## **BIRMINGHAM CITY COMMISSION AGENDA**

March 8, 2021 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

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

#### Announcements

Happy Birthday Commissioner Baller

## 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 February 22, 2021.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated February 24, 2021, in the amount of \$4,908,727.09.
- C. Resolution approving the warrant list, including Automated Clearing House payments, dated March 3, 2021, in the amount of \$1,205,931.69.
- D. Resolution to approve the purchase and planting of eighty-three (83) trees from KLM Landscape for the Spring 2021 Tree Purchase and Planting Program for a total project cost not to exceed \$34,970.00. Funds are available from the Local Streets Fund-Forestry Service Contract account #203-449.005-819.0000, the Major 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 the required insurance coverage.

- E. Resolution to adopt the updated Park Rules and Regulations as submitted with recommended changes.
- F. Resolution to approve the Program Year 2021 High Intensity Drug Trafficking Area (HIDTA) Sub recipient agreement between the County of Oakland and the City of Birmingham. Further, to authorize the Mayor and the City Manager to sign the agreement on behalf of the City.
- G. Resolution to approve the use of 8 parking spaces in the right-of-way adjacent to the property located at 670 S. Old Woodward to help fulfill the parking requirements per Article 4, section 4.43 (G) (4) of the Zoning Ordinance.
- H. Resolution to approve the Cost Participation Agreement with the Board of Road Commissioners of The County of Oakland, agreeing to pay the City's share of construction costs related to the road resurfacing and traffic signal improvements on Cranbrook Road between 14 Mile Road and Maple Road. The total amount of the City's share of the cost is \$166,799: with \$7,965 for traffic signal work to be charged to 202-303.001-971.0100, Major Street Fund Traffic Controls; and, \$158,834 for roadwork to be charged to the Major Streets Fund Public Construction, 202-449.001-981.0100. Also, to direct the Mayor to sign the agreement on behalf of the City.
- I. Resolution to authorize the use of personal identification numbers acquired from the Michigan Department of Treasury as electronic signatures for the purpose of filing personal and property taxes that are filed electronically.

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None.

## VII. NEW BUSINESS

A. Public Hearing – 219 Elm St. – All Seasons 2

. Resolution to **APPROVE** the Special Land Use Permit, Final Site Plan and Design Review application to allow the construction and operation of the All Seasons 2 independent senior living facility at 219 Elm St.

OR

Resolution to **DENY** the Special Land Use Permit, Final Site Plan and Design Review application to allow the construction and operation of the All Seasons 2 independent senior living facility at 219 Elm St.

- B. Resolution to adopt Resolution # \_\_\_\_\_\_ to affirm and approve the master plan review and adoption process from the first draft of the 2040 Plan to the final public hearing to consider adoption of the final draft of the Birmingham 2040 Plan.
- C. Resolution to approve the resolution adopting a policy relative to the review and granting of poverty exemption by the City and the updated Hardship Application.

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- D. Resolution to approve the October 21, 2020 invoice in the amount of \$9,360 and approval of the City Manager authorized emergency repair of the Chester Street Parking structure elevator agreements in the amount of \$11,611.
- E. Resolution to approve the following:
  - Resolution to continue the Revised Temporary Signage Regulations due to COVID-19
  - Resolution to continue the Revised Temporary COVID-19 Off-Season Outdoor Dining Standards.

and

- Resolution to waive parking fees charged for monthly permit parking holders and all other fees in all parking structures until June 30, 2021. All parking fees including but not limited to monthly permit parking fees and gate fees shall assume effective July 1, 2021.
- F. Commission Discussion on items from prior meeting.
- G. 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

- A. Temporary COVID-19 Outdoor Dining Resolution
- B. Communication from Cory King Holland
  - a) Communication on behalf of Stuart Sherman

## X. REPORTS

- A. Commissioner Reports Notice to Appoint (1) Architectural Review Comm., (2) Housing Board of Appeals, (3) Brownfield Redevelopment Authority
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  - 1. 2nd Quarter Financial Report
  - 2. 2nd Quarter Investment Report
  - 3. 2020 Police Department Annual Report

#### INFORMATION ONLY

## XI. ADJOURN

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

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## Birmingham City Commission Minutes February 22, 2021 7:30 P.M.

**Virtual Meeting** 

Meeting ID: 655 079 760

Vimeo Link: https://vimeo.com/event/3470/videos/510056650/

## I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

## II. ROLL CALL

Alexandra Bingham, City Clerk, 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: Birmingham, MI) Commissioner Sherman (location: Birmingham, MI)

Absent: None

Administration: City Manager Markus, Asst. Fire Chief Bartalino, City Clerk Bingham, Police Chief Clemence, City Attorney Currier, Planning Director Ecker, Police Operations Commander Grewe, Building Official Johnson, City Attorney Kucharek, Deputy Treasurer Todd, Assistant Finance Director Wickenheiser

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

## **Announcements**

- The City Commission would like to congratulate Nathan Schechter for being named as a U.S. Presidential Scholars Program Candidate.
- The City Commission would like to welcome the 40th District House of Representatives Mari Manoogian.

### **Appointments**

To recognize the following four student representatives for their service in 2020 on Birmingham boards and committees and award each student a certificate in appreciation for their civic involvement:

Parks and Recreation Board James Watkinson – Seaholm

Mallory Windsor - Seaholm

Rachel Hester – Seaholm June Lee – Seaholm

## 02-029-21 Appointments of Student Representatives to Boards and Committees

The Commission the students for their respective appointments. Carter Lutz was absent.

Commissioners Hoff and Sherman commended and welcomed the students.

Commissioner Baller encouraged the students to actively participate in their board and committee meetings.

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

To appoint the following students as non-voting members of the respective boards and committees for the calendar year 2021.

HDC-DRB Charles Cusimano—Groves

Elizabeth Wiegand—Seaholm

Multi-Modal Transportation Board Lauren Morris—Groves

Justin Schoener—Seaholm Alex Walters—Seaholm

Museum Board Carter Lutz – Groves

Aidan Schoener—Seaholm

Planning Board Daniel Murphy—Seaholm

Jane Wineman—Seaholm

Public Arts Board Hadley Lovell—Seaholm

Nora Sherifaj—Seaholm

Parks & Recreation Board R.J. Carrel—Groves

Alison Chapnick—Groves Kyle Sayers—Seaholm

ROLL CALL VOTE: Ayes, Commissioner Sherman

Commissioner Host Commissioner Hoff Mayor Pro Tem Longe Commissioner Nickita

Mayor Boutros

Commissioner Baller

Nays, None

## 02-030-21 Appointment of Marla Kaftan to the Public Arts Board

The Commission interviewed Nicole Braddock for the appointment.

The Commission interviewed Marla Kaftan for the appointment.

Commissioner Baller expressed dismay that the Commission could only make one appointment from the two well-qualified candidates.

**MOTION:** Nomination by Commissioner Sherman:

To appoint Marla Kaftan to the Public Arts Board as an alternate member to serve the remainder of a three-year term to expire January 28, 2022.

ROLL CALL VOTE: Ayes, Commissioner Sherman

Commissioner Hoff Commissioner Host Mayor Pro Tem Longe Commissioner Nickita

Mayor Boutros Commissioner Baller

Nays, None

Mayor Boutros agreed with Commissioner Baller, saying Birmingham was very lucky to have two qualified candidates. He congratulated Ms. Kaftan on her appointment. He thanked Ms. Braddock for her interest, and asked her to keep her eye out for future opportunities to serve with the City.

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

Cindy Rose spoke as a member of the Board of Review, saying she prefers the City's current way of calculating hardships versus the method recently recommended by the state. She asked that before the City considers implementing the recommended changes that they compare the hardships granted in 2020 in terms of what was granted and what would have been granted had the City been following the state's formula at that time.

Joe Samona, a southeast Michigan resident and advocate for suicide prevention, spoke. He said that, out the loss of someone he loved to suicide in 2009, he was aiming to speak to every municipal governing body in Michigan to emphasize the importance of starting and maintaining a suicide prevention program. He also asked people to remain aware of the pain people considering suicide experience, and to reach out to them and to show them that they are cared for, valued, and loved.

Commissioner Hoff commented that the City contributes to Common Ground, which runs a mental health crisis hotline.

The Oakland County Common Ground crisis hotline can be reached at 1-800-231-1127. They also have a chat service available at commongroundhelps.org. Both services are available 24 hours a day, seven days a week.

Andrew Haig said he would like to see the Commission pass an ordinance requiring hands-free devices in vehicles at the local level, just as Troy, MI has, to increase road safety in Birmingham. He said he was also in favor of Ms. Manoogian's legislative efforts to pass a similar law statewide.

## 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.

## 02-031-21 Consent Agenda

The following items were pulled from the Consent Agenda:

Commissioner Hoff: Item C – Oakland Together Restaurant Relief Grant Program Interlocal Agreement

Item G – Hubbell, Roth & Clark, Inc. Professional Services Agreement

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

To approve the Consent Agenda with the exception of Items C and G.

ROLL CALL VOTE: Ayes, Commissioner Sherman

Commissioner Nickita Commissioner Hoff Commissioner Host Mayor Boutros

Mayor Pro Tem Longe Commissioner Baller

Nays, None

- A. Resolution approving the City Commission meeting minutes of February 8, 2021.
- B. Resolution approving the warrant list, including Automated Clearing House payments, dated February 10, 2021, in the amount of \$2,305,575.75.
- D. Resolution to extend the contract for towing and storage of impounded, abandoned, accident and other motor vehicles with Jake's Acquisitions DBA Bob Adams Towing, Inc. for a term of two years commencing on February 21, 2021 and terminating of February 25, 2023 and to authorize the Mayor and the City Clerk to execute the contract on behalf of the City.
- E. Resolution to set a public hearing date for March 22, 2021 to consider the Revised Final Site Plan and Design and Special Land Use Permit Amendment at 555 S. Old Woodward to allow for the transfer of ownership, name change from Triple Nickel to Birmingham Pub, and site plan and design changes at 555 S. Old Woodward.
- F. Resolution authorizing the IT department to purchase the Nutanix extended service agreement from CDWG for a total cost not to exceed \$8,185.00. Funds are available in the Computer Maintenance fund account # 636-228.000-933.0600

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02-032-21 (Item C) Oakland Together Restaurant Relief Grant Program Interlocal Agreement

Asst. Fire Chief Bartalino explained that the Fire Department worked with the Birmingham Shopping District (BSD) and the City's legal team to determine interest from restaurants. Restaurants submitted requests, and the distribution was kept to an equal dollar amount per restaurant in terms of costs. There will be a second round of distributions coming up. All restaurants were made aware of the opportunity through the BSD.

Commission Host commended the Fire Department on organizing this effort.

**MOTION:** Motion by Commissioner Hoff, seconded by Commissioner Sherman: To execute the Oakland Together Restaurant Relief Grant Program Interlocal Agreement, and further to authorize the Fire Chief to sign the agreement on behalf of the City.

ROLL CALL VOTE: Ayes, Commissioner Hoff

Commissioner Sherman Commissioner Host Commissioner Baller Commissioner Nickita

Mayor Boutros

Mayor Pro Tem Longe

Nays, None

02-033-21 (Item G) Hubbell, Roth & Clark, Inc. Professional Services Agreement

Building Official Johnson clarified that the \$350 listed for the Final Grade and As-Built Survey Review included a \$200 fee for the initial review and a \$150 fee if a second inspection is needed. He explained that the fees are paid by developers through the establishment of an escrow account at the beginning of a project. The fee schedule determines how much money the developers must put in escrow. He said the \$350 fee is split into the two sub-fees of \$200 and \$150 in order to only charge developers who require a follow-up inspection the additional \$150 fee. He explained that if there are funds left over in the escrow account at the end of a project, the funds are returned to the developer.

Mike MacDonald, of HRC, agreed.

**MOTION:** Motion by Commissioner Hoff, seconded by Commissioner Host: To extend the Professional Services Agreement with Hubbell, Roth & Clark, Inc. for Residential Site Evaluations Services for a total three (3) year term. Inserted memo from January 22, 2020 as listed in the attachments.

ROLL CALL VOTE: Ayes, Commissioner Hoff

Commissioner Host Commissioner Sherman Commissioner Baller Commissioner Nickita

**Mayor Boutros** 

Mayor Pro Tem Longe

Nays, None

## VI. UNFINISHED BUSINESS

None.

## VII. NEW BUSINESS

#### 02-034-21

## 2021-2022 Program Year and Community Development Block Grant

Assistant Finance Director Wickenheiser explained that during the public hearing on this item only the public was permitted to speak. She stated that members of the City administration or Commission were permitted to speak before and after the public hearing.

Mayor Boutros opened the public hearing at 8:31 p.m.

Cris Braun, Executive Director of Next, asked whether this was the appropriate time for her to advocate for Next. She said she was not sure whether this motion was just for the City to accept the Block Grant money from Oakland County, or whether this motion was regarding the disbursement of the Block Grant money by the City.

Assistant Finance Director Wickenheiser said this was just the general hearing regarding accepting the Block Grant money from Oakland County.

Seeing no public comment, Mayor Boutros closed the public hearing at 8:32 p.m.

Commissioners Hoff and Host recommended the motion specify that all the funds would be administered through Next since there was no request for funds from the City for the 2021-2022 Program Year.

## **MOTION:** Motion by Commissioner Hoff, seconded by Commissioner Host:

Resolution to authorize the Finance Director to complete the 2021-2022 Program Year and Community Development Block Grant application and conflict of interest certification and to authorize the Mayor to sign the application and conflict of interest certification and other documents resulting from this application on behalf of the City and submit them to Oakland County. The project(s) to be included in the application and the respective allocations of Community Development Block Grant Funds are as follows:

#### APPROVED 2020\*\*

1.	Public Services – Yard Services	\$ 7,327
2.	Public Services – Senior Services	\$ 3,500
3.	Minor Home Repair	\$ <u>25,263</u>
TO	TAL	\$ <u>36,090</u>

ROLL CALL VOTE: Ayes, Commissioner Hoff

Commissioner Host Commissioner Sherman Commissioner Baller Commissioner Nickita

**Mayor Boutros** 

Mayor Pro Tem Longe

Nays, None

## 02-035-21 Birmingham Bloomfield Chamber of Commerce Annual Village Fair

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City Clerk Bingham presented the item.

Joe Bauman, President of the Birmingham Bloomfield Chamber of Commerce was present.

The Commission concurred that the motion language needed to be updated to reflect the possibility that Covid-19 could impact the event and could even possibly necessitate its cancellation.

Mr. Bauman confirmed that the BBCC was aware of that fact and in dialogue with their vendor about that possibility.

Commissioner Sherman provided the motion language that had been used for special events in the City throughout 2020 to acknowledge such contingencies.

The Commission agreed to use Commissioner Sherman's recommended motion language for this item.

In response to Commissioner Nickita, Mr. Bauman confirmed that hosting a private party at the fair the Wednesday before the fair opens generates more revenue than having the fair open to the public for an additional day. He said the planned party this year would be for the Young Presidents organization and their families, and would be under 300 quests.

MOTION: Motion by Commissioner Hoff, seconded by Commissioner Nickita:

To approve a request from the Birmingham Bloomfield Chamber of Commerce to hold the Annual Village Fair and private party in Shain Park and on the surrounding streets and sidewalks, June 2 through June 6, 2021, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event, due to public health and safety measures.

ROLL CALL VOTE: Ayes, Commissioner Hoff

> Commissioner Nickita Commissioner Host Commissioner Sherman Commissioner Baller

**Mayor Boutros** 

Mayor Pro Tem Longe

Nays, None

#### 02-036-21 2021 Liquor Licenses for Birmingham Restaurants

Commissioner Nickita recused himself from discussion and voting on the license for 220 Restaurant, citing an existing business relationship with the owners.

Commissioner Sherman recused himself from discussion and voting on the license for The Morrie, citing the fact that a client of his was currently in an adverse position vis-a-vis The Morrie.

The Commission agreed to postpone 220 Restaurant and The Morrie to the end of the 2021 liquor license review discussion due to the recusals.

Mayor Boutros spoke in support of the restaurants and owners and thanked them for their work in the

City.

Police Chief Clemence stated that Vinotecca had an outstanding tax bill of \$1,294.86 from July 2020 per the most up-to-date spreadsheet from the Treasurer's Office.

Several Commissioners commented that the spreadsheet provided in their agenda did not reflect Vinotecca's tax due.

PD Ecker clarified that the Mad Hatter had plans to reopen. She said the issues with Bella Piatti were resolved, that Community Development was working with 220 Restaurant to resolve their issues, and that the Rugby Grille was currently in compliance with ordinances but that their adherence had been somewhat touch-and-go. She said that S3, Dick O'Dow's, Birmingham Pub and Big Rock Chophouse had temporary signage out due to Covid-19. She noted that although the temporary allowance for that signage had recently expired, Community Development intended to bring a request for a renewal of the allowance back before the Commission in March 2021. In light of this, she said that Community Development was not concerned with the temporary signage out at S3, Dick O'Dow's, Birmingham Pub and Big Rock Chophouse at this time.

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

To approve the renewal for the 2021 licensing period of the Class B, Class C, and microbrewery liquor licenses, for which a current year application was received, for the following establishments: Adachi Restaurant Group, All Seasons, Bella Piatti, Big Rock Chop and Brewhouse, Birmingham Theatre, Bistro Joe's, Churchill's Bistro, Dick O'Dow's, Elie's Mediterranean Cafe, Emagine Palladium, Fleming's, Forest Grille II LLC, Griffin Claw Brewery, Hyde Park Steakhouse, La Strada Cafe, Luxe Bar and Grille, Market North End, Phoenicia, Salvatore Scallopini, Streetside Seafood, Tallulah Wine Bar and Bistro, Toast, Townhouse, Triple Nickel, Whole Foods Market, Lincoln Hills Golf Course, and Springdale Golf Course.

ROLL CALL VOTE: Ayes, Commissioner Sherman

Commissioner Nickita Commissioner Host Commissioner Baller Mayor Boutros

Mayor Pro Tem Longe Commissioner Hoff

Nays, None

## 02-037-21 Birmingham Sushi

PD Ecker recommended a public hearing be set in order to encourage Birmingham Sushi to resolve its outstanding issue with the City of having an unpermitted outdoor platform.

She confirmed for Mayor Pro Tem Longe that the City had already made efforts to resolve the issue with the establishment. She stated that the matter will be simple to resolve as long as the owners fill out the correct paperwork.

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

To set a public hearing for 7:30 PM on Monday, March 22, 2021, that will be held over zoom to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of Birmingham

Sushi, for the following reasons: violation of Section 10-40(3). Further, to direct the City Manager to notify the owners/operators of, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

#### No vote was taken on the motion.

## 02-038-21 Reconsideration of 2021 Liquor License Approvals for Hyde Park Steakhouse and Tallulah Wine Bar and Bistro

During the opportunity for comment on the previous motion, City Manager Markus said he had just received an updated list of establishments with outstanding taxes from Police Chief Clemence.

Mayor Boutros read into the record that Hyde Park Steakhouse had outstanding taxes of \$5,011.96 and Tallulah Wine Bar and Bistro had outstanding taxes of \$460.95 as of the February 21, 2021 updated list.

Police Chief Clemence confirmed that was the most up to date list he was aware of, and that he had received the information from Deputy Finance Director Todd on February 21, 2021.

**MOTION:** Motion by Commissioner Sherman, seconded by Commissioner Nickita: To reconsider the 2021 liquor license approvals of Hyde Park Steakhouse and Tallulah Wine Bar.

ROLL CALL VOTE: Ayes, Commissioner Sherman

Commissioner Nickita Commissioner Host Commissioner Baller Mayor Boutros

Mayor Pro Tem Longe Commissioner Hoff

Nays, None

## 02-039-21 Community House

Timothy Hunt, Sr. Vice President of Operations at the Community House, said Community House would be submitting their payment for their outstanding sidewalk bill on February 23, 2021. He apologized and said they were unaware they had an outstanding bill.

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

To set a public hearing for 7:30 PM on Monday, March 22, 2021, that will be held over zoom to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of Community House, for the following reasons: violation of Section 10-40(7). Further, to direct the City Manager to notify the owners/operators of, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

ROLL CALL VOTE: Ayes, Commissioner Hoff

Commissioner Baller Commissioner Sherman Commissioner Nickita Commissioner Host Mayor Boutros Mayor Pro Tem Longe

Nays, None

#### 02-040-21 Hazel Ravines Downtown

**MOTION:** Motion by Commissioner Hoff, seconded by Commissioner Nickita:

To set a public hearing for 7:30 PM on Monday, March 22, 2021, that will be held over zoom to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of Hazel Ravines Downtown, for the following reasons: violation of Section 10-40(7). Further, to direct the City Manager to notify the owners/operators of, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may present witnesses or written evidence at the hearing.

ROLL CALL VOTE: Ayes, Commissioner Hoff

Commissioner Nickita Commissioner Baller Commissioner Sherman Commissioner Host Mayor Boutros

Mayor Pro Tem Longe

Nays, None

## 02-041-21 Hyde Park Steakhouse

**MOTION:** Motion by Mayor Pro Tem Longe, seconded by Commissioner Host:

To set a public hearing for 7:30 PM on Monday, March 22, 2021, that will be held over zoom to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of Hyde Park Steakhouse, for the following reasons: violation of Section 10-40(7). Further, to direct the City Manager to notify the owners/operators of, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

ROLL CALL VOTE: Ayes, Mayor Pro Tem Longe

Commissioner Host Commissioner Hoff Commissioner Nickita Commissioner Baller Commissioner Sherman

Mayor Boutros

Nays, None

## 02-042-21 Mad Hatter

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

To set a public hearing for 7:30 PM on Monday, March 22, 2021, that will be held over zoom to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of Mad Hatter, for the following reasons: violation of Section 10-40(7). Further, to direct the City Manager to notify the owners/operators of, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

ROLL CALL VOTE: Ayes, Commissioner Sherman

Commissioner Host Mayor Pro Tem Longe Commissioner Hoff Commissioner Nickita Commissioner Baller Mayor Boutros

Nays, None

#### 02-043-21 Pernoi

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

To set a public hearing for 7:30 PM on Monday, March 22, 2021, that will be held over zoom to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of Pernoi, for the following reasons: violation of Section 10-40(6). Further, to direct the City Manager to notify the owners/operators of, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

PD Ecker clarified that the City did pass a temporary resolution to allow isinglass and enclosures during the Covid-19 pandemic. Pernoi, however, has a clause in their SLUP that specifically prohibits the use of isinglass. In order to be permitted the use of isinglass, Pernoi would have to request permission from the City under the temporary resolution, which has not occurred.

Kelly Allen, attorney for Pernoi, explained that on March 9, 2020 Pernoi asked the Commission to allow it the use of isinglass. The Commission granted that request but said Pernoi's SLUP would have to be amended to complete the process. As a result of the adjustments that had to be made in response to the Covid-19 pandemic's intensification at the end of March 2020, Pernoi did not go back to the Planning Board to amend their SLUP. Ms. Allen said she is now working with PD Ecker to try and resolve the isinglass issue, with the hope that it could be administratively approved.

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PD Ecker confirmed she would continue working with Ms. Allen in hopes of resolving the issue in advance of the March 22, 2021 public hearing.

Ayes, Commissioner Sherman ROLL CALL VOTE:

> **Commissioner Host** Mayor Pro Tem Longe Commissioner Hoff Commissioner Nickita

**Mayor Boutros** 

Nays, Commissioner Baller

#### 02-044-21 Social Kitchen

MOTION: Motion by Commissioner Nickita, seconded by Commissioner Hoff:

To set a public hearing for 7:30 PM on Monday, March 22, 2021, that will be held over zoom to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of Social Kitchen, for the following reasons: violation of Section 10-40(7). Further, to direct the City Manager to notify the owners/operators of, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

Ayes, Commissioner Nickita ROLL CALL VOTE:

Commissioner Hoff Commissioner Sherman **Commissioner Host** Mayor Pro Tem Longe Commissioner Baller

**Mayor Boutros** 

Nays, None

#### 02-045-21 Tallulah Wine Bar and Bistro

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Host:

To set a public hearing for 7:30 PM on Monday, March 22, 2021, that will be held over zoom to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of Tallulah Wine Bar and Bistro, for the following reasons: violation of Section 10-40(7). Further, to direct the City Manager to notify the owners/operators of, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

ROLL CALL VOTE: **Commissioner Sherman** Ayes,

> **Commissioner Host** Commissioner Nickita

Commissioner Hoff Mayor Pro Tem Longe Commissioner Baller **Mayor Boutros** 

Nays, None

#### 02-046-21 **Townsend Hotel/Rugby Grille**

MOTION: Motion by Commissioner Nickita, seconded by Commissioner Hoff:

To set a public hearing for 7:30 PM on Monday, March 22, 2021, that will be held over zoom to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of Townsend Hotel/Rugby Grille, for the following reasons: violation of Section 10-40(7) and Section 10-40(3). Further, to direct the City Manager to notify the owners/operators of, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

ROLL CALL VOTE: Commissioner Nickita Ayes,

> Commissioner Hoff Commissioner Host Commissioner Sherman Mayor Pro Tem Longe Commissioner Baller **Mayor Boutros**

Nays, None

#### 02-047-21 Vinotecca

MOTION: Motion by Commissioner Sherman, seconded by Commissioner Host:

To set a public hearing for 7:30 PM on Monday, March 22, 2021, that will be held over zoom to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners/operators of Vinotecca, for the following reasons: violation of Section 10-40(7). Further, to direct the City Manager to notify the owners/operators of, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

**ROLL CALL VOTE: Commissioner Sherman** Ayes,

> Commissioner Host Commissioner Nickita Commissioner Hoff Mayor Pro Tem Longe Commissioner Baller

**Mayor Boutros** 

Nays, None

### 02-048-21 Shift/Sidecar/Slice

Kelly Allen, attorney for S3 and Rojo/Sidecar owner Steven Simon, stated that Mr. Simon was in the process of paying off the water bills owed from Rojo/Sidecar to the building owner at the Rojo/Sidecar location, James Esshaki. Ms. Allen said a payment plan for the water bills could likely be set up between Mr. Esshaki and the City.

Ms. Allen said she was working with the Treasurer's Office, the former lessees of the space where Rojo/Sidecar was, and Mr. Esshaki to determine which party is responsible to pay the backtaxes owed on the Rojo/Sidecar location. The matter was complicated by a sublease agreement between Rojo/Sidecar and the former lessees, who owned Max & Erma's, and a bankruptcy on the part of the former lessees. She said that once the responsible party is determined the taxes would be paid.

After discussion between the Commission, the City Attorney, Police Chief Clemence, and Ms. Allen it was clarified that since S3 is a different LLC than Rojo/Sidecar, S3 cannot be held accountable for the backtaxes and water bills owed by Rojo/Sidecar.

Since S3 had neither backtaxes due nor zoning violations beyond the one mentioned by PD Ecker regarding temporary Covid-19 related signage, the Commission moved to renew S3's liquor license.

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

To approve the renewal for the 2021 licensing period of the liquor license, for which a current year application was received, for Shift/Sidecar/Slice.

ROLL CALL VOTE: Ayes, Commissioner Sherman

Commissioner Host Commissioner Nickita Commissioner Hoff Mayor Pro Tem Longe Commissioner Baller Mayor Boutros

Nays, None

## 02-049-21 Rojo/Sidecar

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

To set a public hearing for 7:30 PM on Monday, March 22, 2021, that will be held over zoom to consider whether to file an objection with the Michigan Liquor Control Commission to the renewal of the license for consumption of intoxicating liquor on the premises currently held by the owners of the liquor license at what was formerly Rojo/Sidecar, for the following reasons: violation of Section 10-40(7). Further, to direct the City Manager to notify the owners/operators of, in writing, that they may submit any written material for consideration by the City Commission prior to the date of the public hearing or at the hearing, that the licensee may appear in person at the hearing or be represented by counsel and that the licensee may present witnesses or written evidence at the hearing.

ROLL CALL VOTE: Ayes, Commissioner Sherman

Commissioner Nickita Commissioner Host Commissioner Hoff Mayor Pro Tem Longe Commissioner Baller Mayor Boutros

Nays, None

## 02-050-21 220 Restaurant

In reply to Commissioner Hoff, Police Chief Clemence confirmed that Mr. Elia was consistently responsive and helpful regarding police contacts with 220 Restaurant. Police Chief Clemence said nothing needed to be improved on by the management in terms of police contacts.

**MOTION:** Motion by Commissioner Sherman, seconded by Mayor Pro Tem Longe:

To approve the renewal for the 2021 licensing period of the liquor license, for which a current year application was received, for 220 Restaurant.

ROLL CALL VOTE: Ayes, Commissioner Sherman

Mayor Pro Tem Longe Commissioner Host Commissioner Hoff Commissioner Baller Mayor Boutros

Nays, None

Recrused, Commissioner Nickita

## 02-051-21 The Morrie

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

To approve the renewal for the 2021 licensing period of the liquor license, for which a current year application was received, for The Morrie.

ROLL CALL VOTE: Ayes, Commissioner Hoff

Commissioner Host Mayor Pro Tem Longe Commissioner Nickita Commissioner Baller Mayor Boutros

Nays, None

Recrused, Commissioner Sherman

## Commission Discussion on items from prior meetings.

**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

- A. Hybrid & Virtual Meetings from Haig
  - a. Public Involvement Through Zoom at Commission Meetings from Kucharek

## X. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments

Commissioner Host reminded everyone that residents are responsible for clearing the sidewalks of snow in front of their homes. He said he was glad to see that the last two Planning Board meetings regarding the master plan were so well-attended, and encouraged residents to keep participating in the master plan discussions. Finally, he invited residents to call or email him if they need assistance with a City-related issue, stating that he learns more about the City every time he has the opportunity to assist residents.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
  - 1. Board of Zoning Appeals February Meeting Summary
- D. Legislation
- E. City Staff
  - 1. SP+ Parking Update

Police Commander Grewe provided the update. He also notified the Commission that he was working on compiling a report on all the expenses SP+ charges the City for, and said that once the report was complete he would bring it before the Commission.

CM Markus provided a brief overview of some of the recommendations he would be endorsing from the approximately two-year-old Nelson-Nygaard report on the management of the City's parking system. He said he would integrate some of the recommendations into the upcoming budgeting process for the Commission's consideration, including the creation of a Parking Administrator position in the City.

Commissioner Baller said he was glad to see CM Markus putting work into the parking issue, stating that the City's engagement with the report from Nelson-Nygaard was long overdue. He said he felt that CM Markus' approach reflected initiative and important efforts towards transparency. He said that these efforts will clearly benefit the City.

### 2. Woodward Avenue Tunnel

CM Markus reviewed the February 22, 2021 memorandum from James Hock, Interim HR Director/Assistant City Manager, regarding the Woodward Avenue Tunnel.

CM Markus explained that because of the water main now running through the tunnel, the need for the tunnel to be updated to be ADA-compliant if it were re-opened, and the fact that the City would incur all the costs of updates and maintenance to the tunnel, it would likely be impractical to reopen the tunnel for pedestrian use.

Commenting that the question of reopening the tunnel seems to arise every few years, he said he hoped this brief overview of the prohibitive challenges of reopening the tunnel would put public speculation about the feasibility of the tunnel's use to rest. He said that if Birmingham were to ever pursue using a pedestrian tunnel under Woodward again, it would likely need to be an entirely new, ADA-compliant tunnel constructed in a different location.

For further detail, the relevant memorandum can be found in the evening's agenda packet as Item 10E2.

INFORMATION ONLY

## XI. ADJOURN

Mayor Boutros adjourned the meeting at 10:49 p.m.

# City of Birmingham Warrant List Dated 02/24/2021

Check Number	Early Release	Vendor #	Vendor	Amount
PAPER CHECK				
277934	*	000855	48TH DISTRICT COURT	500.00
277935	*	008226	KATHERINE ABELA	445.50
277936		003708	AIRGAS USA, LLC	236.82
277938		007033	APPLIED IMAGING	217.41
277939		000500	ARTECH PRINTING INC	96.00
277940	*	006759	AT&T	91.89
277941	*	006759	AT&T	396.94
277942	*	006759	AT&T	385.93
277943	*	006759	AT&T	472.76
277944	*	006759	AT&T	91.89
277945	*	006759	AT&T	187.45
277946	*	007216	AT&T	94.43
277947	*	003703	AT&T MOBILITY	142.98
277949	*	003839	MATTHEW J. BARTALINO	126.47
277952		003526	BOUND TREE MEDICAL, LLC	1,164.49
277953		004098	BROWNELLS, INC.	193.15
277954	*	006177	BULLSEYE TELECOM INC	129.54
277955	*	008334	DAVID BUTTIGIEG	60.99
277957		007732	CAPITAL TIRE, INC.	615.00
277958	*	MISC	CAROLYN BORMAN	833.03
277959		003413	CENTER MASS INC	798.00
277960	*	MISC	CIANI, NICHOLAS	1,326.30
277961		000605	CINTAS CORPORATION	251.87
277962	*	008006	CLEAR RATE COMMUNICATIONS, INC	1,366.66
277963		009187	CLEARVIEW CAPTIONING LLC	3,403.75
277964	*	000912	MARK CLEMENCE	432.53
277966		009167	COL'S FAMILY RESTAURANT	74.87
277967	*	008955	COMCAST	166.93
277968	*	007774	COMCAST BUSINESS	258.35
277969	*	000627	CONSUMERS ENERGY	1,675.13
277970		002668	CONTRACTORS CLOTHING CO	233.97
277971		001367	CONTRACTORS CONNECTION INC	185.30
277972		008512	COOL THREADS EMBROIDERY	1,044.87
277973	*	009145	CREATIVE COLLABORATIONS	3,800.00
277974	*	MISC	DAVID WRIGHT	1,194.02
277975		008005	DE LAGE LANDEN FINANCIAL SVCS INC	182.44
277976		002719	DES MOINES STAMP	53.95
277977	*	004198	DETROIT HITCH CO	51.30
277978	*	006700	DRV CONTRACTORS, LLC	129,040.50
277979	*	000179	DTE ENERGY	111.23
277980	*	000179	DTE ENERGY	178.98
277981	*	000180	DTE ENERGY	44,269.26

**5B** 

# City of Birmingham Warrant List Dated 02/24/2021

Check Number	Early Release	Vendor #	Vendor	Amount
277982		002460	EASTERN MICHIGAN UNIVERSITY	3,250.00
277984		001223	FAST SIGNS	156.00
277985		000213	FIRE DEFENSE EQUIP CO INC	35.00
277986		006654	FLEETPRIDE INC	106.25
277987		007212	FOSTER BLUE WATER OIL	1,099.58
277988		008498	FRANK'S SHOE SERVICE	40.00
277989	*	MISC	GARDEN TRUST COMPNAY LLC	2,017.67
277990	*	MISC	GARY FARTHING	1,184.98
277991	*	004604	GORDON FOOD	38.96
277992		008293	GRAINGER	236.16
277995		001531	GUNNERS METER & PARTS INC	840.00
277996		001377	HAGOPIAN CLEANING SERVICES	376.00
277997		006845	HAWTHORNE	99.00
277998		005820	HENKE MFG	1,425.14
277999	*	001956	HOME DEPOT CREDIT SERVICES	509.73
278000	*	007211	HOME DEPOT CREDIT SERVICES	104.85
278002		001625	J.B. DLCO & MULTISTATE	52.89
278003		000344	J.T. EXPRESS, LTD.	4,771.60
278004	*	MISC	JAMES CLEARY	1,105.97
278005	*	003823	JAY'S SEPTIC TANK SERVICE	156.00
278006		008564	JERRY'S TIRE INC	452.95
278007	*	007244	CHRISTOPHER JUDKINS	98.00
278008	*	009238	KATHERINE ROSE COLLINS	112.50
278009	*	000353	KNAPHEIDE TRUCK EQUIPMENT	1,553.27
278010	*	001577	KATE LONG	137.80
278012		007910	MACALLISTER RENTALS	3,111.00
278013		000888	MCKENNA ASSOCIATES INC	35,676.63
278015	*	009085	MGSE SECURITY LLC	975.00
278017	*	001387	MICHIGAN MUNICIPAL LEAGUE	22,176.79
278018	*	007659	MICHIGAN.COM #1008	178.46
278020		000230	MIKE SAVOIE CHEVROLET INC	57.97
278021		008319	MKSK INC	343.75
278022	*	000668	NATIONAL TIME & SIGNAL CORP	895.00
278023		001194	NELSON BROTHERS SEWER	3,148.00
278023	*	001194	NELSON BROTHERS SEWER	1,499.00
278024	*	007755	NETWORK SERVICES COMPANY	897.08
278025		005431	NILFISK, INC.	1,642.94
278026	*	MISC	NILS DANIELSON	3,794.18
278027	*	000477	OAKLAND COUNTY	455,374.14
278028		000919	OAKLAND COUNTY TREASURER	1,116.00
278029	*	000481	OFFICE DEPOT INC	341.40
278031	*	001753	PEPSI COLA	165.15
278032		008028	PK SAFETY SUPPLY	309.38

## City of Birmingham Warrant List Dated 02/24/2021

Check Number	Early Release	Vendor #	Vendor	Amount
278033		000486	PLANTE & MORAN PLLC	8,950.00
278034		004137	R & R FIRE TRUCK REPAIR INC	194.16
278035	*	MISC	REEM OKAB	96.08
278036	*	009144	RICHARD TRUDO	2,400.00
278037		000218	ROYAL OAK P.D.Q. LLC	76.00
278038	*	002806	SAM'S CLUB/SYNCHRONY BANK	86.37
278039		008815	SHI INTERNATIONAL CORP.	4,060.00
278040	*	004202	SHRED-IT USA	154.10
278041	*	009143	MICHAEL SHUKWIT	400.00
278042	*	MISC	SILK ABSTARCT COMPANY	209.66
278043		001005	STATE OF MICHIGAN	3,000.00
278044		003630	SUN SHADE WINDOW TINTING INC	240.00
278045	*	009237	TESSA BANKS	241.50
278046		007587	TRI-COUNTY AQUATICS, INC.	600.00
278047		005331	UBS FIN SERVICES, INC	21,845.94
278049		008941	UPTOWN MARKET OF BIRMINGHAM	20.38
278050	*	000293	VAN DYKE GAS CO.	240.79
278051	*	009123	SHARON VANHORNE	79.00
278052	*	000158	VERIZON WIRELESS	583.02
278053	*	000158	VERIZON WIRELESS	495.19
278054	*	000158	VERIZON WIRELESS	663.21
278055	*	000158	VERIZON WIRELESS	128.91
278056		006491	VILLAGE AUTOMOTIVE	1,247.57
278057		000828	WALL STREET JOURNAL, THE	35.00
278058		006762	WATCHGUARD VIDEO	462.00
278058	*	006762	WATCHGUARD VIDEO	357.00
278060	*	000301	PAUL WELLS	63.54
278061		001490	WEST SHORE FIRE INC	10,056.71
278062	*	MISC	WILSON, JEFFREY W	1,516.24
278063		005112	WOLVERINE	56.44
278064	*	004512	WOLVERINE POWER SYSTEMS	670.00
278065	*	008391	XEROX CORPORATION	598.30
278066	*	MISC	YUE QI	746.45
278067	*	008902	ZORO TOOLS, INC.	61.12
			SUBTOTAL PAPER CHECK	\$808,879.73
ACH TRANSACT	TION			
3415	*	008847	ABS- AUTOMATED BENEFIT SVCS, INC	181,584.95
3417	*	008847	ABS- AUTOMATED BENEFIT SVCS, INC	44,733.83
3418	*	002284	ABEL ELECTRONICS INC	1,639.91
3420	*	000517	BEIER HOWLETT P.C.	39,667.00
3421	*	007345	BEVERLY HILLS ACE	205.58
3422	*	006683	BIRMINGHAM LAWN MAINTENANCE	1,218.00
3423	*	007624	BIRMINGHAM OIL CHANGE CENTER, LLC	31.97

## City of Birmingham Warrant List Dated 02/24/2021

Amount	Vendor	Vendor #	Early Release	Check Number
2,690,810.57	BIRMINGHAM PUBLIC SCHOOLS-TAXES	008840	*	3424
115.50	BLUE WATER INDUSTRIAL PRODUCTS INC	000542	*	3425
1,125.00	BOB ADAMS TOWING	009183		3426
270.00	LISA MARIE BRADLEY	003282	*	3427
1,215.00	CANFIELD EQUIPMENT SERVICE INC.	007875		3428
652.65	CROWN CASTLE FIBER LLC	009195		3429
3,220.22	EQUATURE	000995	*	3430
156.66	EZELL SUPPLY CORPORATION	000207	*	3431
650.40	FOUR SEASON RADIATOR SERVICE INC	000217		3432
3,737.63	G2 CONSULTING GROUP LLC	007807	*	3433
174.40	GRAINGER	000243	*	3434
15,375.00	HUBBELL ROTH & CLARK INC	000331		3436
122.99	INNOVATIVE OFFICE TECHNOLOGY GROUP	007035		3437
23,430.63	J.H. HART URBAN FORESTRY	000261		3438
322.40	JAX KAR WASH	002576	*	3439
374.08	JOE'S AUTO PARTS, INC.	003458	*	3440
157.50	HAILEY R KASPER	007827	*	3442
761.68	KROPF MECHANICAL SERVICE COMPANY	005876	*	3443
1,474.30	LEE & ASSOCIATES CO., INC.	005550	*	3444
2,051.80	NYE UNIFORM COMPANY	006359	*	3447
1,002,184.18	OAKLAND COUNTY TREASURER- TAX PYMNT	008843	*	3448
356.45	OSCAR W. LARSON CO.	002767	*	3449
6,700.00	PAUL C SCOTT PLUMBING INC	006853	*	3450
228.20	PENCHURA, LLC	006027	*	3451
4,085.30	ROAD COMM FOR OAKLAND CO	000478	*	3452
71.00	ROSE PEST SOLUTIONS	001181	*	3453
68,287.00	SOCRRA	000254		3454
281.91	TERMINAL SUPPLY CO.	000273		3455
574.50	VIGILANTE SECURITY INC	000969	*	3456
1,639.77	WHITLOCK BUSINESS SYSTEMS, INC.	007278	*	3457
159.40	WRIGHT TOOL COMPANY	000926		3458

SUBTOTAL ACH TRANSACTION \$4,099,847.36

## City of Birmingham Warrant List Dated 02/24/2021

Check Number Early Release Vendor # Vendor Amount

GRAND TOTAL

\$4,908,727.09

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

Mark Suhn

Mark Gerber Finance Director/ Treasurer

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

## City of Birmingham Warrant List Dated 03/03/2021

Check Number	Early Release	Vendor #	Vendor	Amount
PAPER CHECK				
278068	*	001097	SOCWA	248,013.05
278069		005430	21ST CENTURY MEDIA- MICHIGAN	637.15
278070	*	008226	KATHERINE ABELA	567.00
278072		003431	AIS CONSTRUCTION CO	4,399.38
278073	*	MISC	ALBERT KATZMAN	641.84
278074	*	002670	MIKE ALBRECHT	239.52
278075		001000	ALLIED INC	756.08
278076	*	008431	AMCOBI	14,400.00
278077	*	009253	ANDRUS ARCHITECTURE	94,290.00
278078		007033	APPLIED IMAGING	7,526.64
278079		008988	ASTI ENVIRONMENTAL	1,805.00
278081	*	006759	AT&T	2,677.93
278082	*	006759	AT&T	501.24
278083		005590	AXON ENTERPRISE, INC.	375.00
278086		003012	BATTERIES PLUS BULBS	141.10
278087	*	001086	JACK TODD- PETTY CASH	118.65
278088	*	MISC	BRYAN BROWN	1,691.22
278089		009078	CANON SOLUTIONS AMERICA INC	163.20
278091		007732	CAPITAL TIRE, INC.	835.00
278092		MISC	CASAZZA II, JAMES G	1,557.00
278093	*	006840	CHAPP & BUSHEY OIL CO. INC.	890.47
278094		000605	CINTAS CORPORATION	216.31
278095		002234	CMP DISTRIBUTORS INC	4,890.00
278096	*	009167	COL'S FAMILY RESTAURANT	392.00
278097	*	008955	COMCAST	208.83
278098	*	007774	COMCAST BUSINESS	1,258.18
278099	*	006172	CONSTANT CONTACT, INC.	1,680.00
278100	*	000627	CONSUMERS ENERGY	7,670.95
278101		001367	CONTRACTORS CONNECTION INC	259.20
278102		008512	COOL THREADS EMBROIDERY	529.94
278103	*	MISC	CORELOGIC	7,127.85
278105		000233	DEAN SELLERS	53.28
278106		008559	DETROIT BATTERY COMPANY LLC	59.95
278108	*	000179	DTE ENERGY	22.59
278109	*	000179	DTE ENERGY	82.30
278110	*	000179	DTE ENERGY	14.95
278111	*	000179	DTE ENERGY	39.53
278112	*	000179	DTE ENERGY	605.90
278113	*	000179	DTE ENERGY	64.53
278114	*	000179	DTE ENERGY	15.58
278115	*	000179	DTE ENERGY	44.62
278116	*	000179	DTE ENERGY	1,904.56

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## City of Birmingham Warrant List Dated 03/03/2021

278117	Check Number	Early Release	Vendor #	Vendor	Amount
278119	278117	*	000179	DTE ENERGY	14.95
278120	278118	*	000179	DTE ENERGY	3,344.35
278121	278119	*	000179	DTE ENERGY	5,978.46
278122	278120	*	000179	DTE ENERGY	1,874.35
278123	278121	*	000179	DTE ENERGY	6,491.41
278124	278122	*	000179	DTE ENERGY	331.96
278125	278123	*	000179	DTE ENERGY	41.62
276126	278124	*	000179	DTE ENERGY	1,864.31
278127         *         000179         DTE ENERGY         16.57           278128         *         000179         DTE ENERGY         16.57           278129         *         000179         DTE ENERGY         76.04           278130         *         000179         DTE ENERGY         117.29           278131         *         000180         DTE ENERGY         47.63           278132         *         000180         DTE ENERGY         1,380.39           278134         004671         ELDRE FORD         476.12           278135         009271         ENVIRONMENTAL PRODUCTS & ACCESS LLC         2,029.55           278136         001495         ENDA         22.360.00           278137         *         001223         FAST SIGNS         115.04           278138         000936         FEDEX         840.28           278139         009196         FIT FRO SERVICES         140.00           278140         002510         GANCO INVESTORS INC         24,925.00           278141         007172         GARY KNUREK INC         59.00           278142         006384         GEOGRAPHIC INFORMATION SERVICES, IN         42.45           278143         * <td< td=""><td>278125</td><td>*</td><td>000179</td><td>DTE ENERGY</td><td>28.60</td></td<>	278125	*	000179	DTE ENERGY	28.60
278128	278126	*	000179	DTE ENERGY	360.64
278129         *         000179         DTE ENERGY         76.04           278130         *         000179         DTE ENERGY         117.29           278131         *         000179         DTE ENERGY         47.63           278132         *         000180         DTE ENERGY         1,380.39           278134         004671         ELDER FORD         476.12           278135         009271         ENVIRONMENTAL PRODUCTS & ACCESS LLC         2,029.55           278136         001495         ETNA SUPPLY         2,360.00           278137         *         001223         FAST SIGNS         115.04           278138         000936         FEDEX         840.28           278139         009196         FIT PRO SERVICES         140.00           278140         002510         GAMCO INVESTORS INC         24,925.00           278141         007172         GARY KNUBER INC         59.00           278142         06384         GROGRAPHIC INFORMATION SERVICES, IN         442.45           278143         *         008007         GREAT LAKES WATER AUTHORITY         15,440.81           278144         01447         HALT FIRE INC         222.98           278145         *	278127	*	000179	DTE ENERGY	432.37
278130         *         000179         DTE ENERGY         117.29           278131         *         000179         DTE ENERGY         47.63           278132         *         000180         DTE ENERGY         1,380.39           278134         004671         ELDER FORD         476.12           278135         009271         ENVIRONMENTAL PRODUCTS & ACCESS LLC         2,029.55           278136         001495         ETNA SUPPLY         2,360.00           278137         *         001223         FAST SIGNS         115.04           278138         000936         FEDEX         840.28           278139         009196         FIT PRO SERVICES         140.00           278140         002510         GAMCO INVESTORS INC         24,925.00           278141         007172         GARY KNUERK INC         59.00           278142         006384         GEOGRAPHIC INFORMATION SERVICES, IN         442.45           278143         *         008007         GREAT LAKES WATER AUTHORITY         15,440.81           278144         01447         HALT FIRE INC         22.29.8           278145         *         001467         HALT SHADER           278147         000948         HYD	278128	*	000179	DTE ENERGY	16.57
278131         *         000179         DTE ENERGY         47.63           278132         *         000180         DTE ENERGY         1,380.39           278134         004671         ELDER FORD         476.12           278135         009271         ENVIRONMENTAL PRODUCTS & ACCESS LLC         2,029.55           278136         001495         ETNA SUPPLY         2,360.00           278137         *         001223         FAST SIGRS         115.04           278138         000936         FEDEX         840.28           278139         009196         FIT PRO SERVICES         140.00           278140         002510         GAMCO INVESTORS INC         24,925.00           278141         007172         GARY KINGEK INC         59.00           278142         006384         GEOGRAPHIC INFORMATION SERVICES, IN         442.45           278143         *         008007         GREAT LAKES WATER AUTHORITY         15,440.81           278144         001447         HALT FIRE INC         222.98           278145         *         001964         HYDROCORP         1,315.00           278148         000342         IES OF SE MICHICAN         569.86           278149         MISC	278129	*	000179	DTE ENERGY	76.04
278132         * 000180         DTE ENERGY         1,380.39           278134         004671         ELDER FORD         476.12           278135         009271         ENVIRONMENTAL PRODUCTS & ACCESS LLC         2,029.55           278136         001495         ETNA SUPPLY         2,360.00           278137         * 001223         FAST SIGNS         115.04           278138         000936         FEDEX         840.28           278139         009196         FIT PRO SERVICES         140.00           278140         002510         GAMCO INVESTORS INC         24,925.00           278141         007172         GARY KNUREK INC         59.00           278142         006384         GEOGRAPHIC INFORMATION SERVICES, IN         442.45           278143         * 008007         GREAT LAKES WATER AUTHORITY         15,440.81           278144         001447         HALT FIRE INC         222.98           278145         * 001956         HOME DEPOT CREDIT SERVICES         1,586.95           278146         001447         HALT FIRE INC         222.98           278147         000948         HYDROCORP         1,315.00           278148         000342         IBS OF SE MICHIGAN         569.86      <	278130	*	000179	DTE ENERGY	117.29
278134         004671         ELDER FORD         476.12           278135         009271         ENVIRONMENTAL PRODUCTS & ACCESS LLC         2,029.55           278136         001495         ETNA SUPPLY         2,360.00           278137         * 001223         FAST SIGNS         115.04           278138         000936         FEDEX         840.28           278140         002510         GAMCO INVESTORS INC         24,925.00           278141         007172         GARY KNUREK INC         59.00           278142         006384         GEOGRAPHIC INFORMATION SERVICES, IN         442.45           278143         * 008007         GREAT LAKES WATER AUTHORITY         15,440.81           278144         001447         HALT FIRE INC         222.98           278145         * 001956         HOME DEPOT CREDIT SERVICES         1,586.95           278147         000948         HYDROCORP         1,315.00           278148         000342         IBS OF SE MICHIGAN         569.86           278149         MISC         IDEAL BUILDERS AND REMODELING INC         1,300.00           278150         * 000984         INTERNATIONAL CONTROLS         335.17           278151         * MISC         JOELSON, PETER <td< td=""><td>278131</td><td>*</td><td>000179</td><td>DTE ENERGY</td><td>47.63</td></td<>	278131	*	000179	DTE ENERGY	47.63
278135         009271         ENVIRONMENTAL PRODUCTS & ACCESS LLC         2,029.55           278136         001495         ETNA SUPPLY         2,360.00           278137         * 001223         FAST SIGNS         115.04           278138         000936         FEDEX         840.28           278149         009196         FIT PRO SERVICES         140.00           278140         002510         GAMCO INVESTORS INC         24,925.00           278141         007172         GARY KNUREK INC         59.00           278142         006384         GEOGRAPHIC INFORMATION SERVICES, IN         442.45           278143         * 008007         GREAT LAKES WATER AUTHORITY         15,440.81           278144         001447         HALT FIRE INC         222.98           278145         * 001956         HOME DEPOT CREDIT SERVICES         1,586.95           278147         000948         HYDROCORP         1,315.00           278148         000342         IBS OF SE MICHIGAN         569.86           278150         * 000984         INTERNATIONAL CONTROLS         335.17           278151         * MISC         JOELSON, PETER         3,806.41           278152         000347         JOHN R. SPRING & TIRE CENTER INC	278132	*	000180	DTE ENERGY	1,380.39
278136         001495         ETNA SUPPLY         2,360.00           278137         * 001223         FAST SIGNS         115.04           278138         000936         FEDEX         840.28           278139         009196         FIT PRO SERVICES         140.00           278140         002510         GAMCO INVESTORS INC         24,925.00           278141         007172         GARY KNUREK INC         59.00           278142         006384         GEOGRAPHIC INFORMATION SERVICES, IN         442.45           278143         * 008007         GREAT LAKES WATER AUTHORITY         15,440.81           278144         001447         HALT FIRE INC         222.98           278145         * 001956         HOME DEPOT CREDIT SERVICES         1,586.95           278147         000948         HYDROCORP         1,315.00           278148         000342         IBS OF SE MICHIGAN         569.86           278149         MISC         IDEAL BUILDERS AND REMODELING INC         1,300.00           278150         * 00984         INTERNATIONAL CONTROLS         335.17           278151         * MISC         JOELSON, PETER         3,806.41           278152         000347         JOHN R. SPRING & TIRE CENTER INC         <	278134		004671	ELDER FORD	476.12
278137         *         001223         FAST SIGNS         115.04           278138         000936         FEDEX         840.28           278139         009196         FIT PRO SERVICES         140.00           278140         002510         GAMCO INVESTORS INC         24,925.00           278141         007172         GARY KNUREK INC         59.00           278142         006384         GEOGRAPHIC INFORMATION SERVICES, IN         442.45           278143         *         008007         GREAT LAKES WATER AUTHORITY         15,440.81           278144         001447         HALT FIRE INC         222.98           278145         *         001956         HOME DEPOT CREDIT SERVICES         1,586.95           278147         000948         HYDROCORP         1,315.00           278148         000342         IBS OF SE MICHIGAN         569.86           278149         MISC         IDEAL BUILDERS AND REMODELING INC         1,300.00           278150         *         000984         INTERNATIONAL CONTROLS         335.17           278151         *         MISC         JOELSON, PETER         3,806.41           278152         000347         JOHN R. SPRING & TIRE CENTER INC         32,700	278135		009271	ENVIRONMENTAL PRODUCTS & ACCESS LLC	2,029.55
278138       000936       FEDEX       840.28         278139       009196       FIT PRO SERVICES       140.00         278140       002510       GAMCO INVESTORS INC       24,925.00         278141       007172       GARY KNUREK INC       59.00         278142       006384       GEOGRAPHIC INFORMATION SERVICES, IN       442.45         278143       * 008007       GREAT LAKES WATER AUTHORITY       15,440.81         278144       001447       HALT FIRE INC       222.98         278145       * 001956       HOME DEPOT CREDIT SERVICES       1,586.95         278147       000948       HYDROCORP       1,315.00         278148       000342       IBS OF SE MICHIGAN       569.86         278149       MISC       IDEAL BUILDERS AND REMODELING INC       1,300.00         278150       * 000984       INTERNATIONAL CONTROLS       335.17         278151       * MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       * MISC       JOSEPH MICHALAK       1,977.71         278154       * 000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC <td>278136</td> <td></td> <td>001495</td> <td>ETNA SUPPLY</td> <td>2,360.00</td>	278136		001495	ETNA SUPPLY	2,360.00
278139       009196       FIT PRO SERVICES       140.00         278140       002510       GAMCO INVESTORS INC       24,925.00         278141       007172       GARY KNUREK INC       59.00         278142       006384       GEOGRAPHIC INFORMATION SERVICES, IN       442.45         278143       * 008007       GREAT LAKES WATER AUTHORITY       15,440.81         278144       001447       HALT FIRE INC       222.98         278145       * 001956       HOME DEPOT CREDIT SERVICES       1,586.95         278147       000948       HYDROCORP       1,315.00         278148       000342       IBS OF SE MICHIGAN       569.86         278149       MISC       IDEAL BUILDERS AND REMODELING INC       1,300.00         278150       * 000984       INTERNATIONAL CONTROLS       335.17         278151       * MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       * MISC       JOSEPH MICHALAK       1,977.71         278154       * 000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       530.00         278157       * MISC       LIVE WEL	278137	*	001223	FAST SIGNS	115.04
278140       002510       GAMCO INVESTORS INC       24,925.00         278141       007172       GARY KNUREK INC       59.00         278142       006384       GEOGRAPHIC INFORMATION SERVICES, IN       442.45         278143       * 008007       GREAT LAKES WATER AUTHORITY       15,440.81         278144       001447       HALT FIRE INC       222.98         278145       * 001956       HOME DEPOT CREDIT SERVICES       1,586.95         278147       000948       HYDROCORP       1,315.00         278148       000342       IBS OF SE MICHIGAN       569.86         278149       MISC       IDEAL BUILDERS AND REMODELING INC       1,300.00         278150       * 000984       INTERNATIONAL CONTROLS       335.17         278151       * MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       * MISC       JOSEPH MICHALAK       1,977.71         278154       * 000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       * MISC       LIVE	278138		000936	FEDEX	840.28
278141         007172         GARY KNUREK INC         59.00           278142         006384         GEOGRAPHIC INFORMATION SERVICES, IN         442.45           278143         * 008007         GREAT LAKES WATER AUTHORITY         15,440.81           278144         001447         HALT FIRE INC         222.98           278145         * 001956         HOME DEPOT CREDIT SERVICES         1,586.95           278147         000948         HYDROCORP         1,315.00           278148         000342         IBS OF SE MICHIGAN         569.86           278149         MISC         IDEAL BUILDERS AND REMODELING INC         1,300.00           278150         * 000984         INTERNATIONAL CONTROLS         335.17           278151         * MISC         JOELSON, PETER         3,806.41           278152         000347         JOHN R. SPRING & TIRE CENTER INC.         33.70           278153         * MISC         JOSEPH MICHALAK         1,977.71           278154         * 000362         KROGER COMPANY         57.17           278155         001362         LACAL EQUIPMENT INC         1,954.18           278156         002438         LAIRD PLASTICS INC         530.00           278157         * MISC         LIVE WELL C	278139		009196	FIT PRO SERVICES	140.00
278142       006384       GEOGRAPHIC INFORMATION SERVICES, IN       442.45         278143       * 008007       GREAT LAKES WATER AUTHORITY       15,440.81         278144       001447       HALT FIRE INC       222.98         278145       * 001956       HOME DEPOT CREDIT SERVICES       1,586.95         278147       000948       HYDROCORP       1,315.00         278148       000342       IBS OF SE MICHIGAN       569.86         278149       MISC       IDEAL BUILDERS AND REMODELING INC       1,300.00         278150       * 000984       INTERNATIONAL CONTROLS       335.17         278151       * MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       * MISC       JOSEPH MICHALAK       1,977.71         278154       * 000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       * MISC       LIVE WELL CUSTOM HOMES       2,200.00         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910 <t< td=""><td>278140</td><td></td><td>002510</td><td>GAMCO INVESTORS INC</td><td>24,925.00</td></t<>	278140		002510	GAMCO INVESTORS INC	24,925.00
278143       *       008007       GREAT LAKES WATER AUTHORITY       15,440.81         278144       001447       HALT FIRE INC       222.98         278145       *       001956       HOME DEPOT CREDIT SERVICES       1,586.95         278147       000948       HYDROCORP       1,315.00         278148       000342       IBS OF SE MICHIGAN       569.86         278149       MISC       IDEAL BUILDERS AND REMODELING INC       1,300.00         278150       *       000984       INTERNATIONAL CONTROLS       335.17         278151       *       MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       *       MISC       JOSEPH MICHALAK       1,977.71         278154       *       000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       *       MISC       LIVE WELL CUSTOM HOMES       2,200.00         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS	278141		007172	GARY KNUREK INC	59.00
278144       001447       HALT FIRE INC       222.98         278145       * 001956       HOME DEPOT CREDIT SERVICES       1,586.95         278147       000948       HYDROCORP       1,315.00         278148       000342       IBS OF SE MICHIGAN       569.86         278149       MISC       IDEAL BUILDERS AND REMODELING INC       1,300.00         278150       * 000984       INTERNATIONAL CONTROLS       335.17         278151       * MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       * MISC       JOSEPH MICHALAK       1,977.71         278154       * 000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       * MISC       LIVE WELL CUSTOM HOMES       2,200.00         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       * 004738       MGFOA       60.00	278142		006384	GEOGRAPHIC INFORMATION SERVICES, IN	442.45
278145       *       001956       HOME DEPOT CREDIT SERVICES       1,586.95         278147       000948       HYDROCORP       1,315.00         278148       000342       IBS OF SE MICHIGAN       569.86         278149       MISC       IDEAL BUILDERS AND REMODELING INC       1,300.00         278150       *       000984       INTERNATIONAL CONTROLS       335.17         278151       *       MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       *       MISC       JOSEPH MICHALAK       1,977.71         278154       *       000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       *       MISC       LIVE WELL CUSTOM HOMES LLC       1,716.94         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       *       004738       MGFOA       60.00	278143	*	008007	GREAT LAKES WATER AUTHORITY	15,440.81
278147       000948       HYDROCORP       1,315.00         278148       000342       IBS OF SE MICHIGAN       569.86         278149       MISC       IDEAL BUILDERS AND REMODELING INC       1,300.00         278150       * 000984       INTERNATIONAL CONTROLS       335.17         278151       * MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       * MISC       JOSEPH MICHALAK       1,977.71         278154       * 000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       * MISC       LIVE WELL CUSTOM HOMES       2,200.00         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       * 004738       MGFOA       60.00	278144		001447	HALT FIRE INC	222.98
278148       000342       IBS OF SE MICHIGAN       569.86         278149       MISC       IDEAL BUILDERS AND REMODELING INC       1,300.00         278150       * 000984       INTERNATIONAL CONTROLS       335.17         278151       * MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       * MISC       JOSEPH MICHALAK       1,977.71         278154       * 000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       * MISC       LIVE WELL CUSTOM HOMES LLC       1,716.94         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       * 004738       MGFOA       60.00	278145	*	001956	HOME DEPOT CREDIT SERVICES	1,586.95
278149       MISC       IDEAL BUILDERS AND REMODELING INC       1,300.00         278150       * 000984       INTERNATIONAL CONTROLS       335.17         278151       * MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       * MISC       JOSEPH MICHALAK       1,977.71         278154       * 000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       * MISC       LIVE WELL CUSTOM HOMES LLC       1,716.94         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       * 004738       MGFOA       60.00	278147		000948	HYDROCORP	1,315.00
278150       *       000984       INTERNATIONAL CONTROLS       335.17         278151       *       MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       *       MISC       JOSEPH MICHALAK       1,977.71         278154       *       000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       *       MISC       LIVE WELL CUSTOM HOMES LLC       1,716.94         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       *       004738       MGFOA       60.00	278148		000342	IBS OF SE MICHIGAN	569.86
278151       * MISC       JOELSON, PETER       3,806.41         278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       * MISC       JOSEPH MICHALAK       1,977.71         278154       * 000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       * MISC       LIVE WELL CUSTOM HOMES LLC       1,716.94         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       * 004738       MGFOA       60.00	278149		MISC	IDEAL BUILDERS AND REMODELING INC	1,300.00
278152       000347       JOHN R. SPRING & TIRE CENTER INC.       33.70         278153       * MISC       JOSEPH MICHALAK       1,977.71         278154       * 000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       * MISC       LIVE WELL CUSTOM HOMES LLC       1,716.94         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       * 004738       MGFOA       60.00	278150	*	000984	INTERNATIONAL CONTROLS	335.17
278153       * MISC       JOSEPH MICHALAK       1,977.71         278154       * 000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       * MISC       LIVE WELL CUSTOM HOMES LLC       1,716.94         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       * 004738       MGFOA       60.00	278151	*	MISC	JOELSON, PETER	3,806.41
278154       *       000362       KROGER COMPANY       57.17         278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       *       MISC       LIVE WELL CUSTOM HOMES LLC       1,716.94         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       *       004738       MGFOA       60.00	278152		000347	JOHN R. SPRING & TIRE CENTER INC.	33.70
278155       001362       LACAL EQUIPMENT INC       1,954.18         278156       002438       LAIRD PLASTICS INC       530.00         278157       * MISC       LIVE WELL CUSTOM HOMES LLC       1,716.94         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       * 004738       MGFOA       60.00	278153	*	MISC	JOSEPH MICHALAK	1,977.71
278156       002438       LAIRD PLASTICS INC       530.00         278157       * MISC       LIVE WELL CUSTOM HOMES LLC       1,716.94         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       * 004738       MGFOA       60.00	278154	*	000362	KROGER COMPANY	57.17
278157       * MISC       LIVE WELL CUSTOM HOMES LLC       1,716.94         278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       * 004738       MGFOA       60.00	278155		001362	LACAL EQUIPMENT INC	1,954.18
278158       MISC       LYNCH CUSTOM HOMES       2,200.00         278159       007910       MACALLISTER RENTALS       881.00         278161       *       004738       MGFOA       60.00	278156		002438	LAIRD PLASTICS INC	530.00
278159 007910 MACALLISTER RENTALS 881.00 278161 * 004738 MGFOA 60.00	278157	*	MISC	LIVE WELL CUSTOM HOMES LLC	1,716.94
278161 * 004738 MGFOA 60.00	278158		MISC	LYNCH CUSTOM HOMES	2,200.00
	278159		007910	MACALLISTER RENTALS	881.00
278163 MISC MICHIGAN SOLAR SOLUTIONS 220.50	278161	*	004738	MGFOA	60.00
	278163		MISC	MICHIGAN SOLAR SOLUTIONS	220.50

## City of Birmingham Warrant List Dated 03/03/2021

Check Number	Early Release	Vendor #	Vendor	Amount
278165		000230	MIKE SAVOIE CHEVROLET INC	522.22
278166	*	007163	MOBILE HEALTH RESOURCES	1,911.37
278167		001194	NELSON BROTHERS SEWER	409.00
278168	*	003461	OBSERVER & ECCENTRIC	423.54
278169	*	004370	OCCUPATIONAL HEALTH CENTERS	225.00
278171	*	000481	OFFICE DEPOT INC	871.65
278172		008901	PLANTE & MORAN CRESA, LLC	15,000.00
278173		006625	PTS COMMUNICATIONS	78.00
278174	*	008342	RAIN MASTER CONTROL SYSTEMS	29.85
278175		009222	SAVERS WHOLESALE PRINTING	2,145.44
278176	*	008073	SITEONE LANDSCAPE SUPPLY, INC	33.61
278177		007907	SP+ CORPORATION	64,941.77
278178		001104	STATE OF MICHIGAN	221,222.05
278179		004914	STERLING HEIGHTS TREASURY	415.76
278180	*	009237	TESSA BANKS	336.00
278181	*	MISC	THE HUNTINGTON NATIONAL BANK	15,723.64
278182		002433	THELMA GOLDEN	183.42
278183		000275	TIRE WHOLESALERS CO INC	187.20
278184	*	000293	VAN DYKE GAS CO.	136.14
278185	*	009177	VANDYKE HORN PUBLIC RELATIONS LLC	4,025.00
278186	*	000158	VERIZON WIRELESS	979.99
278187	*	000158	VERIZON WIRELESS	49.30
278188		006491	VILLAGE AUTOMOTIVE	44.11
278189	*	004497	WATERFORD REGIONAL FIRE DEPT.	157.00
278190		000299	WEINGARTZ SUPPLY	1,323.37
278191	*	MISC	WILLIAM DUNN	1,255.62
278192	*	005794	WINDSTREAM	903.63
278193		005657	WINTER EQUIP CO, INC	477.39
278194		007620	WJE-WISS, JANNEY, ELSTNER ASSOC.INC	11,273.60
278195		005112	WOLVERINE	32.70
			SUBTOTAL PAPER CHECK	\$842,681.65
ACH TRANSACT	ION			
3461	*	008847	ABS- AUTOMATED BENEFIT SVCS, INC	14,901.18
3463	*	002284	ABEL ELECTRONICS INC	1,867.95
3465	*	007575	HANNAH CHUNG	504.00
3466	*	000565	DORNBOS SIGN & SAFETY INC	609.50
3467		001077	DUNCAN PARKING TECH INC	29,411.00
3467	*	001077	DUNCAN PARKING TECH INC	16,046.35
3468	*	000207	EZELL SUPPLY CORPORATION	522.15
3469		001230	FIRE SYSTEMS OF MICHIGAN LLC	100.00
3470	*	001672	HAYES PRECISION INC	51.00
3471		000331	HUBBELL ROTH & CLARK INC	109,923.30
3472	*	008851	INSIGHT INVESTMENT	5,677.37

## City of Birmingham Warrant List Dated 03/03/2021

Check Number	Early Release	Vendor #	Vendor	Amount
3473		000186	JACK DOHENY COMPANIES INC	152.74
3474	*	002576	JAX KAR WASH	126.00
3475	*	003458	JOE'S AUTO PARTS, INC.	1,561.35
3476	*	000891	KELLER THOMA	123.75
3477	*	005550	LEE & ASSOCIATES CO., INC.	1,872.00
3478	*	007865	LOGICAL SOLUTIONS ENTERPRISE INC	599.00
3479		000462	MOTOR CITY INDUSTRIAL	429.73
3480	*	007856	NEXT	450.00
3481		001864	NOWAK & FRAUS ENGINEERS	27,698.25
3482	*	006359	NYE UNIFORM COMPANY	1,051.91
3483	*	000478	ROAD COMM FOR OAKLAND CO	3,671.77
3484		005787	SOUTHEASTERN EQUIPMENT CO. INC	102.34
3485	*	004355	SYMETRA LIFE INSURANCE COMPANY	32,774.54
3486		000273	TERMINAL SUPPLY CO.	254.19
3487	*	002037	TOTAL ARMORED CAR SERVICE, INC.	758.36
3488	*	004887	TRUCK & TRAILER SPECIALTIES INC	944.84
3489	*	002974	VILLAGE OF BEVERLY HILLS	111,065.47
			SUBTOTAL ACH TRANSACTION	\$363,250.04
			GRAND TOTAL	\$1,205,931.69

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



Mark Gerber Finance Director/ Treasurer

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

# City of Birmingham A Walkable Community =

## **MEMORANDUM**

## **Department of Public Services**

DATE: February 26, 2021

TO: Thomas M. Markus, City Manager

FROM: Lauren A. Wood, Director of Public Services

**SUBJECT:** Spring 2021 Tree Purchase and Planting Project

## INTRODUCTION:

Twice a year, the City of Birmingham plants trees in residential and major street rights-of-ways and parks as part of our tree replacement program. Sealed bids were opened on Thursday, February 11, 2021 for the cost to provide and plant eighty-three (83) trees. The Request for Proposals (RFP) was entered into the Michigan Inter-Governmental Trade Network (MITN) purchasing system. The trees will be planted along various street rights-of-way and parks during the spring of 2021.

#### **BACKGROUND:**

This purchase will include providing all trees, planting, topsoil, mulch, and necessary pruning. Watering is the responsibility of the resident, and the contractor is to place watering notification flyers at every property receiving a new tree. The trees also come with a 2-year warranty. The majority of the planting will occur in the right of way on various residential streets, and some will be planted in City parks. City employees or a contractor will water the park trees.

Three (3) bidders responded to the request for proposals. The result of the sealed bids follows in the table below.

Bidder	Base Bid	Deviations?
KLM Landscape	\$34,970.00	No
Davey Tree Expert	\$35,939.00	No
County Line Nurseries, Inc.	\$56,000.00	No

KLM Landscape is able to supply all trees and perform all work as requested.

## LEGAL REVIEW:

The City Attorney has completed a review of this contract agreement and approved with signature.

#### FISCAL IMPACT:

This project was included in the 2020-2021 Approved Budget. Funds are available from the Local Streets Fund-Forestry Service Contract account, the Major Streets Fund-Forestry Service Contract account, the Local Streets Fund-Operating Supplies account, the Major Streets Fund-Operating Supplies account, and the Parks Other Contractual Services account for these services.

#### PUBLIC COMMUNICATIONS:

The Department of Public Services (DPS) mails a postcard to all residential addresses receiving a tree as part of the spring or fall planting program. It provides details of the upcoming planting project and informs them they will be receiving a tree. As mentioned, upon the tree planting, a door hanger is provided at the residence with tree care instructions including water requirements.

#### SUMMARY:

The RFP requires bidders to provide references, completed projects similar in scope, size and purpose, and written plan/timeline for the project. After reviewing all submitted materials, checking references, and conducting an interview, the Department of Public Services recommends awarding the spring 2021 tree purchase and planting project to KLM Landscape. They are a previous vendor for plantings and always complete the plant as well as any warranty replacements. Also, they are the lowest responsible and responsive bidder for the "Spring 2021 Tree Purchase and Planting Project."

This project consisting of 83 trees averages \$421.33 per tree. Some recent planting costs compare as follows:

Fall 2020: \$458.65Spring 2020: \$595.00Fall 2019: \$399.11Spring 2019: \$354.93

Upon award, the contractor will be notified to secure the tree stock and call MISS DIG before they begin planting.

## ATTACHMENTS:

The Agreement including the required Insurance Certificate, Bidder's Agreement, Cost Proposal, Completion Date, and Iran Sanctions Act Vendor Certification Form are attached for your review.

## SUGGESTED RESOLUTION:

To approve the purchase and planting of eighty-three (83) trees from KLM Landscape for the Spring 2021 Tree Purchase and Planting Program for a total project cost not to exceed \$34,970.00. 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 the required insurance coverage.

## ATTACHMENT A - AGREEMENT Spring 2021 Tree Purchase and Planting Project

This AGREEMENT, made thisday of	at 151	Martin
Street, Birmingham, MI (hereinafter sometimes called "City"), and KL having its principal office at 70570 Powell, Armada, MI 48005 (here "County of the county of the coun	M Land	decana
"Contractor"), provides as follows:	einatter	called

WHEREAS, the City of Birmingham, through its Public Services Department, is desirous of having work completed to supply and install 83 trees in the right of ways, and parks in the City of Birmingham.

WITNESSETH:

WHEREAS, the City has heretofore advertised for bids for the procurement and performance of services required to perform tree supply and planting of eighty-three (83) 3"-3 ½" caliper B&B trees, 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 tree supply and planting.

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

- 1. It is mutually agreed by and between the parties that the documents consisting of the Request for Proposal to perform tree supply and planting and the Contractor's cost proposal dated February 11, 2021 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.
- The City shall pay the Contractor for the performance of this Agreement in an amount not to exceed \$34,970, as set forth in the Contractor's February 11, 2021 cost proposal.
- 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 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.
- 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 applicable types of insurance coverage and minimum limits as set forth below;

## A. Workers' Compensation Insurance:

<u>For Non-Sole Proprietorships</u>: 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.

<u>For Sole Proprietorships</u>: Contractor shall complete and furnish to the City prior to the commencement of work under this Agreement a signed and notarized Sole Proprietor Form, for sole proprietors with no employees or with employees, as the case may be.

- 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. <u>Additional Insured</u>: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following shall be <u>Additional Insureds</u>: 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. <u>Professional Liability</u>: Professional tiability 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. <u>Pollution Liability Insurance</u>: 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.
- H. <u>Cancellation Notice</u>: Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.
- 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.
  - Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance;
  - Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
  - Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;
  - Two (2) copies of Certificate of Insurance for Professional Liability Insurance;
  - If so requested, Certified Copies of all policies mentioned above will be furnished.
- J. <u>Coverage Expiration</u>: 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. <u>Maintaining Insurance</u>: 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.
- 13. 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.
- 14. 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.
- 15. All notices required to be sent pursuant to this Agreement shall be mailed to the following addresses:

City of Birmingham Attn: Brendan McGaughey 851 S. Eton St. Birmingham, MI 48009 bmcgaughey@bhamgov.org 248-530-1715

#### CONTRACTOR:

KLM Scape & Snow LLC d/b/a KLM Landscape

70570 Powell
Armada, MI 48005
586.752.5562 (O) 810.523.2192 (C)
klm@klmlandscape.net;kirk@klmlandscape.net

 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 filling of a suit in the Oakland County Circuit Court or the 48th District Court.

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 Kirk Knoblock Its: Kirk Knobloch ~ Owner **CITY OF BIRMINGHAM** By: Pierre Boutros Its: Mayor Ву: Alexandria D. Bingham Its: City Clerk Approved: Lauren A. Wood, Director of Public Mark Gerber, Director of Finance Services (Approved as to financial obligation) (Approved as to substance)

Mary Kucha ek, City Attorney (Approved as to form)

Thomas Markus, City Manager (Approved as to substance)



# CERTIFICATE OF LIABILITY INSURANCE

DATE (NIM/DD/YYYY) 1/12/2021

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(les) 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 fleu of such endorsement(s). PRODUCER License # 958957 CONTACT Ashleigh Tosoian Johnston Lewis Associates, Inc. 5600 New King, Ste. 210 Troy, MI 48098 PHONE (A/C, No, Ext): AC, Ho): Apples, ashleight@jlains.com INSURER(S) AFFORDING COVERAGE NAIC # INSURER A: West Bend Mutual 15350 INSLINED INSURER B: INSURER C KLM Landscape dba KLM Scape & Snow, LLC. 70570 Powell Road INSURER D Armada, MI 48005 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. POLICY EFF POLICY EXP TYPE OF INSURANCE POLICY NUMBER LIKITS 1.000.000 X COMMERCIAL GENERAL LIABILITY EACH OCCURRENCE DAMAGE TO RENTED 300,000 CLAIMS-MADE | X | OCCUR **486767900** 1/11/2021 1/11/2022 5,000 MED EXP (Any one person) 1.000,000 PERSONAL & ADV INJURY \$ 2,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: GENERAL AGGREGATE 2,000,000 POLICY X 型件 X LOC PRODUCTS - COMPIOP AGG COMBINED SINGLE LIMIT (Equipodoni) 1,000,000 AUTOMOBILE LIABILITY ABS767900 ANY ALTID 1/11/2021 1/11/2022 BODILY INJURY (Per parson) X SCHEDULED AUTOS ONLY BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) **PROPERTY** LITTED ONLY 10.000,000 X MARRELLA LIAN OCCUR EACH OCCURRENCE A88787900 1/11/2021 10,000,000 1/11/2022 EXCESS LIAB CLÁIMS-MADE AGGREGATE DED RETENTION S X STATUTE WORKERS COMPENSATION AND EMPLOYERS LIABILITY A869877 1/11/2021 1/11/2022 1,000,000 MY PROPRIETOR PARTNER EXECUTIVE E.L. EACH ACCIDENT 1,000,000 E.L. DISEASE - EA EMPLOYER es, describe under SCRIPTION OF OPERATIONS below 1,000,000 DISEASE - POLICY LIMIT A87013300 1/11/2021 1/11/2022 250,000 DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if many space in required)
Coverage as defined in policies. The City of Simmingham, including all elected and appointed officials, all employees and voluntaers, all boards, commissions and/or authorities and board members, including employees and volunteers are included as Additional insureds on the Germani Liability policy and automobile Liability for services performed by KLM Landscape as their interest may appear, if required by written contract with the named insured subject to the terms and conditions of the policies. 30 day Notice of Cancellation applies. **CERTIFICATE HOLDER** CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. City of Birmingham PO Box 3001 151 Nartin Street AUTHORIZED REPRESENTATIVE Birmingham, Mi 48009

# ATTACHMENT B - BIDDER'S AGREEMENT Spring 2021 Tree Purchase and Planting Project

In submitting this proposal, as herein described, the Contractor agrees that:

- 1. They have carefully examined the specifications, terms and Agreement of the Request for Proposal and all other provisions of this document and understand the meaning, intent, and requirement of it.
- 2. They will enter into a written contract and furnish the item or items in the time specified in conformance with the specifications and conditions contained therein for the price quoted by the proponent on this proposal.

Kirk Knobloch		02/09/2021	
PREPARED BY (Print Name)		DATE	
Owner	20	02/09/2021	
TITLE		DATE	
		kim@klmlandscape.net	
AUTHORIZED SIGNATURE	E	E-MAIL ADDRESS	
KLM Scape and Snow LLC Landscape	d/b/a KLM		
COMPANY			
70570 Powell			
Armada, MI 48005	586.752.5562		
ADDRESS		PHONE	
KLM Scape and Snow	586.752.5562		
NAME OF PARENT COMP	ANY	PHONE	
70570 Powell			
Armada, MI 48005			
ADDRESS			

# ATTACHMENT C - COST PROPOSAL Spring 2021 Tree Purchase and Planting Project

In order for the bid to be considered valid, this form must be completed in its entirety. The cost for the Scope of Work as stated in the Request for Proposal documents shall be a lump sum, as follows:

SPECIES	QUANTITY	UNIT PRICE	TOTAL PRICE WITH 2 YEAR WARRANTY	PROPOSED VARIETY (IF APPLICABLE)	NOTES
SUGAR MAPLE	1 @ 3"-3.5"	\$ 420.00	\$420.00		
D/R ELM (Princeton, Patriot, etc.)	25 @ 3"-3.5"	\$420.00	\$10500.00	NOTE VARIETY OF ELM HERE	ACCOLADE ELM
FRONTIER ELM	20 @ 3"-3.5"	\$450.00	\$9000.00		
IVORY SILK LILAC	1 @ 3"-3.5"	\$520.00	\$520.00		
SWAMP WHITE OAK	2 @ 3"-3.5"	\$465.00	\$930.00		
ENGLISH OAK	1 @ 3"-3.5"	\$520.00	\$520.00		
GINKO	1 @ 3"-3.5"	\$490.00	\$490.00		
KATSURA	1 @ 3"-3.5"	\$490.00	\$490.00		
RIVER BIRCH	2 @ 8'-10'	\$190.00	\$380.00		
RUBY RED CHESTNUT	4 @ 3"-3.5"	\$465.00	\$1860.00		
OBESLISK BEECH	4 @ 2"	\$400.00	\$1600.00		CONTAINER TREE
SERVICEBERRY	2 @ 3"-3.5"	\$490.00	\$980.00		
ZELKOVA	12 @ 3"-3.5"	\$390.00	\$4680.00		
EASTERN WHITE PINE	4@7'	\$350.00	\$1400.00		
SWEETGUM	2 @ 3"-3.5"	\$400.00	\$800.00		
LONDON PLANE	1 @ 3"-3.5"	\$400.00	\$400.00		
TOTAL:	83		\$34,970.00		

# TOTAL PROJECT COST:

\$\_\_34,970.00

Tree stock, related planting materials and installation (per specifications).

Firm Name KLM Landscape	n/1/1		
Authorized signature		Date02	2/09/2021

# ATTACHMENT D – COMPLETION DATE Spring 2021 Tree Purchase and Planting Project

# COMPLETION DATE: April 30, 2021

A work schedule shall be provided to the Designated City Representative. The work schedule shall be approved by the Designated City Representative prior to the start of the work. His decision as to acceptability shall be deemed in the City of Birmingham's best interest. The City of Birmingham is the only party to this contract that may authorize amendment of this schedule. The contractor is required to start the project within 10 working days after notified to start work.

It is r	nandatory that the entire project is completed on or before April 30, 2021.		
$(\times)$	Our company can meet the completion date.		
( )	Our company cannot meet the completion date but offers:		
	The reason our company cannot complete the work as required is as follows:		
C	Company Name: KLM Landscape		

# ATTACHMENT E - IRAN SANCTIONS ACT VENDOR CERTIFICATION FORM Spring 2021 Tree Purchase and Planting Project

Pursuant to Michigan Law and the Iran Economic Sanction Act, 2012 PA 517 ("Act"), prior to the City accepting any bid or proposal, or entering into any contract for goods or services with any prospective Vendor, the Vendor must certify that it is not an "Iran Linked Business", as defined by the Act.

By completing this form, the Vendor certifies that it is not an "Iran Linked Business", as defined by the Act and is in full compliance with all provisions of the Act and is legally eligible to submit a bid for consideration by the City.

Kirk Knobloch	02/09/2021	
PREPARED BY (Print Name) Owner	DATE	
TITLE	DATE	
ALT	klm@klmlandscape.net	
AUTHORIZED SIGNATURE	E-MAIL ADDRESS	
KLM Landscape		
COMPANY		
70570 Powell – Armada, MI 48005	586.752.5562	
ADDRESS	PHONE	
KLM Scape & Snow LLC	586.752.5562	
NAME OF PARENT COMPANY	PHONE	
70570 Powell Armada, MI 48005		
ADDRESS		
38-3304871		
TAXPAYER I.D.#		



# **MEMORANDUM**

# **Department of Public Services**

**DATE:** March 1, 2021

TO: Thomas M. Markus, City Manager

FROM: Carrie Laird, Parks and Recreation Manager

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

SUBJECT: Park Rules and Regulations Update

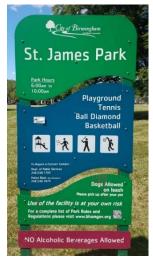
#### INTRODUCTION:

The Birmingham Code Article IV. Use of Parks allows the City Commission to adopt rules and regulations relating to the use of municipal parks and playgrounds. Sec. 78-32. Regulations states: "The Parks and Recreation Board shall recommend to the City Commission for adoption such rules and regulations pertaining to the conduct and use of parks and public grounds as are necessary to administer the same and to protect public property and the safety, health, morals and welfare of the public."

The City's Park Rules and Regulations are periodically reviewed and updated as necessary by staff, reviewed with the Parks and Recreation Board and recommended to the City Commission for adoption. The last revision to the Park Rules and Regulations occurred in 2016.

#### **BACKGROUND:**

The Park Rules and Regulations are available on the Birmingham Website on the Parks and Recreation page, and a select few rules are posted on Park Signs located at each park throughout the City as shown in the examples below.







The QR code on the signs link to the Park Rules and Regulations on the city website

Supplemental signage is posted as appropriate in various locations, such as "Dogs Must be Leashed", "No Dogs in the Play Area", "Fishing Allowed for ages..." and various parking

restrictions throughout the park system.









Over the course of three Parks and Recreation Board meetings between September and December 2020, staff together with the Parks and Recreation Board reviewed the current Park Rules and Regulations and recommends changes. Posted signage (park or activity specific) was incorporated as part of the review as well, such as the Skate Park Rules, Tennis Court Rules, and the Dog Park Rules.

The recommended changes to the Park Rules and Regulations are as follows.

#### Park Rules and Regulations- Recommended Changes:

General changes: Headings were added, font size and formatting adjustments were made, and reorganization for better reading and the ability to find items/topics.

Rules 1-8, fall under heading: **Use of Parks and Park Permits**:

Rules 1, 2, and 3 were updated to include a hold harmless agreement as recommended by the City Attorney, minor clarification language added "City of Birmingham Park", removal of duplicate language, and re-ordering to read better. The Hold Harmless Agreement (attached to this report) will be executed as part of our park permit process.

Rule 5: Remove exception and added "or repair" after: A fee may be assessed should clean up...

Rule 6: Revision to change the process of disposing of left behind items. The items are collected and available for pick up for 2 weeks. This is a better reflection of what actually happens.

Rule 7: Clarified language.

Rule 8: No change.

Rule 9: Remove the exisiting language: **No person shall bring into, have in their possession**, *DRINK*, *OR CONSUME ANY INTOXICANT OR INTOXICATING* **BEVERAGE** in any park areas and city owned properties with the exception of beer and wine sold by the City for consumption at Lincoln Hills Golf Course or Springdale Park, Springdale Park Shelter and Springdale Golf Course in conjunction with golf functions only.

Recommended Change: Add heading to include Intoxicants. Replace with: **Alcoholic Beverages & Intoxicants** 

9. It shall be unlawful for any person to possess or consume any alcoholic liquor, intoxicants, including spirits, beer or wine, in any recreational facility, city owned property or park operated by the City or during any function, sporting event, skating exhibition, dance or other event; unless such alcoholic beverages were purchased on city owned premises from a duly licensed vendor or served in accordance with a Special Event permit issued through the City Clerk's office. Birmingham Golf Courses have MLCC-issued liquor licenses.

Rule 10 is now Rule 11 due to reorganization: Heading: **Park Hours**. Language now describes when parks are open as opposed to when closed. Parks are open from 6:00 am to 10:00 pm. Public property has been changed to be open during the same hours as parks for consistency and enforceability (previously open from 6:00 am to 12:00 am). A revision was made to eliminate the differences in open hours at Manor and Adams park in order to be consistent park system wide with the exception of the Skate Park: 8am to 10 pm (addition) and Springdale Park which coincides with the hours of Springdale Golf Course. These 2 exceptions are necessary due to park operations (locked, staffing, etc.).

Rules 12 and 13. Add heading, **Animals**. No changes otherwise.

Rule 13 is now 14 under the heading **Sanitation**: The addition of "in an appropriate city waste receptacle or" in front of: in accordance with ordinance Section 18-35 Sanitation.

Rule 14 is now Rule 15. Heading: **Sound Amplification.** Added language: Any amplification must be reasonable as to not disturb the peace.

Rule 15 is now Rule 10: Moved up from Rule 15 to follow Alcoholic Beverages & Intoxicants, with the heading: **Smoking**. Included marijuana and vapor-producing products and devices as part of smoking. Moved the second part of the smoking rule regarding barbecue burners or cooking in the picnic area at Springdale to under heading Fires, now Rule 16, which now reads:

#### **Fires**

Rule 16. Open burning of any kind is prohibited at all city parks and facilities No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars,

tobacco paper, charcoal or other flammable material at any park, facility or trail. However, the use of barbecue burners or cooking in the picnic area at Springdale Park is permissible. No person shall leave the immediate vicinity of any fire, which he/she has started or used without first extinguishing the fire.

A new rule was added:

## Fireworks & Explosives

17. No person shall bring into a park, or public property or have in his possession, or set off or otherwise cause to explode any firecrackers, torpedo, rocket or other fireworks or explosives, or discharge them or throw them into any park area from land or property adjacent thereto.

Rules 16 and 18 are now Rules 18 and 19 due to organization/re-ordering. Heading is **Obstructions; Damage; Fences; Disposal**. Minor updated language. Addition of "herbaceous plant" and "flower" when referring to plant material that may not be defaced, injured, removed or destroyed.

Rules 17, 20 and 21 are now Rules 20, 21, 22 under heading: **Peddling; Vending; Advertising; Signs.** Minor clarification language and contact information.

Rule 22 is now Rule 23. Added heading **Boating**. No other changes to this rule.

Rules 24-26 fall under heading: Fishing & Wildlife:

Rule 23 is now Rule 24: Based on the City Attorney's review and recommendation, removed age restrictions of under 14, and 62 and over from fishing in any water park in the City of Birmingham including Quarton Lake. Added language Fishing is not allowed at the golf courses.

Rule 26 is now 27: Added heading **Swimming**. No changes otherwise.

Rules 19, 27 and 28 are now Rules 28, 29 and 30 under the heading **Vehicles**.

Rule 27 is now Rule 29: Minor grammar/wording changes and the addition of "hoverboard" as a wheeled vehicle not allowed on tennis courts, basketball courts, fountains, and stone work ledges.

Rule 28 is now Rule 30, and the addition of "or trail" follows "It is unlawful for any person to operate any motorized vehicle, trail bike, all-terrain vehicle, or similar type of sport vehicle anywhere in any park..."

Rule 29 is now Rule 31 under the heading **Parking**. No changes otherwise.

Rule 30 is now Rule 32 under the heading **Violations**. No changes otherwise.

#### LEGAL REVIEW:

The City Attorney performed a review of the proposed changes to the Park Rules and Regulations, taking into consideration the Parks and Recreation Board's comments, questions, and suggestions. The proposed changes are a result of the City attorney, staff and Parks and Recreation Board efforts to improve the Rules and Regulations in order to better serve the community.

#### FISCAL IMPACT:

The rule changes affect a minimal number of posted signage, namely the Quarton Lake park identification signs (2) and supplemental signage regarding fishing. Upon approval of the updated rules by the Parks and Recreation Board and the City Commission, new signs will be ordered and park maintenance staff will replace the signs. The total estimated cost for these replacement signs will be \$3,150. There are funds available for park signs in the 2020-2021 budget under account 101-751.000-811.000, Parks Other Contractual Services.

PUBLIC COMMUNICATIONS: The Birmingham Park Rules and Regulations were discussed publicly at three Parks and Recreation Board Meetings. The updated Park Rules and Regulations will be posted to the City website and shared on social media outlets. Homeowner associations will be notified of the changes as well.

#### SUMMARY:

The Parks and Recreation Board worked with City staff to update the City's Park Rules and Regulations. The Parks and Recreation Board on December 1, 2020 approved the revisions to the Park Rules. The changes include a re-organization of the rules including the addition of headings to make it easier for the park patron to find the item of query or concern. Outdated language or content has been eliminated and new language or content was added if missing. Each item was reviewed and carefully thought out, with final review conducted by the City Attorney. The changes as recommended will serve the community for years to come, and support our park system operation.

#### ATTACHMENTS:

- 2016 version of the City of Birmingham Park Rules and Regulations
- A red-lined markup version showing all modifications to the Park Rules and Regulations
- Hold Harmless Agreement as provided by the City Attorney
- A clean copy of the Park Rules and Regulations updated with recommended changes

#### SUGGESTED RESOLUTION:

To adopt the updated Park Rules and Regulations as submitted with recommended changes.

#### **Rules and Regulations**

- 1. The use of any facility is at your own risk. The City does not assume responsibility for injury or for any loss, theft or damage to personal items.
- 2. A person holding a park permit shall maintain such permit in his or her possession at all times while utilizing the municipal facility. Such permit shall be presented by its holder upon request by a City official or employee. A permit does not give its holder exclusive use of the entire park, except for Springdale Shelter.
- 3. A rental permit is required for reservation of all city facilities which would include rain dates and no refund of the rental fee shall be made due to inclement weather. Park permits may not be assigned or otherwise transferred.
- 4. All set-up/clean-up must be done by the permit holder.
- 5. All parks must be maintained and left in a neat and clean condition, with garbage and refuse prepared for proper disposal. The person or entity in whose name the rental permit is issued shall be responsible for leaving the facility in a clean and orderly condition. Further, the permit holder accepts full responsibility for all damage to City property as a result of its activities, ordinary wear and tear excepted. A fee may be assessed should clean up by the City become necessary. This fee shall include, but is not limited to, all labor, equipment and administration expense incurred by the City.
- 6. Any equipment, valuables, or clothing left in or around the park shelter on closing shall be disposed of by the Department of Public Services.
- 7. The City reserves first priority with regard to the use of all City Parks. A park permit grants its holder a license to use the specified park and or an area and is revocable by the City. The City may order revocation of a park permit, if warranted at any time, with refund of fees paid. All permits are granted with this understanding.
- 8. The Director of Public Services may, subject to the approval of the City Manager and the City Commission, establish supplemental regulations for all uses requiring the issuance of a permit for use of municipal facilities, and fees for the use of the various facilities.
- 9. No person shall bring into, have in their possession, *DRINK, OR CONSUME ANY INTOXICANT OR INTOXICATING BEVERAGE* in any park areas and city owned properties with the exception of beer and wine sold by the City for consumption at Lincoln Hills Golf Course or Springdale Park, Springdale Park Shelter and Springdale Golf Course in conjunction with golf functions only.

- 10. The following city-owned or city-controlled areas shall be closed during the hours specified below. During such hours, no person shall enter into or remain in such property, except those persons whose presence is related to or in connection with a municipal activity or a project or activity which has been licensed to be operated or carried on within such public property, or persons who enter such property for the express purpose of parking or removing a vehicle legally parked upon such property and who, upon entering the parking area, immediately park or remove such vehicle. Such person shall not remain in the park for any other purpose.
  - (1) Manor Park shall be closed from one hour after sundown to one hour before sunrise.
  - (2) Adams Park shall be closed from 9:00 p.m. to 8:00 a.m.
  - (3) Springdale Park hours shall coincide with Springdale Golf Course hours and park rentals. The closing of the park is up to the discretion of the City of Birmingham Representative on duty.
  - (4) Except as provided in subsections (1), (2) and (3) of this section, all City Parks shall be closed between the hours of 10:00 p.m. and 6:00 a.m.
  - (5) All public property not included in subsections (1), (2), (3) and (4) of this section shall be closed between the hours of 12:00 midnight and 6:00 a.m. For purposes of this section, public property shall be deemed to be property zoned as public property under the provisions of chapter 126.
- 11. Leashed dogs are allowed in any public park except in those areas as designated and posted by the Department of Public Services. Dogs are allowed on public property as long as they are restrained by a six foot maximum length chain or leash and under the reasonable control of some person. Owners and walkers of dogs on public property must comply with all City ordinances, including Chapter 18, Article II, pertaining to dogs and cats.

# Sec. 18-33 Restraint of dogs.

It shall be unlawful for any owner of any dog to permit the dog to go beyond the premises of such owner unless restrained by a chain or leash and under the reasonable control of some person. (Code 1963, § 9.80(1))

12. Dogs are not permitted in any public playground or in any **other** area designated by the Department of Public Services. These areas shall generally include, but shall not be limited to, areas under and immediately adjacent to play structures and play equipment; sandboxes; the playing surface of ball fields, soccer fields, tennis courts, outdoor ice rinks, golf courses and sledding hills, when such areas are in use; pavilions and stages; fountains; and in areas designated for City permitted events and functions of concentrated use during said event or function.

#### **Rules and Regulations**

13. The owner or walker of a dog is responsible for the collection of all fecal matter and the disposal of such fecal matter in an appropriate waste receptacle in accordance with ordinance Section 18-35.

#### Sec. 18-35 Sanitation.

- (a) It shall be unlawful for any person to permit any animal owned or harbored by him to deposit fecal matter in any place other than the premises where the animal is harbored or kept, unless such fecal matter is immediately collected and removed to the premises where the animal is harbored or kept.
- (b) It shall be unlawful for any person to walk any animal on any property not owned by such person, whether public or private, unless such person has an appropriate device for the collection of fecal matter in his immediate possession and an appropriate depository for the transmission of fecal matter to the premises where the animal is harbored or kept. (Code 1963, § 9.95; Ord. No. 1586, 4-18-94)
- 14. The use of loudspeakers or other equipment for the amplification of sound or music is prohibited, unless allowed by permit issued by the City.
- 15. Smoking is not permitted in any building or structure in City Parks. No person shall ignite or use ground fire or open fire except with the expressed permission of the Department of Public Services, provided however, that this restriction shall not be applicable to the use of barbecue burners or cooking in the picnic area at Springdale Park. No person shall leave the immediate vicinity of any fire, which he/she has started or used without first extinguishing the fire.
- 16. No person shall obstruct any walk or drive in any public park or playground. No person shall injure, mar or damage, in any manner, any monument, ornament, fence, bridge, seat, tree, fountain, shrub, flower, playground equipment, or other public property within or pertaining to such parks.
- 17. No person shall engage in the business of peddling or vending in the city without first obtaining a license from the city clerk.
- 18. No person shall interfere with any fence constructed in or about any park; or deface, injure, remove, or destroy any tree, shrub, sward, or turf in any park or boulevard; or remove any dirt, sand or earth from any park or boulevard, or otherwise remove, destroy or injure any property therein; or leave or deposit any filth, rubbish, dirt, wastepaper or other refuse in any place in any park or boulevard except in containers provided in parks for that purpose. Dumping or disposal of household or commercial waste transported from off-site to city property is prohibited.

- 19. No vehicles, except authorized City vehicles, are allowed to be driven across lawns, sidewalks, or any other park surface for any reason.
- 20. No person shall expose, distribute, place any sign, advertisement, circular notice, or statement, or display any banner, City of Birmingham emblem, or design without written permission from the City.
- 21. Decorations may be attached to the Springdale shelter by means of masking or cellophane tape only. There should be no decorations drilled, fastened, or otherwise attached to the shelter with materials such as staples, nails, or tacks.
- 22. No person shall place or operate any boat propelled by any engine in or upon waters in any park in the city, including the water of Quarton Lake.
- 23. Fishing in any water park in the City of Birmingham, including Quarton Lake is restricted to minors under the age of fourteen (14) years, and residents' sixtytwo (62) years of age and older, subject to State of Michigan fishing licenses regulations.
- 24. No person shall feed any geese, ducks, birds or other fowl in any City Park or any municipal Golf Course.
- 25. No person, except an authorized city employee shall injure, kill or capture any wild bird, or disturb any wild bird's nest or the contents thereof.
- $26. \, \text{Swimming}$  and/or wading is prohibited in any lake, river, public fountain or public pond in the City of Birmingham.
- 27. No person shall operate, use, ride, or pull another individual on a wheeled vehicle, on City-owned tennis courts, basketball courts, fountains and stone work ledges. Vehicles not permitted include, but are not limited to in-line skates, skateboards, bicycles, wagons, roller-skates, and scooters.
- 28. It is unlawful for any person to operate any motorized vehicle, trail bike, all-terrain vehicle, or similar type of sport vehicle anywhere in a park, except for the proper use of golf carts on city golf courses.
- 29. On-site parking at Barnum Park is limited to 3 hours and is exclusively for use of persons while they are using the Park.
- 30. Violation of these rules or other posted rules is a misdemeanor punishable by a fine up to \$500, or imprisonment for a term not exceeding 90 days, or both.

Notes:

Font changed from Cambria to Tahoma.

Red underlined = New language

Red strikeout = Remove

Headings added, reorganization, font size adjustments Remove Bold, Italic, and ALL CAPS other than where appropriate

# **Rules and Regulations**

## Use of Parks & Park Permits

- 1. The use of any <u>City of Birmingham park or</u> facility is at your own risk. The City does not assume responsibility for injury or for any loss, theft or damage to personal items.
- 3 2. A rental permit is required for reservation of all city facilities which would include rain dates and no. No refund of the rental fee shall be made due to inclement weather. Park permits may not be assigned or otherwise transferred. A hold harmless agreement mush be executed in order to obtain a permit.
- 23. A person holding a park permit shall maintain such permit in his or her possession at all times while utilizing the municipal facility. Such permit shall be presented by its holder upon request by a City official or employee. A permit does not give its holder exclusive use of the entire park, except for Springdale Shelter.
- 4. All set-up/clean-up must be done by the permit holder.
- 5. All parks must be maintained and left in a neat and clean condition, with garbage and refuse prepared for proper disposal. The person or entity in whose name the rental permit is issued shall be responsible for leaving the facility in a clean and orderly condition. Further, the permit holder accepts full responsibility for all damage to City property as a result of its activities, ordinary wear and tear excepted. A fee may be assessed should clean up or repair by the City become necessary. This fee shall include, but is not limited to, all labor, equipment and administration expense incurred by the City.
- 6. Any equipment, valuables, or clothing left in or around the park shelter on closing shall be disposed of by the Department of Public Services kept at the City of Birmingham Parks and Recreation office for two weeks. Contact the office at (248) 530-1642 to make arrangements for pick-up.
- 7. The City reserves first priority with regard to the use of all City Parks. A park permit grants its holder a <u>permit license</u> to use the <u>specified</u> park <u>or</u> <u>public property for a specified date and time</u> and is revocable

by the City. The City may order revocation of a park permit, if warranted at any time with refund of fees paid, and Aall permits are granted with this understanding.

8. The Director of Public Services may, subject to the approval of the City Manager and the City Commission, establish supplemental regulations for all uses requiring the issuance of a permit for use of municipal facilities, and fees for the use of the various facilities.

#### Alcoholic Beverages

- 9. No person shall bring into, have in their possession, *DRINK*, *OR CONSUME ANY INTOXICANT OR INTOXICATING BEVERAGE* in any park areas and city owned properties with the exception of beer and wine sold by the City for consumption at Lincoln Hills Golf Course or Springdale Park, Springdale Park Shelter and Springdale Golf Course in conjunction with golf functions only.
- 9. It shall be unlawful for any person to possess or consume any alcoholic liquor, including spirits, beer or wine, in any recreational facility or park operated by the City or during any such function, sporting event, skating exhibition, dance or other event; unless such alcoholic beverages were purchased on the premises of a duly licensed vendor or served in accordance with a Special Event permit issued through the City Clerk's office. Birmingham Golf Courses have MLCC-issued liquor licenses.

# **Smoking**

- 15. Smoking is not permitted in any building or structure in City Parks. No person shall ignite or use ground fire or open fire except with the expressed permission of the Department of Public Services, provided however, that this restriction shall not be applicable to the use of barbecue burners or cooking in the picnic area at Springdale Park. No person shall leave the immediate vicinity of any fire, which he/she has started or used without first extinguishing the fire.
- 10. Smoking of tobacco or any other substance, or smoking, comsumption or use of marijuana products or derivatives, or use of vapor producing products such as an e-cigarette or similar device, is strictly prohibited in all buildings, facilities, parks, and playgrounds operated and maintained by the City of Birmingham.

#### Park Hours

10.11.City parks and public property are open between the hours of 6:00 am to 10:00 pm except as noted below. The following city-owned or city-controlled areas shall be closed during the hours specified below. During Between the hours of 10:00 pm to 6:00 am, parks and public property are

closed and during such hours, no person shall enter into or remain in such property, except those persons whose presence is related to or in connection with a municipal activity. or a project or activity which has been licensed to be operated or carried on within such public property, or persons who enter such property for the express purpose of parking or removing a vehicle legally parked upon such property and who, upon entering the parking area, immediately park or remove such vehicle. Such person shall not remain in the park for any other purpose.

- (1) Manor Park shall be closed from one hour after sundown to one hour before sunrise.
- (2) Adams Park shall be closed from 9:00 p.m. to 8:00 a.m.
- (3)(1) Springdale Park hours shall coincide with Springdale Golf Course hours and park rentals. The closing of the park is up to the discretion of the City of Birmingham Representative on duty.
- (2) The Skate Park shall be closed from 10:00am to 8:00 am.
- (4) Except as provided in subsections (1), (2) and (3) of this section, all City Parks shall be closed between the hours of 10:00 p.m. and 6:00 a.m.
- (5) All public property not included in subsections (1), (2), (3) and
- (4) of this section shall be closed between the hours of 12:00 midnight and 6:00 a.m.

For purposes of this section, public property shall be deemed to be property zoned as public property under the provisions of chapter 126.

#### **Animals**

4+12. Leashed dogs are allowed in any public park except in those areas as designated and posted by the Department of Public Services. Dogs are allowed on public property as long as they are restrained by a six foot maximum length chain or leash and under the reasonable control of some person. Owners and walkers of dogs on public property must comply with all City ordinances, including Chapter 18, Article II, pertaining to dogs and cats.

# Sec. 18-33 Restraint of dogs.

It shall be unlawful for any owner of any dog to permit the dog to go beyond the premises of such owner unless restrained by a chain or leash and under the reasonable control of some person. (Code 1963, § 9.80(1))

1213. Dogs are not permitted in any public playground or in any other area designated by the Department of Public Services. These areas shall generally include, but shall not be limited to, areas under and immediately adjacent to play structures and play equipment; sandboxes; the playing surface of ball fields, soccer fields, tennis courts, outdoor ice rinks, golf courses and sledding hills, when such areas are in use; pavilions and stages; fountains;

and in areas designated for City permitted events and functions of concentrated use during said event or function.

