

City of Birmingham
AD HOC UNIMPROVED STREETS COMMITTEE

Birmingham City Hall Commission Room
151 Martin, Birmingham, Michigan
Wednesday, September 27, 2018

MINUTES

These are the minutes for the first meeting of the Ad Hoc Unimproved Streets Committee held on Wednesday, September 27, 2018. The meeting was called to order at 8 a.m. by Chairman Scott Moore.

1. **ROLLCALL**

Present: Chairman Scott Moore
Pierre Boutros
Jason Emerine
Michael Fenberg
Katie Schafer
Stuart Sherman
Janelle Whipple-Boyce

Absent: None

Administration: Aaron Filipski, Public Services Manager for DPS
Austin Fletcher, Asst. City Engineer
Mark Gerber, Finance Director
Paul O'Meara, City Engineer
Carole Salutes, Recording Secretary
Joe Valentine, City Manager
Lauren Wood, Public Services Director

2. **APPROVAL OF AD HOC UNIMPROVED STREETS COMMITTEE
MINUTES OF SEPTEMBER 13, 2018**

Mr. Sherman corrected the following:
Page 6 - Last paragraph, replace "Stuart" with "Sherman."

Motion by Mr. Sherman to approve the Minutes of the Ad Hoc Unimproved Streets Committee of September 13, 2018 with the correction.

Motion carried, 7-0.

VOICE VOTE

Yeas: Sherman, Boutros, Emerine, Fenberg, Moore, Schafer, Whipple-Boyce
Nays: None
Absent: None

3. SEPTEMBER 13 MEETING FOLLOW-UP

- MMTB MASTER PLAN

Mr. O'Meara explained that in 2013 the City Commission approved the above plan. The plan was created by a consulting firm known as the Greenway Collaborative. The City has a Multi-Modal Transportation Board ("MMTB") that meets regularly and one of that Board's ongoing tasks is to review all upcoming street projects as they relate to the Master Plan. The MMTB looks at each street plan in detail to ensure that all relevant multi-modal improvements are included in the project.

Most of the projects focus on major streets. Where an unimproved street is noted it is typically part of a neighborhood connector bicycle route. The routes do not typically require any changes to a pavement as a part of their implementation.

- CITY CODE AND CHARTER

Chapter 94 of the Birmingham City Code spells out the procedure for the creation of a Special Assessment. Chapter X of the original Birmingham City Charter gives the City Commission the right to create Special Assessment Districts.

- HISTORY OF PAVING PETITIONS

Mr. O'Meara presented a history of the various petitioning efforts submitted to the Engineering Dept for action.

- PETITION INFORMATION BOOKLET

Whenever a valid petition is received with over 50% of the owners favoring the project, an informational booklet is prepared and mailed to all owners within the suggested district. A sample of the proposed project report was provided. The owners are also invited to a neighborhood meeting where staff offers the chance to discuss the issue further. After that if the petition remains above 50%, the City Commission is advised about the potential project. All owners are then invited to a public hearing to consider if the project should move forward.

If the petition has dropped below 50%, then the project is not moved forward to the Commission. That is the case with the most recent petition received from the residents on an unimproved block of N. Glenhurst Dr. The petition started with 56% of the owners in favor, but it dropped to 43% after the neighborhood meeting was held.

- SPECIAL ASSESSMENT ROLLS

The last official roll that was prepared was for paving two blocks of Villa Ave., between Adams Rd. and Columbia Ave. The project was completed in 2016.

The project went smoothly and efficiently and the final cost of the paving assessment district was calculated at \$165.86, which allowed almost all homeowners to receive a bill reduced from what had been expected. A separate assessment roll was created for the replacement of sewer laterals in the right-of-way. The originally estimated price was adjusted upward to \$77.07/ft., based on the contractor's actual charge. Most homeowners received a bill higher than what was expected.

