NOTICE OF PUBLIC HEARINGS

BIRMINGHAM CITY COMMISSION
PUBLIC HEARING OF NECESSITY PUBLIC HEARING OF CONFIRMATION

Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, April 13, 2015, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, April 27, 2015, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Location:	Oak Street Paving Project Area
Nature of Improvement:	Installation of lateral sewers
City Staff Contact:	Paul O'Meara 248.530.1836 pomeara@bhamgov.org
Notice Requirements:	Mail to affected property owners Publish March 22 & 29, 2015
Approved minutes may be reviewed at:	City Clerk's Office

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.

City of Birmingham
A Walkable Community

MEMORANDUM

Engineering Dept.

DATE: **April 6, 2015**

TO: **Joseph Valentine, City Manager**

FROM: **Paul T. O'Meara, City Engineer**

SUBJECT: **Oak St. Paving Project**
Sewer Lateral Replacement Special Assessment District
Public Hearing

At the Commission meeting of March 22, 2015, the City Commission set a date of April 13, 2015 to hold a public hearing of necessity for the replacement of sewer laterals located within the limits of the Oak St. Paving Project. Also at that meeting, a confirmation hearing date of April 27, 2015 was set, should the assessment district be authorized. Attached for your information are the previous report that were prepared on this subject, as well as the public hearing notice most recently sent out.

Every owner in the district has been sent the attached letter. To date, our office has received a small number of questions. One homeowner has notified us that their sewer is actually connected to the backyard sewer adjacent to their home. Like two others, we had no records of where the home connected.

A suggested resolution has been prepared below should the Commission wish to consider authorizing this project.

SUGGESTED RESOLUTION (SEWER LATERAL REPLACEMENT):

WHEREAS, The City Commission has passed Ordinance No. 1906, to establish and adopt requirements and procedures for the replacement of sewer lateral lines when the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission is of the opinion that replacement of 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 sewer laterals has been determined,

RESOLVED, that all sewer laterals not meeting current criteria located within the limits of the following streets shall be replaced as a part of the paving project on Oak St. between Chesterfield Ave. and Lakepark Dr.

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 sewer lateral (calculated at the rate of $54 per linear foot) shall be charged to the adjoining property owners benefiting from the sewer lateral,

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:

"Caspar J. Lingeman's Quarton Road Unit of Quarton Lake Estates" Subdivision
Lots 24 and the southerly 35 ft. of lot 25, lot 72.

"The Heights" Subdivision
Lots 29, the westerly 127.5 ft. of lots 72 & 73 except for the northerly 8.0 ft. of lot 73.

"Subdivision of Lots 1 to 184 of Quarton Lake Estates Subdivision"
Lot 32.

RESOLVED, that the Commission shall meet on Monday, April 27, 2015, at 7:30 P.M., for the purpose of conducting a public hearing to confirm the roll for the replacement of sewer laterals within the Oak St. Paving Project.

NOTICE OF PUBLIC HEARINGS

BIRMINGHAM CITY COMMISSION
PUBLIC HEARING OF NECESSITY PUBLIC HEARING OF CONFIRMATION

Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, April 13, 2015, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, April 27, 2015, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Location:	Oak Street Paving Project Area
Nature of Improvement:	Installation of lateral sewers
City Staff Contact:	Paul O'Meara 248.530.1836 pomeara@bhamgov.org
Notice Requirements:	Mail to affected property owners Publish March 22 & 29, 2015
Approved minutes may be reviewed at:	City Clerk's Office

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.

March 18, 2015

TO: Property Owners

RE: Oak Street Paving Project
Sewer Lateral Replacement

Oak St. – Chesterfield Ave. to Lakepark Ave.

The City of Birmingham has scheduled significant work on your street during the 2015 construction season. Upgrades to the water and sewer system, and complete street replacement is planned. More information relative to the project itself will be forwarded in the coming weeks as the time schedule firms up.

Accompanying this letter is a public hearing notice regarding a meeting scheduled to occur on April 13, 2015. The public hearing is to consider a Special Assessment District for replacing the sewer laterals to each individual home. This letter is to help clarify what is being discussed.

