

**BIRMINGHAM CITY COMMISSION AGENDA**  
**OCTOBER 26, 2020**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**  
**VIRTUAL MEETING**  
**MEETING ID: 655 079 760**

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

Pierre Boutros, Mayor

**II. ROLL CALL**

Alexandria Bingham, City Clerk Designee

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

**ANNOUNCEMENTS:**

- The Clerk's office is open to the public for voting purposes only, be sure to use the Martin Street entrance. Voters are reminded to turn in an absentee ballot application if they wish to vote early for the November 3, 2020 General Election. Return your absentee ballot to the clerk's office as soon as possible via drop box or mail, return postage for absentee ballots has been covered by the city for this election. To review your specific voting information and preview your ballot visit [mi.gov/vote](http://mi.gov/vote).
- Precinct 6 voters will be directed to the Community House for voting on Election Day, voters should use the Townsend entrance to the Ballroom. Email [elections@bhamgov.org](mailto:elections@bhamgov.org) or call 248-530-1880 for any voting or election related questions.
- The City wishes to thank Lara Edwards for her service on the Multi-Modal Transportation Board since 2014.

**APPOINTMENTS:**

- A. Board of Zoning Appeals
1. Kevin Hart
  2. Jason Canvasser
  3. Richard M. Lilley
  4. Jerry Attia
  5. Ron Reddy

To appoint \_\_\_\_\_ as a regular member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2023.

To appoint \_\_\_\_\_ as a regular member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2023.

To appoint \_\_\_\_\_ as a regular member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2023.

To appoint \_\_\_\_\_ as an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 17, 2023.

To appoint \_\_\_\_\_ as an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire February 17, 2023.

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

#### **V. CONSENT AGENDA**

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

- A. Resolution approving the City Commission meeting minutes of October 21, 2020.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated October 21, 2020, in the amount of \$442,572.13.
- C. Resolution authorizing the IT department to purchase the VEEAM backup software and Synology NAS storage drive from SHI using MiDeal government extendable contracts for a total cost of \$6,818.41 Using funds from the IT account # 636-228.000-933.0600.
- D. Resolution approving Change Order #1 for the Lakeview Avenue Paving Project, Contract #2-20 (P), to DiPonio Contracting, Inc., in the amount of \$50,556.75, to be charged to account number 591-536.001-981.0100. Irrigation Contract Extension (Wood)
- E. Resolution approving the contract extension with Techseven Company through October 31, 2021 for a cost not to exceed \$10,320.00 with all other provisions of the Agreement remaining the same. Funds are available in the Parks-Other Contractual Services Account #101-751.000-811.0000 and the Property Maintenance-Other Contractual Services Account #101-441.003-811.0000 for these services.

#### **VI. UNFINISHED BUSINESS**

- A. Resolution accepting the proposal from Nelson Nygaard/Mission North to perform a study of management structures and best practices for managing the City's parking system in the amount of \$17,980.00 and to charge the Automobile Parking Fund Account number 585-538.001-811.0000 for these services, and further, to authorize the Mayor to sign an Addendum to the Agreement with Nelson Nygaard in an acceptable form to the City Attorney for these services.
- B. Resolution to pursue an engagement with \_\_\_\_\_ to advise the Commission on matters relating to the procurement of legal services as well as the framework and options that should be considered when undertaking an engagement in legal services.
- C. Resolution to direct the administration to obtain a proposal from \_\_\_\_\_ to perform an executive recruitment process for City Manager.



## **VII. NEW BUSINESS**

- A. Resolution directing the following bistro applications for new restaurants to the Planning Board for full site plan and design review and Special Land Use Permit review:
1. \_\_\_\_\_
  2. \_\_\_\_\_

### **AND/OR**

Resolution directing the Whistle Stop Diner application as an existing restaurant that has been in operation for more than 5 years, to the Planning Board for full site plan and design review and Special Land Use Permit review.

- B. Resolution removing the “No Parking” signs on the west side of Commerce from Lincoln north to the south side of the second driveway and install “2 Hour Parking” signage in their place.
- C. Commission Discussion on items from prior meeting. (None)
- D. Commission Items for Future Discussion. A motion is required to bring up the item for future discussion at the next reasonable agenda, no discussion on the topic will happen tonight.

## **VIII. REMOVED FROM CONSENT AGENDA**

## **IX. COMMUNICATIONS**

## **X. REPORTS**

- A. Commissioner Reports
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions’ Reports and Agendas
- D. Legislation
- E. City Staff

INFORMATION ONLY

## **XI. ADJOURN**

**PLEASE NOTE: Due to building security, public entrance during non-business hours is through the Police Department – Pierce St. entrance 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).*



cheryl arft &lt;carft@bhamgov.org&gt;

---

**Re: MMTB**

1 message

---

**Lara Edwards** <lmedwards08@gmail.com>  
To: cheryl arft <carft@bhamgov.org>

Wed, Oct 7, 2020 at 10:21 AM

To whom it may concern,

I, Lara Edwards, am no longer serving on the Multimodal Board.

Thank you!  
Lara

On Wed, Oct 7, 2020, 9:46 AM cheryl arft <[carft@bhamgov.org](mailto:carft@bhamgov.org)> wrote:

Lara,

I understand from Jana that you are no longer serving on the board. Would you mind confirming that to the Clerk's office via email so we may advise the Commission and City Manager in writing? Thank you!

Cheryl Arft  
Acting City Clerk  
City of Birmingham  
151 Martin Street  
Birmingham, MI 48009

248-530-1880  
248-530-1080 (fax)

[carft@bhamgov.org](mailto:carft@bhamgov.org)

**"Important Note to Residents"**

**Let's connect! Join the Citywide Email System to receive important City updates and critical information specific to your neighborhood at [www.bhamgov.org/citywideemail](http://www.bhamgov.org/citywideemail).**

## ANNOUNCEMENTS



## NOTICE OF INTENTION TO APPOINT TO BOARD OF ZONING APPEALS

At the regular meeting of Monday, October 12, 2020 the Birmingham City Commission intends to appoint three regular members to the Board of Zoning Appeals to serve three-year terms to expire October 10, 2023, and two alternate members to serve the remainder of three-year terms to expired 2/17/2023.

Interested parties may recommend others or themselves for these positions by submitting a form available from the City Clerk's office. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, October 7, 2020. Applications will appear in the public agenda at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

### Duties of Board

The Board of Zoning Appeals acts on questions arising from the administration of the zoning ordinance, including the interpretation of the zoning map. The Board hears and decides appeals from and reviews any order, requirement, decision or determination made by the Building Official.

| <b>Applicant Name</b> | <b>Criteria/Qualifications</b><br>Applicants shall be property owners of record and registered voters. |
|-----------------------|--------------------------------------------------------------------------------------------------------|
| Kevin Hart            | Architect                                                                                              |
| Jason Canvasser       | Attorney                                                                                               |
| Richard Lilley        | Business Owner                                                                                         |
| Jerry Attia           | Architect Alternate                                                                                    |
| Ron Reddy             | Alternate                                                                                              |

*NOTE: All members of boards and commissions are subject to the provisions of City of Birmingham City Code Chapter 2, Article IX, Ethics and the filing of the Affidavit and Disclosure Statement.*

### SUGGESTED ACTION:

To appoint \_\_\_\_\_ as a regular member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2023.

To appoint \_\_\_\_\_ as a regular member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2023.

To appoint \_\_\_\_\_ as a regular member to the Board of Zoning Appeals to serve a three-year term to expire October 10, 2023.

To appoint \_\_\_\_\_ as an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expired 2/17/2023.

To appoint \_\_\_\_\_ as an alternate member to the Board of Zoning Appeals to serve the remainder of a three-year term to expired 2/17/2023.



# BOARD OF ZONING APPEALS

Chapter 126 – Section 126-671 – Seven Members – Three Year Terms  
Requirements – Property owners of record and registered voter

The Board of Zoning Appeals acts on questions arising from the administration of the zoning ordinance, including the interpretation of the zoning map. The board hears and decides appeals from and reviews any order, requirement, decision or determination made by the building official.

| Last Name                         | First Name            | Home Business E-Mail                              | Appointed                        | Term Expires |
|-----------------------------------|-----------------------|---------------------------------------------------|----------------------------------|--------------|
| <b>Attia</b><br>1859 Henrietta    | <b>George (Jerry)</b> | 202-744-2569<br><i>jerry.attia@gmail.com</i>      | 9/16/2019<br>Architect Alternate | 2/17/2020    |
| <b>Canvasser</b><br>369 Kimberly  | <b>Jason</b>          | (248) 231-9972<br><i>jcanvasser@clarkhill.com</i> | 7/9/2018<br>Attorney             | 10/10/2020   |
| <b>Hart</b><br>2051 Villa         | <b>Kevin</b>          | (248) 4967363<br><i>khartassociates@aol.com</i>   | 2/27/2012<br>Architect           | 10/10/2020   |
| <b>Lilley</b><br>648 Cherry Ct.   | <b>Richard</b>        | 248-594-6737<br><i>dicklilley@icloud.com</i>      | 9/6/2018<br>Business owner       | 10/10/2020   |
| <b>Lillie</b><br>496 S. Glenhurst | <b>Charles</b>        | (248) 642-6881<br><i>lilliecc@sbcglobal.net</i>   | 1/9/1984<br>Attorney             | 10/10/2022   |
| <b>Miller</b><br>544 Brookside    | <b>John</b>           | (248) 703-9384<br><i>feymiller@comcast.net</i>    | 1/23/2012<br>Architect           | 10/10/2021   |

| Last Name<br>Home Address       | First Name     | Home<br>Business<br>E-Mail                       | Appointed                         | Term Expires |
|---------------------------------|----------------|--------------------------------------------------|-----------------------------------|--------------|
| <b>Morganroth</b><br>631 Ann    | <b>Erik</b>    | (248) 762-9822<br><i>emorganroth@comcast.net</i> | 10/12/2015<br>Real Estate/Builder | 10/10/2021   |
| <b>Reddy</b><br>763 Wallace     | <b>Ron</b>     | 313-820-7491<br><i>ron.reddy01@gmail.com</i>     | 2/11/2019<br>Alternate            | 2/17/2020    |
| <b>Rodriguez</b><br>333 Pilgrim | <b>Francis</b> | 248-631-7933<br><i>francis@korolaw.com</i>       | 12/10/2018<br>Attorney            | 10/10/2022   |

## CITY BOARD/COMMITTEE ATTENDANCE RECORD

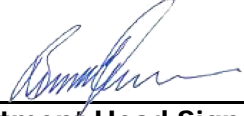
Name of Board: Board of Zoning Appeals

Year: 2020

Members Required for Quorum: 4

| MEMBER NAME            | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC | SPEC MTG | SPEC MTG | Total Mtgs. Att. | Total Absent | Percent Attended Available |
|------------------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|----------|----------|------------------|--------------|----------------------------|
| <b>REGULAR MEMBERS</b> |     |     |     |     |     |      |      |     |      |     |     |     |          |          |                  |              |                            |
| Lillie, Charles        | A   | A   | P   | P   | P   | P    | A    | P   | P    |     |     |     |          |          | 6                | 3            | 67%                        |
| Miller, John           | P   | P   | P   | A   | A   | P    | P    | P   | P    |     |     |     |          |          | 7                | 2            | 78%                        |
| Hart, Kevin            | A   | P   | P   | P   | A   | A    | A    | P   | A    |     |     |     |          |          | 4                | 5            | 44%                        |
| Morganroth, Erik       | P   | P   | P   | P   | P   | P    | P    | P   | P    |     |     |     |          |          | 9                | 0            | 100%                       |
| Canvasser, Jason       | P   | P   | P   | P   | P   | P    | P    | P   | A    |     |     |     |          |          | 8                | 1            | 89%                        |
| Rodriguez, Francis     | P   | P   | A   | P   | P   | A    | P    | A   | P    |     |     |     |          |          | 6                | 3            | 67%                        |
| Lilley, Richard        | P   | A   | A   | P   | P   | P    | P    | P   | P    |     |     |     |          |          | 7                | 2            | 78%                        |
| Reserved               |     |     |     |     |     |      |      |     |      |     |     |     |          |          | 0                | 0            | #DIV/0!                    |
| Reserved               |     |     |     |     |     |      |      |     |      |     |     |     |          |          | 0                | 0            | #DIV/0!                    |
| <b>ALTERNATES</b>      |     |     |     |     |     |      |      |     |      |     |     |     |          |          |                  |              |                            |
| Reddy, Ron             | P   | P   | P   | P   | P   | P    | P    | P   | P    |     |     |     |          |          | 9                | 0            | 100%                       |
| Attia, Jerry           | P   | A   | A   | A   | A   | A    | A    | A   | A    |     |     |     |          |          | 1                | 8            | 11%                        |
| Reserved               |     |     |     |     |     |      |      |     |      |     |     |     |          |          | 0                | 0            | #DIV/0!                    |
| Reserved               |     |     |     |     |     |      |      |     |      |     |     |     |          |          | 0                | 0            | #DIV/0!                    |
| Present or Available   | 7   | 6   | 6   | 7   | 6   | 6    | 6    | 7   | 6    | 0   | 0   | 0   | 0        | 0        |                  |              |                            |

KEY:    A = Member absent  
           P = Member present or available  
           CP = Member available, but meeting canceled for lack of quorum  
           CA = Member not available and meeting was canceled for lack of quorum  
           NA = Member not appointed at that time  
           NM = No meeting scheduled that month  
           CM = Meeting canceled for lack of business items

  
 \_\_\_\_\_  
 Department Head Signature

## CITY BOARD/COMMITTEE ATTENDANCE RECORD

Name of Board: Board of Zoning Appeals

Year: 2019

Members Required for Quorum: 4

| MEMBER NAME            | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC | SPEC MTG | SPEC MTG | Total Mtgs. Att. | Total Absent | Percent Attended Available |
|------------------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|----------|----------|------------------|--------------|----------------------------|
| <b>REGULAR MEMBERS</b> |     |     |     |     |     |      |      |     |      |     |     |     |          |          |                  |              |                            |
| Lillie, Charles        | A   | A   | P   | A   | P   | P    | P    | P   | P    | A   | P   | P   | NM       | NM       | 8                | 4            | 67%                        |
| Judd, Randy            | P   | P   | P   | P   | NA  | NA   | NA   | NA  | NA   | NA  | NA  | NA  | NA       | NA       | 4                | 0            | 100%                       |
| Miller, John           | P   | A   | P   | P   | P   | P    | P    | A   | P    | P   | P   | A   | NM       | NM       | 9                | 3            | 75%                        |
| Hart, Kevin            | P   | P   | P   | P   | P   | A    | P    | P   | P    | P   | P   | P   | NM       | NM       | 11               | 1            | 92%                        |
| Morganroth, Eric       | P   | P   | P   | P   | P   | P    | P    | P   | P    | P   | P   | A   | NM       | NM       | 11               | 1            | 92%                        |
| Canvasser, Jason       | P   | A   | P   | P   | P   | P    | P    | P   | A    | P   | P   | P   | NM       | NM       | 10               | 2            | 83%                        |
| Rodriguez, Francis     | P   | P   | P   | P   | A   | P    | P    | P   | P    | P   | P   | P   | NM       | NA       | 11               | 1            | 92%                        |
| Lilley, Richard        | NA  | NA  | NA  | NA  | NA  | P    | P    | P   | P    | P   | P   | P   | NM       | NM       | 7                | 0            | 100%                       |
| Reserved               |     |     |     |     |     |      |      |     |      |     |     |     |          |          | 0                | 0            | #DIV/0!                    |
| <b>ALTERNATES</b>      |     |     |     |     |     |      |      |     |      |     |     |     |          |          |                  |              |                            |
| Lilley, Richard        | P   | A   | A   | P   | P   | NA   | NA   | NA  | NA   | NA  | NA  | NA  | NA       | NA       | 3                | 2            | 60%                        |
| Reddy, Ron             | NA  | P   | A   | A   | P   | P    | P    | P   | P    | P   | P   | A   | NM       | NM       | 8                | 3            | 73%                        |
| Attia, Jerry           | NA  | NA  | NA  | NA  | NA  | NA   | NA   | NA  | NA   | P   | P   | P   | NA       | NA       | 3                | 0            | 100%                       |
| Reserved               |     |     |     |     |     |      |      |     |      |     |     |     |          |          | 0                | 0            | #DIV/0!                    |
| Present or Available   | 7   | 5   | 7   | 7   | 7   | 7    | 8    | 7   | 7    | 8   | 9   | 6   | 0        | 0        |                  |              |                            |

KEY:    A = Member absent  
           P = Member present or available  
           CP = Member available, but meeting canceled for lack of quorum  
           CA = Member not available and meeting was canceled for lack of quorum  
           NA = Member not appointed at that time  
           NM = No meeting scheduled that month  
           CM = Meeting canceled for lack of business items

  
 \_\_\_\_\_  
 Department Head Signature



## CITY BOARD/COMMITTEE ATTENDANCE RECORD

Name of Board: **BOARD OF ZONING APPEALS**

Year: **2018**

Members Required for Quorum: **4**

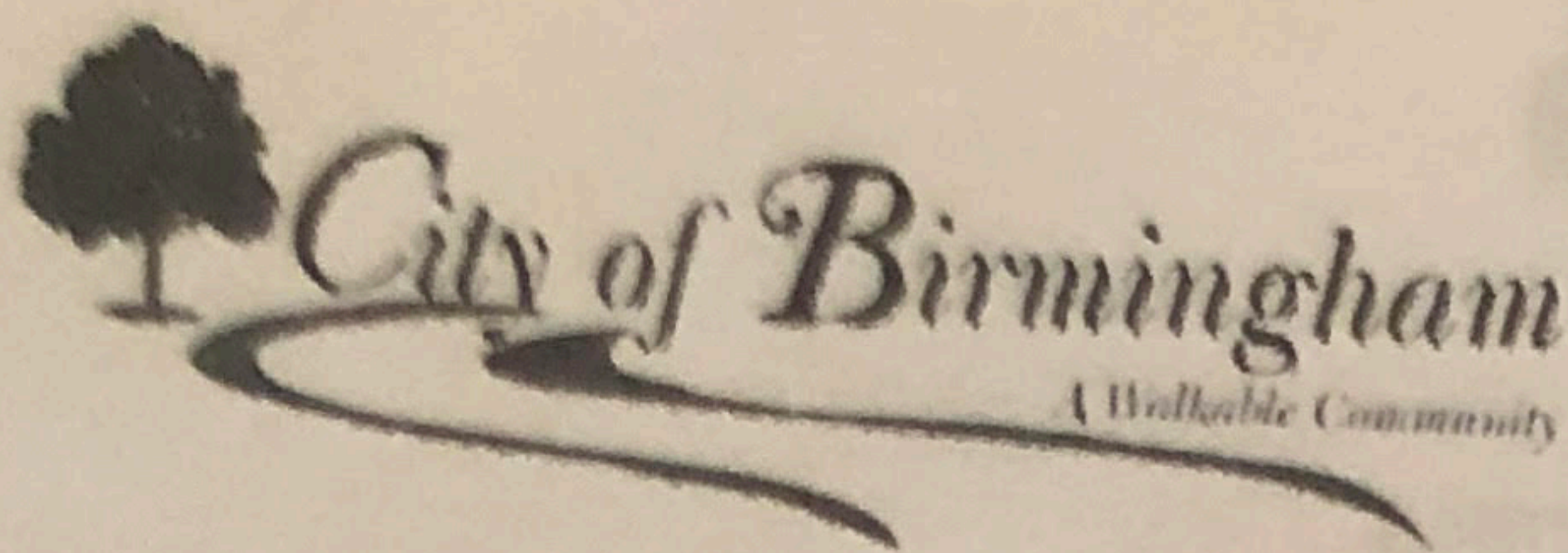
| MEMBER NAME          | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEPT | OCT | NOV | DEC | SPEC MTG | SPEC MTG | Total Mtgs. Att. | Total Absent | Percent Attended Available |
|----------------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|----------|----------|------------------|--------------|----------------------------|
| <b>MEMBERS</b>       |     |     |     |     |     |      |      |     |      |     |     |     |          |          |                  |              |                            |
| Lilie, Charles       | A   | A   | P   | A   | P   | A    | A    | P   | P    | A   | P   | P   | NM       | NM       | 6                | 6            | 50%                        |
| Judd, Randy          | P   | P   | P   | P   | P   | A    | P    | P   | P    | P   | P   | P   | NM       | NM       | 11               | 1            | 92%                        |
| Lyon, Peter          | P   | P   | P   | P   | P   | NA   | NA   | NA  | NA   | NA  | NA  | NA  | NM       | NM       | 5                | 0            | 100%                       |
| Jones, Jefferey      | P   | P   | P   | P   | P   | P    | P    | P   | A    | NA  | NA  | NA  | NM       | NM       | 8                | 1            | 89%                        |
| Miller, John         | P   | P   | A   | A   | P   | P    | A    | P   | P    | P   | P   | A   | NM       | NM       | 8                | 4            | 67%                        |
| Hart, Kevin          | P   | P   | P   | P   | P   | P    | P    | P   | A    | P   | P   | P   | NM       | NM       | 11               | 1            | 92%                        |
| Morganroth, Erik     | P   | P   | P   | P   | P   | P    | P    | A   | P    | P   | P   | P   | NM       | NM       | 11               | 1            | 92%                        |
| Canvasser, Jason     | NA  | NA  | NA  | NA  | NA  | NA   | P    | P   | P    | P   | P   | P   | NM       | NM       | 6                | 0            | 100%                       |
| Francis N. Rodriguez | NA  | NA  | NA  | NA  | NA  | NA   | NA   | NA  | NA   | NA  | NA  | P   |          |          | 1                | 0            | 100%                       |
| <b>ALTERNATES</b>    |     |     |     |     |     |      |      |     |      |     |     |     |          |          |                  |              |                            |
| Canvasser, Jason     | P   | P   | P   | P   | P   | P    | NA   | NA  | NA   | NA  | NA  | NA  | NM       | NM       | 6                | 0            | 100%                       |
| Francis N. Rodriguez | NA  | P   | P   | P   | A   | P    | A    | P   | P    | A   | P   | NA  | NM       | NM       | 7                | 3            | 70%                        |
| Lilley, Richard      | NA  | NA  | NA  | NA  | NA  | NA   | NA   | NA  | P    | P   | P   | P   | NM       | NM       | 4                | 0            | 100%                       |
| Reserved             |     |     |     |     |     |      |      |     |      |     |     |     |          |          | 0                | 0            | #DIV/0!                    |
| Present or Available | 7   | 8   | 8   | 7   | 8   | 6    | 5    | 7   | 7    | 6   | 8   | 7   | 0        | 0        |                  |              |                            |

**KEY:**

- A** = Member absent
- P** = Member present or available
- CP** = Member available, but meeting canceled for lack of quorum
- CA** = Member not available and meeting was canceled for lack of quorum
- NA** = Member not appointed at that time
- NM** = No meeting scheduled that month
- CM** = Meeting canceled for lack of business items

  
 \_\_\_\_\_  
**Department Head Signature**





|                                |                                                                     |
|--------------------------------|---------------------------------------------------------------------|
| <b>OFFICE USE ONLY</b>         |                                                                     |
| Meets Requirements?            | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Will Attend / Unable to Attend |                                                                     |

## APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at [www.bhamgov.org/boardopportunities](http://www.bhamgov.org/boardopportunities).

(Please print clearly)

Board/Committee of Interest The City of Birmingham Board of Zoning Appeals

Specific Category/Vacancy on Board \_\_\_\_\_ (see back of this form for information)

Name Kevin D. Hart

Phone 248-496-7363

Residential Address 2051 Villa Road

Email \* khartassociates@aol.com

Residential City, Zip Birmingham 48009

Length of Residence 28 years

Business Address 700 East Maple, #101

Occupation Architect

Business City, Zip Birmingham, MI 48009

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied \_\_\_\_\_

I was born and raised in Birmingham. I have raised three children in this city and have operated an Architecture firm in Birmingham since 1992. I want to continue to serve the community.

List your related employment experience I have been in the design and construction industry for over 40 years. I am a licensed architect in 11 states.

List your related community activities I have been a member of the City of Birmingham Board of Zoning Appeals since 2012. I was the Freshman Football Coach at Brother Rice High School for nine years. I am an active member of the American Institute of Architects.

List your related educational experience I have a degree in Architectural Engineering from the University of Notre Dame.

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: No.

Do you currently have a relative serving on the board/committee to which you have applied? No.

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

Kevin D. Hart September 23, 2020

Signature of Applicant

Date

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to [carl@bhamgov.org](mailto:carl@bhamgov.org) or by fax to 248.530.1080.

\*By providing your email to the City, you agree to receive news & notifications from the City. If you do not wish to

Updated 12/02/19





|                                                 |                                                                     |
|-------------------------------------------------|---------------------------------------------------------------------|
| <b>OFFICE USE ONLY</b>                          |                                                                     |
| Meets Requirements?                             | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input checked="" type="checkbox"/> Will Attend | <input type="checkbox"/> Unable to Attend                           |

## APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at [www.bhamgov.org/boardopportunities](http://www.bhamgov.org/boardopportunities).

(Please print clearly)

Board/Committee of Interest Board of Zoning Appeals

Specific Category/Vacancy on Board Member (see back of this form for information)

Name Jason Canvasser

Phone 248-231-9972

Residential Address 369 Kimberly

Email \* jcanvasser@clarkhill.com

Residential City, Zip Birmingham, MI 48009

Length of Residence 9 years

Business Address 500 Woodward Ave., Suite 3500,

Occupation Attorney

Business City, Zip Detroit, MI 48226

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied In my legal practice, I routinely help my clients navigate complex zoning issues.

As a resident of Birmingham, I am interested in continuing to use that knowledge to help regulate land use.

List your related employment experience Clark Hill PLC, 2012-present

List your related community activities Current BZA member (2015-present); Board of Directors for the Birmingham Bloomfield Chamber of Commerce (January 2020-present); Member of the QLNA Association

List your related educational experience 2003 University of Michigan, Ann Arbor graduate with a BA in political science; 2006 Wayne State University Law School graduate.

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: \_\_\_\_\_

No.

Do you currently have a relative serving on the board/committee to which you have applied? No.

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

Signature of Applicant Jason Canvasser

Date 10/6/2020

Signature of Applicant

Date

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to [carft@bhamgov.org](mailto:carft@bhamgov.org) or by fax to 248.530.1080.

Updated 12/02/19

*\*By providing your email to the City, you agree to receive news & notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.*



|                                                 |                                                                     |
|-------------------------------------------------|---------------------------------------------------------------------|
| <b>OFFICE USE ONLY</b>                          |                                                                     |
| Meets Requirements?                             | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <input checked="" type="checkbox"/> Will Attend | <input type="checkbox"/> Unable to Attend                           |

## APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at [www.bhamgov.org/boardopportunities](http://www.bhamgov.org/boardopportunities).

(Please print clearly)

Board/Committee of Interest BZA  
Specific Category/Vacancy on Board RENEW APPOINTMENT (see back of this form for information)  
Name RICHARD M. LILLEY Phone 248 694 6737  
Residential Address 648 CHERRY CT Email DICKLILLEY@ICLOUD.COM  
Residential City, Zip B-HAM 48009 Length of Residence 60 YRS  
Business Address SAME Occupation SEMI RETIRED  
Business City, Zip \_\_\_\_\_

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied \_\_\_\_\_  
CONTINUE MY CONTRIBUTIONS TO THE BOARD AND ENHANCE  
MY KNOWLEDGE OF ZONING ORDINANCES AND APPLICATIONS

List your related employment experience \_\_\_\_\_

List your related community activities ALLEN HOUSE BOARD (BEFORE HISTORIC SOCIETY)  
BSD DREAM CRUISE COMMITTEE (20 YRS)

List your related educational experience \_\_\_\_\_

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: NO

Do you currently have a relative serving on the board/committee to which you have applied? NO

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

Richard M. Lilley  
Signature of Applicant

9/23/20  
Date



**OFFICE USE ONLY**  
Meets Requirements? Yes No  
Will Attend / Unable to Attend

## APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at [www.bhamgov.org/boardopportunities](http://www.bhamgov.org/boardopportunities).

(Please print clearly)

Board/Committee of Interest BZA

Specific Category/Vacancy on Board \_\_\_\_\_ (see back of this form for information)

Name G Jerry Attia Phone 2027442569

Residential Address 1859 Henrietta Email \* jerry.attia@gmail.com

Residential City, Zip Birmingham, MI 48009 Length of Residence 4 years

Business Address \_\_\_\_\_ Occupation Architect

Business City, Zip \_\_\_\_\_

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied \_\_\_\_\_

\_\_\_\_\_

List your related employment experience \_\_\_\_\_

\_\_\_\_\_

List your related community activities \_\_\_\_\_

\_\_\_\_\_

List your related educational experience \_\_\_\_\_

\_\_\_\_\_

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

Do you currently have a relative serving on the board/committee to which you have applied? \_\_\_\_\_

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

Attia, Jerry

Digitally signed by Attia, Jerry  
DN: cn=Attia, Jerry, ou=US, ou=AMER,  
ou=ACCOMPLISH, DC=mi, DC=bhamgov, DC=com  
Reason: I am approving this document  
Date: 2020.10.06 10:51:19-04'00'

Signature of Applicant

Date

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to [carft@bhamgov.org](mailto:carft@bhamgov.org) or by fax to 248.530.1080.

Updated 12/02/19

*\*By providing your email to the City, you agree to receive news & notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.*





**OFFICE USE ONLY**  
Meets Requirements? ☒ Yes ☐ No  
☒ Will Attend / ☐ Unable to Attend

## APPLICATION FOR CITY BOARD OR COMMITTEE

Thank you for your interest in serving on a Board or Committee. The purpose of this form is to provide the City Commission with basic information about applicants considered for appointment. NOTE: Completed applications are included in the City Commission agenda packets. The information included on this form is open to the public. All Board and Committee members are subject to the provisions of the Ethics Ordinance (Chapter 2, Article IX of the City Code).

Information on various Boards and Committees and a list of current openings can be found on the City website at [www.bhamgov.org/boardopportunities](http://www.bhamgov.org/boardopportunities).

(Please print clearly)

Board/Committee of Interest BOARD ZONING APPEALS

Specific Category/Vacancy on Board ALTERNATE (see back of this form for information)

Name RON REDDY Phone 313 820 7491

Residential Address 763 WALLACE Email \* RON.REDDY@1@GMAIL

Residential City, Zip B'ham 48009 Length of Residence 2 1/2 YEARS

Business Address \_\_\_\_\_ Occupation RETIRED

Business City, Zip \_\_\_\_\_

Reason for Interest: Explain how your background and skills will enhance the board to which you have applied \_\_\_\_\_

I'VE BEEN AN ALTERNATE BZA MEMBER SINCE OCTOBER 2018. I WAS <sup>RECD</sup> CHAIR OF BLOOMFIELD HILLS BZA FOR THREE YEARS

List your related employment experience RETIRED LAW ENFORCEMENT OFFICER

List your related community activities BOARD OF COMMISSIONERS AT DETROIT CRIME COMMISSION

List your related educational experience BSEE; MPA

To the best of your knowledge, do you or a member of your immediate family have any direct financial or business relationships with any supplier, service provider or contractor of the City of Birmingham from which you or they derive direct compensation or financial benefit? If yes, please explain: \_\_\_\_\_

NO

Do you currently have a relative serving on the board/committee to which you have applied? NO

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

Signature of Applicant Ron Reddy

Date 9/24/20

Return the completed and signed application form to: City of Birmingham, City Clerk's Office, 151 Martin, Birmingham, MI 48009 or by email to [carft@bhamgov.org](mailto:carft@bhamgov.org) or by fax to 248.530.1080. Updated 12/02/19

\*By providing your email to the City, you agree to receive news & notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

**BIRMINGHAM CITY COMMISSION**  
**OCTOBER 19, 2020**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**  
**VIRTUAL MEETING**  
**MEETING ID: 655 079 760**

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

Pierre Boutros, Mayor, opened the meeting with the Pledge of Allegiance.

**II. ROLL CALL**

Alexandria Bingham, City Clerk Designee, called the roll.

PRESENT: Mayor Boutros (location: Birmingham, MI)  
Mayor Pro-Tem Longe (location: Birmingham, MI)  
Commissioner Baller (location: Birmingham, MI)  
Commissioner Hoff (location: Birmingham, MI)  
Commissioner Host (location: Birmingham, MI)  
Commissioner Nickita (location: Westfield, IN)  
Commissioner Sherman (location: Birmingham, MI)

ABSENT: None

Administration: City Manager Valentine, Planning Director Ecker, City Clerk Designee  
Bingham

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

**ANNOUNCEMENTS:**

- The Clerk's Office reminded voters to turn in an absentee ballot application to vote by mail for the November 3, 2020 General Election. Voters should return their absentee ballot to the Clerk's Office as soon as possible via drop box or mail. Return postage for absentee ballots has been covered by the City for this election. Specific voting information and a preview of the ballot can be found at [mi.gov/vote](http://mi.gov/vote). The online and mail voter registration deadline was October 19, 2020. After October 19, 2020 new voters must register in person at the Clerk's Office.
- Commissioner Sherman's Birthday

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

**V. CONSENT AGENDA**

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

**10-190-20 CONSENT AGENDA**

The following items were pulled from the Consent Agenda:

Commissioner Hoff: Item A – City Commission Meeting Minutes September 21, 2020

Item N – Resolution authorizing the City Manager to sign the agreement with ASTI for the Brownfield Redevelopment Authority.

**MOTION:** Motion by Commissioner Sherman, seconded by Commissioner Host:  
To approve the Consent Agenda with the exception of Items A and N.

ROLL CALL VOTE: Ayes, Commissioner Sherman  
Commissioner Host  
Commissioner Nickita  
Commissioner Baller  
Commissioner Hoff  
Mayor Boutros  
Mayor Pro-Tem Longe  
Nays, None

- B. Resolution approving the warrant list, including Automated Clearing House payments, dated September 23, 2020 in the amount of \$2,500,184.98.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated September 30, 2020 in the amount of \$1,179,039.25.
- D. Resolution approving the warrant list, including Automated Clearing House payments, dated October 7, 2020 in the amount of \$652,087.32.
- E. Resolution approving the warrant list, including Automated Clearing House payments, dated October 14, 2020 in the amount of \$1,838,762.55.
- F. Resolution approving the appointment of election inspectors, absentee voter counting board inspectors, receiving board inspectors and other election officials as recommended by the City Clerk for the November 3, 2020 State General Election pursuant to MCL 168.674(1) and to grant the City Clerk authority to make emergency appointments of qualified candidates should circumstances warrant to maintain adequate staffing in the various precincts, counting boards and receiving boards.
- G. Resolution approving \$19,760 in Municipal Credits and \$19,416 in Community Credits from fiscal year 2021 to Next in support of their specialized transportation program; to approve \$11,000 in Community Credits from fiscal year 2021 to purchase and install a bus shelter (location to be determined); and further to direct the Mayor to sign the Municipal Credit and Community Credit contract for fiscal year 2021 on behalf of the City.
- H. Resolution authorizing the City Manager to cast a vote, on the City's behalf, for the four candidates for the Michigan Municipal League Liability and Property Pool Board of Directors for three-year terms, beginning January 1, 2021.



- I. Resolution approving the purchase and planting of one-hundred (100) trees from KLM Landscape for the Fall 2020 Tree Purchase and Planting Project for a total project cost not to exceed \$45,865.00. Funds are available from the Local Streets Fund-Forestry Service Contract account #203-449.005- 819.0000, the Major Streets Fund-Forestry Service Contract account #202-449.005-819.0000, the Local Streets Fund-Operating Supplies account #203-449.005- 729.0000, the Major Streets Fund-Operating Supplies account #202-449.005-729.0000 and the Parks- Other Contractual Services account #101-751.000- 811.0000 for these services. Further, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City upon receipt of required insurances.
- J. Resolution setting a public hearing of November 9th, 2020 to consider the proposed lot combination of 34350 Woodward and 907-911 Haynes, parcel # 19-36-281-022 and parcel # 19-36-281-030.
- K. Resolution setting a public hearing date of November 9, 2020 to consider the Special Land Use Permit and Final Site Plan for 768 N. Old Woodward – The French Lady – to allow the operation of a food and drink establishment in the O2 Zoning District.
- L. Resolution setting a public hearing date of November 9, 2020 to consider the Revised Final Site Plan and Design and Special Land Use Permit Amendment to allow the expansion of the existing Luxe bistro into the vacant storefront to the south.
- M. Resolution approving a special event permit as requested by the Lutheran Church of the Redeemer to display the Christmas Nativity in Shain Park beginning November 24th- December 31st, 2020 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.
- O. Resolution approving the purchase of (20) FN15 SRP G2 carbine tactical rifles from Kiesler Police Supply via MiDEAL state contract pricing in the amount of \$19,380.00; further to authorize this budgeted expenditure from account number 101-301.000-734.0000.

**10-191-20 (ITEM A) CITY COMMISSION MEETING MINUTES OF SEPTEMBER 21, 2020**

Commissioner Hoff sought and received clarification regarding the difference between the withdrawn motion and the passed motion regarding Ordinances on pages seven and eight of the minutes.

In the third paragraph from the bottom of page six, Commissioners Hoff and Baller said the words “additional staff specifically to handle the platform and that it” should be added after “hire” and before “would”.

**MOTION:** Motion by Commissioner Hoff, seconded by Mayor Pro Tem Longe:  
To approve the City Commission meeting minutes of September 21, 2020 as amended.

Public Comment

None.

ROLL CALL VOTE: Ayes, Commissioner Host  
Commissioner Nickita  
Commissioner Baller

|          |                      |
|----------|----------------------|
|          | Commissioner Hoff    |
|          | Mayor Boutros        |
|          | Mayor Pro-Tem Longe  |
| Nays,    | None                 |
| Abstain, | Commissioner Sherman |

**10-192-20 (ITEM N) RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT WITH ASTI FOR THE BROWNFIELD REDEVELOPMENT AUTHORITY**

Commissioner Hoff asked what AKT Peerless previously charged the City and asked what Brownfield Projects are in the works with the City.

City Manager Valentine stated that since 2005 the City had paid AKT Peerless approximately \$89,000 for their services in reviewing Brownfield Redevelopment projects. He explained that the City has two pending Brownfield Projects: The Pearl on Old Woodward and the Art Van Headquarters at Oak and Old Woodward.

**MOTION:** Motion by Commissioner Hoff, seconded by Commissioner Nickita: To authorize the City Manager to sign the agreement with ASTI for the Brownfield Redevelopment Authority.

Public Comment  
None.

|                 |       |                      |
|-----------------|-------|----------------------|
| ROLL CALL VOTE: | Ayes, | Commissioner Hoff    |
|                 |       | Commissioner Nickita |
|                 |       | Commissioner Sherman |
|                 |       | Commissioner Baller  |
|                 |       | Commissioner Host    |
|                 |       | Mayor Boutros        |
|                 |       | Mayor Pro-Tem Longe  |
|                 | Nays, | None                 |

|                                |
|--------------------------------|
| <b>VI. UNFINISHED BUSINESS</b> |
|--------------------------------|

None.

|                          |
|--------------------------|
| <b>VII. NEW BUSINESS</b> |
|--------------------------|

**10-193-20 Certified Local Government Grant Applications**

Commissioner Host informed the Commission that his neighbor had inadvertently written the Commissioner's name on a petition supporting this item when in fact it was Commissioner Host's wife, Laura Host, who supported the petition. He mentioned this to clarify that he had no conflict of interest in regards to the matter.

City Planner Dupuis reviewed the item. He explained:

- That while a letter included in the agenda packet from the President of the Friends of the Birmingham Museum stated the City had personnel knowledgeable enough to complete the survey of little San Francisco, City Planner Dupuis thought this would be a good opportunity for

the Historic District Study Committee to receive professional training in historical survey practices through undertaking the survey.

- He was fairly sure that even if the grants were approved the City would be under no obligation to undertake the projects.
- He was not sure if there were any circumstances under which historical designation could be imposed on a property as an unintended result of undertaking these projects.

While a number of Commissioners acknowledged the value of historic preservation, a number of Commissioners also expressed concern regarding the possibility of historic designation being imposed on individual properties as a result of the proposed survey.

Commissioner Hoff noted the existence of other historic districts in the City where individual properties are not required to have historic designation.

Mayor Boutros recommended tabling the item until the Commission receives clarification as to whether historic designation could be imposed on individual properties as a result of these projects.

Commissioner Sherman asked for information regarding how the neighborhood residents would be informed of the survey.

Commissioner Baller said he saw no issue with the proposed design guidelines project.

Other Commissioners concurred with Commissioner Baller, and said they would prefer to table the vote on the reconnaissance survey until more information from the City was available.

**MOTION:** Motion by Commissioner Baller, seconded by Commissioner Host:

To adopt a resolution in support of the grant application made to the Michigan State Historic Preservation Office for a reimbursement grant application for \$15,000 to develop updated historic design guidelines with an emphasis on new and emerging materials.

#### Public Comment

John Henke spoke as the Chairman of both the Historic District Committee and the Design Review Board. He stated that City Planner Dupuis had expended considerable effort to pursue these two grants on behalf of the City. He reminded the Commissioners that in the past the City has attempted to designate individual properties historic and that the practice has been abandoned. Mr. Henke stated the only goal is to better inform residents of the historic resources that exist. In reply to the Commissioners' concerns, Mr. Henke also confirmed there is no mandate from the grantor that would require any individual properties to be historically designated as an outcome of the survey. Given that, Mr. Henke recommended the Commission support both of the grant applications in the evening's vote on the item.

|                 |       |                      |
|-----------------|-------|----------------------|
| ROLL CALL VOTE: | Ayes, | Commissioner Baller  |
|                 |       | Commissioner Host    |
|                 |       | Commissioner Sherman |
|                 |       | Commissioner Nickita |
|                 |       | Commissioner Hoff    |
|                 |       | Mayor Boutros        |
|                 |       | Mayor Pro-Tem Longe  |
|                 | Nays, | None                 |

Commissioner Nickita said he would rather wait for more clarity on the survey because:

- The City's stance on the project should be clarified well in advance of potentially receiving the grant. Turning down an awarded grant could do damage to the City's credibility in future applications rounds.

- The residents of little San Francisco had not yet received sufficient information regarding the proposed project nor had they had sufficient opportunity to comment on the proposed project.
- Historic districts can restrict what homeowners are permitted to do to their homes even if their homes are not individually designated historic.

## **10-194-20                      City Manager Recruitment Process**

CM Valentine reviewed the item.

**MOTION:**                      Motion by Mayor Pro Tem Longe, seconded by Commissioner Host:  
To direct the administration to present a list of professional recruitment firms for the Commission to consider for administering a recruitment process and to invite former Birmingham City Manager Thomas M. Markus for an interview as part of the recruitment process.

A number of the Commissioners expressed their regret that CM Valentine would be leaving the City, citing his integrity, thoroughness and consistency.

Commissioner Hoff spoke in favor of pursuing further conversation with Mr. Markus.

Commissioners Baller, Host and Sherman spoke in favor of the Mayor Pro Tem's motion. There was consensus that it would be appropriate to have information on the options available before proceeding with any particular hiring process and that this motion would allow for that.

CM Valentine said he could provide the Commission with the names of professional recruitment firms.

Mayor Boutros said he would handle scheduling a meeting between Mr. Markus and the Commission if this motion passed. He said he would also like further guidance from City staff regarding the options for the broader recruitment process.

### Public Comment

David Bloom said that while he respected Mr. Markus, his view was that pursuing a conversation with Mr. Markus separate from the broader recruitment process would be moving backwards instead of forwards. He noted that Mr. Markus offered only a five year term, and stated that Birmingham generally prefers to retain their City Managers for longer than that. Mr. Bloom also said the 2016 Plan, which had been one of Mr. Markus' initiatives, ended up not being beneficial to the City since it generated the need for more parking which Mr. Bloom ventured would be built at taxpayer expense. Mr. Bloom noted that Birmingham is a desirable community and that it would not lack for qualified applicants.

Brad Coulter stated that the Birmingham City Manager position would likely be one of the most desirable job openings in the Midwest. Mr. Coulter agreed with Mr. Bloom that Birmingham would not lack for qualified candidates, and that Mr. Markus' offer should be considered as part of the broader recruitment process with Mr. Markus only receiving an offer for an interview if he was one of the final candidates selected.

Andrew Haig noted that he had sent a letter to the Commission which was not included in the evening's agenda packet. He said in the letter he spoke against giving Mr. Markus an interview outside of the broader recruitment process. Mr. Haig concurred with Mr. Bloom and Mr. Coulter as well.

ROLL CALL VOTE:     Ayes,                   Mayor Pro-Tem Longe  
                                         Commissioner Host  
                                         Commissioner Sherman  
                                         Commissioner Nickita  
                                         Commissioner Baller  
                                         Mayor Boutros  
                                         Commissioner Hoff

## **10-195-20                   Review of Existing Noise Regulations**

PD Ecker reviewed the item. She explained:

- The decibel levels in the ordinances have not been updated in at least 18 years.
- Some of the noise ordinances would need to be studied by the Planning Board with a subsequent recommendation from them to the Commission regarding how to proceed. Some of the noise ordinances, however, would not require PB study so the Commission could direct City staff to do research on those items and make recommendations.

Commissioner Host said drums were a major source of noise and that the City lacked a vehicular noise ordinance.

Commissioner Baller said he would like to consider creating a single policy statement about noise for the City. He said he would be interested in an overview of how other communities approach noise in their ordinances, in considering duration limits for noise, and in potentially adding noise level restrictions to some tools that currently do not have them in the ordinances. He said the Commission should consider consolidation of some of the noise ordinances and increased enforcement. He said his particular noise concerns were leaf blowers and Woodward and that he knew other residents had construction noise concerns.

CM Valentine said he would bring back further information.

Commissioner Hoff said she would like to review the record of noise complaints to determine how extensive these issues are.

Commissioner Nickita said the Commission would also need clarity on which noise issues may not have enforcement remedies available. He cited a loud vehicle as one example, since it would be difficult to determine the noise emitted by that single vehicle when it is on a road with other vehicles. He said that Police Chief Clemence would likely be able to provide the Commission insight on those possible enforcement issues.

Commissioner Sherman said he would also be concerned about what would be legally enforceable and recommended that the Commission receive guidance on that. He floated the idea of limiting the days on which landscaping tools could be used if it was not a legally tenuous option.

