

BIRMINGHAM CITY COMMISSION AGENDA
MAY 6, 2024
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk

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

ANNOUNCEMENTS

APPOINTMENTS

- A. Board of Review
 - 1. Aditya Oberoi

To appoint _____ as a regular member to the Board of Review to serve the remainder of a three-year term to expire December 31, 2025.

To appoint _____ as an alternate member to the Board of Review to serve the remainder of a three-year term to expire December 31, 2026.

To appoint _____ as an alternate member to the Board of Review to serve the remainder of a three-year term to expire December 31, 2025.

- B. Board of Ethics
 - 1. Erik Nygren
 - 2. Irene Hathaway

To appoint _____ as an alternate member to the Board of Ethics to serve a three-year term to expire June 30, 2026.

- C. Housing Board of Appeals
 - 1. Phil Vincenti
 - 2. Karson Claussen

To appoint _____ as a regular member to the Housing Board of Appeals to serve a three-year term to expire May 4, 2027.

To appoint _____ as a regular member to the Housing Board of Appeals to serve a three-year term to expire May 4, 2027.

To appoint _____ as an alternate member to the Housing Board of Appeals to serve the remainder of a three-year term to expire May 4, 2026.

To appoint _____ as an alternate member to the Housing Board of Appeals to serve the remainder of a three-year term to expire May 4, 2026.

RECOGNITION OF STAFF

- D. Parking System
 - o Anne Jay, Parking Operations Manager
 - o Chris Chartrand, Parking Maintenance Manager
- E. Department of Public Services
 - o Ryan Ballard, Foreman of Street, Sewer & Water
 - o Derek Aldrich, Assistant Foreman of Street, Sewer & Water
 - o Josh Parks, Fleet Mechanic
 - o Devin Johnson, Assistant Foreman of Street, Sewer & Water
 - o Ross Leibold, Park and Forestry Operator
 - o Austin Green, Park and Forestry Operator
 - o Andrea Swanson, DPS Office Coordinator
- F. Engineering Department
 - o Ali Al-Abbas, Civil Engineer

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 meeting minutes of the regular City Commission meeting held on April 8, 2024.
- B. Resolution to approve the meeting minutes of the regular City Commission meeting held on April 15, 2024.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 18, 2024 in the amount of \$993,890.84.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 25, 2024 in the amount of \$1,116,386.37.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated May 1, 2024 in the amount of \$376,313.36.

- F. Resolution directing the City Treasurer, in accordance with the provisions in the City Code who has reported certain special assessments and invoices, including interest and penalty, unpaid and delinquent on May 1, 2024, and;

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

Now therefore be it resolved, that the listing of unpaid and delinquent special assessments and invoices, including interest and penalty, be transferred and reassessed to the 2024 City tax roll with an additional 15% penalty and authorization be given to remove from the list any bills paid after Commission approval.

- G. Resolution directing the City Treasurer, in accordance with Chapter 114, Section 114-303, of the City Code who has reported certain water/sewage accounts, including interest and penalty, unpaid and delinquent on May 1, 2024, and

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

Now, therefore, be it resolved, that the properties with unpaid delinquent water/sewage accounts, listed in the Delinquent Water/Sewer Tax Roll, dates May 6, 2024, including interest and penalty, be transferred and reassessed to the 2024 City tax roll and authorization be given to remove from the list any bills paid or a payment plan agreement signed after Commission approval.

- H. Resolution to authorize an absent voter counting board under section 765a(1) that is limited to only processing and tabulating absent voter ballots approved for tabulation and received after 4 p.m. on the day before an election and before 8 p.m. on election day for all elections going forward and to direct that the City Clerk to no later than 60 days before an election, inform the Oakland County Clerk that an absent voter counting board has been authorized by the Election Commission for the City of Birmingham.
- I. Resolution to approve the new Oakland County Tactical Consortium Agreement between the City of Birmingham and the Oakland County Tactical Consortium. Further, to authorize the Mayor to sign the agreement on behalf of the City.
- J. Resolution to approve the recognition of Checkered Flag Challenge, 280 Daines St. #300, Birmingham, MI 48009, as a 501(c)(3) non-profit organization to obtain a State of Michigan Raffle License with the State of Michigan Charitable Gaming Division. Furthermore, authorize the City Clerk to complete the Qualification Information Form and forward it to the Charitable Gaming Division, Lansing, MI.
- K. Resolution to accept the resignation of Thomas Loafman from the Board of Review, to thank him for his service and to direct the City Clerk to begin the process of filling the vacancy.
- L. Resolution to direct the City Clerk to begin the process of filling the vacancy on the Martha Baldwin Park Board and recognize Robert Kenning for his many years of service to the City of Birmingham.

- M. Resolution to accept the resignation of Caroline Ashleigh from the Museum Board, to thank her for her service and to direct the City Clerk to begin the process of filling the vacancy.
- N. Resolution to accept the resignation of Kristin Lewis from the Public Arts Board and to thank her for her service.
- O. Resolution to set a public hearing date of June 3, 2024 to consider the Special Land Use Permit Amendment for 260 N. Old Woodward – Coterie – to transfer ownership and update the Special Land Use Permit with the new owner, Old Woodward STA, LLC.
- P. Resolution to award the 2024 Sewer Rehabilitation Program #4-24(S) to D.V.M. Utilities, Inc. in the amount of \$458,549.50 and a 5% construction contingency for a total of \$481,476.98. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance and bond requirements by D.V.M. Utilities, Inc. Funding for this project has been budgeted in the following account:

Fund Account	Fund ID Number	Project Award	5%	Total
Sewer Fund	590.0-537.000-981.0200	\$458,549.50	\$22,927.48	\$481,476.98

VI. CITY MANAGER’S REPORT

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

None.

VII. UNFINISHED BUSINESS

None.

VIII. NEW BUSINESS

- A. Public Hearing of Necessity - Pierce Alley and West Maple Alley Project #8-24 (P) Special Assessment District

1. 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 it is necessary to proceed with the project of repaving on Pierce Alley, from Merrill Street to Pierce Street, and West Maple Alley, from Henrietta Street to Pierce Street; and

WHEREAS, The City has previously established a policy requiring repaving public alleys; and

WHEREAS, The City Commission, after the public hearing, has determined that repaving Pierce Alley from Merrill Street to Pierce Street and West Maple Alley from Henrietta Street to Pierce Street, is a necessity and is in the best interest of the City and will specially benefit the properties included in the Special Assessment District; and

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

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

WHEREAS, The City Engineer has determined the boundaries of repaving within the limits of the following alleys shall be installed as part of the Pierce Alley and West Maple Alley Project (Contract #8-23(P)):

Pierce Alley – Merrill Street to Pierce Street; and

West Maple Alley – Henrietta Street to Pierce Street

WHEREAS, The formula used in making the assessment is 100% of the contractor’s charge for repaving the alleys (calculated at the rate of \$408.12 per foot), 100% of the contractor’s charge for replacing two light fixtures on Pierce Alley (calculated at the rate of \$26.68 per foot), and 100% of the contractor’s charge for installing dumpster screening on the alleys (calculated at the rate of \$1,200 per linear foot of the fence and prorate by the properties using the dumpsters, recycling bins, linen storage).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing and give notice on May 20, 2024.

Paving

Sidwell Number	Street Address	Paving Assessment
1936201011	100 S. Old Woodward	\$13,348.37
1936201013	114 S. Old Woodward	\$47,560.65
1936201014	124 S. Old Woodward	\$20,192.12
1936201015	138 S. Old Woodward	\$26,448.90
1936201021	154 S. Old Woodward	\$22,121.41
1936201019	251 E. Merrill	\$59,387.96
1936201023	277 Pierce	\$163.53
1936201026	277 Pierce Bldg Main	\$238.14
1936201025	111 E. Merrill PH	\$145.51
1936201024	111 E. Merrill STE 200	\$781.89
1936201009	263 Pierce	\$28,792.01
1936201022	247 Pierce	\$26,560.12
1936201006	237 Pierce	\$28,243.27
1936201005	235 Pierce	\$10,695.22
1936201020	165 Pierce	\$51,473.97

1936201001	135 Pierce	\$52,440.64
1936129010	155 Henrietta	\$65,299.62
1936129012	180 Pierce Unit 1	\$6,519.75
1936129013	180 Pierce Unit 2	\$7,809.29
1936129014	180 Pierce Unit 3	\$7,809.29
1936129015	180 Pierce Unit 4	\$7,809.29
1936129016	180 Pierce Unit 5	\$1,088.38
1936129017	180 Pierce	\$559.95
1936129018	180 Pierce	\$1,053.85
1936129006	148 Pierce	\$55,449.81
1936129004	137 W. Maple	\$16,733.03
1936129003	157 W. Maple	\$16,324.90
1936129002	175 W. Maple	\$27,724.90
1936129001	193 W. Maple	\$27,724.90

B. Public Hearing of Necessity - 2024 Cape Seal Program Special Assessment District

1. 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 it is necessary to proceed with the project of resurfacing unimproved roads by method of pulverizing, cement stabilization, spray patching, and capeseal surface, and replacement of City sidewalk ramps; and

WHEREAS, The City has previously established a policy to defray the costs of Cape Seal treatments on unimproved streets by creating a Special Assessment District (SAD) consisting of the properties that are benefitting from this treatment; and

WHEREAS, The City Commission, after the public hearing, has determined that the 2024 Cape Seal Program is a necessity and is in the best interest of the City and will specially benefit the properties included in the Special Assessment District; and

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

WHEREAS, Proposed costs by change order have been received and the costs of the unimproved roads resurfacing has been determined; and

WHEREAS, The City Engineer has determined the boundaries of the road resurfacing and sidewalk ramp replacement located within the limits of the following streets shall be installed as part of the 2024 Cape Seal Program (Contract #5-24(P)):

Chestnut Street – Elm Street to S. Adams Road; and

Hazel Street – Elm Street to S. Adams Road; and
 Lawndale Street – Madison Street to Oakland Avenue; and
 Oakdale Street – Oakland Avenue to Ridgedale Avenue; and
 Oxford Street - Rivenoak Street to Madison Street; and
 Rosedale Street – Rivenoak Street to Oakland Avenue; and
 N. Worth Street – Kennesaw Street to Rivenoak Street, and Knox Street to and E. Maple Road; and W. Southlawn Blvd. - Southfield Road to Latham Street; and
 Wakefield Street - Southfield Road to Norfolk Street; and
 Worthington Road - Southfield Road to Latham Street; and

WHEREAS, The formula used in making the assessment is 85% of the front-foot costs for improvement are assessed on all properties fronting on the improvement, 25% of the side-foot costs for improvement are assessed on all residential properties siding on the improvement, 85% of the side-foot costs for improvement are assessed on improved business properties siding on the improvement, and 25% of the side-foot costs for improvement are assessed on vacant business properties siding on the improvement for resurfacing of the unimproved roads and replacement of sidewalk ramps to meet ADA compliance (calculated at the rate of \$34.66 per foot for properties on streets that will be pulverized, cement stabilization, and cape seal resurfaced, and \$21.29 per foot for properties on streets that will be spray patched and cape seal resurfaced).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll is a necessity , and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing and give notice on May 20, 2024.

Street Pulverizing / Cement Stabilization / Cape Seal Resurfacing

Sidwell Number	Street Address	Cape Seal Assessment
1925477005	888 Madison	\$ 1,169.72
1925477010	887 Oakland	\$ 1,169.72
1925478001	916 Madison	\$ 1,169.72
1925478006	915 Oakland	\$ 1,169.72
1936229012	807 Chestnut	\$ 1,767.58
1936229013	843 Chestnut	\$ 1,767.58
1936229014	859 Chestnut	\$ 1,767.58
1936229015	889 Chestnut	\$ 1,472.98
1936229016	909 Chestnut	\$ 1,472.98
1936229017	927 Chestnut	\$ 1,472.98
1936229018	949 Chestnut	\$ 1,472.98
1936229019	977 Chestnut	\$ 1,472.98
1936229020	991 Chestnut	\$ 1,472.98

1936229021	1007 Chestnut	\$ 1,472.98
1936229022	1035 Chestnut	\$ 1,472.98
1936229023	1043 Chestnut	\$ 1,472.98
1936229027	1055 Chestnut	\$ 1,050.23
1936231001	810 Chestnut	\$ 1,767.58
1936231002	842 Chestnut	\$ 1,767.58
1936231003	864 Chestnut	\$ 1,767.58
1936231004	890 Chestnut	\$ 1,472.98
1936231006	950 Chestnut	\$ 1,472.98
1936231007	954 Chestnut	\$ 1,472.98
1936231008	988 Chestnut	\$ 1,472.98
1936231009	1014 Chestnut	\$ 1,472.98
1936231010	1028 Chestnut	\$ 1,472.98
1936231011	1042 Chestnut	\$ 1,472.98
1936231012	412 S Adams	\$ 1,053.96
1936231027	910 Chestnut	\$ 1,649.74
1936231028	932 Chestnut	\$ 1,296.22
1936231014	801 Hazel	\$ 1,767.58
1936231015	833 Hazel	\$ 1,767.58
1936231016	875 Hazel	\$ 1,767.58
1936231017	893 Hazel	\$ 1,472.98
1936231018	925 Hazel	\$ 1,472.98
1936231019	939 Hazel	\$ 1,472.98
1936231021	997 Hazel	\$ 1,472.98
1936231022	1011 Hazel	\$ 1,472.98
1936231023	1031 Hazel	\$ 1,472.98
1936231024	1053 Hazel	\$ 1,472.98
1936231025	1077 Hazel	\$ 1,972.91
1936231026	1085 Hazel	\$ 2,651.36
1936231029	959 Hazel	\$ 1,472.98
1936231030	977 Hazel	\$ 1,472.98
1936233001	820 Hazel	\$ 1,767.58
1936233002	844 Hazel	\$ 1,767.58
1936233003	868 Hazel	\$ 1,767.58
1936233004	896 Hazel	\$ 1,472.98
1936233005	920 Hazel	\$ 1,472.98
1936233006	942 Hazel	\$ 1,472.98
1936233007	960 Hazel	\$ 1,472.98
1936233008	982 Hazel	\$ 1,472.98
1936233009	998 Hazel	\$ 1,472.98
1936233010	1020 Hazel	\$ 1,472.98

1936233011	1044 Hazel	\$ 1,472.98
1936233012	1060 Hazel	\$ 1,472.98
1936233013	1078 Hazel	\$ 1,472.98
1936233014	520 S Adams	\$ 3,163.96

Street Spray Patching and Cape Seal Resurfacing

Sidwell Number	Street Address	Cape Seal Assessment
1925428007	984 Kennesaw	\$ 745.16
1925428015	983 Rivenoak	\$ 745.16
1925429001	1018 Kennesaw	\$ 745.16
1925429004	1019 Rivenoak	\$ 745.16
1925486007	191 N. Worth	\$ 1,049.61
1925486008	171 N. Worth	\$ 904.84
1925486009	159 N. Worth	\$ 904.84
1925486017	-	\$ 863.59
1925487001	1016 Knox Ave	\$ 524.11
1925487003	156 N. Worth	\$ 1,085.80
1925487007	1025 E Maple	\$ 2,936.19
1925431004	884 Rivenoak	\$ 691.93
1925431009	883 Madison	\$ 718.55
1925432001	910 Rivenoak	\$ 691.93
1925432004	911 Madison	\$ 718.55
1925460008	592 Oakland	\$ 718.55
1925460018	591 Ridgedale	\$ 718.55
1925480001	632 Oakland	\$ 718.55
1925480007	625 Ridgedale	\$ 718.55
1925401003	492 Rivenoak	\$ 691.93
1925401007	487 Madison	\$ 718.55
1925405001	512 Rivenoak	\$ 691.93
1925405010	515 Madison	\$ 718.55
1925458001	440 Madison	\$ 895.79
-	City ROW	\$ 811.16
1925461001	35300 Woodward Ave #201	\$ 47.15
1925461002	35300 Woodward Ave #202	\$ 23.88
1925461003	35300 Woodward Ave #203	\$ 37.31
1925461004	35300 Woodward Ave #204	\$ 37.69
1925461005	35300 Woodward Ave #205	\$ 48.57
1925461006	35300 Woodward Ave #206	\$ 52.81
1925461007	35300 Woodward Ave #207	\$ 39.16
1925461008	35300 Woodward Ave #208	\$ 39.16

1925461009	35300 Woodward Ave #209	\$ 52.81
1925461010	35300 Woodward Ave #301	\$ 47.75
1925461011	35300 Woodward Ave #302	\$ 23.88
1925461012	35300 Woodward Ave #303	\$ 37.31
1925461013	35300 Woodward Ave #304	\$ 37.69
1925461014	35300 Woodward Ave #305	\$ 49.17
1925461015	35300 Woodward Ave #306	\$ 54.01
1925461016	35300 Woodward Ave #307	\$ 39.70
1925461017	35300 Woodward Ave #308	\$ 39.70
1925461018	35300 Woodward Ave #309	\$ 54.01
1925461019	35300 Woodward Ave #401	\$ 47.75
1925461020	35300 Woodward Ave #402	\$ 23.88
1925461021	35300 Woodward Ave #403	\$ 37.31
1925461022	35300 Woodward Ave #404	\$ 37.69
1925461023	35300 Woodward Ave #405	\$ 49.17
1925461024	35300 Woodward Ave #406	\$ 54.01
1925461025	35300 Woodward Ave #407	\$ 39.70
1925461026	35300 Woodward Ave #408	\$ 39.70
1925461027	35300 Woodward Ave #409	\$ 54.01
1925461028	35300 Woodward Ave #501	\$ 47.75
1925461029	35300 Woodward Ave #502	\$ 23.88
1925461030	35300 Woodward Ave #503	\$ 37.31
1925461031	35300 Woodward Ave #504	\$ 37.69
1925461032	35300 Woodward Ave #505	\$ 49.17
1925461033	35300 Woodward Ave #506	\$ 54.01
1925461034	35300 Woodward Ave #507	\$ 39.70
1925461035	35300 Woodward Ave #508	\$ 39.70
1925461036	35300 Woodward Ave #509	\$ 54.01
1925461037	35300 Woodward Ave Main BLDG	\$ -
1935477008	1697 Latham	\$ 1,363.77
1935477009	1152 Worthington	\$ 1,194.38
1935477010	1094 Worthington	\$ 886.74
1935477011	1056 Worthington	\$ 1,085.80
1935477012	1002 Worthington	\$ 904.84
1935477013	980 Worthington	\$ 904.84
1935477014	964 Worthington	\$ 1,266.77
1935477015	1608 Southfield	\$ 1,990.64
1935478002	1133 Worthington	\$ 1,195.29
1935478003	1115 Worthington	\$ 1,148.60
1935478004	1005 Worthington	\$ 1,167.78
1935478005	1001 Worthington	\$ 931.44

1935478006	969 Worthington	\$ 904.84
1935478007	943 Worthington	\$ 904.84
1935478008	927 Worthington	\$ 1,085.80
1935478016	895 Worthington	\$ 1,990.64
1935476017	1250 Wakefield	\$ 472.16
1935476024	1783 Norfolk	\$ 480.36
1935479009	1190 Wakefield	\$ 1,013.42
1935479010	1164 Wakefield	\$ 1,266.77
1935479011	1130 Wakefield	\$ 1,538.22
1935479012	1106 Wakefield	\$ 1,447.74
1935479013	1074 Wakefield	\$ 1,628.71
1935479014	1058 Wakefield	\$ 1,447.74
1935479015	1030 Wakefield	\$ 1,538.22
1935479016	990 Wakefield	\$ 1,357.25
1935479017	948 Wakefield	\$ 1,411.54
1935480001	1829 Norfolk	\$ 1,778.55
1935480005	1255 Wakefield	\$ 479.03
1935481001	1199 Wakefield	\$ 1,359.97
1935481002	1155 Wakefield	\$ 1,430.91
1935481003	1133 Wakefield	\$ 1,184.25
1935481004	1111 Wakefield	\$ 1,184.25
1935481005	1099 Wakefield	\$ 1,184.25
1935481006	1067 Wakefield	\$ 1,199.45
1935481007	1035 Wakefield	\$ 1,236.55
1935481008	1003 Wakefield	\$ 1,236.73
1935481009	997 Wakefield	\$ 1,236.55
1935481010	955 Wakefield	\$ 1,236.55
1935481029	-	\$ 398.13
1935478009	1711 Latham	\$ 425.81
1935478010	1120 W Southlawn	\$ 1,628.71
1935478011	1098 W Southlawn	\$ 1,447.74
1935478012	1050 W Southlawn	\$ 1,357.25
1935478013	1024 W Southlawn	\$ 1,266.77
1935478014	990 W Southlawn	\$ 1,357.25
1935478015	900 W Southlawn	\$ 1,538.22
1935478017	892 W Southlawn	\$ 1,990.64
1935479001	1187 W Southlawn	\$ 351.29
1935479002	1143 W Southlawn	\$ 1,628.71
1935479003	1097 W Southlawn	\$ 1,465.83
1935479004	1063 W Southlawn	\$ 1,900.16
1935479005	1025 W Southlawn	\$ 1,683.00

1935479006	999 W Southlawn	\$ 1,357.25
1935479007	901 W Southlawn	\$ 1,538.22
1935479018	-	\$ 1,990.64

- C. Resolution authorizing Birmingham to apply for a Michigan Natural Resource Trust Fund (MNRTF) grant through the Michigan Department of Natural Resources (MDNR), and further directing the City Clerk to sign the resolution.
- D. 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.
- E. Commission discussion on items from a prior meeting.

IX. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

- A. Shirley & Arlington Letters

XI. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Board of Ethics
 - 2. Notice of intention to appoint to the Martha Baldwin Park Board
 - 3. Notice of intention to appoint to the Board of Review
 - 4. Notice of Intention to appoint to the Museum Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions’ Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. 3rd Quarter Budget Report
 - 2. 3rd Quarter Investment Report

INFORMATION ONLY

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).*



BIRMINGHAM

A WALKABLE CITY

NOTICE OF INTENTION TO APPOINT TO BOARD OF REVIEW

At the regular meeting of Monday, May 6, 2024, the Birmingham City Commission intends to appoint one regular member with term expiring December 31, 2025 and two alternate members one to serve the remainder of a three-year term expiring December 31, 2026 and the other to serve the remainder of a three-year term set to expire December 31, 2025. Applicants must be property owners and electors of the City of Birmingham.

The Board of Review, consisting of two panels of three local citizens who must be property owners and electors, is appointed by the City Commission for three-year terms. Although a general knowledge of the City is very helpful, more important are good judgment and the ability to listen carefully to all sides of an issue before making a decision. Approximately three weeks in March are scheduled for taxpayers to protest their assessments and one day each in July and December for correcting clerical errors and mutual mistakes of fact. Two training sessions in February are also required.

Interested citizens may submit an application available at the Clerk’s office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk’s office on or before noon on Wednesday, May 1, 2024. These documents will appear in the public agenda for the regular meeting at which time the City Commission will interview applicants and may make nominations and vote on appointments.

Board members are paid \$110 per diem.

Applicant(s) Presented for City Commission Consideration:

Applicant Name	Criteria/Qualifications
Aditya Oberoi	Professional executive currently serving on the Oakland County Board of Economic Development with ample experience in leadership roles.

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

SUGGESTED ACTION:

To appoint _____ as a regular member to the Board of Review to serve the remainder of a three-year term to expire December 31, 2025.

To appoint _____ as an alternate member to the Board of Review to serve the remainder of a three-year term to expire December 31, 2026.

To appoint _____ as an alternate member to the Board of Review to serve the remainder of a three-year term to expire December 31, 2025.

ClerksOffice- APPLICATION FOR CITY BOARD OR COMMITTEE [#4]

1 message

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

Thu, Apr 11, 2024 at 12:38 PM

Reply-To: no-reply@wufoo.com

To: clerksOffice@bhamgov.org

List your related employment experience

LEAR CORPORATION, Southfield, Michigan (~\$24bn annual revenue)

Vice President – Finance, Transformation and Corporate Strategy, 2020 – Present

- Lead the cash initiatives focused on A/P and Capex reduction within a special task force directly reporting to the CEO. Unlocked ~\$50mn in FCF through A/P days streamlining and reduce annual capex (as % sales) by 50bps.
- Deploying a plan towards optimizing plant capacity utilization unlocking cost and headcount synergies helping improve the OI and FCF of the company.
- Lead financial planning processes: forecasting, annual operating plan, strategic plan. Develop medium- and long-term strategic plans for the company and present it to the Board of Directors. Finalize the budgets for the year.
- Work with the CEO and the CFO to think through various M&A opportunities from the perspective of maximizing shareholder return. Proposed and executed 2 transactions worth ~\$300mn to further enhance our capabilities and position our company as 'the only' provider of complete seat solutions to our customers. Help in evaluating capital deployment opportunities and division of capital among M&A, dividend and share-repurchases.
- Develop ideas for increasing the effectiveness of communications with both institutional shareholders and sell-side analysts. Proposed action items that helped get 2 high profile 'long-only' shareholders in the investor base with one of

those shareholders among the Top-10 holders of company stock.

- Analyze the key trends impacting the sector, monitor competitor actions and propose action plans to main leadership in respective business units.

GROUP 1 AUTOMOTIVE, Houston, Texas (~\$18bn annual revenue)

Head – Financial Planning and Analysis, Investor Relations, and, Strategy 2019 – 2020

- Assist Senior Management with special projects to support strategic decision-making (e.g., "what if" strategic analysis, global business forecasting, new product P&L projections).
- Analyze business opportunities, develop, and evaluate strategic models, improved reporting process for monthly reports to management by 15%.
- Perform monthly financial reporting, including variance analysis and reconciliations. Develop and maintain financial forecasts and budgets (monthly, quarterly, and annually). Identify and track key performance metrics pertaining to business operations, competitors, benchmarking, etc.
- Develop ideas for improving investor relations and increasing the effectiveness of communications with both institutional shareholders and sell-side analysts. Developed and delivered financial presentations to institutional investors and sell-side analysts.
- Manage the Company's relationships with institutional investors and sell-side analysts by providing clear, accurate and confident communications. Responsible for creating and delivering all investor relations materials, including earnings releases, investor conferences and investor roadshows.
- Manage a team of FP&A Managers and analysts.

MILLENNIUM ASSET MANAGEMENT, Sugarland, Texas

Portfolio Manager, 2016-2018

- Manage an automotive equity portfolio within a broader book with GMV of greater than \$3bn.
- Detailed financial modeling to forecasts short- and long-term revenue and profitability estimates for companies under coverage.
- Help various management teams with their communications and messaging with buy-side and sell-side to improve investor perception.

Caisse de dépôt et placement du Québec , New York, New York

Senior Analyst, 2013-2016

- Co-manage a global automotive equity portfolio as part of two-member team managing more than \$500mn in gross assets.
- Cover more than 80 companies in the automotive space globally including OEMs, Suppliers and Tire manufacturers.
- Generated investment ideas by conducting primary and secondary research, using top-down and bottom-up approach. Systematically monitored and responded to macroeconomic developments and recurring sector trends to generate alpha.
- Interact with C-level executive management of various companies to stay on top of latest business trends.

GOLDMAN SACHS, New York, New York

Equity Analyst, 2006-2013

- Leveraged quantitative analysis and financial modeling to provide actionable investment recommendations at a security level, achieving above market returns for multiple years. Served 500+ top clients of the firm bringing in

incremental revenue every year.

- Lead analyst on tire sector in U.S., as well as primary author on U.S. tires (Goodyear, Cooper Tire) and Lear Corp.
- Broader coverage included 22 stocks, including auto OEMs, auto parts, retailers, and CV part suppliers.
- Conducted primary and secondary research on companies, identifying business models, success factors, and financial health to determine investment recommendations for clients to go long/short stock.
- Performed key role from research perspective in large-cap IPOs, such as General Motors (GM), Delphi Corp (DLPH), and Tesla Motors (TSLA); as well as secondary offerings, such as Goodyear Tire (GT), and Dana Holding Corp. (DAN).
- Recognized for accuracy of earnings forecast for companies under coverage

List your related community activities

Currently a Board Member of the Oakland County - Economic Development Council

List your related educational experience

MBA, Finance and Marketing
MANAGEMENT DEVELOPMENT INSTITUTE, Gurgaon, India

BS, Mechanical Engineering
PUNJAB UNIVERSITY, PUNJAB ENGINEERING COLLEGE,
Chandigarh, India

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

No

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

No



BOARD OF REVIEW

City Charter – Chapter III, Section 14

Terms: Three Years

Members: Members must be property owners and electors of the City of Birmingham

Appointed by the City Commission

The Board of Review hear appeals from property owners regarding their assessments. Approximately three weeks in March are scheduled for taxpayers to protest their assessments and one day each in July and December for correcting clerical errors and mutual mistakes of fact. Two training sessions in February are also required.

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Devereaux 1019 Rivenoak	Kathleen	(248) 840-5310 <i>kddevereaux@wowway.com</i>	2/22/2016	12/31/2025
Di Placido 726 Lakeside Dr.	Guy	(248) 644-1708	1/10/1994	12/31/2026
Loafman 580 Oakland Ave	Thomas	(248)840-6678 <i>thosloafman@gmail.com</i>	11/22/2021	12/31/2024
Pennock 700 Larchela Drive	Rich	(248) 631-6445 <i>rich_pennock@att.net</i>	3/18/2024 Regular Member	12/31/2026
Stress 784 Westchester Way	Jill	(586) 246-6700 <i>jill.stress@yahoo.com</i>	2/13/2017	12/31/2025

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Vacant			Regular Member	12/31/2025
Vacant			Alternate	12/31/2025
Vacant			Alternate	12/31/2026

Sec. 2-196. - Board of review.

- (a) *Appointment; term.* The city commission shall appoint a board of review for the city. Members of the board of review shall be property tax payers and electors in the city and shall serve for terms of three years. Each member of the board of review shall qualify by taking the constitutional oath of office within ten days after appointment. Each member shall attend at least one state board of review update educational seminar annually, prior to the organizational meeting provided for in subsection (d)(1). The city commission may fill any vacancy that occurs in the membership of the board of review. Except as otherwise provided in this division, the duties and responsibilities of the board of review shall be carried out by the entire membership and a majority of the membership constitutes a quorum for such purposes. A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, of the assessor is not eligible to serve as a regular or alternate member or to fill any vacancy.
- (b) *Number of boards and members.* The city commission may appoint three or six property taxpayers and electors of the city, who shall constitute a board of review for the city. If six members are appointed, the membership of the board of review shall be divided into board of review committees consisting of three members each for the purposes of hearing and deciding issues protested by taxpayers. Two of the three members of a board of review committee constitute a quorum for the transaction of the business of the committee. All meetings of the members of the board of review and committees shall be held during the same hours of the day and at the same location. A majority of the entire board of review membership shall indorse the assessment roll.
- (c) *Alternate members.* The city commission may appoint not more than two alternate members for the same term as the regular members of the board of review. Each alternate member shall be a property taxpayer and elector of the city. Alternate members shall qualify by taking the constitutional oath of office within ten days after appointment. Each alternate member shall attend at least one state board of review update educational seminar annually, prior to the organizational meeting provided for in subsection (d)(1) below. The city commission may fill any vacancy that occurs in the alternate membership of the board of review. A member of the city commission is not eligible to serve as an alternate member or to fill any vacancy. An alternate member may be called to perform the duties of a regular member of the board of review in the absence of a regular member. An alternate member may also be called to perform the duties of a regular member of the board of review for the purpose of reaching a decision on issues protested in which a regular member has abstained for reasons of conflict of interest.
- (d) *Meetings.*
- (1) *Organizational meeting.* The board of review shall hold an organizational meeting on the Tuesday following the first Monday in March of each year.

- (2) *Starting and subsequent meetings.* The board of review starting date shall be the second Monday in March. This meeting shall not start earlier than 9:00 a.m. and not later than 3:00 p.m., and shall last for not less than six hours. The board of review shall also meet for not less than six hours during the remainder of that week. Persons or agents who have properly appeared to file a protest before the board of review at a scheduled meeting or at a scheduled appointment as required in this division shall be afforded an opportunity to be heard by the board of review. The board of review shall hold at least three hours of its required sessions for review of assessment rolls after 6:00 p.m. during the week of the second Monday in March.
- (3) *Final meeting.* The board of review shall schedule a final meeting after the board of review makes a change in the assessed value or tentative taxable value of property or adds property to the assessment roll.
- (4) *July and December meetings.* The board of review shall hold a special meeting during the week of the third Monday in July and during the week of the second Monday in December of the tax year at issue. The board of review shall address and take actions on only those matters permitted by statute for these meetings.

(Ord. No. 1981, 1-26-09)

Sec. 2-197. - Completion of review.

The city assessment roll and the final review thereof shall be completed not later than the first Monday in April of each year.

(Ord. No. 1981, 1-26-09)

Sec. 2-198. - Protests to board of review.

- (a) Protests to the board of review may be made in person in accordance with this section. Additionally, the board of review shall permit both resident and nonresident taxpayers to protest to the board of review in writing, without the necessity of a personal appearance by the taxpayer or the taxpayer's representative, provided such written protest is received on or before the last date and time indicated on the assessment notice, or such later date as the board of review may specify.
- (b) The board of review shall accept appointments from taxpayers or their representatives to appear and protest in person from the date assessment change notices are sent by the city, through the last date and time listed on the assessment notice of the tax year at issue, or such later date as the board of review may specify.
- (c)

Before hearing or considering a protest, whether made in person or in writing, by a person or representative other than the taxpayer of record, an original letter of authority, signed and dated by the taxpayer of record, shall be submitted authorizing such person or representative to protest to the board of review on the taxpayer's behalf. This requirement shall be stated on the city's assessment change notices. Faxed or emailed appeals or letters of authority shall not be accepted.

- (d) All protests to the board of review shall be made in compliance with state law.
- (e) Each person who makes a request, protest or application to the board of review for the correction of the assessed value or tentative taxable value of the person's property shall be notified in writing of the board of review's action on the request, protest, or application, of the state equalized valuation or tentative taxable value of the property, and of information regarding the right to further appeal to the tax tribunal including, but not limited to, a statement of the right to appeal to the tax tribunal, the address of the tax tribunal, and the final date for filing an appeal with the tax tribunal. Said notice shall be sent not later than the first Monday in June.

(Ord. No. 1981, 1-26-09)



**NOTICE OF INTENTION TO APPOINT TO
THE BOARD OF ETHICS**

At the regular meeting of Monday, May 6, 2024, the Birmingham City Commission intends to appoint an alternate member to the Ethics Board to serve the remainder of a three-year term set to expire June 30, 2026.

Board members are to serve as an advisory body for the purpose of interpreting the Code of Ethics. The board consists of three regular members and up to two alternate members who serve without compensation. The members shall be residents and have legal, administrative, or other desirable qualifications.

Interested citizens may submit an application available at the City Clerk’s Office or online at bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk’s Office at or before noon on Wednesday, May 1, 2024. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

Applicant(s) Presented for City Commission Consideration:

Applicant Name	Criteria/ Qualifications Applicants shall be residents and have legal administrative or other desirable qualifications.
Erik Nygren	Federal law enforcement officer with an undergraduate degree in International studies and a Master’s degree in Public Administration.
Irene Hathaway	Attorney with more than 40 years of experience handling cases involving ethics issues and conflicts.

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

SUGGESTED COMMISSION ACTION:

To appoint _____ as an alternate member to the Board of Ethics to serve a three-year term to expire June 30, 2026.

ClerksOffice- APPLICATION FOR CITY BOARD OR COMMITTEE [#3]

1 message

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

Wed, Apr 10, 2024 at 7:51 PM

Reply-To: no-reply@wufoo.com

To: clerksOffice@bhamgov.org

compensation or financial benefit? If yes, please explain.

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.



OFFICE USE ONLY	
Meets Requirements?	Yes No
Will Attend / 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. Applications must be submitted to the city clerk's office at or before noon on the Wednesday prior to the City Commission meeting.

(Please print clearly)

Board/Committee of Interest Ethics Committee
 Specific Category/Vacancy on Board any (see back of this form for information)
 Name Irene Hathaway Phone 248 330-7069
 Residential Address 1056 Worthington Email * ibhathaway1@gmail.com
 Residential City, Zip Birmingham MI 48009 Length of Residence 40 years
 Business Address _____ Occupation Attorney
 Business City, Zip _____

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

I practiced law for more than 40 years and handled many issues involving ethics and conflicts

List your related employment experience Same as above

List your related community activities Applied previously for committee

List your related educational experience BA University of Michigan, JD MSU/DCL

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

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

Are you an elector (registered voter) in the City of Birmingham? Yes
 Signature of Applicant Irene Hathaway Date 4/30/24

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.

CLERKS OFFICE

RECEIVED





BOARD OF ETHICS

Ordinance 1805 (Birmingham Code of Ordinances Sec. 2-320 through 2-326)
 Ordinance 2378 (Birmingham Code of Ordinances Sec. 2-320 through 2-326)
 The board shall serve as an advisory body for purposes of interpreting the Code of Ethics. The board consists of three regular members and two alternate members who serve without compensation. The members shall be residents and have legal, administrative, or other desirable qualifications.

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
3/18/2024	Vacated			6/30/2026
			Alternate Member	
Coakley	Michael	(248) 321-2001 <i>coakley@millercanfield.com</i>	8/14/2023 Regular Member	6/30/2026
280 Millrace				
Doyle	Judy	(248) 514-1897 <i>bhamjudy@gmail.com</i>	12/18/2023 Alternate Member	6/30/2026
622 Purdy				
LeDuc	Melissa	(248) 723-5500 <i>melissa@demolaw.com</i>	3/18/2024 Regular Member	6/30/2024
1357 W Lincoln				
Robb	James	(517) 712-3469 <i>jamesdrobb55@gmail.com</i>	8/11/2003 Regular Member	6/30/2025
1533 Pleasant Court				

Sec. 2-325. - Violation, enforcement and advisory opinions.

(a) *Board of ethics.*

- (1) The city commission shall appoint a board of ethics, consisting of three members, as an advisory body for the purpose of interpreting this code of ethics.
- (2) The initial three members of the board of ethics shall be appointed for one-, two-, and three-year terms of office respectively, which shall begin on July 1, 2003. If appointed prior to July 1st, they shall begin their terms of office immediately and their terms shall include the additional time prior to July 1st. Terms of office shall expire on June 30th of the respective years.

Thereafter, all members shall be appointed to three-year terms, beginning July 1, so that only one member's term expires each year. A member shall hold office until his or her successor is appointed. The city commission shall fill a vacancy by an appointment for the unexpired term only.

- (3) The city commission may also appoint not more than two alternate members for the same term as regular members of the board of ethics. An alternate member may be called on a rotating basis to sit as a regular member of the board of ethics in the absence of a regular member, and shall have the same voting rights as a regular member of the board of ethics. An alternate member may also be called to service in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained or recused for reasons of conflict of interest. An alternate member having been appointed shall serve in the case until a final decision has been made.
- (4) The board of ethics shall be made up of residents of the city who have legal, administrative or other desirable qualifications.
 - a. The members of the board of ethics shall serve without compensation, and shall not be elected officials, persons appointed to elective office, full-time appointed officials or city employees, nor shall they be currently serving on any other city board or commission.
 - b. The board shall select its own presiding officer from among its members.
 - c. The board shall establish such procedures it deems necessary or appropriate to perform its functions as set forth in this article.

(b) *Functions of the board of ethics.* When there is a question or a complaint as to the applicability of any provision of this code to a particular situation, that question or complaint shall be directed to the board of ethics. It shall then be the function of the board of ethics to conduct hearings and/or issue an advisory opinion, as applicable.

- (1) Hearings. The board of ethics shall follow the following hearing procedure:
 - a.

The board shall, within seven days after any matter is brought to its attention, set a date certain for hearing said matter.

- b. The board shall, at least 28 days before the hearing date, send notice of such hearing, accompanied by a concise statement of the alleged breach of this code of ethics, to any person requested to appear before them, by certified mail, return receipt requested, to addressee only.
 - c. Any person requested to appear before a board of ethics hearing may request one extension for a period not to exceed 28 days. Extensions thereafter will be granted only under extreme circumstances.
 - d. Any person requested to appear before a board of ethics hearing may be accompanied by his or her attorney.
 - e. All hearings at which any person shall be requested to appear shall be subject to the Open Meetings Act.
 - f. All findings of board hearings shall be published in permanent form and communicated to the city commission and the public, subject to the requirements of the Open Meetings Act.
- (2) Advisory opinions. All advisory opinions so issued shall also be published in permanent form and communicated to the city commission and the public, subject to the requirements of the Open Meetings Act.
- (3) After the board of ethics' advisory opinions and/or hearing findings have been published:
- a. The city commission shall be responsible for imposing any sanction for a violation of this Code on one of its members or any person appointed by the commission to any city board.
 - b. If it becomes necessary to seek the removal of a city official after the board of ethics' advisory opinion and/or hearing findings, the city shall follow the requirements for removal of a public official in accordance with the laws of the state.
 - c. The city manager shall be responsible for imposing any discipline for a violation of this Code on any employee of the city.

(Ord. No. 1805, 4-28-03; Ord. No. 1810, 5-19-03; Ord. No. 1819, 1-12-04; Ord. No. 2378, 4-25-23)



**NOTICE OF INTENTION TO APPOINT TO THE
HOUSING BOARD OF APPEALS**

At the meeting of Monday, May 6, 2024, the Birmingham City Commission intends to appoint two regular members to the Housing Board of Appeals to serve three-year terms to expire May 4, 2027 and three alternate members to serve the remainder of a three-year terms to expire May 4, 2026. Members shall be educated or experienced in building, construction administration, social services, real estate or other responsible positions.

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

Interested citizens may submit an application available at the City Clerk’s office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk’s office on or before noon on Wednesday, May 1, 2024. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

Applicant(s) Presented for City Commission Consideration:

Applicant Name	Criteria/Qualifications
Phil Vincenti	Applicants shall be educated or experienced in building construction administration, social services, real estate or other responsible positions. Long standing board member with a Master’s degree in Construction Engineering Management who has built several homes in the City of Birmingham.
Karson Claussen	Long standing board member who is a licensed Michigan Code Official with a Bachelor’s degree from Oakland University and an MBA from Michigan State.

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.

Attendance records are not included. The last official meeting for the HBA was April 3, 2007. The State of Michigan Construction Code Act requires the City to have an appeals board in place to hear appeals of decisions pertaining to the building and property maintenance codes. The HBA is in place to hear appeals from the property maintenance codes. The City has not had an appeal of one of its decisions since 2007.

SUGGESTED ACTION:

To appoint _____ as a regular member to the Housing Board of Appeals to serve a three-year term to expire May 4, 2027.

To appoint _____ as a regular member to the Housing Board of Appeals to serve a three-year term to expire May 4, 2027.

To appoint _____ as an alternate member to the Housing Board of Appeals to serve the remainder of a three-year term to expire May 4, 2026.

To appoint _____ as an alternate member to the Housing Board of Appeals to serve the remainder of a three-year term to expire May 4, 2026.

To appoint _____ as an alternate member to the Housing Board of Appeals to serve the remainder of a three-year term to expire May 4, 2026.

ClerksOffice- APPLICATION FOR CITY BOARD OR COMMITTEE [#5]

1 message

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

Wed, Apr 17, 2024 at 3:52 PM

Reply-To: no-reply@wufoo.com

To: clerksOffice@bhamgov.org

ClerksOffice- APPLICATION FOR CITY BOARD OR COMMITTEE [#6]

1 message

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

Mon, Apr 22, 2024 at 4:29 PM

Reply-To: no-reply@wufoo.com

To: clerksOffice@bhamgov.org

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



HOUSING BOARD OF APPEALS

Chapter 22 - Sections 22-312 – 22-314

Seven Members

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

Terms: Three year - expire the first Monday in May

Meetings held as needed.

Appointed by the City Commission

Last Name	First Name	Home Business E-Mail	Appointed	Term Expires
Bradford 1221 Bowers St 2714 Birmingham	Wadette 48012	256-509-7193 <i>Wadettebradford@yahoo.com</i>	6/3/2019 Investments	5/4/2025
Claussen 1627 Maryland Blvd Birmingham	Karson 48009	(248) 688-4517 <i>karson.claussen@gmail.com</i>	4/26/2021 Building Inspector	5/4/2024
Taylor 3693 W. Bradford Bloomfield Twp	Robert 48301	248-892-3316 <i>bobtaylr@gmail.com</i>	5/10/2010 Realtor	5/4/2025
Vacated	5/4/2023			5/4/2026
Vacated	5/4/2023			5/4/2026

Last Name	First Name	Home Business	Appointed	Term Expires
Vacated	5/4/2023			5/4/2026
Vincenti	Philip	(248) 722-4747	4/9/2018	5/4/2024
938 Lakeside			building/contractor	
Birmingham	48009	<i>pvincenti@tcwall.com</i>		

DIVISION 3. APPEALS

Sec. 22-311. Authorized.

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

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

Sec. 22-312. Board created; purpose.

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

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

Sec. 22-313. Membership and appointment.

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

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

Sec. 22-314. Term of office.

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

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

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

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

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

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

Sec. 22-316. Officers, records.

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

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

Sec. 22-317. Appeals procedure.

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

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

Sec. 22-318. Hearings.

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

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

Sec. 22-319. Decisions.

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

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

Sec. 22-320. Notices.

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

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

Secs. 22-321—22-330. Reserved.



MEMORANDUM

Parking System

DATE: May 6, 2024

TO: Jana L. Ecker, City Manager

FROM: Aaron Ford, Parking System Manager

SUBJECT: Staff Introductions

I am excited to introduce two of our newest team members to the Parking Department, Anne Jay and Chris Chartrand, who joined us over the past couple of months, Anne as Parking Operations Manager, and Chris as Parking Maintenance Managers

Anne and Chris bring a wealth of knowledge and experience to our department and we are thrilled to have them join our team. Their exceptional operational experience and customer service will make them assets ensure that they'll continue to make contributions to the City's success.

Anne comes to the City from SP+ where she held the role of Facility Manager and oversaw the City of Birmingham's account with SP+. The City sought to bring Anne over as her direct knowledge and experience were viewed as essential assets for a successful transition from bringing the parking operation in-house.

Chris comes to us from St. Francis Cabrini where he held the position of Facility Supervisor. Chris has vast experience with cleaning, making repairs to plumbing and electrical, and experience managing a team. In his role with the City, Chris will oversee the parking maintenance team, which will consist of four full-time, and two seasonal members. Chris and the maintenance team will be responsible for the daily cleaning and repairs of the City's five parking garages.

Please join me in extending a warm welcome to Anne and Chris!



MEMORANDUM

Department of Public Services

DATE: May 2, 2024

TO: Jana L. Ecker, City Manager

FROM: Scott Zielinski, P.E. Director of Public Services

SUBJECT: Introduction to City Commission – Promotion - Foreman of Street, Sewer & Water

In December 2023, Ryan Ballard was promoted to the position of Foreman in the Streets, Sewer and Water Department. Ryan joined the City as an Assistant Foreman in March 2023, after spending the previous eleven years working at both the Royal Oak and Huntington Woods Department of Public Works.

Ryan has quickly established himself as a valuable member of the DPS staff and has earned the respect of his fellow coworkers. In his spare time, Ryan has been a volunteer firefighter for the City of Clawson for the past ten years and currently holds the rank of lieutenant.



MEMORANDUM

Department of Public Services

DATE: May 2, 2024

TO: Jana L. Ecker, City Manager

FROM: Scott Zielinski, P.E. Director of Public Services

SUBJECT: Introduction to City Commission – Promotion to Assistant Foreman – Streets, Sewer, and Water

In January 2024, Derek Aldrich was promoted to the position of Assistant Foreman in the Streets, Sewer and Water Department. Derek joined the City in January 2020 in the Parks and Forestry Department. Derek enjoys his work and decided to advance his career with the City with a transition to the Streets, Sewer and Water Department as an Assistant Foreman.

Derek has over fifteen years of experience operating heavy equipment for construction projects. Derek also has two years of college for drafting and design as well as knowledge related to drawing blueprints.

Derek is currently in the process of studying for his level 3 and 4 water licenses.



MEMORANDUM

Department of Public Services

DATE: May 2, 2024

TO: Jana L. Ecker, City Manager

FROM: Scott Zielinski, P.E. Director of Public Services

SUBJECT: Introduction to City Commission – Promotion to Fleet Mechanic

Josh Parks was hired by the City in November 2022 as an Operator in the Parks and Recreation Department. Prior to working for the City, Josh was a mechanic in the private sector for commercial lawn equipment sales dealer.

In April 2024, Josh was promoted to the position of Fleet Mechanic at the DPS Garage. Josh is very excited to continue his education to become a certified mechanic as well as implementing his knowledge and experience in engines and mechanical equipment in his new role.



MEMORANDUM

Department Name

DATE: May 2, 2024

TO: Jana L. Ecker, City Manager

FROM: Scott Zielinski, P.E. Director of Public Services

SUBJECT: Introduction to City Commission – Assistant Foreman – Streets, Sewer, and Water

In February of 2024, the City hired Devin Johnson as an Assistant Foreman in the Streets, Sewer and Water Department. Devin has ten years of prior experience as a maintenance worker and crew leader with the Michigan Department of Transportation. Devin has experience running and operating heavy equipment, such as a backhoes, excavators, street sweepers, vactor trucks and more.

Devin possesses an associate's degree in criminal justice from Henry Ford Community College and will be graduating in the summer of 2025 from the University of Michigan Dearborn with his bachelor's degree in criminal justice. Devin plans to continue his education by obtaining a master's degree in public administration and policy followed by his desire to attend law school at the University of Detroit Mercy.



MEMORANDUM

Department of Public Services

DATE: May 2, 2024

TO: Jana L. Ecker, City Manager

FROM: Scott Zielinski, P.E. Director of Public Services

SUBJECT: Introduction to City Commission – Parks and Forestry Operator

Ross Leibold has a great deal of history with the City of Birmingham. Ross grew up in the City and began volunteering with his brother at the newly opened Birmingham Recycling Center on Holland Street in his youth.

Ross began working at the DPS in a temporary position in May of 2017 after graduating from Western Michigan University with a degree in geography and sociology. Ross is continuing his education and coursework at Wayne State University.

The DPS is very pleased to officially remove “temporary” position from Ross’s title and announce his hiring to a full-time position as a Parks and Forestry Operator.



MEMORANDUM

Department Name

DATE: May 6, 2024

TO: Jana L. Ecker, City Manager

FROM: Scott Zielinski, P.E. Director of Public Services

SUBJECT: Introduction to City Commission – Park and Forestry Operator

In April of 2024, the City hired Austin Green to be a Parks and Forestry Operator at the DPS. Austin previously worked in the healthcare field and owned and operated his own landscaping business.

Austin's passion for his new position along with his previous experience in landscaping have made him a welcome addition to the DPS team.



MEMORANDUM

Department of Public Services

DATE: May 2, 2024

TO: Jana L. Ecker, City Manager

FROM: Scott Zielinski, P.E. Director of Public Services

SUBJECT: Introduction to City Commission – Office Coordinator

In April 2024, the City hired Andrea Swanson to be the new Office Coordinator for the City of Birmingham's DPS. Andrea started her career working in the plumbing industry, gaining knowledge and insight into City permitting and inspections processes. Andrea brings many years of managerial and organizational experience to the City. Andrea is also certified as a notary public.

Away from work, Andrea is the busy mother of two children and a huge advocate for various dog rescues around the metropolitan Detroit area.



MEMORANDUM

Engineering Department

DATE: May 1, 2024
TO: Jana L. Ecker, City Manager
FROM: Melissa A. Coatta, City Engineer
SUBJECT: Introduction to City Commission – Civil Engineer

INTRODUCTION:

Ali Al-Abbas is the newest member of the Engineering Department. He joined the City in December 2023 and assumed the position of Civil Engineer. Ali attended school at Lawrence Tech University and obtained his bachelor's degree in Civil Engineering in May 2021.

Upon graduation Ali joined a local private engineering consulting firm. Some of his duties in that position included plan reviews and technical assignments to engineering projects for municipal clients. Ali came to us with 2.5 years of engineering experience and is eager to contribute to the public side of the engineering field. To date he has been involved in several of the City projects that will be under construction this year, and has assisted in putting together this year's Road Resurfacing and Cape Seal Programs.

Please welcome Ali to the City of Birmingham Engineering Department.

Birmingham City Commission Minutes
April 8, 2024
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/924875112>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

II. ROLL CALL

City Clerk Bingham called the roll.

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

Absent: MPT Schafer

Staff: City Manager Ecker; City Clerk Bingham, Assistant City Manager Clemence, City Engineer Coatta, Planning Director Dupuis, Assistant City Manager Fairbairn, Parking Systems Manager Ford, Finance Director Gerber, Police Chief Grewe, City Attorney Kucharek, Assistant Fire Chief Bertalino

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

Announcements

- Happy Birthday Mayor Pro Tem Schafer

In the absence of the Mayor Pro Tem, the Commission motioned for Commissioner Longe to serve as temporary Mayor Pro Tem for the duration of the meeting.

Appointments

04-091-24 Board of Ethics

Melissa Demorest LeDuc, Esq. was interviewed by the Commission.

MOTION: Nomination by tMPT Longe:

To appoint Melissa Demorest LeDuc, Esq. as a regular member to the Board of Ethics to serve a three-year term to expire June 30, 2024.

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

Nays, None

04-092-24 Cablecasting Board

The Mayor disclosed that she previously served as Chair of the Cablecasting Board. R. David Eick was interviewed by the Commission.

MOTION: Nomination by Commissioner Host:
To appoint R. David Eick to the Cablecasting Board as a regular member to serve a three year term expiring March 30, 2027.

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

Nays, None

04-093-24 Cablecasting Board

George Abraham was interviewed by the Commission.

MOTION: Nomination by Commissioner Long:
To appoint George Abraham to the Cablecasting Board as a regular member to serve a three year term expiring March 30, 2027.

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

Nays, None

04-094-24 Ad Hoc Senior/Recreation Center Committee (SCC)

Commissioner Long spoke regarding his interest in serving on the SCC.

Public Comment

David Bloom recommended that two additional members of the public be considered for SCC appointment.

Commissioners' comments were as follows:

- The Commissioners serving on the SCC should focus on keeping the project within budget.
- There was a member of the public that might make a beneficial appointment to the SCC, in addition to the two other members of public recommended by Mr. Bloom. If those three members of the public were not appointed to the SCC, it would still be beneficial if they participated in the SCC via public comment.

MOTION: Nomination by Commissioner Haig:
To appoint Commissioner Long as a regular member from the City Commission to the Ad Hoc Senior/Recreation Center Committee to a serve three-year term to expire March 4, 2027.

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

Nays, None

CC Bingham swore in the present appointees.

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

Mr. Bloom made a comment regarding Commissioner-public interactions.

George Dilgard made comments regarding the Senior/Recreation Center.

V. CONSENT AGENDA

04-095-24 Consent Agenda

MOTION: Motion by tMPT Longe, seconded by Commissioner Haig:
To approve the Consent Agenda items B, C, D, G, J, and K.

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

Nays, None

- A. Resolution to approve the amended City Commission meeting minutes of March 4, 2024.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 4, 2024 in the amount of \$240,511.42.
- F. Resolution to approve the Program Year 2024 High Intensity Drug Trafficking Area (HIDTA) sub recipient agreement between the County of Oakland and the City of Birmingham. Further, to authorize the Mayor to sign the agreement on behalf of the City.
- H. Resolution to direct the Director of Public Services to apply for West Nile Virus Fund Expense Reimbursement.
- I. Resolution to approve the Amended OAKWAY Interlocal Agreement between Participating Political Subdivisions, in addition, to authorize the Mayor and City Manager to sign the agreement on behalf of the City.

04-096-24 Birmingham City Commission Meeting Minutes - March 18, 2024 (Item B)

tMPT Longe removed Item B from the consent agenda and recommended an amendment to the minutes.

MOTION: Motion by tMPT Longe, seconded by Commissioner Host:
To approve the City Commission meeting minutes of March 18, 2024.

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

Nays, None

04-097-24 Warrant List Dated 03/21/2024 (Item C)

Mayor McLain removed Item C from the consent agenda and noted two payments to the 48th District Court.

MOTION: Motion by Mayor McLain, seconded by Commissioner Baller:
To approve the warrant list, including Automated Clearing House payments, dated March 21, 2024 in the amount of \$1,430,987.28.

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

Mayor McLain
Commissioner Long

Nays, None

04-098-24 Warrant List Dated 03/28/2024 (Item D)

Mayor McLain removed Item D from the consent agenda and noted two payments to the 48th District Court.

MOTION: Motion by Mayor McLain, seconded by Commissioner Long:
To approve the warrant list, including Automated Clearing House payments, dated March 28, 2024 in the amount of \$942,661.05.

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

Nays, None

04-099-24 Museum Board Member Caroline Ashleigh (Item G)

Commissioner Long removed Item G from the consent agenda and recommended the Commission request an advisory opinion on the matter.

MOTION: Motion by Commissioner Long, seconded by tMPT Longe:
To request an Advisory opinion from the Ethics Board to determine whether or not Ms. Ashleigh is creating an irreconcilable conflict of interest and unable to serve on a voluntary board when she is in the position of being a Plaintiff in a multi-Plaintiff cited lawsuit against the City and potentially acting in a position which is adverse and in conflict to the City's best interest.

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

Nays, None

04-100-24 Parking Lot No. 6 Floodwall Phase 1 Professional Design Engineering Services Agreement (Item J)

Commissioner Haig removed Item J from the consent agenda. Staff answered informational questions from the Commission.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Host:
 To approve an agreement for Parking Lot No. 6 Floodwall Phase 1 Professional Design Engineering Services with Anderson Eckstein & Westrick, Inc. addition, to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance requirements;

AND

To approve the appropriation and amendment to the Capital Project Funds – Streambank Improvement as follows:

Revenues:

Appropriation from Fund Balance	403.0-000.000-400.0000	<u>\$4,340</u>
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Expenses:

Capital Projects Fund – Capital Outlay	403.0-901.018-981.0100	\$4,340
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ROLL CALL VOTE: Ayes, Commissioner Baller
 tMPT Longe
 Commissioner Haig
 Commissioner Host
 Mayor McLain
 Commissioner Long

Nays, None

04-101-24 Lead and Copper Monitoring Program Services Agreement (Item K)

Commissioner Baller removed Item K from the consent agenda. Staff answered informational questions from the Commission.

MOTION: Motion by Commissioner Baller, seconded by tMPT Longe:
 To approve an agreement for Lead and Copper Monitoring Services with Hydrocorp, LLC. In addition, to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance requirements. Funding for this program has been budgeted in the Water and Service Maintenance Fund, account #591.0-545.000-811.000;

AND

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

Water Service and Maintenance Fund:

Revenues:		
591.0-000.000-400.0000	Draw from Net Position	<u>\$10,500</u>
Total Revenue		\$10,500

Expenditures:		
591.0-545.000-811.0000	Other Contractual Service	<u>\$10,500</u>
Total Expenses		<u>\$10,500</u>

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

Nays, None

VI. CITY MANAGER’S REPORT

VII. UNFINISHED BUSINESS

Motion from February 5, 2024 to Discuss Amending Ethics Ordinance

CM Kucharek presented the item and answered questions from the Commission.

Commissioners’ comments were as follows:

- Eligible residents were encouraged to apply to serve on City boards and committees.
- At this point in time, expanding the eligibility criteria for serving on the Board of Ethics was not necessary since a resident filled the vacant position.
- More intensive advertising of board and committee vacancies would likely yield more applications.

VIII. NEW BUSINESS

04-102-24 Parks & Recreation Bond Authorizing Resolution

FD Gerber presented the item. Staff and representatives from Bendzinski & Co. answered questions from the Commission.

MOTION: Motion by Commissioner Long, seconded by tMPT Longe:
To approve the bond authorizing resolution for the 2024 unlimited tax general obligation bonds as submitted by bond counsel.

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

Nays, None

04-103-24 Ad Hoc Senior/Recreation Center Committee Progress

CM Ecker presented the item. Staff answered questions from the Commission.

Commissioners' comments were as follows:

- While the mandate to create a facility for Next was both more clear and a higher priority, the mandate for creating a community center was less clear. The City should clarify residents' interest in investing in a community center.
- A proposed budget range should be clarified as soon as possible.
- Next made a financial contribution to this project as well.
- The community center aspect of this project was envisioned from the beginning since Next does not require the entirety of the building.
- It was also envisioned, and remains a possibility, that the community center aspect might be maintained by the YMCA with YMCA services.
- The facility could also help meet the present demand for meeting rooms and spaces for community activities.
- Since the entire tax base would be supporting the facility, it was envisioned that at least part of the facility would be available for the entire community's use.
- A budget cannot be devised until it is more clear what the intended building uses would be.
- The first goal should say community/senior center, as opposed to senior/community center.
- Alternatively, it would be more appropriate to leave the first goal as referencing a senior/community center in order to acknowledge that Next contributed funding and that the senior center aspect of the project is a priority.
- If the SCC believes that the project timeline should be extended at any point, it should communicate that belief to the Commission.
- It might be more appropriate to seek architects with different specialties to propose different options for the facility.
- Going through an RFQ process first for architects will be beneficial. It will be difficult for architects to answer an RFP without knowing the budget of the project.

Public Comment

Daniel Share, Chair of the SCC, commented on the SCC's work thus far.

Cris Braun, Director of Next, commented on the timing of Next's tenancy at Midvale and the timing of the YMCA's tenancy at 400 E. Lincoln.

Kelly Stubbe, Executive Director of the Birmingham YMCA, commented on the YMCA's continued operations in the City.

MOTION:

Motion by Commissioner Long, seconded by tMPT Longe:

To approve the vision statement, goals and objectives, and the project timeline for the senior/recreation center as recommended by the Ad Hoc Senior/Recreation Center Committee for the planning and development of a senior/recreation center at 400 E. Lincoln.

ROLL CALL VOTE: Ayes, Commissioner Baller

tMPT Longe
Commissioner Haig
Commissioner Host
Mayor McLain
Commissioner Long

Nays, None

04-104-24 Advisory Parking Committee (APC) Letter of Concerns

CM Ecker presented the item. Staff answered questions from the Commission.

Commissioners' comments were as follows:

- It might be appropriate to revise the APC's responsibilities and goals.
- The Commission values the APC's work.
- It was beneficial that the APC was communicating their concerns to the Commission. The City would benefit from an engaged, knowledgeable, and thorough APC.
- The APC and Commission should receive regular reporting on parking. Any proposed changes to parking operations should be commented on by the APC.
- The City Attorney should propose revised language to reflect changes to the APC's responsibility and goals.
- There are sometimes conflicting interests between certain APC members and proposals brought before the APC. Any revision of the APC's responsibility, goals, and composition should take that dynamic into consideration.

MOTION:

Motion by Commissioner Long, seconded by Commissioner Host:

To direct appropriate City staff to amend or revise the APC's role in the City of Birmingham's parking system, and to present those revised guidelines to the Commission once work has been done with the APC and staff for Commission review and make comment. In regards to review by resolution or ordinance, leave that decision or recommendation to City staff or the City Attorney and bring that along with the new proposal.

Commissioners' comments were as follows:

- This process should be used as a template for other boards and committees that may need to update their guiding documentation as well.
- The APC and Commission should receive regular reports on parking system maintenance, improvements, operations, usage, and financials.
- The APC should provide comment on all changes regarding the physical plan, technology, pricing, and other parking and parking enforcement policies.
- Any parking matters being brought to the Commission should be accompanied by a recommendation from the APC.
- It would be beneficial for the APC and staff to work together on their proposed changes to the APC's role, with the understanding that the final decision regarding the APC's role would rest with the Commission.
- The APC's recommendations should be data-driven.

Public Comment

It was noted that the remainder of the agenda would be completed before entering into closed session.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Host:
To meet in closed session to discuss the periodic personnel evaluation of City Manager Ecker and to discuss pending litigation regarding Yasamin Aziz, et al v City of Birmingham, Oakland County Circuit Court Case No. 2024-206496-NZ, Honorable Phyllis C. McMillen pursuant to MCL § 15.268 Sec. 8(1)(a) and (e) of the Open Meetings Act respectively.

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

Nays, None

The Commission entered into closed session at 11:24 p.m. and returned from closed session at 12:28 a.m.

04-106-24 Action Resulting from Closed Session

MOTION: Motion by Commissioner Baller, seconded by Commissioner Haig:
To engage in a proposal for legal services that has been given by Audrey Forbush from Plunkett Cooney, that the Commission agree and allow the City Manager to sign a legal service agreement for defense of the last lawsuit that was filed regarding the case of Yasamin Aziz, et al v City of Birmingham, Oakland County Circuit Court Case No. 2024-206496-NZ before the Honorable Phyllis C. McMillen.

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

Nays, None

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

A. Shirley & Arlington Letters
Commissioner Baller recused himself due to his residence in the project area and left the room at 10:54 p.m.

Jim Mirro commented on Shirley and Arlington.

Staff provided guidance during the discussion.

Commissioners' comments were as follows:

- Regarding the proposed sewer and water updates and road improvements for Arlington and Shirley, the City Engineer should request bid proposals for plans calling for full excavation and road reconstruction and plans calling for Horizontal Directional Drilling (HDD) and cape seal repair. Upon receipt of these bids, the City Engineer should present to the Commission a detailed comparison of cost, time, and bidder qualifications, and make a recommendation of the City's preferred way to proceed.
- It would be beneficial for options to be explored.
- Soliciting bids for HDD would require Staff to design the project in two separate ways and to bid each proposal. It would also require changes to the prior enabling motion of the project.
- Staff has previously indicated why HDD would not be appropriate for this particular project.
- The prior enabling motion for this project prioritizes the health, safety, and welfare of the community.
- Some residents may continue to be frustrated if they feel that the City has inadequately explored opportunities for cost savings.

Commissioner Baller rejoined the meeting at 11:20 p.m.

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Parks And Recreation Board
- B. Commissioner Comments

The Mayor said she attended two different centenarians' birthdays and met a third centenarian. She noted that Birmingham was recognized as a Tree City for 2023. She noted that she and CM Ecker met with State Representative Haley Stevens regarding the senior/recreation center and other projects in the community.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
 - 1. Cable Board Report Update
- D. Legislation
- E. City Staff
 - 1. Police Department Annual Report

Commissioners Baller and Haig acknowledged PC Grewe for the report.

INFORMATION ONLY

XI. ADJOURN

The Commission motioned to adjourn at 12:30 a.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

DRAFT

Birmingham City Commission Minutes
April 15, 2024
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/935151470>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

II. ROLL CALL

City Clerk Bingham called the roll.

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

Absent: None

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

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

Announcements

- Proclamation for Rotary Club 100 years.
- Residents are invited to participate at the Parks and Recreation Board Meeting on Tuesday, May 7 at 6:30 p.m. at the Department of Public Services to provide feedback on preliminary design work for the Booth Park Entry Plaza and Trail Improvements project. Those who cannot attend may still provide feedback during the month of May via an online survey coming soon on Engage Birmingham at engage.bhamgov.org. Sign up to receive notifications about this and other parks and recreation projects at bhamgov.org/enews.
- Please join us for our annual Arbor Day Celebration this month on Arbor Day, Friday, April 26th at 4:15 p.m. near the Quarton Elementary School tennis courts at the corner of Oak Street and N. Glenhurst Drive. We will celebrate our 46th year as a Tree City USA and Quarton School students will participate in a short program and help plant a new tree, a Hackberry, which is native to Michigan. All are welcome to attend and parking is available at Quarton Elementary School for this event only.

Appointments

04-107-24 Housing Board of Appeals

Nadim Yahchouchi was interviewed by the Commission.

There was a discussion regarding potential conflicts of interest and quorum issues. It was requested that staff return with further guidance on the matter.

MOTION: Motion by Commissioner Host, seconded by Commissioner Long:
To postpone the confirmation of the nomination.

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

Nays, None

04-108-24 Public Arts Board

Kristin Lewis was interviewed by the Commission.

MOTION: Nomination by Commissioner Long:
To appoint Kristin Lewis to the Public Arts Board to serve as an alternate member for the remainder of a three-year term to expire January 28, 2025.

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

Nays, None

CC Bingham swore in Ms. Lewis.

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

V. CONSENT AGENDA

04-109-24 Consent Agenda

MOTION: Motion by Commissioner Host, seconded by Commissioner Longe:
To approve the Consent Agenda.

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

Nays, None

- A. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 11, 2024 in the amount of \$790,000.49.
- B. Resolution to support statutory revenue sharing reform and support the adoption of State of Michigan House Bills 4274 and 4275.
- C. Resolution to set the Public Hearing of Necessity of installing new pavement meeting the requirements for assessment, for all properties within the project area on Pierce Alley, from Merrill Street to Pierce Street, and West Maple Alley, from Henrietta Street to Pierce Street on Monday, May 6, 2024 at 7:30 P.M.; and

If necessity is determined on May 6, 2024, to meet on Monday, May 20, 2024, at 7:30 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the new pavement installation meeting the requirements for assessment, for all properties within the project area on Pierce Alley, from Merrill Street to Pierce Street, and West Maple Alley, from Henrietta Street to Pierce Street.

- D. Resolution to set the Public Hearing of Necessity for the road surface cape seal treatment meeting the requirements for assessment, for all properties within the project area on N. Worth Street from Rivenoak to Kennesaw and Knox to Maple, Rosedale Avenue from Oakland to Rivenoak, Oakdale Avenue from Oakland to Ridgedale, Oxford Drive from Madison to Rivenoak, Lawndale Avenue from Madison to Oakland, Chestnut Street from Elm to Adams, Hazel Avenue from Elm to Adams, Worthington Avenue from Southfield to Latham, Wakefield Drive from Southfield to Latham and Latham to Norfolk, and Southlawn Drive from Southfield to Latham on Monday, May 6, 2024, at 7:30 P.M.; and

If necessity is determined on May 6, 2024, to meet on Monday, May 20, 2024, at 7:30 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the new pavement installation meeting the requirements for assessment, for all properties within the project area on N. Worth Street from Rivenoak to Kennesaw and Knox to Maple, Rosedale Avenue from Oakland to Rivenoak, Oakdale Avenue from Oakland to Ridgedale, Oxford Drive from Madison to Rivenoak, Lawndale Avenue from Madison to Oakland, Chestnut Street from Elm to Adams, Hazel Avenue from Elm to Adams, Worthington

Avenue from Southfield to Latham, Wakefield Drive from Southfield to Latham and Latham to Norfolk, and Southlawn Drive from Southfield to Latham.

VI. CITY MANAGER'S REPORT

CM Ecker and CE Coatta presented information regarding the City's infrastructure improvement process.

CM Ecker then presented the City Manager's report. Staff answered informational questions from the Commission.

Commissioners' comments were as follows:

- Future parking reports should reflect when each deck is most full and the time at which that occurs, information on permits, an abbreviated profits and loss statement, and an eventual future comparison of the parking system finances under SP+ versus under the City's management.
- There might be a way to standardize the input data for these reports to get a readable graphic out.
- There are many board and committee vacancies and an application for the positions is available online.
- In the interest of community safety, the City regularly inspects trees and removes damaged and/or otherwise unsafe ones.
- The City Manager deserved commendation for visiting the Multi Modal Transportation Board to thank them for their service and to seek their input.
- The City complies with and regularly exceeds the minimum legal noticing requirements, and residents with further questions are encouraged to contact the City for further information.
- Minutes and recordings of meetings are also available online for public review, and residents with any questions about specific topics are encouraged to review those sources as well.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

04-110-24 Public Hearing – 34244 Woodward – Papa Joe's/Bistro Joe's – Special Land Use Permit Review

The Mayor opened the public hearing at 8:58 p.m.

PD Dupuis presented the item.

Kelly Allen, attorney, spoke on behalf of Tony Curtis, owner of Papa Joe's/Bistro Joe's.

Seeing no public comment, the Mayor closed the public hearing at 9:04 p.m.

Staff answered informational questions from the Commission.

Commissioners' comments were as follows:

- Mr. Curtis' explanation was satisfactory, and since Papa Joe's/Bistro Joe's had not been cited for excess seating before, a Memorandum of Understanding may not be necessary.
- The discussion of a Memorandum of Understanding and the site visit seem to have communicated the seriousness of the concern to Papa Joe's/Bistro Joe's management.
- This citation was for a significant number of excess seats.
- During the Covid-19 pandemic, Papa Joe's/Bistro Joe's was in front of the Commission for other issues, and so it would be most appropriate to proceed with a Memorandum of Understanding.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Host:
To add the Memorandum of Understanding to the Special Land Use Permit for Bistro Joe's/Papa Joes.

Public Comment

Ms. Allen commented regarding the motion.

ROLL CALL VOTE: Ayes, Commissioner Baller
Commissioner Longe
Commissioner Haig
Commissioner Host

Nays, MPT Schafer
Mayor McLain
Commissioner Long

04-111-24 Public Hearing – 245 S. Eton – Big Rock Italian Chophouse – Special Land Use Permit Amendment, Final Site Plan & Design Review

The Mayor opened the public hearing at 9:21 p.m.

PD Dupuis presented the item.

Mark Knauer, architect, spoke on behalf of Big Rock Italian Chophouse.

Seeing no public comment, the Mayor closed the public hearing at 9:25 p.m.

Staff and Mr. Knauer answered informational questions from the Commission.

MOTION: Motion by Commissioner Long, seconded by Commissioner Host:
To approve the Special Land Use Permit Amendment, Final Site Plan and Design Review application for 245 S. Eton – Big Rock Italian Chophouse.

ROLL CALL VOTE: Ayes, Commissioner Baller
Commissioner Longe

Commissioner Haig
Commissioner Host
MPT Schafer
Mayor McLain
Commissioner Long

Nays, None

04-412-24 Rear Yard Road Assessment from Unimproved to Improved Road Assessment Policy (Part I)

CE Coatta presented the item and staff Commissioner Baller noted that he had been advised that he could participate in this discussion because it pertained to City-wide policy and not Arlington and Shirley in particular.

Commissioners' comments were as follows:

- Equity should be taken into account when considering whether to assess a property with both front and rear frontage on a road being converted from an unimproved road to an improved road.
- It may be appropriate not to assess a property with rear frontage on a road being converted from an unimproved road to an improved road unless said property has a driveway exiting onto said road.
- It might be most appropriate to treat rear frontages on a road being converted from an unimproved road to an improved road the same as side frontages on a road being converted from an unimproved road to an improved road.
- The City should declare the land deeded to the City as being in the right of way at a future meeting.

MOTION:

Motion by Commissioner Host, seconded by Commissioner Haig:

To establish a policy to exempt rear yard frontages for all residential properties from special assessment when the rear yard fronts a road being converted from an unimproved road to an improved road.

Commissioners' comments were as follows:

- Since this policy would apply to so few homes in the City, it may be most prudent to exempt properties from special assessment when the rear yard fronts a road being converted from an unimproved road to an improved road.
- It was not clear how side and rear frontages were being differentiated in this matter. The motion also does not address a possible difference represented by homes with driveway access on both front and rear sides.
- Approving this motion may be creating more inequitable circumstances for people who had previously paid special assessments for corner lot properties.
- The differences in benefits for side or rear yard frontage improvements may warrant different policy treatments. A property with rear driveway access may also warrant a different policy treatment.
- It would be possible for a home to have front, side, and rear frontages on roads being converted from unimproved roads to improved roads at different times.

Commissioner Long
MPT Schafer
Mayor McLain
Commissioner Haig
Commissioner Baller

Nays, None

Commission Discussion On Items From A Prior Meeting

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

A. Shirley & Arlington Letters

Commissioner Baller recused himself due to his residence in the project area and left the room at 10:37 p.m.

Jim Mirro and David Mendelson commented on Shirley and Arlington.

Commissioner Baller rejoined the meeting at 10:45 p.m.

X. REPORTS

A. Commissioner Reports

1. Notice of intention to appoint to the Historic District Study Committee
2. Notice of intention to appoint to the Board of Ethics

B. Commissioner Comments

MPT Schafer noted the Birmingham Youth Assistance 'Youth in Service' Award ceremony would be held on April 24, 2024.

Commissioner Long commented regarding fire safety on Arlington and Shirley and also on the Commission's infrastructure improvement process.

Commissioner Baller recused himself during Commissioner Long's comment due to his residence in the project area and left the room at 10:46 p.m. He rejoined at 10:49 p.m.

The Mayor commented on her conversation with Michigan Secretary of State Benson, the Oakland County election safety tabletop exercise, FirstNet AT&T priority phones, and the discussion of Woodward noise at the South Oakland County Mayors Association Dinner. She encouraged residents to continue their use of the GovAlert app to report concerns.

C. Advisory Boards, Committees, Commissions' Reports and Agendas

- D. Legislation
- E. City Staff

INFORMATION ONLY

XI. ADJOURN

The Commission motioned to adjourn at 10:53 a.m.



Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist

DRAFT

City of Birmingham
Warrant List Dated 04/18/2024

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Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
297471	*	005123	2400 LINCOLN, LLC	13,503.53
297472		009346	ACCUFORM PRINTING & GRAPHICS, INC	203.50
297473		006638	ACTION MAT & TOWEL RENTAL, INC	40.00
297474		BDREFUND	ALEEN DANJOU	100.00
297475		009440	ALLIANCE ENTERTAINMENT, LLC	603.99
297476		BDREFUND	ALLSHIRE BUILDING	200.00
297477		000167	ANDERSON ECKSTEIN WESTRICK INC	37,269.60
297478		BDREFUND	ANTHONY BRANHAM	100.00
297479		000500	ARTECH PRINTING INC	951.00
297480	*	009541	AUGUST, LLC	1,927.39
297481	*	008165	B5 INVESTMENTS, LLC	296.92
297482	*	008708	DAVID BARTLEY	483.50
297483		001532	BIRMINGHAM BLOOMFIELD	1,091.60
297484		BDREFUND	BLUMKE INSTALLATIONS	100.00
297485		003526	BOUND TREE MEDICAL, LLC	315.84
297486		009629	BRANDI LLUNGVALL	89.25
297487		BDREFUND	BYER, GERALD L	100.00
297488	*	MISC	CAMERON CRAWFORD	44.83
297489		BDREFUND	CAPPUSO GUTTERS SIDING & ROOFING	100.00
297490	*	000444	CDW GOVERNMENT INC	837.52
297491	*	008540	CERTIFIED LABORATORIES	445.79
297492		007774	COMCAST BUSINESS	1,278.74
297493		008512	COOL THREADS EMBROIDERY	145.98
297494		009656	CORBIN DESIGN, INC	1,671.25
297495		004386	CYNERGY PRODUCTS	2,443.46
297496		009024	THE D.M. BURR GROUP	4,711.20
297497		009309	DEALER AUTO PARTS	439.95
297498		000233	DEAN SELLERS	311.95
297499	*	000179	DTE ENERGY	449.95
297500	*	000179	DTE ENERGY	20.85
297501	*	000179	DTE ENERGY	1,198.15
297502	*	000179	DTE ENERGY	281.63
297503	*	000179	DTE ENERGY	21.51
297504	*	000179	DTE ENERGY	49.83
297505	*	000179	DTE ENERGY	53.17
297506	*	000180	DTE ENERGY	54,550.02
297507		003806	DTS FLUID POWER LLC	1,202.88
297508		004493	ELITE IMAGING SYSTEMS, INC	767.11
297509		BDREFUND	ESSCO DEVELOPMENT	500.00
297510	*	MISC	ETHAN CRONKITE	81.54
297511		001495	ETNA SUPPLY	4,935.00
297512		000585	FARMINGTON COMM. LIBRARY	5,322.65

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Check Number	Early Release	Vendor #	Vendor	Amount
297513	*	BDREFUND	FERLITO CONSTRUCTION	100.00
297514	*	009307	FLS PROPERTIES #5, LLC	65,789.08
297515		BDREFUND	FOUNDATION AUTHORITY	200.00
297516		BDREFUND	FOUR SEASONS ROOFING & SHEET METAL	100.00
297517		BDREFUND	FULFORD, KAREN	100.00
297518		005347	GMIS INTERNATIONAL	450.00
297519	*	007347	GREAT LAKES AWARDS, LLC	57.00
297520		000249	GA BUSINESS PURCHASER LLC	414.24
297521		BDREFUND	HANTZ, JOHN	200.00
297522	*	MISC	HAYLIE MAY	381.73
297523	*	001956	HOME DEPOT CREDIT SERVICES	155.82
297524		BDREFUND	HOME INSPECTION PLUS INC	100.00
297525		009551	INTERMEDIA. NET INC	769.50
297526		000344	J.T. EXPRESS, LTD.	2,409.00
297527		BDREFUND	James Noeker	200.00
297528	*	MISC	JOSH CAMPEAU	78.54
297529	*	008413	KARANA REAL ESTATE, LLC	754.41
297530		004904	KONICA MINOLTA BUSINESS SOLUTIONS	1,701.45
297531	*	000362	KROGER COMPANY	6.58
297532		003620	LANGUAGE LINE SERVICES INC	139.50
297533		000797	THE LIBRARY NETWORK	1,647.10
297534		009375	LITHIA MOTORS, INC SUPPORT SERVICES	99.00
297535		BDREFUND	LIVE WELL CUSTOM HOME LLC	1,150.00
297536		BDREFUND	LIVE WELL CUSTOM HOMES LLC	400.00
297537		BDREFUND	LYNCH CUSTOM HOMES	2,000.00
297538		003934	MADISON GENERATOR SERVICE INC	339.99
297539		MISC	MARSHA VAN GRAHAM	17.99
297540		009546	MASTERS TELECOM	64.16
297541		BDREFUND	MASTERWORKS CONTRACTING LLC	500.00
297542		009415	SCOTT MCINTYRE	63.78
297543		009628	MICHELLE HISER	210.45
297544		BDREFUND	MICHIGAN ASPHALT PAVING	200.00
297545		009853	MICHIGAN HISTORICAL PRESERVATION NE	140.00
297546		BDREFUND	MICHIGAN MECHANICAL ABATEMENT, INC	500.00
297547		006955	MICTA	100.00
297548		006349	MIDWEST COLLABORATIVE	80.00
297549	*	008356	MIDWEST COMPUTER RESOURCES, INC.	250.00
297550		000230	MIKE SAVOIE CHEVROLET INC	979.25
297551		007163	MOBILE HEALTH RESOURCES	1,544.73
297552		002010	MULTISTATE TRANSMISSIONS	3,952.23
297553	*	009844	MYA BROWN	238.88
297554		BDREFUND	N A MANS & SONS INC	700.00
297555		BDREFUND	NCS CONSTRUCTION SERVICES LLC	300.00

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297556		BDREFUND	OAKES ROOFING SIDING & WINDOWS INC	100.00
297557	*	001686	OAKLAND CO CLERKS ASSOC	80.00
297558	*	000477	OAKLAND COUNTY	534,139.68
297559	*	008712	OAKLAND COUNTY HEALTH DIVISION	69.00
297560	*	004370	OCCUPATIONAL HEALTH CENTERS	1,018.00
297561	*	009478	ODP BUSINESS SOLUTIONS, LLC	143.64
297562		008669	OHM ADVISORS INC	5,962.25
297563		006785	OVERDRIVE, INC.	14,548.53
297564	*	009827	PARKER TECHNOLOGY, LLC	2,605.47
297565		BDREFUND	PCI INDUSTRIES, INC.	300.00
297566		BDREFUND	PERFORMANCE RESIDENTIAL REMODELING	200.00
297567		009612	PLAYAWAY PRODUCTS LLC	58.49
297568		008974	PREMIER PET SUPPLY	58.49
297569		006625	PTS COMMUNICATIONS, INC	78.00
297570		BDREFUND	R S PLBG HTG COOLING INC	1,500.00
297571		002405	R.D. WHITE CO., INC.	1,567.00
297572		BDREFUND	RANDAL E GOLDEN REVOC TRUST	200.00
297573		007252	RAY WIEGAND'S NURSERY INC.	2,996.84
297574		BDREFUND	REIDER, JOHN	100.00
297575		BDREFUND	RHONDA SOBH	200.00
297576		BDREFUND	ROMA CEMENT CO INC	100.00
297577		BDREFUND	SACHSE CONSTRUCTION	1,300.00
297578		BDREFUND	SARNA, SANDEEV	200.00
297579		BDREFUND	SAS SERVICES INC	100.00
297580		BDREFUND	SMOLYANOV HOME IMPROVMENT	100.00
297581		005862	VICTORIA SOWER	56.86
297582	*	009184	SPECTRUM PRINTERS INC	13.74
297583		006783	STATE OF MICHIGAN	30.00
297584		MISC	STEPHEN MANN	8.52
297585		BDREFUND	STEVEN JAMES OLSON	200.00
297586		004544	STRYKER SALES CORPORATION	1,471.35
297587	*	MISC	SUZANNE HATHON	523.71
297588		BDREFUND	SW LUXURY HOMES	2,500.00
297589		005498	KRISTEN TAIT	207.70
297590	*	001076	TAYLOR FREEZER OF MICH INC	325.00
297591		007115	TERMINIX PROCESSING CENTER	1,011.00
297592		000275	TIRE WHOLESALERS CO INC	466.88
297593	*	009552	TRAFFIC & SAFETY CONTROL SYSTEMS	1,901.00
297594	*	004379	TURNER SANITATION, INC	315.00
297595	*	003760	UNUM LIFE INSURANCE CO. OF AMERICA	28,333.21
297596	*	008941	UPTOWN MARKET OF BIRMINGHAM	168.67
297597	*	000293	VAN DYKE GAS CO.	123.20
297598	*	000158	VERIZON WIRELESS	99.76

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Check Number	Early Release	Vendor #	Vendor	Amount
297599	*	000158	VERIZON WIRELESS	1,369.63
297600	*	000158	VERIZON WIRELESS	308.16
297601	*	000158	VERIZON WIRELESS	151.69
297602	*	009806	VFP FIRE SYSTEMS	2,495.00
297603		BDREFUND	WALLSIDE INC	500.00
297604	*	000299	WEINGARTZ SUPPLY CO.	449.25
297605	*	BDREFUND	William Ellis Company	200.00
297606	*	007620	WJE-WISS, JANNEY, ELSTNER ASSOC.INC	73,250.00
297607		005112	WOLVERINE	119.99
297608	*	008391	XEROX CORPORATION	53.89
SUBTOTAL PAPER CHECK				\$913,204.09

ACH TRANSACTION

10451		003708	AIRGAS USA, LLC	393.50
10452	*	009323	ALEXANDRIA BINGHAM	206.97
10453	*	000518	BELL EQUIPMENT COMPANY	1,434.74
10454	*	007345	BEVERLY HILLS ACE	56.75
10455	*	000542	BLUE WATER INDUSTRIAL PRODUCTS INC	297.40
10456		009183	BOB ADAMS TOWING	278.10
10457	*	009122	CLAIRE CHUNG	356.50
10458		000605	CINTAS CORPORATION	491.43
10459	*	000605	CINTAS CORPORATION	178.02
10460		000605	CINTAS CORPORATION	253.28
10461		001367	CONTRACTORS CONNECTION INC	1,152.00
10462		009529	DAVEY RESOURCE GROUP, INC.	2,275.00
10463	*	009557	ZECO, LLC	330.00
10464	*	007359	DETROIT CHEMICAL & PAPER SUPPLY	323.19
10465	*	000565	DORNBOS SIGN & SAFETY INC	2,233.10
10466	*	001230	FIRE SYSTEMS OF MICHIGAN LLC	197.50
10467	*	001672	HAYES PRECISION INC	90.00
10468		001318	HERC RENTALS	1,983.29
10469	*	008378	THE HUNTINGTON NATIONAL BANK	500.00
10470	*	007870	J.C. EHRLICH CO. INC.	65.88
10471		000261	J.H. HART URBAN FORESTRY	26,426.19
10472	*	003458	JOE'S AUTO PARTS, INC.	1,172.81
10473	*	000891	KELLER THOMA	1,031.25
10474	*	004085	KONE INC	3,064.52
10475	*	003527	LOWER HURON SUPPLY CO INC	915.09
10476	*	007856	NEXT	467.64
10477	*	006359	NYE UNIFORM COMPANY	510.90
10478	*	002767	OSCAR W. LARSON CO.	1,273.57
10479	*	003554	RKA PETROLEUM	19,060.13
10480	*	001181	ROSE PEST SOLUTIONS	1,346.00
10481		009347	5C SAFELITE FULFILLMENT, INC	616.24

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Check Number	Early Release	Vendor #	Vendor	Amount
10482		009301	SECURE-CENTRIC INC	3,024.00
10483		009266	US SIGNAL COMPANY LLC	8,681.76
			SUBTOTAL ACH TRANSACTION	\$80,686.75
			GRAND TOTAL	\$993,890.84

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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Meeting of 05/06/2024

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
297609		005430	21ST CENTURY MEDIA- MICHIGAN	917.69
297610	*	008106	ACUSHNET COMPANY	1,336.96
297611	*	009393	AMANDA MCBRIDE	360.00
297612		000500	ARTECH PRINTING INC	98.00
297613	*	006759	AT&T	441.68
297614	*	006759	AT&T	214.71
297615		003703	AT&T MOBILITY	1,240.27
297616		006782	BIBLIOTHECA, LLC	651.90
297617		002231	BILLINGS LAWN EQUIPMENT INC.	562.13
297618		BDREFUND	BOGAERTS II, ALEXANDER V	650.00
297619		003526	BOUND TREE MEDICAL, LLC	105.08
297620	*	006966	BRIDGESTONE GOLF, INC	104.25
297621	*	006953	JACQUELYN BRITO	24.00
297622	*	009078	CANON SOLUTIONS AMERICA INC	5,008.12
297623		000902	CENGAGE LEARNING INC	458.25
297624	*	008006	CLEAR RATE COMMUNICATIONS, INC	1,646.54
297625	*	000627	CONSUMERS ENERGY	9,972.68
297626	*	009815	CULLIGAN OF ANN ARBOR/DETROIT	25.29
297627	*	MISC	DAVID PENNOCK	351.59
297628		BDREFUND	DI PAOLA & REIF CONSTRUCTION CO	100.00
297629		009130	DOG WASTE DEPOT	1,175.64
297630	*	000179	DTE ENERGY	30.79
297631	*	000179	DTE ENERGY	20.00
297632	*	000180	DTE ENERGY	9,586.35
297633	*	007045	DYNAMIC BRANDS	225.00
297634	*	000274	E-Z-GO DIVISION OF TEXTRON INC	8,556.41
297635	*	007366	FIRST ADVANTAGE OCCUPATIONAL CORP	23.77
297636		007314	FLEIS AND VANDENBRINK ENG. INC	4,744.32
297637	*	009387	FRAIBERG & PERNIE PLLC	1,080.00
297638		007016	FRIENDS OF BIRMINGHAM MUSEUM	163.56
297639	*	004604	GORDON FOOD	1,115.97
297640	*	009275	GREAT LAKES COCA-COLA DISTRIBUTION	456.00
297641		MISC	GREAT LAKES MARKING PRODUCTS	110.00
297642	*	008007	GREAT LAKES WATER AUTHORITY	8,328.32
297643	*	006666	GRID 4 COMMUNICATIONS INC.	227.46
297644	*	000726	GUARDIAN ALARM	305.12
297645	*	001956	HOME DEPOT CREDIT SERVICES	1,080.82
297646		009348	HUTSON, INC. OF MICHIGAN	2,474.07
297647	*	MISC	HYLANT	400.00
297648	*	009500	IBM CORPORATION	2,976.00
297649		MISC	INDUSTRIAL STEAM CLEANING	200.00
297650		009855	INVOICE CLOUD	2,500.00

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297651	*	MISC	JENNIFER HASSELL	27.34
297652	*	UBREFUND	JENNIFER MCNULTY	86.04
297653	*	MISC	JERIANNE DAVENPORT	90.00
297654	*	009403	JUSTIN ZAYID	720.00
297655	*	009386	LAW OFFICE OF BRIAN P. FENECH	1,344.00
297656		009375	LITHIA MOTORS, INC SUPPORT SERVICES	2,522.24
297657		009663	MACQUEEN EQUIPMENT, LLC	5,503.44
297658	*	UBREFUND	MADELINE ROURKE	135.06
297659		BDREFUND	MARTIN G VARGO	200.00
297660		000888	MCKENNA ASSOCIATES INC	2,400.00
297661	*	009200	MICHAEL MORRISON	250.00
297662	*	007479	MICHIGAN BREAD BAKERY	68.50
297663		008367	NATIONAL HOSPITALITY INSTITUTE	250.00
297664	*	000668	NATIONAL TIME & SIGNAL CORP	1,556.03
297665	*	000477	OAKLAND COUNTY	1,304.40
297666	*	004370	OCCUPATIONAL HEALTH CENTERS	810.00
297667		008669	OHM ADVISORS INC	542.00
297668		009698	PCI INDUSTRIES, INC	368,299.47
297669	*	009852	PINS AND ACES	130.00
297670	*	002518	PITNEY BOWES INC	219.87
297671		009612	PLAYAWAY PRODUCTS LLC	2,274.29
297672	*	001263	POSITIVE PROMOTIONS INC	1,620.55
297673	*	007797	QUADIENT LEASING USA, INC.	452.97
297674	*	009394	RABAA & NACHAWATI PLLC	360.00
297675		007252	RAY WIEGAND'S NURSERY INC.	271.46
297676	*	002566	REYNOLDS WATER	189.60
297677	*	UBREFUND	SHALHOUB, DEEB	6,648.08
297678	*	009508	SOULLIERE	862.50
297679	*	000260	SPARTAN DISTRIBUTORS INC	614.74
297680	*	MISC	STEPHANIE JETT	130.00
297681	*	MISC	STUART J. STURTON	62.53
297682	*	007695	TEAM GOLF	39.70
297683	*	009384	THE EDITH BLAKNEY LAW FIRM, PLLC	360.00
297684		007226	VALLEY CITY LINEN, INC	48.00
297685	*	000293	VAN DYKE GAS CO.	154.00
297686	*	000158	VERIZON WIRELESS	365.88
297687	*	000158	VERIZON WIRELESS	98.34
297688	*	009806	VFP FIRE SYSTEMS	1,035.00
297689		004497	WATERFORD REGIONAL FIRE DEPT.	188.70
297690	*	009026	WELLS FARGO VENDOR FIN SERV	768.47
297691	*	007620	WJE-WISS, JANNEY, ELSTNER ASSOC.INC	20,260.00
SUBTOTAL PAPER CHECK				\$493,311.94

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Meeting of 05/06/2024

Check Number	Early Release	Vendor #	Vendor	Amount
10492	*	002284	ABEL ELECTRONICS INC	315.00
10493	*	008655	ANGELO IAFRATE CONSTRUCTION	8,400.00
10494	*	009383	BATTI LAW PLLC	516.00
10495		009326	CAPFINANCIAL PARTNERS, LLC	22,500.00
10496		000605	CINTAS CORPORATION	195.85
10497		000605	CINTAS CORPORATION	25.88
10498	*	000605	CINTAS CORPORATION	129.64
10499		001750	COMERICA BANK	1,470.58
10499		001750	COMERICA BANK	303,995.09
10500		003176	COMERICA BANK - RHC	739.83
10500		003176	COMERICA BANK - RHC	98,930.19
10501		002668	CONTRACTORS CLOTHING CO	3,400.08
10502	*	009195	CROWN CASTLE FIBER LLC	4,599.95
10503	*	009557	ZECO, LLC	550.00
10504	*	009181	DELTA TEMP SERVICES INC	668.00
10505	*	007538	EGANIX, INC.	720.00
10506		004574	FAIR-WAY TILE & CARPET, INC.	310.00
10507		000213	FIRE DEFENSE EQUIP CO INC	97.72
10507	*	000213	FIRE DEFENSE EQUIP CO INC	190.33
10508	*	000243	GRAINGER	1,151.17
10509		008293	GRAINGER, INC	82.92
10510		007927	MICHELLE HOLLO	866.25
10511		000331	HUBBELL ROTH & CLARK INC	36,157.32
10512	*	003824	THOMAS I. HUGHES	1,528.00
10513	*	009390	IDUMESARO LAW FIRM, PLLC	864.00
10514	*	002576	JAX KAR WASH	57.00
10515	*	009298	JCR SUPPLY INC	363.27
10516	*	007244	CHRISTOPHER JUDKINS	251.00
10517	*	008827	KANOPY, INC	449.65
10518	*	007096	CANDACE KUK-LAFERLE	329.00
10519	*	009385	LAW OFFICE OF MICHAEL J. DICK	360.00
10520	*	005550	LEE & ASSOCIATES CO., INC.	4,662.14
10521		002013	MIDWEST TAPE	10,739.05
10522		008336	NBS COMMERCIAL INTERIORS	5,704.75
10523	*	001194	NELSON BROTHERS SEWER	357.00
10524	*	009706	NORTHSTAR MAT SERVICE	299.74
10525	*	006359	NYE UNIFORM COMPANY	11.00
10526	*	009395	ORLANDO LAW PRACTICE PC	144.00
10527	*	009820	PLUNKETT COONEY	651.25
10528	*	001181	ROSE PEST SOLUTIONS	189.00
10529	*	009603	SERV-ICE REFRIGERATION, INC	822.88
10530		000254	SOCRRA	76,801.00
10531	*	001097	SOCWA	10,650.00

City of Birmingham
Warrant List Dated 04/25/2024

Meeting of 05/06/2024

Check Number	Early Release	Vendor #	Vendor	Amount
10532		009625	STANTEC CONSULTING SERVICES	13,141.20
10533		005861	UNIQUE MGMT SERVICE, INC	41.20
10534		008711	VOLVIK USA	1,432.40
10534	*	008711	VOLVIK USA	(153.90)
10535	*	009379	YELLOW DOOR LAW	7,368.00
SUBTOTAL ACH TRANSACTION				\$623,074.43
GRAND TOTAL				\$1,116,386.37

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



Mark Gerber
Finance Director/ Treasurer

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

City of Birmingham
Warrant List Dated 05/01/2024

Meeting of 05/06/2024

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
297692		005430	21ST CENTURY MEDIA- MICHIGAN	798.50
297692	*	005430	21ST CENTURY MEDIA- MICHIGAN	1,687.25
297693		001286	50TH DISTRICT COURT	200.00
297694	*	006965	7UP DETROIT	135.00
297695	*	009346	ACCUFORM PRINTING & GRAPHICS, INC	680.00
297696	*	008106	ACUSHNET COMPANY	3,206.86
297697		009801	ASSOCIATION OF MIDWEST MUSEUMS	682.00
297698	*	006759	AT&T	421.62
297699	*	006759	AT&T	3,889.98
297700		009568	BEDROCK EXPRESS LTD	1,406.16
297701		003692	BEST TECHNOLOGY SYS INC	1,600.00
297702	*	002231	BILLINGS LAWN EQUIPMENT INC.	2,150.94
297703	*	009860	BOB'S SANITATION SERVICE, INC.	1,100.00
297704	*	006520	BS&A SOFTWARE, INC	1,978.00
297705	*	003904	CAPITAL ONE BANK	993.90
297707		007732	CAPITAL TIRE, INC.	1,223.12
297708		000595	CARRIER & GABLE INC	1,313.00
297709		000902	CENGAGE LEARNING INC	111.16
297710	*	000627	CONSUMERS ENERGY	372.16
297711	*	009145	CREATIVE COLLABORATIONS	3,800.00
297712		009309	DEALER AUTO PARTS	164.97
297713	*	000190	DOWNRIVER REFRIGERATION	435.28
297714	*	000179	DTE ENERGY	7,216.45
297715	*	000179	DTE ENERGY	216.11
297716	*	000179	DTE ENERGY	2,036.24
297717	*	000179	DTE ENERGY	52.84
297718	*	000179	DTE ENERGY	282.40
297719	*	000179	DTE ENERGY	7,254.41
297720	*	000179	DTE ENERGY	2,005.71
297721	*	000179	DTE ENERGY	5,674.40
297722	*	000179	DTE ENERGY	2,861.21
297723	*	000179	DTE ENERGY	17.63
297724	*	000179	DTE ENERGY	1,780.38
297725	*	000179	DTE ENERGY	46.38
297726	*	000179	DTE ENERGY	18.49
297727	*	000179	DTE ENERGY	23.27
297728	*	000179	DTE ENERGY	19.96
297729	*	000179	DTE ENERGY	495.81
297730	*	000179	DTE ENERGY	178.19
297731	*	000179	DTE ENERGY	60.19
297732	*	000179	DTE ENERGY	27.68
297733	*	000179	DTE ENERGY	140.00

City of Birmingham
Warrant List Dated 05/01/2024

Meeting of 05/06/2024

Check Number	Early Release	Vendor #	Vendor	Amount
297734		000179	DTE ENERGY	17.63
297735		006654	FLEETPRIDE INC	111.30
297736	*	004604	GORDON FOOD	929.13
297737		000249	GA BUSINESS PURCHASER LLC	50.00
297738	*	007458	HERITAGE - CRYSTAL CLEAN, LLC	2,990.43
297739	*	001956	HOME DEPOT CREDIT SERVICES	260.47
297740	*	009857	JACLYN MILLER	743.04
297741	*	004088	KGM DISTRIBUTORS INC	439.00
297742	*	MISC	KHALIL, JAD	1,489.60
297743	*	002659	CHRISTOPHER KOCH	230.85
297744		000797	THE LIBRARY NETWORK	656.00
297745		009375	LITHIA MOTORS, INC SUPPORT SERVICES	867.99
297746	*	000888	MCKENNA ASSOCIATES INC	42,255.75
297747		006349	MIDWEST COLLABORATIVE	80.00
297748		008319	MKSK INC	2,541.25
297749		MISC	NATIVE CONNECTIONS	177.00
297750	*	004370	OCCUPATIONAL HEALTH CENTERS	675.00
297751	*	009478	ODP BUSINESS SOLUTIONS, LLC	392.92
297752	*	009856	PEN.COM	523.40
297753	*	009852	PINS AND ACES	130.00
297754		009614	PROGRESSIVE PLUMBING SUPPLY CO	33.03
297755		004137	R & R FIRE TRUCK REPAIR INC	12,576.91
297756	*	008342	RAIN MASTER CONTROL SYSTEMS	38.85
297757		MISC	RAJESH SHAH	15.40
297758	*	002806	SAM'S CLUB/SYNCHRONY BANK	489.97
297759	*	009009	SIGNATURE CLEANING LLC	4,937.99
297760	*	008073	SITEONE LANDSCAPE SUPPLY, INC	368.24
297761		000260	SPARTAN DISTRIBUTORS INC	1,515.50
297762	*	009274	STATE OF MICHIGAN- DETROIT	27.37
297763		000275	TIRE WHOLESALERS CO INC	385.62
297764	*	004379	TURNER SANITATION, INC	970.00
297765	*	007226	VALLEY CITY LINEN, INC	48.00
297766	*	000293	VAN DYKE GAS CO.	154.00
SUBTOTAL PAPER CHECK				\$135,879.29

ACH TRANSACTION

10543	*	000517	BEIER HOWLETT PC	38,868.00
10544	*	007345	BEVERLY HILLS ACE	24.26
10545	*	003282	LISA MARIE BRADLEY	462.00
10546		000605	CINTAS CORPORATION	233.37
10547		000605	CINTAS CORPORATION	45.88
10548	*	000605	CINTAS CORPORATION	48.24
10549		000605	CINTAS CORPORATION	374.89
10550		002234	CMP DISTRIBUTORS INC	590.00

City of Birmingham
Warrant List Dated 05/01/2024

Meeting of 05/06/2024

Check Number	Early Release	Vendor #	Vendor	Amount
10551		001367	CONTRACTORS CONNECTION INC	222.60
10552		009181	DELTA TEMP SERVICES INC	1,135.07
10552	*	009181	DELTA TEMP SERVICES INC	1,548.85
10553	*	007359	DETROIT CHEMICAL & PAPER SUPPLY	154.71
10554	*	000565	DORNBOS SIGN & SAFETY INC	558.84
10555		003801	JANA ECKER	500.00
10556		007684	ELITE TRAUMA CLEAN-UP INC.	70.00
10557	*	001230	FIRE SYSTEMS OF MICHIGAN LLC	1,803.25
10558		009697	FLOCK GROUP INC	3,750.00
10559		002532	GOLLING CHRYSLER JEEP DODGE INC	2,036.33
10560	*	000243	GRAINGER	70.16
10561		001318	HERC RENTALS	2,135.53
10562		000331	HUBBELL ROTH & CLARK INC	4,571.09
10563		000261	J.H. HART URBAN FORESTRY	54,148.51
10564	*	003458	JOE'S AUTO PARTS, INC.	203.54
10565	*	007827	HAILEY R KASPER	833.00
10566		001864	NOWAK & FRAUS ENGINEERS	120,772.00
10567	*	006359	NYE UNIFORM COMPANY	560.45
10568	*	000478	ROAD COMM FOR OAKLAND CO	1,022.07
10569	*	001181	ROSE PEST SOLUTIONS	134.00
10570	*	005759	SCHEMA ROOFING & SHEET METAL CO INC	875.00
10571		005787	SOUTHEASTERN EQUIPMENT CO. INC	1,136.68
10572	*	002037	TOTAL ARMORED CAR SERVICE, INC.	281.45
10573	*	004887	TRUCK & TRAILER SPECIALTIES INC	1,264.30
SUBTOTAL ACH TRANSACTION				\$240,434.07
GRAND TOTAL				\$376,313.36

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

Treasury

DATE: May 6, 2024

TO: Jana L. Ecker, City Manager

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

SUBJECT: Delinquent Special Assessments/Invoices to the Tax Roll

INTRODUCTION:

By City ordinance, special assessments and other invoices shall be transferred to the following year's tax roll.

BACKGROUND:

As provided in the Birmingham City Code delinquent, unpaid special assessments and invoices shall be transferred to the subsequent year tax roll. Attached is a listing of those special assessments and invoices that have been determined to be delinquent. This listing includes penalties and interest as of May 1, 2024 and will be placed on the 2024 City tax roll.

LEGAL REVIEW:

No legal review is required.

FISCAL IMPACT:

The unpaid accounts are detailed on the attached listing and represent a cumulative total of **\$296,241.91** including interest and penalties as of May 1, 2024.

SUSTAINABILITY:

N/A

PUBLIC COMMUNICATIONS:

During the month of May 2024, property owners with delinquent special assessments and invoices will be notified of their account status and provided with a deadline to pay the unpaid balance prior to the assessment of the penalty and transfer to the tax roll.

SUMMARY:

The City Commission is requested to direct the Treasurer to transfer the delinquent special assessments and invoices, including interest and penalties, to the 2024 tax roll and to authorize the removal from the list any bill paid after City Commission approval.

ATTACHMENTS:

- Delinquent Special Assessment/Invoice tax roll

SUGGESTED COMMISSION ACTION:

Make a motion adopting the following resolution:

WHEREAS, the City Treasurer, in accordance with the provisions in the City Code has reported certain special assessments and invoices, including interest and penalty, unpaid and delinquent on May 1, 2024, and

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

NOW THEREFORE BE IT RESOLVED, that the listing of unpaid and delinquent special assessments and invoices, including interest and penalty, be transferred and reassessed to the 2024 City tax roll with an additional 15% penalty and authorization be given to remove from the list any bills paid after Commission approval.

District	Name	Parcel #	Installment	15% Penalty	Total
SAD872	VILLA PAVING	08-20-31-102-021	\$ 1,086.59	\$ 162.99	\$ 1,249.58
SAD872	VILLA PAVING	08-20-31-127-012	\$ 1,180.20	\$ 177.03	\$ 1,357.23
SAD872	VILLA PAVING	08-20-31-127-016	\$ 1,098.60	\$ 164.79	\$ 1,263.39
SAD872	VILLA PAVING	08-20-31-127-021	\$ 1,107.61	\$ 166.14	\$ 1,273.75
SAD872	VILLA PAVING	08-20-31-103-010	\$ 1,107.61	\$ 166.14	\$ 1,273.75
SAD872	VILLA PAVING	08-20-31-103-012	\$ 1,067.41	\$ 160.11	\$ 1,227.52
SAD872	VILLA PAVING	08-20-31-103-019	\$ 1,111.62	\$ 166.74	\$ 1,278.36
SAD859	N ETON SEWER LATERALS	08-20-30-381-027	\$ 5.05	\$ 0.76	\$ 5.81
SAD864A	ALLEY PAVING-HAMILTON TO PARK ST	08-19-25-456-001	\$ 1,439.58	\$ 215.94	\$ 1,655.52
SAD866	OAK STREET SEWER LATERALS	08-19-26-401-016	\$ 170.71	\$ 25.61	\$ 196.32
SAD871	CATALPA SEWER LATERALS	08-19-36-452-005	\$ 229.82	\$ 34.47	\$ 264.29
SAD873	HAMILTON AVE SEWER LATERALS	08-19-25-454-008	\$ 285.23	\$ 42.78	\$ 328.01
SAD873	HAMILTON AVE SEWER LATERALS	08-19-25-456-001	\$ 285.23	\$ 42.78	\$ 328.01
SAD874A	HAMILTON AVE SIDEWALK/STREETSCAPE	08-19-25-454-008	\$ 503.38	\$ 75.51	\$ 578.89
SAD874A	HAMILTON AVE SIDEWALK/STREETSCAPE	08-19-25-456-001	\$ 1,672.13	\$ 250.82	\$ 1,922.95
SAD874A	HAMILTON AVE SIDEWALK/STREETSCAPE	08-19-25-456-007	\$ 1,781.54	\$ 267.23	\$ 2,048.77
SAD880	OLD WOODWARD SEWER LATERALS	08-19-36-201-014	\$ 722.33	\$ 108.35	\$ 830.68
SAD880W	OLD WOODWARD WATER LATERALS	08-19-36-201-014	\$ 432.46	\$ 64.87	\$ 497.33
SAD881	OLD WOODWARD STREETSCAPE ENHANCEMNT	08-19-36-201-014	\$ 3,716.43	\$ 557.46	\$ 4,273.89
SAD881	OLD WOODWARD STREETSCAPE ENHANCEMNT	08-19-25-456-001	\$ 3,634.30	\$ 545.15	\$ 4,179.45
SAD893	LAKEVIEW AVENUE PAVING	08-19-25-301-006	\$ 1,543.01	\$ 231.45	\$ 1,774.46
SAD893	LAKEVIEW AVENUE PAVING	08-19-26-427-020	\$ 3,050.44	\$ 457.57	\$ 3,508.01
SAD893	LAKEVIEW AVENUE PAVING	08-19-26-427-027	\$ 1,429.96	\$ 214.49	\$ 1,644.45
SAD893	LAKEVIEW AVENUE PAVING	08-19-26-427-034	\$ 1,505.73	\$ 225.86	\$ 1,731.59
SAD893S	LAKEVIEW SEWER LATERAL	08-19-26-427-020	\$ 229.60	\$ 34.44	\$ 264.04
SAD893S	LAKEVIEW SEWER LATERAL	08-19-25-301-002	\$ 220.41	\$ 33.06	\$ 253.47
SAD894	GRANT ST PAVING SEWER LATERALS	08-19-36-403-013	\$ 544.76	\$ 81.71	\$ 626.47
SAD863	CUMMINGS ST PAVING	08-19-36-479-008	\$ 653.65	\$ 98.05	\$ 751.70
SAD865	SEWER LATERALS	08-19-36-379-017	\$ 157.27	\$ 23.59	\$ 180.86
SAD865	SEWER LATERALS	08-19-36-353-023	\$ 187.50	\$ 28.13	\$ 215.63
SAD867A	HAMILTON ALLEY SEWER LATERALS	08-19-25-456-007	\$ 19.72	\$ 2.96	\$ 22.68
SAD876	WEBSTER STREET SEWER LATERALS	08-20-31-178-046	\$ 93.14	\$ 13.97	\$ 107.11
SAD876	WEBSTER STREET SEWER LATERALS	08-20-31-154-015	\$ 192.00	\$ 28.80	\$ 220.80
SAD876	WEBSTER STREET SEWER LATERALS	08-20-31-154-017	\$ 181.03	\$ 27.15	\$ 208.18
SAD877	VILLA SEWER LATERALS	08-20-31-127-016	\$ 354.73	\$ 53.21	\$ 407.94
SAD877	VILLA SEWER LATERALS	08-20-31-127-021	\$ 381.33	\$ 57.20	\$ 438.53
SAD883S	2018 SEWER LATERALS LOCAL STREETS	08-19-36-403-018	\$ 212.46	\$ 31.87	\$ 244.33
SAD883W	2018 WATER LATERALS LOCAL STREETS	08-19-36-403-018	\$ 96.19	\$ 14.43	\$ 110.62
SAD891	QUARTON LAKE SEWER LATERALS	08-19-26-177-010	\$ 134.46	\$ 20.17	\$ 154.63
SAD891	QUARTON LAKE SEWER LATERALS	08-19-26-178-006	\$ 268.91	\$ 40.34	\$ 309.25
SAD891	QUARTON LAKE SEWER LATERALS	08-19-26-178-007	\$ 82.67	\$ 12.40	\$ 95.07
SAD895S	TOWNSEND ST SEWER	08-19-36-135-053	\$ 15.32	\$ 2.30	\$ 17.62
SAD895S	TOWNSEND ST SEWER	08-19-36-135-060	\$ 15.32	\$ 2.30	\$ 17.62
SAD896	MAPLE ROAD STREETSCAPE	08-19-25-456-035	\$ 4,484.83	\$ 672.72	\$ 5,157.55
SAD896	MAPLE ROAD STREETSCAPE	08-19-25-456-037	\$ 14,023.54	\$ 2,103.53	\$ 16,127.07
SAD898S	WESTWOOD SEWER LATERALS	08-19-26-176-003	\$ 243.72	\$ 36.56	\$ 280.28
SAD898S	WESTWOOD SEWER LATERALS	08-19-26-177-001	\$ 258.95	\$ 38.84	\$ 297.79
SAD898S	WESTWOOD SEWER LATERALS	08-19-26-176-007	\$ 121.86	\$ 18.28	\$ 140.14
SAD898W	WESTWOOD WATER LATERALS	08-19-26-177-004	\$ 25.39	\$ 3.81	\$ 29.20
SAD899	2022 CAPE SEAL	08-20-31-382-012	\$ 311.73	\$ 46.76	\$ 358.49
SAD899	2022 CAPE SEAL	08-20-31-329-021	\$ 180.02	\$ 27.00	\$ 207.02
SAD899	2022 CAPE SEAL	08-20-31-380-005	\$ 191.71	\$ 28.76	\$ 220.47
SAD899	2022 CAPE SEAL	08-20-31-378-010	\$ 216.71	\$ 32.51	\$ 249.22

SAD899	2022 CAPE SEAL	08-20-31-376-017	\$ 220.10	\$ 33.02	\$ 253.12
SAD899	2022 CAPE SEAL	08-20-31-379-003	\$ 226.71	\$ 34.01	\$ 260.72
SAD899	2022 CAPE SEAL	08-20-31-329-004	\$ 506.78	\$ 76.02	\$ 582.80
SAD899	2022 CAPE SEAL	08-20-31-377-014	\$ 283.40	\$ 42.51	\$ 325.91
SAD899	2022 CAPE SEAL	08-20-31-377-012	\$ 365.52	\$ 54.83	\$ 420.35
SAD899	2022 CAPE SEAL	08-20-31-377-011	\$ 283.40	\$ 42.51	\$ 325.91
SAD899	2022 CAPE SEAL	08-20-31-377-010	\$ 533.44	\$ 80.02	\$ 613.46
SAD899	2022 CAPE SEAL	08-20-31-354-048	\$ 232.38	\$ 34.86	\$ 267.24
SAD899	2022 CAPE SEAL	08-20-31-354-054	\$ 243.72	\$ 36.56	\$ 280.28
SAD899	2022 CAPE SEAL	08-20-31-356-007	\$ 255.05	\$ 38.26	\$ 293.31
SAD899	2022 CAPE SEAL	08-20-31-356-009	\$ 226.71	\$ 34.01	\$ 260.72
SAD899	2022 CAPE SEAL	08-20-31-329-005	\$ 606.46	\$ 90.97	\$ 697.43
SAD899	2022 CAPE SEAL	08-20-31-328-016	\$ 430.75	\$ 64.61	\$ 495.36
SAD899	2022 CAPE SEAL	08-20-31-329-006	\$ 453.43	\$ 68.01	\$ 521.44
SAD899	2022 CAPE SEAL	08-20-31-332-010	\$ 230.05	\$ 34.51	\$ 264.56
SAD899	2022 CAPE SEAL	08-20-31-376-007	\$ 340.07	\$ 51.01	\$ 391.08
SAD899	2022 CAPE SEAL	08-20-31-331-025	\$ 283.40	\$ 42.51	\$ 325.91
SAD899	2022 CAPE SEAL	08-20-31-331-026	\$ 283.40	\$ 42.51	\$ 325.91
SAD899	2022 CAPE SEAL	08-20-31-331-005	\$ 294.73	\$ 44.21	\$ 338.94
SAD899	2022 CAPE SEAL	08-20-31-331-007	\$ 294.73	\$ 44.21	\$ 338.94
SAD899	2022 CAPE SEAL	08-20-31-329-016	\$ 357.07	\$ 53.56	\$ 410.63
SAD899	2022 CAPE SEAL	08-20-31-329-017	\$ 481.76	\$ 72.26	\$ 554.02
SAD899	2022 CAPE SEAL	08-20-31-331-010	\$ 283.40	\$ 42.51	\$ 325.91
SAD899	2022 CAPE SEAL	08-20-31-331-011	\$ 272.05	\$ 40.81	\$ 312.86
SAD899	2022 CAPE SEAL	08-20-31-332-011	\$ 306.06	\$ 45.91	\$ 351.97
SAD899	2022 CAPE SEAL	08-20-31-377-005	\$ 283.40	\$ 42.51	\$ 325.91
SAD899	2022 CAPE SEAL	08-20-31-378-002	\$ 379.75	\$ 56.96	\$ 436.71
SAD899	2022 CAPE SEAL	08-20-31-382-008	\$ 311.73	\$ 46.76	\$ 358.49
SAD899	2022 CAPE SEAL	08-20-31-381-009	\$ 345.74	\$ 51.86	\$ 397.60
SAD899	2022 CAPE SEAL	08-20-31-382-009	\$ 311.73	\$ 46.76	\$ 358.49
SAD899	2022 CAPE SEAL	08-20-31-380-006	\$ 544.12	\$ 81.62	\$ 625.74
SAD899	2022 CAPE SEAL	08-20-31-380-010	\$ 470.43	\$ 70.56	\$ 540.99
SAD899	2022 CAPE SEAL	08-20-31-383-010	\$ 442.09	\$ 66.31	\$ 508.40
SAD899	2022 CAPE SEAL	08-20-31-383-011	\$ 396.75	\$ 59.51	\$ 456.26
SAD899	2022 CAPE SEAL	08-20-31-385-001	\$ 483.93	\$ 72.59	\$ 556.52
SAD899	2022 CAPE SEAL	08-20-31-382-025	\$ 340.07	\$ 51.01	\$ 391.08
SAD899	2022 CAPE SEAL	08-20-31-382-026	\$ 345.74	\$ 51.86	\$ 397.60
SAD899	2022 CAPE SEAL	08-20-31-326-003	\$ 4,728.45	\$ 709.27	\$ 5,437.72
SAD899	2022 CAPE SEAL	08-20-31-330-011	\$ 283.40	\$ 42.51	\$ 325.91
SAD899	2022 CAPE SEAL	08-20-31-330-012	\$ 508.44	\$ 76.27	\$ 584.71
SAD899	2022 CAPE SEAL	08-20-31-329-011	\$ 311.73	\$ 46.76	\$ 358.49
SAD899	2022 CAPE SEAL	08-20-31-331-003	\$ 289.06	\$ 43.36	\$ 332.42
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-454-008	\$ 1,199.17	\$ 179.88	\$ 1,379.05
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-456-001	\$ 7,206.83	\$ 1,081.02	\$ 8,287.85
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-456-007	\$ 3,762.04	\$ 564.31	\$ 4,326.35
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-456-035	\$ 8,296.58	\$ 1,244.49	\$ 9,541.07
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-128-006	\$ 2,828.61	\$ 424.29	\$ 3,252.90
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-134-006	\$ 18,663.29	\$ 2,799.49	\$ 21,462.78
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-138-003	\$ 11,139.67	\$ 1,670.95	\$ 12,810.62
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-138-007	\$ 18,663.29	\$ 2,799.49	\$ 21,462.78
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-201-014	\$ 5,817.50	\$ 872.63	\$ 6,690.13
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-202-017	\$ 10,142.28	\$ 1,521.34	\$ 11,663.62
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-202-018	\$ 18,663.29	\$ 2,799.49	\$ 21,462.78
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-204-016	\$ 747.32	\$ 112.10	\$ 859.42
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-205-043	\$ 5,550.68	\$ 832.60	\$ 6,383.28

SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-129-010	\$ 9,227.60	\$ 1,384.14	\$ 10,611.74
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-179-002	\$ 1,164.71	\$ 174.71	\$ 1,339.42
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-328-005	\$ 442.89	\$ 66.43	\$ 509.32
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-328-006	\$ 551.40	\$ 82.71	\$ 634.11
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-328-009	\$ 625.09	\$ 93.76	\$ 718.85
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-328-014	\$ 2,227.30	\$ 334.10	\$ 2,561.40
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-328-026	\$ 337.97	\$ 50.70	\$ 388.67
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-328-027	\$ 335.72	\$ 50.36	\$ 386.08
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-328-028	\$ 335.72	\$ 50.36	\$ 386.08
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-328-030	\$ 895.26	\$ 134.29	\$ 1,029.55
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-328-031	\$ 671.45	\$ 100.72	\$ 772.17
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-328-032	\$ 335.72	\$ 50.36	\$ 386.08
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-25-483-031	\$ 5,526.35	\$ 828.95	\$ 6,355.30
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-208-017	\$ 18,663.29	\$ 2,799.49	\$ 21,462.78
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-226-007	\$ 1,589.83	\$ 238.47	\$ 1,828.30
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-226-021	\$ 143.53	\$ 21.53	\$ 165.06
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-227-006	\$ 976.17	\$ 146.43	\$ 1,122.60
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-227-007	\$ 575.49	\$ 86.32	\$ 661.81
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-227-008	\$ 1,387.88	\$ 208.18	\$ 1,596.06
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-227-025	\$ 767.70	\$ 115.16	\$ 882.86
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-278-012	\$ 1,999.76	\$ 299.96	\$ 2,299.72
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-281-030	\$ 1,681.83	\$ 252.27	\$ 1,934.10
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-283-014	\$ 362.59	\$ 54.39	\$ 416.98
SAD901	PRINCIPAL SHOPPING F/Y 2023-2024	08-19-36-285-001	\$ 14,302.93	\$ 2,145.44	\$ 16,448.37
			\$ 251,145.76	\$ 37,671.86	\$ 288,817.62

Invoice #	Parcel #	Invoice Type	Amount Due Thru 5/1/2024	15% Penalty	Total
8318	08-19-25-301-003	RETURNED CHECK FEE	\$ 30.00	\$ 4.50	\$ 34.50
8278	08-19-25-378-016	SNOW REMOVAL - COMMERCIAL	\$ 122.40	\$ 18.36	\$ 140.76
8280	08-19-25-378-016	SNOW REMOVAL - COMMERCIAL	\$ 122.40	\$ 18.36	\$ 140.76
7936	08-19-25-433-004	GRASS/WEEED CUTTING	\$ 216.00	\$ 32.40	\$ 248.40
8279	08-19-25-453-011	SNOW REMOVAL - COMMERCIAL	\$ 122.40	\$ 18.36	\$ 140.76
8251	08-19-25-454-008	SNOW REMOVAL - COMMERCIAL	\$ 122.40	\$ 18.36	\$ 140.76
8241	08-19-25-456-001	SNOW REMOVAL - COMMERCIAL	\$ 679.80	\$ 101.97	\$ 781.77
8277	08-19-25-456-001	SNOW REMOVAL - COMMERCIAL	\$ 673.20	\$ 100.98	\$ 774.18
8285	08-19-25-456-018	SNOW REMOVAL - COMMERCIAL	\$ 122.40	\$ 18.36	\$ 140.76
8286	08-19-25-456-018	SNOW REMOVAL - COMMERCIAL	\$ 122.40	\$ 18.36	\$ 140.76
8287	08-19-25-456-027	SNOW REMOVAL - COMMERCIAL	\$ 122.40	\$ 18.36	\$ 140.76
8018	08-19-25-481-004	RETURNED CHECK FEE	\$ 30.00	\$ 4.50	\$ 34.50
8320	08-19-25-486-003	RETURNED CHECK FEE	\$ 30.00	\$ 4.50	\$ 34.50
8315	08-19-35-129-040	RETURNED CHECK FEE	\$ 30.00	\$ 4.50	\$ 34.50
8212	08-19-35-201-025	RETURNED CHECK FEE	\$ 30.00	\$ 4.50	\$ 34.50
8319	08-19-36-129-016	RETURNED CHECK FEE	\$ 30.00	\$ 4.50	\$ 34.50
8307	08-19-36-138-003	SNOW REMOVAL - COMMERCIAL	\$ 183.60	\$ 27.54	\$ 211.14
8308	08-19-36-138-003	SNOW REMOVAL - COMMERCIAL	\$ 122.40	\$ 18.36	\$ 140.76
8305	08-19-36-202-017	SNOW REMOVAL - COMMERCIAL	\$ 183.60	\$ 27.54	\$ 211.14
7601	08-19-36-203-024	SNOW REMOVAL - COMMERCIAL	\$ 203.40	\$ 30.51	\$ 233.91
7644	08-19-36-203-024	SNOW REMOVAL - COMMERCIAL	\$ 201.60	\$ 30.24	\$ 231.84
8301	08-19-36-203-024	SNOW REMOVAL - COMMERCIAL	\$ 183.60	\$ 27.54	\$ 211.14
8261	08-19-36-203-048	RETURNED CHECK FEE	\$ 30.00	\$ 4.50	\$ 34.50
8267	08-19-36-211-013	SNOW REMOVAL - COMMERCIAL	\$ 673.20	\$ 100.98	\$ 774.18
8269	08-19-36-253-035	SNOW REMOVAL - COMMERCIAL	\$ 306.00	\$ 45.90	\$ 351.90
7621	08-19-36-278-012	SNOW REMOVAL - COMMERCIAL	\$ 201.60	\$ 30.24	\$ 231.84
8266	08-19-36-278-012	SNOW REMOVAL - COMMERCIAL	\$ 183.60	\$ 27.54	\$ 211.14
7942	08-19-36-451-011	GRASS/WEEED CUTTING	\$ 145.80	\$ 21.87	\$ 167.67
8210	08-19-36-457-015	RETURNED CHECK FEE	\$ 30.00	\$ 4.50	\$ 34.50
7746	08-20-30-378-013	GRASS/WEEED CUTTING	\$ 222.00	\$ 33.30	\$ 255.30
7858	08-20-31-101-013	GRASS/WEEED CUTTING	\$ 218.00	\$ 32.70	\$ 250.70
7768	08-20-31-103-021	GRASS/WEEED CUTTING	\$ 148.50	\$ 22.28	\$ 170.78
7853	08-20-31-151-038	GRASS/WEEED CUTTING	\$ 147.15	\$ 22.07	\$ 169.22
7941	08-20-31-301-038	GRASS/WEEED CUTTING	\$ 145.80	\$ 21.87	\$ 167.67
8006	08-20-31-329-013	GRASS/WEEED CUTTING	\$ 144.45	\$ 21.67	\$ 166.12
8322	08-20-31-355-018	RETURNED CHECK FEE	\$ 30.00	\$ 4.50	\$ 34.50
7943	08-20-31-358-018	GRASS/WEEED CUTTING	\$ 145.80	\$ 21.87	\$ 167.67
			\$ 6,455.90	\$ 968.39	\$ 7,424.29



MEMORANDUM

Treasury

DATE: May 6, 2024

TO: Jana L. Ecker, City Manager

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

SUBJECT: Delinquent Water/Sewer Charges to the Tax Roll

INTRODUCTION:

By City ordinance, water and sewer bills which are delinquent for more than 6 months on April 30th shall be transferred to the following year's tax roll.

BACKGROUND:

As provided in Chapter 114, Section 114-303 of the City Code, the properties on the attached listing represent delinquent and unpaid water/sewage services that have remained delinquent for a period of six months or greater as of April 30, 2024. The ordinance states that a 15% penalty is to be assessed on these delinquent balances when they are transferred to the tax roll.

LEGAL REVIEW:

No legal review is required.

FISCAL IMPACT:

The unpaid accounts are detailed on the attached listing and represent a cumulative total of **\$352,818.50** including interest and penalties as of May 1, 2024.

SUSTAINABILITY:

N/A

PUBLIC COMMUNICATIONS:

During the month of April 2024, property owners with delinquent accounts were notified of their account status and provided with a deadline to pay the unpaid balance prior to the assessment of the penalty and transfer to the tax roll.

SUMMARY:

The City Commission is requested to direct the Treasurer to transfer the unpaid bills, including interest and penalty, to the 2024 tax roll and to authorize removal from the list any bills paid or a payment plan agreement signed after City Commission approval.

ATTACHMENTS:

- Delinquent Water/Sewer tax roll

SUGGESTED COMMISSION ACTION:

Make a motion adopting the following resolution:

WHEREAS, The City Treasurer, in accordance with Chapter 114, Section 114-303, of the City Code has reported certain water/sewage accounts, including interest and penalty, unpaid and delinquent on May 1, 2024, and

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

NOW, THEREFORE, BE IT RESOLVED, that the properties with unpaid and delinquent water/sewage accounts, listed in the Delinquent Water/Sewer Tax Roll, dated May 6, 2024, including interest and penalty, be transferred and reassessed to the 2024 City tax roll and authorization be given to remove from the list any bills paid or a payment plan agreement signed after Commission approval.

Parcel Number	Account #	Service Address	Delinquent Amount	Penalty	Total
08-19-36-138-003	00167-22010	107 TOWNSEND ST	\$132.41	19.86	152.27
08-19-36-203-007	00032-79940	653 PIERCE ST	\$593.00	88.95	681.95
08-19-36-257-054	00563-11020	1006 ANN ST	\$297.92	44.69	342.61
08-19-36-256-004	00653-10888	941 PURDY ST	\$372.76	55.91	428.67
08-19-36-253-009	00711-10716	691 ANN ST	\$491.39	73.71	565.1
08-19-36-103-054	00080-98196	713 MAPLE HILL LN	\$66.79	10.02	76.81
08-19-36-155-025	00108-59062	730 WALLACE ST	\$130.85	19.63	150.48
08-19-36-181-003	00151-19522	731 S CHESTER ST	\$240.08	36.01	276.09
08-19-36-177-028	00153-99378	381 W BROWN ST	\$898.25	134.74	1032.99
08-19-26-452-014	00240-95154	483 SUFFIELD AVE	\$1,066.53	159.98	1226.51
08-19-26-330-003	00272-94540	1849 PINE ST	\$772.50	115.88	888.38
08-19-26-329-006	00276-14508	1793 MELBOURNE ST	\$842.19	126.33	968.52
08-19-26-179-004	00286-93426	998 BROOKWOOD ST	\$898.72	134.81	1033.53
08-19-26-178-006	00294-53388	1973 RAYNALE ST	\$1,505.06	225.76	1730.82
08-19-26-129-003	00295-73224	1298 N GLENHURST DR	\$2,313.98	347.1	2661.08
08-19-26-203-001	00346-53572	1567 QUARTON RD	\$654.17	98.13	752.3
08-19-26-254-004	00350-34158	1030 PILGRIM AVE	\$3,911.93	586.79	4498.72
08-19-35-478-017	00420-17934	892 W SOUTHLAWN BLVD	\$118.98	17.85	136.83
08-19-35-430-009	00429-77820	955 NORTHLAWN BLVD	\$1,138.77	170.82	1309.59
08-19-35-427-006	00436-37684	1025 W LINCOLN ST	\$284.50	42.68	327.18
08-19-35-427-017	00437-17706	1200 SOUTHFIELD RD	\$1,413.51	212.03	1625.54
08-19-35-326-044	00465-37374	2161 W LINCOLN ST	\$507.91	76.19	584.1
08-19-35-326-012	00467-17312	1737 W LINCOLN ST	\$764.68	114.7	879.38
08-19-35-126-003	00510-55826	415 ARGYLE ST	\$1,747.88	262.18	2010.06
08-19-35-177-010	00522-56218	899 WOODLEA ST	\$2,697.46	404.62	3102.08
08-19-35-129-004	00549-16006	181 WESTCHESTER WAY	\$5,412.36	811.85	6224.21
08-19-35-129-002	00549-56002	145 WESTCHESTER WAY	\$135.11	20.27	155.38
08-19-35-201-043	00560-56538	1717 MIDVALE ST	\$1,220.45	183.07	1403.52
08-19-35-202-036	00584-36674	316 ARLINGTON ST	\$12,831.17	1,924.68	14755.85
08-19-25-353-026	00621-31770	371 GREENWOOD ST	\$1,204.83	180.72	1385.55
08-19-25-328-022	00707-71504	588 N OLD WOODWARD AVE STE 1	\$72.42	10.86	83.28
08-19-25-328-063	00712-91582	531 BROOKSIDE AVE	\$367.51	55.13	422.64
08-19-25-328-048	00716-51556	612 PARK ST	\$1,102.65	165.4	1268.05
08-19-25-487-006	00759-93148	165 N ADAMS RD	\$917.57	137.64	1055.21
08-19-25-480-005	00797-12914	768 OAKLAND AVE	\$1,214.22	182.13	1396.35
08-19-25-460-016	00799-72838	567 RIDGEDALE AVE	\$1,191.45	178.72	1370.17
08-19-25-280-001	00081-93850	770 HENLEY ST	\$1,467.22	220.08	1687.3
08-19-25-278-001	00082-05772	600 ABBEY ST	\$332.17	49.83	382
08-19-25-180-004	00083-49416	144 WIMBLETON DR	\$1,001.79	150.27	1152.06
08-20-30-354-016	08741-15776	1575 DORCHESTER RD	\$278.11	41.72	319.83
08-20-30-376-005	08753-15874	1763 DORCHESTER RD	\$1,385.30	207.8	1593.1
08-20-30-352-010	08783-15684	1380 DORCHESTER RD	\$514.15	77.12	591.27
08-20-30-352-020	08821-15704	1383 YORKSHIRE RD	\$2,146.67	322	2468.67
08-20-30-353-002	08903-15708	1150 YORKSHIRE RD	\$1,676.76	251.51	1928.27
08-20-30-353-018	08921-15740	1305 E MAPLE RD	\$235.98	35.4	271.38
08-20-30-356-020	08945-15864	101 CAMBRIDGE ST	\$702.68	105.4	808.08
08-20-31-101-013	08985-17510	1602 E MAPLE RD	\$187.74	28.16	215.9
08-20-31-101-024	09013-17532	1171 YOSEMITE BLVD	\$1,191.81	178.77	1370.58
08-20-30-329-113	09337-15610	1940 GRAEFIELD RD	\$44.80	6.72	51.52
08-19-36-229-016	10009-10414	909 CHESTNUT ST	\$1,280.50	192.08	1472.58
08-20-31-151-016	10257-18084	1506 HAYNES ST	\$543.98	81.6	625.58
08-20-31-152-023	10317-18198	1355 HAYNES ST	\$2,072.75	310.91	2383.66
08-20-31-130-017	10523-18030	1831 BOWERS ST	\$326.83	49.02	375.85
08-20-31-130-003	10569-18004	1824 HAZEL ST	\$1,827.29	274.09	2101.38
08-20-31-103-058	10653-17776	1673 HAZEL ST	\$1,655.47	248.32	1903.79
08-20-30-379-043	10839-24224	215 N ETON ST	\$574.35	86.15	660.5

08-20-30-379-043	10841-24226	217 N ETON ST	\$389.18	58.38	447.56
08-20-30-379-043	10843-24230	221 N ETON ST	\$1,075.05	161.26	1236.31
08-20-30-428-021	11359-16812	2735 WINDEMERE RD	\$1,129.09	169.36	1298.45
08-20-30-404-032	11405-16446	2287 WINDEMERE RD	\$739.64	110.95	850.59
08-20-30-404-017	11435-16416	2015 WINDEMERE RD	\$969.06	145.36	1114.42
08-20-30-404-016	11467-16414	2282 MANCHESTER RD	\$1,558.11	233.72	1791.83
08-20-30-403-013	11687-16344	2534 PEMBROKE RD	\$620.30	93.05	713.35
08-20-30-427-031	11727-16764	755 COOLIDGE HWY	\$433.52	65.03	498.55
08-20-30-426-024	11837-16624	2734 DERBY RD	\$706.30	105.95	812.25
08-20-30-153-039	11937-14720	1709 DERBY RD	\$1,586.88	238.03	1824.91
08-20-31-151-033	12395-18118	1311 HOLLAND ST	\$695.98	104.4	800.38
08-20-31-151-041	12411-18134	1445 HOLLAND ST	\$913.69	137.05	1050.74
08-20-31-178-005	12557-18812	1654 HOLLAND ST	\$672.77	100.92	773.69
08-20-31-153-048	12657-18354	1363 WEBSTER ST	\$186.18	27.93	214.11
08-20-31-154-028	12849-18448	999 S ADAMS RD	\$46.22	6.93	53.15
08-20-31-301-024	13249-19274	1504 E LINCOLN ST	\$797.42	119.61	917.03
08-20-31-302-054	13479-19460	1539 HUMPHREY AVE	\$1,379.09	206.86	1585.95
08-20-31-306-040	13665-19688	1537 CHAPIN AVE	\$514.91	77.24	592.15
08-20-31-331-016	13845-19892	1999 SHEFFIELD RD	\$240.32	36.05	276.37
08-20-31-331-026	13903-19912	1887 BANBURY ST	\$2,988.73	448.31	3437.04
08-20-31-331-025	13905-19910	1875 BANBURY ST	\$2,186.53	327.98	2514.51
08-20-31-377-008	14157-20626	1621 TORRY ST	\$745.99	111.9	857.89
08-20-31-452-024	14475-21198	1630 MANSFIELD RD	\$210.09	31.51	241.6
08-20-31-403-027	14715-21038	2193 SHEFFIELD RD	\$454.56	68.18	522.74
08-19-36-429-015	14937-13246	888 HUMPHREY AVE	\$293.92	44.09	338.01
08-19-36-430-047	15073-13436	1031 CHAPIN AVE	\$405.47	60.82	466.29
08-19-36-430-038	15091-13418	831 CHAPIN AVE	\$310.89	46.63	357.52
08-19-36-432-048	15243-13562	615 EMMONS AVE	\$1,632.50	244.88	1877.38
08-19-36-476-018	15371-13964	635 DAVIS AVE	\$417.09	62.56	479.65
08-20-31-357-043	15631-24634	33277 WOODWARD AVE	\$29.69	4.45	34.14
08-20-31-358-035	15853-20524	1335 E 14 MILE RD	\$256.33	38.45	294.78
08-20-31-358-029	15863-20512	1223 E 14 MILE RD	\$563.72	84.56	648.28
08-19-36-456-016	16179-24730	277 E 14 MILE RD	\$148.36	22.25	170.61
08-19-36-328-003	16465-11698	1165 S BATES ST	\$2,992.88	448.93	3441.81
08-19-36-332-008	16503-11978	1521 S BATES ST	\$1,630.61	244.59	1875.2
08-19-36-377-028	16575-12556	1844 S BATES ST	\$1,242.91	186.44	1429.35
08-19-36-307-003	17221-11444	1469 BIRMINGHAM BLVD	\$352.97	52.95	405.92
08-19-36-307-007	17229-11452	1563 BIRMINGHAM BLVD	\$1,733.64	260.05	1993.69
08-19-36-352-011	17397-12262	1899 SHIPMAN BLVD	\$932.42	139.86	1072.28
08-19-36-351-045	17451-12208	1729 SOUTHFIELD RD	\$90.15	13.52	103.67
08-19-36-301-011	17511-11276	1252 SHIPMAN BLVD	\$1,813.02	271.95	2084.97
08-19-36-301-016	17519-11286	1119 SOUTHFIELD RD	\$582.22	87.33	669.55
08-19-36-352-019	17855-12278	1750 BIRMINGHAM BLVD	\$237.04	35.56	272.6
08-19-26-452-002	01791-15130	454 FAIRFAX ST	\$2,680.02	402	3082.02
08-20-30-329-071	17945-15526	1652 GRAEFIELD RD UNIT 71	\$579.08	86.86	665.94
08-19-36-426-014	18073-13030	872 E LINCOLN ST	\$1,068.51	160.28	1228.79
08-20-31-102-001	18269-17574	1122 YOSEMITE BLVD	\$999.63	149.94	1149.57
08-19-25-452-009	01850-72588	485 PARK ST	\$1,321.59	198.24	1519.83
08-19-25-481-012	01862-92952	859 RIDGEDALE AVE	\$609.64	91.45	701.09
08-19-35-104-026	01901-55694	412 BERWYN ST	\$690.30	103.55	793.85
08-19-35-276-006	01937-16996	779 ARLINGTON ST	\$2,861.93	429.29	3291.22
08-20-31-152-036	19409-18224	1645 HAYNES ST	\$545.53	81.83	627.36
08-19-36-480-030	19659-14218	695 BIRD AVE	\$219.65	32.95	252.6
08-19-36-331-016	19667-11916	1643 WASHINGTON BLVD	\$339.87	50.98	390.85
08-20-31-356-004	19785-20330	1761 TAUNTON RD	\$864.73	129.71	994.44
08-19-36-229-010	19957-10402	1030 FOREST AVE	\$146.38	21.96	168.34
08-20-30-403-008	20677-16334	2440 PEMBROKE RD	\$97.28	14.59	111.87
08-19-35-229-032	02069-16924	570 ASPEN RD	\$1,091.95	163.79	1255.74

08-19-36-401-051	20815-25456	1446 CEDAR DR	\$844.40	126.66	971.06
08-19-36-351-023	20857-12164	1862 SHIPMAN BLVD	\$816.72	122.51	939.23
08-19-35-226-017	02114-76772	350 SHIRLEY RD	\$5,624.27	843.64	6467.91
08-19-35-226-009	02127-76756	100 SHIRLEY RD	\$311.93	46.79	358.72
08-19-36-185-033	21289-25266	990 PIERCE ST	\$1,628.24	244.24	1872.48
08-20-30-328-037	21295-15176	671 N ETON ST	\$531.52	79.73	611.25
08-19-35-127-032	02138-55920	245 ARGYLE ST	\$802.02	120.3	922.32
08-19-36-351-046	21403-12210	1741 SOUTHFIELD RD	\$198.32	29.75	228.07
08-20-31-179-051	21553-19026	1907 COLE ST	\$358.32	53.75	412.07
08-20-31-352-020	21731-20030	1590 CHAPIN AVE	\$284.77	42.72	327.49
08-19-35-102-027	02189-95560	2435 DEVON LN	\$2,645.76	396.86	3042.62
08-19-26-452-011	02195-95148	184 FAIRFAX ST	\$382.84	57.43	440.27
08-20-30-379-043	21991-34178	223 N ETON ST	\$1,441.44	216.22	1657.66
08-20-31-454-002	22037-21320	2028 BRADFORD RD	\$403.98	60.6	464.58
08-20-30-456-022	22363-17218	101 SAINT ANDREWS ST	\$588.32	88.25	676.57
08-19-25-328-052	02240-51562	576 PARK ST	\$2,180.83	327.12	2507.95
08-20-31-130-019	22531-18034	1859 BOWERS ST	\$416.48	62.47	478.95
08-20-30-428-030	22719-16830	671 COOLIDGE HWY	\$92.82	13.92	106.74
08-20-30-356-013	22765-15850	1489 E MAPLE RD	\$3,092.08	463.81	3555.89
08-20-30-428-024	22893-16818	2787 WINDEMERE RD	\$758.55	113.78	872.33
08-20-31-177-040	23019-18768	1775 HOLLAND ST	\$761.53	114.23	875.76
08-19-26-330-005	02310-94544	1805 PINE ST	\$1,742.23	261.33	2003.56
08-20-31-154-029	23225-18450	1137 COLE ST	\$1,000.18	150.03	1150.21
08-20-31-404-015	23227-21070	1418 E MELTON RD	\$259.14	38.87	298.01
08-19-35-326-026	02361-97340	1974 FAIRWAY DR	\$2,766.27	414.94	3181.21
08-19-36-303-013	23885-11342	1332 MARYLAND BLVD	\$5,219.05	782.86	6001.91
08-19-25-379-015	23887-25702	333 FERNDALE AVE	\$1,913.72	287.06	2200.78
08-20-31-330-018	23901-19850	1711 BANBURY ST	\$1,106.32	165.95	1272.27
08-20-30-328-121	23925-15344	720 GRAEFIELD CT UNIT 156	\$192.85	28.93	221.78
08-20-31-179-047	24011-19018	1859 COLE ST	\$284.05	42.61	326.66
08-20-30-404-014	24143-16410	2246 MANCHESTER RD	\$1,256.43	188.46	1444.89
08-19-36-308-020	24287-11538	1428 STANLEY BLVD	\$189.75	28.46	218.21
08-20-30-428-022	24639-16814	2757 WINDEMERE RD	\$372.40	55.86	428.26
08-19-35-327-035	02464-57452	1768 NORTHLAWN BLVD	\$974.71	146.21	1120.92
08-19-36-455-003	24765-13762	442 SMITH AVE	\$629.87	94.48	724.35
08-20-30-403-016	25343-16350	2590 PEMBROKE RD	\$1,277.15	191.57	1468.72
08-20-31-154-041	25739-18474	1315 COLE ST	\$2,066.82	310.02	2376.84
08-20-30-402-033	26411-16314	2281 MANCHESTER RD	\$873.94	131.09	1005.03
08-20-31-103-008	26573-17676	1250 VILLA RD	\$450.38	67.56	517.94
08-19-36-478-009	26587-27872	790 DAVIS AVE	\$768.12	115.22	883.34
08-19-36-482-054	26605-14418	807 E 14 MILE RD	\$579.93	86.99	666.92
08-20-31-381-009	27003-20746	1628 PENISTONE ST	\$1,464.64	219.7	1684.34
08-19-36-137-003	02711-18774	211 TOWNSEND ST	\$824.77	123.72	948.49
08-19-35-401-010	02750-97532	1463 W LINCOLN ST	\$1,338.93	200.84	1539.77
08-19-35-426-005	02758-57642	1122 LATHAM RD	\$2,720.59	408.09	3128.68
08-20-31-329-013	28189-19798	1845 HUMPHREY AVE	\$64.35	9.65	74
08-19-26-226-007	02826-93780	1027 QUARTON RD	\$1,602.44	240.37	1842.81
08-20-30-329-003	28293-15390	1888 GRAEFIELD RD	\$60.02	9	69.02
08-19-36-187-002	28415-28908	287 W BROWN ST	\$357.95	53.69	411.64
08-19-36-308-002	28459-11502	1433 MARYLAND BLVD	\$636.89	95.53	732.42
08-20-30-406-006	28527-16522	2388 WINDEMERE RD	\$663.41	99.51	762.92
08-20-30-328-067	28599-15236	1653 GRAEFIELD RD UNIT 102	\$365.32	54.8	420.12
08-19-25-304-033	02862-11170	729 VINEWOOD AVE	\$497.35	74.6	571.95
08-19-36-136-012	02865-78762	350 W BROWN ST UNIT 1	\$538.87	80.83	619.7
08-19-35-226-016	02865-96770	377 ARLINGTON ST	\$3,308.67	496.3	3804.97
08-19-36-251-016	28699-10588	387 GEORGE ST	\$249.79	37.47	287.26
08-19-26-253-005	02886-14122	1000 SUFFIELD AVE	\$43.92	6.59	50.51
08-19-36-478-004	29025-14022	664 DAVIS AVE	\$727.78	109.17	836.95

08-20-30-378-005	29029-15912	1844 YORKSHIRE RD	\$284.21	42.63	326.84
08-19-36-302-008	29231-30152	1100 BIRMINGHAM BLVD	\$2,522.06	378.31	2900.37
08-19-35-129-009	02943-96016	299 WESTCHESTER WAY	\$478.24	71.74	549.98
08-20-31-178-068	29653-30210	1629 WEBSTER ST	\$1,340.95	201.14	1542.09
08-19-26-328-025	02981-34478	646 KIMBERLEY ST	\$1,525.44	228.82	1754.26
08-19-25-477-004	02984-72870	876 MADISON ST	\$1,942.79	291.42	2234.21
08-19-35-202-026	03038-96654	1073 PLEASANT ST	\$463.71	69.56	533.27
08-19-36-226-007	30453-10286	746 E MAPLE RD	\$59.23	8.88	68.11
08-19-36-402-014	30465-12826	1393 CEDAR DR	\$1,313.28	196.99	1510.27
08-19-36-227-014	30771-10344	967 FOREST AVE	\$320.72	48.11	368.83
08-19-25-427-023	03098-72402	1067 KENNESAW ST	\$1,509.82	226.47	1736.29
08-20-30-329-086	30999-15556	1616 GRAEFIELD RD UNIT 86	\$64.22	9.63	73.85
08-20-31-103-002	31419-17664	1136 VILLA RD	\$1,022.36	153.35	1175.71
08-19-36-331-009	31559-11902	1535 WASHINGTON BLVD	\$272.73	40.91	313.64
08-19-36-379-029	31807-27986	1825 HENRIETTA ST	\$643.13	96.47	739.6
08-20-31-352-014	31899-20018	1484 CHAPIN AVE	\$804.62	120.69	925.31
08-19-35-127-033	03198-15922	270 S GLENHURST DR	\$379.21	56.88	436.09
08-19-36-251-024	32069-10604	892 PURDY ST	\$263.07	39.46	302.53
08-20-31-301-033	32109-19292	1211 RUFFNER AVE	\$1,119.91	167.99	1287.9
08-20-31-354-047	32349-20226	1772 TAUNTON RD	\$175.94	26.39	202.33
08-19-25-328-030	32361-31222	554 N OLD WOODWARD AVE	\$205.70	30.86	236.56
08-19-36-253-011	32443-10720	723 ANN ST	\$750.61	112.59	863.2
08-20-31-152-011	32499-18174	1622 BOWERS ST	\$728.84	109.33	838.17
08-20-30-329-012	32677-15408	1822 GRAEFIELD RD UNIT 12	\$696.11	104.42	800.53
08-19-36-403-017	32685-12928	411 BENNAVILLE AVE	\$895.80	134.37	1030.17
08-20-30-378-010	32743-15922	1749 E MAPLE RD	\$271.20	40.68	311.88
08-20-30-403-011	32757-16340	2494 PEMBROKE RD	\$1,080.44	162.07	1242.51
08-19-25-330-006	03277-91634	181 EUCLID AVE	\$881.61	132.24	1013.85
08-20-31-177-010	32951-18708	1752 HAYNES ST	\$38.34	5.75	44.09
08-19-36-102-002	03310-38078	160 BALDWIN RD	\$98.15	14.72	112.87
08-19-36-457-006	33113-13910	498 BIRD AVE	\$221.65	33.25	254.9
08-19-35-303-002	03313-37166	2371 W LINCOLN ST	\$989.31	148.4	1137.71
08-19-35-180-010	03320-16436	883 LARCHLEA DR	\$672.81	100.92	773.73
08-19-35-105-010	03336-75720	2145 W MAPLE RD	\$732.06	109.81	841.87
08-19-36-426-027	33435-28564	809 RUFFNER AVE	\$552.61	82.89	635.5
08-20-31-329-009	33503-19790	1968 W MELTON RD	\$343.27	51.49	394.76
08-20-30-404-022	33593-16426	2107 WINDEMERE RD	\$389.35	58.4	447.75
08-19-36-252-001	33733-22172	707 PURDY ST	\$531.21	79.68	610.89
08-19-25-301-006	03377-91024	764 LAKEVIEW AVE	\$356.67	53.5	410.17
08-20-31-103-021	33781-17702	1500 VILLA RD	\$59.16	8.87	68.03
08-20-30-353-011	33911-15726	1119 E MAPLE RD	\$592.68	88.9	681.58
08-19-25-353-014	33973-30702	342 BALDWIN RD	\$669.01	100.35	769.36
08-20-31-176-009	33989-18654	1930 BOWERS ST	\$680.72	102.11	782.83
08-19-36-306-022	34007-11434	1640 BIRMINGHAM BLVD	\$801.54	120.23	921.77
08-19-36-451-008	34173-25208	174 CATALPA DR	\$1,702.43	255.36	1957.79
08-19-25-304-039	03429-71182	575 GREENWOOD ST	\$497.01	74.55	571.56
08-19-26-276-003	03432-54198	1060 PURITAN AVE	\$1,909.79	286.47	2196.26
08-19-25-328-010	34351-23218	730 N OLD WOODWARD AVE	\$130.98	19.65	150.63
08-20-31-302-053	34375-19458	1523 HUMPHREY AVE	\$920.44	138.07	1058.51
08-19-36-152-030	03442-98928	647 WATKINS ST	\$774.57	116.19	890.76
08-20-30-402-001	34433-16250	2008 PEMBROKE RD	\$306.25	45.94	352.19
08-19-35-105-008	03445-35716	2235 W MAPLE RD	\$272.24	40.84	313.08
08-20-31-306-030	34531-19668	1377 CHAPIN AVE	\$881.61	132.24	1013.85
08-20-31-452-028	34631-21206	1704 MANSFIELD RD	\$739.36	110.9	850.26
08-19-36-430-053	34733-29970	806 BENNAVILLE AVE	\$2,016.50	302.48	2318.98
08-20-31-179-040	34751-19004	1771 COLE ST	\$727.09	109.06	836.15
08-20-31-177-010	34817-24150	1754 HAYNES ST	\$154.88	23.23	178.11
08-19-35-305-005	03499-17232	1375 CRANBROOK RD	\$555.23	83.28	638.51

08-20-30-327-019	35087-15102	1997 PEMBROKE RD	\$1,854.33	278.15	2132.48
08-20-31-151-038	35095-18128	1395 HOLLAND ST	\$223.11	33.47	256.58
08-19-35-202-068	03510-56738	400 ARLINGTON ST	\$68,874.63	10,331.19	79205.82
08-19-36-456-016	35123-13836	275 E 14 MILE RD	\$622.32	93.35	715.67
08-19-35-129-010	03536-76018	307 WESTCHESTER WAY	\$331.04	49.66	380.7
08-19-35-103-008	03541-35578	411 BRYN MAWR ST	\$704.82	105.72	810.54
08-20-30-329-107	35487-15598	1954 GRAEFIELD RD	\$627.78	94.17	721.95
08-20-30-353-019	35493-15742	1351 E MAPLE RD	\$535.04	80.26	615.3
08-19-36-426-034	35497-13070	951 RUFFNER AVE	\$152.84	22.93	175.77
08-20-30-401-012	11894-01123	2202 DERBY RD	\$1,187.54	178.13	1365.67
08-20-30-301-004	00088-11274	1185 MANCHESTER RD	\$1,738.21	260.73	1998.94
08-19-25-281-037	00085-05903	970 POPPLETON ST	\$1,181.44	177.22	1358.66
08-19-35-179-005	00544-56338	739 WESTCHESTER WAY	\$113.93	17.09	131.02
08-19-35-202-039	00585-76680	414 ARLINGTON ST	\$1,232.12	184.82	1416.94
08-19-26-477-013	00608-15414	1128 W MAPLE RD	\$643.02	96.45	739.47
08-20-31-102-039	09169-17650	1583 VILLA RD	\$176.55	26.48	203.03
08-19-36-227-008	09933-24072	855 FOREST AVE	\$282.00	42.3	324.3
08-20-30-452-011	11165-16984	2498 BUCKINGHAM AVE	\$79.03	11.85	90.88
08-20-31-376-006	13973-20580	1860 BANBURY ST	\$69.15	10.37	79.52
08-19-36-480-066	24789-14290	731 BIRD AVE	\$202.01	30.3	232.31
08-20-31-379-003	00000-11386	TAUNTON RD VACANT	\$139.25	20.89	160.14
08-20-30-301-032	00000-11468	BUCKINGHAM AVE VACANT	\$149.76	22.46	172.22
08-19-25-451-034	00000-11570	400 PARK ST VACANT	\$71.21	10.68	81.89
08-20-30-329-046	09467-15476	1722 GRAEFIELD RD UNIT 46	\$355.54	53.33	408.87
08-20-31-129-023	31427-17992	1943 HAZEL ST	\$243.90	36.59	280.49
08-20-30-456-022	17577-24826	101 SAINT ANDREWS ST	\$121.20	18.18	139.38
			\$306,798.62	\$46,019.88	\$352,818.50



MEMORANDUM

City Clerk's Office

DATE: April 30, 2024

TO: Jana L. Ecker, City Manager

FROM: Alexandria Bingham, City Clerk

SUBJECT: Establishing an Absent Voter Ballot Counting Board (AVCB)

INTRODUCTION:

The City of Birmingham currently has an agreement in place with Oakland County to process the bulk of absentee ballots for each election, this includes all ballots for an election received up until 4:00 p.m. the day before that election. It is the responsibility of the local clerk to work with their staff and election inspectors to process all ballots received after 4:00 p.m. the day before the election through 8:00 p.m. on Election Day. At the time this agreement and procedure was established in 2020, the law stated that all of the absentee ballots returned after 4:00 p.m. the day before the election must be processed in the precincts to which those ballots belong.

The partnership with Oakland County has proven to be a secure and efficient way to process the bulk of Birmingham's absentee ballots while taking a significant burden off of the Birmingham City Clerk's office on Election Day. Also, the current method of running the absentee ballots returned on time to the precincts for processing is effective but new legislation is now offering a more efficient method for handling the remaining absentee ballots for tabulation.

Recently new legislation has been approved and in effect since February 13, 2024 which allows the local clerk to work with the election commission in order to establish a "mini AVCB". This new legislation offers the alternative for the city clerk to deploy an absentee ballot counting board rather than processing the absentee ballots in the precinct. Establishing a "mini AVCB" is an opportunity to increase efficiency and security in processing absentee ballots on Election Day.

BACKGROUND:

On [July 13, 2020](#) the City Commission passed a resolution to approve the agreement for Election Services between Oakland County and the City of Birmingham. This agreement would comport with House Bill 5141 passed on June 23, 2020 which allows the City of Birmingham to enter an agreement with Oakland County that would allow the County to use their resources including high speed tabulators and other advanced technology to process the bulk of the City of Birmingham's absentee ballots in a more efficient manner. At the time the legislation specified

that all ballots returned before 4:00 p.m. the day before the election would be processed by the County and all ballots received after 4:00 p.m. the day before the election through 8:00 p.m. on Election Day would be processed in the precinct.

The new legislation has been in effect since February 13, 2024. This legislation offers that, "As an alternative, **if the clerk of a city** or township enters into an agreement with the county, **that city** or township **may authorize an absent voter counting board under section 765a(1) that is limited to only processing and tabulating absent voter ballots approved for tabulation and received after 4 p.m. on the day before an election and before 8 p.m. on election day.** No later than 60 days before an election, the clerk of that city or township shall inform the county clerk of the county in which that city or township is located that the absent voter counting board has been authorized by the board of election commissioners of that city or township.

This new legislation that offers the alternative of the city clerk using an absentee ballot counting board rather than processing the absentee ballots in the precinct is an opportunity to increase security and efficiency in processing absentee ballots on Election Day.

Below is a list of the most recent elections where absentee ballots were processed by the City of Birmingham and/or through the agreement with Oakland County.

Election Date	AV Processed by Oakland County	AV Processed by Birmingham
08/07/2018	-	1935
11/06/2018	-	4180
11/05/2019	-	1781
03/10/2020	-	2501
08/04/2020	4226	1159
11/3/2020	10437	672
11/02/2021	2815	462
08/02/2022	3468	614
11/08/2022	5640	943
11/07/2023	3001	441
02/27/2024	3116	258

LEGAL REVIEW:

The recommendation from City staff comports with current election law.

FISCAL IMPACT:

Ultimately establishing a "mini AVCB" will result in a cost savings for the city. The current format with "AV runners" who take ballots in a secured container for processing in the precinct requires 3-4 teams of at least two inspectors (one of each party) which would be a minimum of 6-8 election inspectors. In the "mini AVCB" format fewer election inspectors would be needed and for a shorter duration to process roughly 1,000 absentee ballots. The team of four to five AVCB inspectors would work from roughly 4:00 p.m. to 9:00 p.m. on Election Day depending on the anticipated volume of ballots to process.

Also, processing absentee ballots in the precinct causes minor delays and interruptions in the precinct on Election Day. The live precincts would be able to finish their end of night reports and

closing procedures much more efficiently resulting in a shorter but still long work day for all of the live precinct election inspectors.

SUSTAINABILITY:

Eliminating the AV runner teams and implementing a “mini AVCB” would eliminate roughly three to four vehicles making three to four stops at each of the nine polling locations for the city of Birmingham. This will slightly reduce our carbon footprint on Election Day. Additionally, processing the remaining absentee ballots in one location will also save some paper and reduce our consumption of supplies on Election Day.

PUBLIC COMMUNICATIONS:

Birmingham election inspectors were briefed on this potential change in procedure in training for the February 2024 Presidential Primary Election cycle. At the time Birmingham election inspectors welcomed the idea of this potential change and recognized the opportunity for increased efficiency on Election Day.

Additionally, this memo and suggested resolution has been made part of the agenda which is available for the public to review and comment on.

SUMMARY:

The City Clerk recommends that the Birmingham City Commission who acts as the Election Commission for the City of Birmingham pass a resolution to authorize an absent voter counting board under section 765a(1) that is limited to only processing and tabulating absent voter ballots approved for tabulation and received after 4 p.m. the day before an election and before 8 p.m. on election day for all elections going forward and to direct that the City Clerk to no later than 60 days before an election, inform the Oakland County Clerk that the Election Commission for the City of Birmingham has authorized an absent voter counting board.

ATTACHMENTS:

- Michigan Election Law (Excerpt) Act 116 of 1954

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to authorize an absent voter counting board under section 765a(1) that is limited to only processing and tabulating absent voter ballots approved for tabulation and received after 4 p.m. on the day before an election and before 8 p.m. on election day for all elections going forward and to direct that the City Clerk to no later than 60 days before an election, inform the Oakland County Clerk that an absent voter counting board has been authorized by the Election Commission for the City of Birmingham.

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.764d Combined absent voter counting board; establishment and agreement; requirements; duties of the bureau of elections.

Sec. 764d. (1) Notwithstanding any provision of law to the contrary and subject to subsections (2) and (12), not less than 75 days before the day of an election, the clerk of a city or township may do any of the following:

(a) Enter into an agreement with the clerk of another city or township, or with the clerks of more than 1 city or township, located in the same county as that city or township to establish a combined absent voter counting board to count the absent voter ballots for each participating city or township.

(b) Enter into an agreement with the clerk of another city or township located in the same county that authorizes the clerk of 1 participating city or township to process and count the absent voter ballots for both participating entities by utilizing the absent voter counting board of that participating city or township.

(c) Enter into an agreement with the clerk of the county in which that city or township is located to establish an absent voter counting board to count the absent voter ballots for that city or township. If a city or township has boundaries located in more than 1 county, the clerk of the city or township shall only enter into an agreement under this subdivision with the county clerk of the county in which the majority of the electors of the city or township reside.

(2) Except as otherwise provided in this subsection, an absent voter counting board established under subsection (1) must not be used for the first time at a general November election. For the November 3, 2020 general November election, an absent voter counting board may be established under subsection (1) and used for the first time if either of the following occurs:

(a) An agreement is entered into under subsection (1)(a) or (b) and at least 1 of the clerks participating in the agreement has previously operated an absent voter counting board.

(b) An agreement is entered into under subsection (1)(c).

(3) An agreement entered into under subsection (1)(b) or (c) must comply with the established approval procedures of the governing body of each county, city, or township involved, or if established approval procedures do not exist, the agreement must be approved by resolution of the governing body of that county, city, or township.

(4) The bureau of elections shall do both of the following:

(a) Develop model language to be used by county, city, and township clerks for agreements entered into under subsection (1).

(b) Develop procedures to implement this section.

(5) Except as otherwise provided in this subsection, if the clerk of a city or township enters into an agreement under subsection (1), the clerk of that city or township shall file the agreement with the county clerk of the county in which that city or township is located no later than 74 days before the election at which the agreement applies. For an election occurring before January 1, 2021, the clerk of a city or township who enters into an agreement under subsection (1) is not required to file the agreement with the county clerk if all of the following apply:

(a) The electronic voting system used by the county can be programmed to accommodate an absent voter counting board formed under subsection (1).

(b) The county clerk agrees that the electronic voting system used by the county can be altered after completion of the ballot programming.

(c) The appropriate board of election commissioners publicly tests the electronic tabulating equipment as required under section 798.

(6) If the clerk of a city or township enters into an agreement under subsection (1) and that agreement covers more than 1 election, the agreement must allow any participating clerk to terminate the agreement by giving 84 days' written notice to each of the other participating clerks. If the clerk terminating the agreement is a city or township clerk, the clerk must also file the notice of termination with the county clerk of the county in which that city or township is located no later than 2 business days after the date of termination. If the clerk terminating the agreement is a county clerk, the clerk must also file the notice of termination with the bureau of elections no later than 2 business days after the date of termination.

(7) For a combined absent voter counting board established under subsection (1)(a), all of the following apply:

(a) The board of election commissioners of each participating city or township must appoint at least 1 election inspector to that combined absent voter counting board not less than 21 days before the election at which those election inspectors are to be used. Sections 673a and 674 apply to the appointment of election

inspectors to a combined absent voter counting board.

(b) The agreement entered into under subsection (1)(a) must designate the place for the combined absent voter counting board to count the absent voter ballots. Section 662 applies to the designation and prescribing of the combined absent voter ballot counting place in which the combined absent voter counting board performs its duties.

(c) The agreement entered into under subsection (1)(a) must establish the time at which the election inspectors of the combined absent voter counting board report for duty.

(8) For an absent voter counting board established under subsection (1)(c), all of the following apply:

(a) The board of election commissioners of the city or township entering into an agreement under subsection (1)(c) shall appoint at least 1 election inspector to the absent voter counting board and the county board of election commissioners of that county shall appoint at least 1 election inspector to the absent voter counting board not less than 21 days before the election at which those election inspectors are to be used. Sections 673a and 674 apply to the appointment of election inspectors to the absent voter counting board.

(b) In consultation with the parties to an agreement under subsection (1)(c), the county board of election commissioners shall designate the place for the absent voter counting board to count the absent voter ballots. Section 662 applies to the designation and prescribing of the absent voter ballot counting place in which the absent voter counting board performs its duties.

(c) In consultation with the parties to an agreement under subsection (1)(c), the county board of election commissioners shall establish the time at which the election inspectors of the absent voter counting board report for duty.

(9) The election inspectors appointed to an absent voter counting board established under subsection (1) shall comply with section 733(2) regarding election challengers.

(10) Subject to this subsection, if the clerk of a city or township enters into an agreement under subsection (1), any absent voter ballot received by that city or township clerk after 4 p.m. on the day before an election and approved for tabulation as provided under section 766 must be delivered to the voting precinct of the elector on election day to be processed and counted. As an alternative, if the clerk of a city or township enters into an agreement under subsection (1), that city or township may authorize an absent voter counting board under section 765a(1) that is limited to only processing and tabulating absent voter ballots approved for tabulation and received after 4 p.m. on the day before an election and before 8 p.m. on election day. No later than 60 days before an election, the clerk of that city or township shall inform the county clerk of the county in which that city or township is located that the absent voter counting board has been authorized by the board of election commissioners of that city or township.

(11) The provisions of section 765a(6) to (10) and (17) apply to an absent voter counting board established under subsection (1).

(12) For an election occurring before January 1, 2021, the clerk of a city or township may enter into an agreement under subsection (1) not less than 23 days before the day of the election if all of the following apply:

(a) The electronic voting system used by the county can be programmed to accommodate an absent voter counting board formed under subsection (1).

(b) The county clerk agrees that the electronic voting system used by the county can be altered after completion of the ballot programming.

(c) The appropriate board of election commissioners publicly tests the electronic tabulating equipment as required under section 798.

(13) This section does not abrogate the duties or responsibilities of a city or township clerk for conducting elections under this act. In addition, this section does not provide any additional duties or responsibilities for the secretary of state for conducting elections under this act.

History: Add. 2020, Act 95, Imd. Eff. June 23, 2020;—Am. 2023, Act 81, Eff. Feb. 13, 2024.

Popular name: Election Code



MEMORANDUM

Police Department

DATE: April 26, 2024

TO: Jana L. Ecker, City Manager

FROM: Greg Wald, Police Captain
APPROVED BY: Scott A. Grewe, Chief of Police

SUBJECT: Oak-Tac Agreement

INTRODUCTION:

The Police Department is a member of the Oakland County Tactical Training Consortium (Oak-Tac), and has been since its inception in 2012. The original agreement is still in place and needs to be amended and replaced. The new agreement clarifies existing language, adds three (3) trustee positions to the board, and allows the board to appoint a fiduciary member.

BACKGROUND:

In 2012, several law enforcement agencies in Oakland County entered into an Interlocal Agreement formally establishing Oak-Tac. The Birmingham Police Department became a voting member shortly after its inception. Oak-Tac's purpose is to provide the coordination and standardization of training, communications, policies, tactical responses and recovery techniques. Oak-Tac also coordinates cooperative programs like the county wide Mobile Field Force team, Active Assailant Response, and Homeland Security Defense. Members are also part of a shared resource program in which agencies could use the resources of Oak-Tac or another participating agency should the need arise. Oak-Tac also coordinates the response and recovery protocols that are used for large scale events that require a multi-agency law enforcement response.

Currently, Oak-Tac's voting members are comprised of every law enforcement agency in Oakland County, and 24 associate members (non-voting) in the fire, EMS, and private sector, all of whom have a common interest. The original (and still current) contract needs to be updated. The new proposed agreement clarifies existing language, adds three (3) trustee positions, and allows the board to appoint a fiduciary, which will be Oakland County Emergency Management.

LEGAL REVIEW:

The City Attorney has reviewed the proposed agreement and has no objections to form or content.

FISCAL IMPACT:

Annual dues for voting members is \$250, and is in the budget.

SUSTAINABILITY:

N/A

PUBLIC COMMUNICATIONS:

N/A

SUMMARY:

In order to continue as a voting member of Oak-Tac, the City of Birmingham is required to enter into a new agreement by July 1, 2024. The new agreement adds three (3) trustee positions and adds a fiduciary, which will be appointed by the Oak-Tac Board of Directors.

ATTACHMENTS:

1. New Oakland County Tactical Consortium Agreement

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve the new Oakland County Tactical Consortium Agreement between the City of Birmingham and the Oakland County Tactical Consortium. Further, to authorize the Mayor to sign the agreement on behalf of the City.

OAKLAND COUNTY TACTICAL CONSORTIUM AGREEMENT

This Agreement is made and entered into by and among the undersigned entities, which are collectively referred to in this Agreement as the “Members” or individually as a “Member”.

In 2012, certain Members entered into an Interlocal Agreement Formally Establishing the Oakland County Tactical Training Consortium (OAK-TAC), and they now wish to amend and replace the existing agreement by executing this Agreement.

Members may include law enforcement agencies, other governmental entities, and non-governmental entities who share a common interest in the goals of OAK-TAC.

The purpose of this Agreement is to establish and document an organizational framework of collaboration and cooperation for OAK-TAC and its Members, who have a common interest in coordinating and standardizing training, communication, policies, and tactical response and recovery techniques.

In consideration of the mutual promises, obligations, representations, and assurances in this Agreement, the Members agree to the following:

1. **DEFINITIONS.** The following words and expressions used throughout this Agreement, whether used in the singular or plural, shall be defined, read, and interpreted as follows:
 - a. **Agreement** means the terms and conditions of this Agreement and any other mutually agreed to written and executed modification, amendment, exhibit and attachment.
 - b. **Board** means OAK-TAC’s Board of Directors.
 - c. **Claims** mean any alleged losses, claims, complaints, demands for relief or damages, lawsuits, causes of action, proceedings, judgments, deficiencies, liabilities, penalties, litigation, costs, and expenses, including, but not limited to, reimbursement for reasonable attorney fees, witness fees, court costs, investigation expenses, litigation expenses, amounts paid in settlement, and/or other amounts or liabilities of any kind which are incurred by or asserted against a Member, or for which a Member may become legally and/or contractually obligated to pay or defend against, whether direct, indirect or consequential, whether based upon any alleged violation of the federal or the state constitution, any federal or state statute, rule, regulation, or any alleged violation of federal or state common law, whether any such claims are brought in law or equity, tort, contract, or otherwise, and/or whether commenced or threatened.
 - d. **Day** means any calendar day beginning at 12:00 a.m. and ending at 11:59 p.m.
 - e. **Fiduciary Member** means a Non-Voting or Voting Member appointed by the Board.
 - f. **Non-Voting Member** means an OAK-TAC Member that signs this Agreement and is not a law enforcement agency in Oakland County.
 - g. **Voting Member** means an OAK-TAC Member that signs this Agreement and is a law enforcement agency in Oakland County.
2. **AGREEMENT EXHIBITS.** The attached Exhibit A, Oakland County Tactical Consortium Bylaws (“Bylaws”), and any amendments thereto, are incorporated into and part of this Agreement.

