

**BIRMINGHAM CITY COMMISSION AGENDA**  
**JULY 8, 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**

- Happy Birthday Commissioner Therese Longe

**APPOINTMENTS**

- A. Greenwood Cemetery Advisory Board
1. Laura Schreiner
  2. Linda Peterson
  3. Paul Connell

To appoint \_\_\_\_\_ to the Greenwood Cemetery Advisory Board as a regular member to serve a three-year term to expire July 6, 2027.

To appoint \_\_\_\_\_ to the Greenwood Cemetery Advisory Board as a regular member to serve a three-year term to expire July 6, 2027.

To appoint \_\_\_\_\_ to the Greenwood Cemetery Advisory Board as a regular member to serve a three-year term to expire July 6, 2027.

- B. Museum Board
1. Eva Kirkman
  2. Jay Shell
  3. Beverly Erickson

To appoint \_\_\_\_\_ to the Museum Board as a regular member to serve a three-year term to expire July 6, 2027.

To appoint \_\_\_\_\_ to the Museum Board as a regular member to serve a three-year term to expire July 6, 2027.

To appoint \_\_\_\_\_ to the Museum Board as an alternate member to serve a three-year term to expire July 6, 2027.

- C. Alternate Hearing Officer
  - 1. Alexander Simpson

To appoint \_\_\_\_\_ as the alternate Hearing Officer to serve a three-year term to expire June 30, 2027.

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

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

- A. Resolution to approve the City Commission/Planning Board meeting minutes for the meeting held on June 10, 2024.
- B. Resolution to approve the regular City Commission meeting minutes of the meeting held on June 24, 2024.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 27, 2024 in the amount of \$924,916.56.
- D. Resolution to set a public hearing date of August 12, 2024 to consider the Special Land Use Permit Amendment for 260 N. Old Woodward to transfer ownership and update the Special Land Use Permit with the new owner, Old Woodward STA, LLC (Terra).

**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://www.bhamgov.org/manager).

None.

**VII. UNFINISHED BUSINESS**

None.

**VIII. NEW BUSINESS**

- A. Public Hearing for 115 Willits – Sprazzo – Special Land Use Permit Amendment (Ownership Change)

Resolution to APPROVE the Special Land Use Permit Amendment for 115 Willits to transfer ownership and update the Special Land Use Permit to the new owner, Birmingham Omni Hospitality, LLC (Sprazzo).

AND

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

B. Public Hearing for 219 Elm St. – All Seasons 2 – Special Land Use Permit Amendment

Resolution to APPROVE the Special Land Use Permit Amendment and Final Site Plan and Design Review application for 219 Elm St. to revise the first-floor layout to include one commercial tenant space with associated interior and exterior renovations and to reconsider the conditions for additional building height. In addition, to grant flexibility from the commercial/mixed use architectural requirements of the Triangle Overlay District pursuant to Article 3, Section 3.11 of the Zoning Ordinance for the design of the storefront as proposed.

OR

Make a motion adopting a resolution to DENY the Special Land Use Permit Amendment and Final Site Plan and Design Review application for 219 Elm St. to revise the first-floor layout to include one commercial tenant space with associated interior and exterior renovations and to reconsider the conditions for additional building height and require the applicant to maintain the previously agreed upon conditions for additional building height.

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

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

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

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

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

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

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

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

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

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

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

**Water and/or Sewer Lateral**

Sidwell Number	Street Address	Water SAD Costs	Sewer SAD Costs
19-25-279-017	1001 N ADAMS RD	\$857.50	\$0.00
19-25-279-018	1013 N ADAMS RD	\$857.50	\$0.00
19-25-279-019	1025 N ADAMS RD	\$857.50	\$0.00
19-25-279-020	1037 N ADAMS RD	\$857.50	\$0.00
19-25-279-021	1049 N ADAMS RD	\$857.50	\$0.00
19-25-279-022	1051 N ADAMS RD	\$857.50	\$0.00
19-25-279-023	1063 N ADAMS RD	\$857.50	\$0.00
19-25-279-024	1075 N ADAMS RD	\$857.50	\$0.00
19-25-279-025	1087 N ADAMS RD	\$857.50	\$0.00
19-25-279-026	1099 N ADAMS RD	\$857.50	\$0.00
20-30-151-001	1100 N ADAMS RD	\$0.00	\$7,375.00
20-30-151-002	1050 N ADAMS RD	\$12,765.00	\$7,375.00

