

BIRMINGHAM CITY COMMISSION MINUTES
APRIL 22, 2019
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Patty Bordman called the meeting to order at 7:30 PM.

II. ROLL CALL

ROLL CALL: Present: Mayor Bordman
 Mayor Pro Tem Boutros
 Commissioner DeWeese
 Commissioner Harris
 Commissioner Hoff
 Commissioner Nickita
 Commissioner Sherman

 Absent: none

Administration: City Manager Valentine, Assistant City Manager Gunter, City Attorney Ballard, City Attorney Currier, Communications Director Byrnes, Police Chief Clemence, Planning Director Ecker, DPS Manager Filipski, Finance Director Gerber, Deputy Treasurer Klobucar, City Engineer O'Meara, City Clerk Mynsberge, DPS Director Wood

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

04-097-19 UPDATE ON CITYWIDE MASTER PLAN PROCESS

Matthew Lambert, DPZ Partners, LLC, provided an update on the Master Plan process:

- The first two meetings were held today with neighborhoods in the northwest section of the City. Approximately 12 people attended.
- The first of three online and hard copy surveys will be released next week.
- The weeklong Charrette will be May 14-21 at 255 S. Old Woodward.
- Special "Meet-Ups" will be held April 23, 27 and 30 in various locations for residents to drop in and give input.
- The Master Plan website is www.thebirminghamplan.com.

Commissioner Hoff said the advertising for the Master Plan process has been very effective. She also expressed concern about the Charrette being held in a downtown commercial building because it might give the impression it is a downtown plan.

Mr. Lambert said the team was unable to find adequate space in the neighborhoods. He said the team could look for different locations for the presentations.

Commissioner Nickita stressed the process will focus on the City's neighborhoods.

Mayor Bordman encouraged all residents to participate in the process.

04-098-19 ANNOUNCEMENTS

Mayor Bordman announced:

- The Friends of the Baldwin Public Library semi-annual Used Book Sale is Saturday, May 4 through Monday, May 6. Proceeds support programs, services, and the annual summer reading program at the Baldwin Public Library.
- The DPS Open House will be held on May 4th, from 10:00 a.m. until 2:00 p.m., not on May 11th as printed on the City Calendar
- The Birmingham Farmers Market will kick off its 17th season on Sunday, May 5th in Public Parking Lot 6 on North Old Woodward. The market will be open from 9:00 a.m. until 2:00 p.m. every Sunday from May through October. Throughout Opening Day shoppers will enjoy farmers market bags, balloons, kids activities, music and more.

IV. 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.

04-099-19 APPROVAL OF CONSENT AGENDA

MOTION: Motion by Mayor Pro Tem Boutros, seconded by Commissioner Harris:
To approve the Consent Agenda as submitted.

ROLL CALL VOTE: Ayes: Mayor Bordman
 Mayor Pro Tem Boutros
 Commissioner DeWeese
 Commissioner Harris
 Commissioner Hoff
 Commissioner Nickita
 Commissioner Sherman

 Nays: None

- A. Resolution approving the Regular City Commission meeting minutes of April 8, 2019.
- B. Resolution approving the Special City Commission meeting minutes of April 15, 2019.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated April 10, 2019 in the amount of \$396,950.80.
- D. Resolution approving the warrant list, including Automated Clearing House payments, dated April 17, 2019 in the amount of \$844,663.81.
- E. Resolution transferring and reassessing the listing of unpaid and delinquent special assessments and invoices, including interest and penalty, to the 2019 City tax roll with an additional 15% penalty and authorization given to remove from the list any bills paid after commission approval. *Complete resolution appended to these minutes as Attachment A.*
- F. Resolution transferring the properties with unpaid and delinquent water/sewage accounts listed in the report dated April 11, 2019, including interest and penalty, be transferred and reassessed to the 2019 city tax roll and authorizing the removal from

the list any bills paid or a payment plan agreement signed after commission approval. *Complete resolution appended to these minutes as Attachment B.*