#### Sanitation

1314. The owner or walker of a dog is responsible for the collection of all fecal matter and the disposal of such fecal matter in an appropriate city waste receptacle in accordance with ordinance Section 18-35 Sanitation.

#### Sec. 18-35 Sanitation.

- (a) It shall be unlawful for any person to permit any animal owned or harbored by him to deposit fecal matter in any place other than the premises where the animal is harbored or kept, unless such fecal matter is immediately collected and removed to the premises where the animal is harbored or kept.
- (b) It shall be unlawful for any person to walk any animal on any property not owned by such person, whether public or private, unless such person has an appropriate device for the collection of fecal matter in his immediate possession and an appropriate depository for the transmission of fecal matter to the premises where the animal is harbored or kept. (Code 1963, § 9.95; Ord. No. 1586, 4-18-94)

# Sound Amplification

1415. The use of loudspeakers or other sound enhancing equipment for the amplification of sound or music is prohibited, unless allowed by permit issued by the City. Any amplification must be reasonable as to not not disturb the peace.

#### Fires

16. Open burning of any kind is prohibited at all city parks and facilities. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper, charcoal or other flammable material at any park, facility or trail. However, the use of barbecue burners or cooking in the picnic area at Springdale Park is permissible. No person shall leave the immediate vicinity of any fire, which he/she has started or used without first extinguishing the fire.

# Fireworks & Explosives

17. No person shall bring into a park or public property or have in his possession, or set off or otherwise cause to explode any firecrackers, torpedo, rocket or other fireworks or explosives, or discharge them or throw them into any park area from land or property adjacent thereto.

# Obstructions; Damage; Fences; Disposal

1618. No person shall obstruct any walkway or driveway in any public park or playground. No person shall injure, mar or damage, in any manner, any monument, ornament, fence, bridge, seat, tree, fountain, shrub, herbaceous

<u>plant</u>, flower, playground equipment, or other public property within or pertaining to such parks.

1819. No person shall interfere with any fence constructed in or about any park; or deface, injure, remove, or destroy any tree, shrub, <a href="herbaceous">herbaceous</a> plant, flower sward, or turf in any park or boulevard; or remove any dirt, sand or earth from any park or boulevard, or otherwise remove, destroy or injure any property therein; or leave or deposit any filth, rubbish, dirt, wastepaper or other refuse in any place in any park or boulevard except in containers provided in parks for that purpose. Dumping or disposal of household or commercial waste transported from off-site to city property is prohibited.

# Peddling; Vending; Advertising; Signs

1720. No person shall engage in the business of peddling or vending in any City of Birmingham Park the city without first obtaining a license from the city clerk's office. Contact the office at (248) 530-1880 for additional information.

2021. No person shall expose, distribute, place any sign, advertisement, circular notice, or statement, or display any banner, City of Birmingham emblem, or design without written permission from the City.

2122. Decorations may be attached to the Springdale shelter by means of masking or cellophane tape only. There should be no decorations drilled, fastened, or otherwise attached to the shelter with materials such as staples, nails, or tacks

# **Boating**

2223. No person shall place or operate any boat propelled by any engine in or upon waters in any park in the city, including the water of Quarton Lake.

# Fishing & Wildlife

23. Fishing in any water park in the City of Birmingham, including Quarton Lake is restricted to minors under the age of fourteen (14) years, and residents' sixty-two (62) years of age and older, subject to State of Michigan fishing licenses regulations.

24. Subject to State of Michigan fishing licenses regulations, fishing in any water park in the City of Birmingham, including Quarton Lake is allowed. Fishing is not allowed at either Lincoln Hills Golf Course or Springdale Golf Course.

2425. No person shall feed any geese, ducks, birds or other fowl in any City Park or any municipal Golf Course.

2526. No person, except an authorized city employee shall injure, kill or capture any wild bird, or disturb any wild bird's nest or the contents thereof.

## **Swimming**

<del>26</del>27. Swimming and/or wading is prohibited in any lake, river, public fountain or public pond in the City of Birmingham.

#### **Vehicles**

1928. No vehicles, except authorized City vehicles, are allowed to be driven across lawns, sidewalks, or any other park surface for any reason.

2729. No person shall operate, use, ride, or pull another individual on a wheeled vehicle, on City-owned tennis courts, basketball courts, fountains and stone work ledges. Wheeled prohibited ∀vehicles not permitted include, but are not limited to in-line skates, skateboards, bicycles, hover boards, wagons, roller-skates, and scooters.

2830. It is unlawful for any person to operate any motorized vehicle, trail bike, all-terrain vehicle, or similar type of <a href="motorized">motorized</a> sport vehicle anywhere in a <a href="motorized">any</a> park or <a href="motorized">or trail</a>, except for the proper use of golf carts on city golf courses.

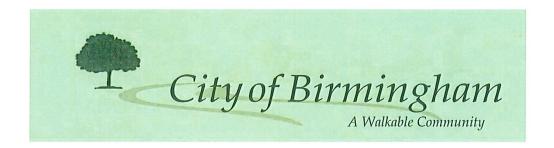
# <u>Parking</u>

<del>29</del>31. On-site parking at Barnum Park is limited to 3 hours and is exclusively for use of persons while they are using the Park.

# Violation of Park Rules & Regulations

3032. Violation of these rules or other posted rules is a misdemeanor punishable by a fine up to \$500, or imprisonment for a term not exceeding 90 days, or both.

City Commission Approval 7-25-2016



# **HOLD HARMLESS AGREEMENT**

FOR AND IN CONSIDERATION the use of the City of Birmingham parks and/o			
facilities, to permit/allow: **			
as requested by the undersigned, the un	dersigned does hereby agree to fully hold harmless,		
defend and indemnify the City of Birmingha	am, and all of its officers, officials and employees, with		
respect to all claims, losses, damages, caus	es of action, judgments, costs and expenses, including		
reasonable attorney fees, whether or no	t the same are now known, liquidated, discovered,		
discoverable or justifiable, which may be	asserted, brought or rendered against, incurred or		
suffered by, and/or imposed upon, the G	City of Birmingham and/or its officers, officials, and		
employees, by reason of arising out of the	exercise of the rights stated above granted by the City		
of Birmingham to the undersigned.			
**Insert information regarding what the activity is, d parking spaces, etc.)	ate(s), time, and areas that are affected (public sidewalks, streets,		
Witness			
(Print name beneath each signature)	Signature		
Signature	Print Name		
Print Name	Organization and Title, if applicable		
	Date Approved:		
Copy to: Applicant			

# **Rules and Regulations**

#### **Use of Parks & Park Permits**

- 1. The use of any City of Birmingham park or facility is at your own risk. The City does not assume responsibility for injury or for any loss, theft or damage to personal items.
- 2. A rental permit is required for reservation of all city facilities. No refund of the rental fee shall be made due to inclement weather. Park permits may not be assigned or otherwise transferred. A hold harmless agreement must be executed in order to obtain a permit.
- 3. A person holding a park permit shall maintain such permit in his or her possession at all times while utilizing the municipal facility. Such permit shall be presented by its holder upon request by a City official or employee. A permit does not give its holder exclusive use of the entire park, except for Springdale Shelter.
- 4. All set-up/clean-up must be done by the permit holder.
- 5. All parks must be maintained and left in a neat and clean condition, with garbage and refuse prepared for proper disposal. The person or entity in whose name the rental permit is issued shall be responsible for leaving the facility in a clean and orderly condition. Further, the permit holder accepts full responsibility for all damage to City property as a result of its activities. A fee may be assessed should clean up or repair by the City become necessary. This fee shall include, but is not limited to, all labor, equipment and administration expense incurred by the City.
- 6. Any equipment, valuables, or clothing left in or around the park shelter on closing shall be kept at the City of Birmingham Parks and Recreation office for two weeks. Contact the office at (248) 530-1642 to make arrangements for pick-up.
- 7. The City reserves first priority with regard to the use of all City Parks. A park permit grants its holder a permit to use the park or public property for a specified date and time and is revocable by the City. The City may order revocation of a park permit, at any time with refund of fees paid, and all permits are granted with this understanding.
- 8. The Director of Public Services may, subject to the approval of the City Manager and the City Commission, establish supplemental

regulations for all uses requiring the issuance of a permit for use of municipal facilities and fees for the use of the various facilities.

# **Alcoholic Beverages & Intoxicants**

9. It shall be unlawful for any person to possess or consume any alcoholic liquor, intoxicants, including spirits, beer or wine, in any recreational facility, city owned property or park operated by the City or during any function, sporting event, skating exhibition, dance or other event; unless such alcoholic beverages were purchased on city owned premises from a duly licensed vendor or served in accordance with a Special Event permit issued through the City Clerk's office. Birmingham Golf Courses have MLCC-issued liquor licenses.

# **Smoking**

10. Smoking of tobacco or any other substance, or smoking, consumption or use of marijuana products, or use of vapor producing products such as an e-cigarette or similar device, is strictly prohibited pursuant to city ordinance, in all buildings, facilities, parks and playgrounds operated and maintained by the City of Birmingham.

# **Park Hours**

- 11. City parks and public property are open between the hours of 6:00 am to 10:00 pm except as noted below or as posted. Between the hours of 10:00 pm to 6:00 am, parks and public property are closed and during such hours, no person shall enter into or remain on such property, except those persons whose presence is related to or in connection with a municipal activity.
  - (1) Springdale Park hours shall coincide with Springdale Golf Course hours and park rentals. The closing of the park is up to the discretion of the City of Birmingham Representative on duty.
  - (2) The Skate Park shall be closed from 10:00 pm to 8:00 am.

For purposes of this section, public property shall be deemed to be property zoned as public property under the provisions of chapter 126.

#### Animals

12. Leashed dogs are allowed in any public park except in those areas as designated and posted by the Department of Public Services. Dogs are allowed on public property as long as they are restrained by a six foot maximum length chain or leash and under the reasonable control of some person. Owners and walkers of dogs on public property must comply with all City ordinances, including Chapter 18, Article II, pertaining to dogs and cats.

#### Sec. 18-33 Restraint of dogs.

It shall be unlawful for any owner of any dog to permit the dog to go beyond the premises of such owner unless restrained by a chain or leash and under the reasonable control of some person. (Code 1963, § 9.80(1))

13. Dogs are not permitted in any public playground or in any **other** area designated by the Department of Public Services. These areas shall generally include, but shall not be limited to, areas under and immediately adjacent to play structures and play equipment; sandboxes; the playing surface of ball fields, soccer fields, tennis courts, outdoor ice rinks, golf courses and sledding hills, when such areas are in use; pavilions and stages; fountains; and in areas designated for City permitted events and functions of concentrated use during said event or function.

#### **Sanitation**

14. The owner or walker of a dog is responsible for the collection of all fecal matter and the disposal of such fecal matter in an appropriate city waste receptacle or in accordance with ordinance Section 18-35 Sanitation.

#### Sec. 18-35 Sanitation.

- (a) It shall be unlawful for any person to permit any animal owned or harbored by him to deposit fecal matter in any place other than the premises where the animal is harbored or kept, unless such fecal matter is immediately collected and removed to the premises where the animal is harbored or kept.
- (b) It shall be unlawful for any person to walk any animal on any property not owned by such person, whether public or private, unless such person has an appropriate device for the collection of fecal matter in his immediate possession and an appropriate depository for the transmission of fecal matter to the premises where the animal is harbored or kept.

(Code 1963, § 9.95; Ord. No. 1586, 4-18-94)

# **Sound Amplification**

15. The use of loudspeakers or other sound enhancing equipment for the amplification of sound or music is prohibited, unless allowed by permit issued by the City. Any amplification must be reasonable as to not disturb the peace.

#### **Fires**

16. Open burning of any kind is prohibited at all city parks and facilities. No person shall drop, throw, or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper, charcoal or other flammable material at any park, facility or trail. However, the use of barbecue burners or cooking in the picnic area at Springdale Park is permissible. No person shall leave the immediate vicinity of any fire, which he/she has started or used without first extinguishing the fire.

# **Fireworks & Explosives**

17. No person shall bring into a park, or public property or have in his possession, or set off or otherwise cause to explode any firecrackers, torpedo, rocket or other fireworks or explosives, or discharge them or throw them into any park area from land or property adjacent thereto.

# Obstructions; Damage; Fences; Disposal

- 18. No person shall obstruct any walkway or driveway in any public park or playground. No person shall injure, mar or damage, in any manner, any monument, ornament, fence, bridge, seat, tree, fountain, shrub, herbaceous plant, flower, playground equipment, or other public property within or pertaining to such parks.
- 19. No person shall interfere with any fence constructed in or about any park; or deface, injure, remove, or destroy any tree, shrub, herbaceous plant, flower, or turf in any park or boulevard; or remove any dirt, sand or earth from any park or boulevard, or otherwise remove, destroy or injure any property therein; or leave or deposit any filth, rubbish, dirt, wastepaper or other refuse in any place in any park or boulevard except in containers provided in parks for that purpose. Dumping or disposal of household or commercial waste transported from off-site to city property is prohibited.

# Peddling, Vending, Advertising and Signs

20. No person shall engage in the business of peddling or vending in any City of Birmingham Park without first obtaining a license from

the city clerk's office. Contact the office at (248) 530-1880 for additional information.

- 21. No person shall expose, distribute, place any sign, advertisement, circular notice, or statement, or display any banner, City of Birmingham emblem, or design without written permission from the City.
- 22. Decorations may be attached to the Springdale shelter by means of masking or cellophane tape only. There should be no decorations drilled, fastened, or otherwise attached to the shelter with materials such as staples, nails, or tacks.

# **Boating**

23. No person shall place or operate any boat propelled by any engine in or upon waters in any park in the city, including the water of Ouarton Lake.

# Fishing and Wildlife

- 24. Subject to State of Michigan fishing licenses regulations, fishing in any water park in the City of Birmingham, including Quarton Lake is allowed. Fishing is not allowed at either Lincoln Hills Golf Course or Springdale Golf Course.
- 25. No person shall feed any geese, ducks, birds or other fowl in any City Park or any municipal Golf Course.
- 26. No person, except an authorized city employee shall injure, kill or capture any wild bird, or disturb any wild bird's nest or the contents thereof.

# **Swimming**

27. Swimming and/or wading is prohibited in any lake, river, public fountain or public pond in the City of Birmingham.

# **Vehicles**

- 28. No vehicles, except authorized City vehicles, are allowed to be driven across lawns, sidewalks, or any other park surface for any reason.
- 29. No person shall operate, use, ride, or pull another individual on a wheeled vehicle, on City-owned tennis courts, basketball courts, fountains and stone work ledges. Wheeled prohibited vehicles

include, but are not limited to, in-line skates, skateboards, bicycles, hover boards, wagons, roller-skates, and scooters.

30. It is unlawful for any person to operate any motorized vehicle, trail bike, all-terrain vehicle, or similar type of motorized sport vehicle anywhere in any park or trail, except for the proper use of golf carts on city golf courses.

## **Violation of Rules & Regulations**

31. Violation of these rules or other posted rules is a misdemeanor punishable by a fine up to \$500, or imprisonment for a term not exceeding 90 days, or both.

City Commission Approval: mm/dd/yyyy Parks and Recreation Board Approval 12/1/2020



# **MEMORANDUM**

**Police Department** 

DATE: February 3, 2021

TO: Tom Markus, City Manager

FROM: Chris Busen, Investigative Commander

REFERENCE: Program Year 2021 High Intensity Drug Trafficking Area (HIDTA)

sub recipient agreement between the County of Oakland and the City of Birmingham (Data Universal Numbering System ((DUNS))

#: 074239450)

#### INTRODUCTION:

The police department is a member of the Oakland County Sheriff's Office Narcotic Enforcement Team (NET) by an approved inter-local agreement between the City and Oakland County. In addition to Birmingham, thirteen other communities are also members of NET by the inter-local agreement.

#### BACKGROUND:

In 2021, with the permission and cooperation of all fourteen member agencies, the Oakland County Sheriff's Office applied for a grant through the Executive Board for Michigan High Intensity Drug Trafficking Area (HIDTA) requesting the United States Office of Drug Control Policy (ONDCP) grant NET an award of \$115,500 for the program year 2021 (January 1, 2021 to December 31, 2021). The grant award will allow partial funding for overtime reimbursement of NET investigators for drug investigations. Oakland County will reimburse the City up to \$5,250.00 for qualifying NET related overtime.

#### LEGAL REVIEW:

Legal Counsel reviewed the inter-local agreement and no issues were found to exist.

#### FISCAL IMPACT:

Non-applicable

#### SUMMARY:

In order to receive funds from the grant, the City of Birmingham is required to enter into a sub recipient agreement with Oakland County. The purpose of the agreement is to delineate the relationship and responsibilities regarding the County's use of grant funds to reimburse municipalities for overtime incurred as it relates to participation in the Oakland County Narcotic Enforcement Team (NET).

#### ATTACHMENTS:

Program Year 2021 High Intensity Drug Trafficking Area (HIDTA) sub recipient agreement between the County of Oakland and the City of Birmingham.

# **SUGGESTED RESOLUTION:**

To approve the Program Year 2021 High Intensity Drug Trafficking Area (HIDTA) Sub recipient agreement between the County of Oakland and the City of Birmingham. Further, to authorize the Mayor and the City Manager to sign the agreement on behalf of the City.

# PROGRAM YEAR 2021 HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) SUBRECIPIENT AGREEMENT BETWEEN THE COUNTY OF OAKLAND AND CITY OF BIRMINGHAM

Data Universal Numbering System (DUNS) #: 074239450

This Agreement is made between Oakland County, a Constitutional Corporation, 1200 North Telegraph, Pontiac, Michigan 48341 ("County") and City of Birmingham, 151 Martin St., Birmingham, MI 48009, a Michigan Municipal Corporation ("Municipality"). The County and Municipality shall be collectively referred to as the "Parties."

# PURPOSE OF AGREEMENT.

The Parties enter into this Agreement for the purpose of delineating their relationship and responsibilities regarding the County's use of Grant funds (defined below) to reimburse the Municipality for overtime expenses that it incurred related to its participation in the Oakland County Narcotic Enforcement Team ("N.E.T."), a multijurisdictional drug enforcement task force under the direction and supervision of the Oakland County Sheriff's Office ("OCSO").

Under the Parties' separate N.E.T. agreement, the Municipality is responsible for providing a full-time employee for participation in N.E.T. and for all costs associated with that employment, including overtime.

The County, as the legal entity that administers N.E.T., submitted an Initiative Description and Budget Proposal (Exhibit A) to the Executive Board for Michigan HIDTA requesting the United States Office of National Drug Control Policy ("ONDCP") to grant N.E.T. an award of \$115,500.00 for program year (PY) 2021 to reimburse N.E.T. participating agencies for eligible law enforcement officer overtime. PY 2021 begins January 1, 2021 and ends December 31, 2021.

If ONDCP grants N.E.T. an award for PY 2021, the ONDCP disburses the HIDTA grant funds to the Michigan State Police ("MSP"). To receive the Grant funds for overtime costs, N.E.T. must submit requests for reimbursement with the required supporting documentation to Michigan HIDTA. If Michigan HIDTA approves the N.E.T. overtime reimbursement requests, the MSP should distribute the Grant funds to County on behalf of N.E.T. The County has the authority to allocate a portion of the Grant funds to reimburse the Municipality for qualifying overtime costs subject to the terms and conditions of this Agreement.

In consideration of the mutual promises, obligations, representations, and assurances in this Agreement, the Parties agree to the following:

1. <u>DEFINITIONS</u>. The following terms, whether used in the singular or plural, within or without quotation marks, or possessive or nonpossessive, shall be defined, read, and interpreted as follows.

- 1.1. Claim means any alleged loss, claim, complaint, demand for relief or damages, cause of action, proceeding, judgment, deficiency, liability, penalty, fine, litigation, costs, and/or expenses, including, but not limited to, reimbursement for attorney fees, witness fees, court costs, investigation expenses, litigation expenses, and amounts paid in settlement, which are imposed on, incurred by, or asserted against the County or Municipality, or the County's or Municipality's agents or employees, whether such claim is brought in law or equity, tort, contract, or otherwise.
- 1.2. Grant funds mean the funds that may be awarded to the County and the other participating agencies in N.E.T. pursuant to Michigan HIDTA Initiative Description and Budget Proposal Version 2021 (Exhibit A) submitted to Michigan HIDTA by County on behalf of itself and the other participating agencies in N.E.T.
- 2. **EXHIBITS**. The Exhibits listed below are incorporated and are part of this Agreement.
  - 2.1. **Exhibit A** Michigan HIDTA Initiative Description and Budget Proposal Version 2021.
  - 2.2. **Exhibit B** Template Request for HIDTA Overtime Reimbursement (Locals to County).
  - 2.3. Exhibit C Sample letter regarding notification of current overtime pay rate.
  - 2.4. **Exhibit D** Sample overtime slip, signed by the officer's supervisor that supports each Request for HIDTA Overtime Reimbursement.
  - 2.5. <u>Exhibit E</u> Sample paystub or payroll report that supports each Request for HIDTA Overtime Reimbursement.

# 3. FEDERAL AWARD PROJECT DESCRIPTION.

- 3.1. Catalog of Federal Domestic Assistance ("CFDA") #: 95.001
- 3.2. Federal Awarding Agency: United States Office of National Drug Control Policy ("ONDCP")
- 3.3. Program: High Intensity Drug Trafficking Areas (HIDTA)
  - 3.3.1. HIDTA Objective: To reduce drug trafficking and drug production in the United States by: (A) facilitating cooperation among Federal, State, local, and tribal law enforcement agencies to share information and implement coordinated enforcement activities; (B) enhancing law enforcement intelligence sharing among Federal, State, local, and tribal law enforcement agencies; (C) providing reliable law enforcement intelligence to law enforcement agencies needed to design effective enforcement strategies and operations; and (D) supporting coordinated law enforcement strategies which maximize use of available resources to reduce the supply of illegal drugs in designated areas and in the United States as a whole.

- 3.4. Period of Performance: January 1, 2021 through December 31, 2021.
- 3.5. The Federal Award Identification Number (FAIN) is provided in the HIDTA Grant Agreement between ONDCP and MSP, which is incorporated into this Agreement by reference.

## 4. USE OF HIDTA FUNDS.

- 4.1. The total amount of the federal award for overtime costs committed to the Municipality and obligated by this action by the County to the Municipality is not to exceed \$5,250.00 for each participating law enforcement officer. That amount is based on the number of N.E.T participating agencies and eligible law enforcement officers at the time this Agreement was executed by both Parties. If the number of N.E.T participating agencies and/or eligible law enforcement officers changes during the term of this Agreement, the total amount of the federal award for overtime costs committed to the Municipality and obligated by this action by the County to the Municipality amount may change as funds are available on a pro rata basis. Such commitment and obligation for overtime costs is contingent upon the ONDCP awarding the Grant funds to N.E.T and the MSP reimbursing the County.
- 4.2. The County will reimburse the Municipality up to \$5,250.00 for each participating law enforcement officer for qualifying N.E.T.-related overtime. That amount is based on the number of N.E.T participating agencies and eligible law enforcement officers at the time this Agreement was executed by both Parties. If the number of N.E.T participating agencies and/or eligible law enforcement officers changes during the term of this Agreement, the maximum reimbursement amount may change as funds are available on a pro rata basis. Such reimbursement shall only be made after the supporting documentation is submitted by the Municipality and approved by the County, as described in Paragraph 5.1. Such reimbursement is contingent upon the ONDCP awarding the grant funds to N.E.T and the MSP reimbursing the County.
  - 4.2.1. HIDTA funds shall be used to pay overtime only if the overtime was performed in support of a HIDTA-designated Enforcement initiative or Intelligence and information Sharing Initiative. HIDTA funds shall not be used to pay overtime related to training attendance, financial management, drug treatment, drug demand reduction or prevention, or non-investigative related administrative work.
  - 4.2.2. No HIDTA funds shall be used to supplant the Municipality's funds that would otherwise be made available for the same purposes.
- 4.3. There is no research and development performed pursuant to this Agreement.
- 4.4. No indirect costs shall be charged or reimbursed under performance of this Agreement.

# 5. <u>REIMBURSEMENT OF ELIGIBLE NET OVERTIME</u>.

- 5.1. To request reimbursement for eligible N.E.T. overtime costs, the Municipality shall submit to the County the documentation described in the following subparagraphs no later than thirty (30) days after PY 2021 has expired. If the County, in its sole discretion, determines that the documentation submitted by the Municipality does not reconcile, then the Municipality shall provide any additional documentation requested by the County in order to process payment.
  - 5.1.1. A fully completed and signed Request for HIDTA Overtime Reimbursement attached as Exhibit B.
  - 5.1.2. A letter substantively similar to the sample letter regarding notification of current overtime pay rate attached as Exhibit C.
  - 5.1.3. Overtime slips, signed by the officer's supervisor, that support each Request for HIDTA Overtime Reimbursement. The overtime slips shall be substantively similar to the sample overtime slip attached as Exhibit D.
  - 5.1.4. The paystub or payroll report that supports each Request for HIDTA Overtime Reimbursement. The paystub or payroll report shall be substantively similar to the sample paystub attached as Exhibit E.
- 5.2. County will only reimburse Municipality for approved overtime costs after County has received the Grant funds from MSP for that particular reimbursement request.

# 6. GENERAL COMPLIANCE.

- 6.1. The Municipality shall comply with to 28 C.F.R. Part 69 (New Restrictions on Lobbying) and 2 C.F.R. Part 25 (Universal Identifier and System of Award Management).
- 6.2. The Municipality shall comply with the Government-wide Suspension and Debarment provision set forth at 2 CFR Part 180.
- 6.3. The Municipality shall perform all activities in accordance with The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200 (the "Part 200 Uniform Requirements"), as adopted and implemented by the Office of National Drug Control Policy (ONDCP) in 2 C.F.R. Part 3603. For this award, the Part 200 Uniform Requirements supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.
- 6.4. The Municipality shall comply with ONDCP's HIDTA Program Policy and Budget Guidance, all other applicable Federal, state, and local laws and regulations, and the terms and conditions contained in this Agreement.
- 6.5. The Municipality shall comply with all applicable requirements for subrecipients that are provided in the HIDTA Grant Agreement between ONDCP and MSP. The HIDTA Grant

- Agreement between ONDCP and MSP will be provided to the Municipality within a reasonable time after the County receives a copy of it.
- 6.6. As specified in the HIDTA Program Policy and Budget Guidance, the Municipality must:
  - 6.6.1. Establish and maintain effective internal controls over the Federal award that provides reasonable assurance that Federal award funds are managed in compliance with Federal statutes, regulations and award terms and conditions. These internal controls should be in compliance with the guidance in "Standards for Internal Control in the Federal Government," issued by the Comptroller General of the United States and the "Internal Control Integrated Framework," issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
  - 6.6.2. Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
  - 6.6.3. Evaluate and monitor compliance with applicable statute and regulations, and the terms and conditions of the Federal award.
  - 6.6.4. Take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings.
  - 6.6.5. Take reasonable measures to safeguard protected personally identified information (PII) and other information ONDCP or the Municipality designates consistent with applicable Federal, state, and local laws regarding privacy and obligations of confidentiality.

# 7. FINANCIAL ACCOUNTABILITY AND AUDIT REQUIREMENTS.

- 7.1. The Municipality shall maintain standards of financial accountability that conform to 2 C.F.R. §200.302 (Financial Management) and 2 C.F.R. §200.303 (Internal Controls).
- 7.2. The Municipality shall comply with audit requirements contained in 2 C.F.R. Part 200, Subpart F, which requires the Municipality to have an annual audit conducted within nine (9) months of the end of their fiscal year, if the Municipality has an aggregate expenditure of more than \$750,000 in federal funds in a fiscal year. Any deficiencies noted in audit reports must be fully cleared by the Municipality within thirty (30) days after receipt of same. The Grant funds spent by the County on behalf of the Municipality for training expenses shall be included on the Schedule of Expenditures of Federal Awards if the Municipality is required to have a single audit performed. Municipalities that are exempt from the Single Audit requirements that receive less than \$750,000 of total Federal funding must submit a Financial Statement Audit prepared in accordance with Generally Accepted Auditing Standards ("GAAS") if the audit includes disclosures that may negatively impact the HIDTA program including, but not limited to fraud, financial misstatements, and violations of any contract or grant provisions. The County shall have the right to review and audit all records of the Municipality pertaining to any payment by the County.

# 8. <u>CONFLICT OF INTEREST</u>.

- 8.1. The Municipality shall comply with the following ONDCP conflict of interest policies:
  - 8.1.1. As a non-Federal entity, you must maintain written standards of conduct covering conflicts of interest and governing the performance of your employees engaged in the selection, award, and administration of subawards and contracts.
  - 8.1.2. None of your employees may participate in the selection, award, or administration of a subaward or contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from an organization considered for a subaward or contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from subrecipients or contractors or parties to subawards or contracts.
  - 8.1.3. If you have a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, you must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, you are unable or appear to be unable to be impartial in conducting a sub-award or procurement action involving a related organization.

# 9. MANDATORY DISCLOSURE.

9.1. As a non-Federal entity, the Municipality must disclose, in a timely manner, in writing to ONDCP all violations of Federal criminal law involving fraud, bribery or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award that includes the term and condition outlined in 200 CFR Part 200, Appendix XII "Award Term and Condition for Recipient Integrity and Performance Matters," are required to report certain civil, criminal, or administrative proceedings to System for Award Management (SAM). Failure to make required disclosures can result in remedies such as: temporary withholding of payments pending correction of the deficiency, disallowance of all or part of the costs associated with noncompliance, suspension, termination of award, debarment, or other legally available remedies outlined in 2 CFR 200.338 "Remedies for Noncompliance".

#### 10. RECORD RETENTION.

10.1. The Municipality shall comply with the record retention provisions of 2 C.F.R. 200.333 (Retention requirements for records).

10.2. The Municipality should, whenever practicable, collect, transmit, and store Federal award-related information in open and machine readable formats rather than in closed formats or on paper in accordance with 2 C.F.R. 200.335 (Methods for collection, transmission and storage of information).

# 11. ACCESS TO RECORDS.

- 11.1. The Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the County, or any of their authorized representatives, have the right of access to any documents, papers, or other records of the Municipal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the Municipality's personnel for the purpose of interview and discussion related to such documents. The right of access to the Municipality's records is not limited to the required retention period but last as long as the records are retained.
- 11.2. The Municipality shall permit the County and auditors to have access to the Municipality's records and financial statements as necessary for the County to meet the requirements of 2 C.F.R. Part 200.

# 12. **TERM**.

12.1. This Agreement and any amendments hereto shall be effective when executed by both Parties with concurrent resolutions passed by the governing bodies of each Party, and when the Agreement is filed according to MCL 124.510. The approval and terms of this Agreement and any amendments hereto shall be entered in the official minutes of the governing bodies of each Party. This Agreement shall end on December 31, 2021.

# 13. ASSURANCES.

- 13.1. Each Party shall be responsible for its own acts and the acts of its employees and agents, the costs associated with those acts, and the defense of those acts.
- 13.2. The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement. The persons signing this Agreement on behalf of each Party have legal authority to sign this Agreement and bind the Parties to the terms and conditions contained herein.
- 13.3. Each Party shall comply with all federal, state, and local ordinances, regulations, administrative rules, laws, and requirements applicable to its activities performed under this Agreement.

#### 14. TERMINATION OF AGREEMENT.

14.1. This Agreement may be terminated in whole or in part as follows:

- 14.1.1. by the County, if the Municipality fails to comply with the terms and conditions of this Agreement;
- 14.1.2. by the County for cause;
- 14.1.3. by the County with the consent of the Municipality, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated;
- 14.1.4. by the Municipality upon sending to the County written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the County determines in the case of partial termination that the reduced or modified portion of the subaward will not accomplish the purpose for which this Agreement was made, the County may terminate the Agreement in its entirety.
- 14.2. The County must provide to the Municipality a notice of termination. Written suspension or notice of termination will be sent to the Municipality's business address. If this Agreement is terminated or partially terminated, both the County and the Municipality remain responsible for compliance with the requirements at 2 CFR 200.343 Closeout and 2 CFR 200.344 Post-closeout Adjustments and Continuing Responsibilities.

# 15. CLOSEOUT.

- 15.1. The County shall close-out this Agreement when it determines that all applicable administrative actions and all required work under this Agreement have been completed by Municipality.
- 15.2. The Municipality shall comply with the closeout provisions of 2 C.F.R. 200.343 (Closeout).

#### 16. POST-CLOSEOUT ADJUSTMENTS AND CONTINUING RESPONSIBILITIES.

- 16.1. The closeout of this Agreement does not affect any of the following:
  - 16.1.1. The right of County to disallow costs and recover funds on the basis of a later audit or other review. The County must make any cost disallowance determination and notify the Municipality within the record retention period;
  - 16.1.2. The obligation of the Municipality to return any funds due as a result of later refunds, corrections, or other transactions including final indirect cost rate adjustments;
  - 16.1.3. Audit requirements in Subpart F—Audit Requirements of 2 C.F.R. Part 200.
  - 16.1.4. Records retention as required in Subpart D—Post Federal Award Requirements of this part, §200.333 Retention requirements for records through §200.337 Restrictions on public access to records.

# 17. REMEDIES FOR NONCOMPLIANCE.

- 17.1. If the Municipality fails to comply with federal statutes, regulations, or the terms and conditions of this Agreement, the County may impose additional conditions, as described in 2 CFR §200.207 Specific Conditions. If the County determines that noncompliance cannot be remedied by imposing additional conditions, the County may take one or more of the following actions, as appropriate in the circumstances:
  - 17.1.1. temporarily withhold cash payments pending correction of the deficiency by the Municipality or more severe enforcement action by the County;
  - 17.1.2. disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;
  - 17.1.3. wholly or partly suspend or terminate the Agreement;
  - 17.1.4. recommend that the Federal awarding agency initiate suspension or debarment proceedings as authorized under 2 CFR Part 180 and Federal awarding agency regulations;
  - 17.1.5. withhold further funds for the project or program;
  - 17.1.6. take other remedies that may be legally available.
- **18. NO THIRD-PARTY BENEFICIARIES**. Except as provided for the benefit of the Parties, this Agreement does not and is not intended to create any obligation, duty, promise, contractual right or benefit, right to indemnification, right to subrogation, and/or any other right, in favor of any other person or entity.
- **19. <u>DISCRIMINATION</u>**. The Parties shall not discriminate against their employees, agents, applicants for employment, or another persons or entities with respect to hire, tenure, terms, conditions, and privileges of employment, or any matter directly or indirectly related to employment in violation of any federal, state or local law.
- **20. PERMITS AND LICENSES**. Each Party shall be responsible for obtaining and maintaining, throughout the term of this Agreement, all licenses, permits, certificates, and governmental authorizations necessary to carry out its obligations and duties pursuant to this Agreement.
- **21.** <u>RESERVATION OF RIGHTS</u>. This Agreement does not, and is not intended to waive, impair, divest, delegate, or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the Parties.
- **22.** <u>DELEGATION/SUBCONTRACT/ASSIGNMENT</u>. Neither Party shall delegate, subcontract, and/or assign any obligations or rights under this Agreement without the prior written consent of the other Party.

- 23. NO IMPLIED WAIVER. Absent a written waiver, no act, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances, shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.
- **24. SEVERABILITY**. If a court of competent jurisdiction finds a term, or condition, of this Agreement to be illegal or invalid, then the term, or condition, shall be deemed severed from this Agreement. All other terms, conditions, and provisions of this Agreement shall remain in full force.
- **25.** <u>CAPTIONS</u>. The section and subsection numbers and captions in this Agreement are intended for the convenience of the reader and are not intended to have any substantive meaning. The numbers and captions shall not be interpreted or be considered as part of this Agreement. Any use of the singular or plural number, any reference to the male, female, or neuter genders, and any possessive or nonpossessive use in this Agreement shall be deemed the appropriate plurality, gender or possession as the context requires.
- 26. NOTICES. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first-class U.S. mail postage prepaid, and addressed to the person listed below. Notice will be deemed given on the date when one of the following first occur: (1) the date of actual receipt; (2) the next business day when notice is sent express delivery service or personal delivery; or (3) three days after mailing first class or certified U.S. mail.
  - 26.1. If Notice is sent to the County, it shall be addressed and sent to: Oakland County Board of Commissioners Chairperson, 1200 North Telegraph, Pontiac, Michigan 48341, with a copy to Oakland County Sheriff's Office, Sheriff Fiscal Officer, 1200 N. Telegraph, Bldg. 38E, Pontiac, Michigan 48341.
  - 26.2. If Notice is sent to the Political Subdivision, it shall be addressed to: City of Birmingham.
  - 26.3. Either Party may change the address and/or individual to which Notice is sent by notifying the other Party in writing of the change.

# 27. CONTACT INFORMATION.

# **County of Oakland**

Lieutenant Brent Miles Investigative & Forensic Services Division Narcotics Enforcement Team

Office: 248-858-1722 Fax: 248-858-1754

Email: milesbr@oakgov.com

# City of Birmingham

Commander Chris Busen Birmingham Police Department 151 Martin Birmingham, MI 48009 248-530-1764

Email: cbusen@bhamgov.org

- **28. GOVERNING LAW**. This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan, without regard to Michigan's conflict of laws provisions.
- **29.** <u>AGREEMENT MODIFICATIONS OR AMENDMENTS</u>. Any modifications, amendments, rescissions, waivers, or releases to this Agreement must be in writing and executed by both Parties.
- **30.** ENTIRE AGREEMENT. This Agreement represents the entire agreement and understanding between the Parties. This Agreement supersedes all other oral or written agreements between the Parties. The language of this Agreement shall be construed as a whole according to its fair meaning, and not construed strictly for or against any Party.
- **IN WITNESS WHEREOF**, David T. Woodward, Chairperson, Oakland County Board of Commissioners, acknowledges that he has been authorized by a resolution of the Oakland County Board of Commissioners, a certified copy of which is attached, to execute this Agreement, and hereby accepts and binds the County to the terms and conditions of this Agreement.

<b>EXECUTED:</b>		DATE:	
	David T. Woodward, Chairperson		
	Oakland County Board of Commissioners		
WITNESSED	):	DATE:	
	Printed Name:		
	Title:		
IN WITNES	SS WHEREOF,	, acknowledges that he/sl	ne has been
authorized by	a resolution of the Municipality's governing b	oody, a certified copy of which	is attached, to
execute this A	Agreement, and hereby accepts and binds the	Municipality to the terms and	conditions of
this Agreemen	nt.		

EXECUTED:		DATE:	
	Printed Name:		
	Title:		
WITNESSED:		DATE:	
	Printed Name:		
	Title:		



# **MEMORANDUM**

**Planning Division** 

**DATE:** March 8<sup>th</sup>, 2021

TO: Thomas Markus, City Manager

FROM: Nicholas Dupuis, City Planner

**APPROVED:** Jana Ecker, Planning Director

SUBJECT: 670 S. Old Woodward – Right-of-Way Parking Request

# INTRODUCTION:

The subject site, formerly Detroit Trading Co., is a single-story commercial building located at the southern end of Downtown Birmingham. The current site has an off-street parking facility with 22 parking spaces available for use by the building. The subject building is not within the Parking Assessment District and therefore must provide the parking required for any use on-site. The applicant is currently seeking permission from the City Commission to include 8 metered parking spaces in front of the building in the City's right-of-way along S. Old Woodward to assist them in meeting the parking requirements for a new tenant, Vibe Salon Suites, pursuant to Article 4, Section 4.45 (G)(4) of the Zoning Ordinance:

# 4.45 PK-01 General Parking Standards

- G. <u>Methods of Providing Parking Facilities</u>: The required off-street parking facilities for buildings used for other than residential purposes may be provided by any one of the following methods:
  - 4. By providing the 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.

# **BACKGROUND:**

The applicant submitted a Building Permit application for a new tenant proposed in the currently vacant commercial space. The tenant, Vibe Salon Suites, is considered a salon use that requires 2 off-street parking spaces per service chair, booth or bed; or 1 off-street parking space per 300 sq. ft. of floor area, whichever is greater. The buildout proposed shows 28 separate "salon suites" containing 32 total chairs/service stations. Based on the requirements, Vibe Salon Suites will require 64 off-street parking spaces based on the 32 chairs/service stations proposed. The

Building Permit application was denied by the Planning Division citing the 42 space parking deficiency present on the site.

At this time, it is the understanding of the Planning Division that the applicant is requesting the 8 right-of-way parking spaces to be counted towards the required off-street parking as one method to make the Vibe Salon Suite concept work in the space within the confines of the Zoning Ordinance. If granted, the applicant must further address any additional deficiencies through revised floor plans with less chairs/service stations, shared parking agreements, and/or the petitioning of a variance from the Board of Zoning Appeals in which the applicant would have to prove a hardship.

Additionally, as required by the Ordinance, the Engineering Division inspected the area in the public right-of-way abutting the property in question to determine if any improvements would be required as a part of this consideration. In summation, the Engineering Division did not observe any improvements that would be required of the applicant to utilize the parking area.

# LEGAL REVIEW:

The City Attorney has reviewed the documentation and has no concerns.

# FISCAL IMPACT:

The proposed request has no fiscal impact on the City.

#### PUBLIC INPUT:

There has been no public input submitted in regards to the proposal.

# **SUMMARY:**

In accordance with Article 4, section 4.43(G)(4) of the Zoning Ordinance, the applicant requests that the City Commission include 8 right-of-way parking spaces adjacent to their property in their required parking calculation. The inclusion of these spaces will enable the applicant to move closer to meeting the off-street parking requirements for the proposed salon.

# ATTACHMENTS:

- Letter from Dennis G. Cowan Plunkett-Cooney
- 670 S. Old Woodward Site Plan

# SUGGESTED RESOLUTION:

To approve the use of 8 parking spaces in the right-of-way adjacent to the property located at 670 S. Old Woodward to help fulfill the parking requirements per Article 4, section 4.43 (G)(4) of the Zoning Ordinance.



February 24, 2021

# VIA EMAIL TO: jecker@bhamgov.org

Jana Ecker Planning Director City of Birmingham 151 Martin St. Birmingham, MI 48009

Re: 670 S. Old Woodward

Request Pursuant to Zoning Ordinance 4.45 PK-01(G)(1)

Dear Ms. Ecker:

Please be advised that the undersigned and our Firm represent Vibe of Birmingham, LLC ("VIBE"), who will be operating VIBE Salon Suites at the above-referenced address.

On behalf of VIBE, we are requesting that the Birmingham City Commission approve the inclusion of the eight (8) public parking spaces in front of the building to be allowed in its total parking count as permitted under Ordinance Sec. 4.45 PK-01(G)(1).

We have attached a plan showing the building, the number of on-site parking spaces and the eight (8) spaces in the public right-of-way in front of the building prepared by Krieger Klatt Architects.

Please advise when this matter will be placed on the Birmingham City Commission meeting agenda. Frank Jarbou of VIBE and I plan to attend the meeting and answer any questions. In the meantime, should you or anyone else in the City reviewing this matter have any questions, please feel free to contact me at your earliest convenience.

Sincerely,

Dennis G. Cowan

Direct Dial: (248) 901-4029

Email: dcowan@plunkettcooney.com

Jennis D. Cown

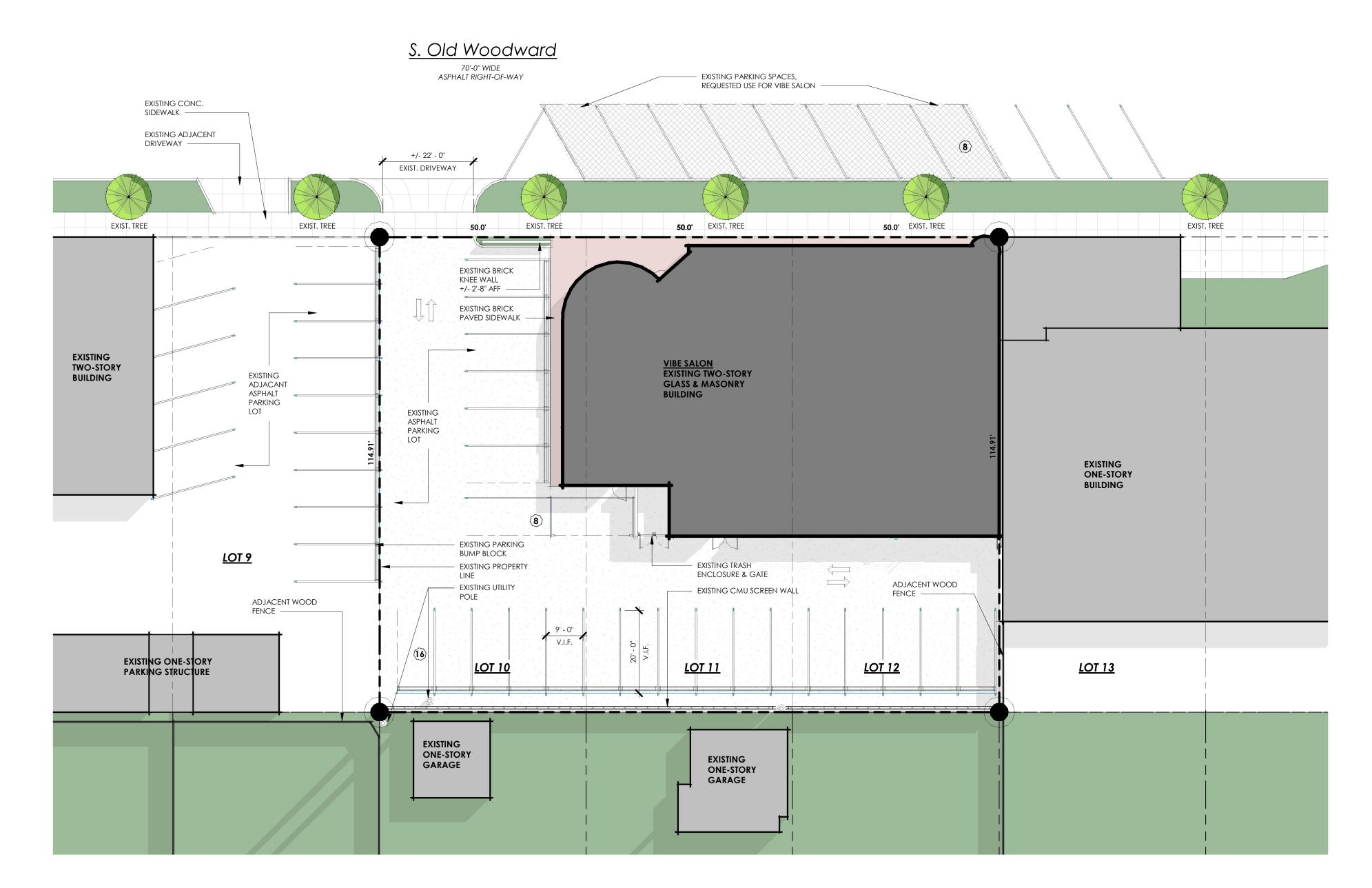
DGC/cmw Attachment

cc: Frank Jarbou

Jeff Klatt

Nick DuPuis

Open.28439.10892.25866296-1



Site Plan 1/16" = 1'-0"

# krieger klatt ARCHITECTS

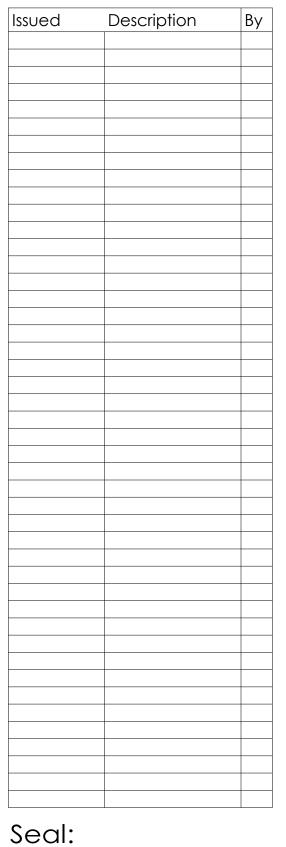
architecture interiors consulting 2120 E. 11 Mile Rd. | Royal Oak, MI 48067 **P:** 248.414.9270 **F:** 248.414.9275 **www.kriegerklatt.com** 

# Client:

Symmetry Property Management (Frank Jarbou)

# Project:

Vibe Salon Suites 670 S. Old Woodward Suites Birmingham MI 48009





PROJECT LOCATION

# **Zoning Information (City of Birmingham)**

Parcel Identification Number: 1936253035 Zoned: B2B, General Business Lot Area: 17,424 SQ. FT. Maximum Lot Coverage Allowed: N/A

Lot Coverage (Footprints) Existing to Remain.

Height
Maximum Building Height: 30.00' / 2 Stories - Existing Roof Height at Top of Parapet: 26.66' +/-

- <u>Setback Information</u> 1. Front Yard Required: 0.00' - Existing Front Yard Setback to Remain
- East Side Yard Required: 0.00' - Existing Side Yard to Remain
- 3. West Side Yard Required: 0.00' - Existing West Side Yard to Remain
- 4. Rear Yard Required: 20.00' - Existing Rear Yard to Remain

Parking Information

Proposed: 23 Standard Parking Spaces

1 Accessible Parking Spaces

8 Angle Parking Spaces

32 Total Spaces Proposed

Sec. 22-340. - On-site parking.

(2) A parking space shall meet the following criteria in order to satisfy the requirements of this section:

existing driveway or nine feet, whichever is less;

a.Have a minimum length of 20 feet; b.Have a minimum width of either the width of the

North Arrow:

Note:

Sheet Title:

Architectural Site Plan

Do not scale drawings. Use

calculated dimensions only.

Verify existing conditions in field.

Project Number:

20-089

Sheet Number:



# **MEMORANDUM**

# **Engineering Department**

DATE: March 3, 2021

TO: Thomas M. Markus, City Manager

FROM: James J. Surhigh, Consulting City Engineer

Scott Zielinski, Assistant City Engineer

SUBJECT: Cranbrook Road Resurfacing Improvements

**Cost Sharing Agreement** 

# INTRODUCTION:

The Road Commission for Oakland County (RCOC) will be resurfacing Canbrook Road between 14 Mile Road and Maple Road. Since Cranbrook Road is under the jurisdiction of the RCOC and is along a common municipal boarder, costs for the project are shared by the RCOC, Bloomfield Township and the City of Birmingham. The RCOC has prepared a cost participation agreement for all parties for this project.

# BACKGROUND:

The section of Cranbrook between Maple Road and 14 Mile Road is in need of rehabilitation, and the road is under RCOC's jurisdiction. The project includes milling the existing asphalt surface, completing full-depth pavement repairs where needed, completing concrete curb repairs where needed, installing new 2" asphalt overlay, and other miscellaneous work. This project additionally includes replacing the traffic signal at Midvale Street, including, new pedestrian crossing equipment. The road width will remain essentially the same. However, the lane designations will change between Lincoln Road and Maple Road, where the existing 4 – lane configuration (2 north, 2 south) will change to a 3 – lane configuration (1 north, 1 south, 1 center left turn).

During the design phase of this project, the design was presented to the Multi-Modal Transportation Board (MMTB). Comments from the MMTB were communicated to the RCOC and incorporated where feasible.

This project is scheduled to take place this June through August, 2021. The project was originally scheduled to be completed in the summer of 2020, but at the city's request the project was moved to 2021 to avoid conflicting with the Maple Road Reconstruction Project. The RCOC solicited bids for the project which were opened on 12/15/2020. The Contract was awarded to Proline Asphalt Paving in the contracted amount of \$1,396,105.00.

The designated cost sharing split for the road construction is 50% RCOC, 25% Bloomfield Township, and 25% City of Birmingham. The designated cost sharing split for the Traffic signal work is 25% RCOC, 25% Birmingham Public Schools, 25% Bloomfield Township, and 25% City of Birmingham. Therefore, the City's total share of the cost is \$287,038, which includes \$23,897 for the traffic signal work and \$263,141 for the roadwork.

The City's share of the cost will be funded using available Tri-Party Program funds, in addition to a one-time payment for the balance after applying the Tri-Party funds. The Tri-Party Program was established by the RCOC to assist local agencies with funding for RCOC road projects in their corporate boundaries. Under the Tri-Party Program, the City's contributions are equally matched by both the RCOC and Oakland County (for every dollar the City put in, three dollars are available). RCOC sets the contribution limits, and the City's current annual contribution is \$5,894. Because there are few RCOC jurisdiction roads within the City limits, this funding is infrequently utilized. Therefore, Tri-party funds are available for use on this project from fiscal year 2007 to the present fiscal year (2021), plus an advancement on contributions that would be made from 2022 and 2023 are being allowed. By leveraging Tri-Party Program funds, the actual capital outlay required from the City is reduced to \$166,799.

# LEGAL REVIEW:

The attached Cost Participation Agreement was prepared by The Board of Road Commissioners of the County of Oakland legal staff. The City Attorney has reviewed the document with respect to form, and no changes were required.

# FISCAL IMPACT:

The City's responsibility to the Board of County Road Commissioners is \$166,799.00 which is less than the amount included in the fiscal 2021-2022 budget for this project. This amount includes expenditure of accumulated Tri-Party program funds, along with contributions that would be made for fiscal year 2022 and 2023. The Finance Department reviewed the proposed cost participation breakdown and had no objections.

# PUBLIC COMMUNICATIONS:

The RCOC is responsible for notifying the public prior to the start of the project. The RCOC will be administering the contract and will have a full-time inspector during construction.

# SUMMARY:

RCOC will be resurfacing Cranbrook Road over the summer of 2021, which will include replacing the traffic signal at Midvale and reconfiguring the lane designations from between Lincoln Road and Maple Road from 4 lanes (2 north, 2 south) to 3 lanes (1 north, 1 south, 1 center left turn). Pedestrian cross-walks and ADA ramps will also be improved.

#### ATTACHMENTS:

- Cost Participation Agreement (5 pages)
- Construction Plans (65 sheets)

# SUGGESTED RESOLUTION:

To approve the Cost Participation Agreement with the Board of Road Commissioners of The County of Oakland, agreeing to pay the City's share of construction costs related to the road resurfacing and traffic signal improvements on Cranbrook Road between 14 Mile Road and Maple Road. The total amount of the City's share of the cost is \$166,799: with \$7,965 for traffic signal work to be charged to 202-303.001-971.0100, Major Street Fund Traffic Controls; and, \$158,834 for roadwork to be charged to the Major Streets Fund Public Construction, 202-449.001-981.0100.

Also, to direct the Mayor to sign the agreement on behalf of the City.

# **COST PARTICIPATION AGREEMENT**

CONSTRUCTION
Cranbrook Road

14 Mile Road to Maple Road
City of Birmingham
Board Project No. 55201

This Agreement, made and entered into this day of	, 2021, by
and between the Board of County Road Commissioners of the County of Oakland,	Michigan,
hereinafter referred to as the BOARD, and the City of Birmingham, hereinafter refer	red to as
BIRMINGHAM, provides as follows:	

WHEREAS, the BOARD, BIRMINGHAM, the Charter Township of Bloomfield, hereinafter referred to as BLOOMFIELD, and Birmingham Public Schools, hereinafter referred to as BPS, have programmed the resurfacing of Cranbrook Road from 14 Mile Road to Maple Road, as described in Exhibit "A", attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of the BOARD and within BIRMINGHAM and BLOOMFIELD, which improvements are hereinafter referred to as the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$1,396,105; and

WHEREAS, BIRMINGHAM'S share of said LOCAL SHARE involves certain designated and approved Tri-Party Program funding in the amount of \$216,204, which shall be paid through equal contributions by the BOARD, BIRMINGHAM, and the Oakland County Board of Commissioners, hereinafter referred to as the COUNTY; and

WHEREAS, all the parties hereto have reached a mutual understanding regarding the cost sharing for the PROJECT and wish to commit that understanding to writing in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and in conformity with applicable law, it is hereby agreed between BIRMINGHAM and the BOARD that:

- BIRMINGHAM, BLOOMFIELD, and BPS approve of the PROJECT, declare its public necessity, and authorizes the BOARD to perform or cause to be performed, and complete the PROJECT along with all administration in reference thereto.
- 2. The PROJECT shall include total payments to the contractor. Any costs incurred by the BOARD prior to this agreement date shall be allowable.
- 3. The estimated total PROJECT cost is \$1,396,105 and shall be funded and invoiced proportionately and simultaneously as follows:
  - a. The BOARD shall contribute the cost for the additional improvements on Maple Road, estimated in the amount of \$152,365, including all overages.
  - b. The cost for the traffic signal installation at Cranbrook Road and Midvale Street, estimated in the amount of \$95,588, shall be shared equally between BIRMINGHAM, BLOOMFIELD, BPS, and the BOARD. Each share is estimated to be \$23,897. BIRMINGHAM and BLOOMFIELD shall both fund their share with Tri-Party Program funds. Any traffic signal overages shall be shared BOARD 25%, BPS 25%, BIRMINGHAM 25%, BLOOMFIELD 25%.
  - c. The remaining cost of \$1,148,152 for the resurfacing of Cranbrook Road, including any overages, shall be shared BOARD 50%, BIRMINGHAM 25%, BLOOMFIELD 25%.
    - I. The BOARD shall contribute 50% toward the resurfacing of Cranbrook Road, estimated in the amount of \$574,076.
    - II. BIRMINGHAM shall contribute 25% toward the resurfacing of Cranbrook Road, estimated in the amount of \$287,038, and will fund their share with \$192,307 in Tri-Party Program funds along with a contribution of \$94,731.
    - III. BLOOMFIELD shall contribute 25%, estimated in the amount of \$287,038 and will fund their share with Tri-Party Program funds.

- IV. BIRMINGHAM and BLOOMFIELD agree that any PROJECT overages will be funded first with any Tri-Party Program funds. If no Tri-Party Program funds are available, any overages will be funded 100% by the respective community.
- 4. Upon execution of this agreement, the BOARD shall submit an invoice to BIRMINGHAM in the amount of \$166,799 (being 100% of BIRMINGHAM'S FY2007-FY2023 Tri-Party contribution and 100% of their additional contribution of \$94,731).
- 5. Upon execution of this agreement and approval by the COUNTY, the BOARD shall submit an invoice to the COUNTY in the amount of \$60,280 (being 100% of the COUNTY'S FY2007-2021 Tri-Party contribution).
  - a. The invoice shall be sent to:

Lynn Sonkiss, Manager of Fiscal Services Executive Office Building 2100 Pontiac Lake Road, Building 41 West Waterford, MI 48328

- 6. After February 1, 2022, the BOARD shall submit an invoice to the COUNTY in the amount of \$5,894 (being 100% of the COUNTY'S FY2022 Tri-Party contribution).
- 7. After February 1, 2023, the BOARD shall submit an invoice to the COUNTY in the amount of \$5,894 (being 100% of the COUNTY'S FY2023 Tri-Party contribution).
- 8. Upon receipt of said invoice(s), BIRMINGHAM and the COUNTY shall pay to the BOARD the full amount thereof, within thirty (30) days of such receipt.
- 9. The BOARD shall execute separate Cost Participation Agreements with BLOOMFIELD and BPS, for their share of the estimated PROJECT cost.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

# BOARD OF ROAD COMMISSIONERS OF THE COUNTY OF OAKLAND A Public Body Corporate

Ву	
lts	
CITY OF BIRMINGHAM	
Ву	2
Its	

# **EXHIBIT A**

# TRI-PARTY PROGRAM

Cranbrook Road

14 Mile Road to Maple Road

City of Birmingham

Board Project No. 55201

Resurfacing of Cranbrook Road from 14 Mile Road to Maple Road.

# **ESTIMATED PROJECT COST**

Contractor Payments

\$1,396,105

	COS	ST PARTICIPA	TION BREAKE	OOWN		
	BIRMINGHAM	BLOOMFIELD	BIRMINGHAM PUBLIC SCHOOLS	COUNTY	BOARD	TOTAL
FY2007 Tri-Party Program	\$1,181	\$0	\$0	\$1,180	\$1,180	\$3,541
FY2008 Tri-Party Program	\$3,872	\$0	\$0	\$3,872	\$3,871	\$11,615
FY2009 Tri-Party Program	\$5,453	\$0	\$0	\$5,454	\$5,453	\$16,360
FY2010 Tri-Party Program	\$2,063	\$0	\$0	\$2,063	\$2,064	\$6,190
FY2011 Tri-Party Program	\$2,314	\$0	\$0	\$2,314	\$2,313	\$6,941
FY2012 Tri-Party Program	\$2,460	\$0	\$0	\$2,460	\$2,461	\$7,381
FY2013 Tri-Party Program	\$2,726	\$0	\$0	\$2,726	\$2,725	\$8,177
FY2014 Tri-Party Program	\$2,678	\$0	\$0	\$2,678	\$2,678	\$8,034
FY2015 Tri-Party Program	\$2,918	\$0	\$0	\$2,918	\$2,917	\$8,753
FY2016 Tri-Party Program	\$5,721	\$0	\$0	\$5,721	\$5,721	\$17,163
FY2017 Tri-Party Program	\$5,908	\$0	\$0	\$5,908	\$5,909	\$17,725
FY2018 Tri-Party Program	\$5,638	\$0	\$0	\$5,638	\$5,638	\$16,914
FY2019 Tri-Party Program	\$5,675	\$0	\$0	\$5,675	\$5,676	\$17,026
FY2020 Tri-Party Program	\$5,779	\$0	\$0	\$5,779	\$5,780	\$17,338
FY2021 Tri-Party Program	\$5,894	\$1,264	\$0	\$7,158	\$7,158	\$21,474
FY2022 Tri-Party Program	\$5,894	\$39,192	\$0	\$45,086	\$45,085	\$135,257
FY2023 Tri-Party Program	\$5,894	\$63,189	\$0	\$69,083	\$69,084	\$207,250
Maple Road improvements	\$0	\$0	\$0	\$0	\$152,365	\$152,365
Contribution	\$94,731	\$0	\$23,897	\$0	\$597,973	\$716,601
TOTAL SHARES	\$166,799	\$103,645	\$23,897	\$175,713	\$926,051	\$1,396,105

# **INDEX OF SHEETS**

1 - COVER

2 TO 4 - NOTE SHEET

5 - LEGEND

6 TO 9 - MAINTENANCE OF TRAFFIC & DETOUR PLAN

10 TO 14 - TYPICAL CROSS SECTIONS

15 TO 18 - PROJECT DETAILS

19 TO 23 - HORIZONTAL LAYOUT

24 TO 25 - SOIL EROSION AND SEDIMENTATION CONTROL PLAN

26 TO 35 - CONSTRUCTION PLANS

36 - STORM SEWER PROFILE

37 TO 43 - DETAIL GRADES

44 TO 55 - PAVEMENT MARKINGS & SIGNING 56 TO 61 - SIGNAL PLANS

62 TO 63 - SOIL BORING LOGS

64 TO 65 - QUANTITY SUMMARY SHEETS

66 TO 67 - OCWRC DETAIL SHEETS

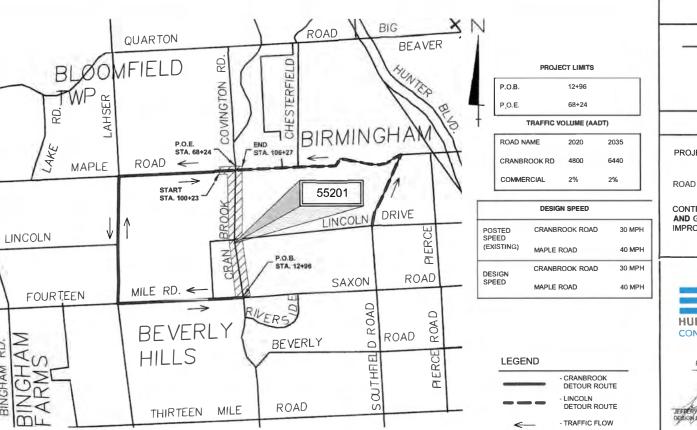
# ROAD COMMISSION FOR OAKLAND COUNTY

# CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD CITY OF BIRMINGHAM AND BLOOMFIELD TOWNSHIP

RCOC JOB NO. 55201

FINAL PLANS 11/24/2020

SCALE FULL SIZE (22"x34") REDUCED SIZE (11"x17") PLAN SHEET 1" = 30 FT PLAN SHEET 1" = 60 FT PROFILE HOR. 1" = 30 PROFILE HOR. 1" = 60 PROFILE VER. 1" = 6 PROFILE VER. 1" = 6



PREPARED UNDER THE SUPERVISION OF ANDREA L. PIKE, PE

# **GENERAL PROVISIONS**

THE IMPROVEMENTS COVERED BY THESE PLANS SHALL BE DONE IN ACCORDANCE WITH THE PROPOSAL AND ACCOMPANYING SPECIFICATIONS FOR THIS PROJECT INCLUDING THE 2012 MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MICHIGAN DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAMS GUIDELINES FOR GEOMETRICS DATED JULY 24, 2017 SECTION: RESURFACING, RESTORATION, AND REHABILITATION (3R).

PAVEMENT MARKING AND PLACING OF TRAFFIC CONTROL SIGNS SHALL BE DONE IN ACCORDANCE WITH THE CURRENT EDITION OF THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES, AS AMENDED. THIS WORK WILL BE DONE PRIOR TO THE FINAL

THE LOCATION OF ALL PUBLIC UTILITIES SHOWN ON THESE PLANS IS TAKEN FROM THE BEST AVAILABLE DATA. THE BOARD OF ROAD COMMISSIONERS FOR OAKLAND COUNTY WILL NOT BE RESPONSIBLE FOR ANY OMISSION OR VARIATIONS FROM THE LOCATIONS SHOWN. PURSUANT TO PUBLIC ACT 174 OF 2013 AS A CONDITION OF THIS CONTRACT NOTICE SHALL BE GIVEN TO MISS DIG PRIOR TO UNDERGROUND WORK TO BE PERFORMED IN ACCORDANCE WITH THIS CONTRACT. PHONE (800) 482-7171, (248) 647-7344, OR 811.

THE ROAD COMMISSION FOR OAKLAND COUNTY, AS AN AUTHORIZED PUBLIC AGENCY UNDER THE EROSION AND SEDIMENTATION CONTROL PROGRAM-PUBLIC ACT 451, HAS PROVIDED FOR EROSION AND SEDIMENTATION CONTROL BY MEANS OF SODDING, SEEDING AND OTHER METHODS. THE ROAD COMMISSION WILL MAINTAIN THESE FACILITIES UPON COMPLETION OF THE CONTRACT.

THE ELEVATIONS ARE BASED ON NAVD 88, GEOID03.

THE COORDINATES ARE BASED ON NAD 1983, US STATE PLANE 1983, MICHIGAN SOUTH 2113.

# STATE OF MICHIGAN **BOARD OF ROAD COMMISSIONERS** FOR OAKLAND COUNTY

# **BOARD OF ROAD COMMISSIONERS**

GREGORY C. JAMIAN -

**CHAIRMAN** 

RONALD J. FOWKES

VICE CHAIRMAN

ANDREA LALONDE COMMISSIONER

# DENNIS G. KOLAR, P.E. - MANAGING DIRECTOR

PROJECT NO

CITY OF BIRMINGHAM AND

CRANBROOK ROAD REHABILITATION

CONTRACT FOR 1.2 MILES OF HMA COLD MILLING, HMA PAVING, CONCRETE CURB/CURB AND GUTTER REPAIRS, HMA SHOULDER WIDENINGS, ADA SIDEWALK RAMP IMPROVEMENTS, PAVEMENT MARKINGS, AND SIGNAL UPGRADES.



GARY PIOTEOWICZ-OF PTOF

APPROVED BY

11/24/2020



REVISIONS	FOR AP	PROVAL.	APP	OVED
DESCRIPTION	BY	DATE	BY	DATE
BASE PLANS TO R.C.O.C.	ALP	8/30		
PRELIMINARY PLANS TO R.C.O.C.	ALP	10/01		
FINAL PLANS TO R.C.O.C.	ALP	11/12		

THE TERM "ROAD COMMISSION" WHEN USED IN THE PROPOSAL AND THE PLANS SHALL MEAN THE BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF OAKLAND (RCOC).

CONTRACT PLANS FOR THE PROJECT HAVE BEEN DEVELOPED AND PREPARED BY THE ROAD COMMISSION AND HUBBELL, ROTH & CLARK, INC. IMMEDIATE PROJECT SUPERVISION AND INSPECTION WILL BE PERFORMED BY THE ROAD COMMISSION.

DURING CONSTRUCTION OPERATIONS, THE CONTRACTOR SHALL NOT PERFORM WORK BY PRIVATE AGREEMENT WITH PROPERTY OWNERS ADJACENT TO THE PROJECT. WORK MAY BE ALLOWED WHEN REQUESTED BY LOCAL MUNICIPALITIES, BUT ONLY WITH THE WRITTEN CONSENT OF THE ENGINEER.

THE CONTRACTOR SHALL CONDUCT HIS OPERATIONS IN SUCH A MANNER TO COMPLY WITH ALL FEDERAL, STATE, AND LOCAL CODES FOR NOISE LEVELS, VIBRATIONS, OR ANY OTHER RESTRICTIONS WHILE REMOVING PAVEMENT OR FOR ANY OTHER CONSTRUCTION OPERATIONS WITHIN THIS CONTRACT TO BE INCLUDED IN THE RESPECTIVE ITEM OF WORK.

IF THE WORK EXTENDS BEYOND THE SEASONAL SHUTDOWN IN THE ABSENCE OF ANY APPROVED EXTENSION OF TIME, NO COMPENSATION WILL BE DUE TO THE CONTRACTOR FOR ANY WINTER PROTECTION MEASURES THAT MAY BE REQUIRED BY THE ENGINEER.

THE CONTRACTOR AND/OR HIS SUBCONTRACTOR SHALL NOTIFY "MISS DIG", THE ROAD COMMISSION AND THE MUNICIPALITY'S, FIRE, POLICE, AND PUBLIC WORKS DEPARTMENTS 3 WORKING DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION, IN ADDITION, 48 HOURS ADVANCED NOTIFICATION IS REQUIRED FOR ANY ROAD CLOSURES OR CHANGES IN CONSTRUCTION STAGING.

NO USE OF PRIVATE PROPERTY BY THE CONTRACTOR OR ANY SUBCONTRACTORS SHALL OCCUR BEFORE THE PROJECT ENGINEER HAS WRITTEN AGREEMENT BETWEEN THE PROPERTY OWNER AND THE CONTRACTOR. THIS AGREEMENT MUST BE PROVIDED BY THE CONTRACTOR AND MUST BE NOTARIZED BY A PUBLIC NOTARY. IF SUCH USE DOES OCCUR BEFORE THE PROJECT ENGINEER HAS POSSESSION OF THE NOTARIZED AGREEMENT. THE PROJECT ENGINEER WILL ISSUE A NOTICE OF NON-COMPLIANCE SUSPENDING ALL WORK IMMEDIATELY UNTIL SUCH TIME AS A COPY OF THE WRITTEN NOTARIZED PERMISSION IS SUBMITTED OR THE PROPERTY IN QUESTION HAS BEEN VACATED BY THE CONTRACTOR OR ANY SUBCONTRACTORS AND RESTORED TO ITS ORIGINAL CONDITION, WITH NO EXTENSION OF TIME OR ADDITIONAL COST FOR IDLE EQUIPMENT, DOWNTIME, ETC. TO THE ROAD COMMISSION FOR OAKLAND COUNTY.

# UTILITIES

THE UTILITIES AND THEIR LOCATIONS SHOWN ON THE PLANS ARE DEEMED ACCURATE BUT NOT GUARANTEED.

ALL WORK REQUIRED FOR LOCATING EXISTING UTILITIES IN ACCORDANCE WITH MICHIGAN PUBLIC ACT 174 OF 2013 SHALL NOT BE PAID FOR SEPARATELY

THE CONTRACTOR SHALL LOCATE ALL ACTIVE UNDERGROUND UTILITIES PRIOR TO STARTING WORK AND SHALL CONDUCT HIS OPERATIONS IN SUCH A MANNER AS TO ENSURE THAT THOSE UTILITIES NOT REQUIRING RELOCATION WILL NOT BE DISTURBED

CONCRETE, GRADE S2, SHALL BE USED TO ENCASE UTILITIES THAT ARE IN CLOSE PROXIMITY TO THE PROPOSED STORM SEWER CONSTRUCTION AS DIRECTED BY THE ENGINEER INCLUDED IN STORM SEWER PAY ITEMS.

ALL STRUCTURES ARE TO BE OPENED BY THE CONTRACTOR FOR INSPECTION BY THE ENGINEER AND UTILITY REPRESENTATIVES FOR CONFIRMATION AND/OR CHANGE OF ADJUSTMENT AND RECONSTRUCTION QUANTITIES PRIOR TO BEGINNING ANY WORK. PAYMENT FOR INSPECTION OF STRUCTURES SHALL BE PAID AS PART OF THE STRUCTURE ADJUSTMENT ITEMS. WHEN WORK IS BEING PERFORMED, THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND UTILITY OWNER (UTILITY, CITY, OCWRC, ETC.) FOR INSPECTION. WORK SHALL NOT BE ACCEPTED UNTIL WRITTEN ACCEPTANCE IS RECEIVED

FROM UTILITY OWNER. UNSOUND PORTIONS OF EXISTING STRUCTURES SHALL BE REPAIRED TO MAINTAIN STRUCTURAL INTEGRITY AND SHALL BE PAID FOR AS PUBLIC UTILITY STRUCTURE, ADJ, ADD DEPTH (FT).

IF THE PLANS INDICATE AN EXISTING UNDERGROUND UTILITY IS OR WILL BE OUT OF SERVICE WITHIN THE LIMITS OF THIS CONTRACT. THE CONTRACTOR IS CAUTIONED TO TREAT SUCH A LINE AS IF IT WERE STILL IN SERVICE AND NOTIFY "MISS DIG" WHEN WORKING IN THE AREA OF THE OUT OF SERVICE FACILITY.

THE FOLLOWING UTILITY COMPANIES HAVE FACILITIES WITHIN THE PROJECT LIMITS AND MAY BE RELOCATING OR REPLACING FACILITIES, WHICH MAY OR MAY NOT BE SHOWN ON THE PLANS IN CONJUNCTION WITH THE PROPOSED ROADWORK. THE CONTRACTOR OR SUBCONTRACTOR MAY BE REQUIRED TO COORDINATE THEIR OPERATIONS WITH THESE AND/OR OTHER UTILITIES AS DIRECTED BY THE ENGINEER. NO ADDITIONAL PAYMENT OF COMPENSATION WILL BE ALLOWED FOR THIS ACTIVITY.

CONSUMERS ENERGY CHERI PAYNE 14500 DIXIE HWY. HOLLY, MICHIGAN 48442 (248) 497-5771

FOR EMERGENCIES, CALL 1-800-477-5050 NOTE: GAS FACILITIES SHALL BE PROTECTED AND SUPPORTED PER THE FACILITIES OWNER STANDARDS.

# TELECOMMUNICATIONS

AT&T MATT SLIWA 54 N. MILL ST P.O. BOX 32 PONTIAC, MICHIGAN 48342 (248) 456 - 0820FOR EMERGENCIES, CALL 1-800-515-7272 NOTE: AT&T STRUCTURES WILL BE ADJUSTED BY OTHERS. THE CONTRACTOR SHALL COORDINATE THEIR WORK WITH AT&T.

## CHARTER COMMUNICATIONS

JOHN TOTH 7273 DAVISON RD DAVISON, MI 48423 (810) 658-5145

CABLE VERIZON MIKE TILLIS 1366 DUBLIN ROAD COLUMBUS OH 43215 WK: (614) 921-8636 CELL: (614) 207-1872

COMCAST CABLE MIKE MARLOW 25626 TELEGRAPH ROAD SOUTHFIELD, MICHIGAN 48033 (313) 304 - 9996

OAKLAND COUNTY DEPARTMENT OF INFORMATION TECHNOLOGY TROY DEATHERAGE, DEPUTY DIRECTOR

1200 N. TELEGRAPH ROAD BLDG. 49 WEST PONTIAC, MICHIGAN 48341-0421 (248) 585 - 5269

DIRECT:(248) 452-9194

COUNTY DRAIN, WATER, AND SEWERAGE

OFFICE OF THE OAKLAND COUNTY WATER RESOURCE COMMISSIONER BRIAN BENNETT, P.E. 1 PUBLIC WORKS DRIVE WATERFORD, MICHIGAN 48328 MAIN: (248) 858 - 0958

TOWNSHIP OF BLOOMFIELD WATER AND SEWER DEPARTMENT NOAH MEHALSKI 4200 TELEGRAPH ROAD BLOOMFIELD, MICHIGAN 48303 (248) 594-2800 (248) 433-7730 (WATER SERVICE EMERGENCIES)

**ELECTRIC** DTE ENERGY CARL FORD 2000 SECOND AVE. - RM. 518 S.B. DETROIT, MICHIGAN 48226 (248) 427-2937

FOR EMERGENCIES, CALL 1-800-477-5050

ROAD COMMISSION FOR OAKLAND COUNTY TRAFFIC OPERATIONS CENTER STEVE WHEELER 1200 N. TELEGRAPH, WEST 49 PONTIAC, MI 48341 (248) 858 - 7250

CITY OF BIRMINGHAM DPS LAUREN WOOD 851 S. ETON BIRMINGHAM, MI 48009 (248) 530-1702

MASS TRANSPORTATION SYSTEM SMART BUS KEVIN HOBSON 2021 BARRETT STREET TROY, MI 48084 (248) 419 - 7906

# **PERMITS AND FEES**

THE ROAD COMMISSION HAS APPLIED FOR ALL NECESSARY PERMITS. THE CONTRACTOR SHALL BE REQUIRED FULFILL ANY/ALL REQUIREMENTS TO OBTAIN THE NECESSARY PERMITS PRIOR TO WORK ON FACILITIES AS OUTLINED IN THE SPECIAL PROVISION "PERMIT AND INSPECTION FEES." PRIOR TO WORK ON FACILITIES BELONGING TO THE PERMIT AGENCIES, A MINIMUM OF 72 HOUR NOTICE MUST BE GIVEN IN ORDER TO INSURE PROPER INSPECTION BY THE RESPECTIVE AGENCIES

#### **BEVERLY HILLS**

PUBLIC SERVICES 18500 W 13 MILE ROAD BEVERLY HILLS, MI 48025 (248) 646-6404 ROW PERMIT REQUIRED FOR CONSTRUCTION SIGNING

#### OFFICE OF THE OAKLAND COUNTY WATER RESOURCE COMMISSIONER

1 PUBLIC WORKS DRIVE WATERFORD, MICHIGAN 48328 PERMIT REQUIRED FOR STRUCTURE ADJUSTS

# **REFERENCED PLANS**

THE FOLLOWING ROAD PLANS WERE REFERRED TO IN THE **DESIGN OF THIS PROJECT** 

> RCOC PROJECT NUMBER: 35531, 2772014, C.W.B 493, P.R 323, AND A.D. 154

IN ADDITION, OTHER ROAD PLANS THAT PREDATE THIS PROJECT MAY BE AVAILABLE.

# RIGHT-OF-WAY / REAL ESTATE

ROAD RIGHT-OF-WAY SHOWN ON THE PLANS ARE FROM OAKLAND COUNTY'S INFORMATION TECHNOLOGY DEPARTMENT, GEOGRAPHICAL INFORMATION SYSTEM (GIS) UNIT AND DEEMED ACCURATE BUT NOT GUARANTEED.

# TRAFFIC SAFETY

### **TEMPORARY (CONSTRUCTION) TRAFFIC CONTROL**

TRAFFIC WILL BE CLOSED TO THROUGH TRAFFIC IN ACCORDANCE WITH THE CONSTRUCTION SIGNING DIAGRAM AND THE ROAD COMMISSION FOR OAKLAND COUNTY SPECIAL PROVISION FOR "MAINTAINING TRAFFIC" IN THE PROPOSAL.

THE CONTRACTOR SHALL CONDUCT HIS OPERATIONS IN SUCH A MANNER THAT LOCAL TRAFFIC AND EMERGENCY VEHICLES SHALL HAVE ACCESS WITHIN THE PROJECT AT ALL TIMES IN A MANNER

APPROVED BY THE ENGINEER. THIS SHALL BE INCLUDED IN THE COST OF THE PROJECT.

ADDITIONAL SIGNS AND BARRICADES NECESSARY TO PROTECT TRAFFIC, AS DIRECTED BY THE ENGINEER, SHALL BE PAID FOR BY THEIR APPROPRIATE PAY ITEM. HOWEVER, ADDITIONAL DEVICES FOR CONTRACTOR CONVENIENCE, AS DETERMINED BY THE ENGINEER, WILL NOT BE PAID FOR.

THE CONTRACTOR SHALL PLACE AND MAINTAIN THE REQUIRED BARRELS AND/OR BARRICADES AT ALL PAVEMENT EDGE DROP-OFFS GREATER THAN 2 INCHES TO PROTECT TRAFFIC AND THE WORK PER APPLICABLE MOOT STANDARD DETAILS.

MAINTAINING TRAFFIC SHALL BE INCLUDED IN THE COST OF TRAFFIC CONTROL ITEMS DURING CONSTRUCTION OF THE PROJECT. THE FOLLOWING TRAFFIC CONTROL MEASURES HAVE BEEN INCORPORATED IN THIS PROJECT AS PAY ITEMS AS DIRECTED BY THE ENGINEER.

MAINTENANCE GRAVEL (TON)

BARRICADE, TYPE III, HIGH INTENSITY, DOUBLE SIDED, LIGHTED FURN

BARRICADE, TYPE III, HIGH INTENSITY, DOUBLE SIDED, LIGHTED OPER

PEDESTRIAN TYPE II BARRICADE, TEMP (EA)

CHANNELIZING DEVICE, 42 INCH, FLUORESCENT, FURN (EA) CHANNELIZING DEVICE, 42 INCH, FLUORESCENT, OPER (EA)

LIGHTED ARROW, TYPE C, FURN (EA)

LIGHTED ARROW, TYPE C, OPER (EA)

MINOR TRAF DEVICES (LSUM)

PAVT MRKG, WET REFLECTIVE, TYPE NR, PAINT, 4 INCH, WHITE, TEMP

PAVT MRKG, WET REFLECTIVE, TYPE NR, PAINT, 4 INCH, YELLOW, TEMP

PAVT MRKG, WET REFLECTIVE, TYPE R, TAPE, 4 INCH, WHITE, TEMP (FT) PAVT MRKG, WET REFLECTIVE, TYPE R, TAPE, 4 INCH, YELLOW, TEMP

PLÁSTIC DRUM, FLUORESCENT, FURN (EA) PLASTIC DRUM, FLUORESCENT, OPER (EA)

SIGN COVER (EA) SIGN, TYPE B, TEMP, PRISMATIC, FURN (SFT)

SIGN, TYPE B, TEMP, PRISMATIC, OPER (SFT)

SIGN, TYPE B, TEMP, PRISMATIC, SPECIAL, FURN (SFT)

SIGN. TYPE B, TEMP, PRISMATIC, SPECIAL, OPER (SFT)

TRAF REGULATOR CONTROL (LSUM)

NON-REMOVABLE TEMPORARY PAVEMENT MARKINGS HAVE BEEN INCLUDED IN THE PROJECT TO BE USED AS DIRECTED BY THE ENGINEER TO MAINTAIN TRAFFIC WITHIN THE PROJECT LIMITS. THE PAINT PAVEMENT MARKINGS (NON-REMOVABLE) HAVE BEEN INCLUDED FOR USE ON THE MILLED PAVEMENT SURFACE AND/OR HMA LEVELING

MAINTENANCE GRAVEL (TON) HAS BEEN INCLUDED IN THE PROJECT TO BE USED AS DIRECTED BY THE ENGINEER TO MAINTAIN VEHICULAR AND PEDESTRIAN TRAFFIC WITHIN THE PROJECT.

TO MAINTAIN STREET APPROACH ACCESS, CONSTRUCT TEMPORARY HMA RAMP WHEN DIRECTED BY ENGINEER TO MAINTAIN A SMOOTH RIDE QUALITY. REFER TO DETAIL IN THE PLANS FOR ITEMS OF WORK AND PAY ITEMS

PART-WIDTH CONSTRUCTION OR PAVEMENT GAPPING AT COMMERCIAL/RESIDENTIAL DRIVEWAYS AND SIDE STREET APPROACHES TO MAINTAIN ACCESS SHALL BE INCLUDED IN THE COST PAVING PAY ITEMS.

CRANBROOK ROAD REH 14 MILE ROAD TO MAPL





DESIGN PHASE

#### GRADING

ALL NATURAL SOIL LEFT IN PLACE, IN CUT SECTIONS, SHALL BE COMPACTED TO NOT LESS THAN 95 PERCENT OF MAXIMUM UNIT WEIGHT TO A MINIMUM DEPTH OF 12 INCHES.

THE LIMIT OF EARTH DISTURBANCE SHALL BE THE SLOPE STAKE LINE UNLESS OTHERWISE DIRECTED BY THE ENGINEER.

ALL SLOPES SHALL BE CLASS A SLOPES.

AREAS DISTURBED BY THE CONTRACTOR OR SUBCONTRACTOR SHALL BE RESTORED AS SPECIFIED IN THE SOIL EROSION AND SEDIMENTATION CONTROL PLANS OR DIRECTED BY THE ENGINEER. NO ADDITIONAL PAYMENT OR COMPENSATION WILL BE ALLOWED FOR AREAS DISTURBED OUTSIDE THE SLOPE STAKE LINE.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THE PROPERTY BEYOND THE SLOPE STAKE LINE, INCLUDING EXISTING FENCING, LAWN, TREES, SHRUBBERY, PAVEMENT AND SIDEWALKS.

#### **AGGREGATES**

WATER REQUIRED FOR COMPACTION SHALL BE INCLUDED IN THE COST OF EARTHWORK PAY ITEMS.

#### **CURB AND PAVEMENT REMOVAL**

THE REMOVAL OF INTEGRAL CURB AND GUTTER SHALL BE PAID FOR AS PAVT. REM (SYD).

SAWING FOR PAVEMENT REMOVAL TO THE DEPTH REQUIRED FOR NEAT REMOVAL OF PAVEMENTS OR CURBS SHALL BE INCLUDED IN THE REMOVAL ITEM. SAWING DEPTH SHALL BE ADEQUATE TO PREVENT SPALLING, CHIPPING OR DAMAGE TO EXISTING PAVEMENT EDGES LEFT IN PLACE AS DIRECTED BY THE ENGINEER.

THE LOCATION OF ALL CURB REMOVAL, PROPOSED CURB, AND CURB DROPS SHOWN ON THE PLANS ARE TO BE VERIFIED IN THE FIELD BY THE ENGINEER PRIOR TO CONSTRUCTION.

#### **EARTH EXCAVATION**

WHEN THE PROJECT IS OPEN TO THROUGH TRAFFIC, ROADWAY EXCAVATION ON BOTH SIDES OF THE ROAD AT THE SAME TIME WILL NOT BE PERMITTED. THE CONTRACTOR SHALL BRING ONE SIDE UP TO THE EXISTING EDGE WITH PAVING MATERIALS PRIOR TO BEGINNING EXCAVATION OPERATIONS ON THE OTHER SIDE. PART WIDTH CONSTRUCTION WILL NOT BE PAID FOR SEPARATELY.

EXCAVATION DROP-OFFS GREATER THAN 8 INCHES SHALL BE PROTECTED BY 4 FT TALL ORANGE PLASTIC SAFETY FENCE (SNOW FENCE) SECURELY ATTACHED TO GROUND DRIVEN STAKES WHEN LEFT OVERNIGHT. SAFETY FENCING SHALL BE MAINTAINED UNTIL AREA IS WITHIN 8 INCHES OF ADJACENT GRADE. PAYMENT FOR THIS WORK IS INCLUDED IN MINOR TRAF DEVICES (LS).

EXCAVATION, EARTH, RCOC (SYD) QUANTITY IS USED FOR DRIVEWAYS, SIDE STREETS, CURB REPAIRS, AGGREGATE SHOULDER WIDENING, SIDEWALK CONSTRUCTION, AND OTHER AREAS DESIGNATED ON THE PLANS. THIS PAY ITEM INCLUDES EMBANKMENT, AND ALL COSTS ASSOCIATED WITH IT.

IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE TEMPORARY STORAGE AREAS FOR EXCAVATION, EARTH, RCOC (SYD) OR EXCAVATION, EARTH (CYD) WHICH MAY BE USED AS EMBANKMENT MATERIAL IN OTHER AREAS IF IT IS SUITABLE MATERIAL AS DETERMINED BY THE ENGINEER. ANY EXTRA HANDLING OF EXCAVATED MATERIAL IS CONSIDERED INCLUDED IN THE ITEM THESE PAY ITEMS.

# **SOIL BORINGS AND PAVEMENT CORES**

THE SOIL BORINGS LOGS DEPICT POINT LOCATIONS AND DO NOT INFER THAT THE SURFACE OR SUBSURFACE CONDITIONS ARE THE SAME IN OTHER AREAS. BORINGS AND PAVEMENT CORES LOCATIONS ARE SHOWN ON THE PLANS. SOIL AND CORE LOGS ARE INCLUDED IN THE SPECIFICATIONS.

SOIL BORINGS AND PAVEMENT CORES BY: G2 CONSULTING GROUP, TROY, MICHIGAN. G2 PROJECT NUMBER 190509. TAKEN ON 7/31/2019

# <u>PAVING</u>

NEW OR ADJUSTED STRUCTURES WITHIN THE HMA OR CONCRETE ROADWAY SHALL BE BACKFILLED WITH GRANULAR MATERIAL CLASS II UP TO THE SUBGRADE ELEVATION, OR TO AN ELEVATION DETERMINED BY THE ENGINEER. AFTER FINAL ADJUSTMENT OF THE STRUCTURE TO THE PROPOSED ELEVATION, THE VOID AREA AROUND THE STRUCTURE

SHALL BE COMPLETELY BACKFILLED WITH CONCRETE MIXTURE AS DIRECTED BY THE ENGINEER, TO PROVIDE A STABLE BASE AROUND THE STRUCTURE WHICH SHALL BE INCLUDED IN THE COST OF THE NEW OR ADJUSTMENT ITEM.

IF EXISTING REINFORCING STEEL, TIE BARS, OR OTHER STEEL IS ENCOUNTERED DURING THE MILLING OF THE EXISTING PAVEMENT, IT SHALL BE REMOVED BY THE CONTRACTOR AS DIRECTED BY THE ENGINEER AND THE COST OF REMOVAL SHALL NOT BE PAID FOR SEPARATELY. BUT SHALL BE INCLUDED IN THE COST OF MILLING.

#### **HMA PAVING**

ALL LONGITUDINAL JOINTS SHALL BE CONSTRUCTED WITH THE USE OF A JOINT MATCHING SHOE.

QUANTITY FOR PAVED SHOULDERS IS INCLUDED IN MAINLINE HMA PAVING PAY ITEMS.

CONSTRUCTION JOINTS AT EXISTING SURFACES SHALL BE BUTT JOINTS.

FEATHERED JOINTS WILL NOT BE ALLOWED WHEN CONSTRUCTING DRIVE APPROACHES.

REMOVING HMA PATCHES THAT MAY COMPROMISE THE PERFORMANCE OF THE OVERLAY (501.03.C.7), THAT ARE NOT OTHERWISE CALLED OUT ON THE PLANS, SHALL BE DIRECTED TO BE DONE AS DIRECTED BY THE ENGINEER AND BE REMOVED AND PAID FOR AS COLD MILLING PAVT (SYD).

THE INSTALLATION OF INLET PROTECTION DEVICES FOR PROTECTION OF DRAINAGE STRUCTURES DURING CONSTRUCTION IN ACCORDANCE WITH SECTION 208 (403.03.A.9) IS NOT REQUIRED FOR MILLING OR HMA OPERATIONS.

HMA FOR AUXILIARY, TAPER LANES, AND RADIAL SURFACES WITHIN CROSSROADS SHALL BE CONSIDERED AS PART OF MAINLINE PAVEMENT QUANTITIES AS SHOWN ON PLANS. SEE HMA APPLICATION ESTIMATE AND DETAILS FOR MORE INFORMATION.

HMA FOR RADIAL SURFACES (SPRING LINE TO SPRING LINE) AT DRIVEWAYS, AND SIDE STREETS ARE PAID FOR AS PART OF DRIVEWAYS AND SIDE STREETS QUANTITIES AS SHOWN ON PLANS. SEE HMA APPLICATION ESTIMATE AND DETAILS FOR MORE INFORMATION.

TO THE GREATEST EXTENT POSSIBLE, AND TO MINIMIZE THE TRAPPING OF WATER BETWEEN SURFACE ELEVATION DIFFERENTIALS, THE STAGING OF THE PAVEMENT MILLING OPERATION SHALL START ON THE OUTER LANES AND PROGRESS TO CONTIGUOUS LANES TOWARD THE CONSTRUCTION CENTERLINE.

THE ENGINEER MAY DIRECT THAT DRIVEWAYS, CULVERTS, SEWERS, OR OTHER CONSTRUCTION BE CONSTRUCTED PART-WIDTH TO MAINTAIN TRAFFIC OR PEDESTRIAN ACCESS. THIS SHALL NOT BE A BASIS FOR ANY ADDITIONAL COMPENSATION OR EXTENSION OF TIME.

# **CONCRETE PAVING**

THE CONTRACTOR SHALL NOT BE PERMITTED TO SUBSTITUTE INTEGRAL CURB AND GUTTER FOR SEPARATE CURB AND GUTTER WHEN SPECIFIED ON THE PLANS.

REPLACEMENT CURB TO BE EXPANSION ANCHOR TIED TO ADJACENT EXISTING CURB OR A FIBER JOINT PLACED AS DIRECTED BY THE ENGINEER PER ADJACENT EXISTING JOINT PATTERN.

ANY RANDOM, IRREGULARLY CRACKED NEW CONCRETE PAVEMENT OR CONCRETE CURB AND GUTTER THAT OCCURS BEFORE THE PAVEMENT IS OPENED TO TRAFFIC SHALL BE REMOVED AND REPLACED AT THE SOLE EXPENSE OF THE CONTRACTOR PRIOR TO OPENING THE PAVEMENT TO TRAFFIC.

#### TIME OF APPLICATION OF CURING COMPOUND

PLACE THE CURING COMPOUND WITHIN 30 MINUTES OF SCREEDING AND FLOATING THE FRESH CONCRETE PAVEMENT SURFACE OR WITHIN 15 MINUTES AFTER THE SHEEN FROM BLEED WATER HAS DISSIPATED, WHICHEVER IS GREATER. WHERE APPLICABLE, APPLY THE SECOND COAT AFTER THE FIRST COAT DRIES, BUT DO NOT ALLOW MORE THAN 2 HOURS BETWEEN COATS. TEMPORARILY SUSPEND PAVING OPERATIONS IF IT IS OBSERVED THAT THE MAXIMUM TIME LIMITATIONS BETWEEN FINISHING AND CURING, DESCRIBED ABOVE, HAVE BEEN EXCEEDED. PLACE THE CURING COMPOUND ON THE EDGES WITHIN 30 MINUTES AFTER PERMANENT REMOVAL OF CURING BLANKETS. IF FIXED-FORMS ARE REMOVED WITHIN 7 DAYS AFTER CONCRETE PLACEMENT, COAT THE SIDES OF THE PAVEMENT WITH CURING COMPOUND AFTER REMOVING THE FORMS. MANUALLY OPERATED

PRESSURE-TYPE SPRAYERS MAY BE USED TO COAT THE SIDES OF FORMED PAVEMENT WITH CURING COMPOUND, AS APPROVED BY THE ENGINEER

# **DRAINAGE FEATURES**

#### **GENERAL**

THE CONTRACTOR IS TO EXERCISE CARE TO AVOID SILTING OF WATERS OF THE STATE DURING CONSTRUCTION, PROVISIONS WILL BE MADE FOR CONTROL OF EROSION ON SHOULDERS AND SLOPES BY MEANS OF SEEDING, SODDING OR OTHER ACCEPTABLE METHODS ALLOWED BY MDEQ PERMITS.

EXCAVATED MATERIAL SHALL NOT BE TEMPORARILY STORED IN THE 100 YEAR FLOOD PLAIN OR WETLAND. EXCAVATED MATERIAL MUST NOT BE ALLOWED TO ERODE INTO THE RIVER. THE CONTRACTOR SHALL NOT STORE EXCAVATED MATERIAL WITHIN THE CONSTRUCTION APPA

#### PIPE CULVERTS AND STORM SEWERS

LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES SHOWN ON THE PLANS SHALL BE VERIFIED BY THE CONTRACTOR WITH THE UTILITY OWNERS, AND MAY REQUIRE EXPOSING THE UTILITY. EXPLORATION FOR EXISTING UTILITIES SHALL BE PAID FOR AS EXPLORATORY INVESTIGATION. VERTICAL (FT).

#### STRUCTURES (MAINLY DR. STRUCTURES)

FINAL ADJUSTMÈNTS OF ALL STRUCTURES BÓTH NEW AND EXISTING SHALL BE MADE PRIOR TO PLACING THE FINAL SURFACE COURSE OF HMA. STRUCTURE RIM SHALL BE WITHIN 0.25 INCHES OF FINAL ELEVATION OF HMA OR CONCRETE PAVEMENT USING THE 10 FOOT STRAIGHT EDGE METHOD. CORRECTIONS TO MEET THIS TOLERANCE ARE AT THE CONTRACTOR'S COST.

WHEN EXCAVATING FOR UTILITY CONSTRUCTION IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO:

BEFORE EACH DAYS WORK, OR WHEN MOVING TO A NEW AREA OF WORK, DETERMINE AND EVALUATE THE LOCATION OF ALL UNDERGROUND FACILITIES IN THE AREA. IF LOCATION STAKES HAVE BEEN REMOVED OR DO NOT APPEAR CORRECT, THE CONTRACTOR SHALL NOT EXCAVATE UNTIL ALL UTILITIES HAVE HAD AN OPPORTUNITY TO CHECK THEIR LOCATIONS. ANY DELAYS INCURRED, DUE TO CHECKING OR RESTAKING OF UTILITIES, SHALL NOT BE A BASIS FOR ADDITIONAL COMPENSATION OR TIME.

WHEN EXCAVATING FOR UTILITY CONSTRUCTION, THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT THE EXISTING GAS, WATER AND SANITARY FACILITIES, BY THE USE OF SHEETING OR OTHER METHODS AS APPROVED BY THE ENGINEER, INCLUDED IN THE SEWER CONSTRUCTION.

# NON-MOTORIZED FACILITIES

### **SIDEWALK**

STRIPPING AND EXCAVATION, EARTH FOR SIDEWALK CONSTRUCTION WILL BE PAID AT THE CONTRACT UNIT PRICE FOR EXCAVATION, EARTH, RCOC (SYD)

EMBANKMENT WHERE REQUIRED SHALL BE APPROVED MATERIAL OR GRANULAR MATERIAL, CL II AND IS INCLUDED IN THE CONTRACT UNIT PRICE FOR EXCAVATION. EARTH. RCOC (SYD).

GRADE PREPARATION, FINAL TRIM, AND CLEANUP SHALL BE INCLUDED AS A PART OF SIDEWALK CONSTRUCTION.

SIDEWALK IS SUSCEPTIBLE TO CRACKING. THEREFORE, ONCE IT HAS BEEN PLACED, OR IF IT IS EXISTING SIDEWALK, THE CONTRACTOR SHALL NOT PUT ANY EQUIPMENT OF ANY KIND ON IT, FOR ANY REASON, EVEN FOR TURF ESTABLISHMENT OR RESTORATION WORK OUTSIDE THE SIDEWALK. THE CONTRACTOR SHALL PLAN AND STAGE NECESSARY WORK OUTSIDE THE SIDEWALK TO PREVENT THE PLACEMENT OF ANY EQUIPMENT ON THE SIDEWALK, EXISTING OR NEW. CRACKED, CHIPPED, SPALLED, OR DAMAGED SIDEWALK, NEW OR EXISTING, SHALL NOT BE ACCEPTED AND SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.

SIDEWALK SHALL BE DELINEATED WITH JOINTS THROUGH ALL APPROACHES, EXCEPT AT SIDE STREETS OR INTERSECTIONS. SIDEWALK SHALL BE STAKED AND THE MAXIMUM CROSS-SLOPE (TRANSVERSE) SLOPE OF SIDEWALKS, FOR THEIR FULL WIDTH, THROUGH ALL APPROACHES, EXCEPT AT SIDE STREETS INTERSECTIONS, SHALL BE 2% MAXIMUM. IF ATTAINING THESE REQUIREMENTS NECESSITATES PLACING SIDEWALK THROUGH THE

DRIVE INDEPENDENT OF THE REST OF THE APPROACH, THEN THE CONTRACTOR SHALL PERFORM THE WORK PER THE PROJECT ENGINEER. CONCRETE WITHIN AN APPROACH THAT IS ALSO SIDEWALK SHALL BE PAID ONLY AS SIDEWALK. PAYMENT SHALL INCLUDE JOINTING, TOOLED OR SAWED.

FAILURE TO PROVIDE THE PROPER DELINEATION OR CROSS-SLOPE FOR THE FULL WIDTH OF THE SIDEWALK, ON THE PROPER LINE, SHALL RESULT IN REMOVAL AND REPLACEMENT OF THE APPROACH AND/OR SIDEWALK AT THE CONTRACTOR'S EXPENSE.

#### DRAWING NOTES

#### PLANS SHEET

THE EXISTING RIGHT-OF-WAY LABELS ARE BASED ON THE DISTANCE FROM THE CENTER OF RIGHT-OF-WAY.

TAPER LENGTHS ARE BASED ALONG CENTERLINE ALIGNMENT.

RADII GIVEN FOR CURB RETURNS ARE TO THE EDGE OF METAL (E/M) WHEN SEPARATE CONCRETE PAVEMENT IS USED. IF INTEGRAL CURB AND GUTTER CONCRETE PAVEMENT IS BEING USED OR HMA PAVEMENT WITH CONCRETE CURB AND GUTTER THEN RADII ARE TO THE BACK OF CURB (B/C).

OJECT NAME: CRANBROOK ROAD REHABILITA

OJECT NO. 55201





DESIGN PHASE

# INCLUDED IN EXCAVATION, EARTH:

- REMOVING TREES LESS THAN 3 INCH DIAMETER
- REMOVING SHRUBS AND BUSHES
- REMOVING HMA CURBS
- REMOVING EDGEDRAIN, UNDERDRAIN, FRENCH DRAINS, OR DRAINAGE TILE
- REMOVING, RESETTING, OR DISPOSING OF CONCRETE BUMPER BLOCKS OR WOODEN/CONCRETE RAILROAD TIES
- RELOCATING ORNAMENTAL ROCKS AND BOULDERS TO THE RIGHT-OF-WAY LINE
   REMOVING ABANDONED UTILITY CONDUIT AND INTERNAL
- COMPONENTS
   REMOVING GAS MAIN
- REMOVING GEOTEXTILE FABRIC
- REMOVING GEOGRID
- EXCAVATION, ROCK
- PROJECT CLEANUP
- CLEARING

## INCLUDED IN HMA PAY ITEMS:

- HMA BOND COAT
- SWEEPING PAVEMENT

INCLUDED IN PAVEMENT OR CURB REMOVAL ITEMS:

SAWING, FOR PAVEMENT AND CURB REMOVAL

#### INCLUDED IN CONCRETE ITEMS:

CONCRETE ADMIXTURES

THE FOLLOWING ITEMS OF WORK SHALL BE DONE AS THEY APPLY THROUGHOUT THE PROJECT OR AS DIRECTED BY THE ENGINEER. THESE ITEMS ARE NOT DETAILED OR INCLUDED ELSEWHERE ON THE DI ANS

AS-DIRECTED QUANTITIES						
'AY ITEM	QTY	UNIT				
Mobilization, Max. \$147,000	1	LS				
xploratory Investigation, Vertical	10	Ft				
Aggregate Base, 21AA, RCOC	250	Ton				
r Structure, Adj, Add Depth	10	Ft				
or Structure, Cleaning	5	Ea				
Public Utility Structure, Adj, Add Depth	10	Ft				
Pavt Joint and Crack Repr, Det 7	1000	Ft				
Pavt Joint and Crack Repr, Det 8	1000	Ft				
land Patching	150	Ton				
Pavt, Cleaning, RCOC	1	LS				
Sidewalk, Conc, 6 inch	100	Sft				
Sprinkler Line	50	Ft				
Sprinkler Head, Relocate	5	Ea				
Sprinkler Head, Replace	5	Ea				
Reimbursed Permit Fees	4700	Dlr				
S Face, Bag	6	Ea				
S Face, Bag, Rem	6	Ea				

#### MONUMENT PRESERVATION

WORK ASSOCIATED WITH MONUMENT PRESERVATION AND PROPERTY CORNERS SHALL BE THE RESPONSIBILITY OF THE ROAD COMMISSION FOR OAKLAND COUNTY (RCOC). THE RCOC OR ITS ASSIGNS SHALL PERPETUATE BY WITNESSING ALL PUBLIC LAND SURVEY CORNERS AND PROPERTY CONTROLLING CORNERS AND THEIR WITNESSES LOCATED WITHIN THE CONSTRUCTION AREA THAT ARE EXPECTED TO BE DISTURBED BY THE CONSTRUCTION PROCESS. THE RCOC OR ITS ASSIGNS WILL RE-ESTABLISH ALL CORNERS DISTURBED BY THE CONSTRUCTION.

IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER A MINIMUM OF 10 WORKING DAYS PRIOR TO STARTING WORK WHICH IS EXPECTED TO DISTURB SAID CORNERS AND/OR THEIR WITNESSES. THE CONTRACTOR SHALL NOT COMMENCE ANY CONSTRUCTION THAT WOULD POTENTIALLY DISTURB EXISTING SAID CORNERS OR THEIR WITNESSES UNTIL AUTHORIZED IN WRITING BY THE ENGINEER.

CONTACT:
JOSEPH C. KAPELCZAK, P. S.
OAKLAND COUNTY PLAT ENGINEER
OAKLAND COUNTY REGISTER'S OFFICE
1200 NORTH TELEGRAPH ROAD
PONTIAC, MI 48341
CELL: (248) 939-2049
FAX: (248) 363-1646
EMAIL: JKAPELCZAK@OAKGOV.COM

# PROTECTION AND RESTORATION OF PRIVATE PROPERTY

#### **MAILBOXES**

CONTRACTOR MUST REPAIR OR REPLACE MAILBOXES AND/OR POSTS THE CONTRACTOR MAY DAMAGE. THIS WORK SHALL BE DONE AS DIRECTED BY THE ENGINEER AND NO ADDITIONAL COMPENSATION WILL BE PAID.

#### IRRIGATION SYSTEMS/SPRINKLERS

SPRINKLER SYSTEMS WITHIN THE PROJECT LIMITS, OR IMPACTED BY THE WORK OF THIS CONTRACT, SHALL BE REPAIRED WITH AT LEAST EQUAL QUALITY MATERIALS AND WORKMANSHIP, TO A FUNCTIONING CONDITION AT LEAST AS GOOD AS EXISTED PRIOR TO THE BEGINNING OF THE PROJECT.

FOR THE CONTRACTOR TO BE REIMBURSED FOR IRRIGATION/SPRINKLER SYSTEM REPAIRS, BEFORE ANY CONTRACT WORK BEGINS, CONTRACTOR SHALL ARRANGE A WALK-THROUGH WITH THE PROPERTY OWNER OR DESIGNATED REPRESENTATIVE, ACCOMPANIED BY THE PROJECT ENGINEER OR INSPECTOR, FOR EACH ADJACENT PROPERTY, FOR THE PURPOSE OF DETERMINING AND EVALUATING THE EXISTING SPRINKLER SYSTEM DESIGN (LOCATION AND TYPES OF LINES, HEADS, VALVES, CONTROLLERS) AND IT'S FUNCTIONALITY AND INTEGRITY.