3. **PURPOSE & OBJECTIVES OF OAK-TAC.** The purpose and objectives of OAK-TAC are as follows:
 - a. to provide professional training and leadership to law enforcement personnel;
 - b. to establish and implement cooperative programs and activities for training and response in small squad tactics and use of weapons, such as, but not limited to, hostage situations, events requiring use of special weapons and tactics (“SWAT”), Mobile Field Force, active assailant and terrorist situations, and Homeland Security Defense;
 - c. to promote education and safety in the use of special tactics;
 - d. to establish a forum for the free exchange of ideas regarding training by various law enforcement personnel; and
 - e. to establish coordinated response and recovery protocols, policy recommendations, and training for significant events requiring a multi-agency law enforcement response, as permitted in the Mutual Aid Agreement implemented by the Oakland County Chiefs of Police organization.
4. **POWERS OF THE BOARD.** The Board of Directors shall have the power and duty to establish policies and procedures for meetings; to determine topics of training; to implement training programs; to select training instructors and personnel; to provide for equipment, protective gear and venues for training; to schedule dates and times for training; to establish criteria for those eligible for specific trainings; to establish communication protocol between multiple agencies; to resolve disputes between or among Members; and to call for investigations of incidents involving the Members. The Board shall also have any other power or duty that has not been delegated to the Members in this Agreement and in the Bylaws.
5. **NON-EXCLUSIVE TRAINING.** No Member is obligated by this Agreement to use OAK-TAC exclusively for training and is expressly allowed to train internally or participate in other training programs.
6. **FUNDING.** OAK-TAC and its Board of Directors are not legal entities, so the Board shall appoint a Fiduciary Member, according to the process herein. The Fiduciary Member shall receive any income generated by OAK-TAC through its Members’ dues and training events. The Fiduciary Member shall not decide the allocation of funds. The allocation of OAK-TAC funds shall be decided by the Board.
7. **NEW MEMBERSHIP.** An entity that wishes to become a Member of OAK-TAC must make its request to the Board Secretary. Membership shall be approved upon a two-thirds (2/3) vote of the Voting Members. If approved, that entity must become a signatory and execute this Agreement within 6 months of approval by the Board to become a Member of OAK-TAC.
8. **DUES.** All Members shall be responsible for annual dues. Different rates will be set for Non-Voting and Voting Members. The rates shall be set and approved upon a two-thirds (2/3) vote of the Voting Members.
9. **COMPENSATION.** No Members, including Board Members, shall receive any compensation from OAK-TAC for the performance of their duties. However, a Member may be reimbursed for costs that Member incurred as a result of business meetings or other expenses directly related to OAK-TAC activities, if such costs are approved by the Board.
10. **MEMBER INSURANCE REQUIREMENTS.** Each Member shall have adequate insurance or self-insurance coverage to protect it from any Claims arising under or related to this Agreement and its participation in OAK-TAC.

11. **REMOVAL OF MEMBERS.** A Member may be removed upon a two-thirds (2/3) vote of the Voting-Members. The removed Member shall not receive any refund or compensation from OAK-TAC.
12. **DURATION OF AGREEMENT.**
 - a. This Agreement and any amendments hereto shall be effective when executed by the Members. Voting and Non-Voting Members that are governmental entities must also have resolutions passed by their governing bodies, and this Agreement and any amendment must be filed in accordance with MCL 124.510. The approval and terms of this Agreement and any amendments hereto shall be entered into the official minutes of each governmental entities' governing bodies.
 - b. This Agreement shall remain in effect for so long as two or more Voting Members remain and the Agreement is not terminated in accordance with Section 13.b.
13. **TERMINATION OR CANCELLATION OF AGREEMENT.**
 - a. Any Member may terminate their participation in OAK-TAC and withdraw from OAK-TAC for any reason upon a minimum of 30 Days' written notice before the effective date of termination or cancellation. The written notice must be sent to all of the Board Members, and the effective date for termination or cancellation shall be clearly stated in the notice. The terminating Member shall not receive any refund or compensation from OAK-TAC.
 - b. This Agreement shall be terminated upon a unanimous vote of all Voting Members.
14. **ASSETS UPON TERMINATION.** Upon termination of this Agreement, any expenses or outstanding liabilities shall be paid with OAK-TAC's funds. Any remaining funds shall be distributed to the existing Members on an equitable basis, as determined by the Board.
15. **AGREEMENT MODIFICATION OR AMENDMENT.** Any modifications, amendments, restatements of this Agreement, rescissions, waivers, or releases to this Agreement must be in writing and agreed to by all Members. Unless otherwise agreed, the modification, amendment, reinstatement, rescission, waiver, or release shall be signed by the same persons who signed the Agreement or other persons authorized by law. Notwithstanding the language herein, an amendment to add an additional member pursuant to Section 7 shall only require the additional member to become a signatory to this Agreement and they must forward their signature page to the Board.
16. **NO EMPLOYER-EMPLOYEE RELATIONSHIP.** This Agreement does not establish an employer-employee relationship between the Members (including the Board). No liability, right, or benefit associated with any employer-employee relationship shall be implied by the terms of this Agreement or the services or training performed pursuant to this Agreement.
17. **LIABILITY FOR MEMBER EMPLOYEES.** Each Member shall be responsible and liable for any disability and workers' compensation benefits, including derivative benefits, dependent benefits or other benefits related to disability and workers' compensation benefits, for its own employees.
18. **COMPLIANCE WITH LAWS.** Each Member shall comply with all federal, state, and local statutes, ordinances, regulations, administrative rules, and requirements applicable to its activities performed under this Agreement.
19. **PERMITS AND LICENSES.** Each Member shall be responsible for obtaining and maintaining, throughout the term of this Agreement, all licenses, permits, certificates, and governmental authorizations for its employees and/or agents necessary to perform all of its obligations under this

Agreement. Upon request by the Board, a Member shall furnish copies of any permit, license, certificate, or governmental authorization to the Board.

20. **ASSURANCES.**

- a. **Responsibility for Claims.** Each Member shall be responsible for any Claims made against that Member by a third party, and for its own acts and the acts of its employees, agents, and subcontractors arising under or related to this Agreement.
- b. **Responsibility for Attorney Fees and Costs.** In any Claim that may arise from the performance of this Agreement, each Member shall seek its own legal representation and bear the costs associated with such representation, including judgments and attorney fees.
- c. **No Indemnification.** No Member shall have any right under this Agreement or under any other legal principle to be indemnified or reimbursed by any other Member or any of its agents in connection with any Claim.
- d. **Authorization and Completion of Agreement.** The Members have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Member have legal authority to sign this Agreement and bind the Members to the terms and conditions contained herein.

21. **DISCRIMINATION.** Members shall not discriminate against an employee or an applicant for employment in hiring, any terms and conditions of employment or matters related to employment regardless of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, genetic information, height, weight, disability, veteran status, familial status, marital status or any other reason, that is unrelated to the person's ability to perform the duties of a particular job or position, in accordance with applicable federal and state laws.

22. **DELEGATION OR ASSIGNMENT.** No Member shall delegate or assign any obligations or rights under this Agreement without the prior written consent of the other Members.

23. **RESERVATION OF RIGHTS.** This Agreement does not, and is not intended to, impair, divest, delegate or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the Members. Nothing in this Agreement shall be construed as a waiver of governmental immunity for any Member.

24. **NO THIRD-PARTY BENEFICIARIES.** Except as provided for the benefit of the Members, this Agreement does not and is not intended to create any obligation, duty, promise, contractual right or benefit, right to indemnification, right to subrogation, and/or any other right in favor of any other person or entity.

25. **NO IMPLIED WAIVER.** Absent a written waiver, no act, failure, or delay by a Member to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by any Member shall subsequently affect its right to require strict performance of this Agreement.

26. **SEVERABILITY.** If a court of competent jurisdiction finds a term or condition of this Agreement to be illegal or invalid, then the term or condition shall be deemed severed from this Agreement. All other terms, conditions, and provisions of this Agreement shall remain in full force.

27. **CAPTIONS**. The section and subsection numbers, captions, and any index to such sections and subsections contained in this Agreement are intended for the convenience of the reader and are not intended to have any substantive meaning. The numbers, captions, and indexes shall not be interpreted or be considered as part of this Agreement. Any use of the singular or plural, any reference to gender, and any use of the nominative, objective or possessive case in this Agreement shall be deemed the appropriate plurality, gender or possession as the context requires.
28. **NOTICE**. Any written notice required or permitted under this Agreement shall be considered delivered to a Member as of the date that such notice is deposited, with sufficient postage, with the U.S. Postal Service, or the next business day with a written response or receipt of confirmation, if sent by e-mail. Each Member is responsible for ensuring the Board has its updated physical and e-mail addresses for notice under this Agreement. The Board will maintain this list and provide it to a Member upon request.
29. **GOVERNING LAW/CONSENT TO JURISDICTION AND VENUE**. This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan. Except as otherwise required by law or court rule, any action brought to enforce, interpret, or decide any Claim arising under or related to this Agreement shall be brought in the 6th Judicial Circuit Court of the State of Michigan, the 50th District Court of the State of Michigan, or the United States District Court for the Eastern District of Michigan, Southern Division, as dictated by the applicable jurisdiction of the court. Except as otherwise required by law or court rule, venue is proper in the courts set forth above.
30. **SURVIVAL OF TERMS**. The Members understand and agree that all terms and conditions of this Agreement that require continued performance, compliance, or effect beyond the termination date of the Agreement shall survive such termination date and shall be enforceable in the event of a failure to perform or comply.
31. **COUNTERPARTS & ELECTRONIC SIGNATURE**. This Agreement, including any amendments, may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. In making proof of this Agreement, and any amendments, it shall not be necessary to produce or account for more than one such counterpart executed by the Member against whom enforcement of this Agreement is sought. Signature to this Agreement transmitted by facsimile transmission, by electronic mail in portable format (“.pdf”) form, or by any other electronic means intended to preserve the original graphic and pictorial appearance of a document, will have the same force and effect as physical execution and delivery of the paper document bearing the original signature.
32. **ENTIRE AGREEMENT**. This Agreement represents the entire agreement and understanding between the Members, and supersedes all other prior oral or written understandings, communications, agreements, or contracts between the Members. The language of this Agreement shall be construed as a whole according to its fair meaning and not construed strictly for or against any Member.

IN WITNESS WHEREOF, David Woodward, Chairperson, Oakland County Board of Commissioners, hereby acknowledges that he has been authorized by a resolution of the Oakland County Board of Commissioners to execute this Agreement on behalf of Oakland County, and hereby accepts and binds Oakland County to the terms and conditions of this Agreement.

EXECUTED: _____ DATE: _____
David Woodward, Chairperson
Oakland County Board of Commissioners

WITNESSED: _____ DATE: _____
Oakland County Board of Commissioners
County of Oakland

OAKLAND COUNTY SHERIFF’S OFFICE

By: _____
Print Name: Michael J. Bouchard
Title: Sheriff
Date: _____

IN WITNESS WHEREOF, [insert name and title of public body official] hereby acknowledges that he/she has been authorized by a resolution of the [insert public body], a certified copy of which is attached, to execute this Agreement on behalf of Public Body and hereby accepts and binds Public Body to the terms and conditions of this Agreement.

EXECUTED: _____ DATE: _____
[insert name of official, title, and name of public body]

WITNESSED: _____ DATE: _____
[insert name, title]

(INSERT ENTITY’S NAME)

By: _____
Print Name: _____
Title: _____
Date: _____

EXHIBIT A

BYLAWS OF OAKLAND COUNTY TACTICAL CONSORTIUM

ARTICLE I

Name, Purpose, and Definitions

- 1.1. Name. The name of this Consortium shall be the “Oakland County Tactical Consortium”, also referred to as “OAK-TAC”.
- 1.2. Purpose and Objectives. The purpose and objectives of OAK-TAC are as follows:
 - a. to provide professional training and leadership to law enforcement personnel;
 - b. to establish and implement cooperative programs and activities for training and response in small squad tactics and use of weapons, such as, but not limited to, hostage situations, events requiring use of special weapons and tactics (“SWAT”), Mobile Field Force, active assailant and terrorist situations, and Homeland Security Defense;
 - c. to promote education and safety in the use of special tactics;
 - d. to establish a forum for the free exchange of ideas regarding training by various law enforcement personnel; and
 - e. to establish coordinated response and recovery protocols, policy recommendations, and training for significant events requiring a multi-agency law enforcement response, as permitted in the Mutual Aid Agreement implemented by the Oakland County Chiefs of Police organizations.
- 1.3. Definitions. Any words or expressions defined in the Oakland County Tactical Consortium Agreement shall have the same meaning in these Bylaws.

ARTICLE II

Membership

- 2.1. Request for Membership. Any political subdivision in Oakland County that has law enforcement personnel and provides law enforcement services may be eligible to become a Voting Member of OAK-TAC. This includes colleges and universities in Oakland County that provide public safety coverage through the use of sworn police personnel. Any other legal entity whose membership would benefit OAK-TAC through training, partnerships, or other supporting functions, may be eligible to become a Non-Voting Member of OAK-TAC.

All requests for membership shall be made in writing to the Secretary of OAK-TAC stating the prospective member’s ability to meet all of the requirements set forth in the Agreement. The request must be made by an authorized signor from the prospective member.

- 2.2. Receipt of Membership Request. The Secretary shall send a copy of the request for membership to each Voting Member. The request shall appear on the agenda for discussion at the first regular or special meeting held after receipt of the request.
- 2.3. Approval. Approval of membership shall be granted upon a two-thirds (2/3) vote of the Voting Members. Upon approval, the prospective member can execute the Agreement in accordance with the terms therein to become a Member.
- 2.4. Removal. A Member may be removed upon a two-thirds (2/3) vote of the Voting-Members. The removed Member shall not receive any refund or compensation from OAK-TAC.
- 2.5. Withdrawal. Any Member may terminate their participation in OAK-TAC and withdraw from OAK-TAC for any reason upon a minimum of 30 Days' written notice before the effective date of termination or cancellation. The written notice must be sent to all of the Board Members, and the effective date for termination or cancellation shall be clearly stated in the notice. The terminating Member shall not receive any refund or compensation from OAK-TAC.
- 2.6. Representation. Each Voting Member shall be represented by its Sheriff, Chief of Police, Director of Public Safety, Chief Executive Officer, or a designee of the Sheriff, Chief of Police, Director of Public Safety, or Chief Executive Officer.
- 2.7. Voting. Each Voting Member, or designated representative, present at a meeting, shall have one (1) vote on all items brought before the Board for Voting Members, and must be present in person at the meeting to cast their vote.
- 2.8. No Compensation. No Members, including Board Members, shall receive any compensation from OAK-TAC for the performance of their duties. However, a Member may be reimbursed for costs that Member incurred as a result of business meetings or other expenses directly related to OAK-TAC activities, if such costs are approved by the Board.

ARTICLE III

The Board, the Officers, and the Fiduciary Member

- 3.1. Officers. The Board shall consist of the following Officers: President, Vice President, Secretary, Treasurer, and three Trustees.
- 3.2. Term of Office. Each Officer's term of office shall be from January 1st to December 31st of each year, until such successor is duly elected.
- 3.3. Election of Officers. The election of Officers shall be conducted at the first regularly scheduled meeting where a quorum is present after September 30th of each year. Officers elected before January 1st shall take office on January 1st. If there is not a quorum at a regularly scheduled meeting between September 30th and December 31st of any year, the Officers of OAK-TAC shall be elected at the first regularly scheduled meeting when a quorum is present after January 1st, and the Officers shall commence their terms immediately. Officers shall be elected by a majority vote of the Voting Members present and voting at a duly constituted meeting.

- 3.4. Vacancies. If an Officer vacates their position mid-term for any reason, nominations shall be made and voted on at the next regularly scheduled meeting or at a special meeting called by the President, or, in the President's absence, the Vice President of OAK-TAC.
- 3.5. Removal. An Officer may be removed from the Board with or without cause upon a two-thirds (2/3) vote of the Voting Members.
- 3.6. Duties of Officers. The President shall be the chief Officer of OAK-TAC. The President shall preside over all meetings of OAK-TAC and set the meeting agenda. The President shall call meetings as necessary, as requested by a majority of the Voting Members, or on an emergency basis. The President shall also have the power to appoint an at-large member or members to assist the Board with special projects or assignments during their term in office.

The Vice President shall assume the duties of the President if the President is absent or unavailable for any reason.

The Secretary shall assume the duties of the President if the President and the Vice President are absent or unavailable. The Secretary shall keep the records and minutes of OAK-TAC and shall provide each Member of OAK-TAC with a copy of the meeting minutes from the last meeting in advance of the next regularly scheduled meeting. The Secretary shall also maintain a roster of Members (with their physical and e-mail addresses), the Agreement, these Bylaws, and all other OAK-TAC documentation. It shall be the Secretary's duty to receive and acknowledge all communications of OAK-TAC, and perform such duties as assigned by the President.

The Treasurer shall be responsible for the management and oversight of the financial affairs, including facilitating the adoption of an annual budget, completing invoices, as well as reviewing and approving the payment of expenses by the Fiduciary Member.

The Trustees shall only have the power to vote.

- 3.7. Powers of the Board. The Board of Directors shall have the power and duty to establish policies and procedures for meetings; to determine topics of training; to implement training programs; to select training instructors and personnel; to provide for equipment, protective gear and venues for training; to schedule dates and times for training; to establish criteria for those eligible for specific trainings; to establish communication protocol between multiple agencies; to resolve disputes between or among Members; to call for investigations of incidents involving the Members. and to perform any other function stated in the Agreement and these Bylaws. The Board shall also have any other power or duty that has not been delegated to the Members in the Agreement and in these Bylaws.
- 3.8. The Fiduciary Member. The Fiduciary Member of OAK-TAC shall be appointed upon a two-thirds (2/3) vote of the Board. The Fiduciary Member shall be the custodian and sole depositor of OAK-TAC's funds and shall disburse such funds as herein authorized or upon approval of the Board. The Fiduciary Member shall render a complete summary of any income, disbursements, and balances, whenever requested by the Board, and to the Members at each regularly scheduled meeting. A written copy of the same shall be made available to any Member upon request.

ARTICLE IV

Meetings

- 4.1. Regular Meetings. Regular meetings of OAK-TAC shall be held on dates approved by the Board that shall allow the majority of Voting Members to attend.
- 4.2. Special Meetings. Special meetings of OAK-TAC may be called by the President, or by a majority vote of the Voting Members. The place and time shall be determined by the President. Members must receive at least five (5) days' notice with the place and time of the special meeting stated in the notice.
- 4.3. Rules of Order. The most recently published version of Robert's Rules of Order shall be the parliamentary authority of the Board and shall govern proceedings of the Board and its Committees. Bylaws adopted by the Board that conflict with Robert's Rules of Order shall supersede any conflicting rules.
- 4.4. Motions requiring special procedures. All proposed motions for termination of OAK-TAC or decisions regarding assessments and/or dues to each Member must be announced at a meeting at least one month prior to the meeting where a vote on such a motion is scheduled.
- 4.5. Quorum. Unless otherwise stated herein, a quorum shall be required for the conduct of any business at regular or special meetings. A quorum for an action of the Voting Members shall be the minimum number of Voting Members required to pass that item. A quorum for an action of the Board shall be five (5) Officers; however, unless otherwise stated herein, approval of any item before the Board shall only require a majority vote of the Board.
- 4.6. Attendance. Any Voting Member whose designated representative fails to attend three (3) consecutive meetings of OAK-TAC within one calendar year should be notified of such absences by the Secretary.
- 4.7. Fiduciary Duties. Members are under a fiduciary duty to conduct the activities and affairs of OAK-TAC in the best interests of OAK-TAC. The Members shall discharge this duty in good faith. In the event that any Members of OAK-TAC, including the Board, are faced with a conflict of interest between their fiduciary duty to OAK-TAC and the duty owed to their organization, those Members should refrain from voting on the issue that presents a conflict of interest.

ARTICLE V

Dues, Fees, and Other Charges

- 5.1. Dues. All Members will be responsible for annual dues. Different rates will be set for Non-Voting and Voting Members. The rates and due dates shall be set and approved upon a two-thirds (2/3) vote of the Voting Members.

- 5.2. Fees and Other Charges. Fees or other charges assessed by OAK-TAC, including any conditions of payment (i.e., due dates), shall be set and approved upon a two-thirds (2/3) vote of the Voting Members.
- 5.3. Failure to Pay. The failure of any Member to pay dues, fees, or other charges within ninety (90) days of the due date may result in that Member's forfeiture from OAK-TAC without a vote. Reinstatement shall be granted upon a two-thirds (2/3) vote of the Voting Members and payment of all arrears.
- 5.4. Annual Dues will not be Prorated. If new prospective members are accepted for Membership after the annual dues have been assessed for that year, they will not be responsible for the annual dues that year. The new Members will be responsible for annual dues starting the following year.

ARTICLE VI

Committees

Special Committees and Sub-Committees. The Board may establish such committees and sub-committees as necessary to conduct the OAK-TAC's business. Ad hoc committees may be established by a majority vote of the Board for short-term purposes; however, any committee whose active work continues for greater than one (1) year shall be considered a standing committee, except by majority vote of the Board. Standing committees may be established by a majority vote of the Board.

ARTICLE VII

Amendments

- 7.1. Requirements. These Bylaws may be amended at any regular or special meetings of the Board by a two-third (2/3) vote of the Voting Members and in the following manner:
 - a. Any Voting Member in good standing at a regular meeting may propose an amendment, alteration, revision, or addition to these Bylaws.
 - b. A written copy of the proposed amendment, alteration, revision, or addition shall be filed with the Secretary.
 - c. The Secretary shall include the proposed amendment, alteration, revision, or addition in the minutes, and read the proposal at two successive meetings, and it shall be voted upon at the second successive meeting.
- 7.2. Effective Date. Amendments to these Bylaws shall be effective thirty (30) days after they are approved; unless a longer period of time is designated by a majority vote of the Board.



MEMORANDUM

Police Department

DATE: April 29, 2024

TO: Jana L. Ecker, City Manager

FROM: Ryan Kearney, Operation Captain

APPROVED BY: Scott A. Grewe, Chief of Police

SUBJECT: Recognition of "Checkered Flag Challenge" as a Nonprofit Organization to obtain a raffle license through the Michigan Lottery, Charitable Gaming Division.

INTRODUCTION:

Checkered Flag Challenge, 280 Daines St. #300, Birmingham, MI 48009, is a recognized 501(c)(3) organization under the Internal Revenue Service Code.

BACKGROUND:

Checkered Flag Challenge is a non-profit organization that provides transportation to those without access to vehicles. They are planning a fundraising raffle on June 7th, 2024, that requires a State of Michigan Gaming License. This request is a one-time requirement by the State of Michigan Gaming Commission and will cover any future events needing a gaming or raffle license.

The City Commission is asked to follow the state requirement for the organization to be recognized as a non-profit in our community. All of the necessary paperwork required by the State of Michigan 501(c)(3) organization was submitted and is attached to this report. The City Commission is not being asked to approve the event or its location.

LEGAL REVIEW:

None

FISCAL IMPACT:

None

SUSTAINABILITY:

None

PUBLIC COMMUNICATIONS:

None

SUMMARY:

To hold a fundraising raffle event that requires a State Gaming Commission license, Checkered Flag Challenge, 280 Daines St. #300, Birmingham, MI 48009, must be recognized as a non-profit organization by the City Commission. All of the necessary paperwork required by the State of Michigan to be a 501(c)(3) organization was submitted and is attached to this report.

ATTACHMENTS:

1. Charitable Gaming Commission – Qualification Information Form
2. Internal Revenue Service (IRS) Letter of Exempt Status under 501(c)(3)
3. Michigan Department of Licensing and Regulatory Affairs (LARA) Articles of Incorporation for Checkered Flag Challenge

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to approve the recognition of Checkered Flag Challenge, 280 Daines St. #300, Birmingham, MI 48009, as a 501(c)(3) non-profit organization to obtain a State of Michigan Raffle License with the State of Michigan Charitable Gaming Division. Furthermore, authorize the City Clerk to complete the Qualification Information Form and forward it to the Charitable Gaming Division, Lansing, MI.



Charitable Gaming Division
 Box 30023, Lansing, MI 48909
 OVERNIGHT DELIVERY:
 101 E. Hillsdale, Lansing MI 48933
 (517) 335-5780
 www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL.432.103(K)(II))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from CHECKERED FLAG CHALLENGE of BIRMINGHAM
NAME OF ORGANIZATION CITY

county of OAKLAND, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and
 adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL
 meeting held on _____
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application
 BSL-CG-1153(R6/09)



Charitable Gaming Division
 Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
 101 E. Hillsdale, Lansing MI 48933
 (517) 335-5780
 www.michigan.gov/cg

RAFFLE LICENSE APPLICATION

For Bureau Use Only

ALLOW 4-6 WEEKS FOR PROCESSING.
 PLEASE PRINT OR TYPE IN BLUE OR BLACK INK.

QUALIFICATION INFORMATION	1. Organization Name Checkered Flag Challenge				2. Organization ID Number or Last License Number Issued	
	3. Organization Street Address 280 Daines St. #300		City Birmingham	State MI	Zip Code 48009	
	Organization Mailing Address 280 Daines St. #300		City Birmingham	State MI	Zip Code 48009	County 63 Oakland <input type="checkbox"/>
	4. Has your organization ever received a license such as bingo, raffle or charity game ticket? <input type="checkbox"/> Yes - Complete application and submit with the appropriate fee. <input checked="" type="checkbox"/> No - You must submit the documentation requested on the Qualification Requirements sheet and become qualified before any licenses can be issued. The Qualification Requirements sheet can be obtained from our website at www.michigan.gov/cg or by calling our office at (517) 335-5780.					
5. Is your organization a candidate committee, political committee, political party committee, ballot question committee, independent committee or any other committee as defined by, and organized pursuant to, the Michigan Campaign Finance Act 388 of the Public Acts of 1976, as amended, being sections 169.201 to 169.282 of the Michigan Compiled Laws? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			6. Has your organization received contributions or made expenditures of \$500 or more in the last calendar year for the purpose of influencing or attempting to influence the action of voters for or against the nomination or election of a candidate, or the qualification, passage, or defeat of a ballot question? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

SIGNATURE(S)	7. Provide name, title, home address, and telephone numbers for the PRINCIPAL OFFICER, e.g., president, grand knight, worthy matron, etc., and the vice president or equivalent and one other officer of the organization. SIGNATURE OF PRINCIPAL OFFICER REQUIRED - OR - TWO signatures of the vice president or equivalent and one other officer. Original signatures are required. Electronic or stamped signatures are not accepted. NOTE: Executive director signature not acceptable.		
	Name and Title	Street, City, State, ZIP Code	Telephone Numbers
	Principal Officer Mary Terese Zlotoff	545 Haverhill Rd.	Day (248) 225-0686
	Title Chair	Bloomfield Hills, MI 48304	Evening (248) 225-0686
	Signature of Principal Officer <i>Mary Terese Zlotoff</i>	Email Address terese@checkeredflagchallenge.org	Date 03/14/24
	- OR -		
	Name and Title	Street, City, State, ZIP Code	Telephone Numbers
	Vice President or Equivalent Colleen Peters	2645 Bloomfield Crossing	Day (248) 505-3401
	Title Vice Chair	Bloomfield Hills, MI 48304	Evening (248) 505-3401
	Signature of Vice President or Equivalent <i>Colleen Peters</i>	Email Address colleen@meaningful-impact.com	Date 03/14/24
Name and Title	Street, City, State, ZIP Code	Telephone Numbers	
Other Officer John Gonway	2600 W. Big Beaver Rd Suite 300	Day (248) 514-8382	
Title Director	Troy, MI 48084	Evening (248) 514-8382	
Signature of Other Officer <i>John Gonway</i>	Email Address jgonway@dickinson-wright.com	Date 03/14/24	
By signing above, I CERTIFY that I am at least 18 years of age, the organization applying is a NONPROFIT organization, I have examined this application and there is no misrepresentation or falsification in the information stated or attached, and the facts underlying our original qualification status remain unchanged. I CERTIFY that ALL chairpersons associated with this raffle will read and understand the duties and responsibilities of a Raffle Chairperson as described in the Raffle Guide and Raffle Rules before performing any duties as a chairperson. I FURTHER CERTIFY that I am aware that false or misleading statements will be cause for rejection of this application or revocation of the right to obtain any future licenses and I AM AWARE OF AND AGREE TO the conditions of Act 382 of the Public Acts of 1972, as amended, and the rules and directives of the Michigan Bureau of State Lottery.			

COMPLETE THE ENTIRE APPLICATION AND MAKE A COPY FOR YOUR RECORDS



COMPLETION: Required for licensure.
 PENALTY: No license will be issued.

BSL-CG-1655(R2/23)

RAFFLE INFORMATION

8. Contact Person Terese Zlotoff			9. Raffle Location (building name, if any) M1 Concourse	
Mailing Address Where License Should Be Sent 280 Daines St. #300			Street Address 1 Concourse Dr.	
City Birmingham	State MI	ZIP Code 48009	City Pontiac	
Telephone Number (Day) (248) 225-0686	Email Address terese@checkeredflagchallenge.org		ZIP Code 48341	County 63 Oakland <input type="checkbox"/>

10. List name, home address, and telephone numbers of the raffle chairperson(s). Must be a member for 6 months. If your organization does not have general membership, chairperson must be a board member for 6 months. Playing card progressive raffles require at least 2 chairpersons. Attach additional list if necessary.

Raffle Chairperson	Street, City, State, ZIP Code	Telephone Numbers
Name Terese Zlotoff	545 Haverhill Rd.	Day (248) 225-0686
Email Address terese@checkeredflagchallenge.org	Bloomfield Hills, MI 48304	Evening (248) 225-0686
Name		Day ()
Email Address		Evening ()

11. Dates when total value of all prizes awarded in one day is \$500 or LESS.

S M A L L

Drawing Date(s) and Time(s) (Must be between the hours of 8 a.m.-2 a.m.)

Date _____ Time a.m. _____ to _____ a.m.

Date _____ Time a.m. _____ to _____ a.m.

Date _____ Time a.m. _____ to _____ a.m.

Check here if there are additional drawing dates and attach list.

Dates when total value of all prizes awarded in one day is MORE than \$500.

L A R G E

Drawing Date(s) and Time(s) (Must be between the hours of 8 a.m.-2 a.m.)

Date **06/08/24** Time **p.m.** **06:00** to **11:00** **p.m.**

Date _____ Time a.m. _____ to _____ a.m.

Check here if there are additional drawing dates and attach list.

12. License Fee

All drawing dates included on this application must be at the same location.

Small Raffle Drawings - \$15 for 1, 2, or 3 dates plus \$5 for each additional drawing date.

Large Raffle Drawings - \$50 for each drawing date.

a. 1, 2, or 3 small drawing dates \$15 = _____

b. Additional small drawing dates _____ x \$5 = _____

c. Large drawing dates **1** x \$50 = **50**

FEE (total lines a, b and c) **\$ 50**

13. * If you are conducting an in-house raffle ONLY where there is no presale of the raffle tickets before the event, there is no need to complete the raffle ticket below.
- * Ensure the event times listed in #11 reflect the entire occasion, meaning the beginning time you will start selling in-house raffle tickets on the event date and the ending time when all prizes have been awarded.
14. * If you are preselling tickets before the event, complete the boxes below in ink; ensure the ticket is printed with all of the required items according to Raffle Rule 506.
- * Indicate any additional information that will appear on the actual tickets.

TICKET INFORMATION

RAFFLE		<u>001</u> Ticket #	<u>001</u> Ticket #
<input style="width: 100%;" type="text"/> Name of Licensee			
<input style="width: 100%;" type="text"/> Drawing Date(s)	<input style="width: 100%;" type="text"/> Drawing Time(s) a.m.	Purchaser's Name	
<input style="width: 100%;" type="text"/> First Prize *		Purchaser's Address	
<input style="width: 100%;" type="text"/> Raffle Location		Purchaser's Phone #	
		<input style="width: 100%;" type="text"/> Ticket Price	
		<i>(to be added when issued)</i> License Number	

* For large prizes, you may want to include a disclaimer that states "If xxx (indicate number) tickets are not sold, the drawing will revert to a 50/50 raffle with the minimum prize of \$xxx (indicate dollar amount) awarded."

Make checks payable to: STATE OF MICHIGAN
 Submit completed application, supporting documents, and license fee to:
 Charitable Gaming Division, Box 30023, Lansing, MI 48909
 OVERNIGHT DELIVERY: 101 E. Hillsdale, Lansing, MI 48933

For Internal Use Only

QUALIFICATION INFORMATION

Complete this form and submit with the required qualification documents listed on the attached Qualification Requirements sheet. A Bingo, Raffle, or Charity Game Ticket license application and fee may also be submitted with this information. See box #5 below for mailing instructions.

1. ORGANIZATION INFORMATION

Organization Name CHECKERED FLAG CHALLENGE			
Organization Physical Street Address 280 DAINES ST. # 300			
City BIRMINGHAM	State MI	Zip Code 48009	County OAKLAND
Organization Mailing Address			<input checked="" type="checkbox"/> Same as Physical Address
City	State	Zip Code	County
Organization Telephone Number 248-225-0686			

2. ORGANIZATION PURPOSE

Briefly describe the purpose of your organization.
TO RAISE FUNDS TO PROVIDE TRANSPORTATION TO RESIDENTS OF PONTIAC WITHOUT ACCESS TO VEHICLES

3. LICENSE APPLICATION

Enclosed is a completed application and fee for a Bingo Raffle Charity Game Ticket license
 Make checks payable to STATE OF MICHIGAN.

4. AUTHORIZED CONTACT PERSON

First Name TERESE		Last Name ZLOTOFF		Position/Role with Organization CHAIR OF BOARD	
Mailing Address 545 HAVERHILL RD.				City BLOOMFIELD HILLS	
State MI	Zip Code 48304	Telephone Number (Day) 248-225-0686	Telephone Number (Evening) same		
By signing below, I hereby certify that the representations, information, and data presented are true, accurate, and complete to the best of my knowledge. I understand that failure to answer truthfully, completely, and accurately could preclude the organization from receiving an approval to obtain a gaming license.					
Authorized Contact Person Signature <i>M. Terese Zlotoff</i>					Date 2/21/24
Print Authorized Contact Name and Title M. TERESE ZLOTOFF					

5. MAILING INSTRUCTIONS

Mail this completed Qualification Information form, the required qualification documentation listed on the Qualification Requirements sheet, and the completed license application and fee (if also applying for a gaming license) to Charitable Gaming Division, PO Box 30023, Lansing, MI 48909. If submitting by overnight carrier (FedEx, UPS, etc.), send to Charitable Gaming Division, 101 East Hillsdale, Lansing, MI 48933.





Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

CHECKERED FLAG CHALLENGE
280 DAINES ST SUITE 300
BIRMINGHAM, MI 48009

Date:
01/28/2021
Employer ID number:
85-1010590
Person to contact:
Name: Sheila M Robinson
ID number: 31220
Telephone: (877)829-5500
Accounting period ending:
December 31
Public charity status:
170(b)(1)(A)(vi)
Form 990 / 990-EZ / 990-N required:
Yes
Effective date of exemption:
April 27, 2020
Contribution deductibility:
Yes
Addendum applies:
No
DLN:
26053633005260

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

We sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,



Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

**Articles of Incorporation &
Certificate of Amendment to the Articles of Incorporation**

Checkered Flag Challenge

EIN: 85-1010590



Form Revision Date 07/201

ARTICLES OF INCORPORATION
For use by DOMESTIC NONPROFIT CORPORATION

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is:

CHECKERED FLAG BALL

ARTICLE II

The purpose or purposes for which the corporation is formed are:

- a) To conduct fundraising events to provide funding to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), specifically including organizations that support charitable causes in Pontiac, Michigan and throughout Oakland County and southeastern Michigan.
- b) To operate exclusively for charitable, religious, educational, and scientific purposes as set forth in Section 501(c)(3) of the Code without discriminating on the basis of race, color, creed, sex, sexual orientation, national origin, or other protected status.
- c) To engage in any and all lawful activities and to exercise any and all powers as may be necessary, incidental, or helpful to the achievement of the foregoing purposes, except as restricted by these Articles or by applicable law.

ARTICLE III

The Corporation is formed upon basis.

If formed on a stock basis, the total number of shares the corporation has authority to issue is

If formed on a nonstock basis, the description and value of its real property assets are (if none, insert "none"):

None

The description and value of its personal property assets are (if none, insert "none"):

None

The corporation is to be financed under the following general plan:

Primarily by gifts, grants, bequests, devises, and similar contributions from others, including contributions and sponsorships received in connection with fundraising events.

The Corporation is formed on a basis.

ARTICLE IV

The street address of the registered office of the corporation and the name of the resident agent at the registered office (P.O. boxes are not acceptable):

- 1. Agent Name: JOHN P. GONWAY
- 2. Street Address: 2600 W BIG BEAVER RD
- Apt/Suite/Other: SUITE 300
- City: TROY
- State: MI Zip Code: 48084

3. Registered Office Mailing Address:

P.O. Box or Street 2600 W BIG BEAVER RD

Apt/Suite/Other: SUITE 300
City: TROY
State: MI Zip Code: 48084

ARTICLE V

The name(s) and address(es) of the incorporator(s) is (are) as follows:

Name	Residence or Business Address
JOHN P. GONWAY	2600 W BIG BEAVER RD, SUITE 300, TROY, MI 48084 USA

Use the space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added.

ARTICLE VI
THE CORPORATION SHALL HAVE PERPETUAL DURATION.

ARTICLE VII
THE NUMBER OF DIRECTORS AND THEIR TERMS OF OFFICE WILL BE AS SPECIFIED IN THE BYLAWS OF THE CORPORATION.

ARTICLE VIII
UPON THE DISSOLUTION OR IMMINENT TERMINATION OF THE CORPORATION, THE BOARD OF DIRECTORS (THE "BOARD") SHALL, AFTER PAYING OR MAKING PROVISION FOR THE PAYMENT OF ALL OF THE LIABILITIES OF THE CORPORATION, DISTRIBUTE ALL OF THE REMAINING ASSETS OF THE CORPORATION TO SUCH ORGANIZATION (OR ORGANIZATIONS) THAT ARE ORGANIZED AND OPERATED EXCLUSIVELY FOR CHARITABLE, RELIGIOUS, EDUCATIONAL, AND SCIENTIFIC PURPOSES AND QUALIFY AS AN EXEMPT ORGANIZATION (OR EXEMPT ORGANIZATIONS) UNDER SECTION 501(C)(3) AND EITHER SECTION 509(A)(1) OR 509(A)(2) OF THE CODE. ANY SUCH ASSETS NOT SO DISPOSED OF SHALL BE DISPOSED OF BY THE APPROPRIATE COURT OF THE COUNTY IN WHICH THE PRINCIPAL OFFICE OF THE CORPORATION IS THEN LOCATED TO SUCH ORGANIZATION (OR ORGANIZATIONS) THAT ARE THEN DESCRIBED IN SECTION 501(C)(3) AND EITHER SECTION 509(A)(1) OR 509(A)(2) OF THE CODE.

ARTICLE IX
NO DIRECTORS OR VOLUNTEER OFFICERS OF THE CORPORATION, AS THAT TERM IS DEFINED IN THE ACT, SHALL BE PERSONALLY LIABLE TO THE CORPORATION FOR MONETARY DAMAGES FOR ANY ACTION TAKEN OR ANY FAILURE TO TAKE ANY ACTION AS A DIRECTOR OR VOLUNTEER OFFICER, EXCEPT LIABILITY FOR ANY OF THE FOLLOWING (AS APPLICABLE):

1. THE AMOUNT OF A FINANCIAL BENEFIT RECEIVED BY A DIRECTOR OR VOLUNTEER OFFICER TO WHICH HE OR SHE IS NOT ENTITLED.
2. INTENTIONAL INFLICTION OF HARM ON THE CORPORATION, ITS SHAREHOLDERS, OR MEMBERS.
3. A VIOLATION OF SECTION 551 OF THE ACT.
4. AN INTENTIONAL CRIMINAL ACT.
5. A LIABILITY IMPOSED UNDER SECTION 497(A) OF THE ACT.

ANY REPEAL OR MODIFICATION OF THIS ARTICLE BY SHALL NOT ADVERSELY AFFECT ANY RIGHT OR PROTECTION OF A DIRECTOR OR VOLUNTEER OFFICER EXISTING AT THE TIME OF SUCH REPEAL OR MODIFICATION.

A CLAIM FOR MONETARY DAMAGES FOR A BREACH OF A DIRECTOR OR VOLUNTEER OFFICER'S DUTY TO ANY PERSON OTHER THAN THE CORPORATION SHALL NOT BE BROUGHT OR MAINTAINED AGAINST A DIRECTOR OR VOLUNTEER OFFICER, BUT SUCH A CLAIM SHALL BE BROUGHT OR MAINTAINED INSTEAD AGAINST THE CORPORATION, WHICH SHALL BE LIABLE FOR THE BREACH OF THE DIRECTOR OR VOLUNTEER OFFICER'S DUTY.

ARTICLE X
THE CORPORATION ASSUMES ALL LIABILITY TO ANY PERSON, OTHER THAN THE CORPORATION, FOR ALL ACTS OR OMISSIONS OF A VOLUNTEER DIRECTOR, VOLUNTEER OFFICER, OR OTHER VOLUNTEER, AS THOSE TERMS ARE DEFINED IN THE ACT, OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE PROVISION GRANTING LIMITED LIABILITY IF ALL OF THE FOLLOWING ARE MET:

1. THE VOLUNTEER WAS ACTING OR REASONABLY BELIEVED HE OR SHE WAS ACTING WITHIN THE SCOPE OF HIS OR HER AUTHORITY.
2. THE VOLUNTEER WAS ACTING IN GOOD FAITH.
3. THE VOLUNTEER'S CONDUCT DID NOT AMOUNT TO GROSS NEGLIGENCE OR WILLFUL AND WANTON MISCONDUCT.
4. THE VOLUNTEER'S CONDUCT WAS NOT AN INTENTIONAL TORT.
5. THE VOLUNTEER'S CONDUCT WAS NOT A TORT ARISING OUT OF THE OWNERSHIP, MAINTENANCE, OR USE OF A MOTOR VEHICLE FOR WHICH TORT LIABILITY MAY BE IMPOSED AS PROVIDED IN SECTION 3135 OF THE MICHIGAN INSURANCE CODE OF 1956, ACT 218 OF 1956 (CODIFIED AT MCL BEING 500.3135).

HOWEVER, THE CORPORATION SHALL NOT BE CONSIDERED TO HAVE ASSUMED ANY LIABILITY TO THE EXTENT THAT SUCH ASSUMPTION IS INCONSISTENT WITH THE STATUS OF THE CORPORATION AS AN ORGANIZATION DESCRIBED IN SECTION 501(C)(3) OF THE CODE, OR THE CORRESPONDING SECTION OF ANY FUTURE FEDERAL TAX CODE

IF THE ACT IS AMENDED AFTER THE FILING OF THESE ARTICLES OF INCORPORATION TO AUTHORIZE THE FURTHER ELIMINATION OR LIMITATION OF THE LIABILITY OF DIRECTORS OF NONPROFIT CORPORATIONS, THEN THE LIABILITY OF THE DIRECTORS, OFFICERS, AND VOLUNTEERS IN ADDITION TO THAT DESCRIBED IN ARTICLE IX ABOVE AND THIS ARTICLE X, AS APPLICABLE, SHALL BE ASSUMED BY THE CORPORATION OR ELIMINATED OR LIMITED TO THE FULLEST EXTENT PERMITTED BY THE ACT AS SO AMENDED. SUCH AN ELIMINATION, LIMITATION, OR ASSUMPTION OF LIABILITY IS NOT EFFECTIVE TO THE EXTENT THAT IT IS INCONSISTENT WITH THE STATUS OF THE CORPORATION AS AN ORGANIZATION DESCRIBED IN SECTION 501(C)(3) OF THE CODE OR CORRESPONDING SECTION OF ANY FUTURE FEDERAL TAX CODE.

ADDITIONALLY, IT IS THE INTENTION AND PURPOSE OF THIS ARTICLE THAT BY REASON OF THE FOREGOING PROVISIONS A CLAIM FOR MONETARY DAMAGES FOR A VOLUNTEER DIRECTOR, VOLUNTEER OFFICER, OR OTHER VOLUNTEER'S ACTS OR OMISSIONS SHALL NOT BE BROUGHT OR MAINTAINED AGAINST A VOLUNTEER DIRECTOR, VOLUNTEER OFFICER, OR OTHER VOLUNTEER, BUT SHALL BE BROUGHT AND MAINTAINED AGAINST THE CORPORATION.

ARTICLE XI

1. UNLESS OTHERWISE PROVIDED BY APPLICABLE LAW, THESE ARTICLES, OR THE BYLAWS OF THE CORPORATION, THESE ARTICLES MAY ONLY BE AMENDED, REPEALED, OR SUPERSEDED BY THE APPROVAL OF EIGHTY PERCENT (80%) OF THE BOARD.
2. THE CORPORATION SHALL NOT VOLUNTARILY TRANSFER ALL, OR SUBSTANTIALLY ALL, OF ITS ASSETS, NOR SHALL THE CORPORATION BE VOLUNTARILY DISSOLVED, OTHER THAN AS PROVIDED IN THESE ARTICLES, WITHOUT THE APPROVAL OF EIGHTY PERCENT (80%) OF THE BOARD.

ARTICLE XII

EXCEPT AS OTHERWISE PROVIDED BY APPLICABLE LAW, THE POWER TO ADOPT, AMEND, OR REPEAL THE BYLAWS OF THE CORPORATION IS RESERVED EXCLUSIVELY TO THE BOARD.

Signed this 24th Day of April, 2020 by the incorporator(s).

Signature	Title	Title if "Other" was selected
John P. Gonway	Incorporator	

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.

Decline Accept

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

FILING ENDORSEMENT

This is to Certify that the ARTICLES OF INCORPORATION

for

CHECKERED FLAG BALL

ID Number: 802440770

received by electronic transmission on April 24, 2020 ***, is hereby endorsed.***

Filed on April 27, 2020 ***, by the Administrator.***

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 27th day of April, 2020.

Linda Clegg

Linda Clegg, Interim Director

Corporations, Securities & Commercial Licensing Bureau



Form Revision Date 07/201

CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION For use by DOMESTIC NONPROFIT CORPORATION

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Certificate:

The identification number assigned by the Bureau is:

The name of the corporation is:

The Articles of Incorporation is hereby amended to read as follows:

Article I

The name of the corporation as amended, is:
CHECKERED FLAG CHALLENGE

The foregoing amendment to the Articles of Incorporation was duly adopted on : 05/19/2020
in accordance with the provisions of the act by the unanimous consent of the incorporator(s) before the first meeting of the Board of Directors or Trustees.

This document must be signed by an authorized officer or agent:

Signed this 19th Day of May, 2020 by:

Signature	Title	Title if "Other" was selected
JOHN P. GONWAY	Incorporator	

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.
 Decline Accept

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

FILING ENDORSEMENT

This is to Certify that the CERTIFICATE OF AMENDMENT TO THE ARTICLES OF INCORPORATION

for

CHECKERED FLAG CHALLENGE

ID Number: 802440770

received by electronic transmission on May 19, 2020 **, is hereby endorsed.**

Filed on May 28, 2020 **, by the Administrator.**

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 28th day of May, 2020.

Linda Clegg

**Linda Clegg, Interim Director
Corporations, Securities & Commercial Licensing Bureau**



MEMORANDUM

Clerk's Office

DATE: April 17, 2024
TO: Jana L. Ecker, City Manager
FROM: Alexandria Bingham, City Clerk
SUBJECT: Board of Review Member Resignation

INTRODUCTION/BACKGROUND:

The Board of Review Regular Member Thomas Loafman submitted his resignation from the board effective April 16, 2024.

LEGAL REVIEW:

None.

FISCAL IMPACT:

None.

SUSTAINABILITY IMPACT:

None.

PUBLIC COMMUNICATIONS:

The City Clerk's office will publish a notice of intention to appoint to this position, post the vacancy on the "board and commission opportunities" portion of the City's website and include it in the City's digital news vehicles as publication schedules permit.

SUMMARY:

The City Commission is being asked to accept the resignation of Thomas Loafman from the Board of Review, thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.

ATTACHMENTS:

1. Resignation letter dated April 16, 2024.

SUGGESTED COMMISSION ACTION:

To make a motion to accept the resignation of Thomas Loafman from the Board of Review, to thank him for his service and to direct the City Clerk to begin the process of filling the vacancy.

ClerksOffice- Fwd: FW: Resignation

Mark Gerber <Mgerber@bhamgov.org>
To: Clerks Office <ClerksOffice@bhamgov.org>

Tue, Apr 16, 2024 at 12:17 PM

FYI

----- Forwarded message -----

From: **Boger, Teresa Marie** <bogert@oakgov.com>

Date: Tue, Apr 16, 2024 at 9:52 AM

Subject: FW: Resignation

To: Ryan Katz <rkatz@bhamgov.org>, Mark Gerber <Mgerber@bhamgov.org>

Cc: Marshall, Amanda Beth <marshalla@oakgov.com>, Kort, David William <kortd@oakgov.com>

Ryan

Good morning. I am not sure if Thomas Loafman sent this to the City as well, below please find his resignation from the March Board of Review.

I know the city is looking to recruit more people for many different boards. Currently this board is down to 3 members. We must have two members present at any meeting to have a quorum.

Sincerely,

Teresa Boger

Equalization Field Supervisor

Equalization

Management and Budget

Oakland County, Michigan

All ways, moving forward

Phone: (248) 858-9765

Mobile: (248) 721-2794

Email: bogert@OakGov.com

250 Elizabeth Lake Road, Ste 1000W
Pontiac, Mi 48341

www.OakGov.com/Equal

From: Thomas Loafman <thosloafman@gmail.com>
Sent: Tuesday, April 16, 2024 9:39 AM
To: Boger, Teresa Marie <bogert@oakgov.com>
Subject: Resignation

CAUTION: This message is from a sender outside of the Oakland County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Teresa Marie,

I hope this email finds you well.

I unfortunately must tender my resignation from the Birmingham Review Board.

It has been a pleasure working with you and the team.

Best regards,

Tom Loafman

--

Mark Gerber, CPA
Finance Director/Treasurer
City of Birmingham
151 Martin Street
PO Box 3001
Birmingham, MI 48012-3001
(248) 530-1814 phone
(248) 530-1090 fax

Important Note to Residents

Let's connect! Join the Citywide Email System to receive important City updates and critical information specific to your neighborhood at www.bhamgov.org/citywideemail.



MEMORANDUM

Clerk's Office

DATE: April 17, 2024
TO: Jana L. Ecker, City Manager
FROM: Alexandria Bingham, City Clerk
SUBJECT: Martha Baldwin Park Board Member Passing

INTRODUCTION/BACKGROUND:

The Martha Baldwin Park Board Regular Member Robert Kenning passed away and will no longer be able to serve as a regular member on the board effective April 16, 2024.

In 1989, Bob retired after a remarkable 25 years as City Manager. Bob helped usher in the City's evolution to a modern city with upgraded infrastructure such as parking structures and worked with the City Commission to complete the first comprehensive downtown development proposal in the 1960's. Bob credited City Commissioners with the City's progress, saying, "The things we accomplished were due to commissioners. They were skilled money managers and were sensitive to the future needs of the City and the Central Business District"; and Bob's legendary kindness and respect for citizens with diverse opinions helped resolve problems during his long tenure. Bob's professionalism and dedication to the community were unsurpassed and through his leadership, the City developed and prospered.

LEGAL REVIEW:

None.

FISCAL IMPACT:

None.

SUSTAINABILITY IMPACT:

None.

PUBLIC COMMUNICATIONS:

The City Clerk's office will publish a notice of intention to appoint to this position, post the vacancy on the "board and commission opportunities" portion of the City's website and include it in the City's digital news vehicles as publication schedules permit.

SUMMARY:

The City Commission is being asked to recognize the dedication of Robert Kenning to his services on the Martha Baldwin Park Board, thank him for his many years of service to the City of Birmingham, and to direct the City Clerk to begin the process of filling the vacancy.

SUGGESTED COMMISSION ACTION:

To make a motion to direct the City Clerk to begin the process of filling the vacancy on the Martha Baldwin Park Board and recognize Robert Kenning for his many years of service to the City of Birmingham.



Official Obituary of

Robert S. Kenning

September 20, 1923 - April 16, 2024

Obituary & Events

Tribute Wall

Robert S. Kenning Obituary

Please share a memory of Robert to include in a keepsake book for family and friends.

[View Tribute Book](#)

Robert Stanley Kenning of Birmingham, Michigan died on April 16, 2024. He was 100 years old. Bob was born on September 20, 1923 in Minneapolis, MN to parents, Theodore and Nettie Kenning.

After attending the University of Minnesota for 2 years, he enlisted in the Marine Corps in 1942. After discharge, he returned and graduated from University of Minnesota with a dual major of Civil Engineering and Business. While attending University of Minnesota he worked as a "Soda Jerk" where he developed his lifelong love of ice cream. He worked for Bass Engineering initially, then began his career at the City of Birmingham as Assistant DPW Superintendent. He advanced to City Manager where he served for many years and was honored with the dedication of Kenning Park at retirement. After retiring from the City of Birmingham, Bob worked for many years as the Director of the nonprofit Oakland Housing, where he built two subdivisions in Pontiac. These homes enabled families to establish home ownership in a thriving neighborhood.

Bob Kenning was a hard-working honest man with a deep belief in the Lord, and was one good looking fisherman. He loved his wife Shirley in a way that everyone deserves to be loved and built a life with her that taught the rest of us what unconditional meant. What was astonishing was his ability to craft anything out of wood - which he would promptly give away to bring joy to others. A couple of weeks in Minnesota at the family cabin each summer included the biggest fish contest which always resulted in embellished stories.

For his grandchildren he was a moral compass. He was also a vacation planner, chauffeur, tour guide and entertainment wrapped up as one perfect grandpa. He was a teacher, therapist and supporter and held the belief that anything could be fixed. He gave the VERY BEST hugs. He thought about his words before he spoke them and did not believe in saying "I told you so".

He instilled family traditions and taught us to always say "yes" whenever offered donuts, root beer, or ice cream.

Share a memory


5L


Swinson) Kenning. He is also survived by his great-grandchildren, Robert, Henry, Willow, Penny, Robin, Luca, and Mason. Bob is preceded in death by his beloved wife, Shirley and his siblings, Carlton and Pearl.

Visitation will be at Lynch & Sons Funeral Home, 1368 N. Crooks Road (between 14 & 15 Mile Roads) Clawson, Michigan on Friday, May 10, 2024 from 4-8pm. A Funeral Service will be at Highland Park Baptist Church, 28600 Lahser Road, Southfield on Saturday, May 11, 2024 at 10am. Burial will follow in Greenwood Cemetery, Birmingham, Michigan.

Events

MAY 10 Visitation

 Friday, May 10, 2024
4:00PM - 8:00PM

 Lynch & Sons Funeral Directors - Clawson
1368 N. Crooks Road
Clawson, MI 48017


Get Directions


[View Map](#)

[Text](#)

[Email](#)

MAY 11 Service

 Saturday, May 11, 2024
10:00AM

 Highland Park Baptist Church
28600 Lahser Road
Southfield, MI 48034

Get Directions

[View Map](#)

[Text](#)

[Email](#)

APR 19 Online Memory & Photo Sharing Event

 Orders begin printing on April 29

 Online Event

About this event

Share a memory

5L





MEMORANDUM

Clerk's Office

DATE: April 19, 2024
TO: Jana L. Ecker, City Manager
FROM: Alexandria Bingham, City Clerk
SUBJECT: Museum Board Member Resignation

INTRODUCTION/BACKGROUND:

The Museum Board Regular Member Caroline Ashleigh submitted her resignation from the board effective April 19, 2024.

LEGAL REVIEW:

None.

FISCAL IMPACT:

None.

SUSTAINABILITY IMPACT:

None.

PUBLIC COMMUNICATIONS:

The City Clerk's office will publish a notice of intention to appoint to this position, post the vacancy on the "board and commission opportunities" portion of the City's website and include it in the City's digital news vehicles as publication schedules permit.

SUMMARY:

The City Commission is being asked to accept the resignation of Caroline Ashleigh from the Museum Board, thank her for her service, and to direct the City Clerk to begin the process of filling the vacancy.

ATTACHMENTS:

1. Resignation letter dated April 19, 2024.

SUGGESTED COMMISSION ACTION:

To make a motion to accept the resignation of Caroline Ashleigh from the Museum Board, to thank her for her service and to direct the City Clerk to begin the process of filling the vacancy.

Ms. Jana Ecker, City Manager
Ms. Mary Kucharek, City Attorney
151 Martin Street
Birmingham, MI 48009
April 19, 2024

Sent Via email to: Jana Ecker, Mary Kucharek, Leslie Pielack, Clinton Baller, Anthony Long, Brad Host, Therese Longe, Katie Schafer, Andrew Haig, Elaine McLain

Dear All,

It is my position, as well as that of many other Birmingham residents, that our property has been damaged by the City due to its failure over a period of many years to take reasonable steps, in a reasonable period of time, to properly maintain, correct or remedy the city sewage disposal system. Therefore, I, and the other Birmingham claimants who are named in various lawsuits in Oakland County against the City of Birmingham regarding this matter, have no other recourse than to pursue a civil suit, to address these issues and to seek relief, as the City has asserted no responsibility for their inaction, and has denied all of our claims.

Given the nature of the problem, which has persisted at my residence for over a decade, my tenure on the Museum Board demonstrates there has been no incompatibility or conflict of interest in discharging my official duties, nor impairment of my independent judgment or performance. To the contrary, I have followed the provisions of the Code of Ethics requiring that all city officials be independent, impartial and responsible to the people.

My performance as a Museum Board member has been exemplary, and imparted with good judgment and in the best interests of the public. I have carried out all my duties impartially, reasonably, and in a non-partisan manner. I have meaningfully contributed my professional expertise and specialized professional skills attained in the museum sector and as a business owner of an appraisal and auction firm in Birmingham for nearly 30 years. In a statement from a fellow Board member, *"The expertise and dedication that you bring to the Museum Board is invaluable and chasing that away would be a detriment to the Museum, to the City, and to the residents of Birmingham."*

Forcing me off the Museum Board, as a result of a civil action initiated by multiple litigants, which I am not funding, could be deemed as harassment, intimidation, retaliation, and possibly tortious interference by the City of Birmingham for exercising my constitutional rights to pursue a civil case. This would ironically appear to undermine the confidence of the public trust in the integrity of City government, thus creating the very situation the City claims they seek to avoid.

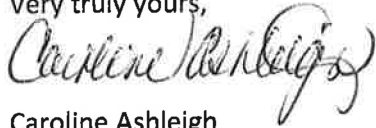
I am in receipt of City Manager, Jana Ecker's, March 15, 2024 letter informing me of the City's intention regarding my position on the Museum Board citing a possible violation of the Ethics Ordinances which, I believe, is a far overreach. Sometimes city governments make mistakes. It's how they correct them, which speaks to their core values and principles.

I stand firm in my position that I have done nothing unethical or improper as a Museum Board member, and I will not be convinced otherwise. I am proud of my pro bono work on behalf the Birmingham Museum, which has enriched our community, and I am proud to stand up for my rights, and for those of other citizens in our community.

I have awaited a response to my March 26th and April 8, 2024 emails asking for a date and time in which I could present my position at a public hearing before the City Commissioners from Jana Ecker and Mary Kucharek. I have not received the courtesy of a reply from either of them as of this date to that specific request.

At this juncture, I have lost trust and confidence in the ability of our City government to appropriately respond to this matter by maintaining an open forum dialog at a public hearing surrounding the issues involved. Due to these circumstances, the City leaves me with no other option than to officially tender my resignation as a Member of the Birmingham Museum Board effective immediately.

Very truly yours,

A handwritten signature in black ink, appearing to read "Caroline Ashleigh". The signature is written in a cursive, flowing style with some loops and flourishes.

Caroline Ashleigh

City of Birmingham Board of Ethics
Mr. Michael Coakley; Mr. James Robb; Ms. Judy Doyle; Ms. Melissa LeDuc
151 Martin Street
Birmingham, MI 48009
April 19, 2024

Hand Delivered to City Clerk

Dear Members of the Board of Ethics,

I have awaited a response to my March 26th and April 8, 2024 emails asking for a date and time in which I could present my position at a public hearing before the City Commissioners regarding my position on the Museum Board from City Manager, Jana Ecker and City Attorney, Mary Kucharek.

Please be advised I have not received the courtesy of a reply from either of them as of this date to that specific request, nor did they advise me of any decision to refer it the Board of Ethics for the Board's Opinion, nor who to contact, or how or when to present evidence that bears on the matter, or give testimony.

As mentioned in my April 19, 2024 letter to Jana Ecker and May Kucharek (see enclosed) I have lost trust and confidence in the ability of our City government to appropriately respond to this matter by maintaining an open forum dialog surrounding the issues involved.

Due to these circumstances, the City leaves me with no other option than to officially tender my resignation as a Member of the Birmingham Museum Board effective immediately. Accordingly, I consider my decision to resign renders this matter closed, and should be dropped now.

Very truly yours,



Caroline Ashleigh

Caroline Ashleigh Associates, LLC
1221 Bowers Street #1863
Birmingham, MI. 48012

CLERK'S OFFICE

RECEIVED



Caroline Ashleigh
248.613.4056
Very eager to know
when Board will
~~receive~~^{receive} letter!
Please call
KBY

Board of Ethics
City of Birmingham
151 Martin Street
Birmingham, MI 48009



MEMORANDUM

Clerk's Office

DATE: April 17, 2024
TO: Jana L. Ecker, City Manager
FROM: Alexandria Bingham, City Clerk
SUBJECT: Public Arts Board Member Resignation

INTRODUCTION/BACKGROUND:

The Public Arts Board Regular Member Kristin Lewis submitted her resignation from the board effective April 17, 2024.

LEGAL REVIEW:

None.

FISCAL IMPACT:

None.

SUSTAINABILITY IMPACT:

None.

PUBLIC COMMUNICATIONS:

None.

SUMMARY:

The City Commission is being asked to accept the resignation of Kristin Lewis from the Public Arts Board, thank her for her service.

ATTACHMENTS:

1. Resignation letter dated April 17, 2024.

SUGGESTED COMMISSION ACTION:

To make a motion to accept the resignation of Kristin Lewis from the Public Arts Board and thank her for her service.

RECEIVED

APR 23 2024
9:04 AM

Kristin Lewis
944 Kennesaw St.
Birmingham, MI 48009

April 17, 2024

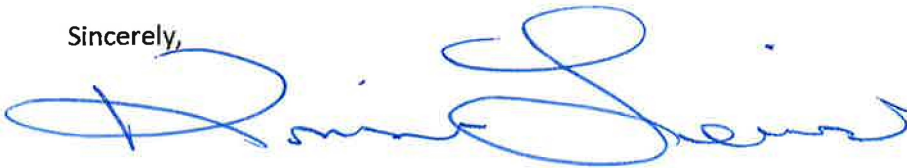
City Commission
City of Birmingham
151 Martin Street
Birmingham, MI

Dear Birmingham City Commissioners:

I hope this message finds you well as I am writing to inform you of my decision to rescind my application and nomination to the Public Arts Board as an alternate member with a term expiring in January of 2025. Due to a City Clerk's clerical error, there was not, in fact, an alternate position available at the time the intention to appoint was made and when my application was considered at the recent April 15, 2024 City Commission meeting. After speaking with your City attorney, and after deliberation, it is in the best interest of the City that I withdraw my nomination and candidacy for the Public Arts Board and stay tuned for another opportunity to serve on a City board.

I want to express my sincere gratitude for considering me for this important role. The City Clerk's Office has also expressed their regret regarding this clerical error and any inconvenience or confusion it may have caused.

Sincerely,



Kristin Lewis
248-561-3809
lewis0626@att.net



MEMORANDUM

Planning Division

DATE: April 29, 2024

TO: Jana L. Ecker, City Manager

FROM: Nicholas Dupuis, Planning Director

SUBJECT: Set Public Hearing for 260 N. Old Woodward – Coterie (formerly “The Morrie”)– Special Land Use Permit Amendment (Ownership Change)

INTRODUCTION:

The applicant has submitted a Special Land Use Permit Amendment application to change ownership of an existing food and drink establishment serving alcoholic liquors for on premise consumption in Downtown Birmingham. The subject site, Coterie (formerly “The Morrie”), is located on the east side of N. Old Woodward between Hamilton Row and Oakland.

The transfer of ownership will not include any changes to the use of the business/property, nor will any changes in the site/property occur as a result of this transfer. If approved, the Special Land Use Permit would be transferred from The Morrie Birmingham, LLC to Old Woodward STA, LLC.

BACKGROUND:

On July 23, 2018 ([Agenda](#) – [Minutes](#)), the City Commission moved to approve the original Special Land Use, Final Site Plan and Design Review application for The Morrie.

On September 20, 2021 ([Agenda](#) – [Minutes](#)), the City Commission approved a Special Land Use Permit Amendment, Final Site Plan and Design Review application for a new outdoor dining platform in the N. Old Woodward right-of-way with no other changes to the operation of the establishment or the building.

LEGAL REVIEW:

The City Attorney has reviewed this request and has no objections as to form and content. The executed contract will be thoroughly reviewed at the time of the public hearing.

FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

SUSTAINABILITY:

Not applicable.

PUBLIC COMMUNICATIONS:

As required for Special Land Use Permit Reviews, a legal ad will be placed in a newspaper of local circulation to advertise the public hearing at the City Commission meeting on June 3, 2024. In addition, postcards will be sent out to property owners and occupants within 300 feet of the subject site.

SUMMARY:

The Planning Division requests that the City Commission set a public hearing date of June 3, 2024 to consider the Special Land Use Permit Amendment for 260 N. Old Woodward – Coterie – to transfer ownership and update the Special Land Use Permit with the new owner, Old Woodward STA, LLC.

ATTACHMENTS:

Please see attached the following documents:

- Special Land Use Permit Resolution
- Special Land Use Permit Contract (Draft)
- Application Materials
- Approved Site/Design Plans (2021)

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to set a public hearing date of June 3, 2024 to consider the Special Land Use Permit Amendment for 260 N. Old Woodward – Coterie – to transfer ownership and update the Special Land Use Permit with the new owner, Old Woodward STA, LLC.

COTERIE
260 N. Old Woodward
Special Land Use Permit Amendment 2024

WHEREAS, A Special Land Use Permit Amendment application was filed in April 2024 for approval of the transfer of ownership and name change of an existing food and drink establishment serving alcoholic liquors for on premise consumption at 260 N. Old Woodward from The Morrie Birmingham, LLC to Old Woodward STA, LLC;

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

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

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

WHEREAS, The applicant has stated that there will be no modification to the premises, structurally, and that the applicant will continue the menu and design submitted under the original Special Land Use Permit, thus not necessitating a Final Site Plan and Design Review at the Planning Board;

WHEREAS, The City Commission granted a Special Land Use Permit, Final Site Plan and Design Review approval for The Morrie at 260 N. Old Woodward on July 23, 2018 and granted a Special Land Use Permit Amendment on September 20, 2021;

WHEREAS, The name of the establishment located at 260 N. Old Woodward is proposed to change from "The Morrie" to "Coterie" with no changes to premises or the operations at 260 N. Old Woodward;

WHEREAS, The Birmingham City Commission has conducted a public hearing on June 3, 2024, and has reviewed Coterie's Special Land Use Permit Amendment application and the standards for such review as set forth in Article 7, section 7.36 of Chapter 126, Zoning, of the City Code;

NOW, THEREFORE, BE IT RESOLVED, The Birmingham City Commission finds the standards imposed under the City Code have been met, subject to the conditions below, and that Coterie's application for a Special Land Use Permit Amendment at 260 N. Old Woodward is hereby approved;

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

1. Coterie shall abide by all provisions of the Birmingham City Code;

2. Coterie shall comply with the approved site and design plans and any amendments thereto, and all conditions of approval assigned by the Planning Board and City Commission in 2018 and 2021; and
3. The Special Land Use Permit may be canceled by the City Commission upon finding that the continued use is not in the public interest.

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

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

BE FURTHER RESOLVED that Coterie is recommended for approval of the transfer of ownership of an existing food and drink establishment serving alcoholic liquors for on premise consumption at 260 N. Old Woodward from The Morrie Birmingham, LLC to Old Woodward STA, LLC, above all others, subject to final inspection.

I, Alexandria Bingham, City Clerk of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on June 3, 2024.

Alexandria Bingham
City Clerk

CONTRACT FOR A LIQUOR LICENSE FOR 260 N. OLD WOODWARD – COTERIE

This Contract is entered into this ____ day of _____, 2024 by and between **OLD WOODWARD STA, LLC**, whose address is 29850 Northwestern Highway Suite 200, Southfield MI 48034 (Licensee), **THE PALLADIUM OF BIRMINGHAM, LLC**, whose address is 4036 Telegraph Road Suite 201. Bloomfield Hills MI, 48302 (Property Owner), and the **CITY OF BIRMINGHAM**, a Michigan Municipal Corporation, whose address is 151 Martin Street, Birmingham, Michigan 48009 (City).

RECITALS:

WHEREAS, A Special Land Use Permit Amendment application was filed in April 2024 for approval of the transfer of ownership and name change of an existing food and drink establishment serving alcoholic liquors for on premise consumption at 260 N. Old Woodward from The Morrie Birmingham, LLC to Old Woodward STA, LLC;

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

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

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

WHEREAS, The applicant has stated that there will be no modification to the premises, structurally, and that the applicant will continue the menu and design submitted under the original Special Land Use Permit, thus not necessitating a Final Site Plan and Design Review at the Planning Board;

WHEREAS, The City Commission granted a Special Land Use Permit, Final Site Plan and Design Review approval for The Morrie at 260 N. Old Woodward on July 23, 2018 and granted a Special Land Use Permit Amendment on September 20, 2021;

WHEREAS, The name of the establishment located at 260 N. Old Woodward is proposed to change from "The Morrie" to "Coterie" with no changes to premises or the operations at 260 N. Old Woodward;

WHEREAS, The Birmingham City Commission has conducted a public hearing on June 3, 2024, and has reviewed Coterie's Special Land Use Permit Amendment application and the standards for such review as set forth in Article 7, section 7.36 of Chapter 126, Zoning, of the City Code;

NOW, THEREFORE, the parties agree as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- a. Licensee shall abide by all provisions of the Birmingham City Code;
- b. Licensee shall comply shall comply with the approved site and design plans and any amendments thereto, and all conditions of approval assigned by the Planning Board and City Commission in 2018 and 2021; and

- c. The Special Land Use Permit may be canceled by the City Commission upon finding after proper notice and a hearing that the continued use is not in the public interest.

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

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

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

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

(This space intentionally left blank)

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

OLD WOODWARD STA, LLC (Licensee)

By: _____

Its: _____

Date: _____

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this ____ day of _____, 2024, before me personally appeared _____ who acknowledged that with authority on behalf OLD WOODWARD STA, LLC to do so signed this Agreement.

Notary Public

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

THE PALLADIUM OF BIRMINGHAM, LLC (Property Owner)
(as to paragraph 10 only)

By: _____

Its: _____

STATE OF MICHIGAN)
) ss:
COUNTY OF OAKLAND)

On this ____ day of _____, 2024, before me personally appeared _____, who acknowledged that with authority on behalf of THE PALLADIUM OF BIRMINGHAM, LLC to do so signed this Agreement.

Notary Public

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

CITY OF BIRMINGHAM

By: _____
Elaine McLain, Mayor

By: _____
Alexandria D. Bingham, City Clerk

APPROVED:

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

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

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

Joseph A. Shallal
Neb Mekani
John J. Orow
John N. Hindo
Alexander Shallal
Anthony Shallal

Law Offices Of
**MEKANI, OROW, MEKANI,
SHALLAL & HINDO, P.C.**
A Professional Corporation
255 South Old Woodward Ave
Suite 304
Birmingham, MI 48009
Telephone (248) 223-9830
Facsimile (248) 265-4107
joeshallal@momshlaw.com

Of Counsel
Jane Shallal
John I. Kittel

Louie E. Mekani
(1971 – 2000)

April 17, 2024

Via Email

Nicholas Dupuis
City of Birmingham, Planning Director
151 Martin Street
Birmingham, Michigan 48009

Re: SLUP for Old Woodward STA, LLC
Located at 260 N. Old Woodward Avenue Birmingham, MI 48009

Dear Mr. Dupuis,

Please find enclosed the Special Land Use Application and the Notice Signed Rental Application, for the SLUP. The application is merely for a change of ownership. The current licensee, The Morrie Birmingham, LLC, is selling all its business assets to Old Woodward STA, LLC. There will be no modification to the premises, structurally. The new applicant may seek to make minor cosmetic changes to the paint, flooring, and furnishing. The applicant will continue the menu and design submitted under the original SLUP.

If you have any questions, please feel free to contact my office. Thank you.

Respectfully,
Mekani, Orow, Mekani,
Shallal & Hindo, P.C.

Joseph A. Shallal


Joseph A. Shallal

RANDY FOUMIA

CEO

Developer

CONTACT

 248-444-5820

 randyfoumia

 randy@eatpokepoke.com

 www.team-sta.com

Randy Foumia is a seasoned executive with a robust background in the restaurant and real estate industries. He oversees operations across Michigan, and plays a pivotal role in the expansion and management of Pokē Pokē - Sushi Unrolled, with 20 locations spanning across Michigan, Florida, and Texas.

A proud alumnus of St. Mary's High School in Orchard Lake, MI, Randy furthered his education at Oakland University, where he earned a Bachelor's Degree. His entrepreneurial spirit led him to own and operate multiple restaurants and real estate ventures across three states, showcasing his adeptness in managing complex operations and strategic growth.

Randy's deep-rooted passion for the restaurant industry drives his continuous success and expansion efforts. He is eager to leverage his extensive experience and enthusiasm in his latest endeavor, bringing his innovative management and operational strategies to Birmingham.

In addition to his professional pursuits, Randy is dedicated to the culinary arts, always exploring new ways to enhance dining experiences and customer satisfaction. His commitment to excellence not only reflects in his business achievements but also in his contribution to the communities he serves.

Nestled in the heart of downtown Birmingham, the future *Coterie Kitchen + Cocktails* will become a repeat spot for an upscale casual dining experience.

Coterie, by definition, is an intimate and often exclusive group of persons with a unifying common interest or purpose. In this specific case, we are inspired by one uniting idea -- to create a space where people alike can gather, dine and enjoy a blend of flavors and drinks sure to appease the body and mind. From this sentiment, we bring you, *Coterie Kitchen + Cocktails*.

Birmingham. The city alone speaks volumes. We are excited to join neighboring restaurants to further reinforce the strong niche demographic that this city possesses and reaches.

We feel that *Coterie Kitchen + Cocktails* can fill the gap in which the city lacks – a family-oriented day to night neighborhood spot where you can catch the latest game on one of the many TVs at the bar, enjoy a martini on the patio or sit in a comfortable, upholstered booth with your children and order off the kid’s menu.



260 N Old Woodward Ave.
Birmingham, MI 48009

coterie

260 N Old Woodward Ave.
Birmingham, MI 48009
dinecoterie.com

Open Daily
11:00 AM - 2:00 AM

appetizers

BANG BANG SHRIMP
TUNA STACK
TUNA NACHOS
MINI LOBSTER ROLLS
SMOKED WINGS
HOT CHICKEN & PICKLES
CASHEW CHICKEN LETTUCE WRAPS
AVOCADO HUMMUS
SOUP DUMPLINGS
BRISKET NACHOS
CRISPY RICE & BRISKET
BEEF & CHEESE EMPANADAS
LAMB KUFTA
CHEESE & CHARCUTERIE BOARD
FRIES TRIO

soups & salads

TOMATO SOUP W/ GRILLED CHEESE
CROUTONS
CHICKEN TORTILLA SOUP
MEDITERRANEAN STUFFED SALAD
BRUSSEL SPROUT CAESAR
CHOPPED ITALIAN SALAD
MODERN WALDORF
SEARED AHI TUNA SALAD
SALAD RUSTIQUE
SUPERFOOD SALAD

mains

FILET
NY STEAK FRITES
FRENCH LAMB CHOPS
CHICKEN PARMESAN
CHICKEN TIKKA
SALMON
BLACKENED MAHI W/ MANGO SALSA
ROASTED EGGPLANT W/ TAHINI
GRILLED BUTTERFLY SHRIMP

pastas & bowls

SHORT RIB BOLOGNESE OVER RIGATONI
CAJUN CHICKEN OVER FETTUCINE
ZIP CREAM OVER RIGATONI
TERIYAKI CHICKEN BOWL
POKE POKE VOLCANO BOWL
CRISPY TOFU BOWL

handhelds

SMASH BURGER
LAMB BURGER
BRISKET STACKED BURGER
FRIED CHICKEN SANDWICH
STEAK SANDWICH
MAHI MAHI SANDWICH
BEYOND BURGER

kids

MAC & CHEESE GRILLED CHICKEN CHEESEBURGER
CHICKEN TENDERS SALMON CHEESE PIZZA



BIRMINGHAM

Special Land Use Permit Application – General Planning Division

1. Applicant

Name: OLD WOODWARD STA, LLC (MANAGER RANDY FOUMLIA)
Address: 260 N. OLD WOODWARD AVE
BIRMINGHAM, MI 48009
Phone Number: 248-444-5820
Email: randyfoumlia@gmail.com

2. Property Owner (same as applicant)

Name: THE PALLADIUM OF BIRMINGHAM, LLC dba LP JONNA DEVELOPMENT & MANAGEMENT COMPANY, LLC
Address: 4036 TELEGRAPH RD STE 201
BLOOMFIELD HILLS, MI 48302
Phone Number: _____
Email: jl@afjonna.com

3. Project Contact Person (same as applicant)

Name: RANDY FOUMLIA
Address: 260 N. OLD WOODWARD AVE

Phone Number: 248-444-5820
Email: randyfoumlia@gmail.com

4. Project Designer/Developer

Name: BIDDISON ARCHITECTURE P.C.
Address: 320 MARTIN ST. STE 10
BIRMINGHAM, MI 48009
Phone Number: 248-554-9500
Email: kb@biddison-ad.com

5. Required Attachments

- One (1) paper copy and of all project plans including:
 - Existing Conditions Plan including the subject site in its entirety, including all property lines, buildings, structures, curb cuts, sidewalks, drives, ramps and all parking on site and on the street(s) adjacent to the site, and must show the same detail for all adjacent properties within 200 ft. of the subject site's property lines;
 - Detailed and scaled Site Plan depicting accurately and in detail the proposed construction, alteration or repair;
 - Certified Land Survey;
 - Interior floor plans;
 - Landscape Plan;
 - Photometric Plan;
 - Colored elevation drawings for each building elevation;
- One (1) digital copy of all project plans;
- Specification sheets for all proposed materials, light fixtures and mechanical equipment;
- Samples of all proposed materials;
- Photographs of existing conditions on the site including all structures, parking areas, landscaping and adjacent structures;
- Current aerial photographs of the site and surrounding properties;
- Proof of ownership;
- Any other data requested by a review board, Planning Department, or other City Departments.

6. Project Information

Address: 260 N. WOODWARD AVENUE BIRMINGHAM, MI 48009
Name of Development: THE PALLADIUM
Parcel ID#: 08-99-00-020-060
Current Use: A-2 Restaurant
Proposed Use: A-2 Restaurant
Area of Site in Acres: 0.00
Current Zoning: B4 with D4 overlay

	Yes	No
Is the property located in a floodplain? -----	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the property within a Historic District? ---	<input type="checkbox"/>	<input checked="" type="checkbox"/>
→ If so, which? _____		
Will the project require a variance? -----	<input type="checkbox"/>	<input checked="" type="checkbox"/>
→ If so, how many? _____		
Has the project been reviewed by a Board? -----	<input type="checkbox"/>	<input checked="" type="checkbox"/>
→ If so, which? _____		

7. Details of the Request for Preliminary Site Plan Review

Change of ownership of the current business known as The Morrie Birmingham. No structural changes will be made.

8. Buildings and Structures

Number of buildings on site: 1
Use of building(s): Commercial

Height of building(s): _____
Number of stories: _____

9. Floor Use and Area (In Square Feet)

Proposed Commercial Uses:

Total basement floor area: N/A
Total ground floor area: 7,952 sq ft
Square feet per upper floor(s): N/A

Commercial floor area: N/A
Industrial floor area: N/A
Office floor area: N/A
Total floor area: 7,952 sq ft

Proposed Residential Uses:

Total number of units: N/A
Number of two or less room units: N/A
Number of three or more room units: N/A

Residential unit floor area: N/A
Residential amenity floor area: N/A
Unit Type(s): Rental Condominiums Both

Proposed Additions:

Existing total floor area: NONE
Proposed total floor area: NONE

Location of addition(s): Rooftop Side Rear
 Front Other (please specify) N/A

10. Required and Proposed Setbacks

Required front setback: _____
Required rear setback: N/A
Required side setback(s): N/A

Proposed front setback: _____
Proposed rear setback: N/A
Proposed side setback(s): N/A

11. Required and Proposed Parking

Required number of parking spaces: CITY PARKING
Proposed number of parking spaces: CITY PARKING

Typical size of parking spaces: CITY PARKING
Number of barrier free spaces: N/A

12. Landscaping

Description of proposed landscaping: _____
Existing planters

I have reviewed the City of Birmingham's Prohibited Species in Article 4, Section 4.20 of the Zoning Ordinance

13. Streetscape

Required sidewalk width: 6' 0"
Required benches: _____
Required street trees: _____
Required street lights: _____
Required trash receptacles: _____
Required bike racks: _____

Proposed sidewalk width: _____
Proposed benches: _____
Proposed street trees: _____
Proposed street lights: _____
Proposed trash receptacles: _____
Proposed bike racks: _____

14. Loading

Required loading spaces: N/A
Required dimensions: N/A

Proposed loading spaces: N/A
Proposed dimensions: N/A

15. Waste Receptacles

Location of waste receptacle(s): _____
Within the patio space

Types of waste receptacles: Dumpster Recycling
 Compactor Cans Grease Other

16. Mechanical Equipment

Rooftop Mechanical Equipment:

Description of location of units on rooftop: _____

Number of units: _____
 Types of units: _____

Ground Mounted Mechanical Equipment:

Description of location of units on ground: _____

Number of units: _____
 Types of units: _____

Utilities and Transformers:

Description of location of units on ground: _____


Number of units: _____
 Types of units: _____

17. Lighting


Location of light fixtures: _____
 Within the city sidewalk and patio area _____

Types of light fixtures: Spot Flood Area
 Bollard In-grade Goosenecks Lanterns
 Security Pole-Mounted Wall Pack Other

The undersigned states the above information is true and correct, and understands that it is the responsibility of the applicant to advise the Planning Division and / or Building Division of any additional changes made to an approved site plan. The undersigned further states that they have reviewed the procedures and guidelines for Site Plan Review in Birmingham, and have complied with the same. The undersigned will be in attendance at the Planning Board meeting when this application will be discussed.

