

BIRMINGHAM CITY COMMISSION AGENDA
FEBRUARY 22, 2016
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Rackeline J. Hoff, Mayor

II. ROLL CALL

Laura M. Pierce, City Clerk

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

Announcements:

- The Clerk's Office will be open to accept and issue absentee ballots on Saturday, March 5th from 9:00 AM – 2:00 PM.
- The Presidential Primary Election will be held on Tuesday, March 8th. Polls will be open from 7:00 AM to 8:00 PM. Election results can be obtained at www.bhamgov.org/electionresults.

Appointments:

- A. Interviews for appointment to the Board of Review.
 - 1. Elicia Katrib, 1832 East Lincoln
 - 2. Kathleen Devereaux, 1019 Rivenoak
- B. To appoint _____ as a regular member, to the Board of Review to serve the remainder of a three-year term to expire December 31, 2018.
- C. To appoint _____ as a regular member, to the Board of Review to serve the remainder of a three-year term to expire December 31, 2016.
- D. Interviews for appointment to the Board of Building Trades Appeals.
 - 1. Benjamin Stahelin, 1832 East Lincoln
 - 2. Adam Charles, 1539 Bennaville
- E. To appoint _____ to serve the remainder of a three-year term on the Board of Building Trades Appeals to expire May 23, 2017.
- F. To appoint _____ to serve the remainder of a three-year term on the Board of Building Trades Appeals to expire May 23, 2016.
- G. Interviews for appointment to the Cablecasting Board.
 - 1. Jeffrey Bozell, 1564 Penistone
- H. To appoint _____ to serve the remainder of a three-year term on the Cablecasting Board to expire March 30, 2018.
- I. Interviews for appointment to the Historic District Study Committee.
 - 1. Michael Xenos, 1116 Washington Blvd (unable to attend)
- J. To appoint _____ to the Historic District Study Committee to serve a three year term to expire June 25, 2017.
- K. Interviews for appointment to the Ad Hoc Rail District Review Committee:
 - Business owner in the Rail District.

1. Terry Adams, Bob Adams Towing, 2499 Cole St.
 2. Norman LePage, Big Rock Chophouse, 245 South Eton (unable to attend)
- L. To appoint _____ to the Ad Hoc Rail District Review Committee, as the business owner in the Rail District member, to serve a term to expire December 31, 2016.
- M. Interviews for appointment to the Ad Hoc Rail District Review Committee:
- One resident member living in the neighborhood adjoining South Eton between Maple and Lincoln
1. Larry Bertollini, 1275 Webster
- N. To appoint _____ to the Ad Hoc Rail District Review Committee, as the resident member living in the neighborhood adjoining South Eton between Maple and Lincoln, to serve a term to expire December 31, 2016.
- O. Interviews for appointment to the Ad Hoc Rail District Review Committee:
- One resident member living in the neighborhood adjoining South Eton between Lincoln and 14 Mile Road
1. Cynthia Chiara, 1622 South Eton
- P. To appoint _____ to the Ad Hoc Rail District Review Committee, as the resident member living in the neighborhood adjoining South Eton between Lincoln and 14 Mile Road, to serve a term to expire December 31, 2016.
- Q. To concur in the recommendation of the following board members to the Ad Hoc Rail District Review Committee:
- _____Janelle Whipple-Boyce_____, Planning Board Member
- _____Lara Edwards_____, Multi-Modal Transportation Board Member
- *The Advisory Parking Committee member will be appointed at their March 16th meeting.*
- R. Administration of oath to the board members.

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.

- A. Approval of City Commission minutes and goal setting workshop minutes of February 8, 2016.
- B. Approval of warrant list, including Automated Clearing House payments, of February 10, 2016 in the amount of \$852,738.80.
- C. Approval of warrant list, including Automated Clearing House payments, of February 17, 2016 in the amount of \$808,220.93.
- D. Resolution approving the 2016 annual flower purchase from Croswell Greenhouse in the amount not to exceed \$15,860.00. Funds are available from the General Fund – Property Maintenance – Operating Supplies account #101-441.003-729.0000.
- E. Resolution approving the purchase of the Thomas Steele 'Ashton' tables from Playworld Midstates for use in Barnum Park using NPP cooperative bid pricing for a total expenditure of \$20,102.00. Further, waiving the formal bidding requirements for this purchase based on the City's membership in the cooperative program National Purchasing Partners. Funds are available for this purchase in the Capital Projects Fund, Barnum Park Improvements account #401-751.001-981.0100.
- F. Resolution confirming the City Manager's authorization for the emergency expenditure regarding the installation of a chain link fence and gate system at Buckingham and

Cambridge along the west side of the railroad right-of-way, in the amount of \$7,573.40 to be paid from the City Property Maintenance, Other Contractual Services account #101-441.003-811.0000, pursuant to Sec. 2-286 of the City Code.

- G. Resolution approving a request submitted by the Birmingham Bloomfield Chamber to hold the Village Fair in the Shain Park area, June 1-5, 2016, including the private party, 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.

- H. Act 51 Mileage Recertification Street Systems

Manchester Rd. Resolution

1. Resolution approving the legal description for the right-of-way of the newly dedicated Manchester Rd. as described in the City Engineer's report dated January 25, 2016, and further accepting Manchester Rd. into the City of Birmingham Local Street System as of December 31, 2015. (complete resolution in agenda packet)

E. Lincoln Ave. Resolution

2. Resolution approving the legal description for the right-of-way of the newly dedicated E. Lincoln Ave. as described in the City Engineer's report dated January 25, 2016, and further accepting E. Lincoln Ave. into the City of Birmingham Local Street System as of December 31, 2015. (complete resolution in agenda packet)

W. Merrill St. Resolution

3. Resolution decertifying a portion of W. Merrill St., between Bates St. and Henrietta St. for a total decertification length of 265 ft. (complete resolution in agenda packet)

- I. Resolution awarding the W. Maple Rd. Sewer Improvement Project, Contract #1-16(S), to Troelsen Excavating Co. of Troy, MI, in the amount of \$325,000, charged to account number 590-536.001-981.0100. And further, approving the appropriation and amendment to the 2015-2016 Sewer Fund budget as follows:

Sewer Fund

Revenues:

Draw from Fund Balance 590-0000.000-400.0000	\$75,000
Total Revenue	\$75,000

Expenditures:

Sewer Capital Improvements 590-536.001-981.0100	\$75,000
Total Expenditures	\$75,000

- J. Resolution awarding the 2016 Concrete Sidewalk Repair Program, Contract #2-16(SW) to J.B. Contractors, Inc., of Detroit, MI, in the amount of \$797,300, to be charged to the various accounts as detailed in the report; and further approving the appropriations and budget amendments as detailed in the report (complete resolution in agenda packet).

- K. Resolution approving the agreement between the City and Kin Properties relative to the use of six parking spaces on their parking lot located at 211-223 W. Maple Rd., in exchange for nominal maintenance duties that are charged to the Auto Parking System Fund. Further, authorizing the City Manager to execute the agreement on behalf of the City.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

- A. Public Hearing of Necessity for the replacement of sewer laterals within the limits of the Hamilton Avenue paving project area.
 - 1. Resolution declaring necessity for replacement of sewer laterals within the limits of the Hamilton Avenue paving project area. The Public Hearing of Confirmation will be held on March 14, 2016 at 7:30 PM. (complete resolution in agenda packet)
- B. Public Hearing of Necessity for sidewalk enhancements on Hamilton Ave. from N. Old Woodward Ave. to Woodward Ave., and Park St. from Hamilton Ave. to E. Maple Rd.
 - 1. Resolution declaring necessity for the sidewalk enhancements on Hamilton Ave. from N. Old Woodward Ave. to Woodward Ave., and Park St. from Hamilton Ave. to E. Maple Rd. The Public Hearing of Confirmation will be held on March 14, 2016 at 7:30 PM. (complete resolution in agenda packet)
- C. Resolution adopting the proposed Street Name Change Review Policy, and submitting the November 18, 2015 request for the street name change of Millrace Road to Lakeside Court for review in accordance with the Street Name Change Review Policy.
- D. Resolution approving the renewal, for the 2016 licensing period, of all Class B, Class C, and microbrewery liquor licenses for which a current year application was received.

- OR -

(Each of the following resolutions to be considered with separate motions.)

Resolution setting a public hearing for 7:30 PM on Monday, March 14, 2016 in the City Commission Room at the Birmingham Municipal Building, 151 Martin, Birmingham, MI 48009, to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of _____, for the following reasons: _____;

Further, directing the City Manager to notify the owners/operators of _____, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

- AND -

Resolution approving the renewal for the 2016 licensing period, of all Class B, Class C, and microbrewery liquor licenses for which a current year application was received, except for the license(s) held by _____, for which a public hearing has been set.

- E. Resolution adopting the public noticing enhancements outlined in the February 11, 2016 staff memo as the City's public notice practices.
- F. Resolution approving City Commission Goals resulting from the January 9th and the February 8th, 2016 City Commission Goal Setting Workshops.

VII. REMOVED FROM CONSENT AGENDA

VIII. COMMUNICATIONS

- A. Great Lakes Water Authority statement on Flint and water quality in the GLWA served communities.

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

X. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
 - 1. Board of Ethics Advisory Opinions 2015-06 and 2015-07
- D. Legislation
- E. City Staff
 - 1. Second Quarter Investment Report, submitted by Finance Director Gerber
 - 2. Second Quarter Budget Report, submitted by Finance Director Gerber

XI. ADJOURN

INFORMATION ONLY

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](tel:2485301880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).



NOTICE OF INTENTION TO APPOINT TO BOARD OF REVIEW

At the regular meeting of Monday, February 22, 2016, the Birmingham City Commission intends to appoint two regular members and one alternate member to serve the remainder of three-year terms to expire December 31, 2016 and December 31, 2018. 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.

NOTE: 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, February 17, 2016. 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
	Applicants must be property owners and electors of the City of Birmingham.
Elicia Katrib	Property Owner – 1832 East Lincoln Registered Voter
Kathleen Devereaux	Property Owner – 1019 Rivenoak Registered Voter

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 RESOLUTION:

To appoint_____ as a regular member, to the Board of Review to serve the remainder of a three-year term to expire December 31, 2018.

To appoint_____ as a regular member, to the Board of Review to serve the remainder of a three-year term to expire December 31, 2016.

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

Last Name	First Name	Home Business Fax	E-Mail	Appointed	Term Expires
Di Placido 726 Lakeside Dr.	Guy	(248) 644-1708		1/10/1994	12/31/2017
Feiste 1474 Maryland	Leland	(248) 644-3948	<i>lwfeiste@yahoo.com</i>	1/22/2001	12/31/2016
Richey 1690 Stanley	Lester	(248) 644-7143	<i>lesrichey@yahoo.com</i>	2/9/2015	12/31/2017
Rose 1011 Clark	Cynthia	(248) 752-2667	<i>crose@cbwm.com</i>	3/2/2009	12/31/2018
Steinberger 2849 Buckingham	Michael	248.217.4805	<i>steinberger.michael@gmail.com</i>	8/10/2015 alternate	12/31/2017

Last Name	First Name	Home Business Fax E-Mail	Appointed	Term Expires
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Vacant			alternate	12/31/2016
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Vacant				12/31/2016
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Vacant				12/31/2018
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DEC - 9 2015

CITY CLERK'S OFFICE
CITY OF BIRMINGHAM



OFFICE USE ONLY
Meets Requirements? Yes ☒ No
Confirmed Interview Date: _____
Will Attend/Unable to Attend

APPLICATION FOR CITY BOARD OR COMMISSION

(Please print clearly)

Board of Review _____

Member _____

Board/Commission of Interest

Position of Interest

Name ELICIA KATRIB

Address 1832 E Lincoln st.
Birmingham, MI 48009

Business _____

Phone 248/379/3577

E-mail E.katrib@gmail.com

Length of Residence 7 years

Occupation Project Management

Reason for interest

Supporting my community by keeping our city moving forward to incorporate lessons learned and maintain a balance between its residential and business interests.

Related Employment Experience (Please indicate dates)

A. Leader of crossfunctional teams to develop solutions to complex problems (2011-present)

B. Mediator for civil matters in legal disputes (2010-present)

C. Developed and executed plans to improve processes and programs (2009-present)

Education: Bachelor's degree from Wayne State University, Master's degree from Walsh College, Law degree from UDM

Past Experience or Other Relevant Information (City Boards, Churches, Civic or Community Groups, Memberships, Associations, etc. Attach resume or additional page if necessary):

Oakland County Bar Association, St. George Church, Walsh College Alumni Association, HAVEN, MI Humane Society

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

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

E. Katrib
Signature of Applicant

12/7/2015
Date

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. Questions regarding this may be directed to the city clerk - 248.530.1880.

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City of Birmingham
A Walkable Community

FEB - 2 2016

APPLICATION FOR CITY BOARD OR COMMISSION

CITY CLERK'S OFFICE
CITY OF BIRMINGHAM

(Please print clearly)

OFFICE USE ONLY
Meets Requirements? ☒ Yes ☐ No

Confirmed Interview Date:

☒ Will Attend/☐ Unable to Attend

Board of Review

Member

Board/Commission of Interest

Position of Interest

Name Kathleen Devereaux

Address 1019 Rivenoak

Business

Phone 248-840-5310

E-mail kddevereaux@wowway.com

Length of Residence 36 years

Occupation writer/former attorney

Reason for interest I am a longtime resident, with a homeowner's familiarity with property values in Birmingham.

My qualifications as a former attorney and communicator would enable me to to listen to both sides of the issues presented in assessment appeals.

Related Employment Experience (Please indicate dates)

A. Defense attorney, State Appellate Defender Office 1974-1979

B. Instructor, Clinical Law, University of Detroit School of Law 1980-1983

C. Supervising Attorney, UAW-GM Legal Services Plan 1983-1990

Education: B.A. Mundelein College, Chicago ILL English/French

J.D. University of Detroit School of Law

Past Experience or Other Relevant Information (City Boards, Churches, Civic or Community Groups, Memberships, Associations, etc. Attach resume or additional page if necessary):

TCH, (Birmingham Community House), Birmingham Village Players.

See attached statement

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

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

Kathleen C. Devereaux
Signature of Applicant

February 2, 2016

Date

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. Questions regarding this may be directed to the

In my former practice as an attorney I advised clients on property tax matters. On behalf of myself and my family I have filed assessment appeals on valuation and uncapping due to transfer of ownership issues. Two of these appeals went to the Michigan Tax Tribunal. One was successful and one was not, so I definitely have been exposed to both sides of these issues. My legal background has also prepared me to study and weigh all the facts and correctly apply the legal principals involved in fairly deciding tax appeals.



NOTICE OF INTENTION TO APPOINT TO BOARD OF BUILDING TRADES APPEAL

At the regular meeting of Monday, May 11, 2015 the Birmingham City Commission intends to appoint one member to serve the remainder of a three-year term to expire May 23, 2016 and one member to serve the remainder of a three-year term to expire May 23, 2017. Applicants must reside, be employed or do business in the limits 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 6, 2015. 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.

The board deals with matters that pertain to the manner of construction or materials to be used in the erection, alteration or repair of a building or structure relating to building, electrical, mechanical, plumbing and fire prevention codes.

Applicant(s) Presented For City Commission Consideration:

Applicant Name	Criteria/Qualifications Applicants must reside, be employed or do business in the limits of the City of Birmingham.
Benjamin Stahelin	Resident – 1832 E. Lincoln
Adams Charles	Resident – 1539 Bennaville

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 _____ to serve the remainder of a three-year term on the Board of Building Trades Appeals to expire May 23, 2017.

To appoint _____ to serve the remainder of a three-year term on the Board of Building Trades Appeals to expire May 23, 2016.

BOARD OF BUILDING TRADES APPEALS

Chapter 22, Article II, 1972 PA 230, MCL 125.1514

Members shall be qualified by experience or training such as Architect, Engineer, Mechanical Engineer, Building Contractor, Electrical Contractor, Plumbing Contractor, Heating Contractor, and Refrigeration Contractor.

Term: Three years – 6 members

Appointed by the City Commission

Last Name	First Name	Home Business Fax	E-Mail	Appointed	Term Expires
Force	David	(248) 644-1724		12/11/2006	5/23/2018
1099 N. Cranbrook				Building Contractor	
Bloomfield Hills	48301		<i>force0621@ameritech.net</i>		
Mando	Dennis	(248) 767-0515		1/30/2006	5/23/2017
2225 Ironwood Dr		(248) 669-4338		Heating Contractor	
Clarkston	48348		<i>denny@dennysonline.com</i>		
Partridge	A. James	(248)642-1739		7/8/1996	5/23/2018
3916 Cottontail Lane		(248) 645-1465		Mechanical Engineer	
Bloomfield Hills	48301		<i>jim@jpconsulting-llc.com</i>		
VACANT					5/23/2017
VACANT					5/23/2016

Last Name	First Name	Home Business Fax E-Mail	Appointed	Term Expires
White	Ronald	(248) 543-5532	7/15/1991	5/23/2018
1898 Tahquamenon		(810) 543-5532	Electrical Contractor	
Bloomfield Hills	48302	(248) 543-5605		
		<i>offices@rdwhiteco.com</i>		



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 Meets Requirements ☒ Yes ☐ No
 Confirmed Interview Date:
 ____/____/____
☒ Will Attend ☐ Unable to Attend

APPLICATION FOR CITY BOARD OR COMMISSION

(Please print clearly)

Board of Building Trades Appeals

Board/Commission of Interest

Construction Safety Advisor

Position of Interest

Name Benjamin Stahelin

Address 1832 E. Lincoln St
 Birmingham, MI 48009

Business

Phone 248-210-7764

E-mail stahelinbenjamin@gmail.com

Length of Residence 1 year

Occupation Regional Health and Safety Manager

Reason for interest I have a immense passion to keep people safe in any occupation. I have been in the construction trade for a year now and have a strong understanding of MIOSHA and EPA regulations.

Related Employment Experience (Please indicate dates)

A. EHS Coordinator at Marine Pollution Control- May 2013 to June 2014

B. Site Safety Contractor for Construction Projects- July 2014 to Feburary 2015

C. Regional EHS Manager for FM Sylvan Inc- Feburary 2015 to Present

Education: I have a Bachelors of Science in Biology and Chemistry. I have a Masters of Science in Occupational and Environmental Health and Safety

Past Experience or Other Relevant Information (City Boards, Churches, Civic or Community Groups, Memberships, Associations, etc. Attach resume or additional page if necessary):

American Society of Safety Engineers Member, Michigan Industrial Hygiene Society Member, Group Leader for Huron River Watershed Council

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:

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

Benjamin Stahelin

Digitally signed by Benjamin Stahelin
 Date: 2015.12.08 16:49:56 -05'00'

12/8/2015

Signature of Applicant

Date

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. Questions regarding this may be directed to the city clerk - 248.530.1880.

BENJAMIN STAHELIN

1832 E. Lincoln St. • Birmingham, MI 48009

248-210-7764 • stahelinbenjamin@gmail.com

~ INDUSTRIAL HYGIENE & EHS FIELD ~

AN EXPERIENCED PROFESSIONAL with a degree in Occupational and Environmental Health, focusing on Industrial Hygiene and Industrial Toxicology. I have a proven track record for meeting projects on time with accurate data and clear results. Interact with a network of cross-functional professionals to achieve maximum motivation, collaboration and efficiency. Dynamic communication, leadership, problem solving, and relationship management skills. Offer theoretical and applied knowledge in:

Industrial Toxicology

Industrial Noise

Industrial Control Methods

Industrial Hygiene

Process Safety Management

Air Sampling

Environmental Health

Industrial Ventilation

Occupational Health Management

PROFESSIONAL EXPERIENCE

Regional Environmental Health and Safety Manager FM SYLVAN

Jan 2015- Present

Pontiac, MI

- Provide EHS leadership on multiple Industrial and Construction job sites
- Manage all Project Managers Safety Performance
- Audit Company and employees to ensure OSHA and EPA compliance
- Maintain all records, permits and Site Safety Plans
- Provide direction by planning and prioritizing jobs to provide a safe and efficient atmosphere.
- Coordinate and communicate safety related topics through out customers business
- Provide training and safety talks to employees
- Anticipate, Evaluate and Recognize future hazards and create controls to prevent hazards from occurring.
- Head investigation reports to identify root causes and preventable measures
- Create, maintain and initiate all Company Safety Programs

Environmental Health and Safety Coordinator MARINE POLLUTION CONTROL

May 2013- June 2014

Detroit, MI

- Actively develop, implement and update Environmental Health and Safety Programs, ensuring workplace and team safety at all times
- Conduct Field Audits
- Conduct OSHA Compliance Audits
- Coordinate Monthly Safety Meetings
- Write audit reports, Job Safety Analysis reports and root cause analysis reports.
- Develop Site Specific Health and Safety Plans and policies
- Maintain Records
- Maintain International Safety Network compliance

Chemist | Safety Manager PMG REFINERS

July 2012- May 2013

Redford, MI

- Actively develop and implement Environmental Health and Safety Programs, ensuring workplace and team safety at all times.
- Facilitate productive communication between the company, Environmental Quality, chemical companies, and waste disposal firms.
- Oversee a variety of customer jobs, ensuring timely and accurate turn around for each client.

PROFESSIONAL EDUCATION

WAYNE STATE UNIVERSITY	2013
Master of Science in Occupational and Environmental Health and Safety <i>Concentration in Industrial Hygiene and Industrial Toxicology</i>	
EASTERN MICHIGAN UNIVERSITY	2005
Bachelor of Science in Biology and Chemistry <i>Dean's List Honors</i>	

CERTIFICATIONS

ENVIRONMENTAL HEALTH AND HAZARDOUS MATERIALS CONTROL CERTIFICATE
DOT HAZARDOUS MATERIALS SHIPMENTS AND RCRA TRAINING
OSHA 30 HR GENERAL INDUSTRY TRAINING
OSHA 30 HR CONSTRUCTION TRAINING
40HR HAZWOPER TRAINING
COMPETENT PERSON SCAFFOLD TRAINING
CONFINED SPACE TRAINING
CONFINED SPACE RESCUE TRAINING
BASIC FIRST AID AND ADULT/CHILD/INFANT CPR

BENJAMIN STAHELIN

1832 E. Lincoln St • Birmingham, MI 48009
248-210-7764 • stahelinbenjamin@gmail.com

PROFESSIONAL AFFILIATIONS

Member SOCIETY OF TOXICOLOGY
Member AMERICA SOCIETY OF SAFETY ENGINEERS AND MICHIGAN INDUSTRIAL HYGIENE ASSOCIATION
Vice President WAYNE STATE UNIVERSITY INDUSTRIAL HYGIENE STUDENT ASSOCIATION
Volunteer ANN ARBOR'S COMMUNITY EMERGENCY RESPONSE TEAM
Group Leader HURON RIVER WATERSHED COUNCIL
Volunteer ANN ARBOR HANDS ON MUSEUM

PRINT FORM

JUN 23 2015

CITY CLERK'S OFFICE
CITY OF BIRMINGHAM



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Meets Requirements? Yes ☒ No
Confirmed Interview Date: _____
Will Attend/Unable to Attend

APPLICATION FOR CITY BOARD OR COMMISSION

(Please print clearly)

Board Of Building Trades Appeals

Board Member

Board/Commission of Interest

Position of Interest

Name Adam Charles

Address 1539 Bennaville
Birmingham, MI 48009

Business 3198 Winterberry
West Bloomfield, MI

Phone 248-672-3486

48324

E-mail mradamcharles@bartonmalow.com

Length of Residence 1 year

Occupation General Contractor

Reason for interest I am a construction professional and want to use my education, expertise, and experience to serve the community I live in.

Related Employment Experience (Please indicate dates)

A. Barton Malow Company - Engineer - 2012 to current

B. Main Street Building Group - Officer - 2008 to current

C. Beal Inc. Construction - Project Manager - 2009

Education: Central Michigan University - Bachelors degree in construction management

Michigan Licensed Homebuilder (participated in required pre licensing courses, and continued ed), Michigan Association of Homebuilders Memeber,

OSHA 30 Hour Training, Excavation Safety Training, NAHB Green Build Certification, NAHB Member,

Past Experience or Other Relevant Information (City Boards, Churches, Civic or Community Groups, Memberships, Associations, etc. Attach resume or additional page if necessary):

Board memeber of the Westacres 75th celebration, Chairman of the Westacres Garden Tour 2011, Member of St. Mathews Luthern Church

Luthern Church, Habitat for Humanity Volunteer, South Oakland Shelter Volunteer, Forgotten Harvest Volunteer,

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

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

YES

Signature of Applicant

Date

6/20/2015

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. Questions regarding this may be directed to the city clerk - 248.530.1880.



NOTICE OF INTENTION TO APPOINT TO THE CABLECASTING BOARD

At the regular meeting of Monday, March 16, 2015 the Birmingham City Commission intends to appoint to the Cablecasting Board two members to serve the remainder of three-year terms to expire March 30, 2018; one member to serve the remainder of a three-year term to expire March 30, 2017 and one alternate member to serve the remainder of a three-year term to expire March 30, 2016. Applicants must be residents 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, March 11, 2015. These applications 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 the appointments.

Duties of the Cablecasting Board

1) Advise the municipalities on matters relating to cable communications; 2) monitor the franchisee's compliance with the franchise agreement and the cable communications ordinance; 3) conduct performance reviews as outlined in Chapter 30, Article VII of the city code; 4) act as liaison between the franchisee and the public; hear complaints from the public and seek their resolution from the franchisee; 5) advise the various municipalities on rate adjustments and services according to the procedure outlined in Chapter 30; Article VI 6) advise the municipalities on renewal, extension or termination of a franchise; 7) appropriate those moneys deposited in an account in the name of the cablecasting board by the member communities; 8) oversee the operation of the education, governmental and public access channels; 9) apprise the municipalities of new developments in cable communications technology; 10) hear and decide all matters or requests by the operator (Comcast Cablevision); 11) hear and make recommendations to the municipalities of any request of the operator for modification of the franchise requirement as to channel capacity and addressable converters or maintenance of the security fund; 12) hear and decide all matters in the franchise agreement which would require the operator to expend moneys up to fifty thousand dollars; 13) enter into contracts as authorized by resolutions of the member municipalities; 14) administer contracts entered into by the board and terminate such contracts.

Applicant(s) Presented For City Commission Consideration:

Applicant Name	Criteria/Qualifications Must be a resident of Birmingham
Jeffrey Bozell	1564 Washington Blvd

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 _____ to serve the remainder of a three-year term on the Cablecasting Board to expire March 30, 2018.

CABLECASTING BOARD

Chapter 30 - Section 30-226 - Birmingham City Code
Meeting Schedule: 3rd Wednesday of the month - 7:45 A. M

The Board shall consist of 12 members, which includes 7 members who are residents of the City of Birmingham. Each member community shall also appoint one alternative representative. (30-226)

Last Name Home Address	First Name	Home Business Fax E-Mail	Appointed	Term Expires
Eick 559 Greenwood	R. David	(248) 231-8067 <i>eickhouse@comcast.net</i>	12/14/2015	3/30/2018
Heldt 1415 Lakeside	Jeffrey	(248) 646-4678 (248) 646-1050 <i>jheldt@kotsangster.com</i>	3/22/2010	3/30/2016
Linsenman 1196 Holland	Colin	(248)205-6166 (810) 235-9000 <i>clinsen1@gmail.com</i>	7/8/2013	3/30/2017
McAlear 1742 Latham	Matthew	(248)420-5635 <i>mbmcalear@gmail.com</i>	2/25/2013	3/30/2018
McLain 528 Pilgrim	Elaine	(248) 225-9903 <i>ekmclain@gmail.com</i>	1/9/2006	3/30/2017

For Cable Inquires:

Cathy White 248-336-9445
P.O. Box 165, Birmingham, MI 48012

Last Name	First Name	Home		
Home Address		Business		
		Fax		
		E-Mail	Appointed	Term Expires

Vacant				3/30/2018
--------	--	--	--	-----------

Vacant				3/30/2017
--------	--	--	--	-----------

Vacant				3/30/2016
--------	--	--	--	-----------

ALTERNATE

For Cable Inquires:

Cathy White 248-336-9445
P.O. Box 165, Birmingham, MI 48012

RECEIVED



City of Birmingham

A Walkable Community

FEB - 1 2016

jcb

APPLICATION FOR CITY BOARD OR COMMISSION

CITY OF BIRMINGHAM

(Please print clearly)

OFFICE USE ONLY
Meets Requirements? Yes ☒ No

Confirmed Interview Date: _____

☒ Will Attend ☐ Unable to Attend

Birmingham Area Cable Board

Board/Commission of Interest

Board Member, Birmingham Representative

Position of Interest

Name Jeffrey BobellAddress 1564 Penstone Street
Birmingham, MS 38204Business Secrest WinklePhone 313-204-5489E-mail jeffrey.bobell@gmail.comLength of Residence 10 monthsOccupation AttorneyReason for interest I have been involved in community organizations and outreach for several years. As a recent resident of Birmingham, I have looked for ways to serve the community. This is a good fit and I would be honored to have the opportunity.

Related Employment Experience (Please indicate dates)

A. Secrest Winkle - Attorney (10/14 - Present)B. General Motors/PwC - Tax Consultant/Attorney (8/13 - 10/14)C. Deloitte Tax - Tax Consultant (10/11 - 8/13)Education: BA, Economics, University of Michigan - Ann Arbor
JD, Boston University School of Law

Past Experience or Other Relevant Information (City Boards, Churches, Civic or Community Groups, Memberships, Associations, etc. Attach resume or additional page if necessary):

Board Member, Escuela Americana - 2 year term at charter school in SW Detroit.Chairman, Deloitte Tax Volunteer with Greening of Detroit - Twice servedCampus Champion, Deloitte College Recruiting at UofM - Liaison between Deloitte and Students

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.Are you an elector (registered voter) in the City of Birmingham? YesSignature of Applicant Jeffrey BobellDate 2/1/2016

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. Questions regarding this may be directed to the city clerk - 248.530.1880.

Jeffrey R. Bozell

jeffrey.bozell@gmail.com • 313.204.5489 • 1564 Penistone Street, Birmingham, MI 48009

Bar Admission

State of Michigan P75743
United States District Court, Eastern District of Michigan
United States District Court, Western District of Michigan

Education

Boston University School of Law

Boston, MA

Juris Doctor, May 2011

GPA: 3.3/4.0

Activities: Review of Banking & Financial Law, *Editor-in-Chief*
Metropolitan Life Insurance Company, Broker-Dealer Group, *Law Clerk*

University of Michigan

Ann Arbor, MI

Bachelor of Arts, Economics, May 2008

GPA: 3.4/4.0

Experience

Secrest Wardle

Troy, MI

Associate Attorney - Commercial Litigation

October 2014 – Present

- Improve strength of defense through answering and authoring discovery requests, arguing motions, and otherwise representing clients in litigation.
- Negotiate favorable settlements for clients in commercial litigation matters.
- Obtain beneficial admissions in plaintiff, expert, and fact witness depositions.
- Defend corporations and partnerships in commercial litigation including but not limited to product liability, copyright infringement, and financial transactions.

PricewaterhouseCoopers LLP

Detroit, MI

Experienced Associate - Transfer Pricing Group

August 2014 – October 2014

- Successfully defended public and private corporations' international transfer pricing positions through memoranda writing and report drafting.

General Motors Company

Detroit, MI

Attorney – International Tax & Transfer Pricing

October 2013 - August 2014

- Performed financial analysis on profitability and tax for corporate planning initiatives.
- Identified restructuring opportunities with intra-company relationships and trade flows.

Deloitte Tax LLP

Detroit, MI

Experienced Tax Consultant

October 2011 - October 2013

- Reduced tax liability exposure for nonprofit foundation by approximately \$400,000 based on discovery of net operating loss rollforward.
- Maintained tax-compliant status for corporations, partnerships, high net worth families, and tax-exempt entities through preparation and review of federal and state tax forms.
- Aided in investment strategies and entity restructuring via streamlined operations for corporations, partnerships, high net worth families, and tax-exempt entities.



NOTICE OF INTENTION TO APPOINT TO HISTORIC DISTRICT STUDY COMMITTEE

At the regular meeting of Monday, July 13, 2015 the Birmingham City Commission intends to appoint seven members to the Historic District Study Committee to serve three-year terms based on the date of expiration.

The goal of the Historic District Study Committee is to conduct historical research regarding the proposed designation of historic landmarks or districts in the City of Birmingham.

A majority of the members shall have a clearly demonstrated interest in or knowledge of historic preservation, although city residency is not required if an expert on the potential historic district topic is not available among city residents. The committee shall include representation of at least one member appointed from one or more duly organized local historic preservation organizations.

Interested parties may submit an application available from the city clerk's office on or before noon on Wednesday, July 8, 2015. Applications will appear in the public agenda at which time the commission will discuss recommendations, and may make nominations and vote on appointments.

Applicant(s) Presented For City Commission Consideration:

Applicant Name	Criteria/Qualifications
Michael Xenos	A member of the National Trust for Historic Preservation for 19 years.

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 _____ to the Historic District Study Committee to serve a three year term to expire June 25, 2017.

HISTORIC DISTRICT STUDY COMMITTEE

Goal: To conduct historical research regarding the proposed designation of historic landmarks or districts in the City of Birmingham.

The committee shall consist of seven members in addition to a city appointed liaison. A majority of the members shall have a clearly demonstrated interest in or knowledge of historic preservation, although city residency is not required if an expert on the potential historic district topic is not available among city residents. The committee shall include representation of at least one member appointed from one or more duly organized local historic preservation organizations.

Terms: three years

Meetings are held by resolution of the City Commission.

Last Name Home Address	First Name	Home Business Fax E-Mail	Appointed	Term Expires
Debbrecht 564 Frank	Gigi	(248) 882-9906 (248) 644-6700 <i>gigi@maxbrook.com</i>	6/25/2012	6/25/2018
Lang 1023 Floyd	Patricia	(248) 540-0991 <i>pal.family.friends@gmail.com</i>	10/26/2009	6/25/2018
Maricak 1040 Chapin	Gretchen	(248) 821-8708 <i>gmaricak106189mi@comcast.net</i>	9/12/2011	6/25/2017
Vacant				6/25/2016

Last Name	First Name	Home Business Fax E-Mail	Appointed	Term Expires
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Vacant

6/25/2016

Vacant

6/25/2016

Vacant

6/25/2017



City of Birmingham
A Walkable Community

OFFICE USE ONLY
Meets Requirements ☒ Yes ☐ No

Confirmed Interview Date:
/ yes /

Will Attend ☒ Unable to Attend ☐

NOV 12 2015

CITY CLERK'S OFFICE
CITY OF BIRMINGHAM

APPLICATION FOR CITY BOARD OR COMMISSION

(Please print clearly)

~~ZBA~~ Planning Board
Board/Commission of Interest

~~ZBA~~ Historic District
Study Committee
Position of Interest

Name MICHAEL S. XENOS
Address 1116 WASHINGTON BLVD. Business TMP ARCHITECTURE
BIRMINGHAM, MI
Phone 248-496-8983
E-mail MXENOS@COMCAST.NET
Length of Residence 1993-2004, 2014 to Present Occupation CONSTRUCTION ADMIN.
Reason for interest HELP THIS GREAT CITY!

Related Employment Experience (Please indicate dates)

- A. TMP ARCHITECTURE 2003 to Present
B. _____
C. _____

Education: U of DETROIT

Past Experience or Other Relevant Information (City Boards, Churches, Civic or Community Groups, Memberships, Associations, etc. Attach resume or additional page if necessary):

NATIONAL TRUST FOR HISTORIC PRESERVATION

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

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

YES

Signature of Applicant

Date

11-11-15

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. Questions regarding this may be directed to the city clerk - 248.530.1880.

Michael S. Xenos
1116 Washington
Birmingham, Mi 48009
248-496-8983
Email: mxenos@comcast.net

Professional Experience and Employment History

1997 – Present

TMP and Associates, Bloomfield Hills, MI

Architect Designer, Field Representative and Construction Document Producer in charge of overseeing all phases of construction. Duties have included design, production of construction documents, review, and implementation of architectural design and engineering in the field, as well as builder-client coordination. Construction supervision has included projects for Birmingham, Walled Lake, Hartland, Dearborn, Ann Arbor Public Schools, Lake High School - Ohio, St. Thomas Church, and Oakland Community College.

1992 – 2013

Self Employed

Architectural Designer and Developer of private homes for renovation and resale. Responsibilities have included conduction of residential real estate market studies, design development, general contracting including collaboration with city inspection officials (Zoning Boards of Appeals, Historic Committees, etc).

1995-1997

Edmund London & Associates, Southfield, MI

Designer/Project Captain responsible for coordinating design development and construction for various licensed care facilities, office buildings, and occupational and physical therapy clinics including Evergreen Health and Living Center and Woodward Hills Nursing Center.

1993-1995

Fusco, Schaffer, & Pappas Architects and Planners, Southfield, MI

Architectural designer and project captain for a firm concentrating on elderly housing apartments, Alzheimer's care units, HUD projects as well as residential and light commercial jobs.

1988-1992

Finnicum Brownlie Architects, Franklin, MI

Designer and team captain for high end residential architecture firm.

Key Strengths and Goals

Highly motivated, extremely dedicated, and ultimate team player – with a positive attitude.

Thrives in a vibrant work environment with focus on fine quality and detail.

Consistently meets deadlines and comfortable working on numerous projects simultaneously.

Interested in exploring related fields.

Education / Computer Skills

BA – Architecture and Urban Development – University of Detroit, Detroit, MI

Computer Skills – AutoCAD, Microsoft Office Outlook, Word

Training in process – Building Information Modeling

Letters of recommendation available upon request.



NOTICE OF INTENTION TO APPOINT TO THE AD HOC RAIL DISTRICT REVIEW COMMITTEE

At the regular meeting of Monday, February 22, 2016 the Birmingham City Commission intends to appoint four members to the Ad Hoc Rail District Review Committee to serve a term to expire December 31, 2016 unless otherwise directed by the City Commission. Members must meet the following requirements:

- One business owner in the Rail District
- One resident member living in the neighborhood adjoining South Eton between Maple and Lincoln
- One resident member living in the neighborhood adjoining South Eton between Lincoln and 14 Mile Road
- One resident member living in the neighborhood adjoining North Eton between Maple and Derby.

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, February 17, 2016. 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.

Duties of the Ad Hoc Rail District Review Committee

The purpose of the Ad Hoc Rail District Review Committee is to develop a recommended plan for addressing parking, planning and multi-modal issues in the Rail District and along S. Eton Road, while considering capacity needs and various plan concepts.

Applicant(s) Presented For City Commission Consideration:

Applicant Name	Criteria/Qualifications
	One business owner in the Rail District
Terry Adams	Bob Adams Towing, 2499 Cole St.
Norman LePage	Big Rock Chophouse, 245 South Eton
Applicant Name	Criteria/Qualifications
	One resident member living in the neighborhood adjoining South Eton between Maple and Lincoln
Larry Bertollini	1275 Webster
Applicant Name	Criteria/Qualifications
	One resident member living in the neighborhood adjoining South Eton between Lincoln and 14 Mile Road
Cynthia Chiara	1622 South Eton
Applicant Name	Criteria/Qualifications
	One resident member living in the neighborhood adjoining North Eton between Maple and Derby

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 RESOLUTION:

To appoint _____ to the Ad Hoc Rail District Review Committee, as the business owner in the Rail District member, to serve a term to expire December 31, 2016.

To appoint _____ to the Ad Hoc Rail District Review Committee, as the resident member living in the neighborhood adjoining South Eton between Maple and Lincoln, to serve a term to expire December 31, 2016.

To appoint _____ to the Ad Hoc Rail District Review Committee, as the resident member living in the neighborhood adjoining South Eton between Lincoln and 14 Mile Road, to serve a term to expire December 31, 2016.

To appoint _____ to the Ad Hoc Rail District Review Committee, as the resident member living in the neighborhood adjoining North Eton between Maple and Derby, to serve a term to expire December 31, 2016.

AD HOC RAIL DISTRICT REVIEW COMMITTEE

Resolution No. 01-06-16

The seven member committee shall be composed of the following: one member from the Advisory Parking Board; one member from the Planning Board; one member from the Multi-Modal Transportation Board; one business owner in the Rail District; one resident member living in the neighborhood adjoining South Eton between Maple and Lincoln; one resident member living in the neighborhood adjoining South Eton between Lincoln and 14 Mile Road; one resident member living in the neighborhood adjoining North Eton between Maple and Derby.

Term: The term of the Committee shall continue through December 31, 2016 and the Committee will cease functioning unless otherwise directed by the Commission.

The purpose of the Ad Hoc Rail District Review Committee is to develop a recommended plan for addressing parking, planning and multi-modal issues in the Rail District and along S. Eton Road, while considering capacity needs and various plan concepts.

Last Name	First Name	Home Business Fax	E-Mail	Appointed	Term Expires
VACANT					12/31/2016
		One resident member living in the neighborhood adjoining North Eton between Maple and Derby.			
VACANT					12/31/2016
		One resident member living in the neighborhood adjoining South Eton between Lincoln and 14 Mile Road			
VACANT					12/31/2016
		One resident member living in the neighborhood adjoining South Eton between Maple and Lincoln			

Last Name	First Name	Home Business Fax E-Mail	Appointed	Term Expires
VACANT				12/31/2016 business owner in the Rail District
VACANT				12/31/2016 Multi-Modal Transportation Board member
VACANT				12/31/2016 Planning Board member
VACANT				12/31/2016 Advisory Parking Committee member



OFFICE USE ONLY
 Meets Requirements? Yes No
 Confirmed Interview Date: / /
 Will Attend/Unable to Attend

APPLICATION FOR CITY BOARD OR COMMISSION

(Please print clearly)

Ad-Hoc District Review Committee

Board/Commission of Interest

Position of Interest

Name Terry J. Adams

Address 5970 Sussex Dr
 Troy, MI 48098

Business Bob Adams Towing
 2499 Cole St

Phone 248-867-6539

Birmingham, MI 48009

E-mail tadams56@aol.com

Length of Residence 15 years

Occupation Owner

Reason for interest Have been a property/business owner in the Rail District since 1980. In my business I travel the streets in the Rail District many times daily, have seen the good and bad come and go in the area. I am interested in the future of the City and District.

Related Employment Experience (Please indicate dates)

- A. _____
 B. _____
 C. _____

Education: _____

Past Experience or Other Relevant Information (City Boards, Churches, Civic or Community Groups, Memberships, Associations, etc. Attach resume or additional page if necessary):

Served on the Board of Directors of the Michigan Towing Association for 33 years, served as President in 1998-1999. Have been in front of City Council and Multi-Model board for different topics.

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:

Yes, my company has serviced the City for many years for Towing Service.

Are you an elector (registered voter) in the City of Birmingham? No

Signature of Applicant

January 12, 2016

Date

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. Questions regarding this may be directed to the city clerk - 248.530.1880.

PRINT FORM
RECEIVED BY

FEB 11 2016

CITY CLERK'S OFFICE
CITY OF BIRMINGHAM



4:08pm

APPLICATION FOR CITY BOARD OR COMMISSION

(Please print clearly)

OFFICE USE ONLY
Meets Requirements? Yes ☒ No ☐
Confirmed Interview Date: _____
Will Attend ☒ Unable to Attend ☐

Board/Commission of Interest

Position of Interest

Name NORMAN R. LEPAGE

Address 245 S. ETON STREET
BIRMINGHAM, MI 48009

Business BIG ROCK CHOPHOUSE

Phone 248-568-0090

E-mail NRLPAGE@YANOO.COM

Length of Residence 32 years

Occupation RESTAURATEUR

Reason for interest I HAVE A 32 year CONNECTION TO BIRMINGHAM AND
HAVE WORKED AND OWNED PROPERTY HERE. WE HAVE 4 PROPERTIES
LOCATED ON S. ETON ST. AND HAVE A VESTED INTEREST IN IT.

Related Employment Experience (Please indicate dates)

A. OWNER BIG ROCK CHOPHOUSE 1997-PRESENT

B. OWNER GRIFFIN CLAW BREWING 2013-PRESENT

C. OWNER NORMAN'S ETON STREET STATION 1984-1997

Education: B.S. WESTERN MICHIGAN UNIVERSITY

Past Experience or Other Relevant Information (City Boards, Churches, Civic or Community Groups, Memberships, Associations, etc. Attach resume or additional page if necessary):

CHRIST CHURCH CLAYBROOK MEMBER MICHIGAN RESTAURANT ASSOC 4 Yrs
BOARD OF M.S. SOCIETY FUNDRAISER 15 Yrs GARDEN PARTY COMMITTEE MEMBER
PILLARS OF VIBRANCY 2016 BIRMINGHAM COMMUNITY HOUSE

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

Are you an elector (registered voter) in the City of Birmingham? NO - BUT SOON TO BE

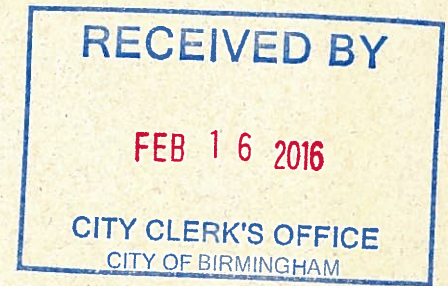
Signature of Applicant

Date

2.11.2016

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. Questions regarding this may be directed to the city clerk - 248.530.1880.

City Board Application 122614



February 15, 2016
City of Birmingham Commissioners
151 Martin St.
Birmingham, MI 48009

Re: Ad Hoc Rail District Review Committee

Dear Commissioners,

I am writing to apply for the Ad Hoc Rail District Review Committee position of business owner in the Rail District.

I have been a property owner for the past 32 years on S. Eton Street. I have maintained the historical Train Station and improved the Rail District with the addition of The Reserve, Parking Deck, The District Lofts and Griffin Claw Brewing Company.

I have the interest and vision to assist in guiding the committee in developing the parking as to support the residents and businesses in achieving a vibrant, walking, biking and driving area of town.

I have made numerous charity donations to support the community and was recently awarded the Pillar of Vibrancy at the Community House.

My children and grandchildren live in the Rail District and I will soon be living in The District Lofts so all the more reason to see firsthand how these decisions will affect us all.

I appreciate your time and thoughtful consideration to this important appointment.

Kindest Regards,

Norman R. LePage



Laura Pierce <lpierce@bhamgov.org>

letter of application

1 message

norman lepage <nrlepage@yahoo.com>

Thu, Feb 18, 2016 at 7:08 PM

Reply-To: norman lepage <nrlepage@yahoo.com>

To: Laura Pierce <lpierce@bhamgov.org>

Cc: Vera Day Rizer <vera@bigrockchophouse.com>, Mark Papak <mpapak@dgbblackwell.com>, Scott LePage <slepage@griffinclawbrewingcompany.com>

hello laura, i wanted to take a moment to let you know that my letter was dropped off at the city clerks office on tuesday. please include the following correspondence with my application.

birmingham city commission

unfortunately, i am out of town until the 4th of march, otherwise i would definitely be at the meeting. i want to express my apologies to the commission, under no circumstances do i want you to think that my participation on the committee is not important to me. this trip was scheduled well before i was aware of the meeting on the 22nd.

i have asked vera rizer (general manager of big rock and reserve) to attend mondays meeting. vera, like myself has been on the property since the beginning of 1984. vera will be happy to answer any questions that arise regarding my, and our, participation. between the two of us i doubt that anyone has more experience and day to day knowledge of the eton street corridor and the changes that have taken place over the past 30 some years.

it is my hope that the commission, in its wisdom, will appoint me to participate in this important study.

respectfully,

norman r. lepage

owner/operator/spokesman, big rock chop house, the reserve private dining, the district lofts, griffin claw brewery.

PRINT FORM RECEIVED BY

JAN 25 2016

CITY CLERK'S OFFICE
CITY OF BIRMINGHAM



City of Birmingham
A Walkable Community

OFFICE USE ONLY
Meets Requirements? Yes ☒ No ☐

Confirmed Interview Date:
/ /

Will Attend ☒ Unable to Attend ☐

APPLICATION FOR CITY BOARD OR COMMISSION
(Please print clearly)

Ad Hoc Rail District Committee, Resident
Board/Commission of Interest Position of Interest

Name Larry Bertolini

Address 1275 Webster

Business Straub Pettitt Yaste Architects

Phone 248 646 6677

E-mail lbertolini@att.net

Length of Residence Since 1985

Occupation Architect

Reason for interest

please see attached letter of interest

Related Employment Experience (Please indicate dates)

A. please refer to attached resume

B. _____

C. _____

Education: LTU-Bachelor of Science in Architecture

Past Experience or Other Relevant Information (City Boards, Churches, Civic or Community Groups, Memberships, Associations, etc. Attach resume or additional page if necessary):

Member of Architectural Review Committee (Birmingham)

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 & N/A

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

Signature of Applicant

1/22/16

Date

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. Questions regarding this may be directed to the city clerk - 248.530.1880.

Letter of Interest for Resident Member

Ad Hoc Rail District Committee

January 25, 2016

Being one of the three residential members of the Ad Hoc Rail District Committee is of great importance and interest to me. I am a nearby resident who travels S. Eton and the Rail District so I experience situations at these locations first-hand. Both the businesses and the nearby single family residences are a vital part of the success and image of the City of Birmingham. Preserving the well-being of these areas is critical to the objective of this committee. Parking, traffic, and safety should all be examined. The Rail District is possibly one of Birmingham's most unique areas and it offers both current and prospective business owners exciting opportunities to be creative and vital. It also offers nearby residents, and the community, amenities, services, & merchandise. The Rail District & S. Eton Road must continue to thrive while addressing concerns with parking, traffic, and acceptable safety and visibility standards for all vehicular, bicyclists, and pedestrian users.

I commend our City Building & engineering Departments for putting all the necessary and thoughtful ordinances in place to guide development in an orderly proactive way. The Ad Hoc Committee may be investigating some of the following areas:

Existing & potential off street & on-site parking throughout the Rail District. How shared parking can be utilized. Determine whether the parking ordinance requirements are currently met. Observe the affects on parking that outdoor dining areas produce and how we compare to other community's ordinances. Review scenarios on how to incorporate the City's bicycle loop plan safely along S. Eton. Improving visibility for drivers, pedestrians, & bicyclists. How to address additional traffic & parking imposed on the residential districts due to S. Eton travelers & the Rail District.

Obviously peak use times are important to assess so conditions along S. Eton should also be done during the summertime. Please consider my involvement & request to be a member of the Rail District committee. Thank you.

A handwritten signature in black ink, appearing to read "Larry Bertollini", with a long horizontal flourish extending to the right.

Larry Bertollini

LARRY A. BERTOLLINI

1275 Webster Birmingham, Michigan 48009

248-646-6677 lbertollini@att.net

EXPERIENCE

STRAUB PETTITT YASTE : Clawson, Michigan

March 2013 to present

Construction documents for commercial warehouse, window replacement, roof replacement for Livonia City offices, Straits campgrounds restrooms, WCCCD Inspire Labs. AutoCad 2010 software

IRVING TOBOCMAN ARCHITECT: Birmingham, Michigan

Perspective & elevation rendering presentations, model building, construction documents for modern high-end private residences, commercial, multi-family, office, and industrial buildings. Manual Drafting & AutoCad skills performed.