- G. Resolution approving the project for Natural Areas Maintenance with Cardno for a total cost not to exceed \$20,650.00. In addition, waiving the normal bidding requirements based on the Oakland County cooperative agreement for this purchase. Funds are available from the General Fund-Parks Other Contractual Services account #101-751.000-811.0000 for these services. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.
- H. Resolution approving a three-year contract between the City and Oakland County for assessing services for the period of July 1, 2019 through June 30, 2022 and authorizing the mayor to sign the agreement on behalf of the City.
- I. Resolution approving the Software as a Service Agreement between Sensus USA, Inc. and the City of Birmingham, Michigan; further, directing the City Manager to sign the agreement on behalf of the City.
- J. Resolution approving a special event permit as requested by Temple Beth El to hold the Havdalah in the Park event on Saturday, July 27, 2019 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- K. Resolution approving the crack repair and painting project at St. James and Quarton to Tennis Courts Unlimited for a total project cost not to exceed \$28,475.00. Funds are available from the Parks Capital Project Fund account #401-751.001-981.0100 for these services. Further, authorizing the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

V. UNFINISHED BUSINESS

04-100-19 CONTINUATION OF PUBLIC HEARING TO CONSIDER NECESSITY FOR REPLACEMENT OF SEWER/WATER LATERALS IN QUARTON LAKE SUBDIVISION PAVING PROJECT AREA

Mayor Bordman continued the public hearing at 7:46 p.m.

City Manager Valentine stated for the record that this public hearing was opened at the April 8, 2019 City Commission meeting. The City Commission voted to continue public hearing to the April 22, 2019 meeting in order to allow City staff time to review the State's newly revised lead and copper rules.

City Engineer O'Meara presented the item.

Mayor Bordman closed the public hearing at 7:47 p.m.

- MOTION:** Motion by Commissioner Sherman, seconded by Commissioner Hoff:
- WHEREAS,** The City Commission has established a policy requiring the replacement of undersized or lead water lateral lines and sewer laterals in excess of fifty years old when the City street is open for repairs or reconstruction; and
- WHEREAS,** The City Commission is of the opinion that replacement of water and sewer laterals not meeting current criteria as a part of the planned road paving project

is declared a necessity; and

WHEREAS, formal bids have been received and the actual cost per foot for replacement of the water and sewer laterals has been determined.

RESOLVED, that all sewer and water laterals not meeting current criteria located within the limits of the following streets shall be replaced as a part of the Quarton Lake Subdivision Paving Project (Contract #1-19(P)):

N. Glenhurst Dr. – Raynale St. to Oak St.
Raynale St. – N. Glenhurst Dr. to Chesterfield Ave.
Brookwood – N. Glenhurst Dr. to Raynale St.
Kenwood Ct. – N. Glenhurst Dr. to 220 ft. east.

RESOLVED, that at such time as the Assessor is directed to prepare the assessment roll, of which 100% of the contractor's charge to replace water and sewer lateral (calculated at the rate of \$55.00 per foot for water laterals and \$70.00 per foot for sewer laterals) shall be charged to the adjoining property owners benefiting from the said laterals,

RESOLVED, that there be a special assessment district created and special assessments levied in accordance with benefits against the properties within such assessment district, said special assessment district shall be all properties, within the following district:

"Harrowgate"

Lots 78-82 inclusive, the westerly 52.5 ft. of lot 85, lots 86-88 inclusive, the northerly 47 ft. of lot 89, lot 91, unplatted parcel tax I.D. #19-26-179-013, lots 92-94 inclusive, lot 96, lots 143-146 inclusive, the southerly 35 ft. of lot 147, lots 149-152 inclusive, the southerly 40 ft. of lot 153, lots 174 & 175, the northerly 50 ft. of lot 176, lots 180-183 inclusive, lots 185-187 inclusive, lots 207 & 208.

RESOLVED, that the Commission shall meet on Monday, May 6, 2019, at 7:30 P.M., for the purpose of conducting a public hearing to confirm the roll for the replacement of water and sewer laterals within the Quarton Lake Subdivision Paving Project.

City Engineer O'Meara reported that affected residents have not expressed opposition to the project.