Mayor Pro Tem Longe said that in light of other Commissioner comments it would be beneficial to reach out to other communities to determine how enforceable their noise ordinances actually are.

## **10-196-20                   Commission Discussion on Items From Prior Meeting**

### **I. Commissioner Report Requests**

Commissioner Sherman recommended creating a policy that limits the amount of City staff hours an inquiry by an individual Commissioner can take. He recommended that if an inquiry would go over that

hour limit that the inquiry should be brought before the Commission by the inquiring Commissioner under 'Commission Items for Future Discussion' on the agenda, and it should then be decided on by the Commission as a whole as to whether to move forward with said inquiry or not. He said such a policy would serve the interests of transparency and responsible utilization of City resources.

Commissioner Host asked the Mayor what the current rules and procedures are for Commissioners seeking information from staff. He said that his understanding of the normal procedure is that a Commissioner goes directly to the City Manager to request any information said Commissioner seeks. Commissioner Host also said he expects that the City Manager would accurately report if the requested information-gathering by a Commissioner would be too onerous, either in terms of time or resources, to complete. He concluded by speaking in favor of Commissioner Baller's request to learn the breakdown by race of individual encounters with Birmingham police, and said the community had a right to know how well it is doing in terms of racial equity in that area.

Commissioner Hoff agreed the community deserved that information, but said that it should have come from a consensus of the Commission as a whole since they are the elected leaders of the community.

Commissioner Sherman concurred with Commissioner Hoff.

Commissioner Baller stated that his only inquiry to staff had been in December 2019 and was regarding whether records of the racial breakdowns of Birmingham Police Department encounters was kept by the City. He stated that at no time did he ask for a report on the records. He conjectured that staff generated this report of their own accord because of the general national political climate since the death of George Floyd in May 2020. Commissioner Baller said he:

- Had seen no documentation of how much time creating the report took for staff;
- Heard no concerns from any staff regarding how much time generating the report took; and,
- Had not been aware a report had been generated until he found out simultaneous to all the other Commissioners while reviewing the agenda in which the report was included.

He said that he would also have agreed with Commissioner Sherman's recommendation if there was evidence of abuse by individual Commissioners of the ability to ask questions of staff, but said that he had not yet seen any such evidence. Commissioner Baller asserted that each Commissioner should have the right to make inquiries to staff individually as elected officials of the City.

Commissioner Sherman reiterated his perspective.

Commissioner Nickita echoed Commissioners Sherman and Hoff's previous comments. Commissioner Nickita said issue is a concern because a number of inquiries had been made by individual Commissioners of the City Manager over the past number of months, and that the Commission as a whole should determine whether an inquiry should be pursued.

Mayor Boutros said he saw consensus among the Commissioners that they all must be respectful of staff's time and transparent in their information seeking. Mayor Boutros said there were a number of ways to do that and a policy was not likely necessary. He said that since there was broad consensus on the main points, he thought the meeting should move on to the next item.

## II. Zoning

Commissioner Nickita said transitional zoning and the O2 and B districts, especially near Lincoln and Adams, should be reviewed at the Planning Board level in terms of allowed uses. He noted specifically that the purchase of alcohol for offsite consumption is not allowed in the O2 at Lincoln and Adams but a block away a business in another zone is permitted to sell alcohol for offsite consumption.

Commissioner Sherman concurred with Commissioner Nickita. He said it would be worth reviewing the topic given how the City has evolved since the topic was last studied.

Commissioner Hoff said she would want to see a zoning map of which areas would be under discussion. CM Valentine said the issue should return to the Commission in the near future just for them to provide their specific direction to the Planning Board.

**10-197-20                      Commission Items For Future Discussion**

A motion is required to bring up an item for future discussion on the next reasonable agenda. No discussion regarding these topics will occur during the present meeting.

There were no items.

**10-198-20                      REQUEST TO MEET IN CLOSED SESSION IN ACCORDANCE WITH SECTION 8(C) OF THE OPEN MEETINGS ACT**

**MOTION:**                      Motion by Commissioner Sherman, seconded by Commissioner Host:  
To discuss an Attorney/Client communication pursuant to Section 8(h) of the Open Meetings Act.

|                 |       |                      |
|-----------------|-------|----------------------|
| ROLL CALL VOTE: | Ayes, | Commissioner Sherman |
|                 |       | Commissioner Host    |
|                 |       | Commissioner Nickita |
|                 |       | Commissioner Baller  |
|                 |       | Commissioner Hoff    |
|                 |       | Mayor Boutros        |
|                 |       | Mayor Pro-Tem Longe  |
|                 | Nays, | None                 |

The City Commission adjourned to Closed Session at 9:57 p.m.

|                                          |
|------------------------------------------|
| <b>VIII. REMOVED FROM CONSENT AGENDA</b> |
|------------------------------------------|

|                           |
|---------------------------|
| <b>IX. COMMUNICATIONS</b> |
|---------------------------|

None.

|                   |
|-------------------|
| <b>X. REPORTS</b> |
|-------------------|

- A. Commissioner Reports - Notice of Intent to appoint to Planning Board, Multi-Modal Transportation Board, Birmingham Shopping District, Parks and Recreation Board
- B. Commissioner Comments

Commissioner Hoff spoke highly of her recent experience with the Greenwood Cemetery History Tour and recommended that all interested take part in the next tour when it is offered.

There was consensus among the Commission that the joint City Commission-Planning Board meeting, originally scheduled for the present evening, would not be rescheduled. The next regularly scheduled joint CC-PB meeting would be in June 2021.

Commissioner Sherman commended the Birmingham Fire Department on his experience partaking in their program Fire Ops 101. Commissioner Sherman thanked Chief Wells specifically for helping the Commissioner during his participation, and recommended that all interested participate the next time it is offered.

Commissioner Host said the Commission should consider reviewing the City's laws on short-term rentals.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  - 1. Memo from PD Jana Ecker in regards to O2 and B2 Zoning Districts

INFORMATION ONLY

|                    |
|--------------------|
| <b>XI. ADJOURN</b> |
|--------------------|

Mayor Boutros reconvened the meeting at 11:00 p.m.  
Mayor Boutros adjourned the meeting at 11:02 p.m.



**City of Birmingham**  
**Warrant List Dated 10/21/2020**

Meeting of 10/26/2020

| Check Number       | Early Release | Vendor # | Vendor                             | Amount    |
|--------------------|---------------|----------|------------------------------------|-----------|
| <u>PAPER CHECK</u> |               |          |                                    |           |
| 275966             | *             | 005430   | 21ST CENTURY MEDIA- MICHIGAN       | 701.00    |
| 275967             |               | MISC     | 3JS BUILDERS LLC                   | 900.00    |
| 275968             | *             | 000855   | 48TH DISTRICT COURT                | 500.00    |
| 275969             | *             | 000855   | 48TH DISTRICT COURT                | 100.00    |
| 275972             |               | 008106   | ACUSHNET COMPANY                   | 336.89    |
| 275973             |               | 003708   | AIRGAS USA, LLC                    | 365.57    |
| 275974             |               | MISC     | ALIMOFF BUILDING & DEVELOPMENT LLC | 2,000.00  |
| 275976             |               | MISC     | AMERICAN STANDARD ROOFING          | 100.00    |
| 275977             |               | 000167   | ANDERSON ECKSTEIN WESTRICK INC     | 22,013.10 |
| 275978             |               | 000500   | ARTECH PRINTING INC                | 320.00    |
| 275979             |               | 007479   | ASB DISTRIBUTORS                   | 26.10     |
| 275980             | *             | 006759   | AT&T                               | 211.96    |
| 275981             | *             | 006759   | AT&T                               | 325.03    |
| 275982             | *             | 006759   | AT&T                               | 332.24    |
| 275983             | *             | 006759   | AT&T                               | 212.20    |
| 275984             | *             | 006759   | AT&T                               | 400.25    |
| 275985             |               | MISC     | AVRIPAS CONSTRUCTION               | 100.00    |
| 275987             | *             | 003839   | MATTHEW J. BARTALINO               | 66.07     |
| 275988             |               | 003012   | BATTERIES PLUS BULBS               | 77.79     |
| 275989             |               | MISC     | BATTERIES PLUS BULBS               | 22.95     |
| 275990             |               | MISC     | BCM HOME IMPROVEMENT               | 100.00    |
| 275991             |               | MISC     | BEDIENT CONSTRUCTION               | 3,000.00  |
| 275992             |               | MISC     | BERGSMAN WIAND BOUCHARD & CO       | 2,000.00  |
| 275993             |               | 002231   | BILLINGS LAWN EQUIPMENT INC.       | 25.00     |
| 275994             |               | 000524   | BIRMINGHAM LOCKSMITH               | 21.80     |
| 275995             | *             | 001086   | JACK TODD- PETTY CASH              | 1,227.49  |
| 275996             |               | 004244   | BOLYARD LUMBER                     | 86.18     |
| 275998             |               | 003526   | BOUND TREE MEDICAL, LLC            | 148.34    |
| 275999             | *             | 006953   | JACQUELYN BRITO                    | 141.12    |
| 276000             | *             | 006177   | BULLSEYE TELECOM INC               | 128.92    |
| 276001             |               | 003907   | CADILLAC ASPHALT, LLC              | 1,021.69  |
| 276003             |               | 008306   | CHARTER TOWNSHIP OF BLOOMFIELD     | 1,915.56  |
| 276004             |               | 009168   | CHET'S CLEANING INC                | 409.60    |
| 276005             |               | 007710   | CINTAS CORP                        | 278.23    |
| 276006             |               | 000605   | CINTAS CORPORATION                 | 143.19    |
| 276006             | *             | 000605   | CINTAS CORPORATION                 | 72.43     |
| 276007             |               | 008743   | CIT GROUP/COMMERCIAL SERVICES      | 244.50    |
| 276008             |               | 009187   | CLEARVIEW CAPTIONING LLC           | 1,375.00  |
| 276009             | *             | 001318   | CLOVERDALE EQUIPMENT CO            | 1,610.00  |
| 276010             | *             | 009167   | COL'S FAMILY RESTAURANT            | 318.20    |
| 276011             | *             | 000627   | CONSUMERS ENERGY                   | 625.17    |
| 276012             |               | 001367   | CONTRACTORS CONNECTION INC         | 1,519.45  |

# City of Birmingham

## Warrant List Dated 10/21/2020

Meeting of 10/26/2020

| Check Number | Early Release | Vendor # | Vendor                              | Amount    |
|--------------|---------------|----------|-------------------------------------|-----------|
| 276013       |               | 008582   | CORE & MAIN LP                      | 588.10    |
| 276014       | *             | 004386   | CYNERGY PRODUCTS                    | 1,933.64  |
| 276016       |               | 006104   | DAPHNE'S HEADCOVERS                 | 23.02     |
| 276017       |               | 008005   | DE LAGE LANDEN FINANCIAL SVCS INC   | 182.44    |
| 276019       | *             | 000179   | DTE ENERGY                          | 39.78     |
| 276020       | *             | 000180   | DTE ENERGY                          | 10,294.12 |
| 276021       |               | 004671   | ELDER FORD                          | 1,866.28  |
| 276023       | *             | 008281   | AUSTIN FLETCHER                     | 80.00     |
| 276024       |               | MISC     | FOUNDATION SYSTEMS OF MICHIGAN INC. | 100.00    |
| 276025       |               | 007172   | GARY KNUREK INC                     | 149.00    |
| 276026       |               | 006384   | GEOGRAPHIC INFORMATION SERVICES, IN | 304.93    |
| 276027       | *             | 004604   | GORDON FOOD                         | 558.84    |
| 276028       | *             | 008007   | GREAT LAKES WATER AUTHORITY         | 10,645.31 |
| 276031       | *             | 009150   | HANS & ASSOCIATES                   | 850.00    |
| 276032       |               | MISC     | HM HOMES LLC                        | 1,400.00  |
| 276034       |               | MISC     | ITALY AMERICAN CONSTRUCTION CO      | 200.00    |
| 276035       | *             | 003823   | JAY'S SEPTIC TANK SERVICE           | 125.00    |
| 276036       |               | 008553   | L.G.K. BUILDING, INC                | 55,000.00 |
| 276039       |               | MISC     | LIVE WELL CUSTOM HOMES              | 1,000.00  |
| 276040       |               | MISC     | LIVE WELL CUSTOM HOMES LLC          | 500.00    |
| 276041       |               | MISC     | MAHARA CONSTRUCTION & RESTORATION   | 100.00    |
| 276042       |               | 006632   | MAX R                               | 545.61    |
| 276043       |               | 000972   | MCKESSON MEDICAL-SURGICAL           | 704.39    |
| 276045       |               | 008319   | MKSK INC                            | 3,374.89  |
| 276046       |               | 007163   | MOBILE HEALTH RESOURCES             | 1,918.71  |
| 276047       |               | MISC     | MONDO HOLDINGS LLC                  | 100.00    |
| 276048       | *             | MISC     | NAJKOLLI, AMARILD                   | 224.10    |
| 276049       |               | 001194   | NELSON BROTHERS SEWER               | 4,580.00  |
| 276050       | *             | 007755   | NETWORK SERVICES COMPANY            | 1,338.24  |
| 276051       | *             | 000477   | OAKLAND COUNTY                      | 2,242.80  |
| 276052       | *             | 000481   | OFFICE DEPOT INC                    | 200.09    |
| 276054       | *             | MISC     | PAULSON, DANIEL                     | 573.39    |
| 276055       |               | 008028   | PK SAFETY SUPPLY                    | 416.29    |
| 276056       |               | 007797   | QUADIENT LEASING USA, INC.          | 422.64    |
| 276057       |               | 006130   | RESCUE RESPONSE GEAR INC            | 5,023.66  |
| 276058       |               | MISC     | RILEY, LIN LIU                      | 500.00    |
| 276059       | *             | MISC     | ROBOTRONICS, INC.                   | 4,311.00  |
| 276060       | *             | 009226   | SASSIN MANAGEMENT                   | 2,925.00  |
| 276061       |               | 007697   | SAVE THE MOMENT                     | 82.00     |
| 276062       |               | 005759   | SCHEMA ROOFING & SHEET METAL        | 400.00    |
| 276063       | *             | MISC     | SELLERS, ELIZABETH                  | 6,679.87  |
| 276064       |               | MISC     | SMOLYANOV HOME IMPROVMENT           | 100.00    |
| 276065       |               | 007907   | SP+ CORPORATION                     | 44,008.14 |

**City of Birmingham**  
**Warrant List Dated 10/21/2020**

Meeting of 10/26/2020

| Check Number                  | Early Release | Vendor # | Vendor                           | Amount       |
|-------------------------------|---------------|----------|----------------------------------|--------------|
| 276066                        |               | 000260   | SPARTAN DISTRIBUTORS INC         | 60.00        |
| 276067                        |               | 000256   | SUBURBAN BUICK GMC INC           | 425.86       |
| 276068                        |               | 003630   | SUN SHADE WINDOW TINTING INC     | 205.00       |
| 276069                        |               | MISC     | THOMAS SEBOLD & ASSOCIATES, IN   | 500.00       |
| 276070                        |               | 008941   | UPTOWN MARKET OF BIRMINGHAM      | 71.50        |
| 276071                        |               | 007226   | VALLEY CITY LINEN                | 70.90        |
| 276072                        | *             | 000293   | VAN DYKE GAS CO.                 | 84.36        |
| 276073                        |               | 009230   | VEHICLE REJUVENATION CENTER      | 189.00       |
| 276074                        | *             | 000158   | VERIZON WIRELESS                 | 80.10        |
| 276075                        | *             | 000158   | VERIZON WIRELESS                 | 493.76       |
| 276076                        | *             | 000158   | VERIZON WIRELESS                 | 128.14       |
| 276077                        |               | MISC     | WALLSIDE INC                     | 500.00       |
| 276078                        | *             | 009010   | WCI CONTRACTORS INC              | 5,730.00     |
| 276079                        | *             | 009010   | WCI CONTRACTORS INC              | 34,110.30    |
| 276080                        |               | MISC     | WILLIAMS HISTORIC RESTORATION    | 200.00       |
| 276081                        |               | 001438   | WINDER POLICE EQUIPMENT          | 222.23       |
| 276082                        | *             | 005794   | WINDSTREAM                       | 956.15       |
| 276083                        |               | 009128   | WITMER PUBLIC SAFETY GROUP INC   | 386.17       |
| 276084                        | *             | 008391   | XEROX CORPORATION                | 349.44       |
| 276085                        | *             | MISC     | STATE OF MICHIGAN - OSHA         | 1,750.00     |
| SUBTOTAL PAPER CHECK          |               |          |                                  | \$258,647.21 |
| <b><u>ACH TRANSACTION</u></b> |               |          |                                  |              |
| 2971                          | *             | 008847   | ABS- AUTOMATED BENEFIT SVCS, INC | 63,356.05    |
| 2972                          | *             | 002284   | ABEL ELECTRONICS INC             | 1,796.99     |
| 2974                          | *             | 008246   | ANCHOR BAY POWDER COAT, LLC      | 3,700.00     |
| 2975                          | *             | 000517   | BEIER HOWLETT P.C.               | 49,381.06    |
| 2976                          | *             | 000518   | BELL EQUIPMENT COMPANY           | 1,147.00     |
| 2977                          | *             | 007345   | BEVERLY HILLS ACE                | 49.33        |
| 2978                          |               | 006683   | BIRMINGHAM LAWN MAINTENANCE      | 78.00        |
| 2979                          |               | 006257   | C.S. MCKEE LP                    | 1,564.49     |
| 2980                          |               | 007359   | DETROIT CHEMICAL & PAPER SUPPLY  | 250.10       |
| 2981                          | *             | 000565   | DORNBOS SIGN & SAFETY INC        | 591.93       |
| 2982                          | *             | 001077   | DUNCAN PARKING TECH INC          | 241.01       |
| 2983                          | *             | 000207   | EZELL SUPPLY CORPORATION         | 868.27       |
| 2984                          | *             | 001230   | FIRE SYSTEMS OF MICHIGAN LLC     | 1,361.75     |
| 2985                          |               | 006181   | FIRST CHOICE COFFEE SERV         | 149.01       |
| 2986                          | *             | 007314   | FLEIS AND VANDENBRINK ENG. INC   | 2,861.50     |
| 2987                          |               | 001023   | GABRIEL, ROEDER, SMITH & CO.     | 17,100.00    |
| 2988                          | *             | 000243   | GRAINGER                         | 154.00       |
| 2989                          | *             | 003938   | HART PAVEMENT STRIPING CORP      | 2,000.00     |
| 2990                          | *             | 002407   | J & B MEDICAL SUPPLY             | 240.72       |
| 2991                          | *             | 007870   | J.C. EHRLICH CO. INC.            | 74.00        |
| 2992                          |               | 000261   | J.H. HART URBAN FORESTRY         | 15,137.00    |

**City of Birmingham**  
**Warrant List Dated 10/21/2020**

Meeting of 10/26/2020

| Check Number             | Early Release | Vendor # | Vendor                       | Amount       |
|--------------------------|---------------|----------|------------------------------|--------------|
| 2993                     | *             | 003458   | JOE'S AUTO PARTS, INC.       | 666.38       |
| 2994                     | *             | 005550   | LEE & ASSOCIATES CO., INC.   | 1,961.14     |
| 2996                     | *             | 006359   | NYE UNIFORM COMPANY          | 424.50       |
| 2997                     |               | 009231   | POLEN CAPITAL MANAGEMENT LLC | 17,187.44    |
| 2998                     |               | 008269   | PREMIER SAFETY               | 1,500.00     |
| 2999                     |               | 000298   | VESCO OIL CORPORATION        | 83.25        |
| SUBTOTAL ACH TRANSACTION |               |          |                              | \$183,924.92 |
| GRAND TOTAL              |               |          |                              | \$442,572.13 |

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.



## MEMORANDUM

IT Department

**DATE:** 10/26/2020

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

**FROM:** Eric Brunk

**SUBJECT:** Backup Solution Modifications

---

### INTRODUCTION:

The IT department has been looking to bring our backup solution in house due to added costs for our current backup solution with the space increase of adding body cameras to our data storage and a need for a more robust data retention schedule.

### BACKGROUND:

In November of 2017 the city renewed its contract with All Covered for disaster recovery backup services replacing our expired backup solution with new equipment. In 2019 we added the police WatchGuard server to that backup solution.

That contract is up for renewal in December. Upon review of the existing backup solution and contract the IT department determined that the backup solution implemented is no longer adequate for the amount of data that we expect to retain with the addition of body camera data to the WatchGuard server and that the current data retention schedule is not adequate for the environment going forward.

The IT department contacted All Covered to get a quote for the addition of space to our backup solution and were informed that the current backup appliances are not able to be upgraded and would need to be replaced. The cost of this replacement would be \$29,800.00 for the hardware with a new monthly cost of \$5,600.00 for the additional space needed. There would be additional costs for long term offsite storage if required.

We looked at alternatives to our current solution and found that by bringing our backup in-house the cost for the equipment and software would be covered by the remaining 2020-2021 backup solution budget if we did not renew our contract with All Covered in December. We contacted SHI to get a quote on the cost of hardware and backup software as they have MiDeal government extendable contracts with various backup solutions vendors.

The Cost for in-house backup is as follows:

|                                            |           |
|--------------------------------------------|-----------|
| Veeam Backup software for up to 10 servers | \$783.00  |
| Synology NAS 68TB Storage drive            | \$6035.41 |
| Total Cost for the transition              | \$6818.41 |

### LEGAL REVIEW:

The current contract with all covered is expiring and not being renewed.  
This would be a straight purchase of hardware and software – no contract to review.

**FISCAL IMPACT:**

The amount needed to bring our backup solution in house is covered by the remaining 2020-2021 budget line item for disaster recovery.

**SUMMARY**

In summary the IT department would like purchase the hardware and software to bring the backup of our network in-house from SHI for a total cost of \$6818.41 to be purchased with funds from the Computer Maintenance account# 636-228.000-933.0600

**SUGGESTED RESOLUTION:**

Authorize the IT department to purchase the VEEAM backup software and Synology NAS storage drive from SHI using MiDeal government extendable contracts for a total cost of \$6,818.41 Using funds from the IT account # 636-228.000-933.0600



Pricing Proposal  
Quotation #: 19346303  
Created On: 8/28/2020  
Valid Until: 9/30/2020

---

## City of Birmingham

---

### Eric Brunk

M  
United States  
Phone: (248) 530-1888  
Fax:  
Email: ebrunk@bhamgov.org

---

## Inside Account Executive

---

### Christopher Owens

290 Davidson Ave  
Somerset, NJ 08873  
Phone: 732-868-8849  
Fax: 732-  
Email: christopher\_owens@shi.com

All Prices are in US Dollar (USD)

| Product                                                                                                                                         | Qty | Your Price | Total    |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|----------|
| 1 VEEAM BCK AND RPL VUL SUB 1YR MLIC UPFRONT BILLING SKU<br>Veeam Software - Part#: P-VBRVUL-0I-SU1YP-00<br>Coverage Term: 9/1/2020 – 8/31/2021 | 1   | \$783.00   | \$783.00 |

---

|       |          |
|-------|----------|
| Total | \$783.00 |
|-------|----------|

---

## Additional Comments

---

Veeam has a no returns policy.

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date listed above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. For any additional information including Hardware, Software and Services Contracts, please contact an SHI Inside Sales Representative at (888) 744-4084.

SHI International Corp. is 100% Minority Owned, Woman Owned Business.  
TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

---

*The Products offered under this proposal are resold in accordance with the [SHI Online Customer Resale Terms and Conditions](#), unless a separate resale agreement exists between SHI and the Customer.*



Pricing Proposal  
Quotation #: 19310209  
Created On: 8/20/2020  
Valid Until: 8/31/2020

---

## City of Birmingham

---

### Eric Brunk

M  
United States  
Phone: (248) 530-1885  
Fax:  
Email: ebrunk@bhamgov.org

---

## Inside Account Executive

---

### Christopher Owens

290 Davidson Ave  
Somerset, NJ 08873  
Phone: 732-868-8849  
Fax: 732-  
Email: christopher\_owens@shi.com

All Prices are in US Dollar (USD)

|   | Product                                                      | Qty | Your Price | Total      |
|---|--------------------------------------------------------------|-----|------------|------------|
| 1 | SYN NAS DS2419+ 12bay<br>Synology - Part#: DS2419+           | 1   | \$1,587.51 | \$1,587.51 |
| 2 | SYN AC E10G17-F2 10G Ethernet<br>Synology - Part#: E10G17-F2 | 1   | \$274.54   | \$274.54   |
| 3 | HGS 8T ES SATA 256M 72 0F27455<br>Synology - Part#: 0F27455  | 12  | \$347.78   | \$4,173.36 |
|   |                                                              |     | Total      | \$6,035.41 |

---

## Additional Comments

---

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date listed above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order. For any additional information including Hardware, Software and Services Contracts, please contact an SHI Inside Sales Representative at (888) 744-4084.

SHI International Corp. is 100% Minority Owned, Woman Owned Business.  
TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

---

The Products offered under this proposal are resold in accordance with the [SHI Online Customer Resale Terms and Conditions](#), unless a separate resale agreement exists between SHI and the Customer.



**DATE:** October 20, 2020

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

**FROM:** Austin W. Fletcher, Assistant City Engineer

**SUBJECT:** Change Order # 1 for Contract #2-20 (P) Lakeview Ave. Paving – South Well Site Drainage Improvements

---

**INTRODUCTION:**

DiPonio Contracting Inc. is currently under contract with the City for the Lakeview Avenue Paving Project, Contract #2-20 (P). Per the City's request, they have submitted a quote for the South Well Site Drainage Improvements within the City.

**BACKGROUND:**

This past summer the Engineering Department was connected by the residents living at 990 Wakefield (Mr. & Mrs. Vorhees) about a drainage issue that they have been experiencing in their backyard. They indicated that during rain events their backyard floods and they believe that it is attributed to drainage/runoff for the City's property located next door to their neighbor (at the corner of Southlawn and Southfield). They provided numerous photos (see attached) and video of the problem in their yard as well as the City property in question. In July, the Engineering Department meet with the Vorhees's and conducted an assessment of the area. At that time, the Engineering Department determined that excess drainage/runoff from the nearby City property could be contributing in part to their drainage issue.

The Engineering Department has since obtained the services of one of our consultants (Nowak & Fraus) to obtain topographical information of the surrounding areas in order to conduct a more accurate assessment. After the completion of this work, it was determined that a fair amount of drainage/runoff was coming from the City property. Drainage from the City property and adjacent roads drain towards the west property line. Based on the volume of water and the elevations of the area, the water enters the adjacent properties along the rear fence lines. A possible solution is for the City to install two (2) new catch basin connected to the sewer along Southfield Road to remove much of this flow from entering the backyards of 990 Wakefield and the adjacent property (see attached plan).

Because time is of the essence to reduce additional flooding of private property, the City reached out to DiPonio Contracting for assistance as they are currently under contract for another project within the City (Lakeview Ave. Paving). DiPonio Contracting indicated that they could perform the work as described and provided the City with a cost estimate (see attached). They also indicated that they would be able to complete the work in the upcoming month of November.

Having recently worked with DiPonio Contracting on a number of successful projects and knowing their background performing this type of work, the Engineering Department is confident that they are qualified to successfully complete the project.

**LEGAL REVIEW:**

The City's standard contract language was used for the original contract and will apply to this change order. No legal review is required at this time.

**FISCAL IMPACT:**

DiPonio Contracting has provided a quote to the City to install two (2) catch basins, approximately 125 feet of 10" PVC sewer and associated underdrain and grading at the South Well Site, located at the southwest corner of W. Southlawn Blvd. and Southfield Rd. in the amount of \$50,556.75.

As this is a change order, we reviewed it with the recent bid tab from the Lakeview project (see attached) in order to compare costs. While the costs of proposed change order is greater when compared to the attached bid tab (15%), it should be noted that the conditions between them are different which contribute to higher costs:

- Fewer quantities;
- Smaller project;
- Timing – contractor available to start the work immediately.

For the reasons stated above, the Engineering Department feels the costs associated with this work is reasonable.

These drainage improvements were not contemplated at the time when the 2020-2021 fiscal budget was prepared. However, the bid amount of the sewer component of the Lakeview Project was lower than originally budgeted and therefore will allow for this improvement without a budget amendment.

**PUBLIC COMMUNICATIONS:**

This project is completely within City property and should not negatively impact the general public. That being said, all adjacent property owners will be noticed in advance of the project in regards to the scope and timing.

**SUMMARY:**

It is recommended that Change Order #1 for the Lakeview Avenue Paving Project Contract #2-20 (P), to DiPonio Contracting, Inc., be approved, in the amount of \$50,556.75.

**ATTACHMENTS:**

- Contractor's Quote – (one page)
- Lakeview Bid Tab – (three pages)
- Photos – (one page)
- Drainage Improvement Plan – (one sheet)

**SUGGESTED RESOLUTION:**

To approve Change Order #1 for the Lakeview Avenue Paving Project, Contract #2-20 (P), to DiPonio Contracting, Inc., in the amount of \$50,556.75, to be charged to account number 591-536.001-981.0100.

## PROPOSAL

September 21, 2020

PROJECT: Birmingham Drainage Improvement Southfield Road Park  
Bloomfield Township, MIQUOTING: Austin Fletcher  
City of Birmingham

ATTN: Austin Fletcher

Please find below a **estimated** breakdown of the work to be completed on the project above.

| DESCRIPTION                   | QUANTITY | UNIT | UNIT PRICE | TOTAL AMOUNT |
|-------------------------------|----------|------|------------|--------------|
| Remove Sidewalk               | 9.00     | SYD  | \$21.00    | \$189.00     |
| 4" Sidewalk Replacement       | 75.00    | SFT  | \$10.00    | \$750.00     |
| 10" PVC SDR 26                | 123.00   | LF   | \$105.00   | \$12,915.00  |
| 6" Perf Underdrain            | 60.00    | LF   | \$33.00    | \$1,980.00   |
| 5' Dia Man Hole Over Existing | 1.00     | EA   | \$7,500.00 | \$7,500.00   |
| 4' Dia Catch Basin            | 1.00     | EA   | \$3,800.00 | \$3,800.00   |
| 2' Dia Inlet                  | 1.00     | EA   | \$2,500.00 | \$2,500.00   |
| Grading Swale                 | 765.00   | SYD  | \$16.50    | \$12,622.50  |
| Restoration                   | 765.00   | SYD  | \$10.85    | \$8,300.25   |
| TOTAL                         |          |      |            | \$50,556.75  |

This proposal does not include: bonds, layout, surveying, inspection fees, permits, dewatering, and testing.

\* Prices predicated upon sheet C-1 provided by Nowak and Fraus on 9-17-20. Asphalt is in poor condition on staging street which DiPonio will repair if damage occurs if pricing is requested for possible repairs.

Thank you for opportunity to quote the project. If you have any questions or require additional information, please give me a call.

Respectfully submitted,  
DiPonio Contracting, Inc.  
Jesse Kyle  
Vice President

LAKEVIEW AVENUE PAVING PROJECT # 2-20 (P)

6/5/2020

| NO.                      | ITEM DESCRIPTION                                                           | Qty   | Units | DiPonio       |               | FDM           |               | VIL           |               | Iafrate       |               | Pamar         |               |
|--------------------------|----------------------------------------------------------------------------|-------|-------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
|                          |                                                                            |       |       | Unit Price    | Amount        | Unit Price    | Amount        | Unit Price    | Amount        | Unit Price    | Amount        | Unit Price    | Amount        |
| SEWER PAY ITEMS          |                                                                            |       |       |               |               |               |               |               |               |               |               |               |               |
| 1                        | 24" Combined Sewer, C76, CL-IV, Trench A                                   | 850   | LF    | \$ 205.00     | \$ 174,250.00 | \$ 175.00     | \$ 148,750.00 | \$ 173.00     | \$ 147,050.00 | \$ 225.00     | \$ 191,250.00 | \$ 265.00     | \$ 225,250.00 |
| 2                        | 21" Combined Sewer, C76, CL-IV, Trench A                                   | 10    | LF    | \$ 185.00     | \$ 1,850.00   | \$ 175.00     | \$ 1,750.00   | \$ 166.00     | \$ 1,660.00   | \$ 300.00     | \$ 3,000.00   | \$ 255.00     | \$ 2,550.00   |
| 3                        | 12" Combined Sewer, C76, CL-IV, Trench A                                   | 400   | LF    | \$ 105.00     | \$ 42,000.00  | \$ 130.00     | \$ 52,000.00  | \$ 133.00     | \$ 53,200.00  | \$ 210.00     | \$ 84,000.00  | \$ 230.00     | \$ 92,000.00  |
| 4                        | 12" Storm Sewer, C76, CL-IV, Trench A                                      | 300   | LF    | \$ 75.00      | \$ 22,500.00  | \$ 75.00      | \$ 22,500.00  | \$ 85.00      | \$ 25,500.00  | \$ 125.00     | \$ 37,500.00  | \$ 120.00     | \$ 36,000.00  |
| 5                        | Sewer Service, 6" PVC SDR 23.5                                             | 400   | LF    | \$ 65.00      | \$ 26,000.00  | \$ 80.00      | \$ 32,000.00  | \$ 150.00     | \$ 60,000.00  | \$ 210.00     | \$ 84,000.00  | \$ 165.00     | \$ 66,000.00  |
| 6                        | New 6'-0" Diameter Combined Manhole (w/ two internal drop connections), Co | 1     | EA    | \$ 6,400.00   | \$ 6,400.00   | \$ 11,000.00  | \$ 11,000.00  | \$ 15,000.00  | \$ 15,000.00  | \$ 12,300.00  | \$ 12,300.00  | \$ 18,000.00  | \$ 18,000.00  |
| 7                        | New 5'-0" Diameter Manhole                                                 | 4     | EA    | \$ 5,300.00   | \$ 21,200.00  | \$ 4,500.00   | \$ 18,000.00  | \$ 10,000.00  | \$ 40,000.00  | \$ 5,395.00   | \$ 21,580.00  | \$ 7,500.00   | \$ 30,000.00  |
| 8                        | New 4'-0" Diameter Manhole                                                 | 2     | EA    | \$ 3,700.00   | \$ 7,400.00   | \$ 3,500.00   | \$ 7,000.00   | \$ 7,000.00   | \$ 14,000.00  | \$ 4,240.00   | \$ 8,480.00   | \$ 6,000.00   | \$ 12,000.00  |
| 9                        | New 4'-0" Diameter Catch Basin, Construct Over Ex. Sewer                   | 1     | EA    | \$ 3,900.00   | \$ 3,900.00   | \$ 5,500.00   | \$ 5,500.00   | \$ 5,500.00   | \$ 5,500.00   | \$ 2,925.00   | \$ 2,925.00   | \$ 5,000.00   | \$ 5,000.00   |
| 10                       | New 4'-0" Diameter Catch Basin                                             | 6     | EA    | \$ 2,400.00   | \$ 14,400.00  | \$ 2,500.00   | \$ 15,000.00  | \$ 4,500.00   | \$ 27,000.00  | \$ 1,750.00   | \$ 10,500.00  | \$ 3,000.00   | \$ 18,000.00  |
| 11                       | New 2'-0" Diameter Inlet                                                   | 3     | EA    | \$ 1,700.00   | \$ 5,100.00   | \$ 1,500.00   | \$ 4,500.00   | \$ 3,250.00   | \$ 9,750.00   | \$ 1,675.00   | \$ 5,025.00   | \$ 2,000.00   | \$ 6,000.00   |
| 12                       | Sewer Tap, 24"                                                             | 1     | EA    | \$ 1,800.00   | \$ 1,800.00   | \$ 1,500.00   | \$ 1,500.00   | \$ 1,500.00   | \$ 1,500.00   | \$ 2,810.00   | \$ 2,810.00   | \$ 10,000.00  | \$ 10,000.00  |
| 13                       | 6" Perforated Pipe Underdrain (No sock - 60' @ each CB/Inlet Structure)    | 600   | LF    | \$ 16.00      | \$ 9,600.00   | \$ 17.00      | \$ 10,200.00  | \$ 35.00      | \$ 21,000.00  | \$ 16.00      | \$ 9,600.00   | \$ 18.00      | \$ 10,800.00  |
| 14                       | Sewer Service Tap, 6"                                                      | 39    | EA    | \$ 350.00     | \$ 13,650.00  | \$ 300.00     | \$ 11,700.00  | \$ 1,650.00   | \$ 64,350.00  | \$ 810.00     | \$ 31,590.00  | \$ 1,650.00   | \$ 64,350.00  |
| 15                       | Reconstruct Manhole (if and where needed)                                  | 20    | VF    | \$ 300.00     | \$ 6,000.00   | \$ 100.00     | \$ 2,000.00   | \$ 50.00      | \$ 1,000.00   | \$ 235.00     | \$ 4,700.00   | \$ 450.00     | \$ 9,000.00   |
| 16                       | Remove & Replace Structure Cover (as directed by City)                     | 5     | EA    | \$ 700.00     | \$ 3,500.00   | \$ 500.00     | \$ 2,500.00   | \$ 500.00     | \$ 2,500.00   | \$ 785.00     | \$ 3,925.00   | \$ 750.00     | \$ 3,750.00   |
| 17                       | Remove Ex. Manhole                                                         | 3     | EA    | \$ 500.00     | \$ 1,500.00   | \$ 700.00     | \$ 2,100.00   | \$ 1,000.00   | \$ 3,000.00   | \$ 1,060.00   | \$ 3,180.00   | \$ 550.00     | \$ 1,650.00   |
| 18                       | Remove Ex. Drainage Structure                                              | 10    | EA    | \$ 400.00     | \$ 4,000.00   | \$ 700.00     | \$ 7,000.00   | \$ 1,000.00   | \$ 10,000.00  | \$ 810.00     | \$ 8,100.00   | \$ 350.00     | \$ 3,500.00   |
| 19                       | Abandon Ex. Manhole                                                        | 3     | EA    | \$ 300.00     | \$ 900.00     | \$ 350.00     | \$ 1,050.00   | \$ 850.00     | \$ 2,550.00   | \$ 550.00     | \$ 1,650.00   | \$ 250.00     | \$ 750.00     |
| 20                       | Abandon Ex. 8" Sewer (Including All Bulkheads)                             | 1,250 | LF    | \$ 4.00       | \$ 5,000.00   | \$ 7.00       | \$ 8,750.00   | \$ 3.00       | \$ 3,750.00   | \$ 6.80       | \$ 8,500.00   | \$ 1.00       | \$ 1,250.00   |
| 21                       | Bulkhead, 8"                                                               | 1     | EA    | \$ 400.00     | \$ 400.00     | \$ 250.00     | \$ 250.00     | \$ 250.00     | \$ 250.00     | \$ 225.00     | \$ 225.00     | \$ 350.00     | \$ 350.00     |
| 22                       | Bulkhead, 6" & Under                                                       | 5     | EA    | \$ 200.00     | \$ 1,000.00   | \$ 200.00     | \$ 1,000.00   | \$ 200.00     | \$ 1,000.00   | \$ 215.00     | \$ 1,075.00   | \$ 200.00     | \$ 1,000.00   |
| SUBTOTAL SEWER PAY ITEMS |                                                                            |       |       | \$ 372,350.00 |               | \$ 366,050.00 |               | \$ 509,560.00 |               | \$ 535,915.00 |               | \$ 617,200.00 |               |
| WATER MAIN PAY ITEMS     |                                                                            |       |       |               |               |               |               |               |               |               |               |               |               |
| 23                       | 8" D.I. CL 54 Water Main w/ Polywrap & Zinc Coating, Trench A              | 1,300 | LF    | \$ 101.00     | \$ 131,300.00 | \$ 130.00     | \$ 169,000.00 | \$ 91.00      | \$ 118,300.00 | \$ 130.00     | \$ 169,000.00 | \$ 122.00     | \$ 158,600.00 |
| 24                       | 6" D.I. CL 54 Water Main w/ Polywrap & Zinc Coating, Trench A              | 50    | LF    | \$ 94.00      | \$ 4,700.00   | \$ 120.00     | \$ 6,000.00   | \$ 82.00      | \$ 4,100.00   | \$ 125.00     | \$ 6,250.00   | \$ 118.00     | \$ 5,900.00   |
| 25                       | Remove Existing Gate well                                                  | 1     | EA    | \$ 500.00     | \$ 500.00     | \$ 700.00     | \$ 700.00     | \$ 1,200.00   | \$ 1,200.00   | \$ 945.00     | \$ 945.00     | \$ 450.00     | \$ 450.00     |
| 26                       | Remove Hydrant                                                             | 2     | EA    | \$ 600.00     | \$ 1,200.00   | \$ 500.00     | \$ 1,000.00   | \$ 1,200.00   | \$ 2,400.00   | \$ 350.00     | \$ 700.00     | \$ 450.00     | \$ 900.00     |
| 27                       | Fire Hydrant Assembly, Complete                                            | 2     | EA    | \$ 5,000.00   | \$ 10,000.00  | \$ 4,700.00   | \$ 9,400.00   | \$ 8,500.00   | \$ 17,000.00  | \$ 3,710.00   | \$ 7,420.00   | \$ 5,500.00   | \$ 11,000.00  |
| 28                       | 8" Gate Valve & Box                                                        | 3     | EA    | \$ 2,000.00   | \$ 6,000.00   | \$ 2,300.00   | \$ 6,900.00   | \$ 4,500.00   | \$ 13,500.00  | \$ 1,570.00   | \$ 4,710.00   | \$ 2,000.00   | \$ 6,000.00   |
| 29                       | New Water Service, 1.5", Trench A, Copper                                  | 10    | LF    | \$ 69.00      | \$ 690.00     | \$ 40.00      | \$ 400.00     | \$ 50.00      | \$ 500.00     | \$ 126.00     | \$ 1,260.00   | \$ 50.00      | \$ 500.00     |
| 30                       | New Water Service, 1", Trench A, Copper                                    | 50    | LF    | \$ 53.00      | \$ 2,650.00   | \$ 30.00      | \$ 1,500.00   | \$ 35.00      | \$ 1,750.00   | \$ 35.00      | \$ 1,750.00   | \$ 44.00      | \$ 2,200.00   |
| 31                       | New Water Service, 1", Trench A, PEX                                       | 550   | LF    | \$ 45.00      | \$ 24,750.00  | \$ 28.00      | \$ 15,400.00  | \$ 30.00      | \$ 16,500.00  | \$ 52.00      | \$ 28,600.00  | \$ 42.00      | \$ 23,100.00  |
| 32                       | New Water Service, 1" PEX, Private Property (Bored)                        | 300   | LF    | \$ 66.00      | \$ 19,800.00  | \$ 28.00      | \$ 8,400.00   | \$ 40.00      | \$ 12,000.00  | \$ 64.00      | \$ 19,200.00  | \$ 60.00      | \$ 18,000.00  |
| 33                       | 8" Water Main Connection to Ex. 8" Water Main                              | 2     | EA    | \$ 4,400.00   | \$ 8,800.00   | \$ 3,500.00   | \$ 7,000.00   | \$ 2,000.00   | \$ 4,000.00   | \$ 1,910.00   | \$ 3,820.00   | \$ 6,500.00   | \$ 13,000.00  |
| 34                       | 6" Water Main Connection to Ex. 6" Water Main                              | 1     | EA    | \$ 3,800.00   | \$ 3,800.00   | \$ 3,300.00   | \$ 3,300.00   | \$ 1,500.00   | \$ 1,500.00   | \$ 1,790.00   | \$ 1,790.00   | \$ 5,500.00   | \$ 5,500.00   |
| 35                       | Water Service Connection, 1.5"                                             | 2     | EA    | \$ 1,000.00   | \$ 2,000.00   | \$ 1,500.00   | \$ 3,000.00   | \$ 4,500.00   | \$ 9,000.00   | \$ 715.00     | \$ 1,430.00   | \$ 1,900.00   | \$ 3,800.00   |
| 36                       | Water Service Connection, 1.0"                                             | 37    | EA    | \$ 400.00     | \$ 14,800.00  | \$ 600.00     | \$ 22,200.00  | \$ 2,000.00   | \$ 74,000.00  | \$ 650.00     | \$ 24,050.00  | \$ 1,250.00   | \$ 46,250.00  |
| 37                       | New Water Service, 1.0" Connection at Meter, 887 Lakeview                  | 1     | EA    | \$ 2,500.00   | \$ 2,500.00   | \$ 3,800.00   | \$ 3,800.00   | \$ 4,000.00   | \$ 4,000.00   | \$ 7,900.00   | \$ 7,900.00   | \$ 5,500.00   | \$ 5,500.00   |
| 38                       | New Water Service, 1.0" Connection at Meter, 859 Lakeview                  | 1     | EA    | \$ 2,500.00   | \$ 2,500.00   | \$ 3,800.00   | \$ 3,800.00   | \$ 4,000.00   | \$ 4,000.00   | \$ 8,440.00   | \$ 8,440.00   | \$ 5,500.00   | \$ 5,500.00   |
| 39                       | New Water Service, 1.0" Connection at Meter, 856 Lakeview                  | 1     | EA    | \$ 2,500.00   | \$ 2,500.00   | \$ 3,800.00   | \$ 3,800.00   | \$ 4,000.00   | \$ 4,000.00   | \$ 6,190.00   | \$ 6,190.00   | \$ 5,500.00   | \$ 5,500.00   |
| 40                       | New Water Service, 1.0" Connection at Meter, 684 Lakeview                  | 1     | EA    | \$ 2,500.00   | \$ 2,500.00   | \$ 3,800.00   | \$ 3,800.00   | \$ 4,000.00   | \$ 4,000.00   | \$ 7,440.00   | \$ 7,440.00   | \$ 5,500.00   | \$ 5,500.00   |
| 41                       | New Water Service, 1.0" Connection at Meter, 655 Lakeview                  | 1     | EA    | \$ 2,500.00   | \$ 2,500.00   | \$ 3,800.00   | \$ 3,800.00   | \$ 4,000.00   | \$ 4,000.00   | \$ 9,715.00   | \$ 9,715.00   | \$ 5,500.00   | \$ 5,500.00   |
| 42                       | New Water Service, 1.0" Connection at Meter, 650 Lakeview                  | 1     | EA    | \$ 2,500.00   | \$ 2,500.00   | \$ 3,800.00   | \$ 3,800.00   | \$ 4,000.00   | \$ 4,000.00   | \$ 9,965.00   | \$ 9,965.00   | \$ 5,500.00   | \$ 5,500.00   |
| 43                       | New Water Service, 1.0" Connection at Meter, 633 Lakeview                  | 1     | EA    | \$ 2,500.00   | \$ 2,500.00   | \$ 3,800.00   | \$ 3,800.00   | \$ 4,000.00   | \$ 4,000.00   | \$ 10,465.00  | \$ 10,465.00  | \$ 5,500.00   | \$ 5,500.00   |
| 44                       | New Water Service, 1.0" Connection at Meter, 608 Lakeview                  | 1     | EA    | \$ 2,500.00   | \$ 2,500.00   | \$ 3,800.00   | \$ 3,800.00   | \$ 4,000.00   | \$ 4,000.00   | \$ 12,990.00  | \$ 12,990.00  | \$ 5,500.00   | \$ 5,500.00   |
| 45                       | New Water Service, 1.0" Connection at Meter, 523 Lakeview                  | 1     | EA    | \$ 2,500.00   | \$ 2,500.00   | \$ 3,800.00   | \$ 3,800.00   | \$ 4,000.00   | \$ 4,000.00   | \$ 7,690.00   | \$ 7,690.00   | \$ 5,500.00   | \$ 5,500.00   |
| 46                       | New Water Service, 1.0" Connection at Meter, 507 Lakeview                  | 1     | EA    | \$ 2,500.00   | \$ 2,500.00   | \$ 3,800.00   | \$ 3,800.00   | \$ 4,000.00   | \$ 4,000.00   | \$ 7,690.00   | \$ 7,690.00   | \$ 5,500.00   | \$ 5,500.00   |
| 47                       | Install Curb Stop & Box (Materials Provided by City)                       | 20    | EA    | \$ 350.00     | \$ 7,000.00   | \$ 280.00     | \$ 5,600.00   | \$ 300.00     | \$ 6,000.00   | \$ 330.00     | \$ 6,600.00   | \$ 200.00     | \$ 4,000.00   |
| 48                       | Hydra-Stop, 8"                                                             | 2     | EA    | \$ 500.00     | \$ 1,000.00   | \$ 100.00     | \$ 200.00     | \$ 500.00     | \$ 1,000.00   | \$ 4,300.00   | \$ 8,600.00   | \$ 500.00     | \$ 1,000.00   |
| 49                       | Hydra-Stop, 6"                                                             | 2     | EA    | \$ 500.00     | \$ 1,000.00   | \$ 100.00     | \$ 200.00     | \$ 400.00     | \$ 800.00     | \$ 6,610.00   | \$ 13,220.00  | \$ 350.00     | \$ 700.00     |
| 50                       | Abandon Water Mains, Entire Project                                        | 1     | LS    | \$ 1,000.00   | \$ 1,000.00   | \$ 2,500.00   | \$ 2,500.00   | \$ 1,500.00   | \$ 1,500.00   | \$ 13,100.00  | \$ 13,100.00  | \$ 8,000.00   | \$ 8,000.00   |