JAMES P. RYAN & ASSOCIATES: Farmington Hills, Michigan.

Schematic design, design development, construction documents for retail projects. Projects include:
Eden's Center Parking Structure, Eden's Center- Mall, Dulles 28, Somerset Mall Expansion and Somerset Parking Structure.

EDUCATION:

Lawrence Technological University

Bachelor of Science in Architecture

Oakland Community College

Certificate 2009 for CAD Architectural Applications

AutoCad, 3d Max, Revit

HONORS & ACTIVITIES:

Architectural Review Committee (Birmingham) member.
Birmingham YMCA Chair of Building & Grounds Committee
Recipient of Volunteer of the Year Award.
Torry Community Association (Birmingham) –President.
DC3 (Detroit Creative Corridor Center) volunteer.



OFFICE USE ONLY
Meets Requirements? Yes ☒ No

Confirmed Interview Date: _____

☒ Will Attend ☐ Unable to Attend

APPLICATION FOR CITY BOARD OR COMMISSION

(Please print clearly)

Ad Hoc Rail District Review

Board/Commission of Interest

Member

Position of Interest

Name Cynthia F. Chiara

Address 1622 S. Eton

Business _____

Phone 248-566-3385

E-mail chiaragang@aol.com

Length of Residence 2.5 years

Occupation Election Specialist

Reason for interest To be a voice for the residents living on S. Eton Street.

Related Employment Experience (Please indicate dates)

A. _____

B. _____

C. _____

Education: OCC/Walsh College - Business Administration

Past Experience or Other Relevant Information (City Boards, Churches, Civic or Community Groups, Memberships, Associations, etc. Attach resume or additional page if necessary):

Past PTA Chairperson, Past Neighborhood Association Chairperson. Held various volunteer positions at elementary, middle school and high school level. Past Middle Schoolers Volleyball Coach. Member Seaholm Baseball Boosters.

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:

n/a

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

Cynthia F. Chiara
Signature of Applicant

2-6-16
Date

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. Questions regarding this may be directed to the city clerk - 248.530.1880.

**BIRMINGHAM CITY COMMISSION REGULAR MEETING MINUTES
AND GOAL SETTING WORKSHOP MINUTES
FEBRUARY 8, 2016
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Rackline J. Hoff, Mayor, called the meeting to order at 7:32 PM.

II. ROLL CALL

ROLL CALL:	Present,	Mayor Hoff Commissioner Bordman Commissioner Boutros Commissioner DeWeese Commissioner Harris Mayor Pro Tem Nickita Commissioner Sherman
	Absent,	None

Administration: City Manager Valentine, City Attorney Currier & Kucharek, Clerk Pierce, Assistant to the Manager Haines, Planners Ecker Baka, Police Chief Studt, Fire Chief Connaughton, DPS Director Wood, Building Official Johnson, Finance Director Gerber, City Engineering O'Meara, IT Director Gemmell

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

02-36-16 RECOGNITION OF 2015 STUDENT BOARD REPRESENTATIVES

The Commission recognized the 2015 Student Board Representatives.

02-37-16 APPOINTMENT OF 2016 STUDENT BOARD REPRESENTATIVES

MOTION: Motion by DeWeese, seconded by Sherman:

To appoint the following students as non-voting members for the calendar year 2016:

Colin Cusimano	Planning Board
Loreal Salter-Dodson	Historic District Commission & Design Review Board
Nichole McMaster	Parks and Recreation Board
Ava Suchara	Public Arts Board
Nayri Carman	Museum Board

VOTE: Yeas, 7
Nays, None
Absent, None

The Clerk administered the oath to the appointed student board members.

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.

02-38-16 APPROVAL OF CONSENT AGENDA

The following item was removed from the consent agenda:

- Item B (Minutes of January 25, 2016) by Mayor Hoff

MOTION: Motion by Sherman, seconded by Bordman:

To approve the consent agenda as follows:

- A. Approval of City Commission Long Range Planning minutes of January 16, 2016.
- B. Approval of City Commission minutes of January 25, 2016.
- C. Approval of warrant list, including Automated Clearing House payments, of January 27, 2016 in the amount of \$781,164.22.
- D. Approval of warrant list, including Automated Clearing House payments, of February 3, 2016 in the amount of \$1,643,215.17.
- E. Resolution approving the appointment of election inspectors for the March 8, 2016 Presidential Primary Election pursuant to MCL 168.674(1) and authorizing the City Clerk to make revisions as needed.
- F. Resolution approving a request submitted by the City of Birmingham to hold Celebrate Birmingham Parade on Sunday, May 15, 2016, 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.
- G. Resolution accepting the resignation of Alexander Chapman as a member of the Board of Review, thanking him for his service and directing the Clerk to begin the process to fill the vacancy.
- H. Resolution accepting the resignation of Ruth Clevers as a member of the Board of Review, thanking her for her service and directing the Clerk to begin the process to fill the vacancy.

ROLL CALL VOTE:	Yeas,	Commissioner Bordman Commissioner Boutros Commissioner DeWeese Commissioner Harris Mayor Pro Tem Nickita Commissioner Sherman Mayor Hoff
	Nays,	None
	Absent,	None
	Abstention,	None

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

02-39-16

PUBLIC HEARING – LOT REARRANGEMENT

1366 HAYNES COURT & 725 SOUTH ADAMS

Mayor Hoff opened the Public Hearing to consider a lot rearrangement at 1366 Haynes Court and 725 South Adams at 7:45 PM.

City Planner Baka explained the request to take a strip of property from the back of the residential lot at 1366 Haynes Court and transfer it to 725 South Adams. There is a three foot strip of pavement that encroaches into the backyard and at the southwest corner there is an AT&T utility box. He noted that this encroachment has existed since the property was under the same ownership in 1964. The applicant is considering selling one or both properties, so this is being requested to clean up any title issues that may come up with the sale of the property. He confirmed that both lots meet the lot split requirements as required by City Code.

Dawn Macaddino, representing the applicants, explained the ownership information on the property. She commented that the access to the AT&T pad is from the shopping center. She confirmed for Mayor Hoff that it is her understanding that the AT&T pad services the entire area.

Steve Pole, representing Bobby and Sandy Parris at 1374 Haynes, expressed objection to the lot rearrangement. He expressed concern that the shopping center activity would creep into the neighborhood and increase the issues with the noise and inconvenience. In addition, he expressed concern with the property value of his client's house with a stripmall closer to the house.

Bobby Parris, 1374 Haynes, stated that the lot rearrangement will not enhance the neighborhood and is only a convenience for the applicant. He stated that there is a dedication that the easement is supposed to stay residential, not commercial.

Mr. Baka confirmed for Commissioner Harris that the portion of land will remain in the R2 zone district and anything done to that property would have to conform with residential.

MOTION: Motion by Sherman, seconded by DeWeese:
To continue the Public Hearing to March 14, 2016.

Mayor Pro Tem Nickita requested more clarity in the documentation to clarify the existing conditions versus the proposed condition. He suggested aerial photos of the area.

VOTE: Yeas, 7
Nays, None
Absent, None

02-40-16

CLOSED SESSION REQUEST

ATTORNEY/CLIENT PRIVILEGE COMMUNICATION

MOTION: Motion by Sherman, seconded by Boutros:

To meet in closed session to discuss an attorney/client privilege communication in accordance with Section 8(h) of the Open Meetings Act.

ROLL CALL VOTE:	Yeas,	Commissioner Boutros Commissioner DeWeese Commissioner Harris Mayor Pro Tem Nickita Commissioner Sherman Commissioner Bordman Mayor Hoff
	Nays,	None
	Absent,	None
	Abstention,	None

VII. REMOVED FROM CONSENT AGENDA

02-41-16 CITY COMMISSION MEETING MINUTES JANUARY 25, 2016

Mayor Hoff suggested the following revisions to Resolution #01-24-16:

"Mike Labadie, Fleis & VandenBrink, presented the interim study report on the progress of the West Maple Road Lane Trial Reconfiguration Project. He explained the number of crashes, average speeds and the daily traffic volume dropped, except on Oak because it was recently resurfaced. The cut through traffic was reduced and there was no change to the level of service and travel time in the corridor."

"Mr. Labadie explained for Commissioner Bordman that the traffic volume figures, on all streets other than Maple, are more recent. He confirmed for Commissioner Harris that the comparison information is current except for the traffic volume information on West Maple."

MOTION: Motion by Bordman, seconded by DeWeese:
To approve the City Commission minutes of January 25, 2016 as amended.

VOTE: Yeas, 7
Nays, None
Absent, None

VIII. COMMUNICATIONS

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

X. REPORTS

02-42-16 COMMISSIONER REPORTS

The Commission intends to appoint members to the Board of Review on February 22, 2016, Parks & Recreation Board, Multi-Modal Transportation Board, Planning Board, and Cablecasting Board on March 14, 2016.

02-43-16 COMMISSIONER COMMENTS

Commissioner DeWeese commented on HB5232 & SB720 which would take away certain rights associated with how the City operates historical districts. He noted that has contacted his state representative as his primary concern is that the state is telling the local level of government how to operate its business. He noted that it could constrain the City's ability to its own historical resources.

Mayor Hoff noted that the City Manager has been in contact with the State Representative and State Senator to express the concerns of the City.

02-44-16 CITY STAFF REPORTS

The Commission received the report regarding the 14 Mile Rd. resurfacing (Greenfield to Crooks) submitted by City Engineer O'Meara. Mr. O'Meara confirmed for Mayor Hoff that the work is scheduled for 2018.

The Commission received the Train Station Demolition update submitted by City Engineer O'Meara.

The Commission recessed to closed session at 8:28 PM.

The Commission reconvened in open session at 9:30 PM to begin the workshop session.

02-45-16 CITY COMMISSION GOAL SETTING WORKSHOP

Debbie Macon, Facilitating Connections, facilitated a discussion on the draft goals from the previous goal setting workshop. The Commission discussed the draft goals and recommended revisions to those goals.

XI. ADJOURN

The meeting adjourned at 10:35 PM.

Laura M. Pierce
City Clerk

City of Birmingham
Warrant List Dated 02/17/2016

Meeting of 02/22/2016

Check Number	Early Release	Vendor #	Vendor	Amount
240214		MISC	3-C CONSTRUCTION	2,100.00
240215	*	000855	48TH DISTRICT COURT	100.00
240216	*	000855	48TH DISTRICT COURT	311,925.00
240218		MISC	ALBERTI, ALBERTO	500.00
240220		007787	ALLIED PLUMBING & SEWER	485.00
240221		MISC	AMERICAN STANDARD ROOFING	100.00
240222	*	006759	AT&T	294.46
240223	*	006759	AT&T	695.47
240224	*	006759	AT&T	16.64
240225	*	006759	AT&T	128.89
240226	*	006759	AT&T	59.68
240227	*	006759	AT&T	120.19
240228		MISC	BABI CONSTRUCTION INC	850.00
240232		003012	BATTERIES PLUS	54.00
240233		007345	BEVERLY HILLS ACE	87.29
240234		MISC	BILL CARR SIGNS INC	400.00
240236		MISC	BIRMINGHAM TRICK DOG	1,000.00
240239		003526	BOUND TREE MEDICAL, LLC	96.72
240240	*	006953	JACQUELYN BRITO	1,038.56
240241		MISC	BRN DEVELOPMENT LLC	100.00
240243		MISC	BURTON KATZMAN DEV	25.00
240244	*	001664	CHRIS BUSEN	50.86
240245	*	005289	BUSINESS CARD	305.00
240246		MISC	BVT PROPERTIES LLC	850.00
240247		MISC	C & E CONSTRUCTION CO INC	1,000.00
240248		MISC	C L LAND HOLDING-	200.00
240249		007753	CARL WALKER, INC.	5,800.00
240250		MISC	CARNOVALE CONSTRUCTION INC	200.00
240251		MISC	CCM LLC	200.00
240253		MISC	CHRISTINE DALTON	200.00
240255		000605	CINTAS CORPORATION	23.05
240257		MISC	CLEARVIEW HOMES LLC	850.00
240258	*	007625	COMCAST	128.60
240259		002668	CONTRACTORS CLOTHING CO	1,317.27
240260		MISC	CRANBROOK CONTRACTUAL SERVICES	1,000.00
240261		004386	CYNERGY WIRELESS	547.85
240263		MISC	DAVID PAUL FORCE	2,500.00
240264		MISC	DEEB SHALHOUB REVOC LIVING TRUST	300.00
240266		MISC	DEPENDABLE CONSTRUCTION LTD	100.00
240267		MISC	DISPLAYMIX ADVERTISING INC	400.00
240268		MISC	DJL 1 LLC	550.00
240269		MISC	DJL3 LLC	866.22
240270		000995	DSS CORPORATION	678.64

City of Birmingham
Warrant List Dated 02/17/2016

Meeting of 02/22/2016

Check Number	Early Release	Vendor #	Vendor	Amount
240271		000196	EJ USA, INC.	2,271.38
240272		MISC	EMMETTS ENERGY	30.00
240273		007962	ENVICARE CONSULTING, INC	360.00
240274		001495	ETNA SUPPLY	3,050.00
240275		000207	EZELL SUPPLY CORPORATION	750.37
240276		MISC	FOUR SEASONS ROOFING & SHEET METAL	200.00
240277		MISC	FRANK REWOLD AND SON INC	500.00
240277		MISC	FRANK REWOLD AND SON, INC	200.00
240278		MISC	GALAXY SIGN & HOISTING	200.00
240279		MISC	GFA DEVELOPMENT INC	500.00
240280		000234	GLENN WING POWER TOOLS	8.31
240281		MISC	GLENNMERE BUILDING, INC.	100.00
240282	*	004604	GORDON FOOD	334.04
240283		000243	GRAINGER	23.64
240284		MISC	GREAT LAKES CUSTOM BUILDER LLC	400.00
240285		MISC	GREATER HOME SERVICES LLC	300.00
240287	*	007827	HAILEY KASPER	157.50
240288		MISC	HANSONS ADMINISTRATIVE GROUP LLC	200.00
240289		000261	J.H. HART URBAN FORESTRY	16,217.14
240290		000262	HARWOOD TUXEDOS & UNIFORMS, INC	430.00
240291		006869	PETER J. HEALY III	360.00
240292		MISC	HG & HG INVESTMENTS LLC	1,400.00
240294		MISC	HOWARD LAURENS	200.00
240295		MISC	HURON SIGN CO	200.00
240296		003888	INTERNATIONAL CODE COUNCIL INC	322.00
240297		000342	INTERSTATE BATTERY SYSTEM	40.00
240298		002407	J & B MEDICAL SUPPLY	744.07
240299		007948	J & R SUPPLY CORPORATION	118.64
240301		002576	JAX KAR WASH	253.68
240302		MISC	JEFFREY ALAN KINANE LIVING TRUST	500.00
240303		003458	JOE'S AUTO PARTS, INC.	230.44
240304		MISC	John L. Bennett, Jr.	500.00
240305		MISC	JOHN MCCARTER CONSTRUCTION LLC	100.00
240306		MISC	JONNA LUXURY HOMES	2,500.00
240308		MISC	KALEIDOSCOPE LTD	200.00
240309		MISC	KASTLER CONSTRUCTION INC	200.00
240310		000891	KELLER THOMA	123.75
240311	*	007828	DEBORAH KLEIN	412.50
240312	*	000352	JILL KOLAITIS	346.00
240313		004085	KONE INC	1,953.95
240314		004904	KONICA MINOLTA-ALBIN	131.56
240315		MISC	KROLL CONSTRUCTION CO	200.00
240316	*	MISC	KUTZ, MARSHALL	117.81

City of Birmingham
Warrant List Dated 02/17/2016

Meeting of 02/22/2016

Check Number	Early Release	Vendor #	Vendor	Amount
240317		MISC	LARSON CONSTRUCTION LLC	2,500.00
240318		MISC	LAVANWAY SIGN CO.INC	200.00
240319		MISC	LAYER, PETER FRANCIS	100.00
240320		005550	LEE & ASSOCIATES CO., INC.	306.00
240321	*	007467	SCOTT LENHART	199.00
240322		MISC	LEWAND CUSTOM HOMES LLC	2,497.18
240326		MISC	LIVE WELL CUSTOM HOMES LLC	2,833.11
240327		MISC	LMB PROPERTIES	100.00
240330		MISC	MAGNUM BUILDING CO	100.00
240331		MISC	MAINSTREET RESTORATIONS & REMODELIN	300.00
240332		MISC	MAPLE ELM DEVELOPMENT CO LLC	65,000.00
240333		MISC	MARIYA CONSTRUCTION LLC	100.00
240334		MISC	MAXWELL, ERIC D	100.00
240336		000888	MCKENNA ASSOCIATES INC	19,762.50
240337		MISC	METRO DETROIT SIGNS INC	200.00
240338		005252	MIAM	300.00
240339		MISC	MICHELLE ELDER	200.00
240341		001104	STATE OF MICHIGAN	607.37
240342		007659	MICHIGAN.COM	65.00
240346		MISC	MLS SIGNS INC	100.00
240347		007163	MOBILE HEALTH RESOURCES	1,195.99
240348	*	007462	MICHAEL MORAD	199.00
240349		MISC	MTS CONSTRUCTION LLC	100.00
240351		MISC	N & G HOME SOLUTIONS LLC	608.00
240352	*	MISC	NEAL DOSHI & KITCH DRUTCHAS WAGNER	3,572.63
240353		MISC	NEDELJKOVIC, NEBOJSA	900.00
240354		001194	NELSON BROTHERS SEWER	281.00
240355		007755	NETWORK SERVICES COMPANY	417.80
240356		001169	M.J. NOBLE CO. INC.	280.00
240357		006359	NYE UNIFORM COMPANY	1,233.42
240358		002853	OAKLAND COMMUNITY COLLEGE	975.00
240359	*	000477	OAKLAND COUNTY	161,216.76
240360		003461	OBSERVER & ECCENTRIC	65.00
240362		000481	OFFICE DEPOT INC	863.94
240365		MISC	PETERSON WIAND BOES & CO	2,400.00
240366		MISC	PRM CUSTOM BUILDERS LLC	1,000.00
240367		006497	R.N.A. JANITORIAL, INC	2,210.00
240368		003447	RAFT	183.00
240371		MISC	RENNER BROTHERS CONSTRUCTION INC	200.00
240372		MISC	RONALD LILES	500.00
240373		MISC	RONNISCH CONSTRUCTION GROUP	1,600.00
240375		000218	ROYAL OAK P.D.Q. PRINTING INC	212.59
240376		MISC	SCHUMACHER, CARTER	100.00

City of Birmingham
Warrant List Dated 02/17/2016

Meeting of 02/22/2016

Check Number	Early Release	Vendor #	Vendor	Amount
240377		MISC	SCOTT QUALITY HOMES II LLC	100.00
240378		006312	SEQRIS GROUP, LLC	3,958.20
240380		MISC	SIGN A RAMA	400.00
240381		MISC	SIGN EMPORIUM INC	200.00
240382		MISC	SIGN-A-RAMA	200.00
240383		MISC	SIGNGRAPHIX INC	100.00
240384		000769	SKILLPATH SEMINARS	149.00
240385		004644	M.C. SMITH ASSOCIATES	3,190.00
240386	*	000254	SOCRRA	59,075.00
240389		000260	SPARTAN DISTRIBUTORS INC	545.23
240390		MISC	STUDIO B. ARCHITECTS, INC.	200.00
240391		MISC	SWARTZ BUILDERS CO	200.00
240392		MISC	T G HOMES LLC	2,500.00
240393		001076	TAYLOR FREEZER OF MICH INC	325.00
240394		MISC	TECHHOME BUILDING COMPANY LLC	623.59
240395		007963	TEE CLAW LLC	96.00
240396		MISC	TELANG, KAREN	200.00
240397		MISC	THE VARSITY SHOP	300.00
240398		MISC	THORNTON & GROOMS INC.	1,000.00
240399		000275	TIRE WHOLESALERS CO INC	373.40
240400		MISC	TOWER CONSTRUCTION LLC	10,800.00
240401		MISC	TOWN BUILDING COMPANY	670.10
240402		MISC	TREMONT CONSTRUCTION LLC	400.00
240403		MISC	ULTIMATE PLBG HTG & MECH	598.66
240404		005631	ULTIMATE REEL GRINDING	3,150.00
240407		007706	UNIVERSITY OFFICE TECHNOLOGIES	255.57
240408	*	000158	VERIZON WIRELESS	151.95
240409	*	000158	VERIZON WIRELESS	637.32
240410		000969	VIGILANTE SECURITY INC	220.50
240411		MISC	W-3 CONSTRUCTION	700.00
240412	*	007893	JENNA WADE	55.00
240413		MISC	WALLSIDE INC	1,000.00
240414		MISC	WEINBERG CONSTRUCTION	200.00
240415	*	007895	KATHERINE WETTLAUER	95.00
240416		007278	WHITLOCK BUSINESS SYSTEMS, INC.	1,654.19
240417		005112	WOLVERINE	10,512.70
240418	*	003890	LAUREN WOOD	228.90
240419		MISC	WOODWARD BROWN ASSOCIATES LLC	1,000.00
240421		007083	XEROX CORPORATION	386.49
240422		007401	XEROX FINANCIAL SERVICES	145.98

City of Birmingham
Warrant List Dated 02/17/2016

Meeting of 02/22/2016

Check Number	Early Release	Vendor #	Vendor	Amount
Sub Total Checks:				\$758,113.24
Sub Total ACH:				\$50,107.69
Grand Total:				\$808,220.93

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.

2/22/2016

City of Birmingham
2/17/2016

Vendor Name	Transfer Date	Transfer Amount
Automated Benefit Services, Inc.	2/12/2016	50,107.69
TOTAL		50,107.69

City of Birmingham
Warrant List Dated 02/10/2016

Meeting of 02/22/2016

Check Number	Early Release	Vendor #	Vendor	Amount
240084	*	000855	48TH DISTRICT COURT	100.00
240085	*	000855	48TH DISTRICT COURT	100.00
240086		002284	ABEL ELECTRONICS INC	562.50
240087		000157	BOB ADAMS TOWING INC.	150.00
240088		006007	ADVEX	261.54
240089	*	007745	ALL COVERED	1,192.00
240090		007939	ALL-PHASE LOCK AND SAFE	135.00
240091		007696	AMERICAN CLEANING COMPANY LLC	1,350.00
240092		007440	AMICI PET SERVICES	175.00
240094	*	007578	LORI ANDERSON-PESTA	54.00
240095	*	007033	APPLIED IMAGING	1,133.26
240096		006859	ARGUS-HAZCO	84.09
240098		000500	ARTECH PRINTING INC	52.50
240099	*	006759	AT&T	42.63
240100		003012	BATTERIES PLUS	200.62
240101		001103	BCI ADMINISTRATORS INC	602.00
240102	*	000517	BEIER HOWLETT P.C.	36,951.90
240103	*	000518	BELL EQUIPMENT COMPANY	74.12
240104		000519	BELLE TIRE DISTRIBUTORS	257.72
240105		004931	BIDNET	297.02
240108		006520	BS&A SOFTWARE, INC	24,153.00
240109	*	001666	JOE BUNTING	815.11
240110		007732	CAPITAL TIRE, INC.	596.49
240111		007937	CENTER FOR PUBLIC SAFETY EXCELLENCE	625.00
240113		000603	CHEMCO PRODUCTS INC	652.00
240114	*	007575	HANNAH CHUNG	325.00
240115	*	007835	SARAH CHUNG	160.00
240116		000605	CINTAS CORPORATION	80.23
240117		004188	COFFEE BREAK SERVICE, INC.	170.00
240118	*	007774	COMCAST BUSINESS	655.53
240121		002668	CONTRACTORS CLOTHING CO	1,103.95
240122		004386	CYNERGY WIRELESS	184.87
240123		003825	DEERE ELECTRIC INC	532.50
240124		000956	DELTA TEMP INC	381.50
240125	*	000177	DELWOOD SUPPLY	112.83
240126		007941	DEPENDABLE SEWER SERVICE	2,312.50
240127		006956	R.L. DEPPMANN COMPANY	86.40
240128		000186	JACK DOHENY SUPPLIES INC	69.97
240129	*	007940	DOUBLETREE HOTEL	224.00
240130		001454	DOUGLAS CLEANERS INC.	70.90
240132	*	000179	DTE ENERGY	674.19
240133		001063	EASTMAN FIRE PROTECTION INC	885.61
240134		007538	EGANIX, INC.	720.00

City of Birmingham
Warrant List Dated 02/10/2016

Meeting of 02/22/2016

Check Number	Early Release	Vendor #	Vendor	Amount
240135		004671	ELDER FORD	746.00
240136		006648	EMERSON NETWORK POWER	7,896.75
240137		000207	EZELL SUPPLY CORPORATION	336.14
240139		007314	FLEIS AND VANDENBRINK ENG. INC	1,386.70
240140		007172	GARY KNUREK INC	84.00
240141		006384	GISI	226.40
240142		004604	GORDON FOOD	9.96
240143		000243	GRAINGER	35.46
240145		000249	GUARDIAN ALARM	224.03
240146		001531	GUNNERS METER & PARTS INC	462.50
240147		001377	HAGOPIAN CLEANING SERVICES	416.00
240150		006801	HOWLEY AGENCY SALES	46.00
240151		000948	HYDROCORP	1,060.00
240152		004837	IDEACORE, LLC	75.00
240153		000342	INTERSTATE BATTERY SYSTEM	89.95
240154		002407	J & B MEDICAL SUPPLY	690.34
240155		007870	J.C. EHRLICH CO. INC.	59.00
240156	*	007573	JILL JAEGER	324.00
240157		003458	JOE'S AUTO PARTS, INC.	239.35
240158		004085	KONE INC	2,806.83
240159		005876	KROPF MECHANICAL SERVICE COMPANY	310.00
240160		002438	LAIRD PLASTICS INC	199.95
240161	*	002767	OSCAR W. LARSON CO.	170.00
240162		002635	LAZARD ASSET MANAGEMENT LLC	19,000.08
240163	*	007357	LAURA LEPZINSKI	71.50
240166		000888	MCKENNA ASSOCIATES INC	14,212.50
240167		004738	MGFOA	103.00
240168	*	004388	MICHIGAN CHAPTER I.A.E.I.	205.00
240169		003767	MICHIGAN CHRONICLE	150.00
240170		007942	MYERS PLUMBING & HEATING, INC.	495.00
240171		004255	NETECH CORPORATION	742.00
240173		005431	NILFISK-ADVANCE INC.	102.46
240174		006359	NYE UNIFORM COMPANY	702.50
240175	*	000477	OAKLAND COUNTY	381,858.82
240176		004370	OCCUPATIONAL HEALTH CENTERS	188.50
240177		000481	OFFICE DEPOT INC	2,503.80
240178		006625	PACIFIC TELEMAGEMENT SERVICES	78.00
240179	*	005794	PAETEC	653.45
240180	*	001753	PEPSI COLA	355.04
240181		007368	PHASE FOUR INVESTIGATIONS	1,764.00
240182	*	003352	JAMIE CATHERINE PILLOW	1,078.00
240183		003629	PREMIUM AIR SYSTEMS INC	153.25
240185		000897	PRINTING SYSTEMS INC	672.55

City of Birmingham
Warrant List Dated 02/10/2016

Meeting of 02/22/2016

Check Number	Early Release	Vendor #	Vendor	Amount
240187		003554	RKA PETROLEUM	2,831.67
240188	*	002806	SAM'S CLUB/SYNCHRONY BANK	835.56
240189		000230	MIKE SAVOIE CHEVROLET INC	768.89
240190		007142	SHERWIN-WILLIAMS COMPANY	297.07
240192	*	001097	SOCWA	128,701.01
240193		006713	SOUTHEAST EQUIPMENT INC.	325.00
240194		005787	SOUTHEASTERN EQUIPMENT CO. INC	186.88
240196		000260	SPARTAN DISTRIBUTORS INC	360.21
240197		006376	SUBURBAN CHRYSLER DODGE JEEP - TROY	32.26
240198		005238	SUNTEL SERVICES	1,060.88
240199		004355	SYMETRA LIFE INSURANCE COMPANY	34,897.02
240200		000941	TIME EMERGENCY EQUIPMENT	3,889.00
240201		000275	TIRE WHOLESALERS CO INC	733.77
240202		005331	UBS FIN SERVICES, INC	17,275.65
240204		000293	VAN DYKE GAS CO.	349.14
240205	*	000158	VERIZON WIRELESS	553.39
240206	*	000158	VERIZON WIRELESS	123.70
240207	*	000158	VERIZON WIRELESS	794.60
240210	*	003041	SCOTT WORTHINGTON	360.00
240211		000926	WRIGHT TOOL COMPANY	167.00
240213		007083	XEROX CORPORATION	352.37
Sub Total Checks:				<u>\$717,246.36</u>
Sub Total ACH:				<u>\$135,492.44</u>
Grand Total:				<u><u>\$852,738.80</u></u>

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.

2/22/2016

City of Birmingham
2/11/2016

Vendor Name	Transfer Date	Transfer Amount
Automated Benefit Services, Inc.	2/8/2016	135,492.44
TOTAL		135,492.44



MEMORANDUM

Department of Public Services

DATE: February 9, 2016

TO: Joseph A. Valentine, City Manager

FROM: Lauren Wood, Director of Public Services

SUBJECT: 2016 Annual Flower Purchase

Sealed bids were opened on Tuesday, February 9, 2016 for the purchase of annual flowers for the spring planting. These are the annual flowers installed in a variety of locations throughout the City; including downtown, parking structures, all City buildings and grounds, various parks, median islands downtown and sidewalk plantings around City trees. Two bidders responded. The results of the sealed bids are shown below:

Bidder	Complete Bid	Deviations Exceptions	Total
Croswell Greenhouse	Yes	No	\$15,860.00
Prielipp's Farms	Yes	No	\$22,089.25

After reviewing both submitted bids, Croswell Greenhouse is the lowest qualified bidder. Their bid was complete offering no deviations or substitutions from our requested materials list. We have used them in the past and are very pleased with the material. The cost for the 2015 flower program was \$18,088.50. The flower program began in 1998 with nine beds and has expanded to over 200 flower beds. The overall cost is lower this year as the result of adding more perennial flowers into the mix, we are incorporating them more with the annual flowers. This purchase does not include all of the hanging flower baskets around downtown, which is provided by the Birmingham Shopping District. The Department of Public Services recommends the purchase of the 2016 annual flowers from Croswell Greenhouse at a cost not to exceed \$15,860.00. Money is budgeted for this purchase in General Fund – Property Maintenance – Operating Supplies account #101-441.003-729.0000.

SUGGESTED RESOLUTION:

To approve the 2016 annual flower purchase from Croswell Greenhouse in the amount not to exceed \$15,860.00. Funds are available from the General Fund – Property Maintenance – Operating Supplies account #101-441.003-729.0000.



MEMORANDUM

Department of Public Services

DATE: January 27, 2016

TO: Joseph A. Valentine, City Manager

FROM: Lauren A. Wood, Director of Public Services

SUBJECT: Barnum Park Heart of the Park Furniture Purchase

Barnum Park Phase II Design calls for improvements in the central seating area of the park. Improvements in this "Heart of the Park" (HOP) include shade structures, 2 of which have been erected, more trees, landscaping and inviting seating arrangements. Funding for these items has been the result of donation dollars.

The Community for Barnum Park has enough funds to purchase the desired furniture for underneath the 2 shade structures in the central HOP area. There will be 4 tables with seating for 15, and accessibility for a wheelchair underneath each structure. A total of 8 tables will be purchased, 2 of which accommodate wheelchairs.

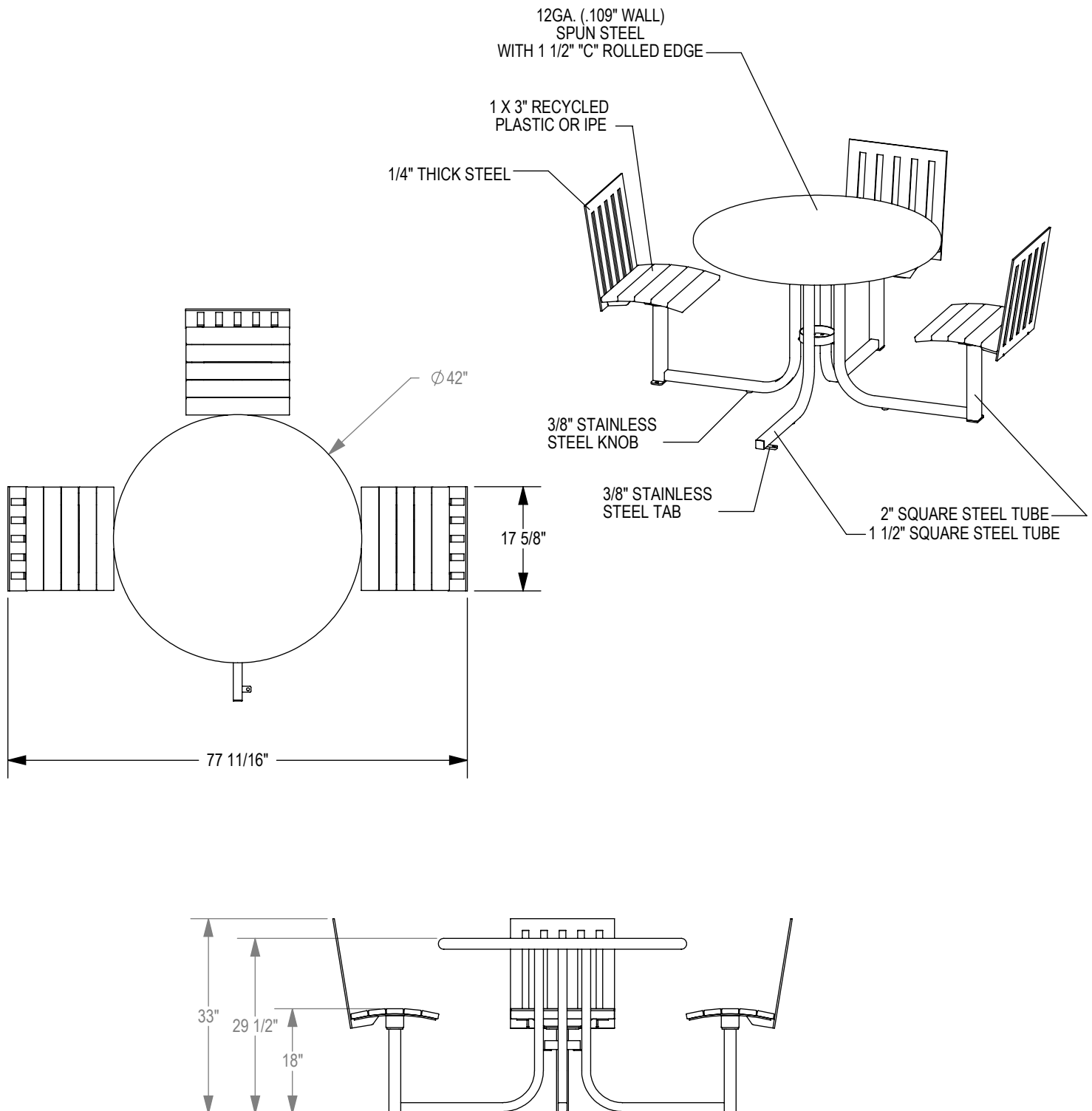
The furniture selected is available through an approved vendor of NPP (National Purchasing Partners), a cooperative purchasing organization providing access to contracts created through a RFP (Request for Proposals) process conducted by a lead agency. The City of Birmingham is a member of NPP and can therefore take advantage of the cooperative bid purchase of this product. The City's normal bidding requirements are not required because the product has already gone through this RFP process.

The tables are made by Thomas Steele, called 'Ashton', made from Ipe and e-Steele and are available through the approved vendor, Playworld Midstates. A picture and sketch are attached. The total purchase price, including the NPP discount, is \$20,102.00. Donation revenue collected will be applied towards this purchase. Upon placing the order it is anticipated the delivery will take 6-8 weeks.

SUGGESTED RESOLUTION:

To approve the purchase of the Thomas Steele 'Ashton' tables from Playworld Midstates, using NPP cooperative bid pricing for a total expenditure of \$20,102.00. Further, to waive the formal bidding requirements for this purchase based on the City's membership in the cooperative program National Purchasing Partners. Funds are available for this purchase in the Capital Projects Fund, Barnum Park Improvements account #401-751.001-981.0100.





PRODUCT: AST-3B
DESCRIPTION: ASHTON TABLE, 3 BACKED SEATS

DATE: 5-11-15
ENG: SMC

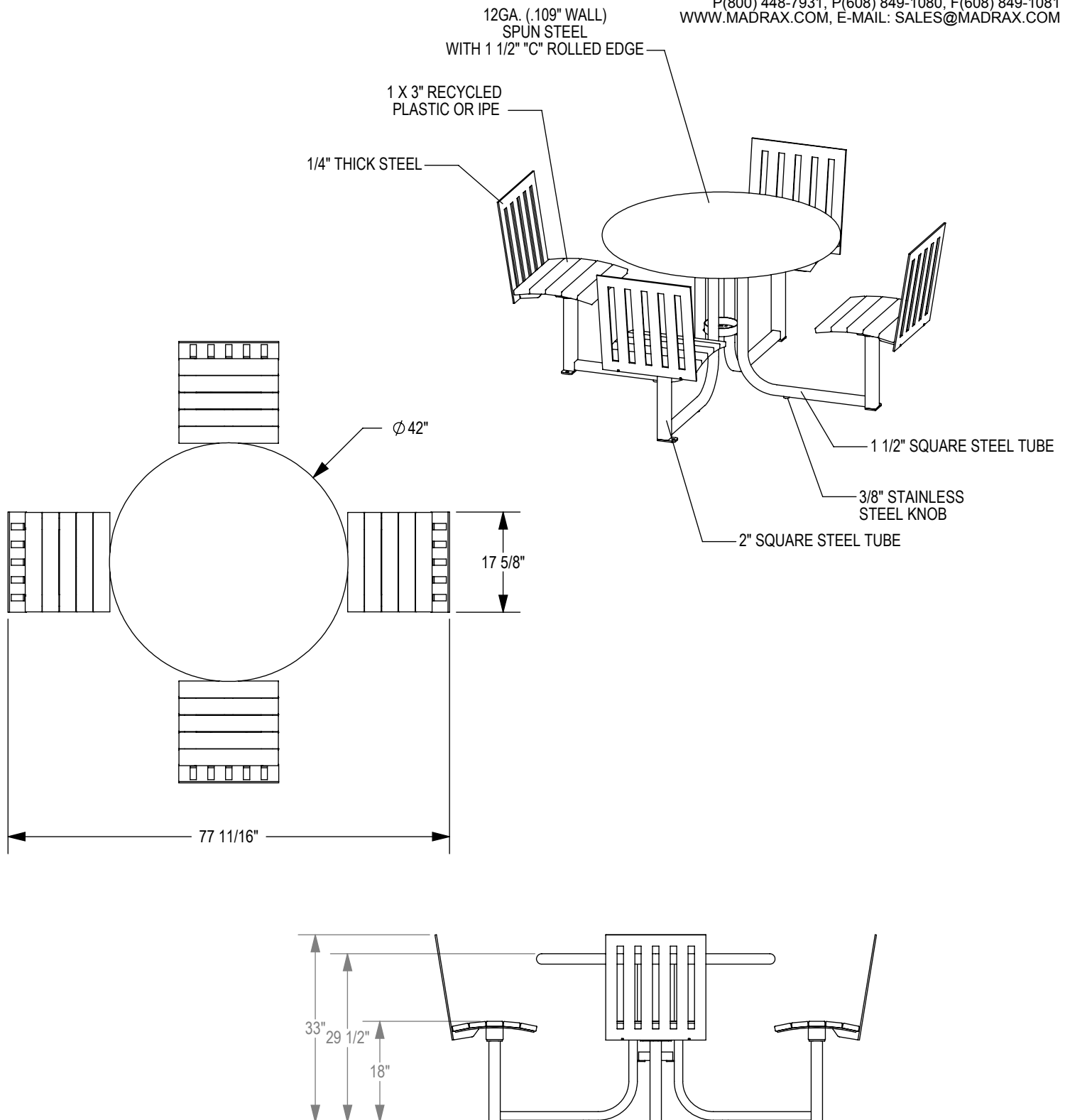
CONFIDENTIAL DRAWING AND INFORMATION IS NOT TO BE COPIED OR DISCLOSED
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SPECIFICATIONS ARE SUBJECT TO CHANGE WITHOUT NOTICE.

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☐ UMBRELLA HOLE OPTION

ALL FASTENERS ARE STAINLESS STEEL
SOME ASSEMBLY REQUIRED

SITE FURNISHING IS POWDER COATED WITH TGIC POLYESTER.
STEEL SURFACE PREP INCLUDES MECHANICAL AND CHEMICAL
ETCHING FOLLOWED WITH A COATING TO IMPROVE ADHESION
AND CORROSION RESISTANCE.



PRODUCT: AST-4B
DESCRIPTION: ASHTON TABLE, 4 BACKED SEATS

DATE: 5-11-15
ENG: SMC

CONFIDENTIAL DRAWING AND INFORMATION IS NOT TO BE COPIED OR DISCLOSED
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AND CORROSION RESISTANCE.



MEMORANDUM

Department of Public Services

DATE: February 9, 2016

TO: Joseph A. Valentine, City Manager

FROM: Lauren A. Wood, Director of Public Services

SUBJECT: Emergency Purchase - Buckingham/Cambridge Fence

In December of 2015, it came to the City's attention clearing of trees and brush was taking place by ITC along railroad (RR) property. ITC Transmission is an electric utility company responsible for maintaining the power lines that run adjacent to the railroad tracks. The specific area is south of Derby School property, and three blocks north of Maple Rd at the corner of Buckingham and Cambridge.

This location is adjacent to City property, a park-like property at Buckingham and Cambridge, and is on the west side of the RR right-of-way. Due to the amount of clearing that occurred causing a significant opening onto the railroad tracks, the City has deemed based on safety and security purposes, to proceed with the installation of a chain link fence for a length about 220 feet long. Quotes were solicited and the lowest qualified contractor providing a quote, Contractors Fence, was selected to perform the work.

Since the tracks are close to the same grade as the end of Buckingham Rd., this location has historically been used as a means of access for the RR onto the two track road that runs just west of the tracks. There was an opening in the brush line that made this possible. Because the City wanted to close off the entire area, the RR will reimburse the City up to \$1,200 for a gate in this location so that they can obtain access. The low bidder for the project worked with the City to determine an appropriate solution. For aesthetic purposes, a trex board, composite wood gate was selected. The total length of the fencing, including the gate is approximately 220 feet.

The City has been coordinating with the neighborhood association regarding this work. This spring we will be installing appropriate landscape material so future growth will cover or block the chain link fence as best as possible. The selected plant material will be a cooperative effort with the neighborhood group, ITC and CN Railroad, as deemed appropriate. The total cost of services provided by Contractors Fence is \$7,573.40, see attached. Funds for this purchase are available in the City Property Maintenance, Other Contractual Services account #101-441.003-811.0000.

SUGGESTED RESOLUTION:

To confirm the City Manager's authorization for the emergency expenditure regarding the installation of a chain link fence and gate system in the amount of \$7,573.40 to be paid from the City Property Maintenance, Other Contractual Services account #101-441.003-811.0000, pursuant to Sec. 2-286 of the City Code.



CONTRACTORS FENCE & GATE SERVICE



14900 Telegraph - Redford, MI 48239 - FAX: (313) 592-4643 - (313) 592-1300

FEBRUARY 4, 2016

CITY OF BIRMINGHAM
851 S. ETON
BIRMINGHAM, MI 48009

ATTENTION: CARRIE LAIRD

****REVISED QUOTE****
RE: 1645 BUCKINGHAM

DEAR MS. LAIRD,

WE WILL FURNISH LABOR, MATERIAL AND EQUIPMENT TO INSTALL THE FOLLOWING
AT THE ABOVE SITE:

- INSTALL -**
- 220 LINEAL FEET OF 6' HIGH CHAIN LINK FENCE, MADE OF 2" #9 X 72" HIGH
GALVANIZED CHAIN LINK FABRIC, INSTALLED ON 2 1/2" O. D. PIPE POSTS,
COMPLETE WITH 1-5/8" O. DL TOP RAIL.
- 1 3" ATTACH
- 1 NEW 3" O. D. TERMINAL POST - COMPLETE -
- FOR THE SUM OF.....\$4,787.50
- INSTALL-**
- 2 4" O. D. GATE POSTS -
- 1 12' X 6' HIGH DOUBLE DRIVE GATE, MADE OF SQUARE TUBE FRAMES,
ELECTRICALLY WELDED, BRACED AND FILLED WITH 'TREX' BOARDS,
COMPLETE WITH LOCKING DEVICE. (OPTIONS ON COLOR TO BE DISCUSSED)
- ADD TO ABOVE.....\$2,785.90

*PLUS PERMIT IF APPLICABLE
ALL STEEL PARTS HOT DIPPED GALVANIZED.
ALL POSTS SET IN CONCRETE FOOTINGS 36-42" DEEP.

SL/dhw

VERY TRULY YOURS,
CONTRACTORS FENCE SVC

SEAN LEWANDOWSKI

A DEPOSIT EQUAL TO 50% OF THE QUOTE IS REQUIRED BEFORE WORK CAN BEGIN.

To Commence and expedite work, please sign, date and fax to (313) 592-4643

BILLS OUTSTANDING FOR MORE THAN 30 DAYS WILL ACCRUE INTEREST AT THE STATUTORY RATE OF 7%. CUSTOMER WOULD
BE RESPONSIBLE FOR COLLECTION COSTS ON ALL OUTSTANDING ACCOUNTS, INCLUDING ATTORNEY FEES, IF NECESSARY.

Owner to locate & mark private underground utilities. Contractors Fence will not be responsible for any damage to underground utilities.

ACCEPTED BY

DATE

OVER 50 YEARS OF QUALITY SALES - SERVICE - INSTALLATION - REPAIRS





MEMORANDUM

City Clerk's Office

DATE: February 15, 2016

TO: Joseph A. Valentine, City Manager

FROM: Laura M. Pierce, City Clerk

SUBJECT: Special Event Request
Village Fair

Attached is a special event application submitted by the Birmingham Bloomfield Chamber requesting permission to hold the Village Fair in the Shain Park area, June 1-5, 2016.

Once again, the Chamber is requesting to open the fair on Wednesday, June 1 from 5:00 PM – 10:00 PM for a private party sponsored by United Shore Financial Services. The park would remain open to the public, however only the guests of the private party would be allowed on the rides with a wristband.

The application has been circulated to the affected departments and approvals and comments have been noted.

The following events have either been approved by the Commission or are planned to be held in June and have not yet submitted an application. These events do not pose a conflict with the proposed event.

Event Name	Date	Location
Farmers Market	Sundays	Lot 6
Lungevity 5K Run	June 4 th	Booth Park & neighborhood north of Maple, west of Old Woodward
Battle of the Bands	June 17 th	Shain Park
Family Movie Night	June 24 th	Booth Park
In the Park Concerts	June 22 nd & 29 th	Shain Park

SUGGESTED RESOLUTION:

To approve a request submitted by the Birmingham Bloomfield Chamber to hold the Village Fair in the Shain Park area, June 1-5, 2016, including the private party, 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.

#16 DEC 106 31

**CITY OF BIRMINGHAM
APPLICATION FOR SPECIAL EVENT PERMIT
PARKS AND PUBLIC SPACES**

I. EVENT DETAILS

- Incomplete applications will not be accepted.
- Changes in this information must be submitted to the City Clerk, in writing, at least three weeks prior to the event

FEES:	FIRST TIME EVENT:	\$200.00
	ANNUAL APPLICATION FEE:	\$165.00

(Please print clearly or type)

Date of Application _____2/5/16____

Name of Event ____53rd Annual Birmingham Village Fair _____

Detailed Description of Event (attach additional sheet if necessary) _____

_Community fair with rides, food booths and carnival rides.

Location: Shain Park on Martin St between Pierce & Chester. Also on Bates St. and Henrietta

DATE(S) & HOURS OF EVENT:

Wednesday, June 1, 2016 5-10 p.m. Private Pre-Party

Company: United Shore Financial Services (similar to 2015 pre-party)

Thursday, June 2, 2016 12-10 p.m. Open to the public

Friday, June 3, 2016 12-11 p.m. Open to the public

Saturday, June 4, 2016 11 a.m. - 11 p.m. Open to the public

Sunday, June 5, 2016 12-9 p.m. Open to the public

Date(s) & Hours of Set-up Monday, May 30 1 a.m. – Tuesday, May 31 all day

Date(s) of Tear-down Sunday, June 5 Hours of Tear-down 9 p.m. – 12 a.m.

Organization Sponsoring Event _Birmingham Bloomfield Chamber _____

Organization Address ____725 S. Adams Suite 130 Birmingham MI 48009

Organization Phone _248 644-1700 _____

Contact Person ____Andrea Kaczmarek or Joe Bauman _____

Contact Phone ____248 430-7688_____

Contact Email_____andreak@bbcc.com _____

II. EVENT INFORMATION

1. Organization Type:
Civic organization, largest fund-raiser for the Chamber and benefits local nonprofits.
(city, non-profit, community group, etc.)
2. Additional Sponsors or Participants (Provide name, address, contact person, status, etc. for all additional organizations sponsoring your event.) To be determined, see attached list of nonprofits that benefitted in 2015.

3. Is the event a fundraiser? **X YES** NO
List beneficiary: Primary benefactor is the Birmingham Bloomfield Chamber profiting \$25-\$35K depending on weather.
List expected income: \$35k+
Attach information about the beneficiary.
4. First time event in Birmingham? YES **NO X**
If no, describe: 53rd Annual Birmingham Village Fair
5. Total number of people expected to attend per day: Thousands per day weather permitting.
6. The event will be held on the following City property: (Please list)
 ■ Street(s) _On Martin St. between Pierce & Chester. On Bates and Henrietta. The corner of Pierce & Martin will not be blocked (Townhouse Patio diners). Merrill & Henrietta will be open for 1 lane of traffic by The Townsend Hotel. Bates & Merrill will be open for 1 lane of traffic by The Community House.

 ■ Sidewalk(s)_Martin, Bates & Henrietta

 ■ Park(s) Shain Park

7. Will street closures be required? **X YES** NO
8. What parking arrangements will be necessary to accommodate attendance? __Bags over meters for Martin, Bates & Henrietta. Attendees will be encouraged to use parking structures at Chester & Pierce.
9. Will staff be provided to assist with safety, security and maintenance? **X YES** NO
Describe __A paid crew is hired for maintenance and clean up. Safety/security is hired by North American Midway Entertainment. Maintenance is coordinated by the Birmingham Bloomfield Chamber. _____
10. Will the event require safety personnel (police, fire, paramedics)? **X YES** NO
Describe __North American Midway Entertainment pulls a water permit and works directly with the Fire Marshall.

