D.	17	MANHOLE 12" O.D. 52 WATER MAIN AS SHOWN TO THE ROAD ABOUT AS RECONSTRUCT AS REQ'D.

WATER MAIN SCHEDULE

18	ADJUST AS RECONSTRUCT AS REQ'D.	19	ADJUST AS RECONSTRUCT AS REQ'D.
20	ADJUST AS RECONSTRUCT AS REQ'D.	21	ADJUST AS RECONSTRUCT AS REQ'D.



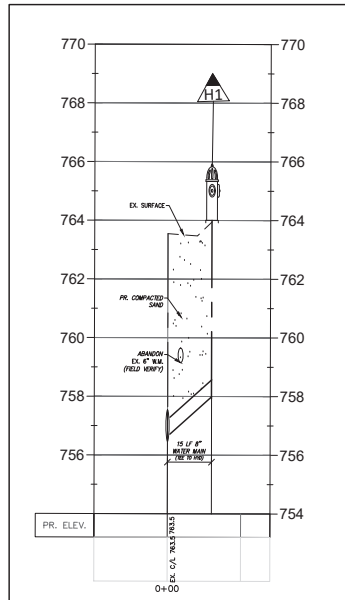
UTILITY NOTE

THE LOCATIONS AND ELEVATIONS OF SOME OF THE EXISTING UNDERGROUND UTILITIES AS SHOWN ON THE SURVEY DRAWING WERE OBTAINED FROM MUNICIPAL RECORDS. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE ACCURACY OF THESE RECORDS. THEREFORE, THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

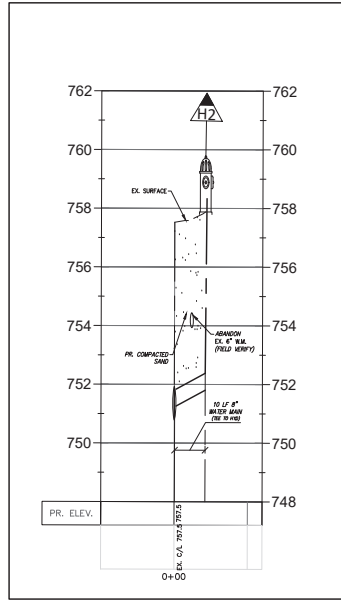
LEGEND

- EXISTING SAN/COMB SEWER
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- EXISTING BURIED CABLES
- EXISTING GAS MAIN
- OVERHEAD LINES
- RECORDED CURB STOP LOCATION (APPROX.)
- LANDMARK (RED)
- EX. SOIL BORING PUBLIC PHONE
- WELL
- POLE
- SOIL
- POST/POLLARD
- PARKING METER
- MAIL BOX
- ROCK/POLE
- SPRINKLER VALVE BOX
- SPRINKLER HEAD
- EXTD. PROPERTY MARKER
- GROUND ELEVATION

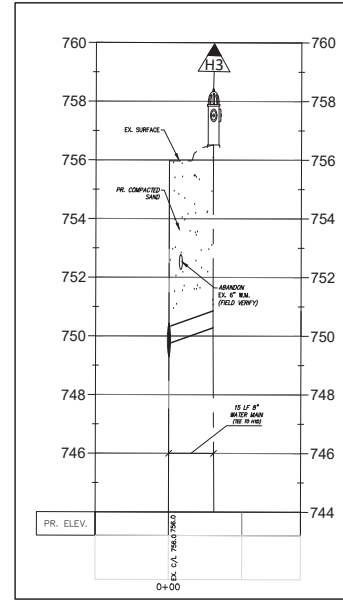
DATE: 12-08-2021
 SCALE: 1" = 20' / 1" = 2'
 SHEET NO. C3



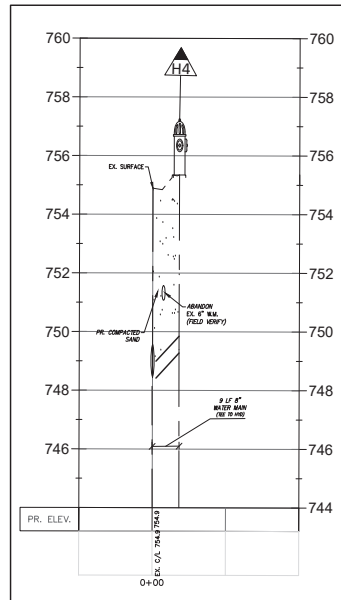
TEE to H1
SCALE: 1"=20'
1"=20'



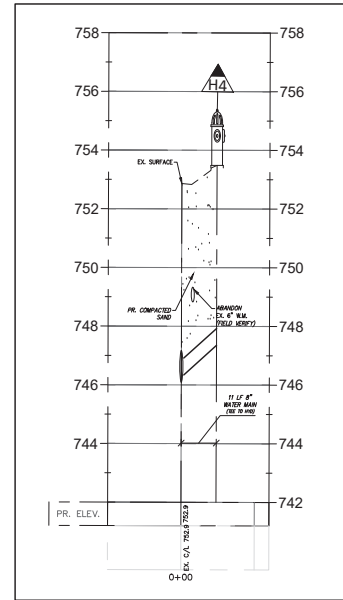
TEE to H2
SCALE: 1"=20'
1"=20'



TEE to H3
SCALE: 1"=20'
1"=20'



TEE to H4
SCALE: 1"=20'
1"=20'



TEE to H5
SCALE: 1"=20'
1"=20'



SEAL

PROJECT
Pierce Street Paving
Project
Contract#3-23(P)

CLIENT



Engineering Department
151 Martin Street
Birmingham, MI 48203

PROJECT LOCATION
Part of the Southeast 1/4
of Section 36, Town 2 North,
Range 10 East, City of
Birmingham, Oakland
County, Michigan

SHEET
Hydrant Lead Profiles



DATE	ISSUED/REVISED
12-08-21	ISSUED SURVEY
01-02-22	ISSUED SURVEY
02-02-22	ISSUED SURVEY
02-02-22	ISSUED FOR SINGLE W.A. PERMIT
02-18-22	REVISED PER CITY REVIEW
02-24-22	BIDS
02-08-21	ADDENDUM 1

DRAWN BY:

M. Hainl

DESIGNED BY:

G. Villa

APPROVED BY:

B. Buchholz

DATE:

12-08-2021

SCALE: 1" = 20' / 1" = 2'

20 30 40 50 60 70 80 90 100

NFE JOB NO. SHEET NO.

M515 C7

SEAL

PROJECT
Pierce Street Paving
Project
Contract#3-23(P)

CLIENT



PROJECT LOCATION
Part of the Southeast 1/4
of Section 36, Town 2 North,
Range 10 East, City of
Birmingham, Oakland
County, Michigan

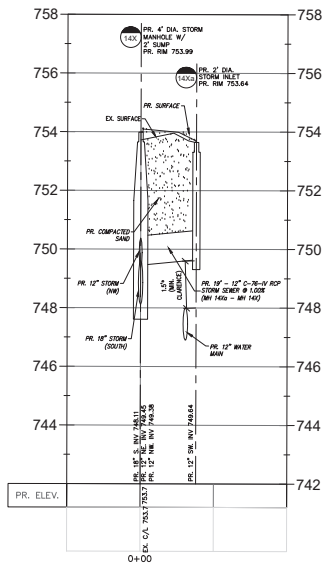
SHEET
Strom Profiles



DATE	ISSUED/REVISED
12-08-21	ISSUED SURVEY
01-02-21	ISSUED SURVEY
02-02-21	ISSUED SURVEY
05-02-21	ISSUED FOR SIGHT W/ PERMIT
05-18-21	REVISED PER CITY REVIEW
05-24-21	BIDS
06-02-21	ADDENDUM 1

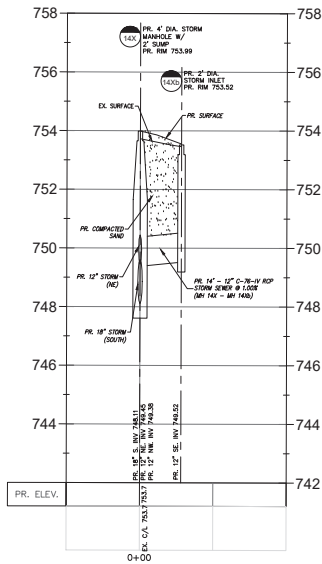
DRAWN BY:
M. Hani
DESIGNED BY:
G. Yiju
APPROVED BY:
B. Buchholz
DATE:
12-08-2021

SCALE: 1" = 20' / 1" = 2'
20 30 40 50 60 70 80 90 100
NFE JOB NO. SHEET NO.
M515 C8



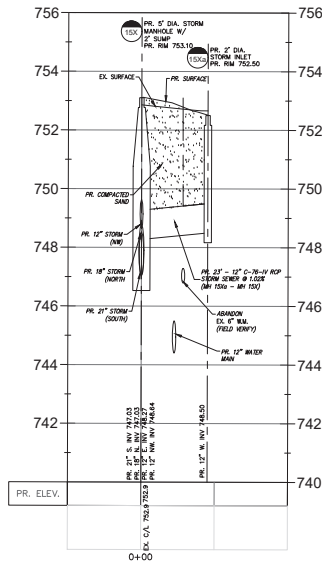
STORM SEWER (MH 14X-CB14Xa)

SCALE: 1"=20' (H), 1"=2' (V)



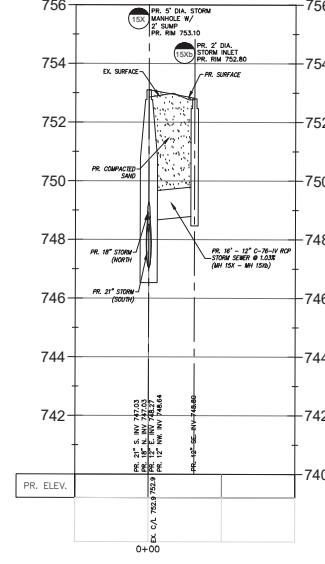
STORM SEWER (MH 14X-CB14Xb)

SCALE: 1"=20' (H), 1"=2' (V)



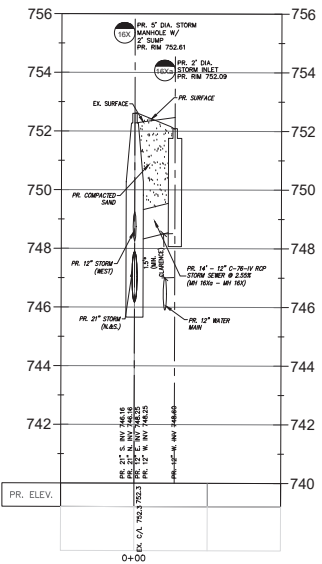
STORM SEWER (MH 15X-CB15Xa)

SCALE: 1"=20' (H), 1"=2' (V)



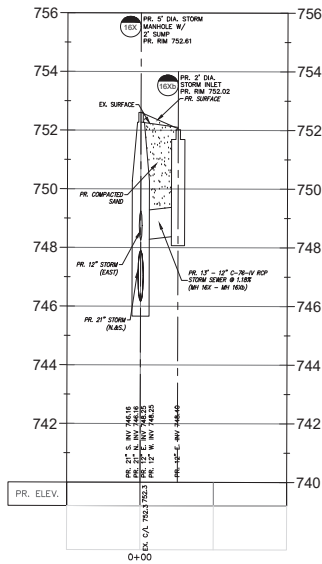
STORM SEWER (MH 15X-CB15Xb)

SCALE: 1"=20' (H), 1"=2' (V)



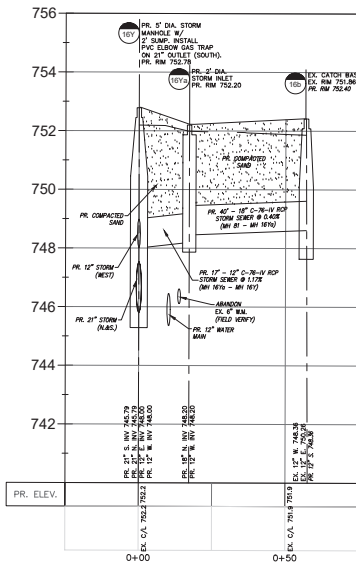
STORM SEWER (MH 16X-CB16Xa)

SCALE: 1"=20' (H), 1"=2' (V)



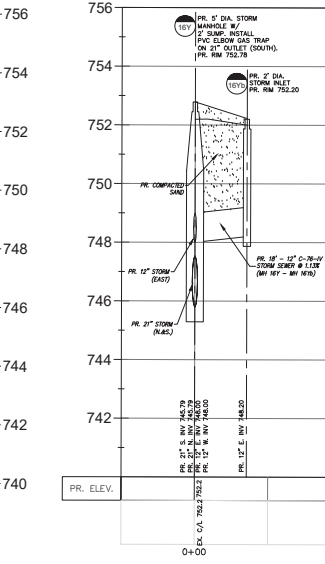
STORM SEWER (MH 16X-CB16Xb)

SCALE: 1"=20' (H), 1"=2' (V)



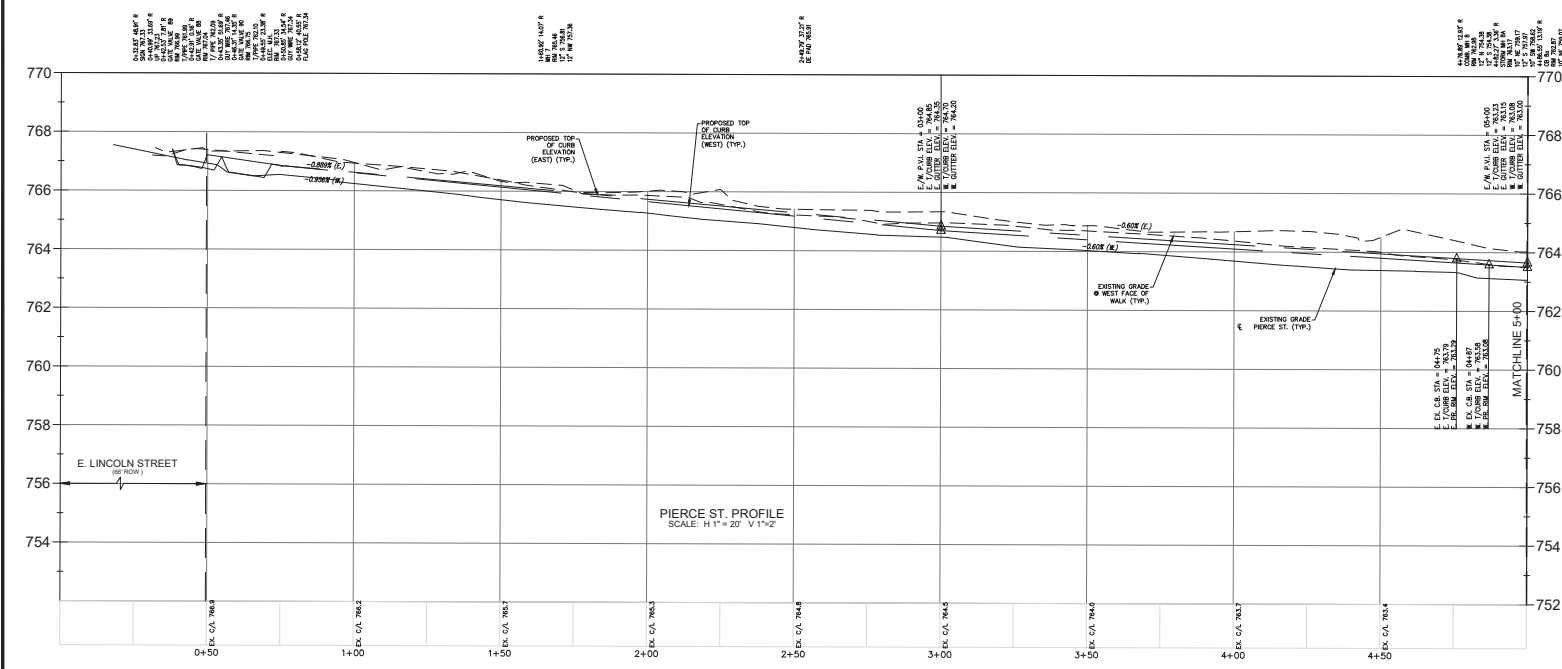
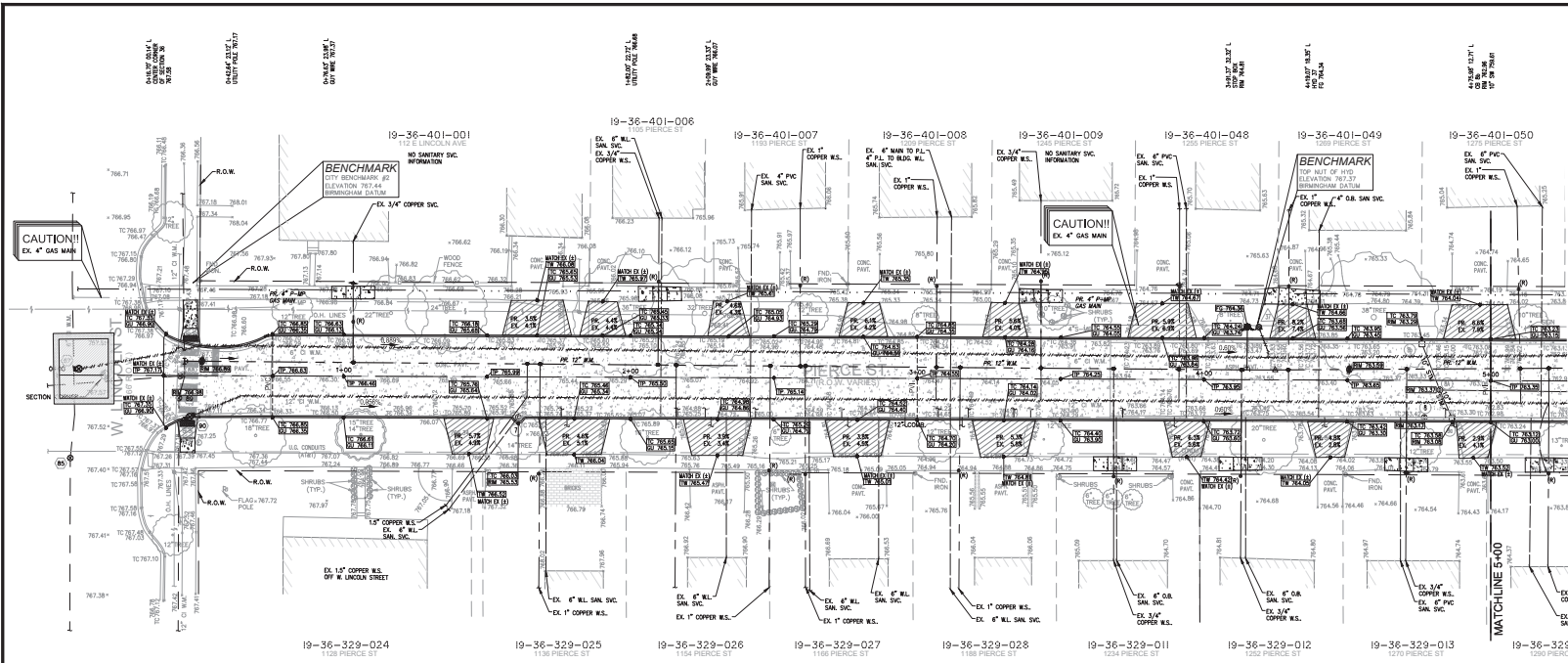
STORM SEWER (MH 16X-CB16b)

SCALE: 1"=20' (H), 1"=2' (V)



STORM SEWER (MH 16X-CB16Xb)

SCALE: 1"=20' (H), 1"=2' (V)



DRIVEWAY SCHEDULE

STATION	DRIVEWAY	START	END	WIDTH	DEPTH	GRADE
1+00	1	1+00	1+10	10	10	1.00
1+10	1	1+10	1+20	10	10	1.00
1+20	1	1+20	1+30	10	10	1.00
1+30	1	1+30	1+40	10	10	1.00
1+40	1	1+40	1+50	10	10	1.00
1+50	1	1+50	1+60	10	10	1.00
1+60	1	1+60	1+70	10	10	1.00
1+70	1	1+70	1+80	10	10	1.00
1+80	1	1+80	1+90	10	10	1.00
1+90	1	1+90	2+00	10	10	1.00
2+00	2	2+00	2+10	10	10	1.00
2+10	2	2+10	2+20	10	10	1.00
2+20	2	2+20	2+30	10	10	1.00
2+30	2	2+30	2+40	10	10	1.00
2+40	2	2+40	2+50	10	10	1.00
2+50	2	2+50	2+60	10	10	1.00
2+60	2	2+60	2+70	10	10	1.00
2+70	2	2+70	2+80	10	10	1.00
2+80	2	2+80	2+90	10	10	1.00
2+90	2	2+90	3+00	10	10	1.00
3+00	3	3+00	3+10	10	10	1.00
3+10	3	3+10	3+20	10	10	1.00
3+20	3	3+20	3+30	10	10	1.00
3+30	3	3+30	3+40	10	10	1.00
3+40	3	3+40	3+50	10	10	1.00
3+50	3	3+50	3+60	10	10	1.00
3+60	3	3+60	3+70	10	10	1.00
3+70	3	3+70	3+80	10	10	1.00
3+80	3	3+80	3+90	10	10	1.00
3+90	3	3+90	4+00	10	10	1.00
4+00	4	4+00	4+10	10	10	1.00
4+10	4	4+10	4+20	10	10	1.00
4+20	4	4+20	4+30	10	10	1.00
4+30	4	4+30	4+40	10	10	1.00
4+40	4	4+40	4+50	10	10	1.00

GRADING NOTE
 GRADING INFORMATION SHOWN IS TO PROVIDE SUFFICIENT INFORMATION FOR CONTRACTOR BEDDING. MORE DETAILED GRADING INFORMATION WILL BE PROVIDED ON FINAL CONTRACT DRAWINGS.

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.

LEGEND

- CLAM-OUT
- EXISTING SAN/COMB SEWER
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- EXISTING BURIED CABLES
- EXISTING GAS MAIN
- OVERHEAD LINES
- EX. SOIL BORING
- PUBLIC PHONE
- WELL
- PUMP
- SOFT ROLLARD
- PARKING METER
- MAIL BOX
- ROCK/SPLITTER
- SPRINKLER VALVE BOX
- SPRINKLER HEAD
- FOUND PROPERTY MARKER
- +000.00 GROUND ELEVATION

PROJECT LOCATION
 Part of the Southeast 1/4 of Section 36, Town 2 North, Range 10 East, City of Birmingham, Oakland County, Michigan

SHEET
 Pierce Street
 Water Main Plan and Profile
 Sta. P.O.B. to 5+00

811
 Know what's below
 Call before you dig.

DATE ISSUED/REVISED
 12-08-21 ISSUED SURVEY
 01-02-21 ISSUED SURVEY
 02-03-21 ISSUED SURVEY
 02-09-21 ISSUED FOR EGM W. PERMIT
 05-19-21 REVISED PER CITY REVIEW
 05-24-21 BIDS
 06-08-21 ADDENDUM 1

DRAWN BY:
 M. Hani
 DESIGNATED BY:
 G. Yildiz
 APPROVED BY:
 B. Buchholz
 DATE:
 12-08-2021
 SCALE: 1" = 20' / 1" = 2'
 NFE JOB NO. SHEET NO.
 M515 C9

SEAL

PROJECT
 Pierce Street Paving
 Project
 Contract#3-23(P)

CLIENT

BIRMINGHAM
 A THOMSON CITY
 Engineering Department
 151 Martin Street
 Birmingham, MI 48203

PROJECT LOCATION
 Part of the Southeast 1/4
 Range 10 East, City of
 Birmingham, Oakland
 County, Michigan

SHEET
 Grading Plan
 Pierce Street
 Sta. 10+00 to 15+00



Know what's below
 Call before you dig.

