



**CITY COMMISSION MEETING AGENDA  
FEBRUARY 26, 2018  
7:30 PM**



Photo Credit: Carroll DeWeese

**Municipal Building, 151 Martin, Birmingham, MI 48009**

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**BIRMINGHAM CITY COMMISSION AGENDA**  
**FEBRUARY 26, 2018**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:00 P.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Andrew M. Harris, Mayor

**II. ROLL CALL**

J. Cherilynn Mynsberge, City Clerk

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

***Announcements:***

- The Birmingham Ice Arena offers ice skating classes for ages three and up. The next session begins March 5<sup>th</sup> and runs through April 22<sup>nd</sup>. Registration for new skaters is February 28<sup>th</sup>, 5:00 - 7:00 pm, and March 3, 10:00 am - 1:00 pm. For more information visit [www.bhamgov.org](http://www.bhamgov.org).
- Celebration of Commissioner DeWeese's Birthday

***Appointments:***

- A. Recognition of 2017 Student Board Representatives
- B. Resolution appointing the following students as non-voting members for the calendar year 2018:
- |                    |  |
|--------------------|--|
| Planning Board:    | Madison Daminato – Seaholm<br>Sam Fogel – Seaholm<br>Ellie McElroy - Seaholm |
| Parks Board:       | Jakob Sayer – Seaholm<br>CeCe Cousins - Seaholm                              |
| Public Arts Board: | Cole Wohlfiel – Seaholm<br>Amelia Berry - Seaholm                            |
| Museum Board:      | Joy Tenjeras - Groves  |
| Advisory Parking:  | Ajnay Yapple - IA  |
| HDC-DRB:           | Ava Wells – Seaholm<br>Grace Donati - Seaholm                                |
- C. Administration of Oath of Office to Student Board Representatives

**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 Special City Commission meeting minutes of February 12, 2018.

- B. Approval of City Commission meeting minutes of February 12, 2018.
- C. Approval of warrant list, including Automated Clearing House payments, dated February 14, 2018 in the amount of \$676,695.80.
- D. Approval of warrant list, including Automated Clearing House payments, dated February 21, 2018 in the amount of \$2,013,252.38.
- E. Resolution approving a request submitted by the Michigan Chapter of the Huntington's Disease Society of America requesting permission to hold Yoga in the Park, on Saturday, June 16, 2018, 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.
- F. Resolution approving the purchase of one (1) new Toro Groundsmaster 4500D and one (1) Toro Groundsmaster 3500D from Spartan Distributors, through State of Michigan extendable purchasing contract #2017025 for a total expenditure of \$95,270.14. Funds for this purchase are available in the equipment fund account # 641-441.006-971.0100.
- G. Resolution setting Monday, March 26, 2018 at 7:30 PM for a Public Hearing to consider the reprogramming of program year 2017 Community Development Block Grant (CDBG) funds.
- H. Resolution awarding the Replacement of four (4) wooden bridges located at Springdale Golf Course, to Kyle Builders, Inc. in the amount not to exceed \$71,560, and approving hiring Anderson, Eckstein and Westrick, Inc. (AEW) in the amount not to exceed \$8,000 to provide professional Engineering Services related to this project for a total project amount of \$79,560.00 to be funded from account 584-753.001-981.0100 and further; approving the appropriation and amendment to the 2017-2018 Springdale Golf Course Fund budget as follows. Further, authorizing the Mayor and the City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

Springdale Golf Course Fund

Revenues:

Draw from Net Position	584-000.000-400.0000	\$79,560.00
Total Revenue		\$79,560.00

Expenses:

Capital Outlay –		
Public Improvements	584-753.001-981.0100	\$79,560.00
Total Expenses		\$79,560.00

## **V. UNFINISHED BUSINESS**

## **VI. NEW BUSINESS**

- A. Public Hearing to consider the confirmation of Special Assessment District Roll No. 880 - Replacement of sewer and water laterals within Old Woodward Ave. Paving Project
  - 1. Resolution ratifying and confirming Special Assessment District Roll No. 880 for the replacement of sewer and water laterals within the Old Woodward Ave. Paving Project, and instructing the City Clerk to endorse said roll, showing the date of confirmation thereof and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement; Further, resolving that special assessments shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an

annual interest rate of five and a half percent (5.5%) on all unpaid installments.  
(complete resolution in agenda packet)

- B. Public Hearing to consider the confirmation of Special Assessment District Roll No. 881 - For Old Woodward Ave. Streetscape Enhancements within the limits of the Old Woodward Avenue Paving Project
1. Resolution ratifying and confirming Special Assessment District Roll No. 881 for Old Woodward Ave. Streetscape Enhancements within the limits of the Old Woodward Avenue Paving Project, and instructing the City Clerk to endorse said roll, showing the date of confirmation thereof and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement; Further, resolving that special assessments shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of five and a half percent (5.5%) on all unpaid installments. (complete resolution in agenda packet)
- C. Resolution approving the renewal, for the 2018 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 Monday, March 12, 2018 at 7:30 PM 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 2018 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.

- D. Resolution accepting the 2017 Annual Golf Report.
- E. Resolution approving the ordinance amendment to amend the City Code, Part II, Chapter 1 – General Provisions, Sec. 1-9 General Penalty.

**- AND -**

Resolution approving the ordinance amendment to amend the City Code, Part II, Chapter 50 – Environment, Article II. – Nuisances, Division 1 – Generally, Sec. 50-29 Construction Site Maintenance Provisions for Residential and Commercial Properties.

**- AND -**

Resolution approving changes to the Fee Schedule adding Construction Site Maintenance Violations (Sec. 50-29).

**- AND -**



Resolution approving the ordinance amendment to amend the City Code, Part II, Chapter 50 – Environment, Article II. – Nuisances, Division 4. Noise, Sec. 50-74 Decibel Level Prohibitions.

**VII. REMOVED FROM CONSENT AGENDA**

**VIII. COMMUNICATIONS**

**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
- D. Legislation
- E. City Staff
  - 1. 2<sup>nd</sup> Quarter Financial Reports (Gerber)
  - 2. December 2017 investment Report (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:248-530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*



## MEMORANDUM

Office of the City Manager

**DATE:** February 26, 2018

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

**FROM:** Joellen Haines, Assistant to the City Manager

**SUBJECT:** Recognition of 2017 Student Appointments

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In appreciation of their service as a student representative on City boards during 2017, the following Birmingham Public School students will be recognized with a service award for their civic involvement over the past year at the February 26, 2018 Commission meeting:

STUDENT	BOARD / COMMISSION
Ariana Afrakhtek	Planning Board
Bella Niskar	Planning Board
Ben Gould	Parks and Recreation Board
Joe Kummer	Parks and Recreation Board
Sarah Evans	Public Arts Board
Celeste Demps-Simons	Public Arts Board
Cecilia Trella	Public Arts Board
Carson Claar	Museum Board
Hanna Sandler	Museum Board
Josh Chapnick	Historic District Commission/Design Review Board
Griffin Pfaff	Historic District Commission/Design Review Board

These students have participated in monthly meetings of their respective advisory boards and engaged in public discussions that afforded them direct input into areas that affect their community. This program partnership with the Birmingham Public Schools has been successful for the City, the schools and the students. We look forward to the student's continued interest in civic involvement.



## MEMORANDUM

Office of the City Manager

**DATE:** February 26, 2018

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

**FROM:** Joellen Haines, Assistant to the City Manager

**SUBJECT:** 2018 Student Appointments

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In 1996, the City Commission approved a Birmingham Public Schools (BPS) program placing student representatives who are residents of the city on city boards and commissions. This program was designed to establish an educational partnership that has been very successful since its inception.

Students wanting to serve as representatives to city boards and commissions complete an application and go through a selection process by a school district pre-screening committee. The committee membership reviews student applications based on specific criteria and then forward approved applications to the city for appointment consideration.

The following students are being recommended by Birmingham Public Schools for appointment to their respective board by the City Commission for calendar year 2018. The students will receive agenda packets and are able to participate in all discussions, but will serve as non-voting members of the boards to which they are appointed.

<b>STUDENT</b>	<b>BOARD / COMMISSION</b>
Madison Daminato	Planning Board
Sam Fogel	Planning Board
Ellie McElroy	Planning Board
Jakob Sayer	Parks and Recreation Board
CeCe Cousins	Parks and Recreation Board
Cole Wolhfiel	Public Arts Board
Amelia Berry	Public Arts Board
Joy Tenjeras	Museum Board
Ajnay Yapple	Advisory Parking
Ava Wells	Historic District Commission/Design Review Board
Grace Donati	Historic District Commission/Design Review Board

Enclosed is a copy of the BPS program with the city along with application materials submitted by the students in the course of the application process.

For informational purposes, one student representative, Chelsea Schaufler, from Seaholm High School, has been selected to serve on the 2018-2019 Baldwin Library Board.

#### SUGGESTED ACTION:

To appoint the following students as non-voting members for the calendar year 2018.

Planning Board      Madison Daminato – Seaholm  
                              Sam Fogel – Seaholm  
                              Ellie McElroy - Seaholm

Parks Board            Jakob Sayer - Seaholm  
                              CeCe Cousins - Seaholm

Public Arts Board    Cole Wolhfiel - Seaholm  
                              Amelia Berry - Seaholm

Museum Board       Joy Tenjeras – Groves

Advisory Parking     Ajnay Yapple - IA

HDC-DRB             Ava Wells - Seaholm  
                              Grace Donati – Seaholm



## A PARTNERSHIP BETWEEN:

THE CITY OF BIRMINGHAM AND BIRMINGHAM PUBLIC SCHOOLS  
Student Representatives on City Boards and Commissions

### PROGRAM GUIDELINES

#### I. PURPOSE:

To promote citizenship and student leadership and to encourage future citizen participation in government. The interaction between student representatives and appointed members of city boards and commissions will produce a greater understanding of adult decision making in addition to lending the perspective and ideas of youth. The majority of citizens who volunteer in their later years report that they have done so because of a volunteer experience in their youth. By investing in efforts to support and promote service and volunteerism now, we will be able to count on these individuals to volunteer later in life.

#### II. BENEFITS TO STUDENTS AND COMMUNITY:

##### Students will:

- Learn how local city government operates and makes decisions.
- Learn practical ways of helping the community...makes government real.
- Establish a service and volunteer habit for the future.
- Learn how to research data before making community decisions.
- Learn from contact with adult members of city boards and commissions.

##### Community:

- Will have the unique perspective of youth in decision making.
- Students will learn valuable lessons about public service...grooming them for future public service.
- May have a longer term participation of the student in community affairs.

#### III. SELECTION PROCESS:

Students wishing to serve as representatives to city boards and commissions should take the following steps:

1. If you have questions and would like to talk with a fellow student, contact student organizers Dounia Senawi at Groves High School or Todd Hertzler at Seaholm High School.
2. Complete a STUDENTS on CITY BOARDS and COMMISSIONS application available in the office of the community service organizer (Groves; Mrs. Dana Cunningham 203-3509 & Seaholm; Mrs. Sheila Brice 203-3725).
3. Submit the application along with two letters of recommendation and a brief personal essay to your school's community service organizer no later than NOVEMBER 22, 1996 at 3 p.m.

All applications will be reviewed by a school district screening committee where one applicant will be chosen to serve on each selected city board or commission.

The screening committee will include the following individuals:

- An administrator from both Groves and Seaholm High Schools (2)
- A student from both Groves and Seaholm High Schools (2)
- The high school community service organizers (2)
- A teacher (1)
- A member of the board of education (1)
- A member of the school district central administration (1)

Note: Administrators from both The City of Birmingham and the Village of Beverly Hills are involved in the development of the Students on City Boards and Commissions project. (The Village of Beverly Hills may also choose to participate at a later date.)

#### IV. APPOINTMENT PROCESS:

- Each student will be paired up with an adult board member who will serve as their mentor. The mentor will help the student become oriented to issues being addressed throughout their term on the board or commission.
- Each participating board or commission will monitor the attendance and participation of the student representative on their respective boards and commissions, and reserve the right (if necessary) to replace student members from the previously submitted list of qualified students.

#### V. TERMS:

- Each selected board/commission may have a high school junior as a student representative.

- The application, selection and appointment process shall begin in the fall (this first year being an exception), with the appointment becoming effective on the first day of January. The term of the student representatives shall end on the last day in December.

#### VII. DUTIES OF STUDENT REPRESENTATIVES:

Student representatives to city boards/commissions will:

- Attend an orientation session on local government and student roles and responsibilities as representatives.
- Attend all meetings scheduled for the specific board/commission to which they have been designated to serve as a student representative.
- Respond to the inquiries of other students regarding the function and role of the particular board/commission on which they serve.
- Prepare a written or oral synopsis on a monthly basis as to the progress of their activities as a citizen board/commission student representative. Meet with other student representatives.
- Perform other duties as identified at the time of appointment.

#### VII. RESPONSIBILITIES OF PARTICIPATING HIGH SCHOOLS

- The participating schools shall provide options that would enable students to earn credit from their experience on city boards and commissions.
- The participating schools shall designate a program coordinator who shall distribute information and applications to interested students:

Groves High School: Dana Cunningham 203-3509  
Seaholm High School: Sheila Brice 203-3725

- The schools shall actively seek student applicants for the participating boards/commissions wishing to sponsor student representatives.
- Each participating school shall participate in an annual review of the program with participating units of government and student representatives.

**VIII. RESPONSIBILITIES OF THE PARTICIPATING UNITS OF GOVERNMENT:**

- The participating units of government shall provide a list of those boards/commissions selected as appropriate for student representation, the purpose of those boards/commissions, and the meeting locations, dates and times.
- The participating units of government shall provide an orientation session for all student representatives selected to serve on certain boards and commissions.
- The participating units of government shall monitor the attendance and participation of individual student representatives and report any major concerns to the appropriate school program coordinators.
- Each participating unit of government shall be responsible for the formal appointment and termination of student representatives to their designated boards and commissions.
- Each participating unit of government shall participate in an annual review of this program with the cooperating schools and student representatives.





Joellen Haines &lt;jhaines@bhamgov.org&gt;

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**City of Birmingham student board applications**

2 messages

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**Pamela Davis** <PDavis@birmingham.k12.mi.us>  
To: Joellen Haines <jhaines@bhamgov.org>  
Cc: Jennifer Kondak <JKondak@birmingham.k12.mi.us>

Wed, Jan 24, 2018 at 7:27 AM

Hi Joellen-

I will drop off the copies of student applications and letters of recommendation for City Boards about 3:00pm today.  
Where is your office located?

Attached is the summary of students slated into each specific Board position.

Thank you-

***Pam Davis***

Community School Organizer

Seaholm High School

PDavis@birmingham.k12.mi.us

[248-203-3725](tel:248-203-3725)

**City Board selection 2018.xlsx**

15K

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**Joellen Haines** <jhaines@bhamgov.org>  
To: Pamela Davis <PDavis@birmingham.k12.mi.us>

Wed, Jan 24, 2018 at 8:09 AM

Hi Pam,

I am upstairs in Room 208 in the Human Resources office which connects to the City Manager's office. I will see you this afternoon.

Thanks,  
Joellen

[Quoted text hidden]

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Joellen LaBaere Haines  
Assistant to the City Manager  
City of Birmingham  
151 Martin St  
Birmingham, MI 48009  
[248-530-1807](tel:248-530-1807)  
[jhaines@bhamgov.org](mailto:jhaines@bhamgov.org)

[illegible]



*Birmingham Public Schools  
Community Relations Office*

**STUDENT REPRESENTATIVES ON  
CITY BOARDS AND COMMISSIONS**

**Application Form**  
Due January 8, 2018

31301 Evergreen • Beverly Hills, MI 48025

Name: Amelia Bemy Grade: 11 Age: 16

Address: 364 Valley View lane

Zip Code: 48009 Email: ar25bemy@gmail.com

Telephone: 248 797 7307 School: seaholm High school

On the attached listing of city boards and commissions, please rank your order of preference for appointment from 1 to 3 (1 being the highest and 3 being the lowest):

1. Public Arts Board
2. Parks and Recreation Board
3. Museum Board

What school activities and/or classes have you participated in which would qualify you to sit on the board or commission which you have chosen?

I have participated in three years of advanced English classes, two years of advanced math and science classes, and have taken our school's television broadcasting class for 2 years with plans to continue. I am also a freshman mentor.

Please list your involvement in non-school activities:

I participate in musical crew and I babysit a family of three children regularly.

What personal skills and characteristics do you possess that would make you a good representative?

I have excellent communication skills and am greatly interested in learning how to be an effective leader. Being an only child, I have spent loads of time around adults, both family and friends of family, so I am skilled at communicating and being heard by adults as well as my peers.

How would you be able to schedule your time to function effectively as a student representative?

I do not participate in many time-consuming after school activities and plan my class schedule so that I have sufficient time to spend on other interests, so I am capable of devoting a few hours a week to being a student representative.

Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?

Yes \_\_\_\_\_ No X

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**From Principal:**

I believe that this student would responsibly serve as a member of a city board or commission.

[Signature]

Principal's Signature

1-4-18

Date

**Parent(s) Permission:**

I give my permission for my son/daughter to seek the position of a representative to a city board or commission.

[Signature]

Parent(s) Signature(s)

1/3/18

Date

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**Include an essay** (typed) to convince the selection committee that you should be chosen as a student representative to a board or commission. If selected, your essay will be a part of your introduction to your board or commission.

Please **include two letters of recommendation** from adults who know you at school and who know your activities outside of school.

**Return application by Monday, January 8, 2018 to:**

Pam Davis at Seaholm High School X  
Jennifer Kondak at Groves High School \_\_\_\_\_

1/3/18

To Whom It May Concern:

My name is Amelia Berry and I am interested in becoming a student representative on either the Public Arts Board, the Parks and Recreation Board, or the Museum Board for the City of Birmingham.

I am a junior at Seaholm High School and a lifelong Birmingham resident. I have a 3.85 GPA (unweighted) and have participated greatly in my school and community. I have volunteered outside of school and babysit regularly while balancing many advanced level classes throughout my high school career. I have spent two summers in summer classes in an effort to clear up my schedule for classes and opportunities outside of my comfort zone. I have sought out leadership opportunities in my classes, school, and through volunteering, and am looking for an opportunity to make a greater contribution while expanding my horizons and exploring my community.

I believe that I am uniquely qualified for a role as a student representative on one of my chosen city boards for a few reasons. Firstly, I have many years of experience spending time exclusively around adults at family functions and so on. As an only child of working parents, I spent a lot of time with my grandparents as a young child and thus learned how to conduct myself and communicate well with adults from a young age. I am not uncomfortable expressing my thoughts, ideas, and opinions around adults; I have been taught from a young age that a well-reasoned opinion is valuable regardless of age. Secondly, I enjoy any opportunity where I can learn something new about the world, be it a new perspective, a possible career opportunity, or simply a chance to experience a different side of my community. I've always enjoyed learning, no matter the subject. I am that person who has a seemingly endless bank of random facts stored in the back of my head that end up being useful. To be given the chance to participate in and understand the inner workings of a small sect of my local government would help me learn many things that I'm certain will be useful in my current and future lives. Finally, I feel that by participating in one of these community boards, I could make a positive impact on my community as well as expand my worldview. I want to gain a greater understanding of how my community works and would love to do so through an avenue that I care about, whether it be art, the outdoors, or one of our historical museums.

Thank you for your time, and I appreciate the opportunity to introduce myself and what I hope to gain through this position. I look forward to hearing from the committee about their decision.

Respectfully,

A handwritten signature in cursive script that reads "Amelia Berry". The ink is dark and the signature is fluid, with a large initial 'A' and a stylized 'B'.

Amelia Berry

December 22, 2017

To whom it may concern:

I am writing this letter in regards to Amelia Berry, a student of mine at Seaholm High School. I've known Amelia for three years and have enjoyed her presence in my classes. Over the years she has impressed me with her maturity, leadership and dedication.

After Amelia was a freshman in my Radio/Speech class, I selected her for placement in my Advanced Broadcasting Class. Students must be recommended by a teacher to enroll in this class and I chose Amelia because she exhibited responsibility, maturity and self-motivation. I was right to recommend her, because she came to my Broadcasting class each morning and helped to produce an excellent six-minute news show for over 1500 people in our school. She handled the pressure of production work well - using her leadership and communication skills to set a great example for others in the class. As a matter of fact, I made her the *permanent director* of the show – an honor I've never bestowed on a student – and she led the daily production the entire trimester!

Amelia impresses me with her work outside my class as well. Like many students, she's been involved in several activities over the years, but most impressive is her work in serving the community. She has volunteered with an organization in Detroit called Summer in the City - where high school students help run summer camps for inner city kids, she has become a member of her school's freshman mentoring program and she has joined our new National Spanish Honors Society. All these activities show so much about her incredible dedication to serve - as well as her amazing time management skills!

My favorite thing about Amelia is her willingness to step up when something needs to be done. She is the first to volunteer for extra tasks and always does a great job completing them. This dedication and willingness to step up, shows her maturity and character. Because of this strength of character and her leadership ability, I recommended Amelia for a summer internship program at George Mason University. She is the only student I recommended - from the hundreds I teach – which shows just how much respect I have for her.

Amelia Berry is an amazing young woman and I would highly recommend her for this – or any other position.

Sincerely,

*Patricia A. Rusek*

Patricia A. Rusek  
Teacher/Seaholm High School



# BIRMINGHAM SEAHOLM HIGH SCHOOL

2436 WEST LINCOLN - BIRMINGHAM, MI 48009  
248-203-3700 FAX 248-203-3706

December 21, 2017

To Whom It May Concern:

I am writing this letter on behalf of Amelia Berry, a student here at Seaholm High School. My name is Ed Caughell, a high school math teacher. It was my pleasure to teach Amelia Berry in Honors Algebra 2 during the 2016-2017 school year.

Amelia Berry is a wonderful example of our students here at Birmingham Seaholm. She excelled in my class. Amelia was always self-motivated to learn as much as possible. She always worked hard for me. If she ever had any difficulty with any of the material, Amelia came to see me for assistance. She wants to gain a true understanding the process of solving the problems and the skills required, not just simply get the answer. For Amelia, fully understanding the material is important to her as she strives to build a solid foundation of knowledge as she progresses through her academic career.

Getting to know her this past school year has shown me that Amelia is a well-rounded individual who is a genuinely nice person. Every day Amelia brought her great sense of humor to class, which was always welcome, especially when we were covering difficult material. Simply put, she is a delight to be around.

Amelia showed me a great deal of resolve this past summer when she decided to get ahead by taking two summer school classes. Amelia strives to be the best she can be and by taking these two summer school classes, she freed up her schedule to enable her to focus on other subjects in which she is extremely interested. My experience has shown me that not many adolescents are willing to be like Amelia and sacrifice six weeks in the summer in order to further their academic goals.

Amelia has been involved in a variety of extra-curricular activities including working at a summer camp for inner city kids, and working on the set crew for the high school productions. Amelia is also a part of our Make Me a Maple mentoring program for the incoming freshmen at our high school. This program is important to our school as the selected upper classmen guide the new students to help them get off to a good start to their high school careers. Even though she has such a hectic schedule with her extra-curricular activities, Amelia continues to do well in school. She is able to balance the other activities while remaining focused on her academics. Amelia is well prepared to handle anything she may encounter in school or in life due to her internal drive to excel. Amelia sets high standards for herself and always strives to exceed them.

She is a student who is willing to work hard to achieve her goals. I am confident that Amelia will succeed in whatever she decides to do. I consider her to be a fantastic student and person, so I am happy to write this letter and offer up my strongest recommendation for her. She would be a strong addition and valuable contributor as a student representative. I urge you to consider Amelia's application very seriously.

Respectfully,

Ed Caughell

Math Teacher

[ecaughell@birmingham.k12.mi.us](mailto:ecaughell@birmingham.k12.mi.us)



*Birmingham Public Schools*  
Community Relations Office

STUDENT REPRESENTATIVES ON  
CITY BOARDS AND COMMISSIONS

Application Form

Due January 8, 2018

31301 Evergreen • Beverly Hills, MI 48025

Name: Cecilia Cousins Grade: 11<sup>th</sup> Age: 16

Address: 1687 Webster Birmingham, MI 48009

Zip Code: 48009 Email: cecilia.cousins@gmail.com

Telephone: 248-520-5969 School: Seaholm High School

On the attached listing of city boards and commissions, please rank your order of preference for appointment from 1 to 3 (1 being the highest and 3 being the lowest):

1. Parks and Recreation Board
2. Planning Board
3. Public Arts Board

What school activities and/or classes have you participated in which would qualify you to sit on the board or commission which you have chosen?

I am a strong student and enjoy challenging myself by taking difficult classes (4 AP courses this year). I practice my leadership skills as the news editor for the Seaholm Highlander newspaper. I am a member of the National Honors Society. I contribute to Seaholm's student government, and I have competed for Seaholm's varsity swim team for the past 3 years.

Please list your involvement in non-school activities:

I dedicate a lot of my time outside of school to the sport I love by training and competing year-round with the Birmingham Blue Dolphins and Forest Hills Swim Club. I also love giving back to my community whenever possible by teaching underprivileged kids to swim through the Make a Splash foundation, and volunteering for Safety Town, the Birmingham Public Library, etc..

What personal skills and characteristics do you possess that would make you a good representative?

I believe that I possess the work ethic, and the leadership and communication skills that it takes to excel as a student representative for the city board. I listen to others well, respect everyone's opinions, and contribute with my own thoughts as well. Also, I'm organized and a very hard worker; I put my all into everything I set out to do.



How would you be able to schedule your time to function effectively as a student representative?

I have no problem making the time to serve as a student representative, and will schedule other activities around the meetings. If I am fortunate enough to be granted this position, it will become my number 1 priority, and I will make sure to be present at all meetings.

Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?

Yes ✓ No       

---

**From Principal:**

I believe that this student would responsibly serve as a member of a city board or commission.

[Signature]  
Principal's Signature

1-8-18  
Date

**Parent(s) Permission:**

I give my permission for my son/daughter to seek the position of a representative to a city board or commission.

[Signature]  
Parent(s) Signature(s)

1-8-18  
Date

---

**Include an essay** (typed) to convince the selection committee that you should be chosen as a student representative to a board or commission. If selected, your essay will be a part of your introduction to your board or commission.

Please **include two letters of recommendation** from adults who know you at school and who know your activities outside of school.

**Return application by Monday, January 8, 2018 to:**

Pam Davis at Seaholm High School ✓  
Jennifer Kondak at Groves High School

Student Representatives on City Boards and Commissions Program  
Application Essay

Hello my name is Cecilia Cousins, I am a junior at Seaholm high school and I am interested in representing the student population on the City Board of Birmingham. I believe that I would make a strong student representative for the Parks and Recreation Board for many reasons, and I believe that I possess the qualities that it takes to excel in this position.

I have been a member of the Birmingham community for the past 16 years, and it has attributed greatly to my childhood and life today. When I was younger I participated in several city leagues such as Little League baseball, ice skating, BBSC rec soccer, etc. that has lead me to appreciate all the work that the Parks and Recreation Board has done for our community. I've continued my athletic career by competing for three Birmingham swim teams: the YMCA Birmingham Blue Dolphins team, Forest Hills swim club, and the Seaholm varsity swim team.

By being an active member of the Birmingham community, and a strong student who loves to get involved in school activities whenever I get the chance, I believe that I would be great for this position. I am a hard worker and put 110% effort into anything that I set my mind to, and I possess listening and leadership skills that would contribute positively to this committee position. My ability to work with others and get along with everyone has been recognized by my teachers, as I have been chosen to participate in a Diversity retreat this Martin Luther King weekend. By getting involved with this, it has made me interested in other ways I can get involved.

I want to get more involved in my community, and contribute in any way that I can. I don't know much about what the Board does, and I'm interested in the role that they play in the community I live in. I have this unique opportunity to be part of this committee, so why wouldn't I take advantage of that? I believe that I make a strong candidate for this position, and I would be so grateful to be granted this opportunity.

Thank you for your consideration!

Cecilia Cousins

January 3, 2018

To Whom It May Concern:

Cece Cousins asked that I write a letter of recommendation on her behalf, and I am happy to do so. She is an exceptional student at Seaholm, an active member in many extra-curricular activities, and a responsible, young adult who is passionate about serving. She will make a wonderful addition to the Parks and Rec Board.

Cece is an excellent student. Doing well is important to her, but it is not the most important aspect of school. She has a desire to learn and to acquire knowledge, not merely for the grade, but for her own benefit. She routinely volunteers in the community, giving her time to help those less fortunate than she. I firmly believe she will take this position seriously and give her usual 100% effort to having a positive impact.

Perhaps Cece's most admirable trait is her ability to budget her time. Again, she is an active member of Seaholm High School and its athletic department, yet she manages her time wisely, planning out her days well in advance, and also takes the time to relax when she can. She is a well-rounded individual who seeks out new challenges and responsibilities. I fully endorse her candidacy.

Peter Smith

[Psmith2@birmingham.k12.mi.us](mailto:Psmith2@birmingham.k12.mi.us)

# Seaholm High School

Michael Wicker, *Social Studies Department Chair* • 248.203.3785 • Fax: 248.203.3706 • mwicker@birmingham.k12.mi.us  
2436 West Lincoln Street, Birmingham, MI 48009

1/3/2018

To Whom It May Concern,

I am writing on behalf of Ms. Cecilia Cousins, a student of mine who is interested in joining the Parks and Recreation City Board. I have had the pleasure of having Cece in two of my classes: American History and Advanced Placement Economics. She is an outstanding student, earning high marks in both of my class, as well as the many other honors and AP classes she has taken at Seaholm. Cece knows that school is important and gives it her very best in every class.

This hard work does not stop in the classroom. Cece is an accomplished swimmer, spending time on three different local swim teams. She is an important member of the Seaholm varsity team, and when I asked her coach, he informed me that she demonstrates leadership for the younger girls "Both in and out of the pool". Cece's leadership truly shined when she was part of the 2016 state championship team here at Seaholm where she scored points for her team in the 500 freestyle. Swimming has taught Cece discipline, teamwork, and dedication, three important qualities that she will take forward into her work on the board and beyond!

Finally, though Cece is busy with school and swimming, she still finds time to give back to the community. Since swimming is her passion, it is no surprise she has found a home at the *Make a Splash Foundation*, an organization that teaches swim lessons to underprivileged youth. Cece also spends time volunteering for Safety Town, as well as the Baldwin Public Library. She knows that she has been given many great opportunities and wants to pay it forward to other people.

In closing, I could not think of a better student for the City Board that Cece. She is a diligent student, a hard working athlete, and a caring member of the community.

With my highest recommendation,



Michael Wicker  
Department Chair of Social Studies  
Seaholm High School



Birmingham Public Schools  
Community Relations Office

STUDENT REPRESENTATIVES ON  
CITY BOARDS AND COMMISSIONS

Application Form

Due January 8, 2018

31301 Evergreen • Beverly Hills, MI 48025

Name: Madison Daminato Grade: 11 Age: 17  
Address: 1789 Washington Blvd Birmingham, MI  
Zip Code: 48009 Email: madisondaminato@gmail.com  
Telephone: 314-737-3171 School: Seaholm High School

On the attached listing of city boards and commissions, please rank your order of preference for appointment from 1 to 3 (1 being the highest and 3 being the lowest):

1. Planning Board
2. Parks and Recreation Board
3. Public Arts Board

What school activities and/or classes have you participated in which would qualify you to sit on the board or commission which you have chosen?

At Seaholm, I excel in classes such as AP Micro and Macro-  
economics, AP U.S. History, and Leadership. These classes teach  
vital skills such as communication, critical thinking, and  
preparation. Also at Seaholm, I am the President of the Junior  
Optimist International Club, a community service based club. In  
this position, I utilize and practice skills such as decision  
making and organization.

Please list your involvement in non-school activities:

Outside of school, I participate in various activities  
including intense competitive tennis, volunteering at  
Hospitals, community restoration projects, libraries,  
and other countries where people need help, coaching  
private tennis lessons, Junior tennis programs, and the  
Derby Middle School Tennis Team, and I am an active  
and dedicated member of The Friendship Circle.

What personal skills and characteristics do you possess that would make you a good representative?

Personally, I feel as if I am decisive with reason. It does  
not bother me to stand up and take lead. This is effective  
only when followed with proper leading, not bossing. As a  
leader and an individual I am an attentive listener,  
effective problem-solver, and a considerate decision maker.

How would you be able to schedule your time to function effectively as a student representative?

As a student representative, my board or commission would be of highest priority. Paying close attention to all details, I would properly schedule all meetings into my schedule. By being present at all meetings, I would be able to effectively work outside of the meetings as well. Coaches and other supervisors will understand once I clearly communicate the reason for any absences.

Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?

Yes X No \_\_\_\_\_

---

**From Principal:**

I believe that this student would responsibly serve as a member of a city board or commission.

Principal's Signature

Ali Hamka

Date

12/13/17

**Parent(s) Permission:**

I give my permission for my son/daughter to seek the position of a representative to a city board or commission.

Parent(s) Signature(s)

Date

12/13/17

---

**Include an essay** (typed) to convince the selection committee that you should be chosen as a student representative to a board or commission. If selected, your essay will be a part of your introduction to your board or commission.

Please **include two letters of recommendation** from adults who know you at school and who know your activities outside of school.

**Return application by Monday, January 8, 2018 to:**

Pam Davis at Seaholm High School \_\_\_\_\_  
Jennifer Kondak at Groves High School \_\_\_\_\_

When I moved from St. Louis two years ago, I found myself in the most fascinating place I had lived yet. I knew Birmingham would change me forever. This incredible city blew me away from day one. Birmingham is encouraging and passionate, which is directly reflected in my school, Seaholm High School. I did not take this empowering and intense attitude for granted. I raised my expectations for myself and worked to be the best I could be because Seaholm taught me that I have potential to be better. I constantly seek for ways to give back to my school, as I owe it and its staff so much. My sophomore year, I established Junior Optimist International Club at Seaholm. My goal was not only to unite students under common interests, but also to put good back into the community. As President of JOI, I've learned and practiced essential leadership skills through structured meetings and events. Organization, persistence, and flexibility are all skills that have been improved through my experience as President. I could go on to explain more clubs, my roles, and what I've learned, but I feel as if that does not fully represent what sets me apart. Although experience in leadership positions are crucial, I think how one gets there is just as important. When I walked into Seaholm on my first day freshman year, I knew not a single face. From this point to where I am currently, my proactive attitude and dedication are exemplified. I strove to become deeply involved in the Seaholm Community by reaching out to educate myself of Seaholm operations, making strong relationships, and taking initiative of my own. I can ensure you I will bring forth this same attitude to the City of Birmingham. As Birmingham has helped me develop into the person I am now, I wish to play a role in its development as well. As the Student Representative, I will deepen discussions by offering a current student's views and opinions. Not only do I wish to be an effective board member in bettering Birmingham, but I also wish to represent student struggles and issues. Change can be made everywhere, and I hope to help that process. My passion for Birmingham and community service combined with my strong will and commitment makes me out to be an

ideal board member. I am excited to learn the details of Birmingham operations and how changes are made in the community. As I promise to keep the citizens of Birmingham as my first priority, I guarantee I will be a vital and unique asset to any City of Birmingham Board or Commission.



January 8<sup>th</sup>, 2018

To whom it may concern:

I wish to recommend Madison Daminato as a student representative for your group.

Madison Daminato has been a student in my AP chemistry and honors chemistry classes at Seaholm High School during the 2017 – 2018 and 2016 – 2017 school years. She is a very motivated individual. She comes to class prepared, seeks help when needed and consistently achieves near the top of the class. Madison also has excellent interpersonal skills, which enhance her ability to work well with class members. She is a considerate, and mature young woman and is a positive influence in the classroom. Her class members respect her and enjoy being a part of her group.

Madison has a quiet air of confidence about her. She takes difficult material in stride and works to master it without complaint. Her self-assurance means that she needs little supervision and will generally solve problems on her own. She asks for help when necessary but always tries to reach solutions first. Madison takes responsibility for her work which has always been turned in complete and mostly on-time. Madison's passion for learning and inner drive make her a very unique individual. Her sense of integrity and personal honesty will contribute to her success in her future vocation.

She is a very talented and responsible young woman and it was my pleasure having her in class the last year. I highly recommend her as a student representative for your group. She will respond positively to challenges and will make significant contributions.

Sincerely,

A handwritten signature in black ink that reads "Amanda R. McDonald". The signature is fluid and cursive, with the first name "Amanda" being the most prominent part.

Amanda R. McDonald  
AP Chemistry Teacher  
Honors Chemistry Teacher  
Chemistry Teacher  
ACS Chem Club Sponsor

NATIONALLY RECOGNIZED FOR



EXCELLENCE  
IN  
EDUCATION

# BIRMINGHAM SEAHOLM HIGH SCHOOL

2436 WEST LINCOLN - BIRMINGHAM, MI 48009

248-203-3700

FAX 248-203-3706

January 8, 2018

Dear Sir or Madam:

Madison Daminato was the only sophomore in my AP Calculus AB class last year which is traditionally a senior class. Even though she was much younger than all her classmates, Madison was one of the strongest students in her class. Not only did she have a natural aptitude for math but she enjoyed being challenged and she worked until she understands the concepts that we were covering. Throughout last year Madison displayed a great maturity, highlighted by the qualities that have helped her be a successful student. She is not only patient, hardworking, and persistent but she is a compassionate student that worked well with everyone in her class.

Being younger than everyone in her class didn't stop Madison from befriending her classmates and becoming an integral part of the class. She was obviously bright but what made her stand out was the way her eyes would light up when we start learning something that was really challenging. She enjoyed engaging in tough material and finding her way. This is a truly rare quality and shows that she won't back away from a challenge and is an example of her grit.

Beyond her academics, Madison is involved in many school clubs that promote a positive school culture. She has also volunteered at a hospital, gone on mission trips to help orphans with mental and physical disabilities, and generally is involved in activities that focus on helping others. In all she does, Madison shows a generosity of heart and compassion that makes me believe that she will go on to do great things not only as an individual but great things for her community.

Madison is a truly exceptional person and student. I encourage you to strongly consider Madison Daminato's application as she will be a great addition to your program.

Regards,

Sonali Barve  
Seaholm Mathematics Teacher  
sbarve@birmingham.k12.mi.us



Birmingham Public Schools  
Community Relations Office

STUDENT REPRESENTATIVES ON  
CITY BOARDS AND COMMISSIONS

Application Form

Due January 8, 2018

31301 Evergreen • Beverly Hills, MI 48025

Name: Grace Donati Grade: 11 Age: 16

Address: 835 Westchester Way

Zip Code: 48009 Email: grace.donati@gmail.com

Telephone: 248 633 5033 School: Seaholm High School

On the attached listing of city boards and commissions, please rank your order of preference for appointment from 1 to 3 (1 being the highest and 3 being the lowest):

1. Parks and Recreation Board
2. Public Arts Board
3. Advisory Parking Committee

What school activities and/or classes have you participated in which would qualify you to sit on the board or commission which you have chosen?

I have been an active participant in Seaholm's Student Congress for three years. I have been a Field Day charity committee co-chair for two years. I have participated in our school's Track and Field team, Gymnastics team, and our marching band. I am also a member of the hiking and outdoors club at Seaholm. I was also recently inducted into the National Honor Society.

Please list your involvement in non-school activities:

- consistent babysitting job with 2 neighborhood families for 2 years
- member of Edge Birmingham youth group
- frequent trips to Detroit with my family - biking, walking, visiting DIA
- taking care of my dog - multiple walks a day around the neighborhood!

What personal skills and characteristics do you possess that would make you a good representative?

I am a good listener and a conscientious leader to my peers. Being a co-chair for our charity committee has taught me how to respect other's ideas and opinions while advocating for my own. I work well with others and I am a very hard worker.

How would you be able to schedule your time to function effectively as a student representative?

As a student who has been involved in many extra-curricular activities, the commitment will not be an issue for me. In the past, I have maintained a high GPA while taking several core and AP classes, and while balancing a big-commitment sport. I will schedule my time by not procrastinating schoolwork and using my time efficiently.

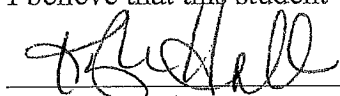
Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?

Yes ☒ No ☐

---

**From Principal:**

I believe that this student would responsibly serve as a member of a city board or commission.



Principal's Signature

1-8-18

Date

**Parent(s) Permission:**

I give my permission for my son/daughter to seek the position of a representative to a city board or commission.



Parent(s) Signature(s)

1/7/18

Date

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**Include an essay** (typed) to convince the selection committee that you should be chosen as a student representative to a board or commission. If selected, your essay will be a part of your introduction to your board or commission.

Please **include two letters of recommendation** from adults who know you at school and who know your activities outside of school.

**Return application by Monday, January 8, 2018 to:**

Pam Davis at Seaholm High School \_\_\_\_\_  
Jennifer Kondak at Groves High School \_\_\_\_\_

### Student Representative Essay

I have been a citizen of Birmingham since the day I was born. I have played with my siblings at the parks, skated at the ice arena with my friends, and walked my dog along the Rouge River trails. When I was a baby, my mom appealed to the City Board and designed the West Lincoln Well park. For the sixteen years of my life that I have been alive, I have lived in and contributed to Birmingham, and I would love the chance to represent the Parks and Recreation Board as a young adult from our city.

In my eyes, a representative should be an individual who exhibits leadership, active participation in, and respect for our city. I believe that I fit in with these requirements. For the past two years I have been chosen to represent our class' charity event for field day. Convincing over two hundred classmates to bring in cans to donate to Gleaners Food Bank is not the slightest bit easy, but the end results are extremely gratifying. I am also an active participant in our city. As a kid I always looked forward to the library's summer reading programs every year and sitting curbside while the Halloween parade passed by. As a high school student, I still spend countless hours in the library, studying and doing homework, and now I play in the Halloween parade with our marching band. Lastly, I immensely respect our city and the work that goes into keeping it beautiful. I feel pride whenever I walk past the Shain Park fountain, wander in and out of the shops and restaurants, and play in the Birmingham Parades, representing my city and my school.

Birmingham has always been my home. In the future, I would love to be an elected member of one of the City Boards that take care of Birmingham. I would love to help shape our city into the place it will be for my future family and for generations to come. But for now, I would love to have a glimpse into how our city is run and learn leadership skills I will carry with me

throughout my life. I would love the chance to represent the young adults of our city as a Student Representative on a City Board.

January 6, 2018

To Whom It May Concern,

I have only known Grace Donati for a few short months. However, during this time, I am pleased to find her to be a very nice young lady. She has impressed me with a wonderful personality and positive attitude.

I am the Girls Varsity Gymnastics Coach at both Birmingham Seaholm and Groves High Schools. Typically when girls come out for the sport of gymnastics, they have some sort of history with the sport. Not always, but the majority of the time. Grace came out this year as a Junior at Seaholm. She did not have any prior experience with gymnastics, but wanted to try something new! I give a lot of credit to any girl that has the confidence to do something "out of the box", especially a High School aged girl.

Grace has shown nothing but a positive attitude, great poise and determination as she learns the sport of gymnastics. Although she has not competed on any event yet, she has learned many skills, and is getting closer to performing them in front of judges very soon. As I've gotten to know Grace, I am thrilled that she joined our team and I look forward to getting to know her better and watch her improve at the sport, as well as watch her grow as a person. I have no doubt that she can use some of the same skills and confidence in anything she wants to do.

Sincerely,

Rebecca Bajorek

Birmingham Unified Gymnastic Coach

NATIONALLY RECOGNIZED FOR



EXCELLENCE  
IN  
EDUCATION

# BIRMINGHAM SEAHOLM HIGH SCHOOL

2436 WEST LINCOLN – BIRMINGHAM, MI 48009

248-203-3700

FAX 248-203-3706

January 04, 2018

Dear Sir or Madam:

It gives me pleasure to write to you on behalf of Grace Donati, a student at Birmingham Seaholm High School. I am Grace's Pre-Calculus teacher and am honored to be part of her life. Grace is a very diligent student and a hard worker; a great addition to any classroom. She consistently works to improve her mathematical understandings through assignments that are always done thoroughly and meticulously.

When I think about Grace, what stands out most vividly to me is her passion to get involved and influence his school and community. If you speak to Grace, she will eloquently and enthusiastically share her passion for the city she lives in and the school she attends. While some students get involved in community service to satisfy requirements, Grace seeks out opportunities to help others because she feels it is important and she takes great pride in bringing joy and opportunities to others. She is a quiet, conscientious leader. Her decision making is consistently mature and well thought through.

Grace is very thoughtful in her work and in how she relates to students and adults. I believe she would be a great representative of not only Seaholm High School, but all of Birmingham as well. I have no reservations in saying Grace Donati would make a great asset to your organization.

Regards,

Shannon Feliciano

Seaholm Mathematics Teacher

sfeliciano@birmingham.k12.mi.us





Birmingham Public Schools  
Community Relations Office

# STUDENT REPRESENTATIVES ON CITY BOARDS AND COMMISSIONS

## Application Form

Due January 8, 2018

31301 Evergreen • Beverly Hills, MI 48025

Name: Sam Fogel Grade: 11 Age: 16

Address: 956 Henrietta St.

Zip Code: 48009 Email: shoppingcartengineer@gmail.com

Telephone: 248-979-8406 School: Seaholm High School

On the attached listing of city boards and commissions, please rank your order of preference for appointment from 1 to 3 (1 being the highest and 3 being the lowest):

1. Planning Board
2. Public Arts Board
3. Parks & Rec Board

What school activities and/or classes have you participated in which would qualify you to sit on the board or commission which you have chosen?

I've taken the required speech class, along with other classes that require some public speaking. I take many AP + Honors classes, which forces me to time manage.

Please list your involvement in non-school activities:

I throw shotput and JBees on the Seaholm track team and am a member of the Seaholm Model United Nations Club.

What personal skills and characteristics do you possess that would make you a good representative?

I am often told that I have conviction and can make decisions that most would find difficult. I am also passionate about the things I care about and enjoy. I would trust my intelligence, but that's just arrogant.

How would you be able to schedule your time to function effectively as a student representative?

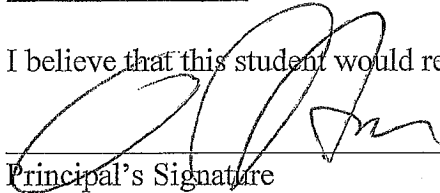
I have very good time management skills. I have many responsibilities and I plan to be able to dedicate a good portion of my time studying and researching city planning.

Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?

Yes \_\_\_\_\_ No ☒

**From Principal:**

I believe that this student would responsibly serve as a member of a city board or commission.



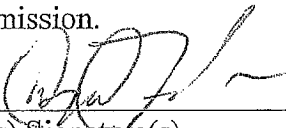
Principal's Signature

1/8/2017

Date

**Parent(s) Permission:**

I give my permission for my son/daughter to seek the position of a representative to a city board or commission.



Parent(s) Signature(s)

1/8/18

Date

**Include an essay** (typed) to convince the selection committee that you should be chosen as a student representative to a board or commission. If selected, your essay will be a part of your introduction to your board or commission.

Please **include two letters of recommendation** from adults who know you at school and who know your activities outside of school.

**Return application by Monday, January 8, 2018 to:**

Pam Davis at Seaholm High School ☒  
Jennifer Kondak at Groves High School \_\_\_\_\_

Sam Fogel  
Seaholm Sophomore

### Planning Board Essay: A Tale in Mediocrity

Despite it often being overlooked, municipal government is incredibly important in the average US citizen's daily life. The role cannot be understated when thinking of public services that are almost essential in a modern lifestyle. Protection from the law, fire protection, plumbing, and electricity all require some involvement from a local government. An important part of this municipal government is the city planning, designating when and where buildings and services can be built. As a student, learning the workings of small scale government will help me have a more comprehensive outlook on the way my surroundings operate.

I believe that I'd be a very good candidate for the student representative position. I hope I don't come off as arrogant, as I'm only doing what's required of me. In terms of objectively provable facets to my experiences, I am enrolled in plenty of honors and AP (advanced placement) classes at school. Some of these include AP Physics, Honors Precalculus, AP Language and Composition, and AP Economics. I am also enrolled in two international languages, those being Mandarin Chinese and Japanese. I'm also a member of the Seaholm Track Team, and a member of the Model United Nations club. These two extracurriculars have led me to develop good communication skills, along with time management skills. Model UN has especially helped me in the development in these skills, being particularly heavy in convoluted semantics and interaction with opposing viewpoints.

Personally, I believe that I'm passionate about the things that I care about. Government and politics are a few of the interests I have an ardent passion for. In the 2016 election cycle, I was heavily involved in a campaign that I had faith in. I went to multiple rallies, including those that I had many qualms with. I even donated to some grassroots candidates that held my ideals. I consider myself a person with heavy convictions, able to stand up for what I believe in.

Other than that, I'd say I'm a regular kid. I have a family of three, consisting of my father, my twin sister, and myself. I play a lot of video games, to the dismay of society. In addition to the prior, I love to read books and watch films. Nothing too interesting. The reason I want to apply for this position comes down to my interest in government, and my belief that it takes effort and involvement to make the world a better place (and a little bit of a want to go to my college of choice). I thank you for your time in considering me.

Letter in Support of Sam Fogel  
(Hard copy on letterhead to follow)

January 8, 2018

Dear City Planning Board Committee,

It is my pleasure to write in enthusiastic support of Sam Fogel's application to serve as student representative to the Birmingham City Planning Board. As a longtime friend of the Fogel family who has known Sam his whole life, I am confident he would be a valuable asset to your committee. Sam is a thoughtful, articulate young man who listens carefully to others and has constructive ideas of his own to share. I urge you to give serious consideration to his application.