20-30-151-007	1109 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-008	1109 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-009	1109 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-010	1109 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-011	1109 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-012	1109 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-013	1109 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-014	1109 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-015	1127 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-016	1127 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-017	1127 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-018	1127 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-019	1127 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-020	1127 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-021	1127 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-022	1127 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-023	1155 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-024	1155 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-025	1155 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-026	1155 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-027	1155 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-028	1155 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-029	1155 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-030	1155 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-031	850 N ADAMS RD APT 1	\$49.66	\$0.00
20-30-151-032	850 N ADAMS RD APT 5	\$49.66	\$0.00
20-30-151-033	850 N ADAMS RD APT 2	\$49.66	\$0.00
20-30-151-034	850 N ADAMS RD APT 6	\$49.66	\$0.00
20-30-151-035	850 N ADAMS RD APT 4	\$49.66	\$0.00
20-30-151-036	850 N ADAMS RD APT 8	\$49.66	\$0.00
20-30-151-037	850 N ADAMS RD APT 3	\$49.66	\$0.00
20-30-151-038	850 N ADAMS RD APT 7	\$49.66	\$0.00
20-30-151-039	868 N ADAMS RD APT 1	\$49.66	\$0.00
20-30-151-040	868 N ADAMS RD APT 5	\$49.66	\$0.00
20-30-151-041	868 N ADAMS RD APT 2	\$49.66	\$0.00
20-30-151-042	868 N ADAMS RD APT 6	\$49.66	\$0.00
20-30-151-043	868 N ADAMS RD APT 4	\$49.66	\$0.00
20-30-151-044	868 N ADAMS RD APT 8	\$49.66	\$0.00
20-30-151-045	868 N ADAMS RD APT 3	\$49.66	\$0.00
20-30-151-046	868 N ADAMS RD APT 7	\$49.66	\$0.00
20-30-151-047	1195 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-048	1195 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-049	1195 DERBY RD APT 3	\$49.66	\$0.00

20-30-151-050	1195 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-051	1195 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-052	1195 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-053	1195 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-054	1195 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-055	1225 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-056	1225 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-057	1225 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-058	1225 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-059	1225 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-060	1225 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-061	1225 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-062	1225 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-063	1245 DERBY RD APT 1	\$49.66	\$0.00
20-30-151-064	1245 DERBY RD APT 5	\$49.66	\$0.00
20-30-151-065	1245 DERBY RD APT 2	\$49.66	\$0.00
20-30-151-066	1245 DERBY RD APT 6	\$49.66	\$0.00
20-30-151-067	1245 DERBY RD APT 4	\$49.66	\$0.00
20-30-151-068	1245 DERBY RD APT 8	\$49.66	\$0.00
20-30-151-069	1245 DERBY RD APT 3	\$49.66	\$0.00
20-30-151-070	1245 DERBY RD APT 7	\$49.66	\$0.00
20-30-151-071	880 N ADAMS RD APT 1	\$49.66	\$0.00
20-30-151-072	880 N ADAMS RD APT 5	\$49.66	\$0.00
20-30-151-073	880 N ADAMS RD APT 2	\$49.66	\$0.00
20-30-151-074	880 N ADAMS RD APT 6	\$49.66	\$0.00
20-30-151-075	880 N ADAMS RD APT 4	\$49.66	\$0.00
20-30-151-076	880 N ADAMS RD APT 8	\$49.66	\$0.00
20-30-151-077	880 N ADAMS RD APT 3	\$49.66	\$0.00
20-30-151-078	880 N ADAMS RD APT 7	\$49.66	\$0.00
20-30-151-079	898 N ADAMS RD APT 1	\$49.66	\$0.00
20-30-151-080	898 N ADAMS RD APT 5	\$49.66	\$0.00
20-30-151-081	898 N ADAMS RD APT 2	\$49.66	\$0.00
20-30-151-082	898 N ADAMS RD APT 6	\$49.66	\$0.00
20-30-151-083	898 N ADAMS RD APT 4	\$49.66	\$0.00
20-30-151-084	898 N ADAMS RD APT 8	\$49.66	\$0.00
20-30-151-085	898 N ADAMS RD APT 3	\$49.66	\$0.00
20-30-151-086	898 N ADAMS RD APT 7	\$49.66	\$0.00
20-30-151-087	946 N ADAMS RD APT 4	\$782.38	\$0.00
20-30-151-088	946 N ADAMS RD APT 8	\$782.38	\$0.00
20-30-151-089	946 N ADAMS RD APT 3	\$782.38	\$0.00
20-30-151-090	946 N ADAMS RD APT 7	\$782.38	\$0.00
20-30-151-091	946 N ADAMS RD APT 1	\$782.38	\$0.00
20-30-151-092	946 N ADAMS RD APT 5	\$782.38	\$0.00