DATE	ISSUED/REVISID
12-01-21	ISSUED SURVEY
01-04-22	ISSUED SURVEY
02-02-23	ISSUED SURVEY
02-09-23	ISSUED FOR IS&L W.M. PERMIT
02-19-23	REVISED PER CITY REVIEW
02-24-23	BIDS
02-02-23	ADDENDUM 1

DRAWN BY:

M. Hani

DESIGNATED BY:

G. Yih

APPROVED BY:

B. Buchholz

DATE:

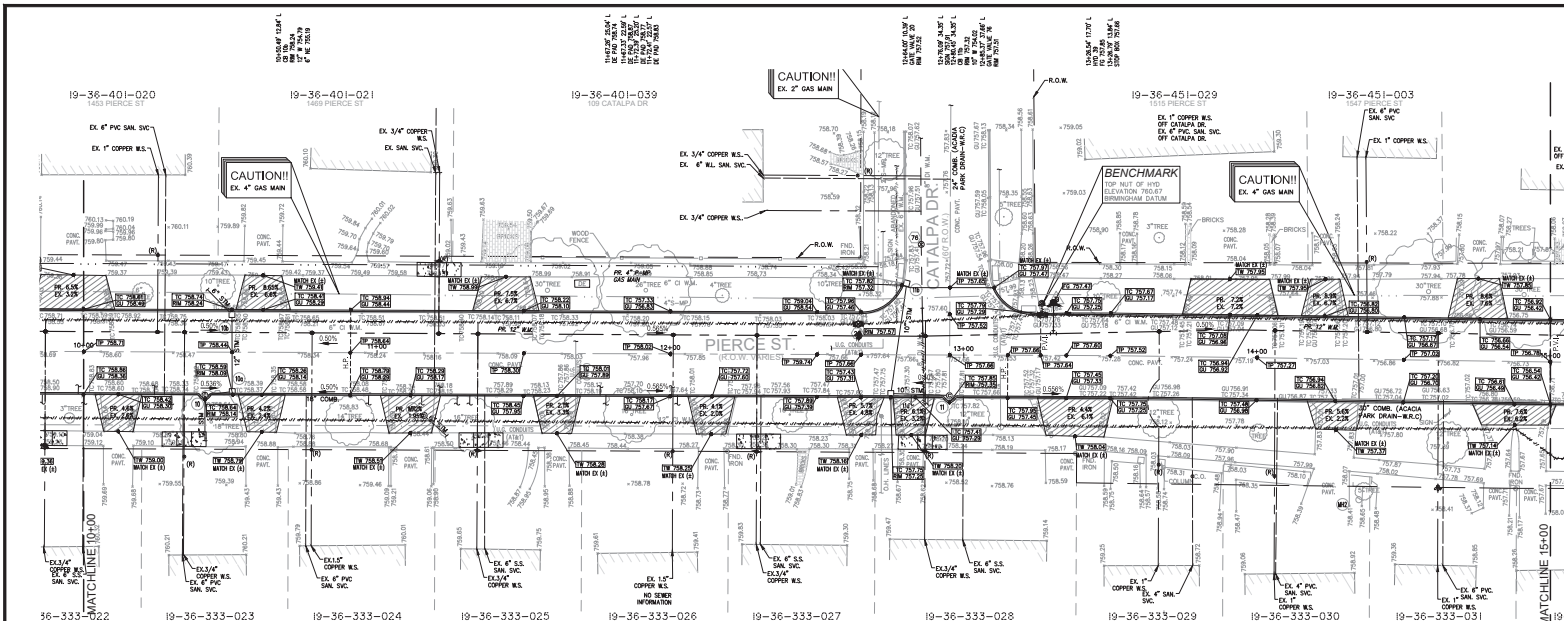
12-08-2021

SCALE: 1" = 20' / 1" = 2"

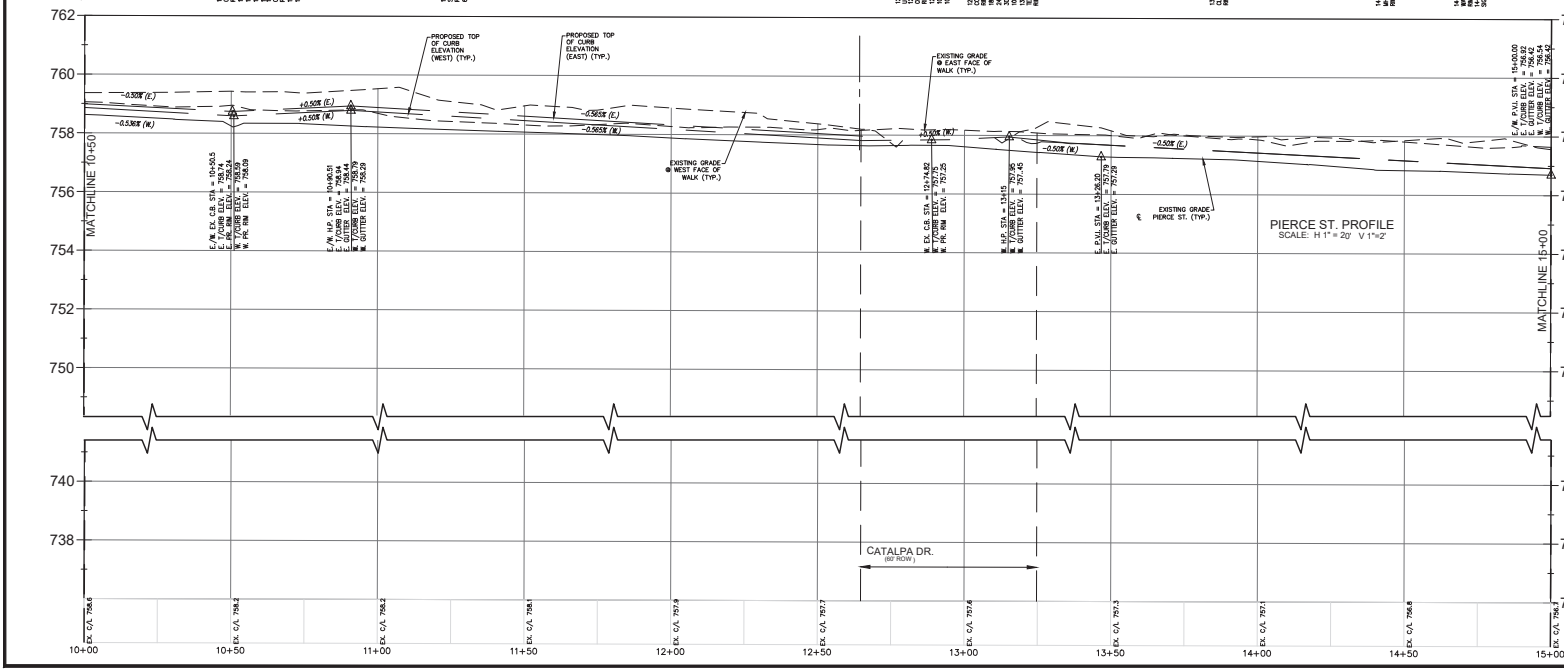
NFE JOB NO.

SHEET NO.

M515 C11



STATION	DRIVEWAY	START	END	WIDTH	DEPTH	CONCRETE	ASPHALT
10+00	10+00	10+00	10+00	10+00	10+00	10+00	10+00
10+25	10+25	10+25	10+25	10+25	10+25	10+25	10+25
10+50	10+50	10+50	10+50	10+50	10+50	10+50	10+50
10+75	10+75	10+75	10+75	10+75	10+75	10+75	10+75
11+00	11+00	11+00	11+00	11+00	11+00	11+00	11+00
11+25	11+25	11+25	11+25	11+25	11+25	11+25	11+25
11+50	11+50	11+50	11+50	11+50	11+50	11+50	11+50
11+75	11+75	11+75	11+75	11+75	11+75	11+75	11+75
12+00	12+00	12+00	12+00	12+00	12+00	12+00	12+00
12+25	12+25	12+25	12+25	12+25	12+25	12+25	12+25
12+50	12+50	12+50	12+50	12+50	12+50	12+50	12+50
12+75	12+75	12+75	12+75	12+75	12+75	12+75	12+75
13+00	13+00	13+00	13+00	13+00	13+00	13+00	13+00
13+25	13+25	13+25	13+25	13+25	13+25	13+25	13+25
13+50	13+50	13+50	13+50	13+50	13+50	13+50	13+50
13+75	13+75	13+75	13+75	13+75	13+75	13+75	13+75
14+00	14+00	14+00	14+00	14+00	14+00	14+00	14+00
14+25	14+25	14+25	14+25	14+25	14+25	14+25	14+25
14+50	14+50	14+50	14+50	14+50	14+50	14+50	14+50
14+75	14+75	14+75	14+75	14+75	14+75	14+75	14+75
15+00	15+00	15+00	15+00	15+00	15+00	15+00	15+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 COMPANIES 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.

LEGEND

- CLEAN-OUT
- EXISTING SAN/COMB SEWER
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- EXISTING BURIED CABLES
- EXISTING GAS MAIN
- OVERHEAD LINES
- (RECORD) CURB STOP LOCATION (APPROX.)
- EX. SOL. BORING
- PUBLIC PHONE
- WELL
- PUMP
- SOFT ROLLARD
- PARKING METER
- MAIL BOX
- ROCK/SLOUNDER
- SPRINKLER VALVE BOX
- SPRINKLER HEAD
- FOUND PROPERTY MARKER
- GROUND ELEVATION

SEAL

PROJECT
 Pierce Street Paving
 Project
 Contract#3-23(P)

CLIENT

BIRMINGHAM
 A THUNDERBOLT CITY
 Engineering Department
 151 Martin Street
 Birmingham, MI 48201

PROJECT LOCATION
 Part of the Southeast 1/4
 Range 10 East, City of
 Birmingham, Oakland
 County, Michigan

SHEET
 Grading Plan
 Pierce Street
 Sta. 15+00 to 20+00



Know what's below
 Call before you dig.

DATE ISSUED/REVISED
 12-09-21 ISSUED SURVEY
 01-04-22 ISSUED SURVEY
 02-02-22 ISSUED SURVEY
 02-09-22 ISSUED FOR E&E W.A. PERMIT
 02-19-22 REVISED PER CITY REVIEW
 02-24-22 BIDS
 02-02-23 ADDENDUM 1

DRAWN BY:

M. Hani

DESIGNATED BY:

G. Yih

APPROVED BY:

B. Buchholz

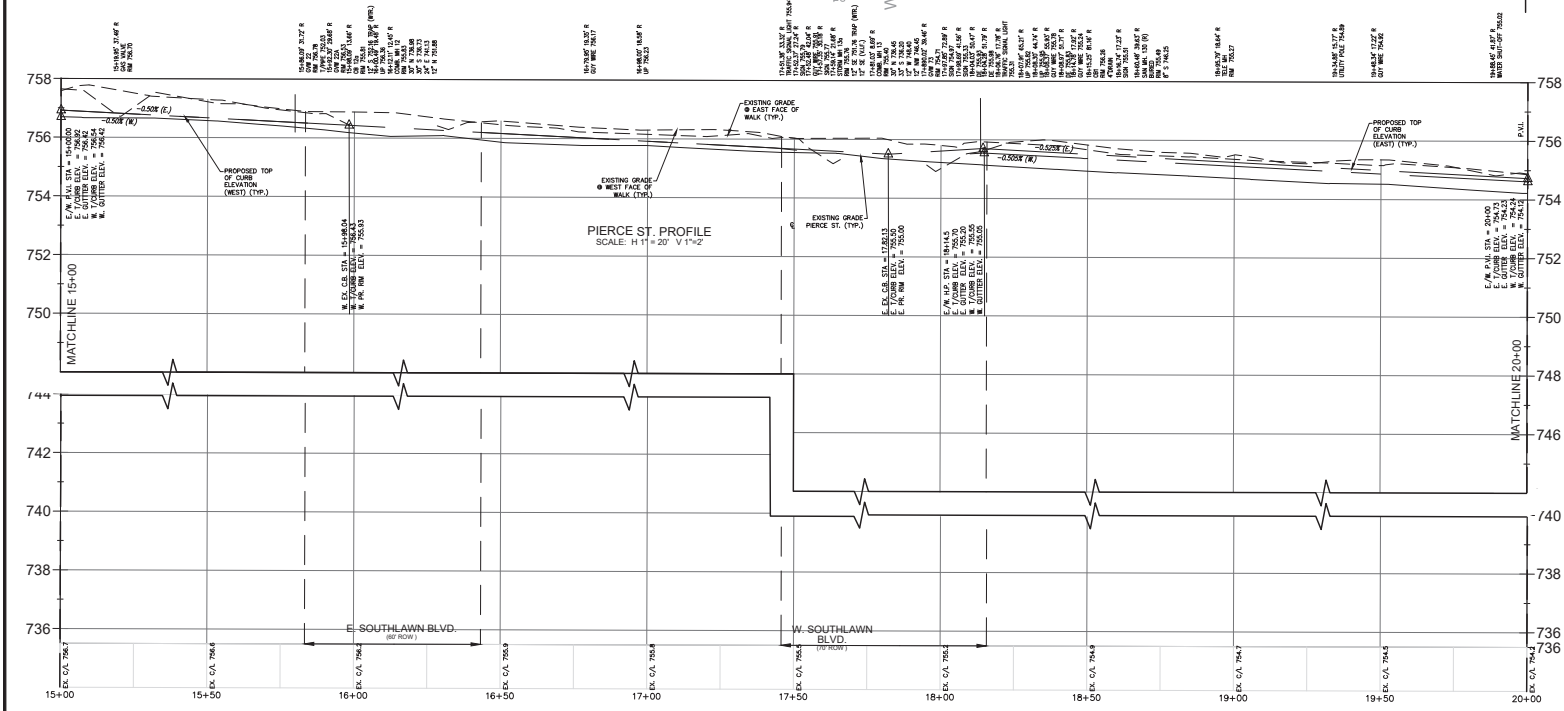
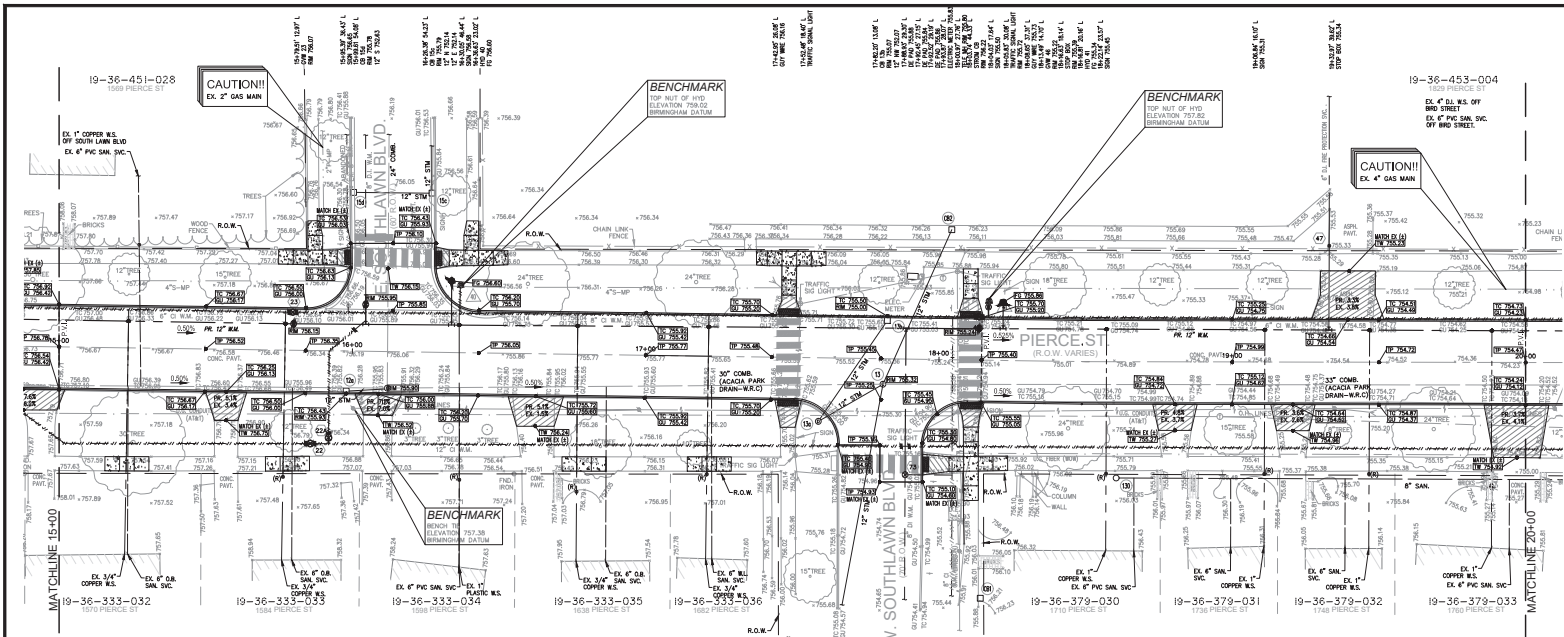
DATE:

12-08-2021

SCALE: 1" = 20' / 1" = 2'

NFE JOB NO. SHEET NO.

M515 C12



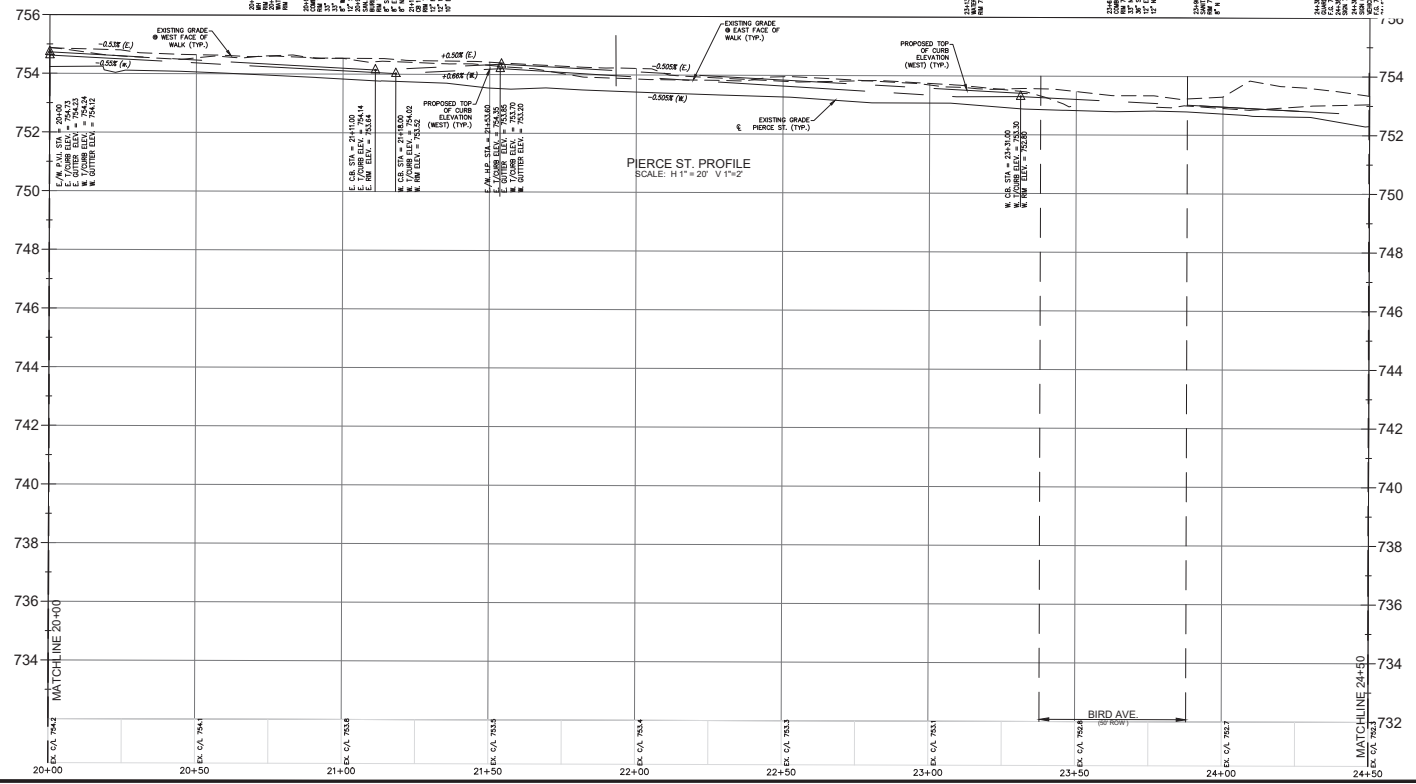
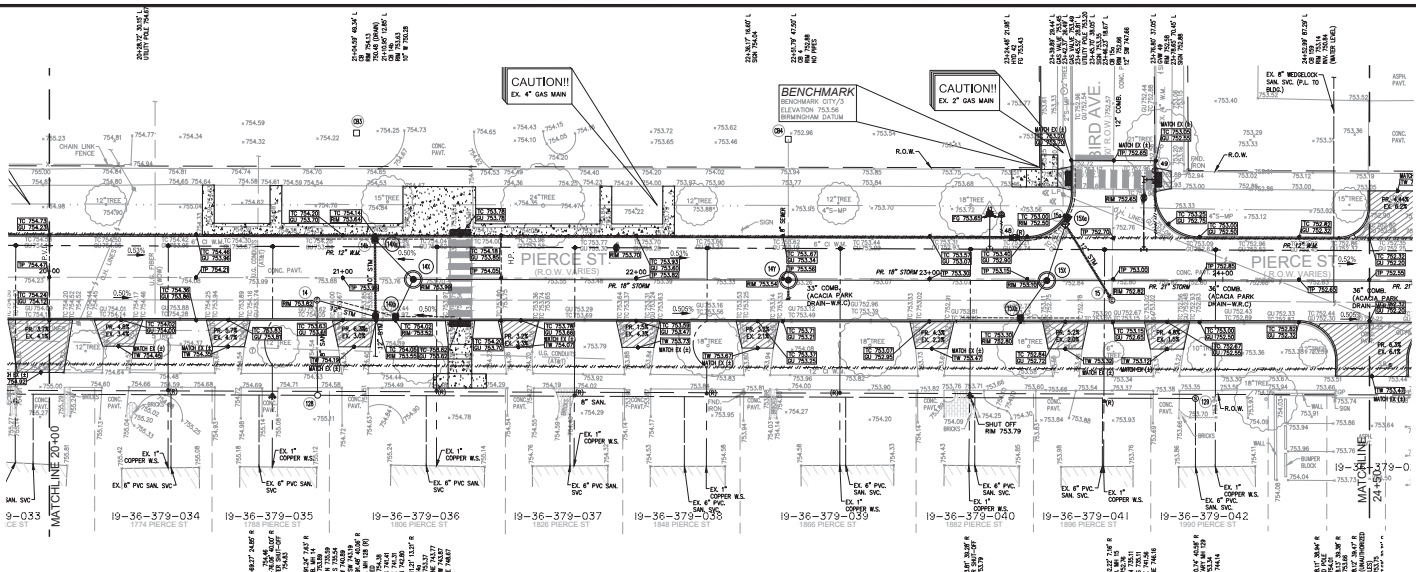
DRIVEWAY SCHEDULE

ADDRESS	DRIVEWAY	WIDTH	DEPTH	DEPTH	DEPTH
1500	1500	15.0	1.0	1.0	1.0
1502	1502	15.0	1.0	1.0	1.0
1504	1504	15.0	1.0	1.0	1.0
1506	1506	15.0	1.0	1.0	1.0
1508	1508	15.0	1.0	1.0	1.0
1510	1510	15.0	1.0	1.0	1.0
1512	1512	15.0	1.0	1.0	1.0
1514	1514	15.0	1.0	1.0	1.0
1516	1516	15.0	1.0	1.0	1.0
1518	1518	15.0	1.0	1.0	1.0
1520	1520	15.0	1.0	1.0	1.0

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.