Sam is remarkably mature for a high school junior. Whenever we talk about politics, I'm sure to learn something new from him. He is always well-informed on the issues, gleaned information from a variety of news sources. He understands the value of comparing different points of view before making judgments, a cosmopolitan quality that derives in part from his travels to Russia, China, Spain, and the United Kingdom. (As a junior at Seaholm, he is already in his sixth year of studying Mandarin; in addition, he is now taking his second class in Japanese at Groves.) Passionate about government and social justice, Sam sees the City Planning Board as an opportunity to get involved in the community beyond his school and to participate actively in a democratic society. He recognizes that now, more than ever, it is crucial for young people to learn how local government must function through cooperation and commitment.

Sam is a smart, serious student carrying an overall 3.7 GPA (unweighted) despite a heavy course load that includes several honors classes and AP courses. But the best indication of his well-rounded interests appears in his extracurricular activities. For the last five years, he has competed in shot put and discus for his schools' track and field teams. Sam loves learning the demanding techniques of these uncommon events, and he especially enjoys sports where the primary goal isn't to win but to compete with oneself and improve on one's own personal best results. An entirely different set of skills can be seen in Sam's other major activity: his participation in the high school model United Nations program. A three-year veteran, Sam travels to regional and statewide conferences where the goal is not to compete against others but to arrive cooperatively at solutions to the world's most pressing problems. In order to be effective as a team member, participants must educate themselves quickly and deeply about unfamiliar issues. That's where Sam's passion for current events and international politics really leads him to excel. Representing Afghanistan in a recent conference, Sam's group was charged with addressing the destruction of cultural icons by ISIS in middle eastern war zones. Through debate and persistence they were able to pass a resolution to deploy peace-keeping troops for the preservation of cultural artifacts. At another recent conference at the University of Michigan, Sam again represented Afghanistan in a coalition charged with addressing the global climate crisis.

I'm sure you will have many qualified applicants for this position. After all, students interested in serving on a city planning board are a self-selecting group. But I am certain you will not find anyone more eager, interesting, and helpful than Sam. He will listen respectfully to other members of the board, do his homework on the issues, and contribute fresh independent ideas. I guarantee that you will not go wrong in choosing him.

Yours sincerely,

Steven Goldsmith  
Professor  
English Department  
UC Berkeley

# Seaholm High School

Michael Wicker, *Social Studies Department Chair* • 248.203.3785 • Fax: 248.203.3706 • mwicker@birmingham.k12.mi.us  
2436 West Lincoln Street, Birmingham, MI 48009

1/6/2018

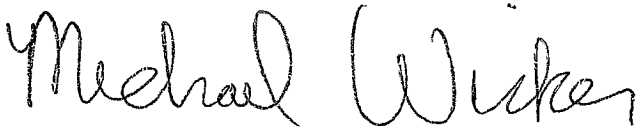
To Whom It May Concern,

I am writing this letter on behalf of Sam Fogel for student representative on Birmingham's City Planning Board. I have had Sam in my classroom for only 1 year, but in that short amount of time, I have made a wonderful connection with him. Sam is one of the few students his age that seems to be connected to what is going on with the world, has an opinion about it, and most importantly, is willing to do something about it. Too many times when current events are brought up in class, students remain silent, or roll their eyes, saying that what is going on in this world has nothing to do with them. This lack of empathy and connection frightens me, but I do not see anything like this in Sam. He is connected, he cares, and he is doing what he can at a young age to make a difference.

This can also be seen outside of my classroom. Sam is an active member in the school's Model United Nations, going on his third year being a member. It does not surprise me that Sam is pulled toward an organization which prepares kids with knowledge of the world, its problems, and allows for them to craft real world solutions. This outlet also allows Sam to make connection with likeminded students at other schools, permitting him to build a social network with students who are also looking to make the world a better place. I'm sure these connections will further his efforts both during, and after, high school.

To conclude, I believe Sam is an ideal candidate for the board. He is well versed what is going on in the world around him, he cares about the problems of others, and he knows how to work with a group of people to try to find a solution to a common problem. I can think of no better background, and no better training, for someone to work on city government.

With my highest recommendation,



Michael Wicker  
Department Chair of Social Studies  
Seaholm High School



Birmingham Public Schools  
Community Relations Office

STUDENT REPRESENTATIVES ON  
CITY BOARDS AND COMMISSIONS

Application Form  
Due January 8, 2018

31301 Evergreen • Beverly Hills, MI 48025

Name: Ellie McElroy Grade: 11<sup>th</sup> Age: 16

Address: 2106 Buckingham, Birmingham MI

Zip Code: 48009 Email: elliemcelroy1@aol.com

Telephone: 248-496-9331 School: Seaholm High School

On the attached listing of city boards and commissions, please rank your order of preference for appointment from 1 to 3 (1 being the highest and 3 being the lowest):

1. Planning Board
2. Parks and Recreation Board
3. Public Arts Board

What school activities and/or classes have you participated in which would qualify you to sit on the board or commission which you have chosen?

Throughout my years at Seaholm I have taken Retail management, which taught me great leadership and management skills; I have taken Radio Speech which taught me how to talk and feel comfortable in front of large groups and lastly I have participated in Seaholm Golf. Seaholm Golf taught me how to be a good team player and a great listener. Have also participated on Field Day banner committee.

Please list your involvement in non-school activities:

• Piano • Links  
• Babysitting  
• Yoga  
• Dog Walker  
• Summer in the City

What personal skills and characteristics do you possess that would make you a good representative?

I believe I would be a good representative because I am a good listener. I took at problems from both sides in hopes of finding the best solution. Lastly I feel confident in my ability to speak in front of large groups and work with people as a team.

Representatives Application Form

2

would you be able to schedule your time to function effectively as a student representative?

fortunately for me, I have no activities that occur  
that late on a Wednesday night. I will leave my house  
twenty minutes before any meetings, allowing myself  
to get there with plenty of time to spare!

Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?

Yes ☒ No ☐

**From Principal:**

I believe that this student would responsibly serve as a member of a city board or commission.

[Signature]  
Principal's Signature

1-8-2018

Date

**Parent(s) Permission:**

I give my permission for my son/daughter to seek the position of a representative to a city board or commission.

[Signature]  
Parent(s) Signature(s)

1/7/18

Date

**Include an essay** (typed) to convince the selection committee that you should be chosen as a student representative to a board or commission. If selected, your essay will be a part of your introduction to your board or commission.

Please **include two letters of recommendation** from adults who know you at school and who know your activities outside of school.

**Return application by Monday, January 8, 2018 to:**

Pam Davis at Seaholm High School ☒  
Jennifer Kondak at Groves High School ☐



Dear City of Birmingham Boards and Commissions,

My name is Ellie McElroy and I am applying to become one of your board representatives. I have recently been looking for a new after school activity, when I was sent an application for one of your openings. When I first received the letter of recommendation, I was unaware this opportunity even existed. The more I learned about what would be expected and needed of me to take part in one of your positions, the more I became interested.

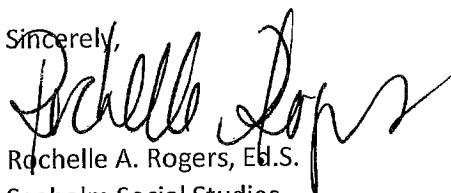
I have lived in Birmingham my whole life, which is something I am very grateful for. Growing up in a safe and well preserved community is something that should be cherished. I hope to get involved, in hopes of continuing the enhancement of Birmingham. I find this opportunity to be very intriguing and hope to learn a lot about myself and my environment. Through this experience, I wish to strengthen my leadership skills, earn community service hours, and learn how local government works. If I was to be chosen for one of the Birmingham Boards, I wish to continue and improve upon our beautiful, safe, and welcoming community. I promise to listen to those who are sharing, contribute to group discussions, and offer my help and opinion to the matter at hand. I greatly admire Birmingham and hope to become more involved with my hometown.

Sincerely,  
Ellie McElroy

January 8, 2018

I am most pleased to recommend Ellen McElroy for one of the Birmingham student board positions. I have had the pleasure of knowing Ellie for several years and find her to be delightful. She is hard working, kind, compassionate and would be a great representative for the teen perspective in Birmingham. She is reliable and is comfortable sharing her opinion and is respectful in her dialogue. I give her my highest recommendation. Please do not hesitate to contact me if you need any additional information to support her selection.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rochelle Rogers', written over the printed name.

Rochelle A. Rogers, Ed.S.

Seaholm Social Studies

RRogers@birmingham.k12.mi.us

January 7, 2018

To Whom It May Concern:

Ellie McElroy is a dedicated, responsible and hardworking student, who would be an asset to any organization. I have worked with Ellie for many years as a private language arts tutor and have had the privilege of watching her become the remarkable young woman she is today. Ellie is intelligent, thoughtful and wise beyond her years. Her ability to critically analyze literature, express her thoughts and ideas in writing and discuss complex issues and topics is impressive. Ellie works extremely hard to not only earn good grades, but to truly understand the lessons and concepts she is studying. Ellie has a passion for learning and drive to succeed that I have seen in very few other students in 17 years of teaching.

Ellie has also worked as a babysitter for my family. She does a wonderful job caring for our children. They enjoy being with her because she is kind, creative and fun. As a parent, I appreciate that she is responsible, trustworthy and a wonderful role model for my daughters.

I highly recommend Ellie to any organization or employer looking for an intelligent, reliable young woman who works hard and has a positive attitude. Please feel free to contact me for any further information you may need.

Sincerely,

Julie Aubrey

Private Tutor  
[Aubreyjulie1@gmail.com](mailto:Aubreyjulie1@gmail.com)  
(248) 342-0180



*Birmingham Public Schools*  
Community Relations Office

**STUDENT REPRESENTATIVES ON  
CITY BOARDS AND COMMISSIONS**

**Application Form**  
Due January 8, 2018

31301 Evergreen • Beverly Hills, MI 48025

Name: Jakob Sayers Grade: 11th Age: 17

Address: 1264 South eton

Zip Code: 48009 Email: Xcrunner1042000@gmail.com

Telephone: 248-804-2036 School: Seaholm high school

On the attached listing of city boards and commissions, please rank your order of preference for appointment from 1 to 3 (1 being the highest and 3 being the lowest):

1. Parks and recreation
2. planning board
3. public arts board

What school activities and/or classes have you participated in which would qualify you to sit on the board or commission which you have chosen?

Cross Country Captain leadership. I believe to be  
able to sit on the board you need to be in some  
way a leaders to others

Please list your involvement in non-school activities:

I am in the Boy Scouts of America and have earned  
the rank of Eagle and currently have 4 Palms. I am  
also part of the OA which is know as the order of  
the arrow which is the honor society of boy scouts.

What personal skills and characteristics do you possess that would make you a good representative?

Great leadership skills and personality skills meaning that  
I can work well with others, Very comfortable with  
speaking in front of others and time management.

How would you be able to schedule your time to function effectively as a student representative?

With all of the other things I do such as running,  
School and boy scouts I am great at multitasking. With all  
the other things I do I am good at Managing my time.

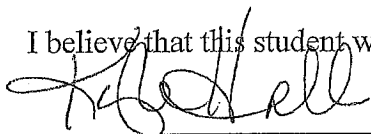
Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?

Yes ☒ No ☐

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**From Principal:**

I believe that this student would responsibly serve as a member of a city board or commission.



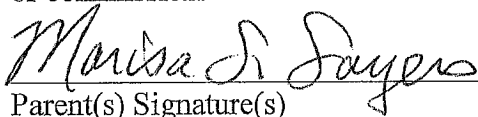
Principal's Signature

1-8-2018

Date

**Parent(s) Permission:**

I give my permission for my son/daughter to seek the position of a representative to a city board or commission.



Parent(s) Signature(s)

1/5/2018

Date

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**Include an essay** (typed) to convince the selection committee that you should be chosen as a student representative to a board or commission. If selected, your essay will be a part of your introduction to your board or commission.

Please **include two letters of recommendation** from adults who know you at school and who know your activities outside of school.

**Return application by Monday, January 8, 2018 to:**

Pam Davis at Seaholm High School \_\_\_\_\_  
Jennifer Kondak at Groves High School \_\_\_\_\_

## **Jakob Sayers – Application Essay**

I believe that I will be a good student representative for the City of Birmingham Boards and Commissions. Being an Eagle Scout I have worked hard and have been dedicated for as long as I can remember. Since I joined scouts I have set goals that I continue to reach such as Eagle at the age of 15 which I accomplished. Not only did I reach the rank of Eagle, I have earned 4 Eagle palms and my goal is to finish off with 7 before I age out 10/4/2018. I was also elected into the national honor Boy Scout society which is called the order of the arrow(OA). While being a Scout I have done countless hours of community service and have held many leadership jobs including senior patrol leader.

Another reason why I should be considered for a Board position is because of my leadership and dedication to the sports of cross country and track. Over the past 6 years I have been a runner who has continued to show new strengths and improvement each and every year. As the cross country captain I pay attention to every runner on the team as if they were all the same. I have helped mentor and encourage many

kids to be better runners and train during the off season for the better good of the team.

By then end of Fall 2017 cross country season I earned many honors. Most importantly All-State Champion where I placed 29th at the MHSSA state meet. Since freshman year I have earned a varsity letter in both cross country and track. My long term goal is to become a professional runner or possibly an Olympian and I will continue to keep working towards that goal until I reach it.

Throughout the years of participating in the sport of running and Boy Scouts I believe that the skills I have learned would help me serve my community well. I hope you will consider me for a position on a board after reviewing my application for this opportunity. Thank you.

# Seaholm High School

Kyle Hall, *Principal* • 248.203.3700 • Fax: 248.203.3706 • KHall@birmingham.k12.mi.us  
2436 West Lincoln Road, Birmingham, MI 48009



To whom it may concern,

This letter is to serve as a recommendation for Jakob Sayers. Jakob has been a wonderful student at Seaholm High School for the past three years. While I have only been his counselor for the past two years I have been impressed with Jakob's maturity, involvement, and positive attitude. He is a leader in many ways and shines in athletics as well as member of our surrounding community. Here are some highlights of Jakob's achievements:

Varsity Cross Country Captain

Attained Eagle Scout at age 15 (currently holds four Eagle Palms)

Organized a food drive through the Seaholm and Birmingham community (collected 1200 pounds)

Member of the Order of the Arrow (Honor Society for Boy Scouts)

Apart from his involvement in our school and surrounding community, Jakob is a tremendous young man who serves as an excellent example to the young men in our school. He is calm, courteous, and respectful to all of those around him both students and adults alike. He is well regarded in our school community and I believe he will be an excellent addition to your organization as a student representative.

Kindest Regards,

Brian Flatter, M.A. L.L.P.C. N.C.C.

Counselor for the Class of 2019

W: 248-203-3758

F: 248-203-3825



**Birmingham**  
PUBLIC  
SCHOOLS



December 29, 2017

**LETTER OF RECOMMENDATION FOR JAKOB SAYERS:**

I have known Jakob as his high school cross country and track coach since 2015. During this time, Jakob has not only impressed me as an athlete, but as a leader who takes pride in everything he does.

As an athlete at Seaholm High School, Jakob has competed on the varsity cross country and track teams since his freshman year. While Jakob has had numerous running accomplishments, including competing at the New Balance Nationals this past summer and earning All-State honors in cross country in the fall, it is his work ethic that has impressed me the most. To put it simply, Jakob is one of those self-driven athletes that any coach would love to have on their team.

More importantly, not only is Jakob an excellent athlete, but he is a great role model and leader for his teammates. As a team captain, Jakob has organized off-season practices, run with younger or less talented runners to make them feel part of the team, and has continuously encouraged and inspired his teammates to strive for their best. After watching Jakob over the years, I believe that his desire and drive to win are as important to him as the team's success and happiness.

Jakob is an exemplary student-athlete who has dedicated his high school career to athletics, academics, and leadership. I would definitely recommend Jakob to be a student representative for the Birmingham Boards and Commissions Program.

Sincerely,



David Hamway

Birmingham Seaholm

Head Men's Cross Country Coach

Head Men's and Women's Track & Field Coach

Dham22@gmail.com / (248-736-6582)



Birmingham Public Schools  
Community Relations Office

STUDENT REPRESENTATIVES ON  
CITY BOARDS AND COMMISSIONS

Application Form

Due January 8, 2018

Jan. 23

31301 Evergreen • Beverly Hills, MI 48025

Name: Joy Tenjeras Grade: 11 Age: 16

Address: 1699 Hanley Court, Birmingham

Zip Code: 48009 Email: jhtenjeras@gmail.com

Telephone: 248-318-6076 School: Groves High School

On the attached listing of city boards and commissions, please rank your order of preference for appointment from 1 to 3 (1 being the highest and 3 being the lowest):

1. MUSEUM BOARD

2.

3.

What school activities and/or classes have you participated in which would qualify you to sit on the board or commission which you have chosen?

I have been involved in the Excel program at Groves that combines history + english studies so the literacy has relevance with historical knowledge. I can better appreciate learning with an understanding of the past.

Please list your involvement in non-school activities:

• Detroit Metropolitan Youth Symphony Orchestra, violist - 2016/Present  
• Girl Scout - Troop 74715 + Gold Award Applicant - 2017/Present  
• Kensington Church small group leader (3rd graders + middle schoolers)  
• Girls Empowered Mentor - 2016/2017

What personal skills and characteristics do you possess that would make you a good representative?

My skill set includes strong organizational skills, a sense of duty + commitment, and the ability to prioritize responsibilities. In addition, I enjoy interacting with adults and working on projects.

How would you be able to schedule your time to function effectively as a student representative?

As a team manager with the Groves Football team for the 2017 season, it was necessary for me to manage my academics, and outside activities with daily involvement at team practices. I've developed strong time management skills that allow me to plan my responsibilities in order to meet my commitments.

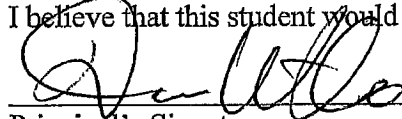
Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?

Yes ☒ No ☐

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**From Principal:**

I believe that this student would responsibly serve as a member of a city board or commission.



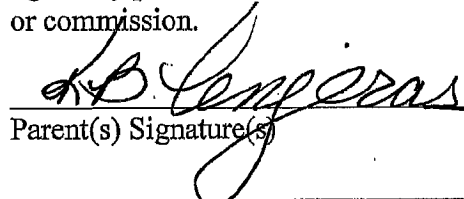
Principal's Signature

1-22-18

Date

**Parent(s) Permission:**

I give my permission for my son/daughter to seek the position of a representative to a city board or commission.



Parent(s) Signature(s)

1-22-18


Date

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**Include an essay** (typed) to convince the selection committee that you should be chosen as a student representative to a board or commission. If selected, your essay will be a part of your introduction to your board or commission.

Please **include two letters of recommendation** from adults who know you at school and who know your activities outside of school.

**Return application by Monday, January 8, 2018 to:**

Pam Davis at Seaholm High School  
Jennifer Kondak at Groves High School 

Friday, January 19, 2018

To Whom It May Concern,

I would look forward to serving on the City of Birmingham's Museum Board. My family and I have resided in the city since 2010, when we relocated from a neighboring community to attend the Birmingham Public Schools. I feel that I have gained an exceptional education so far, and have been offered many additional opportunities for athletics, spiritual growth, and volunteerism as part of this community. Joining this Board would give me an opportunity to give back, in service, to a community that has given me so much.

As a Junior at Wylie E. Groves High School I've had the opportunity to participate as a student athlete on the Groves Falcons Women's Soccer and Water Polo Teams, and most recently with the Groves Football Team as a Team Manager. I've enjoyed the spirit of comradery that team sports provide, the opportunity to work with those of differing opinions, and the spirit of dedication and commitment that is required as part of a team. I believe those characteristics would be true of the Board Member position as well.

I also have the pleasure of serving with my church as a youth small group leader for both elementary 3<sup>rd</sup> graders, and middle school students. This responsibility for mentoring and leadership is something that I look forward to every weekend, and encourage students to grow in their faith. I've also committed to a mission trip with other high-schoolers to go to Haiti in July, 2018. While there, I'll be serving young children by running day camps, and establishing a children's library at a medical clinic as my Girl Scout Gold Award project. I'm looking forward to this opportunity to learn more about the history of this island, and the many challenges that they face. This is going to be an excellent opportunity for me to utilize communication, leadership, and mentoring skills developed with the Girls Empowered organization, of which I volunteer, in a hands-on opportunity for service.

I'm interested in pursuing a career in the Performing Arts Management field and would like to gain valuable experience in organizing, hosting, and facilitating special events and fundraisers. In order have some background with this, I am actively involved in two orchestras at Groves as well as the Detroit Metropolitan Youth Symphony (DMYS) as a violist. As a nonprofit organization the DMYS is constantly challenged with fundraising issues, volunteer needs, and providing opportunities for young musicians. I hope that what I've learned from the that organization might be helpful to the Museum Board as well.

It would be a pleasure to join the Museum Board as a Student Representative on behalf of Birmingham Public Schools and a responsibility which I would take seriously and enthusiastically.

Thank you for your consideration,

A handwritten signature in black ink that reads "Joy Tenjeras". The signature is fluid and cursive, with the first name "Joy" written in a more compact, stylized script and the last name "Tenjeras" written in a larger, more legible cursive.

Joy Tenjeras



*Birmingham Public Schools  
Community Relations Office*

**STUDENT REPRESENTATIVES ON  
CITY BOARDS AND COMMISSIONS**

**Application Form**

**Due January 8, 2018**

31301 Evergreen • Beverly Hills, MI 48025

Name: Ava Wells Grade: 11 Age: 16  
Address: 1844 W. Lincoln St. Birmingham, MI  
Zip Code: 48009 Email: awells@gmail.com  
Telephone: 7046991192 School: Seaholm High School

On the attached listing of city boards and commissions, please rank your order of preference for appointment from 1 to 3 (1 being the highest and 3 being the lowest):

1. Public Arts Board
2. Historic District Commission
3. Parks and Recreation Board

What school activities and/or classes have you participated in which would qualify you to sit on the board or commission which you have chosen?

See other page

Please list your involvement in non-school activities:

See other page

What personal skills and characteristics do you possess that would make you a good representative?

See other page

How would you be able to schedule your time to function effectively as a student representative?

Throughout my high school career, I have participated in many extra-curriculars as well as remaining diligent with my regular class load. Because of this, I am conditioned to balance school and extra-curriculars.

Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?

Yes ☒ No ☐

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**From Principal:**

I believe that this student would responsibly serve as a member of a city board or commission.

Kyle Dell

Principal's Signature

2-1-2018

Date

**Parent(s) Permission:**

I give my permission for my son/daughter to seek the position of a representative to a city board or commission.

[Signature]

Parent(s) Signature(s)

1/4/18

Date

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**Include an essay** (typed) to convince the selection committee that you should be chosen as a student representative to a board or commission. If selected, your essay will be a part of your introduction to your board or commission.

Please **include two letters of recommendation** from adults who know you at school and who know your activities outside of school.

**Return application by Monday, January 8, 2018 to:**

Pam Davis at Seaholm High School ☒  
Jennifer Kondak at Groves High School ☐

Name: Ava Wells

Grade: 11

Age: 17

Address: 1844 W Lincoln St. Birmingham, MI 48009

Email: [avawells@gmail.com](mailto:avawells@gmail.com)

Telephone: 704-699-1192

School: Seaholm High School

1. Public Arts Board
2. Historic District Commission and Design Review Board
3. Parks and Recreation Board

I am a student in Seaholm High School Flexible Scheduling Program (FLEX), a blended course of study from 9th through 12th grade that includes literature, history, art and culture. As a FLEX student I have been offered an extraordinary immersion in myriad literary genres, historical traditions, and artistic traditions and, as a result, I have come deeply to appreciate the challenges and complexity of rendering our past for present day consumption. I am also a student who is deeply interested in the cultures of other countries. Just as I have learned so much as a student in FLEX, I have also been grateful for all that I have learned from my courses in Spanish at Seaholm. From learning the language to seeing the rich artistic and musical contributions of countries such as Spain and Mexico, I firmly believe that culture is a way to connect with others in surprising but profound ways.

This belief is what leads me today to apply for a position on the City of Birmingham's Public Arts Board with such enthusiasm. Whether translated to the public through visual art, via stories and music, or on the page, I am passionate about making culture matter to the public. I myself act, play music, and am an avid writer, and as a resident of Birmingham, Michigan I am particularly committed to enriching my own city's culture content in any way that I can. This new interest in the culture of my own city was particularly sparked by a FLEX course that I had the opportunity to take, one which delved into the rich history of the city of Birmingham in ways very interesting. From all that I have learned about my own city's rich culture and character in that class, and from my deep roots in the city of Detroit as well, I am now very interested in thinking about how my city might enrich its cultural landscape, and even perhaps to build bridges with the rich culture of Detroit that might engage the residents of both places in new ways. I can think of no better honor than of being able to play a role on Birmingham's Public Arts Board where I believe I can both contribute a great deal and learn a tremendous amount. As a lover of history, as an actress and a writer, and as an active citizen, I would love to serve my city in this capacity.

Although I am more than willing to serve on another city board if I am needed there instead, my particular interest in Public Arts stems not just from my studies in the FLEX program at Seaholm, nor from my love of learning Spanish there, but also from my very personal love of art that extends well beyond the classroom. Ever since I was a child have have been

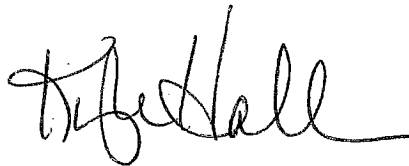
## Historic District Commission

fascinated by art--both visual and performative. I love to perform in this realm as an actress and a guitar player, but I have always been particularly gripped by public sculpture and murals because of the the stories they tell. From spending time as a teenager in the archaeological ruins of Athens and the stunning art installations of the Borghese gardens in Rome, to spending time as a young kid in Philadelphia in awe of the public murals that color every block, I have always appreciated the power of art in the public sphere.

The idea that art should not only be enjoyed by the wealthy and prestigious and instead by all was a revolutionary concept brought to be through western civilization. Public squares and temples pioneered the way people communicate and related to one another. Suddenly, culture was something to be shared and marveled at. When I moved to the city of Birmingham in 2015, I realized how important my city was to the sharing of this public art. Every day that I was downtown I marveled at the sculptures that graced the landscape. While I quickly became familiar with the pieces, I seemed to notice new things everytime I passed by. Public art begins discussions and thus brings a sense of community to those who have the chance to enjoy it. Art is one of the few things that are truly timeless. Interpretation adapts and molds to the current authoritative discourse while the pieces remain constant.

It would be nothing short of an honor to be able to facilitate this experience for others, young and old in the City of Birmingham. I am diligent and determined, I am an excellent manager of my time, and I have a strong believe in democracy and consider being a representative for the city commision to be an important responsibility indeed. I thank you in advance for considering my candidacy.

Ava Thompson Wells

A handwritten signature in black ink, appearing to read 'Ava Thompson Wells', with a stylized, cursive script.



January 9, 2018

To Whom It May Concern:

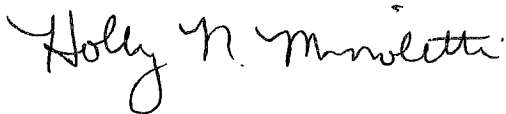
I highly recommend Ava Wells for the City of Birmingham Public Arts Board. I have known Ava for 1 year. She is a junior in my Honors Blended Anatomy/Physiology class. This is an advanced science course where students must be self-directed in order to learn about the human body and the medical field. Ava is a very conscientious student. She is able to keep up with her heavy workload at Seaholm while still managing to find time for extracurricular activities.

Ava is a lovely young lady. She is very well spoken. She brings energy and enthusiasm to everything she does. Ava is inquisitive. She asks deep questions that relate to her world. She is creative and has a passion for the arts. Her experiences in the Seaholm Flex program have prepared her to be a well-rounded citizen.

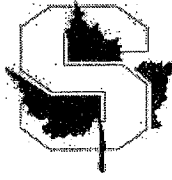
Ava is a confident young woman that is respected by the faculty and her peers. She is a pleasure to teach and fun to be around. Ava would be an excellent member of the City of Birmingham Public Arts Board.

If you have any questions concerning Ava Wells please feel free to contact me at [hminoletti@birmingham.k12.mi.us](mailto:hminoletti@birmingham.k12.mi.us).

Sincerely,

A handwritten signature in black ink that reads "Holly N. Minoletti". The script is cursive and fluid, with the first name "Holly" being the most prominent part of the signature.

Holly N. Minoletti  
Seaholm High School Science Teacher



Ernest W. Seaholm High School  
2436 W. Lincoln  
Birmingham, Michigan 48009  
(248) 203-3700

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January 8, 2018

Dear Birmingham City Council:

It is my pleasure to write this letter of recommendation for Ava Wells, a former Spanish student. I have known Ava for two years and she stands out in my mind as a creative, independent, and dedicated student. In my Spanish class, Ava consistently exceeded expectations and contributed thoughtfully to culture discussions.

In addition to her success in my classroom, Ava has continued to challenge herself academically at Seaholm by enrolling in the FLEX program. This program encourages students to think independently about global issues, a trait at which Ava excels.

Ava's life experiences living in various locations in the U.S., as well as abroad, further allow her to express distinct opinions on complex issues. Ava has traveled extensively throughout the U.S. and Europe and brings insight from these travels to her discussions with others. In my classroom, Ava worked diligently to perfect her use of the Spanish language and will be traveling to Spain this Spring with a group of dedicated students to use the language in real-world conversations. In her application for this travel-learning opportunity, Ava expressed genuine interest in being able to "live" the culture we have been studying in order to increase her awareness of global issues.

Based on these factors and others highlighted in her application, I highly recommend Ava Wells for the student nomination for the Birmingham Public Arts Board. I feel confident that Ava would be a true asset to this committee and provide a unique global perspective. If I can be of any further assistance on Ava's behalf, please do not hesitate to contact me.

Thank you,

Errin T. Menna

Seaholm Spanish Teacher

emenna@birmingham.k12.mi.us



*Birmingham Public Schools  
Community Relations Office*

**STUDENT REPRESENTATIVES ON  
CITY BOARDS AND COMMISSIONS**

**Application Form**

**Due January 8, 2018**

31301 Evergreen • Beverly Hills, MI 48025

Name: Cole Wohlfel Grade: 11 Age: 16

Address: 1155 Villa Rd.

Zip Code: 48009 Email: cole.wohlfel1@sbcglobal.net

Telephone: 248-703-1404 School: Seaborn

On the attached listing of city boards and commissions, please rank your order of preference for appointment from 1 to 3 (1 being the highest and 3 being the lowest):

1. Parks and Recreation Board
2. Public Arts Board
3. Planning Board

What school activities and/or classes have you participated in which would qualify you to sit on the board or commission which you have chosen?

I manage the Music and Stage Performance Club at Seaborn while also contributing to the Student Congress and Junior Optimist Club. Furthermore I am also an NHS member and balance a workload of 4 APs & 2 Honors with a 4.0 GPA.

Please list your involvement in non-school activities:

I am principle bass in the DMYS Symphony Orchestra which I regularly rehearse with. I also work at Wilson Fine Violins during the school week, communicating with customers and doing handwork. Finally, I work closely with the Bloomfield-Birmingham Chamber, helping them when they need an extra hand and I manage the clean-up crew for the Birmingham Fair.

What personal skills and characteristics do you possess that would make you a good representative?

I am a good leader and am able to engage in conversation with groups of strangers. I also tend to be passionate in what I'm involved in.

How would you be able to schedule your time to function effectively as a student representative?

Once I have the dates of the meetings I'll  
be expected to go to. I will work my band practices  
and work around the meetings and start my  
homework during lunch to give me enough time  
to attend.

Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?

Yes \_\_\_\_\_ No ✓

---

**From Principal:**

I believe that this student would responsibly serve as a member of a city board or commission.

Principal's Signature

Date

**Parent(s) Permission:**

I give my permission for my son/daughter to seek the position of a representative to a city board or commission.

Parent(s) Signature(s)

Date

**Include an essay** (typed) to convince the selection committee that you should be chosen as a student representative to a board or commission. If selected, your essay will be a part of your introduction to your board or commission.

Please **include two letters of recommendation** from adults who know you at school and who know your activities outside of school.

**Return application by Monday, January 8, 2018 to:**

Pam Davis at Seaholm High School \_\_\_\_\_  
Jennifer Kondak at Groves High School \_\_\_\_\_

### **City Board Student Representatives Admission Essay**

Hi, I'm Cole Wohlfel, a Junior at Seaholm High School. I am grateful for being given the opportunity to apply to be a representative on one of the Birmingham City board. As someone who has worked closely with the Birmingham-Bloomfield Chamber of Commerce and doing other community service through Seaholm's Student Congress and Junior Optimists International clubs, I have decided I really enjoy helping our community and enjoy hearing my voice heard in different issues regarding planning and organizing different projects. My most prominent job with the Birmingham-Bloomfield Chamber of Commerce is managing the city's clean-up crew when the Birmingham Fair comes every year. For the past two years I have managed other high-schoolers and various volunteer organizations who have volunteered to keep our city clean when the fair comes to town. I document different volunteer organization's hours as well as keep track of our cleaning supplies in case we need more. Furthermore, I also went around myself strategically placing the different trash bins and replacing them when they were full along with a crew of peers who I had walk around picking up trash. I am particularly interested in the Parks and Recreation Board because of this event. I enjoy Birmingham's various parks, particularly Shain and Barnum and want to make sure we're doing the best we can to keep them clean and fun for residents here.

After reading through the different boards I am unsure in which board my next idea contributes to but I would guess it would either be part of the Planning Board, Public Arts Board, or the Parks and Recreation board. Anyways, as a lover of music, I am one of the founding members of the Seaholm Music and Stage Performance club and principal bassist of the Detroit Metropolitan Youth Symphony Orchestra. I personally really enjoy the events that occur in Shain

park in which we have live music or other things such as 'Tango Tuesday'. I would love to be a voice in coming up with different activities and events we can have in the city to bring our community closer together and possibly appeal more to our local high-schoolers and young adults as a fun place to be. Moreover, it would be fantastic if some up and coming bands and solo performers from Seaholm or other schools in the district could participate in these events we have downtown.

Overall, I have good leadership qualities and a passion for making our city a better place to live. I also like to contribute to planning and am not afraid to voice my opinions or ideas.

Thank you all for this opportunity to apply!

January 7, 2018

To Whom It May Concern,

I am writing in support of Cole Wohlfel as a candidate for student representative on the Birmingham City Board.

I have known Cole personally for 15 years, as a family friend and neighbor. I have hired him for various odd jobs and he has consistently proven to be organized and reliable, with a strong work ethic.

From a young age, Cole demonstrated maturity and leadership skills that make him a strong candidate for the position. He has well-rounded interests and skills that include academics and the arts. His creativity, intellect and communication skills will allow him to make innovative and valuable contributions to the board.

Please feel free to contact me if you have any questions or would like to discuss his qualifications further.

Sincerely,

Michelle Love  
1133 Villa Road  
Birmingham, MI  
313-408-3746

# Seaholm High School

Kyle Hall, *Principal* • 248.203.3700 • Fax: 248.203.3706 • KHall@birmingham.k12.mi.us  
2436 West Lincoln Road, Birmingham, MI 48009



To whom it may concern,

This letter is to serve as a recommendation for Cole Wohfiel. Cole has been a truly excellent student at Seaholm High School for the past three years. While I have only been his counselor for the past two years I have been impressed with Cole's academic achievement, involvement, and positive attitude. He is a leader in many ways and shines in athletics as well as member of our surrounding community. He is well regarded by his peers and teachers alike. Cole is a brilliant young man who illustrates the kind of academic achievement and character that we wish our younger students to aspire. He is kind, courteous, and respectful to all of those around him both students and adults alike. He is well regarded in our school community and I believe he will be an excellent addition to your organization as a student representative.

Kindest Regards,

Brian Flatter, M.A. L.L.P.C. N.C.C.  
Counselor for the Class of 2019  
W: 248-203-3758  
F: 248-203-3825





Birmingham Public Schools  
Community Relations Office

STUDENT REPRESENTATIVES ON  
CITY BOARDS AND COMMISSIONS

Application Form

Due January 8, 2018

31301 Evergreen • Beverly Hills, MI 48025

Name: Anjay Yarle Grade: 11 Age: 16

Address: 622 Vinewood Avenue

Zip Code: 48009 Email: Yarle.anjay93@bloomfield.org

Telephone: 248-550-8601 School: International Academy, Okma Campus.

On the attached listing of city boards and commissions, please rank your order of preference for appointment from 1 to 3 (1 being the highest and 3 being the lowest):

1. Planning Board
2. Advisory Parking Committee
3. Parks and recreation Board

What school activities and/or classes have you participated in which would qualify you to sit on the board or commission which you have chosen?

I am taking an Economics class which allows me to analyze not just the monetary costs, but how certain decisions might have negative externalities. I am also taking a government class so I understand how our local government works.

Please list your involvement in non-school activities:

I am involved in my school's robotics team and I frequently volunteer at Grace Center of Hope, a ~~Food~~ Homeless Shelter in Pontiac. Over the summer I volunteer at the Henry Ford Hospital in Detroit for extended periods of time.

What personal skills and characteristics do you possess that would make you a good representative?

I am able to see issues from a variety of perspectives, which is critical for solving problems with a multitude of factors. I am also able to think critically about certain problems which allow me to come up with outside of the box solutions.

How would you be able to schedule your time to function effectively as a student representative?

I would be able to effectively ~~be doing my own thing~~ schedule  
my time as a student representative by completing all of my  
responsibilities before I needed to meet with my committee. I  
would also completely alter my schedule on that day in case  
any unexpected event occurs.

Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?

Yes \_\_\_\_\_ No ✓

---

**From Principal:**

I believe that this student would responsibly serve as a member of a city board or commission.



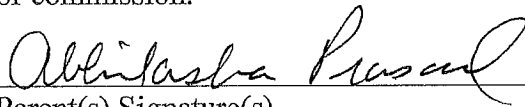
Principal's Signature

1-8-2018

Date

**Parent(s) Permission:**

I give my permission for my son/daughter to seek the position of a representative to a city board or commission.



Parent(s) Signature(s)

January 5<sup>th</sup> 2018

Date

---

**Include an essay** (typed) to convince the selection committee that you should be chosen as a student representative to a board or commission. If selected, your essay will be a part of your introduction to your board or commission.

Please **include two letters of recommendation** from adults who know you at school and who know your activities outside of school.

**Return application by Monday, January 8, 2018 to:**

Pam Davis at Seaholm High School \_\_\_\_\_  
Jennifer Kondak at Groves High School \_\_\_\_\_

Anjay Yaple  
January 5th, 2018

Local government is a crucial part of society, and it cannot afford to become out of touch with the city it is governing. That is why this Young Member of a Committee Program is such a good idea, and more importantly, why I should be a member of it. I believe I can offer a unique perspective to the committee I join because I have the advantage of attending a school outside of Birmingham (International Academy), which allows me to be objective about the city in which we live. In addition, I am involved in extracurricular activities that have helped develop skills that I can contribute to a committee.

I am involved in a plethora of extracurricular activities, such as my school's robotics team, and I frequently volunteer, whether it be at the Henry Ford Hospital in downtown Detroit, or at a homeless shelter in Pontiac. These extracurricular activities teach me valuable skills that will assist me if I become part of a City Board. My robotics team teaches me how to think critically of ways to solve complex problems in a limited amount of time, and also how to work as a team and try to make everybody satisfied with the finished product. All of my volunteering allows me to see different issues from a variety of perspectives as well. When I volunteer at the Hospital, I get to see how patients and their families react to a medical condition as well as the doctor's reactions. At the homeless shelter, I see things from the perspective of the homeless and the staff working there. Being able to see these different viewpoints allows me to think of solutions to problems that others may not have thought of.

As a non voting member of the committee I join, I believe that I will bring a lot to the table. I am not afraid to ask questions or make comments. There is no point in being in a committee if you

do not participate. However I am respectful. I will listen to others and carefully develop my thoughts before I speak. By conducting myself this way, I hope that no one will be offended, and everyone will hear everyone else's opinions. When this happens, effective solutions can be found that can satisfy most of the parties involved, and that is why local government exists.

Being a member on a City Committee is extremely important because they make decisions that could affect the entire city, for better or for worse. I would welcome the opportunity to be involved in, and learn from, the deliberations that take place regarding our city's future.



International Academy  
1020 E. Square Lake Rd  
Bloomfield Hills, Michigan 48304-1957 USA  
Telephone: 248.341.5900 Fax: 248.341.5959

*"One of America's Top Ranking High Schools"*

- Newsweek: 2003--2015

*Ranked Among Top High Schools in the United States*

- U.S. News and World Report, 2009-2016

January 4, 2018

Birmingham Public Schools  
Community Relations Office  
31301 Evergreen  
Beverly Hills, MI 48025

To Whom It May Concern:

I'm pleased to recommend Anjay Yaple to serve as a Student Representative on City Boards and Commissions for the City of Birmingham.

Anjay has worked diligently in my class for the last semester. He comes to class prepared and participates enthusiastically in discussions. He is curious about a range of topics and thinks analytically about problems that are presented in class.

I believe Anjay will learn a great deal from participating on a City Board or Commission, and the Board will shape the thinking of a very eager learner.

Sincerely,

Joseph T. Shamanski



Principal: Lynne Gibson; Associate Principals: Ryan Brinks, Ryan Parrott, Christopher Smith; IB Coordinator: Sarah Fairman  
Counselors: Lisa Ann Acton, Jane Dittus, Renee Jamil, Brigid Piagentini and Julie Weatherhead



**HENRY FORD  
HOSPITAL**

To Whom It May Concern,

I have had the pleasure of working with Anjay Yaple this past summer June-August 2017. Anjay was assigned as volunteer to Surgical Services project work and left a lasting impression. In his role as volunteer, he supported data validation and multiple analysis aimed at predicting accurate surgery times.

From day 1, as we took a tour of the hospital, Anjay had a sense of curiosity and inquisitive nature that he demonstrated throughout the summer. Many of the projects that Anjay supported were in various stages and he tackled them with enthusiasm. He demonstrated interest in learning how his work was contributing to improvement of business operations and exceeded expectations by learning different methods in excel he could utilize to perform a task much more efficiently. Anjay could quickly learn IT systems to help support validation of data workflows. Anjay performed technical tasks beyond of any volunteer as he had a desire to learn and make the most out of his time. With some of the data validation work being monotonous in nature, Anjay tackled it with the same level of enthusiasm as more complex work. Throughout his term, Anjay completed all assignments with minimal supervision and perfect punctuality.

Beyond his outstanding technical work at such an early age, Anjay impressed myself and the Orthopedics Administration with his pleasant interactions with each member in the office. He acknowledged every member and was not intimidated by ranks or positions. Anjay demonstrated sincere interest in connecting and learning how everyone's role contributed to delivering patient care at Henry Ford Hospital. His absence upon completion of his volunteer work was felt by many.

In my 8-year professional career of managing college interns and young volunteers like Anjay, I have never encountered someone as young as Anjay that understands the value of mastering not only technical skills but professional "soft" skills that leaders must have to communicate ideas and build relationships. Anjay exemplifies the qualities of a future leader and I am confident that not only will he "wow" the city of Birmingham members but perhaps one day, we will read about his accomplishments in some renowned publication.

A handwritten signature in black ink that reads "Vanda Ametli".

Principal Management Engineer – Surgical Services

Clara Ford Pavilion

313.600.0896 / [vametli1@hfhs.org](mailto:vametli1@hfhs.org)

**BIRMINGHAM CITY COMMISSION MINUTES**  
**SPECIAL MEETING**  
**FEBRUARY 12, 2018**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:00 P.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Bordman called the meeting to order at 7:00 p.m.

**II. ROLL CALL**

ROLL CALL: Present,	Mayor Harris arrived (arrived at 7:03 p.m.) Mayor Pro Tem Bordman Commissioner Boutros Commissioner DeWeese Commissioner Hoff Commissioner Nickita (arrived at 7:05 p.m.) Commissioner Sherman
Absent,	None

Administration: City Manager Valentine, City Attorney Currier, Chief of Police Clemence, Police Commander Grewe, City Clerk Mynsberge.

**III. CLOSED SESSION**

**02-029-18 RESOLUTION TO MEET IN CLOSED SESSION IN ACCORDANCE WITH SECTION 8(H) OF THE OPEN MEETINGS ACT**

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

**MOTION:** Motion by Commissioner Sherman, seconded by Commissioner Hoff:  
To meet in closed session in accordance with Section 8(H) of the Open Meetings Act.

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

<b>XI. ADJOURN</b>
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Mayor Harris adjourned the meeting into closed session at 7:05 p.m.

The special meeting was reconvened at 7:28 p.m.

The special meeting was adjourned at 7:29 p.m.

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J. Cherilynn Mynsberge, City Clerk



**BIRMINGHAM CITY COMMISSION MINUTES**  
**FEBRUARY 12, 2018**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Harris called the meeting to order at 7:30 p.m.

**II. ROLL CALL**

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

Administration: City Manager Valentine, Assistant City Manager Gunter, City Attorney Currier, IT Director Brunk, Chief of Police Clemence, Planning Director Ecker, Finance Director Gerber, Building Official Johnson, Assistant Building Official Morad, City Clerk Mynsberge, City Engineer O'Meara, Director of Public Services Wood

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

**02-030-18 ANNOUNCEMENTS**

Mayor Harris announced:

- This year marks the City of Birmingham's bicentennial year, recognizing the 200<sup>th</sup> anniversary of the first land purchase in Birmingham. The Birmingham Museum, from now through December, is presenting "The People of Birmingham: Celebrating 200 Years of Stories", featuring submissions from the people of Birmingham, about the people of Birmingham. Visit the City's website for more information.
- Commissioner Nickita's Birthday was celebrated.

**02-031-18 APPOINTMENT OF ALTERNATE MEMBER TO THE HISTORIC DISTRICT COMMISSION**

The Commission interviewed Kevin Filthaut to fill a vacancy for an alternate member on the Historic District Commission.

**MOTION:** Motion by Commissioner Hoff:

To appoint Kevin Filthaut to the Historic District Commission as an alternate member to serve the remainder of a three-year term to expire September 25, 2019.

**VOTE:** Yeas, 7

Nays, 0  
Absent, 0

**02-032-18 APPOINTMENT OF ALTERNATE MEMBER TO THE PUBLIC ARTS BOARD**

The Commission interviewed Natalie Bishai to fill a vacancy for an alternate member on the Public Arts Board.

**MOTION:** Motion by Commissioner Boutros:

To appoint Natalie Bishai to the Public Arts Board as an alternate member to serve the remainder of a three-year term to expire September 25, 2019.

VOTE: Yeas, 7  
Nays, 0  
Absent, 0

The City Clerk administered the Oath of Office to the appointees.

**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.

**02-033-18 APPROVAL OF CONSENT AGENDA**

The following items were removed from the Consent Agenda:

- Mayor Pro Tem Bordman: Item G, Special Event Application for Michigan Parkinson Foundation  
Item H, Special Event Application for Breathe Deep Michigan 5K Walk  
Item I, Special Event Application for Celebrate Birmingham Hometown Parade  
Item M, Public Services Community Development Block Grant (CDBG) Contract

**MOTION:** Motion by Commissioner Sherman, seconded by Commissioner DeWeese:

To approve the Consent Agenda, with Items G, H, I, and M removed.

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

A.1. Approval of City Commission meeting minutes of January 22, 2018.

A.2. Approval of City Commission meeting minutes of January 27, 2018.

- B. Approval of warrant list, including Automated Clearing House payments, dated January 24, 2018 in the amount of \$981,621.06.
- C. Approval of warrant list, including Automated Clearing House payments, dated January 31, 2018 in the amount of \$1,557,619.15.
- D. Approval of warrant list, including Automated Clearing House payments, dated February 7, 2018 in the amount of \$627,692.97.
- E. Resolution setting a public hearing date for March 12, 2018 to consider an application for a Special Land Use Permit and Final Site Plan for 191 N. Chester.
- F. Resolution setting a public hearing date for March 12, 2018 to consider the Final Site Plan & Design and a Special Land Use Permit Amendment at 33588 Woodward to allow the addition of a new accessible bathroom to the existing Shell gasoline service station.
- J. Resolution waiving normal bid requirements for this sole source vendor and authorizing the purchase and installation of a Desktop Coder from Harvey Electronics for fiscal year 2017-2018 in the amount of \$16,021.00 from account #585-538.001-971.0100.
- K. Resolution approving the purchase of a Kodak 2400DSV Plus digital microfilm printer/scanner/reader from DSS Corporation in the amount of \$7,500.00, further authorizing this expenditure from IT Computer Maintenance account #636-228.000-933.0600.
- L. Resolution authorizing the IT department to purchase the licenses and maintenance for the ArcGIS software installed in Community Development, total cost not to exceed \$8,950.00. Funds are available in the IT GIS fund account #636-228.000-973.0500.
- N. Resolution awarding the Birmingham Police Department Main Entrance ADA Retrofit contract to Meridian Contracting Group in the amount of \$51,156.00 charged to account #248-690.000-836.0100 for \$33,322.00 and #101-265.001-977.0000 for \$17,834.00; further authorizing the Mayor and City Clerk to sign the contract on behalf of the city; and further approving the appropriation and amendment to the General and Community Development Block Grant Funds as follows:

**General Fund:**

Revenues

Draw from Fund Balance	101-000.000-401.0000	\$17,834.00
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Expenditures

City Hall and Grounds

Buildings	101-265.001-977.0000	\$17,834.00
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**Community Block Grant Fund:**

Revenues

Federal Grants	248-000.000-503.0000	\$33,322.00
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Expenditures

Barrier Free Improvements	248-690.000-836.0100	\$33,322.00
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- O. Resolution approving the Golf Cart Lease Agreement between the City of Birmingham and Pifer, Inc. for a term commencing March 10, 2018 and terminating on October 31, 2020 for a total amount of \$105,300.00. Further, authorizing the Mayor and City Clerk

to sign the Agreement on behalf of the City upon receipt of proper insurances. Funds for this lease are contained with the Equipment Rental line items, account #584-753.002-941.0000 and #597-753.002-941.0000.

