

**BIRMINGHAM CITY COMMISSION AGENDA**  
**MONDAY, MARCH 14, 2022**  
**MUNICIPAL BUILDING, 151 MARTIN**  
**7:30 P.M.**  
**AMENDED**

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

Therese Longe, 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**

- Michigan and Oakland County are at a substantial rate of COVID-19 community transmission. Per Occupational Safety and Health Administration (OSHA) mask guidance for areas of high or substantial community transmission levels, and to continue to protect essential government operations and functions, the city requires masks in City Hall for all employees, and for board and commission members. Masks are recommended for members of the public who attend city meetings. The city continues to provide KN-95 respirators for all in-person meeting attendees.
- Happy Birthday Commissioner Baller
- Mohmadyunes Patel - City Engineer Coming to Birmingham
- Congresswoman Haley Stevens

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

- A. Public Comment – Brad Coulter
- a. Additional communication regarding this submitted public comment has been included.

**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 to approve the City Commission meeting revised minutes of February 14, 2022.
- B. Resolution to approve the City Commission meeting minutes of February 28, 2022.

- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated March 2, 2022, in the amount of \$283,691.17.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated March 9, 2022, in the amount of \$1,671,096.82.
- E. Resolution to approve a special event permit as requested by the Michigan Parkinson Foundation to hold the 2022 Parkinson Walk on Saturday, June 18, 2022, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff leading up to or at the time of the event.
- F. Resolution to approve a special event permit as requested by the HDSA Michigan Chapter to hold Yoga in the Park on Saturday, June 18, 2022, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff leading up to or at the time of the event.
- G. Resolution to accept the resignation of Erin Rodenhouse from the Board of Zoning appeals, to thank her for her service and to direct the City Clerk to begin the process of filling the vacancy.
- H. Resolution to accept the resignation of Sarshar Nasserian from the Advisory Parking Committee, thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.
- I. Resolution to accept the resignation of Pierre Yaldo from the Brownfield Redevelopment Authority, thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.
- J. Resolution to accept the resignation of David Lurie from the Mutli-Modal Transportation Board, thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.
- K. Resolution approving a 2-year contract extension (through November 15, 2023) with Birmingham Lawn for lawn maintenance services in an amount not to exceed \$347,562. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project has been budgeted for using funds from the following other contractual services accounts: \$193,854 in Parks (101-751.000-811.0000), \$55,490 in City Properties (101-441.003-811.0000), \$13,156 in Well Sites (591-537.002-811.0000), \$15,274 in Local Streets (203-449.003-937.0400), \$59,788 in Major Streets (202-449.003-937.0400), and \$10,000 in Grass/Noxious Weed Enforcement (101-441.007-811.0000).

## **VI. UNFINISHED BUSINESS**



## **VII. NEW BUSINESS**

- A. S. Old Woodward Ph. 3 Estimated Project Cost Update
- B. Public Hearing of Necessity for S. Old Woodward Sidewalk and Streetscape Special Assessment District
  - 1. Resolution declaring necessity and approving a Special Assessment District with special assessments levied in accordance with benefits against the properties within such assessment district. The special assessment district shall include all properties within the following district of 165 parcels (listed in report), and the City Commission will meet on Monday, April 11, 2022 at 7:30 P.M. for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the sidewalk and streetscape improvements adjacent to all properties within the project area on South Old Woodward Avenue, between Brown Street and Landon Street.
- C. Public Hearing of Necessity for S Old Woodward Water and Sewer Special Assessment District
  - 1. Resolution declaring necessity and approving a Special Assessment District with special assessments levied in accordance with benefits against the properties within such assessment district. The special assessment district shall include all properties within the following district of 10 parcels (listed in report), and the City Commission will meet on Monday, April 11, 2022 at 7:30 P.M. for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the water and sewer lateral replacements for properties within the project area on South Old Woodward Avenue, between Brown Street and Landon Street.
- D. Commission discussion on items from prior meeting  
(none)
- E. 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. Eric Wolfe Regarding Rezoning Questions - Staff Responses and Related Communications

## **X. REPORTS**

- A. Commissioner Reports
  - 1. Notice of intention to appoint Housing Board of Appeals

2. Notice of intention to appoint Brownfield Redevelopment Authority
  3. Notice of intention to appoint Board of Zoning Appeals
  4. Notice of intention to appoint Advisory Parking Committee
  5. Notice of intention to appoint Multi-Modal Transportation Board
  6. Notice of intention to appoint Architectural Review Committee
- B. Commissioner Comments
  - C. Advisory Boards, Committees, Commissions' Reports and Agendas
  - D. Legislation
  - E. City Staff
    1. 2021 Annual Golf Report
    2. City Manager Annual Performance Update

#### INFORMATION ONLY

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

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760  
 You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

*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).*

**Public Comment for inclusion in the Meeting Packet – March 14, 2022 City Commission Meeting**

As a follow up on the Code of Conduct discussion, I think it's important for the public and the Commission to understand the influence that non-residents of Birmingham had in creating the uncivil tenor of the last two elections. There was the well publicized outside influence in the NOW parking deck bond election with over \$250,000 spent by the developer backed Birmingham Yes PAC. Outside influences also played a significant role in the 2021 City Commission election that are just now coming to light via recently published campaign filings.