LEGEND

- SEAM-OUT
- EXISTING SAN/COMB SEWER
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- EXISTING BURIED CABLES
- EXISTING GAS MAIN
- OVERHEAD LINES
- RECORDED CURB STOP LOCATION (APPROX.)
- EX. SOIL BORING
- PUBLIC PHONE
- WELL
- SOFT ROLLARD
- PARKING METER
- MAIL BOX
- ROCK/SPLITTER
- SPRINKLER VALVE BOX
- SPRINKLER HEAD
- FOUND PROPERTY MARKER
- 000.00 GROUND ELEVATION



DRIVEWAY SCHEDULE					
PROPOSED	EXISTING	DIFFERENCE	ADJUSTMENT	PROPOSED	EXISTING
1172	109	10.9	0.0	110	100
1180	109	10.9	0.0	110	100
1190	109	10.9	0.0	110	100
1200	109	10.9	0.0	110	100
1210	109	10.9	0.0	110	100
1220	109	10.9	0.0	110	100
1230	109	10.9	0.0	110	100
1240	109	10.9	0.0	110	100
1250	109	10.9	0.0	110	100
1260	109	10.9	0.0	110	100
1270	109	10.9	0.0	110	100
1280	109	10.9	0.0	110	100
1290	109	10.9	0.0	110	100
1300	109	10.9	0.0	110	100
1310	109	10.9	0.0	110	100
1320	109	10.9	0.0	110	100
1330	109	10.9	0.0	110	100
1340	109	10.9	0.0	110	100
1350	109	10.9	0.0	110	100
1360	109	10.9	0.0	110	100
1370	109	10.9	0.0	110	100
1380	109	10.9	0.0	110	100
1390	109	10.9	0.0	110	100
1400	109	10.9	0.0	110	100
1410	109	10.9	0.0	110	100
1420	109	10.9	0.0	110	100
1430	109	10.9	0.0	110	100
1440	109	10.9	0.0	110	100
1450	109	10.9	0.0	110	100
1460	109	10.9	0.0	110	100
1470	109	10.9	0.0	110	100
1480	109	10.9	0.0	110	100
1490	109	10.9	0.0	110	100
1500	109	10.9	0.0	110	100

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.

LEGEND

- SEAM-OUT
- EXISTING SAN/COMB SEWER
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- EXISTING BURIED CABLES
- EXISTING GAS MAIN
- OVERHEAD LINES
- RECORD CURB STOP LOCATION (APPROX.)
- EX. SOIL BORING
- PUBLIC PHONE
- WELL
- FUMP
- SOIL POLLARD
- PARKING METER
- MAIL BOX
- ROCK/SOULDER
- SPRINKLER VALVE BOX
- SPRINKLER HEAD
- FOUND PROPERTY MARKER
- 000.00 GROUND ELEVATION

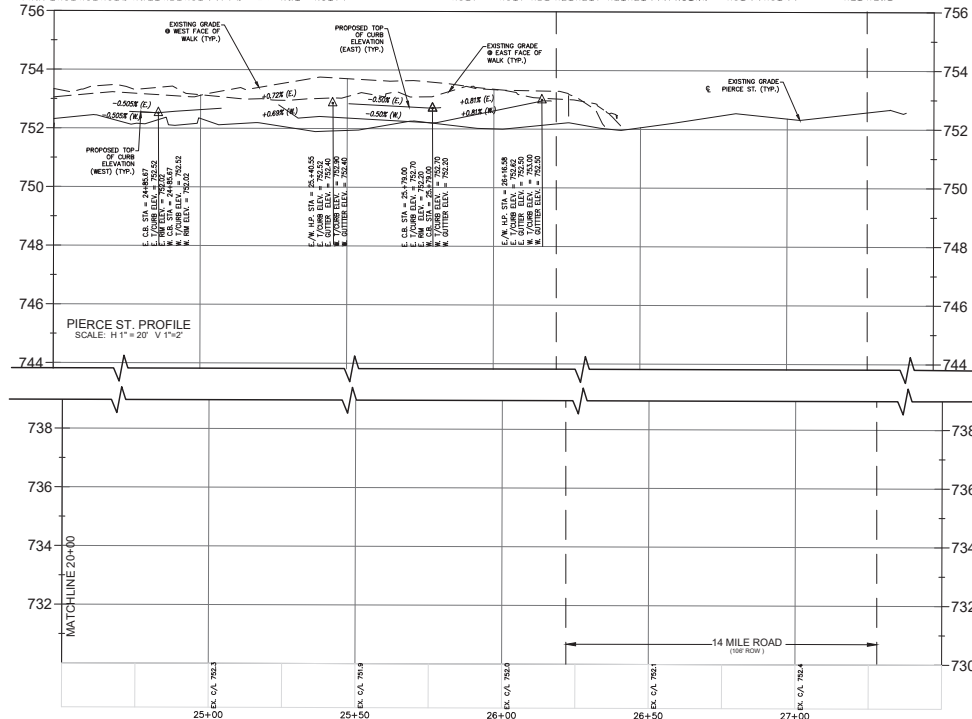
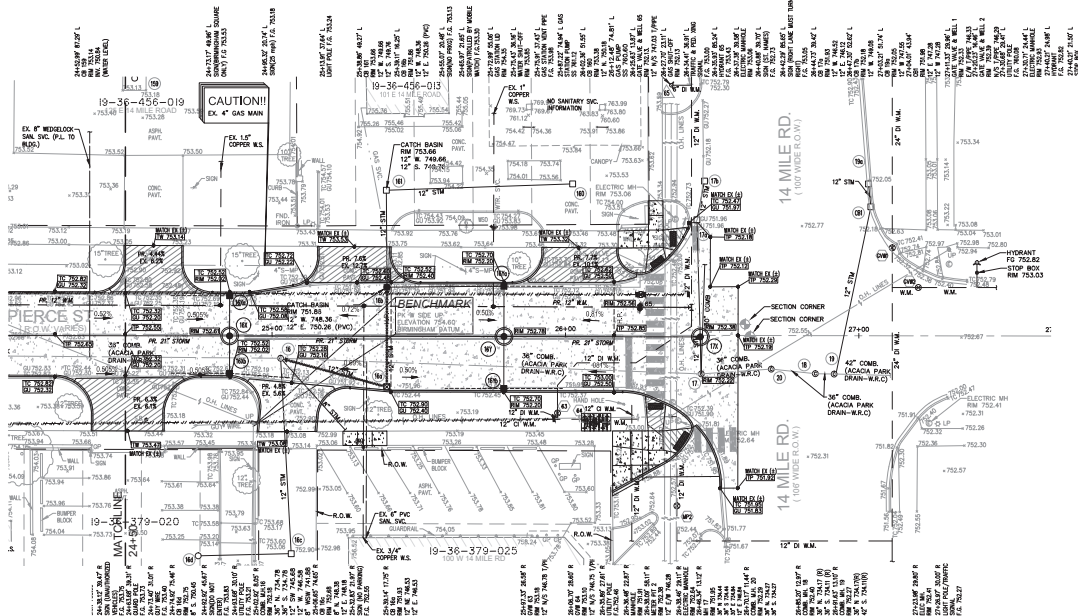
UTILITY SCHEDULE

DATE ISSUED/REVISED
 12-09-21 ISSUED SURVEY
 01-04-22 ISSUED SURVEY
 02-09-22 ISSUED SURVEY
 05-09-23 ISSUED FOR EIGHT W. PERMIT
 05-19-23 REVISED PER CITY REVIEW
 05-24-23 BIDS
 06-01-23 ADDENDUM 1

DRAWN BY: M. Hani
DESIGNATED BY: G. Yih
APPROVED BY: B. Buchholz
DATE: 12-08-2021
SCALE: 1" = 20' / 1" = 2'

NFE JOB NO. **M515** SHEET NO. **C13**





ADDRESS	DRIVEWAY	WIDTH	DEPTH	DATE
25+00	DRIVEWAY	10.0'	1.0'	12-08-2021
25+50	DRIVEWAY	10.0'	1.0'	12-08-2021
26+00	DRIVEWAY	10.0'	1.0'	12-08-2021
26+50	DRIVEWAY	10.0'	1.0'	12-08-2021
27+00	DRIVEWAY	10.0'	1.0'	12-08-2021

UTILITY NOTE
THE LOCATIONS AND ELEVATIONS OF SOME OF THE EXISTING UNDERGROUND UTILITIES AS SHOWN ON THE SURVEY DRAWINGS 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.

LEGEND

- EXISTING SANITARY SEWER
- EXISTING WATER MAIN
- EXISTING STORM SEWER
- EXISTING BURIED CABLES
- EXISTING GAS MAIN
- OVERHEAD LINES
- EXISTING CURB STOP LOCATION (APPROX.)
- LANDSCAPE BED
- EX. SOL. BORING
- PUBLIC PHONE
- WELL
- PUMP
- POST/BOLLARD
- PARKING METER
- MAIL BOX
- ROCK/BOLLARD
- SPRINKLER VALVE BOX
- SPRINKLER HEAD
- FOUND PROPERTY MARKER
- 0.000.00 GROUND ELEVATION

SEAL

PROJECT
Pierce Street Paving
Project
Contract#3-23(P)

CLIENT

BIRMINGHAM
A THUNDERBOLT CITY
Engineering Department
151 Martin Street
Birmingham, MI 48401

PROJECT LOCATION
Part of the Southeast 1/4 of Section 36, Town 2 North, Range 10 East, City of Birmingham, Oakland County, Michigan

SHEET
Pierce Street
Grading Plan
Sta. 24+50 to P.O.E.

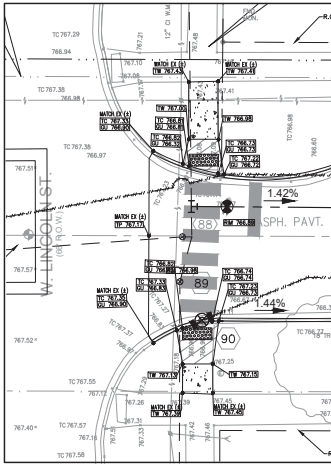
811
Know what's below
Call before you dig.

DATE	ISSUED/REVISED
12-09-21	ISSUED SURVEY
01-04-22	ISSUED SURVEY
02-02-22	ISSUED SURVEY
05-02-22	ISSUED FOR EGEI W.A. PERMIT
05-18-22	REVISED PER CITY REVIEW
05-24-22	BIDS
06-02-22	ADDENDUM 1

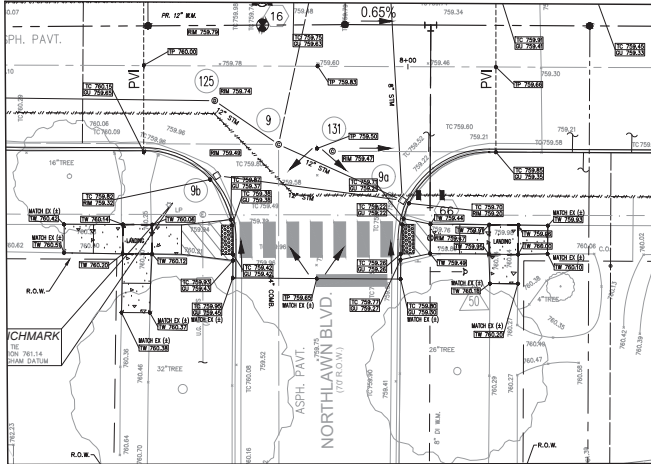
DRAWN BY:
M. Hini
DESIGNED BY:
G. Yiu
APPROVED BY:
B. Buchholz
DATE:
12-08-2021

SCALE: 1" = 20' / 1" = 2'
20 0 20 40 60 80 100
NFE JOB NO. SHEET NO.
M515 C14

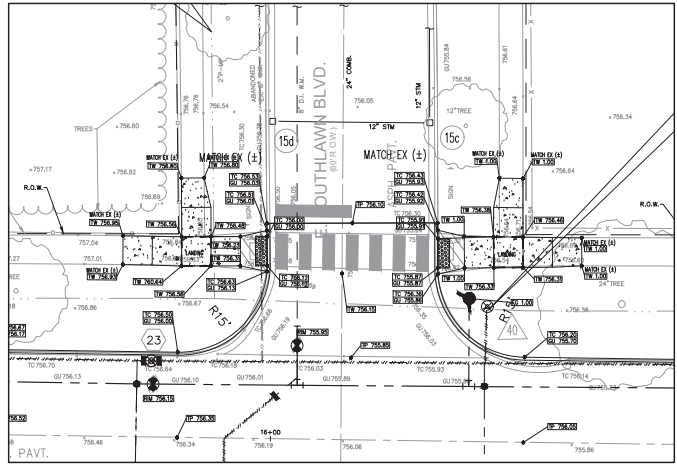
Public Water Main Quantities - Sheet C6
12" O.D. CI 52 Water Main
12" Gate Valve in Well
193 LF.
1 CA.



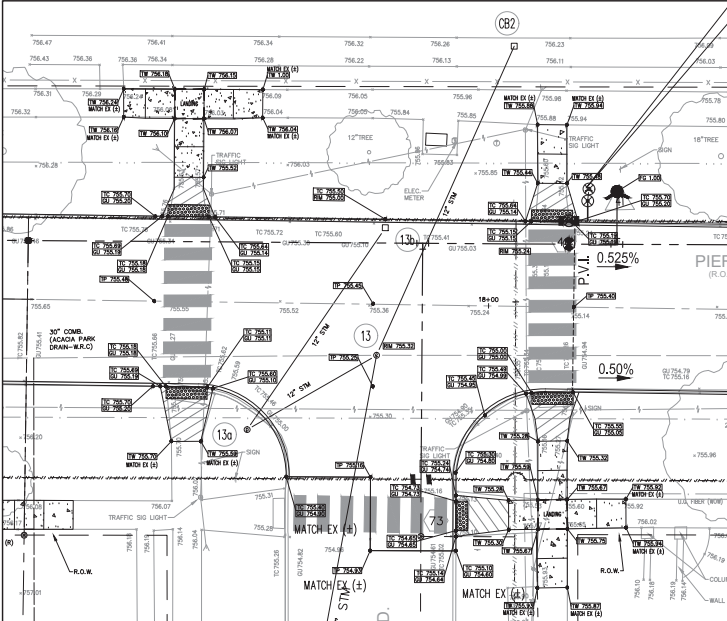
CROSSING AT PIERCE STREET AND W.
LINCOLN STREET



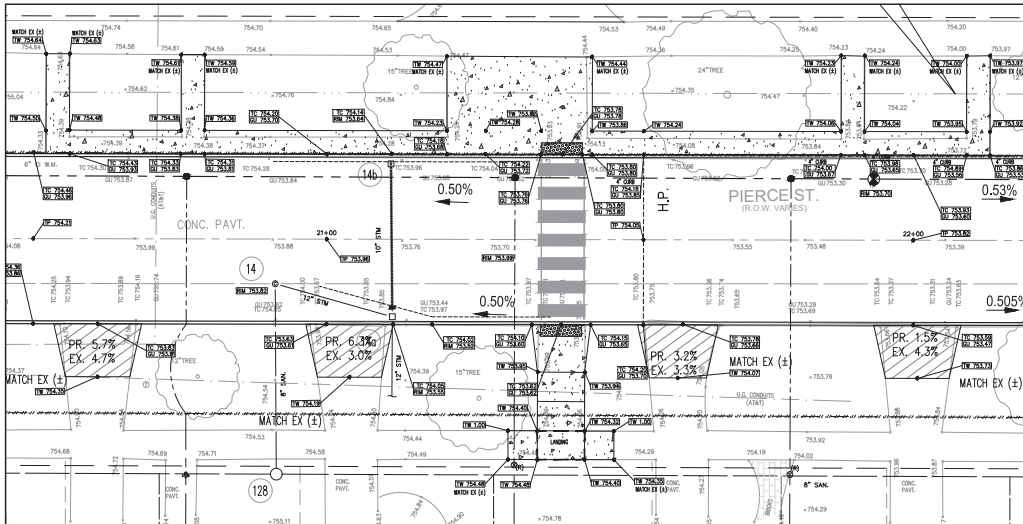
CROSSING AT PIERCE STREET AND
NORTHLAWN BLVD



CROSSING AT PIERCE STREET AND E.
SOUTHLAWN BLVD



CROSSING AT PIERCE STREET AND W.
SOUTHLAWN BLVD



CROSSING AT PIERCE ELEMENTARY
SCHOOL

SEAL

PROJECT
Pierce Street Paving
Project
Contract#3-23(P)

CLIENT



Engineering Department
151 Martin Street
Birmingham, MI 48201
PROJECT LOCATION
Part of the Southeast 1/4
of Section 36, Town 2 North,
Range 10 East, City of
Birmingham, Oakland
County, Michigan

SHEET
Intersection Grading
Details
(2 of 2)



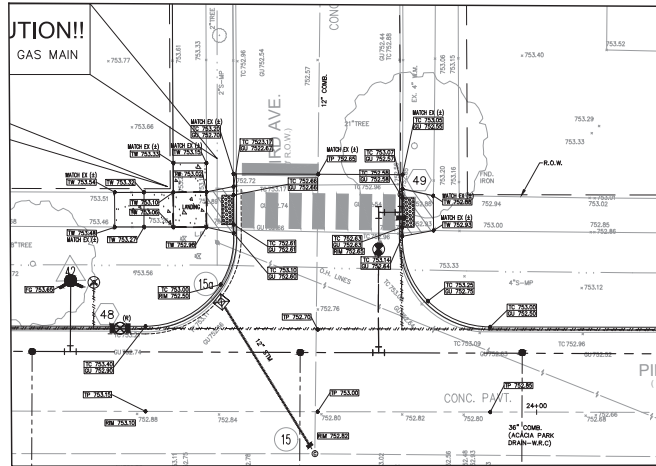
DATE	ISSUED/REVISED
12-08-21	ISSUED SURVEY
01-02-21	ISSUED SURVEY
02-02-21	ISSUED SURVEY
05-09-21	ISSUED FOR EIGHT W. PERMIT
05-19-21	REVISED PER CITY REVIEW
05-24-21	BIDS
06-08-21	ADDENDUM 1

DRAWN BY:
M. Hani
DESIGNED BY:
G. Yiju
APPROVED BY:
B. Buchholz

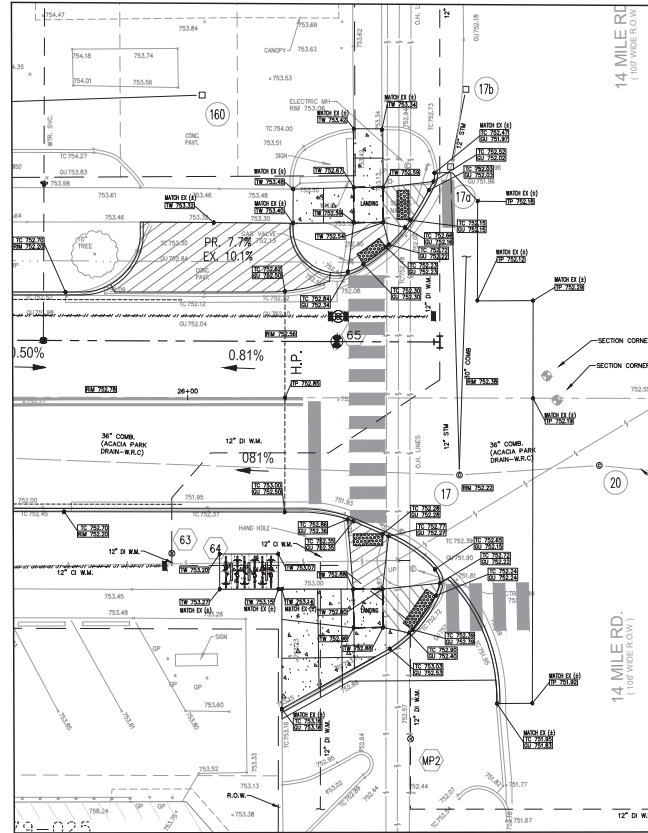
DATE:
12-08-2021

SCALE: 1" = 20' / 1" = 2'

NFE JOB NO. SHEET NO.
M515 C16



CROSSING AT PIERCE STREET AND
BIRD AVE.

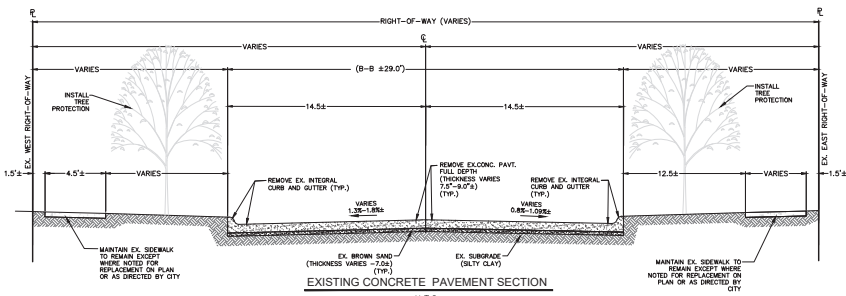


CROSSING AT PIERCE STREET AND
14 MILE ROAD

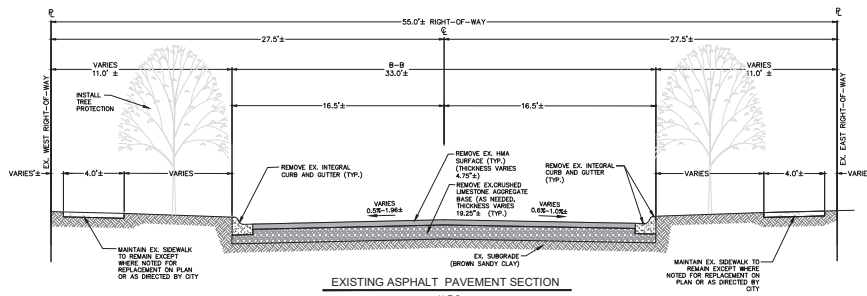


DATE	ISSUED/REVISED
12-08-20	ISSUED SURVEY
03-09-21	ISSUED SURVEY
03-09-21	ISSUED SURVEY
05-09-23	ISSUED FOR ELEC. W/L PERMIT
05-10-23	REVISED PER CITY REVIEW
05-24-23	BIDS
06-08-24	ADDENDUM 1

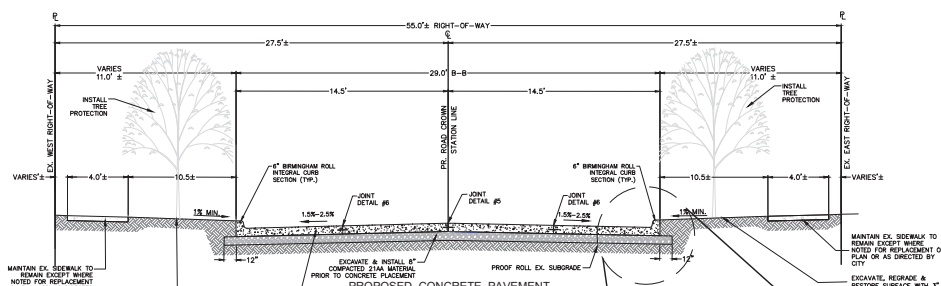
DRAWN BY:
G. Viju
DESIGNED BY:
P. Tulikangas
APPROVED BY:
B. Buchholz
DATE:
12-08-2021
SCALE: N.T.S.



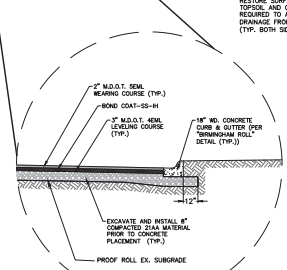
EXISTING CONCRETE PAVEMENT SECTION
N.T.S.
PIERCE STREET
APPLIES TO: STA. P.O.B. TO 3+67
8+22 TO P.O.E.



EXISTING ASPHALT PAVEMENT SECTION
N.T.S.
PIERCE STREET
APPLIES TO: STA. 3+67 TO 8+22



PROPOSED CONCRETE PAVEMENT SECTION (ALTERNATE #1)
N.T.S.
PIERCE STREET
APPLIES TO: STA. P.O.B. TO 24+92
ROAD TRANSITIONS TO A 33" B-B FROM STA. 24+92 TO 25+40
33" WIDE ROAD APPLIES TO: STA. 25+40 TO P.O.E.



PROPOSED ASPHALT PAVEMENT SECTION (ALTERNATE 2)



ADVANCED WARNING SIGNAGE & DETOUR PLAN: PIERCE ST.