0-30-151-093	946 N ADAMS RD APT 2	\$782.38	\$0.00
20-30-151-094	946 N ADAMS RD APT 6	\$782.38	\$0.00
20-30-151-095	928 N ADAMS RD APT 4	\$782.38	\$0.00
20-30-151-096	928 N ADAMS RD APT 8	\$782.38	\$0.00
20-30-151-097	928 N ADAMS RD APT 3	\$782.38	\$0.00
20-30-151-098	928 N ADAMS RD APT 7	\$782.38	\$0.00
20-30-151-099	928 N ADAMS RD APT 1	\$782.38	\$0.00
20-30-151-100	928 N ADAMS RD APT 5	\$782.38	\$0.00
20-30-151-101	928 N ADAMS RD APT 2	\$782.38	\$0.00
20-30-151-102	928 N ADAMS RD APT 6	\$782.38	\$0.00
20-30-151-103	910 N ADAMS RD APT 4	\$782.38	\$0.00
20-30-151-104	910 N ADAMS RD APT 8	\$782.38	\$0.00
20-30-151-105	910 N ADAMS RD APT 3	\$782.38	\$0.00
20-30-151-106	910 N ADAMS RD APT 7	\$782.38	\$0.00
20-30-151-107	910 N ADAMS RD APT 1	\$782.38	\$0.00
20-30-151-108	910 N ADAMS RD APT 5	\$782.38	\$0.00
20-30-151-109	910 N ADAMS RD APT 2	\$782.38	\$0.00
20-30-151-110	910 N ADAMS RD APT 6	\$782.38	\$0.00
20-30-151-111	964 N ADAMS RD APT 1	\$782.38	\$0.00
20-30-151-112	964 N ADAMS RD APT 5	\$782.38	\$0.00
20-30-151-113	964 N ADAMS RD APT 2	\$782.38	\$0.00
20-30-151-114	964 N ADAMS RD APT 6	\$782.38	\$0.00
20-30-151-115	964 N ADAMS RD APT 4	\$782.38	\$0.00
20-30-151-116	964 N ADAMS RD APT 8	\$782.38	\$0.00
20-30-151-117	964 N ADAMS RD APT 3	\$782.38	\$0.00
20-30-151-118	964 N ADAMS RD APT 7	\$782.38	\$0.00
20-30-151-119	982 N ADAMS RD APT 1	\$782.38	\$0.00
20-30-151-120	982 N ADAMS RD APT 5	\$782.38	\$0.00
20-30-151-121	982 N ADAMS RD APT 2	\$782.38	\$0.00
20-30-151-122	982 N ADAMS RD APT 6	\$782.38	\$0.00
20-30-151-123	982 N ADAMS RD APT 4	\$782.38	\$0.00
20-30-151-124	982 N ADAMS RD APT 8	\$782.38	\$0.00
20-30-151-125	982 N ADAMS RD APT 3	\$782.38	\$0.00
20-30-151-126	982 N ADAMS RD APT 7	\$782.38	\$0.00
20-30-151-127	900 N ADAMS RD	\$782.38	\$0.00

D. Public Hearing - Confirmation of SAD Roll 910 Arlington, Shirley, and Brandon Street Project – water/sewer

WHEREAS, Special Assessment Roll, designated Roll No. 910S and Roll No. 910W, has been heretofore prepared for Collection; and

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

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

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

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

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

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

<b>Sidwell Number</b>	<b>Street Address</b>	<b>Sewer Lateral SAD Assessment</b>
19-35-202-033	218 Arlington	\$5,600.00
19-35-202-035	280 Arlington	\$4,600.00
19-35-202-036	316 Arlington	\$4,400.00
19-35-202-039	414 Arlington	\$6,000.00
19-35-202-042	500 Arlington	\$3,000.00
19-35-202-043	550 Arlington	\$6,800.00
19-35-202-045	700 Arlington	\$4,400.00
19-35-202-048	800 Arlington	\$4,000.00
19-35-202-050	898 Arlington	\$4,200.00
19-35-202-055	1420 W Lincoln	\$5,600.00
19-35-202-069	1589 W. Maple	\$5,000.00