IRRIGATION/SPRINKLER SYSTEM DESIGN INFORMATION SHALL BE DOCUMENTED BY THE CONTRACTOR WITH SKETCHES, DRAWINGS AND NARRATIVE, AND SHALL BE SUBMITTED TO AND USED BY THE PROJECT ENGINEER TO VERIFY NEED AND APPROVE ANY REPAIRS TO THE SYSTEM AND SUBSEQUENT PAYMENT.

NO PAYMENT SHALL BE MADE FOR REPAIRS NOT DEEMED NECESSARY AND APPROVED BY THE PROJECT ENGINEER AS A RESULT OF THIS WALK-THROUGH AND EVALUATION PROCESS. FAILURE OF THE CONTRACTOR TO FULFILL THESE REQUIREMENTS WILL CAUSE THE PROJECT ENGINEER TO MAKE THE REPAIRS AND CHARGE THE FULL COST TO THE CONTRACTOR AS A CONTRACT ADJUSTMENT.

SPRINKLER HEADS SHALL NOT BE COVERED WHEN PLACING TOPSOIL AND SOD.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED BY THE CONTRACTOR OR CONTRACTOR OPERATIONS TO SPRINKLER SYSTEMS OUTSIDE THE PROJECT LIMITS OR SLOPE STAKE LINE.

#### OTHER

THE CONTRACTOR SHALL RELOCATE ORNAMENTAL OBJECTS OR PERSONAL PROPERTY (ROCKS, BRICK PAVERS, LANDSCAPE TIMBERS, ETC.) TO THE RIGHT-OF-WAY LINE OR AS DIRECTED BY ENGINEER. NO ADDITIONAL PAYMENT WILL BE MADE FOR THIS ACTIVITY.

WHEN PRIVATE PERSONAL PROPERTY IS LOCATED IN THE RIGHT-OF-WAY AND SPECIFIED ON THE PLANS TO BE REMOVED OR RELOCATED BY OTHERS AND HAS NOT BEEN REMOVED, THEN THE CONTRACTOR SHALL REMOVE AND DISPOSE OF THE ITEMS AS A PART OF EXCAVATION, EARTH (CYD) WHEN DIRECTED BY THE ENGINEER.

### STANDARD PLANS

CONSTRUCTION OF THE FOLLOWING ITEMS, WHERE CALLED FOR ON THE PLANS, WILL BE ACCORDING TO MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD PLANS AS INDICATED.

#### ITEM OF WORK

#### STANDARD PLAN NUMBERS

STANDARD PLAN NUMBERS

DRAINAGE STRUCTURES	R-1-G
COVER B	
COVER D	
COVER G	R-12-E
MONUMENT BOXES	R-11-E
COVER K	R-15-G*
CURB RAMP AND DETECTABLE WARNING DETAILS	R-28-J*
DRIVEWAY OPENINGS & APPROACHES AND	
CONCRETE SIDEWALKS	
CONCRETE CURB AND CONCRETE CURB & GUTTER	R-30-G
CONCRETE PAVEMENT REPAIR	R-44-F
UTILITY TRENCHES	R-83-C
SOIL EROSION & SEDIMENTATION CONTROL MEASURES	R-96-E
SEEDING AND TREE PLANTING	R-100-H

\* SPECIAL DETAIL INCLUDED IN THE PROPOSAL

#### TRAFFIC AND SAFETY STANDARD PLANS

CONSTRUCTION OF THE FOLLOWING ITEMS, WHERE CALLED FOR ON THE PLANS, WILL BE CONSTRUCTED ACCORDING TO MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD PLANS AS INDICATED.

#### WORK ZONE DEVICES

GROUND DRIVEN SIGN SUPPORTS FOR TEMP SIGNS ..........WZD-100-A
TEMPORARY TRAFFIC CONTROL DEVICES .......WZD-125-E

# PAVEMENT MARKINGS

PAVEMENT ARROW AND MESSAGE DETAILS ......PAVE-900-

ECT NAME: CRANBROOK ROAD REHABILITA

201 PROJECT NAME 20190537

ROJECT NO. 55201 NGINEER: HRC 201905





COMPLETE SAND BACKFILL

AMERICAN DISABILITIES ACT

MECHANICALLY STABILIZED EMBANKMENT

HYDRANT FROST JACKET ELEVATION GRADE LEVEL (FROM PROFILES) FIELD LEVEL (FROM PROFILES)

C.S.B.

ADA

F.J.

(M)

EM)

(ST00)

SOIL BORING/PAVEMENT CORE

DRAINAGE FLOW

ELECTRIC METER

STORM CLEAN OUT

GAS METER



PROJECT NO. 55201 DATE 11/23/2020

HUBBELL, ROTH & CLARK, INC CONSULTING ENGINEERS SINCE 1915

55201

DATE

11/24/2020

CRANBROOK ROAD REHABILITATION

14 MILE ROAD TO MAPLE ROAD

DESIGN PHASE FINAL PLANS SHEET NO. 6 of 67

https://www.rcocweb.org/503/Contractor-Inspection-Request.

#### B. LAYOUT RESPONSIBILITY AND ADVANCE NOTIFICATION REQUIREMENTS.

- 1. TEMPORARY CONSTRUCTION SIGNING AND PAVEMENT MARKINGS
  - A. The location of the construction signing shall be clearly marked in the field by the Contractor. This work shall not be paid separately and is included in the cost of the project

A minimum one-week advanced notice shall be given for field review before installation to assure appropriate placement. If the Contractor installs the signs without RCOC Traffic Operations Engineer's approval of location, and the RCOC Traffic Operations Engineer determines it is not at the appropriate location, the Contractor will re-install the signs at the appropriate location at his sole expense

The location of temporary pavement marking shall be laid out in the field by the RCOC Traffic Operations Engineer

A minimum one-week advanced notice shall be given for temporary construction pavement markings layout. No pavement markings will be placed until Contractor cleans pavement of dirt and

- 2. PERMANENT SIGNING AND PAVEMENT MARKINGS
  - The layout of permanent signing and pavement markings shall be marked in the field by the RCOC Traffic Operations Engineer

A minimum one-week advanced notice shall be given for permanent signing and permanent pavement markings layout. No pavement markings will be placed until Contractor cleans pavement of dirt and debris

#### C. INSPECTION REQUESTS REQUIREMENTS

Inspection of work must be requested by 3:00 PM the day prior to when work is to occur as described in section A. Inspection for Saturday, Sunday and Monday must be scheduled by 3:00 PM on the preceding Friday. Contractors failing to provide proper notification as described above may be denied inspection due to unavailability of staff. Sign and pavement markings placed by Contractor without RCOC Traffic Operations Engineer's approval will not be paid for.

# D. TEMPORARY CONSTRUCTION SIGNING AND PAVEMENT MARKINGS

- Portable changeable message signs (PCMS's), if called out on the plans, shall be on site and displaying the pre-approved message as shown in the plans or stated in the maintenance of traffic provision 72 hours after award or a minimum of one week in advance of project commencement date as approved by the RCOC Traffic Operations Engineer.
- "Special Signs" indicating the start date of the construction project and/or the start date of a road closure shall be installed as identified in the plans as quickly as possible after award. Once installed, any PCMS's used exclusively for project date commencement information will be removed from the project. No work shall commence before the installation of the "Special Signs" are completed.
- All traffic control devices including signs, barricades, vertical panels, drums, warning lights, arrow boards, and changeable message signs shall meet the "acceptable" requirements of American Traffic Safety Services Association (ATSSA), "Quality Standard for Work Zone Traffic Control Devices - Current Edition." Copies of this publication are available directly from ATSSA. All traffic control devices shall be in like-new condition. All traffic control devices shall be in accordance with the 2011 MMUTCD. All construction signing shall be black letters on florescent orange background, unless specified otherwise
- All traffic signs within the project will be relocated by the Contractor for each stage of construction. The Contractor shall be responsible to maintain all traffic control devices within the project limits. Any traffic control devices damaged due to the Contractor's operation shall be repaired or replaced by the Contractor at his own expense. The Contractor will be charged for any damaged traffic control devices due to the Contractor's operation, which are repaired or replaced by RCOC.
- As directed by the RCOC Traffic Operations Engineer, the Contractor shall provide and maintain any additional signs, barricades and lights within the project to protect the traffic and work area.
- Construction signing mounted on portable supports should not be used for a duration of more than 14 days. Otherwise, signs shall be ground mounted on 3 lb. U-channel posts when possible. The following signs may be placed on temporary supports: signs placed in conjunction with the Type III barricades signs placed for sidewalk closure, and signs within the closed portion of roadway itself.
- The Contractor shall place a minimum of eight sandbags on Contractor furnished Type III barricades to prevent movement. All Type III barricades shall be double sided.
- All signs placed in conjunction with a Type III barricade shall be placed on separate supports immediately behind and above the Type III barricade. These signs shall be installed on temporary supports. The Contractor shall place a minimum of eight sandbags on these signs to prevent movement.

- The Contractor shall be responsible for covering and uncovering all construction signs as needed for the proper maintenance of traffic throughout the construction area
- 10. Traffic control signs and street name signs shall be removed, salvaged, relocated and maintained by the Contractor as indicated on the plans. This work may be required multiple times during the project to accommodate construction operations. This work shall be performed on the same day of a change in operations requiring the sign work as determined and/or approved by the project engineer. Upon completion of the project, permanent traffic control signs will be relocated or replaced in their proper position by the Contractor as indicated on the plans. The sign removal, salvaging, relocating, installation, and related work will be paid for with the appropriate pay item, at the contract unit prices each time the work is determined to be necessary by the project engineer to accommodate construction operations.
- 11. The Contractor shall not begin any operations on the project until all of the stop signs and street name
- Traffic channeling devices (plastic barrels) furnished by the Contractor for work protection shall be coated with reflectorized material and at spacing based on posted speed limit and per the 2011 MMUTCD.
- 13. The Contractor shall provide and maintain flashing arrow panels for use as indicated on the plans or as directed by the RCOC Traffic Operations Engineer
- 14. Temporary pavement markings shall be installed by the Contractor. Removal of temporary markings will be required as directed by the RCOC Traffic Operations Engineer. The Contractor shall remove any existing conflicting pavement marking prior to installing temporary pavement markings.

#### E. PERMANENT SIGNING AND PAVEMENT MARKING

- Street name signs shall be back to back. They shall be mounted on a 4 feet long square tube that goes inside a U-channel with a bottom sign height of 10 feet.
- 2. All pavement markings which conflict with new construction shall be removed.

# F. PEDESTRIAN TRAFFIC CONTROL

- All pedestrian traffic shall be detoured at the intersection and maintained at all times. See MMUTCD crosswalk closure and pedestrian detour (TA-29), on page 691.
- While working on the sidewalk ramps in the intersection, the Contractor shall sequence all ramp closures to ensure pedestrian traffic can access and cross the intersection at all times.

### G. CENTERLINE SINUSOIDAL MUMBLE STRIPS

The required order of operations to install pavement markings and sinusoidal mumble strips are outlined

- 1. Complete all Hot Mix Asphalt (HMA) paving (wearing surface) and install Type R, tape, temporary pavement markings
- Remove Type R, tape, temporary pavement markings and apply permanent striping with sprayable thermoplastic for both centerline and edge-line
- Complete centerline sinusoidal mumble strip installation and install Type R, Tape, temporary pavement markings at edges of the mumble strip (one piece on each side).
- Remove Type R, tape, temporary pavement markings and apply permanent Wet Reflective sprayable thermoplastic centerline pavement markings.

REVISION: 2/11/2020

# MAINTAINING TRAFFIC NOTES

- WORK ON CRANBROOK SHALL BE PERFORMED UNDER A FULL ROAD CLOSURE. WORK ON MAPLE ROAD SHALL BE PERFORMED UNDER FLAG CONTROL UTILIZING THE FOLLOWING MOT TYPICALS: RCOC-1, RCOC-3, RCOC-4, RCOC-7, AND TABLES 1 & 2,
- LOCAL TRAFFIC SHALL BE MAINTAINED TO POLO PLACE, ERNEST W. SEAHOLM HIGH SCHOOL, PRIVATE RESIDENCE DRIVES, AND BUSINESS DRIVES AT ALL TIMES.
- ACCESS MUST BE MAINTAINED TO ALL DRIVEWAYS AT ALL TIMES UNLESS DIRECTED OTHERWISE BY THE ENGINEER. DRIVEWAYS WIDER THAN 20' ARE TO BE PAVED HALF WIDTH IN ORDER TO MAINTAIN TRAFFIC ULESS OTHERWISE DIRECTED BY THE ENGINEER. IF A PARCEL HAS MORE THAN ONE DRIVEWAY FOR ACCESS, ONE DRIVEWAY MAY BE CLOSED AT A TIME FOR CONSTRUCTION.
- PLACE TYPE III BARRICADES AND R11-4 SIGNS ON CRANBROOK ROAD AT EACH OF THE FOLLOWING SIDE STREET LOCATIONS: NORTHLAWN BLVD, FAIRWAY DR, HILLSIDE DR, W. LINCOLN ST, MIDDLEBURY LN. WESTBOURNE DR. S. CRANBROOK CROSS RD. S. WILLIAMSBURY ROAD, MIDVALE RD. S. GLENGARRY RD. BRYN MAWR ST. WHITELEIGH RD. AND DEVON LN.

PAY ITEM	ОТУ	UNIT
····· <del>-</del> ···	+	
Maintenance Gravel	100	Ton
Barricade, Type III, High Intensity, Double Sided, Lighted, Furn	60	Ea
Barricade, Type III, High Intensity, Double Sided, Lighted, Oper	60	Ea
Pedestrian Type II Barricade, Temp	8	Ea
Channelizing Device, 42 inch, Fluorescent, Furn	50	Ea
Channelizing Device, 42 inch, Fluorescent, Oper	50	Ea
Lighted Arrow, Type C, Furn	4	Ea
Lighted Arrow, Type C, Oper	4	Ea
Minor Traf Devices	1	LS
Pavt Mrkg, Wet Reflective, Type NR, Paint, 4 inch, White, Temp	3500	Ft
Pavt Mrkg, Wet Reflective, Type NR, Paint, 4 inch, Yellow, Temp	10000	Ft
Pavt Mrkg, Wet Reflective, Type R, Tape, 4 inch, White, Temp	3500	Ft
Pavt Mrkg, Wet Reflective, Type R, Tape, 4 inch, Yellow, Temp	10000	Ft
Plastic Drum, Fluorescent, Furn	150	Ea
Plastic Drum, Fluorescent, Oper	150	Ea
Sign Cover	5	Ea
Sign, Type B, Temp, Prismatic, Furn	1160	Sft
Sign, Type B, Temp, Prismatic, Oper	1160	Sft
Sign, Type B, Temp, Prismatic, Special, Furn	336	Sft
Sign, Type B, Temp, Prismatic, Special, Oper	336	Sft
Traf Regulator Control	1	15

ROAD CLOSED	R11-2	48X30	13	
ROAD CLOSED TO THRU TRAFFIC	R11-4	60X30	4	
CRANBROOK RD CLOSED 14 MILE TO MAPLE FOLLOW DETOUR STARTING XX-XX-XX	SP-1	96X42	12	
ROAD WORK AHEAD	W20-1	48X48	7	
DETOUR	W20-2	48X48	12	
ROAD CLOSED AHEAD	W20-3	48X48	2	
ROAD CLOSED AHEAD	W20-3	36X36	13	
END ROAD WORK	G20-2	48X24	7	
END DETOUR	M4-8a	24X18	2	
DETOUR	M4-9(L)	30X24	6	z
DETOUR	M4-9(R)	30X24	6	REHABILITATION
DETOUR	M4-9(S)	30X24	6	ROOK ROAD F
WORK ZONE BEGINS	R5-18c	48X48	7	PROJECT NAME: CRANBROOK ROAD REHABILIT
CRANBROOK RD	D3-1	48X12	10	ROJECT
CRANBROOK	D3-1	30X8	18	
SIDEWALK CLOSED	R9-9	30X18	8	5201
C NOTES & DETAILS	1	DESIGN PH	IASE	T NO. 55201

SIGN SIZE QTY

HUBBELL, ROTH & CLARK, INC.



55201 DATE 1/23/2020

**MAINTENANCE OF TRAFFIC NOTES & DETAILS** 

FINAL PLANS SHEET NO. 7 of 67

OTHER THAN POINTS OF FULL CLOSURE APPROVED BY THE ENGINEER TO REMAIN CLOSED OVER NIGHT, ROADS IN WORK ZONE SHALL BE OPEN AT NIGHT TO 2 WAY LOCAL TRAFFIC FROM EITHER END OF PROJECT UP TO FULL CLOSURE POINT WITH A MINIMUM 22' TRAVELED WAY LINED WITH PLASTIC DRUMS. LIGHTED TYPE III BARRICADES SHALL BE REPLACED TIGHTLY ACROSS CLOSED ROAD AT BOTH ENDS. FULL CLOSURES APPROVED BY ENGINEER TO REMAIN CLOSED OVER

ALL NON-APPLICABLE SIGNING WITHIN THE CIA SHALL BE MODIFIED TO FIT CONDITIONS, COVERED OR REMOVED.

DISTANCES BETWEEN SIGNS, THE VALUES FOR WHICH ARE SHOWN IN TABLE D, ARE APPROXIMATE AND MAY NEED ADJUSTING AS DIRECTED BY ENGINEER.

THE MAXIMUM RECOMMENDED DISTANCE(S) BETWEEN CHANNELING DEVICES IN THE TAPER AREA(S) SHOULD BE 15 FEET AND SHOULD BE EQUAL IN FEET TO TWICE THE POSTED SPEED IN MILES PER HOUR IN THE PARALLEL

THE TYPE A WARNING FLASHER SHOWN ON THE WARNING SIGNS SHALL BE POSITIONED ON THE SIDE OF THE SIGN NEAREST THE ROADWAY.

ALL 4' x 4' WARNING SIGNS, TYPE III BARRICADES, THEIR TEMPORARY SUPPORT SYSTEMS AND LIGHTING REQUIREMENTS SHALL BE FABRICATED IN ACCORDANCE WITH THE CURRENT STANDARD PLAN.

ALL TRAFFIC REGULATORS SHALL BE PROPERLY TRAINED AND SUPERVISED

IN ANY OPERATION INVOLVING MORE THAN ONE TRAFFIC REGULATOR, ONE PERSON SHOULD BE DESIGNATED AS HEAD TRAFFIC REGULATOR.

ALL TRAFFIC REGULATORS' CONDUCT, THEIR EQUIPMENT AND TRAFFIC REGULATING PROCEDURES SHALL CONFIRM TO THE CURRENT EDITION OF THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES

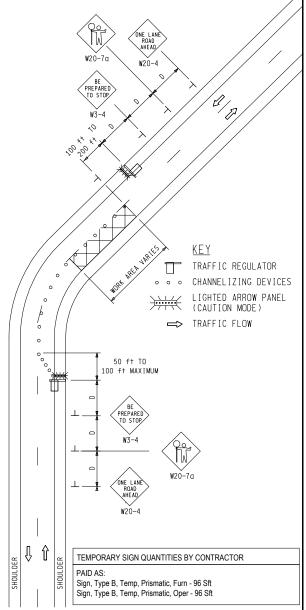
WHEN TRAFFIC REGULATING IS ALLOWED DURING THE HOURS OF DARKNESS, APPROPRIATE LIGHTING SHALL BE PROVIDED TO SUFFICIENTLY ILLUMINATE THE TRAFFIC REGULATORS STATIONS.

THE MAXIMUM DISTANCE BETWEEN THE TRAFFIC REGULATORS SHALL BE NO MORE THAN 2 MILES IN LENGTH UNLESS RESTRICTED FURTHER IN THE SPECIAL PROVISIONS FOR MAINTAINING TRAFFIC. ALL SEQUENCES OF MORE THAN 2 MILES IN LENGTH WILL REQUIRE WRITTEN PERMISSION FROM THE ENGINEER BEFORE PROCEEDING.

WHEN INTERSECTING ROAD OR SIGNIFICANT TRAFFIC GENERATORS (SHOPPING CENTERS, MOBILE HOME PARKS ETC.) OCCUR WITHIN THE ONE-LANE TWO-WAY OPERATION, INTERMEDIATE TRAFFIC REGULATORS AND APPROPRIATE SIGNING SHALL BE PLACED AT THESE LOCATIONS.

MAX LENGTH OF FLAGGING CONTROLLED WORK ZONE SHALL BE APPROVED BY ENGINEER.

NOT TO SCALE



ROAD COMMISSION ΓΥΡΙCAL TEMPORARY TRAFFIC CONTROL FOR A TWO-LANE TWO-WAY ROADWAY TRAFFIC SAFFTY WHERE ONE LANE IS CLOSED MAINTAINING TRAFFIC UTILIZING TRAFFIC REGULATORS. TYPICAL RAWN BY: CON:AE:djf JUNE 2006 RCOC-1

CONTRACTOR FLAGGING SHALL BE USED WHERE DIRECTED BY ENGINEER TO MAINTAIN ONE LANE LOCAL ACCESS TRAFFIC AROUND WORK ZONE.

OTHER THAN POINTS OF FULL CLOSURE APPROVED BY THE ENGINEER TO REMAIN CLOSED OVER NIGHT, ROADS IN WORK ZONE SHALL BE OPEN AT NIGHT TO 2 WAY LOCAL TRAFFIC FROM EITHER END OF PROJECT UP TO FULL CLOSURE POINT WITH A MINIMUM 22' TRAVELED WAY LINED WITH PLASTIC DRUMS. LIGHTED TYPE III BARRICADES SHALL BE REPLACED TIGHTLY ACROSS CLOSED ROAD AT BOTH ENDS. FULL CLOSURES APPROVED BY ENGINEER TO REMAIN CLOSED OVER

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MAX LENGTH OF FLAGGING CONTROLLED WORK ZONE

(MODIFIED) 1/3 L

<u>KEY</u> o o o CHANNELIZING DEVICES LIGHTED ARROW PANEL ☐ TRAFFIC FLOW

TEMPORARY SIGN QUANTITIES BY CONTRACTOR Sign, Type B, Temp, Prismatic, Furn - 48 Sft

Sign, Type B, Temp, Prismatic, Oper - 48 Sft

TYPICAL TEMPORARY TRAFFIC CONTROL ROAD COMMISSION FOR CLOSING A CENTER-LANE FOR --- for OAKLAND COUNTY LEFT TURN ONLY AND AN TRAFFIC SAFFTY ADJACENT THROUGH LANE ON A MULTI-LANE MAINTAINING TRAFFI UNDIVIDED ROADWAY. TYPICA JUNE 2006 RCOC-3

HECKED BY: BMM PLAN DATE: NOT TO SCALE

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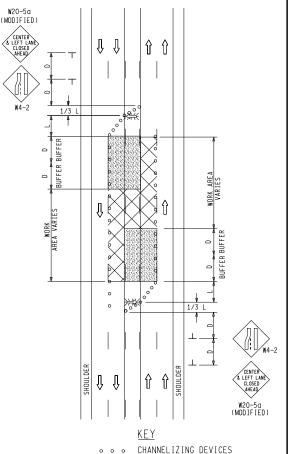
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MAX LENGTH OF FLAGGING CONTROLLED WORK ZONE SHALL BE APPROVED BY ENGINEER. NOT TO SCALE FILE: Gittraffic Engineering Typ Temp Traffic Control/RCCC-1



TEMPORARY SIGN QUANTITIES BY CONTRACTOR

LIGHTED ARROW PANEL

⇒ TRAFFIC FLOW

Sign, Type B, Temp, Prismatic, Furn - 64 Sft Sign, Type B, Temp, Prismatic, Oper-64 Sft

ROAD COMMISSION  TRAFFIC SAFETY  MAINTAINING TRAFFIC	A CENTER-LANE FO ADJACENT THROUG	RY TRAFFIC CONTRO CLOSING OR LEFT TURN ONLY A SH LANE IN EACH DIR	AND AN ECTION				
TYPICAL	ON A MULTI-LANE UNDIVIDED ROADWAY.						
DRAWN BY: CON: AE: djf	JUNE 2006	RCOC-4	SHEET				
CHECKED BY: M. LUTFI	PLAN DATE:	11000-4	1 OF 1				



1 OF

OTHER THAN POINTS OF FULL CLOSURE APPROVED BY THE ENGINEER TO REMAIN CLOSED OVER NIGHT, ROADS IN WORK ZONE SHALL BE OPEN AT NIGHT TO 2 WAY LOCAL TRAFFIC FROM EITHER END OF PROJECT UP TO FULL CLOSURE POINT WITH A MINIMUM 22' TRAVELED WAY LINED WITH PLASTIC DRUMS. LIGHTED TYPE III BARRICADES SHALL BE REPLACED TIGHTLY ACROSS CLOSED ROAD AT BOTH ENDS. FULL CLOSURES APPROVED BY ENGINEER TO REMAIN CLOSED OVER

ALL NON-APPLICABLE SIGNING WITHIN THE CIA SHALL BE MODIFIED TO FIT CONDITIONS, COVERED OR REMOVED.

DISTANCES BETWEEN SIGNS, THE VALUES FOR WHICH ARE SHOWN IN TABLE D. ARE APPROXIMATE AND MAY NEED ADJUSTING AS DIRECTED BY ENGINEER.

THE MAXIMUM RECOMMENDED DISTANCE(S) BETWEEN CHANNELING DEVICES IN THE TAPER AREA(S) SHOULD BE 15 FEET AND SHOULD BE EQUAL IN FEET TO TWICE THE POSTED SPEED IN MILES PER HOUR IN THE PARALLEL

THE TYPE A WARNING FLASHER SHOWN ON THE WARNING SIGNS SHALL BE POSITIONED ON THE SIDE OF THE SIGN NEAREST THE ROADWAY.

ALL 4' x 4' WARNING SIGNS TYPE III BARRICADES THEIR TEMPORARY SUPPORT SYSTEMS AND LIGHTING REQUIREMENTS SHALL BE FABRICATED IN ACCORDANCE WITH THE CURRENT STANDARD PLAN.

ALL TRAFFIC REGULATORS SHALL BE PROPERLY TRAINED AND SUPERVISED.

IN ANY OPERATION INVOLVING MORE THAN ONE TRAFFIC REGULATOR, ONE PERSON SHOULD BE DESIGNATED AS HEAD TRAFFIC REGULATOR.

ALL TRAFFIC REGULATORS' CONDUCT, THEIR EQUIPMENT AND TRAFFIC REGULATING PROCEDURES SHALL CONFIRM TO THE CURRENT EDITION OF THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES

WHEN TRAFFIC REGULATING IS ALLOWED DURING THE HOURS OF DARKNESS, APPROPRIATE LIGHTING SHALL BE PROVIDED TO SUFFICIENTLY ILLUMINATE THE TRAFFIC

THE MAXIMUM DISTANCE BETWEEN THE TRAFFIC REGULATORS SHALL BE NO MORE THAN 2 MILES IN LENGTH UNLESS RESTRICTED FURTHER IN THE SPECIAL PROVISIONS FOR MAINTAINING TRAFFIC. ALL SEQUENCES OF MORE THAN 2 MILES IN LENGTH WILL REQUIRE WRITTEN PERMISSION FROM THE ENGINEER

WHEN INTERSECTING ROAD OR SIGNIFICANT TRAFFIC GENERATORS (SHOPPING CENTERS, MOBILE HOME PARKS ETC.) OCCUR WITHIN THE ONE-LANE TWO-WAY OPERATION, INTERMEDIATE TRAFFIC REGULATORS AND PPROPRIATE SIGNING SHALL BE PLACED AT THESE

MAX LENGTH OF FLAGGING CONTROLLED WORK ZONE SHALL BE APPROVED BY ENGINEER

NOT TO SCALE

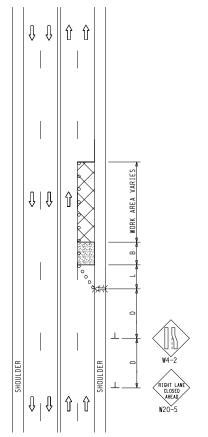
# TEMPORARY SIGN QUANTITIES BY CONTRACTOR

Sign, Type B, Temp, Prismatic, Furn - 32 Sft Sign, Type B, Temp, Prismatic, Oper-32 Sft

o o o CHANNELIZING DEVICES

⇒ TRAFFIC FLOW





ROAD COMMISSION	TYPICAL TEMPOR	RARY TRAFFIC CO	NTROL	
/ for Oakland County/	FOR A ONE-LA	ANE CLOSURE ON	I AN	
TRAFFIC SAFETY	UNDIVIDED MULTI-LANE ROADWAY.			
MAINTAINING TRAFFIC	NO SPE	ED REDUCTION		
TYPICAL	INO OI LI	LD INLUGOTION		
DRAWN BY: CON: AE: djf	JUNE 2006	RCOC-7	SHEET	
CHECKED BY: M.LUTFI	PLAN DATE:	RCOC-1	1 OF 1	
FILE: G:\Traffic Engineering\Typ Temp	Traffic Control\RCOC-7	REV. 11/2	1/08	

# MINIMUM MERGING TAPER LENGTH "L" (FEET)

OFFSET		POSTED SPEED LIMIT, MPH (PRIOR TO WORK AREA)									
FEET	25	30	35	40	45	50	55	60	65	70	
1	10	15	20	27	45	50	55	60	65	70	
2	21	30	41	53	90	100	110	120	130	140	
3	31	45	61	80	135	150	165	180	195	210	
4	42	60	82	107	180	200	220	240	260	280	
5	52	75	102	133	225	250	275	300	325	350	
6	63	90	123	160	270	300	330	360	390	420	<b>⊢</b>
7	73	105	143	187	315	350	385	420	455	490	쁘
8	83	120	163	213	360	400	440	480	520	560	Z -
9	94	135	184	240	405	450	495	540	585	630	E E
10	104	150	204	267	450	500	550	600	650	700	TAPER LENGTH "L" IN FEET
11	115	165	225	293	495	550	605	660	715	770	II.
12	125	180	245	320	540	600	660	720	780	840	IAPE
13	135	195	266	347	585	650	715	780	845	910	·
14	146	210	286	374	630	700	770	840	910	980	
15	157	225	307	400	675	750	825	900	975	1050	

THE FORMULAS FOR THE MINIMUM LENGTH OF A MERGING TAPER IN DERIVING THE "L" VALUES SHOWN IN THE ABOVE TABLES ARE AS FOLLOWS:

"L" = W x S WHERE POSTED SPEED PRIOR TO 60 THE WORK AREA IS 40 MPH OR LESS

"L" = W x S WHERE POSTED SPEED PRIOR TO THE WORK AREA IS 45 MPH OR GREATER

L = MINIMUM LENGTH OF MERGING TAPER S = POSTED SPEED LIMIT IN MPH PRIOR TO WORK AREA W = WIDTH IN OFFSET

# TYPES OF TAPERS **UPSTREAM TAPERS**

MERGING TAPER L MINIMUM SHIFTING TAPER 1/2 L - MINIMUM SHOULDER TAPER 1/ 3 L - MINIMUM TWO-WAY TRAFFIC TAPER 100' - MAXIMUM DOWNSTREAM TAPERS 100' - MINIMUM (USE IS OPTIONAL) (PER LANE)

#### ROAD COMMISSION --- for OAKLAND COUNTY, TRAFFIC SAFFTY MAINTAINING TRAFFIC

TABLES FOR "L". "D" AND "B" VALUES

**TABLES** 

SHEE.

TYPICAL DRAWN BY: CON:AF:dif CHECKED BY: M. LUTFI
FILE: G:\Traffic Engineering\Typ Tem PLAN DATE:

TAPER LENGTH

# DISTANCE BETWEEN TRAFFIC CONTROL DEVICES "D" AND LENGTH OF LONGITUDINAL BUFFER SPACE ON "WORK ZONE CONSTRUCTION SPEED ZONE" SEQUENCES

"D"		POSTED SPEED LIMIT, MPH (PRIOR TO WORK AREA)								
DISTANCES	25	30	35	40	45	50	55	60	65	70
D (FEET)	250	300	350	400	450	500	550	600	650	700

# **GUIDELINES FOR LENGTH OF** LONGITUDINAL BUFFER SPACE "B"

SPEED*	LENGTH
MPH	FEET
20	33
25	50
30	83
35	132
40	181
45	230
50	279
55	329
60	411
65	476
70	542

\* POSTED SPEED, OFF PEAK 85TH PERCENTILE SPEED PRIOR TO WORK STARTING, OR THE ANTICIPATED **OPERATING SPEED** 

BASED UPON AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) BRAKING DISTANCE PORTION OF STOPPING SIGHT DISTANCE FOR WET AND LEVEL PAVEMENTS (A POLICY ON GEOMETRICS DESIGN OF HIGHWAY AND STREETS), AASHTO. THIS AASHTO DOCUMENT ALSO RECOMMENDS ADJUSTMENTS FOR THE EFFECT OF GRADE ON STOPPING AND VARIATION FOR TRUCKS.

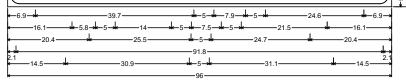
OAD COMMISSION	TAI	BLES FOR	
TRAFFIC SAFETY INTAINING TRAFFIC TYPICAL	"L", "D" A	ND "B" VALUES	<b>)</b>
WN BY: CON:AF:dif CKED BY: M.LUTFI	JUNE 2006 PLAN DATE:	TABLES-2	SHEET 2 OF 2
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HUBBELL, ROTH & CLARK, INC CONSULTING ENGINEERS SINCE 1915



SHEET NO.

# STARTING XX-XX-XX

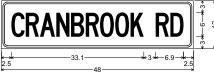


SP-1;

3.0" Radius, 1.3" Border, 0.8" Indent, Black on, Orange;

"CRANBROOK RD CLOSED", D; "14 MILE TO MAPLE", D; "FOLLOW DETOUR", D; "STARTING XX-XX-XX", D;

	С		R		А		N		в		R		0		0		к		R		D					
6.9	3.4	0.9	3.4	0.9	4.2	0.9	3.4	1.2	3.3	1.2	3.4	0.9	3.5	0.9	3.6	1.1	3.5	5.0	3.3	1.2	3.4					
	5.0	C 3.3	1.0	L 3.0	0.9	0 3.6	0.9	<b>S</b> 3.4	1.1	E 3.1	0.9	D 3.4	6.9													
16.1	1 1.2	0.9	<b>4</b> 3.7	5.0	<b>M</b> 3.9	1.1	I 0.8	1.2	L 3.0	1.0	E 3.0	5.0	T 3.1	0.9	0 3.5	5.0	<b>M</b> 3.9	0.9	A 4.2	1.0	P 3.3	1.2	L 3.0	1.0	<b>E</b> 3.0	16.
20.4	F 3.0	1.0	0 3.5	1.2	L 3.0	0.9	L 3.1	0.9	0 3.5	1.0	<b>W</b> 4.4	5.0	D 3.3	1.2	E 3.0	0.7	T 3.0	0.9	0 3.6	1.1	U 3.4	1.2	R 3.3	20.4	1	
-		$\overline{}$	1																							
2.1	91.8	2.1																								
	s	2.1 0.9	T	0.4	A 4.1		R 3.3	1.0	T 3.0	1.0	I 0.7	1.2	N 3.4	1.1	G 3.4											



D3-1;

1.5" Radius, 0.4" Border, 0.4" Indent, Black on, Orange; "CRANBROOK RD", C 31% spacing;

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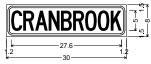
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D3-1;

1.5" Radius, 0.4" Border, 0.4" Indent, Black on, Orange; "CRANBROOK", C 31% spacing;

Table of widths and spaces

HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS SINCE 1915



PROJECT NO. 55201 DATE 11/23/2020

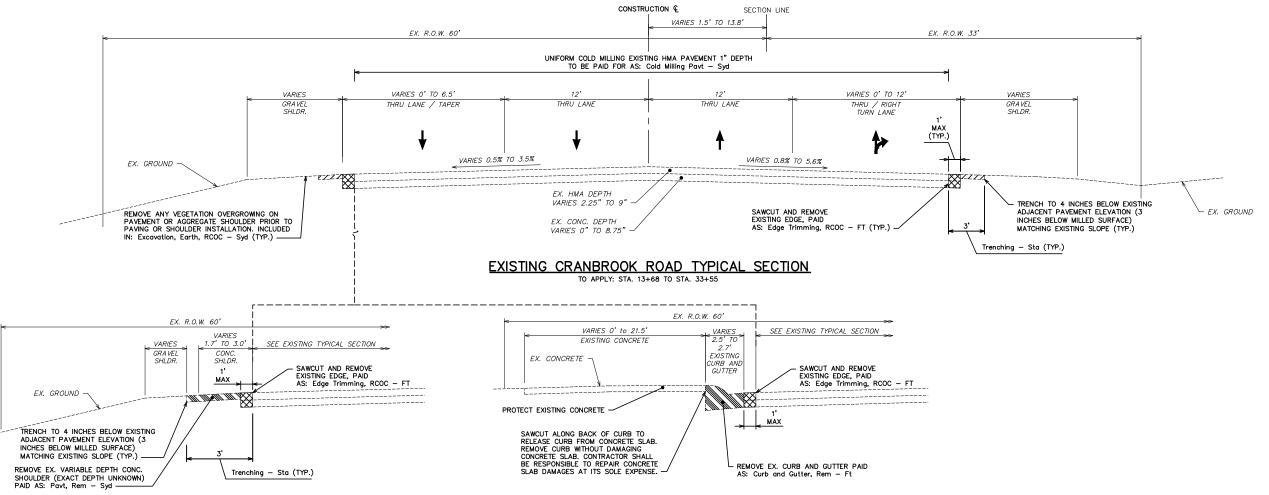
CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

SIGN DETAILS

DESIGN PHASE
FINAL PLANS
SHEET NO.

# EXISTING CRANBROOK ROAD TYPICAL SECTION

TO APPLY: STA. 12+96 (P.O.B.) TO STA. 13+68



# EXISTING CONCRETE SHOULDER DETAIL

NO SCALE
TO APPLY: STA. 13+81 TO STA. 17+81 (R)
STA. 29+21 TO STA. 30+42 (L)
STA. 32+01 TO STA. 33+55 (L)

# EXISTING CURB AND GUTTER DETAIL

NO SCALE TO APPLY: STA. 15+30 TO STA. 15+84 (L) STA. 31+54 TO STA. 32+01 (L)

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ROAD COMMISSION  for OAKLAND COUNTY	
BEVERLY HILLS, MICHIGAN	

Y	PROJECT NO.
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,	DATE
	11/23/2020

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TYPICAL SECTIONS	DESIGN PHASE			
TIFICAL SECTIONS	FINAL PLANS			
CRANBROOK ROAD REHABILITATION	SHEET NO.			
14 MILE ROAD TO MAPLE ROAD	10 of 67			

CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

HUBBELL, ROTH & CLARK, INC

**CONSULTING ENGINEERS SINCE 1915** 

55201

DATE

11/23/2020

CRANBROOK ROAD REHABILITATION

14 MILE ROAD TO MAPLE ROAD

for OAKLAND COUNTY

BEVERLY HILLS, MICHIGAN PHONE: 877-858-4804 WEB: WWW.RCOCWEB.ORG

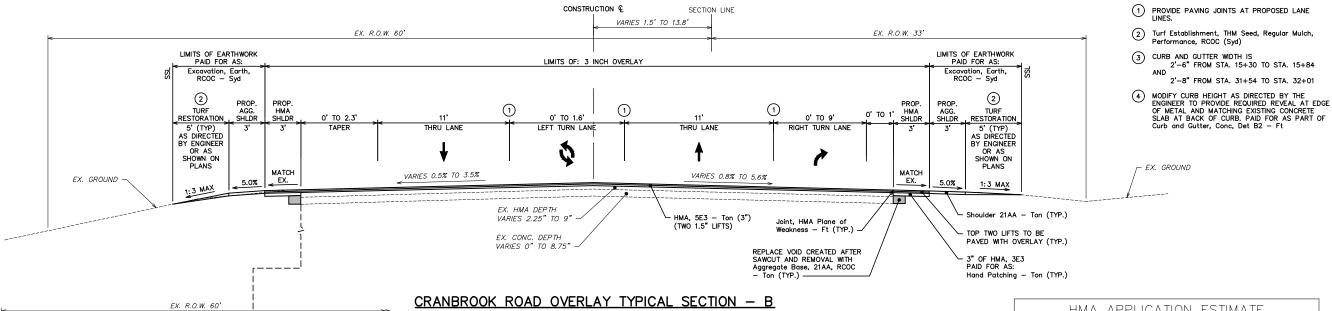
FINAL PLANS

SHEET NO.

11 of 67

# PROPOSED CRANBROOK ROAD RECONSTRUCT TYPICAL SECTION - A

TO APPLY: STA. 12+96 (P.O.B.) TO STA. 13+68



TO APPLY: STA. 13+68 TO STA. 33+55

HMA APPLICATION ESTIMATE									
ITEM	RATE (Lb/Syd)	PERFORMANCE GRADE	REMARKS						
HMA, 5E3	330 (TOTAL YIELD)	70-22P	OVERLAY/TOP COURSE TWO 1.5" LIFTS @ 165 Lb/Syd PER LIFT AWI=260 MIN.						
AND PATCHING	330 (MAX)	64-22	USE HMA, 5E3 AS DIRECTED BY THE ENGINEER FOR DETAIL 7 & 8 REPAIRS						
AND PATCHING	330 (MAX)	64-22	USE HMA, 3E3 FOR BASE SHOULDER WIDENINGS AND AS DIRECTED BY THE ENGINEER FOR PAVEMENT REPAIRS						
MA APPROACH	440 (TOTAL YIELD)	64-22	USE HMA, 5E3 FOR DRIVEWAYS AT CURB REPAIR LOCATIONS AND AS DIRECTED BY THE ENGINEER. TO BE PLACED WITH TWO 2" LIFTS @220 Lb/Syd PER LIFT						
BOND COAT	0.05 TO 0.15 gal	N/A	N/A						

NOTES:

# PROPOSED CURB AND GUTTER DETAIL

CURB AND GUTTER

TURF RESTORATION AND LIMITS OF Excavation, Earth, RCOC — Syd

APPLIES OUTSIDE LIMITS OF CONCRETE. 5' (TYP)
AS DIRECTED BY
ENGINEER OR AS SHOWN
ON PLANS

2

PROTECT EXISTING CONCRETE

EX. GROUND

1" EXPANSION JOINT WHEN CURB IS PLACED ADJACENT TO EXISTING CONCRETE. TO BE INCLUDED IN COST OF CURB AND GUTTER PAY ITEM.

Curb and Gutter, Conc, Det B2 - Ft -

LIMITS OF: Aggregate Base, Conditioning - Syd

SEE PROPOSED TYPICAL SECTION - B

TOP TWO LIFTS TO BE PAVED WITH OVERLAY (TYP.)

- Conc Base Cse, Nonreinf, 6 inch - Syd Aggregate Base, 21AA, RCOC — Ton IS USED TO SUPPLEMENT/ REPLACE EXISTING AGGREGATE AS DIRECTED BY THE ENGINEER.

NO SCALE TO APPLY: STA. 15+30 TO STA. 15+84 (L) STA. 31+54 TO STA. 32+01 (L)



	ROAD COMMISSION  For OAKLAND GOUNTY	
	BEVERLY HILLS, MICHIGAN	Г
•	PHONE: 877-858-4804 WER: WWW PCOCWER ORG	l

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TYPICAL SECTIONS	DESIGN PHASE
TIFICAL SECTIONS	FINAL PLANS
CRANBROOK ROAD REHABILITATION	SHEET NO.
14 MILE ROAD TO MAPLE ROAD	12 of 67

HUBBELL, ROTH & CLARK, INC.
CONSULTING ENGINEERS SINCE 1915

TO APPLY: STA. 63+64 TO STA. 68+24 (P.O.E.)

ROAD COMMISSION

FOR OAKLAND COUNTY

BEVERLY HILLS, MICHIGAN
PHONE: 977-858-4040 WEB WWW.RCCOKEB.ORG

PROJECT NO. 55201 – DATE 11/23/2020

TYPICAL SECTIONS

CRANBROOK ROAD REHABILITATION
14 MILE ROAD TO MAPLE ROAD

TYPICAL SECTIONS

SHEET
13 of 6'

DESIGN PHASE
FINAL PLANS
SHEET NO.
13 of 67

TO APPLY: STA. 100+23 TO STA. 106+27

NOTES:

1 PROVIDE PAVING JOINTS AT PROPOSED LANE LINES.

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CONSULTING ENGINEERS SINCE 1915

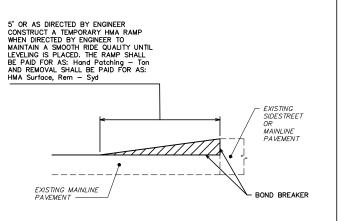


PROJECT NO. 55201 DATE 11/23/2020 TYPICAL SECTIONS

CRANBROOK ROAD REHABILITATION
14 MILE ROAD TO MAPLE ROAD

DESIGN PHASE
FINAL PLANS
SHEET NO.
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CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

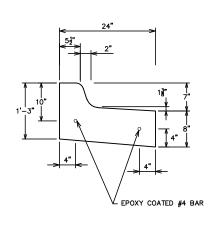


NOTES:

1. PLACE BURLAP, CANVAS, OR PAPER AS A BOND BREAKER AHEAD OF, AND AGAINST THE VERTICAL FACE. PLACE HMA AGAINST THE BOND BREAKER AND TAPER FROM THE NEW MAT TO THE EXISTING SURFACE.

- 2. COMPACT AND COOL THE TEMPORARY TAPER BEFORE ALLOWING TRAFFIC ON THE NEW SURFACE.
- TEMPORARY RAMP IS TO BE REMOVED PRIOR TO THE APPLICATION OF ADDITIONAL HMA LAYERS, REMOVAL IS PAID AS: HMA Surface, Rem Syd

#### TEMPORARY HMA RAMP NOT TO SCALE



CURB AND GUTTER, CONC, DET C4, RCOC DETAIL NO SCALE

STREET Detectable Warning Surface - Ft (TYP.) EXISTING SIDEWALK ® R (L) EXISTING SIDEWALK R ADA SIDEWALK RAMP LANDING (SLOPE IS LESS THAN 2% IN EACH DIRECTION) **CRANBROOK** 

- EX. HMA TO BE MILLED, FOLLOWED BY A 3—INCH OVERLAY. SEE OVERLAY AT SIDE STREET DETAIL <u>VARIES</u> PROPOSED Curb Ramp 1.5% MAX 7.5% MAX - EX. HMA/CONC EX. CONC. EXISTING HMA Aggregate Base, 4 21AA, RCOC — Syd Sidewalk Ramp, Conc. REMOVAL INCLUDED IN Cold Milling Pavt - Syd Aggregate Base, 21AA RCOC — Ton IS USED TO SUPPLEMENT/REPLACE EXISTING FULL DEPTH - FULL DEPTH
REMOVAL PAID AS:
Pavt, Rem — Syd
REPLACE WITH
Conc Base Cse,
Nonreinf, 6 inch — AGGREGATE AS DIRECTED BY THE ENGINEER -LIMITS OF: Aggregate Conditioning — Syd SECTION B-B

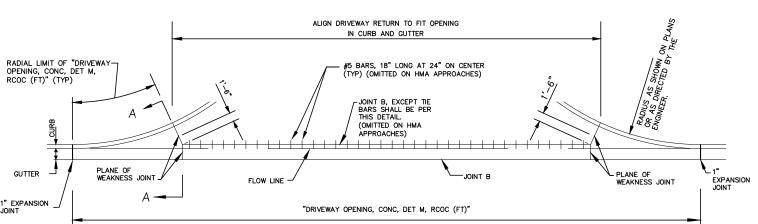
EX. HMA TO BE

Turf Establishment, THM Seed, Regular Mulch, Performance LIMITS OF Excavation, Earth, RCOC - Syd 1.5' (TYP) RCOC - Syd (TYP.) 1.5% MAX Sidewalk Ramp, Conc, 6 inch — Sft OR COMPACT EXIST. SUBGRADE (95% MAXIMUM DENSITY) 4" (CIP) OF 21AA AGGREGATE -BASE. PAID FOR AS: Aggregate SECTION C-C NO SCALE Base, 4 inch, 21AA, RCOC - Syd

NO SCALE

SIDEWALK AND RAMP/LANDING

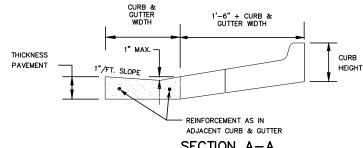
NOT TO SCALE



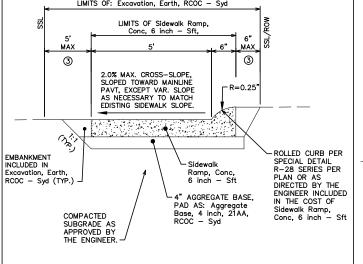
NOTES:

1. JOINT B: PAVEMENT BULKHEAD JOINT, CONSTRUCTED AND SEALED ACCORDING TO SYMBOL B, MDOT STANDARD PLAN R-41 SERIES OR CURRENT VERSION, AND PAID AS A PART OF THE ADJACENT CONCRETE PAVEMENT PAY ITEM.

PLANE OF WEAKNESS JOINT AND 1" EXPANSION JOINT, CONSTRUCTED ACCORDING TO MDOT STANDARD PLAN R-30 SERIES OR CURRENT VERSION, SHALL BE PAID AS A PART OF, "DRIVEWAY OPENING, CONC, DET M, RCOC (FT)".



ES: SIDEWALK JOINTS PAID AS PART OF SIDEWALK PAY ITEM. LOCATION OF SIDEWALK JOINTS AND JOINT DETAILS SHALL BE IN ACCORDANCE WITH MDOT STANDARD PLAN R-29 SERIES. SIDEWALK RAMPS CONSTRUCTED IN ACCORDANCE WITH SPECIAL DETAIL R-28 SERIES. LIMITS OF: Excavation, Earth, RCOC - Syd

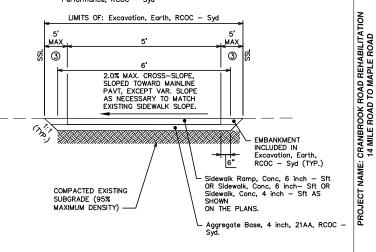


SIDEWALK WITH ROLLED CURB NOT TO SCALE

SIDEWALK NOTES:

1. ADA RAMPS AND LANDINGS SHALL BE CONSTRUCTED IN CONCRETE AND IN ACCORDANCE WITH CURRENT MDDT STANDARD DETAIL R-28 SERIES AND SHALL HAVE A MINIMUM CLEAR OPENING OF 8' WIDE.

- 2. A CLEAN SAW CUT JOINT SHALL BE PROVIDED WHERE EVER NEW PAVEMENT MATCHES
  EXISTING PAVEMENT (INCLUDED IN THE COST OF SIDEWALK PAY ITEMS)
- Turf Establishment, THM Seed, Regular Mulch, Performance, RCOC Syd



CONCRETE SIDEWALK NOT TO SCALE

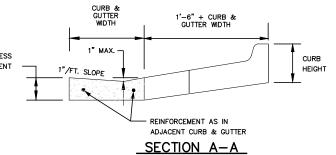
ROAD COMMISSION

PROJECT NO. 55201 DATE 1/23/2020

CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

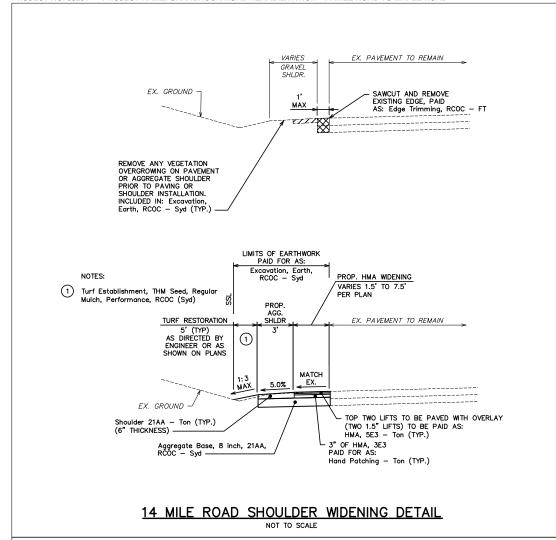
DESIGN PHASE **PROJECT DETAILS** FINAL PLANS SHEET NO. 16 of 67

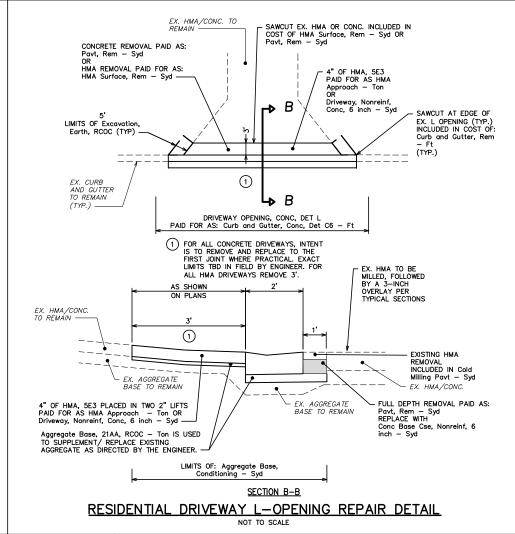
CONCRETE DRIVEWAY OPENING - DETAIL M (RCOC)



NOT TO SCALE

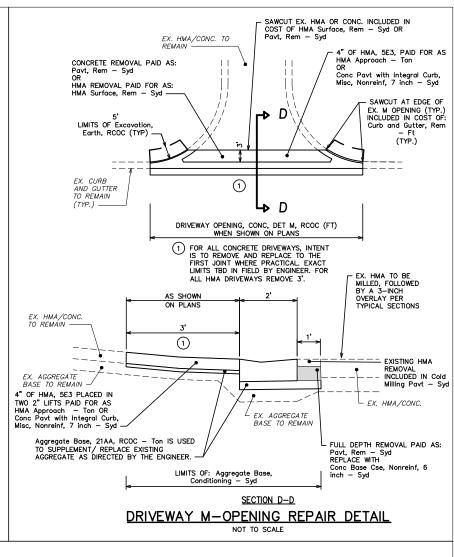
HRC HUBBELL, ROTH & CLARK, INC BEVERLY HILLS, MICHIGAN
PHONE: 877-858-4804 WEB: WWW.RCCCWEB.OR





HRC

HUBBELL, ROTH & CLARK, INC

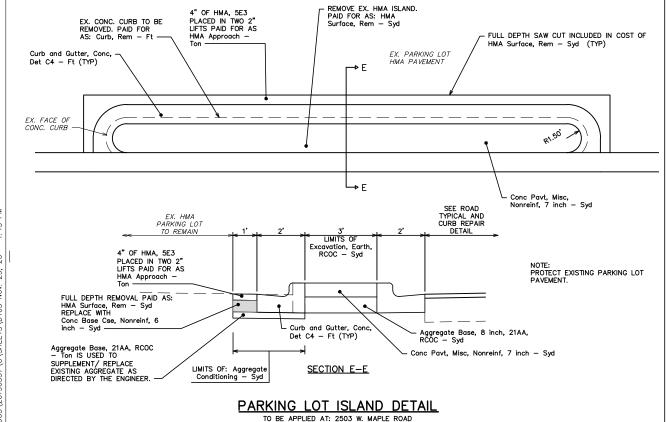


DESIGN PHASE

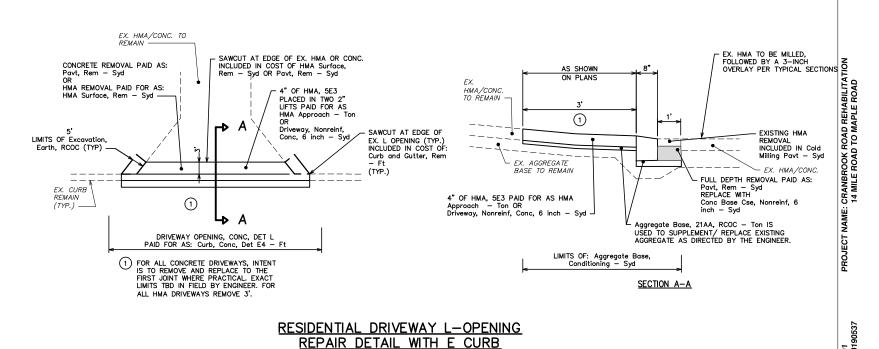
FINAL PLANS

SHEET NO.

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NOT TO SCALE



**PROJECT DETAILS** 

CRANBROOK ROAD REHABILITATION

14 MILE ROAD TO MAPLE ROAD

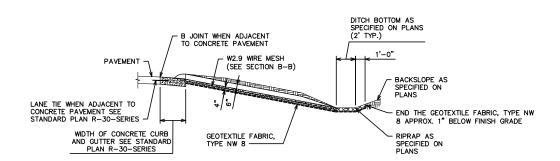
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DATE

1/23/2020

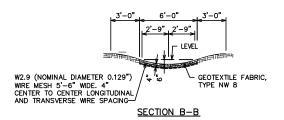
ROAD COMMISSION



SPILLWAY, CONC, RCOC DETAIL

NOT TO SCALE

# SECTION A-A



A GRADUAL UNIFORM TRANSITION SHALL BE MADE FROM THE STANDARD CONCRETE CURB AND GUTTER TO THE CONCRETE SPILLWAY.

PLANE OF WEAKNESS JOINT SPACING SHALL BE AT UNIFORM INTERVALS OF APPROXIMATELY 4'-0".

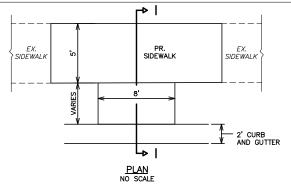
THE SPILLWAY SHOULDERS AND FORESLOPES WILL BE UNDERLAID WITH GEOTEXTILE FABRIC, NW 8 FROM THE BACK SIDE OF CURB TO THE FAR END OF THE SPILLWAY INCLUDING THE ENTIRE FOOTPRINT OF THE SPILLWAY.

WHEN USING SPILLWAYS IN OTHER AREAS, SUCH AS BACKSLOPES, THE GEOTEXTILE FABRIC, NW 8 SHALL UNDERLAY THE FULL LENGTH OF THE SPILLWAY AND THE ENTIRE FOOTPRINT OF THE SPILLWAY. THE GEOTEXTILE FABRIC, NW 8 SHALL HAVE A MINIMUM WIDTH EQUAL TO THE WIDTH OF THE SPILLWAY.

THE SPILLWAY SHALL BE GIVEN A TRANSVERSE COARSE BROOM FINISH.

WHILE CONCRETE SPILLWAY IS SHOWN ON THE FORESLOPE, IT MAY BE USED ON THE BACKSLOPE, AS SPECIFIED ON THE PLANS.

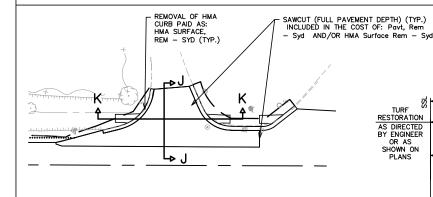
THE CURB AND GUTTER SHALL BE ALIGNED WITH THE BEAM GUARDRAIL AS SPECIFIED ON THE STANDARD PLAN R-67-SERIES, THE LOCATION OF GUARDRAIL POSTS SHOULD BE DETERMINED PRIOR TO LOCATING THE SPILLWAY OR DOWNSPOUT HEADER.



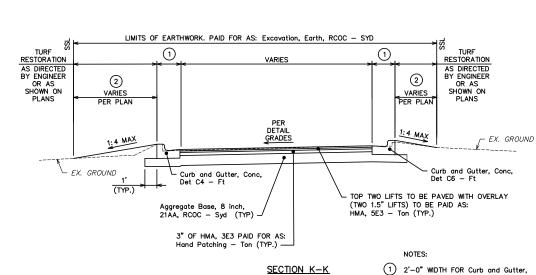
EXCAVATION & EMBANKMENT INCLUDED IN: Excavation, Earth, RCOC - Syd 2' PROPOSED CURB AND GUTTER PR. ROAD (SEE TYPICAL) SIDEWALK 2.0% MAX Sidewalk, Conc, 4 inch- Sft Aggregate Base, 4 inch, 21AA, RCOC — Syd SECTION I-I

**BUS STOP DETAIL** 

APPLY TO: 104+07 (LT) ON MAPLE ROAD



VARIES



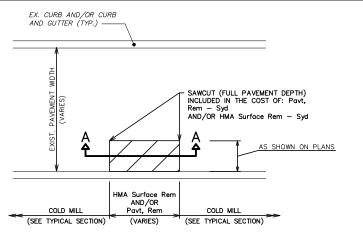
HMA, 5E3 - Ton (3") (TWO 1.5" LIFTS) PAVED WITH OVERLAY FX. HMA AND/OR · HMA, 3E3 (3") PAID AS: Hand Patching — Ton Aggregate Base, 8 inch, 21AA, RCOC — Syd SECTION J-J

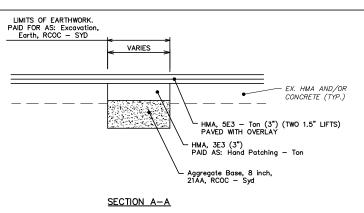
HILLSIDE DRIVE SIDE STREET APPROACH DETAIL

2'-0" WIDTH FOR Curb and Gutter, Conc, Det C4 AND 2'-6"WIDTH FOR Curb and Gutter, Conc, Det C6 AS SHOWN ON THE PLANS OR AS DIRECTED BY THE ENGINEER.

2 Turf Establishment, THM Seed, Regular Mulch, Performance, RCOC (Syd)

CRANBROOK ROAD REHABILITA 14 MILE ROAD TO MAPLE ROAD





FULL DEPTH PAVEMENT REPAIR

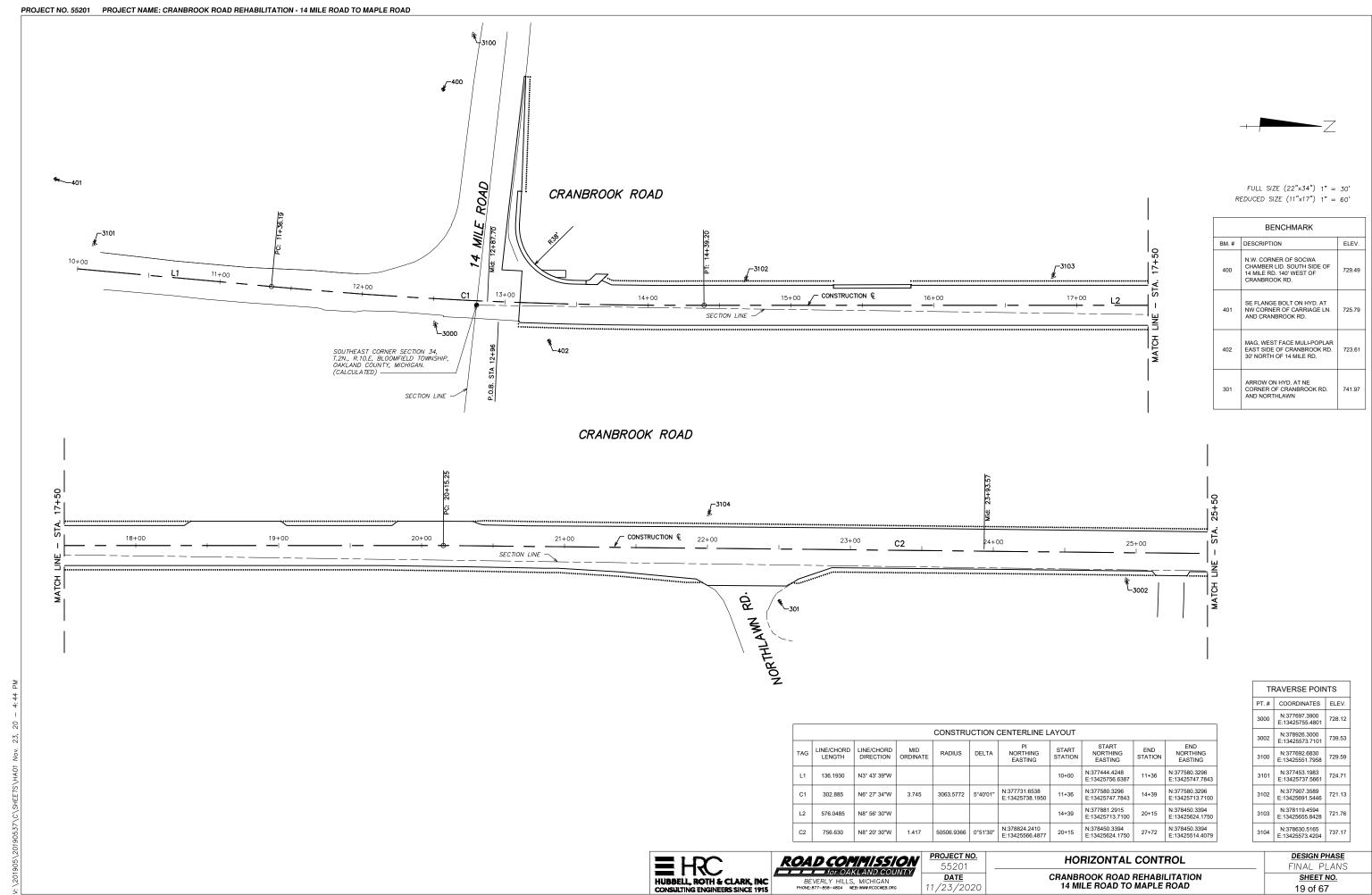
TO BE APPLIED WHERE SHOWN ON PLANS AND AS DIRECTED BY THE ENGINEER



	ROAD COMMISSION	I
	for OAKLAND COUNTY	
:	BEVERLY HILLS, MICHIGAN	ı

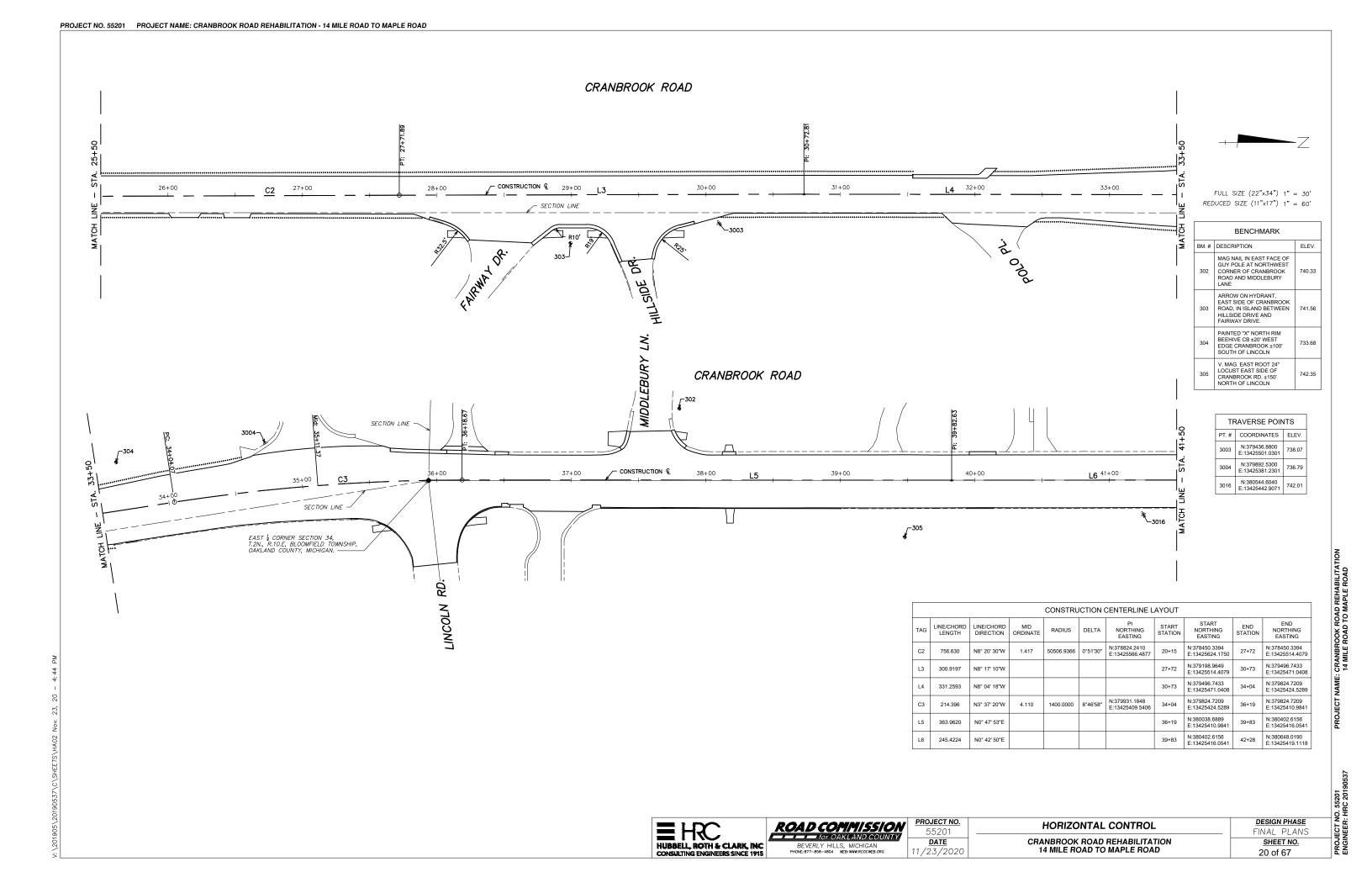
<b>N</b>	PROJECT NO.
	55201
	DATE
	11/23/2020

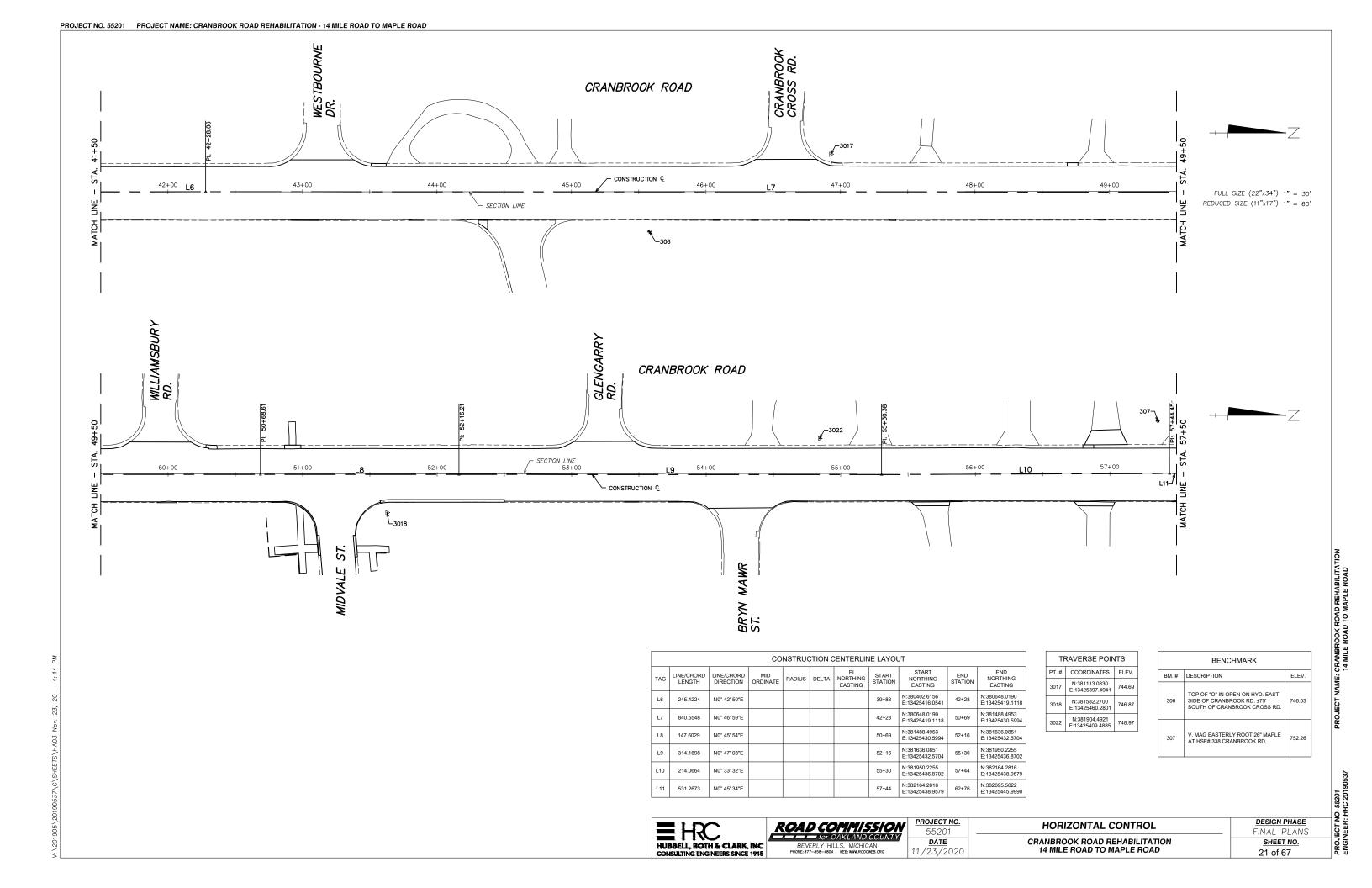
DESIGN PHASE **PROJECT DETAILS** FINAL PLANS CRANBROOK ROAD REHABILITATION SHEET NO. 14 MILE ROAD TO MAPLE ROAD 18 of 67



OJECT NAME: CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

JECT NO. 55201 NINEER: HRC 20190537





CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

55201 DATE 11/23/2020

CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

FINAL PLANS SHEET NO. 22 of 67

CONSTRUCTION CENTERLINE LAYOUT - MAPLE ROAD										
TAG	LINE/CHORD LENGTH	LINE/CHORD DIRECTION	MID ORDINATE	RADIUS	DELTA	PI NORTHING EASTING	START STATION	START NORTHING EASTING	END STATION	END NORTHING EASTING
L17	238.4712	N87° 22' 49"E					100+00	N:383106.3047 E:13424932.3254	102+38	N:383117.2051 E:13425170.5473
L18	203.4783	N86° 59' 00"E					102+38	N:383117.2051 E:13425170.5473	104+42	N:383127.9131 E:13425373.7437
L19	141.8405	N84° 59' 04"E					104+42	N:383127.9131 E:13425373.7437	105+84	N:383140.3134 E:13425515.0412
L20	125.7826	N87° 04' 55"E					105+84	N:383140.3134 E:13425515.0412	107+10	N:383146.7164 E:13425640.6606

PT.# COORDI	
0001181	NATES ELEV.
3020 N:38308 E:134254	
3024 N:38315 E:134250	

	BENCHMARK					
BM. #	DESCRIPTION	ELEV.				
309	ARROW ON HYD. NE CORNER MAPLE & N GLENGARY RD. ±40' E. OF INTERSECTION.	762.91				

HUBBELL ROTH & CLARK, INC. CONSULTING ENGINEERS SINCE 1915

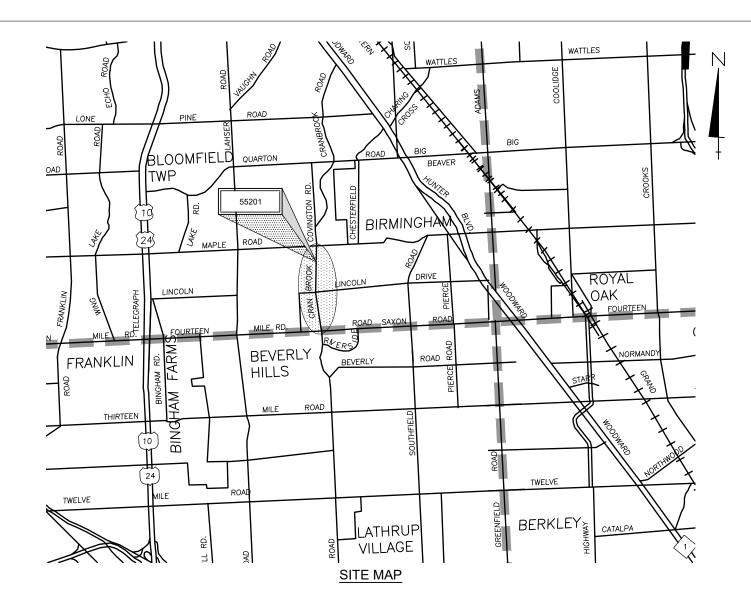


4/	PROJECT NO.					
7	55201					
•	DATE					
	11/23/2020					

CRANBROOK

CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

Know what's below. Call before you dig.



#### A. SOIL EROSION AND SEDIMENTATION CONTROL

#### B. PROJECT LOCATION

P.O.B. LATITUDE: 42°31'52" LONGITUDE: -83°14'41" BLOOMFIELD TOWNSHIP, T2N R10E ROUGE RIVER WATERSHED

#### C. GENERAL NOTES

- ALL SOIL EROSION AND SEDIMENTATION CONTROL (SESC) ITEMS SHALL BE IN ACCORDANCE WITH MDOT 2012 STANDARD SPECIFICATIONS FOR CONSTRUCTION AND THE MDOT SOIL EROSION AND SEDIMENTATION CONTROL MANUAL IN ADDITION, THE CONTRACTOR SHALL FOLLOW ANY LOCAL SESC RULES AND REGULATIONS, ALONG WITH ROCC'S NOTICE TO BIDDERS, CONTRACTOR MATERIAL DISPOSAL NOTICE AND FORM FOR ALL MATERIALS THAT ARE DISPOSAD OF OFF THE PROJECT SITE.
- SEDIMENTATION FROM EROSIONS OF THE WORK SITE SHALL BE CONTAINED ON SITE AND NOT ALLOWED TO COLLECT IN
  ANY ADJACENT AREAS OR IN WATERWAYS. WATERWAYS INCLUDE BOTH NATURAL AND MAN-MADE OPEN DITCHES,
  STREAMS, STORM DRAINS, LAKES, PONDS AND WETLANDS. THE CONTRACTOR SHALL CONDUCT WORK IN A MANNER
  SUCH THAT ALL SOIL, FUELS, OILS, BITUMINOUS MATERIALS, CHEMICALS, SANITARY SEWAGE, AND OTHER HARMFUL MATERIALS, RESULTING FROM THE CONSTRUCTION OF THE PROJECT, ARE CONFINED WITHIN PROJECT LIMITS AND PREVENTED FROM ENTERING WATERCOURSES, RIVERS, LAKES, RESERVOIRS, OR GROUND WATER.
- 3. STAGE THE WORK AS SHOWN IN PLANS OR DIRECTED BY THE ENGINEER TO ENSURE PROGRESSIVE STABILIZATION OF DISTURBED EARTH. THE CONTRACTOR SHALL PRESERVE NATURAL VEGETATION AS MUCH AS POSSIBLE AND CONDUCT HIS OPERATIONS IN SUCH A MANNER AS TO MINIMIZE THE AREAS LEFT BARREN DURING CONSTRUCTION. THE CONTRACTOR WILL ONLY BE ALLOWED TO DISTURB ONLY THOSE AREAS ABSOLUTELY REQUIRED FOR THE CONSTRUCTION OF THE PROJECT THAT ARE WITHIN THE GRADING LIMITS. AREAS OUTSIDE THE GRADING LIMITS MUST BE RESTORED AND WILL NOT BE PAID FOR SEPARATELY.
- 4 THE CONTRACTOR SHALL INSPECT SESC MEASURES DAILY TO ENSURE THEIR EFFECTIVENESS AND WHEN NECESSARY THE CONTRACTOR SHALL INSPECT SESC MEASURES DAILY TO ENSURE THEIR EFFECTIVENESS AND WHEN NECESSARY, IMMEDIATELY REPAIR OR INSTALL ADDITIONAL CONTROLS. THE CONTRACTOR SHALL REMOVE SEDIMENT COLLECTED IN CULVERTS AND SUMPS OF ALL DRAINAGE STRUCTURES CONSTRUCTED WITH THE PROJECT WHEN SUCH SEDIMENT EXCEEDS HALF OF THE SUMP DEPTH OR CULVERT DIAMETER. THE ENGINEER WILL INSPECT CULVERTS, SUMPS, AND ALL SESC ITEMS AFTER STORMS AND DIRECT THE CONTRACTOR TO CLEANOUT CULVERTS, SUMPS, AND ALL SESC ITEMS. CLEARING CULVERTS AND SUMPS FOR SEDIMENTATION CONTROL IS CONSIDERED MAINTENANCE AND WILL NOT BE PAID FOR SEDIMENTED.

- 5. ALL TEMPORARY SESC DEVICES SHALL BE PERIODICALLY MAINTAINED AND CLEANED OF ALL ACCUMULATED SEDIMENT TO ENSURE THEY REMAIN OPERATIONAL UNTIL ALL DISRUPTED AREAS ARE PERMANENTLY STABILIZED. AT WHICH TIME
- 6. PERMANENT SESC MEASURES FOR ANY DISTURBED AREA SHALL BE COMPLETED WITHIN FIVE DAYS AFTER FINAL GRADING OF THE SECTION OR ANY PORTION THEREOF. THE CONTRACTOR WILL MAINTAIN AND REPAIR PERMANENT RESTORATION ITEMS UNTIL FINAL ROAD ACCEPTANCE. 7. ALL AREAS TEMPORARILY STABILIZED DURING THE NON-GROWING SEASON SHALL BE PERMANENTLY STABILIZED
- ALL ANZES (TEMPONNINT) STANLED DUTING THE MODES OF STANLED PROMINENTLY STANLED FROM THE MODES OF STANLED FROM THE COMMENCEMENT OF THE NEXT PLANTING SEASON. ALL STRAW OR HAY MILCH SHALL BE REMOVED OR DEEPLY INCORPORATED INTO THE SOIL BEFORE PROVIDING PERMANENT STABILIZATION. DORMANT SEEDING IS ALSO RECOMMENDED FOR EARLY SPRING SROWTH.
- 8. IN ADDITION TO SESC MEASURES, CONSTRUCT BARRIERS TO PROTECT CRITICAL EROSION AREAS AND TO PREVENT UNWANTED ACCESS BY VEHICLES, EQUIPMENT, AND PEDESTRIANS, POTENTIAL AREAS THAT MAY NEED BARRIERS ARE HIGHLY REOBIBLE AREAS SUCH AS, TREE CANOPIES, SEDIMENT AND RETENTION PONDS, COFFERDAMS, BARREN LAND, AND SLOPES GREATER THAN 1:3.
- IF RUNOFF OCCURS FROM SOIL STOCKPILES, SEDIMENT CONTROL FENCING WILL BE PLACED AT THE BASE OF THE STOCKPILE TO RETAIN SOIL, OR AS DIRECTED BY THE ENGINEER.
- 10. MINIMIZE DUST AND THE TRACKING OF LOOSE MATERIALS FROM THE CONSTRUCTION WORK SITE ONTO PUBLIC ROADWAYS AND INTO THE WATERS OF THE STATE. ANY MATERIALS TRACKED ONTO PUBLIC ROADWAYS SHALL BE REMOVED AS SOON AS POSSIBLE AS FOLLOWED AND PAID FOR IN THE PAVEMENT CLEANING SPECIAL PROVISION. 11 CONSTRUCT CHECK DAMS IN DITCHES IMMEDIATELY AFTER DITCHING AS SHOWN ON THE PLANS OR AS DIRECTED BY
- CONSTRUCT CHECK DAMS IN DITCHES IMMEDIATELY AFTER DITCHING, AS SHOWN ON THE PLANS OR AS DIRECTED BY THE ENGINEER. THE CONTRACTOR SHALL MAINTAIN THE CHECK DAMS DURING THE CONSTRUCTION OF THE PROJECT, INCLUDING THE TOTAL REMOVAL AND DISPOSAL OF COLLECTED SEDIMENT UPON COMPLETION OF THE PROJECT. REMOVE CHECK DAM AFTER PERMANENT VEGETATION IS ESTABLISHED. 12. TURF ESTABLISHMENT IS THE RESPONSIBILITY OF THE CONTRACTOR AS SPECIFIED IN THE TURF ESTABLISHMENT
- 13. FOR FINAL PROJECT ACCEPTANCE AND SESC PERMIT CLOSING, THE REMOVAL OF TEMPORARY SESC MEASURES, CONSTRUCTION OF PERMANENT SESC MEASURES, AND 90 PERCENT VEGETATIVE GROWTH ON DISTURBED AREAS ARE REQUIRED. IN ADDITION, PAVEMENT, DITCHES, GUTTERS, CATCH BASINS, AND STORM SEWERS MUST BE FREE OF ACCUMULATED SEDIMENT.

#### 14 MEASUREMENT AND PAYMENT

- A. PAYMENT FOR THE SESC ITEMS WILL INCLUDE FURNISHING, PLACING, MAINTAINING AND REMOVING THESE ITEMS AS REQUIRED, IN ACCORDANCE WITH THE DETAILS SHOWN ON THE PLANS OR AS SPECIFIED. MAINTENANCE OR REMOVAL OF THE TEMPORARY SESC ITEMS WILL NOT BE PAID FOR SEPARATELY.
- B. REMOVAL AND DISPOSAL OF ACCUMULATED SEDIMENT OR DEBRIS WILL NOT BE PAID FOR SEPARATELY
- C. ALL AREAS DISTURBED BY THE CONTRACTOR AND SUBCONTRACTORS BEYOND THE SLOPE STAKE LINE (SSL) SHALL BE RESTORED. NO ADDITIONAL PAYMENT OR COMPENSATION WILL BE MADE FOR THIS ACTIVITY.
- D. THE COST OF PROJECT CLEANUP IS INCLUDED IN THE CONTRACT UNIT PRICES FOR OTHER RELEVANT PAY ITEMS

#### D. TYPICAL CONSTRUCTION SEQUENCE

- REMOVE TREES AND CLEAR PRIOR TO INSTALLING SESC ITEMS, IF APPLICABLE.
- . PRIOR TO GRUBBING, STRIPING TOP SURFACE, EARTH EXCAVATION, OR GRADING, ALL SESC ITEMS MUST BE IN PLACES SHOWN ON THE PLANS. THEY INCLUDE BUT NOT LIMITED TO THE FOLLOWING.
- A. INSTALL GEOTEXTILE SILT FENCE ON THE DOWNWARD SLOPES OF THE DISTURBED AREAS
- B. WHERE PRACTICAL, PROTECT DISTURBED AREAS WITH TEMPORARY OR PERMANENT VEGETATIVE COVER.
- C. PROTECT EXISTING AND NEW CATCH BASINS AND INLETS WITH APPROVED INLET FILTER PROTECTION.
- 3. IMMEDIATELY AFTER INSTALLING STORM SEWER; INSTALL FABRIC DROPS AT INLETS AND CATCH BASINS, AND RIP RAP AT END SECTION OUTFALLS AS SHOWN ON THE PLANS.
- 4. CLEAR ALL ACCUMULATED SILT AND SEDIMENT PERIODICALLY AND AFTER STORM EVENTS TO MAINTAIN THE EFFECTIVENESS OF THE CONTROL MEASURES. NEW CONTROL MEASURES WILL BE NEEDED WHEN ORIGINAL CONTROL MEASURES ARE DAMAGED.

#### D. PROJECT SPECIFIC REQUIREMENTS

THE FOLLOWING MEASURES SHALL BE INCORPORATED INTO THIS PROJECT AS PROVISIONAL PAY ITEMS:

. MUD MATS ARE TO BE USED WHERE CONTRACTOR USES UNPAVED OPEN AREAS FOR PROJECT STORAGE THROUGHOUT THE PROJECT.

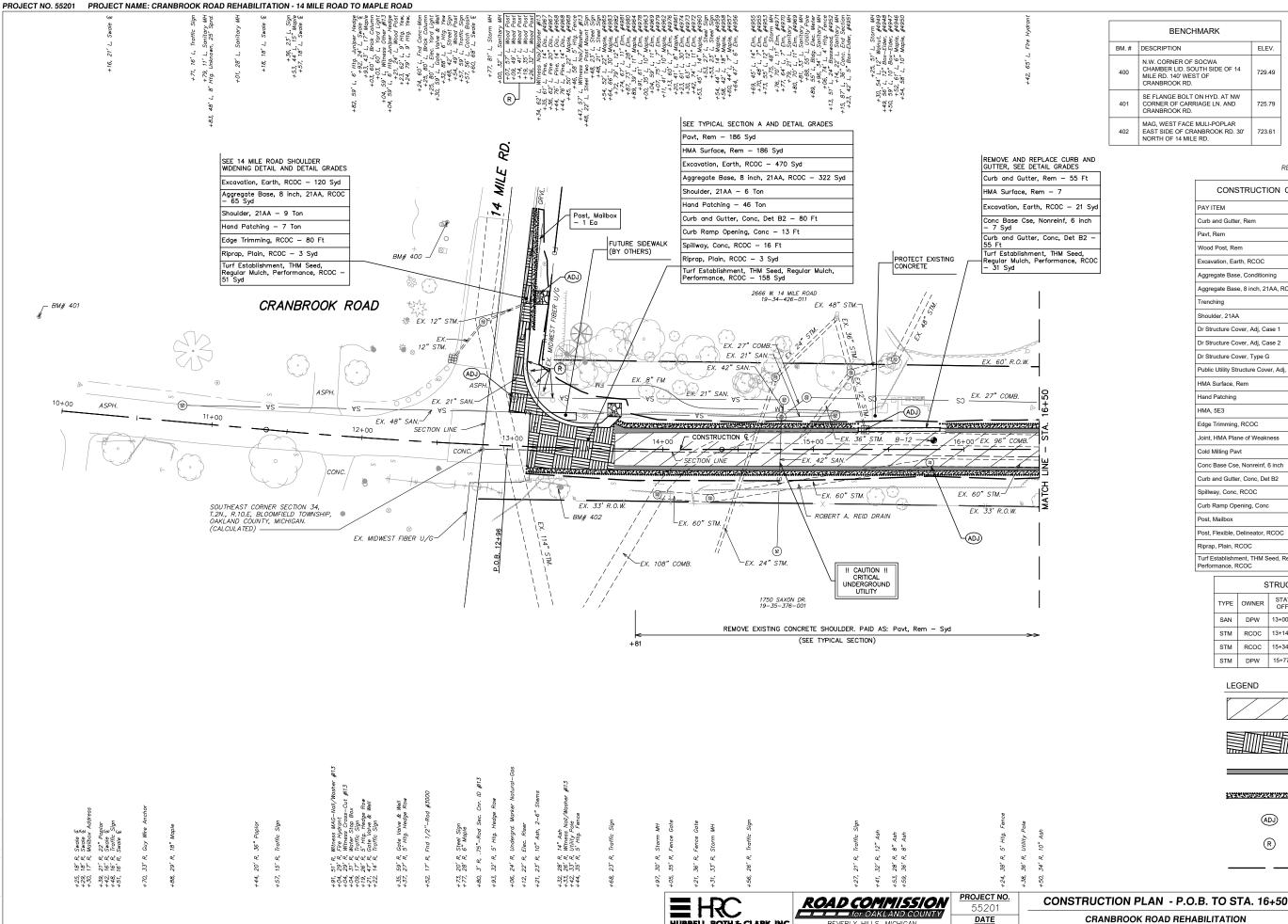




55201 DATE 11/23/2020

**SESC NOTES** CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

DESIGN PHASE FINAL PLANS SHEET NO. 24 of 67



BENCHMARK ELEV. N.W. CORNER OF SOCWA CHAMBER LID. SOUTH SIDE OF 14 MILE RD. 140' WEST OF CRANBROOK RD. 729 49 SE FLANGE BOLT ON HYD. AT NW CORNER OF CARRIAGE LN. AND CRANBROOK RD. 725.79 MAG, WEST FACE MULI-POPLAR EAST SIDE OF CRANBROOK RD. 30' NORTH OF 14 MILE RD. 723.61



FULL SIZE (22"x34") 1" = 30' REDUCED SIZE (11"x17") 1" = 60'

CONSTRUCTION QUANTITIES - THIS SHEET				
PAY ITEM	QTY	UNIT		
Curb and Gutter, Rem	55	Ft		
Pavt, Rem	251	Syd		
Wood Post, Rem	5	Ea		
Excavation, Earth, RCOC	953	Syd		
Aggregate Base, Conditioning	27	Syd		
Aggregate Base, 8 inch, 21AA, RCOC	387	Syd		
Trenching	4.3	Sta		
Shoulder, 21AA	50	Ton		
Dr Structure Cover, Adj, Case 1	1	Ea		
Dr Structure Cover, Adj, Case 2	1	Ea		
Dr Structure Cover, Type G	1	Ea		
Public Utility Structure Cover, Adj, Case 1, RCOC	2	Ea		
HMA Surface, Rem	193	Syd		
Hand Patching	36	Ton		
HMA, 5E3	217	Ton		
Edge Trimming, RCOC	587	Ft		
Joint, HMA Plane of Weakness	507	Ft		
Cold Milling Pavt	709	Syd		
Conc Base Cse, Nonreinf, 6 inch	7	Syd		
Curb and Gutter, Conc, Det B2	135	Ft		
Spillway, Conc, RCOC	16	Ft		
Curb Ramp Opening, Conc	13	Ft		
Post, Mailbox	1	Ea		
Post, Flexible, Delineator, RCOC	4	Ea		
Riprap, Plain, RCOC	6	Syd		
Turf Establishment, THM Seed, Regular Mulch, Performance, RCOC	337	Syd		

STRUCTURE ADJUST						
TYPE	OWNER	STATION OFFSET	EX. RIM	PR RIM	COVER	
SAN	DPW	13+00, 32' L	725.48	725.48	EX.	
STM	RCOC	13+14, 99' L	725.77	726.50	G	
STM	RCOC	15+34, 13' L	721.02	721.06	EX.	
STM	DPW	15+77, 9' R	721.27	721.44	EX.	



Cold Milling Pavt (1") AND OVERLAY



PROPOSED WIDENING

PROPOSED SHOULDER

(ADJ)

ADJUST STRUCTURE



REMOVAL



SLOPE STAKE LINE (SSL)





DESIGN PHASE FINAL PLANS SHEET NO. 26 of 67

ANBROOK ROAD REHABILITAT MILE ROAD TO MAPLE ROAD

CRANBROOK ROAD

(ADJ)

1750 SAXON DR. 19-35-376-001

8444444 846,474,464 846,474,474 846,474,474,474

+++++ 484, 484, 494,

+ 18, + 29, + 34, + 45,

!! CAUTION !! HAZARDOUS OR FLAMMABLE MATERIAL

EX. 2" P-MP (CONSUMERS)

CONSTRUCTION &

	BENCHMARK	
BM. #	DESCRIPTION	ELEV
301	ARROW ON HYD. AT NE CORNER OF CRANBROOK RD. AND NORTHLAWN	741.9

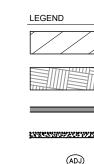




FULL SIZE (22"x34") 1" = 30' REDUCED SIZE (11"x17") 1" = 60'

CONSTRUCTION QUANTITIES - THIS SHEET				
PAY ITEM	QTY	UNIT		
Pavt, Rem	33	Syd		
Excavation, Earth, RCOC	831	Syd		
Trenching	9.3	Sta		
Shoulder, 21AA	90	Ton		
Public Utility Structure Cover, Adj, Case 1, RCOC	4	Ea		
Hand Patching	43	Ton		
HMA, 5E3	435	Ton		
Edge Trimming, RCOC	920	Ft		
Joint, HMA Plane of Weakness	920	Ft		
Cold Milling Pavt	2160	Syd		
Turf Establishment, THM Seed, Regular Mulch, Performance, RCOC	426	Syd		

STRUCTURE ADJUST						
TYPE	OWNER	STATION OFFSET	EX. RIM	PR RIM	COVER	
STM	DPW	17+61, 13' L	723.94	724.11	EX.	
STM	DPW	19+33, 13' R	730.14	730.31	EX.	
STM	DPW	22+25, 0' L	743.40	738.43	EX.	
cs	DPW	22+33, 18' R	738.17	738.34	EX.	







and the second of the second o	PROPOSED	SHOULDER



 SLOPE	STAKE	LINE	(SSL)

_	 SLOPE	STAKE	LIN

**DESIGN PHASE** CONSTRUCTION PLAN - STA. 16+50 TO STA. 23+50

40' R. 44' R. 27' R.

+19, +27, +31, +40,

38' R, 6 26' R, 3 35' R, 8

+74, +85, +90, +96,

 $\frac{1}{2}$   $\frac{1}$ 

EX. 8" D.I.W.M.

EX. 2" S-MP (CONSUMERS)

NORTHLAWN RD.

2666 W. 14 MILE ROAD 19-34-426-011

EX. 8" D.I.W.M.

ROBERT A. REID DRAIN

EX. 33' R.O.W.

2490 NORTHLAWN RD. 19-35-305-007 LOT 16

EX. 8" D.I.W.M.

32' R. 18' R.

+ 49,

2666 W. 14 MILE ROAD 19-34-426-011

EX. 27" COMB.

REMOVE EXISTING CONCRETE SHOULDER.
PAID AS: Pavt, Rem - Syd

(SEE TYPICAL SECTION)

74.77 74.77 75.77 76.75 76

⊞

31, R. 39, R.

+46, +47, +47,

+ + 70, + + 85, + + 99, + + 48, + + 42, + + 44, + + 44, + + 56, + 61,

HUBBELL, ROTH & CLARK, INC

CONSULTING ENGINEERS SINCE 1915

ROAD COMMISSION

BEVERLY HILLS, MICHIGAN PHONE: 877-858-4804 WEB: WWW.RCCCWEB.05

55201

DATE

11/24/2020

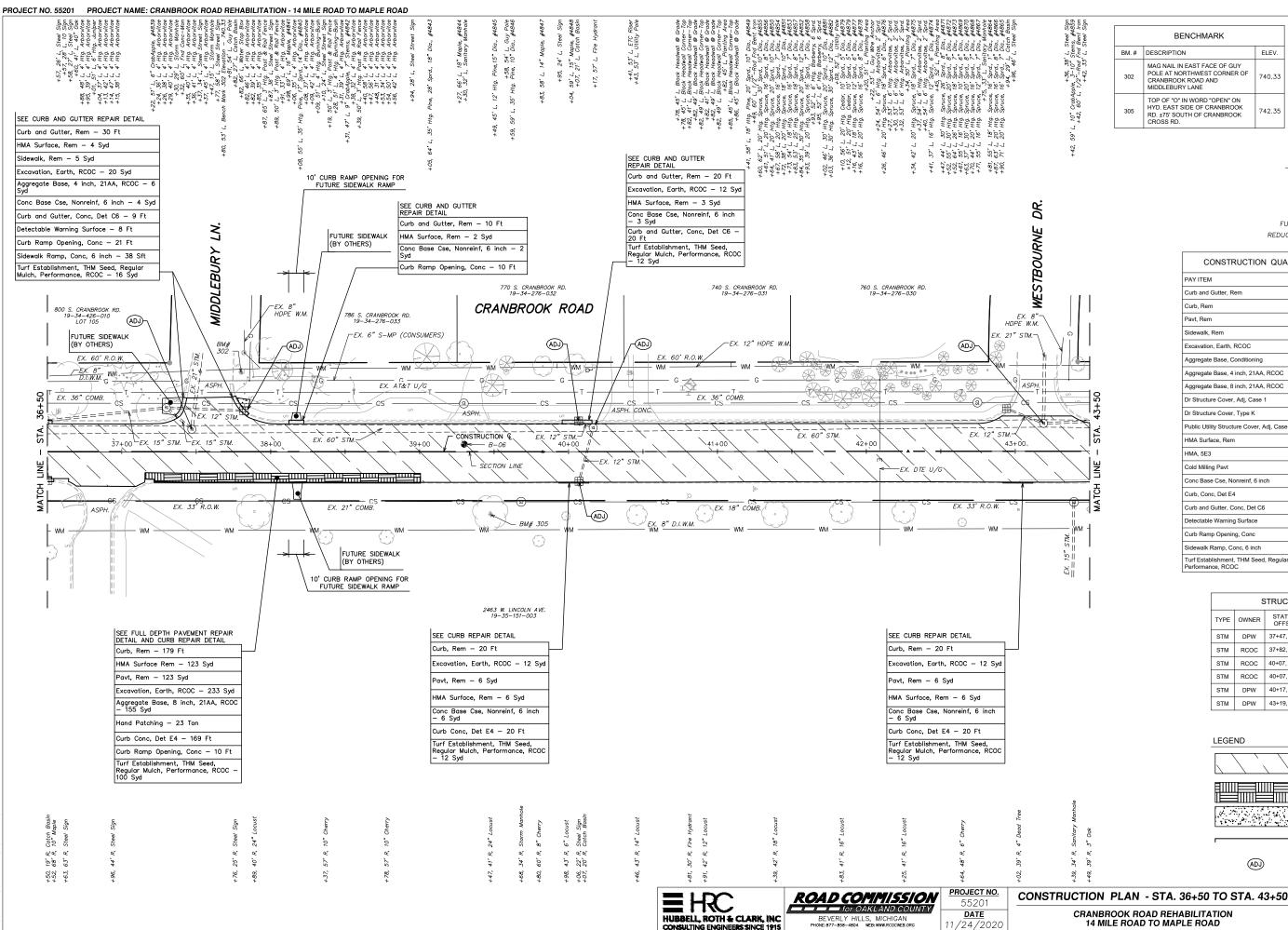
CRANBROOK ROAD REHABILITA 14 MILE ROAD TO MAPLE ROAD

DESIGN PHASE FINAL PLANS SHEET NO. 28 of 67

CONSTRUCTION PLAN - STA. 23+50 TO STA. 30+50

CRANBROOK ROAD REHABILITATION

14 MILE ROAD TO MAPLE ROAD



BENCHMARK ELEV. MAG NAIL IN EAST FACE OF GUY POLE AT NORTHWEST CORNER OF 740.33 TOP OF "O" IN WORD "OPEN" ON HYD. EAST SIDE OF CRANBROOK RD. ±75' SOUTH OF CRANBROOK 742.35

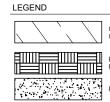




FULL SIZE  $(22^{\circ} \times 34^{\circ})$  1" = 30' REDUCED SIZE (11"x17") 1" = 60'

CONSTRUCTION QUANTITIES - THIS SHEET				
PAY ITEM	QTY	UNIT		
Curb and Gutter, Rem	60	Ft		
Curb, Rem	219	Ft		
Pavt, Rem	140	Syd		
Sidewalk, Rem	5	Syd		
Excavation, Earth, RCOC	295	Syd		
Aggregate Base, Conditioning	47	Syd		
Aggregate Base, 4 inch, 21AA, RCOC	6	Syd		
Aggregate Base, 8 inch, 21AA, RCOC	155	Syd		
Dr Structure Cover, Adj, Case 1	3	Ea		
Dr Structure Cover, Type K	3	Ea		
Public Utility Structure Cover, Adj, Case 1, RCOC	3	Ea		
HMA Surface, Rem	144	Syd		
HMA, 5E3	567	Ton		
Cold Milling Pavt	3000	Syd		
Conc Base Cse, Nonreinf, 6 inch	21	Syd		
Curb, Conc, Det E4	211	Ft		
Curb and Gutter, Conc, Det C6	34	Ft		
Detectable Warning Surface	8	Ft		
Curb Ramp Opening, Conc	16	Ft		
Sidewalk Ramp, Conc, 6 inch	38	Sft		
Turf Establishment, THM Seed, Regular Mulch, Performance, RCOC	152	Syd		

STRUCTURE ADJUST						
TYPE	OWNER	STATION OFFSET	EX. RIM	PR RIM	COVER	
STM	DPW	37+47, 15' L	738.81	738.85	EX.	
STM	RCOC	37+82, 27' L	738.63	738.63	К	
STM	RCOC	40+07, 20' R	740.28	740.28	К	
STM	RCOC	40+07, 21' L	740.22	740.22	К	
STM	DPW	40+17, 16' L	740.56	740.60	EX.	
STM	DPW	43+19, 19' L	742.60	742.64	EX.	