Commissioner Hoff reminded the public that the Foundation for Birmingham Senior Residents can help income-qualified senior residents with the cost on a no-interest loan. Interested parties may contact NEXT for further information.

VOTE: Yeas, 7
 Nays, 0

VI. NEW BUSINESS

04-101-19 2019 INITIAL SCREENING FOR BISTRO APPLICANTS

Planning Director Ecker presented the item.

Luciano DelSignore, of Pernoi, made a brief presentation of the concept:

- Pernoi will be an upscale French, Italian and Japanese restaurant.

- The bistro will be operated by two award-winning Chefs, he and Takashi Yagihashi.
- Takashi is well known for Tribute in Farmingham Hills which he opened more than 20 years ago.
- Mr. DelSignore’s flagship restaurant is Bacco Ristorante in Southfield. He also created the Bigalora Wood Fired Cucinas restaurants in Royal Oak, Rochester Hills, Southfield, Plymouth and Ann Arbor.
- The focus will be on global contemporary cuisine.

Patrick Howe, representing Brooklyn Pizza and its owner Sam Abdelfatah (existing restaurant with expansion into former Birmingham Geek) made a brief presentation of the concept:

- Maintaining its identity as a family establishment while expanding its menu offerings and growing its footprint to attract more on-premises dining.
- The restaurant’s traditional by the slice and take out operations will remain intact in the existing footprint.
- The existing restaurant will connect to the neighboring space currently occupied by Birmingham Geek Computer Repair and offer a small bar with no more than 10 bar stools and additional indoor seating not to exceed 65 seats.
- September 1, 2019 is the anticipated construction start date with the opening slated for November of this year.
- Birmingham Geek has a lease through 2020 but is willing to have Brooklyn Pizza assume the lease.

MOTION: Motion by Mayor Pro Tem Boutros, seconded by Commissioner DeWeese: To direct the following bistro applications, in the priority order below, to the Planning Board for full site plan and design review and Special Land Use Permit review:

1. Pernoi
2. Brooklyn Pizza

Planning Director Ecker clarified for Commissioner Hoff that Pernoi will not allowed to use isinglass in any of its structures, including the outdoor structures.

Commissioner Sherman pointed out it is unnecessary to rank the applications because one of them, Brooklyn Pizza, is an existing restaurant.

MOTION TO AMEND: Motion by Mayor Pro Tem Boutros, seconded by Commissioner DeWeese:

To amend the motion to remove the language “in the priority order below”.

VOTE: Yeas, 7
 Nays, 0

MOTION AS AMENDED:

To direct the bistro applications for Pernoi and Brooklyn Pizza to the Planning Board for full site plan and design review and Special Land Use Permit review.

VOTE: Yeas, 7
 Nays, 0

04-102-19

DEVELOPMENT AGREEMENT WITH WOODWARD BATES PARTNERS, LLC FOR THE N. OLD WOODWARD PARKING STRUCTURE AND BATES STREET EXTENSION PROJECT

Assistant City Manager Gunter presented the timeline of events for the project.

Joseph Fazio, Miller Canfield, the City's development counsel, outlined the purpose of the development agreement and reviewed the amendments made in accordance with the City Commission's comments provided at the April 15, 2019 Special Workshop Meeting. He noted that "Project" now refers to Phase One (Projects 1A, 1B, 2 & 3).

Mr. Fazio told Commissioner Sherman that "commencement of construction" can be made more definitive. For the Bates Street extension specifically, Mr. Fazio suggested the threshold be the pouring of curbs, and for the private components of Phase Two he suggested the threshold be the commencement of on-site development activities.

Commissioner Sherman said he would like further clarity, since even "on-site development activities" could mean many different activities.

Mr. Fazio suggested it could be the raising of the structure of the building.

Commissioner Sherman confirmed he would like that level of detail included so as to avoid potential issues of interpretation in the future.