PIERCE ST CLOSED FROM
LINCOLN TO 14 MILE
SEEK ALT ROUTE

36"x72" ADVANCE WARNING SIGN "A"
BLACK LEGEND ON ORANGE BACKGROUND



36" x 36"
ADVANCE WARNING SIGN "R"
BLACK LEGEND ON ORANGE
BACKGROUND



ADVANCED WARNING SIGN "L"
R3-1



ADVANCED WARNING SIGN "M"
R3-2

SYMBOL KEY
H TYPE III BARRICADES
- ADVANCED WARNING SIGN



SPECIAL ADVANCED WARNING SIGN QUANTITIES			
DESIGNATION	DESCRIPTION	SIZE	QUANTITY
SIGN "A"	RD PEABODY CLOSED PRNG. SIRCUC. ACCESS FROM S.B. PEABODY VIA W.P.L. 36" X 72"	36" X 72"	27
OTHER ADVANCED WARNING SIGN QUANTITIES AS SHOWN			
DESIGNATION	DESCRIPTION	SIZE	QUANTITY
R11-2	ROAD CLOSED	60" X 30"	8
R11-4	ROAD CLOSED FOR THRU TRAFFIC	60" X 30"	5
R3-1	NO RIGHT TURN	24" X 24"	9
R3-2	NO LEFT TURN	24" X 24"	8



CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
4677 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-6257

SEAL

PROJECT
Pierce Street Paving
Project
Contract#3-23(P)

CLIENT



Engineering Department
151 Martin Street
Birmingham, MI 48011

PROJECT LOCATION
Part of the Southeast 1/4
of Section 36, Town 2 North,
Range 10 East, City of
Birmingham, Oakland
County, Michigan



DATE	ISSUED/REVISED
12-08-21	ISSUED SURVEY
02-06-23	ISSUED SURVEY
02-08-23	ISSUED SURVEY
05-09-23	ISSUED FOR LEGAL PERMIT
08-18-23	REVISED PER CITY REVIEW
08-24-23	REDS
08-08-23	ADDENDUM 1

DRAWN BY:
G. Viju

DESIGNED BY:
P. Tulliamanus
APPROVED BY:
B. Buchholz

DATE:
12-08-2021

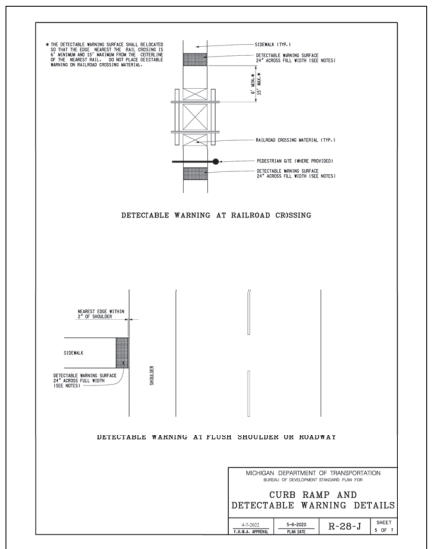
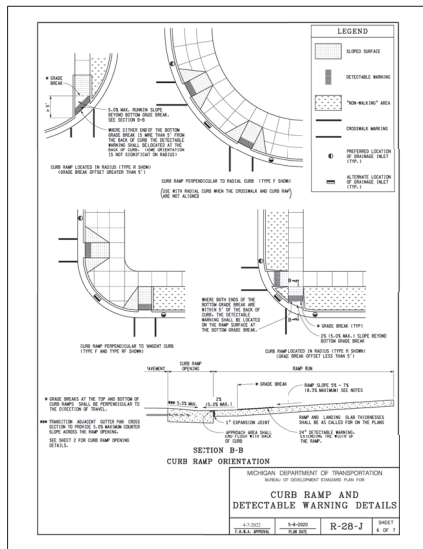
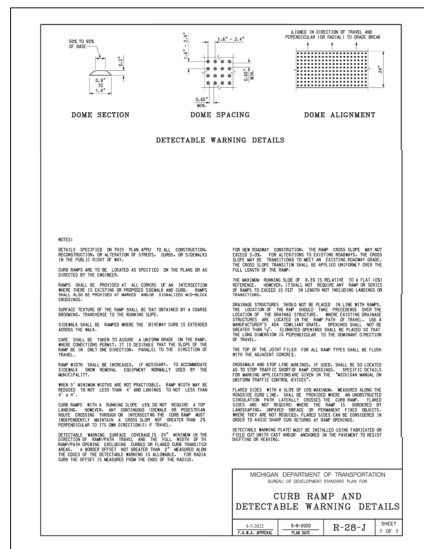
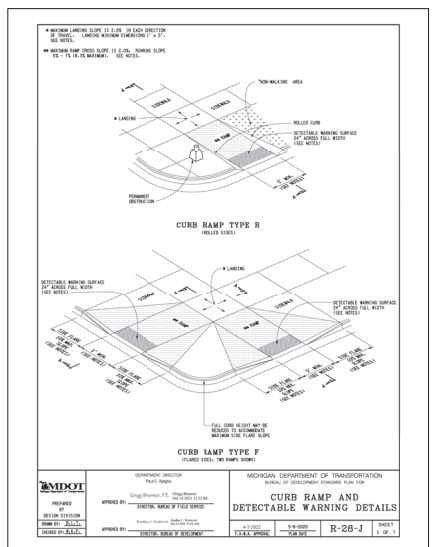
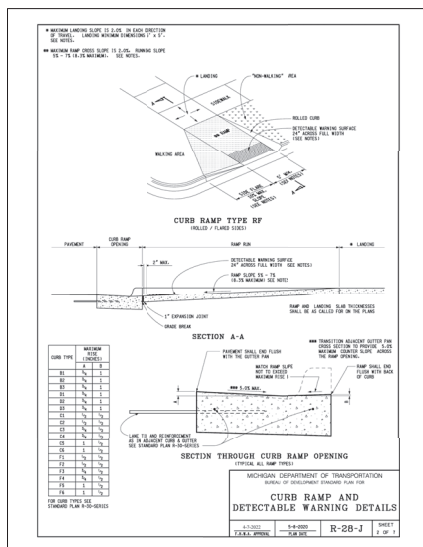
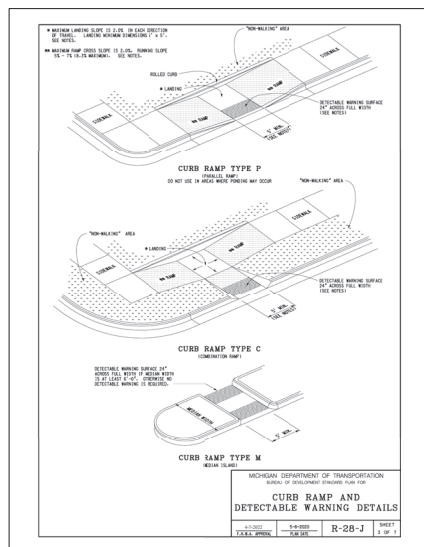
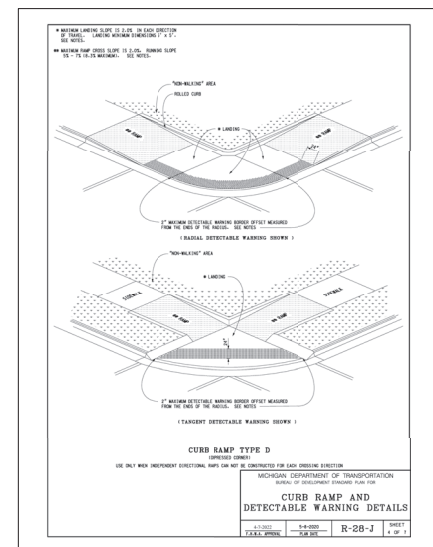
SCALE: N.T.S.

NFE JOB NO. **M515** SHEET NO. **C18**



DATE	ISSUED/REVISED
12-28-21	ISSUED SURVEY
02-09-22	ISSUED SURVEY
02-09-22	ISSUED SURVEY
05-02-23	ISSUED FOR ECE WAL PERMIT
05-10-23	ISSUED FOR CITY REVIEW
09-24-23	BIDS
09-24-23	ADDITIONAL

DRAWN BY:
G. Viju
DESIGNED BY:
P. Tulikangas
APPROVED BY:
B. Buchholz
DATE:
12-08-2021
SCALE: N.T.S.



GENERAL NOTES

- BRICK PAVERS SHALL BE REMOVED BY MEANS WHICH CAUSE NO DAMAGE TO THE BRICKS BEING SHALL BE DELIVERED TO CITY OF BIRMINGHAM DEPARTMENT OF SERVICES AS DIRECTED BY THE ENGINEER.
- AL PAVEMENT TO BE REMOVED SHALL BE SAUNT FULL DEPTH.
- ANY GRAVEL REPLACEMENT NECESSARY FOR REGRADING DRIVEWAYS SHALL BE CONSIDERED INCLUDED IN THE COST OF CONCRETE DRIVE APPROACH.
- ALL TREES NOT INDICATED FOR REMOVAL SHALL BE PROTECTED DURING CONSTRUCTION. WHERE NECESSARY, THE PROTS SHALL BE CUT CLEANLY AT NO TIME WILL RIPPING OR TEARING OF TREE ROOTS BE ACCEPTABLE.
- ALL DRIVEWAYS (BEHIND THE SIDEWALK) SHALL BE REPAIRED WITH A CROSS SECTION WHICH MATCHES THE EXISTING IN THICKNESS OF A MINIMUM OF 4" IN THE DRIVEWAY AND 2" IN THE DRIVEWAY. IF THE EXISTING DRIVEWAY IS GREATER THAN 4" IN DEPTH, THE THICKNESS OF THE BITUMINOUS MIXTURE NO. 13A SHALL BE ADJUSTED TO MAKE UP THE DIFFERENCE.
- UNLESS OTHERWISE SHOWN, PROPOSED GRADES IN PROFILE ARE TOP OF CURB GRADES.
- ROCKS AND OTHER MISC. DEBRIS WHICH ARE REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED FROM THE SITE, UNLESS DIRECTED OTHERWISE FROM THE CITY.
- THE PAY ITEM "PAVED STRUCTURE COVER" APPLIES ONLY TO PRE-EXISTING STRUCTURES TO BE ADJUSTED TO PROPOSED GRADES AS PART OF CONSTRUCTION.
- IF THE CONTRACTOR HAS MULTIPLE CREWS WORKING THAT REQUIRES MULTIPLE CITY INSPECTORS ON A GIVEN WORK DAY, THE PAY ITEM "INSPECTOR OVER CHARGE" SHALL BE MULTIPLIED BY THE CORRESPONDING NUMBER OF INSPECTORS REQUIRED DURING SAID WORK DAY.

PAVING NOTES

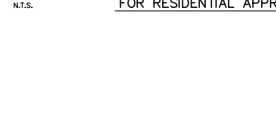
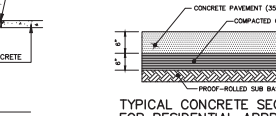
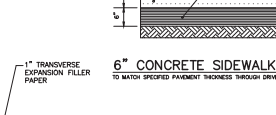
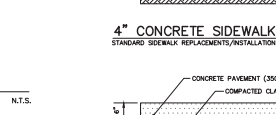
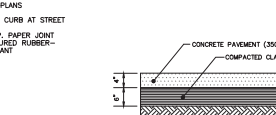
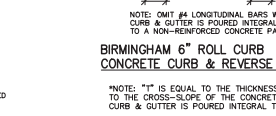
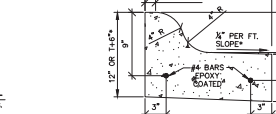
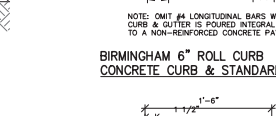
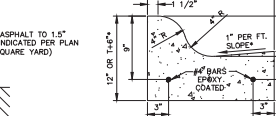
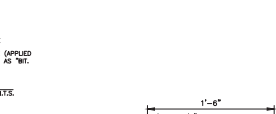
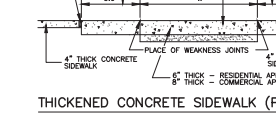
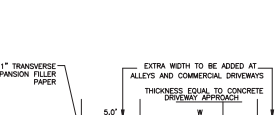
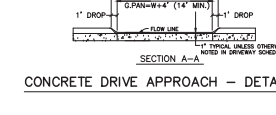
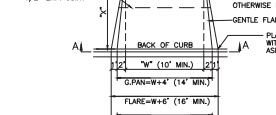
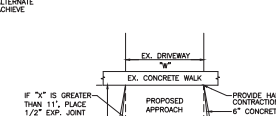
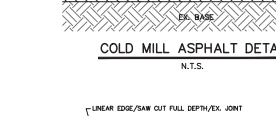
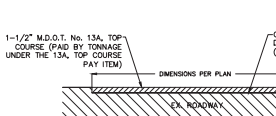
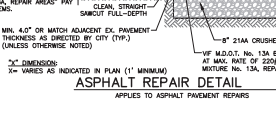
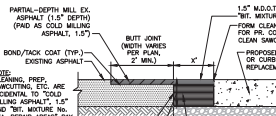
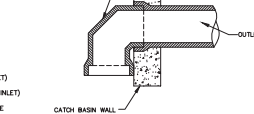
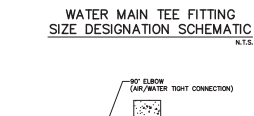
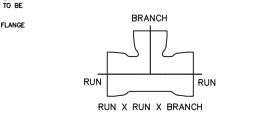
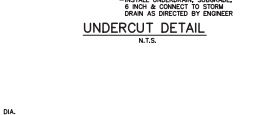
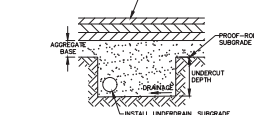
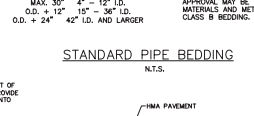
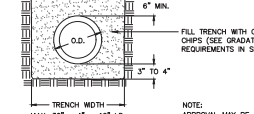
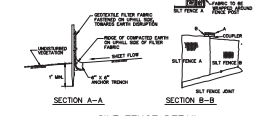
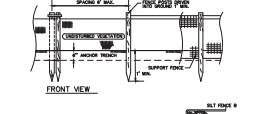
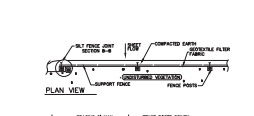
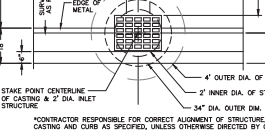
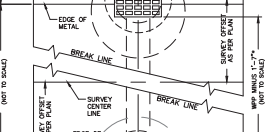
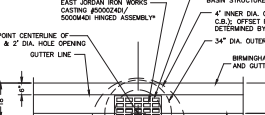
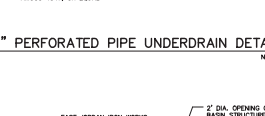
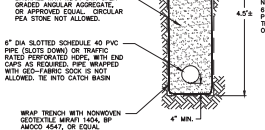
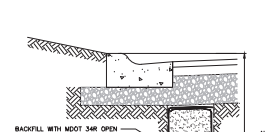
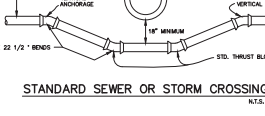
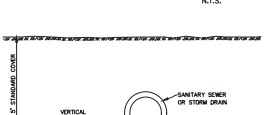
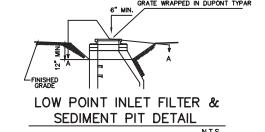
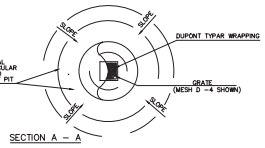
- PAVEMENT SHALL BE OF THE TYPE, THICKNESS AND CROSS SECTION AS INDICATED ON THE PLANS AND AS FOLLOWS:
 CONCRETE ROAD: BASE COURSE - 21AA CRUSHED LESTONE AGGREGATE (8" THICK) MAX. PORTLAND CEMENT TYPE IA (AIR-ENTRAINED), TO COMPLY WITH MDOT 3500HP REQUIREMENTS.
 CONCRETE FLOWTOP: PORTLAND CEMENT TYPE IA (AIR-ENTRAINED), WITH A MINIMUM CEMENT CONTENT OF SIX SACKS PER CUBIC YARD, MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3500 PSI AND A SLUMP OF 1.5 TO 2 INCHES. COMPLY WITH MDOT 3500 REQUIREMENTS.
 ASPHALT: BASE COURSE - 21AA CRUSHED LESTONE AGGREGATE (8" THICK)
 SURFACE COURSE - MDOT HMA MIXTURE NO. 30M (MAX. APPLICATION RATE 220 POUNDS PER SQUARE YARD)
 ASPHALT ROAD - REPAIR AREAS - MDOT HMA MIXTURE NO. 30M (MAX. APPLICATION RATE 220 POUNDS PER SQUARE YARD)
 LEXINGTON COURSES ASPHALT ROAD - REPAIR AREAS - MDOT HMA MIXTURE NO. 40M (MAX. APPLICATION RATE 330 POUNDS PER SQUARE YARD)
 ASPHALT ROAD - REPAIR AREAS - MDOT HMA MIXTURE NO. 13A (MAX. APPLICATION RATE 220 POUNDS PER SQUARE YARD)
 BOND COAT - MDOT SS-1HS DIMENSION AT 0.10 GALLON PER SQUARE YARD
- PAVEMENT SHALL BE COMPACTED (MINIMUM DENSITY (MASSED PROCTOR) PRIOR TO PLACEMENT OF PROPOSED PAVEMENT. EXISTING SUB-BASE SHALL BE PROOF-ROLLED IN THE PRESENCE OF THE ENGINEER TO DETERMINE STABILITY.
- ALL CONCRETE PAVEMENT, DRIVEWAYS, CURB & GUTTER, ETC., SHALL BE SPRAY CURED WITH WHITE MEMBRANE CURING COMPOUND IMMEDIATELY FOLLOWING FINISHING OPERATION.
- ALL CONCRETE PAVEMENT SHALL BE PROTECTED FROM FRESH RUBBERIZED ASPHALT JOINT SEALING COMPOUND IMMEDIATELY AFTER SCAFFOLD OPERATION. FEDERAL SPECIFICATION 95S-164.
- ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR CONSTRUCTION, 2003 EDITION.
- ALL TOP OF CURB ELEVATIONS, AS SHOWN ON THE PLANS, ARE CALICATED FOR A 6" CONCRETE CURB UNLESS OTHERWISE NOTED.
- ALL SIDEWALK RAMPS, CONFORMING TO PUBLIC ACT NO. 8, 1993, SHALL BE INSTALLED AS INDICATED ON THE PLANS.
- CONSTRUCTION OF A NEW OR RECONSTRUCTED DRIVE APPROACH CONNECTING TO AN EXISTING STATE OR COUNTY ROADWAY SHALL BE ALLOWED ONLY AFTER AN APPROVED PERMIT HAS BEEN SECURED FROM THE AGENCY HAVING JURISDICTION OVER SAID ROADWAY.
- FOR ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY, THE CONTRACTOR SHALL PAY FOR AND SECURE ALL NECESSARY PERMITS AND LICENSE ARRANGE FOR ALL INSPECTION.
- EXISTING TREES, VEGETATION AND ORGANIC MATERIALS SHALL BE STRIPPED AND REMOVED FROM PROPOSED PAVEMENT AREA PRIOR TO PLACEMENT OF BASE MATERIALS (INCLUDED IN PAVING WORK).
- EXPANSION JOINTS SHALL BE INSTALLED AT THE END OF ALL INTERSECTION RAIL.
- SIDEWALK RAMPS, CONFORMING TO PUBLIC ACT NO. 8, 1973, SHALL BE INSTALLED AS SHOWN AT ALL STREET INTERSECTIONS AND AT ALL BARREER FREE PARKING AREAS AS INDICATED ON THE PLANS.
- ALL PAVEMENT AREAS SHALL BE PROOF-ROLLED UNDER THE SUPERVISION OF A GEOTECHNICAL ENGINEER PRIOR TO THE PLACEMENT OF BASE MATERIALS AND FINISHING MATERIALS.
- ALL AREAS SHALL BE MACHINE COMPACTED TO UNIFORM DENSITY NOT EXCEEDING 9 INCHES THICK TO 95% OF THE MAXIMUM DENSITY (MODIFIED PROCTOR) PRIOR TO PLACEMENT OF PROPOSED PAVEMENT.
- K.A.P. NOT ALLOWED IN SURFACE / TOP COURSE OF ASPHALT.

WATER MAIN NOTES

- ALL WATER MAINS 4" AND LARGER SHALL BE DUCTILE IRON PIPE THICKNESS CLASS 52, WITH PUSH ON JOINT TYPE PER CITY REQUIREMENTS.
- NEW WATER MAINS SHALL BE INSTALLED WITH A MINIMUM 5.5 FEET OF COVER. EXCEPTIONS WILL BE ALLOWED WHEN NECESSARY TO EXHIBIT TO EXISTING MAINS OR WHEN AUTHORIZED BY THE ENGINEER.
- WORKING SERVICE BASES ON FIELD INFORMATION OR CITY RECORDS ARE SHOWN ON THE PLANS AS FOLLOWS: "L" = COPPER, "T" = LEAD AND "W.S." = WATER SERVICE TYPE UNIFORM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING ALL EXISTING SERVICE TO THE NEW MAIN AFTER IT HAS BEEN APPROVED FOR USE.
- COAT ALL BOLTS ON MECHANICAL FITTINGS WITH TAR.
- HYDRANT CONNECTION TO CONSIST OF 6" DUCTILE IRON PIPE, 6" GATE VALVE AND BOX, AND HYDRANT. HYDRANT SHALL BE 5/8" MODEL 58R WITH 6" MECHANICAL JOINT INLET, TWO PUMPER INLETS, ALL OPENING LEFT, 5"-6" TRENCH, FLANGED DRINK AND BLOCK BOLTS.
- INSTALL GATE VALVE AS CLOSE TO HYDRANT AS PRACTICABLE.
- GATE VALVES 4" AND LARGER MAY BE WELDER BRAND SPECIFIED, OR APPROVED EQUIVALENT. ALL MATERIALS RELATIVE TO WATER SERVICE CONNECTIONS SHALL BE WELDER BRAND.
- IN ABANDONING MAINS, THE FOLLOWING SHALL BE DONE: PLUG ALL OPEN PIPE ENDS WITH MASONRY, DISCONNECT MAINS WHICH ARE TO BE ABANDONED FROM FITTINGS AT LIVE MAINS AND PLUG AND BLOCK THOSE FITTINGS. PLUG MAIN TO BE ABANDONED WITH GROUT OR HYDRANTIC CEMENT.
- WORK INDICATED BY (A) SHALL BE PERFORMED AFTER THE NEW MAINS ARE PLACED IN SERVICE.
- THE LOCATIONS AND TYPES OF SERVICE LEADS IS BASED ON THE BEST AVAILABLE INFORMATION. THE EXACT LOCATION OF SERVICE LEADS SHALL BE FIELD VERIFIED BY THE CONTRACTOR.
- WHERE APPLICABLE, THE APPROPRIATE SECTIONS OF EXISTING WATERMAIN SHALL BE SHUTDOWN AND DEPRESSURIZED BEFORE (A) CUTTING AND REMOVING, (B) CUTTING AND INSTALLING PROPOSED TEE CONNECTIONS, (C) PERFORMING ANY AND ALL OTHER WORK AND/OR INSTALLATION TO WATERMAIN AND OTHER CONNECTIONS WHILE MEETING AND/OR EXCEEDING APPLICABLE INDUSTRY SAFETY PRECAUTIONS AND MSHA STANDARDS.