Cold Milling Pavt (2.5") AND OVERLAY

FULL DEPTH PAVEMENT REPAIR

PROPOSED SIDEWALK

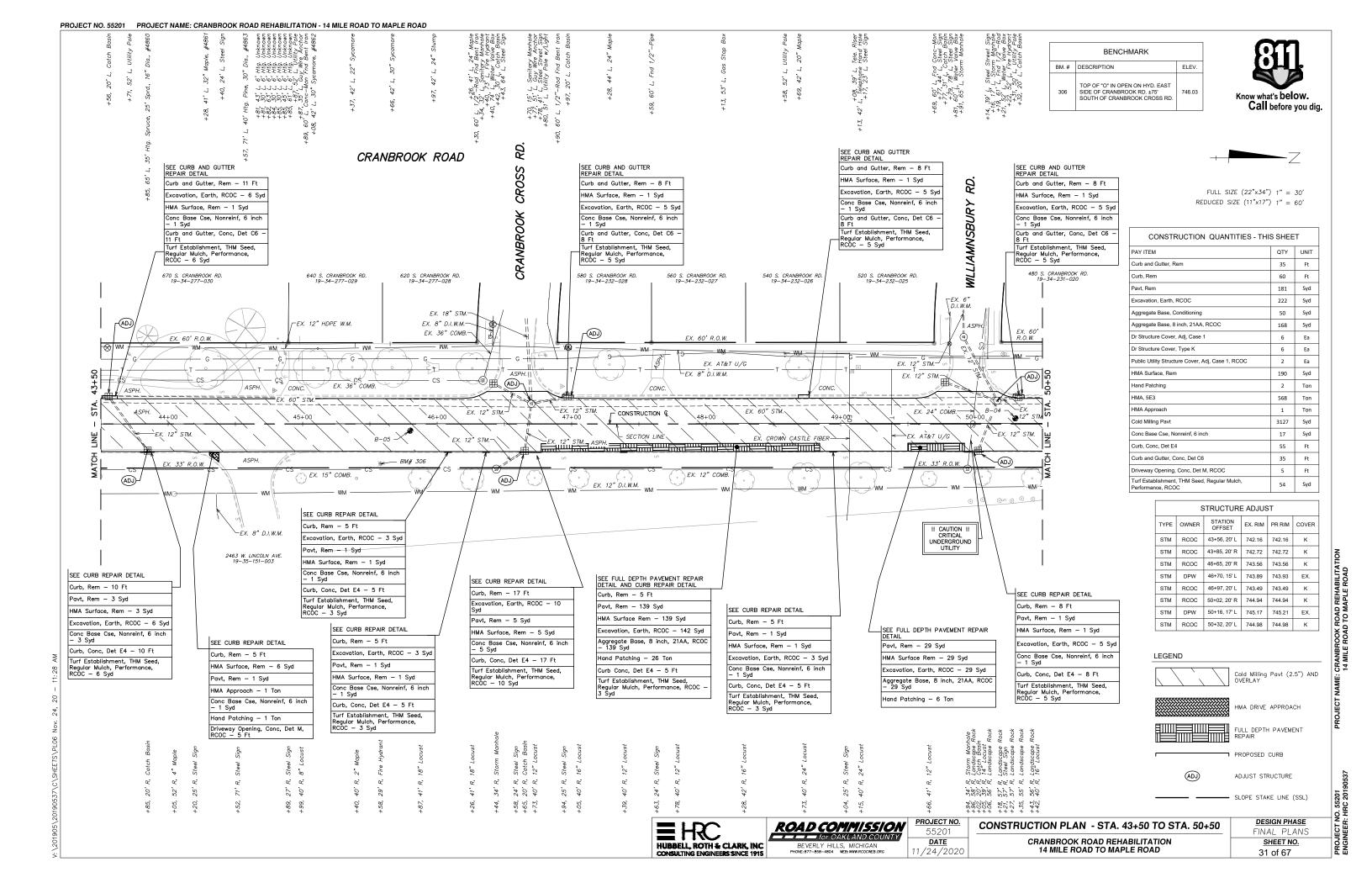
¬ PROPOSED CURB

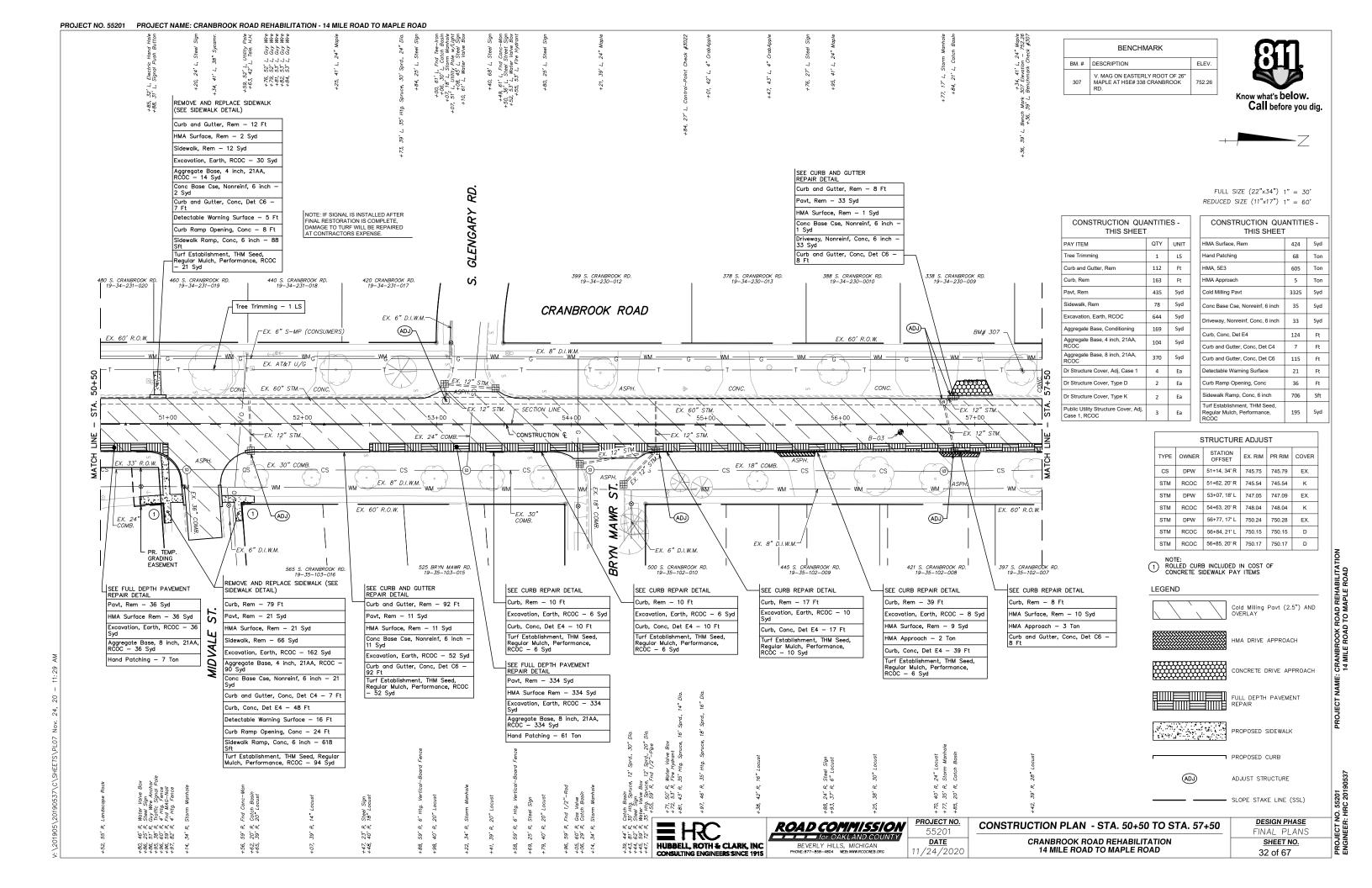
(ADJ)

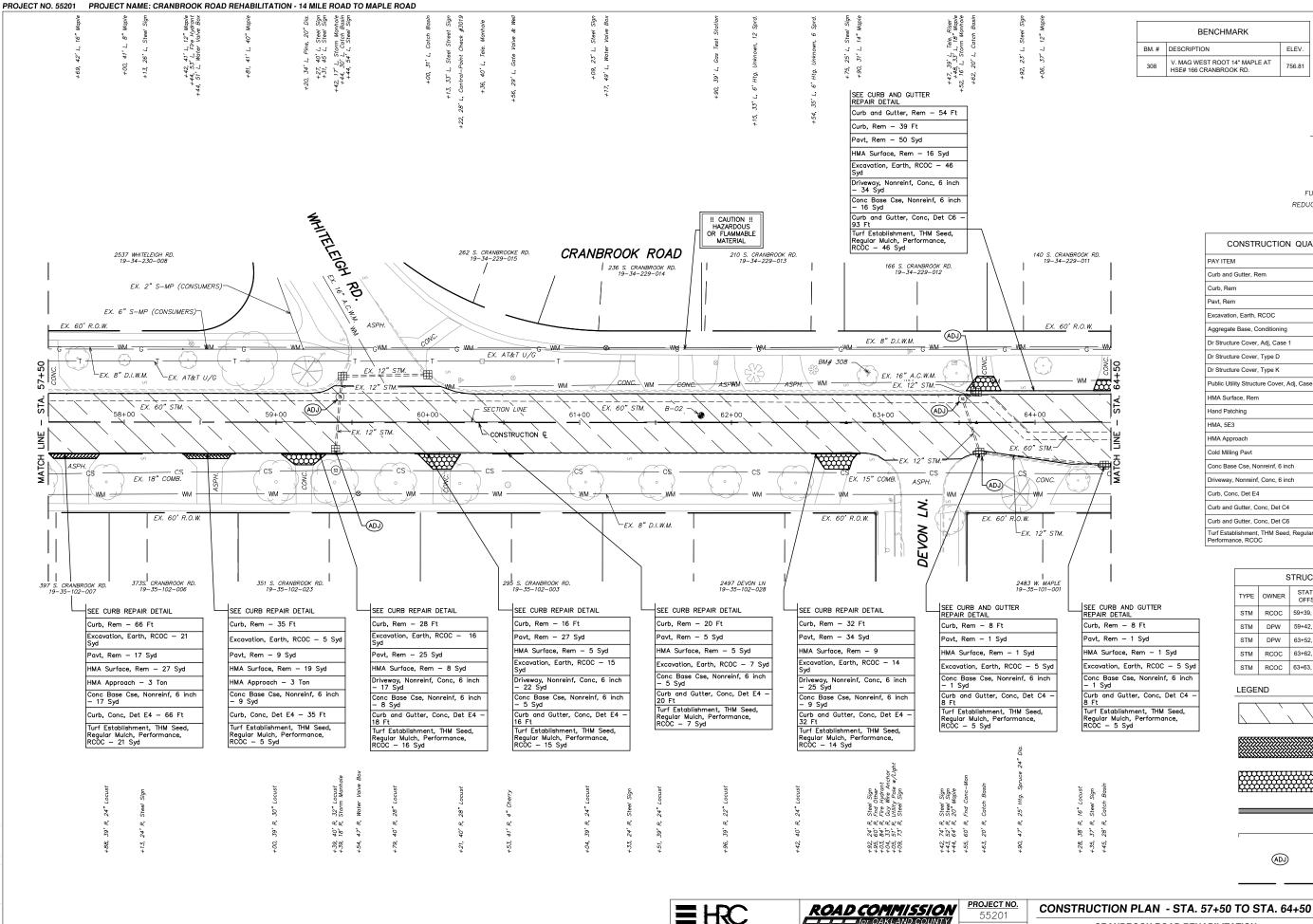
ADJUST STRUCTURE

DESIGN PHASE

FINAL PLANS SHEET NO. 30 of 67







ELEV. V. MAG WEST ROOT 14" MAPLE AT 756.81





FULL SIZE (22"x34") 1" = 30' REDUCED SIZE (11"x17") 1" = 60'

CONSTRUCTION QUANTITIES - THIS SHEET				
PAYITEM	QTY	UNIT		
Curb and Gutter, Rem	54	Ft		
Curb, Rem	215	Ft		
Pavt, Rem	169	Syd		
Excavation, Earth, RCOC	134	Syd		
Aggregate Base, Conditioning	242	Syd		
Dr Structure Cover, Adj, Case 1	3	Ea		
Dr Structure Cover, Type D	1	Ea		
Dr Structure Cover, Type K	2	Ea		
Public Utility Structure Cover, Adj, Case 1, RCOC	2	Ea		
HMA Surface, Rem	91	Syd		
Hand Patching	6	Ton		
HMA, 5E3	570	Ton		
HMA Approach	6	Ton		
Cold Milling Pavt	3141	Syd		
Conc Base Cse, Nonreinf, 6 inch	71	Syd		
Driveway, Nonreinf, Conc, 6 inch	98	Syd		
Curb, Conc, Det E4	187	Ft		
Curb and Gutter, Conc, Det C4	16	Ft		
Curb and Gutter, Conc, Det C6	93	Ft		
Turf Establishment, THM Seed, Regular Mulch, Performance, RCOC	134	Syd		

STRUCTURE ADJUST						
TYPE	OWNER	STATION OFFSET	EX. RIM	PR RIM	COVER	
STM	RCOC	59+39, 18' R	753.87	753.87	К	
STM	DPW	59+42, 17' L	752.82	752.86	EX.	
STM	DPW	63+52, 16' L	759.40	755.61	EX.	
STM	RCOC	63+62, 20' L	755.35	755.35	D	
STM	RCOC	63+63, 20' R	755.26	755.26	К	

#### LEGEND



Cold Milling Pavt (2.5") AND OVERLAY

CRANBROOK ROAD REHABILITA 14 MILE ROAD TO MAPLE ROAD



HMA DRIVE APPROACH



CONCRETE DRIVE APPROACH





PROPOSED CURB



ADJUST STRUCTURE

SLOPE STAKE LINE (SSL)









FULL SIZE (22"x34") 1" = 30' REDUCED SIZE (11"x17") 1" = 60'

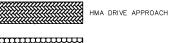
CONSTRUCTION QUANTITIES - TH	IS SHEE	T
PAY ITEM	QTY	UNIT
Curb and Gutter, Rem	186	Ft
Curb, Rem	80	Ft
Pavt, Rem	26	Syd
Excavation, Earth, RCOC	45	Syd
Aggregate Base, Conditioning	120	Syd
Aggregate Base, 8 inch, 21AA, RCOC	17	Syd
Dr Structure Cover, Adj, Case 1	1	Ea
Dr Structure Cover, Type D	1	Ea
HMA Surface, Rem	79	Syd
Hand Patching	7	Ton
HMA, 5E3	187	Ton
HMA Approach	9	Ton
Cold Milling Pavt	1031	Syd
Conc Base Cse, Nonreinf, 6 inch	59	Syd
Conc Pavt, Misc, Nonreinf, 7 inch	17	Syd
Curb, Conc, Det E4	20	Ft
Curb and Gutter, Conc, Det C4	150	Ft
Driveway Opening, Conc, Det M, RCOC	116	Ft
Turf Establishment, THM Seed, Regular Mulch, Performance, RCOC	28	Syd

OFFSET	STRUCTURE ADJUST						
STM RCOC 64+84 19' L 755 64 755 64 D	TYPE	OWNER		EX. RIM	PR RIM	COVER	
01111 11000 11 11 1 100:01 100:01 B	STM	RCOC	64+84, 19' L	755.64	755.64	D	





Cold Milling Pavt (2.5") AND OVERLAY





CONCRETE DRIVE APPROACH





SLOPE STAKE LINE (SSL)

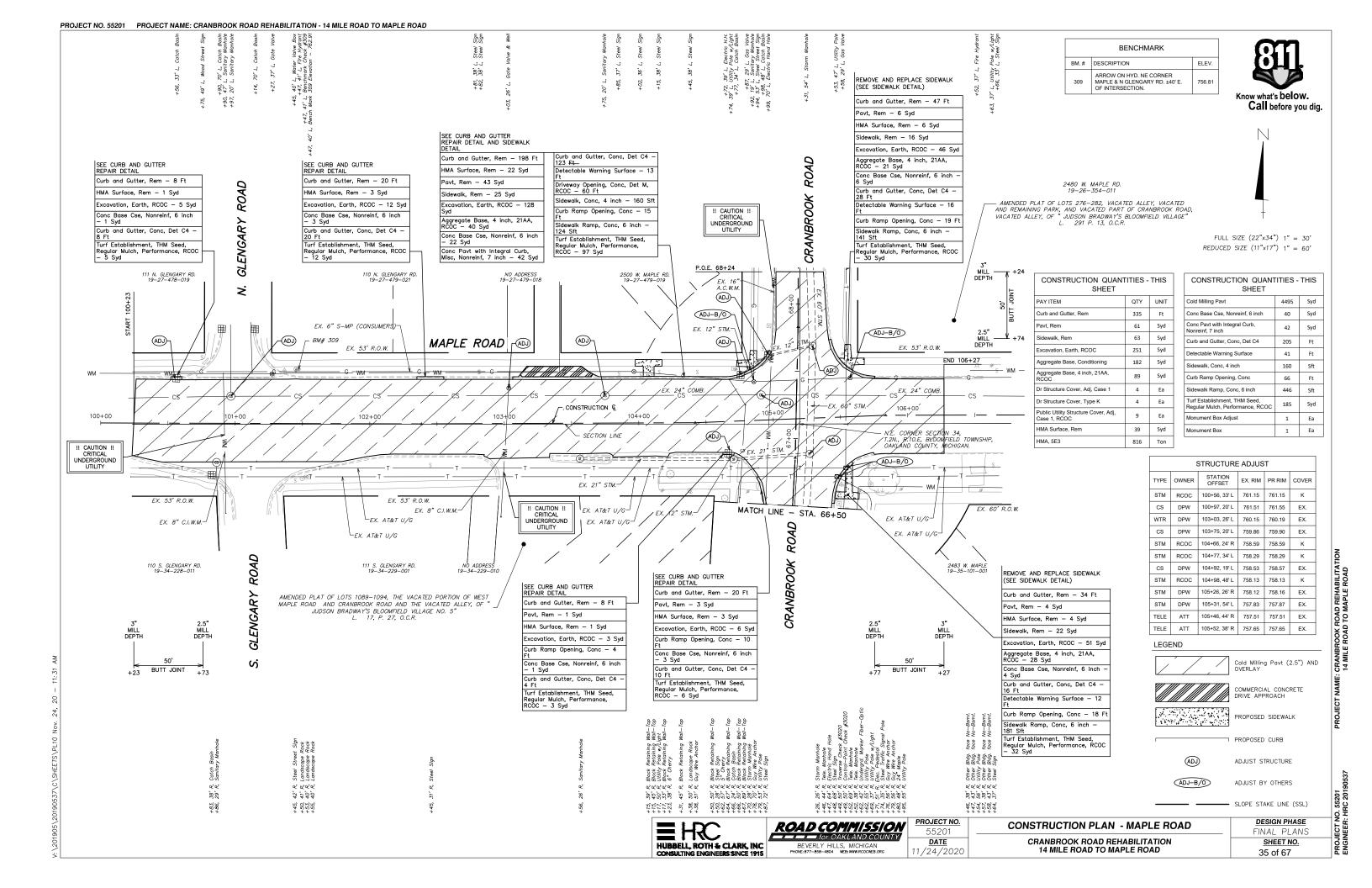
CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

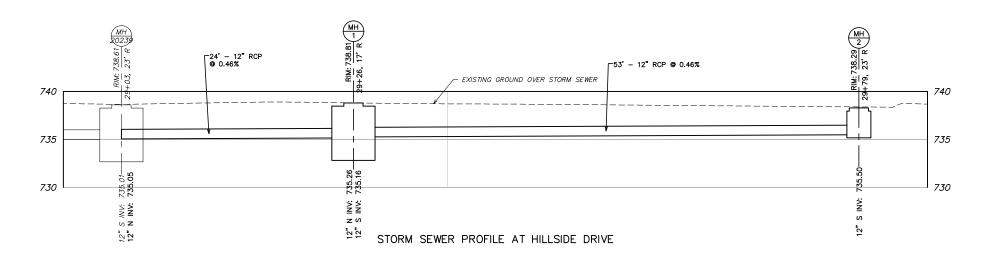
55201

DATE

CONSTRUCTION PLAN - STA. 64+50 TO 66+50

DESIGN PHASE FINAL PLANS SHEET NO. 34 of 67





HUBBELL, ROTH & CLARK, INC CONSULTING ENGINEERS SINCE 1915

ROAD COMMISSION

NOT OAKLAND COUNTY

BEVERLY HILLS, MICHIGAN
PHONE: 877–858–4804 WEB: WWW.RCOCWEB.ORG

PROJECT NO. 55201 DATE 11/23/2020

STORM SEWER PROFILE

CRANBROOK ROAD REHABILITATION
14 MILE ROAD TO MAPLE ROAD

DESIGN PHASE
FINAL PLANS
SHEET NO.
36 of 67





FULL SIZE (22"x34") 1" = 10' REDUCED SIZE (11"x17") 1" = 20'

DETAILED GRADES					
PT#	ELEV.				
1	N:377803.1390 E:13425703.8847	723.18			
2	N:377811.7138 E:13425702.7072	722.99			
3	N:377805.4088 E:13425711.0193	723.16			
4	N:377810.8975 E:13425724.3901	723.50			
5	N:377799.3696 E:13425725.9800	723.72			
6	N:377812.8366 E:13425738.2551	722.90			
7	N:377754.9394 E:13425744.7282	724.38			
12	N:377797.4832 E:13425712.1076	723.24			
14	N:377789.3827 E:13425727.2765	723.90			
16	N:377787.5722 E:13425713.4388	723.30			
19	N:377787.2211 E:13425710.7920	723.63			
20	N:377797.1203 E:13425709.4657	723.24			
101	N:377733.2974 E:13425575.0197	728.93			
102	N:377735.3895 E:13425655.2509	726.86			
103	N:377737.7726 E:13425711.2156	725.48			
104	N:377751.8297 E:13425709.6998	724.44			
106	N:377732.2974 E:13425575.0282	728.97			
107	N:377740.2371 E:13425655.0640	726.58			
108	N:377742.8972 E:13425654.8334	726.58			
109	N:377736.1952 E:13425675.2423	726.27			
110	N:377741.9658 E:13425675.0185	725.93			
111	N:377740.5088 E:13425634.9765	727.16			
113	N:377756.2716 E:13425704.2927	724.33			
115	N:377753.7943 E:13425731.8296	724.54			
117	N:377744.6303 E:13425674.8242	726.26			
118	N:377757.9683 E:13425702.2308	724.66			

HUBBELL, ROTH & CLARK, INC CONSULTING ENGINEERS SINCE 1915



CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

480 S. CRANBROOK RD. 19-34-231-020 460 S. CRANBROOK RD. 19-34-231-019

EX. 60' R.O.W.

CRANBROOK ROAD

746.21 -PT. 17

> 746.11 -PT. 2

746.31 — PT. 1

ROAD

- 745.90 PT. 16

51+00

745.65 -PT. 26

746.60 -PT. 13

746.65 -PT. 11

747.78 -PT. 33

EX. 33' R.O.W.

745.87 PT. 31

> - 746.55 PT. 14

> > 747.50 PT. 35

440 S. CRANBROOK RD. 19-34-231-018



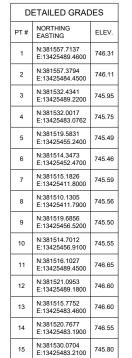
FULL SIZE (22"x34") 1" = 10'
REDUCED SIZE (11"x17") 1" = 20'

LEGEND



SLOPE IS 2% OR LESS IN ALL DIRECTIONS

DETAILED GRADES



N:381530.5494 E:13425489.2000

DETAILED GRADES						
NORTHING EASTING	ELEV.					
N:381559.3374 E:13425484.4700	746.21					
N:381559.6409 E:13425489.4800	746.31					
N:381568.5538 E:13425489.6100	747.00					
N:381568.5741 E:13425484.6100	746.95					
N:381573.5537 E:13425489.6300	747.05					
N:381573.5741 E:13425484.6300	747.00					
N:381515.1810 E:13425409.1300	745.59					
N:381510.1818 E:13425409.0500	745.56					
N:381520.0800 E:13425461.4900	745.60					
N:381515.0919 E:13425461.8900	745.65					
N:381510.2002 E:13425402.9500	745.98					
N:381515.1966 E:13425402.7600	746.03					
N:381515.0063 E:13425397.7800	746.08					
N:381510.0099 E:13425397.9700	746.03					
N:381514.4041 E:13425453.5478	745.87					
N:381498.1586 E:13425484.4885	747.75					
	NORTHING EASTING  N:381559.3374 E:13425484.4700  N:381559.6400 N:381559.6400 N:381568.5538 E:13425489.6100 N:381568.5731 E:13425484.6100 N:381573.5537 E:13425484.6300 N:381573.5741 E:13425484.6300 N:381515.1810 E:13425484.6300 N:381510.0810 E:13425409.1300 N:381510.0810 E:13425409.1300 N:381515.0919 E:13425402.7600 N:381515.0909 E:13425402.7600 N:381515.0009 E:13425397.7800 N:381515.0009 E:13425397.7800 N:3815110.0009 E:13425397.7800 N:381514.4041 E:1342545453.5478 N:381514.4041					

	l			
ELEV.		PT#	NORTHING EASTING	ELEV.
746.21		33	N:381498.5095 E:13425490.5161	747.78
746.31		34	N:381516.8461 E:13425504.4301	747.65
47.00		35	N:381521.6865 E:13425504.1647	747.50
46.95		36	N:381569.5590 E:13425503.5867	747.94
47.05		37	N:381574.3636 E:13425503.2456	748.11
47.00		38	N:381583.5189 E:13425490.0052	747.55
45.59		39	N:381583.3101 E:13425485.2246	747.51
45.56		40	N:381514.9508 E:13425391.7300	746.55
45.60		41	N:381509.6259 E:13425391.8652	746.47
45.65		42	N:381515.6294 E:13425489.9824	747.50
45.98		43	N:381516.3782 E:13425504.4595	747.65
46.03		44	N:381502.9350 E:13425490.7214	747.50
46.08		45	N:381574.0869 E:13425490.1542	747.51
46.03		46	N:381574.6838 E:13425499.8145	747.85
45.87		47	N:381581.0324 E:13425490.4147	747.51
47.75				





EX. 60' R.O.W.

747.55 PT. 38

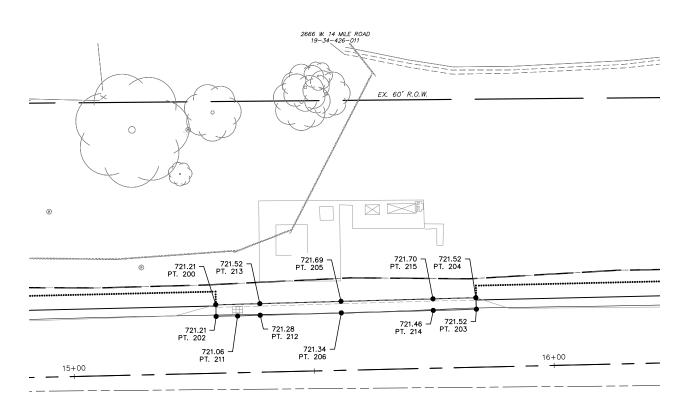
> 565 S. CRANBROOK RD. 19-35-103-016

DESIGN PHASE

FINAL PLANS

SHEET NO.

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CRANBROOK ROAD

D	ETAILED GRAD	ES	DI	ET/
Т#	NORTHING EASTING	ELEV.	PT#	NC EA
200	N:377968.5910 E:13425685.5040	721.21	228	N:3 E:1
202	N:377968.9862 E:13425687.9335	721.21	229	N:3 E:1
203	N:378022.5241 E:13425679.2526	721.52	230	N:3 E:1
204	N:378022.0838 E:13425676.8845	721.52	231	N:3 E:1
205	N:377994.3524 E:13425681.3678	721.69	232	N:3 E:1
206	N:377994.7419 E:13425683.7437	721.34	233	N:3 E:1
211	N:377973.4105 E:13425687.2605	721.06	234	N:3 E:1
212	N:377978.0491 E:13425686.4640	721.28	235	N:3 E:1
213	N:377977.6596 E:13425684.0880	721.52	236	N:
214	N:378013.6516 E:13425680.6912	721.46	237	N:3 E:1
215	N:378013.2720 E:13425678.3137	721.70	238	N:3 E:1
226	N:379223.8601 E:13425527.2222	739.73	239	N:3 E:1
227	N:379235.0928 E:13425528.8424	739.65	240	N:

DI	ETAILED GRAD	DES	D	ETAILED GRAD	ES
Т#	NORTHING EASTING	ELEV.	PT#	NORTHING EASTING	ELEV
28	N:379244.7401 E:13425531.7837	739.53	241	N:379394.4957 E:13425519.7254	738.39
29	N:379254.6414 E:13425538.8395	739.35	242	N:379403.6929 E:13425509.2926	738.3
30	N:379255.5909 E:13425539.8490	739.38	243	N:379418.6104 E:13425502.5596	738.35
31	N:379301.1923 E:13425535.5173	739.03	245	N:379234.8010 E:13425530.8210	740.23
32	N:379304.9407 E:13425531.5271	739.00	246	N:379243.8959 E:13425533.6085	739.53
33	N:379314.7515 E:13425521.4059	738.94	247	N:379253.1520 E:13425540.1772	739.35
34	N:379320.5573 E:13425518.9756	738.82	248	N:379254.1069 E:13425541.1898	739.6
35	N:379331.7147 E:13425517.3812	738.50	249	N:379302.9910 E:13425537.2210	739.22
36	N:379339.9978 E:13425516.1975	738.56	250	N:379306.7692 E:13425533.2546	739.00
37	N:379346.7604 E:13425516.2178	738.60	251	N:379316.3430 E:13425523.3369	738.94
38	N:379360.1055 E:13425523.9369	738.67	252	N:379320.9110 E:13425521.4505	739.25
39	N:379362.0676 E:13425526.7900	738.69	253	N:379332.0073 E:13425519.8727	738.93
40	N:379391.4931 E:13425534.4785	738.78	254	N:379340.3515 E:13425518.6724	738.99

DATE

11/24/2020

BEVERLY HILLS, MICHIGAN PHONE: 877-858-4804 WEB: WWW.RCOCWEB.ORG

	NORTHING	
PT#	EASTING	ELEV.
255	N:379346.3696 E:13425518.6871	739.03
256	N:379358.1655 E:13425525.5121	738.67
257	N:379359.9387 E:13425528.1043	738.94
258	N:379396.2357 E:13425520.7186	738.39
259	N:379404.7817 E:13425510.9705	738.31
260	N:379419.3691 E:13425504.3915	738.35
261	N:379393.4905 E:13425534.5794	739.07
262	N:379406.7687 E:13425507.5233	738.29
263	N:379407.6281 E:13425509.3294	738.76
265	N:379223.5746 E:13425529.2013	739.73

CRANBROOK ROAD REHABILITATION

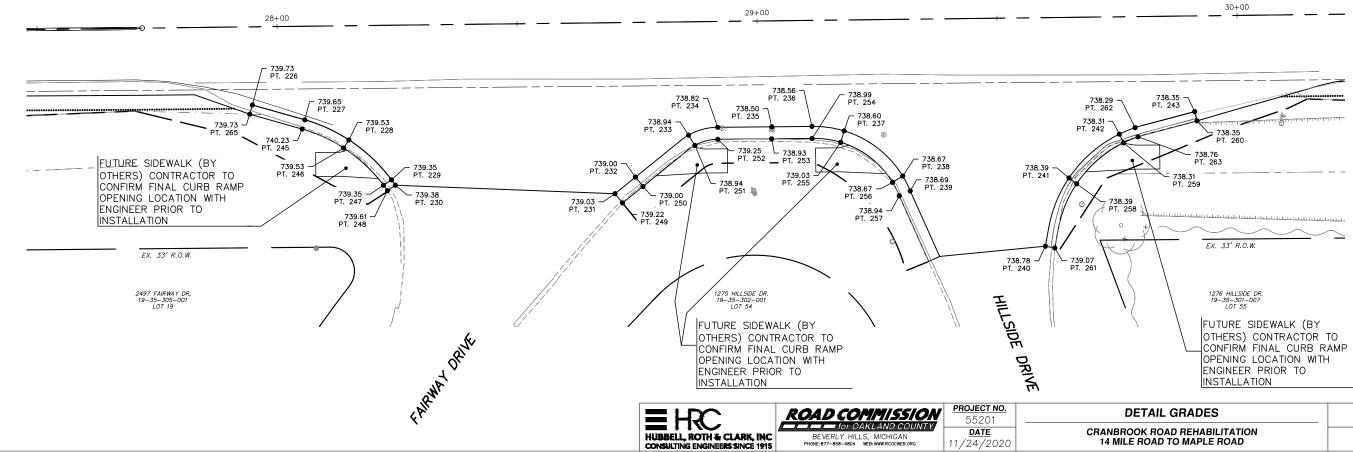
14 MILE ROAD TO MAPLE ROAD





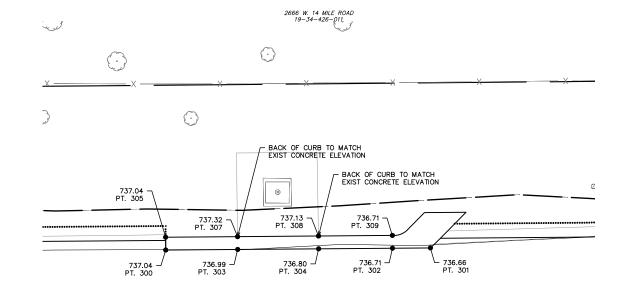
FULL SIZE (22"x34") 1" = 10' REDUCED SIZE (11"x17") 1" = 20'

#### CRANBROOK ROAD

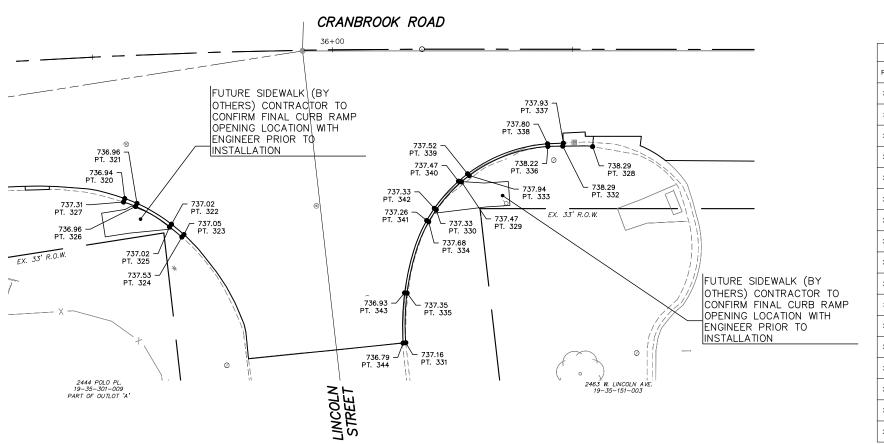


DESIGN PHASE FINAL PLANS SHEET NO.

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CRANBROOK ROAD



DETAILED GRADES  PT # NORTHING EASTING ELEV.  300 N:379575.1238 737.04  301 N:379629.7108 736.66  302 N:379621.8876 736.71  303 N:379621.8876 736.71  303 N:379689.9570 736.99  304 N:379606.6499 E:13425443.7017  305 N:379606.6499 E:13425443.3344 736.80  306 N:379674.7494 8:13425445.1650 737.04
EASTING ELEV.  300 N:379575.1238 E:13425447.8053 737.04  301 N:379629.7108 E:13425440.0641 736.66  302 N:379621.8876 E:13425441.1735 736.71  303 N:379689.9570 E:13425445.7017 736.99  304 N:379606.6499 E:13425443.3344 736.80
300 E:13425447.8053 737.04  301 E:13425440.0641 736.66  302 E:13425441.1735 736.71  303 N:379621.8876 E:13425441.7735 736.99  304 N:379606.6499 E:13425443.3344 736.80
301 E:13425440.0641 736.66 302 N:379621.8876 E:13425441.1735 736.71 303 N:379689.9570 E:13425445.7017 736.99 304 N:379606.6499 E:13425443.3344 736.80 805 N:379574.7494 737.04
302 E:13425441.1735 736.71 303 N:379589.9570 736.99 304 N:379606.6499 E:13425443.3344 736.80
303 E:13425445.7017 736.99 304 N:379606.6499 E:13425443.3344 736.80 N:379574.7494 737.04
E:13425443.3344
L. 10420440.1000
N:379589.5826 E:13425443.0614 737.32
308 N:379606.2755 E:13425440.6941 737.13
N:379621.5133 E:13425438.5341 736.71
320 N:379976.3626 E:13425441.2972 736.94
321 N:379978.8979 E:13425442.3376 736.96
322 N:379986.0364 E:13425446.7681 737.02
323 N:379988.5973 E:13425448.9473 737.05
324 N:379988.1563 E:13425449.4597 737.53
325 N:379985.6104 E:13425447.3034 737.02
326 N:379978.6081 E:13425442.9699 736.96
N:379976.0958 E:13425442.0149 737.31

328	N:380073.9674 E:13425431.7340	738.29
329	N:380046.5539 E:13425438.7201	737.47
330	N:380041.2180 E:13425444.4575	737.33
331	N:380034.5032 E:13425472.0745	737.16
332	N:380067.7416 E:13425431.5650	738.29
333	N:380048.1963 E:13425437.4419	737.94
334	N:380039.6087 E:13425446.9429	737.68
335	N:380034.9046 E:13425461.7377	737.35
336	N:380064.6360 E:13425431.5886	738.22
337	N:380067.8843 E:13425430.9338	737.93
338	N:380064.5935 E:13425431.0356	737.80
339	N:380047.8394 E:13425437.0578	737.52
340	N:380045.9394 E:13425438.5882	737.47
341	N:380039.2062 E:13425446.6842	737.26
342	N:380040.8212 E:13425444.1643	737.33
343	N:380034.4067 E:13425461.6878	736.93
344	N:380033.9484 E:13425472.1408	736.79

DETAILED GRADES

ELEV.

PT # NORTHING EASTING

- 755.61 PT. 339

- 755.61 PT. 401 756.14 PT. 340

755.67 PT. 402

64+00

166 S. CRANBROOK RD. 19-34-229-012

> 755.77 PT. 436

- 755.56 PT. 435 FULL SIZE (22"x34") 1" = 10'
REDUCED SIZE (11"x17") 1" = 20'



# CRANBROOK ROAD

756.28 PT. 439

755.77 PT. 341

755.77 PT. 403 755.84 PT. 342

> 755.84 -PT. 404

NO ADDRESS 19-34-229-010

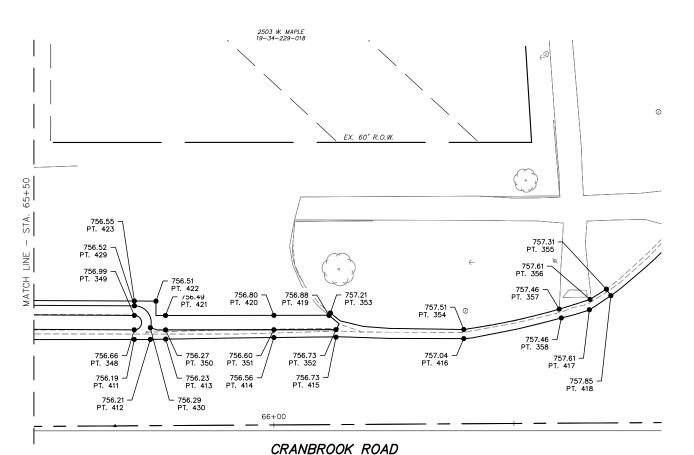
755.84 PT. 432

756.27 PT. 343

755.78 · PT. 362

> 755.75 -PT. 361

755.75 -PT. 405



140 S. CRANBROOK RD. 19-34-229-011

DETAILED GRADES				
PT#	NORTHING EASTING	ELEV.		
337	N:382945.1171 E:13425429.6195	755.93		
338	N:382777.9612 E:13425425.9324	755.48		
339	N:382797.7179 E:13425426.2511	755.61		
340	N:382820.0667 E:13425426.5885	756.14		
341	N:382858.5073 E:13425426.9038	755.77		
342	N:382880.5134 E:13425427.1632	755.84		
343	N:382893.8768 E:13425423.0523	756.27		
344	N:382945.1305 E:13425427.6365	756.40		
345	N:382945.1837 E:13425424.6369	756.78		
346	N:382968.0889 E:13425425.0431	756.89		
347	N:382968.0358 E:13425428.0427	756.53		
348	N:382990.9410 E:13425428.4489	756.66		
349	N:382990.9942 E:13425425.4494	756.99		
350	N:382997.4727 E:13425428.5419	756.27		
351	N:383020.0305 E:13425428.8078	756.60		
352	N:383032.9549 E:13425428.9602	756.73		
353	N:383031.8402 E:13425425.4616	757.21		
354	N:383059.5745 E:13425429.2739	757.51		
355	N:383089.3912 E:13425421.2596	757.31		
356	N:383085.9616 E:13425423.3371	757.61		
357	N:383079.5120 E:13425425.2929	757.46		
358	N:383079.9264 E:13425427.1332	757.46		

DETAILED GRADES			D	ETAILED GRAD	DES
PT#	NORTHING EASTING	ELEV.	PT#	NORTHING EASTING	ELE\
359	N:382938.6257 E:13425427.8482	755.93	419	N:383031.5444 E:13425425.9433	756.8
360	N:382941.8741 E:13425427.3500	755.95	420	N:383020.0658 E:13425425.8080	756.8
361	N:382893.8118 E:13425427.3200	755.75	421	N:382997.4936 E:13425425.5419	756.4
362	N:382892.9721 E:13425426.0770	755.78	422	N:382995.5467 E:13425422.5296	756.5
400	N:382777.9124 E:13425428.3699	755.48	423	N:382991.0474 E:13425422.4498	756.5
401	N:382797.7027 E:13425428.5039	755.61	424	N:382968.1421 E:13425422.0436	756.4
402	N:382820.0359 E:13425428.7229	755.67	425	N:382940.7376 E:13425421.5576	756.3
403	N:382858.4923 E:13425429.1135	755.77	426	N:382938.6789 E:13425424.8486	756.2
404	N:382880.4992 E:13425429.2625	755.84	427	N:382945.2192 E:13425422.6373	756.3
405	N:382893.7976 E:13425429.4067	755.75	428	N:382968.1244 E:13425423.0435	756.4
406	N:382919.9926 E:13425429.5243	755.79	429	N:382991.0297 E:13425423.4497	756.5
407	N:382938.6470 E:13425429.5705	755.89	430	N:382994.2901 E:13425428.0495	756.2
408	N:382941.8589 E:13425429.5923	755.91	431	N:382920.0149 E:13425427.6288	755.8
410	N:382968.0213 E:13425430.1835	756.06	432	N:382894.9963 E:13425424.7096	755.8
411	N:382990.9270 E:13425430.4611	756.19	433	N:382904.1275 E:13425429.4850	755.7
412	N:382994.2732 E:13425430.4844	756.21	434	N:382945.2369 E:13425421.6374	756.3
413	N:382997.4593 E:13425430.4732	756.23	435	N:382781.9335 E:13425428.4504	755.5
414	N:383020.0113 E:13425430.4367	756.56	436	N:382782.1024 E:13425416.3289	755.7
415	N:383032.9441 E:13425430.5265	756.73	437	N:382792.9935 E:13425416.7021	755.8
416	N:383059.5613 E:13425431.1791	757.04	438	N:382861.2090 E:13425419.6114	756.2
417	N:383085.7905 E:13425425.5054	757.61	439	N:382877.6193 E:13425420.0571	756.2
418	N:383090.3070 E:13425422.6259	757.85	440	N:382920.0239 E:13425424.7893	756.0

2503 W. MAPLE 19-34-229-018

756.31 PT. 427 756.78 ¬ PT. 345

756.34 · PT. 425

756.20 -PT. 426

755.93 -PT. 359

755.89 -PT. 407

> 755.95 <sup>—</sup> PT. 360

755.83 -PT. 431

755.79 -PT. 406

65+00

756.45 -PT. 424

756.42 PT. 428

756.89 -PT. 346

> 756.53 · PT. 347

756.06 <sup>\_\_/</sup> PT. 410

- 755.93 PT. 337

755.91 PT. 408 757.24 -PT. 502

757.08 · PT. 500

> 757.14 -PT. 519

757.72 — PT. 533 757.80 — PT. 532

757.97 –/ PT. 531

758.25 -PT. 530

2483 W. MAPLE 19-35-101-001 FULL SIZE (22"x34") 1" = 10'
REDUCED SIZE (11"x17") 1" = 20'

<u>LEGEND</u>

 $\longleftrightarrow$ 

SLOPE IS 2% OR LESS IN ALL DIRECTIONS

D	ETAILED GRAD	DES
PT#	NORTHING EASTING	ELEV.
500	N:383073.0926 E:13425478.0985	757.08
501	N:383076.8187 E:13425478.2589	757.14
502	N:383082.0377 E:13425478.7165	757.24
503	N:383098.6659 E:13425485.7294	757.69
504	N:383104.2416 E:13425490.6663	757.62
505	N:383104.7224 E:13425491.2597	757.59
506	N:383092.5374 E:13425481.6680	757.55
507	N:383167.1353 E:13425505.3203	756.94
508	N:383167.6313 E:13425496.4593	757.01
509	N:383171.4815 E:13425487.4782	757.08
510	N:383179.7040 E:13425476.6955	757.24
511	N:383194.1774 E:13425469.8534	757.41
512	N:383194.6774 E:13425471.6314	757.42
513	N:383180.9711 E:13425478.2149	757.24
514	N:383172.7667 E:13425488.1599	757.10
515	N:383169.6670 E:13425496.8659	757.48
516	N:383168.8232 E:13425505.4327	757.42
517	N:383097.6172 E:13425487.2419	757.69
518	N:383081.7456 E:13425480.5329	757.24

_		
PT#	NORTHING EASTING	ELEV.
519	N:383076.7375 E:13425480.1442	757.14
520	N:383073.0488 E:13425480.0620	757.41
521	N:383091.6374 E:13425483.5169	758.03
524	N:383181.4826 E:13425487.2880	757.24
526	N:383176.5066 E:13425487.7858	757.17
528	N:383181.2009 E:13425482.2912	757.24
529	N:383081.9755 E:13425492.9336	757.88
530	N:383081.7993 E:13425498.0776	758.25
531	N:383077.0701 E:13425498.0846	757.97
532	N:383076.9764 E:13425493.0263	757.80
533	N:383076.8837 E:13425488.0271	757.72
534	N:383081.8828 E:13425487.9344	757.80
535	N:383102.7875 E:13425492.0207	757.65
536	N:383103.3735 E:13425492.6147	758.00
537	N:383097.8367 E:13425492.2364	757.65
538	N:383177.2213 E:13425497.2322	757.72
539	N:383182.0278 E:13425496.9612	757.79
540	N:383191.5107 E:13425482.0187	757.71
541	N:383191.5483 E:13425486.2362	757.74

DETAILED GRADES



MAPLE ROAD

CRANBROOK ROAD

67+00

757.55 PT. 506

758.00 PT. 536

757.69 -PT. 517

 $\circ$ 



757.24 -PT. 513

> - 757.71 PT. 540

> > EX. 43' R.O.W.

757.24 PT. 510

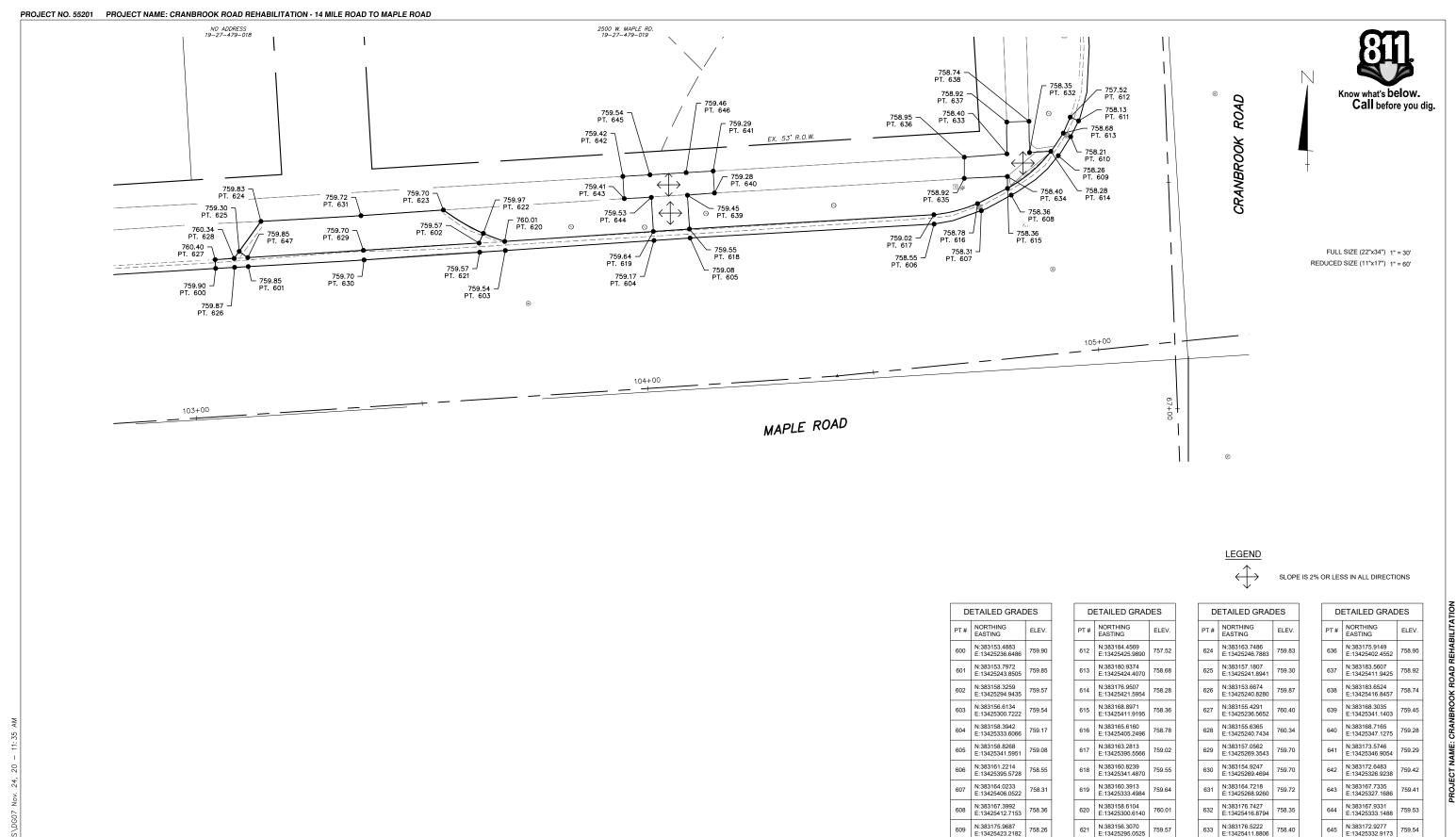
757.72 PT. 538

757.24 PT. 528

757.17 PT. 526

757.08 − PT. 509 ⊗

757.48 -PT. 515 756.94 -PT. 507



HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS SINCE 1915



4/	PROJECT NO.	
	55201	
"	DATE	
	11/24/2020	L

610 N:383180.1333 E:13425426.0356

611 N:383183.6008 E:13425427.7968 758.21

758.13

DETAIL GRADES

CRANBROOK ROAD REHABILITATION
14 MILE ROAD TO MAPLE ROAD

622 N:383160.4480 E:13425295.9135

623 N:383165.7395 E:13425287.1417 759.97

759.70

634 N:383171.5187 E:13425411.9113

635 N:383171.2318 E:13425402.3784

758.40

758.92

DESIGN PHASE
FINAL PLANS
SHEET NO.
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759.46

759.85

646 N:383173.2982 E:13425340.9087

647 N:383155.7865 E:13425243.7651 PROJECT NO. 55201 ENGINEER: HRC 20190537

55201

DATE

 $11/2\overline{3/2}020$ 

CRANBROOK ROAD REHABILITATION

14 MILE ROAD TO MAPLE ROAD

FINAL PLANS

SHEET NO.

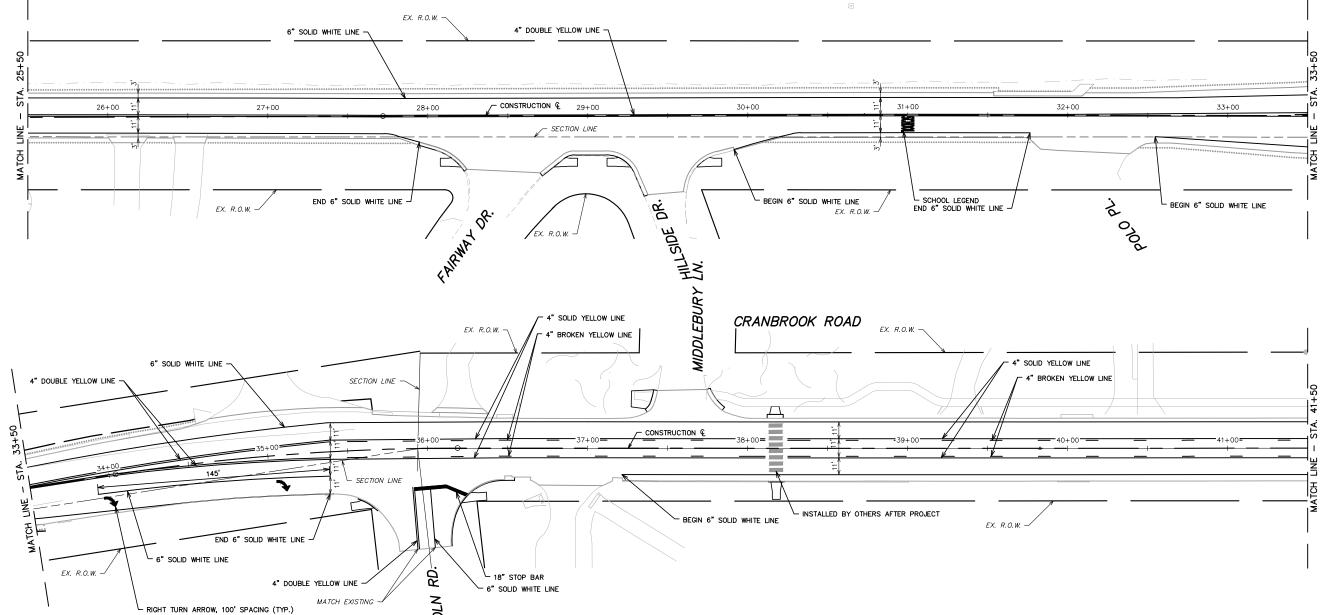
44 of 67

# CRANBROOK ROAD





FULL SIZE (22"x34") 1" = 30' REDUCED SIZE (11"x17") 1" = 60'



PAVEMENT MARKING QUANTITIES	- THIS SHE	ET
PAY ITEM	QTY	UNIT
Pavt Mrkg, Sprayable Thermopl, 4 inch, Yellow	3390	Ft
Pavt Mrkg, Sprayable Thermopl, 6 inch, White	2940	Ft
Pavt Mrkg, Cold Plastic, 18 inch, Stop Bar	35	Ft
Pavt Mrkg, Cold Plastic, Right-Turn Arrow Symbol	2	Ea
Pavt Mrkg, Cold Plastic, School	1	Ea

55201

DATE

55201

DATE

11/23/2020

CRANBROOK ROAD REHABILITATION

14 MILE ROAD TO MAPLE ROAD

FINAL PLANS

SHEET NO.

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PAVEMENT MARKING QUANTITIES	- THIS SHE	EΤ
PAY ITEM	QTY	UNIT
Pavt Mrkg, Sprayable Thermopl, 4 inch, Yellow	2120	Ft
Pavt Mrkg, Sprayable Thermopl, 6 inch, White	1965	Ft
Pavt Mrkg, Cold Plastic, 18 inch, Stop Bar	33	Ft
Pavt Mrkg, Cold Plastic, Left-Turn Arrow Symbol	2	Ea
Pavt Mrkg, Cold Plastic, Right-Turn Arrow Symbol	2	Ea

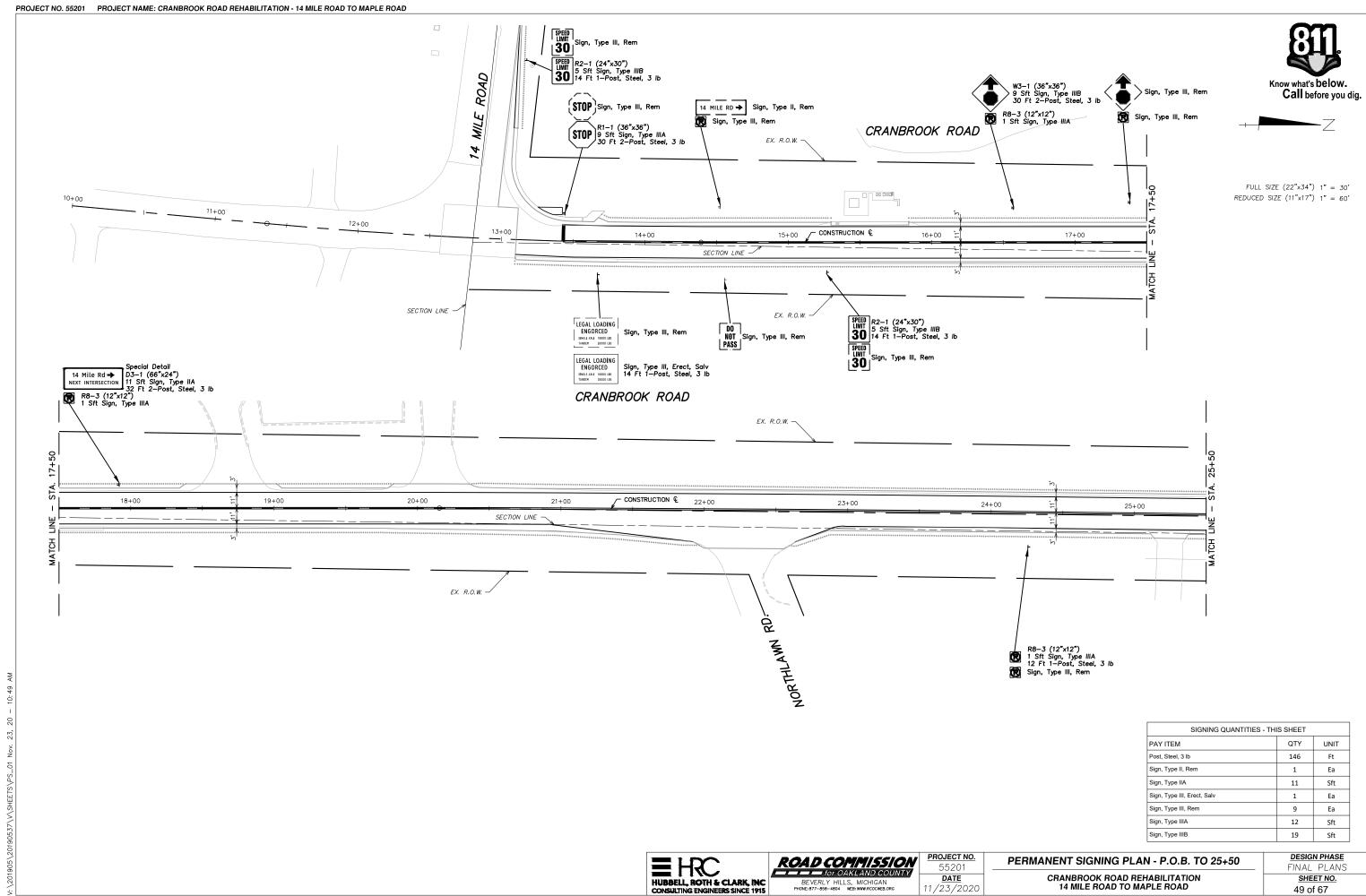
HUBBELL ROTH & CLARK, INC CONSULTING ENGINEERS SINCE 1915



PAVEMENT MARKING QUANTITIE	S - THIS SH	EET
PAY ITEM	QTY	UNIT
Pavt Mrkg, Sprayable Thermopl, 4 inch, Yellow	1025	Ft
Pavt Mrkg, Sprayable Thermopl, 6 inch, White	230	Ft
Pavt Mrkg, Cold Plastic, 6 inch, Crosswalk Line	500	Ft
Pavt Mrkg, Cold Plastic, 18 inch, Stop Bar	66	Ft
Pavt Mrkg, Cold Plastic, Left-Turn Arrow Symbol	1	Ea

HUBBELL, ROTH & CLARK, INC CONSULTING ENGINEERS SINCE 1915





CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

14 MILE ROAD TO MAPLE ROAD

PROJECT NAME: CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

> IECT NO. 55201 NEER: HRC 20190537

<b>■</b> HC	7
HUBBELL, ROTH & CLARK, INC	
CONSULTING ENGINEERS SINCE 1915	



55201 DATE 11/23/2020 PERMANENT SIGNING PLAN - 41+50 TO 57+50 CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

**DESIGN PHASE** FINAL PLANS SHEET NO. 51 of 67

<b>■</b> HC	Ź
HUBBELL, ROTH & CLARK, INC.	



,	PROJECT NO.	Γ
	55201	l
	DATE	١
	11/23/2020	l

Street Sign Post

Ea

1

SIGNING QUANTITIES - TH	IS SHEET	
PAY ITEM	QTY	UNIT
Post, Steel, 3 lb	46	Ft
Sign, Type III, Rem	6	Ea
Sign, Type IIIB	14	Sft

HUBBELL, ROTH & CLARK, INC. CONSULTING ENGINEERS SINCE 1915



DESIGN PHASE	
FINAL PLANS	
SHEET NO.	
53 of 67	

NAME: CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD D3-2 (1.2) 35 mph or less;

1.63" Radius, 0.75" Border, White on, Green;

"14", ClearviewHwy-3-W; "Mile", ClearviewHwy-3-W;

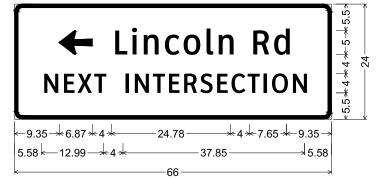
"Rd", ClearviewHwy-3-W; Arrow A-5 - 6.88" 0';

"NEXT", ClearviewHwy-3-W;

"INTERSECTION", ClearviewHwy-3-W;

Table of widths and spaces

	· · · · · ·																								
9.61	1 2.00	1.08	4 3.56																						
		М		i		l		е																	
	4.00	4.12	1.38	1.08	1.35	1.42	0.93	3.33																	
		R		d		<b>→</b>																			
	4.00	3.36	1.02	3.28	4.00	6.87	9.61	Į																	
	N		E		Χ		T																		
5.58	2.96	1.17	2.22	0.58	3.05	0.46	2.55																		
		I		N		Т		E		R		S		E		С		T		I		0		N	
	4.00	0.72	1.16	2.96	0.81	2.55	0.82	2.21	0.95	2.69	0.68	2.57	0.95	2.22	0.79	2.89	0.48	2.55	0.81	0.73	0.99	3.35	1.01	2.96	5.58



D3-2 (1.2) 35 mph or less;

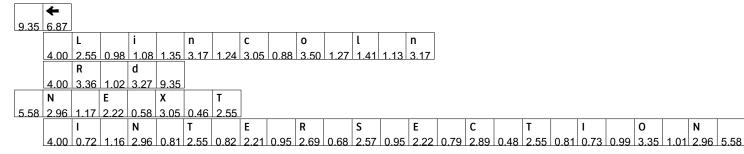
1.63" Radius, 0.75" Border, White on, Green;

Arrow A-5 - 6.88" 180'; "Lincoln", ClearviewHwy-3-W;

"Rd", ClearviewHwy-3-W; "NEXT", ClearviewHwy-3-W;

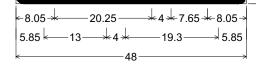
"INTERSECTION", ClearviewHwy-3-W;

Table of widths and spaces



# Maple Rd **NEXT SIGNAL**





D3-2 (1.1) 35 mph or less;

1.63" Radius, 0.75" Border, White on, Green;

"Maple", ClearviewHwy-3-W;

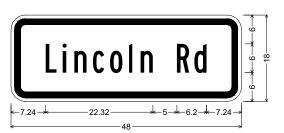
"Rd", ClearviewHwy-3-W;

"NEXT", ClearviewHwy-3-W;

"SIGNAL", ClearviewHwy-3-W;

Table of widths and spaces

	М		a		р		l		е				
8.05	4.12	1.27	3.36	1.27	3.28	1.27	1.41	0.94	3.33				
		R		d									
	4.00	3.36	1.02	3.27	8.05								
	N		E		Х		T						
5.85	2.96	1.18	2.21	0.59	3.05	0.45	2.56						
		S		ı		G		N		Α		L	
	4 00	2 57	0.95	0.73	0 99	3.07	1 02	2 96	0.81	3 35	0.81	2 04	



3.00" Radius, 1.25" Border, 0.75" Indent, Black on, Yellow;

"Lincoln", B; "Rd", B;

Table of widths and spaces

Γ		L		i		n		С		0		1		n
L	.24	2.25	1.30	0.75	1.68	2.53	1.34	2.53	1.02	2.63	1.34	0.75	1.67	2.53
			R		d									
		5 00	2 54	1 12	2 54	7 24								



55201

14 MILE ROAD TO MAPLE ROAD

DESIGN PHASE **SPECIAL DETAIL SIGNS** FINAL PLANS CRANBROOK ROAD REHABILITATION

D3-1 (12inch);

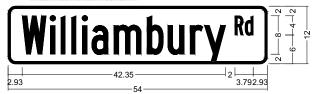
1.50" Radius, 0.50" Border, White on, Green;

"Cranbrook", B 10% spacing; "Cross", B 10% spacing;

"Rd", B 0% spacing;

Table of widths and space

abic	OI WI	uuis c	and Sp	accs														
	C		г		a		n		b		г		0		0		k	
0.77	3.38	0.19	2.57	0.08	3.38	0.22	3.39	0.22	3.38	0.18	2.57	0.08	3.52	0.12	3.52	0.18	3.38	
		С		г		0		s		s								
	1.00	3.37	0.19	2.57	0.09	3.51	0.12	3.38	0.11	3.38								
		R		d														
	1.00	1.69	-0.00	1.69	0.77													



D3-1 (12inch);

1.50" Radius, 0.50" Border, White on, Green;

"Williambury", B 55% spacing; "Rd", B 55% spacing;

Table of widths and spaces

	W		i		1		1		i		a		m		b		u		г		у
2.93	5.00	0.85	1.00	1.23	1.00	1.22	1.00	1.23	1.00	0.98	3.38	1.22	5.68	1.23	3.38	0.98	3.38	1.22	2.57	0.40	4.40
		R		d																	
	2 00	1 60	0.40	1 60	202																



D3-1 (12inch);

1.50" Radius, 0.50" Border, White on, Green;

"Westbourne", B 70% spacing; "Dr", B 70% spacing;

Table of widths and spaces

abic	OI WI	uuis c	and Sp	Jaces															
	W		e		s		t		b		0		u		г		n		е
2.29	5.00	0.95	3.38	0.85	3.38	0.80	2.64	1.27	3.38	0.89	3.51	1.25	3.38	1.56	2.57	0.95	3.38	1.24	3.38
		D		г															
	2 00	1 60	0.68	1 20	2 20														



D3-1 (12inch);

1.50" Radius, 0.50" Border, White on, Green;

"Cranbrook", B; "Rd", B;

Table of widths and spaces

	С		г		a		n		b		г		0		0		k
2.95	3.38	1.90	2.57	0.86	3.38	2.23	3.38	2.23	3.38	1.78	2.57	0.85	3.52	1.26	3.52	1.78	3.38
		R		d													
	2.00	1.69	0.75	1.69	2.95												





D3-1 (12inch);

1.50" Radius, 0.50" Border, White on, Green;

"Glengarry", B; "Rd", B;

Table of widths and spaces

	G		1		е		n		g		a		г		Г		у
3.53	3.38	1.90	1.00	1.78	3.38	1.83	3.38	1.78	3.38	1.78	3.38	2.23	2.57	1.35	2.57	0.73	4.39
		R		d		1											
	2 00	1 60	0.75	1 60	2 52												



D3-1 (12inch);

1.50" Radius, 0.50" Border, White on, Green;

"Middlebury", B 70% spacing; "Ln", B 70% spacing;

Table of widths and spaces

	М		i		d		d		1		e		b		u		г		у
3.96	3.87	1.66	1.00	1.24	3.38	1.25	3.38	1.56	1.00	1.25	3.38	1.27	3.38	1.25	3.38	1.56	2.57	0.51	4.39
		L		n															
	2 00	1 50	0.61	1 60	2 96														



D3-1 (12inch);

1.50" Radius, 0.50" Border, White on, Green;

"Whiteleigh", B; "Rd", B;

Table of widths and spaces

	W		h		i		t		е		I		е		i		g		h
2.09	5.00	1.54	3.39	2.22	1.00	1.63	2.64	1.31	3.38	1.82	1.00	1.78	3.38	1.83	1.00	1.78	3.38	2.23	3.38
		R		d															
	2.00	1.68	0.76	1.69	2.09														



03-1 (12inch);

1.50" Radius, 0.50" Border, White on, Green;

"Glengarry", B; "Rd", B; Table of widths and spaces

G | I | e | n | g | a | r | r | y | 3.53 | 3.38 | 1.90 | 1.00 | 1.78 | 3.38 | 1.83 | 3.38 | 1.78 | 3.38 | 1.78 | 3.38 | 2.23 | 2.57 | 1.35 | 2.57 | 0.73 | 4.39 |

R d 2.00 1.69 0.75 1.69 3.53



1	PROJECT NO.
l	55201
ĺ	DATE
ı	11/23/2020

**SPECIAL DETAIL SIGNS** 

 $\bigcirc$  $\circ$ 

IN.

RM. MSS C.P.



## TRAFFIC SIGNAL

$\bigcirc$	INSTALL 12" VEHICULAR TRAFFIC SIGNAL (1-WAY SHOWN)
$\bigcirc$	INSTALL VEHICULAR TRAFFIC SIGNAL WITH SALVAGED HEADS (2-WAY SHOWN)
	EXISTING VEHICULAR TRAFFIC SIGNAL (1-WAY SHOWN)
<⊢	REMOVE VEHICULAR TRAFFIC SIGNAL (1-WAY SHOWN)
<u> </u>	INSTALL PEDESTRIAN (COUNTDOWN TYPE) TRAFFIC SIGNAL (2-WAY SHOWN)
l <u>a</u>	INSTALL PEDESTRIAN (COUNTDOWN TYPE) TRAFFIC SIGNAL WITH SALVAGED HEAD (2-WAY SHOWN)
<b>)</b>	REMOVE PEDESTRIAN (WALK-DON'T WALK) TRAFFIC SIGNAL (1-WAY SHOWN)
	EXISTING PEDESTRIAN (WALK-DON'T WALK) TRAFFIC SIGNAL (1-WAY SHOWN)
_	INSTALL JUNCTION BOX
	INSTALL SALVAGED JUNCTION BOX
	REMOVE JUNCTION BOX
	-
	EXISTING JUNCTION BOX
	INSTALL OVERHEAD PLASTIC JACKETED CABLE
	EXISTING OVERHEAD PLASTIC JACKETED CABLE
<del>/ / /</del> / / <del> / / /</del>	REMOVE OVERHEAD PLASTIC JACKETED CABLE
	INSTALL TRAFFIC SIGNAL CONTROLLER (NEW OR SALVAGED AS INDICATED). (EXCEPT AS OTHERWISE INDICATED)
•	INSTALL MAST ARM POLE & MAST ARM (SIZES AS INDICATED) ON NEW FOUNDATION (EXCEPT AS OTHERWISE INDICATED).
5	INSTALL TRAFFIC SIGNAL PEDESTAL ON NEW FOUNDATION (EXCEPT AS OTHERWISE INDICATED).
•	INSTALL ANCHOR BASE STEEL STRAIN POLE (SIZE AS INDICATED) ON NEW FOUNDATION. (EXCEPT AS OTHERWISE INDICATED).
	EXISTING TRAFFIC SIGNAL CONTROLLER
	EXISTING MAST ARM STANDARD
Ħ	EXISTING PEDESTAL
<b>⊕</b>	EXISTING STEEL STRAIN POLE
	BAG SIGNALS AS DIRECTED BY ENGINEER. (INCLUDED IN INSTALLATION OF T.S. ON THIS CONTRACT).
†	REMOVE BAG AS DIRECTED BY ENGINEER. (INCLUDED IN INSTALLATION OF T.S. ON THIS CONTRACT).
POCH	POLE CONTACT HEIGHT OF T.S. SPAN WIRE
L.C.H.	LOW CONTACT HEIGHT OF SPAN WIRE T.S. TO SPAN WIRE.
\$	INSTALL WARNING SIGN (TYPE AS INDICATED ON PLANS).
_	INSTALL 2-WAY CASE SIGN
	REMOVE 2-WAY CASE SIGN
	EXISTING 2-WAY CASE SIGN
	INSTALL 4—WAY CASE SIGN
•	
	REMOVE 4-WAY CASE SIGN
	EXISTING 4-WAY CASE SIGN

## UNDERGROUND

M.H. 1234	EXISTING MANHOLE	
○ EX. H.H.	EXISTING HANDHOLE	
×	EXISTING DUCT RUN	
<u>~~</u> × <i>-</i> #	REMOVE EXISTING DUCT RUN	
2-3" D.B.	BUILD DIRECT BURIAL CONDUIT (D.B.) OR ENCASED CONDUIT (E.C.) (2-3" D.B. SHOWN)	
2-3	GALVANIZED IRON CONDUIT (2-3" SHOWN)	
☐ M.H. 5678	BUILD NEW MANHOLE (2-WAY)	_
△ м.н. 9012	BUILD NEW MANHOLE (3-WAY)	+
M.H. 3456	BUILD NEW MANHOLE (4-WAY)	_
∠ м.н. 7890	BUILD NEW MANHOLE (CORNER)	_
0	BUILD ROUND HANDHOLE	_
	BUILD SQUARE HANDHOLE	_
	BUILD TYPE "D" HANDHOLE	1/2
	EXISTING DIRECT BURIAL OR PARKWAY CABLE	3/8
	ABANDON DIRECT BURIAL OR PARKWAY CABLE	_
	INSTALL DIRECT BURIAL CABLE (NO. & SIZE AS INDICATED)	
✡	EXISTING U.G.—FED ST. LTG. UNIT	
*	REMOVE U.G.—FED ST. LTG. UNIT & FDN. (EXCEPT AS OTHERWISE INDICATED)	
*	INSTALL COMB. T.S. & ST. LTG. STD. (SIZE AS SPECIFIED) ON NEW FDN., 6FT. CLAMP ON BRACKET ARM WITH 3'-0" RISE, INSTALL 400W. TYPE LUMINAIRE.	

### OVERHEAD

	EXISTING OR REMOVE WOOD POLE AS INDICATED
	REPLACE WOOD POLE (HEIGHT & CLASS AS INDICATED)
	INSTALL WOOD POLE (HEIGHT & CLASS AS INDICATED) (USE SALVAGED POLE WHERE INDICATED)
	EXISTING OVERHEAD ST. LTG. UNIT
	REMOVE OVERHEAD ST. LTG. UNIT
	INSTALL OVERHEAD ST. LTG. UNIT
	EXISTING OVERHEAD LINE
<del></del>	REMOVE OVERHEAD LINE
	INSTALL OVERHEAD LINE
	INSTALL & LATER REMOVE OVERHEAD LINE
$ \leftarrow $	INSTALL GUY & ANCHOR (1/2" GUY SHOWN)
$\longrightarrow$	REMOVE GUY & ANCHOR ROD
-	INSTALL POLE GUY (1/2" GUY SHOWN)
-	INSTALL ARM GUY (3/8" GUY SHOWN)
7 <del>/</del>	REMOVE GUY (TYPE AS INDICATED)
	MATERIAL TO BE INSTALLED
	MATERIAL TO BE REMOVED
	MAKE WOOD POLE SELF-SUPPORTING IN CONCRETE
	CABLE POLE

## DIAGRAMS

M.H. 1234	(U.G.—FED ST. LTG. STD. SYMBOLS SAME AS UNDERGROUND LEGEND OF THIS SHEET).
M.H. 5678	PROPOSED MANHOLE
-	EXISTING MANHOLE
H.H.	PROPOSED HANDHOLE
EX. H.H.	EXISTING HANDHOLE
<b>→</b> H.H.	PROPOSED HANDHOLE IN SAME LOCATION AS EX. HOLE
	INSTALL U.G. CABLE (NO. & SIZE AS INDICATED).
	EXISTING U.G. CABLE
<del>///</del> // <del>///</del> /	U.G. CABLE TO BE ABANDONED
<del>           </del>       <del>        </del>	U.G. CABLE TO BE REMOVED
<b>→</b>	DISCONNECT, INSULATE & CAP CABLE END.
<b>←</b>	SPLICE STRAIGHT THRU
<del>-  </del>  -	SPLICES

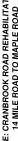
# TRAFFIC SIGNAL

dh.	INSTALL OVERHEAD DETECTION CAMERA MOUNTED AS INDICATED ON THE PLANS.	
2	INSTALL SALVAGED OVERHEAD DETECTION CAMERA MOUNTED AS INDICATED ON THE PLANS.	
	EXISTING OVERHEAD DETECTION CAMERA	-Ss
	REMOVE OVERHEAD DETECTION CAMERA	-EE
	DETECTION AREA FOR OVERHEAD DETECTOR	—Ţ—— T ————————————————————————————————
• • •	WIRELESS VEHICLE DETECTION AREA	-Gc
×	INSTALL LOOP DETECTOR & CABINET (EXCEPT AS OTHERWISE INDICATED).	
	EXISTING LOOP DETECTOR & CABINET	
	INSTALL OPTICAL DETECTOR AS SHOWN ON PLANS	

INSTALL WIRELESS VEHICLE RADIO RECEIVER AS INDICATED

## GENERAL

PROPERTY LINE (ROW)
PAVEMENT JOINTLINE & CURB FACE
PROPOSED PAVEMENT
SEWER LINE, MANHOLE & CATCH BASIN
DET. ED. CO. U.G. LINE & MANHOLE
TELEPHONE U.G. LINE & MANHOLE
WATERMAIN & GATEWELL (OTHER UTILITIES SIMILAR)
GAS STRUCTURE AND U.G. LINE







Know what's below. Call before you dig.

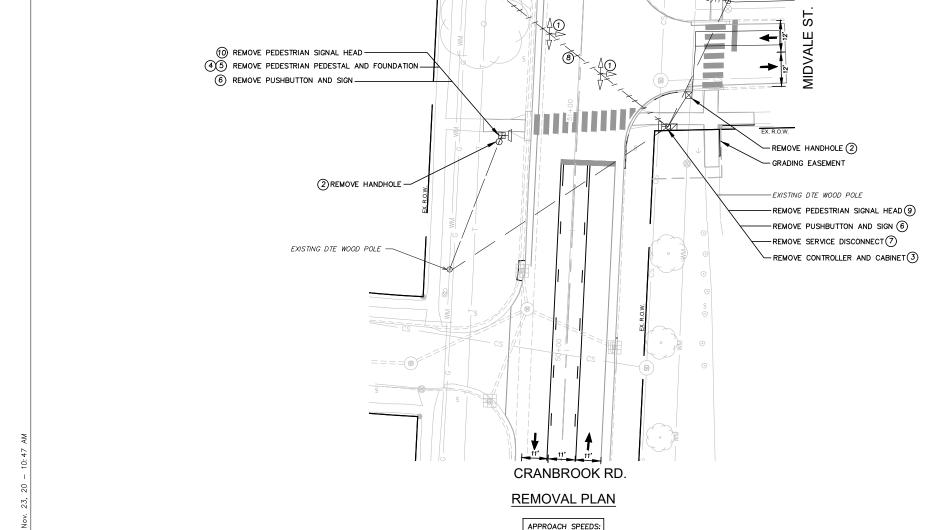
- 1. CALL MISS DIG (800-482-7171) OR (811) 3 WORKING DAYS PRIOR TO ANY EXCAVATION FOR THE LOCATIONS OF UNDERGROUND UTILITIES.

  30. ALL CONDUIT BENDS SHALL HAVE MINIMUM RADII IN ACCORDANCE WITH THE CURRENT N.E.C.
- WHERE ABANDONING OF U.G. CABLES IS CALLED FOR ON PLANS OR DIAGRAMS, CONTRACTOR SHALL CUT & REMOVE CABLES WITHIN MANHOLES, HANDHOLES, AND CONDUIT. ALL CONDUIT SHALL BE PLUGGED.
- WHERE INSTALLATION OF NEW MANHOLES OVER EXISTING CONDUITS (TO ACCOMMODATE NEW & EXISTING CONDUITS) IS CALLED FOR ON PLANS, CONTRACTOR SHALL CAREFULLY & SO AS NOT TO DAMAGE EXIST. CABLES, REMOVE THE EXISTING CONDUITS & ENCASEMENT WITHIN MANHOLES. EXIST. CABLES SHALL BE EXTENDED & PROPERLY
- 4. ALL EXISTING STREET LIGHTING, TRAFFIC SIGNAL, TRAFFIC SIGNAL COMMUNICATION, PRIMARY, TRANMISSION ETC. CIRCUITS SHALL ALWAYS BE MAINTAINED IN AN OPERATIONAL CONDITION (EXCEPT WHERE OTHERWISE NOTED).
- ALL CONDUITS NOT TERMINATING IN STRUCTURES SUCH AS MANHOLES, HANDHOLES OR FOUNDATIONS SHALL EXTEND 2 FEET BEYOND PAVEMENT LIMIT (EXCEPT AS OTHERWISE INDICATED). ALL UNOCCUPIED CONDUITS SHALL BE PLUGGED.
- ALL TREE TRIMMING REQUIRED TO CLEAR NEW OR SALVAGED ST. LTG. & TRAFFIC SIGNAL STD.'S, O.H. ST. LTG. & TRAFFIC SIGNAL UNITS SHALL BE INCLUDED IN THE PAY-ITEM & NO EXTRA PAYMENT SHALL BE MADE.
- 7. EXISTING O.H. & T.S. FACILITIES ARE NOT NECESSARILY SHOWN ON PLANS.
- 8. ALL OVERHEAD WIRES & UNDERGROUND CABLES SHALL CONSIST OF COPPER CONDUCTORS AS PER SPECIFICATIONS
- NEW CONDUITS BROKEN INTO EXISTING MANHOLES OR HANDHOLES SHALL NOT INTERFERE WITH RACKING AND/OR TRAINING OF CABLES.
- 10. ALL NEW ANCHOR GUYS SHALL BE INSTALLED ON A 1:1 RATIO OR AS NEARLY AS POSSIBLE (EXCEPT WHERE OTHERWISE NOTED). (STRUT GUYS ARE ACCEPTED).
- 11. ALL CABLES SHALL BE TAGGED IN ALL MANHOLES, HANDHOLES, AND CABINETS
- 12. INSTALL WOOD POLES SO AS NOT TO INTERFERE WITH TRAFFIC OR FUTURE CONSTRUCTION STAGES.
- 13. ALL SALVAGED WOOD POLES SHALL BE PREVIOUSLY INSTALLED NEW ON THIS CONTRACT. (EXCEPT AS OTHERWISE INDICATED)
- 14. ALL TRAFFIC SIGNS SUCH AS "NO PARKING", "NO STANDING", "STREET NAME", ETC. SHALL BE TRANSFERRED FROM OLD STD. OR POLE TO NEW STD. OR POLE AT THE SAME LOCATION OR IN CLOSE PROXIMITY BY CONTRACTOR.
- 15. ALL TRAFFIC SIGNALS SHALL BE MOUNTED WITH NEW STANDARD TRAFFIC SIGNAL
- 16. ALL TRAFFIC SIGNAL ITEMS, AS CALLED FOR ON PLANS, SHALL HAVE INCLUDED IN THE THE TRAFFIC SIGNAL ITEM ALL CABLES FROM THE CONTROLLER TO THE TRAFFIC SIGNALS, FOUNDATIONS & PIPE EXTENSIONS NEEDED TO MAINTAIN 17'-0" UNDER CLEARANCE AS INDICATED.
- 17. WHEN ENTERING PROPOSED CONDUIT INTO EXISTING MANHOLES & HANDHOLES EXERCISE CAUTION NOT TO DISTURB EXISTING CABLES.
- 18. ALL SALVAGED TRAFFIC SIGNALS SHALL BE TRAFFIC SIGNALS PREVIOUSLY INSTALLED NEW ON THIS CONTRACT. (EXCEPT AS OTHERWISE INDICATED)
- 19. RED TRENCH TRAPE SHALL BE INSTALLED OVER ALL DIRECT BURIAL CONDUIT.
- 20. THE CONTRACTOR SHALL DELIVER TO R.C.O.C. THE T.S. CONTROLLER AND CABINET FOR TIMING. R.C.O.C. WILL DELIVER T.S. CONTROLLER AND CABINET TO THE CONTRACTOR WHEN READY FOR INSTALLATION.
- PROPOSED T.S. SHALL BE PUT INTO OPERATION AT TIME OF REMOVAL OF EXISTING T.S. FACILITIES, CONTRACTOR SHALL NOTIFY R.C.O.C. IF UNABLE TO MAINTAIN T.S. IN AN OPERABLE CONDITION AT ALL TIMES.
- 22. A MINIMUM CLEARANCE OF 3'-6" HORIZONTAL & 1'-0" VERTICAL MUST BE MAINTAINED BETWEEN PROPOSED FACILITIES & EXISTING U.G. WATER FACILITIES.
- 23. ALL EQUIPMENT INSTALLED ON EXISTING UTILITY WOOD POLES SHALL MAINTAIN 48 INCHES OF CLEARANCE FROM PRIMARY OR OVERHEAD POWER CABLES. ALL OTHER EQUIPMENT INSTALLED SHALL MAINTAIN 10 FEET OF CLEARANCE FROM PRIMARY OR OVERHEAD POWER CABLES.
- LOCAL UTILITY CO. SERVICE INSTALLATION FEES, METERED SERVICE CHARGES AND OTHER CHARGES AS DETAILED ON THE PLANS (FOR LENGTH OF CONTRACT) ARE TO BE ORDERED & PAID BY THE CONTRACTOR.
- 25. CONTACT ROAD COMMISSION FOR OAKLAND COUNTY-TRAFFIC OPERATIONS CENTER AT (248) 858-7250, (48) HOURS PRIOR TO INSTALLATION AND INSPECTION OF TRAFFIC SIGNALS.
- 26. ALL MATERIAL THAT IS REMOVED ON THIS CONTRACT IS THE PROPERTY OF R.C.O.C. UNTIL DEEMED UNSALVAGEABLE BY R.C.O.C. ALL MATERIAL DEEMED TO BE UNSALVAGEABLE SHALL BE REMOVED AND DISPOSED OF BY THE CONTRACTOR UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
- 27. BAGGING OF TEMP. OR FINAL T.S. REQUIRED BY THE ENGINEER SHALL BE INCLUDED IN THE INSTALLATION OF T.S. ON THIS CONTRACT.
- 28. ALL O.H. TRAFFIC SIGNAL CABLE SHALL BE SUPPORTED BY 5/16" E.H.S. MESSENGER WIRE. (INCLUDED IN THE INSTALLATION OF T.S. ON THIS CONTRACT.)
- 29. ALL TRAFFIC SIGNAL SPANS SHALL BE GROUNDED. THE GROUND SHALL HAVE A RESISTANCE NO GREATER THAN 10 OHM WHEN INSTALLED.

- 31. ALL TRAFFIC SIGNAL FITTINGS (SCREWS, BOLTS, PINNACLES, ETC.) SHALL BE GREASED WITH A NON-OXIDE TYPE GREASE.
- 32. ALL GROUND WIRE SHALL BE #6 STRANDED COPPER. MAST ARM POLE GROUND WIRE SHALL BE #4 STRANDED COPPER.
- 33. WHEN SPLICING TRAFFIC SIGNAL CABLES, USE UN-INSULATED SOLID BARREL WHEN SPEIGING TRAFFIC SIGNAL CABLES, USE UN-INSULAILED SOLID BARKEL COMPRESSION TYPE CONNECTORS. TAPE OVER EACH INDIVIDUAL BARKEL AND ANY BARE WIRE WITH SCOTCH SUPER 33 PLUS TAPE OR EQUIVALENT. THEN TAPE OVERALL SPLICE WITH SCOTCH 130C LINERLESS RUBBER SPLICING TAPE OR EQUIVALENT. TAPE OVER WITH A LAYER OF SCOTCH SUPER 33 PLUS TAPE OR EQUIVALENT OVERLAPPING CABLE JACKET BY ONE INCH. ALL TAPE SHOULD COVER SPLICES FROM CABLE JACKET TO CABLE JACKET AND BE 1/2 LAPPED THE FINAL LAYER OF TAPE SHOULD BE WRAPPED IN AND LIPWARD MOTION SO THAT CUT OFF END DOES NOT ALLOW MOISTURE BACK INTO SPLICE
- NO CHANGES FROM PLANS IN LOCATION OF SUPPORTING STRUCTURES, SIGNAL HEAD PLACEMENT OR TRAFFIC SIGNAL EQUIPMENT WILL BE ALLOWED WITHOUT PRIOR APPROVAL OF THE ROAD COMMISSION FOR OAKLAND COUNTY. CONTACT ROAD COMMISSION FOR OAKLAND COUNTY-TRAFFIC OPERATIONS CENTER AT (248)-858-7250
- 35. STEMMING OF SIGNAL HEADS TO MAINTAIN EQUAL UNDER CLEARANCE FOR EACH SPAN WIRE MOUNTED SIGNAL HEAD (AT ALL INTERSECTIONS ON THIS CONTRACT) IS INCLUDED IN THE INSTALLATION OF T.S. IN THIS CONTRACT.
- 36. ALL JACKED-BORED, OPEN CUT OR DIRECT BURIAL CONDUIT CALLED FOR ON PLANS IS THE PREFERRED METHOD OF INSTALLATION. IF THE METHOD OF CONDUIT INSTALLATION IS IMPOSSIBLE TO CONSTRUCT OR IF THE CONTRACTOR PREFERS TO USE ANY OTHER METHOD, THE CHANGE OF METHOD MAY BE MADE UPON APPROVAL BY THE PROJECT ENGINEER. NO EXTRA PAYMENT WILL BE ALLOWED IF CONTRACTOR CHOOSES TO CHANGE THE METHOD OF CONDUIT INSTALLATION.
- THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING OR ANTICIPATING HIS NEED OR DESIRE TO INSTALL CONDUIT BY ANY OTHER METHOD AND TO INCLUDE THE COST IN HIS CONTRACT BID.
- 38. THE CONTRACTOR SHALL MAKE THE PERMANENT CONNECTION TO LOCAL UTILITY CO. 120V. SERVICE USING APPROVED PARALLEL GROOVED CONNECTORS WITH NON-OXIDE GREASE. (INCLUDED IN THE INSTALLATION OF TRAFFIC SIGNALS ON THIS CONTRACT.)
- 39. NO HDPE TO PVC CONNECTIONS ALLOWED.
- 40. ALL AUTOSCOPE CAMERA CLAM—ON BRACKET ARMS SHALL BE INSTALLED ON WOOD OR STEEL POLES PERPENDICULAR TO THE CURB UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
- 41. THE AUTOSCOPE CAMERAS, MOUNTING BRACKETS, CABLES, AND JUNCTION BOXES WILL BE FURNISHED BY R.C.O.C. AND INSTALLED BY THE CONTRACTOR. THE CONTRACTOR WILL FURNISH AND INSTALL ALL CABLES & CONNECTORS FROM THE VIDEO INTERFACE PANEL TO THE JUNCTION BOX AND/OR CAMERA. (INCLUDED IN THE INSTALLATION OF AUTOSCOPE CAMERA.)
- 42. ALL LOOP, CAMERA, AND PHONE SERVICE CABLE SHALL BE BELDEN YM 49001: POWER LIMITED TRAY CABLE 5 & 1/2 PAIRS, FOUR PAIRS ARE AWG (7X26) BARE COPPER + 1 & 1/2 PAIRS ARE 16 AWG (7X24) BARE COPPER, PVC INSULATION, OVERALL BEND FOIL SHIELD WITH A 16 AWG TINNED COPPER DRAIN WIRE. OVERALL PVC JACKET WITH NYLON RIPCORD.
- 43. EXISTING OPTI—COM EQUIPMENT SHALL BE RELOCATED BY CONTRACTOR AS DIRECTED BY THE ENGINEER. RELOCATION, CABLES & EQUIPMENT REQUIRED SHALL BE INCLUDED IN THE INSTALLATION OF T.S. ON THIS CONTRACT.
- 44. ALL WEATHERHEADS AND LB'S INSTALLED NEW ON THIS CONTRACT SHALL BE METAL.
- 45. THE "PLOWING IN CONDUIT" METHOD SHALL NOT BE USED ON THIS CONTRACT UNLESS OTHERWISE SPECIFIED BY THE ENGINEER.
- 46. WHEN CONTRACTOR IS INSTALLING A NEW STEEL STRAIN POLE FOR INSTALLATION OF A NEW SPAN WIRE BY LOCAL UTILITY CO., A SPAN WIRE ATTACHMENT CLAMP SHALL BE PROVIDED BY THE CONTRACTOR. (INCLUDED IN THE INSTALLATION OF STEEL POLE ON THIS CONTRACT.)
- ALL TRAFFIC SIGNALS, PEDESTRIAN TRAFFIC SIGNALS, CASE SIGNS, AND SPAN MOUNTED STATIC SIGNS THAT ARE NOT BEING USED WILL BE HOODED, TURNED, OR TAKEN DOWN TO CLEARLY INDICATE THAT THEY ARE NOT IN OPERATION. BAGGING MATERIAL WILL BE OF SUCH CONSTRUCTION AS TO NOT ALLOW ANYTHING TO BE VISIBLE THROUGH THE MATERIAL. BAGGING MATERIAL WILL BE OF SUCH CONSTRUCTION AS TO HOLD UP TO WIND AND OTHER ADVERSE WEATHER CONDITIONS. ALL TRAFFIC SIGNALS AND CASE SIGNS WILL BE DISABLED SO THAT NO LIGHTS ARE OPERATIONAL.
- 48. ALL TRAFFIC SIGNALS SHALL BE MOUNTED SUCH THAT A 17'-0" UNDER CLEARANCE IS MAINTAINED AT ALL TIMES.
- . THE CONTRACTOR IS REQUIRED TO PROVIDE AN INDEPENDENT CERTIFICATION ON BOLTS USED IN ANCHOR BASE STEEL STRAIN POLE AND MAST ARM STANDARD FOUNDATIONS. THE CERTIFICATION MUST COME FROM AN R.C.O.C. APPROVED TESTING FACILITY AND SHOW THAT THE BOLT MEETS R.C.O.C. SPECIFICATIONS. PRIOR TO TESTING, AN R.C.O.C. REPRESENTATIVE MUST INSPECT THE BOLT PILE AT THE CONTRACTOR'S YARD. ANCHOR BOLTS SHALL NOT BE HEATED NOR HAMMERED AFTER AFTER ACCEPTANCE FOR USE ON THIS PROJECT. CONTACT R.C.O.C. (248-858-7250) FOR INSPECTION.
- 50. CUTOVERS OF INTERSECTIONS WILL TAKE PLACE ON MONDAY THRU THURSDAY FROM 9:00 AM TO 3:00 PM ONLY. UNLESS OTHERWISE DIRECTED BY THE ENGINEER.

RCOC 2014 TRAFFIC SIGNAL DETAIL BOOK IS AVAILABLE AT RCOC WEB SITE AT WWW.RCOCWEB.ORG/DocumentCenter/home/view/190. THIS INFORMATION IS ALSO AVAILABLE UPON REQUEST DIRECTLY FROM RCOC. TRAFFIC SAFETY DEPARTMENT BY CONTACTING RCOC AT (248) 858 7250





30 MPH 30 MPH 25 MPH

CONSTRUCTION € —

EXISTING DTE WOOD POLE -

#### ALL CABLES SHALL BE REMOVED.

QUANTITIES - THIS SHEET				
NO. PAY ITEM QTY UNIT				
	PATILEM	QII	UNIT	
(1)	TS, Span Wire Mtd, Rem	2	Ea	
2	Hh, Rem	2	Ea	
3	Controller and Cabinet, Rem	1	Ea	
4	Pedestal Fdn, Rem	1	Ea	
(5)	Pedestal, Rem	1	Ea	
6	Pushbutton, Rem	2	Ea	
7	Serv Disconnect, Rem	1	Ea	
8	Span Wire, Rem	1	Ea	
9	TS, Pedestrian, Bracket Arm Mtd, Rem	1	Ea	
100	TS, Pedestrian, Pedestal Mtd, Rem	1	Ea	



- EXISTING DTE WOOD POLE



30 MPH

30 MPF

25 MPH

CONDUIT REQUIREMENTS (UNLESS OTHERWISE INDICATED) 3-3" & 1-1 1/4" D.B. MAST ARM POLE TO H.H 1-3" & 1-1 1/4" D.B. PEDESTAL TO H.H. 1-1 1/4" D.B. SUPPORT POST TO H.H. н.н. то н.н. 2-3" DIRECTIONAL BORE WOOD POLE TO H.H. 1-3" D.B. ONE-WAY, 24"X30" NON-ILLUMINATED ONLY

FACING NORTH C.S.#3









ONE-WAY NON-ILLUMINATED 8 FOOT STREET NAME SIGN



COUNTDOWN HEAD PS #1 PS #2 PS #3

C.S. #1 FACING NORTH-SOUTH

TWO-WAY NON-ILLUMINATED 6 FOOT STREET NAME SIGN

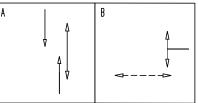


C.S. #2 FACING EAST-WEST



FULL SIZE (22"x34") 1" = 20' REDUCED SIZE (11"x17") 1" = 40'

PHASING DIAGRAM



	QUANTITIES - THIS SHEET			
NO.	PAY ITEM	QTY	UNIT	
1	Hh, Round	2	Ea	1
2	Hh, Square, RCOC	1	Ea	
3	Mast Arm Pole, Cat III	1	Ea	
4	Mast Arm, 25 foot, Cat III	1	Ea	1
(5)	Mast Arm, 45 foot, Cat III	1	Ea	1
6	Mast Arm Pole Fdn, RCOC	15	Ft	1
7	Digital Loop Detector	1	Ea	1
8	Pedestal, Fdn	3	Ea	1
9	Pedestal, Alum, RCOC	3	Ea	1
(10)	Pushbutton and Sign	2	Ea	1
(11)	Pushbutton Support Post, RCOC	1	Ea	1
(12)	TS, Pedestrian, One Way Pedestal Mtd (LED) Countdown	2	Ea	1
13	TS, Pedestrian, Two Way Pedestal Mtd (LED) Countdown	1	Ea	1
(14)	TS, One Way Mast Arm Mtd (LED)	6	Ea	1
<u>(15)</u>	Bracket, Truss, With 18 Foot Arm	1	Ea	1
<u>(6)</u>	Casing	12	Ft	1
<u>(17)</u>	Camera, Traffic Monitoring, RCOC	1	Ea	1
(18)	Street Name Sign, One Way, 8 foot, Non-Illuminated, RCOC	1	Ea	1
<u>(19)</u>	Street Name Sign, Two Way, 6 foot, Non-Illuminated, RCOC	1	Ea	1
<u> </u>	Case Sign, One Way, 24 inch by 30 inch, Non-Illuminated, RCOC	1	Ea	<del>ا</del> ر
20	Traf Loop	2	Ea	$\ $
22	Serv Disconnect	1	Ea	1
<u>3</u>	Cabinet, ITS Type, Delivered, RCOC	1	Ea	$\ $
<b>2</b> 4	Cabinet, ITS Type, RCOC	1	Ea	$\ $
<b>25</b>	Controller, Digital Type, Delivered, RCOC	1	Ea	1
<u>@</u>	Global Positioning System Module	1	Ea	$\ $
<b>1</b>	Wood Pole, Fit Up, TS Cable Pole	1	Ea	Ιl
<u> </u>	Cable, Sec, 600V, 1, 2/C#4, #6 Ground, RCOC	100	Ft	1
	Conduit, DB, 1, 1 1/4 inch	70	Ft	1
	Conduit, DB, 1, 3 inch	60	Ft	1
	Conduit, DB, 3, 3 inch	10	Ft	1
	Conduit, Directional Bore, 2, 3 inch, RCOC	120	Ft	1
	Exploratory Investigation, Vertical	20	Ft	]

COORDINATE SIDEWALK WORK WITH CONDUIT INSTALLATION.

\*BACKPLATES TO BE INSTALLED FOR ALL OVERHEAD MAST ARM MTD. TRAFFIC SIGNALS. BACKPLATES ARE INCLUDED IN HE TRAFFIC SIGNAL INSTALLATION PAY

IF SIGNAL IS INSTALLED AFTER FINAL RESTORATION IS COMPLETE, DAMAGE TO TURF WILL BE REPAIRED AT CONTRACTORS EXPENSE.

CO 572





55201 DATE 11/23/2020 **CRANBROOK & MIDVALE TRAFFIC SIGNAL INSTALL** CRANBROOK ROAD REHABILITATION

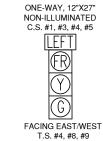
DESIGN PHASE FINAL PLANS SHEET NO. 59 of 67

SIGNAL WATTAGE OPENING: 40 CYCLIC WATTS: 1,508 STEADY WATTS: 00

14 MILE ROAD TO MAPLE ROAD



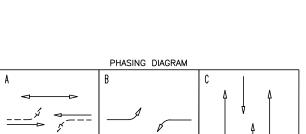


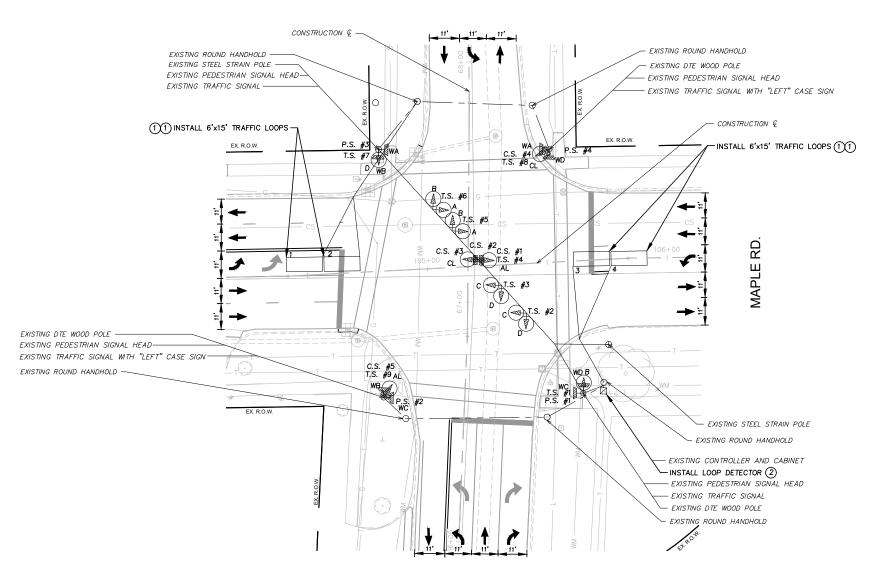






FULL SIZE (22"x34") 1" = 20' REDUCED SIZE (11"x17") 1" = 40'





CRANBROOK RD.

#### **INSTALL PLAN**

APPROAC	H SPEEDS:
NB	30 MPH
SB	25 MPH
WB	40 MPH
WB	40 MPH

	QUANTITIES - THIS SHEET		
0.	PAY ITEM	QTY	UNIT
1	Traf Loop	4	Ea
2	Digital Loop Detector	1	Ea
$\sim$	9 1	_	

COORDINATE SIDEWALK WORK WITH CONDUIT INSTALLATION.

CO 056



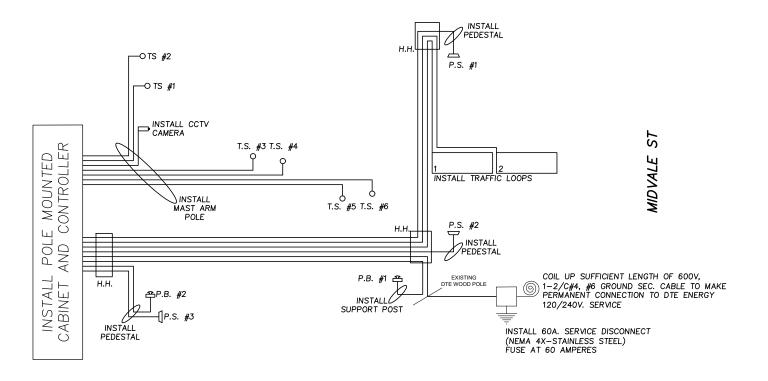


**CRANBROOK & MAPLE TRAFFIC SIGNAL INSTALL** 

#### CRANBROOK RD



FULL SIZE (22"x34") 1" = 20' REDUCED SIZE (11"x17") 1" = 40'



CONTACT CARL FORD OF DTE ENERGY AT 248-427-2937 FOR ELECTRICAL SERVICE CONNECTION.

ALL STRUCTURES SHALL BE GROUNDED IN THE NEAREST H.H. ALL GROUND RODS SHALL BE CONNECTED TOGETHER WITH A 1-1/C#6 AWG COPPER.

CABLES TO BE USED (UNLESS OTHERWISE INDICATED)

TRAFFIC SIGNAL CABLES SHALL BE 7/C#16P.J. PEDESTRIAN SIGNAL CABLES SHALL BE 7/C#16P.J. PUSHBUTTON CABLES SHALL BE 2/C#16 SHIELDED P.J. CCTV CAMERA CABLES SHALL BE CAT-5e OR APPROVED EQUAL

D DEPTHS
OPOSED
PIELD. CALL
REUCTION.