| SUBTOTAL WATER MAIN PAY ITEMS                |                                                               |       |      |    | \$        | 265,990.00   | \$         | 300,700.00   | \$        | 325,050.00 | \$           | 400,930.00 | *            | \$    | 363,900.00 |              |           |       |            |           |           |       |            |           |   |
|----------------------------------------------|---------------------------------------------------------------|-------|------|----|-----------|--------------|------------|--------------|-----------|------------|--------------|------------|--------------|-------|------------|--------------|-----------|-------|------------|-----------|-----------|-------|------------|-----------|---|
| PAVING PAY ITEMS                             |                                                               |       |      |    |           |              |            |              |           |            |              |            |              |       |            |              |           |       |            |           |           |       |            |           |   |
| 51                                           | <See Alternate #1 and Alternate #2 Below>                     |       |      |    | \$        | -            |            | \$           | -         |            | \$           | -          |              | \$    | -          |              |           |       |            |           |           |       |            |           |   |
| 52                                           | <See Alternate #1 and Alternate #2 Below>                     |       |      |    | \$        | -            |            | \$           | -         |            | \$           | -          |              | \$    | -          |              |           |       |            |           |           |       |            |           |   |
| 53                                           | Salvaging Brick Pavers                                        | 200   | SF   | \$ | 4.00      | \$           | 800.00     | \$           | 300.00    | \$         | 60,000.00    | \$         | 1.50         | \$    | 300.00     | \$           | 2.80      | \$    | 560.00     | \$        | 12.00     | \$    | 2,400.00   |           |   |
| 54                                           | Removing Asphalt Drive Approach                               | 300   | SY   | \$ | 8.00      | \$           | 2,400.00   | \$           | 6.00      | \$         | 1,800.00     | \$         | 8.00         | \$    | 2,400.00   | \$           | 2.00      | \$    | 600.00     | \$        | 4.00      | \$    | 1,200.00   |           |   |
| 55                                           | Removing Concrete Drive Approach                              | 450   | SY   | \$ | 9.00      | \$           | 4,050.00   | \$           | 7.00      | \$         | 3,150.00     | \$         | 8.00         | \$    | 3,600.00   | \$           | 10.40     | \$    | 4,680.00   | \$        | 4.00      | \$    | 1,800.00   |           |   |
| 56                                           | Removing Concrete Sidewalk & Ramp (sawcutting included)       | 250   | SY   | \$ | 6.00      | \$           | 1,500.00   | \$           | 7.00      | \$         | 1,750.00     | \$         | 8.00         | \$    | 2,000.00   | \$           | 12.00     | \$    | 3,000.00   | \$        | 3.00      | \$    | 750.00     |           |   |
| 57                                           | Removing Pavement Full Depth (Curb & Gutter included)         | 3,750 | SY   | \$ | 3.00      | \$           | 11,250.00  | \$           | 8.00      | \$         | 30,000.00    | \$         | 8.00         | \$    | 30,000.00  | \$           | 2.50      | \$    | 9,375.00   | \$        | 6.00      | \$    | 22,500.00  |           |   |
| 58                                           | Cold Milling Asphalt, 1.5"                                    | 50    | SY   | \$ | 83.00     | \$           | 4,150.00   | \$           | 60.00     | \$         | 3,000.00     | \$         | 83.00        | \$    | 4,150.00   | \$           | 83.00     | \$    | 4,150.00   | \$        | 83.00     | \$    | 4,150.00   |           |   |
| 59                                           | Bituminous Mixture No. 13A, Repair Areas                      | 100   | TON  | \$ | 172.00    | \$           | 17,200.00  | \$           | 200.00    | \$         | 20,000.00    | \$         | 172.00       | \$    | 17,200.00  | \$           | 172.00    | \$    | 17,200.00  | \$        | 172.00    | \$    | 17,200.00  |           |   |
| 60                                           | <See Alternate #1 and Alternate #2 Below>                     |       |      |    | \$        | -            |            | \$           | -         |            | \$           | -          |              | \$    | -          |              | \$        | -     |            | \$        | -         |       | \$         | -         |   |
| 61                                           | <See Alternate #1 and Alternate #2 Below>                     |       |      |    | \$        | -            |            | \$           | -         |            | \$           | -          |              | \$    | -          |              | \$        | -     |            | \$        | -         |       | \$         | -         |   |
| 62                                           | Aggregate Base, MDOT 21AA Limestone, 8"                       | 4,200 | SY   | \$ | 12.00     | \$           | 50,400.00  | \$           | 14.00     | \$         | 58,800.00    | \$         | 14.00        | \$    | 58,800.00  | \$           | 10.80     | \$    | 45,360.00  | \$        | 12.00     | \$    | 50,400.00  |           |   |
| 63                                           | <See Alternate #1 and Alternate #2 Below>                     |       |      |    | \$        | -            |            | \$           | -         |            | \$           | -          |              | \$    | -          |              | \$        | -     |            | \$        | -         |       | \$         | -         |   |
| 64                                           | Concrete Drive Approach, 6"                                   | 750   | SY   | \$ | 45.00     | \$           | 33,750.00  | \$           | 48.00     | \$         | 36,000.00    | \$         | 49.00        | \$    | 36,750.00  | \$           | 63.00     | \$    | 47,250.00  | \$        | 36.00     | \$    | 27,000.00  |           |   |
| 65                                           | Concrete Sidewalk, 6" (Includes Ramps)                        | 400   | SF   | \$ | 9.00      | \$           | 3,600.00   | \$           | 7.00      | \$         | 2,800.00     | \$         | 8.00         | \$    | 3,200.00   | \$           | 9.60      | \$    | 3,840.00   | \$        | 8.00      | \$    | 3,200.00   |           |   |
| 66                                           | Concrete Sidewalk, 4"                                         | 1,600 | SF   | \$ | 6.00      | \$           | 9,600.00   | \$           | 5.25      | \$         | 8,400.00     | \$         | 5.50         | \$    | 8,800.00   | \$           | 7.00      | \$    | 11,200.00  | \$        | 5.00      | \$    | 8,000.00   |           |   |
| 67                                           | Handicap Ramp Truncated Domes                                 | 60    | SF   | \$ | 60.00     | \$           | 3,600.00   | \$           | 75.00     | \$         | 4,500.00     | \$         | 80.00        | \$    | 4,800.00   | \$           | 70.00     | \$    | 4,200.00   | \$        | 60.00     | \$    | 3,600.00   |           |   |
| 68                                           | <See Alternate #1 and Alternate #2 Below>                     |       |      |    | \$        | -            |            | \$           | -         |            | \$           | -          |              | \$    | -          |              | \$        | -     |            | \$        | -         |       | \$         | -         |   |
| 69                                           | Adjust Structure Cover                                        | 3     | EA   | \$ | 300.00    | \$           | 900.00     | \$           | 450.00    | \$         | 1,350.00     | \$         | 600.00       | \$    | 1,800.00   | \$           | 235.00    | \$    | 705.00     | \$        | 660.00    | \$    | 1,980.00   |           |   |
| 70                                           | Maintenance Aggregate for Entire Project                      | 1     | LS   | \$ | 1,500.00  | \$           | 1,500.00   | \$           | 5,000.00  | \$         | 5,000.00     | \$         | 3,500.00     | \$    | 3,500.00   | \$           | 3,900.00  | \$    | 3,900.00   | \$        | 1,500.00  | \$    | 1,500.00   |           |   |
| SUBTOTAL PAVING PAY ITEMS                    |                                                               |       |      |    | \$        | 144,700.00   | \$         | 236,550.00   | \$        | 177,300.00 | \$           | 156,020.00 |              | \$    | 145,680.00 |              |           |       |            |           |           |       |            |           |   |
| GENERAL PAY ITEMS                            |                                                               |       |      |    |           |              |            |              |           |            |              |            |              |       |            |              |           |       |            |           |           |       |            |           |   |
| 71                                           | Mobilization                                                  | 1     | LS   | \$ | 55,000.00 | \$           | 55,000.00  | \$           | 60,000.00 | \$         | 60,000.00    | \$         | 50,000.00    | \$    | 50,000.00  | \$           | 74,500.00 | \$    | 74,500.00  | \$        | 60,000.00 | \$    | 60,000.00  |           |   |
| 72                                           | Water and Sewer Allowance                                     | 1     | LS   | \$ | 30,000.00 | \$           | 30,000.00  | \$           | 30,000.00 | \$         | 30,000.00    | \$         | 30,000.00    | \$    | 30,000.00  | \$           | 30,000.00 | \$    | 30,000.00  | \$        | 30,000.00 | \$    | 30,000.00  |           |   |
| 73                                           | Salvage Existing Signs                                        | 1     | LS   | \$ | 500.00    | \$           | 500.00     | \$           | 500.00    | \$         | 500.00       | \$         | 1,500.00     | \$    | 1,500.00   | \$           | 500.00    | \$    | 500.00     | \$        | 500.00    | \$    | 500.00     |           |   |
| 74                                           | Sign Post, U-Channel                                          | 40    | LF   | \$ | 15.00     | \$           | 600.00     | \$           | 15.00     | \$         | 600.00       | \$         | 16.00        | \$    | 640.00     | \$           | 25.00     | \$    | 1,000.00   | \$        | 15.00     | \$    | 600.00     |           |   |
| 75                                           | Tree Protection, 3" Dia. Or Greater                           | 50    | EA   | \$ | 65.00     | \$           | 3,250.00   | \$           | 100.00    | \$         | 5,000.00     | \$         | 50.00        | \$    | 2,500.00   | \$           | 205.00    | \$    | 10,250.00  | \$        | 15.00     | \$    | 750.00     |           |   |
| 76                                           | Mulch, 3"                                                     | 150   | SY   | \$ | 5.00      | \$           | 750.00     | \$           | 5.00      | \$         | 750.00       | \$         | 10.00        | \$    | 1,500.00   | \$           | 35.00     | \$    | 5,250.00   | \$        | 15.00     | \$    | 2,250.00   |           |   |
| 77                                           | Topsoil, 3"                                                   | 1,750 | SY   | \$ | 4.00      | \$           | 7,000.00   | \$           | 5.00      | \$         | 8,750.00     | \$         | 5.00         | \$    | 8,750.00   | \$           | 5.00      | \$    | 8,750.00   | \$        | 9.00      | \$    | 15,750.00  |           |   |
| 78                                           | Sod, Class A                                                  | 1,750 | SY   | \$ | 5.00      | \$           | 8,750.00   | \$           | 5.00      | \$         | 8,750.00     | \$         | 4.00         | \$    | 7,000.00   | \$           | 6.00      | \$    | 10,500.00  | \$        | 10.00     | \$    | 17,500.00  |           |   |
| 79                                           | Inlet Filter                                                  | 26    | EA   | \$ | 95.00     | \$           | 2,470.00   | \$           | 90.00     | \$         | 2,340.00     | \$         | 1.00         | \$    | 26.00      | \$           | 106.00    | \$    | 2,756.00   | \$        | 100.00    | \$    | 2,600.00   |           |   |
| 80                                           | Inlet Sediment Pit                                            | 10    | EA   | \$ | 55.00     | \$           | 550.00     | \$           | 1.00      | \$         | 10.00        | \$         | 10.00        | \$    | 100.00     | \$           | 115.00    | \$    | 1,150.00   | \$        | 25.00     | \$    | 250.00     |           |   |
| 81                                           | <See Alternate #1 and Alternate #2 Below>                     |       |      |    | \$        | -            |            | \$           | -         |            | \$           | -          |              | \$    | -          |              | \$        | -     |            | \$        | -         |       | \$         | -         |   |
| 82                                           | <See Alternate #1 and Alternate #2 Below>                     |       |      |    | \$        | -            |            | \$           | -         |            | \$           | -          |              | \$    | -          |              | \$        | -     |            | \$        | -         |       | \$         | -         |   |
| SUBTOTAL GENERAL PAY ITEMS                   |                                                               |       |      |    | \$        | 108,870.00   | \$         | 116,700.00   | \$        | 102,016.00 | \$           | 144,656.00 |              | \$    | 130,200.00 |              |           |       |            |           |           |       |            |           |   |
| Alternate #1 - PAVING PAY ITEMS              |                                                               |       |      |    |           |              |            |              |           |            |              |            |              |       |            |              |           |       |            |           |           |       |            |           |   |
| 51                                           | Earth Excavation                                              | 3,000 | CY   | \$ | 20.00     | \$           | 60,000.00  | \$           | 30.00     | \$         | 90,000.00    | \$         | 13.00        | \$    | 39,000.00  | \$           | 14.00     | \$    | 42,000.00  | \$        | 30.00     | \$    | 90,000.00  |           |   |
| 52                                           | Subgrade Undercutting                                         | 500   | CY   | \$ | 45.00     | \$           | 22,500.00  | \$           | 25.00     | \$         | 12,500.00    | *          | \$           | 50.00 | \$         | 25,000.00    | \$        | 45.00 | \$         | 22,500.00 | \$        | 44.00 | \$         | 22,000.00 |   |
| 60                                           | Bituminous Mixture No. 5E1 (1.5" Top Course)                  | 0     | TON  | \$ | 133.00    | \$           | -          |              | \$        | -          |              | \$         | -            |       | \$         | -            |           | \$    | -          |           | \$        | -     |            | \$        | - |
| 61                                           | Bituminous Mixture No. 4E1 (2.5" Leveling Course)             | 0     | TON  | \$ | 107.00    | \$           | -          |              | \$        | -          |              | \$         | -            |       | \$         | -            |           | \$    | -          |           | \$        | -     |            | \$        | - |
| 63                                           | Concrete Pavement, Non-reinforced, 7", incl. integral 6" Curb | 3,900 | SY   | \$ | 42.50     | \$           | 165,750.00 | \$           | 48.00     | \$         | 187,200.00   | \$         | 42.50        | \$    | 165,750.00 | \$           | 45.00     | \$    | 175,500.00 | \$        | 44.50     | \$    | 173,550.00 |           |   |
| 68                                           | Concrete Curb & Gutter (18" Wide, "Birmingham Roll")          | 200   | LF   | \$ | 20.00     | \$           | 4,000.00   | \$           | 32.00     | \$         | 6,400.00     | \$         | 28.00        | \$    | 5,600.00   | \$           | 25.00     | \$    | 5,000.00   | \$        | 30.00     | \$    | 6,000.00   |           |   |
| Alternate #1 - GENERAL PAY ITEMS             |                                                               |       |      |    | \$        | -            |            | \$           | -         |            | \$           | -          |              | \$    | -          |              | \$        | -     |            | \$        | -         |       | \$         | -         |   |
| 81                                           | Inspector Crew Days                                           | 400   | DAYS |    | 65        | \$           | 26,000.00  |              | 70        | \$         | 28,000.00    |            | 58           | \$    | 23,200.00  |              | 75        | \$    | 30,000.00  |           | 75        | \$    | 30,000.00  |           |   |
| 82                                           | Traffic Maintenance & Control                                 | 1     | LS   | \$ | 4,000.00  | \$           | 4,000.00   | \$           | 10,000.00 | \$         | 10,000.00    | \$         | 25,000.00    | \$    | 25,000.00  | \$           | 25,800.00 | \$    | 25,800.00  | \$        | 35,000.00 | \$    | 35,000.00  |           |   |
| SUBTOTAL ALTERNATE #1 PAVING & GENERAL ITEMS |                                                               |       |      |    | \$        | 282,250.00   | \$         | 334,100.00   | *         | \$         | 283,550.00   | \$         | 300,800.00   |       | \$         | 356,550.00   | *         |       |            |           |           |       |            |           |   |
| TOTAL W/ ALTERNATE #1                        |                                                               |       |      |    | \$        | 1,174,160.00 | \$         | 1,354,100.00 | *         | \$         | 1,397,476.00 | \$         | 1,538,321.00 |       | \$         | 1,613,530.00 | *         |       |            |           |           |       |            |           |   |

|                                              |                                                               |       |      |             |                 |              |                 |              |                 |              |                 |              |                 |
|----------------------------------------------|---------------------------------------------------------------|-------|------|-------------|-----------------|--------------|-----------------|--------------|-----------------|--------------|-----------------|--------------|-----------------|
| Alternate #2 - PAVING PAY ITEMS              |                                                               |       |      |             |                 |              |                 |              |                 |              |                 |              |                 |
| 51                                           | Earth Excavation                                              | 3,000 | CY   | \$ 20.00    | \$ 60,000.00    | \$ 30.00     | \$ 90,000.00    | \$ 13.00     | \$ 39,000.00    | \$ 14.00     | \$ 42,000.00    | \$ 30.00     | \$ 90,000.00    |
| 52                                           | Subgrade Undercutting                                         | 500   | CY   | \$ 45.00    | \$ 22,500.00    | \$ 25.00     | \$ 12,500.00    | \$ 50.00     | \$ 25,000.00    | \$ 45.00     | \$ 22,500.00    | \$ 40.00     | \$ 20,000.00    |
| 60                                           | Bituminous Mixture No. 5E1 (1.5" Top Course)                  | 300   | TON  | \$ 133.00   | \$ 39,900.00    | \$ 130.00    | \$ 39,000.00    | \$ 133.00    | \$ 39,900.00    | \$ 133.00    | \$ 39,900.00    | \$ 133.00    | \$ 39,900.00    |
| 61                                           | Bituminous Mixture No. 4E1 (2.5" Leveling Course)             | 450   | TON  | \$ 107.00   | \$ 48,150.00    | \$ 107.00    | \$ 48,150.00    | \$ 107.00    | \$ 48,150.00    | \$ 107.00    | \$ 48,150.00    | \$ 107.00    | \$ 48,150.00    |
| 63                                           | Concrete Pavement, Non-reinforced, 7", incl. integral 6" Curb | 0     | SY   | \$ 42.50    | \$ -            |              | \$ -            |              | \$ -            |              | \$ -            |              | \$ -            |
| 68                                           | Concrete Curb & Gutter (18" Wide, "Birmingham Roll")          | 2,700 | LF   | \$ 16.00    | \$ 43,200.00    | \$ 19.00     | \$ 51,300.00    | \$ 18.50     | \$ 49,950.00    | \$ 17.00     | \$ 45,900.00    | \$ 16.00     | \$ 43,200.00    |
|                                              | Alternate #2 - GENERAL PAY ITEMS                              |       |      |             | \$ -            |              | \$ -            |              | \$ -            |              | \$ -            |              | \$ -            |
| 81                                           | Inspector Crew Days                                           | 400   | DAYS | 60          | \$ 24,000.00    | 65           | \$ 26,000.00    | 60           | \$ 24,000.00    | 80           | \$ 32,000.00    | 70           | \$ 28,000.00    |
| 82                                           | Traffic Maintenance & Control                                 | 1     | LS   | \$ 6,000.00 | \$ 6,000.00     | \$ 10,000.00 | \$ 10,000.00    | \$ 25,000.00 | \$ 25,000.00    | \$ 24,000.00 | \$ 24,000.00    | \$ 25,000.00 | \$ 25,000.00    |
| SUBTOTAL ALTERNATE #2 PAVING & GENERAL ITEMS |                                                               |       |      |             | \$ 243,750.00   |              | \$ 276,950.00   |              | \$ 251,000.00   |              | \$ 254,450.00   |              | \$ 294,250.00   |
| TOTAL W/ ALTERNATE #2                        |                                                               |       |      |             | \$ 1,135,660.00 |              | \$ 1,296,950.00 |              | \$ 1,364,926.00 |              | \$ 1,491,971.00 |              | \$ 1,551,230.00 |

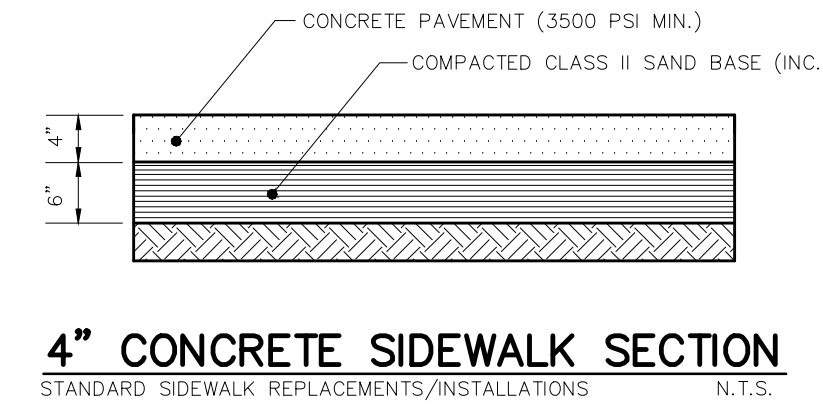
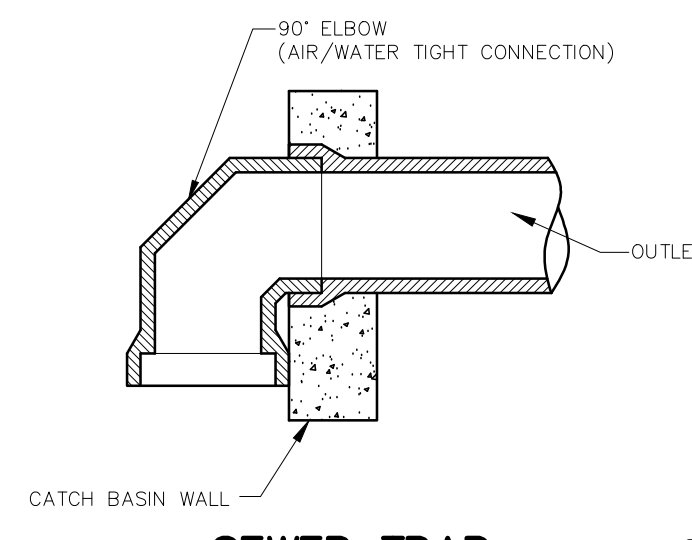
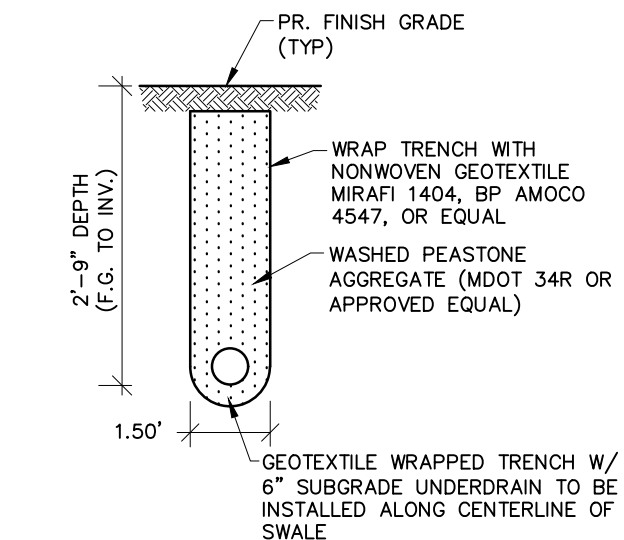
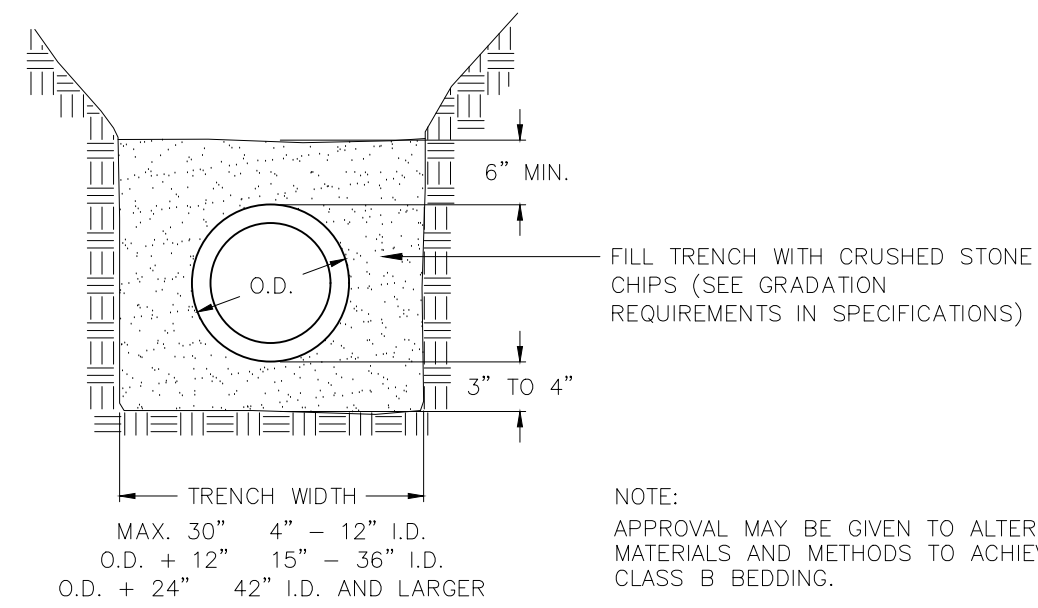


990 Wakefield – Backyard



Southwest Corner of City Property



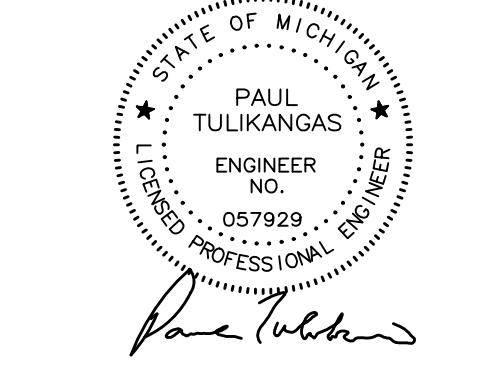


**NOWAK & FRAUS ENGINEERS**

CIVIL ENGINEERS  
LAND SURVEYORS  
LAND PLANNERS

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

SEAL



PROJECT  
South Well Site  
Drainage Improvements  
Ref: 990 Wakefield Rd.

CLIENT  
**City of Birmingham**  
Engineering Department  
151 Martin Street  
Birmingham, MI 48012

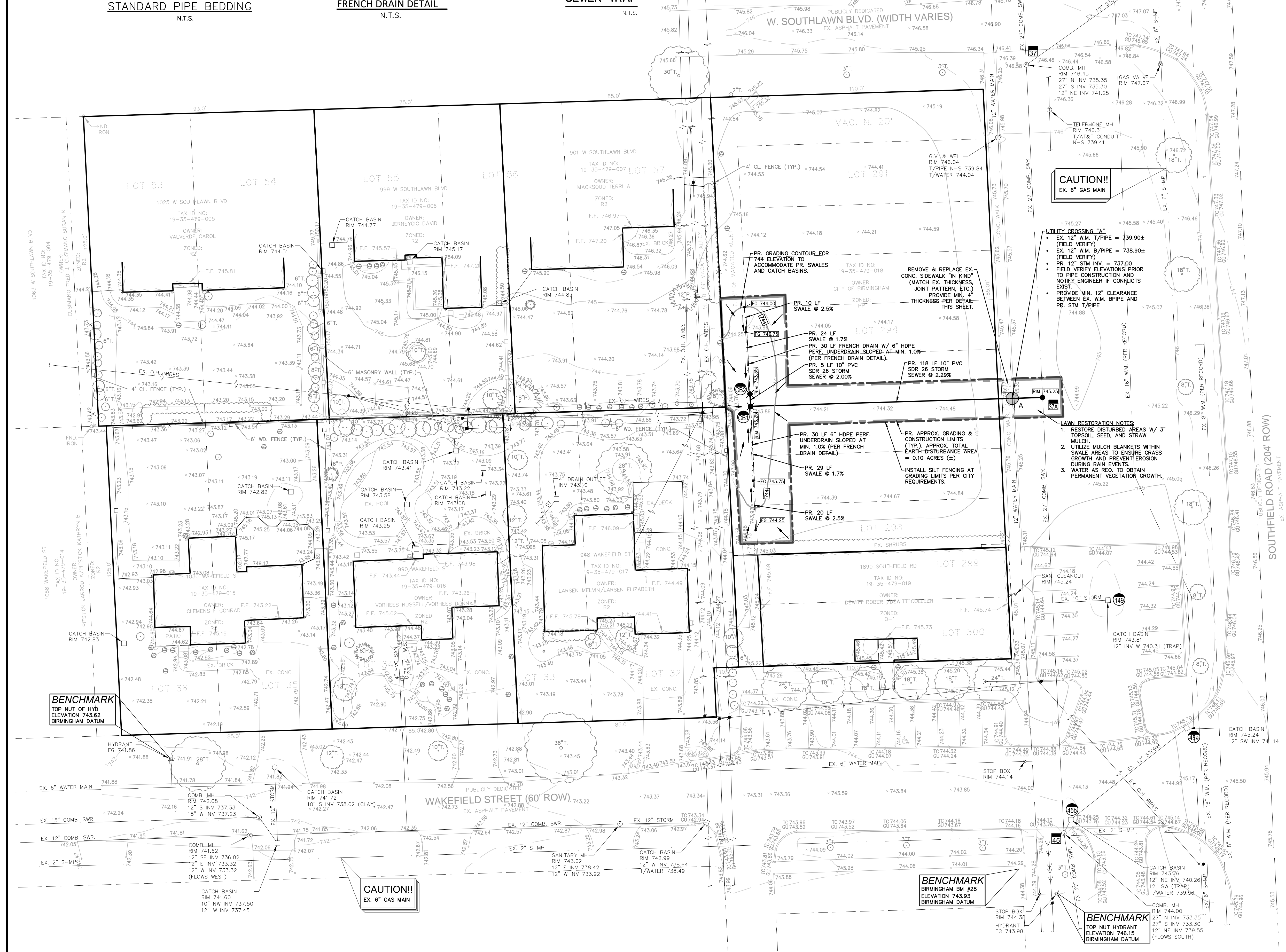
PROJECT LOCATION  
Southeast 1/4 of Section 35,  
Range 10 East,  
City of Birmingham,  
Oakland County, Michigan  
Birmingham Hills Subdivision

SHEET  
Drainage Improvement  
Plan



DATE ISSUED/REVISED  
09-01-20 CITY REVIEW

DRAWN BY:  
P. Tulikangas  
DESIGNED BY:  
P. Tulikangas  
APPROVED BY:  
B. Buchholz  
DATE:  
September 01, 2020  
SCALE: 1" = 20'  
NFE JOB NO. SHEET NO.  
**L826 C1**







## MEMORANDUM

Department of Public Services

**DATE:** October 15, 2020

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

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

**SUBJECT:** Irrigation Maintenance Contract Extension – One Year

---

### INTRODUCTION:

The City of Birmingham with Department of Public Services has a contract for irrigation maintenance services with Techseven Company through October 31, 2020. This three year contract began in April of 2018 and allows for a mutually agreed upon one (1) year extension through October 31, 2021. Both parties are interested in extending this contract.

### BACKGROUND:

The Department of Public Services uses a contractor for irrigation start up, winterization and various maintenance and repairs to irrigation systems throughout the season. There are 27 locations serviced under this contract, including parks, city properties, parking structures and medians. Techseven was awarded this contract in April of 2018 and has fulfilled the contract terms to our satisfaction. The total base bid from Techseven in 2018 for irrigation start up and winterization is \$9,960, or \$3,320 per year. Due to the high volume of repairs needed annually, this contract also includes repair costs at an hourly rate. The repair costs vary from year to year, but average \$7,000 per year, not exceeding \$21,000 over the 3-year term. In 2018, Techseven provided the lowest hourly rate pricing for repairs bidding \$50 per hour for a two (2) person crew. The three year contract provided for an annual amount of \$10,320. The one-year extension total cost will not exceed \$10,320.00 for all necessary irrigation repairs, startups and winterizations at all 27 locations.

### LEGAL REVIEW:

The City Attorney has drafted a one (1) year extension contract and approved with signature.

### FISCAL IMPACT:

Funds for this expenditure – totaling an amount not to exceed \$10,320.00 – are available from the Parks-Other Contractual Services account #101-751.000-811.0000 and Property Maintenance-Other Contractual Services account #101-441.003-811.0000.

### PUBLIC COMMUNICATION:

This purchase does not require public communication.

**SUMMARY:**

The Department of Public Services recommends approving the extension of the current irrigation contract with Techseven Company through October 31, 2021, using funds from the Parks-Other Contractual Services Account #101-751.000-811.0000 and Property Maintenance-Other Contractual Services Account#101-441.003-811.0000 for a total expenditure not to exceed \$10,320.00. This amount includes the base bid amount for irrigations services and the anticipated hourly costs for various repairs to the system during the next season.

**ATTACHMENTS:**

- Techseven Company email dated October 1, 2020 expressing interest for a one (1) year extension.
- Copy of the Addendum to Extend one (1) year Irrigation Services Agreement
- Copy of Current Insurance Certificate
- Copy of the current contract- three (3) year term April 2018 to October 2020 with option to extend contract for a one (1) year term.

**SUGGESTED RESOLUTION:**

To approve the contract extension with Techseven Company through October 31, 2021 for a cost not to exceed \$10,320.00 with all other provisions of the Agreement remaining the same. Funds are available in the Parks-Other Contractual Services Account #101-751.000-811.0000 and the Property Maintenance-Other Contractual Services Account #101-441.003-811.0000 for these services.

---

**Irrigation Contract Extension**

2 messages

**Michael Molnar <mmolnar@techseven.co>**

Thu, Oct 1, 2020 at 2:49 PM

To: "bmcgaughey@bhamgov.org" &lt;bmcgaughey@bhamgov.org&gt;

Brendan,

The Techseven Company would like to extend our contract through October 31, 2021, keeping the same terms, costs, etc. as described in paragraphs #1-2 in Attachment A (pg. 19-20).

Please let me know if you have any question.

Thank you,

M. Molnar

--  
Michael Molnar

(586) 491-8974

Techseven Company  
PO Box 182247  
Shelby Twp, MI 48318

(586) 323-6799

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable laws. If the reader of the message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and/or reply to this e-mail message.

---

**Brendan McGaughey <bmcgaughey@bhamgov.org>**

Thu, Oct 1, 2020 at 4:00 PM

To: Carrie Laird &lt;Claird@bhamgov.org&gt;

[Quoted text hidden]

**ADDENDUM TO EXTEND THE  
TECHSEVEN COMPANY, INC.  
IRRIGATION SERVICES AGREEMENT**

**THIS ADDENDUM** to extend the Irrigation Services Agreement dated April 9, 2018 by and between the **CITY OF BIRMINGHAM**, having its principal municipal office at 151 Martin Street, Birmingham, MI and **TECHSEVEN COMPANY, INC.**, having its principal office at P.O. Box 182247, Shelby Twp., MI 48318, pursuant to paragraph 1 of said Agreement, do hereby extend the Agreement for Irrigation Services for one (1) year ending October 31, 2021.

All other provisions of the Techseven Company, Inc. Services Agreement dated April 9, 2018, a copy of which is attached hereto and incorporated herein by reference, shall remain in full force and effect.

**IN WITNESS WHEREOF**, the said parties have caused this Addendum to be executed on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**WITNESSES:**

Michael Malwar

**TECHSEVEN COMPANY, INC.**

By: [Signature]

Its: PRESIDENT

**CITY OF BIRMINGHAM**

\_\_\_\_\_

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

Pierre Boutros, Mayor

\_\_\_\_\_


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

Alexandria D. Bingham, Clerk


Approved:

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

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



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



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



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/14/2020

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).

|          |                                                                                           |                               |                            |                |              |
|----------|-------------------------------------------------------------------------------------------|-------------------------------|----------------------------|----------------|--------------|
| PRODUCER | Sweet Insurance Agency<br>30100 Telegraph Road<br>Suite 150<br>Bingham Farms, M 480254517 | CONTACT NAME:                 | Thomas J. Powrie Jr.       |                |              |
|          |                                                                                           | PHONE (A/C, No, Ext):         | 248-723-6000               | FAX (A/C, No): | 248-723-8234 |
|          |                                                                                           | E-MAIL ADDRESS:               | tpowrie@sweetinsurance.com |                |              |
|          |                                                                                           | INSURER(S) AFFORDING COVERAGE |                            |                | NAIC #       |
| INSURED  | Tech Seven Co.<br>P.O. Box 182247<br>Sheby Twp., M 48318                                  | INSURER A:                    |                            |                | 23329        |
|          |                                                                                           | INSURER B:                    |                            |                | 11000        |
|          |                                                                                           | INSURER C:                    |                            |                |              |
|          |                                                                                           | INSURER D:                    |                            |                |              |
|          |                                                                                           | INSURER E:                    |                            |                |              |
|          |                                                                                           | INSURER F:                    |                            |                |              |

## COVERAGES

CERTIFICATE NUMBER:

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<br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br>OTHER:   | Y         |          | BOPI088880    | 01/23/2020              | 01/23/2021              | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000<br>MED EXP (Any one person) \$ 15,000<br>PERSONAL & ADV INJURY \$ Included<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COM/OP AGG \$ 2,000,000 |
| A        | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY<br><input checked="" type="checkbox"/> ANY AUTO<br><input type="checkbox"/> OWNED AUTOS ONLY<br><input checked="" type="checkbox"/> HIRED AUTOS ONLY<br><input type="checkbox"/> SCHEDULED AUTOS<br><input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY |           |          | CAP066164     | 01/23/2020              | 01/23/2021              | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$                                                                               |
| A        | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR<br><input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE<br>DED <input checked="" type="checkbox"/> RETENTION \$ 10,000                                                                               |           |          | CUP9151059    | 05/26/2020              | 01/26/2021              | EACH OCCURRENCE \$ 1,000,000<br>AGGREGATE \$ 1,000,000                                                                                                                                                                                  |
| B        | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                                                                                | Y/N       | N/A      | 35WECD6640    | 01/23/2020              | 01/23/2021              | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER<br>E.L. EACH ACCIDENT \$ 100,000<br>E.L. DISEASE - EA EMPLOYEE \$ 100,000<br>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 are additional insured in respect to the general liability of the insured required by written contract. 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. 30 day notice of cancellation applies.

## CERTIFICATE HOLDER

## CANCELLATION

City of Birmingham  
Department of Public Services  
851 S. Bon Street  
Birmingham, M 48009

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

**ATTACHMENT A - AGREEMENT**  
**For "Irrigation Services, Birmingham MI"**

This AGREEMENT, made this 9th day of April, 2018, by and between CITY OF BIRMINGHAM, having its principal municipal office at 151 Martin Street, Birmingham, MI (hereinafter sometimes called "City"), and Techseven Company, Inc., having its principal office at PO Box 182247, Shelby Twp, MI 48318 (hereinafter called "Contractor"), provides as follows:

**WITNESSETH:**

**WHEREAS**, the City of Birmingham, through its Department of Public Services, is desirous of having irrigation services provided in the City of Birmingham.

**WHEREAS**, the City has heretofore advertised for bids for the procurement and performance of services required to perform start up, repair, winterize, and perform routine maintenance to existing irrigation systems of various sizes installed at 27 locations throughout the City, 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 start up, repair, winterize, and perform routine maintenance to existing irrigation systems of various sizes installed at 27 locations throughout the City.

**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 start up, repair, winterize, and perform routine maintenance to existing irrigation systems of various sizes installed at 27 locations throughout the City and the Contractor's cost proposal dated February 2, 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 \$9,960, for Irrigation Start Up and Winterization services, in addition an amount not to exceed \$21,000 for repair services and replacement parts, as set forth in the Contractor's February 2, 2018 cost proposal. The contract term shall be three (3) years in length commencing on April 1st, 2018 and ending October 31st 2020 with the City's option to extend the contract for one (1) year, ending October 31st 2021.

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. The Contractor agrees to provide the labor, material, supplies, and equipment necessary to perform the irrigation services in accordance with the specifications and conditions contained in the RFP documents for a period of three (3) years/seasons, commencing on April 1st, 2018 and ending on October 31, 2020. Thereafter, at the option of the City, and agreement by Contractor, this Agreement shall renew for a successive one-year period unless the City terminates this Agreement by providing written notice to the Contractor prior to the expiration of the initial term or any renewal term.

3. The City shall have the right to terminate this Agreement prior to the end of the initial term or any of the renewal terms without cause. If the City terminates this Agreement prior to the end of any term, the City shall provide Contractor with 10 days written notice of the early termination. Any claims or fees that Contractor is working on collecting on behalf of the City, and Contractor shall continue to collect such fees and process same pursuant to the terms and conditions of this Agreement through the date of notice of early termination.

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

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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:

Department of Public Services  
Attn: Lauren Wood  
851 Eton Street  
Birmingham, MI 48009  
(248)530-1700

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:


CONTRACTOR

\_\_\_\_\_

By:   
Its: CEO




CITY OF BIRMINGHAM


By:   
Andrew M. Harris  
Its: Mayor




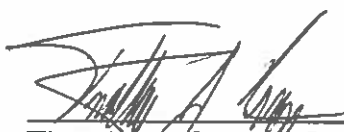
By: \_\_\_\_\_  
J. Cherilynn Brown  
Its: City Clerk

Approved:

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

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

  
Joe Valentine, City Manager  
(Approved as to substance)

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

**DATE:** October 6, 2020

**TO:** City Commission

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

**SUBJECT:** Expansion of Parking Study to Include Management Models

---

**INTRODUCTION:**

At the City Commission meeting on September 14, 2020, the Commission adopted a resolution directing staff to solicit a proposal from Nelson Nygaard to amend their September 2018 Downtown Parking Plan to study management structures and best practices for managing our parking system and present a report with recommendations to the Commission. A copy of this proposal is attached for your review and consideration.

**BACKGROUND:**

The City engaged Nelson Nygaard in 2018 to evaluate the City's parking operations and provide a plan with recommendations for improvement. Recently, Commissioners had requested a review of the management models and best practices for managing a parking system, which were not part of the scope of the 2018 study and directed a proposal be obtained to supplement the initial report. Staff contacted Nelson Nygaard and obtained a proposal for consideration. Although Nelson Nygaard is the lead consultant on this effort, the specific task of evaluating management models is performed by their partner Mission North.

**LEGAL REVIEW:**

Legal Counsel is preparing an acceptable Addendum to their original agreement for these services.

**FISCAL IMPACT:**

The cost of their proposal is \$17,980 and sufficient funds are available in the Automobile Parking Fund to cover this expense.

**SUMMARY:**

The requested proposal is attached for the Commission's consideration in follow up to the resolution passed on September 14, 2020.

**ATTACHMENTS:**

- Proposal from Nelson Nygaard/Mission North

**SUGGESTED RESOLUTION:**

To accept the proposal from Nelson Nygaard/Mission North to perform a study of management structures and best practices for managing the City's parking system in the amount of \$17,980.00 and to charge the Automobile Parking Fund Account number 585-538.001-811.0000 for these services, and further, to authorize the Mayor to sign an Addendum to the Agreement with Nelson Nygaard in an acceptable form to the City Attorney for these services.



October 6, 2020

Joe Valentine  
City Manager  
City of Birmingham  
151 Martin Street  
Birmingham, MI 48012

via email: [jvalentine@bhamgov.org](mailto:jvalentine@bhamgov.org)

**RE: Proposal for Parking Organizational Model Review**

Dear Joe:

Attached is a proposal to review the organizational structure of Birmingham's parking system. It follows the outline we discussed and includes a second internal stakeholder meeting where our findings can be further vetted. Hopefully this meets what the City is looking to accomplish.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Bacigalupi".