Sidwell Number	Street Address	Sewer Lateral SAD Assessment
19-35-226-002	175 Arlington	\$5,200.00
19-35-226-003	243 Arlington	\$4,600.00
19-35-226-004	269 Arlington	\$5,600.00
19-35-226-006	345 Arlington	\$6,000.00
19-35-226-009	100 Shirley	\$6,800.00
19-35-226-010	188 Shirley	\$4,600.00
19-35-226-011	226 Shirley	\$4,200.00
19-35-226-012	252 Shirley (Vacant)	\$3,400.00
19-35-226-016	377 Arlington	\$5,400.00
19-35-226-017	350 Shirley	\$6,600.00
19-35-227-004	345 Shirley	\$4,800.00
19-35-227-005	361 Shirley	\$3,800.00
19-35-227-006	381 Shirley	\$7,000.00
19-35-227-008	421 Arlington	\$7,600.00
19-35-227-009	445 Arlington	\$5,800.00
19-35-227-010	463 Arlington	\$4,800.00
19-35-227-011	487 Arlington	\$5,800.00
19-35-227-013	585 Shirley	\$7,400.00
19-35-227-035	619 Shirley	\$8,200.00
19-35-227-036	663 Shirley	\$8,200.00
19-35-276-001	503 Arlington	\$6,400.00
19-35-276-002	577 Arlington	\$3,600.00
19-35-276-003	645 Arlington	\$5,000.00
19-35-276-006	779 Arlington	\$6,000.00
19-35-276-007	843 Arlington	\$6,200.00

<b>Sidwell Number</b>	<b>Street Address</b>	<b>Sewer Lateral SAD Assessment</b>
19-35-276-008	881 Arlington	\$6,000.00
19-35-276-010	975 Arlington	\$3,400.00
19-35-276-011	1057 Arlington	\$7,000.00
19-35-276-013	640 Shirley	\$2,000.00
19-35-276-015	770 Shirley	\$3,000.00
19-35-276-016	822 Shirley	\$4,400.00
19-35-276-017	880 Shirley	\$7,400.00
19-35-276-018	914 Shirley	\$5,400.00
19-35-276-022	1000 Shirley	\$1,600.00
19-35-276-023	737 Arlington	\$5,800.00
19-35-277-003	811 Shirley	\$7,400.00
19-35-277-005	905 Shirley	\$5,200.00
19-35-277-006	955 Shirley	\$6,400.00

\$261,600.00

Sidwell Number	Street Address	Water Lateral SAD Assessment
19-35-202-033	218 Arlington	\$2,380.00
19-35-202-044	600 Arlington	\$825.00
19-35-202-045	700 Arlington	\$2,175.00
19-35-202-046	730 Arlington	\$2,240.00
19-35-202-047	776 Arlington	\$2,170.00
19-35-202-048	800 Arlington	\$2,100.00
19-35-202-050	898 Arlington	\$2,100.00
19-35-226-002	175 Arlington	\$1,200.00
19-35-226-003	243 Arlington	\$1,120.00
19-35-226-004	269 Arlington	\$1,260.00
19-35-226-006	345 Arlington	\$2,590.00
19-35-226-009	100 Shirley	\$2,240.00
19-35-226-010	188 Shirley	\$2,590.00
19-35-226-011	226 Shirley	\$2,380.00
19-35-226-012	252 Shirley (Vacant)	\$2,520.00
19-35-227-004	345 Shirley	\$980.00
19-35-227-005	361 Shirley	\$3,000.00
19-35-227-006	381 Shirley	\$2,870.00
19-35-227-008	421 Arlington	\$4,200.00
19-35-227-009	445 Arlington	\$3,600.00
19-35-276-001	503 Arlington	\$1,050.00
19-35-276-002	577 Arlington	\$2,310.00
19-35-276-003	645 Arlington	\$2,730.00
19-35-276-006	779 Arlington	\$1,330.00
19-35-276-007	843 Arlington	\$1,400.00