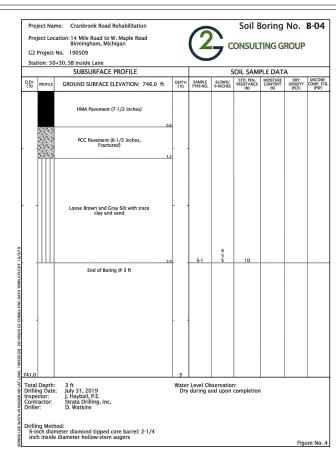
CO 572

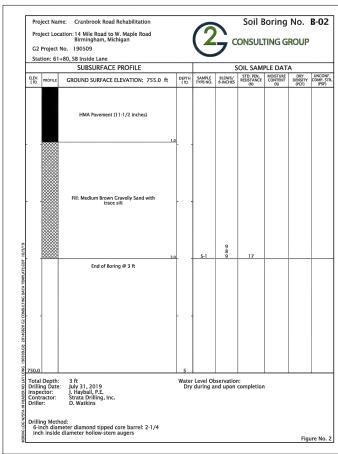
HASF DESIGN PHASE

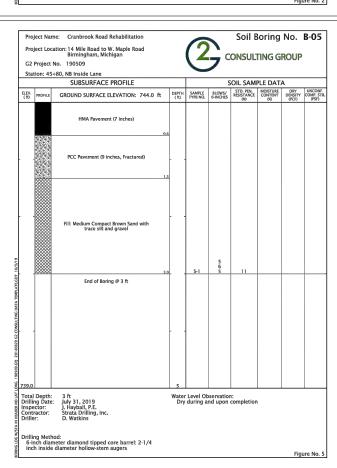
HUBBELL, ROTH & CLARK, INC CONSULTING ENGINEERS SINCE 1915

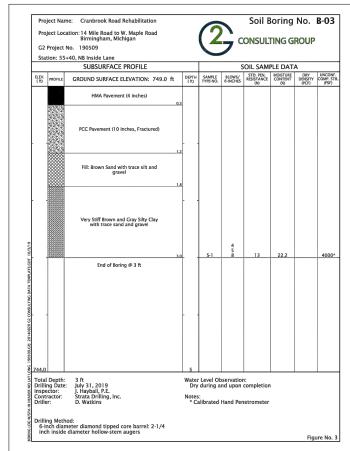
CABLE INSTALL DIAGRAM NOT TO SCALE

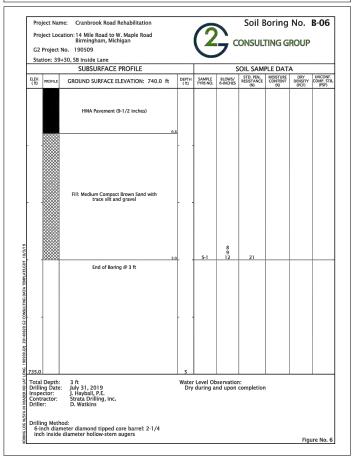




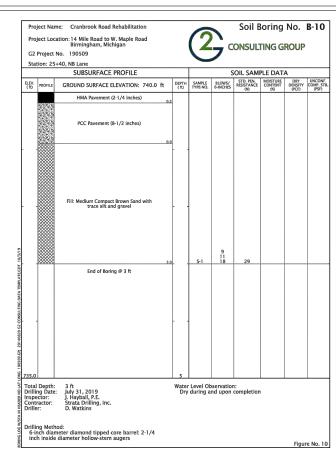


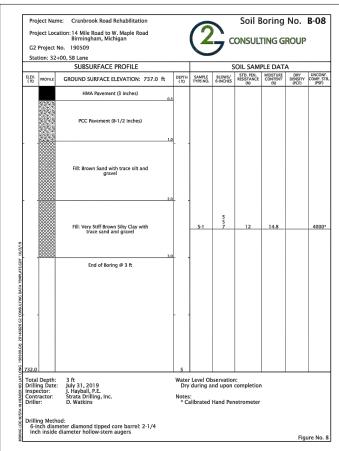


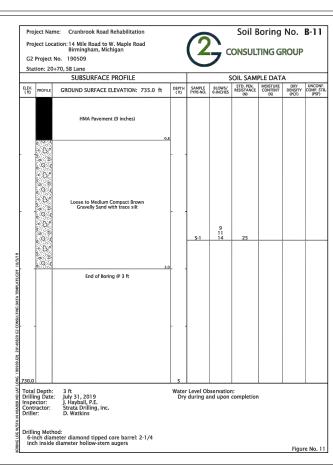


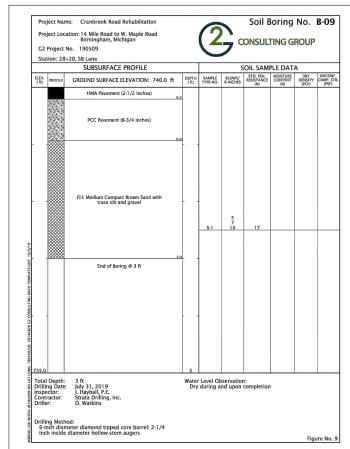


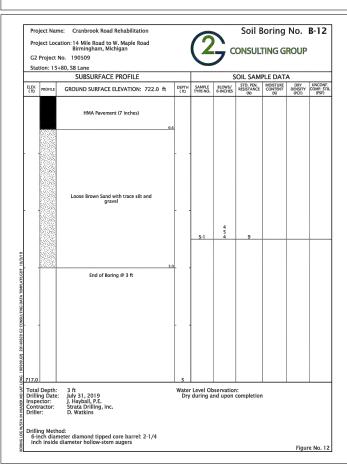














,	PROJECT NO.	
	55201	
	DATE	
	11/23/2020	

CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

			1			1		1	CONSTRUC	TION PLAN	S	1	ī	ı		PAVEME	ENT MARKE	NG PLANS	1		PERMAN	ENT SIGNI	NG PLANS			SIGNAL PLAN	S
		NOTE	мот	SESC	POB to 16+50	16+50 to 23+50	23+50 to 30+50	30+50 to 36+50	36+50 to 43+50	43+50 to 50+50	50+50 to 57+50	57+50 to 64+50	64+50 to 66+50	MAPLE	POB to 25+50	25+50 to 41+50	41+50 to 57+50	57+50 to 66+50	MAPLE	POB to 25+50	25+50 to 41+50	41+50 to 57+50	57+50 to 66+50	MAPLE	MIDVALE REMOVE	MIDVALE INSTALL	MAPLE INSTALL
ITEM DESCRIPTION	UNIT	SHT04	SHT07	SHT25	SHT26	SHT27	SHT28	SHT29	SHT30	SHT31	SHT32	SHT33	SHT34	SHT35	SHT44	SHT45	SHT46	SHT47	SHT48	SHT49	SHT50	SHT51	SHT52	SHT53	SHT58	SHT59	SHT60
Mobilization, Max. \$147,000	LS	1																									
Tree Trimming	LS										1		400					1									
Curb and Gutter, Rem	Ft Ft				55			99	60	35	112	54	186	335													
Curb, Rem Pavt, Rem	Syd				251	33	62	86	219 140	60 181	163 435	215 169	80 26	61													
Sidewalk, Rem	Syd				231	33	02	80	5	101	78	103	20	63													
Exploratory Investigation, Vertical	Ft	10																								20	
Wood Post, Rem	Ea				5																						
Excavation, Earth, RCOC	Syd				953	831	1029	382	295	222	644	134	45	251													
Erosion Control, Silt Fence, RCOC	Ft			500																							
Erosion Control, Inlet Protection, Fabric Drop, RCOC	Ea			5	27			404	47		150	242	400	400													
Aggregate Base, Conditioning	Syd Syd				27			124	47	50	169 104	242	120	182 89													
Aggregate Base, 4 inch, 21AA, RCOC	Syd				387		249		6 155	168	370		17	0.7													
Aggregate Base, 8 inch, 21AA, RCOC Aggregate Base, 21AA, RCOC	Ton	250			367		243		133	100	370		17														
Maintenance Gravel	Ton		100																								
Trenching	Sta				4.3	9.3	11.6	2.6																			
Shoulder, 21AA	Ton				50	90	80	45																			
Sewer, CL IV, 12 inch Tr Det B	Ft						77																				
Dr Structure Cover, Adj, Case 1	Ea				1		2	3	3	6	4	3	1	4				1									
Dr Structure Cover, Adj, Case 2	Ea				1		ļ .						1					1									
Dr Structure Cover, Type B	Ea				-		1		1		-	-	-				+	+	-			-	1				
Dr Structure Cover, Type D	Ea Ea			1	1						2	1	1	-			+	+	-	-		-		-			-
Dr Structure Cover, Type G Dr Structure Cover, Type K	Ea				+ 1		1	3	3	6	2	2	+	4			+	+						1			
Dr Structure, 24 inch dia	Ea				+		1	-	-	-	-	+	+	<u> </u>			+	+	1								
Dr Structure, 48 inch dia	Ea						1				1	1	1				1	1									
Dr Structure, Adj, Add Depth	Ft	10																									
Dr Structure, Cleaning	Ea	5																									
Dr Structure, Tap, 12 inch	Ea						1																				
Public Utility Structure, Adj, Add Depth	Ft	10																									
Public Utility Structure Cover, Adj, Case 2	Ea						1																				
Public Utility Structure Cover, Adj, Case 1, RCOC	Ea				2	4	4	4	3	2	3	2		9													
HMA Surface, Rem	Syd	4000			193		251	45	144	190	424	91	79	39													
Pavt Joint and Crack Repr, Det 7	Ft	1000																									
Pavt Joint and Crack Repr, Det 8	Ft Ton	150			36	43	74	14		2	68	6	7														-
Hand Patching HMA, 5E3	Ton	130			217	435	469	500	567	568	605	570	187	816													
HMA Approach	Ton					100	103	3	307	1	5	6	9														
Edge Trimming, RCOC	Ft				587	920	1170	260																			
Joint, HMA Plane of Weakness	Ft				507	920	1170	260																			
Cold Milling Pavt	Syd				709	2160	1915	2648	3000	3127	3325	3141	1031	4495													
Pavt, Cleaning, RCOC	LS	1																									
Conc Base Cse, Nonreinf, 6 inch	Syd				7		13	35	21	17	35	71	59	40													
Conc Pavt, Misc, Nonreinf, 7 inch	Syd												17	40													
Conc Pavt with Integral Curb, Nonreinf, 7 inch	Syd Syd										33	98		42													
Driveway, Nonreinf, Conc, 6 inch Curb, Conc, Det E4	Ft							72	211	55	124	187	20														
Curb and Gutter, Conc, Det B2	Ft				135			47		33	257	107	20														
Curb and Gutter, Conc, Det C4	Ft				1		36				7	16	150	205													
Curb and Gutter, Conc, Det C6	Ft						66	78	34	35	115	93															
Driveway Opening, Conc, Det M, RCOC	Ft									5			116														
Curb and Gutter, Conc, Det C4, RCOC	Ft						26																				
Spillway, Conc, RCOC	Ft			1	16			16		-	_	-	1			-	1	1	1			-		1			
Detectable Warning Surface	Ft				+				8		21	-	+	41			+	+	-			-		-			-
Sidewalk, Conc, 4 inch	Sft Ft		1	+	13		32	28	16	-	36	+	+	160 66		-	+	+	+	-	-	-		-	-	-	-
Curb Ramp Opening, Conc Sidewalk Ramp, Conc, 6 inch	Sft			+	13		34	40	38	-	706	+	+	446		-	+	+		+		+	1	+	+		+
Sidewalk, Conc, 6 inch	Sft	100																									
Post, Mailbox	Ea				1						1	1						1									
Post, Steel, 3 lb	Ft																			146	307	174	186	46			
Sign, Type II, Rem	Ea																			1	2		1				
Sign, Type IIA	Sft																			11	11		8				
Sign, Type III, Erect, Salv	Ea																			1	5	2					
Sign, Type III, Rem	Ea												1				1	1	1	9	24	18	15	6			
Sign, Type IIIA	Sft							-			1	1	1	-			1	1	1	12	59	85	26		-		
Sign, Type IIIB	Sft Fa				1							-	1				1	+	1	19	59	10	22	14			
Sign, Type V, Rem	Ea Sft			1				1				+	+				+	+	1		8	-	1				
Sign, Type VB	Ea Ea			1	+	1					+	+	+	-		1	+	+	+	-	1	4	1	+	-		+
Street Sign Post Post, Flexible, Delineator, RCOC	Ea				4		2	3			+	+	+				+	+	+			-	-	+			
Pavt Mrkg, Sprayable Thermopl, 4 inch, Yellow	Ft				+ -						1	1	+		2415	3390	3715	2120	1025								
Pavt Mrkg, Sprayable Thermopl, 6 inch, White	Ft														2475	2940	2840	1965	230								
Pavt Mrkg, Cold Plastic, 24 inch, Crosswalk Line	Ft																144										
TS FACE, BAG	Ea	6																									
TS FACE, BAG, REM	Ea Ea	6																DROJECT NO	n					_		DESIC	N PHASE
•											1	P		RO4	D.COM	414155	ION -		<del>-</del>		QUAN	NTITY SU	JMMARY	•		DESIG	TIMOL

HUBBELL, ROTH & CLARK, INC CONSULTING ENGINEERS SINCE 1915



PROJECT NO. 55201 <u>DATE</u> 11/24/2020

**QUANTITY SUMMARY** CRANBROOK ROAD REHABILITATION 14 MILE ROAD TO MAPLE ROAD

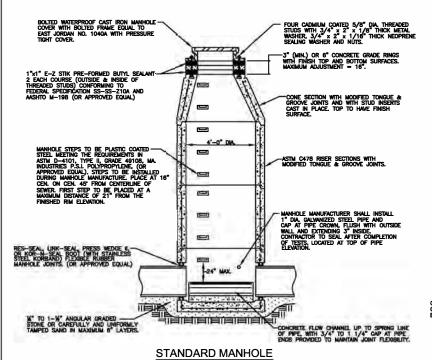
DESIGN PHASE FINAL PLANS SHEET NO. 64 of 67

	CONSTRUCTION PLANS		PAVEMENT MARKING PLANS					PERMANENT SIGNING PLANS					SIGNAL PLANS														
		NOTE	мот	SESC	POB to 16+50	16+50 to 23+50	23+50 to 30+50	30+50 to 36+50	36+50 to 43+50	43+50 to 50+50	50+50 to 57+50	57+50 to 64+50	64+50 to 66+50	MAPLE	POB to 25+50	25+50 to 41+50	41+50 to 57+50	57+50 to 66+50	MAPLE	POB to 25+50	25+50 to 41+50	41+50 to 57+50	57+50 to 66+50	MAPLE	MIDVALE REMOVE	MIDVALE INSTALL	MAPLE INSTALI
TEM DESCRIPTION	UNIT	SHT04	SHT07	SHT25	SHT26	SHT27	SHT28	SHT29	SHT30	SHT31	SHT32	SHT33	SHT34	SHT35	SHT44	SHT45	SHT46	SHT47	SHT48	SHT49	SHT50	SHT51	SHT52	SHT53	SHT58	SHT59	SHT60
avt Mrkg, Cold Plastic, 6 inch, Crosswalk Line	Ft	511101	511107	511120	511120	521727	511120	511127	511100	511101	511102	522700	511101	511100	D11111	511140	511140	511117	500	511145	521700	511701	511102	521100	511100	511107	511100
avt Mrkg, Cold Plastic, 18 inch, Stop Bar	Ft				,										11	35	57	33	66								
avt Mrkg, Cold Plastic, Left-Turn Arrow Symbol	Ea																1	2	1								
avt Mrkg, Cold Plastic, Right-Turn Arrow Symbol	Ea															2		2								1	
avt Mrkg, Cold Plastic, School	Ea															1	1									1	
Barricade, Type III, High Intensity, Double Sided, Lighted, Furn	Ea		60																							-	
arricade, Type III, High Intensity, Double Sided, Lighted, Oper	Ea		60																							1	
edestrian Type II Barricade, Temp	Ea Ea		8 50																						+	+	
hannelizing Device, 42 inch, Fluorescent, Furn	Ea		50																							+	
hannelizing Device, 42 inch, Fluorescent, Oper ighted Arrow, Type C, Furn	Ea		4										1												+	+	
ghted Arrow, Type C, Puri	Ea		4										1														
linor Traf Devices	LS		1																								
avt Mrkg, Wet Reflective, Type NR, Paint, 4 inch, White, Temp	Ft		3500																								
avt Mrkg, Wet Reflective, Type NR, Paint, 4 inch, Yellow, Temp	Ft		10000																								
avt Mrkg, Wet Reflective, Type R, Tape, 4 inch, White, Temp	Ft		3500																								
avt Mrkg, Wet Reflective, Type R, Tape, 4 inch, Yellow, Temp	Ft		10000																								
lastic Drum, Fluorescent, Furn	Ea		150																								
lastic Drum, Fluorescent, Oper	Ea		150																								
ign Cover	Ea		5																								
ign, Type B, Temp, Prismatic, Furn	Sft		1160																								
Sign, Type B, Temp, Prismatic, Oper	Sft		1160																								
sign, Type B, Temp, Prismatic, Special, Furn	Sft		336		1																			1	1	1	
ign, Type B, Temp, Prismatic, Special, Oper	Sft		336										1												1		
raf Regulator Control	LS		1																							-	
iprap, Plain, RCOC	Syd				6			3	480		400															-	
urf Establishment, THM Seed, Regular Mulch, Performance, RCOC	Syd				337	426	418	208	152	54	195	134	28	185													
onduit, DB, 1, 1 1/4 inch	Ft																									70	
onduit, DB, 1, 3 inch	Ft Ft																								1	10	
onduit, DB, 3, 3 inch	Ea																								2	10	
h, Rem h, Round	Ea																								2	2	
n, round /ood Pole, Fit Up, TS Cable Pole	Ea																									1	
onduit, Directional Bore, 2, 3 inch, RCOC	Ft																									120	
h, Square, RCOC	Ea																									1	
Cable, Sec, 600V, 1, 2/C#4, #6 Ground, RCOC	Ft																									100	
Mast Arm Pole, Cat III	Ea																									1	
Vlast Arm, 25 foot, Cat III	Ea																									1	
Vlast Arm, 45 foot, Cat III	Ea																									1	
Mast Arm Pole Fdn, RCOC	Ft																									15	
Controller and Cabinet, Rem	Ea																								1		
Global Positioning System Module	Ea																									1	
Digital Loop Detector	Ea																									1	1
Pedestal, Fdn	Ea																									3	
Pedestal Fdn, Rem	Ea																								1		
Pedestal, Rem	Ea																								1		
Pushbutton and Sign	Ea																									2	
ushbutton, Rem	Ea																								2		
erv Disconnect	Ea																									1	
erv Disconnect, Rem	Ea																								1		
pan Wire, Rem	Ea		-																						1	3	
Traf Loop	Ea	-											-	+									-		1	2	4
S, Pedestrian, Bracket Arm Mtd, Rem	Ea Ea													+									-		1	+	-
S, Pedestrian, Pedestal Mtd, Rem S, Span Wire Mtd, Rem	Ea	+	<del> </del>		+								1	+									<del>                                     </del>		2	+	<del> </del>
S, Span Wire Mtd, Kem S, Pedestrian, One Way Pedestal Mtd (LED) Countdown	Ea																									2	
5, Pedestrian, One Way Pedestal Mtd (LED) Countdown	Ea																									1	
S, One Way Mast Arm Mtd (LED)	Ea												1											1	1	6	
racket, Truss, With 18 Foot Arm	Ea																								1	1	
asing	Ft																									12	
mera, Traffic Monitoring, RCOC	Ea																									1	
reet Name Sign, One Way, 8 foot, Non-Illuminated, RCOC	Ea																									1	
reet Name Sign, Two Way, 6 foot, Non-Illuminated, RCOC	Ea																									1	
ise Sign, One Way, 24 inch by 30 inch, Non-Illuminated, RCOC	Ea																									1	
abinet, ITS Type, Delivered, RCOC	Ea																									1	
abinet, ITS Type, RCOC	Ea																									1	
ontroller, Digital Type, Delivered, RCOC	Ea																									1	
shbutton Support Post, RCOC	Ea																									1	
edestal, Alum, RCOC	Ea																									3	
onument Box Adjust	Ea							1						1													
onument Box	Ea							1						1													
rinkler Line	Ft	50																								1	
rinkler Head, Relocate	Ea	5																						1	1	1	
rinkler Head, Replace	Ea	5				1							1												1	1	
imbursed Permit Fees	Dir	4700	1	1	1	i	1		1	I .	1	1	1	1		1	1	1	1								

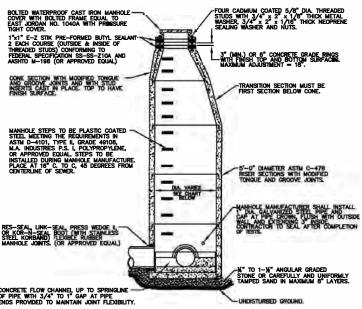
HUBBELL, ROTH & CLARK, INC CONSULTING ENGINEERS SINCE 1915

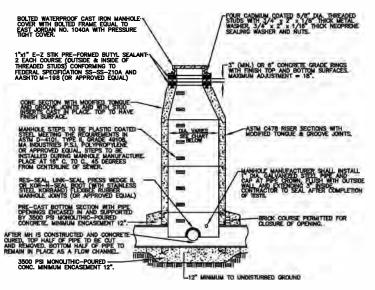


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MAX. PIPE SIZE FOR MAX. PIPE SIZE FOR RAIGHT THRU INSTALLATION RIGHT ANGLE INSTALLATION 18"



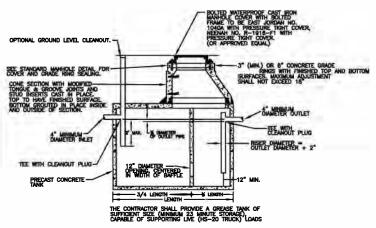


#### MANHOLE CONSTRUCTED OVER EXISTING SEWER

MANHOLE SIZING CHART								
Manieper	MAX. PIPE SIZE FOR STRAIGHT THRU INST.							
4'	24"							
5'	36"							
6*	42"							
7	60"							

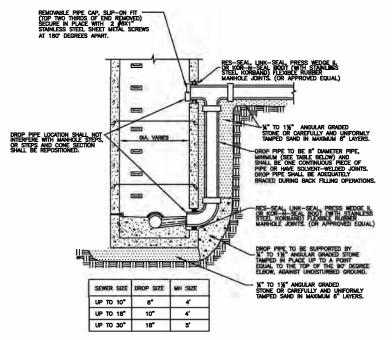
#### STANDARD OVERSIZED MANHOLE

MANHOLE SIZING CHART							
MANIEPER	MAX, PIPE SIZE FOR STRAIGHT THRU INST.	MAX. PIPE SIZE FOR RIGHT ANGLE INST.					
5'	36"	24"					
6'	42"	36"					
7	60°	42"					

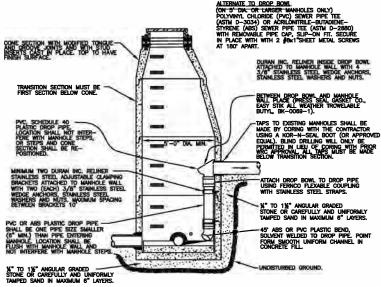


DOUBLE-COMPARTMENT GREASE INTERCEPTOR TANK FOR OUTLET PIPE BURIAL 42" AND DEEPER

IG MANHOLE CED APPROVAL BY WRC' AND UPDATE PHONE # IN NOTE #2



**EXTERIOR DROP CONNECTION** (REQUIRES ADVANCED APPROVAL BY WRC)



#### SANITARY SEWER CONSTRUCTION NOTES

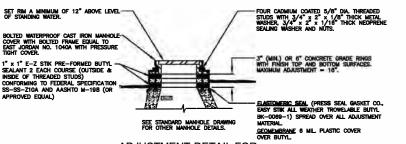
- 1. ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF THE LOCAL UNIT OF GOVERNMENT AND THE WATER RESOURCES COMMISSIONER (WRC). ALL SANITARY SEWER CONSTRUCTION SHALL HAVE FULL-TIME INSPECTION SUPERVISED BY A STATE OF MICHIGAN LICENSED PROFESSIONAL ENGINEER PROVIDED BY, OR CAUSED TO BE PROVIDED BY, THE LOCAL UNIT OF GOVERNMENT.
- 2. AT ALL CONNECTIONS TO WRC SEVERS OF EXTENSIONS, AND BEFORE START OF CONSTRUCTION, THE CONTRACTOR MUST OBTAIN A SEVER INSPECTION PERMIT ISSUED BY WRC. GRAVITY SEWER PERMIT CHANGES ARE \$250 FOR EACH CONNECTION PLUS \$25 FOR EACH MANHOLE CONSTRUCTED, PRESSURE SEWER PERMIT CHANGES ARE \$250 FOR EACH CONNECTION PLUS \$25 FALLEY FOR FOR \$250. FALLINE TO PASS ANY TEST SEGMENT WILL RESULT IN AN ADDITIONAL CHARGE TO THE CONTRACTOR FOR EACH RETEST, IN ACCORDANCE WITH THE ABOVE PRICE SCHEDULE. THE CONTRACTOR SHALL ALSO HAVE POSTED WITH WIRC A \$5,000 SURER'S DON AND \$500 CASH DEPOSIT. THE CONTRACTOR SHALL NOTIFY THE LOCAL UNIT OF GOVERNMENT AND WIRC (248—858—1105) 24 HOURS PRIOR TO THE BEGINNING OF ANY CONSTRUCTION. FINAL ACCEPTANCE TESTS MUST BE WITNESSED BY COUNTY PERSONNEL AND MUST BE SCHEDULED BY MUNICIPALITY OR IT'S CONSULTANT IN ADVANCE WITH 24 HOUR NOTICE AT 248—858—1105.
- 3. NO SEWER INSTALLATION SHALL HAVE AN INFILITATION EXCEEDING 100 GALLONS PER INCH DIAMETER PER MILE OF PIPE IN A 24 HOUR PERIOD, AND NO SINGLE RUN OF SEWER BETWEEN MANHOLES SHALL EXCEED 100 GALLONS PER INCH DIAMETER PER MILE. AIR TESTS IN LIEU OF INFILITATION TESTS SHALL BE AS SPECIFIED IN THE WATER RESOURCES COMMISSIONER STANDARDS. ONLY PIPE AND PIPE JOINTS APPROVED BY WRC MAY BE USED FOR SANITARY SEWER CONSTRUCTION.
- 4. LOCATED IN THE FIRST MANHOLE UPSTREAM FROM THE POINT OF ALL CONNECTIONS TO AN EXISTING WRC SEWER, OR EXTENSION THERETO, A TEMPORARY 12-INCH DEEP SUMP SHALL BE PROVIDED IN THE FIRST MANHOLE ABOVE THE CONNECTION WHICH WILL BE FILLED IN AFTER SUCCESSFUL COMPLETION OF ANY ACCEPTANCE TEST UP TO THE STANDARD FILLET PROVIDED FOR THE FLOW CHANNEL A WATERTIGHT BULKHEAD SHALL BE PROVIDED ON THE DOWNSTREAM SIDE OF THE SUMP MANHOLE.
- 5. AT ALL TIMES WHEN LAYING OF NEW PIPE IS NOT ACTUALLY IN PROGRESS, THE UPSTREAM OPEN END OF THE PIPE SHALL BE CLOSED BY TEMPORARY WATERTIGHT PLUGS OR BY OTHER APPROVED MEANS. IF WATER IS IN THE TRENCH WHEN WORK IS RESUMED, THE PLUG SHALL NOT BE REMOVED UNTIL THE DANGER OF WATER ENTERING THE PIPE
- ALL BUILDING LEADS AND RISERS SHALL BE SIX INCH SDR 23.5 ABS PIPE WITH CHEMICALLY FUSED JOINTS OR AN APPROVED EQUAL PIPE AND JOINT. BUILDING LEADS TO BE FURNISHED WITH REMOVABLE AIRTIGHT AND WATERTIGHT
- 8. ALL NEW MANHOLES SHALL HAVE WRC APPROVED FLEXIBLE, WATERTIGHT SEALS WHERE PIPES PASS THROUGH WALLS. MANHOLES SHALL BE OF PRE CAST SECTIONS WITH MODIFIED GROOVE TONGUE AND RUBBER GASKET TYPE JOINTS. PRE CAST MANHOLE COME SECTIONS SHALL BE WRC APPROVED MODIFIED ECCENTRIC CONE TYPE. ALL MANHOLES SHALL BE PROVIDED WITH BOLTED, WATERTIGHT COVERS.
- At all connections to manholes on wrc sewers, or extensions thereto, drop connections will be required when the difference in invert elevations exceeds 18 inches.
- 10. TAPS TO EXISTING MANHOLES SHALL BE MADE BY CORING, THE CONTRACTOR SHALL PLACE A KOR—N—SEAL BOOT (OR WRC APPROVED EQUAL) AFTER CORING IS COMPLETED. BLIND DRILLING WILL ONLY BE PERMITTED IN LIEU OF CORING WITH PRIOR WER APPROVAL.
- 11. MANHOLES CONSTRUCTED DIRECTLY ON WRC SEWERS SHALL BE PROVIDED WITH COVERS READING "WATER RESOURCES COMMISSIONER—SANITARY" IN RAISED LETTERS.
- 12. NO GROUND WATER, STORM WATER, CONSTRUCTION WATER, DOWN SPOUT DRAINAGE OR WEEP TILE DRAINAGE SHALL BE ALLOWED TO ENTER ANY SANITARY SEWER INSTALLATION.
- 13. PRIOR TO ANY EXCAVATION, THE CONTRACTOR SHALL TELEPHONE MISS DIG (800-482-7171) FOR THE LOCATION OF UNDERGROUND PIPELINE AND CABLE FACILITIES AND SHALL ALSO NOTIFY REPRESENTATIVES OF OTHER UTILITIES LOCATED IN THE VICINITY OF THE WORK.
- 14. AN 18 INCH MINIMUM VERTICAL SEPARATION AND A 10 FOOT MINIMUM HORIZONTAL SEPARATION MUST BE MAINTAINED BETWEEN SANITARY SEWER AND WATER MAIN.
- 15. NEW MANHOLES BUILT OVER AN EXISTING SANITARY SEWER SHALL HAVE MONOLITHIC POURED BOTTOMS.
- 16. IF THE STRUCTURE FALLS WITHIN THE ROADBED OF A GRAVEL ROAD OR WITHIN THE UNPAVED SHOULDER OF A PAVED ROAD, THE COVER SHALL BE SIX (6") INCHES BELOW THE FINISHED GRAVEL SURFACE.



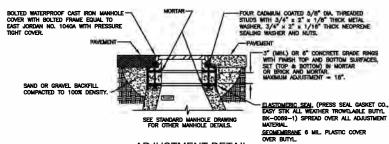
ORIG. DATE:

DESIGNED BY

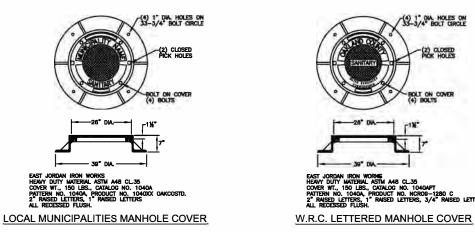
SCALE:

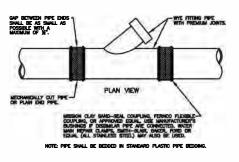


#### ADJUSTMENT DETAIL FOR MANHOLE TOPS WITHIN FLOOD PRONE AREAS



#### ADJUSTMENT DETAIL MANHOLE TOPS WITHIN PAVEMENT AREAS

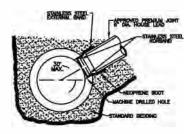




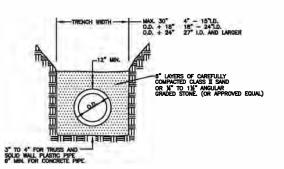
WYE PIPE INSERTION WITH FLEXIBLE COUPLINGS (RIGID PIPE)

#### WATER RESOURCES COMMISSIONER GRAVITY BUILDING LEAD REQUIREMENTS AND DETAILS

- ALL BUILDING LEAD WORK MUST BE PERFORMED UNDER WATER RESOURCES COI (WRC) AND/OR LOCAL UNIT OF GOVERNMENT INSPECTION.
- FOR ALL WRC-OPERATED SYSTEMS, CALL 248-858-1110 24-HOURS IN ADVANCE OR WORK TO SCHEDULE INSPECTION.
- 3. NO SANITARY SEWER MAY BE USED AS A CLEANOUT OF DEWATERING OUTLET.

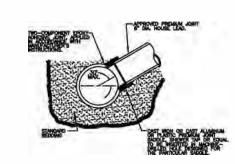


KOR-N-TEE TAP FOR CONCRETE PIPE

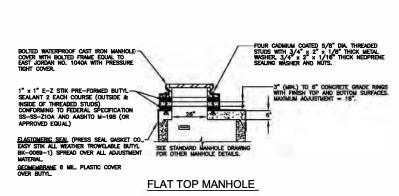


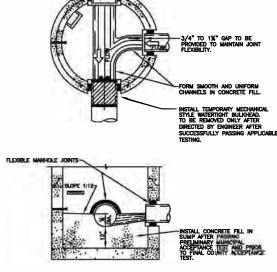


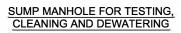
STANDARD BEDDING (CLASS B)

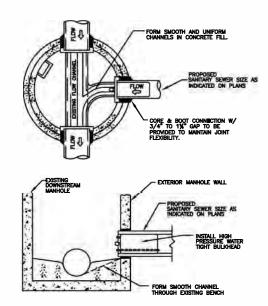


SEWER TAP-ALL SIZES OF MAIN SEWER PIPES VITRIFIED CLAY

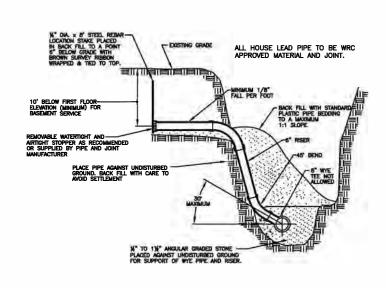








TESTING BULKHEAD WITH PIPE TAP



HOUSE LEAD DETAIL

REV	REVISION BLOCK								
Parc	Parcel Base / Source Date: N/A								
Rev.	Rev.	Rev.	Description:						
No.:	By:	Date:	Description.						
1	DS	08/28/06	ADDED TESTING BULKHEAD WITH PIPE TAP DETAIL.						
2	lz.	05/28/09	MOVED DETAILS FROM SHEET 1 ONTO SHEET 2						
3	lz	07/14/09	STANDARDS COMMITTEE APPROVAL FOR DETAIL CHANGES						
4	DS	02/03/14	REPLACE/UPDATE OCDC WITH WRC FOR THE MANHOLE COVER DETAIL.						

ORIG. DATE:	05-09-03	
SCALE:	NO SCALE	1
DESIGNED BY:	MWD	WA
DRAWN BY:	Manoing Staff	1

0	WRC
WATER	RESOURCES COMMISSIONER
	Jim Nash

ONE PUBLIC WORKS DRIVE, BLDG 95 WEST WATERFORD, MICHIGAN 48328-1907

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#### **MEMORANDUM**

DATE: March 4, 2021

TO: Thomas M. Markus

FROM: Mary M. Kucharek

SUBJECT: Electronic Filing of Real and Personal Property Statements

#### INTRODUCTION:

• The question arose as to "who has the authority to authorize the use of electronic signatures?"

#### LEGAL REVIEW:

MCL § 211.19(9)(4) states:

"Local tax collecting units shall accept (non-expired) personal identification numbers as electronic signatures on real and personal property statements filed electronically, unless a local tax collecting unit has not provided for the electronic filing of such statements."

#### SUMMARY:

- Persons must receive their personal identification numbers by submitting an
  electronic signature declaration for real and personal property statement forms
  with the Michigan Department of Treasury. Once they send this document in, the
  personal identification numbers are sent to persons which then authorize them to
  use that ID as their signature.
- While the City of Birmingham contracts with the County of Oakland to be the
  assessor of its taxes, the City is still considered the local tax collecting unit.
  Therefore, if the City of Birmingham wants to it may accept personal identification
  numbers as electronic signatures for personal and property statements that are
  filed electronically.

#### ATTACHMENTS:

- Form 5278
- Bulletin No. 2 Regarding Electronic Filing from the State Tax Commission
- Resolution

#### SUGGESTED RESOLUTION:

• To authorize the use of personal identification numbers acquired from the Michigan Department of Treasury as electronic signatures for the purpose of filing personal and property taxes that are filed electronically.

# CITY OF BIRMINGHAM A RESOLUTION OF THE CITY COMMISSION AUTHORIZING ELECTRONIC SIGNATURES FOR ELECTRONIC FILING OF REAL AND PERSONAL PROPERTY STATEMENTS

At a meeting of the City Commission of the City of Birmingham, Oakland County, Michigan, held on the 15th day of March, 2021, at City Hall, 151 Martin Street, Birmingham, MI, 48009.

Moved by:	Seconded by:
pursuant to M Michigan Depa	EAS, as a local tax collecting unit, the City of Birmingham has the authority CL § 211.19(9)(4) to accept personal identification numbers acquired from the artment of Treasury as electronic signatures on real and personal property d electronically.
of personal id	FORE, BE IT RESOLVED, the City of Birmingham does hereby authorize the use lentification numbers acquired from the Michigan Department of Treasury as atures on real and personal property statements filed electronically.
	Passed, adopted and approved this day of, 2021.
AYES:	
NAYS:	
PRESENT:	
ABSENT:	
	<u>CERTIFICATION</u>
Birmingham, O and correct co	andria D. Bingham, being the duly appointed and qualified Clerk of the City of akland County, Michigan, do hereby certify and declare that the foregoing is a true py of Resolution, the original of which is on file in my office, adopted by the City Commission at a regular meeting held on March 8, 2021.
	Alexandria D. Bingham, City Clerk



# STATE OF MICHIGAN DEPARTMENT OF TREASURY LANSING

RICK SNYDER GOVERNOR NICK A. KHOURI STATE TREASURER

Bulletin No. 2 April 17, 2017 Electronic Filing

TO:

Assessors and Equalization Directors

FROM:

State Tax Commission

RE:

Electronic Filing of Real Property Statements, Personal Property Statements and

the Combined Document (Form 5278)

#### Bulletin 19 of 2011 is rescinded.

MCL 211.19 describes the requirements for filing of real and personal property statements.

Section 19(1) – Requires the supervisor or the assessing officer, upon entering office, to make a full and accurate determination of the taxable status of all property (real and personal) and the individuals to whom it should be assessed.

Section 19(2) – States that the supervisor or assessing officer shall require the submission of a personal property statement (State Tax Commission Form L-4175) by the responsible person(s) whom the supervisor or assessor believes has personal property by February 20, except as otherwise provided in MCL 211.9m, 9n or 9o. There are no current statutory provisions, which would provide for an extension of the February 20 filing date. The supervisor or assessing officer shall provide notice no later than January 10 each year. The notice shall include information regarding the Eligible Personal Property Exemptions (MCL 211.9m and MCL 211.9n) and the Small Business Taxpayer Exemption (MCL211.9o) and an explanation where additional information regarding these exemptions and the required forms are available.

Section 19(3) — If a supervisor, an assessing officer, a county tax or equalization department, or the state tax commission considers it necessary to require from any person a statement of REAL property assessable to that person, it shall notify the person, and that person shall submit the statement. See also Attorney General Opinion No. 6555 of 1988 regarding the authority to require a real property statement.

Section 19(4) - Contains language that gives the local unit the option to provide for and accept electronic filing of either the personal property statement and/or the real property statement. This will be discussed later in this bulletin.

Section 19(5) – The personal property statement identified in Section 19(2) and the real property statement identified in Section 19(3) shall be in a manner and form as prescribed by the State Tax Commission. It is the responsibility of the State Tax commission to set forth a single

Bulletin 2 of 2017 Page 2 April 17, 2017

standard and reporting format for permissible electronic filing of the personal property statement and/or real property statement with the local unit.

Section 19(6) – Permits the taxpayer submitting a personal property statement and/or a real property statement to sign the form manually (original signature), by facsimile signature or electronically by an approved electronic personal identification number (PIN) signature.) The State Tax Commission's electronic and facsimile signature policies are discussed later in this bulletin. Prohibits the supervisor or assessor from requiring a taxpayer to file a requested or required statement before the statutory annual filing date of February 20.

Section 19(7) – The real and personal property statements (hard copy and electronic versions) requested and required to be filed must be submitted on State Tax Commission authorized or approved forms and/or electronic format. Failure to use the State Tax Commission authorized or approved form and/or electronic format shall constitute an improper filing. Further, the statement must be signed by one of the 3 following methods: 1) manually, 2) by facsimile signature, 3) or by electronic personal identification number (PIN) signature. Advises and requires the supervisor or assessor to retain and preserve all statements that are not in the proper form or are not properly signed. The improperly filed statement may still be used to make the assessment and as evidence in any proceeding regarding the assessment. The statement and all supporting documentation submitted shall be held confidential pursuant to Section 23 of the GPTA, even though the statement was not properly filed with the local unit supervisor or assessor.

Section 19(8) — States that an electronically filed personal property statement, real property statement, or the Eligible Manufacturing Personal Property Tax Exemption Claim, Ad Valorem Personal Property Statement and Report of Fair Market Value of Qualified New and Previously Existing Personal Property (Combined Document) under MCL 211.9m or 9n, or under MCL 211.1057 the State Essential Services Assessment Act, an electronic personal identification number (PIN) signature shall be accepted by the local unit provided that the procedure prescribed by the STC for accepting electronic signatures is followed. A facsimile signature shall also be accepted provided that the procedure prescribed by the STC for accepting facsimile signatures is followed. These procedures are discussed later in this bulletin.

Section 19(9) – Indicates that the Department of Treasury's use of a personal property statement or information on a personal property tax statement must adhere to the provisions regarding disclosure of information as stated in the Revenue Act, specifically MCL 205.28(1)(f).

# Electronic Filing of Personal Property Statements and Real Property Statement(s)

Unlike the electronic filing of federal or state income tax returns to a central location, there are over 1500 local units within the State of Michigan that could authorize the acceptance of electronically filed real and personal property statements. The electronic filing format prescribed by the STC is **tab delimited (spreadsheet) export.** 

# State Tax Commission Electronic Signature Policy for Personal Property Statements and Real Property Statements

- 1. In order to use an electronic signature, a personal identification number must be issued by conventional mail to the individual who signed the form. Personal identification numbers are to be treated as confidential information (to be disseminated only for use in the assessment process) and will not be issued over the telephone. Upon written request, personal identification numbers may be issued by facsimile or by electronic mail.
- 2. Upon receipt of the personal identification number, an individual may use this number in lieu of his or her actual signature on Real and Personal Property Statements which are filed electronically as long as the following declaration is accepted when filing the statement:

By submitting this personal property statement electronically, you are declaring that you are the person responsible for filing this business return on behalf of the owner or corporation and that you concur that the issued PIN shall be used in lieu of an actual signature when filing this statement. Additionally you declare that you have filled out the form to the best of your ability and have answered all questions fully.

- 3. Personal identification numbers will expire one year from the date of issuance.
- 4. Local tax collecting units shall accept (non-expired) personal identification numbers as electronic signatures on Real and Personal Property Statements filed electronically, unless the local tax collecting unit has not provided for the electronic filing of such statements.

# State Tax Commission Facsimile Signatures Policy for Personal Property Statements and Real Property Statements

The following constitutes the procedure prescribed by the State Tax Commission under authority of Section 19(8) relating to the acceptance of **facsimile signatures** by local tax collecting units for Personal Property Statements and Real Property Statements.

- 1. An individual desiring to use a facsimile signature on a Real or Personal Property Statement shall first properly complete Form 3980, Facsimile Signature Declaration for Real and Personal Property Statements, and submit this form to the State Tax Commission. Form 3980 will not be treated as confidential information. It shall be the responsibility of the individual submitting this form to verify that the form was properly completed and has been received by the State Tax Commission.
- 2. After the form has been properly completed by the individual submitting the form and has been received by the State Tax Commission, the individual may use this facsimile

signature in lieu of his or her actual signature on Real and Personal Property Statements which are not filed electronically, until the expiration date for the facsimile signature. The expiration date for use of the facsimile signature will be one year from the date a properly completed Form 3980 is received by the State Tax Commission.

- 3. Local tax collecting units shall accept a facsimile signature (prior to the expiration date of the facsimile signature) for which a properly completed Form 3980 has been received by the State Tax Commission. In such cases, the facsimile signature shall be accepted in place of an actual signature on a Real or Personal Property Statement which has been filed non-electronically.
- 4. Properly completed Forms 3980 filed by February 1 will be processed by February 15. Properly completed Forms 3980 received after February 1, will be processed on a first-come-first-served basis with no guarantee of processing prior to February 20.

#### **Electronic Filing of the Combined Document (Form 5278)**

The following constitutes the procedure prescribed by the State Tax Commission under authority of Section 19(8) relating to the acceptance of electronic and facsimile signatures by local tax collecting units for the Combined Document, Form 5278.

- 1. An individual desiring to use an electronic signature or facsimile signature on a Combined Document, Form 5278, is **not** required to complete and file Form 3980, Facsimile Signature Declaration for Real and Personal Property Statements, or any other forms. In order to receive the EMPP exemption, the eligible claimant is required to register on Michigan Treasury Online (MTO) or utilize an approved e-Filing software vendor. The eligible claimant must then certify and electronically pay the ESA tax liability shown on that certified statement. The claimant's registration on MTO or utilization of an approved e-Filing software vendor provides sufficient verification to utilize an electronic signature or facsimile signature on the Combined Document (Form 5278).
- 2. Local tax collecting units shall accept all (non-expired) personal identification numbers as electronic signatures on the Combined Document (Form 5278) filed electronically.
- 3. Local tax collecting units cannot adopt a policy or procedure to limit the claimant's ability to provide for the electronic filing of the Combined Document (Form 5278) by February 20.

#### **Electronic Signature Declaration for Real and Personal Property Statements**

Issued under Public Act 267 of 2002. Filling is voluntary.

Name and Address (City, State, ZIP Code) of Person Authorized Below to Obtain this Request

INSTRUCTIONS: Michigan Compiled Law (MCL) 211.19 allows the use of an electronic signature on a Real Property Statement and on a Personal Property Statement (Form 632 - L-4175) filed electronically. An individual desiring to use an electronic signature on a Real or Personal Property Statement must first properly complete this form and submit it to the Property Services Division of the Michigan Department of Treasury. Upon receipt of a properly completed Form 3976, the Property Services Division will issue a personal identification number (PIN) by conventional mail to the person who signs this form. This PIN may then be used in lieu of an actual signature when filing a Real or Personal Property Statement electronically. The PIN expires one year from the date of issuance.

Taxpayer Name

	Contact E-mail Address
	Contact Telephone Number
provided on the reverse side of this form. The user of	for acceptance of electronic signatures by local tax collecting units. This procedure this form is strongly urged to read this procedure before completing this form.
THE COUNTY OF THE PROPERTY OF	DECLARATION
and say that each Personal Property Statement of tangible personal property owned or held by made on the 31st day of December immediately property of the statement of the	listrict for which the statement is made on the date of the statement. I further depose containing this personal identification number is a true and correct statement of a in the assessing district for which the statement is receding the year of the personal property statement.  y authorized agent with attached Power of Attorney, Letter of Authority, etc.
	REQUIRED NOTARIZATION
	REQUIRED NOTARIZATION
Subscribed and sworn to before me this	day of
Notary Public, State of	County
Signature of Notary Public	My Commission Expires
Printed Name of Notary Public	Acting in the County of
FOR Pro	operty Services Division USE ONLY
PIN Number	Issuance Code
Date of PIN Issuance	Date of PIN Expiration

Mail the ORIGINAL declaration to:

Michigan Department of Treasury Property Services Division P.O. Box 30790 Lansing, MI 48909

If you have any questions, contact the Michigan Department of Treasury Property Services Division at 517-373-0500.

#### State Tax Commission Electronic Signature Policy

- "1. An individual desiring to use an electronic signature on a Real or Personal Property Statement shall first properly complete Form 3976, *Electronic Signature Declaration for Real and Personal Property Statements*, and submit this form to the Property Services Division of the Michigan Department of Treasury. This form is hereby incorporated as part of the State Tax Commission procedure for acceptance of electronic and facsimile signatures by local tax collecting units. . .
- 2. The Property Services Division will review the submitted form and, if properly completed, will issue a personal identification number by conventional mail to the individual who signed the form. **Personal identification numbers are to be treated as confidential information** (to be disseminated only for use in the assessment process) and will not be issued over the telephone. Upon written request, personal identification numbers may be issued by facsimile or by electronic mail.
- 3. Upon receipt of the personal identification number form the Property Services Division, an individual may use the number in lieu of his or her actual signature on Real and Personal Property Statements which are filed electronically, until expiration of the personal identification number. Personal identification numbers will expire one year from the date of issuance.
- 4. Personal identification numbers can be verified after their use by assessment administration personnel by completing Form 3979, Request for Verification of Personal Identification Number Used on a Real Personal Property Statement, and by sending this form to the Property Services Division. Form 3979 is hereby incorporated as part of the State Tax Commission procedure for acceptance of electronic and facsimile signatures by local tax collecting units. . . Upon receipt of Form 3979, the Property Services Division will release a copy of Form 3976 (showing the personal identification number issued and the signature of the individual to whom this number was issued) to the requesting party.
- 5. Local tax collecting units shall accept (non-expired) personal identification numbers which have been issued by the Property Services Division as electronic signatures on Real and Personal Property Statements filed electronically, unless the local tax collecting unit has not provided for the electronic filing of such statements.

Properly completed Forms 3976 filed by February 1 will be processed by the Property Services Division and personal identification numbers issued by February 15 (five days before the statutory filing deadline for Personal Property Statements). Even if properly completed Forms 3976 are received after February 1, every attempt will be made to process them by February 20. However, these forms will be processed on a first-come first-served basis with no guarantee that a personal identification number will be issued prior to February 20." (Emphasis added)



#### **MEMORANDUM**

**Planning Division** 

**DATE:** March 8<sup>th</sup>, 2021

TO: Thomas M. Markus, City Manager

FROM: Nicholas J. Dupuis, City Planner

APPROVED: Jana L. Ecker, Planning Director

SUBJECT: Public Hearing – Special Land Use Permit and Final Site Plan and

Design Review - 219 Elm - All Seasons 2

#### INTRODUCTION:

The subject site, 219 Elm Street, is located at the north end of the Triangle District in the MU3 (Triangle Overlay) and O2 (Office/Commercial) Zoning Districts. Presently, the 0.35 acre parcel contains a modest two-story office building, a parking lot with roughly 25 off-street parking spaces, six mature trees, and various landscaping elements. The site is directly adjacent to the existing All Seasons of Birmingham senior living establishment that was completed around 2015.

At this time, the applicant is seeking approval from the City Commission for a Special Land Use Permit to permit independent senior living in the O2 Zoning District. As advised by the applicant, the All Seasons 2 development is proposed for seniors in a younger age bracket (55-75) that desire more independence than what the All Seasons 1 development was intended to offer. Although separate buildings, residents of the All Seasons 2 will have access to the amenities available in the All Seasons 1 building, and a site connection plan has been provided for such an occasion. Although this purely residential model differs from the mixed-use developments that have been erected in the area, the massing of the building and the proposed streetscape elements offer a similar experience from the pedestrian point-of-view.

#### **BACKGROUND:**

On May 13th, 2020 the Planning Board accepted the Community Impact Study for the development. The following month on June 10th, the Planning Board approved the Preliminary Site Plan with the following conditions:

- 1. The applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals;
- 2. The applicant must complete the requirements of 3.08 (E) to receive additional building height;
- 3. The applicant must submit a rooftop plan showing a detailed rooftop use including any

7**A** 

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- proposed structures;
- 4. The applicant must provide construction details on the proposed parking lot screen wall;
- 5. The applicant must submit details on all proposed RTUs and details on the proposed screen wall to ensure the RTUs are fully screened from public view;
- 6. The applicant must submit material specifications, samples, and glazing calculations for the proposed building at Final Site Plan review;
- The applicant must submit details on the types and placement of all proposed light fixtures, as well as a photometric plan showing illumination levels at all property lines; and,
- 8. The applicant comply with the requests of all City Departments.

On December 9<sup>th</sup>, 2020, the Planning Board recommended approval to the City Commission of the Final Site Plan for 219 Elm St. subject to the following conditions:

- 1. The Planning Board approves the projections into the right-of-way on the west side of the building fronting Elm Street and on the south side facing the public alley;
- 2. The applicant must either remove the awnings, or provide an easement acceptable to the City Attorney with the neighboring property owner for the use of the air rights to the north of the building;
- 3. The applicant must provide specification sheets for all rooftop and ground mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals;
- 4. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;
- 5. The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;
- 6. The applicant must submit material specification sheets for all of the required materials; and
- 7. The applicant must comply with the requests of all City departments.

On January 27<sup>th</sup>, 2021, the Planning Board recommended approval to the City Commission the Special Land Use Permit for 219 Elm St. – All Seasons 2 – subject to the conditions of Final Site Plan approval.

#### LEGAL REVIEW:

The City Attorney has reviewed this request and has no concerns.

#### FISCAL IMPACT:

There are no fiscal impacts for this agenda item.

#### SUMMARY:

The applicant is requesting that the City Commission approve the Special Land Use Permit, Final Site Plan and Design Review application to allow the construction and operation of the All Seasons 2 independent senior living facility at 219 Elm St.

#### ATTACHMENTS:

Please find attached the following documents for your review:

- Draft Special Land Use Permit Resolution
- Proposed site plans
- Staff Report to the Planning Board
- Application and additional documents submitted by applicant
- Meeting minutes

#### SUGGESTED RESOLUTION:

To **APPROVE** the Special Land Use Permit, Final Site Plan and Design Review application to allow the construction and operation of the All Seasons 2 independent senior living facility at 219 Elm St.

OR

To **DENY** the Special Land Use Permit, Final Site Plan and Design Review application to allow the construction and operation of the All Seasons 2 independent senior living facility at 219 Elm St.

# ALL SEASONS 2 219 ELM ST. SPECIAL LAND USE PERMIT 2021

WHEREAS, ALL SEASONS 2 filed an application pursuant to Article 7, section 7.34 of Chapter 126, Zoning, of the City Code to operate an independent senior living facility in the O2 Zoning District in accordance with Article 2, Section 2.23(C)(2) of Chapter 126, Zoning, of the City Code;

WHEREAS, The land for which the Special Land Use Permit is sought is located on the east side of Elm St., north of Forest and south of Maple;

WHEREAS, The land is zoned O2, and is located in the MU3 zone within the Triangle Overlay District, which permits the operation of an independent senior living facility with a Special Land Use Permit;

WHEREAS, Article 7, section 7.34 of Chapter 126, Zoning requires a Special Land Use Permit to be considered and acted upon by the Birmingham City Commission, after receiving recommendations on the site plan and design from the Planning Board for the proposed Special Land Use;

WHEREAS, The applicant submitted an application for a Special Land Use Permit and Final Site Plan and Design Review for ALL SEASONS 2 to operate at 219 Elm St.;

WHEREAS, The Planning Board on December 9, 2020 reviewed the application for Final Site Plan and Design Review and recommended approval to the City Commission to permit the building and site design of ALL SEASONS 2 at 219 Elm St. with the following conditions:

- 1. The Planning Board approves the projections into the right-of-way on the west side of the building fronting Elm Street and on the south side facing the public alley;
- 2. The applicant must either remove the awnings, or provide an easement acceptable to the City Attorney with the neighboring property owner for the use of the air rights to the north of the building;
- The applicant must provide specification sheets for all rooftop and ground mounted mechanical units, and the applicant must provide screening for the groundmounted mechanical units or obtain a variance from the Board of Zoning Appeals;
- 4. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;
- The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;
- 6. The applicant must submit material specification sheets for all of the required materials; and
- 7. The applicant must comply with the requests of all City departments.

WHEREAS, The Planning Board on January 27, 2021 reviewed the application for Special

Land Use Permit and recommended approval to the City Commission to permit the operation of ALL SEASONS 2 at 219 Elm St. subject to the conditions of Final Site Plan approval;

WHEREAS, The Birmingham City Commission has reviewed the ALL SEASONS 2 Special Land Use Permit application and the standards for such review as set forth in Article 7, section 7.36 of Chapter 126, Zoning, of the City Code;

NOW, THEREFORE, BE IT RESOLVED, The Birmingham City Commission finds the standards imposed under the City Code have been met, subject to the conditions below, and that the ALL SEASONS 2 application for a Special Land Use Permit and Final Site Plan and Design at 219 Elm St. is hereby approved;

BE IT FURTHER RESOLVED, That the City Commission determines that to assure continued compliance with Code standards and to protect public health, safety, and welfare, this Special Land Use Permit is granted subject to the following conditions:

- 1. ALL SEASONS 2 shall abide by all provisions of the Birmingham City Code; and
- 2. The Special Land Use Permit Amendment may be canceled by the City Commission upon finding that the continued use is not in the public interest.

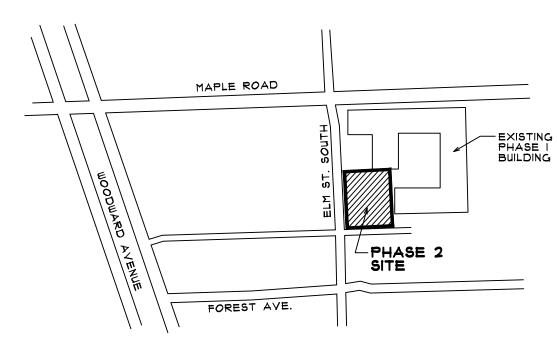
BE IT FURTHER RESOLVED, That failure to comply with any of the above conditions shall result in termination of the Special Land Use Permit.

BE IT FURTHER RESOLVED, Except as herein specifically provided, ALL SEASONS 2 and its heirs, successors, and assigns shall be bound by all ordinances of the City of Birmingham in effect at the time of the issuance of this permit, and as they may be subsequently amended. Failure of ALL SEASONS 2 to comply with all the ordinances of the City may result in the Commission revoking this Special Land Use Permit.

MAY IT BE FURTHER RESOLVED that ALL SEASONS 2 is recommended for the operation of an independent senior living facility, subject to final inspection.

I, Alexandria Bingham, Acting City Clerk of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on March 8, 2021.

Alexandria Bingham City Clerk INDEPENDENT LIVING BIRMINGHAM, MICHIGAN





OWNER:

MAPLE ELM DEVELOPMENT COMPANY 2, LLC (THE BEZTAK COMPANIES) 248.737.6175

BUILDER/CONTRACTOR:

## BEZTAK

31731 NORTHWESTERN HIGHWAY FARMINGTON HILLS, MI 48334 248.855.5400

CIVIL ENGINEER:

PEA, INC. 2430 ROCHESTER COURT TROY, MI 48083 248.689.9090

GEOTECHNICAL ENGINEER:

McDOWELL & ASSOCIATES 21355 HATCHER AVENUE FERNDALE, MI 48220 248.399.2066

ARCHITECT / INTERIOR DESIGN:

ALEXANDER V. BOGAERTS + ASSOC. 2445 FRANKLIN ROAD BLOOMFIELD HILLS, MI 48302 248.334.5000

STRUCTURAL ENGINEER:

## EHLERT-BRYAN

8609 WESTWOOD CENTER DR. TYSONS, VA 22182 703.356.2031

MEP ENGINEER:

SSE (SYSTEMS SOLUTION ENGINEERING) 3250 WEST BIG BEAVER ROAD TROY, MI 48084 248.247.1193

> These electronically sealed documents are submission with the date listed below: Please see noted date specific to this submission. These drawings may not be used, for any reason, beyond the noted date. NOTE TO BUILDING OFFICIAL: THIS DRAWING IS NOT VALID UNLESS THE SIGNATURE AND SEAL ARE IN BLUE INK.

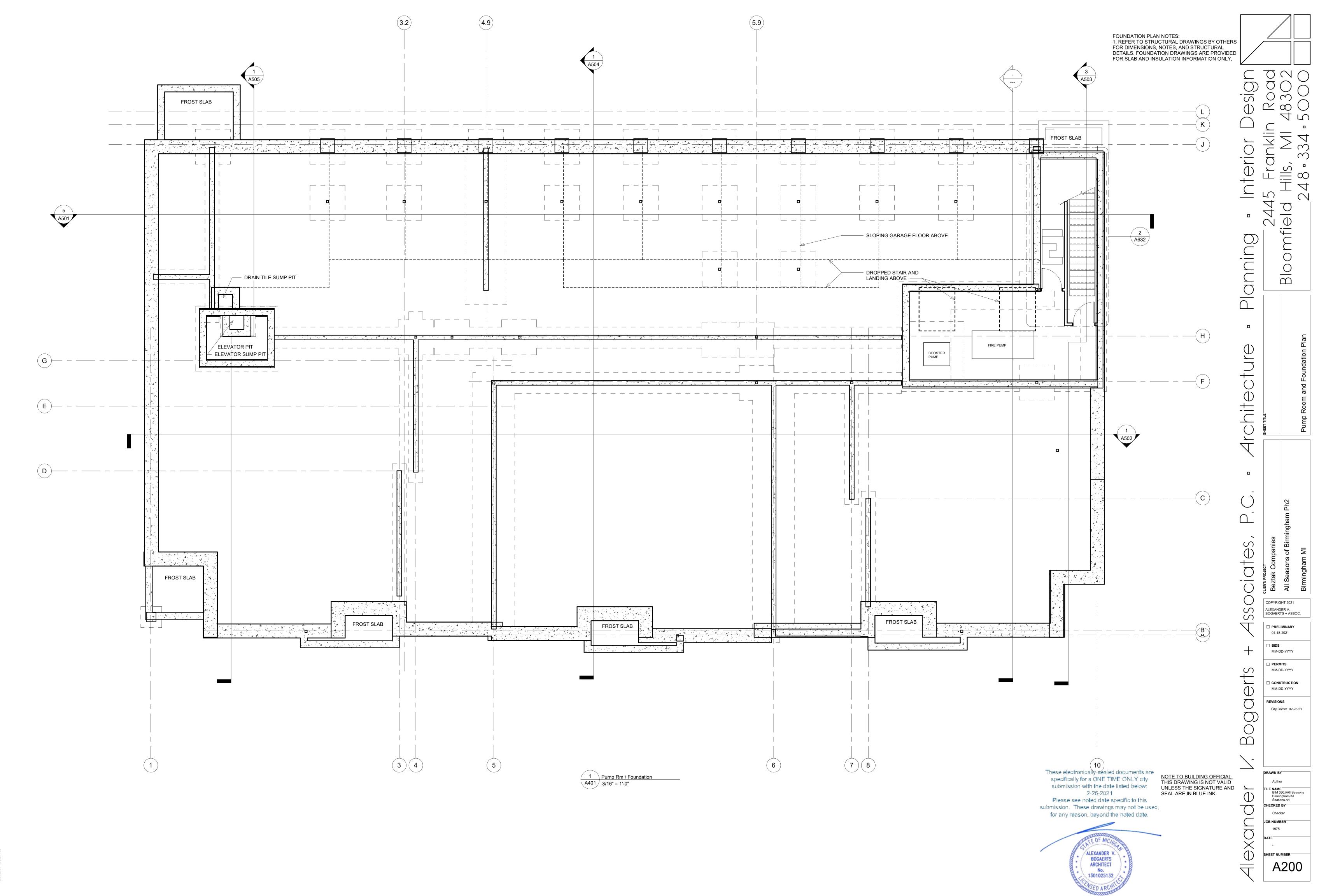
Bloomfield Planning **4rchitecture** 

☐ PRELIMINARY

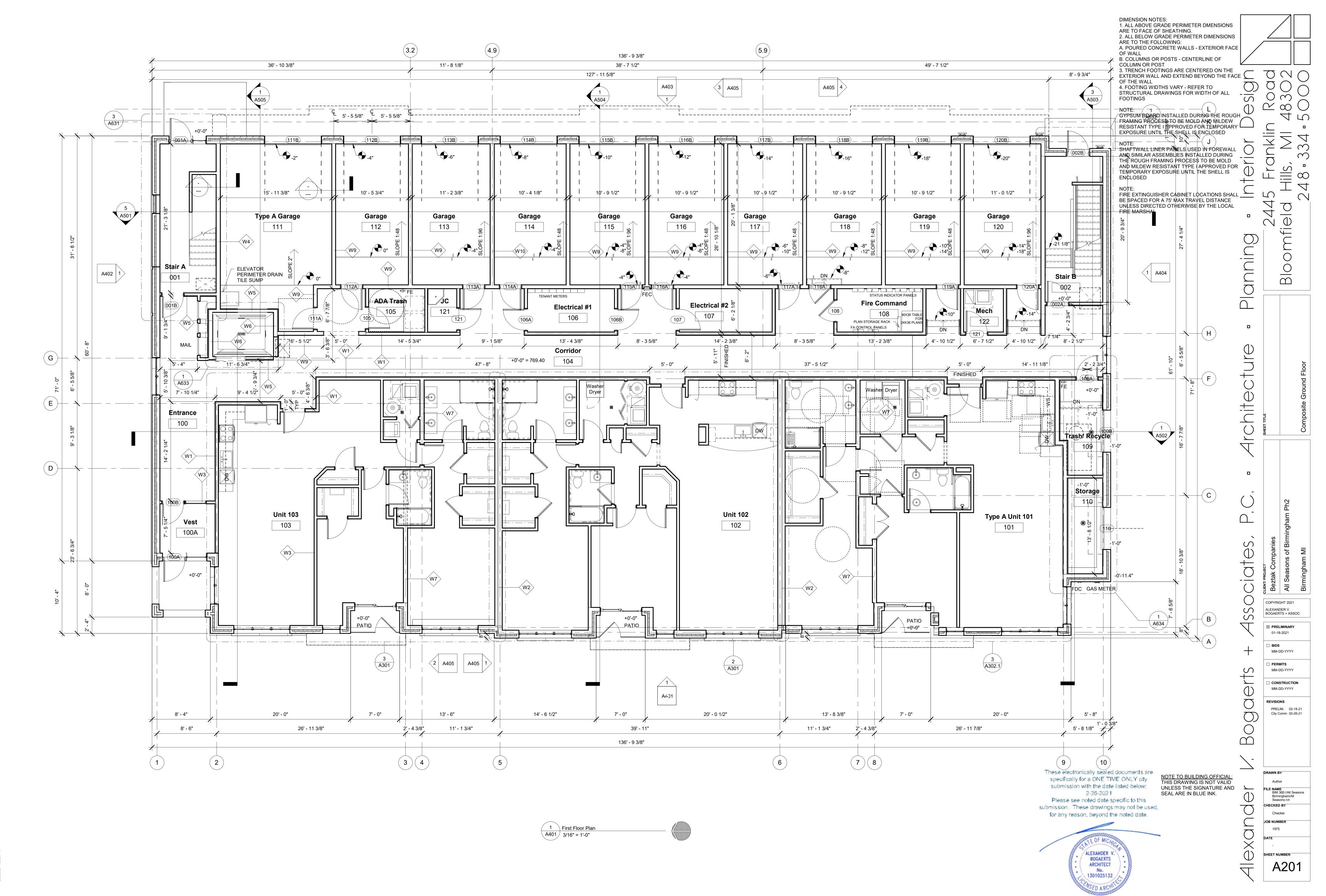
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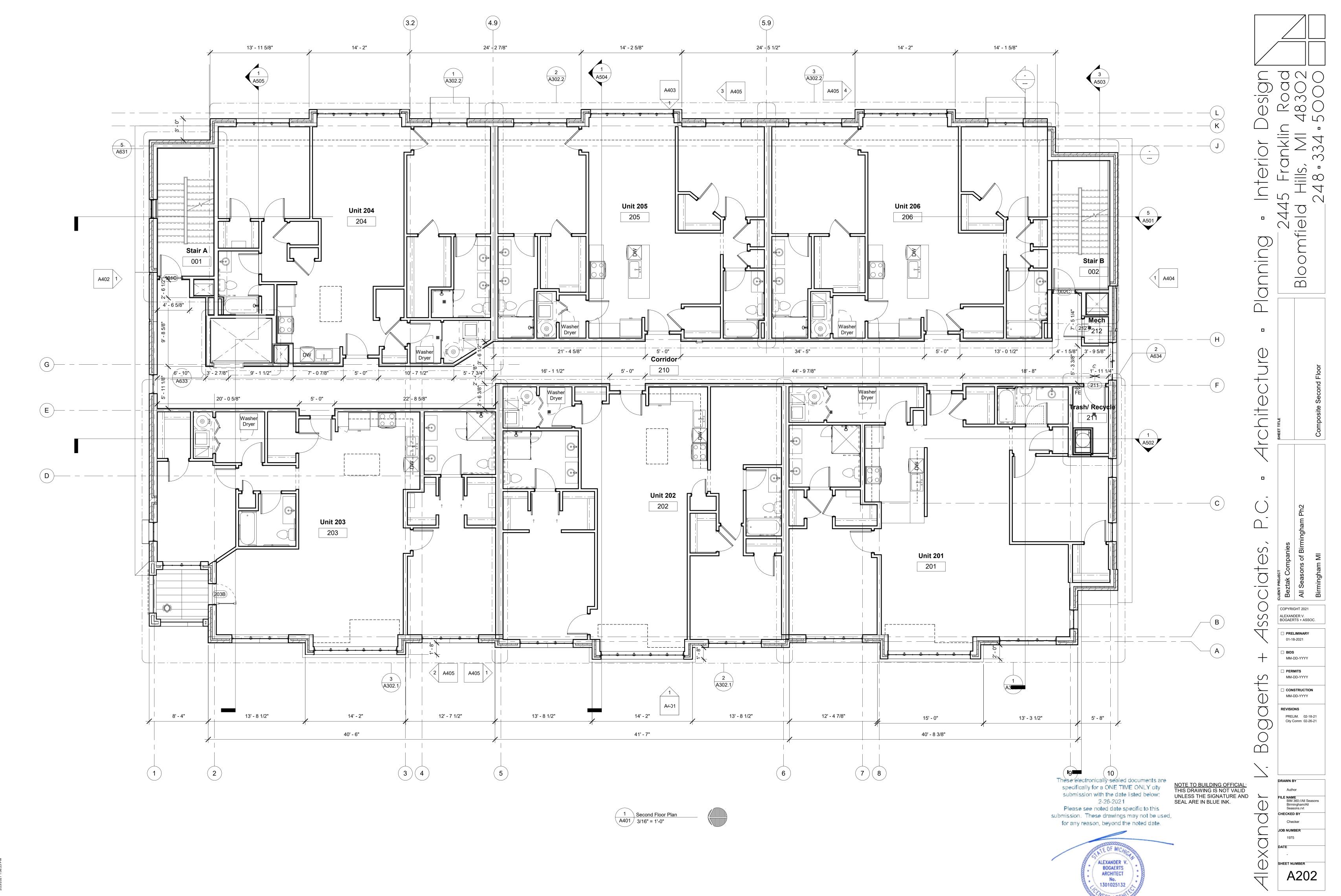
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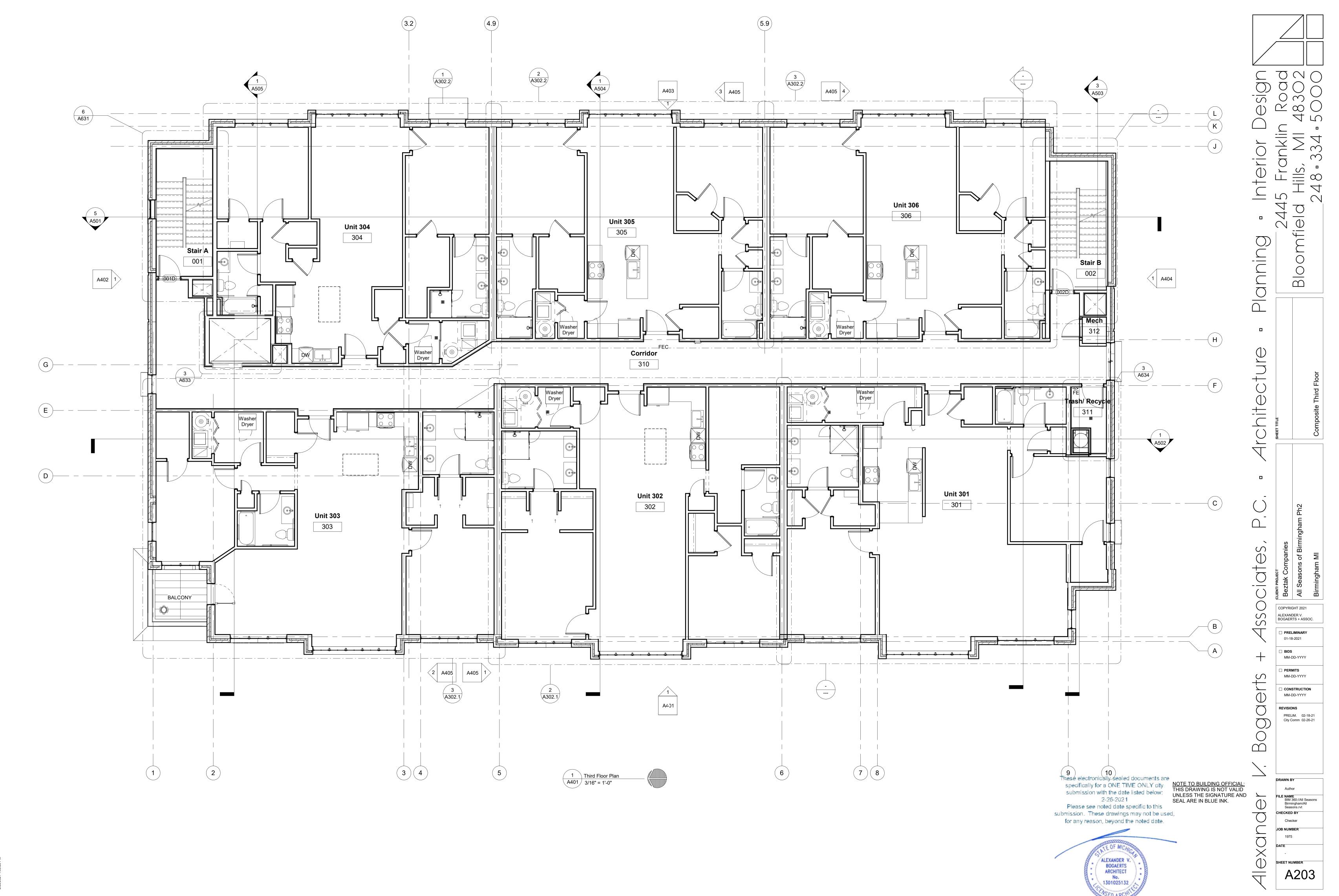
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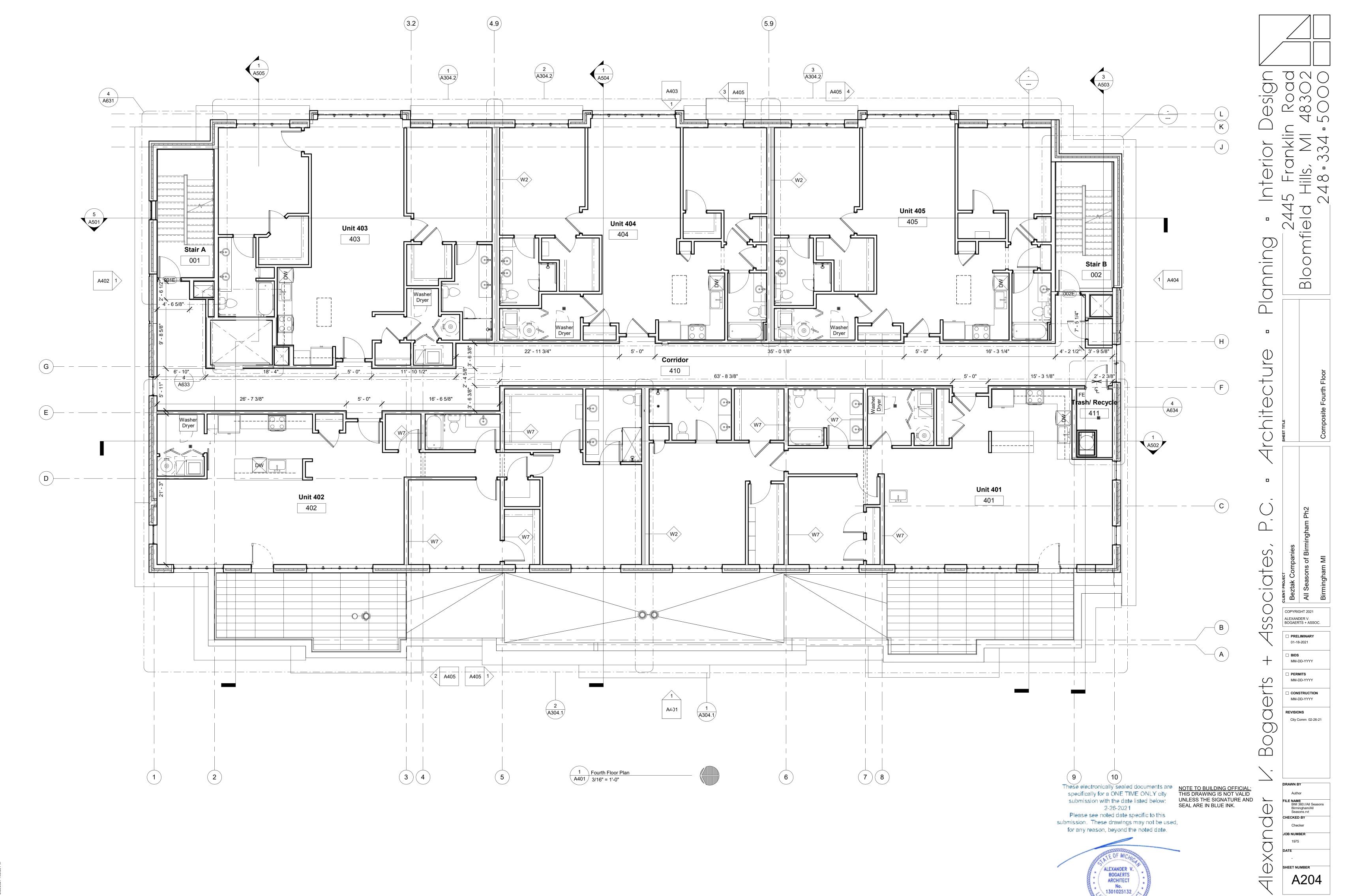
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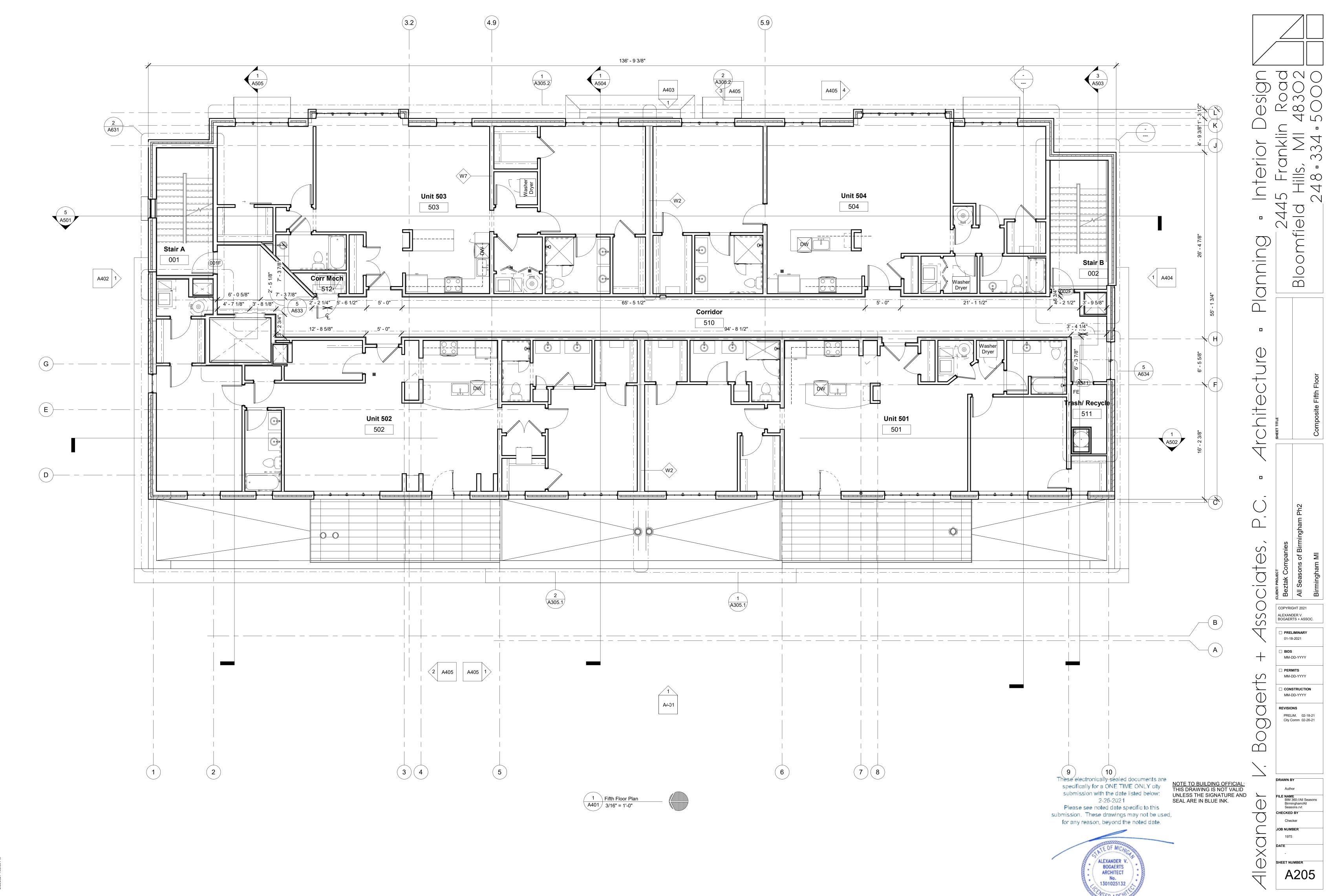
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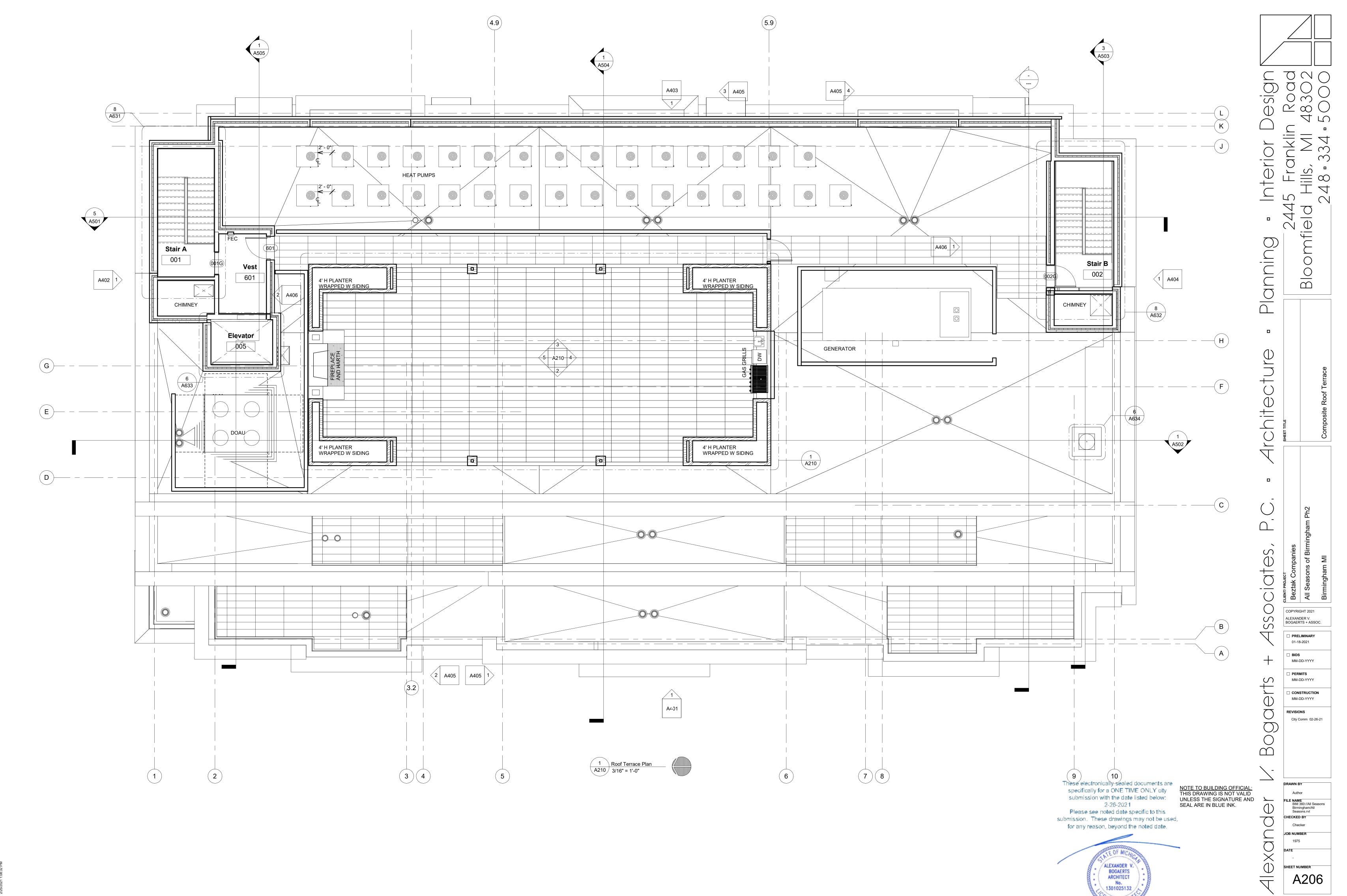
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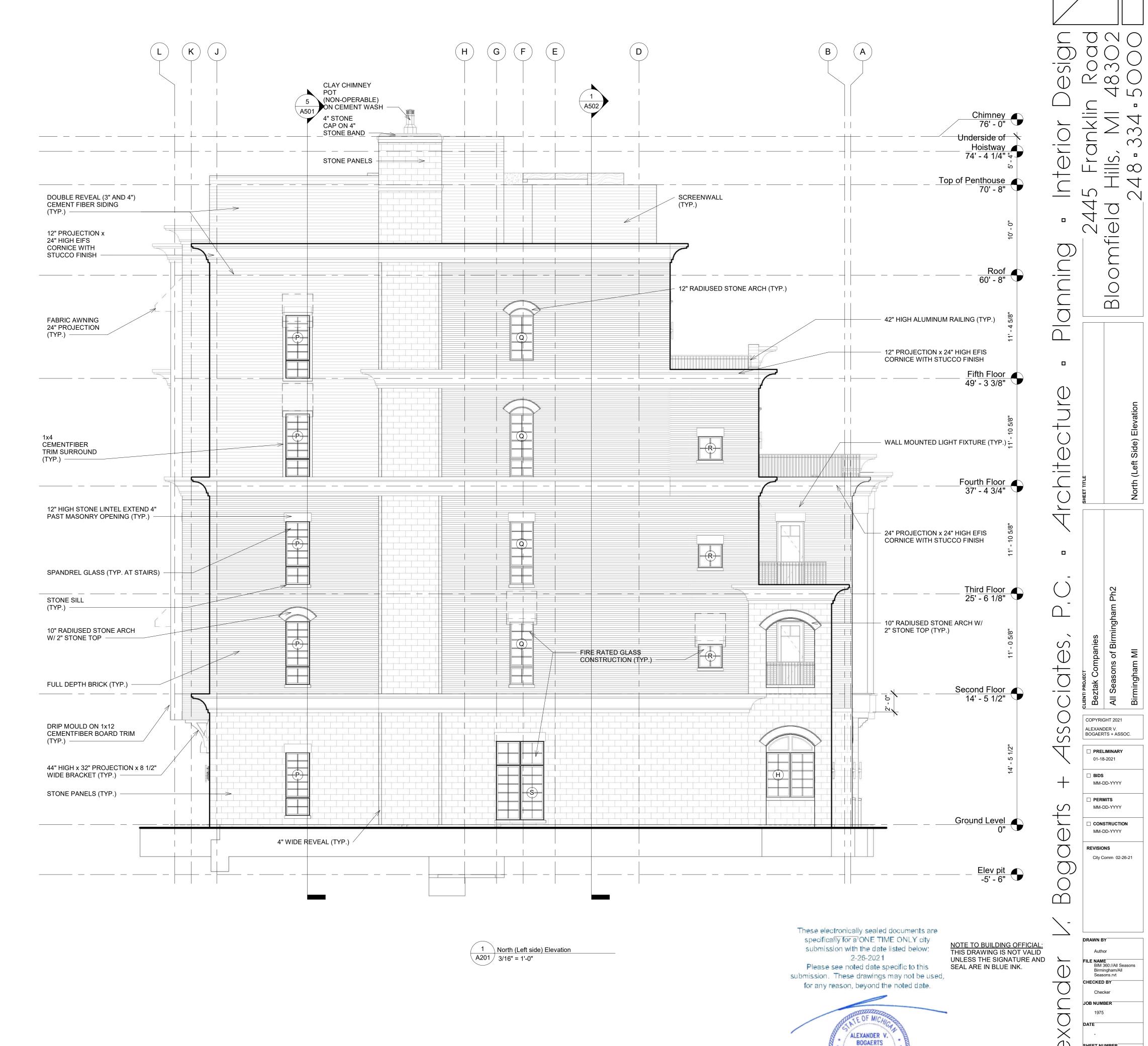
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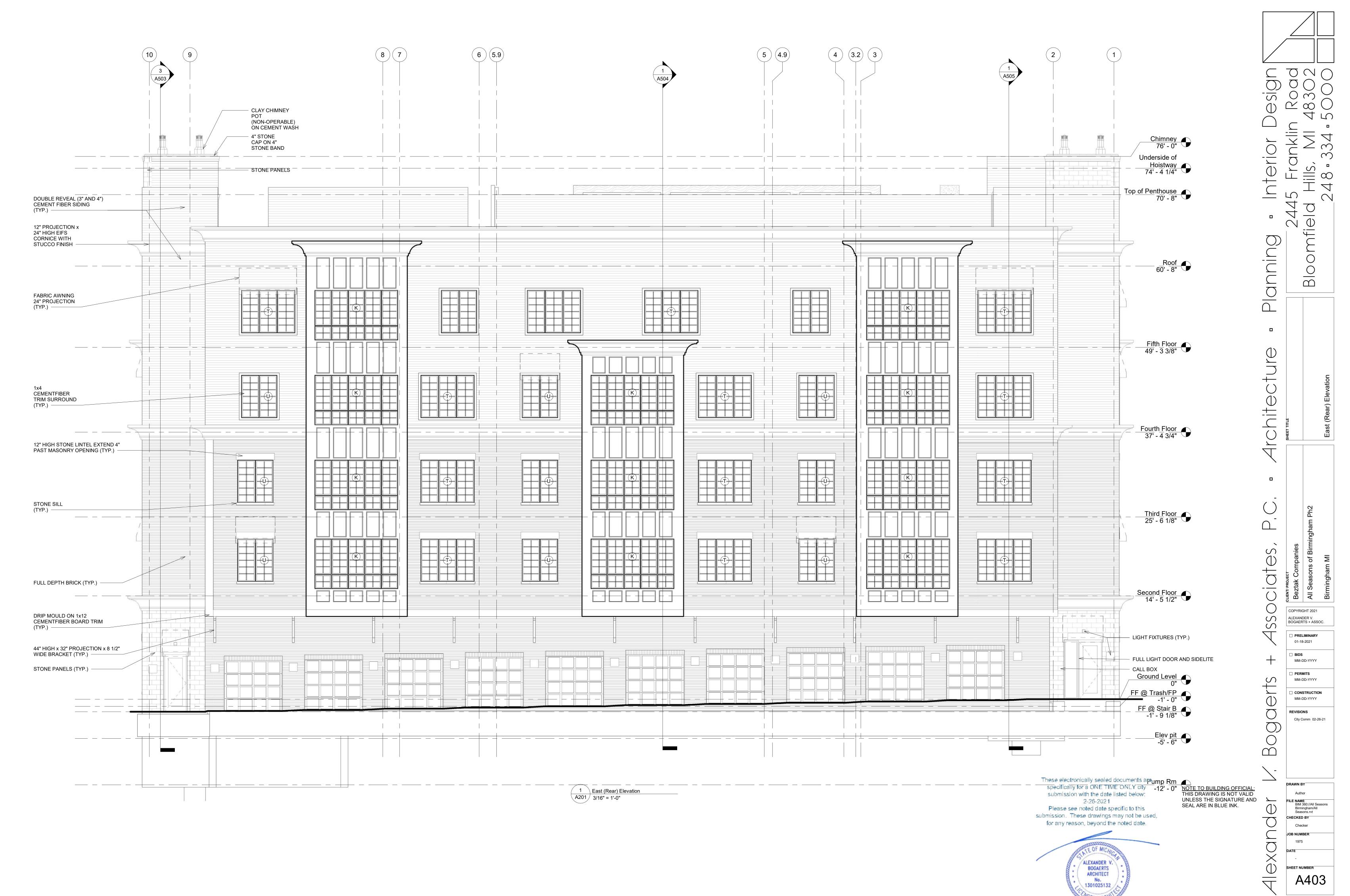


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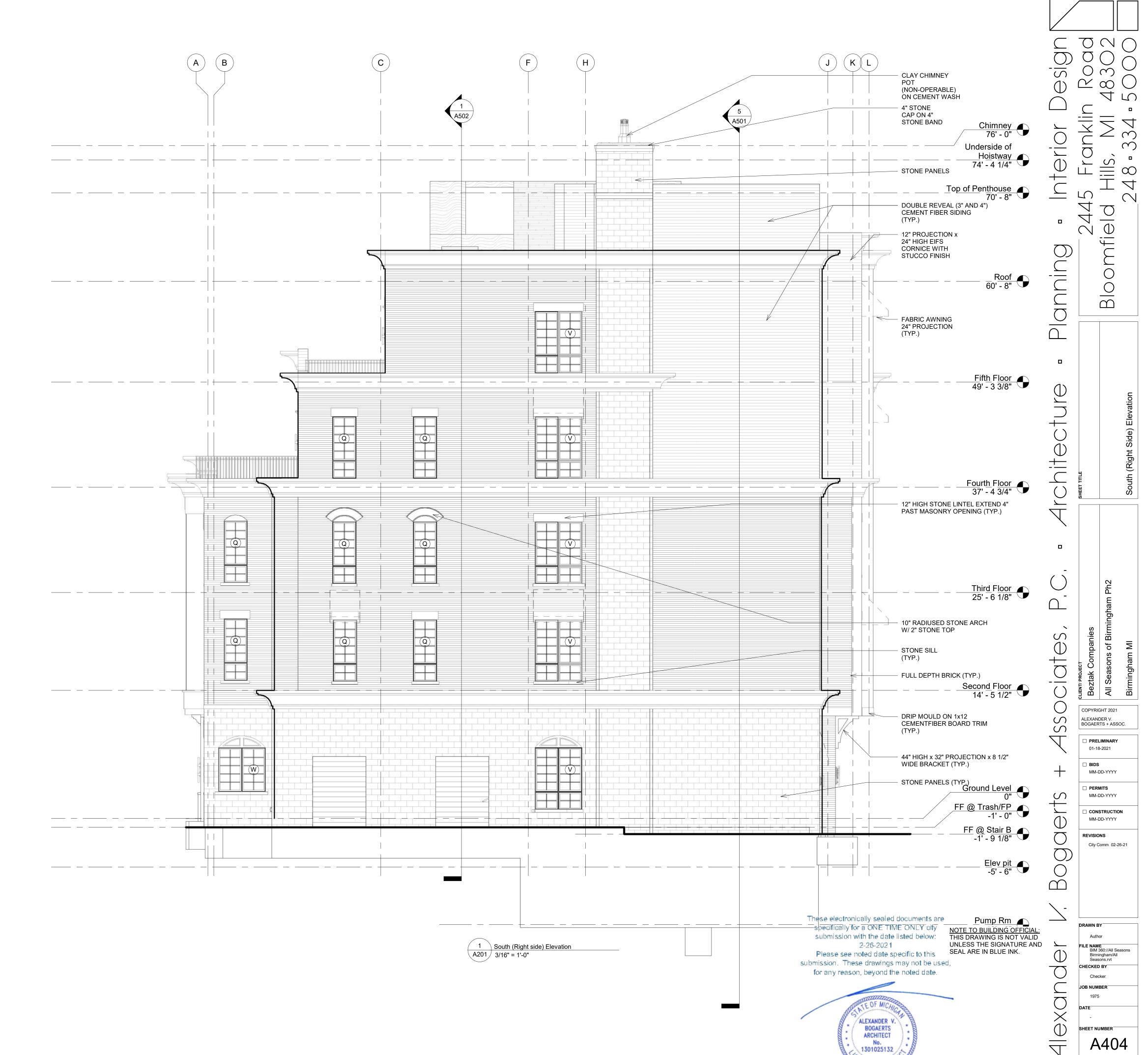
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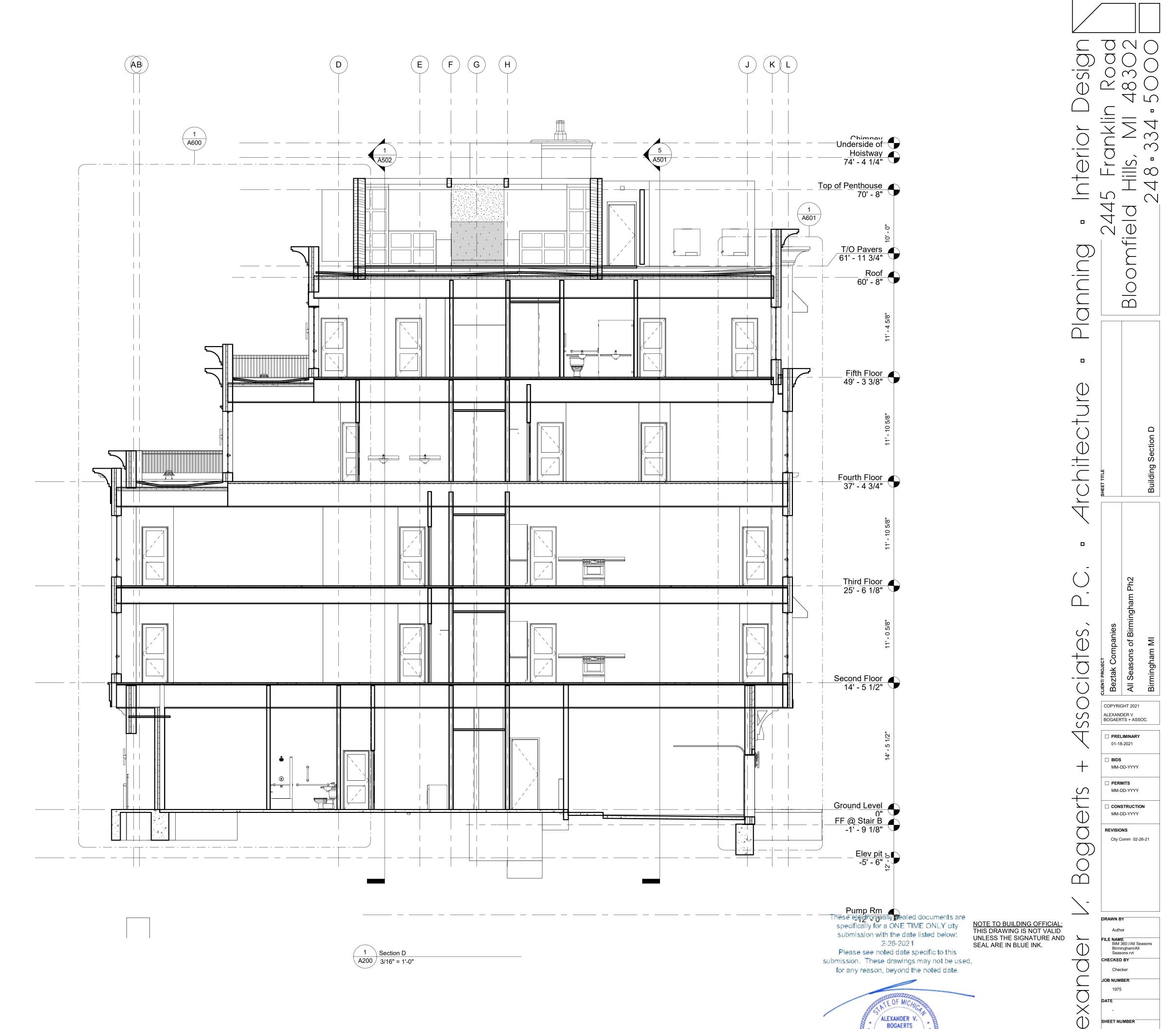
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# ALL SEASONS OF BIRMINGHAM PHASE 2

219 ELM STREET

BIRMINGHAM, OAKLAND COUNTY, MICHIGAN

### OWNER/APPLICANT/DEVELOPER:

BEZTAK COMPANIES
31731 NORTHWESTERN HWY., SUITE 250W
FARMINTON HILLS, MI 48334
CONTACT: MARK HIGHLEN
PHONE: (248) 737-6175
EMAIL: MHIGHLEN@BEZTAK.COM

#### **ARCHITECT:**

ALEXANDER V. BOGAERTS + ASSOCIATES, P.C. 2445 FRANKLIN ROAD BLOOMFIELD HILLS, MI 48302 CONTACT: XANDER BOGAERTS PHONE: (248) 791-5022 EMAIL: XBOGAERTS@BOGAERTS.US

#### CIVIL ENGINEER:

PEA, INC.
2430 ROCHESTER CT, SUITE 100
TROY, MI 48083
CONTACT: JOHN B. THOMPSON
PHONE: (248) 689-9090 EXT. 1109
FAX: (248) 689-1044
EMAIL: JTHOMPSON@PEAINC.COM

#### LANDSCAPE ARCHITECT:

PEA, INC.
45 W. GRAND RIVER AVE., SUITE 501
DETROIT, MI 48226
CONTACT: NOAH BIRMELIN, PLA, ASLA
PHONE: (313) 769-5770 EXT. 1405
EMAIL: NBIRMELIN@PEAINC.COM



# W E 0 37.5 75 150 Feet

#### **INDEX OF DRAWINGS:**

COVER SHEET
P-1.0 TOPOGRAPHIC SURVEY
P-2.0 PRELIMINARY SITE PLAN
P-3.0 PRELIMINARY GRADING/UTILITY PLAN
P-4.0 EXISTING CONDITIONS

P-5.0 SITE CONNECTIVITY PLAN

L-1.0 PRELIMINARY LANDSCAPE PLAN L-2.0 PRELIMINARY LANDSCAPE DETAILS

## LEGAL DESCRIPTION (PER TAX ASSESSORS)

T2N, R10E, SEC 36 ASSESSOR'S PLAT NO 31 LOT 1 EXCEPT NORTH 158.70 FEET, ALSO EXC SOUTH 13.65 FEET OF NORTH 172.35 FEET OF EAST 4.52 FEET, ALSO WEST 9.50 FEET OF SOUTH 124.68 FEET OF LOT 2.

TMK JBT ADDED CARPORT
TMK JBT REVISIONS PER REVIEW DATED DECEMBER 9, 2020 1/26

BY CHK DESCRIPTION DATED DECEMBER 9, 2020 1/26

REVISIONS
PROVIDED CARPORT



AUTION!!

E LOCATIONS AND ELEVATIONS OF EXISTING DERGROUND UTILITIES AS SHOWN ON THIS AWING ARE ONLY APPROXIMATE. NO GUARANTEE IS HER EXPRESSED OR IMPLIED AS TO THE MPLETENESS OR ACCURACY THEREOF. THE INTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE R DETERMINING THE EXACT UTILITY LOCATIONS AND EVATIONS PRIOR TO THE START OF CONSTRUCTION.