- P. Resolution approving the purchase of one (1) 2018 Chevrolet Tahoe from Berger Chevrolet through the Oakland County extendable purchasing contract #5218 in the amount of \$36,170.00 from account #641-441.006.971.0100; further, approving the purchase of one (1) 2018 Ford Police Interceptor Utility from Gorno Ford through the Oakland County extendable purchasing contract #4944 in the amount of \$31,406.00 from account #641-441.006.971.0100 for a total expenditure of \$67,576.00.
- Q. Resolution approving the 2018 annual flower purchase from Croswell Greenhouse Inc. in the amount not to exceed \$20,053.85. Funds are available from the General Fund – Property Maintenance – Operating Supplies account #101-441.003-729.0000.

**02-034-18 RESOLUTION APPROVING REQUEST FROM THE MICHIGIAN PARKINSON'S FOUNDATION FOR THE 5K "I GAVE MY SOLE FOR PARKINSON'S" WALK ON MAY 19, 2018 (ITEM 4G)**

Mary Sue Lanigan, CEO of the Michigan Parkinson's Foundation ("the Foundation"), was available to answer questions.

CEO Lanigan told Mayor Pro Tem Bordman that:

- The 2017 walk had 850 participants.
- There were some issues last year with keeping individuals on the sidewalk due to the number of walk attendees.
- The Foundation will pay police to help maintain the route. Per discussion with Police Commander Grewe, the walk will now cross Maple in one direction at Linden St. and at Chesterfield Ave. at the other.
- The Foundation is expecting 1,000 participants in this year's walk.
- There was no issue with parking last year.
- 39 inspirational signs will be set up along the early portion of the route.

Commissioner Hoff stated that she participated last year, and was pleased that:

- There will be volunteers at every intersection; and
- Police will be available at Maple to assist with crossing.

**MOTION:** Motion by Mayor Pro Tem Bordman, seconded by Commissioner Nickita:

To approve the request submitted by the Michigan Parkinson's Foundation requesting permission to hold "I Gave My Sole for Parkinson's," a 5K walkathon, on Saturday, May 19, 2018, 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.

VOTE:        Yeas,        7  
              Nays,        0  
              Absent,    0

**02-035-18 RESOLUTION APPROVING REQUEST FROM THE LUNGEVITY FOUNDATION FOR THE 5K "BREATHE DEEP MICHIGAN" WALK ON JUNE 2, 2018 (ITEM 4H)**

Katie Patterson, volunteer with the Lungevity Foundation, was available to answer questions.

Mayor Pro Tem Bordman stated she would prefer walk set-up begin at 7 a.m., not 6 a.m., in accordance with City ordinances regarding the hours allowed for activities which may cause disruptive noise.

Ms. Patterson confirmed that set-up for the Breathe Deep Michigan walk would begin at 7 a.m.

**MOTION:** Motion by Mayor Pro Tem Bordman, seconded by Commissioner Boutros:  
To approve a request submitted by the Lungevity Foundation to hold Breathe Deep Michigan, a 5K walk, on Saturday, June 2, 2018, 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.

Jim Noble said that during the 2017 Breathe Deep Michigan walk he was prevented from exiting his neighborhood by car.

Commissioner Sherman asked Ms. Patterson to make sure walk participants know to let residents enter and exit neighborhoods.

Ms. Patterson confirmed that this information would be conveyed to the walk's Chairperson in Chicago, and that volunteers would be stationed at intersections in order to ease traffic concerns.

VOTE:        Yeas,        7  
              Nays,        0  
              Absent,    0

**02-036-18 RESOLUTION APPROVING REQUEST FROM THE CITY OF BIRMINGHAM FOR THE "CELEBRATE BIRMINGHAM PARADE" AND PARTY ON MAY 20, 2018 (ITEM 4I)**

Mayor Pro Tem Bordman told the public that the 2018 Celebrate Birmingham Parade would be utilizing a different route than past parades due to planned construction on Old Woodward, and that the route is available on the City's website.

**MOTION:** Motion by Mayor Pro Tem Bordman , seconded by Commissioner Boutros:  
To approve a request submitted by the City of Birmingham to hold the Celebrate Birmingham Parade and party in Shain Park on Sunday, May 20, 2018, 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.

VOTE:        Yeas,        7  
              Nays,        0  
              Absent,    0

**02-037-18 RESOLUTION AWARDING THE 2017-2018 PUBLIC SERVICES CONTRACT FOR \$46,585.00 FOR MINOR HOME REPAIR, YARD SERVICES, AND SENIOR OUTREACH SERVICES UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM THROUGH NEXT AND AUTHORIZATION FOR THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY (ITEM 4M)**

Mayor Pro Tem Bordman stated that, while she is a liaison from the Commission to NEXT, she is a non-voting member, did not participate in a discussion of the Community Development Block Grant, and does not believe she has a conflict of interest.

The Commission concurred.

**MOTION:** Motion by Mayor Pro Tem Bordman, seconded by Commissioner DeWeese: To award the 2017-2018 Public Services contract totaling \$46,585.00 for Minor Home Repair, Yard Services and Senior Outreach Services to NEXT under the Community Development Block Grant Program; and further, to authorize the Mayor to sign the contract on behalf of the City.

VOTE:           Yeas,       7  
                  Nays,       0  
                  Absent,   0

<b>V. UNFINISHED BUSINESS</b>
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None

<b>VI. NEW BUSINESS</b>
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**02-038-18 PUBLIC HEARING TO CONSIDER ADOPTION OF THE CITY OF BIRMINGHAM 2018 PARKS AND RECREATION MASTER PLAN**

Mayor Harris opened the public hearing at 7:55 p.m.

DPS Director Lauren Wood told the Commission that:

- The Parks and Recreation Board, at their February 6, 2018 meeting, recommended that the Commission adopt the 2018 Parks and Recreation Master Plan.
- One modification was made to the Parks and Recreation Master Plan document as part of the Board's recommendation. On page 21, the sentence reading, "Park bond funds in the amount of \$3 million were used for these improvements" was struck in order to maintain consistency, since no other park improvements referenced the fund amounts used.

DPS Director Wood introduced Sarah Traxler from McKenna.

Ms. Traxler reported:

- The recommendations made by Commissioners at the 2018 long range planning meeting were integrated into the Parks and Recreation plan.
- Birmingham participates in Parks and Recreation planning to make the City eligible for grants from the Michigan Department of Natural Resources (DNR), to help the City prepare programs, and to design improvements for parks.

- Master Planning for parks does not obligate funds for projects, does not set programs in stone, and does not design parks, though it does provide the basis for designing parks in the future.
- Birmingham undertook a traditional planning process that aligns with the state's requirements for planning, including documenting the community conditions, identifying the administrative structure and funding, performing a parks, recreation, and facility inventory, engaging the public, analyzing the results with DPS and the Parks and Recreation Board, and creating an action plan. The final step is public review and adoption, an option which is before the Commission at this meeting.
- The City has followed all of the adoption steps set out by the DNR, which include a well-publicized 30-day comment period along with this evening's public hearing, the option to adopt the plan by resolution, submission of the plan to the DNR upon approval, and subsequent implementation of the plan.

Ms. Traxler explained to Commissioner Hoff that:

- Birmingham's parks are all rated moderately accessible because none of the parks are currently perfectly accessible in terms of universal design. Most of the parks were rated a three or four out of five.
- Page 51 of the Plan explains the accessibility ratings:
  - Level Three describes a park which is mostly accessible to people with a broad range of physical disabilities.
  - Level Four describes a park which is completely accessible to people with a broad range of disabilities.
  - Level Five describes a park developed or renovated adhering to the principles of universal design, which enables all environments to be usable by everyone to the greatest extent possible regardless of age, ability, or situation.
- The concept plan for Poppleton Park from 2016 should have been included in the Plan as an accomplishment, but was accidentally omitted. Ms. Traxler recommended adding it to the Plan.
- Listing the dog park twice on Page 38 was a mistake due to formatting.
- The project completion years assigned to the projects in the plan came from the recommendations of the Parks and Recreation Board. The years are suggestions, however, not commitments of the City's funding or priorities.

Commissioner Hoff asked if Birmingham's goal is to get to Level Five. DPS Director Wood confirmed it is a goal, and has been included in the concept plan.

City Manager Valentine told Commissioner Hoff that if the Plan is adopted, it will be submitted to the state to qualify for state and federal funding for parks programming. Subsequently the City decides which projects to undertake as part of the Capital Improvement Program.

Ms. Traxler told Mayor Harris that the Plan uses calendar years, not fiscal years.

DPS Director Wood replied to Mayor Harris that:

- According to page 87 of the Parks and Recreation Five Year Plan, DPS plans to hire a consultant in 2018 to address issues with the ice arena.
- The same vendor may be a consultant for all three of the current ice arena concerns.
- The ice arena review has not yet commenced.

Ms. Traxler explained to Mayor Pro Tem Bordman that:

- Park accessibility rankings are required by the DNR.
- Park accessibility rankings influence the granting process if the proposed projects are accessibility-related.
- Park accessibility rankings were determined by cross-referencing the rankings with the previous two Parks and Recreation plans and updating them with the improvements made in the parks. Every park ranking remained the same.
- McKenna will be sending out a certified playground inspector to perform inspections on all of the playgrounds. The findings will be maintained by DPS, and the Parks and Recreation Board will be able to reference these findings moving forward.

Mayor Pro Tem Bordman stated that:

- She appreciates the focus on park accessibility, but is concerned that the rankings inflate the actual accessibility of some of the parks.
- Manor Park has a ranking of three, which indicates that most of the parking is paved, but there is actually no paved parking or pathways in the park.
- Relying on past rankings is understandable but may have painted an inaccurate picture.
- There are other parks that seem to be inaccurately ranked, including Martha Baldwin Park, which has no paved pathways or parking and Linn Smith Park which has no paved pathways or parking.
- There should be another review of the parks' rankings before the Commission approves the master plan because some of the parks ranked three or four should have more accurately been ranked level one or two.
- The emphasis on environmentally friendly weed- and insect-control is commendable.
- It will be more difficult for Birmingham to receive funding to improve accessibility from the DNR if the rankings of its parks are inaccurately inflated.

Ms. Traxler replied to Mayor Harris that:

- She does not believe the Plan should proceed without complete buy-in from the Commission. To this end, she would be happy to conduct a review of the parks' rankings.
- Since the City has no grant applications scheduled for 2018, performing the review before its 2019 grant applications would be beneficial.

Commissioner DeWeese expressed:

- Surprise at how highly the parks were ranked.
- Belief that the rankings should err lower in order to provide room for improvement.
- Concurrence with Mayor Pro Tem Bordman that the Plan should be adopted only once the park rankings are reviewed, which should only take two to four weeks.
- That his years of work with para- and disabled athletes inform his perspective on the matter. Many of Birmingham's parks would be insufficiently navigable for such individuals.
- Understanding that while some parks may never achieve a ranking of five, that does not mean the rankings should be artificially inflated.



Commissioner Hoff reiterated that, based on Ms. Traxler's comments, lower park accessibility rankings heighten the chance for accessibility-related grants. Commissioner Hoff agreed with Mayor Pro Tem Bordman and Commissioner DeWeese that the parks' rankings should be re-evaluated.

Ms. Traxler stated that:

- In thirteen years of doing this work, she has never seen a community state that their parks rankings are too high.
- Communities are usually struggling, and as a result seek inflationary rankings so as to appear more desirable.
- She is happy to review the park rankings per this conversation.

Ms. Traxler told Commissioner Boutros that she would specifically look into how changing the park rankings would affect the City's likelihood of receiving DNR grants.

Commissioner DeWeese said that, other than the feedback on park rankings, the Plan is outstanding.

Patty Blair asked when further citizen input would be solicited for the concept plan. Ms. Blair shared concern about Poppleton Park, but also suggested other citizens may have concerns regarding various aspects of the Plan.

City Manager Valentine explained to Ms. Blair that:

- Once the concept Plan is adopted, it becomes the City's Master Plan for Parks and Recreation.
- After that, the individual park plans are subject to the City's annual Capital Improvement programming, which requires further vetting both before and after entering the design stage. Citizen feedback would be solicited during this part of the project.

City Manager Valentine confirmed for Mayor Harris that the concept plan for Poppleton Park has been approved, but the vetting process has not yet begun for the design stage.

City Manager Valentine told John Rusche that the concept plan gets funded during the annual budgeting process which includes a plan of the five-year financial capital project forecast.

City Manager Valentine told Mayor Harris that the concept plan should go back before the Parks and Recreation Board at their next meeting on March 6, 2018 before returning to the Commission.

City Attorney Currier confirmed for Commissioner Hoff that the public hearing should be continued to a date certain, which would mean that the public hearing would not have to be re-noticed.

**MOTION:** Motion by Commissioner Sherman, seconded by Commissioner Hoff:  
To reopen the public hearing and continue it to a date certain of March 26.

VOTE: Yeas, 7

Nays, 0  
Absent, 0

**02-039-18 PUBLIC HEARING TO CONSIDER NECESSITY FOR THE REPLACEMENT OF SEWER AND WATER LATERALS LOCATED WITHIN THE LIMITS OF THE OLD WOODWARD AVE. PAVING PROJECT**

Mayor Harris opened the public hearing at 8:35 p.m.

City Engineer Paul O'Meara reported:

- All active water services currently less than 1-inch diameter will be replaced with new 1-inch plastic pipe. In addition, all lead water services will be replaced with new plastic pipe, matching their existing size, or at least 1-inch minimum, whichever is greater.
- All active sewer laterals identified as being over 50 years old will be replaced. Given the commercial nature of the project, some older sewer laterals will be larger sizes, including 8 inch, 10 inch, and 12 inch (designed to carry roof drainage).
- All owners in the district received the details of the project and the date and time of the public hearing through both a mailing and hand-delivered letters.

There was neither Commission nor public comment.

Mayor Harris closed the public hearing at 8:36 p.m.

**MOTION:** Motion by Commissioner Sherman, seconded by Commissioner Nickita: To adopt the formal Resolution declaring necessity for all sewer and water laterals not meeting current criteria located within the limits of the following properties to be replaced as a part of the Paving Project on Old Woodward Ave.: *(Formal resolution appended to these minutes as Attachment A)*

- "Assessor's Plat No. 27" - Lot 4, except that part taken for Willits Alley right-of-way, lot 5, lot 6.
- "Assessor's Plat No. 19" - The easterly 44 ft. of lot 4, except that part taken for Willits Alley right-of-way, lots 5-10 inclusive, except that part taken for Willits Alley right-of-way.
- "Assessor's Plat No. 21" - Lots 20-28 inclusive.
- "Merrill's Plat" - The northerly 80.76 ft. of the westerly 13 ft. of lot 2, lot 3.
- "Assessor's Plat No. 24" - Lots 1-8 inclusive.
- "Assessor's Plat No. 25" - The easterly 27.07 ft. of the southerly 44.25 ft. of lot 3, the easterly 35.98 ft. of lot 21, lots 22 - 24 inclusive.
- "Assessor's Replat of Lots 1-9 Inclusive Brownell Subdivision and Lots 8-15 Inclusive Part of Lot 16 and Vacated Street of Hunter's Eastern Addition" - Lots 1, 2, 4.

VOTE: Yeas, 7  
Nays, 0  
Absent, 0

**02-040-18 PUBLIC HEARING TO CONSIDER NECESSITY FOR THE INSTALLATION OF SIDEWALK ENHANCEMENTS ON THE OLD WOODWARD AVE. PAVING PROJECT**

Mayor Harris opened the public hearing at 8:36 p.m.

City Engineer O'Meara reported that the Old Woodward Avenue streetscape enhancements would include construction of exposed aggregate concrete and regular concrete pavement sidewalks, new trees and landscaping, irrigation, granite seating features, and a new electrical system.

The City is planning to assess seventy-five percent (75%) of the estimated cost against the assessment district, and twenty-five percent (25%) of the estimated cost against the City at large.

Commissioner DeWeese said that the square footage referenced in the report is the square footage of sidewalk in front of each business.

City Engineer O'Meara clarified that the City is assessing cost based on the average square footage of sidewalk in front of each business, and not on the individual square footage of sidewalk in front of each business.

Mayor Harris closed the public hearing at 8:38 p.m.

**MOTION:** Motion by Commissioner DeWeese, seconded by Commissioner Boutros:

To adopt the formal resolution declaring necessity for the construction of sidewalk enhancements, the improvement to be known as "Old Woodward Ave. Streetscape Enhancements", consisting of the construction of exposed aggregate concrete and regular concrete pavement sidewalks, new trees and landscaping, irrigation, granite seating features, and new electrical system (on Old Woodward Ave. only), within the district consisting of all properties, both public and private, on Old Woodward Ave. from Willits St. to Brown St., as well as for 400 feet of Maple Rd. west and east of the Old Woodward Ave. intersection. (*Formal resolution appended to these minutes as Attachment B*)

VOTE:            Yeas,        7  
                     Nays,        0  
                     Absent,     0

## **02-041-18                    PARKING CONSULTANT SERVICES**

Assistant City Manager Gunter provided background, reporting:

- The Advisory Parking Committee (APC) on January 3, 2018 approved a Request for Proposals (RFP) soliciting Parking Consultant Services to conduct an analysis and provide recommendations to improve the parking system in the Central Business District.
- Four bids were received on January 25, 2018.
- Staff conducted an internal review in order to allow the APC to interview a maximum of three bidders. Based on initial scoring, staff invited the top three vendors to participate in interviews: Nelson Nygaard, Rich & Associates, and Walker Consultants.
- At the close of the interviews, the APC recommended the City proceed with Nelson Nygaard given their national experience, familiarity with the existing system in the City, and their multi-modal, holistic approach to planning.
  - Nelson Nygaard was recommended despite providing the highest bid because the APC was most confident in the team's ability to provide the services the City needs.

- The project team includes a project manager specializing in parking master planning and a deputy project manager with transportation and community planning experience, operational and technical leads at Dixon, and multimodal, wayfinding, and land use staff at MKSK.
- The APC expressed disappointment that the local teams did not have a thorough understanding of Birmingham's concerns.
- Staff conducted a reference check on Nelson Nygaard and received positive feedback from past clients. These clients noted that they have maintained positive working relationships with Nelson Nygaard over many years.

Assistant City Manager Gunter introduced Chris Bongorno from Nelson Nygaard and Brad Strader from MKSK, and stated that Algirdas Vaitus, Chairperson of the APC Board, and Gayle Champagne, member of the APC Board, were also in attendance.

Mr. Bongorno told Commissioner Hoff that:

- Project Manager Tom Brown and Mr. Borgorno, Deputy Project Manager, both live in Ohio, a short drive from Birmingham.
- He joined Nelson Nygaard recently, but has worked with them previously both professionally and as a client.
- Nelson Nygaard proposes subcontracting with Dixon Resources Unlimited (Dixon) due to Dixon's strong focus on municipal parking systems, regulation and operation systems, and technology. Julie Dixon, principal consultant at Dixon, is based out of Los Angeles.
- Nelson Nygaard proposes subcontracting with MKSK because of their extensive local experience. Mr. Strader from MKSK has specifically worked as an advisor to Birmingham's Multi-Modal Transportation Board (MMTB) for a number of years.

City Manager Valentine told Commissioner Hoff that Carl Walker had previously looked at Birmingham's parking structures from an engineering perspective. City Manager Valentine clarified that the team from Nelson Nygaard, in contrast, will do a full operational assessment of the parking system.

Assistant Manager Gunter explained to:

- Mayor Pro Tem Bordman that the lowest bidding teams focused heavily on Birmingham's parking structures and engineering, as opposed to the wider focus on the Central Business District and the other aspects of parking in Birmingham that Nelson Nygaard provided.
- Commissioner Nickita that this study will not focus on zoning because zoning is one of the focuses of the Master Planning process. This study will, however, look at parking demand and some different options for utilization.

Mr. Bongorno stated that the budget was calculated in order to allow the team to perform optimally, and that the travel and expense budget remained as lean as possible.

Mr. Strader added that, from his experience, projects in Birmingham require a comprehensive approach, and Nelson Nygaard, MKSK and Dixon accounted for that in the bidding process.

Mr. Bongorno confirmed for:

- Mayor Pro Tem Bordman that the team will make it to Birmingham as frequently as is necessary, and that the travel budget will not be an impediment to the team's ability to work locally.
- Commissioner Nickita that the team's first approach will be to assess what Birmingham is doing well, and then to take relevant examples from other communities for inspiration.

City Manager Valentine told:

- Mayor Pro Tem Bordman that the funds for this project come from the parking system's Enterprise Fund.
- Commissioner Nickita that it may be worth clarifying the desired focus on parking zoning for the RFP process for the Master Plan. The Master Planning process is a land-use plan, whereas the Nelson Nygaard project is for operational assessments.

Mr. Strader clarified that the parking consultant team's approach is to optimize the City's current parking circumstances.

Mr. Bongorno told Commissioner Hoff that:

- The demand-management aspect of the project will incorporate some multi-modal strategies into the parking solutions.
- The parking consultant team will specifically focus on the existing parking structures, the existing on-street spaces, the technology, how the systems work together and the City's agreement with the parking operator as potential sources for parking solutions.
- The APC and other stakeholders will be thoroughly involved in developing parking solutions that are Birmingham-specific.

**MOTION:** Motion by Commissioner DeWeese, seconded by Commissioner Boutros:

To approve the recommendation of the Advisory Parking Committee to award the service agreement with Nelson Nygaard for Parking Consultant Services for fiscal year 2017-2018 in the amount of \$90,442.00 from account #585-538.001-811.0000. Further to direct the Mayor and City Clerk to sign the agreement on behalf of the City, contingent upon successful execution of the contract by the parties..

VOTE:        Yeas,        6  
                  Nays,        1 (Hoff)  
                  Absent,     0

## **VII. REMOVED FROM THE CONSENT AGENDA**

The items removed were discussed earlier in the meeting.

## **VIII. COMMUNICATIONS**

### **02-042-18            MUNRO – PIERCE STREET FENCE**

Christina Munro and John Munro came before the Commission to ask for an amendment of the City's ordinance regarding fences.

Mr. Munro stated:

- A neighbor's proposed fence would abut the Munros' driveway and impede the Munros' ability to enter and exit their vehicles in their driveway.

- Three different local communities' ordinances disallow front yard fences, and Michigan outlaws fences which are considered a 'nuisance'.
- Birmingham currently allows fences up to the sidewalk of a property.
- That even if an ordinance amendment cannot remedy their specific situation, they request the Commission still consider an ordinance amendment in order to prevent this potential future cause of animosity between neighbors.

Commissioner DeWeese and Mayor Harris:

- Commended the Munros on their well-expressed letter and on their concern for the Birmingham community.
- Agreed to look into the issue.

Ms. Munro requested notification of the Commission's findings. Mayor Harris confirmed the Commission would be in touch.

## **02-043-18                      DAXTON HOTEL LIQUOR LICENSE REQUEST**

Rick Rattner appeared before the Commission and introduced Mark Mitchell, owner of the Daxton Hotel. Mr. Rattner explained that the Daxton Hotel (Daxton) is seeking an ordinance amendment that is almost identical to a Bistro or Economic Development License. Mr. Rattner added that the amendment the Daxton is seeking is similar to the ones granted the theaters in town.

Mr. Rattner confirmed for Commissioner Hoff that if the Daxton purchased a Class C quota license, the hotel could use the license.

Commissioner Sherman clarified that Mr. Rattner is requesting to bring in an outside license, instead of purchasing one of the Class C quota licenses available in Birmingham. Mr. Rattner confirmed this was the case.

City Attorney Currier explained that:

- When the lines for the Economic Development Zone (EDZ) were drawn, the parcel where the Daxton is located was excluded.
- If the lines for the EDZ were redrawn, the Daxton could bring in any license it chooses.
- The Daxton would still need to comply with the City's requirements for Special Land Use Permits (SLUP) and contracts.
- The Daxton may also want to reclassify their license to a Hotel A or B license, which is done with the Liquor Control Commission (LCC).
- The request before the Commission seeks to redraw the EDZ in order to include the Daxton.

City Manager Valentine clarified for Commissioner Boutros that:

- In order to sell alcohol, the Daxton could purchase either a quota license from within the City, or a Bistro license, which may be brought in from the State.
- The Daxton is requesting permission to bring in a state license to be used for hotel-only classification in a similar manner to the licenses currently permitted to the theaters in Birmingham.
- City Manager Valentine did not believe the Daxton was asking to be redrawn into the Economic Development Zone.

City Manager Valentine and City Attorney Currier told Commissioner Hoff that:

- The Townsend Hotel has a Hotel B license, which is a quota license.
- A hotel can operate in Birmingham with a quota license.

City Manager Valentine clarified that a Hotel B license allows alcohol to be served in rooms and common areas, whereas a Class C license allows alcohol to be utilized only in common areas.

City Attorney Currier told Commissioner Hoff that if a hotel receives a Class C license, the license could be reclassified as a hotel license by the LCC, which would allow a hotel to serve alcohol in both rooms and common areas.

City Manager Valentine confirmed for Mayor Harris that it is more challenging for a business to acquire a quota license than it is to acquire a Bistro license.

City Attorney Currier explained to Commissioner DeWeese that:

- What the City calls a Bistro license, the LCC calls an Economic Development License (EDL).
- An EDL can only be granted within certain zones, and can be purchased for \$20,000. The license is not transferrable by owner or to location.
- If a business purchases a Class C license from a business in another city in Oakland County to satisfy Birmingham's Bistro requirements, the business owner could keep their license because it is not in the Bistro license category controlled by the State.
- By contract the City prohibits businesses from transferring licenses or moving locations without City permission because the licenses are made site-specific through a SLUP.
- All quota licenses are Class C licenses, but not all Class C licenses are quota licenses.
- In order to purchase an EDL, a business needs to prove that no quota licenses are available and no other transferrable licenses within the County are available to transfer into the City.
- Satisfying the requirements for an EDL purchase is more difficult than purchasing a Class C license and bringing it into the City and trying to reclassify it as a hotel license.

Commissioner Sherman stated that the Planning Board should review the issue and make a recommendation. The Commission concurred.

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

None.

## **X. REPORTS**

### **02-044-18 COMMISSIONER REPORTS**

The City Commission will appoint three regular members to the Cablecasting Board on March 12, 2018.

The City Commission will appoint two regular members to the Multi-Modal Transportation Board on March 12, 2018.

The City Commission will appoint three regular members to the Parks & Recreation Board on March 12, 2018.

The City Commission will appoint three regular members to the Planning Board on March 12, 2018.

**02-045-18                      COMMISSIONER COMMENTS**

Mayor Pro Tem Bordman reiterated that fundraising walks should not be permitted to begin set-up before 7 a.m. The Commission concurred.

Mayor Harris commended the Baldwin Library on their success with the Battle of the Books.

**02-046-18                      CITY STAFF**

The Commission received the Parking Utilization report submitted by City Engineer O'Meara.

Commissioner DeWeese said:

- He has received feedback from citizens concerned that the number of available spaces shown outside the parking garages may be inaccurate.
- The inaccuracy may stem from snow blocking available spaces or double-parking.
- If the spaces available count is to err, it should err on the side of fewer spaces available.
- City Manager Valentine has confirmed that when valet is available, the number of spaces available takes that reduction into account.
- He thinks it is important that the space available count be credible.

City Manager Valentine firmly stated that while anecdotal evidence demonstrates public perception, the displayed count of spaces available is accurate. He continued that City staff could look further into the issue of double-parking in the garages.

Commissioner DeWeese agreed that the numbers are likely accurate, but said he is concerned with addressing the public's perception of an inaccurate count.

<b>XI.</b>	<b>ADJOURN</b>
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Mayor Harris adjourned the meeting at 9:34 p.m.

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J. Cherilynn Mynsberge, City Clerk



**RESOLUTION 02-039-18**

SPECIAL ASSESSMENT DISTRICT  
SEWER AND WATER LATERALS REPLACEMENT  
AS PART OF THE PAVING PROJECT ON OLD WOODWARD AVE.  
FROM WILLITS ST. TO BROWN ST.

- WHEREAS, The City Commission has established a policy requiring the replacement of all sewer laterals that are over 50 years old when the City street is open for reconstruction; and
- WHEREAS, The City Commission has established a policy requiring the replacement of undersized or lead water lateral lines when the City street is open for reconstruction; and
- WHEREAS, The City Commission is of the opinion that replacement of sewer and water 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 and water laterals has been determined.
- RESOLVED, That all sewer and water laterals not meeting current criteria located within the limits of the following properties shall be replaced as a part of the paving project on Old Woodward Ave. from Willits St. to Brown St.; and
- 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 and water laterals shall be charged to the adjoining property owners benefiting from the sewer or lateral; and
- 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. 27"**

Lot 4, except that part taken for Willits Alley right-of-way, lot 5, lot 6.

**"Assessor's Plat No. 19"**

The easterly 44 ft. of lot 4, except that part taken for Willits Alley right-of-way, lots 5-10 inclusive, except that part taken for Willits Alley right-of-way.

**"Assessor's Plat No. 21"**

Lots 20-28 inclusive.

**"Merrill's Plat"**

The northerly 80.76 ft. of the westerly 13 ft. of lot 2, lot 3.

**"Assessor's Plat No. 24"**

Lots 1-8 inclusive.

**"Assessor's Plat No. 25"**

The easterly 27.07 ft. of the southerly 44.25 ft. of lot 3, the easterly 35.98 ft. of lot 21, lots 22 through 24 inclusive.

**"Assessor's Replat of Lots 1-9 Inclusive Brownell Subdivision and Lots 8-15 Inclusive Part of Lot 16 and Vacated Street of Hunter's Eastern Addition"**

Lots 1,2,4; and

RESOLVED, That the Commission shall meet on Monday, February 26, 2018, at 7:30 P.M., for the purpose of conducting a public hearing to confirm the roll for the replacement of sewer and water laterals within the Old Woodward Ave. Paving Project.

I, J. Cherilynn Mysnberge, City Clerk of the City of Birmingham, Michigan do hereby certify that the foregoing is a true and correct copy of the resolution by the Birmingham City Commission at its regular meeting held on January 22, 2018.

J. Cherilynn Mysnberge, City Clerk

**RESOLUTION 02-040-18**

SPECIAL ASSESSMENT DISTRICT  
SIDEWALK ENHANCEMENTS  
AS PART OF THE OLD WOODWARD AVE. PAVING PROJECT

To receive the report regarding sidewalk enhancements on the Old Woodward Ave. Paving Project:

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

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

OLD WOODWARD AVE. STREETSCAPE ENHANCEMENTS

consisting of the construction of exposed aggregate concrete and regular concrete pavement sidewalks, new trees and landscaping, irrigation, granite seating features, and new electrical system (on Old Woodward Ave. only); and

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; and 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. 27"**

Lot 4, except that part taken for Willits Alley right-of-way, lot 5, lot 6.

**"Assessor's Plat No. 19"**

Lots 5-10 inclusive, except that part taken for Willits Alley right-of-way.

**"Oak Grove Addition"**

Lots 1, 28, and 29 inclusive, except those parts taken for Oakland Blvd. right-of-way.

**"Assessor's Plat No. 21"**

Lots 20 except for the easterly 41.5 ft., lots 21-28 inclusive, lot 50 except for portion taken for Ferndale St. right-of-way, lots 51-53 inclusive, lot 54 except for that portion taken for Oakland Blvd. right-of-way, lots 55 through 59 inclusive.

**"Merrill's Plat"**

The northerly 80.75 ft. of lot 1, the northerly 80.75 ft. of the easterly 27 ft. of lot 2.

**"Assessor's Plat No. 24"**

Lots 1-9 inclusive.

**"Assessor's Plat No. 25"**

Kots 1, 2, the easterly 101.39 ft. of lot 3, the easterly 35.98 ft. of lot 21, lots 22 through 25 inclusive.

**"Brown's Addition"**

The easterly 50 ft. of lot 12, lot 13.

**"Assessor's Replat of Lots 1-9 Inclusive Brownell Subdivision and Lots 8-15 Inclusive Part of Lot 16 and Vacated Street of Hunter's Eastern Addition"**

Lots 1-4 inclusive.

**"Assessor's Plat No. 11"**

Lots 1,2, lots 3 and 4 inclusive except for that part taken for alley to east, the westerly 101 ft. of lot 5, and the westerly 82 ft. of lot 6.

**"William Hart Subdivision"**

The westerly 138.94 ft. of lots 1 and 2, except that part taken for Brown St. right-of-way; and

RESOLVED, That the Commission shall meet on Monday, February 26, 2018, at 7:30 P.M., for the purpose of conducting a public hearing to confirm the roll for the Old Woodward Ave. Streetscape Enhancements.

I, J. Cherilynn Mysnberge, City Clerk of the City of Birmingham, Michigan do hereby certify that the foregoing is a true and correct copy of the resolution by the Birmingham City Commission at its regular meeting held on February 12, 2018.

J. Cherilynn Mysnberge, City Clerk

**City of Birmingham**  
**Warrant List Dated 02/14/2018**

Meeting of 02/26/2018

Check Number	Early Release	Vendor #	Vendor	Amount
256124	*	000855	48TH DISTRICT COURT	100.00
256125	*	000855	48TH DISTRICT COURT	100.00
256126	*	000855	48TH DISTRICT COURT	100.00
256127		008555	ABELL PEST CONTROL INC	40.00
256128		007266	AETNA BEHAVIORAL HEALTH LLC	448.50
256129		007745	ALL COVERED	1,192.00
256130		003106	ALL PRO EXERCISE INC	243.35
256131		MISC	AMERICAN STANDARD ROOFING	100.00
256132		008304	AMERINET	12,857.60
256133		008667	APOLLO FIRE-APPARATUS REPAIR	124.50
256134		008667	APOLLO FIRE-APPARATUS REPAIR	1,207.50
256135		000500	ARTECH PRINTING INC	86.00
256136	*	006759	AT&T	154.28
256137		004027	AUTOMATED BENEFIT SVCS INC	906.75
256138		MISC	BABI CONSTRUCTION INC	500.00
256139	*	005214	THE BANK OF NEW YORK MELLON	3,600.00
256140		003012	BATTERIES PLUS	92.30
256141	*	000517	BEIER HOWLETT P.C.	33,037.00
256142	*	001086	CITY OF BIRMINGHAM	494.15
256143		003526	BOUND TREE MEDICAL, LLC	129.48
256144	*	006953	JACQUELYN BRITO	1,661.25
256145		006520	BS&A SOFTWARE, INC	24,888.00
256146	*	005289	BUSINESS CARD	2,024.90
256147		003907	CADILLAC ASPHALT, LLC	4,942.76
256148		008035	CAPITAL ONE COMMERCIAL	176.93
256149	*	000444	CDW GOVERNMENT INC	753.35
256150		000603	CHEMCO PRODUCTS INC	232.00
256151	*	007835	SARAH CHUNG	153.25
256152		007710	CINTAS CORP	253.74
256153		000605	CINTAS CORPORATION	212.21
256154	*	008044	CLUB PROPHET	590.00
256155		004188	COFFEE BREAK SERVICE, INC.	138.00
256156		004026	COFINITY	1,395.00
256157	*	007625	COMCAST	187.76
256158		000979	COMERICA BANK	1,377.61
256159	*	002668	CONTRACTORS CLOTHING CO	535.78
256160		001367	CONTRACTORS CONNECTION INC	393.45
256161		MISC	CRANBROOK CONTRACTUAL SERVICES	100.00
256162		003923	CUMMINS BRIDGEWAY LLC	716.37
256163		004386	CYNERGY PRODUCTS	146.83
256164	*	008678	MICHELE DAVIS	75.00
256165		003825	DEERE ELECTRIC INC	302.00
256166		006907	DENTEMAX, LLC	147.60

**City of Birmingham**  
**Warrant List Dated 02/14/2018**

Meeting of 02/26/2018

Check Number	Early Release	Vendor #	Vendor	Amount
256167		007359	DETROIT CHEMICAL & PAPER SUPPLY	83.02
256168	*	008191	DETROIT JEWISH NEWS	160.37
256169		MISC	DG RESIDENTIAL SALES LLC	2,500.00
256170		MISC	DONALD A BOSCO	50.00
256171		000190	DOWNRIVER REFRIGERATION	138.03
256172	*	000179	DTE ENERGY	5,815.60
256173		003806	DTS FLUID POWER LLC	396.33
256174		001077	DUNCAN PARKING TECH INC	12,798.15
256175		000196	EJ USA, INC.	612.09
256176		MISC	ELIZABETH ONDERKO	100.00
256177		MISC	ETCHEN GUMMA LIMITED	500.00
256178		001495	ETNA SUPPLY	2,400.00
256179		MISC	EVER-DRY OF SOUTHEASTERN MI	200.00
256180		000207	EZELL SUPPLY CORPORATION	738.87
256181		MISC	F LAX CONSTRUCTION CO INC	100.00
256182		MISC	FORTUNA CONSTRUCTION	100.00
256183		008498	FRANK'S SHOE SERVICE	30.00
256184		002510	GAMCO INVESTORS INC	26,021.00
256185	*	004604	GORDON FOOD	142.49
256186		000243	GRAINGER	3.92
256187		000249	GUARDIAN ALARM	224.03
256188		001531	GUNNERS METER & PARTS INC	845.00
256189		001447	HALT FIRE INC	542.64
256190		001672	HAYES PRECISION INC	30.50
256191		MISC	HOME CARE CHIMNEY INC	15.00
256192		000331	HUBBELL ROTH & CLARK INC	7,300.91
256193		000948	HYDROCORP	1,315.00
256194		000980	ICE SKATING INSTITUTE	25.00
256195		004837	IDEACORE, LLC	75.00
256196		006521	INTERSTATE BILLING SERVICE INC	1,064.57
256197		002407	J & B MEDICAL SUPPLY	1,824.55
256198		002698	J & J EXCAVATING LTD	4,250.00
256199		000261	J.H. HART URBAN FORESTRY	24,180.79
256200		000344	J.T. EXPRESS, LTD.	7,041.91
256201		003458	JOE'S AUTO PARTS, INC.	453.94
256202		MISC	JOHN HENNIG CARPENTRY INC	500.00
256203		MISC	JOHN R GIRGIS	2,500.00
256204		000891	KELLER THOMA	367.50
256205		MISC	KELLY BUILDING & DEVELOPMENT CO LLC	7,900.00
256206		MISC	KELLY CONSTRUCTION	100.00
256207		003741	KERR PUMP AND SUPPLY	705.00
256208		004088	KGM DISTRIBUTORS INC	356.00
256209	*	007828	DEBORAH KLEIN	252.00

**City of Birmingham**  
**Warrant List Dated 02/14/2018**

Meeting of 02/26/2018

Check Number	Early Release	Vendor #	Vendor	Amount
256210		000353	KNAPHEIDE TRUCK EQUIPMENT	653.89
256211	*	007511	ADAM KNOWLES	150.55
256212		005876	KROPF MECHANICAL SERVICE COMPANY	7,164.71
256213		001988	LAW ENFORCEMENT SUPPLY INC	588.98
256214		MISC	LIVE WELL CUSTOM HOMES LLC	900.00
256215		MISC	LOCKER, JOHN H	500.00
256216		008158	LOGICALIS INC	9,700.00
256217		MISC	LOMBARDO DEVELOPMENT	400.00
256218		MISC	M & B DEVELOPMENT, INC.	100.00
256219		MISC	MARYGROVE AWNING CO	100.00
256220		MISC	MATRIX BASEMENT SYSTEMS	200.00
256221	*	008279	MICHIGAN MUNICIPAL EXECUTIVES	130.00
256222		000377	MICHIGAN MUNICIPAL LEAGUE	80.50
256223	*	008126	MICHIGAN.COM	854.32
256224		007163	MOBILE HEALTH RESOURCES	1,629.19
256225		008671	MOMENTUS SPORTS	149.99
256226	*	006371	MPELRA	100.00
256227		MISC	MRJ SIGN COMPANY LLC	200.00
256228		005110	MTS SAFETY PRODUCTS, INC	100.43
256230		000668	NATIONAL TIME & SIGNAL CORP	545.00
256231		007665	NATIONWIDE POWER SOLUTIONS INC.	2,054.68
256232		MISC	NEWMYER INC.	200.00
256233		001864	NOWAK & FRAUS ENGINEERS	21,631.32
256234		000675	OAKLAND SCHOOLS	3,664.63
256235		004370	OCCUPATIONAL HEALTH CENTERS	117.00
256236	*	000481	OFFICE DEPOT INC	418.56
256237	*	003352	JAMIE CATHERINE PILLOW	1,038.00
256238		MISC	R W PALMER INC, CUSTOM BLDRS	100.00
256239	*	008389	R.C. SYSTEMS, INC.	2,000.00
256240		008680	RECON SPORTS	800.00
256241		007305	REFRIGERATION SERVICE PLUS	228.00
256242		MISC	RENEWAL BY ANDERSEN	200.00
256243		MISC	SITework SERVICES LLC	100.00
256244	*	000254	SOCRRA	71,361.00
256245	*	001097	SOCWA	145,208.48
256246		005364	STATE OF MICHIGAN-MDOT	40,000.00
256247		004355	SYMETRA LIFE INSURANCE COMPANY	30,497.00
256248		008353	TARADEL	1,607.68
256249		001076	TAYLOR FREEZER OF MICH INC	325.00
256250		008384	THE COMEDIAN COMPANY	1,000.00
256251		MISC	THELEN LANDSCAPING, INC	100.00
256252	*	MISC	THOMAS M DRISCOLL	71.89
256253		MISC	TRADEMARK BUILDING COMPANY INC	100.00

**City of Birmingham**  
**Warrant List Dated 02/14/2018**

Meeting of 02/26/2018

Check Number	Early Release	Vendor #	Vendor	Amount
256254		008017	TRATTORIA DA LUIGI	1,200.00
256255		MISC	TRESNAK CONSTRUCTION INC	100.00
256256		004320	TRI-COUNTY POWER RODDING, INC	750.00
256257		MISC	UNIQUE STONESCPE	100.00
256258		MISC	UNITED HOME SERVICES	100.00
256259		MISC	USZTAN LLC	200.00
256260	*	001410	JOE VALENTINE	102.90
256261	*	000293	VAN DYKE GAS CO.	615.80
256262	*	000158	VERIZON WIRELESS	828.68
256263	*	000158	VERIZON WIRELESS	868.10
256264	*	000158	VERIZON WIRELESS	152.27
256265	*	000158	VERIZON WIRELESS	152.01
256266		003285	GARDINER C. VOSE INC.	13,065.00
256267		001014	WALKER PARKING CONSULTANTS	7,441.68
256268		004497	WATERFORD REGIONAL FIRE DEPT.	90.33
256269		000299	WEINGARTZ SUPPLY	689.57
256270		MISC	WINDOW PRO HOLDINGS LLC	500.00
256271		008391	XEROX CORPORATION	769.68
Sub Total Checks:				\$586,473.23
Sub Total ACH:				\$90,222.57
Grand Total:				\$676,695.80

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.



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2/26/2018

**City of Birmingham**  
**2/14/2018**

Vendor Name	Transfer Date	Transfer Amount
Automated Benefit Services, Inc.	2/8/2018	90,222.57
<b>TOTAL</b>		90,222.57

**City of Birmingham**  
**Warrant List Dated 02/21/2018**

Meeting of 02/26/2018

Check Number	Early Release	Vendor #	Vendor	Amount
256272	*	000855	48TH DISTRICT COURT	100.00
256273	*	000855	48TH DISTRICT COURT	500.00
256274	*	000855	48TH DISTRICT COURT	500.00
256275	*	000855	48TH DISTRICT COURT	100.00
256276	*	000855	48TH DISTRICT COURT	100.00
256277	*	000855	48TH DISTRICT COURT	100.00
256278	*	000855	48TH DISTRICT COURT	100.00
256279	*	000855	48TH DISTRICT COURT	60.00
256280		MISC	800 NEW LOOK	100.00
256282		MISC	AARON DWIGHT BAUGHEY	1,000.00
256283		002284	ABEL ELECTRONICS INC	1,758.57
256286		MISC	AMERICAN STANDARD ROOFING	200.00
256287		007033	APPLIED IMAGING	6,452.51
256288		000500	ARTECH PRINTING INC	224.00
256289	*	006759	AT&T	230.00
256290	*	006759	AT&T	54.04
256291	*	006759	AT&T	1,234.16
256292	*	006759	AT&T	48.07
256293	*	006759	AT&T	225.25
256294	*	006759	AT&T	170.79
256295	*	006759	AT&T	238.20
256296		MISC	ATLANTIC COAST WATERPROOFING	100.00
256297	*	004027	AUTOMATED BENEFIT SVCS INC	15,555.30
256298		007612	B & R SPORTING GOODS, INC.	988.10
256303		001122	BOB BARKER CO INC	952.00
256304		003012	BATTERIES PLUS	451.00
256306		007345	BEVERLY HILLS ACE	48.58
256307	*	006894	DAVID BIANCHETTE	50.00
256308		007624	BIRMINGHAM OIL CHANGE CENTER, LLC	88.18
256311		000542	BLUE WATER INDUSTRIAL	88.75
256312		MISC	BRIAN M BOLYARD	2,000.00
256314		MISC	BUILDING DETAIL INC	500.00
256315		MISC	CA SENIOR BIRMINGHAM MI PROP LLC	200.00
256317		007732	CAPITAL TIRE, INC.	537.40
256318		000571	CAR TRUCKING INC	93.75
256319		MISC	CARROLL, MARK H	1,000.00
256320		MISC	CASTLEMARK HOMES INC	2,000.00
256322		000605	CINTAS CORPORATION	101.16
256323	*	008006	CLEAR RATE COMMUNICATIONS, INC	1,383.64
256324	*	000912	MARK CLEMENCE	147.62
256325	*	007774	COMCAST BUSINESS	254.85
256327		002668	CONTRACTORS CLOTHING CO	117.72
256328		008512	COOL THREADS EMBROIDERY	20.00

**City of Birmingham**  
**Warrant List Dated 02/21/2018**

Meeting of 02/26/2018

Check Number	Early Release	Vendor #	Vendor	Amount
256329		004386	CYNERGY PRODUCTS	396.44
256331		003825	DEERE ELECTRIC INC	976.80
256332	*	006999	CHRISTOPHER DEMAN	94.22
256334		MISC	DIANE M VANDER BEKE MAGER	750.00
256335		000565	DORNBOS SIGN & SAFETY INC	3,781.69
256336	*	000180	DTE ENERGY	49,361.48
256337		001077	DUNCAN PARKING TECH INC	608.57
256339		MISC	EDWIN ANTHONY HOMES	1,000.00
256340	*	007538	EGANIX, INC.	720.00
256341		MISC	ESCO DEVELOPMENT CO	100.00
256344		007172	GARY KNUREK INC	133.00
256345		000223	GASOW VETERINARY	168.00
256346	*	008681	GENPOWER PRODUCTS INC	1,010.00
256347	*	004604	GORDON FOOD	187.35
256348		008682	GREAT LAKES GROENEVELD LLC	450.60
256349		MISC	GREG BASELA, JR.	100.00
256351		007799	HARVEY ELECTRONIC AND RADIO LLC	16,021.00
256352		008640	HENDERSON PRODUCTS INC	500.00
256355		000331	HUBBELL ROTH & CLARK INC	1,319.78
256356		MISC	IMPERIUM CONSTRUCTION LLC	200.00
256357		002407	J & B MEDICAL SUPPLY	1,416.13
256358		000261	J.H. HART URBAN FORESTRY	7,793.92
256359		008612	JADE STRATEGIES	1,000.00
256360		MISC	JARVIS YOSTOS CONSTRUCTION,LLC	2,000.00
256361	*	002576	JAX KAR WASH	134.00
256362		003458	JOE'S AUTO PARTS, INC.	472.20
256363		000347	JOHN R. SPRING & TIRE CENTER INC.	726.89
256364		MISC	JONNA CONSTRUCTION COMPANY	500.00
256365	*	007827	HAILEY R KASPER	130.00
256367		004085	KONE INC	2,026.58
256368		005876	KROPF MECHANICAL SERVICE COMPANY	572.00
256369		MISC	KYLE HANNAWA	200.00
256370		005550	LEE & ASSOCIATES CO., INC.	273.61
256371		006817	LEXISNEXIS RISK SOLUTIONS	201.25
256375		MISC	MAPLE ROOFING CONSTRUCTION INC	200.00
256376		MISC	MARKET SQUARE ENTERPRISES	20,000.00
256377		008477	MEDIANEWS - 21CM ADVERTISING	662.26
256378		MISC	METRO CONSTRUCTION CO	200.00
256379		003459	MICHIGAN DOWNTOWN ASSOCIATION	110.00
256381	*	008126	MICHIGAN.COM	1,833.25
256386	*	008350	VERONICA MILLER	204.00
256387		001452	MONTGOMERY & SONS INC	675.00
256388	*	MISC	MTA	129.80

**City of Birmingham**  
**Warrant List Dated 02/21/2018**

Meeting of 02/26/2018

Check Number	Early Release	Vendor #	Vendor	Amount
256389		MISC	NAGLE PAVING CO	100.00
256390		001864	NOWAK & FRAUS ENGINEERS	632.00
256391		MISC	NU PIPE LLC	1,000.00
256392		006359	NYE UNIFORM COMPANY	207.00
256393		004110	OAKLAND COMMUNITY COLLEGE	2,100.00
256394	*	000477	OAKLAND COUNTY	414,389.88
256395		008214	OAKLAND COUNTY WATER DEPARTMENT	8,857.96
256397	*	000481	OFFICE DEPOT INC	3,502.43
256398		002767	OSCAR W. LARSON CO.	170.00
256400		006625	PACIFIC TELEMAGEMENT SERVICES	78.00
256402	*	001753	PEPSI COLA	304.08
256403		MISC	PHILLIPS SIGN & LIGHTING INC	100.00
256405		001062	QUALITY COACH COLLISION LLC	1,187.88
256406		005764	J. RANCK ELECTRIC INC.	2,215.00
256408	*	003554	RKA PETROLEUM	10,544.40
256410		MISC	RODNEY E STORTS	100.00
256411	*	002806	SAM'S CLUB/SYNCHRONY BANK	1,234.00
256412		MISC	SIMON, STEPHEN M	200.00
256413	*	001824	SOCIETY FOR HUMAN RESOURCE MGMNT	209.00
256416		005238	SUNTEL SERVICES	4,170.50
256417		MISC	TECHHOME BUILDING CO., LLC	900.00
256418		MISC	THORNTON & GROOMS INC.	1,000.00
256419		005331	UBS FIN SERVICES, INC	16,414.66
256422		MISC	UNITED HOME SERVICES	100.00
256423		MISC	VALERIE ROSS	914.78
256424	*	000158	VERIZON WIRELESS	150.12
256425	*	000158	VERIZON WIRELESS	378.83
256426	*	000158	VERIZON WIRELESS	152.04
256427	*	000158	VERIZON WIRELESS	504.72
256428		000969	VIGILANTE SECURITY INC	1,129.00
256429		MISC	WALBRIDGE ALDINER	100.00
256430		001014	WALKER PARKING CONSULTANTS	8,725.00
256431		MISC	WAYNE A SORRELL	200.00
256433	*	008568	ALYSON WELLMAN	100.00
256434		001438	WINDER POLICE EQUIPMENT	221.58
256435	*	005794	WINDSTREAM	724.20
256436		007362	WINTERGREEN CORPORATION	732.31
256437		003925	WIZBANG PRODUCTS CO	438.24
256438		002088	WM. CROOK FIRE PROTECTION CO.	626.72
256439	*	003890	LAUREN WOOD	565.00
256440		MISC	WOODLANE CONSTRUCTION	100.00
256441		007083	XEROX CORPORATION	380.38

**City of Birmingham**  
**Warrant List Dated 02/21/2018**

Meeting of 02/26/2018

Check Number	Early Release	Vendor #	Vendor	Amount
Sub Total Checks:				\$645,373.17
Sub Total ACH:				\$1,367,879.21
Grand Total:				\$2,013,252.38

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



Mark Gerber  
Finance Director/ Treasurer

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

**City of Birmingham**  
**ACH Warrant List Dated 2/21/2018**

Vendor Name	Transfer Date	Transfer Amount
Automated Benefit Services, Inc.	2/15/2018	43,340.39
Birmingham Schools	2/15/2018	1,022,177.19
Oakland County Treasurer	2/15/2018	302,361.63
<b>TOTAL</b>		1,367,879.21



## MEMORANDUM

City Clerk's Office

**DATE:** February 16, 2018

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

**FROM:** Cherilynn Mynsberge, City Clerk

**SUBJECT:** Special Event Application  
Huntington's Disease Society of America – Yoga in the Park

Attached is a special event application submitted by the Michigan Chapter of the Huntington's Disease Society of America requesting permission to hold a Yoga event in the pavilion area of Shain Park on Saturday, June 16, 2018 beginning at 10:00 AM and ending at 2:00 PM. Set up for the event will take place that morning from 8:00 AM to 10:00 AM, with tear-down scheduled for 2:00 PM to 4:00 PM. A sketch is provided to illustrate the location of the event within the park.