Sidwell Number	Street Address	Water Lateral SAD Assessment
19-35-276-008	881 Arlington	\$1,400.00
19-35-276-011	1057 Arlington	\$1,540.00
19-35-276-015	770 Shirley	\$2,450.00
19-35-276-016	822 Shirley	\$2,240.00
19-35-276-017	880 Shirley	\$1,275.00
19-35-276-018	914 Shirley	\$1,125.00
19-35-276-023	737 Arlington	\$1,330.00
19-35-277-003	811 Shirley	\$2,520.00
19-35-277-005	905 Shirley	\$1,820.00

\$69,060.00

**\*Communications received for 8D**

E. Public Hearing - Confirmation of SAD Roll 910 Arlington, Shirley, and Brandon Street Project – Paving

WHEREAS, Special Assessment Roll, designated Roll No. 910, has been heretofore prepared for Collection; and

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

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

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

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

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

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

Sidwell Number	Street Address	Paving Assessment
19-35-202-033	218 Arlington	\$14,594.35
19-35-202-034	222 Arlington	\$15,276.82
19-35-202-035	280 Arlington	\$17,573.46
19-35-202-036	316 Arlington	\$17,628.46
19-35-202-039	414 Arlington	\$17,814.09
19-35-202-040	432 Arlington	\$17,897.59
19-35-202-041	444 Arlington	\$38,050.36
19-35-202-042	500 Arlington	\$18,216.76
19-35-202-043	550 Arlington	\$19,984.21
19-35-202-044	600 Arlington	\$18,549.31
19-35-202-045	700 Arlington	\$16,386.31
19-35-202-046	730 Arlington	\$15,657.26
19-35-202-047	776 Arlington	\$14,320.26
19-35-202-048	800 Arlington	\$15,655.20
19-35-202-049	860 Arlington	\$16,343.63
19-35-202-050	898 Arlington	\$16,820.76
19-35-202-051	924 Arlington	\$16,150.40
19-35-202-052	968 Arlington	\$18,484.48

<b>Sidwell Number</b>	<b>Street Address</b>	<b>Paving Assessment</b>
19-35-202-053	992 Arlington	\$17,467.70
19-35-202-055	1420 W Lincoln	\$11,917.85
19-35-202-068	400 Arlington	\$38,106.60
19-35-202-069	1589 W. Maple	\$27,503.50
19-35-226-001	117 Arlington	\$16,071.70
19-35-226-002	175 Arlington	\$16,394.05
19-35-226-003	243 Arlington	\$16,822.20
19-35-226-004	269 Arlington	\$15,138.54
19-35-226-006	345 Arlington	\$18,257.23
19-35-226-009	100 Shirley	\$19,215.41
19-35-226-010	188 Shirley	\$18,104.35
19-35-226-011	226 Shirley	\$17,194.39
19-35-226-012	252 Shirley	\$17,135.39
19-35-226-013	288 Shirley	\$16,751.39
19-35-226-014	300 Shirley	\$18,609.39
19-35-226-016	377 Arlington	\$24,416.55
19-35-226-017	350 Shirley	\$26,926.65
19-35-226-018	309 Arlington	\$15,795.87
19-35-226-019	327 Arlington	\$17,108.99
19-35-227-004	345 Shirley	\$22,957.07
19-35-227-005	361 Shirley	\$22,642.25
19-35-227-006	381 Shirley	\$20,094.46
19-35-227-008	421 Arlington	\$18,029.69
19-35-227-009	445 Arlington	\$19,447.69
19-35-227-010	463 Arlington	\$20,032.19

<b>Sidwell Number</b>	<b>Street Address</b>	<b>Paving Assessment</b>
19-35-227-011	487 Arlington	\$20,856.12
19-35-227-012	503 Shirley	\$18,548.46
19-35-227-013	585 Shirley	\$19,012.25
19-35-227-034	680 Linden	\$7,214.53
19-35-227-035	619 Shirley	\$14,836.90
19-35-227-036	663 Shirley	\$19,649.43
19-35-227-037	200 Linden	\$5,276.77
19-35-276-001	503 Arlington	\$31,224.64
19-35-276-002	577 Arlington	\$15,814.45
19-35-276-003	645 Arlington	\$29,677.35
19-35-276-006	779 Arlington	\$17,170.54
19-35-276-007	843 Arlington	\$17,366.54
19-35-276-008	881 Arlington	\$16,253.20
19-35-276-009	945 Arlington	\$16,398.32
19-35-276-010	975 Arlington	\$26,543.69
19-35-276-011	1057 Arlington	\$21,332.87
19-35-276-012	550 Shirley	\$16,439.20
19-35-276-013	640 Shirley	\$21,016.65
19-35-276-014	708 Shirley	\$33,317.05
19-35-276-015	770 Shirley	\$17,138.88
19-35-276-016	822 Shirley	\$16,662.28
19-35-276-017	880 Shirley	\$19,046.15
19-35-276-018	914 Shirley	\$17,323.64
19-35-276-023	737 Arlington	\$21,707.18
19-35-276-024	970 Shirley	\$22,263.11