STORM SEWER NOTES (where applicable)

- ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY. THE MUNICIPALITY STANDARD NOTES, DETAILS AND SPECIFICATIONS SHALL BE INCORPORATED AS PART OF THESE PLANS.
- ALL STORM SEWER TRENCHES UNDER OR WITHIN THREE (3) FEET OF EXISTING OR PROPOSED PAVEMENT SHALL BE BACK FILLED WITH MOST CLASS B MATERIAL (SAND) AND BE MACHINE COMPACTED TO A MINIMUM OF 8% OF THE MATERIAL'S MAXIMUM DENSITY. PAVEMENT SHALL INCLUDE PARKING LOTS, DRIVE APPROACHES, 95 CURB & GUTTER AND ADJACENT WALKS.
- ALL STORM SEWER PIPE SHALL BE INSTALLED ON CLASS "B" BEDDING OR BETTER UNLESS OTHERWISE INDICATED ON THE PLANS.
- STORM SEWER SHALL BE OF THE TYPE, SIZE & CLASS DESIGNATION INDICATED ON THE PLANS AND LICENSEE BE INSTALLED AT THE PROPOSED LINE & GRADE INDICATED.
- ALL STORM SEWER PIPE SHALL BE REINFORCED CONCRETE PIPE CONFORMING TO ASTM SPECIFICATION C-76 CL IV.
- ALL MAIN WALK CATCH BASIN STRUCTURES SHALL BE REINFORCED CONCRETE TO A MINIMUM OF 8% OF THE MATERIAL'S MAXIMUM DENSITY. PAVEMENT SHALL INCLUDE PARKING LOTS, DRIVE APPROACHES, 95 CURB & GUTTER AND ADJACENT WALKS.
- INSTALL TRAPS ON THE FIRST CATCH BASIN (TYPICALLY A 4" DIAMETER STRUCTURE WITH 2" SLUMP THAT IS UPSTREAM OF ITS CONNECTION TO A MAINLINE STORM OR SEWER MAINLINE, TO CAPTURE FLOTTABLES AND TO MINIMIZE ESCAPE OF ODOOR.
- THE CONTRACTOR SHALL NOTIFY MHS DDD (1-800-482-7171) A MINIMUM OF THREE (3) WORKING DAYS PRIOR TO THE START OF CONSTRUCTION.
- EXACT GRADES AND INVERTS OF PROPOSED STORM SEWER ARE TO BE CHECKED WITH THE FIELD ENGINEER PRIOR AND DURING INSTALLATION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE DESIGN ENGINEER OF ANY PLAN INCONSISTENCY AND/OR UTILITY CONFLICTS.
- ALL STORM SEWER PIPE JOINTS SHALL BE "PREMIUM JUMP" MODIFIED GROOVED TONGUE (M.G.T.) WITH SYNTHETIC RUBBER INSERTS CONFORMING TO ASTM SPECIFICATION C-443 OR C-361, UNLESS OTHERWISE INDICATED ON THE PLANS.
- FACILITY MANUFACTURED PRECAST TEE SECTIONS SHALL BE FOR ROOF DRAINS AND/OR SUMP PUMP LEADS AND MATERIALS WHERE INDICATED ON THE PLANS. BEAD TOP CONNECTIONS INTO STORM SEWER WILL NOT BE PERMITTED BY BREAKING PIPE WALL.
- THE CONTRACTOR SHALL PAY FOR AND SECURE ALL NECESSARY PERMITS AND LICENSE ARRANGE FOR ALL SITE INSPECTIONS.



NOVAK & FRAUS ENGINEERS
4677 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL: (248) 332-7931
FAX: (248) 332-8257

PROJECT
Pierce Street Paving
Project
Contract#3-23(P)



Engineering Department
151 Martin Street
Birmingham, MI 35203

PROJECT LOCATION
Part of the Southeast 1/4
of Section 26, Town 2 North,
Range 10 East, City of
Birmingham, Oakland
County, Michigan

SHEET
Notes & Details (3 of 3)

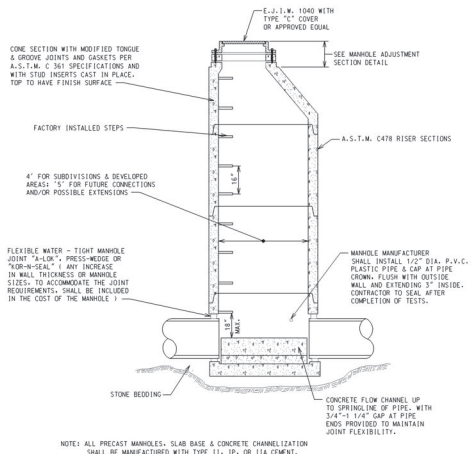


DATE	ISSUED/REVISED
12-28-21	ISSUED SIXTY
09-29-21	ISSUED SIXTY
02-23-21	ISSUED SIXTY
05-29-21	ISSUED FOR ELEC. W.A. PERMIT
05-19-21	REVISED FOR CITY REVIEW
07-24-21	BIDS
08-21-21	ADMINISTRATIVE

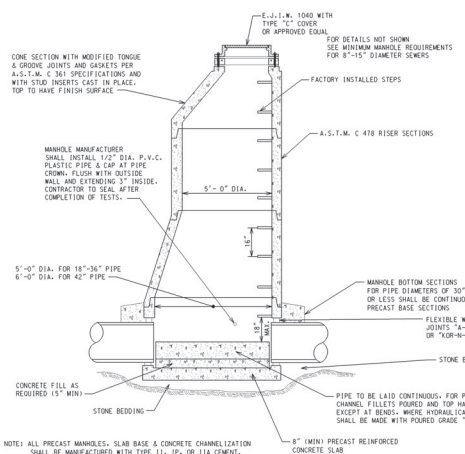
DRAWN BY:
G. Viji
DESIGNED BY:
P. Tulikangas
APPROVED BY:
B. Buchholz
DATE:
12-08-2021

SCALE: N.T.S.

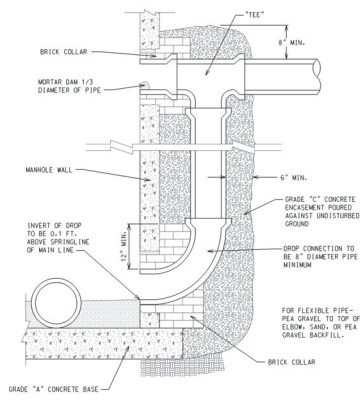
NEE JOB NO. SHEET NO.
M515 C21



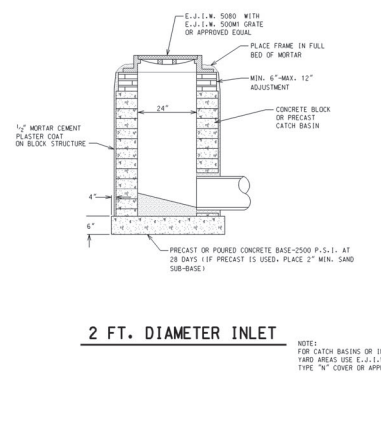
SEWER MANHOLE
1' 8" THRU 15" DIA. SEWERS



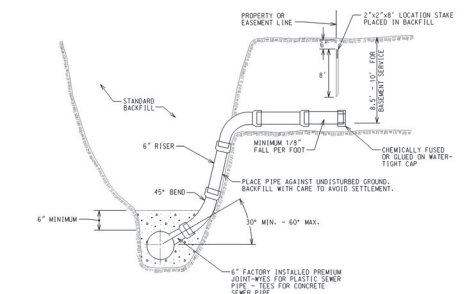
SEWER MANHOLE
1' 18" THRU 42" DIA. SEWERS



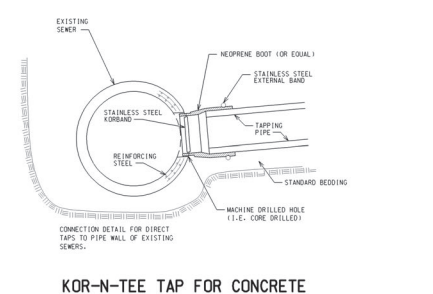
EXTERNAL DROP CONNECTION



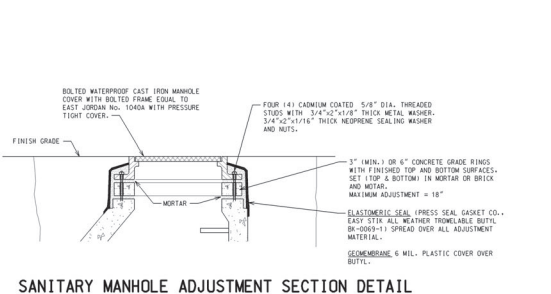
2 FT. DIAMETER INLET



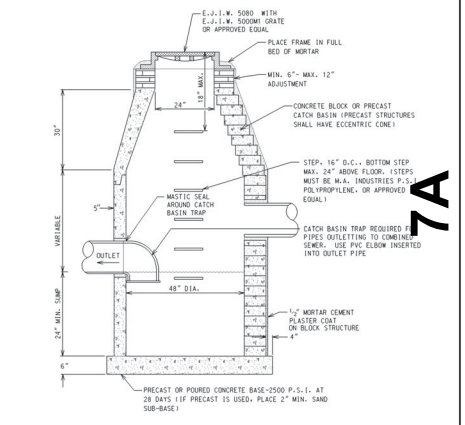
BUILDING LEAD DETAIL
0' - 15' COVER



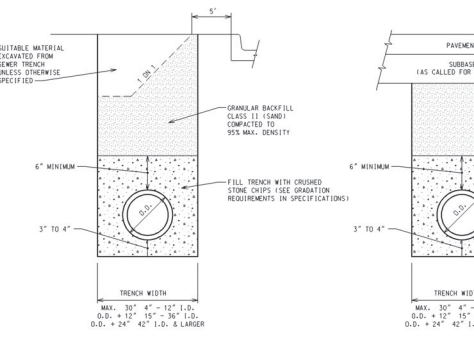
KOR-N-TEE TAP FOR CONCRETE
NO SCALE



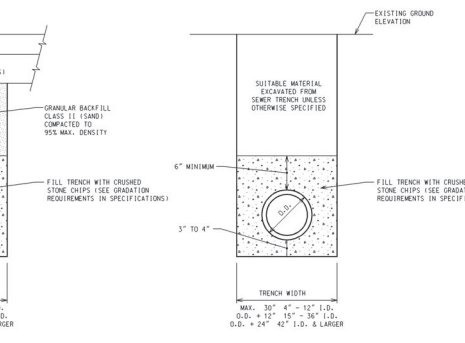
SANITARY MANHOLE ADJUSTMENT SECTION DETAIL



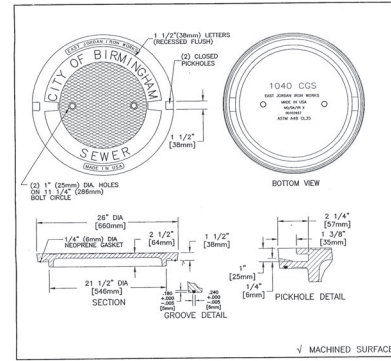
4 FT. DIAMETER CATCH BASIN



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



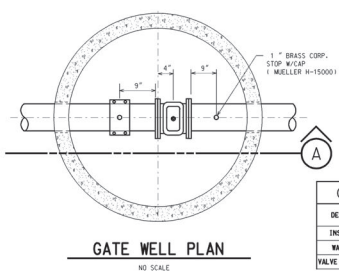
EAST JORDAN IRON WORKS, INC.	
1000 BIRCH BLVD.	
EAST JORDAN, MI 49727	
1-800-474-1100	
FAX 231-536-4428	
DATE	04/27/02
APPROVED	
SPECIAL LETTERED 2" HOLE COVER	
PRODUCT NO.	00103927
CATALOG NO.	1040CGS
REF. PRODUCT DRAWING	104237
EST. WT.	150 LBS 08kg
OPER. AREA	N/A
MAT'L SPEC.	COVER - GRAY IRON ASTM A48 B35
LOAD RATING	HEAVY DUTY

City of Birmingham
A Public Company

151 MARTIN STREET BIRMINGHAM, MICHIGAN 48102

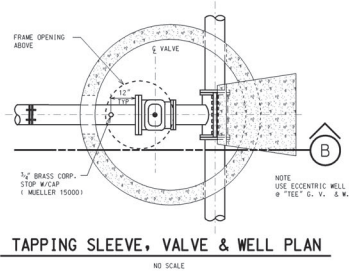
SEWER STANDARD DETAILS

DATE	ADDITION AND/OR REVISION	DRAWN	PROJECT NO.	SHEET NO.
		DESIGNED	DATE	JANUARY 2007
		APPROVED	SCALE	

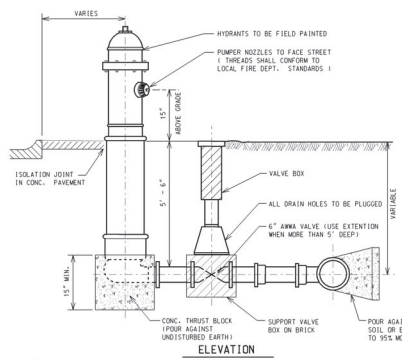


GATE WELL SCHEDULE			
DESCRIPTION	DIM.	PIPE DIA.	INCHES
INSIDE DIA.	A	6" & 8"	12" 16"
WALL THICK.	B	5"	7"
VALVE BLOCK THICK.	C	4"	4"

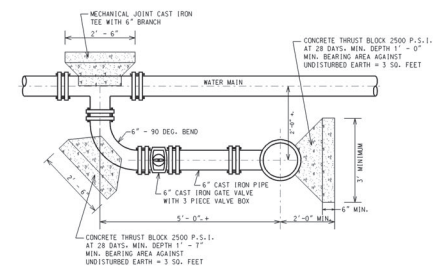
GATE WELL PLAN
NO SCALE



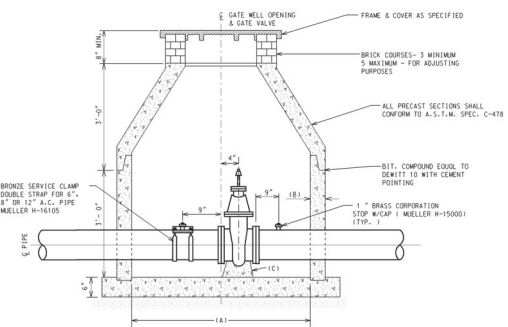
TAPPING SLEEVE, VALVE & WELL PLAN
NO SCALE



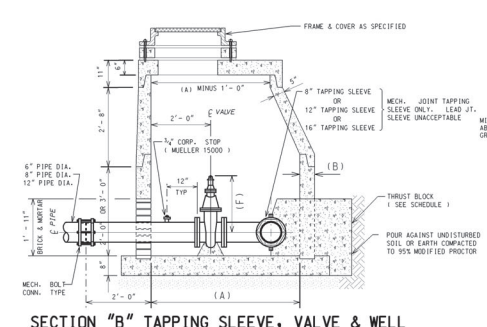
FIRE HYDRANT GUARD POSTS DETAIL



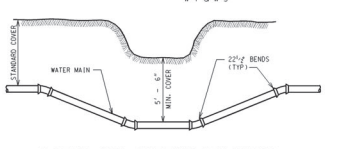
"L" HYDRANT CONNECTION
NO SCALE



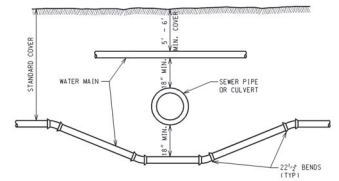
SECTION "A" GATE WELL
NO SCALE



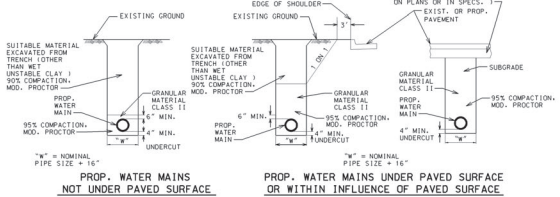
SECTION "B" TAPPING SLEEVE, VALVE & WELL
NO SCALE



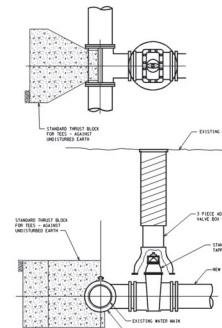
DITCH AND STREAM CROSSING
NO SCALE



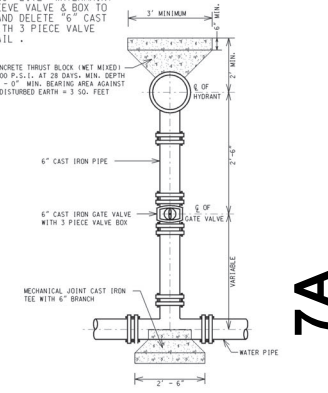
SEWER OR CULVERT CROSSING
NO SCALE



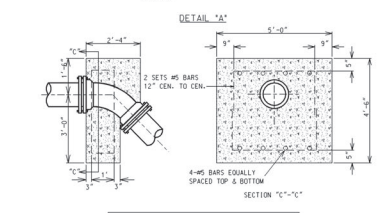
BEDDING DETAILS



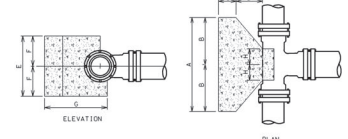
TAPPING SLEEVE & VALVE W/ VALVE BOX



STRAIGHT HYDRANT CONNECTION
NO SCALE

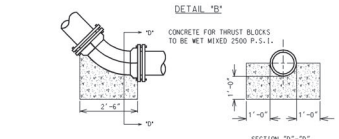


DETAIL "A"



ELEVATION
PLAN

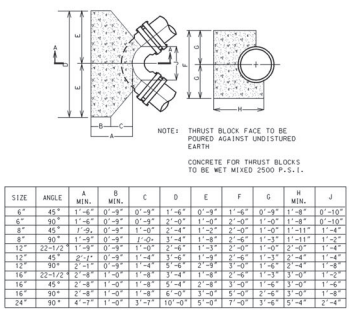
SCHEDULE OF THRUST BLOCK DIMENSIONS			
CODE	TEE SIZE	A	B
A	8" x 8"	4'-0"	5'-0"
B	12" x 12"	4'-0"	5'-0"
C	12" x 12"	4'-0"	5'-0"
D	12" x 12"	4'-0"	5'-0"
E	12" x 12"	4'-0"	5'-0"
F	12" x 12"	4'-0"	5'-0"
G	12" x 12"	4'-0"	5'-0"
H	12" x 12"	4'-0"	5'-0"
I	12" x 12"	4'-0"	5'-0"
J	12" x 12"	4'-0"	5'-0"



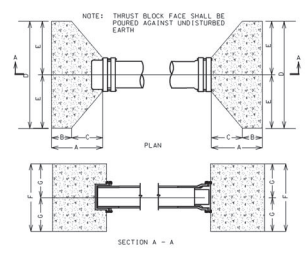
DETAIL "B"

VERTICAL BEND THRUST BLOCKS FOR 8"-12" MAINS

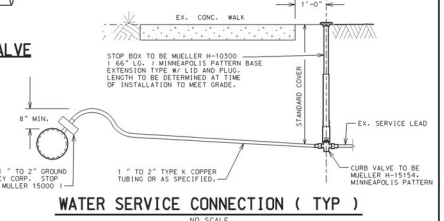
CONCRETE THRUST BLOCK FOR TEES



CONCRETE THRUST BLOCK FOR BENDS



CONC. THRUST BLOCKS FOR PLUGS & CAPS



WATER SERVICE CONNECTION (TYP)
NO SCALE

151 MARTIN STREET BIRMINGHAM, MICHIGAN 48102

WATER MAIN STANDARD DETAILS

DATE:	ADDITION AND/OR REVISION:	DRAWN:	PROJECT NO.:	SHEET NO.:
DESIGNED:	DATE:	APPROVED:	SCALE:	WM-1

**Pierce Street Project
Water Service Special Assessment District (SAD)**

Parcel ID / Sidewell Number	Street Address	Water Service Footage (WM to Prop. Line)	Estimated Cost
19-36-401-006	1105 Pierce Street	28.5	\$ 3,277.50
19-36-329-011	1234 Pierce Street	37.5	\$ 4,312.50
19-36-401-009	1245 Pierce Street	30.0	\$ 3,450.00
19-36-329-012	1252 Pierce Street	36.5	\$ 4,197.50
19-36-329-013	1270 Pierce Street	36.5	\$ 4,197.50
19-36-329-014	1290 Pierce Street	39.0	\$ 4,485.00
19-36-401-046	1321 Pierce Street	28.0	\$ 3,220.00
19-36-329-015	1340 Pierce Street	42.0	\$ 4,830.00
19-36-401-013	1355 Pierce Street	28.0	\$ 3,220.00
19-36-329-017	1380 Pierce Street	39.0	\$ 4,485.00
19-36-401-017	1415 Pierce Street	26.0	\$ 2,990.00
19-36-333-020	1418 Pierce Street	40.0	\$ 4,600.00
19-36-401-018	1421 Pierce Street	26.0	\$ 2,990.00
19-36-333-021	1424 Pierce Street	40.0	\$ 4,600.00
19-36-333-022	1436 Pierce Street	40.0	\$ 4,600.00
19-36-401-019	1437 Pierce Street	26.0	\$ 2,990.00
19-36-333-023	1450 Pierce Street	42.0	\$ 4,830.00
19-36-401-021	1469 Pierce Street	26.0	\$ 2,990.00
19-36-333-025	1474 Pierce Street	40.0	\$ 4,600.00
19-36-333-027	1492 Pierce Street	40.0	\$ 4,600.00
19-36-333-028	1510 Pierce Street	40.0	\$ 4,600.00
19-36-333-032	1570 Pierce Street	52.0	\$ 5,980.00
19-36-333-033	1584 Pierce Street	52.0	\$ 5,980.00
19-36-333-035	1638 Pierce Street	56.0	\$ 6,440.00
19-36-333-036	1682 Pierce Street	50.0	\$ 5,750.00
19-36-379-025	100 W. 14 Mile Road	49.0	\$ 5,635.00



MEMORANDUM

City Clerk's Office

DATE: June 21, 2023

TO: Melissa Coatta, City Engineer

FROM: Alexandria Bingham, City Clerk

SUBJECT: Clerk's Confirmation of Public Hearing Notice: Pierce Street Water Lateral Improvement

The public hearing notice process has been completed for Pierce Street Water Lateral Improvement. Please see attachments for further confirmation.

Mailing Date: 06/12/2023

Test Mail Return Date:

Publishing Dates in the Oakland Press: June 12, 2023 and June 18, 2023

Posted in www.bhamgov/publicnotices: 6/12/2023

Attachments:

1. Public Hearing Notice
2. Addresses
3. Mailing Letter
4. Mail Machine Counter Report
5. Proof of publishing for 6/12/2023. Second publish date 6/18/2023.