Signature of Property Owner:  Date: 4/16/2024

Print Name: Jordan Jorja

Signature of Applicant:  Date: 4.3.24

Print Name: Randy Fournia

Signature of Architect:  Date: 4/1/24

Print Name: Kevin Biddison

<i>Office Use Only</i>			
Application #: _____	Date Received: _____	Fee: \$ _____	
Date of Approval: _____	Date of Denial: _____	Reviewed By: _____	



BIRMINGHAM

Notice Sign Rental Application Community Development

1. Applicant

Name: OLD WOODWARD STA, LLC (MANAGER RANDY FOUMIA)
 Address: 280 N. OLD WOODWARD AVE
BIRMINGHAM, MI 48009
 Phone Number: 206-444-5820
 Email: randyfoumia@gmail.com

2. Property Owner (same as applicant)

Name: THE PALLADIUM OF BIRMINGHAM, 113100 A.F. JONIA DEVELOPMENT & MANAGEMENT COMPANY, LLC
 Address: 4038 TELEGRAPH RD STE 201
BLOOMFIELD HILLS, MI 48302
 Phone Number: _____
 Email: jj@afonna.com

3. Project Information

Address: 280 N. OLD WOODWARD AVE
 Name of Development: THE PALLADIUM
 Parcel ID#: 08-99-00-020-060
 Current Use: A-2 Restaurant
 Proposed Use: A-2 Restaurant
 Area of Site in Acres: 0.00
 Current Zoning: B4 with D4 overlay

	Yes	No
Is the property located in a floodplain? -----	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the property within a Historic District? ---	<input type="checkbox"/>	<input checked="" type="checkbox"/>
→ If so, which? _____		
Will the project require a variance? -----	<input type="checkbox"/>	<input checked="" type="checkbox"/>
→ If so, how many? _____		
Has the project been reviewed by a Board? -----	<input type="checkbox"/>	<input checked="" type="checkbox"/>
→ If so, which? _____		

4. Date of Board/Commission Review

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

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

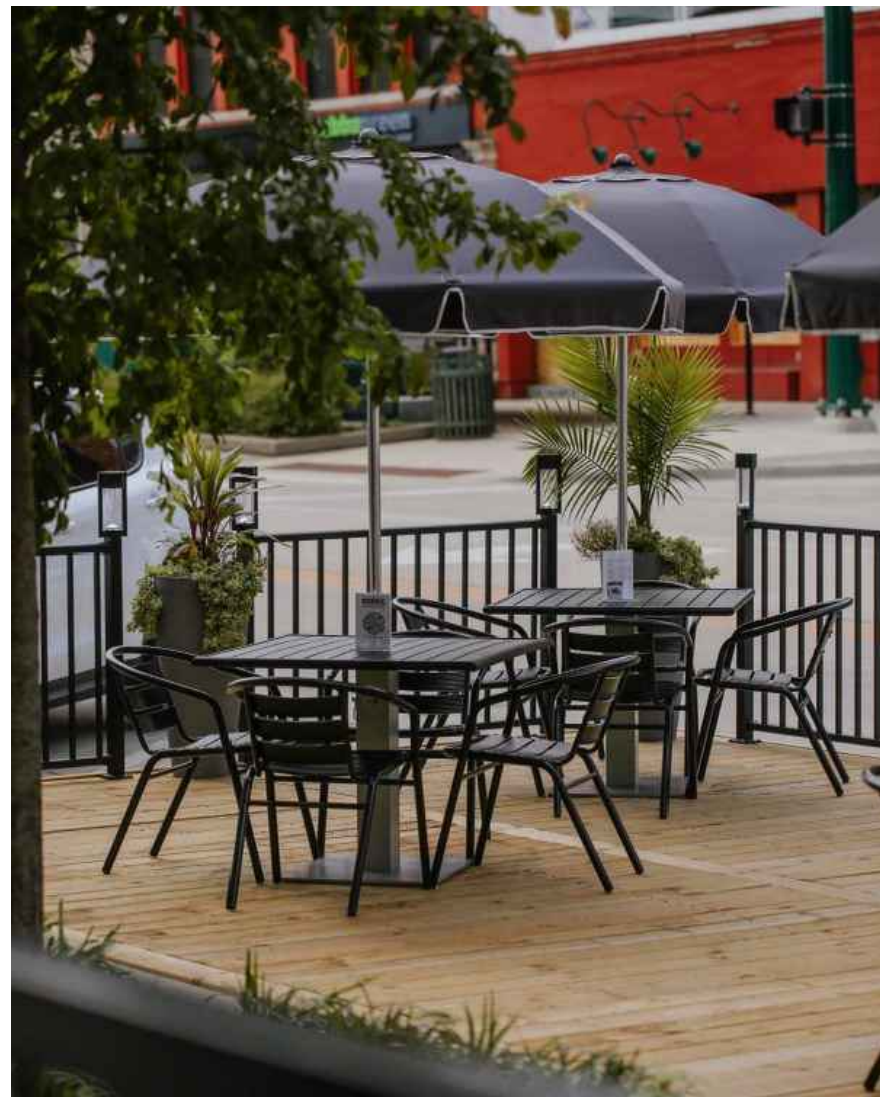
The undersigned states the above information is true and correct, and understands that it is the responsibility of the applicant to post the Notice Sign(s) at least 15 days prior to the date on which the project will be reviewed by the appropriate board or commission, and to ensure that the Notice Sign(s)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

Signature of Applicant: _____

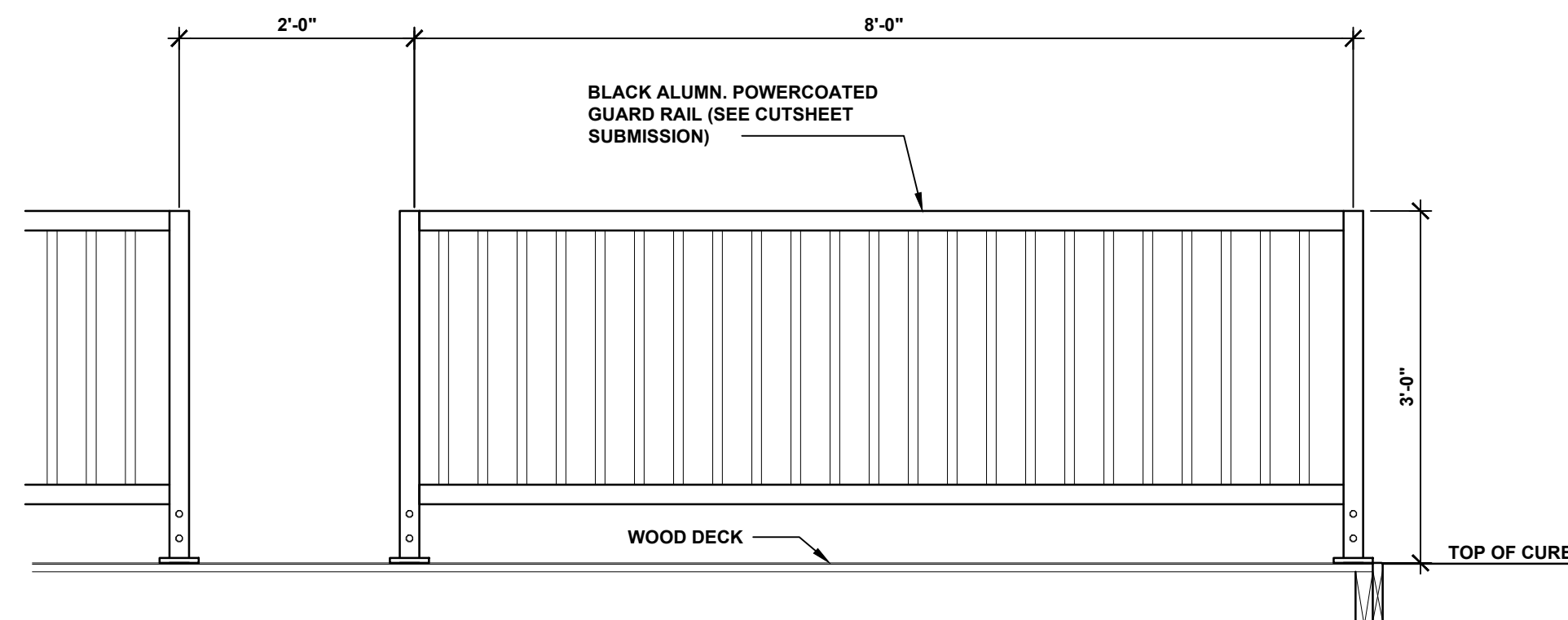
Date: 4.3.24

Office Use Only

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



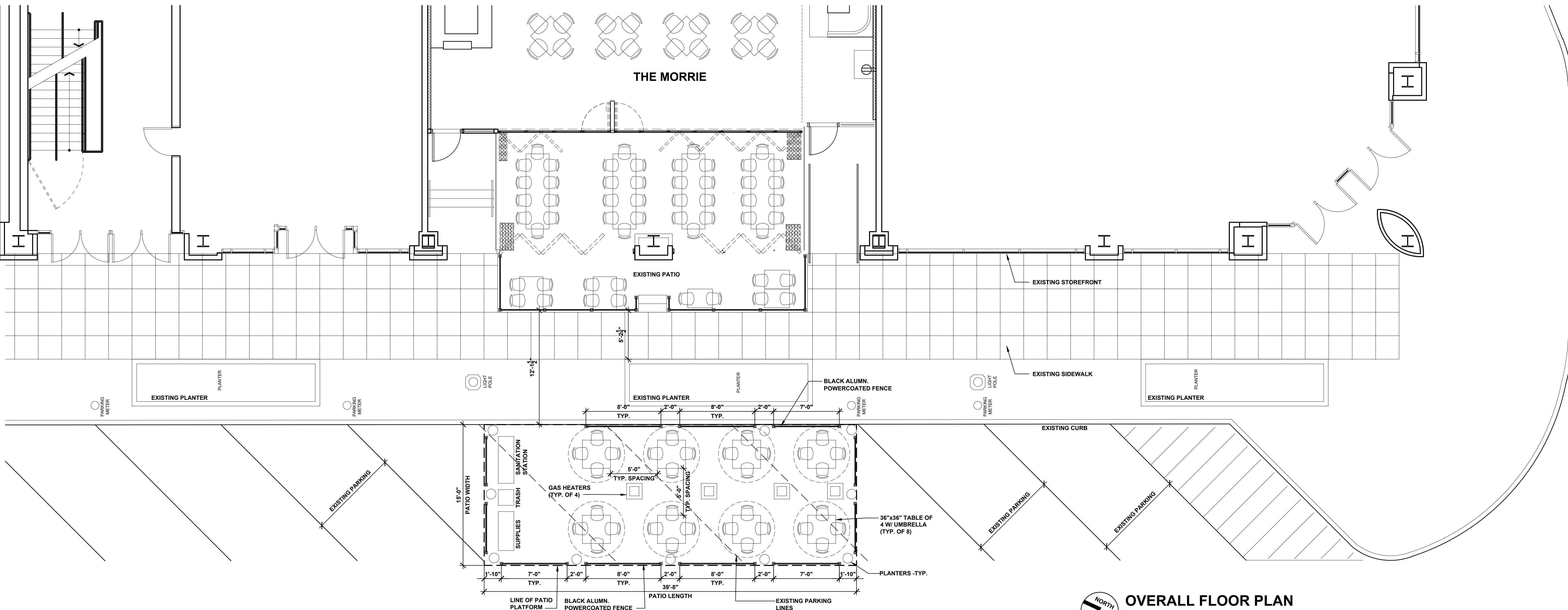
101.01 TYP. PATIO TABLE SETUP
SP.101 SCALE: NTS



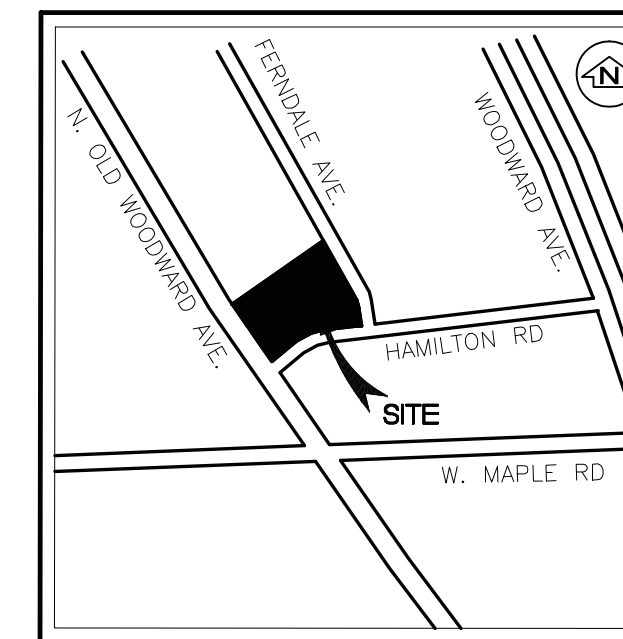
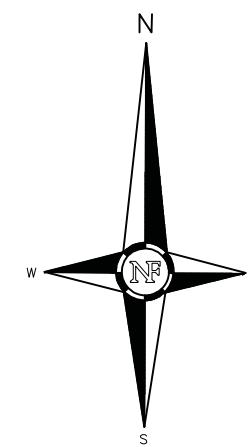
101.01 GUARD RAIL PATIO ELEVATION
SP.101 SCALE: NTS



101.01 PROPOSED PATIO STREET VIEW
SP.101 SCALE: NTS



NORTH
OVERALL FLOOR PLAN
SCALE: 3/16"=1'-0"



NOWAK & FRAUS ENGINEERS

46777 WOODWARD AVENUE
PONTIAC, MI 48342
TEL. (248) 332-7931
FAX. (248) 332-8257
EMAIL: rfraus@nowakfraus.com

LEGAL DESCRIPTION

Land Situated in the City of Birmingham in the County of Oakland in the State of MI

PARCEL 1:

Part of Lots 50, 53, 56 and 57, ASSESSOR'S PLAT NO. 21, according to the recorded plat thereof, as recorded in Liber 54 of Plats, page 19, Oakland County Records, beginning at the Southwest corner of Lot 51, thence North 35 degrees 11 minutes 35 seconds West 128.29 feet, thence North 54 degrees 51 minutes 55 seconds East 222.63 feet, thence South 30 degrees 00 minutes 55 seconds East 132.74 feet, 82 degrees 28 minutes 25 seconds West 110.96 feet, thence South 54 degrees 39 minutes 25 seconds West 88.72 feet to Beginning. Also all of Lots 51, 52, 58 and 59 of said Subdivision.

PARCEL 2:

Part of Lots 53, 56 and 57 of ASSESSOR'S PLAT NO. 21, according to the plat thereof recorded in Liber 54 of Plats, Page 19, Oakland County Records, described as: Beginning at a point distant 128.29 feet from the Southwest corner of Lot 51; thence North 35 degrees 11 minutes 35 seconds West 25 feet; thence North 54 degrees 51 minutes 55 seconds East 222.63 feet, thence South 30 degrees 00 minutes 55 seconds East 132.74 feet, 82 degrees 28 minutes 25 seconds West 110.96 feet, thence South 54 degrees 51 minutes 55 seconds West 222.63 feet.

Tax Id No. 19-25-453-011

BASIS OF BEARING NOTE

The basis of bearing for this survey was established by the legal description of record

TITLE NOTES

Subject to:

9. Right of Way granted to The Detroit Edison Company recorded February 22, 1973 in Liber 6249, Page 128, as to Parcel 2. [A building has been constructed over said easements after this document was created. The approximate location of said easements are plotted hereon. The client needs to verify with The Detroit Edison Company to determine if these easements still exist.]

All exceptions shown or noted on this survey were obtained from Title Commitment No. 5688227, with an effective date of 12-09-2013, issued by Title Source, Inc.

SITE DATA

Gross Land Area: 36,542 Square Feet or 0.84 Acres.

Zoned: B4 (Business-Residential)

Building Setbacks:

Front= 0'

Sides= 0' for commercial, office or parking stories.

0' for residential stories with walls facing side lot lines which do not contain windows or front on a street

10' when any wall in residential stories which contain windows and when side lot lines abut a street.

Rear= 10 feet when the rear open space abuts a P. B1, B2, B2B, B2C, B3, B4, O1, or O2 Zoning District.

20 feet when adjacent to a residential zoning district

Max. Building Height permitted: 5 stories/60'

Total Parking: No onsite parking.

The above setback & height requirements were obtained from the City of Birmingham Zoning Ordinance.

A surveyor cannot make a certification on the basis of an interpretation or opinion of another party. A zoning endorsement letter should be obtained from City of Birmingham to insure conformity as well as make a final determination of the required building setback requirements.

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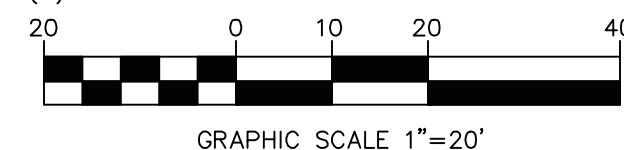
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- LEGEND**
- ASPH = Asphalt
 - C = Cable
 - CATV = Cable TV/Box/Riser
 - CB = Catch Basin
 - CO = Clean Out
 - CONC = Concrete
 - E = Electric
 - EM = Electric Meter
 - EC = Electric Conduit/Riser
 - F.I. = Found Iron
 - G. = Gas
 - GL = Ground Light
 - GP = Guard Post
 - GV = Gate Valve
 - HYD = Hydrant
 - LP = Light Pole
 - L/S = Landscape
 - MH = Manhole
 - MON. = Monument
 - MW = Monitor Well
 - OH LINES = Overhead Lines
 - P. = Phone/Box/Riser
 - PH = Physically Handicapped
 - PIV = Post Indicator Valve
 - P/L = Property Line
 - PM = Parking Meter
 - ROW = Right of Way
 - SAN = Sanitary Sewer
 - SB = Stop Box (Water)
 - S.I. = Set Iron
 - SO = Shutoff (Water)
 - STM = Storm Sewer
 - TRANS = Transformer
 - UP = Utility Pole
 - WM = Water Main
 - (R) = Record Measurement
 - (M) = Surveyed Measurement
 - (C) = Calculated



No. 250-270 N. OLD WOODWARD & 201 HAMILTON FOUR STORY BLOCK & STUCCO COMMERCIAL BUILDING W/ FLAT ROOF 32,928 S.F. BUILDING S.F. IS BASED ON EXTERIOR BUILDING DIMENSIONS AT GROUND LEVEL ONLY BLDG. HEIGHT= ±68' (HIGHEST POINT)

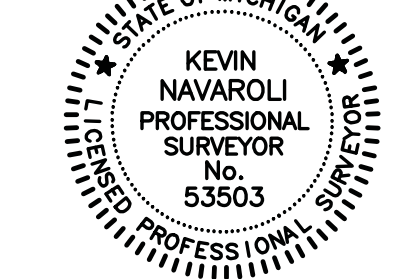
PROJECT
Palladium

PROJECT LOCATION
No. 250-270 N. Old Woodward Avenue & 201 Hamilton Road Part of the S.W. 1/4 of Section 10, T.2N., R.10E., City of Birmingham, Oakland County, MI

SHEET
ALTA/ACSM Land Title Survey

REVISIONS
03-06-2014 Rev. Certificate

DRAWN BY:
D.MCCONKEY
APPROVED BY:
K.N./R.FRAUS
EMAIL:
rfraus@nowakfraus.com
DATE ISSUED:
01-31-2014
SCALE:
1"=20'
NFB JOB NO.
H888 **SHEET NO.**
1



Kevin Navaroli
Kevin Navaroli, P.S.
No. 53503
Dated: 01-31-2014
Revised: 03-06-2014



Subject:
**ARCHITECTURAL
SITE PLAN**

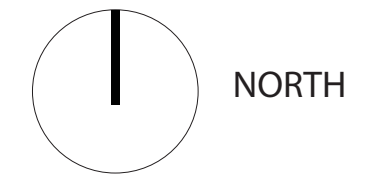
Project:
PALLADIUM
BIRMINGHAM MICHIGAN
A.F. JONNA
DEVELOPMENT & MANAGEMENT CO.

PLEASE NOTE:
ALL SITE LIGHTING, LANDSCAPE &
FURNITURE TO REMAIN

JPRA ARCHITECTS
39300 West Twelve Mile Road, Suite 180
Farmington Hills, MI 48331
Phone: 248.737.0180 Fax: 248.737.9161
www.jpra.com

ARCHITECTURAL SITE PLAN

0' 20' 40' 80'
SCALE: 1" = 20'-0"



320 Martin Street Suite 10
Birmingham, Michigan 48009
t:248.554.9500
Contact Person: Kevin Biddison
e.mail: kb@biddison-ad.com

PROPOSED BUILDING RENOVATION FOR:

The Morrie

PROJECT LOCATION:

260 N OLD WOODWARD AVE,
BIRMINGHAM, MI 48009
ZONED: D-4 OVERLAY

APPLICANT INFORMATION

AFB HOSPITALITY GROUP LLC
27387 WOODWARD AVE.
BERKLEY MI 48072

T. 248.629.9221X201.
E. AFB@AFBHOSPITALITYGROUP.COM

GENERAL CONTRACTOR:

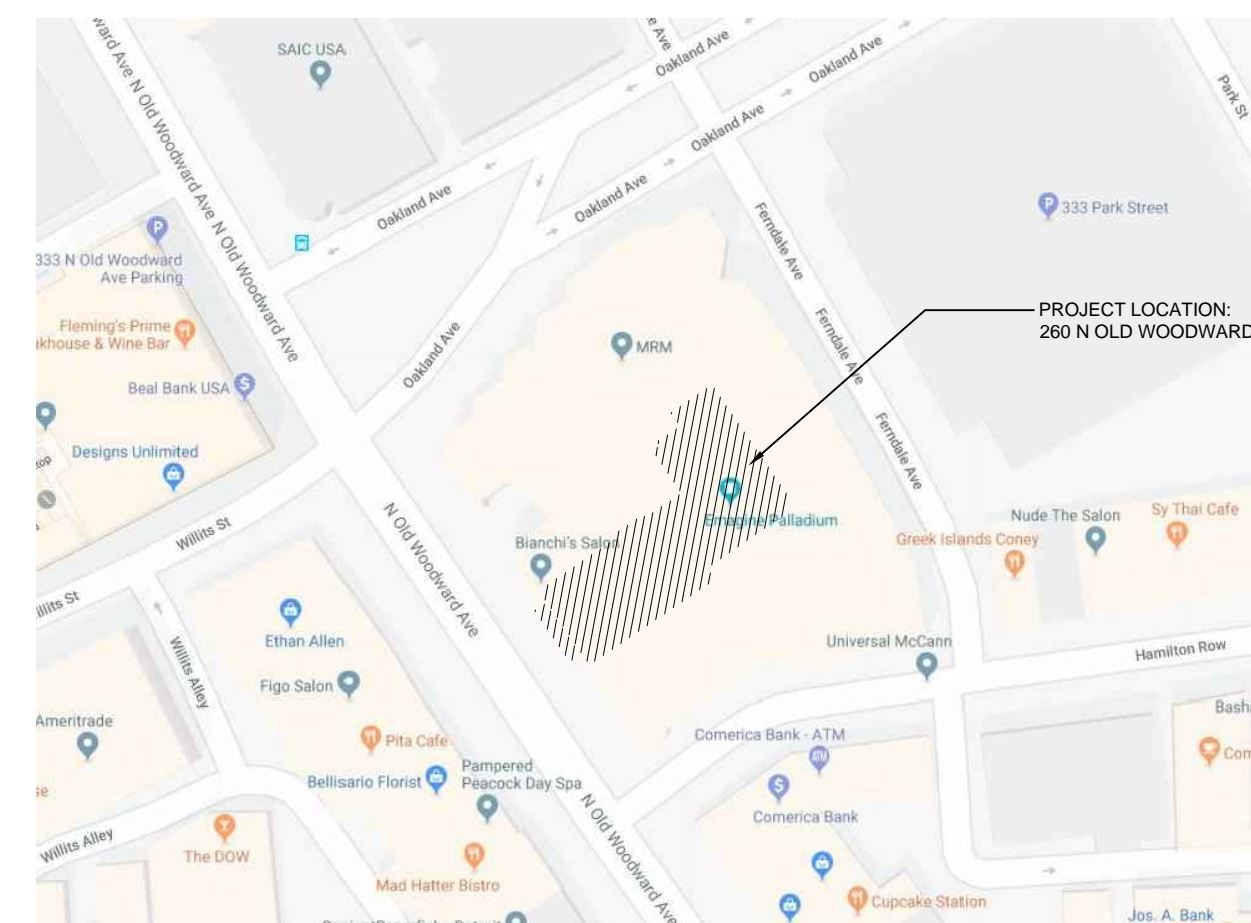
TOWER CONSTRUCTION
3883 TELEGRAPH RD., SUITE 200 .
BLOOMFIELD TWP., MI 48302

P. 248.287.8200
F. 248.287.8203

SHEET INDEX:

T.101	TITLE SHEET
A.101a	FLOOR PLAN
A.101b	FLOOR PLAN - DANCE FLOOR
A.201	EXTERIOR ELEVATION
A.301	INTERIOR PERSPECTIVE IMAGES
A.302	INTERIOR PERSPECTIVE IMAGES
A.303	INTERIOR PERSPECTIVE IMAGES

FIRE SUPPRESSION NOTE:
THE BUILDING IS PROVIDED WITH A FULLY AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEM INSTALLED (FIRE SUPPRESSION SYSTEM) - WORK WILL BE DESIGNED TO MEET M.B.C. REQUIREMENTS AND CITY OF BIRMINGHAM INSPECTION & PERMIT APPROVAL. FACTORY MUTUAL STANDARDS AND SPECIFICATIONS SHALL ALSO BE USED WHERE NOT OTHERWISE IN CONFLICT WITH LOCAL STANDARDS. SPRINKLER CONTRACTOR SHALL BE FULLY LICENSED AND BE RESPONSIBLE FOR PREPARATION OF ENGINEERED DRAWINGS. SUBMISSION OF DRAWINGS TO ALL LOCAL AND STATE AGENCIES FOR APPROVAL AND FOR COORDINATION OF REQUIREMENTS WITH OWNERS AND TENANTS INSURANCE CARRIER.



LOCATION MAP
SCALE: NOT TO SCALE

Consultants

Project data

GOVERNING CODES: 2015 MICHIGAN BUILDING CODE
2015 MICHIGAN PLUMBING CODE
2015 MICHIGAN MECHANICAL CODE
2015 MICHIGAN REHABILITATION CODE
2015 INTERNATIONAL FUEL GAS CODE
MICHIGAN ELECTRICAL CODE, 2014 N.E.C.
W/ PART 8 STATE AMENDMENTS
ICC/ANSI A117.1-2015 AND MICHIGAN
BARRIER FREE DESIGN LAW OF PUBLIC
ACT 1 OF 1966 AS AMENDED.
MICHIGAN UNIFORM ENERGY CODE RULES
PART 10 WITH ANSI/ASHRAE/IESNA
STANDARD 90.1-2015
2015 INTERNATIONAL FIRE CODE
NFPA 13 - 2010
NFPA 72 - 2010

TENANT AREA: 7,952 SQFT

BUILDING USE: A-2 RESTAURANT

TYPE OF CONSTRUCTION:

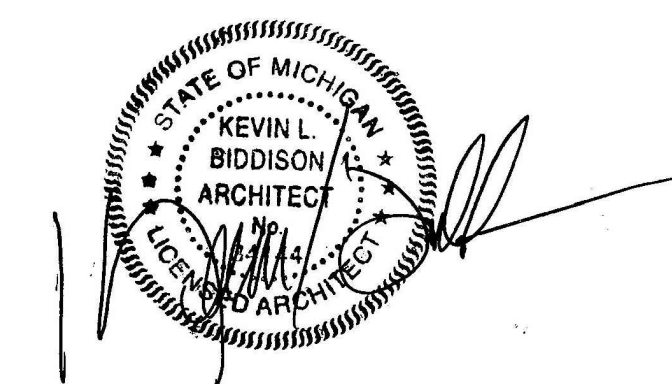
2012 MBC: TYPE IIA (PROTECTED)

NFPA 220: TYPE II-000

	Issued for
SPECIAL LAND USE PERMITS	02.01.18
SLUP AMENDMENT	05.16.18

	Project no.
THE MORRIE	2010.17

	Sheet no.
	T.101



Consultant

Project title

PROPOSED BUILDING RENOVATION FOR
THE MORRIE

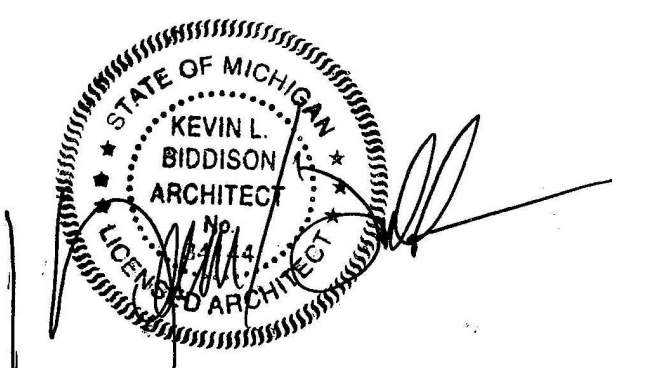
260 N OLD WOODWARD AVE,
BIRMINGHAM, MI 48009

Issued drc

SPECIAL LAND USE PERMIT 02.01.18
SLUP AMENDMENT 05.16.18

Sheet title

FLOOR PLAN

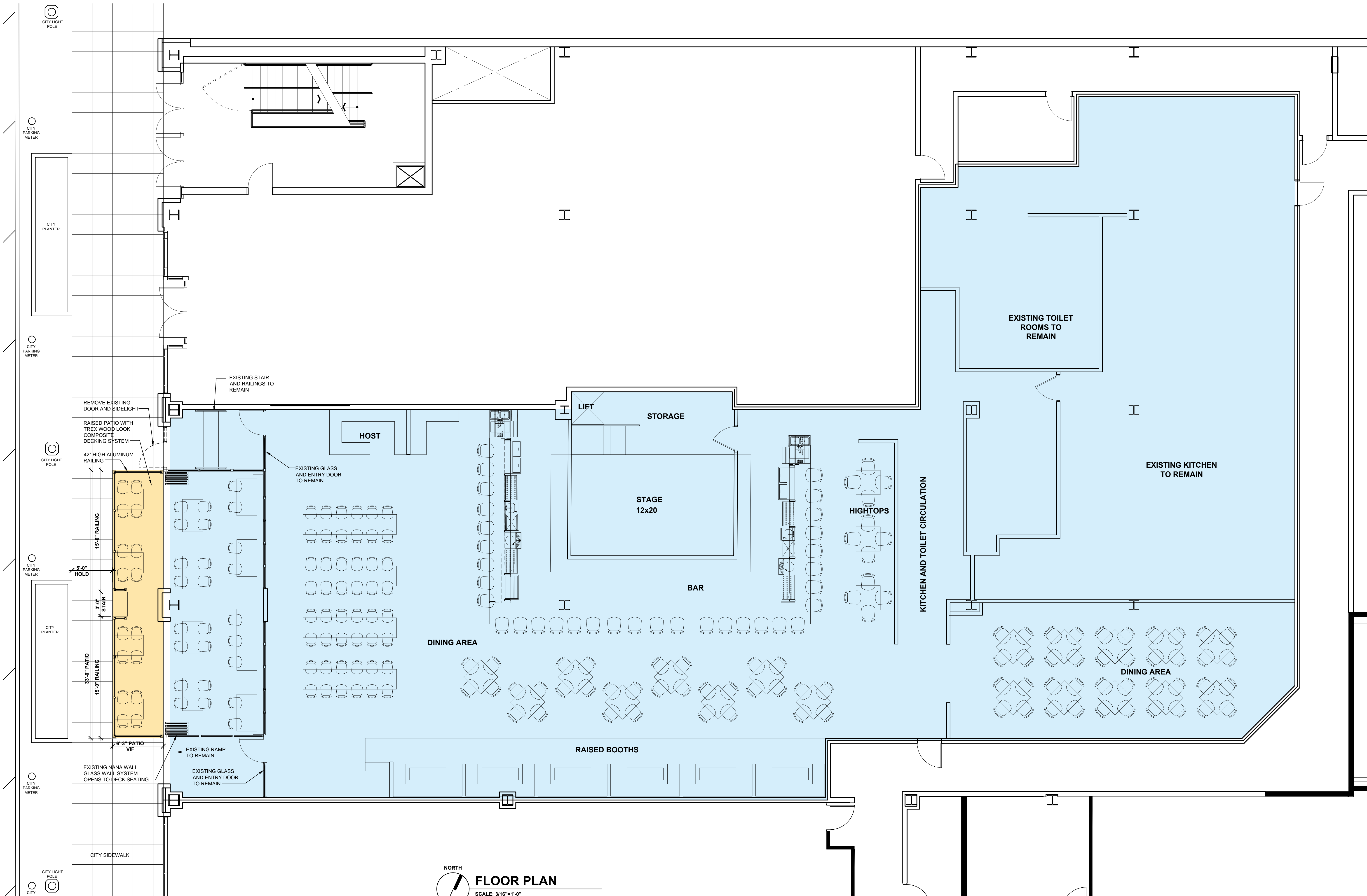


Project no

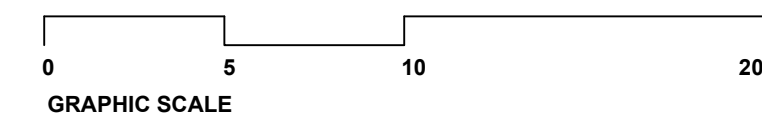
2010.17

Sheet no

A.101a



NORTH
FLOOR PLAN
SCALE: 3/16"=1'-0"



Consult

Project

PROPOSED BUILDING RENOVATION F
THE MORRIE

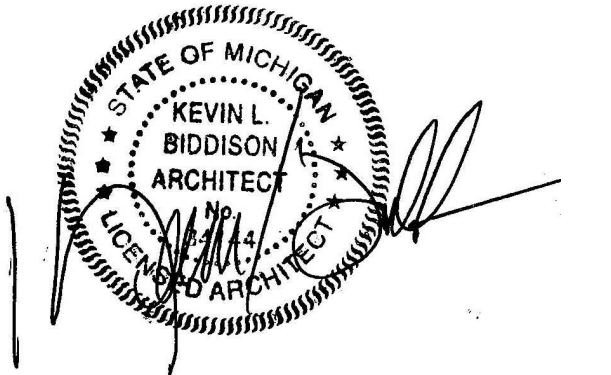
260 N OLD WOODWARD AVE,
BIRMINGHAM, MI 48009

Issued c

SLUP AMENDMENT 05.16.18

Sheet

**FLOOR PLAN
- DANCE FLOOR**

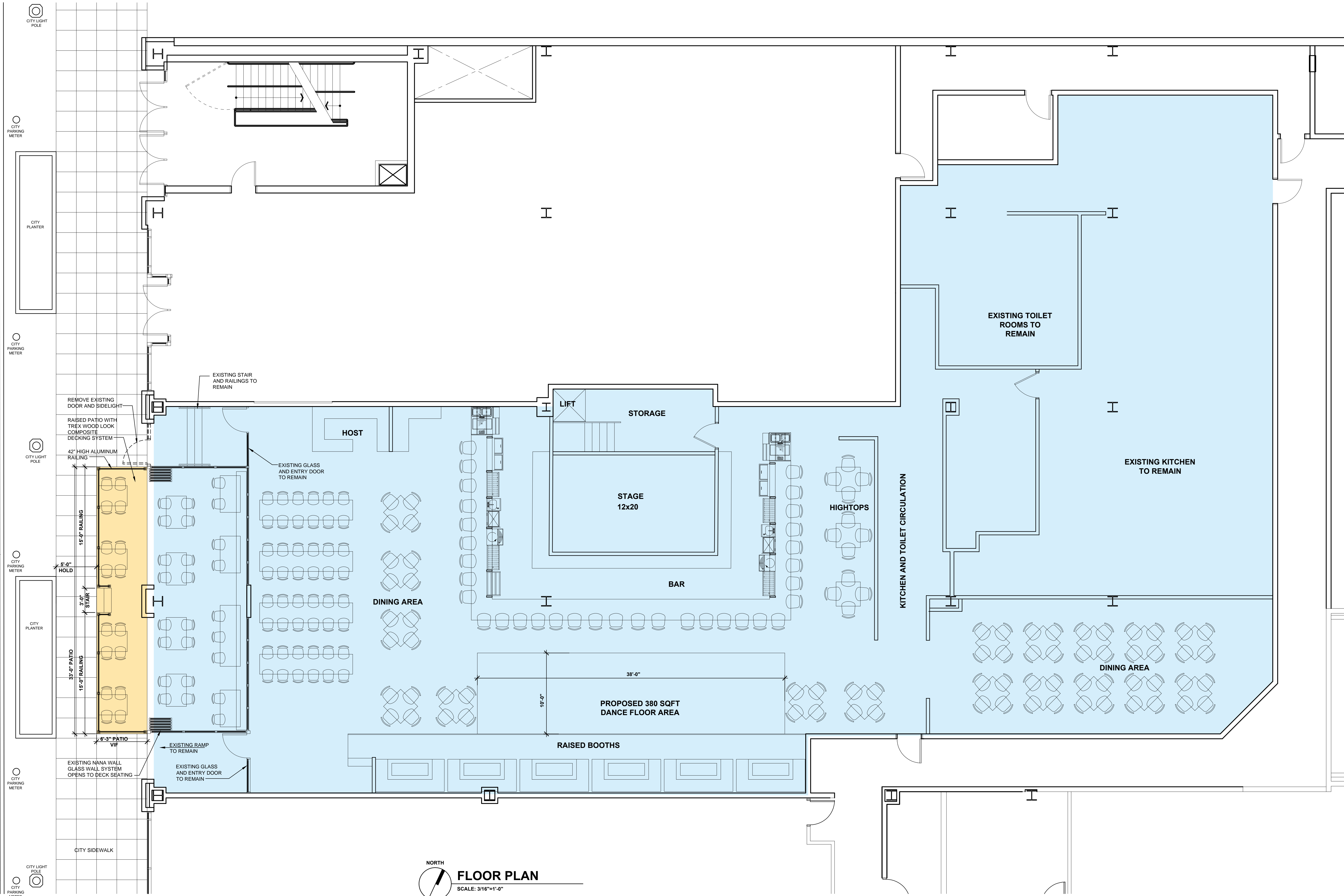


Project

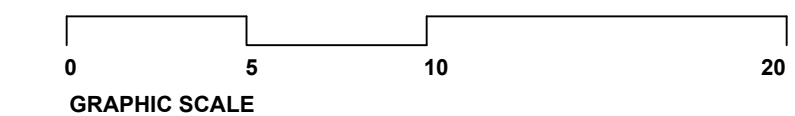
2010.17

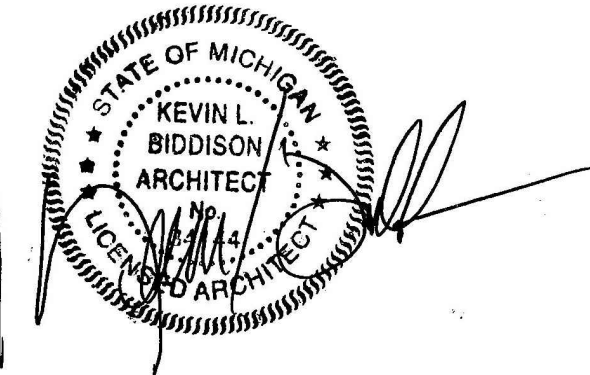
Sheet

A.101b



FLOOR PLAN
SCALE: 3/16"=1'-0"





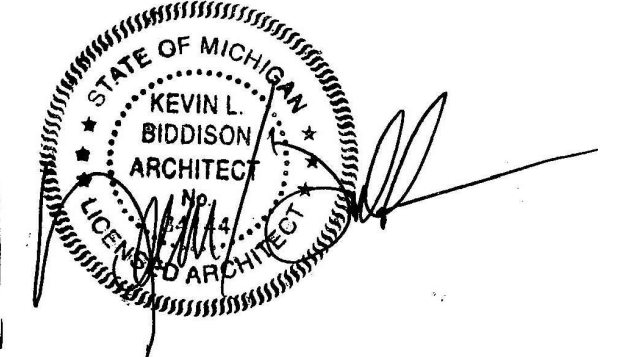
EXTERIOR PATIO PERSPECTIVE

FOR REFERENCE NOT TO SCALE

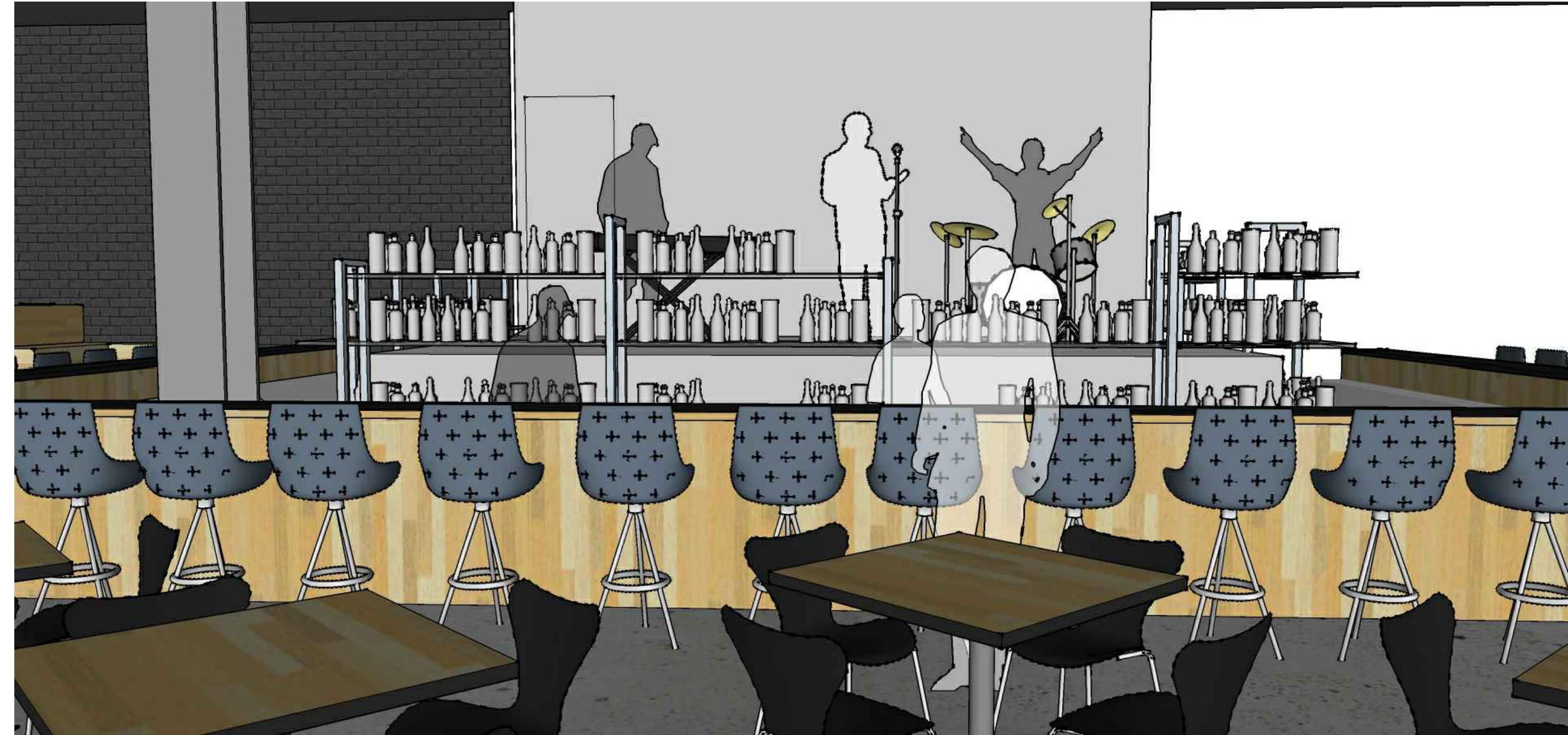


EXTERIOR ELEVATION

FOR REFERENCE NOT TO SCALE



INTERIOR PERSPECTIVE
FOR REFERENCE NOT TO SCALE



INTERIOR PERSPECTIVE
FOR REFERENCE NOT TO SCALE



INTERIOR PERSPECTIVE
FOR REFERENCE NOT TO SCALE



INTERIOR PERSPECTIVE
FOR REFERENCE NOT TO SCALE

Consultant

Project title

PROPOSED BUILDING RENOVATION FOR
THE MORRIE

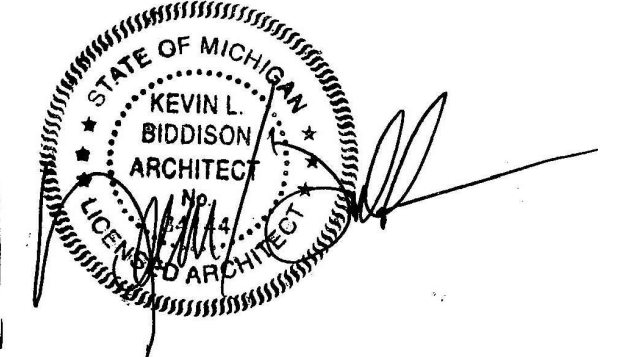
260 N OLD WOODWARD AVE,
BIRMINGHAM, MI 48009

Issued drc

SLUP AMENDMENT 05.16.18

Sheet title

**INTERIOR
PERSPECTIVE
IMAGE**



Project no

2010.17

Sheet no

A.303





MEMORANDUM

Engineering Department

DATE: April 30, 2024

TO: Jana L. Ecker, City Manager

FROM: Melissa A. Coatta, City Engineer

SUBJECT: 2024 Sewer Rehabilitation Program
Contract #4-24(S) - Contract Award

INTRODUCTION:

The City received and opened bids for the 2024 Sewer Rehabilitation Program Contract #4-24(S) on March 25, 2024, and received two (2) bids. The Engineering Department recommends awarding this contract to D.V.M. Utilities, Inc.

BACKGROUND:

The 2024 Sewer Rehabilitation Program includes the cleaning and lining of rear yard public sewers and minor manhole rehabilitation. The rear yard sewers are located in the area between Lakeside Drive and Chesterfield Avenue, and Pine Street and Oak Blvd.

The Engineering Department opened bids on March 25, 2024, and two (2) bids were received as listed in the attached summary. The lowest bidder was D.V.M. Utilities, Inc. for \$458,549.50. D.V.M. Utilities, Inc. has most recently worked in the City of Birmingham on the 2021 Sewer Rehabilitation Program and the 2023 Sewer Rehabilitation Program. The Engineering Department is fully confident that they are qualified to perform the work.

As required for all City construction projects, D.V.M. Utilities, Inc. 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.

LEGAL REVIEW:

The City's standard contract language was used for bidding this project which the City Attorney has reviewed and approved. There are no objections by the City Attorney.

FISCAL IMPACT:

This project is budgeted for the 23/24 fiscal year. The total construction cost for the project is estimated to be \$481,476.98 which includes D.V.M. Utilities, Inc. bid amount of \$458,549.50 and a 5% construction contingency. The project award will be funded by the following account:

Fund Account	Fund ID Number	Project Award	5% Contingencies	Total
Sewer Fund	590.0-537.000-981.0200	\$458,549.50	\$22,927.48	\$481,476.98

SUSTAINABILITY:

The lining of sewers will not only improve their functionality, but will also seal out sources of groundwater infiltration into the sewer system. The elimination of groundwater will reduce the unnecessary treatment of that flow in the combined sewer.

PUBLIC COMMUNICATIONS:

Prior to the start of this project, property owners that will be affected will be notified in advance through a mailed letter. During the project door-hangers and e-blasts will be used to notify residents.

SUMMARY:

The Engineering Department recommends the 2024 Sewer Rehabilitation Program Contract #4-24(S) be awarded to D.V.M. Utilities, Inc.

ATTACHMENTS:

- Project Area Map (1 page)
- Bid Summary (1 page)
- [Contract Book and Plans](#)

SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution to award the 2024 Sewer Rehabilitation Program #4-24(S) to D.V.M. Utilities, Inc. in the amount of \$458,549.50 and a 5% construction contingency for a total of \$481,476.98. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance and bond requirements by D.V.M. Utilities, Inc. Funding for this project has been budgeted in the following account:

Fund Account	Fund ID Number	Project Award	5% Contingencies	Total
Sewer Fund	590.0-537.000-981.0200	\$458,549.50	\$22,927.48	\$481,476.98



Legend

- CombinedManhole
- SanitaryManhole
- Sewer Inlet
- Manhole

Contract pipes

- Combined
- Sanitary

SHEET TITLE: Contract Mains to Televis	
PROJECT TITLE: 2024 Sewer Rehab Program Contract #4-24 (S)	
DATE: 02/29/2024	DIVISION: AUTHOR: AMA



BID TABULATION
 CITY OF BIRMINGHAM
 2024 Sewer Rehabilitation Program
 CONTRACT #4-24(S)

Bids Due: March 25, 2024

D.V.M. Utilities, Inc
 6045 Sims Dr. Suite 2
 Sterling Heights, MI 48313

Inliner Solutions, LLC
 28529 Goddard Road, Suite 106
 Romulus, MI 48174

Item	Quantity	Unit	Unit Price	Total Cost	Unit Price	Total Cost
1. Mobilization, Max. 10%	1	LS	\$ 13,000.00	\$ 13,000.00	\$ 25,000.00	\$ 25,000.00
2. Remove, Salvage & Replace Existing Fence Panel (As-Needed)	18	EA	\$ 300.00	\$ 5,400.00	\$ 3,000.00	\$ 54,000.00
3. Tree Trimming (As-Needed)	9	EA	\$ 500.00	\$ 4,500.00	\$ 1,500.00	\$ 13,500.00
4. Brush Clearing & Grubbing (As-Needed)	16	EA	\$ 205.00	\$ 3,280.00	\$ 650.00	\$ 10,400.00
5. Pre-Lining Preparation, Cleaning & Video Inspection, 8" Sewer	5,798	FT	\$ 4.75	\$ 27,540.50	\$ 15.00	\$ 86,970.00
6. Sewer Lining, 8" RIFI-CIPP	5,798	FT	\$ 32.50	\$ 188,435.00	\$ 75.00	\$ 434,850.00
7. Cut / Grind Protuding Sewer Leads, Clay (As-Needed)	5	EA	\$ 210.00	\$ 1,050.00	\$ 400.00	\$ 2,000.00
8. Cut / Grind Protuding Sewer Leads, Plastic with Rubber Boot (As--Needed)	5	EA	\$ 210.00	\$ 1,050.00	\$ 400.00	\$ 2,000.00
9. Cut / Grind Root Intrusion (As-Needed)	10	EA	\$ 105.00	\$ 1,050.00	\$ 100.00	\$ 1,000.00
10. Cut / Grind Mineral Deposit (As-Needed)	10	EA	\$ 105.00	\$ 1,050.00	\$ 100.00	\$ 1,000.00
11. Sewer Point Repair, 8" (As-Needed)	5	EA	\$ 16,750.00	\$ 83,750.00	\$ 30,000.00	\$ 150,000.00
12. Reconstruct Manhole (If & Where Needed)	16	VF	\$ 2,000.00	\$ 32,000.00	\$ 4,000.00	\$ 64,000.00
13. Lawn Restoration, Seeding, incl 3" topsoil	284	SY	\$ 26.00	\$ 7,384.00	\$ 16.00	\$ 4,544.00
14. Lawn Restoration, Sodding, incl 2" topsoil	284	SY	\$ 27.50	\$ 7,810.00	\$ 16.00	\$ 4,544.00
15. Landscaping Restoration Allowance	1	LS	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
16. Traffic Control	1	LS	\$ 2,450.00	\$ 2,450.00	\$ 2,500.00	\$ 2,500.00
17. Sewer Repair Allowance	1	LS	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
18. Inpsector Crew Days	\$400.00	DAY	47	\$ 18,800.00	60	\$ 24,000.00
OVERAL CONTRACT TOTAL TOTAL				\$ 458,549.50 *		\$ 940,308.00

Corrected By Engineer*

Total on bid form 458.459.50





MEMORANDUM

Engineering Department

DATE: May 1, 2024

TO: Jana L. Ecker, City Manager

FROM: Melissa A. Coatta, City Engineer

SUBJECT: **Pierce Alley and West Maple Alley Project #8-24 (P)**
Hearing of Necessity for Paving Special Assessment District (SAD)

INTRODUCTION:

The City will be repaving Pierce Alley, from Merrill Street to Pierce Street, and West Maple Alley, from Henrietta Street to Pierce Street this construction year. Historically, major capital improvements on alleys have been subject to a 100% special assessment of the adjacent property owners.

BACKGROUND:

Pierce Alley has been planned for repaving starting in the fiscal year 18/19 budget with planned construction in fiscal year 18/19. The City issued the project for bids in 2019 and the bids came in higher than the budget. Also during this time, development began on properties on the west side of the alley at Pierce and Merrill that would interfere with the construction of the alley. Pierce Alley was then pushed back to the fiscal year 23/24 budget.

West Maple Alley has been planned for repaving in the fiscal year 19/20 budget with planned construction in fiscal year 20/21. This project has been carried over in fiscal years due to COVID in 2020, and during this time it decided to bid the two alleys together to try to receive better pricing on the project.

The following are proposed on the alleys:

Pierce Alley – Merrill Street to Pierce Street:

Repaving the alley with concrete pavement and exposed aggregate panels to match the City's standard alley section. A minor storm sewer will be installed to allow the edges of the alley to drain the center of the alley. There are two existing street lights that are the older style that will be replaced. Also, dumpster screens will be installed similar to Hamilton Alley in front of the dumpsters, recycling bins, and linen storage bins.

West Maple Alley – Henrietta Street to Pierce Street:

The alley will be repaved with concrete pavement and exposed aggregate panels to match other alleys within the City. Additional storm sewer will be installed to allow drainage to come to the center of the alley.

At the property owner meeting on Tuesday, April 23, 2024, owners on Pierce Alley expressed interest in installing a third compactor for allow adjacent properties to use and eliminating the dumpster screens. The City is reviewing this internally but the preliminary cost numbers do include the dumpster screening.

On previous projects of this nature in public alleys, it has been the City's policy to assess 100% of the paving improvement to the property that shares frontage with the improvements. The cost per property will be assessed as an average cost per linear foot of frontage for the improvements. The properties with multiple owners or condominiums, the amount will be based on the square footage of the building area owned.

The parcels within the project zone that are subject to the paving special assessment 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 at the Hearing of Confirmation.

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 as to form and content.

FISCAL IMPACT:

Revenue generated from the paving SAD for Pierce Alley and West Maple Alley will defray the costs incurred by the City for the construction. One hundred percent of the paving and lighting costs within the ROW will be paid by the property owners. The dumpster screening is being prorated by the properties that use the dumpsters, recycling bins, linen storage, etc. that need to be screened. The cost can be paid back in either a lump sum or over up to a 10-year period with interest. The interest rate will be confirmed at the Confirmation of the Roll.

SUSTAINABILITY:

N/A

PUBLIC COMMUNICATIONS:

Notice of the Hearing of Necessity was distributed by the Clerk's Office. The Engineering Department held a property owners meeting on Tuesday, April 23, 2024, to discuss and answer questions about the project and the process of the special assessment.

SUMMARY:

The Engineering Department recommends that the City Commission declare the necessity and approve a special assessment district for paving as part of the Pierce Alley and West Maple Alley projects. Should the Commission approve the special assessment district, a public hearing for confirmation of the Roll should be set for the City Commission meeting on May 20, 2024.

ATTACHMENTS:

- Map of proposed special assessment district for paving
- Pierce Alley and West Maple Alley Project Plans
- Spreadsheet with estimated cost of paving
- Clerk's confirmation of public hearing notice

SUGGESTED COMMISSION ACTION:

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

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project of repaving on Pierce Alley, from Merrill Street to Pierce Street, and West Maple Alley, from Henrietta Street to Pierce Street; and

WHEREAS, The City has previously established a policy requiring repaving public alleys; and

WHEREAS, The City Commission, after the public hearing, has determined that repaving Pierce Alley from Merrill Street to Pierce Street and West Maple Alley from Henrietta Street to Pierce Street, is a necessity and is in the best interest of the City and will specially benefit the properties included in the Special Assessment District; and

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

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

WHEREAS, The City Engineer has determined the boundaries of repaving within the limits of the following alleys shall be installed as part of the Pierce Alley and West Maple Alley Project (Contract #8-23(P)):

Pierce Alley – Merrill Street to Pierce Street; and
West Maple Alley – Henrietta Street to Pierce Street

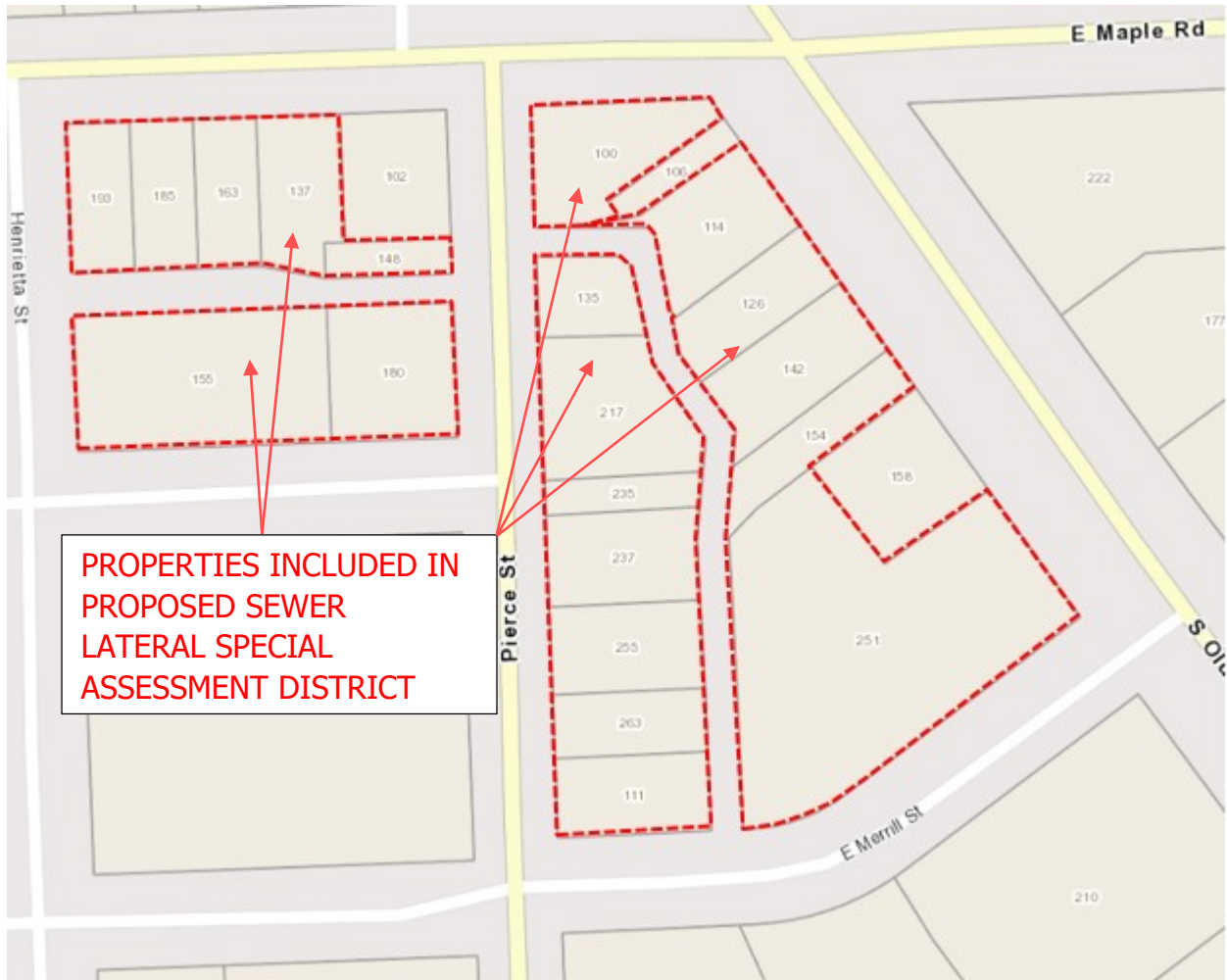
WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for repaving the alleys (calculated at the rate of \$408.12 per foot), 100% of the contractor's charge for replacing two light fixtures on Pierce Alley (calculated at the rate of \$26.68 per foot), and 100% of the contractor's charge for installing dumpster screening on the alleys (calculated at the rate of \$1,200 per linear foot of the fence and prorate by the properties using the dumpsters, recycling bins, linen storage).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing and give notice on May 20, 2024.

Paving

Sidwell Number	Street Address	Paving Assessment
1936201011	100 S. Old Woodward	\$13,348.37
1936201013	114 S. Old Woodward	\$47,560.65
1936201014	124 S. Old Woodward	\$20,192.12
1936201015	138 S. Old Woodward	\$26,448.90
1936201021	154 S. Old Woodward	\$22,121.41
1936201019	251 E. Merrill	\$59,387.96
1936201023	277 Pierce	\$163.53
1936201026	277 Pierce Bldg Main	\$238.14
1936201025	111 E. Merrill PH	\$145.51
1936201024	111 E. Merrill STE 200	\$781.89
1936201009	263 Pierce	\$28,792.01
1936201022	247 Pierce	\$26,560.12
1936201006	237 Pierce	\$28,243.27
1936201005	235 Pierce	\$10,695.22
1936201020	165 Pierce	\$51,473.97
1936201001	135 Pierce	\$52,440.64
1936129010	155 Henrietta	\$65,299.62
1936129012	180 Pierce Unit 1	\$6,519.75
1936129013	180 Pierce Unit 2	\$7,809.29
1936129014	180 Pierce Unit 3	\$7,809.29
1936129015	180 Pierce Unit 4	\$7,809.29
1936129016	180 Pierce Unit 5	\$1,088.38
1936129017	180 Pierce	\$559.95
1936129018	180 Pierce	\$1,053.85
1936129006	148 Pierce	\$55,449.81
1936129004	137 W. Maple	\$16,733.03
1936129003	157 W. Maple	\$16,324.90
1936129002	175 W. Maple	\$27,724.90
1936129001	193 W. Maple	\$27,724.90

Pierce Alley and West Maple Alley Paving Special Assessment District Map





BIRMINGHAM

A WALKABLE CITY

ENGINEERING DEPARTMENT

PIERCE ALLEY & W. MAPLE ALLEY RECONSTRUCTION PROJECT CONTRACT #8-24(P)

SHEET INDEX

COVER SHEET

- C1 Overall & Staging Plan Pierce Alley-Phase 1
- C2 Overall & Staging Plan Pierce Alley-Phase 2
- C3 Overall & Staging Plan W. Maple Alley
- C4 Paving, Grading & Utility Plan-Pierce Alley P.O.B To 2+25
- C5 Paving, Grading & Utility Plan-Pierce Alley 2+25 To P.O.E.
- C6 Paving, Grading & Utility Plan-W. Maple Alley P.O.B. To 2+00
- C7 Paving, Grading & Utility Plan-W. Maple Alley 2+00 To P.O.E.
- C8 Joint Layout & Dimension Plan P.O.B. To P.O.E. Pierce Alley
- C9 Joint Layout & Dimension Plan P.O.B. To P.O.E. W. Maple Alley
- C10 Notes & Details
- C11 Special Details, Storm Profiles, & Quantities

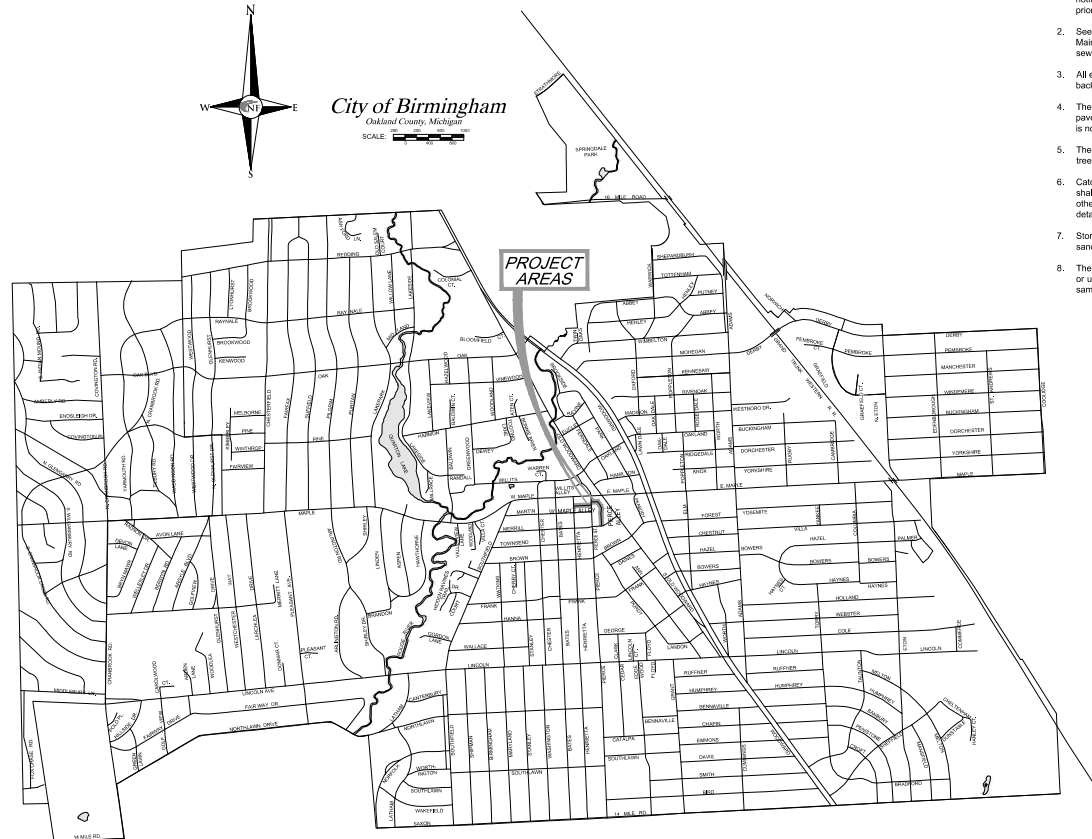
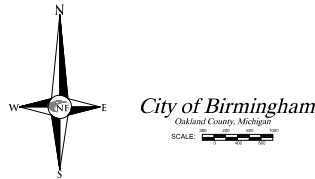
SEWER STANDARD DETAILS

CBD STREETScape STANDARD DETAILS

REFERENCE DRAWINGS FROM 2015 HAMILTON ALLEY PROJECT*

- ED01 DUMPSTER SCREEN DETAILS
- ED02 PRELIMINARY WAY FINDER SIGN DESIGN

*NOTE: CONTRACTOR SHALL FURNISH DETAILED SHOP DRAWINGS FOR CITY REVIEW AND APPROVAL FOR DUMPSTER SCREEN WALL COMPONENTS.



CONSTRUCTION NOTES

These notes shall apply for all work within this contract:

1. 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).
2. 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.
3. All excavation under or within three feet of pavement, public or private, shall be backfilled and compacted with sand.
4. 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.
5. The contractor shall be responsible for damage to existing utilities, pavement, trees, landscaping, gravel, etc., whether located on public or private property.
6. Catch basin and inlet castings scheduled for replacement, or new construction shall be E.I.W. 500024 DI / 5000M 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.
7. Storm, sewer and water main trench shall be backfilled with MDOT Class II sand and properly compacted to 95% of modified proctor density.
8. The contractor shall coordinate and cooperate with all other construction and/or utility companies working in the same area, project related or not, during the same allotted construction period.

WATER / SEWER SERVICE NOTE

ALL SEWER SERVICE LATERAL INFORMATION SHOWN ON SURVEY WITHIN THE PUBLIC RIGHT-OF-WAY IS PER VIDEO INSPECTION AND REPORT FURNISHED BY CITY OF BIRMINGHAM AND PERFORMED BY METRO. INFRASTRUCTURE SERVICES. WATER SERVICE INFORMATION IS SHOWN PER RECORDS. THE CONTRACTOR SHALL COORDINATE WITH CITY FOR ALL PRIVATELY OWNED WATER AND SEWER LATERAL INFORMATION, AS REQUIRED, TO CONSTRUCT THE PROJECT FINAL.

UTILITY NOTE

THE LOCATIONS AND DEPTHS OF SOME OF THE EXISTING UNDERGROUND UTILITIES AS SHOWN ON THE SURVEY DRAWING WERE OBTAINED FROM METRO, 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 DEPTHS PRIOR TO THE START OF CONSTRUCTION.



BENCHMARK NOTE

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

PIERCE ALLEY & W. MAPLE ALLEY RECONSTRUCTION PROJECT
CONTRACT #8-24(P)

APPROVED _____ DATE _____

MARCH 21, 2024 Bids



UTILITIES 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 OR WARRANTY IS EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

PROJECT
 City of Birmingham
 Pierce Alley & W. Maple Alley
 Reconstruction Project
 Contract #8-24P

CLIENT

 Engineering Department
 151 Martin Street
 Birmingham, MI 48012

PROJECT LOCATION
 Part of the SE/NE 1/4 of Section 26, 25,
 Town 2 North, Range 10 East,
 City of Birmingham, Oakland
 County, Michigan

Sheet Paving, Grading & Utility Plan-Pierce Alley 2+25 To P.O.E.



DATE ISSUED/REVISED
 03/21/24 R105

DRAWN BY:
 B. Islam

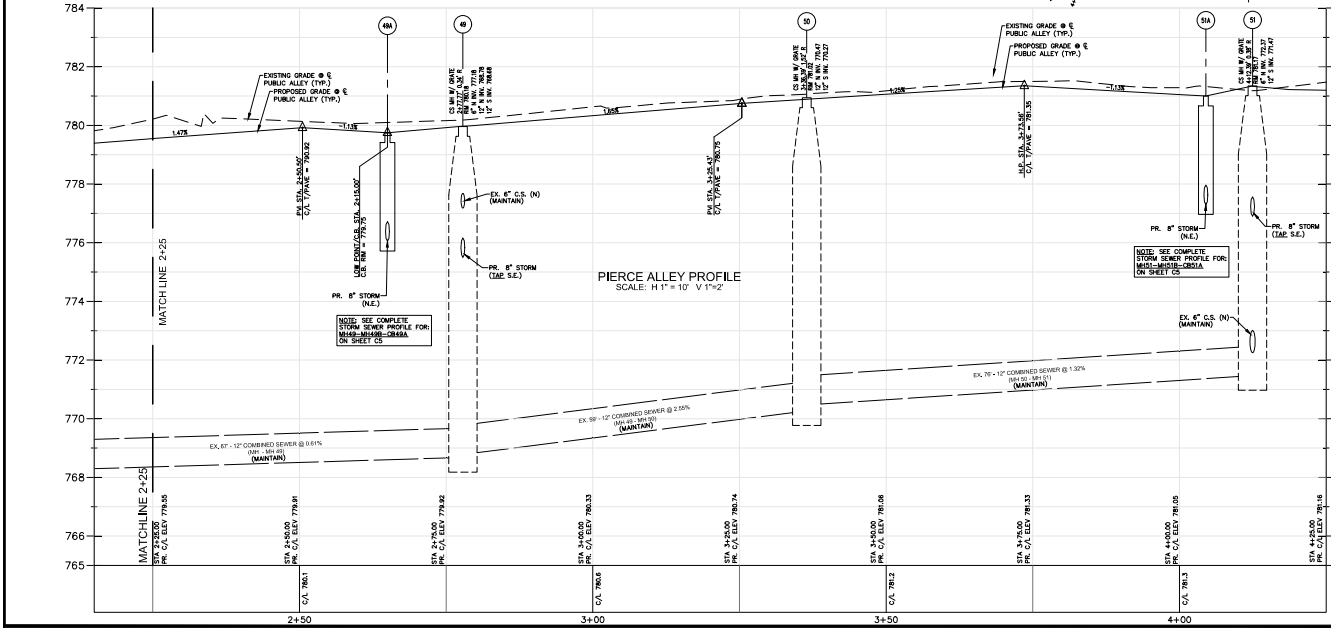
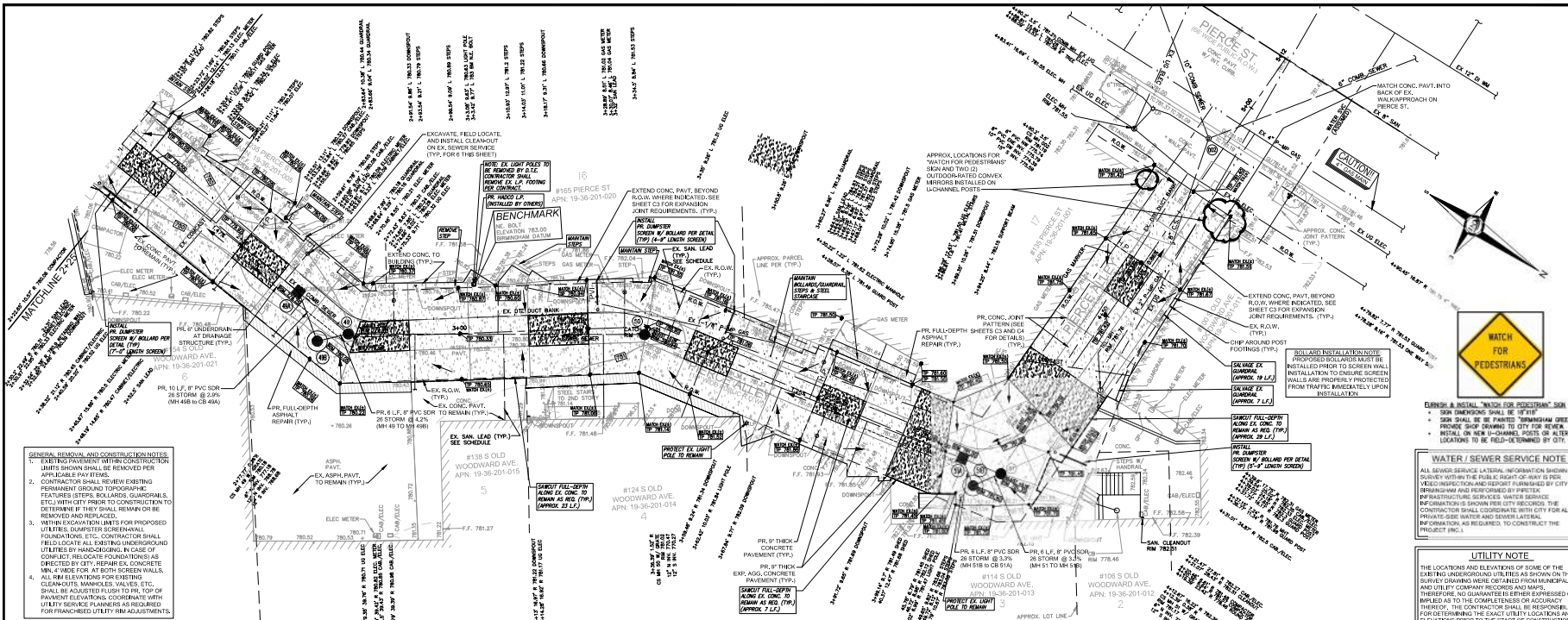
DESIGNED BY:
 P. Tullkangas

APPROVED BY:
 B. Buchholz

DATE:
 03/21/24

SCALE: 1" = 10' / 1" = 20'

SHEET NO.
 K910 C5



SEWER SERVICE SCHEDULE (PIERCE ALLEY - EX MH 48 TO EX MH 49)

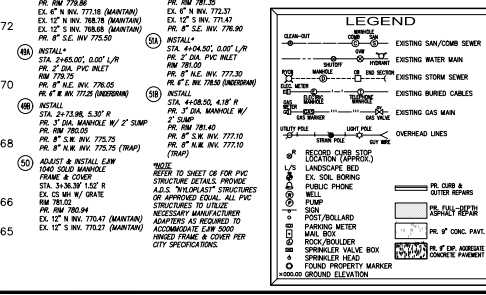
STATION	ADDRESS OF EXPOSITION	SIZE	PK. DIA.	W/THIN	SPRINK	EX. MAN/INSTR.	DRIVE FROM INVESTIGATION	ACTIVE	REMARKS
2462.0	154 S. OLD WOODWARD	8"	GLAY	NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT
2462.0	154 S. OLD WOODWARD	8"	GLAY	NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT
2462.0	154 S. OLD WOODWARD	8"	GLAY	LIKELY NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT
2462.0	154 S. OLD WOODWARD	8"	GLAY	NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT
2462.0	154 S. OLD WOODWARD	8"	GLAY	NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT
2462.0	154 S. OLD WOODWARD	8"	GLAY	NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT

SEWER SERVICE SCHEDULE (PIERCE ALLEY - EX MH 49 TO EX MH 50)

STATION	ADDRESS OF EXPOSITION	SIZE	PK. DIA.	W/THIN	SPRINK	EX. MAN/INSTR.	DRIVE FROM INVESTIGATION	ACTIVE	REMARKS
2462.0	154 S. OLD WOODWARD	8"	GLAY	NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT
2462.0	154 S. OLD WOODWARD	8"	GLAY	NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT
2462.0	154 S. OLD WOODWARD	8"	GLAY	NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT
2462.0	154 S. OLD WOODWARD	8"	GLAY	NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT
2462.0	154 S. OLD WOODWARD	8"	GLAY	NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT
2462.0	154 S. OLD WOODWARD	8"	GLAY	NOT ACTIVE	17"	20K BEH3	8"	OPENED	INSTALL CLEAN-OUT

SEWER STRUCTURE SCHEDULE

NO.	TYPE	DESCRIPTION	DATE
1	INSTALL	10" DIA. MANHOLE W/ 2" SAND	03/21/24
2	INSTALL	10" DIA. MANHOLE W/ 2" SAND	03/21/24
3	INSTALL	10" DIA. MANHOLE W/ 2" SAND	03/21/24
4	INSTALL	10" DIA. MANHOLE W/ 2" SAND	03/21/24
5	INSTALL	10" DIA. MANHOLE W/ 2" SAND	03/21/24
6	INSTALL	10" DIA. MANHOLE W/ 2" SAND	03/21/24
7	INSTALL	10" DIA. MANHOLE W/ 2" SAND	03/21/24
8	INSTALL	10" DIA. MANHOLE W/ 2" SAND	03/21/24
9	INSTALL	10" DIA. MANHOLE W/ 2" SAND	03/21/24
10	INSTALL	10" DIA. MANHOLE W/ 2" SAND	03/21/24



SEAL

PROJECT
 City of Birmingham
 W. Maple Alley Reconstruction
 Contract #8-24P

CLIENT

BIRMINGHAM
 A WALKABLE CITY
 Engineering Department
 151 Martin Street
 Birmingham, MI 48012

PROJECT LOCATION
 Part of the SW 1/4
 of Section 25
 T. 2N., R. 10E.
 City of Birmingham,
 Oakland County, Michigan

SHEET
 Paving, Grading & Utility
 Plan-W. Maple Alley P.O.B.
 To 2+00



Know what's below
 Call before you dig.

DATE ISSUED/REVISED
 01.08.24 01.08.24

DRAWN BY:
 B. Islam
 DESIGNED BY:
 P. Tulikangas

APPROVED BY:
 B. Buchholz

DATE
 02-21-24

SCALE 1" = 10' / 1" = 1'

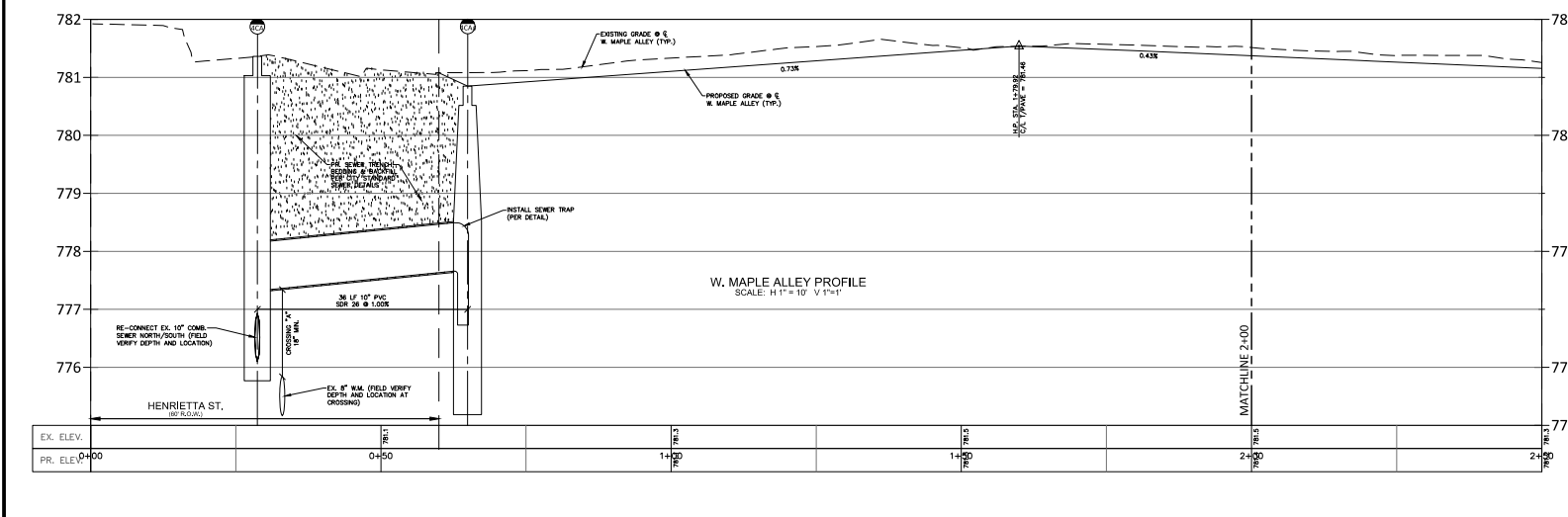
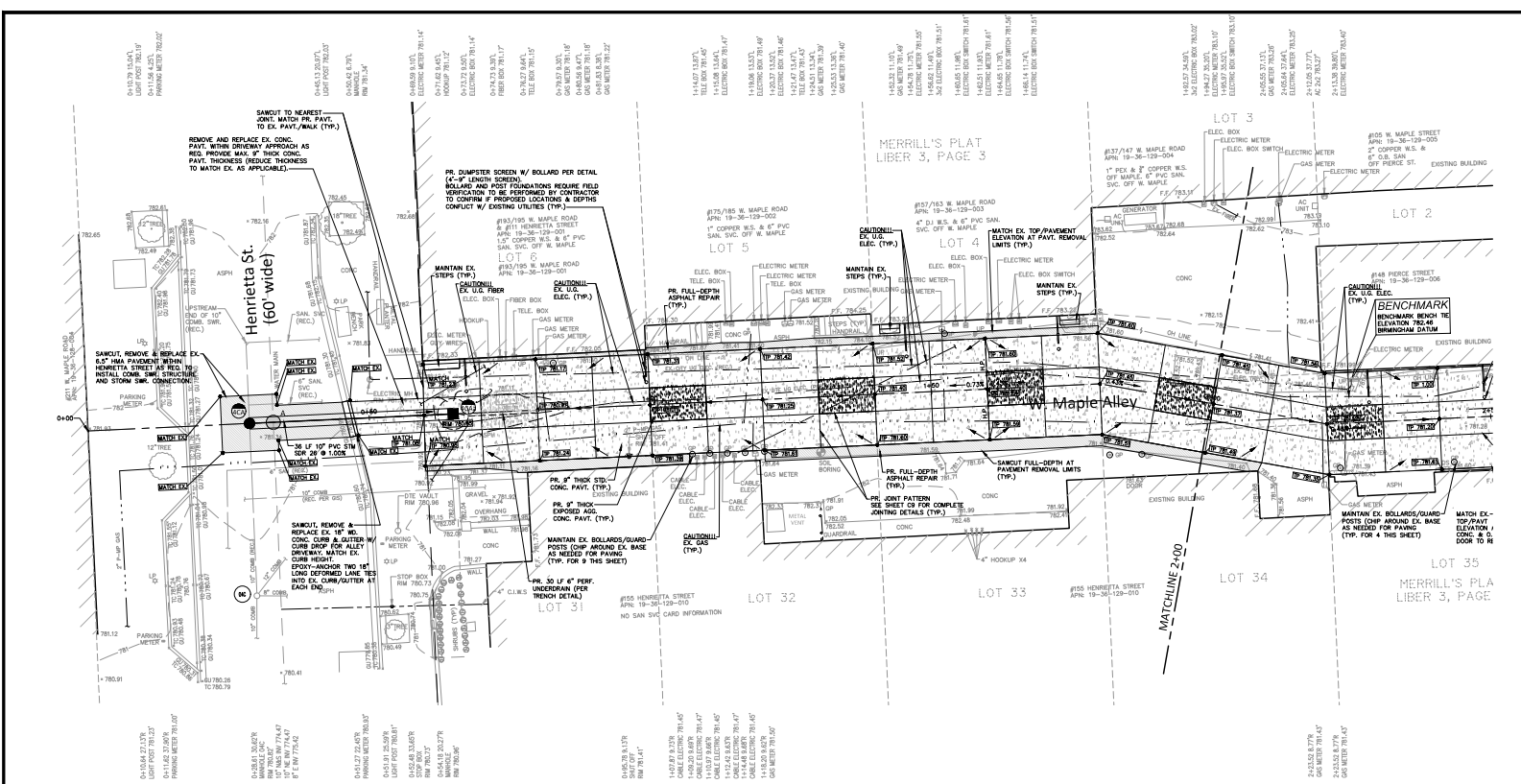
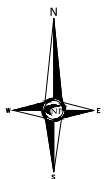
NFE JOB NO. SHEET NO.
 L433-01 C6

Storm Drainage Structure Schedule

Structure Name	Structure Details
84CA	CONSTRUCT PR. 4" DIA. COMB. SEWER MANHOLE ONLINE OF EX. 10" COMB. SEWER (RECONNECT) EX. 10" SEWER N/S. APPROX. INV. 776.10, V.I.F.
84CB	PR. 10" DIA. CATCH BASIN W/ 2' SUMP AND TRAP. PR. 10" W. INV. 777.68
84CC	CONSTRUCT PR. 4" DIA. COMB. SEWER MANHOLE ONLINE OF EX. 10" COMB. SEWER (RECONNECT) EX. 10" SEWER N/S. APPROX. INV. 776.10, V.I.F.

UTILITY CROSSING SCHEDULE

A. 10" W. 10" DIA. COMB. SEWER
 B. 10" W. 10" DIA. COMB. SEWER
 C. 10" W. 10" DIA. COMB. SEWER
 D. 10" W. 10" DIA. COMB. SEWER
 E. 10" W. 10" DIA. COMB. SEWER
 F. 10" W. 10" DIA. COMB. SEWER
 G. 10" W. 10" DIA. COMB. SEWER
 H. 10" W. 10" DIA. COMB. SEWER
 I. 10" W. 10" DIA. COMB. SEWER
 J. 10" W. 10" DIA. COMB. SEWER
 K. 10" W. 10" DIA. COMB. SEWER
 L. 10" W. 10" DIA. COMB. SEWER
 M. 10" W. 10" DIA. COMB. SEWER
 N. 10" W. 10" DIA. COMB. SEWER
 O. 10" W. 10" DIA. COMB. SEWER
 P. 10" W. 10" DIA. COMB. SEWER
 Q. 10" W. 10" DIA. COMB. SEWER
 R. 10" W. 10" DIA. COMB. SEWER
 S. 10" W. 10" DIA. COMB. SEWER
 T. 10" W. 10" DIA. COMB. SEWER
 U. 10" W. 10" DIA. COMB. SEWER
 V. 10" W. 10" DIA. COMB. SEWER
 W. 10" W. 10" DIA. COMB. SEWER
 X. 10" W. 10" DIA. COMB. SEWER
 Y. 10" W. 10" DIA. COMB. SEWER
 Z. 10" W. 10" DIA. COMB. SEWER



SEAL

PROJECT
City of Birmingham
W. Maple Alley Reconstruction
Contract #8-24P

CLIENT

BIRMINGHAM
A WALKABLE CITY
Engineering Department
151 Martin Street
Birmingham, MI 48012

PROJECT LOCATION
Part of the SW 1/4
of Section 25
T. 2N., R. 10E.
City of Birmingham,
Oakland County, Michigan

SHEET
Paving, Grading & Utility
Plan-W. Maple Alley 2+00
To P.O.E.



Know what's below
Call before you dig.