Sidwell Number	Street Address	Paving Assessment
19-35-277-001	735 Shirley	\$21,396.37
19-35-277-002	789 Shirley	\$16,015.20
19-35-277-003	811 Shirley	\$15,294.45
19-35-277-004	855 Shirley	\$20,037.43
19-35-277-005	905 Shirley	\$16,598.56
19-35-277-006	955 Shirley	\$21,610.77

\$1,410,587.79

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

Fund Account	Fund ID Number	Project Award	10% Cont.	Total
Sidewalk Fund – Gap Closures	101.0-444.000-981.0100	\$24,375.00	\$2,437.50	\$26,812.50
Local Street Fund	203.0-449.001-981.0100	\$2,305,363.90	\$230,536.39	\$2,535,900.29
Sewer Fund	590.0-537.000-981.0100	\$1,962,477.50	\$196,247.75	\$2,158,725.25
Water Fund	591.0-544.000-981.0100	\$1,304,598.50	\$130,469.85	\$1,435,058.32

AND

To approve the appropriation and amendment of the fiscal year 2024/2025 budget as follows:

Sidewalk Fund:

Revenues:

101.0-000.000-400.0000	Draw from Fund Balance	<u>\$26,820</u>
	Total Revenue	<u>\$26,820</u>

Expenditures:



101.0-444.000-981.0100	Public Improvement	<u>\$26,820</u>
Total Expenses		<u>\$26,820</u>
<u>Local Street Fund:</u>		
Revenues:		
203.0-000.000-400.0000	Draw from Fund Balance	<u>\$2,535,910</u>
Total Revenue		<u>\$2,535,910</u>
Expenditures:		
203.0-449.001-981.0100	Public Improvement	<u>\$2,535,910</u>
Total Expenses		<u>\$2,535,910</u>
<u>Sewer Fund:</u>		
Revenues:		
590.0-000.000-400.0000	Draw from Net Position	<u>\$2,158,730</u>
Total Revenue		<u>\$2,158,730</u>
Expenditures:		
590.0-537.000-981.0100	Public Improvements	<u>\$2,158,730</u>
Total Expenses		<u>\$2,158,730</u>
<u>Water Fund:</u>		
Revenues:		
591.0-000.000-400.0000	Draw from Net Position	<u>\$1,430,060</u>
Total Revenue		<u>\$1,430,060</u>
Expenditures:		
591.0-544.000-981.0100	Public Improvement	<u>\$1,430,060</u>
Total Expenses		<u>\$1,430,060</u>

- G. Resolution to assign each prioritization matrix related to the Birmingham 2040 Plan to the corresponding board/commission. In addition, to authorize the Planning Board to provide oversight of the prioritization matrices, with the understanding that the Planning Board would provide annual updates to the City Commission of progress and any changes.
- H. Paving E. Lincoln Street, east of S. Eton Street
- I. Request for Closed Session Under MCL § 15.268, Sec.8(1)( e) 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.**
- J. 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.

- K. Commission discussion on items from a prior meeting.
  - 1. Golf Courses

**IX. REMOVED FROM CONSENT AGENDA**

**X. COMMUNICATIONS**

- A. Shirley & Arlington letters from a prior meeting
- B. Westwood letter from a prior meeting
- C. YMCA/NEXT Letters

**XI. REPORTS**

- A. Commissioner Reports
  - 1. Notice of intention to appoint to the Advisory Parking Committee
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  - 1. Dumpster Report
  - 2. Expanding Special Event Offerings
  - 3. Grant Update

INFORMATION ONLY

**XII. ADJOURN**

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760  
You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

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

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