- LIFE CYCLE COST ANALYSIS

A comparison of costs being expended to maintain concrete vs. asphalt permanent pavements was shown. The cost savings of concrete over the 80 year life span = \$584,000 per mile,

4. SEPTEMBER 13 MEETING MATERIALS UPDATED

Mr. Gerber talked about funding considerations, millage, and special assessments. Millage assesses the cost based on the valuation of the property as opposed to the front footage. Responding to Chairman Moore, he noted the City is near the millage cap which is shrinking every year due to the Headlee Amendment. With opening millage at .2 mills, the City would still be under the cap.

A bond issue can be used to raise money for road projects. There is flexibility to do it as a Special Assessment to repay the bond millage or as a part of debt levy.

Mr. O'Meara provided definitions as follows:

Unimproved Street (def.), as used in the City of Birmingham: "An unimproved street is a street originally built with a gravel surface that has since been treated with a cape seal layer or layers in order to provide stability to the driving surface."

Cape Seal (def.), as defined by the Federal Highway Administration: "A cape seal is a thin surface treatment constructed by applying a slurry seal or microsurfacing to a newly constructed chip seal. It is designed to be an integrated system where the primary purpose of the slurry is to fill voids in the chip seal."

Chip Seal (def.), as defined by the Michigan Dept. of Transportation: “A chip seal is a surface treatment in which the pavement is sprayed with asphalt (generally emulsified) and then immediately covered with aggregate and rolled.”

Improved Street (def.), as used in the City of Birmingham: “An improved street is a street with a permanent pavement, engineered to address drainage within the corridor.”

Mr. Fenberg noted that all roads need to include multi-modal improvements. Mr. Emerine stated that the Multi-Modal Plan has no impact on the street. Ms. Whipple-Boyce changed "street" to "pavement."

Mr. Sherman suggested defining an improved street project to address the whole infrastructure.

5. STAFF PRESENTATION; INFRASTRUCTURE RANKING PRIORITY LIST

- Water System

Mr. O'Meara recalled that in 2008, the Engineering Dept. hired the consultant Hubbell, Roth, & Clark ("HRC") to conduct a system-wide analysis of the City's water system. The analysis helped identify critical links in the system that should be focused on for future improvements. A very helpful tool within the study included a ranking for deciding which water mains should be replaced in the future, based on four criteria:

Age

Size

Reinforcement Factor

Water Main Break Factor

Mr. Sherman asked for a copy of the HRC report.

Ms. Whipple-Boyce endorsed the idea of moving forward with the recommendation that the streets be prioritized with respect to pavement, sewer, and water issues.

- Sewer System

Because the condition of the sewer system as well as the condition of the existing pavement must be factored into any project decision-making process, it was decided that an improved table would also have similar data for the sewer system and the street pavements.

Since HRC already had completed a City-wide study of the sewer system that was finished in the late 1990s, a similar table to rank sewers was created wherein the following factors were developed:

Structural Condition
Operations and Maintenance
Capacity Deficiency
Relief Sewer

The City is currently inspecting all sewers older than 20 years old, and making updated rankings for sewer conditions. Once all of the sewers have been inspected by October of 2019, HRC will then be in a position to prepare a more accurate list for future decision making.

- Street System

For many years the civil engineering industry has used a ranking system of 1 to 10 for ranking the current condition of a pavement. This scoring system is easily converted to the system already in place for our water and sewer system.

The Engineering Dept. attempts to conduct an updated ranking no less than once every two years so that budgeting decisions for the upcoming five years can be based on updated, relevant pavement condition data.

- Infrastructure Ranking List

It was noted that Fairway Dr. at the top of the list has had more than normal water main breaks. Mr. O'Meara said for the purposes of future decision-making, they hope to gather updated information on the water and sewer system, as well as keep updating the pavement condition rankings. Improved street projects will continue to be identified from this list. It will be about a year and a half before the unimproved streets can also be added to the list. If the City's policy is revised such that the City will nominate future projects based on merit, a ranking such as this can be used to score unimproved street segments based on a variety of factors.