The application has been circulated to the affected departments and approvals and comments have been noted. The Police Department has reviewed the application and given its approval.

The following events are planned to be held in June and do not pose a conflict with the proposed event.

Event Name	Date	Location
Farmers Market	Sundays	Lot 6
Village Fair	May 30 – June 3	Shain Park
Lungevity	June 2	Booth Park neighborhood
In the Park Concerts-Teen Summer Concert	June 15	Shain Park

**SUGGESTED RESOLUTION:**

To approve a request submitted by the Michigan Chapter of the Huntington's Disease Society of America requesting permission to hold Yoga in the Park, on Saturday, June 16, 2018, 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.

2/26/18

18-00011140

RECEIVED BY

JAN 31 2018

CITY CLERK'S OFFICE

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

**IMPORTANT: EVENTS UTILIZING CITY SIDEWALKS AND/OR STREETS MUST MEET  
WITH POLICE DEPARTMENT SPECIAL EVENT OFFICER TO REVIEW PROPOSED  
EVENT DETAILS PRIOR TO SUBMITTING APPLICATION.**

Police Department acknowledgement: \_\_\_\_\_

**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 February 2, 2018

Name of Event Huntington Disease Society of America - Yoga in the Park

Detailed Description of Event (attach additional sheet if necessary) HDSA is a national non-profit organization whose 54 local chapters execute fund raising events that also raise awareness of this 1 in 100,000 disease. Yoga has proven to be a highly effective means of addressing this disease that is currently without a cure. We would like to replicate last years very well received event and conduct 3 x 1 hour out door yoga classes on the south lawn of Shain Park, in front of the band stand.

Location Shain Park

Date(s) of Event 6.16.18 Hours of Event 10a - 2p

Date(s) of Set-up 6.16.18 Hours of Set-up 8-10a

Date(s) of Tear-down 6.16.18 Hours of Tear-down 2p - 4p

Organization Sponsoring Event HDSA - Michigan Chapter

Organization Address 1221 Bowers St. P.O. Box 1091 Birmingham, MI 48012

Organization Phone 800.909.0073

Contact Person Don Peasley - Chapter President

Contact Phone 248.840.3378

Contact Email donaldpeasley5@gmail.com



## II. EVENT INFORMATION

1. Organization Type Non-Profit  
(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. ) \_\_\_\_\_  
Yoga Shelter returning as sponsor, as is Henry Ford Health Systems with paramedic support.  
Beyond Juice and Teva Pharmaceuticals likely to return  
Discussing adding Gazelle Sports and Born Yoga
3. Is the event a fundraiser? ☒ YES NO  
List beneficiary HDSA  
List expected income \$10,000  
Attach information about the beneficiary.
4. First time event in Birmingham? YES ☒ NO  
If no, describe Successful event in June 2017 - 106 participants, no issues
5. Total number of people expected to attend per day 60 people per class X 3 = 180
6. The event will be held on the following City property: (Please list)  
☐ Street(s) \_\_\_\_\_  
☐ Sidewalk(s) \_\_\_\_\_  
☒ Park(s) Shain Park - in front of Band Shell - concrete and grass area
7. Will street closures be required? YES ☒ NO  
(Police Department acknowledgement prior to submission of application is required) (initial here) [Signature]

8. What parking arrangements will be necessary to accommodate attendance? Attendees encouraged to use parking decks near by

9. Will staff be provided to assist with safety, security and maintenance? ☒ YES ☐ NO

**If yes, please provide number of staff to be provided and any specialized training received.**

Describe 10 HDSA Volunteers will work main registration tables. Henry Ford Health Systems will set up an information table and also bring 1 x licensed paramedic to event to cover any health issues.

10. Will the event require safety personnel (police, fire, paramedics)? YES ☒ NO  
**(Police Department acknowledgement prior to submission of application is required.) (initial here)** [Signature]

Describe \_\_\_\_\_  
\_\_\_\_\_

11. Will alcoholic beverages be served? YES ☒ NO

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

\_\_\_\_\_ Live \_\_\_\_\_ Amplification \_\_\_\_\_ Recorded ☒ Loudspeakers

Time music will begin 10a

Time music will end 2p

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? ☒ YES ☐ NO

Number of signs/banners 3-5 Banners

Size of signs/banners 3 'x 5'

Submit a photo/drawing of the sign(s). **A sign permit is required.**

14. Will food/beverages/merchandise be sold? 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.

*\* - Not at this time. but discussions are under way*

- There is a \$50.00 application fee for all vendors and peddlers, in addition to the \$10.00 daily fee, per location.

### **LIST OF VENDORS/PEDDLERS**

(attach additional sheet if necessary)

<b>VENDOR NAME</b>	<b>GOODS TO BE SOLD</b>	<b>WATER HOOK-UP REQUIRED?</b>	<b>ELECTRIC REQUIRED?</b>

### **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		6 for \$200.00	A request for more than six tables will be evaluated based on availability.
Trash Receptacles	4	\$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		\$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)	<u>1</u> # of vendors requiring utilities	Varies	Charges according to final requirements of event.
Water/Fire Hydrant		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	Bringing own	\$200.00 per day	Must meet with City representative.
Meter Bags / Traffic Cones / Barricades	# to be determined by the Police Department.		Requesting 2 x Meter Bags

2. Will the following be constructed or located in the area of the event? 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)	2 -3	10' x 10'
Portable Toilets		
Rides		
Displays		
Vendors		
Temporary Structure (must attach a photo)		
Other (describe)		

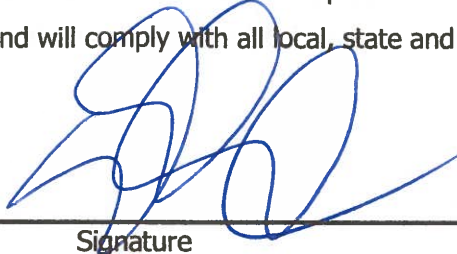
**SIGNATURE OF APPLICANT REQUIRED**

EVENT NAME HDSA Yoga in the Park

EVENT DATE 6.16.18

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

2-2-18

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.



**SPECIAL EVENT REQUEST NOTIFICATION LETTER**  
**DATE: February 5, 2018**

**TO:** \_\_\_\_\_  
Residential Property or Business Owner

\_\_\_\_\_  
Address

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:** Huntington's Disease Society of America - Yoga in the Park

**LOCATION:** Shain Park

**DATE(S) OF EVENT:** June 16, 2018      **HOURS OF EVENT:** 10a-2p

**BRIEF DESCRIPTION OF EVENT/ACTIVITY:** We will be conducting 3 x 1-hour yoga classes on the lawn in front of the band shell. There will be light music and an instructor with a headset microphone.

**DATE(S) OF SET-UP:** June 16, 2018      **HOURS OF SET-UP:** 8a-10a

**DATE(S) OF TEAR-DOWN:** June 16, 2018      **HOURS OF TEAR-DOWN:** 2-4P

**DATE OF CITY COMMISSION MEETING:** **February 26, 2017**

The City commission meets in rm 205 of the Municipal Bldg 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](http://www.bhamgov.org/events) for a complete list of special events.

**EVENT ORGANIZER:** HDSA - Michigan Chapter

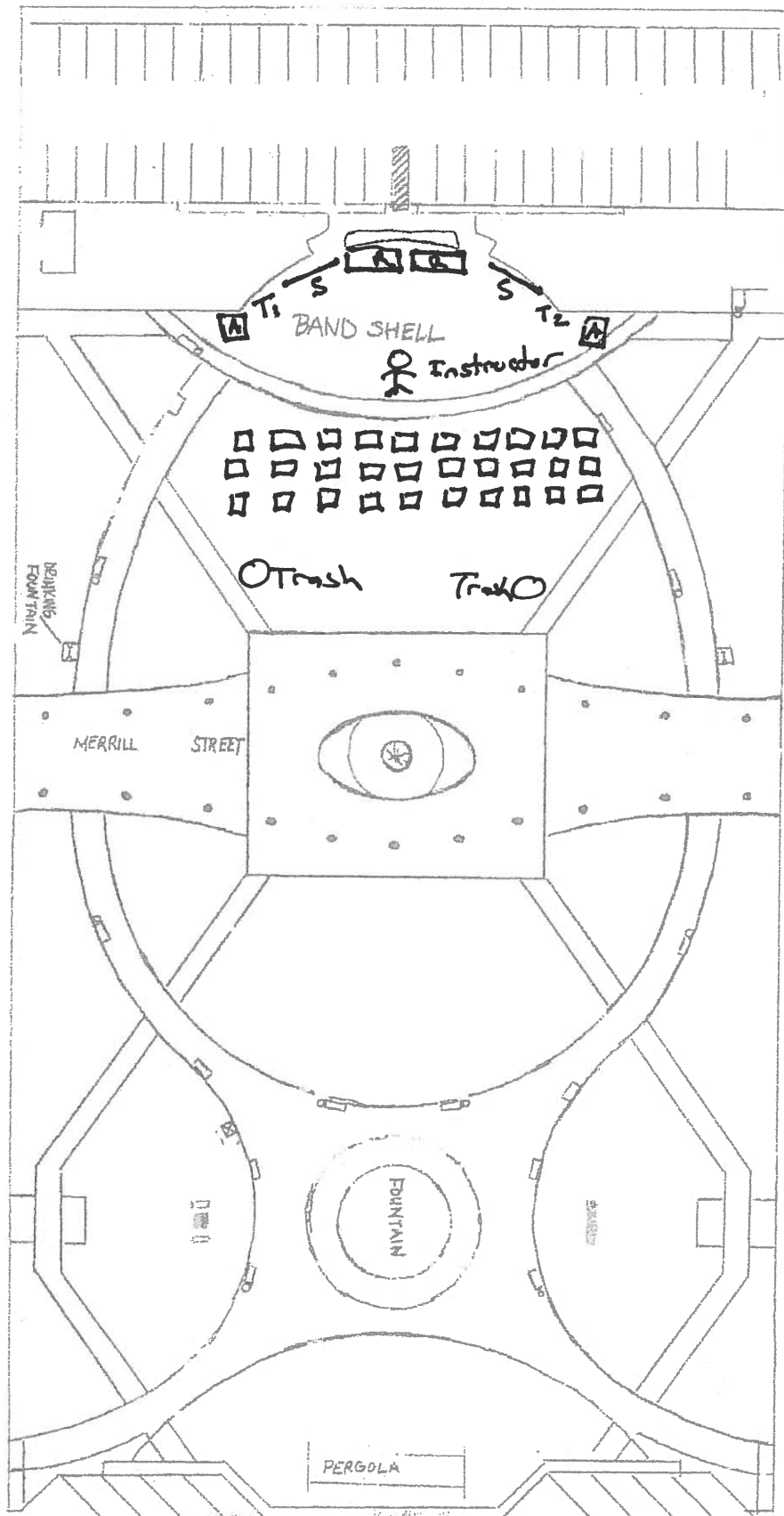
**ADDRESS:** 1221 Bowers St. PO Box 1091, Birmingham, MI 48009 **PHONE:** 800.909.0073

**Day Of Event Contact;** Don Peasley : 248.840.3378

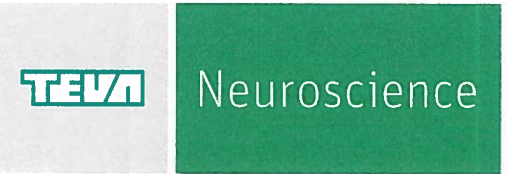
TOWNSEND STREET

R = Registration  
S = Srgn  
T<sub>1</sub> = 10x10' TENT  
T<sub>2</sub> = Table  
A = Audio

MERRILL STREET



MARTIN STREET







### **Description of Beneficiary**

Huntington's disease (HD) is a fatal genetic disorder that causes the progressive breakdown of nerve cells in the brain. It deteriorates a person's physical and mental abilities during their prime working years and has no cure. HD is known as the quintessential family disease because every child of a parent with HD has a 50/50 chance of carrying the faulty gene. Today, there are approximately 30,000 symptomatic Americans and more than 200,000 at-risk of inheriting the disease.

Because HD affects far less Americans than cancer or heart disease, it doesn't get the level of media attention or funding than other more well-known diseases. HDSA is a national organization focused on raising awareness, providing advocacy, and seeking cures for this relatively unknown neurological condition.

All net proceeds from this event, estimated to be \$10,000, will be deposited into the Michigan Chapter general fund, along with other donations and net proceeds from other events held by the Chapter. All funds are spent supporting programs that aid Michigan families dealing with this disease.



### **Insurance Information**

Attached please find 2 Certificates of Insurance from HDSA National, neither is proposed as covering the event in this application.

The first is from an event held last year in the State of Michigan, the second is with our new provider, Arthur J. Gallagher for an event not held in Michigan. These are being provided to demonstrate that as was the case in 2017, HDSA can and will meet the City of Birmingham's Insurance requirements. The 2017 certificate may be on file with City if needed.

Note that while not provided on either of these events, Workers Compensation and Employer' Liability Insurance can and will be provided if required by the City.

And actual application for this event was not filed, as the need for Worker's Compensation requires an additional form, and triggers additional expense. If this event is approved, an application will be filed, with WC if required, and will be provided to the City of Birmingham within 7 business days.

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# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
2/17/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Arthur J. Gallagher Risk Management Services, Inc. 250 Park Avenue, 5th Floor New York NY 10177		<b>CONTACT NAME:</b> <b>PHONE (A/C, No, Ext):</b> 212-994-7100 <b>FAX (A/C, No):</b> 212-994-7047 <b>E-MAIL ADDRESS:</b>	
<b>INSURED</b> HUNTDIS-01 Huntington's Disease Society of America, Inc. 505 Eighth Avenue Suite 902 New York NY 10018		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Philadelphia Indemnity Insurance Co <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	
		<b>NAIC #</b> 18058	

## COVERAGES

CERTIFICATE NUMBER: 1032141824

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:			PHPK1577241	11/16/2016	11/16/2017	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$3,000,000 PRODUCTS - COMP/OP AGG \$3,000,000 \$
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			PHPK1577241	11/16/2016	11/16/2017	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			PHUB563553	11/16/2016	11/16/2017	EACH OCCURRENCE \$3,000,000 AGGREGATE \$3,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Chapter/Affiliate Name: South Florida Chapter  
Event: 26th Annual Huntington's Disease Triathlon  
Date: July 30, 2017  
Location: Larry & Penny Thompson Park 12451 SW 184th St., Miami, FL 33177

## CERTIFICATE HOLDER

## CANCELLATION

Mimi Dade County 111 NW 1st Street Miami FL 33128	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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## DEPARTMENT APPROVALS

EVENT NAME Huntington Disease Society-Yoga in the Park

LICENSE NUMBER #18-00011190

COMMISSION HEARING DATE: February 26, 2018

NOTE TO STAFF: Please submit approval by **February 9, 2018**

DATE OF EVENT: June 16, 2018

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)
<b>PLANNING</b> 101-000.000-634.0005 248.530.1855	BC	No Comments/Cost		\$0	
<b>BUILDING</b> 101-000.000.634.0005 248.530.1850	MM	No Building Department Involvement		\$0	\$0
<b>FIRE</b> 101-000.000-634.0004 248.530.1900	JMC			\$0	
<b>POLICE</b> 101-000.000.634.0003 248.530.1870	SG	On duty officers will provide extra patrol		\$0	
<b>PUBLIC SERVICES</b> 101-000.000-634.0002 248.530.1642	Carrie Laird 1/31/2018	The department will make arrangements with representative to deliver trash receptacles.		\$25	
<b>ENGINEERING</b> 101-000.000.634.0002 248.530.1839	A.F.	No Comments	None	\$0	\$0

<b>SP+ PARKING</b>	A.F.	Emailed to SP+ 02/01/18	None	\$0	\$0
<b>INSURANCE</b> 248.530.1807		Hold Harmless Agreement on file. Must provide Certificate of Insurance per city requirements	None	\$0	\$0
<b>CLERK</b> <b>101-000.000-614.0000</b> 248.530.1803		Notification letters mailed by applicant on 2/5/18. 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 6/1/18.	Applications for vendors license must be submitted no later than 6/1/18.	\$165 pd	
				<b>TOTAL DEPOSIT REQUIRED</b>  \$25.00	<b>ACTUAL COST</b>

**FOR CLERK'S OFFICE USE**

Deposit paid \_\_\_\_\_

Actual Cost \_\_\_\_\_

Due/Refund\_\_\_\_\_



## MEMORANDUM

Department of Public Services

**DATE:** February 16, 2018

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

**FROM:** Lauren A. Wood, Director of Public Services

**SUBJECT:** Purchase of Toro 4500D and Toro 3500D Rough Mowers

---

The Department of Public Services is requesting approval for the purchase of two (2) new rough mowers, Toro 4500D and Toro 3500D, to replace the two (2) rough mowers at Lincoln Hills Golf Course. The 4500D, used to mow large areas on the golf course, was purchased in 2010 for \$48,468. We were able to extend its five (5) year useful life expectancy by two (2) years. The 3500D, used to mow smaller, tighter areas, was purchased in 2007 for \$28,122. We were able to extend its useful life expectancy of five (5) years by five (5) years. Over the past two (2) years, we have spent, approximately \$3,750, combined in repairs.

These mowers are used to mow all the rough area on the golf course, clubhouse area, and Lincoln Hills Dog Park. Combined these mowers are in use for approximately 60 hours a week, and are critical for maintaining the golf course to a level our customers expect. This year we have lost approximately two (2) weeks of use, combined, due to mechanical failures of the two current machines. The equipment is maintained by staff on a regular routine maintenance schedule to extend its life expectancy and improve operational efficiency.

The Department of Public Services recommends replacing these two (2) mowers with one (1) Toro Groundsmaster 4500D, and one (1) Toro Groundsmaster 3500D. We would be ordering these two machines this winter and take delivery in early spring of 2018.

State of Michigan extended purchasing contract #2017025 is available for the Toro Groundsmaster 4500D and Toro Groundsmaster 3500D. Spartan Distributors is the exclusive dealer for this contract and was contacted for pricing. The price of the Groundsmaster 4500D is \$63,364.59. The price of the Groundsmaster 3500D is \$31,905.55. Replacement of one of these vehicles was scheduled during fiscal year 2016-2017, but determined replacement could wait another year. Two (2) Toro Sandpros are in the 2017-2018 equipment replacement schedule at a projected cost of \$32,000, which will not occur until 2018-2019. The aerial/lift vehicle #154 estimated at \$250,000 will be replaced next year, making available extra funds for this requested purchase. As a result, there are funds available for this purchase in the Auto Equipment Fund account #641-441.006-971.0100.

The existing mowers will be sold through the MITN auction site or traded in to Spartan Distributors. Trade in value for both machines is approximately a total of \$6,500 and will be placed on the MITN auction site for sale.

**SUGGESTED RESOLUTION:**

To approve the purchase of one (1) new Toro Groundsmaster 4500D and one (1) Toro Groundsmaster 3500D from Spartan Distributors, through State of Michigan extendable purchasing contract #2017025 for a total expenditure of \$95,270.14. Funds for this purchase are available in the equipment fund account # 641-441.006-971.0100.



# MEMORANDUM

Finance Department

**DATE:** February 20, 2018

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

**FROM:** Kathryn Burrick, Senior Accountant  
Mark Gerber, Director of Finance/Treasurer

**SUBJECT:** Public Hearing Request for Reprogramming Community Development Block Grant Funds

At the February 12, 2018, City Commission meeting, a contract for the retrofit of the police entrance doors for ADA was approved in the amount of \$51,156 to Meridian Contracting Group. The City at the time of the contract award had \$33,322 available in Community Development Block Grant (CDBG) funds for the project. This left \$17,834 remaining which is currently planned to be spent out of the general fund.

At the November 13, 2017, City Commission meeting, the 2017 program year CDBG subrecipient agreement with Oakland County was approved. This agreement provided funding as follows: \$6,017 for yard services, \$3,300 for senior services, and \$37,268 for minor home repair. These services were awarded to NEXT at the February 12, 2018, City Commission meeting.

There is some concern about whether the amount provided for minor home repair will be spent by the end of the program year deadline (December 31, 2018). In addition, there are other funds available to NEXT for minor home repair through the Foundation for Birmingham Senior Residents. After speaking with NEXT, they are agreeable to reprogramming some of the minor home repair funds for the City's police door project. This would still leave \$19,434 available for minor home repair. Therefore, it is requested that \$17,834 be reprogrammed from minor home repair to remove architectural barriers as shown below:

**Existing (FROM) – Minor Home Repair:**

Account Number	Activity Description	Amount
731227	Minor Home Repair	\$17,834

**Proposed (TO) – Remove Architectural Barriers:**

Account Number	Activity Description	Amount
731619	Remove Architectural Barriers - Police Department Entrance ADA Retrofit	\$17,834



In order to transfer these funds, the City must conduct a public hearing to receive citizen input regarding the reprogramming of federal CDBG funds. It is recommended that the City Commission set March 26, 2018 as the date to conduct the required public hearing.

**SUGGESTED RESOLUTION:** To set March 26, 2018 as the public hearing date for the reprogramming of program year 2017 Community Development Block Grant (CDBG) funds.



## MEMORANDUM

Department of Public Services

**DATE:** February 19, 2018

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

**FROM:** Jacky Brito, Golf Manger – Golf Courses

**SUBJECT:** Replacement of Wooden Bridges at Springdale GC

On February 12, 2018, bids were opened for the replacement of four (4) existing wooden bridges at Springdale Golf Course. A Request for Proposals (RFP) was entered into the Michigan Inter-governmental Trade Network (MITN) and the City subsequently received two (2) bids. The result of the sealed bids follows in the table below.

Bidder	Cost of Bridge 1	Cost of Bridge 2	Cost of Bridge 3	Cost of Bridge 4	Demo/ Removal	Permit Fees/ Add't Fees	Total Cost
M-K Construction	\$23,024	\$20,117	\$21,293	\$42,602	\$20,162	\$0	\$127,199
Kyle Builders	\$13,070	\$10,620	\$13,070	\$24,600	\$3,600	\$6,600	\$71,560

This project consists of the repair and rehabilitation of four bridges at Springdale Golf Course. The bridges are in the regulatory floodway of the Rouge River. A permit will be required with the Michigan Department of Environmental Quality (MDEQ) for this work. These bridges have been deteriorating over the past couple of years and now our main concern is the safety for our golfers who utilize these bridges. These bridges are used by golfers during play either by foot or while using the golf carts. We made minor repairs this past year, but the steel beams underneath the decking and the crumbled footings has become necessary to address before the start of the new golf season. Funds were originally budgeted during fiscal year 16-17 budget for replacing the decking on the bridges. During this period of time and after further research was conducted last year, we determined the bridge rehabilitation was more extensive and required to be bid out.

In addition, we recommend hiring the services of Anderson, Eckstein and Westrick, Inc. (AEW) as our Engineering and Construction Consultants, see the attached details in the AEW proposal for a not to exceed amount of \$8,000. They will be responsible for submitting and obtaining all permits required for this bridge rehabilitation project to include the MDEQ and City of Birmingham Building Department. This firm will be the City's liaison to approve all building plans, oversee the construction of the entire project and approve all inspections according to the proper engineering standards and the determined MDEQ permitting requirements.

The first step will be to have AEW begin the permitting process with both, the Michigan Department of Environmental Quality (MDEQ) and the City's Building Department, and they will work as the City's professional consultant to closely review the awarded bidder's Engineer bridge plans to ensure all City and State requirements are met.

The scope of the work is to demolish the existing bridges and remove all debris to prep for new construction. Install new cement footings at the end of each bridge and install new steel beams with welded connections with a third party inspection. All steel is primed before installation and all welds are cleaned and primed. Install new pressure treated 2" x 12" exterior wood joists for the subdeck surface. Install new pressure treated exterior wood decking over the 2" x 12" wood joists. All boards will be inspected prior to installation and each connection to joists will have four (4) galvanized 3" screws. Lastly, install new rails to the newly installed surface decking. This onsite demo, construction and clean-up is projected to take no more than thirty (30) days to complete which we anticipate to have the course closed for the month of April.

The timing is perfect for this project in order to address the safety of the bridges by repairing and replacing the existing bridges in the floodplain area in advance of opening Springdale Golf Course for the 2018 golf season. This bridge rehabilitation project is the most cost effective and efficient solution for this work. Other bridge solutions explored for this maintenance repair project were too costly and did not keep with the same intended design of the existing bridges.

The work experience and references of the low bidder for this project scope has been reviewed and are very satisfactory. A budget amendment is necessary at this time for this proposed project at Springdale Golf Course. This was not budgeted, but due to the safety issue needs to be addressed now. Money for this purchase is available in Golf Course Maintenance – Public Improvement Account #584-753.001-981.0100.

#### SUGGESTED RESOLUTION:

To award the Replacement of four (4) wooden bridges located at Springdale Golf Course, to Kyle Builders, Inc. in the amount not to exceed \$71,560, and to approve hiring Anderson, Eckstein and Westrick, Inc. (AEW) in the amount not to exceed \$8,000 to provide professional Engineering Services related to this project for a total project amount of \$79,560.00 to be funded from account 584-753.001-981.0100 and further; to approve the appropriation and amendment to the 2017-2018 Springdale Golf Course Fund budget as follows. Further, to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.

#### Springdale Golf Course Fund

##### Revenues:

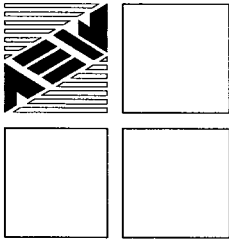
Draw from Net Position	
584-000.000-400.0000	<u>\$79,560.00</u>
Total Revenue	<u>\$79,560.00</u>

Expenses:

Capital Outlay – Public Improvements

584-753.001-981.0100 \$79,560.00

Total Expenses \$79,560.00



## ANDERSON, ECKSTEIN AND WESTRICK, INC.

51301 Schoenherr Road, Shelby Township, Michigan 48315  
Civil Engineers • Surveyors • Architects 586-726-1234

February 21, 2018  
(revised from November 17, 2017)

Jacky Brito, PGA  
Golf Manager  
Springdale Golf Course  
316 Strathmore  
Birmingham, MI

Reference: **Proposal for Professional Services**  
Golf Course Bridge Rehabilitation – Engineering Services  
Springdale Golf Course  
Birmingham, Michigan

Dear Ms. Brito:

Thank you for considering Anderson, Eckstein and Westrick, Inc. for providing professional engineering services for the referenced project.

### Understanding of the Project

This project consists of the rehabilitation of four bridges spanning over the Rouge River at the south end of Springdale Golf Course in Birmingham, Michigan. The majority of the wood deck planks have deteriorated and require replacement. Two of the bridges are supported by steel I-beams and two are supported by steel railroad rails, with varying levels of corrosion. The southernmost bridge with I-beams has dropped in the river due to the complete section loss of the steel beam on one end. No abutments were observed, as the I-beams or rails appear to just be bearing on the rip-rap lined embankment.

We understand the City has bid this project as design/build, and that the selected team will have a licensed professional engineer design the project. The City has reviewed the bids and has selected a team to award the design and construction of the replacement bridges.

Based on the City's solicitation for bids, you have asked us to revise our original proposal scope. The City is requesting AEW to provide a limited review of the awarded contractor's engineering plans, submit the MDEQ permit application and provide part-time construction observation and final review.

The existing bridges are in the regulatory floodway of the Rouge River. We have consulted with the Michigan Department of Environmental Quality (MDEQ), and propose conducting a pre-application meeting to confirm the permitting requirements. We anticipate that the following conditions will need to be met - the channel width remains the same; the capacity of the channel is improved or maintained; and the hydraulics are confirmed by the engineer.



Ms. Jacky Brito  
February 21, 2018  
Page 2

### **Services to be Provided**

Based upon our discussion, we propose to furnish the following:

1. MDEQ Permit Application
  - a) AEW will contact the City of Birmingham and the Oakland County Drain Commission, and conduct a pre-application meeting with MDEQ to confirm the necessary permitting requirements, as discussed above.
  - b) AEW will complete the permit application, including supporting calculations and sections, and submit to MDEQ.
2. Bridge Engineering Review
  - a) AEW will review the contractor's supplied bridge plans, for conformance to engineering standards and the determined MDEQ permitting requirements.
3. Construction Observation
  - a) AEW will provide limited construction observation, assuming (8) construction progress meetings through construction, including punch-list and final review.

### **Additional Services Available**

The following services are available but not included in this proposal.

- Construction administration and draw request approvals
- Construction staking
- As-built field work and plan preparation

### **Services Not Provided**

Material testing, environmental testing, geotechnical investigations, and wetlands delineation are outside the scope of services that AEW can provide. We will gladly coordinate these services when requested, to be performed by outside consultants.

### **Services to be Provided by Others**

It will be the responsibility of the client to pay all application fees by local, state, federal or other agencies. It will be the responsibility of the bridge contractor to verify existing conditions and conduct field measurements of the existing bridges and site grades.

### **Fee for Professional Services**

We propose to provide the services stated above for the lump sum fees as follows:

MDEQ Permit Application:	\$4,000.00
Bridge Engineering Review:	\$1,700.00
Construction Observation:	<u>\$2,300.00</u>
<b>Total</b>	<b>\$8,000.00</b>



Ms. Jacky Brito  
February 21, 2018  
Page 3

Any additional services will be provided on an hourly basis according to our rate schedule effective for the period in which the work is performed. If additional services are required, we will advise you and provide a budget for the work. We have attached our current rate schedule as part of this proposal; this schedule is revised effective January 1 of each year and is considered an amendment to the proposal at that time.

This proposal does not include revisions to the plans due to changes in the project presented by the Client or his representative once engineering work has begun.

### **Basis of Payment**

Work in progress will be invoiced every four weeks (billing cycle) based upon hourly charges to date. Payment is due within twenty-eight days of invoice date, after which a time price differential charge of 1% per billing cycle (13% annually) will be added to the outstanding balance. There are no mileage expenses required. Failure to pay invoices promptly can result in suspension of the work and revision of the completion schedule by the Engineer.

Please note that the fees quoted are for services completed within one year. If time beyond one year is required, an adjustment to the fees for the remaining portion may be made to reflect changes in cost of living, based on the Consumer's Price Index.

### **Other Terms of Service**

Services provided by AEW under this contract will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. Upon notice to AEW and by mutual agreement between the parties, AEW will correct those services not meeting such standard without additional compensation.

If the Client fails to make payment when due or is otherwise in breach of this contract, AEW may suspend performance of services upon five (5) calendar days notice to the Client. AEW shall have no liability whatsoever to the Client for any costs or damages as a result of such suspension caused by any breach of this contract by the Client.

No party to this agreement shall transfer, sublet or assign any rights under or interest in this agreement (including but not limited to monies that are due or monies that may be due) without the prior written consent of the other party(s).

In recognition of the relative risks, rewards, and benefits of the project to both the Client and AEW, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, AEW's total liability to the Client for any and all injuries, claims, losses, expenses, damages, or claim expenses arising out of this agreement from any cause or causes, shall not exceed the compensation received by AEW under this agreement.

The Client or his authorized agent may terminate this agreement within five days written notice. The Client must pay for any unpaid work and expenses incurred prior to termination.



Ms. Jacky Brito  
February 21, 2018  
Page 4

### Opinions of Probable Cost

Opinions of probable construction cost provided represent AEW's best judgment as a design professional familiar with the industry. However, it is recognized that AEW has no control over the cost of labor, materials, equipment or services provided by others, or over the contractor's methods of determining prices, or over competitive bidding or market conditions. Therefore, AEW does not guarantee that proposals, bids, or actual construction cost will not vary from the opinions of probable cost prepared in any manner by our firm.

### Execution of the Agreement

We trust that this proposal meets your needs. Please advise if any modifications or clarifications are required. When you are prepared to authorize us to proceed, please sign, date, and return one copy of this agreement with original signatures for our use.

We appreciate the opportunity to work with you on this project. If you have any questions or require additional information please call me.

Sincerely,

Anderson, Eckstein and Westrick, Inc.

Accepted By:

Kevin E. Zauel, PE  
Senior Project Engineer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name, Title

Gordon B. Wilson, PE, CFM, EXW  
Executive Vice President

\_\_\_\_\_  
Date

Enclosure: Birmingham Hourly Rate Schedule





**CITY OF BIRMINGHAM**

**EXHIBIT "A"**

**HOURLY CHARGE RATES**

<b><u>Employee Classification</u></b>	<b><u>Current Hourly Charge Rates</u></b>
PRINCIPAL ENGINEER / SURVEYOR / ARCHITECT	\$ 150.00
SENIOR PROJECT ENGINEER / SURVEYOR / ARCHITECT	136.50
LICENSED ENGINEER / SURVEYOR / ARCHITECT	123.50
GRADUATE ENGINEER / SURVEYOR / ARCHITECT	101.00
TEAM LEADER	101.00
ENGINEERING AIDE III	84.50
ENGINEERING AIDE II	76.50
ENGINEERING AIDE I	68.50
ENGINEERING AIDE TRAINEE	49.00
SECRETARIAL (Special Projects)	41.00
SURVEY FIELD (3 PERSON CREW)	204.00
SURVEY FIELD (2 PERSON CREW)	170.50
SURVEY FIELD (1 PERSON CREW)	132.50
CONFINED SPACE ENTRY CREW	196.00
CONFINED SPACE ENTRY (EACH ADDITIONAL PERSON)	66.50
DATA COLLECTOR (SURVEY CREW)	- 0-
GPS SURVEY EQUIPMENT	68.00

EFFECTIVE APRIL 1, 2017 AND  
UPDATED ANNUALLY TO REFLECT CPI.

**ATTACHMENT A - AGREEMENT****For "2018 Springdale Golf Course Bridge Replacements"**

This AGREEMENT, made this   February   day of February, 2018, by and between CITY OF BIRMINGHAM, having its principal municipal office at 151 Martin Street, Birmingham, MI (hereinafter sometimes called "City"), and Kyle Builders, Inc., having its principal office at 4445 22 Mile Rd SE A (hereinafter called "Contractor"), provides as follows: Shelby Twp. MI 48317

**WITNESSETH:**

**WHEREAS**, the City of Birmingham, through its Department of Public Services, desires to have four (4) bridges replaced at Springdale Golf Course.

**WHEREAS**, the City has heretofore advertised for bids for the procurement and performance of services required to perform bridge replacement project for the City of Birmingham, and in connection therewith has prepared a request for sealed proposals ("RFP"), which includes certain instructions to bidders, specifications, terms and conditions.

**WHEREAS**, the Contractor has professional qualifications that meet the project requirements and has made a bid in accordance with such request for cost proposals to perform the replacement of bridges at Springdale Golf Course, for the City of Birmingham.

**NOW, THEREFORE**, for and in consideration of the respective agreements and undertakings herein contained, the parties agree as follows:

It is mutually agreed by and between the parties that the documents consisting of the Request for Proposal to perform the bridge replacements and the Contractor's cost proposal dated 2-8, 2018 shall be incorporated herein by reference and shall become a part of this Agreement, and shall be binding upon both parties hereto. If any of the documents are in conflict with one another, this Agreement shall take precedence, then the RFP.

1. The City shall pay the Contractor for the performance of this Agreement in an amount not to exceed \$ 71,560.00, as set forth in the Contractor's 2-8, 2018 cost proposal.

2. This Agreement shall commence upon execution by both parties, unless the City exercises its option to terminate the Agreement in accordance with the Request for Proposals.

3. The Contractor shall employ personnel of good moral character and fitness in performing all services under this Agreement.

4. The Contractor and the City agree that the Contractor is acting as an independent Contractor with respect to the Contractor's role in providing services to the City pursuant to this Agreement, and as such, shall be liable for its own actions and neither the Contractor nor its employees shall be construed as employees of the City. Nothing contained in this Agreement shall be construed to imply a joint venture or partnership and neither party, by virtue of this Agreement, shall have any right, power or authority to act or create any obligation, express or implied, on behalf of the other party, except as specifically outlined herein. Neither the City nor the Contractor shall be considered or construed to be the agent of the other, nor shall either have the right to bind the other in any manner whatsoever, except as specifically provided in this Agreement, and this Agreement shall not be construed as a contract of agency. The Contractor shall not be entitled or eligible to participate in any benefits or privileges given or extended by the City, or be deemed an employee of the City for purposes of federal or state withholding taxes, FICA taxes, unemployment, workers' compensation or any other employer contributions on behalf of the City.

5. The Contractor acknowledges that in performing services pursuant to this Agreement, certain confidential and/or proprietary information (including, but not limited to, internal organization, methodology, personnel and financial information, etc.) may become involved. The Contractor recognizes that unauthorized exposure of such confidential or proprietary information could irreparably damage the City. Therefore, the Contractor agrees to use reasonable care to safeguard the confidential and proprietary information and to prevent the unauthorized use or disclosure thereof. The Contractor shall inform its employees of the confidential or proprietary nature of such information and shall limit access thereto to employees rendering services pursuant to this Agreement. The Contractor further agrees to use such confidential or proprietary information only for the purpose of performing services pursuant to this Agreement.

6. This Agreement shall be governed by and performed, interpreted and enforced in accordance with the laws of the State of Michigan. The Contractor agrees to perform all services provided for in this Agreement in accordance with and in full compliance with all local, state and federal laws and regulations.

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

8. This Agreement shall be binding upon the successors and assigns of the parties hereto, but no such assignment shall be made by the Contractor without the prior written consent of the City. Any attempt at assignment without prior written consent shall be void and of no effect.

9. The Contractor agrees that neither it nor its subcontractors will discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight or marital status. The Contractor shall inform the City of all claims or suits asserted

against it by the Contractor's employees who work pursuant to this Agreement. The Contractor shall provide the City with periodic status reports concerning all such claims or suits, at intervals established by the City.

10. The Contractor shall not commence work under this Agreement until it has, at its sole expense, obtained the insurance required under this paragraph. All coverages shall be with insurance companies licensed and admitted to do business in the State of Michigan. All coverages shall be with carriers acceptable to the City of Birmingham.

11. The Contractor shall maintain during the life of this Agreement the types of insurance coverage and minimum limits as set forth below:

- A. Workers' Compensation Insurance: Contractor shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
- B. Commercial General Liability Insurance: Contractor shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.
- C. Motor Vehicle Liability: Contractor shall procure and maintain during the life of this Agreement Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- D. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following shall be *Additional Insureds*: The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.
- E. Professional Liability: Professional liability insurance with limits of not less than \$1,000,000 per claim if Contractor will provide service that are customarily subject to this type of coverage.

- F. Pollution Liability Insurance: Contractor shall procure and maintain during the life of this Agreement Pollution Liability Insurance, with limits of liability of not less than \$1,000,000, per occurrence preferred, but claims made accepted.
- G. Owners Contractors Protective Liability: The Contractor shall procure and maintain during the life of this contract, an Owners Contractors Protective Liability Policy with limits of liability not less than \$3,000,000 per occurrence, combined single limit, Personal Injury, Bodily Injury and Property Damage. The City of Birmingham shall be "Name Insured" on said coverage. Thirty (30) days Notice of Cancellation shall apply to this policy.
- H. Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance (and Professional Liability Insurance, if applicable), as described above, shall include an endorsement stating the following: "Thirty (30) days Advance Written Notice of Cancellation or Non-Renewal, shall be sent to: Finance Director, City of Birmingham, PO Box 3001, 151 Martin Street, Birmingham, MI 48012-3001.
- I. Proof of Insurance Coverage: Contractor shall provide the City of Birmingham at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City of Birmingham, as listed below.
- 1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance;
  - 2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
  - 3) Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;
  - 4) Two (2) copies of Certificate of Insurance for Professional Liability Insurance;
  - 5) If so requested, Certified Copies of all policies mentioned above will be furnished.
- J. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, Contractor shall deliver renewal certificates and/or policies to the City of Birmingham at least (10) days prior to the expiration date.
- K. Maintaining Insurance: Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the Agreement, the City of Birmingham may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the City of Birmingham shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.
13. To the fullest extent permitted by law, the Contractor and any entity or person for whom the Contractor 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 and 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 Agreement. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the City of Birmingham.

14. If, after the effective date of this Agreement, any official of the City, or spouse, child, parent or in-law of such official or employee shall become directly or indirectly interested in this Agreement or the affairs of the Contractor, the City shall have the right to terminate this Agreement without further liability to the Contractor if the disqualification has not been removed within thirty (30) days after the City has given the Contractor notice of the disqualifying interest. Ownership of less than one percent (1%) of the stock or other equity interest in a corporation or partnership shall not be a disqualifying interest. Employment shall be a disqualifying interest.

15. If Contractor fails to perform its obligations hereunder, the City may take any and all remedial actions provided by the general specifications or otherwise permitted by law.

16. All notices required to be sent pursuant to this Agreement shall be mailed to the following addresses: City of Birmingham  
Department of Public Services  
Attn: Jacky Brito  
851 South Eton Street  
Birmingham, MI 48009  
(248) 417-7774

17. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 48th District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds \$1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL§600.5001 et. seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court or the 48th District Court.

18. FAIR PROCUREMENT OPPORTUNITY: Procurement for the City of Birmingham will be handled in a manner providing fair opportunity for all businesses. This will be accomplished without abrogation or sacrifice of quality and as determined to be in the best interest of the City of Birmingham.

**IN WITNESS WHEREOF, the said parties have caused this Agreement to be executed as of the date and year above written.**

WITNESSES:

Diane Fantauzzo  
Diane Fantauzzo

CONTRACTOR

By: Jeff Miller  
Its: President Jeff Miller

CITY OF BIRMINGHAM

\_\_\_\_\_

By: \_\_\_\_\_

Its: Mayor Andrew M. Harris

\_\_\_\_\_

By: \_\_\_\_\_

Cherilynn Mynsberge

Its: City Clerk

Approved:

Lauren A. Wood  
Lauren A. Wood, Director of Public  
Services  
(Approved as to substance)

B. Mark Gerber  
B. Mark Gerber, Director of Finance  
(Approved as to financial obligation)

Timothy J. Currier  
Timothy J. Currier, City Attorney  
(Approved as to form)

Joseph A. Valentine  
Joseph A. Valentine, City Manager  
(Approved as to substance)



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/16/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Morris Insurance Group, Inc. Little-Killebrew-Steiger 22440 Hall Road Clinton Township MI 48036	<b>CONTACT NAME:</b> Shelle Kipp <b>PHONE (A/C, No, Ext):</b> (586) 569-0440 <b>FAX (A/C, No):</b> (586) 569-0384 <b>E-MAIL ADDRESS:</b> shelle.kipp@MorrisInsuranceGroup.com														
<b>INSURED</b> Kyle Builders Inc 4445 22 Mile Rd Shelby Township MI 48317-1500	<table border="1"><thead><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A: Home-Owners Ins. Co.</td><td>26638</td></tr><tr><td>INSURER B: Accident Fund of MI</td><td>10166</td></tr><tr><td>INSURER C:</td><td></td></tr><tr><td>INSURER D:</td><td></td></tr><tr><td>INSURER E:</td><td></td></tr><tr><td>INSURER F:</td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Home-Owners Ins. Co.	26638	INSURER B: Accident Fund of MI	10166	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER E:															
INSURER F:															

**COVERAGES**

CERTIFICATE NUMBER: 2017 2018

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS														
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	04896544	10/1/2017	10/1/2018	<table border="1"><tr><td>EACH OCCURRENCE</td><td>\$ 1,000,000</td></tr><tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td>\$ 300,000</td></tr><tr><td>MED EXP (Any one person)</td><td>\$ 10,000</td></tr><tr><td>PERSONAL &amp; ADV INJURY</td><td>\$ 1,000,000</td></tr><tr><td>GENERAL AGGREGATE</td><td>\$ 2,000,000</td></tr><tr><td>PRODUCTS - COMP/OP AGG</td><td>\$ 2,000,000</td></tr><tr><td></td><td>\$</td></tr></table>	EACH OCCURRENCE	\$ 1,000,000	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000	MED EXP (Any one person)	\$ 10,000	PERSONAL & ADV INJURY	\$ 1,000,000	GENERAL AGGREGATE	\$ 2,000,000	PRODUCTS - COMP/OP AGG	\$ 2,000,000		\$
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B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	WCV6134104	10/1/2017	10/1/2018	<table border="1"><tr><td><input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER</td><td></td></tr><tr><td>E L EACH ACCIDENT</td><td>\$ 500,000</td></tr><tr><td>E L DISEASE - EA EMPLOYEE</td><td>\$ 500,000</td></tr><tr><td>E L DISEASE - POLICY LIMIT</td><td>\$ 500,000</td></tr></table>	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER		E L EACH ACCIDENT	\$ 500,000	E L DISEASE - EA EMPLOYEE	\$ 500,000	E L DISEASE - POLICY LIMIT	\$ 500,000						
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E L DISEASE - EA EMPLOYEE	\$ 500,000																			
E L DISEASE - POLICY LIMIT	\$ 500,000																			

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage be primary, contributing, excess

**CERTIFICATE HOLDER****CANCELLATION**

The City of Birmingham  
PO Box 3001  
151 Martin St  
Birmingham, MI 48012-3001

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Bruce Morris/MMK

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Home-Owners Insurance Company

55200 (6-96)Y

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **AMENDMENT OF LOCATION AND PROJECT AGGREGATE LIMITS OF INSURANCE**

This endorsement modifies insurance provided under the following:

**COMMERCIAL GENERAL LIABILITY COVERAGE PART.**

1. The General Aggregate Limit under LIMITS OF INSURANCE (Section III) applies separately to each of your "locations" owned by or rented to you.

"Location" means premises involving the same or connecting lots, or premises whose connection is interrupted only by a street, roadway, waterway or right-of-way of a railroad.

2. The General Aggregate Limit under LIMITS OF INSURANCE (SECTION III) applies separately to each of your projects away from premises owned by or rented to you.

55200 (6-96)Y

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Copyright, Insurance Services Office, Inc., 1984

Page 1 of 1

Home-Owners Insurance Company

COMMERCIAL GENERAL LIABILITY  
55373 (1-07)Y**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **BLANKET ADDITIONAL INSURED**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM.

**A. Under SECTION II - WHO IS AN INSURED, the following is added:**

A person or organization is an Additional Insured, only with respect to liability arising out of "your work" for that Additional Insured by or for you:

1. If required in a written contract or agreement; or
2. If required by an oral contract or agreement only if a Certificate of Insurance was issued prior to the loss indicating that the person or organization was an Additional Insured.

**B. Under SECTION III - LIMITS OF INSURANCE, the following is added:**

The limits of liability for the Additional Insured are those specified in the written contract or agreement between the insured and the owner, lessee or contractor or those specified in the Certificate of Insurance, if an oral contract or agreement, not to exceed the limits provided in this policy. These limits are inclusive of and not in addition to the limits of insurance shown in the Declarations.