NOTICE OF PUBLIC HEARINGS	
BIRMINGHAM CITY COMMISSION	
PUBLIC HEARING OF NECESSITY	
PUBLIC HEARING OF CONFIRMATION	
Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, June 26, 2023, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Date, Time, Location:	HEARING FOR CONFIRMATION OF THE ROLL Monday, July 10, 2023, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	Pierce Street between East Lincoln Street and 14 Mile Road
Nature of Improvement:	Replacement and improvement of water laterals meeting the requirements for assessment, for all properties within the project area. Affected addresses as follows: 1105 Pierce Street 19-36-401-006 1234 Pierce Street 19-36-329-011 1245 Pierce Street 19-36-401-009 1252 Pierce Street 19-36-329-012 1270 Pierce Street 19-36-329-013 1290 Pierce Street 19-36-329-014 1321 Pierce Street 19-36-401-046 1340 Pierce Street 19-36-329-015 1355 Pierce Street 19-36-401-013 1380 Pierce Street 19-36-329-017 1390 Pierce Street 19-36-329-018 1415 Pierce Street 19-36-401-017 1418 Pierce Street 19-36-333-020 1421 Pierce Street 19-36-401-018 1424 Pierce Street 19-36-333-021 1436 Pierce Street 19-36-333-022 1437 Pierce Street 19-36-401-019 1450 Pierce Street 19-36-333-023 1469 Pierce Street 19-36-401-021 1474 Pierce Street 19-36-333-025 1492 Pierce Street 19-36-333-027 1510 Pierce Street 19-36-333-028 1570 Pierce Street 19-36-333-032 1584 Pierce Street 19-36-333-033 1638 Pierce Street 19-36-333-035 1682 Pierce Street 19-36-333-036 100 W. 14 Mile Road 19-36-379-025 1128 Lincoln Avenue 19-36-329-024
City Staff Contact:	Melissa Coatta, City Engineer mcoatta@bhamgov.org , (248)530-1839
Notice Requirements:	Mail to affected property owners Publish June 12, 2023 and June 18, 2023
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 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Street Address	Parcel ID / Sidewell Number
1105 Pierce Street	19-36-401-006
1234 Pierce Street	19-36-329-011
1245 Pierce Street	19-36-401-009
1252 Pierce Street	19-36-329-012
1270 Pierce Street	19-36-329-013
1290 Pierce Street	19-36-329-014
1321 Pierce Street	19-36-401-046
1340 Pierce Street	19-36-329-015
1355 Pierce Street	19-36-401-013
1380 Pierce Street	19-36-329-017
1390 Pierce Street	19-36-329-018
1415 Pierce Street	19-36-401-017
1418 Pierce Street	19-36-333-020
1421 Pierce Street	19-36-401-018
1424 Pierce Street	19-36-333-021
1436 Pierce Street	19-36-333-022
1437 Pierce Street	19-36-401-019
1450 Pierce Street	19-36-333-023
1469 Pierce Street	19-36-401-021
1474 Pierce Street	19-36-333-025
1492 Pierce Street	19-36-333-027
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1638 Pierce Street	19-36-333-035
1682 Pierce Street	19-36-333-036
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1128 Lincoln Avenue	19-36-329-024

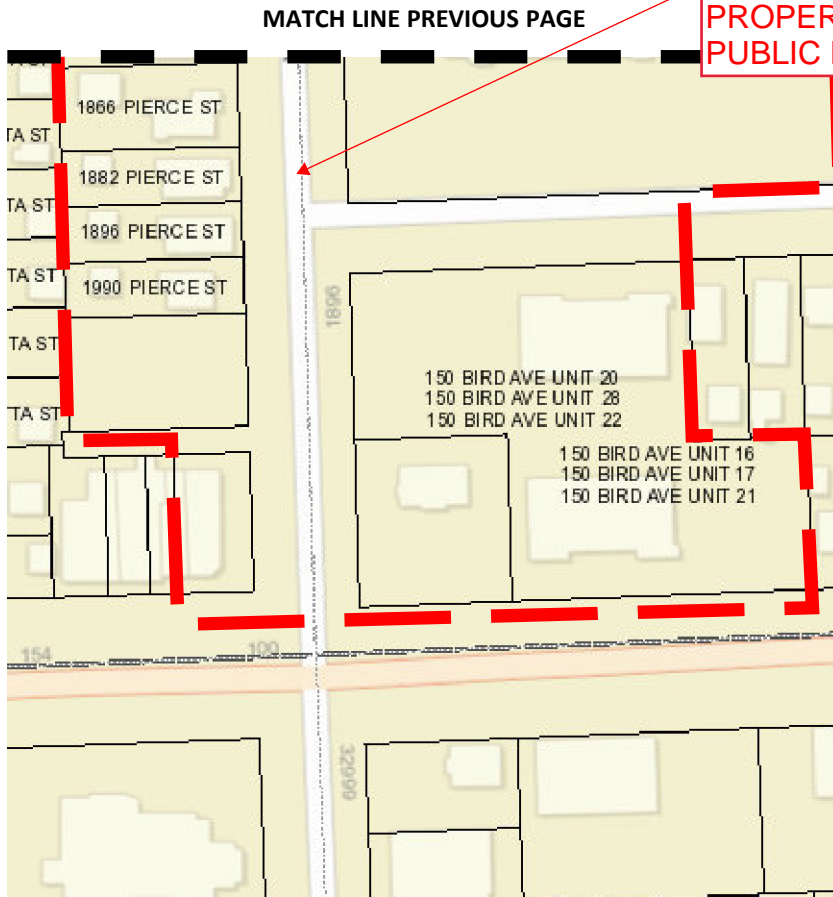
Pierce Street Project Area

PROPERTIES POTENTIALLY INCLUDED IN PROPOSED WATERLATERAL REPLACEMENT SPECIAL ASSESSMENT DISTRICT (ACTUAL PROPERTIES TO BE DETERMINED PRIOR TO PUBLIC HEARING OF NECESSITY)



Pierce Street Project Area

PROPERTIES POTENTIALLY INCLUDED IN PROPOSED WATERLATERAL REPLACEMENT SPECIAL ASSESSMENT DISTRICT (ACTUAL PROPERTIES TO BE DETERMINED PRIOR TO PUBLIC HEARING OF NECESSITY)





Monday, June 12, 2023

TO: 19-36-401-018
Property Owner
1421 Pierce Street
Birmingham, MI 48009

RE: Pierce Street Water Lateral Replacement and Improvement Special Assessment District

The City of Birmingham's Pierce Street Paving Project will start soon and includes the replacement of the water main on Pierce Street between East Lincoln Street and 14 Mile Road and the repaving of that section. Construction on this project is anticipated to start in July 2023 and be completed by November 2023.

As part of the project, the city intends to replace water service laterals less than 1 inch in diameter from the new water main location to the right-of-way. Not all property owners in the project area will need the replacement of their water laterals and be subject to this special assessment. Replacement during infrastructure projects protects the city's investment by reducing the chance of a lateral failure within the right-of-way area. City ordinance establishes private water service laterals only benefit one property and they are not considered a part of the city's public water system. Therefore, the maintenance and repair of the water services from the building to the connection at the public main is the responsibility of each property owner and are completed at the property owner's expense.

With this letter, you are receiving a notification for two public hearings regarding this project:

- The Public Hearing of Necessity to form a Special Assessment District for the replacement of water laterals meeting the requirements as part of the Pierce Street Paving Project is **Monday, June 26, 2023**, at the regularly scheduled City Commission meeting at 7:30 p.m. in City Hall at 151 Martin St. Official estimates of replacing the water lateral will be provided at the Hearing of Necessity.
- If necessity is determined at the June 26 hearing, a Public Hearing of Confirmation to confirm the Special Assessment District will follow on **Monday, July 10, 2023**, at the regularly scheduled City Commission meeting at 7:30 p.m. in City Hall at 151 Martin St.

The actual cost of replacing the section of the water lateral charged to you will vary depending on the actual location of the city mains, and any other obstacles, such as trees that are in the way. Property owners are only charged for the actual length of service replaced if their service qualifies for assessment as described above.

After the work is completed, an invoice will be generated and sent to the property owner of record for the length of service replaced. 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 9.25 percent, will apply.

If you have any questions or concerns, please contact the Engineering Office at (248) 530-1850. You have the opportunity to speak directly to the City Commission at the Public Hearing of Necessity that will be held on June 26, 2023.

Sincerely,



Melissa A. Coatta, P.E.
City Engineer

Funds Report	Available:	\$4,023.86	PBP Account Number:	35884980
	Used:	\$23,976.14	Indicia Number:	0001404691
	Total Pieces:	36797	Meter Number:	1404691
	Control Sum:	\$28,000.00	Meter Name:	
	Resettable Piece Count:	29	Printed:	JUN 12 2023 1:03 PM
	Piece Count Value:	\$17.40		

Contact us

Classified Sales:
877-271-1272 | 248-745-4500 ads@newspaperclassifieds.com

Noelle Klomp, Director:
586-783-0393
nklomp@newspapersclassifieds.com

Monday, June 12, 2023 » MORE UPDATES AT [FACEBOOK.COM/THEOAKLANDPRESS](https://www.facebook.com/theoaklandpress) AND [TWITTER.COM/THEOAKLANDPRESS](https://twitter.com/theoaklandpress)

[theoaklandpress.com](https://www.theoaklandpress.com)

COLLECTIBLES & MEMORABILIA

BUYING COINS, Sports Cards and Stamp Collections. Top \$\$\$\$ Paid. Call 248-471-4451

SENIOR HUNTERS Collection of Apparel and Equipment. 1 lot. No firearms. Photo inventory available via text. \$1500 obo. Ron @ 248-224-8756

FIREWOOD

FIREWOOD 4 X 4 X 8 Cords, green or seasoned. Buy it by the semi-load and Save! 989-426-5916

HELP WANTED GENERAL



Mac Valves Inc., leading manufacturer of pneumatic valves is seeking associates for

- ◆ ASSEMBLY LINES
- ◆ MATERIAL HANDLERS
- ◆ MACHINE OPERATORS

Mac Valves Inc. offers a competitive benefit package including 401K, Medical, Dental as well as short term and long term profit sharing.

Please apply in person at 30569 Beck Road, Wixom MI 48393 248-624-7700.

HELP WANTED SEASONAL



248-477-9695 NOW HIRING

- CERTIFIED PESTICIDE APPLICATOR
- CREW LEADERS

WILL TRAIN AS NEEDED

We offer hourly wages from **\$17- \$25 per hour** with paid holidays and paid training. Health care available. Friendly atmosphere, in business over 60 years.

Call: **248-477-9695** or email landscape45@sbcglobal.net

HEALTHCARE



CAREGIVERS NEEDED !!
\$500 signing bonus and benefits - -

Help elderly in their homes, so they can stay at home. We work to your schedule. Must be reliable and caring with experience. Full time/ Part time, all shifts and weekends. 401K with match, paid sick leave

Call today 586-726-6999 between 9-3p

APARTMENTS FOR RENT (UNFURNISHED)



FARMINGTON HILLS

ANNIE APARTMENTS

1 BDRM @ \$900 FREE HEAT 9 Mile/Middlebelt

248-478-7489
or:
248-544-9779 (Mon-Fri) 9 a.m. - 4:30 p.m.

CEMETERY LOTS

CEMETERY PLOTS
2 adjacent plots
Christian Memorial Cemetery
Located Rochester Hills
Garden of Baptism (fountain)
Lot 471 -spaces 1 & 2
\$8700 fair market value
Asking \$6300
248-296-2333



CHRISTIAN MEMORIAL Cemetery, (Rochester Hills)
2 plots, 2 vaults, 1 deluxe marker, Garden of Grace, lot #1667, spaces 1 and 2, fair market value \$15,000, asking \$6,000. Call 248-852-1465

PASSENGER CARS

2008 SUBARU FORESTER WAGON spotless inside & out, 5 speed, full power, air. \$2950 Private owner. Call Barnowsky 734-695-0819

4WD & SUV

2011 FORD FLEX 4 dr. Wagon, very clean inside/out, full power, air, new tires. \$6500 OBO. Private owner. Call Barnowsky 734-695-0819

CLASSICS & EXOTICS

1965 MUSTANG - coupe - 6 cyl, 3 speed manual trans, 2nd owner, 43,000 miles; new paint, white / blue interior. Garaged all its life. \$20,000. 248-224-5346

CLASSIC 1996 MERCURY COUGAR XR7 SUV, 4 solid black finish, low miles. \$4000 invested. \$2650 pics avail. Private owner. Call Barnowsky 734-695-0819

CLASSIC CAR ENTHUSIAST 2009 Pontiac GT V6, hard top convertible. Must See. One of a kind, like new, no rust, low miles. \$8000. Priv owner Call Barnowsky 734-695-0819

FORD MUSTANG conv. 1968 289Z8, auto, pwr steer/roof, lime green/white top, runs well, all VIN #'s match. \$12,000 248-766-9804

FORD MUSTANG conv. 1968 289Z8, auto, pwr steer/roof, lime green/white top, runs well, all VIN #'s match. \$12,000 248-766-9804

CLASSIFIEDS hold many, many opportunities. They give opportunity for you to buy items, meet people, sell unwanted items, find housing, save money, earn a couple bucks, and much more.

HELP WANTED GENERAL

Steve's RESTAURANT

6646 Telegraph Rd
Maple Rd & Telegraph
Bloomfield Hills

START RIGHT AWAY

- Manager
- Deli Clerk
- Grill Person
- Dishwashers

Ask for Jan or Steve

248-932-0800
info@stevesdeli.com

LEGAL NOTICES

LANDSCAPE & TREE MAINTENANCE



Lawn Maintenance
Full Landscaping, Hardscape
SPRING CLEAN UP
Cement Work - Mulch Installation - Sprinkler Work
Excavating & Gutter Cleaning
FREE ESTIMATES - OVER 35 YEARS IN BUSINESS
586-727-3924 - Jim

Sell! Shop! Hunt for a job!
And there's so much more! Call now and the Classified Department can help you place your ad today!

DOGS



HAVANESE PUPPIES

Beautiful! Quality Hypo-Allergenic Home Raised ~ Shots
313-999-6447

LEGAL NOTICES

BLOOMFIELD HILLS SCHOOLS

NOTICE OF A PUBLIC HEARING ON PROPOSED 2023 - 2024 BUDGET

PLEASE TAKE NOTICE that on June 22, 2023 at 6:30 o'clock p.m., Bloomfield Hills Schools will hold a public hearing to consider the District's proposed 2023 - 2024 budget. The public hearing will be held during the Board of Education meeting and may be attended in-person at 7273 Wing Lake Road, Bloomfield Hills, MI 48301.

The Board may not adopt its proposed 2023 - 2024 budget until after the public hearing. A copy of the proposed 2023 - 2024 budget, including the proposed property tax millage rates, will be available online Wednesday, June 21st, 2023 at 4:00PM at: <https://www.bloomfield.org/about-us/board-of-education/meeting-minutes>. Select either the Online Agenda or Download Agenda options for the Board of Education meeting date of 06/22/23. If you would like to view the budget in person, please call (248) 341-5445 to schedule a time.


The property tax millage rates proposed to be levied to support the proposed budget will be a subject of this hearing.

This notice is given by order of the Board of Education.

John VanGemert, Secretary
Bloomfield Hills Schools Board of Education

Publish: June 12, 2023

LEGAL NOTICES



City of Pontiac
2022-23 Proposed Budget Amendments Notice

The Pontiac City Council will consider the following proposed budget amendments for the fiscal year 2022-23:

Reduce the budget appropriations in Fund 202 - Major Streets and Fund 203 - Local Streets, as given below;

Fund 202 - Major Streets
Dept 463 - Routine Maintenance Roads

202-463-777.005	STREET LIGHT PARTS & SUPPLIES	(40,000)
202-463-779.003	SURFACE MAINTENANCE - ASPHALT	(40,000)
202-463-779.008	Pavement Markings	(130,000)
202-463-779.009	Other Road Maintenance Supplies	(4,000)
202-463-806.000	Engineering Services	(910,000)
202-463-806.001	STORMWATER SERVICES	(100,000)
202-463-816.000	Services - Contracted Construction	(400,000)
202-463-818.000	Other Professional Services (2,000)	
202-463-818.006	Contractual Mowing Services	(15,100)
202-463-818.236	PROF. SERVICE - TREE SERVICES	(20,000)
202-463-818.257	PROF SERV - GUARDRAILS	(20,000)
202-463-818.260	OTHER PROF. SERV. - STREET PATCHING	(80,000)
202-463-931.002	Services - Ground Maintenance	(15,000)
202-463-942.000	Services - Equipment Rent Non-City	(37,000)
202-463-977.002	VEHICLES	(370,000)

Dept 478 - Winter Maintenance

202-478-749.001	Motor Fuel, Oil & Lubricants	(18,500)
202-478-779.004	SNOW REMOV SUPPLIES	(15,000)
202-478-779.009	Other Road Maintenance Supplies	(5,000)

Dept 485 - TRAFFIC CONTROL

202-485-777.001	Traffic Signals	(55,000)
-----------------	-----------------	----------

Net Reduction in Fund 202 Appropriations (2,276,600)

Fund 203 - Local Streets
Dept 443 - NONMOTORIZED

203-443-816.000	Services - Contracted Construction	(30,000)
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Dept 463 - Routine Maintenance Roads

203-463-779.006	Surface Mount. - Permanent Asphalt	(20,000)
203-463-806.001	STORMWATER SERVICES	(300,000)
203-463-806.002	ASSET MANAGEMENT	(64,000)
203-463-816.000	Services - Contracted Construction	(150,000)
203-463-818.000	Other Professional Services	(15,000)
203-463-818.230	PROF. SERV - STREETLIGHT REPAIR	(10,000)
203-463-818.260	OTHER PROF. SERV. - STREET PATCHING	(50,000)
203-463-942.000	Services - Equipment Rental Non-City	(25,000)
203-463-974.074	ROAD CONSTRUCTION	(245,847)

Dept 478 - Winter Maintenance

203-478-719.000	Workers Compensation Insurance	(18,000)
203-478-779.004	SNOW REMOV SUPPLIES	(30,000)
203-478-818.245	PROF. SERV - SNOW REMOVAL	(25,000)

Net Reduction in Fund 203 Appropriations (982,847)

Increase budget appropriation in the following GL accounts: 101-202-818.061 - Prof. Serv. Innovative Software Serv. - \$65,000, Decrease the budget appropriation in the following GL account: 101-202-702.000 - Salaries & Wages - (\$65,000).

Increase the budget appropriation in the following GL accounts: 208-756-779.020 - Programing \$10,000, Decrease the budget appropriation in the following GL account: 208-756-922.000 - Utilities Water & Sewer (\$10,000). (Youth Recreation)

The budget amendments will be considered on Tuesday, June 20, 2023, at 6:00 p.m. at the Pontiac City Council Meeting. The meeting will be held in the City Council Chambers 47450 Woodward Pontiac, MI 48342. Garland S. Doyle, City Clerk
Published June 13, 2023
Oakland Press



You Saw It In The Classifieds! So Will Others Call Today!

LEGAL NOTICES

CHARTER TOWNSHIP OF WEST BLOOMFIELD PLANNING COMMISSION MEETING PUBLIC HEARING

PLEASE TAKE NOTICE that on **Tuesday, June 27, 2023 at 6:00 pm.**, the Planning Commission will hold a public hearing at Town Hall, 4550 Walnut Lake Road to consider the following application:

Site Plan and Special Land Use: Chaldean Community Foundation (PSP23-0011)
Per Ordinance CZ23-02 Community/Cultural Engagement Facilities, site plan and special land use to permit the reuse of an existing building into the Chaldean Community Foundation with site improvements and minor building additions.
Location: 2075 Walnut Lake Road; south side of Walnut Lake Road, west of Inkster Road; Sidwell #'s 18-25-281-002; -003; -004; -005; and -006; 7.6 acres. R12.5 One Family Residential Zoning District
Applicant: Tom Haji, Chaldean Community Foundation

The applications, proposed plans and other associated information is available for public review at the Planning and Development Services Department, Town Hall, 4550 Walnut Lake Road, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Any comments regarding this request may be made in writing to the Planning Commission or by appearing at the scheduled public hearing. If you have any questions, please call 248-451-4818 during the noted hours.

Gordon Bowdell, AICP - Building Director/Zoning and Planning Manager

The Township will provide necessary, reasonable auxiliary aids and services (such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting) to individuals with disabilities at a public hearing/meeting upon two weeks' notice in writing or by calling the Township Clerk at (248) 451-4800.

LEGAL NOTICES

NOTICE OF PUBLIC HEARINGS BIRMINGHAM CITY COMMISSION PUBLIC HEARING OF NECESSITY PUBLIC HEARING OF CONFIRMATION

Meeting Date, Time, Location:
HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT
Monday, June 26, 2023, 7:30 PM
Municipal Building, 151 Martin, Birmingham, MI 48009

Meeting Date, Time, Location:
HEARING FOR CONFIRMATION OF THE ROLL
Monday, July 10, 2023, 7:30 PM
Municipal Building, 151 Martin, Birmingham, MI 48009

Project Location:
Pierce Street between East Lincoln Street and 14 Mile Road

Nature of Improvement:
Replacement and improvement of water laterals meeting the requirements for assessment, for all properties within the project area. Affected addresses as follows:

1105 Pierce Street	19-36-401-006
1234 Pierce Street	19-36-329-011
1245 Pierce Street	19-36-401-009
1252 Pierce Street	19-36-329-012
1270 Pierce Street	19-36-329-013
1290 Pierce Street	19-36-329-014
1321 Pierce Street	19-36-401-046
1340 Pierce Street	19-36-329-015
1355 Pierce Street	19-36-401-013
1380 Pierce Street	19-36-329-017
1390 Pierce Street	19-36-329-018
1415 Pierce Street	19-36-401-017
1418 Pierce Street	19-36-333-020
1421 Pierce Street	19-36-401-018
1424 Pierce Street	19-36-333-021
1436 Pierce Street	19-36-333-022
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1682 Pierce Street	19-36-333-036
100 W. 14 Mile Road	19-36-379-025
1128 Lincoln Avenue	19-36-329-024

City Staff Contact:
Melissa Coatta, City Engineer
mcoatta@bhamgov.org, (248)530-1839

Notice Requirements:
Mail to affected property owners
Publish June 12, 2023 and June 18, 2023

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.

HELP WANTED GENERAL

HELP WANTED GENERAL

HELP WANTED GENERAL



OAKLAND COUNTY MICHIGAN

NOW HIRING!!

WE HAVE A VARIETY OF POSITIONS AVAILABLE

We offer a stable work environment, competitive salaries, a full benefits package, growth opportunities and employee training along with generous tuition reimbursement.

GROUNDSKEEPER II
 Full Time - \$38,550.98 - \$50,216.92 Annually
 Performs various duties involved in landscaping and maintaining County grounds/parking areas

- Must be at Least 18 years • Possess a Valid Drivers License
- Obtain Commercial Pesticide Applicators Cert
- Medical Screening required

For Further Information and to apply, visit www.oakgov.com/jobs
 Join us on our journey to continue to make Oakland County a great place to Live, Work & Play.

HELP WANTED GENERAL

HELP WANTED GENERAL

HELP WANTED GENERAL



NOW HIRING

- A wide variety of Season Park Positions now available
- Outdoor work for Waterparks, Golf Courses, Rec Programs/Services, Campground, Lifeguards and MORE!
- Explore opportunities to Grow into Park Supervisors, Naturalists and other full time, year round positions!!

Starting at: \$13.26 - \$14.52

Seasonal Workers are eligible for up to \$500 in cash bonuses and receive permits and passes to enjoy various facilities.

2023 Summer Jobs

- All positions are part-time/seasonal
- Open to anyone age 16 and over
- Not all positions require experience

Apply online at www.oakgov.com/jobs

HELP WANTED GENERAL

HELP WANTED GENERAL

HELP WANTED GENERAL



IMMEDIATE OPENINGS

STERLING HEIGHTS

- ~ MOLD MAKERS - Experienced - Days - Nights
- ~ MOLD MAKER HELPER - Days - Nights
- ~ BENCH and SPOTTERS - Days - Nights
- ~ EDM - Nights
- ~ CNC - Experienced Only - Nights

Benefits as follows:

- 100% employer paid Blue Cross/Blue Shield (coverage includes employee & family; health, vision, dental and prescription)
- Steady work and overtime
- Cookouts last day of work before holidays
- 401k with employer match
- Life insurance
- Short term & long term disability
- A&D policy
- Paid lunch and breaks
- Paid uniforms
- 9 paid holidays
- Vacation pay
- Tuition reimbursement
- Free grilled hotdogs server all day Thursdays
- Great people, great friends

Contact information: 810-531-8759 ask for Helen or email: brown@ventureglobalengineering.com



PAST ITS PEAK or shabby chic?

SELL IT IN THE CLASSIFIEDS!

LEGAL NOTICES

LEGAL NOTICES

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1415 Pierce Street	19-36-401-017
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1421 Pierce Street	19-36-401-018
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City Staff Contact:
 Melissa Coatta, City Engineer
mcoatta@bhamgov.org, (248)530-1839

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 City Clerk's Office or
www.bhamgov.org/commissionagendas

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LEGAL NOTICES

LEGAL NOTICES

ADVERTISEMENT TO BID

BP 32 & 35: PONTIAC SCHOOLS PRE-PURCHASE MECHANICAL & ELECTRICAL EQUIPMENT - ROGERS & HERRINGTON ELEMENTARY SCHOOLS

School District of the City of Pontiac requests Bid Proposals for Bid Pack 32 and 35 Pre-Purchase Mechanical & Electrical Equipment for Rogers & Herrington Elementary Schools. All Proposals shall be submitted through Building Connected no later than 1:00 PM on Tuesday, June 27, 2023. To view the project and submit your bid, please follow this link: <https://bit.ly/3mslyUL>

DOGS

DOGS



HAVANESE PUPPIES

Beautiful! Quality Hypo-Allergenic Home Raised ~ Shots
313-999-6447

GARAGE SALES

YARD, RUMMAGE & GARAGE SALES

COMMUNITY-WIDE GARAGE SALE

June 23, 24, 25, 2023
 Parkside Preserve of the North
 1606 Valdosta
 Pontiac, 48340

HELP WANTED GENERAL

Steve's RESTAURANT

6646 Telegraph Rd
 Maple Rd & Telegraph
 Bloomfield Hills

START RIGHT AWAY

- Manager
- Deli Clerk
- Grill Person
- Dishwashers

Ask for Jan or Steve
 ☎ 248-932-0800
 ✉ info@stevesdeli.com



The quickest way to become extinct is to NOT advertise!