Rob Bacigalupi, AICP



# Proposal

for:      Birmingham, Michigan  
            Parking Organizational Model Review

date:     October 6, 2020

by:       Mission North, LLC



# Table of Contents

|                           |   |
|---------------------------|---|
| Understanding of the Work | 1 |
| Scope of Work             | 2 |
| Project Fee               | 4 |
| About the Team            | 5 |
| Primary Team Members      | 6 |

# Understanding of the Work

In 2018, the City of Birmingham, Michigan completed a Downtown Parking Plan, prepared by a team led by Nelson Nygaard. This plan focussed on ensuring commuter access to monthly parking, better access for commuters, improving visitor access to short-term parking, taking advantage of excess on-street parking, capitalizing on data collection and analysis opportunities, optimizing management & operations, and preparing for future growth. The City has begun executing recommendations from this Downtown Parking Plan but wishes to take a closer look at how the parking operation is organized.

Digging deeper into parking management and operations will allow the City to look at goals for the parking system and compare those with industry best practices. This process will reveal opportunities to make parking a more effective tool for achieving broader City goals.

# Scope of Work

Based on our understanding of the project, Mission North submits the following work and services scope:

## 1. **Goal Assessment**

Identify goals for Birmingham's parking operation.

### Tasks

- a. Summarize goals expressed or implied in existing plans, including the 2018 Downtown Parking Plan, that relate to parking.
- b. Conduct internal stakeholder meeting to establish goals for the management and operation of Birmingham's Parking System. The goals should acknowledge those who use and benefit the parking system, including commuters, visitors, residents, businesses, and developers/property owners.

*Deliverable:      Memorandum outlining parking management goals.*

## 2. **Existing Conditions**

Building on the findings in Nelson Nygaard's report of existing conditions, detail Birmingham's organizational and operational structures, as well as relevant technology and funding.

### Tasks

- a. Analyze Birmingham's parking operations decision-making, including developing an organizational chart.
- b. Analyze operational structure detailing who does what.
- c. Provide a parking technologies overview, including an analysis of where parking data is shared with other City operations and visa versa.
- d. Develop an understanding of parking revenues and expenses.

*Deliverable:      Existing Conditions Report.*

### 3. **Best Practices**

Identify parking organization best practices from around the country. What are they? What are they designed to accomplish, and how do they relate?

#### Tasks

- a. Inventory parking organization practices, arranged by decision-making, operations, technologies and innovation, & funding.
- b. Relate Birmingham's operational goals to best practices to identify opportunities for improvement.

*Deliverable: Draft Best Practices matrix*

### 4. **Identify Issues and Opportunities**

Conduct a second internal stakeholder meeting to discuss findings.

#### Tasks

- a. Facilitate internal stakeholder meeting where opportunities are discussed and vetted.
- b. Update the best practices matrix and finalize recommendations.

*Deliverable: Final Best Practices matrix*

### 5. **Finalize Report**

Prepare and present the final report.

#### Tasks

- a. Complete final draft of the report for review by staff
- b. Incorporate any comments in the final report.
- c. Prepare and present slide show summarizing findings.

*Deliverables: Final Report and slide show*

# Project Fee

The fee for the scope of work is **\$17,980.**

A detailed budget is included below.

## Project Budget

|     |                                                | Mission North |                 |           |                 | Nelson Nygaard |                |           |                | TOTAL      |                 |
|-----|------------------------------------------------|---------------|-----------------|-----------|-----------------|----------------|----------------|-----------|----------------|------------|-----------------|
|     |                                                | Principal     |                 | MN Total  |                 | Principal      |                | NN Total  |                |            |                 |
| 0.1 | Project Kickoff                                | 4             | \$560           | 4         | \$560           | 2              | \$360          | 2         | \$360          | 6          | \$920           |
| 1.1 | Goal Assessment - Internal Stakeholder Meeting | 12            | \$1,680         | 12        | \$1,680         | 8              | \$1,440        | 8         | \$1,440        | 20         | \$3,120         |
| 2.1 | Existing Conditions - Organization             | 6             | \$840           | 6         | \$840           | 2              | \$360          | 2         | \$360          | 8          | \$1,200         |
| 2.2 | Existing Conditions - Operations               | 12            | \$1,680         | 12        | \$1,680         | 2              | \$360          | 2         | \$360          | 14         | \$2,040         |
| 2.3 | Existing Conditions - Technologies             | 8             | \$1,120         | 8         | \$1,120         | 2              | \$360          | 2         | \$360          | 10         | \$1,480         |
| 2.4 | Existing Conditions - Funding                  | 10            | \$1,400         | 10        | \$1,400         | 2              | \$360          | 2         | \$360          | 12         | \$1,760         |
| 3.1 | Best Practices                                 | 10            | \$1,400         | 10        | \$1,400         | 10             | \$1,800        | 10        | \$1,800        | 20         | \$3,200         |
| 4.1 | Identify Issues and Opportunities              | 6             | \$840           | 6         | \$840           | 5              | \$900          | 5         | \$900          | 11         | \$1,740         |
| 5.1 | Finalize Report                                | 8             | \$1,120         | 8         | \$1,120         | 5              | \$900          | 5         | \$900          | 13         | \$2,020         |
|     | <b>TOTAL LABOR</b>                             | <b>76</b>     | <b>\$10,640</b> | <b>76</b> | <b>\$10,640</b> | <b>38</b>      | <b>\$6,840</b> | <b>38</b> | <b>\$6,840</b> | <b>114</b> | <b>\$17,480</b> |
|     | <b>General &amp; Administrative Costs</b>      |               |                 |           |                 |                |                |           |                |            | <b>\$500</b>    |
|     | <b>TOTAL FEE</b>                               |               |                 |           |                 |                |                |           |                |            | <b>\$17,980</b> |

## Hourly Rates

|           |                |       |
|-----------|----------------|-------|
|           |                |       |
| Principal | Nelson Nygaard | \$180 |
| Principal | Mission North  | \$140 |

# About the Team

## About Mission North



Mission North, LLC, began in 2003, offering planning and economic development services to municipalities and downtown organizations. In 2018, we set out to establish Mission North as a premier consultant for downtown organizations, cities, and those who develop in them. With a focus on placemaking, mobility, and sustainable economics, Mission North is driven by a passion for places of quality and value.

Prior to 2018, Principal Rob Bacigalupi served as the Executive Director of the Traverse City Downtown Development Authority, where he oversaw the City of Traverse City's Parking System. During this time, the operation's systems and equipment were modernized with new technology, improving accountability and customer satisfaction.

## About Nelson Nygaard



### *A different kind of Transportation Firm*

Nelson\Nygaard Consulting Associates, Inc. is an internationally recognized firm committed to developing transportation systems that promote vibrant, sustainable, and accessible communities. Founded by two women in 1987, Nelson\Nygaard has grown from its roots in transit planning to a 140-person, full-service transportation firm with offices across the United States.

In keeping with the values set by the firm's founders, Nelson\Nygaard puts people first. They recognize that transportation is not an end by itself but a platform for achieving broader community goals of mobility, equity, economic development, and healthy living. The firm's hands-on, national experience informs but doesn't dictate local solutions. Built on consensus and a multimodal approach, their plans are renowned as practical and implementable.

Nelson\Nygaard specializes in transit, streets and cities, emerging mobility, mobility management, parking and demand management, active transportation and safety, engineering design and development, paratransit and community transportation, campus mobility, and transit corridors.



## Primary Team Members

Rob Bacigalupi, AICP, of Mission North, will serve as the lead and project manager. Tom Brown, of Nelson Nygaard, will provide support for all work and services scope categories. Profiles of both team members are included on the following pages.



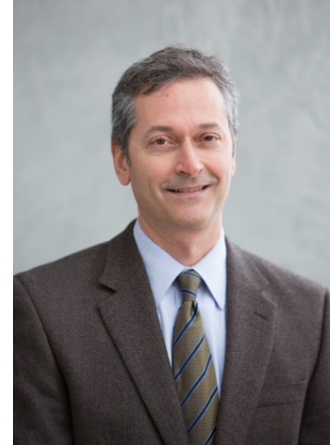


## **Rob Bacigalupi, AICP**

### **Principal**

Education: MS Real Estate & Construction Mgmt. - University of Denver  
BS Urban Planning - Michigan State University

**Rob has helped build one of the premier downtowns in the Midwest through placemaking, economic development, and marketing** - As Executive Director of the Traverse City Downtown Development Authority, Rob led a talented team that supported one of the strongest downtown brands in the Midwest. At Mission North Rob has helped downtowns in Michigan and Ontario with economic development plans, strategic planning, zoning and transportation.



### **Mission North**

- Conducted market studies for two communities as part of an effort to market properties, 2020
- Kalamazoo Downtown Parking & Mobility Study management strategies, 2019
- MEDC Redevelopment Ready Communities (RRC) Pre-Development Services for Battle Creek, Alpena & Petoskey, 2019
- Assisted the Bay Area Transportation Authority identify sites for a new headquarters, 2019
- Updated Filer Township DDA Development Plan, 2019
- Emmet County Master Plan, public engagement, 2019
- Greenwood Township Zoning Ordinance, 2019
- Downtown Charlevoix Parking Study, 2018
- Advised private client on parking options, 2018
- Report to Windsor, Canada City Council on the value of street-level retail in a parking garage, 2015

### **Traverse City Downtown Development Authority**

- Oversaw Traverse City Transportation Demand Management study, 2017
- Managed business retention and attraction efforts for Downtown Traverse City, 2000-2017
- Authored a new development and TIF plan for the Old Town district, Traverse City, 2016
- Developed downtown housing strategy for Traverse City, 2016
- Oversaw downtown market study update, Traverse City, 2016

### **Certifications and Training**

- Member, American Institute of Certified Planners
- Urban Retail: Essential Planning, Design and Management Practices, Harvard University, 2018

### **Community Service**

- Bay Area Transportation Authority, 2000-2017 (served a term as Chair)
- Governor's Complete Streets Advisory Council (Michigan), 2014-2016
- Michigan Downtown Association, 2000-2005 (served a term as Chair)

# Thomas Brown

Principal



**Urban parking management** has been a special focus for Tom as a Principal at Nelson\Nygaard. In his experience, nothing undermines the best of planning and design efforts as quickly or significantly as failing to get the parking right. Getting it right, however, invariably involves negotiating challenging and consequential tradeoffs. Years of engaging diverse, passionate, and thoughtful stakeholders on all aspects of parking, in a wide variety of contexts and opportunity environments, has afforded Tom the capacity to offer his clients a clear assessment of best available options, the essential pros and cons of each, and a viable path forward in serving transportation, growth, and broader community goals and objectives.

## EDUCATION

M.S., Urban Planning, Hunter College, New York, NY  
B.A., History, Ohio State University

## EXPERIENCE

**Nelson\Nygaard Consulting Associates, Inc.**  
Principal, 2004–Present

### Urban Parking Studies

- **South End Parking Study, Charlotte Center City Partners (Charlotte, NC) 2019 - .** Completing a comprehensive study of parking supply, demand, and functionality of parking in this fast-growing, light-rail district just south of Charlotte's CBD (Uptown). Updating the findings and recommendations from a 2012 study of the same district, through new peak-hour utilization surveys, field surveys, stakeholder engagement, and coordinated strategy development with Partners and City staff.
- **Equitable Mobility Study, Grand Rapids, MI 2019.** Managed the downtown parking analysis component of this economic-development study focused on equitable growth for the City of Grand Rapids. Analysis of a series of peak-hour utilization surveys led to the development of curbside management strategies to address identified supply/demand imbalances. Economic development analysis led to the development of a parking-investment to model the cost/benefit of specific supply-expansion options for the City's parking program, wait list analysis led to the development of a new oversell-rate policy and calculus.
- **Parking Study, Kalamazoo Downtown Partnership (Kalamazoo, MI) 2018–2019.** Managed a downtown plan to develop a management plan for on- and off-street parking, including demand-management strategies, capacity-optimization opportunities, management organization/structure best practices, technological solutions, and non-driving mobility-improvement opportunities. Parking occupancy analysis led to a new approach for defining curbside parking rates, and varying rates to influence utilization patterns to create more consistent availability in key areas of downtown. Shared parking analysis also led to a pilot that is using pay-by-phone to facilitate evening and weekend access to a large private surface lot in a high-demand location. Financial modeling of all primary recommendations forecast increased revenue despite increasing the number of free on-street spaces and leaving the average meter rate essentially unchanged.
- **Memphis Downtown Parking Study, Downtown Memphis Commission (Memphis, TN) 2018–Ongoing.** Principal in Charge. Comprehensive parking management plan to develop strategies for on- and off-street parking resources to minimize congestion, maximize access, and improve overall mobility in the Downtown area and the Memphis Medical District. Helped the DMC and the City's parking authority define metrics to evaluate and weight in considering supply-expansion opportunities, and in assessing the relative benefit of past supply expansion projects.
- **Peekskill Downtown Parking Study, City of Peekskill (Peekskill, NY) 2017–2018.** Principal in Charge. Led strategy development, plan organization, and implementation planning, for this downtown parking study. Key recommendations included promoting free evening parking in commuter parking lots, demand-based meter rates to reflect clear market preferences for primary commercial blocks, and coordinated signage and wayfinding to guide visitors to best-fit parking options.

**DATE:** October 6, 2020

**TO:** City Commission

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

**SUBJECT:** Legal Services

---

## INTRODUCTION:

At the City Commission meeting on September 14, 2020, the Commission adopted a resolution directing the City Manager to provide the Commission with options for hiring an outside legal counsel that is unconflicted in relation to the City and Beier Howlett currently, to advise the Commission on matters relating to the procurement of legal services as well as the framework and options that should be considered when undertaking an engagement in legal services.

## BACKGROUND:

The specialty of municipal law is practiced by a select group of firms in Michigan. There are numerous attorneys that list municipal law as a practice area, but in an attempt to solicit specialized legal counsel with experience in not only the basics of municipal law such as the Open Meetings Act, Freedom of Information Act or municipal bonding, for example, I attempted to focus on attorneys with experience with the Home Rule Cities Act, Charter initiatives, and involvement as a City attorney. In doing so, I had reviewed those that were designated as the best lawyers for municipal law in Michigan by Best Lawyers. This group conducts a peer review designed to capture, as accurately as possible, the consensus opinion of leading lawyers about the professional abilities of their colleagues with the same geographical area and legal practice area. Enclosed is a listing of these individuals. Of those listed, I have focused on those with municipal law being their core area of practice. Two have surfaced as having the experience in serving municipalities as general counsel with their expertise in municipal law, charters and governmental powers. These include Stephen O. Schultz with Fahey Shultz Burzych Rhodes PLC out of Okemos and Ronald Bultje with Dickinson Wright out of Grand Rapids. Their bios are attached for review. I had also contacted the Michigan Municipal League, however, they do not provide legal services for its members, just for the agency.

## LEGAL REVIEW:

No legal review has been conducted at this time, but the attorneys being recommended for consideration have acknowledged they have not existing conflict with the City or Beier Howlett.

## FISCAL IMPACT:

The costs for each person identified is outlined below.

Stephen O. Schultz with Fahey Shultz Burzych Rhodes PLC bills at \$225/hour.  
Ronald Bultje with Dickinson Wright bills at \$425/hour but for municipal work bills at \$250/hour.

SUMMARY:

In review of outside legal counsel that is qualified to provide the requested legal services desired by the Commission, there are two qualified options being presented that can both accommodate the scope identified by the Commission.

ATTACHMENTS:

- Listing of Best Lawyers for Municipal Law in Michigan by Best Lawyers
- Bio of Stephen Schultz
- Bio of Ronald Bultje

SUGGESTED RESOLUTION:

To pursue an engagement with \_\_\_\_\_ to advise the Commission on matters relating to the procurement of legal services as well as the framework and options that should be considered when undertaking an engagement in legal services.

# Best Lawyers for Municipal Law in Michigan, United States

[Find a Lawyer \(/find-a-lawyer\)](#) » [United States \(/united-states\)](#) » [Michigan \(/united-states/michigan\)](#) » [Municipal Law](#)

Find a Lawyer by selecting a City

## Cities

[Detroit, Michigan \(/united-states/michigan/detroit/municipal-law\)](#)

[Lansing, Michigan \(/united-states/michigan/lansing/municipal-law\)](#)

[Troy, Michigan \(/united-states/michigan/troy/municipal-law\)](#)

[Grand Rapids, Michigan \(/united-states/michigan/grand-rapids/municipal-law\)](#)

[Okemos, Michigan \(/united-states/michigan/okemos/municipal-law\)](#)

---

21 Visible Results

Subscribe now to see all results. ([/store/publications-and-subscriptions#subscriptions](#))

# About Us

We believe the best lawyers know who the best lawyers are. It's our founding principle and remains unchanged, for more than 30 years.

## Our History

[See Best Lawyers Timeline \(/history/\)](/history/)

**Best Lawyers is the oldest and most respected peer review publication in the legal profession.**

Recognition in Best Lawyers is widely regarded by both clients and legal professionals as a significant honor, conferred on a lawyer by his or her peers. For more than three decades, our publications have earned the respect of the profession, the media, and the public, as the most reliable, unbiased source of legal referrals anywhere.

Our lists of outstanding lawyers are compiled by conducting exhaustive peer review surveys in which tens of thousands of leading lawyers confidentially evaluate their professional peers. If the votes for a lawyer are positive enough for recognition in Best Lawyers, that lawyer must maintain those votes in subsequent polls to remain in each edition. Lawyers are not permitted to pay any fee to participate in or be recognized by Best Lawyers.



---

**Lawyer**

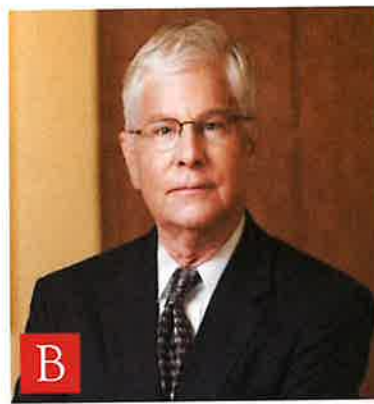
**Barbara A. Bowman**  
(/lawyers/barbara-a-bowman/114768)

**Bodman PLC** (/firms/bodman-plc/4415/US)

**Recognized Since:**  
2013

**Location:**  
Troy, Michigan

**Practice Areas:**  
*Securities / Capital Markets Law |*  
*Banking and Finance Law | Municip...*



---

**Lawyer**

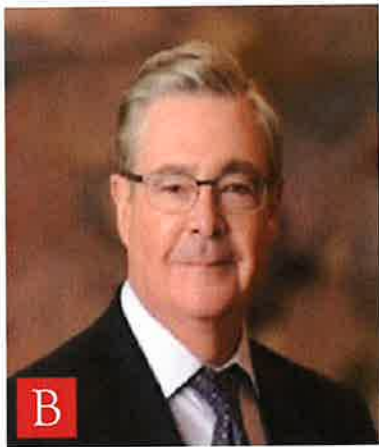
**James R. Brown**  
(/lawyers/james-r-brown/242062)

**Mika Meyers, PLC**  
(/firms/mika-meyers-plc/4320/US)

**Recognized Since:**  
1987

**Location:**  
Grand Rapids, Michigan

**Practice Areas:**  
*Real Estate Law | Municipal Law*



---

**Lawyer**

**Robert A. Buchanan**  
(/lawyers/robert-a-buchanan/151287)

**Varnum LLP** (/firms/varnum-llp/4299/US)

**Recognized Since:**  
2014



---

**Lawyer**

**Ronald A. Bultje**  
(/lawyers/ronald-a-bultje/155921)

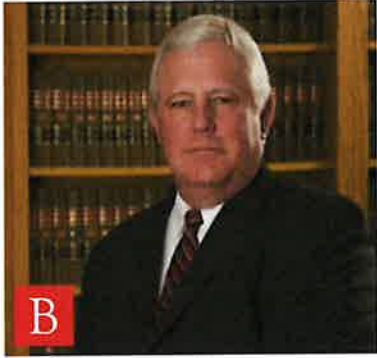
**Dickinson Wright PLLC**  
(/firms/dickinson-wright-pllc/4464/US)

**Recognized Since:**

**Location:**  
Grand Rapids, Michigan

**Practice Areas:**

*Municipal Law*



Lawyer

**Timothy J. Currier**  
(/lawyers/timothy-j-currier/58795)

Beier Howlett, P.C.  
(/firms/beier-howlett-p-c/4781/US)

**Recognized Since:**  
2010

**Location:**  
Troy, Michigan

**Practice Areas:**

*Municipal Law | Litigation -  
Municipal*



2014

**Location:**  
Grand Rapids, Michigan

**Practice Areas:**

*Municipal Law*



Lawyer

**Terence M. Donnelly**  
(/lawyers/terence-m-donnelly/59015)

Dickinson Wright PLLC  
(/firms/dickinson-wright-pllc/4464/US)

**Recognized Since:**  
2007

**Location:**  
Troy, Michigan

**Practice Areas:**

*Public Finance Law | Municipal Law*





## Lawyer

**William K. Fahey**

(/lawyers/william-k-fahey/41303)

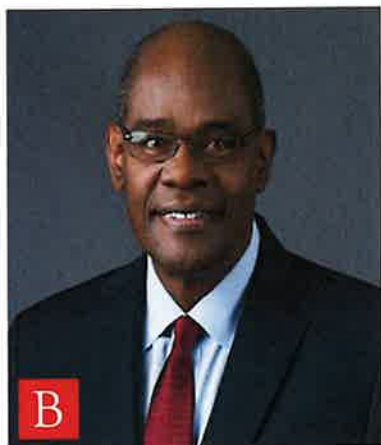
Fahey Schultz Burzych  
Rhodes PLC (/firms/fahey-schultz-burzych-rhodes-plc/48247/US)

**Recognized Since:**  
2005

**Location:**  
Okemos, Michigan

**Practice Areas:**

*Land Use and Zoning Law | Municipal Law | Administrative / Regulatory...*



## Lawyer

**W. Anthony Jenkins**  
(/lawyers/w-anthony-jenkins/127015)

Dickinson Wright PLLC  
(/firms/dickinson-wright-pllc/4464/US)

**Recognized Since:**  
2011

**Location:**  
Detroit, Michigan

**Practice Areas:**

*Corporate Law | Municipal Law*

## Lawyer

**Stacy L. Hissong**  
(/lawyers/stacy-l-hissong/141791)



Fahey Schultz Burzych  
Rhodes PLC (/firms/fahey-schultz-burzych-rhodes-plc/48247/US)

**Recognized Since:**  
2017

**Location:**  
Okemos, Michigan

**Practice Areas:**

*Natural Resources Law | Municipal Law*



## Lawyer

**Randall W. Kraker**



(/lawyers/randall-w-kraker/41788)

Varnum LLP (/firms/varnum-llp/4299/US)

**Recognized Since:**  
2005

**Location:**  
Grand Rapids, Michigan

**Practice Areas:**

*Litigation - Land Use and Zoning |*



Lawyer

**Ross A. Leisman**  
(/lawyers/ross-a-leisman/72319)

Mika Meyers, PLC  
(/firms/mika-meyers-plc/4320/US)

**Recognized Since:**  
2013

**Location:**  
Grand Rapids, Michigan

**Practice Areas:**  
*Commercial Litigation | Municipal Law | Land Use and Zoning Law*



Lawyer

**Mark E. Nettleton**  
(/lawyers/mark-e-nettleton/122474)

Mika Meyers, PLC  
(/firms/mika-meyers-plc/4320/US)

**Recognized Since:**  
2021

**Location:**  
Grand Rapids, Michigan

**Practice Areas:**  
*Municipal Law*



Lawyer

**Kevin J. Roragen**  
(/lawyers/kevin-j-roragen/81044)

<https://www.bestlawyers.com/united-states/michigan/municipal-law>



Lawyer

**James F. Scales**  
(/lawyers/james-f-

Loomis Law Firm  
(/firms/loomis-law-firm/4669/US)

**Recognized Since:**  
2011

**Location:**  
Lansing, Michigan

**Practice Areas:**  
Commercial Litigation | Municipal  
Law



Lawyer

**Stephen O. Schultz**  
(/lawyers/stephen-o-schultz/8452)

Fahey Schultz Burzych  
Rhodes PLC (/firms/fahey-schultz-burzych-rhodes-plc/48247/US)

**Recognized Since:**  
2005

**Location:**  
Okemos, Michigan

**Practice Areas:**  
Labor Law - Management | Municipal  
Law | Employment Law -...



scales/163321)

Mika Meyers, PLC  
(/firms/mika-meyers-plc/4320/US)

**Recognized Since:**  
2016

**Location:**  
Grand Rapids, Michigan

**Practice Areas:**  
Real Estate Law | Municipal Law



Lawyer

**Kester K. So**  
(/lawyers/kester-k-so/113252)



Dickinson Wright PLLC  
(/firms/dickinson-wright-pllc/4464/US)

**Recognized Since:**  
2012

**Location:**  
Lansing, Michigan

**Practice Areas:**  
Utilities Law | Municipal Law |  
Energy Law | Public Finance Law





Lawyer

**Rhonda D. Welburn**  
(/lawyers/rhonda-d-welburn/127006)

Dickinson Wright PLLC  
(/firms/dickinson-wright-pllc/4464/US)

**Recognized Since:**  
2013

**Location:**  
Troy, Michigan

**Practice Areas:**  
*Public Finance Law | Municipal Law*



Lawyer

**Richard A. Wendt**  
(/lawyers/richard-a-wendt/4555)

Dickinson Wright PLLC  
(/firms/dickinson-wright-pllc/4464/US)

**Recognized Since:**  
2007

**Location:**  
Grand Rapids, Michigan

**Practice Areas:**  
*Public Finance Law | Municipal Law*



Lawyer

**James K. White**  
(/lawyers/james-k-white/72332)

Mika Meyers, PLC  
(/firms/mika-meyers-plc/4320/US)

**Recognized Since:**  
2009

**Location:**  
Grand Rapids, Michigan



Lawyer

**Paul M. Wyzgoski**  
(/lawyers/paul-m-wyzgoski/127007)



Dickinson Wright PLLC  
(/firms/dickinson-wright-pllc/4464/US)

**Recognized Since:**  
2013

**Location:**  
Troy, Michigan

**Practice Areas:***Municipal Law | Public Finance Law*

Troy, Michigan

**Practice Areas:***Public Finance Law | Municipal Law***Lawyer**

**Matthew D. Zimmerman**  
(/lawyers/matthew-d-zimmerman/8478)

**Varnum LLP** (/firms/varnum-llp/4299/US)

**Recognized Since:**  
2010

**Location:**  
Grand Rapids, Michigan

**Practice Areas:**  
*Municipal Law | Environmental Law |  
Energy Law | Land Use and Zoning...*

## Practice Area Definition

### MUNICIPAL LAW DEFINITION

Municipal law is specific to a particular county, city, town, or township, or other district or governmental entity possessing corporate status and usually its own governing body. Generally, governmental subdivisions are referred to as municipalities. Municipalities derive their authority from the supreme power in the state and are typically operated by varying forms of governing bodies comprised of elected and/or appointed officials who are responsible for directing the affairs of the municipality through the promulgation of laws, policies, and regulations.

Attorneys who practice municipal law act as a municipality's attorney for all legal matters or special counsel for specific legal matters. Municipal attorneys also assist in ensuring that the day-to-day operations of the municipality and any matters enacted by its governing body comply with local, state, and federal laws. These laws include those that may affect any potential liability of the municipality and those elected or appointed individuals and employees involved in its operations. The practice of municipal law encompasses a wide range of issues including, but not limited to the scope of the municipality's police power, employment, and labor issues, real estate, zoning and land use matters, economic development, imposition of taxes, public bidding and contracts, tax assessments, environmental regulations, and access to public meetings and public information.

Municipal attorneys can also act as private legal counsel, providing services for individuals, partnerships, corporations, and other entities in their encounters, both adversarial and non-adversarial, with governmental entities.

Finally, a municipal attorney may act as an advocate for municipalities and private entities before various courts, administrative agencies, and the municipality's various boards and commissions.

**Stephen L. Korbel, Shareholder**

Babst Calland (/firms/babst-calland/18687/US)



(/firms/babst-calland/18687/US)



## Menu



Attorneys / We have more than 150 years of combined experience.

[Request a Consultation »](#)



## Stephen O. Schultz

Practice Areas: Municipalities, Labor & Employment, Of-Counsel, General Municipal

[CONTACT STEPHEN »](#)

Stephen O. Schultz is a founding partner of the firm. For over thirty years, he has dedicated himself to the representation of municipalities across the state of Michigan and to protecting the interests of employers in both the private and public sectors. He has been recognized by the national publication, *The Best Lawyers in America*, as an experienced labor attorney in the representation of employers in labor and employment law since 2005. The Best Lawyers in American publication named Steve the 2012, 2016 and 2018 Lansing Employment Law-Management Lawyer of the Year. He is also listed in the publication *Michigan Super Lawyers* as an experienced lawyer in the field of Labor and Employment Law since 2007. He holds the highest rating available from the Martindale-Hubble Law Directory.



Steve's practice has focused on the representation of municipalities in a wide range of matters including those arising under the Home Rule Cities or township enabling statutes, the Open Meetings Act, the Freedom of Information Act, Michigan's Public Employment Relations Act, the Downtown Development Authority Act and myriad other statutes applicable to municipalities across the state. For many years Steve has served and continues to serve as a City Attorney, Township Attorney, Library Attorney, and counsel to counties, DDAs and other specialized authorities from the Sault to St. Joseph to the Detroit area and throughout Mid Michigan. He is a committed

Stephen O.  
Schultz

advocate for the interests of municipalities and a firm believer in the benefits of local control of local concerns.

In representing employers as a labor attorney, Steve is heavily involved in the negotiation of collective bargaining agreements and in the defense of employers in civil rights, unfair labor practice, and contract claims. He is regularly found appearing before the National Labor Relations Board, the Michigan Employment Relations Commission, and numerous arbitrators on behalf of his clients. He has bargained collective bargaining agreements with virtually every labor organization representing employees in Michigan including the UAW, the Teamsters, AFSCME, the OPEIU, and the organizations representing police and firefighters across the state. As to these latter organizations, he is well versed in the unique procedures and vagaries of Act 312 as it relates to the contracts for Police and firefighter bargaining units.

Steve is a frequent speaker and writer on topics of interest to employers and municipalities. Several times each year, you will find him presenting seminar sessions on a wide variety of topics relevant to employers in both the private and public sectors, and to cities, townships, counties, downtown development and other special authorities and public libraries. Over the years, Steve has served as the Chair of the governing council of the Public Corporation Law Section of the State Bar of Michigan and Editor of the "Public Corporation Law Quarterly." He has also served as an instructor of Local Government Administrative Law for the Masters of Public Administration Program at Oakland University in Rochester, Michigan and authored dozens of articles and contributed to publications for many years on a wide range of topics.

Steve was admitted to the Michigan Bar in 1978 after attending Wayne State University Law School. Prior to attending Wayne State, Mr. Schultz received a Bachelor of Arts from Oakland University and a Masters of Arts concentrating in Public Administration from Michigan State University.

Steve, and his charming wife, Jane, love spending their spare time with their three sons. When he finds a moment, though, he also enjoys a round of golf or roaring downhill on a pair of skis.

***Dedicated to serving your legal needs.***

REQUEST CONSULTATION

## Professionals

### Filter by Designations

Member

Of-Counsel





## Ronald A. Bultje

Member | GRAND RAPIDS

Email: [RBultje@dickinsonwright.com](mailto:RBultje@dickinsonwright.com) Phone: 616-336-1007 Fax: 844-670-6009

Ronald Bultje is a Member in Dickinson Wright's Grand Rapids office. His practice is concentrated in the areas of municipal law and labor relations. He represents numerous municipalities throughout the western half of Michigan's lower peninsula. He has extensive experience in advising legislative bodies, planning commissions, and zoning boards of appeal. In representing municipalities, Mr. Bultje provides a full array of services, including advice on contracts, intergovernmental relations, land transfers, governmental powers and authority, land use and zoning, utilities, millage matters, the Open Meetings Act, and the Freedom of Information Act. He also has participated in collective bargaining negotiations, unfair labor practice hearings, arbitration hearings, and unemployment hearings. Ronald has also provided counsel to municipalities and private sector employers regarding fair employment practices.

## Education & Credentials

### Education

#### University of Michigan Law School

J.D., 1978

• *cum laude*

#### Calvin College

B.A., 1976

### Bar Admission

#### Michigan

## Areas Of Practice

Government Affairs Government Contracts Labor & Employment Public Finance

# Acknowledgements

- *Best Lawyers in America*<sup>®</sup>
  - "Lawyer of the Year," Municipal Law, Grand Rapids, 2014
- *Martindale-Hubbell*<sup>®</sup> AV Rated

# Representative Clients

- City of Grand Haven
- Grand Haven Charter Township
- Holland Charter Township
- Fruitport Charter Township
- Zeeland Charter Township
- Pere Marquette Charter Township
- Spring Lake Township
- Robinson Township
- City of Norton Shores
- City of Alma
- Village of Spring Lake

# Prominent Assignments

Handled a Michigan Supreme Court case, *Ottawa County v. Jaklinski*, 423 Mich 1 (1985), which established that discharge grievances which arise after the expiration of a collective bargaining agreement are not subject to the grievance process in the expired agreement.

Handled a Michigan Court of Appeals case, *Miller v. Grand Haven Board of Education*, 151 Mich App 412 (1986), which established that in cases of teacher misconduct, a school board does not need to show detrimental effect suffered by students in order to discipline a teacher.

# Community Involvement

- Grand Haven Christian School Board of Education, Past President

- TCM Counseling Board of Directors, Past Board Member
- Tri-Cities Family YMCA, Past President
- American Cancer Society, Past Board Member
- Ottawa County Planning Department, Annual planning and zoning presentations

## Insights

AUGUST 20, 2020

IN THE NEWS

### 196 Dickinson Wright Attorneys Ranked in Best Lawyers in America® 2021 Edition

---

AUGUST 15, 2019

IN THE NEWS

### 183 Dickinson Wright Attorneys Ranked in Best Lawyers in America® 2020 Edition

---

JANUARY 2019

INDUSTRY ALERTS

### Michigan Small Wireless Communications Facilities Deployment Act Signed Into Law and FCC Small Cell Order Becomes Effective Soon

---

NOVEMBER 2018

INDUSTRY ALERTS

### What Voter Approval of Recreational Marihuana Means for Municipalities

---

AUGUST 15, 2018

IN THE NEWS

### 171 Dickinson Wright Attorneys Ranked in Best Lawyers in America® 2019

---

AUGUST 29, 2017

<https://www.dickinson-wright.com/our-people/ronald-a-bultje?tab=0>

IN THE NEWS

## Attorneys Ronald Bultje and Crystal Bultje Join Dickinson Wright's Grand Rapids Office

---

AUGUST 15, 2017

IN THE NEWS

## 168 Dickinson Wright Attorneys Ranked in Best Lawyers in America® 2018

©Copyright 2020 Dickinson Wright PLLC. Dickinson Wright PLLC is a Professional Limited Liability Company registered in the United States.

©Copyright 2020 Dickinson Wright LLP. Dickinson Wright LLP is a Limited Liability Partnership registered in Ontario, Canada. All Rights Reserved.

**DATE:** October 21, 2020

**TO:** City Commission

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

**SUBJECT:** City Manager Recruitment Firms

---

## INTRODUCTION:

At the City Commission meeting on October 19, 2020, the Commission directed staff to contact Mr. Tom Markus to discuss his interest in the City Manager position and to present a list of professional recruitment firms for the Commission to consider for administering a recruitment process. A discussion with Mr. Markus was scheduled for Friday, October 23, 2020 given his availability. This report listing professional municipal recruitment firms is also provided to the Commission for consideration.

## BACKGROUND:

There are numerous professional executive recruitment firms, but when considering those that focus or specialize in municipal executive recruitment, that list drops tremendously. A core list of national firms that perform municipal executive recruitments is attached for review. In addition, there is also a core list of professional municipal executive recruitment firms that do a majority of the work in Michigan for the Commission to consider. They are:

1. Michigan Municipal League Executive Recruitment Services
2. GovHR
3. AmyCell Talent

Because the Commission did not pursue a Request for Proposals to be issued and only for the administration to provide a list of firms to consider, I will offer some suggestions in order to provide a short list of firms known to have recent government clients for consideration. They are:

1. Michigan Municipal League Executive Recruitment Services
2. GovHR
3. AmyCell Talent
4. The Mercer Group, Inc.
5. The Prothman Company

## FISCAL IMPACT:

The cost of their services can vary based on the level of service provided, but each could be utilized for not more than \$25,000.

SUMMARY:

Information is enclosed on the short list of firms identified for review.

ATTACHMENTS:

- List of National Municipal Executive Recruitment Firms
- Firm service summaries for:
  1. Michigan Municipal League Executive Recruitment Services
  2. GovHR
  3. AmyCell Talent
  4. The Mercer Group, Inc.
  5. The Prothman Company

SUGGESTED RESOLUTION:

To direct the administration to obtain a proposal from \_\_\_\_\_ to perform an executive recruitment process for City Manager.

- [Job Seekers](#)
- [Employers](#)
- [Job Resources](#)
- [Search Firms](#)
- [About](#)

## Executive Search Firms

Search Firms

### Post Jobs

Government executive search firms utilize contacts in the public sector and years of experience to find suitable government professionals for government clients. They conduct detailed interviews and then selectively present candidates to clients.

Executive search firms can also assist in drafting job descriptions, employee agreements, etc. to draw in a pool of public sector professionals.

A listing of Government Executive Search Firms specializing in the public sector. This directory is for information purposes only. GovtJobs.com is not affiliated with any of the search firms listed.



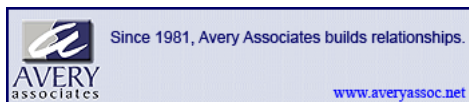
### Affion Public

20 North 2nd Street, Suite 200  
Harrisburg, PA 17101  
717.214.4922  
888.321.4922 (toll-free)



### Alliance Resource Consulting

400 Oceangate, Suite 510  
Long Beach, CA 90802  
(562) 901-0769  
Fax: (562) 901-3082  
Email: [info@allianceRC.com](mailto:info@allianceRC.com)



### William Avery & Associates, Inc.

3-1/2 N. Santa Cruz Avenue, Suite A  
Los Gatos, CA 95030  
(408) 399-4424  
Fax: (408) 399-4423  
E-mail: [jobs@averyassoc.net](mailto:jobs@averyassoc.net)



### Colin Baenziger & Associates

12970 Dartford Trail, Suite 8  
Wellington, FL 33414  
(561) 707-3537  
Fax: (561) 792-2137  
Email: [Colin@cb-asso.com](mailto:Colin@cb-asso.com)



### CPS HR Consulting

241 Lathrop Way  
Sacramento, CA 95815  
(916) 263-1401  
Fax: (916) 561-7205  
Email: [resumes@cpshr.us](mailto:resumes@cpshr.us)



**Koff & Associates, Inc.**

5400 Hollis Street, Suite 5  
Emeryville, CA 94608  
(510) 658-5633  
Fax: (510) 652-5633  
Email: [gkrammer@koffassociates.com](mailto:gkrammer@koffassociates.com)



**The Novak Consulting Group**

26 E. Hollister Street  
Cincinnati, OH 45219  
(513) 221-0500  
Email: [info@thenovakconsultinggroup.com](mailto:info@thenovakconsultinggroup.com)



**The Mercer Group, Inc.**

5579B Chamblee Dunwoody Road, Suite 511  
Atlanta, GA 30338  
(770) 551-0403  
Fax: (770) 399-9749  
Email: [mercerc@mindspring.com](mailto:mercerc@mindspring.com)



**The Prothman Company**

371 NE Gilman Blvd., Suite 350  
Issaquah, WA 98027  
206.368.0050  
Fax: 425.270.3496  
Email: [info@prothman.com](mailto:info@prothman.com)

**Slavin Management Consultants, Inc.**

3040 Holcomb Bridge Road, Suite A-1  
Norcross, GA 30071-1357  
(770) 449-4656  
Fax: (770) 416-0848  
Email: [slavin@bellsouth.net](mailto:slavin@bellsouth.net)



**Springsted Incorporated**

Corporate Headquarters  
85 Seventh Place East, Suite 100  
Saint Paul, MN 55101-2887  
(651) 223-3000  
Fax: (651) 223-3002  
Email: [advisors@springsted.com](mailto:advisors@springsted.com)



**GovHR USA**  
630 Dundee Road, Suite 130  
Northbrook, IL 60062  
Phone: 847.380.3240  
Fax: 866.401.3100  
Email: [Info@GovHRUSA.com](mailto:Info@GovHRUSA.com)



**The Waters-Oldani Executive Recruitment**  
5050 Quorum, Suite 625  
Dallas, TX 75254  
(800) 899-1669  
Fax: (972) 481-1951  
Email: [search@watersconsulting.com](mailto:search@watersconsulting.com)



**WBCP – W. Brown Creative Partners**  
2691 Elliott Avenue  
Medford OR 97501  
(541) 858-0376  
Fax: (866) 224-1423  
Email: [wendi@wbrowncreative.com](mailto:wendi@wbrowncreative.com)

**Search For Government Jobs**



Search and apply for local government jobs for city, county and state agencies.

search jobs

[View All Jobs](#)

Learn more

**Featured Government Jobs**

[Fire Protection Engineer](#)  
Albany, NY

[Library Manager II](#)  
Union City, CA

[Systems and Website Librarian](#)  
DeLand, FL

[Congressional Assistant III](#)  
Washington, DC

[Chief Financial Officer](#)  
Panama City, FL



Government Jobs By Category

- [Administration](#)
  - [Code Enforcement](#)
  - [Firefighting](#)
  - [Economic Development](#)
  - [Finance](#)
  - [Human Resources](#)
  - [Technology](#)
  - [City Attorney](#)
- [Parks & Recreation](#)
  - [Public Health](#)
  - [Police](#)
  - [Planning](#)
  - [Public Safety](#)
  - [Public Works](#)
  - [Auditor](#)
  - [Engineering](#)

Job Resources

- [Government Resume Samples](#)
- [State-by-State Government Resources](#)
- [Continuing Education](#)
- [Government Job Description Samples](#)
- [Government Salary Data](#)

Since 1997

Government Jobs By State

|                             |                             |                                |                                |
|-----------------------------|-----------------------------|--------------------------------|--------------------------------|
| <a href="#">Alabama</a>     | <a href="#">Illinois</a>    | <a href="#">Montana</a>        | <a href="#">Rhode Island</a>   |
| <a href="#">Alaska</a>      | <a href="#">Indiana</a>     | <a href="#">Nebraska</a>       | <a href="#">South Carolina</a> |
| <a href="#">Arizona</a>     | <a href="#">Iowa</a>        | <a href="#">Nevada</a>         | <a href="#">South Dakota</a>   |
| <a href="#">Arkansas</a>    | <a href="#">Kansas</a>      | <a href="#">New Hampshire</a>  | <a href="#">Tennessee</a>      |
| <a href="#">California</a>  | <a href="#">Kentucky</a>    | <a href="#">New Jersey</a>     | <a href="#">Texas</a>          |
| <a href="#">Colorado</a>    | <a href="#">Louisiana</a>   | <a href="#">New Mexico</a>     | <a href="#">Utah</a>           |
| <a href="#">Connecticut</a> | <a href="#">Maine</a>       | <a href="#">New York</a>       | <a href="#">Vermont</a>        |
| <a href="#">Delaware</a>    | <a href="#">Maryland</a>    | <a href="#">North Carolina</a> | <a href="#">Virginia</a>       |
| <a href="#">D.C.</a>        | <a href="#">Mass</a>        | <a href="#">North Dakota</a>   | <a href="#">Washington</a>     |
| <a href="#">Florida</a>     | <a href="#">Michigan</a>    | <a href="#">Ohio</a>           | <a href="#">West Virginia</a>  |
| <a href="#">Georgia</a>     | <a href="#">Minnesota</a>   | <a href="#">Oklahoma</a>       | <a href="#">Wisconsin</a>      |
| <a href="#">Hawaii</a>      | <a href="#">Mississippi</a> | <a href="#">Oregon</a>         | <a href="#">Wyoming</a>        |
| <a href="#">Idaho</a>       | <a href="#">Missouri</a>    | <a href="#">Pennsylvania</a>   |                                |

ABOUT GOVTJOBS

Founded in 1997, GovtJobs.com lists local government jobs in city, county, state levels. GovtJobs.com is one of the largest career sites focused exclusively on state and local government positions. We specialize in executive level state and local government job opportunities.

Our purpose is to provide an employment tool that adds value to the government recruitment process by providing cost-effective, easily accessible, targeted, and timely hires.

Designed as a niche-job website, GovtJobs match government job seekers with public sector employers. If you are looking to advertise a job opening or looking for employment in the public sector, GovtJobs is for you.

[Terms of Use](#) : [Privacy Policy](#) : [Contact Us](#)





# EXECUTIVE SEARCH

## Service Overview







michigan municipal league

The Michigan Municipal League has been committed to providing the best possible advocacy, resources, and service to Michigan communities since 1899. We provide our members with the tools and knowledge they need to effectively manage and develop their communities. With the League's intimate knowledge of communities' needs and challenges, we are in a unique position to provide a comprehensive executive search service.

The executive search service is a resource offered to strengthen the quality of municipal government and administration through successful placement of public leaders. The League is invested in the community before, during, and after the search and is dedicated to a long-term partnership. A typical League search takes at least 120 days and is customized to the specific needs of the community.



We love what's coming.

---

# Executive Search Overview

---

## Typical Service includes:

- Up to FOUR personal visits with the search facilitator
- Engagement of elected officials, department heads, and staff in the profiling process to facilitate consensus building around the necessary skills, knowledge, attributes, and team leadership expectations
- An extensive community profile and recruitment brochure
- Advanced marketing, including customized online advertising, targeted emails, and the League's social media
- Direct recruitment of passive candidates
- Personal pre-screening of viable applicants and reference checks
- Development of customized interview questions and the candidate selection format/process
- Assistance with the conditional offer of employment, background check, and contract negotiation

**Package Price:** \$17,000 for members and \$21,000 for nonmembers

## Enhanced Service includes:

### All Typical Services:

- Up to FIVE personal visits with the search facilitator
- Community roundtables during the profile processes
- Open house during interview process

**Package Price:** \$19,000 for members and \$23,000 for nonmembers



### For a less complex search, the Basic Service includes:

Up to THREE personal visits with the search facilitator, which includes one day dedicated to interviews

- A community profile and recruitment brochure
- Standard marketing and advertising
- Personal pre-screening of viable applicants and reference checks
- Development of customized interview questions and the candidate selection format/process
- Background check

**Package Price:** \$14,000 for members and \$17,000 for nonmembers

### Optional Services (Priced per service in addition to package cost):

- Community outreach meetings and public forums
- Social event or non-traditional setting for candidate screening
- Preliminary background checks at point of interview
- Media packet with press releases provided for the local media at key points



We love what's coming.