11. Will alcoholic beverages be served? YES **NO X**
If yes, additional approval by the City Commission is required, as well as the Michigan Liquor Control Commission.
12. Will music be provided? YES **NO X**
_____ Live _____ Amplification _____ Recorded _____ Loudspeakers
Time music will begin _____
Time music will end _____
Location of live band, DJ, loudspeakers, equipment must be shown on the layout map.
13. Will there be signage in the area of the event? **X YES** NO
Number of signs/banners __Approx. 15-20 signs size nonprofit signs will be in each food & game booth.
Size of signs/banners __18 x 24____
Submit a photo/drawing of the sign(s). A sign permit is required.
14. Will food/beverages/merchandise be sold? **X YES** NO
- Peddler/vendor permits must be submitted to the Clerk's Office, at least two weeks prior to the event.
 - All food/beverage vendors must have Oakland County Health Department approval.

- Attach copy of Health Dept approval.
- There is a \$50.00 application fee for all vendors and peddlers, in addition to the \$10.00 daily fee, per location. A background check must be submitted for each employee participating at the event.

LIST OF VENDORS/PEDDLERS

(attach additional sheet if necessary)

VENDOR NAME	GOODS TO BE SOLD	WATER HOOK-UP REQUIRED?	ELECTRIC REQUIRED?

III. EVENT LAYOUT

- Include a map showing the park set up, street closures, and location of each item listed in this section.
- Include a map and written description of run/walk route and the start/finish area

1. Will the event require the use of any of the following municipal equipment?
(show location of each on map)

EQUIPMENT	QUANTITY	COST	NOTES
Picnic Tables	12	6 for \$200.00	A request for more than six tables will be evaluated based on availability.
Trash Receptacles	30	\$4.00 each	Trash box placement and removal of trash is the responsibility of the event. Additional cost could occur if DPS is to perform this work.
Dumpsters	10 (increased from 7 to 10 based on 2015)	\$200.00 per day	Includes emptying the dumpster one time per day. The City may determine the need for additional dumpsters based on event requirements.
Utilities (electric)	____ # of vendors requiring utilities	Varies	Charges according to final requirements of event.
Water/Fire Hydrant	Yes, TBD	Contact the Fire Department.	Applicant must supply their own means of disposal for all sanitary waste water. Waste water is NOT allowed to be poured into the street or on the grass.
Audio System	No	\$200.00 per day	Must meet with City representative.
Meter Bags / Traffic Cones / Barricades	# to be determined by the Police Department.		

2. Will the following be constructed or located in the area of the event? **X YES** NO
(show location of each on map) NOTE: Stakes are not allowed.

TYPE	QUANTITY	SIZE
Tents/Canopies/Awnings (A permit is required for tents over 120 sq ft)		
Portable Toilets	6	
Rides	16	
Displays		
Vendors		
Temporary Structure (must attach a photo)		
Other (describe)	Food & Game Booths Qty: 20-25	

SIGNATURE OF APPLICANT REQUIRED

EVENT NAME _53rd Annual Birmingham Village Fair

EVENT DATE __June 2 – June 5, 2016_____

The Birmingham City Commission shall have sole and complete discretion in deciding whether to issue a permit. Nothing contained in the City Code shall be construed to require the City Commission to issue a permit to an applicant and no applicant shall have any interest or right to receive a permit merely because the applicant has received a permit in the past.

As the authorized agent of the sponsoring organization, I hereby agree that this organization shall abide by all conditions and restrictions specific to this special event as determined by the City administration and will comply with all local, state and federal rules, regulations and laws.

Signature

Date

IV. SAMPLE LETTER TO NOTIFY ANY AFFECTED PROPERTY/BUSINESS OWNERS

- Organizer must notify all potentially affected residential property and business owners of the date and time this application will be considered by the City Commission. (*Sample letter attached to this application.*)
- Attach a copy of the proposed letter to this application. The letter will be reviewed and approved by the Clerk's Office. The letter must be distributed at least two weeks prior to the Commission meeting.
- A copy of the letter and the distribution list must be submitted to the Clerk's Office at least two weeks prior to the Commission meeting.
- If street closures are necessary, a map must be included with the letter to the affected property/business owners.

Birmingham Bloomfield Chamber
Local Nonprofits received proceeds in 2015

ADOPT MORE
Building Better Families Through Action
Birmingham Bloomfield Symphony Orchestra
Birmingham Bloomfield Community Coalition
Birmingham Command Officers Assn.
Birmingham Education Foundation
Birmingham Lions Club
Birmingham Optimist Club
Birmingham Rotary Club
The Bottomless Toy Chest
The Community House
Cultural Council of Birmingham Bloomfield
iMatter for Kids
Oakland County Children's Village Foundation
The Pink Fund
Sky Foundation, Inc.
Village Players
Wish Upon a Teen
Yatooma's Foundation For The Kids
Birmingham Family YMCA



HOLD-HARMLESS AGREEMENT

"To the fullest extent permitted by law, the **Birmingham Bloomfield Chamber** and any entity or person for whom the **Birmingham Bloomfield Chamber** is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the City of Birmingham, its elected and appointed officials, employees and volunteers and others working on behalf of the City of Birmingham against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City of Birmingham, its elected and appointed officials, employees, volunteers or others working on behalf of the City of Birmingham, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arises out of or is in any way connected or associated with this activity/event. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of the City of Birmingham, its elected or appointed officials, employees, volunteers or others working on behalf of the City of Birmingham."

AKayranell
Applicant's signature

2/5/16
Date



SPECIAL EVENT REQUEST NOTIFICATION LETTER

DATE: Friday, February 5, 2016

TO: Residential Property or Business Owner

The Birmingham City Code requires that we receive approval from the Birmingham City Commission to hold the following special event. The code further requires that we notify any property owners or business owners that may be affected by the special event of the date and time that the City commission will consider our request so that an opportunity exists for comments prior to this approval.

EVENT INFORMATION

NAME OF EVENT: 53rd Annual Birmingham Village Fair

LOCATION: On Martin St. between Pierce and Chester. On Bates and Henrietta. See back for map.

DATE(S) & HOURS OF EVENT:

Wednesday, June 1, 2016	5-10 p.m. Private Pre-Party
Thursday, June 2, 2016	12-10 p.m. Open to the public
Friday, June 3, 2016	12-11 p.m. Open to the public
Saturday, June 4, 2016	11 a.m. - 11 p.m. Open to the public
Sunday, June 5, 2016	12-9 p.m. Open to the public

BRIEF DESCRIPTION OF EVENT/ACTIVITY: Community fair with rides, food and games.

DATE(S) OF SET-UP: Tuesday, May 31 & Wednesday, June 1

HOURS OF SET-UP: 1 a.m. - 3 p.m.

DATE(S) OF TEAR-DOWN: Sunday, June 5, 2016

HOURS OF TEAR-DOWN: 9 p.m. - 12 a.m.

DATE OF CITY COMMISSION MEETING: Monday, February 22, 2016

The City commission meets in room 205 of the Municipal Building at 151 Martin at 7:30PM. A complete copy of the application to hold this special event is available for your review at the City Clerk's Office (248) 530-1880. Log on to www.bhamgov.org/events for a complete list of special events.

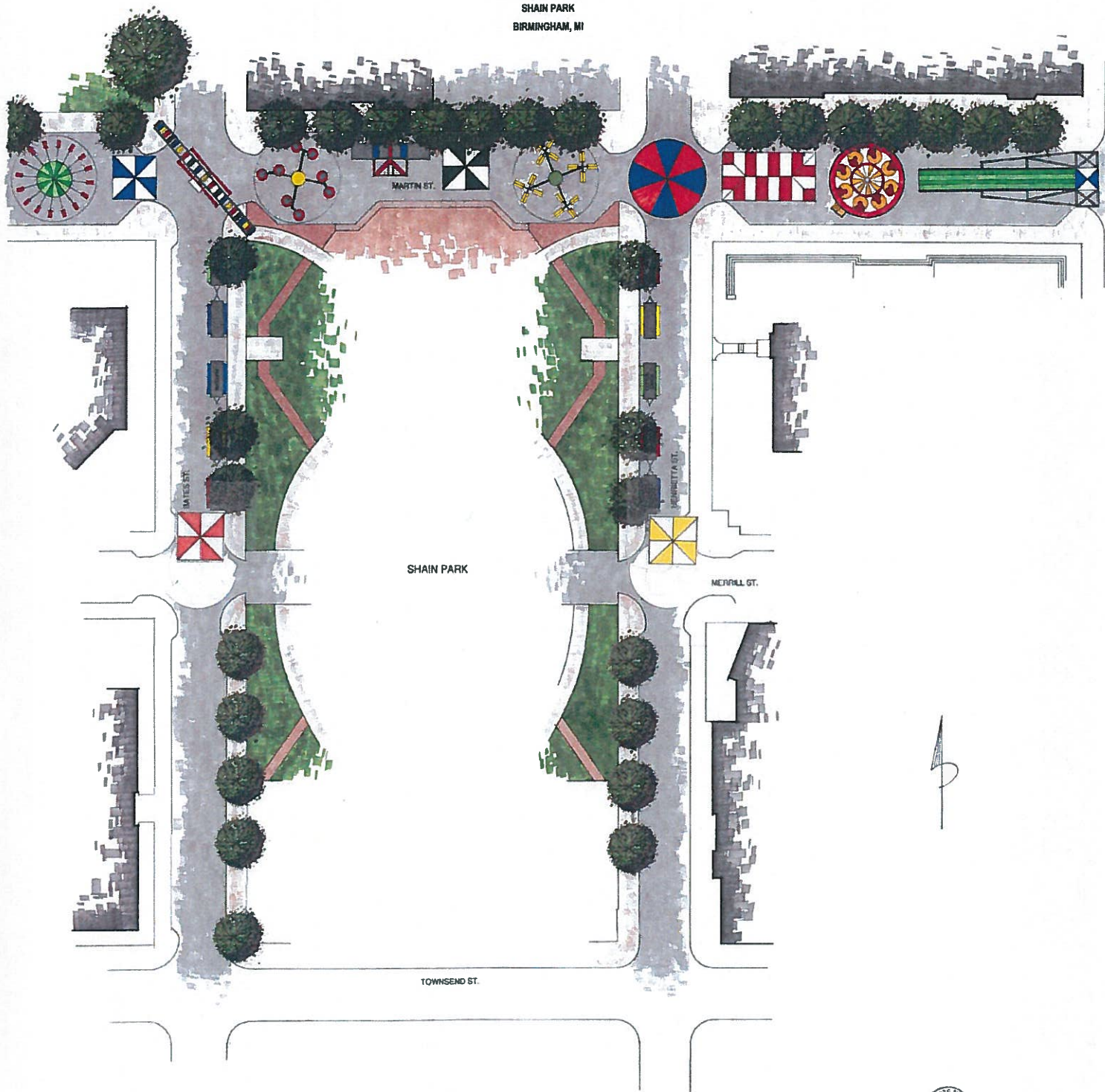
EVENT ORGANIZER: Birmingham Bloomfield Chamber

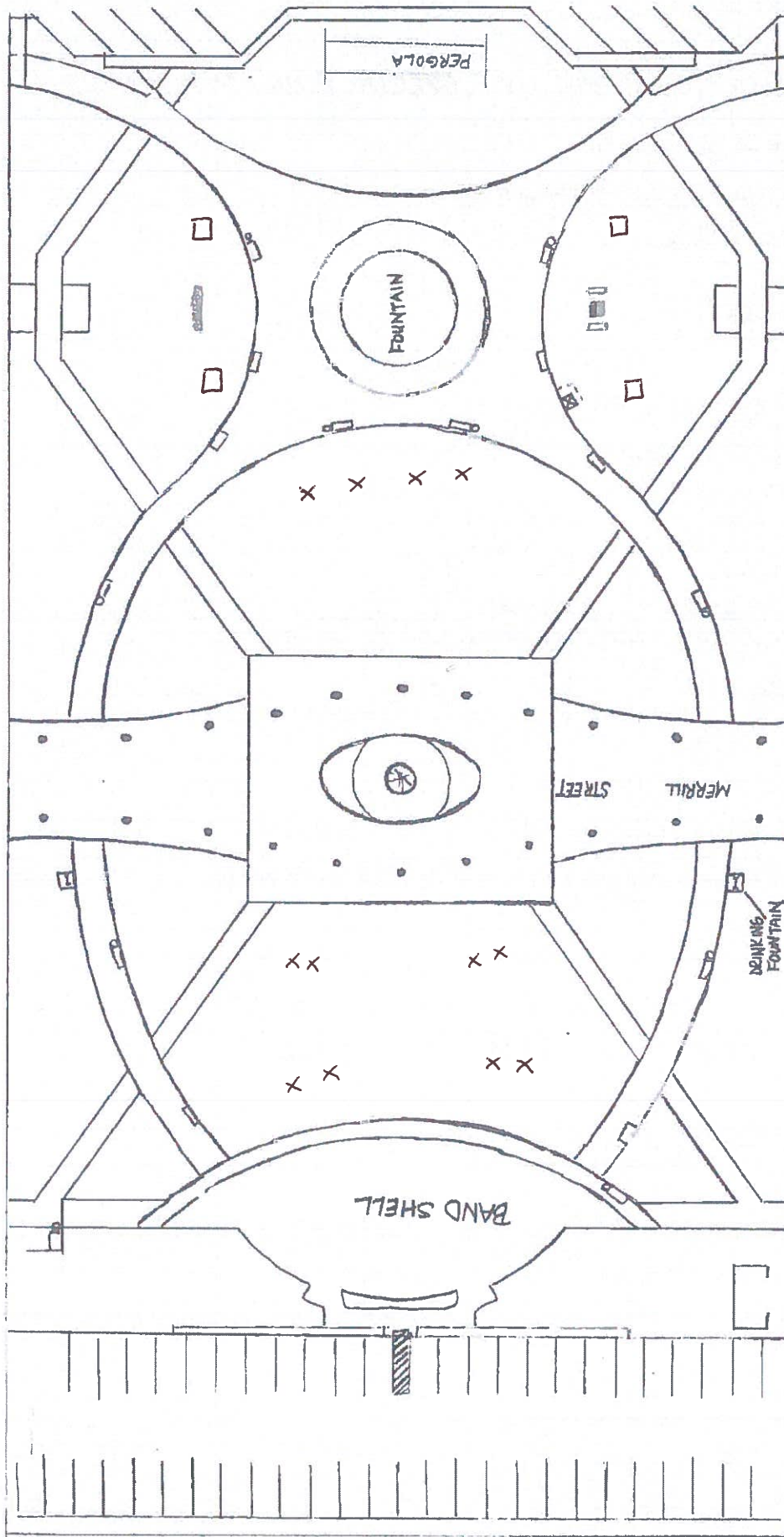
ADDRESS: 725 S. Adams, Suite 130, Birmingham MI 48009

PHONE: (248) 430-7688

FAIR PLAN

SCALE 1" = 20'
NORTH AMERICAN MIDWAY
SHAIN PARK
BIRMINGHAM, MI

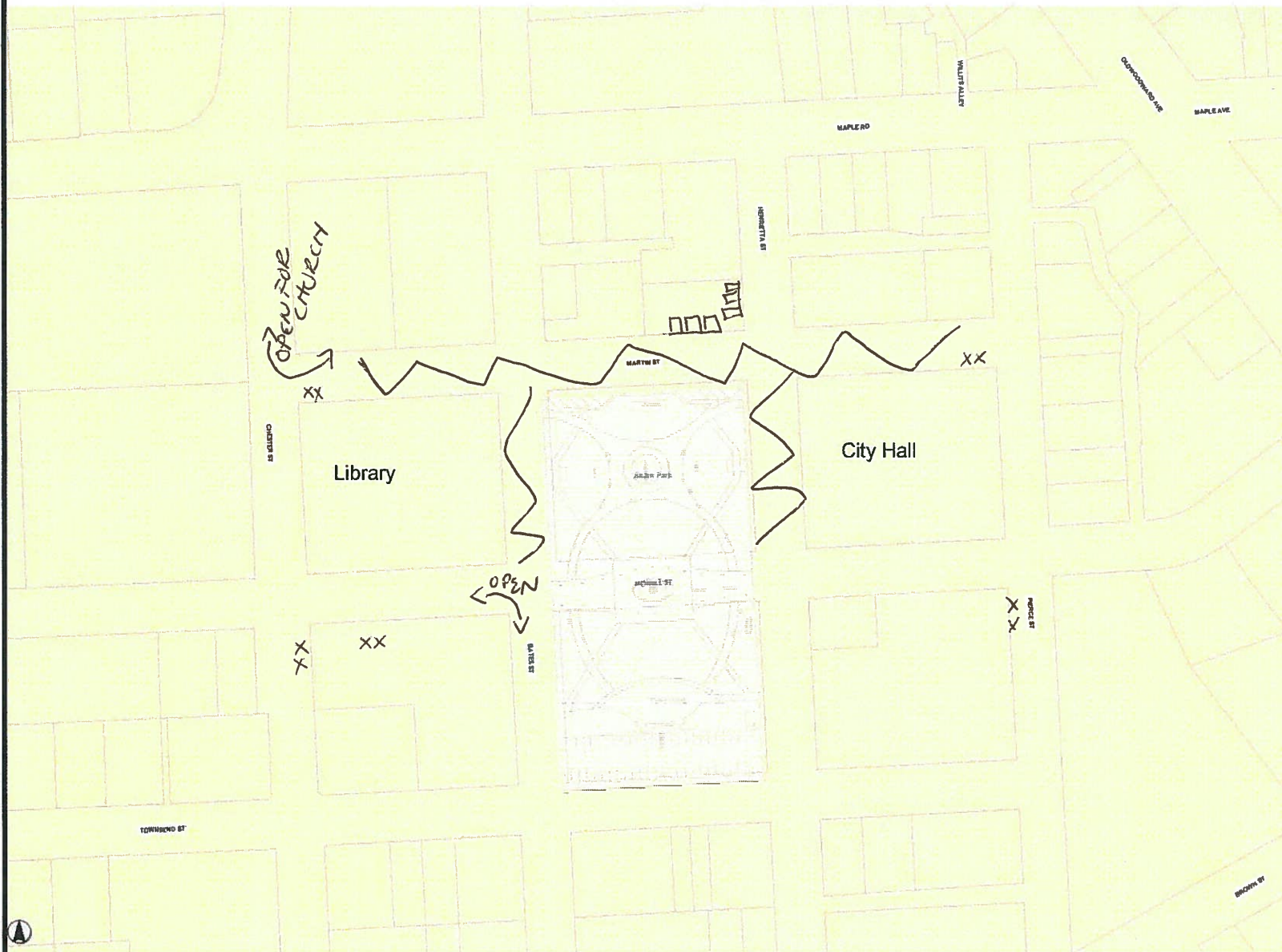




□ = SPONSOR
10X10 POPUP
TENTS

X = PICNIC TABLES

Birmingham Map



Legend

- City Boundary
- Lakes and Rivers
- Streams
- Parcels



□ = Portable Toilets

X = DUMPTER LOCATION

NV = STREET
CLOSED

DISCLAIMER:

The information provided on this site is for convenience only and is compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. Much of the data was not compiled or created by the City of Birmingham. In the preparation of this report, extensive efforts have been made to offer the most current, correct, and clearly expressed information possible. However, inadvertent errors, inaccuracies, and omissions can occur. Official versions should be used as a primary information source for verification of the information provided on these pages. Users are advised that their use of any of this information is at their own risk. The City of Birmingham, its consultants and data providers, do not assume, and hereby disclaim, legal responsibility for the information contained herein which is provided "as is" with no warranties of any kind whether such errors, inaccuracies or omissions result from negligence, accident or any other cause.

DEPARTMENT APPROVALS

EVENT NAME Birmingham Village Fair

LICENSE NUMBER #16-00010631

COMMISSION HEARING DATE Feb. 22, 2016

NOTE TO STAFF: Please submit approval by Feb. 10, 2016

DATE OF EVENT June 1 – 5, 2016

DEPARTMENT	APPROVED	COMMENTS	PERMITS REQUIRED (Must be obtained directly from individual departments)	ESTIMATED COSTS (Must be paid two weeks prior to the event. License will not be issued if unpaid.)	ACTUAL COSTS (Event will be invoiced by the Clerk's office after the event)
BUILDING 101-000.000.634.0005 248.530.1850	BRJ		Electrical permit for all generators and wiring.	\$383.70	
FIRE 101-000.000-634.0004 248.530.1900		Pending approval			
POLICE 101-000.000.634.0003 248.530.1870	SG	1 officer on OT and 2 nd officer from on duty personnel. Barricades and road closures.		\$2185.00	
PUBLIC SERVICES 101-000.000-634.0002 248.530.1642	CL	Will provide: *1). Ten Trash dumpsters and dumping each day. If event would like to provide their own trash service the cost would be reduced. 2). 30 PSD boxes/Bags 3). 12 Picnic Tables 4). Delivery/Removal of barricades 5). Vendors are responsible for cleaning the area, including the granite pavers. Any cleanup not done will be arranged for by DPS and billed to event. This includes grease, trash and anything else related to the event. 6). Representative must meet with DPS representative for the use of the audio.		\$3,000	

ENGINEERING 101-000.000.634.0002 248.530.1839	A.F.	Maintain 5' clear pedestrian path on all sidewalks. Keep handicap sidewalk ramps clear. No pavement damage allowed on roads or sidewalks.	None	0	
INSURANCE 248.530.1807	CA	Need COI from amusement ride company		0	0
CLERK 101-000.000-614.0000 248.530.1803	LP	Notification letters mailed by applicant on <u>Feb. 5, 2016</u> . Notification addresses on file in the Clerk's Office. Evidence of required insurance must be on file with the Clerk's Office no later than <u>May 18, 2016</u> .	Applications for vendors license must be submitted no later than <u>May 18, 2016</u> .	\$165	
				TOTAL DEPOSIT REQUIRED	ACTUAL COST

FOR CLERK'S OFFICE USE

Deposit paid _____

Actual Cost _____

Due/Refund _____

Rev. 2/17/16
h:\shared\special events\general information\approval page.doc



MEMORANDUM

Engineering Dept.

DATE: January 25, 2016

TO: Joseph Valentine, City Manager

FROM: Paul T. O'Meara, City Engineer

SUBJECT: Act 51 Mileage Recertification for Street Systems

As was referenced during the Long Range Planning Session, the state issues gas tax revenues to every City based on the certified mileage each city maintains, as described in Act 51 of 1951. Each year, the Michigan Dept. of Transportation (MDOT) asks the local Street Administrator to sign a map confirming that the mileages shown on the map are correct for the purposes of gas tax payments to the City. Because Birmingham is a developed City, we generally submit the map with no changes posted.

Thanks to redevelopment in two areas, two lots splits approved in 2013 resulted in the construction of two public streets, which are now open and in use by the public. They are:

Manchester Rd. – 745 N. Adams Rd. was a homestead constructed on four platted lots. The property was sold to a developer, reconfigured to allow room for a public street, and four new single family lots were created. The new street adds about 312 ft. to our Local Street system mileage.

E. Lincoln Ave. – The former 2400 E. Lincoln Ave. property, located at the former east end of Lincoln Ave., was demolished and left vacant for about 15 years. It has since been sold and split into three commercial or mixed use lots, accessed by an extension of E. Lincoln Ave. that has a new easterly terminus. The new street adds about 378 ft. to our Local Street system mileage. It should be noted that the lot split also set aside right-of-way extending north and south of Lincoln Ave. for a future road that will service other properties in the area. No pavement has yet been constructed on that right-of-way, so no mileage for that road is being requested at this time.

Since we are making these changes at this time, it is appropriate to acknowledge that the City has closed off the block of W. Merrill St. through Shain Park. Although the street has been constructed to carry traffic, it does not appear that the City has any intention of allowing this to happen. Since it is not open to vehicular traffic, the City should not be including it as part of its certified mileage. This will result in a deduction of 265 ft. from our Major Street system mileage.

Suggested resolutions have been prepared below in a format that MDOT has requested. If approved by the City Commission, the resolutions will be certified and sent to MDOT to allow these changes to be reflected in our official certified mileage totals.

SUGGESTED RESOLUTION (MANCHESTER RD.):

WHEREAS, on February 25, 2013, the Birmingham City Commission approved a lot split that included the granting of right-of-way known as Manchester Rd. so as to provide an access to four new single-family lots, and

WHEREAS, after construction by others, the City of Birmingham accepted the new concrete pavement located within this new right-of-way, and

WHEREAS, Manchester Rd., as it extends east of Adams Rd. is now fully open and utilized by the public, and

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

That the right-of-way of the newly dedicated Manchester Rd. is described as follows:

All that part of said Lots 248 through 251 inclusive of "Birmingham Estates No. 1," a subdivision as recorded in Liber 32 of Plats, Page 16, Oakland Co. Records, and the adjacent vacated Manchester Rd. as recorded in Liber 451, Page 432, Oakland Co. Records, described as follows: BEGINNING at the southwest corner of said Lot 251; thence N02°50'24"W 12.00 ft. along the East right-of-way line of North Adams Rd. (66.00 ft. wide) and the West line of said Lot 251; thence N88°16'40"E 258.78 ft.; thence N02°50'24"W 5.00 ft.; thence N88°16'40"E 53.93 ft.; thence S02°50'24"E 50.00 ft.; along the East line of said Lot 248; thence S88°16'40"W 312.71 ft. along the centerline of said vacated Manchester Rd.; thence N02°50'24"W 33.00 ft. along the East right-of-way line of said North Adams Rd. and the west line of said vacated Manchester Rd. to the Point of Beginning, containing 0.329 acres of land, more or less, being subject to easements and restrictions of record, if any.

That said street is located within a right-of-way dedicated to the City of Birmingham, and is under the control of the City.

That said street is accepted into the City of Birmingham Local Street System, and was open to the public as of December 31, 2015.

SUGGESTED RESOLUTION (E. LINCOLN AVE.):

WHEREAS, on April 8, 2013, the Birmingham City Commission approved a lot split that included the granting of right-of-way known as E. Lincoln Ave. so as to provide an access to three new commercial or mixed use zone lots, and

WHEREAS, after construction by others, the City of Birmingham accepted the new concrete pavement located within this new right-of-way, and

WHEREAS, E. Lincoln Ave., as it extends east from its former easterly terminus, is now fully open and utilized by the public, and

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE IT IS RESOLVED:

That the right-of-way of the newly dedicated E. Lincoln Ave. is described as follows:

Commencing at the southeast corner of Lot 907 of "Sheffield Estates No. 1" as recorded in Liber 44 of Plats, Page 40, Oakland Co. Records, said point being distant S89°57'28"E 1,311.85 ft. and N00°19'55"E 1,728.45 ft. from the south ¼ corner of said Section 31; thence along the east line of said "Sheffield Estates No. 1" N00°19'65"E 489.80 ft.; thence continuing along said east line N00°24'27"E 252.85 ft. to the Point of Beginning; thence continuing along said east line N00°24'27"E 60.00 ft.; thence N89°03'12"E 318.77 ft.; thence N00°56'48"E 35.50 ft.; thence S89°03'12"E 41.43 ft. to a point on the current westerly right-of-way line of the Grand Trunk Western Railroad; thence along said line S41°50'26"E 27.34 ft.; thence S00°56'48"W 99.93 ft.; thence N 89°03'12"W 60.00 ft.; thence N00°56'48"E 24.50 ft.; thence N89°03'12"W 318.21 ft.; to the Point of Beginning.

That said street is located within a right-of-way dedicated to the City of Birmingham, and is under the control of the City.

That said street is accepted into the City of Birmingham Local Street System, and was open to the public as of December 31, 2015.

SUGGESTED RESOLUTION (W. MERRILL ST.):

WHEREAS, the City of Birmingham does wish to decertify a portion of W. Merrill St. This decertification of W. Merrill St. is located between Bates St. and Henrietta St. for a total decertification length of 265 ft.

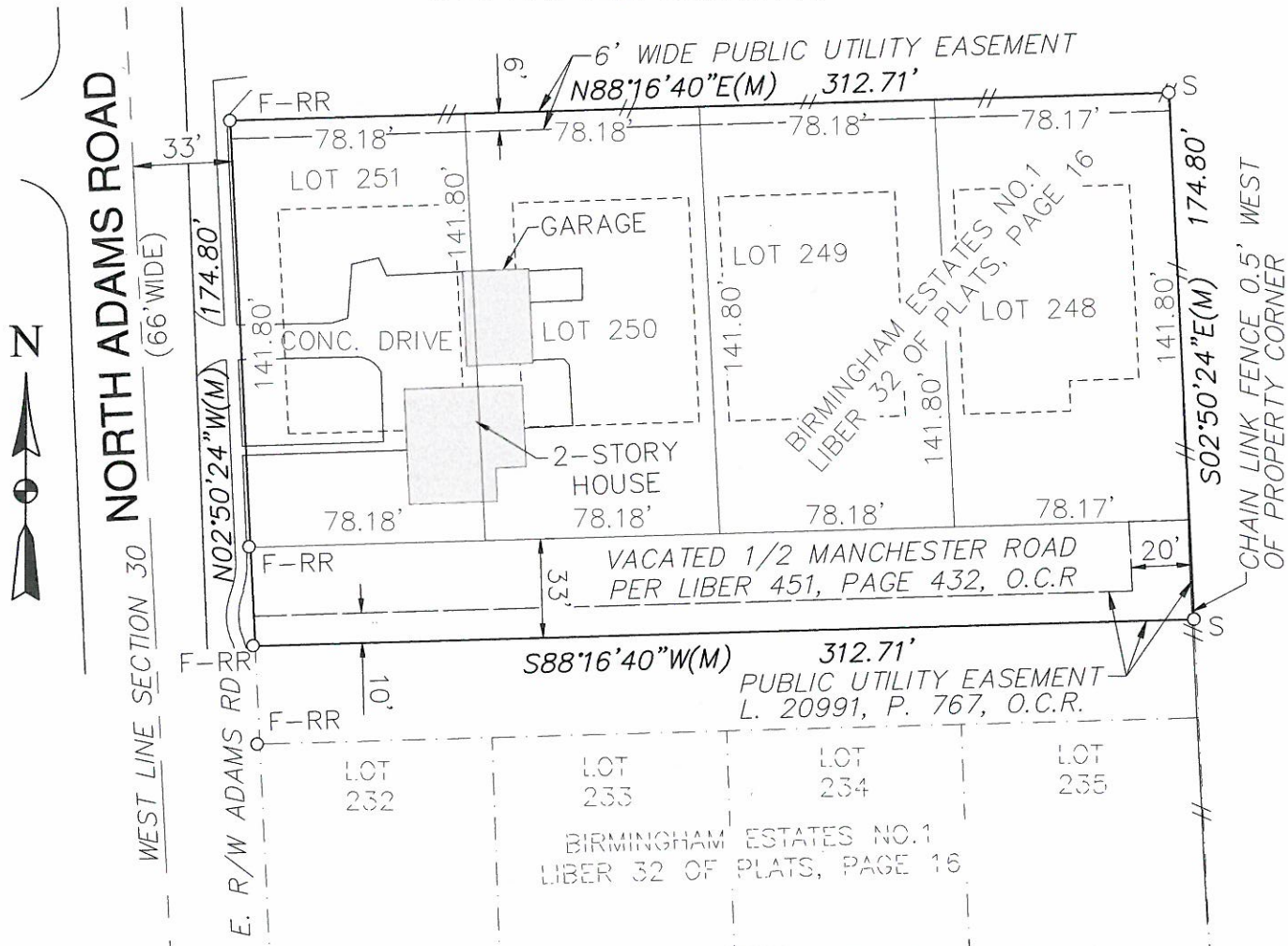
Michigan Department
of Transportation
2008B (11/15)

ADDITIONS AND DELETIONS TO CITY OR VILLAGE LOCAL STREET SYSTEM DURING CALENDAR YEAR 2015

INSTRUCTIONS: Complete form and mail to Michigan Department of Transportation, Bureau of Transportation Planning, P.O. Box 30050, Lansing, MI 48909.

[illegible]

CERTIFIED SURVEY



PARENT PARCEL DESCRIPTION:

LOTS 248, 249, 250, AND 251, AND 1/2 ADJACENT VACATED MANCHESTER ROAD, BIRMINGHAM ESTATES NO. 1, A SUBDIVISION, AS RECORDED IN LIBER 32, PAGE 16 OF PLATS, OAKLAND COUNTY RECORDS, BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 30, T2N, R11E, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN.

NOTES:

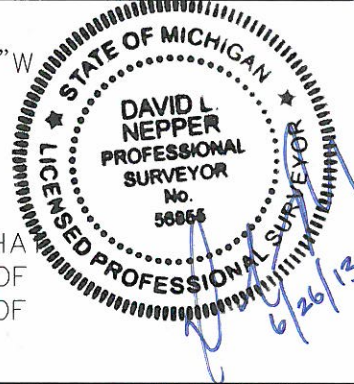
GRID BEARING FOR WEST LINE OF SECTION 30 IS N02°50'24"W
RECORD PLAT BEARING FOR WEST LINE OF SECTION 30 IS N00°24'00"W

BEARING BASIS: MICHIGAN STATE PLANE COORDINATES GRID NORTH

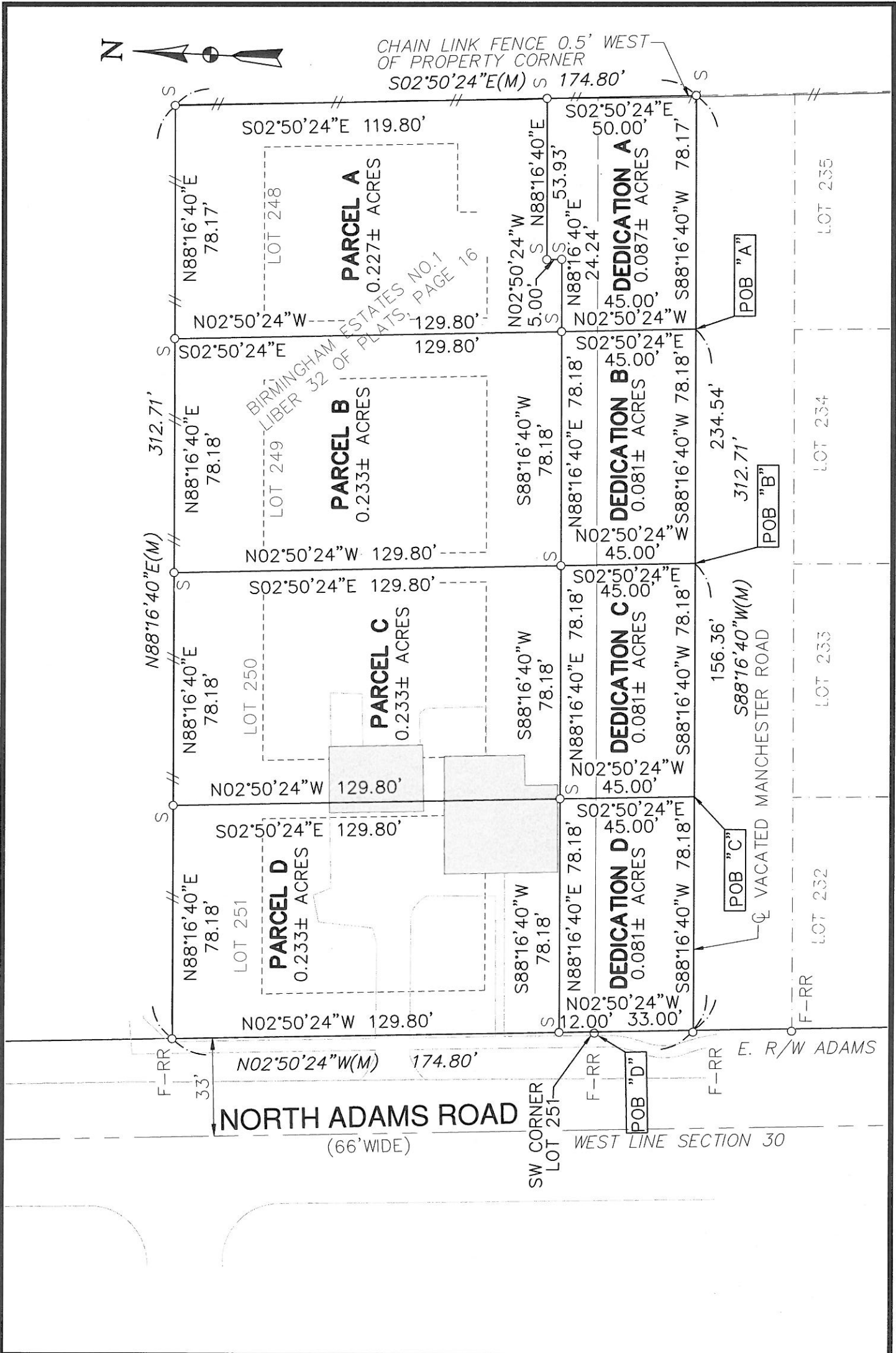
I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON NOVEMBER 5, 2012, AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/5000, AND THAT ALL OF THE REQUIREMENTS OF P.A. 132 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.

LEGEND

- PROPERTY LINE
- RIGHT OF WAY LINE
- SECTION LINE
- EX. EASEMENT LINE
- EX. SETBACK LINE
- EX. FENCE
- SECTION CORNER
- FOUND IRON PIPE
- FOUND IRON ROD
- FOUND CONC. MONUMENT
- SET IRON ROD
- POINT OF BEGINNING



SECTION 30	CLIENT:	JOB: 1037-12-5716
T2N-R11E	HM Homes	DATE: 01/12/2013
CITY OF BIRMINGHAM	PROJECT:	REV.: 01/30/2013
OAKLAND COUNTY	BIRMINGHAM ESTATES SURVEY	REV.: 06/25/2013
MICHIGAN	 METRO CONSULTING ASSOCIATES	BOOK/CREW: FB33/AB & RA
	Michigan Ohio Indiana	DRAWN BY: CLL & DSB
1 inch = 60 feet	800.525.6016 www.metroca.net	CHECK BY: DLN
		SHEET: 1 OF 5



SECTION 30	CLIENT:	JOB: 1037-12-5716
T2N-R11E	HM Homes	DATE: 01/12/2013
CITY OF BIRMINGHAM	PROJECT:	REV.: 01/30/2013
OAKLAND COUNTY	BIRMINGHAM ESTATES SURVEY	REV.: 06/25/2013
MICHIGAN	 METRO CONSULTING ASSOCIATES	BOOK/CREW: FB33/AB & RA
 1 inch = 40 feet	Michigan Ohio Indiana	DRAWN BY: CLL & DSB
	800.525.6016 www.metroca.net	CHECK BY: DLN
		SHEET: 2 OF 5

PARENT PARCEL

Lots 248, 249, 250, and 251, and 1/2 adjacent Vacated Manchester Road, BIRMINGHAM ESTATES NO. 1, a Subdivision, as recorded in Liber 32, Page 16 of Plats, Oakland County Records, being a part of the Southwest 1/4 of Section 30, T2N, R11E, City of Birmingham, Oakland County, Michigan.

PARCEL A

Lot 248 and 1/2 of the adjacent Vacated Manchester Road of "BIRMINGHAM ESTATES No. 1", a Subdivision, as recorded in Liber 32, Page 16 of Plats, Oakland County Records, being part of the Southwest 1/4 of Section 30, T2N, R11E, City of Birmingham, Oakland County, Michigan. **EXCEPT:** all that part of said Lot 248 and the adjacent Vacated Manchester Road as recorded in Liber 451, Page 432, Oakland County Records, described as follows: Commencing at the Southwest Corner of said Lot 251; thence S02°50'24"E 33.00 feet along the East Right-of-way line of North Adams Road (66.00 feet wide) and the West line of said Vacated Manchester Road; thence N88°16'40"E 234.54 feet along the Centerline of said Vacated Manchester Road to the **POINT OF BEGINNING**; thence N02°50'24"W 45.00 feet along the West line of said Lot 248; thence N88°16'40"E 24.24 feet; thence N02°50'24"W 5.00 feet; thence N88°16'40"E 53.93 feet; thence S02°50'24"E 50.00 feet along the East line of said Lot 248; thence S88°16'40"W 78.17 feet along the Centerline of said Vacated Manchester Road to the Point of Beginning, containing 0.227 acres of land, more or less, being subject to easements and restrictions of record, if any.

PARCEL A ROAD DEDICATION

All that part of said Lot 248 of "BIRMINGHAM ESTATES NO. 1", a Subdivision, as recorded in Liber 32 of Plats, Page 16, Oakland County Records, and the adjacent Vacated Manchester Road as recorded in Liber 451, Page 432, Oakland County Records, described as follows: Commencing at the Southwest Corner of said Lot 251; thence S02°50'24"E 33.00 feet along the East Right-of-way line of North Adams Road (66.00 feet wide) and the West line of said Vacated Manchester Road; thence N88°16'40"E 234.54 feet along the Centerline of said Vacated Manchester Road to the **POINT OF BEGINNING**; thence N02°50'24"W 45.00 feet along the West line of said Lot 248; thence N88°16'40"E 24.24 feet; thence N02°50'24"W 5.00 feet; thence N88°16'40"E 53.93 feet; thence S02°50'24"E 50.00 feet along the East line of said Lot 248; thence S88°16'40"W 78.17 feet along the Centerline of said Vacated Manchester Road to the Point of Beginning, containing 0.087 acres of land, more or less, being subject to easements and restrictions of record, if any.

PARCEL B

Lot 249 and 1/2 of the adjacent Vacated Manchester Road of "BIRMINGHAM ESTATES No. 1", a Subdivision, as recorded in Liber 32, Page 16 of Plats, Oakland County Records, being part of the Southwest 1/4 of Section 30, T2N, R11E, City of Birmingham, Oakland County, Michigan. **EXCEPT:** all that part of said Lot 249 and the adjacent Vacated Manchester Road as recorded in Liber 451, Page 432, Oakland County Records, described as follows: Commencing at the Southwest Corner of said Lot 251; thence S02°50'24"E 33.00 feet along the East Right-of-way line of North Adams Road (66.00 feet wide) and the West line of said Vacated Manchester Road; thence N88°16'40"E 156.36 feet along the Centerline of said Vacated Manchester Road to the **POINT OF BEGINNING**; thence N02°50'24"W 45.00 feet along the West line of said Lot 249; thence N88°16'40"E 78.18 feet; thence S02°50'24"E 45.00 feet along the East line of said Lot 249; thence S88°16'40"W 78.18 feet along the Centerline of said Vacated Manchester Road to the Point of Beginning, containing 0.233 acres of land, more or less, being subject to easements and restrictions of record, if any.

PARCEL B ROAD DEDICATION

All that part of said Lot 249 of "BIRMINGHAM ESTATES NO. 1", a Subdivision, as recorded in Liber 32 of Plats, Page 16, Oakland County Records, and the adjacent Vacated Manchester Road as recorded in Liber 451, Page 432, Oakland County Records, described as follows: Commencing at the Southwest Corner of said Lot 251; thence S02°50'24"E 33.00 feet along the East Right-of-way line of North Adams Road (66.00 feet wide) and the West line of said Vacated Manchester Road; thence N88°16'40"E 156.36 feet along the Centerline of said Vacated Manchester Road to the **POINT OF BEGINNING**; thence N02°50'24"W 45.00 feet along the West line of said Lot 249; thence N88°16'40"E 78.18 feet; thence S02°50'24"E 45.00 feet along the East line of said Lot 249; thence S88°16'40"W 78.18 feet along the Centerline of said Vacated Manchester Road to the Point of Beginning, containing 0.081 acres of land, more or less, being subject to easements and restrictions of record, if any.

SECTION 30	CLIENT:	JOB: 1037-12-5716
T2N-R11E	HM Homes	DATE: 01/12/2013
CITY OF BIRMINGHAM	PROJECT:	REV.: 01/30/2013
OAKLAND COUNTY	BIRMINGHAM ESTATES SURVEY	REV.: 06/25/2013
MICHIGAN	 METRO CONSULTING ASSOCIATES Michigan Ohio Indiana 800.525.6016 www.metroca.net	BOOK/CREW: FB33/AB & RA
		DRAWN BY: CLL & DSB
		CHECK BY: DLN
		SHEET: 3 OF 5

PARCEL C

Lot 250 and 1/2 of the adjacent Vacated Manchester Road of "BIRMINGHAM ESTATES No. 1", a Subdivision, as recorded in Liber 32, Page 16 of Plats, Oakland County Records, being part of the Southwest 1/4 of Section 30, T2N, R11E, City of Birmingham, Oakland County, Michigan. **EXCEPT:** all that part of said Lot 250 and the adjacent Vacated Manchester Road as recorded in Liber 451, Page 432, Oakland County Records, described as follows: Commencing at the Southwest Corner of said Lot 251; thence S02°50'24"E 33.00 feet along the East Right-of-way line of North Adams Road (66.00 feet wide) and the West line of said Vacated Manchester Road; thence N88°16'40"E 78.18 feet along the Centerline of said Vacated Manchester Road to the **POINT OF BEGINNING**; thence N02°50'24"W 45.00 feet along the West line of said Lot 250; thence N88°16'40"E 78.18 feet; thence S02°50'24"E 45.00 feet along the East line of said Lot 250; thence S88°16'40"W 78.18 feet along the Centerline of said Vacated Manchester Road to the Point of Beginning, containing 0.233 acres of land, more or less, being subject to easements and restrictions of record, if any.

PARCEL C ROAD DEDICATION

All that part of said Lot 250 of "BIRMINGHAM ESTATES NO. 1", a Subdivision, as recorded in Liber 32 of Plats, Page 16, Oakland County Records, and the adjacent Vacated Manchester Road as recorded in Liber 451, Page 432, Oakland County Records, described as follows: Commencing at the Southwest Corner of said Lot 251; thence S02°50'24"E 33.00 feet along the East Right-of-way line of North Adams Road (66.00 feet wide) and the West line of said Vacated Manchester Road; thence N88°16'40"E 78.18 feet along the Centerline of said Vacated Manchester Road to the **POINT OF BEGINNING**; thence N02°50'24"W 45.00 feet along the West line of said Lot 250; thence N88°16'40"E 78.18 feet; thence S02°50'24"E 45.00 feet along the East line of said Lot 250; thence S88°16'40"W 78.18 feet along the Centerline of said Vacated Manchester Road to the Point of Beginning, containing 0.081 acres of land, more or less, being subject to easements and restrictions of record, if any.

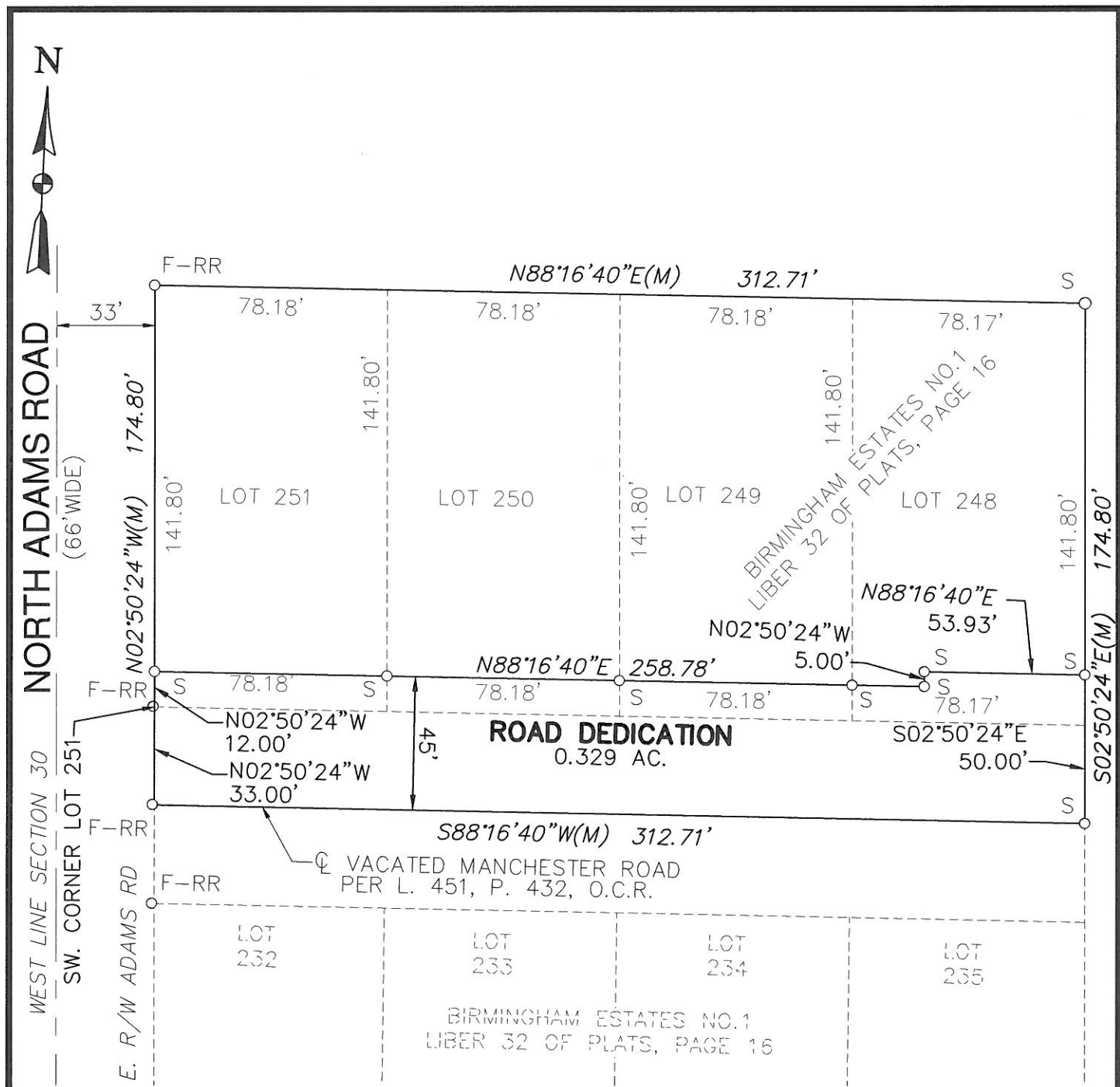
PARCEL D

Lot 251 and 1/2 of the adjacent Vacated Manchester Road of "BIRMINGHAM ESTATES No. 1", a Subdivision, as recorded in Liber 32, Page 16 of Plats, Oakland County Records, being part of the Southwest 1/4 of Section 30, T2N, R11E, City of Birmingham, Oakland County, Michigan. **EXCEPT:** all that part of said Lot 251 and the adjacent Vacated Manchester Road as recorded in Liber 451, Page 432, Oakland County Records, described as follows: **BEGINNING** at the Southwest Corner of said Lot 251; thence N02°50'24"W 12.00 feet along the East Right-of-way line of North Adams Road (66.00 feet wide) and the West line of said Lot 251; thence N88°16'40"E 78.18 feet; thence S02°50'24"E 45.00 feet along the East line of said Lot 251; thence S88°16'40"W 78.18 feet along the Centerline of said Vacated Manchester Road; thence N02°50'24"W 33.00 feet along the East line of said North Adams Road and the West line of said Vacated Manchester Road to the Point of Beginning, containing 0.233 acres of land, more or less, being subject to easements and restrictions of record, if any.