DATE ISSUED/REVISED
01.08.24 ISSUED SURVEY

DRAWN BY:
B. Islam

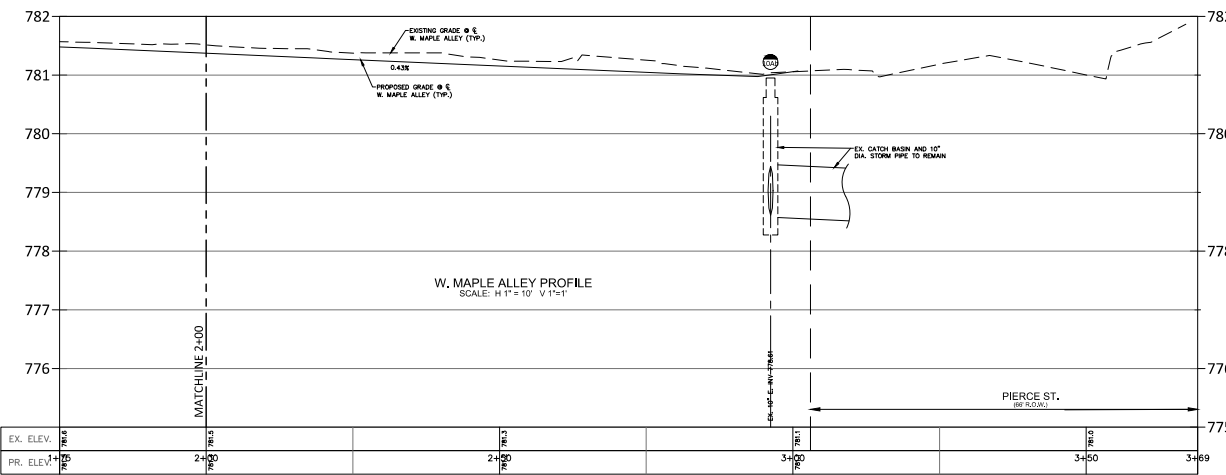
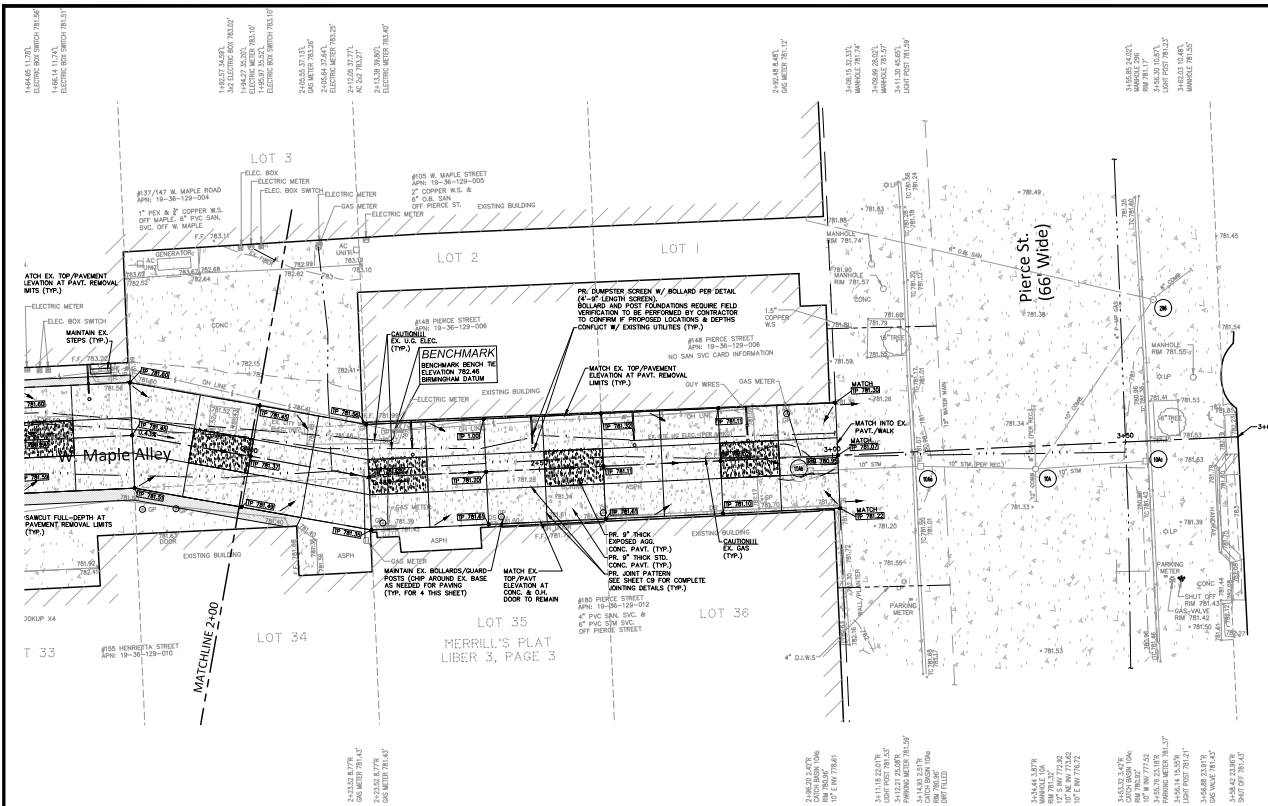
DESIGNED BY:
P. Tulikangas

APPROVED BY:
B. Buchholz

DATE:
02-21-24

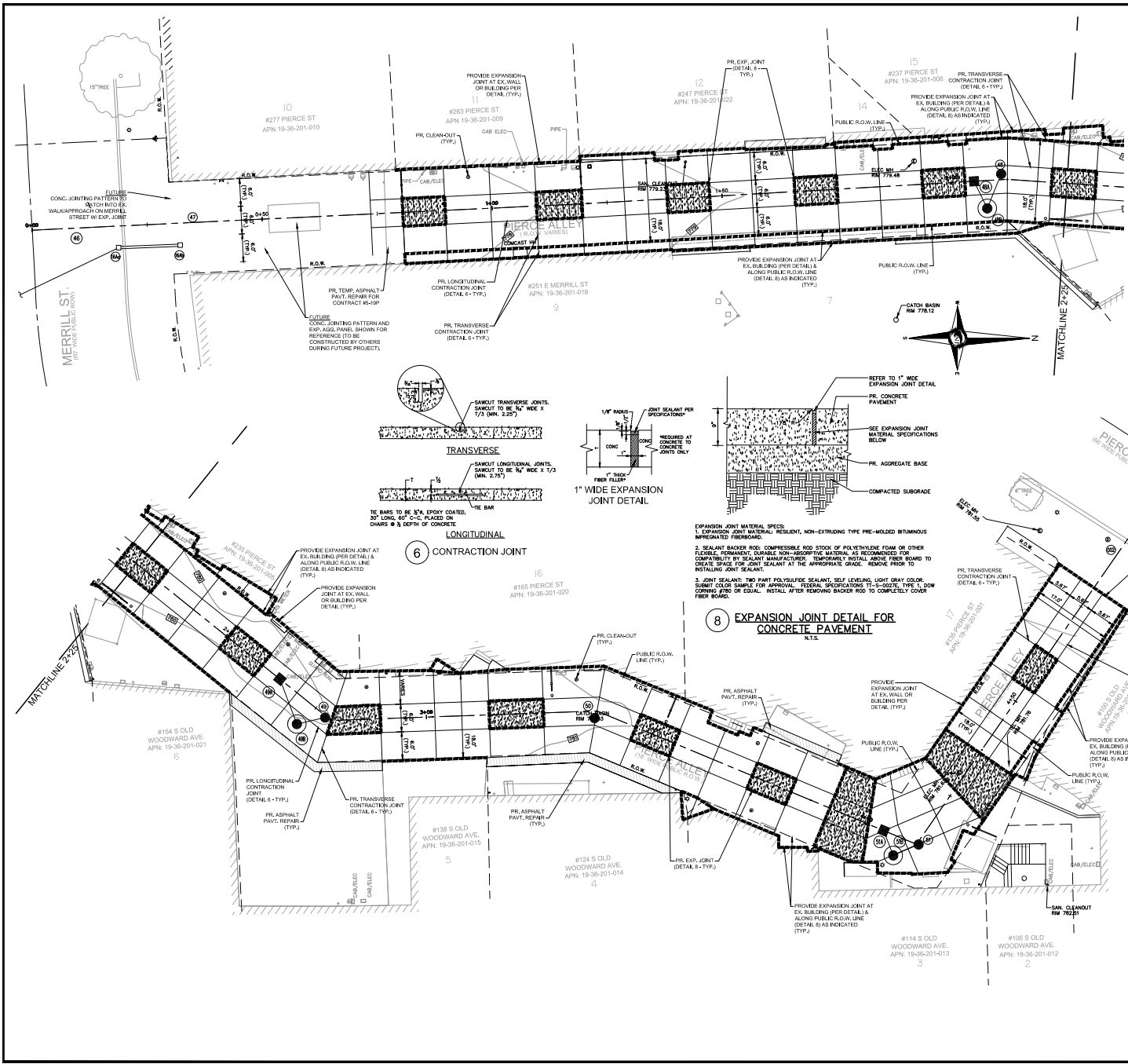
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NFE JOB NO. SHEET NO.
L433-01 C7

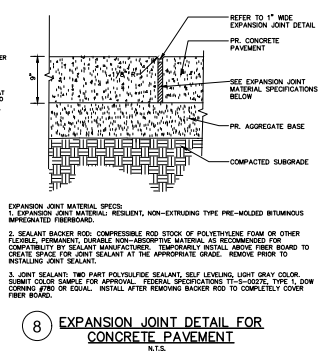
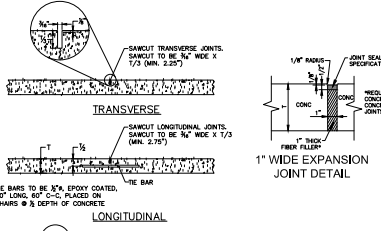
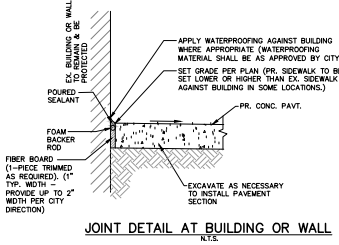


GRADING LEGEND	
PR. 10' OF CURB ELEVATION	PR. 10' OF CURB ELEVATION
PR. 10' OF WALK ELEVATION	PR. 10' OF WALK ELEVATION
PR. 10' OF PAVT. ELEVATION	PR. 10' OF PAVT. ELEVATION
FINISH GRADE ELEVATION	FINISH GRADE ELEVATION
MATCH EX. ELEVATION	MATCH EX. ELEVATION

LEGEND	
EXISTING SAN/COMB SEWER	EXISTING SAN/COMB SEWER
EXISTING WATER MAIN	EXISTING WATER MAIN
EXISTING STORM SEWER	EXISTING STORM SEWER
EXISTING BURIED CABLES	EXISTING BURIED CABLES
EXISTING GAS MAIN	EXISTING GAS MAIN
OVERHEAD LINES	OVERHEAD LINES
PR. CURB & GUTTER REPAIR	PR. CURB & GUTTER REPAIR
PR. 10' CONC. PAVT. ASPHALT REPAIR	PR. 10' CONC. PAVT. ASPHALT REPAIR
PR. 10' CONC. PAVT. CONCRETE PAVEMENT	PR. 10' CONC. PAVT. CONCRETE PAVEMENT



PAVEMENT JOINT NOTES
 REFER TO THE CITY OF BIRMINGHAM STANDARD PAVING DETAILS FOR ALL JOINT DETAILS.
 INSTALL DETAIL #6 JOINTS FOR ALL TRANSVERSE JOINTS.
 EXPANSION JOINTS SHALL BE 1", UNLESS OTHERWISE DIRECTED BY THE CITY.



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

Symbol	Description	Symbol	Description
Circle with cross	EXISTING SAN/COB SEWER	Circle with dot	PR. CURB & INTER SEWER
Circle with horizontal line	EXISTING WATER MAIN	Circle with vertical line	PR. FULL-DEPTH ASPHALT REPAIR
Circle with vertical line	EXISTING STORM SEWER	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	EXISTING BURIED CABLES	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	EXISTING GAS MAIN	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	OVERHEAD LINES	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	RECORD CURB STOP LOCATION (APPROX.)	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	L/S LANDSCAPE BED	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	EX. SOL. BORING	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	PUBLIC PHONE	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	WELL	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	PUMP	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	SEW. MANHOLE	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	POST/BOLLARD	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	PARKING METER	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	MAIL BOX	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	ROOF DRAIN	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	SPRINGER VALVE BOX	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	SPRINGER VALVE	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	FOUND PROPERTY MARKER	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT
Circle with horizontal line	GROUND ELEVATION	Circle with diagonal line	PR. 1" CONCRETE PAVEMENT

NF ENGINEERS
 CIVIL ENGINEERS
 LAND SURVEYORS
 LAND PLANNERS

NOWAK & FRAUS ENGINEERS
 4677 WOODWARD AVE.
 PONTIAC, MI 48342-5032
 TEL. (248) 332-7931
 FAX. (248) 332-8257
 WWW.NOWAKFRAUS.COM

PROJECT
 City of Birmingham
 Pierce Alley & W. Maple Alley
 Reconstruction Project
 Contract #8-24P

CLIENT
 BIRMINGHAM
 A MICHIGAN CITY

Engineering Department
 151 Martin Street
 Birmingham, MI 48012

PROJECT LOCATION
 Part of the SE/NE 1/4
 of Section 26/25,
 Town 2 North, Range 10 East,
 City of Birmingham, Oakland
 County, Michigan

SHEET
 Joint Layout &
 Dimension Plan P.O.B.
 To P.O.E. Pierce Alley



DATE ISSUED/REVISED
 03-21-24

DRAWN BY:
 B. Islam

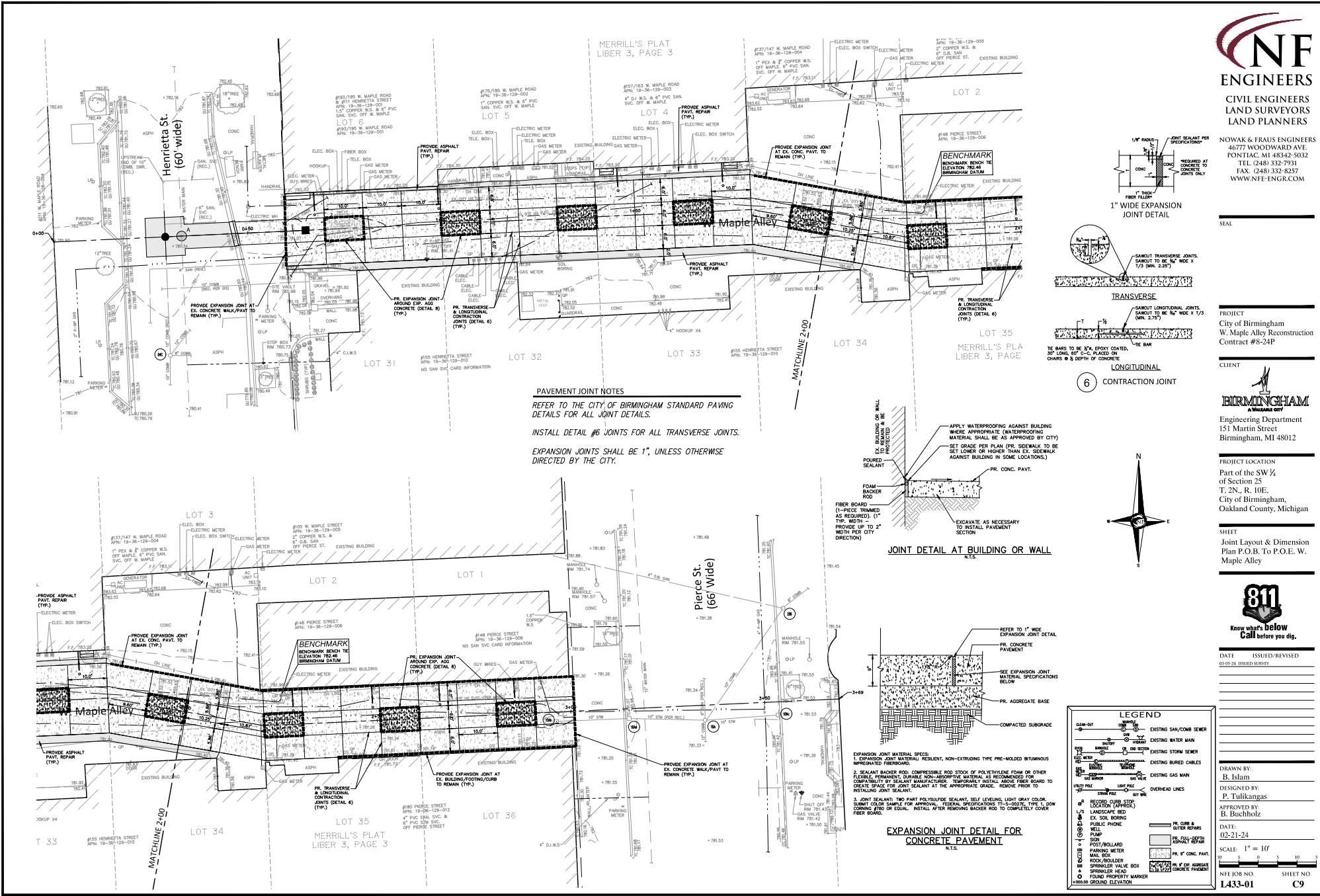
DESIGNED BY:
 P. Tulikangas

APPROVED BY:
 B. Buchholz

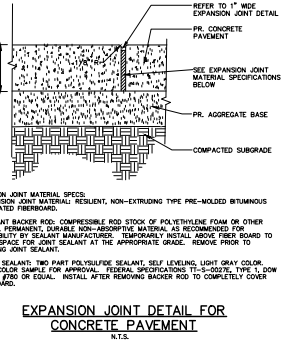
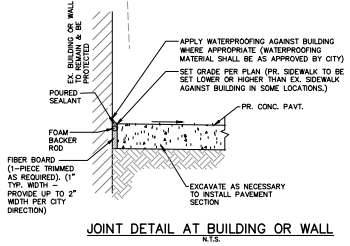
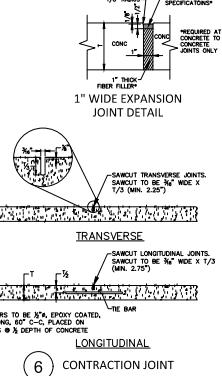
DATE:
 03-21-24

SCALE: 1" = 10'

N/E JOB NO. SHEET NO.
 K910 C8



PAVEMENT JOINT NOTES
REFER TO THE CITY OF BIRMINGHAM STANDARD PAVING
DETAILS FOR ALL JOINT DETAILS.
INSTALL DETAIL #6 JOINTS FOR ALL TRANSVERSE JOINTS.
EXPANSION JOINTS SHALL BE 1", UNLESS OTHERWISE
DIRECTED BY THE CITY.

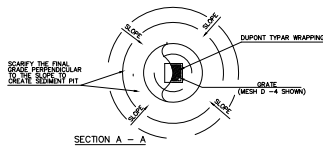


LEGEND

⊙	MANHOLE	⊙	EXISTING SAN/COMB SEWER
⊙	EXISTING WATER MAIN	⊙	EXISTING WATER MAIN
⊙	EXISTING STORM SEWER	⊙	EXISTING BURIED CABLES
⊙	EXISTING GAS MAIN	⊙	OVERHEAD LINES
⊙	RECORD CURB STOP LOCATION (APPROX.)	⊙	PR. CURB & OTHER REPAIR
⊙	LANDSCAPE BED EX. SOIL BORING	⊙	PR. FULL-DEPTH ASPHALT REPAIR
⊙	PUBLIC PHONE	⊙	PR. 4\"/>

GENERAL NOTES

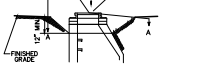
1. BRICK PAVEMENT SHALL BE REMOVED BY MEANS WHICH CAUSE NO DAMAGE TO THE BRICKS. BRICKS SHALL BE DELIVERED TO CITY OF BIRMINGHAM DEPARTMENT OF SERVICES AS DIRECTED BY THE ENGINEER.
2. ALL PAVEMENT TO BE REMOVED SHALL BE SAWCUT FULL DEPTH.
3. ANY GRAVEL REPLACEMENT NECESSARY FOR REPAIRING DRIVEWAYS SHALL BE CONSIDERED INCLUDED IN THE COST OF CONCRETE PAVING APPROACH.
4. ALL TREES NOT INDICATED FOR REMOVAL SHALL BE PROTECTED DURING CONSTRUCTION. WHERE NECESSARY, TREE ROOTS SHALL BE CUT CLEANLY AT NO TIME WILL RIPPING OR TEARING OF TREE ROOTS BE ACCEPTABLE.
5. ALL DRIVEWAYS (BEHIND THE SIDEWALK) SHALL BE REPAIRED WITH A CROSS SECTION WHICH MATCHES THE EXISTING IN THICKNESS, ON A MINIMUM 1"-1/2" BITUMINOUS MIXTURE NO. 13A AND 1"-1/2" BITUMINOUS MIXTURE NO. 31A, IF THE EXISTING DRIVEWAY IS GREATER THAN 3" IN DEPTH. THE THICKNESS OF THE BITUMINOUS MIXTURE TO MAKE UP THE DIFFERENCE.
6. UNLESS OTHERWISE SHOWN, PROPOSED GRADES IN PROFILES ARE TOP OF CURB GRADES.
7. ROADS, OR OTHER MISC. DEVICES WHICH ARE REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED FROM THE SITE, UNLESS SPECIFIED OTHERWISE FROM THE CITY.
8. THE PAY ITEM "ADJUST STRUCTURE COVER" APPLIES ONLY TO PRE-EXISTING STRUCTURES TO BE ADJUSTED TO PROPOSED GRADES AS PART OF CONSTRUCTION.
9. IF THE CONTRACTOR HAS MULTIPLE OPENINGS WORKING THAT REQUIRES MULTIPLE CITY INSPECTORS ON A GIVEN WORK DAY, THE PAY ITEM "INSPECTOR CREW DAILY" SHALL BE MULTIPLIED BY THE CORRESPONDING NUMBER OF INSPECTORS REQUIRED DURING SAID WORK DAY.



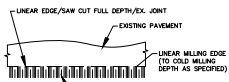
SECTION A - A

PAVING NOTES

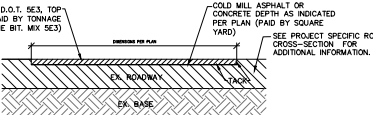
1. PAVEMENT SHALL BE OF THE TYPE, THICKNESS AND CROSS SECTION AS INDICATED ON THE PLANS AND AS FOLLOWS:
 CONCRETE ROAD:
 BASE COURSE - 21A4 CRUSHED LIMESTONE AGGREGATE (8" THICK)
 M-1 - PORTLAND CEMENT TYPE IA (AIR-ENTRAINED), TO COMPLY WITH MDOT P1M REQUIREMENTS.
 CONCRETE FLANKING:
 PORTLAND CEMENT TYPE IA (AIR-ENTRAINED), WITH A MINIMUM CEMENT CONTENT OF 500 SACKS PER CUBIC YARD, MINIMUM 8 DAY COMPRESSIVE STRENGTH OF 3,000 PSI AND A SLUMP OF 1.5 TO 3 INCHES.
 ALL CONCRETE PAVEMENT AND FLANKING AREES USED ON THIS PROJECT SHALL COMPLY WITH A MINIMUM SHOWN GRANULATED BEAST-FURNACE SLAG (GGBF) SUBSTITUTION OF THIRTY-FIVE (35) PERCENT SUBJECT TO SEASONAL LIMITATIONS PER THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR CONSTRUCTION, 2003 EDITION.
 ASPHALT: BASE COURSE - 21A4 CRUSHED LIMESTONE AGGREGATE (8" THICK)
 LEVELING COURSE - M-10T HMA MIXTURE NO. 13A (MAX. APPLICATION RATE 330 POUNDS PER SQUARE YARD)
 SURFACE COURSE - M-10T HMA MIXTURE NO. 13A (MAX. APPLICATION RATE 165 POUNDS PER SQUARE YARD)
 BOND COAT - M-10T 55-IN EMULSION AT 1.00 GALLON PER SQUARE YARD
 2. PAVEMENT BASE SHALL BE COMPACTED TO 95% OF THE MAXIMUM DENSITY (MODIFIED PROCTOR) PRIOR TO PLACEMENT OF PROPOSED PAVEMENT. EXISTING SUB-BASE SHALL BE PROOF-ROLLED IN THE PRESENCE OF THE ENGINEER TO DETERMINE STABILITY.
 3. ALL CONCRETE PAVEMENT, DRIVEWAYS, CURB & GUTTER, ETC., SHALL BE SPRAY CURED WITH WHITE MEMBRANE DURING CURING IMMEDIATELY FOLLOWING FINISHING OPERATIONS.
 4. ALL CONCRETE PAVEMENT JOINTS SHALL BE FILLED WITH HOT POUR RUBBERIZED ASPHALT JOINT SEALING COMPOUND IMMEDIATELY AFTER SAWCUT OPERATION. FEDERAL SPECIFICATION SS-564.
 5. ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION, 2003 EDITION.
 6. ALL TOP OF CURB ELEVATIONS, AS SHOWN ON THE PLANS, ARE CALCULATED FOR A 4" CONCRETE CURB UNLESS OTHERWISE NOTED.
 7. ALL SIDEWALK RAMPS, CONFORMING TO PUBLIC ACT NO. 8, 1993, SHALL BE INSTALLED AS INDICATED ON THE PLANS.
 8. 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.
 9. FOR ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY, THE CONTRACTOR SHALL PAY FOR AND SECURE ALL NECESSARY PERMITS AND LICENSES ARRANGE FOR ALL INSPECTION.
 10. EXISTING TYPICAL VEGETATION AND DRAINAGE MATERIALS SHALL BE STRIPPED AND REMOVED FROM PROPOSED PAVEMENT AREA PRIOR TO PLACEMENT OF BASE MATERIALS (INCLUDED IN PAVING WORK).
 11. EXPANSION JOINTS SHOULD BE INSTALLED AT THE END OF ALL INTERSECTION RADI.
 12. SIDEWALK RAMPS, CONFORMING TO PUBLIC ACT NO. 8, 1993, SHALL BE INSTALLED AS SHOWN AT ALL STREET INTERSECTIONS AND AT ALL BARRIER FREE PARKING AREAS AS INDICATED ON THE PLANS.
 13. ALL PAVEMENT AREAS SHALL BE PROOF-ROLLED UNDER THE SUPERVISION OF A GEOTECHNICAL ENGINEER PRIOR TO THE PLACEMENT OF BASE MATERIALS AND PAVING MATERIALS.
 14. FILL AREAS SHALL BE MACHINE COMPACTED IN UNIFORM LIFTS NOT EXCEEDING 9 INCHES THICK TO 95% OF THE MAXIMUM DENSITY (MODIFIED PROCTOR) PRIOR TO PLACEMENT OF PROPOSED PAVEMENT.
 15. R.A.F. SHALL BE ALLOWED IN CONFORMANCE WITH M.D.O.T. TRK 1 REQUIREMENTS.



LOW POINT INLET FILTER & SEDIMENT PIT DETAIL



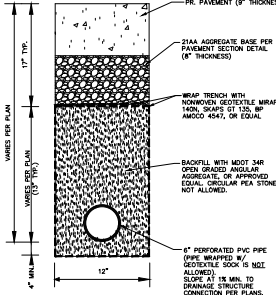
LINEAR MILLING/SAWCUT EDGE DETAIL



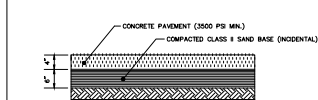
COLD MILL ASPHALT DETAIL

STORM SEWER NOTES (where applicable)

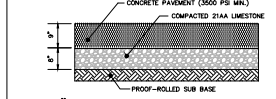
1. ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION, 2003 EDITION. DETAILS AND SPECIFICATIONS SHALL BE INCORPORATED AS PART OF THESE PLANS.
2. ALL STORM SEWER TRENCHES (UNDER OR WITHIN PAVED) SHALL BE PROTECTED DURING CONSTRUCTION. ALL EXISTING OR PROPOSED PAVEMENT SHALL BE BACK FILLED WITH MOOT CLASS II MATERIAL (SAND) AND BE MACHINE COMPACTED TO A MINIMUM 95% OF THE MAXIMUM DENSITY (MODIFIED PROCTOR). ALL TRENCHES SHALL INCLUDE PAVING LOTS, DRIVE APPROACHES, 90 CURB & GUTTER AND ADJACENT WALKS.
3. ALL STORM SEWER PIPE SHALL BE INSTALLED ON CLASS "B" BEDDING OR BETTER UNLESS OTHERWISE INDICATED ON THE PLANS.
4. STORM SEWER SHALL BE OF THE TYPE, SIZE & CLASS DESIGNATION INDICATED ON THE PLANS AND LICENSEE BE INSTALLED AT THE PROPOSED LINE & GRADE INDICATED.
5. ALL STORM SEWER PIPE SHALL BE REINFORCED CONCRETE PIPE CONFORMING TO ASTM SPECIFICATION C-76 CL. IV.
6. ALL MAN HOLE CATCH BASIN, INLET, REAR YARD DRAINAGE STRUCTURES AND COVERS SHALL BE AS INDICATED ON THE PLANS AND CONSTRUCTED IN ACCORDANCE WITH MANHOLE STANDARDS.
7. 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 MANHOLE, TO CAPTURE FLOATABLES AND TO MINIMIZE ESCAPES OF SOAK.
8. THE CONTRACTOR SHALL NOTIFY MISS DIS (1-800-482-7171) A MINIMUM OF THREE (3) WORKING DAYS PRIOR TO THE START OF CONSTRUCTION.
9. EXIST 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.
10. ALL STORM SEWER PIPE JOINTS SHALL BE "PREMIUM JOINT" MODIFIED GROOVED TONGUE (M.G.T.) WITH SYNTHETIC RUBBER GASKETS CONFORMING TO ASTM SPECIFICATION C-443 C-361, UNLESS OTHERWISE INDICATED ON THE PLANS.
11. FACILITY MANUFACTURED PRECAST TRENCH SECTIONS SHALL BE FOR ROOF DRAIN AND/OR SLUMP PUMP LEADS AND LATERALS WHERE INDICATED ON THE PLANS. BLIND TOP CONNECTIONS INTO STORM PUMP WILL NOT BE PERMITTED BY BREAKING PIPE WALL.
12. THE CONTRACTOR SHALL PAY FOR AND SECURE ALL NECESSARY PERMITS AND LICENSES ARRANGE FOR ALL SITE INSPECTIONS.



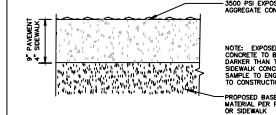
6" PERFORATED PIPE UNDERDRAIN DETAIL



4" CONCRETE SIDEWALK SECTION



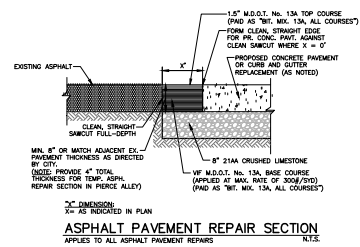
9" NON-REINFORCED CONCRETE PAVEMENT



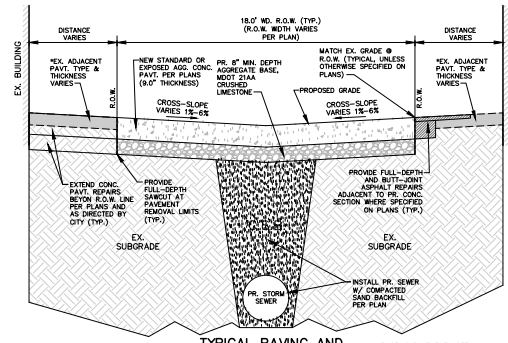
EXPOSED AGGREGATE CONCRETE PAVEMENT DETAIL

1. SURFACE RETARDERS: EXPOSED AGGREGATE FINISH SHALL BE EXPOSED BY USE OF SURFACE RETARDER "TRESO EAG-S" OR APPROVED EQUAL.
2. CONCRETE SHALL BE PLACED, LEVELLED & FINISHED IN A NORMAL FASHION.
3. IMMEDIATELY AFTER THE SLAB HAS BEEN SCREENED AND FINISHED, THE AGGREGATE SHALL BE WASHED IN A UNIFORM MANNER UNTIL ENTIRE SURFACE IS EXPOSED. A THOROUGH "EXPOSURE" OF THE EXPOSED AGGREGATE SHALL BE PERFORMED UNTIL ALL AGGREGATE IS LEFT JUST ABOVE THE SURFACE, LEAVING NO HOLES OR OPENINGS IN THE SURFACE.
4. THE SURFACE SHALL THEN BE BRUSHED AND WASHED UNTIL ALL THE AGGREGATE IS EXPOSED AND FREE OF CEMENT FILM.
5. AFTER INITIAL CURING, THE EXPOSED AGGREGATE PAVEMENT SHALL BE SEALED WITH TRANSPARENT CONCRETE SEALER, AS APPROVED BY THE ENGINEER.

EXPOSED AGGREGATE CONCRETE PAVEMENT DETAIL



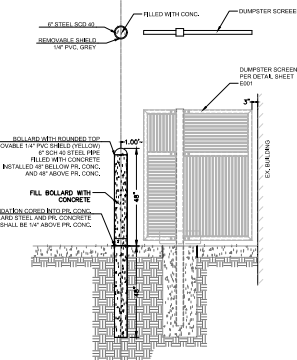
ASPHALT PAVEMENT REPAIR SECTION



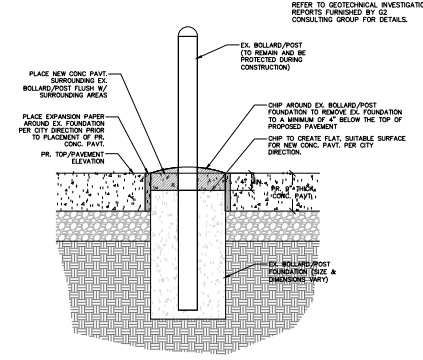
TYPICAL PAVING AND GRADING SECTION

1. SURFACE RETARDERS: EXPOSED AGGREGATE FINISH SHALL BE EXPOSED BY USE OF SURFACE RETARDER "TRESO EAG-S" OR APPROVED EQUAL.
2. CONCRETE SHALL BE PLACED, LEVELLED & FINISHED IN A NORMAL FASHION.
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4. THE SURFACE SHALL THEN BE BRUSHED AND WASHED UNTIL ALL THE AGGREGATE IS EXPOSED AND FREE OF CEMENT FILM.
5. AFTER INITIAL CURING, THE EXPOSED AGGREGATE PAVEMENT SHALL BE SEALED WITH TRANSPARENT CONCRETE SEALER, AS APPROVED BY THE ENGINEER.

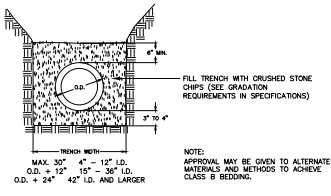
TYPICAL PAVING AND GRADING SECTION



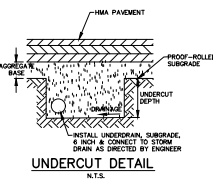
BOLLARD AT DUMPSTER SCREEN DETAIL



CHIP AROUND EX. BOLLARD/POST DETAIL



STANDARD PIPE BEDDING



UNDERCUT DETAIL

NF ENGINEERS
 CIVIL ENGINEERS
 LAND SURVEYORS
 LAND PLANNERS
 NOWAK & FRAUS ENGINEERS
 4677 WOODWARD AVE.
 PONTIAC, MI 48342-5032
 TEL: (248) 332-7931
 FAX: (248) 332-8257
 WWW.NOWAKFRAUS.COM

SEAL

PROJECT
 City of Birmingham
 Pierce Alley & W. Maple Alley
 Reconstruction Project
 Contract #8-24P

CLIENT

 Engineering Department
 151 Martin Street
 Birmingham, MI 48012

PROJECT LOCATION
 Part of the SE/NE 1/4
 of Section 26/25,
 Town 2 North, Range 10 East,
 City of Birmingham, Oakland
 County, Michigan

SHEET
 Notes & Details

811
 Know what's below
 Call before you dig.

DATE ISSUED/REVISED
 03/21/24

DRAWN BY:
 B. Islam

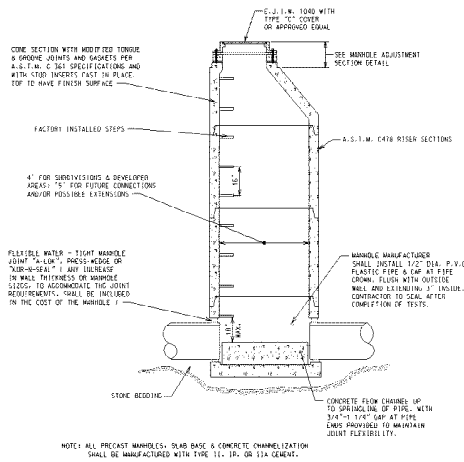
DESIGNED BY:
 P. Tulikangas

APPROVED BY:
 B. Buchholz

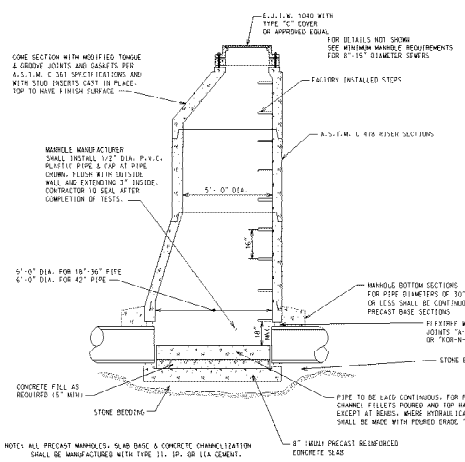
DATE:
 03-21-24

SCALE: N.T.S.

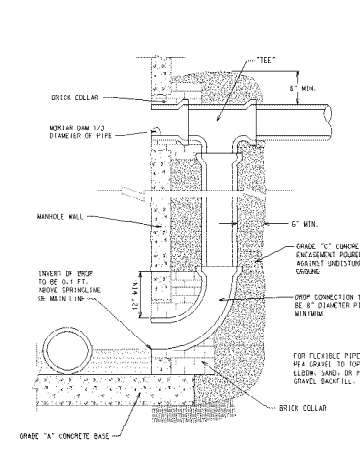
NEE JOB NO. SHEET NO.
K910 C10



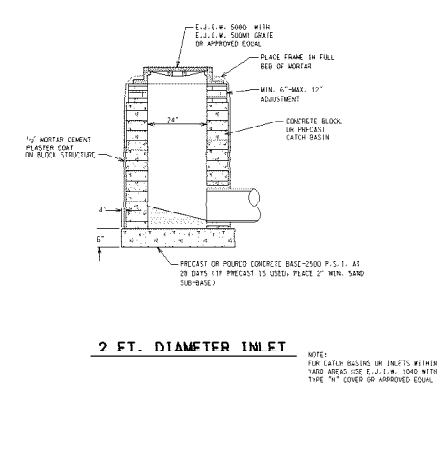
SEWER MANHOLE
18" THRU 15" DIA. SEWERS



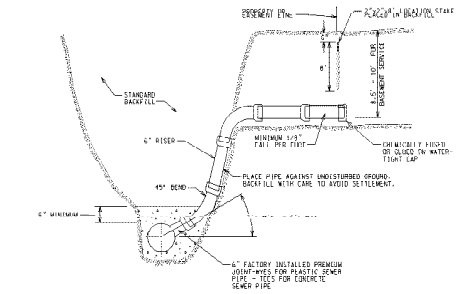
SEWER MANHOLE
18" THRU 42" DIA. SEWERS



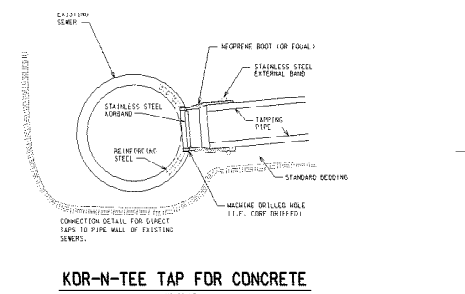
EXTERNAL DROP CONNECTION



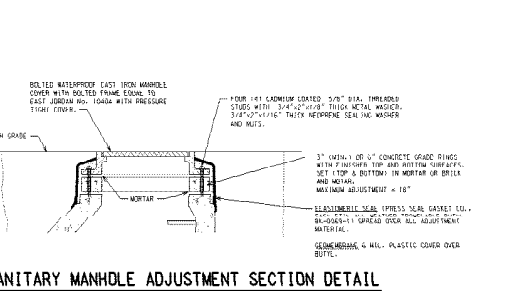
2 FT. DIAMETER INLET



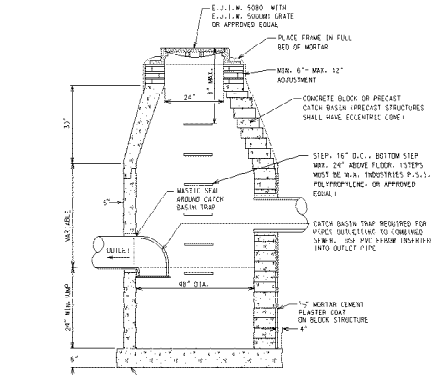
BUILDING LEAD DETAIL
18" THRU 15" COVER



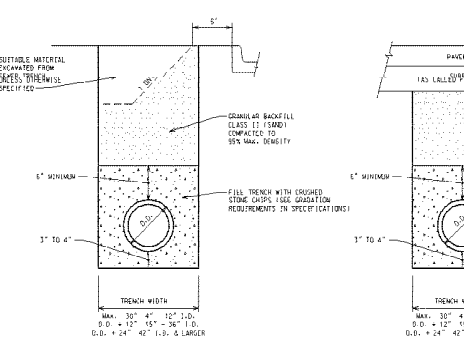
KOR-N-TEE TAP FOR CONCRETE
NO SCALE



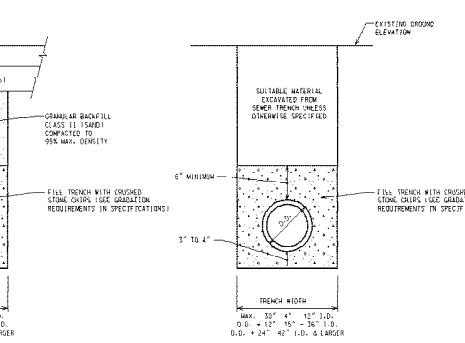
SANITARY MANHOLE ADJUSTMENT SECTION DETAIL



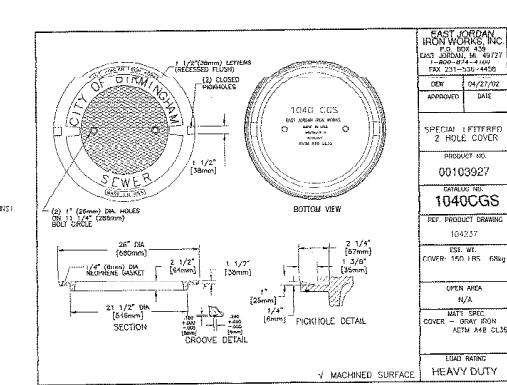
4 FT. DIAMETER CATCH BASIN



TRENCH DETAIL "A"
SEWER UNDER ROAD BED OR WITHIN THE INFLUENCE OF ROAD BED
NET TO SCALE



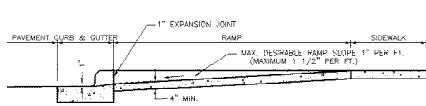
TRENCH DETAIL "B"
SEWER NOT UNDER ROAD BED
NET TO SCALE



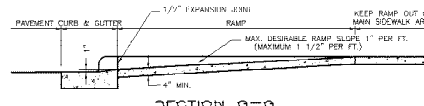
CAST CONCRETE IRON WORKING , INC. 1000 W. 4TH ST. EAST BIRMINGHAM, AL 35202 PHONE 918-338-4400 FAX 205-335-4450	
ORDER NO. 00103927 APPROVED DATE 10/27/02	SPECIAL LETTERED 2 HOLES COVER PRODUCT DRAWING NO. 1040CGS EST. NO. 150 PMS 1040 OPER. AREA MAT'L SPEC. COVER - GRAY IRON ASTM A88 CL36 LEAD PAINT HEAVY DUTY

City of Birmingham
 151 MARTIN STREET BIRMINGHAM, MICHIGAN 48102
SEWER STANDARD DETAILS

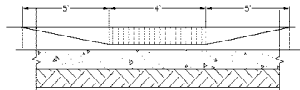
DATE	BY	PROJECT NO.	TITLE



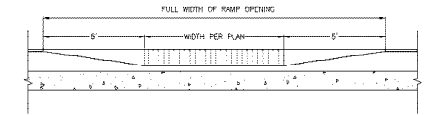
SECTION A-A
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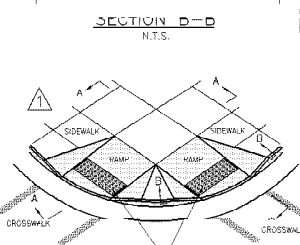
SECTION G-G
N.T.S.



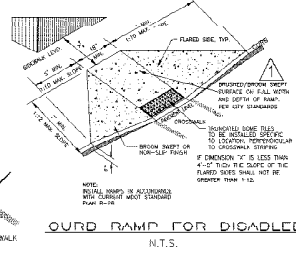
SECTION D-D
N.T.S.



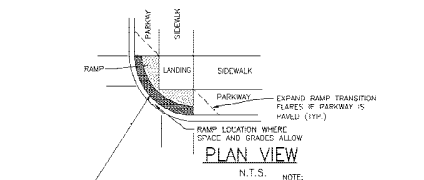
SECTION H-H
N.T.S.



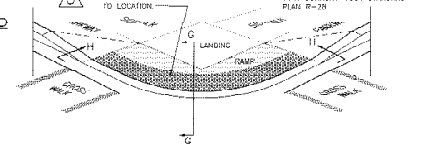
SIDEWALK RAMP TYPE 1
(TWO RAMPS ARE SHOWN)
N.T.S.



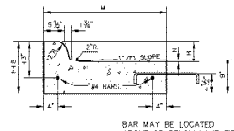
CURB RAMP FOR DISABLED
N.T.S.



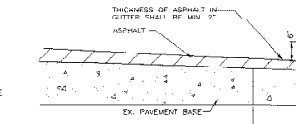
PLAN VIEW
N.T.S.



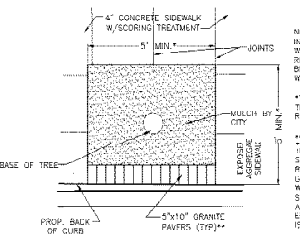
SIDEWALK RAMP TYPE 3
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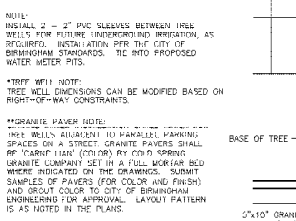
MDOT DETAIL F
(WITH ASPHALT OVERLAY)
N.T.S.



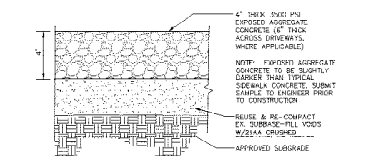
MDOT DETAIL E
(WITH ASPHALT OVERLAY)
N.T.S.



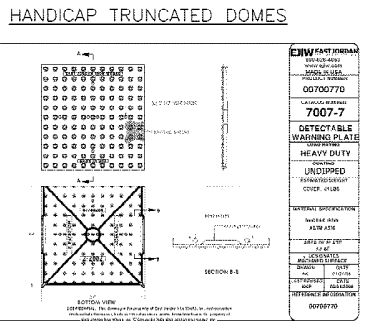
TREE WELL DETAIL #1
N.T.S.



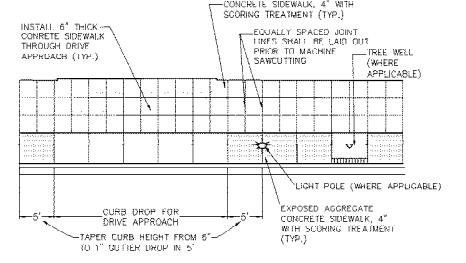
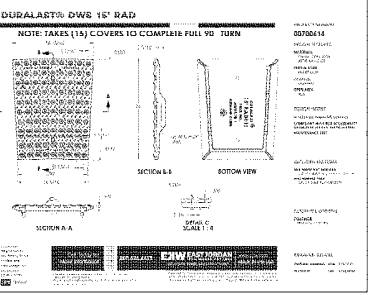
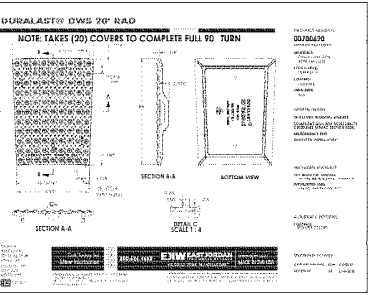
TREE WELL DETAIL #2
N.T.S.



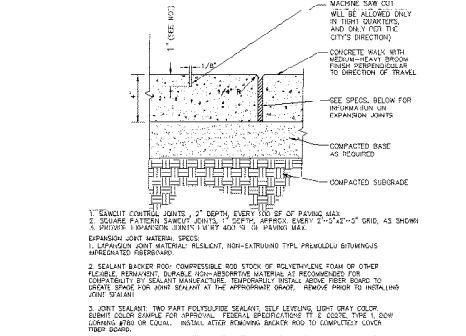
EXPOSED AGGREGATE WALK DETAIL
N.T.S.



HANDICAP TRUNCATED DOMES
N.T.S.



CONCRETE DRIVE APPROACH & SIDEWALK JOINT LAYOUT
N.T.S.



SAWCUT AND EXPANSION JOINT
DETAIL FOR CONCRETE SIDEWALK
N.T.S.

CONCRETE SIDEWALK MIX DESIGNS:

PLAIN CONCRETE MIX:	EXPOSED AGGREGATE CONCRETE MIX:
SAND: 2MG SAND, ASTM C-33 1500 POUNDS	SAND: 2MG SAND, ASTM C-33 1080 POUNDS
COURSE AGGREGATE: 8/16 SCHEDULE PROSSER 1500 POUNDS	COURSE AGGREGATE: 7/16 SCHEDULE PROSSER 1500 POUNDS
CEMENT: TYPE 1, ASTM C-150 588 POUNDS	CEMENT: TYPE 1, ASTM C-150 588 POUNDS
WATER: CITY TAP WATER 31.5 GALLONS	WATER: CITY TAP WATER 31.5 GALLONS
ADJUSTER: ASTM #201, DATE 1.6.7.4	ADJUSTER: ASTM #201, DATE 1.6.7.4
BY M.E. CRACE CO. 11.3.02.(2).01	BY M.E. CRACE CO. 11.3.02.(2).01

CONCRETE STRENGTH SHALL BE 3500 PSI AT 28 DAYS, WITH 4% OR - ENTRAINED AIR. MIX DESIGN SHALL NOT BE LESS THAN 6.25 BAGS OF CEMENT PER CUBIC YARD AND SHALL BE APPROVED BY THE CITY OF BIRMINGHAM ENGINEERING.

- NOTES:**
- SUBJECT TO REVIEW OF BIRMINGHAM ENGINEERING, THE CITY OF BIRMINGHAM.
 - CARE SHALL BE TAKEN TO ASSURE A UNIFORM GRADE ON SIDEWALK RAMPS, FREE OF SAGS AND SHORT GRADE CHANGES.
 - IF POSSIBLE, DRAINAGE STRUCTURES SHOULD NOT BE PLACED IN LINE WITH RAMPS. EXCEPT WHERE EXISTING DRAINAGE STRUCTURES ARE BEING UTILIZED IN THE NEW CONSTRUCTION, LOCATION OF THE RAMP SHOULD TAKE PRECEDENCE OVER DRAINAGE STRUCTURE.
 - SIDEWALK RAMP 3 SHALL BE INSTALLED ONLY AT THE CITY'S DIRECTION.
 - REMOVE AND REPLACE CONCRETE CURB AND GUTTER SECTION AT CURB DROPS ON NON-ASPHALT SURFACED GUTTERS. USE EXISTING JOINTS OR SAW CUT FOR JOINTS. SAW CUT AT 15' FROM GUTTER OR CURB (FROM CURB) OR SAW CUT AT A MINIMUM OF 12' AWAY AT A MAXIMUM OF 24" FROM BACK OF CURB). BE NEW CONCRETE SECTION TO EXISTING PAVEMENT WITH HOOK BOLTS OR RED HEADS AT MAXIMUM OF 40" C.C.

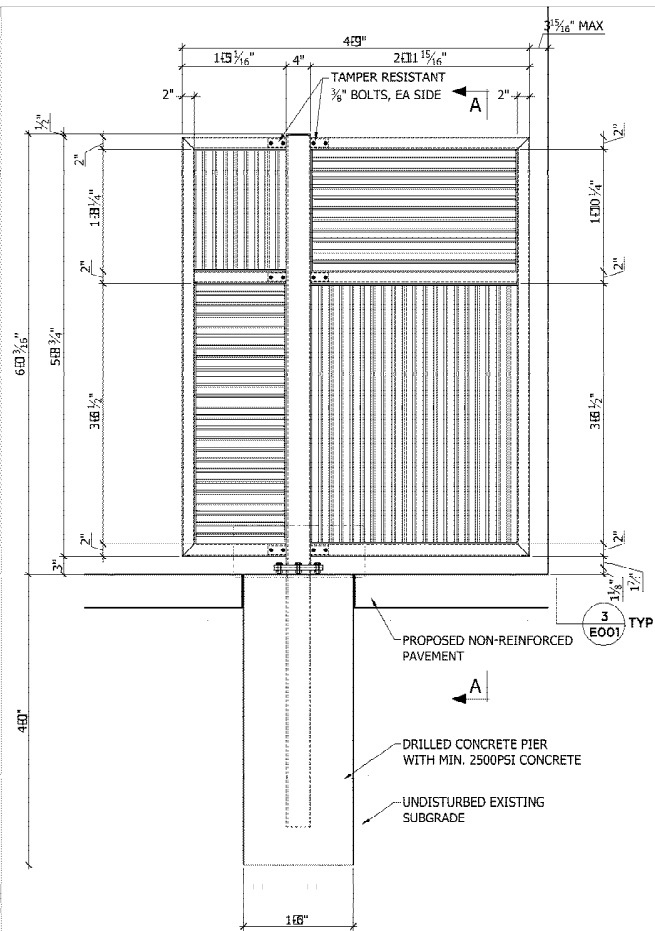
NO.	REVISIONS	DATE	BY
1	Added Truncated Dome details	06-26-08	City
2	Revised Truncated Dome details	06-26-08	City
3	Added Detail Dome details	01-18-10	City

**CITY OF BIRMINGHAM, MICHIGAN
ENGINEERING DEPARTMENT**

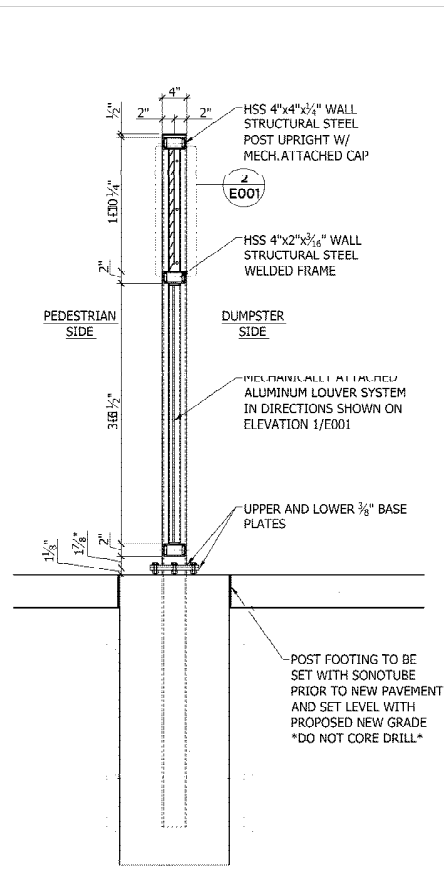
CBD STREETSCAPE STANDARD DETAILS

SCALE: HORIZONTAL
VERTICAL

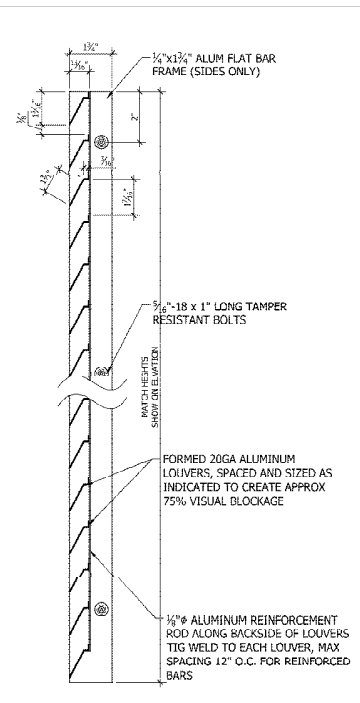
ACCT NO.
DRAWN BY: NF
CHECKED BY: []
APPROVED BY: []
SHEET OF SHEETS DATE: April 4, 2003



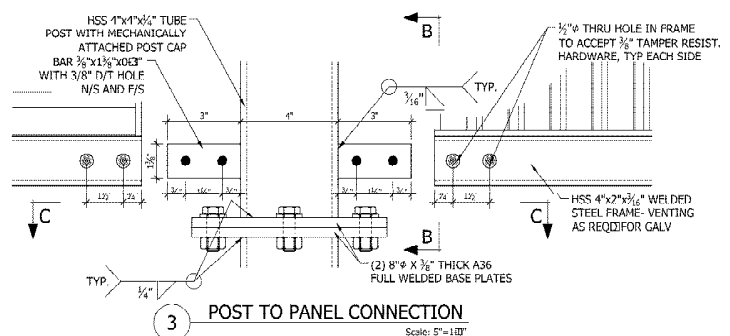
1 DUMPSTER SCREEN ELEVATION
SCALE: 1/4" = 1'-0"



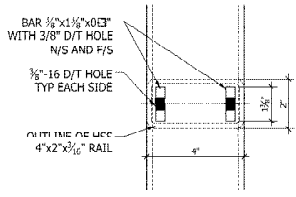
SECTION A-A
SCALE: 1 1/4" = 1'-0"



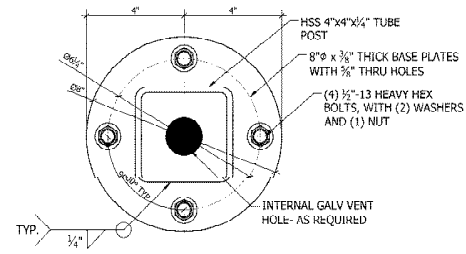
2 LOUVER SECTION DETAIL
Scale: 5" = 1'-0"



3 POST TO PANEL CONNECTION
Scale: 5" = 1'-0"



SECTION B-B
SCALE: 5" = 1'-0"



SECTION C-C
SCALE: 5" = 1'-0"



FUTURE FABRICATING
23450 REGENCY PARK DRIVE
WARREN, MI 48099
PHONE (586)-755-7080
FAX (586)-755-7456
www.futurefabricating.com

AISC & SSPC CERTIFIED PLANT

JOB NUMBER:
14-2228

PROJECT NAME:
HAMILTON ALLEY WAY

CUSTOMER:
NOWAK & FRAUS

TYPICAL NOTES- STEEL:

- ALL BARS, PLATES, AND SHAPES ARE GRADE ASTM A36.
- ALL TUBE IS ASTM A 500, CS. B, UN. NTD.
- ALL WELDS ARE PER AWS D1.2 STRUCTURAL WELDING CODE - STEEL.
- WELDS ARE COMPLIANT WITH NONMandatory JOINT FINISH GUIDELINES FOR FINISH #3 - PARTIALLY DISKED WITH SPOTTER REWORKED UN. NTD.
- HARDWARE SUPPLIED MILL FINISH, UN. NTD.
- REVIEW ALL MANUFACTURER INSTRUCTIONS AND SPECIFICATIONS ASSOCIATED WITH THE PRODUCT AND INCORPORATE ANY ADDITIONAL NOTES FOUND BELOW.
- VENT HOLES WHERE REQUIRED.

TYPICAL NOTES- ALUMINUM:

- ALL ALUMINUM SHAPES ARE ALLOY 6061 OR 6063, AS RECOMMENDED BY THE MANUFACTURER, UN. NTD.
- ALL WELDS ARE PER AWS D12 STRUCTURAL WELDING CODE - ALUMINUM.
- WELDS ARE COMPLIANT WITH NONMandatory JOINT FINISH GUIDELINES FOR FINISH #3 - PARTIALLY DISKED WITH SPOTTER REWORKED UN. NTD.
- REVIEW ALL MANUFACTURER INSTRUCTIONS AND SPECIFICATIONS ASSOCIATED WITH THE PRODUCT AND INCORPORATE ANY ADDITIONAL NOTES FOUND BELOW.

TYPICAL NOTES- COATING:

- SWEEP BLAST FABRICATED ALUMINUM BARS AND SHAPES PER SSPC-SP-6 MAX. 1 WHITE METAL BLAST CLEANING HOT DIP GALVANIZE AFTER FABRICATION ALL STEEL MATERIALS PER ASTM A 123.
- SWEEP BLAST FABRICATED GALVANIZED STEEL BARS AND SHAPES PER SSPC-SP-7 MAX. 4 THROUGH-OFF BLAST CLEANING FOR GALVANIZED STEEL.
- COATING APPLICATIONS AS FOLLOWS FOR ALUMINUM AND STEEL PRODUCTS, CONSULT MANUFACTURER'S SPECIFICATIONS FOR PRODUCT SPECIFIC DETAILS.
- PRIME COAT 3.0 DUFF POLYARADOMINE EPOXY PRODUCT: THERE IS NO BUILD UP EXCEEDING 1 MIL.
- TOP COAT 2.0-3.0 DUFF ALPHATIC ACRYLIC POLYURETHANE PRODUCT: THERE IS NO BUILD UP EXCEEDING 1 MIL.
- AVAILABLE NON-METALLIC COLORS: ANTICIPATED DARK GREY COLOR.
- AFTER FULLY CURED, WRAP AND PROTECT FROM SHIPPING OR ERECTION DAMAGES.
- USE BOTH PRODUCTS IN CASE FORMS TO TOUCH UP MARRED OR DAMAGED SURFACES WITH APPROPRIATE APPLICATIONS.

COATING	APPLY
GALVANIZED	☑
PRIME COAT	☑
INTERMEDIATE TOP COAT	☑
TOP COAT	☑
POWDER COAT	☑
ANODIZE	☑
PAV.	☑

REV #	DATE	DESCRIPTION
1	4/2/15	ISSUED PER BID
2	3/15/15	REVISED PER CITY REVIEW
3	2/20/15	SUBMITAL FOR REVIEW

DRAWN BY:	CHECKED BY:	FIELD MEASURED:
CA	GAAR	TBD
DATE: 2/10/15	DATE: 1/10/15	DATE: 1/10

SHEET TITLE:
DUMPSTER SCREEN DETAILS

SHEET NUMBER:
E001

**Pierce Alley and West Maple Alley Project
Paving Special Assessment District**

Sidwell Number	Street Address	Frontage Length of Alley Paving (LFT)	Frontage Length of Alley (LFT)	Concrete Pavement Assessment	Dumpster Screening Assessment	Lighting Assessment	Total Paving Assessment
1936201011	100 S. Old Woodward	30.70	30.70	\$12,529.36	\$ -	\$819.00	\$13,348.37
1936201013	114 S. Old Woodward	101.32	101.32	\$41,350.98	\$3,506.69	\$2,702.98	\$47,560.65
1936201014	124 S. Old Woodward	46.44	46.44	\$18,953.21	\$ -	\$1,238.91	\$20,192.12
1936201015	138 S. Old Woodward	60.83	60.83	\$24,826.10	\$ -	\$1,622.80	\$26,448.90
1936201021	154 S. Old Woodward	46.00	46.00	\$18,773.64	\$2,120.60	\$1,227.17	\$22,121.41
1936201019	251 E. Merrill	133.53	183.35	\$54,496.61	\$ -	\$4,891.34	\$59,387.96
1936201023	277 Pierce *	0	49.82	\$ -	\$ -	\$163.53	\$163.53
1936201026	277 Pierce Bldg. Main *			\$ -	\$ -	\$238.14	\$238.14
1936201025	111 E. Merrill PH *			\$ -	\$ -	\$145.51	\$145.51
1936201024	111 E. Merrill STE 200 *			\$ -	\$ -	\$781.89	\$781.89
1936201009	263 Pierce	40.00	40.00	\$16,324.90	\$11,400.00	\$1,067.11	\$28,792.01
1936201022	247 Pierce	55.23	55.23	\$22,540.61	\$2,546.10	\$1,473.41	\$26,560.12
1936201006	237 Pierce	58.73	58.73	\$23,969.04	\$2,707.45	\$1,566.78	\$28,243.27
1936201005	235 Pierce	22.24	22.24	\$9,076.65	\$1,025.26	\$593.31	\$10,695.22
1936201020	165 Pierce	98.04	98.04	\$40,012.34	\$8,846.15	\$2,615.48	\$51,473.97
1936201001	135 Pierce	106.93	106.93	\$43,640.55	\$5,947.45	\$2,852.64	\$52,440.64
1936129010	155 Henrietta	160.0	160.0	\$65,299.62	\$ -	\$ -	\$65,299.62
1936129012	180 Pierce Unit 1 *	80.0	80.0	\$6,519.75	\$ -	\$ -	\$6,519.75
1936129013	180 Pierce Unit 2 *			\$7,809.29	\$ -	\$ -	\$7,809.29
1936129014	180 Pierce Unit 3 *			\$7,809.29	\$ -	\$ -	\$7,809.29
1936129015	180 Pierce Unit 4 *			\$7,809.29	\$ -	\$ -	\$7,809.29
1936129016	180 Pierce Unit 5 *			\$1,088.38	\$ -	\$ -	\$1,088.38
1936129017	180 Pierce *			\$559.95	\$ -	\$ -	\$559.95
1936129018	180 Pierce *			\$1,053.85	\$ -	\$ -	\$1,053.85
1936129006	148 Pierce	80.0	80.0	\$32,649.81	\$22,800.00	\$ -	\$55,449.81
1936129004	137 W. Maple	41.0	41.0	\$16,733.03	\$ -	\$ -	\$16,733.03
1936129003	157 W. Maple	40.0	40.0	\$16,324.90	\$ -	\$ -	\$16,324.90
1936129002	175 W. Maple	40.0	40.0	\$16,324.90	\$11,400.00	\$ -	\$27,724.90
1936129001	193 W. Maple	40.0	40.0	\$16,324.90	\$11,400.00	\$ -	\$27,724.90

*- Properties assessed per SQFT of Building



MEMORANDUM

City Clerk's Office

DATE: April 29, 2024

TO: Melissa Coatta, City Engineer

FROM: Alexandria Bingham, City Clerk

SUBJECT: Clerk's Confirmation of Public Hearing Notice: Pierce and W. Maple Alley Pavement Special Assessment District (SAD)

The public hearing notice process has been completed for Pierce and W. Maple Alley Pavement Special Assessment District (SAD). Please see attachments for further confirmation.

Mailing Date: 4/23/2024 & 4/25/2024

Test Mail Return Date: 4/29/2024

Publishing Dates in the Oakland Press: 4/25/2024 and 5/5/2024

Posted in www.bhamgov/publicnotices: 4/23/2024

Attachments:

1. Public Hearing Notice
2. Addresses
3. Mailing Letter
4. Mail Machine Counter Report
5. Proof of publishing for 4/25/2024

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.

PID	NAME	ADDRESS	CITY
Parcel Number: 1936129001	FREUND INVESTMENT II LLC	3985 TORREY HILL LN	SAN DIEGO, CA 92130
Parcel Number: 1936129002	SHARER WEST MAPLE PROPERTIES LLC	1431 W LINCOLN ST	BIRMINGHAM, MI 48009
Parcel Number: 1936129003	FREUND INVESTMENT LLC	3985 TORREY HILL LN	SAN DIEGO, CA 92130
Parcel Number: 1936129004	MONDIAL PROPERTIES II LLC	26711 NORTHWESTERN HWY STE 125	SOUTHFIELD, MI 48033
Parcel Number: 1936129006	VINSETTA PROPERTIES LLC	420 HARMON ST	BIRMINGHAM, MI 48009
Parcel Number: 1936129010	AMERITECH	221 N WASHINGTON SQ # R-301	LANSING, MI 48933
Parcel Number: 1936129012	180 PIERCE PENTHOUSE LLC	4651 MOTORWAY DR	WATERFORD, MI 48328
Parcel Number: 1936129012	JEROME W SHEPPARD	2153 CANNA WAY	NAPLES, FL 34105
Parcel Number: 1936129012	JOEL D TAUBER TRUST	180 PIERCE ST UNIT 3	BIRMINGHAM, MI 48009
Parcel Number: 1936129012	180 PIERCE LLC	27725 STANSBURY BLVD STE 200	FARMINGTON HILLS, MI 48334
Parcel Number: 1936129012	PIERCE MARTIN LLC	32605 W 12 MILE RD STE 290	FARMINGTON HILLS, MI 48334
Parcel Number: 1936201001	PIERCE BIRMINGHAM PLACE LLC	159 PIERCE ST	BIRMINGHAM, MI 48009
Parcel Number: 1936201005	FULLER CENTRAL PARK PROP LLC	112 PEABODY ST	BIRMINGHAM, MI 48009
Parcel Number: 1936201009	GLADYS DUFFY PEW GST EX TRUST	16205 W 14 MILE RD STE 100	BEVERLY HILLS, MI 48025
Parcel Number: 1936201011	WOODWARD DEVELOPMENT COMPANY LLC	320 MARTIN ST STE 100	BIRMINGHAM, MI 48009
Parcel Number: 1936201013	THE GWYNN BUILDING LLC	3835 MILLER WAY S	BLOOMFIELD HILLS, MI 48301
Parcel Number: 1936201014	BIRMINGHAM PARK PLACE LLC	124 A S OLD WOODWARD AVE STE A	BIRMINGHAM, MI 48009
Parcel Number: 1936201015	138 S OLD WOODWARD LLC	126 BRATTLE ST	CAMBRIDGE, MA 02138
Parcel Number: 1936201019	MERRILLWOOD INVESTMENT LLC	251 E MERRILL ST STE 212	BIRMINGHAM, MI 48009
Parcel Number: 1936201020	50935 VAN DYKE LLC	700 N OLD WOODWARD AVE STE 300	BIRMINGHAM, MI 48009
Parcel Number: 1936201021	NEW MERRILLWOOD INVESTMENT LLC	251 E MERRILL ST STE 212	BIRMINGHAM, MI 48009
Parcel Number: 1936201022	FULLER CENTRAL PARK PROPERTIES LLC	112 PEABODY ST	BIRMINGHAM, MI 48009
Parcel Number: 1936201023	277 DEVELOPMENT ASSOCIATES LLC	39400 WOODWARD AVE STE 250	BLOOMFIELD HILLS, MI 48304



Monday, April 16, 2024

TO: parcel #
NAME
ADDRESS
CITY/STATE/ZIP

RE: Pierce and W. Maple Alley Pavement Special Assessment District (SAD)

The City of Birmingham will be reconstructing the Pierce and West Maple Alleys this year. This public improvement will include some drainage improvements, dumpster screening, replacement of the old street lights, and pavement replacement of the concrete surface on Pierce Alley between East Merrill Street and Pierce Street, and West Maple Alley from Henrietta Street to Pierce Street. Construction on this project is anticipated to begin this summer.

With this letter, you will find attached notifications for two public hearings regarding this project:

1. A public hearing will occur **Monday, May 6, 2024**, at 7:30 p.m. in City Hall at 151 Martin St. during a regular City Commission meeting, for the purpose of a Hearing of Necessity and to designate a Special Assessment District, as we undertake public improvements, for the replacement of concrete surface and drainage improvements of the Pierce and West Maple Alleys Project.
2. If Necessity is determined at the May 6, 2024 hearing, a Public Hearing for Confirmation of the Roll will follow on **Monday, May 20, 2024**, at 7:30 p.m. in City Hall at 151 Martin St. during a regular City Commission meeting.

Consistent with previous projects of this nature, it is the City's policy to assess 100% of the costs of the improvements to all properties fronting the improvement.

The actual cost of the new pavement, street lighting, and dumpster screening charged to you will vary depending upon your property footage along the alley. After the work is completed, an invoice will be generated and sent to the property owner of record for the public improvements, such as, new pavement, street lighting, and dumpster screening. Payment in full will be expected within 30 days of receipt. If you are not in a position to pay the charges in one payment, if you choose, the City can charge you annually for up to ten years. Annual interest will be charged at a rate of 9.25%. The City will provide an estimate of costs associated with this Special Assessment at the Hearing of Necessity to be held on May 6, 2024.

If you have any questions or concerns, please contact the Engineering Office at (248) 530-1850. You will have the opportunity to ask questions and speak directly to the City Commission at the Public Hearing of Necessity and at the Confirmation of the Roll.

Sincerely,

Melissa A. Coatta, P.E.
City Engineer

Funds Report	Available:	\$3,829.89	PBP Account Number:	35884980
	Used:	\$37,905.11	Indicia Number:	0008029208
	Total Pieces:	51733	Meter Number:	8029208
	Control Sum:	\$41,735.00	Meter Name:	
	Resettable Piece Count:	24	Printed:	APR 23 2024 10:20 AM
	Piece Count Value:	\$15.36		

NATION+WORLD

LONDON

Rush hour chaos as 5 military horses run amok

LONDON » Five military horses spooked by noise from a building site bolted during routine exercises on Wednesday near Buckingham Palace, threw off four riders and caused chaos as they galloped loose through central London streets and collided with vehicles during the busy morning rush hour.

The commotion erupted when the horses from the Household Cavalry, which were conducting an extended exercise for an upcoming military parade, presumably became alarmed by the sound of concrete falling off a moving walkway at a construction site in Belgrave, a swanky neighborhood just to the west of the palace.

Five of the seven horses ran off and four soldiers were thrown off. Three of them were hospitalized with injuries.

— The Associated Press

AUSTRIA



Auctioneer Michael Kovacek declares the sale of the painting 'Portrait of Fräulein Lieser' by Austrian painter Gustav Klimt during an auction, in Vienna, Wednesday. A portrait of a young woman by Gustav Klimt that was long believed to be lost has been sold at an auction in Vienna for \$32 million. The Austrian modernist artist started work on the "Portrait of Fräulein Lieser" in 1917, the year before he died, and it is one of his last works.

ARIZONA

House advances repeal of state's abortion ban

PHOENIX » A proposed repeal of Arizona's near-total ban on abortions won approval from the state House Wednesday after two weeks of mounting pressure on Republicans over an issue that has bedeviled former President Donald Trump's campaign to return to the White House.

Three Republicans joined in with all 29 Democrats Wednesday to repeal a law that predated Arizona's statehood and provides no exceptions for rape or incest. If the Senate approves as expected, Arizona would allow abortions up to 15 weeks.

Their political ambitions imperiled by widespread opposition to a near-total abortion ban, Trump and U.S. Senate candidate Karl Lake had urged Arizona lawmakers to ease the restrictions.

— The Associated Press

IRAN

Death sentence given to rap star for protest songs

A prominent Iranian hip hop musician who was arrested for his protest lyrics and social media posts has been sentenced to death by an Iranian court, the reformist Shargh newspaper reported.

Toomaj Salehi was arrested in October 2022 during nationwide protests that were triggered by the death in custody of Mahsa Amini, a 22-year-old Kurdish-Iranian woman who had been arrested by so-called morality police for allegedly violating strict Islamic dress codes.

Salehi will appeal the sentence, Shargh reported, quoting his lawyer Amir Raisian. Salehi's music and online posts were fiercely critical of Iran's Islamic leadership and he was a strong supporter of the uprising, which was mostly led by women and young people.

— Bloomberg

ITALY

Loans of works to museum banned in statue dispute

ROME » Italy's Culture Ministry has banned loans of works to the Minneapolis Institute of Art, following a dispute with the U.S. museum over an ancient marble statue believed to have been looted from Italy almost a half-century ago.

The dispute began in March 2022 when an Italian court ruled that the Minneapolis museum was irregularly in possession of the Stabiae Doriforo, a Roman-era copy of The Doryphoros of Polykleitos, an ancient Greek sculpture.

Rome claims that the sculpture was looted in the 1970s from an archaeological site at Stabiae, an ancient city close to Pompeii that was also covered by lava and ashes when Mount Vesuvius erupted in A.D. 79. A spokesman for Italy's Culture Ministry confirmed the ban on Wednesday.

— The Associated Press

CHICAGO

'Rat hole' removed, city says sidewalk damaged

CHICAGO » A Chicago sidewalk landmark some residents affectionately called the "rat hole" was removed Wednesday after city officials determined the section bearing the imprint of an animal was damaged and needed to be replaced, officials said.

The imprint has been a quirk of a residential block in Chicago's North side neighborhood of Roscoe Village for years, but it found fresh fame in January after a Chicago comedian shared a photo on the social media platform X.

The attention, however, quickly grew old for neighbors who complained about visitors at all hours, sometimes leaving coins and other items scattered across the sidewalk. Plus, most in the neighborhood argue that the imprint was actually caused by a squirrel.

— The Associated Press

OHIO

Family: woman charged in robbery was scam victim

FAIRFIELD TOWNSHIP, OHIO » A 74-year-old woman charged in the armed robbery of a credit union last week is a victim of an online scam who may have been trying to solve her financial problems, according to her relatives.

Ann Mayers, who had no previous run-ins with the law, faces counts of aggravated robbery with a firearm and tampering with evidence in Friday's robbery in Fairfield Township.

Officers arrested Mayers at her Hamilton home shortly after the robbery. A handgun was found in her car, which police allege she used in the robbery. Authorities later learned that Mayers might have been a scam victim and are looking into the claims. Her relatives told detectives that she had been sending money to an unidentified individual.

— The Associated Press

AUSTRALIA

7 alleged teen extremists linked to stabbing arrested

SYDNEY » Australian police arrested seven teenagers accused of following a violent extremist ideology in raids across Sydney, as a judge extended a ban on social media platform X sharing video of a knife attack on a bishop that started the criminal investigation.

The seven, aged 15 to 17, were part of a network that included a 16-year-old boy accused of stabbing a bishop in a Sydney church on April 15, police said. Clips of the stabbing were taken from the church service's livestream and subsequently made the rounds on X. An Australian regulator on Monday ordered the platform to take down the videos, an action the platform is fighting.

Other social media companies including Google, Microsoft, Snapchat and TikTok have complied with similar orders.

— The Associated Press

MINNESOTA

Veteran will finally get his Purple Heart medal, 73 years late

By Steve Karnowski
The Associated Press

MINNEAPOLIS » A Korean War veteran from Minnesota who still carries shrapnel in his leg from when he was wounded in combat will finally get his Purple Heart medal, 73 years late.

The U.S. Army notified Earl Meyer, 95, of St. Peter, on Monday that it has reversed itself and granted him a Purple Heart, which honors service members wounded or killed in combat.

The decision came after a campaign by his daughters and attorney, U.S. Sen.

Amy Kloubuchar of Minnesota championed his cause.

The Army's top noncombat officer — the sergeant major of the army — took an interest in the case after it had been rejected for years due to a lack of paperwork. U.S. District Judge John Tunheim this

year ordered an Army review board to take another look.

The Army sent Meyer's attorney a stack of documents Monday to notify them of the decision, including a certificate in color saying it was paperwork. U.S. District Judge John Tunheim this

NOTICE OF PUBLIC HEARING
BIRMINGHAM CITY COMMISSION

PUBLIC HEARING OF NECESSITY & SPECIAL HEARING FOR CONFIRMATION OF THE ROLL

Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, May 6, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Date, Time, Location:	HEARING FOR CONFIRMATION OF THE ROLL Monday, May 20, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	N. Worth Street from Rivenoak to Kennesaw and Knox to Maple, Rosedale Avenue from Oakland to Rivenoak, Oakdale Avenue from Oakland to Ridgedale, Oxford Drive from Madison to Rivenoak, Lawndale Avenue from Madison to Oakland, Chestnut Street from Elm to Adams, Hazlet Avenue from Elm to Adams, Worthington Avenue from Southfield to Latham, Wakefield Drive from Southfield to Latham and Latham to Norfolk, and Southlawn Drive from Southfield to Latham.
Nature of Improvement:	Unimproved road surfaces will be restored with a new cape-seal treatment as part of unimproved street maintenance program.
City Staff Contact:	Melissa Coatta, City Engineer mcoatta@bhamgov.org, (248) 530-1839
Notice Requirements:	Newspaper Notice and First Class Mail to affected property owners 10 days prior. Publish 4/25/2024 & 5/1/2024
Approved minutes may be reviewed at:	City Clerk's Office or www.bhamgov.org/commissionagendas
Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: https://zoom.us/j/655079760 Meeting ID: 655 079 760	
You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012. The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll. All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.	
Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.	

ADVERTISEMENT FOR BIDS

Owner: Hazel Park Schools - 1620 E. Elza, Hazel Park, MI 48030

Project: Hazel Park Schools, District Wide Door Assessment

The Hazel Park Schools will receive single prime sealed bids to furnish all labor and materials and perform all other work necessary and incidental to the project listed above, in accordance with published instructions, specifications, drawings and other contract documents.

Project Scope - General Construction: Provide all labor, material and equipment necessary to modify or replace existing doors or door hardware in select locations within existing buildings. All work on site is to be performed during non-scheduled academic times as posted on the District's Academic Calendar or after that date daily during school. Note academic days and bell times vary by school.

Documents: Bid documents for all bid packages will be available on or about April 19, 2024. Bid documents can be electronically downloaded free of charge from the Architect. A written request for documents shall be sent to jhoulahan@partnersinarch.com.

Pre-Bid Meeting: Friday, April 26, 2024 at 3:00 p.m. The pre-bid meeting will be held at Hazel Park High School, 23400 Hughes Ave, Hazel Park, MI 48030 at the Main Entrance

Questions: Last day for questions is May 1, 2024 at 12:00 p.m. Questions should be directed to PARTNERS in Architecture, P.L.C. in writing and via email. Forward questions to: jhoulahan@partnersinarch.com.

Bid Deadline: Tuesday, May 7, 2024 at 2:00 p.m.

Bid Location: The Hazel Park Schools located at 1620 E. Elza, Hazel Park, MI 48030 to the attention of Jason Zirnig. Sealed bids must be received by the Bid Deadline. Bids received after the deadline and bids received electronically or via fax will not be accepted or considered. Bids will be publicly opened and read aloud immediately following the bid due time.

Bid Submit: Return TWO COMPLETE COPIES OF Bid The Board of Education shall not accept a bid that does not meet the following requirements:
- Bidders MUST use the bid form(s) in the project manual.
- Submit bid in a SEALED envelope, clearly labeled with bid title, date & time of the bid opening.
- Bid Security - certified check or acceptable bid bond payable to The Hazel Park Schools, in an amount equal to five percent (5%) of the total bid.
- Include sworn and notarized familial relationship(s) statement.
- Include sworn and notarized Iran Economic Sanctions Act - Affidavit of Compliance.
- Bonding - For bids exceeding \$50,000, successful bidder shall be able to provide a 100% Labor and Material Payment Bond and a Performance Bond.

Bids submitted shall fully comply in all respects to these instructions, published specifications, drawings and other contract documents. Bid price shall include all costs associated with this project.

No bid may be withdrawn for a period of sixty (60) days after the date of the bid opening. The Board reserves the right to reject any or all bids received and to waive any formalities in regard thereto. In addition, the Board reserves the right to evaluate bids on any basis determined by the Board to be in the best interest of the Board and to consider alternate bids if the low bidder(s) do(es) not meet the specifications or are otherwise determined to be unqualified.

Architect: PARTNERS in Architecture, P.L.C.
65 Market Street, Suite 200, Mount Clemens, MI 48043-8A 586-3600

NOTICE OF PUBLIC HEARINGS
BIRMINGHAM CITY COMMISSION

PUBLIC HEARING OF NECESSITY & PUBLIC HEARING FOR CONFIRMATION OF THE ROLL

Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, May 6, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Date, Time, Location:	HEARING FOR CONFIRMATION OF THE ROLL Monday, May 20, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	Pierce Alley, from Merrill Street to Pierce Street, and West Maple Alley, from Hennetta Street to Pierce Street
Nature of Improvement:	Replacement and improvement to alley pavement, streetlight fixtures to bringing them to City Code, and dumpster screening.
City Staff Contact:	Melissa Coatta, City Engineer mcoatta@bhamgov.org, (248) 530-1839
Notice Requirements:	Newspaper Notice and First Class Mail to affected property owners 10 days prior. Publish 4/25/2024 & 5/1/2024
Approved minutes may be reviewed at:	City Clerk's Office or www.bhamgov.org/commissionagendas
Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: https://zoom.us/j/655079760 Meeting ID: 655 079 760	
You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012. The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll. All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.	
Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.	



Pierce Alley and West Maple Alley Project

Hearing of Necessity for Paving Special Assessment District (SAD)

Pierce Alley and West Maple Alley Project Paving Special Assessment District

➤ Overview

- Project Limits:
 - Pierce Alley – Merrill Street to Pierce Street
 - West Maple Alley – Henrietta Street to Pierce Street
- Special Assessment District (SAD) for Paving to be paid by the property owner at one hundred percent of the costs.