Mr. Fazio said:

- Ninety days after the Phase Two milestone is reached the developer is able to provide notice to the City of the developer's intent to start negotiations with the City.
- After that notice is given by the developer, both parties have an additional 180 days to fully negotiate the terms of Projects Four and Five. If both parties do not reach an agreement, Phase Two would not proceed. Construction cannot begin until those terms are finalized and all requisite site plans have been approved.
- The timing of the Bates Street Extension will be determined as part of the Project Phasing Plan for Phase One.
- In Section 2.3.4, "private component" will be changed to "Phase 2 private component".
- On page two, "premises" will be changed to "promises".
- In the definition of "Project", Project 1C will be added to the list of covered projects.

Mayor Bordman asked for public comment.

Neil Sakwa asked whether Phase Two would move forward if the bond vote fails. He also asked whether the City intends to pay back the developer for any monies furnished by the developer for Site Three.

Mr. Fazio explained that if the bond vote does not pass, both phases of the project will be terminated.

Cathy Frank said she was glad Phase One and Phase Two were separated. She asked when Phase Two would be further discussed.

City Manager Valentine explained the timing of notices and negotiations is based on when the determined milestones are met. The developer has 90 days to provide notice to the City of the developer's intent to start negotiations with the City. After that notice is given by the developer, both parties have an additional 180 days to fully negotiate the terms of Phase Two.

Clinton Baller said the plans seemed to have no cohesion. He stated that the planned sizes of Buildings Four and Five have been reduced in size and expressed concern that he did not hear those changes addressed. Mr. Baller opined that Birmingham residents would vote no on the bond in order to stop the project from moving forward.

Paul Reagan said that the Commission clearly aims to do good. He continued that brick-and-mortar retail is no longer a viable business model, and that there are almost no aspects of the project which stand to benefit the public. He stated that Mr. Baller's comments on the lack of a cohesive plan were well taken. He said that Buildings Four and Five are superfluous, and that he would be advising other residents to vote "no" on the bond in August 2019.

David Bloom said that the parking deck plans include enough space for both the public and for the planned private Buildings of this project. He said that if Phase Two does not move forward the excess parking will have been a waste. Mr. Bloom added that the process of constructing the private buildings will severely damage the Bates Street extension, and the City will have to fix the street. He suggested that the lease of the property should be added to the ballot, and that as it stands it would not pass.

Linda Taubman noted her consistent past opposition to development at Woodward and Bates. She reported that the development team has heard her concerns and agreed to lower the height of Building Five by a full floor. She continued that the development team has met with other neighbors, changed development plans to alleviate other neighbors' concerns, and even improved the drop-off and pick-up process for the Gateway Montessori School, located next door to the project. She acknowledged that the neighbors are relying on the developers' word at this point. She said she considers the City lucky to have accommodating developers and a Commission invested in this project.

Richard Astrein gave examples of various planning changes the City has undergone in his forty-six years as a business owner in Birmingham residence¹. He said the Commission has done an amazing job over the years, and has made changes which allow a viable downtown. Mr. Astrein said all the comments he has heard in his shop have been supportive of the project. He said independent brick-and-mortar retail is experiencing resurgence. He said he believes that the project is critical and must move forward.

Commissioner DeWeese outlined his concerns as follows:

- The timetable is too rushed. The bond vote is likely to fail if it is held in August 2019. The City is losing the opportunity to create excitement over the project, given the speed with which all aspects are occurring.
- He wants the City to envision the possibilities, gather all relevant information, and to really consider whether the project yields the best benefit relative to the cost.

¹ As corrected on May 6, 2019.

- Residents have indicated a desire for the parking garage and little interest in the other aspects of the project. Too few details on the project as a whole have been provided either to the Commission or to the City as of yet.
- The guaranteed maximum price (GMP) will be announced on May 6, 2019, and at the same time the Commission is tasked with passing a resolution to have the bond election in August 2019. These dates occur in prohibitively quick succession.

Commissioner DeWeese concluded that he is open to the Project in general, but would not be voting in favor of the resolution tonight. He would like to see more of his and the citizens' concerns resolved.