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INSTRUCTION CONTRACTOR AGREES THAT IN CORDANCE WITH GENERALLY ACCEPTED INSTRUCTION PRACTICES, CONSTRUCTION INTRACTOR WILL BE REQUIRED TO ASSUME SOLE DE COMPLETE RESPONSIBILITY FOR JOB SITE NOITIONS DURING THE COURSE OF CONSTRUCTION THE PROJECT, INCLUDING SAFETY OF ALL PERSONS D PROPERTY; THAT THIS REQUIREMENT SHALL BE DE TO APPLY CONTINUOUSLY AND NOT BE LIMITED NORMAL WORKING HOURS, AND CONSTRUCTION INTRACTOR FURTHER AGREES TO DEFEND, EMMITED NORMAL WORKING HOURS, AND CONSTRUCTION INTRACTOR FURTHER AGREES TO DEFEND,

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COVER SHEET

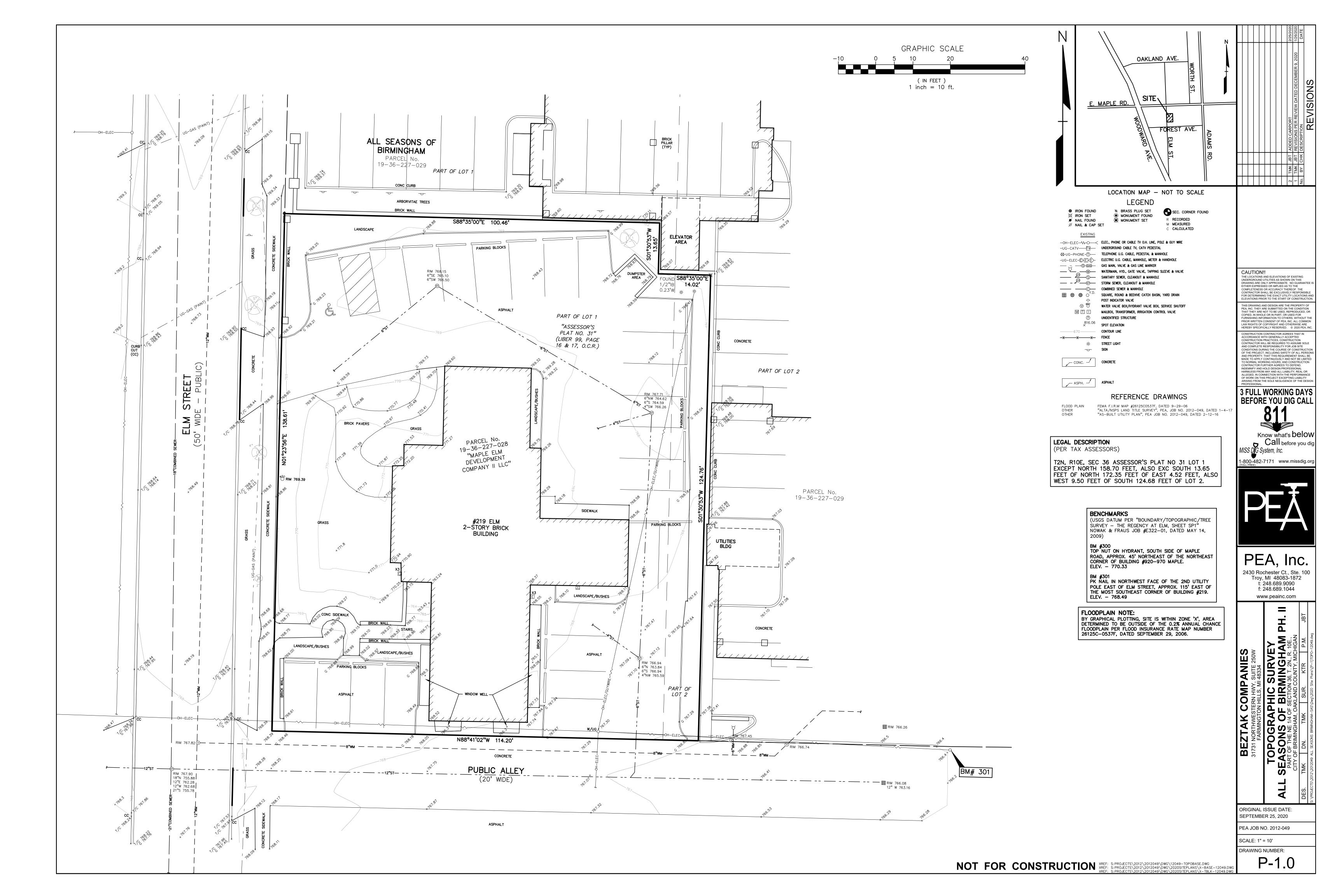
ASONS OF BIRMINGHAM PH. II
RT OF THE NE 1/4 OF SECTION 36, T. 2N., R. 10E.,
OF BRIMINGHAM, OAKLAND COUNTY, MICHIGAN

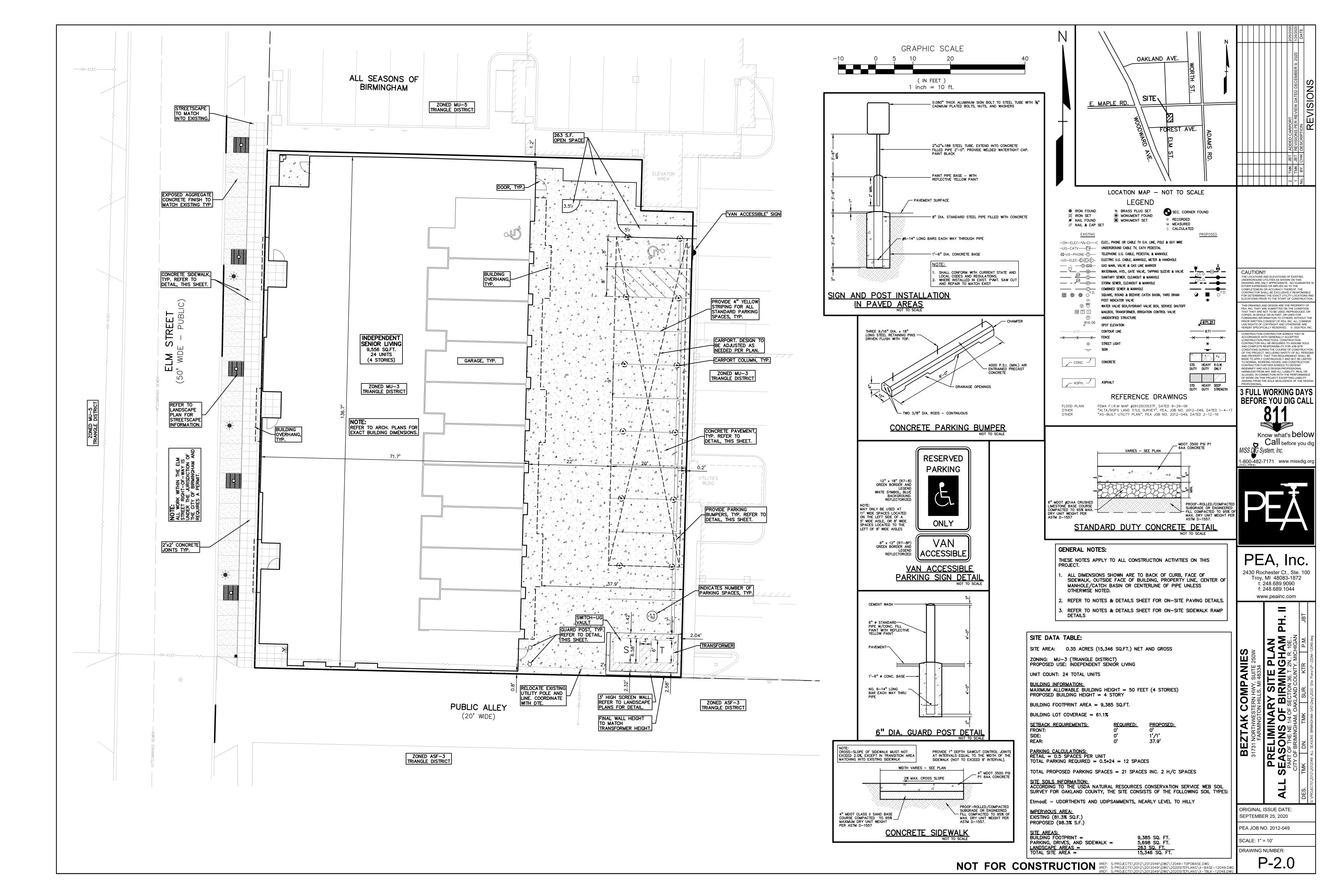
ORIGINAL ISSUE DATE: SEPTEMBER 25, 2020 PEA JOB NO. 2012-049

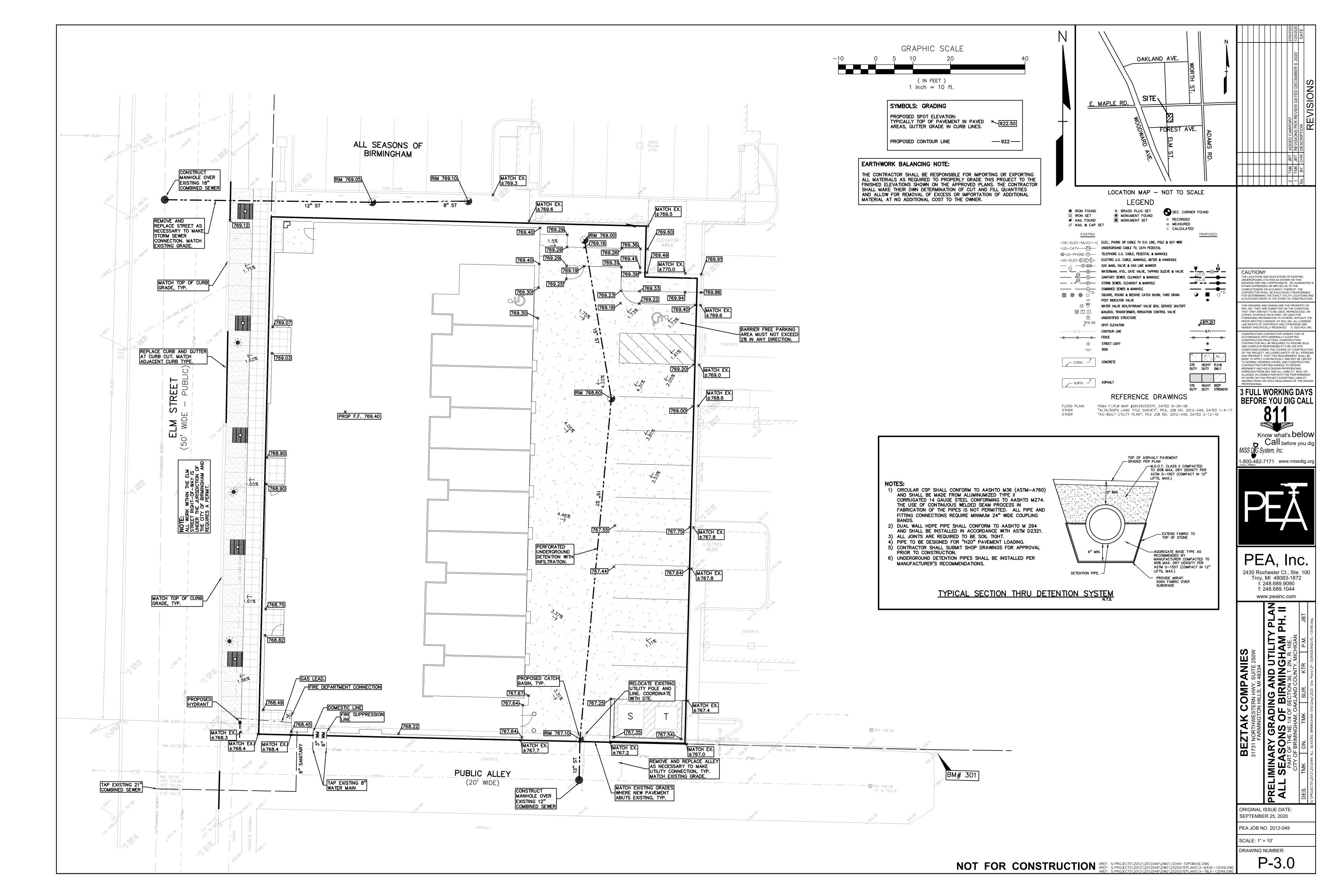
COVER

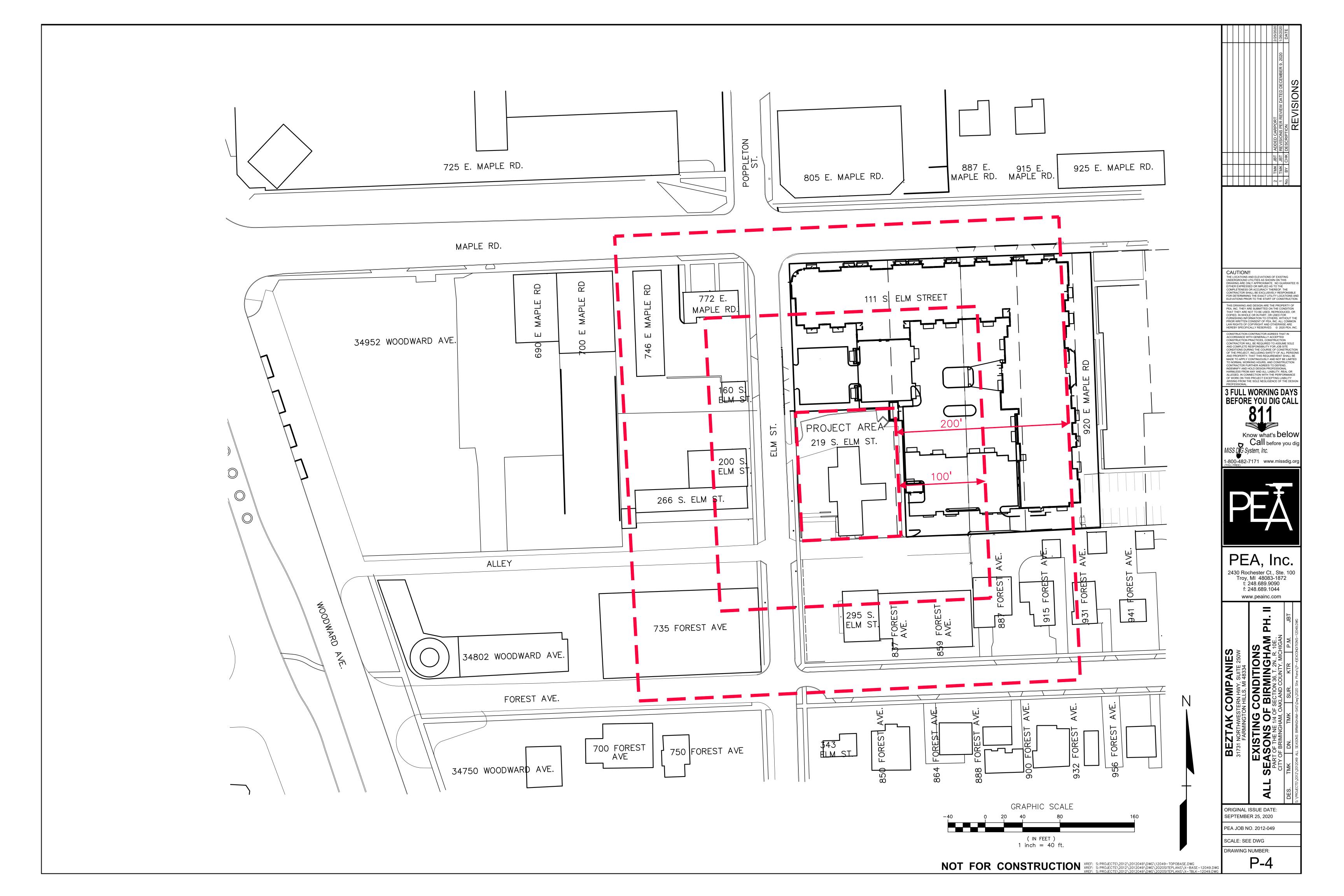
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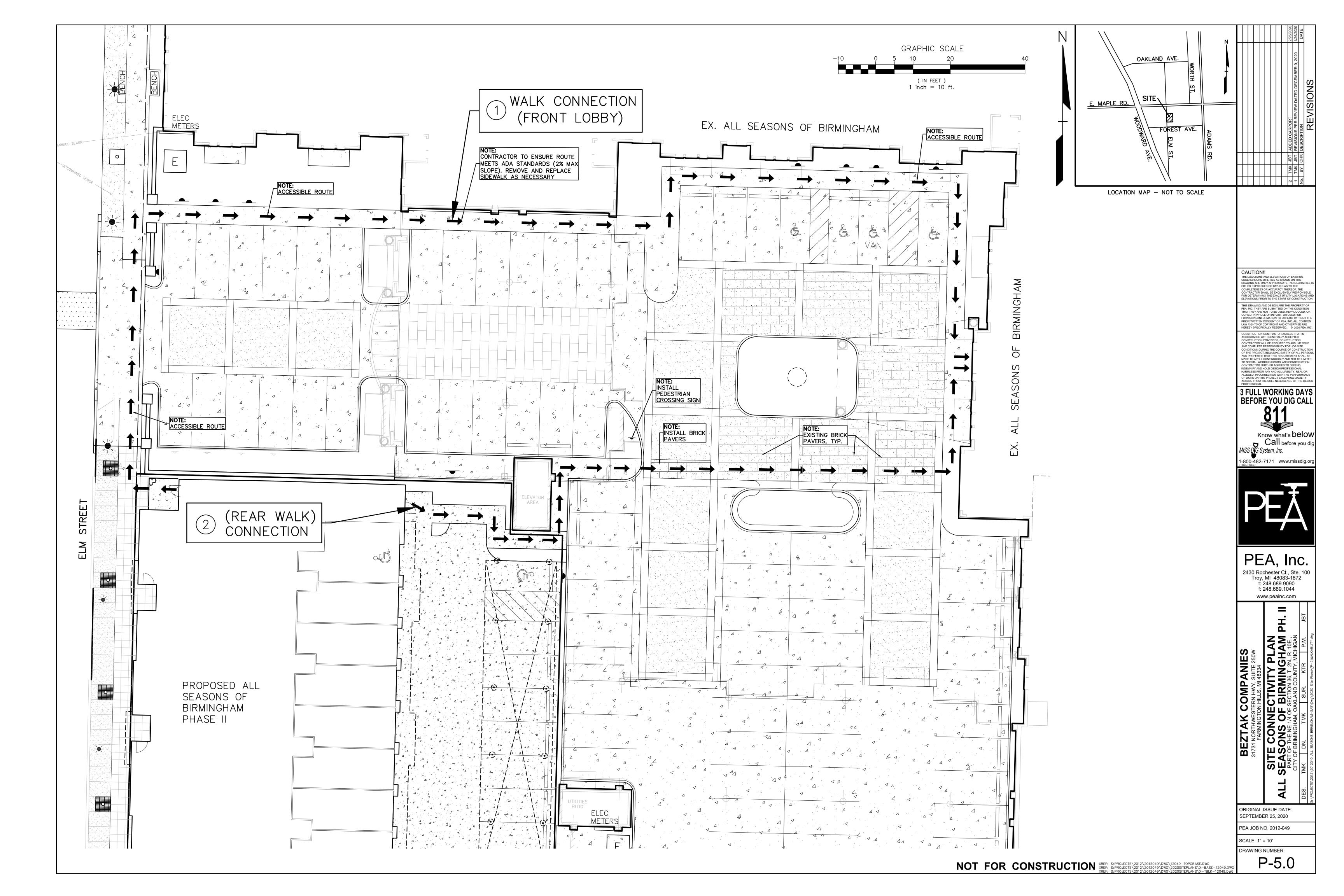
SCALE: 1" = 10'
DRAWING NUMBER:

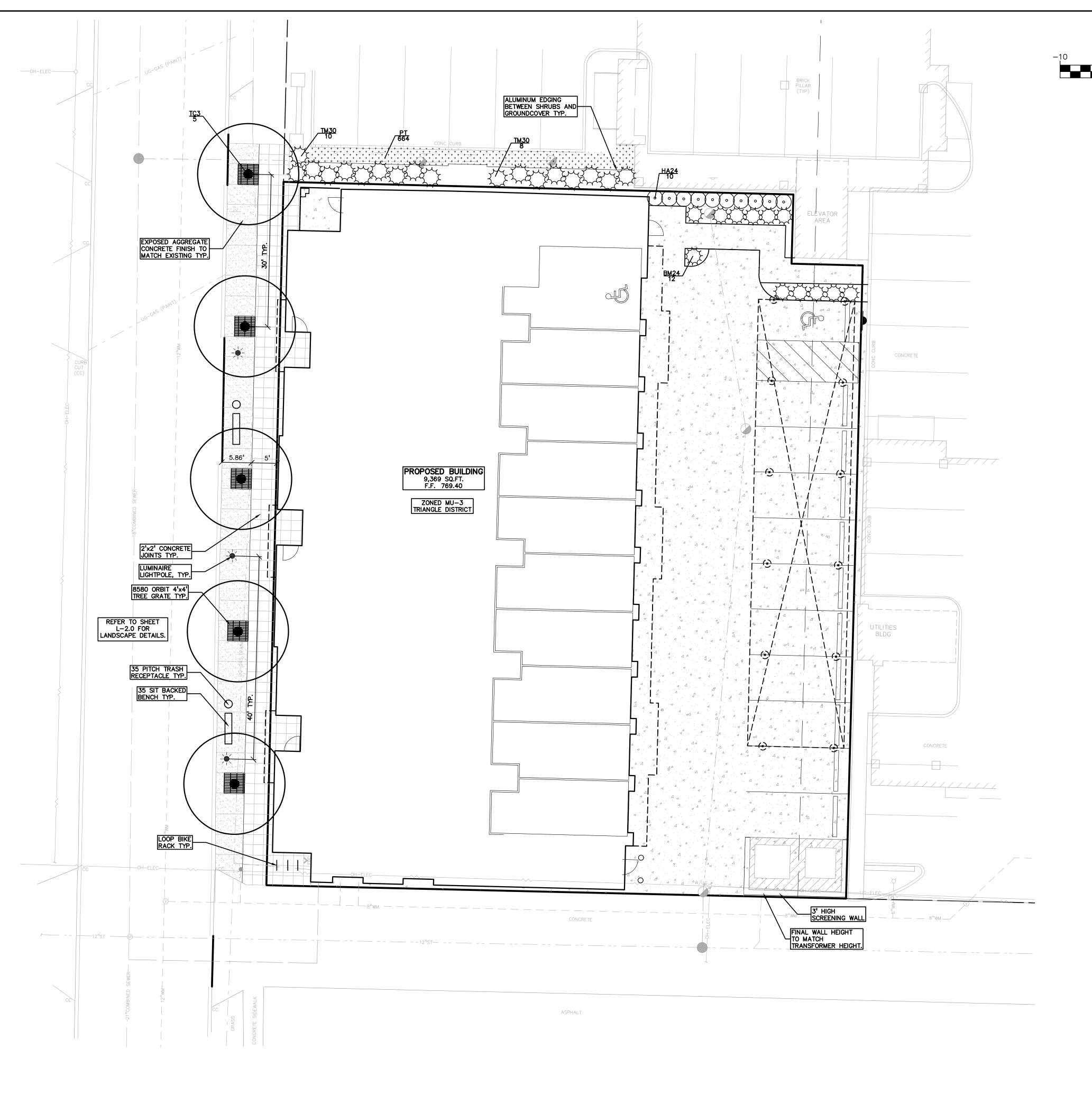


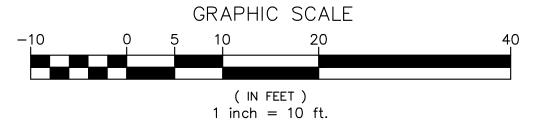


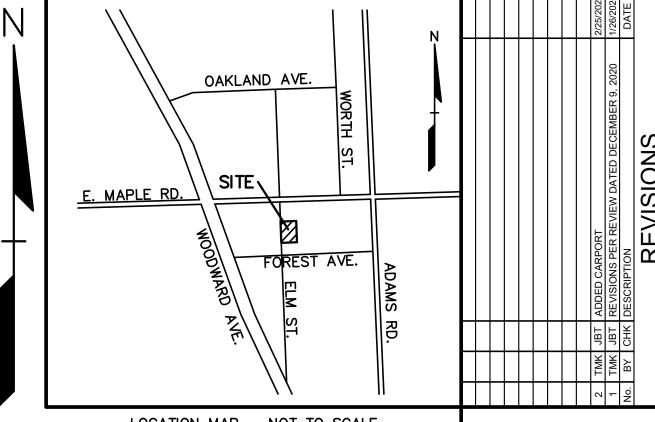




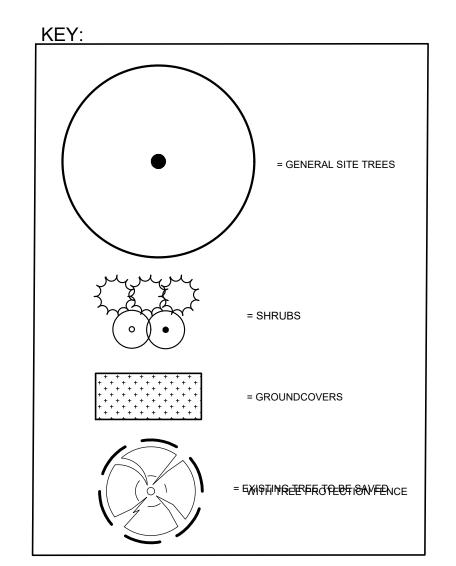








LOCATION MAP - NOT TO SCALE



# LANDSCAPE CALCULATIONS: PER CITY OF BIRMINGHAM ZONING ORDINANCE TRIANGLE OVERLAY DISTRICT 3.12 STREETSCAPE DESIGN REQUIREMENTS: B. SIDEWALKS REQUIRED: 12' MIN. PROVIDED: 10'

- C. STREET TREES
  REQUIRED: 1 CANOPY TREE PER 40 LF OF FRONTAGE.
  138/ 40 LF = 3.45 TREES
  PROVIDED: 5 CANOPY TREES
- D. STREET LIGHTS
  REQUIRED: PEDESTRIAN LEVEL STREET LIGHTING OF A
  DECORATIVE NATURE.

  PROVIDED: PEDESTRIAN LEVEL STREET LIGHTS THAT
  MATCH DISTRICT STANDARD.
- . STREET FURNITURE
  REQUIRED: BENCHES AND TRASH RECEPTACLES WHERE
  PEDESTRIAN ACTIVITY WILL BENEFIT.

  PROVIDED: BENCHES AND TRASH RECEPTACLES ALONG
  SIDEWALK THAT MATCH DISTRICT STANDARDS.
- REQUIRED: 1 BIKE FOR EVERY 3,000 SF OF COMMERCIAL FLOOR AREA. NOT APPLICABLE.

  PROVIDED: (3) BIKE HOOPS THAT MATCH THE DISTRICT

B. BICYCLE FACILITIES

### **GENERAL PLANTING NOTES:**

- 1. LANDSCAPE CONTRACTOR SHALL VISIT SITE, INSPECT EXISTING SITE CONDITIONS AND REVIEW PROPOSED PLANTING AND RELATED WORK. IN CASE OF DISCREPANCY BETWEEN PLAN AND PLANT LIST, PLAN SHALL GOVERN QUANTITIES. CONTACT LANDSCAPE ARCHITECT WITH ANY CONCERNS.
- 2. CONTRACTOR SHALL VERIFY LOCATIONS OF ALL ON SITE UTILITIES PRIOR TO BEGINNING CONSTRUCTION ON HIS/HER PHASE OF WORK. ELECTRIC, GAS, TELEPHONE, CABLE TELEVISION MAY BE LOCATED BY CALLING MISS DIG 1-800-482-7171. ANY DAMAGE OR INTERRUPTION OF SERVICES SHALL BE THE RESPONSIBILITY OF CONTRACTOR. CONTRACTOR SHALL COORDINATE ALL RELATED ACTIVITIES WITH OTHER TRADES ON THE JOB AND SHALL REPORT ANY UNACCEPTABLE JOB CONDITIONS TO OWNER'S REPRESENTATIVE PRIOR TO COMMENCING.
- 3. ALL PLANT MATERIAL TO BE PREMIUM GRADE NURSERY STOCK AND SHALL SATISFY AMERICAN ASSOCIATION OF NURSERYMEN STANDARD FOR NURSERY STOCK. ALL LANDSCAPE MATERIAL SHALL BE NORTHERN GROWN, NO. 1. GRADE.
- 4. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON LANDSCAPE PLAN PRIOR TO PRICING THE WORK.
- . THE OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT MEETING SPECIFICATIONS.
- 3. ALL SINGLE STEM SHADE TREES TO HAVE STRAIGHT TRUNKS AND SYMMETRICAL CROWNS.
- 7. ALL SINGLE TRUNK SHADE TREES TO HAVE A CENTRAL LEADER; TREES WITH FORKED OR IRREGULAR TRUNKS WILL NOT BE ACCEPTED.
- 8. ALL MULTI STEM TREES SHALL BE HEAVILY BRANCHED AND HAVE SYMMETRICAL CROWNS. ONE SIDED TREES OR THOSE WITH THIN OR OPEN CROWNS SHALL NOT BE ACCEPTED.
- 9. ALL EVERGREEN TREES SHALL BE HEAVILY BRANCHED AND FULL TO THE GROUND, SYMMETRICAL IN SHAPE AND NOT SHEARED FOR THE LAST FIVE GROWING SEASONS.
- 10.ALL TREES TO HAVE CLAY OR CLAY LOAM BALLS, TREES WITH SAND BALLS WILL BE REJECTED.11.NO MACHINERY IS TO BE USED WITHIN THE DRIP LINE OF EXISTING TREES; HAND GRADE ALL LAWN AREAS WITHIN
- EXISTING TREES; HAND GRADE ALL LAWN AREAS WITHIN THE DRIP LINE OF EXISTING TREES.

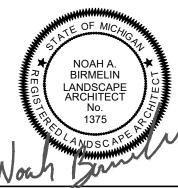
  12.ALL TREE LOCATIONS SHALL BE STAKED BY LANDSCAPE CONTRACTOR AND ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF
- THE PLANT MATERIAL.

  3.IT IS MANDATORY THAT POSITIVE DRAINAGE IS PROVIDED
- AWAY FROM ALL BUILDINGS.

  14.ALL PLANTING BEDS SHALL RECEIVE 3" SHREDDED HARDWOOD BARK MULCH WITH PRE EMERGENT, SEE SPECIFICATIONS. SHREDDED PALETTE AND DYED MULCH
- WILL NOT BE ACCEPTED.

  15.ALL LANDSCAPED AREAS SHALL RECEIVE 3" COMPACTED
- 16.SEE SPECIFICATIONS FOR ADDITIONAL COMMENTS, REQUIREMENTS, PLANTING PROCEDURES AND WARRANTY STANDARDS.

DECIDUO	US TREE PL	ANT LIST:			
QUANTITY	KEY SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE	SPEC
5	TC3	Greenspire Linden	Tilia cordata 'Greenspire'	3" Cal.	В&В
5	TOTAL DEC.				
SHRUB P	LANT LIST:				
QUANTITY	KEY SYMBOL	COMMON NAME	SCIENTIFIC NAME	SIZE	SPEC
13	BM24	Wintergem Boxwood	Buxus microphylla 'Winter Gem'	24" Ht.	Cont
10	HA24	Annabelle Hydrangea	Hydrangea arborescens 'Annabelle'	24" Ht.	Cont
18	TM30	Dense Yew	Taxus x media 'Densiformis'	30" Ht.	Cont
41	TOTAL SHRUE	BS			



TION!!

CATIONS AND ELEVATIONS OF EXISTING GROUND UTILITIES AS SHOWN ON THIS NG ARE ONLY APPROXIMATE. NO GUARANTI EXPRESSED OR IMPLIED AS TO THE ETENESS OR ACCURACY THEREOF. THE ACTOR SHALL BE EXCLUSIVELY RESPONSIB ITERMINING THE EXACT UTILITY LOCATIONS IONS PRIOR TO THE START OF CONSTRUCT

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FARMINGTON HILLS, MI 48334

LANDSCAPE PLAN
SEASONS OF BIRMINGHAM PH.
PART OF THE NE 1/4 OF SECTION 36, T. 2N., R. 10E.,
CITY OF BRIMINGHAM, OAKLAND COUNTY, MICHIGAN

ORIGINAL ISSUE DATE: SEPTEMBER 25, 2020 PEA JOB NO. 2012-049 SCALE: 1" = 10'

DRAWING NUMBER:

L-1.0





35 PITCH LITTER RECEPTACLE



\8580 ORBIT TREE GRATE DETAIL

SCALE: 1" = 1'-0"

SIT BENCH
SIZE: 72"
POWDERCOAT COLOR: SILVER
BACKED BENCH, SURFACE MOUNT



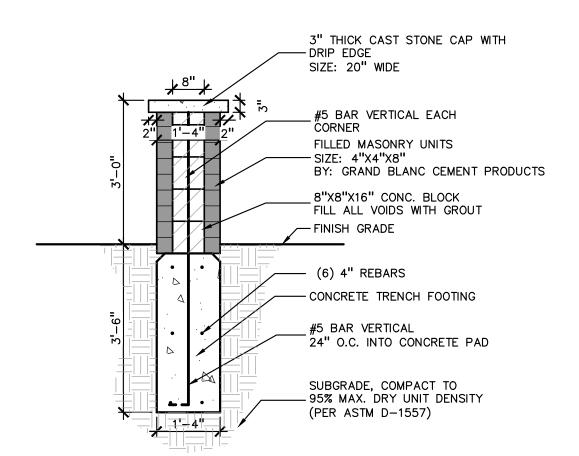
SIT BENCH DETAIL SCALE: 1'' = 1'-0''

LOOP BIKE RACK POWDERCOAT COLOR: SILVER SURFACE MOUNT BY: LANDSCAPEFORMS

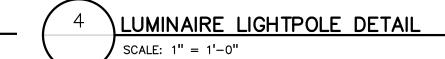


LOOP BIKE RACK DETAIL

NOT FOR CONSTRUCTION XREF: S: PROJECTS\2012\2012049\DWG\12049-TOPOBASE.DWG XREF: S: PROJECTS\2012\2012049\DWG\2020SITEPLANS\X-BASE-12049.DWG XREF: S: PROJECTS\2012\2012049\DWG\2020SITEPLANS\X-TBLK-12049.DWG

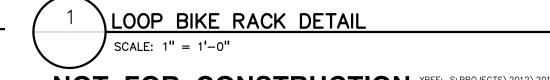


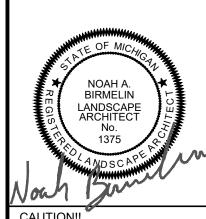
MASONRY WALL DETAIL SCALE: 6" = 1'-0"





NOTE:
THE DEVELOPER SHALL CONTACT DTE TO COORDINATE AND CONTRACT THE INSTALLATION OF THE LIGHTING FIXTURES TO THE CITY'S SYSTEM. THIS WILL BE FUNDED BY THE DEVELOPER. LUMINAIRE LIGHTPOLE — LED POWDERCOAT COLOR: SILVER SURFACE MOUNT BY: PHILIPS HADCO





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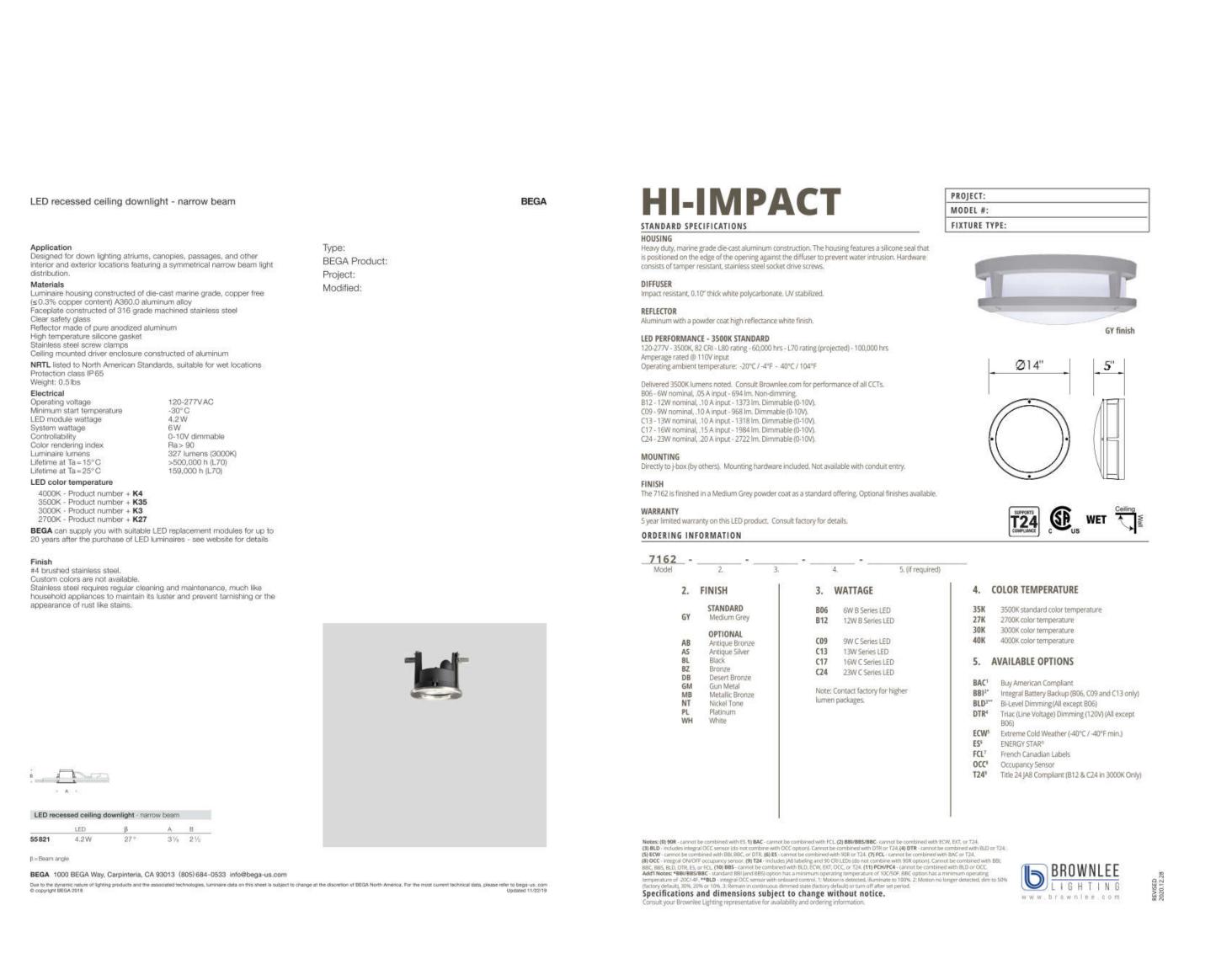
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PRELIMINARY LANDSCAPE DETAIL
ALL SEASONS OF BIRMINGHAM PH.
PART OF THE NE 1/4 OF SECTION 36, T. 2N., R. 10E., BEZTAK COMPANIES

ORIGINAL ISSUE DATE: SEPTEMBER 25, 2020 PEA JOB NO. 2012-049

SCALE: 1" = 10' DRAWING NUMBER:

L-2.0



# **General Note**

1. SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.

2. CALCULATIONS ARE SHOWN IN FOOTCANDLES AT: 0' - 0" ABOVE GRADE/FINISHED FLOOR

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP.

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UNLESS EXEMPT, PROJECT MUST COMPLY WITH LIGHTING CONTROLS REQUIRMENTS DEFINED IN ASHRAE 90.1 2013. FOR SPECIFIC INFORMATION CONTACT GBA CONTROLS GROUP AT ASG@GASSERBUSH.COM OR 734-266-

# Ordering Note

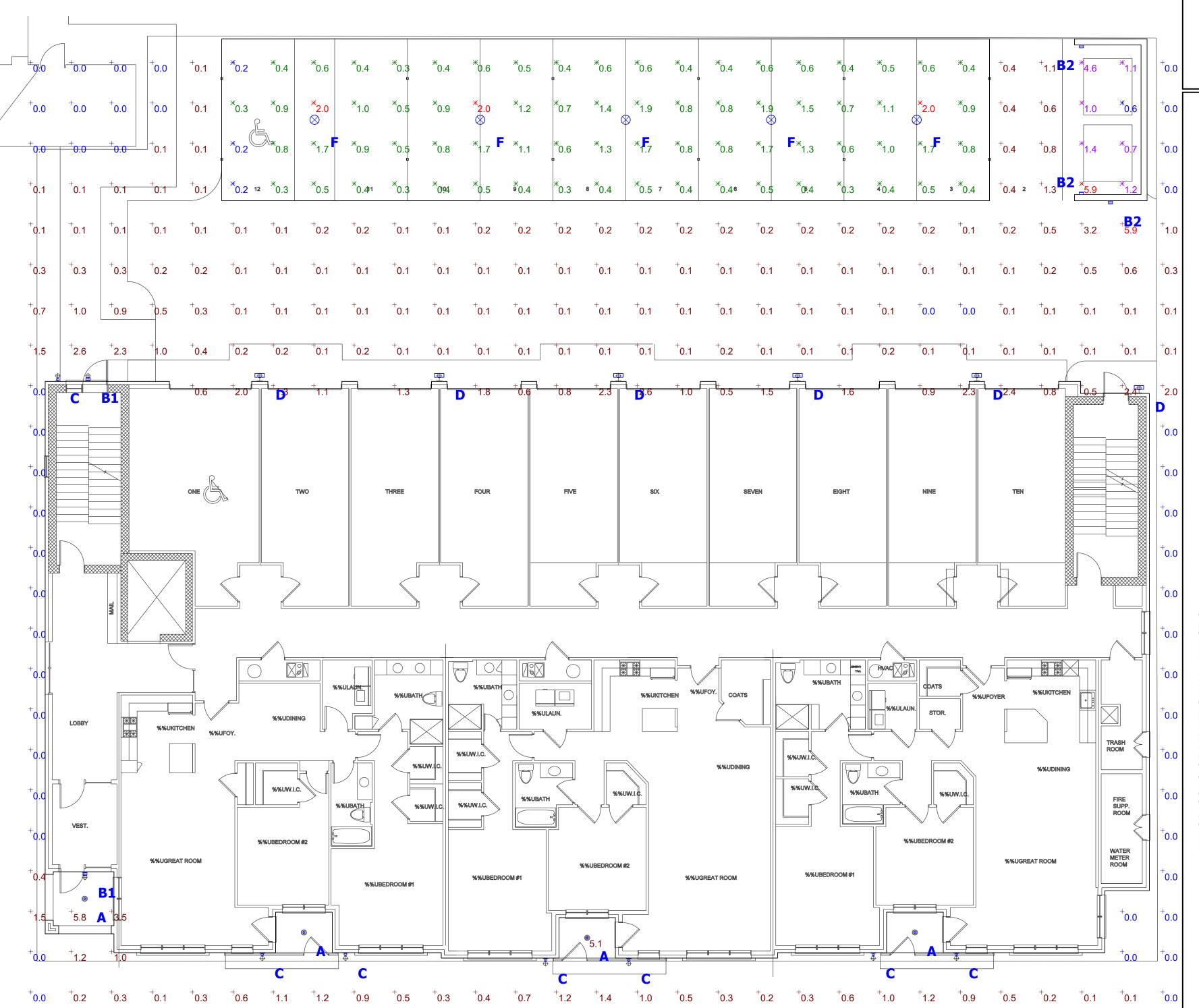
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# **Drawing Note**

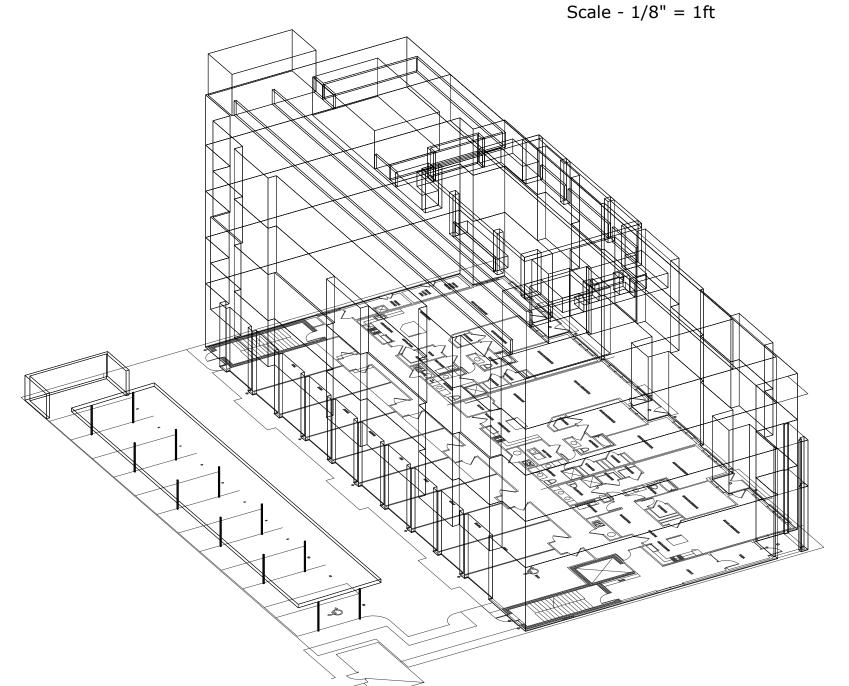
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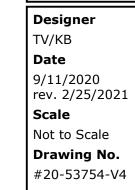
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1ST FLOOR UNIT ENTRANCE (TYP.)	+	5.1 fc	5.1 fc	5.1 fc	1.0:1	1.0:1	1.0:1
2ND FLOOR BALCONY	+	2.0 fc	3.3 fc	1.2 fc	2.8:1	1.7:1	0.6:1
3RD FLOOR BALCONY	+	2.0 fc	2.9 fc	1.2 fc	2.4:1	1.7:1	0.7:1
4TH FLOOR BALCONY (TYP.)	+	0.2 fc	0.3 fc	0.1 fc	3.0:1	2.0:1	0.7:1
5TH FLOOR BALCONY (TYP.)	+	0.2 fc	0.3 fc	0.1 fc	3.0:1	2.0:1	0.7:1
CARPORT	Ж	0.8 fc	2.0 fc	0.2 fc	10.0:1	4.0:1	0.4:1
DTE SCREEN WALL AREA	Ж	2.1 fc	5.9 fc	0.6 fc	9.8:1	3.5:1	0.4:1
ROOFTOP EGRESS PATH	+	4.7 fc	13.8 fc	0.6 fc	23.0:1	7.8:1	0.3:1
ROOFTOP TERRACE	+	1.9 fc	28.7 fc	0.0 fc	N/A	N/A	0.1:1

chedul	е									1	_
Symbol	Label	QTY	Manufacturer	Catalog Number	Description	Lamp	Number Lamps		LLF	Wattage	Mounting Height
$\bigcirc$	A	5	BEGA	55821+K3	LED RECESSED DOWNLIGHT	LED	1	326	0.9	6	11'-2" & 13'-4"
	B1	5	TECH LIGHTING	7000WSPITSC-LED830	PITCH LED WALL MOUNT LUMINAIRE	LED	1	803	0.9	26.2	9'-0"
	B2	3	TECH LIGHTING	7000WSPITSC-LED830	PITCH LED WALL MOUNT LUMINAIRE	LED	1	803	0.9	26.2	4'-6"
	С	11	BROWNLEE LIGHTING	7176-18-H8LED-30K	BEAM LED WALL SCONCE	LED	1	698	0.9	7.88131	6'-6"
	D	6	VISA LIGHTING	OW1721-L30K-L	WALL MOUNT OUTDOOR SQUARE	LED	1	1415	0.9	30.3	6'-6"
	Е	21	TECH LIGHTING	7000SWEND92730x120	WEND STEP LIGHT	LED	1	344	0.9	12.1	1'-6"
$\otimes$	F	5	Brownlee Lighting Inc	7162-B06-35K	HI-IMPACT CEILING MOUNT LUMINAIRE	LED	1	694	0.9	6	7'-0"









1 of 5

shown in silver

An architectural profile reminiscent of beautifully classic roof lines delivers significant light output in this modern LED wall sconce suitable for both indoor and outdoor applications. The Pitch Single's die-cast metal body houses powerful LED light sources that create visual appeal as light cascades down along a wall.

#### High quality LM80-tested LEDs

for consistent long-life performance and color

#### Outstanding protection against the elements: Powder coat finishes

 Stainless Steel mounting hardware · Impact-resistant, UV stabilized frosted acrylic lensing

#### Can be mounted for up lighting or down lighting

ELIVERED LUMENS	822.6
WATTS	26.1
/OLTAGE	120V, 277V
DIMMING	ELV
IGHT DISTRIBUTION	Symmetric
MOUNTING OPTIONS	Downlight or Uplight
CCT	2700K, 3000K
CRI	80+
COLOR BINNING	3 Step
BUG RATING	B1-U0-G0
DARK SKY	Compliant (Downlight)
WET LISTED	IP65
GENERAL LISTING	ETL
CALIFORNIA TITLE 24	Can be used to comply with CEC 2016 Title 24 Part 6 for outdoor use. Registration with CEC Appliance Database not required.
START TEMP	-30°C
FIELD SERVICEABLE LED	No :
CONSTRUCTION	Aluminum
HARDWARE	Stainless Steel
FINISH	Powder Coat
LED LIFETIME	L70; 70,000 Hours
WARRANTY*	5 Years
WEIGHT	1,2 lbs.

ORDERING INFORMATION

techlighting.com

PITCH SINGLE shown in charcoal

# **General Note**

1. SEE SCHEDULE FOR LUMINAIRE MOUNTING HEIGHT.

2. CALCULATIONS ARE SHOWN IN FOOTCANDLES AT: 0' - 0" ABOVE GRADE/FINISHED FLOOR

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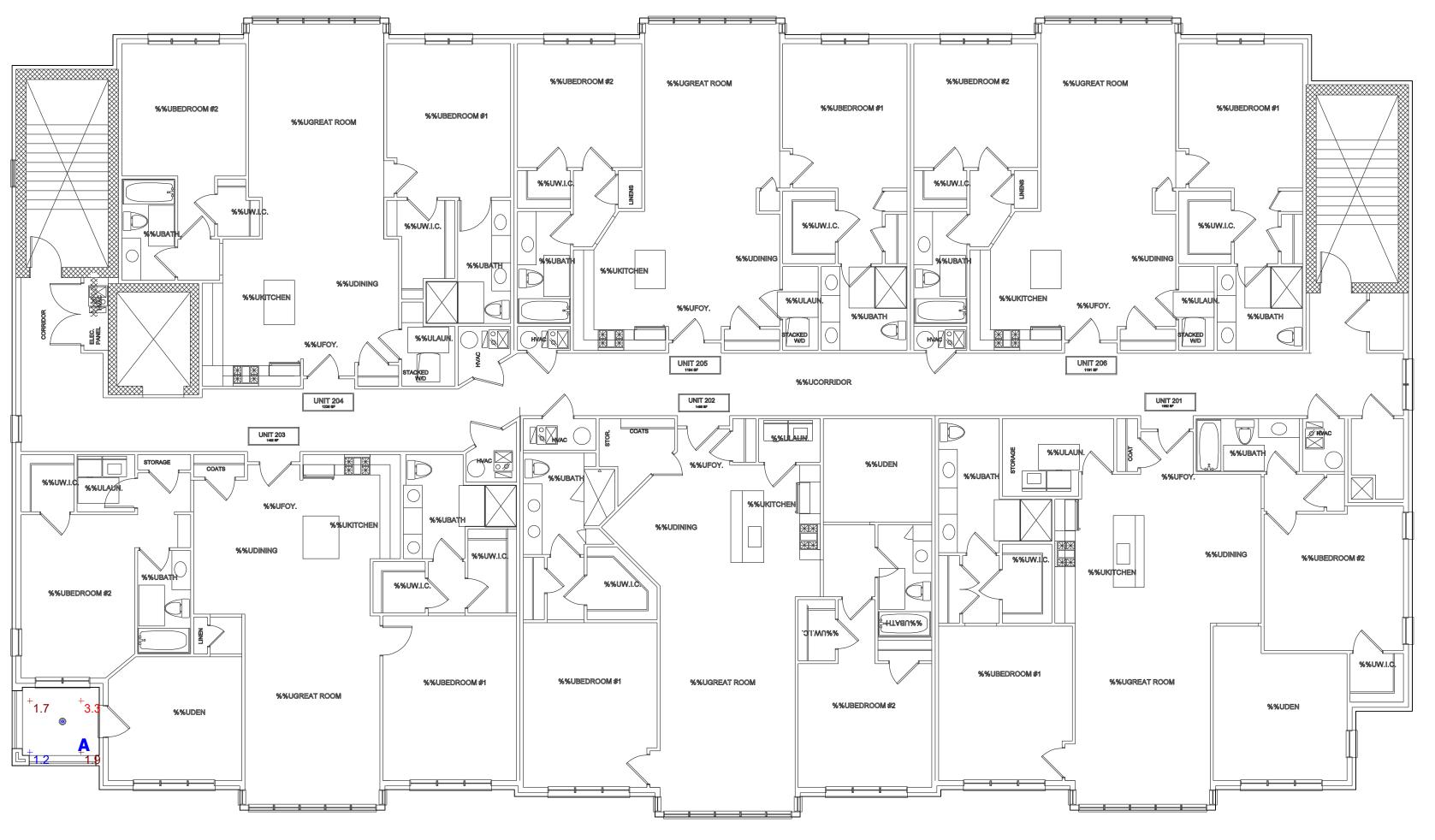
**Drawing Note** 

# Ordering Note

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#### Statistics Symbol Avg | Max | Min | Max/Min Avg/Min Avg/Max Description 0.6 fc | 5.9 fc | 0.0 fc | N/A 1ST FLOOR 5.1 fc 5.1 fc 5.1 fc 1.0:1 1ST FLOOR UNIT ENTRANCE (TYP.) + 2.0 fc 3.3 fc 1.2 fc 2.8:1 2ND FLOOR BALCONY + 2.0 fc 2.9 fc 1.2 fc 2.4:1 1.7:1 0.7:1 3RD FLOOR BALCONY + 0.2 fc 0.3 fc 0.1 fc 3.0:1 2.0:1 0.7:1 4TH FLOOR BALCONY (TYP.) 0.2 fc | 0.3 fc | 0.1 fc | 3.0:1 5TH FLOOR BALCONY (TYP.) 0.8 fc | 2.0 fc | 0.2 fc | 10.0:1 | 4.0:1 | 0.4:1 2.1 fc | 5.9 fc | 0.6 fc | 9.8:1 DTE SCREEN WALL AREA 3.5:1 ROOFTOP EGRESS PATH + 4.7 fc | 13.8 fc | 0.6 fc | 23.0:1 | 7.8:1 | 0.3:1 + 1.9 fc 28.7 fc 0.0 fc N/A N/A 0.1:1 ROOFTOP TERRACE

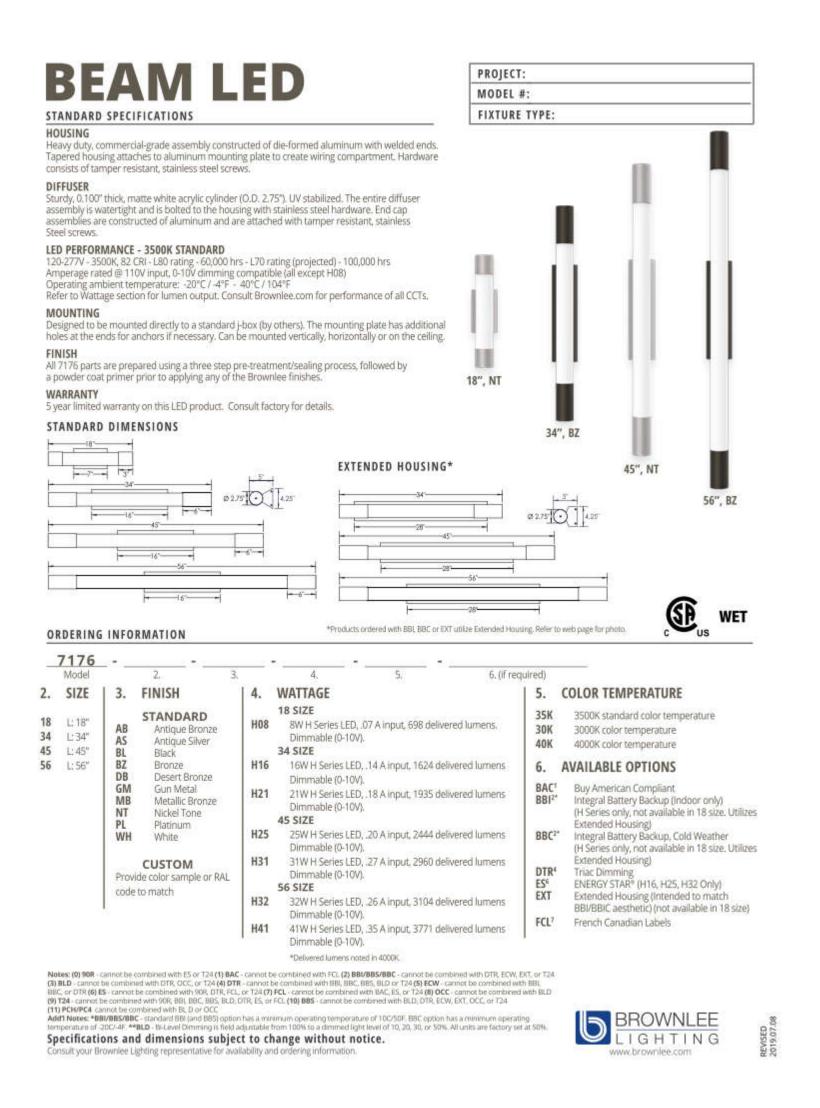
Schedul	е			-							
Symbol	Label	QTY	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Lumens per Lamp	LLF	Wattage	Mounting Heigh
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$\otimes$	F	5	Brownlee Lighting Inc	7162-B06-35K	HI-IMPACT CEILING MOUNT LUMINAIRE	LED	1	694	0.9	6	7'-0"



**Plan View - SECOND** Scale - 1/8" = 1ft

> Date Scale

Designer TV/KB 9/11/2020 rev. 2/25/2021 Not to Scale **Drawing No.** #20-53754-V4 2 of 5



# **General Note**

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# Ordering Note

6705.

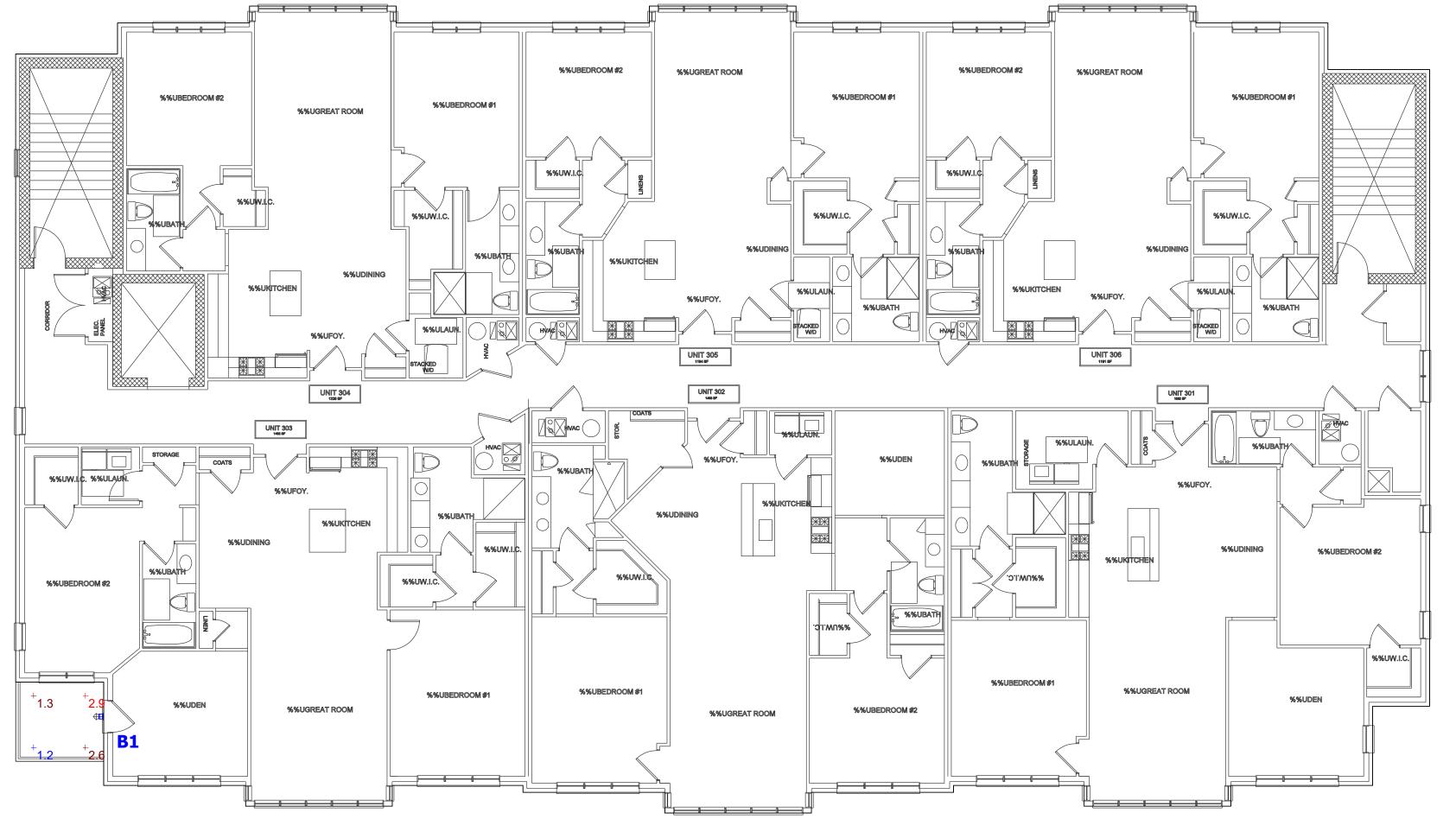
# FOR INQUIRIES CONTACT GASSER BUSH AT QUOTES@GASSERBUSH.COM OR 734-266-

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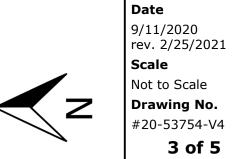
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1ST FLOOR	+	0.6 fc	5.9 fc	0.0 fc	N/A	N/A	0.1:1
1ST FLOOR UNIT ENTRANCE (TYP.)	+	5.1 fc	5.1 fc	5.1 fc	1.0:1	1.0:1	1.0:1
2ND FLOOR BALCONY	+	2.0 fc	3.3 fc	1.2 fc	2.8:1	1.7:1	0.6:1
3RD FLOOR BALCONY	+	2.0 fc	2.9 fc	1.2 fc	2.4:1	1.7:1	0.7:1
4TH FLOOR BALCONY (TYP.)	+	0.2 fc	0.3 fc	0.1 fc	3.0:1	2.0:1	0.7:1
5TH FLOOR BALCONY (TYP.)	+	0.2 fc	0.3 fc	0.1 fc	3.0:1	2.0:1	0.7:1
CARPORT	Ж	0.8 fc	2.0 fc	0.2 fc	10.0:1	4.0:1	0.4:1
DTE SCREEN WALL AREA	Ж	2.1 fc	5.9 fc	0.6 fc	9.8:1	3.5:1	0.4:1
ROOFTOP EGRESS PATH	+	4.7 fc	13.8 fc	0.6 fc	23.0:1	7.8:1	0.3:1
ROOFTOP TERRACE	+	1.9 fc	28.7 fc	0.0 fc	N/A	N/A	0.1:1

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Plan View - THIRD

Scale - 1/8" = 1ft



**Designer** TV/KB



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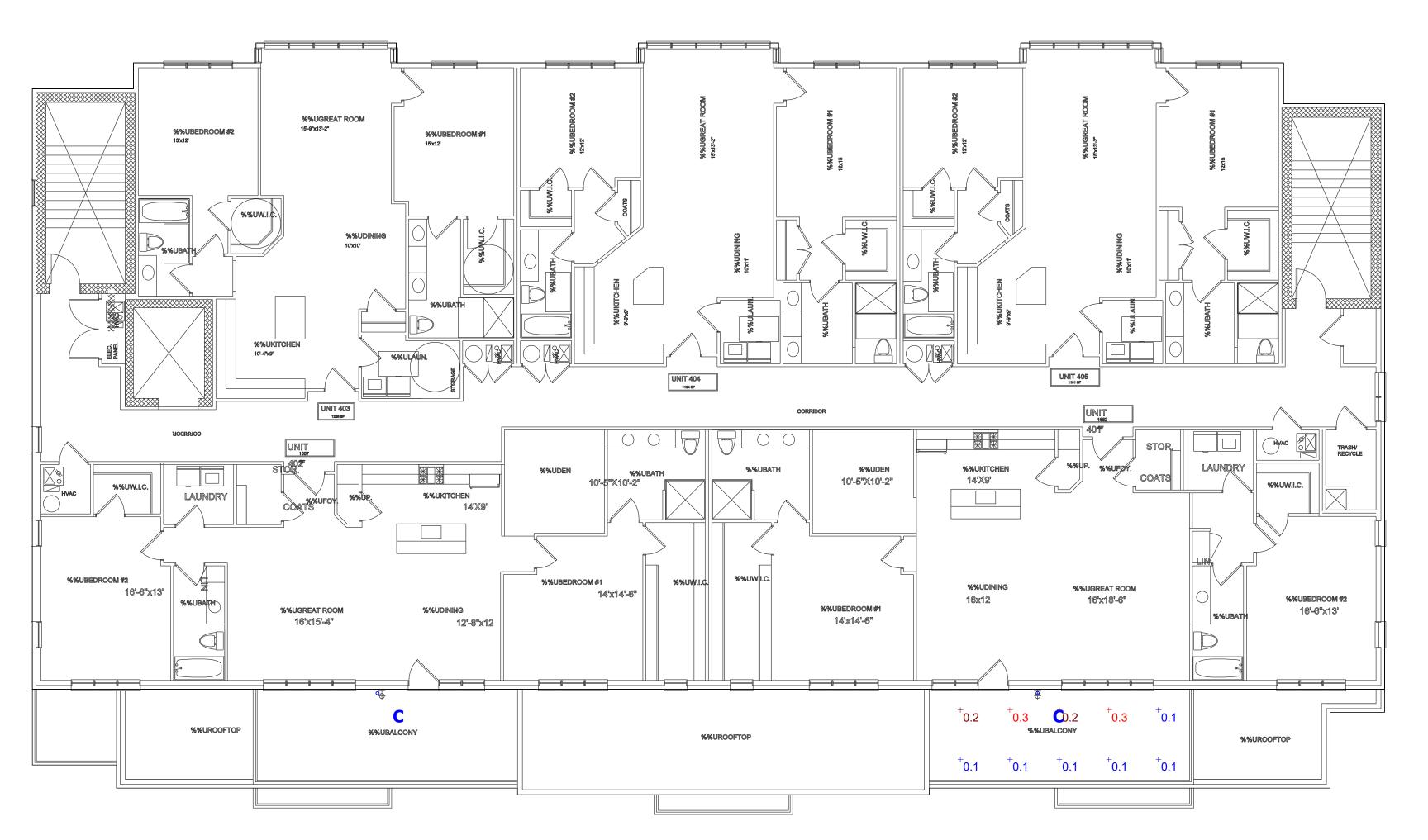
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Statistics							
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ROOFTOP EGRESS PATH	+	4.7 fc	13.8 fc	0.6 fc	23.0:1	7.8:1	0.3:1
ROOFTOP TERRACE	+	1 9 fc	28 7 fc	0.0  fc	N/Δ	N/A	0.1.1

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Symbol	Label	QTY	Manufacturer	Catalog Number	Description	Lamp	Number Lamps		LLF	Wattage	Mounting Height
$\bigcirc$	A	5	BEGA	55821+K3	LED RECESSED DOWNLIGHT	LED	1	326	0.9	6	11'-2" & 13'-4"
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Plan View - FOURTH Scale - 1/8" = 1ft



Designer
TV/KB
Date
9/11/2020
rev. 2/25/2021

Scale
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#20-53754-V4
4 of 5

The modern, nearly flush Wend outdoor wall and step light features an attractive exposed acrylic diffuser. Light is aimed downward to light stairs or graze walls with minimal glare. Ideal for wayfinding and added safety after dark.

#### Selectable CCT (2700K/3000K)

#### 120V or 12V

# Outstanding protection against the elements: - Wet Listed IP65 Rated

Wet Listed IP65 Rated
 Stainless Steel Mounting Hardware
 Powder Coat Finishes

DELIVERED LUMENS	307.5 (2700K)
WATTS	12.96
VOLTAGE	12V (Transformer sold separately) or 120V
DIMMING	12V MLV. 120V not dimmable
LIGHT DISTRIBUTION	Symmetric
OPTICS	Not applicable
MOUNTING OPTIONS	Wall: 4" junction box with plaster plate Step: 2x4 junction box
ССТ	2700K/3000K Selectable
CRI	90+
COLOR BINNING	3 Step
BUG RATING	80-U3-G1
DARK SKY	Compliant
WET LISTED	IP66
GENERAL LISTING	EYL
CALIFORNIA TITLE 24	Can be used to comply with CEC 2016 Title 24 Part 6 for outdoor use. Registration with CEC Appliance Database not required.
START TEMP	-30°C
FIELD SERVICEABLE LED	No
CONSTRUCTION	Aluminum
HARDWARE	Stainless Steel
FINISH	Powder Coat
LED LIFETIME	L70, 70,000 Hours
WARRANTY*	5 Years



shown in black

1 lb.

ORDERING INFORMATION

\* Visit techlighting com for specific warranty limitations and details.

techlighting.com

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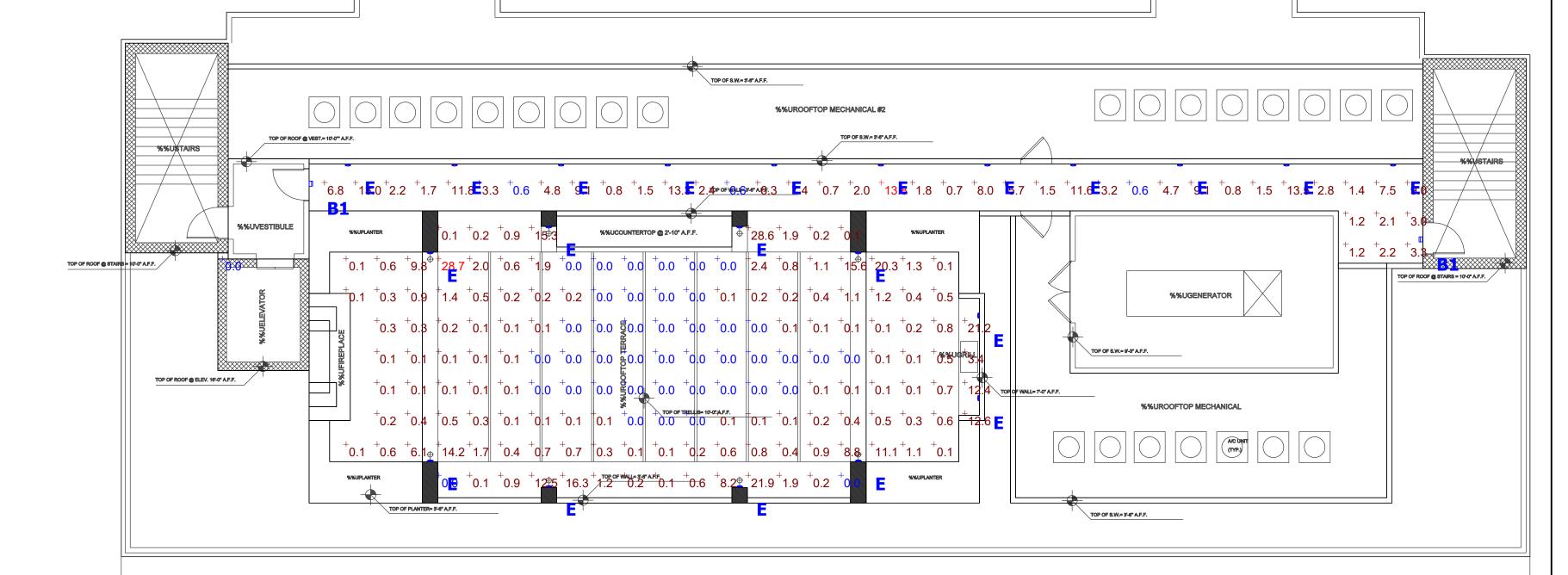
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# Plan View - FIFTH Scale - 1/8" = 1ft



Plan View - ROOF
Scale - 1/8" = 1ft



Designer
TV/KB
Date
9/11/2020
rev. 2/25/2021
Scale
Not to Scale
Drawing No.
#20-53754-V4
5 of 5



# **MEMORANDUM**

**Planning Division** 

**DATE:** January 27<sup>th</sup>, 2021

TO: Jana Ecker, Planning Director

FROM: Nicholas Dupuis, City Planner

**SUBJECT:** 219 Elm St. – All Seasons 2 – Special Land Use Permit, Final Site

Plan & Design Review (Updates in Blue)

#### Introduction

The subject site, 219 Elm Street, is located at the north end of the Triangle District in the MU3 (Triangle Overlay) and 02 (Office/Commercial) Zoning Districts. Presently, the 0.35 acre parcel contains a modest two-story office building, a parking lot with roughly 25 off-street parking spaces, six mature trees, and various landscaping elements. The site is directly adjacent to the existing All Seasons of Birmingham senior living establishment that was completed around 2015.

On May 13<sup>th</sup>, 2020 the Planning Board accepted the Community Impact Study for the development. The following month on June 10<sup>th</sup>, the Planning Board approved the Preliminary Site Plan with the following conditions:

- 1. The applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals;
- 2. The applicant must complete the requirements of 3.08 (E) to receive additional building height;
- 3. The applicant must submit a rooftop plan showing a detailed rooftop use including any proposed structures;
- 4. The applicant must provide construction details on the proposed parking lot screen wall;
- 5. The applicant must submit details on all proposed RTUs and details on the proposed screen wall to ensure the RTUs are fully screened from public view;
- 6. The applicant must submit material specifications, samples, and glazing calculations for the proposed building at Final Site Plan review;
- The applicant must submit details on the types and placement of all proposed light fixtures, as well as a photometric plan showing illumination levels at all property lines; and,
- 8. The applicant comply with the requests of all City Departments.

At this point, the applicant has submitted most of the documents required by the Planning Board in the conditional approval. All of the new information, such as the rooftop use, screening, photometrics and glazing will be discussed in the relevant sections below.

On December 9<sup>th</sup>, 2020, the Planning Board recommended approval to the City Commission the Final Site Plan for 219 Elm St. subject to the following conditions:

- 1. The Planning Board approves the projections into the right-of-way on the west side of the building fronting Elm Street and on the south side facing the public alley;
- 2. The applicant must either remove the awnings, or provide an easement acceptable to the City Attorney with the neighboring property owner for the use of the air rights to the north of the building;
- 3. The applicant must provide specification sheets for all rooftop and ground mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals;
- 4. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;
- 5. The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;
- 6. The applicant must submit material specification sheets for all of the required materials; and
- 7. The applicant must comply with the requests of all City departments.

The applicant has not yet submitted revised plans and/or documents to satisfy the conditions required by the Planning Board. However, the applicant has decided to address some of the comments made by the Planning Board with respect to the façade materials. Please see the updated Design Review section below. The applicant has also noted a fire command center on the first floor, which does not result in any changes in units or unit size.

At this time, the applicant is seeking a recommendation from the Planning Board for a Special Land Use Permit to permit independent senior living in the O2 Zoning District. As advised by the applicant, the All Seasons 2 development is proposed for seniors in a younger age bracket (55-75) that desire more independence than what the All Seasons 1 development was intended to offer. Although separate buildings, residents of the All Seasons 2 will have access to the amenities available in the All Seasons 1 building, and a site connection plan has been provided for such an occasion. Although this purely residential model differs from the mixed-use developments that have been erected in the area, the massing of the building and the proposed streetscape elements offer a similar experience from the pedestrian point-of-view.

#### 1.0 Land Use and Zoning

- 1. <u>Existing Land Use</u> The existing land use is commercial, and currently contains a 2-story office building.
- 2. <u>Zoning</u> The subject site exists within the O2 (Office/Commercial) and MU3 Overlay (Mixed-Use 3) Zoning Districts.
- 3. Summary of Adjacent Land Use and Zoning -

	North	South	East	West
Existing Land Use	- Family   ()TTICA/I On		Multi-Family Residential	Commercial
Existing Zoning District	O2 (Office/ Commercial)	O1 (Office)	O2 (Office/ Commercial)	O2 (Office/ Commercial)
Overlay Zoning District	MU5 (Mixed- Use 5)	ASF3 (Attached Single-Family)	MU3 (Mixed- Use 3)	MU5 (Mixed- Use 5)

#### 2.0 Setback and Height Requirements

The attached zoning compliance summary analysis provides the required and proposed bulk, area, and placement regulations for the proposed project. The following bulk, area and placement issues are present:

- 1. The applicant has submitted site plans showing the walls at the NORTH and SOUTH side setbacks containing windows. Article 3, Section 3.08 (B) of the Zoning Ordinance requires walls at the side setback line that contain windows to be setback 10 ft. from the side lot line. The SOUTH setback line is adjacent to an alley, which permits the applicant a 0 ft. setback requirement per Article 3, Section 3.16 (C). However, the applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals.
- 2. The maximum building height permitted in the MU3 Zoning district is 42 ft. and 3 stories. Upon the development of the site, an additional 24 ft. and 2 stories may be granted (stepped back at a 45-degree angle from the top story allowed by right without the height bonus) with the completion of two or more requirements [summarized]: (1) Payment towards public parking facility, (2) dedication of an improved public plaza, (3) a mixed use, (4) sustainable LEED building design, and (5) transfer of development rights for a site containing a historic building. At this time, the applicant has advised that they will be providing payment towards the public parking facility and is providing a LEED certifiable building design. The applicant must complete the requirements of 3.08 (E) to receive additional building height.
- 3. The site plans submitted show a minor building overhang at the front setback line above 8 ft. starting at the second floor. Article 4, Section 4.74 (D)(4)(c)(ii) states that permanent architectural features such as windows, balconies, overhangs and other architectural features that encroach into the right of way above 8' may be approved by the Planning Board, provided that they do not extend 2' or more into the right of way or create an obstruction and that the encroachment complies with the design review standards set forth in Article 7 of the Zoning Ordinance. The proposed projections encroach roughly 1.25 ft.

into the right of way. Thus, the Planning Board may consider the approval of the projections into the right-of-way.

In addition, the applicant is proposing 4 awnings on the north façade over select windows that project into the neighboring property. The awnings measure approximately 4.5 ft. in projection. Based on the roughly 1 ft. setback, the awnings project about 3 ft. into the neighboring property. The applicant must either remove the awnings, or provide an easement or license agreement with the neighboring property owner for the use of the air rights in that area.

4. The applicant is proposing a rooftop use, which is permitted under Article 5, Section 5.07 (H) of the Zoning Ordinance. The 1,218 sq. ft. rooftop terrace proposed is set back 5 ft. from the eave line as required, and contains a trellis, planters, fireplace, grill, and small vestibule. The vestibule (59.5 sq. ft.) is roughly the size of the elevator (65.7 sq. ft.), and the rooftop trellis measures 10 ft. in height. The proposed rooftop use meets all of the requirements of the Zoning Ordinance.

#### 3.0 Screening and Landscaping

- <u>Dumpster Screening</u> The applicant is proposing to store waste receptacles inside the building in a "Trash Room" located on the south side of the building adjacent to the public alley. The waste receptacles are fully screened by the building envelope.
- 2. <u>Parking Lot Screening</u> The site plans submitted show a 3 ft. capped masonry screen wall along the parking lot entrance at the south side of the property along the alley. The proposed masonry screen wall meets the requirements of Article 4, Section 4.54 of the Zoning Ordinance.
- 3. <u>Mechanical Equipment Screening</u> The Final Site Plans submitted show a rooftop plan and elevations with the location and screening materials proposed for the rooftop units on the building. Additionally, there are two new ground mounted mechanical units proposed on the site (transformer and switch) located at the southeast corner of the off-street parking facility.

The applicant is proposing 24 AC units (in keeping with LEED standards for individual temperature controls for each unit) and one large generator. The AC units are proposed along the front (west) and rear (east) sides of the rooftop and will be screened by a 42 in. screen wall comprised of cement fiber siding. The generator is located within a larger, 9 ft. 3 in. screening area located in the center of the roof on the south side. The applicant has provided specification sheets on the generator (9 ft. 3 in. tall), but has not provided specification sheets for the AC units to ensure that all of the rooftop units are fully screened.

The ground-mounted mechanical units in the off-street parking facility do not appear to contain any proposed screening. These units have a roughly 36 sq. ft. footprint each, and the applicant has not provided the specification sheets for the units to indicate the height of the units.

The applicant must provide specification sheets for all rooftop and ground-mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals.

4. <u>Landscaping</u> — The applicant has submitted a landscaping plan for the proposed development that depicts two landscaping areas that are within the site, and one at the north end of the site that is not within the property limits of the subject site. The parking lot does not *require* separate landscaping, as it is roughly 5,400 sq. ft., which is under the 7,500 sq. ft. threshold for parking lot landscaping requirements. The first landscaping area exists within the peninsula that also houses the parking lot screen wall at the southeast corner of the property. The applicant is proposing Pachysandra groundcovers for this area. The second landscaping area is located at the northeast corner of the property and contains 12 Wintergem Boxwood shrubs and 10 Anabelle Hydrangea shrubs.

The landscaping plan seems to have minor conflicts with the "site connectivity plan" proposed by the applicant in that 6 of the 12 Wintergem Boxwoods have been located in the walking path on the landscape plan. This appears to be a minor mistake, as the planting types, counts and relative locations have not changed from the Preliminary Site Plan. However, the Planning Division will require corrected plans showing the proposed locations of all planting material.

5. <u>Streetscape</u> – applicant is proposing to fully furnish the streetscape with the required street trees, streetlights, benches, waste receptacles, and bike racks to match the Triangle District streetscape design standards.

The proposed development contains 138 ft. of frontage, which requires 3.5 street trees and streetlights. The applicant is proposing 5 street trees and 3 streetlights spaced 40 ft. apart. The applicant has indicated that bike racks, benches and waste receptacles will be placed where they will most benefit the public. The site plan shows 2 benches and 2 waste receptacles, one set closer to the southern end of the property, and one set more centrally located within the frontage. The 3 proposed bike racks are located at the southwest corner of the property.

#### 4.0 Parking, Loading and Circulation

1. <u>Parking</u> – Article 4, Section 4.45 of the Zoning Ordinance requires independent senior living complexes to provide 0.5 off-street parking spaces per unit proposed. The applicant is proposing 24 units; thus 12 off-street parking

spaces are required for the development. The site plans submitted show 10 parking spaces in private garages, and 11 parking spaces in an off-street parking facility at the rear (east) of the building for a total of 21 off-street parking spaces. The subject site had previously proposed 22 off-street spaces at Preliminary Site Plan, but one space was removed to make room for the two ground-mounted mechanical units described above. The site is proposing 2 barrier-free spaces, one in a private garage at the north end of the building, and one in the off-street parking facility at the north side of the lot.

- 2. <u>Loading</u> The proposed development does not require any off-street loading facilities; thus none are proposed.
- 3. <u>Vehicular Circulation and Access</u> The site plans submitted show vehicle access to the site and off-street parking facility is available via the public alley to the south of the building. The private garages are then accessed via the parking facility. There are no driveways or garage entrances on Elm St.
- 4. Pedestrian Circulation and Access Pedestrian access to the site for the residents and general public will be through a main entrance and lobby located at the northwest corner of the building. Residents can then access their units via stairs or an elevator. The three first floor units also have access directly from the Elm St. frontage. Aside from the 10 private garages to be assigned to residents, there is also access at the rear of the building through two doors that may be accessed by residents through a keycard or keypad as suggested in the CIS.

Additionally, the applicant has submitted a "site connectivity plan" in response to the Planning Boards concerns about how the All Seasons 2 will connect with the existing All Seasons development ("All Seasons 1") to the north and east. During the Community Impact Study and Preliminary Site Plan reviews, it was suggested that residents in the new development will have access to the facilities and activities housed in All Seasons 1, and that employees may also be accessing both buildings for various reasons. The applicant has shown two walking paths to connect users to the front lobby of the All Seasons 1: one path from the main entrance on Elm St. which directs the user north and then east along a sidewalk, and two, a path from the rear of the building through a designated path along the newly proposed parking facility, then east across the All Seasons 1 parking facility. The applicant has noted that measures will be taken to ensure that route 1 meets ADA standards and that route 2 will receive treatments to help delineate the pedestrian walking path such as signage and brick pavers (all improvements on the All Seasons 1 property are subject to review and approval by the Planning Division and/or Planning Board).

#### 5.0 Lighting

The applicant has submitted specifications and a photometric plan for the proposed lighting for the development. The lighting plan consists of the following luminaires:

Luminaire Type	Location	Qty.	Manufacturer
LED Recessed Downlight	Main Entrance	5	BEGA
	Ground Floor Unit Recessed		
	Patios		
	2 <sup>nd</sup> floor Balcony		
Pitched LED Wall Mount	Main & Rear Entrances	5	Tech Lighting
	3 <sup>rd</sup> Floor Balcony		
	Rooftop		
Beam LED Wall Sconce	Front (Elm) Façade	11	Brownlee
	Rear Entrance		Lighting
	4 <sup>th</sup> & 5 <sup>th</sup> Floor Balcony		
Wall Mount Outdoor Square	Rear Façade/Parking Lot	6	Visa Lighting
Wend Step Light	Rooftop	21	Tech Lighting

Article 4, Section 4.21 (D) requires all proposed luminaires to be fully cut-off and positioned in a manner that does not unreasonably invade abutting or adjacent properties. Each luminaire proposed appears to be fully cut-off as defined by Article 9, Section 9.02 of the Zoning Ordinance.

Furthermore, Section 4.21 (E) states that the intensity of light on a site shall not exceed six-tenths (0.6) maintained foot-candles at any property line that abuts a single-family residential zoned property or one and one half (1.5) maintained foot-candles at any property line for any other zoned property. The light intensity shall be measured at 6 ft. above ground level on a vertical plane. Additionally, the intensity of light on a site which provides a front setback of less than 5' shall be measured from 5' beyond the front property line. The photometric plan submitted shows illuminance levels that do not exceed the requirements of the Zoning Ordinance. In addition to light intensity at the property lines, the applicant is required to provide a minimum light intensity for the parking facility of a minimum of 0.2 foot-candles. The photometric plan provided shows the majority of the parking facility at 0 foot-candles. Thus, the applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals.

In addition to a ground-floor photometric, the applicant has also submitted photometric information for each floor (balconies), as well as the rooftop use so that the Planning Board may better understand what kind of effect the rooftop use may have in terms of light pollution. Although the luminaires are all fully cut-off, there are some high illumination levels (as high as 28.7 foot-candles) within the rooftop use. It is important to note, however, that although there are some high figures present in the rooftop photometric, the rooftop use is set back roughly 25 ft. from the front (west) property line, and over 60 ft. from the rear (east) property line.

#### **6.0** Departmental Reports

1. <u>Engineering Division</u> – The Engineering Division has not provided any comments at this time. All comments received will be provided to the Planning Board at Final Site Plan Review

- 2. <u>Department of Public Services</u> The Department of Public Services has not provided any comments at this time. All comments received will be provided to the Planning Board at Final Site Plan Review
- 3. <u>Fire Department</u> The Fire Department has provided the following comments:
  - The proposed location of the FDC is not acceptable. The FDC shall be located on the street (Elm) side of the building, in an unobstructed location approved by the Fire Marshal.
  - A **new hydrant** shall be installed in the area in front of this new building on Elm. Hydrant must be within 100 feet of the FDC location.
  - This building will need a fire command room.
  - This building will need to comply with the high rise requirements of the Michigan Building Code, and the International Fire Code 2015 Editions.
  - Building will require a fire pump with an alternative power source (generator).
  - Fire alarm occupant notification shall be provided on all exterior balconies.
  - Any exterior balcony with an overhead projection of 2 feet or more, that has any BBQ, fire feature, or any other sources of ignition, shall have fire suppression coverage.
  - Submitted floor plans shall show egress travel distances.
  - Width of rear driveway entry shall be shown on submitted floor plan.

#### Roof:

- Doors from rooftop terrace shall be egress compliant.
- Exit signs shall be installed at rooftop exit doors.
- Rooftop terrace shall require emergency lighting to illuminate the path of egress during power outages.
- Fire alarm occupant notification shall be provided on rooftop terrace.
- Manual fire alarm boxes shall be installed at rooftop egress doors.
- Fire extinguishers shall be installed near rooftop egress doors.
- 2. <u>Police Department</u> The Police Department has cited some general concerns about how this development may affect the parking in the area, especially in the nearby residential neighborhoods.
- 3. <u>Building Division</u> The Building Division has not provided any comments at this time. All comments received will be provided to the Planning Board at Final Site Plan Review

#### 7.0 Design Review

The applicant has submitted elevation drawings with material details for all elevations. Article 3, Section 3.09 states that only <u>mixed-use buildings</u> that contain non-residential uses on the ground floor and residential in upper floors and all non-residential buildings

must follow certain architectural requirements in the Triangle Overlay District. Alternatively, Section 3.10 states that <u>attached single-family</u> residential dwellings and <u>live/work</u> units must meet a separate set of architectural standards. The proposed senior independent living facility does not fit under either classification. Thus, no Triangle District Overlay architectural standards are *required* for the new building.

It is worth reviewing, however, the architectural requirements in Article 3, Sections 3.09 and 3.10, which include front façade, window and door, and building material requirements that are all applicable to the proposed development.

For the front façade, mixed use and commercial buildings are required to have a main entrance that is located on at least one street front. Main entrances shall have design details that enhance the appearance and prominence of the entrance so that it is recognizable from the street and parking areas. The main entrance proposed on Elm St., which the applicant has attempted to enhance through the use of balconies and decorative railings, appears to meet this standard. In addition to the main entrance, buildings that are longer than 100 ft. are required to have a minimum of one usable entrance every full 50 feet of frontage along the front public sidewalk and shall provide architectural variation to visually break the building up. For this 136 ft. building, the applicant has provided entrances to the three ground-floor units about every 40 ft. with a patio and decorative railings to offer visual interest and attention toward the entrances.

For attached single-family and live work units, all residential units are required to provide a pedestrian door facing the front lot line and a front porch with steps. As described above, the 3 units on the first floor all contain pedestrian entrances and porches, but the porches are at ground-level (no steps).

As for windows and doors, mixed use and commercial buildings are required to meet the glazing and clarity requirements in the Triangle Overlay District, which are generally the same as the requirements in the underling O2 zoning district. The ground floor façade is required to contain a minimum of 70% glazing using clear glass (80% Visual Light Transmittance), whereas glazing on the upper floors is capped at a maximum of 50% and is permitted to be clear OR lightly tinted (70% Visual Light Transmittance) glass. The applicant has not provided (nor is required to provide) glazing calculations or specification sheets on glass, but the glazing appears to be significant and consistent.

Finally, both mixed use/commercial and attached single-family/live work buildings in the Triangle Overlay District are required to provide a building comprised of high quality materials. Mixed-use/commercial buildings are required to provide a minimum of 60% brick, stone or glass. Such buildings are also required to create a distinction between the first and upper floors through the use of accents such as a string course, change in material or textures, or an awning or canopy between the first and second stories. The proposed building facades on floors 1-3 are comprised of almost exclusively brick, stone and glass. Floors 4 and 5 are clad in cement fiberboard siding. There are some accent pieces on all facades of cement fiberboard (moulding, trim) and stucco (cornices), and the balconies on floors 2-5 contain a 42 in. high aluminum railing. On the rooftop, the applicant is proposing to utilize cement fiberboard in all of the screenwall material, and

has continued the stone on the chimneys up to a clay chimney pot. Finally, the applicant is proposing 15 fabric awnings on the north, east and south facades.

The color scheme for the building facades is as follows:

Material	Color	
Brick	Grey (Match Existing All Seasons 1)	
Stone	Natural (Match Existing All Seasons 1)	
Window Frames & Trim	Relaxed Khaki	
Cornice	Smokehouse	
Cement Fiberboard Siding	Clay Beige	
Awning Fabric	Orange	

At this time, the applicant has not submitted specification sheets for the aluminum railings or the fabric awning proposed. **The applicant must submit material specification sheets for all of the required materials.** 

In response to the comments made by the Planning Board regarding façade materials that (in summation) make the building a little more interesting and differentiate it from the All Seasons 1 development, the applicant is proposing several minor changes. These changes include a small area of brick at the southeast corner of the building and some alternative materials for the fiber cement board proposed on each elevation. The alternative materials are metal siding or a 3-coat cement based finish. There are no indications that the proposed color of these materials will change.

#### 8.0 Required Attachments

	Submitted	Not Submitted	Not Required
Existing Conditions Plan	$\boxtimes$		
Detailed and Scaled Site Plan	$\boxtimes$		
Certified Land Survey	$\boxtimes$		
Interior Floor Plans	$\boxtimes$		
Landscape Plan	$\boxtimes$		
Photometric Plan	$\boxtimes$		
Colored Elevations	$\boxtimes$		
Material Specification Sheets		$\boxtimes$	
Material Samples			$\boxtimes$
Site & Aerial Photographs	$\boxtimes$		

#### 9.0 Approval Criteria

In accordance with Article 7, section 7.27 of the Zoning Ordinance, the proposed plans for development must meet the following conditions:

(1) The location, size and height of the building, walls and fences shall be such that there is adequate landscaped open space so as to provide light, air and access to the persons occupying the structure.

- (2) The location, size and height of the building, walls and fences shall be such that there will be no interference with adequate light, air and access to adjacent lands and buildings.
- (3) The location, size and height of the building, walls and fences shall be such that they will not hinder the reasonable development of adjoining property nor diminish the value thereof.
- (4) The site plan, and its relation to streets, driveways and sidewalks, shall be such as to not interfere with or be hazardous to vehicular and pedestrian traffic.
- (5) The proposed development will be compatible with other uses and buildings in the neighborhood and will not be contrary to the spirit and purpose of this chapter.
- (6) The location, shape and size of required landscaped open space is such as to provide adequate open space for the benefit of the inhabitants of the building and the surrounding neighborhood.

In addition, Article 7, Section 7.26 requires applications for a Special Land Use Permit to meet the following criteria:

- (1) The use is consistent with and will promote the intent and purpose of this Zoning Ordinance.
- (2) The use will be compatible with adjacent uses of land, the natural environment, and the capabilities of public services and facilities affected by the land use.
- (3) The use is consistent with the public health, safety and welfare of the city.
- (4) The use is in compliance with all other requirements of this Zoning Ordinance.
- (5) The use will not be injurious to the surrounding neighborhood.
- (6) The use is in compliance with state and federal statutes.

#### 10.0 Recommendation

Based on a review of the site plan submitted, the Planning Division finds that the proposed Final Site Plan meets the requirements of Article 7, section 7.27 of the Zoning Ordinance and recommends that the Planning Board recommend **APPROVAL** of the Final Site Plan and Design Review for 219 Elm St. – All Seasons 2 – to the City Commission with the following conditions:

- 1. The applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals;
- 2. The Planning Board should approves the projections into the right-of-way;

- 3. The applicant must either remove the awnings, or provide some sort of easement or license agreement with the neighboring property owner for the use of the air rights in that area;
- 4. The applicant must provide specification sheets for all rooftop and ground-mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals;
- 5. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;
- 6. The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;
- 7. The applicant must submit material specification sheets for all of the required materials; and
- 8. The applicant must comply with the requests of all City departments.

#### **AND**

The Planning Division finds that the proposed Final Site Plan and the senior independent living community use meets the requirements of Article 7, Section 2.26 of the Zoning Ordinance and recommends that the Planning Board recommend **APPROVAL** of the Special Land Use Permit for 219 Elm St. – All Seasons 2 – to the City Commission subject to the conditions of Final Site Plan approval.

#### 11.0 Sample Motion Language (Final Site Plan & Design Review)

Motion to recommend **APPROVAL** to the City Commission the Final Site Plan and Design Review for 219 Elm St. – All Seasons 2 – subject to the following conditions:

- 1. The applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals;
- 2. The Planning Board should approves the projections into the right-of-way;
- 3. The applicant must either remove the awnings, or provide some sort of easement or license agreement with the neighboring property owner for the use of the air rights in that area;
- 4. The applicant must provide specification sheets for all rooftop and ground-mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals;
- 5. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;
- 6. The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;
- 7. The applicant must submit material specification sheets for all of the required materials; and
- 8. The applicant must comply with the requests of all City departments.

Motion to <b>POSTPONE</b> the Final Site Plan and Design Review for 219 Elm St. – All Seasons 2 – pending receipt of the following:
1
2
OR
Motion to recommend <b>DENIAL</b> to the City Commission the Final Site Plan and Design Review for 219 Elm St. – All Seasons 2 – for the following reasons:
1
3
Sample Motion Language (Special Land Use Permit)
Motion to recommend <b>APPROVAL</b> to the City Commission the Special Land Use Permit for 219 Elm St. – All Seasons 2 – subject to the conditions of Final Site Plan approval.
OR
Motion to <b>POSTPONE</b> the Special Land Use Permit for 219 Elm St. – All Seasons 2 – pending receipt of the following:
1
2. 3.
Motion to recommend <b>DENIAL</b> to the City Commission the Special Land Use Permit for 219 Elm St. – All Seasons 2 – for the following reasons:
1
2

12.0

#### Zoning Compliance Summary Sheet Final Site Plan Review 219 Elm St. – All Seasons 2

**Existing Site:** 2-Story Office Building & Parking Facility

Zoning: O2 (Office/Commercial) & MU3 (Mixed Use)

Land Use: Mixed Use

#### **Existing Land Use and Zoning of Adjacent Properties:**

	North	South	East	West
Existing Land Use	Multiple- Family Residential	Office/Commercial	Multi-Family Residential	Commercial
Existing Zoning District	O2 (Office/ Commercial)	O1 (Office)	O2 (Office/ Commercial)	O2 (Office/ Commercial)
Overlay Zoning District	MU5 (Mixed- Use 5)	ASF3 (Attached Single-Family)	MU3 (Mixed- Use 3)	MU5 (Mixed- Use 5)

**Land Area:** Existing: 0.35 ac.

Proposed: 0.35 ac. (no changes)

**Dwelling Units:** Existing: 0 units

Proposed: 24 units

Minimum Lot Area/Unit: Required: N/A

Proposed: N/A

Min. Floor Area /Unit: Required: N/A

Proposed: N/A

Max. Total Floor Area: Required: N/A

Proposed: N/A

Min. Open Space: Required: N/A

Proposed: N/A

Max. Lot Coverage: Required: N/A

Proposed: N/A

**Front Setback:** Required: 5 ft. maximum

Proposed: 0 ft.

**Side Setbacks** Required: 10 ft. for walls that contain windows

Proposed: ≈ **1 ft. (north)** 

10 ft. (south)

The applicant must submit revised plans showing a side setback at the north at 10 ft. or obtain a variance from the Board of Zoning Appeals.

**Min. Rear Setback:** Required: 10 ft.

Proposed: 42 ft.

Min. Front+Rear Setback Required: N/A

Proposed: N/A

**Max. Bldg. Height:** Permitted: 66 ft., 5 stories

Proposed: 61 ft., 5 stories

Min. Eave Height: Required: N/A

Proposed: N/A

**1<sup>st</sup> Story Height:** Required: 14 ft.

Proposed: 14 ft.

**Front Entry:** Required: N/A

Proposed: N/A

**Absence of Bldg. Façade:** Required: N/A

Proposed: N/A

**Opening Width:** Required: N/A

Proposed: N/A

**Parking:** Required: 12 spaces

Proposed: 21 spaces

**Min. Parking Space Size:** Required: 180 sq. ft.

Proposed: 180 sq. ft.

**Parking in Frontage:** Required: N/A

Proposed: N/A

**Loading Area:** Required: N/A

Proposed: N/A

**Screening:** 

<u>Parking</u>: Required: 32 in. capped masonry

Proposed: 33 in. capped masonry

<u>Loading</u>: Required: N/A

Proposed: N/A

Rooftop Mechanical: Required: 10 ft. maximum

Proposed: 42 in. (AC units)

9 ft. (generator)

The applicant must submit specification sheets for all rooftop units to ensure screening from public

view.

<u>Elect. Transformer</u>: Required: Masonry with wood gates

Proposed: **None** 

The applicant must provide adequate screening for the two ground-mounted electrical units or obtain

a variance from the Board of Zoning Appeals.

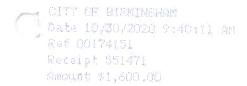
Dumpster: Required: 6 ft. masonry with wood gates

Proposed: Within building envelope

CITY OF BIRMINGHAM Date 12/22/2020 11:07:46 AM Ref 00175461 Receipt 557453 Amount \$100.88



CITY OF BIRMINGHAM Ref 00174151 Receipt 557453 Amount \$1,100,00



Will proposed project require the division of platted lots?

Will proposed project require the combination of platted lots?



Current zoning: MU-3

Is the property located in the floodplain? no Name of Historic District Site is Located in: n/a

Date of Historic District Commission Approval: n/a



**Planning Division** 

4	Form will not be processed un				
1.	Applicant Name: Maple Elm Development Company II LLC	2.		erty Owner	
	Address: 31731 Northwestern Hwy, Suite 250W			Same as Applicant	
	Farmington Hills, MI 48334		Addres	SS:	
	Phone Number: 248-855-5400 (main)		TNI	NT 1	
	F Ni 149 727 6477		Phone	Number:	
	Fig. 11 - 11 - 1 mbishles@bestsless	Fax Number:		ımber:	
	Email address: hinghen@beztak.com		Email	address:	
3.	Applicant's Attorney/Contact Person	4.		ct Designer/Developer	
	Name: Mark Highlen - Land Development Project Manager			Xander Bogaerts - Alexander V. Bogaerts & Associates	
	Address: 31731 Northwestern Hwy, Suite 250W	Address: 2445 Franklin Road			
	Farmington Hills, MI 48334			d Hills MI 48302	
	Phone Number: 248-737-6175	Phone		e Number: 248-334-5000	
	Fax Number: 248-737-6177			ımber:	
	Email address; mhighlen@beztak.com		Email a	address: xboagerts@bogaerts.us	
5.	Required Attachments				
	I. Two (2) paper copies and one (1) digital copy of all			v. A Landscape Plan;	
	project plans including:			vi. A Photometric Plan;	
	<ol> <li>A detailed Existing Conditions Plan</li> </ol>			vii. Colored elevation drawings for each	
	including the subject site in its entirety,			building elevation;	
	including all property lines, buildings,			Specification sheets for all proposed materials, light	
	structures, curb cuts, sidewalks, drives,			fixtures and mechanical equipment;	
	ramps and all parking on site and on the		III.	Samples of all proposed materials;	
	street(s) adjacent to the site, and must		IV.	Photographs of existing conditions on the site	
	show the same detail for all adjacent			including all structures, parking areas, landscaping	
	properties within 200 ft. of the subject sites			and adjacent structures;	
	property lines;		V.	Current aerial photographs of the site and	
	ii. A detailed and scaled Site Plan depicting			surrounding properties;	
	accurately and in detail the proposed		VI.	Warranty Deed, or Consent of Property Owner if	
	construction, alteration or repair;			applicant is not the owner;	
	iii. A certified Land Survey;		VII.	Any other data requested by the Planning Board,	
	iv. Interior floor plans;			Planning Department, or other City Departments.	
6.	Project Information				
•	Address/Location of the property: 219 Elm Street Birmingham MI 48009 Name of development: All Seasons of Birmingham 2		Date of	Application for Preliminary Site Plan:	
			Date of Application for Freninhary Site Plan:  Date of Preliminary Site Plan Approval:  Date of Application for Final Site Plan: 9/25/20		
	Sidwell #: 19-36-227-028			Final Site Plan Approval: TBD	
	Current Use: Business / Office			Application for Revised Final Site Plan:	
	Proposed Use: Senior Independent Living Apartments			Revised Final Site Plan Approval:	
	Area of Site in Acres: 0.35 ac.			Design Review Board Approval:	
			- und 01		

_	5 story tall Senior Independent Living Apartment building residential apartments	
_	attached garages + surface parking & carports	
_	oftop patio	
=		
Ri	uildings and Structures	
7k.T.	and an afficial discussion of the state of	Use of Buildings: Senior Independent Living Apartment building
He	eight of Buildings & # of Stories: 60'9-1/2", 5 story	Height of Rooftop Mechanical Equipment: 3' - 8'4"
	oor Use and Area (in Square Feet)	
Pr	oposed Commercial Structures:	
	otal basement floor area: n/a	Office Space:
Nu	umber of square feet per upper floor:	Retail Space:
To	tal floor area:	Industrial Space:
Flo	oor area ratio (total floor area ÷ total land area):	Assembly Space:
		Seating Capacity:
Op	pen space:	Maximum Occupancy Load:
Pe	rcent of open space:	The same of the sa
	oposed Residential Structures:	
To	tal number of units: 25	Rental units or condominiums? Rental Units
Nu	imber of one bedroom units: 0	Size of one bedroom units: n/a
Nu	imber of two bedroom units: 25	Size of two bedroom units: 1191 sf - 1682 sf
Nu	mber of three bedroom units: 0	Size of three bedroom units: n/a
Op	pen space: n/a	Seating Capacity: n/a
Per	pen space: n/a rcent of open space: n/a	Maximum Occupancy Load: n/a
	oposed Additions:	
To	tal basement floor area, if any, of addition: n/a	Use of addition:
Nu	imber of floors to be added:	Height of addition:
Sq	uare footage added per floor:	Office space in addition:
To	tal building floor area (including addition):	Refail space in addition:
Flo	oor area ratio (total floor area ÷ total land area):	Industrial space in addition:
		Assembly space in addition:
	en Space:	Maximum building occupancy load (including addition
	equired and Proposed Setbacks quired front setback: 0'-5'	Proposed front setback: 0'-5'
	quired ront setback: 20	Proposed rear setback 38'+
	quired total side setback: 0'	Proposed total side setback: 2'
	le setback: 0'	Second side setback: 1'
Siu	ie setback.	Second side setback:
	equired and Proposed Parking	Durance durant on a first the state of the s
	quired number of parking spaces: 12	Proposed number of parking spaces: 31 + 5 offsite
	pical angle of parking spaces: 90 degree	Typical size of parking spaces: 9' x 20'
	pical width of maneuvering lanes: 22'	Number of spaces <180 sq. ft.: 0
	cation of parking on site: rear yard	Number of handicap spaces: 2. ! surface, 1 garage
	cation of parking off site: on adjacent site	Shared parking agreement? 5 spaces on ASoBham 1
Nu	mber of light standards in parking area: 0. Wall sconces only	Height of light standards in parking area: n/a
Scr	reenwall material: brick	Height of screenwall: 3'

12. Landscaping	
Location of landscape areas:	Proposed landscape material:
Small islands in rear yard	see attached plan
13. Streetscape	
Sidewalk width: 10' approx	Description of benches or planters:
Number of benches: 2	see attached
Number of highters: 2	Species of existing trees:
Number of existing street trees: 4	
Number of proposed street trees: 5	Species of proposed trees: TBD
Streetscape Plan submitted? no	
44 1 1	
14. Loading	D 1 1 C1 1
Required number of loading spaces: n/a, Alley frontage	Proposed number of loading spaces:
Typical angle of loading spaces:	Typical size of loading spaces:
Screenwall material:  Location of loading spaces on site:	Height of screenwall: Typical time loading spaces are used:
Location of loading spaces on site:	Typical time loading spaces are used:
45 F-4	
15. Exterior Waste Receptacles	
Required number of waste receptacles; n/a, internal to building	Proposed number of waste receptacles:
Location of waste receptacles:	Size of waste receptacles:
Screenwall material:	Height of screenwall:
16. Mechanical Equipment	
10. Mechanical Equipment	
Utilities and Transformers:	
Number of ground mounted transformers: 1	Location of all utilities & easements: SE corner of site
Size of transformers (L•W•H): DTE switch cabinet + transformer	Location of all unifies & casements, 22 sense of site
Number of utility easements:	<del></del>
Screenwall material: brick	Height of screenwall: 3'
Screenwall material: brick	Height of screenwaii:
Ground Mounted Mechanical Equipment:	
Number of ground mounted units: 0	Location of all ground mounted units:
C' C I I I I I I I I I I I I I I I I I I	Location of an ground mounted units:
	Itsiaht of assessments
Screenwall material:	Height of screenwall:
Rooftop Mechanical Equipment:	
	Logation of all reaften units
Number of rooftop units: TBD  Type of rooftop units: HVAC + emergency generator	Location of all rooftop units:Size of rooftop units (L•W•H):
Type of footop units.	Percentage of rooftop covered by mechanical units:
Screenwall material: matches building materials	Height of screenwall: 3'4" - 9'3"
Screenwall material: matches building materials  Location of screenwall:	Distance from rooftop units to all screenwalls:
	Distance from roottop units to all screenwalls:
17. Accessory Buildings	
Number of accessory buildings: 0	Size of accessory buildings:
Logation of accessory buildings:	Height of accessory buildings:
Location of accessory buildings:	Treight of accessory outlands:
18. Building Lighting	
	Type of light standards on building: varies
Number of light standards on building: 48	Type of fight standards on ounding.
Size of light fixtures (L•W•H): varies	Height from grade: varies
	rieigiti irom grade; valles

Maximum wattage per fixture: 32 or less Light level at each property line: 0-0.1	Proposed wattage per fixture: 32 or less
9. Site Lighting	
Number of light fixtures: 0	Type of light fixtures:
Size of light fixtures (L•W•H):	Height from grade:
Maximum wattage per fixture:	Proposed wattage per fixture:
Light level at each property line:	Holiday tree lighting receptacles:
0. Adjacent Properties	
Number of properties within 200 ft.: 7	<del></del>
Property #1	
Number of buildings on site:	Property Description:
Zoning district:	
Use type:	
Square footage of principal building:	
Square footage of accessory buildings:	
Number of parking spaces:	North, south, east or west of property?
Property #2	
Number of buildings on site:	Property Description:
Zoning district:	
Use type:	
Square footage of principal building:	
Square footage of accessory buildings:	
Number of parking spaces:	North, south, east or west of property?
Property #3	
Number of buildings on site:	Property Description:
Zoning district:	
Use type:	
Square footage of principal building:	
Square footage of accessory buildings:	
Number of parking spaces:	North, south, east or west of property?
Property #4	
Number of buildings on site:	Property Description:
Zoning district:	
Use type:	
Square footage of principal building:	
Square footage of accessory buildings:	
Number of parking spaces:	North, south, east or west of property?
Property #5	
Number of buildings on site:	Property Description:
Zoning district:	
Use type:	
Square footage of principal building:	
Square footage of accessory buildings:	N. d.
Number of parking spaces:	North, south, east or west of property?
Property #6	Provents Provided and
Number of buildings on site:	Property Description:
Zoning district:	
Use type:	
Square footage of principal building:	<del></del>
Square footage of accessory buildings:	N. d. d
Number of parking spaces:	North, south, east or west of property?

The undersigned states the above information is true and correct, and understands that it is the responsibility of the applicant to advise the Planning Division and / or Building Division of any additional changes made to an approved site plan. The undersigned further states that they have reviewed the procedures and guidelines for Site Plan Review in Birmingham, and have complied with same. The undersigned will be in attendance at the Planning Board meeting when this application will be discussed.

By providing your e-mail 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.

Signature of Owner:		Date:	9/25/20
Print Name: MARK HIGH	ement mover	ad agent	20.00
Signature of Applicant:		Date:	9/25/20
Print Name: Mark He	HUSN - LAND DEN	SIGRMENT	
Signature of Architect:	MA	Date:	
Print Name: ,			
	Office Use Only		
Application #:	Date Received:	Fee:	
Date of Approval:	_ Date of Denial:	Accepted by:	_

#### All Seasons of Birmingham II Scorecard (ID: )

Project Address 219 Elm St Birmingham, MI, US

Note: The information on this tab is READ-ONLY. To edit this information, see the Credit Category tabs.