Pierce Alley and West Maple Alley Project Paving Special Assessment District

➤ Project Scope

- Minor storm sewer installation for drainage
- New concrete pavement with exposed aggregate panels
- Dumpster screenings
- Pierce Alley only: Replace two existing older street lights

Pierce Alley Alley and West Maple Alley Project Paving Special Assessment District

➤ Policy

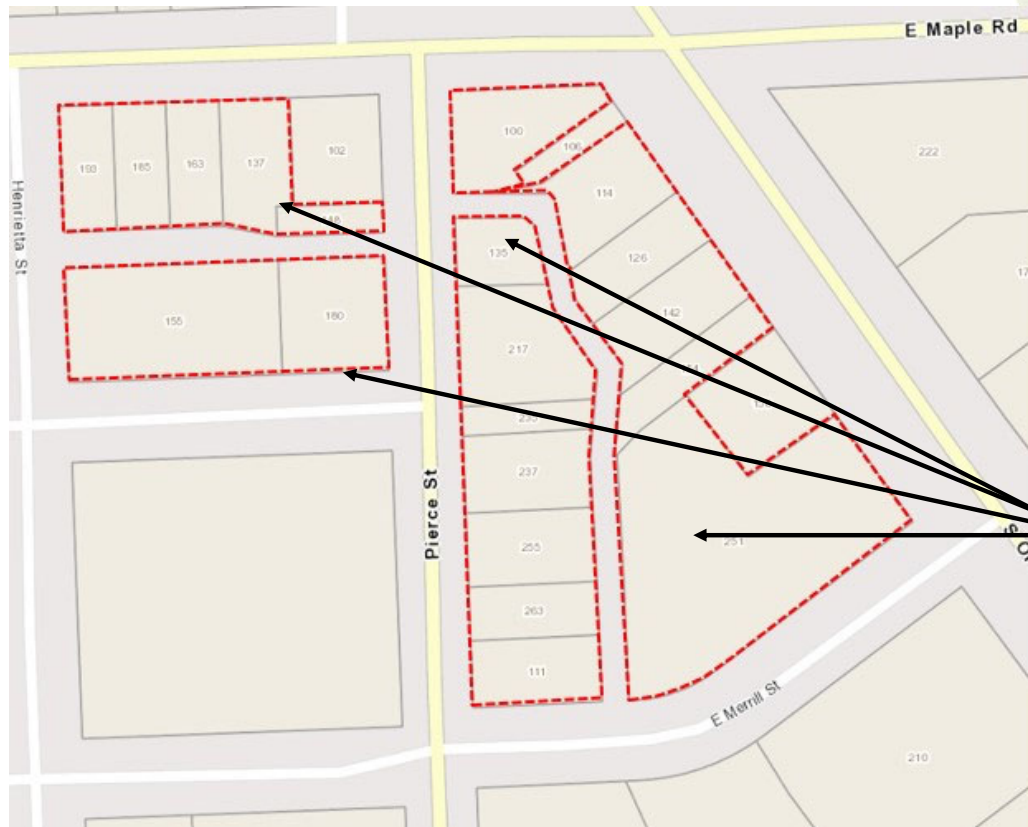
- On previous projects of this nature, it has been the City's policy to assess 100% of the paving improvement to the property that shares frontage with the improvements.
 - Concrete Pavement: 100% improvement to the property that shares the frontage
 - Replacing Two Light Fixture: 100% improvement to the property long the entire alley
 - Dumpster Screening: 100% per linear foot of the fence and prorate by the properties using the dumpsters, recycling bins, linen storage

Pierce Alley Alley and West Maple Alley Project Paving Special Assessment District

➤SAD:

- Cost: The cost can be paid back in either lump sum or over up to a 10-year period with interest. The interest rate will be confirmed at the Confirmation of Roll.
 - Received Bids for Project on April 11, 2024
 - Concrete Pavement: \$408.12 per foot
 - Street Lighting: \$26.68 per foot
 - Dumpster Screening: \$1,200 per lineal foot of fence

Pierce Alley Alley and West Maple Alley Project Paving Special Assessment District



Properties included in Proposed Paving Special Assessment District (Red)



Water Lateral SAD Project Limits

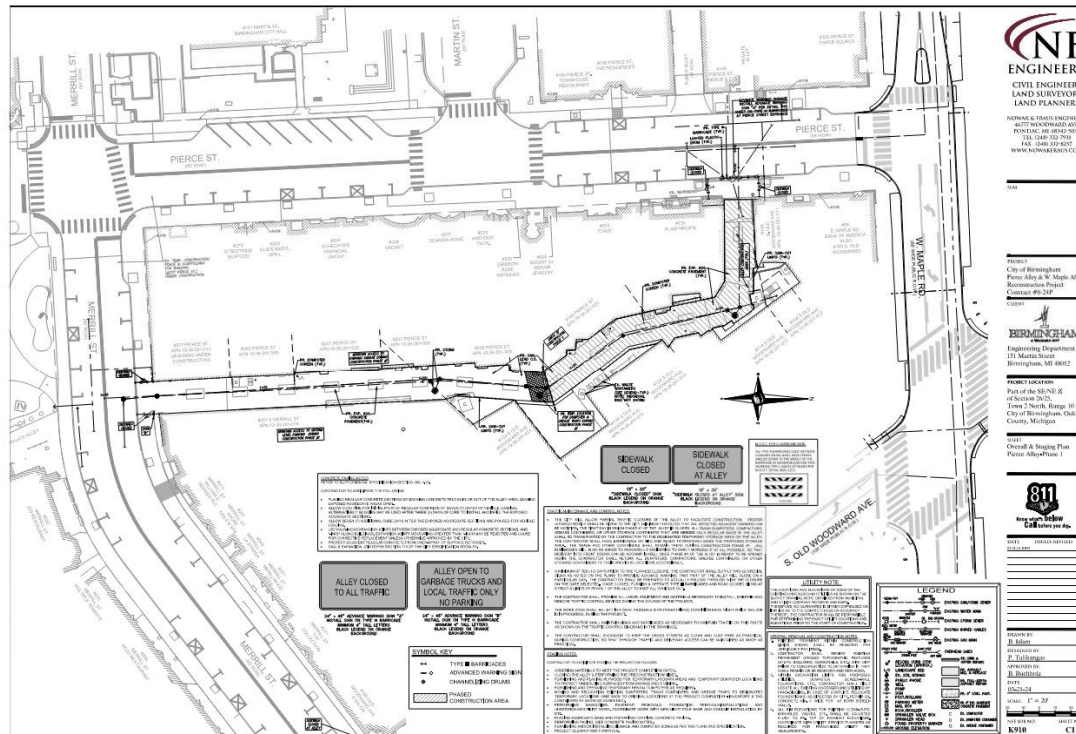
Pierce Alley Alley and West Maple Alley Project Paving Special Assessment District

➤ PROPERTIES LOCATED IN PAVING SAD:

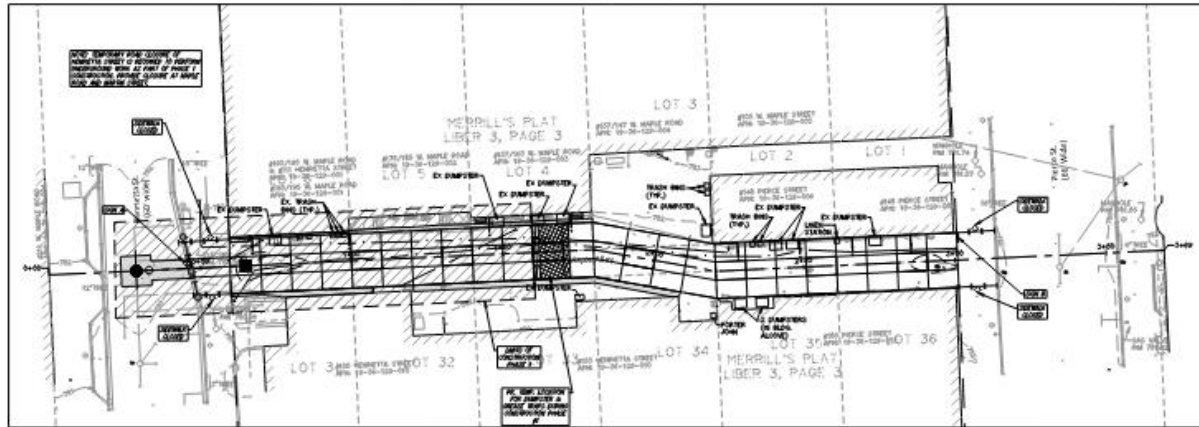
Parcel ID / Sidewell Number	Street Address
1936201011	100 S. Old Woodward
1936201013	114 S. Old Woodward
1936201014	124 S. Old Woodward
1936201015	138 S. Old Woodward
1936201021	154 S. Old Woodward
1936201019	251 E. Merrill
1936201023	277 Pierce
1936201026	277 Pierce Bldg Main
1936201025	111 E. Merrill PH
1936201024	111 E. Merrill STE 200
1936201009	263 Pierce
1936201022	247 Pierce
1936201006	237 Pierce
1936201005	235 Pierce
1936201020	165 Pierce
1936201001	135 Pierce

Parcel ID / Sidewell Number	Street Address
1936129010	155 Henrietta
1936129012	180 Pierce Unit 1
1936129013	180 Pierce Unit 2
1936129014	180 Pierce Unit 3
1936129015	180 Pierce Unit 4
1936129016	180 Pierce Unit 5
1936129017	180 Pierce
1936129018	180 Pierce
1936129006	148 Pierce
1936129004	137 W. Maple
1936129003	157 W. Maple
1936129002	175 W. Maple
1936129001	193 W. Maple

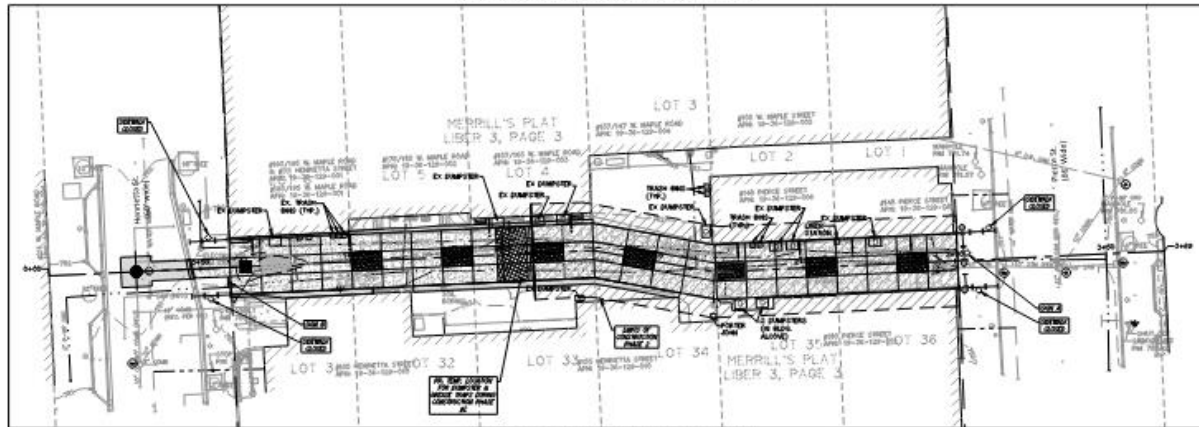
Pierce Alley Alley and West Maple Alley Project Paving Special Assessment District



Pierce Alley Alley and West Maple Alley Project Paving Special Assessment District



OVERALL & STAGING PLAN W. MAPLE ALLEY PHASE-1



OVERALL & STAGING PLAN W. MAPLE ALLEY PHASE-2



Pierce Alley Alley and West Maple Alley Project Paving Special Assessment District



Existing Conditions – Pierce Alley

Pierce Alley Alley and West Maple Alley Project Paving Special Assessment District



Existing Conditions – West Maple Alley

Pierce Alley Alley and West Maple Alley Project Paving Special Assessment District

➤ Summary

- The Engineering Department recommends City Commission declare a necessity and approve the SAD for Pierce Alley and West Maple Alley for paving.
- Should the Commission approve the SAD, a public hearing for confirmation of the roll will be held on May 20, 2024.



MEMORANDUM

ENGINEERING DEPARTMENT

DATE: May 1, 2024

TO: Jana L. Ecker, City Manager

FROM: Melissa A. Coatta, City Engineer

SUBJECT: 2024 Cape Seal Program
Hearing of Necessity for Cape Seal Special Assessment District (SAD)

INTRODUCTION:

Design has been completed for Cape Seal treatment on Chestnut Street between Elm and Adams, Hazel Street between Elm and Adams, Lawndale Street between Madison and Oakland, Oakdale Street between Oakland and Ridgedale, Oxford Street between Rivenoak and Madison, Rosedale Street between Rivenoak and Oakland, N. Worth Street between Kennesaw and Rivenoak, and Knox and Maple Road, W. Southlawn Blvd. between Southfield Road and Latham, Wakefield Street between Southfield Road and Norfolk, and Worthington Road between Southfield Road and Latham.

Two types of unimproved road surface restoration will occur as part of this program. Chestnut Street, Hazel Street, and the portion of Rosedale Street between Madison and Oakland will have the existing road surface pulverized, the base stabilized with cement stabilization, and a double chipseal and slurry surface (Cape Seal) applied. The remaining streets in this year's program will have the existing road surface spray patched to fill in low areas, and a double chipseal and slurry surface (Cape Seal) applied. As part of the program, some sidewalk ramps will be replaced to meet ADA guidelines.

BACKGROUND:

The streets in the project area are located throughout the City. Since the 1940's, Cape Seal treatments have been applied to unimproved streets to improve their stability and eliminate dust associated with the original gravel roads. Cape Seal treatments were last applied to these streets between the late 1990's and 2014, and the expected life of this treatment is 7-10 years.

The City policy has been to defray the costs of Cape Seal treatments on unimproved streets by creating a Special Assessment District (SAD) consisting of the properties that are benefitting from this treatment. The parcels within the project zone that are subject to the Cape Seal Assessment 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.

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. Legal has reviewed and has no objection as to form or content.

FISCAL IMPACT:

Revenue generated from the Cape Seal Special Assessment District for 2024 Cape Seal Program will defray the costs incurred by the City for construction of these improvements. Consistent with previous projects of this nature, the City's policy is as follows:

- 85% of the front-foot costs for improvement are assessed on all properties fronting on the improvement.
- 25% of the side-foot costs for improvement are assessed on all residential properties siding on the improvement.
- 85% of the side-foot costs for improvement are assessed on improved business properties siding on the improvement.
- 25% of the side-foot costs for improvement are assessed on vacant business properties siding on the improvement.

The City pays for the balance of the costs, 15% and 75% front footage and side footage respectively.

The assessable rate for the properties on streets that will be pulverized, cement stabilization, and a Cape Sealed surface is \$34.66 per foot. Properties on the streets proposed to receive spray patching and a Cape Sealed surface will have an assessable rate of \$21.29 per foot.

PUBLIC COMMUNICATIONS:

Notice for the Confirmation of Roll is to be distributed by the Clerk's Office. An informative resident meeting was held at City Hall on Wednesday, April 24, 2024. Property owners affected by the work will also be notified in advance through the use of door-hangers and the City's Constant Contact targeted e-blasts.

SUMMARY:

The Engineering Department recommends that the City Commission declare necessity and approve a Special Assessment District for the 2024 Cape Seal Program. Should the Commission approve the Special Assessment District, a public hearing for confirmation of the roll will be held at the City Commission meeting on May 20, 2024.

ATTACHMENTS:

- Maps of proposed Cape Seal Special Assessment District
- Spreadsheet with Estimated Costs of Services
- Clerk's Confirmation of Public Hearing Notice

SUGGESTED COMMISSION ACTION:

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

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project of resurfacing unimproved roads by method of pulverizing, cement stabilization, spray patching, and capeseal surface, and replacement of City sidewalk ramps; and

WHEREAS, The City has previously established a policy to defray the costs of Cape Seal treatments on unimproved streets by creating a Special Assessment District (SAD) consisting of the properties that are benefitting from this treatment; and

WHEREAS, The City Commission, after the public hearing, has determined that the 2024 Cape Seal Program is a necessity and is in the best interest of the City and will specially benefit the properties included in the Special Assessment District; and

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

WHEREAS, Proposed costs by change order have been received and the costs of the unimproved roads resurfacing has been determined; and

WHEREAS, The City Engineer has determined the boundaries of the road resurfacing and sidewalk ramp replacement located within the limits of the following streets shall be installed as part of the 2024 Cape Seal Program (Contract #5-24(P)):

Chestnut Street – Elm Street to S. Adams Road; and
Hazel Street – Elm Street to S. Adams Road; and
Lawndale Street – Madison Street to Oakland Avenue; and
Oakdale Street – Oakland Avenue to Ridgedale Avenue; and
Oxford Street - Rivenoak Street to Madison Street; and
Rosedale Street – Rivenoak Street to Oakland Avenue; and
N. Worth Street – Kennesaw Street to Rivenoak Street, and Knox Street to and E. Maple Road; and
W. Southlawn Blvd. - Southfield Road to Latham Street; and
Wakefield Street - Southfield Road to Norfolk Street; and
Worthington Road - Southfield Road to Latham Street; and

WHEREAS, The formula used in making the assessment is 85% of the front-foot costs for improvement are assessed on all properties fronting on the improvement, 25% of the side-foot costs for improvement are assessed on all residential properties siding on the improvement, 85% of the side-foot costs for improvement are assessed on improved business properties siding on the improvement, and 25% of the side-foot costs for improvement are assessed on vacant business properties siding on the improvement for resurfacing of the unimproved roads and replacement of sidewalk ramps to meet ADA compliance (calculated at the rate of \$34.66 per foot for properties on streets that will be pulverized, cement stabilization, and capeseal resurfaced, and \$21.29 per foot for properties on streets that will be spray patched and capeseal resurfaced).

THEREFORE LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll is a necessity , and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing and give notice on May 20, 2024.

Street Pulverizing / Cement Stabilization / Cape Seal Resurfacing

Sidwell Number	Street Address	Cape Seal Assessment
1925477005	888 Madison	\$ 1,169.72
1925477010	887 Oakland	\$ 1,169.72
1925478001	916 Madison	\$ 1,169.72
1925478006	915 Oakland	\$ 1,169.72
1936229012	807 Chestnut	\$ 1,767.58
1936229013	843 Chestnut	\$ 1,767.58
1936229014	859 Chestnut	\$ 1,767.58
1936229015	889 Chestnut	\$ 1,472.98
1936229016	909 Chestnut	\$ 1,472.98
1936229017	927 Chestnut	\$ 1,472.98
1936229018	949 Chestnut	\$ 1,472.98
1936229019	977 Chestnut	\$ 1,472.98
1936229020	991 Chestnut	\$ 1,472.98
1936229021	1007 Chestnut	\$ 1,472.98
1936229022	1035 Chestnut	\$ 1,472.98
1936229023	1043 Chestnut	\$ 1,472.98
1936229027	1055 Chestnut	\$ 1,050.23
1936231001	810 Chestnut	\$ 1,767.58
1936231002	842 Chestnut	\$ 1,767.58
1936231003	864 Chestnut	\$ 1,767.58
1936231004	890 Chestnut	\$ 1,472.98
1936231006	950 Chestnut	\$ 1,472.98
1936231007	954 Chestnut	\$ 1,472.98
1936231008	988 Chestnut	\$ 1,472.98
1936231009	1014 Chestnut	\$ 1,472.98
1936231010	1028 Chestnut	\$ 1,472.98
1936231011	1042 Chestnut	\$ 1,472.98
1936231012	412 S Adams	\$ 1,053.96
1936231027	910 Chestnut	\$ 1,649.74
1936231028	932 Chestnut	\$ 1,296.22
1936231014	801 Hazel	\$ 1,767.58
1936231015	833 Hazel	\$ 1,767.58
1936231016	875 Hazel	\$ 1,767.58
1936231017	893 Hazel	\$ 1,472.98
1936231018	925 Hazel	\$ 1,472.98
1936231019	939 Hazel	\$ 1,472.98

1936231021	997 Hazel	\$ 1,472.98
1936231022	1011 Hazel	\$ 1,472.98
1936231023	1031 Hazel	\$ 1,472.98
1936231024	1053 Hazel	\$ 1,472.98
1936231025	1077 Hazel	\$ 1,972.91
1936231026	1085 Hazel	\$ 2,651.36
1936231029	959 Hazel	\$ 1,472.98
1936231030	977 Hazel	\$ 1,472.98
1936233001	820 Hazel	\$ 1,767.58
1936233002	844 Hazel	\$ 1,767.58
1936233003	868 Hazel	\$ 1,767.58
1936233004	896 Hazel	\$ 1,472.98
1936233005	920 Hazel	\$ 1,472.98
1936233006	942 Hazel	\$ 1,472.98
1936233007	960 Hazel	\$ 1,472.98
1936233008	982 Hazel	\$ 1,472.98
1936233009	998 Hazel	\$ 1,472.98
1936233010	1020 Hazel	\$ 1,472.98
1936233011	1044 Hazel	\$ 1,472.98
1936233012	1060 Hazel	\$ 1,472.98
1936233013	1078 Hazel	\$ 1,472.98
1936233014	520 S Adams	\$ 3,163.96

Street Spray Patching and Cape Seal Resurfacing

Sidwell Number	Street Address	Cape Seal Assessment
1925428007	984 Kennesaw	\$ 745.16
1925428015	983 Rivenoak	\$ 745.16
1925429001	1018 Kennesaw	\$ 745.16
1925429004	1019 Rivenoak	\$ 745.16
1925486007	191 N. Worth	\$ 1,049.61
1925486008	171 N. Worth	\$ 904.84
1925486009	159 N. Worth	\$ 904.84
1925486017	-	\$ 863.59
1925487001	1016 Knox Ave	\$ 524.11
1925487003	156 N. Worth	\$ 1,085.80
1925487007	1025 E Maple	\$ 2,936.19
1925431004	884 Rivenoak	\$ 691.93
1925431009	883 Madison	\$ 718.55
1925432001	910 Rivenoak	\$ 691.93
1925432004	911 Madison	\$ 718.55
1925460008	592 Oakland	\$ 718.55
1925460018	591 Ridgedale	\$ 718.55

1925480001	632 Oakland	\$	718.55
1925480007	625 Ridgedale	\$	718.55
1925401003	492 Rivenoak	\$	691.93
1925401007	487 Madison	\$	718.55
1925405001	512 Rivenoak	\$	691.93
1925405010	515 Madison	\$	718.55
1925458001	440 Madison	\$	895.79
-	City ROW	\$	811.16
1925461001	35300 Woodward Ave #201	\$	47.15
1925461002	35300 Woodward Ave #202	\$	23.88
1925461003	35300 Woodward Ave #203	\$	37.31
1925461004	35300 Woodward Ave #204	\$	37.69
1925461005	35300 Woodward Ave #205	\$	48.57
1925461006	35300 Woodward Ave #206	\$	52.81
1925461007	35300 Woodward Ave #207	\$	39.16
1925461008	35300 Woodward Ave #208	\$	39.16
1925461009	35300 Woodward Ave #209	\$	52.81
1925461010	35300 Woodward Ave #301	\$	47.75
1925461011	35300 Woodward Ave #302	\$	23.88
1925461012	35300 Woodward Ave #303	\$	37.31
1925461013	35300 Woodward Ave #304	\$	37.69
1925461014	35300 Woodward Ave #305	\$	49.17
1925461015	35300 Woodward Ave #306	\$	54.01
1925461016	35300 Woodward Ave #307	\$	39.70
1925461017	35300 Woodward Ave #308	\$	39.70
1925461018	35300 Woodward Ave #309	\$	54.01
1925461019	35300 Woodward Ave #401	\$	47.75
1925461020	35300 Woodward Ave #402	\$	23.88
1925461021	35300 Woodward Ave #403	\$	37.31
1925461022	35300 Woodward Ave #404	\$	37.69
1925461023	35300 Woodward Ave #405	\$	49.17
1925461024	35300 Woodward Ave #406	\$	54.01
1925461025	35300 Woodward Ave #407	\$	39.70
1925461026	35300 Woodward Ave #408	\$	39.70
1925461027	35300 Woodward Ave #409	\$	54.01
1925461028	35300 Woodward Ave #501	\$	47.75
1925461029	35300 Woodward Ave #502	\$	23.88
1925461030	35300 Woodward Ave #503	\$	37.31
1925461031	35300 Woodward Ave #504	\$	37.69
1925461032	35300 Woodward Ave #505	\$	49.17
1925461033	35300 Woodward Ave #506	\$	54.01
1925461034	35300 Woodward Ave #507	\$	39.70
1925461035	35300 Woodward Ave #508	\$	39.70
1925461036	35300 Woodward Ave #509	\$	54.01

1925461037	35300 Woodward Ave Main BLDG	\$ -
1935477008	1697 Latham	\$ 1,363.77
1935477009	1152 Worthington	\$ 1,194.38
1935477010	1094 Worthington	\$ 886.74
1935477011	1056 Worthington	\$ 1,085.80
1935477012	1002 Worthington	\$ 904.84
1935477013	980 Worthington	\$ 904.84
1935477014	964 Worthington	\$ 1,266.77
1935477015	1608 Southfield	\$ 1,990.64
1935478002	1133 Worthington	\$ 1,195.29
1935478003	1115 Worthington	\$ 1,148.60
1935478004	1005 Worthington	\$ 1,167.78
1935478005	1001 Worthington	\$ 931.44
1935478006	969 Worthington	\$ 904.84
1935478007	943 Worthington	\$ 904.84
1935478008	927 Worthington	\$ 1,085.80
1935478016	895 Worthington	\$ 1,990.64
1935476017	1250 Wakefield	\$ 472.16
1935476024	1783 Norfolk	\$ 480.36
1935479009	1190 Wakefield	\$ 1,013.42
1935479010	1164 Wakefield	\$ 1,266.77
1935479011	1130 Wakefield	\$ 1,538.22
1935479012	1106 Wakefield	\$ 1,447.74
1935479013	1074 Wakefield	\$ 1,628.71
1935479014	1058 Wakefield	\$ 1,447.74
1935479015	1030 Wakefield	\$ 1,538.22
1935479016	990 Wakefield	\$ 1,357.25
1935479017	948 Wakefield	\$ 1,411.54
1935480001	1829 Norfolk	\$ 1,778.55
1935480005	1255 Wakefield	\$ 479.03
1935481001	1199 Wakefield	\$ 1,359.97
1935481002	1155 Wakefield	\$ 1,430.91
1935481003	1133 Wakefield	\$ 1,184.25
1935481004	1111 Wakefield	\$ 1,184.25
1935481005	1099 Wakefield	\$ 1,184.25
1935481006	1067 Wakefield	\$ 1,199.45
1935481007	1035 Wakefield	\$ 1,236.55
1935481008	1003 Wakefield	\$ 1,236.73
1935481009	997 Wakefield	\$ 1,236.55
1935481010	955 Wakefield	\$ 1,236.55
1935481029	-	\$ 398.13
1935478009	1711 Latham	\$ 425.81
1935478010	1120 W Southlawn	\$ 1,628.71
1935478011	1098 W Southlawn	\$ 1,447.74

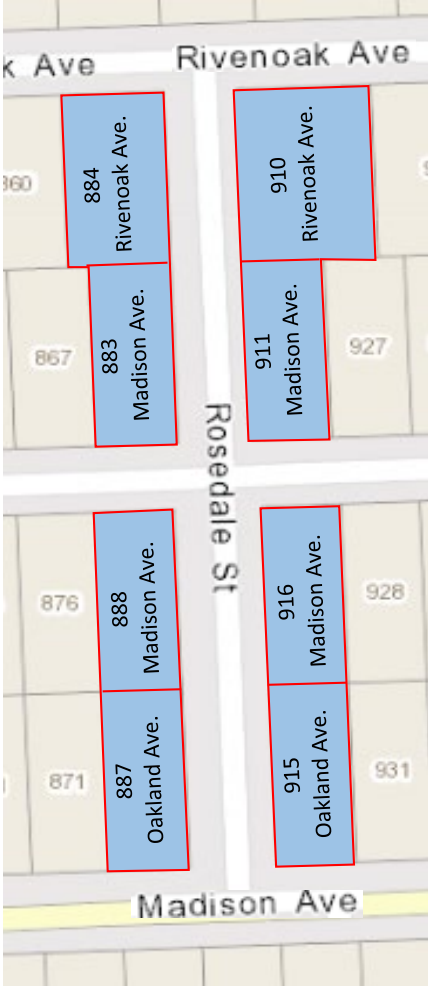
1935478012	1050 W Southlawn	\$ 1,357.25
1935478013	1024 W Southlawn	\$ 1,266.77
1935478014	990 W Southlawn	\$ 1,357.25
1935478015	900 W Southlawn	\$ 1,538.22
1935478017	892 W Southlawn	\$ 1,990.64
1935479001	1187 W Southlawn	\$ 351.29
1935479002	1143 W Southlawn	\$ 1,628.71
1935479003	1097 W Southlawn	\$ 1,465.83
1935479004	1063 W Southlawn	\$ 1,900.16
1935479005	1025 W Southlawn	\$ 1,683.00
1935479006	999 W Southlawn	\$ 1,357.25
1935479007	901 W Southlawn	\$ 1,538.22
1935479018	-	\$ 1,990.64

CAPE SEAL PROJECT AREA

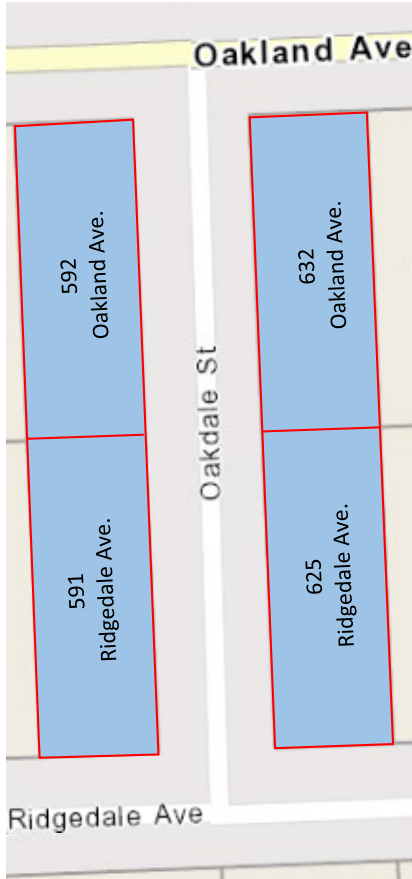
N. Worth Street:
Rivenoak to Kennesaw
and Knox to Maple



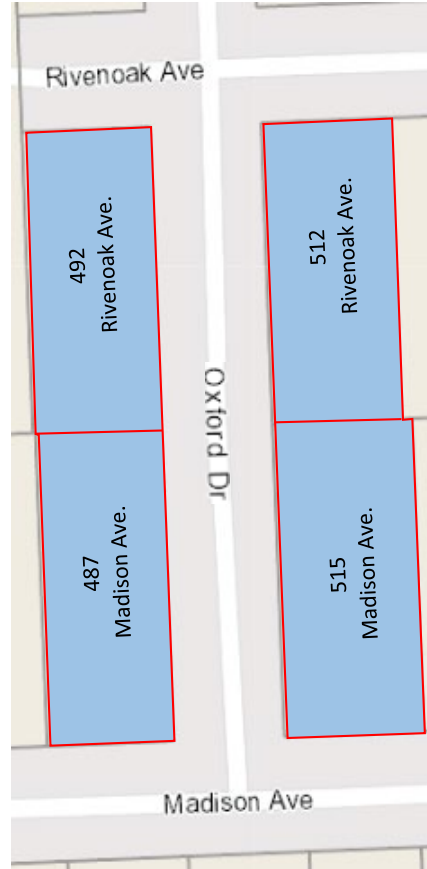
Rosedale Street:
Oakland to Rivenoak



Oakdale Street:
Oakland to Ridgedale



Oxford Drive:
Madison to Rivenoak

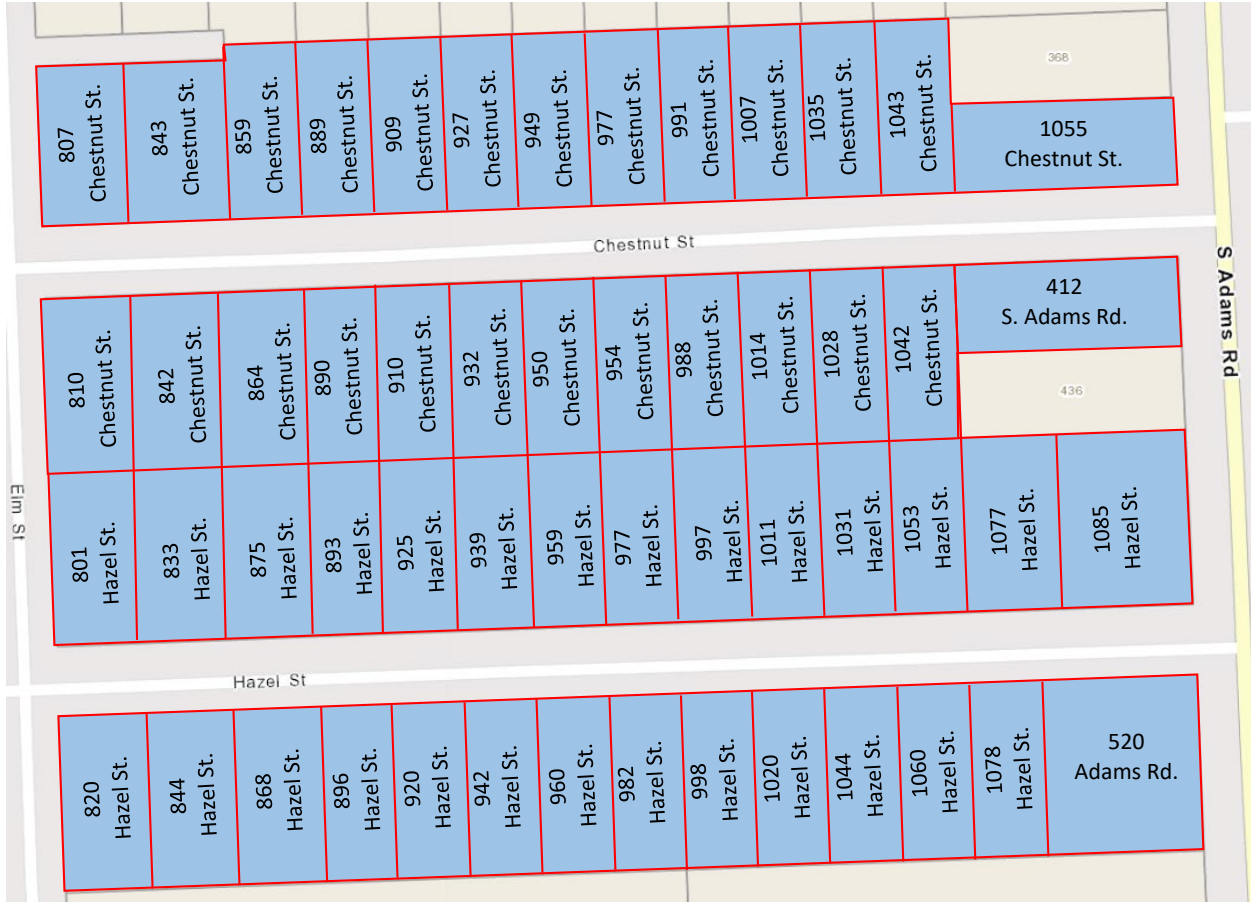


Lawndale Street:
Madison to Oakland



Chestnut Street: Elm to S. Adams

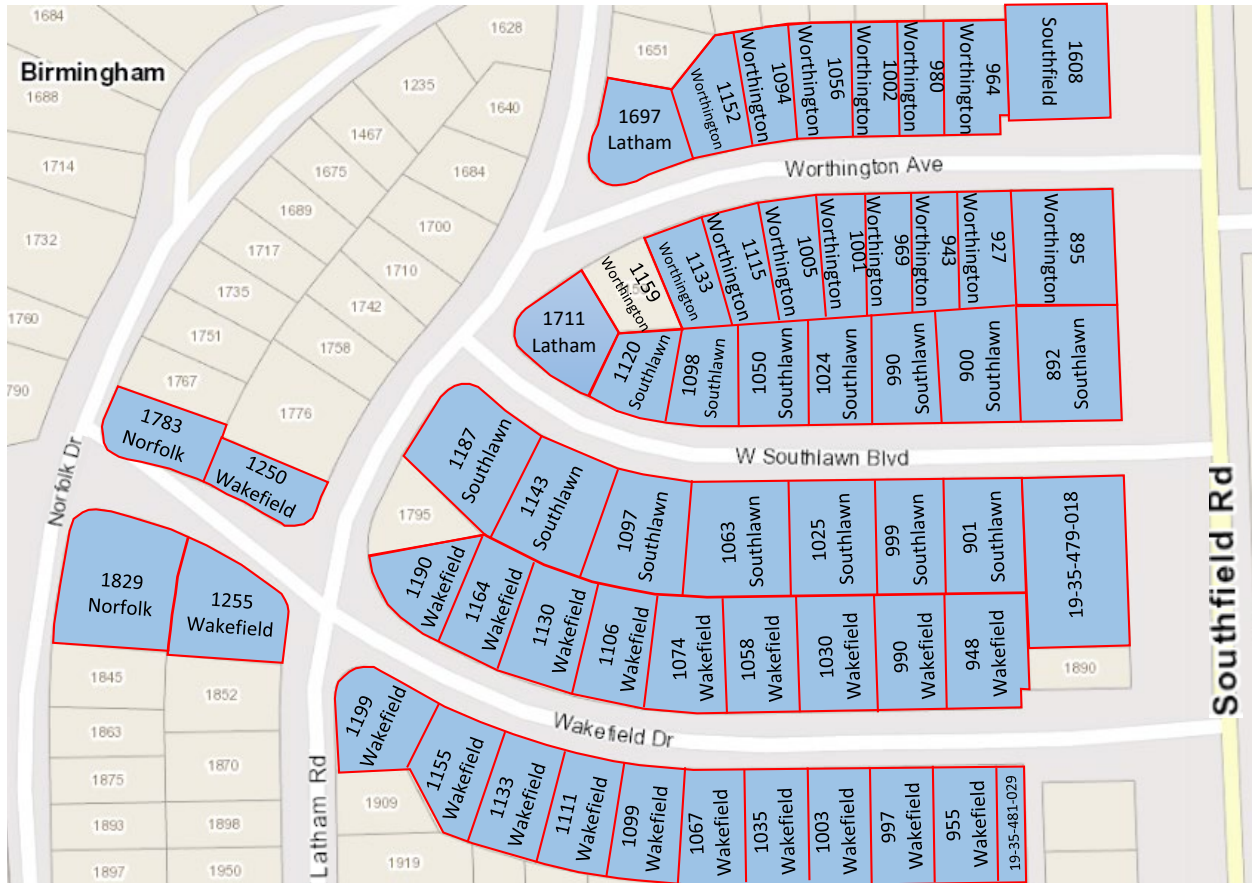
Hazel Street: Elm to S. Adams



Worthington Avenue: Southfield to Latham

Wakefield Drive: Southfield to Latham, and Latham to Norfolk

W. Southlawn Blvd.: Southfield to Latham



2024 Cape Seal Program

		Sidwell Number	Street Address	Short Length (LFT)	Long Length (LFT)	Square Footage	Cape Seal Assessment
N. Worth	Rivenoak to Kennesaw, Knox to Maple	1925428007	984 Kennesaw		140.00		\$ 745.16
		1925428015	983 Rivenoak		140.00		\$ 745.16
		1925429001	1018 Kennesaw		140.00		\$ 745.16
		1925429004	1019 Rivenoak		140.00		\$ 745.16
		1925486007	191 N. Worth	58.00			\$ 1,049.61
		1925486008	171 N. Worth	50.00			\$ 904.84
		1925486009	159 N. Worth	50.00			\$ 904.84
		1925486017	-		162.25		\$ 863.59
		1925487001	1016 Knox Ave		98.47		\$ 524.11
		1925487003	156 N. Worth	60.00			\$ 1,085.80
		1925487007	1025 E Maple		162.25		\$ 2,936.19
Rosedale	Oakland to Rivenoak	1925431004	884 Rivenoak		130.00		\$ 691.93
		1925431009	883 Madison		135.00		\$ 718.55
		1925432001	910 Rivenoak		130.00		\$ 691.93
		1925432004	911 Madison		135.00		\$ 718.55
		1925477005	888 Madison		135.00		\$ 1,169.72
		1925477010	887 Oakland		135.00		\$ 1,169.72
		1925478001	916 Madison		135.00		\$ 1,169.72
		1925478006	915 Oakland		135.00		\$ 1,169.72
Oakdale	Oakland to Ridgedale	1925460008	592 Oakland		135.00		\$ 718.55
		1925460018	591 Ridgedale		135.00		\$ 718.55
		1925480001	632 Oakland		135.00		\$ 718.55
		1925480007	625 Ridgedale		135.00		\$ 718.55
Oxford	Madison to Rivenoak	1925401003	492 Rivenoak		130.00		\$ 691.93
		1925401007	487 Madison		135.00		\$ 718.55
		1925405001	512 Rivenoak		130.00		\$ 691.93
		1925405010	515 Madison		135.00		\$ 718.55
Oakland	Oakland	1925458001	440 Madison		168.30		\$ 895.79
		-	City ROW		152.40		\$ 811.16
		1925461001	35300 Woodward Ave #201			867	\$ 47.15
		1925461002	35300 Woodward Ave #202			439	\$ 23.88
		1925461003	35300 Woodward Ave #203			686	\$ 37.31
		1925461004	35300 Woodward Ave #204			693	\$ 37.69
		1925461005	35300 Woodward Ave #205			893	\$ 48.57
		1925461006	35300 Woodward Ave #206			971	\$ 52.81
		1925461007	35300 Woodward Ave #207			720	\$ 39.16
		1925461008	35300 Woodward Ave #208			720	\$ 39.16
		1925461009	35300 Woodward Ave #209			971	\$ 52.81
		1925461010	35300 Woodward Ave #301			878	\$ 47.75
		1925461011	35300 Woodward Ave #302			439	\$ 23.88
		1925461012	35300 Woodward Ave #303			686	\$ 37.31
		1925461013	35300 Woodward Ave #304			693	\$ 37.69
		1925461014	35300 Woodward Ave #305			904	\$ 49.17
		1925461015	35300 Woodward Ave #306			993	\$ 54.01
1925461016	35300 Woodward Ave #307			730	\$ 39.70		

		Sidwell Number	Street Address	Short Length (LFT)	Long Length (LFT)	Square Footage	Cape Seal Assessment
Lawndale	Madison to Oa	1925461017	35300 Woodward Ave #308		287.11	730	\$ 39.70
		1925461018	35300 Woodward Ave #309			993	\$ 54.01
		1925461019	35300 Woodward Ave #401			878	\$ 47.75
		1925461020	35300 Woodward Ave #402			439	\$ 23.88
		1925461021	35300 Woodward Ave #403			686	\$ 37.31
		1925461022	35300 Woodward Ave #404			693	\$ 37.69
		1925461023	35300 Woodward Ave #405			904	\$ 49.17
		1925461024	35300 Woodward Ave #406			993	\$ 54.01
		1925461025	35300 Woodward Ave #407			730	\$ 39.70
		1925461026	35300 Woodward Ave #408			730	\$ 39.70
		1925461027	35300 Woodward Ave #409			993	\$ 54.01
		1925461028	35300 Woodward Ave #501			878	\$ 47.75
		1925461029	35300 Woodward Ave #502			439	\$ 23.88
		1925461030	35300 Woodward Ave #503			686	\$ 37.31
		1925461031	35300 Woodward Ave #504			693	\$ 37.69
		1925461032	35300 Woodward Ave #505			904	\$ 49.17
		1925461033	35300 Woodward Ave #506			993	\$ 54.01
		1925461034	35300 Woodward Ave #507			730	\$ 39.70
		1925461035	35300 Woodward Ave #508			730	\$ 39.70
1925461036	35300 Woodward Ave #509		993	\$ 54.01			
		1925461037	35300 Woodward Ave Main BLDG			0	\$ -
Chestnut	Elm to Adams	1936229012	807 Chestnut	60.00			\$ 1,767.58
		1936229013	843 Chestnut	60.00			\$ 1,767.58
		1936229014	859 Chestnut	60.00			\$ 1,767.58
		1936229015	889 Chestnut	50.00			\$ 1,472.98
		1936229016	909 Chestnut	50.00			\$ 1,472.98
		1936229017	927 Chestnut	50.00			\$ 1,472.98
		1936229018	949 Chestnut	50.00			\$ 1,472.98
		1936229019	977 Chestnut	50.00			\$ 1,472.98
		1936229020	991 Chestnut	50.00			\$ 1,472.98
		1936229021	1007 Chestnut	50.00			\$ 1,472.98
		1936229022	1035 Chestnut	50.00			\$ 1,472.98
		1936229023	1043 Chestnut	50.00			\$ 1,472.98
		1936229027	1055 Chestnut		121.21		\$ 1,050.23
		1936231001	810 Chestnut	60.00			\$ 1,767.58
		1936231002	842 Chestnut	60.00			\$ 1,767.58
		1936231003	864 Chestnut	60.00			\$ 1,767.58
		1936231004	890 Chestnut	50.00			\$ 1,472.98
		1936231006	950 Chestnut	50.00			\$ 1,472.98
		1936231007	954 Chestnut	50.00			\$ 1,472.98
		1936231008	988 Chestnut	50.00			\$ 1,472.98
		1936231009	1014 Chestnut	50.00			\$ 1,472.98
		1936231010	1028 Chestnut	50.00			\$ 1,472.98
		1936231011	1042 Chestnut	50.00			\$ 1,472.98
1936231012	412 S Adams		121.64		\$ 1,053.96		
1936231027	910 Chestnut	56.00			\$ 1,649.74		
1936231028	932 Chestnut	44.00			\$ 1,296.22		

		Sidwell Number	Street Address	Short Length (LFT)	Long Length (LFT)	Square Footage	Cape Seal Assessment
Hazel	Elm to Adams	1936231014	801 Hazel	60.00			\$ 1,767.58
		1936231015	833 Hazel	60.00			\$ 1,767.58
		1936231016	875 Hazel	60.00			\$ 1,767.58
		1936231017	893 Hazel	50.00			\$ 1,472.98
		1936231018	925 Hazel	50.00			\$ 1,472.98
		1936231019	939 Hazel	50.00			\$ 1,472.98
		1936231021	997 Hazel	50.00			\$ 1,472.98
		1936231022	1011 Hazel	50.00			\$ 1,472.98
		1936231023	1031 Hazel	50.00			\$ 1,472.98
		1936231024	1053 Hazel	50.00			\$ 1,472.98
		1936231025	1077 Hazel	66.97			\$ 1,972.91
		1936231026	1085 Hazel	90.00			\$ 2,651.36
		1936231029	959 Hazel	50.00			\$ 1,472.98
		1936231030	977 Hazel	50.00			\$ 1,472.98
		1936233001	820 Hazel	60.00			\$ 1,767.58
		1936233002	844 Hazel	60.00			\$ 1,767.58
		1936233003	868 Hazel	60.00			\$ 1,767.58
		1936233004	896 Hazel	50.00			\$ 1,472.98
		1936233005	920 Hazel	50.00			\$ 1,472.98
		1936233006	942 Hazel	50.00			\$ 1,472.98
		1936233007	960 Hazel	50.00			\$ 1,472.98
		1936233008	982 Hazel	50.00			\$ 1,472.98
		1936233009	998 Hazel	50.00			\$ 1,472.98
		1936233010	1020 Hazel	50.00			\$ 1,472.98
		1936233011	1044 Hazel	50.00			\$ 1,472.98
1936233012	1060 Hazel	50.00			\$ 1,472.98		
1936233013	1078 Hazel	50.00			\$ 1,472.98		
1936233014	520 S Adams	107.40			\$ 3,163.96		
Worthington	Southfield to Latham	1935477008	1697 Latham	75.36			\$ 1,363.77
		1935477009	1152 Worthington	66.00			\$ 1,194.38
		1935477010	1094 Worthington	49.00			\$ 886.74
		1935477011	1056 Worthington	60.00			\$ 1,085.80
		1935477012	1002 Worthington	50.00			\$ 904.84
		1935477013	980 Worthington	50.00			\$ 904.84
		1935477014	964 Worthington	70.00			\$ 1,266.77
		1935477015	1608 Southfield	110.00			\$ 1,990.64
		1935478002	1133 Worthington	66.05			\$ 1,195.29
		1935478003	1115 Worthington	63.47			\$ 1,148.60
		1935478004	1005 Worthington	64.53			\$ 1,167.78
		1935478005	1001 Worthington	51.47			\$ 931.44
		1935478006	969 Worthington	50.00			\$ 904.84
		1935478007	943 Worthington	50.00			\$ 904.84
		1935478008	927 Worthington	60.00			\$ 1,085.80
		1935478016	895 Worthington	110.00			\$ 1,990.64
		1935476017	1250 Wakefield		88.71		\$ 472.16
		1935476024	1783 Norfolk		90.25		\$ 480.36
		1935479009	1190 Wakefield	56.00			\$ 1,013.42

		Sidwell Number	Street Address	Short Length (LFT)	Long Length (LFT)	Square Footage	Cape Seal Assessment
Wakefield	Southfield to Latham, Latham to Norfolk	1935479010	1164 Wakefield	70.00			\$ 1,266.77
		1935479011	1130 Wakefield	85.00			\$ 1,538.22
		1935479012	1106 Wakefield	80.00			\$ 1,447.74
		1935479013	1074 Wakefield	90.00			\$ 1,628.71
		1935479014	1058 Wakefield	80.00			\$ 1,447.74
		1935479015	1030 Wakefield	85.00			\$ 1,538.22
		1935479016	990 Wakefield	75.00			\$ 1,357.25
		1935479017	948 Wakefield	78.00			\$ 1,411.54
		1935480001	1829 Norfolk	98.28			\$ 1,778.55
		1935480005	1255 Wakefield		90.00		\$ 479.03
		1935481001	1199 Wakefield	75.15			\$ 1,359.97
		1935481002	1155 Wakefield	79.07			\$ 1,430.91
		1935481003	1133 Wakefield	65.44			\$ 1,184.25
		1935481004	1111 Wakefield	65.44			\$ 1,184.25
		1935481005	1099 Wakefield	65.44			\$ 1,184.25
		1935481006	1067 Wakefield	66.28			\$ 1,199.45
		1935481007	1035 Wakefield	68.33			\$ 1,236.55
		1935481008	1003 Wakefield	68.34			\$ 1,236.73
		1935481009	997 Wakefield	68.33			\$ 1,236.55
		1935481010	955 Wakefield	68.33			\$ 1,236.55
1935481029	-	22.00			\$ 398.13		
W. Southlawn	Southfield to Latham	1935478009	1711 Latham		80.00		\$ 425.81
		1935478010	1120 W Southlawn	90.00			\$ 1,628.71
		1935478011	1098 W Southlawn	80.00			\$ 1,447.74
		1935478012	1050 W Southlawn	75.00			\$ 1,357.25
		1935478013	1024 W Southlawn	70.00			\$ 1,266.77
		1935478014	990 W Southlawn	75.00			\$ 1,357.25
		1935478015	900 W Southlawn	85.00			\$ 1,538.22
		1935478017	892 W Southlawn	110.00			\$ 1,990.64
		1935479001	1187 W Southlawn		66.00		\$ 351.29
		1935479002	1143 W Southlawn	90.00			\$ 1,628.71
		1935479003	1097 W Southlawn	81.00			\$ 1,465.83
		1935479004	1063 W Southlawn	105.00			\$ 1,900.16
		1935479005	1025 W Southlawn	93.00			\$ 1,683.00
		1935479006	999 W Southlawn	75.00			\$ 1,357.25
		1935479007	901 W Southlawn	85.00			\$ 1,538.22
		1935479018	-	110.00			\$ 1,990.64



MEMORANDUM

City Clerk's Office

DATE: April 29, 2024

TO: Melissa Coatta, City Engineer

FROM: Alexandria Bingham, City Clerk

SUBJECT: Clerk's Confirmation of Public Hearing Notice: 2024 Cape Seal Program Cape Seal Maintenance Treatment Special Assessment District (SAD)

The public hearing notice process has been completed for 2024 Cape Seal Program Cape Seal Maintenance Treatment Special Assessment District (SAD). Please see attachments for further confirmation.

Mailing Date: 4/23/2024 & 4/25/2024

Test Mail Return Date: 4/29/2024

Publishing Dates in the Oakland Press: 4/25/2024 and 5/5/2024

Posted in www.bhamgov/publicnotices: 4/23/2024

Attachments:

1. Public Hearing Notice
2. Addresses
3. Mailing Letter
4. Mail Machine Counter Report
5. Proof of publishing for 4/25/2024

NOTICE OF PUBLIC HEARING

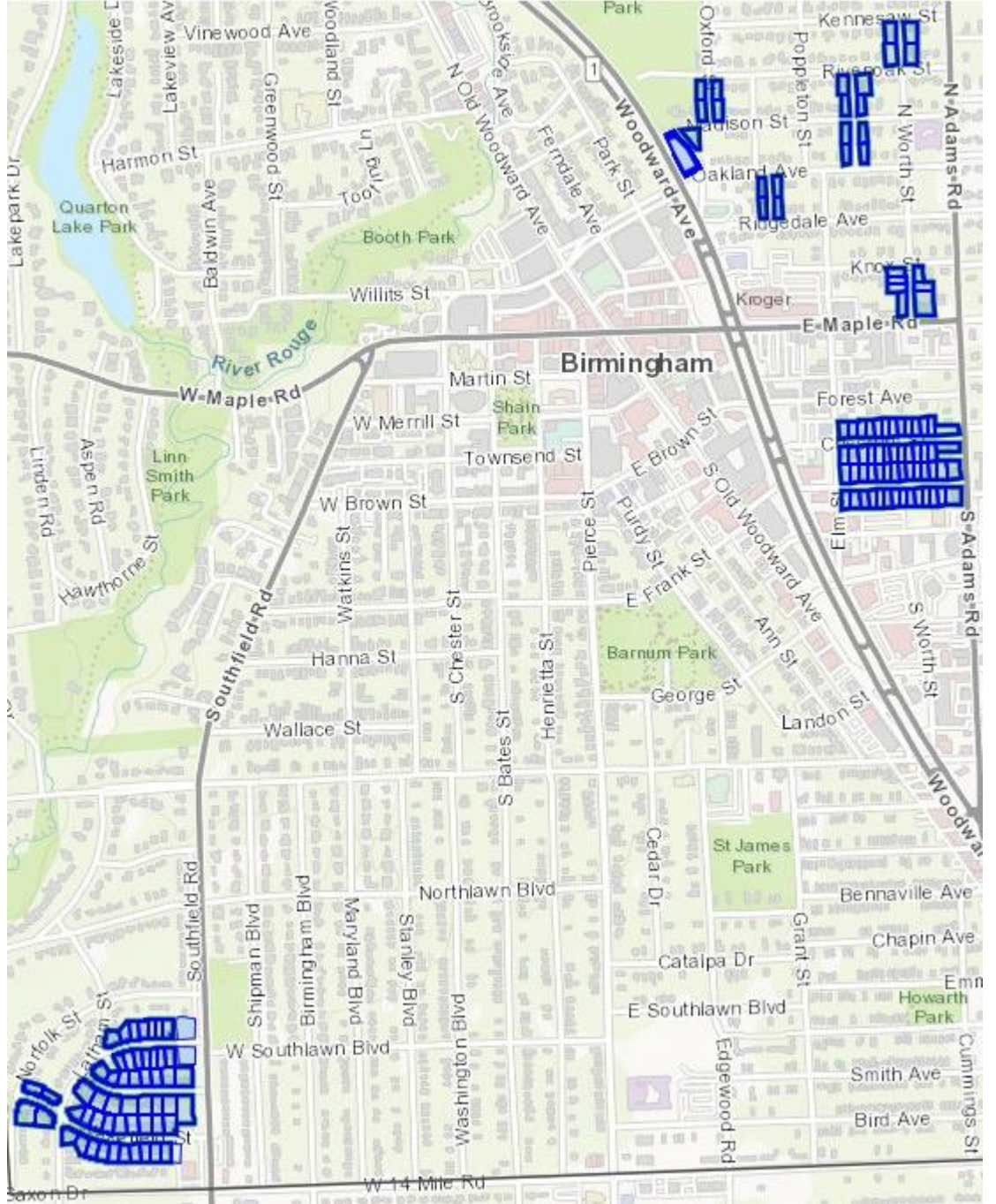
BIRMINGHAM CITY COMMISSION

**PUBLIC HEARING OF NECESSITY &
PUBLIC HEARING FOR CONFIRMATION OF THE ROLL**

Meeting Date, Time, Location: HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT
Monday, May 6, 2024, 7:30 PM
Municipal Building, 151 Martin, Birmingham, MI 48009

Meeting Date, Time, Location: HEARING FOR CONFIRMATION OF THE ROLL
Monday, May 20, 2024, 7:30 PM
Municipal Building, 151 Martin, Birmingham, MI 48009

Project Location: N. Worth Street from Rivenoak to Kennesaw and Knox to Maple, Rosedale Avenue from Oakland to Rivenoak, Oakdale Avenue from Oakland to Ridgedale, Oxford Drive from Madison to Rivenoak, Lawndale Avenue from Madison to Oakland, Chestnut Street from Elm to Adams, Hazel Avenue from Elm to Adams, Worthington Avenue from Southfield to Latham, Wakefield Drive from Southfield to Latham and Latham to Norfolk, and Southlawn Drive from Southfield to Latham.



Nature of Improvement: Unimproved road surfaces will be restored with a new cape-seal treatment as part of the unimproved street maintenance program.

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

Notice Requirements: Newspaper Notice and First Class Mail to affected property owners 10 days prior. Publish 4/25/2024 & 5/5/2024

Approved minutes may be reviewed at: City Clerk’s Office or www.bhamgov.org/commissionagendas

Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012.

The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll.

All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

PID	NAME	ADDRESS	CITY
Parcel Number: 1925428007	STEVEN G HOWELL	984 KENNESAW AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925428015	BRUCE J WANDYEZ	983 RIVENOAK AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925429001	MYRON E FISHER	1018 KENNESAW AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925429004	DAVID E DEVEREAUX	1019 RIVENOAK AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925486007	RYAN HUFNAGEL	191 N WORTH ST	BIRMINGHAM, MI 48009
Parcel Number: 1925486008	DENNIS R JACOBS REVOC TRUST	171 N WORTH ST	BIRMINGHAM, MI 48009
Parcel Number: 1925486009	DONALD R BROWN	159 N WORTH ST	BIRMINGHAM, MI 48009
Parcel Number: 1925486017	OSOS TONTOS LLC	111 N MAIN ST	ANN ARBOR, MI 48104
Parcel Number: 1925487001	GILBERT A MAXWELL REVOC TRUST	1016 KNOX AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925487003	156 NORTH WORTH STREET LLC	111 CADILLAC SQ STE 300	DETROIT, MI 48226
Parcel Number: 1925487007	OS OS TONTOS LLC	111 N MAIN ST	ANN ARBOR, MI 48104
Parcel Number: 1925431004	MATTHEW MALISZEWSKI	884 RIVENOAK AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925431009	MARK RUSSELL SAYERS	883 MADISON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925432001	RALPH SAROTTE	910 RIVENOAK AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925432004	EMILIA E LEON-NICHOLAS	911 MADISON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925477005	GRANT D BRUCE	888 MADISON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925477010	JENNIFER HOPKINS	887 OAKLAND AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925478001	TODD SZOTT	916 MADISON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925478006	JOHN JAHANGIR SARDAR	915 OAKLAND AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925460008	RANDY M KUMMER	592 OAKLAND AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925460018	PATRICK C LIEBLER	591 RIDGEDALE AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925480001	DARRYL JAMES DELANEY TRUST	15671 LITTLEFIELD LN	SPRING LAKE, MI 49456
Parcel Number: 1925480007	ANDREW F LOTTMAN	625 RIDGEDALE AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925401003	DANIEL M STALL	492 RIVENOAK AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925401007	NICK BONEFF	487 MADISON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925405001	RACHEL P SMITH	512 RIVENOAK AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925405010	DOUGLAS BURGHER	515 MADISON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925458001	TODD R MENDEL	440 MADISON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	DOYEON SOHN	35300 WOODWARD AVE # 402	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	EQUITY TRUST COMPANY CUSTODIAN	33717 WOODWARD AVE # 417	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	MARYAM NAZRI	35300 WOODWARD AVE # 404	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	SHAHRZAD ABBASSI RAHBAR	35300 WOODWARD AVE # 405	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	MAGDALENA M LORETI	35300 WOODWARD AVE # 406	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	BARBARA E KLOSNER	271 MORAN RD	GROSSE POINTE FARMS, MI 48236
Parcel Number: 1925461001	DEUTSCHE BANK TRUST CO AMERICAS	1 MORTGAGE WAY	MOUNT LAUREL, NJ 08054
Parcel Number: 1925461001	HASSAN M NASIR	35300 WOODWARD AVE # 409	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	JULIE HUTTO	35300 WOODWARD AVE # 501	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	JOHN PALAZZO	4385 MOTORWAY DR	WATERFORD, MI 48328
Parcel Number: 1925461001	ASOK K ROY	1825 LONG POINTE DR	BLOOMFIELD HILLS, MI 48302
Parcel Number: 1925461001	SUSAN ARMSTRONG	35300 WOODWARD AVE # 504	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	CRAIG SKINNER	35300 WOODWARD AVE # 505	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	SAMI BILANI	35300 WOODWARD AVE # 506	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	SAMI S BILANI	35300 WOODWARD AVE APT 506	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	JEFFREY R KLEIN REVOC TRUST	6435 ORANGE HILL LN	CARMICHAEL, CA 95608
Parcel Number: 1925461001	JO ANN BARTO REVOC LVNG TRUST	58976 VALLEY VIEW DR	WASHINGTON, MI 48094
Parcel Number: 1925461001	POPPLTON PLACE CONDOMINIUMS	1100 VICTORS WAY STE 50	ANN ARBOR, MI 48108
Parcel Number: 1925461001	LARA MAC	PO BOX 778	FALLBROOK, CA 92088
Parcel Number: 1925461001	MARY E DUNN TRUST	1182 WEBSTER ST	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	SUSAN DONNELLY	428 W LINCOLN ST	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	SVEN HERBEL	35300 WOODWARD AVE # 204	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	KASTINE HABIB	35300 WOODWARD AVE # 205	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	RHB#6 LLC	PO BOX 252921	WEST BLOOMFIELD, MI 48325
Parcel Number: 1925461001	GARY KAZANJIAN	979 WESTWOOD DR	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	MARCIN SORYS	4411 LAUREL CLUB CIR APT 2	W BLOOMFIELD, MI 48323
Parcel Number: 1925461001	BERNARD NICHOLS JR	35300 WOODWARD AVE # 209	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	DONNA HARRIS	336 GREENWOOD ST	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	SIDNEY R FLETCHER TRUST	35300 WOODWARD AVE # 401	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	ADAM M CODDINGTON	35300 WOODWARD AVE UNIT 12	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	JOHN SHAW	35300 WOODWARD AVE # 304	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	JOSEPH SCHENDEN LAWLESS	35300 WOODWARD AVE # 305	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	MATTHEW D PARKER	35300 WOODWARD AVE # 306	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	JAMES MENOUTES	35300 WOODWARD AVE # 307	BIRMINGHAM, MI 48009
Parcel Number: 1925461001	CHARLES PROPERTY MANAGEMENT LLC	1800 E BROADWAY ST	MOUNT PLEASANT, MI 48858

Parcel Number: 1925461001	PAUL R TAZAR	4293 SAWGRASS DR	BLOOMFIELD HILLS, MI 48302
Parcel Number: 1925461001	THOMAS R WALDRON	3187 NW SHEVLIN MEADOW DR	BEND, OR 97703
Parcel Number: 1936229012	CARL F ZOLLER	1830 NORTH LAKE DR	TROY, MI 48083
Parcel Number: 1936229013	MARK VINCKIER	843 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936229014	KARYN J PRYOR REVOC TRUST	859 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936229015	SALVATORE SCIGLIANO	3364 CIRCLE DR	COMMERCE TWP, MI 48382
Parcel Number: 1936229016	JAMES GLAVIN	909 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936229017	THOMAS RANDOLPH	2255 FAIRWAY DR	BIRMINGHAM, MI 48009
Parcel Number: 1936229018	ROBERT P LENNOX	949 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936229019	BARBARA SUE EPSTEIN REVOC TRST	977 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936229020	BENJAMIN J KRAMER	991 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936229021	EDVIN GODO	896 BENJAMIN DR	TROY, MI 48098
Parcel Number: 1936229022	1035 CHESTNUT LLC	177 E LONG LAKE RD	BLOOMFIELD HILLS, MI 48304
Parcel Number: 1936229023	TIMOTHY BALDWIN	1043 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936229027	ALI A CHEAIB	1055 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936231001	JEFFREY THOMAS FOSTER	660 ABBEY ST	BIRMINGHAM, MI 48009
Parcel Number: 1936231002	LYDIA JUZYCH	842 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936231003	CHRISTOPHER D HULGRAVE	864 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936231004	PETER SCHUBECK JR	890 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936231006	JESSE HENDERSON	337 FAIRFAX ST	BIRMINGHAM, MI 48009
Parcel Number: 1936231007	JONATHAN STEINHOUSE	954 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936231008	CHRISTOPHER J ELIA	988 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936231009	JOSEPH M ZANE	1014 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936231010	RICHARD LOPUS	657 COVE DR	PORT AUSTIN, MI 48467
Parcel Number: 1936231011	MOHAMMADREZA KAHNAMOUEI	1401 KIRKWAY RD	BLOOMFIELD HILLS, MI 48302
Parcel Number: 1936231012	JOSEPH MECONI	412 S ADAMS RD	BIRMINGHAM, MI 48009
Parcel Number: 1936231014	ANDREW KAS-MAROGE	801 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936231015	DENNIS SAMUEL LANFEAR	833 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936231016	NICOLE STEVENSON	875 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936231017	ABIGAIL L BOSCO	893 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936231018	ROBERT SHANK	925 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936231019	STACY L GOLDBERG	939 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936231021	EDI LEVI	997 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936231022	JOSEPH P BOYLE	1011 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936231023	LILLIAN M APOLLINARI	1031 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936231024	JOHN FALLUCCA	1053 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936231025	VINCENT SEBASTIANI	253 E CAMBOURNE ST	FERNDALE, MI 48220
Parcel Number: 1936231026	MICHAEL J GLOVIS	3445 BALFOUR DR	TROY, MI 48084
Parcel Number: 1936231027	CHRISTINA MUNRO	1421 PIERCE ST	BIRMINGHAM, MI 48009
Parcel Number: 1936231028	DAN IONESCU	932 CHESTNUT ST	BIRMINGHAM, MI 48009
Parcel Number: 1936231029	GREGORY S ALKHAS	959 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936231030	PRATHEEP SEVANTHINATHAN	977 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233001	SAMUEL OH	820 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233002	CARMEN HICKOK	844 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233003	SUSHRUTH SHENAVA	868 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233004	MICHELLE MCINERNEY	896 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233005	DAVID HENNING	920 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233006	BRANDI BIALAS	942 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233007	JULIE N SHERBIN	960 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233008	LISA LATESSA DONLEY	982 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233009	SHARON S TUNSTALL	998 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233010	PAMELA MOCERI	1020 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233011	JOSEPH STEVENS	1044 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233012	LAWRENCE A MARKS	1060 HAZEL AVE	BIRMINGHAM, MI 48009
Parcel Number: 1936233013	STEPHEN W CHUDIK	PO BOX 391	BIRMINGHAM, MI 48012
Parcel Number: 1936233014	COLONIAL SALES & ENGINEERING INC	2841 SHADYWOOD DR	TROY, MI 48098
Parcel Number: 1935476017	JOEL D STERN	1250 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935476024	ANDREW KEEGAN MCNEALY	1783 NORFOLK DR	BIRMINGHAM, MI 48009
Parcel Number: 1935477008	DOLORES IRENE SWEENEY	1697 LATHAM RD	BIRMINGHAM, MI 48009
Parcel Number: 1935477009	RONALD B ELLMAN LVNG TRUST	1152 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935477010	VICTOR H GARSKE	1094 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935477011	JOSEPH EDWARD HATHAWAY	1056 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935477012	JEFFREY W ROTH	1002 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935477013	WALTER J PALAMARCHUK	980 WORTHINGTON AVE	BIRMINGHAM, MI 48009

Parcel Number: 1935477014	JAMES F DAUER	964 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935478001	JOVICA NASTOVSKI	1159 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935478002	MATTHEW A CARMONA	1133 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935478003	MICHEL KHOURI	1115 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935478004	JOHN W WESTERHEIDE	1005 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935478005	MARK AND MARY HENRY REVOC TRUST	1001 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935478006	PETER M GULLO	969 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935478007	CHRISTIAN HYDE	943 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935478008	VADIM AVSHALUMOV	927 WORTHINGTON AVE	BIRMINGHAM, MI 48009
Parcel Number: 1935478009	MARY K ERMATINGER TRUSTEE	1711 LATHAM RD	BIRMINGHAM, MI 48009
Parcel Number: 1935478010	MARY K ERMATINGER REVOC TRUST	1120 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935478011	THANANJAYAN RANGANATHAN	1098 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935478012	ROBB A KOZLESKI	1050 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935478013	MICHAEL MARDEROSIAN	1024 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935478014	MICHAEL GRUBBISICH	990 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935478015	TIMOTHY L NASSO	900 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935478017	SHEHBAZ MAHMOOD	892 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935479001	JOHN AND WENDY LEARY LVNG TRUST	1187 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935479002	MICHAEL BROWN	1143 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935479003	JAMES DUDLEY	1097 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935479004	FRED J CUSIMANO	1063 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935479005	CAROL VALVERDE	1025 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935479006	DAVID JERNEYCIC	999 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935479007	TERRI A MACKSOUND	901 W SOUTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935479009	JASON P TOEPFER	1190 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935479010	PATRICK J SEEBERG	1164 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935479011	HANGUK PROPERTIES LLC	1360 NORTHLAWN BLVD	BIRMINGHAM, MI 48009
Parcel Number: 1935479012	JACK L RANSOM	1106 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935479013	D MICHEAL ESPER	1074 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935479014	JARROD A PITSTICK	1058 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935479015	CLEMENS F CONRAD	3449 LONE PINE RD	WEST BLOOMFIELD, MI 48323
Parcel Number: 1935479016	RUSSELL VORHEES	990 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935479017	MELVIN LARSEN	948 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935479018	CITY OF BIRMINGHAM	PO BOX 3001	BIRMINGHAM, MI 48012
Parcel Number: 1935480001	ABBY GROUP LLC	1829 NORFOLK DR	BIRMINGHAM, MI 48009
Parcel Number: 1935480005	ROBERT E CARR	1255 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935481001	CATHERINE RAFTREY TICER	1199 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935481002	DINO FERDINANDI	1155 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935481003	LAURA LYNN MASON	1133 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935481004	JAMES B FEITEN	1111 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935481005	MICHAEL LAWRENCE SINGER	1099 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935481006	JESSE FENTON	1067 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935481007	DIANE L MORRIS	1035 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935481008	DANIEL KEITH	1003 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935481009	BLANCE A HODDE	997 WAKEFIELD DR	BIRMINGHAM, MI 48009
Parcel Number: 1935481010	NATHAN SCHERBARTH	955 WAKEFIELD DR	BIRMINGHAM, MI 48009



Monday, April 16, 2024

TO: parcel #
NAME
ADDRESS
CITY/STATE/ZIP

RE: 2024 Cape-Seal Program Cape-Seal Maintenance Treatment Special Assessment District (SAD)

The City of Birmingham will be completing maintenance on your unimproved road by placing a cape seal treatment on our road this year. Construction on this project is anticipated to start in late Spring/early Summer.

With this letter, you will find attached notifications for two public hearings regarding this project:

1. A public hearing will occur **Monday, May 6, 2024**, at 7:30 p.m. in City Hall at 151 Martin St. during a regular City Commission meeting, for the purpose of a Hearing of Necessity and to designate a Special Assessment District, as we undertake public improvements, for the installing for cape seal treatment for the 2024 Cape-Seal Program.
2. If Necessity is determined at the May 6, 2024 hearing, a Public Hearing for Confirmation of the Roll will follow on **Monday, May 20, 2024**, at 7:30 p.m. in City Hall at 151 Martin St. during a regular City Commission meeting.

Work items typically included in these projects include the following:

- Pulverizing existing road surface and re-grading as necessary, and/or spot patching deteriorated areas.
- Applying the cape-seal treatment over the entire road surface which is a double layer of chip seal and a slurry coat.
- Reconstructing sidewalk ramps in the project area to meet ADA requirements, where needed.

Consistent with previous projects of this nature, it has been the City's policy to assess the following:

- 85% of the short-foot costs for improvement are assessed on all properties fronting on the improvement.
- 25% of the long-foot costs for improvement are assessed on all residential properties siding on the improvement.
- 85% of the long-foot costs for improvement are assessed on improved business properties siding on the improvement.
- 25% of the long-foot costs for improvement are assessed on vacant business properties siding on the improvement.

The City pays for the balance of the costs, 15% and 75% of short footage and long footage respectively.

The cost per property will be assessed based on an average cost associated with the proposed work on each street in the cape-seal program, multiplied by the linear foot measurement of the property line fronting the street, and/or the side property line for corner lots, and then reduced by multiplying again by 85% for the short footage measurement, and/or 25% or 85% for the long footage measurement.

After the work is completed, an invoice will be generated and sent to the property owner of record for the public improvements. Payment in full will be expected within 30 days of receipt. If you are not in a position to pay the charges in one payment, if you choose, the City can charge you annually for up to five years. Annual interest will be charged at a rate of 9.25%. The City will provide an estimate of costs associated with this Special Assessment at the Hearing of Necessity to be held on May 6, 2024.

If you have any questions or concerns, please contact the Engineering Office at (248) 530-1850. You will have the opportunity to ask questions and speak directly to the City Commission at the Public Hearing of Necessity and at the Confirmation of the Roll.

Sincerely,



Melissa A. Coatta, P.E.
City Engineer

Funds Report	Available:	\$3,677.88	PBP Account Number:	35884980
	Used:	\$38,057.12	Indicia Number:	0008029208
	Total Pieces:	51970	Meter Number:	8029208
	Control Sum:	\$41,735.00	Meter Name:	
	Resettable Piece Count:	174	Printed:	APR 23 2024 2:38 PM
	Piece Count Value:	\$111.36		

Funds Report	Available:	\$3,533.01	PBP Account Number:	35884980
	Used:	\$38,201.99	Indicia Number:	0008029208
	Total Pieces:	52195	Meter Number:	8029208
	Control Sum:	\$41,735.00	Meter Name:	
	Resettable Piece Count:	4	Printed:	APR 25 2024 10:09 AM
	Piece Count Value:	\$2.56		

NATION+WORLD

LONDON

Rush hour chaos as 5 military horses run amok

LONDON » Five military horses spooked by noise from a building site bolted during routine exercises on Wednesday near Buckingham Palace, three of four riders and caused chaos as they galloped loose through central London streets and collided with vehicles during the busy morning rush hour.

The commotion erupted when the horses from the Household Cavalry, which were conducting an extended exercise for an upcoming military parade, presumably became alarmed by the sound of concrete falling off a moving walkway at a construction site in Belgrave, a swanky neighborhood just to the west of the palace.

Five of the seven horses ran off and four soldiers were thrown off. Three of them were hospitalized with injuries.

— The Associated Press

AUSTRIA



Auctioneer Michael Kovacek declares the sale of the painting 'Portrait of Fräulein Lieser' by Austrian painter Gustav Klimt during an auction, in Vienna, Wednesday. A portrait of a young woman by Gustav Klimt that was long believed to be lost has been sold at an auction in Vienna for \$32 million. The Austrian modernist artist started work on the "Portrait of Fräulein Lieser" in 1917, the year before he died, and it is one of his last works.

ARIZONA

House advances repeal of state's abortion ban

PHOENIX » A proposed repeal of Arizona's near-total ban on abortions won approval from the state House Wednesday after two weeks of mounting pressure on Republicans over an issue that has bedeviled former President Donald Trump's campaign to return to the White House.

Three Republicans joined in with all 29 Democrats Wednesday to repeal a law that predated Arizona's statehood and provides no exceptions for rape or incest. If the Senate approves as expected, Arizona would allow abortions up to 15 weeks.

Their political ambitions imperiled by widespread opposition to a near-total abortion ban, Trump and U.S. Senate candidate Karl Lake had urged Arizona lawmakers to ease the restrictions.

— The Associated Press

IRAN

Death sentence given to rap star for protest songs

A prominent Iranian hip hop musician who was arrested for his protest lyrics and social media posts has been sentenced to death by an Iranian court, the reformist Shargh newspaper reported.

Toomaj Salehi was arrested in October 2022 during nationwide protests that were triggered by the death in custody of Mahsa Amini, a 22-year-old Kurdish-Iranian woman who had been arrested by so-called morality police for allegedly violating strict Islamic dress codes.

Salehi will appeal the sentence, Shargh reported, quoting his lawyer Amir Raisian. Salehi's music and online posts were fiercely critical of Iran's Islamic leadership and he was a strong supporter of the uprising, which was mostly led by women and young people.

— Bloomberg

ITALY

Loans of works to museum banned in statue dispute

ROME » Italy's Culture Ministry has banned loans of works to the Minneapolis Institute of Art, following a dispute with the U.S. museum over an ancient marble statue believed to have been looted from Italy almost a half-century ago.

The dispute began in March 2022 when an Italian court ruled that the Minneapolis museum was irregularly in possession of the Stabiae Doriforo, a Roman-era copy of The Doryphoros of Polykleitos, an ancient Greek sculpture.

Rome claims that the sculpture was looted in the 1970s from an archaeological site at Stabiae, an ancient city close to Pompeii that was also covered by lava and ashes when Mount Vesuvius erupted in A.D. 79. A spokesman for Italy's Culture Ministry confirmed the ban on Wednesday.

— The Associated Press

CHICAGO

'Rat hole' removed, city says sidewalk damaged

CHICAGO » A Chicago sidewalk landmark some residents affectionately called the "rat hole" was removed Wednesday after city officials determined the section bearing the imprint of an animal was damaged and needed to be replaced, officials said.

The imprint has been a quirk of a residential block in Chicago's North side neighborhood of Roscoe Village for years, but it found fresh fame in January after a Chicago comedian shared a photo on the social media platform X.

The attention, however, quickly grew old for neighbors who complained about visitors that all hours, sometimes leaving coins and other items scattered across the sidewalk. Plus, most in the neighborhood argue that the imprint was actually caused by a squirrel.

— The Associated Press

OHIO

Family: woman charged in robbery was scam victim

FAIRFIELD TOWNSHIP, OHIO » A 74-year-old woman charged in the armed robbery of a credit union last week is a victim of an online scam who may have been trying to solve her financial problems, according to her relatives.

Ann Mayers, who had no previous run-ins with the law, faces counts of aggravated robbery with a firearm and tampering with evidence in Friday's robbery in Fairfield Township.

Officers arrested Mayers at her Hamilton home shortly after the robbery. A handgun was found in her car, which police allege she used in the robbery. Authorities later learned that Mayers might have been a scam victim and are looking into the claims. Her relatives told detectives that she had been sending money to an unidentified individual.

— The Associated Press

AUSTRALIA

7 alleged teen extremists linked to stabbing arrested

SYDNEY » Australian police arrested seven teenagers accused of following a violent extremist ideology in raids across Sydney, as a judge extended a ban on social media platform X sharing video of a knife attack on a bishop that started the criminal investigation.

The seven, aged 15 to 17, were part of a network that included a 16-year-old boy accused of stabbing a bishop in a Sydney church on April 15, police said. Clips of the stabbing were taken from the church service's livestream and subsequently made the rounds on X. An Australian regulator on Monday ordered the platform to take down the videos, an action the platform is fighting.

Other social media companies including Google, Microsoft, Snapchat and TikTok have complied with similar orders.

— The Associated Press

MINNESOTA

Veteran will finally get his Purple Heart medal, 73 years late

By Steve Karnowski
The Associated Press

MINNEAPOLIS » A Korean War veteran from Minnesota who still carries shrapnel in his leg from when he was wounded in combat will finally get his Purple Heart medal, 73 years late.

The U.S. Army notified Earl Meyer, 95, of St. Peter, on Monday that it has reversed itself and granted him a Purple Heart, which honors service members wounded or killed in combat.

The decision came after a campaign by his daughters and attorney, U.S. Sen.

Amy Kloubuchar of Minnesota championed his cause.

The Army's top noncombat officer — the sergeant major of the army — took an interest in the case after it had been rejected for years due to a lack of paperwork. U.S. District Judge John Tunheim this

year ordered an Army review board to take another look.

The Army sent Meyer's attorney a stack of documents Monday to notify them of the decision, including a certificate in color saying it was for wounds received in action on June 1951 in Korea.

NOTICE OF PUBLIC HEARING
BIRMINGHAM CITY COMMISSION

PUBLIC HEARING OF NECESSITY & SPECIAL HEARING FOR CONFIRMATION OF THE ROLL

Meeting Date, Time, Location: HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, May 6, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009

Meeting Date, Time, Location: HEARING FOR CONFIRMATION OF THE ROLL Monday, May 20, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009

Project Location: N. Worth Street from Rivenoak to Kennesaw and Knox to Maple, Rosedale Avenue from Oakland to Rivenoak, Oakdale Avenue from Oakland to Ridgedale, Oxford Drive from Madison to Rivenoak, Lawndale Avenue from Madison to Oakland, Chestnut Street from Elm to Adams, Hazel Avenue from Elm to Adams, Worthington Avenue from Southfield to Latham, Wakefield Drive from Southfield to Latham and Latham to Norfolk, and Southlawn Drive from Southfield to Latham.

Nature of Improvement: Unimproved road surfaces will be restored with a new cape-seal treatment as part of unimproved street maintenance program.

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

Notice Requirements: Newspaper Notice and First Class Mail to affected property owners 10 days prior. Publish 4/25/2024 & 5/1/2024

Approved minutes may be reviewed at: City Clerk's Office or www.bhamgov.org/commissionagendas

Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: https://zoom.us/j/655079760 Meeting ID: 655 079 760

You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012. The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll. All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

ADVERTISEMENT FOR BIDS

Owner: Hazel Park Schools - 1620 E. Elza, Hazel Park, MI 48030

Project: Hazel Park Schools, District Wide Door Assessment

The Hazel Park Schools will receive single prime sealed bids to furnish all labor and materials and perform all other work necessary and incidental to the project listed above, in accordance with published instructions, specifications, drawings and other contract documents.

Project Scope - General Construction: Provide all labor, material and equipment necessary to modify or replace existing doors or door hardware in select locations within existing buildings. All work on site is to be performed during non-scheduled academic times as posted on the District's Academic Calendar or after that date daily until notified. Note academic days and bell times vary by school.

Documents: Bid documents for all bid packages will be available on or about April 19, 2024. Bid documents can be electronically downloaded free of charge from the Architect. A written request for documents shall be sent to jhoulahan@partnersinarch.com.

Pre-Bid Meeting: Friday, April 26, 2024 at 3:00 p.m. The pre-bid meeting will be held at Hazel Park High School, 23400 Hughes Ave, Hazel Park, MI 48030 at the Main Entrance

Questions: Last day for questions is May 1, 2024 at 12:00 p.m. Questions should be directed to PARTNERS in Architecture, PLLC in writing and via email. Forward questions to: jhoulahan@partnersinarch.com.

Bid Deadline: Tuesday, May 7, 2024 at 2:00 p.m.

Bid Location: The Hazel Park Schools located at 1620 E. Elza, Hazel Park, MI 48030 to the attention of Jason Zirnig. Sealed bids must be received by the Bid Deadline. Bids received after the deadline and bids received electronically or via fax will not be accepted or considered. Bids will be publicly opened and read aloud immediately following the bid due time.

Bid Submit: Return TWO COMPLETE COPIES OF Bid The Board of Education shall not accept a bid that does not meet the following requirements: - Bidders MUST use the bid form(s) in the project manual. - Submit bid in a SEALED envelope, clearly labeled with bid title, date & time of the bid opening. - Bid Security - certified check or acceptable bid bond payable to The Hazel Park Schools, in an amount equal to five percent (5%) of the total bid. - Include sworn and notarized familial relationship(s) statement. - Include sworn and notarized Iran Economic Sanctions Act - Affidavit of Compliance. - Bonding - For bids exceeding \$50,000, successful bidder shall be able to provide a 100% Labor and Material Payment Bond and a Performance Bond.

Bids submitted shall fully comply in all respects to these instructions, published specifications, drawings and other contract documents. Bid price shall include all costs associated with this project.

No bid may be withdrawn for a period of sixty (60) days after the date of the bid opening. The Board reserves the right to reject any or all bids received and to waive any formalities in regard thereto. In addition, the Board reserves the right to evaluate bids on any basis determined by the Board to be in the best interest of the Board and to consider alternate bids if the low bidder(s) do(es) not meet the specifications or are otherwise determined to be unqualified.

Architect: PARTNERS in Architecture, PLLC 65 Maple, Suite 200, Mount Clemens, MI 48043-3800

NOTICE OF PUBLIC HEARINGS
BIRMINGHAM CITY COMMISSION

PUBLIC HEARING OF NECESSITY & PUBLIC HEARING FOR CONFIRMATION OF THE ROLL

Meeting Date, Time, Location: HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, May 6, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009

Meeting Date, Time, Location: HEARING FOR CONFIRMATION OF THE ROLL Monday, May 20, 2024, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009

Project Location: Pierce Alley, from Merrill Street to Pierce Street, and West Maple Alley, from Hennetta Street to Pierce Street

Nature of Improvement: Replacement and improvement to alley pavement, streetlight fixtures to bringing them to City Code, and dumpster screening.

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

Notice Requirements: Newspaper Notice and First Class Mail to affected property owners 10 days prior. Publish 4/25/2024 & 5/1/2024

Approved minutes may be reviewed at: City Clerk's Office or www.bhamgov.org/commissionagendas

Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: https://zoom.us/j/655079760 Meeting ID: 655 079 760

You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012. The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll. All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

2024 Cape Seal Program Project

Hearing of Necessity for Cape Seal Special
Assessment District (SAD)

Engineering
Department

Date: May 6, 2024



2024 Cape Seal Program

Cape Seal Special Assessment District

➤ Overview

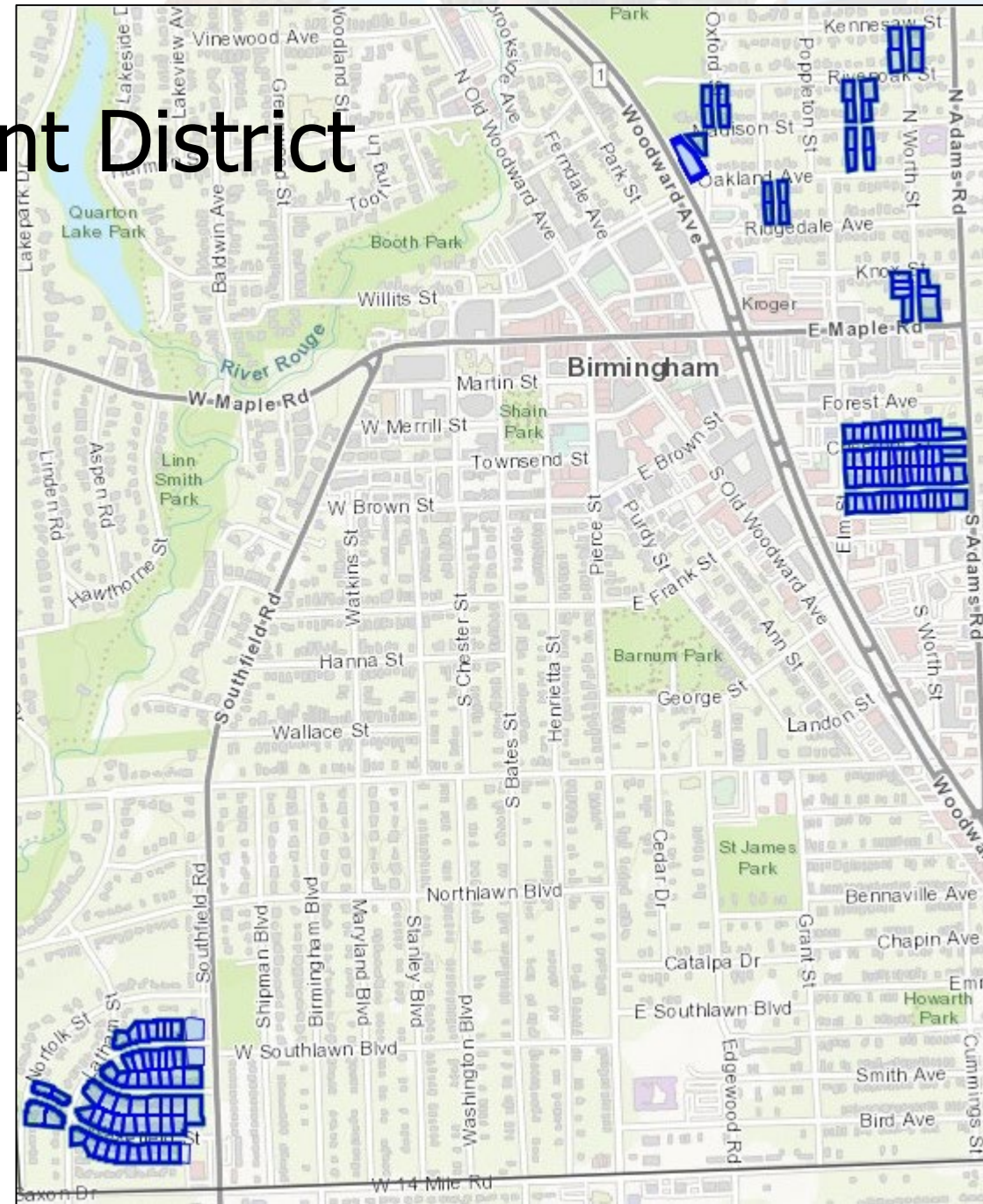
- Cape seal existing unimproved streets located in the southwest corner of the City between Norfolk Drive, Southfield Road, and Saxon Drive, and between Woodward Avenue to Adams Road north of Lincoln Road:
 - Worth: Kennesaw to Rivenoak, and Knox to Maple
 - Rosedale: Madison to Rivenoak
 - Oakdale: Oakland to Ridgedale
 - Oxford: Rivenoak to Madison
 - Lawndale: Madison to Oakland
 - Worthington – Southfield to Latham
 - Southlawn – Southfield to Latham
 - Wakefield – Southfield to Norfolk
 - Rosedale: Madison to Oak
 - Chestnut: Elm to Adams
 - Hazel: Elm to Adams
- Special Assessment District (SAD) for Cape Seal will defray the costs incurred by the City for construction of these improvements.