# Services at a Glance

| SEARCH TASKS                              | Search Levels |         |          |
|-------------------------------------------|---------------|---------|----------|
| PROFILING PROCESS                         | Basic         | Typical | Enhanced |
| Engagement of Elected Officials           | ●             | ●       | ●        |
| Engagement of Department Heads and Staff  |               | ●       | ●        |
| Engagement of Community Members           |               |         | ●        |
| Review Compensation Package               | ●             | ●       | ●        |
| Standard Candidate Profile and Brochure   | ●             | n/a     | n/a      |
| Extensive Candidate Profile and Brochure  |               | ●       | ●        |
| ADVERTISING & MARKETING                   | Basic         | Typical | Enhanced |
| Placement in League Classifieds Website   | ●             | ●       | ●        |
| Standard Advertising (up to 3 job boards) | ●             | n/a     | n/a      |
| Advanced Advertising                      |               | ●       | ●        |
| Social Media Announcements                | ●             | ●       | ●        |
| Direct Recruitment of Passive Candidates  |               | ●       | ●        |





| SEARCH TASKS                                                  | Search Levels |         |          |
|---------------------------------------------------------------|---------------|---------|----------|
| CANDIDATE SCREENING & SELECTION                               | Basic         | Typical | Enhanced |
| Pre-Screening Activities/Application Analysis                 | •             | •       | •        |
| Develop Standard Interview Format and Questions               | •             | n/a     | n/a      |
| Develop Robust Interview Format and Questions                 |               | •       | •        |
| Attendance During Interview Process                           | •             | •       | •        |
| Assist and Attend Open House Function                         |               |         | •        |
| Extend Conditional Offer w/ Sample Contract                   | •             | •       | •        |
| Initiate Contract Negotiations                                |               | •       | •        |
| Conduct Full 3 <sup>rd</sup> -party Background Check          | •             | •       | •        |
| <b>OUR GUARANTEE</b><br>*Applies to municipal executives only | Basic         | Typical | Enhanced |
| Our One-Year Guarantee                                        |               | •       | n/a      |
| Our Two-Year Guarantee                                        |               |         | •        |





michigan municipal league

## Prepared by the Michigan Municipal League

Mandy M. Reed, PHR  
Manager, Human Resources  
1675 Green Road  
Ann Arbor, MI 48105  
734.669.6361  
[mreed@mml.org](mailto:mreed@mml.org)

Heather Elliott  
Human Resources Assistant  
1675 Green Road  
Ann Arbor, MI 48105  
734.669.6362  
[helliott@mml.org](mailto:helliott@mml.org)

# RECRUITING SERVICES

**GovHR USA**  
offers tiered services  
to meet your  
recruitment needs.



## EXECUTIVE RECRUITMENT FULL SCOPE *Call for Quote*

- Develop detailed brochure and position announcement
- Post position announcement to approved advertising sources, GovHR's social media sources and extensive email outreach
- Candidate evaluation/top candidates selected (approx. 10-20)
- Conduct Skype interview, reference checks, social media and Google search of select group
- Presentation of candidates with client (candidate pool narrowed for interview)
- Schedule candidate interviews
- Full background screening, additional reference checks and news media search conducted
- Present draft interview questions
- Consultant will facilitate interviews of top candidates
- Assist with negotiations and offer to selected candidate
- Notify all applicants of appointed candidate

## EXECUTIVE RECRUITMENT LIMITED SCOPE *Call for Quote*

- Develop two-page flyer and position announcement
- Post position announcement to approved advertising sources, GovHR's social media sources and extensive email outreach
- Candidate evaluation/top candidates selected (approx. 10-20)
- Conduct Skype interview, reference checks, social media and Google search of select group
- Presentation of candidates with client (candidate pool narrowed for interview)
- Notify all applicants of appointed candidate

## VIRTUAL RECRUITMENT \$7,500 *(plus advertising)*

- Develop two-page position announcement
- Post position announcement to approved advertising sources and GovHR's social media sources and extensive email outreach
- Share announcement with GovHR's professional network
- Prepare assessment matrix that matches candidate's qualifications against position requirements
- Submit top tier candidates to client immediately after deadline



## PROFESSIONAL OUTREACH \$2,750 *(plus advertising)*

- Develop two-page position announcement
- Post position announcement to approved advertising sources and GovHR's social media sources and extensive email outreach
- Share announcement with GovHR's professional network
- Submit all resumes to client immediately after deadline



**GovHR USA**  
847-380-3240  
info@GovHRusa.com  
www.GovHRusa.com



## COVID-19 INFORMATION AND RESOURCES

### Executive Recruiting

GovHR USA employs a team of professionals with backgrounds in local government and the not-for-profit sector. The firm offers full-service executive recruitment and selection services that are customized to meet the organization's individual needs. These services include a thorough analysis of the organization, in addition to a comprehensive understanding of the hiring authority's expectations. Through the firm's experience with hundreds of placements over the last decade, the GovHR USA team provides a growing pool of highly-qualified candidates who are well-suited to handle the challenges and expectations of professional positions in local government and the not-for-profit sector.

Executive recruiting/selection services offer substantial value to GovHR USA organizations, and include:

**The Highest Quality Services Available.** More than one-third of the organizations served by GovHR USA are repeat organizations. There is no greater testament to the level of service a firm provides, than by being hired on an ongoing basis.

**Thorough and Timely Hiring Processes for Organizations.** Through a strong and accountable partnership between the hiring organization and the firm, GovHR USA follows a detailed recruitment schedule, offering 90-day executive recruiting services, from initiation of the contract to the appointment of a candidate.

**Comprehensive Outreach to Candidates.** GovHR USA utilizes the latest communication tools, including social media, to have access to the most qualified candidates. The firm also subscribes to national databases for public management employees, and maintains its own database of candidates. Additionally, GovHR USA

## COVID-19 INFORMATION AND RESOURCES

### Organization

ACMA Harvard Program

American Staffing Association

American Public Works Association

Arizona State Capital Chapter of NIGP

Colorado Municipal League

Colorado City/County Management Association

DuPage Mayors & Managers Conference

Engaging Local Government Leaders

Evanston Police and Fire Foundation

Government Finance Officers Association

Illinois Association of Municipal Management Assistants

Illinois Association of Park Districts

Illinois Government Finance Officers Association

Illinois City/County Management Association

ILCMA Secretariat

Illinois Metro Managers Association

Illinois Municipal League

Illinois Public Employee Labor Relations Association

Indiana Municipal Management Association

Inspiring Women in Public Administration





## **COVID-19 INFORMATION AND RESOURCES**

n

Iowa League of Cities

Local Government Hispanic Network

League of California Cities

League of Women in Government

League of Wisconsin Municipalities

Legacy Project

Maryland Municipal League

Massachusetts Municipal Association

Metro Mayors Caucus

Missouri City/County Management Association

Missouri Municipal League

Municipal Management Association of Northern California

Michigan Municipal Executives

Michigan Municipal League

Municipal League Metro St. Louis

North Carolina City/County Management Association

North Carolina Chapter of the International Public Management Association

Northwest Municipal Conference

National Forum for Black Public Administrators

National Public Employer Labor Relations Association

Pinal Partnership (Pinal County, AZ)



## COVID-19 INFORMATION AND RESOURCES

Society for Human Resources Management

Sommer Foundation

Triangle J Council of Governments

Virginia Municipal League

Washington City/County Management Association

Wisconsin City/County Management Association

Wisconsin Government Financial Officers Association



*This list demonstrates our participation with the noted organizations over the past three years.*

### Scope of Services

#### **Executive Recruitments**

- Develop detailed marketing brochure and position announcement
- Post position announcement to approved advertising sources, GovHR's social media sources and extensive email outreach
- Candidate evaluation/top candidates selected (approx. 10-20)
- Conduct Skype interview, reference checks, social media and google search of select group
- Presentation of candidates with client (candidate pool narrowed for interview)
- Schedule and facilitate candidate interview process, which is tailored to meet the Client's specific needs

## **COVID-19 INFORMATION AND RESOURCES**

- Consultant present at interviews of top candidates
- Assist with negotiations and offer to selected candidate
- Notify all applicants of appointed candidate

### **Executive Recruitments – Limited Scope**

- Develop two-page flyer and position announcement
- Post position announcement to approved advertising sources, GovHR's social media sources and extensive email outreach
- Candidate evaluation/top candidates selected (approx. 10-20)
- Conduct Skype interview, reference checks, social media and google search of select group
- Presentation of candidates with client (candidate pool narrowed for interview)
- Notify all applicants of appointed candidate

### **Virtual Recruitments**

- Develop two-page position announcement
- Post position announcement to approved advertising sources and GovHR's social media sources
- Prepare assessment matrix that matches candidate's qualifications against position requirements
- Schedule candidate interviews
- Present draft interview questions
- Share announcement with GovHR's professional network
- Conduct reference checks for finalist candidate
- Submit top tier candidates to client immediately after deadline

### **Professional Outreach**

- Develop two-page position announcement



X sing sources and GovHR's

## **COVID-19 INFORMATION AND RESOURCES**

network

- Submit all resumes to client immediately after deadline

If your organization needs assistance in locating highly-qualified talent for open professional positions, call GovHR USA today at 847-380-3240 to learn how the firm can assist you.

### **Work With Us**

---

For information on how we can assist your organization:

GovHR USA

Main: 847-380-3240

Fax: 866-401-3100

[info@govhrusa.com](mailto:info@govhrusa.com)

GovTempsUSA

Main: 847-380-3240 x 104

Fax: 866-803-1500

[info@govtempsusa.com](mailto:info@govtempsusa.com)

**Visit Career Center**

**Find Expert Advice**

**Scope of Services**



**f** (<https://www.facebook.com/Amy-Cell-Talent-834623329964545/>) **t** (<https://twitter.com/AmyCellTalent>)  
**in** (<https://www.linkedin.com/company/amy-cell-llc>)



## Talent Acquisition

LET US CONNECT YOU TO GREAT TALENT - WE LOVE MAKING MATCHES! WE ARE FAST, EXPERIENCED, AFFORDABLE AND WILL PARTNER WITH YOU THROUGHOUT THE PROCESS.

We provide affordable and effective talent acquisition services utilizing best in class tools and our extensive network of technical, startup and executive talent. This results in a candidate pool within days or weeks at a fraction of the regular executive search firm fees.

- Step one: We get to know your company and culture. We understand your business challenges and how this position will fit into your goals.
- Step two: We will craft a job description that effectively sells the opportunity to the right people.
- Step three: We market the position and do targeted outreach utilizing LinkedIn and our vast network of contacts.
- Step four: We curate the applicant pool and screen them for a variety of hard and soft skills.
- Throughout the process we provide strategic HR and recruiting advice to help you make the right talent decisions for your organization.

## FEES

### BASIC SEARCH

Retain us to do a 60 day talent search. We provide you with a pool of qualified, interested, and pre-screened candidates:

- Executive Talent (C-Level or VP) - \$3500
- Experienced Software & Engineering Talent - \$3500
- Experienced Talent (non-software/engineering) - \$2500
- Entry Level Talent (no work experience is required) - \$1500

### FULL-SERVICE SEARCH

We can provide a full range of talent acquisition services and are happy to put together a proposal that includes any or all of the following:

- Managing a search committee
- Interviewing stakeholders to determine the attributes needed in the position

- Targeted outreach
- Screening interviews
- Background & Reference checking
- Cyber review
- Onsite interview scheduling
- Offer negotiation
- Relocation and partner support assistance



[f](https://www.facebook.com/Amy-Cell-Talent-834623329964545/) (https://www.facebook.com/Amy-Cell-Talent-834623329964545/) 
 [t](https://twitter.com/AmyCellTalent) (https://twitter.com/AmyCellTalent) 
 [in](https://www.linkedin.com/company/amy-cell-llc) (https://www.linkedin.com/company/amy-cell-llc)



These are a few of the services that can be added onto a basic search at any time:

- Screening interview: \$250 per candidate
- Basic background check: \$200
  - Driver's license search and driving history: \$50
- Reference check: \$300 per candidate (includes up to three references)
- Compensation report: \$200

## TALENT ACQUISITION SUCCESSES & TRACK RECORD

Here is a small sample of positions that we have successfully filled:

- Accounting Manager
- Advisor
- City Manager
- Chief Executive Officer (CEO)
- Chief Technology Officer (CTO)
- Controller
- Development Operations Manager
- Executive Assistant
- Executive Director
- HR Consultant
- Investment Analyst
- Lab Scientist
- Mechanical Engineer
- Mentor-in-Residence
- Project Engineer
- Software Developer
- Robotics Engineer
- Recruiter
- Sales Manager
- Web Application Developer and more.
- VP Clinical Operations

Testimonials are posted here ([/about/testimonials/](#)).

Additional references are happily provided upon request (<http://www.amycelltalent.com/contact/>).



To learn more, feel free to contact me at Amy@AmyCellTalent.com (mailto:Amy@AmyCellTalent.com?subject=Talent%20Acquisition) or 734-657-0370.



- ➔ Talent Acquisition (<https://www.amycelltalent.com/employer-headhunting-services/talent-acquisition/>)
- ➔ Human Resources Services (<https://www.amycelltalent.com/employer-headhunting-services/human-resources/>)



- ➔ Browse Available Talent (<https://www.amycelltalent.com/employer-headhunting-services/browse-available-talent/>)
- ➔ 360 Degree Feedback Service (<https://www.amycelltalent.com/employer-headhunting-services/360-degree-feedback-service/>)
- ➔ Outplacement Support (<https://www.amycelltalent.com/employer-headhunting-services/outplacement-support/>)
- ➔ COVID Connections (<https://www.amycelltalent.com/employer-headhunting-services/covid-connections/>)

## RECENT ARTICLES

Amy's Conflict Management Tips (<https://www.amycelltalent.com/about/blog/post/amys-conflict-management-tipsnn-n/>)

09/29/2020

Kiwanis Club Code Of Conduct Training (<https://www.amycelltalent.com/about/blog/post/-kiwanis-club-code-of-conduct-training/>)



07/17/2020

Organization Structure: Considerations For Small Businesses (<https://www.amycelltalent.com/about/blog/post/organization-structure-considerations-for-small-businessesn/>)

06/30/2020

4 Steps To Get Back To Work (<https://www.amycelltalent.com/about/blog/post/4-steps-to-get-back-to-work/>)

05/20/2020

## LATEST TWEETS



**f** (<https://www.facebook.com/Amy-Cell-Talent-834623329964545/>)

**t** (<https://twitter.com/AmyCellTalent>)

Oct 5, 2020

**in** (<https://www.linkedin.com/company/amy-cell-llc>)



Happy Friday! And yes, another wonderful newsletter for you this week with information on job openings, webinars, and more! Check it out here: [View on Twitter](#)

[Embed](#)

[View on Twitter](#)

## EMPLOYER SERVICES

Talent Acquisition (<https://www.amycelltalent.com/employer-headhunting-services/talent-acquisition/>)

Human Resources Services  
(<https://www.amycelltalent.com/employer-headhunting-services/human-resources/>)

Consultant / Advisor Database  
(<https://www.amycelltalent.com/employer-headhunting-services/consultant-advisor-database/>)

Browse Available Talent  
(<https://www.amycelltalent.com/employer-headhunting-services/browse-available-talent/>)

360 Degree Feedback Service  
(<https://www.amycelltalent.com/employer-headhunting-services/360-degree-feedback-service/>)

Outplacement Support  
(<https://www.amycelltalent.com/employer-headhunting-services/outplacement-support/>)

COVID Connections (<https://www.amycelltalent.com/employer-headhunting-services/covid-connections/>)

## ABOUT US

(/about/)We love being part of the talent-meets-opportunity dynamic and have connected people to over 700 job openings since 2015. We're talent consultants and human resource experts focused on supporting companies and communities with their talent needs.

## JOB SEEKER PROGRAMS

Browse Job Postings (<https://www.amycelltalent.com/job-seeker-programs/browse-job-postings/>)

Career Coaching & Job Search Assistance  
(<https://www.amycelltalent.com/job-seeker-programs/advising-packages/>)

Quick Career Chat (Schedule Here)  
(<https://www.amycelltalent.com/job-seeker-programs/quick-career-chat/>)

Startup Consultant / Advisor Opportunities  
(<https://www.amycelltalent.com/job-seeker-programs/startup-consultant-advisor-opportunities/>)

Free Job Seeker Resources (<https://www.amycelltalent.com/job-seeker-programs/free-job-seeker-resources/>)

[LEARN MORE \(/ABOUT/\)](#)[CONTACT \(/CONTACT/\)](#)**STAY CONNECTED**

[\(https://www.facebook.com/Amy-Cell-Talent-834623329964545/\)](https://www.facebook.com/Amy-Cell-Talent-834623329964545/) [🐦 \(https://twitter.com/AmyCellTalent\)](https://twitter.com/AmyCellTalent)  
[in \(https://www.linkedin.com/company/amy-cell-llc\)](https://www.linkedin.com/company/amy-cell-llc)



📞 734-747-2936 (tel:+1-734-747-2936)

✉ info@amycelltalent.com (mailto:info@amycelltalent.com)

📍 Based out of Ann Arbor, Michigan



(https://www.facebook.com/Amy-

Cell- (https://www.linkedin.com/company/amy-

Talent- [🐦](https://twitter.com/amy-cell-834623329964545) cell-

834623329964545) (https://www.facebook.com/AmyCellTalent)

© 2020 Amy Cell Talent | [Privacy \(/privacy/\)](#) | Website Powered By BSLLC (<http://www.bensayers.net/>)



# The Mercer Group, Inc.

Exceptional quality management consulting for the Public and Private Sectors

[Home](#)[Services](#)[Consultants](#)[Alliances](#)[Clients](#)[Current Searches](#)[About Us](#)[Contact](#)

## Mission Statement

*To make our clients proud that they engaged us to provide management consulting services for them.*

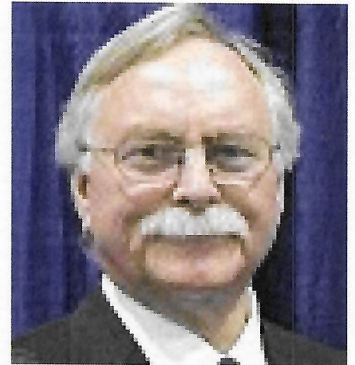


## About Us

The Mercer Group, Inc. is an independent management consulting firm incorporated in the State of Georgia and operating nationwide.

The firm was founded by James L. Mercer, a management consultant of more than 40 years in the public and private sectors and a former Assistant City Manager. He has written and co-authored six books and more than three hundred articles on various phases of public management.

The Mercer Group is recognized as one of the finest management consulting and executive search firms in the United States, concentrating on work for local governments and special districts. The firm currently has 21 offices spread geographically across the United States and a staff of 31 highly trained professionals to serve its clients. Specialty practice areas include organization and management studies, compensation and classification plans, executive search, strategic planning and a number of related areas.



### *James L. Mercer - Bio*

Growth, change, and cost pressures are all catalysts for engaging management consultants.

Engage the best  
Contact Us Today!

# The Mercer Group, Inc.

Exceptional quality management consulting for the Public and Private Sectors

[Home](#) [Services](#) [Consultants](#) [Alliances](#) [Clients](#) [Current Searches](#) [About Us](#) [Contact](#)

## Mission Statement

*To make our clients proud that they engaged us to provide management consulting services for them.*



## Clients

After over twenty years in the business, The Mercer Group, Inc. has served literally hundreds of satisfied clients. Primarily these clients have been Municipal and State Governments, but even Universities and Fortune 100 corporations have utilized the Mercer Group to help with organizational improvement and executive recruitment.

The following list of client referrals is representative, but not inclusive.

Aetna Life Insurance Company

Action Longview, Inc.

Agripost, Inc.

Alachua County, Florida

Alpha & Omega Data Processing, Inc.

American Association for the Advancement of Science

American Management Society

American Production and Inventory Control Society

American Public Works Association

American Society for Public Administration

Anna Maria, Holmes Beach and Bradenton Beach Consolidation Commission, Florida

Anoka County, Minnesota

Architects/Diversified, Inc., Tampa, Florida

Arlington County, Virginia

Associated Utility Consultants

Association of County Commissioners of Georgia

Arrowhead Regional Development Authority, Duluth, Minnesota

Atlanta Chamber of Commerce

Atlanta/Fulton County Community Action Authority

City of Abilene, Texas

City of Akron, Ohio

City of Alexandria, Virginia

Growth, change, and cost pressures are all catalysts for engaging management consultants.

Engage the best  
Contact Us Today!



City of Ann Arbor, Michigan  
City of Arlington, Texas  
City of Asheville, North Carolina  
City of Aspen, Colorado  
City of Atlanta, Georgia  
City of Auburn, Maine  
City of Aurora, Colorado  
City of Austin, Texas  
University of Arizona  
Battelle Memorial Institute  
Baxley, Georgia Chamber of Commerce  
Beaufort County, South Carolina  
BellSouth Services  
Bionetics Corporation  
Birmingham-Jefferson County Transit Authority  
Business Records Corporation  
Butler County, Ohio  
City of Beavercreek, Ohio  
City of Berkeley, Missouri  
City of Birmingham, Alabama  
City of Boca Raton, Florida  
City of Bowling Green, Kentucky  
CDC Federal Credit Union  
Clarke County, Georgia  
Cleveland Advanced Manufacturing Program, Cleveland, Ohio  
The Coca-Cola Company  
Colonial Williamsburg Foundation  
Colorado Governmental Finance Officers Association  
Colorado Municipal League  
Colorado Springs Utilities  
Columbus Water Works, Georgia  
Commission on Metropolitan Government of Austin/Travis County, Texas  
Consolidation Consideration Committee; Anna Maria, Holmes Beach, & Bradenton Beach, FL  
Contract Services Association  
Conyers/Rockdale County, Georgia Consolidation Commission  
Coopers & Lybrand  
Corpus Christi Chamber of Commerce  
Costa Rican Government  
California Polytechnic State University, San Luis Obispo  
California State Government  
Capital Area Transportation Authority, Lansing, Michigan

Carnegie-Mellon University  
Carteret County, North Carolina  
CDC Federal Credit Union  
Charlotte, North Carolina, Housing Authority  
Chesterfield County, Virginia  
Children's Board of Hillsborough County, Florida  
Children's Services Council of Palm Beach County, Florida  
City of Carrollton, Texas  
City of Charlotte, North Carolina  
City of Charlottesville, Virginia  
City of Chesapeake, Virginia  
City of Corpus Christi, Texas  
Town of Chapel Hill, North Carolina  
City of Dallas, Texas  
City of Davenport, Iowa  
City of Decatur, Illinois  
City of Defiance, Ohio  
City of Delray Beach, Florida  
City of Del Rio, Texas  
City of Denton, Texas  
City of Duluth, Georgia  
City of Durham, North Carolina  
Davis County, Utah  
Decatur Housing Authority, Illinois  
DeKalb Community College  
DeKalb County Schools  
Delaware County, Pennsylvania  
Dewar Information Systems Corporation  
Doherty & Company, Inc.  
Durham County, North Carolina  
City of East Point, Georgia  
City of East Lansing, Michigan  
City of Eugene, Oregon  
City of Evanston, Illinois  
Explore Bookstore & Coffeehouse, Aspen, Colorado  
City of Fairmont, Minnesota  
City of Fayetteville, Arkansas  
City of Fort Lauderdale, Florida  
City of Fort Worth, Texas  
Fairfax County, Virginia  
Florida Association of Counties

Florida Power & Light  
Florida Power Corporation  
Forsyth County, North Carolina  
Fulton County, Georgia  
City of Gainesville, Florida  
City of Grapevine, Texas  
City of Greensboro, Georgia  
City of Greensboro, North Carolina  
City of Greenville, South Carolina  
City of Gulfport, Florida  
Georgia Education Leadership Program  
Georgia Institute of Technology  
Georgia Municipal Association  
Georgia Power Company  
Georgia State University  
Government Training Service, Minnesota  
Government of The Netherlands  
Great Atlantic, Inc.  
Guilford County, North Carolina  
Gulfside Resorts  
Gwinnett County, Georgia  
City of Hamilton, Ohio  
City of Hampton, Virginia  
City of High Point, North Carolina  
City of Houston, Texas  
Henrico County, Virginia  
Henry County, Georgia  
Hillsborough County, Florida - Planning Commission;  
Environmental Protection Commission  
City of Independence, Missouri  
IBEX, Inc.  
IBM Corporation  
Indian River County, Florida  
Institute of Government, University of Georgia  
Institute of Government, University of North Carolina at Chapel Hill  
Institute of Industrial Engineers  
Institute of Technology, Juarez, Mexico  
International City Management Association  
International Institute of Municipal Clerks  
International Personnel Management Association  
International Word Processing Association



Ithaca Housing Authority, New York  
City of Jacksonville, North Carolina  
City of Jersey City, New Jersey  
Jefferson County Personnel Board, Alabama  
Jefferson Parish, Louisiana  
J. L. Associates, Inc.  
Johnson Controls World Services, Inc.  
Town of Jackson, Wyoming  
City of Kerrville, Texas  
City of Kettering, Ohio  
Kannapolis, North Carolina Chamber of Commerce  
Keith & Schnars, P.A.  
Kentucky Municipal League  
City of Lakewood, Colorado  
City of La Porte, Texas  
City of Largo, Florida  
City of Laurel, Mississippi  
City of Lincoln, Nebraska  
City of Little Rock, Arkansas  
City of Louisville, Kentucky  
Leon County, Florida  
Lower Merion Township, Pennsylvania  
Laidlaw Transit  
Leadership Pinellas County, Florida  
Lee County, Virginia  
Town of Longboat Key, Florida  
City of Miamisburg, Ohio  
City of Middletown, Ohio  
City of Minneapolis, Minnesota  
City of Monroe, Michigan  
City of Morristown, Tennessee  
Management Improvement Corporation of America  
Manatee County, Florida  
Maple Leaf Estates Homeowners Association, Florida  
Martin County, Florida  
Maxwell School, Syracuse University  
Mecklenburg County, North Carolina  
Metropolitan Government of Nashville, Tennessee  
Miami Township, Ohio  
Michigan Municipal League  
Middle South Utilities

Minnesota City Management Association  
Minnesota Information Science and Librarian's Association  
Mississippi Gulf Coast Junior College  
Mutual of New York  
University of Michigan  
Urban Mass Transit Administration  
City of Newport News, Virginia  
City of Norfolk, Virginia  
City of Norman, Oklahoma  
City of North Little Rock, Arkansas  
City of North Miami Beach, Florida  
National Aeronautics and Space Administration  
National Highway Traffic Safety Administration  
National Science Foundation  
North Carolina League of Municipalities  
North Carolina State University  
Nueces County, Texas  
University of Nevada, Reno  
City of Odessa, Texas  
City of Oklahoma City, Oklahoma  
Onslow County, North Carolina  
Orange County, North Carolina  
Oregon Municipal Finance Officer's Association  
University of Oklahoma  
City of Pasadena, California  
City of Pascagoula, Mississippi  
City of Pensacola, Florida  
City of Petersburg, Virginia  
City of Pueblo, Colorado  
Palm Beach County, Florida  
Palm Beach County Health Care District, Florida  
Pensacola-Escambia Development Commission, Florida  
Pennsylvania Local Government Managers  
Pennsylvania Association of County Commissioners  
Pierce County, Washington, Transit Authority  
Pinellas County, Florida  
PlyWorld, Inc.  
Polk County, Florida  
Portsmouth, Virginia, Redevelopment and Housing Authority  
Privatization Partnerships, Inc.  
Proctor & Gamble

Public Manager's Training and Advisory Service, Florida

Public Technology, Inc.

City of Raleigh, North Carolina

Ramsey County, Minnesota

Regional Redevelopment and Housing Authority ; Hampton and Newport News, Virginia

R & R Builders, Inc.

City of St. Louis Park, Minnesota

City of St. Petersburg, Florida

City of San Diego, California

City of San Jose, California

City of Sarasota, Florida

City of Saskatoon, Saskatchewan

City of Shawnee Mission, Kansas

City of Sioux City, Iowa

City of Sparks, Nevada

City of Spartanburg, South Carolina

City of Spokane, Washington

Santa Rosa County, Florida

St. Louis County, Minnesota

Saline County, Kansas

Sarasota County, Florida

Shop 'N Chek, Inc.

Simmons, USA

South Brunswick Township, New Jersey

Southeastern City and County Management Association

Southeastern Public Service Authority, Virginia

Southern Bell Special Services

Spartanburg Housing Authority, South Carolina

Spartanburg Water & Sewer System

State of Georgia

State of New Mexico

State of Ohio

State of South Carolina

University of South Carolina

City of Thornton, Colorado

City of Topeka, Kansas

City of Tucson, Arizona

City of Tulsa, Oklahoma

City of Tyler, Kansas

Tampa Bay Electric

Tampa Urban Area Metropolitan Planning Organization



Taratec Corporation  
Tennessee Valley Authority  
Texas City Management Association  
Texas Municipal League  
Travis County, Texas  
University of Texas at Austin  
University of Texas at Tyler  
U.S. Agency for International Development  
U.S. Department of Commerce  
U.S. Department of Housing and Urban Development  
U.S. Department of Justice  
U.S. Department of Transportation  
City of Virginia Beach, Virginia  
Venezuelan Productivity Commission  
Village of Minster, Ohio  
Virginia Air and Space Center and Hampton Roads History Center  
Virginia City/County Manager's Association  
Virginia Peninsula Airport Commission  
Virginia Peninsula Economic Development Council  
City of Waco, Texas  
City of Waleska, Georgia  
City of West Carrollton, Ohio  
City of West Des Moines, Iowa  
City of West Palm Beach, Florida  
Town of West Hartford, Connecticut  
City of Wilmington, North Carolina  
City of Wilson, North Carolina  
City of Winston-Salem, North Carolina  
City of Winter Haven, Florida  
City of Worcester, Massachusetts  
City of Worthington, Minnesota  
State of Wyoming  
Wake County, North Carolina  
Wang Laboratories  
West Palm Beach Downtown Development Authority

## About Us

### **About Prothman**

Prothman specializes in providing national and regional executive recruitment services to large and small cities, counties, special districts, non-profits, and other governmental agencies throughout the United States. Driven by our passion for local government, Prothman is known and respected for our outstanding customer service, quality candidate pools, and firsthand knowledge of local government.

### **Our Expertise**

**Recruitment Knowledge and Experience:** The Prothman team has conducted over 500 recruitments and interim placements. We have read and screened over 15,000 resumes, and we have personally interviewed over 6,000 semifinalist candidates. We know how to read between the lines, filter the fluff, and drill down to the qualities and experiences required to be a good manager.

**Firsthand Knowledge of Local Government:** Every Prothman team member has worked in local government. Our talented consultants have a cumulative 180 years in local government service, with expertise ranging from organization management, police and fire management, human resources, finance, planning, public works, and elected official public service.

### **Our Proven Process**

Clients and candidates continually tell us that we have the best process and client service in the industry. The tenure of our placements is among the best in the industry because we understand that "fit" is the most important part of the process; not just fit within your organization but fit within the community as well.

### **Our Team**

#### **Greg Prothman**

As President of the Prothman Company, Greg offers a unique combination of 20+ years of experience in various functions of government and 19 years of experience in public sector recruitment. Prior to forming the Prothman Company, Greg served as a police officer for the University of Washington and the City of Renton. He left police work after completing his master's in public administration and spent nine years as city manager for the city of Des Moines, Washington. A Seattle native, Greg completed his BA at Western Washington University and his Master of Public Administration degree from the University of Washington. Greg is a volunteer firefighter/EMT at Snoqualmie Fire Department and is a member of SMR (Seattle Mountain Rescue).

#### **Sonja Prothman**

As Vice-President, Sonja directs the day-to-day operations of the Prothman Company and assists with recruitments, interim placements, and organizational assessments. Sonja is a former councilmember for the City of Normandy Park, Washington, and brings to Prothman the "elected official" side of city government - an invaluable perspective for understanding our clients' needs. A Seattle native, Sonja earned a Bachelor's Degree in Communications from the University of Washington.

#### **John Hodgson**

John is a senior consultant for Prothman and brings 33 years of municipal service including, most recently, 7 ½ years as City Administrator/Chief Administrative Officer for the City of Kent, the sixth largest city in the state of Washington. Prior to that, he had 26 years in parks and recreation management for the cities of Vancouver, WA, Metropolitan Park District of Tacoma, and Director of Parks, Recreation and Community Services for the City of Kent from 1994-2005. John served as president of the Kiwanis Club of Kent, president of Washington Recreation and Parks Association (WRPA), president of the Regional Council of the National Recreation and Parks Association (NRPA), and is founder and current president of the Kent Parks Foundation. John's awards for his service include Kent Chamber of Commerce Public Employee of the Year, WRPA Honor Fellow, Kiwanis Distinguished President, and the Kent Lions Club Community Service Award. John has a Bachelor of Science degree in Parks and Recreation Management from the University of Oregon (1980) and completed the Cascade Management Series from the University of Washington Graduate School of



Public Affairs (1992).

#### **Steve Worthington**

Steve is a senior consultant for Prothman and brings more than 30 years of successful leadership in local government. He is currently in his second four-year term as a council member for the City of University Place, Washington, and is now serving as Mayor Pro Tem, as well. Prior to retirement, after 6 years as the City Manager for the City of Fife, Washington, Steve served as Community Development Director for six years in Fife and for nine years for the City of Cheney, Washington. Steve was also an economic development specialist for the Spokane WA Economic Development Council, a member of the Association of Washington Cities Legislative Task Force, and an Economic Development Board Tacoma/Pierce County Trustee. Steve has a Bachelor of Arts degree in Speech Communications from the University of Washington, and a Master of Public Administration degree from Eastern Washington University.

#### **Bill McDonald**

Bill has been associated with the Prothman team for nearly 15 years and brings 42 years of experience in local government in Washington and Oregon. With nearly 30 years experience as a City Manager/Administrator, his past service includes City Manager, Puyallup, WA, City Administrator, DuPont, WA, City Manager, Snohomish, WA, and City Manager, Clatskanie, OR. He has also been a County Commissioner for Columbia County, OR, Assistant to the City Manager, Milwaukie, OR, Operational Planner for Clackamas County, OR, and Planner/Analyst for the Columbia Region Association of Governments (now Metro). Bill has a MPA from Portland State University. His awards include the 2010 Excellence Award from the Washington City County Management Association.

#### **Gary Milliman**

Recognized by the International City/County Management Association (ICMA) with the highly prestigious Career Excellence Award, Gary brings more than 45 years of experience in city management and public affairs to the Prothman team. Gary has served as a City Manager in cities with populations ranging from 2,800 to 105,000 in California and Oregon, with 35-450 employees. In South Gate, California, he was principally responsible for rebuilding that city's organization, financial stability and reputation following a period of political corruption and mismanagement. Gary has served as City Manager in Cotati, Fort Bragg and Bell Gardens, California, and in Brookings, Oregon, as well as serving as Southern California Director for the League of California Cities. He has also been recognized by ICMA with the Management Innovation Award and as a Life Member. Gary recently received the prestigious Herman Kehrli Award for his outstanding public service career from the League of Oregon Cities. Having completed an undergraduate degree in journalism, Gary earned a Master of Public Administration from the University of Southern California (USC) and completed the Senior Executives in State and Local Government program at Harvard University. A Senior Fellow at Portland State University (PSU), Gary serves on the PSU Department of Public Administration Advisory Committee and serves on the City/County Management Fellowship Board of Directors at the University of Southern California.

#### **Tony Piasecki**

Tony brings over 34 years of city management experience to the Prothman team. He served the City of Des Moines, Washington for 20 years, fifteen as City Manager and five as Assistant City Manager. Tony guided Des Moines through the 2000 and 2008 recessions and worked to bring industrial development to the City via several agreements with the Port of Seattle to develop 89 acres of Port-owned land in the City. Prior to coming to the Pacific Northwest, Tony served the City of Phoenix, Arizona for eleven years in the City Manager's Office and the Water Services Department. He began his career at the City of Austin, Texas as an Administrative Assistant. In addition, Tony has served as Interim City Manager for the City of Burien, Washington, and Interim City Administrator for the City of Gig Harbor, Washington. Tony received a Bachelor of Science from the University of Iowa and a Master of Public Affairs from the Lyndon B. Johnson School of Public Affairs at the University of Texas at Austin.

#### **Robert Carden**

Bob brings more than 37 years of law enforcement experience to the Prothman team, including having been Police Chief for three cities with populations ranging from 20,000 to 125,000. He retired as Police Chief from the City of Visalia, California, in 2009. At Visalia, he administered a budget of over \$27 million and oversaw a department of over 200 fulltime personnel. Prior to Visalia, he was Police Chief for the City of Marysville, Washington, for eight years, and was also Chief of Police for the City of Lemoore, California. Earlier in his career, Bob also served the Tulare County Sheriff's Department and the Wasco Police Department, both in California. Most recently, Bob has worked through Prothman as interim Police Chief for the City of Battle Ground, Washington. Bob has a Bachelor of Science degree in Criminal Justice from Culver-Stockton College, Missouri, and a Master of Science degree in Management from California State Polytechnic University.

#### **Mark Risen**

Mark began his fire service career in 1979 and with the City of Bellevue Fire Department in 1983. As he progressed through the ranks, he served as Chief of Training while a Battalion Chief. As a Deputy Chief he supervised the Bureau of Support Services overseeing training, facility and fleet operations. He was then assigned to the Bureau of Operations supervising the Emergency Medical Division and all suppression personnel. In 2013 he was loaned to the Woodinville Fire District for a 6-month assignment as Interim Fire Chief gaining valuable insight into fire district operations. Upon his return to Bellevue, he assumed the role as Interim Fire Chief 2014 and was ultimately appointed Fire Chief in 2015. A very active career with both operational and staff assignments has given him valuable insight into the fire service and operating both large and small organizations. Mark has an associate degree in Fire Command and Administration and has attended the National Fire Academy.

**Matt Winkel**

Matt is a senior consultant with Prothman. His career has included more than 40 years of private and public sector municipal management and planning experience. Most recently, he served as Bandon City Manager for over 22 years. Mr. Winkel came to Oregon in 1994 from Williams, Arizona, where he had been employed as both Community Development Director and City Manager. Prior to that, he had worked as a planning consultant, as well as a city planner for the Northern Arizona Council of Governments and the City of Phenix, Arizona. After receiving a BA in Architecture from the University of Notre Dame in 1971, Mr. Winkel served a tour of duty in the United States Army. At the 2014 League of Oregon Cities annual conference, Matt was honored as the recipient of the prestigious Herman Kehrli Award, which is given to the city employee "who has made exceptional contributions to city government in Oregon, producing lasting benefits for their local community."

**Barry Gaskins**

Barry is responsible for candidate management. His attention to detail and understanding of timeliness to the customer and candidates is remarkable. Barry works with the lead consultant in following through with scheduling interviews, arranging candidate travel, managing candidate application packets, and assembly of candidate information to give to the client. Barry came to Prothman from the Bill & Melinda Gates Foundation where he served as a Program Assistant for four years in the US Library Program. Barry earned his Bachelor's Degree from California State University in Los Angeles.

371 NE Gilman Blvd., Suite 310  
Issaquah, WA 98027  
206.368.0050

© 2020 Prothman. All Rights Reserved. [Privacy Policy](#).





## Our Services

Overview

**Executive Search**

Interim Staffing

Online Application Service

the jobBoard

For More Information

Please Call:

**206.368.0050**

### Executive Search

**We know how to attract top talent, nationally and regionally.** We are experts in locating, attracting, screening and interviewing. We have read and screened thousands of resumes and applications, and interviewed over 5,000 semi-finalist candidates. We have extensive contacts and databases. Even in the tightest employment markets, we can locate and attract top talent for you.



### Searches That Succeed. On Time. On Budget. Guaranteed!

**We have conducted hundreds of successful national and regional executive searches.** The tenure of our placements is among the best in the industry, and we guarantee all full-search placements. Our clients and candidates continually tell us that we have the best process and client service in the industry.

**We recognize that every client is unique** so we start every recruitment with a project review, and then we tailor every search process to meet each client's individual needs. Our search consultant forms a partnership with you, working as an advisor and facilitator throughout the process. Our process has proven itself over and over, so you can be assured that your chosen candidate will not only be highly qualified, he or she will also be a perfect "fit" for your organization. Guaranteed!

### Our Process Includes:

- **Project Review** (*Tailoring the Process*)  
We work with you on details such as project schedule, geographic scope of the search (national or regional), compensation package, identifying key stakeholders, and overall design of the search process.
- **Information Gathering and Research** (*Soliciting Input*)  
Our goal is to thoroughly understand the preferred candidate qualifications, as well as the values and culture of your organization.
- **Position Profile Development** (*Identifying the Ideal Candidate*)  
The Position Profile describes the position you are hiring for and your ideal candidate's qualifications. It also highlights your organization, the community and surrounding area, and serves as the foundation to determine a candidate's "fit" within your organization and community.
- **Recruitment & Advertising Strategy**  
(*Locating Qualified Candidates*) We will design an effective advertising strategy to identify and reach the candidates who are best suited for the position. We recognize that often the best candidates are not actively looking for a new position so we reach out with a targeted direct mail and phone call campaign.
- **Candidate Screening** (*Narrowing the Field*)  
Once the application deadline has passed, we will screen the applicants in order to find the most outstanding candidates. Throughout the screening process, our search consultant works as an advisor and facilitator, bringing you detailed information on the candidates and then leading the discussion, helping the decision makers come to consensus. Structured references and detailed background checks will be performed on all finalists.
- **Final Interviews** (*Selecting the Right Candidate*)  
The design of the final interviews is an integral component towards making sure that all stakeholders have the opportunity to learn as much as possible about each candidate. We will work with you to design a final interview process that works within your budget and allows you several opportunities to observe the candidates in various settings so that you can learn as much as possible about each candidate and best assess how each candidate will fit into your organization.

**▪ Facilitate Discussion and Evaluation Process**

After the interviews, we will first facilitate a debrief with all of the interview panel participants, providing the decision makers with the panel members' perceived strengths and weaknesses of each candidate. We will then facilitate the discussion and evaluation process with the decision makers, helping those involved come to consensus. We will also organize any additional candidate referencing or research, if needed.

**▪ Facilitate Employment Agreement**

Once the top candidate has been selected, we will offer any assistance the client requires in developing a letter of offer and negotiating terms of the employment agreement. **\*Should a top candidate not be selected, we will repeat the recruitment at no additional fee.**

371 NE Gilman Blvd., Suite 310  
Issaquah, WA 98027  
206.368.0050

© 2020 Prothman. All Rights Reserved. [Privacy Policy](#).