Commissioner Nickita said he had been involved with this project since the 2016 Plan was developed twenty-five years ago. He noted that the City went through a thorough study and planning process to determine what was right for this area of the City, including finishing the Bates Street extension and providing more retail in the area. All new buildings or redevelopments in the downtown since 1996 have been developed in line with the 2016 Plan's recommendation of four-to-six story buildings. Commissioner Nickita noted that the Planning Board walked the Woodward-Bates site with developers in 2005 to review the City's options. In 2014 the City invited urban planner Andrés Duany to review the implementation of the City's 2016 Plan. Mr. Duany said the 2016 Plan was well-implemented, and asked why the Bates Street Plan had not been completed. This project is the last step of the 2016 Plan to be actualized, and is as close to what was envisioned twenty-five years ago as possible.

Commissioner Hoff said the public-private partnership in the project is weighted to benefit the private developers more than the public. She said the development team is gaining many advantages, including leasing valuable property in downtown Birmingham, building on top of a foundation paid for by the City, and an implied commitment within the development agreement to proceeding with Buildings Four and Five. Commissioner Hoff continued:

- All monies that will come in through the parking fund over the term of the bond, should it be approved, will go towards repaying the bond. She asked what the City would do to finance repairs on other parking structures without the revenue from the parking fund during that period.
- There will be at least three to four other five-story buildings being constructed downtown at the same time as this project will be underway. Attention must be paid to how much disruption this project will create in the downtown when considered cumulatively with other buildings being constructed.
- The City has additional bonding needs, including updates to parks and expansion of the Senior Center. None of the City's additional future bonding needs have been mentioned as part of this conversation.
- The project plans should not be carried out without sufficient consideration of other present and future circumstances within the City, even though they are beautiful.
- A previous Commission did not approve plans for the Bates Street extension.

Commissioner Harris underscored what he saw as the principal public benefits of the Project: finishing the implementation of the 2016 Plan, and the alleviation of the City's parking concerns. He agreed with Commissioner Nickita's comments that the project had been subject to immense amounts of study. Commissioner Harris continued:

- The parking structure is from 1966, and needs to be updated for public welfare and safety.
- The development team has demonstrated its ability to be a cooperative and considerate partner in this process. Buildings Four and Five have been changed through discussions between the neighbors of the Project and the development team.
- Mr. Fazio of Miller Canfield has included numerous contingencies in the agreement to protect the City throughout the process.
- Staff has said there is adequate time in the predevelopment process to protect the City.
- Tax dollars will not be spent on any part of the project.
- Residents he has spoken with seem excited and supportive of the project.

Commissioner Sherman stated the current matter before the Commission is exclusively approval or disapproval of the non-binding development agreement. While acknowledging other concerns expressed may be important, he noted that they are not part of this evening's agenda. He emphasized the development agreement does not commit the City or the developer to anything more than continuing negotiations. Commissioner Sherman suggested that the continuing negotiations allow for the possibility that the various concerns raised could be addressed to the satisfaction of the Commission, the developer, and the residents of the City.

Mayor Pro Tem Boutros said the concerns of his fellow Commissioners were well-taken. He told Commissioner Hoff that the Bates Street extension plan denied by a previous Commission was not likely the plan before this Commission tonight. He reiterated Commissioner Sherman's point that the development agreement is non-binding. He also commended the development team and City staff on all of their hard work. Mayor Pro Tem Boutros noted that the architect is a Birmingham resident and has met City expectations of responsiveness to the residents and neighbors. Mayor Pro Tem Boutros said he would be voting in favor of the resolution for these reasons.

Commissioner Hoff said she does not minimize the efforts of either the development team or Staff, which have been outstanding.

Commissioner DeWeese said he was supportive of continuing the conversation, but that the development agreement as written leaves the City no alternative if the bond vote fails in August 2019. All the documentation to be voted on tonight assumes an August 2019 vote, which he does not agree with. Commissioner DeWeese expressed concern that if the August 2019 bond vote fails residents would be more inclined to vote against future bonding needs.

City Manager Valentine commented:

- The scale of the private aspect of the project is still an ongoing discussion.
- Costs of the project will be discussed once the GMP is presented, and options to reduce cost are also an ongoing discussion.
- Additional funding options for the Senior Center and City parks are being explored.