2024 Cape Seal Program Cape Seal Special Assessment District

➤ History

Previous Cape Seal Treatment:

Street Name	Start/End	Year Cape Sealed
N. Worth	Kennesaw/Rivenoak	2008
Rosedale	Full Street	2009
Oakdale	Full Street	2014
Oxford	Rivenoak / Madison	1997
Lawndale	Full Street	2014
Chestnut	Elm/Adams	2009
Hazel	Elm/Adams	2010
Worthington	Southfield to Latham	2009
Wakefield	Southfield to Latham	1997
	Latham to Norfolk	2009
W. Southlawn	Southfield to Latham	2009



2024 Cape Seal Program

Cape Seal Special Assessment District

➤ City Policy

- Maintenance on Unimproved Roads

- First Special Assessment District for “dustproofing”: 1948
- 85% of short-foot costs for all property fronting the improvement;
- 25% of long-foot costs for all residential property siding the improvement;
- 85% of long-foot costs for all improved business property siding the improvement and;
- 25% of long-foot costs for all unimproved business property siding the improvement.

2024 Cape Seal Program

Cape Seal Special Assessment District

➤ Project Costs

- Overall Estimated Project Costs: \$287,245.00
- Total Footage Along Project: 11,220.27 feet
- Assessable Footage Along Project: 7,001.43 feet
- Condominium Site:
 - Cost is prorated by the square footage of each unit

2024 Cape Seal Program

Cape Seal Special Assessment District

➤ Project Costs – Two Types of Construction

- Method One: Spot patch, double chip and slurry.
 - Cost: \$161,875.00
 - Length: 7,603.03 feet
 - Cost per foot: \$21.29
 - Worth: Kennesaw to Rivenoak
 - Worth: Knox to Maple
 - Rosedale: Madison to Rivenoak
 - Oakdale: Oakland to Ridgedale
 - Oxford: Rivenoak to Madison
 - Lawndale: Madison to Oaklan
 - Worthington – Southfield to Latham
 - Southlaw – Souhfield to Latham
 - Wakefield – Southfield to Norfolk
- Method Two: Pulverize, double chip and slurry.
 - Cost: \$125,370.00
 - Length: 3,617.24 feet
 - Cost per foot: \$34.66
 - Rosedale: Madison to Oak
 - Chestnut: Elm to Adams
 - Hazel: Elm to Adams

2024 Cape Seal Program Cape Seal Special Assessment District

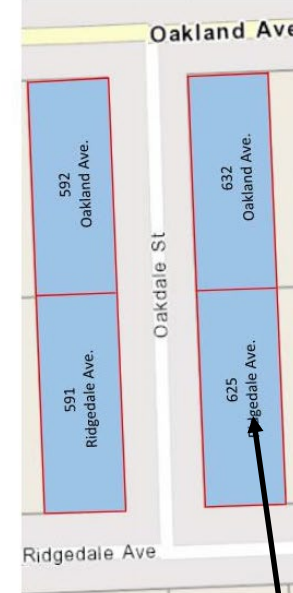
N. Worth Street:
Rivenoak to Kennesaw
and Knox to Maple



Rosedale Street:
Oakland to Rivenoak



Oakdale Street:
Oakland to Ridgedale



Oxford Drive:
Madison to Rivenoak



Properties included in
proposed Cape Seal
Treatment Special
Assessment District

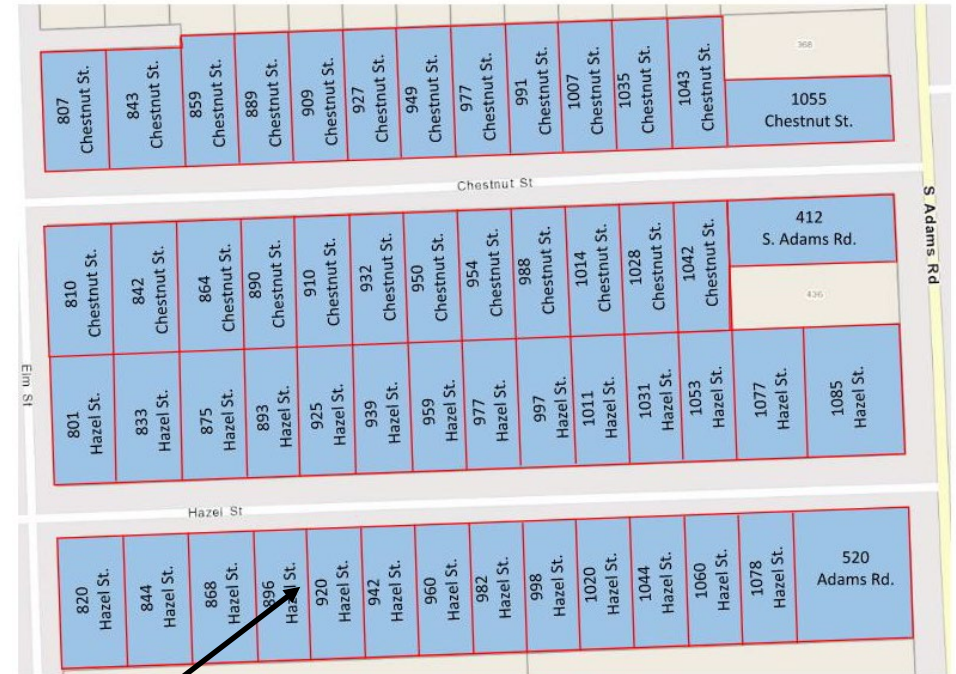
2024 Cape Seal Program Cape Seal Special Assessment District

Lawndale Street:
Madison to Oakland



Chestnut Street: Elm to S. Adams

Hazel Street: Elm to S. Adams



Properties included in
proposed Cape Seal
Treatment Special
Assessment District

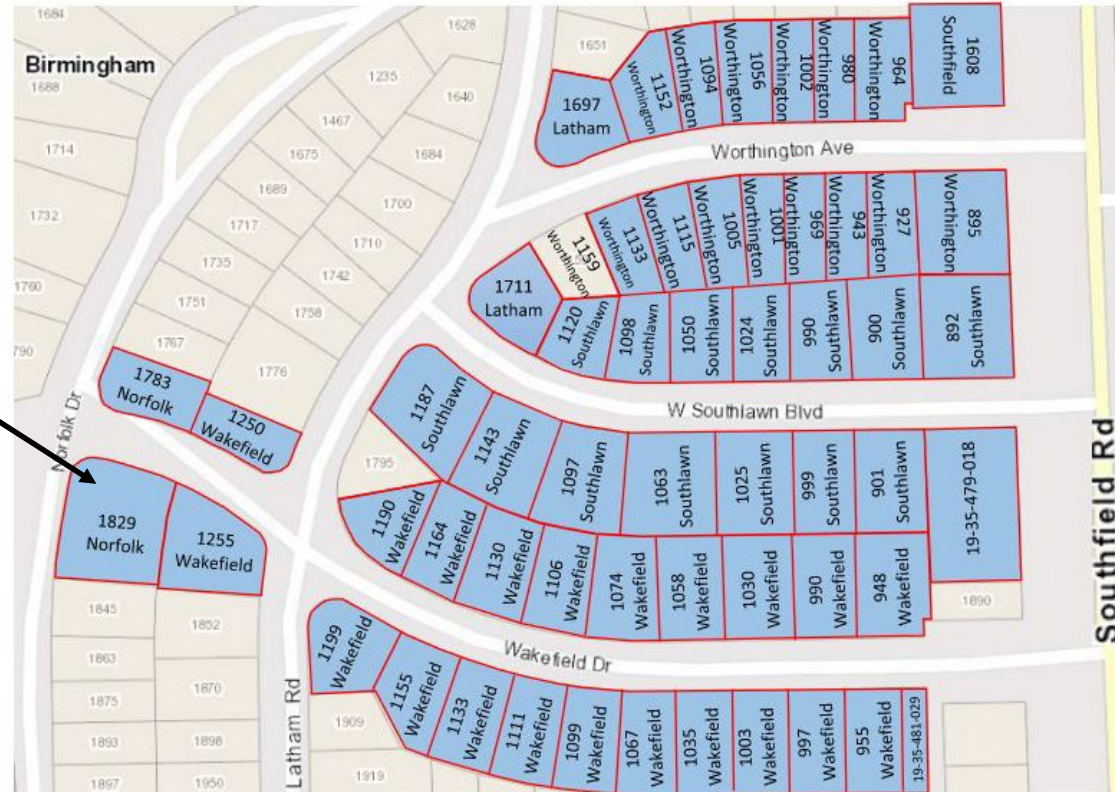
2024 Cape Seal Program Cape Seal Special Assessment District

Worthington Avenue: Southfield to Latham

Wakefield Drive: Southfield to Latham, and Latham to Norfolk

W. Southlawn Blvd.: Southfield to Latham

Properties included in proposed Cape Seal Treatment Special Assessment District



2024 Cape Seal Program

Cape Seal Special Assessment District



Existing Conditions
8B

2024 Cape Seal Program Cape Seal Special Assessment District



Existing Conditions
8B

2024 Cape Seal Program Cape Seal Special Assessment District



2024 Cape Seal Program Cape Seal Special Assessment District



2024 Cape Seal Program Cape Seal Special Assessment District

➤ Summary

- The Engineering Department recommends City Commission declare a necessity and approve the SAD for 2024 Cape Seal Program for cape seal treatment.
- Should the Commission approve the SAD, a public hearing for confirmation of the roll will be held on May 20, 2024.



MEMORANDUM

Department of Public Services

DATE: April 29, 2024

TO: Jana L. Ecker, City Manager

FROM: Carrie Laird, Parks and Recreation Manager

APPROVED: Scott Zielinski, DPS Director

SUBJECT: Michigan Natural Resources Trust Fund Grant Application- IN PROGRESS

INTRODUCTION:

Administered by the Michigan Department of Natural Resources (MDNR), the Michigan Natural Resources Trust Fund (MNRTF) grants support state and local units of government with acquisition and development projects that promote natural resource based public recreation opportunities.

Communities must include an approved resolution by their governing body in order to apply. At the March 18, 2024 City Commission meeting, the Department of Public Services (DPS) requested permission to apply for a Trust Fund grant for the Booth Park Entry Plaza and Trail Improvements by way of a report on the consent agenda and the resolution was passed.

BACKGROUND:

Upon approval to move forward with the grant application, DPS submitted Birmingham's application for a Trust Fund Grant. Upon a preliminary review, the MDNR Grant Coordinator reached out for more information, in particular the opportunity for the public to comment on the application. After discussion and review of minutes and agendas, the area grant coordinator for the MDNR is not satisfied with the amount of opportunity the public had to provide feedback due to the placement of the application on the consent agenda rather than under new business. By placing the grant application on new business at the May 6, 2024 Commission meeting, DPS is ensuring that the public has a clear opportunity to give their feedback.

The report from the March 18, 2024 City Commission meeting is attached for more background information on the grant application for the Booth Park Entry Plaza and Trail Improvements project.

LEGAL REVIEW:

The City Attorney has reviewed the resolution and has no objection.

FISCAL IMPACT:

This grant would potentially award Birmingham up to \$266,000 to apply toward the cost of the Booth Park Section of the Trail Improvements project. Funding for the Trail Improvements project including the Booth Park corner feature is budgeted and available with Parks and Recreation Bond Funding, with the upcoming next bond issue this year. Matching funds are not required, but encouraged. A local match of at least 51% is included in the application.

PUBLIC COMMUNICATION:

The department has communicated its intention of applying for this grant with the Parks and Recreation Board. Should Birmingham be awarded a MNRTF grant, it will be communicated through all appropriate avenues.

SUSTAINABILITY:

This project's vision includes sustainable features and will be incorporated as part of the application.

SUMMARY:

The Department of Public Services recommends approving the attached resolution so that Birmingham may apply for the Michigan Department of Natural Resources Trust Fund Grant.

ATTACHMENTS:

- Resolution of Authorization for Birmingham to apply for a grant from the Michigan Natural Resources Trust Fund
- Report from the March 18, 2024 City Commission Meeting
- March 18, 2024 City Commission Meeting [Agenda](#) / [Minutes](#) (web link)
- [Michigan Natural Resources Trust Fund Program Overview](#) (web link)

SUGGESTED COMMISSION ACTION:

Make a motion adopting and approving the attached resolution, authorizing Birmingham to apply for a Michigan Natural Resource Trust Fund (MNRTF) grant through the Michigan Department of Natural Resources (MDNR), and further directing the City Clerk to sign the resolution.

**CITY OF BIRMINGHAM
OAKLAND COUNTY, MICHIGAN**

**RESOLUTION TO AUTHORIZE AN APPLICATION TO THE MICHIGAN
DEPARTMENT OF NATURAL RESOURCES GRANT FUND**

Resolution # _____

At a regular meeting of the Birmingham City Commission, held in the Commission Room at the Birmingham Municipal Building (151 Martin St., Birmingham MI) on March 18, 2024, the following resolution was offered:

WHEREAS, each year the Michigan Natural Resources Trust Fund (“MNRTF”) invites state and local units of government in Michigan to submit proposals for the development of land for natural resource-based public outdoor recreation; and

WHEREAS, the City of Birmingham adopted a required 5-year, year 2024 – 2028, Parks and Recreation Master Plan on December 18, 2023; and

WHEREAS, the 2024-2028 Parks and Recreation Master Plan’s Strategic Action Plan includes the completion of the Rouge River Trail Corridor improvements as conceptually described in the City of Birmingham’s Trail Concept Improvement Plan; and

WHEREAS, completion of the Trail Concept Improvement Plan would greatly advance and improve access to natural resource-based public outdoor recreational opportunities by increasing access to the Rouge River and increasing the accessibility of the trail system, and funding is necessary to Booth Park Entry Plaza, Trail Entry, Restroom Building and Landscape Improvements; and

WHEREAS, the City of Birmingham City Commission supports the submission of an application titled “Booth Park Entry Plaza and Trail Improvements” for development of the Booth Park Entry Plaza, Trail Entry, Restroom Building and Landscape Improvements; and

WHEREAS, the estimated cost of construction of the Booth Park Entry Plaza, Trail Entry, Restroom Building and Landscape Improvements is **\$543,400**; and

WHEREAS, the City of Birmingham has made a financial commitment to the project in the amount of a minimum of **\$277,400** matching funds (approximately **51%**), in cash or in other grant funds; and

WHEREAS, the City of Birmingham accepts the long-term grant obligations, which include:

- The land included in the boundary of the project site must remain open to public outdoor recreation use in perpetuity.

- The grantee must maintain the site, including any other facilities constructed with grant assistance, and include access in compliance with the 2010 ADA Standards for Accessible Design.
- Installation of a 12" x 18" MNRTF plaque.; and

WHEREAS, the public was invited to comment and provide input on the City of Birmingham's application to the MNRTF at the City Commission's regular meeting held on May 6, 2024,

NOW THEREFORE BE IT RESOLVED, the City of Birmingham hereby authorizes the submission of a MNRTF Grant application for **\$266,000** and further resolves to make available its financial obligation amount of **\$277,400** in the **2024-2025** fiscal year.

Yeas:

Nays:

Absent:

I, _____, (title), do hereby certify that the foregoing is a true and original copy of a resolution adopted by the City of Birmingham at a regular meeting thereof held on the 6th day of May, 2024.



MEMORANDUM

Department of Public Services

DATE: March 12, 2024
TO: Jana L. Ecker, City Manager
FROM: Carrie Laird, Parks and Recreation Manager
APPROVED: Scott Zielinski, DPS Director
SUBJECT: Michigan Natural Resources Trust Fund Grant Application

INTRODUCTION:

Administered by the Michigan Department of Natural Resources (MDNR), the Michigan Natural Resources Trust Fund (MNRTF) grants support state and local units of government with acquisition and development projects that promote natural resource based public recreation opportunities.

Communities must include an approved resolution by their governing body in order to apply.

BACKGROUND:

The Department Public Services plans to apply for a MDNR Trust Fund grant to be applied toward the Booth Park Section of Trail Improvements. To be eligible to apply, local communities must have an up to date five (5) year Parks and Recreation Plan on file with the State of Michigan.

Trail improvements are slated as a priority project as part of the approved Parks and Recreation Bond. The City Commission accepted the Trail Improvement Concept Plan in September of 2023 and authorized pursuing the development of the Booth Park Section of the Trail Improvement Concept Plan. The Booth Park Entry Plaza and Trail Improvements is our next priority project in the queue, to accomplish with Parks and Recreation Bond funding. We have a concept plan, cost estimate, and are planning for funding available for a match in 2024-2025. Additionally, we are expecting the award of Professional Design Services for this project to prepare designs and specifications over the next few months to prepare for the construction project, anticipated to begin in the spring of 2025.

The Booth Park Entry Plaza and Trail Improvements project will incorporate green infrastructure and sustainability features where suitable, gardens, trees, seating and gathering area designed for intensive use, a restroom facility, and trail entry identifiers and connectivity improvements including confidence markers and wayfinding in navigating from Booth Park to the rest of the trail system..

The City will ask for grant funding for the Booth Park Section of the Trail Improvements Plan only.

The Department continues to explore other grant opportunities as we move forward with park development projects. We have been awarded a pre-development grant to apply toward the cost of preparing designs and construction specifications for the Booth Park Section of the Trail Improvements project from the 2023 Oakland County Parks and Recreation Trailways program as well.

LEGAL REVIEW:

The City Attorney has reviewed the resolution and has no objection.

FISCAL IMPACT:

This grant would potentially award Birmingham up to \$266,300 to apply toward the cost of the Booth Park Section of the Trail Improvements project. Funding for the Trail Improvements project including the Booth Park corner feature is budgeted and available with Parks and Recreation Bond Funding, with the upcoming next bond issue this year. Matching funds are not required, but encouraged. A local match of at least 51% is included in the application.

PUBLIC COMMUNICATION:

The department has communicated its intention of applying for this grant with the Parks and Recreation Board. Should Birmingham be awarded a MNRTF grant, it will be communicated through all appropriate avenues.

SUSTAINABILITY:

This project's vision includes sustainable features and will be incorporated as part of the application.

SUMMARY:

The Department of Public Services recommends approving the attached resolution so that Birmingham may apply for the Michigan Department of Natural Resources Trust Fund Grant.

ATTACHMENTS:

- Resolution of Authorization for Birmingham to apply for a grant from the Michigan Natural Resources Trust Fund
- [Michigan Natural Resources Trust Fund Program Overview](#) (web link)

SUGGESTED COMMISSION ACTION:

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**CITY OF BIRMINGHAM
OAKLAND COUNTY, MICHIGAN**

**RESOLUTION TO AUTHORIZE AN APPLICATION TO THE MICHIGAN
DEPARTMENT OF NATURAL RESOURCES GRANT FUND**

Resolution # _____

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WHEREAS, the 2024-2028 Parks and Recreation Master Plan's Strategic Action Plan includes the completion of the Rouge River Trail Corridor improvements as conceptually described in the City of Birmingham's Trail Concept Improvement Plan; and

WHEREAS, completion of the Trail Concept Improvement Plan would greatly advance and improve access to natural resource-based public outdoor recreational opportunities by increasing access to the Rouge River and increasing the accessibility of the trail system, and funding is necessary to Booth Park Entry Plaza, Trail Entry, Restroom Building and Landscape Improvements; and

WHEREAS, the City of Birmingham City Commission supports the submission of an application titled "Booth Park Entry Plaza and Trail Improvements" for development of the Booth Park Entry Plaza, Trail Entry, Restroom Building and Landscape Improvements; and

WHEREAS, the estimated cost of construction of the Booth Park Entry Plaza, Trail Entry, Restroom Building and Landscape Improvements is **\$543,400**; and

WHEREAS, the City of Birmingham has made a financial commitment to the project in the amount of a minimum of **\$277,400** matching funds (approximately **51%**), in cash or in other grant funds; and

WHEREAS, the City of Birmingham accepts the long-term grant obligations, which include:

- The land included in the boundary of the project site must remain open to public outdoor recreation use in perpetuity.
- The grantee must maintain the site, including any other facilities constructed with grant assistance, and include access in compliance with the 2010 ADA Standards for Accessible Design.
- Installation of a 12" x 18" MNRTF plaque.; and



Alex Bingham <abingham@bhamgov.org>

Question raised by Bryan Connolly

1 message

George Abraham <gabraham@comcast.net>

Mon, Apr 15, 2024 at 1:39 PM

To: Elaine McLain <elaine_mclain@us.aflac.com>, "emclain@bhamgov.com" <emclain@bhamgov.com>

Cc: "clinton@baller4bham.com" <clinton@baller4bham.com>, "kschafer@bhamgov.com" <kschafer@bhamgov.com>, "along@bhamgov.org" <along@bhamgov.org>, "tlonge@bhamgov.org" <tlonge@bhamgov.org>, "ahaig@bhamgov.org" <ahaig@bhamgov.org>, "bhost@bhamgov.org" <bhost@bhamgov.org>, "jecker@bhamgov.org" <jecker@bhamgov.org>, Alex Bingham <abingham@bhamgov.org>, "mkucharek@bhmlaw.us.org" <mkucharek@bhmlaw.us.org>, "bconnolly1@aol.com" <bconnolly1@aol.com>

Elaine,

I voted to narrow Arlington and add sidewalks. I wished we had sidewalks when we moved here with little children in 1992 and now for our grandchildren. I felt that the inconvenience of such a major disruption would be worth it in the end. However, since the sidewalks are not to be, I don't understand why less disruptive methods of installing new water and sewer lines can't be used. This is essentially what Dr. Connolly is asking (see attached email).

My understanding of the City's reasoning is as follows: If an "unimproved" street needs major underground work, it makes sense to remove the existing street, do the underground work, and rebuild the street to an "improved" standard. If, on the other hand, a given street is already "improved" and underground work is needed, then less disruptive methods are used, e.g. HDD.

The above certainly makes sense to me. However, what I don't understand is why Arlington is considered "unimproved." The existing drains work well for water removal. In our 32 years here, I can't recall any flooding on the street (except for water line breaks). The curbs are aesthetically pleasing and make possible efficient snow and leaf removal. What features will be added to Arlington when it becomes "improved?"

George Abraham
898 Arlington

 **Brian Connolly Commissioner Letter, 4-14-24..pdf**
384K

jmirro

From: bconnolly1@aol.com
Sent: Sunday, April 14, 2024 5:01 PM
To: Jmirro
Subject: Fw: Arlington/Shirley project.

Sent from AOL Mobile Mail

Begin forwarded message:

On Sunday, April 14, 2024, 4:51 PM, bconnolly1@aol.com <bconnolly1@aol.com> wrote:

Dear Commissioners,

Please give further consideration to Jim Miro's suggestions. He has done a great deal of research on this matter and his proposals appear compelling and prudent. He appears to have the broad support of the residents of these streets. Jim has done a very good job of communicating the research and rationale for these but it has been difficult for me to get a perspective on the city's view of these other than to say no. The rejection of his proposal last week appears to have been on procedural rather than substantive grounds. One of the City Commissioners has communicated to me that the City Engineer has explained why the alternative sewer replacement method will not work but gaining access to this type of information is difficult for those of us who are not familiar with the workings of city government. I am again requesting that the city provide a more direct statement or a link on the City website as to why there is no alternative other than proceeding with such a costly and disruptive process at this time. My assumption is that everybody is acting in good faith in this matter but it would be reassuring if the rationale for proceeding in the face of what appear to be reasonable objections could be more clearly communicated.

Again, my thanks for your service and dedication.
Brian Connolly MD.
843 Arlington.

Sent from AOL Mobile Mail

4/14/2024



Alex Bingham <abingham@bhamgov.org>

Birmingham "Road Scoring List"

1 message

Lauren Buttazzoni <lmbuttazzoni@comcast.net>

Mon, Apr 15, 2024 at 11:24 AM

To: "emclain@bhamgov.com" <emclain@bhamgov.com>, "kschafer@bhamgov.com" <kschafer@bhamgov.com>, "along@bhamgov.org" <along@bhamgov.org>, "tlonge@bhamgov.org" <tlonge@bhamgov.org>, "ahaig@bhamgov.org" <ahaig@bhamgov.org>, "bhost@bhamgov.org" <bhost@bhamgov.org>, "jecker@bhamgov.org" <jecker@bhamgov.org>, "abingham@bhamgov.org" <abingham@bhamgov.org>, "mkucharek@bhlaw.us.com" <mkucharek@bhlaw.us.com>

Dear Mayor McLain:

It is my understanding that the attached "Unimproved Scoring List" was part of the October 2 2023 Special Commission Workshop Meeting. **If that is true, then why are Arlington/Shirley roads--ranked 29th on a list of 31 roads--scheduled for work ahead of the other 28 roads? Please respond at the meeting tonight.** It is also my understanding--direct from homeowners on Fairway Street--that something like this happened when the City tried to do work on Fairway several years ago, which street similarly "jumped ahead" of other roads on a published list of roads needing work, which list may or may not be similar to the attached "scoring list." I am trying to find out more about that now. You may also recall that at the end of one of the City meetings in January, Commissioner Shafer, who lives on Fairway, stated that that she has "*a personal interest*" in this matter (referring to Arlington/Shirley sidewalks/roads), and she went on to describe in much detail about that when she purchased her home on Fairway about seven years ago that she did not realize until the night before her closing there were no sidewalks, and so she went to work on getting them added, for safety reasons, noting she had small children at the time, and the City did indeed try to add them, but that they were not added due to pushback and resistance from Fairway residents. Is any of this relevant? We all know that Commissioner Baller lives on Shirley and that he has correctly recused himself from these Arlington/Shirley matters.

Like Brian Connolly, an Arlington resident who wrote an email to you over the weekend, I also assume that everyone is acting in good faith, but in light of all that has gone before including seemingly scant consideration of less damaging and costly alternatives, a very reasonable question has been asked, and it deserves a direct and transparent answer. **Why has the City catapulted Arlington and Shirley Roads to the top of this list?**

*There are other issues here.

Sincerely,
Lauren Mirro Buttazzoni
Former Arlington resident
248.866.2830



Alex Bingham <abingham@bhamgov.org>

Arlington/Shirley project.

1 message

'bconnolly1@aol.com' via City Commission <city-commission@bhamgov.org>

Sun, Apr 14, 2024 at 4:51 PM

Reply-To: "bconnolly1@aol.com" <bconnolly1@aol.com>

To: City Commission <city-commission@bhamgov.org>

Dear Commissioners,

Please give further consideration to Jim Miro's suggestions. He has done a great deal of research on this matter and his proposals appear compelling and prudent. He appears to have the broad support of the residents of these streets. Jim has done a very good job of communicating the research and rationale for these but it has been difficult for me to get a perspective on the city's view of these other than to say no. The rejection of his proposal last week appears to have been on procedural rather than substantive grounds. One of the City Commissioners has communicated to me that the City Engineer has explained why the alternative sewer replacement method will not work but gaining access to this type of information is difficult for those of us who are not familiar with the workings of city government. I am again requesting that the city provide a more direct statement or a link on the City website as to why there is no alternative other than proceeding with such a costly and disruptive process at this time. My assumption is that everybody is acting in good faith in this matter but it would be reassuring if the rationale for proceeding in the face of what appear to be reasonable objections could be more clearly communicated.

Again, my thanks for your service and dedication.

Brian Connolly MD.
843 Arlington.

Sent from AOL Mobile Mail

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You received this message because you are subscribed to the Google Groups "City Commission" group.

To unsubscribe from this group and stop receiving emails from it, send an email to city-commission+unsubscribe@bhamgov.org.To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/810994568.5493066.1713127863489%40mail.yahoo.com>.



Alex Bingham <abingham@bhamgov.org>

Arlington/Shirley project.

1 message

'bconnolly1@aol.com' via City Commission <city-commission@bhamgov.org>

Tue, Apr 30, 2024 at 9:15 PM

Reply-To: "bconnolly1@aol.com" <bconnolly1@aol.com>

To: City Commission <city-commission@bhamgov.org>

Dear Commissioners,

Please allow this issue to be placed on the agenda for next week's meeting. Jim Mirro continues to make what appears to be a very strong case for a less expensive and disruptive approach to resurfacing our streets and has marshaled impressive support for his argument from various authorities. The city appears to be unreceptive to this but I feel that we deserve a proper airing in public and a clearer explanation for the city's rationale for opposing it.

Again, thank you for your impressive time and service which I did not really appreciate until I began following this issue.

Brian Connolly MD
843 Arlington.

Sent from AOL Mobile Mail

--

You received this message because you are subscribed to the Google Groups "City Commission" group.

To unsubscribe from this group and stop receiving emails from it, send an email to city-commission+unsubscribe@bhamgov.org.

To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/1025057251.3096602.1714526116118%40mail.yahoo.com>.



Alex Bingham <abingham@bhamgov.org>

Fwd: New Information & New Proposal

1 message

Clinton Baller <cmballer@avidpays.com>

Sun, Apr 14, 2024 at 7:59 AM

To: City Commission <city-commission@bhamgov.org>, Jana Ecker <Jecker@bhamgov.org>, "Kucharek, Mary" <mkucharek@bhlaw.us.com>

Begin forwarded message:

From: jmirro <jmirro@intromarketing.com>**Date:** April 13, 2024 at 11:16:56 PM EDT

To: lou baughmam <jolobman@sbcglobal.net>, karleenovice@gmail.com, asimmons@boon-health.com, Kerry Milliron <kerrymilliron@gmail.com>, loribconway@comcast.net, Lisa Drake <carnegied@msn.com>, Mike Walsh <mike_walsh_4@yahoo.com>, Midge Moran <midgemoran@kw.com>, georgenemoran@gmail.com, n.ramdev@yahoo.com, jrsteeds@gmail.com, Mike Minelli <mike@minellifamily.com>, Pamela Minelli <pam@minellifamily.com>, repstein@ajmpack.com, Joan Epstein <jmce55@aol.com>, Joe Durham <joemdurham@gmail.com>, vanessar626@yahoo.com, Charles Schwartz <cschwartz14@mac.com>, csosnick14@mac.com, Gretchen Gonzales Davidson <ggdavidson444@gmail.com>, christinetobiascolman@gmail.com, dgdelgrosso1234@comcast.net, Paula_DelGrosso@comcast.net, Sherry McCormick <szmccorm789@aol.com>, Lorry Schwegman <llschwegman18@gmail.com>, Heidi Pinkert <gtbmidr@gmail.com>, sawbone <sawbone@comcast.net>, bconnolly1@aol.com, Mary Connolly <mlconnolly7@gmail.com>, lindsay.lee.vansyckle@gmail.com, Gail Abraham <babydoc54@gmail.com>, gabraham@comcast.net, Valerie Trivax <vtree@aol.com>, GEOFFREY TRIVAX <gatree@aol.com>, dabloom2002@yahoo.com, davembloom@yahoo.com, Kris Sawyer <antiquer62@aol.com>, Yan S <poshrental@gmail.com>, jlannen57@aol.com, jeanlannen@mac.com, Lana Gmail <lshaffou@gmail.com>, tshaffou@gmail.com, Elaine C Hazel <echazel2@yahoo.com>, Gary Saltzgiver <gsaltzgiver@yahoo.com>, Jenny Shebib <jcshebib@yahoo.com>, Nick Shebib <nshebib@yahoo.com>, rbillmey@gmail.com, dbillmey@gmail.com, Alfred Fisher IV <AJFisher4@fisherco.com>, Brooke Fisher <brookesfisher@me.com>, drteetime@aol.com, Alice Silbergleit <asilbergleit@gmail.com>, Alex Davis <kalex328@aol.com>, andrea@andreabrowninteriors.com, David Mendelson <DM@mendelsonlaw.net>, duncan.aldred@googlemail.com, theresamcarter@gmail.com, dave.mitchell@trpfund.com, davidfw8@gmail.com, s h <sbh_999@yahoo.com>, gretamyers@gmail.com, delarosa2@gmail.com, virgie.holcombe@gmail.com, Stuart Borman <sb@borman.net>, hilaryborman@gmail.com, mosquetfamily@hotmail.com, sjlnyc@aol.com, William Edmunds <williamcedmunds@gmail.com>, JOHN SMITH <johnjrpop@aol.com>, Joan Smith <lightbodysmith@aol.com>, cherbear1648@yahoo.com, Lauren Buttazzoni <lmbuttazzoni@comcast.net>, Paul Reagan <pmreagan@gmail.com>, Barbara Heller <bheller@dia.org>, Tom Booth <tlbooth999@gmail.com>, Kathleen Milford <kmilford47@aol.com>, docmilford@aol.com

Subject: FW: New Information & New Proposal

Dear Neighbors & Friends,

[Feedback & Latest Letter](#): Thank you for the feedback on my last letter that recapped the 4-8-24 Commission Meeting and laid out some alternative courses of action going forward. I received quite a range of comments and appreciate hearing all of your viewpoints. While sorting through your comments, I discovered a street scoring exhibit ranked by water, sewer and pavement conditions that gave me the idea for the attached letter that asks the Mayor for a different vote at the next Commission Meeting this coming Monday, 4-15-24.

Summary: My letter is asking the Mayor why the City Staff is planning on Arlington/Shirley street work being done this year when this exhibit lists 27 other streets more in need of work based on a 3-factor condition scale, including water pressure and volume. If a satisfactory answer is not forthcoming from the City Manager, I am asking the Mayor to hold a vote on delaying the decision on Arlington/Shirley until work is done on the other 27 streets and I give 7 reasons why this makes sense. This vote will give the Commission one more opportunity to avoid litigation this year about our streets triggered by a Special Assessment action scheduled for next month. I plan to attend Monday's meeting and give you a recap on what happens.

Tax Tribunal/Circuit Court: Because some of you recommended in your feedback to focus on appeals to the MI Tax Tribunal or to do this in addition to Circuit Court litigation, I spoke with the MTT Chief Law Clerk during the past week. She confirmed that the Tax Tribunal has no injunctive power, that all appeals must be done individually, that each appeal must pay the separate \$100 to \$250 fee and that the entire process usually takes 18 months once an acceptable appeal form is filed (which may take additional time). Based on this information, it would seem more cost effective and timely to pursue the circuit court litigation alternative if no compromise with the City is reached before the Special Assessment Notices are sent out or if the City does not reschedule our street work until after the other 27 streets are done.

Correction: After sending my last recap, I received a phone call from David Bloom who told me that I used the wrong verb to describe his comments at the 4-8-24 Commission Meeting. I reported that David said he "would" take legal action if the Commissioners did not discuss free speech and due process rights, but David tells me that he really said that he "could" take legal action among other options. I am sorry for this reporting error and I am glad that all Commission Meetings are recorded so that the correct statements can always be found if needed.

Letters: If you agree with the proposal in this letter to the Mayor and wish to add your comments, you are welcome to send an email tomorrow or early Monday to Mayor McLain with a cc to the other Commissioners that states something like the following: "Please vote on Monday to delay Arlington/Shirley street project work until work is completed on all other 27 streets with a higher need ranking. Thank you." Shown below are the email addresses to do this:

To: emclain@bhamgov.com;

Cc: kschafer@bhamgov.com; along@bhamgov.org; tlonge@bhamgov.org; ahaig@bhamgov.org; bhost@bhamgov.org; jecker@bhamgov.org; abingham@bhamgov.org; mkucharek@bhmlaw.us.org.

Bcc: jmirro@intromarketing.com (if you wish to share your letter with our neighbors.)

Attendance: If you would like to join me at the meeting Monday evening, it starts at 7:30 pm in the second floor conference room of City Hall, 151 Martin Street. If you wish not to receive future status reports, please reply "Unsubscribe." Thank you.

Jim Mirro

248-420-5113

From: [jmirro](mailto:jmirro@intromarketing.com) [mailto:jmirro@intromarketing.com]

Sent: Saturday, April 13, 2024 7:25 PM

To: 'Elaine McLain'

Cc: 'kschafer@bhamgov.org'; 'along@bhamgov.org'; 'tlonge@bhamgov.org'; 'ahaig@bhamgov.org';

10A

'bhost@bhamgov.org'; 'Jana Ecker'; 'abingham@bhamgov.org'; 'mkucharek@bhlaw.us.com'

Subject: New Information & New Proposal

Dear Mayor McLain,

Background: Thank you for permitting a discussion of the Arlington/Shirley street project last Monday. We agree that the absence/recusal of two Commissioners would have made it difficult to achieve a “super majority” approval of our proposed HDD motion had a vote been taken.

New Information: Since then, however, we have learned about the attached exhibit, “Unimproved Road Scoring List” that was part of the Special Commission Workshop Meeting of October 2, 2023. Using points for water, sewer and road conditions, this exhibit ranks Arlington/Shirley in 28th place on a list of 30 streets needing work, including water pressure and volume.

Previously our streets had been ranked higher on the City Staff list. What has not been explained since last October is why City Staff is still proposing Arlington/Shirley work be done in 2024 when 27 other streets should receive work benefits before our streets do. Something is wrong here.

New Proposal/Rationale: In view of this new information, Arlington/Shirley property owners are requesting that you ask the City Staff in the 4-15-24 Meeting why our streets must be worked on in 2024 in view of their ranking below 27 other streets. If the answer is not worth litigation, then we ask you to make a motion and ask for a vote to have our street project decided upon after all other 27 street projects are completed. This is being requested for the following reasons.

First, delaying our street work past 2024 will provide time for a dozen new house projects to be completed before a new pavement is subjected to heavy equipment traffic that we have already seen did not fare well on Westwood Street.

Second, delaying our work will give the City Staff more time to get familiar with HDD results and the HDD contractor used on the Redding Street project.

Third, with additional turnover of residents on our streets, the City may find more residents in favor of street replacement at a later date.

Fourth, this motion does not require a “super majority” of votes to pass.

Fifth, delaying this decision gives both the City Staff and property owners time to consider alternatives to litigation to solve a difference in work methods.

Sixth, delaying this decision avoids the appearance of any special interest bias for replacement.

Seventh, our streets will not set a precedent for other streets now categorized as “unimproved.”

Recommendation: For all these reasons, we request a motion and vote on 4-15-24 with these words:
"The decision for water main/sewer upgrades for Arlington/Shirley Streets will not be made until decisions for all other streets with higher block ratings are made."

Risk Assessment: By voting "yes" on this motion now, the City Commission will not only eliminate the risk of litigation, but will also eliminate workload for City Staff that could be spent on the other 27 street projects with a higher need ranking. And there is really no downside risk since this vote is just reordering the approval process to be in line with a point-system priority list that is agreed upon by the City Staff. Finally, this wording allows for a future re-ordering of Arlington/Shirley Streets on this list and the date of their approval decision in the event that street ratings change again at a future date. Thank you.

Jim Mirro, Resident Agent

Save Our Streets & Trees

A MI Nonprofit Foundation

248-420-5113

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You received this message because you are subscribed to the Google Groups "City Commission" group.
To unsubscribe from this group and stop receiving emails from it, send an email to city-commission+unsubscribe@bhamgov.org.
To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/CAG8Vh9Fn7kOkdJMPU4kO3P1OR2L7%3D1czujKbHGqqF4xvtmxETA%40mail.gmail.com>.

 **Unimproved Road Scoring List, 10-2-23..pdf**
717K

Unimproved Road Scoring List

Unimproved Roads Infrastructure Block Ratings

Roadsoft Block Name	Street (GIS Block Name)	Begin	End	Road Type	2023 Water Points (0-100)	2019 Sewer Points (0-100)	Road Points (0-100)	Total Block Rating (0-300)
BLOOMFIELD OLDWOODWARD	BLOOMFIELD	OLDWOODWARD	DEAD END	Unimproved	100	89	70	262
WIMBLETON OXFORD POPPLETON	WIMBLETON	OXFORD	WIMBLETON	Unimproved	94	93	70	258
OXFORD ABBEY WIMBLETON	OXFORD	ABBEEY	WIMBLETON	Unimproved	100	77	70	250
SHEPARDBUSH WAARWICK	SHEPARDBUSH	WAARWICK	WIMBLETON	Unimproved	100	77	70	250
TORRY TAUNTON SHEFFIELD BRADFORD	TORRY	TAUNTON	SHEFFIELD	Unimproved	94	72	80	248
HENLEY ABBEY OXFORD	HENLEY	ABBEEY	OXFORD	Unimproved	100	73	70	246
HENLEY WAARWICK OXFORD	HENLEY	WAARWICK	OXFORD	Unimproved	100	73	70	246
TAUNTON WOODWARD TORRY	TAUNTON	WOODWARD	TORRY	Unimproved	100	71	70	244
BRADFORD SHEFFIELD TORRY CROFT	BRADFORD	SHEFFIELD	TORRY	Unimproved	94	72	70	239
WAARWICK ABBEY HENLEY	WAARWICK	ABBEEY	HENLEY	Unimproved	100	75	60	239
ABBEEY HENLEY	ABBEEY	HENLEY	DEAD END	Unimproved	100	54	70	237
ABBEEY HENLEY OXFORD	ABBEEY	HENLEY	OXFORD	Unimproved	100	64	70	237
LARCHLEY LINCOLN MIDVALE	LARCHLEY	LINCOLN	MIDVALE	Unimproved	100	80	50	235
TOTTENHAM HENLEY	TOTTENHAM	HENLEY	SHEPARDBUSH	Unimproved	100	59	70	232
WAARWICK HENLEY WIMBLETON	WAARWICK	HENLEY	WIMBLETON	Unimproved	100	77	50	232
HENLEY TOTTENHAM PUTNEY	HENLEY	TOTTENHAM	PUTNEY	Unimproved	100	58	70	231
TOTTENHAM HENLEY WAARWICK	TOTTENHAM	HENLEY	WAARWICK	Unimproved	100	58	70	231
HUMPHREY ETON TAUNTON	HUMPHREY	ETON	WAARWICK	Unimproved	76	72	80	230
WESTWOOD RAYNALE OAK	WESTWOOD	RAYNALE	OAK	Unimproved	100	75	50	230
STANLEY WALLACE LINCOLN	STANLEY	WALLACE	LINCOLN	Unimproved	87	86	50	228
FARWAY GREENLAWN GOLFWAY	FARWAY	GREENLAWN	GOLFWAY	Unimproved	83	79	60	226
GREENLAWN HILLSIDE FAIRWAY	GREENLAWN	HILLSIDE	FAIRWAY	Unimproved	83	79	60	226
WESTWOOD OAK PINE	WESTWOOD	OAK	PINE	Unimproved	75	86	60	226
FLOYD GEORGE LINCOLN	FLOYD	GEORGE	LINCOLN	Unimproved	74	86	60	224
SOUTHILAWN LATHAM SOUTHFIELD	SOUTHILAWN	LATHAM	SOUTHFIELD	Unimproved	76	74	70	223
WIMBLETON POPPLETON ADAMS	WIMBLETON	POPPLETON	ADAMS	Unimproved	59	89	70	223
ROSEMAITE YANKEE COLUMBIA	ROSEMAITE	YANKEE	COLUMBIA	Unimproved	83	74	60	221
ARLINGTON SHIRLEY LINCOLN	ARLINGTON	SHIRLEY	LINCOLN	Unimproved	81	75	60	220
HENLEY ABBEY WAARWICK	HENLEY	ABBEEY	WAARWICK	Unimproved	76	71	70	220
HUMPHREY TORRY TAUNTON	HUMPHREY	TORRY	TAUNTON	Unimproved	76	62	80	220



Alex Bingham <abingham@bhamgov.org>

New Information & A Compromise Arlington/Shirley Proposal

1 message

jmirro <jmirro@intromarketing.com>

Tue, Apr 30, 2024 at 3:43 PM

To: Elaine McLain <emclain@bhamgov.org>, kschafer@bhamgov.org, along@bhamgov.org, tlonge@bhamgov.org, ahaig@bhamgov.org, bhost@bhamgov.org

Cc: Jana Ecker <Jecker@bhamgov.org>, abingham@bhamgov.org, mkucharek@bhlaw.us.com, cballer@bhamgov.org

Dear Commissioners,

Background: Thank you for letting me speak at the April 15 Commission Meeting regarding the Arlington/Shirley Street Project. Since that meeting, more information has been obtained and, because of this, we property owners want to offer a compromise plan to meet all of our goals.

Tree Count & Risk Value: In previous letters, we have estimated that 100 trees could be harmed due to under-street root disturbance from full street excavation. Last week the neighborhood conducted an on-site tree count and found that 208 trees are at risk in the 8 1/2 ' ROW space and the next 8 1/2 feet past the ROW space on private property. Using the City's Tree Manual value figures, these 208 trees on Arlington/Shirley Streets are worth over \$260,000 should they be damaged from full excavation of our streets.

Expert Opinion Letters: You previously received letters from Cranbrook Pavement, The Oakland County Road Commission and The Michigan Department of Transportation (MDOT) stating the excellent condition of our streets' pavement/foundation and they also recommended not to use full excavation to replace infrastructure. On April 18, we received a letter from the Michigan State University School of Construction (1st attachment) recommending the same thing. In addition, we received a letter from the Father & Son certified tree arborist (2nd attachment) that full excavation would be harmful to our trees and that either HDD or narrow trenching is recommended to replace our infrastructure. We also received letters from two realtors commenting on the value of our neighborhood trees and the risk to property values if full excavation occurs (3rd and 4th attachments).

Westwood Commission Vote: The first street to be upgraded after the Street Improvement Policy was enacted in October of 2021 was Westwood Drive. As explained in the Downtown Magazine article (5th attachment) and minutes of the 6-27-22 Commission Meeting (6th attachment), Westwood property owners were given 3 alternatives: A) Full excavation and reconstruction at an estimated cost close to \$50,000 per 100' lot; B) Trenched replacement of water mains & sewers with cape seal afterward at an estimated cost of \$2,500 to \$3,500 per lot and C) No change. This is also confirmed in a 4-27-24 letter received from Westwood spokesperson, Corey Holter (7th attachment). After listening to the property owners' objections to the high cost of alternative A, Commissioner Haig made a motion for Alternative B as a compromise position and received 5 "yes" votes from Commissioners Boutros, Baller, Host, Longe and Haig with 2 "no" votes from Commissioners McLain and Schafer. The motion passed and the Westwood project was completed last year.

Comparison of Streets: Westwood Drive and Arlington/Shirley Streets are the same in every way. All 3 have cement curbs/gutters, center-street crowns, cast iron drains, engineered manhole chambers/covers/sewer systems, asphalt surfaces, 33' widths and durable "near improved" foundations. The only difference is that Westwood has sidewalks, but they have been there since the street was first built. Property owners on all 3 streets cannot handle the cost of a fully-reconstructed street and Arlington/Shirley property owners also have a tree root risk that does not exist to the same extent on Westwood. Property owners on all 3 streets expressed happiness with their streets/infrastructure and voted for no street change with a 4-page petition from Westwood (8th attachment) and with a 4-page petition from Arlington/Shirley (9th attachment). Westwood later agreed to alternative B when water pressure and sewer issues

would not support a “no change” vote (same as the Arlington/Shirley situation). Since then, the majority of Westwood property owners are mostly pleased with how the street upgrade project turned out and especially appreciate being assessed for the more-affordable alternative B.

Compromise Proposal: To date the City Staff has not embraced the Arlington/Shirley proposal for HDD to upgrade infrastructure, despite five expert opinions that it is the least expensive upgrade method and provides the least risk to the roots of 208 nearby trees. In view of this impasse, Arlington/Shirley property owners now propose as a compromise plan that the City use the same method of replacing water mains and sewers as done on Westwood through narrow trenching/patching and a cape seal treatment afterward. While this plan is financially beneficial to all property owners, it will especially benefit the following: 1) seniors/retirees on a fixed income; 2) widows with limited resources; and 3) young families struggling with high-interest-rate mortgage payments. This plan will keep all of them from having to move from their homes just to pay a large assessment which is consistent with the City’s “aging in place” policy and will show that the City has compassion for all age groups. Our property owners understand that, under this plan, they will be responsible for future cape seal assessments and they freely accept this alternative as have the Westwood property owners. In summary, we wish to be treated exactly like Westwood property owners.

May 6 Meeting: Because of the information in this letter, we request that our proposal be placed on the May 6 Commission Meeting Agenda for a vote so that the City Staff can stop spending time/money on the full reconstruction plan and related SAD process between now and the public hearing date of May 20 if the City accepts our proposed compromise. It also permits the Engineering Department to request a narrow trench/cape seal bid from contractors instead of a full excavation bid. To meet this timing, this proposal is being made ahead of the Wednesday deadline for approval of the May 6 agenda.

Effect on Unimproved Road Plan: Because Westwood and Arlington/Shirley are so obviously more improved than the other 26 miles of truly unimproved streets without curbs, gutters, crowns, engineered features and also without city leaf pick up/street cleaning, a “yes” vote on this plan will not set a precedent to forego upgrading of the other unimproved streets to “improved” status.

Timing: Because there are about a dozen active house projects on our streets this year and because our streets are 28th on the City Pacer list of 30 streets (10th attachment), we continue to propose our street work be done in 2025 or later. But, if this is a non-starter for the City and narrow trenching is acceptable to the City as done on Westwood Drive, Arlington/Shirley property owners will drop their objection to 2024 work. Under this scenario, however, some cape seal touch up will be required near construction sites in 2025 if our cape seal damage is similar to what happened on Westwood with one construction project (11th attachment).

Repairs/Hydrants: Our property owners request that any existing street problems (low spots, pavement cracks, manhole cover depressions, etc.) be repaired at the time of trench patching and before the cape seal treatment occurs. If any fire hydrants are added to our two streets, we also request that they be placed at the corner of two lots and not in anyone’s front yard.

Support & Vote: This proposal has the support of all officers of the Coryell Park (Homeowners) Association and the vast majority of the property owners on both Arlington and Shirley Streets. We are hoping that, based on the information in this letter, all voting Commissioners will give us their “yes” vote on May 6 to show fairness in treating identical Birmingham streets in the same way and to demonstrate that property owners and the City can work together through compromise to achieve our mutual goals. With a unanimous “yes” vote on May 6, the Commission will automatically meet the “super majority” requirement to pass this resolution.

Jim Mirro, Resident Agent

Save Our Street & Trees

A MI Nonprofit Foundation

737 Arlington

248-420-5113

11 attachments



Westwood Street Pavement Failure, 10-30-23..jpeg
142K

-  **MSU Letter, 4-18-24..pdf**
1303K
-  **Father & Son Arborist Letter, 4-29-24..pdf**
513K
-  **Betty Finkbeiner Realtor Letter, 4-28-24..pdf**
474K
-  **Midge Moran Realtor Letter, 4-29-24..pdf**
354K
-  **Downtown Magazine Article, 7-2-22..pdf**
1146K
-  **City Commission Mtg Minutes, 6-27-22..pdf**
3133K
-  **Corey Holter Letter, 4-28-24..pdf**
383K
-  **Westwood Signed Petition, 5-22..pdf**
1978K
-  **Arlington-Shirley Signed Petition, 4 Pages..pdf**
2480K
-  **Unimproved Road Scoring List, 10-2-23..pdf**
717K



10A

**MICHIGAN STATE
UNIVERSITY**

April 18, 2024

Mr. Jim Mirro
737 Arlington
Birmingham, MI 48009

Dear Mr. Mirro,

Thank you for your inquiry regarding construction plans being considered for Arlington and Shirley Streets. I appreciate receiving the photos of your streets/trees, the description of an "improved" vs. "unimproved" street published by the City of Birmingham and the opinion letters from Cranbrook Pavement, The Oakland County Road Commission and the Michigan Department of Transportation.

Using this information, I had a discussion with my Construction Management student, Angelo Buttazzoni, who has conducted an on-site inspection of your streets. Based on this information and our discussion, I believe that your streets should be classified as "Improved" due to their many engineered features and sound pavement/foundation.



**School of
Planning,
Design, and
Construction**

I would further agree with the proposal to use HDD (Horizontal Directional Drilling) to replace your water mains and sewers. This is due to the obvious economic and environmental reason that HDD prevents the need to excavate and reconstruct these streets when a more efficient alternative exists that does not risk damage to your mature trees with under-street root systems.

Please let me know if I can provide you with any other advice regarding the improvement plans being considered for your two streets.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean P. Huberty".

Sean P. Huberty
Teaching Specialist – School of Planning, Design, and Construction
Construction Management Program Faculty
Michigan State University

Human Ecology Building
Michigan State University
552 West Circle Dr
East Lansing, MI 48824

517-881-5380
spdc.msu.edu



Father & Son

TREE SERVICE

Serving SE Michigan

Residential Commercial Industrial

April 29, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Family Owned and Operated
728 South Lapeer Rd
Oxford, MI 48371
Phone 248/628-3035 Fax 248/628-0210

Dear Jim,

Thank you for asking me to provide some comments regarding Arlington and Shirley Streets. As you, know, our company has been serving you and your neighbors on these two streets for the past 40 years. And it is helpful to hear about the alternative ways that are being considered for replacing your water mains and sewer pipes which I understand are about 100 years old.

I also appreciate you showing me the opinion letters from Cranbrook Pavement, the Oakland County Road Commission, MDOT and the MSU School of Construction. Based on these opinions and my own on-site observations, I would agree with their recommendation that your streets should not be fully excavated and reconstructed to replace your infrastructure if alternative methods are available to save your trees.


As a certified arborist and co-owner of Father & Son Tree Service, I believe that HDD or narrow trenching would be the safest alternatives to avoid under-street root disturbance to the many, mature trees that line your streets, both in the right of way space and also on private property. It is a reasonable expectation that the roots of approximately 100 to 200 trees could be damaged and could lead to their demise if full excavation is used.

I am pleased to see from the other letters that HDD is not only the safest alternative for your trees, but could be the least expensive alternative to achieve your neighborhood infrastructure goals. Narrow trenching and repair could be the second least expensive.

I can also comment that our heavy-duty trucks and tree-pruning equipment have never experienced a problem on your streets. Based on my experience, this suggests that your streets have a sufficiently-durable foundation to simply be paved over after HDD or trenching/patch repair and top paving is completed. Please call me if you have any other tree-related questions. Thank you.

Best Regards,

Dave Jenkins
Certified Tree Arborist



410A-6034

BETTY FINKBEINER
MAX BROOCK REAL ESTATE

James A. Mirro
737 Arlington Street
Birmingham, MI 48009

April 28, 2024

Dear Mr. Mirro

I appreciate the opportunity to provide my real estate market knowledge to the residents of Arlington and Shirley Streets. As you know, I have been a licensed realtor in Birmingham for 47 years with Max Broock/Real Estate One Realtors and a member of the President's Council of Excellence. With this experience, I have access to real estate transactions in the City of Birmingham and I also have an intimate knowledge of real estate values by neighborhood.

Your two streets are already regarded as premiere locations in the city with their unique winding streets, large (near one acre) lots and mature trees. For these reasons, property sales on Arlington/Shirley Streets have always been on the high end of the market.

In comparing property sales on Arlington/Shirley Streets with other similar size/age homes on other Birmingham streets, I must conclude that the larger lot size and greater number of mature trees are two of the reasons for the higher prices that buyers are willing to pay. Mature trees in an established neighborhood has always been a defining reason for premium values.

Based on this knowledge and looking at "sales comps" over the past year, I would further estimate that a property with healthy mature trees in your neighborhood will account for a price premium over the same property with no trees or recently-planted trees. Because properties on your streets are selling for \$1 million to \$3 million plus, this means the value of mature trees is an important factor.

In view of this, I understand your concern about the City's proposed street project that could endanger mature trees near the front of your properties due to under-street root disturbance. Because the street view is the first impression made to a prospective buyer, this risk is all the more concerning. For these reasons, I recommend that Birmingham replace your water mains/sewers without total street excavation/replacement to minimize risk to your many mature trees that could seriously affect property values.

Yours truly,



Betty Finkbeiner
Max Broock Realtor

MIDGE MORAN
KELLER WILLIAMS

April 29, 2024

Mr. Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim,

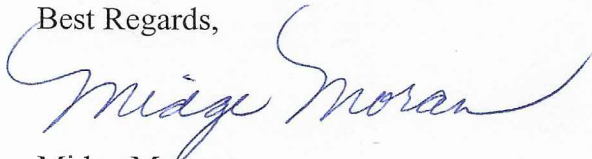
As a Birmingham resident for my whole life and a realtor for the past 31+ years, I am glad to provide my opinion on what factors create value for property owners on Arlington and Shirley Streets.

I purchased my home on Arlington in 1984 as I could see the value of Arlington and Shirley Streets. It far exceeded other properties, as we have larger lots and more mature trees, and as we have 100' width lots. My assessment continues to hold true today as verified by the assessed value allocated by the City.

Based on this assessment, I share your concern that fully excavating Arlington and Shirley Streets to replace water and sewer pipes is a huge risk to the property values on these two streets. With other techniques available to replace aging infrastructure, they surely should be fully explored before a final decision is made. I know that this has been done on other Birmingham streets and the same should be done on our streets.

This issue should not even be debated with the value of Birmingham's "jewel" streets being placed in jeopardy when there exists no risk and less expensive ways, such as HDD or narrow trenching, to achieve the same goal of an infrastructure upgrade. Thank you.

Best Regards,



Midge Moran
Licensed Realtor #6501147440

Commission settles on Westwood improvements

By Grace Lovins

While members of the public who live on the affected street declared their opposition, the Birmingham City Commission approved modified street improvement projects to Westwood Drive, Raynale Drive and Oak Street, at their meeting on Monday, June 27.

Upgrades to the streets are part of the first street improvement project initiated under the Modified Street Improvement Policy adopted by the commission in October 2021. The project is driven by the need to upgrade infrastructure in neighborhoods, which include a water main replacement on Westwood between Raynale and Oak, a new water main on Raynale between Glenhurst and the city limits, on Oak between Glenhurst and the city limits, an extension of a separate storm sewer network, and repaving of the streets, as well as sidewalk improvements to meet ADA-compliance.

The proposed project from the city was to include complete reconstruction of the streets, with the cost for the street pavement improvements to be paid for by a special assessment to the adjoining property owners that benefit from the street improvement project, James Surhigh, the city's consulting engineer, said. However, due to objections from numerous residents, a cape seal project was approved by commissioners, along with water and sewer improvements.

"The special assessment process is a long-standing city policy when unimproved streets are improved," Surhigh said. "Special assessments for drive approaches, and for water/sewer laterals not meeting current city standards are typical for these type of projects. With this project, improvements will be made to the sewer and water systems, the cost for which is paid from the sewer and water Funds, and are not subject to a special assessment."

Surhigh presented three possible action the commission could take: include full street reconstruction in the project that meets the city's standards for an improved street following the sewer and water system improvements; include patching trenches and full-width cape seal treatment after water and sewer system improvements; or to postpone the project.

He explained that a full reconstruction of the road would shift the specified streets from an "unimproved road" classification to an "improved road" classification, which is a city goal. An unimproved road is considered to be a gravel road with or without curbs that has been treated with a cape seal to provide a relatively smooth driving surface. An improved road is considered a road with curbs and gutters that has a concrete or asphalt surface.

City manager Tom Markus noted that improvements to the water and sewer systems will need to be made, regardless of if the commission were to postpone the project. The water issue, specifically the water main, fire hydrants and storm water system, is the driving factor of the project, he said.

Many residents from the impacted area made comments to the commission regarding the financial cost the project that would be imposed on residents as well as the lack of need, they believe, for a complete road reconstruction, or even reapplication of cape seal, on Westwood.

Corey Holter, a Westwood resident, noted that the project is being done for the public good, not for the residents who live on the street, however the residents will be required to aid in the cost of the project.

Steve Torok, also a resident of Westwood, echoed Holter's frustration towards the public assessments associated with the project. He added that, while it is understood that the sewer and water systems will need improvements, the fixes to the actual street during the project are expensive and are not currently necessary.

Surhigh stated that if the commission were to decide on the water and sewer improvements with patching trenches and cape seal on the road, while the cost per household had not yet been finalized, it is projected to fall within \$2,500 to \$3,500 per household as a one-year cost.

Mayor Therese Longe remarked the city is making a significant investment in the project – over \$1 million through the water and sewer fund.

"I think option B (cape seal) is the only option we can do because the subsurface requires attention, the subsurface is where the problem is. ...To get to the subsurface we have to go through the surface," commissioner Andrew Haig said. "We have a policy that is being created by the city but we shouldn't apply it as a blanket policy without thinking about it. Thinking about the circumstances here, I would advocate for position B in this particular situation as the option to try and get to the best middle ground."

Haig made the motion to approve the second proposed option – upgrading the water and sewer lines without full reconstruction of the street. The commission approved the motion, 5-2, commissioners Elaine McLain and Katie Shafer voting against.

Birmingham City Commission Minutes

June 27, 2022

Municipal Building, 151 Martin

7:30 p.m.

Vimeo Link: <https://vimeo.com/event/3470/videos/720093825/>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

II. ROLL CALL

Alexandria Bingham, City Clerk, called the roll.

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

Absent: None

Administration: City Manager Markus, City Clerk Bingham, Planning Director Dupuis, Assistant City Manager Ecker, Assistant to the City Manager Fairbairn, Operations Commander Grewe, City Attorney Kucharek, Human Resources Manager Lambert, Consulting City Engineer Surhigh

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

Announcements

- COVID-19 Update: Per the CDC, Oakland County has a COVID-19 transmission level of HIGH. The City continues to recommend the public wear masks while attending City meetings per CDC guidelines. All City employees, commissioners, and board members must wear a mask while indoors when 6-feet of social distancing cannot be maintained. This is to ensure the continuity of government is not affected by an exposure to COVID-19 that can be prevented by wearing a mask. The City continues to provide KN-95 respirators and triple-layered masks for all in-person meeting attendees.
- The Clerk's office would like to remind voters to turn in an absentee ballot application if they wish to vote by mail for the August 2, 2022 State Primary Election. Return your absentee ballot to the clerk's office as soon as possible via drop box or mail. To review your specific voting information and preview your ballot visit mi.gov/vote. The online and mail voter registration deadline is July 18th. After July 18th new voters must register in person at the clerk's office.
- Upcoming In The Park Summer Concert Series in Shain Park on Wednesday starting at 7 pm. June 29th is the Birmingham Concert Band (Orchestra) and July 6th is Lisa Mary (Country). Please join us in the park!

In reply to Commissioner Baller, Mr. Strader said Staff, consultants, and the Multi-Modal Transportation Board will make future recommendations for restriping Brown if this item is advanced.

Commissioner Schafer said she was heartened that MDOT is working on making this area safer and said she was looking forward to future iterations.

Commissioner McLain emphasized that drivers must stop for pedestrians in crosswalks.

MOTION: Motion by Commissioner Haig, MPT Boutros:
To approve the reduction of vehicular travel lanes on eastbound Brown Street between Peabody Street and Woodward Ave from two lanes down to one lane;

AND

To direct the Multi-Modal Transportation Board to evaluate permanent road designs incorporating one eastbound vehicular travel lane for Brown Street from Peabody Street to Woodward Ave to recommend to City Commission at a later date.

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

Nays, None

06-177-22 Westwood, Raynale & Oak Street Project Interim Report for City-Initiated Unimproved Street Project

CCE Surhigh presented the item.

In reply to the Mayor, CM Markus explained:

- The City has been evaluating streets holistically, including condition and all the utilities. He said the water lines, hydrants, and stormwater issues are driving the need to improve the infrastructure of these streets;
- He strongly advised the Commission not to consider Suggested Commission Action C;
- He did not recommend altering the City's street standards because wider streets create more impervious surfaces, more runoff, and cost more for the City's taxpayers to maintain once the streets are improved; and,
- Even though residents in certain areas may not experience flooding, their water infrastructure helps contribute to the flooding and overflow in other parts of the City.

The Mayor noted that if the Commission recommends the current street widths be maintained - as requested by a number of residents - in conjunction with Suggested Commission Action A, that the special assessment costs would be approximately 15% higher than if the streets were reconstructed to the standard 26-foot width. In contrast, Suggested Commission Action B would essentially update the utilities and sidewalk and otherwise leave the street as-is.

In reply to Commissioner Haig, CCE Surhigh stated that there is no sewer cross-connection between Bloomfield Township and Birmingham.

In reply to Commissioner Baller, CCE Surhigh estimated the costs of street improvements or cape sealing to an average size lot. He explained that the costs of street improvements would be split over ten years.

Commissioner Schafer noted that if these roads are fully improved, there would be no additional assessments to those residents. She noted that cape seal, in contrast, would be charged to the residents every time the roads come up again in the cape seal cycle.

MPT Boutros summarized the work of the Ad Hoc Unimproved Street Study Committee (AHUSSC) and the facts the residents of Westwood, Raynale, and Oak should consider in choosing street improvements or cape seal.

Commissioner Schafer also noted that the AHUSSC considered all the options for dealing with unimproved streets, and that the consensus was that improving streets was drastically preferable to cape seal. She noted that the decision to improve infrastructure and certain streets comes after an immense amount of study on the part of Staff. She said this was a significant opportunity to advance the City's goal of improving its 26 miles of unimproved streets. She said that while she appreciated residents' concerns about costs, this is an opportunity to better the City.

Commissioner Host suggested moving Suggested Commission Action A without Westwood. The motion failed for lack of a second.

Public Comment

Corey Holter, resident of Westwood, said many residents of Westwood would prefer Suggested Commission Action C. He said if that option were not available, however, the residents of Westwood would prefer Suggested Commission Action B. He said if the City wants to fully improve Westwood it should pay for that, since it was a matter of public good and not a specific benefit to the residents of Westwood.

In reply to some of Mr. Holter's comments, CM Markus and the Mayor noted that residents have been paying to improve their streets for decades, after which the City takes over paying for further maintenance. It was noted that if these were improved streets the City would be paying for these repairs. It was also noted that taxpayers in the City are currently paying to maintain these streets in terms of potholes, plowing, and other routine maintenance.

Steve Torok, resident of Westwood, said he was supportive of fixing the water and sewer. He said he was supportive of Suggested Commission Action B. He said Westwood was not in poor enough repair to merit full improvements at this time.

CM Markus concurred that Westwood was in relatively good condition for an unimproved street, and said that is why Suggested Commission Action B was included among the options. He noted that even if Suggested Commission Action B is implemented that the base of the street will be replaced with material of higher quality, thus making a better street even if not fully improving it.

Jerry Vanwyke, resident of Westwood, suggested that the Commission should not vote to advance any work on Westwood until it is clear whether the work would require trenching. He said he would also like to see all residents pay for street improvements in the interest of equity.

Kim Romanosky, resident of Westwood, concurred with Messrs. Holter, Torack, and van White.

Janelle Whipple-Boyce, a member of the former AHUSSC, noted that most every resident is assessed at some point for one reason or another. She noted that while it is not pleasant to pay an assessment, it contributes to the public good and is the appropriate thing to do. She said advancing Suggested Commission Action B indicates that the City prefers cape seal to improved streets. Given the City's adoption of the AHUSSC recommendations, she asked how the Commission could consider advancing any Action but Suggested Commission Action A.

Greg Obloy, resident of Glenhurst, said he would prefer Suggested Commission Action C, and if that option was not available, Suggested Commission Action A because he was in favor of doing the construction appropriately the first time. He questioned the legality of imposing the costs of Suggested Commission Action A, however.

A number of speakers questioned whether Glenhurst is an improved street.

CM Markus said he was confident in former City Engineer William Killeen's description of it as such.

Seeing no further public comment, the Mayor returned the conversation to the Commission.

Commissioner McLain said:

- Improving the water infrastructure in the area was essential for preserving the health, safety, and welfare of the City;
- The Commission is obligated to make decisions that will benefit the whole community;
- When performing infrastructure improvements, it is appropriate to improve the road entirely at that time per the AHUSSC's report;
- A number of City residents' flooding issues begin with Westwood's water infrastructure, and this work would begin to address those issues; and,
- Unimproved roads can cause repeated damage to vehicles, which should not occur.

Commissioner Haig said:

- Before running for Commission, he submitted a proposal to the City that would have shared the costs of street improvements more equitably. The City did not pursue the recommendations in his proposal;
- He lives on an unimproved street that damages vehicles and where the cape seal failed in the first six months;
- He wants the City to have as high an ISO rating as possible;
- The water infrastructure in this area can still contribute to flooding in other areas, even if the residents in this area experience no ill-effects;
- Working with policy requires that policy be used as a guideline while also evaluating a situation's particular circumstances; and,
- He was supportive of Suggested Commission Action B as a compromise between policy, resident preference, and because the surface is decent and the subsurface is the main issue.

CCE Surhigh and CM Markus clarified the difference between Suggested Commission Action B and a fully improved street, which includes drainage, the reconstruction of the base to support the street surface, and the service life of the surface.

Commissioner Host noted that of the 26 miles of unimproved road, some percentage will not want their roads improved. He noted that Westwood seems to be one of those streets. He said if the water infrastructure needs to be done, then the road should be trenched, cape sealed, and maintained at its

Corey Holter
1087 Westwood Drive
Birmingham, MI 48009

April 28, 2024

Jim Mirro
737 Arlington Street
Birmingham, MI 48009

Dear Jim,

Thank you for keeping me up to date on the Arlington and Shirley Street Project. Also thank you for sending me a copy of the Downtown Magazine article about the commission meeting where the decision was made to replace our water mains and sewers and to keep our streets unimproved, using a cape seal treatment after the water mains upgrade. I remember the decision and discussion well having attended the commission meeting in person.

As best I can tell, your situation is essentially the same as ours. We both had good streets in good overall condition with curbs and gutters, but needed the infrastructure upgrade which included water mains and the addition of several fire hydrants. The main reason for preferring the cape seal and remaining unimproved was cost. The cape seal approach was significantly less expensive - and like you we've got a diverse set of homeowners on Westwood for whom that was important - including seniors one a fixed income and younger homeowners with kids. And we all know how expensive interest rates are right now.

During the June 27, 2022 commission meeting I, along with other Westwood residents advocated for the lowest cost approach to get the job done. During the meeting, one of the commissioners, Commissioner Haig, said that we shouldn't apply a blanket policy and should "try to get to the best middle ground". The cape seal approach was the best middle ground (referenced as Option B during the commission meeting) and I believe given similarity of situation, would be the best middle ground approach for Arlington and Shirley.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Holter', written in a cursive style.

Corey Holter

WESTWOOD / RAYNALE / OAK
PAVING PROJECT PETITION

We, the undersigned residents of Westwood and N. Glenhurst that are impacted by the proposed paving project, present the following petition.


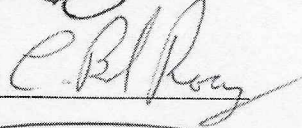
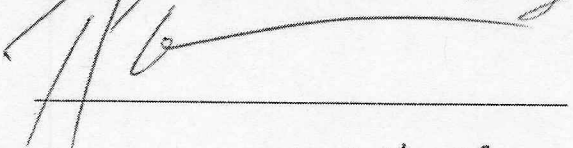
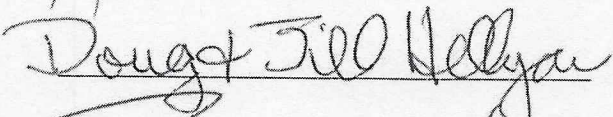
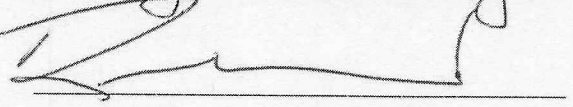
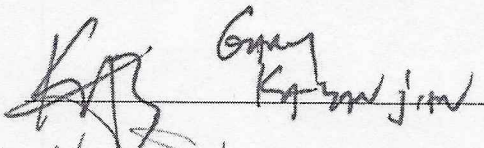


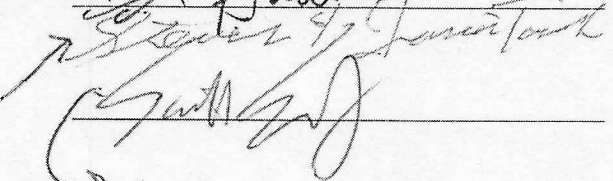
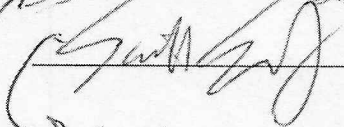
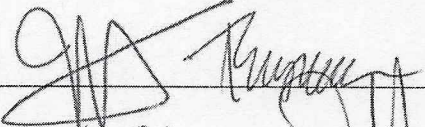

We are not aligned with the need for this project and are especially not aligned with a special assessment to pay for it.

Rationale:

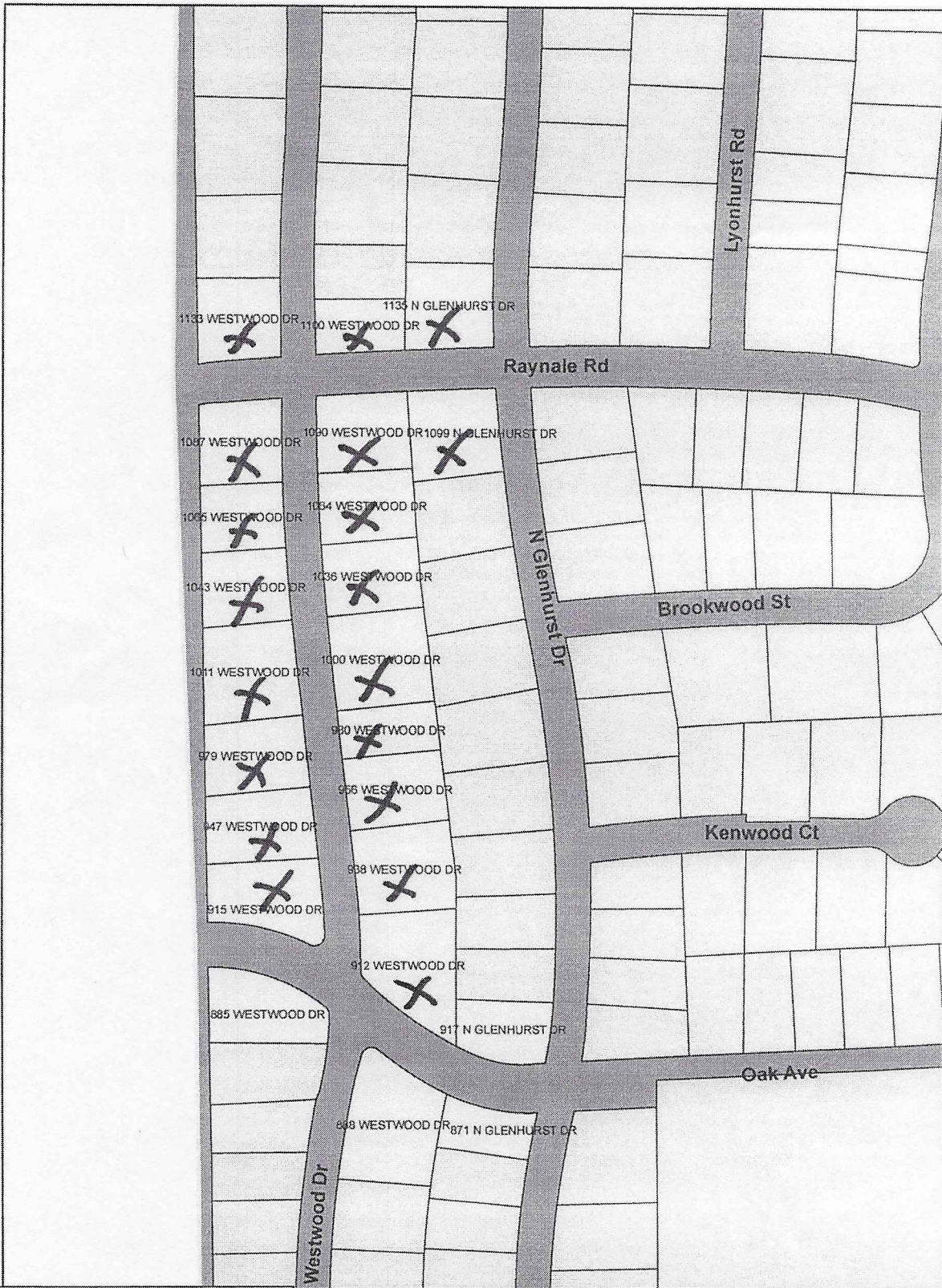
- The Project Report, dated May 12, 2022, states that streets have been “selected because of the need to improve the City’s water main system...” – this is clearly the primary purpose of the project, not street improvement.
- We do not have a drainage or flooding problem on Westwood. At the information meeting on May 12, 2022, a map was shown indicating homes that had reported basement flooding to the city. Not one of the homes affected by this project were indicated. Again, we do not have a flooding/drainage issue.
- We have curbs on our streets already. So that is not a benefit to us from this project.
- Our street is in good condition, especially in comparison to other streets in Birmingham. We are not in agreement with the assessment that it is in “fair to poor” condition. We are happy to provide pictures or to meet with anyone who wishes to see the street for themselves.

Bottom line is that this project, should it proceed, is for the public good – “to improve the water main system” and provides little benefit for the actual residents being affected and assessed. Should the project proceed, the city should pay for it in its entirety.

Signatures on pages 2 and 3.

<u>Address</u>	<u>Name, Signature</u>	<u>Date</u>
885 Westwood	_____	_____
888 Westwood	_____	_____
912 Westwood	Frank Capri Faga 	May-21-2022
915 Westwood	C. Brock Rooney 	5-17-22
938 Westwood		5/25/22
947 Westwood	Douglas Jill Hallyan 	5/19/22
956 Westwood		5/25/22
979 Westwood	 Gary K... ..	5/21/22
980 Westwood		5/16/22
1000 Westwood		5.25.22
1011 Westwood		5/18/22
1011 Westwood		5/17/22
1036 Westwood	→ Scott Everly (signed above)	_____
1043 Westwood		5/25/22
1064 Westwood	David Glass 	5-15-22

1065 Westwood	<u>Brendy B Pinner</u>	<u>05/23/22</u>
1087 Westwood	<u>Corey Holter, G Holt</u>	<u>5/15/22</u>
1090 Westwood	<u>George Starnes</u>	<u>5/20/2022</u>
1100 Westwood	<u>Wendy Suter</u>	<u>5-20-22</u>
1133 Westwood	Joe + Beth Hoegler	<u>5-16-22</u>
871 N. Glenhurst	_____	_____
917 N. Glenhurst	_____	_____
1099 N. Glenhurst	<u>ANTHONY & REGINA PIPER</u>	<u>5-16-2022</u>
1135 N. Glenhurst	<u>GREG OBLOY</u>	<u>5/24/2002</u>



Legend

Affected Addresses in Work Area

Coryell Park Association of Arlington/Shirley Property Owners

We, the undersigned property owners on Arlington/Shirley Streets, petition the City of Birmingham: 1) Not to narrow our streets; 2) Not to install sidewalks on either side; 3) Not to replace our sewers/water mains; & 4) Not to replace our streets. But to make normal repairs as necessary to streets/sewers/water mains as in the past at City expense.

Name	Address	Date
Midge Moran	269 Arlington	11/14/23
Suzanne Mann	269 Arlington	11/14/23
James Q. Mims	⁶⁴⁵ 737 Arlington	11-14-23
Jessie Myers	⁶⁴⁵ 737 Arlington	11/14/23
Edward L. Baughman	117 ARLINGTON	11/18/23
Joann Baughman	117 ARLINGTON	11/18/23
Jahsi C. Miller	218 Arlington	11/18/23
[Signature]	218 Arlington	11/18/23
Niharika Rander	280 Arlington	11/18/23
SUMAN SARKAR	280 Arlington	11/18/23
Brooke Fisher	288 Shirley Rd	11/18/23
Gary Saltzger	188 Shirley Rd	11/18/23
[Signature]	226 Shirley	11/18/23
Flue K. Silbaugh	345 Shirley Rd.	11/18/23
Kari Conner	222 Arlington	11/18/23
VM Conner	222 Arlington	11/18/23
Craig Milford	361 Shirley	11/18/23
Kathy Milford	361 Shirley	11/18/23
John Schwegman	700 Arlington	11/18/23
Jenny Schwegman	700 Arlington	11/18/23

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Name	Address	Date
FREMONT SCOTT	776 Arlington	11/18/23
Mary P Scott	776 Arlington	11/18/23
Bryan Brown	945 Arlington	11-18-23
Joe A. [unclear]	968 Arlington	11/18/23
Donald [unclear]	968 Arlington	11/18/23
Jim [unclear]	611 Shirley	11/19/23
William [unclear]	811 Shirley	11/19/23
Duncan [unclear]	735 SHIRLEY RD	11/19/23
James	735 Shirley Rd	11/19/23
Ben Alford	735 Shirley Rd	11/19/23
Simon Leopold	1000 Shirley Ct.	11/19/23
Tom [unclear]	1000 Shirley Ct.	11/19/23
[unclear]	981 Shirley	11/19/23
Lindsay [unclear]	981 Shirley	11/19/23
David [unclear]	619 Shirley	11/19/23
Samantha [unclear]	619 Shirley	11/19/23
Douglas DeGrosso	487 Arlington	11/19/23
Raula DeGrosso	487 Arlington	11/19/23
[unclear]	381 SHIRLEY RD.	11/19/23
[unclear]	381 SHIRLEY RD.	11/19/23

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Name	Address	Date
Vanella Minelli	377 Arlington St.	11/19/23
Mike Minelli	377 ARLINGTON ST.	11/19/23
MIKE WALSH	273 ARLINGTON	11/19/23
Ed Dole	243 ARLINGTON	11/19/23
Shay Spanish	503 Arlington	11/19/23
DAVE HENNING	503 ARLINGTON	11/19/23
JANET LANNEN	992 ARLINGTON	11/21/23
Jennifer	992 ARLINGTON	11/21/23
Geoffrey A. Trivani	924 ARLINGTON	11/21/23
Valerie Lewis	924 ARLINGTON	11/21/23
Elaine Hazel	188 Shirley	11/21/23
Alex Simmons	175 Arlington	11/21/23
Karee Novice	175 Arlington	11/21/23
Brian Connolly	843 Arlington	11/21/2023
Mary Connolly	843 Arlington	11/21/2023
Nick Sheh	226 Shirley	11/21/2023
Reece Billmeyer	252 Shirley	11/21/2023
Drew Billmeyer	252 Shirley	11/21/2023
Heidi Pinkert	730 Arlington	11/23/2023
Robert Myers	730 Arlington	11/23/2023

Coryell Park Association of Arlington/Shirley Property Owners

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Name	Address	Date
Kevin Marsh	860 Arlington	11/22/23
Cheryl Pollard	200 Linden*	11/25/23
Ryan Chayka	600 Arlington	11/26/2023
Eliza Nascomb Chayka	600 Arlington	11/26/23
Sherry M'Combes	550 ARLINGTON BHM 48009	
David [unclear]	300 Shirley	11/26/23
Loree [unclear]	300 Shirley	11-26-23
DEV STALL	144 LINDEN *	11/26/23
COURTNEY STALL	144 LINDEN *	11/26/23
[unclear]	975 Arlington	11/27/23
[unclear]	975 Arlington	11/27/23
John R. Smith	230 Linden Rd. *	11/28/2023
Juan M. Smith	230 Linden Rd *	11/28/2023
Richard [unclear]	146 Linden Rd *	11/28/2023
William Edmunds	1420 WEST LINCOLN	11/28/2023
Nana Edmunds	1420 West Lincoln	11/28/2023
David Frost	136 Linden rd. *	11/28/2023
Mary VanHuffel	136 Linden rd. *	11/29/2023
John Mitchell	663 SHIRLEY	11/30/23
Karen Mitchell	Ce Ce 3 Shirley	11/30/23

* BACKS UP TO SHIRLEY

Unimproved Road Scoring List

Unimproved Roads Infrastructure Block Ratings

Roadsoft Block Name	Street (GIS Block Name)	Begin	End	Road Type	2023 Water Points (0-100)	2019 Sewer Points (0-100)	Road Points (0-100)	Total Block Rating (0-300)
BLOOMFIELD OLDWOODWARD	BLOOMFIELD	OLDWOODWARD	DEAD END	Unimproved	100	89	70	262
WIMBLETON OXFORD POPPLETON	WIMBLETON	OXFORD	WIMBLETON	Unimproved	94	93	70	258
OXFORD ABBEY WIMBLETON	OXFORD	ABBEEY	WIMBLETON	Unimproved	100	77	70	250
SHEPARDBUSH WARWICK	SHEPARDBUSH	WARWICK	WIMBLETON	Unimproved	100	77	70	250
TORRY TAUNTON SHEFFIELD BRADFORD	TORRY	TAUNTON	SHEFFIELD	Unimproved	94	72	80	248
HENLEY ABBEY OXFORD	HENLEY	ABBEEY	OXFORD	Unimproved	100	73	70	246
HENLEY WARWICK OXFORD	HENLEY	WARWICK	OXFORD	Unimproved	100	73	70	246
TAUNTON WOODWARD TORRY	TAUNTON	WOODWARD	TORRY	Unimproved	100	71	70	244
BRADFORD SHEFFIELD TORRY CROFT	BRADFORD	SHEFFIELD	TORRY	Unimproved	94	72	70	239
WARWICK ABBEY HENLEY	WARWICK	ABBEEY	HENLEY	Unimproved	100	75	60	239
ABBEEY HENLEY	ABBEEY	HENLEY	DEAD END	Unimproved	100	54	70	237
ABBEEY HENLEY OXFORD	ABBEEY	HENLEY	OXFORD	Unimproved	100	64	70	237
LARCHLEY LINCOLN MIDVALE	LARCHLEY	LINCOLN	MIDVALE	Unimproved	100	80	50	235
TOTTENHAM HENLEY	TOTTENHAM	HENLEY	SHEPARDBUSH	Unimproved	100	59	70	232
WARWICK HENLEY WIMBLETON	WARWICK	HENLEY	WIMBLETON	Unimproved	100	77	50	232
HENLEY TOTTENHAM PUTNEY	HENLEY	TOTTENHAM	PUTNEY	Unimproved	100	58	70	231
TOTTENHAM HENLEY WARWICK	TOTTENHAM	HENLEY	WARWICK	Unimproved	100	58	70	231
HUMPHREY ETON TAUNTON	HUMPHREY	ETON	WARWICK	Unimproved	78	72	80	230
WESTWOOD RAYNALE OAK	WESTWOOD	RAYNALE	OAK	Unimproved	100	75	50	230
STANLEY WALLACE LINCOLN	STANLEY	WALLACE	LINCOLN	Unimproved	87	86	50	228
FARWAY GREENLAWN GOLFEW	FARWAY	GREENLAWN	GOLFEW	Unimproved	83	79	60	226
GREENLAWN HILLSIDE FARWAY	GREENLAWN	HILLSIDE	FARWAY	Unimproved	83	79	60	226
WESTWOOD OAK PINE	WESTWOOD	OAK	PINE	Unimproved	74	86	60	224
FLOYD GEORGE LINCOLN	FLOYD	GEORGE	LINCOLN	Unimproved	74	86	60	224
SOUTHILAWN LATHAM SOUTHFIELD	SOUTHILAWN	LATHAM	SOUTHFIELD	Unimproved	76	74	70	223
WIMBLETON POPPLETON ADAMS	WIMBLETON	POPPLETON	ADAMS	Unimproved	59	89	70	223
ROSEBATE YANKEE COLUMBIA	ROSEBATE	YANKEE	COLUMBIA	Unimproved	83	74	60	221
ARLINGTON SHIRLEY LINCOLN	ARLINGTON	SHIRLEY	LINCOLN	Unimproved	81	75	60	220
HENLEY ABBEY WARWICK	HENLEY	ABBEEY	WARWICK	Unimproved	76	71	70	220
HUMPHREY TORRY TAUNTON	HUMPHREY	TORRY	TAUNTON	Unimproved	76	62	80	220



Alex Bingham <abingham@bhamgov.org>

Geoff Trivax Letter to Mayor

1 message

jmirro <jmirro@intromarketing.com>

Mon, Apr 15, 2024 at 3:53 PM

To: Elaine McLain <emclain@bhamgov.org>

Cc: kschafer@bhamgov.org, along@bhamgov.org, tlonge@bhamgov.org, ahaig@bhamgov.org, bhost@bhamgov.org, Jana Ecker <Jecker@bhamgov.org>, abingham@bhamgov.org, mkucharek@bhlaw.us.com, GEOFFREY TRIVAX <gatree@aol.com>, Valerie Trivax <vtree@aol.com>

Dear Mayor McLain,

My neighbor, Geoff Trivax, is a busy doctor and asked me to send you this short letter (1st attachment) that he texted me today when he was not near his computer to send an email to you directly. I will be at the meeting this evening and would like to speak during the section on "Items Not On The Agenda" about Geoff's concerns as well as the concerns of my other neighbors on Arlington/Shirley regarding the City Staff plan to place our street work ahead of 27 other streets with greater needs as shown on the 2nd attachment. Thank you.