## Our Clients

### Completed Recruitments

Executive Management

Finance

Human Resources

Legal

Parks &amp; Recreation

Public Safety

Public Works &amp; Utilities

Planning &amp; Development

Miscellaneous

Completed Interim Placements

Completed Consulting Projects

**Arvada Fire Protection District, CO**  
Fire Chief

**Association of Oregon Counties, OR**  
Executive Director

**Association of Washington Cities AWC, WA**  
Chief Executive Officer

**Basin Disposal, Inc., WA**  
Chief Financial Officer

**Ben Franklin Transit, WA**  
Financial Services Director  
Director of Transit Operations  
Transit Operations Assistant Director  
Planning & Service Development Director  
Transit Operations Director  
Human Resources Manager  
Administrative Services Manager  
Chief Operations Manager  
General Manager

**Benton County Emergency Services - City of Richland, WA**  
Director of Emergency Services  
Emergency Manager  
South East Communications Manager

**Benton County Fire District #4, WA**  
Fire Chief

**Blaine County, ID**  
County Administrator

**Bonner County, ID**  
Certified Residential Appraiser  
Information Systems Manager  
Technology Director  
Director of Planning & Zoning

**Brigham City, UT**  
Police Chief

**Camano Island Fire & Rescue, WA**  
Fire Chief

**Campbell County Fire Department, WY**  
Fire Chief

**CAM-PLEX Multi-Event Facilities, WY**  
General Manager

**Canby Fire District 62, OR**  
Fire Chief

**City of Sun Valley, ID**  
City Administrator

**City of Sunnyside, WA**  
Finance/Administrative Services Director  
City Manager

**City of Tacoma, WA**  
Accounting Services Division Manager  
Public Works Director  
Labor Negotiator  
Finance Director

**City of Thorne Bay, AK**  
City Administrator

**City of Toledo, OR**  
City Manager

**City of Troutdale, OR**  
Public Works Director  
City Manager

**City of Tukwila, WA**  
Public Works Director  
Fire Chief

**City of Umatilla, OR**  
City Manager

**City of Vancouver, WA**  
Deputy Human Resources Director  
City Attorney  
Human Resources Director  
Assistant City Manager  
Deputy Director of Human Resources  
Parks & Recreation Director  
Budget & Planning Manager

**City of Waldport, OR**  
City Manager

**City of Walla Walla, WA**  
Public Works Director  
Finance Manager  
City Manager

**City of Warrenton, OR**  
Public Works Director

**City of West Linn, OR**  
Community Development Director  
City Manager

**City of White Salmon, WA**  
City Administrator



## The Prothman Company | Our Clients

**Central Valley Fire District, MT**

Fire Chief  
Fire Marshal

Public Works Operations Manager

**Central Whidbey Island Fire & Rescue, WA**

Fire Chief

**City of Whitefish, MT**

City Manager

**Chelan County, WA**

Regional Justice Center Director  
Regional Justice Center Deputy Director  
Community Development Director

**City of Wood Village, OR**

City Manager  
City Administrator

**Chelan County Public Utility District, WA**

Corporate Communications Manager  
Managing Director - Human Resources,  
Labor & Safety

**City of Woodburn, OR**

City Administrator  
Public Works Director  
Community Development Director  
Police Chief  
Economic Development Director  
Finance Director

**City & Borough of Sitka, AK**

Municipal Administrator  
Controller

**City of Woodburn, WA**

Human Resources Director

**City & Borough of Wrangell, AK**

Borough Manager

**City of Woodinville, WA**

Development Services Director  
City Manager

**City and County of Broomfield, CO**

Deputy City and County Manager

**City of Woodland, WA**

Fire Chief  
Public Works Director  
City Administrator

**City of Aberdeen, WA**

Public Works Director

**City of Yachats, OR**

City Manager  
City Administrator

**City of Albany, OR**

Police Chief

**City of Yakima, WA**

Director of Finance & Budget  
Assistant City Manager  
City Manager

**City of Arlington, WA**

Utilities Manager  
Public Works Director  
Building Official  
Community Development Director  
Police Chief  
Fire Chief  
City Administrator  
Finance Director

**City of Yelm, WA**

City Administrator  
Building Official

**City of Astoria, OR**

City Planner

**Clackamas Community College, OR**

Director of Campus Safety

**City of Auburn, WA**

Planning, Building, & Community Director

**Clackamas County, OR**

County Administrator

**City of Bainbridge Island, WA**

Engineer  
Project Manager  
Community Development Director  
City Attorney  
Deputy Finance Director  
Finance Director  
City Administrator

**Clackamas Fire District #1, OR**

Finance Director

**City of Bandon, OR**

Finance Director  
City Manager

**Clackamas River Water District, OR**

General Manager

**Clark County, WA**

Deputy Public Works Director

**City of Battle Ground, WA**

Public Works Director  
Police Chief

**Clatsop County, OR**

County Manager  
Community Corrections Director  
Building Official  
Development Services Manager

**Clatsop County Sheriff's Office, OR**

Jail Commander

Finance Director  
Deputy City Manager

**Columbia County, WA**  
Public Works Director/County Engineer

**City of Beaverton, OR**  
Human Resources Director

**County of Los Alamos, NM**  
County Administrator

**City of Belgrade, MT**  
City Manager

**Covington Water District, WA**  
Director of Utility Services  
Water Resources Supervisor  
District Engineer  
Assistant Water Resources Manager  
Project Engineer  
Controller  
Finance Director

**City of Bellevue, WA**  
Assistant Director, Engineering  
Utilities Deputy Director

**City of Bellingham, WA**  
City Engineer

**Cowlitz County, WA**  
Building & Planning Director

**City of Bend, OR**  
Property Manager  
Police Chief  
Accounting & Financial Reporting Manager  
Performance Analyst  
Assistant Finance Director  
Senior Purchasing Analyst  
Fleet Manager

**Cowlitz County Fire District #5, WA**  
Deputy Fire Chief

**Cowlitz Sewer Operating Board, WA**  
Superintendent

**City of Billings, MT**  
Engineering Division Manager  
City Engineer

**Cowlitz-Wahkiakum Council of Governments, WA**  
Community Development/Regional Planner  
Transportation Planner  
Executive Director

**City of Blaine, WA**  
Police Chief  
Finance Director  
Public Works Director

**Curry County, OR**  
County Administrator  
Finance Director

**City of Boardman, OR**  
Police Chief

**Des Moines Pool Metropolitan Park District, WA**  
District Manager

**City of Bonney Lake, WA**  
Public Works Director

**Deschutes County, OR**  
Finance Director  
Fair & Expo Director  
County Administrator

**City of Bothell, WA**  
Public Works Director  
Fire Chief  
Police Chief  
Deputy City Manager  
City Attorney  
Human Resources Director  
Parks & Recreation Director  
Community Development Director  
Assistant City Manager

**Deschutes Valley Water District, OR**  
General Manager

**City of Bozeman, MT**  
Chief Building Official  
Human Resources Director  
Community Development Director  
Parks & Recreation Director  
Public Works Director  
Information Technology Director

**Douglas County, OR**  
Information Systems Director  
Solid Waste Division Manager  
Public Works Director

**City of Bremerton, WA**  
Public Works Director  
Building Official  
Fire Chief  
Director of Financial Services  
Police Chief

**Eagle County, CO**  
County Manager

**East Jefferson Fire Rescue, WA**  
Fire Chief

**East Multnomah Soil & Water Conservation District, OR**  
Executive Director

**East Olympia Fire District #6, WA**  
Fire Chief

**City of Burlington, WA**  
Police Chief

**East Pierce Fire & Rescue, WA**  
Fire Chief

## The Prothman Company | Our Clients

|                                                                                                         |                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Fire Chief                                                                                              | <b>Eastern Sierra Transit Authority, CA</b><br>Executive Director                                                                                                                                                                |
| <b>City of Canby, OR</b><br>Police Chief<br>City Administrator                                          | <b>Eastside Baby Corner, WA</b><br>Executive Director                                                                                                                                                                            |
| <b>City of Carnation, WA</b><br>Public Works Director<br>City Manager                                   | <b>eCityGov Alliance, WA</b><br>Executive Director                                                                                                                                                                               |
| <b>City of Casper, WY</b><br>City Manager                                                               | <b>Federal Public Defender - Northern District of California, CA</b><br>Computer Systems Administrator                                                                                                                           |
| <b>City of Centralia, WA</b><br>Economic Development Director<br>Community Development Director         | <b>Franklin County, WA</b><br>County Administrator                                                                                                                                                                               |
| <b>City of Chehalis, WA</b><br>Police Chief<br>Finance Manager<br>City Manager                          | <b>Front Range Fire Rescue, CO</b><br>Fire Chief                                                                                                                                                                                 |
| <b>City of Chelan, WA</b><br>Parks, Recreation, and Community Services Director<br>City Administrator   | <b>Grant County, WA</b><br>Public Works Director<br>County Engineer                                                                                                                                                              |
| <b>City of Cle Elum, WA</b><br>City Treasurer                                                           | <b>Grays Harbor Transit, WA</b><br>General Manager                                                                                                                                                                               |
| <b>City of Clyde Hill, WA</b><br>City Administrator                                                     | <b>Gunnison County, CO</b><br>County Manager<br>Deputy County Attorney<br>Director of Community and Economic Development<br>IT Director<br>Health & Human Services Director<br>Airport Manager<br>Community Development Director |
| <b>City of Coburg, OR</b><br>City Administrator                                                         | <b>Holmes Harbor Sewer District, WA</b><br>General Manager                                                                                                                                                                       |
| <b>City of College Place, WA</b><br>Environmental Systems Manager<br>Police Chief<br>City Administrator | <b>Hood River County, OR</b><br>County Administrator                                                                                                                                                                             |
| <b>City of Colorado Springs, CO</b><br>Assistant City Manager                                           | <b>Humboldt County, NV</b><br>Public Works Director                                                                                                                                                                              |
| <b>City of Connell, WA</b><br>City Administrator                                                        | <b>Intercity Transit, WA</b><br>General Manager                                                                                                                                                                                  |
| <b>City of Coquille, OR</b><br>City Manager                                                             | <b>Inyo County, CA</b><br>Assistant/Deputy County Administrator<br>County Administrative Officer<br>Information Services Director                                                                                                |
| <b>City of Covington, WA</b><br>City Manager                                                            | <b>Island County, WA</b><br>Engineering Manager                                                                                                                                                                                  |
| <b>City of Damascus, OR</b><br>Community Development Director<br>City Manager                           | <b>Island Transit, WA</b><br>Executive Director                                                                                                                                                                                  |
| <b>City of Dickinson, ND</b><br>Operations Manager                                                      | <b>Issaquah Food &amp; Clothing Bank, WA</b><br>Executive Director                                                                                                                                                               |
| <b>City of Drain, OR</b><br>City Administrator                                                          | <b>Jackson County, OR</b><br>Human Resources and Risk Management Director                                                                                                                                                        |
| <b>City of DuPont, WA</b><br>Public Works Director                                                      |                                                                                                                                                                                                                                  |



Planning Director  
Finance/Support Services Director  
City Administrator

**JEFFCOM 9-1-1, WA**  
Director

**City of Duvall, WA**  
Finance Director  
Planning Director  
Accountant  
City Administrator

**Jefferson County, OR**  
Buildings and Grounds Director  
Community Development Director  
Public Works Director  
Health Director

**City of Eagle Point, CO**  
Public Works Supervisor

**Jefferson County, WA**  
Central Services Director  
Deputy Prosecuting Attorney  
Department of Community Development  
Director

**City of East Wenatchee, WA**  
Police Chief

**Jefferson County PUD No.1, WA**  
Electrical Engineer  
Controller

**City of Edgewood, WA**  
Engineer  
Public Works Director  
Senior Planner  
City Manager

**Josephine County, OR**  
Community Development Director

**City of Emeryville, CA**  
City Manager

**Ketchum Community Development Corporation, ID**  
Executive Director

**City of Enumclaw, WA**  
Fire Chief  
Finance Director  
Police Chief

**Key Peninsula Fire Department, WA**  
Fire Chief

**City of Ephrata, WA**  
Police Chief

**King County, WA**  
Director, Adult and Juvenile Detention

**City of Eugene, OR**  
Traffic Operations Manager

**King County Housing Authority, WA**  
Finance Director

**City of Federal Way, WA**  
City Attorney  
Community Development Director  
Finance Director

**King County Sheriff's Office, WA**  
Chief Financial Officer

**City of Ferndale, WA**  
Police Chief  
Finance Director  
Public Works Director

**King County Water District No. 90, WA**  
Operations Manager

**City of Fife, WA**  
City Clerk  
City Manager  
Assistant Public Works Director  
Finance Director  
Corrections Administrator  
Community Development Director

**Kitsap Transit, WA**  
Human Resources Director

**KITTCOM 911, WA**  
Director

**Klickitat County, WA**  
Public Health Director  
Human Resources Director

**City of Fircrest, WA**  
Finance Director  
City Manager

**Kootenai County Fire & Rescue, ID**  
Fire Chief

**Lacey Fire District 3, WA**  
Fire Chief

**City of Gig Harbor, WA**  
City Administrator

**Lake Cushman Maintenance Company, WA**  
General Manager

**City of Gillette, WY**  
Public Works Director  
Community Development Director  
City Administrator

**Lake Stevens Fire, WA**  
Fire Chief

## The Prothman Company | Our Clients

**City of Gladstone, OR**

Fire Chief  
City Administrator

**City of Grants Pass, OR**

Public Safety Director

**City of Great Falls, MT**

City Attorney

**City of Green River, WY**

Community Development Director

**City of Gunnison, CO**

Community Development Director  
Public Works Director

**City of Hailey, ID**

City Administrator

**City of Hermiston, OR**

Finance Director  
City Manager

**City of Hood River, OR**

City Manager

**City of Issaquah, WA**

Police Chief  
City Administrator  
Finance Director  
Human Resources Director  
Parks & Recreation Director  
Deputy City Administrator  
Deputy Finance Director

**City of Kalama, WA**

Police Chief

**City of Kelso, WA**

Public Works Director  
Community Development Director  
City Manager

**City of Kemmerer, WY**

Public Works Director

**City of Kenmore, WA**

City Engineer  
Community Development Director  
Finance Director  
City Manager

**City of Kennewick, WA**

Planning Director  
Transportation Manager

**City of Kent, WA**

Professional Land Surveyor  
Information Technology Manager  
Finance Director  
City Clerk  
Deputy Director Public Works  
Public Works Operations Manager

**City of Ketchum, ID**

City Administrator

**Lake Whatcom Water & Sewer District, WA**

General Manager  
Operations & Maintenance Manager

**Lane County, OR**

County Administrator

**League of Oregon Cities, OR**

Legislative Director

**Lebanon Fire District, OR**

Division Chief of Training  
Fire Chief

**Lewis County, WA**

Public Works Director/County Engineer  
Director of Public Health & Social Services  
County Manager  
Community Development Director

**Lincoln County, OR**

Community Justice Director  
Personnel Director

**Local Government Personnel Institute LGPI, WA**

Executive Director

**LOTT Clean Water Alliance, WA**

Finance Manager

**Lynnwood Public Facilities District, WA**

Executive Director

**MACC 911, WA**

Director

**Manchester Water District, WA**

General Manager

**Maple Valley Fire & Life Safety, WA**

Fire Chief

**Marysville Fire District, WA**

Fire Chief

**Mason County, WA**

Public Works Director

**Mason County PUD No.3, WA**

Engineering Manager

**Metro Parks Tacoma, WA**

Director of Planning & Development

**Moño County, CA**

County Administrative Officer

**Morrow County, OR**

Planning Manager

**Mountain View Fire & Rescue, WA**

Deputy Fire Chief

**City of Kirkland, WA**  
 Water Division Manager  
 Public Works Director  
 Director of Fire & Building Services

**Municipal Research & Services Center  
 MRSC, WA**  
 Executive Director

**City of La Center, WA**  
 Police Chief

**MuniFinancial, WA**  
 Financial Analyst 1  
 Senior Financial Analyst

**City of Lacey, WA**  
 City Manager

**North Beach Public Development  
 Authority, WA**  
 General Manager

**City of Lake Forest Park, WA**  
 City Administrator

**Pacific City Joint Water-Sanitary  
 Authority, OR**  
 Authority Manager

**City of Lake Oswego, OR**  
 Water Treatment Plant Manager  
 City Manager

**Paine Field - Snohomish County Airport,  
 WA**  
 Airport Director

**City of Lake Stevens, WA**  
 City Administrator  
 Police Chief  
 Community Development Director

**Park City, UT**  
 City Engineer  
 Community Development Director

**City of Lakewood, WA**  
 Assistant City Manager  
 City Manager

**Pend Oreille County, WA**  
 Public Works Director

**City of Leavenworth, WA**  
 City Administrator  
 Public Works Director  
 Finance Director/City Clerk

**PenMet Parks, WA**  
 Executive Director

**City of Lebanon, OR**  
 Human Resources Director  
 City Clerk  
 Community Development Director  
 City Manager

**Pierce County, WA**  
 Economic Development Director  
 Human Resources Director

**City of Lewiston, ID**  
 City Manager

**Port of Seattle, WA**  
 Fire Chief

**City of Lincoln, NE**  
 Health Director  
 Budget Officer  
 Finance Director  
 Fire Chief

**Port of Walla Walla, WA**  
 Executive Director

**City of Lincoln City, OR**  
 Finance Director  
 City Manager  
 Human Resources Director

**Public Utility District No.1 of Skagit  
 County, WA**  
 General Manager

**City of Littleton, CO**  
 Finance Director

**Puget Sound Regional Fire Authority,  
 WA**  
 Fire Chief

**City of Long Beach, WA**  
 Community Development Director

**Sallal Water Association, WA**  
 General Manager

**City of Longview, WA**  
 City Manager

**San Juan County, WA**  
 Public Works Director  
 County Manager

**City of Louisville, CO**  
 City Manager

**San Juan Island Fire Department, WA**  
 Fire Chief

**City of Lynden, WA**  
 Public Works Director

**Skagit County, WA**  
 Assistant County Engineer  
 Public Works Director  
 Youth & Family Services Administrator

City Administrator

**City of Lynnwood, WA**

Public Works Director  
 Assistant Fire Chief - Operations  
 Human Resources Director  
 Finance Director

**City of Maple Valley, WA**

Public Works Director/Community  
 Development Director

**City of Marysville, WA**

Streets/Surface Water Manager  
 Engineering Services Manager  
 Public Works Director  
 Community Development Director  
 Police Chief

**City of McMinnville, OR**

City Manager

**City of Medford, OR**

Planning Director  
 Chief Financial Officer/Assistant City  
 Manager

**City of Medina, WA**

Planning Manager  
 Public Works Director

**City of Mercer Island, WA**

City Manager

**City of Mill Creek, WA**

City Manager

**City of Milwaukie, OR**

City Manager

**City of Minot, ND**

Community Development Director  
 Finance Director  
 City Manager  
 Planning Director

**City of Monmouth, OR**

City Manager

**City of Monroe, WA**

Police Chief  
 City Administrator

**City of Moscow, ID**

Assistant Community Development Director

**City of Moses Lake, WA**

City Manager

**City of Mountlake Terrace, WA**

Police Chief  
 City Manager  
 Public Works Director  
 Community & Economic Development  
 Director

**Snohomish County, WA**

Finance Director  
 Surface Water Management Utility Director  
 Human Services Director  
 Executive Director

**Snohomish County Emergency Radio System, WA**

Radio System Manager

**Snohomish County Fire District 1, WA**

Fire Chief  
 Human Resources Director

**Snohomish County PUD, WA**

Assistant General Manager, Customer and  
 Energy Services  
 Employee Resources Director  
 Assistant General Manager

**Snohomish Health District, WA**

Deputy Director

**SNOPAC 9-1-1, WA**

Executive Director

**Snoqualmie Pass Utility District, WA**

General Manager

**Snoqualmie Valley Food Bank, WA**

Executive Director

**Snyderville Basin Special Recreation District, UT**

District Director

**South Sound 911, WA**

Executive Director

**Southwest Clean Air Agency, WA**

Executive Director

**Southwest Washington Fair, WA**

Fair and Events Manager

**Southwest Washington Regional Transportation Council, WA**

Executive Director

**Spokane Regional Clean Air Agency, WA**

Executive Director

**Spokane Regional Transportation Council, WA**

Executive Director

**Spokane Valley Fire Department, WA**

Fire Chief  
 Deputy Fire Chief

**Summit County, CO**

Chief Appraiser

**Summit County, UT**

County Manager



## The Prothman Company | Our Clients

**City of Mt. Angel, OR**

City Manager

**The Tulalip Tribes, WA**

Police Chief

**City of Mukilteo, WA**

City Administrator

Finance Director

Management Services Director

**Thurston County, WA**

Assistant Chief Administrative Officer

Human Resources Director

**City of Nampa, ID**

City Engineer

**Tillamook County, OR**

Human Resources Director

**City of Newcastle, WA**

City Manager

Community Development Director

Public Works Director

**Town of Erie, CO**

Finance Manager

Accounting Manager

**City of Normandy Park, WA**Planning & Community Development  
Manager

Finance Director

City Manager

**Town of West Yellowstone, MT**

Operations Manager (Town Manager)

**Town of Yarrow Point, WA**

Clerk-Treasurer

**City of North Bend, OR**Waste Water Treatment Plant  
Superintendent**Tualatin Hills Park & Recreation District,  
OR**

Director of Communications

Human Resources Manager

**City of Oak Harbor, WA**

Human Resources Director

City Attorney

**Tualatin Valley Irrigation District, OR**

District Manager

**City of Ocean Shores, WA**

City Engineer

**Tualatin Valley Water District, OR**

Chief Executive Officer

**City of Olympia, WA**

Public Works Finance Manager

**Twin Transit, WA**

General Manager

**City of Ontario, OR**

City Manager

**Valley Transit, WA**

General Manager

**City of Othello, WA**

Community Development Director

Police Chief

City Administrator

**Vancouver-Clark Parks & Rec., WA**

Parks &amp; Recreation Director

**City of Palos Verdes Estates, CA**

Finance Director

**Vashon Island Fire & Rescue, WA**

Assistant Fire Chief

Fire Chief

**City of Pasco, WA**

Deputy City Manager

Police Chief

Public Works Director

Finance Director

City Manager

**Walla Walla County, WA**

Chief of Road Operations and Fleet

Management

**Washington Association of County  
Officials, WA**

Executive Director

**City of Polson, MT**

City Manager

**Washington Association of Sewer &  
Water Districts, WA**

Executive Director

**City of Port Angeles, WA**

Public Works &amp; Utilities Director

Police Chief

Finance Director

City Engineer

Light Operations Manager (Electric Utility

Ops. Mgr.)

Planning Manager

Public Works Director

City Manager

**Washington Counties Risk Pool, WA**

Executive Director

**Washington Fire Commissioners  
Association, WA**

Health Care Manager

**Washington School Information  
Processing Cooperative WSIPC, WA**

**City of Port Townsend, WA**

Development Services Director  
Finance Director

Executive Director

**City of Post Falls, ID**

Community Development Director  
City Administrator

**Water & Sewer Risk Management Pool, WA**

Executive Director

**City of Poulsbo, WA**

Police Chief

**Whatcom Transportation Authority, WA**

Human Resources Director  
Planning Director  
Director of Operations  
Finance Director  
General Manager

**City of Prosser, WA**

City Clerk  
City Administrator  
Finance Director

**Wood River Fire & Rescue, ID**

Fire Chief

**City of Puyallup, WA**

City Manager  
Human Resources Director

**Woodburn Fire District, OR**

Fire Chief

**City of Rawlins, WY**

City Manager

**Woodinville Fire & Rescue, WA**

Fire Chief

**City of Red Lodge, MT**

Community Development Director  
Police Chief

**Woodinville Water District, WA**

General Manager

**City of Renton, WA**

Chief Administrative Officer  
Administrative Services Administrator  
Human Resources & Risk Management Administrator

**Yakima County Fire District #4 East Valley Fire Department, WA**

Fire Chief

**Yakima County Fire District 4, WA**

Fire Chief

**City of Richland, WA**

Transportation Engineer  
Public Works Director  
Parks & Facilities Resource Manager

**City of Ridgefield, WA**

City Manager

**City of Riverton, WY**

City Administrator

**City of Roseburg, OR**

City Recorder

**City of Salem, OR**

Chief Financial Officer  
Deputy City Attorney  
Human Resources Director

**City of Sammamish, WA**

Senior Transportation Program Engineer  
Project Engineer/Drainage  
Senior Project Engineer

**City of Sandy, OR**

Police Chief

**City of Scappoose, OR**

City Manager

**City of Seattle, WA**

Labor Standards Division Director - Office  
for Civil Rights

Director of Administration - Human  
Resources  
Fire Chief

**City of Sequim, WA**

Public Works Director  
Human Resources Director

**City of Shelton, WA**

Community & Economic Development  
Director  
Management Assistant  
Finance Director  
City Administrator  
Chief of Police  
Public Works Director

**City of Sheridan, WY**

City Administrator  
Finance & Administrative Services Director

**City of Shoreline, WA**

Planning Director  
Deputy City Manager  
City Manager  
Public Works Director  
Administrative Services Director  
Parks, Recreation & Cultural Services  
Director  
City Attorney  
City Engineer

**City of Snohomish, WA**

City Engineer  
Planning Director  
Finance Director  
Public Works Utilities Manager

**City of Snoqualmie, WA**

Parks & Public Works Director  
Information Technology Director  
Community Development Director  
Police Chief  
Chief Financial Officer  
Parks & Recreation Director  
Fire Chief

**City of South Lake Tahoe, CA**

City Manager  
City Attorney

**City of Spokane Valley, WA**

Assistant City Clerk  
City Clerk  
Building Official  
Community Development Director  
Parks & Recreation Director  
City Attorney  
Deputy City Manager  
City Manager  
City Engineer  
Finance Director  
Public Works Director

**City of Stanwood, WA**

Finance Director  
City Administrator

**City of Stevenson, WA**

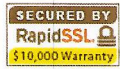
City Administrator

**City of Sultan, WA**  
City Administrator

371 NE Gilman Blvd., Suite 310  
Issaquah, WA 98027  
206.368.0050



© 2020 Prothman. All Rights Reserved. [Privacy Policy](#).







## MEMORANDUM

Planning Division

**DATE:** October 16, 2020

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

**FROM:** Jana L. Ecker, Planning Director

**SUBJECT:** 2021 Initial Screening for Bistro Applicants

---

### INTRODUCTION:

On September 12, 2011, the City Commission established a new process that altered the bistro application process from the previous "first come, first served" policy.

### BACKGROUND:

The policy for the 2021 bistro license application process is now as follows:

1. Deadline for the initial review of 2021 bistro applications was October 1, 2020.
2. The City Commission will consider only those initial reviews that are filed with the Planning Department on or before October 1, 2020.

All bistro applications submitted for initial review must contain only the following information in 5 pages or less:

- A brief description of the bistro concept proposed, including type of food to be served, price point, ambience of bistro, unique characteristics of the operation, if any, and an explanation of how this concept will enhance the current mix of commercial uses in Birmingham;
- Proposed location, hours of operation and date of opening;
- Name of owner/operator and outline of previous restaurant experience; and
- Evidence of financial ability to construct and operate the proposed bistro.

3. All bistro applications received by October 1, 2020 that meet the requirements outlined above will be reviewed by the City Commission in October for prioritization based on the proposed bistro concept, proposed location within the City, potential impact on the City, and the capability of the proposed owner/operator. Each applicant will be given a time limit to verbally present their concepts to the City Commission. No PowerPoint presentations, display boards or other visual aids will be permitted.

4. The City Commission will prioritize all initial applications received, and will direct the top applications to the Planning Board for full site plan and design review and Special Land Use Permit review.

5. All bistro applications forwarded to the Planning Board for full review will be required to provide additional information as required for review of the bistro as a SLUP including site plans,

floor plans, sample menus, interior design details, evidence of financial capability, as well as any other information requested by the Planning Board.

6. All detailed applications directed to the Planning Board from the City Commission will be reviewed during public hearings conducted during a single Planning Board meeting within 90 days of the initial review by the City Commission.

7. All bistro applications will be evaluated by the Planning Board based on the criteria set forth in Chapter 10, Alcoholic Liquors, Division 4, Selection Criteria, and up to two applications will be recommended for approval to the City Commission. All applications will be assigned a priority ranking by the Planning Board.

8. All bistro applications reviewed by the Planning Board will be forwarded to the City Commission for a detailed review and approval/denial in the order of the ranking assigned by the Planning Board.

9. The City Commission will conduct public hearings to review the selected bistro applications and determine which, if any, new bistros to approve for 2021, up to a maximum of two approvals.

10. In the event that two bistro approvals are not granted as a result of the fall review period, the City will accept additional bistro applications for the current calendar year on or before April 1st.

11. All bistro applications received in this second round will be reviewed and ranked by the Planning Board using the same review process noted in steps 2 through 9 above.

In accordance with the process outlined above, the following applicants submitted a summary for the initial review process prior to the October 1, 2020 deadline established by the City Commission:

- Bloom Birmingham, 239 N. Old Woodward
- Rustico Kitchen & Cocktails, 135 N. Old Woodward
- Sushi Japan, 176 S. Old Woodward
- TINO's, 344 Hamilton
- Vinewood Kitchen & Cocktails, 724 N. Old Woodward
- Whistle Stop Diner, 501 S. Eton

Five of the proposed bistros are located in the Downtown Birmingham Overlay District, and one is proposed in the Rail District.

It is important to note that while the City Commission may select up to two new restaurants to operate as bistros in 2021, Chapter 10, Alcoholic Liquors also allows the City Commission to approve additional bistros over and above this limit if they are restaurants that have been operating in Birmingham for more than 5 years prior to the date of application. Whistle Stop's bistro application does qualify for this separate category as it has been in operation in Birmingham for more than 5 years. Thus, the City Commission may select up to two new establishments as well as the Whistle Stop Diner application to move forward to a full review if desired.

As outlined in the bistro process for 2021, please find attached the initial screening bistro applications listed above. The applicants will be given a time limit to verbally present their concepts to the City Commission, without the use of PowerPoint presentations, display boards or other visual aids. A suggested time frame would be a five minute presentation of the concept by the applicant, with a five minute period for questions from the City Commission. The City Commission will then discuss the applications, and consider directing any applications to the Planning Board for full site plan and design review and Special Land Use Permit review.

Details on the location and number of existing bistros are also attached for your review.

**LEGAL REVIEW:**

The City Attorney has reviewed the submissions and has no concerns.

**FISCAL IMPACT:**

Not applicable.

**SUMMARY:**

In accordance with the City's initial screening process for bistros as noted above, the City Commission is asked to review the attached submissions and allow the applicants to conduct a brief presentation and respond to any questions.

**ATTACHMENTS:**

- Bloom Birmingham, 239 N. Old Woodward
- Rustico Kitchen & Cocktails, 135 N. Old Woodward
- Sushi Japan, 176 S. Old Woodward
- TINO's, 344 Hamilton
- Vinewood Kitchen & Cocktails, 724 N. Old Woodward
- Whistle Stop Diner, 501 S. Eton
- Bistro chart with details on all existing bistros

**SUGGESTED ACTION:**

To direct the following bistro applications for new restaurants to the Planning Board for full site plan and design review and Special Land Use Permit review:

1. \_\_\_\_\_
2. \_\_\_\_\_

**AND/OR**

To direct the Whistle Stop Diner application as an existing restaurant that has been in operation for more than 5 years, to the Planning Board for full site plan and design review and Special Land Use Permit review.

**bloom**

239 North Old Woodward  
Birmingham. Michigan.  
48009

Proposal for Bistro License  
September 30, 2020



**bloom**  
BIRMINGHAM



**PLANT BASED CUISINE**  
IN PARTNERSHIP WITH MATTHEW KENNEY

Submitted by:

Joseph A. Shallal

Mekani, Orow, Mekani, Shallal & Hindo, P.C.

255 South Old Woodward

Suite 310

Birmingham. Michigan. 48009



## **BLOOM**

Green Kitchen, LLC which proposes to do business as “Bloom”, submits this application for a New Bistro license pursuant to the City’s Bistro guidelines. Green Kitchen, LLC. is owned by Winta Tedla. Bloom has a projected opening date of January 2021.

## **CONCEPT**

Bloom will be a destination, plant based, experience dedicated restaurant located at 239 North Old Woodward Road. The concept is driven by a trendy atmosphere and complemented by hand crafted cocktails and Chef intensive, seasonally changing menu, consulted on by Chef Matthew Kenney. The menu reinterprets favorite dishes by many, but executed in a plant driven style, and is complimented by an organic wine and craft cocktail program. This is unique to the immediate and surrounding areas and will draw not only a plant-based clientele, but a forward thinking community who enjoy the social experience, and want to do good for their bodies and their impact on global wellness. Bloom is on the cutting edge for bringing sustainability and wellness to the local community, along with providing a social atmosphere for both locals and visitors. Tedla, an accomplished business woman and philanthropist is enlisting Matthew Kenney to consult on this project, alongside award winning Chef Nina Paletta and Chef Meghan Shaw. Kenney has plant-based restaurants in multiple countries and domestically, including partnerships with Alo Yoga, Saks Fifth Avenue, Kerzner International Hotels, The Four Seasons, and Laduree and flagship locations in Los Angeles and New York City.

Bloom proposes opening for lunch + dinner service 7 days a week; 11am - 10pm, with brunch available on Saturday + Sunday.

## **TEAM**

### **CONSULTANT**

#### **MATTHEW KENNEY CUISINE**

Matthew Kenney is one of the world’s first leading chefs at the forefront of plant based cuisine, an author of 12 cookbooks and a best-selling memoir, a culinary educator and CEO of Matthew Kenney Cuisine, a multifaceted lifestyle company specializing in plant-based cuisine throughout several unique markets. In 2009, Kenney founded the world’s first classically structured raw food culinary academy. Matthew Kenney Academy has graduated students from over 30 countries, opening several global pop-up locations and an online program, which operated until 2017. Matthew has also partnered with numerous industry leaders throughout Australia, Europe, South America, and the Middle East in recent years, expanding the presence of MKC in global markets through licensing agreements, culinary consulting, educational events and chef conferences. In the past year, he has given lectures throughout multiple cities in Eastern Australia, hosted by Ovolo Hotels ; was a featured speaker at the Four Seasons Hotels ’ global innovation convention in Florence, Italy; and headed both an informative lecture and cooking demo as a panelist at Mesa Tendências, São Paulo , the largest gastronomic summit in Latin America. His extensive travels have enabled him to develop many strategic partnerships with like-minded entrepreneurs around the world, leading to new ventures in the hospitality and consumer product markets. Currently, Kenney has 28 restaurants operating throughout 15 international cities spanning 5 continents, including PLANT CITY, the world’s first plant-based food hall. Located in Providence, RI. MKC is also involved with an additional 15 restaurants that are currently under construction and located throughout San Francisco; New York City; Palm Beach, FL; San José del Cabo, Mexico; and several cities throughout Europe and the Middle East. The MKC brand has developed many strong licensing relationships with multiple brands, including The Four Seasons Hotels and KWB Ventures, a partnership that produced FOLIA, a fully plant-based menu, designed by Kenney, available to both hotel guests and patrons of in-house dining venues. FOLIA first launched in 2018 at the Los Angeles at Beverly Hills Location, followed by outposts in Bahrain Bay, Dubai, Kuwait and Qatar. The culinary program is expected to expand to an additional 40 FSH locations throughout the Middle East and Europe going forward. Currently, Kenney continues to focus on the strategic growth of his company into additional market segments with an increasingly global consumer reach. His latest passion project is to reinstate an educational component to MKC by rebuilding a global, plant-based culinary academy. Courses will be available both online and on site, where students will learn to develop proprietary cooking skills, cutting-edge techniques, and the ability to create elevated plant-based cuisine. The passionate corporate team at MKC is continuously working to evolve and innovate, whether it be through plant-based gastronomy, new restaurant concepts, consumer product goods, or strategic brand partnerships. Under Kenney’s direction, MKC is rapidly growing as it continues to expand its repertoire of intellectual property and creative content, and pursue excellence in crafting the future of food.



## CHEFS

The operators behind this project are plant-based Chefs Nina Paletta and Meghan Shaw, the entrepreneurs responsible for the Detroit-based food outfit, Street Beet. Known for their wildly successful pop-up events throughout Detroit and their full-time restaurant residency inside Midtown's Third Street bar, the pair and their team have been serving up creative, comfort food together for over 3 years. Street Beet holds the Hour Detroit title of "Best Pop-Up Dining Experience" for both 2019 & 2020, ranked as finalists in the Comerica Bank Hatch Detroit contest in 2019, gained recognition at the Forbes 30 under 30 food festival, and gained national credibility in various national publications. Paletta and Shaw lead Street Beet's success in paving a new path for plant-based recognition in the Detroit area with their undeniable approachability and food so delicious, it continues to fool and win the heart of meat eaters and herbivores alike. The culinary duo has gained immense respect for their passion and creativity, and popularity in a digital world with +20k followers.



## OWNER

Winta Tedla is an accomplished banker, real estate investor and entrepreneur. Ms. Tedla is the founder of Clear Scope Advisors, Inc., an independent full-service financial advisory firm specializing in charter school facility financing. Prior to starting her firm, Ms. Tedla was a Vice President at Fifth Third Securities, Assistant Vice President of Investment Banking at National City Bank and Oppenheimer & Company. Ms. Tedla has over 20 years of experience in the financial services industry. She has served as the banker on the financing of a wide range of projects for cities, school districts, charter schools and state/local municipal clients providing over \$900 million in financings. Ms. Tedla continues to eye strategic opportunities to complement her portfolio. In doing so, she has ventured into restaurant opportunities in the plant based market segment. Her passion for hospitality, sustainability, eliminating animal cruelty, low carbon footprint and green business practices made this an ideal addition for her. Ms. Tedla is hoping to have a positive impact on the communities she invests in by sharing the good news of healthy eating, healthy living and being a responsible citizen. Tedla has availability to fund this project to completion through personal savings in excess of \$500,000. She currently has the rights and ownership to a Class C Liquor license, which can be transferred to this location in Birmingham.



# IMPACT ON CITY

Bloom will open its doors at 239 North Old Woodward, taking over the previous home of Pita Cafe. With relevant updates to the wonderfully located space, Bloom will offer Birmingham it's very first, fully plant based bistro. The heavy presence of gyms, athletic stores and health food markets in Birmingham prove that the city is ready for more health-conscious establishments. Meat-free & dairy-free lifestyle choices are on the rise, and this is undoubtedly the progressive course for a healthier future for our community and our planet. Now more than ever, ethically sourced ingredients are a must. It is our commitment to sourcing, storing and producing the most quality food in the most sanitary working conditions possible. The city of Birmingham deserves a restaurant that caters to our ever changing world, offering food and beverages that reduce our carbon footprint, aid in the fight to end the climate crisis, enhance our overall health, and coincide with the interests of bettering our surrounding community. Bloom aims to be a positive addition to the neighborhood, offering conscious cuisine and an inspired atmosphere to those who stop by. Below is a sample menu + price points.



PLANT BASED



## SNACKS.

- KIMCHI DUMPLINGS. 15**  
Cashew. Cilantro + Coconut. Red Cabbage.  
Ginger Foam. GF R
- SMOKED HUMMUS. 12**  
Chickpeas. Smoked Onion. Crudité.  
Harissa Za'atar Lavash. NF
- BARBACOA TACO. 5**  
Maitake + Oyster Mushrooms. Pepita Cream.  
Avocado Puree. Toasted Pepitas. Microgreens. NF
- FLORA ARTISANAL CHEESE PLATE. 22**  
Porcini Truffle. Harissa Jack Cheddar. Wine-Soaked  
Mascarpone. Fennel Crackers + Condiments. GF R

## STARTERS.

- ITALIAN CHOPPED SALAD. 13**  
Local Romaine. Marinated Yuba. Salt + Vinegar Cashews.  
MightyVine Tomato. Castelvetro Olive. Radicchio.  
Smoked Chickpea Provolone. Pickled Chard Stems.  
Romanesco. Tahini - Italian Dressing. GF
- THREE BEET CARPACCIO. 12**  
Roasted Red + Pink Beets. Sour Golden Beets.  
Gotham Greens Lettuce. Pistachio Cream.  
Burnt Orange Oil. GF
- CRAB CAKES. 14**  
Hearts of Palm. Artichoke. Quinoa. Ancho Aioli. Zucchini  
Relish. GF
- BLACK + WHITE FLATBREAD. 17**  
Sunchoke Puree. Black Garlic. Macadamia Ricotta. Cured  
Black Olives. White Truffle Oil.  
Crispy Black Kale.

- CHICKPEA FRITTATA. 12**  
House Giardiniera. Gotham Greens. Celery Root.  
Fuji Apple. Herbs. Hemp Seeds. Green Goddess. GF NF

## MAINS.

- MIGHTYVINE TOMATO + ZUCCHINI LASAGNA. 21**  
Sun Dried Tomato Marinara. Basil Pistachio Pesto.  
Macadamia Ricotta. Herb Oil. GF R
- BEET RAVIOLI. 19**  
Chestnut Pasta. Macadamia Ricotta. Winter Greens.  
Dashi Cream Sauce. GF NF
- SPICY UDON. 19**  
Tempeh. Shiitake Mushrooms. Toasted Cashews.  
Bok Choy. Watermelon Radish. Togarashi.
- PLANT BURGER. 18**  
Sunflower Cheddar. Pickles. Beetroot Ketchup.  
Brioche Bun. Roasted Potatoes. NF
- PLANT BOWL. 18**  
Quinoa. Black Lentil. Charred Root Vegetables.  
Marinated Kale. Avocado. Piquillo Romesco.  
Preserved Lemon Tahini. GF
- COCONUT CURRY RISOTTO. 18**  
Roasted Delicata Squash. Parsnip Puree.  
Maitake Mushrooms. MightyVine Cherry Tomatoes.  
Currants. Mint-Cilantro Chutney. GF NF
- KELP NOODLE CACIO E PEPE. 19**  
Cashew + Black Pepper Cream. Sugar Snap Peas.  
Pea Sprouts. Crispy Oil Cured Olives. GF R

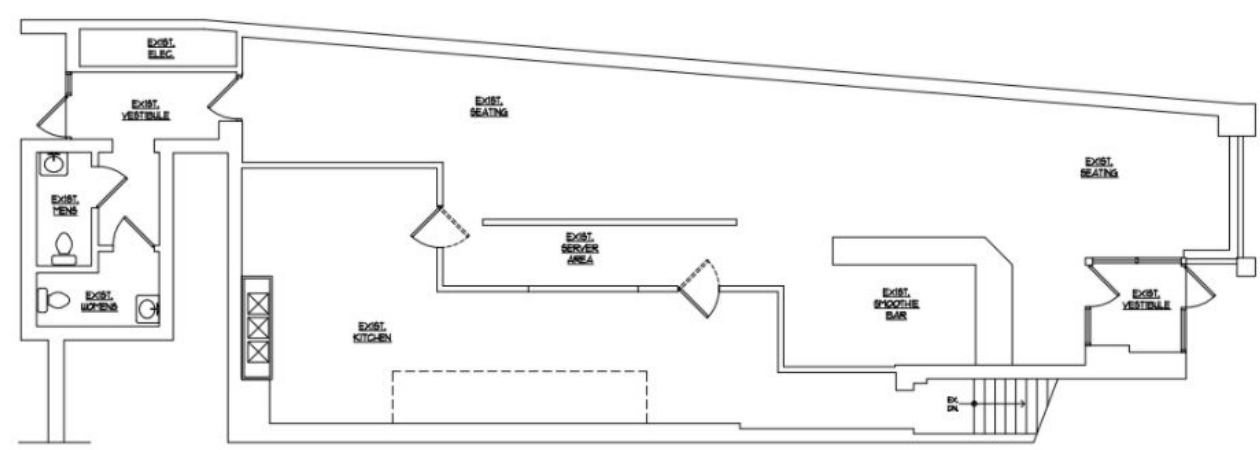
## PHILOSOPHY.

WE SOURCE THE HIGHEST QUALITY fruits, vegetables, nuts + seeds. These ingredients highlight the season's best produce and are the inspiration for our plant-based menu.

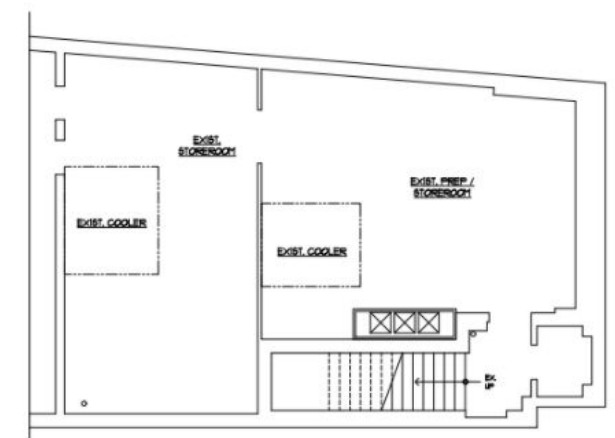
WE ARE PLEASED to feature organic plant foods from local producers.