**C. SECTION IV - COMMERCIAL GENERAL LIABILITY CONDITIONS, is amended as follows:**

1. The following provision is added to 4. **Other Insurance:**

This insurance is primary for the Additional Insured, but only with respect to liability arising out of "your work" for that Additional Insured by or for you. Other insurance available to the Additional Insured will apply as excess insurance and not contribute as primary insurance to the insurance provided by this endorsement.

**2. The following provision is added:**

**Other Additional Insured Coverage Issued By Us**

If this policy provides coverage for the same loss to any Additional Insured specifically shown as an Additional Insured in another endorsement to this policy, our maximum limit of insurance under this endorsement and any other endorsement shall not exceed the limit of insurance in the written contract or agreement between the insured and the owner, lessee or contractor, or the limits provided in this policy, whichever is less. Our maximum limit of insurance arising out of an "occurrence", shall not exceed the limit of insurance shown in the Declarations, regardless of the number of insureds or Additional Insureds.

All other policy terms and conditions apply.

Home-Owners Insurance Company

COMMERCIAL GENERAL LIABILITY  
55091 (10-08)Y**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## COMMERCIAL GENERAL LIABILITY PLUS ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

### 1. EXTENDED WATERCRAFT LIABILITY

Under **SECTION I - COVERAGES, COVERAGE A. BODILY INJURY AND PROPERTY DAMAGE LIABILITY, 2. Exclusions, g.,** exclusion (2) is deleted and is replaced by the following:

(2) A watercraft you do not own that is:

- (a) Less than 50 feet long; and
- (b) Not being used to carry persons or property for a charge;

### 2. HIRED AUTO AND NON-OWNED AUTO LIABILITY

Coverage for "bodily injury" and "property damage" liability provided under **SECTION I COVERAGES, COVERAGE A. BODILY INJURY AND PROPERTY DAMAGE LIABILITY**, is extended as follows under this item, but only if you do not have any other insurance available to you which affords the same or similar coverage.

#### Coverage

We will pay those sums the insured becomes legally obligated to pay as damages because of "bodily injury" or "property damage" arising out of the maintenance or use of an "auto":

- a. You do not own;
- b. Which is not registered in your name; or
- c. Which is not leased or rented to you for more than ninety consecutive days

and which is used in your business.

#### Exclusions

With respect to only **HIRED AUTO AND NON-OWNED AUTO LIABILITY**, the exclusions which apply to **SECTION I - COVERAGES, COVERAGE A. BODILY INJURY AND PROPERTY DAMAGE LIABILITY**, other than the Nuclear Energy Liability Exclusion Endorsement, do not apply. The following exclusions apply to this coverage:

This coverage does not apply to:

- a. "Bodily injury" or "property damage" expected or intended from the standpoint of the insured. This exclusion does not apply to "bodily injury" resulting from the use of reasonable force to protect persons or property.
- b. Any obligation of the insured under a workers compensation, disability benefits or unemployment compensation law or any similar law.
- c. (1) "Bodily injury" or "property damage" arising out of the actual, alleged or threatened discharge, dispersal, seepage, migration, release or escape of "pollutants":
  - (a) That are, or are contained in any property that is:
    - 1) Being transported or towed by, handled or prepared for placement into or upon, or taken from the "auto";
    - 2) Otherwise in the course of transit by you or on your behalf; or

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3) Being disposed of, stored, treated or processed into or upon the "auto";

(b) Before such "pollutants" or property containing "pollutants" are moved from the place they are accepted by you or anyone acting on your behalf for placement into or onto the "auto"; or

(c) After such "pollutants" or property containing "pollutants" are removed from the "auto" to where they are delivered, disposed of or abandoned by you or anyone acting in your behalf.

c. (1) (a) above does not apply to "pollutants" that are needed or result from the normal mechanical, electrical or hydraulic functioning of the "auto" or its parts, if the discharge, release, escape, seepage, migration or dispersal of such "pollutants" is directly from a part of the "auto" designed to hold, store, receive or dispose of such "pollutants" by the "auto" manufacturer.

c. (1) (b) and c. (1) (c) above do not apply, if as a direct result of maintenance or use of the "auto", "pollutants" or property containing "pollutants" which are not in or upon the "auto", are upset, overturned or damaged at any premises not owned by or leased to you. The discharge, release, escape, seepage, migration or dispersal of the "pollutants" must be directly caused by such upset, overturn or damage.

(2) Any loss, cost or expense arising out of any:

(a) Request, demand or order that any insured or others test for, monitor, clean up, remove, contain, treat, detoxify or neutralize, or in any way respond to, or assess the effects of "pollutants"; or

(b) Claim or "suit" by or on behalf of a governmental authority for damages because of testing for, monitoring, cleaning up, removing, containing, treating, detoxifying or neutralizing, or in any way responding to, or assessing the effects of "pollutants".

d. "Bodily injury" or "property damage" however caused, arising directly or indirectly, out of:

(1) War, including undeclared or civil war;

(2) Warlike action by a military force, including action in hindering or defending against an actual or expected attack, by any government, sovereign or other authority using military personnel or other agents; or

(3) Insurrection, rebellion, revolution, usurped power, or action taken by governmental authority in hindering or defending against any of these.

e. "Bodily injury" or "property damage" for which the insured is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages:

(1) Assumed in a contract or agreement that is an "insured contract", provided the "bodily injury" or "property damage" occurs subsequent to the execution of the contract or agreement. However, if the insurance under this policy does not apply to the liability of the insured, it also does not apply to such liability assumed by the insured under an "insured contract".

(2) That the insured would have in the absence of the contract or agreement.

f. "Property damage" to:

(1) Property owned or being transported by, or rented or loaned to any insured; or

(2) Property in the care, custody or control of any insured other than "property damage" to a residence or a private garage by a private passenger "auto" covered by this coverage.

g. "Bodily injury" to:

(1) An "employee" of the insured arising out of and in the course of employment by the insured; or

(2) The spouse, child, parent, brother or sister of that "employee" as a consequence of Paragraph (1) above.

This exclusion applies:

- (1) Whether the insured may be liable as an employer or in any other capacity; and
- (2) To any obligation to share damages with or repay someone else who must pay damages because of the injury.

This exclusion does not apply to:

- (1) Liability assumed by the insured under an "insured contract".
- (2) "Bodily injury" to any "employee" of the insured arising out of and in the course of his domestic employment by the insured unless benefits for such injury are in whole or in part either payable or required to be provided under any workers compensation law.

### Who Is An Insured

With respect to only this coverage, **SECTION II - WHO IS AN INSURED**, is deleted and replaced by the following:

### SECTION II - WHO IS AN INSURED

Each of the following is an insured with respect to this coverage:

- a. You.
- b. Your partners if you are designated in the Declarations as a partnership or a joint venture.
- c. Your members if you are designated in the Declarations as a limited liability company.
- d. Your "executive officers" if you are designated in the Declarations as an organization other than a partnership, joint venture or limited liability company.
- e. Any person using the "auto" and any person or organization legally responsible for the use of an "auto" not owned by such person or organization, provided the actual use is with your permission.

None of the following is an insured:

- a. Any person engaged in the business of his or her employer with respect to "bodily injury" to any co-"employee" of such person injured in the course of employment.

- b. Any person using the "auto" and any person other than you, legally responsible for its use with respect to an "auto" owned or registered in the name of:

- (1) Such person; or
- (2) Any partner or "executive officer" of yours or a member of his or her household; or
- (3) Any "employee" or agent of yours who is granted an operating allowance of any sort for the use of such "auto".

- c. Any person while employed in or otherwise engaged in duties in connection with an "auto business", other than an "auto business" you operate.
- d. The owner or lessee (of whom you are a sub-lessee) of a hired "auto" or the owner of an "auto" you do not own or which is not registered in your name which is used in your business or any agent or employee of any such owner or lessee.
- e. Any person or organization with respect to the conduct of any current or past partnership or joint venture that is not shown as a Named Insured in the Declarations.

### Additional Definitions

The following definition applies to only this coverage:

"Auto business" means the business or occupation of selling, repairing, servicing, storing or parking "autos".

### Limits of Insurance

With respect to only this coverage, **SECTION III - LIMITS OF INSURANCE**, is deleted and replaced by the following:

### SECTION III - LIMITS OF INSURANCE

- a. The Limits of Insurance shown in the Declarations and the rules below fix the most we will pay regardless of the number of:
  - (1) Insureds;
  - (2) Claims made or "suits" brought; or

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(3) Persons or organizations making claims or bringing "suits".

b. We will pay damages for "bodily injury" or "property damage" up to the limits of liability stated in the Declarations for this coverage. Such damages shall be paid as follows:

(1) When Hired Auto and Non-Owned Auto Each Occurrence Limit is shown in the Declarations, such limit is the total amount of coverage and the most we will pay for all damages because of or arising out of all "bodily injury" and "property damage" in any one "occurrence".

(2) When Bodily Injury Hired Auto and Non-Owned Auto Each Occurrence Limit and Property Damage Hired Auto and Non-Owned Auto Each Occurrence Limit are shown in the Declarations:

(a) The limit shown for Bodily Injury Hired Auto and Non-Owned Auto Each Occurrence is the total amount of coverage and the most we will pay for all damages because of or arising out of all "bodily injury" in any one "occurrence".

(b) The limit shown for Property Damage Hired Auto and Non-Owned Auto Each Occurrence is the total amount of coverage and the most we will pay for all damages because of or arising out of all "property damage" in any one "occurrence".

### 3. BROADENED SUPPLEMENTARY PAYMENTS

Under **SECTION I - COVERAGES, COVERAGE A. BODILY INJURY AND PROPERTY DAMAGE LIABILITY, COVERAGE B. PERSONAL INJURY AND ADVERTISING INJURY LIABILITY** and **SUPPLEMENTARY PAYMENTS - COVERAGES A AND B:**

Paragraph 4., the amount we will pay for the actual loss of earnings is increased from \$250 per day to \$400 per day.

### 4. ADDITIONAL PRODUCTS-COMPLETED OPERATIONS AGGREGATE LIMIT

If the endorsement, **EXCLUSION - PRODUCTS COMPLETED OPERATIONS HAZARD, CG 21 04,**

is not attached to this policy, then the following is added to **SECTION III - LIMITS OF INSURANCE:**

Commencing with the effective date of this policy, we will provide one additional Products-Completed Operations Aggregate Limit, for each annual period, equal to the amount of the Products-Completed Operations Aggregate Limit shown in the Declarations. The maximum Products-Completed Operations Aggregate Limit for any annual period will be no more than two times the original Products-Completed Operations Aggregate Limit.

### 5. PERSONAL INJURY EXTENSION

a. If the endorsement **EXCLUSION - PERSONAL INJURY AND ADVERTISING INJURY, 55350,** is attached to this policy, then this provision, **5. PERSONAL INJURY EXTENSION,** does not apply.

b. If the endorsement **EXCLUSION - PERSONAL INJURY AND ADVERTISING INJURY, 55350,** is not attached to this policy, then under **SECTION V - DEFINITIONS, 15. "Personal injury"** is deleted and replaced by the following:

**15. "Personal injury"** means, other than "bodily injury", arising out of one or more of the following offenses:

- a. False arrest, detention or imprisonment;
- b. Malicious prosecution;
- c. The wrongful eviction from, wrongful entry into, or invasion of the right of private occupancy of a room, dwelling or premises that a person occupies by or on behalf of its owner, landlord or lessor;
- d. Oral or written publication of material that slanders or libels a person or organization or disparages a person's or organization's goods, products or services;
- e. Oral or written publication of material that violates a person's right of privacy; or
- f. Discrimination, humiliation, sexual harassment and any violation of civil rights caused by such discrimination, humiliation or sexual harassment.

**6. BROADENED KNOWLEDGE OF OCCURRENCE**

Under **SECTION IV - COMMERCIAL GENERAL LIABILITY CONDITIONS, 2. Duties In The Event Of Occurrence, Offense, Claim Or Suit**, the following paragraph is added:

Paragraphs **a.** and **b.** of this condition will not serve to deny any claim for failure to provide us with notice as soon as practicable after an "occurrence" or an offense which may result in a claim:

- a.** If the notice of a new claim is given to your "employee"; and
- b.** That "employee" fails to provide us with notice as soon as practicable.

This exception shall not apply:

- a.** To you; or
- b.** To any officer, director, partner, risk manager or insurance manager of yours.

**7. DAMAGE TO PREMISES RENTED TO YOU**

Under **SECTION I - COVERAGES, COVERAGE A. BODILY INJURY AND PROPERTY DAMAGE LIABILITY**, the last paragraph is deleted and replaced by the following:

Exclusions **c.** through **n.** do not apply to damage by fire, lightning, explosion, smoke or water damage to premises rented to you or temporarily occupied by you with permission of the owner. A separate limit of insurance applies to this coverage as described in **7. DAMAGE TO PREMISES RENTED TO YOU, a. Limits of Insurance.**

The following additional exclusions apply to "property damage" arising out of Water Damage to premises rented to you or temporarily occupied by you with permission of the owner:

**(1) "Property damage" to:**

- (a)** The interior of the premises caused by or resulting from rain or snow, whether driven by wind or not; or
- (b)** Heating, air conditioning, plumbing or fire protection systems, or other equipment or appliances.

**(2) "Property damage" caused by or resulting from any of the following:**

- (a)** Mechanical breakdown, including bursting or rupture caused by centrifugal force;
- (b)** Cracking, settling, expansion or shrinking;
- (c)** Smoke or smog;
- (d)** Birds, insects, rodents or other animals;
- (e)** Wear and tear;
- (f)** Corrosion, rust, decay, fungus, deterioration, hidden or latent defect or any quality in property that causes such property to destroy or damage itself; or
- (g)** Water that flows or leaks from any heating, air conditioning, plumbing or fire protection system caused by or resulting from freezing, unless:

- 1)** You make a reasonable effort to maintain heat in the building or structure; or
- 2)** You drain the equipment and shut off the water supply if the heat is not maintained.

**(3) "Property damage" caused directly or indirectly by any of the following:**

- (a)** Water that backs up from a drain or sewer;
- (b)** Mud flow or mudslide;
- (c)** Volcanic eruption, explosion or effusion;
- (d)** Any earth movement, such as earthquake, landslide, mine subsidence, earth sinking, earth rising or earth shifting;
- (e)** Regardless of the cause, flood, surface water, waves, tides, tidal waves, storm surge, overflow of any body of water, or their spray, all whether wind driven or not;

- (f) Water under the ground surface pressing on, or seeping or flowing through:

- 1) Walls, foundations, floors or paved surfaces;
- 2) Basements, whether paved or not; or
- 3) Doors, windows or other openings.

- (4) "Property damage" for which the insured is obligated to pay as damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the insured would have in the absence of this contract or agreement.

**a. Limits of Insurance**

With respect to this coverage only, under **SECTION III - LIMITS OF INSURANCE**, paragraph 6. is deleted and replaced by the following:

6. The most we will pay under Coverage A for damages because of "property damage" to premises rented to you or temporarily occupied by you with permission of the owner arising out of or caused by fire, lightning, explosion, smoke and water damage is the amount shown in the Declarations under Damage to Premises Rented to You.

- b. Under **SECTION IV - COMMERCIAL GENERAL LIABILITY CONDITIONS**, 4. Other Insurance, paragraph b., the word fire is amended to include fire, lightning, explosion, smoke or water damage.

**8. BLANKET ADDITIONAL INSURED - LESSOR OF LEASED EQUIPMENT**

- a. **SECTION II - WHO IS AN INSURED** is amended to include as an additional insured any person or organization with whom you have agreed:

- (1) In a written contract or agreement, executed prior to loss, to name as an additional insured; or
- (2) In an oral contract or agreement, executed prior to loss, to name as an additional

insured only if a Certificate of Insurance was issued prior to loss indicating that the person or organization was an additional insured

but only with respect to liability for:

- (1) "Bodily injury";
- (2) "Property damage";
- (3) "Personal injury"; or
- (4) "Advertising injury"

caused in whole or in part, by your maintenance, operation or use of equipment leased to you by such person or organization.

- b. With respect to the insurance afforded to an additional insured, this insurance does not apply to any "occurrence" which takes place after the equipment lease expires.

- c. The following is added to **SECTION III - LIMITS OF INSURANCE**:

The Limits of Insurance for the additional insured are those specified in the written contract or agreement between the insured and the lessor, not to exceed the limits provided in this policy. These limits are inclusive of and not in addition to the Limits of Insurance shown in the Declarations.

**9. BLANKET ADDITIONAL INSURED - MANAGERS OR LESSORS OF PREMISES**

- a. **SECTION II - WHO IS AN INSURED** is amended to include as an additional insured any person or organization with whom you have agreed:

- (1) In a written contract or agreement, executed prior to loss, to name as an additional insured; or
- (2) In an oral contract or agreement, executed prior to loss, to name as an additional insured only if a Certificate of Insurance was issued prior to loss indicating that the person or organization was an additional insured

but only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you.



- b. This provision is subject to the following additional exclusions, applicable to this provision only:

- (1) Any "occurrence" which takes place after you cease to be a tenant in that premises.
- (2) Structural alterations, new constructions or demolition operations performed by or on behalf of the additional insured.

- c. The following is added to **SECTION III - LIMITS OF INSURANCE**:

The Limits of Insurance for the additional insured are those specified in the written contract or agreement between the insured and the manager or lessor of the premises, not to exceed the limits provided in this policy. These limits are inclusive of and not in addition to the Limits of Insurance shown in the Declarations.

#### **10. NEWLY FORMED OR ACQUIRED ORGANIZATIONS**

Under **SECTION II - WHO IS AN INSURED**, Paragraph 4. is deleted and replaced by the following:

4. Any organization you newly acquire or form, other than a partnership, joint venture or limited liability company, and over which you maintain ownership or majority interest, will qualify as a Named Insured if there is no other similar insurance available to that organization. However:
  - a. Coverage under this provision is afforded only until the 180th day after you acquire or

form the organization or the end of the policy period, whichever is earlier;

- b. Coverage A does not apply to "bodily injury" or "property damage" that occurred before you acquired or formed the organization; and
- c. Coverage B does not apply to "personal injury" or "advertising injury" arising out of an offense committed before you acquired or formed the organization.

No person or organization is an insured with respect to the conduct of any current or past partnership, joint venture or limited liability company that is not shown as a Named Insured in the Declarations.

#### **11. BLANKET WAIVER OF SUBROGATION**

The following is added to **SECTION IV - COMMERCIAL GENERAL LIABILITY CONDITIONS, 8. Transfer Of Rights of Recovery Against Others To Us**.

When you have agreed to waive your right of subrogation in a written contract, executed prior to loss, with any person or organization, we waive any right to recovery we may have against such person or organization because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard".

All other policy terms and conditions apply.



## MEMORANDUM

Finance Department

**DATE:** February 16, 2018

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

**FROM:** Teresa Klobucar, Deputy Treasurer  
Mark Gerber, Finance Director/Treasurer

**SUBJECT:** Resolution for Confirming S.A.D. # 880 – Old Woodward Avenue Sewer and Water Lateral Replacement

For purposes of defraying the cost of Sewer and Water Lateral replacement that would specially benefit properties within the limits of the Old Woodward Avenue Paving Project, it is requested that the City Commission adopt the following resolution confirming S.A.D. No. 880 at the regular City Commission meeting of February 26, 2018. Comments during the hearing of confirmation are limited to those questions specifically addressing the assessment roll pursuant to Section 94-9 of the City Code. The hearing declaring the necessity of the Special Assessment District was held at the City Commission meeting of February 12, 2018.

**SUGGESTED RESOLUTION:**

To confirm Special Assessment Roll No. 880, to defray the cost of Sewer and Water Lateral Replacement

WHEREAS, Special Assessment Roll, designated Roll No. 880, has been heretofore prepared for collection, and

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

WHEREAS, the Commission has deemed it practicable to cause payment of the cost thereof to be made at a date closer to the time of construction and

Commission Resolution 02-039-18 provided it would meet this 26th day of February 2018 for the sole purpose of reviewing the assessment roll, and

WHEREAS, at said hearing held this February 12, 2018, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll as determined in Section 94-9 of the Code of the City of Birmingham,

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 880 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that special assessments shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of five and a half percent (5.5%) on all unpaid installments.

SAD 880			
Old Woodward Avenue Sewer and Water Lateral Replacement			
<u>Parcel ID</u>	<u>Address</u>		<u>Amount</u>
19-25-378-026	275	N. Old Woodward Ave.	\$ 3,080.00
19-25-378-027	265	N. Old Woodward Ave.	\$ 2,884.00
19-25-378-014	233-239	N. Old Woodward Ave.	\$ 10,318.00
19-25-378-015	215-229	N. Old Woodward Ave.	\$ 2,884.00
19-25-378-016	183-191	N. Old Woodward Ave.	\$ 5,768.00
19-25-378-094	101-167	N. Old Woodward Ave.	\$ 5,768.00
19-36-201-011	100	S. Old Woodward Ave.	\$ 3,090.00
19-36-201-012	106-112	S. Old Woodward Ave.	\$ 3,090.00
19-36-201-013	114-116	S. Old Woodward Ave.	\$ 3,090.00
19-36-201-014	124-128	S. Old Woodward Ave.	\$ 9,666.00
19-36-201-015	138-142	S. Old Woodward Ave.	\$ 5,858.00
19-36-201-021	154	S. Old Woodward Ave.	\$ 3,296.00
19-36-201-018	160-168	S. Old Woodward Ave.	\$ 9,462.00
19-36-202-016	298	S. Old Woodward Ave.	\$ 7,874.00
19-25-456-001	188	N. Old Woodward Ave.	\$ 2,060.00
19-36-456-002	152-172	N. Old Woodward Ave.	\$ 4,860.00
19-25-456-039	100-136	N. Old Woodward Ave.	\$ 11,496.00
19-36-206-001	101-115	S. Old Woodward Ave.	\$ 1,190.00
19-36-206-006	181-201	S. Old Woodward Ave.	\$ 5,552.00
19-36-206-008	217-239	S. Old Woodward Ave.	\$ 5,014.00
19-25-378-011	142	W. Maple Rd.	\$ 3,512.00
19-25-378-012	138	W. Maple Rd.	\$ 1,040.00
19-25-456-017	129-135	E. Maple Rd.	\$ 3,886.00
19-25-456-018	205-213	E. Maple Rd.	\$ 3,989.00
	TOTAL		\$ 118,727.00

138 S. Old Woodward LLC  
89 Lone Pine  
Bloomfield Hills, MI 48304

February 10, 2018

Mr. Paul T. O'Meara  
City of Birmingham  
151 Martin St.  
Birmingham, MI 48012-3001

Dear Mr. O'Meara:

Please be advised that 138 S. Old Woodward, LLC, which owns the building containing 138 and 142 S. Old Woodward, is opposed to the 2018 construction plans as currently presented.

Your letter informs us that you plan to replace the entire road, sidewalk, landscaping and underground pipelines, and that we are responsible for a very substantial portion of the cost. In addition to your proposed assessment, the business of our tenants will also be disrupted with considerable loss of their income, for at least the four months that you are suggesting in your letter, if not longer.

Improvements to the shopping district are of value to all business owners in the shopping district, not just to the businesses that happen to be adjacent to the work, and the cost should be shared among all. Instead of charging the building owners whose businesses are disrupted by these plans, the City, which is ultimately responsible for infrastructure, should pay this cost from the more than adequate taxes that it already assesses, and/or should float a bond issue.

It is outrageous that the City proposes paying only 25% of the cost, while assessing the specific property owners 75%. Not only is this assessment unfair and its amount exorbitant, but also, in sheer dollar terms, it represents a material portion of the income stream that these properties produce. In fact, the disruption caused by this construction could be catastrophic for a struggling business.

Our tenants, and I, are concerned about the impact that this additional assessment will have on their businesses.. For all of these reasons, we are opposed to the 2018 construction plans.

Very truly yours,  
138 S. Old Woodward, LLC



Dr. Karni Frank



## MEMORANDUM

Engineering Dept.

**DATE:** February 2, 2018

**TO:** Joseph Valentine, City Manager

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

**SUBJECT:** Old Woodward Ave. Paving Project  
Willits St. to Brown St.  
Sewer & Water Lateral Replacement Special Assessment District  
Public Hearing

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At the Commission meeting of January 8, 2018, the City Commission set a date of February 12, 2018 to hold a public hearing of necessity for the replacement of sewer and water laterals located within the limits of the Old Woodward Ave. Paving Project. Also at that meeting, a confirmation hearing date of February 26, 2018 was set, should the assessment district be authorized. Attached for your information are the previous report that was prepared on this subject, as well as the public hearing notice most recently sent out.

All owners in the district have been sent the attached letter. Since tenants are sometimes involved in these expenses, the letter and hearing notice was also hand carried to all tenants within the project area. To date, our office has received phone calls from very few affected owners or tenants. Questions received have been based on clarifications as to what will happen, but to date, no objections have been raised.

As identified on the attached detailed list, note that the policy for inclusion in this district is as follows:

Sewer Laterals – All active sewer laterals identified as being over 50 years old shall be replaced. Given the commercial nature of the project, some older sewer laterals will be larger sizes, including 8 inch, 10 inch, and 12 inch (designed to carry roof drainage). In these cases, the owner will be charged the higher unit price, as identified on the list.

Water Laterals – All active water services currently less than 1 inch diameter will be replaced with new 1 inch plastic pipe. In addition, all lead water services will be replaced with new plastic pipe, matching their existing size, or at least 1 inch minimum, whichever is greater.

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

SUGGESTED RESOLUTION:

WHEREAS, The City Commission has established a policy requiring the replacement of all sewer laterals that are over 50 years old when the City street is open for reconstruction; and

WHEREAS, The City Commission has established a policy requiring the replacement of undersized or lead water lateral lines when the City street is open for reconstruction; and

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

RESOLVED, that all sewer and water laterals not meeting current criteria located within the limits of the following properties shall be replaced as a part of the paving project on Old Woodward Ave. from Willits St. to Brown St.

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 and water laterals shall be charged to the adjoining property owners benefiting from the sewer or 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. 27"**

Lot 4, except that part taken for Willits Alley right-of-way, lot 5, lot 6.

**"Assessor's Plat No. 19"**

The easterly 44 ft. of lot 4, except that part taken for Willits Ally right-of-way, lots 5-10 inclusive, except that part taken for Willits Ally right-of-way.

**"Assessor's Plat No. 21"**

Lots 20-28 inclusive.

**"Merrill's Plat"**

The northerly 80.76 ft. of the westerly 13 ft. of lot 2, lot 3.

**"Assessor's Plat No. 24"**

Lots 1-8 inclusive.

**"Assessor's Plat No. 25"**

The easterly 27.07 ft. of the southerly 44.25 ft. of lot 3, the easterly 35.98 ft. of lot 21, lots 22 through 24 inclusive.

**"Assessor's Replat of Lots 1-9 Inclusive Brownell Subdivision and Lots 8-15 Inclusive Part of Lot 16 and Vacated Street of Hunter's Eastern Addition"**

Lots 1,2,4.

RESOLVED, that the Commission shall meet on Monday, February 26, 2018, at 7:30 P.M., for the purpose of conducting a public hearing to confirm the roll for the replacement of sewer and water laterals within the Old Woodward Ave. Paving Project.



**NOTICE OF PUBLIC HEARINGS**  
**BIRMINGHAM CITY COMMISSION**  
**PUBLIC HEARING OF NECESSITY**  
**PUBLIC HEARING OF CONFIRMATION**

Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, February 12, 2018, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, February 26, 2018, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Location:	Within the Old Woodward Paving Project Area
Nature of Improvement:	Installation of sewer and water services within the Old Woodward Ave. Paving Project area
City Staff Contact:	Paul O'Meara 248.530.1836 <a href="mailto:pomeara@bhamgov.org">pomeara@bhamgov.org</a>
Notice Requirements:	Mail to affected property owners Publish January 14 <sup>th</sup> and January 21 <sup>st</sup> , 2018
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.



January 11, 2018

**NOTICE!**  
**DOWNTOWN CONSTRUCTION PLANS FOR 2018**

The City of Birmingham has hired Angelo Iafrate Construction Co. to reconstruct Old Woodward Ave. from Willits St. to Brown St. in 2018. About 400 feet of Maple Rd. will be impacted as well. The following will give you detailed information to help you be prepared for what will happen during the upcoming months.

The goal of this project is to completely renew this corridor, with new sewer and water main, new concrete street, new sidewalks, landscaping, traffic signals, and street lights. While dates are estimated and subject to change, the following outlines what is intended at this time:

1. Starting in early February, a professional video filming contractor will be in the area, taking pictures of each building. Pictures will be taken of the outside of each building wherever possible to help document current conditions. Where permission is granted, filming of the inside of the adjacent structures will also occur. Filming is intended to provide a record of all current conditions, both inside and out. Please see additional information on a separate letter.
2. At the end of February, the City's forestry contractor will close off sections of parking in order to start removal of existing trees. Work will start at 7 AM, and end about 11 AM, so as to reduce impact on the businesses. Parking space closures will generally extend on one side of the street only, for just one half of the block, so that parking impact is kept to a minimum. Removal of the trees will allow the City to create a whole new and improved landscaping scheme that will become a central feature of the new streetscape.
3. Starting in the third or fourth week of March, Old Woodward Ave. will be closed to ALL vehicle traffic from Willits St. to Brown St. Traffic will be allowed to travel through the job site on Maple Rd. and Brown St. After several weeks, as work progresses, the contractor will divert westbound Maple Rd. to bypass the work area via Park St., Oakland Blvd., and Willits St. Westbound Brown St. will also be diverted away from the job site.
4. Before the road is closed to traffic, temporary plywood walls with signs, banners, and lights will be set up about five to six feet from the face of all buildings, to maintain visitors' access to each buildings' front door. Designated pedestrian crossings will also be maintained at the Maple Rd. and Merrill St. intersections to improve accessibility. Sidewalks will remain open on most days throughout the job site, except for when underground pipelines are being replaced up to the face of the buildings.
5. The first phase of work will be replacement of underground pipelines. All new water main, sewer, fiber optic communications, electrical, and irrigation is planned. Pipeline replacement will include building service laterals where needed to meet current code. Special assessments will apply for this work. Review your packet of information to see if an assessment will pertain to you.
6. Landscaping work will include removal of existing soils and replacement with specially formulated organic soil for each new tree, so that future trees will grow faster and stronger.

7. Once underground work is completed, the contractor will install a new three lane wide concrete street, featuring medians at select points, a mid-block crossing, with new mast-arm traffic signals at all intersections.
8. Once the street is paved, sidewalks will be removed in relatively short sections to ensure that whatever is removed can be quickly replaced, keeping access to front doors open as much as possible. Sidewalks will continue the same concrete and exposed aggregate theme found in other downtown areas, supplemented with large, raised planting beds and granite seating areas.

A detailed time schedule is not yet available. Once it is, additional information will be sent out. Overall, it is our goal to have this work completed by approximately the end of July. We understand that this project will cause disruption and will impact your business while it is underway. The City is scheduling the work from late winter to 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.

Owners and tenants are encouraged to sign up for the City's Constant Contact service. You can receive electronic updates regarding this project by signing up for the 'Old Woodward Ave. Paving Project' Constant Contact group at [www.bit.ly/bhamnews](http://www.bit.ly/bhamnews).

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 three assessments, based on the attached maps included in this package. Details follow:

**Sidewalk Streetscape Assessment** – The City will be completely removing and replacing the sidewalk and trees between the front face of the buildings, and the new curb. The streetscape planned will be drastically improved from the current one, as is described above. Costs are based on 75% of all City costs to be incurred for work between the face of buildings and the new curb. On Old Woodward Ave., the assessment is estimated at \$38.03 per square foot of frontage, and on Maple Rd. frontages, \$32.59 per sq.ft. The average assessment is estimated at \$47,700 per building. The 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).

**Water & Sewer Lateral Assessment** – As with all City street projects, water laterals that are too small or made with lead pipe must be replaced. Also, all building sewer laterals (your individual building connection to the City sewer in the street) will be removed and replaced if the current sewer pipe is over 50 years old. Water and sewer lateral replacement is a direct benefit to the building being served. Costs will average from \$2,100 for water to \$2,500 for sewer. If these pipelines were to be replaced under an emergency condition, the cost to the building owner would typically be at least \$10,000. Typical priced water laterals will be charged at \$65 per foot for new water, and \$103 per foot for new sewer. The assessment can be paid back over 10 years if desired (with interest due each year on the remaining balance).

A public hearing has been scheduled to take comments from owners of these assessment districts at the City Commission meeting of February 12, 2018, at 7:30 PM. Please review the attached maps to determine which assessment district applies. If you have questions relative to your situation, feel free to contact the Engineering Dept. at 248-530-1850.



## MEMORANDUM

Engineering Dept.

**DATE:** December 26, 2017

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

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

**SUBJECT:** Old Woodward Ave. Paving Project  
Sewer & Water Lateral Special Assessment District  
Streetscape 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 Old Woodward Ave. between Willits St. and Brown St., as well as approximately 400 ft. of Maple Rd. west and east of Old Woodward Ave. In addition, per policy authorized within the last year, all water services less than 1 inch diameter shall be replaced with 1 inch. As a part of this new policy, all lead water services shall be replaced at owner expense, matching the size of the existing service, or at least 1 inch dia., and assessed to the adjacent owners.

As recommended under separate cover, it is anticipated that this construction contract will be awarded to Angelo Iafate Construction Co., with their low bid of \$7,078,773.32. As outlined on the attached spreadsheet, existing pipelines to be replaced range from 6 inch to 12 inch diameter for sewer services, and 1 inch to 2 inch for water services. The wide variety is a function of the variety of building ages, sizes, and uses in the project area. For the unit rate to be charged for the sewer and water services, we recommend applying the low bidder's unit prices for this work, as described below:

6 inch sewer = \$103 per foot  
8 inch sewer = \$110 per foot  
10 inch sewer = \$119 per foot  
12 inch sewer = \$127 per foot

1 inch water = \$65 per foot  
1½ inch water = \$70 per foot  
2 inch water = \$80 per foot

Following this practice is consistent with what has been done with previous downtown projects of this nature over the past several years.

Total estimated costs for these service replacements are as outlined on the attached spreadsheet. The average estimated cost for a 6 inch sewer service replacement is \$2,493, while the average estimated cost for a 1 inch water service replacement is \$2,123. Although not fully reflected on the spreadsheet, it is noted that we are working with the developers of the 298 S. Old Woodward Ave. project (Boutique Hotel), and plan to install both new sewer and water service connections to suit their needs, 100% at their cost, as a part of this project.

It is recommended that a public hearing of necessity for the replacement of sewer and water services be scheduled at the Monday, February 12, 2018 City Commission meeting. It is further recommended that the public hearing to confirm the roll be held on Monday, February 26, 2018 at the prices charged by the lowest bidder, as outlined in the attached estimated assessment roll.

**SUGGESTED ACTION:**

To adopt a resolution for the City Commission to meet on Monday, February 12, 2018, at 7:30 P.M., for the purpose of conducting a public hearing of necessity for the installation of sewer and water services within the Old Woodward Ave. Paving project area. Be it further

RESOLVED, that the City Commission meet on Monday, February 26, 2018, at 7:30 P.M. for the purpose of conducting a public hearing to confirm the roll for the installation of sewer and water services in the Old Woodward Ave. Paving project area.

## SEWER & WATER SERVICE CHART

Old Woodward Ave. Paving Project - Contract #1-18(P)

Address	Street	Type of Pipe	Date	SAD?	Estd	Estd	Estd	Estd	Estd	Water	Date	SAD?	Estd	Estd	Estd	Estd
			Installed		Length	Cost	Cost	Cost	Cost	Type	Installed		Length	Cost	Cost	Cost
						6"	8"	10"	12"					1"	1.5"	2"
						\$103	\$110	\$119	\$127					\$65	\$70	\$80

Old Woodward Ave. - Willits St. to Brown St.

### WEST SIDE

275	N. Old Woodward Ave.	On Willits	1956	N	0					On Willits	1998	N	0			
275		8" Unknown	---	Y	28		\$3,080									
265		Unknown	---	Y	28	\$2,884				2" Copper	1997	N	0			
233-239		Unknown	---	Y	28	\$2,884				1.5" Lead	---	Y	65		\$4,550	
233-239		Unknown	---	Y	28	\$2,884										
215-229		On Alley	2005	N	0					1.5" Copper	---	N	0			
215-229		Unknown	---	Y	28	\$2,884										
205		On Alley	1965	N	0					1.5" Copper	1958	N	0			
205		Unknown	---	N	0											
183-191		Unknown	---	Y	28	\$2,884				4" Ductile Iron	1985	N	0			
183-191		Unknown	---	Y	28	\$2,884				2" Copper	1983	N	0			
167		Unknown	---	Y	28	\$2,884				2" Copper	1984	N	0			
101-135		Unknown	---	Y	28	\$2,884				4" Ductile Iron	1979	N	0			
101-135		P.V.C.	2002	N	0											
100	S. Old Woodward Ave.	Unknown	---	Y	30	\$3,090				6" Ductile Iron	2016	N	0			
106-112		Unknown	---	Y	30	\$3,090				2" Copper	1991	N	0			
114-116		Unknown	---	Y	30	\$3,090				4" Ductile Iron	1991	N	0			
120										1.5" Copper	---	N	0			
124-128		Unknown	---	Y	31	\$3,193				2" Lead	---	Y	41			\$3,280
124-128		Unknown	---	Y	31	\$3,193										
138-142		Orangeburg	1953	Y	31	\$3,193				1.5" Copper	1987	N	0			
142										3/4" Lead	---	Y	41	\$2,665		
154		Unknown	---	Y	32	\$3,296				4" Cast Iron	---	N	0			
160-162		Unknown	---	Y	32	\$3,296				1" Copper	1995	N	0			
164-168		Unknown	---	Y	32	\$3,296				1.5" Lead	---	Y	41		\$2,870	
176-180		On E. Merrill	1967	N	0					On Merrill	1967	N	0			
200-210		12" Concrete	1979	N	0					6" Ductile Iron	1979	N	0			
298		6" WL Storm	1971	N	0					On Brown	1964	N	0			
298		6" OB Storm	1963	Y	62				\$7,874							
298		On Brown	1969	N	0											
300		On Brown	---	N	0					On Brown	---	N	0			

Address	Street	Type of Pipe	Date	SAD?	Estd	Estd	Estd	Estd	Estd	Water	Date	SAD?	Estd	Estd	Estd	Estd
			Installed		Length	Cost	Cost	Cost	Cost	Type	Installed		Length	Cost	Cost	Cost
						6"	8"	10"	12"					1"	1.5"	2"
						\$103	\$110	\$119	\$127					\$65	\$70	\$80

EAST SIDE

280	N. Old Woodward Ave.	10" Concrete	1973	N	0					On Ferndale	1973	N	0			
250-270		12" PVC	2001	N	0					8" Ductile Iron	2001	N	0			
250-270		12" PVC	2001	N	0											
188		Orangeburg	1953	Y	10	\$1,030				On Hamilton	1970	N	0			
188		Orangeburg	1950	Y	10	\$1,030										
152-172		Unknown	---	Y	10	\$1,030				1.5" Lead	---	Y	40		\$2,800	
152-172		8" Cast Iron	---	Y	10	\$1,030				6" Ductile Iron	---	N	0			
132-136		Wedglock	1967	Y	10	\$1,030				3/4" Lead	---	Y	40	\$2,600		
132-136										1.5" Lead	---	Y	40		\$2,800	
100-124		Orangeburg	1957	Y	12	\$1,236				1.5" Lead	---	Y	40		\$2,800	
100-124		Clay	---	Y	10	\$1,030				4" Ductile Iron	2008	N	0			
101-115	S. Old Woodward Ave.	10" Clay	---	Y	10			\$1,190		Through 177						
177		8" PVC	2007	N	0					6" Ductile Iron	2007	N	0			
181-187		Cast Iron	1946	Y	10	\$1,030				6" Ductile Iron	1996	N	0			
201		10" Unknown	---	Y	38			\$4,522		2" Copper	---	N	0			
211		Off Peabody	1996	N	0					Off Peabody	1996	N	0			
217-239		Unknown	---	Y	38	\$3,914				Through 187						
217-239		8" Cast Iron	---	Y	10		\$1,100									
255-275		Off Alley	1983	N	0					8" Ductile Iron	1983	N	0			
325		6" P.V.C.	2003	N	0					4" Ductile Iron	1990	N	0			

W. Maple Rd. - Pierce St. to E. of Old Woodward Ave.

NORTH SIDE

142	W. Maple Rd.	Unk. - To Maple	---	Y	24	\$2,472				3/4" Lead	---	Y	16	\$1,040		
138		Off Alley	---	N	0					3/4" Lead	---	Y	16	\$1,040		
120-122		Off Alley	---	N	0					1.5" Copper	---	N	0			
129-135	E. Maple Rd.	Unk. - To Maple	---	Y	27	\$2,781				3/4" Copper	---	Y	17	\$1,105		
205-213		Unk. - To Maple	---	Y	28	\$2,884				3/4" Copper	---	Y	17	\$1,105		

SOUTH SIDE

137-139	W. Maple Rd.	Unk. - To Maple	---	N	0					3/4" Lead	---	Y	49	\$3,185		
123		On Pierce	---	N	0					1.5" Copper	1947	N	0			
115		On Pierce	2013	N	0					On Pierce	1939	N	0			

TOTALS

\$72,306 \$4,180 \$5,712 \$7,874

\$12,740 \$15,820 \$3,280

# Downtown Sewer Assessment District



## Legend

 Sewer Assessment District



0 65 130 260 390 520 Feet



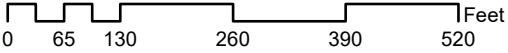


# Downtown Water Assessment District



## Legend

 Water Assessment District





## MEMORANDUM

Finance Department

**DATE:** February 16, 2018

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

**FROM:** Teresa Klobucar, Deputy Treasurer  
Mark Gerber, Finance Director/Treasurer

**SUBJECT:** Resolution for Confirming S.A.D. # 881 – Old Woodward Avenue Streetscape Enhancements

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For purposes of defraying the cost of sidewalk streetscape enhancements that would specially benefit properties within the limits of the Old Woodward Avenue Paving Project, it is requested that the City Commission adopt the following resolution confirming S.A.D. No. 881 at the regular City Commission meeting of February 26, 2018. Comments during the hearing of confirmation are limited to those questions specifically addressing the assessment roll pursuant to Section 94-9 of the City Code. The hearing declaring the necessity of the Special Assessment District was held at the City Commission meeting of February 12, 2018.

**SUGGESTED RESOLUTION:**

To confirm Special Assessment Roll No. 881, to defray the cost of sidewalk streetscape enhancements:

WHEREAS, Special Assessment Roll, designated Roll No. 881, has been heretofore prepared for collection, and

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

WHEREAS, the Commission has deemed it practicable to cause payment of the cost thereof to be made at a date closer to the time of construction and

Commission Resolution 02-040-18 provided it would meet this 26th day of February 2018 for the sole purpose of reviewing the assessment roll, and

WHEREAS, at said hearing held this February 12, 2018, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll as determined in Section 94-9 of the Code of the City of Birmingham,

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 881 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that special assessments shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of five and a half percent (5.5%) on all unpaid installments.

SAD 881			
Old Woodward Aveune Streetscape Enhancement			
<u>Parcel ID</u>		<u>Address</u>	<u>Amount</u>
19-25-378-026	275	N. Old Woodward Ave.	\$ 53,037.90
19-25-378-027	265	N. Old Woodward Ave.	\$ 19,504.26
19-25-378-014	233-239	N. Old Woodward Ave.	\$ 26,081.72
19-25-378-015	205-229	N. Old Woodward Ave.	\$ 41,517.84
19-25-378-016	183-191	N. Old Woodward Ave.	\$ 28,591.04
19-25-378-094	101-135	N. Old Woodward Ave.	\$ 131,127.54
19-36-201-011	100	S. Old Woodward Ave.	\$ 70,372.26
19-36-201-012	106-108	S. Old Woodward Ave.	\$ 11,862.24
19-36-201-013	112-116	S. Old Woodward Ave.	\$ 40,491.30
19-36-201-014	124-128	S. Old Woodward Ave.	\$ 27,526.48
19-36-201-015	138-142	S. Old Woodward Ave.	\$ 32,469.08
19-36-201-021	154	S. Old Woodward Ave.	\$ 18,819.90
19-36-201-018	160-168	S. Old Woodward Ave.	\$ 49,730.16
19-36-206-005	176-180	S. Old Woodward Ave.	\$ 61,630.42
19-36-202-015	200-210	S. Old Woodward Ave.	\$ 94,099.50
19-36-202-016	298	S. Old Woodward Ave.	\$ 137,138.14
19-36-204-006	300	S. Old Woodward Ave.	\$ 28,210.84
19-25-453-010	280	N. Old Woodward Ave.	\$ 48,817.68
19-25-453-011	250-270	N. Old Woodward Ave.	\$ 96,152.58
19-25-456-001	188	N. Old Woodward Ave.	\$ 26,918.16
19-25-456-002	152-172	N. Old Woodward Ave.	\$ 36,423.16
19-25-456-039	100-136	N. Old Woodward Ave.	\$ 80,858.90
19-36-206-001	101-115	S. Old Woodward Ave.	\$ 127,949.25
19-36-206-005	177	S. Old Woodward Ave.	\$ 65,280.34
19-36-206-006	181-201	S. Old Woodward Ave.	\$ 70,032.84
19-36-206-007	211	S. Old Woodward Ave.	\$ 20,606.84
19-36-206-008	217-239	S. Old Woodward Ave.	\$ 57,524.26
19-36-206-021	255-275	S. Old Woodward Ave.	\$ 133,868.42
19-36-208-015	325	S. Old Woodward Ave.	\$ 36,993.46
19-25-378-012	138	W. Maple Rd.	\$ 10,526.57
19-25-378-021	120-122	W. Maple Rd.	\$ 33,502.52
19-25-456-017	135	E. Maple Rd.	\$ 13,459.67
19-36-129-005	115	W. Maple Rd.	\$ 31,677.48
	TOTALS		\$ 1,762,802.75

138 S. Old Woodward LLC  
89 Lone Pine  
Bloomfield Hills, MI 48304

February 10, 2018

Mr. Paul T. O'Meara  
City of Birmingham  
151 Martin St.  
Birmingham, MI 48012-3001

Dear Mr. O'Meara:

Please be advised that 138 S. Old Woodward, LLC, which owns the building containing 138 and 142 S. Old Woodward, is opposed to the 2018 construction plans as currently presented.

Your letter informs us that you plan to replace the entire road, sidewalk, landscaping and underground pipelines, and that we are responsible for a very substantial portion of the cost. In addition to your proposed assessment, the business of our tenants will also be disrupted with considerable loss of their income, for at least the four months that you are suggesting in your letter, if not longer.

Improvements to the shopping district are of value to all business owners in the shopping district, not just to the businesses that happen to be adjacent to the work, and the cost should be shared among all. Instead of charging the building owners whose businesses are disrupted by these plans, the City, which is ultimately responsible for infrastructure, should pay this cost from the more than adequate taxes that it already assesses, and/or should float a bond issue.

It is outrageous that the City proposes paying only 25% of the cost, while assessing the specific property owners 75%. Not only is this assessment unfair and its amount exorbitant, but also, in sheer dollar terms, it represents a material portion of the income stream that these properties produce. In fact, the disruption caused by this construction could be catastrophic for a struggling business.

Our tenants, and I, are concerned about the impact that this additional assessment will have on their businesses.. For all of these reasons, we are opposed to the 2018 construction plans.

Very truly yours,  
138 S. Old Woodward, LLC



Dr. Karni Frank



## MEMORANDUM

Engineering Dept.

**DATE:** February 2, 2018

**TO:** Joseph Valentine, City Manager

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

**SUBJECT:** Old Woodward 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 12, 2018. Should the project be authorized at that meeting, a hearing of confirmation has also been approved for Monday, February 26, 2018. Soon after the hearing date was set, the attached letter was delivered to all owners and tenants via hand delivery and US Mail.

On January 11, the BSD hosted a Merchants Meeting to provide information on various topics of interest to the merchants located within the district. We used this opportunity to update the merchants about the potential for this assessment district.

As detailed on the first memo prepared when the assessment hearing was set, the suggested unit rates reflect 75% of the cost to completely reconstruct the sidewalk system to the high quality design proposed for this project. Downtown street lights will be replaced, and paid for separately, based on the fact that these properties were assessed for the lighting upgrade many years ago, and the replacement is considered maintenance at this time.

### SUGGESTED RESOLUTION:

To receive the report regarding sidewalk enhancements on the Old Woodward Ave. Paving Project:

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

### OLD WOODWARD AVE. STREETSCAPE ENHANCEMENTS

consisting of the construction of exposed aggregate concrete and regular concrete pavement sidewalks, new trees and landscaping, irrigation, granite seating features, and new electrical system (on Old Woodward Ave. only),

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. 27"**

Lot 4, except that part taken for Willits Alley right-of-way, lot 5, lot 6.

**"Assessor's Plat No. 19"**

Lots 5-10 inclusive, except that part taken for Willits Alley right-of-way.

**"Oak Grove Addition"**

Lots 1, 28, and 29 inclusive, except those parts taken for Oakland Blvd. right-of-way.

**"Assessor's Plat No. 21"**

Lots 20 except for the easterly 41.5 ft., lots 21-28 inclusive, lot 50 except for portion taken for Ferndale St. right-of-way, lots 51-53 inclusive, lot 54 except for that portion taken for Oakland Blvd. right-of-way, lots 55 through 59 inclusive.

**"Merrill's Plat"**

The northerly 80.75 ft. of lot 1, the northerly 80.75 ft. of the easterly 27 ft. of lot 2.