As a part of all street paving projects, the City has found that significant savings can be attained both for the City and adjacent property owners when underground pipelines (such as the water and sewer systems) are repaired or replaced (if needed) when the pavement is removed. Traditionally, the City has taken advantage of these opportunities, and replaced public water mains and sewers during these projects, at significant savings to the ratepayers.

Each homeowner typically has one water service (supplying fresh water to the house) and one sewer lateral (to drain wastewater) extending from the front of the house, through the front yard, and into the public right-of-way, to connect with the public water main and sanitary sewers. The distance from the property line (one foot off the sidewalk towards the house) to the City's sewer and water lines can vary between 20 and 45 feet, depending on their locations within the roadway. The water service and sewer lateral were generally installed at the time the house was built, at the expense of the builder or owner. Since these services only benefit one property, they are not considered a part of the City's public system, and maintenance and repair of them is the responsibility of each individual property owner.

Water services tend to last a lot longer, and are not considered a critical item unless the property owner plans to make a significant expansion or replacement of the house, as the Building Code requires a minimum 1 inch water service on major housing projects. The City will be offering a voluntary opportunity to have your water service replaced through a contract with the contractor. Information will be forthcoming soon if you qualify for this potential upgrade.

The majority of Birmingham's homes are now over 50 years old. The typical service life of a sewer lateral is 50 years. Many sewer laterals in Birmingham are nearing the end of their service life, and should be replaced. Unexpected failures of sewer laterals can result in flooded basements and damage to personal property. Repair of a sewer lateral in such an emergency situation can often cost over $6,000. Recent experience has shown that replacing sewer laterals as a part of our paving projects can substantially reduce the cost. In addition, it is in the public's best interest to replace all of the existing old sewers and sewer laterals prior to replacing the pavement, so that additional cuts into the pavement can be reduced in the future, extending the service life of the road. With that in mind, the City Code requires that all sewer laterals that do not meet current standards be replaced on such paving projects, at property owner expense (Chapter 114, Article III, Sec. 114-171). If you would like to review the City Code requirement, there is a City Code and Ordinances link on the City's website (http://bhamgov.org), under the City Government menu.

Most homes on Oak St. are corner houses, and many tend to have their sewer and water connected in a direction other than Oak St. As a result, this notice applies to a relatively small number of homes. If you are receiving this letter, our records indicate that your sewer lateral does not meet current standards, and it is our intent to have the sewer lateral (within the City right-of-way only) removed and replaced as a part of this project. The actual cost of replacing the sewer lateral will be charged to you, and will vary depending on the actual location of the City sewer, and any other obstacles, such as trees, that are in the way. The unit rate that will be charged is $54.00 per linear foot of pipe installed by the contractor, for all 6 inch plastic pipe servicing the homes along these blocks.

After the work is completed, the actual amount of pipe installed will be measured, and an invoice will be generated and sent to the property owner of record. Payment in full will be expected within 30 days of receipt. If you are not in a position to pay off the charge in one payment, it can be broken into as many as 10 annual payments. An annual interest charge on the remaining balance (currently about 4%) will apply. If you would like to know the actual amount estimated for your property, please contact our office at (248) 530-1850, and ask for the Engineering Dept. It is expected that almost all of the homes on this project will be charged in the range of $1,400 and $2,200.

If you feel that the sewer lateral has been judged unfairly, you may submit an appeal in writing within 30 days of receipt of this letter. The appeal must have attached written invoices clarifying that replacement or repair has occurred which has renewed this pipe. If that is not available, submit an internal inspection videotape documenting the condition of the pipe. The videotape will have to clarify that the pipe was constructed of PVC materials meeting current standards. Submittal of a videotape showing a sewer lateral in good working order, but made of outdated materials such as cast iron, orangeburg, or clay will not be sufficient. Due to the low prices being quoted above, all sewer laterals of this nature must be replaced, even if they are in good working order today. In the long run, saving the lateral will end up costing the property owner much more to replace later, not to mention the damage to the street.