GF - Gluten Free | NF - Nut Free | R - Raw





EXIST. GRADE LEVEL PLAN  
SCALE: 1/8" = 1'-0"



EXIST. BASEMENT PLAN  
SCALE: 1/8" = 1'-0"

JON SARKESIAN  
ARCHITECTS, P.C.  
233 N. OLD WOODWARD AVE.  
BIRMINGHAM, AL 35203  
205.975.1100  
www.jonsarkesian.com  
SHEET NO. A-2

CAPACITY:  
45 interior  
10 bar  
12 outdoor





# *Rustico*

Kitchen & Cocktails





## Starters

### Crispy Calamari

*lemon . parsley . chili aioli*

### Prime Meatballs

*burrata . Parmesan . heirloom tomato Marinara . arugula pesto*



### King Crab Bruschetta

*lemon butter . parsley . dill*

### Tuna Tartar

*avocado . yuzu . homemade tortilla chips*

### Oysters on the half shell

*yuzu granita . spicy cocktail*



### Chicken Nachos

*homemade tortilla chips . cheddar jack . black bean queso . jalapeños . black olives . lettuce . salsa verde . sour cream . guacamole*

### Chips and Cheese

*homemade tortilla chips . black bean queso . salsa verde*

### Deviled Eggs

*king crab . caviar*

### Baked Fontina Dip

*olive oil . rosemary . thyme . garlic . crostini . homemade tortilla chips*

### Steamed Mediterranean Mussels

*spicy heirloom tomato marinara . garlic crostini*

### Sweet Potato French Fries

*homemade ranch . honey mustard*

### Jumbo Shrimp Cocktail

*spicy cocktail*

### Buffalo wings

*blue cheese dressing . celery sticks*

### Crock of Pimento Cheese

*crackers . celery sticks . carrot sticks*



## Salads

### Imported Burrata

*king crab . Heirloom Tomato . Arugula . Crostini . olive oil . balsamic*

### Shredded Kale

*grilled chicken oregano . mushrooms . bacon . parmesan . herb vinaigrette*

### Steak Salad

*tenderloin tips . iceberg . romaine . cucumber . tomatoes . green beans . hardboiled eggs . fingerling potatoes . blue cheese . herb vinaigrette*

### Classic Greek

*grilled chicken oregano . imported feta . tomatoes . cucumbers . kalamata olives . roasted beets . olive oil . lemon*

### Roasted Beet

*whipped goat cheese . pistachio . arugula . crostini . dijon mustard vinaigrette*

### Ora King Salmon Cobb

*roasted corn . tomato . bacon . avocado . homemade ranch*

### Cauliflower Crunch

*grilled chicken oregano . feta . apples . pistachios . dried cranberries . mint . parsley . dijon mustard vinaigrette*

## Soups

### Vegetarian Chili

### Potato cheddar

### Spicy Sausage Lentil



## Entree

### 8oz Creekstone filet

*garlic & rosemary butter . roasted fingerling potatoes . sautéed green beans*

### Steak & Frites

*16 oz bone in ribeye*

*special seasoning . rosemary sea salt french fries, sweet potato fries or greek fries*

### Spaghetti with Prime Meatballs

*Heirloom tomato marinara . imported burrata (make it spicy!)*

### Chicken Parmesan

*spaghetti with heirloom tomato marinara (make it spicy!)*



### Grilled Chicken Oregano

*Tzadziki . greek fries*

### Ora King Salmon

*Roasted corn and avocado salsa . wilted spinach*



### Fish and Chips

*fresh fried halibut . rosemary sea salt french fries . homemade tartar sauce*

### Chicken Finger Platter

*homemade ranch . honey mustard . rosemary sea salt french fries*

### Lamb Chops

*greek fries . mini greek salad*



## Sides

### Roasted Fingerling Potatoes

### Sautéed Green Beans

### Steamed Broccoli

### Sweet Potato Fries

### Rosemary Sea Salt Fries

### Greek fries

### Cauliflower Au Gratin



## Sandwiches

### Philly Cheesesteak

*thin sliced tenderloin . peppers . onions . mushroom . provolone . rosemary sea salt french fries*

### Baja Fish Tacos

*Fried Halibut . salsa verde . homemade tortilla chips . guacamole*

### Pimento Cheese Stuffed Burger

*lettuce . tomatoes . chili aioli . rosemary sea salt french fries*

### Cheddar Burger

*hand-packed patty . cheddar . caramelized onions . rosemary sea salt french fries*



## Desserts

### Butter Cake

*vanilla ice cream . homemade whipped cream*

### Loukamades

*cinnamon . honey*

### Homemade Oreo Ice Cream Cake

### Belgian Chocolate Soufflé Cake

*Vanilla ice cream . homemade whipped cream*



***Rustico Kitchen and Cocktails is a modern casual American restaurant, which features a wide selection of menu items with a hint of clean mediterranean influence, focusing on healthy options with a twist. Designed specifically for the Birmingham clientele, we source the highest quality ingredients to provide the very best in our industry. The full service bar offers unique craft beers, fine wine, and scratch cocktails. Our core philosophy is to provide outstanding service and food in a casual but still upscale atmosphere. Our goal is to become Birmingham's go-to neighborhood restaurant with something for everyone.***

## Kids Menu

### Fish and Chips

### Kids Burger and Fries

### Salmon and Steamed Broccoli

### Chicken Fingers and Fries with Homemade Ranch

### Spaghetti and Meatballs

### Baked Cauliflower Au Gratin with Sautéed Green Beans



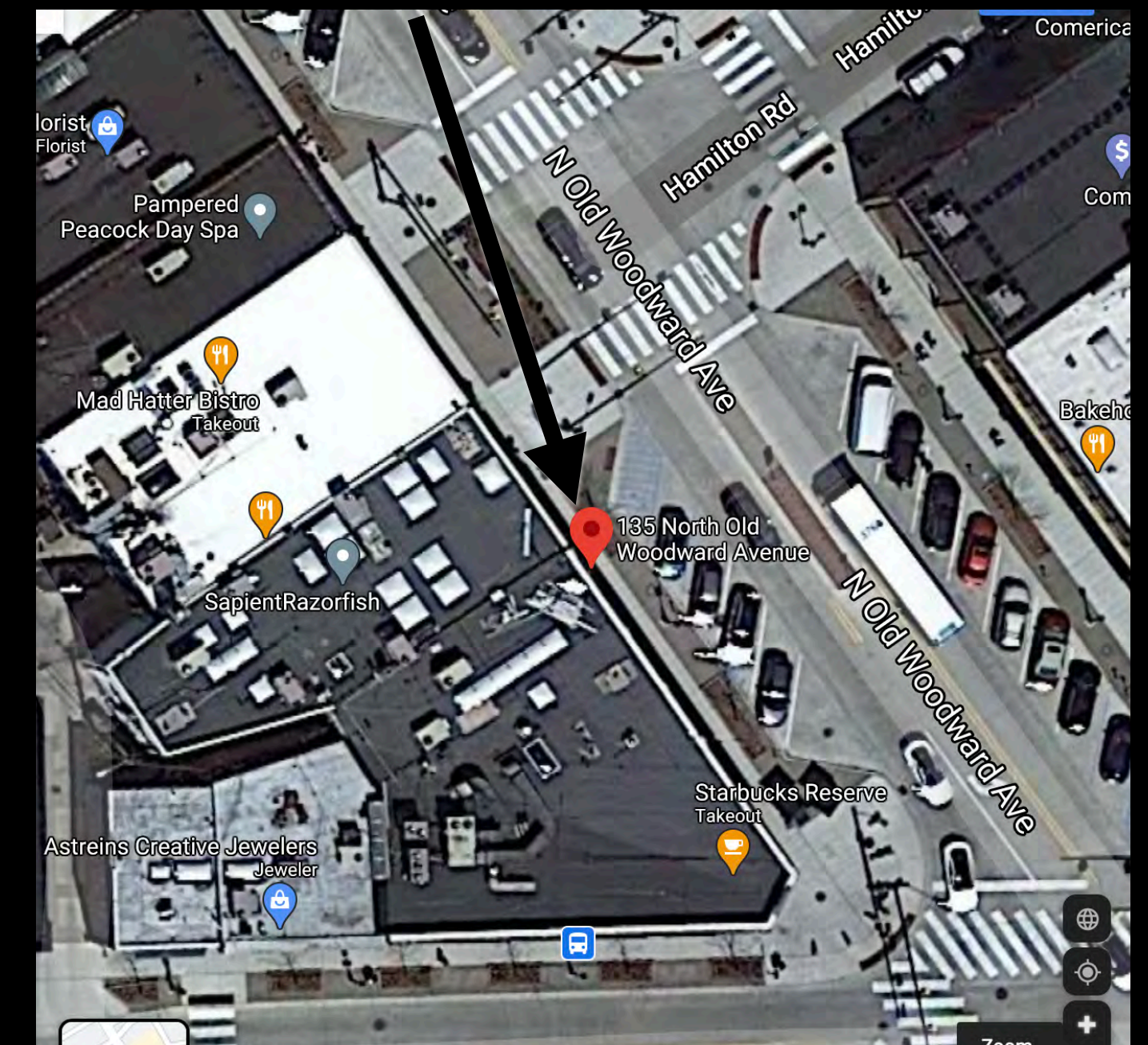
*Owner/Operator Christ Backos has been in the food business for over 25 years. He has owned and operated full service restaurants, bars, and banquet facilities over that span of time. He currently owns and operates Ernie's Medditeranian Room which is an upscale mediteranian concept and banquet facility in Clinton Township. He also owns and operates three Leo's Coney Island Franchises in Macomb County, The Detroit Food Company which is a full service off premise catering company, and the Fresh Food Kitchen which is a meal prep food delivery service. For this project, he has collaborated with executive chef Sarah Nahas Hormi, a graduate of the New York Culinary Institute. She is a culinary producer for the show Chopped, Chopped Jr. & Chopped Sweets on the Food Network.*



*Our vision for the interior is modern meets rustic. A warm but sophisticated vibe that is family friendly, a true neighborhood restaurant.*

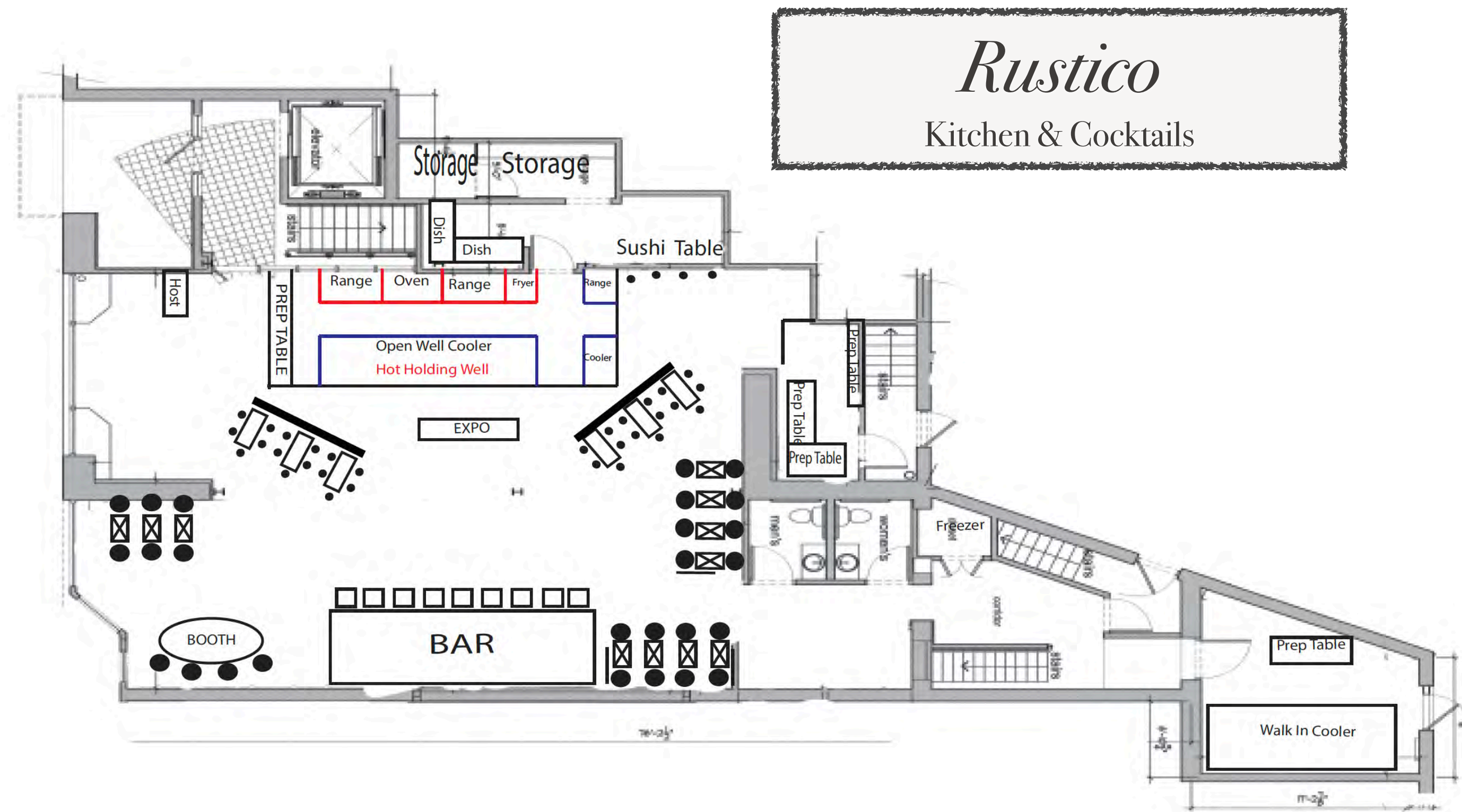


*Proposed location is located at  
135 N. Old Woodward  
Birmingham, MI 48009*





## Proposed Floor Plan



*Financially, after 20 plus years in the food business and having a great deal of success and currently owning multiple loacations, myself and my business partner and landlord Brian Najor will both be making capital contributions to build out the proposed space.*



# **Sushi Japan**

**176 S. Old Woodward Avenue  
Birmingham, Michigan 48009**



**Proposal for Bistro License  
September 30, 2020**

**Submitted by:  
Kelly A. Allen  
Adkison, Need, Allen, & Rentrop, PLLC  
39572 Woodward Ave., Suite 222  
Bloomfield Hills, MI 48304**

## **SUSHI JAPAN**

### **Description of Bistro Concept/Owner**

Sushi Japan will primarily offer authentic Chinese cuisine. The menu is the result of years of research into fusion cooking, and experience in Chinese and Japanese culture.

Sushi Japan is located in the heart of downtown Birmingham at 176 S. Old Woodward, previously the site of “Mediterranean Street Food.” The space is undergoing a complete renovation and will be beautiful with modern décor offering full service. The highlight of the restaurant will be the open kitchen so that the guests can see the creation of the cuisine.

The landlord is Merrillwood Collection Investment, LLC. The proposed opening date is late October, 2020.

Sushi Japan will have 56 indoor seats, outdoor dining, the required glazing, and will otherwise meet the requirements for a “Bistro” under the City’s ordinances. The ability to offer full service, including alcohol, is critical to the success of this small business.

The owner of Sushi Japan is Ximing (“Charlie”) Yu. Charlie and his family came to the United States from China in 2008. Charlie’s family has operated Chinese restaurants in China and in the United States. Charlie has been in the “family business” since he was 15 years old. He has worked in every capacity in the restaurant business. He is an expert at business, food, and social media management. He has been a host, a cashier, a chef, and a server. Currently, Charlie is a sushi chef at the Kona Grill.

Charlie’s energy and desire to own and operate his own business, combined with his experience and unique talent, will bring a Bistro to the downtown which will diversify the dining choices for the City’s residents and beyond. Charlie believes that Sushi Japan will become a clear destination for diners seeking an authentic Chinese experience.

One of Charlie’s special talents is the art of making noodles, including Chinese specialties and ramen. He prides himself in the presentation of his dishes and excellent customer service.

### **Unique Characteristics**

Sushi Japan will be different than other Asian cuisine in the City. It will offer primarily Chinese cuisine, whereas the other full-service restaurants in the City are primarily Korean or Japanese cuisine.

### **Employees and Hours of Operation**

Sushi Japan will employ an expert executive Chef and approximately 8 employees.

Sushi Japan will be open for lunch and dinner. The hours of operation will be Monday through Saturday from 11:00 am to 11:00 pm and on Sunday from 11:00 am to 9:30 pm.

### **Executive Chef**

Sushi Japan has partnered with Executive Chef Yuen. Chef Yuen has more than 30 years of experience in American, Japanese, and Chinese restaurants.

Chef Yuen brings Chinese culture and cuisine together to present unique and delicious dishes from the open kitchen to the table with a wonderful presentation. She creates unique fusion noodles, ramen, and sauces. Chef Yuen is proud of her commitment to using fresh ingredients which enhance the taste of all of her creations.

Chef Yuen will also manage the back of the house in a first-class manner.

### **Financial Ability To Construct and Operate the Proposed Bistro**

Charlie has employed and paid for the services of an expert contractor. He has the financial ability to complete the project, purchase a liquor license, and operate the restaurant. As Charlie's counsel I have reviewed of Charlie's Chase Bank account statement which shows more than sufficient funds to open and operate. This bank record can be produced if requested.



# SUSHI JAPAN

Japanese, Asian, Chinese Food and Fusion Noodles  
Lunch 11am-3pm Tel:248-000-0000

Available Hours(Open for Dine-In)  
Mon-Thur. 11am-10:30pm  
Fri-Sat. 11am-11pm  
Sun. 11am-9:30pm

Gift certificates available  
Dine-In and Carry-Out  
176 S. Old woodward ave.  
Birmingham, MI 48009

## Starters (Appetizing Nibbles)

**Tempura** (lightly battered deep fried, w/sauce)  
Vegetable 5, Double size 9  
All sweet potato 6  
Calamari 8.5, Avocado (add 3),  
Shrimp (2pcs, add 4), (5pcs, add 10)  
Chicken (2pcs, add 3), (5pcs, add 7)  
Softshell crab & vegetable 10

**Edamame** (sea salted steamed soybeans) 4.5  
**Vegetarian spring rolls** (w/sauce) 5.5  
**Dumpling (beef & veggie gyoza)** 5.5  
(choice: steamed or fried, w/sauce)  
**Agedashi tofu** (lightly fried tofu, w/sauce) 5.5  
**Steamed tofu** (w/house-made sauce) 5.5  
**Shrimp shumai** (steamed, w/sauce) 5.5  
**Crab shumai** (steamed, w/sauce) 6.5

\*Prime ribeye truffle slider 20

## Beverage

**Soft drink** 1.5 (coke, diet coke, sprite, zero coke)  
**Green Tea** 1.5 **Lemonade** 2.25  
**Ice tea** 2.25  
**Japanese ramune** 2.95

## Salad

**Green Salad** 4.95  
(iceberg lettuce, spinach, house-made miso dressing)  
**Kani cucumber salad** (sunomono) 5.5  
(cuke, crab stick, light sweet vinegar sauce, sesame seeds)  
**Seaweed Salad** 5.5  
**Calamari salad** 6.95

## Bibim Noodles

**Niku noodles (korudo bibim), no broth**  
(Mixed bibim Japanese buckwheat or wheat noodles, veggie,  
mild spicy sauce, steamed egg),  
-Teriyaki bibim noodles 10  
-Chicken or Tofu or Veggie bibim noodles 12  
-Beef shabu-shabu or Shrimp bibim noodles 14  
-Spicy Pork shabu-shabu bibim noodles 13  
-Kotsu (Chicken or Pork) bibim noodles 13  
-Kimchee bibim noodles 13,  
-Kal-bi bibim noodles 17  
-Vernicelli bibim noodles 13  
-Gluten-free premium soft white vermicelli 13  
-Bean noodle 12  
(chilled white soybean broth, w/somen noodles)  
-Cold Dan Dan noodles 12  
(groung pork stir fried chinese sauteed vegetable)

## Soup

**White miso soup** 3.5  
(white soybean based broth, silken tofu, scallion, wakame)  
**Veggie soup** (Japanese chicken broth, w/noodle, veggie) 5.5  
**Spicy tofu soup** 5.5  
(silken tofu, w/mild spicy dashi broth & noodle, veggie)  
**Spicy seafood soup** 8.95  
(mild spicy dashi broth, w/shrimp, scallop, mussel & veggie)  
**Somyen soup** 5.5, **Wonton Soup** 6  
**Rice glutinous sesame balls** 5.5  
**Shanghai steamed soup bao** 7  
**Fish dumpling soup** 6  
**Hot and Sour Veggie Soup** 5

## Broth Noodles

**Udon, うどん**  
(thick white wheat noodle in Japanese dashi broth, w/veggie, Inari)  
-Plain udon 6, -Beef udon 14  
-Tofu or Veggie or Chicken udon 11  
-Jalapeno or Broccoli udon 13  
-Shrimp & Veggie tempura udon 11  
-Spicy shrimp or Spicy seafood udon 14.5  
-Miso Udon (white miso broth base) 11  
**Soft tofu somyen noodle** 12  
(white miso broth, w/silken soft tofu, somen, scallion)  
**Somyen noodle** 12  
Japanese style chicken broth, w/somen noodles, mixed  
veggie and lightly sesame oil)  
**Bean noodle** 12  
(chilled white soybean broth, w/somen noodles)

## Ramen and Fusion Noodles

**Chinese Wok Noodles (yaki)**  
(Japanese wok sauteed udon noodles, mixed veggie, w/rice)  
-Veggie or Chicken or Tofu yaki 11  
-Beef or Shrimp yaki 14.5, -Spicy pork yaki 14  
**Glass noodles (Japchae)**  
(steamed veggie, glass sweet potato noodles, w/rice)  
-Chicken or Tofu or Veggie clear noodle 12.95  
-Beef shabu-shabu or Shrimp clear 14.5,  
-Spicy(mild) pork clear 14

## Ramen

(Japanese style white soy base miso and chicken broth, w/veggie,  
baby bok choy, scallion, broccoli, mild spicy sauce, steamed egg)  
-Veggie 11, Chicken or Tofu or Miso Veggie ramen 12  
-Beef shabu-shabu or Shrimp ramen 13.5  
-Spicy(mild) Pork shabu-shabu ramen 13  
-Kotsu (Cutlet: Chicken or Pork sirloin) ramen 13  
-Kimchee ramen 13, Kalbi Ramen 17  
-Bibim Veggie ramen 12 (add: Beef2, Chicken2, Pork2)  
-Black bean ramen 13  
-Curry Veggie ramen 13

(Ramen history is a bit over 100 years old in Japan, dating  
back to the first credited shop in 1910)

Sides: Fried Noodles 5, Asian Vegetables 5, Fried Rice 5,  
Steamed White Rice 2, Steamed Brown Rice 3

\*Consuming raw or undercooked meats, poultry, seafood, shellfish and eggs may increase your risk of foodborne illness. These menu items may be served raw or undercooked. Before placing your order. Please inform your server of any food allergies or dietary restrictions.

# SUSHI JAPAN

ALCOHOLIC MENU



Available Hours(Open for Dine-In)  
Mon-Thur. 11am-10:30pm  
Fri-Sat. 11am-11pm  
Sun. 11am-9:30pm

Gift certificates available  
Dine-In and Carry-Out  
176 S. Old woodward  
Birmingham, MI 48009

## SAKE

**Hot Sake**  
**White Sake Punch**  
Kikusui, Niigata, Honjozo,  
very dry SMV +8  
Hakkisan, Niigata, Tokubetsu Jummai,  
dry SMV +5  
Dassai 50, Yamaguchi, Junmai Daiginjo,  
dry SMV +5

## WHITES

Sauvignon Blanc, Pierre Martin, Les Monts Damnes,  
Riesling Dry, Silver Thread, 2015  
Chenin Blanc, Backsberg, 2017  
Chardonnay, Roth, 2014  
Olivier Leflaive, Bourgogne Blanc, Les Setilles, 2015  
Boyer-Martenot, Les Narvaux, Meusault 2015

## REDS

Pinot Noir, Pere & Fils, Chanson Bourgogne, 2014  
Cabernet Sauvignon, Avalon, 2015  
Pinot Noir, Sharecropper's, 2015  
Saint-Joseph, Laurent Betton, 2015  
Tempranillo, Reserva, Imperial, CVNE, 2012

## COCKTAILS

**China Punch**, rum, fruit juice, Chinese liqueur  
**Mai Tai**, Favorite Tahitian mixture of rum, lemon  
**Sake Flights**  
**Tokyo Drift**, skyy vodka, yuzu, shiso  
**Soju Sangria**, sparkling shiraz, fruit-infused soju,  
aranciate  
**Singapore Sling**, sole gin, dry gin, lime  
**Spicy Guava Margarita**  
**Shiso Julep**, old overholt rye whiskey, shiso,  
lemon, angostuna bitters

\*Consuming raw or undercooked meats, poultry, seafood, shellfish and eggs may increase your risk of foodborne illness. These menu items may be served raw or undercooked. Before placing your order. Please inform your server of any food allergies or dietary restrictions.

## SOJU

**Daejangbu**, 21% ABV,  
premium rice soju  
**'50' soju**, 17% ABV,  
house blend infused, w/ginseng  
**Kuro Yokaichi Shochu**, 25% ABV,  
japanese sweet potato soju

## NON-ALCOHOLIC

**Strawberry Mint Spritzer**, strawberry,  
mint, lemon  
**Shiso Lemonade**, shiso, yuzu  
**Virgin Pina Colada**

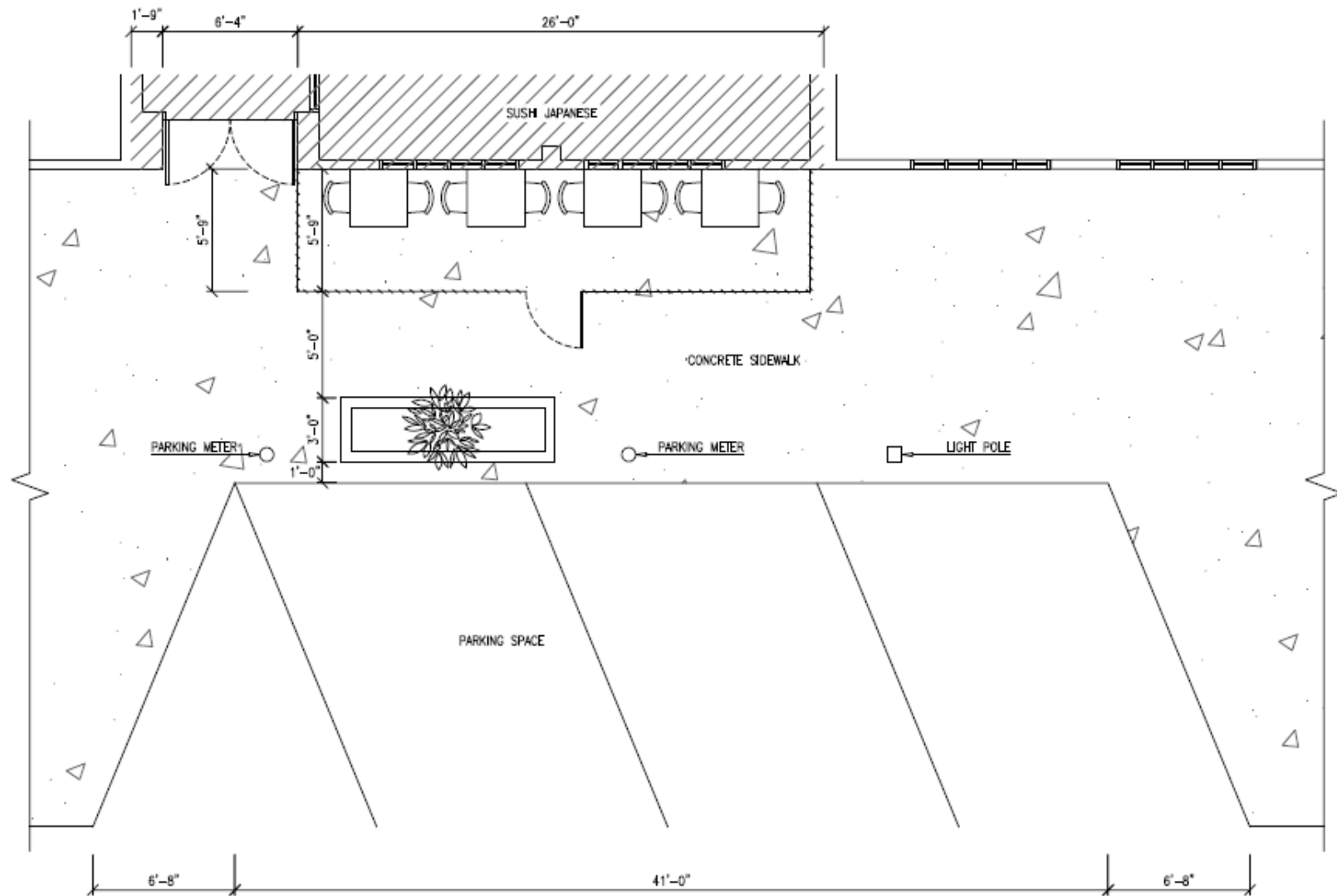
## BEER

**Tsing Tao**  
**Kloud Japanese Lager**  
**Lagunitas IPA**  
**Hitachino White Ale**  
**Duvel Belgian Golden Ale**  
**Sapporo**, Draft, BTL

## BRUNCH COCKTAILS

**Blood Orange Minosa**, prosecco,  
blood orange, grapefruit liqueur  
**Blood Mary**, skyy vodka, tomato juice,  
horseradish  
**Spicy Guava Margarita**, corazon tequila,  
guava, chipotle, lime





SITE PLAN  
SCALE: 1/4"=1'-0"





TINO's



# about

We envision **TINO'S** to be a casual neighborhood meeting spot & taqueria in downtown Birmingham. **TINO'S** will serve wholesome meals, with emphasis on Mexican cuisine, in a comfortable modern environment that feels like your coolest friend's living room.

"**TINO'S**" is named after Chef/Owner Kelly Schaefer's mother who passed away in 2010. Kelly's beloved mom was called "**TINO**" instead of grandma.

**TINO'S** menu will include tacos, quesadillas, burritos, (including the Birria taco concept sweeping the food world) elevated bar snacks, kid friendly fare and amazing salads - all served in a casual & cool environment. **TINO'S** entrees will be made with grass-fed beef, sustainably raised pork and vegetables straight from local farms whenever possible.

No meal at **TINO'S** will be complete without the "YELLOWSTONE," the house margarita made with top quality, 100% agave tequila, fresh-squeezed lime and all-natural triple sec. At **TINO'S** the drink menu will go beyond the margarita and will offer a variety of Whiskeys, craft tap beers & wines, homemade horchata and a collection of fun creative cocktails crafted from artisanal Mexican spirits.

The interior and exterior design of **TINO'S** will blend seamlessly into the Birmingham's streetscape – at once appearing to have been there all along while at the same time elevating Hamilton Row. Inside the atmosphere will feel comfortable, modern and homey with Mexican artwork and murals on the walls. The long narrow space will lend itself to a galley seating. A bar at the back of the house with a mix of booths, high tops and low seating will be complimented by community tables towards the front. The pre-existing garage door will allow for an a la fresca feel in the spring, summer and fall months.

This fare is near and dear to Chef/Owner Kelly's heart because she loves that it is a blend of different cultures. It's distinct blend of spices/seasonings, chilis, fresh ingredients, vegetables, different types of meat and fish that help create vibrant colors and beautiful dishes. This makes Mexican food so irresistible and truly unique. That in combination with her French culinary roots, her vast experience in New York, Chicago, and Detroit will all contribute to the success of **TINO'S**. Her love of food and people will keep the Birmingham crowds happy, full and wanting more.

**TINO'S** aims to be a community gathering spot, providing consistently high-quality, wholesome, healthy meals and great service. The price points will range from \$5-\$25 making it affordable and inclusive for all. We will offer catering, online ordering, curbside pickup, and delivery service to our Birmingham customers.

**TINO'S** will both enhance the Birmingham community and bring much needed vibrancy to Hamilton Row with amazing, casual, fun, affordable food for the whole town to love and share.

# operations

## Proposed Location:

344 Hamilton Row  
Birmingham, MI 48009

## Opening Date:

Fall of 2021

## Hours of Operation:

Monday - Sunday  
11:00 am to 12 midnight

## OWNERS:

### Kelly Schaefer:

Born, raised and lives in Birmingham

### Education:

B.A 1993 – Michigan State University

1999 – Graduated from the French Culinary Institute.

### Professional Experience:

25 years of experience

Sous Chef- The Galley Restaurant-  
Nantucket, MA

Sous Chef- Crofton on Wells- Chicago, IL

Director of Catering- Carlyn Bergdoff  
Catering- Chicago, IL

Director of Events/Catering-  
Renaissance/Skyline Club- Detroit, MI

Founder, Partner, Director of Operations of  
7Greens. Locations in Detroit, Birmingham  
and Chicago.

In business for over 7 years.

Birmingham location has been serving the  
community for over 4 years.

### Hank Wineman:

Born, raised and lives in Birmingham

### Education:

J.D. 1995 - Michigan State University

B.A. 1992 - Albion College

### Professional Experience:

Attorney – Partner at the law firm of Frasco  
Caponigro Wineman Schieble Hauser &  
Luttman, PLLC, specializing in corporate law,  
mergers and acquisitions and real estate.

Partner – BHB Investment Holdings that  
owns and operates Goldfish Swim Schools in  
Michigan, Indiana, Ohio, Florida and New  
York.

Partner – KMH Investment Holdings that  
owns and operates a small chain of fast  
casual restaurant called “7Greens”, in  
Detroit, Birmingham and Chicago.

---

## Financials:

Kelly and Hank of combined net worth of  
over 5 million dollars.

# tino's menu

## Appetizers

**Honos Nachos** - House chips, bechamel cheese sauce, red cabbage, salsa fresca, radish, house pickled jalapenos, dollop of guacamole

**Add a protein of your choice:** Chicken, Steak, Chorizo, Asian Pulled Pork, Citrus Shrimp, Mushrooms

**Elote Fries** - Chili dusted French fries, raw corn, lime crema, green onion, shaved parmesan cheese

**Queso Fundido** - Chorizo, black beans, pickled Jalapeno

**Guacamole**

**Chips and Salsa Flight** - House chips and salsas

## Tacos

**Danny Boy... Chicken** - Marinated grilled chicken, raw corn, grilled onion, queso fresco, chipotle ranch drizzle

**Tino... Shrimp** - Citrus shrimp, lime crema, arugula, salsa fresca

**Nanas... Mushroom** - Portobello mushroom, avocado, red cabbage, pickled jalapeno, Jalapeno cashew sauce drizzle

**Princess Dork... Chorizo** - Chorizo, sweet potato, salsa fresca, queso fresco, avocado

**Hanky Panky... Steak** - Marinated grilled steak, poblano pepper/onion relish, black beans, salsa fresca

**Little Piggy... Pulled Pork** - Asian marinated pulled pork, red cabbage, salsa fresca, pineapple

## Sweet Endings

**Crack Bar Sundae (GF)** - Gluten free chocolate peanut butter bar, vanilla ice cream and Mexican hot chocolate sauce

**Homemade Mexican Chocolate Chunk Cookie with Horchata**

**Leprechaun Hummer:** Whiskey, kahlua, vanilla ice cream, whipped cream

**Strawberries and Tequila:** Need we say more...?

## Ensaladas & Bowls

**Las Bear 2.0** - Romaine, Black Beans, Raw Corn, Salsa Fresca, House Chips, Avocado, Pepitas, Cojita Cheese, Chipotle Ranch

**K Foxy 2.0** - Romaine, Chili Spiced Butternuts, Shaved Parmesan, Poblano Caesar Sauce

**Green Bucket (Reborn)** - Romaine, Arugula, Salsa Fresca, Raw Corn, Cucumbers, Pepitas, Radish, Avocado, Housemade Pickled Jalapenos, Cilantro Jalapeno Lime Vinaigrette

**Bert's Bowl** - Brown rice, black beans, greens, radish, queso fresca, pepitas, salsa fresca, avocado  
Chipotle ranch

**Add a protein of your choice:** Chicken, Steak, Chorizo, Asian Pulled Pork, Citrus Shrimp, Mushrooms

## Other Stuff

**Happy Camper Quesadilla** - 5 spice dusted four tortilla, pickled jalapeno cream cheese shmeer, poblano/onion relish, mushrooms, raw corn, chichula cheese

**Biggies Burrito** - Brown Rice, red cabbage, black beans, raw corn, salsa fresca, avocado, lime, bechemal cheese sauce, jalapeno cashew sauce

**Add a protein of your choice:** - Chicken, Steak, Chorizo, Asian Pulled Pork, Citrus Shrimp, Mushrooms

**Chorizo Chili** - Avocado, green onion, lime

## Kids Menu

**PBJ Quesadilla**  
**Cheese Quesadilla**  
**Cheese Fries**  
**Fries**

## Brunch Menu

**Egg Burrito** - Scrambled eggs, sweet potato, green onion, salsa fresca, avocado and choice of protein...

**Add a protein of your choice:** Chicken, Steak, Chorizo, Asian Pulled Pork, Citrus Shrimp, Mushrooms

**Huevos Espanoles** - Chili dusted fries topped with 2 fried eggs and chorizo chili

**Chilaquiles** - House chips, scrambled eggs, black beans, salsa, cotija cheese

**Migas** - Scrambled eggs and house chips, mushrooms, pickled jalapenos, salsa, avocado, chichiula cheese

**French Toast** - Homemade cinnamon French toast with Mexican hot chocolate sauce and whipped cream

**Avocado Toast** - Avocado smash, sweet potato, salsa fresca, pepitas, drizzle flax oil, fried egg

**Granola** - Berries, yogurt, and house gluten free granola



# Vinewood

Kitchen & Cocktails





## Starters

### Crispy Calamari

*lemon . parsley . chili aioli*

### Prime Meatballs

*burrata . Parmesan . heirloom tomato Marinara . arugula pesto*



### King Crab Bruschetta

*lemon butter . parsley . dill*

### Tuna Tartar

*avocado . yuzu . homemade tortilla chips*

### Oysters on the half shell

*yuzu granita . spicy cocktail*



### Chicken Nachos

*homemade tortilla chips . cheddar jack . black bean queso . jalapeños . black olives . lettuce . salsa verde . sour cream . guacamole*

### Chips and Cheese

*homemade tortilla chips . black bean queso . salsa verde*

### Deviled Eggs

*king crab . caviar*

### Baked Fontina Dip

*olive oil . rosemary . thyme . garlic . crostini . homemade tortilla chips*

### Steamed Mediterranean Mussels

*spicy heirloom tomato marinara . garlic crostini*

### Sweet Potato French Fries

*homemade ranch . honey mustard*



### Jumbo Shrimp Cocktail

*spicy cocktail*

### Buffalo wings

*blue cheese dressing . celery sticks*



### Crock of Pimento Cheese

*crackers . celery sticks . carrot sticks*

## Salads

### Imported Burrata

*king crab . Heirloom Tomato . Arugula . Crostini . olive oil . balsamic*

### Shredded Kale

*grilled chicken oregano . mushrooms . bacon . parmesan . herb vinaigrette*

### Steak Salad

*tenderloin tips . iceberg . romaine . cucumber . tomatoes . green beans . hardboiled eggs . fingerling potatoes . blue cheese . herb vinaigrette*

### Classic Greek

*grilled chicken oregano . imported feta . tomatoes . cucumbers . kalamata olives . roasted beets . olive oil . lemon*

### Roasted Beet

*whipped goat cheese . pistachio . arugula . crostini . dijon mustard vinaigrette*

### Ora King Salmon Cobb

*roasted corn . tomato . bacon . avocado . homemade ranch*

### Cauliflower Crunch

*grilled chicken oregano . feta . apples . pistachios . dried cranberries . mint . parsley . dijon mustard vinaigrette*

## Soups

### Vegetarian Chili

### Potato cheddar

### Spicy Sausage Lentil



## Entree

### 8oz Creekstone filet

*garlic & rosemary butter . roasted fingerling potatoes . sautéed green beans*

### Steak & Frites

*16 oz bone in ribeye*

*special seasoning . rosemary sea salt french fries, sweet potato fries or greek fries*

### Spaghetti with Prime Meatballs

*Heirloom tomato marinara . imported burrata (make it spicy!)*

### Chicken Parmesan

*spaghetti with heirloom tomato marinara (make it spicy!)*



### Grilled Chicken Oregano

*Tzadziki . greek fries*

### Ora King Salmon

*Roasted corn and avocado salsa . wilted spinach*



### Fish and Chips

*fresh fried halibut . rosemary sea salt french fries . homemade tartar sauce*

### Chicken Finger Platter

*homemade ranch . honey mustard . rosemary sea salt french fries*

### Lamb Chops

*greek fries . mini greek salad*



## Sides

### Roasted Fingerling Potatoes

### Sautéed Green Beans

### Steamed Broccoli

### Sweet Potato Fries

### Rosemary Sea Salt Fries

### Greek fries

### Cauliflower Au Gratin



## Sandwiches

### Philly Cheesesteak

*thin sliced tenderloin . peppers . onions . mushroom . provolone . rosemary sea salt french fries*

### Baja Fish Tacos

*Fried Halibut . salsa verde . homemade tortilla chips . guacamole*

### Pimento Cheese Stuffed Burger

*lettuce . tomatoes . chili aioli . rosemary sea salt french fries*

### Cheddar Burger

*hand-packed patty . cheddar . caramelized onions . rosemary sea salt french fries*



## Desserts

### Butter Cake

*vanilla ice cream . homemade whipped cream*

### Loukamades

*cinnamon . honey*

### Homemade Oreo Ice Cream Cake

### Belgian Chocolate Soufflé Cake

*Vanilla ice cream . homemade whipped cream*



## Kids Menu

### Fish and Chips

### Kids Burger and Fries

### Salmon and Steamed Broccoli

### Chicken Fingers and Fries with Homemade Ranch

### Spaghetti and Meatballs

### Baked Cauliflower Au Gratin with Sautéed Green Beans

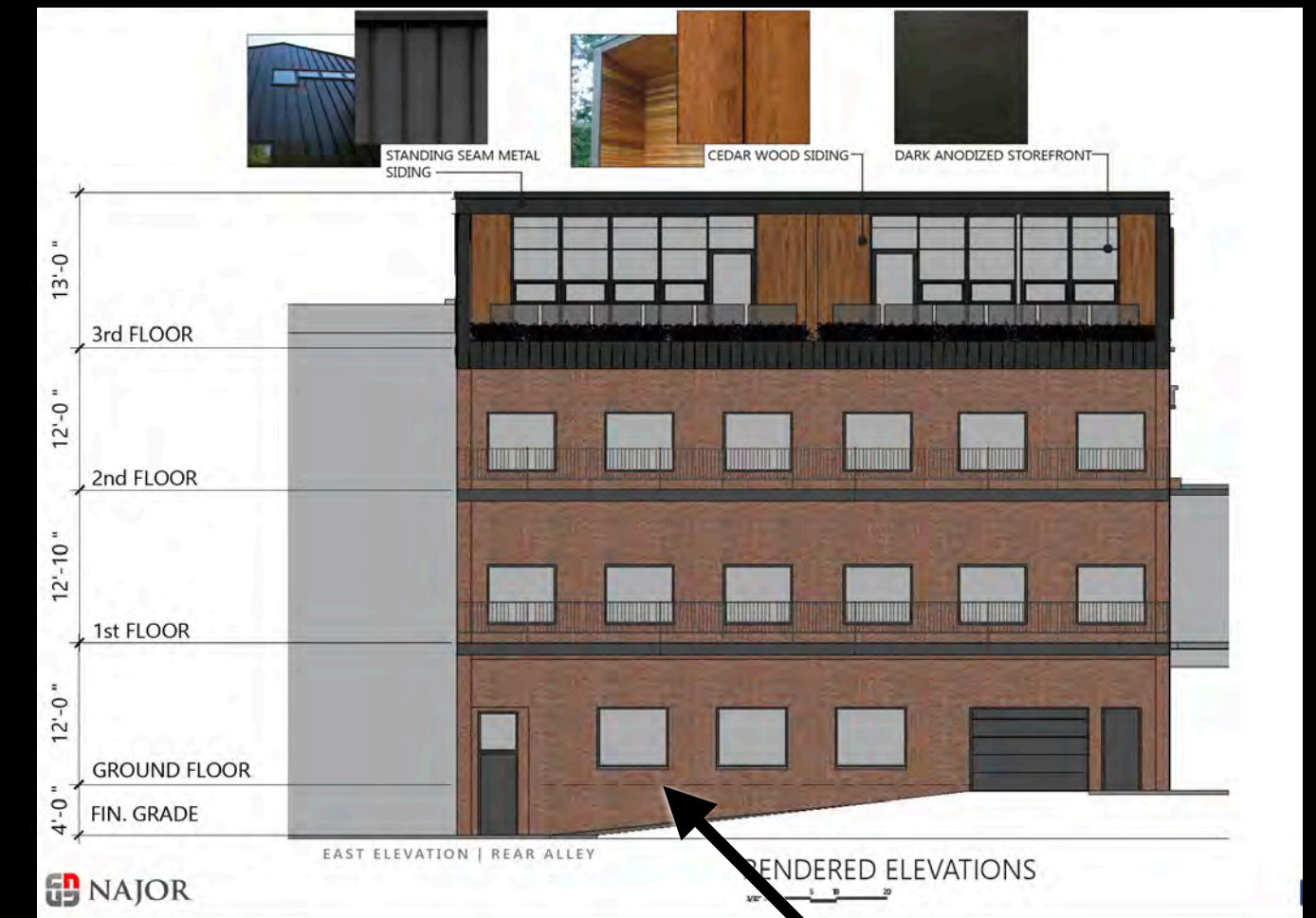
***Vinewood Kitchen and Cocktails is a modern casual American restaurant, which features a wide selection of menu items with a hint of clean mediterranean influence, focusing on healthy options with a twist. Designed specifically for the Birmingham clientele, we source the highest quality ingredients to provide the very best in our industry. The full service bar offers unique craft beers, fine wine, and scratch cocktails. Our core philosophy is to provide outstanding service and food in a casual but still upscale atmosphere. Our goal is to become Birmingham's go-to neighborhood restaurant with something for everyone.***



*Owner/Operator Christ Backos has been in the food business for over 25 years. He has owned and operated full service restaurants, bars, and banquet facilities over that span of time. He currently owns and operates Ernie's Medditeranian Room which is an upscale mediteranian concept and banquet facility in Clinton Township. He also owns and operates three Leo's Coney Island Franchises in Macomb County, The Detroit Food Company which is a full service off premise catering company, and the Fresh Food Kitchen which is a meal prep food delivery service. For this project, he has collaborated with executive chef Sarah Nahas Hormi, a graduate of the New York Culinary Institute. She is a culinary producer for the show Chopped, Chopped Jr. & Chopped Sweets on the Food Network.*



*Our vision for the interior is modern meets rustic. A warm but sophisticated vibe that is family friendly, a true neighborhood restaurant.*

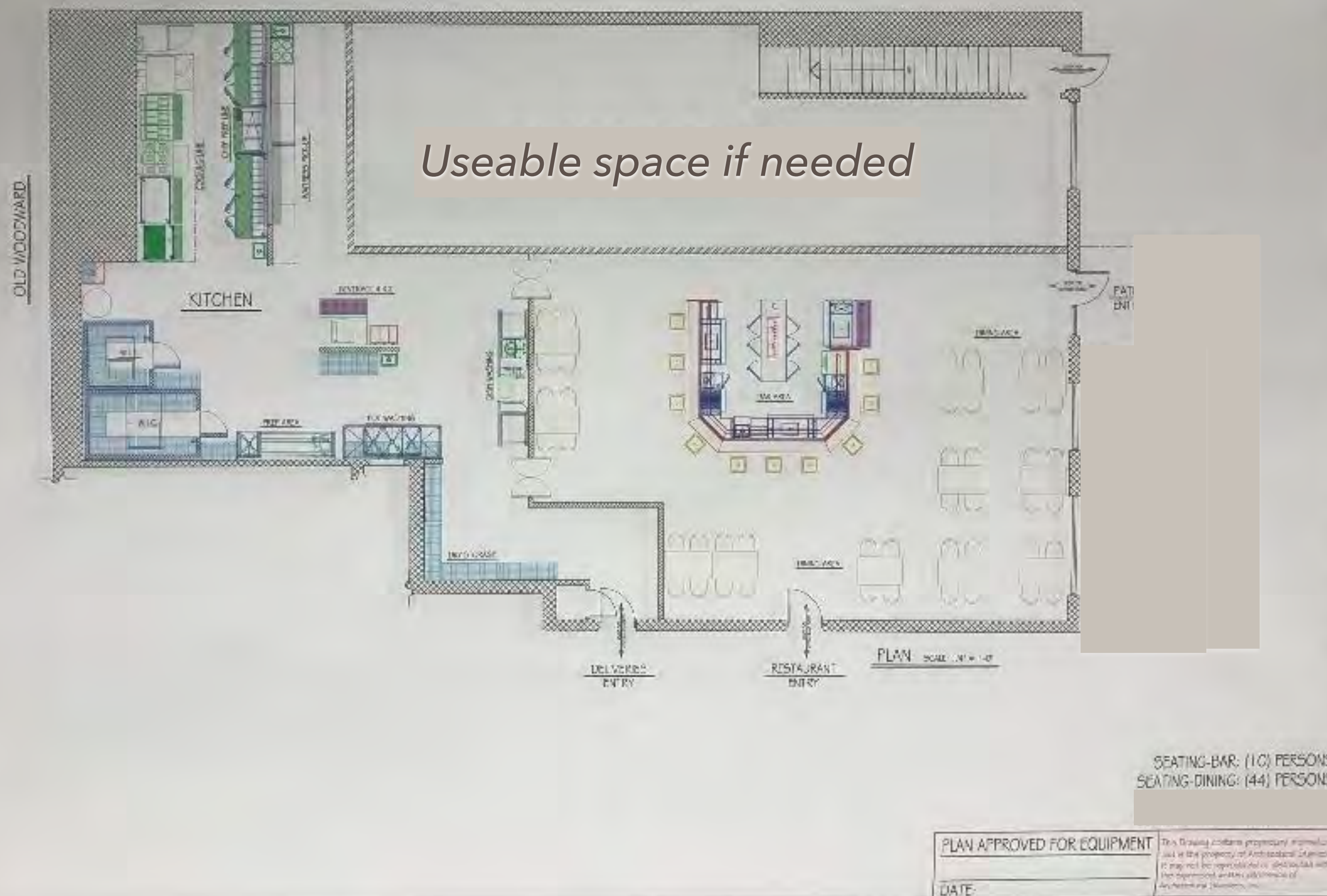


**724 N. Old Woodward  
Birmingham, MI 48009**





# Proposed Floor Plan



Financially, after 20 plus years in the food business and having a great deal of success and currently owning multiple loacations, myself and my business partner and landlord Brian Najor will both be making capital contributions to build out the proposed space.