Call today & let us help keep you off the Endangered List

Do you have a car for sale? How about a boat? Or maybe some furniture?

Call to place a classified ad with one of our helpful representatives & sell your no longer wanted items **FAST!**





MEMORANDUM

Police Department

DATE: June 30, 2023
TO: Jana L. Ecker, City Manager
FROM: Scott A. Grewe, Chief of Police
SUBJECT: School Resource Officer

INTRODUCTION:

The Birmingham School District has requested a full-time School Resource Officer (SRO) to start at the beginning of the 2023-2024 school year. An SRO is a law enforcement officer who is assigned to work in the schools. SROs serve as a liaison between the school community, law enforcement, and the local community. Their primary role is to promote safety and security within the school environment while also building positive relationships with students, staff, and parents.

BACKGROUND:

The Birmingham Police Department has provided a part-time SRO to Birmingham Schools for over 20 years. Under this program, our juvenile detective is assigned as the SRO and Birmingham Schools pays the City 50% of the cost for this employee. In return, the SRO spends 50% of their time working as the SRO for Birmingham Schools.

The tragic events that took place at Oxford High School on November 30, 2021, brought the concerns of an active shooter closer to home. Not long after this incident, Birmingham Schools contacted the Police Department to speak about the current SRO program and requested the SRO position become a full-time assignment at the schools. Due to the increase in incidents at schools and the increase in gun violence, staff fully supports the creation of a full-time SRO.

A full-time SRO will work primarily at Seaholm High School and will handle issues at other Birmingham District Schools (within the City limits) as needed. The SRO will remain under the control of the Police Department and will follow all departmental policies and procedures while assigned to the schools. When school is not in session, the SRO will report back to our department and assist with investigations, patrol duties, special events and traffic enforcement.

LEGAL REVIEW:

The City Attorney has worked with the attorney representing the school district to create the attached document. Our attorney has approved the attached contract.

FISCAL IMPACT:

In the approved 2023-2024 budget, an additional officer was approved to fill the SRO position increasing our sworn staff to 35 officers. Once the SRO is selected, a new officer will be hired to backfill the vacancy created in our patrol unit. This additional officer will have no cost to the city since the school district has agreed to pay 100% (\$163,174.00, which includes salary and benefits) of the cost of the full-time SRO.

The existing 50% SRO program will no longer exist and therefore, Birmingham Schools will no longer pay half of the total compensation (\$81,587.00) for the detective that will remain in our detective bureau. The City will now cover the full cost of this position. This position has always been fully budgeted for in the Police Department budget.

SUSTAINABILITY:

Not-applicable.

PUBLIC COMMUNICATIONS:

There has been no public communication from the Police Department while negotiations were ongoing to create this full-time SRO agreement.

SUMMARY:

The Birmingham Police Department and the Birmingham School District have reached an agreement for the creation of a full-time School Resource Officer (SRO). Birmingham Schools has agreed to pay 100% of the total compensation for this position. While it is ultimately the school district's responsibility to provide for the safety and security of their staff and students, the SRO's primary role will be to promote safety and security while creating positive relationships with the school community.

ATTACHMENTS:

1. School Resource Officer Agreement between the City of Birmingham and the Birmingham School District.

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve a three year agreement ending July 1, 2026 with the Birmingham School District for the provision of a full-time School Resource Officer, with all salary and benefits for this officer to be paid by the Birmingham School District. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

**AGREEMENT BETWEEN THE CITY OF BIRMINGHAM AND
THE BIRMINGHAM SCHOOL DISTRICT
PROVIDING FOR A SCHOOL RESOURCE OFFICER**

THIS AGREEMENT is entered into this ___ day of _____, 2023 by and between the **CITY OF BIRMINGHAM**, whose address is 151 Martin Street, Birmingham, MI 48009 (hereinafter referred to as the City) and the **BIRMINGHAM SCHOOL DISTRICT**, whose address is 31301 Evergreen Road Beverly Hills, MI 48025 (hereafter referred to as the "District") and the foregoing shall collectively be referred to as the Parties, and make this Agreement pursuant to the Urban Cooperation Act of 1967 (the "Act"), 1967 PA 4, MCL 124.501, et seq. to provide for the joint exercise of certain powers, privileges, or authority that the parties share in common and that each might exercise separately as described in this agreement.

WHEREAS, the City agrees to participate with the District for a School Resource Officer Program and will provide the District a School Resource Officer ("SRO") that is within the jurisdiction of the City of Birmingham; and

WHEREAS, the term *District* may include the Birmingham School District's Security Officer, a Birmingham School District principal of an assigned school, or the Birmingham School District; and

WHEREAS, the District and the City desire to set forth in this Agreement the specific roles, responsibilities, terms and conditions of the services to be performed and provided by the SRO in the District.

NOW THEREFORE, the terms, conditions, and roles of this Agreement are as follows:

1. Provision of School Resource Officer ("SRO"): The City shall provide and assign one regularly employed full-time police officer to the District as an SRO to be assigned to the following schools as needs are determined by the SRO, in collaboration with the District's designee:

- a. Seaholm High School
- b. Derby Middle School
- c. Quarton Elementary
- d. Pierce Elementary
- e. Midvale Early Childhood Center

2. Employment of School Resource Officers: The SROs shall be employees of the Birmingham Police Department and shall be subject to the administration, supervision and control of the Department. The Police Department, in its sole discretion, shall have the power and authority to hire, discharge, and discipline SROs. The Birmingham Police Department retains the right to manage and direct services provided by the SRO.

In the event the District and the City together find the SRO fails to abide by the terms of this Agreement, fails to follow the policies and procedures of the District as it pertains to the District's Security Officer, or perform the SRO's duties, the Superintendent or designee shall notify the City in writing of the specific problems. If the SRO fails to remedy the problems within fifteen (15) school days after the date of notification or an agreed upon date by the Parties, the

Superintendent or designee may request the City to assign a new SRO in accordance with the procedures set forth in Paragraph 4.

3. Goals and Objectives of the Program and the SRO:

- a. To establish a positive working relationship in a cooperative effort to prevent juvenile delinquency and assist in student development.
- b. While it is ultimately the District's responsibility, the SRO will assist in maintaining a safe and secure environment on a school campus which will be conducive to learning.
- c. Promote positive attitudes regarding the police role in society, especially to children.

4. Selection of SRO: The Parties acknowledge that the selection of the SRO is a critical aspect of the SRO Program and that it is important for the Parties and the school community to have a positive perception of and relationship with the SRO. The Chief of Police, or their designee, with input from the Superintendent or designee, shall select the SRO. The Chief of Police or their designee will consult with the District on the selection and the criteria that was utilized in making the decision. The following factors will be considered, among others, in the selection process:

- a. The officer's desire to work with youth.
- b. The officer's prior experience in law enforcement and youth work.
- c. The officer's interpersonal and communication skills along with their work records.
- d. The officer's academic background and/or other pertinent training.

5. Training and Certification: The SRO must be a MCOLES certified police officer employed by the City and must have and maintain all training and credentials necessary to maintain that status. The SRO should receive training in the following areas:

- a. Basic SRO
- b. Advanced SRO
- c. Single Officer Rapid Deployment
- d. Adolescent Mental Health and trauma-informed care
- e. Family and Educational Rights and Privacy Act (FERPA)
- f. Diversity, Equity, and Inclusion, which may include implicit bias and disproportionality in school-based arrests based on race and disability.

6. Regular Duty Hours of SROs:

- a. The SRO will be assigned to the District on a full-time basis of eight (8) hours on those days and during those hours that school is in session. SRO work schedule will primarily coincide with Seaholm High School with adjustments made based on the needs of additional Birmingham Schools as agreed to by the Birmingham Chief of Police.
- b. Whenever possible, it is the intent of the parties that the SRO's service duty hours shall conform to the school day. However, the Parties may mutually agree to adjust the SRO's hours in order to attend after school events, training, investigative work, public speaking events and any other need related to the services under this Agreement. Those hours shall be considered as regular time hours under this Agreement upon mutual agreement of the Parties.
- c. It is understood and agreed that time spent by SRO's attending municipal or Circuit Court, Juvenile Court, and/or criminal cases arising from and/or out of their employment as an SRO, shall be considered a part of the regular hours worked by the SRO under this Agreement.
- d. In the event an SRO is absent from work due to unforeseen circumstances, the SRO shall notify their supervisor in the Police Department and the contact person designated by the district. The Police Department will assign another qualified officer, if available, to substitute for the SRO who is absent, beginning with the sixth consecutive day of absence. If the assigned SRO is absent less than six days, no substitute will be assigned.
- e. The SRO position is a 12-month position running concurrent with the school year calendar. It is preferred that an SRO take vacation time when students are not in attendance. In the event an SRO elects to take vacation time when school is in session, the Police Department will notify the District of the impending absence and may assign another qualified officer to substitute for the SRO who is absent, contingent on the availability of personnel.
- f. It is understood by the District that the SRO may be called from the school and SRO duties in order to assist with an active emergency in the City, which shall be at the request of the on duty Police Department supervisor. The time spent during such reassignment shall not be considered hours worked under this Agreement unless it is connected to a school related issue. In such an event, the compensation paid by the District to the City shall be reduced by the number of hours of SRO service not provided to the District or the hours shall be made up in a manner determined by mutual agreement of the parties.

7. Scope of Work: While on duty, the SRO shall perform the following duties:

- a. Plan and participate in classroom instruction in specialized programs and on a visiting instructor basis, when requested.

- b. Act as a resource person in the area of law enforcement education at the request of the District, principals, and approval of the Police Chief.
- c. Conduct criminal investigations of violations of law on District property, which is initiated by the SRO or reported by school personnel per interagency agreement. Additionally, may investigate any juvenile cases involving Birmingham students on or off school property.
- d. Work in conjunction with school-based security to maintain the peace on District property.
- e. Visit Birmingham schools and work with administrators, staff, students, and parents to improve school/police relations in the area of security and emergency response.
- f. Act as a resource person to the District on police matters and incidents.
- g. Assist the Principal or his/her designee in coordinating emergency medical response at the discretion of the SRO.
- h. Be familiar with all District policies, administrative guidelines, and procedures, including student handbooks and the student code of conduct, and make reasonable efforts to adhere to the same, to the extent they do not conflict with the policies and procedures of the Police Department in non-emergency situations.
- i. The SRO will not be responsible for general student discipline. The administration of student discipline, including student code of conduct violations, is the responsibility of school administrators unless the violation or misbehavior involves criminal conduct for which law enforcement intervention is required. However, the SRO may assist the superintendent, principals, faculty, and staff in enforcing the campus code of conduct and other school rules in order to maintain a safe learning environment, if agreed to by the Chief of Police for the City of Birmingham. When it pertains to preventing a disruption that would, if ignored, place students, faculty, and staff at risk of harm, the SRO will intervene to preserve the peace of the school.
- j. The SRO will wear their department authorized duty weapons in accordance with Police Department policy.

8. Employment and Supervision: The SRO is an employee of the City and not an employee of the District. This Agreement shall not create an employment relationship between the District and the SRO. The City is responsible for the training, discipline, and dismissal of its personnel. As an employee of the City, the SRO is subject to the chain of command of the City. In the performance of their duties, the SRO shall coordinate and communicate with the Principal or the Principal's designee of the school to which they are assigned.

9. Compensation: The District agrees to pay the City the costs for performing all

services covered by this Agreement. The basic cost includes all salaries and wages, sick leave, vacations, employee benefits, supervision, Public Employees' Retirement Contribution Insurance premiums, Social Security, general liability insurance, unemployment insurance, worker's compensation, equipment costs, vehicle costs, and all other indirect costs incurred by the City in providing the services as listed in Attachment A. The changes to costs year to year shall be paid to the City based on an annual notice provided by the City. These may include retroactive costs due to pending union contractual agreements.

The amount of the SRO's salary and fringe benefits shall be determined by the City annually and shall be based on and is pursuant to an agreement between the City of Birmingham Police Officers in conjunction with the City of Birmingham Police Officer Labor Council and the City of Birmingham. The Birmingham City Manager will provide information to the District as reasonably requested to substantiate the cost factors in determining the amounts of the officer's salary and fringe benefits.

10. Access to Education Records:

- a. School officials shall allow SROs to inspect and copy any public records maintained by the school to the extent allowed by law.
- b. If some information in a student's record is needed in an emergency to protect the health or safety of the student or other individuals, school officials shall disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety, the need of the information to meet the emergency situation and the extent to which time is of the essence.
- c. If confidential student record information is needed by an SRO, but no emergency situation exists, the information may be released only as allowed by law.

11. Term And Termination:

- a. Initial Term. This Agreement shall be effective as of August 1, 2023 and shall be for a 3 year term ending July 1, 2026. The term of this agreement will be impacted by and subject to the availability of a qualified, eligible and willing Birmingham Police Officer to serve as the SRO.
- b. Extension. The Parties have the option to extend this Agreement for up to three (3) additional one-year terms (the "Extension Terms"), upon mutual written agreement of the Parties annually.

Termination. Any party may terminate this Contract for any reason upon written notice to the other parties of not less than ninety (90) days prior to the date of such termination. In the event of early termination, the District shall only be responsible for paying for services rendered up to the date of termination. However, in the event of early termination, if the District has paid for Services that were not rendered, the District shall be entitled to a return of, and the City shall pay, the pro-rata portion of the payment. If this

Agreement is terminated with any of the provisions contained herein, regardless of the basis for termination, the District shall neither be liable to, nor obligated to pay, the City for any other costs associated with the SRO and their employment with the City of Birmingham.

12. Indemnification: Each Party is solely responsible for the act(s) and omission(s) of its own elected official and any entity or person for whom each Party is legally liable. To the extent permitted by law, each Party agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the other party, 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 other party, 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 party including its employees and agents, in the performance of this Agreement.

13. Insurance Submission Requirements: The District has submitted proof to the City that it meets all City insurance requirements, as specified in Paragraph 17. Insurance, with coverage amounts at no less than the City's minimum requirements, must be held by the District 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 the District's acceptance of the terms of this Agreement.

During the term of this Agreement and any renewal thereof, the City and District shall maintain errors and omissions and general liability insurance in the amounts stated below, naming each other as an additional insured. The City and the District shall provide certificates of insurance with each other before commencing services under this Agreement.

14. Confidential And Or Proprietary Information: The District acknowledges that in performing services pursuant to this Agreement, certain confidential and/or proprietary information (including, but not limited to, internal organization, methodology, personnel and financial information, etc.) may become involved. The District recognizes that unauthorized exposure of such confidential or proprietary information could irreparably damage the City. Therefore, the District agrees to use reasonable care to safeguard the confidential and proprietary information and to prevent the unauthorized use or disclosure thereof. The District 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 District further agrees to use such confidential or proprietary information only for the purpose of performing services pursuant to this Agreement.

The City acknowledges that in performing services pursuant to this Agreement, certain confidential and/or propriety information (including, but not limited to District security plans or procedures, student records, or other information that would be exempt from disclosure to the public) may become involved. The City recognizes that unauthorized exposure of such confidential or proprietary information could irreparably damage the District. Therefore, the City agrees to use reasonable care to safeguard the confidential and proprietary information and to prevent the unauthorized use or disclosure thereof. The City agrees that such proprietary information and data and any information or data protected from disclosure by law obtained under

this Agreement shall be utilized only in connection with this Agreement and shall not be made available to any other person or entity except as required by law.

15. Compliance With Laws: The Parties agree to fully and faithfully carry out the duties as set forth herein using their best efforts in accomplishing all services under this Agreement, and further, in addition to upholding all federal, and state laws and applicable codes of professional conduct to which the Party is subject, the Parties hereby agree to be bound by all Federal, State, or City of Birmingham ordinances, rules, regulations and policies, all District policies, administrative guidelines, and procedures, including student handbooks and the student code of conduct 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.

16. Non-Compliance With Insurance Requirements: Failure to deliver and maintain insurance in accordance with the terms of this Agreement will be cause for the other Party to terminate this Agreement. Nothing in this paragraph shall be deemed to create or be interpreted as establishing a "for cause" termination; the Parties agree and understand that this engagement is at will and may be terminated by either Party for any cause or no cause.

17. Standard Insurance Requirements: Each Party 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: The Parties shall each 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.
- b. Commercial General Liability Insurance: The District 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 **\$2,000,000** per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractor Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.

The City 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 **\$5,000,000** for armed SRO services and not less than **\$2,000,000** for unarmed SRO services per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractor Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.

18. 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: Chief of Police

District: Birmingham Public Schools
31301 Evergreen Road
Beverly Hills, MI 48025
Attn: Superintendent and
Deputy Superintendent

19. General Provisions:

- a. The SROs are employees of the City and not employees of the District, and under no circumstances shall any of the employees of one Party be deemed the employees of the other Party for any purpose. Accordingly, the City shall meet all of its obligations and responsibilities for payment of all taxes including Federal, State and Local taxes arising out of the SRO Program, including by way of illustration, Federal and State income tax, FICA, FUTA, Social Security tax, Unemployment Insurance taxes, Workers' Compensation Insurance and any other taxes or business license fees as required and the City will indemnify, defend and hold the District harmless for the payment of such sums, interest, penalties, or cost of collection of same. This Agreement shall not be construed as authority for either Party to act for the other Party in any agency or other capacity or to make commitments of any kind for the account of, or on behalf of, the other Party, except to the extent, and for the purposes, expressly provided for and set forth herein, and no partnership or joint venture is created hereby. No tenure or other rights/benefits typically arising out of an employee-employer relationship shall arise out of this Agreement on behalf of the City, its employees, or agents.
- b. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, this invalidity, illegality, or unenforceability shall not affect the enforceability of any other provision of this Agreement. This Agreement shall be construed as if the invalid, illegal or unenforceable provision had never been contained in it. The remainder of the Agreement shall remain in full force and effect.
- c. The headings of the sections herein are for convenience only and shall not affect the meaning of the provisions of this Agreement.
- d. This Agreement shall be construed in accordance with the laws of the State of Michigan.
- e. Neither the District nor the City may assign this Agreement without prior written consent from the non-assigning party.

20. 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.

21. 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.

22. Complete Agreement: The parties agree that the conditions set forth in this Agreement sets forth all terms and conditions of the District's agreement with the City of Birmingham. This Agreement supersedes all prior agreements or understandings between the parties. There are no promises, conditions or understandings other than those stated herein, and, that any prior negotiations, terms or conditions discussed between the City and the District 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.

23. 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 District, the City shall have the right to terminate this Agreement without further liability to the District if the disqualification has not been removed within ninety (90) days after the City has given the District 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.

24. Failure To Perform: If the District 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. If the City fails to perform its obligations hereunder, the District may take any and all remedial actions provided by the general specifications or otherwise permitted by law.

25. Legal Proceedings: Any claim arising out of or relating to interpretation of 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 the Michigan Uniform Arbitration Act, MCL 691.1681, et seq., 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. 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.

IN WITNESS WHEREOF, the parties hereto agree to be bound by the above terms and conditions, and the District, 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.

Approved by:

BIRMINGHAM SCHOOL BOARD

on _____, 2023

By: _____

Its: Board President

By: _____

Its: Board Secretary

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this ____day of _____, 2023 before me personally appeared _____ who acknowledged that with authority on behalf of the Birmingham School Board to do so he/she signed this Agreement.

Notary Public

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

BIRMINGHAM SCHOOL DISTRICT

on _____, 2023

By: _____ Dr. Embekka

Roberson Superintendent

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this ____day of _____, 2023 before me personally appeared Dr. Embekka Roberson who acknowledged that with authority on behalf of the Birmingham School Board to do so he/she signed this Agreement.

Notary Public

County, Michigan

Acting in _____ County, Michigan
My commission expires: _____

CITY OF BIRMINGHAM:

on _____, 2023

By: _____
Therese Longe, Mayor

By: _____
Alexandria D. Bingham, City Clerk

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this ____ day of _____, 2023 before me personally appeared Therese Longe and Alexandria Bingham who acknowledged that with authority on behalf of the City of Birmingham to do so they signed this Agreement.

Notary Public

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

APPROVED:

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

Scott Grewe, Chief of Police
(Approved as to substance)

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

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

ATTACHMENT A



The costs of the School Resource Officer are being transparently articulated with the Birmingham Board of Education. These costs cover from July 1, 2023, through June 30, 2024, and are described as:

Personnel Costs (100% BPS)	
Personnel Summary Worksheet (BF-3) – Base Wages no OT	\$116,954
Fixed past Retirement Cost per actuary (BF-3) / 34 Sworn	\$ 48,912
General Liability Insurance	1,750
SUBTOTAL	\$167,616
Police Vehicle Charge (100% BPS)	\$ 6,000
Total Annual Cost	\$173,616

The Birmingham Board of Education will be invoiced \$173,616.00 for the costs incurred for the period listed above and sent to:

Birmingham Public Schools
Deputy Superintendent
31301 Evergreen Road
Beverly Hills, Michigan 48025

Scott A. Grewe
Chief of Police



MEMORANDUM

Human Resources Department

DATE: July 6, 2023

TO: Jana L. Ecker, City Manager

FROM: Christina Woods, HR Manager

SUBJECT: 2024 State, Federal and significant holidays to avoid scheduling public meetings

INTRODUCTION:

The City of Birmingham acknowledges the significance of holidays by refraining from scheduling public meetings on these dates. By refraining from holding public meetings on legally recognized holidays, the City eliminates barriers that may hinder public participation as required by the Open Meetings Act.

In planning the 2024 calendar schedule of meetings, City staff reviewed all current State, Federal and previously recognized holidays as declared by a City Commission resolution, and has identified potential additional holidays for the City Commission's consideration.

BACKGROUND:

There are two distinct categories of holidays: those designated as holidays during which City offices are closed, and staff receives a paid day off; and those recognized holidays where City offices are open but no public meetings should be scheduled.

The City Code states that City Commission meetings shall not be held on State or Federal holidays, nor holidays designated by resolution of the City Commission. All public meetings should be avoided on those dates.

City Hall closes on certain holidays which are also paid days off for most full time and permanent part-time employees, as stipulated in the employee handbook and collective bargaining agreements. When the holiday falls on a weekend, an "observed" holiday is usually on the business day before or after the holiday.

Current City of Birmingham Holidays (Holidays with + are also City Hall Closure/Paid Holiday)

New Year's Day +	Eid al-Adha	Simchat Torah
Martin Luther King, Jr. Day +	Juneteenth	General Election Day
Ash Wednesday	Independence Day +	Diwali
President's Day	Ashura	Veterans Day
Good Friday +	Labor Day +	Thanksgiving Day +
Easter Sunday	Rosh Hashana	Day after Thanksgiving +
Eid al-Fitr	Yom Kippur	Christmas Eve +
Passover	Columbus Day/Indigenous	Christmas Day +
Memorial Day +	Peoples Day	Hanukkah
Shavuot	Sukkot	Kwanzaa
	Shemini Atzeret	New Year's Eve+

Juneteenth Holiday

Recently, the Federal and State Governments have declared Juneteenth as an official legal holiday. In addition, the recent agreement between the City and AFSCME introduced Juneteenth as a paid holiday, reflecting the significance of this important day. The City recognizes the importance of allowing all employees to observe Juneteenth, and the City Administration requests closing City Hall offices on this day and offering paid time off to all employees who receive paid holiday benefits. This aligns with the practice in neighboring communities, county offices, and federal offices, where Juneteenth is already observed as an official holiday.

Additional Significant Holidays

City Staff is also recommending the addition of the following significant dates to add to the list of holidays on which to refrain from scheduling public meetings:

Chinese New Year: Lunar New Year celebration in Chinese culture.

Purim: Jewish festival commemorating deliverance from Haman.

Holi: Hindu festival of colors and spring.

Maundy Thursday: Christian commemoration of the Last Supper.

Holy Friday (Eastern Orthodox Christian): Observance of the crucifixion of Jesus.

Pascha/Easter (Eastern Orthodox Christian): Resurrection of Jesus celebration.

Bodhi Day: Buddhist holiday honoring the enlightenment of Buddha.

LEGAL REVIEW:

The City Attorney agrees with the staff recommendation and believes this is best practice for purposes of the OMA and decreasing any barriers from the public's ability to attend all public meetings.