PARCEL D ROAD DEDICATION

All that part of said Lot 251 of "BIRMINGHAM ESTATES NO. 1", a Subdivision, as recorded in Liber 32 of Plats, Page 16, Oakland County Records, and the adjacent Vacated Manchester Road as recorded in Liber 451, Page 432, Oakland County Records, described as follows: **BEGINNING** at the Southwest Corner of said Lot 251; thence N02°50'24"W 12.00 feet along the East Right-of-way line of North Adams Road (66.00 feet wide) and the West line of said Lot 251; thence N88°16'40"E 78.18 feet; thence S02°50'24"E 45.00 feet along the East line of said Lot 251; thence S88°16'40"W 78.18 feet along the Centerline of said Vacated Manchester Road; thence N02°50'24"W 33.00 feet along the East line of said North Adams Road and the West line of said Vacated Manchester Road to the Point of Beginning, containing 0.081 acres of land, more or less, being subject to easements and restrictions of record, if any.

SECTION 30	CLIENT:	JOB: 1037-12-5716
T2N-R11E	HM Homes	DATE: 01/12/2013
CITY OF BIRMINGHAM	PROJECT:	REV.: 01/30/2013
OAKLAND COUNTY	BIRMINGHAM ESTATES SURVEY	REV.: 06/25/2013
MICHIGAN	 METRO CONSULTING ASSOCIATES Michigan Ohio Indiana 800.525.6016 www.metroca.net	BOOK/CREW: FB33/AB & RA
		DRAWN BY: CLL & DSB
		CHECK BY: DLN
		SHEET: 4 OF 5



PARENT PARCEL

Lots 248, 249, 250, and 251, and 1/2 adjacent Vacated Manchester Road, BIRMINGHAM ESTATES NO. 1, a Subdivision, as recorded in Liber 32 of Plats, Page 16, Oakland County Records, being a part of the Southwest 1/4 of Section 30, T2N, R11E, City of Birmingham, Oakland County, Michigan.

ROAD DEDICATION

All that part of said Lots 248 thru 251 inclusive of "BIRMINGHAM ESTATES NO. 1", a Subdivision, as recorded in Liber 32 of Plats, Page 16, Oakland County Records, and the adjacent Vacated Manchester Road as recorded in Liber 451, Page 432, Oakland County Records, described as follows: **BEGINNING** at the Southwest Corner of said Lot 251; thence N02°50'24"W 12.00 feet along the East Right-of-way line of North Adams Road (66.00 feet wide) and the West line of said Lot 251; thence N88°16'40"E 258.78 feet; thence N02°50'24"W 5.00 feet; thence N88°16'40"E 53.93 feet; thence S02°50'24"E 50.00 feet along the East line of said Lot 248; thence S88°16'40"W 312.71 feet along the Centerline of said Vacated Manchester Road; thence N02°50'24"W 33.00 feet along the East Right-of-Way line of said North Adams Road and the West line of said Vacated Manchester Road to the Point of Beginning, containing 0.329 acres of land, more or less, being subject to easements and restrictions of record, if any.

SECTION 30	CLIENT:	JOB: 1037-12-5716
T2N-R11E	HM Homes	DATE: 01/12/2013
CITY OF BIRMINGHAM	PROJECT:	REV.: 01/30/2013
OAKLAND COUNTY	BIRMINGHAM ESTATES SURVEY	REV.: 06/25/2013
MICHIGAN	 METRO CONSULTING ASSOCIATES Michigan Ohio Indiana 800.525.6016 www.metroca.net	BOOK/CREW: FB33/AB & RA
 1 inch = 50 feet		DRAWN BY: CLL & DSB
		CHECK BY: DLN
		SHEET: 5 OF 5

CERTIFICATE OF SURVEY

WE HEREBY CERTIFY THAT WE HAVE SURVEYED THE
PROPERTY HEREIN DESCRIBED AND THAT WE HAVE
PLACED MARKER IRONS AT THE CORNERS OF THE
PARCEL OR AS INDICATED IN THE ABOVE SKETCH
AND THAT WE HAVE COMPLIED WITH THE SURVEY
REQUIREMENTS OF PUBLIC ACT 132 OF 1970, AS
AMENDED.

Glen Yrjanainen
GLEN A. YRJANAINEN, PS
NO.: 22826



NF
ENGINEERS
NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

PREPARED FOR:

**PRISTINE PROPERTIES
BIRMINGHAM, L.L.C.**

SCALE	DATE	DRAWN	JOB NO.	SHEET
1" = 150'	03-11-13	D.MCCONKEY	G486	1 of 10

PARENT PARCEL LEGAL DESCRIPTIONS

LEGAL DESCRIPTION AS PROVIDED TO NFE IN A COMMITMENT FOR TITLE INSURANCE, FILE NO. 63-10113745-SCM, REVISION NO. 8, ISSUED MAY 19, 2011, BY SEAVER TITLE AGENCY, LLC, AND ALSO AS DESCRIBED IN A TRUSTEE'S DEED DATED APRIL 27, 2010, AS RECORDED IN LIBER 42303, PAGE 534, OAKLAND COUNTY RECORDS

PART OF THE EAST 1/2 OF SECTION 31, TOWN 2 NORTH, RANGE 11 EAST, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 907 OF SHEFFIELD ESTATES NO. 1 AS RECORDED IN LIBER 44 OF PLATS, PAGE 40 OF OAKLAND COUNTY RECORDS; THENCE ALONG THE EAST LINE OF SAID SHEFFIELD ESTATES NO. 1, NORTH 00 DEGREES 19 MINUTES 55 SECONDS EAST 489.84 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE, NORTH 00 DEGREES 19 MINUTES 55 SECONDS EAST 458.81 FEET AND NORTH 00 DEGREES 29 MINUTES 28 SECONDS EAST 80.70 FEET; THENCE NORTH 86 DEGREES 09 MINUTES 28 SECONDS EAST 172.42 FEET TO THE FORMER WESTERLY RIGHT OF WAY LINE OF THE GRAND TRUNK WESTERN RAILROAD; THENCE CONTINUING ALONG THE SAID FORMER RIGHT OF WAY LINE SOUTH 41 DEGREES 52 MINUTES 40 SECONDS EAST 658.60 FEET AND SOUTH 29 DEGREES 09 MINUTES 00 SECONDS EAST 277.27 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 33 SECONDS WEST 191.72 FEET; THENCE NORTH 29 DEGREES 09 MINUTES 08 SECONDS WEST 203.38 FEET; THENCE NORTH 89 DEGREES 47 MINUTES 35 SECONDS WEST 459.30 FEET TO THE POINT OF BEGINNING.

TAX ITEM NO. 20-31-426-015

PARENT PARCEL

LEGAL DESCRIPTIONS AS ORIGINALLY SURVEYED BY NFE ON DECEMBER 6, 2010, AND UPDATED BY NFE ON JUNE 14, 2011

A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF SECTION 31, TOWN 2 NORTH, RANGE 11 EAST, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 907 OF "SHEFFIELD ESTATES NO. 1", AS RECORDED IN LIBER 44 OF PLATS, PAGE 40, OAKLAND COUNTY RECORDS, SAID POINT BEING DISTANT S89°57'28"E, 1311.85 FEET AND N00°19'55"E, 1728.45 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID "SHEFFIELD ESTATES NO. 1" N00°19'55"E, 489.80 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE, N00°24'27"E, 458.89; THENCE CONTINUING ALONG SAID EAST LINE, N00°31'44"E 80.70 FEET TO THE SOUTHEAST CORNER OF "ASSESSOR'S PLAT NO. 28-B", AS RECORDED IN LIBER 64 OF PLATS, PAGE 10, OAKLAND COUNTY RECORDS; THENCE N86°10'20"E, 172.42 FEET TO A POINT ON A FORMER WESTERLY RIGHT-OF-WAY LINE OF THE GRAND TRUNK WESTERN RAILROAD; THENCE ALONG SAID FORMER WESTERLY RIGHT-OF-WAY LINE S42°00'24"E, 132.27 FEET TO A POINT ON THE EAST-WEST 1/4 LINE OF SAID SECTION 31, SAID LINE BEING MEASURED FROM THE EAST 1/4 CORNER TO THE WEST 1/4 CORNER OF SAID SECTION 31; THENCE ALONG THE CURRENT WESTERLY RIGHT-OF-WAY LINE OF THE GRAND TRUNK WESTERN RAILROAD S41°50'26"E, 528.09 FEET; THENCE CONTINUING ALONG THE SAID CURRENT WESTERLY RIGHT-OF-WAY LINE S29°09'00"E, 277.27 FEET; THENCE N89°28'00"W 191.94 FEET; THENCE N29°09'00"W 203.41 FEET; THENCE N89°46'01"W 459.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 265,400.28 SFT OR 6.093 ACRES

TAX ITEM NO. 20-31-426-015



NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

PREPARED FOR:

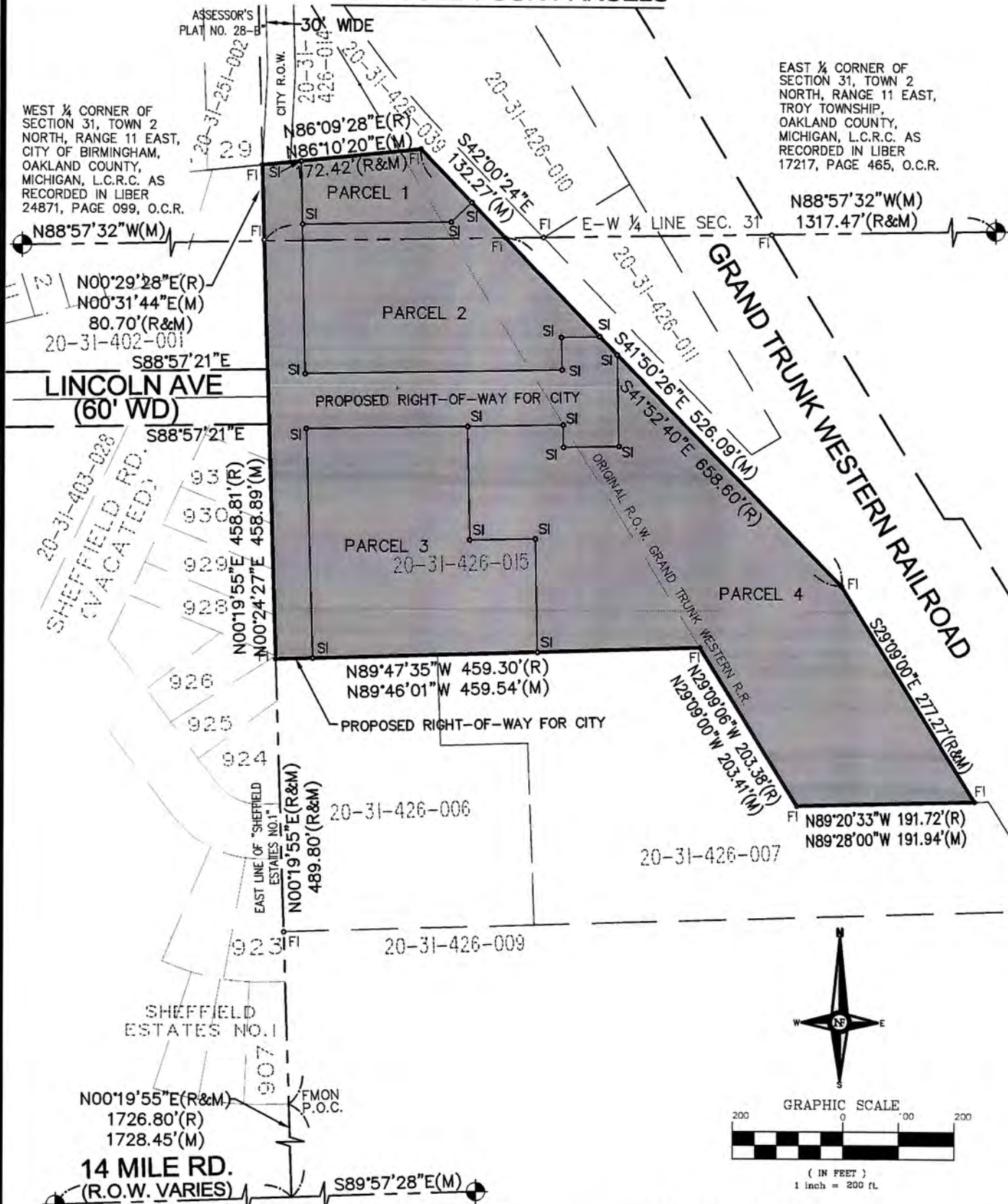
PRISTINE PROPERTIES
BIRMINGHAM, L.L.C.



Glen A. Yrjanainen

DATE	DRAWN	JOB NO.	SHEET
03-11-13	D.MCCONKEY	G486	2 of 10

PROPOSED FOUR PARCELS



BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY, N00°19'55"E, IS THE BEARING OF THE EAST LINE OF THE PLAT FOR "SHEFFIELD ESTATES NO. 1", AS RECORDED IN LIBER 44 OF PLATS, PAGE 40, OAKLAND COUNTY RECORDS.

CERTIFICATE OF SURVEY

WE HEREBY CERTIFY THAT WE HAVE SURVEYED THE
PROPERTY HEREIN DESCRIBED AND THAT WE HAVE
PLACED MARKER IRONS AT THE CORNERS OF THE
PARCEL OR AS INDICATED IN THE ABOVE SKETCH
AND THAT WE HAVE COMPLIED WITH THE SURVEY
REQUIREMENTS OF PUBLIC ACT 132 OF 1970, AS
AMENDED.

Glen Yrjanainen
GLEN A. YRJANAINEN, PS
NO.: 22826



NF
ENGINEERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

PREPARED FOR:

**PRISTINE PROPERTIES
BIRMINGHAM, L.L.C.**

SCALE
1" = 150'

DATE _____

DRAWN

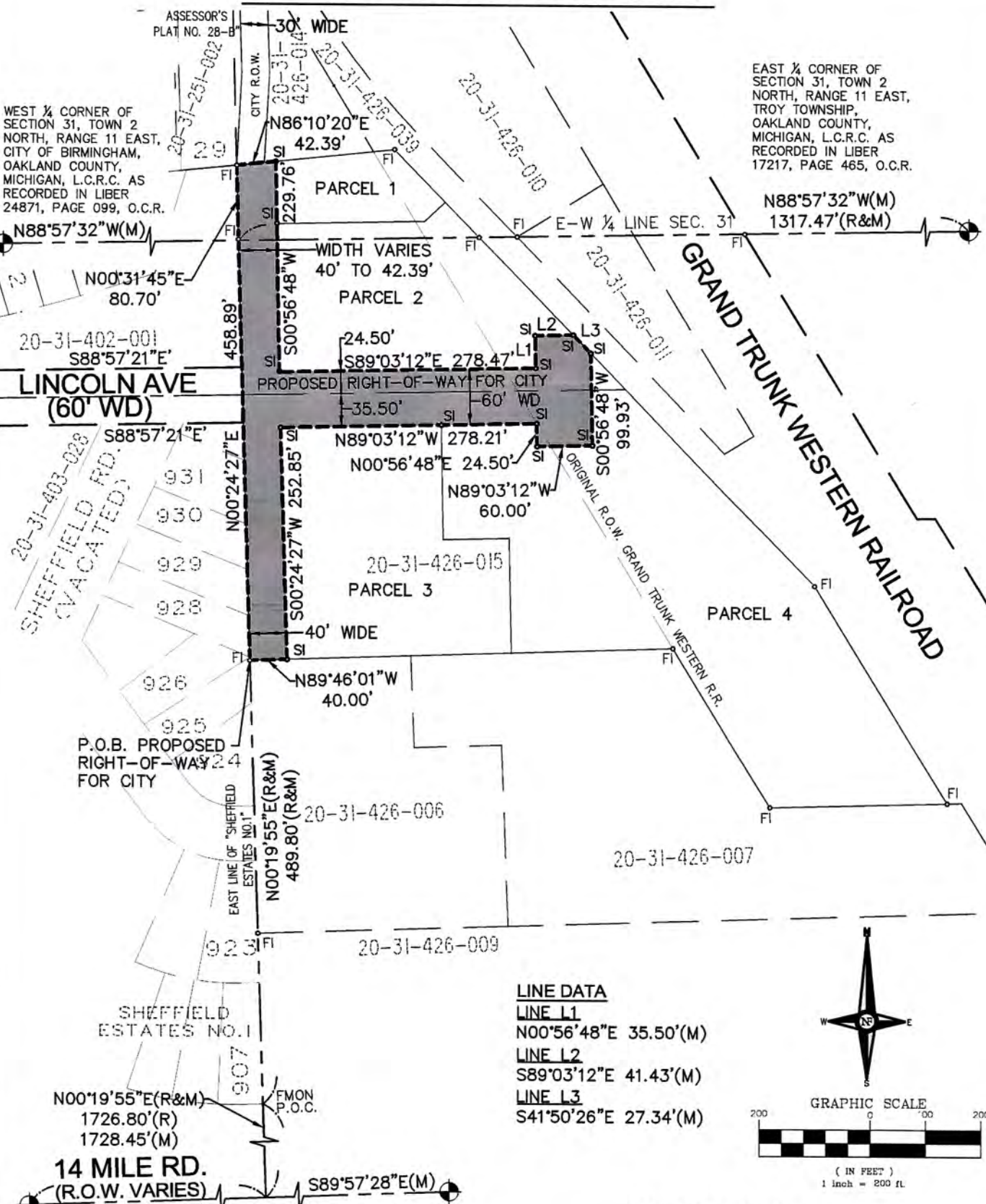
JOB NO.

SHEET

G486

3 of 10

PROPOSED RIGHT-OF-WAY FOR CITY



LINE DATA

LINE L1

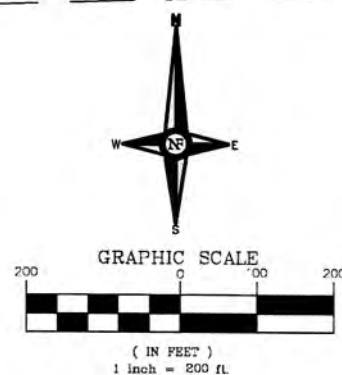
N00°56'48\"E 35.50'(M)

LINE L2

S89°03'12\"E 41.43'(M)

LINE L3

S41°50'26\"E 27.34'(M)



BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY, N00°19'55\"E, IS THE BEARING OF THE EAST LINE OF THE PLAT FOR \"SHEFFIELD ESTATES NO. 1\", AS RECORDED IN LIBER 44 OF PLATS, PAGE 40, OAKLAND COUNTY RECORDS.

CERTIFICATE OF SURVEY

WE HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED AND THAT WE HAVE PLACED MARKER IRONS AT THE CORNERS OF THE PARCEL OR AS INDICATED IN THE ABOVE SKETCH AND THAT WE HAVE COMPLIED WITH THE SURVEY REQUIREMENTS OF PUBLIC ACT 132 OF 1970, AS AMENDED.

Glen A. Yrjanainen
GLEN A. YRJANAINEN, PS
NO.: 22826



PREPARED FOR:

PRISTINE PROPERTIES
BIRMINGHAM, L.L.C.

SCALE
1" = 150'

DATE
03-11-13

DRAWN
D.MCCONKEY

JOB NO.
G486

SHEET
4 of 10



NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

PROPOSED RIGHT-OF-WAY FOR CITY AND PARCELS 1 & 2 LEGAL DESCRIPTIONS

LEGAL DESCRIPTION PROPOSED RIGHT-OF-WAY FOR CITY

A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF SECTION 31, TOWN 2 NORTH, RANGE 11 EAST, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 907 OF "SHEFFIELD ESTATES NO. 1", AS RECORDED IN LIBER 44 OF PLATS, PAGE 40, OAKLAND COUNTY RECORDS, SAID POINT BEING DISTANT S89°57'28"E, 1311.85 FEET AND N00°19'55"E, 1728.45 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID "SHEFFIELD ESTATES NO. 1" N00°19'55"E, 489.80 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EAST LINE, N00°24'27"E, 458.89' FEET; THENCE N00°31'45"E 80.70 FEET TO THE SOUTHEAST CORNER OF "ASSESSOR'S PLAT NO. 28-B", AS RECORDED IN LIBER 64 OF PLATS, PAGE 10, OAKLAND COUNTY RECORDS; THENCE N86°10'20"E, 42.39 FEET; THENCE S00°56'48"W, 229.76 FEET; THENCE S89°03'12"E, 278.47 FEET; THENCE N00°56'48"E, 35.50 FEET; THENCE S89°03'12"E, 41.43 FEET TO A POINT ON THE CURRENT WESTERLY RIGHT-OF-WAY LINE OF THE GRAND TRUNK WESTERN RAILROAD; THENCE ALONG SAID LINE S41°50'26"E, 27.34 FEET; THENCE S00°56'48"W, 99.93 FEET; THENCE N89°03'12"W, 60.00 FEET; THENCE N00°56'48"E, 24.50 FEET; THENCE N89°03'12"W, 278.21 FEET; THENCE S00°24'27"W, 252.85 FEET; THENCE N89°46'01"W, 40.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 45,671 SFT OR 1.05 ACRES

TAX ITEM NO. 20-31-426-015

LEGAL DESCRIPTION PARCEL 1

A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF SECTION 31, TOWN 2 NORTH, RANGE 11 EAST, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 907 OF "SHEFFIELD ESTATES NO. 1", AS RECORDED IN LIBER 44 OF PLATS, PAGE 40, OAKLAND COUNTY RECORDS, SAID POINT BEING DISTANT S89°57'28"E, 1311.85 FEET AND N00°19'55"E, 1728.45 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID "SHEFFIELD ESTATES NO. 1" THENCE N00°19'55"E 489.80 FFET; THENCE N00°24'27"E, 458.89 FEET; THENCE N00°31'44"E, 80.70 FEET TO THE SOUTHEAST CORNER OF "ASSESSOR'S PLAT NO. 28-B", AS RECORDED IN LIBER 64 OF PLATS, PAGE 10, OAKLAND COUNTY RECORDS; THENCE N86°10'20"E, 42.39 FEET TO THE POINT OF BEGINNING; THENCE N86°10'20"E 130.02 FEET TO A POINT ON THE FORMER WESTERLY RIGHT-OF-WAY LINE OF THE GRAND TRUNK WESTERN RAILROAD; THENCE ALONG SAID LINE S42°00'24"E, 79.43 FEET; THENCE S48°42'10"W, 30.51 FEET; THENCE N89°03'12"W, 161.09 FEET; THENCE N00°56'48"E, 67.83 FEET TO THE POINT OF BEGINNING.

CONTAINING 11,941 SFT OR 0.27 ACRES

TAX ITEM NO. 20-31-426-015

LEGAL DESCRIPTION PARCEL 2

A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF SECTION 31, TOWN 2 NORTH, RANGE 11 EAST, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 907 OF "SHEFFIELD ESTATES NO. 1", AS RECORDED IN LIBER 44 OF PLATS, PAGE 40, OAKLAND COUNTY RECORDS, SAID POINT BEING DISTANT S89°57'28"E, 1311.85 FEET AND N00°19'55"E, 1728.45 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID "SHEFFIELD ESTATES NO. 1" N00°19'55"E, 489.80 FEET; THENCE N00°24'27"E, 313.35 FEET; THENCE S89°03'12"E, 40.03 FEET TO THE POINT OF BEGINNING; THENCE N00°56'48"E, 161.92 FEET; THENCE S89°03'12"E, 161.09 FEET; THENCE N48°42'10"E, 30.51 FEET TO A POINT ON THE FORMER WESTERLY RIGHT-OF-WAY LINE OF THE GRAND TRUNK WESTERN RAILROAD; THENCE ALONG SAID LINE S42°00'24"E, 52.84 FEET; THENCE CONTINUING ALONG THE CURRENT WESTERLY RIGHT OF WAY LINE OF GRAND TRUNK WESTERN RAILROAD S41°50'26"E, 147.53 FEET, THENCE N89°03'12"W, 41.43 FEET; THENCE S00°56'48"W, 35.50 FEET; THENCE S89°03'12"E, 278.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 43,350 SFT OR 1.00 ACRE

TAX ITEM NO. 20-31-426-015



NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

PREPARED FOR:

PRISTINE PROPERTIES
BIRMINGHAM, L.L.C.

DATE	DRAWN	JOB NO.	SHEET
03-11-13	D.MCCONKEY	G486	9 of 10

PROPOSED PARCELS 3 & 4 LEGAL DESCRIPTIONS

LEGAL DESCRIPTION PARCEL 3

A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF SECTION 31, TOWN 2 NORTH, RANGE 11 EAST, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 907 OF "SHEFFIELD ESTATES NO. 1", AS RECORDED IN LIBER 44 OF PLATS, PAGE 40, OAKLAND COUNTY RECORDS, SAID POINT BEING DISTANT S89°57'28"E, 1311.85 FEET AND N00°19'55"E, 1728.45 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID "SHEFFIELD ESTATES NO. 1" N00°19'55"E, 489.80 FEET; THENCE S89°46'01"E, 40.00 FEET TO THE POINT OF BEGINNING; THENCE N00°24'27"E, 252.85 FEET; THENCE S89°03'12"E, 174.82 FEET; THENCE S00°56'48"W, 125.35 FEET; THENCE S89°03'12"E, 71.54 FEET; THENCE S00°56'48"W, 124.46 FEET; THENCE N89°46'01"W, 244.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 52,652 SFT OR 1.21 ACRES

PART OF TAX ITEM NO. 20-31-426-013

LEGAL DESCRIPTION PARCEL 4

A PARCEL OF LAND LOCATED IN THE EAST 1/2 OF SECTION 31, TOWN 2 NORTH, RANGE 11 EAST, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN, IS DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 907 OF "SHEFFIELD ESTATES NO. 1", AS RECORDED IN LIBER 44 OF PLATS, PAGE 40, OAKLAND COUNTY RECORDS, SAID POINT BEING DISTANT S89°57'28"E, 1311.85 FEET AND N00°19'55"E, 1728.45 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 31; THENCE ALONG THE EAST LINE OF SAID "SHEFFIELD ESTATES NO. 1" N00°19'55"E, 489.80 FEET; THENCE S89°46'01"E, 284.00' TO THE POINT OF BEGINNING; THENCE N00°56'48"E, 124.46' FEET; THENCE N89°03'12"W, 71.54 FEET; THENCE N00°56'48"E, 125.35 FEET; THENCE N89°03'12"E, 103.39 FEET; THENCE S00°56'48"W, 24.50 FEET; THENCE S89°03'12"E, 60.00 FEET; THENCE N00°56'48"E, 99.93 FEET TO A POINT ON THE CURRENT WESTERLY RIGHT-OF-WAY LINE OF THE GRAND TRUNK WESTERN RAILROAD; THENCE ALONG SAID LINE S41°50'26"E, 351.22 FEET; THENCE CONTINUING ALONG SAID LINE S29°09'00"E, 277.27 FEET; THENCE N89°28'00"W 191.94 FEET; THENCE N29°09'00"W 203.41 FEET; THENCE N89°46'01"W 175.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 111,776 SFT OR 2.57 ACRES

PART OF TAX ITEM NO. 20-31-426-013

SECTION CORNER WITNESSES

W. 1/4 CORNER SEC. 31, T.2N., R.11E.
CORNER CODE #A-12, L. 24871, P. 99, O.C.R.
FOUND OAKLAND COUNTY REMONUMENTATION BRASS CAP STAMPED #17623

WITNESSES:
N 61°W 53.58' SE CORNER OF BUILDING #1066.
N 42°E 51.03' SW CORNER OF BUILDING #1035.
S 46°W 59.88' NE CORNER OF BUILDING #1090.
S 37°E 55.02' NW CORNER OF BUILDING #1105.
SOUTH 124.01' FOUND OAKLAND COUNTY REMONUMENTATION BRASS CAP STAMPED #24598

E. 1/4 CORNER SEC. 31, T.2N., R.11E.
CORNER CODE #C-12, L. 17217, P. 465, O.C.R.
5/8" X 24" IRON ROD W/ 2" DIAMETER BRASS CAP STAMPED "OAKLAND COUNTY REMONUMENTATION, PS #17623, IN AN EXISTING MONUMENT BOX

WITNESSES:
S 30°E 77.09' SET PK & REMON. WASHER SW FACE LIGHT POLE.
N 85°W 53.20' SET PK & REMON. WASHER SOUTH FACE POWER POLE.
N 20°E 174.88' SET PK & REMON. WASHER NW FACE POWER POLE.
S 38°W 133.88' SET PK & REMON. WASHER SE FACE POWER POLE.

S. 1/4 CORNER SEC. 31, T.2N., R.11E.
CORNER CODE #B-13, L. 17217, P. 475, O.C.R.
5/8" X 24" IRON ROD W/ 2" DIAMETER BRASS CAP STAMPED "OAKLAND COUNTY REMONUMENTATION, PS #17623, IN A NEW MONUMENT BOX

WITNESSES:
N 13°W 49.77' SET PK & REMON. WASHER SW FACE 11" ASH.
N 31°E 80.34' SE CORNER OF BUILDING #1971.
S 56°E 88.79' SET PK & REMON. WASHER NE FACE 12" ASH.
S 09°W 69.07' NE CORNER OF BUILDING #14107.
EAST 89.54' NORTH 1/4 CORNER SEC. 6, T1N, R11E, ROYAL OAK TWP.(B-1)

S.E. CORNER SEC. 31, T.2N., R.11E.
CORNER CODE #C-13, L. 17217, P. 477, O.C.R.
5/8" X 24" IRON ROD W/ 2" DIAMETER BRASS CAP STAMPED "OAKLAND COUNTY REMONUMENTATION, PS #17623, IN A NEW MONUMENT BOX

WITNESSES:
S54°E 48.17' SET PK & REMON WASHER IN NE FACE OF GUIDE POLE
N70°E 131.08' SET PK & REMON WASHER IN SE FACE OF POWER POLE
S69°W 93.83' SET PK & REMON WASHER IN NW FACE OF LIGHT POLE
N40°W 36.35' SET PK & REMON WASHER IN SW FACE POWER POLE
EAST 100.03 FT. CORNER COMMON TO SECTIONS 5 & 6, T1N,R11E, ROYAL OAK TWP (C-1)



NF
ENGINEERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL (248) 332-7931
FAX. (248) 332-8257

PREPARED FOR:

PRISTINE PROPERTIES
BIRMINGHAM, LLC.

DATE	DRAWN	JOB NO.	SHEET
03-11-13	D.MCCONKEY	G486	10 of 10



MEMORANDUM

Engineering Dept.

DATE: February 4, 2016

TO: Joseph Valentine, City Manager

FROM: Paul T. O'Meara, City Engineer

SUBJECT: W. Maple Rd. Sewer Improvements
Contract #1-16(S)

As you know, our office is currently preparing to resurface W. Maple Rd. between Cranbrook Rd. and Southfield Rd. this summer. As part of our due diligence, a conditional assessment of the existing sewer system along this entire corridor was conducted. The need for repairs were identified in two particular areas:

1. Sections of both the smaller sanitary sewer and the larger combined sewer are in poor condition between Chesterfield Ave. and Suffield Ave., mostly in the area in front of the First United Methodist Church.
2. Sections of a sanitary sewer are in poor condition between Woodland Villa Ct. and up into the Southfield Rd. intersection. In addition, just weeks before the plan was finished, it was determined that a storm drain discharging to the Rouge River should be completely reconstructed (near Baldwin Ave.).

Some sections of the sewer being repaired are in such a condition that it was impossible to inspect them with a camera. In these cases, funds have been included in the contract to allow for the initial repair to be completed. At that point, our Dept. of Public Services sewer camera crew will assist in inspecting the sewer again, and verifying if additional repairs are needed.

On January 29, 2016, the Engineering Department opened bids on the above referenced project. Attached are the bid results. Five companies submitted bids for this project. The low bidder was Troelsen Excavating Co., of Troy, MI, with their bid of \$325,000.00. The engineer's estimate for this project was \$230,000. The originally budgeted amount for this project (before it was designed) was \$250,000. Given the high price of the majority of the bidders, it appears that the location of the work (under high traffic conditions), which will result in lower productivity, is likely driving up the cost. We are also seeing a general trend this year toward higher prices, which may have contributed to the unexpectedly high cost.

Troelsen Excavating Co. has done multiple projects for the City of Birmingham going back to the 1980's. Their most recent project for the City was the Willits Alley Reconstruction, in 2005. Since they have not worked with us in ten years, I reviewed their more recent projects with the cities of Clawson and Royal Oak. The same people are still working in the management of the company. Given their positive track record in the past, as well as their current positive ratings from other local cities, we are confident that they are qualified to perform the work on this contract.

Only a small amount of the work on this project will be outside of the traffic lanes. For much of the work, traffic will be narrowed into two through lanes, allowing room for the excavations to occur off to one side. In other areas, the sewer repairs will be in the middle of the road. Traffic at times will have to be under flag control, requiring one direction to come to a complete stop while the other direction passes through. Flagging operations will be limited to the hours of 9 AM to 3 PM only, or anytime on Saturdays. It should be expected that the project will result in traffic delays. It is anticipated that the work will occur some time between the middle of April and the end of May, and should last less than four weeks total.

It is recommended that the W. Maple Rd. Sewer Improvement Project, Contract #1-16(S), be awarded to Troelsen Excavating Co. of Troy, MI in the amount of \$325,000. All costs will be charged to the Sewer Fund, account number 590-536.001-981.0100.

SUGGESTED RESOLUTION:

To award the W. Maple Rd. Sewer Improvement Project, Contract #1-16(S), to Troelsen Excavating Co. of Troy, MI, in the amount of \$325,000, charged to account number 590-536.001-981.0100.

And further; to approve the appropriation and amendment to the 2015-2016 Sewer Fund budget as follows:

Sewer Fund

Revenues:

Draw from Fund Balance	
590-0000.000-400.0000	<u>\$75,000</u>
Total Revenue	<u>\$75,000</u>

Expenditures:

Sewer Capital Improvements	
590-536.001-981.0100	<u>\$75,000</u>
Total Expenditures	<u>\$75,000</u>

CITY OF BIRMINGHAM

W. MAPLE SEWER IMPROVEMENTS

CONTRACT # 1-16(S)

BID SUMMARY

January 29, 2016 - 2:00 PM

Company Name	Addendums	5% Bid Security	Base Bid
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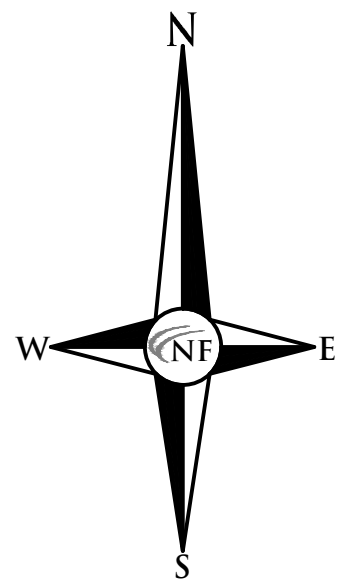
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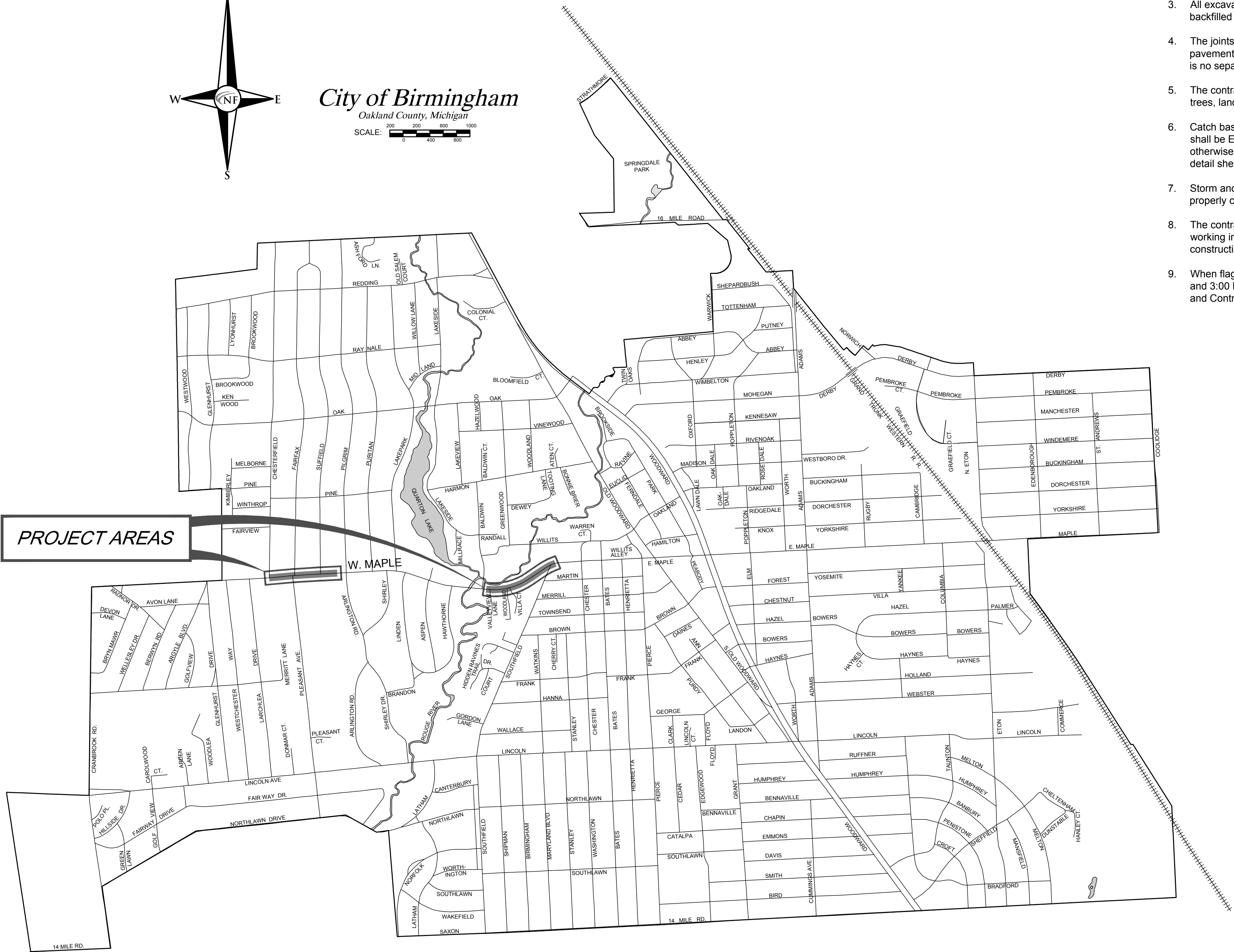
ENGINEERING DEPARTMENT
W. MAPLE ROAD SEWER IMPROVEMENTS
CONTRACT #1-16(S)

SHEET INDEX

- COVER SHEET
C1 SEWER IMPROVEMENT PLAN W. MAPLE ROAD - 27+50 TO 36+50
C2 SEWER IMPROVEMENT PLAN W. MAPLE ROAD - 60+00 TO P.O.E.
C3 NOTES, DETAILS & QUANTITIES
- SEWER STANDARD DETAILS



City of Birmingham
Oakland County, Michigan
SCALE: 1" = 400'



CONSTRUCTION NOTES

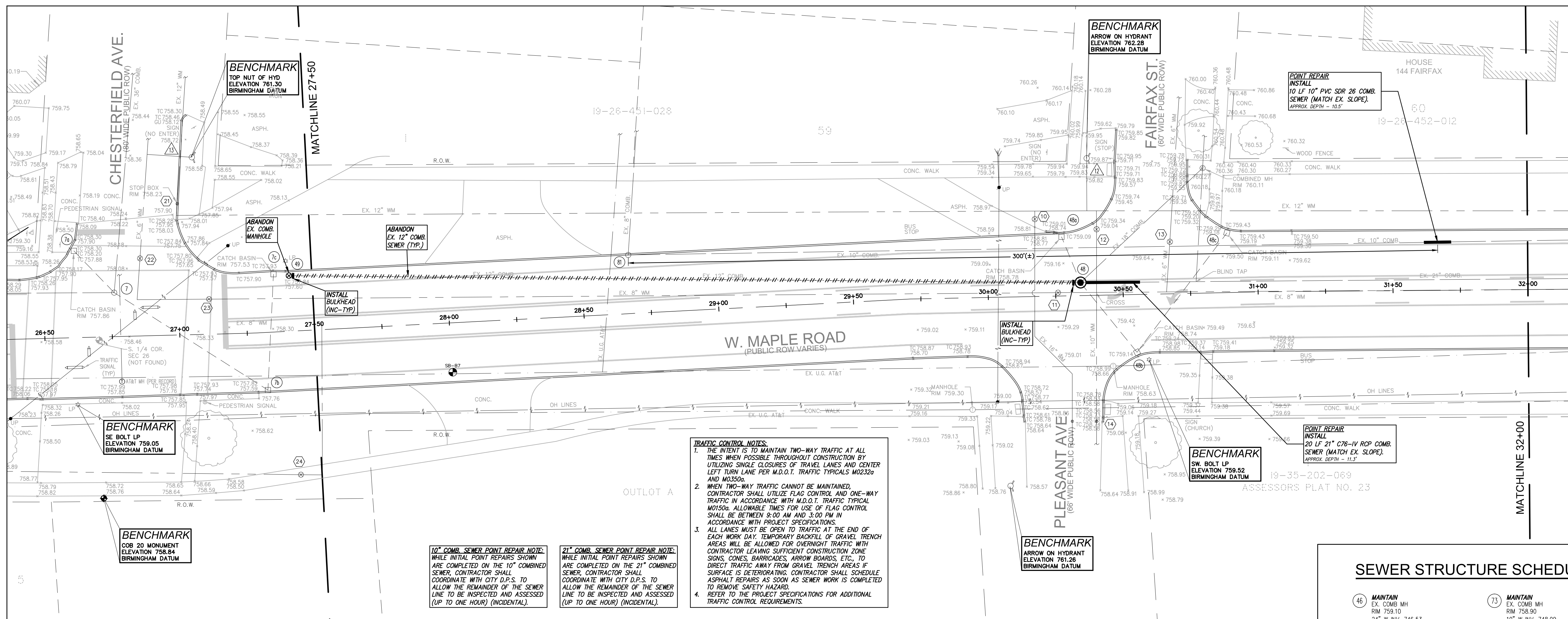
- These notes shall apply for all work within this contract:
- The contractor shall notify MISS DIG 1-800-482-7171 at least 3 working days excluding Saturday, Sunday, and Holidays before making any excavations and notify the City of Birmingham Engineering Department a minimum of 24 hours prior to the start of construction (248-530-1850).
 - See the City of Birmingham drawings "Sewer Standard Details" for details of manholes, catch basins, inlets, and related sewer work.
 - All excavation under or within three feet of pavement, public or private, shall be backfilled and compacted with sand.
 - 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.
 - The contractor shall be responsible for damage to existing utilities, pavement, trees, landscaping, gravel, etc., whether located on public or private property.
 - Catch basin and inlet castings scheduled for replacement, or new construction shall be EJIW 5000Z4 DI / 5000M4 DI Hinged Assembly unless specified otherwise. Manhole castings shall be EJIW 1040-A cover as noted on the detail sheets and plans, unless otherwise specified.
 - Storm and sewer trenches shall be backfilled with MDOT Class II sand and properly compacted to 95% of modified proctor density.
 - The contractor shall coordinate and cooperate with all other utility companies working in the same area, project related or not, during the same allotted construction period.
 - When flag control is needed, Contractor shall schedule work between 9:00 AM and 3:00 PM. Flag control costs shall be included in the "Traffic Maintenance and Control" pay item.

W. MAPLE ROAD SEWER IMPROVEMENTS
CONTRACT #1-16(S)



BENCHMARK NOTE
BENCHMARKS SET AND SHOWN PER SHEET WERE ESTABLISHED OFF OF THE CITY OF BIRMINGHAM BENCHMARK DATUM.