Integrative Pro	cess	Preliminary	Y 0 of 2	M 1	Verified 2
IPc	Integrative Process		0 of 2	1	2



Location a	and Transportation	Preliminary Y 0 c	of 15 M 1	<b>V</b> erified 13
LTp	Floodplain Avoidance	Re	quired	Verified
Performance P	ath			
LTc	LEED for Neighborhood Development	0 0	of 15 0	
Prescriptive Pa	nth			
LTc	Site Selection	0 0	of 8 0	8
LTc	Compact Development	0 0	of 3 0	3
LTc	Community Resources	0 0	of 2 0	2
LTc	Access to Transit	0 0	of 2 1	



Sustainab	ole Sites	Preliminary Y 0 of 7 M 2	Verified 0
SSp	Construction Activity Pollution Prevention	Required	Verified
SSp	No Invasive Plants	Required	Verified
SSc	Heat Island Reduction	0 of 2	
SSc	Rainwater Management	0 of 3	
SSc	Nontoxic Pest Control	0 of 2 2	



Water Efficien	су	Preliminary Y	0 of 12	0	Verified	8
WEp	Water Metering		Required			Verified
Performance Path						
WEc	Total Water Use		0 of 12	0		
Prescriptive Path						
WEc	Indoor Water Use		0 of 6	0		5
WEc	Outdoor Water Use		0 of 4	0		3



Energy and	Atmosphere	Preliminary Y	0 of 38	M 1	Verified	13
EAp	Minimum Energy Performance		Required			Verified
EAp	Energy Metering		Required			Verified
EAp	Education of the Homeowner, Tenant or Building Manager		Required			Verified
Performance Path	ו					
EAc	Annual Energy Use		0 of 29	0		11
Performance and	Prescriptive Paths					
EAc	Efficient Hot Water Distribution System		0 of 5	0		
EAc	Advanced Utility Tracking		0 of 2	0		2
EAc	Active Solar-Ready Design		0 of 1	0		
EAc	HVAC Start-Up Credentialing		0 of 1	1		
Prescriptive Path						
EAp	Home Size		Required			Not Verified
EAc	Building Orientation for Passive Solar		0 of 3	0		
EAc	Air Infiltration		0 of 2	0		
EAc	Envelope Insulation		0 of 2	0		
EAc	Windows		0 of 3	0		
EAc	Space Heating & Cooling Equipment		0 of 4	0		
EAc	Heating & Cooling Distribution Systems		0 of 3	0		
EAc	Efficient Domestic Hot Water Equipment		0 of 3	0		
EAc	Lighting		0 of 2	0		
EAc	High-Efficiency Appliances		0 of 2	0		
EAc	Renewable Energy		0 of 4	0		



Materials and	Resources	Preliminary Y	0 of 10	3 Verifie	ed 2
MRp	Certified Tropical Wood		Required		Verified
MRp	Durability Management		Required		Verified
MRc	Durability Management Verification		0 of 1	0	1
MRc	Environmentally Preferable Products		0 of 4	0.5	0.5
MRc	Construction Waste Management		0 of 3	1.5	
MRc	Material-Efficient Framing		0 of 2	1	0.5



Indoor Enviro	nmental Quality	Preliminary Y	0 of 16	M 2	Verified	5.5
EQp	Ventilation		Required			Verified
EQp	Combustion Venting		Required			Verified
EQp	Garage Pollutant Protection		Required			Verified
EQp	Radon-Resistant Construction		Required			Verified
EQp	Air Filtering		Required			Verified
EQp	Environmental Tobacco Smoke		Required			Verified
EQp	Compartmentalization		Required			Verified
EQc	Enhanced Ventilation		0 of 3	0		
EQc	Contaminant Control		0 of 2	0		0.5
EQc	Balancing of Heating and Cooling Distribution Systems		0 of 3	1		1
EQc	Enhanced Compartmentalization		0 of 1	0		
EQc	Combustion Venting		0 of 2	0		2
EQc	Enhanced Garage Pollutant Protection		0 of 2	1		
EQc	Low-Emitting Products		0 of 3	0		2



Innovation	1	Preliminary Y	0 of 6	M 0	Verified 1
INp	Preliminary Rating		Required		Verified
INc	Innovation		0 of 5	0	1
INc	LEED Accredited Professional		0 of 1	0	



Regional P	riority	Preliminary	Y 0 of 4		Verified 0
RPc	Regional Priority		0 of 4	0	

Point	Floors	

The project earned at least 8 points total in Location and Transportation and Energy and Atmosphere

The project earned at least 3 points in Water Efficiency

The project earned at least 3 points in Indoor Environmental Quality

res	
Yes	
Yes	

Total	Preliminary Y 0 of 110	Verified 44.5

Certification Thresholds Certified: 40-49, Silver: 50-59, Gold: 60-79, Platinum: 80-110

# CITY OF BIRMINGHAM VIRTUAL REGULAR MEETING OF THE PLANNING BOARD WEDNESDAY, MAY 13, 2020

Held Remotely Via Zoom And Telephone Access

Minutes of the virtual regular meeting of the City of Birmingham Planning Board held on May 13, 2020. Chairman Scott Clein convened the meeting at 7:30 p.m.

#### A. Roll Call

**Present:** Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck,

Daniel Share, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members

Jason Emerine, Nasseem Ramin

**Absent:** Student Representatives Rachel Hester, June Lee

**Administration:** Jana Ecker, Planning Director

Eric Brunk, IT Manager Nicholas Dupuis, City Planner Laura Eichenhorn, Transcriptionist

**Master Planning Team:** Annmarie Erickson, Van Dyke Horn

Matt Lambert, DPZ Sarah Traxler, McKenna

05-45-20

# B. Approval Of The Minutes Of The Virtual Regular Planning Board Meeting of April 22, 2020

Mr. Williams stated that while the Chairman acknowledged his presence at 7:59 p.m., he joined the meeting at 7:49 p.m.

#### Motion by Mr. Williams

Seconded by Mr. Koseck to approve the minutes of the Virtual Regular Planning Board Meeting of April 22, 2020 as amended.

#### Motion carried, 7-0.

**ROLL CALL VOTE** 

Yeas: Williams, Koseck, Boyle, Jeffares, Share, Clein, Whipple-Boyce

Nays: None

#### 05-46-20

#### **C. Chairperson's Comments**

Chairman Clein noted that people were likely dealing with challenges in every aspect of their lives as a result of the Covid-19 pandemic and concomitant Stay Home, Stay Safe guidelines. He stated that everyone experiencing these disruptions is doing so to promote the health and safety of their community. He took a moment to thank all medical personnel and first responders for their heroic efforts. He continued that all people still working in public-facing jobs in delivery, grocery, retail and along the supply chain also had his thanks for helping the community cope with current circumstances.

Turning his attention to the evening's meeting, Chairman Clein observed that the present Planning Board meeting was the second one occurring in a virtual space. He stated that the meeting was taking place under the guidance of the City administration and City Attorney to ensure compliance with Governor Whitmer's executive orders regarding virtual municipal meetings. He said it was his full intention to run the meeting in adherence with those orders, and to use the full capacities of technology to do so. Even so, he granted that there would likely still be some technical difficulties along the way. The Chair asked for the patience of all in attendance in light of the unusual circumstances, and laid out procedures for the evening's meeting.

Before Chairman Clein drew his statements to a close, he said there was one further matter he wanted to clarify for the public. Noting that there seemed to be some confusion regarding the charge of the Board, the Chair explained that:

- The Board solely exists to review proposed development projects within Birmingham, and does not solicit development projects for the City.
- Members of the public will see some projects come before the Board that they prefer, and some they do not prefer. Members of the public are always permitted to express their opinions to the Board regarding matters that come before the Board for review.
- Projects lawfully submitted and in compliance with City ordinance shall be approved by the Board, regardless of the potential personal preferences of any Board members. Doing otherwise would open the City to significant liability. The Board has no rights to prohibit a project that is lawful and complies with City ordinance.

With that clarification, the Chair concluded his statements. He asked Planning Director Ecker to review the evening's agenda.

#### 05-47-20

#### D. Review Of The Agenda

There were no changes to the evening's agenda. Granted leave by the Chair, Planning Director Ecker took a moment to explain to the public how the 'raise hand' function works within the Zoom platform.

#### 05-48-20

#### **E. Unfinished Business**

1. 35001 Woodward (Parking lots & Hunter House) – Revised Preliminary Site Plan & Community Impact Study Review to allow construction of a new 5 story mixed use building containing retail, office and residential uses.

Planning Director Ecker reviewed the item.

Mr. Williams said that "subject to deletion of the terms Hunter House and HH from the plan" should be added to the end of the proposed ninth condition.

Mr. Koseck said that the words Hunter House and HH should be replaced with a more generic description of what will be located in those areas of the building.

Mr. Williams agreed.

### **Motion by Mr. Williams**

Seconded by Mr. Boyle to amend the motion made on April 22, 2020, to approve the Preliminary Site Plan for 35001 and 35075 Woodward by affirming conditions 1 through 8 and adding condition 9 to the approved motion as follows:

9) Approved plans include the first floor plan on sheet A101, with the revision date 4-3-20, subject to replacement of the terms "Hunter House" and "HH" throughout the report and the plans with a more generic designation of the planned use of the space.

#### Motion carried, 7-0.

**ROLL CALL VOTE** 

Yeas: Williams, Boyle, Koseck, Clein, Jeffares, Share, Whipple-Boyce

Nays: None

2. 219 Elm Street (vacant office building) - Request for Community Impact Study Review to allow construction of a new 5 story multiple family building.

City Planner Dupuis presented the item.

Mr. Williams shared concern about the lack of a dust, noise and—Ddebris plan given the planned five-story residential building across the street from 219 Elm which could be significantly impacted by this construction. Mr. Williams also noted that this development would increase stormwater runoff costs to every Birmingham resident if no stormwater mitigation initiatives are added. He stated that the City Commission would certainly want to see stormwater mitigation initiatives as part of this project.

City Planner Dupuis concurred with Mr. Williams. He explained that the development could potentially opt for a green roof as part of its LEED certification which would help with stormwater

mitigation. He said the developer could also pursue a number of other green infrastructure options for storm water mitigation including permeable pavement or making the proposed landscape feature in the rear of the building more functional. City Planner Dupuis said he included some of those options in his report on the Community Impact Study (CIS) in order to highlight some of the various options available to the developers for stormwater mitigation.

In reply to Chairman Clein, City Planner Dupuis confirmed that:

- Green infrastructure initiatives to mitigate stormwater runoff are not required by City ordinance or City engineering standards at this time.
- In light of the developer's request for two additional floors, some additional sustainability standards must be met beyond the usual requirements for a Birmingham development.
- By outlining the options for green infrastructure initiatives for stormwater mitigation, City Planner Dupuis is notifying the developer of one area through which they could satisfy some of the additional sustainability requirements for their development.

#### In reply to Mr. Koseck, City Planner Dupuis stated:

- In the Triangle District Overlay Standards, Article 3, independent senior living facilities are not a listed use. In reverting to the underlying zoning district of O2, independent senior living facilities are a permitted use with a special land use permit (SLUP).
- While not every building within the Triangle District Urban Design Plan (Triangle Plan) must be mixed use, building an exclusively residential building within the Triangle Plan area does not necessarily match the intent of the Triangle Plan.
- There are a number of standards the developer could meet in order to receive authorization to build an additional two floors. The CIS documents seemed to indicate that LEED Certification would be one of the standards the developer would like to meet.

#### In reply to Mr. Boyle, Planning Director Ecker stated:

- The City does require an updated CIS for the project. The applicant has been notified of various items such as a dust and debris plan, soil borings and a noise study that need to be updated within the submitted materials.
- The proposed building is a standalone building, entirely physically distinct from the neighboring All Seasons building. Residents of the proposed building would be able to utilize the amenities of the neighboring All Seasons building, and both buildings share an owner.

### Mark Hyland, member of the applicant team, explained:

- The project will pursue LEED certification as one of the two ways they will qualify to add two extra floors to the building. Being so early in the development process the team has not yet determined how specifically they will meet the LEED certification requirements since there is such a broad range of ways to do so. They will be hiring an independent third-party company to review and approve their plans for achieving LEED certification later in the development process.
- The project team will submit all outstanding items pertaining to the CIS as soon as their contractors are able to complete the requisite studies. The team is waiting to submit the dust, noise, and debris mitigation plan until they know whether they will be granted the additional two floors, since the mitigation plan will shift based on the permitted height of the project.

• The building's units will be rentals.

Mr. Koseck cautioned that LEED certification is not granted by the U.S. Green Building Council (USGBC) until a project is completed. He said this fact causes some difficulty since the right to build extra floors would be partially predicated on the assumption that LEED certification will be granted, when it is actually impossible to know whether the certification will be granted until the project concludes. Mr. Koseck said that basing the granting of extra floors partially on the assumption of achieving LEED certification is an issue with the City's ordinance. He noted that the right to build two extra floors is a significant benefit, and cautioned the project's team to go above and beyond the bare minimum LEED certification standards in order to ensure that their project is certified once concluded.

Planning Director Ecker acknowledged that while LEED certification is not granted until a project's conclusion, developers have access to LEED certification worksheets that indicate the likely points they will gain towards LEED certification for various types of environmentally responsible architecture practices and resource management strategies.

#### Motion by Mr. Boyle

Seconded by Mr. Williams to accept the Community Impact Study as provided by the applicant for the proposed development at 219 Elm St. – All Seasons – with the following conditions:

- 1. The applicant must submit an updated environmental/soil assessment prior to Final Site Plan;
- 2. The applicant must submit details as to how they plan to mitigate dust, noise, and debris during construction prior to Final Site Plan;
- 3. The applicant must submit a noise impact study to complete the community impact study prior to Final Site Plan;
- 4. The applicant must contact the Department of the Interior or SHPO to make a determination on the historic eligibility of the property prior to Final Site Plan; and,
- 5. The applicant must provide all details on the fire suppression system to the Fire Department for review prior to Final Site Plan.

#### Motion carried, 7-0.

**ROLL CALL VOTE** 

Yeas: Boyle, Williams, Clein, Jeffares, Koseck, Share, Whipple-Boyce

Nays: None

Samuel Beznos, member of the project team, and Mr. Hyland told the Board that typically fire suppression drawings are submitted prior to permitting. Mr. Beznos asked the Board if it could be a requirement to submit the fire suppression drawings prior to receiving a building permit, instead of being required to submit them prior to Final Site Plan.

Chairman Clein said that the fifth condition of the motion requires that the project team submit the necessary information directly to the Fire Department. He said that if the Fire Department allows the project team to submit the fire suppression information before permitting that the requirement of the motion would be satisfied. He told the project team to work through the Fire Department and other relevant City Staff regarding those details.

# 3. 219 Elm Street (vacant office building) - Request for Preliminary Site Plan Review to allow construction of a new 5 story multiple family building.

City Planner Dupuis presented the item.

Planning Director Ecker said the Zoning Ordinance describes how the City calculates the amount a building project must contribute to Birmingham's parking facilities funds in order to qualify for extra building floors.

Mr. Share said he agreed with Mr. Koseck's earlier points about the significance of being granted two extra floors based on the assumption of future LEED certification. He said at this point in the process he expects to see a clear demonstration of how the building would qualify for the two extra floors. Mr. Share stated he would be very disturbed if every non-smoking building within a quarter-mile of a bus stop and within a mile of a train station met one of the requirements to qualify for an extra two floors. He said he was uncomfortable with the prospect of approving this preliminary site plan with little sense of how the project team would meet the requirements of the ordinance.

Mr. Williams asked Planning Director Ecker what recourse the City has if a building, granted two extra stories predicated on the assumption of LEED certification, does not ultimately receive LEED certification at the conclusion of the project.

Planning Director Ecker said that the City requires a letter from the project team stating that they will achieve some level of LEED certification, and requires the submission of a checklist to demonstrate the likely points gained towards LEED certification based on different aspects of construction. She said the City has not encountered a case where a building, granted two extra stories predicated on the assumption of LEED certification, has not received LEED certification once the project was completed.

Mr. Williams said that he agreed with Mr. Koseck's previous point that this is an issue with the City's ordinance, and that this ordinance should be reviewed by the City. He said that the developer and the Board should know the consequences if two of the five requirements are not met for gaining an extra two stories once the building has been constructed.

Planning Director Ecker said the City would hold a bond and the project team would have to go back and make changes to the building in order to receive LEED certification. She said there are many different changes that could be made to a completed building in order to receive LEED certification.

Chairman Clein noted that this building will be subject to a SLUP that the City Commission has the right to condition as it sees fit.

Mr. Williams said he anticipates that the City Commission would have the same questions he, Mr. Share, and Mr. Koseck have raised.

Chairman Clein agreed.

Ms. Whipple-Boyce noted that contrary to the report, the proposed building would be another full story taller than the neighboring All Seasons building.

In reply to Ms. Whipple-Boyce, Planning Director Ecker stated that the two extra floors being proposed do not need to be stepped back from the alley like they would if they were adjacent to a street.

Ms. Whipple-Boyce said the alley in this case functions more like a street, and noted that the elevation being proposed is quite large. She said it was unfortunate that the two upper floors would not have to be stepped back in this case.

Mr. Jeffares concurred with Ms. Whipple-Boyce, saying that even the three stories of the neighboring building feel imposing from different locations along street level. He noted that Article 7, section 7.27 (2) of the Zoning Ordinance states "The location, size and height of the building, walls and fences shall be such that there will be no interference with adequate light, air and access to adjacent lands and buildings." Mr. Jeffares noted that the Board in the past has approved tall buildings near residential areas, but specified that this building is must much closer to residential areas than many of the Board's past approvals. He continued that while the building itself is not required to have mixed uses according to the Triangle Plan, permitting this building to be entirely residential means that a large portion of Maple, into Elm, would be occupied by solely residential buildings. He shared skepticism that such circumstances meet the intent of the Triangle Plan.

Chairman Clein said he was glad to see residential options being provided for seniors who want to downsize, remain in Birmingham, and live independently. The fact that if a resident parks in the rear of the building they would have to walk all the way around to the front to enter did give him pause given the likely average age of the residents. In concluding, Chairman Clein remarked that the project team seemed to possibly be trying to fit too much on too small of a lot, and that he was concerned it would not work.

Mr. Hyland responded to Board comments, noting:

- There would be a door accessible to the rear parking lot via the northern stairwell which would bring residents into the lobby by elevator.
- The planned building would be smaller than All Seasons in terms of square footage, even though it would be taller.
- The single-story office buildings adjacent to the planned building are in an area zoned for three-story attached single family. He said he anticipates that three-story townhouses will be built there in the near future. Given that, he said that stretch is likely to become at least three stories along that entire frontage.
- The project team is currently working on a building in West Bloomfield that is pursuing LEED certification. He said that project is giving them experience in the requirements for LEED certification.

• It is in his team's best interest to achieve LEED certification since it will be to their detriment they do not.

Mr. Koseck said it is a problem with City ordinance that residential units on the first floor of buildings can be built at the zero lot line. He said he could not imagine any residents who would be comfortable with the lack of privacy, and that he mostly sees the blinds closed on other first floor residential units at the existing All Seasons building. Mr. Koseck ventured it would have benefitted the project team more if they had put some of their public amenities around the periphery of the first floor, both in terms of resident preferences and in terms of activating the street. Listing Boston and New York as contrasting examples to Birmingham, Mr. Koseck noted that in those cities first floor residential is either set back, has porches, or has other ways of separating the residence from the immediate street.

Given that the plan proposes to have the residents of 219 Elm use the amenities of the neighboring All Seasons, Mr. Koseck said he did not see sufficient effort to provide ready access between the two buildings. Stating that he sees a lack of careful attention to details within the plan, Mr. Koseck noted for instance that there is a door on the north side of the building that is not required for egress, and that the trash room and fire pump rooms are along the south side of the first floor, which he stated is a fairly prominent elevation. He noted that Ms. Whipple-Boyce raised similar concerns about the view of the building that would be afforded the traffic that heads northbound on Elm Street.

Mr. Koseck concluded by saying he shared his other Board members' concerns about the proposed height, noting that even if the square footage of the proposed building is technically less than the All Seasons building, it will still likely appear substantially larger.

Mr. Hyland responded to Mr. Koseck, stating that the project team has had no problem leasing other first floor residential units since it is a desirable area and the units are high quality. He continued that the trash and fire pump rooms are along the alley so as to minimize pedestrian and car exposure to the area, and noted that the trash room was put inside so that there would not be a dumpster in the alley.

Mr. Beznos said that the aim of the proposed building is to provide a much more independent living environment than All Seasons, and that connecting the two buildings would minimize the difference the project team hopes to convey. He explained that those living in the proposed building would be offered access to exclusive events held at All Seasons once or twice a month, and that while they would have access to other All Season amenities the goal is not to overemphasize the connection between the two developments.

In addressing Mr. Koseck's concern about the first floor residential, Mr. Beznos said that they will be designed to look like individual townhomes and will be more private than the current first floor residential in the neighboring All Seasons building. Access to the first floor residential can be either from the street or from the interior corridor. He said the project team anticipates those units will be very attractive as a rental option.

Mr. Williams stated that when the neighboring All Seasons building was built, the Planning Board at the time required that the height at the south end taper down to three stories so as not to be

too imposing next to the residential area. He said he was similarly uncomfortable with the proposed height of five stories for this building, especially since the five stories would also be adjacent to the residential area.

Mr. Jeffares agreed with Mr. Williams, stating that the existing three stories of the neighboring All Seasons already have a significant impact on the neighboring residential. He said that if a five story building is built at 219 Elm that the sun might disappear beyond the top of the building in the mid-afternoon for the neighboring residential homes.

Mr. Hyland stated the project team would be able to provide most of the LEED certification plans to the Board by Final Site Plan. In reply to a question from Mr. Jeffares, Mr. Hyland said the project team has not met with any of the residential neighbors to solicit feedback on the design.

Chairman Clein stated that the proposed building does not abut any single family residential, and that the homes Mr. Williams and Mr. Jeffares have expressed concern for are further to the east of the development.

Mr. Boyle said he suspected that the single family residential units to the east of the proposed building would not lose evening sunlight given their distance from 219 Elm. He observed that the proposed building would be surrounded immediately by other tall buildings and commercial buildings.

Ms. Whipple-Boyce stated that the Triangle Plan proposes to have taller buildings along Woodward with buildings diminishing in height more towards the center of the Triangle District and on the smaller streets. She said that putting this five story building adjacent to the neighboring three story building seems to disrupt the Triangle Plan's intent. She said that while she understood that if the building met the requirements to qualify for the two additional floors that the project team would be within their rights to build them, she said she was not sure that would necessarily be a positive outcome for the area.

Mr. Koseck said he would like to see the entrance receive greater emphasis in the plans. He said he was not suggesting in his earlier comments that 219 Elm and the neighboring All Seasons building should be linked, but just that there should be a more efficient and aesthetically pleasing way to move from one building to the other. Mr. Koseck said that the blank wall of the north elevation showed no care or design sensitivity, and said he would like to see that wall pushed back with windows added. He said he was not concerned that the proposed building would impact the nearby single family residential because he thought they were far enough away.

Xander Bogaerts, architect for the project, said he wanted to address Mr. Koseck's concern with the north elevation. He explained that the building is prohibited by ordinance to have any doors or openings on the north wall. He said the project team would look at the north elevation again because the comments are valid that more adornments are needed. Mr. Bogaerts said he would review the south elevation as well. He continued that his mother lives in a first floor residential unit on Maple and enjoys being able to watch the street from her window. He said that the first floor residential units being offered would attract that type of person.

Mr. Boyle and Mr. Jeffares suggested that the developer should take time to work with City staff and resolve some of the concerns they heard from the Board during the evening's conversation.

#### **Motion by Mr. Boyle**

Seconded by Mr. Jeffares to postpone discussion of the preliminary site plan review for 219 Elm until June 10, 2020.

#### Motion carried, 7-0.

**ROLL CALL VOTE** 

Yeas: Boyle, Jeffares, Koseck, Share, Whipple-Boyce, Williams, Clein

Nays: None

#### **Motion by Mr. Williams**

Seconded by Mr. Share to suspend the rules for June 10, 2020 to allow review of the preliminary site plan for 219 Elm.

#### Motion carried, 7-0.

**ROLL CALL VOTE** 

Yeas: Williams, Share, Whipple-Boyce, Boyle, Clein, Jeffares, Koseck

Nays: None

Chairman Clein addressed the project team, stating that even though there was a lot of feedback the Board and Birmingham are very pleased to have the team's developments in the City. He asked them to take the Board's comments to heart and said the Board looked forward to meeting with the project team again soon.

05-49-20

#### **F. Study Session Items**

#### 1. Debrief & Discussion on Draft Master Plan Review Process

Chairman Clein asked his fellow Board members to reflect on what they viewed as the successes or drawbacks of the first two meetings. He said he also wanted to clarify what the purpose is of this new round of public engagement, saying it could be to hear from the public in general, to seek certain feedback from the public, or to have the Board express its opinions on the draft master plan to the public.

Mr. Williams said that while the first meeting was relatively successful, the second meeting was less useful. He said the process is still lacking in that:

- It proposes to revise Birmingham neighborhood structures without having gained the feedback of those who currently participate in the neighborhood associations.
- The Planning Board has not had a meeting with the new City Commission to receive direction as to this draft master plan review. The Board and the Commission should have a substantive discussion regarding what the Board's focus should be before the public is

- re-engaged. The master plan review process should be the only topic discussed at the Board and Commission's joint meeting in June 2020.
- No one can predict what the long-term impact of the Covid-19 pandemic will be on the
  City. Without a pause and an acknowledgement of the fact that the pandemic could yield
  significant changes, the plan could put forth recommendations that no longer have use or
  relevance in the new climate. For this reason, taking some time to try and figure out what
  the potential effects are and how those might impact the plan would be prudent.

Mr. Koseck noted his experience facilitating master plan projects for other groups, and said he felt sympathy for Birmingham's master planning team given the various pauses and the change at the Commission level they experienced. He said projects like these should have momentum and that trying to do it without it is undoubtedly challenging. Mr. Koseck continued that he was not sure that the guiding principles set forth in the draft master plan adequately represented the interests and goals of Birmingham residents. He said it would be beneficial if the Board and the Commission had a discussion to vet the guiding principles. He said that then conversations about the master plan proposals should be held in light of the guiding principles, and judged based on whether they adequately put those guiding principles into practice.

Ms. Whipple-Boyce said the largest difficulty she identified with the second meeting was the conflict between the Board's goal of keeping the discussion focused on the macro level and the public's desire to discuss the details of the draft. She said she anticipates that as the Board enters into more conversation about the neighborhoods, given people's passions regarding the topic, it will be even more difficult to keep the conversation at the macro level. She said it would be worthwhile to find strategies to navigate that challenge.

Planning Director Ecker stated that she has requested that the master plan be the only topic at the June 2020 joint Board-Commission meeting. She said one additional topic is being considered at this time. Planning Director Ecker said that one way of keeping the discussions running is to remind everyone that the master planning team is recording all of the comments in great detail, and that when a topic is reiterated by a member of the public the Board can assure them that the specific topic or issue has been heard, noted, and will be taken into account. In that way the Board can avoid getting mired in repeating their response to a subject that has already been addressed, or will be addressed in the second draft of the master plan.

Chairman Clein said that one of the most significant issues he perceived during the second meeting was that the Board did not seem to have a shared understanding of the intent of these meetings. He said his personal understanding of the goal of the draft master plan review meetings is solely to hear from the public, with no need for Board comment during the process. He asked his fellow Board members to opine on the purpose of these review meetings. He stated his belief that it is more correct to receive public feedback and to decide later how to integrate it, rather than having the Board tell the public the Board's opinions of the draft master plan.

Mr. Boyle said that the summary of the draft master plan presented to the public should be much broader than it has been. Mr. Boyle offered that the summary could lay out where Birmingham is today, where the City would like to see itself in the future, and what issues arise between those two conceptions. The Board should then solicit feedback from the public on how best to address those issues. Providing more examples, Mr. Boyle said the broad issues could be whether the City

has enough housing, what the public thinks about downtown, what the public thinks about mixed use, and whether the Triangle and Rail districts should be developed in the way the City is currently doing.

In reply to Chairman Clein, Mr. Boyle said the Board should listen to the public's input on these topics, and that the Board need not express its own opinion during these meetings.

In reply to Mr. Williams, Mr. Boyle said the list of issues to be discussed with the public should be set by the Board, City staff, and the Commission.

City Planner Dupuis asked if identifying the issues to be discussed would not be, in some ways, reverting to what the charrette discussions had already accomplished. He said he was asking the question for his edification as a new City Planner.

In reply to City Planner Dupuis, Mr. Boyle said the point was fair, but might still be one of the better ways of getting the public engaged.

Chairman Clein said the solution could be that the public is presented with the draft's recommendations in a broad way, and is asked to comment on those rather than on specific sections from the draft.

Mr. Jeffares voiced his agreement with Chairman Clein's proposed solution.

Mr. Koseck said it could be beneficial to the process to solicit feedback from the public during some of the Zoom meetings since people have more time and might be more willing to speak during a virtual meeting than in public. He said he also wondered whether the master planning team felt they were getting quality feedback from a broad enough swath of people, rather than the same people repeatedly.

Ms. Traxler said the master planning team is eager to begin revising the draft in order to address some of the common concerns they have been hearing. She said the presentations to the public can be shortened into executive summaries of the plan.

Mr. Lambert said he has been unsure whether the City would prefer that revisions happen immediately based on the feedback that has been provided so far, or whether the master planning team should gather all the feedback and begin its revisions once the feedback process is complete. Mr. Lambert noted that the master planning team has had opportunity over the course of the past year to get a broad range of feedback from the public, and that many of the recommendations in the draft reflect those conversations. Given that, he said the master planning team wants detailed feedback from the Board itself, since they are dealing with these kinds of planning issues within the City most regularly.

Chairman Clein stated that certain members of the City Commission do not believe that the Board has received nearly enough public feedback regarding the draft document. He stated he fully agrees with Mr. Williams' previous statement that the Board and the Commission need to meet in order to remedy the fact that the Board up to this point has received no direction from the current Commission in terms of how these reviews should be conducted. He said he would like

to hear the Commission's input and their opinions on the purpose of this first round of draft reviews. Chairman Clein suggested that the near future might be an appropriate time for the Board to meet with the master planning team in order for the Board to provide input on the parts of the draft that have been covered so far. He expressed hope that would allow the team to make those revisions throughout the draft so that when the public review returns the document will have incorporated and addressed some of the Board's concerns and comments.

Mr. Share said it was important to note that public engagement will always be complex, as there is no perfect way to streamline the process. He said he also thought it would be a loss if the Board did not have some time during these public review meetings to express their opinions about the draft. He suggested that the public could speak first for an hour or ninety minutes, and that then the Board could speak for an hour in reply. He said if these conversations can be kept as broad as possible, with some limitations on the length and frequency of comments allowed to each member of the public, then this process can occur relatively efficiently.

Mr. Williams concurred with Mr. Share. He said allowing the Board to express its comments during the meeting might necessitate that a few more meetings scheduled, but that would be better than no one having a clear sense of the Board's opinions at the end of the draft review. He recommended that Board members determine during their June 2020 meeting a potential template for the rest of the draft review meetings. He said he liked Mr. Share's proposal of allowing the public to speak first for a period of time and then allowing the Board to express its views and respond. He said once the Board decides on a potential template it should be proposed to the Commission at the joint Board-Commission meeting in June 2020 for hopeful approval.

Chairman Clein said that would require the Board and the master planning team to be very concise in terms of what the public is being invited to comment on during the review sessions. He also repeated Mr. Williams' comment that the Board would have to solicit final approval from the Commission for any review session template the Board might propose.

Mr. Jeffares noted the potential for the Zoom technology to allow many more ways of capturing public comment, and said he hopes the Board will find a way to take advantage of that benefit during this time.

In reply to Chairman Clein, Ms. Erickson said she believes the Board is headed in the right direction and commended them for their attention and care towards getting public comment. She agreed with Board members' previous comments that these presentations and subsequent feedback sessions need to be made both concise and more macro-oriented. She also noted that the Board should remember and remind the public that there will be a whole additional draft to review in the future as well. Agreeing that there are a number of issues that recur repeatedly during these discussions, Ms. Erickson said a list of those issues should be compiled so that Chairman Clein can assure the public that the issue has been previously raised and noted, and will be considered in the process of revising the draft. She said that would be one way the meetings can be kept efficiently moving.

#### 2. Discussion on Use of Virtual Meetings

Chairman Clein said virtual meetings were proving far less efficient than meeting in person, and stated that the number of agenda items should be limited to approximately three items during this time.

In reply to Mr. Williams, Planning Director Ecker listed the four agenda items planned for the May 27, 2020 Board meeting.

Mr. Williams suggested that since the June 10, 2020 Board meeting has been made a hybrid meeting, one of the May 27, 2020 agenda items should be moved to the June 10, 2020 agenda. He said the first May 27, 2020 agenda item alone will consume a substantial amount of time that evening. He said he completely agreed with Chairman Clein that the meetings should be limited to three items. He continued that he was not sure how much the Board would accomplish during its June 10, 2020 master plan draft review session since that will still be prior to receiving direction from the Commission during the joint Board-Commission meeting on June 15, 2020.

Mr. Share agreed that fewer agenda items are better while the meetings are being held virtually. He expressed doubt that the Board would get through the rezoning application, CIS and preliminary site plan review for 469-479 S. Old Woodward during one meeting, and said that made it even less likely that the Board would be able to get to the fourth item scheduled for that evening as well.

Mr. Boyle said he agreed that the number of agenda items should be limited so that each item can receive the attention it merits.

Mr. Koseck said limiting the number of agenda items should depend on the complexity of the topics.

Planning Director Ecker told the Board that the notices for 770 S. Adams had gone out. She said if the Board consensus was to delay the final site plan review until June 10, 2020, she could notify the applicant and annotate the item on the agenda as being rescheduled to June 10, 2020. Then, during the May 27, 2020 meeting, the Board will vote to move the item to their June 10, 2020 meeting.

#### Motion by Mr. Williams

Seconded by Mr. Boyle to limit Planning Board virtual meeting agendas to no more than three substantive items for any particular meeting as long as the Board is exclusively meeting via Zoom and telephone technology.

### Motion carried, 7-0.

**ROLL CALL VOTE** 

Yeas: Williams, Boyle, Clein, Jeffares, Koseck, Share, Whipple-Boyce

Nays: None

05-50-20

#### **G. Miscellaneous Business and Communications:**

#### a. Communications

#### **b.** Administrative Approval Correspondence

# c. Draft Agenda for the next Regular Planning Board Meeting (May 27, 2020)

- Rezoning application for 469-479 S. Old Woodward
- CIS Review for a five story building at 469-479 S. Old Woodward
- Preliminary Site Plan review for a five story building at 469-479 S. Old Woodward

#### d. Other Business

Mr. Share said it would be prudent for the City to consider using Zoom for Planning Board meetings beyond the expiration of the Governor's Order to do so. He said this would help maintain the health and safety of both Board members and members of the public who fall into the high-risk category for Covid-19.

Chairman Clein said Mr. Share's point was well-stated.

Planning Director Ecker acknowledged the validity of Mr. Share's comments, and said the City was considering some changes to future City meeting protocol.

05-51-20

### **H. Planning Division Action Items**

- a. Staff Report on Previous Requests
- b. Additional Items from tonight's meeting

05-52-20

#### I. Adjournment

No further business being evident, the Chairman adjourned the meeting at 10:56 p.m.

Jana L. Ecker

Planning Director

# CITY OF BIRMINGHAM REGULAR MEETING OF THE PLANNING BOARD WEDNESDAY, JUNE 10, 2020

Held Remotely Via Zoom And Telephone Access

Minutes of the regular meeting of the City of Birmingham Planning Board held on June 10, 2020. Chairman Scott Clein convened the meeting at 7:32 p.m.

#### A. Roll Call

**Present:** Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck,

Daniel Share, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members Jason Emerine, Nasseem Ramin; Student Representative Rachel Hester (joined at

7:36 p.m.)

**Absent:** Student Representative June Lee

**Administration:** Jana Ecker, Planning Director

Eric Brunk, IT Manager Nicholas Dupuis, City Planner Laura Eichenhorn, Transcriptionist

Master Planning Team: Robert Gibbs, Gibbs Planning Group

Sarah Traxler, McKenna

06-60-20

#### B. Approval Of The Minutes Of The Regular Planning Board Meeting of May 27, 2020

Mr. Share recommended two changes:

- On page two, last paragraph, third line, the superfluous 'f' in front of 'and' should be removed.
- On page five, in the last paragraph, 'rezoning request' should be changed to 'findings of fact'.

Mr. Williams requested that the word 'for' on page six, third paragraph, fifth line be changed to 'on'.

#### Motion by Mr. Boyle

Seconded by Mr. Share to approve the minutes of the Regular Planning Board Meeting of May 27, 2020 as amended.

#### Motion carried, 7-0.

ROLL CALL VOTE

Yeas: Boyle, Share, Whipple-Boyce, Williams, Clein, Jeffares, Koseck

Nays: None

06-61-20

#### **C.** Chairperson's Comments

Chairman Clein welcomed everyone to the meeting and reminded everyone that the meeting was being held under the guidance of the City Attorney and City administration to ensure compliance with Governor Whitmer's executive orders. Chairman Clein then reviewed procedures for the meeting.

Planning Director Ecker reviewed for the public the 'raise hand' function within Zoom.

06-62-20

#### D. Review Of The Agenda

There were no changes to the agenda.

06-63-20

#### **E. Unfinished Business**

1. **219 Elm Street (vacant office building)** - Request for Preliminary Site Plan Review to allow construction of a new 5 story multiple family building **(Postponed from May 13, 2020).** 

City Planner Dupuis reviewed the item.

Mark Highlen, member of the applicant team, Samuel Beznos, member of the applicant team, Xander Bogaerts, architect, and Mark Abanatha, architect, spoke on behalf of the project.

Chairman Clein said the design of the planned pedestrian path leading from the parking lot of 219 Elm into the first All Seasons' parking lot would need to be clear, efficient and barrier-free if the project moves onto final site plan review. He said the path should also be altered so that it ends at a more logical point on the All Seasons I site, rather than ending in the All Seasons I's parking lot.

In reply to a different question from Chairman Clein, Mr. Highlen confirmed that will be an accessible, barrier-free path from the accessible space by the north stairwell into the building's lobby.

Chairman Clein asked Mr. Highlen why the team planned to seek a variance for a zero foot setback on the north property line.

Mr. Highlen stated they would be seeking the variance in order to provide a certain size unit and to maximize the space they were using as part of this infill project. He said the team was hoping that since they would be using fire-rated windows that they would be granted a zero foot setback.

Mr. Highlen stated that if the BZA does not grant the variance that the applicant team would be able to alter their plans to adhere to the ordinance's setback requirements.

In reply to Mr. Boyle, Planning Director Ecker explained that Consumers Energy has been adding required utility fixtures to construction projects very late in the review process, and that the developers often have no choice as to where those fixtures will be installed on the building. She said that moving forward the City is requiring property owners to add screening to those fixtures.

#### Motion by Mr. Williams

Seconded by Mr. Share to approve the Preliminary Site Plan for 219 Elm St. — All Seasons 2 — with the following conditions:

- 1. The applicant must submit plans showing the side setback at the NORTH at a minimum of 10 ft. or obtain a variance from the Board of Zoning Appeals;
- 2. The applicant must complete the requirements of 3.08 (E) to receive additional building height;
- 3. The applicant must submit a rooftop plan showing a detailed rooftop use including any proposed structures;
- 4. The applicant must provide construction details on the proposed parking lot screenwall;
- 5. The applicant must submit details on all proposed RTUs and details on the proposed screen wall to ensure the RTUs are fully screened from public view;
- 6. The applicant must submit material specifications, samples, and glazing calculations for the proposed building at Final Site Plan review;
- 7. The applicant must submit details on the types and placement of all proposed light fixtures, as well as a photometric plan showing illumination levels at all property lines; and,
- 8. The applicant comply with the requests of all City Departments.

Chairman Clein stated he was supportive of the project's aim of adding diversity to Birmingham's housing stock and welcomed the development team back to the Birmingham community for another project. He continued by noting that the Planning Board provides its opinion to the BZA regarding requested variances with the understanding that those opinions are not legally binding. Chairman Clein said that in the case of this project's planned variance request for the north property line it seemed like the request was economic in origin and had little other justification. He said the development team must work with City staff and the BZA to find the best way forward regarding that issue. Chairman Clein concluded by stating that he would be voting in support of the motion on the table.

Mr. Koseck said he lacked enthusiasm for the project. He said that while building height was a non-issue for him, he was disappointed by what he saw as the lack of contextual sensitivity in design given that the adjacent lot has the same owners. Mr. Koseck said that while that issue would not cause him to vote down the motion, he did see it as a matter worth mentioning. Mr. Koseck said he was also dismayed that material choices for the building's exterior seemed to greatly emphasize cost-saving over aesthetic considerations, citing the planned cement-board siding and scabbed-on brick. Mr. Koseck continued that while he largely likes the existing All Seasons I building, he has found its design somewhat monotonous. In light of that design

monotony, he said he was having difficult time becoming enthused about the extension of those design choices onto an entirely different lot. He cited The Village at Midtown Square in Troy, Michigan as an example of the repetitive aesthetic he would like this project to avoid. In light of this, Mr. Koseck recommended that in advance of the final site plan review the applicant team find ways to design a related but differentiated project from the All Seasons I building.

Seeing no further Board comment, Chairman Clein welcomed public comment.

Douglas Fehan, representative of the Hazel Chestnut Forest Homeowners Association, said he shared many of Mr. Koseck's concerns. His perspective was that the project's design choices are low-cost and designed to maximize profit above all else. Mr. Fehan said that while members of his homeowners association are pro-development, the proposed design of this particular project is so budget-oriented that it seemed frankly disrespectful to the project's residential neighbors. Mr. Fehan contrasted the proposed plans with the All Seasons I building, saying that the latter is a much better example of the kind of design consideration the Triangle District deserves. Mr. Fehan said he would be supportive of the Board allowing this project to move forward with the understanding that the development team should endeavor to remedy some of its design issues. He said his homeowners' association would be active participants in discussions of this project moving forward.

#### Motion carried, 7-0.

**ROLL CALL VOTE** 

Yeas: Williams, Share, Whipple-Boyce, Boyle, Clein, Jeffares, Koseck

Nays: None

Chairman Clein stressed to the applicants that projects in Birmingham are most successful when they integrate and reflect feedback received from the public and the Planning Board. He strongly encouraged the applicant team to do that in this case. He said the project would also benefit from meeting with the project's neighbors to solicit more input, and said he was looking forward to seeing the project's evolution based off of these discussions.

#### 06-64-20

#### F. Final Site Plan & Design Review

 770 S. Adams (Vacant Medical Building) – Request for Final Site Plan and Design Review for new 5 story mixed use building (Postponed from May 27, 2020).

Mr. Williams recused himself at 8:36 p.m. citing a conflict related to this project.

Ms. Ramin served in Mr. Williams' place for consideration of this item.

Planning Director Ecker reviewed the item.

Ms. Whipple-Boyce commented that she has professional experience using the Aspen Wall Sconces by TechLighting in projects and that the fixtures emit a warm, ambient glow. She said she thought these fixtures would absolutely be appropriate for 770 S. Adams and should not cause any issue in terms of excess brightness.

Michael Poris, architect, Ross Hoekstra, architect, and John Shekerjian, developer, were present on behalf of the project.

In reply to Mr. Poris, Planning Director Ecker said she suspected that the photometric plans included the pedestrian street lighting in the light measurements of the Aspen Wall Sconces, which resulted in the higher light levels.

Mr. Poris agreed with Planning Director Ecker, stating that the Aspen Wall Sconces are LED and low-wattage and should not be emitting nearly as much light as the photometric plans state. He agreed with Ms. Whipple-Boyce's description of their ambient effect. Mr. Poris explained that the parking on the ground floor and below grade would be exclusively for the condominium owners. The alley would have an accessible door and seven or eight parking spaces for the retail businesses in the building. Mr. Poris also said the applicant team would find a way to align their canopy size with City requirements, either through seeking an exception to the ordinance from the Commission or through reducing the canopy size.

In reply to Mr. Share, Mr. Shekerjian stated that there would be signage outside the residents' parking entrance off Adams stating that it was for residents only. Mr. Poris added that there would be ample room for a vehicle to safely back out of that entrance should a non-resident vehicle mistakenly attempt to enter the resident parking off Adams.

In reply to Ms. Whipple-Boyce, Mr. Poris stated that there would be sufficient parking for the residents' guests in the residents' parking area. He noted that the required parking for the building is 81 parking spaces and that the plans provide over 100 parking spaces.

Mr. Koseck said he would be moving to approve the final site plan and design review for this project because he was pleased with how the plans have evolved as the project went through the City's review process. He said the site is difficult and that the plans for the planned building are of high quality. Mr. Koseck said that even though it is a large building architectural techniques were proposed that would create visual scale and rhythm along the building's exterior. He said he would like the see the All Seasons II project use similar architectural techniques to the ones being proposed for 770 S. Adams. Mr. Koseck stated he was supportive of the project team pursuing a size exception from the Commission for their front canopy because he said it would break the facade plane and create some pedestrian scale.

#### Motion by Mr. Koseck

Seconded by Mr. Share to approve the Final Site Plan and Design Review for 770 S. Adams with the following conditions:

1. The Planning Board approves the encroachment of the balconies on the southern elevation of 2' into the public via, but the applicant will be required to obtain approval of the City Commission for the 4' projection of the canopy into the public right of way along S. Adams;

- 2. The applicant provide a roof plan for the sixth floor roof at the SW corner of the building and specification sheets for all rooftop mechanical equipment to verify that all screening requirements have been met;
- 3. The applicant obtain approval from both the City Arborist and the Engineering Division for the placement of the street trees and pedestrian lighting along S. Adams or reconfigure to provide the appropriate spacing;
- 4. The applicant revise the photometric plan to include all cut off and not cut off fixtures and to provide 1.5 fc or less of light 5' from the property lines on all elevations or obtain a variance from the Board of Zoning Appeals;
- 5. The applicant provide details on the joint pattern and variation of finish for the via surface, along with specification sheets on the proposed bollards; and,
- 6. Compliance with the requirements of all departments.

Mr. Boyle said the Board's relatively minimal discussion regarding this item stemmed from the fact that this was one of the best plan submittals the Board has reviewed within the past decade.

Chairman Clein heartily concurred.

Mr. Boyle continued that the applicant's submission provided a lot of the information that the Board usually has to extract from applicants, such as plans of the building in the context of the neighborhood, aerial images, and photographs. He reiterated that there was not more Board discussion of the item because the applicant team provided a very thorough and detailed submittal. He agreed with Mr. Koseck's statement that this is a very difficult site to develop, and stated that he thinks the City will be proud of this development in the Triangle District going forward.

Chairman Clein said that not only was it an excellent submittal, but that the building was also beautifully designed.

Seeing no further Board comment, Chairman Clein invited public comment.

Mr. Fehan stated that, as a representative of the Hazel Chestnut Forest Homeowners Association, he thoroughly approved of the proposed project in all aspects. He said the plans represent the type of building, use of building, design, and quality of materials that will have an immensely positive impact the Triangle District. He said this project exemplifies the type of project the City should encourage and that he enthusiastically looked forward to the project's groundbreaking. Mr. Fehan concluded by encouraging the developers of All Seasons II to reflect on the plans for 770 S. Adams and to work to make the quality of their design and materials more similar to the latter.

Seeing no further public comment, Chairman Clein returned the matter to the Board for a roll call vote.

#### Motion carried, 7-0.

**ROLL CALL VOTE** 

Yeas: Koseck, Whipple-Boyce, Boyle, Clein, Jeffares, Ramin, Share

Nays: None

#### 06-65-20

#### **G. Study Session Items**

#### 1. Draft Master Plan Review Process

Mr. Williams replaced Ms. Ramin on the Board at 9:23 p.m.

Planning Director Ecker and Ms. Traxler provided an overview of the item.

Mr. Williams said the City must make specific efforts to reach out to residents not represented by neighborhood associations to get their opinions on the master planning process. He explained that there are a number of households in the City who are not affiliated with any neighborhood association, and that relying on the associations to dialogue with residents risks leaving those households out of the process.

Mr. Jeffares concurred with Mr. Williams. He added that not only are many households unaffiliated with neighborhood associations, but many more households are affiliated with neighborhood associations in name only. He explained that while there are some active neighborhood associations in Birmingham, many exist merely as a holdover from a time when the association was active. These largely inactive associations exist without formalized representation or meetings and could not be said to have any buy-in or participation from the ostensibly represented residents. He warned that the City should not conduct its master plan review process through interactions with the current neighborhood associations since their connections to the residents of the neighborhoods vary so widely.

Chairman Clein agreed with Mr. Williams' and Mr. Jeffares' statements that the neighborhood associations could not be used as reliable sources of information, but explained they could be used as one more route of many to share information about the master planning process with residents. He noted that the information would also be accessible online and shared through various City-affiliated social media channels.

Ms. Whipple-Boyce agreed with Mr. Williams and Mr. Jeffares. She said reaching out to a random sampling of each neighborhood's residents for feedback would be vastly more effective than reaching out to neighborhoods via neighborhood associations.

Ms. Traxler said she wanted to clarify that, as Chairman Clein said, the neighborhood associations would just be one method of many for communicating with residents about the master planning process. She noted the City has many ways of communicating with residents including social media, school newsletters, local access cable, mailings and emails, and that the master planning team would be relying most heavily on those.

Mr. Boyle said he first wanted to commend Ms. Traxler for the focus and specificity of the plans she presented, saying that it would be helpful for moving the process forward. He continued by noting that it was most likely that the City would struggle to find active

participants in this process for the next while in light of the Covid-19 pandemic. He said that while public participation in the immediate future would likely take a dip, the City should keep in mind that they have already received a large amount useful feedback from residents. He said he was less concerned about when the public would return to the conversation, and more concerned about whether the Board has the support of the City Commission to proceed with the master planning process in the way it is being proposed.

Mr. Williams concurred with Mr. Boyle's point about the need for buy-in from the City Commission regarding the rest of the master planning process.

Chairman Clein agreed, saying that he hoped that after the June 15, 2020 joint Planning Board-City Commission meeting that the Commission would give its vocal political support to the Board's proposal for continuing with the master planning process. He said one of the items to be determined would be when the public-facing master plan review process would recommence. He noted he has seen more residents attend Board meetings via Zoom than have in-person, and said it was his opinion that recommencing the review process virtually could be beneficial for that reason.

Chairman Clein said that while he did not want a detailed review of the eleven themes set forward in the master planning process documents for the upcoming joint meeting, he did want feedback from the Commission regarding whether they agree that those eleven themes are appropriate focuses for the process moving forward. He also said it could be worth the Commission taking up a discussion of those themes at a future Commission meeting. He recommended to City staff and the master planning team that the Commission be provided with a brief written report after every one of the Board's master plan review discussions so the Commission can voice any concerns that arise as they occur and so that the Commission can remain apprised, in general, of the process.

Mr. Koseck said he was currently working on a master plan for another local community and said his team has had great success soliciting public feedback virtually. He said the discussions have been done somewhat by invitation, with that master planning team being careful to seek information from various specific cross-sections of the community. He said that while there is some loss to not being able to conduct the process in person, there also could be much gained from continuing the process virtually.

Ms. Traxler concurred with Mr. Koseck, and added that having some of these meetings virtually allows residents to attend who may not have otherwise been able to make it out to an in-person meeting. She said she has seen such success with the virtual option that it may be maintained as one more way to solicit public discussion and feedback moving forward even when in-person meetings are able to resume.

Mr. Williams said that during the joint meeting he hoped for Commission feedback on:

- The master plan process proposal as a whole as set forth by Ms. Traxler and the master planning team; and,
- The Commission's goals for its particular involvement in the rest of the master planning process.

Chairman Clein concurred.

Mr. Jeffares said it would also be important to specifically hear from the three newly elected Commissioners regarding their feedback on the master planning process and to make sure they are in favor of the direction the process is taking.

06-66-20

#### H. Miscellaneous Business and Communications:

- a. Communications
- **b.** Administrative Approval Correspondence
- c. Draft Agenda for the joint City Commission-Planning Board Meeting (June 15, 2020)
  - Master Plan Process Review
  - Lot Combination Process Review
  - Consideration of potential economic assistance measures in light of Covid-19
- d. Draft Agenda for the next Regular Planning Board Meeting (June 24, 2020)
  - 469-479 S. Old Woodward Preliminary Site Plan Review and CIS Review
  - Jax Kar Wash Site Plan Revisions
- e. Other Business

Mr. Jeffares said someone posted on the social media website Nextdoor during the evening's meeting that they were unable to access the Zoom meeting even after following all the City's instructions.

Mr. Jeffares recommended that the City consider having a help line running for the first half-hour of virtual meetings so as to ensure that any members of the public who wish to participate are able to join. He said he would not want to continue with the master planning process virtually only to discover later that some residents were not able to participate due to technological issues.

Planning Director Ecker commented that any members of the public who are able to enter the waiting room during a virtual meeting are admitted by herself or by IT Manager Brunk and none appeared tonight that were not immediately admitted.

06-67-20

#### I. Planning Division Action Items

#### a. Staff Report on Previous Requests

### b. Additional Items from tonight's meeting

### 06-68-20

### J. Adjournment

No further business being evident, the Chairman adjourned the meeting at 10:06 p.m.

Jana L. Ecker

Planning Director



### City Of Birmingham Regular Meeting Of The Planning Board Wednesday, December 9, 2020

Held Remotely Via Zoom And Telephone Access

Minutes of the regular meeting of the City of Birmingham Planning Board held on December 9, 2020. Chairman Scott Clein convened the meeting at 7:33 p.m.

#### A. Roll Call

**Present:** Chairman Scott Clein; Board Members Robin Boyle, Stuart Jeffares, Bert Koseck,

Daniel Share, Janelle Whipple-Boyce, Bryan Williams; Alternate Board Members Jason Emerine, Nasseem Ramin; Student Representative Rachel Hesler (all located in Birmingham, MI, except for Bryan Williams who was located in Commerce

Charter Twp.)

**Absent:** Student Representative June Lee

**Administration:** Jana Ecker, Planning Director ("PD")

Jamil Alawadi, IT Staff

Brooks Cowan, City Planner ("CP") Nick Dupuis, City Planner ("CP")

Laura Eichenhorn, City Transcriptionist

### 12-141-20

## B. Approval Of The Minutes Of The Regular Planning Board Meeting of November 11, 2020

Mr. Share said that on page three of the minutes, the fourth full paragraph, second line, "On Old Woodward" should be changed to "On Woodward in the south gateway".

Mr. Jeffares said that on page four, third full paragraph from the bottom, "conveniently" should be added between "to" and "get".

#### Motion by Mr. Boyle

Seconded by Mr. Share to approve the minutes of the Regular Planning Board Meeting of November 11, 2020 as amended.

#### Motion carried, 7-0.

**ROLL CALL VOTE** 

Yeas: Boyle, Share, Williams, Whipple-Boyce, Clein, Jeffares, Koseck

Nays: None

#### 12-142-20

### C. Chairperson's Comments

Chairman Clein welcomed everyone to the virtual meeting. He stated the meeting was being held under the auspices of state legislation. Chairman Clein reviewed procedures for the meeting.

#### 12-143-20

#### D. Review Of The Agenda

PD Ecker explained that while the Final Site Plan and Design Review for All Seasons Phase 2 at 219 Elm Street was properly noticed, the Special Land Use Permit for the same business was not. She suggested that the Planning Board hear the Final Site Plan and Design Review during the present meeting and that they postpone the SLUP review to a date certain.

The Board accepted PD Ecker's suggestion.

#### 12-144-20

#### E. Special Land Use Permit and Final Site Plan Reviews

**1. 856 N. Old Woodward – Fruition (New Building – The Pearl)**, Final Site Plan and Design Review for changes to the building for the operation of a new food and drink establishment (no alcohol) in an O2 zone district.

CP Cowan stated the applicant requested a postponement of the evening's hearing.

#### Motion by Mr. Williams

Seconded by Ms. Whipple-Boyce to postpone the SLUP request and Final Site Plan Review for Fruition at 856 N. Old Woodward to January 27, 2021.

#### Motion carried, 7-0.

ROLL CALL VOTE

Yeas: Williams, Whipple-Boyce, Boyle, Share, Clein, Jeffares, Koseck

Nays: None

**2. 251** E. Merrill, Suite **236** – Tapper's Gold Exchange (Merrillwood Building), Final Site Plan and Design Review to permit a jewelry store including the buying and selling of precious metals in a second floor suite.

Chairman Clein recused himself from the item citing a potential conflict-of-interest.

Vice-Chairman Williams facilitated the item's discussion.

PD Ecker presented for the City and John Henke spoke as attorney for the applicant.

Mark Tapper, owner and applicant, was also available.

In reply to Board inquiries, PD Ecker stated:

- No other applicants have expressed interest in opening a business that would be a regulated use within 1,000 feet of 251 E. Merrill.
- This location would be selling new jewelry in addition to buying and selling precious metals and jewelry.
- If this approval were granted, the approval would stay with the applicant and not with the location.

In reply to an inquiry from Mr. Share, Mr. Tapper stated that some small percentage of the business would be collateralized loans.

Mr. Henke explained lending is authorized by a pawn license, which Tapper's will seek from the Birmingham Police Department in the event of a SLUP approval.

#### Motion by Mr. Share

Seconded by Mr. Jeffares to recommend approval of the Special Land Use Permit to the City Commission to permit the operation of Tapper's Gold Exchange in compliance with Article 7, Section 7.36 and Article 7, Section 7.21 of Birmingham Code as a regulated use at 251 E. Merrill, Suite 236.

#### Motion carried, 7-0.

ROLL CALL VOTE

Yeas: Share, Jeffares, Williams, Koseck, Whipple-Boyce, Ramin, Boyle

Nays: None

#### Motion by Mr. Share

Seconded by Ms. Whipple-Boyce to recommend approval of the Final Site Plan to the City Commission to permit the operation of Tapper's Gold Exchange at 251 E. Merrill, Suite 236.

#### Motion carried, 7-0.

ROLL CALL VOTE

Yeas: Share, Whipple-Boyce, Jeffares, Williams, Koseck, Ramin, Boyle

Nays: None

Mr. Tapper thanked the Board for their work on behalf of the City.

#### F. Final Site Plan Review

1. 219 Elm Street – All Seasons Phase 2 (vacant office building), Final Site Plan and Design Review for new construction of a multi-family independent senior living building.

Chairman Clein resumed facilitation of the evening's meeting.

CP Dupuis presented the item.

Mark Hyland of All Seasons, Sam Beznos of Beztak Companies, project engineer John Thompson, and project architect Xander Bogaerts were present on behalf of the applicant.

#### Mr. Hyland stated that:

- There are no doors on the north facade, only windows. All the windows on the north facade will be fire and blast resistant.
- As soon as the building's energy needs are finalized with DTE and the necessary electrical
  equipment determined his team will submit proposals for screening the electrical
  equipment that will be ordinance-compliant.
- The comments provided by the Fire and Engineering Departments will be accommodated. All Seasons Phase 2 is working on configuring a fire command room as required.
- No front step was added to the building because the grade is flat and they did not want to change it unnecessarily.

It was discussed by the Board that if All Seasons Phase 2 were sold in the future to an owner who wanted to convert the building from senior housing to regular residential that the parking requirements for the building would increase significantly.

Mr. Boyle noted that while an MX use was not required for this parcel, mixed uses in general are encouraged in the Triangle Plan. He said he just wanted to bring that fact to the Board's attention.

Chairman Clein asked the applicants to fix discrepancies between the various submitted plans and to fix the one area of the connectivity plan that has no pavement or sidewalks. He offered his support for the project as long as all City conditions are met.

Mr. Share noted that the last Board discussion of the master plan draft explored the idea of increasing residential density in the Triangle District. While noting that such a proposal is not binding until the City adopts it, he said there did seem to be some indication that increasing residential density in this area would desirable and that this project moves towards that. He also asked how the City will approach the matter of the 'bonus' stories for this building, to be earned through presumptive LEED certification, if the LEED certification is either 1. not ultimately granted or 2. granted, but falls short of the City's expectations.

Mr. Jeffares expressed dismay at the amount of hardie board proposed for the building. He said it struck him that the Board had no authorization to impose architectural standards in this case, and said they may want to look into changing that for the future.

Mr. Koseck expressed aesthetic and functional concerns with the project. He said:

- He liked the density and infill.
- While he had no problem with the height of the building, he found the massing odd in its
  context. If it were situated midblock between other similar buildings he said the massing
  would not be as noticeable, but that here it stands out as excessively imposing.
- In bigger cities first floor bedrooms and living rooms are either usually up half a level from the street or other architectural elements like courtyards and stoops provide a buffer. In contrast this proposal puts bedrooms and living rooms directly next to sidewalks, which

he said creates an awkward and uncomfortable pedestrian-resident interface. The options for residents are either to leave the blinds drawn, which serves to deactivate the streetscape, or to leave them open, which leaves pedestrians unsure of whether they are actually being invited to gaze in or whether they are intruding on someone's privacy.

- He had asked the applicant at the last review to have All Seasons Phase 2 echo only some
  of the materials and design of All Seasons, while making it its own unique design. He was
  disappointed that suggestion was not more realized in the most recent plans.
- The applicant should consider pursuing a variance for the fire-rated glass on the north facade since the adjacent building has the same owner. He said it would be a better experience for residents looking out of those windows and would match the other windows on the building.
- His misgivings made him unenthused about the project as a whole. The project, however, seemed ordinance-compliant.

Mr. Williams agreed it was worth pursuing a variance for the fire-rated glass on the north side, noting that the worse-case scenario is that the applicant is turned down and has to implement its current plan.

Mr. Beznos told the Board that the applicant team met with the president of the nearest homeowners association in June 2020 and that the president expressed his approval of the plans, materials and designs for All Seasons Phase 2.

### Motion by Mr. Boyle

Seconded by Mr. Williams to recommend approval to the City Commission the Final Site Plan and Design Review for 219 Elm St. – All Seasons 2 – subject to the following conditions:

- 1. The Planning Board approves the projections into the right-of-way on the west side of the building fronting Elm Street and on the south side facing the public alley;
- 2. The applicant must either remove the awnings, or provide an easement acceptable to the City Attorney with the neighboring property owner for the use of the air rights to the north of the building;
- 3. The applicant must provide specification sheets for all rooftop and ground mounted mechanical units, and the applicant must provide screening for the ground-mounted mechanical units or obtain a variance from the Board of Zoning Appeals;
- 4. The applicant must submit corrected landscaping plans showing the proposed locations of all planting material;
- 5. The applicant must provide lighting for the parking facility that meets the requirements of Article 4, Section 4.21 (F) or obtain a variance from the Board of Zoning Appeals;
- 6. The applicant must submit material specification sheets for all of the required materials; and,
- 7. The applicant must comply with the requests of all City departments.

Motion carried, 7-0.

**ROLL CALL VOTE** 

Yeas: Boyle, Williams, Share, Whipple-Boyce, Jeffares, Clein, Koseck

Nays: None

#### Motion by Mr. Williams

Seconded by Mr. Share to schedule the SLUP request review for All Seasons Phase 2 at 219 Elm Street on January 27, 2021.

#### Motion carried, 7-0.

**ROLL CALL VOTE** 

Yeas: Williams, Share, Whipple-Boyce, Boyle, Clein, Jeffares, Koseck

Nays: None

#### 12-145-20

#### F. Miscellaneous Business and Communications:

#### a. Communications

The Board had a pre-application discussion with Jeffrey Atto, who expressed interest in potentially seeking a rezoning of his home from RZ1 to TZ3. He explained that since his business is mostly conducted through telecommuting, he would like the option to host one or two employees at his house at a time with the rest of his staff working remotely. He explained:

- His stretch of Lincoln is largely commercial, with an immense amount of on-street parking available.
- He took the proposal to his three closest neighbors, all of whom expressed approval of the idea.
- Converting his home to a home-office use would be mixed use, which is appropriate for TZ3, and the location fronts on a major road, which is another TZ3 requirement.
- He had this idea because of the Covid-19 pandemic, when he was re-evaluating the most optimal way to run his business.

Mr. Emerine and Mr. Jeffares confirmed there is a surplus of available parking near Mr. Atto's home.

Mr. Koseck, Ms. Whipple-Boyce and Chairman Clein noted that rezoning is a difficult bar to clear. Both Mr. Koseck and Ms. Whipple-Boyce noted that most of Lincoln is residential, and that a TZ3 rezoning would be out of place in that area.

Mr. Koseck added that, even if Mr. Atto's proposed use is low-intensity, once the parcel is rezoned it remains that way. This could allow a more intrusive business to occupy that parcel in the future and the City would have little recourse to prevent that.

Mr. Jeffares noted that while the City is trying to promote mixed uses in a number of areas, the City should pay attention to where mixed-use proposals arise organically. He cited the master plan draft's proposal for small commercial areas within neighborhoods, and said a business with one to three employees at a time could help promote that kind of activity. He also noted that, in

light of the pandemic, Mr. Atto is likely not the only resident reflecting on possible live-work options and said the City should be aware the matter is likely to come up again.

In response to a suggestion that he could have one or two employees over more informally without a zoning change, Mr. Atto noted that RZ1 specifically prohibits that option and that he is trying to operate lawfully.

Chairman Clein added that when residents express concerns about 'businesses intruding into neighborhoods' this kind of proposed configuration, rightly or wrongly, is what they are likely referring to.

Chairman Clein and Mr. Williams both expressed skepticism that rezoning would be likely in this case.

Chairman Clein thanked Mr. Atto for his thoughtful presentation and for bringing his ideas to the Board.

- b. Administrative Approval Correspondence
- c. Draft Agenda for the next Regular Planning Board Meeting (January 13, 2021)
  - Master Plan Draft Discussion
- d. Other Business

In reply to Mr. Jeffares, PD Ecker confirmed the City has been notifying the public about each master plan draft discussion meeting via City social media channels, packets sent out to neighborhoods, and City e-newsletters. She noted the pandemic is likely affecting attendance.

Mr. Jeffares suggested the City consider posting ground signs with the information about the master plan draft discussions around the City.

Mr. Williams added that discussion of these topics on the social media website Nextdoor indicates residents are at least thinking about the master planning topics. He said the City should continue to promote the master plan draft discussions on Nextdoor. He added that the City Commission should also continue to promote the master plan draft discussions at their meetings.

12-146-20

#### G. Planning Division Action Items

- a. Staff Report on Previous Requests
- b. Additional Items from tonight's meeting

### 12-147-20

### H. Adjournment

No further business being evident, the Chairman adjourned the meeting at 9:35 p.m.

Jana L. Ecker

Planning Director





### **MEMORANDUM**

### **Planning Division**

DATE: March 3, 2021

TO: Thomas M. Markus, City Manager

FROM: Jana L. Ecker, Planning Director

SUBJECT: Resolution Outlining the 2040 Master Plan Review Process

Public communications for the 2040 Master Plan project have been ongoing for almost two years. Public meetings have been held at the Planning Board, the City Commission and at joint meetings of both groups. An extensive public engagement schedule has included roundtable discussions with residents, stakeholders and property owners, a week long design charrette in the spring of 2019 and a multi-day drop in clinic in the summer of 2019. In addition, three surveys were created and launched to allow all members of the community to provide their input even if they were unavailable to attend any of the public meetings. Media coverage has been ongoing, and the City has also provided a project website at BirminghamPlan.com to host all material created and discussed throughout the Master Plan project, and to solicit input and provide a forum for public engagement. The Planning Board has conducted multiple public meetings to present and obtain public input on the first draft of the 2040 Plan. The City has also provided ongoing communication through the Birmingham Plan App, social media such as Twitter, Facebook and Instagram, Inside City Hall and other television segments, as well as newsletters and articles.

Due to the global pandemic that started in 2020, the City-wide master plan process was interrupted and temporarily stalled during the first half of 2020. As a result of this and the suspension of in-person meetings, the City and the DPZ CoDesign consulting team established a plan recommence the public review of the first draft of the 2040 Plan. The City and the DPZ team also established a revised process and timeline for the preparation and review of the second draft of the 2040 Plan, and the third and final draft to be considered for adoption by the City Commission.

As a result of the temporary pause in the master plan process, and the resultant changes to the schedule and process outline, numerous residents have contacted City Hall for clarification of the remaining steps in the process of adopting a new master plan, clarification as to when the public input received on the first draft of the 2040 Plan may be reflected in a second draft, and the overall timeline for adoption of the final draft of the Birmingham 2040 Plan. Accordingly, please find attached a resolution prepared for your review and consideration that clearly outlines and documents the remaining steps in the process to update the City-wide master plan.

### **Suggested Action:**

To adopt Resolution # \_\_\_\_\_\_ to affirm and approve the master plan review and adoption process from the first draft of the 2040 Plan to the final public hearing to consider adoption of the final draft of the Birmingham 2040 Plan.

#### RESOLUTION # \_\_\_\_\_

#### 2040 MASTER PLAN REVIEW PROCESS

WHEREAS Birmingham has a long standing commitment to strong local planning throughout the City to support its vibrant neighborhoods and mixed use districts and continue to build on Birmingham's success;

WHEREAS Birmingham is one of few communities in the region having preserved its historic downtown, enhanced other commercial districts and maintained its walkable neighborhoods to foster an environment that is offered in very few places in Metro Detroit;

WHEREAS with this success and the lack of similar urban environments in the region, demand for both residential and commercial space has continuously increased, raising housing prices, lease rates and parking concerns;

WHEREAS as part of a larger region, Birmingham is desirous of continuing to lead the region by example and incorporating best planning practices to support its downtown, neighborhoods and mixed use districts while also encouraging innovation and sustainable practices;

WHEREAS Birmingham entered into an agreement with DPZ CoDesign in 2018 to conduct a comprehensive update of the last City-wide master plan that was completed in 1980:

WHEREAS the DPZ CoDesign team conducted extensive research on existing conditions in Birmingham, best practices in urban planning for similar communities, and conducted extensive public engagement utilizing neighborhood round table discussions, three City-wide surveys, a one week public design charrette, a three day drop in clinic, conducted many public meetings and presentations, and established a project website to garner public input from residents with regards to the future direction of the City;

WHEREAS the DPZ team completed the first draft of the 2040 Master Plan in October 2019 for review and consideration by the City Commission, Planning Board and the public and commenced a detailed review of each section of the first draft at public meetings until the global pandemic started early in 2020 and temporarily halted the master plan project;

WHEREAS the DPZ team worked with the City of Birmingham to amend the master plan process in light of the delays caused by the pandemic and the restrictions on public gatherings;

NOW THEREFORE BE IT RESOLVED that the City Commission hereby affirms approval of the amended review process previously agreed upon for the drafting and consideration of the final draft of the Birmingham 2040 Master Plan as follows:

- The City Commission affirms support for the key themes and objectives of the 2040 Plan as listed below and discussed at previous meetings of the Planning Board, City Commission and a joint meeting of both groups:
  - a. Connect the City;
  - b. Embrace Managed Growth;
  - c. Retain Neighborhood Quality;

- d. Invest in Civic Spaces and Programs;
- e. Support Mixed-Use Areas; and
- f. Advance Sustainability Practices;
- 2. The Planning Board continue review of the first draft of the 2040 Plan through virtual public meetings to review each section of the plan and to solicit public input;
- 3. The Planning Board provide to the City Commission and the DPZ team a summary of public input on the first draft of the 2040 Plan, and outline their direction for proposed revisions to the first draft;
- 4. The City Commission review the summary from the Planning Board regarding recommended revisions to the first draft and the recommended direction to the DPZ team for preparation of the second draft of the 2040 Plan;
- 5. The DPZ team prepare the second draft of the 2040 Plan with revisions as directed incorporating all requested amendments to the City in May 2021 and publish same on the project website;
- 6. The Planning Board hold up to four public meetings to review the second draft of the 2040 Plan and focus on discussing all outstanding strategic issues;
- 7. The Planning Board and City Commission conduct a joint meeting to discuss public input and direction on revisions to the second draft of the 2040 Plan;
- 8. The DPZ team complete the final draft of the 2040 Plan and distribute to all adjoining jurisdictions and other entities as required by the Michigan Planning Enabling Act, and publish on the project website;
- 9. The City and DPZ team continue to accept and record public input on the final draft of the 2040 Plan; and
- 10. The Planning Board and the City Commission each conduct public hearings on the final draft of the 2040 Plan, with the City Commission making the final decision on the adoption of the 2040 Birmingham Plan.

BE IT FURTHER RESOLVED, that the terms and conditions of the original contract between DPZ CoDesign and the City of Birmingham, as amended, shall continue in force, and all other applicable State laws in effect at the time of the issuance of this resolution, and as they may be subsequently amended, shall also remain in force.

I, Alexandria Bingham, City Clerk Designee, of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on March 8, 2021.

Alexandria Bingham, City Clerk Designee



### **MEMORANDUM**

(Treasury)

DATE:

3/3/2021

TO:

**Tom Markus, City Manager** 

FROM:

**Jack Todd, Deputy Treasurer** 

SUBJECT:

Resolution Regarding New Public Act 253 (Poverty Exemption

Changes)

#### INTRODUCTION:

The City of Birmingham provides a Hardship Application for residents to complete for the Board of Review. Recent changes in State Law require the City to update their policy and procedures in regards to poverty exemptions. The Board of Review will determine if an applicant is eligible for taxable value reduction based on policies and procedures approved by the City Commission.

#### **BACKGROUND:**

The Poverty Exemption Statute (MCL 211.7u) establishes how local assessing units and boards of review handle poverty exemption cases. The State of Michigan Legislation adopted new provision in December of 2020 that requires the City to adopt a new resolution with the appropriate changes to be in compliance with PA 253 of 2020.

Attached is a document of the summary of changes to MCL 211.7u Poverty Exemption in Public Act 253 of 2020. The changes have been incorporated into the attached resolution, including policy and procedure guidelines.

The new legislation allows the Board of Review to determine if and when an exemption is granted, and how much reduction is permitted. It can either be 25%, 50%, or 100% reduction in taxable value.

#### LEGAL REVIEW:

The City Attorney has reviewed the updated Hardship Application for compliance with PA 253 of 2020.

#### FISCAL IMPACT:

There is no fiscal impact based on this change in poverty exemption. The city averages less than 10 applicants per year and most of the applications are recurring.

#### PUBLIC COMMUNICATIONS:

The updated Hardship Application will be available on the city website.

#### SUMMARY:

To comply with the changes to MCL 211.7u Poverty Exemption in Public Act 253 of 2020, the city must adopt a policy relative to poverty exemptions in the city and the Hardship Application.

#### ATTACHMENTS:

Please find attached the following documents for your review:

- Resolution of the City Commission Adopting a Policy Relative to the Review and Granting of Poverty Exemptions By the City
- Updated 2021 Hardship Application
- Summary of Changes to MCL 211.7u Poverty Exemption in Public Act 253 of 2020

#### SUGGESTED RESOLUTION:

To approve the resolution adopting a policy relative to the review and granting of poverty exemption by the city and the updated Hardship Application.

## CITY OF BIRMINGHAM A RESOLUTION OF THE CITY COMMISSION ADOPTING A POLICY RELATIVE TO THE REVIEW AND GRANTING OF POVERTY EXEMPTIONS BY THE CITY

At a meeting of the City Commission of the City of Birmingham, Oakland County, Michigan, held on the 8th day of March, 2021, at City Hall, 151 Martin Street, Birmingham, MI, 48009.

Moved by:	Seconded by:

WHEREAS, P.A. 390 of 1994, which amended Section 7u of Act No. 206 of the Public Acts of 1893, as amended by Act No. 313 of the Public Acts of 1993, being sections 211.7u of the Michigan Compiled Laws, as amended most recently by P.A. 253 of 2020 which further amended 211.7u of the Michigan Compiled Laws which requires the governing body of the local assessing unit to determine and make available to the public the policy and guidelines used by the Board of Review in granting reductions in property assessments due to limited income and assets, referred to as "poverty exemptions."

**THEREFORE, BE IT RESOLVED,** that to be eligible for a poverty exemption of the City of Birmingham, a person shall do all of the following on an annual basis in accordance with Act 206 of 1893 as amended by P.A. 253 of 2020 and the requirements of the Birmingham Policy and Guidelines for the Granting of Poverty Exemptions:

- An applicant must have an ownership interest in the property for which the exemption
  is requested and must have physically owned and occupied the property as the
  applicant's principal residence. The person shall affirm this ownership and occupancy
  status in writing by filing a form prescribed by the State Tax Commission.
- The subject property must be classified as an "improved single family residence" or "residential condominium" property with a valid Homeowner's Principal Residence Exemption (PRE) currently in effect.
- 3. The applicant or applicants must complete and timely file an application requesting a poverty exemption on a form prescribed by the City accompanied by Federal and State Income Tax Returns. Fully completed Hardship Exemption Applications with required supporting information will be accepted after January 1, through the day prior to the last meeting of the March Board of Review. The filing of a completed Hardship Exemption application with required supporting information shall constitute an appearance before the Board of Review for the purpose of preserving the applicant's right to appeal the decision of the Board of Review to the Michigan Tax Tribunal.
- 4. The applicant must include with the application a copy of all of the previous year's income tax returns that the applicant was required to file (Federal Income Tax Return, Michigan Income Tax Return and the Michigan Property Tax Credit Form, Social

Security Statement, etc.) and copies of year-end financial/investment statements if any interest income is reported on the application or on the applicant's income tax filings. Copies of the previous year's income tax returns must be supplied for all persons living in the subject residence. All new applicants and other applicants, when requested by the Board, must provide copies of all income tax filings for the three previous years.

- The applicant must supply a copy of a current driver's license or other form of identification.
- Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if required by the Board of Review.
- 7. At the minimum, meet the federal poverty guidelines published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902, or alternative guidelines adopted by the governing body of the local assessing unit provided the alternative guidelines do not provide income eligibility requirements less than the federal guidelines.

BE IT FURTHER RESOLVED, that the applicant's total household income, after being adjusted for out-of-pocket medical expenses which are demonstrated to exceed 10% of the total household income, cannot exceed two and one-half (2 ½) times the prior year poverty income figure, as reported by household size, in the "Federal Poverty Guidelines" updated annually in the Federal Register by the U.S. Department of Health and Human Services. (Income requirement)

**BE IT FURTHER RESOLVED,** that subject to the Policy and Guidelines, the total value of the assets of the applicant and each member of the applicant's household shall not exceed \$150,000. The assets of each member of the applicant's household shall be examined to determine whether there are assets which can reasonably be invested, sold or used to pay the property taxes. If the assets are of a nature and value which reasonably indicates that a condition of poverty does not exist, then a poverty exemption shall be denied.(**Asset requirement**)

**BE IT FURTHER RESOLVED,** that any reduction in the State Equalized Value of a property is granted for one year only and must be applied for and reviewed annually based on the applicant's current situation.

**BE IT FURTHER RESOLVED,** that the applicant(s) and all those living in the applicant's household who are submitting tax returns and related financial documents must sign a Waiver of Confidentiality prior to the Board discussing the request for a hardship reduction in which the applicant(s) and others consent to the examination and discussion of the applicant's application and all supporting documentation by the Board of Review members in a public meeting format.

**BE IT FURTHER RESOLVED,** that upon meeting the Policy and Guidelines of the local assessing unit in granting or denying an exemption the applicant shall receive a full exemption

equal to 100% reduction in taxable value or a partial exemption equal to 25% or 50% reduction in taxable value as determined by the Board of Review.

BE IT FURTHER RESOLVED, that in order to ease the burden on taxpayers, the assessor and the Board of Review and to ensure that all taxpayers have an equal opportunity to be heard by the Board of Review, the City of Birmingham hereby resolves, according to provisions of MCL 211.30(8) of the General Property Tax Act, that the Board of Review shall receive letters of protest regarding assessments from resident taxpayers from the first Tuesday in March until it adjourns from the public hearings for which it meets to hear such protests. All notices of assessment change and all advertisements of Board of Review meetings are to include a statement that the resident taxpayers may protest by letter to the Board.

	Passed, adopted and approved this _	day of	, 2021.
AYES:			
NAYS:			
PRESENT:			
ABSENT:			
	CERTIFICA	TION	
Birmingham, C and correct co	kandria D. Bingham, being the duly Oakland County, Michigan, do hereby opy of Resolution, the original of which on Commission at a regular meeting he	certify and declare that the ch is on file in my office, a	foregoing is a true
	Alexan	dria D. Bingham, City Clerk	<

## POLICY AND GUIDELINES FOR THE GRANTING OF POVERTY EXEMPTIONS

MCL 211.7u, as amended by Public Act 253 of 2020, provides that:

(1) The principal residence of person who, in the judgement of the board of review, by reason of poverty, is unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation under this (General Property Tax) act.

The following policy and guidelines have been adopted by the Birmingham City Commission to govern the granting of hardship exemptions:

#### APPLICATION PROCEDURE

- 1. <u>Eligibility and Application.</u> To be eligible for a hardship exemption the applicant must be both the taxpayer and a natural person (i.e., not a corporation, trust or other business association or entity) and must do all of the following on an annual basis:
  - A. Be an owner of and occupy as a homestead the property for which an exemption is requested. "Principal residence" means principal residence or qualified agricultural property as those terms are defined in MCL 211.7dd.
  - B. File with the City Assessor a completed Hardship Exemption Application on a form provided by the City Assessor's office. The applicant must include with the application a copy of all of the previous year's income tax returns that the applicant was required to file (Federal Income Tax Return, Michigan Income Tax Return and the Michigan Property Tax Credit Form, Social Security Statement, etc.) and copies of year-end financial/investment statements if any interest income is reported on the application or on the applicant's income tax filings. Copies of the previous year's income tax returns must be supplied for all persons living in the subject residence. All new applicants and other applicants, when requested by the Board, must provide copies of all income tax filings for the three previous years.,
  - C. Produce a valid driver's license or other acceptable form of identification if requested by the Assessor or Board of Review.
  - D. Produce a deed, land contract or other evidence of ownership of the property for which an exemption is requested if required by the Assessor or Board of Review.
- 2. <u>Filing Period</u>; <u>Appearance</u>. Fully completed Hardship Exemption Applications with required supporting information will be accepted after January 1, through the day prior to the last meeting of the March Board of Review. The filing of a completed Hardship Exemption application with required supporting information shall constitute an appearance before the Board of Review for the purpose of preserving the applicant's right to appeal the decision of the Board of Review to the Michigan Tax Tribunal.

#### EVALUATION PROCEDURE

- Meetings. Meetings of the Board of Review and Assessor relative to hardship exemption applications shall be held in compliance with the Michigan Open Meetings Act.
- 2. <u>Applicant's Presence</u>. The Board of Review may request an applicant to personally appear before the Board to respond to any questions the Board or Assessor may have.
- 3. <u>Investigation</u>. Applicants for hardship exemption may be investigated by the City in order to verify information submitted or statements made to the Assessor or Board of Review.
- 4. Oath. Applicants appearing before the Board shall be administered an oath, as follows:

Do you swear or affirm that information and testimony you will give before the Board of Review is the truth, the whole truth, and nothing but the truth.

5. <u>Criteria for Determining Exemption.</u> The Board shall consider the following three (3) criteria to determine whether a full or partial hardship exemption should be granted:

A. <u>Income.</u> The total income of the applicant and each member of the applicant's household shall not exceed the prior year's Federal Poverty Income Standards, as defined and determined annually by the U.S. Department of Health and Human Services under authority of Section 673 of subtitle V of title VI of the Omnibus Budget Reconciliation Act of 1981, Public law 97-35, 42 U.S.C. 9902, multiplied by 2.5.

- 1. Income shall include, but not be limited to, the following:
  - a. Money wages and salaries before any deductions;
  - b. Net receipts from self-employment;
  - Distributions or income from partnerships, limited liabilities companies, or corporations, whether or not taxable;
  - d. Tax exempt income received including, but not limited to, interest income, disability income, social security or SSI.;
  - e. Regular payments from Social Security, Railroad Retirement, unemployment compensation, strike benefits from union funds, workers compensation, veterans payments or any type of public assistance;
  - f. Alimony, child support, and military family allotments or other regular support from an absent family member for someone not living in the household. For example, periodic gifts to assist the applicant or the applicant's household shall be included in income;
  - g. Private pensions, government employee pensions (including military retirement pay), regular insurance or annuity payments;
  - h. College or university scholarships, grants or fellowships;
  - i. Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, net lottery winnings and net gambling winnings; and
  - j. Payments made to a third party to or for the benefit of the applicant or a member of the applicant's household.

- 2. Income shall not include any of the following:
  - Money received from the sale of property, such as stocks, bonds, house, car, unless the applicant or a member of the applicant's household is in the business of selling such property;
  - b. Withdrawals of bank deposits;
  - c. Borrowed monies;
  - d. Income tax refunds;
  - e. One time payouts from insurance companies;
  - f. Losses including, but not limited to, capital losses or business losses.
  - g. Gifts and/or inheritances, unless the purpose of such gift and/or inheritance, as determined by the Board of Review, is to assist in the support of the applicant or the applicant's household.
- 3. The Board of Review may waive the income test for household with income greater than allowed under Paragraph A., but who have expenses beyond the ordinary scope of expected costs which are severe and unavoidable, such as unusually high health care costs in excess of 10% of the total household income not covered by insurance.
- B. <u>Assets</u>. The total value of the assets of the applicant and each member of the applicant's household shall not exceed \$150,000. The assets of each member of the applicant's household shall be examined to determine whether there are assets which can reasonably be invested, sold or used to pay the property taxes. If the assets are of a nature and value which reasonably indicates that a condition of hardship does not exist, then a hardship exemption shall be denied.
- 1. The total value of the assets shall include the value of the equity in the principal residence to the extent the principal residence value exceeds the average Assessed Value for a home in the City as of December 31 of the year preceding the date of the application.
- 2. Notwithstanding subparagraph 1, if the applicant has resided in the principal residence, as his/her principal residence, for a period of at least 20 years prior to the date of application, the value of the equity in the principal residence shall not be counted as an asset under paragraph B.
- 3. Gifts, inheritances, one-time payouts from insurance companies, income tax refunds and money received from the sale of property, such as stocks, bonds, house, car, (unless the applicant or a member of the applicant's household is in the business of selling such property), shall be included as assets of the applicant and /or members of the applicant's household.
- 4. If the applicant and/or members of the applicant's household shall transfer assets to another for less than full and adequate consideration in money or money's worth within sixty (60) months from date of the application for exemption, such exemption shall be denied. Such transfer shall include, but not be limited to, giving up all or partial ownership in an asset, selling an asset, giving an asset away, refusing or disclaiming a gift or inheritance, or giving up the right to receive income. Such transfers shall not include transfers in the amount of \$100 or less.

- C. Contribution From Other Sources. If the Board of Review determines the applicant does or reasonably should receive contribution toward taxes from other sources, such as from a trust, inheritance, co-owner, relative, dependent, friend or other source, the Board may consider the amount of such contribution as an addition to the applicant's income and if the resulting sum exceeds the Income Standard in paragraph A., above, then a hardship exemption shall be denied.
- 6. Granting of Exemption. If the Board of Review determines that an applicant:
  - A. Does not have income in excess of the total income allowed under paragraph 5(A) or the Board waives the income test under paragraph 5(A)(3); and;
  - B. Does not have assets which can reasonably be invested, sold or used to pay the property taxes under paragraph 5(B); and
  - C. Does not receive or reasonably expect to receive contribution toward taxes from other sources under paragraph 5(C),
    - Then, the Board of Review shall grant a full exemption equal to a 100% reduction in the applicant's taxable value for subject property or a partial exemption for the subject property equal to a 25% or 50% reduction in taxable value as determined by the board of review such that the applicant's taxable value for subject property may be valued to equal a property tax liability of approximately (1) 6% of the total income as determined in paragraph 5(A).
- 7. <u>Deviation From Policy and Guidelines.</u> The Board of Review shall follow the policy and guidelines set forth herein for granting or denying a hardship.



## Treasurer/Assessor Department

## Declaration of Hardship and Request for Tax Relief Application As of December 31, 2020

Property ID Number	·		
Property Address: _			
APPLICANT II	NFORMA	<u>rion</u>	
Name of Owner and	d Co-owners:		
Street Address:			
City, State, Zip:			
Phone Number: (Da	ıytime)	(Night)	
Date of Birth:		_	
Marital Status	Number of Years		
Married			
Divorced			
Widowed			
Separated			
Single			

## **EMPLOYMENT STATUS**

Disabled – No. of Years Do you qualify for disability benefits? Yes or No (Circle one)  Employed Full-time Employed Part-time Retired – No. of Years Unemployed – No. of Years Laid-off – No. of Years Other	
Occupation:(If employed) Employer:	
Address:	
Telephone: ()  EMPLOYMENT STATUS - SPOUSE	
Disabled – No. of Years	
Do you qualify for disability benefits? Yes or No (Circle one)  Employed Full-time	-
Employed Part-time	
Retired – No. of Years	
Unemployed – No. of Years	
Laid-off – No. of Years Other	
Occupation:(If employed)	
Employer:	
Address:	
Telephone: ()	

## SUBSTANTIAL AND COMPELLING REASONS

In the space below list any substantial and compelling reasons you feel the Board should consider during the evaluation of this petition. (example: documented disability or health problems)				
GENERAL IN	FORMATION		<del></del>	
What year did you	purchase this property?			
	ur spouse the sole owners s and their percentage of			
Purchase Price? \$	Mo	onthly Payment \$		
Total unpaid balar	ice of mortgage/land cont	ract as of 12/31/20 \$		
Number of years r	emaining on the mortgage	e/land contract		
Are your property	taxes paid? Ye	s No		
Did you apply for p	poverty exemption last year	ar? Yes 1	No	
List all persons livi	ng in the household other	r than yourself and spous	e.	
	#1	#2	#3	
Name:				
Age:				
Relationship:				
Occupation:				
Annual Income:				
Claimed as	Yes	Yes	Yes	
Dependent?	No	No	No	
Heir to Estate?	Yes	Yes	Yes	
	No	No	No	

Have any improvements, changes or additions been made to the property in the	last (2)
years? Yes No If yes, please explain:	
Do you anticipate selling the homestead property for which relief is sought in the	next
year? Yes No Explain:	
Does anyone contribute to your support?  Yes Amount \$	
No Explain:	
Is anyone able to contribute to your support?  Yes  No Ex	xplain:
INCOME AND ASSETS  Please list all sources of your personal income. Please indicate the amount from on an annual basis.	each source
<ol> <li>Salaries, wages, tips and other employee compensation (include strike, sick and sub pay)</li> </ol>	\$
2. All dividends and interest (including US state and municipal bond interest)	
3. Net rent, royalty, business, gambling or lottery income	
Annuity and pension benefits; Name of Payer	
5. Net farm income	
6. All Capital gains less capital losses	
7. Alimony and other taxable income; Describe	
8. Social Security, supplemental income (SSI) or railroad retirement benefits	
9. Child Support	
10. Unemployment compensation and trade readjustment allowance (TRA) benefits	
11. Worker's compensation, veteran's disability compensation and pension benefits	
12. ADC, GA or emergency Assistance benefits	
All other public assistance payments (food stamps, fuel assistance, etc.)  Describe	
14. Other non-taxable income Describe	
TOTAL INCOME:	\$

What was the total incomo past two (2) years?	e from all sources of ev	eryone living	in your h	ousehold f	or the
Last Year:	Prior Year:				
Do you anticipate any m	najor changes in incom If yes, please explain:				
Investments					
On spaces below, list al Savings Bonds or any of household has.					
Description of	fInvestment	Present	Value		Earned Year
		\$		\$	
	,			1.00	
Real Estate					
Do you have an owners	ship interest in any othe	er real estate	in Michig	an or any w	vhere
else? Yes	No. If yes, please li	ist all property	y owned i	in full or pa	rt by
you, the co-owner or an	y member of your hou	sehold. Do no	ot list prop	perty this	
application is being app	lied for:				
Address of Property	Purchase date & pri	ce Marke	t Value	S.E.V.	Income Received
		\$		\$	\$

#### Life Insurance Policies

In the spaces below, list all the insurance policies held by you, the co-owner, or any member of the household.

Insured	Amount of Policy	Amount Paid Monthly	Cash Value of Policy	Name of Beneficiary	Relationship to Insured
1	\$	\$	\$		

#### **Motor Vehicles**

In the spaces below, list all automobiles, motorcycles, trucks, off-the-road vehicles, etc. owned by you, the co-owner or any member of the household.

Make & Model	Year	Current Value	<b>Balanced Owed</b>
			\$
•			

## **Asset Summary**

What are your current assets in addition to the real estate noted previously?

Cash	\$
Savings Accounts/Certificates & Money Markets	\$
Checking Accounts	\$
Stocks/Bonds/Treasury Bills	\$
Insurance	\$
Other	\$
Investments	\$
IRA, Keogh Annuities, Deferred Compensation	\$
Personal Property held as an investment (i.e., gems, jewelry, coin collection, antique cars, etc.)	\$

## **EXPENSES**

#### **AVERAGE MONTHLY EXPENSES:**

Land Contract or Mortgage payment for homestead only (principal and interest)	\$
Life Insurance	\$
Health Insurance	\$
Home Insurance	\$
Auto Insurance	\$
Taxes (homestead)	\$
Taxes on other property	\$
Car Payment	\$
Special Assessment	\$
Utilities: Gas/Oil	\$
Electricity	\$
Telephone	\$
Water/Sewer	\$
Child Care	\$
Food/Clothing	\$
Other loans	\$
Medical (not covered by insurance)	\$
Lawn care/snow removal	\$
Cable	\$
Other (specify)	\$
VERIFICATION OF EXPENSES MAY BE REQUIRED  Do you have any major or unusual expenses?  If yes, please explain:	] No

Following are the federal poverty guidelines X 2.5 for use in setting poverty exemption guidelines for 2021

Size of Family Unit	Poverty Guidelines
1	\$31,900
2	\$43,100
3	\$54,300
4	\$65,500
5	\$76,700
6	\$87,900
7	\$99,100
8	\$110,300
For each additional person, add	\$11,200

#### <u>ADDITIONAL INFORMATION</u>

With this application you will need to submit last year's copies of the following <u>applicable</u> documents for yourself, the co-owner, and every member of the household.

- Federal, State and City Income Tax Returns 1040 or 1040A and any schedules
- 2. Michigan Homestead Property Tax Credit Claim MI-1040CR
- Valid driver's license or other acceptable form of identification if requested by the Assessor or Board or Review
- Produce a deed, land contract or other evidence of ownership of the property for which an exemption is requested if required by the Assessor or Board of Review.

### PLEASE READ CAREFULLY

My Commission Expires:

I (We) am/are unable to pay the full property taxes on the above described property and hereby make application for property tax relief due to poverty in accordance with Section 211.7u Michigan Compiled Laws. I (We) have read this application and fully understand the contents thereof. \_\_\_\_\_, being duly sworn, depose and state under the penalties for perjury, that the information contained in this petition and my (our) financial condition as above stated is true and correct and to the best of my (our) knowledge and belief. I (We) further understand that if any information contained herein is found to be false or incomplete, any and all relief granted by this application will be forfeited and placed back on the assessment roll with penalties and interest occurring on the additional tax liability in accordance with Section 211.119 Michigan Compiled Laws. Applicant's Signature: Co-Applicant's Signature: Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 . **Notary Public** County, Michigan

#### Summary of Changes to MCL 211.7u Poverty Exemption in Public Act 253 of 2020

Public Act 253 of 2020 was signed into law on December 23, 2020. The Act made several changes to the poverty exemption statute (MCL 211.7u) that will impact how local units, assessors, and boards of review handle the exemption starting with the 2021 tax year:

- Removes the word "supervisor" from statute, making it clear that only the Board of Review can grant/deny poverty exemption
- Clarifies that the federal income levels used are those adopted in the *prior* tax year (2020 federal levels are used for 2021 exemptions)
- Requires the local unit to make the policy, guidelines and application form available on their website
- Removes the ability for Boards of Review to deviate from the adopted policy/guidelines for "substantial and compelling reasons"
- Local units can adopt a resolution that allows an exemption granted in 2019 or 2020 to carry forward to 2021, 2022 and 2023 for those persons who receive a fixed income solely from public assistance that is not subject to significant annual increases (Federal Supplemental Security Income, Social Security disability or retirement benefits). Local units can also adopt a resolution for any new exemptions in 2021, 2022 or 2023 to remain exempt for up to 3 years for persons who receive a fixed income (MCL 211.7u(6))
- Local units can carry a poverty exemption forward that was granted in 2019 or 2020 for the 2021 tax year, without an application or protest to the Board of Review. Local units must adopt a resolution by February 15, 2021 to carry the exemption forward (MCL211.7u(8))
- If a person meets all eligibility requirements in statute, the Board of Review must grant a full
  exemption equal to a 100% reduction in taxable value OR a partial exemption equal to a 25%
  or 50% reduction in taxable value OR any other percentage reduction in taxable value
  approved by the STC

A person receiving the extended exemption in MCL 211.7u(6) for up to 3 years due to receiving a fixed income is required to file an affidavit rescinding the exemption within 45 days of no longer being eligible for the exemption.

Local units that adopt a resolution to extend the poverty exemption for up to 3 years for those persons who receive a fixed income solely from public assistance or local units that carry the 2019/2020 granted poverty exemptions forward to 2021 must implement an audit program and if found ineligible, the person is subject to repayment of the taxes plus interest.

Local units may need to revise their guidelines, policies, etc to implement the changes in statute. This includes revised guidelines that remove any other calculation of the taxable value for approved poverty exemptions, i.e. formulas that take into consideration the homestead tax credit to calculate the property tax liability and revised TV based on that calculated tax liability. The guidelines may only provide for a full exemption equal to a 100% reduction in taxable value (TV of 0) or a partial exemption equal to a 25% reduction or 50% reduction in taxable value, or any other percentage reduction approved by the State Tax Commission.

PA 253 requires the State Tax Commission to issue a bulletin on how to develop and implement the audit program for the extended poverty exemption provisions in MCL 211.7u(6) and (8). The State Tax Commission will also be working to create the statutorily required poverty application form and other necessary forms and guidance.

## **MEMORANDUM**



**DATE:** March 3, 2021

TO: Tom Markus, City Manager

FROM: Jim Hock, Interim Assistant City Manager/HR Manager

**SUBJECT:** Elevator Repairs

#### **INTRODUCTION:**

The City of Birmingham has utilized the services of KONE Inc. for purposes of elevator maintenance in all of our buildings and parking structures since 2014. This contract was for a 3 year initial term with an option to renew for an additional three (3), one (1) year periods.

#### **BACKGROUND:**

In May of 2019, the City went to bid for these services however, never awarded the contract to the then low bidder who was again, KONE Inc. Since that time, the City has been operating on a month to month continuation of the existing contract.

The City is a member of BidNet Direct which is a governmental bidding cooperative purchasing group, and as recent as January 5, another member of the cooperative awarded an elevator maintenance contract to KONE Inc. If that bid is similar to our specifications, we can "piggyback" that agreement and receive the same financial consideration without another bid. If it is not close to our requirements, the City will again go out to bid for these services. Either way, staff will move the issue forward and prepare an agreement for your approval.

In August of 2020, extra services were contracted with KONE Inc. Billing for these services that we received in late October 2020 in the amount of \$9360 were never approved by the Commission. Then on February 17, 2021 we discovered that the motor for the east elevator in the Chester Street parking structure had failed. The City Manager authorized an emergency repair with KONE Inc.in the amount of \$11,611 on February 23, 2021. Attached is the October 21, 2020 billing and the emergency repair contract prepared by the City Attorney for your consideration.

#### **LEGAL REVIEW:**

The City Attorney has reviewed the KONE Inc. agreement regarding the repair and added an agreement she created to assure property and liability concerns are addressed as well.

#### **FISCAL IMPACT:**

These repairs are being charged to the Automobile Parking System, Chester Structure, Elevator Maintenance account # 585-538.008-930.0200.

#### **PUBLIC COMMUNICATIONS:**

None

#### **SUMMARY**

Both expenditures are in excess of \$6000 require the approval of the City Commission.

#### **ATTACHMENTS:**

- October 21, 2020 bill from KONE Inc. in the amount of \$9,360
- February 23, 2021 KONE Inc. Chester Street Parking Elevator Pump Motor
- City Attorney prepared agreement regarding Elevator Emergency Repair

#### **SUGGESTED RESOLUTION:**

Motion to approve the October 21, 2020 invoice in the amount of \$9,360 and approval of the City Manager authorized emergency repair of the Chester Street Parking structure elevator agreements in the amount of \$11,611.



One KONE Court Moline, IL 61265 Please do not send payments to this address

#### Repair Invoice

Invoice Date: 10/21/2020 Invoice Number: 1158057935 Contract Number: 341936597 Service Order: 322788208 Purchase Order: KONE

Customer Number: N209277 CITY OF BIRMINGHAM CARLOS JORGE 151 MARTIN ST

BIRMINGHAM MI 48009-3368

Customer Billing Address:

CITY OF BIRMINGHAM CARLOS JORGE 151 MARTIN ST **BIRMINGHAM MI 48009-3368** 

Per KONE proposal authorized by Tiffany Gunter on August 27th, 2020; KONE replaced the smoke detectors, cleaned the door locks, cleaned the hatchway, cleaned the door operator and equipment, and performed tests on the smoke detectors. Thank you for your business.

Total

Equipment No:

20223068

Equipment Address:

CITY OF BIRMINGHAM NORTH OLD WOODWARD PARKING STRUCTURE

333 N OLD WOODWARD BIRMINGHAM MI 48012

Price:

\$ 9.360.00

Amount Invoiced:

100%

\$ 9,360.00

Total

\$ 9,360.00

Thank you for your business.

https://kone.billtrust.com HPW SZD LXV

Payment Terms: Net 30

Please Pay Before: 11/20/2020

Late Payment Interest: 1.5%

Payment Options - please reference this invoice number

ACH

Make Payments Online Mail Check

Bank Name: CitiBank ABA Routing: 021000089

Account Name:

Account Number: 30915201 KONE Inc.

KONE CHICAGO P.O. BOX 734874

CHICAGO, IL 60673-4874

KONE DETROIT U190 11864 BELDEN CT LIVONIA, MI 48150-1459 Please do not send payments to this address

Telephone: +1 734-513-6944

www.KONE.us

KONE Inc. TAX ID 36-2357423

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#### Elevators Escalators

18:33

City of Birmingham 151 Martin Birmingham MI 48009

ATTN: Scott Grewe

Re: Chester Street Parking Elevator Pump Motor

KONE Inc. 11864 Belden Court Livonia, MI 48150 Tel (734) 513-6944 Fax (734) 513-6948 www.kone.com

kevin.strasser@kone.com

#### Description of Work

We propose to furnish and install the necessary labor, materials, tools and supervision to perform the following work on the one elevator located at Chester Street Parking

We responded to a service call and the mechanic found the motor for the elevator is bad. You can smell the burnt oil. , We have had something occur to the elevator possible power issue probably a surge, that has caused the elevator motor damage. To replace this motor we have to remove all the oil from the tank to access the motor which is under all this oil and remove the motor. Once the motor is removed and replaced we will install new oil in the tank. Once finished we will contact the State of Michigan elevator division and conduct a permit inspection which includes a full load test. This would be a two day project.

Price

Our total price to perform the above-mentioned work amounts to: \$11,611.00 (Eleven Thousand Six Hundred Eleven dollars).

Our price includes applicable labor, material and permit fees. This proposal is not binding on KONE until approved by an authorized KONE representative. Pricing is subject to KONE's attached Terms and Conditions for tendered repairs and, by signing below, Purchaser hereby agrees to these Terms and Conditions. Price is valid for 30 days from date of this proposal.

During the course of our work, should deficiencies, code violations, or other issues be discovered, we will promptly notify Purchaser and provide a separate quotation to correct these issues.

#### 1ª Payment

The above quoted price is based on a fifty percent (50%) 1\* Payment, due before commencement of proposed labor and material. Work shall not commence until applicable 1" Payment is received. The attached invoice will serve as a receipt for the 1st Payment provided.

ACCE	IATS	NCE:	The	for	regoing	Agre	ement :	is h	nerel	by
					duplica					
Rirming	ahan	1 - 2							•	

Respectfully submitted by, KONE Inc.

Kevin Strasser, senior sales executive

City of Birmingham Chester parking 18:33 Page 2 of 6	
(Print Name)	(Approved By) Authorized Representative
City Managar	
(Print Title)	Title
Date: 2 123 12021	Date://

## 1<sup>ST</sup> PAYMENT RECEIPT

Receipt #: мкокsт	Area Office: KONE Federal Tax ID #:			
Receipt Date:	Detroit 36 2357423			
Customer PO #:	190			
Bill To:	Project Location:			
	<project location="" name=""> <address> <city, st="" zip=""></city,></address></project>			
Per proposal dated <proposal date=""> and authorize</proposal>	ed by <authorized by=""> on <autorized< td=""></autorized<></authorized>			
DATE>, furnish and install <description of="" work="">.</description>				
Contract Price:				
1st Payment Amount Due:				
Sales Tax:				
Total 1 <sup>st</sup> Payment Amoயிர்.	n your payment.			
Payer:	Receipt #: MKOKST			
C	Date:			
	Customer #: Z04N10241029			
	rea Office #: 190			
Remit To:				
KONE Inc. 11864 Belden Court Livonia, MI 48150				

City of Birmingham Chester parking 18:33 Page 4 of 6

#### **TERMS AND CONDITIONS**

This proposal is subject to the following terms and conditions, all of which are hereby agreed to:

Purchaser agrees to pay the amount of any tax imposed by any existing law, or by any law enacted after the date of this Agreement, based upon the transfer, use, ownership or possession of the equipment involved in the services rendered herein. KONE reserves the right to discontinue our work at anytime until we have assurance, satisfactory to us, that payments will be made as agreed. Final payment shall become due and payable upon completion of the work described in this Agreement. Failure to pay any sum due to KONE within thirty (30) days of the invoice will be a material breach. A delinquent payment charge calculated at the rate of 1½ % per month, or if such rate is usurious then at the maximum rate under applicable law, shall be applied to the delinquent payments. In the event of default on the payment provisions herein, Purchaser agrees to pay, in addition to any defaulted amount, all attorney fees, collection cost or court costs in connection therewith. The machinery, implements and apparatus furnished hereunder remain KONE's personal property and KONE retains title thereto until final payment is made, with right to retake possession of the same at the cost of the Purchaser if default is made in any of the payments, irrespective of the manner of attachment to the realty, the acceptance of notes, or the sale, mortgage or lease of the premises.

The states requiring notice prior to filing a lien, this notice requirement is hereby complied with.

KONE shall not be liable for damage or delay caused directly or indirectly by accidents, embargoes, strikes, lockouts, work interruption or other labor dispute, fire, theft, floods, or any cause beyond KONE's control. Regardless of the type of delay, KONE shall not be liable for any indirect, consequential, or special damages including but not limited to fines, penalties, loss of profits, goodwill, business or loss of use of equipment or property.

Purchaser agrees to provide safe access to the equipment and machine room areas. Should conditions develop beyond KONE's control, making the building or premises in which KONE's personnel are working unsafe, KONE reserves the right to discontinue work until such unsafe conditions are corrected. Should damage occur to KONE's material or work on the premises, by fire, theft or otherwise, Purchaser shall compensate us therefore.

KONE undertakes to perform this work in conformity with the usual applied codes and standards, however, no guarantee can be made that all code violations or defects have been found. This work is not intended as a guarantee against failure or malfunction of equipment at any future time.

It is agreed and understood that KONE is not responsible for damages, either to the vertical transportation equipment or to the building, or for any personal injury or death, arising from or resulting from any code required safety tests performed on this equipment.

Nothing in this agreement shall be construed to mean that KONE assumes any liability of any nature whatsoever arising out of, relating to or in any way connected with the use or operation of the equipment described above. Purchaser shall be solely responsible for the use, repair and maintenance of the equipment and for taking such steps including but not limited to providing attendant personnel, warning signs and other controls necessary to ensure the safety of the user or safe operation of the equipment.

Neither KONE nor its affiliates, subsidiaries or divisions shall be responsible or liable for any damages, claims, suits, expenses and payments on account of or resulting from any injury, death or damage to property arising or resulting from the misuse, abuse or neglect of the equipment herein named or any other device covered by this contract.

Purchaser shall at all times and at Purchaser's own cost, maintain a commercial general liability policy covering bodily injury and property damage with the limits of liability Purchasers customarity carry (naming KONE as additional insured) arising out of the services provided under this Authorization and/or the ownership, maintenance, use or operation of the equipment described herein.

It is agreed and understood that Purchaser is solely responsible for ongoing maintenance and care of the equipment described above. IT IS EXPRESSLY UNDERSTOOD, IN CONSIDERATION OF OUR PERFORMANCE OF THIS WORK THAT PURCHASER ASSUMES ALL LIABILITY FOR THE USE, MAINTENANCE OR OPERATION OF THE EQUIPMENT DESCRIBED ABOVE AND FOR ANY INJURY, INCLUDING DEATH, TO ANY PERSON OR PERSONS AND FOR DAMAGE TO PROPERTY OR LOSS OF USE THEREOF, ON ACCOUNT OF OR RESULTING FROM THE PERFORMANCE OF THE WORK TO BE DONE HEREIN, AND AGREES TO THE EXTENT PERMITTED BY LAW TO DEFEND, INDEMNIFY AND HOLD HARMLESS KONE, ITS OFFICERS, DIRECTORS AND EMPLOYEES FROM ALL DAMAGES, CLAIMS, SUITS, EXPENSES AND PAYMENTS ON ACCOUNT OF OR RESULTING FROM ANY SUCH INJURY, DEATH OR DAMAGE TO PROPERTY, EXCEPT THAT RESULTING FROM THE SOLE NEGLIGENCE OF KONE INC. Purchaser hereby waives any and all rights of recovery, arising as a matter of law or otherwise, which Purchaser might now or hereafter have against KONE Inc.