Mr. O'Meara advised that per the Committee discussion on September 13, 2018, staff has updated the Policy Considerations and Comparison Table. The purpose of the Policy Consideration Table is to provide key information to be used as a guide for future recommendations.

The following outline was developed by staff to suggest the order to approach topics for future meetings and the key factors to evaluate in order for the Committee to provide substantive recommendations to the City Commission for consideration.

The most critical concern by the Committee that staff has noted is the Petition Process. Staff agrees and suggests exploring options regarding the petition process before discussing funding and pavement options in greater detail. The manner in which the community is engaged will likely drive the other two considerations.

Therefore, staff recommends that the next meeting involve an in-depth conversation regarding the petition process and will focus on the pros and cons of the following items:

Petition Process

Cost Allocation Model

Assessments

Payback Period Ranking (City Prioritizing Projects)

Other?

After the committee has had an opportunity to isolate the petition process and develop possible recommendations for change, it is important to evaluate the funding mechanisms in place to support potential changes. Following the petition process discussion, staff will work with the Committee to support an in-depth conversation on how to fund future projects and the relative effects of the changes being considered as part of the petition process.

Funding Mechanisms

Changes in Cost Allocation/Payback Periods

Special Assessments

City Millage

Budget Amendments Bonding (Water and Sewer?)

Other?

Lastly, staff recommends that the Committee then begin making determinations on Pavement Options with the understanding of the potential funding options that may be employed. The costs of and benefits of different pavement options will be easier to ascertain once the committee has a better idea of how the petition process might change and total dollars available to fund projects giving certain funding scenarios.

Pavement Options

Cape Seal

Asphalt

Concrete

Other?

Chairman Moore thought the first discussion should be to look at Sec. 94.4, Initiation of Improvement, of the City Code and what it says about the City getting involved in Special Assessments.

Ms. Whipple-Boyce said the petition process is the first place to start. Chairman Moore pointed out the Committee should talk about hybrid projects and then the allocation of cost. Mr. Sherman noted that before cost, look at the surface to be used and its longevity.

Mr. Boutros thought that for now, examine the petition process. Whether resident, City Commission or staff driven, the cost is always the same. However, as a resident he doesn't want to go around asking neighbors for their signature. That is a big burden to put on a resident and it may stir up disagreement in the neighborhood. The decision to initiate an improvement should be shifted to City staff and the City Commission.

Responding to Mr. Fenberg, Mr. O'Meara said improving all of the streets could be completed in 13 years. The risk is if the residents don't want to go along.

Mr. Fenberg said he sees the consensus as being elimination of the petition process.

Chairman Moore suggested they study the petition process and whether and how it should be used.

Mr. Valentine concluded that the petition process will be taken up at the next meeting.

6. PUBLIC COMMENT

The Chairman called for comments from members of the public at 8:55 a.m.

Mr. Dave Laurey, 755 Lakeview, made the following comments:

- Require that a project be reviewed by the Engineering Dept. before the petitioner tries to gather signatures;
- Ensure that the process is transparent by reducing the Petition Information Booklet to one page;
- Determine how the pads will be replaced;
- Consider road safety. That hasn't been discussed as to how it relates to road width;
- What happens to the irrigation system when the road is ripped up;
- How will parking on the street be managed;
- Who will pay for waterline hook-ups and what will be the cost;

- Consider damage to the trees;
- What happens to property taxes if the street is improved;
- On Lakeview there has been a tremendous amount of construction and that rips the street to shreds.

Chairman Moore recalled that when the recession hit no one wanted to do any road improvements. It could be suggested to the City Commission that they accelerate that program again. He noted there are exemptions for the elderly and disabled and that needs to be communicated to the public.

7. NEXT MEETING

October 11 at 8 a.m.

ADJOURNMENT

No further business being evident, the chairman adjourned the meeting at 9:05 a.m.

City Engineer Paul O'Meara

Asst. City Manager Tiffany Gunter