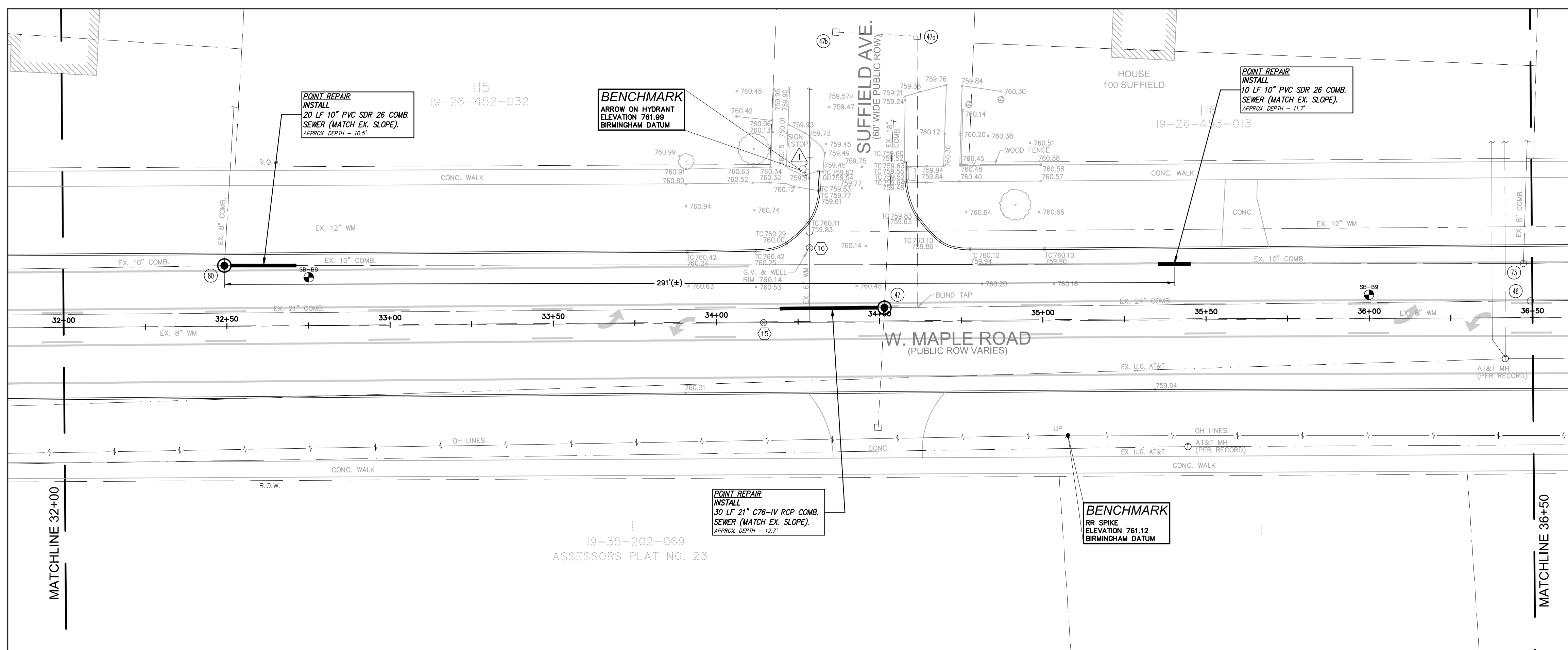
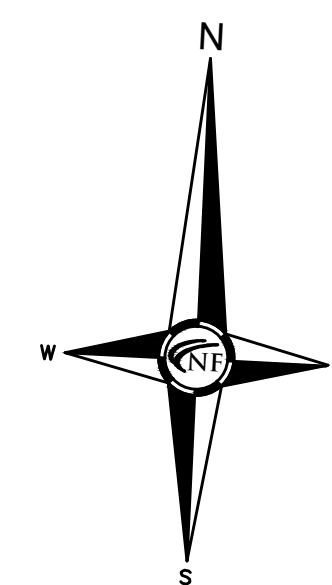
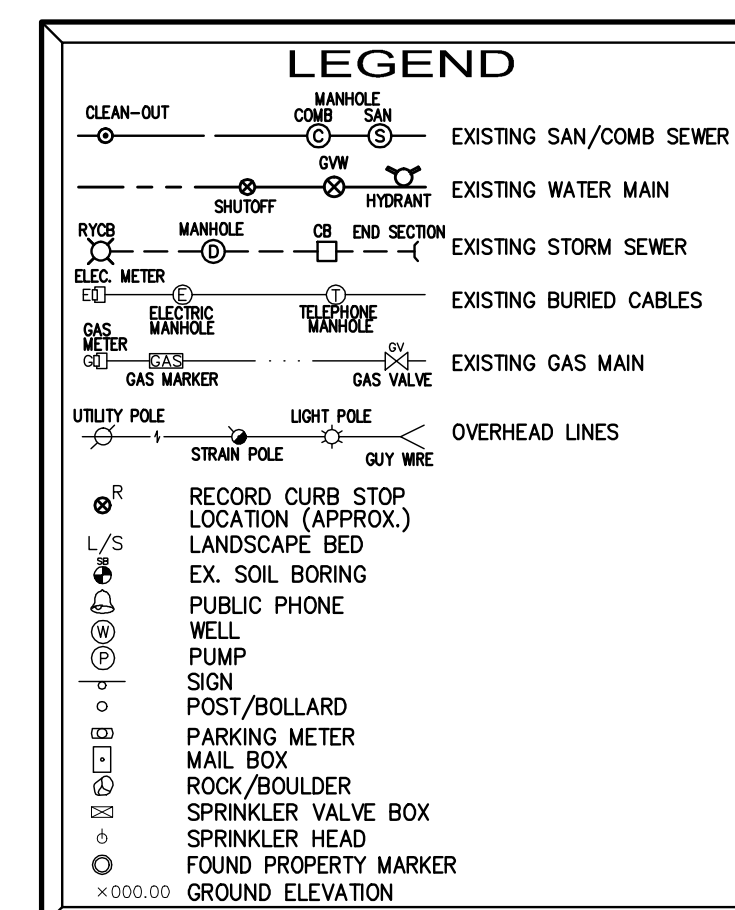
APPROVED _____ DATE _____

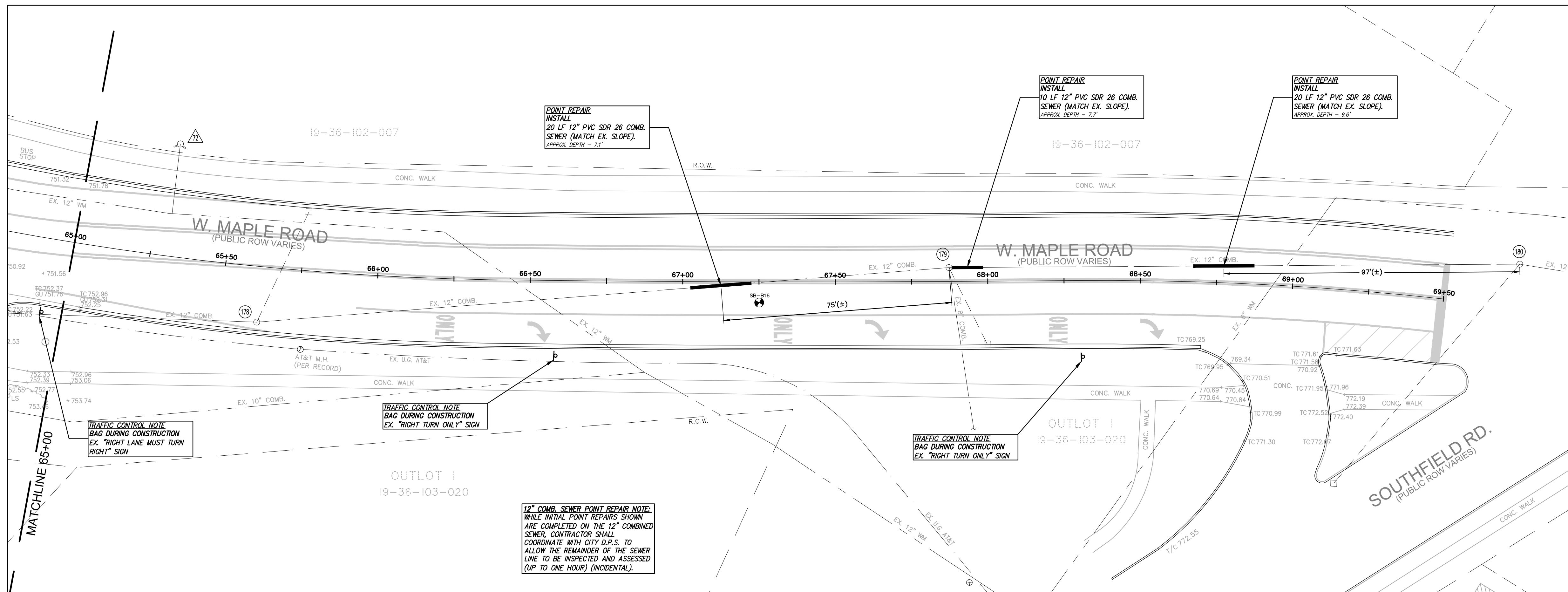
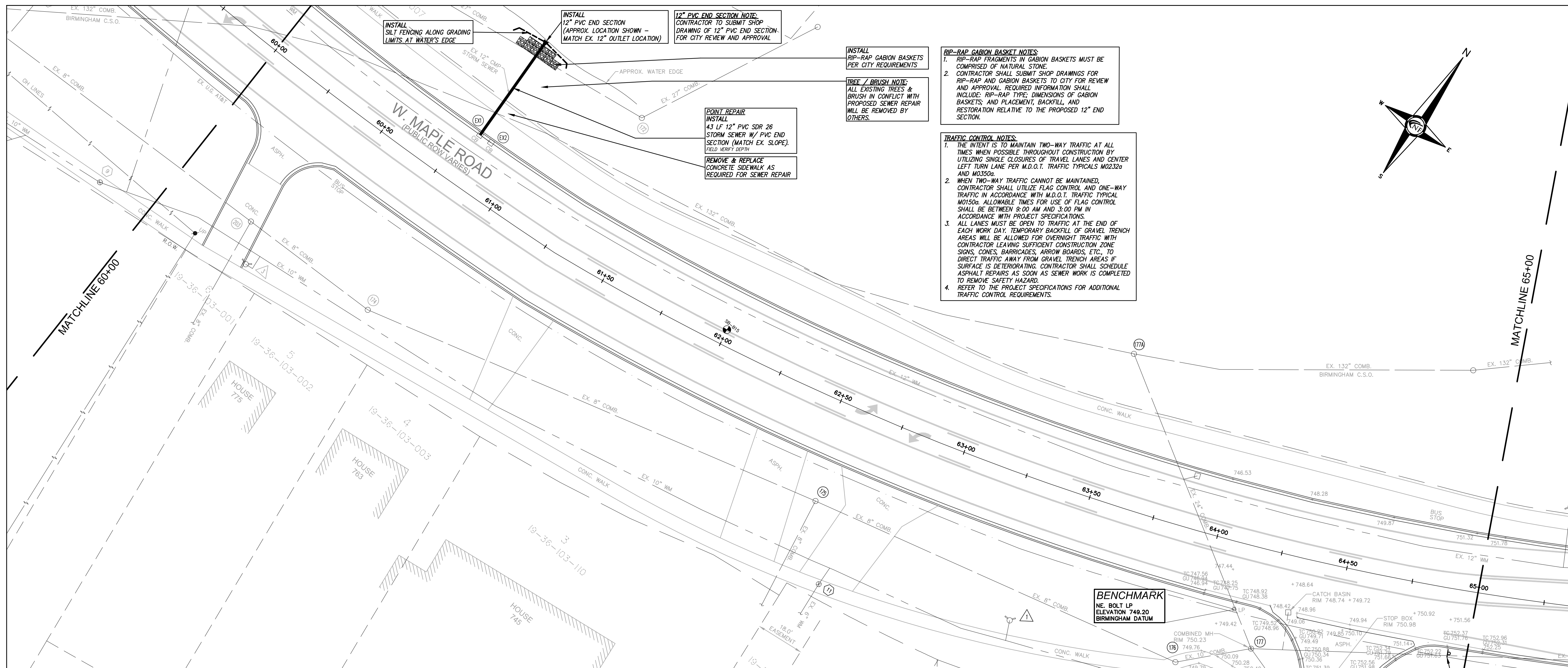


SEWER STRUCTURE SCHEDULE

- | | |
|--|--|
| <p>46 MAINTAIN
EX. COMB. MH
RIM 759.10
24" W INV. 746.53
10" E INV. 748.01
8" N INV. 748.57</p> <p>47 REMOVE & REPLACE
EX. COMB. MH
RIM 759.81
W/ 5' DIA. COMB. MH
PR. RIM 759.81 (MATCH EX)
10" W INV. 749.11 (RECONNECT)
24" E INV. 747.16 (RECONNECT)
18" N INV. 750.70 (RECONNECT)
S STM INV. (FIELD VERIFY) (RECONNECT)
PR. 21" W INV. 747.23</p> <p>48 REMOVE & REPLACE
EX. COMB. MH
RIM 759.05
W/ 5' DIA. COMB. MH
PR. RIM 759.05 (MATCH EX)
12" W INV. 753.18 (RECONNECT)
21" E INV. 747.80 (RECONNECT)
18" NE INV. 750.95 (RECONNECT)
NW 10" STM INV. (FIELD VERIFY) (RECONNECT)
SE 10" STM INV. (FIELD VERIFY) (RECONNECT)
PR. 21" E INV. 747.80</p> <p>49 ABANDON
EX. COMB. MH
RIM 757.60
12" E INV. 754.35± (FIELD VERIFY)</p> | <p>73 MAINTAIN
EX. COMB. MH
RIM 758.90
24" W INV. 748.09
10" E INV. 748.01
8" N INV. 750.27</p> <p>80 REMOVE & REPLACE
EX. COMB. MH
RIM 759.82
W/ 4' DIA. COMB. MH
PR. RIM 759.82 (MATCH EX)
10" W INV. 749.11 (RECONNECT)
24" E INV. 749.13 (RECONNECT)
18" N INV. 750.70 (RECONNECT)
S STM INV. (FIELD VERIFY) (RECONNECT)
PR. 10" E INV. 749.13</p> <p>81 MAINTAIN
EX. COMB. MH
RIM 758.00
10" E INV. 750.29
8" N INV. 750.37</p> |
|--|--|

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.





SEWER STRUCTURE SCHEDULE

(178) MAINTAIN EX. COMB. MH RIM 754.64 12" NE INV. 748.93 12" SW INV. 749.08	(179) PROTECT & MAINTAIN (RECONSTRUCT AS REQUIRED) EX. COMB. MH RIM 764.96 12" NE INV. 757.29 (REMOVE) 12" SW INV. 757.19 (MAINTAIN) 8" SE INV. 758.87 (MAINTAIN) PR. 12" NE INV. 757.29
(EX) PROTECT & MAINTAIN EX. CATCH BASIN RIM FIELD VERIFY 12" E INV. FIELD VERIFY (MAINTAIN) 12" N INV. FIELD VERIFY (REMOVE) PR. 12" N INV. (MATCH EX)	(180) MAINTAIN EX. COMB. MH RIM 774.12 12" E INV. 763.20 12" SW INV. 763.01
(EX2) PROTECT & MAINTAIN EX. CATCH BASIN RIM FIELD VERIFY 12" W INV. FIELD VERIFY (MAINTAIN)	

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	
CLEAN-OUT	EXISTING SAN/COMB. SEWER
MANHOLE	EXISTING WATER MAIN
END SECTION	EXISTING STORM SEWER
BURIED CABLE	EXISTING BURIED CABLES
EXISTING GAS MAIN	EXISTING GAS MAIN
OVERHEAD LINES	OVERHEAD LINES
RECORD CURB STOP LOCATION (APPROX.)	
LANDSCAPE BED	
EX. SOIL BORING	
PUBLIC PHONE WELL	
PUMP SIGN	
POST/BOLLARD	
PARKING METER	
MAIL BOX	
ROCK/BOULDER	
SPRINKLER VALVE BOX	
SPRINKLER HEAD	
FOUND PROPERTY MARKER	
GROUND ELEVATION	

GENERAL NOTES

- ALL PAVEMENT TO BE REMOVED FOR SEWER REPAIRS SHALL BE SAWCUT FULL DEPTH.
- ALL TREES 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.
- IF THE CONTRACTOR HAS MULTIPLE CREWS WORKING THAT REQUIRES MULTIPLE CITY INSPECTORS ON A GIVEN WORK DAY, THE PAY ITEM "INSPECTOR CREW DAYS" SHALL BE MULTIPLIED BY THE CORRESPONDING NUMBER OF INSPECTORS REQUIRED DURING SAID WORK DAY.

PAVING NOTES

- PAVEMENT SHALL BE OF THE TYPE, THICKNESS AND CROSS SECTION AS INDICATED ON THE PLANS AND AS FOLLOWS:

CONCRETE FLATWORK: AGGREGATE BASE: CLASS II SAND PER M.D.O.T. SPECIFICATIONS
CONCRETE MIX: PORTLAND CEMENT TYPE IA (AIR-ENTRAINED), WITH A MINIMUM CEMENT CONTENT OF SIX SACKS PER CUBIC YARD, MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3,500 PSI AND A SLUMP OF 1.5 TO 3 INCHES.

ALL CONCRETE PAVEMENT AND FLATWORK MIXES USED ON THIS PROJECT SHALL COMPLY WITH A MINIMUM GROUND GRANULATED BLAST-FURNACE SLAG (GGBS) SUBSTITUTION OF THIRTY-FIVE (35) PERCENT SUBJECT TO SEASONAL LIMITATIONS PER THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) STANDARD SPECIFICATIONS FOR CONSTRUCTION, 2003 EDITION.

ASPHALT: AGGREGATE BASE - 21AA CRUSHED LIMESTONE AGGREGATE (8" THICK)

BASE COURSE - MDOT HMA MIXTURE NO. 2C (MAX. APPLICATION RATE 330 POUNDS PER SQUARE YARD)

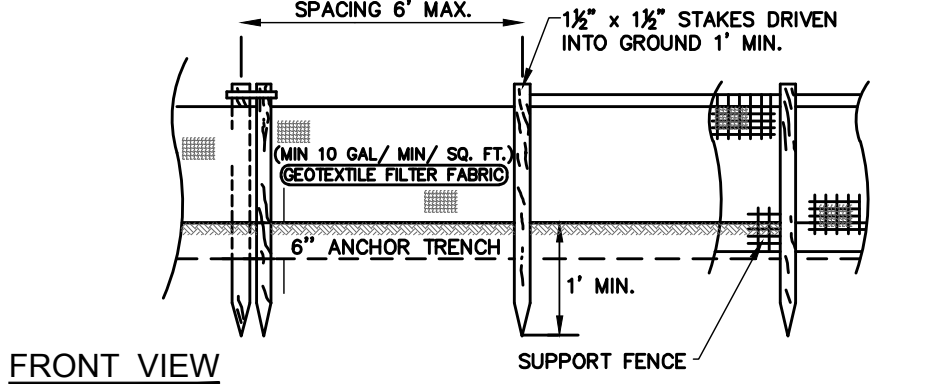
LEVELING COURSE - MDOT HMA MIXTURE NO. 3C (MAX. APPLICATION RATE 220 POUNDS PER SQUARE YARD)

SURFACE COURSE - MDOT HMA MIXTURE NO. 13A (MAX. APPLICATION RATE 165 POUNDS PER SQUARE YARD)

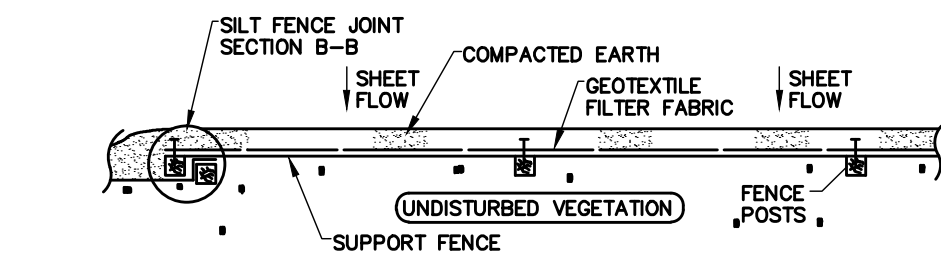
BOND COAT - MDOT SS-1H EMULSION AT 0.10 GALLON PER SQUARE YARD
- PAVEMENT BASE SHALL BE COMPACTED TO 95% OF THE MAXIMUM DENSITY (MODIFIED PROCTOR) PRIOR TO PLACEMENT OF PROPOSED PAVEMENT. EXISTING SUB-BASE SHALL BE PROOF-ROLLED IN THE PRESENCE OF THE ENGINEER TO DETERMINE STABILITY.
- ALL CONCRETE SIDEWALK INSTALLATIONS SHALL BE SPRAY CURED WITH WHITE MEMBRANE CURING COMPOUND IMMEDIATELY FOLLOWING FINISHING OPERATION.
- ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF BIRMINGHAM AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION, 2012 EDITION.
- FOR ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY, THE CONTRACTOR SHALL PAY FOR AND SECURE ALL NECESSARY PERMITS AND LIKEWISE ARRANGE FOR ALL INSPECTION.
- ALL PAVEMENT AREAS SHALL BE PROOF-ROLLED UNDER THE SUPERVISION OF A GEOTECHNICAL ENGINEER PRIOR TO THE PLACEMENT OF BASE MATERIALS AND PAVING MATERIALS.
- 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.
- R.A.P. NOT ALLOWED IN SURFACE / TOP COURSE OF ASPHALT.

STORM SEWER NOTES (where applicable)

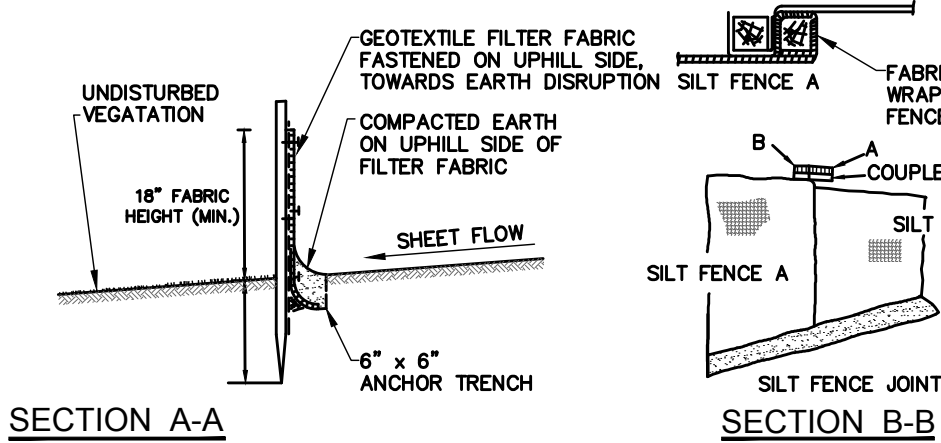
- ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY. THE MUNICIPALITY STANDARD NOTES, DETAILS AND SPECIFICATIONS SHALL BE INCORPORATED AS PART OF THESE PLANS.
- ALL STORM SEWER TRENCHES UNDER OR WITHIN THREE (3) FEET OF EXISTING OR PROPOSED PAVEMENT SHALL BE BACK FILLED WITH MDOT CLASS II MATERIAL (SAND) AND BE MACHINE COMPACTED TO A MINIMUM OF % OF THE MATERIAL'S MAXIMUM DENSITY. PAVEMENT SHALL INCLUDE PARKING LOTS, DRIVE APPROACHES, 95 CURB & GUTTER AND ADJACENT WALKS.
- ALL STORM SEWER PIPE SHALL BE INSTALLED ON CLASS "B" BEDDING OR BETTER UNLESS OTHERWISE INCLUDED ON THE PLANS.
- STORM SEWER SHALL BE OF THE TYPE, SIZE & CLASS DESIGNATION INDICATED ON THE PLANS AND LIKEWISE BE INSTALLED AT THE PROPOSED LINE & GRADE INDICATED.
- ALL STORM SEWER PIPE SHALL BE REINFORCED CONCRETE PIPE CONFORMING TO ASTM SPECIFICATION C-76 CL IV OR PVC SDR 26, AS INDICATED ON THE PLANS.
- ALL MAN HOLE, CATCH BASIN, INLET, REAR YARD DRAINAGE STRUCTURES AND COVERS SHALL BE AS INDICATED ON THE PLANS AND CONSTRUCTED IN ACCORDANCE WITH MUNICIPALITY STANDARDS.
- THE CONTRACTOR SHALL NOTIFY MISS DIG (1-800-482-7171) A MINIMUM OF THREE (3) WORKING DAYS PRIOR TO THE START OF CONSTRUCTION.
- THE CONTRACTOR SHALL PAY FOR AND SECURE ALL NECESSARY PERMITS AND LIKEWISE ARRANGE FOR ALL SITE INSPECTIONS.



FRONT VIEW



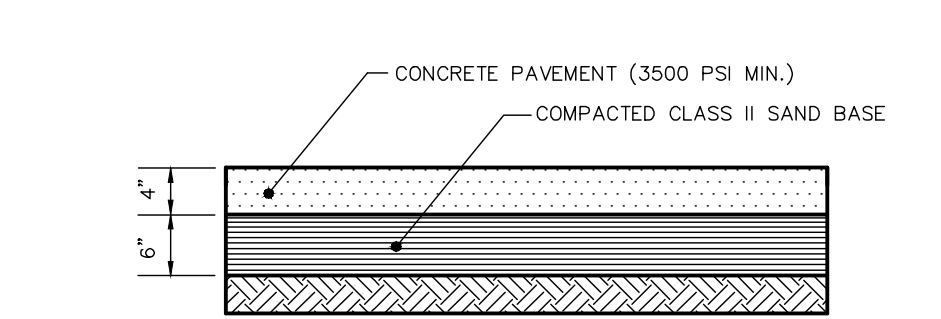
PLAN VIEW



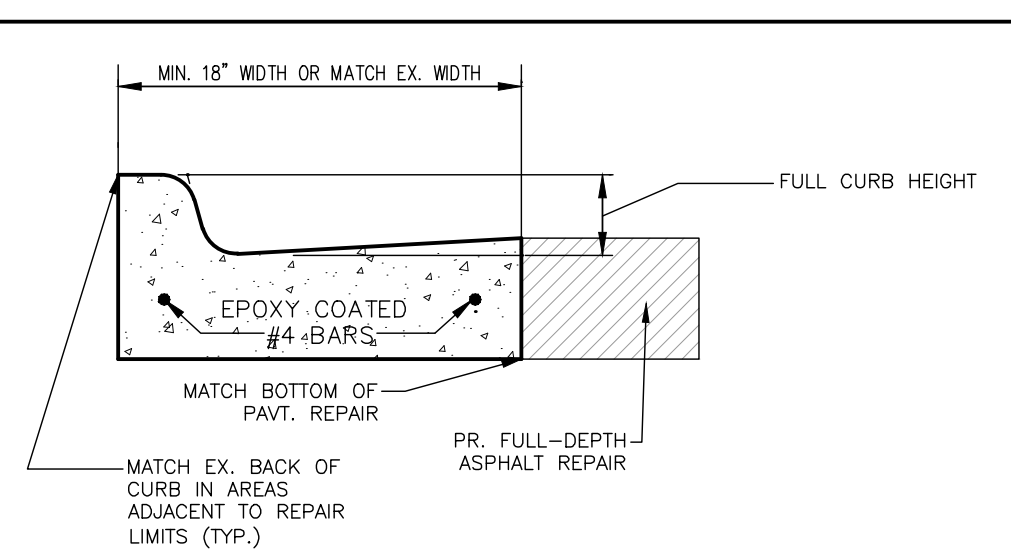
SECTION A-A



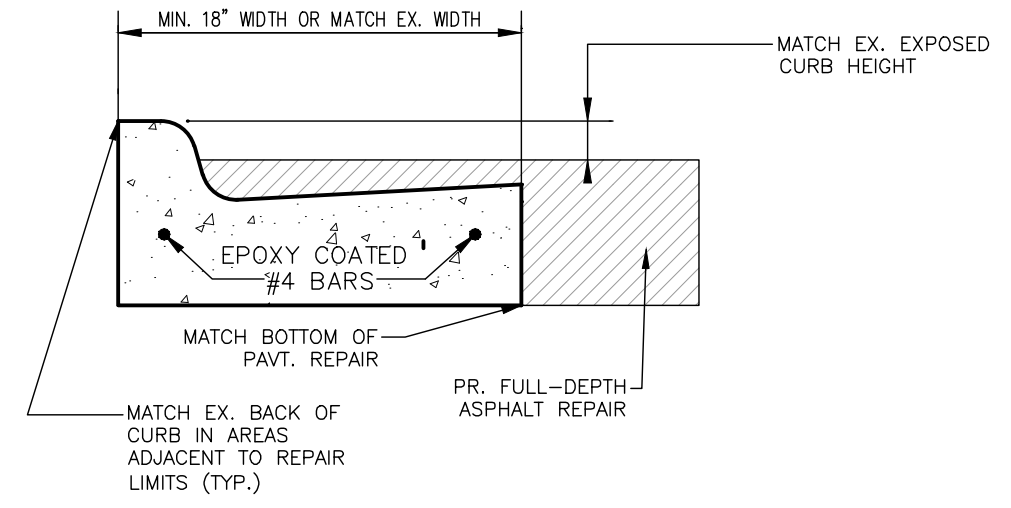
SILT FENCE DETAIL
N.T.S.



4" CONCRETE SIDEWALK SECTION
FOR SIDEWALK REPLACEMENTS/INSTALLATIONS
N.T.S.

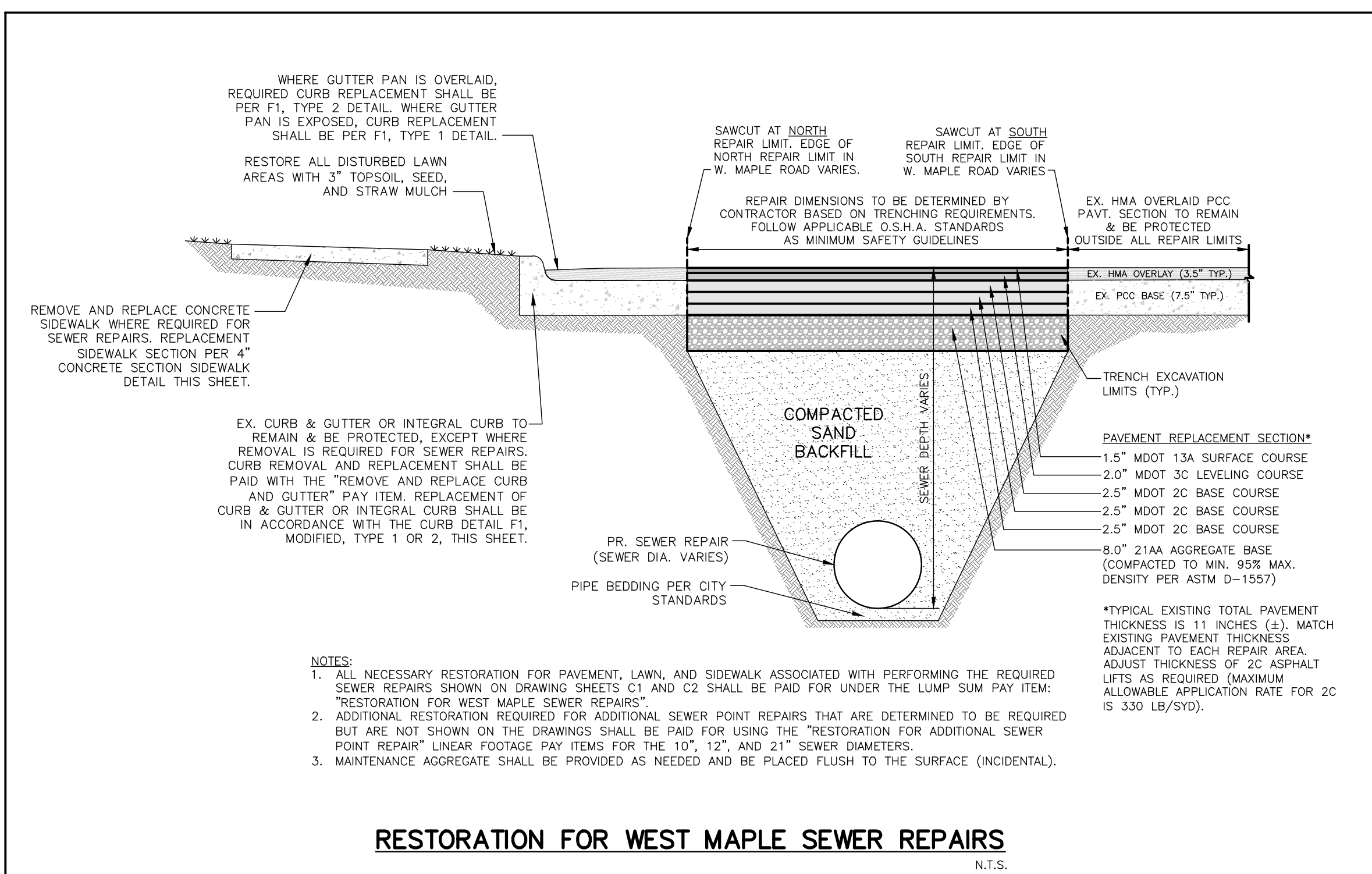


CURB AND GUTTER, CONC.
DETAIL F1 MODIFIED, TYPE 1
N.T.S.



CURB AND GUTTER, CONC.
DETAIL F1 MODIFIED, TYPE 2
N.T.S.

- NOTES:
- ALL PROPOSED CURB & GUTTER REPLACEMENTS SHALL MATCH EXISTING CURB HEIGHT.
 - PREPARE THE EXISTING AGGREGATE SUBBASE LAYER BELOW CURB AND GUTTER BY CONDITIONING, GRADING, AND/OR RE-SHAPING THE SUBBASE, AND FURNISHING, PLACING, AND COMPACTING SUPPLEMENTAL 21AA AGGREGATE BASE TO ACHIEVE PROPOSED PLAN GRADE. ALL NECESSARY PREPARATION WORK LISTED ABOVE IS INCLUDED IN THE "REMOVE & REPLACE" CURB AND GUTTER PAY ITEM.



- NOTES:
- ALL NECESSARY RESTORATION FOR PAVEMENT, LAWN, AND SIDEWALK ASSOCIATED WITH PERFORMING THE REQUIRED SEWER REPAIRS SHOWN ON DRAWING SHEETS C1 AND C2 SHALL BE PAID FOR UNDER THE LUMP SUM PAY ITEM: "RESTORATION FOR WEST MAPLE SEWER REPAIRS"
 - ADDITIONAL RESTORATION REQUIRED FOR ADDITIONAL SEWER POINT REPAIRS THAT ARE DETERMINED TO BE REQUIRED BUT ARE NOT SHOWN ON THE DRAWINGS SHALL BE PAID FOR USING THE "RESTORATION FOR ADDITIONAL SEWER POINT REPAIR" LINEAR FOOTAGE PAY ITEMS FOR THE 10", 12", AND 21" SEWER DIAMETERS.
 - MAINTENANCE AGGREGATE SHALL BE PROVIDED AS NEEDED AND BE PLACED FLUSH TO THE SURFACE (INCIDENTAL).

RESTORATION FOR WEST MAPLE SEWER REPAIRS

N.T.S.

NO.	ITEM DESCRIPTION	PAY UNIT	SHEET C1 QUANTITY	SHEET C2 QUANTITY	TOTAL QUANTITY
SEWER PAY ITEMS					
1	Sewer Point Repair, 21" Diameter, C76, CL-IV, Trench A	LF	50	0	50
2	Sewer Point Repair, 12" Diameter, PVC SDR 26, Trench A	LF	0	93	93
3	Sewer Point Repair, 10" Diameter, PVC SDR 26, Trench A	LF	40	0	40
4	Additional Sewer Point Repair, 21" Diameter, C76, CL-IV, Trench A	LF	0	0	60
5	Additional Sewer Point Repair, 12" Diameter, PVC SDR 26, Trench A	LF	0	0	60
6	Additional Sewer Point Repair, 10" Diameter, PVC SDR 26, Trench A	LF	0	0	60
7	New 5'-0" Diameter Manhole	EA	2	0	2
8	New 4'-0" Diameter Manhole	EA	1	0	1
9	New 12" Diameter PVC End Section	EA	0	1	1
10	Reconstruct Manhole (if and where needed)	VF	0	0	10
11	Remove & Replace Structure Cover (as directed by City)	LB	0	0	1,000
12	Remove Ex. Manhole	EA	3	0	3
13	Abandon Ex. Manhole	EA	1	0	1
14	Abandon Ex. 12" Sewer (Including All Bulkheads)	LF	290	0	290
SUBTOTAL SEWER PAY ITEMS					
PAVING PAY ITEMS					
15	Restoration for West Maple Sewer Repairs	LS	0	0	1
16	Restoration for Additional Sewer Point Repair, 21"	LF	0	0	60
17	Restoration for Additional Sewer Point Repair, 12"	LF	0	0	60
18	Restoration for Additional Sewer Point Repair, 10"	LF	0	0	60
19	Remove & Replace Concrete Curb & Gutter	LF	0	0	80
SUBTOTAL PAVING PAY ITEMS					
GENERAL PAY ITEMS					
20	Traffic Maintenance & Control	LS	0	0	1
21	Traffic Maintenance & Control for Additional Sewer Repairs, All Sizes	LF	0	0	180
22	Pavement Striping & Marking Restoration	LS	0	0	1
23	Pavement Striping & Marking Restoration for Additional Sewer Point Repair, 21"	LF	0	0	60
24	Pavement Striping & Marking Restoration for Additional Sewer Point Repair, 12"	LF	0	0	60
25	Pavement Striping & Marking Restoration for Additional Sewer Point Repair, 10"	LF	0	0	60
26	Rip-Rap Gabion Basket	SF	0	80	80
27	Soil Erosion Fence	LF	0	25	25
28	Water & Sewer Allowance	LS	0	0	1

ESTIMATED QUANTITIES



NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

PROJECT

W. Maple Road
Sewer Improvements
Contract #1-16(S)

CLIENT



Engineering Department
151 Martin Street
Birmingham, MI 48012

PROJECT LOCATION

Part of the North 1/2 of
Sections 35 & 36, Town 2
North, Range 10 East, City
of Birmingham, Oakland
County, Michigan

SHEET

Notes, Details & Quantities



Know what's below
Call before you dig.

REVISIONS

01-13-16 City Review
01-18-16 Issued for Bids

DRAWN BY:

R. Peery

DESIGNED BY:

P. Tulikangas

APPROVED BY:

B. Buchholz

DATE:

01/06/16

SCALE:

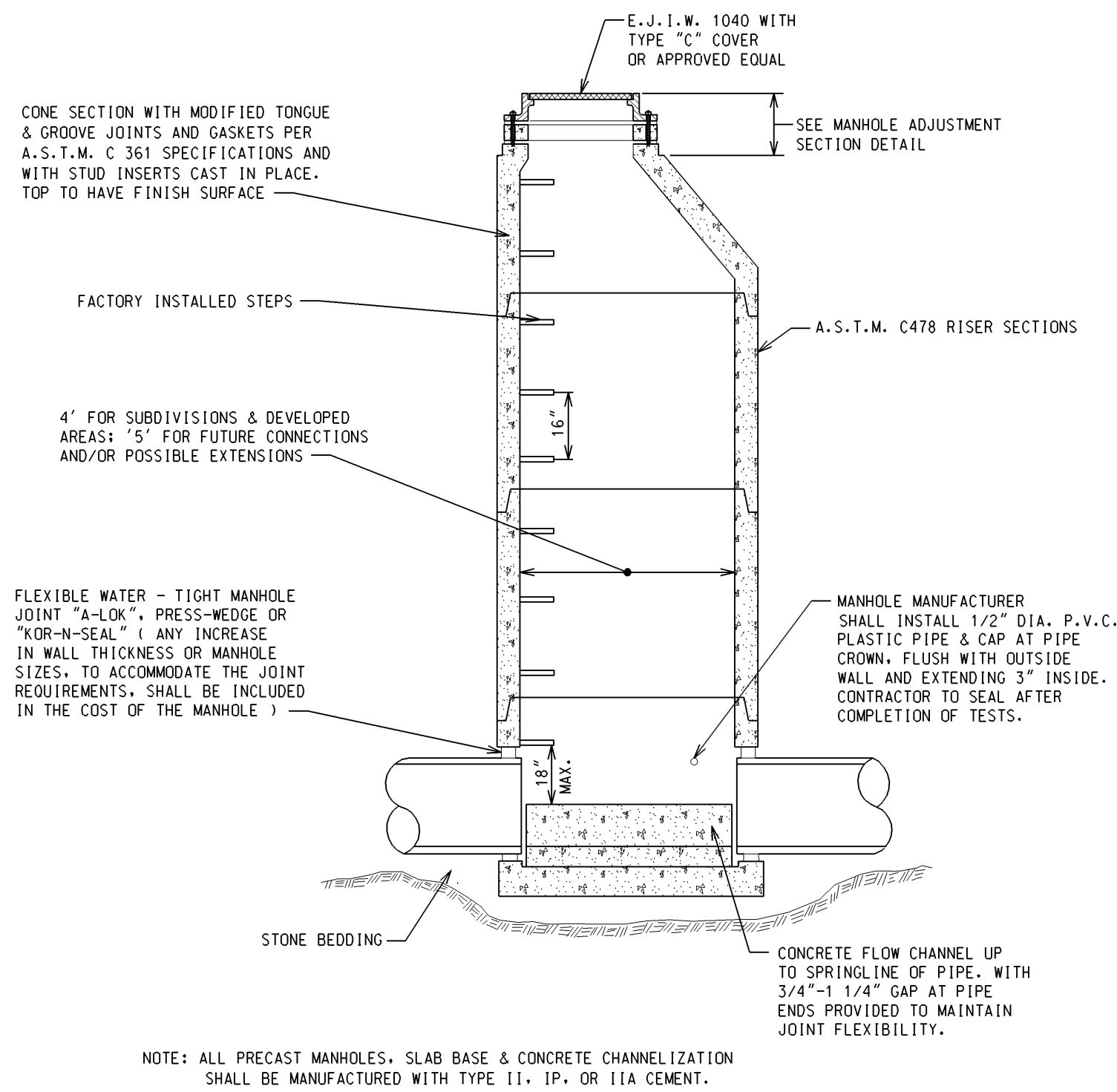
N.T.S.

NFE JOB NO.

1380

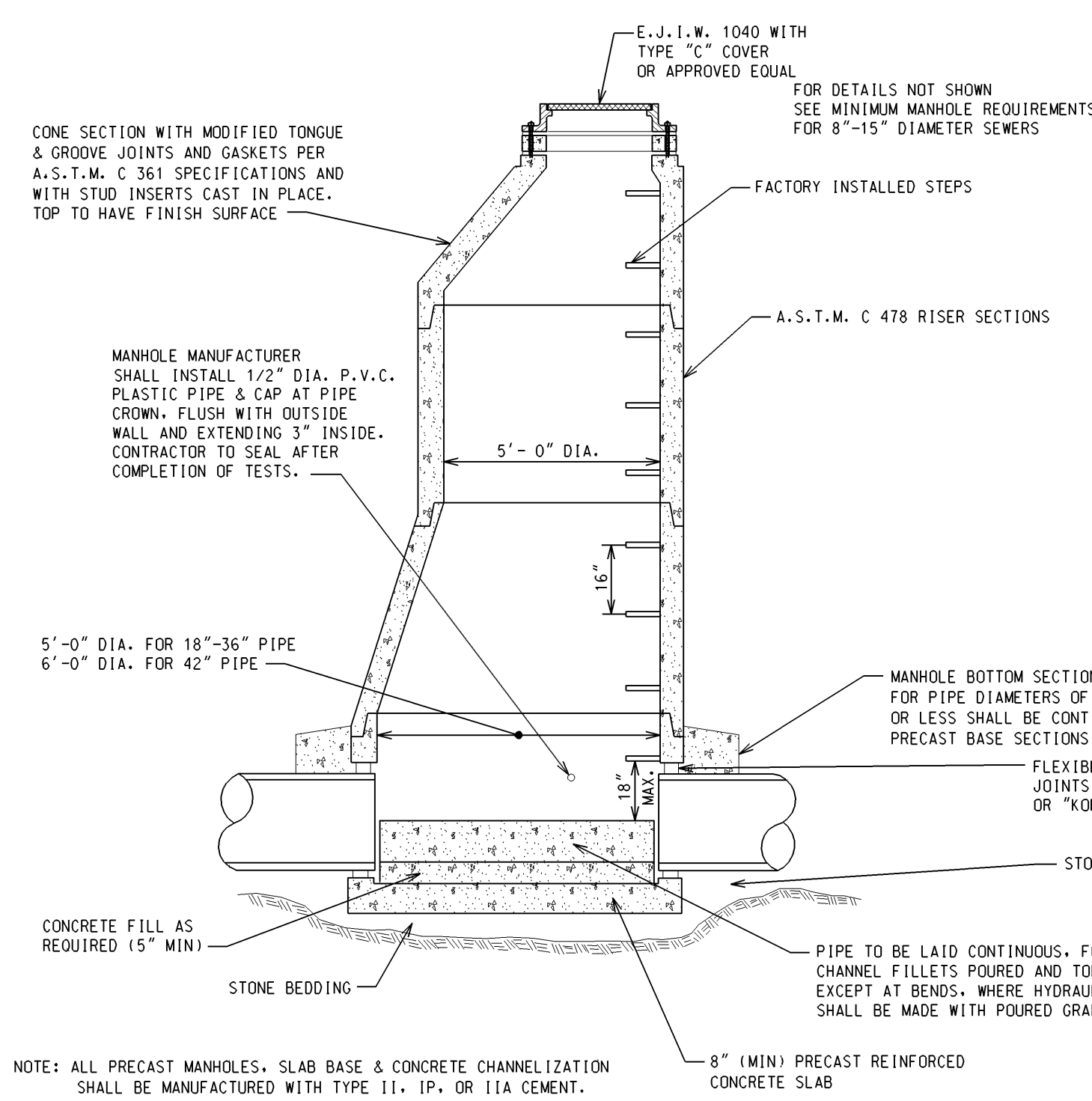
SHEET NO.

C3



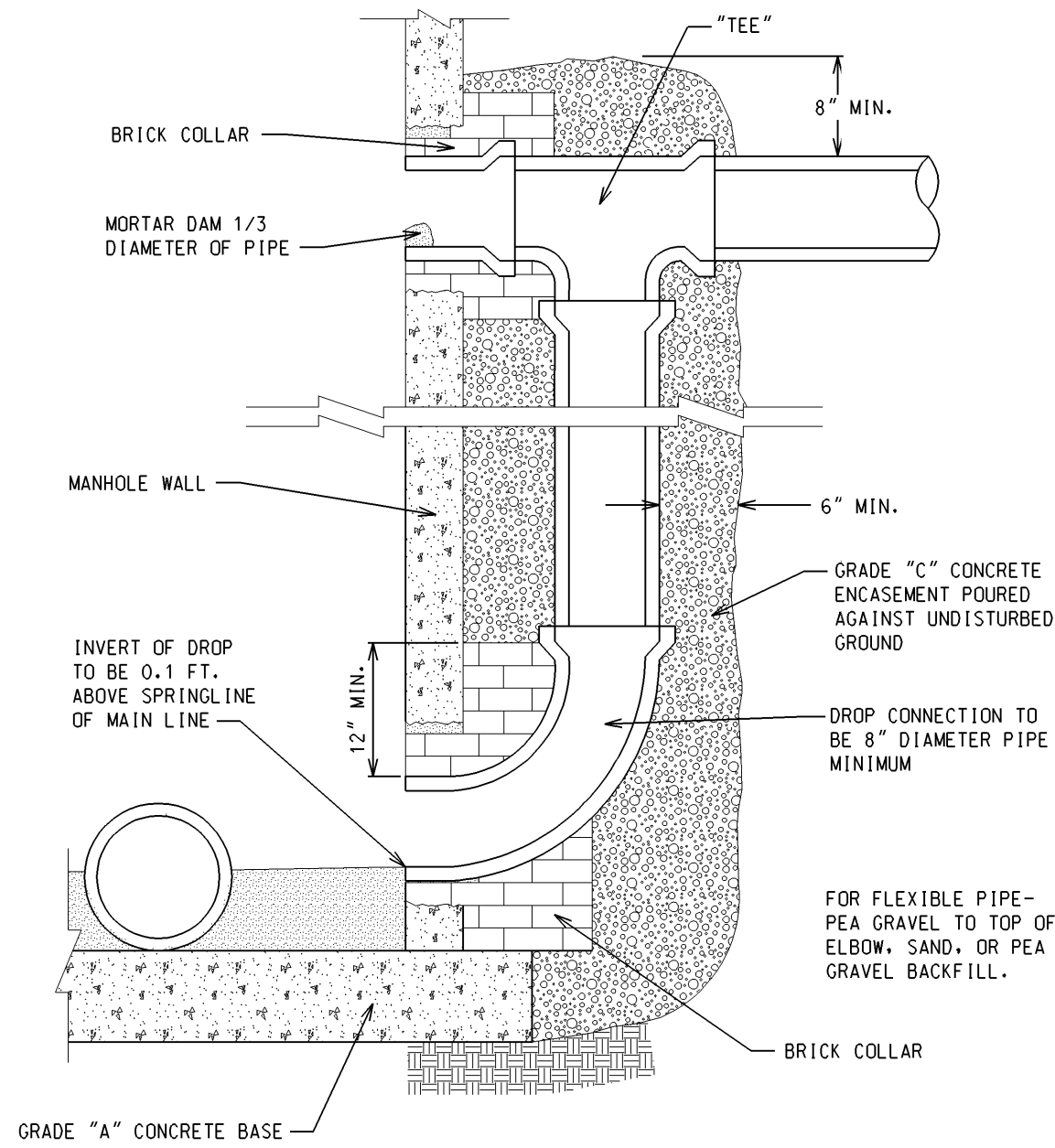
SEWER MANHOLE

(8" THRU 15" DIA. SEWERS)

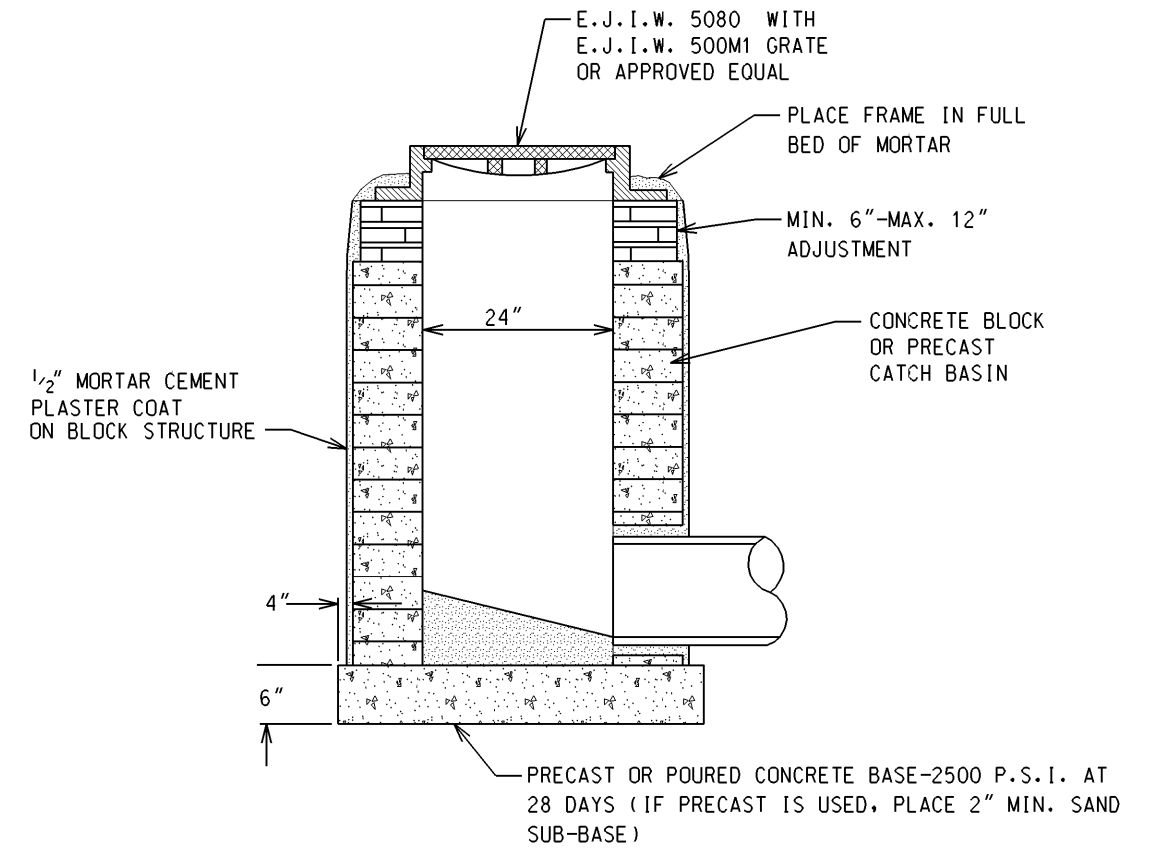


SEWER MANHOLE

(18" THRU 42" DIA. SEWERS)