**"Assessor's Plat No. 24"**

Lots 1-9 inclusive.

**"Assessor's Plat No. 25"**

Kots 1, 2, the easterly 101.39 ft. of lot 3, the easterly 35.98 ft. of lot 21, lots 22 through 25 inclusive.

**"Brown's Addition"**

The easterly 50 ft. of lot 12, lot 13.

**"Assessor's Replat of Lots 1-9 Inclusive Brownell Subdivision and Lots 8-15 Inclusive Part of Lot 16 and Vacated Street of Hunter's Eastern Addition"**

Lots 1-4 inclusive.

**"Assessor's Plat No. 11"**

Lots 1,2, lots 3 and 4 inclusive except for that part taken for alley to east, the westerly 101 ft. of lot 5, and the westerly 82 ft. of lot 6.

**"William Hart Subdivision"**

The westerly 138.94 ft. of lots 1 and 2, except that part taken for Brown St. right-of-way.

RESOLVED, that the Commission shall meet on Monday, February 26, 2018, at 7:30 P.M., for the purpose of conducting a public hearing to confirm the roll for the Old Woodward Ave. Streetscape Enhancements.



**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 12, 2018, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, February 26, 2018, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI
Location:	All properties adjacent to Old Woodward Ave. from Willits St. to Brown St., as well as for 400 ft. of Maple Rd. west and east of the Old Woodward Ave. intersection (Old Woodward Paving Project)
Nature of Improvement:	Installation of sidewalk streetscape
City Staff Contact:	Paul O'Meara 248.530.1836 <a href="mailto:pomeara@bhamgov.org">pomeara@bhamgov.org</a>
Notice Requirements:	Mail to affected property owners Publish January 14 <sup>th</sup> and January 21 <sup>st</sup> , 2018
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.



January 11, 2018

**NOTICE!**  
**DOWNTOWN CONSTRUCTION PLANS FOR 2018**

The City of Birmingham has hired Angelo Iafrate Construction Co. to reconstruct Old Woodward Ave. from Willits St. to Brown St. in 2018. About 400 feet of Maple Rd. will be impacted as well. The following will give you detailed information to help you be prepared for what will happen during the upcoming months.

The goal of this project is to completely renew this corridor, with new sewer and water main, new concrete street, new sidewalks, landscaping, traffic signals, and street lights. While dates are estimated and subject to change, the following outlines what is intended at this time:

1. Starting in early February, a professional video filming contractor will be in the area, taking pictures of each building. Pictures will be taken of the outside of each building wherever possible to help document current conditions. Where permission is granted, filming of the inside of the adjacent structures will also occur. Filming is intended to provide a record of all current conditions, both inside and out. Please see additional information on a separate letter.
2. At the end of February, the City's forestry contractor will close off sections of parking in order to start removal of existing trees. Work will start at 7 AM, and end about 11 AM, so as to reduce impact on the businesses. Parking space closures will generally extend on one side of the street only, for just one half of the block, so that parking impact is kept to a minimum. Removal of the trees will allow the City to create a whole new and improved landscaping scheme that will become a central feature of the new streetscape.
3. Starting in the third or fourth week of March, Old Woodward Ave. will be closed to ALL vehicle traffic from Willits St. to Brown St. Traffic will be allowed to travel through the job site on Maple Rd. and Brown St. After several weeks, as work progresses, the contractor will divert westbound Maple Rd. to bypass the work area via Park St., Oakland Blvd., and Willits St. Westbound Brown St. will also be diverted away from the job site.
4. Before the road is closed to traffic, temporary plywood walls with signs, banners, and lights will be set up about five to six feet from the face of all buildings, to maintain visitors' access to each buildings' front door. Designated pedestrian crossings will also be maintained at the Maple Rd. and Merrill St. intersections to improve accessibility. Sidewalks will remain open on most days throughout the job site, except for when underground pipelines are being replaced up to the face of the buildings.
5. The first phase of work will be replacement of underground pipelines. All new water main, sewer, fiber optic communications, electrical, and irrigation is planned. Pipeline replacement will include building service laterals where needed to meet current code. Special assessments will apply for this work. Review your packet of information to see if an assessment will pertain to you.
6. Landscaping work will include removal of existing soils and replacement with specially formulated organic soil for each new tree, so that future trees will grow faster and stronger.

7. Once underground work is completed, the contractor will install a new three lane wide concrete street, featuring medians at select points, a mid-block crossing, with new mast-arm traffic signals at all intersections.
8. Once the street is paved, sidewalks will be removed in relatively short sections to ensure that whatever is removed can be quickly replaced, keeping access to front doors open as much as possible. Sidewalks will continue the same concrete and exposed aggregate theme found in other downtown areas, supplemented with large, raised planting beds and granite seating areas.

A detailed time schedule is not yet available. Once it is, additional information will be sent out. Overall, it is our goal to have this work completed by approximately the end of July. We understand that this project will cause disruption and will impact your business while it is underway. The City is scheduling the work from late winter to 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.

Owners and tenants are encouraged to sign up for the City's Constant Contact service. You can receive electronic updates regarding this project by signing up for the 'Old Woodward Ave. Paving Project' Constant Contact group at [www.bit.ly/bhamnews](http://www.bit.ly/bhamnews).

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 three assessments, based on the attached maps included in this package. Details follow:

**Sidewalk Streetscape Assessment** – The City will be completely removing and replacing the sidewalk and trees between the front face of the buildings, and the new curb. The streetscape planned will be drastically improved from the current one, as is described above. Costs are based on 75% of all City costs to be incurred for work between the face of buildings and the new curb. On Old Woodward Ave., the assessment is estimated at \$38.03 per square foot of frontage, and on Maple Rd. frontages, \$32.59 per sq.ft. The average assessment is estimated at \$47,700 per building. The 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).

**Water & Sewer Lateral Assessment** – As with all City street projects, water laterals that are too small or made with lead pipe must be replaced. Also, all building sewer laterals (your individual building connection to the City sewer in the street) will be removed and replaced if the current sewer pipe is over 50 years old. Water and sewer lateral replacement is a direct benefit to the building being served. Costs will average from \$2,100 for water to \$2,500 for sewer. If these pipelines were to be replaced under an emergency condition, the cost to the building owner would typically be at least \$10,000. Typical priced water laterals will be charged at \$65 per foot for new water, and \$103 per foot for new sewer. The assessment can be paid back over 10 years if desired (with interest due each year on the remaining balance).

A public hearing has been scheduled to take comments from owners of these assessment districts at the City Commission meeting of February 12, 2018, at 7:30 PM. Please review the attached maps to determine which assessment district applies. If you have questions relative to your situation, feel free to contact the Engineering Dept. at 248-530-1850.



## MEMORANDUM

Engineering Dept.

**DATE:** December 26, 2017

**TO:** Joseph Valentine, City Manager

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

**SUBJECT:** Proposed Sidewalk Streetscape Assessment  
Old Woodward Ave. Paving Project

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As noted in related memos, Old Woodward Ave. will be reconstructed in the upcoming year, including new streetscape in front of each existing business. On both the Old Woodward Ave. and Maple Rd. segments of the project, the new streetscape will consist of an enhanced version of the downtown standard sawcut concrete sidewalk with exposed aggregate sidewalk between the main pedestrian path and the street. Elements of the new streetscape design to be included in this project include:

- All new concrete and exposed aggregate sidewalks from the building face to the back of curbs.
- Removal and replacement of all street trees, including excavation and replacement with the equivalent of 1,000 cu.ft. of specially formulated soil designed to encourage tree growth.
- Enlarged, raised planter beds around each new street tree, framed by a 6 inch high exposed aggregate curb, with irrigation, and professionally designed landscaping.
- Granite seating areas where space permits.

In addition, on the Old Woodward Ave. frontages, a new City-owned underground electrical system shall be installed to provide new lighting opportunities for trees, future computerized information kiosks, and cell phone charging stations.

On previous projects of this nature, it has been the City's policy to assess 75% of the streetscape improvements. The estimated cost per square foot for streetscape, based on the prices charged by the low bidder, comes to:

Old Woodward Ave. Frontage = \$38.03

Maple Rd. Frontage = \$32.59

While the assessment district unit rate is higher than numbers being charged on previous downtown assessment districts, the level of quality being proposed for the new streetscape is substantially elevated. It is also important to note that the amount to be collected represents only about 22% of the total expenditure being undertaken by the City to accomplish this project. Further, each year the City will bill one-tenth of the expense, as would be done on other special assessment districts, plus interest, making the cost more manageable on an annual basis.

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. For purposes of the assessment district, 298 S. Old Woodward Ave. (the Boutique Hotel property) has been included in the district. It has been included in case the project plans change, and the City elects to proceed with improvements in this area. However, if the adjacent project begins at about the same time as the City's project (as the developer is currently indicating) then the cost for streetscape improvements in this area will not be expended by the City, nor charged to the property owner.

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:

- The following 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 Friday, January 26.

As a part of the package to be mailed to property owners, information will also be distributed relative to the proposed fiber optic system being installed, and inviting owners to provide a \$1,500 deposit if they are interested in having a fiber optic connection installed to the basement wall of their building, to simplify improved internet connectivity into the future.

After completing the informational phase, the Engineering Department recommends that a public hearing of necessity be scheduled for Monday, February 12, 2018, at the regularly scheduled City Commission meeting, followed by a hearing for confirmation of the roll two weeks later.

#### SUGGESTED ACTION:

To adopt a resolution for the Commission to meet on Monday, February 12, 2018, 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 Old Woodward Ave. from Willits St. to Brown St., as well as for 400 feet of Maple Rd. west and east of the Old Woodward Ave. intersection.

FURTHER RESOLVED, if necessity is determined on February 12, 2018, a hearing to review the assessments and to confirm the roll will be held on February 26, 2018, at 7:30 P.M.

## STREETSCAPE ASSESSMENT DISTRICT CHART

### Old Woodward Ave. Paving Project - Contract #1-18(P)

Address	Street	Estimated Area (SF) Old Woodward	Estimated Area (SF) Maple Rd.	Estimated Cost Old Woodward \$37.33	Estimated Cost Maple Rd. \$31.90	Total Cost Per Parcel
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#### Old Woodward Ave. - Willits St. to Brown St.

##### WEST SIDE

275	N. Old Woodward Ave.	1,395		\$52,075.35		\$52,075.35
265		513		\$19,150.29		\$19,150.29
233-239		686		\$25,608.38		\$25,608.38
205-229		1,092		\$40,764.36		\$40,764.36
183-191		752		\$28,072.16		\$28,072.16
101-135		2,254	1,394	\$84,141.82	\$44,468.60	\$128,610.42
100	S. Old Woodward Ave.	248	1,870	\$9,257.84	\$59,653.00	\$68,910.84
106-108		312		\$11,646.96		\$11,646.96
112-116		1,065		\$39,756.45		\$39,756.45
124-128		724		\$27,026.92		\$27,026.92
138-142		854		\$31,879.82		\$31,879.82
154		495		\$18,478.35		\$18,478.35
160-168		1,308		\$48,827.64		\$48,827.64
176-180		1,621		\$60,511.93		\$60,511.93
200-210		2,475		\$92,391.75		\$92,391.75
298		3,607		\$134,649.31		\$134,649.31
300		742		\$27,698.86		\$27,698.86

##### EAST SIDE

280	N. Old Woodward Ave.	1,284		\$47,931.72		\$47,931.72
250-270		2,529		\$94,407.57		\$94,407.57
188		708		\$26,429.64		\$26,429.64
152-172		958		\$35,762.14		\$35,762.14
100-136		1,393	856	\$52,000.69	\$27,306.40	\$79,307.09
101-115	S. Old Woodward Ave.	2,713	761	\$101,276.29	\$24,275.90	\$125,552.19
177		1,717		\$64,095.61		\$64,095.61
181-201		1,842		\$68,761.86		\$68,761.86
211		542		\$20,232.86		\$20,232.86
217-239		1,513		\$56,480.29		\$56,480.29
255-275		3,521		\$131,438.93		\$131,438.93
325		973		\$36,322.09		\$36,322.09

#### W. Maple Rd. - Pierce St. to E. of Old Woodward Ave.

##### NORTH SIDE

138	W. Maple Rd.		323		\$10,303.70	\$10,303.70
Alley			198		\$6,316.20	\$6,316.20
120-122			1,028		\$32,793.20	\$32,793.20
135	E. Maple Rd.		413		\$13,174.70	\$13,174.70

##### SOUTH SIDE

115	W. Maple Rd.		972		\$31,006.80	\$31,006.80
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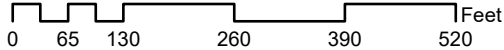
TOTALS		39,836	7,815	\$1,487,077.88	\$249,298.50	\$1,736,376.38
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# Downtown Sidewalk Special Assessment



## Legend

 Sidewalk Special Assessment





## MEMORANDUM

City Clerk's Office

**DATE:** February 15, 2018

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

**FROM:** J. Cherilynn Mynsberge, City Clerk

**SUBJECT:** 2017 Liquor License Review and  
2018 Liquor License Renewal

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### Introduction

Annually the City Commission is required by Chapter 10, Alcoholic Liquors, of the Birmingham Code of Ordinances to review the licenses of establishments which sell intoxicating liquor for consumption on the premises in the city and to consider the renewal of those licenses. As part of the review process investigations are conducted of each licensed establishment to determine whether the licensee is in compliance with all applicable city and state codes.

Based on the City Commission's input last year the report of the investigative findings has been reformatted. The report is now structured based on the statutory reasons for which the City Commission may object to the renewal of a liquor license pursuant to Chapter 10, Sec. 10-40 of the Code. This format is intended to provide the City Commission with a concise summary of concerns which might warrant further consideration. Standardization of the reporting structure anticipates a smoother process moving forward.

### Process

After reviewing the results of the annual investigation, the City Commission will consider renewal of all existing licenses for consumption of intoxicating liquor on the premises in the city.

If the City Commission wishes to consider objecting to the renewal of any license it must first hold a public hearing. Public hearings should be scheduled for March 12, 2018 to allow adequate time to forward objections to the Michigan Liquor Control Commission by their March 31, 2018 deadline.

For establishments in compliance with the requirements of Chapter 10 the City Commission may approve the renewal of licenses at the February 26, 2018 Commission meeting.

All licensed establishments have been notified the Commission will be considering renewal of their license at the February 26, 2018 meeting, and the notice included any violations reported during the 2017 investigation. In addition, the owners of establishments with outstanding financial obligations to the City have been contacted personally. Where payment has been made or payment plans have been established an appropriate notation has been entered in the report.



### Summary of Findings

Attachment A is a summary of the investigative findings categorized according to Chapter 10, Sec. 10-40 of the Code, which is excerpted below. The chart includes violations noted in the preceding two years. Departmental reports detailing violations for 2017 follow as Attachment B.

Sec. 10-40 of the Code states:

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.

### Health Inspections

Health inspection reports for all licensed establishments are provided under separate cover for the City Commission's review. With the exception of Griffin Claw, Bistro Joe's, and Whole Foods, the licensed establishments are under the jurisdiction of the Oakland County Health Department and therefore the County issues the inspection reports. Griffin Claw, Bistro Joe's and Whole Foods are under the jurisdiction of the Michigan Department of Agriculture and therefore the inspection reports for those two establishments are issued by the State.

SUGGESTED RESOLUTION(S)

1. To approve the renewal, for the 2018 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 12, 2018 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 2018 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.

# ATTACHMENT A

APPLICANT	YEAR	Sec. 10-40 (2) Repeated Violations of State Liquor Laws	Sec. 10-40 (3)a Existing violations of regulatory codes (building, zoning, fire, et.al.)	Sec. 10-40 (3)c Failure to maintain grounds and exterior	Sec. 10-40 (3)f Numerous police contacts	Resulting violations	Sec. 10-40 (5) Failure to comply w/terms of license or conditions imposed by City (SLUP)	Sec. 10-40 (7) Failure to timely pay monies due the City
220 Merrill Restaurant	2017		Sidewalk sign w/o permit Unscreened propane tanks					Taxes
	2016		2 Fire Code violations-Door operation, Kitchen hood		1	1		
	2015		Pergola in front not approved by City Fire Code violation-door operation	No dumpster screening, partially open dumpsters, cardboard box, linen crate overflow	3	0		Taxes
All Seasons Senior Living (Hospitality of Birmingham LLC)	2017							
	2016		Fire alarm annual service paperwork not submitted					
	2015							
Bella Piatti	2017							
	2016							
	2015							
Big Rock Chop House/The Reserve	2017				1	0		
	2016							
	2015							
Birmingham Sushi Café, Inc	2017							
	2016							
	2015							
Birmingham Teatro	2017	1						
	2016	not applicable						
	2015	not applicable						
Bistro Joe's	2017			Garbage storage on sidewalk facing S. Worth				
	2016							
	2015			Exposed refuse, stacked doors outside of enclosed dumpster area, dumpster gate open				
Café Via, LLC	2017		2 sidewalk signs w/o permits					
	2016	1						
	2015							
Cameron's Steakhouse	2017		Sidewalk sign w/o permit					
	2016							
	2015		Fire Code violation-Door operation					
Churchill's Bistro/Cigar Bar	2017		Frame sign w/o permit		2	1		
	2016							
	2015			Stacked crates				

APPLICANT	YEAR	Sec. 10-40 (2) Repeated Violations of State Liquor Laws	Sec. 10-40 (3)a Existing violations of regulatory codes (building, zoning, fire, et.al.)	Sec. 10-40 (3)c Failure to maintain grounds and exterior	Sec. 10-40 (3)f Numerous police contacts	Resulting violations	Sec. 10-40 (5) Failure to comply w/terms of license or conditions imposed by City (SLUP)	Sec. 10-40 (7) Failure to timely pay monies due the City
Community House	2017							
	2016							
	2015				1	0		
Dick O'Dow's	2017				2	0		
	2016				2	0		Water (pmt plan)
	2015		Illegal A-frame sidewalk sign 2 Fire Code violations- Sprinkler system & Fire alarm	Stacked crates, cardboard boxes outside of screened trash area.	1	0		Water (pmt plan)
Elie's Mediterranean Café	2017							
	2016							
	2015							
Emagine Palladium & IronWood Grill (CH Birmingham, LLC)	2017		Sidewalk sign w/o permit					
	2016	1					1	
	2015		Illegal A-frame sidewalk sign					
Fleming's Prime Steakhouse	2017							
	2016							
	2015							
Forest Grill 2, LLC	2017							
	2016		Fire alarm annual service paperwork not submitted		1	0		
	2015							
Griffin Claw Brewing Co.	2017				1	0		
	2016				4	0		
	2015			Stacked pallets, large tanks stored in and outside of enclosed dumpster area				
Hyde Park Steakhouse	2017							
	2016							
	2015		Permit sticker missing from sidewalk sign					
La Strada Caffè, LLC	2017							
	2016							
	2015		Illegal A-frame sidewalk sign					
Lincoln Hills Golf Course	2017							
	2016							
	2015							
Luxe Bar & Grill	2017							
	2016							
	2015		Illegal A-frame sidewalk sign					

APPLICANT	YEAR	Sec. 10-40 (2) Repeated Violations of State Liquor Laws	Sec. 10-40 (3)a Existing violations of regulatory codes (building, zoning, fire, et.al.)	Sec. 10-40 (3)c Failure to maintain grounds and exterior	Sec. 10-40 (3)f Numerous police contacts	Resulting violations	Sec. 10-40 (5) Failure to comply w/terms of license or conditions imposed by City (SLUP)	Sec. 10-40 (7) Failure to timely pay monies due the City
Mad Hatter Bistro (Tea Parlor, Inc)	2017		Sidewalk sign w/o permit					Taxes
	2016		Fire suppression annual service paperwork not submitted		1	0		
	2015							
Market North End	2017				9	0		
	2016		Fire alarm annual service paperwork not submitted	Recycling bins stored outside screened trash enclosure	3	0		
	2015				1	0		
Phoenicia	2017							
	2016							
	2015			Cardboard boxes stacked outside of dumpster				
Rojo Mexican Bistro	2017	1	Sidewalk sign w/o permit					Taxes, Deliquent Taxes, Water
	2016	2						Taxes, Deliquent Taxes (Chapter 11)
	2015		Illegal A-frame sidewalk sign					Taxes, Water
Salvatore Scallopini	2017							
	2016							
	2015							
Sidecar Slider Bar	2017		Window signage exceeds permitted amount					Taxes
	2016	not applicable						
	2015	not applicable						
Social Kitchen & Bar	2017							
	2016							
	2015							
Springdale Golf Course	2017							
	2016							
	2015							
Streetside Seafood	2017							
	2016			Cardboard boxes stored on ground outside of trash receptacle				
	2015			Stacked crates				
Tallulah Wine Bar & Bistro	2017							
	2016							
	2015			Stacked crates, cardboard panels stacked outside of dumpster				
TB Stand, LLC (The Stand)	2017							Water (pmt plan)
	2016							
	2015				1	1		

APPLICANT	YEAR	Sec. 10-40 (2) Repeated Violations of State Liquor Laws	Sec. 10-40 (3)a Existing violations of regulatory codes (building, zoning, fire, et.al.)	Sec. 10-40 (3)c Failure to maintain grounds and exterior	Sec. 10-40 (3)f Numerous police contacts	Resulting violations	Sec. 10-40 (5) Failure to comply w/terms of license or conditions imposed by City (SLUP)	Sec. 10-40 (7) Failure to timely pay monies due the City
THC Investors, LP (The Townsend Hotel - Rugby Grill)	2017							
	2016							
	2015				2	0		
Toast Birmingham, LLC	2017							
	2016							
	2015			Stacked crates, garbage bag pile-up, trash outside of dumpster				
Townhouse	2017			Chairs in the alley	12	0		
	2016			Cardboard boxes stored on ground outside of trash receptacle	5	0		Fire Dept. reporting fees
	2015	1			4	1		
Triple Nickel (Crush LLC DBA)	2017				1	1		
	2016							
	2015				1	0		Water
Vintecca The Bird and the Bread The Bird and the Bread	2017	1						
	2016							
	2015	1						
Whole Foods Market Group, Inc.	2017							
	2016	not applicable						
	2015	not applicable						

## ATTACHMENT B



## MEMORANDUM

Building Department

**DATE:** January 30, 2018

**TO:** Cherilynn Mynsberge, City Clerk

**FROM:** Bruce R. Johnson, Building Official

**SUBJECT:** 2015 Liquor License Renewal Inspections

---

Building Department staff completed the 2018 liquor license inspections in accordance with City Code Section 10-37 of 38 establishments within the City. I am pleased to provide the attached report showing that all are in compliance.

Staff conducted initial and follow-up inspections beginning in early January of this year. The initial inspection is to check for compliance with City regulations including building, electrical, mechanical, and plumbing codes. The manager on site was informed of any deficiencies discovered during the inspection and advised that staff would return within a couple of weeks to verify correction. Follow-up inspections verified corrections are complete and each establishment is in compliance.

The Building Department also obtained the latest 2017 inspection records from the Oakland County Health Division and/or the Department of Agriculture for each facility. A detailed review of these records revealed no outstanding critical violations at any of the establishments and any minor violations were in various stages of compliance pending scheduled re-inspections.

The Building Department has determined each facility is in compliance with applicable building and health codes and recommends approval of the 2018 licenses.

# BUILDING DEPARTMENT

## 2018 LCC INSPECTION STATUS REPORT

FACILITY NAME	LOCATION	STATUS
FLEMINGS PRIME STEAKHOUSE	323 N OLD WOODWARD AVE	APPROVED
LINCOLN HILLS GOLF COURSE	2666 W 14 MILE RD	APPROVED
ROJO RESTAURANT	250 E MERRILL ST	APPROVED
MARKET	474 N OLD WOODWARD AVE	APPROVED
SPRINGDALE GOLF COURSE	316 STRATHMORE RD	APPROVED
TOAST ENTERPRISES, LLC	203 PIERCE ST	APPROVED
LASTRADA-CAFE	243 E MERRILL ST	APPROVED
ALL SEASONS SENIOR LIVING	111 ELM ST	APPROVED
TOWNSEND HOTEL	100 TOWNSEND ST	APPROVED
220 RESTAURANT	220 E MERRILL ST	APPROVED
GRIFFIN CLAW BREWERY	575 S ETON ST	APPROVED
ELIE'S MEDITERREAN GRILL	263 PIERCE ST	APPROVED
BIG ROCK CHOP HOUSE	245 S ETON ST	APPROVED
STREETSIDE RESTAURANT	273 PIERCE ST	APPROVED
SOCIAL KITCHEN	225 E MAPLE RD	APPROVED
BIRMINGHAM REALTY LLC	211 S OLD WOODWARD AVE	APPROVED
TALLULAH LLC	155 S BATES ST FL 1	APPROVED
CAMERON STEAKHOUSE	115 WILLITS ST	APPROVED
LUXE BAR & GRILL	525 N OLD WOODWARD AVE	APPROVED
BELLA PIATTI LLC	167 TOWNSEND ST	APPROVED
COMMUNITY HOUSE	380 S BATES ST	APPROVED
BISTRO JOE'S	34244 WOODWARD AVE	APPROVED
EMAGINE	209 HAMILTON ROW	APPROVED
SIDECAR SLIDER BAR	280 E MERRILL ST	APPROVED
FOREST GRILL	735 FOREST AVE STE 100	APPROVED
TOWNHOUSE KITCHEN & BAR LLC	184 PIERCE ST	APPROVED
CAFE VIA	310 E MAPLE RD	APPROVED
BIRMINGHAM SUSHI CAFE INC	377 HAMILTON ROW	APPROVED
MAD HATTER	185 N OLD WOODWARD AVE	APPROVED
PHOENICIA RESTAURANT	588 S OLD WOODWARD AVE	APPROVED
DICK O DOWS	160 W MAPLE RD	APPROVED



# BUILDING DEPARTMENT

## 2018 LCC INSPECTION STATUS REPORT

FACILITY NAME	LOCATION	STATUS
SALVATORE SCALLOPINI RESTAURAN	505 N OLD WOODWARD AVE	APPROVED
THE BIRD AND THE BREAD	210 S OLD WOODWARD AVE	APPROVED
TRIPLE NICKEL	555 S OLD WOODWARD AVE STE	APPROVED
HYDE PARK STEAKHOUSE	201 S OLD WOODWARD AVE	APPROVED
THE STAND	34977 WOODWARD AVE	APPROVED
CHURCHILL'S	116 S OLD WOODWARD AVE	APPROVED
WHOLE FOODS	2100 E MAPLE RD	APPROVED
MITCHELL'S FISH MARKET	117 WILLITS ST	CLOSED

InspectionGroup.GroupType = LCC ANNUAL AND

InspectionGroup.DateStarted Between 01/01/2018 AND 01/31/2018

2/2



# CITY OF BIRMINGHAM FIRE DEPARTMENT

---

572 SOUTH ADAMS • BIRMINGHAM, MICHIGAN 48009 • 248.530.1900 FAX 248.530.1950

February 5, 2018

To: Cherilynn Mynsberge, City Clerk

From: Joel Campbell, Acting Fire Marshal

Re: 2018, LLC Inspection Report

All the restaurants and bistros in Birmingham holding a Class C liquor license were inspected for fire code violations in January 2018. Upon first inspection any violations of the fire code were noted, and discussed with the occupants.

A subsequent re-inspection was conducted in the month, and the majority of the violations had been addressed. The violations not yet corrected were noted, and once again possible solutions and the need for a quick resolution were discussed with the occupants. Re-inspections were repeated until all violations had been corrected.

I have approved all of the businesses with liquor licenses, and recommend their licenses be renewed.

Sincerely,

Joel Campbell

Acting Fire Marshal



# MEMORANDUM

Planning Division

**DATE:** January 31, 2018

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

**FROM:** Brooks Cowan, Assistant Planner

**APPROVED:** Jana L. Ecker, Planning Director

**SUBJECT:** 2018 Liquor License Review

---

Inspections of Restaurants with liquor licenses were performed in January 2018. The following conditions were found:

1. **220 Restaurant**  
**220 Merrill**  
Sidewalk sign without permit & unscreened propane tanks.
2. **All Seasons**  
**111 Elm**  
Acceptable
3. **Bella Piatti**  
**167 Townsend**  
Acceptable
4. **Big Rock**  
**245 S Eton**  
Acceptable
5. **Birmingham 8**  
**211 S. Old Woodward**  
Acceptable
6. **Birmingham Sushi Café**  
**377 Hamilton Row**  
Acceptable
7. **Bistro Joe's**  
**34244 Woodward**  
Garbage Storage on Sidewalk facing S. Worth Street.
8. **Café Via**  
**310 E. Maple**

Two sidewalk signs without permits. One on S. Old Woodward Ave, another on Peabody Street.

**9. Cameron's Steakhouse**

**115 Willis**

Sidewalk sign without a permit.

**10. Churchill's Bistro & Cigar Bar**

**116 S Old Woodward**

A frame sign without a permit.

**11. Community House**

**380 S. Bates**

Acceptable

**12. Dick O' Dow's**

**160 W. Maple**

Acceptable

**13. Elie's Mediterranean Grill/Bar**

**263 Pierce**

Acceptable

**14. Emagine Theatre & Ironwood Grill**

**250 N. Old Woodward**

Sidewalk sign without permit.

**15. Fleming's Prime Steakhouse & Wine Bar**

**323 N. Old Woodward**

Acceptable

**16. Forest Grill**

**735 Forest**

Acceptable

**17. Griffin Claw**

**575 S. Eton**

Acceptable

**18. Hyde Park Prime Steakhouse**

**201 S. Old Woodward**

Acceptable

**19. La Strada Caffè**

**243 E. Merrill**

Acceptable

**20. Luxe Bar & Grill**

**525 N. Old Woodward**

Acceptable

**21. Mad Hatter Café**

**185 N. Old Woodward**

Sidewalk sign without permit.

**22. Market North End**

**474 N. Old Woodward**

Acceptable

**23. Peabody's Dining & Spirits**

**34965 Woodward**

Acceptable

**24. Phoenicia**

**588 S Old Woodward**

Acceptable

**25. Rojo Mexican Bistro**

**250 E Merrill**

Sidewalk sign without permit.

**26. Salvatore Scallopini**

**505 N Old Woodward**

Acceptable

**27. Sidecar Slider Bar**

**2506 Merrill**

Window Signage exceeds permitted amount.

**28. Social Kitchen & Bar**

**225 E Maple**

Acceptable

**29. Streetside Seafood**

**273 Pierce**

Acceptable

**30. Tallulah Wine Bar and Bistro**

**155 S Bates**

Acceptable

**31. Vinoteca**

**210 S Old Woodward**

Acceptable

**32. The Community House Cafe`**

**380 S Bates**

Acceptable

**33.The Rugby Grille**

**100 Townsend**

Acceptable

**34.The Stand Gastro Bistro**

**34977 Woodward**

Acceptable

**35.Toast**

**203 Pierce**

Acceptable

**36.Townhouse**

**180 Pierce**

Chairs in the Alley.

**37. Whole Foods**

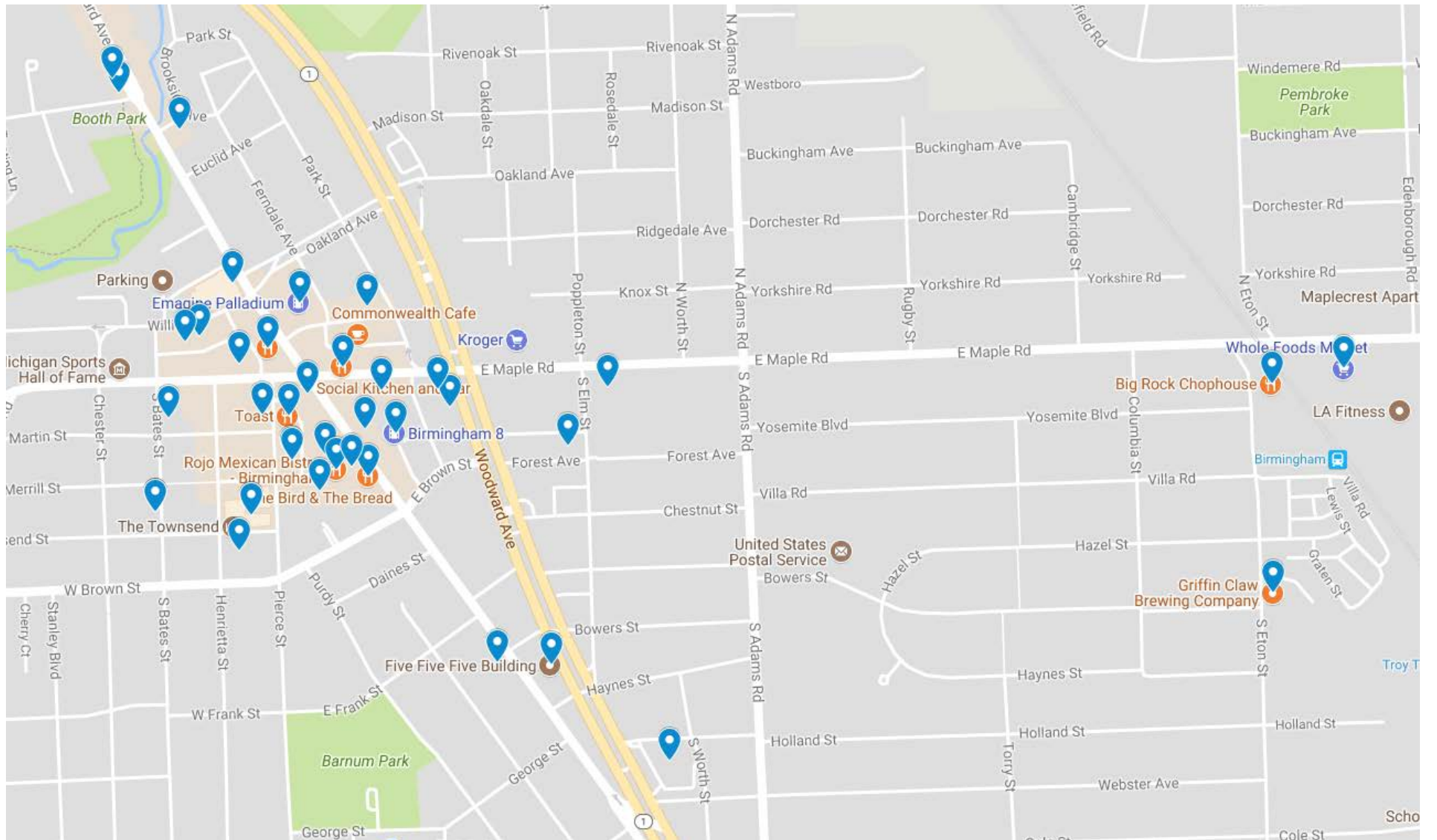
**2100 E Maple**

Acceptable

**38.Triple Nickel**

**555 S Old Woodward**

Acceptable



## MEMORANDUM

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**DATE:** January 17th, 2018  
**TO:** Joseph A. Valentine, City Manager  
**FROM:** Mark Clemence, Chief of Police  
**REFERENCE:** 2017 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 2017:

1. 220 Merrill
2. All Seasons Senior Living
3. Bella Piatti
4. Big Rock Chop & Brew House/The Reserve
5. Birmingham Sushi Café
6. Birmingham Teatro (Birmingham 8 Theater)
7. Bistro Joe's
8. Café Via
9. Cameron's Steakhouse
10. Churchill's Bistro
11. Community House
12. Dick O'Dow's
13. Ellie's Mediterranean Grill & Bar
14. Emagine/Palladium Ironwood Grill
15. Fleming's Prime Steakhouse & Wine Bar
16. Forest Grill
17. Griffin Claw Brewery
18. Hyde Park Steakhouse
19. La Strada Cafe



20. Luxe Bar & Grill
21. Mad Hatter
22. Market North End
23. Mitchell's Fish Market
24. Phoenecia
25. Rojo Mexican Bistro
26. Salvatore Scallopini
27. Social Kitchen and Bar
28. Streetside Seafood
29. Tallulah Wine Bar & Bistro
30. The Bird and the Bread
31. The Stand of Birmingham
32. Tallulah Wine Bar and Bistro
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).

### **2017 Liquor Law Violations**

The Birmingham Police Department conducted liquor decoy operations in all Class B/C licensed establishments/brew pubs in 2017.

While conducting our decoy operations, The Bird and the Bread, Birmingham Teatro (Birmingham 8 Theater) and Rojo Mexican Bistro were all issued a MLCC Violation for serving a minor and the individual server was also issued a violation for selling to a minor by Birmingham Police Detectives in December 2017.

While conducting our decoy operations, SPECIALLY DESIGNATED MERCHANT, ML Spirits was issued a MLCC Violation for serving a minor and the individual server was also issued a violation for selling to a minor by Birmingham Police Detectives in December 2017.

### **2017 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) Griffin Claw (575 S Eton)

- a) June 16<sup>th</sup>, 2017: An intoxicated customer refused to leave. The customer left upon officer's arrival.

2) Dick O'Dows (160 W Maple)

- a) May 16<sup>th</sup>, 2017: Report of a customer who refused to pay their bill. The customer paid his bill upon officer's arrival.
- b) June 22<sup>nd</sup>, 2017: An intoxicated customer refused to leave. The customer left upon officer's arrival.

3) Churchill's (116-118 S Old Woodward)

- a) April 29<sup>th</sup>, 2017: Report of a disorderly customer. Officers gave out a trespass warning.
- b) October 24<sup>th</sup>, 2017: An intoxicated patron was arrested for disorderly conduct and was later issued a city ordinance violation.

4) Market (474 N Old Woodward)

- a) January 31<sup>st</sup>, 2017: Report of disorderly customers. The customers left upon officer's arrival.
- b) March 19<sup>th</sup>, 2017: An intoxicated patron refused to leave. The patron walked home upon officer's arrival.
- c) April 15<sup>th</sup>, 2017: Report of an assault and battery. The victim and suspect were family members. The victim refused to criminally prosecute.
- d) June 29<sup>th</sup> 2017: A patron refused to leave the establishment. The patron left upon officer's arrival.
- e) September 3<sup>rd</sup> 2017: A patron refused to leave the establishment. The patron left upon officer's arrival.
- f) October 19<sup>th</sup> 2017: A patron was causing a commotion in the establishment. He was removed by the bouncers and given a trespass warning.
- g) October 26<sup>th</sup> 2017: A patron was causing a commotion. A trespass warning was given and the patron left without incident.

- h) October 27<sup>th</sup> 2017: A known group of patrons were turned away at the door. Officers stood by without incident.
- i) October 28<sup>th</sup> 2017: A group of patrons refused to pay their bar bill. The group paid and left upon officer's arrival.

5) Townhouse (180 Pierce)

- a) April 28<sup>th</sup>, 2017: A noise complaint was called in and no violation was observed.
- b) May 8<sup>th</sup>, 2017: A noise complaint was called in and no violation was observed.
- c) May 28<sup>th</sup>, 2017: A noise complaint was called in and no violation was observed.
- d) May 30<sup>th</sup>, 2017: A noise complaint was called in and no violation was observed.
- e) June 2<sup>nd</sup>, 2017: A noise complaint was called in and no violation was observed.
- f) June 6<sup>th</sup>, 2017: A noise complaint was called in and no violation was observed.
- g) July 14<sup>th</sup>, 2017: A noise complaint was called in and no violation was observed.
- h) July 22<sup>nd</sup>, 2017: An intoxicated patron was transported to Royal Oak Beaumont Hospital for detox.
- i) August 6<sup>th</sup>, 2017: A noise complaint was called in and a verbal warning was given by officers.
- j) August 15<sup>th</sup>, 2017: An intoxicated patron was transported to Royal Oak Beaumont Hospital for detox.
- k) August 17<sup>th</sup> 2017: A noise complaint was called in and no violation was observed.
- l) October 26<sup>th</sup>, 2017: A noise complaint was called in and no violation was observed.

6) Triple Nickel (555 S Old Woodward)

- a) April 23<sup>rd</sup>, 2017: An assault and battery occurred outside the establishment. There was a warrant issued for assault and battery for the suspect.

7) Big Rock (245 S Eton)

- a) December 11<sup>th</sup> 2017: An intoxicated patron was transported to Royal Oak Beaumont Hospital for detox.

## 2018 LIQUOR LICENSE REVIEW

APPLICANT	Parcel #	July 2017 Tax Due	Special Assessments Past Due	Prior Year Delinquent Personal Property	Water Account Number	Delinquent Water Due	Total Due	Comments
220 Merrill Restaurant	19-36-202-017	\$55,109.54			00023-59924		\$55,109.54	
	99-00-015-113				00237-22056			
All Seasons	19-36-227-029				09901-10370			
	99-00-014-135				09902-10370			
Bella Piatti	99-00-012-120							
Big Rock Chop & Brew House	20-31-207-001				09063-30518			
	99-01-850-107				09069-34414			
Birmingham Sushi	99-00-010-087				32745-34042			
Birmingham Theater	99-01-960-057							
Bistro Joe's	6669.1				19469-24354			
	19-36-283-025							
Café Via	99-00-010-068							
Cameron Steakhouse	99-00-005-146				31099-25478			
Churchill's Bistro	99-01-009-140				35143-25682			
Community House	19-36-132-007				00190-78528			
					01909-22470			
Dick O'Dow's	99-01-960-288				06549-23140			
					06551-23142			
Elle's Mediterranean Café	99-01-930-115				00022-19864			
Emagine Palladium	99-00-016-081							
Four Story Burger-Closed								
Flemings	99-00-008-040							
Forest Grill	99-00-009-074							
Griffin Claw Brewery	99-00-014-048				29898-19115			
	20-31-203-036				29899-19116			
Hyde Park	99-00-013-091				07725-23506			
					32231-25766			
La Strada	99-00-016-108							
Luxe Bar & Grill	99-00-011-030							
Mad Hatter	99-00-015-066	\$6,669.10			23177-26830		\$6,669.10	
Market North End	99-00-014-056				07106-23265			
Phoenecia	99-01-010-170				00785-22218			
Rojo	99-00-014-118	\$4,772.59		8707.81	34097-25270	\$6,100.57	\$19,580.97	
Sidecar	99-00-017-071	\$1,059.24					\$1,059.24	
Salvatore Scallopini	99-01-850-267				06433-23066			
Social Kitchen & Bar	99-00-013-079							
Streetside Seafood	99-01-006-540				00223-22048			
Tallulah Wine Bar & Bistro	99-00-011-051				02017-22504			
Vinoteca formerly The Bird & The Bread	99-00-015-021				34089-25378			
The Stand	99-00-011-012				34487-34546	\$1,835.42	\$1,835.42	PAYMENT AGREEMENT
Toast	99-00-009-013				21549-22036			
Townhouse	99-00-012-092				01128-08396			
Townsend Hotel	19-36-134-006				00169-25030			
	99-01-870-185				00171-22012			
Triple Nickel	99-00-015-111				17536-24761			
Whole Foods Market					10715-19104			
					10721-24202			



## MEMORANDUM

Department of Public Services

**DATE:** February 14, 2018

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

**FROM:** Jacquelyn Brito, Golf Manager

**SUBJECT:** 2017 Annual Golf Report

---

Attached is the 2017 Annual Golf Report which is a review of the results of the 2017 golf season for Lincoln Hills and Springdale Golf Courses along with a 2018 preview. It includes some of the following items: a club membership synopsis, a ten (10) year history of annual rounds, seven (7) year revenue and expenditure analysis, Junior Golf analysis and a forecast for the 2018 season. The Annual Golf Report also includes an update on the upcoming 2018 marketing strategies. There is no change from the 2017 golf course fees and rates or with the rates for the passes and packages. The Parks and Recreation Board reviewed and accepted the report at their February 6, 2018 meeting.

**SUGGESTED RESOLUTION:**

To accept the 2017 Annual Golf Report.



# 2017

## Annual Golf Report

*Department of Public Services*



### **Lincoln Hills GC**

2666 West 14 Mile Road  
Birmingham, MI 48009  
(248) 530-1670

### **Springdale GC**

316 Strathmore  
Birmingham, MI 48009  
(248) 530-1660

[www.golfbirmingham.org](http://www.golfbirmingham.org)

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2017 5<sup>th</sup> Annual  
Turkey Shoot Participants

# ANNUAL GOLF REPORT

---

## 2017 Review

We had another successful year with overall great golfing conditions. We continue to create a quality service culture that promotes a friendly and enjoyable experience for members, guests and the community. We believe our clubs have become an integral part of many of our members' lives and as a result, the vast majority of our members retain their memberships each year. Keeping our members satisfied with their club experience, they will remain loyal and frequent users of the courses.

The season opened at Lincoln Hills on April 1<sup>st</sup> and Springdale followed on April 15<sup>th</sup>. Springdale was a bit saturated and we require better conditions before opening for our members, but we seem to be consistent to past years.



Our “**Early Sign-Up**” bonus was again well received for the third consecutive year which is held during the last two weeks of March at Lincoln Hills. We had sold 384 memberships and we redeemed 304 complimentary rounds from this promotion. Below is the breakdown of the membership types and we look forward to implementing this program in 2018.

Residents	207
NR Single	96
NR Dual	53
NR Family	11
Business	15
Unlimited	2

**Did You Know?** Our upcoming “Early Sign-Up” Bonus will be held at Lincoln Hills from 10am – 6pm

Mon – Fri March 19<sup>th</sup> – 23<sup>rd</sup>

Mon – Fri March 26<sup>th</sup> – 30<sup>th</sup>



## Memberships

We are pleased to show that we have been maintaining a healthy capacity over the past six years as shown in the chart below. Our objective each season is to attract and retain members while increasing member usage which are the biggest drivers of our revenue growth.

Membership	CY 2012		CY 2013		CY 2014		CY 2015		CY 2016		CY 2017	
	#	%	#	%	#	%	#	%	#	%	#	%
Resident	1,843	71%	2,007	73%	1,733	70%	2,090	71%	1,874	68%	1,898	68%
<b>Other Memberships</b>												
Business	101	4%	99	4%	102	4%	109	4%	109	4%	92	3%
Non-Resident - Single	398	15%	401	15%	406	16%	475	16%	465	17%	502	18%
Non-Resident - Dual	186	7%	185	7%	175	7%	194	7%	209	8%	220	8%
Non-Resident - Family	60	2%	65	2%	77	3%	78	3%	85	3%	85	3%
<b>Total</b>	<b>745</b>		<b>750</b>		<b>760</b>		<b>856</b>		<b>868</b>		<b>899</b>	
<b>Total Memberships</b>	<b>2,588</b>	<b>100%</b>	<b>2,757</b>	<b>100%</b>	<b>2,493</b>	<b>100%</b>	<b>2,946</b>	<b>100%</b>	<b>2,742</b>	<b>100%</b>	<b>2,797</b>	<b>100%</b>

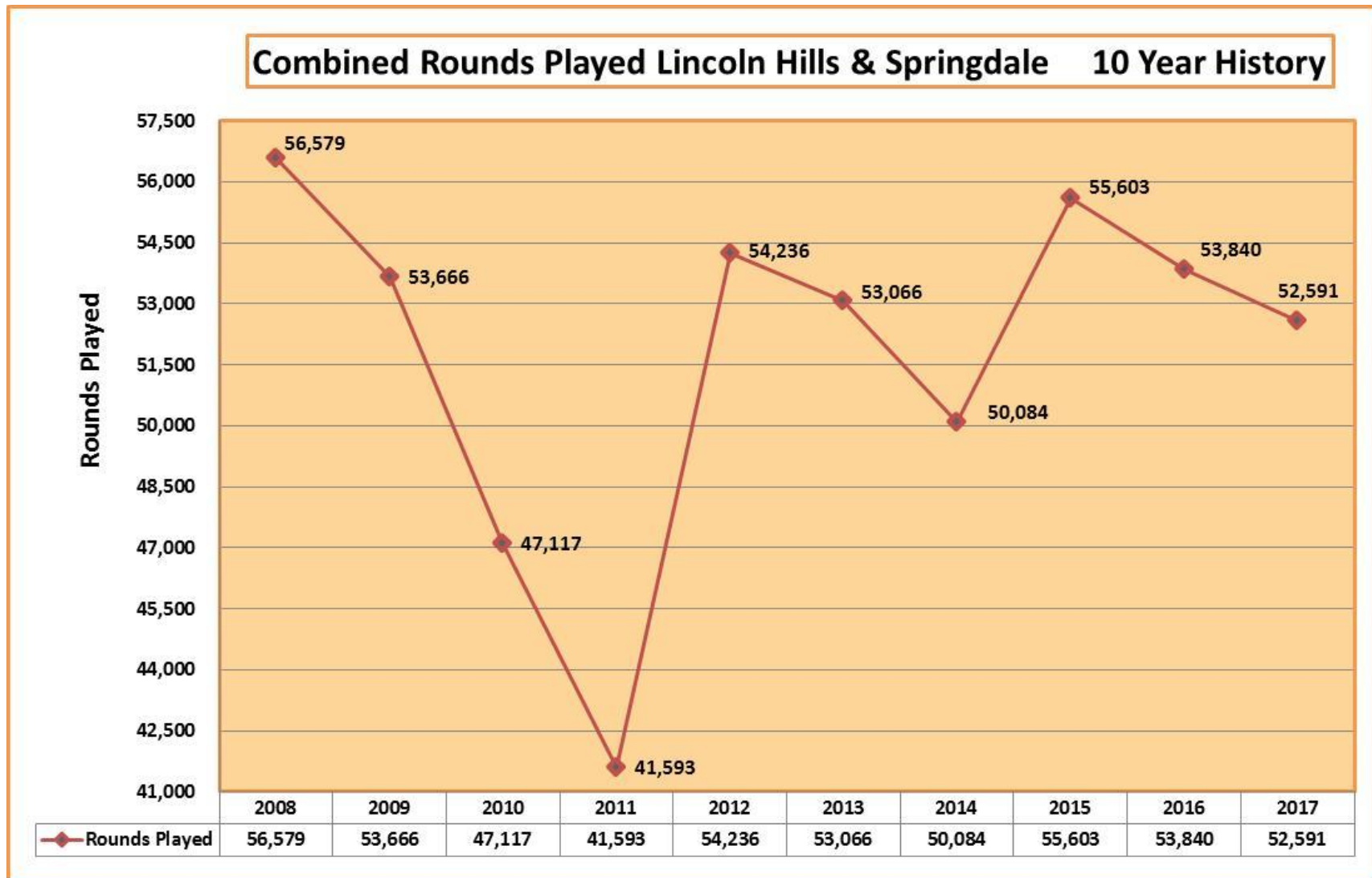
We introduced a new promotion in April called “Just a Drive Away.” The tool we utilized was a direct mailer to our surrounding communities outside of Birmingham. Households were invited to play and have lunch during this month for a special price and if they wanted to join they would receive a \$25 discount off their respective Non Resident Membership. There was one stipulation and that they were “First Time” members to be eligible for this program. There were 78 participants and we are excited to report that we added twenty-three (23) new members from this promotion, a return of 29%. We look forward to implementing this again.