You also have the right to comment directly to the City Commission about the policy in general, at the public hearing noticed on the attached announcement. Questions or concerns particular to your sewer lateral are best handled by the Engineering Department, rather than the City Commission.

Those homeowners struggling financially with respect to this issue should also contact our office, and we can review with you other programs that the City has available to ensure that you are able to maintain your home, but get these needed improvements done as well.

Please contact our office at (248) 530-1850, if you have any questions.

Sincerely,

Paul T. O'Meara

Paul T. O'Meara, P.E.
City Engineer

City of Birmingham
A Walkable Community

MEMORANDUM

ENGINEERING DEPARTMENT

DATE: **March 6, 2015**

TO: **Joseph A. Valentine, City Manager**

FROM: **Paul T. O'Meara City Engineer**

SUBJECT: **Oak Street Paving Project,**
Sewer Lateral Replacement
Special Assessment District

As referenced on the attached report, a portion of Oak St. is being removed and replaced. Consistent with Birmingham policy, the plans have proposed to replace all sewer laterals underneath these streets if they are over 50 years old. The streets in which this will apply include:

Attached is a chart listing all of the properties impacted by this project, and the work involving sewer laterals. Those properties that have a sewer lateral that appears to be greater than 50 years old are being recommended for inclusion in the district. In this case, the majority of the homes are serviced by backyard sewers that are planned to remain in service, therefore, only 5 homes are recommended for inclusion in the district at this time.

The price for a 6" sewer lateral replacement from the low bidder (FDM) is $54 per foot. The price bid for this pay item ranged from $40 to $90 per foot, with the average price being $65.60 per foot. Given that the low bidder's price is 17% below the average, we believe charging the recommended bidder's price ($54), is appropriate. Total costs per house is estimated to range between $1,400 and $2,160, less than half of the usual price obtained if done as a separate project.

It is recommended that a public hearing of necessity be scheduled at the Monday, April 13, 2015 City Commission meeting. Should the district be declared at that time, it is further recommended that the public hearing to confirm the roll be held on Monday, April 27, 2015 at the $54/lineal ft. unit price for 6" dia. sewer.

SUGGESTED RESOLUTION:

RESOLVED, that the City Commission shall meet on Monday, April 13, 2015 at 7:30 P.M., for the purpose of conducting a public hearing of necessity for the installation of lateral sewers within the Oak Street Paving Project area. Should the district be declared at that time, be it further

RESOLVED, that the City Commission meet on Monday, April 27, 2015 at 7:30 P.M. for the purpose of conducting a public hearing to confirm the roll for the installation of lateral sewers in the Oak Street Paving Project area.

SEWER LATERAL CHART

Oak St. Paving Project - Contract #1-15(P)

Address	Street	Pipe Type	Date Installed	SAD?	Estimated Length	Estimated Cost
						6"
						$54
NORTH SIDE						
908	Chesterfield	On Chesterfield	1956	N	0	$0
909	Fairfax	P.V.C.	2012	N	0	$0
910		Unknown	--	Y	26	$1,404
921	Suffield	Backyard	2006	N	0	$0
916		Unknown	--	Y	26	$1,404
915	Pilgrim	Backyard	1945	N	0	$0
932		O.B.	1957	Y	26	$1,404
925	Puritan	Backyard	1960	N	0	$0
900		Backyard	1954	N	0	$0
1250	Oak	O.B.	1958	Y	26	$1,404
1200		On Lakepark	1958	N	0	$0
SOUTH SIDE						
812	Chesterfield	On Chesterfield	1998	N	0	$0
869	Fairfax	Wedgelock	1963	Y	40	$2,160
878		Backyard	--	N	0	$0
889	Suffield	Backyard	1950	N	0	$0
854		P.V.C.	2004	N	0	$0
879	Pilgrim	Backyard	2003	N	0	$0
898		Backyard	1950	N	0	$0
895	Puritan	Backyard	1954	N	0	$0
888		P.V.C.	2002	N	0	$0
895	Lakepark	On Lakepark	1996	N	0	$0
			TOTAL =		144	$7,776

RATIO = 5/21 24%