KONE warrants the materials and workmanship of the equipment for 90 days after completion. Purchaser's remedy is limited to repair or replacement of a defective part, in KONE's sole discretion. The warranty is limited to the replacement or repair of the part itself, and excludes labor. In no event shall KONE be responsible for damage due to normal wear and tear, vandalism, abuse, misuse, neglect, work or repairs or modifications by others, or any other cause beyond the control of KONE. KONE disclaims any other warranty of any kind; either expressed or implied, including without limitation the implied warranties of merchantability or fitness for a particular purpose, or noninfringement.

Unless otherwise agreed, it is understood that the work shall be performed during regular working hours of regular working days of the elevator trade. If overtime work is mutually agreed upon and performed, the additional price, at KONE's usual rates for such work, shall be added to the contract price herein named.

It is expressly understood and agreed all prior agreements written or verbal regarding the subject matter herein are void and the acceptance of this Agreement shall constitute the contract for the material and work specified in this Agreement. Any changes to this Agreement must be made in writing and signed by both parties.

The terms and conditions set forth herein shall constitute the complete agreement for any work performed, AND shall prevail over and supersede any terms and conditions contained in any documents provided by the Purchaser.

The Purchaser does hereby agree the exclusive venue for any dispute between the parties shall be in the county of Rock Island, IL.

## AGREEMENT BETWEEN THE CITY OF BIRMINGHAM AND KONE ELEVATORS ESCALATORS FOR EMERGENCY REPAIR

AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_\_, 2021, by and between the City of Birmingham whose address is 151 Martin Street, Birmingham, Michigan (hereinafter referred to as the "City") and KONE Elevators Escalators, whose address is 11864 Belden Court, Livonia, MI, (hereinafter referred to as the "Contractor"), to-wit:

- 1. Contractor shall provide professional elevator repair services under this Agreement as set forth in the attached Proposal (Attachment A) dated February 22, 2021, which is incorporated into this Agreement. If there are conflicts between this Agreement and the Proposal, the terms of this Agreement shall control. Such services pertain to the elevator at the City's Chester Street Parking and include the replacement of the motor, removal of all oil from the tank to access the motor, removal of the damaged motor, replacement with a new motor and new oil in the tank. Contractor will contact the State of Michigan Elevator Division and conduct a permit inspection which will include a full load test.
- 2. Payment for professional services rendered under this Agreement shall be in an amount not to exceed Eleven Thousand Six Hundred Eleven and 00/100 Dollars (\$11,611.00). It is noted that said amount includes labor, material and permit fees. Travel expenses and all other costs are included in this fee. The City promises and agrees to pay said Contractor for all labor supplied and work performed under this Agreement. The City shall pay fifty percent (50%) of the amount due before commencement of Contractor's services. Once payment is provided, Contractor will commence work immediately and final payment will be due once the contracted services have been completed and passed inspection.
  - 3. Written notices regarding this Agreement shall be addressed to the following:

City:

City of Birmingham

P.O. Box 3001

Birmingham, Michigan 48012

Attn: City Engineer and City Clerk (one written copy to each)

Contractor:

**KONE Elevators Escalators** 

11864 Belden Court

Livonia, MI 48150

Attn: Kevin Strasser, Sr. Sales Executive

4. The City shall have the right to terminate this Agreement on ten (10) days written notice. In the event of termination, the Contractor shall receive compensation for services to the date the termination takes effect and the City shall be entitled to retain and use the results to the date the termination takes effect and the City shall be entitled to retain and use the results of all information, documents and recommendations prepared by the Contractor through such date.

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 considered 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. 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 their behalf against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers or others working on their behalf, 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.
- 12. The Contractor shall not commence work under this Agreement until it has, at its sole expense, obtained the insurance required by this paragraph. All certificates of insurance shall be with insurance carriers licensed and admitted to do business in the State of Michigan. All coverages shall be with insurance carriers acceptable to the City of Birmingham. The Contractor shall maintain during the life of this Agreement the types of insurance coverage and minimum limits as set forth below:
  - A. <u>Workers' Compensation Insurance</u>: 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. <u>Commercial General Liability Insurance</u>: 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. <u>Motor Vehicle Liability Insurance</u>: 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. <u>Additional Insured</u>: The Commercial General Liability and Motor Vehicle Liability, 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 employees and volunteers, all boards, commissions and/or authorities and board members including employees and volunteers thereof. This coverage shall be primary and any other insurance maintained by the additional insureds shall be considered to be excess and non-contributing with this insurance required from Contractor under this Section.
- E. <u>Professional Liability Insurance</u>: If Professional Liability Insurance is available, Professional Liability Insurance with limits of not less than \$2,000,000 per claim if Contractor will provide service that are customarily subject to this type of coverage.
- F. <u>Cancellation Notice</u>: Workers' Compensation Insurance, Commercial General Liability Insurance, Professional Liability Insurance and Motor Vehicle Liability Insurance 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: Director of Finance, City of Birmingham, P.O. Box 3001, 151 Martin Street, Birmingham, Michigan 48012.
- G. <u>Proof of Insurance Coverage</u>: Contractor shall provide the City at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City, 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;

- H. <u>Coverage Expiration</u>: If any of the above coverages expire during the term of this Agreement, Contractor shall deliver renewal certificates and/or policies to the City at least (10) days prior to the expiration date.
- 13. 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.
- 14. 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.
- 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.

16. The City shall be the owner of all drawings, reports, specifications and other documents prepared by the Contractor. Any modifications made to these documents by the City shall be clearly marked as such on the modified document. Any modifications made by the City without the prior written consent of the Contractor shall be at the City's sole risk and responsibility.

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.

·	CITY OF BIRMINGHAM
	By: Pierre Boutros Mayor
	By: Alexandria D. Bingham, City Clerk
KONE Elevators Escalators	
Ву:	
Its:	
Approved:	
Thomas M. Markus, City Manager (Approved as to substance)	Mary M., Kucharek, City Attorney (Approved as to form)
Mark A. Gerber, Director of Finance (Approved as to Financial Obligation)	

# City of Birmingham A Walkable Community

## **MEMORANDUM**

(Department Name)

**DATE:** March 3, 2021

TO: Thomas M. Markus, City Manager

FROM: Jim Hock, Assistant City Manager/HR Manager

**SUBJECT:** Continuation of COVID business relief

#### INTRODUCTION:

COVID-19 has continued to create economic struggles among the business and restaurant community in the City of Birmingham. The City Commission adopted various resolutions providing financial relief while society endures the impact of this coronavirus.

#### **BACKGROUND:**

April 1, 2020, the Commission adopted resolutions that provided the following measures for financial relief to Birmingham businesses:

- Waived fees for temporary signage / eliminate temporary signage permits.
- Waived field/park/shelter rental fees.
- Free on-street parking.
- Waived temporary structure permit fees and permit with Administrative Approval.
- Delay invoicing and collection of Special Assessment Payments.
- Waived penalties on delinquent water/sewer bills and special assessments/invoices rolled to taxes.
- Waived penalty on delinquent water/sewer bills.
- Waived annual fees for outdoor dining platforms.
- Waived fees for outdoor dining platform meter fees.
- Waived annual fees for valet licenses.
- Waived liquor license renewal fees.
- Waiving fees for pet licenses.
- Waived initial merchants License fee.

All of these provisions expired by January 1, 2021, except temporary signage expired earlier on September 8, 2020.

The following are still in effect until March 31, 2021:

Waived fees in parking structures for public.

- Waived fees for monthly permit parking holders.
- Continue the Off-Season Outdoor Dining Standards

Additionally, the Commission approved waiving e-check fees for online payments until June 30, 2021.

At this time staff proposes that the four resolutions set to expire on March 31, 2021 should be continued until June 30, 2021.

The Parking Advisory Committee met March 4, 2021 and unanimously adopted a motion to recommend to the City Commission that parking fees charged for monthly permit parking holders and all other fees in the parking structures should continue until June 30, 2021. These minutes will be provided when they become available.

Attached are proposed resolutions for the Commission's consideration that would accomplish this continued support of the businesses and restaurants in the City. One provision that has been added at the recommendation of both the Building and Planning Departments is a provision that states anyone requesting to keep their outdoor dining or enclosures after March 31, 2021 shall reapply for a new permit so that we can update the expiration date formally and deal with any issues that have cropped up.

#### **LEGAL REVIEW:**

#### FISCAL IMPACT:

The Parking Fund had a year-end FY 19/20 Fund Balance of \$20,383,867. With an annual operating expenditure of approximately \$6M the fund has a fund balance of 315%. As a result of the initial Commission action providing financial relief to the business community, the parking decks have not received much revenue since March 2020. During our current fiscal year, street meter collections have resumed and are currently at about 50% compared to the prior fiscal year. At this time, Deputy Police Chief Scott Grewe estimates that the current use of the Parking garages are between 20% - 40% of our historical levels. Thus, even if we were charging customers, there would be a significant reduction in revenue. Although this proposed relief would affect revenues, the fund can absorb this loss and still meet the capital improvement goals established this fiscal year.

#### **PUBLIC COMMUNICATIONS:**

None

#### SUMMARY:

COVID-19 has resulted in severe economic loss to the Birmingham downtown restaurant and business community. The severity of the pandemic has lasted longer than anticipated resulting in the expiration of resolutions designed to provide financial relief due to the resulting loss of business income. The administration proposes a continuation

of this relief in the form of continued no fee charge for parking in the structures until June 30, 2021 along with continued easing of restrictions on outdoor dining and signage. It is expected that full fees will be reinstated effective July 1, 2021.

#### **ATTACHMENTS:**

- February 23, 2021 APC communication from Commander Grewe
- PAC unofficial minutes of 3-3-21
- 2/28/21 Parking Fund Revenues
- Revised resolution on Temporary Signage regulations
- Revised resolution on Off-Season Outdoor Dining regulations

#### SUGGESTED RESOLUTION:

Motion to approve the following resolutions:

- Continue the Revised Temporary Signage Regulations due to COVID-19
- Continue the Revised Temporary COVID-19 Off-Season Outdoor Dining Standards and to waive parking fees charged for monthly permit parking holders and all other fees in all parking structures until June 30, 2021. All parking fees including but not limited to monthly permit parking fees and gate fees shall assume effective July 1, 2021



### **MEMORANDUM**

**Police Department** 

**DATE:** February 23, 2021

TO: Advisory Parking Committee

FROM: Scott Grewe, Operations Commander

**SUBJECT:** Payments for Structure Parking

#### INTRODUCTION:

By previous resolution on December 7, 2020, the City Commission, as recommended by the Advisory Parking Committee (APC), passed a recommendation that all parking in the City's (5) parking structures would be free through March 31, 2021. As this date approaches, the City must re-evaluate the status of the free parking initiative.

#### **BACKGROUND:**

In response to the Covid-19 pandemic, the City instituted free parking for all (5) parking decks as a relief effort to support local businesses and restaurants that was effective April 1, 2020 and currently in place through March 31, 2021.

Staff is recommending the extension of the current free parking initiative through June 30, 2021. Additionally, that the City will resume charging for parking in the structures July 1, 2021.

#### FISCAL IMPACT:

During the week of February 8<sup>th</sup>, the Police Department did a physical count of vehicles using the parking structures at three times throughout the day. These counts were conducted at 10am, 1pm and 6pm Monday through Friday. Peak usage was seen at the 1pm count and the average number of parked cars for the week at each structure during this time are listed below:

Pierce – 430 Chester – 158 N.O.W. – 248 Peabody – 215 Park – 290

The total number of parking spaces in all five structures is 3,579. Based on the above averages, the current usage is 37% of full capacity.

To estimate the amount of loss revenue to extend free parking through April, May and June staff compared revenue in 2019 as free parking was already in place in 2020. In 2019, for the same period, \$687,591 was collected from permits and \$802,731 from transient parkers. While parking was in high demand in 2019 and most structures were near capacity, there is no record to indicate at what percentage for comparison purposes.

Based on the usage count conducted by the police department, and assuming similar usage between permit and transient parkers, 37% of the amount collected from transient parkers for the three month period would be \$297,010. 100% of permit fees will be collected as their fees are not based on usage. This results in approximately \$984,601 loss revenue for the three month extension.

To estimate the expenses for SP+'s management of the structures during this three month extension, staff reviewed the previous three months costs (November, December and January). The total of \$130,827 was paid by the City to SP+ to cover expenses in excess of any revenue.

#### **SUMMARY:**

Due to the Covid-19 Pandemic, the City instituted free parking in all structures begging on April 1, 2020. In August, the City Commission passed a resolution to continue free parking through the end of 2020 and in December, passed another resolution to extend free parking through March 31, 2021. Staff is recommending free parking be extended through June 30, 2021 and payments be reinstated starting July 1, 2021

#### SUGGESTED RECOMMENDATION:

To approve the continuation of free parking in all structures through June 30, 2021 and to resume charging for parking in the structures on July 1, 2021.

#### City of Birmingham Advisory Parking Committee Regular Meeting

#### **Minutes**

These are <u>unapproved partial</u> minutes of the Advisory Parking Committee ("APC") regular meeting held on Wednesday, March 3, 2020. The meeting was called to order at 7:30 a.m. by Chair Al Vaitas.

#### **Free Parking Extension**

Ops. Cmdr. Grewe presented the item.

Mr. Kalczynski asked if the City had considered temporarily closing some of the parking structures and leaving some open, or if the City had considered charging for Pierce since it is the most frequently used structure and leaving the other structures with complimentary parking for the time being.

Ops. Cmdr. Grewe said that even though the structures were being used less frequently, they were all being used equally, making both of the aforementioned options potentially unfair in his estimation.

Mr. Astrein estimated that daytime traffic around the City's downtown, including foot traffic, parking, and going to businesses or restaurants, is at about 65%. He noted that on-street parking is generally available right now, which also indicates the current lower demand on parking.

Motion by Mr. Kalczynski

Seconded by Mr. Black to approve the continuation of free parking in all structures June 30, 2021 and to resume charging for parking in the structures on July 1, 2021.

**ROLL CALL VOTE:** 

Yeas: Kalczynski, Black, Silverman, Vaitas, Petcoff, Yert, Astrein

Nays: None

03/04/2021 09:52 AM

Fund 585 - AUTOMOBILE PARKING SYSTEM:

TOTAL REVENUES

#### REVENUE REPORT

1/1

Page:

User: MGerber
DB: Birmingham PERIOD ENDING 02/28/2021

2020-21 YTD BALANCE YTD BALANCE GL NUMBER DESCRIPTION AMENDED BUDGET 02/28/2021 02/29/2020 Fund 585 - AUTOMOBILE PARKING SYSTEM Revenues CHARGES FOR SERVICES 585-000.000-612.0001 DECK 1 - PIERCE 1,000,000.00 48,619.00 753,116.10 DECK 3 - PARK
DECK 4 - PEABODY 585-000.000-612.0002 1,250,000.00 87,528.62 756,760.03 585-000.000-612.0003 800,000.00 50,132.02 465,074.66 DECK 5 - NORTH WOODWARD 585-000.000-612.0004 850,000.00 41,965.00 625,359.03 585-000.000-612.0007 DECK 8 - CHESTER 1,250,000.00 65,894.00 593,648.10 585-000.000-612.0009 METER COLLECTIONS COIN 925,000.00 311,511.67 633,402.85 310,000.00 LOT 6 PERMIT FEES (1,275.43)585-000.000-612.0010 175,786.17 585-000.000-612.0012 METER CARD COLLECTIONS 0.00 0.00 (28.50)585-000.000-612.0013 VALET PARKING FEES 55,000.00 4,592.00 5,650.00 41,000.00 13,543.00 585-000.000-612.0015 METER BAG RENTAL FEES 26,034.00 585-000.000-612.0016 PARKMOBILE MONTHLY REVENUE 717,440.00 287,178.80 458,289.55 585-000.000-612.0017 PARKMOBILE ANNUAL REVENUE 10,500.00 9,153.36 10,336.38 585-000.000-612.0018 PREPAID PARKING IN CARD 500.00 0.00 315.00 585-000.000-612.0019 METER REVENUES - CREDIT CARD 497,500.00 159,158.11 313,496.26 585-000.000-613.0000 OUTDOOR DINING PLATFORM F 40,000.00 0.00 44,460.00 CHARGES FOR SERVICES 7,746,940.00 1,078,000.15 4,861,699.63 INTEREST AND RENT 137,791.74 585-000.000-664.0000 INVESTMENT INCOME 340,550.00 219,181.17 585-000.000-666.0003 OTHER INTEREST INCOME 0.00 0.00 1,067.34 INTEREST AND RENT 340,550.00 137,791.74 220,248.51 OTHER REVENUE 585-000.000-684.0001 320 MARTIN PARKING REIMBURSEMEN' 0.00 30,282.00 0.00 30,282.00 0.00 OTHER REVENUE 1,246,073.89 8,087,490.00 5,081,948.14 TOTAL REVENUES

8,087,490.00

1,246,073.89

5,081,948.14

RESOLUTION #
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#### **REVISED TEMPORARY SIGNAGE REGULATIONS DUE TO COVID-19**

WHEREAS the novel coronavirus (COVID-19) is a respiratory disease that is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person;

WHEREAS the spread of COVID-19 has resulted in the State of Michigan declaring a State of Emergency under Section 1 of Article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, and the Emergency Powers of the Governor Act, 1945 PA 302, as amended, as evidenced in Executive Order 2020-4:

WHEREAS the City of Birmingham has activated their Emergency Operation Center to respond to the COVID-19 pandemic;

WHEREAS the City of Birmingham is committed to encouraging economic activity and assisting local businesses impacted by the COVID-19 pandemic to ease back into operation while containing the spread of COVID-19;

WHEREAS the City of Birmingham wishes to ensure that establishments permitted to open to the public have the ability to accommodate social distancing guidelines currently in force within the State of Michigan;

NOW THEREFORE BE IT RESOLVED, all retail and commercial businesses in existence as of the date of this resolution that hold a valid Business License with the City of Birmingham will be permitted to post temporary signage relating to hours of operation, pick-up and delivery services and specials offered during the COVID-19 pandemic. Temporary Sign Permits shall not be required for such signage through September 8, 2020, July 1, 2021 if the following requirements are met:

- 1. Total Temporary signage may not exceed the lesser of 100 square feet in size or 25% of the storefront width:
- 2. Signage required under Executive Orders issued by the Governor does not count toward the total temporary signage amount permitted;
- 3. No signage may be placed so as to obstruct a minimum 6' wide pedestrian path on public property to allow safe access to each business and safe travel in the public right-of-way;
- 4. No signage may be placed so as to obstruct a minimum 3' of width for clear and unobstructed ingress and egress to all required entrances/exits.

BE IT FURTHER RESOLVED, that the City of Birmingham will waive all application fees, license and/or rental fees for the temporary use of public or private property outdoors permitted by this resolution.

BE IT FURTHER RESOLVED, Except as herein specifically provided, all ordinances of the City of Birmingham in effect at the time of the issuance of this resolution, and as they may be subsequently amended, shall remain in effect. Failure to comply with all the ordinances of the City may result in enforcement action and/or termination of an existing Special Land Use Permit.

I, Alexandria Bingham, City Clerk Designee, of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on March 8, 2021.

\_\_\_\_\_

Alexandria Bingham, City Clerk Designee

# RESOLUTION # \_\_\_\_\_ REVISED TEMPORARY COVID-19 OFF-SEASON OUTDOOR DINING STANDARDS

WHEREAS the novel coronavirus (COVID-19) is a respiratory disease that is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person;

WHEREAS the spread of COVID-19 has resulted in the State of Michigan declaring a State of Emergency under Section 1 of Article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, and the Emergency Powers of the Governor Act, 1945 PA 302, as amended, as evidenced in Executive Order 2020-99;

WHEREAS the City of Birmingham has activated their Emergency Operation Center to respond to the COVID-19 pandemic;

WHEREAS the City of Birmingham is committed to encouraging economic activity and assisting local businesses impacted by the COVID-19 pandemic to ease back into operation while containing the spread of COVID-19;

WHEREAS it is the intent of the City of Birmingham to assist establishments permitted to open to the public to expand into outdoor space to allow for the provision of the number of seats previously approved for their operation while also accommodating social distancing guidelines currently in force within the State of Michigan;

WHEREAS it is the intent of the City of Birmingham to continue to provide expanded outdoor dining options to assist food and drink establishments to navigate the challenges of the pandemic throughout the fall and winter months the Spring while also accommodating social distancing guidelines;

NOW THEREFORE BE IT RESOLVED, all food and drink establishments in existence as of October 1, 2020 March 31, 2021 will be permitted to operate off-season outdoor dining areas in accordance with the following Temporary COVID-19 standards from October 1, 2020 through March 31, 2021 March 31, 2021 through June 30, 2021:

- 1. Establishments may add new outdoor dining areas or expand previously approved outdoor dining areas in order to add additional seating to compensate for lost interior seating as a result of COVID-19 related restrictions to accommodate social distancing and/or to allow for phased reopening;
- The number of seats to be removed from the interior of the restaurant due to health guidelines is the maximum number that each establishment shall be permitted to add outdoors in the public right-of-way on the sidewalk, in the onstreet parking zone, in a via and / or on private property;
- 3. Outdoor dining areas must commence adjacent to the establishment in accordance with Michigan Liquor Control Commission standards, and may extend out in front of neighboring establishments, or on abutting private property

(with consent of the owner), as space permits;

- 4. Outdoor dining areas permitted temporarily in the off-season from October 1, 2020 through March 31, 2021 under this resolution may include the use of tents, coverings or other temporary structures with side enclosures to provide protection from the weather for the entire period that this resolution remains in effect;
- All structures proposed temporarily during the off-season to enclose outdoor dining areas must meet all of the requirements listed in Exhibit A, and must be constructed and inspected under a valid building permit;
- 6. If a food and drink establishment is unable to provide or expand outdoor dining into the public right-of-way on the sidewalk, in the on-street parking zone, in a via or on private property and / or is unable to meet requirements (1) through (4) above in these locations, the City may permit other options for outdoor dining on a case by case basis if unique or mitigating circumstances exist.
- 7. All establishments seeking temporary changes in accordance with this resolution must obtain a building permit for all enclosure structures and submit an Administrative Approval application to the Planning Division, and include the following documents;
  - i) A plan view of the proposed outdoor dining area showing all fixtures and furnishings with all distances clearly marked for pedestrian paths and between seating;
  - ii) Proof of insurance to include coverage of the existing outdoor dining area and the area proposed for expansion; and
  - iii) A temporary license agreement, if located on public property. iv) Documentation of any indoor heating equipment.

BE IT FURTHER RESOLVED, that all existing and expanded outdoor dining areas with or without enclosure structures on both public and private property are required to alter the design and layout of tables, chairs, fixtures and enclosure systems to meet social distancing guidelines in effect and contain the spread of COVID19 as follows:

- 1. Reconfigure the layout of the entire outdoor dining area, to the maximum extent practical, to provide a minimum 6' clear pedestrian walking path adjacent to the dining area;
- 2. Reconfigure tables and chairs to allow seating for patrons only in accordance with social distancing guidelines in effect;
- 3. Remove all previously approved chairs and other seating that does not meet social distancing guidelines;
- 4. Install temporary signage to encourage compliance with social distancing guidelines;
- 5. Provide a temporary hand sanitizing station adjacent to the outdoor dining area; and
- 6. Provide a temporary service station outdoors that includes a trash receptacle and disinfecting wipes or other supplies for the cleaning of tables and chairs between patrons and of high touch points in the outdoor dining area.

BE IT FURTHER RESOLVED, that the City of Birmingham will waive all application fees, permit fees, license and rental fees for the expanded portion of the outdoor dining area, any structures used to cover or enclose such outdoor dining areas permitted by this resolution, and any fees relating to the use of both on street and off street right-of-ways and City owned property.

BE IT FURTHER RESOLVED, Except as herein specifically provided, all ordinances of the City of Birmingham in effect at the time of the issuance of this resolution, and as they may be subsequently amended, shall remain in force. Failure to comply with all Federal and State laws and regulations and the ordinances of the City may result in enforcement action and/or termination of an existing Special Land Use Permit.

I, Alexandria Bingham, City Clerk Designee, of the City of Birmingham, Michigan, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Birmingham City Commission at its regular meeting held on <a href="March 8, 2021">March 8, 2021</a>.

Alexandria	Bingham,	City	Clerk	Designee

# Exhibit A Requirements for all Temporary Off-Season Outdoor Dining Tents and Structures

- > Detailed plans and specifications shall be submitted for review and approval by the Fire and Community Development Departments.
- > The tent/structure must be inspected and approved prior to use.
- ➤ All tents/structures must be flame resistant with certificate on site. ➤ Tents/structures

must be properly anchored for the weather conditions, no stakes allowed.

- ➤ Aisles inside of tents/structures shall have a minimum width of 36 inches for up to 10 occupants and 44 inches for over 10 occupants.
- ➤ Clear Fire Department access must be maintained around all tents and temporary structures.
- > Tents/structures may not obstruct fire hydrants or fire sprinkler connections on buildings.
- ➤ No smoking is permitted in any tent/structure. Signs are to be posted.
- ➤ No open flame or other devices emitting flame, or fire are permitted in any tents/structures. Cooking devices shall not be permitted within 20 feet of the tents/structures.
- ➤ All cords, hoses, etc. shall be matted to eliminate trip hazards.
- > All exit openings shall be egress compliant.
  - ✓ Curtains shall be free sliding on a metal support not less than 80 inches above floor level. The curtain shall be arranged so when open, no part of the curtain obstructs the exit. Curtains shall be of color, or colors, that contrasts with the color of the tent/structure.
  - ✓ Doors shall swing in the direction of egress with an opening force not to exceed 15 pounds.
- > Exits must be clearly marked within tents/structures.
  - > Two means of egress shall be provided for an occupant load of 10 to 199 people, with a minimum egress width of 72 inches for tents, 36 inches for membrane structures.
- > Exits shall be spaced at approximately equal intervals around the perimeter of the structure.
- > The means of egress shall be illuminated at all times.

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- ➤ Heating equipment must be listed and approved for indoor use, and comply with the International Fire Code, International Fuel Gas Code, the International Mechanical Code, and shall be approved by the Fire Marshal and Mechanical Inspector. Documentation must be submitted for review and approval.
- > Heating equipment shall not be located within 10 feet of exits and must be installed per the manufacturer's recommendations including clearance to combustibles.
- > LP-Gas cannot be stored inside the tent/structure or adjacent buildings.

- > Portable fire extinguishers with a minimum rating of 2A, 10BC shall be installed inside all tent/structures.
- > Carbon Monoxide detectors shall be installed in all tents/structures.
- ➤ All businesses that had permits until March 31,2021 must reapply for their permit for the period between March 31, 2021 and June 30, 2021.



### **MEMORANDUM**

**Planning Division** 

DATE: March 3, 2021

TO: Thomas M. Markus, City Manager

FROM: Jana L. Ecker, Planning Director

SUBJECT: Temporary COVID-19 Outdoor Dining Resolution

Please find attached a letter received from a resident on February 25, 2021, opposing the expansion of outdoor dining areas in the public right-of-way that extend across adjacent business frontages without the approval of adjacent property owners. Regulations regarding the expansion of outdoor dining areas during the current pandemic is summarized below.

On May 11, 2020, the City Commission adopted several resolutions to provide temporary assistance to business owners navigating the COVID-19 Pandemic, business closures, capacity limitations and social distancing guidelines. The City approved the waiver of many fees, made changes to existing policies to assist businesses, and adopted temporary resolutions to allow for expanded outdoor dining and temporary uses outdoors through September 8, 2020. Under the Temporary COVID-19 Outdoor Dining Standards Resolution adopted on May 11, 2020, food and drink establishments were permitted to expand previously approved outdoor dining areas by doubling their size (at a maximum) in order to offer additional outdoor dining seats and to allow seating to be spaced out to meet social distancing guidelines in effect. This resolution permitted the expansion of outdoor dining areas on public property in front of adjacent businesses without approval of the adjacent business or property owners, but limited the total area of any such expansions.

On August 24, 2020, the City Commission rescinded the previous Temporary COVID-19 Outdoor Dining Standards Resolution adopted and approved an Updated Temporary COVID-19 Outdoor Dining Standards Resolution. This updated resolution permitted food and drink establishments to potentially expand the size of outdoor dining areas further, by eliminating the maximum size restriction for outdoor dining area expansion, but instead regulating the number of outdoor dining seats in relation to the number of interior dining seats lost as a result of indoor capacity restrictions. The updated resolution thus permitted food and drink establishments to expand their outdoor dining areas to accommodate the originally approved number of outdoor dining seats plus the number of seats lost inside the restaurant to interior capacity restrictions.

The August 24, 2020 updated resolution was drafted in response to changing conditions and regulations related to the ongoing pandemic, both from Governor Whitmer's office as well as the Michigan Liquor Licensing Commission, and to assist restaurants to navigate the challenging and constantly changing environment. This updated resolution continued to permit food and drink establishments to extend outdoor dining areas on public property in front of adjacent businesses without the approval of any adjacent business or property owner(s). The total area of such

expansions of outdoor dining however, was no longer limited to double the size of the originally approved outdoor dining area, but was permitted to expand down an entire street if space permitted so long as only the number of interior seats lost due to capacity restrictions were added outdoors. The approval of the City was required for the use of public property, but the approval of adjacent business and/or property owners was not, and still is not, required. However, if an expanded outdoor dining area is proposed on private property, the approval of the private property owner would be required.

Should the City Commission wish to require the approval of adjacent business and/or property owners with storefronts abutting public property temporarily proposed for use as an outdoor dining area, this provision could be added to an amended resolution. However, this requirement would be applied only for new outdoor dining applications submitted in the future.

#### FULLER CENTRAL PARK PROPERTIES, L.L.C.

I 12 PEABODY STREET BIRMINGHAM, MICHIGAN 48009-6329

.

(248) 642-0024 FAX (248) 642-0136

February 25, 2021

Mr. Tom Marcus City Manager CITY OF BIRMINGHAM 151 Martin Street Birmingham, MI 48009

Dear Tom:

I would like to express my concern regarding the encroachment and use of adjacent business frontage.

By allowing dining tables to be set up in the street in front of the neighboring business, you may help one business at the expense of the other. I believe this encroachment should only be permitted if the adjacent property is in agreement.

Sincerely,

Edward A. Fuller



#### Alex Bingham <abingham@bhamgov.org>

### Documents for agenda and public comment

**King Khii** <hollandcustody@gmail.com>
To: Alex Bingham <abingham@bhamgov.org>

Wed, Mar 3, 2021 at 12:03 PM

Hi

I'm just going to send these documents so one can say I missed the deadline.

If I was Stuart Sherman, I would resign immediately, he was already had his law license suspended for fraud.

This time it's much more serious, if I was your mayor and other elective officials, I would distant myself from him.

I have the evidence to prove these crimes, he is refusing to cooperate with either of these investigations.

Take care

Cory "King" Holland Sr

Authority: Completion Acts 453 and 220, P.A. of 1976, as amended.

Completion: Required Penalty: Allegation

Allegations of unlawful discrimination cannot be investigated without a sworn complaint.

# STATE OF MICHIGAN DEPARTMENT OF CIVIL RIGHTS

COMPLAINT

MDCR#	609520	
FED.#		

Cory Holland	RESPONDENT Stuart Sherman/KMS Holding
ADDRESS	ADDRESS
TELEPHONE	TELEPHONE
Area of Discrimination: Housing	Date of Discrimination: December 27, 2019

Statement of Alleged Discrimination:

I am a person with a disability and believe that I was evicted by the respondent due to my disability.

I signed a lease agreement with the respondent in 2013 to lease a unit at 905 East Mapledale Ave, Hazel Park, Michigan 48030.

#### Eviction 12/27/2019 Disability

On or about December 27, 2019, I was evicted from my home by the respondent. I believe the respondent used my vision impairment as a means to have me sign a fake lease agreement. Respondent is aware that I am disabled and I believe I was evicted based on my disability.

This complaint is based on the following Law: Michigan Persons with Disabilities Act No. 220, Public Acts of 1976, as amended Title VIII, US Fair Housing Civil Rights Act of 1968, as amended

This complaint is filed in good faith and not for the purpose of harassment.

I swear or affirm that I have read the above complaint and that to the best of my knowledge, information and belief. I have not the department of all other civil or criminal actions pending w	tified This 2 M day of MM ,2004
to the allegations in this complaint.	th regard at 3/8 John Red Trong, Michigan.
SIGNATURE OF CHARGING PARTY/CLAIMANT	NOTARY PUBLIC COUNTY OF MACOMA
	My Commission Expres December 26, 2021
Complaint taken by: Sonya Merriweather	Adjoin the County County Scientissioned in MACOMB County.
R405(Rev. 04-05)	M. M

I disagree with the determination made on my claim for Supplemental Security Income benefits because I DISAGREE WITH DETERMINATION BECAUSE I NEVER GOT THE MONEY FROM JANUARY 2019-APRIL 2019, I HAD REPRESENTATIVE PAYYEE NAMED STUART SHERMAN WHO USED A FAKE LEASE HE CREATED IN MARCH OF 2019, AND FRAUDULENTLY PUT ON THE LEASE THE YEAR 2017, AND FAKE RENT OF 875 A MONTH. STUART DID THIS CAUSE SOCIAL SECURITY WOULD NOT RELEASE ALL MY MONEY AND SOCIAL SECURITY HAD BEEN REQUESTING A LEASE SINCE JANUARY 2019. STUART KNEW WE DID NOT HAVE A LEASE BETWEEN US, BUT HE WAS DESPERATE TO GET MY BENEFITS AND BACKPAY FOR HIMSELF, SO HE INTENTIONALLY HAD ME SIGN A FAKE DOCUMENT TO GET THE FUNDS, STUART WAS FULLY AWARE I AM VISIUALY IMPAIRED, SO WHEN HE ASK ME TO SIGN THE DOCUMENTS AT THE CLAWSON SOCIAL SECURITY OFFICE, HE WAS INTENDING TO COMMIT FRAUD IN ORDER TO GET MY BENEFITS. THE OVERPAYMENTS, STUART WOULD NOT GIVE ME THE MONEY I ARGUE WITH HIM THRU TEXTMESSAGES, HE WOULD ALWAYS SAY HE WAS COMING TO DROP OFF MONEY, BUT NEVER SHOW OR MAKE EXCUSES WHY HE NEEDED THE MONEY. SO AFTER FIGHTING WITH HIM TO GET MY BENEFITS THAT WERE BEING SENT TO HIS HOME AND DEPOSITED INTO HIS BANK ACCOUNT, I DECIDED TO FIRE HIM FOR NOT GIVING ME MY BENEFITS. AROUND MARCH 2019 I WENT TO THE CLAWSON SOCIAL SECURITY OFFICE AND TOLD THEM MY PAYYEE IS NOT GIVING ME MY BENEFITS. AROUND MARCH 2019 I WENT TO THE CLAWSON SOCIAL SECURITY OFFICE ANDTOLD THEM MY PAYYEE IS NOT GIVING ME MY MONEY. THEY INTERVIEWED ME AND DECIDED THAT BECAUSE I HAD ASSISTED DEVICE, I NO LONGER NEEDED A PAYYEE, AND THEY MADE ME MY OWN PAYYEE. THEY HELPED ME ORDER A DEBIT EXPRESS CARD AND IT WAS ONLY WHEN FUNDS WERE PLACED ON MY DEBIT EXPRESS CARD, I HAD ACCESS TO MY SOCIAL SECURITY BENEFITS. I DID EVERYTHING RIGHT, WHEN I WAS NOT GETTING MY MONEY FROMPAYYEE, I NOTIFIED MY S S OFFICE AT THE TIME IMMEDIATELY, QUICK ACTIO WAS TAKING TO REMOVE THE PAYYEE. A FEW MONTHS LATER I LEARNED THE DOCUMENTS THAT PAYYEE HAD ME SIGN AT THE SOCIAL SECURITY OFFICE WAS FAKE, CAUSE HE TOOK THE SAME FAKE DOCUMENTS AND USED IT IN STATE COURT, OBTAIN AROUND 10,000\$. NOW HE IS UNDER INVESTIGATION BY STATE, I WAS FRAUDED BY A TRUSTED PARTY, SHOULD NOT BE PUNISHED FOR IT.

I do not have a representative.

I understand that an Administrative Law Judge of the Office of Disability Adjudication and Review will be appointed to conduct the hearing or other proceedings in my case. I also understand that the Administrative Law Judge will send me notice of the time and place of a hearing at least 75 days before the date set for a hearing.

### Stuart Lee Sherman, P.C.

Stuart Lee Sherman Attorney & Counselor

Phone: (248) 631-4965 Fax: (248) 850-5913 stuart.sherman@sbcglobal.net

August 24, 2020

Ms. Sonya Merriweather Civil Rights Investigator Michigan Department of Civil Rights 350 Ottawa NW, 4<sup>th</sup> Floor Grand Rapids, Michigan 49503

**RE: IN RE CORY HOLLAND** 

Dear Ms. Merriweather:

We are in receipt of your letter dated June 23, 2020 and received via email on August 4, 2020. Attached to this letter is the response previously submitted to the Attorney Grievance Commission as a result of a complaint filed with them relating to the same circumstances. Mr. Holland was evicted because he failed to pay the rent, and even after working with him, he refused to pay rent when due. No more, no less. Mr. Holland is a master manipulator who, through a series of lies and deception, remained in the property located at 905 East Mapledale in Hazel Park for a number of years without paying the rent as he promised to do. For him to now claim that he was discriminated against is at best disingenuous, and at worst an out and out lie.

In response to your request for information:

- 1. You may communicate with KMS Holding Company, LLC through the undersigned at this address and phone number.
- 2. You may communicate with KMS Holding Company, LLC through the undersigned at this address and phone number.
- 3. This matter has already been adjudicated and found that Mr. Holland signed a lease prior to his accident in which he now claims to have a vision impairment. He was evicted for failure to pay rent. Mr. Holland has already filed multiple police reports with both the Hazel Park and Madison Heights Police Departments. He has filed numerous pleadings and requests for rehearing in three separate eviction proceedings. He has demanded that the judge be recused after the cases were concluded. Further, he filed a grievance with the Michigan Attorney Grievance Commission. He has lost each and every time as each has determined that his veracity was suspect. He is fully aware that this complaint was not filed "in good faith" as is required but instead was done for the sole purpose of harassment.
- 4. KMS Holding Company, LLC does not have a specific written policy as it is a closely held LLC. KMS Holding Company, LLC follows State of Michigan and Federal Laws regarding discrimination and expressly prohibits discrimination based upon race, color, sex, age, disability, sexual orientation and family status.
- 5. KMS Holding Company, LLC receives Section 8 funding for one single family home.
- 6. 905 East Mapledale, Hazel Park, Michigan is a single family residence.

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### Stuart Lee Sherman, P.C.

Ms. Sonya Merriweather August 24, 2020 Page 2

- 7. The property was not owned by KMS Holding Company, LLC before March, 1991, so we have no knowledge as to its status at that time.
- 8. The Leases are attached as part of the exhibits to the response made pursuant to the request by the Attorney Grievance Commission.
- 9. KMS Holding Company, LLC has no employees.
- 10. The property is a single family residence and not a senior or disabled community.
- 11. Cory Holland was evicted for failure to pay the rent over many, many months. Attached are the pleadings from the three eviction proceedings. No other tenants have received 7 day notices as they all pay their rent.
- 12. The undersigned made the determination to issue the eviction notice to Cory Holland.
- 13. No other residents have been evicted during the time period stated. All other residents have paid their rent.
- 14. The maintenance policy is contained in the Lease Agreements included in the exhibits to the response made pursuant to the request by the Attorney Grievance Commission.
- 15. See the pleadings contained in the exhibits to the response made pursuant to the request by the Attorney Grievance Commission. Cory Hollands "complaints" are contained therein.
- 16. KMS Holding Company, LLC did not receive an inspection report from the City of Detroit Housing Inspector.
- 17. KMS Holding Company, LLC utilizes the services of a licensed real estate agent to procure tenants. Tenants are required to complete an application. References are checked to confirm that the tenant is employed (if tenant states they are) and previous landlords are contacted, if applicable. Further, credit is checked. KMS Holding Company, LLC does not meet with or speak with a tenant prior to the lease being signed. Most tenants have remained in KMS Holding Company, LLC properties for many, many years without issue.
- 18. See introductory paragraph for response along with the response to the Attorney Grievance Commission and its exhibits. Further, I would request that perjury charges be brought against Mr. Holland for filing a false complaint as his complaint was not filed in good faith but instead filed for the sole purpose of harassment.

If you have any questions, please call me. I trust that you will reach the same conclusion reached by the Hazel Park Police Department, the Madison Heights Police Department, the Attorney Grievance Commission, Honorable Keith Hunt and Honorable Joseph Longo and dismiss this complaint for what it is, blatant harassment.

Very truly yours,

STUART LEE SHERMAN, P.C.

Stuart Lee Sherman

MICHAEL V. GOETZ GRIEVANCE ADMINISTRATOR ROBERT E. EDICK DEPUTY ADMINISTRATOR

CYNTHIA C. BULLINGTON ASSISTANT DEPUTY ADMINISTRATOR

STATE OF MICHIGAN

ATTORNEY GRIEVANCE COMMISSION

ASSOCIATE COUNSEL

RHONDA SPENCER POZEHL
EMILY A. DOWNEY
KIMBERLY L. UHURU
DINA P. DAJANI
JOHN K. BURGESS
CHARISE L. ANDERSON
SARAH C. LINDSEY
JORDAN D. PATERRA
NATHAN C. PITLUK
MICHAEL K. MAZUR
CRAIG O. PAVLOCK

BUHL BUILDING 535 GRISWOLD, SUITE 1700 DETROIT, MICHIGAN 48226 TELEPHONE (313) 961-6585 WWW.AGCMI.ORG

February 5, 2020

#### PERSONAL AND CONFIDENTIAL

Cory D. Holland 905 East Mapledale Ave. Hazel Park, MI 48030

RE:

Cory Holland as to Stuart Sherman

AGC File No. 19-2502

Dear Mr. Holland:

The Commission is authorized to investigate and when necessary prosecute charges of attorney misconduct. After preliminary investigation and careful review of the materials in this file by the Commission's staff, it has been determined that the matters raised in your Request for Investigation will not be pursued further.

Your Request for Investigation has been thoroughly reviewed. The facts as you have stated in your Request for Investigation do not constitute professional misconduct. We note that Mr. Sherman's statements that you have been unable to obtain relief through the courts. We regret that we can be of no further assistance to you.

Our office feels Stuart L. Sherman has answered your allegations adequately. I am enclosing a copy of the answer for your review. We will take no further action.

Please be advised that this matter is being closed under the authority granted to the Grievance Administrator pursuant to Michigan Court Rule 9.112(C)(1)(a).

I hope that this letter adequately explains my office's position in this matter.

Very truly yours

Cynthia C. Bullington
Assistant Deputy Administrator

CCB/jmb Enclosure

cc: Stuart L. Sherman



### NOTICE OF INTENTION TO APPOINT TO ARCHITECTURAL REVIEW COMMITTEE

At the meeting of Monday, April 26, 2021, the Birmingham City Commission intends to appoint one regular member to the Architectural Review Committee to serve a three-year term to expire April 11, 2024. Members of this Committee will be appointed by the Commission. The Committee shall consist of three Michigan licensed architects who reside in the City of Birmingham.

The purpose of this committee is to review certain public improvement projects initiated by the City and referred to the committee by the City Manager or his/her designee. The Committee is expected to offer opinions as to what physical alterations or enhancements could be made to these projects in order to improve the aesthetic quality of the project and the City's overall physical environment.

Interested citizens may submit an application available at the City Clerk's Office or online at <a href="https://www.bhamgov.org/boardopportunities">www.bhamgov.org/boardopportunities</a>. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, April 21, 2021. These applications will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on the appointments.

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

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Michigan Licensed Architect & Resident of the City of Birmingham	4/21/2021	4/26/2021



# NOTICE OF INTENTION TO APPOINT TO THE HOUSING BOARD OF APPEALS

At the meeting of Monday, April 26, 2021, the Birmingham City Commission intends to appoint two regular members to the Housing Board of Appeals to serve three-year terms to expire May 4, 2024. Members shall be educated or experienced in building, construction administration, social services, real estate or other responsible positions.

The Housing Board of Appeals was established in order to provide an appeal process from regulation derived from the housing and maintenance requirements found in Chapter 22 of the city code. The purpose of the housing and maintenance regulations is to protect, preserve and promote the physical and social well being of the people, to regulate privately and publicly owned dwellings for the purpose of maintaining adequate sanitation and public health.

Interested citizens may submit an application available at the City Clerk's office or online at <a href="https://www.bhamgov.org/boardopportunities.">www.bhamgov.org/boardopportunities.</a> Applications must be submitted to the City Clerk's office on or before noon on Wednesday, April 21, 2021. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

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.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Members shall be educated or experienced in building, construction administration, social services, real estate or other responsible positions.	4/21/2020	4/26/2020



# NOTICE OF INTENTION TO APPOINT TO THE CITY OF BIRMINGHAM BROWNFIELD REDEVELOPMENT AUTHORITY

At the regular meeting of Monday, April 26, 2021 the Birmingham City Commission intends to appoint one regular member to the City of Birmingham Brownfield Redevelopment Authority to serve three-year terms to expire May 23, 2024.

The authority shall have the powers and duties to the full extent as provided by and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the state of Michigan of 1996, as amended. Among other matters, in the exercise of its powers, the Board may prepare Brownfield plans pursuant to Section 13 of the Act and submit the plans to the Commission for consideration pursuant to Section 13 and 14 of the Act.

## Members shall be appointed by the Mayor, subject to approval by the City Commission.

Interested citizens may submit an application available at the city clerk's office or online at <a href="https://www.bhamgov.org/boardopportunities.">www.bhamgov.org/boardopportunities.</a>. Applications must be submitted to the city clerk's office on or before noon on Wednesday, April 21, 2021. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

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.

Criteria/Qualifications of Open Position	Date Applications Due (by noon)	Date of Interview
Members shall, in so far as possible, be residents of the City of Birmingham.	4/21/2021	4/26/2021



### **MEMORANDUM**

**Finance Department** 

**DATE:** February 26, 2021

TO: Thomas M. Markus, City Manager

FROM: Mark Gerber, Director of Finance/Treasurer

**SUBJECT:** Second Quarter Financial Reports

#### **Background**

Chapter 7, section 3(b) of the City charter requires the Director of Finance to report on the condition of the City quarterly. Quarterly reports are prepared for the first 3 quarters of the year with the annual audit serving as the 4<sup>th</sup> quarter report. Only the following funds are reported quarterly because by state law they require a budget: General Fund, Greenwood Cemetery Perpetual Care Fund, Major and Local Street Funds, Solid Waste Fund, Community Development Block Grant Fund, Law and Drug Enforcement Fund, Baldwin Public Library Fund, Principal Shopping District Fund, Brownfield Redevelopment Authority Fund, Triangle District Corridor Improvement Authority Fund, and the Debt Service Fund.

#### **Overview**

Attached is the second quarter 2020-2021 fiscal year financial reports. The reports compare budget to actual for the current fiscal year and the prior fiscal year for the same quarter. This allows comparisons between fiscal years as well as percentage of budget received/spent for the year. The budget categories used for each fund are the same ones approved by the Commission when they adopted the budget. Budget discussions that follow will focus on each fund individually.

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

#### **General Fund**

Year-to-date revenues are approximately \$1,000,000 higher than the previous year as a result of an increase tax revenue of approximately \$836,000 and an increase in grant revenue of approximately \$750,000. This was the result of an increase in taxable value and COVID related grant revenue. These revenue increases were partially offset by a decrease in charges for services of \$200,000, fines and forfeitures of \$200,000, and interest and rent of \$100,000. The decrease in charges for services is mostly related to lost revenue due to COVID restrictions on special events and ice arena operations. The decrease in fines and forfeitures are due to a decrease in parking ticket and 48th District Court revenue. The decrease in interest and rent is the result of a decrease in interest rates. Based on current projections, General Fund revenue is anticipated to be approximately \$700,000 below budget due to recreation, 48th District Court, parking ticket, and interest revenue shortages.

Total current year-to-date expenditures for the General Fund are higher than the prior year by approximately \$2,100,000 or 12%. Engineering and Public Services and Public Safety are approximately \$1,000,000 higher than the prior year each. Engineering and Public Services are

higher due to due to sidewalk construction costs related to Maple Road. Public Safety costs are higher than the prior year due to wages and related costs. Transfers Out is at 54% due to 3 quarterly payments to the 48<sup>th</sup> District Court at December 31<sup>st</sup>. Based on current projections, there should be sufficient expenditure savings to offset the revenue shortages mentioned above.

#### **Greenwood Cemetery Perpetual Care Fund**

Cemetery revenues are similar to the prior year. No expenditures have been made so far this fiscal year.

#### **Major Street Fund**

Total revenues are approximately \$600,000 less than the prior year as a result of lower budgeted transfers from the General Fund.

Overall expenditures are \$1,150,000 higher than the previous year as a result of the Maple Road project. Maintenance costs are lower due to street light painting in the prior year. Administrative costs are greater than 50% due to audit costs which occur in the 2<sup>nd</sup> quarter. Traffic Controls and Engineering is over 50% due to new traffic signals installed along Maple Road.

#### **Local Street Fund**

Total revenues for the year are approximately \$262,000 higher than the prior year due to higher budgeted transfers from the General Fund.

Total expenditures are approximately \$870,000 less than the prior year mainly as a result of construction and maintenance expenditures in the prior year as a result of street work in the Quarton Lake area and cape seal maintenance. Street Trees is over 50% due to contractor costs for tree trimming. Administrative costs are greater than 50% due to audit costs which occur in the 2<sup>nd</sup> quarter.

#### **Solid Waste Fund**

Revenues are approximately \$100,000 higher than the previous year as a result of higher property tax revenue.

Expenditures are approximately the same as the prior fiscal year.

#### **Brownfield Redevelopment Authority Fund**

Revenues are approximately the same as the prior year.

Expenditures for the current fiscal year are less than the prior year due to a large developer reimbursement in the prior fiscal year.

#### **Principal Shopping District**

Both revenues and expenditures are slightly lower than the prior fiscal year due to fewer special events.

#### **Community Development Block Grant Fund**

No CDBG expenditures have been recorded in the current fiscal year because we have not received authorization from the County to spend these funds yet.

#### **Triangle District Corridor Improvement Authority**

Development opportunities are ongoing with private land owners and developers in the Triangle District.

#### **Law and Drug Enforcement Fund**

Expenditures are higher in the prior fiscal year as a result of the purchase of the Watchguard video system for the patrol vehicles.

#### **Baldwin Library**

Revenue has increased approximately \$300,000. This is the result of an increase in the property tax revenue and the timing of a payment from a contract municipality.

Expenditures are approximately the same as the prior fiscal year. Expenditures are at 59% due to building improvements completed in the first half of the year.

#### **Debt Service Fund**

Revenues and expenditures are slightly lower as a result of scheduled debt service costs for the year compared to the previous year. Expenditures are at 94% spent for the year as a result of making a principal payment in August.

#### QUARTERLY BUDGET REPORT

#### GENERAL FUND

#### QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

		2020-2021			2019-2020	
	AMENDED	YEAR-TO-DATE	% OF BUDGET	AMENDED	YEAR-TO-DATE	% OF BUDGET
	BUDGET	ACTUAL	USED	BUDGET	ACTUAL	USED
REVENUES:						
USE OF FUND BALANCE	3,260,276	0	0%	2,704,512	0	0%
TAXES	26,948,810	26,909,381	100%	26,114,630	26,073,051	100%
LICENSES AND PERMITS	2,774,960	1,192,829	43%	3,053,720	1,197,099	39%
INTERGOVERNMENTAL	2,165,630	1,260,610	58%	2,157,650	508,941	24%
CHARGES FOR SERVICES	3,322,020	1,331,969	40%	3,414,670	1,539,299	45%
FINES AND FORFEITURES	1,799,110	353,328	20%	1,776,140	559,995	32%
INTEREST AND RENT	647,690	172,705	27%	621,090	285,056	46%
OTHER REVENUE	571,730	33,315	6%	418,820	41,500	10%
TRANSFERS IN	100,000	50,000	50%	200,000	100,000	50%
TOTAL REVENUES	41,590,226	31,304,137	<u>75</u> %	40,461,232	30,304,941	<u>75</u> %
EXPENDITURES:						
GENERAL GOVERNMENT	6,505,118	2,982,343	46%	6,081,847	2,458,552	40%
PUBLIC SAFETY	15,248,352	7,693,344	50%	14,410,218	6,688,789	46%
COMMUNITY DEVELOPMENT	3,265,849	1,250,278	38%	3,345,835	1,463,784	44%
ENGINEERING AND PUBLIC SERVICES	8,112,033	3,780,267	47%	8,573,743	2,774,369	32%
TRANSFERS OUT	8,458,840	4,526,603	54%	7,819,879	4,711,838	60%
TOTAL EXPENDITURES	41,590,192	20,232,834	<u>49</u> %	40,231,522	18,097,332	<u>45</u> %

## QUARTERLY BUDGET REPORT GREENWOOD CEMETERY FUND

#### QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

		2020-2021			2019-2020	
	AMENDED	YEAR-TO-DATE	% OF BUDGET	AMENDED	YEAR-TO-DATE	% OF BUDGET
	BUDGET	ACTUAL	USED	BUDGET	ACTUAL	USED
REVENUES:						
CHARGES FOR SERVICES	60,000	31,616	53%	80,000	28,740	36%
INTEREST AND RENT	22,000	17,609	80%	16,800	11,463	68%
TRANSFERS IN			0%			0%
TOTAL Revenues	82,000	49,225	60%	96,800	40,203	42%
EXPENDITURES:						
OTHER CONTRACTUAL SERVICE	20,000	-	0%	20,000	-	0%
TOTAL EXPENDITURES	20,000			20,000		

#### QUARTERLY BUDGET REPORT

#### MAJOR STREETS

#### QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

		2020-2021			2019-2020	
	AMENDED	YEAR-TO-DATE	% OF BUDGET	AMENDED	YEAR-TO-DATE	% OF BUDGET
	BUDGET	ACTUAL	USED	BUDGET	ACTUAL	USED
REVENUES:						
USE OF FUND BALANCE	2,856,008	-	0%	2,815,400	-	0%
INTERGOVERNMENTAL	1,641,450	554,035	34%	1,457,100	510,456	35%
INTEREST AND RENT	43,500	26,620	61%	40,950	30,978	76%
OTHER REVENUE	-	-	0%	-	-	0%
TRANSFERS IN	2,000,000	1,000,000	50%	2,746,000	1,623,000	59%
TOTAL REVENUES	6,540,958	1,580,655	24%	7,059,450	2,164,434	<u>31</u> %
			_			_
EXPENDITURES:						
ADMINISTRATIVE	20,900	11,649	56%	20,510	11,433	56%
TRAFFIC CONTROLS & ENGINEERING	628,968	428,274	68%	906,609	119,249	13%
CONSTRUCTION OF ROADS & BRIDGES	4,623,773	1,715,092	37%	4,984,101	826,235	17%
MAINTENANCE OF ROADS & BRIDGES	488,011	102,519	21%	416,989	171,399	41%
STREET CLEANING	219,590	80,395	37%	163,170	81,212	50%
STREET TREES	271,206	136,210	50%	266,271	107,474	40%
SNOW AND ICE REMOVAL	288,510	30,239	10%	301,800	46,516	15%
TOTAL EXPENDITURES	6,540,958	2,504,378	<u>38</u> %	7,059,450	1,363,518	<u>19</u> %

#### QUARTERLY BUDGET REPORT

#### LOCAL STREETS

#### QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

		2020-2021			2019-2020	
	AMENDED	YEAR-TO-DATE	% OF BUDGET	AMENDED	YEAR-TO-DATE	% OF BUDGET
	BUDGET	ACTUAL	USED	BUDGET	ACTUAL	USED
REVENUES:						
USE OF FUND BALANCE	-	-	0%	1,679,975	-	0%
INTERGOVERNMENTAL	670,450	225,138	34%	592,300	207,438	35%
INTEREST AND RENT	29,600	6,987	24%	26,460	15,775	60%
OTHER REVENUE	197,460	34,495	17%	395,120	30,505	8%
TRANSFERS IN	3,000,000	1,500,000	50%	2,000,000	1,250,000	63%
TOTAL REVENUES	3,897,510	1,766,620	45%	4,693,855	1,503,718	<u>32</u> %
			_			=
EXPENDITURES:						
ADMINISTRATIVE	29,490	15,959	54%	28,980	15,668	54%
TRAFFIC CONTROLS & ENGINEERING	65,300	27,401	42%	70,790	34,082	48%
CONSTRUCTION OF ROADS & BRIDGES	1,501,810	492,932	33%	1,626,103	988,648	61%
MAINTENANCE OF ROADS & BRIDGES	940,017	203,228	22%	1,163,443	622,721	54%
STREET CLEANING	253,330	107,075	42%	186,190	96,113	52%
STREET TREES	552,733	311,910	56%	528,299	266,402	50%
SNOW AND ICE REMOVAL	176,530	35,847	20%	170,030	39,399	23%
TOTAL EXPENDITURES	3,519,210	1,194,352	<u>34</u> %	3,773,835	2,063,033	<u>55</u> %

#### QUARTERLY BUDGET REPORT

#### SOLID WASTE

#### QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

	2020-2021			2019-2020			
	AMENDED	YEAR-TO-DATE	% OF BUDGET	AMENDED	YEAR-TO-DATE	% OF BUDGET	
	BUDGET	ACTUAL	USED	BUDGET	ACTUAL	USED	
REVENUES:							
USE OF FUND BALANCE	202,233	-	0%	95,840	-	0%	
TAXES	2,042,500	2,046,705	100%	1,935,000	1,939,922	100%	
INTERGOVERNMENTAL	4,110	3,994	97%	4,200	4,113	98%	
CHARGES FOR SERVICES	17,000	8,768	52%	18,000	8,804	49%	
INTEREST AND RENT	30,000	6,219	21%	31,820	14,890	47%	
OTHER REVENUE		45	0%		78	0%	
TOTAL REVENUES	2,295,843	2,065,731	<u>90</u> %	2,084,860	1,967,807	<u>94</u> %	
EXPENDITURES:							
PERSONNEL COSTS	190,050	132,466	70%	187,380	133,522	71%	
SUPPLIES	28,000	6,917	25%	12,000	1,077	9%	
OTHER CHARGES	2,077,793	939,502	45%	1,869,480	833,905	45%	
CAPITAL OUTLAY			0%	16,000	4,762	30%	
TOTAL EXPENDITURES	2,295,843	1,078,885	<u>47</u> %	2,084,860	973,266	<u>47</u> %	

#### QUARTERLY BUDGET REPORT

#### BROWNFIELD REDEVELOPMENT FUND

#### QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

	2020-2021				2019-2020			
	AMENDED	YEAR-TO-DATE	% OF BUDGET		AMENDED	YEAR-TO-DATE	% OF BUDGET	
	BUDGET	ACTUAL	USED		BUDGET	ACTUAL	USED	
		•						
REVENUES:								
USE OF FUND BALANCE	-	-	0%		7,500	-	0%	
TAXES	287,300	264,870	92%		264,870	264,870	100%	
CHARGES FOR SERVICES	-	-	0%		1,500	-	0%	
INTEREST AND RENT	2,000	241	12%		11,340	1,738	15%	
OTHER REVENUE	20,000	6,270	31%		20,000	-	0%	
TRANSFERS IN			0%				0%	
TOTAL REVENUES	309,300	271,381	88%		305,210	266,608	87%	
			_				_	
EXPENDITURES	307,300	50,375	<u>16%</u>		299,280	238,771	<u>80%</u>	

#### QUARTERLY BUDGET REPORT

#### PRINCIPAL SHOPPING DISTRICT

QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

	2020-2021				2019-2020			
	AMENDED	YEAR-TO-DATE	% OF BUDGET		AMENDED	YEAR-TO-DATE	% OF BUDGET	
	BUDGET	ACTUAL	USED		BUDGET	ACTUAL	USED	
REVENUES:								
USE OF FUND BALANCE	247,280	-	0%		113,700	-	0%	
CHARGES FOR SERVICES	25,000	25,000	100%		150,000	25,000	17%	
SPECIAL ASSESSMENTS	1,054,970	5,611	1%		1,054,970	8,794	1%	
INTEREST AND RENT	13,700	5,084	37%		13,700	4,126	30%	
OTHER REVENUE	190,000	5,540	3%		190,000	163,413	86%	
TOTAL REVENUES	1,530,950	41,235	3%		1,522,370	201,333	13%	
			=				_	
EXPENDITURES	1,530,950	549,753	<u>36%</u>		1,522,370	728,362	<u>48%</u>	

#### QUARTERLY BUDGET REPORT

#### COMMUNITY DEVELOPMENT BLOCK GRANT

QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

	2020-2021				2019-2020			
	AMENDED	YEAR-TO-DATE	% OF BUDGET		AMENDED	YEAR-TO-DATE	% OF BUDGET	
	BUDGET	ACTUAL	USED		BUDGET	ACTUAL	USED	
INTERGOVERNMENTAL REVENUE	36,100		<u>0</u> %		57,299	750	<u>1</u> %	
EXPENDITURES	36,100		0%		57,299	21,390	37%	

#### QUARTERLY BUDGET REPORT

## TRIANGLE DISTRICT CORRIDOR IMPROVEMENT AUTHORITY QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

	2020-2021				2019-2020			
	AMENDED	YEAR-TO-DATE	% OF BUDGET		AMENDED	YEAR-TO-DATE	% OF BUDGET	
	BUDGET	ACTUAL	USED		BUDGET	ACTUAL	USED	
REVENUES:								
USE OF FUND BALANCE	-	-	0%		-	-	0%	
PROPERTY TAXES	-	-	0%		-	-	0%	
INTEREST AND RENT	470	109	23%		470	152	32%	
TOTAL REVENUES	470	109	23%		470	152	<u>32</u> %	
EXPENDITURES			<u>0%</u>			_	<u>0%</u>	

#### QUARTERLY BUDGET REPORT

#### LAW & DRUG ENFORCEMENT FUND

#### QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

		2020-2021				2019-2020				
	AMENDED	YEAR-TO-DATE	% OF BUDGET		AMENDED	YEAR-TO-DATE	% OF BUDGET			
	BUDGET	ACTUAL	USED		BUDGET	ACTUAL	USED			
REVENUES:										
USE OF FUND BALANCE	-	-	0%		61,760	-	0%			
FINES & FORFEITURES	25,000	32,050	128%		35,000	38,938	111%			
OTHER REVENUE	-	-	0%		-	-	0%			
INTEREST AND RENT	1,300	521	40%		1,100	778	71%			
TOTAL REVENUES	26,300	32,571	<u>124</u> %		97,860	39,716	<u>41</u> %			
EXPENDITURES:										
OTHER CHARGES	2,840	-	0%		-	-	0%			
CAPITAL OUTLAY			0%		97,860	97,854	100%			
TOTAL EXPENDITURES	2,840	-	0%		97,860	97,854	100%			

#### QUARTERLY BUDGET REPORT

#### BALDWIN LIBRARY

#### QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

	2020-2021			_	2019-2020			
	AMENDED	YEAR-TO-DATE	% OF BUDGET		AMENDED	YEAR-TO-DATE	% OF BUDGET	
	BUDGET	ACTUAL	USED		BUDGET	ACTUAL	USED	
		•						
REVENUES:								
USE OF FUND BALANCE	-	-	0%		1,677,170	-	0%	
TAXES	3,541,640	3,531,510	100%		3,370,950	3,385,815	100%	
INTERGOVERNMENTAL	1,050,320	441,060	42%		1,029,190	238,459	23%	
CHARGES FOR SERVICES	62,800	2,321	4%		81,150	34,442	42%	
INTEREST AND RENT	52,000	9,511	18%		52,290	30,406	58%	
OTHER REVENUE			0%				0%	
TOTAL REVENUES	4,706,760	3,984,402	85%		6,210,750	3,689,122	59%	
			_				_	
EXPENDITURES	4,025,350	2,392,797	<u>59%</u>		6,210,750	2,461,046	<u>40%</u>	

#### QUARTERLY BUDGET REPORT

#### DEBT SERVICE FUND

#### QUARTER ENDED: DECEMBER 31, 2020 AND DECEMBER 31, 2019

	2020-2021			2019-2020				
	AMENDED	YEAR-TO-DATE	% OF BUDGET	AMENDED	YEAR-TO-DATE	% OF BUDGET		
INTERGOVERNMENTAL	BUDGET	ACTUAL	USED	BUDGET	ACTUAL	USED		
REVENUES:								
USE OF FUND BALANCE	-	-	0%	-	-	0%		
TAXES	1,548,450	1,547,110	100%	1,609,500	1,609,435	100%		
INTERGOVERNMENTAL	3,300	3,292	100%	3,660	3,370	92%		
INTEREST AND RENT	3,000	214	7%	2,990	3,374	113%		
TOTAL REVENUES	1,554,750	1,550,616	100%	1,616,150	1,616,179	100%		
EXPENDITURES	1,549,250	1,458,930	94%	1,610,300	1,506,395	94%		



# **MEMORANDUM**

# **Finance Department**

**DATE:** February 26, 2021

**TO:** Thomas M. Markus, City Manager

**FROM:** Mark Gerber, Director of Finance/Treasurer

**SUBJECT:** December 2020 Investment Report

Public Act 213 of 2007 requires investment reporting on the City's general investments to be provided to the City Commission on a quarterly basis. This information is also required to be provided annually, which the City has and will continue to include within the audited financial statements.

General investments of the City are governed by state law and the City's General Investment Policy approved by the City Commission. The services of an outside investment advisor are utilized to assist the treasurer in determining which types of investments are most appropriate and permitted under the investment policy, maximize the return on the City's investments within investment policy constraints and provide for cash flow needs.

The two primary objectives for investment of City funds are the preservation of principal and liquidity to protect against losses and provide sufficient funds to enable the City to meet all operating requirements that might be reasonably anticipated. Investment activities include all City funds except the retirement and retiree health-care funds as follows:

- General Fund
- Permanent Funds
- Special Revenue Funds
- Capital Projects Fund
- Enterprise Funds
- Debt Service Funds
- Component Unit Funds
- Internal Service Funds

Overall, the City has \$95.6 million invested in various securities according to its general investment policy as of December 31, 2020.

The City has two pooled funds (CLASS Pool and J-Fund), which are used to meet payroll, contractor and other accounts payable needs. As indicated on the attached schedule, there is approximately \$7.7 million invested in pooled funds at the end of September. A maximum of 50% of the portfolio may be invested in pooled funds that meet state guidelines. The amount currently invested in pooled funds is 8%.

The City also holds approximately \$32.7 million, or 34%, of its investments in treasury notes and bills, which are obligations of the United States. The maximum amount of investments that may be held in government securities is 100%.

Investments in federal agencies total approximately \$55.2 million, or 58%, of the City's investments. The maximum amount of the portfolio that may be invested in federal agencies is 75%.

The Investment Policy requires that the average maturity of the portfolio may not exceed two and one-half years. The current average maturity of the portfolio is 1.43 years.

# CITY OF BIRMINGHAM GENERAL INVESTMENT PORTFOLIO SUMMARY

### 12/31/2020

	MATURITY							CURRENT	YEARLY	% OF
YEAR	DATE	DESCRIPTION	% YIELD		ISSUER	PAR VALUE	COST	MARKET VALUE	TOTAL	TOTAL
2020	12/31/2020	CLASS POOL	0.079%	CITY	MICHIGAN CLASS	2,158,224.34	2,158,224.34	2,158,224.34		
	12/31/2020	J FUND	0.013%	CITY	COMERICA BANK	5,519,825.37	5,519,825.37	5,519,825.37		
2024	. / /	T0 0111	0.0000/	141010110		2 500 000 00		2 400 075 00	7,678,049.71	8.03
2021	1/12/2021	TR BILL	0.093%	INSIGHT	U.S.	2,500,000.00	2,499,296.04	2,499,975.00		
	1/21/2021	AGENCY	1.720%	INSIGHT	FHLMC	1,000,000.00	999,800.00	1,000,620.00		
	2/15/2021	TR NOTE	2.856%	INSIGHT	U.S	2,000,000.00	2,043,121.51	2,007,920.00		
	2/23/2021	AGENCY	2.791%	INSIGHT	FFCB	2,000,000.00	1,995,800.00	2,007,440.00		
	3/15/2021	TR NOTE	2.754%	INSIGHT	U.S.	1,175,000.00	1,165,315.43	1,180,099.50		
	3/25/2021	TR BILL	0.102%	INSIGHT	U.S.	2,500,000.00	2,498,717.92	2,499,575.00		
	5/7/2021	AGENCY	0.500%	INSIGHT	FHLMC	1,000,000.00	1,000,000.00	1,000,450.00		
	5/15/2021	TR NOTE	2.829%	INSIGHT	U.S.	1,500,000.00	1,510,610.49	1,516,410.00		
	5/15/2021	TR NOTE	1.695%	INSIGHT	U.S.	1,500,000.00	1,521,152.34	1,513,710.00		
	5/24/2021	AGENCY	0.350%	INSIGHT	FHLMC	1,000,000.00	1,000,000.00	1,000,430.00		
	6/15/2021	TR NOTE	1.704%	INSIGHT	U.S.	1,500,000.00	1,523,090.96	1,516,755.00		
	6/16/2021	AGENCY	0.500%	INSIGHT	FNMA	1,000,000.00	1,000,000.00	1,000,200.00		
	7/15/2021	TR NOTE	1.693%	INSIGHT	U.S.	1,500,000.00	1,524,497.21	1,519,920.00		
	9/29/2021	AGENCY	0.300%	INSIGHT	FHLMC	1,500,000.00	1,500,000.00	1,494,075.00		
	9/10/2021	AGENCY	3.030%	INSIGHT	FHLB	1,500,000.00	1,498,830.00	1,529,895.00		
	10/12/2021	AGENCY	3.003%	INSIGHT	FHLB	1,500,000.00	1,499,955.00	1,533,270.00		
	11/2/2021	AGENCY	0.320%	INSIGHT	FHLMC	1,500,000.00	1,500,000.00	1,500,600.00		
	11/15/2021	TR NOTE	2.438%	INSIGHT	U.S.	2,000,000.00	2,022,421.88	2,047,500.00		
	12/15/2021	TR NOTE	2.469%	INSIGHT	U.S.	2,000,000.00	2,008,444.20	2,047,580.00		
2022	4 /F /2022	AGENCY	1.533%	INSIGHT	FNMA	2 000 000 00	2 024 402 22	2 020 000 00	30,416,424.50	31.82
2022	1/5/2022 1/13/2022	AGENCY	1.533%	INSIGHT	FNMA FHLMC	2,000,000.00 1,000,000.00	2,021,480.00	2,038,060.00		
							1,004,248.61	1,023,120.00		
	1/13/2022	AGENCY AGENCY	1.655% 2.433%	INSIGHT	FHLMC FHLB	1,500,000.00	1,524,093.00 1,001,850.00	1,534,680.00		
	3/11/2022 3/14/2022	AGENCY	1.932%	INSIGHT	FFCB	1,000,000.00 1,000,000.00	997,830.00	1,028,300.00 1,020,470.00		
	3/31/2022	TR NOTE	0.137%	INSIGHT	U.S.	2,500,000.00	2,508,984.38	2,507,900.00		
	3/28/2022	AGENCY	0.450%	INSIGHT	FHLMC	1,500,000.00	1,500,000.00	1,493,430.00		
	4/15/2022	TR NOTE	0.134%	INSIGHT	U.S.	2,000,000.00	2,065,241.08	2,054,540.00		
	6/10/2022	AGENCY	1.882%	INSIGHT	EHI B	1.500.000.00	1,510,635.00	1,548,434.30		
	6/10/2022	AGENCY	1.930%	INSIGHT	FHI B	2,000,000.00	2,011,248.00	2,052,575.70		
	8/5/2022	AGENCY	1.497%	INSIGHT	FFCB	2,000,000.00	2,020,180.00	2,054,580.00		
	8/19/2022	AGENCY	0.450%	INSIGHT	FNMA	2,000,000.00	1,999,500.00	1,999,240.00		
	9/9/2022	AGENCY	1.613%	INSIGHT	FHLB	1,500,000.00	1,516,588.50	1,546,935.00		
	9/30/2022	AGENCY	0.390%	INSIGHT	FHLMC	1,500,000.00	1,499,025.00	1,497,165.00		
	10/13/2022	AGENCY	1.549%	INSIGHT	FECB	1,500,000.00	1,502,076.00	1,538,640.00		
	10/31/2022	TR NOTE	1.854%	INSIGHT	U.S.	1,500,000.00	1,506,977.68	1,551,270.00		
	11/17/2022	AGENCY	0.360%	INSIGHT	FNMA	1,000,000.00	999,800.00	1,000,720.00		
									27,490,060.00	28.76
2023	1/19/2023	AGENCY	1.617%	INSIGHT	FNMA	2,500,000.00	2,558,475.00	2,614,500.00		
	2/17/2023	AGENCY	0.192%	INSIGHT	FHLB	1,500,000.00	1,542,361.50	1,538,850.00		
	2/21/2023	AGENCY	1.491%	INSIGHT	FFCB	2,000,000.00	2,004,653.94	2,058,720.00		
	3/31/2023	TR NOTE	1.421%	INSIGHT	U.S.	1,500,000.00	1,556,430.81	1,579,455.00		
	5/15/2023	TR NOTE	1.578%	INSIGHT	U.S.	1,500,000.00	1,509,028.46	1,557,075.00		
	6/19/2023	AGENCY	1.851%	INSIGHT	FHLMC FHLMC	1,500,000.00	1,550,467.50	1,594,755.00		
	6/26/2023	AGENCY	0.233%	INSIGHT	FHLMC	1,500,000.00	1,500,705.00	1,503,255.00		
	9/8/2023	AGENCY	1.466%			2,000,000.00	2,070,800.00	2,116,900.00		
	9/12/2023	AGENCY	1.591%	INSIGHT	FNMA	1,500,000.00	1,573,410.00	1,607,250.00		
	10/31/2023	TR NOTE	1.423%	INSIGHT	U.S.	1,500,000.00	1,587,954.24	1,614,780.00		
	11/15/2023	AGENCY	0.202%	INSIGHT	U.S. FNMA	1,500,000.00	1,570,258.93	1,611,330.00		
	11/27/2023	AGENCY	0.202%	INSIGHT	FINIVIA	500,000.00	500,690.00	500,450.00	19,897,320.00	20.81
2024	2/5/2004	AGENCY	1.572%	INSIGHT	FNMA	1,500,000.00	1,558,201.50	1,606,590.00	13,037,320.00	20.01
	2/29/2024	TR NOTE	1.637%	INSIGHT	U.S.	1,750,000.00	1,785,621,10	1,857,327.50		
	7/2/2024	AGENCY	1.719%	INSIGHT	FNMA	1,500,000.00	1,502,037.00	1,579,365.00		
	9/13/2024	AGENCY	1.729%	INSIGHT	FHLB	1,750,000.00	1,843,345.00	1,919,190.00		
									6.062.472.52	7.00
	1/7/2025	AGENCY	0.362%	INSIGHT	FNMA	1,500,000,00	1,580,434.50	1,580,655.00	6,962,472.50	7.28
2025	1,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		0.344%	INSIGHT	FHLMC	1,500,000.00	1,575,136.50	1,573,545.00		
2025	2/12/2025	AGENCY								
2025	2/12/2025	AGENCY	0.34476			3,000,000	, , , , , , , , , , , , , , , , , , , ,	1,575,545.00		
2025	2/12/2025	AGENCY	0.34476			3,333,33333	,,	1,373,343.00	3,154,200.00	3.30



 POOLS
 \$7,678,049.71
 8.03%

 COML PAPER
 \$0.00
 0.00%

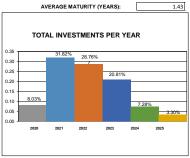
 TR BILL
 \$4,999,550.00
 5.23%

 TR NOTES
 \$27,683,572.00
 28.96%

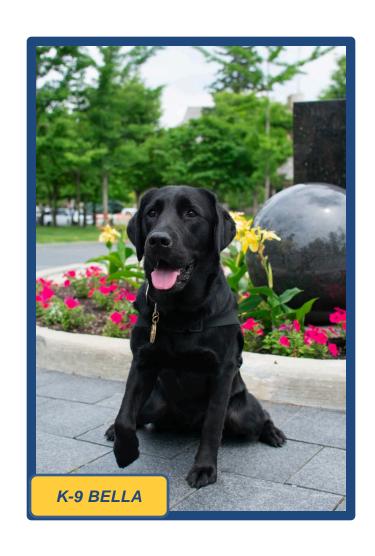
 AGENCIES
 \$55,227,395.00
 57.78%

 TOTAL
 \$95,598,526.71
 100.00%

COMPARATIVE RETURNS						
	City Portfolio 1-Yr TR 2-Yr TR					
Current Month	1.28%	0.12%	0.12%			
Previous Month	1.29%	0.12%	0.12%			
1 Year Ago	1.83%	1.56%	1.66%			



* INSIGHT:	\$87,920,477.00	91.97%
*ASSIGNED TO CITY:	\$7,678,049.71	8.03%
-	\$95,598,526.71	100.00%



# BIRMINGHAM POLICE DEPARTMENT

# 2020 ANNUAL REPORT

# **INDEX**

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# **CHIEF'S MESSAGE**

March 2020

Birmingham City Commission Thomas M. Markus, City Manager

As Chief of Police for the City of Birmingham, I am proud to present the 2020 edition of the annual report. The year 2020 will be remembered as one of the most difficult and challenging on record. The novel coronavirus (COVID-19) pandemic influenced our daily lives in an unprecedented manner. Social unrest following a number of high profile police incidents strained community bonds and heightened racial tension. A divisive national election further complicated our ability to move forward together as a nation.

Despite all of this, we must all look to the future. We must set aside our differences, respect one another as human beings and move forward for the common good of all people. As police chief for the City, I pledge to continue to do exactly this. The men and women of the police department work diligently to keep Birmingham a safe and welcoming community. Officers of the department are highly trained, educated and professional individuals. The department holds all officers to the highest level of conduct and demands honesty, respect and integrity from all. As chief, I have strived to create and maintain a culture in the department that encourages officers to exercise compassion, empathy and a sense of duty to the service of others. I will continue to work together with the community and the public at large to build a future for all people that ensures fairness, respect, dignity, security and justice for all.

As we begin a new year, we must always embrace change in order to improve ourselves and continue to evolve as an agency to meet new and changing roles and demands in order to safeguard the rights of all citizens. In 2020, the police department continued to strive to meet community expectations of continued professionalism, responsiveness and transparency. Measures and programs undertaken included:

- Initiated a two-year project for department accreditation through the Michigan Association of Chiefs of Police (MACP).
- All officers now wear body-worn cameras while on patrol consistent with department policy and procedure.
- Areas of concern in police reforms (chokeholds, duty to intervene, de-escalation training, use of force reporting, use of force continuum, bias-based policing, early intervention

policy for potential problem officers) were all examined to ensure that all police department policies and procedures clearly addressed reform issues.

The police department planned several new projects in 2020 for 2021 that include:

- Examining mental health related service calls in our community.
- Examining current methodology as it relates to providing service to those in the community suffering from mental illness and/or other "non-criminal" social issues.
- Researching how the police department can better utilize services already in existence to address issues of mental health and other "service" related issues (substance abuse/senior assistance/juvenile behavioral issues).
- Create, develop and implement an interlocal agreement between the City of Birmingham, the Township of Bloomfield and the City of Auburn Hills to collaborate with the Oakland Community Health Network to provide for a full time social worker to be exclusively assigned to the aforementioned communities. The cost of the social worker will be shared equally between the three communities.
- Explore the possibility of receiving grant finding to support a pilot project to create a mental health co-response program.
- Assessing options to train at least 20% of Birmingham police officers in advanced crisis intervention (40-hour training course).

The 2020 edition of the Department's annual report continues a trend of decreasing crime in our community. All of the circumstances listed earlier have had a direct impact on our crime levels. However, the efforts of all police department staff, including officers, auxiliary officers, non-sworn personnel and the community itself should be recognized for continuing to work together to reduce crime. As we navigated through the COVID-19 pandemic, the police department continued to enforce all existing laws and ordinances to maintain the peace and safety of our community. The police department was also tasked with complying with Executive Orders issued from the Governor's Office and orders issued from the Michigan Department of Health and Human Services Office. Most public engagement activities were curtailed and significant time was expended by the police department encouraging social distancing and promoting the wearing of masks.

The mission statement of the Department reflects our agency's commitment to the safety and security of all our residents and visitors:

The Birmingham Police Department is committed to fairness, compassion and excellence in providing services sensitive to the priorities and needs of the community: the protection of life and property, the apprehension of criminal perpetrators and the prevention of crime in accordance with the law.

The chart below summarizes this report, delineating calls for service, major crime categories and arrest categories. For historical perspective, included in this chart are crime statistics from 25 and 50 years ago. While any crime is unacceptable to the police department, the citizens of

Birmingham should be very proud of a crime rate that has been consistently low over the course of the past several years.

	2020	2019	2018	1995	1970
Total calls for service	21,167	20,537	17,945	19,269	15,528
Number of sworn	33	33	32	35	42
officers					
Homicide	0	0	0	0	0
Criminal Sexual Conduct	0	3	1	3	3
1, 111					
Robbery	1	1	5	4	23
Vandalism	33	33	39	257	N/A
Burglary	14	20	11	47	182
Larceny	80	94	164	622	826
Vehicle theft	10	8	6	41	43
Operating While	27	95	76	212	55
Impaired					
Fraud	89	110	139	120	72
Adult arrests	172	441	594	738	503
Juvenile arrests	12	9	17	51	398

Despite our relatively small size, the police department's footprint in Oakland County's law enforcement community is broad. The department is a participating member of several multijurisdictional task forces organized under cooperative agreements with numerous neighboring law enforcement agencies. These task forces address specialized and complex crime and service related issues. Currently, the department participates in eight of these task forces/cooperative agreements:

**CLEMIS** (Courts and Law Enforcement Management Information System): CLEMIS provides records management, computer aided dispatch systems and criminal data base records for Oakland County police agencies and other local, state and federal agencies. By serving as a technical link among multiple members, CLEMIS promotes communication and sharing of criminal justice information.

**PSAP** (Public Safety Answering Point): The City has provided dispatch services to the Village of Beverly Hills since 2012.

**MCAT** (Major Case Assistance Team): 9 local law enforcement agencies that provide experienced investigators to work on major and complex criminal investigations.

**NET** (Narcotics Enforcement Team): 16 local law enforcement agencies and two federal partners (Drug Enforcement Administration and the Department of Homeland Security) that conduct narcotics investigations throughout Oakland County and other areas. The Oakland County Sherriff's Office supervises the team.

**SIU** (Special Investigations Unit): 5 local law enforcement agencies that target organized criminals/criminal enterprises utilizing undercover operations and surveillance. The team also

assists in wanted fugitive apprehensions. The City of Troy Police Department supervises the team.

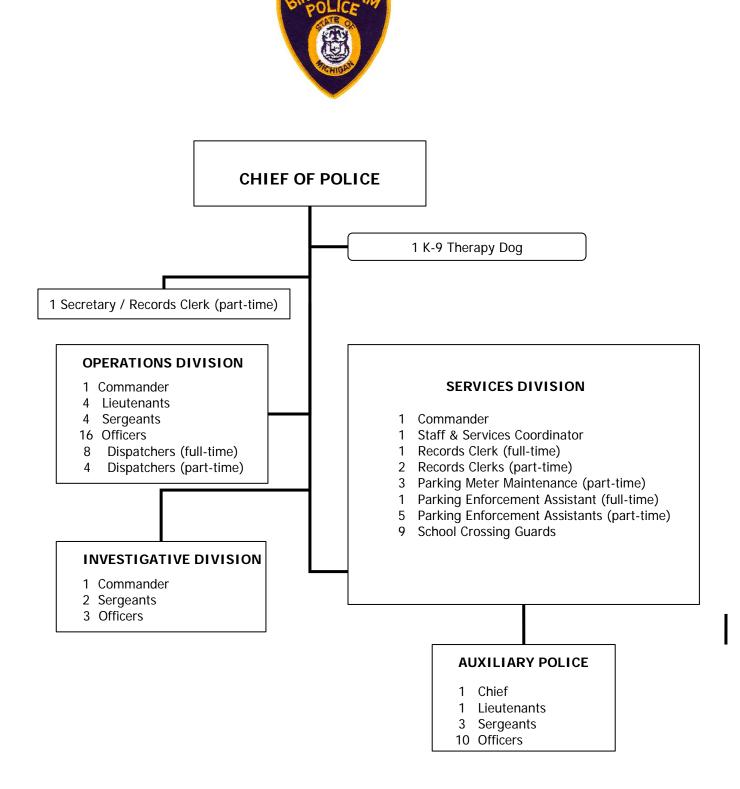
**OAKTAC** (Oakland County Tactical Unit): 40 local law enforcement agencies throughout Oakland County trained in the area of crowd management and civil unrest events. The team can also assist with active shooter and hostage tactical situations.

**Federal Bureau of Investigation Financial Crimes Task Force** (FBI): Cooperative agreement with the Federal Bureau of Investigation to assign local law enforcement officers to the FBI in order to work on local fraud cases at the federal level to enhance investigatory capabilities and address large scale fraud cases crossing local, state and federal jurisdictions.

**SOCCIT** (South Oakland County Crash Investigation Team): 5 local law enforcement agencies that provide highly trained officers in the field of accident investigation/reconstruction. The team conducts accident investigations involving serious or fatal vehicle and/or pedestrian traffic related incidents.

It is my hope that this message provides a well-rounded view of the commitment and dedication of the men and women of the Birmingham Police Department. The department could not do the important work of providing for the safety and well-being of the community without the assistance and support we receive from the City Manager, the City Commission and our residents.

# **2020 ORGANIZATIONAL CHART**



# BIRMINGHAM POLICE DEPARTMENT PERSONNEL DISTRIBUTION AUTHORIZED POSITIONS 2020

FULL TIME SWORN POSITIONS	2020	2019	2018	2017	2016
CHIEF OF POLICE	1	1	1	1	1
COMMANDER	3	3	3	3	3
LIEUTENANT	4	4	4	4	4
SERGEANT	6	6	6	7	7
POLICE OFFICER	19	19	18	17	17
SWORN OFFICER TOTAL	33	33	32	32	32
FULL TIME CIVILIAN POSITIONS	2020	2019	2018	2017	2016
PARKING ENFORCEMENT ASSISTANT	1	1	1	1	1
STAFF & SERVICES COORDINATOR	1	1	1	1	1
DISPATCHER	8	8	8	8	7
RECORDS CLERK	1	1	1	1	1
FULL TIME CIVILIAN TOTAL	11	11	11	11	10
FULL TIME EMPLOYEE TOTAL	44	44	43	43	42
PART TIME CIVILIAN POSITIONS	2020	2019	2018	2017	2016
PARKING METER MAINTENANCE	3	3	3	3	2
SCHOOL CROSSING GUARD	9	9	9	9	9
CLERK / SECRETARY	3	3	3	3	3
PARKING ENFORCEMENT ASSISTANT	5	5	5	5	5

# BIRMINGHAM POLICE DEPARTMENT PERSONNEL REGISTER PRESENT FOR DUTY DECEMBER 31 2020

CHIEF OF POLICE Mark H. Clemence

COMMANDERS SERVICES DIVISION Michael Albrecht

INVESTIGATIVE Chris Busen

DIVISION

**OPERATIONS DIVISION** Scott Grewe

LIEUTENANTS PLATOON A Greg Wald

PLATOON B Christopher Koch
PLATOON C Ryan Kearney
PLATOON D Raymond Faes

SERGEANTS PLATOON A Michael Lyon

PLATOON B Katherine Long
PLATOON C Michael Romanowski

PLATOON D Joseph Bunting

INVESTIGATORS Rebekah Springer

Michael Simpson David Buttigieg Alex Linke Jeff Whipple

POLICE OFFICERS Seth Barone

Josh Bouchard Christopher Bukoski

Nicholas Hill Josh Husted Yacoub Iseid Nicholas Krumm

Michael Manzo Kyle McCanham Scott McIntyre

**Brent Macumber** 

Gina Moody Casey Pedersen Evan Rothe Stefan Syts Jordan Zale

**FULL TIME DISPATCHERS** 

Sharon Blair Joya Davis Jamie Irwin

Steven Lemiere-Bozynski

Joseph Misiak Daniel Ruby Melissa Toole Terez Willis

DISPATCHERS **PART TIME** Janice Delinko

> Antoinette Licari Kristine Longtine **David Sharick**

STAFF & SERVICES FULL TIME COORDINATOR

Ellen DeView

**RECORDS CLERK FULL TIME** Jennifer Davis

**SECRETARY** RECORDS CLERK PART TIME

Gwynn Duffy Brandi Ljungvall Darlene St. Charles

**PARKING ENFORCEMENT ASSISTANTS** 

**FULL TIME** PART TIME James Lotridge Kenneth Hitchcock **Howard Jacobs Robert Prew** Linda Rodriguez **Christine Williams** 

PARKING METER **MAINTENANCE** 

**PART TIME** 

Rick Waynick Cheryl Vassallo

Vacant

AND COLLECTION

**SCHOOL** 

**GUARDS** 

**CROSSING** 

**PART TIME** 

Rick Argus Evan Berns \* Suann Darmody Alexandra Harris

Laura Keaton Thomas Lynch

Kenneth McQuillan \*
George Oltman, Jr.
Iris Poole \*
Audrey Reed
Steffanie Rhymes
Mary Sczesny \*

\* SUBSTITUTE

# **2020 PERSONNEL CHANGES**

### **PROMOTED**

Steven Lemiere-Bozynski, Dispatcher (to full time)

### **POSITION ELIMINATED**

None

### **RECRUITED**

Antoinette Licari, Dispatcher (part time) Kristen Longtine, Dispatcher (part time) Walter Radu, Dispatcher (part time) Evan Berns, Crossing Guard (part time)

### **RESIGNED**

Renee Backlund, Dispatcher Kristen Longtine, Dispatcher (part time) Walter Radu, Dispatcher (part time) Dennis Sheppard, Crossing Guard Chester Zuchlewski, Crossing Guard

### **RETIRED**

Frank Russell, Dispatcher

# **TRANSFERRED**

None

# **2020 SENIORITY DISTRIBUTION**

**OFFICER / SERGEANT** 

00-04 years of service 05-09 years of service 10-14 years of service 15-19 years of service 20-24 years of service 25-30 years of service		9 10 0 1 5 0
-	Total	25
05-09 years of service 10-14 years of service 15-19 years of service 20-24 years of service 25-30 years of service 31-35 years of service	ER	0 0 2 4 1 0
- CHIEF	Total	7
35 + years of service		1
-	Total	1
O0-04 years of service 05-09 years of service 10-14 years of service 15-19 years of service 20-24 years of service 25-29 years of service 30-35 years of service		6 4 0 0 0 0 2
-	Total	12
SWORN OFFICER	12	2.49 YEARS
SENIORITY AVERAGE CIVILIAN EMPLOYEE SENIORITY AVERAGE (FULL TIME)	10	6.26 YEARS
CIVILIAN EMPLOYEE SENIORITY AVERAGE (PART TIME)		3.20 YEARS

# SUMMARY OF OFFENSES, ARRESTS, AND VIOLATIONS

The primary goal of the department is protection of life and property, prevention of crime, and apprehension of criminal perpetrators. We strive to deliver the best possible police service in a professional, courteous manner to the residents of the city and to those who work, travel, and shop here.

In 2020, we responded to 21,167 calls for police service, an increase of 3.07% from the previous year. These calls are classified into three separate groups:

- Group A includes: Robbery, forcible sexual assaults, larceny, burglary, damage to property, etc.
- Group B includes: Operating While Intoxicated (OWI), disorderly conduct, liquor law violations, misdemeanor sex offenses, non-violent family offenses, etc.
- Group C includes: Traffic offenses, traffic crashes, juvenile offenses, warrant arrests, general patrol activity, etc.
- Group A incidents were down 16.98%

2020 = 308

2019 = 371

Group A arrests were down 37.50%

2020 = 30

2019 = 48

Group B incidents were down 32.14%

2020 = 133

2019 = 196

Group B arrests were down 50.79%

2020 = 62

2019 = 126

Group C incidents were up 3.53%

2020 = 20,728

2019 = 20,021

Group C arrests were down 70.42%

2020 = 71

2019 = 240

Traffic citations were down 61.77%

2020 = 2.859

2019 = 7,479

Total parking violations were down 38.60%

2020 = 28,052

2019 = 45,691

# SUMMARY OF OFFENSES THREE YEAR TREND

OFFENSES	2020	2019	2018	3 YEAR AVERAGE
CRIMINAL HOMICIDE	0	0	0	0.00
CRIMINAL SEXUAL CONDUCT I, III	0	3	5	2.67
ROBBERY	1	1	3	1.67
ASSAULT ALL	34	46	51	43.67
BURGLARY	14	20	24	19.33
LARCENY	80	94	84	86.00
MOTOR VEHICLE THEFT	10	8	9	9.00
ARSON	0	0	0	0.00
CRIMINAL SEXUAL CONDUCT II, IV	1	2	5	2.67
FORGERY / COUNTERFEITING	4	5	1	3.33
FRAUD	89	110	113	104.00
EMBEZZLEMENT	3	8	8	6.33
VANDALISM	33	33	19	28.33
OPERATING WHILE INTOXICATED	27	95	71	64.33
TOTALS	296	425	393	371.33

# **ADULT ARREST COMPARISON REPORT**

OFFENSES	2020	2019	2018	3 YEAR AVERAGE
CRIMINAL SEXUAL CONDUCT I, III	0	1	1	.67
HOMICIDE	0	0	0	0.00
ROBBERY	0	0	3	1.00
ASSAULT	15	25	34	24.67
BURGLARY	3	0	7	3.33
LARCENY	9	21	22	17.33
MOTOR VEHICLE THEFT	2	1	1	1.33
ARSON TOTAL PART A	0 <b>29</b>	0 <b>48</b>	0 <b>68</b>	0.00 <b>48.33</b>
CRIMINAL SEXUAL CONDUCT II, IV	1	0	1	0.67
FORGERY / COUNTERFEITING	0	0	0	0.00
FRAUD	5	10	5	6.67
EMBEZZLEMENT	1	4	0	1.67
VANDALISM	4	3	6	4.33
OPERATING WHILE INTOXICATED	26	86	62	58.00
OTHER PART B *TOTAL PART B	26 <b>63</b>	23 <b>126</b>	14 <b>88</b>	21.00 <b>92.33</b>
WARRANT ARRESTS	25	85	85	65.00
MISCELLANEOUS DRIVING OFFENSES TOTAL PART C	46 <b>71</b>	155 <b>240</b>	156 <b>241</b>	119.00 <b>184.00</b>
GRAND TOTAL	163	414	397	324.67

# **ADULT ARREST BY MONTH REPORT**

MONTH	2020	2019	2018	3 YEAR AVERAGE
JANUARY	32	41	42	38.33
FEBRUARY	32	46	33	37.00
MARCH	20	43	54	39.00
APRIL	0	34	32	22.00
MAY	5	29	31	21.67
JUNE	7	38	26	23.67
JULY	3	36	34	24.33
AUGUST	9	27	39	25.00
SEPTEMBER	8	33	27	22.67
OCTOBER	14	24	21	19.67
NOVEMBER	6	23	33	20.67
DECEMBER	9	24	33	22.00
TOTAL	145	398	405	316.00

# **ACCIDENT SUMMARIES / TRENDS**

ACCIDENT TYPE	2020 TOTAL	2019 TOTAL	2018 TOTAL	3 YEAR AVERAGE
FATAL INJURY	2	0	0	0.67
PERSONAL INJURY	43	83	60	62.00
PROPERTY DAMAGE	466	743	765	658.00
TOTAL ACCIDENTS	511	826	825	720.67
# PERSONS KILLED	2	0	0	0.67

# **2020 PARKING VIOLATIONS SUMMARY**

PARKING VIOLATIONS	TOTAL
2020	28,052
2019	45,691
2018	40,637
2017	37,278
2016	34,078
2015	25,010
2014	34,127
2013	31,535
2012	30,182
2011	31,844
2010	27,695
2009	33,827
2008	34,592
2007	40,614
METER VIOLATIONS	TOTAL
2020	26,438
2019	42,110
2018	36,612
2017	32,691
2016	29,633
2015	20,842
2014	29,629
2013	28,162
2012	27,935
2011	29,737
2010	25,252
2009	30,314
2008	30,584
2007	35,274
NON - METER VIOLATIONS	TOTAL
2020	1,614
2019	3,581
2018	4,025
2017	4,587
2016	4,445
2015	4,168
2014	4,498
2013	3,373
2012	2,247
2011	2,107
2010	2,443
2009	3,508
2008	4,008
2007	5,340

# **2020 MOVING VIOLATIONS SUMMARY**

MOVING HAZARDOUS VIOLATIONS	TOTAL
2020	1,672
2019	4,096
2018	3,512
2017	3,784
2016	3,637
2015	3,355
2014	3,707
2013	4,039
2012	2,285
2011	2,040
2010	2,275
2009	2,429
2008	3,100
2007	4,320
2006	4,739
2005	3,846
2004	3,637
2003	2,725
2002	3,894
MOVING NON-HAZARDOUS VIOLATIONS	TOTAL
2020	1,187
2020 2019 2018	1,187
2020 2019	1,187 3,383
2020 2019 2018	1,187 3,383 3,645
2020 2019 2018 2017	1,187 3,383 3,645 3,176
2020 2019 2018 2017 2016	1,187 3,383 3,645 3,176 2,795
2020 2019 2018 2017 2016 2015	1,187 3,383 3,645 3,176 2,795 3,464
2020 2019 2018 2017 2016 2015 2014	1,187 3,383 3,645 3,176 2,795 3,464 4,280
2020 2019 2018 2017 2016 2015 2014 2013	1,187 3,383 3,645 3,176 2,795 3,464 4,280 4,525
2020 2019 2018 2017 2016 2015 2014 2013 2012	1,187 3,383 3,645 3,176 2,795 3,464 4,280 4,525 4,325
2020 2019 2018 2017 2016 2015 2014 2013 2012 2011	1,187 3,383 3,645 3,176 2,795 3,464 4,280 4,525 4,325 3,082
2020 2019 2018 2017 2016 2015 2014 2013 2012 2011	1,187 3,383 3,645 3,176 2,795 3,464 4,280 4,525 4,325 3,082 3,054 4,551 2,378
2020 2019 2018 2017 2016 2015 2014 2013 2012 2011 2010 2009	1,187 3,383 3,645 3,176 2,795 3,464 4,280 4,525 4,325 3,082 3,054 4,551
2020 2019 2018 2017 2016 2015 2014 2013 2012 2011 2010 2009 2008	1,187 3,383 3,645 3,176 2,795 3,464 4,280 4,525 4,325 3,082 3,054 4,551 2,378
2020 2019 2018 2017 2016 2015 2014 2013 2012 2011 2010 2009 2008 2007	1,187 3,383 3,645 3,176 2,795 3,464 4,280 4,525 4,325 3,082 3,054 4,551 2,378 2,119
2020 2019 2018 2017 2016 2015 2014 2013 2012 2011 2010 2009 2008 2007 2006	1,187 3,383 3,645 3,176 2,795 3,464 4,280 4,525 4,325 3,082 3,054 4,551 2,378 2,119 2,390
2020 2019 2018 2017 2016 2015 2014 2013 2012 2011 2010 2009 2008 2007 2006 2005	1,187 3,383 3,645 3,176 2,795 3,464 4,280 4,525 4,325 3,082 3,054 4,551 2,378 2,119 2,390 2,816



# CALLS FOR SERVICE

2020	21,167
2019	20,537
2019	21,032
2017	17,945
2017	•
2015	14,863
	16,771
2014	17,678
2013	18,372
2012	16,571
2011	16,983
2010	17,713
2009	16,031
2008	20,104
2007	18,749
2006	19,997
2005	20,003
2004	20,004
2003	19,628
2002	20,978
2001	19,276
2000	19,469
1999	21,150
1998	21,250
1997	20,950
1996	20,094
1995	19,269
1994	18,864
1993	19,900
1992	18,579
1991	19,286

# **2020 JUVENILE ARRESTS / DISPOSITIONS**

	2020	2019	2018
ARRESTS MALE FEMALE TOTAL	6	6	7
	6	3	2
	12	9	9
FELONY *	3	1	2
MISDEMEANOR *	14	15	9
DISPOSITIONS PARENTAL CONFERENCE YOUTH ASSISTANCE JUVENILE COURT	0	2	2
	8	6	0
	4	1	7

<sup>\*</sup> MAY REPRESENT MULTIPLE CHARGES



# **AUXILIARY POLICE REPORT**

The Auxiliary Police is comprised of dedicated volunteers who either live or work in the City of Birmingham.

Each member has been trained through the Police Academy Reserve Officer Training Program.

Auxiliaries assist regular officers during many special events held throughout the year and act as back up to the regular officers on patrol. Members of the Auxiliary Police are perhaps most visible while providing crowd, traffic control, and security for high school sporting events and also while participating in foot patrol assignments in the downtown area throughout summer.

### **AUXILIARY POLICE ROSTER AS OF DECEMBER 31, 2020**

### **CHIEF**

Kurt Gerber

### **LIEUTENANTS**

Timothy Griswold

### **SERGEANTS**

Berge Avesian Robert Denton Brian Fitzerman

### **OFFICERS**

Alex Calderone Brian Farrar James Glavin Brennan Hamilton David Jevahirian Robert Prew Kyle Ramfos Michel Saikalis Charles Tallinger Michael Wooley February 3, 2021

Pierre Boutros Mayor Birmingham P.O. Box 3001

# Dear Elected Officials and Administrators:

Thank you for your community's ongoing support for Suburban Mobility Authority for Regional Transportation's (SMART's) regional bus service as a participating community. On behalf of the Oakland County Public Transit Authority (OCPTA), I am reaching out to inform the 23 participating Oakland County communities about the OCPTA, its responsibilities, and recent changes to its transit services agreement with SMART.

What is the OCPTA? Enabled by Michigan state statute in 1996, the OCPTA is the legal funding entity that enables Oakland County's participating communities to levy a property tax millage every four years to help fund regional transit services. In 2018 your voters renewed 1 mil of the 5-mil limitation on such services.

The Oakland County Treasurer collects the millage and then distributes these funds to the OCPTA for oversight and management. The five-member OCPTA board, appointed by the Oakland County Board of Commissioners, oversees a transit service agreement with SMART on behalf of your community. The OCPTA distributes the tax payments to SMART on a regular schedule.

The 1 mil levy raised through the 23 participating communities is approximately a \$32M annual budget. With these funds, SMART provides fixed-route bus and paratransit service that connects people to jobs, education, health care, entertainment, and more in Oakland, Wayne, Monroe, and Macomb counties.

In January 2019, the Oakland County Board of Commissioners appointed a new, majority of members to the OCPTA board. New board members set priorities to improve transparency, administrative management and oversight, as well as communication with the Oakland County Board of Commissioners, leaders of the participating Oakland County communities and its contracted service provider, SMART. I am pleased to share the Authority's progress that benefits your community's investment in transit services.

In 2020, the OCPTA accomplished several key priorities:

Established the first-ever Mission Statement for Oakland County public transportation provided through the OCPTA. Leading with values of integrity, transparency, accountability, responsiveness, and equity, the mission statement established guiding principles that will inform decision-making between the OCPTA, SMART, and participating communities.

# **INFORMATION ONLY**

- Aligned the service agreement between the OCPTA and SMART to operate
  consistently with OCPTA's new mission statement; to achieve greater detail and
  specificity regarding performance reporting and access to bus service
  performance data and clarified the Authority's role and responsibilities to its
  stakeholder communities. The new service agreement reflects a 2-year renewal
  cadence that better aligns with the 4-year millage renewal.
- Made Authority documents accessible to the public for the first time in 30 years including meeting minutes, Articles of Incorporation, Authority Bylaws and SMART contracts.
- Developed a clearer description of 'opt in' (participating) and opt-out (non-participating) communities; an explanation of how Community and Municipal Credits function (it's complicated!), and how these tools can enhance transportation in your community.
- Provided high-quality bus transit service that continues to reinforce the long-term, mutually supportive partnership between the OCPTA and SMART.

Our goals are to increase confidence between community leaders, taxpayers, and SMART on our shared investment to deliver critical transit service to the people in our region. The OCPTA encourages your community to continue engaging in transit planning both at a community and regional level with OCPTA and SMART as your partners.

The OCPTA believes its actions and decisions meet local government transparency expectations. We hope to exceed expectations as we continuously improve and serve as a stronger thought partner on enhancing transit service in Oakland County and the region.

Enclosed is a copy of OCPTA's Mission Statement. I invite you to visit <a href="https://www.oakgov.com/boc/Committees/Pages/authorities.aspx">https://www.oakgov.com/boc/Committees/Pages/authorities.aspx</a> on the Oakland County Regional Authorities page to access additional OCPTA public documents.

Sincerely OCPTA Members,

Melanie Piana, Chair & Mayor, City of Ferndale

Marie Donigan, Secretary

Rashon Douglas

David Herrell

Tameka Ramsey

# Oakland County Public Transit Authority (OCPTA)

# Mission Statement Authority Adopted: April 21, 2020

### STATEMENT OF PURPOSE

The purpose of OCPTA is to help inform and guide transit planning and implementation in Oakland County in coordination with the region. The OCPTA is responsible for delivering the best transit service possible to communities in Oakland County.

### **UNIFYING FRAMEWORK**

The OCPTA recognizes that Oakland County has an obligation to offer a full range of viable transportation and modern mobility options to all people. OCPTA's work is grounded in the belief that government transparency, accountability and responsiveness are critical to innovating regional transportation solutions.

As a public entity, OCPTA builds broad-based collaborations across communities and counties to blend transit and mobility options into a flexible and responsive transportation network.

### **VALUES**

- Integrity
- Transparency
- Accountability
- Responsiveness
- Equity

### **PRINCIPLES**

The intent of the OCPTA is to be a regional partner that provides viable regional transit choices to connect people, jobs and communities. These principles drive OCPTA decision-making in partnership with the Board of Commissioners, the County Executive, and contractual transit providers.

### 1. Accountability

- Regular communication with the Oakland County Board of Commissioners, the County Executive, contractual partners and regional stakeholders.
- Coordination between participating Oakland County communities.
- Openness and accessibility with OCPTA decision-making, meetings and public documents.
- The OCPTA principles guide contractual relationships with transit providers and shape the organizational culture.
- Plan and support a modern transit system based on the industry's best practices to ensure all people are being served.

# Oakland County Public Transit Authority (OCPTA)

### 2. Inclusivity

- Connect people in the region to where they live, play, work and learn.
- Assist employers with workforce mobility solutions.
- Design and implement an accessible transit system.

# 3. Healthy & Connected Communities

- Vibrant local economies contribute to shared regional success.
- Provide access to great neighborhoods and public spaces
- Provide access to jobs and affordable housing
- Rational coordination of transportation systems with regional development patterns.

### 4. Environmental Stewardship

- Minimize negative impacts of traffic congestion on air quality, long commutes and quality of life.
- Reduce GreenHouse Gas (GHG) emissions to minimize negative environmental impacts through an effective regional transit network.
- Preserve open spaces, recreation, and clean water