We also introduced two new Club Events for our members to enjoy. The first was held in June – “**Nine, Dine, Laugh**” that hosted a 2-hour comedy show after dinner. The second was held in August – “**Nine, Dine, Sing**” and our members and guests enjoyed a 2-hour interactive dueling piano show. We received many compliments and these will be added to our Calendar of Events in 2018.

## Rounds

We finished our season with a combined total of 52,591 rounds which is a decrease of 1,249, or 2% compared to last season. We did experience our “rainy” days in the months of May and August, and November was very cold.



## Lincoln Hills

By looking at this table, there were a few categories changed our player matrix compared to 2016.

The significant changes were:

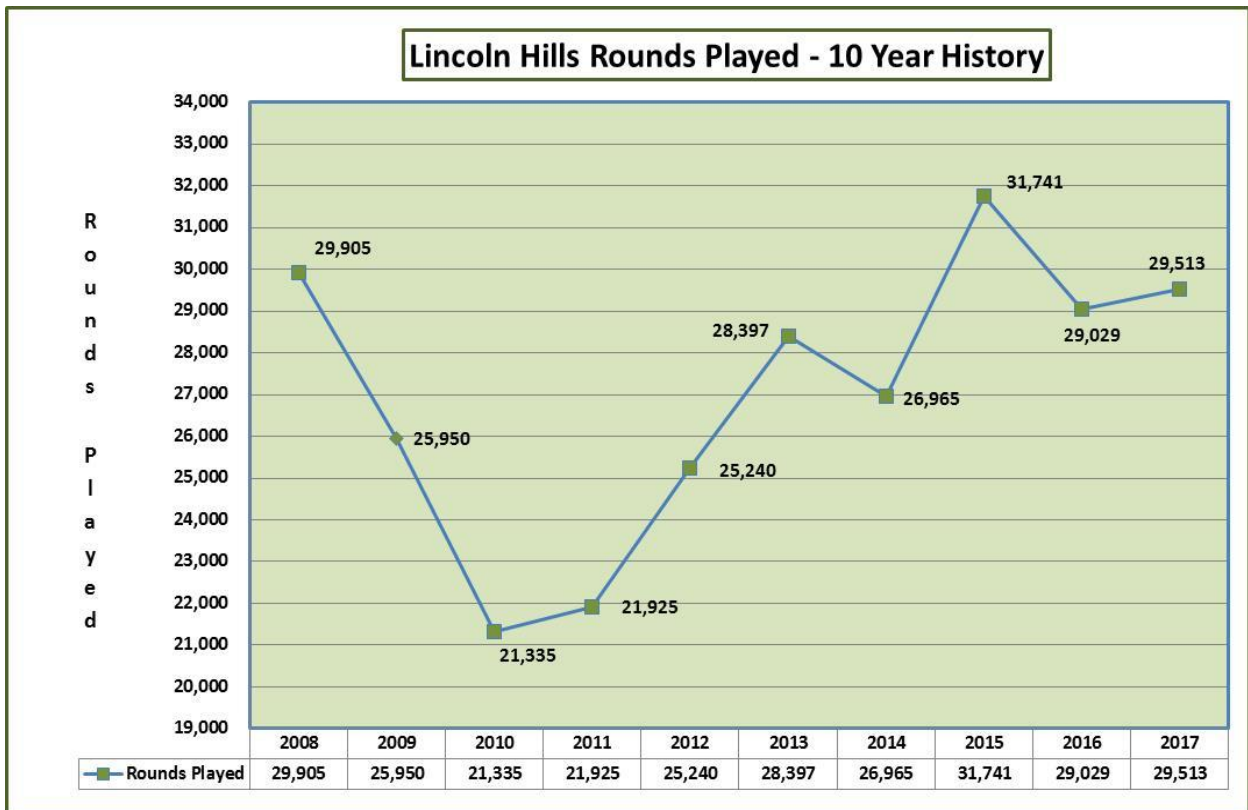
**Resident Adult**  
Increase by 65%

**Resident Senior**  
Decrease by 33%

**Non-Resident Adult**  
Increase by 49%;

**Non-Resident Senior**  
Increase by 32%.

LINCOLN HILLS	Customer Type Analysis					
	2015	%	2016	%	2017	%
Resident Adult	2,496	7.86%	1,244	4.29%	2,062	6.99%
Resident Sr	3,858	12.15%	4,057	13.98%	2,682	9.09%
Resident Jr	908	2.86%	714	2.46%	512	1.73%
Non-Resident Adult	1,057	3.33%	1,065	3.67%	1,596	5.41%
Non-Resident Sr	4,753	14.97%	4,137	14.25%	5,479	18.56%
Non-Resident Jr	483	1.52%	837	2.88%	398	1.35%
Guests	6,807	21.45%	5,997	20.66%	5,838	19.78%
Leagues	4,696	14.79%	4,815	16.59%	4,937	16.73%
Jr Golf Program	2,248	7.08%	2,392	8.24%	2,360	8.00%
Twilight	1,926	6.07%	1,868	6.43%	1,799	6.10%
High School	722	2.27%	641	2.21%	565	1.91%
Outings	469	1.48%	463	1.59%	439	1.49%
Business	589	1.86%	455	1.57%	422	1.43%
Unlimited Pass	258	0.81%	228	0.79%	207	0.70%
City	80	0.25%	114	0.39%	159	0.54%
Other	391	1.23%	2	0.01%	58	0.20%
<b>TOTAL</b>	<b>31,741</b>	<b>100%</b>	<b>29,029</b>	<b>100%</b>	<b>29,513</b>	<b>100%</b>



## Springdale

Our player matrix seems to fluctuate each year as shown in this table. A few of the customer types that changed compared to last year are the following:

**Resident Senior**  
Decrease by 9%

**Non-Resident Adult**  
Decrease by 35%

**Guests**  
Decrease by 11%

**Twilight**  
Decrease by 26%

SPRINGDALE	Customer Type Analysis					
	2015	%	2016	%	2017	%
Resident Adult	2,119	8.88%	2,321	9.35%	2,176	9.43%
Resident Sr	3,162	13.25%	3,428	13.82%	3,102	13.44%
Resident Jr	780	3.27%	453	1.83%	359	1.56%
Non-Resident Adult	635	2.66%	695	2.80%	450	1.95%
Non-Resident Sr	4,510	18.90%	4,987	20.10%	4,812	20.85%
Non-Resident Jr	153	0.64%	319	1.29%	141	0.61%
Guests	4,302	18.03%	5,082	20.48%	4,473	19.38%
Leagues	4,306	18.05%	4,196	16.91%	4,338	18.80%
Twilight	2,009	8.42%	1,914	7.71%	1,404	6.08%
High School	495	2.07%	288	1.16%	683	2.96%
Business	479	2.01%	430	1.73%	373	1.62%
Unlimited Pass	166	0.70%	227	0.91%	361	1.56%
Outings	344	1.44%	407	1.64%	319	1.38%
City	62	0.26%	59	0.24%	67	0.29%
Other	340	1.42%	5	0.02%	20	0.09%
<b>TOTALS</b>	<b>23,862</b>	<b>100%</b>	<b>24,811</b>	<b>100%</b>	<b>23,078</b>	<b>100%</b>



## Food and Beverage

We achieved revenues of \$85,971, which was just a slim increase over last year (\$82,650) by \$3,321, or 4%. Our staff made the difference this season, and I would like to thank each one for their hard work in creating these delicious entrees.

As seen in this table, we prepared 627 entrees which is 352 additional compared to last year, or 128%. The increases came from the “Just a Drive Away” promotion, and the additional entrees served to our members and guests throughout the season. This department is slowly growing and it is a great amenity for our customers and our focus will remain to increase revenues each season.

Entrees	2016	2017
BLT	16	47
Burgers	87	226
Chicken	9	20
Club	21	83
Grilled Cheese	58	110
Ham & Cheese	33	43
Salads	25	41
Turkey Burger	5	5
Turkey & Cheese	21	52
<b>Total Entrees</b>	<b>275</b>	<b>627</b>

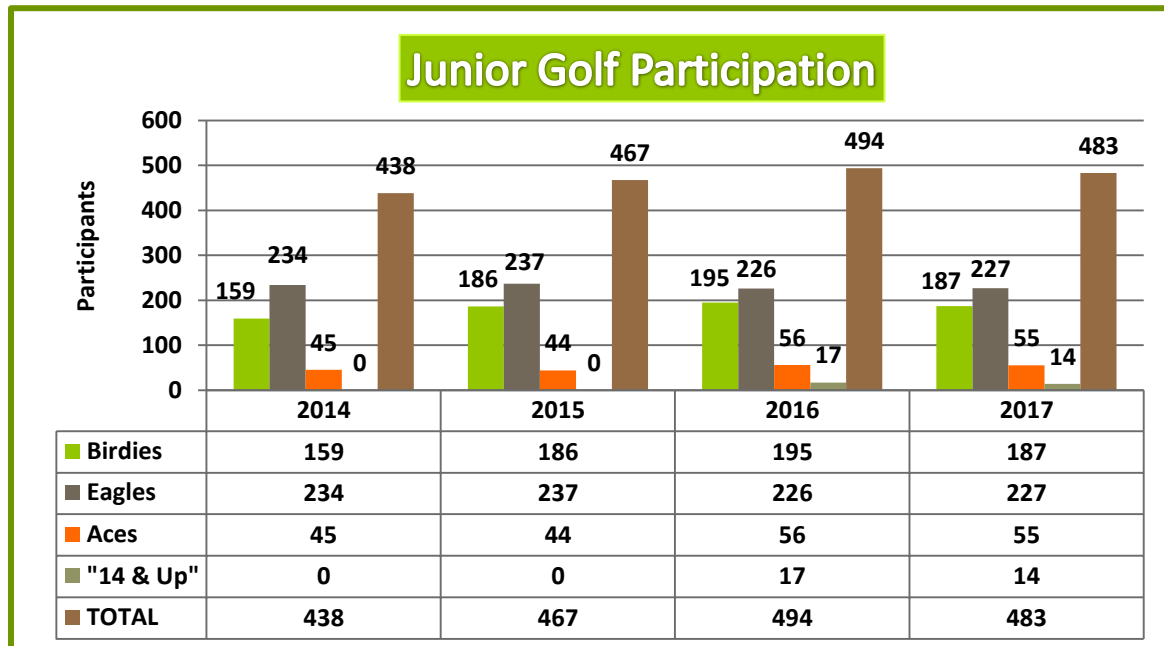


**Did You Know?** Everyone is welcome to have Lunch with us and enjoy great food and beautiful ambiance at either course.



## Junior Golf

Junior golfers are such an essential part of the golf industry. They are important for the future of the game and they also represent the future of our club. We have a number of avenues available to help junior players develop their skills, etiquette and self-discipline through our extensive junior golf program.



We had another successful year with revenues of \$87,357 with a total of 483 participants that produced a net profit of \$51,201. There was an increase in labor due to the need of additional rangers to monitor the juniors during their weekly round of golf. These rangers play an integral part of assisting the juniors and keeping them safe while on the course.

Junior Golf 2014 - 2017				
	Revenues	Expenses		Net Operating Profit \$
Year		Payroll	Supplies	
2014	90,142	32,643	1,408	\$56,091
2015	86,140	34,290	3,423	\$48,427
2016	89,392	31,435	1,280	\$56,677
2017	87,357	34,953	1,203	\$51,201



The PGA Junior League consisted of 24 players in which we fielded two teams this season. Our competitors this year included Sanctuary Lake, Pine Trace, Cherry Creek, Springdale GC and Lincoln Hills GC. The children really enjoyed the fun competition arena and the parents loved watching and supporting the teams.

## Projects

The strong financial position that we have been building up on from the past years has enabled the courses to move forward with a number of projects.

**1. Renovated Practice Area at Both Courses**

We installed new netting, poles and mats and it has been well received by the members and their guests.

**2. Purchased an Adaptive Golf Cart for Handicap Golfers**

A member had approached us regarding the American Disability Act and we are proud to be compliant and able to serve all golfers who are handicapped. This cart is stored at Springdale but may be used at either course with a 24-hour notice.



**3. Renovated Bunkers at Lincoln Hills**

All bunkers were excavated and replaced with new sand prior to season opening.

**4. New Tee Signs at Lincoln Hills**

We will be installing new tee signs prior to the season opening and plan to install them at Springdale next season.

**5. Adding Cart Path at Lincoln Hills**

The teeing area on #9 has been worn out and needs to be repaired. We will be extending the cart path up to the back of this tee.

**6. Bridge Renovations at Springdale**

The bridges are in need of repair due to age, wear, and safety for our members. There are four bridges that will be renovated prior to opening in 2018.

**7. Golf Cart Fleet**

We have upgraded our fleet to a newer version of EZ-Go carts that will include windshields, per the request of the membership. Our combined fleet now consists of 52 total carts due to the demand from league and regular play. Springdale now has 24 carts and Lincoln Hills remains at 28 carts.

**8. New Membership Cards**

In 2018, we will have the capacity to add photos to our membership cards as done in the past.

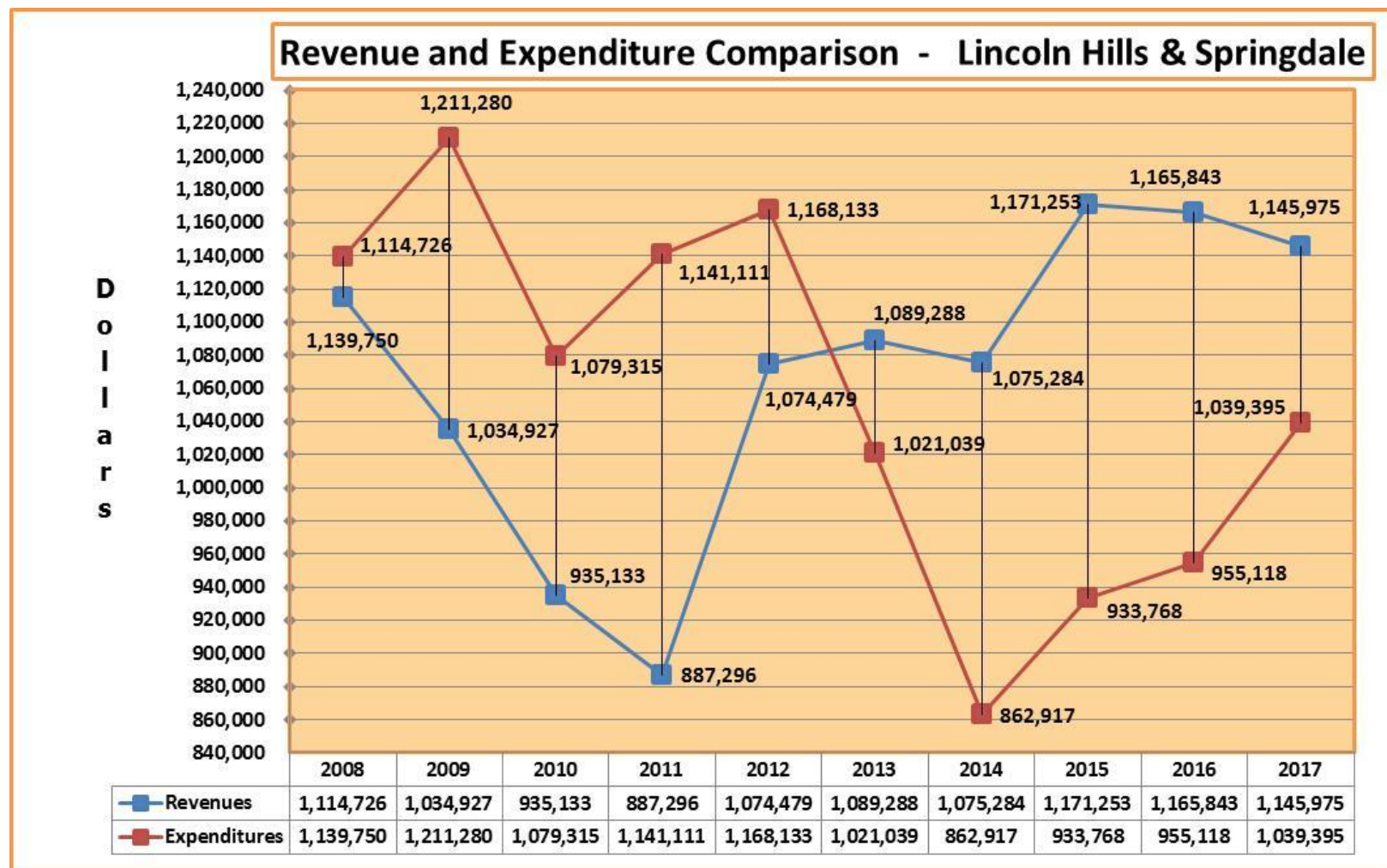
**Did You Know?** We used 12,540,465 gallons of water to irrigate Lincoln Hills this past season and 5,484,000 for Springdale.

**Why such a difference?** Lincoln Hills has a “wall-to-wall” irrigation system while Springdale has a “single-row” system which is limited.

## Financials

### Combined Courses

We are pleased to report that we had a **Net Operating Profit of \$106,580** which is much lower than last year by \$104,145, or 49%. However, one main factor is Lincoln Hills will be contributing \$100,000 to the General Fund on an annual basis to repay the bond for the construction of the clubhouse in 2010. The payments began on July 1, 2017 and this report reflects a total payment of \$50,000.





# CALENDAR YEAR 7-YEAR ANALYSIS (2011 - 2017)

COMBINED COURSES	2011	2012	2013	2014	2015	2016	2017
REVENUES	1,735,742	1,284,479	1,372,934	1,075,284	1,171,253	1,165,843	1,145,975
IMPRELIS FUNDS			192,046				
G.F. CONTRIBUTION (G.F. CONT.)	848,446	210,000	91,600				
NET REVENUES OF G.F. CONT.	887,296	1,074,479	1,089,288	1,075,284	1,171,253	1,165,843	1,145,975
EXPENDITURES							
ADMINISTRATIVE	33,194	32,860	35,097	37,250	38,423	36,257	35,230
MAINTENANCE	556,524	535,625	445,849	295,154	343,681	335,011	351,526
CLUBHOUSE	423,697	474,536	445,159	429,995	441,111	473,835	494,733
TOTAL EXPENDITURES	1,013,415	1,043,021	926,105	762,399	823,215	845,103	881,489
OPERATING INCOME/(LOSS) Before Dep	(126,119)	31,458	163,183	312,885	348,038	320,740	264,486
DEPRECIATION (DEP.)	107,693	115,112	107,404	100,518	110,553	110,014	107,906
G.F. CONTRIBUTION (G.F. CONT.)	20,003	10,000					50,000
NET SURPLUS/(LOSS)	(253,815)	(93,655)	55,779	212,367	237,485	210,725	106,580

## Lincoln Hills

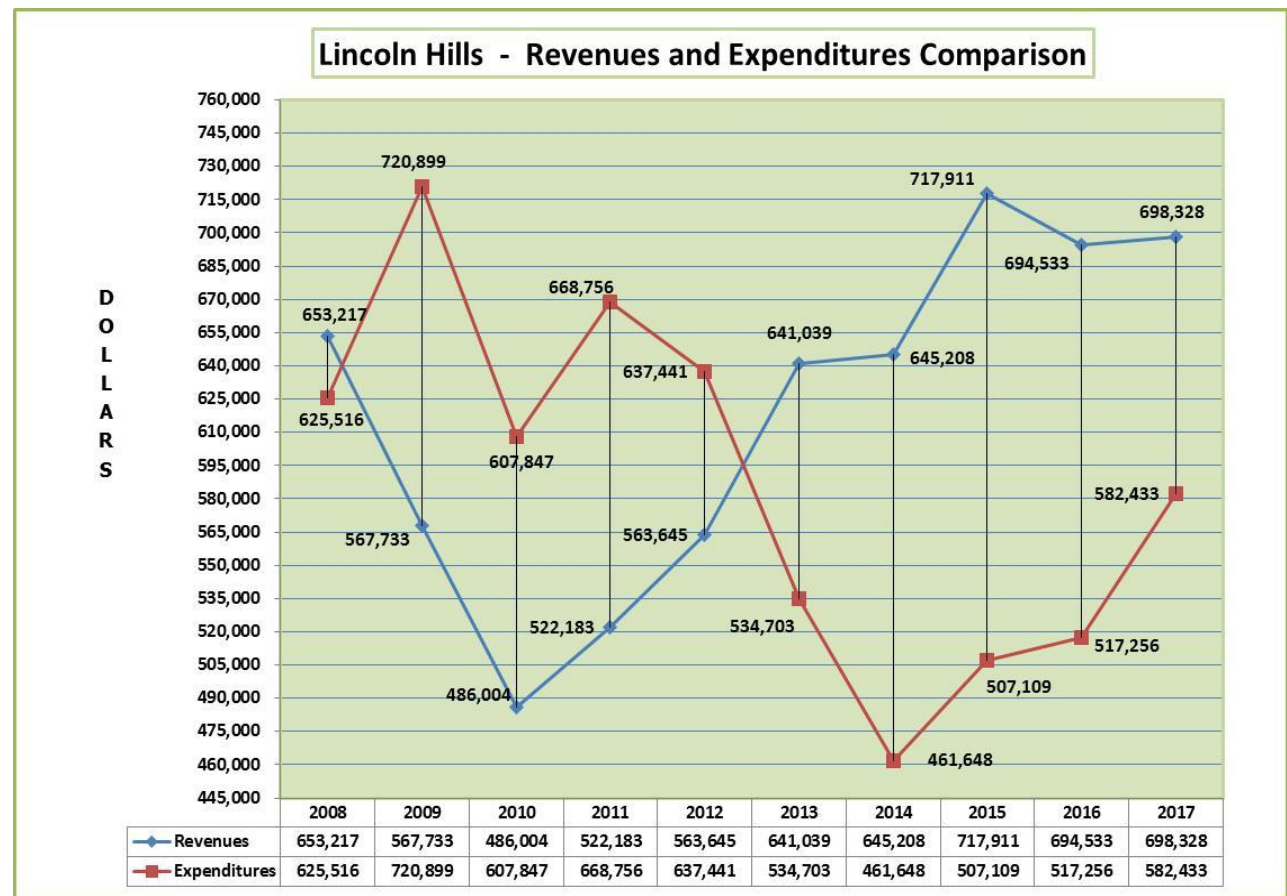
Lincoln Hills' revenues were overall similar to last year's with a total of \$698,328 which is a small increase of \$3,795. The significant differences are listed below.

### Revenues for Lincoln Hills

- Weekday Green Fees were down by **\$9,727**, or **-4%**
- Weekend Green Fees were up by \$11,939, or 11%
- Interest Income was down by **\$13,290**, or **-76%**

### Expenses for Lincoln Hills

- Maintenance
  - New Nets - \$4,900 and New Poles - \$1,900,
  - New Sand - \$3,400
  - Chemical Increase - \$5,800
  - Repair Fuel Tanks -\$1,700
- Clubhouse
  - Contribution to General Fund - \$50,000
  - Marketing & Advertising \$5,472



**CALENDAR YEAR 7-YEAR ANALYSIS (2011 - 2017)**

<b>LINCOLN HILLS G.C.</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
<b>REVENUES</b>	1,370,629	773,645	829,695	645,208	717,911	694,533	698,328
IMPRELIS FUNDS			122,986				
G.F. CONTRIBUTION	848,446	210,000	65,670				
<b>NET REVENUES OF G.F. CONT.</b>	<b>522,183</b>	<b>563,645</b>	<b>641,039</b>	<b>645,208</b>	<b>717,911</b>	<b>694,533</b>	<b>698,328</b>
EXPENDITURES	586,736	573,685	481,400	408,831	446,476	459,098	475,304
<b>OPERATING INCOME/(LOSS) Before Dep</b>	<b>(64,554)</b>	<b>(10,040)</b>	<b>159,640</b>	<b>236,377</b>	<b>271,436</b>	<b>235,435</b>	<b>223,024</b>
DEPRECIATION	62,017	53,756	57,893	52,817	60,634	58,207	57,130
<b>CONTRIBUTION TO G.F.</b>	20,003	10,000					50,000
<b>NET SURPLUS/(LOSS)</b>	<b>(146,574)</b>	<b>(73,796)</b>	<b>101,747</b>	<b>183,560</b>	<b>210,802</b>	<b>177,228</b>	<b>115,895</b>

## Springdale

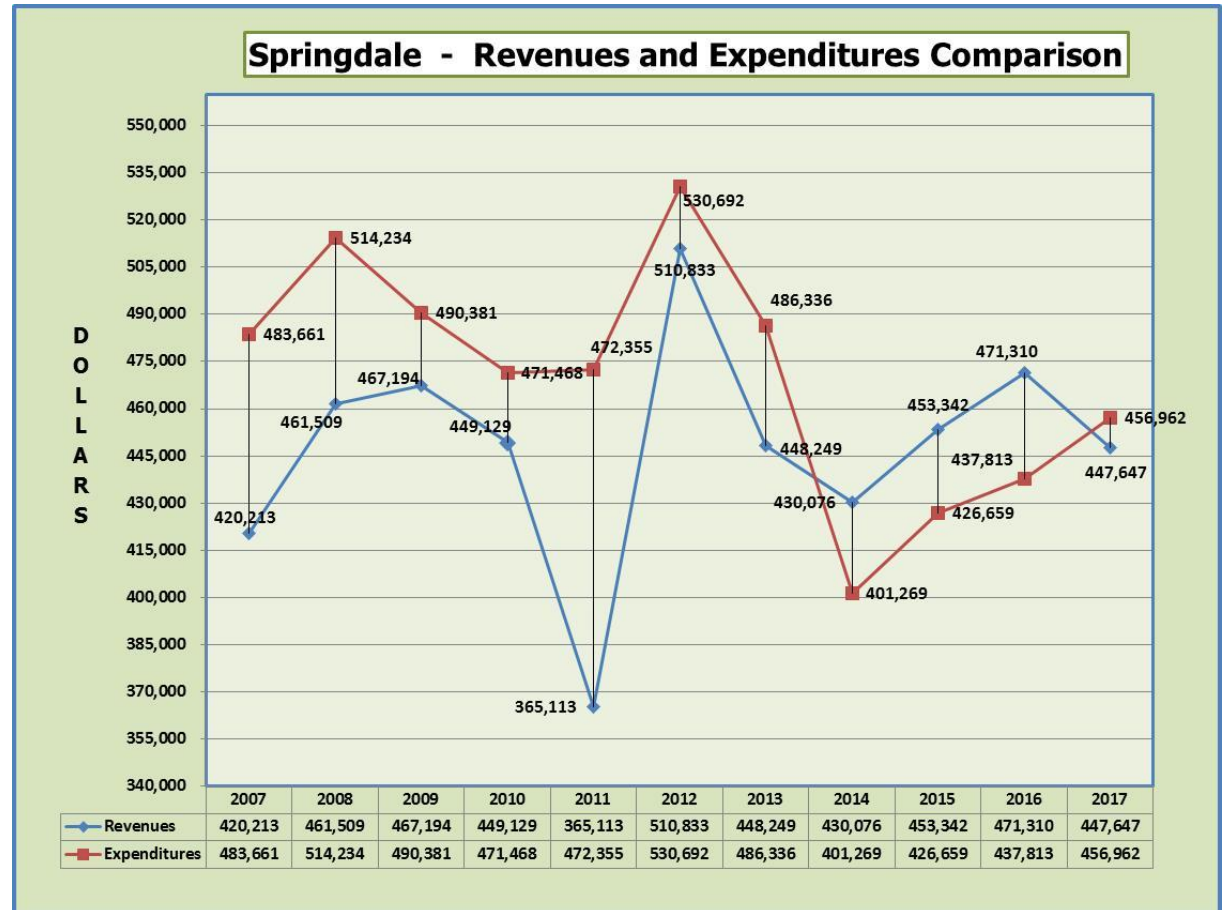
Springdale had an Operating Profit of \$41,463 but after depreciation we ended with a **Net Operating Loss of -\$9,314**. Performance included a combination of less revenues generated combined with additional expenses as noted below.

### Revenues for Springdale

- └ Weekday Green Fees were down by **\$11,918, or -6%**
- └ Weekend Green Fees were down by **\$3,086, or -3%**
- └ Golf Cart Rental Fees were down by **\$6,462, or -7%**

### Expenses for Springdale

- └ Clubhouse
  - DPS Personnel Assistance with Projects - \$4,000
  - Labor for Junior Ranger Booked at SD - \$4,100
  - Increase in Wages & Personnel by \$4,900
  - Increase in Hourly Rate and Employee Benefits - \$5,035



**CALENDAR YEAR 7-YEAR ANALYSIS (2011 - 2017)**

<b>SPRINGDALE G.C.</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
<b>REVENUES</b>	365,113	510,833	543,239	430,076	453,342	471,310	447,647
IMPRESIS FUNDS			69,060				
G.F. CONTRIBUTION			25,930				
<b>REVENUES NET OF CONTRIBUTIONS</b>	<b>365,113</b>	<b>510,833</b>	<b>448,249</b>	<b>430,076</b>	<b>453,342</b>	<b>471,310</b>	<b>447,647</b>
EXPENDITURES	426,679	469,336	444,705	353,568	376,739	386,006	406,184
<b>OPERATING INCOME/(LOSS) Before Dep</b>	<b>(61,565)</b>	<b>41,498</b>	<b>3,544</b>	<b>76,508</b>	<b>76,603</b>	<b>85,304</b>	<b>41,463</b>
DEPRECIATION	45,676	61,357	49,511	47,701	49,919	51,807	50,776
<b>NET SURPLUS/(LOSS)</b>	<b>(107,241)</b>	<b>(19,859)</b>	<b>(45,968)</b>	<b>28,807</b>	<b>26,683</b>	<b>33,497</b>	<b>(9,314)</b>

## Operation Statement 2015 – 2017

	2015			2016			2017		
REVENUES:	LINC. HILLS	SPRINGDALE	TOTAL	LINC. HILLS	SPRINGDALE	TOTAL	LINC. HILLS	SPRINGDALE	TOTAL
WEEKDAY GREENS FEES	207,924	186,016	393,940	202,117	184,596	386,714	192,391	172,679	365,069
WEEKEND GREENS FEES	116,219	84,132	200,351	105,267	92,520	197,787	117,206	89,434	206,640
FOOD & BEVERAGE	49,979	34,535	84,514	48,268	34,381	82,650	51,298	34,673	85,971
MERCHANDISE	18,727	7,669	26,395	14,963	7,836	22,798	14,794	8,201	22,995
PULL CART RENTAL	4,823	4,817	9,639	5,118	5,262	10,380	5,215	5,280	10,495
GOLF CART RENTAL	96,111	74,204	170,314	90,863	82,728	173,591	93,171	76,266	169,438
GAM HANDICAP	1,232	452	1,684	1,766	641	2,407	1,937	671	2,608
CLASSES	95,130	0	95,130	89,252	140	89,392	87,357	0	87,357
BUSINESS MEMBERSHIPS	6,800	4,120	10,920	7,660	3,350	11,010	6,600	2,480	9,080
NON-RESIDENT MEMBERSHIPS	89,709	40,059	129,768	96,400	35,850	132,250	106,350	33,255	139,605
UNLIMITED GOLF PASS	4,050	1,000	5,050	3,600	-11	3,589	3,020	1,300	4,320
PACKAGE CLUB PASSES	580	145	725	0	0	0	334	0	334
TOURNAMENT ENTRY FEES	5,129	5,221	10,350	4,797	5,386	10,183	5,082	4,146	9,228
INTEREST INCOME	11,937	0	11,937	17,392	0	17,392	6,222	0	6,222
LEASE INCOME	8,093	9,600	17,693	6,727	18,600	25,327	6,929	19,200	26,129
CELL TOWER ACCESS FEE	999	998	1,997	0	0	0	0	0	0
MISCELLANEOUS INCOME	415	337	752	308	0	308	449	62	511
CASH OVERAGE/(SHORTAGE)	54	38	93	35	31	66	27	1	-26
GENERAL FUND CONTRIBUTION	0	0	0	0	0	0	0	0	0
<b>TOTAL REVENUES</b>	<b>717,911</b>	<b>453,342</b>	<b>1,171,253</b>	<b>694,533</b>	<b>471,310</b>	<b>1,165,843</b>	<b>698,328</b>	<b>447,647</b>	<b>1,145,975</b>

	2015			2016			2017		
EXPENSES:	LINC. HILLS	SPRINGDALE	TOTAL	LINC. HILLS	SPRINGDALE	TOTAL	LINC. HILLS	SPRINGDALE	TOTAL
ADMINISTRATIVE CHARGE	18,510	18,510	37,020	17,425	17,425	34,850	16,905	16,905	33,810
AUDIT	702	702	1,403	703	704	1,407	710	710	1,420
<b>SUB-TOTAL ADMINISTRATIVE</b>	<b>19,212</b>	<b>19,212</b>	<b>38,423</b>	<b>18,128</b>	<b>18,129</b>	<b>36,257</b>	<b>17,615</b>	<b>17,615</b>	<b>35,230</b>

	2015			2016			2017		
MAINTENANCE	LINC. HILLS	SPRINGDALE	TOTAL	LINC. HILLS	SPRINGDALE	TOTAL	LINC. HILLS	SPRINGDALE	TOTAL
SALARIES AND WAGES	89,259	75,166	164,425	73,967	67,031	140,999	68,588	57,198	125,787
OVERTIME PAY	(3,157)	(2,158)	(5,315)	0	159	159	3,581	409	3,990
LONGEVITY	(600)	(600)	(1,199)	24	24	48	24	24	48
FICA	6,505	5,503	12,008	5,613	5,096	10,709	5,530	4,360	9,891
HOSPITALIZATION	3,508	3,519	7,027	4,665	4,640	9,304	5,739	5,286	11,025
LIFE	183	184	367	181	180	361	186	183	369
RETIREE HEALTH CARE	(977)	(852)	(1,828)	1,622	1,577	3,200	2,345	2,347	4,692
DENTAL/OPTICAL	672	674	1,346	653	650	1,302	669	657	1,326
DISABILITY INSURANCE	279	280	559	281	280	561	294	289	583
WORKER'S COMPENSATION	858	731	1,589	726	656	1,383	674	547	1,222
SICK TIME PAY OUT	0	0	0	0	0	0	0	0	0
RETIREMENT CONTRIBUTION	(971)	(954)	(1,925)	1,519	1,419	2,938	2,774	2,846	5,620
HRA BENEFIT	10	10	20	10	10	20	10	10	20
HSA CONTRIBUTION/ RETIRE EMPR	2,162	2,148	4,310	3,635	3,626	7,261	3,851	3,780	7,631
OPERATING SUPPLIES	38,170	38,840	77,011	36,437	33,790	70,227	52,470	39,891	92,361
OTHER CONTRACTUAL SERVICE	5,707	11,150	16,857	5,226	5,134	10,360	3,939	5,730	9,670
TELEPHONE	0	0	0	0	0	0	0	0	0
ELECTRICITY	10,410	2,978	13,388	10,578	3,226	13,804	10,437	3,199	13,636
GAS	935	1,532	2,467	1,211	1,327	2,538	1,046	1,457	2,503
WATER	182	0	182	203	0	203	330	0	330
TRAINING	593	593	1,187	188	241	428	422	357	779
PRINTING & PUBLISHING	60	60	119	0	47	47	0	0	0
EQUIPMENT RENTAL	24,018	22,078	46,096	29,999	29,160	59,159	29,999	30,042	60,041
BUILDINGS	0	0	0	0	0	0	0	0	0
MACHINERY & EQUIPMENT	0	0	0	0	0	0	0	0	0
PUBLIC IMPROVEMENTS	2,495	2,495	4,990	0	5,990	5,990	0	0	0
CONTRIBUTED EXP - CAP OUTLAY	0	0	0	0	(5,990)	(5,990)	0	0	0
<b>SUB-TOTAL MAINTENANCE</b>	<b>180,303</b>	<b>163,378</b>	<b>343,681</b>	<b>176,738</b>	<b>158,274</b>	<b>335,011</b>	<b>192,911</b>	<b>158,615</b>	<b>351,526</b>

	2015			2016			2017		
CLUBHOUSE:	LINC. HILLS	SPRINGDALE	TOTAL	LINC. HILLS	SPRINGDALE	TOTAL	LINC. HILLS	SPRINGDALE	TOTAL
SALARIES AND WAGES	123,961	88,016	211,977	116,926	83,832	200,758	120,901	96,068	216,969
OVERTIME	1,885	(782)	1,103	3,828	704	4,531	420	577	996
LONGEVITY	(221)	(221)	(442)	35	35	70	35	35	70
FICA	9,608	6,656	16,263	9,221	6,450	15,671	9,230	7,344	16,573
HOSPITALIZATION	11,150	11,026	22,176	12,243	12,603	24,846	15,637	18,150	33,787
LIFE	23	22	45	21	21	42	24	21	45
RETIREE HEALTH CARE	252	165	416	1,870	1,847	3,717	2,418	2,404	4,822
DENTAL/OPTICAL	66	59	126	55	53	108	747	735	1,482
DISABILITY	28	24	52	23	22	45	328	323	651
WORKER'S COMPENSATION	1,217	840	2,057	1,180	829	2,010	1,154	909	2,063
SICK TIME PAYOUT	0	0	0	0	0	0	0	0	0
RETIREMENT CONTRIBUTION	(712)	(700)	(1,412)	1,758	1,637	3,394	3,174	3,162	6,336
HRA BENEFIT	20	20	40	20	20	40	20	20	40
HSA CONTRIBUTION/ RETIRE EMPR	53	20	72	7,852	7,851	15,703	4,255	4,196	8,451
OPERATING SUPPLIES	10,030	9,600	19,630	14,610	13,056	27,665	16,673	13,598	30,271
CONCESSIONS	0	0	0	0	0	0	0	0	0
FOOD & BEVERAGE	18,225	12,537	30,762	15,230	12,256	27,486	16,028	11,948	27,976
BEER & WINE PURCHASES	6,562	5,759	12,321	6,338	7,259	13,596	6,274	7,582	13,856
INSTRUCTORS	0	0	0	0	0	0	0	0	0
OTHER CONTRACTUAL SERVICES	10,082	9,171	19,253	18,482	10,372	28,854	13,804	11,629	25,432
TELEPHONE	952	1,198	2,150	1,168	1,146	2,314	1,136	1,239	2,376
MERCHANDISE	12,733	6,197	18,931	14,119	7,777	21,895	7,649	5,311	12,960
CONTRACTUAL ALARM	1,674	747	2,421	1,743	946	2,688	3,128	946	4,073
ELECTRICITY	0	4,563	4,563	0	5,081	5,081	0	4,519	4,519
GAS	282	1,632	1,915	299	1,314	1,613	245	1,614	1,859
WATER	3,982	2,323	6,305	1,933	2,322	4,256	1,925	1,699	3,624
LIQOUR LICENSE	1,253	1,253	2,505	1,253	1,253	2,505	1,253	1,253	2,505
PRINTING & PUBLISHING	1,629	1,128	2,756	1,390	1,315	2,705	2,452	1,469	3,921
MARKETING & ADVERTISING	2,051	3,387	5,438	176	176	351	5,647	1,864	7,512
MISCELLANEOUS	0	0	0	0	0	0	0	0	0
DEPRECIATION	60,634	49,919	110,553	58,207	51,807	110,014	57,130	50,776	107,906
EQUIPMENT RENTAL	16,268	15,603	31,871	17,855	14,821	32,676	15,923	17,044	32,967
TRAINING	0	0	0	699	699	1,399	135	135	270
LIABILITY INSURANCE	13,909	13,909	27,817	13,909	13,909	27,817	14,162	14,162	28,324
CONTRIBUTED EXP. - CAP. OUTLAY	0	(15,846)	(15,846)	(8,201)	0	(8,201)	0	0	0
MACHINERY & EQUIPMENT	0	0	0	2,106	0	2,106	0	0	0
FURNITURE	0	0	0	0	0	0	0	0	0
BUILDINGS	0	0	0	0	0	0	0	0	0
PUBLIC IMPROVEMENTS	0	15,846	15,846	6,095	0	6,095	0	0	0
CONTRIBUTION TO GENERAL FUND	0	0	0	0	0	0	50,000	0	50,000
<b>SUB-TOTAL CLUBHOUSE</b>	<b>307,594</b>	<b>244,070</b>	<b>551,664</b>	<b>322,439</b>	<b>261,410</b>	<b>583,850</b>	<b>371,908</b>	<b>280,731</b>	<b>652,639</b>
<b>TOTAL OPERATING EXPENSE</b>	<b>507,109</b>	<b>426,659</b>	<b>933,768</b>	<b>517,305</b>	<b>437,813</b>	<b>955,118</b>	<b>582,434</b>	<b>456,961</b>	<b>1,039,395</b>
<b>TOTAL REVENUES</b>	<b>717,911</b>	<b>453,342</b>	<b>1,171,253</b>	<b>694,533</b>	<b>471,310</b>	<b>1,165,843</b>	<b>698,328</b>	<b>447,647</b>	<b>1,145,975</b>
<b>OPERATING INCOME (LOSS)</b>	<b>210,802</b>	<b>26,683</b>	<b>237,485</b>	<b>177,228</b>	<b>33,497</b>	<b>210,725</b>	<b>115,894</b>	<b>(9,314)</b>	<b>106,580</b>



## 2018 Prospectus

Our emphasis in the year 2018 is to continue to maintain our vision to maintain a level of fiscal management that promotes the highest level of service, presentation and playing conditions to our members and guests while providing the City with positive net income and our employees with a positive work environment. Our goals for 2018 have been defined with specific objectives and are listed below:

- **Goal: Continue to Focus on Customer Service Skills**
  - In the Spring, we will be conducting a 2-Hour Customer Service seminar for all personnel
  - Provide ongoing training to all new staff members throughout the season
  - Offer monthly staff awards for those who go above and beyond
- **Goal: Continue to Manage the Experience of our Members and Guests**
  - Change the starting of tee times to 8-minute intervals at Springdale
  - Train staff regarding the pace of play for the enjoyment of the golfers
  - Train staff to utilize our time matrix which shows where groups should be “time wise” related to the how many holes they have been completed
  - In addition to the “End of the Season” survey, we will add survey opportunities after they play to gain feedback throughout the season
- **Goal: Continue to Improve the Course Conditions**
  - Provide our patrons with consistent greens and playing conditions
  - Improve our bunkers to provide for more consistency and playability
  - Continue to replace irrigation heads to improved coverage and better water management
  - Add additional cart paths where areas have experienced “wear & tear”
  - Renovate bridges at Springdale
- **Goal: Increase Memberships**
  - Work with the BSD to increase Business Memberships, small outings and usage of the facilities
  - Repeat the “Drive Away” promotion to surround communities in early Spring
  - Invite past members to come back and visit the courses
  - Advertise in Birmingham Hour Magazine
  - “Bring a Guest” day in April
  - Maintain a robust social media presence

➤ **Increase Green Fees**

- Focus on player development with emphasis on targeting women and younger adults through complimentary clinics and “hassle-free” tee times
- Offer Get Golf Ready (GGR) programs to local businesses and schools to introduce a “game for a lifetime”
- Introduce a “Beginner” League to these participants that graduated from the GGR classes
- Introduce a new Parent/Child League to be played June through August
- Add monthly Scrambles for the enjoyment by all
- Market our membership to have the opportunity to host small golf events for their family and friends
- Solicit local businesses to give them an opportunity to host a golf event for “Team Building” and/or Client Appreciation
- Work with local Hotels for those guests in town to play one or both of the beautiful courses as they visit Birmingham
- Continue to E-Blast our membership database with all of our upcoming events and new promotions
- Offer promotions during the “slow periods” with golf and lunch packages

We are excited for the 2018 season approaching and are looking forward to achieving the above goals with a dedicated staff to serve our members and their guests.

February 22, 2018

Mr. Joseph A. Valentine, City Manager  
**City of Birmingham**  
151 Martin Street, P.O. Box 3001  
Birmingham, MI 48012-3001

***Re: Construction Sites Maintenance Code***

Dear Mr. Valentine:

Throughout the last few years it has come to the attention of the Building Department that construction sites and maintenance of those sites seems to be an ongoing issue for the City of Birmingham and the happiness of its residents. To this end, the Building Official, Bruce Johnson, his staff, and I have undertaken changes to improve Section 50-29 of the Birmingham City Code. Attached please find the new General Penalty provision, Section 1-9, for the City of Birmingham which makes clear the penalty for civil infractions. Also, please find an entirely new Section 50-29 "Construction Site Maintenance", including new ordinances that will penalize permit holders who maintain unsafe construction sites, especially, if three or more violations occur on the same site. There is also a new staggered penalty provision, so that a first offense of a violation of this particular section will be \$100, a second offense will be \$250, and, finally, a third offense will be \$500, as reflected on the fee schedule. Also, you will find changes to Section 50-74(b) – Decibel level prohibitions.

Historically, ordinances regarding construction site maintenance have had the penalty of a criminal misdemeanor. As such, code officials were cautious about giving persons on a construction site tickets that would make them criminally liable. We have discussed this issue at length and have decided that it is in the best interest of the City to change the penalties to civil infractions. We will now have a mechanism by which to hold the construction site workers and permit holders responsible in a swift and meaningful way.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

**BEIER HOWLETT, P.C.**

Mary M. Kucharek

MMK/jc  
Enclosure  
cc: Mr. Bruce Johnson, Building Official

**PROPOSED ACTION**

**A RESOLUTION TO APPROVE THE ORDINANCE AMENDMENT TO AMEND THE CITY CODE, PART II, CHAPTER 1 – GENERAL PROVISIONS, SEC. 1-9 GENERAL PENALTY.**

**AND**

**A RESOLUTION TO APPROVE THE ORDINANCE AMENDMENT TO AMEND THE CITY CODE, PART II, CHAPTER 50-ENVIRONMENT, ARTICLE II. – NUISANCES, DIVISION 1 – GENERALLY, SEC. 50-29 CONSTRUCTION SITE MAINTENANCE PROVISIONS FOR RESIDENTIAL AND COMMERCIAL PROPERTIES.**

**AND**

**A RESOLUTION TO APPROVE CHANGES TO THE FEE SCHEDULE ADDING CONSTRUCTION SITE MAINTENANCE VIOLATIONS (Sec. 50-29).**

**AND**

**A RESOLUTION TO APPROVE THE ORDINANCE AMENDMENT TO AMEND THE CITY CODE, PART II, CHAPTER 50 – ENVIRONMENT, ARTICLE II. – NUISANCES, DIVISION 4. NOISE, SEC. 50-74 DECIBEL LEVEL PROHIBITIONS.**

**AN ORDINANCE TO AMEND PART II OF THE CITY CODE, CHAPTER 1 – GENERAL PROVISIONS, SEC. 1-9 GENERAL PENALTY.**

THE CITY OF BIRMINGHAM ORDAINS:

The City Code, Part II, Chapter 1. General Provisions, Sec. 1-9. – General penalty, shall read as follows:

Sec. 1-9. - General penalty; continuing violations.

- (a) Any provision of this Code that is made or declared to be a misdemeanor, civil infraction or municipal civil infraction is a violation of this Code.
- (b) Whenever in this Code or in any rule, regulation or order made pursuant to this Code or any ordinance of the city, any act is prohibited or is made or declared to be unlawful or an offense, or whenever the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of any such provision by any person shall, upon conviction, be punished by a fine not exceeding \$500.00, and/or a term of probation, and/or imprisonment for a term not exceeding 90 or 93 days, except whenever a specific penalty is otherwise provided except pursuant to MCL 117.3(k), MCL 257.625(1)(c) of the Michigan vehicle code is hereby specifically adopted by reference. In addition to probation, costs of prosecution, and any other consequence ordered by the court, a violation of this Code is punishable by one or more of the following:
  - (1) Community service for not more than 360 hours.
  - (2) Imprisonment for not more than 180 days.
  - (3) A fine of not less than \$200.00 or more than \$700.00.
- (c) The commission of any violation of this Code that is declared to be a civil infraction shall subject the violator to a civil penalty as provided by state law for civil infractions, or municipal civil infractions whichever is applicable, and as determined by city ordinance.
- (d) Except as specifically provided, any person under the age of 17 years who violates any provision of this Code or any ordinance of the city shall be dealt with by the juvenile division of the probate court or as prescribed by the laws of the state.
- (e) In addition to the penalties provided in subsections (b) and (c) of this section, any condition caused or permitted to exist in violation of any of the provisions of this Code or any ordinance shall be deemed a new and separate offense for each day that such condition continues to exist.
- (f) In addition to any penalty under this section, the city may seek injunctive relief, abate the condition as a nuisance, revoke any permit or license, and/or seek any other available remedy.
- (g) The provisions of this section shall not apply to the failure of city officers and employees to perform duties required in this Code.

General penalty.