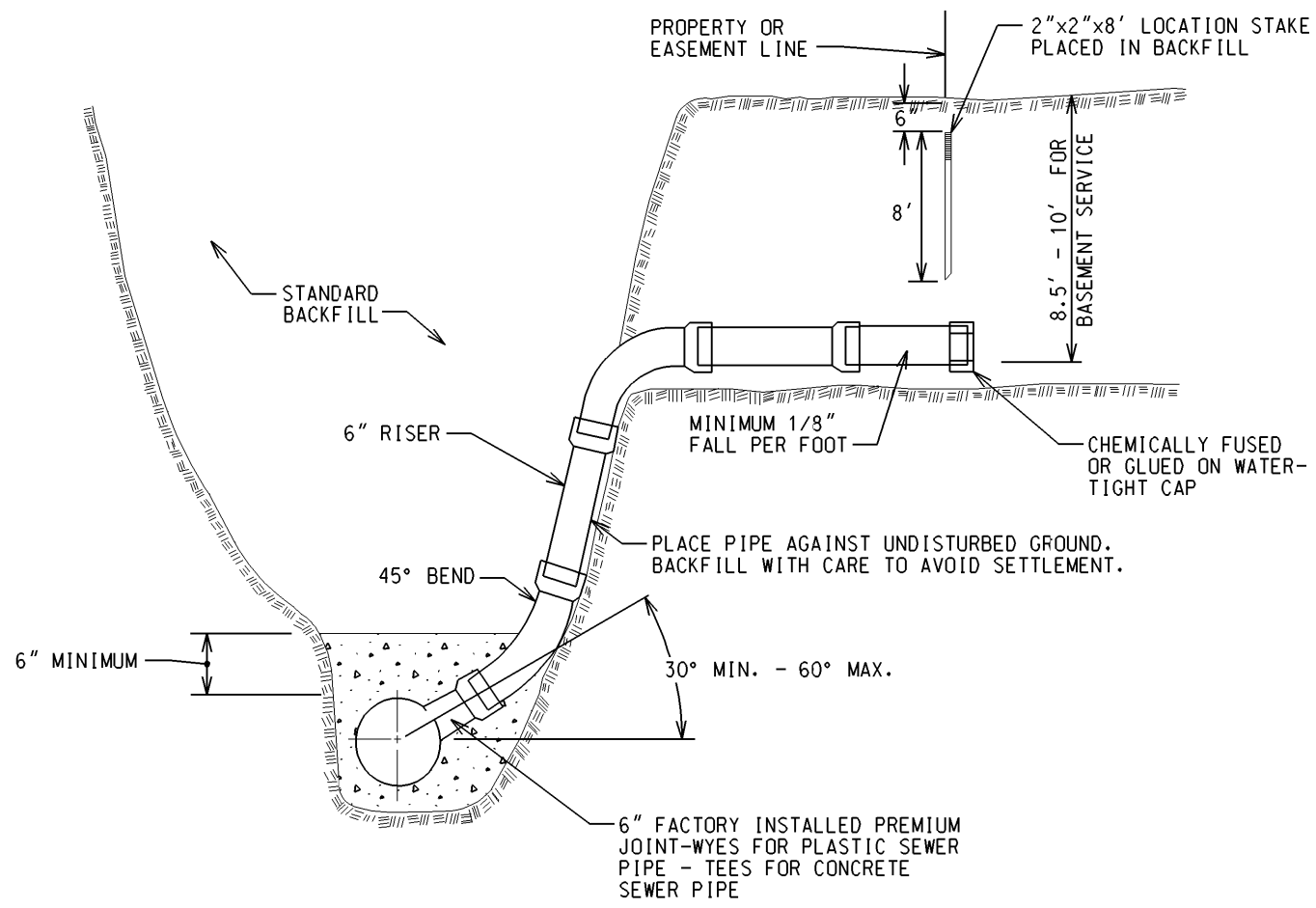


EXTERNAL DROP CONNECTION



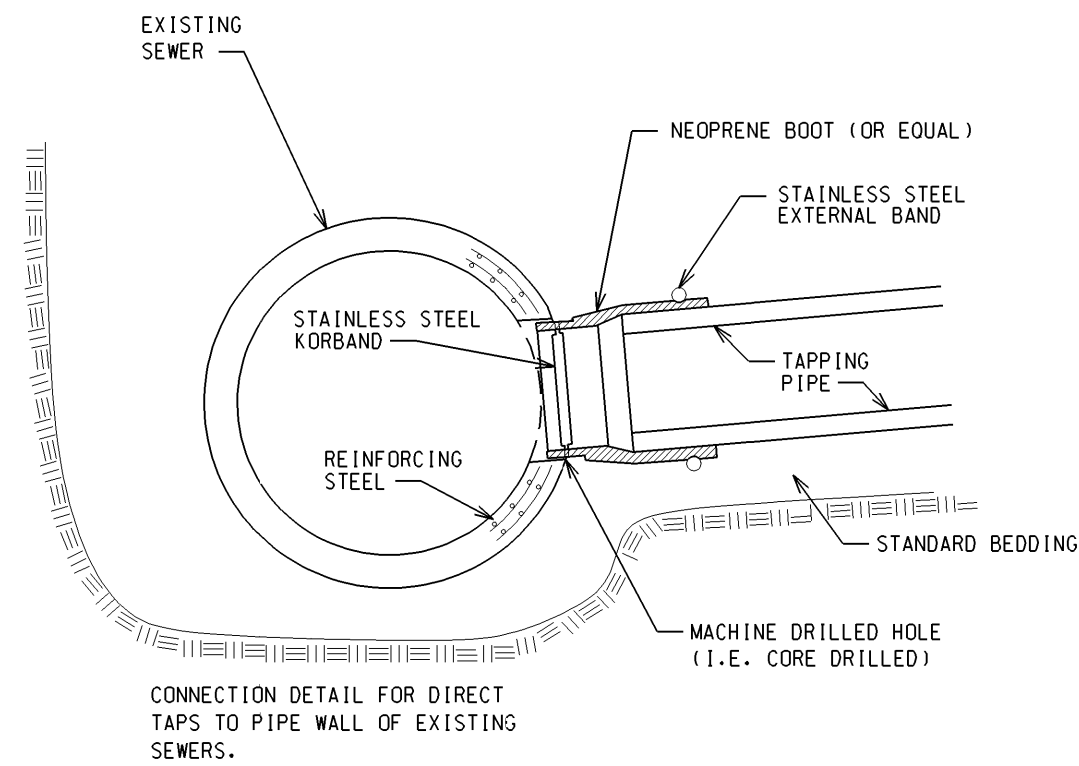
2 FT. DIAMETER INLET

NOTE: FOR CATCH BASINS OR INLETS WITHIN YARD AREAS USE E.J.I.W. 1040 WITH TYPE "N" COVER OR APPROVED EQUAL



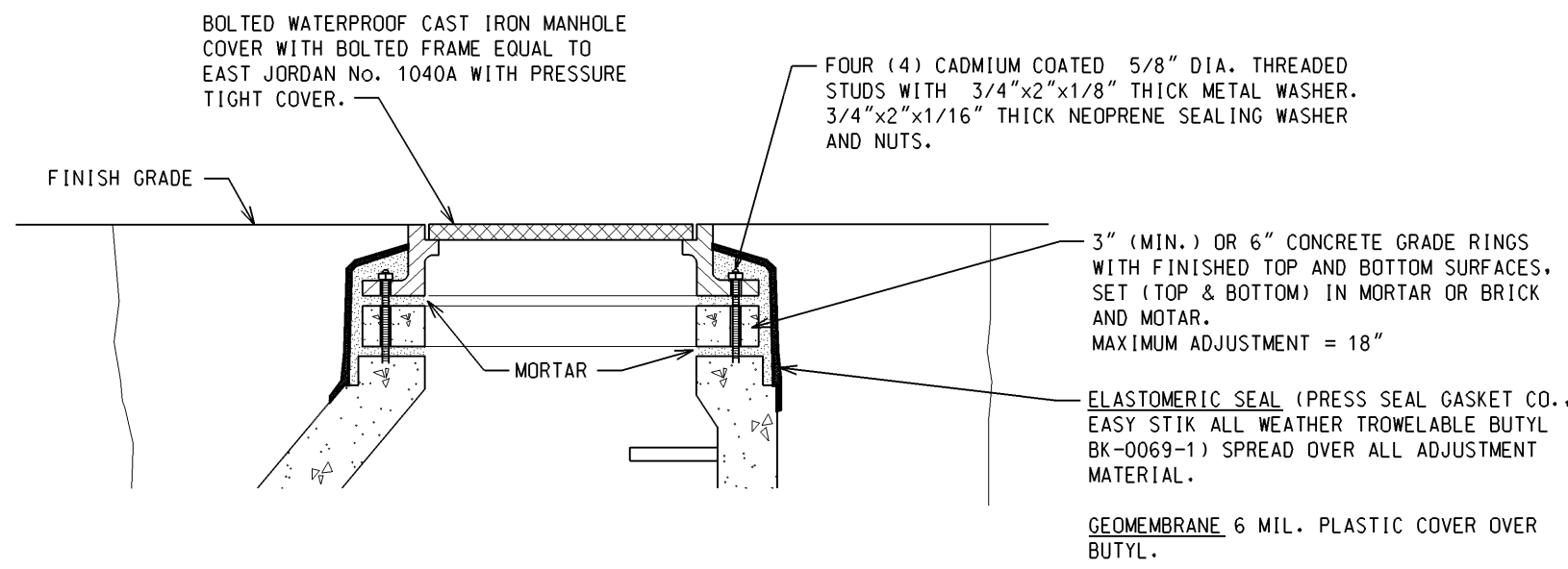
BUILDING LEAD DETAIL

0" - 15" COVER

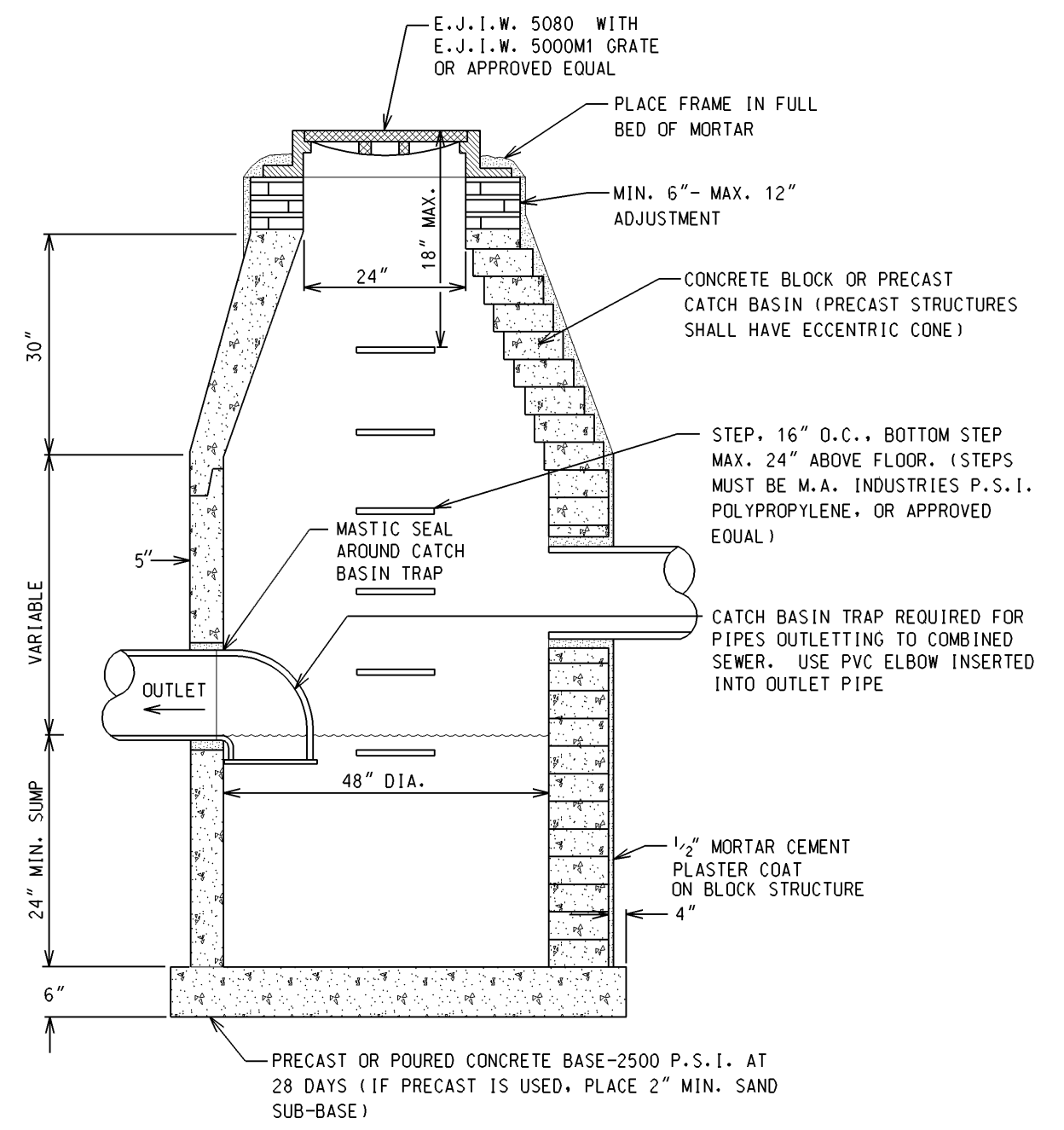


KOR-N-TEE TAP FOR CONCRETE

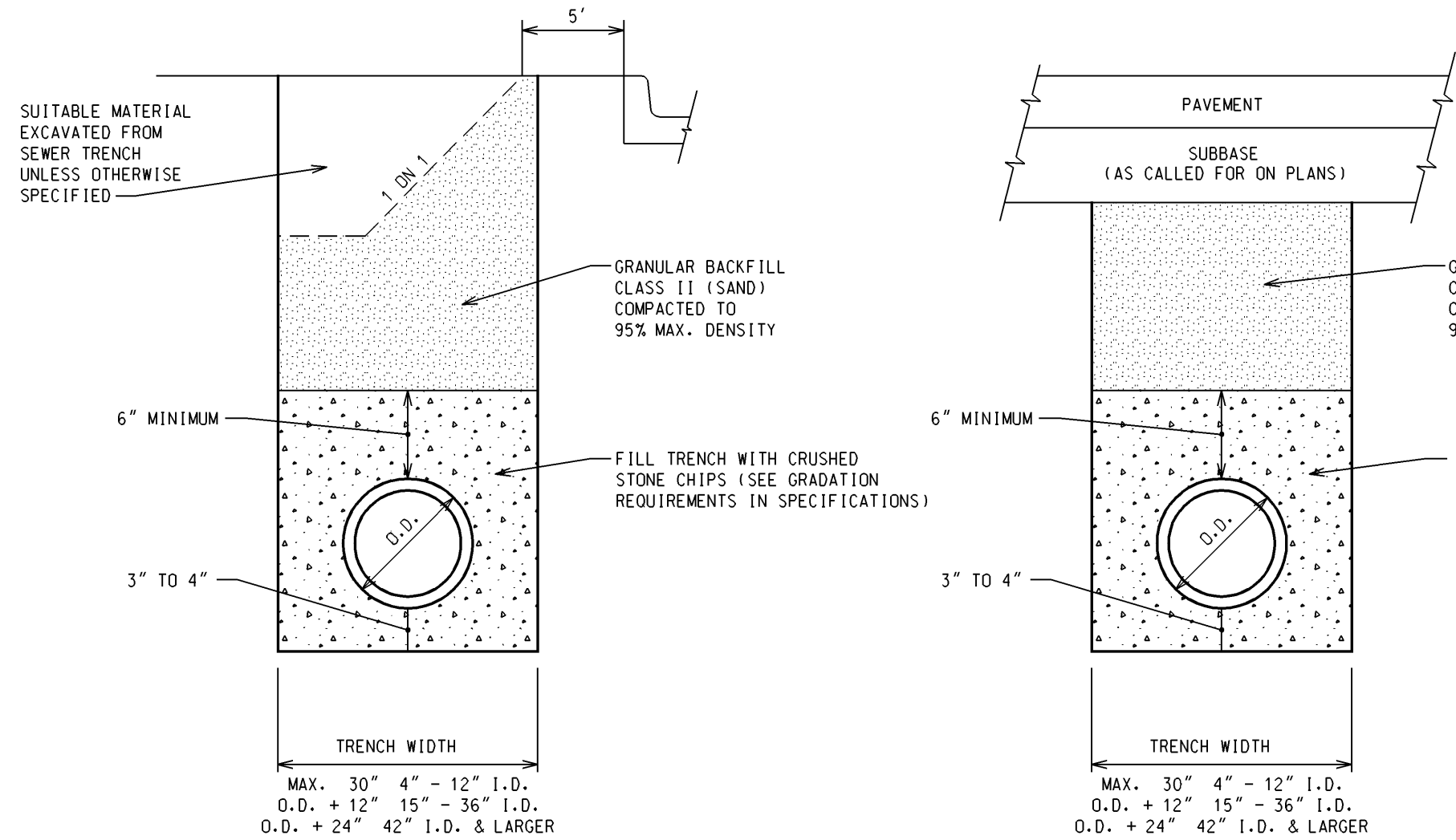
NO SCALE



SANITARY MANHOLE ADJUSTMENT SECTION DETAIL



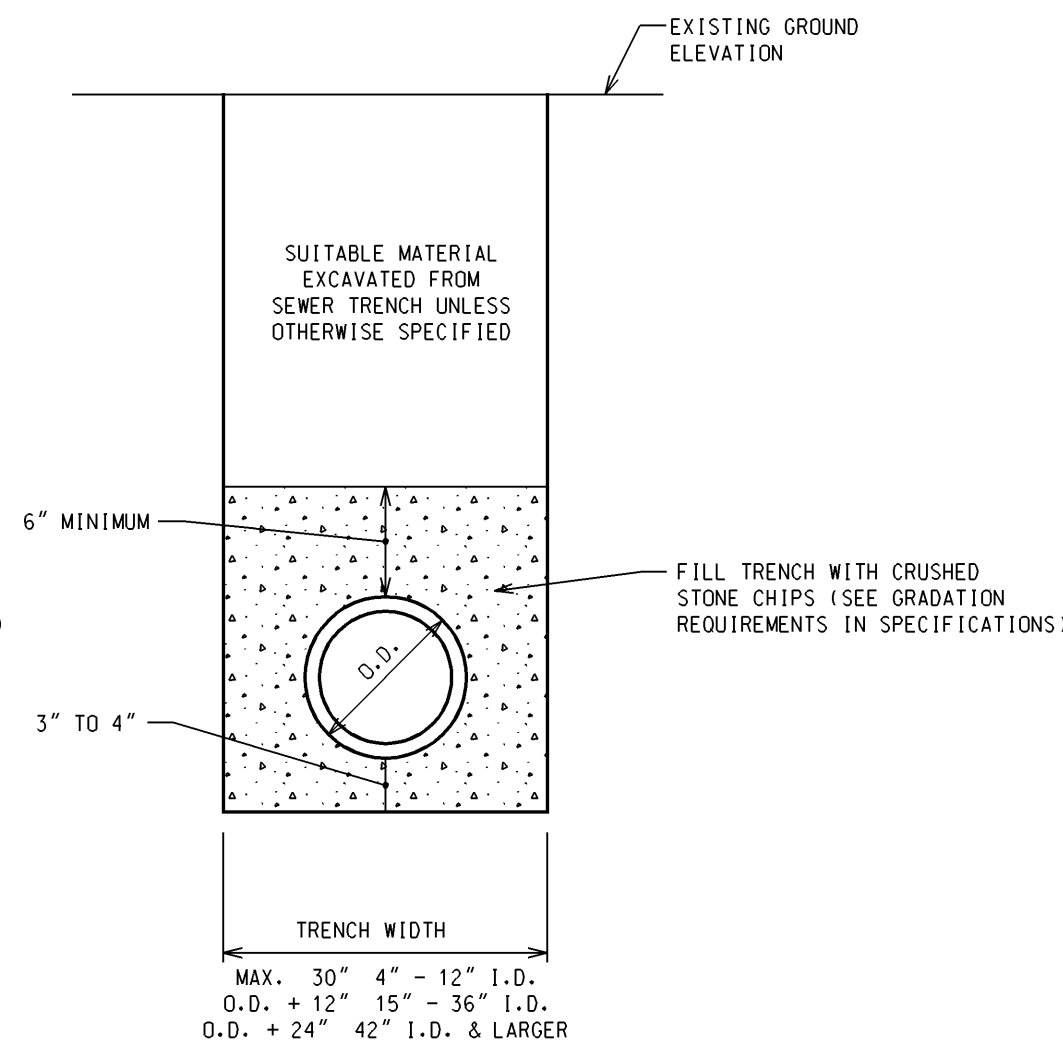
4 FT. DIAMETER CATCH BASIN



TRENCH DETAIL "A"

SEWER UNDER ROAD BED OR WITHIN THE INFLUENCE OF ROAD BED

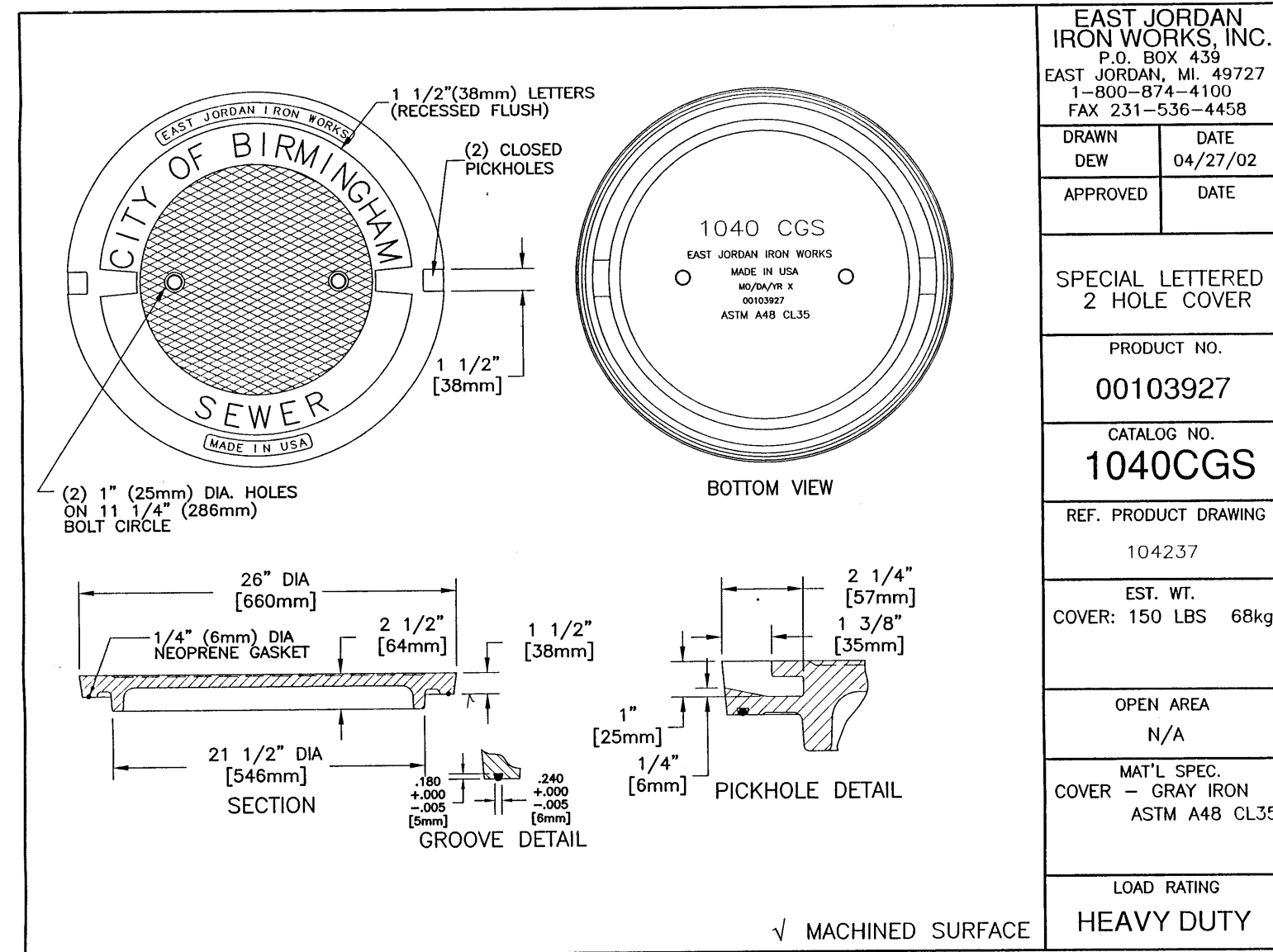
NOT TO SCALE



TRENCH DETAIL "B"

SEWER NOT UNDER ROAD BED

NOT TO SCALE



151 MARTIN STREET BIRMINGHAM, MICHIGAN 48102

SEWER STANDARD DETAILS

DATE:	ADDITION AND/OR REVISION	DRAWN	PROJECT NO.	SHEET NO.
		DESIGNED	DATE JANUARY 2007	
		APPROVED	SCALE	



MEMORANDUM

Engineering Department

DATE: February 12, 2016

TO: Joseph A. Valentine, City Manager

FROM: Paul T. O'Meara, City Engineer

SUBJECT: 2016 Concrete Sidewalk Repair Program – Contract 2-16(SW)
Contract Award

On February 12, 2016, the Engineering Department opened bids on the above referenced project. A summary of the bid results is attached.

Five (5) companies submitted bids for this project. The low bidder was J.B. Contractors, Inc., of Detroit, MI with their bid of \$797,300. The Engineer's estimate was \$950,000. J.B. Contractors, Inc. has not worked on a project for the City of Birmingham in the past. However, they have performed similar work for several other communities. Based on our review of their qualifications and past references, we are confident that they are qualified to perform satisfactorily on this contract.

This year's sidewalk replacement program focuses on Area 6 (north of Maple Rd. and west of Quarton Lake/Rouge River) and the northwest quarter of the Central Business District, as shown on the attached map.

This contract also includes a large number of scattered concrete repairs throughout the city, some of which include:

1. Sidewalk, curb, and/or pavement repairs where sewer and/or water services have been installed (to new houses) or upgraded.
2. Repairs where excavation to repair water main breaks have damaged driveways, sidewalks, curb, and/or pavement.
3. Concrete slab replacement on both major & local streets and in alleys where the existing slabs are fractured.
4. Installation of a concrete foundation pad for two authorized bus shelters located as follows:
 - a. Northeast corner of N. Old Woodward Ave. and Oakland Blvd.
 - b. Southwest corner of S. Old Woodward and E. Merrill St.
5. Curb replacement where they have been damaged or are deteriorating.

A map showing the locations of the scattered concrete repairs is attached for your information.

This year's program also includes improvements to the Adams Fire Station site. These improvements include removing and replacing two drive approaches (Adams and Bowers), removing and replacing scattered concrete sections throughout the parking lot, asphalt repairs around the training building and sidewalks. The Engineering Department was not aware of these needs until December 2015 and they were not included in the budget.

The numbers for the sewer, water main and water service components of this year's program are higher than in years past. This can be directly attributed to the higher number of new house construction (sewer and water service) and last year's harsh winter causing more water main breaks (water main).

Last year's sidewalk program was unfortunately left incomplete. The Contractor we hired, as well as a new inspector, were both new to Birmingham. Together, they worked on the project from mid-May until about July 1. At that time, the Contractor stated that they were finished and had to move onto another client, while our inspector got hired by another agency, and announced he was leaving. Since all other staff were also busy with other projects, it was not determined until later that not all the work on last year's program was in fact addressed. Further, the Contractor has not responded to our requests to return and address faulty workmanship at several locations (we are now working with the bonding company to get these locations repaired this spring). That said, this contract also includes work that was intended for last year, located within Area 5 of the City (the southwest corner), as well as, to a smaller extent, the southwest quadrant of the CBD.

Last year's contract included two (2) new areas of work that we feel were successful, and will be continued in this contract:

1. Edge grinding of lifted concrete slabs to remove a trip hazard at a lower cost than complete concrete replacement.
2. Exposed aggregate concrete waterproofing, which is charged to the adjoining property owner within the CBD.

The estimated distribution of costs for this project will be assigned as follows:

General Sidewalk	101-444.001-981.0100	\$317,502.50
Major Streets Fund	202-449.001-981.0100	37,314.00
Local Streets Fund	203-449.001-981.0100	62,530.00
Alley Fund	101-444.002-981.0100	21,543.00
Sewer Fund	590-536.001-811.0000	92,138.50
Water Main Fund	591-537.004-811.0000	56,957.50
Water Service Fund	591-537.005-811.0000	82,941.50
Adams Fire Station	401-339.000-981.0100	126,373.00
TOTAL		\$797,300.00

Because the bid amounts exceed budgeted amounts for certain accounts, a budget amendment for those accounts will be required as included below in the suggested resolution.

SUGGESTED RESOLUTION:

To award the 2016 Concrete Sidewalk Repair Program, Contract #2-16(SW) to J.B. Contractors, Inc., of Detroit, MI, in the amount of \$797,300, to be charged to the various accounts as detailed in the report; and further to approve the appropriations and budget amendments as follows:

General Fund – Adams Fire Station

Revenues:

Draw from Fund Balance #101-000.000-400.0000	<u>\$ 126,380</u>
Total Revenue Adjustments	<u>\$ 126,380</u>

Expenditures:

Transfer to Capital Projects #101-999.000-999.4010	<u>\$ 126,380</u>
Total Expenditure Adjustments	<u>\$ 126,380</u>

Capital Project Fund – Adams Fire Station

Revenues:

Transfer from General Fund #401-339.000-699.0101	<u>\$ 126,380</u>
Total Revenue Adjustments	<u>\$ 126,380</u>

Expenditures:

Public Improvements #401-339.000-981.0100	<u>\$ 126,380</u>
Total Expenditure Adjustments	<u>\$ 126,380</u>

Major Street Fund

Revenues:

Draw from Fund Balance #202-000.000-400.0000	<u>\$ 12,320</u>
Total Revenue Adjustments	<u>\$ 12,320</u>

Expenditures:

Public Improvements #202-449.001-981.0100	<u>\$ 12,320</u>
Total Expenditure Adjustments	<u>\$ 12,320</u>

Local Street Fund

Revenues:

Draw from Fund Balance #203-000.000-400.0000	<u>\$ 37,530</u>
Total Revenue Adjustments	<u>\$ 37,530</u>

Expenditures:

Public Improvements #203-449.001-981.0100	<u>\$ 37,530</u>
Total Expenditure Adjustments	<u>\$ 37,530</u>

Water Fund

Revenues:



Draw from net position #591-000.000-400.0000	<u>\$ 39,590</u>
Total Revenue Adjustments	<u>\$ 39,590</u>

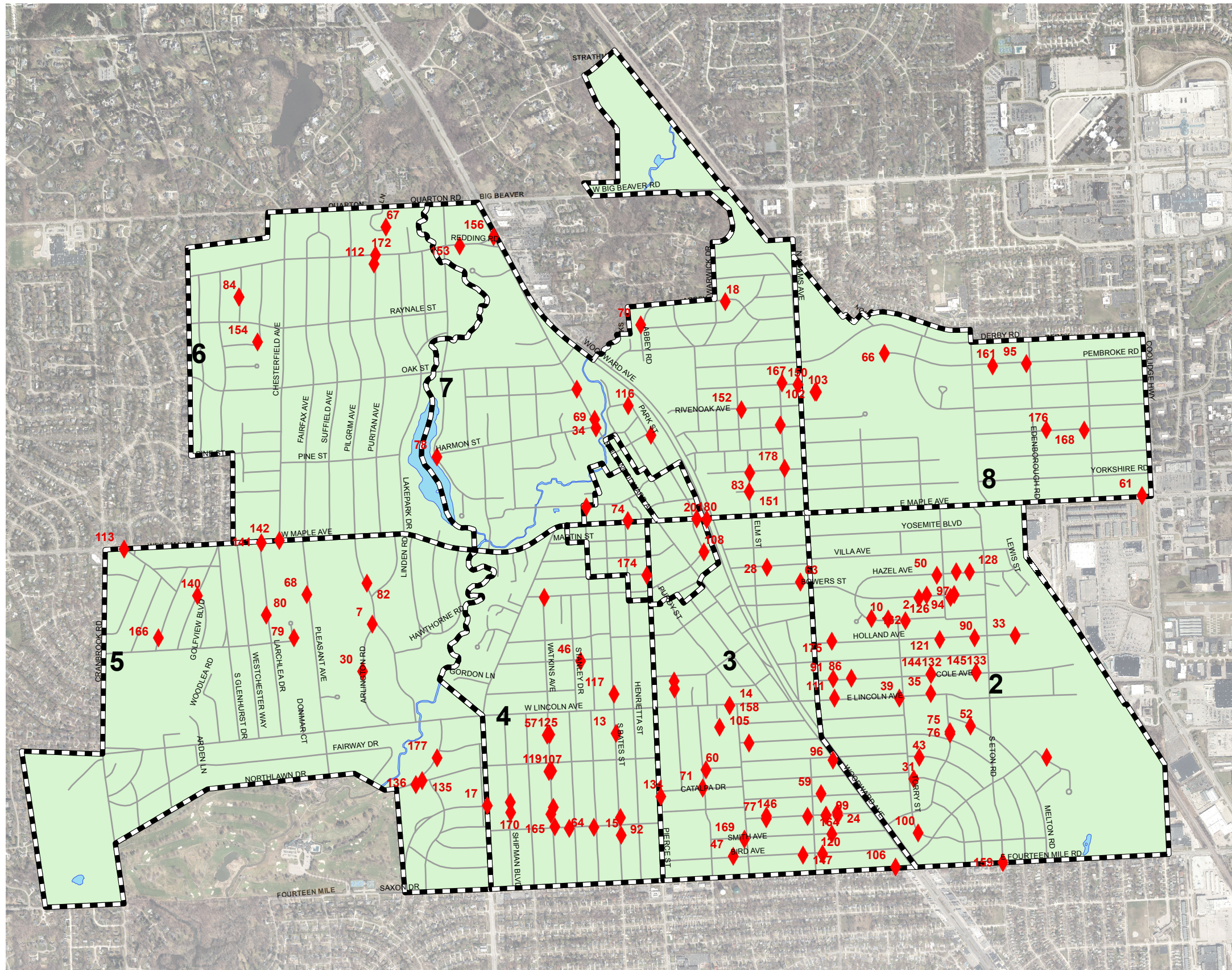
Expenditures:

Other Contractual Services #591-537.004-811.0000	<u>\$ 26,960</u>
Other Contractual Services #591-537.005-811.0000	<u>\$ 12,630</u>
Total Expenditure Adjustments	<u>\$ 39,590</u>

2016 SCATTERED CONCRETE REPAIRS MAP

Legend

-  Scattered Repairs 2016
-  Sidewalk Program Districts



1 inch = 1,667 feet

Disclaimer: The information provided by this program has been compiled from recorded deeds, plats, taxmaps, surveys, and other public records and data. It is not a legally recorded map or survey.




The data provided hereon may be inaccurate or out of date and any person or entity who relies on said information for any purpose whatsoever does so solely at his or her own risk.

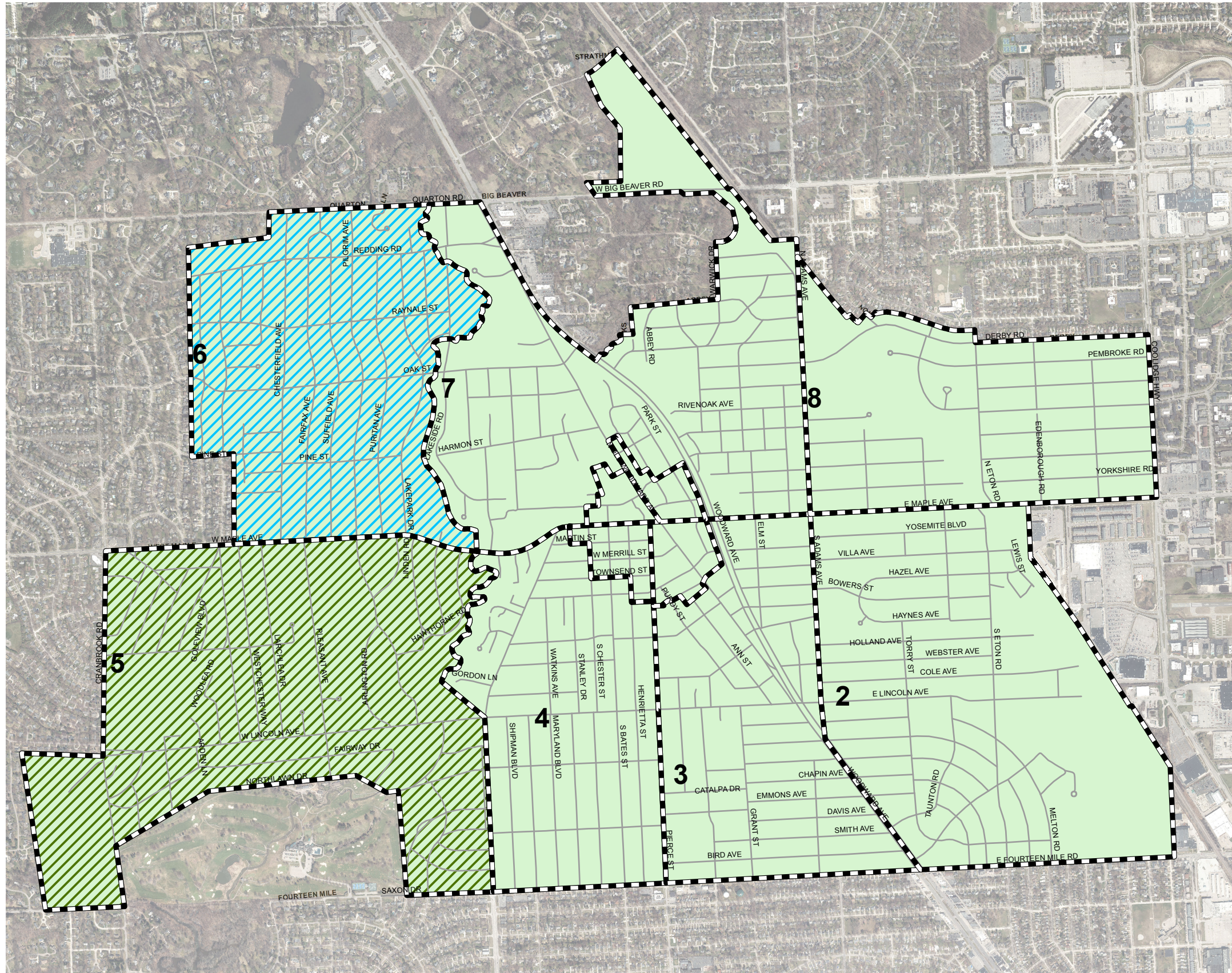
Data Sources: Oakland County GIS Utility, City of Birmingham



2016 SIDEWALK 2-16 (SW) PROGRAM AREAS MAP

Legend

-  Sidewalk Program Districts
-  Area 6
-  Area 5



1 inch = 1,667 feet

Disclaimer: The information provided by this program has been compiled from recorded deeds, plats, taxmaps, surveys, and other public records and data. It is not a legally recorded map or survey.




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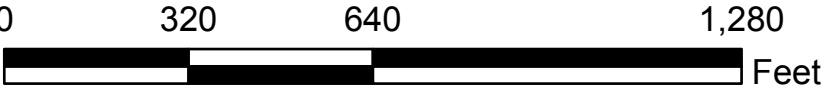
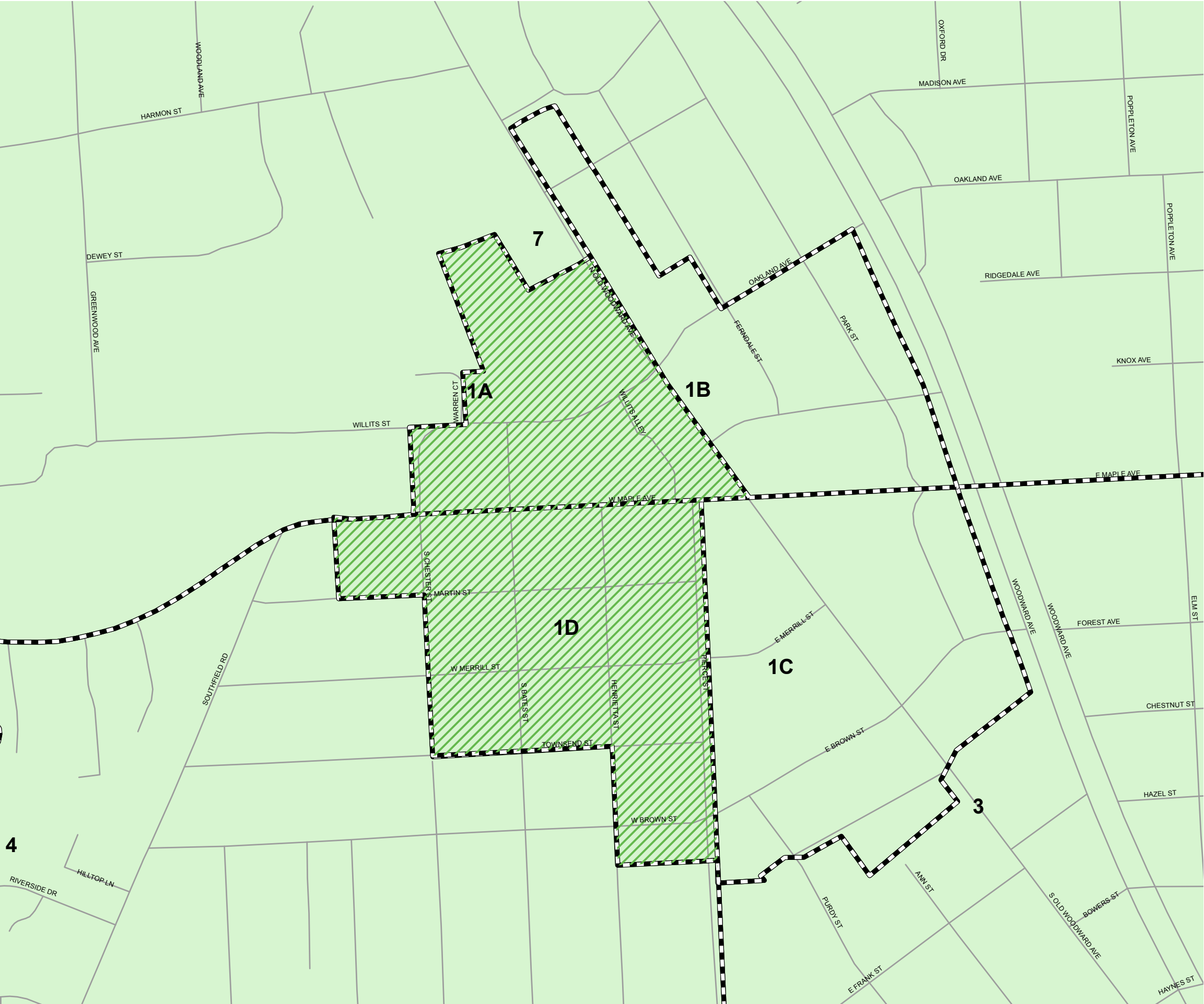
Data Sources: Oakland County GIS Utility, City of Birmingham



2016 SIDEWALK 2-16 (SW) DOWNTOWN AREAS 1A AND 1D MAP

Legend

-  Area 1D
-  Area 1A
-  Sidewalk Program Districts



1 inch = 333 feet

Disclaimer: The information provided by this program has been compiled from recorded deeds, plats, taxmaps, surveys, and other public records and data. It is not a legally recorded map or survey.

The data provided hereon may be inaccurate or out of date and any person or entity who relies on said information for any purpose whatsoever does so solely at his or her own risk.

Data Sources: Oakland County GIS Utility, City of Birmingham



MEMORANDUM

Engineering Dept.

DATE: February 18, 2016

TO: Joseph Valentine, City Manager

FROM: Paul T. O'Meara, City Engineer

SUBJECT: Parking Lot #10
(Northwest Corner of Martin St. and Henrietta St.)

A small, 20 space parking lot is located at the south end of the building known as 211-223 E. Maple Rd. (currently occupied by the West Elm furniture store). The City has had a partnership in this lot for several decades. Until 1993, the lot was operated as a small metered public lot. In exchange, the parking system paid the property taxes on this parcel. At that time, it was determined that the property tax payment was much more than the revenues being earned with the parking meters. The City Manager at the time negotiated an agreement with the property owner (Kresge) to agree to maintain the lot (including the operation of a traffic control gate) in exchange for sharing the use of the lot (10 parking spaces).

In 2009, the property was sold to Kin Properties. At the time, the building was mostly unoccupied. The new owner was happy to continue a relationship with the City, and a new three year agreement was executed. That agreement expired at the end of last month. It provided for the City to have access to eight parking spaces, with the remaining twelve being used exclusively by the tenants of the building. In exchange, the City offers the following maintenance services:

1. Keep the lot clear of snow and ice.
2. Keep the storm drain clean, and sweep the lot.
3. Plant and maintain flowers in the flower box that helps control vehicle access to the lot.
4. Remove weeds from the lot.
5. Remove trash from the lot.
6. Keep the traffic control gate in working order.

At the owner's direction, the traffic control gate was removed about two years ago, so Item #6 no longer applies.

The new agreement, attached, is similar, except that a new tenant moving into the building would like to use two of the City's parking spaces. As a result, the City will now have access to six parking spaces. In exchange, Items 2 and 4 no longer apply.

The parking spaces in the lot offer parking for staff such as the City Engineer, Building Official, Planning Director, and the building inspectors. Without access to these spaces, the inspectors would likely be parked on the street (since they only stay a short while at the beginning and end of the day), and the other long term parking staff members would be using space in the parking structures. We consider the small cost involved worth it in order to keep these vehicles

out of other public parking places. All costs that are incurred for maintaining this area is charged to the Auto Parking System Fund.

At the time the previous agreement was written, the owner wanted a three term. Now that the building is fully leased, and they have a better understanding of the future use of the building, the new agreement has no set expiration date. Rather, it will automatically renew with twelve month terms, unless either party wishes to end the agreement with 30 days written notice.

A suggested resolution is provided below.

SUGGESTED RESOLUTION:

To approve the agreement between the City and Kin Properties relative to the use of six parking spaces on their parking lot located at 211-223 W. Maple Rd., in exchange for nominal maintenance duties that are charged to the Auto Parking System Fund. Further, to authorize the City Manager to execute the agreement on behalf of the City.



January 28, 2016

Paul T. O'Meara, City Engineer
City of Birmingham
151 Martin Street
Birmingham, MI 48009

Re: Property #3151 – A portion of the Northwest corner of the intersection of Martin and Henrietta Streets, Birmingham, Michigan (the "Property")

Dear Mr. O'Meara:

Kin Properties, Inc. serves as managing agent for Muffrey LLC, a Delaware limited liability company ("Muffrey"). Muffrey is the fee owner of the "Parking Lot" located at the Property, as the same is depicted on the survey attached hereto as Exhibit A. The City of Birmingham (the "City") has been using the Parking Lot for the parking of vehicles pursuant – most recently - to that certain January 23, 2013 license agreement with Muffrey (the "2013 Agreement"), which 2013 Agreement is anticipated to expire on January 31, 2016.

The City desires to continue its use of the Parking Lot after January 31, 2016, and Muffrey desires that such use continue, upon the terms and conditions set forth in this letter agreement (this "Agreement"), which constitutes a license from Muffrey to the City. To evidence their agreement to this license and to be bound by the terms of this Agreement, Muffrey and the City have executed this Agreement. Each party and its signatory represent that the execution hereof is permitted under operating documents and procedures of such party, and constitutes the binding obligation of such party. Furthermore, each party acknowledges and agrees that this Agreement constitutes a license, only, and that the same may be revoked or terminated as set forth herein. The City acknowledges and confirms that: it has used and occupied the Parking Lot for an extended period of time, not limited to its use and occupancy under the 2013 Agreement; and any and all liability to, and indemnifications of, Muffrey (as the owner) which predate the date of this Agreement remain in full force and effect and are incorporated herein.

1. The term of this Agreement shall commence on February 1, 2016 and continue until December 31, 2016 and, thereafter, shall automatically renew for each succeeding calendar year (cumulatively, the "Term") unless and until such time as either party terminates this Agreement upon at least thirty (30) days prior written notice to the other, in which event this Agreement (and the City's license to use the Parking Lot pursuant to the terms and conditions herein) shall terminate as of the date set forth in such notice. There are no options to renew, nor shall the City have any right to use any portion of the Parking Lot after the expiration of the Term.

2. Subject to the remaining terms of this Agreement, during the Term, the City shall have a license to use the six (6) parking spaces ("Spaces") within the Parking Lot as the same are

designated on Exhibit A. From time to time, but upon no less than ten (10) days prior written notice to the City, Muffrey shall have the right to relocate and/or reduce the number of Spaces available to the City. The Spaces may be utilized only by employees of the City for the parking of passenger vehicles. The Spaces shall not be designated (by signage or otherwise) as specifically for the use of the City.

3. The City shall recognize Kin Properties, Inc. ("Kin") as managing agent for Muffrey.

4. No rent or fee shall be payable by the City during the Term.

5. During the Term, in consideration for the license to use the Parking Lot in accordance with the terms of this Agreement, the City shall maintain and repair the Parking Lot in the following manner (collectively, the "Maintenance"):

- a. plow the Parking Lot and keep same free of snow and ice;
- b. plant and maintain flowers in the landscaped boxes near the Parking Lot;
and
- c. remove trash from the Parking Lot and the sidewalk adjoining the Buildings.

6. The City accepts the Spaces in their "AS IS" condition without representation or warranty of any kind; and the City shall be liable for any damage to the Parking Lot caused by the use of the Spaces and the Maintenance.

7. All notices, demands or other communications given or required to be sent by the parties hereto shall be in writing and shall be deemed to be duly given only if sent by certified mail, return receipt request, and deposited postage prepaid in a post office box regularly maintained, or if sent by overnight delivery service as provided by an overnight delivery service of national reputation ("Other Carrier") and delivered to such Other Carrier, all charges prepaid, addressed to the parties hereto at their respective addresses as set forth below, or to such other address as either party may give to the other by notice hereunder, and, if mailed, shall be deemed given upon the mailing thereof or if delivered by Other Carrier, upon the delivery thereof to such Other Carrier.

If to Muffrey: Muffrey LLC
c/o Kin Properties, Inc.
185 NW Spanish River Boulevard, Suite 100
Boca Raton, Florida 33431
Attn: General Counsel

If to City: City of Birmingham
151 Martin Street
Birmingham, MI 48009

8. At the inception of the Term and, thereafter, when and as those authorized by the City to use the Spaces changes, the City shall provide Kin with a list of authorized parkers, a description of their respective automobiles, and the license plate number of such automobiles.

9. The City shall procure Public Liability insurance with a combined single limit for bodily injury/property damage of Five Million Dollars (\$5,000,000.00) per occurrence, and Five Million Dollars (\$5,000,000.00) annual aggregate; and Five Hundred Thousand Dollars (\$500,000.00) for property damage coverage. Such coverage shall respond to claims against Kin and Muffrey and their respective agents, notwithstanding any limitation to the City's responsibility to indemnify and hold harmless Kin and Muffrey and their agents. The policy shall name City, Kin and Muffrey, and their agents as additional insureds and provide that it is not cancelable without thirty (30) days' advance written notice to Kin. The City will provide Certificates of Insurance to Kin and Muffrey.

10. a) The City of Birmingham shall be responsible for the acts and/or omissions of its own employees, officers and/or agents, the costs associated with those acts and/or omissions, and for their own defense of those acts and/or omissions.

b) Kin Properties, Inc. and Muffrey LLC shall be responsible for the acts and/or omissions of its own employees, officers and/or agents, the costs associated with those acts and/or omissions, and for their own defense of those acts and/or omissions.

11. This Agreement may be executed in counterparts, each of which (including any copy, scan or other true reproduction thereof) shall be deemed an original and all of which, when taken together, shall constitute one (1) complete original counterpart.

[Signatures appear on the following page]

Of course, there is no formal agreement or extension unless and until this Agreement is fully executed by both parties in the places below. If this Agreement does meet with your approval, please execute and return three copies. We will then present this Agreement to Muffrey for review and anticipated execution.

Very truly yours,

Kin Properties, Inc.

Eitan Ovadia¹
Assistant General Counsel

Acknowledged and Agreed To:

CITY OF BIRMINGHAM

By: _____

Name:

Title:

Acknowledged and Agreed To:

MUFFREY LLC, a Delaware limited liability
company

By: Kinsan Management Corp., Its Manager

By: _____

Name: _____

Title: _____

¹ A Member of the Georgia Bar
Authorized House Counsel of Florida
H:\Pomeara\PARKING\Lot 10\agt.2016 draft2.pdf.docx

WWW.KINPROPERTIES.COM

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, February 22, 2016, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, March 14, 2016, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Location:	Hamilton Avenue 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 January 31 st and February 7 th , 2016
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.



MEMORANDUM

Engineering Dept.

DATE: February 12, 2016

TO: Joseph Valentine, City Manager

FROM: Paul T. O'Meara, City Engineer

SUBJECT: Hamilton Ave. Paving Project
Sewer Lateral Replacement Special Assessment District
Public Hearing

At the Commission meeting of January 25, 2016, the City Commission set a date of February 22, 2016 to hold a public hearing of necessity for the replacement of sewer laterals located within the limits of the Hamilton Ave. Paving Project. Also at that meeting, a confirmation hearing date of March 14, 2016 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 minimal communication with property owners regarding this proposed assessment.

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 Hamilton Ave. between N. Old Woodward Ave. and Woodward Ave.

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 \$75 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:

"Assessor's Plat No. 21"

The northerly portion of Lot 28 measuring 42.91 ft. wide at the west end, and 38.08 ft. wide at the east end, lot 36, lot 44 except for the northerly 10 ft. and that portion taken for Park St. right-of-way, lots 45 through 48 except for the northerly 10 ft.

RESOLVED, that the Commission shall meet on Monday, March 14, 2016, 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 Hamilton Ave. Paving Project.



MEMORANDUM

Engineering Dept.

DATE: January 15, 2016

TO: Joseph A. Valentine, City Manager

FROM: Paul T. O'Meara, City Engineer

SUBJECT: Hamilton Ave. Paving Project
Sewer Lateral Special Assessment District

In accordance with current policy, the Engineering Dept. plans to replace all older sewer laterals underneath the new proposed pavement on the above project, which includes the three blocks of Hamilton Ave. between N. Old Woodward Ave. and Woodward Ave.