Jim Mirro

737 Arlington

248-420-5113

2 attachments

**Geoff Trivax Mayor Letter, 4-15-24..pdf**

295K

**Unimproved Road Scoring List, 10-2-23..pdf**

717K

Please vote to delay the Arlington/ Shirley project. It is my understanding that are other streets in greater need. In addition, construction continues on both streets. Moreover, I still have not seen a bid on HDD as an alternative which would save the homeowners and the city a considerable amount of money and certainly less aggravation for the residents.

Geoffrey Trivax
924 Arlington



Alex Bingham <abingham@bhamgov.org>

Fwd: More Mayor/Commissioner Letters

1 message

Clinton Baller <cmballer@avidpays.com>

Mon, Apr 15, 2024 at 7:40 AM

To: City Commission <city-commission@bhamgov.org>, Department Heads <departmentheads@bhamgov.org>, Jana Ecker <Jecker@bhamgov.org>, "Kucharek, Mary" <mkucharek@bhlaw.us.com>

Begin forwarded message:

From: jmirro <jmirro@intromarketing.com>

Date: April 14, 2024 at 10:55:20 PM EDT

To: lou baughmam <jolobman@sbcglobal.net>, karleenovice@gmail.com, asimmons@boon-health.com, Kerry Milliron <kerrymilliron@gmail.com>, loribconway@comcast.net, Lisa Drake <carnegied@msn.com>, Mike Walsh <mike_walsh_4@yahoo.com>, Midge Moran <midgemoran@kw.com>, georgenemoran@gmail.com, n.ramdev@yahoo.com, jrsteeds@gmail.com, Mike Minelli <mike@minellifamily.com>, Pamela Minelli <pam@minellifamily.com>, repstein@ajmpack.com, Joan Epstein <jmce55@aol.com>, Joe Durham <joemdurham@gmail.com>, vanessar626@yahoo.com, Charles Schwartz <cschwartz14@mac.com>, csosnick14@mac.com, Gretchen Gonzales Davidson <ggdavidson444@gmail.com>, christinetobiascolman@gmail.com, dgdelgrosso1234@comcast.net, Paula_DelGrosso@comcast.net, Sherry McCormick <szmccorm789@aol.com>, elizanc@icloud.com, ryanchayka@mac.com, Lorry Schwegman <lshwegman18@gmail.com>, shay spaniola <shayspaniola@gmail.com>, sawbone <sawbone@comcast.net>, lindsay.lee.vansyckle@gmail.com, Gail Abraham <babydoc54@gmail.com>, gabraham@comcast.net, Valerie Trivax <vtree@aol.com>, GEOFFREY TRIVAX <gatree@aol.com>, dablloom2002@yahoo.com, davembloom@yahoo.com, Kris Sawyer <antiquer62@aol.com>, Yan S <poshrental@gmail.com>, jlannen57@aol.com, jeanlannen@mac.com, Lana Gmail <lshaffou@gmail.com>, tshaffou@gmail.com, Elaine C Hazel <echazel2@yahoo.com>, Gary Saltz giver <gsaltz giver@yahoo.com>, Jenny Shebib <jcshebib@yahoo.com>, Nick Shebib <nshebib@yahoo.com>, rbillmey@gmail.com, dbillmey@gmail.com, Alfred Fisher IV <AJFisher4@fisherco.com>, Brooke Fisher <brookesfisher@me.com>, Alice Silbergleit <asilbergleit@gmail.com>, drteetime@aol.com, Kathleen Milford <kmilford47@aol.com>, docmilford@aol.com, Alex Davis <kalex328@aol.com>, andrea@andreabrowninteriors.com, David Mendelson <DM@mendelsonlaw.net>, davidfw8@gmail.com, dave.mitchell@trpfund.com, theresamcarter@gmail.com, s h <sbh_999@yahoo.com>, gretamyers@gmail.com, delarosa2@gmail.com, virgie.holcombe@gmail.com, Stuart Borman <sb@borman.net>, hilaryborman@gmail.com, mosquetfamily@hotmail.com, sjlnyc@aol.com, William Edmunds <williamcedmunds@gmail.com>, cherbear1648@yahoo.com, Lauren Buttazzoni <lmbuttazzoni@comcast.net>, Barbara Heller <bheller@dia.org>, Tom Booth <tlbooth999@gmail.com>

Cc: JOHN SMITH <johnjrpop@aol.com>, Joan Smith <lightbodysmith@aol.com>, bconnolly1@aol.com, Mary Connolly <mlconnolly7@gmail.com>, duncan aldred <duncan.aldred@googlemail.com>

Subject: More Mayor/Commissioner Letters

Dear Neighbors & Friends,

Thanks for all the Commissioner letters that you have sent in the past. They worked very well in having the Commission take a vote on 2-5-24 to exempt us from sidewalks, keep our street width at 33 feet and save 137 trees from being cut down.

Our more recent letters have not yet achieved our current goals. They include avoidance of the \$50,000 assessment, avoidance of excavation and reconstruction of our streets that would lose street access for multiple weeks and using HDD to replace our water mains/sewers without losing 100 trees to root

10A

disturbance. But, there is still time to reach these goals without litigation if we do not give up. More letters are needed.

The first attachment is a short letter from John Smith who lives on North Linden. John believes that he would be subject to 25% of the Shirley assessment fee if a change is not made to the current City Staff plan to begin street work this summer. If John can write his letter with much less to lose than those of us on Arlington and Shirley, surely we can get a few more letters emailed this evening or tomorrow morning. John's letter is actually better than the one I suggested. Unless you have something more to add, simply copy John's letter and email it as soon as you can.

If you have more opinions to express, you may want to send a longer letter like the one emailed today by Brian Connolly, second attachment. Or, easier yet, you can do what Duncan Aldred did and simply email my letter to the Mayor with your name and address at the bottom, third attachment. All we are trying to do now is have the Commissioners vote on work being done on 27 higher-ranked streets before a decision is made on Arlington/Shirley work.

While I think that we have a strong legal case to oppose the assessment, it will take attorney fees to do this. Whereas, if the Mayor and Commissioners delay the City Staff work plan now, we may together find other ways in the next year to achieve our remaining goals. We have nothing to lose but attorney fees and possibly a \$50,000 assessment by making this request.

So, please take out 5 minutes this evening or Monday morning to email your letter and bcc me to share it with our neighbors to inspire more letters from them. You can also encourage letters from your relatives and friends, especially if they live in Birmingham. If you are tired of my updates/requests and want them to stop, please respond "Unsubscribe." Thank you.

Jim Mirro

248-420-5113

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You received this message because you are subscribed to the Google Groups "City Commission" group.
To unsubscribe from this group and stop receiving emails from it, send an email to city-commission+unsubscribe@bhamgov.org.

To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/CAG8Vh9F8PNUouZmHRb%3DLXT6YC81SQSkNdgVDX5ZVEQwS2vp39w%40mail.gmail.com>.

 **Duncan Aldred Mayor Letter, 4-14-24..pdf**
906K

jmirro

From: duncan aldred [duncan.aldred@googlemail.com]
Sent: Sunday, April 14, 2024 9:39 PM
To: emclain@bhamgov.com
Subject: Shirley/Arlington project

Dear Mayor McLain,

Background: Thank you for permitting a discussion of the Arlington/Shirley street project last Monday. We agree that the absence/recusal of two Commissioners would have made it difficult to achieve a "super majority" approval of our proposed HDD motion had a vote been taken.

New Information: Since then, however, we have learned about the attached exhibit, "Unimproved Road Scoring List" that was part of the Special Commission Workshop Meeting of October 2, 2023. Using points for water, sewer and road conditions, this exhibit ranks Arlington/Shirley in 28th place on a list of 30 streets needing work, including water pressure and volume.

Previously our streets had been ranked higher on the City Staff list. What has not been explained since last October is why City Staff is still proposing Arlington/Shirley work be done in 2024 when 27 other streets should receive work benefits before our streets do. Something is wrong here.

New Proposal/Rationale: In view of this new information, Arlington/Shirley property owners are requesting that you ask the City Staff in the 4-15-24 Meeting why our streets must be worked on in 2024 in view of their ranking below 27 other streets. If the answer is not worth litigation, then we ask you to make a motion and ask for a vote to have our street project decided upon after all other 27 street projects are completed. This is being requested for the following reasons.

First, delaying our street work past 2024 will provide time for a dozen new house projects to be completed before a new pavement is subjected to heavy equipment traffic that we have already seen did not fare well on Westwood Street.

Second, delaying our work will give the City Staff more time to get familiar with HDD results and the HDD contractor used on the Redding Street project.

Third, with additional turnover of residents on our streets, the City may find more residents in favor of street replacement at a later date.

Fourth, this motion does not require a "super majority" of votes to pass.

Fifth, delaying this decision gives both the City Staff and property owners time to consider alternatives to litigation to solve a difference in work methods.

Sixth, delaying this decision avoids the appearance of any special interest bias for replacement.

Seventh, our streets will not set a precedent for other streets now categorized as "unimproved."

Recommendation: For all these reasons, we request a motion and vote on 4-15-24 with these words: "The decision for water main/sewer upgrades for Arlington/Shirley Streets will not be made until decisions for all other streets with higher block ratings are made."

Risk Assessment: By voting "yes" on this motion now, the City Commission will not only eliminate the risk of litigation, but will also eliminate workload for City Staff that could be spent on the other 27 street projects with a higher need ranking. And there is really no downside risk since this vote is just

reordering the approval process to be in line with a point-system priority list that is agreed upon by the City Staff. Finally, this wording allows for a future re-ordering of Arlington/Shirley Streets on this list and the date of their approval decision in the event that street ratings change again at a future date.

Regards

Duncan Aldred
735 Shirley Road
Sent from my iPhone



Alex Bingham <abingham@bhamgov.org>

Arlington & Shirley Road Repair

1 message

Kris Sawyer <antiquer62@aol.com>

Mon, Apr 15, 2024 at 4:39 PM

To: emclain@bhamgov.org

Cc: kschafer@bhamgov.org, tlong@bhamgov.org, bhost@bhamgov.org, abingham@bhamgov.org, along@bhamgov.org, ahaig@bhamgov.org, jecker@bhamgov.org, mkucharek@bhamgov.com

Dear Mayor McLain,

We are writing to request that you make a motion at the City Council meeting tonight (April 15, 2024) to Delay the Arlington & Shirley Road project until work is completed on all 27 other city streets listed in the street scoring document as identified by the City of Birmingham which is based on a 3 factor condition scale - water, sewer and pavement.

> It is our understanding that the commission is unwilling to agree that the Arlington and Shirley roads qualify as "improved" as supported by the letters from the county and state road commissions. Therefore, they are unwilling to consider HDD as a reasonable alternative to removing and replacing water, sewer and pavement. Because of that arbitrary viewpoint/decision and the document from the city of Birmingham identifying Arlington and Shirley as 28th on the list of 30 streets evaluated using the city's 3 factor condition scale (water/sewer/pavement); we believe following the Birmingham City Councils logic that Arlington and Shirley should be handled 28th on the list of 30 streets as per its rank of need outlined in the Unimproved Road Scoring List.

In our opinion , voting to delay the work on Arlington and Shirley would allow several things to happen:

- * Delay Arlington and Shirley street work past 2024 allowing completion of the 12 current housing projects underway and reducing heavy construction traffic on the streets.
- * Provide city staff more time to consider, evaluate and understand HDD as a viable and preferable option to full replacement.
- * Allow turnover of residents to potentially side with the city inn their viewpoints and better support street full replacement options. Allowing an alternative to litigation between existing residents and the city as a means of coming to a decision.
- * Using the existing listing based on need created due to the 3 factors removes Arlington and Shirley from preferential treatment and does not set a precedent for the other streets currently classified as "unimproved".

By voting "Yes" on this motion now the City Commission will not only eliminate the risk of litigation but will also eliminate the workload for the City Staff that could be spend on the other 27 street projects with a higher need ranking. There is no downside to this vote as it is following an established order already set by the City based on a need assessment already performed and approved.

Thank you for your support.

Regards,
Kris Sawyer
Ron Sawyer
Alex Sawyer
Nicole Sawyer



Alex Bingham <abingham@bhamgov.org>

Arlington and Shirley

1 message

JOHN SMITH <johnjrpop@aol.com>

Sun, Apr 14, 2024 at 10:54 AM

To: Elaine McLain <emclain@bhamgov.org>

Cc: Katie Schafer <kschafer@bhamgov.org>, Anthony Long <along@bhamgov.org>, Therese Longe <tlonge@bhamgov.org>, Andrew Haig <ahaig@bhamgov.org>, Brad Host <bhost@bhamgov.org>, Ecker <jecker@bhamgov.org>, Alexandria Bingham <abingham@bhamgov.org>, Kucharek <mkucharek@bhlaw.us.com>, Joan Smith <lightbodysmith@aol.com>

Dear Mayor McLain and Commisioners,

Please vote Monday to delay work on Arlington/Shirley until work is completed on the 27 other Birmingham streets that have a higher need ranking among unimproved streets according to the City Staff point system.

Your consideration is appreciated.

John and Joan Smith
230 Linden Rd

Sent from my iPhone



**NOTICE OF INTENTION TO APPOINT TO THE
BOARD OF ETHICS**

At the regular meeting of Monday, May 20, 2024, the Birmingham City Commission intends to appoint one regular member to the Board of Ethics to serve a three-year term to expire June 30, 2027.

Board members to serve on an advisory body for the purposes of interpreting the Code of Ethics. The board consists of three members who serve without compensation. The members shall be residents and have legal, administrative or other desirable qualifications.

Interested citizens may submit an application available at the City Clerk’s office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk’s office on or before noon on Wednesday, May 15, 2024. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointment.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Members shall be residents and have legal, administrative or other desirable qualifications.	5/15/2024	5/20/2024

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



**NOTICE OF INTENTION TO APPOINT TO THE
MARTHA BALDWIN PARK BOARD**

At the regular meeting of Monday, May 20, 2024 the Birmingham City Commission intends to appoint two regular members to the Martha Baldwin Park Board to serve four-year terms to expire May 1, 2028. Members must be electors of the City of Birmingham.

Interested citizens may submit an application available at the City Clerk’s office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, May 15, 2024. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

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.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Members must be electors in the City of Birmingham.	5/15/2024	5/20/2024



**NOTICE OF INTENTION TO APPOINT TO
BOARD OF REVIEW**

At the regular meeting of Monday, May 20, 2024, the Birmingham City Commission intends to appoint two regular members with terms expiring December 31, 2025 and December 31, 2024 and also two alternate members one to serve a three-year term expiring December 31, 2026 and the other to serve the remainder of a three-year term set to expire December 31, 2025. Applicants must be property owners and electors of the City of Birmingham.

The Board of Review, consisting of two panels of three local citizens who must be property owners and electors, is appointed by the City Commission for three-year terms. Although a general knowledge of the City is very helpful, more important are good judgment and the ability to listen carefully to all sides of an issue before making a decision. Approximately three weeks in March are scheduled for taxpayers to protest their assessments and one day each in July and December for correcting clerical errors and mutual mistakes of fact. Two training sessions in February are also required.

Interested citizens may submit an application available at the Clerk’s office or online at www.bhamgov.org/boardopportunities. Applications must be submitted to the City Clerk’s office on or before noon on Wednesday, May 15, 2024. These documents will appear in the public agenda for the regular meeting at which time the City Commission will interview applicants and may make nominations and vote on appointments.

Board members are paid \$110 per diem.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Members must be property owners and electors (registered voters) of the City of Birmingham.	5/15/2024	5/20/2024

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



**NOTICE OF INTENTION TO APPOINT TO THE
MUSEUM BOARD**

At the regular meeting of Monday, May 20, 2024, the Birmingham City Commission intends to appoint one regular member to the Museum Board to serve the remainder of 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, May 15, 2024. 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.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Shall be qualified electors of the City.	5/15/2024	5/20/2024

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



MEMORANDUM

FINANCE

DATE: April 19, 2024

TO: Jana L. Ecker, City Manager

FROM: Mark Gerber, Director of Finance/Treasurer

SUBJECT: Third Quarter Financial Reports

Background

Chapter 7, section 3(b) of the City charter requires the Director of Finance to report on the condition of the City quarterly. Quarterly reports are prepared for the first 3 quarters of the year with the annual audit serving as the 4th quarter report. Only the following funds are reported quarterly because by state law they require a budget: General Fund, Greenwood Cemetery Perpetual Care Fund, Major and Local Street Funds, Solid Waste Fund, Community Development Block Grant Fund, Law and Drug Enforcement Fund, Baldwin Public Library Fund, Principal Shopping District Fund, Brownfield Redevelopment Authority Fund, Triangle District Corridor Improvement Authority Fund, and the Debt Service Fund.

Overview

Attached is the third quarter 2023-2024 fiscal year financial reports. The reports compare budget to actual for the current fiscal year and the prior fiscal year for the same quarter. The previous year's budget and actual have been restated using the required state chart of account groupings. This allows meaningful comparisons between fiscal years as well as percentage of budget received/spent for the year. The budget categories used for each fund are the same ones approved by the Commission when they adopted the 2023-2024 budget. Budget discussions that follow will focus on each fund individually.

At this point, 75% of the fiscal year has lapsed.

General Fund

Revenues are approximately \$2.1M higher than the previous year as a result of an increase in tax revenue of \$3M and an increase in Interest and Rent of \$.8M. This was partially offset by a decrease in Licenses and Permits of \$1.5M. Taxes increased as a result of an increase in taxable value. Interest and Rent increased as a result of higher interest rates on the City' portfolio. Licenses and Permits decreased as a result of large scale construction permits in FY 2022-2023.

Special Assessments, State Grants and Local Grant funds, and Fines and Forfeitures are below expected budget due to timing of when the revenues are received.

Total current year-to-date expenditures for the General Fund are higher than the prior year by approximately \$1.8M. Most of the increase is related to an increase in Transfers Out of \$2.4M, Public Safety of \$.7M, General Government of \$.6M, Recreation and Culture of \$.3M and Judicial of \$.3M. This was offset by a decrease in Public Works of \$2.6M. The increase in the Transfers Out is due to an increase in transfers to the Major and Local Street Funds. The increase in Public Safety and General Government is mainly the result of higher personnel costs and implementing OpenGov budgeting. The increase in Judicial is the result of the City's higher case load percentage at 48th District Court. The increase in Recreation and Culture is the result of personnel costs and parks master plan. The decrease in Public Works is related to construction on S. Old Woodward which was in fiscal year 2022-2023.

Greenwood Cemetery Fund

Cemetery perpetual care revenues are approximately the same as last fiscal year.

Major Street Fund

Total revenues are approximately \$1.5M higher than the prior year as a result of higher budgeted transfers from the General Fund. State grant revenue is at 61% as a result of February and March road funding being received after the quarter ended.

Overall expenditures are approximately \$.2M higher than the previous year as a result of higher traffic control expenditures through the end of the quarter compared to the prior year.

Local Street Fund

Total revenues for the year are approximately \$1M higher than the previous year as a result of higher transfers from the General Fund. As with the Major Street fund, state grants are generally received 2 months after the close of the month which explains the low budget to actual variance.

Total expenditures are \$.3M higher than the previous year. Maintenance of Streets and Bridges is higher by \$.2M due to a cape sealing project. Street Cleaning is higher by \$.1M as a result of the cape sealing project. Street Trees is \$.2M higher as a result of storm damage. This was partially offset by a decrease in Construction of Roads and Bridges of \$.2M.

Solid Waste Fund

Revenues are approximately \$.1M higher than the previous year as a result of higher property tax revenue.

Expenditures are approximately the same as the prior fiscal year.

Brownfield Redevelopment Authority Fund

Revenues are approximately \$.2M lower than the prior year. This is the result of lower property taxes being captured on brownfield sites.

Reimbursement to developers for site contamination were approximately the same as the prior year.

Principal Shopping District

Revenues and expenditures are approximately the same as the prior fiscal year. Special assessments are normally billed in January.

Community Development Block Grant Fund

CDBG expenditures for this fiscal year represent work for the ADA parking space at the Birmingham Historic Museum.

Triangle District Corridor Improvement Authority

The City is attempting to re-engage with the County regarding tax capture for the district. To-date no property taxes have been captured and no funds spent on this activity.

Michigan Indigent Defense Fund

Revenues are approximately \$.1M higher as a result of grants from the State. Expenditures to defense attorneys is approximately the same as last year.

Baldwin Library

Revenue has increased approximately \$.4M. This is the result of an increase in property tax revenue of \$.3M.

Expenditures are approximately \$2M more than the prior fiscal year due to building construction for the next phase of building improvements in the current fiscal year.

Law and Drug Enforcement Fund

Revenues are approximately \$.1M more than the previous fiscal year as a result of receiving forfeiture funds related to the Fraud and Financial Crimes Task Force.

Debt Service Fund

Budgeted revenues and expenditures are based on scheduled debt service payments. Expenditures are at 100% spent for the year as a result of making all debt payments for the year by March.

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 GENERAL FUND
 QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
 % OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	2,856,787	-	0%	2,706,974	-	0%
TAXES	33,524,900	33,483,951	100%	30,327,140	30,350,341	100%
SPECIAL ASSESSMENTS	656,810	206,743	31%	1,265,360	498,161	39%
LICENSES AND PERMITS	2,720,510	2,345,384	86%	2,678,930	3,865,186	144%
FEDERAL GRANTS	133,190	124,953	94%	51,500	162,888	316%
STATE GRANTS	2,833,900	1,483,707	52%	2,446,470	1,473,344	60%
LOCAL CONTRIBUTIONS	151,650	38,381	25%	90,240	45,148	50%
CHARGES FOR SERVICES	3,557,890	2,450,536	69%	3,159,460	2,612,994	83%
FINES AND FORFEITURES	1,957,340	976,317	50%	1,372,250	741,930	54%
INTEREST AND RENT	756,500	1,006,224	133%	417,320	224,487	54%
OTHER REVENUE	250,130	75,783	30%	51,650	85,240	165%
TRANSFERS IN	100,000	75,000	75%	100,000	75,000	75%
TOTAL REVENUES	49,499,607	42,266,979	85%	44,667,294	40,134,719	90%
EXPENDITURES:						
GENERAL GOVERNMENT	6,258,500	4,261,839	68%	5,657,570	3,635,449	64%
JUDICIAL	1,999,280	1,581,231	79%	1,243,770	1,282,461	103%
PUBLIC SAFETY	20,364,535	14,061,795	69%	18,779,602	13,350,937	71%
PUBLIC WORKS	8,866,222	3,571,030	40%	10,979,849	6,126,019	56%
HEALTH AND WELFARE	217,630	121,128	56%	179,040	128,158	72%
COMMUNITY AND ECONOMIC DEVELOPMENT	811,198	469,096	58%	764,854	382,950	50%
RECREATION AND CULTURE	3,382,209	2,229,049	66%	3,226,608	1,934,222	60%
TRANSFERS OUT	7,600,000	5,250,000	69%	3,835,968	2,898,468	76%
TOTAL EXPENDITURES	49,499,574	31,545,168	64%	44,667,261	29,738,664	67%

CITY OF BIRMINGHAM
QUARTERLY BUDGET REPORT
GREENWOOD CEMETERY FUND
QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
% OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	(58,000)	-	0%	(82,500)	-	0%
CHARGES FOR SERVICES	35,000	48,800	139%	60,000	48,900	82%
INTEREST AND RENT	23,000	22,327	97%	22,500	21,987	98%
TRANSFERS IN	-	-	0%	-	-	0%
TOTAL Revenues	-	71,127	0%	-	70,887	0%
EXPENDITURES:						
ENGINEERING AND PUBLIC SERVICES	-	-	0%	-	-	0%
TOTAL EXPENDITURES	-	-		-	-	

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 MAJOR STREETS
 QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
 % OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	5,174,957	-	0%	3,170,411	-	0%
SPECIAL ASSESSMENT	-	-	0%	31,900	-	
STATE GRANTS	1,841,950	1,128,017	61%	1,786,350	1,085,311	61%
LOCAL CONTRIBUTIONS	-	2,197	100%			
INTEREST AND RENT	35,180	111,194	316%	38,590	75,815	196%
OTHER REVENUE	-	3,252	0%	-	27,129	0%
TRANSFERS IN	3,500,000	2,625,000	75%	1,500,000	1,125,000	75%
TOTAL REVENUES	10,552,087	3,869,660	37%	6,527,251	2,313,255	35%
EXPENDITURES:						
PUBLIC WORKS:						
ADMINISTRATIVE	19,670	15,372	78%	19,640	15,433	79%
TRAFFIC CONTROLS & ENGINEERING	1,347,407	381,880	28%	993,067	187,158	19%
CONSTRUCTION OF ROADS & BRIDGES	7,710,454	2,395,533	31%	4,098,064	2,462,876	60%
MAINTENANCE OF ROADS & BRIDGES	488,256	216,132	44%	447,520	174,429	39%
STREET CLEANING	236,050	122,633	52%	237,990	130,898	55%
STREET TREES	471,580	332,511	71%	456,420	281,811	62%
SNOW AND ICE REMOVAL	278,670	73,319	26%	274,550	90,648	33%
TOTAL EXPENDITURES	10,552,087	3,537,380	34%	6,527,251	3,343,253	51%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 LOCAL STREETS
 QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
 % OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	1,660,457	-	0%	638,782	-	0%
SPECIAL ASSESSMENT	237,740	120,308	51%	521,730	92,339	18%
STATE GRANTS	752,340	453,933	60%	729,630	436,288	60%
LOCAL CONTRIBUTIONS	-	2,785	100%	0	0	
INTEREST AND RENT	42,000	76,915	183%	28,950	41,351	143%
OTHER REVENUE	5,000	11,200	224%	5,000	18,398	368%
TRANSFERS IN	3,500,000	2,625,000	75%	2,250,000	1,687,500	75%
TOTAL REVENUES	6,197,537	3,290,141	53%	4,174,092	2,275,876	55%
EXPENDITURES:						
PUBLIC WORKS:						
ADMINISTRATIVE	27,690	21,258	77%	27,680	21,375	77%
TRAFFIC CONTROLS & ENGINEERING	74,110	48,963	66%	66,100	40,631	61%
CONSTRUCTION OF ROADS & BRIDGES	3,453,575	279,717	8%	1,626,892	461,324	28%
MAINTENANCE OF ROADS & BRIDGES	1,214,002	553,887	46%	1,073,210	335,976	31%
STREET CLEANING	265,690	241,137	91%	258,350	110,555	43%
STREET TREES	982,950	810,662	82%	946,370	666,731	70%
SNOW AND ICE REMOVAL	179,520	76,143	42%	175,490	89,178	51%
TOTAL EXPENDITURES	6,197,537	2,031,767	33%	4,174,092	1,725,770	41%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 SOLID WASTE
 QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
 % OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	3,672	0	0%	(7,320)	-	0%
TAXES	2,343,860	2,344,784	100%	2,245,000	2,248,764	100%
STATE GRANTS	4,000	4,976	124%	3,990	4,180	105%
CHARGES FOR SERVICES	100	2,908	2908%	17,100	11,770	69%
INTEREST AND RENT	20,000	39,309	197%	15,440	24,072	156%
OTHER REVENUE	<u>300</u>	<u>200</u>	67%	<u>-</u>	<u>208</u>	0%
TOTAL REVENUES	<u><u>2,371,932</u></u>	<u><u>2,392,177</u></u>	<u>101%</u>	<u><u>2,274,210</u></u>	<u><u>2,288,994</u></u>	<u>101%</u>
EXPENDITURES:						
PUBLIC WORKS	<u><u>2,371,932</u></u>	<u><u>1,131,164</u></u>	<u>48%</u>	<u><u>2,274,210</u></u>	<u><u>1,151,664</u></u>	<u>51%</u>

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 BROWNFIELD REDEVELOPMENT FUND
 QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
 % OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	(880)	-	0%	(770)	-	0%
TAXES	481,830	464,340	96%	627,240	691,568	110%
CHARGES FOR SERVICES	-	-	0%	-	-	0%
INTEREST AND RENT	880	3,773	429%	770	2,034	264%
OTHER REVENUE	20,000	2,464	12%	20,000	5,394	27%
TRANSFERS IN	-	-	0%	-	-	0%
TOTAL REVENUES	<u>501,830</u>	<u>470,577</u>	<u>94%</u>	<u>647,240</u>	<u>698,996</u>	<u>108%</u>
EXPENDITURES						
COMMUNITY DEVELOPMENT	<u>501,830</u>	<u>462,145</u>	<u>92%</u>	<u>647,240</u>	<u>471,788</u>	<u>73%</u>

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 PRINCIPAL SHOPPING DISTRICT
 QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
 % OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	111,004	-	0%	173,135	-	0%
SPECIAL ASSESSMENTS	1,201,500	1,020,653	85%	1,101,370	1,080,716	98%
CHARGES FOR SERVICES	25,000	25,000	100%	25,000	-	0%
INTEREST AND RENT	5,420	20,907	386%	5,310	10,723	202%
OTHER REVENUE	<u>220,000</u>	<u>175,689</u>	80%	<u>160,000</u>	<u>185,786</u>	116%
TOTAL REVENUES	<u><u>1,562,924</u></u>	<u><u>1,242,249</u></u>	<u>79%</u>	<u><u>1,464,815</u></u>	<u><u>1,277,225</u></u>	<u>87%</u>
EXPENDITURES						
COMMUNITY DEVELOPMENT	<u>1,562,924</u>	<u>630,889</u>	<u>40%</u>	<u>1,464,815</u>	<u>574,521</u>	<u>39%</u>

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 COMMUNITY DEVELOPMENT BLOCK GRANT
 QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
 % OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
FEDERAL GRANTS	<u>65,640</u>	<u>3,950</u>	<u>6%</u>	<u>36,670</u>	<u>5,666</u>	<u>15%</u>
EXPENDITURES						
HEALTH AND WELFARE	<u>65,640</u>	<u>46,340</u>	<u>71%</u>	<u>36,670</u>	<u>-</u>	<u>0%</u>

CITY OF BIRMINGHAM
QUARTERLY BUDGET REPORT
TRIANGLE DISTRICT CORRIDOR IMPROVEMENT AUTHORITY
QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
% OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	(220)	-	0%	(190)	-	0%
PROPERTY TAXES	-	-	0%	-	-	0%
INTEREST AND RENT	<u>220</u>	<u>3,801</u>	1728%	<u>190</u>	<u>254</u>	134%
TOTAL REVENUES	<u>-</u>	<u>3,801</u>	<u>0%</u>	<u>-</u>	<u>254</u>	<u>0%</u>
EXPENDITURES						
COMMUNITY DEVELOPMENT	<u>-</u>	<u>-</u>	<u>0%</u>	<u>-</u>	<u>-</u>	<u>0%</u>

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 MICHIGAN INDIGENT DEFENSE FUND
 QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
 % OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	-	-	0%	2,860	-	0%
STATE GRANTS	494,100	359,812	73%	493,960	207,016	42%
LOCAL CONTRIBUTIONS	17,600	-	0%	-	-	0%
INTEREST AND RENT	3,000	5,054	168%	480	3,037	633%
TOTAL REVENUES	<u>514,700</u>	<u>364,866</u>	<u>71%</u>	<u>497,300</u>	<u>210,053</u>	<u>42%</u>
EXPENDITURES:						
HEALTH AND WELFARE	<u>514,700</u>	<u>165,583</u>	<u>32%</u>	<u>132,150</u>	<u>141,226</u>	<u>107%</u>

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 BALDWIN LIBRARY
 QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
 % OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	2,203,880	-	0%	(478,930)	-	0%
TAXES	4,165,640	4,173,278	100%	3,854,880	3,867,794	100%
FEDERAL GRANTS	0	-	0%	0	6,400	0%
STATE GRANTS	42,000	27,681	66%	36,000	26,175	73%
LOCAL CONTRIBUTIONS	1,093,140	791,190	72%	1,062,390	644,701	61%
CHARGES FOR SERVICES	20,650	22,951	111%	21,000	23,667	113%
FINES AND FORFEITURES	5,000	4,666	93%	6,000	3,265	54%
INTEREST AND RENT	5,000	75,026	1501%	30,000	52,315	174%
OTHER REVENUE	<u>260,000</u>	<u>166</u>	0%	<u>-</u>	<u>-</u>	0%
TOTAL REVENUES	<u>7,795,310</u>	<u>5,094,958</u>	<u>65%</u>	<u>4,531,340</u>	<u>4,624,317</u>	<u>102%</u>
EXPENDITURES:						
RECREATION AND CULTURE	<u>7,795,310</u>	<u>4,178,741</u>	<u>54%</u>	<u>4,531,340</u>	<u>2,137,808</u>	<u>47%</u>

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 LAW & DRUG ENFORCEMENT FUND
 QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
 % OF FISCAL YEAR COMPLETED: 75%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	29,790	-	0%	(20,150)	-	0%
FINES & FORFEITURES	25,000	105,958	424%	25,000	42,410	170%
INTEREST AND RENT	-	5,097	0%	580	2,487	429%
OTHER REVENUE	-	-	0%	-	-	0%
TOTAL REVENUES	54,790	111,055	203%	5,430	44,897	827%
EXPENDITURES:						
PUBLIC SAFETY	54,790	3,878	7%	5,430	3,635	0%
CAPITAL OUTLAY	-	-	0%	-	-	0%
TOTAL EXPENDITURES	54,790	3,878	7%	5,430	3,635	67%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 DEBT SERVICE FUND
 QUARTER ENDED: MARCH 31, 2024 AND MARCH 31, 2023
 % OF FISCAL YEAR COMPLETED: 50%

	2023-2024			2022-2023		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF (CONTRIB. TO) FUND BALANCE	-	-	0%	-	-	0%
TAXES	1,637,910	1,639,832	100%	1,508,190	1,513,248	100%
STATE GRANTS	2,770	3,324	120%	5,200	2,982	57%
INTEREST AND RENT	<u>5,500</u>	<u>4,963</u>	90%	<u>1,740</u>	<u>2,314</u>	133%
TOTAL REVENUES	<u>1,646,180</u>	<u>1,648,119</u>	<u>100%</u>	<u>1,515,130</u>	<u>1,518,544</u>	<u>100%</u>
EXPENDITURES:						
DEBT SERVICE	<u>1,646,180</u>	<u>1,645,673</u>	<u>100%</u>	<u>1,515,130</u>	<u>1,514,623</u>	<u>100%</u>



MEMORANDUM

FINANCE

DATE: April 19, 2024

TO: Jana L. Ecker, City Manager

FROM: Mark Gerber, Finance Director/Treasurer

SUBJECT: 3rd Quarter Investment Report

Public Act 213 of 2007 requires investment reporting on the City's general investments to be provided to the City Commission on a quarterly basis. This information is also required to be provided annually, which the City has and will continue to include within the audited financial statements.

General investments of the City are governed by state law and the City's General Investment Policy approved by the City Commission. The services of an outside investment advisor are utilized to assist the treasurer in determining which types of investments are most appropriate and permitted under the investment policy, maximize the return on the City's investments within investment policy constraints and provide for cash flow needs.

The two primary objectives for investment of City funds are the preservation of principal and liquidity to protect against losses and provide sufficient funds to enable the City to meet all operating requirements that might be reasonably anticipated. Investment activities include all City funds except the retirement and retiree health-care funds as follows:

- General Fund
- Permanent Funds
- Special Revenue Funds
- Capital Projects Fund
- Enterprise Funds
- Debt Service Funds
- Component Unit Funds
- Internal Service Funds

Overall, the City has \$112.2 million invested in various securities according to its general investment policy as of March 31, 2024.

The City has two pooled funds (CLASS Pool and J-Fund), which are used to meet payroll, contractor and other accounts payable needs. As indicated on the attached schedule, there is approximately \$10.5 million invested in pooled funds at the end of March. A maximum of 50% of the portfolio may be invested in pooled funds that meet state guidelines. The amount currently invested in pooled funds is 9%.

The City also holds approximately \$53.3 million, or 48%, of its investments in treasury notes and bills, which are obligations of the United States. The maximum amount of investments that may be held in government securities is 100%.

Investments in federal agencies total approximately \$48.4 million, or 43%, of the City's investments. The maximum amount of the portfolio that may be invested in federal agencies is 75%.

The Investment Policy requires that the average maturity of the portfolio may not exceed two and one-half years. The current average maturity of the portfolio is 1.7 years.

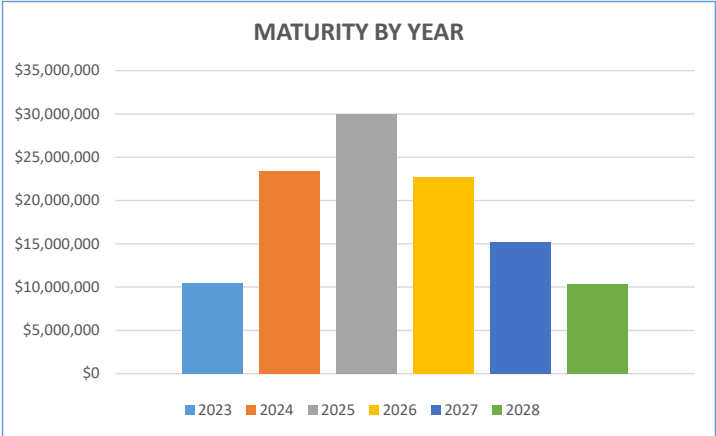
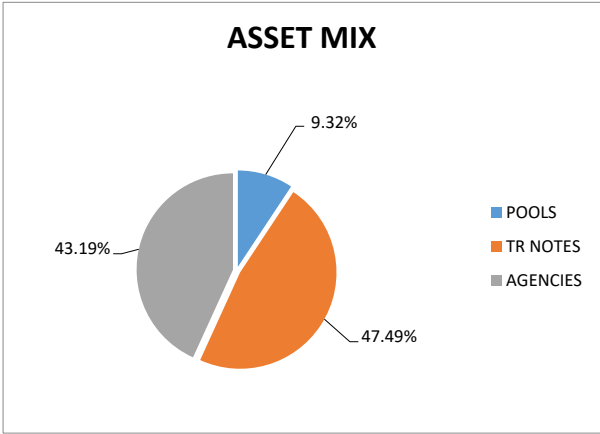
**CITY OF BIRMINGHAM
GENERAL INVESTMENT PORTFOLIO SUMMARY**

3/31/2024

YEAR	MATURITY DATE	DESCRIPTION	% YIELD	*	PAR VALUE	COST	CURRENT MARKET VALUE	YEARLY TOTAL
2024	3/31/2024	CLASS POOL	5.412%	CITY	2,345,112.85	2,345,112.85	2,345,112.85	
	3/31/2024	J FUND	5.140%	CITY	8,109,408.03	8,109,408.03	8,109,408.03	
								10,454,520.88
2024	4/15/2024	TR NOTE	0.434%	INSIGHT	3,000,000.00	2,995,546.88	2,994,300.00	
	5/17/2024	AGENCY	0.360%	INSIGHT	1,000,000.00	999,800.00	993,870.00	
	5/31/2024	TR NOTE	0.462%	INSIGHT	1,000,000.00	1,040,823.66	994,600.00	
	6/14/2024	AGENCY	0.377%	INSIGHT	1,500,000.00	1,556,520.00	1,489,230.00	
	6/14/2024	AGENCY	4.343%	INSIGHT	2,500,000.00	2,481,025.00	2,492,550.00	
	7/2/2024	AGENCY	1.719%	INSIGHT	1,500,000.00	1,502,037.00	1,486,320.00	
	8/19/2024	AGENCY	0.450%	INSIGHT	2,000,000.00	1,999,500.00	1,964,100.00	
	9/13/2024	AGENCY	1.729%	INSIGHT	1,750,000.00	1,843,345.00	1,731,240.00	
	9/30/2024	TR NOTE	0.569%	INSIGHT	1,500,000.00	1,541,020.65	1,472,370.00	
	10/31/2024	TR NOTE	0.465%	INSIGHT	3,000,000.00	3,090,436.39	2,935,770.00	
	10/31/2024	TR NOTE	2.476%	INSIGHT	1,000,000.00	994,378.35	983,070.00	
	11/15/2024	TR NOTE	0.560%	INSIGHT	1,500,000.00	1,578,637.84	1,472,820.00	
	12/16/2024	AGENCY	0.500%	INSIGHT	1,000,000.00	1,000,000.00	964,850.00	
	12/30/2024	AGENCY	0.390%	INSIGHT	1,500,000.00	1,499,025.00	1,447,425.00	
								23,422,515.00
2025	1/7/2025	AGENCY	0.362%	INSIGHT	1,500,000.00	1,580,434.50	1,460,400.00	
	1/28/2025	AGENCY	0.550%	INSIGHT	1,500,000.00	1,500,000.00	1,445,880.00	
	2/12/2025	AGENCY	0.344%	INSIGHT	1,500,000.00	1,575,136.50	1,453,665.00	
	2/26/2025	AGENCY	0.680%	INSIGHT	1,000,000.00	1,000,000.00	960,750.00	
	2/28/2025	TR NOTE	0.508%	INSIGHT	1,500,000.00	1,533,925.38	1,447,395.00	
	3/28/2025	AGENCY	1.250%	INSIGHT	1,500,000.00	1,494,500.00	1,434,255.00	
	3/28/2025	AGENCY	0.450%	INSIGHT	1,500,000.00	1,500,000.00	1,435,500.00	
	3/31/2025	TR NOTE	0.669%	INSIGHT	1,500,000.00	1,491,215.96	1,434,540.00	
	4/22/2025	AGENCY	0.625%	INSIGHT	1,500,000.00	1,399,770.00	1,432,215.00	
	6/30/2025	AGENCY	0.750%	INSIGHT	2,000,000.00	2,000,000.00	1,900,780.00	
	7/15/2025	TR NOTE	4.233%	INSIGHT	3,000,000.00	2,903,095.99	2,929,680.00	
	8/15/2025	TR NOTE	3.037%	INSIGHT	2,000,000.00	1,937,506.70	1,925,000.00	
	9/15/2025	TR NOTE	4.187%	INSIGHT	3,000,000.00	2,942,939.74	2,943,990.00	
	10/15/2025	TR NOTE	4.457%	INSIGHT	1,500,000.00	1,491,386.71	1,487,640.00	
10/31/2025	TR NOTE	3.167%	INSIGHT	2,500,000.00	2,487,020.09	2,432,125.00		
11/15/2025	TR NOTE	3.025%	INSIGHT	2,000,000.00	1,951,959.82	1,921,180.00		
12/15/2025	TR NOTE	5.023%	INSIGHT	2,000,000.00	1,958,287.95	1,975,400.00		
								30,020,395.00
2026	1/15/2026	TR NOTE	5.005%	INSIGHT	2,000,000.00	1,953,209.83	1,971,400.00	
	2/25/2026	AGENCY	3.577%	INSIGHT	1,500,000.00	1,487,659.50	1,462,680.00	
	3/31/2026	TR NOTE	4.144%	INSIGHT	3,000,000.00	2,816,142.86	2,864,880.00	
	5/26/2026	AGENCY	5.015%	INSIGHT	1,965,000.00	1,797,385.50	1,839,829.50	
	6/16/2026	AGENCY	4.203%	INSIGHT	3,000,000.00	2,928,240.00	2,929,740.00	
	7/27/2026	AGENCY	4.412%	INSIGHT	1,500,000.00	1,504,590.00	1,497,210.00	
	8/14/2026	AGENCY	4.731%	INSIGHT	1,500,000.00	1,490,415.00	1,499,055.00	
	9/11/2026	AGENCY	4.963%	INSIGHT	2,000,000.00	1,995,156.00	2,015,720.00	
	10/15/2026	TR NOTE	4.847%	INSIGHT	3,000,000.00	2,981,611.61	3,008,550.00	
	11/15/2026	TR NOTE	4.852%	INSIGHT	2,000,000.00	1,838,131.70	1,877,500.00	
	12/18/2026	AGENCY	4.790%	INSIGHT	1,885,000.00	1,675,380.46	1,703,417.95	
2027	1/12/2027	AGENCY	3.803%	INSIGHT	1,500,000.00	1,520,295.00	1,483,215.00	
	3/31/2027	TR NOTE	4.071%	INSIGHT	1,500,000.00	1,406,430.81	1,420,200.00	
	4/30/2027	TR NOTE	4.867%	INSIGHT	1,500,000.00	1,398,930.81	1,428,405.00	
	6/30/2027	TR NOTE	3.701%	INSIGHT	3,000,000.00	2,943,867.19	2,897,100.00	
	8/15/2027	TR NOTE	4.510%	INSIGHT	1,950,000.00	1,799,643.25	1,820,734.50	
	9/30/2027	TR NOTE	4.005%	INSIGHT	1,500,000.00	1,507,851.56	1,488,345.00	
	10/13/2027	AGENCY	4.885%	INSIGHT	3,000,000.00	2,985,456.00	3,028,050.00	
11/30/2027	TR NOTE	4.513%	INSIGHT	1,700,000.00	1,658,701.01	1,672,511.00		
								15,238,560.50
2028	2/29/2028	TR NOTE	4.736%	INSIGHT	2,000,000.00	1,942,272.32	1,976,640.00	
	3/10/2028	AGENCY	3.539%	INSIGHT	1,575,000.00	1,641,386.28	1,581,741.00	
	6/30/2028	AGENCY	4.433%	INSIGHT	1,500,000.00	1,471,840.50	1,488,645.00	

	7/31/2028	TR NOTE	4.825%	INSIGHT	1,500,000.00	1,455,825.34	1,490,625.00	
	8/28/2028	AGENCY	4.454%	INSIGHT	1,800,000.00	1,803,792.60	1,814,040.00	
	9/22/2028	AGENCY	4.779%	INSIGHT	2,000,000.00	1,975,600.00	2,015,960.00	
								10,367,651.00
			3.283%		114,579,520.88	113,303,611.12	112,173,624.83	112,173,624.83

AVERAGE MATURITY (YEARS): 1.73



POOLS	\$10,454,520.88	9.32%
TR NOTES	\$53,266,770.50	47.49%
AGENCIES	\$48,452,333.45	43.19%
TOTAL	\$112,173,624.83	100.00%

COMPARATIVE RETURNS			
	City Portfolio	1-Yr TR	2-Yr TR
Current Month	3.28%	5.03%	4.59%
Last Quarter	3.23%	4.96%	4.47%
1 Year Ago	2.21%	3.73%	3.70%

CITY CLERK
CITY OF BIRMINGHAM
P.O. BOX 3001, 151 MARTIN STREET
BIRMINGHAM, MI 48012

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION NOTICE
OF HEARING
FOR THE ELECTRIC CUSTOMERS OF
DTE ELECTRIC COMPANY
CASE NO. U-21260**

- DTE Electric Company requests Michigan Public Service Commission's approval for reconciliation of its power supply cost recovery plan (Case No. U-21259) for the twelve months ended December 31, 2023.
- The information below describes how a person may participate in this case.
- You may call or write DTE Electric Company, One Energy Plaza, Detroit, MI 48226, (800) 477-4747, for a free copy of its application. Any person may review the documents at the offices of DTE Electric Company or on the Commission's website at: michigan.gov/mpscdockets.
- A pre-hearing will be held:

DATE/TIME: Tuesday, May 7, 2024 at 10:30 AM

BEFORE: Administrative Law Judge Katherine E. 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) 284-8096, or by email at mpscdockets@michigan.gov in advance of the hearing.

The Michigan Public Service Commission (Commission) will hold a pre-hearing to consider DTE Electric (DTE Electric) Company's March 27, 2024 application requesting the Commission to: 1) approve DTE Electric's 2023 Power Supply Cost Recovery (PSCR) reconciliation and proposals; 2) authorize DTE Electric to collect its total PSCR under-recovery at year-end 2023 of \$48,705,298 including interest, from all PSCR customers via a roll-over of such under-recovery as the January 2024 starting balance for the 2024 PSCR Reconciliation; and 3) grant DTE Electric further additional relief and authority as the Commission may deem necessary, suitable and appropriate.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscdockets. 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: mpscdockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscdockets@michigan.gov.

INFORMATION ONLY

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by April 30, 2024. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon DTE Electric Company's attorney, Jon P. Christinidis, One Energy Plaza, Detroit, MI 48226.

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-21260**. 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 at (517) 284-8090.

Requests for adjournment must be made pursuant to Michigan Office of Administrative Hearings and Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

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.

The Utility Consumer Representation Fund has been created for the purpose of aiding in the representation of residential utility customers in various Commission proceedings. Contact the Chairperson, Utility Consumer Participation Board, Department of Licensing and Regulatory Affairs, P.O. Box 30004, Lansing, Michigan 48909, for more information.

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.; 1982 PA 304, as amended, MCL 460.6j et seq.; and Parts 1 & 4 of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, and R 792.10401 through R 792.10448.

U-21260

Legislative Analysis



SHORT-TERM RENTALS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5437 as introduced
Sponsor: Rep. Jason Morgan

Analysis available at
<http://www.legislature.mi.gov>

House Bill 5438 (proposed substitute H-1)
Sponsor: Rep. Joey Andrews

House Bill 5439 as introduced
Sponsor: Rep. Amos O'Neal

House Bill 5443 (proposed substitute H-2)
Sponsor: Rep. Mike McFall

House Bill 5440 as introduced
Sponsor: Rep. Jenn Hill

House Bill 5444 as introduced
Sponsor: Rep. Veronica A. Paiz

House Bill 5441 as introduced
Sponsor: Rep. Julie Brixie

House Bill 5445 as introduced
Sponsor: Rep. Noah Arbit

House Bill 5442 as introduced
Sponsor: Rep. Erin Byrnes

House Bill 5446 as introduced
Sponsor: Rep. Kristian C. Grant

Committee: Local Government and Municipal Finance
Complete to 4-17-24

SUMMARY:

Together, House Bills 5437 to 5446 would regulate and levy assessments on short-term rental facilities in Michigan. House Bill 5438 would create a new act specifically pertaining to short-term rentals, and the remaining bills would subject short-term rental facilities to the various taxes currently levied on hotel rooms.

House Bills 5437 and 5439 to 5446 are tie-barred to House Bill 5438, meaning that none of those bills can take effect unless HB 5438 is also enacted.

SHORT-TERM RENTAL REGULATION ACT

House Bill 5438 would create the “Short-Term Rental Regulation Act.” The new act would create several regulations for a property offered as a *short-term rental*, including safety and insurance standards, a requirement that a property offered as a short-term rental be registered with the Michigan Department of Licensing and Regulatory Affairs (LARA) and included in a short-term rental database, provisions allowing for limited local regulations on short-term rentals, and additional fees and requirements for rentals listed on a *hosting platform*. It would also establish a 6% tax for units rented 15 or more days in a year. The bill would take effect 60 days after it is enacted.

Short-term rental would mean the rental of a single-family residence, a dwelling unit in a one-to-four-family house, or a unit or group of units in a condominium for up to 30 consecutive days. Short-term rental would *not* include the rental of a hotel, motel,

hotel condominium,¹ home, or condominium unit located within a resort that offers amenities such as golf, a skiing restaurant facility, or group meeting accommodation.

Hosting platform would mean a digital platform, third-party website, software, online-enabled application, mobile telephone application, or another similar electronic process that allows for all of the following for a short-term rental located in Michigan:

- The advertisement, listing, or offer of the short-term rental as available.
- The collection of occupancy charges.
- The arranging, booking, reserving, or renting of the short-term rental.

Facility requirements

An owner could not offer a dwelling as a short-term rental unless it is equipped with a functioning carbon monoxide detector,² a functioning smoke detector in each sleeping room, and a functioning fire extinguisher on each floor.

Short-term rental owners would be required to maintain liability insurance of at least \$1.0 million on each unit offered for rent that defends and indemnifies the owner and any tenants for bodily injury and property damage. (This provision would not apply to short-term rentals offered through a hosting platform that maintains equal or greater insurance coverage.)

An owner of a short-term rental would have to post the following information in a conspicuous place in every room of the dwelling and as a single form in every bedroom:

- The owner's emergency contact and a working phone number.
- Information regarding local emergency services, including a working phone number for the local police and fire departments.
- The floor plan and escape routes.

Registration and short-term rental database

LARA would have to create a certificate to be filed by an owner of a dwelling each year they offer the dwelling as a short-term rental that contains the following information:

- The name, current phone number, email, and address of the owner of the short-term rental.
- The address of the short-term rental.
- Certification that the owner has the required liability insurance.
- Emergency contact information for a person who resides within 30 miles of the dwelling.
- Certification that the owner has complied with all applicable local requirements.

A hosting platform would be prohibited from facilitating **booking transactions** for a short-term rental located in Michigan if the owner has not received a certificate approval number from LARA acknowledging that the certificate has been reviewed.

Booking transaction would mean a hosting platform's facilitation of a short-term rental transaction for compensation by enabling the reservation of a short-term rental or by collecting or processing occupancy charges.

¹ *Hotel condominium* would mean a group of units in a condominium or condominium projects rented by a common rental management company for transient rental that may include a reception or check-in desk.

² The carbon monoxide detector could be battery-powered, plugged in, wired into the property's AC line with secondary battery backup, or connected to a system through a control panel.

LARA would have to create, operate, and annually update a database of short-term rentals that includes the information listed above, and the LARA director would have to prescribe any forms necessary for the administration of the database. (The department could contract with a third party to create the database.)

Upon lawful request, LARA would be required to share the information in the database for a short-term rental with the local unit of government (defined by the act as a city, township, or village) in which the dwelling is located, law enforcement agencies, and members of the public. In sharing the information, LARA would also have to report the number of complaints received against an owner for a violation of the Short-Term Rental Regulation Act and the action taken in response to the complaint.

If a local unit of government revokes a short-term rental's permit for a violation of a local or zoning ordinance, LARA would have to remove it from the database.

Hosting platforms

The bill would require hosting platforms to have a current and valid registration on file with LARA and pay an annual registration fee of \$100 per listing (up to \$50,000) in order to facilitate booking transactions for a short-term rental located in Michigan.

LARA would have to issue a registration number to each hosting platform that meets the requirements of the Short-Term Rental Regulation Act, pays the registration fee, and agrees in writing to obtain written consent from all short-term rental owners in Michigan for the disclosure of any required records and to remove from its listing a short-term rental that does not comply with the act or reasonable local regulations.

Unless prohibited by a contrary law or administrative action, a hosting platform would have to develop and maintain a report of the booking transactions it facilitates for short-term rentals in Michigan, which would have to include the following records for each transaction:

- The full address of the short-term rental.
- The full legal name of the owner.
- As applicable, a current and valid permit, license, registration, or other related authorization issued by the local unit of government in which the rental is located for the dwelling's use as a short-term rental.
- The calendar dates that the short-term rental was rented.
- The nightly rate for the rental and any taxes or assessments collected.
- The hosting platform's compensation for facilitating the booking.

(The state treasurer would be responsible for establishing the form and manner of the report and could require a hosting platform to include any additional information necessary to enforce payment of the short-term rental excise tax, described below.)

Subject to any applicable laws, hosting platforms would have to provide the state treasurer with monthly itemized records from the report for all booking transactions facilitated in the preceding month. A hosting platform would also have to make the full report (excluding copies of message exchanges between the hosting platform, the short-term rental owner, guests, or other persons who booked the rental) available to LARA upon the LARA director's request.

The itemized records within the report would have to be maintained by the hosting platform for at least three years after the end of the calendar year in which a booking occurred.

LARA could audit a hosting platform's report and itemized records as necessary.

Short-term rental excise tax

The act would levy an excise tax, known as the "short-term rental excise tax," at 6% of the *occupancy charge* for all short-term rentals in Michigan that are rented for more than 14 days in a calendar year. The tax would be collected in the same manner and at the same time as use taxes and would be in addition to any other taxes, fees, or assessments imposed by law, including any hotel taxes.

Occupancy charge would mean the charge imposed for the use or occupancy of a short-term rental, including cleaning and service fees.³ The term would *not* include charges for food, beverage, state use or excise taxes, telephone service, or a damage deposit or damage insurance.

The state treasurer would administer the tax and would have to provide forms and promulgate rules as necessary. Proceeds would be deposited in the state treasury and credited to a restricted account.

Upon appropriation, 1% of the revenue would be distributed to LARA and the Department of Treasury for the administration of the act, up to \$1.0 million. The remaining amount collected from each short-term rental would be distributed to the local unit of government in which the rental is located.

An owner of a short-term rental could add the tax to the rental's occupancy charge for a listing facilitated by a hosting platform as long as the owner discloses the addition of the tax on the guest's bill or receipt.

Local regulations

With respect to short-term rentals, a local unit of government could enact and enforce reasonable regulations and uphold zoning decisions that do any of the following:

- Safeguard the public health, safety, and welfare (including providing for fire safety standards and blight mitigation).
- Determine the number of units allowed to be used as short-term rentals, including geographical restrictions, and establish a process by which this number could be adjusted.
- Establish a process by which the local unit of government could revoke a short-term rental permit and by which a revocation could be challenged.

A local unit of government would be authorized to revoke a short-term rental's permit for a violation of a local ordinance or a zoning ordinance. However, a local unit of government could not enforce an ordinance, rule, or regulation (including a zoning ordinance) that has the effect of a total ban on short-term rentals and violates section 207 of the Zoning Enabling Act.⁴

³ The occupancy charge would be the basis for the assessments imposed on short-term rentals under House Bills 5437 and 5439 to 5446.

⁴ Section 207 provides that a local zoning ordinance or zoning decision generally cannot totally prohibit a lawful land use within a local unit of government if there is a demonstrated need for that land use in the local unit or surrounding area.

When applicable, a hosting platform would be prohibited from facilitating booking transactions for a short-term rental in Michigan if the rental and its owner do not have current and valid authorization and registration from a local unit of government for the property's use as a short-term rental.

Penalties and LARA administration

For each violation of the act, LARA could order a short-term rental owner to pay a fine of up to \$1,000 and a hosting platform to pay a fine of up to \$5,000. Fines would be transmitted to the local unit of government where the short-term rental is located.

LARA would have to adopt rules and enforce standards for the issuance, renewal, suspension, revocation, and appeal of hosting platform registrations, as well as standards for service of process, notice, and demand.

COMPANION BILLS

House Bills 5437 and 5439 to 5446 would amend nine different acts, each of which generally allows an assessment to be levied on hotel or motel *room charges* to fund the tourism promotion efforts of a local or regional tourism bureau or marketing organization (often called a convention and visitor bureau, or CVB).⁵ Owners of these facilities can pass the assessment on to guests as an additional room charge if they notify the guests that they are doing so. The bills would extend the assessments to short-term rentals, reduce the minimum number of rooms required for a facility to be subject to the taxes, and make other related changes.

Room charge currently means the charge imposed for the use or occupancy of a room, excluding charges for food, beverages, state use tax, phone service or like services, and reimbursement of the assessment (i.e., adding the assessment to customers' bills).⁶

The bills would amend the following acts:

- **House Bill 5437:** 1991 PA 180 (MCL 207.751 to 207.759), which allows an assessment of up to 1% on rooms in facilities in certain eligible cities and counties.
- **House Bill 5439:** The Regional Convention and Tourism Promotion Act (2010 PA 254; MCL 141.1431 to 141.1437), which allows an assessment of up to 5% on rooms in facilities with two or more guest rooms in Bay or Midland County.
- **House Bill 5440:** The Regional Tourism Marketing Act (1989 PA 244; MCL 141.891 to 141.900), which allows an assessment of up to 1% on rooms in facilities with 10 or more guest rooms in the Upper Peninsula.
- **House Bill 5441:** The Community Convention or Tourism Marketing Act (1980 PA 395; MCL 141.871 to 141.880), which allows an assessment of up to 5% on rooms in facilities with 10 or more guest rooms in counties with a population below 650,000 or in cities, villages, or townships within such a county, except for some areas subject to an assessment under the Convention and Tourism Marketing Act.
- **House Bill 5442:** The State Convention Facility Development Act (1985 PA 106; MCL 207.621 to 207.640), which allows an assessment of between 1.5% and 6%, based on

⁵ 1991 PA 180 (which HB 5437 would amend) provides for an assessment on these facilities to fund stadiums and convention centers, which is collected by a local government rather than a CVB.

⁶ The accommodations tax act (which HB 5443 would amend) instead refers to a "total charge for accommodations."

the number of rooms and the location of the facility, in counties with a population exceeding 700,000.

- **House Bill 5443:** The accommodations tax act (1974 PA 263; MCL 141.861 to 141.867), which allows an assessment of up to 8% on rooms in facilities in a county with a population of less than 600,000 that contains a city with a population of at least 40,000 at the time it enacts the assessment and allows an additional assessment of up to 2% on rooms in facilities in Kent County.
- **House Bill 5444:** The Regional Event Center Financing Act (2020 PA 340; MCL 141.1441 to 141.1445), which allows an assessment of up to 4% on rooms in facilities with 35 or more guest rooms in Ingham, Kalamazoo, Muskegon, and Washtenaw Counties.
- **House Bill 5445:** The Convention and Tourism Marketing Act (1980 PA 383; MCL 141.881 to 141.889), which allows an assessment of up to 2% on rooms in facilities with 35 or more guest rooms in Wayne County or a contiguous county.
- **House Bill 5446:** The Convention and Tourism Promotion Act (2007 PA 25; MCL 141.1321 to 141.1328), which allows an assessment of up to 2% on rooms in facilities with 35 or more guest rooms in the greater Grand Rapids area or greater Lansing area.

[Note: These assessments are not necessarily mutually exclusive—the 1% allowed under the Regional Tourism Marketing Act, for example, may be levied in addition to a local assessment under the Community Convention or Tourism Marketing Act.]

Broadly speaking, each act allows a CVB or local government to initiate an assessment district by filing notice of a proposed marketing program with the state for approval and sending notice to each owner of a *transient facility* (generally, a hotel or motel meeting the applicable size threshold) in the proposed district. A referendum of facility owners (one vote per room) is held on the question of whether to establish the assessment district and implement the assessment. The assessment revenue collected under each act is not state money, but belongs to the tourism bureau or marketing organization, to be used to implement the marketing program.

In addition to subjecting short-term rentals and other smaller facilities to the assessments, the bills would make the following changes:

- For a short-term rental, *room charge* would mean the occupancy charge, as defined in the Short-Term Rental Regulation Act, for the rental.⁷ (The definition of *room* would also be amended to include a dwelling used as a short-term rental.)
- Revenue from the assessments could be used (generally as part of a CVB’s marketing program) for housing activities or provisions or programs to assist with or provide child care. (Under House Bills 5439, 5440, 5441, and 5446, a marketing program could also include provisions clarifying the assessment on room charges for short-term rentals.)
- An entity initiating an assessment district must file a notice of a proposed marketing program with the state for approval and send notice to each owner of a transient facility in the proposed district. The CVB (or municipality, under HB 5444) can use any data reasonably available to compile the list of recipients, which the bills would specify includes the short-term rental database that would be created by the Short-Term Rental Regulation Act.⁸

⁷ For House Bill 5443, the total charge for accommodations would mean the occupancy charge.

⁸ This provision would not apply to HBs 5437, 5442, and 5443.

- For the purposes of initiating or conducting a referendum to enact or terminate an assessment, a dwelling offered as a short-term rental would be considered one room.⁹

Specific provisions for each bill are described below.

House Bill 5437 would amend 1991 PA 180, an act that allows for the financing of sports stadiums and convention facilities in certain municipalities, to include short-term rentals.

1991 PA 180 allows certain counties or municipalities within counties to levy, with voter approval, an excise tax of up to 1% on restaurants and bars, up to 2% on vehicle rentals, and up to 1% on hotel and motel rooms, with the revenues to fund construction of convention facilities or sports or entertainment facilities. The act currently applies to Wayne County, Kent County and Grand Rapids, Muskegon County and the city of Muskegon, Ingham County and Lansing, Oakland County and Pontiac, and Kalamazoo County and the city of Kalamazoo.

Accommodations tax

The hotel-motel excise tax authorized by the act is based on the gross receipts from the charges imposed by a business subject to the tax for accommodations provided to transient guests (guests who occupy an accommodation for less than 30 consecutive days), excluding charges imposed as reimbursement for the tax levied under the State Convention Facility Development Act or assessments imposed under the Convention and Tourism Marketing Act, the Regional Tourism Marketing Act, and the Community Convention or Tourism Marketing Act.

House Bill 5437 would extend the 1% tax on hotel and motel rooms to short-term rental facilities. (The definition of *accommodations* would also be amended to include a dwelling offered as a short-term rental.¹⁰) It would also specify that for a short-term rental, the charge imposed for the use or occupancy of accommodations is the occupancy charge.

Authorized uses

Revenues from the taxes levied under the act are deposited in a special fund to be used by eligible municipalities for the following purposes in the following order of priority:

- Costs borne for the election in which the ordinance establishing the tax was approved by voters and in the administration and enforcement of the ordinance.
- Costs associated with the acquisition, construction, improvement, or enlargement of a stadium or convention facility and the costs of current or future rent payments for the facility.
- Costs associated with the clearance and improvement of land for assembly and development purposes (to the extent not needed for purposes listed above or to maintain a reserve for those purposes in future years).

Under the bill, housing activities and programs to assist with or provide child care would be added to this list of allowable uses of the tax revenue at the third tier.

MCL 207.751 et seq.

⁹ This would not apply to HBs 5437, 5442, and 5443, which do not provide for a referendum on an excise tax.

¹⁰ *Accommodations* currently means the room or other space provided for sleeping, including furnishings and other accessories, in a facility that is not a hospital, nursing home, emergency shelter, community mental health or substance abuse treatment facility, or campground.

House Bill 5439 would amend the Regional Convention and Tourism Promotion Act, which allows an assessment of up to 5% on rooms in facilities with two or more guest rooms in Bay or Midland County. The bill would allow the assessment to be levied on facilities with one or more guest rooms, including short-term rentals.

The Regional Convention and Tourism Promotion Act allows a nonprofit convention and tourism bureau to levy an assessment on *transient facilities* of up to 5% of the room charge to support marketing and promotion programs. The assessment can be levied in counties with a population greater than 80,000 and less than 115,000 that contain a city with a population greater than 35,000 and less than 45,000 and that border a county that levies a tax under the accommodations tax act. (Bay County and Midland County are the only counties that meet these requirements.)

Transient facility currently means a building other than a hospital or nursing home that contains *two or more* rooms used in the business of providing dwelling, lodging, or sleeping to transient guests, regardless of whether membership is required for the use of the rooms.

Under the bill, *transient facility* would mean such buildings containing *one or more* rooms for those purposes, in addition to a dwelling offered as a short-term rental. (The definition of **room** would also be amended to include a dwelling offered as a short-term rental.)

Marketing program notice

A convention and tourism bureau must file a marketing program notice with the director of the Michigan Economic Development Corporation (MEDC) that describes the structure, history, membership, and activities of the bureau, and each owner of a transient facility located in the proposed assessment district must receive a copy. The bureau can use any data reasonably available to compile the list of recipients, which House Bill 5439 would specify includes the short-term rental database that would be created by Short-Term Rental Regulation Act.

Revenue uses

Under House Bill 5439, the assessment could be used to pay for housing activities, provisions or programs to assist with or provide childcare, or provisions clarifying the assessment on room charges for short-term rentals as part of the marketing program.

Short-term rental vote shares

For the purposes of initiating or conducting a referendum to enact or terminate an assessment, a dwelling offered as a short-term rental would be considered one room. (The act requires at least 40% of the total number of owners or owners representing at least 40% of the total number of rooms in an assessment district to provide a written request in order to initiate a referendum, and if a referendum is held as a result of that request or to terminate an assessment, the results are decided by majority vote with each owner of a transient facility receiving one vote for each room in a facility within the assessment district.)

MCL 141.1432 et seq.

House Bill 5440 would amend the Regional Tourism Marketing Act, which allows an assessment of up to 1% on rooms in facilities with 10 or more guest rooms in the Upper Peninsula. The bill would allow the assessment to be levied on facilities with one or more guest rooms, including short-term rentals.

The Regional Tourism Marketing Act allows a regional marketing organization to levy an assessment on *transient facilities* of up to 1% of the room charge to support marketing and promotion programs.

Transient facility generally means a building or combination of buildings under common ownership, operation, or management that contains *10 or more* rooms used in the business of providing dwelling, lodging, or sleeping to transient guests, regardless of whether membership is required for use of the rooms.

House Bill 5440 would amend the definition of *transient facility* to mean such facilities containing *one or more* rooms and to include a dwelling offered as a short-term rental.¹¹

Exempt facilities

An owner of a building or combination of buildings within a regional assessment district that otherwise qualifies as a transient facility but has fewer than 10 rooms or is located within one mile of a ski lift can agree in writing to join the tourism marketing program and be subject to the assessment. Such facilities are considered transient facilities for the purposes of the act, but owners are not eligible to vote in the referendum on the program.

House Bill 5440 would remove the 10-room maximum (these would be considered transient facilities under the bill) and would provide that a building, combination of buildings, or dwelling within a regional assessment district that is located within one mile of a ski lift and otherwise meets the definition of a transient facility is an *exempt facility* that can participate in the program without voting powers.

Program notice

A regional marketing organization must file a tourism marketing program notice with the president of the Michigan Strategic Fund that describes the structure, membership, and activities of the organization, and each owner of a transient facility located in the proposed assessment district must receive a copy. The organization can use any information reasonably available to compile the list of recipients; HB 5440 would specify that this includes the short-term rental database created by the Short-Term Rental Regulation Act.

Revenue uses

Under House Bill 5440, the assessment could be used to pay for housing activities, provisions or programs to assist with or provide child care, or provisions clarifying the assessment on room charges for short-term rentals as part of the tourism marketing program.

Short-term rental vote shares

For the purposes of initiating or conducting a referendum to enact or terminate an assessment, a dwelling offered as a short-term rental would be considered one room. (The act requires at

¹¹ House Bill 5440 would also remove a provision referencing exempt facilities that have fewer than 10 rooms or are located within one mile of a ski lift to reflect other changes made by the bill, as described below.

least 40% of the total number of owners or owners representing at least 40% of the total number of rooms in an assessment district to provide a written request in order to initiate a referendum, and if a referendum is held as a result of that request or to terminate an assessment, the results are decided by majority vote with each owner of a transient facility receiving one vote for each room in a facility within the assessment district.)

MCL 141.892 et seq.

House Bill 5441 would amend the Community Convention or Tourism Marketing Act, which allows an assessment of up to 5% on rooms in facilities with 10 or more guest rooms in certain counties. The bill would allow the assessment to be levied on facilities with one or more guest rooms, including short-term rentals.

The Community Convention or Tourism Marketing Act allows a nonprofit convention and tourism bureau to levy an assessment on *transient facilities* of up to 5% of the room charge to support marketing and promotion programs. The assessment can be levied in counties with a population below 650,000 or in cities, villages, or townships within such a county, except for some areas subject to an assessment under another act. (Wayne, Oakland, Macomb, and Kent are the only Michigan counties with a population greater than 650,000.)

Transient facility generally means a building or combination of buildings under common ownership, operation, or management that contains *10 or more* rooms used in the business of providing dwelling, lodging, or sleeping to transient guests, regardless of whether membership is required for use of the rooms. (The term does not include a college or school dormitory, a hospital or nursing home, or a facility owned and operated by an organization exempt from federal taxation under section 501(c) of the Internal Revenue Code.)

House Bill 5441 would amend the definition of *transient facility* to mean such facilities containing *one or more* rooms and to include a dwelling offered as a short-term rental.¹²

The bill would also repeal section 9 of the act, which allows an owner of a building or combination of buildings within an assessment district that otherwise qualifies as a transient facility but has fewer than 10 guest rooms to agree in writing to join the marketing program and be subject to the assessment. (Since these facilities would be considered transient facilities under the bill, this section would no longer be necessary.)

Program notice

A tourism or convention bureau must file a marketing program notice with the president of the Michigan Strategic Fund that describes the structure, membership, and activities of the bureau, and each owner of a transient facility located in the proposed assessment district must receive a copy. The organization can use any information reasonably available to compile the list of recipients; HB 5441 would specify that this includes the short-term rental database created by the Short-Term Rental Regulation Act.

¹² House Bill 5441 would also remove a provision referencing exempt facilities that have fewer than 10 rooms or are located within one mile of a ski lift to reflect other changes made by the bill, as described below.

Revenue uses

Under House Bill 5441, the assessment could be used to pay for housing activities, provisions or programs to assist with or provide child care, or provisions clarifying the assessment on room charges for short-term rentals as part of the marketing program.

Short-term rental vote shares

For the purposes of initiating or conducting a referendum to enact or terminate an assessment, a dwelling offered as a short-term rental would be considered one room. (The act requires at least 40% of the total number of owners or owners representing at least 40% of the total number of rooms in an assessment district to provide a written request in order to initiate a referendum, and if a referendum is held as a result of that request or to terminate an assessment, the results are decided by majority vote with each owner of a transient facility receiving one vote for each room in a facility within the assessment district.)

MCL 141.872 et seq.

House Bill 5442 would amend the State Convention Facility Development Act, which imposes an excise tax on any person engaged in the business of providing accommodations to transient guests in a **convention hotel**. The act imposes a tax of 1.5% of the room charge on convention hotels with up to 160 rooms (3% in Detroit) and 5% on convention hotels with more than 160 rooms (6% in Detroit). The revenue from this tax is deposited in the Convention Facility Development Fund with collections from certain other sources. The bill would allow the assessment to be levied on short-term rentals and hotels with one or more guest rooms.

Convention hotel means a facility used in the business of providing accommodations that has *more than 80 rooms* for providing accommodations to transient guests and that complies with both of the following:

- It is located within a county with a population of 700,000 or more according to the most recent decennial census.
- It is located within a county that is either or both of the following:
 - A county that has a convention facility with 350,000 square feet or more of total exhibit space.
 - A county that has 2,000 or more rooms to provide accommodations for transient guests.

House Bill 5442 would amend the definition of **convention hotel** to mean those facilities with *one or more* rooms for providing accommodations for transient guests and would subject a **short-term rental** to the 1.5% room charge assessment (or the 3% assessment if the rental is located in Detroit) for facilities with up to 160 rooms, based on the occupancy charge.

With respect to the bill, **short-term rental** would mean a short-term rental, as defined by the Short-Term Rental Regulation Act, that meets both of the following criteria:

- It is located within a county with a population of 700,000 or more according to the most recent decennial census.
- It is located within a county that is either or both of the following:
 - A county that has a convention facility with 350,000 square feet or more of total exhibit space.

- A county that has 2,000 or more rooms to provide accommodations for transient guests.

The bill would also authorize the use of money in the Convention Facility Development Fund to be used for programs to assist with or provide child care and housing activities.

MCL 207.623 et seq.

House Bill 5443 would amend 1974 PA 263, known as the accommodations tax act, to allow qualifying counties and municipalities to collect an accommodations tax from owners of short-term rentals.

The act allows counties to enact a hotel-motel tax ordinance to levy, assess, and collect an accommodations tax of up to 8% of the total charges for *accommodations* if the county has a population of less than 600,000 and has a city within the county with a population of at least 40,000 at the time it enacts the ordinance. Cities and townships in a county with a population of more than 600,000 and less than 775,000 may levy an additional tax of up to 2% of the total accommodations charges. Generally speaking, revenue from the tax is to be used to support construction and maintenance costs of convention and entertainment facilities and activities promoting tourism and convention business within the county. (Calhoun, Genesee, Ingham, Kalamazoo, Kent, Muskegon, Saginaw, and Washtenaw Counties levy an excise tax under 1974 PA 263, and only cities and townships in Kent County are eligible to levy an additional tax under the act.¹³)

Accommodations means the room or other space provided for sleeping, including furnishing and other accessories. House Bill 5443 would provide that the term includes a dwelling offered as a short-term rental.

With respect to a short-term rental, the total charge for accommodations would be the occupancy charge, as defined in the Short-Term Rental Regulation Act.

Revenue from both the countywide and municipal taxes could be used to pay for housing activities or programs to assist with or provide child care.

MCL 141.861 et seq.

House Bill 5444 would amend the Regional Event Center Financing Act, which allows an assessment of up to 4% on rooms in facilities with 35 or more guest rooms in certain counties. The bill would allow the assessment to be levied on facilities with one or more guest rooms, including short-term rentals.

The Regional Event Center Financing Act allows a county to levy an assessment on *transient facilities* of up to 4% of the room charge to support the development and construction of an event center. The assessment can be levied in a county with a population greater than 250,000 and less than 300,000 that levies an excise tax under the accommodations act, a county with a population greater than 170,000 and less than 180,000, or a county with a population greater

¹³ 2024 PA 35 increased the maximum county tax from 5% to 8% and allowed cities and townships in Kent County to levy an additional 2% tax, although none have yet done so.

than 300,000 and less than 400,000 that levies an excise tax under the accommodations act. (Ingham, Kalamazoo, Muskegon, and Washtenaw Counties meet these requirements.)

Transient facility means a building that contains *at least 35 rooms* used in the business of providing dwelling, lodging, or sleeping to transient guests, regardless of whether membership is required for the use of the rooms. (The term does not include a hospital or nursing home.)

HB 5444 would amend the definition of ***transient facility*** to mean such buildings that contain *one or more rooms* and to include a dwelling offered as a short-term rental.

Program notice

A county clerk must mail an event center financing program notice to each owner of a transient facility located in the municipality. The clerk can use any data reasonably available to compile the list of recipients; HB 5444 would specify that this includes the short-term rental database created by the Short-Term Rental Regulation Act.

Revenue uses

Under House Bill 5444, the assessment could be used to pay for housing activities or provisions or programs to assist with or provide child care.

Short-term rental vote shares

For the purposes of conducting a referendum to enact an assessment, a dwelling offered as a short-term rental would be considered one room. (The act requires a majority vote to approve the assessment if enough votes to represent at least 60% of the total number of rooms in a county are cast.)

MCL 141.1442

House Bill 5445 would amend the Convention and Tourism Marketing Act, which allows an assessment of up to 2% on rooms in facilities with 35 or more guest rooms in Wayne County or a county contiguous to Wayne County. The bill would allow the assessment to be levied on facilities with one or more guest rooms, including short-term rentals.

The Convention and Tourism Marketing Act allows a nonprofit convention and tourism bureau to levy an assessment on ***transient facilities*** of up to 2% of the room charge to support marketing and promotion programs. The assessment can be levied in a county with a population above 1,500,000 and any counties contiguous to it. (Wayne County is the only county in Michigan with a population greater than 1,500,000. It is contiguous to Macomb, Monroe, Oakland, and Washtenaw Counties.)

Transient facility means a building that contains *at least 35 rooms* used in the business of providing dwelling, lodging, or sleeping to transient guests, regardless of whether membership is required for the use of the rooms. (The term does not include a hospital or nursing home.)

House Bill 5445 would amend the definition of ***transient facility*** to mean such buildings that contain *one or more rooms* and to include a dwelling offered as a short-term rental.

Program notice

A tourism or convention bureau must file a marketing program notice with the president of the Michigan Strategic Fund that describes the structure, membership, and activities of the bureau, and each owner of a transient facility located in the proposed assessment district must receive a copy. The bureau can use any information reasonably available to compile the list of recipients; HB 5445 would specify that this includes the short-term rental database created by the Short-Term Rental Regulation Act.

Revenue uses

Under House Bill 5445, the assessment could be used to pay for housing activities, provisions or programs to assist with or provide childcare, or provisions clarifying the assessment on room charges for short-term rentals as part of the marketing program.

Short-term rental vote shares

For the purposes of initiating or conducting a referendum to enact or terminate an assessment, a dwelling offered as a short-term rental would be considered one room. (The act requires at least 40% of the total number of owners or owners representing at least 40% of the total number of rooms in an assessment district to provide a written request in order to initiate a referendum, and if a referendum is held as a result of that request, the results are decided by majority vote with each owner of a transient facility receiving one vote for each room in a facility within the assessment district.)

MCL 141.882 et seq.

House Bill 5446 would amend the Convention and Tourism Promotion Act, which allows an assessment of up to 2% on rooms in facilities with 35 or more guest rooms in the greater Grand Rapids area or the greater Lansing area. The bill would allow the assessment to be levied on facilities with one or more guest rooms, including short-term rentals.

The Convention and Tourism Promotion Act allows a nonprofit convention and tourism bureau to levy an assessment on *transient facilities* of up to 2% of the room charge to support marketing and promotion programs. The assessment can be levied in an assessment district containing a city, county, village, or township with a population of more than 570,000 and less than 775,000 or that contains a municipality within which a 4% tax is levied under the Community Convention or Tourism Marketing Act. (Kent County is the only county in Michigan that meets the population requirement, and Ingham County charges a 4% tax under the Community Convention or Tourism Marketing Act.)

Transient facility means a building that contains *at least 35 rooms* used in the business of providing dwelling, lodging, or sleeping to transient guests, regardless of whether membership is required for the use of the rooms. (The term does not include a hospital or nursing home.)

HB 5446 would amend the definition of *transient facility* to mean such buildings that contain *one or more rooms* and to include a dwelling offered as a short-term rental.

Program notice

A tourism or convention bureau must file a marketing program notice with the president of the MEDC that describes the structure, membership, and activities of the bureau, and each owner

of a transient facility located in the proposed assessment district must receive a copy. The bureau can use any information reasonably available to compile the list of recipients; HB 5446 would specify that this includes the short-term rental database created by the Short-Term Rental Regulation Act.

Revenue uses

Under House Bill 5446, the assessment could be used to pay for housing activities, provisions or programs to assist with or provide child care, or provisions clarifying the assessment on room charges for short-term rentals as part of the marketing program.

Short-term rental vote shares

For the purposes of initiating or conducting a referendum to enact or terminate an assessment, a dwelling offered as a short-term rental would be considered one room. (The act requires at least 40% of the total number of owners or owners representing at least 40% of the total number of rooms in an assessment district to provide a written request in order to initiate a referendum, and if a referendum is held as a result of that request, the results are decided by majority vote with each owner of a transient facility receiving one vote for each room in a facility within the assessment district.)

MCL 141.1322 et seq.

BACKGROUND:

Several bills proposing various permits, regulations, and taxes on short-term rentals were introduced during the 2021-22 legislative session, although none were ultimately enacted.

House Bill 4722 would have amended the Zoning Enabling Act to allow short-term rentals in residentially zoned areas and prohibit a local government from adopting or enforcing zoning ordinances that have the effect of prohibiting short-term rentals.¹⁴ House Bill 4722 passed the House in October 2021 and was reported from the Senate Regulatory Reform committee but did not advance to a full Senate vote. (A similar bill, SB 446, was also reported from the Senate Regulatory Reform committee but did not advance.)

Other bills from last session pertaining to short-term rentals include tie-barred HBs 5465 and 5466. House Bill 5465 would have created a new act to regulate and tax short-term rentals,¹⁵ and HB 5466 would have amended the Zoning Enabling Act to provide that a short-term rental that is rented 30 or fewer days in a calendar year is a permitted residential use of property that is not subject to special permits or procedures. A separate bill, House Bill 5605, proposed regulations for short-term rentals and a tax on those rentals in certain counties. None of these bills advanced beyond referral to their respective House committees.

¹⁴ For a summary of the bill as passed by the House, see: <https://www.legislature.mi.gov/documents/2021-2022/billanalysis/House/pdf/2021-HLA-4722-374ECB7E.pdf>.

¹⁵ House Bill 5465 is similar to HB 5438, with some differences in regulations and a proposed tax at 5% of the room charge on all short-term rentals.

FISCAL IMPACT:

Collectively, the bills would increase revenues for local units of government, the Convention Facility Development Fund, convention and tourism bureaus, regional marketing organizations, and certain authorities and impose administrative and regulatory costs on the Department of Licensing and Regulatory Affairs.

House Bill 5438

Based on the limited data available on the short-term rental market, it is estimated that the 6% excise tax under HB 5438 could generate anywhere from \$35.0 million to \$70.0 million. The relatively wide range is primarily the result of working with limited data from a subset of hosting platforms, an undefined market share from the hosting platforms with published data, the ability of short-term rentals to be listed on multiple hosting platforms, and the volatility of the short-term rental market, among other things.

After allocating 1%, or \$1.0 million, whichever is less, for the administration of the act, the balance of the revenue would be distributed to the local unit (city, village, or township) where the short-term rental was located for which the excise tax was paid. It is unclear if the allocation for administration of the act would be sufficient to satisfy the necessary costs in any given year. To the extent that it doesn't, LARA would either absorb the cost under current appropriations or the legislature could appropriate additional funds to cover the cost of administration.

House Bill 5438 would also impose civil fines of either \$1,000 for owners of a short-term rental that violate the act or \$5,000 for hosting platforms that violate the act. Costs could be incurred by local courts that experience an increase in court caseloads and the related administrative costs. Any civil fine revenue collected under the act would be transmitted to the local unit where the short-term rental was located.

The bill would also require hosting platforms to pay an annual registration fee equal to \$100 per listing, not to exceed \$50,000 per year. It is unclear how many hosting platforms currently operate in the state; therefore, it is unknown how much revenue this registration fee would generate. The bill does not direct the registration fees to any specific purpose.

House Bills 5437 and 5439 to 5446

The application of the various acts under the bills to short-term rentals would increase revenues for the entities and purposes specified in each of the various acts, which are noted in the legislative analysis above. However, an estimate of revenues by act and entity cannot be determined due to the lack of data on short-term rentals by local unit. The bills also would expand eligible uses of the revenue received under each of the acts to include costs associated with programs to assist with or provide child care and housing activities. However, there is no requirement that a specific amount be allocated for the new purposes.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.