- ~~(a) Whenever in this Code or in any rule, regulation or order made pursuant to this Code or any ordinance of the city, any act is prohibited or is made or declared to be unlawful or an offense, or whenever the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of any such provision by any person shall, upon conviction, be punished by a fine not exceeding \$500.00, and/or a term of probation, and/or imprisonment for a term not exceeding 90 or 93 days, except whenever a specific penalty is otherwise provided except pursuant to MCL 117.3(k), MCL 257.625(1)(c) of the Michigan Vehicle Code by reference is hereby specifically adopted by reference. In addition to probation, costs of prosecution, and any other consequence ordered by the court, a violation of this ordinance is punishable by one or more of the following:~~
  - ~~(1) Community service for not more than 360 hours.~~
  - ~~(2) Imprisonment for not more than 180 days.~~
  - ~~(3) A fine of not less than \$200.00 or more than \$700.00.~~

~~(b) — Except as specifically provided, any person under the age of 17 years who violates any provision of this Code or any ordinance of the city shall be dealt with by the juvenile division of the probate court or as prescribed by the laws of the state.~~

~~(c) — In addition to the penalties provided in subsection (a) of this section, any condition caused or permitted to exist in violation of any of the provisions of this Code or any ordinance shall be deemed a new and separate offense for each day that such condition continues to exist.~~

~~(d) — In addition to any penalty under this section, the city may seek injunctive relief, abate the condition as a nuisance, revoke any permit or license, and/or seek any other available remedy.~~

~~(e) — The provisions of this section shall not apply to the failure of city officers and employees to perform duties required in this Code.~~

All other Sections of Chapter 1 – General Provisions, shall remain unaffected.

Ordained this \_\_\_\_\_ day of \_\_\_\_\_, 2018. Effective upon publication.

\_\_\_\_\_  
Andrew Harris, Mayor

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk

I, Cherilynn Mynsberge, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held \_\_\_\_\_, 2018 and that a summary was published \_\_\_\_\_, 2018.

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk

**AN ORDINANCE TO AMEND PART II OF THE CITY CODE, CHAPTER 1 – GENERAL PROVISIONS, SEC. 1-9 GENERAL PENALTY.**

THE CITY OF BIRMINGHAM ORDAINS:

The City Code, Part II, Chapter 1. General Provisions, Sec. 1-9. – General penalty, shall read as follows:

Sec. 1-9. - General penalty; continuing violations.

- (a) Any provision of this Code that is made or declared to be a misdemeanor, civil infraction or municipal civil infraction is a violation of this Code.
- (b) Whenever in this Code or in any rule, regulation or order made pursuant to this Code or any ordinance of the city, any act is prohibited or is made or declared to be unlawful or an offense, or whenever the doing of any act is required or the failure to do any act is declared to be unlawful, the violation of any such provision by any person shall, upon conviction, be punished by a fine not exceeding \$500.00, and/or a term of probation, and/or imprisonment for a term not exceeding 90 or 93 days, except whenever a specific penalty is otherwise provided except pursuant to MCL 117.3(k), MCL 257.625(1)(c) of the Michigan vehicle code is hereby specifically adopted by reference. In addition to probation, costs of prosecution, and any other consequence ordered by the court, a violation of this Code is punishable by one or more of the following:
  - (1) Community service for not more than 360 hours.
  - (2) Imprisonment for not more than 180 days.
  - (3) A fine of not less than \$200.00 or more than \$700.00.
- (c) The commission of any violation of this Code that is declared to be a civil infraction shall subject the violator to a civil penalty as provided by state law for civil infractions, or municipal civil infractions whichever is applicable, and as determined by city ordinance.
- (d) Except as specifically provided, any person under the age of 17 years who violates any provision of this Code or any ordinance of the city shall be dealt with by the juvenile division of the probate court or as prescribed by the laws of the state.
- (e) In addition to the penalties provided in subsections (b) and (c) of this section, any condition caused or permitted to exist in violation of any of the provisions of this Code or any ordinance shall be deemed a new and separate offense for each day that such condition continues to exist.
- (f) In addition to any penalty under this section, the city may seek injunctive relief, abate the condition as a nuisance, revoke any permit or license, and/or seek any other available remedy.
- (g) The provisions of this section shall not apply to the failure of city officers and employees to perform duties required in this Code.

All other Sections of Chapter 1 – General Provisions, shall remain unaffected.

Ordained this \_\_\_\_\_ day of \_\_\_\_\_, 2018. Effective upon publication.

\_\_\_\_\_  
Andrew Harris, Mayor

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk

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regular meeting held \_\_\_\_\_, 2018 and that a summary was published  
\_\_\_\_\_, 2018.

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk



**AN ORDINANCE TO AMEND PART II OF THE CITY CODE, CHAPTER 50 – ENVIRONMENT, ARTICLE II. – NUISANCES, DIVISION 1 – GENERALLY, SEC. 50-29 CONSTRUCTION SITE MAINTENANCE PROVISIONS FOR RESIDENTIAL AND COMMERCIAL PROPERTIES.**

THE CITY OF BIRMINGHAM ORDAINS:

The City Code, Part II, Chapter 50. Environment, Article II. Nuisances, Division 1. Generally, Sec. 50-29 Construction site maintenance provisions for residential and commercial properties, shall read as follows:

Sec. 50-29 – Construction site maintenance provisions for all properties.

A. All residential and commercial properties, in addition to other City Code provisions and the requirements of the Michigan building codes, shall comply with the following provisions while under a valid permit for construction:

1) *Residential Construction Hours.* Residential construction, repair, remodeling, demolition, drilling, wood cutting, excavating, and all other construction activities shall only be permitted between 7:00 a.m. and 7:00 p.m. and shall only be permitted Monday through Saturday, except legal holidays, with activities not exceeding the decibel levels identified in Table I of Section 50-74.

2) *Commercial Construction Hours.* Commercial construction, repair, remodeling, demolition, drilling, wood cutting or excavating, and similar construction activities conducted between 7:00 a.m. and 7:00 p.m. Monday through Saturdays, except legal holidays, which does not produce a sound level exceeding 100 DBA at or beyond the property line of the property on which the work is being conducted.

3) *Loading, Idling and Deliveries.* In addition to construction activities, the following limitations shall apply to all construction sites on legal holidays, Sundays, and between 7:00 p.m. and 7:00 a.m., Monday through Saturday:

- a. No loading or unloading of trucks, trailers, etc., on a construction site within 500 feet of any residential dwelling.
- b. No idling or running of vehicle engines or other motors on a construction site within 500 feet of any residential dwelling.
- c. No making or receiving deliveries for materials, supplies, equipment, etc., on a construction site.

4) *Public Protection.* Wherever a building or structure is erected, altered, repaired, removed or demolished, the operation shall be conducted in a safe manner and suitable protection for the general public must be provided.

5) *Equipment Storage.* Construction equipment must be stored in an orderly fashion and in compliance with the building code.

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- 6) *Airborne Materials.* Protective provisions must be provided for control of on-site dust, soil and any other airborne materials so that such materials remain on the job site.
- 7) *Watchman.* Wherever a building is being demolished, erected or altered, a watchman shall be employed to warn the general public when intermittent hazardous operations are conducted across the sidewalk or walkway or where required by the building official.
- 8) *Construction Fencing.* Every excavation and/or area of a construction site must be enclosed with a barrier consisting of chain link fencing not less than six (6) feet high to prevent the entry of unauthorized persons. Barriers of equal or greater strength may be utilized if approved in writing by the building official. Construction fencing must comply with the following provisions:
- a. The six-foot tall rigid construction fencing must remain in place until a City Official has approved its removal.
  - b. The fence must remain properly installed inside the lot one foot from the City sidewalk.
  - c. The fence must not encroach onto or over any adjoining property at any height.
  - d. Access gates are required in the construction fence and must be able to be secured in a closed rigid position.
  - e. Gates opening outward must be able to be secured in the open position one foot away from the City sidewalk.
  - f. The gates must be closed and secured at all times construction workers are not present.
- 9) *Sign.* The "Code of Conduct" sign provided by the City, must remain mounted on the front of the fence near the gate.
- 10) *Address.* The property address numbers must be posted on front of the fence and legible from the street.
- 11) *Silt Fencing.* Silt fencing must be installed at construction sites where earth disruption has occurred and must be properly maintained until its removal as approved by a City Official.
- 12) *Streets and Sidewalks.* The City streets and sidewalks must be kept clean and passable at all times. Any mud or debris deposited on the street or sidewalk must be cleaned up immediately.
- 13) *Vehicle Access.* A construction driveway consisting of concrete, asphalt or 21AA crushed stone 6-inches deep must be provided from the street to a point of 20-feet into the site from the property line. The driveway must be properly maintained at all times.
- 14) *City Right of Way.* The grass area between the road and the sidewalk cannot be used for parking vehicles, staging of materials, and must be properly maintained. Any damage must be repaired immediately to the satisfaction of a City official.

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15) Deliveries, Material Staging. All construction materials must be delivered directly onto the construction site. The City Street, sidewalk and grass area between them must not be used for deliveries or staging of construction materials at any time.

16) Sidewalk Damage. Any damage to the sidewalk must be repaired immediately unless a Sidewalk Obstruction Permit has been issued by the Engineering Department.

17) Sidewalk Repair. Sections of sidewalk that are damaged or removed must be repaired with concrete or asphalt to the satisfaction of a City official.

18) Toilet Facilities. A toilet facility must be provided for construction workers and must be maintained in a sanitary condition, within the fenced area of the site.

Construction site maintenance provisions for residential and commercial properties:

All residential and commercial properties shall comply with the following provisions while under a valid permit for construction:

(1) General. Wherever a building or structure is erected, altered, repaired, removed or demolished, the operation shall be conducted in a safe manner and suitable protection for the general public shall be provided.

(2) Equipment storage. All construction equipment and materials shall be stored in an orderly fashion and in compliance with the state construction code.

(3) Airborne materials. All construction shall provide control for on-site dust, soil and any other airborne materials so that such materials remain on the job site.

(4) Fences. Every excavation and/or area of construction on a site located five feet or less from the street lot line shall be enclosed with a barrier not less than six feet high to prevent the entry of unauthorized persons. Where located more than five feet from the street lot line, a barrier shall be erected where required by the building official. All barriers shall be of adequate strength to resist wind pressure as required by the building official.

(5) Watchman. Wherever a building is being demolished, erected or altered, a watchman shall be employed to warn the general public when intermittent hazardous operations are conducted across the sidewalk or walkway, where required by the building official.

#### B. Penalties for violations.

1) Unsafe Construction Site. Building permit holders shall be held responsible to have a legal and safe construction site. If five (5) or more violations of this Section 50-29, and/or Section 118-15 occur on the same site per calendar month, the building permit holder shall be cited under this section for an unsafe construction site. The penalty shall be as specified in the Schedule of Fees, charges, bonds and insurance.

2) Civil Infraction. Any violation under this Section "Construction Site Maintenance" shall be a municipal civil infraction issued to the party in violation. For a first, second, third and subsequent offense of the same violation under this section at the same site the fine shall be as specified in the Schedule of Fees, charges, bonds and insurance.

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3) Daily Violation. Each and every day that a violation occurs on the same construction site under Section 50-29 and/or Section 118-15 shall constitute a new, separate and citable violation with the penalties prescribed above.

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All other Sections of Chapter 50 - Environment, shall remain unaffected.

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Ordained this \_\_\_\_ day of \_\_\_\_\_, 2018. Effective upon publication.

\_\_\_\_\_  
Andrew Harris, Mayor

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk

I, Cherilynn Mynsberge, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held \_\_\_\_\_, 2018 and that a summary was published \_\_\_\_\_, 2018.

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk

**AN ORDINANCE TO AMEND PART II OF THE CITY CODE, CHAPTER 50 – ENVIRONMENT, ARTICLE II. – NUISANCES, DIVISION 1 – GENERALLY, SEC. 50-29 CONSTRUCTION SITE MAINTENANCE PROVISIONS FOR RESIDENTIAL AND COMMERCIAL PROPERTIES.**

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- 2) *Commercial Construction Hours.* Commercial construction, repair, remodeling, demolition, drilling, wood cutting or excavating, and similar construction activities conducted between 7:00 a.m. and 7:00 p.m. Monday through Saturdays, except legal holidays, which does not produce a sound level exceeding 100 DBA at or beyond the property line of the property on which the work is being conducted.
- 3) *Loading, Idling and Deliveries.* In addition to construction activities, the following limitations shall apply to all construction sites on legal holidays, Sundays, and between 7:00 p.m. and 7:00 a.m., Monday through Saturday:
  - a. No loading or unloading of trucks, trailers, etc., on a construction site within 500 feet of any residential dwelling.
  - b. No idling or running of vehicle engines or other motors on a construction site within 500 feet of any residential dwelling.
  - c. No making or receiving deliveries for materials, supplies, equipment, etc., on a construction site.
- 4) *Public Protection.* Wherever a building or structure is erected, altered, repaired, removed or demolished, the operation shall be conducted in a safe manner and suitable protection for the general public must be provided.
- 5) *Equipment Storage.* Construction equipment must be stored in an orderly fashion and in compliance with the building code.

- 6) *Airborne Materials.* Protective provisions must be provided for control of on-site dust, soil and any other airborne materials so that such materials remain on the job site.
- 7) *Watchman.* Wherever a building is being demolished, erected or altered, a watchman shall be employed to warn the general public when intermittent hazardous operations are conducted across the sidewalk or walkway or where required by the building official.
- 8) *Construction Fencing.* Every excavation and/or area of a construction site must be enclosed with a barrier consisting of chain link fencing not less than six (6) feet high to prevent the entry of unauthorized persons. Barriers of equal or greater strength may be utilized if approved in writing by the building official. Construction fencing must comply with the following provisions:
  - a. The six-foot tall rigid construction fencing must remain in place until a City Official has approved its removal.
  - b. The fence must remain properly installed inside the lot one foot from the City sidewalk.
  - c. The fence must not encroach onto or over any adjoining property at any height.
  - d. Access gates are required in the construction fence and must be able to be secured in a closed rigid position.
  - e. Gates opening outward must be able to be secured in the open position one foot away from the City sidewalk.
  - f. The gates must be closed and secured at all times construction workers are not present.
- 9) *Sign.* The "Code of Conduct" sign provided by the City, must remain mounted on the front of the fence near the gate.
- 10) *Address.* The property address numbers must be posted on front of the fence and legible from the street.
- 11) *Silt Fencing.* Silt fencing must be installed at construction sites where earth disruption has occurred and must be properly maintained until its removal as approved by a City Official.
- 12) *Streets and Sidewalks.* The City streets and sidewalks must be kept clean and passable at all times. Any mud or debris deposited on the street or sidewalk must be cleaned up immediately.
- 13) *Vehicle Access.* A construction driveway consisting of concrete, asphalt or 21AA crushed stone 6-inches deep must be provided from the street to a point of 20-feet into the site from the property line. The driveway must be properly maintained at all times.
- 14) *City Right of Way.* The grass area between the road and the sidewalk cannot be used for parking vehicles, staging of materials, and must be properly maintained. Any damage must be repaired immediately to the satisfaction of a City official.
- 15) *Deliveries, Material Staging.* All construction materials must be delivered directly onto the construction site. The City Street, sidewalk and grass area between them must not be used for deliveries or staging of construction materials at any time.

- 16) *Sidewalk Damage.* Any damage to the sidewalk must be repaired immediately unless a Sidewalk Obstruction Permit has been issued by the Engineering Department.
- 17) *Sidewalk Repair.* Sections of sidewalk that are damaged or removed must be repaired with concrete or asphalt to the satisfaction of a City official.
- 18) *Toilet Facilities.* A toilet facility must be provided for construction workers and must be maintained in a sanitary condition, within the fenced area of the site.

B. *Penalties for violations.*

- 1) *Unsafe Construction Site.* Building permit holders shall be held responsible to have a legal and safe construction site. If five (5) or more violations of this Section 50-29, and/or Section 118-15 occur on the same site per calendar month, the building permit holder shall be cited under this section for an unsafe construction site. The penalty shall be as specified in the Schedule of Fees, charges, bonds and insurance.
- 2) *Civil Infraction.* Any violation under this Section "Construction Site Maintenance" shall be a municipal civil infraction issued to the party in violation. For a first, second, third and subsequent offense of the same violation under this section at the same site the fine shall be as specified in the Schedule of Fees, charges, bonds and insurance.
- 3) *Daily Violation.* Each and every day that a violation occurs on the same construction site under Section 50-29 and/or Section 118-15 shall constitute a new, separate and citable violation with the penalties prescribed above.

All other Sections of Chapter 50 - Environment, shall remain unaffected.

Ordained this \_\_\_\_ day of \_\_\_\_\_, 2018. Effective upon publication.

\_\_\_\_\_  
Andrew Harris, Mayor

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk

I, Cherilynn Mynsberge, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held \_\_\_\_\_, 2018 and that a summary was published \_\_\_\_\_, 2018.

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk

# FEE SCHEDULE

COMMUNITY DEVELOPMENT DEPT.		EXISTING FEE	PROPOSED FEE	CHANGE CODE
<b><u>Construction Site Maintenance Violations (Sec. 50-29)</u></b>				
Municipal Civil Infraction Penalty				
First Offense			\$ 100.00	E
Second Offense			\$ 250.00	E
Third Offense			\$ 500.00	E
Subsequent Offenses			\$ 500.00	E
Building Permit Holders				
Five or more violations at same site within one calendar			\$ 500.00	E



CHANGE CODES AS LISTED ON FEE SCHEDULE

- A. Fee has remained the same for many years
- B. Proposed fee covers current costs
- C. Pass through costs that reflects actual cost of service
- D. Fee consistent with neighboring communities
- E. New fee
- F. Increase to cover normal inflationary increase
- G. No longer provide this service
- H. Other

**AN ORDINANCE TO AMEND PART II OF THE CITY CODE, CHAPTER 50 – ENVIRONMENT, ARTICLE II. – NUISANCES, DIVISION 4 – NOISE, SEC. 50-74 DECIBEL LEVEL PROHIBITIONS.**

THE CITY OF BIRMINGHAM ORDAINS:

The City Code, Part II, Chapter 50. Environment, Article II. Nuisances, Division 4. Noise, Sec. 50-74 Decibel Level Provisions, shall read as follows:

Sec. Sec. 50-74. - Decibel level prohibitions.

- (a) No person shall conduct or permit any activity, including those specific prohibitions listed on section 50-73, that produces a DBA at or beyond the property line of the property on which it is conducted which exceeds the levels specified in Table I. Such noise levels shall be measured on the property line or on the adjacent property which is receiving the noise. Where property is used for both residential and commercial purposes, the limitations set forth below for commercial property shall apply.

Table I

Use of Property Producing the Sound	Use of Property Receiving the Sound	Sunday to Saturday 7:00 a.m. to 7:00 p.m.	Sunday to Saturday 7:00 p.m. to 7:00 a.m.
Residential	Residential	75	60
Commercial	Residential	80	60
Residential	Commercial	80	60
Commercial	Commercial	90	75

- (b) The following limited activities are exempted from the sound level limitations of this section:

- (1) *Equipment operations.* Operation, between 7:00 a.m. and 7:00 p.m., of power equipment that does not produce a sound level exceeding 100 DBA at or beyond the property line of the property on which the equipment is operated.

~~(2) *Construction sounds.* Residential construction, repair, remodeling, demolition, drilling, wood cutting, excavating, and all other construction activities shall only be permitted between 7:00 a.m. and 7:00 p.m. and shall only be permitted on Monday through Saturday, except legal holidays, with activities not exceeding the levels described for 7:00 a.m. to 7:00 p.m. in Table I.~~

~~Commercial construction, repair, remodeling, demolition, drilling, wood cutting or excavating, and similar construction activities conducted between 7:00 a.m. and 7:00 p.m. Monday through Saturdays, except legal holidays, which does not produce a sound level exceeding 100 DBA at or beyond the property line of the property on which the work is being conducted.~~

~~In addition to construction activities, the following limitations shall apply to all construction sites on legal holidays, Sundays, and between 7:00 p.m. and 7:00 a.m., Monday through Saturday:~~

- ~~a. No loading or unloading of trucks, trailers, etc., on a construction site within 500 feet of any residential dwelling.~~
- ~~b. No idling or running of vehicle engines or other motors on a construction site within 500 feet of any residential dwelling.~~

~~c. No making or receiving deliveries for materials, supplies, equipment, etc., on a construction site.~~

- (32) *Snow removal equipment operations.* Operation of snow removal equipment which does not produce a sound level exceeding 90 DBA at or beyond the property line of the property on which the equipment is operated.

All other Sections of Chapter 50 - Environment, shall remain unaffected.

Ordained this \_\_\_\_ day of \_\_\_\_\_, 2018. Effective upon publication.

\_\_\_\_\_  
Andrew Harris, Mayor

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk

I, Cherilynn Mynsberge, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held \_\_\_\_\_, 2018 and that a summary was published \_\_\_\_\_, 2018.

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk

**AN ORDINANCE TO AMEND PART II OF THE CITY CODE, CHAPTER 50 – ENVIRONMENT, ARTICLE II. – NUISANCES, DIVISION 4 – NOISE, SEC. 50-74 DECIBEL LEVEL PROHIBITIONS.**

THE CITY OF BIRMINGHAM ORDAINS:

The City Code, Part II, Chapter 50. Environment, Article II. Nuisances, Division 4. Noise, Sec. 50-74 Decibel Level Provisions, shall read as follows:

Sec. Sec. 50-74. - Decibel level prohibitions.

- (a) No person shall conduct or permit any activity, including those specific prohibitions listed on section 50-73, that produces a DBA at or beyond the property line of the property on which it is conducted which exceeds the levels specified in Table I. Such noise levels shall be measured on the property line or on the adjacent property which is receiving the noise. Where property is used for both residential and commercial purposes, the limitations set forth below for commercial property shall apply.

Table I

Use of Property Producing the Sound	Use of Property Receiving the Sound	Sunday to Saturday 7:00 a.m. to 7:00 p.m.	Sunday to Saturday 7:00 p.m. to 7:00 a.m.
Residential	Residential	75	60
Commercial	Residential	80	60
Residential	Commercial	80	60
Commercial	Commercial	90	75

- (b) The following limited activities are exempted from the sound level limitations of this section:
- (1) *Equipment operations.* Operation, between 7:00 a.m. and 7:00 p.m., of power equipment that does not produce a sound level exceeding 100 DBA at or beyond the property line of the property on which the equipment is operated.
  - (2) *Snow removal equipment operations.* Operation of snow removal equipment which does not produce a sound level exceeding 90 DBA at or beyond the property line of the property on which the equipment is operated.

All other Sections of Chapter 50 - Environment, shall remain unaffected.

Ordained this \_\_\_\_\_ day of \_\_\_\_\_, 2018. Effective upon publication.

\_\_\_\_\_  
Andrew Harris, Mayor

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk

I, Cherilynn Mynsberge, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held \_\_\_\_\_, 2018 and that a summary was published \_\_\_\_\_, 2018.

\_\_\_\_\_  
Cherilynn Mynsberge, City Clerk



## MEMORANDUM

Finance Department

**DATE:** February 16, 2018

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

**FROM:** Mark Gerber, Director of Finance/Treasurer

**SUBJECT:** Second Quarter Financial Reports

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### **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 4<sup>th</sup> quarter report. Only the following funds are reported quarterly because by state law they require a budget: General Fund, Greenwood Cemetery Perpetual Care Fund, Major and Local Street Funds, Solid Waste Fund, Community Development Block Grant Fund, Law and Drug Enforcement Fund, Baldwin Public Library Fund, Principal Shopping District Fund, Brownfield Redevelopment Authority Fund, Triangle District Corridor Improvement Authority Fund, and the Debt Service Fund.

### **Overview**

Attached is the second quarter 2017-2018 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**

Revenues are approximately \$2,500,000 higher than last year as a result of an increase in property tax revenue. The increase in property tax revenue of approximately \$2,500,000 is primarily the result of property taxes formerly used for debt service of the combined sewer overflow facility bonds in FY 2016-2017 (these bonds were paid off in FY 2016-2017) now being used for General Fund purposes in FY 2017-2018. Licenses and Permits are down approximately \$200,000 from the previous year primarily as a result of a large \$200,000 permit fee received in the first quarter of 2016-2017. Transfers In represents repayment of loans made to the Lincoln Hills golf course for the new clubhouse. Intergovernmental and Fines and Forfeiture revenues are under 50% due to the timing of receipt of revenues from the state and the 48<sup>th</sup> district court.

Expenditures in total for the General Fund are approximately \$500,000 higher than the same as the last year. Transfers Out is approximately \$500,000 higher than the previous year as a result of higher budgeted transfers to other funds and higher 48<sup>th</sup> District Court funding levels. Community Development is at 34% of budget due to higher budgeted costs which have not

been spent at this time. Engineering is at 34% of budget due to higher budgeted costs associated with sidewalk improvements for Old Woodward Avenue which have not been spent at this time.

#### **Greenwood Cemetery Fund**

Quarterly revenue from cemetery plot sales is lower than expected due to timing of receipt of the city's quarterly payment and slower than expected plot sales. No expenditures have been made so far this fiscal year for the cemetery master plan.

#### **Major Street Fund**

Total revenues are approximately \$450,000 more than the previous year. Intergovernmental is approximately \$180,000 higher as result of higher distributions to cities as a result of the new road funding bill. Transfers In increased approximately \$285,000 as a result of a budgeted increase in funding from the General Fund for this fund.

Overall expenditures are similar to the previous fiscal year. Total expenditures are at 23% of the budget as a result of the construction activities planned for later in the fiscal year.

#### **Local Street Fund**

Total revenues for the year are approximately \$180,000 less than the prior year as a result of a decrease in transfers from the General Fund (\$225,000) which was partially offset by increase in state funding and special assessment revenue.

Total expenditures are approximately \$1,150,000 less than the prior year mainly as a result of timing of construction projects (\$1,500,000). Maintenance of Roads and Bridges is \$345,000 more than the previous year due to a cape sealing project which was completed in the fall of the current year.

#### **Solid Waste Fund**

Revenues and expenditures are comparable to the prior fiscal year.

#### **Brownfield Redevelopment Authority Fund**

Revenues are approximately \$230,000 higher compared to the prior as a result of an increase in the number of brownfield projects and increase in taxable values captured.

Expenditures are higher in the current year compared to the prior year due to the timing of payments to developers for reimbursement of environmental remediation costs and an increase in the amount of property taxes captured. Expenditures are over budget as a result of higher than expected property taxes captured and reimbursed. This will require a budget amendment which will be brought back to the Commission in June as part of the 4<sup>th</sup> quarter budget amendment process.

#### **Principal Shopping District**

Total revenues and expenditures are comparable to the previous fiscal year.

#### **Community Development Block Grant Fund**

Revenue and expenditures are higher in the current year due to timing of invoices received from Next for senior services.

**Triangle District Corridor Improvement Authority**

Development opportunities are ongoing with private land owners and developers in the Triangle District.

**Law and Drug Enforcement Fund**

Revenue and expenditures are comparable to the previous fiscal year.

**Baldwin Library**

Revenue has increased approximately \$180,000 compared to the previous year. This is the result of an increase in the property tax revenue as a result of an increase in taxable value. Intergovernmental revenue is less than 50% due to the timing of receipts from the library's contract communities.

Expenditures are approximately the same as the prior fiscal year.

**Debt Service Fund**

Revenues and expenditures are slightly higher as a result of scheduled debt service costs for the year compared to the previous year. Expenditures are at 90% because of the timing and amount of principal that is being paid in August. As a result of refinancing the debt, this fund is saving approximately \$130,000 compared to what it would have spent this fiscal year.



CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 GENERAL FUND  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	1,507,240	-	0%	1,099,109	-	0%
TAXES	23,591,500	23,573,526	100%	21,081,640	21,052,859	100%
LICENSES AND PERMITS	3,134,260	1,200,586	38%	3,070,540	1,393,811	45%
INTERGOVERNMENTAL	2,014,620	593,802	29%	2,078,000	482,493	23%
CHARGES FOR SERVICES	2,873,130	1,400,621	49%	2,800,400	1,397,544	50%
FINES AND FORFEITURES	1,744,940	494,752	28%	1,686,060	539,146	32%
INTEREST AND RENT	294,290	150,252	51%	275,810	105,458	38%
OTHER REVENUE	108,090	32,057	30%	240,740	39,505	16%
TRANSFERS IN	100,000	50,000	50%	-	-	0%
TOTAL REVENUES	<u>35,368,070</u>	<u>27,495,596</u>	<u>78%</u>	<u>32,332,299</u>	<u>25,010,816</u>	<u>77%</u>
EXPENDITURES:						
GENERAL GOVERNMENT	5,326,491	2,137,413	40%	5,038,324	2,172,612	43%
PUBLIC SAFETY	12,741,161	5,945,769	47%	12,816,767	5,933,928	46%
COMMUNITY DEVELOPMENT	3,441,202	1,158,855	34%	2,791,900	1,162,518	42%
ENGINEERING AND PUBLIC SERVICES	7,152,646	2,453,933	34%	5,460,418	2,466,005	45%
TRANSFERS OUT	<u>6,706,570</u>	<u>3,386,603</u>	<u>50%</u>	<u>6,224,890</u>	<u>2,804,904</u>	<u>45%</u>
TOTAL EXPENDITURES	<u>35,368,070</u>	<u>15,082,573</u>	<u>43%</u>	<u>32,332,299</u>	<u>14,539,967</u>	<u>45%</u>

CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 GREENWOOD CEMETERY FUND  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
CHARGES FOR SERVICES	200,000	11,250	6%	360,000	60,750	17%
INTEREST AND RENT	11,600	5,811	50%	2,720	1,033	38%
TRANSFERS IN	<u>20,000</u>	<u>20,000</u>	100%	<u>-</u>	<u>-</u>	0%
TOTAL Revenues	<u><u>231,600</u></u>	<u><u>37,061</u></u>	16%	<u><u>362,720</u></u>	<u><u>61,783</u></u>	17%
EXPENDITURES:						
OTHER CONTRACTUAL SERVICE	<u>20,000</u>	<u>-</u>	0%	<u>-</u>	<u>-</u>	0%
TOTAL EXPENDITURES	<u><u>-</u></u>	<u><u>-</u></u>		<u><u>-</u></u>	<u><u>-</u></u>	

CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 MAJOR STREETS  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	1,954,375	-	0%	1,478,017	-	0%
INTERGOVERNMENTAL	1,397,260	650,380	47%	1,153,830	469,137	41%
INTEREST AND RENT	8,100	10,131	125%	7,540	6,966	92%
OTHER REVENUE	56,370	200	0%	401,360	9,545	2%
TRANSFERS IN	<u>2,100,000</u>	<u>1,050,000</u>	50%	<u>1,550,000</u>	<u>775,000</u>	50%
 TOTAL REVENUES	 <u>5,516,105</u>	 <u>1,710,711</u>	 <u>31%</u>	 <u>4,590,747</u>	 <u>1,260,648</u>	 <u>27%</u>
EXPENDITURES:						
ADMINISTRATIVE	18,200	10,239	56%	18,690	10,494	56%
TRAFFIC CONTROLS & ENGINEERING	863,990	95,211	11%	392,990	96,321	25%
CONSTRUCTION OF ROADS & BRIDGES	3,499,755	714,989	20%	3,108,260	722,311	23%
MAINTENANCE OF ROADS & BRIDGES	377,140	197,951	52%	334,517	132,247	40%
STREET CLEANING	173,690	81,358	47%	152,060	75,202	49%
STREET TREES	241,870	92,452	38%	251,450	92,646	37%
SNOW AND ICE REMOVAL	<u>341,460</u>	<u>53,266</u>	16%	<u>332,780</u>	<u>62,799</u>	19%
 TOTAL EXPENDITURES	 <u>5,516,105</u>	 <u>1,245,466</u>	 <u>23%</u>	 <u>4,590,747</u>	 <u>1,192,020</u>	 <u>26%</u>

CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 LOCAL STREETS  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	1,034,087	-	0%	1,321,860	-	0%
INTERGOVERNMENTAL	513,498	264,366	51%	484,890	240,472	50%
INTEREST AND RENT	36,330	6,439	18%	15,050	6,251	42%
OTHER REVENUE	396,000	67,842	17%	358,310	43,107	12%
TRANSFERS IN	<u>2,200,000</u>	<u>1,100,000</u>	50%	<u>2,650,000</u>	<u>1,325,000</u>	50%
 TOTAL REVENUES	 <u>4,179,915</u>	 <u>1,438,647</u>	 <u>34%</u>	 <u>4,830,110</u>	 <u>1,614,830</u>	 <u>33%</u>
EXPENDITURES:						
ADMINISTRATIVE	25,600	13,939	54%	26,370	14,334	54%
TRAFFIC CONTROLS & ENGINEERING	68,990	30,664	44%	67,570	34,753	51%
CONSTRUCTION OF ROADS & BRIDGES	1,812,028	760,770	42%	3,073,714	2,274,403	74%
MAINTENANCE OF ROADS & BRIDGES	1,344,617	574,758	43%	519,476	230,423	44%
STREET CLEANING	240,940	74,475	31%	184,470	67,543	37%
STREET TREES	498,640	242,511	49%	514,440	232,495	45%
SNOW AND ICE REMOVAL	<u>189,100</u>	<u>39,027</u>	21%	<u>184,640</u>	<u>35,832</u>	19%
 TOTAL EXPENDITURES	 <u>4,179,915</u>	 <u>1,736,144</u>	 <u>42%</u>	 <u>4,570,680</u>	 <u>2,889,783</u>	 <u>63%</u>

CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 SOLID WASTE  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	85,720	-	0%	42,010	-	0%
TAXES	1,820,000	1,824,541	100%	1,820,000	1,824,498	100%
INTERGOVERNMENTAL	4,500	4,446	0%	-	4,504	0%
CHARGES FOR SERVICES	9,600	9,001	94%	22,400	11,530	51%
INTEREST AND RENT	14,460	7,522	52%	10,040	5,409	54%
OTHER REVENUE	-	25	0%	-	118	0%
TOTAL REVENUES	<u>1,934,280</u>	<u>1,845,535</u>	<u>95%</u>	<u>1,894,450</u>	<u>1,846,059</u>	<u>97%</u>
EXPENDITURES:						
PERSONNEL COSTS	152,320	107,489	71%	164,810	115,434	70%
SUPPLIES	10,000	1,580	16%	10,700	5,520	52%
OTHER CHARGES	1,761,960	782,459	44%	1,698,940	767,716	45%
CAPITAL OUTLAY	<u>10,000</u>	<u>5,118</u>	51%	<u>20,000</u>	<u>5,729</u>	29%
TOTAL EXPENDITURES	<u>1,934,280</u>	<u>896,646</u>	<u>46%</u>	<u>1,894,450</u>	<u>894,399</u>	<u>47%</u>

CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 BROWNFIELD REDEVELOPMENT FUND  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	-	-	0%	-	-	0%
TAXES	328,500	482,640	147%	243,230	243,230	100%
CHARGES FOR SERVICES	3,000	-	0%	3,000	1,500	50%
INTEREST AND RENT	1,130	986	87%	1,500	814	54%
OTHER REVENUE	20,600	5,299	26%	20,000	10,839	54%
TRANSFERS IN	-	-	0%	-	-	0%
	<u>-</u>	<u>-</u>		<u>-</u>	<u>-</u>	
TOTAL REVENUES	<u>353,230</u>	<u>488,925</u>	<u>138%</u>	<u>267,730</u>	<u>256,383</u>	<u>96%</u>
EXPENDITURES	<u>329,460</u>	<u>331,548</u>	<u>101%</u>	<u>263,230</u>	<u>13,533</u>	<u>5%</u>

CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 PRINCIPAL SHOPPING DISTRICT  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	219,062	-	0%	109,090	-	0%
SPECIAL ASSESSMENTS	901,970	9,327	1%	887,800	45,068	5%
INTEREST AND RENT	3,900	2,056	53%	8,020	1,758	22%
OTHER REVENUE	<u>190,000</u>	<u>146,209</u>	77%	<u>180,000</u>	<u>149,226</u>	83%
 TOTAL REVENUES	 <u>1,314,932</u>	 <u>157,592</u>	 <u>12%</u>	 <u>1,184,910</u>	 <u>196,052</u>	 <u>17%</u>
 EXPENDITURES	 <u>1,314,932</u>	 <u>624,699</u>	 <u>48%</u>	 <u>1,184,910</u>	 <u>657,067</u>	 <u>55%</u>

CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 COMMUNITY DEVELOPMENT BLOCK GRANT  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
INTERGOVERNMENTAL REVENUE	<u>32,020</u>	<u>7,370</u>	<u>23%</u>	<u>31,340</u>	<u>2,752</u>	<u>9%</u>
EXPENDITURES	<u><u>32,020</u></u>	<u><u>7,370</u></u>	<u><u>23%</u></u>	<u><u>31,340</u></u>	<u><u>2,752</u></u>	<u><u>9%</u></u>



CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 TRIANGLE DISTRICT CORRIDOR IMPROVEMENT AUTHORITY  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	-	-	0%	-	-	0%
PROPERTY TAXES	-	-	0%	90,000	-	0%
INTEREST AND RENT	<u>100</u>	<u>78</u>	78%	<u>520</u>	<u>59</u>	11%
 TOTAL REVENUES	 <u>100</u>	 <u>78</u>	 <u>78%</u>	 <u>90,520</u>	 <u>59</u>	 <u>0%</u>
 EXPENDITURES	 <u>-</u>	 <u>-</u>	 <u>0%</u>	 <u>20,000</u>	 <u>-</u>	 <u>0%</u>

CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 LAW & DRUG ENFORCEMENT FUND  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	-	-	0%	-	-	0%
FINES & FORFEITURES	35,000	43,671	125%	37,500	32,699	87%
INTEREST AND RENT	<u>1,020</u>	<u>486</u>	48%	<u>720</u>	<u>295</u>	41%
 TOTAL REVENUES	 <u>36,020</u>	 <u>44,157</u>	 <u>123%</u>	 <u>38,220</u>	 <u>32,994</u>	 <u>86%</u>
EXPENDITURES:						
PUBLIC SAFETY	-	-	0%	-	-	0%
CAPITAL OUTLAY	<u>5,950</u>	<u>3,165</u>	53%	<u>8,500</u>	<u>2,825</u>	33%
 TOTAL EXPENDITURES	 <u>5,950</u>	 <u>3,165</u>	 <u>53%</u>	 <u>8,500</u>	 <u>2,825</u>	 <u>33%</u>

CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 BALDWIN LIBRARY  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
REVENUES:						
USE OF FUND BALANCE	-	-	0%	1,210,260	-	0%
TAXES	3,103,390	3,117,635	100%	2,936,970	2,951,377	100%
INTERGOVERNMENTAL	978,610	232,846	24%	950,810	220,452	23%
CHARGES FOR SERVICES	95,350	45,078	47%	96,240	45,885	48%
INTEREST AND RENT	11,000	9,246	84%	16,500	9,850	60%
OTHER REVENUE	-	-	0%	200,000	-	0%
	<u>-</u>	<u>-</u>		<u>200,000</u>	<u>-</u>	
TOTAL REVENUES	<u>4,188,350</u>	<u>3,404,805</u>	<u>81%</u>	<u>5,410,780</u>	<u>3,227,564</u>	<u>60%</u>
EXPENDITURES	<u>3,483,320</u>	<u>1,584,889</u>	<u>45%</u>	<u>5,410,780</u>	<u>1,584,191</u>	<u>29%</u>

CITY OF BIRMINGHAM  
 QUARTERLY BUDGET REPORT  
 DEBT SERVICE FUND  
 QUARTER ENDED: DECEMBER 31, 2017 AND DECEMBER 31, 2016  
 % OF FISCAL YEAR COMPLETED: 50%

	2017-2018			2016-2017		
	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED	AMENDED BUDGET	YEAR-TO-DATE ACTUAL	% OF BUDGET USED
INTERGOVERNMENTAL						
REVENUES:						
USE OF FUND BALANCE	-	-	0%	-	-	0%
TAXES	1,648,700	1,648,292	100%	1,626,220	1,625,793	100%
INTERGOVERNMENTAL	4,000	3,947	99%	4,000	4,019	100%
INTEREST AND RENT	<u>2,990</u>	<u>1,675</u>	56%	<u>2,380</u>	<u>1,151</u>	48%
TOTAL REVENUES	<u>1,655,690</u>	<u>1,653,914</u>	<u>100%</u>	<u>1,632,600</u>	<u>1,630,963</u>	<u>100%</u>
EXPENDITURES	<u>1,650,950</u>	<u>1,493,310</u>	<u>90%</u>	<u>1,627,600</u>	<u>1,402,598</u>	<u>86%</u>



## MEMORANDUM

Finance Department

**DATE:** February 16, 2018  
**TO:** Joseph A. Valentine, City Manager  
**FROM:** Mark Gerber, Director of Finance/Treasurer  
**SUBJECT:** December 2017 Investment Report

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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 \$12.5 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 16%.

Currently there is approximately \$1.5 million, or 2%, 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.

The City also holds approximately \$27.2 million, or 35%, 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 \$37.3 million, or 48%, of the City's investments. The maximum amount of the portfolio that may be invested in federal agencies is 75%.

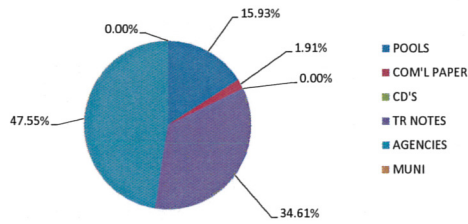
The Investment Policy requires that the average maturity of the portfolio may not exceed two and one-half years. The current average maturity of the portfolio is 1.06 years.

**CITY OF BIRMINGHAM  
GENERAL INVESTMENT PORTFOLIO SUMMARY**

12/31/2017

YEAR	MATURITY DATE	DESCRIPTION	% YIELD	*	ISSUER	PAR VALUE	COST	CURRENT MARKET VALUE	YEARLY TOTAL	% OF TOTAL
2017	12/31/2017	CLASS POOL	1.340%	CITY	MICHIGAN CLASS	2,053,125.79	2,053,125.79	2,053,125.79	14,006,220.96	17.84%
	12/31/2017	J FUND	1.087%	CITY	COMERICA BANK	10,453,095.17	10,453,095.17	10,453,095.17		
	12/31/2017	TR NOTE	1.120%	INSIGHT	U.S.	1,500,000.00	1,479,375.00	1,500,000.00		
2018	1/15/2018	TR NOTE	0.760%	INSIGHT	U.S.	1,500,000.00	1,503,984.38	1,499,820.00	27,512,830.95	35.05%
	1/28/2018	AGENCY	1.257%	INSIGHT	FNMA	2,000,000.00	1,999,600.00	1,968,080.00		
	2/5/2018	COM'L PAPER	1.400%	INSIGHT	ING (US) FUNDING LLC	1,500,000.00	1,493,700.00	1,498,890.95		
	2/15/2018	TR NOTE	0.770%	INSIGHT	U.S.	1,500,000.00	1,507,968.75	1,499,460.00		
	2/20/2018	AGENCY	1.060%	INSIGHT	FHLB	2,000,000.00	2,000,680.00	1,999,600.00		
	3/14/2018	AGENCY	1.150%	INSIGHT	FHLMC	1,100,000.00	1,100,000.00	1,095,710.00		
	3/15/2018	TR NOTE	1.153%	INSIGHT	U.S.	1,000,000.00	998,789.06	999,300.00		
	3/15/2018	TR NOTE	1.174%	INSIGHT	U.S.	1,500,000.00	1,499,003.91	1,498,950.00		
	4/15/2018	TR NOTE	1.222%	INSIGHT	U.S.	1,500,000.00	1,496,601.56	1,497,420.00		
	4/24/2018	AGENCY	1.080%	INSIGHT	FFCB	1,000,000.00	999,000.00	998,240.00		
	4/30/2018	AGENCY	2.000%	INSIGHT	FHLB	1,500,000.00	1,500,000.00	1,495,410.00		
	5/15/2018	TR NOTE	1.172%	INSIGHT	U.S.	1,000,000.00	998,359.38	998,590.00		
	5/15/2018	TR NOTE	1.255%	INSIGHT	U.S.	1,500,000.00	1,497,832.03	1,497,885.00		
	5/31/2018	TR NOTE	1.177%	INSIGHT	U.S.	1,500,000.00	1,497,246.09	1,496,955.00		
	6/15/2018	TR NOTE	1.281%	INSIGHT	U.S.	1,500,000.00	1,498,476.56	1,497,660.00		
	9/7/2018	AGENCY	1.134%	INSIGHT	FHLB	2,000,000.00	1,994,520.00	1,991,160.00		
	10/31/2018	TR NOTE	1.250%	INSIGHT	U.S.	1,000,000.00	1,003,046.88	996,020.00		
	11/1/2018	AGENCY	1.010%	INSIGHT	FFCB	2,000,000.00	1,998,418.00	1,986,840.00		
	12/31/2018	TR NOTE	1.030%	INSIGHT	U.S.	1,000,000.00	1,015,000.00	996,840.00		
2019	1/31/2019	TR NOTE	1.050%	INSIGHT	U.S.	1,500,000.00	1,522,031.25	1,494,495.00	19,599,602.50	24.97%
	2/28/2019	TR NOTE	1.375%	INSIGHT	U.S.	2,000,000.00	2,020,625.00	1,989,140.00		
	3/18/2019	AGENCY	1.514%	INSIGHT	FHLB	1,500,000.00	1,497,091.50	1,491,330.00		
	4/15/2019	AGENCY	1.090%	INSIGHT	FHLMC	1,000,000.00	1,001,060.00	990,850.00		
	5/31/2019	TR NOTE	1.510%	INSIGHT	U.S.	1,500,000.00	1,499,765.63	1,492,500.00		
	6/14/2019	AGENCY	1.100%	INSIGHT	FHLB	1,000,000.00	1,015,560.00	996,020.00		
	7/11/2019	AGENCY	1.075%	INSIGHT	FNMA	1,500,000.00	1,500,000.00	1,480,350.00		
	7/19/2019	AGENCY	1.023%	INSIGHT	FHLMC	1,500,000.00	1,493,850.00	1,476,540.00		
	9/27/2019	AGENCY	1.193%	INSIGHT	FNMA	1,500,000.00	1,497,000.00	1,479,735.00		
	9/30/2019	TR NOTE	1.356%	INSIGHT	U.S.	1,750,000.00	1,764,150.39	1,746,027.50		
	10/21/2019	AGENCY	1.626%	INSIGHT	FHLB	1,500,000.00	1,496,295.00	1,489,065.00		
	10/28/2019	AGENCY	1.360%	INSIGHT	FFCB	1,500,000.00	1,497,300.00	1,484,010.00		
	12/31/2019	TR NOTE	1.385%	INSIGHT	U.S.	1,000,000.00	1,007,226.56	994,770.00		
	12/31/2019	TR NOTE	1.377%	INSIGHT	U.S.	1,000,000.00	1,008,787.77	994,770.00		
2020	1/17/2020	AGENCY	1.459%	INSIGHT	FHLMC	1,750,000.00	1,751,680.00	1,733,445.00	17,376,117.50	22.14%
	1/21/2020	AGENCY	1.084%	INSIGHT	FNMA	1,500,000.00	1,526,535.00	1,490,175.00		
	3/27/2020	AGENCY	1.010%	INSIGHT	FNMA	2,000,000.00	2,044,860.00	1,984,980.00		
	3/31/2020	TR NOTE	1.448%	INSIGHT	U.S.	1,000,000.00	997,773.44	988,280.00		
	4/6/2020	AGENCY	1.396%	INSIGHT	FFCB	1,500,000.00	1,507,725.00	1,485,630.00		
	5/8/2020	AGENCY	1.166%	INSIGHT	FHLMC	2,000,000.00	2,026,400.00	1,979,160.00		
	6/30/2020	AGENCY	1.300%	INSIGHT	FNMA	1,500,000.00	1,500,000.00	1,474,785.00		
	10/13/2020	AGENCY	1.398%	INSIGHT	FFCB	1,325,000.00	1,322,018.75	1,293,597.50		
	10/26/2020	AGENCY	1.762%	INSIGHT	FFCB	1,500,000.00	1,499,490.00	1,485,870.00		
	11/30/2020	AGENCY	1.224%	INSIGHT	FNMA	2,000,000.00	2,021,902.00	1,970,620.00		
	12/31/2020	TR NOTE	1.601%	INSIGHT	U.S.	1,500,000.00	1,507,382.81	1,489,575.00		
			1.231%			78,931,220.96	79,114,332.66	78,494,771.91	78,494,771.91	100.00%

**ASSET MIX**

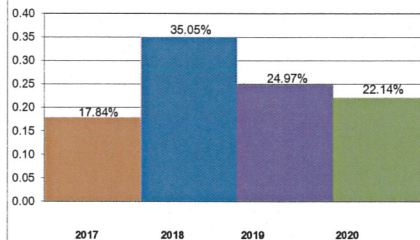


POOLS	\$12,506,220.96	15.93%
COM'L PAPER	\$1,498,890.95	1.91%
CD'S	\$0.00	0.00%
TR NOTES	\$27,168,457.50	34.61%
AGENCIES	\$37,321,202.50	47.55%
MUNI	\$0.00	0.00%
<b>TOTAL</b>	<b>\$78,494,771.91</b>	<b>100.00%</b>

COMPARATIVE RETURNS			
	City Portfolio	1-Yr TR	2-Yr TR
Current Month	1.23%	1.68%	1.92%
Previous Month	1.23%	1.56%	2.04%
1 Year Ago	0.96%	0.84%	1.20%

AVERAGE MATURITY (YEARS): 1.06

**TOTAL INVESTMENTS PER YEAR**



* INSIGHT:	\$65,988,550.95	84.07%
* ASSIGNED TO CITY:	\$12,506,220.96	15.93%
	<b>\$78,494,771.91</b>	<b>100.00%</b>