As recommended under separate cover, it is anticipated that this construction contract will be awarded to FDM Contractors, Inc., with their low bid of \$1,465,332.00. In the past, the City has compared the low bidder's price for this work item with the other bidders, to ensure the price of this work, which will be assessed, reflects the actual value of the work. A list of the sewer lateral bid prices for all the bidders follows below:

CONTRACTOR (in order of lowest to highest bidder based on total price)	BID PRICE (PER FOOT)
FDM Contractors, Inc.	\$75.00
Pamar Enterprises, Inc.	\$99.00
Merlo Construction, Co.	\$145.00
V.I.L. Contracting, Inc.	\$67.00
DiPonio Contracting, Inc.	\$215.00
Average Price Per Foot	\$120.20

While the cost is higher than typically seen, FDM's price is lower than that of almost all the other bidders. Further, FDM's price is only 63% of the average bid price when compared to all the bids. If these property owners waited until their sewer lateral failed, repairing these pipes in the downtown area would be both a costly and disruptive process. We believe charging the low bidder's price (\$75), is appropriate.

It is recommended that a public hearing of necessity be scheduled at the Monday, February 22, 2016 City Commission meeting. It is further recommended that the public hearing to confirm the roll be held on Monday, March 14, 2016 at the \$75.00/linear ft. unit price.

SUGGESTED RESOLUTION:

RESOLVED, that the City Commission shall meet on Monday, February 22, 2016, at 7:30 P.M., for the purpose of conducting a public hearing of necessity for the installation of lateral sewers within the Hamilton Ave. Paving project area.
Be it further

RESOLVED, that the City Commission meet on Monday, March 14, 2016, 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 Hamilton Ave. Paving project area.



Legend

 Sewer Special Assessment

SEWER LATERAL CHART

Hamilton Ave. Paving Project - Contract #3-16(P)

Address	Street	Pipe Type	Date	SAD?	Estimated	Estimated
			Installed		Length	Cost
						6"

Hamilton Ave. - Old Woodward Ave. to Woodward Ave.

\$75

NORTH SIDE

200-250	N. Old Woodward	On other streets	2000	N	0	\$0
221	Hamilton	O.B.	1962	Y	36	\$2,700
245		O.B.	1962	Y	36	\$2,700
283		O.B.	1962	Y	36	\$2,700
315		O.B.	1962	Y	36	\$2,700
327		O.B.	1962	Y	36	\$2,700
375		O.B.	1962	Y	36	\$2,700
377		O.B.	1962	Y	36	\$2,700
381-383		Wedglock	1963	Y	36	\$2,700
379-395		O.B.	1952	Y	36	\$2,700
220	Park	P.V.C.	1988	N	0	\$0

SOUTH SIDE

188	N. Old Woodward	Clay	1947	Y	20	\$1,500
220	Hamilton	To alley	---	N	0	\$0
300		To alley	1976	N	0	\$0
330		To alley	1979	N	0	\$0
344		O.B.	1961	Y	25	\$1,875
360		O.B.	1950	Y	25	\$1,875
400		P.V.C.	2001	N	0	\$0
400		P.V.C. Storm	2001	N	0	\$0
35075	Woodward	On Woodward	1954	N	0	\$0

TOTAL =

394

\$29,550

RATIO =

12/20

60%

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, February 22, 2016, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, March 14, 2016, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Location:	Hamilton Avenue from North Old Woodward to Woodward Avenue and Park Street from Hamilton Avenue to East Maple Road
Nature of Improvement:	Installation of sidewalk streetscape
City Staff Contact:	Paul O'Meara 248.530.1836 pomeara@bhamgov.org
Notice Requirements:	Mail to affected property owners Publish January 31 st and February 7 th , 2016
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.



MEMORANDUM

Engineering Dept.

DATE: February 12, 2016

TO: Joseph Valentine, City Manager

FROM: Paul T. O'Meara, City Engineer

SUBJECT: Hamilton Ave. Paving Project
Sidewalk Enhancements Special Assessment
Public Hearing

Previously the City Commission received a report from City staff regarding the proposed construction of the above referenced street. The Commission approved scheduling a public hearing pertaining to the creation of an assessment district to cover the cost of sidewalk streetscape enhancements for Monday, February 22, 2016. Should the project be authorized that at that meeting, a hearing of confirmation has also been approved for Monday, March 14, 2016. Soon after the hearing date was set, the attached letter was delivered to all owners and tenants via hand delivery, US Mail, and via Birmingham Shopping District (BSD) email lists.

An Open House format meeting was held on the morning of January 26 to give owners and tenants a chance to learn more about the project, and ask questions. Only three properties were represented. While there was concern expressed about the project in general, no reference was made to the cost of the sidewalk assessment district. A second public meeting, hosted by the BSD, is scheduled for Tuesday, February 16. The meeting will be held at the Commonwealth Restaurant, and will focus more on initiatives that the BSD is putting together to help the business community function as well as possible during the construction process.

As noted previously, the City's charge of \$11 per square foot reflects 75% of the cost to completely reconstruct the sidewalk system to the current standard. Street lights will be paid for separately, and will be addressed at a future Commission meeting once those costs are known.

SUGGESTED RESOLUTION:

To receive the report regarding sidewalk enhancements on Hamilton Ave. from N. Old Woodward Ave. to Woodward Ave., and Park St. from Hamilton Ave. to E. Maple Rd.

WHEREAS, The City Commission is of the opinion that construction of the improvement herein is declared a necessity; and

RESOLVED, that there be constructed an improvement to be hereinafter known as

HAMILTON AVE. STREETScape ENHANCEMENTS

consisting of the construction of exposed aggregate concrete and regular concrete pavement sidewalks, as well as new trees and landscaping where needed, be it further

RESOLVED, that at such time as the Assessor is directed to prepare the assessment roll, seventy-five percent (75%) of the estimated cost be levied against the assessment district, and twenty-five percent (25%) of the estimated cost be charged against the City at large, be it further

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, both public and private, within the following district:

"Assessor's Plat No. 21"

The easterly 50.20 ft. of lot 10, the northerly portion of lot 28, measuring 42.91 ft. on the west end, and 38.08 ft. on the east end, lots 29 through 32, lots 33 and 34 except for that portion taken for a 4 ft. wide property known as tax I.D. number 19-25-456-040, lot 35, lot 36, lot 42, lot 43 except for that portion taken for Park St. right-of-way, lot 44 except for the northerly 10 ft. and that portion taken for Park St. right-of-way, lots 45 through 48, except for the northerly 10 ft.

RESOLVED, that the Commission shall meet on Monday, March 14, 2016, at 7:30 P.M., for the purpose of conducting a public hearing to confirm the roll for the Hamilton Ave. Streetscape Enhancement.



January 18, 2016

NOTICE!
DOWNTOWN CONSTRUCTION PLANS FOR 2016

The City of Birmingham has plans to reconstruct several streets in the downtown area over the coming three years as part of its ongoing infrastructure program:

2016 – Hamilton Ave. – N. Old Woodward Ave. to Woodward Ave. (includes parts of N. Old Woodward Ave. and Park St.)

2017 – Old Woodward Ave. – Willits St./Oakland Blvd. to Brown St.

2018 – Maple Rd. – Bates St. to Woodward Ave.

The remainder of this memo specifically pertains to work planned for 2016.

Starting in late March or early April, FDM Contractors will begin the Hamilton Ave. Paving Project. The goal is to completely renew this corridor, with new sewer and water main, new concrete street, new sidewalks, and new street lights. The work will be comprised of five phases:

- I - The contractor will install new combined sewer on N. Old Woodward Ave. between Oakland Blvd. and Hamilton Ave. in the northbound angled parking lane. Two-way traffic will be maintained, and parking for northbound (for this one block) will be closed. As the work proceeds south, Hamilton Ave. will remain open, but will not be accessible from N. Old Woodward Ave.
- II - The damaged pavement on N. Old Woodward Ave. will be restored with asphalt, and this area will be opened again to full use.
- III - Hamilton Ave. will close to vehicle traffic to allow for the removal of the street, and installation of the new water main and combined sewer. Sewer laterals to several buildings will be replaced. During this time, a plywood wall will be erected to keep sidewalks in front of each business open and accessible.
 - Although the pavement will be removed, the Ferndale St. intersection will usually remain open to allow vehicles to access the alley that serves the businesses between Hamilton Ave. and Maple Rd. Pedestrians will also be encouraged to cross here.
 - The Park St. intersection will remain open the majority of the time, allowing Park St. to remain open to traffic, both vehicular and pedestrian.
- IV - New concrete pavement will be installed on all of Hamilton Ave., and on Park St. between Hamilton Ave. and Maple Rd. (The Maple Rd. intersection will not be changed at this time.)
- V - Once the street is paved and available for pedestrian use, all sidewalks will be removed and replaced up to the front building wall. Sidewalks will be removed in small portions to reduce the number of days that each building has no sidewalk to approximately 48 hours (weather permitting). Temporary pedestrian bridges will be built to each business' front door to keep the amount of time that each front door is inaccessible to less than 4 hours each.

The above noted contractor has just been notified that they will be able to do this work, therefore, a detailed time schedule is not yet available. Once it is available, additional information will be sent out.

Overall, it is our goal to have this work completed by approximately July 1. We understand that this project will cause disruption and will impact your business while it is underway. The City is scheduling the work during the spring and early summer to minimize the impact to the busy summer schedule as much as possible. Further, the Birmingham Shopping District will be working with our office to help create programs that will encourage customers to patronize your businesses during this difficult time.

Business owners and tenants should be aware that potentially three special assessment districts are being created with this project. Most properties along the project route will be responsible for between one and two assessments, as follows:

Sidewalk Streetscape Assessment – The City will be completely removing and replacing the sidewalk between the front face of the buildings, and the new curb. Sawcut concrete to match that being installed in front of the newer buildings will be installed, with an exposed aggregate concrete strip being installed just behind the new curb. Several new trees will also be installed to replace older ones that have been removed already, or are in poor condition. About 80% of the properties in the project area will be subject to this assessment, charged at \$11 per square foot of frontage, for an average assessment of \$7,225 per property. The \$11 charge reflects a 25% total cost contribution from the City. This assessment can be paid back over 10 years if desired (with interest due each year on the remaining balance).

Sewer Lateral Assessment – As with all City street projects, all building sewer laterals (your individual building connection to the City sewer in the street) will be removed and replaced if the current pipe is over 50 years old. Sewer lateral replacement is a direct benefit to the building being served. If the sewer lateral were to need replacement outside of this project, and needed to be replaced in an emergency, the cost to the building owner would typically be near \$10,000. About 60% of the properties in the project area will be subject to this assessment, charged at \$75 per foot of new sewer, for an average assessment of \$2,460 per property. The assessment can be paid back over 10 years if desired (with interest due each year on the remaining balance).

It is expected that a public hearing will be scheduled to take comments from owners on both of these assessment districts at the City Commission meeting of February 22, 2016, at 7:30 PM. A separate notice will be mailed to all owners that are subject to these assessments to confirm any public hearings for this project.

Street Light Assessment – As a part of the project, the entire street lighting system will be renewed with new, enhanced street lights. The new lights will have built-in electrical outlets that allow the City to install lighting in the trees for the winter without reliance on adjacent buildings. All buildings that have street lighting currently will be replaced at 100% City cost. Only two properties that currently have no pedestrian scale street lighting will be subject to this assessment. DTE Energy is currently working on a proposal for this work, and final cost figures will be coming under separate cover at a later date.

We anticipate that this information will generate more detailed questions pertaining to your particular property or business. An **Open House** will be held at City Hall, in Rooms 202 & 203, on **Tuesday, January 26, 2016, between 8:30 and 9:30 AM**. You are invited to come review the plans, and ask any questions you may have. Coffee and donuts will be available. If you cannot make the Open House, you may also call our office at 248-530-1850 for information as well.



MEMORANDUM

Engineering Dept.

DATE: January 15, 2016

TO: Joseph Valentine, City Manager

FROM: Paul T. O'Meara, City Engineer

SUBJECT: Proposed Sidewalk Streetscape Assessment
Hamilton Ave. Paving Project

As noted in related memos, Hamilton Ave. will be reconstructed in the upcoming year, including new streetscape in front of each existing business. The new streetscape will consist of a new concrete street, as well as new streetscape, consisting of new sawcut sidewalks, exposed aggregate sidewalk areas behind the curbs, new street lights, and new parking meter posts.

On previous projects of this nature, it has been policy to assess 75% of the sidewalk improvements, which would include the pavement, trees, and associated landscaping costs. This comes to an estimated cost of \$11 per square foot of frontage between the building edge and the curb. The City would pay for street light replacement, out of the General Fund. In order to complete the project, water and sewer improvements, as well as street reconstruction, would also be completed at City expense.

The attached map highlights those property frontages that would be subject to a sidewalk streetscape assessment. A detailed spreadsheet is also attached with estimated assessment values. The Palladium Building, as well as the 400 Hamilton Ave. building, are not in the assessment district, to acknowledge that they have expended their own funds relatively recently to install an up to date streetscape.

The Hunter House restaurant property (35075 Woodward Ave.) has also been left out. Plain sidewalk and grass will be installed on this frontage anticipating that this property will be completely reconstructed in the relatively near future.

We acknowledge that a project of this nature will create serious concerns for the adjacent businesses. With that in mind, should the Commission endorse the project, the following is proposed:

- This week, the Engineering Dept. will prepare an informational letter explaining the details of this project and distribute it to all property owners and tenants. The booklet will explain the project scope, timing, proposed access plan (for customers), costs, and payback schedule.
- Prior to the public hearing, the Engineering Dept. will host a morning "Open House" meeting at the Municipal Building where business owners and tenants would be invited to come in, learn more about the project, and have their particular questions answered. The Open House is scheduled for Tuesday, January 26.

After completing the informational phase, the Engineering Department recommends that a public hearing of necessity be scheduled for Monday, March 28, 2016, at the regularly scheduled City Commission meeting.

SUGGESTED ACTION:

To receive the report prepared by the Engineering Department, and to adopt the following resolution:

RESOLVED, That this Commission shall meet on Monday, March 28, 2016, at 7:30 P.M., for the purpose of conducting a public hearing of necessity for the installation of sidewalk streetscape adjacent all properties on Hamilton Ave. from N. Old Woodward Ave. to Woodward Ave., and Park St., from Hamilton Ave. to E. Maple Rd.

FURTHER RESOLVED, if necessity is determined on March 28, 2016, a hearing to review the assessments and to confirm the roll will be held on April 11, 2016, at 7:30 P.M.



Legend

 Sidewalk Special Assessment

SEWER LATERAL CHART

Hamilton Ave. Paving Project - Contract #3-16(P)

Address	Street	Estimated	Estimated
		Area	Cost
		Sq.Ft.	6"

\$11

Hamilton Ave. - Old Woodward Ave. to Woodward Ave.

NORTH SIDE

200-250	N. Old Woodward	0	\$0
221-327	Hamilton	1435	\$15,785
375		334	\$3,674
377		338	\$3,718
381-383		345	\$3,795
379-395		559	\$6,149
220	Park	1253	\$13,783

SOUTH SIDE

188	N. Old Woodward	1146	\$12,606
220	Hamilton	1221	\$13,431
300		437	\$4,807
330		636	\$6,996
344		238	\$2,618
360		238	\$2,618
400		0	\$0
35075	Woodward	0	\$0

Park St. - Hamilton Ave. to Maple Rd.

WEST SIDE

395	E. Maple	310	\$3,410
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TOTALS		8490	\$93,390
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MEMORANDUM

Office of the City Manager

DATE: February 18, 2016

TO: Joseph A. Valentine, City Manager

FROM: Joellen Haines, Assistant to the City Manager

SUBJECT: Street Name Change Review Policy

The decision to develop a Street Name Change Review Policy was made in response to a request submitted to the City Manager's Office on November 15, 2015 via a petition from all five homeowners on Millrace Road to have their street name changed from Millrace Road to Lakeside Court. An initial memo was submitted to the City Commission by Museum Director Leslie Pielack, which detailed a brief history of the street and its historical references.

At the January 25, 2016 City Commission meeting, the Commission voted to have staff develop a policy to consider street name change requests. This policy would provide a review by the Historical Museum, the Historical District Study Committee, City Departments, and other agencies as may be necessary to determine the street name change's impact on the city, along with associated costs. The City Commission decided to table all requests for street name changes until a street name change policy is adopted by the City Commission.

In response to the City Commission's request to develop a review policy, the City has developed a Street Name Change Review Policy which provides a procedure to follow to consider administrative and historical implications of each submitted request, and provides a means of review by the City Commission prior to making a decision to set a public hearing as provided for in the City Charter Chapter XI, Section 7 under Street Names.

SUGGESTED RESOLUTION:

To adopt the proposed Street Name Change Review Policy, and

To submit the November 18, 2015 request for the street name change of Millrace Road to Lakeside Court for review in accordance with the Street Name Change Review Policy.



STREET NAME CHANGE REVIEW POLICY

The City of Birmingham recognizes the need to provide a review policy to evaluate requests to change a street name in the City. The Street Name Change Review Policy has been provided to establish a process whereby a street name change request can be reviewed for historical and administrative considerations prior to the City Commission making a decision to set a public hearing and implementing the provisions of the City Charter, Chapter XI, Section 7.

The following procedure shall comprise the policy for the review of street name change requests in the City.

1. Initial requests and petitions for consideration of street name changes shall be filed with the City Clerk.
2. Upon receipt of such request or petition, the request shall undergo a review process which shall include, but is not limited to:
 - A review and recommendation from the Historical Museum
 - A review and recommendation from the Historic District Commission and/or the Historic District Study Committee
 - City Staff review by each department regarding administrative considerations
 - Reports from other agencies impacted relative to the street name change
3. Once the request has been circulated through this review process, the findings and recommendations will be compiled and presented to the City Commission in the form of a report, with notification of the date of the City Commission meeting provided to the requesting/petitioning parties.
4. Upon review and consideration of the report, the City Commission may either set a public hearing in accordance with Chapter XI, Section 7 of the City Charter, or decline a public hearing following a review of information prescribed by this policy.



MEMORANDUM

City Clerk's Office

DATE: February 15, 2016

TO: Joseph A. Valentine, City Manager

FROM: Laura M. Pierce, City Clerk

SUBJECT: 2015 Liquor License Review and
2016 Liquor License Renewal

Chapter 10, Alcoholic Liquors, of the City Code regulates the licensing of establishments which sell intoxicating liquor for consumption on the premises in the City and directs the City Commission to consider renewal of all existing licenses after a review of the investigative materials collected by the city administration.

There are thirty-six establishments operating in Birmingham with a Class C liquor license in 2015, one establishment (The Townsend Hotel) operating with a Class B (Hotel) liquor license, one establishment (Griffin Claw) operating with a microbrewery license, and one establishment who received a license, but did not operate in 2015 (All Seasons). A total of three licenses are currently in escrow. The establishments with licenses currently in escrow with the MLCC have not been included in this year's review.

Summary of Findings

The Police Department reports that one establishment, The Bird and the Bread, was cited for a Michigan Liquor Control Commission (MLCC) violation which involved selling alcohol to a minor. One establishment, Townhouse, received a written warning from the MLCC for serving two alcoholic drinks for the price of one. In addition, one establishment, Café Via, noted that they also received a MLCC violation for a bounced check when they switched banks.

Additionally, eight establishments had assaultive behavior/disorderly conduct related police contacts – 220 Merrill, Community House, Dick O'Dow's, Market North End, The Stand, Townhouse, Townsend Hotel, and Triple Nickel. Police Chief Studt and Deputy Chief Clemence will be present at the February 22, 2016 City Commission meeting to answer any questions from the City Commission.

The Treasurer's Office reports that two establishments have an outstanding balance owed to the City for past due water and/or tax bills. The owners have been contacted regarding their outstanding balances. One owner has set up a payment arrangement with the City.

The Planning Department has reported several establishments which had illegal A-frame sidewalk signs and stacked crates outside the dumpsters at the time of the inspection. Other violations were found by the City's Building Department, Fire Department, and the Oakland County Health Department at the time of the initial inspections. Most of these violations have either been corrected at this time or staff is working with the establishments to correct outstanding violations in a timely manner. City staff and staff from the Oakland County Health

Department will continue to work with all the establishments to ensure continued compliance throughout the coming year.

Potential City Commission Actions

The Liquor Control Act states that a full year Class B/C liquor license issued by the Michigan Liquor Control Commission (MLCC) shall expire annually on April 30th. Should the City wish to file an objection to the renewal of any particular license, that objection must be filed with the MLCC no later than March 31st of any given year.

The City Commission may either approve the renewal of all the liquor licenses for which an application was received, or set a public hearing for any liquor license which it may wish to consider filing an objection with the Michigan Liquor Control Commission.

If the City Commission wishes to approve the renewal of all of the licenses for which an application was received, suggested resolution #1 may be adopted.

The City Commission may object to the renewal of a liquor license based on one or more of the following reasons: (Section 10-40 of the City Code)

- (1) Licensee's failure to comply with all applicable city and state laws concerning health, safety, moral conduct or public welfare.
- (2) Licensee's repeated violations of state liquor laws.
- (3) Licensee's maintenance of a nuisance upon or in connection with the licensed premises, including but not limited to any of the following:
 - a. Existing violations of building, electrical, mechanical, plumbing, zoning, health, fire or other applicable regulatory codes;
 - b. A pattern of patron conduct in the neighborhood of the licensed premises which is in violation of the law and/or disturbs the peace, order, and tranquility of the neighborhood;
 - c. Failure to maintain the grounds and exterior of the licensed premises, including litter, debris, or refuse blowing or being deposited upon adjoining premises;
 - d. Entertainment on the licensed premises without a permit and/or entertainment which disturbs the peace, order and tranquility in the neighborhood of the licensed premises;
 - e. Any advertising, promotion or activity in connection with the licensed premises which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinances or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed premises;
 - f. Numerous police contacts with the licensed premises or the patrons of the premises;
 - g. Failure to adequately staff and control the premises; and
 - h. The conditions or practices of the business present immediate health and safety issues.
- (4) Licensee's failure to permit the inspection of the licensed premises by the city's agents or employees in connection with the enforcement of the City Code.
- (5) Licensee's failure to comply with the terms of its liquor license or any conditions imposed by the city commission or the liquor control commission at the time of issuance or transfer of the license.

- (6) Licensee's failure to comply with all standards and plans established and approved by the city commission at the time of original approval or transfer of the license.
- (7) Licensee's failure to timely pay its taxes or other monies due the city.

If the City Commission wishes to consider objecting to the renewal of one or more licenses, the City Code states that the City Commission may adopt resolution #2 establishing a public hearing date to consider objecting to the renewal of a class B/C license by the Liquor Control Commission. Additionally, the resolution must include a list of the reasons for calling the hearing. The owner(s)/operator(s) of the establishment would then be notified in writing of the date, time, location, and reasoning for the public hearing.

A public hearing must be scheduled in March in order to forward an objection to the Liquor Control Commission by their required deadline of March 31, 2016. It is proposed that the hearing, if necessary, take place on Monday, March 14, 2016 to ensure adequate time to provide the required notifications. If this is the course the City Commission wishes to pursue, both resolutions in suggested resolution #2 should be considered separately. If the liquor licenses for multiple establishments are to be the subjects of public hearings, suggested resolution #2(a) should be adopted separately for each establishment.

SUGGESTED RESOLUTION(S):

1. To approve the renewal, for the 2016 licensing period, of all Class B, Class C, and microbrewery liquor licenses for which a current year application was received.

- OR -

2. (Each of the following resolutions to be considered with separate motions.)
 - a. To set a public hearing for 7:30 PM on Monday, March 14, 2016 in the City Commission Room at the Birmingham Municipal Building, 151 Martin, Birmingham, MI 48009, to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of _____, for the following reasons: _____;
Further, to direct the City Manager to notify the owners/operators of _____, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

- AND -

- b. To approve the renewal for the 2016 licensing period, of all Class B, Class C, and microbrewery liquor licenses for which a current year application was received, except for the license(s) held by _____, for which a public hearing has been set.

2015 LIQUOR LICENSES

	APPLICANT	LICENSE TYPE	% FOOD	% LIQUOR	% OTHER	LIST OTHER	OUTDOOR DINING # OF MONTHS IN OPERATION	PHYSICAL CHANGES? 2015	LCC CITATION IN PAST 12 MONTHS? 2015
1	220 Merrill Restaurant	Class C	65%	35%			6	NO	
2	All Seasons Senior Living (Hospitality of Birmingham)	Class C - Eco Dev	TBA	TBA			4	NO	
3	Au Cochon (Bellar Birmingham Ventures, LLC)	Class C	65%	35%			4	YES	
4	Arthur Ave (Bellar Birmingham Ventures, LLC)	Class C	65%	35%			4	YES	
5	Bella Piatti	Class C - Bistro	65%	35%			6	NO	
6	Big Rock Chop House/The Reserve	Class C	64%	34%	2%	retail	6+	NO	
7	Birmingham Sushi Café	Class C - Bistro	97%	3%			7	NO	
8	Bistro Joe's	Class C - Bistro	80%	20%			12	NO	
9	Café Via	Class C - Bistro	60%	40%			5	NO	YES (for bounced check when they switched banks)
10	Cameron Steakhouse	Class C	70%	30%			n/a	NO	
11	Churchill's Bistro	Class C - Bistro	31%	18%	51%	beer/wine, cigars, non-taxable items, exempt/resale room rental	6	NO	
12	Community House	Class C	54%	13%	33%		7-Jan	NO	
13	Cosi	Class C - Bistro	99%	1%			7	NO	
14	Dick O'Dow's	Class C	38%	62%			7	NO	
15	Elie's Mediterranean Café	Class C - Bistro	81%	19%			7	NO	
16	Emagine Palladium & IronWood Grill (CH Birmingham, LLC)	Class C	60%	40%				NO	
17	Fleming's Prime Steakhouse	Class C	73%	27%			n/a	NO	
18	Forest Grill	Class C - Bistro	70%	30%			5	YES	
19	Griffin Claw Brewery	Micro Brew- Distillery-Wine	45%	52%	3%	retail	8	YES	
20	Hyde Park	Class C	60%	40%			n/a	NO	
21	Luxe Bar & Grill	Class C - Bistro	75%	25%			6	NO	
22	Mad Hatter (Tea Parlor, Inc)	Class C - Bistro	65%	35%			8	NO	
23	Market North End	Class C - Bistro	65%	35%			12	NO	
24	Mitchell's Fish Market	Class C	80%	20%			n/a	NO	
25	Peabody's	Class C	75%	25%			n/a	NO	
26	Phoenecia	Class C	80%	20%			5	NO	
27	ROJO	Class C	72%	28%			7	NO	
28	Salvatore Scallopini	Class C - Bistro	90%	10%			6	NO	
29	Social Kitchen & Bar	Class C - Bistro	65%	35%			4	NO	
30	Streetside Seafood	Class C	65%	35%			6-7	NO	
31	Tallulah Wine Bar & Bistro	Class C - Bistro	70%	30%			5	NO	
32	The Bird and The Bread	Class C	65%	35%			6	NO	YES (serving a minor)
33	The Stand	Class C - Ec. Dev.	70%	30%			n/a	NO	
34	Toast	Class C - Bistro	82%	18%			6	NO	
35	Townhouse	Class C - Bistro	60%	40%			6	NO	Warning Issued (for offering two alcoholic drinks for the price of one)
36	Townsend Hotel	Class B - Hotel	70%	30%			7	NO	
37	Triple Nickel (Crush, LLC)	Class C - Eco Dev	61%	39%			7	NO	
38	Lincoln Hills Golf Course	Class C	4%	2%	94%	golf fees	6	NO	
39	Springdale Golf Course	Class C	4%	3%	93%	golf fees	6	NO	
Escrow	Eton St. Restaurant	Brew Pub							
Escrow	No active owner listed on LARA website (Formerly Hamilton Room)	Class C							
Escrow	RGH Fish Market (Pending State Approval)	Class C							



MEMORANDUM

Police Department

DATE: January 8, 2016

TO: Joseph A. Valentine, City Manager

FROM: Donald A. Studdt, Police Chief

SUBJECT: 2015 Annual Class B/C Liquor License Report

Liquor license inspections/decoy operations were conducted at the following Class B/C liquor license establishments/brew pubs in 2015:

1. 220 Merrill
2. Au Cochon/Arthur Ave
3. Bella Piatti
4. Big Rock Chop & Brew House/The Reserve
5. Bird & the Bread
6. Birmingham Sushi Cafe
7. Bistro Joe's
8. Café Via
9. Cameron's Steakhouse
10. Churchill's Bistro
11. Community House
12. Cosi
13. Dick O'Dow's
14. Ellie's Mediterranean Grill & Bar
15. Emagine/Palladium Ironwood Grill
16. Fleming's Prime Steakhouse & Wine Bar
17. Forest Grill
18. Griffin Claw Brewery

19. Hyde Park Steakhouse
20. Luxe Bar & Grill
21. Mad Hatter
22. Market North End
23. Mitchell's Fish Market
24. Peabody's Restaurant
25. Phoenecia
26. Rojo
27. Salvatore Scallopini
28. Social Kitchen and Bar
29. Streetside Seafood
30. Tallulah Wine Bar & Bistro
31. The Bird and the Bread
32. The Stand
33. Toast
34. Townhouse
35. Townsend Hotel/The Corner Bar
36. Triple Nickel
37. Lincoln Hills Golf Course-City of Birmingham
38. Springdale Golf Course-City of Birmingham

All of the above listed establishments were license compliant according to the standards set by the Michigan Liquor Control Commission (MLCC).

2015 Liquor Law Violations

The Birmingham Police Department conducted liquor decoy operations in all Class B/C licensed establishments/ brew pubs in 2015. One establishment was cited for selling alcohol to a minor:

1. Bird & the Bread

Bird & the Bread was issued a MLCC Violation for serving a minor and the individual server was issued a violation for selling to a minor.

The State of Michigan issued the Townhouse Restaurant a written warning for a violation of R436.1438 which is serving two alcoholic drinks for the price of one on 2/26/2015.

2015 Police Contacts

All Class B/C establishments/brew pubs were checked for assaultive behavior/disorderly conduct related police contacts. The following list details the police related contacts:

1) 220 Merrill (220 Merrill)

- a) May 3rd, 2015: A verbal warning was given on a loud music complaint.
- b) May 26th, 2015: A verbal warning was given on a loud music complaint.
- c) August 21st, 2015: Two 220 Merrill employees got into a physical pushing match, no punches were thrown. The case was investigated, but both parties later decided not to pursue the matter. No injuries were reported.

2) Community House (380 S Bates)

- a) June 25th, 2015: A verbal warning was given on a loud music complaint.

3) Dick O'Dows (160 W Maple)

- a) January 1st, 2015: A female patron was bit on the shoulder while dancing by a male patron. The male patron was drinking, but denied biting the female patron. The case was investigated and a warrant request was presented to our City Attorney. The warrant request was denied by our City Attorney.

4) Market North End (474 N Old Woodward)

- a) December 17th, 2015: A female patron of the establishment states she was unknowingly given a date rape drug in her drink. The patron later visited Crittenton Hospital and the Birmingham Police were then notified of the incident by the Hospital. The patron was uncooperative with the investigation. The case was presented to the Oakland County Prosecutors Office and the warrant request was denied.

5) The Stand (34977 Woodward)

- a) December 11th, 2015: A female and male patron, who had been in a former dating relationship got into a verbal altercation over car keys. The verbal altercation escalated to a physical one when both parties started punching each other. The male patron was arrested and arraigned on domestic violence charges.

6) Townhouse (180 Pierce)

- a) May 5th, 2015: Officers were called out to the Townhouse for a dinner party that left without paying for their bill. Officers located the party and found one patron was 18 years of age and had been drinking alcohol. This patron was arrested for minor in possession of alcohol, issued a misdemeanor appearance citation and was released when sober.

- b) May 30th, 2015: A verbal warning was given on a loud music complaint.
- c) June 18th, 2015: A verbal warning was given on a loud music complaint.
- d) August 13th, 2015: Three male patrons got into a verbal argument over the vocal talent of musical artist "Kid Rock". The argument turned physical when two of the male patrons pushed the other male patron. No punches were thrown, however, the victim had a small cut on his neck. The incident was investigated and later closed when the victim decided not to pursue charges.

7) Townsend (100 Townsend)

- a) September 15th, 2015: A hotel patron was found unconscious in her room. The patron was transported to Royal Oak Beaumont for alcohol detox.
- b) November 8th, 2015: Two hotel employees got into an argument that turned into a physical altercation. The incident was investigated and both parties had different stories as to whether an assault took place. The case was presented to our City Attorney and the warrant request was denied.

8) Triple Nickel (555 S Old Woodward)

- a) June 18th, 2015: A verbal warning was given on a loud music complaint.



MEMORANDUM

Planning Division

DATE: January 22, 2016
TO: Jana Ecker, Planning Director
FROM: Sean Campbell, Assistant City Planner
SUBJECT: 2016 Liquor License Review

Inspections of Class C Restaurants were performed in January 2016. The following conditions were found:

1. **220 Restaurant/Edison's**
220 Merrill
No dumpster screening, partially open dumpsters, cardboard box, linen crate overflow.
Pergola in front has not been approved by City.
2. **All Seasons**
111 Elm
Acceptable
3. **Arthur Avenue**
270 N. Old Woodward
Acceptable
4. **Au Cochon**
260 N. Old Woodward
Acceptable
5. **Bella Piatti**
167 Townsend
Acceptable
6. **Big Rock**
245 S Eton
Acceptable
7. **Birmingham Sushi Café**
377 Hamilton Row
Acceptable

- 8. Bistro Joe's**
34244 Woodward
Exposed refuse, stacked doors outside of enclosed dumpster space, dumpster gate open.
- 9. Café Via**
310 E. Maple
Acceptable
- 10. Cameron's Steakhouse**
115 Willis
Acceptable
- 11. Churchill's Bistro & Cigar Bar**
116 S Old Woodward
Stacked crates
- 12. Community House**
380 S. Bates
Acceptable
- 13. Corner Bar** (Townsend Hotel)
100 Townsend
Acceptable
- 14. Cosi**
101 N. Old Woodward
Acceptable
- 15. Dick O' Dow's**
160 W. Maple
Stacked crates, cardboard boxes outside of screened trash disposal area. Illegal A-frame sidewalk sign.
- 16. Elie's Mediterranean Grill/Bar**
263 Pierce
Acceptable
- 17. Emagine Theatre & Ironwood Grill**
250 N. Old Woodward
Illegal A-frame sidewalk sign
- 18. Fleming's Prime Steakhouse & Wine Bar**
323 N. Old Woodward
Acceptable
- 19. Forest Grill**
735 Forest

Acceptable

20. Griffin Claw

575 S. Eton

Stacked pallets, large tanks stored in and outside of enclosed dumpster area.

21. Hyde Park Prime Steakhouse

201 S. Old Woodward

Sign permit sticker missing from A-frame sidewalk sign.

22. La Strada Caffè

243 E. Merrill

Illegal A-frame sidewalk sign.

23. Luxe Bar & Grill

525 N. Old Woodward

Illegal A-frame sidewalk sign.

24. Mad Hatter Café

185 N. Old Woodward

Acceptable

25. Market North End

474 N. Old Woodward

Acceptable

26. Mitchell's Fish Market

117 Willits

Acceptable

27. Peabody's Dining & Spirits

34965 Woodward

Acceptable

28. Phoenicia

588 S Old Woodward

Cardboard boxes stacked outside of dumpster.

29. Rojo Mexican Bistro

250 E Merrill

Illegal A-frame sidewalk sign.

30. Salvatore Scallopini

505 N Old Woodward

Acceptable

- 31. Sidecar Slider Bar** (Not in operation in 2015)
2506 Merrill
Acceptable
- 32. Social Kitchen & Bar**
225 E Maple
- 33. Streetside Seafood**
273 Pierce
Stacked crates.
- 34. Tallulah Wine Bar and Bistro**
155 S Bates
Crates stacked, cardboard panels stacked outside of dumpster.
- 35. The Bird and the Bread**
210 S Old Woodward
Acceptable
- 36. The Community House Cafe`**
380 S Bates
Acceptable
- 37. The Rugby Grille** (Townsend Hotel)
100 Townsend
Acceptable
- 38. The Stand Gastro Bistro**
34977 Woodward
Acceptable
- 39. Toast**
203 Pierce
Stacked crates, garbage bag pile-up, trash outside of dumpster.
- 40. Townhouse**
180 Pierce
Acceptable
- 41. Triple Nickel**
555 S Old Woodward
Acceptable



MEMORANDUM

Planning Division

DATE: February 11, 2016
TO: Joseph A. Valentine, City Manager
FROM: Jana L. Ecker, Planning Director
APPROVED: Joseph A. Valentine, City Manager
SUBJECT: Public Noticing Procedure

At the City Commission meeting of January 11, 2016 members of the City Commission requested the City look at its public notice practices and provide recommendations on ways to enhance its practices. There are two types of notices provided as required by law: individual notification to individual property owners and occupants; and notification to the public at large by publication of proposed changes in a newspaper of local circulation. For clarification purposes, a summary of the City's current notice procedures along with the legal notice requirements for the City Commission, the Planning Board, the Design Review Board, the Historic District Commission and the Board of Zoning Appeals follow. In most cases, the specific notice provided by the City at this time exceeds the legally required notice.

Existing Noticing Policy and Procedures

Notification Process to Individual Owners and Occupants

Where individual notice is required by law, all property owners and occupants of property adjacent to a site that is being considered for redevelopment are each sent a notice summarizing the address at which the proposed changes may be occurring, the nature of the change, the time, date and location of the public hearing at which this application will be considered, and contact information for interested persons to review the proposed plans or discuss the matter (see Attachment A for the standardized notice form that is used for all individual notices). The City currently uses our CityMap program, which is available to both employees and the public, to query the names and addresses of all property owners and residents adjacent to the subject site. This program allows a "buffer zone" to be created around the subject site to the required distance (see Attachment B). Once this buffer zone has been created, the program then provides name and address labels for all of the property owners and occupants of the properties within the buffer zone (see Attachment C). These labels are then utilized to mail out the notices as required by law.

Individual public notices are sent to all owners and occupants within a 300' buffer zone of a site being considered for a land use or development change. This 300' public notice letter is sent out as required by law to surrounding property owners and occupants for all rezoning applications, Special Land Use Permit applications, site plan and design review applications, lot splits, dimensional variance applications and use variance applications. In addition, the City Commission or another reviewing board may also request that additional individual public notices go out as "Courtesy Notices" in those instances when additional public input may be warranted.

Notification Process to the Community at Large

Where notification to the public at large by publication is required in a newspaper of local circulation, an ad request is sent to one of the local papers to be run prior to the meeting at which the proposed changes will be discussed. This notice also provides the address at which the proposed changes may be occurring, the nature of the change, the time, date and location of the public hearing at which this application will be considered, and contact information for interested persons to review the proposed plans or discuss the matter (see Attachment D).

Public notices are published in a newspaper of general circulation for certain land use or development changes to a specific property, as well for amendments to the Zoning Ordinance regulations or map. A public notice is published in a newspaper of general circulation in the City for all rezoning applications, Special Land Use Permit applications, Zoning Map changes and Zoning Ordinance amendments. In addition, the City Commission or another reviewing board may also request that additional public notices be published in a newspaper of general circulation as "Courtesy Notices" in those instances when additional public input may be warranted.

In September 2008, the City Commission also amended the notice requirements to add a new requirement that a public notice sign be posted by the applicant on each property subject to a hearing regarding a development application. These notice signs are provided by the City for a fee, and must be posted by each applicant on the subject site 15 days prior to a scheduled public hearing, and remain posted until the day after the public hearing has been held. Several types and sizes of City notice signs are offered to ensure visibility on all sites.

Finally, each board and commission publishes an agenda with supplemental information on each and every item to be addressed at the board meeting. This agenda is posted inside City Hall and around the outside of City Hall, and is also posted on the City's website at www.bhamgov.org, both in the basic form, and with all supplemental information and detailed plans.

Public Hearings

Section 7.02 of the Zoning Ordinance thus requires all applications for rezoning and zoning ordinance or map amendments to be discussed at a public hearing to be held before the Planning Board. After this public hearing, the Planning Board then makes a recommendation to the City Commission. The City Commission **may** hold an additional public hearing, and if this is done, notice of the time and place of the public hearing must be placed in an official paper or a paper of general circulation in the city prior to the scheduled hearing. **The City of Birmingham currently provides an additional opportunity for public comment by opting to hold a second public hearing for both ordinance amendments and rezoning requests, and noticing accordingly. Thus, the City Commission currently provides more notice and opportunity for comment than is required by law for rezoning applications and ordinance amendments.**

Other Communication Tools

In addition to the specific public notice provided as outlined above, the City currently utilizes the website to provide a schedule of public meetings, a calendar is distributed annually to all households in the City which also provides a schedule of public meetings, and the agendas for all public meetings are posted at each building in accordance with the Michigan Open Meetings Act. The public is welcome to attend any of the published meetings and an opportunity is provided for public comment.

In addition to the fact that all agendas are posted on the City's website for each board and commission meeting, the City also offers an e-notify service via the City's website. This service allows individuals to sign up to receive automatic notice of public meetings with full details on all agenda items for a particular board or commission. Individuals wishing such detailed notice of public meetings may sign up for one board, or all City boards and commissions, depending on their interests, and they will automatically receive an email with full agenda details prior to each meeting. City Commission meetings, Planning Board meetings, Board of Zoning Appeals and the Multi-Modal Transportation Board are also provided on local access cable for all Birmingham residents to view. City Commission meetings are also provided live, online, through the City's website for all to view. The City is exploring the expansion of including the remaining City boards for public access broadcasting, whether live or taped.

Opportunities to Enhance Noticing Policy and Procedures

Given the City Commission's request to identify ways to expand the City's noticing practices, research has also been conducted to identify alternative options for providing enhanced public notice to better inform the public of projects and development activities across the City. Several options have been identified to make it easier for residents to stay informed.

Expanded Courtesy Notice for Potential Impact on Public Property

Where changes are proposed on public property, such as in parks or public facilities, public notice signs will be placed on the property that is visible from the street and sidewalk. In addition, staff is proposing that a "Courtesy Notice" will be sent out by mail to all property owners and occupants within 300' of the public property, as is currently done for development changes on private property.

In addition, where there is development activity proposed on private land adjacent to public property, public notice signs will be placed both on the private property, and on the public property to draw attention to the potential impact to public property. In addition to the 300' requirements for private property where development activity is proposed, staff is proposing that a "Courtesy Notice" also be sent out by mail to all property owners and occupants within 300' of the boundaries of the public property that could be impacted as a result of the adjacent private development. Adding this expanded "Courtesy Notice" both in writing by mail and by way of a notice sign posted on the property will enhance the opportunity for the public to stay informed of development activities in their neighborhood.

Institute Use of QR Code Technology

To keep up with the increased use of technology, and in particular the public's reliance on mobile devices, staff is recommending the addition of individual QR codes for use on all public notice signs. Public notice signs are currently required to be posted for all site plan reviews, rezoning requests, variance requests, Special Land Use Permits and design reviews that require approval of a board or commission. The use of a QR code allows residents to scan the code on their mobile device and automatically be linked to the relevant page on the City's website that provides full information and detail on the development proposal for that specific site. Individual QR codes have been created for each different reviewing board, and can then be applied to individual notice signs to ensure that scanning the code will take users directly to the appropriate board agenda package that contains a full report and plans of the proposed changes, as well as the date and time of the meeting to allow interested residents to attend.

Enhanced E-notify and Constant Contact Tools

In addition to the e-notify tool available on the City's website for each individual board and commission, staff has been working to prepare a one-stop public notice page to be added to the City's website. This page would provide notice to residents for all projects, both private and public, that are going on around the City. For example, all development applications pending before a City board or commission would be listed in one place, in addition to a listing of public infrastructure projects for which notices were sent to adjoining property owners. Having all of this information in one location will make it easy for residents to review all ongoing projects, and determine which may be

of interest to them or to their neighborhood as a whole. This page would be updated each time a new notice is mailed out. Residents would then be given the opportunity to subscribe to this notice tool and would automatically receive an email each time a new notice is posted, whether it is for changes on an adjacent property, or on a property across the City.

The City of Birmingham has also enhanced the use of social media in recent years to provide another option for communicating with the public. It is recommended that updates be posted as new public notices are added, through the use of Facebook updates, Tweets, and online and print newsletters directing people to the new public notice page on the City's website.

Finally, City staff is also working to create a new constant contact page for the City's website, that would allow residents to sign up to receive an email and/or a text every time there is a new development application for a specific site, road construction or other infrastructure updates, public service announcements and similar information updates to keep residents informed.

Suggestion Resolution:

To adopt the public noticing enhancements outlined in the February 11, 2016 staff memo as the City's public notice practices.

Attachment A: Individual Notice Sample

NOTICE OF PUBLIC HEARING

BIRMINGHAM PLANNING BOARD

SPECIAL LAND USE PERMIT AMENDMENT
--

Meeting Date, Time, Location:	Wednesday, October 28, 2015 7:30 PM Birmingham City Commission Room 151 Martin St, Birmingham, MI
Petitioner:	ROJO Restaurant & Sidecar Slider Bar
Property Address/Description:	250 – 280 E. Merrill (ROJO & vacant store)
Nature of Request:	Request to allow the expansion of the existing restaurant serving alcoholic liquors into the adjacent storefront space.
City Staff Contact:	Jana Ecker, 248-530-1841 jecker@bhamgov.org
Notice Requirements:	To all property owners and occupants within 300 feet of the subject properties.
Date Mailed:	October 20, 2007
Approved minutes may be reviewed at:	Community Development Office

Persons wishing to express their views may do so in person at the hearing or in writing addressed to the address noted above.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 at least one day in advance to request mobility, visual, hearing or other assistance.

TO MANAGERS WITH MORE THAN ONE UNIT, PLEASE POST THIS NOTICE AT THE MAIN ENTRANCE.

Attachment B: 300' Buffer Zone



Attachment C: Creation of Mailing List

1925455016
300 PARK, LLC

7125 ORCHARD LAKE RD. STE 200
WEST BLOOMFIELD, MI 48325-

1925456037
BIRMINGHAM PROPERTY, LLC

2804 ORCHARD LAKE RD.. 210
KEEGO HARBOR, MI 48320-

1925460015
CHERRI, LILA

551 RIDGEDALE
BIRMINGHAM, MI 48009-5764

1925460018
BUSTOS, ORLANDO
BUSTOS, VERONNE
591 RIDGEDALE
BIRMINGHAM, MI 48009-5764

1925483005
POOR, GORDON REV TRUST
C/O HENRY FORD VILLAGE
15081 FORD RD,APT 112
DEARBORN, MI 48126-

1925455017
PENINSULA BUILDING MGMT

220 PARK
BIRMINGHAM, MI 48009-3477

1925456043
CITY OF BIRMINGHAM
PARKING LOT
PO BOX 3001
BIRMINGHAM, MI 48012-

1925460016
MULHOLLAND, CHARLES W

567 RIDGEDALE
BIRMINGHAM, MI 48009-5764

1925460019
STACEY DEVELOPMENT, LLC

35270 WOODWARD
BIRMINGHAM, MI 48009-5708

1925483010
CHINONIS, DENNIS
CHINONIS, PATRICIA LAPOINTE
620 RIDGEDALE
BIRMINGHAM, MI 48009-5765

1925456014
BIRMINGHAM PROPERTY LLC

2804 ORCHARD LAKE RD 210
KEEGO HARBOR, MI 48320-1449

1925460014
CITY OF BIRMINGHAM

PO BOX 3001
BIRMINGHAM, MI 48012-

1925460017
FENTON, KYLE

579 RIDGEDALE
BIRMINGHAM, MI 48009-5764

1925483004
GLEICH, JOHN P
GLEICH, CAROLYNN C
546 RIDGEDALE
BIRMINGHAM, MI 48009-5763

1925483011
ERWIN, MICHELLE

644 RIDGEDALE
BIRMINGHAM, MI 48009-5765

Attachment D: Newspaper Publication Sample

**CITY OF BIRMINGHAM, MICHIGAN
PLANNING BOARD
NOTICE OF PUBLIC HEARING
NOVEMBER 11, 2015**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Birmingham Planning Board on Wednesday, November 11, 2015, beginning at 7:30 PM in the Commission Room of the Municipal Building, 151 Martin Street, City of Birmingham, Michigan. The purpose of the hearing is to receive public comments on the following proposals:

AN ORDINANCE TO AMEND CHAPTER 126, ZONING, OF THE CODE OF THE CITY OF BIRMINGHAM:

TO AMEND ARTICLE 03 SECTION 3.09(B)(1) TO REQUIRE GLAZING IN THE TRIANGLE DISTRICT BETWEEN 1' AND 8' ABOVE GRADE ON THE GROUND FLOOR.

AND

TO AMEND ARTICLE 04, SECTION 4.83 WN-01(WINDOW STANDARDS) TO SPECIFY THAT THE REQUIRED 70% GLAZING IS BETWEEN 1 AND 8 FEET ABOVE GRADE ON THE GROUND FLOOR IN ALL ZONE DISTRICTS.

Related materials are available in the Community Development Department. The Planning Board, through discussion at the public hearing, reserves the right to make changes to the proposed plans prior to making a recommendation to the City Commission.

Should you have any statement regarding the above, you are invited to attend the meeting or present your written statement to the Community Development Department, Planning Division, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing. You may also reach the Community Development Department via email to Jana L. Ecker, Planning Director, at jecker@bhamgov.org.

Attachment E: QR Codes for Notice Signs



Planning Board



City Commission



MEMORANDUM

Office of the City Manager

DATE: February 18, 2016

TO: Joseph A. Valentine, City Manager

FROM: Joellen Haines, Assistant to the City Manager

SUBJECT: 2016 City Commission Goals

The City Commission and staff met January 9, 2016 for a City Commission Goal Setting Workshop led by Facilitator Deb Macon at the Department of Public Services facility. The purpose of the workshop was to collaboratively develop goals to lead the City Commission over the next several years.

The discussion was conducted in groups and focused on creating goals that address critical issues and challenges facing the City over the next five years, while looking at accomplishments and highest hopes for the City. The group concluded its session with the decision to continue at a future date to complete the process and decide on the proposed changes to the existing City Commission Goals.

On Feb. 8th, the City Commission and staff reconvened to review the recommendations from the earlier Jan. 9th City Commission Goal Setting Workshop. The facilitator reviewed each goal individually and allowed for roundtable discussion among the City Commission with input from City department heads.

The result of these two meetings was a consensus by the Commission of the attached 5 year goals and are being presented for adoption.

SUGGESTED RESOLUTION:

To approve City Commission Goals resulting from the January 9th and the Feb. 8th, 2016 City Commission Goal Setting Workshops.



CITY COMMISSION GOALS

Provide sound leadership and responsible governance to maintain financial stability.

- Continue to utilize public resources in an effective, efficient manner adapting to current and future economic trends and conditions.
- Balance community needs and desires with available resources.

Be innovative and responsive in how services are provided to the community.

- Seek new and collaborative approaches to improve the effectiveness and efficiency of service delivery within an environment of competing community interests.
- Continue to provide the highest levels of customer service in an economically sustainable manner.

Support the vitality of both the residential and business communities that depend upon each other for success.

- Continue to encourage and recognize citizen involvement for the common good.
- Support continued private investment throughout the City.

Cultivate a safe, healthy, and dynamic City.