### **City of Birmingham 2020 Bistro License Initial Application**

**Applicant:** Whistle Stop Diner (Existing Restaurant)

**Address:** 501 S. Eton, Birmingham, Michigan 48009

**Applicant's Representative:** Elda Xhomaqi, Owner  
ph. (248) 635-2554

**Applicant's Attorney:** JPHOWE, PLLC / J. Patrick Howe  
280 N. Old Woodward Ave., Suite 12, Birmingham, MI 48009  
ph. (248) 385-3112

**Applicant's Architect:** Jawan Matti  
ph. (586) 321-7727

---

### **History of Whistle Stop Diner**

It all started in 1965 when the Whistle Stop Diner originally opened. It's name comes from the fact that the Diner is located right next to the old train station where you would hear the "whistle" of the train as it came by every day. Customers would stop in to enjoy a delicious breakfast before boarding the train, or picking up a friend or family member. As the years went by, the restaurant evolved into what it has become today, which is a popular breakfast, brunch and lunch staple in City's bustling rail district. We started working here in 1999. Elda as a waitress and Valter as a cook. In 2012, we were presented with the opportunity to become the owners of the Whistle Stop Diner, and we jumped at it. We have always tried to keep the same loving menu that includes the homemade bread, buttermilk pancakes made from scratch, fresh real turkey, and the delicious desserts. In 2015, we purchased the Whistle Stop Diner in Pleasant Ridge which included a Class C liquor license. That is when we became familiar with the demand for the service of alcoholic beverages. We have developed a plan to completely renovate the

Whistle Stop Diner, which ensures that the restaurant maintains its menu and hours of operation (7:00 AM – 3:00 PM), and offer the alcoholic beverages that are served at our Pleasant Ridge location. We believe that a Bistro license will allow us to meet our customer's demands, and bring the Whistle Stop Diner forward, while maintaining that traditional, family friendly atmosphere everyone has come to love. We are very appreciative of the opportunity to obtain a Bistro License from the City, and we look forward to working with the City to solidify The Whistle Stop Diner as a neighborhood Bistro in the City's rail district for many years to come.

### **Restaurant Experience**

The Whistle Stop Diner is owned and operated by husband and wife team of Elda and Valter Xhomaqi. They have each worked in the restaurant industry their entire lives, and are hands on, passionate operators. They currently own and operate another Whistle Stop Diner in Pleasant Ridge, Michigan, which holds a Class C liquor license. That establishment has an excellent operating record, and has not received any complaints from the City of Pleasant Ridge, or Michigan Liquor Control Commission. The Xhomaqi family will continue to be the face and the leaders of the reimagined Whistle Stop Diner. They will ensure that the proposed modified operations including the service of alcoholic beverages, are executed in a professional and responsible manner.

### **Concept for Bistro**

If approved to operate as a Bistro, The Whistle Stop Diner plans to undertake a major renovation of the entire premises, as shown on the floor plan and renderings included herewith. The restaurant will have 57 indoor seats, 8 counter stools for dining, and 26 seats on an outdoor patio in front of the restaurant on City sidewalk. The outdoor patio will be fully enclosed to meet all City and State requirements. All food and beverages will be served by wait staff to seated patrons. While there is a counter area where patrons can be served directly by staff behind the counter, this area will not function as a standard bar area, and patrons will not be served unless seated at a table or counter stool. The restaurant menu is included herewith, and there will be a limited menu of alcoholic beverages available for purchase with meals. It is the applicant's intention for alcoholic beverages to simply be offered as a compliment to its food service, and the diner will not function as a bar. In full compliance with the City of Birmingham Bistro ordinance, the Whistle Stop Dinner will:

1. Have 8 counter stools;
2. Not have any direct connection additional bar permits;
3. Only serve alcoholic beverages to seated patrons;
4. Not offering dancing or entertainment of any kind;
5. Provide tables along existing windows facing S. Eton; and
6. Provide a 26 seat outdoor patio on City sidewalk with enclosures that meet City and State requirements.



**Statement Regarding Impact Bistro Will Have on Mix of Commercial Uses in Birmingham**

The Whistle Stop Diner is a true family friendly restaurant. If converted to a Bistro, the same great food will be offered in an updated setting with outdoor dining. Alcoholic beverages will be served with meals during the hours of 7:00 AM to 3:00 PM seven (7) days per week. Converting the diner into a Bistro will attract additional guests, bring additional activity to the S. Eton corridor with a 26 seat outdoor patio, and increase commercial traffic for other businesses in the rail district.

**Sample Menu**

The Whistle Stop Diner offers a delicious assortment of offerings for breakfast, brunch and lunch. A sample menu is incorporated herein, which provides the limited assortment of alcoholic beverages that would be offered if the diner is converted to a Bistro.

**Hours of Operation**

There will be no changes to the operation of the diner if converted to a Bistro. The hours of operation would be:

Monday – Saturday 7:00 AM to 3:00 PM

Sunday 8:00 AM to 3:00 PM

Outdoor Patio will be open when weather permits from May 1<sup>st</sup> – October 31<sup>st</sup> each year

**Renovation Schedule**

The Whistle Stop Diner anticipates being closed for renovations from November 2020 through April 2021.

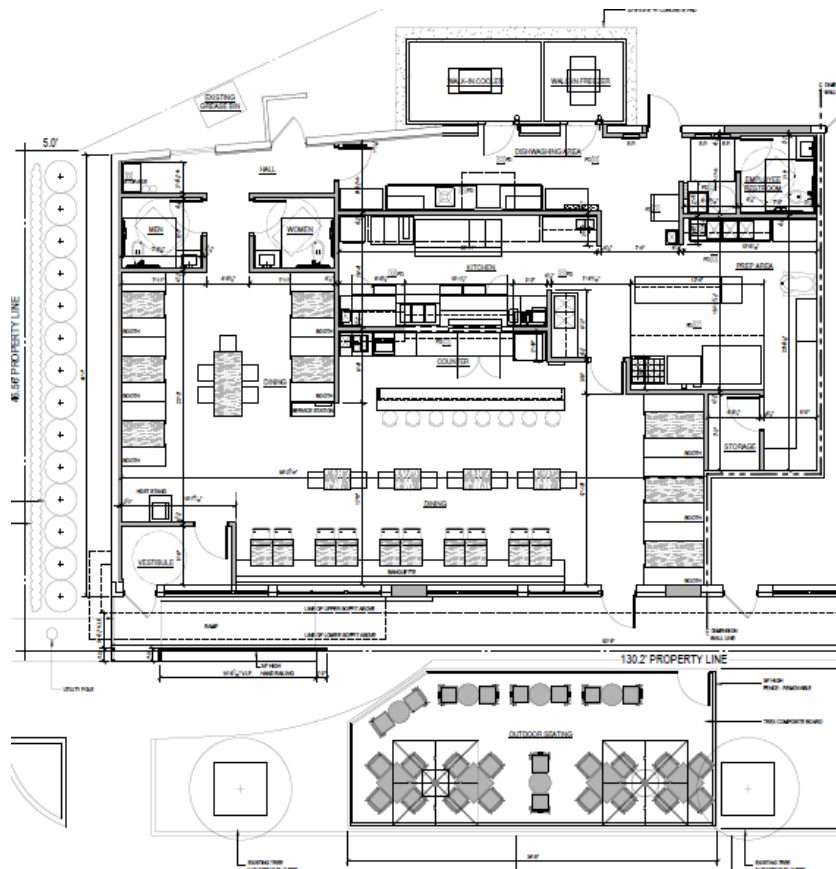
**Statement Regarding Ability to Finance, Construct & Operate Bistro**

The Whistle Stop Diner has an experienced team ready to renovate and convert the existing restaurant into a Bistro serving beer, wine and spirits. All renovations will be funded with cash on hand, and the proposed conversion of The Whistle Stop Diner to a Bistro is not contingent on obtaining financing of any kind. The Whistle Stop Diner has engaged a prominent local architect to assist with the design of the Bistro, and an experienced licensed contractor will be engaged to complete all renovations. With respect to restaurant operations, owners Elda and Valtar Xhomaqi bring a lifetime of experience to the operation of The Whistle Stop Diner, and their very experienced wait staff will ensure that the Bistro is operated in a safe and responsible manner. All employees involved in the sale and service of alcoholic beverages will be required to pass a server training course approved by the Michigan Liquor Control Commission.

Exterior Rendering for Bistro Conversion



Floor Plan for Bistro Conversion



## Whistle Stop Diner Menu

**Bloody Mary | \$9.95**  
Valentine Vodka & Our own Special Bloody Mary Mix.  
Garnished w/ a Celery Stick & a Razor of Applewood Bacon.

**Tequila Sunrise | \$9.95**  
Tequila w/ our Fresh Squeezed Orange Juice, Splash of Grenadine  
& Garnished w/ an Orange Slice.

**Mimosa | \$9.25**  
Sparkling Champagne & Fresh Squeezed Orange Juice.

**Spanish Coffee | \$10.25**  
Our Special Blend Coffee Flavored w/ a Touch of Tia Maria Liqueur, Orange Liqueur & Vanilla Ram.  
Topped w/ Whipped Cream, Garnished w/ an Orange & Served in a Flamed Cinnamon Sugar Glass.

**Irish Coffee | \$10.25**  
Our Special Blend of Coffee Flavored w/ Jameson Irish Whiskey, Bailey's  
Irish Cream, Topped w/ Whipped Cream & Drizzled w/ Chocolate.

**Madras | \$9.50**  
Valentine Vodka & Our Fresh Squeezed Orange Juice w/ a Touch of  
Cranberry Juice, Garnished w/ a Wedge of Lime.

**Screwdriver | \$9.00**  
Valentine Vodka & Our Fresh Squeezed Orange Juice,  
Garnished w/ an Orange Slice.

**Glass of Champagne | \$7.95**  
Garnished w. a Strawberry.



Approved Site Plan Seats -

| New                              |                       | Not In Use          | Indoor Dining Seats |     | Outdoor Dining Seats |                 |                  | Total Seating |         |               |
|----------------------------------|-----------------------|---------------------|---------------------|-----|----------------------|-----------------|------------------|---------------|---------|---------------|
| Bistro Licenses                  | Address               | Liquor License      | Floor               | Bar | Public Property      | Dining Platform | Private Property | Indoor        | Outdoor | Establishment |
| Adachi Sushi                     | 325 S. Old Woodward   | Bistro              | 55                  | 10  | 0                    | 0               | 67               | 65            | 67      | 132           |
| Bella Piatti                     | 167 Townsend          | Class C             | 52                  | 10  | 6                    | 22              | 0                | 62            | 28      | 90            |
| Birmingham Sushi Café            | 377 Hamilton Row      | Class C             | 65                  | 0   | 0                    | 24              | 0                | 65            | 24      | 89            |
| Churchills Bistro & Cigar Bar    | 116 S. Old Woodward   |                     | 54                  | 9   | 12                   | 0               | 0                | 63            | 12      | 75            |
| Elie's Mediterranean Grill/Bar   | 263 Pierce            | Bistro              | 56                  | 8   | 4                    | 20              | 0                | 64            | 24      | 88            |
| La Strada Café                   | 243 E. Merrill        | Bistro              | 57                  | 8   | 14                   | 0               | 0                | 65            | 14      | 79            |
| Luxe Bar & Grill                 | 525 N. Old Woodward   | Bistro              | 49                  | 10  | 12                   | 0               | 0                | 59            | 12      | 71            |
| Mad Hatter Café                  | 185 N. Old Woodward   | Development         | 50                  | 8   | 24                   | 0               | 0                | 58            | 24      | 82            |
| Market North End                 | 474 N. Old Woodward   |                     | 54                  | 10  | 0                    | 0               | 44               | 64            | 44      | 108           |
| Pernoi                           | 310 E. Maple          | Development         | 58                  | 7   | 0                    | 0               | 26               | 65            | 26      | 91            |
| Salvatore Scalopini              | 505 N. Old Woodward   | Development         | 58                  | 6   | 34                   | 0               | 0                | 64            | 34      | 98            |
| Social Kitchen & Bar             | 225 E. Maple          | Bistro              | 54                  | 10  | 56                   | 0               | 30               | 64            | 86      | 150           |
| Tallulah Wine Bar & Bistro       | 155 S. Bates          | Quota               | 54                  | 10  | 0                    | 42              | 0                | 64            | 42      | 106           |
| Toast                            | 203 Pierce            | Development         | 55                  | 10  | 19                   | 40              | 0                | 65            | 59      | 124           |
| Townhouse                        | 180 Pierce            | Development         | 40                  | 10  | 64                   | 0               | 0                | 50            | 64      | 114           |
| Outside PSD                      |                       |                     |                     |     |                      |                 |                  |               |         |               |
| Bistro Joe's                     | 34244 Woodward        | Class C             | 54                  | 10  | 0                    | 0               | 60               | 64            | 60      | 124           |
| Forest Grill                     | 735 Forest            | Class C             | 54                  | 10  | 30                   | 0               | 0                | 64            | 30      | 94            |
| Maple Road Taproom (Whole Foods) | 2100 E. Maple         | Quota               | 28                  | 8   | 0                    | 0               | 33               | 36            | 33      | 69            |
|                                  |                       |                     |                     |     |                      |                 |                  |               |         |               |
| Liquor Licenses                  |                       |                     |                     |     |                      |                 |                  |               |         |               |
| 220 Restaurant                   | 220 E. Merrill        | Class C             |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Dick O' Dows                     | 160 W. Maple          | Quota               |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Birmingham 8 Theater             | 211 S. Old Woodward   | Class C             |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Hyde Park Prime Steakhouse       | 201 S. Old Woodward   | Quota               |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Phoenicia                        | 588 S. Old Woodward   | Quota               |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Streetside Seafood               | 273 Pierce            | Quota               |                     |     |                      |                 |                  | 0             | 0       | 0             |
| The Community House Café         | 380 S. Bates          | Class C             |                     |     |                      |                 |                  | 0             | 0       | 0             |
| The Rugby Grille (Townsend)      | 100 Townsend          | Hotel Class B       |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Peabodys Dining & Spirits        | 34965 Woodward        |                     |                     |     |                      |                 |                  | 0             | 0       | 0             |
| The Morrie                       | 260 N. Old Woodward   |                     |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Emagine Palladium                | 209 Hamilton Row      | Quota               |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Vinoteca                         | 210 S. Old Woodward   | Quota               |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Sidecar Slider Bar/Slice/Shift   | 115 Willits           |                     |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Flemings Prime Steakhouse        | 323 N. Old Woodward   | Class C             |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Hazel Ravines & Downtown         | 34977 Woodward        | Development         |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Triple Nickel                    | 555 S. Old Woodward   | Class C Development |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Outside PSD                      |                       |                     |                     |     |                      |                 |                  |               |         |               |
| Big Rock                         | 245 S. Eton           |                     |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Springdale Golf Course           | 316 Strathmore        | Class C             |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Lincoln Hills Golf Course        | 2666 W. Fourteen Mile | Class C             |                     |     |                      |                 |                  | 0             | 0       | 0             |
| Griffin Claw                     | 575 S. Eton           | Microbrewery        |                     |     |                      |                 |                  | 0             | 0       | 0             |
| All Seasons                      | 111 Elm               | Class C Resort      |                     |     |                      |                 |                  | 0             | 0       | 0             |



## MEMORANDUM

Police Department

**DATE:** October 20, 2020

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

**APPROVED BY:** Mark H. Clemence, Chief of Police

**FROM:** Scott Grewe, Operations Commander

**SUBJECT:** Commerce Street Parking

### INTRODUCTION:

Gayle McGregor, of the law firm Williams, Williams, Ratner & Plunkett P.C., contacted staff regarding the property located at 2295 E. Lincoln, the Lincoln Commerce Center. Ms. McGregor submitted a letter stating the property owner, Donald Bailey, was requesting the no parking signs on the southern half of the west side of Commerce be removed. This change would allow for three parking spaces adjacent to their building.

During a conversation with Ms. McGregor she advised a proposed new tenant, Bloom Pediatrics, would like to occupy the space. However, due to current City requirements, there is not enough onsite parking to meet the City's requirements. Therefore, they are requesting the removal of the no parking signs on the southern half of the west side of Commerce to add additional parking along the east side of the property.

A petition was completed. There are four properties on Commerce, three signed the petition in favor of the change. See attached letter with exhibits and petition.

### BACKGROUND:

The current no parking restrictions have been in place since 1962.

It should be noted that typical changes in parking restrictions are done by block and not segmented. However, the Commission should be aware that there have been repeated complaints of illegally parked vehicles at the corner of Cole and Commerce. Vehicles in violation of the two hour limit on Cole at Commerce and vehicles parked on the grass on the east side of Commerce have been ongoing issues. The complaints have been regarding two businesses, both automotive related, that store vehicles in these locations.

It should also be noted that if the request to remove the no parking restriction was approved, they would still need commission approval to count these spaces to meet the City's requirement in accordance with Chapter 126, Article 4, Section 4.45G(1) of the Zoning Ordinance:

The required off-street parking facilities for buildings used for other than residential purposes may be provided by one of the following methods:



By providing required off-street parking on the same lot as the building being served, or where practical, and with the permission of the City Commission, the area in the public right-of-way abutting the property in question may be included as a portion of the required parking area if such area is improved in accordance with plans which have been approved by the engineering department.

**LEGAL REVIEW:**

No review conducted.

**FISCAL IMPACT:**

DPS will install two signs at approximately \$15 each.

**SUMMARY:**

Staff received a request to remove the no parking restrictions on the west side of Commerce. A petition was completed and signed by three of the four businesses on Commerce. Due to recent parking complaints at Commerce and Cole, staff does not recommend removing the no parking restriction for the entire west side of Commerce. Also, staff recommends "2 Hour Parking" for the section of Commerce adjacent to 2295 E. Lincoln to prevent the potential of this area being used to store vehicles due to the businesses mentioned above. Two hour parking will provide adequate time for patients of the proposed business.

The Multi-Modal Transportation Board (MMTB) reviewed this request at the October 1, 2020 meeting. The MMTB passed a recommendation to remove the no parking signs on the west side of Commerce from Lincoln north to the south side of the second driveway and replace them with "2 Hour Parking" signage.

**ATTACHMENTS:**

1. Packet received from Williams, Williams, Rattner & Plunkett, P.C. (includes petition)
2. MMTB memo, dated September 22, 2020
3. MMTB minutes from the October 1, 2020 meeting

**SUGGESTED RESOLUTION:**

To remove the "No Parking" signs on the west side of Commerce from Lincoln north to the south side of the second driveway and install "2 Hour Parking" signage in their place.



Williams Williams Rattner & Plunkett, P.C.  
Attorneys and Counselors

380 North Old Woodward Avenue

Suite 300

Birmingham, Michigan 48009

Tel: (248) 642-0333

Fax: (248) 642-0856

Richard D. Rattner

RDR@wwrplaw.com

R. Jamison Williams, Jr.  
Richard D. Rattner  
James P. Cunningham  
Robert S. Bick  
William E. Hosler  
Ernest J. Essad, Jr.  
Robert B. Labe  
Richard E. Rassel, III  
John D. Gaber  
David E. Plunkett  
Wayne Walker  
John W. Crowe  
C. Kim Shierk  
Donna M. Medina  
Brian E. Etzel  
Susan A. Babcock  
Robert A. LaBelle  
Gayle S. McGregor  
Tamara E. Fraser  
Jeremy M. Manson  
Mary-Claire Petcoff  
David R. Sheaffer

OF COUNSEL:

Sidney L. Frank

William T. Myers

Robert C. Law

James A. Williams (1942-2007)  
Edward L. Ruby (1942-2002)  
Thomas G. Plunkett (1938-2017)  
John F. Mills (1945-2014)

September 18, 2020

*Via Email ([sgrewe@bhamgov.org](mailto:sgrewe@bhamgov.org) & [jecker@bhamgov.org](mailto:jecker@bhamgov.org))  
& Hand Delivery*

City of Birmingham – Multi-Modal Transportation Board  
Attn: Scott Grewe, Operations Commander & Jana Ecker, City Planner  
151 Main Street  
P.O. Box 3001  
Birmingham, MI 48012

Re: Request for Recommendation to Approve Three (3) Additional  
Stalls of On-Street Parking on Commerce Street for the Lincoln  
Commerce Center.

Dear Members of the Multi-Modal Transportation Board:

Please consider this letter submitted on behalf of Donald Bailey, the owner of Lincoln Commerce Center (“Applicant”), by its attorneys Williams, Williams, Rattner & Plunkett, P.C., as an application for a recommendation of approval to the City Commission of three additional stalls of on-street parking spaces along a small section of Commerce Street.

The Applicant owns the Lincoln Commerce Center, 2295 E. Lincoln Street (“LC Center”). The section of Commerce Street at issue is generally bounded by E. Lincoln Street and Cole Street, and the Applicant is seeking approval for three (3) additional 9’x 20’ on-street parking stalls along the west side of Commerce Street located next to the LC Center. Approval of the requested on-street parking stalls will allow the Applicant’s tenant, Bloom Pediatrics, to occupy the former Birmingham Coach space with a boutique medical office.

As you know, Commerce Street is approximately 375 feet long and 28 feet wide, is located to the east of Eton Street on the southern end of one of the City’s eastern commercial districts. Commerce Street connects the Cole Street commercial corridor to the Ice Area and other recreational uses located along E. Lincoln Street to the south. Currently, there are seven (7) approved on-street parking stalls along the east side of Commerce Street—four (4) to the north and five (5) to the south. Attached as **Exhibit A** are photographs, maps, diagrams, and a site plan providing a visualization of the Applicant’s request. As shown with yellow rectangles in



**Exhibit A**, the requested additional parking stalls are directly across from the five (5) existing stalls on the southside of Commerce Street, and the request provides for an eighteen (18) foot buffer between the new parking stalls and the existing driveways opening onto Commerce Street. The requested parking stalls also will not obstruct any existing fire hydrant or other public utility. Notably, street parking is permitted on both sides of E. Lincoln Street to the south and Cole Avenue to the north, and those streets also are twenty-eight (28) feet wide and experience heavier traffic than Commerce Street.

Approval of the requested three (3) additional street parking stalls would not have any adverse impact on the traffic on Commerce Street or the use by other businesses with frontage on or openings to Commerce Street. There are three other buildings with frontage on or openings to Commerce Street: 2300 Cole Street (Dogtopia of Birmingham), 2330-2340 Cole Street (Cole Street Collision), and 2335 E. Lincoln Street (The Shwayder Company/Arden Realty). All three buildings have dedicated off-street parking. Dogtopia has at least fifteen (15) off-street parking spaces. Cole Street Collision appears to have over twenty (20) off-street spaces, and The Shwayder Company (Arden Realty) has a large, underutilized parking lot behind the building. Moreover, as shown in the attached **Exhibit B**, the owners of 2330-2340 Cole Street and 2335 E. Lincoln Street both have signed a petition of support for the Applicant's request. While the owner of 2300 Cole Street declined to sign the petition, the Applicant does not expect objection from that property owner, and as noted above, that property has its own off-street parking lot.

The requested additional parking is also consistent with the City's Multi-Modal Transportation Plan, as there are no plans to remove or minimize on-street parking in the area surrounding the LC Center, and the additional on-street parking would not interfere with any of the City's planned paving projects.

Based on the information above and attached to this letter, the Applicant requests that this Board recommend that the City Commission approve the Applicant's request for three additional on-street parking stalls located on the western portion of Commerce street. Please do not hesitate to contact the undersigned with any questions or concerns. I look forward to hearing from you.

Very truly yours,

WILLIAMS, WILLIAMS, RATTNER & PLUNKETT, P.C.

  
Richard D. Rattner 

RDR/drs  
cc: Donald Bailey  
Katie Schafer



# EXHIBIT A

May 12, 2020

# Lincoln Commerce Center

Birmingham, Michigan

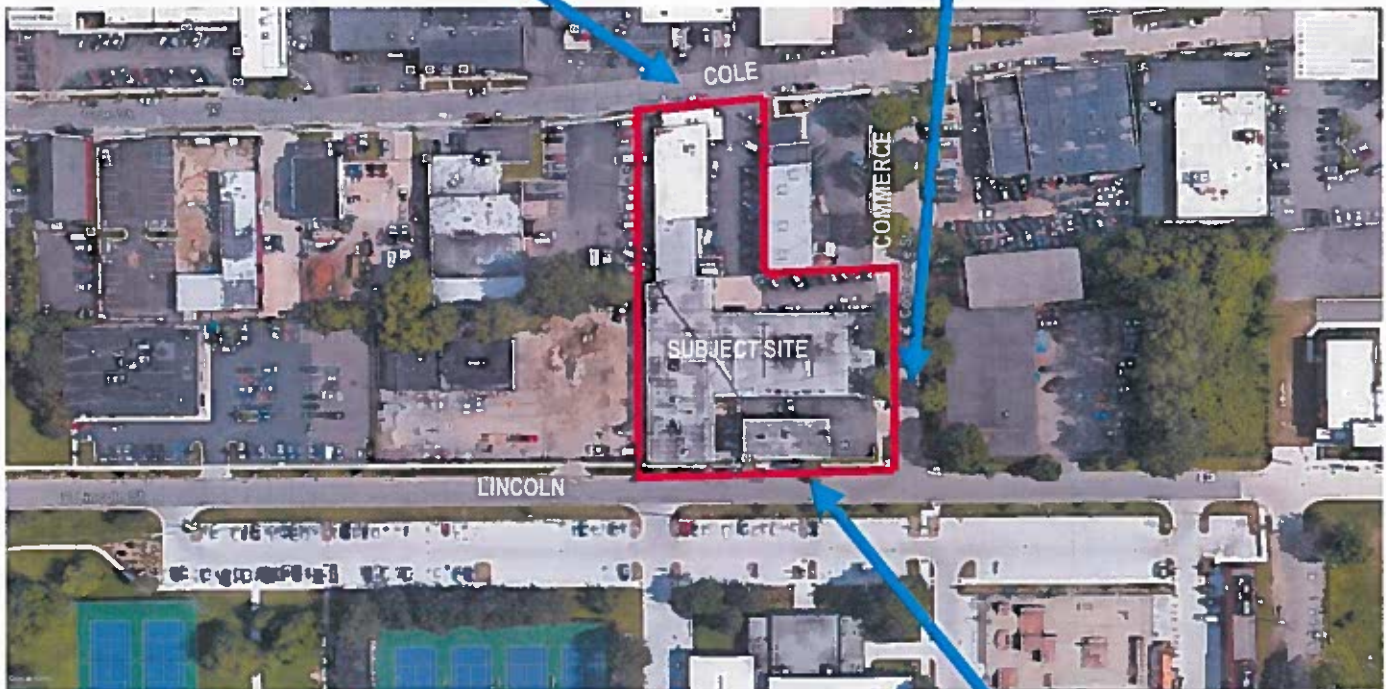
**POLICE DEPARTMENT, ENGINEERING DEPARTMENT,  
AND MULTI-MODAL BOARD  
APPROVAL REQUEST**

**TO ALLOW RIGHT-OF-WAY STREET PARKING ON PART OF THE  
WEST SIDE OF COMMERCE STREET**





## SITE CONTEXT





## AERIAL PHOTOGRAPH / STREET VIEWS OF COMMERCE







# EXHIBIT B



RE: Lincoln Commerce Center  
2292 Cole Street (generally bounded by Lincoln Ave., Commerce St., and Cole St.)

May 12, 2020

Request to Police Department, Engineering Department, and Multi-Modal Board:  
TO ALLOW STREET PARKING SPACES (TOTAL OF 3)  
ADJACENT TO THE SUBJECT PROPERTY ALONG WEST SIDE OF COMMERCE STREET

## P E T I T I O N   O F   S U P P O R T

To our neighboring property owners along Commerce St., Birmingham, Michigan,

To better serve our tenants and the area in general, it is our desire to have street parking on a small part of the west side of Commerce St., adjacent to my property (Lincoln Commerce Center building). Our current tenants fronting on Commerce are a hair salon and interior design firm. Total parking would equate to only 3 spaces, a 60' long zone. Refer to the attached graphic.

To allow for this, the City of Birmingham requires review by the Police Department, Engineering Department, and approval by the Multi-Modal Board. As we submit this application, we are seeking your support. If approved, note that the parking on both sides of Commerce will occur in a very short 60' zone (note that Lincoln is exactly the same width as Commerce and does allow what we are proposing for most of its entire length). After careful study, we see no adverse impacts to your properties including vehicular (cars, trucks, fire and police) and pedestrian traffic.

By signing of this Petition, it will show your support for our request. Thank you.

Donald Bailey  
Lincoln Commerce Center Property Owner

Address 4141 N. Atlantic Boulevard Auburn Hills, MI 48326

Name Donald Bailey

Signature

2300 Cole St Property Owner

Address 5123 Maple Ridge Rd. Sterling, MI 48659

Name Linda A. Frank

Signature

2330 Cole Street 2330 Cole St. LLC Property Owner

Address 16155 W 12 Mile Rd. Ste 1 Southfield, MI 48076

Name Alene Chernick

Signature

2335 E. Lincoln Street Arden Realty LLC Property Owner

Address 27551 Fairway Hills Drive Franklin, MI 48025

Name Mark Shwayder

Signature

*Mark Shwayder* 5/20/20

RE: Lincoln Commerce Center  
2292 Cole Street (generally bounded by Lincoln Ave., Commerce St., and Cole St.)

May 12, 2020

Request to Police Department, Engineering Department, and Multi-Modal Board:  
TO ALLOW STREET PARKING SPACES (TOTAL OF 3)  
ADJACENT TO THE SUBJECT PROPERTY ALONG WEST SIDE OF COMMERCE STREET

## P E T I T I O N   O F   S U P P O R T

To our neighboring property owners along Commerce St., Birmingham, Michigan,

To better serve our tenants and the area in general, it is our desire to have street parking on a small part of the west side of Commerce St., adjacent to my property (Lincoln Commerce Center building). Our current tenants fronting on Commerce are a hair salon and interior design firm. Total parking would equate to only 3 spaces, a 60' long zone. Refer to the attached graphic.

To allow for this, the City of Birmingham requires review by the Police Department, Engineering Department, and approval by the Multi-Modal Board. As we submit this application, we are seeking your support. If approved, note that the parking on both sides of Commerce will occur in a very short 60' zone (note that Lincoln is exactly the same width as Commerce and does allow what we are proposing for most of its entire length). After careful study, we see no adverse impacts to your properties including vehicular (cars, trucks, fire and police) and pedestrian traffic.

By signing of this Petition, it will show your support for our request. Thank you.

Donald Bailey  
Lincoln Commerce Center Property Owner

Address 4141 N. Atlantic Boulevard Auburn Hills, MI 48326

Name Donald Bailey

Signature

2300 Cole St Property Owner

Address 5123 Maple Ridge Rd. Sterling, MI 48659

Name Linda A. Frank

Signature

2330 Cole Street  Cheryl LLC Property Owner

Address 16155 W 12 Mile Rd. Ste 1 Southfield, MI 48076

Name Alene Chernick

Signature 

2335 E. Lincoln Street Arden Realty LLC Property Owner

Address 27551 Fairway Hills Drive Franklin, MI 48025

Name Mark Schwayder

Signature





## MEMORANDUM

**DATE:** September 22, 2020

**TO:** Multi-Modal Transportation Board

**FROM:** Jana L. Ecker, Planning Director  
Cmdr. Scott Grewe, Police Department  
Austin Fletcher, City Engineer

**SUBJECT:** Commerce Street Parking

Staff was contacted by Gayle McGregor of William Williams Ratner & Plunkett P.C. regarding the property located at 2295 E. Lincoln, the Lincoln Commerce Center. Ms. McGregor submitted a letter stating that the property owner, Donald Bailey, was requesting the no parking signs on the southern half of the west side of Commerce be removed. This recommended change would allow for three parking spaces adjacent to their building.

During a conversation with Ms. McGregor she advised a proposed new tenant, Bloom Pediatrics, would like to occupy the space. However, due to current City requirements, there is not enough on-site parking to meet the City's requirements. Therefore, they are requesting the removal of the no parking signs on the southern half of the west side of Commerce to add additional parking along the east side of the property.

A petition was completed. There are four properties on Commerce, three signed the petition in favor of the change. See attached letter with exhibits and petition.

The current no parking restrictions have been in place since 1962.

It should be noted that typical changes in parking restrictions are done by block and not segmented. It should also be noted that if the request was approved to use these parking spaces towards the total number available for the proposed business, they would still need commission approval to count these spaces to meet the City's requirement as the spaces are in the public right-of-way in accordance with Chapter 126, Article 4, Sec. 4.45G(1) of the Zoning Ordinance:

The required off-street parking facilities for buildings used for other than residential purposes may be provided by one of the following methods:

By providing required off-street parking on the same lot as the building being served, or where practical, and with the permission of the City Commission, the area in the public right-of-way abutting the property in question may be included as a portion of the required parking area if such area is improved in accordance with plans which have been approved by the engineering department.

In addition, the board should be aware that there have been repeated complaints of illegally parked vehicles at the corner of Cole and Commerce. Vehicles in violation of the two hour limit on Cole at Commerce and vehicles parked on the grass on the east side of Commerce have been ongoing issues. Multiple complaints and violations have been written in this area. The complaints have been targeted at two businesses, both automotive related, that tend to store vehicles in these locations.

Due to the above stated conditions, staff does not recommend changing the parking restrictions on the entire block as this may further exacerbate the current problem on the north side of Commerce. Also, staff recommends a time limit at the south portion of Commerce so this area does not see the same problem.

**Suggested Action:**

To remove the "No Parking" signs on the west side of Commerce from Lincoln north to the south side of the second driveway and replace them with "2 Hour Parking" signage.



**DRAFT**

**CITY OF BIRMINGHAM MULTI-MODAL TRANSPORTATION BOARD  
Thursday, October 1, 2020  
Held Virtually Via Zoom and Telephone Access**

Minutes of the virtual regular meeting of the City of Birmingham Multi-Modal Transportation Board held Thursday, October 1, 2020.

Planning Director Ecker convened the meeting at 6:07 p.m.

**1. ROLL CALL**

**Present:** Board Members Tom Peard, Katie Schafer, Doug White, Andrew Haig; Alternate Board Member Joe Zane

**Absent:** Chairwoman Johanna Slanga

**Administration:** Jana Ecker, Planning Director  
Eric Brunk, IT Manager  
Laura Eichenhorn, Transcriptionist  
Austin Fletcher, Assistant City Engineer  
Scott Grewe, Police Commander

**Fleis & Vandenbrink (F&V):**

Julie Kroll  
Justin Rose

**MKSK:** Ben Palevsky  
Brad Strader

Planning Director Ecker noted Chairwoman Slanga's absence and sought nominations for a temporary Chair to run the evening's meeting. Mr. White said he would be willing to chair the meeting.

**Motion by Mr. Zane**

**Seconded by Mr. Peard to nominate Mr. White to run the October 1, 2020 MMTB meeting.**

**Motion carried, 5-0.**

**ROLL CALL VOTE**

Yeas: White, Haig, Peard, Schafer, Zane

Nays: None

## **2. Introductions**

None.

## **3. Review Agenda**

No changes.

## **4. Approval of MMTB Minutes of September 3, 2020**

**Motion by Mr. Peard**

**Seconded by Dr. Schafer to approve the MMTB Minutes of September 3, 2020 as submitted.**

**Motion carried, 5-0.**

ROLL CALL VOTE

Yeas: Peard, Schafer, White, Haig, Zane

Nays: None

## **5. Southfield and Brown Intersection Improvements**

Commander Grewe introduced the item.

Ms. Kroll presented the study of the item which can be found in the evening's agenda packet.

After Board discussion it was determined that Ms. Kroll's recommendations were the most likely to increase the safety of the intersection.

Mr. Palevsky ventured that if Mr. Zessin were to narrow the width of his driveway it might increase the visual distinction between his driveway and the end of Brown.

Planning Director Ecker noted that such a recommendation could be made by the Board to Mr. Zessin, with the understanding that any such change to his driveway width would have to be undertaken by Mr. Zessin and done at his sole discretion.

**Motion by Dr. Schafer**

**Seconded by Mr. Haig to install advance intersection lane control signage (R3-8) and a two-directional large arrow sign (W1-7) at the recommended locations in the report provided by F&V. The MMTB also encourages Mr. Zessin to consider narrowing the width of his driveway so as to increase the visual distinction between the driveway and the end of Brown Street.**

**Motion carried, 4-0.**

ROLL CALL VOTE

Yeas: Schafer, White, Haig, Zane

Nays: None



Absent: Peard (lost connection during vote)

## **6. Bicycle Signage**

Planning Director Ecker introduced the item.

Ms. Kroll summarized her study's findings. The study can be found in the evening's agenda packet.

There was no discussion of the item by the Board members.

### **Motion by Dr. Schafer**

**Seconded by Mr. Peard to recommend approval of the installation of four new R4-11 signs to be installed along Eton Street at the following locations:**

- **On S. Eton, south of Maple Road on the NB side (add new sign post)**
- **On S. Eton, south of Maple Road on the SB side (mount on existing light post)**
- **On N. Eton, north of Maple Road on the NB side (add new sign post)**
- **On N. Eton, north of Maple Road on the SB side (Remove existing W11-1/W16-1P sign and replace with R4-11 sign on existing post)**

**AND**

**To recommend approval of the addition of sharrows to be installed on N. Eton, north of Maple Road in both the NB and SB lanes.**

**Motion carried, 5-0.**

### **ROLL CALL VOTE**

Yeas: Schafer, Peard White, Haig, Zane

Nays: None

## **7. On Street Parking on Commerce Street**

Dr. Schafer recused herself from before discussion of this item began citing a conflict of interest.

Commander Grewe presented the item.

In reply to Mr. Haig, Commander Grewe stated that the Fire Department accesses The Sheridan, the assisted living facility on Lincoln, via Lincoln and not via Commerce.

Mr. Haig said he was trying to make sure there would be backup access if Lincoln were congested for any reason.

Commander Grewe stated that even if the Fire Department had to proceed via Cole they would have enough room. He explained that Commerce is 28' wide with parking on both sides, whereas many residential streets in Birmingham, per City policy, are 26' wide with parking on

both sides so there would be sufficient room for the Fire Department to proceed down Commerce if need be.

Gayle McGregor, attorney for the applicant, confirmed that the applicant would be submitting a variance request to the Board of Zoning Appeals (BZA) subsequent to tonight's MMTB discussion.

Planning Director Ecker explained that the BZA will want to see that the applicant exhausted all other resources before requesting a variance for parking spaces, and so pursuing on street-parking on Commerce is an effort towards that end.

Mr. Zane asked if there were any likely drawbacks that could stem from approving addition on-street parking on Commerce. He remarked that it seemed like it would be a positive change and would do no harm to the neighborhood.

Ms. McGregor stated that the applicant circulated a petition in favor of adding on-street parking to Commerce to the three other businesses that front on Commerce Street. She stated that three of the businesses, including the applicant, signed the petition. Dogtopia had no objection to the proposal. The owner of Dogtopia only withheld their signature only because they did not want to sign something that was being submitted to the City. Ms. McGregor noted that Dogtopia has significant off-street parking and so would not be affected by the addition of on-street parking at the opposite end of Commerce.

**Motion by Mr. Zane**

**Seconded by Mr. Haig to remove the "No Parking" signs on the west side of Commerce from Lincoln north to the south side of the second driveway and replace them with "2 Hour Parking" signage.**

**Motion carried, 4-0.**

**ROLL CALL VOTE**

Yeas: Peard, White, Haig, Zane

Nays: None

Recused: Schafer

Dr. Schafer rejoined the meeting after the vote on the item.

**8. Meeting Open to the Public for items not on the Agenda**

Dave Lurie reviewed the email he submitted to the MMTB which can be found in the evening's agenda packet.

Planning Director Ecker informed the Board that several City staff members would be meeting with Mr. Lurie the following day, October 2, 2020, to discuss the issues raised in his email and to generate potential solutions.

Dr. Schafer recalled that the Board had previously decided to look at potential multi-modal enhancements to roads being improved. She that would apply in this situation.



Assistant City Engineer Fletcher concurred with Dr. Schafer an enhancements to improved streets would absolutely be brought to that Mr. Lurie's issue was located on the stretch of Oak from Lal which has not yet been improved by the City.

In reply to Mr. Peard, Assistant City Engineer stated that improving City's radar but is several years out on the improvement schedule.

Mr. Haig said he concurred with Mr. Lurie's concerns regarding the

Assistant City Engineer Fletcher said he, other City staff, and reviewed possible options for making that stretch of Oak safer and Lurie as part of the following day's discussion.

## **9. Miscellaneous Communications**

Mr. Palevsky informed the Board he was putting together potential topics for them. He said he would be sending the Board members a survey on topics and asked them to return the survey indicating the topics they

Mr. White and Mr. Peard said they were looking forward to the Palevsky and City staff.

## **10. Next Meeting – November 5, 2020**

## **11. Adjournment**

No further business being evident, the board members adjourned.

Jana Ecker, Planning Director

Austin Fletcher, Assistant City Engineer

CITY OF AUBURN HILLS, VILLAGE OF BEVERLY HILLS, VILLAGE OF BINGHAM FARMS, CITY OF BIRMINGHAM, CHARTER TOWNSHIP OF BLOOMFIELD, CITY OF BLOOMFIELD HILLS, CITY OF FARMINGTON, CITY OF FARMINGTON HILLS, VILLAGE OF FRANKLIN, CITY OF KEEGO HARBOR, CITY OF LATHRUP VILLAGE, CITY OF ORCHARD LAKE VILLAGE, CITY OF SOUTHFIELD, CITY OF TROY, CHARTER TOWNSHIP OF WEST BLOOMFIELD  
COUNTY OF OAKLAND

#### NOTICE OF HEARING

RE: PETITIONS TO LOCATE, ESTABLISH AND CONSTRUCT AN INTRA-COUNTY DRAIN PROJECT IN THE CITY OF AUBURN HILLS, VILLAGE OF BEVERLY HILLS, VILLAGE OF BINGHAM FARMS, CITY OF BIRMINGHAM, CHARTER TOWNSHIP OF BLOOMFIELD, CITY OF BLOOMFIELD HILLS, CITY OF FARMINGTON, CITY OF FARMINGTON HILLS, VILLAGE OF FRANKLIN, CITY OF KEEGO HARBOR, CITY OF LATHRUP VILLAGE, CITY OF ORCHARD LAKE VILLAGE, CITY OF SOUTHFIELD, CITY OF TROY, CHARTER TOWNSHIP OF WEST BLOOMFIELD, OAKLAND COUNTY, MICHIGAN.

NOTICE IS HEREBY GIVEN, that pursuant to the provisions of Chapter 20 of Act No. 40 of the Public Acts of 1956, as amended, petitions were filed with the Water Resources Commissioner of Oakland County, Michigan, petitioning for the location, establishment and construction of an intra-county drain project consisting of the existing Evergreen-Farmington Sewage Disposal System and all improvements necessary to bring the Evergreen-Farmington Sewage Disposal System into compliance with Administrative Consent Order 04995 entered by the State of Michigan Department of the Environment, Great Lakes, and Energy on August 14, 2019, that serve property located within the City of Auburn Hills, the Village of Beverly Hills, the Village of Bingham Farms, the City of Birmingham, the Charter Township of Bloomfield, the City of Bloomfield Hills, the City of Farmington, the City of Farmington Hills, the Village of Franklin, the City of Keego Harbor, the City of Lathrup Village, the City of Orchard Lake Village, the City of Southfield, the City of Troy and the Charter Township of West Bloomfield.

NOTICE IS FURTHER GIVEN, that the Drainage Board for the drain project has considered the petitions and has made a tentative determination that the petitions are sufficient and that the drain project is practical; has given the name "EVERGREEN-FARMINGTON SANITARY DRAIN" as the name of the drain project and the name "EVERGREEN-FARMINGTON SANITARY DRAIN DRAINAGE DISTRICT" as the name of the drainage district therefor; and has made a tentative determination that the following public corporations should be assessed for the cost of the drain project, to wit:

City of Auburn Hills

**INFORMATION ONLY**



Village of Beverly Hills  
Village of Bingham Farms  
City of Birmingham  
Charter Township of Bloomfield  
City of Bloomfield Hills  
City of Farmington  
City of Farmington Hills  
Village of Franklin  
City of Keego Harbor  
City of Lathrup Village  
City of Orchard Lake Village  
City of Southfield  
City of Troy  
Charter Township of West Bloomfield

NOTICE IS FURTHER GIVEN, that the Drainage Board will meet on the 27<sup>th</sup> day of October, 2020, at 2:00 p.m., prevailing Eastern Time, via GoToMeeting in accordance with the Governor's Executive Order No. 2020-154, as the same may be amended, supplemented, extended or replaced from time to time, for the purpose of hearing any objections to the drain project, to the petitions therefor, and to the matter of assessing the cost thereof to the public corporations above named. This notice is given to and for the benefit of the said public corporations and all taxpayers thereof. At the hearing any of said public corporations or any taxpayer thereof will be entitled to be heard.

NOTICE IS FURTHER GIVEN, that after such hearing the Drainage Board shall make a determination as to the sufficiency of the petitions, the practicability of the drain project, whether the drain project should be constructed, and if so, the public corporations to be assessed and shall issue an order known as the Final Order of Determination. Section 483 of Act No. 40 of the Public Acts of 1956, as amended, provides that the Final Order of Determination shall not be subject to attack in any court, except by proceedings in certiorari brought within 20 days after the order is filed in the Office of the Oakland County Water Resources Commissioner, the Chairperson of the Drainage Board for the Evergreen-Farmington Sanitary Drain, and that if no such proceeding shall be brought within said 20 day period the drain project shall not thereafter be questioned in any suit at law or in equity, either on jurisdictional or non-jurisdictional grounds.

This notice is given by order of the Drainage Board for the Evergreen-Farmington Sanitary Drain.



---

Jim Nash  
Chairperson of the Drainage Board for the  
Evergreen-Farmington Sanitary Drain;  
Oakland County Water Resources  
Commissioner

Dated: September 3, 2020