MOTION: Motion by Commissioner Harris, seconded by Mayor Pro Tem Boutros: To approve the Development Agreement as revised by Commissioner Sherman's comment about the definition of "commencement of construction" between the City and Woodward Bates Partners, LLC, and further, to authorize the Mayor and Clerk to sign the agreement on behalf of the City.

VOTE: Yeas, 5
Nays, 2 (DeWeese, Hoff)

04-103-19 REQUEST FOR CLOSED SESSION

MOTION: Motion by Commissioner Sherman, seconded by Commissioner DeWeese: Resolution to meet in closed session to (1) Review pending litigation in the matter of Darakjian v City of Birmingham pursuant to Section 8(e) of the Open Meetings Act, MCL 15.261– 15.275, and (2) to discuss an Attorney/Client communication pursuant to Section 8(h) of the Open Meetings Act.

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

ROLL CALL VOTE: Ayes: Mayor Bordman
Mayor Pro Tem Boutros
Commissioner DeWeese
Commissioner Harris
Commissioner Hoff
Commissioner Nickita
Commissioner Sherman
Nays: None

VII. REMOVED FROM CONSENT AGENDA

No items were removed from the Consent Agenda.

VIII. COMMUNICATIONS

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

X. REPORTS

04-104-19 COMMISSIONER COMMENTS

Mayor Bordman has been observing the continuous low use of the surface lot at Woodward and Maple. She suggested surveying current permit holders as to why they are not utilizing the lot, and issuing more permits.

Commissioner Nickita recommended the Commission read *Neighborhood* by Emily Talen to inform their perspectives on the Master Plan process. He said Ms. Talen is a talented urban planner, a friend of Commissioner Nickita's, and presents information relevant to the Master Plan process in an accessible way.

04-105-19 CITY STAFF

Greenwood Cemetery Advisory Board Annual Report submitted by City Clerk Mynsberge.

Commissioner Hoff recognized the GCAB for the three new trees to be planted in the Cemetery and for the seal coating of the Cemetery roads.

Mayor Bordman said she was happy to see the GCAB making progress on various issues raised by the Commission.

XI. ADJOURN

Mayor Bordman announced no action is anticipated following the closed session and adjourned the meeting to closed session at 9:59 p.m.

Mayor Bordman reconvened the regular meeting at 10:30 p.m. and, there being no further business, adjourned the meeting at 10:30 p.m.

J. Cherilynn Mynsberge, City Clerk

**Resolution No. 04-099-19
TRANSFERRING AND REASSESSING UNPAID AND DELINQUENT SPECIAL
ASSESSMENTS AND INVOICES TO THE 2019 CITY TAX ROLL**

MOTION: Motion by Mayor Pro Tem Boutros, seconded by Commissioner Harris:
To adopt the following resolution directing the Treasurer to transfer the following unpaid and delinquent special assessment and invoices, including interest and penalty, to the 2019 City tax roll and to authorize removal from the list any bills paid after City Commission approval.

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, 2019; 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 submitted listing of unpaid and delinquent special assessments and invoices, including interest and penalty, be transferred and reassessed to the 2019 City tax roll with an additional 15% penalty and authorization be given to remove from the list any bills paid after commission approval.

**Resolution No. 04-099-19
TRANSFERRING AND REASSESSING UNPAID AND DELINQUENT WATER/SEWAGE
CHARGES TO THE 2019 CITY TAX ROLL**

MOTION: Motion by Mayor Pro Tem Boutros, seconded by Commissioner Harris:
To adopt the following resolution directing the Treasurer to transfer the following unpaid and delinquent water/sewage bills of the properties listed in this report to the 2019 city tax roll and to authorize removal from the list any bills paid or a payment plan agreement signed after City Commission approval.

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, 2019, 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 report dated April 11, 2019, including interest and penalty, be transferred and reassessed to the 2019 city tax roll and authorization be given to remove from the list any bills paid or a payment plan agreement signed after commission approval.