- Foster an innovative and inclusive environment that attracts all people to live, work, shop, and play.
- Maintain a vibrant and walkable community.

Continue to be proactive with infrastructure maintenance programs and reinvestment in cost-effective improvements to roads, sewers, water mains, parking, parks and public facilities.



STATEMENT ON FLINT and WATER QUALITY IN THE GLWA SERVED COMMUNITIES

Our thoughts are with those who are struggling without access to safe and reliable water in their homes. The Great Lakes Water Authority (GLWA) is paying close attention to what unfolded in Flint and we are doing what we can to assist. We have restored GLWA service to the city, and are working cooperatively with Flint's environmental consultants and others in assuring high quality water is restored to all properties. Flint underscores that the GLWA's first job is to protect the families we serve. Those of us involved in managing, cleaning and delivering water share a solemn obligation to protect public health.

Several of our customer communities brought to my attention that they are receiving calls from residents concerned that the water quality issues in Flint may be affecting the water quality in their community. I want to clarify the issue and provide assurance that what is in the press daily regarding Flint is an unfortunate circumstance, limited solely to the homes and businesses served by Flint.

The water crisis in Flint began when Flint switched its water supply source. Flint did not take the required steps to manage water chemistry. The new water from the Flint River was more corrosive, and as a result removed protective coatings in the pipes that come with properly treated water. This caused lead to leach from service lines and home plumbing – lead that ended up in water coming out of the taps. Lead did not come from the treatment plant and water mains; it came from lead service lines running between the water main and homes, and from plumbing inside the homes themselves, which contributes to test results varying from home to home. Flint has now switched back to GLWA water and improvement in the quality at the tap is being seen.

As the CEO of GLWA I want to provide you this assurance. GLWA is not content to simply comply with regulations. We observe the letter of the law as well as embrace the spirit of it. We have worked to achieve and maintain optimal corrosion control in our treatment of water. Federal regulations acknowledge that this treatment technique is the best approach to minimize exposure to lead in drinking water – establishing that protective coating – and minimizing the ability of lead or other materials from the service lines or plumbing fixtures in the homes we serve to leach into the water. While Federal regulations consider the path forward for us as individuals and communities to remove lead service lines and plumbing that are the sources of lead, GLWA will continue our commitment to maintain optimal corrosion control.

Testing for lead and copper occurs within the local communities served by GLWA. To our knowledge, no community consistently served water by GLWA, formerly DWSD, has reported any lead issues.

I encourage you to share this message with your local constituents, along with your Community's Water Quality Report that contains your lead and copper test results.

Best regards,

A handwritten signature in blue ink that reads "Sue F. McCormick".

Sue F. McCormick, CEO
Great Lakes Water Authority

**CITY OF BIRMINGHAM
BOARD OF ETHICS
ADVISORY OPINION 2015-06**

**DECISION
DECEMBER 1, 2015**

QUESTION PRESENTED

Are Commissioners or other City board members required to recuse themselves due to a non-current conflict of interest? For example, does a previous business relationship or personal relationship constitute a conflict of interest within the meaning of the Ethics Ordinance?

ANSWER

No; unless the Commissioner or board member is unable to act impartially or, after disclosure, other board members conclude that recusal is necessary.

ANALYSIS AND DISCUSSION

The Ethics Ordinance prohibits an individual from participating in a matter where s/he has a personal financial interest.

Section 2-324 (b)(1) "No official or employee of the city shall participate, as an agent or representative of the city, in approving, disapproving, voting, abstaining from voting, recommending or otherwise acting upon any matter in which he or she has directly or indirectly a financial or personal interest."

Section 2-322: "Financial interest means any interest in money, property or thing of value or benefit. Personal interest means an interest arising from blood or marriage relationship or any business association"

In the Ethics Ordinance the word "has" denotes a current relationship. "Has" is the third person singular form of the verb "to have" which the Ethics Ordinance uses in the sense of "to stand in a certain relationship to" (Webster's Seventh New Collegiate Dictionary). By using only "has" and not "had", the Ethics Ordinance regulates only current and not prior relationships.

The Ethics Ordinance recognizes the citizens who volunteer for public service inevitably have a wide range of business and personal relationships that benefit the City. Some of those relationships are acceptable, Sections 2-324(a) (6) para 2 and 2-324(a)(9), and some are not Section 2-324(b)(1). In fact the city's scheme of government takes advantage of the expertise of the citizenry. Board members can participate in a decision where they act in furtherance of the public good, in compliance with the duties of their respective boards and consistent with the requirements of the Ethics Ordinance. Section 2-324(a)(9)(a-c). A key determinant is whether the Commissioner or board member is impartial. Section 2-324 (a) (6): "No official or employee of the city shall engage in or accept employment or render services for any private or public interest when the employment or service is incompatible or in conflict with independence of judgment or action in the performance of his or her official duties".

The Ethics Ordinance relies on voluntary disclosure to help identify the difference between relationships which require recusal and those which do not. Section 2-324 (b) (1) "Responsibility to disclose. It shall be the responsibility of the official or employee to disclose the full nature and extent of his or her direct or indirect financial or personal interest in a matter before him or her". In the process of this disclosure care should be taken to avoid improperly influencing fellow board members on the substance of the issue. For example, a board member should state that he/she has a conflict of interest because applicant is a client of his/her firm but not describe how big or small the client is or express any opinion about the applicant at all.

Once disclosed, the Ethics Ordinance does not have a process to determine which relationships require recusal and which do not. This may lead Commissioners or board members to recuse themselves when it is not necessary, thus depriving the public of the benefit of the recused member's judgment.

While the Ethics Ordinance does not specify a process for determining whether a particular relationship requires recusal there are ethical best practices that provide guidance:

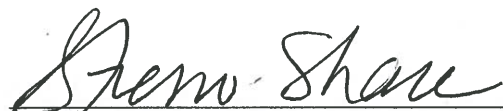
First, Commissioners and board members should review the agenda and decide whether there is an item that implicates the Ethics Ordinance, either because of the nature of the item or the identity of the interested parties. Then, the Commissioner or board member should determine if it is a current or a former relationship. If it is a

current relationship that involves personal or financial interest, the Commissioner or board member must recuse him or herself. If it is a prior relationship, the Commissioner or board member should decide if s/he can impartially participate in deciding. If the Commissioner cannot be impartial, s/he should disclose the relationship at the public meeting before any substantive discussion, explain the nature of the relationship and the reason for his or her decision and recuse him or herself. If they feel they can be impartial then they must disclose the relationship to the Commission or board at a public meeting before any substantive discussion on the issue and explain why recusal is not necessary. The other members of the Commission or board may nonetheless determine that recusal is necessary to carry out the letter or intent of the Ethics Ordinance. Each board can determine for itself whether a majority or some lesser vote is required for recusal.

The Ethics Ordinance contemplates the possibility that there may be a disagreement about whether a conflict of interest exists after a disclosure. If a board member makes a disclosure and takes part in the discussion and or vote, and another board member thinks a conflict of interest exists, the matter should be reported to the Ethics Committee.

Sec. 2-324 (b) (2) (b) "if a city official, commissioner or employee who has a conflict of interest, as defined herein, in any matter before the city, and who discloses that conflict on the appropriate records but who refuses to refrain from discussion, deliberation or voting thereon, the matter under consideration shall be immediately referred to the board of ethics for a final determination as to the conflict in question and whether the official, commissioner or employee must refrain from discussion, deliberation, action or voting thereon."

If there is any doubt about whether a particular relationship requires disclosure or recusal, a Commissioner or member of a board should seek the advice of the board liaison or City Manager prior to the meeting. The City Manager may choose to consult the City Attorney.



Sophie Fierro-Share



James D. Robb



John J. Schrot, Jr.

**CITY OF BIRMINGHAM
ETHICS BOARD
ADVISORY OPINION 2015-07**

Introduction

The Ethics Board was requested by Birmingham City Commissioner Gordon Rinschler to provide an Advisory Opinion¹. At the October 12, 2015 Birmingham City Commission meeting, Commissioner Rinschler made the statement that "the Board of Ethics should review the process used to select Mr. Aaron Cohen to make sure that everything is done properly." Mr. Rinschler was referring to whether or not the process used in the selection of the architect for a public project was in violation of Section 2-323 of the City Ethics Ordinance.

Issue

Whether the process used in the selection of the architect for the renovation of the Adult Services area at the Baldwin Public Library was in violation of Section 2-323 of the Ethics Ordinance?

Conclusion

No, the selection process was appropriately adhered to and thus no violation.

Factual Summary

The agenda item of the Birmingham City Commission meeting at issue on October 12, 2015 related to the Baldwin Public Library development of construction drawings. This specifically pertained to a renovation to the Adult Services Department of the library, concentrating on the main floor of the Birkert addition. Library Director Douglas Koschik appeared before the Ethics Board and explained that a Request for Proposal ("RFP") was issued in February, 2015 and five bids were received. Further, at a public meeting the Library Board selected the architectural firm of Luckenbach Ziegelman Gardner ("LZG"), and it was awarded the contract for the construction drawings. It submitted its proposal dated March 27, 2015. The goals were to get more light into the space, create a more open and collaborative space, increase way finding and circulation and to satisfy the library's programming requirements. John Gardner of LZG explained that Mr. Aaron Cohen of Aaron Cohen Associates is a world famous library planning consultant in New York City, and that a library patron brought him to their attention. LZG interviewed Mr. Cohen and asked him to work with them on this project. Commissioner Rinschler suggested that the Ethics Board review the process related to the use of Mr. Cohen. The Commissioner expressed his support of the design, but lacked comfort with the process. The Commission unanimously approved the reference herein to the Ethics Board.

¹ Section 2-325(b)(1)(2). The procedure for an Advisory Opinion is set forth in Chapter 2 of the Board of Ethics Procedural Rules. This is not an Ethics complaint, but more a matter of education.

Some history of what occurred prior to this referral and request for Advisory Opinion is relevant. An election was held in Birmingham on May 6, 2014 to approve or reject a proposed \$21.5 million bond issue to expand and renovate the Baldwin Public Library. In preparation for this election, the City Commission and the Library Board jointly issued an RFP for architectural services to develop a concept plan and cost estimate. The Board used the City's RFP template.² Numerous prominent firms responded to the RFP, however Mr. Cohen's firm did not respond. There was some question as to whether or not Mr. Cohen and/or his firm was included as a subcontractor in any of the other firms' responses.

Subsequent to completion of the concept design and cost estimate, but prior to the Commission approval of the 2014 ballot language, Birmingham citizen Mr. David Bloom attended a Commission meeting and requested that the City hire Mr. Cohen. The request was rejected and the Commission ultimately approved the proposed language and set an election date. Thereafter, Mr. Bloom and others formed and registered an organization called "Birmingham Citizens for Responsible Spending" to oppose the bond proposal in their campaign literature. Mr. Cohen was featured therein as a leading library architect and was quoted as saying that the \$21.5 million dollar plan to demolish and rebuild most of the Baldwin Library was "unnecessary, a waste of taxpayer money, and has some serious usability limitations."

The bond proposal was eventually defeated and then the Library Board developed a new proposal, with significant participation by Mr. Bloom. Every Library Board meeting was publicly noticed and the minutes published. Architectural services were contracted to LZG who partnered with Mr. Cohen. Therefore, Commissioner Rinschler had concern as Mr. Bloom recommended Mr. Cohen to LZG, and that LZG might have been encouraged to hire Mr. Cohen as a quid pro quo for his participation with Birmingham Citizens for Responsible Spending in defeating the ballot proposal of May 6, 2014. Part of the concern was whether or not this process created the appearance of giving or accepting preferential treatment, including the use of city property or information, to or from any organization or person, in conflict with Section 2.323(2).³

Various members of the Library Board attended the subject Ethics Board hearing and expressed support for LZG, in part because of the firm's experience in Birmingham. Apparently, Mr. Cohen did not criticize any aspect of the project after LZG was awarded the contract. Mr. Ziegelman explained to the Ethics Board that it is very common to bring in an expert of Mr. Cohen's qualifications on this type of project, but his firm had not previously worked with Mr. Cohen. He further stated that Mr. Cohen was only giving advice to LZG and has had no decision making authority.

² It generally appears that the Library Board has the discretion for the oversight of the interior of the library building, and the City has the discretion for the exterior as it is a City-owned building. However, City funds paid for this architectural portion of the project.

³ It is the intention of section 2-324 that city officials and employees avoid any action, whether or not specifically prohibited by section 2-324, which might result in, or create the appearance of: (2) Giving or accepting preferential treatment, including the use of city property or information, to or from any organization or person.

The involvement of LZG and Mr. Cohen was not clandestine. The Library Board's Building Committee met on October 13, 2014, and conducted a conference call with Mr. Cohen, as shown by the Building Committee report. From a review thereof, it is quite evident that the Committee, and thus many members of the entire Library Board, became quite familiar with Mr. Cohen's beliefs and suggestions at that time. Mr. Bloom also attended that meeting. The Library Board Minutes of April 20, 2015 reference LZG bringing in Mr. Cohen as a consultant. In addition, "Aaron Cohen Associates" was identified as a Library Building Consultant, by and through Alex Cohen, as part of the LZG project team in its RFP submission of Architect's Description and Qualifications. This team description is significant as part and parcel of the RFP. It required the firm's qualifications. More particularly, on page 21 of the RFP there are various Selection Criteria, which included the experience and qualifications of proposed team members that will be assigned to the project. Also on page 22 thereof are RFP Submission Requirements, again requiring the architect description and qualifications, along with proposed project team members being identified, including resume and examples of prior projects. LZG complied therewith. The RFP from LZG was submitted well in advance of the bond election, especially as proposals had to be submitted no later than March 30, 2015. As evidenced by the minutes of the Library Board dated April 20, 2015, the board members considered the Selection Criteria listed in the RFP. It is also notable that LZG had the lowest price quote of the finalists.

There appears to be from the Library Board meeting minutes of May 6, 2015 a substantial familiarity with Mr. Cohen, his site visit and agenda. The Ethics Board also received and examined the review of Aaron Cohen's visit of May 22nd 2015. The Library Board Building Committee also reviewed on June 16, 2015 the preliminary lay outs of Mr. Cohen. Further minutes evidence that Mr. Cohen had a subsequent visit(s) and, into the fall of 2015, showed the continuing involvement of Mr. Cohen in this project.

Analysis

The City's Ethics Ordinance (Code), which "sets minimum standards for ethical conduct," recognizes that for a government to operate properly, each city official, employee, or advisor must earn and honor the public trust by integrity and conduct. In doing so one must avoid conflicts, and be independent, impartial and responsible to the people. Section 2-320. City officials must safeguard public confidence by maintaining non-partisanship in all official acts, and avoid conduct which may undermine respect for city officials and the city as an institution. Section 2-321. Pursuant to the Ethics Ordinance, Section 2-322, a "City Official" means a person elected, appointed or otherwise serving in any capacity with the city in a position established by the City Charter or by city ordinance which involves the exercise of a public power, trust or duty. "The term includes consultants, and Section 2-322 states that 'Consultant' means a person who gives professional advice or services regarding matters in the field of his or her special knowledge or training." Clearly, LZG is serving as a city official with respect to the subject contract. Moreover, its principal, Robert L. Ziegelman, is a member of the

Birmingham Board of Housing Appeals and Corridor Improvement Authority, and thus individually and otherwise a city official.⁴

The requested review of the ordinance by Commissioner Rinschler primarily related to Section 2-323, which pertains to the intention of the Code of ethics. More specifically, the focal section (subsection 2) focuses upon the prohibition against any city official engaging in any action which might result in, or create the appearance of, giving or accepting preferential treatment, including the use of city property or information, to or from an organization or person. The stated intent thereof is to avoid a conflict of interest. Section 2-324(a) pertains to conflict of interest.⁵

A conflict of interest is a situation in which a person or organization is involved in multiple interests, financial interests, or otherwise, one of which could possibly corrupt the motivation of the individual or organization. The presence of a conflict of interest is independent of the occurrence of impropriety. Various of the subparts of Section 2-324(a) have application to Section 2-323(2), as they pertain to property, funds, benefits, things of value, personal interest and/or preferential treatment. See Subsections of 2-324(a), including (a)(3), (4), (7), and (8). Subsection (8) provides in principal part that no official shall use or attempt to use his or her official position to secure any special consideration, privilege, advantage, contract or preferential treatment for himself, herself, or others, beyond that which is available to every other citizen. Commissioner Rinschler's concern and action herein evidence his diligence in exercising his fiduciary duty to safeguard the citizens of Birmingham and the integrity of city government.

The Commissioner's request further brings into play the Code's requirement of the responsibility to fully disclose the full nature and extent of an official's direct or indirect financial or personal interest in a matter before him or her. The Ethics Board finds that there was appropriate procedural full disclosure by the awarded architect(s), LZG, as shown by its response to the RFP. Therefore, this matter demonstrates universal recognition and compliance with the Code by all concerned, and this exercise will further strengthen its educational component.


James D. Robb


John J. Schrot, Jr.


Sophie Fierro-Share

⁴ He filed his Affidavit and Disclosure Statement pursuant to the Ethics Ordinance herein on November 18, 2015. See Section 2-326.

⁵ The ethics ordinance, Section 2-324(a)(10), defines when a conflict of interest exists as follows: Determination of conflict of interest. A conflict of interest exists if: a. The city official or employee has any financial or personal interest, beyond ownership of his or her place of residence, in the outcome of a matter currently before that city official or employee, or is associated as owner, member, partner, officer, employee, broker or stockholder in an enterprise that will be affected by the outcome of such matter, and such interest is or may be adverse to the public interest in the proper performance of said official's or employee's governmental duties.



MEMORANDUM

Finance Department

DATE: February 11, 2016
TO: Joseph A. Valentine, City Manager
FROM: Mark Gerber, Director of Finance/Treasurer
SUBJECT: December 2015 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

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 \$13 million invested in pooled funds at the end of December. 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 19.9%.

Currently there is approximately \$1 million, or 1.5%, of the City's portfolio invested in commercial paper. A maximum of 20% of the City's investments may be held in commercial paper with the highest rating of A-1/P-1 by at least two standard rating services.

Investments in obligations of the state total \$1.5 million, or 2.3%, of the portfolio. A maximum of 20% of the City's investments may be held in these investment instruments.

The City also holds approximately \$23 million, or 35.1%, of its investments in government securities, 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 \$27 million, or 41.2%, of the City's investments. The maximum amount of the portfolio that may be invested in federal agencies is 75%.

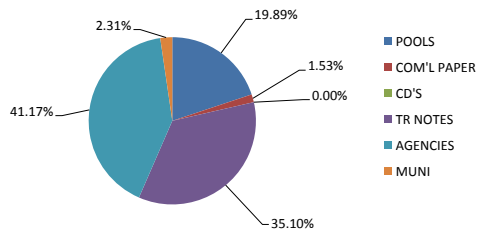
The Investment Policy requires that the average maturity of the portfolio may not exceed two and one-half years. The current average maturity of the portfolio is 1.05 years.

**CITY OF BIRMINGHAM
GENERAL INVESTMENT PORTFOLIO SUMMARY**

12/31/2015

YEAR	MATURITY DATE	DESCRIPTION	% YIELD	*	ISSUER	PAR VALUE	COST	CURRENT MARKET VALUE	YEARLY TOTAL	% OF TOTAL
2015	12/31/2015	CLASS POOL	0.250%	CITY	MICHIGAN CLASS	2,015,439.94	2,015,439.94	2,015,439.94		
	12/31/2015	J FUND	0.198%	CITY	COMERICA BANK	11,005,040.40	11,005,040.40	11,005,040.40		
									13,020,480.34	19.89%
2016	1/15/2016	AGENCY	0.170%	CAM	FREDN	1,500,000.00	1,499,242.00	1,499,925.00		
	2/9/2016	COM'L PAPER	0.360%	CAM	TOYCC	1,000,000.00	998,540.00	999,883.94		
	2/15/2016	TR NOTE	0.340%	CAM	U.S.	1,000,000.00	1,000,859.38	1,000,000.00		
	2/28/2016	AGENCY	1.000%	CAM	FNMA	1,000,000.00	1,000,000.00	997,380.00		
	3/11/2016	AGENCY	0.240%	CAM	FREDN	2,000,000.00	1,997,826.67	1,998,880.00		
	3/30/2016	AGENCY	0.300%	CAM	FNMA	2,000,000.00	2,002,320.00	2,000,160.00		
	3/31/2016	AGENCY	0.240%	CAM	FHLBDN	1,000,000.00	998,780.00	999,270.00		
	4/11/2016	AGENCY	1.020%	CAM	FNMA	1,000,000.00	1,053,700.00	1,005,180.00		
	5/27/2016	AGENCY	1.000%	CAM	FHLMC	1,000,000.00	1,000,000.00	1,000,700.00		
	5/31/2016	TR NOTE	0.410%	CAM	U.S.	1,500,000.00	1,574,179.69	1,507,785.00		
	6/30/2016	TR NOTE	0.410%	CAM	U.S.	1,000,000.00	1,035,234.38	1,004,610.00		
	9/9/2016	AGENCY	0.790%	CAM	FHLB	1,500,000.00	1,552,815.00	1,512,600.00		
	10/14/2016	AGENCY	0.570%	CAM	FHLB	2,000,000.00	2,002,018.00	1,999,060.00		
	10/28/2016	AGENCY	1.360%	CAM	FFCB	1,500,000.00	1,497,300.00	1,476,270.00		
	11/1/2016	AGENCY	0.870%	CAM	FHLMC	1,500,000.00	1,488,795.00	1,497,990.00		
	11/14/2016	AGENCY	0.600%	CAM	FHLB	1,000,000.00	999,140.00	999,010.00		
	11/30/216	TR NOTE	0.875%	CAM	U.S.	1,000,000.00	1,002,578.12	1,000,590.00		
	12/9/2016	AGENCY	0.700%	CAM	FHLB	1,000,000.00	1,021,180.00	1,007,400.00		
	12/31/2016	TR NOTE	0.750%	CAM	U.S.	1,000,000.00	1,002,812.50	1,000,630.00		
									24,507,323.94	37.44%
2017	1/31/2017	TR NOTE	0.780%	CAM	U.S.	1,000,000.00	1,002,187.50	1,000,080.00		
	3/31/2017	TR NOTE	1.020%	CAM	U.S.	2,000,000.00	1,998,750.00	2,003,120.00		
	4/17/2017	AGENCY	0.820%	CAM	FFCB	1,000,000.00	998,750.00	997,080.00		
	4/27/2017	AGENCY	0.770%	CAM	FNMA	1,500,000.00	1,523,970.00	1,502,475.00		
	5/15/2017	MUNI	1.100%	CAM	MI	1,500,000.00	1,521,405.00	1,510,785.00		
	5/31/2017	TR NOTE	0.625%	CAM	U.S.	1,500,000.00	1,501,523.44	1,493,385.00		
	7/31/2017	TR NOTE	1.000%	CAM	U.S.	1,500,000.00	1,476,210.94	1,488,630.00		
	9/8/2017	AGENCY	0.840%	CAM	FHLB	1,500,000.00	1,493,565.00	1,490,430.00		
	10/31/2017	TR NOTE	1.000%	CAM	U.S.	1,500,000.00	1,486,523.44	1,492,035.00		
	12/31/2017	TR NOTE	1.120%	CAM	U.S.	1,500,000.00	1,479,375.00	1,489,860.00		
									14,467,880.00	22.10%
2018	1/15/2018	TR NOTE	0.760%	CAM	U.S.	1,500,000.00	1,503,984.38	1,493,205.00		
	2/15/2018	TR NOTE	0.770%	CAM	U.S.	1,500,000.00	1,507,968.75	1,495,320.00		
	2/20/2018	AGENCY	1.060%	CAM	FHLB	2,000,000.00	2,000,680.00	2,000,040.00		
	4/24/2018	AGENCY	1.080%	CAM	FFCB	1,000,000.00	999,000.00	989,350.00		
	9/7/2018	AGENCY	1.134%	CAM	FHLB	2,000,000.00	1,994,520.00	1,976,240.00		
	10/31/2018	TR NOTE	1.250%	CAM	U.S.	1,000,000.00	1,003,046.88	998,590.00		
	12/31/2018	TR NOTE	1.030%	CAM	U.S.	1,000,000.00	1,015,000.00	1,004,530.00		
									9,957,275.00	15.21%
2019	1/31/2019	TR NOTE	1.050%	CAM	U.S.	1,500,000.00	1,522,031.25	1,505,280.00		
	2/28/2019	TR NOTE	1.375%	CAM	U.S.	2,000,000.00	2,020,625.00	1,998,680.00		
									3,503,960.00	5.35%
			0.691%			65,520,480.34	65,796,917.66	65,456,919.28	65,456,919.28	100.00%

ASSET MIX



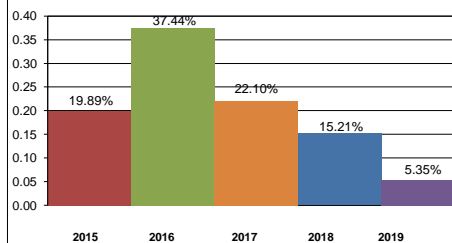
POOLS	\$13,020,480.34	19.89%
COM'L PAPER	\$999,883.94	1.53%
CD'S	\$0.00	0.00%
TR NOTES	\$22,976,330.00	35.10%
AGENCIES	\$26,949,440.00	41.17%
MUNI	\$1,510,785.00	2.31%
TOTAL	\$65,456,919.28	100.00%

COMPARATIVE RETURNS			
	City Portfolio	1-Yr TR	2-Yr TR
Current Month	0.69%	0.31%	0.68%
Previous Month	0.72%	0.40%	0.70%
1 Year Ago	0.65%	0.21%	0.64%

AVERAGE MATURITY (YEARS):

1.05

TOTAL INVESTMENTS PER YEAR



*ASSIGNED TO CAM:	\$52,436,438.94	80.11%
*ASSIGNED TO CITY:	\$13,020,480.34	19.89%
	\$65,456,919.28	100.00%



MEMORANDUM

Finance Department

DATE: February 11, 2016

TO: Joseph A. Valentine, City Manager

FROM: Mark Gerber, Director of Finance/Treasurer

SUBJECT: Second 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 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 second quarter 2015-2016 fiscal year financial reports. The reports compare budget to actual for the current fiscal year and the prior fiscal year for the same quarter. This allows 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 budget. Budget discussions that follow will focus on each fund individually.

At this point, 50% of the fiscal year has lapsed.

General Fund

Overall, the activity in the General Fund for fiscal year 2015-2016 is comparable to the prior fiscal. Revenues are approximately \$600,000 higher than last year mostly as a result of higher property tax revenue and licenses and permits. Intergovernmental revenues are at 27% of budget because the second state shared revenue check for the fiscal year is not received until January. Charges for services are lower than the previous year because the 2nd quarter payment for dispatch services wasn't received until January this year and charges to other funds were less than in the previous year. Fines and forfeiture revenue is at 29% because 2nd quarter revenue from the 48th District Court is not received until after their year-end audit.

Expenditures for the General Fund are at the same level as the prior year. Transfers out are at 68% as a result of a transfer to the Risk Management Fund to pay for a portion of the Wolf vs Birmingham settlement.

Greenwood Cemetery Fund

This is a new fund this year. We have received approximately \$88,000 for the first quarter sales. No expenditures were budgeted for this year.

Major Street Fund

Overall, revenue has decreased approximately \$200,000 as a result of a grant from the State for reconstruction of the Chesterfield/Quarton intersection for \$432,800 which was received in August 2014. This was partially offset by an increase in transfers from the General Fund of \$190,000.

Non-construction expenditures are similar to the previous fiscal year, with the exception of traffic controls. Traffic controls is higher this year compared to the previous year as a result of the West Maple Road restriping and signal control upgrades. Construction expenditures are approximately \$800,000 greater this fiscal year as compared to the prior year as a result of 2014-2015 fall projects such as West Lincoln Avenue and North Eton Road starting later in the construction season.

Local Street Fund

Total revenues for the year are approximately \$138,000 higher than the prior year as a result of an increase in transfers from the General Fund.

Total expenditures are approximately \$383,000 less than the prior year as a result of a decrease in construction costs. Non-construction expenditures are similar to the previous fiscal year, except for street maintenance and street cleaning. Street maintenance is approximately \$215,000 less than the previous year as a result of a capesal project in 2014. Street cleaning is approximately \$47,000 higher than the previous year as a result of catch basin cleaning which is performed every other year.

Solid Waste Fund

Revenues are comparable to the prior fiscal year.

Expenditures are comparable to the prior fiscal year. Capital outlay represents purchases of dumpsters.

Brownfield Redevelopment Authority Fund

Revenues are higher than the prior fiscal year as a result of higher property values being captured by the fund. At the time the budget was prepared for fiscal year 2015-2016, the amount of taxable value to be captured by the Authority was not available.

Expenditures are higher in the current fiscal year as a result of payments to developers for reimbursement of environmental remediation costs.

Birmingham Shopping District

Total revenues are slightly higher in the current year compared to the previous year as a result of receiving more special assessment payments in December. Expenditures are comparable to prior fiscal year, except for other charges. Other charges are higher in the current year as a result of the timing of advertising and special event expenditures compared to the previous fiscal year.

Community Development Block Grant Fund

Current year budget includes funding for new handicap lift in City Hall. The increase in revenues and expenditures represents the handicap lift project.

Triangle District Corridor Improvement Authority

Based on contract negotiations with Oakland County, it appears that this fund will not be able to capture tax revenue for this fiscal year. Expenditures for the year relate to work performed on potential parking structure sites.

Law and Drug Enforcement Fund

Forfeiture revenue is comparable to prior year. Expenditures have decreased as there are less purchases planned for this fiscal year. Last year's budget included an upgrade of the City's security cameras.

Baldwin Library

Revenue is approximately \$112,000 higher than the previous year. This is the result of higher property tax revenue in the current year.

Expenditures are approximately \$152,000 higher than the previous year. Approximately, half of the increase is due to timing differences of items that were paid in this quarter versus the next quarter in the previous fiscal year. The other half of the increase was for things like website design, the drop box, and other contractual services.

Debt Service Fund

Revenues and expenditures are higher as a result of increased debt service costs for the year.

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 GENERAL FUND
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	506,565	-	0%	430,030	-	0%
TAXES	20,281,450	20,235,108	100%	19,656,960	19,735,117	100%
LICENSES AND PERMITS	3,240,750	1,575,709	49%	2,725,260	1,287,572	47%
INTERGOVERNMENTAL	1,931,160	523,739	27%	1,887,720	411,166	22%
CHARGES FOR SERVICES	2,848,820	1,262,527	44%	2,825,090	1,474,508	52%
FINES AND FORFEITURES	1,697,650	491,457	29%	1,603,080	536,694	33%
INTEREST AND RENT	204,480	86,233	42%	231,600	87,845	38%
OTHER REVENUE	81,600	84,204	103%	110,310	102,333	93%
TOTAL Revenues	<u>30,792,475</u>	<u>24,211,522</u>	79%	<u>29,470,050</u>	<u>23,635,235</u>	80%
EXPENDITURES:						
GENERAL GOVERNMENT	5,378,375	2,228,591	41%	5,407,274	2,319,407	43%
PUBLIC SAFETY	12,276,976	5,935,109	48%	12,791,913	6,018,377	47%
COMMUNITY DEVELOPMENT	2,395,930	977,037	41%	2,120,631	948,715	45%
ENGINEERING AND PUBLIC SERVICES	4,548,794	2,051,823	45%	4,142,172	1,993,849	48%
TRANSFERS OUT	<u>5,361,230</u>	<u>3,670,070</u>	68%	<u>5,008,060</u>	<u>2,823,944</u>	56%
TOTAL Expenditures	<u>29,961,305</u>	<u>14,862,630</u>	50%	<u>29,470,050</u>	<u>14,104,292</u>	48%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 GREENWOOD CEMETERY FUND
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
CHARGES FOR SERVICES	30,000	88,313	294%	-	-	
INTEREST AND RENT	<u>450</u>	<u>158</u>	35%	<u>-</u>	<u>-</u>	
TOTAL Revenues	<u>30,450</u>	<u>88,471</u>	291%	<u>-</u>	<u>-</u>	
EXPENDITURES:						
TOTAL EXPENDITURES	<u>-</u>	<u>-</u>		<u>-</u>	<u>-</u>	

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 MAJOR STREETS
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	1,541,230	-	0%	2,920,279	-	0%
INTERGOVERNMENTAL	1,978,610	498,660	25%	889,760	882,506	99%
INTEREST AND RENT	25,500	3,875	15%	29,980	10,073	34%
OTHER REVENUE	2,940	1,107	38%	10,500	5,587	53%
TRANSFERS IN	<u>1,580,000</u>	<u>790,000</u>	50%	<u>1,200,000</u>	<u>600,000</u>	50%
 TOTAL Revenues	 <u>5,128,280</u>	 <u>1,293,642</u>	 25%	 <u>5,050,519</u>	 <u>1,498,166</u>	 30%
EXPENDITURES:						
ADMINISTRATIVE	17,920	10,110	56%	21,670	12,503	58%
TRAFFIC CONTROLS & ENGINEERING	263,577	131,429	50%	203,780	85,487	42%
CONSTRUCTION OF ROADS & BRIDGES	3,712,125	1,464,713	39%	3,680,479	666,023	18%
MAINTENANCE OF ROADS & BRIDGES	356,708	143,808	40%	380,650	140,361	37%
STREET CLEANING	184,920	93,301	50%	170,020	73,104	43%
STREET TREES	227,710	127,134	56%	247,150	102,338	41%
SNOW AND ICE REMOVAL	<u>365,320</u>	<u>28,089</u>	8%	<u>346,770</u>	<u>34,696</u>	10%
 TOTAL Expenditures	 <u>5,128,280</u>	 <u>1,998,584</u>	 39%	 <u>5,050,519</u>	 <u>1,114,512</u>	 22%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 LOCAL STREETS
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	1,333,904	-	0%	1,802,405	-	0%
INTERGOVERNMENTAL	376,480	240,978	64%	359,040	210,115	59%
INTEREST AND RENT	35,500	8,973	25%	35,200	14,633	42%
OTHER REVENUE	113,770	26,679	23%	96,830	38,553	40%
TRANSFERS IN	<u>2,250,000</u>	<u>1,125,000</u>	50%	<u>2,000,000</u>	<u>1,000,000</u>	50%
 TOTAL Revenues	 <u>4,109,654</u>	 <u>1,401,630</u>	 34%	 <u>4,293,475</u>	 <u>1,263,301</u>	 29%
EXPENDITURES:						
ADMINISTRATIVE	25,230	13,765	55%	30,970	17,153	55%
TRAFFIC CONTROLS & ENGINEERING	59,990	29,815	50%	60,020	29,554	49%
CONSTRUCTION OF ROADS & BRIDGES	2,660,737	1,235,946	46%	2,635,867	1,461,914	55%
MAINTENANCE OF ROADS & BRIDGES	408,957	167,692	41%	624,178	383,072	61%
STREET CLEANING	206,740	143,642	69%	171,670	96,246	56%
STREET TREES	523,980	265,511	51%	557,730	242,545	43%
SNOW AND ICE REMOVAL	<u>224,020</u>	<u>15,291</u>	7%	<u>213,040</u>	<u>24,423</u>	11%
 TOTAL Expenditures	 <u>4,109,654</u>	 <u>1,871,662</u>	 46%	 <u>4,293,475</u>	 <u>2,254,907</u>	 53%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 SOLID WASTE
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	-	-	0%	19,580	-	0%
TAXES	1,825,000	1,822,752	100%	1,809,000	1,807,868	100%
CHARGES FOR SERVICES	22,900	10,355	45%	22,900	10,760	47%
INTEREST AND RENT	8,500	3,803	45%	9,680	3,475	36%
OTHER REVENUE	-	303	0%	-	160	0%
	<u>-</u>	<u>303</u>		<u>-</u>	<u>160</u>	
TOTAL Revenues	<u>1,856,400</u>	<u>1,837,213</u>	99%	<u>1,861,160</u>	<u>1,822,263</u>	98%
EXPENDITURES:						
PERSONNEL COSTS	194,740	100,262	51%	204,890	112,876	55%
REFUSE PICKUP	1,520,620	662,285	44%	1,475,940	657,754	45%
EQUIPMENT RENTAL	100,000	75,067	75%	135,000	85,863	64%
MISCELLANEOUS	12,440	3,298	27%	9,330	3,104	33%
CAPITAL OUTLAY	20,000	4,380	22%	36,000	-	0%
	<u>20,000</u>	<u>4,380</u>		<u>36,000</u>	<u>-</u>	
TOTAL Expenditures	<u>1,847,800</u>	<u>845,292</u>	46%	<u>1,861,160</u>	<u>859,597</u>	46%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 BROWNFIELD REDEVELOPMENT FUND
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
TAXES	226,750	246,100	109%	219,700	220,899	101%
CHARGES FOR SERVICES	-	1,500	0%	-	1,500	0%
INTEREST AND RENT	1,500	328	22%	2,620	1,619	62%
OTHER REVENUE	20,000	(1,692)	-8%	5,000	6,500	130%
TRANSFERS IN	<u>13,900</u>	<u>6,950</u>	50%	<u>25,000</u>	<u>12,500</u>	50%
TOTAL Revenues	<u>262,150</u>	<u>233,836</u>	89%	<u>252,320</u>	<u>243,018</u>	96%
EXPENDITURES:						
OTHER CHARGES	233,000	75,000	32%	217,000	15,714	7%
DEBT SERVICE	<u>27,560</u>	<u>-</u>	0%	<u>32,750</u>	<u>-</u>	0%
TOTAL Expenditures	<u>260,560</u>	<u>75,000</u>	29%	<u>249,750</u>	<u>15,714</u>	6%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 BIRMINGHAM SHOPPING DISTRICT
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	55,590	-	0%	72,338	-	0%
INTEREST AND RENT	5,400	1,492	28%	6,740	1,727	26%
OTHER REVENUE	175,000	133,605	76%	165,000	126,411	77%
SPECIAL ASSESSMENTS	<u>884,710</u>	<u>171,862</u>	19%	<u>889,570</u>	<u>142,482</u>	16%
 TOTAL Revenues	 <u>1,120,700</u>	 <u>306,959</u>	 27%	 <u>1,133,648</u>	 <u>270,620</u>	 24%
 EXPENDITURES:						
PERSONNEL SERVICES	432,430	221,223	51%	408,210	229,253	56%
SUPPLIES	6,500	3,014	46%	8,550	3,188	37%
OTHER CHARGES	<u>681,770</u>	<u>424,757</u>	62%	<u>716,888</u>	<u>351,386</u>	49%
 TOTAL Expenditures	 <u>1,120,700</u>	 <u>648,994</u>	 58%	 <u>1,133,648</u>	 <u>583,827</u>	 51%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 COMMUNITY DEVELOPMENT BLOCK GRANT
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
INTERGOVERNMENTAL	<u>72,909</u>	<u>22,321</u>	31%	<u>39,210</u>	<u>9,163</u>	23%
TOTAL Revenues	<u><u>72,909</u></u>	<u><u>22,321</u></u>	31%	<u><u>39,210</u></u>	<u><u>9,163</u></u>	23%
EXPENDITURES:						
TOTAL Expenditures	<u><u>72,909</u></u>	<u><u>22,321</u></u>	31%	<u><u>39,210</u></u>	<u><u>9,163</u></u>	23%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 TRIANGLE DISTRICT CORRIDOR IMPROVEMENT AUTHORITY
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	-	-	0%	11,180	-	0%
TAXES	115,000	0	0%	-	-	0%
INTEREST AND RENT	<u>1,000</u>	<u>73</u>	7%	<u>320</u>	<u>114</u>	36%
 TOTAL Revenues	 <u>116,000</u>	 <u>73</u>	 0%	 <u>11,500</u>	 <u>114</u>	 1%
 EXPENDITURES:						
TOTAL Expenditures	<u>20,000</u>	<u>10,466</u>	52%	<u>11,500</u>	<u>-</u>	0%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 LAW & DRUG ENFORCEMENT FUND
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	-	-	0%	169,691	-	0%
FINES AND FORFEITURES	37,500	35,837	96%	32,500	47,919	147%
INTEREST AND RENT	<u>750</u>	<u>142</u>	19%	<u>2,510</u>	<u>315</u>	13%
 TOTAL Revenues	 <u>38,250</u>	 <u>35,979</u>	94%	 <u>204,701</u>	 <u>48,234</u>	24%
EXPENDITURES:						
PUBLIC SAFETY	-	-	0%	10,531	1,097	10%
CAPITAL OUTLAY	<u>8,800</u>	<u>1,220</u>	14%	<u>194,170</u>	<u>191,372</u>	99%
 TOTAL Expenditures	 <u>8,800</u>	 <u>1,220</u>	14%	 <u>204,701</u>	 <u>192,469</u>	94%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 BALDWIN LIBRARY
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	18,180	-	0%	-	-	0%
TAXES	2,174,180	2,186,596	101%	2,050,990	2,078,053	101%
INTERGOVERNMENTAL	930,508	212,455	23%	883,148	207,923	24%
CHARGES FOR SERVICES	99,740	50,244	50%	101,920	51,708	51%
INTEREST AND RENT	<u>16,500</u>	<u>6,191</u>	38%	<u>16,850</u>	<u>5,944</u>	35%
 TOTAL Revenues	 <u>3,239,108</u>	 <u>2,455,486</u>	 76%	 <u>3,052,908</u>	 <u>2,343,628</u>	 77%
 EXPENDITURES:						
TOTAL Expenditures	<u>3,166,472</u>	<u>1,581,435</u>	50%	<u>3,039,555</u>	<u>1,429,500</u>	47%

CITY OF BIRMINGHAM
 QUARTERLY BUDGET REPORT
 DEBT SERVICE FUND
 QUARTER ENDED: DECEMBER 31, 2015 AND DECEMBER 31, 2014
 % OF FISCAL YEAR COMPLETED: 50%

	2015-2016			2014-2015		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
TAXES	1,575,090	1,573,200	100%	1,523,980	1,523,015	100%
INTEREST AND RENT	<u>1,400</u>	<u>1,105</u>	79%	<u>2,300</u>	<u>979</u>	43%
TOTAL Revenues	<u>1,576,490</u>	<u>1,574,305</u>	100%	<u>1,526,280</u>	<u>1,523,994</u>	100%
EXPENDITURES:						
TOTAL Expenditures	<u>1,571,490</u>	<u>1,324,158</u>	84%	<u>1,508,980</u>	<u>1,242,014</u>	82%

February 4, 2016

Board of Trustees
Southeastern Oakland County Water Authority

Subject: SOCWA Water Quality

Board Members:

The recent and ongoing Flint disaster has prompted a number of questions regarding the quality of the SOCWA water supply. This report summarizes our water quality information and provides a brief history of our sampling for lead and copper. SOCWA staff is preparing a complete history of our sampling for lead and copper in case it is needed in the future. The summary is the most recent lead samples, which were taken in 2014, did not identify any SOCWA community for which the EPA lead action level of 15 parts per billion (ppb) was exceeded. The lead test results are reported in the annual Consumer Confidence Report (CCR). The GLWA (and DWSD before the GLWA was formed) adds phosphoric acid as part of the water treatment process in order to control corrosion in the water distribution system. As a result, our testing has demonstrated that lead is not a concern in the water provided to SOCWA by the GLWA. All of our water quality results are summarized in the Consumer Confidence Report (CCR) that is prepared for each community in the spring. The lead information in the current (2014) CCR will not change when the 2015 CCRs are published because no additional testing for lead took place in 2015, see discussion below.

Sue McCormick, CEO of the GLWA is planning to issue a statement regarding the quality of GLWA water. That statement will be provided to Board members as soon as it is received.

Lead and Copper Testing History

Lead and copper in the drinking water has been a concern for many years. This is due to the presence of lead and copper in the water distribution system, most notably in the service lines leading to each house and the plumbing inside of each house. The current EPA lead and copper rule require lead and copper testing every 3 years. The EPA also requires that the lead and copper tests be conducted at locations that are likely to be high in lead and copper due to the presence of lead service leads. The EPA also has a testing protocol which requires that the water at the test location not be used for 6 hours prior to the test sample and that the test sample is the first flush from the test fixture. The combination of the test locations and sampling protocol provide worst case test results.

SOCWA's most recent (2014) lead testing history is summarized in the table below. The lead levels in this table are the 90th percentile level. This means, as an example, that 90% of the lead testing results for Berkley are below the 4.5 ppb level in the table. The EPA has an action level of 15 ppb meaning that the community needs to take additional action if the 90th percentile lead level is higher than 15 ppb. The prior lead testing results, which have been conducted every 3 year from 2002 to 2014 showed similar results. These lead testing results are communicated to residents of each community through their Consumer Confidence Report (CCR). The SOCWA communities are due for lead testing again in 2017.

RECEIVED BY

FEB 11 2016

CITY CLERK'S OFFICE
CITY OF BIRMINGHAM

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
CONSUMERS ENERGY COMPANY
CASE NO. U-18010

- Consumers Energy Company is requesting Michigan Public Service Commission approval of amendments to its natural gas transportation contracts pursuant to 1929 Public Act 9, as amended, between Consumers Energy Company and the Midland Cogeneration Venture Limited Partnership.
- The information below describes how a person may participate in this case.
- You may contact Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- A public hearing will be held:

DATE/TIME: Tuesday, February 23, 2016, at 9:00 a.m.
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

BEFORE: Administrative Law Judge **Sharon L. Feldman**

LOCATION: Michigan Public Service Commission
7109 West Saginaw Highway
Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 284-8090 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider Consumers Energy Company's (Consumers Energy) December 21, 2015 application, which seeks Commission approval of amendments to its natural gas transportation contracts pursuant to 1929 Public Act 9, as amended, between Consumers Energy and the Midland Cogeneration Venture Limited Partnership (MCV) to reflect updated costs of providing gas transportation service to MCV. Consumers Energy is seeking amendments to both its Firm Gas Exchange Agreement and Interruptible Gas Exchange Agreement to reflect the current conditions of providing natural gas transportation service to MCV and to clarify delivery obligations and rights, as described in its filing.

INFORMATION ONLY

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. 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: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by February 16, 2016. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy's Legal Department – Regulatory Group, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to appear at the hearing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. 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.

Requests for adjournment must be made pursuant to the Michigan Administrative Hearing System's Administrative Hearing Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of Consumers Energy's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of Consumers Energy Company. 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.

Jurisdiction is pursuant to 1929 PA 9, as amended, MCL 483.101 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 165, as amended, MCL 483.151 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Michigan Administrative Hearing System's Administrative Hearing Rules, 2015 AC, R 792.10401 et seq.

THE MICHIGAN PUBLIC SERVICE COMMISSION MAY APPROVE, REJECT, OR AMEND PROPOSALS MADE BY CONSUMERS ENERGY.

COMMUNITY	90th percentile value for Lead, 2014
Berkley	4.5 ppb
Beverly Hills	0 ppb
Bingham Farms	0 ppb
Birmingham	0 ppb
Clawson	0 ppb
Huntington Woods	5.7 ppb
Lathrup Village	0 ppb
Pleasant Ridge	0 ppb
Royal Oak	3.5 ppb
Southfield	0 ppb

Flint Disaster

Flint was provided with DWSD water from the 1960's, when the Lake Huron Water Treatment Plant was built until April of 2013. During that time period, the MDEQ required that Flint maintain their water treatment plant as a backup in the event of a failure of the one pipeline (from Imlay City to Flint) that supplied DWSD water to Flint. It is my understanding that Flint ran their plant for a few weeks each year but did not introduce the treated water to the Flint distribution system. Flint also has water storage equivalent to 1-3 days' worth of water consumption as an additional supply security measure. Flint also provided DWSD water to Genesee County under their contract with DWSD.

In 2013, Flint decided to join the Karegnondi Water Authority (KWA), which was a proposed system to supply water from Lake Huron to Flint and Genesee County. The economic analysis behind the decision to join the KWA always seemed suspect to me. DWSD made several offers to Flint in order to keep them as a DWSD customer. DWSD's final offer resulted in a substantial reduction in Flint's water rate from DWSD because it allowed Flint to lower their peak demands from the DWSD system, move their meter location closer to the Lake Huron Plant in order to reduce their distance and elevation factors and provided a lower rate due to Flint's ability to augment the DWSD supply with water from the Flint water treatment plant and eliminate the need for DWSD to build a redundant supply to Flint. DWSD estimated that this offer would save Flint over \$800 million over the 30 year contract period compared with the projected rates that were provided by the KWA. Flint rejected this contract offer. A number of DWSD's water customers, including SOCWA, were upset at the generosity of DWSD's offer to Flint. SOCWA staff had worked on a very tentative plan that would have allowed SOCWA to take advantage of the proposed Flint contract under the "me too" clause of the contract between SOCWA and DWSD.

During these negotiations, DWSD provided one year notice to Flint that their water supply would be terminated because Flint refused to sign a contract. Rather than continue to try to negotiate a contract with DWSD, Flint chose to make improvements to their existing water treatment plant and use water from their plant to supply Flint until the KWA system was completed sometime in 2016. Flint discontinued taking water from DWSD in April of 2014 and began supplying their distribution system with water from the Flint plant. Genesee County

continued to receive DWSD supply from the same location from which Flint used to receive DWSD water.

Flint had a number of water treatments issues including improper chlorination and over chlorination which result in chlorinated byproducts appearing in the treated water. Flint also failed to add the corrosion inhibiting chemical that had been supplied with the DWSD water. It continues to be unclear why Flint made this decision and why the MDEQ did not require Flint to add the corrosion inhibiting chemical. The failure to add the corrosion inhibitor was compounded by the fact that the Flint River water has a higher level of chloride than water from Lake Huron and is therefore more corrosive and the variability of the water from the Flint River makes water treatment more difficult.

DWSD supply was returned to Flint in October of 2015. It should take some time for the corrosion inhibiting chemical in DWSD water to begin to minimize the corrosion in the Flint distribution system. SOCWA staff have seen no data yet regarding this. Flint signed a contract with DWSD for October 2015 to June 2016 and paid in full the estimated cost of DWSD supply for that period. The DWSD contract can be extended by mutual agreement. It appears that the contract will have to be extended while the Flint disaster is sorted out. I also anticipate that the GLWA will continue to require full payment before the contract is extended. The water in the GLWA system is at higher pressure than the water in the Flint system which prevents backflow of the Flint water to the GLWA system.

Summary

The disaster in the Flint water system is the result of the combination of an old distribution system with a corrosive source of supply that was not treated with a corrosion inhibitor. GLWA (and DWSD before the GLWA) has used a corrosion inhibitor since the 1990's. This inhibitor has been proven, by our lead and copper sampling history, to be an effective means of controlling the lead testing results to less than the EPA action level of 15 ppb. It is also important to remember that the locations for lead testing have been selected to be locations at which high lead levels are likely. Most locations in the distribution systems of the member communities will have lower lead content than is indicated in the CCR reports. This disaster will have many ramifications to public water supply systems for many years to come.

Respectfully submitted,

Jeffrey A. McKeen, P.E.
General Manager

Suggested Resolution: "That the report on the SOCWA Water Quality be received and filed."