FISCAL IMPACT:

While adding a holiday to the City calendar will not increase the City's expenditures, there is a loss of productivity of one day, which in dollar terms is approximately \$60,000.

SUSTAINABILITY:

This item does not impact sustainability because approving the proposed 2024 holiday dates is administrative and will only affect scheduling of public meetings and events.

PUBLIC COMMUNICATIONS:

Holidays observed by various cultures, various religions, and for historically significant events are included in the City calendar in order to ensure respect and recognition of all values and beliefs. The City consistently reviews and encourages the submission of information regarding cultural, religious, and historically significant dates. We welcome community members to engage in discussions and share any significant dates that we may have missed.

SUMMARY:

In order to accommodate public attendance, the City of Birmingham should avoid scheduling public meetings on State, Federal, and identified significant holidays. By refraining from holding public meetings on these dates, the City aims to eliminate barriers that may hinder public participation. The City recommends including Juneteenth as a City Hall closure date with paid time off for holiday benefit-eligible employees.

ATTACHMENTS:

- Chart of State, Federal and Significant holidays for 2024

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to designate the following dates as City recognized legal Holidays pursuant to Section 2-26 of the Birmingham City Code:

New Year's Day	Pasca/ Easter (Eastern Orthodox Christian)	Simchat Torah *
Martin Luther King, Jr. Day	Memorial Day	General Election Day
Chinese New Year	Shavuot *	Diwali
Ash Wednesday	Eid al-Adha *	Veterans Day
President's Day	Juneteenth	Thanksgiving Day
Purim *	Independence Day	Day after Thanksgiving
Holi	Ashura *	Christmas Eve
Maundy Thursday	Labor Day	Christmas Day
Good Friday	Rosh Hashana *	Hanukkah *
Easter Sunday	Yom Kippur *	Kwanzaa
Eid al-Fitr	Columbus Day/Indigenous	Bodhi Day
Passover *	Peoples Day	New Year's Eve
Holy Friday (Eastern Orthodox Christian)	Sukkot*	<i>*Holiday begins sundown the previous day</i>
	Shemini Atzeret *	

And further, to designate Juneteenth as an annual day of closure for City Hall offices and instructing the administration to include this day as a paid holiday for eligible employees, identified in the collective bargaining agreements and employee handbooks for 2024 and beyond.

2024 Federal, State and Significant Holidays		Employee Paid Holidays	Observed due to City Resolution	State Holiday	Federal Holiday	
New Year's Day	1/1/2024	X	X	X	X	
Martin Luther King, Jr. Day	1/15/2024	X	X	X	X	
Chinese New Year	2/10/2024					
Ash Wednesday	2/14/2024		X			
President's Day/ Washington's Birthday	2/19/2024		X	X	X	
Purim	Sundown 3/22/24 - 3/24/24					
Holi	3/25-3/26/2024					
Maundy Thursday	3/28/2024					
Good Friday	3/29/2024	X	X			
Easter Sunday	3/31/2024		X			
Eid al-Fitr	Sundown 4/8-4/10/2024		X			
Passover	Sundown 4/22 -4/24, 4/29-4/30/2024		X			* Work Restriction
Holy Friday (Eastern Orthodox Christian)	5/3/2024					
Pasca/ Easter (Eastern Orthodox Christian)	5/5/2024					
Memorial Day	5/27/2024	X	X	X	X	
Shavuot	Sundown 6/11-6/13/2024		X			* Work Restriction
Eid al-Adha	Sundown 6/16 - 6/17/24		X			
Juneteenth	6/19/2024	PTO for AFSCME	X	X	X	
Independence Day	7/4/2024	X	X	X	X	
Ashura	Sundown 7/16 - 7/17/2024		X			
Labor Day	9/2/2024	X	X	X	X	
Rosh Hashana	Sundown 10/2 - 10/4/2024		X			* Work Restriction
Yom Kippur	Sundown 10/11 - 10/12/2024		X			* Work Restriction
Columbus Day/Indigenous Peoples Day	10/14/2024		X		X	
Sukkot	Sundown on 10/16 - 10/18/2024		X			* Work Restriction
Shemini Atzeret	Sundown of 10/23 - 10/25/2024		X			* Work Restriction
Simchat Torah	Sundown 10/24 - 10-25/2024		X			* Work Restriction
General Election Day	11/12/2024		X	X		
Diwali	11/1/2024		X			* Work Restriction
Veterans Day	11/11/2024		X	X	X	
Thanksgiving Day	11/28/2024	X	X	X	X	
Day after Thanksgiving	11/29/2024	X	X	X		
Christmas Eve	12/24/2024	X	X	X		
Christmas Day	12/25/2024	X	X	X	X	
Hanukkah	Sundown 12/25/24 - 1/2/2025		X			
Kwanzaa	12/26 -1/1/2025		X			
Bodhi Day	12/28/2024					
New Year's Eve	12/31/2024	X	X	X		



MEMORANDUM

Legal Department

DATE: June 28, 2023
TO: Jana Ecker, Acting City Manager and City Commission
FROM: Mary M. Kucharek
SUBJECT: Request for Closed Session Under MCL § 15.268 Sec. 8(h) of the Open Meetings Act

INTRODUCTION:

This matter concerns a written attorney/client privilege communication.

BACKGROUND:

The City Attorney will discuss and answer questions regarding a written attorney/client privilege communication.

LEGAL REVIEW:

I am also requesting closed session on July 10, 2023 pursuant to MCL § 15.268 Sec. 8(h) to discuss a written attorney/client privilege communication.

FISCAL IMPACT:

To be discussed in closed session.

ATTACHMENTS:

Open Meetings Act (Excerpt) Act 267 of 1976, MCL § 15.268 Closed sessions; permissible purposes, Sec. 8(h).

SUGGESTED COMMISSION ACTION:

Make a motion to meet in closed session to discuss a written attorney/client privilege communication pursuant to MCL § 15.268 Sec. 8(h) of the Open Meetings Act.

OPEN MEETINGS ACT (EXCERPT)
Act 267 of 1976

15.268 Closed sessions; permissible purposes; applicability to independent citizens redistricting commission.

Sec. 8. (1) Except as otherwise provided in subsection (2), a public body may meet in a closed session only for the following purposes:

(a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named individual requests a closed hearing. An individual requesting a closed hearing may rescind the request at any time, in which case the matter at issue must be considered after the rescission only in open sessions.

(b) To consider the dismissal, suspension, or disciplining of a student if the public body is part of the school district, intermediate school district, or institution of higher education that the student is attending, and if the student or the student's parent or guardian requests a closed hearing.

(c) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.

(d) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

(e) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

(f) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, except as otherwise provided in this subdivision, all interviews by a public body for employment or appointment to a public office must be held in an open meeting pursuant to this act. This subdivision does not apply to a public office described in subdivision (j).

(g) Partisan caucuses of members of the state legislature.

(h) To consider material exempt from discussion or disclosure by state or federal statute.

(i) For a compliance conference conducted under section 16231 of the public health code, 1978 PA 368, MCL 333.16231, before a complaint is issued.

(j) In the process of searching for and selecting a president of an institution of higher education established under section 4, 5, or 6 of article VIII of the state constitution of 1963, to review the specific contents of an application, to conduct an interview with a candidate, or to discuss the specific qualifications of a candidate if the particular process of searching for and selecting a president of an institution of higher education meets all of the following requirements:

(i) The search committee in the process, appointed by the governing board, consists of at least 1 student of the institution, 1 faculty member of the institution, 1 administrator of the institution, 1 alumnus of the institution, and 1 representative of the general public. The search committee also may include 1 or more members of the governing board of the institution, but the number does not constitute a quorum of the governing board. However, the search committee must not be constituted in such a way that any 1 of the groups described in this subparagraph constitutes a majority of the search committee.

(ii) After the search committee recommends the 5 final candidates, the governing board does not take a vote on a final selection for the president until at least 30 days after the 5 final candidates have been publicly identified by the search committee.

(iii) The deliberations and vote of the governing board of the institution on selecting the president take place in an open session of the governing board.

(k) For a school board to consider security planning to address existing threats or prevent potential threats to the safety of the students and staff. As used in this subdivision, "school board" means any of the following:

(i) That term as defined in section 3 of the revised school code, 1976 PA 451, MCL 380.3.

(ii) An intermediate school board as that term is defined in section 4 of the revised school code, 1976 PA 451, MCL 380.4.

(iii) A board of directors of a public school academy as described in section 502 of the revised school code, 1976 PA 451, MCL 380.502.

(iv) The local governing board of a public community or junior college as described in section 7 of article VIII of the state constitution of 1963.

(l) For a county veteran services committee to interview a veteran or a veteran's spouse or dependent regarding that individual's application for benefits or financial assistance and discuss that individual's

application for benefits or financial assistance, if the applicant requests a closed hearing. This subdivision does not apply to a county veteran services committee voting on whether to grant or deny an individual's application for benefits or financial assistance. As used in this subdivision, "county veteran services committee" means a committee created by a county board of commissioners under section 1 of 1953 PA 192, MCL 35.621, or a soldiers' relief commission created under section 2 of 1899 PA 214, MCL 35.22.

(2) This act does not permit the independent citizens redistricting commission to meet in closed session for any purpose. As used in this subsection, "independent citizens redistricting commission" means the independent citizens redistricting commission for state legislative and congressional districts created in section 6 of article IV of the state constitution of 1963.

History: 1976, Act 267, Eff. Mar. 31, 1977;—Am. 1984, Act 202, Imd. Eff. July 3, 1984;—Am. 1993, Act 81, Eff. Apr. 1, 1994;—Am. 1996, Act 464, Imd. Eff. Dec. 26, 1996;—Am. 2018, Act 467, Eff. Mar. 27, 2019;—Am. 2021, Act 31, Imd. Eff. June 24, 2021;—Am. 2021, Act 166, Imd. Eff. Dec. 27, 2021.

Compiler's note: Enacting section 1 of Act 166 of 2021 provides:

"Enacting section 1. This amendatory act is intended to clarify that the independent citizens redistricting commission for state legislative and congressional districts, since its establishment under section 6 of article IV of the state constitution of 1963, has been required to conduct all of its business at open meetings, without exception and in a manner that invites wide public participation throughout this state, as provided in section 6(10) of article IV of the state constitution of 1963, and that the commission continues to be subject to this unqualified open meetings requirement."



**NOTICE OF INTENTION TO APPOINT TO
THE ADVISORY PARKING COMMITTEE**

At the regular meeting of Monday, August 28, 2023, the Birmingham City Commission intends to appoint to the Advisory Parking Committee three regular members to represent large retail, a restaurant owner and a downtown employee to serve three-year terms to expire September 1, 2026; and two alternate members to serve three-year terms to expire September 1, 2026.

Interested citizens may submit an application available at the City Clerk’s Office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk’s Office on or before noon on Wednesday, August 23, 2023. 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 voter on appointments.

Committee Duties

The Advisory Parking Committee shall provide guidance to the City Commission in the management of Birmingham's Auto Parking System. The Committee shall recognize parking requirements of the CBD and fairly assess the costs to users. It will provide for attractive, maintained and safe facilities.

Criteria/Qualifications of Open Position	Date applications due (by noon)	Date of interview
The majority of the members shall be residents. <ul style="list-style-type: none"> • One regular member shall represent large retail • One regular member shall be a restaurant owner • One regular member shall be a downtown employee • Two alternate members who own property, own a business or work in the parking assessment district 	08/23/2023	8/28/2023

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



**NOTICE OF INTENTION TO APPOINT TO
PUBLIC ARTS BOARD**

At the regular meeting of Monday, August 28, 2023, the Birmingham City Commission intends appoint to the Public Arts Board one alternate member to serve the remainder of a three-year term to expire January 28, 2026, and one alternate member to serve the remainder of a three-year term to expire January 28, 2025.

In so far as possible, the members shall represent a major cultural institution, a registered architect of the State of Michigan, an artist, an art historian, and an art consultant. Members may also be members of the Historic District Commission, Design Review Board, the Parks and Recreation Board, or the Planning Board. At least four members of the Board shall be residents of the City of Birmingham.

The objectives of the Public Arts Board are to enrich the city's civic and cultural heritage; to promote a rich, diverse, and stimulating cultural environment in order to enrich the lives of the city's residents, business owners, employees, and all visitors; and to establish an environment where differing points of view are fostered, expected, and celebrated by providing the opportunity for such expression through the display of public art.

Interested citizens may apply for this position by submitting an application available from the City Clerk's office. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, August 23, 2023. These applications will appear in the public agenda for the regular meeting at which time the commission will discuss recommendations, and may make nominations and vote on the appointments.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
<p>Members shall, in so far as possible, represent a major cultural institution, a registered architect of the State of Michigan, an artist, an art historian, and an art consultant. Members may also be members of the Historic District Commission, Design Review Board, the Parks and Recreation Board, or the Planning Board.</p> <p>At least four members of the Board shall be residents of the City of Birmingham.</p>	8/23/2023	8/28/2023

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.



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STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

NOTICE OF HEARING

FOR THE ELECTRIC & GAS CUSTOMERS OF CONSUMERS ENERGY COMPANY

CASE NO. U-21312

- Consumers Energy Company requests Michigan Public Service Commission's approval OF THE RECONCILIATION OF ITS Energy Waste Reduction costs, revenues, and revised surcharges for the 12-month period ended December 31, 2022.
- The information below describes how a person may participate in this case.
- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, MI 49201, 517-788-0550 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company or on the Commission's website at: michigan.gov/mpscedockets.
- A pre-hearing will be held:

DATE/TIME: Wednesday, July 12, 2023 at 9:00 AM

BEFORE: Administrative Law Judge Katherine Talbot

LOCATION: Video/Teleconferencing

PARTICIPATION: Any interested person may participate. Persons needing any assistance to participate should contact the Commission's Executive Secretary at (517) 284-8090, or by email at mpscedockets@michigan.gov in advance of the hearing

*****AUTO**ALL FOR AADC 480

Clerk, City of BIRMINGHAM
PO Box 3001
Birmingham MI 48012-3001



The Michigan Public Service Commission (Commission) will hold a pre-hearing to consider Consumers Energy Company's (Consumers Energy) May 31, 2023 application requesting the Commission to: 1) determine that Consumers Energy's 2022 Energy Waste Reduction (EWR) plan reconciliation is reasonable and prudent and meets all relevant requirements under Act 295; 2) approve the collection of a financial performance incentive payment for both the natural gas and electric EWR plan, the collection of which is to be completed by December 31, 2024, in order to comply with the requirements of ASC 980-605-25; 3) approve the EWR surcharge mechanism as proposed by Consumers Energy; 4) approve the credit excess totaling 177,991 MWh into Renewable Energy Credits in 2022 for use in meeting Consumers Energy's renewable energy requirements under Act 295; and 5) grant Consumers Energy other and further relief.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by July 5, 2023. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy Company's Legal Department – Regulatory Group, One Energy Plaza, Jackson, MI 49201.

The prehearing is scheduled to be held remotely by video conference or teleconference. Persons filing a petition to intervene will be advised of the process to participate in the hearing.

Any person wishing to participate without intervention under Mich Admin Code, R 792.10413 (Rule 413), or file a public comment, may do so by filing a written statement in this docket. The written statement may be mailed or emailed and should reference Case No. U-21312. Statements may be emailed to: mpscedockets@michigan.gov. Statements may be mailed to: Executive Secretary, Michigan Public Service Commission, 7109 West Saginaw Hwy., Lansing, MI 48917. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone

Requests for adjournment must be made pursuant to Michigan Office of Administrative Hearings and Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and Parts 1 & 4 of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, R 792.10106 and R 792.10401 through R 792.10448.

THE MICHIGAN PUBLIC SERVICE COMMISSION MAY APPROVE, REJECT, OR AMEND PROPOSALS MADE BY CONSUMERS ENERGY.

2306-C

INFORMATION ONLY

Detroit Free Press

OAKLAND

Oakland County cities declare noise war on muscle cars and motorcycles

It's not enough to shut windows and turn up the A/C. Sports vehicles have gotten so loud, you'll still hear 'em, say leaders of cities on Woodward Avenue in Oakland County. They want tough new laws.



Bill Laytner

Detroit Free Press

Published 6:02 a.m. ET June 23, 2023 | Updated 9:13 a.m. ET June 23, 2023

Here come the sounds of summer: muscle cars and motorcycles, aka “crotch rockets.”

And here’s what leaders in Oakland County are doing about escalating vehicle noise, spreading nationwide from an epicenter right in southeast Michigan — on Woodward Avenue:

The city of Birmingham recently approved a proclamation asking eight other communities to file a joint complaint about Michigan’s weak law on loud vehicles. Birmingham’s police chief says vehicles are louder, as more car buffs circumvent factory systems and new models offer instant dashboard settings to rev the roar. Under current law, police can’t nab most noise offenders. Still, Birmingham’s cops wrote more than 1,000 tickets this spring for speeding, reckless driving, and other violations that actually targeted loud exhaust. Royal Oak’s mayor and city manager sent letters in early June to state lawmakers. Their goal? Same as Birmingham: to toughen state laws, making it easier for cops to ticket loud vehicles. The letters came after residents’ complaints soared.

Two state lawmakers from the Woodward Corridor in Oakland County said last week they’ll each introduce bills to curb vehicle noise, as soon as possible. They have experts with the state’s Legislative Service Bureau checking two things: How do cities in other states enforce “quiet hours” on state highways? And can cities on Woodward be allowed to enforce local noise ordinances stricter than state law? In 2017, scores of tickets written under a strict Royal Oak noise ordinance were dismissed after a lawyer, representing 15 violators, argued that in Michigan a city ordinance usually can’t be stricter than state law.

Amid all the complaints, hot rodders are leaving tracks on social media. They defend their hobby as fun and good for the economy. They buy hot rod parts from companies like Corsa Performance Exhausts in Berea, Ohio, whose website shouts in large type, “The Best-Sounding Exhaust on the Road: How to make your exhaust louder, deeper, and more aggressive.”

Birmingham police Chief Scott Grewe has met repeatedly with other chiefs and with state lawmakers, seeking a new state law.

“The cars that we’re hearing are so obscene, so obnoxiously loud — these are people spending money just to be excessively loud,” Grewe said.

“Nothing comes from a factory like that, but you can go online on Amazon and for just \$40 get a louder car,” he said. Those willing to spend more money, hundreds of dollars, get a *very* loud car. Some hobbyists “cut the factory exhaust system right out and just run a straight pipe. The whole intent is just to make the vehicle loud. You’d have a hard time finding a motorcycle on Woodward with factory exhaust. They all put aftermarket pipes on,” Grewe said.

Ambiguous law

Not helping is jumbled wording in state law. Grewe knows the screwy sections by heart. Under Statute 257.707(c), “Section 3 says it’s illegal to modify your car’s exhaust to be louder, but Section 5 says you can do that as long as the sound isn’t excessive. So the statute contradicts itself,” he said, adding: “No police agency along Woodward is enforcing this statute because the language is ambiguous.”

A state lawmaker who met with Grewe is ready to fix that law. State Rep. Natalie Price, D-Berkley, said she’s planning to introduce a bill “to clean up this contradictory language.” Police who see a modified exhaust system just issue after a visual inspection.

“They can enforce this visibly,” Price said, although officers may need to pull over suspected offenders so as to inspect their machinery. She believes cops who say the noise levels are higher than just a few years ago. Some of the exhaust notes “quite literally sound like gunshots,” triggering flashbacks in veterans suffering from PTSD, Price said.

INFORMATION ONLY

Just as bad as the law's contradictory sections? Current state law requires that cops fiddle with sound meters, whose results are easily challenged in court. Officers must measure a vehicle's sound levels in decibels from 50 feet away, a standard largely unworkable on busy roadways, especially when hot rodders and motorcyclists roar by in convoys. Even when officers can isolate one vehicle as a violator, the effort usually takes two squad cars — one to measure, another poised up the road to give chase.

For decades, car buffs cruised and sometimes drag-raced on Woodward Avenue, dubbed "America's signature cruising highway." Lately, though, the classic cars celebrated at the Woodward Dream Cruise are swamped by herds of late-model motorcycles and muscle cars, rumbling and screaming louder than any collectible. Gearheads gather on Woodward not just for the Woodward Dream Cruise in mid-August but from spring to fall, spewing pollution and noise often well past midnight, and from 8 Mile north to Pontiac. On weekends, fans sit on folding chairs to watch or stand at curbsides. Some hold cellphone cameras in one hand while gesturing to drivers with the other, hoping to film "burnouts" of smoking tires, accompanied by squeals of acceleration and roaring exhausts.

'If they don't like it ... move'

Suppressing the subculture seems unlikely. A recent Facebook post from Royal Oak City Hall, warning hot rodders of the city's "zero tolerance" for noisy vehicles, drew a string of hostile pushbacks. Cruiser Geoff Booth posted: "Tell your citizens, if they don't like the tradition to move out then. The automotive enthusiast will be happy to buy into the neighborhoods!"

Nor will it be easy to change state law, Birmingham officials said. Their city staff has researched what happened when other states tried to quell motoring din, Mayor Therese Longe said.

"We've discovered there are impressive lobbying groups for the industries that produce these cut-out devices ... and they spend a lot of money to make sure that states across the country don't change their laws" to ban such devices, she told the June 5 meeting.

"Well, we have a lobby group too — the voters," Commissioner Clinton Baller countered. Baller said the noise problem amounts to a regional emergency, one that threatens public health. He's not crazy.

A health hazard

Health experts say loud vehicles not only add stress to those driving near them, they upset people living nearby, often disrupting the sleep of school-age children. According to a 2019 study by researchers at Massachusetts General Hospital, those who live near high levels of "transportation noise" are likely to have higher heart rates and blood pressure, increased arterial inflammation and — in extreme situations, such as near busy train tracks and airports — more heart attacks. Scientists also believe that intermittent noise, such as the occasional hot rod's jarring roar, is more harmful than nonstop noise, even when decibel levels are roughly equivalent.

The loud zooming of dragsters isn't just a Woodward problem. It's spreading, officials said. From East Jefferson in Detroit to Telegraph Road in Bloomfield Township to Gratiot Avenue in Roseville, and in other cities nationwide, the roaring of sports cars and screaming of motorcycles echoes into the night.

Efforts to combat the problem with new laws, in other states as well as Michigan, have failed to pass in state legislatures — again and again, said state Sen. Mallory McMorrow, D-Royal Oak. Among the ideas that failed in lawmakers' votes? Proposed bans on aftermarket auto parts designed to circumvent the factory-installed mufflers, McMorrow said. Also doomed is an idea suggested by some Birmingham officials — to let police ignore sound measurements and simply pick out noise violators based on each officer's discretion.

"That won't hold up in court," McMorrow said. But she has ideas that she's not ready to unwrap. Last week, McMorrow met with legal experts at the Michigan Department of Transportation, and she combined her ideas with theirs for drafting a stronger state law.

"We're looking at all options," she said, saying she hopes to introduce a bill very soon — possibly at the Senate's brief session in mid-July, but no later than after the summer recess ends on Aug. 22.

Between now and then, a lot of exhaust will rattle a lot of nerves. Woodward Avenue in Oakland County has a long history of cruising pride and, frankly, drag-racing mischief, going back to the 1950s. Early on, pushing the pedal to the metal was a lark for a scattering of hot rodders. They rode the big engines in the Big Three's heyday when the Beach Boys sang "Giddy up 409." That storied tradition has morphed into a plague of ear-shattering muscle cars and motorcycles, in part because of recent techno-noise options.

Royal Oak City Manager Paul Brake likes muscle cars and owns a 2015 Chevrolet Camaro. But he doesn't feel a need to rattle his neighbors' windows, nor does his car let him do that with the touch of a finger. Newer models do.

"You can just manually select modes on the dash to create more sound," Brake said. "And the other drivers disconnect their exhaust to make it louder. So, all told, it all seems to be done for them," he said.

Attorney Jules Olsman, a longtime city commissioner in Huntington Woods, said he's hearing “a lot more of these engines revving and these motorcycles screaming.”

Olsman said he hears objectionable noise on Woodward “as soon as I walk into my home office, which faces Woodward — I mean, if I’m wearing my hearing aids.”

Contact Bill Laytner: blaitner@freepress.com

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