In 2021, the Balance for Birmingham PAC was responsible for mailing out the attached flyer denigrating two City Commission candidates. Looking at the post-election filing from Balance for Birmingham shows four of the five listed donors are not residents of Birmingham. It should also be noted that all five of the donors are involved in real estate and property development.

These outside influences shaping our elections is concerning and highlights a need for more transparency from Commissioners participating in the election process, especially since two sitting Commissioners are listed in public filings as being directly involved with the Balance for Birmingham PAC.

The Balance for Birmingham campaign finance documents are publicly available on the Oakland County Campaign Finance website under the Balance for Birmingham filings.

<https://oakland.mi.campaignfinance.us/iCommitteePortal.php?iCommitteeID=12456>

The campaign finance documents for the NOW parking deck bond are available under Birmingham Yes.

<https://oakland.mi.campaignfinance.us/iCommitteePortal.php?iCommitteeID=15173>

Regards,

Brad Coulter  
498 Wimbleton, Birmingham

March 8, 2022

# THE POLITICS OF DIVISION AND DECEPTION.

## David Bloom and Andrew Haig Will Say Anything to Get Your Vote

David Bloom, Andrew Haig and the PAC supporting them are so desperate for your vote they are **telling lies** about our city's ongoing Master Plan process to make you angry and afraid, and then saying only Bloom and Haig can protect you from these made-up threats.

## DON'T FALL FOR IT.

Here's the story, in a nutshell: The planning consultants drafting our master plan initially suggested rezoning some major streets for multi-family housing.

No one --including residents, the Planning Board, and the City Commission -- liked the idea, and it was **REJECTED**. The consultants were told to remove the suggestions and preserve single-family zoning.

Bloom and Haig know that the 2nd Draft of the Master Plan eliminates these ideas, but they unabashedly make them a campaign issue anyway. The current draft makes most of their claims verifiably false. They know it. But they also know that stoking fear and anger might buy some votes. So, despite the truth, they won't back down.

**Haig and Bloom lack the honesty and integrity you expect and deserve in your commissioners.** They are trying to divide our city and our leadership. Don't let them.

Paid for with regulated funds by  
**Balance 4 Birmingham**  
592 W Frank Street  
Birmingham, MI 48009

PSRST STD  
U.S. POSTAGE  
PAID  
ALLIED MEDIA



David Bloom  
giving a one-  
finger salute  
at a public  
meeting

THIS TUESDAY, NOVEMBER 2nd,  
**REJECT THE POLITICS OF  
DIVISION AND DECEPTION.  
KEEP BIRMINGHAM  
MOVING FORWARD**

**Norman, Amantha E**

---

**From:** Therese Quattrociocchi Longe <[REDACTED]>  
**Sent:** Wednesday, December 1, 2021 9:41 PM  
**To:** Campaign Finance  
**Subject:** Post-election report for Cmte #96377  
**Attachments:** Cmte #96377 Post-Election Statement.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Sir or Madam,

Please find attached the Post-Election Statement for committee #96377





MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

INDEPENDENT/POLITICAL  
COMMITTEE COVER PAGE

FOR OFFICIAL USE ONLY

Report must be legible, typed or printed in ink and signed  
by the treasurer or designated record keeper

1. Committee I.D. Number

96377

2. Committee Name

Balance for Birmingham

3. This Statement covers From: 10/18/21

To 11/22/21

4. Committee's Mailing Address

592 West Frank Street  
Birmingham, MI 48009

Area Code and Phone (248) 766-3040

If the address in this box is different from the committee mailing address on the Statement of  
Organization, mail may be sent to this address by the filing official.



5. Treasurer's Name and Residential Address

Charles Hess  
592 West Frank Street  
Birmingham, MI 48009

Area Code and Phone (248) 766-3040

6. Treasurer's Business Address

592 West Frank Street  
Birmingham, MI 48009

Area Code and Phone

7. Designated Record Keeper's Name and Mailing Address (If the committee has a Designated  
Record Keeper)

Area Code and Phone

8. TYPE OF STATEMENT:

APPLICABLE TO INDEPENDENT AND POLITICAL  
COMMITTEES REGISTERED ON STATE LEVEL

8a. QUARTERLY STATEMENTS

☐ February 15

☐ July 25

☐ April 25

☐ October 25

8b. ☐ SPECIAL ELECTION INDEPENDENT  
EXPENDITURE REPORT

APPLICABLE TO INDEPENDENT AND  
POLITICAL COMMITTEES REGISTERED  
ON COUNTY LEVEL

8c. ☐ ANNUAL STATEMENT  
( \_\_\_\_\_ Coverage Year)

8d. ☐ PRE-ELECTION OR

8e. ☒ POST-ELECTION

Pre-Election or Post-Election  
Statement relates to:

☐ PRIMARY ☒ GENERAL

☐ CONVENTION ☐ SCHOOL

☐ SPECIAL ☐ CAUCUS

Date of Election, Convention or Caucus:

11/02/21

☐ July 25 Quarterly

☐ October 25 Quarterly

APPLICABLE TO INDEPENDENT AND  
POLITICAL COMMITTEES REGISTERED  
ON

STATE AND COUNTY LEVEL

8f. ☐ AMENDMENT TO CAMPAIGN  
STATEMENT

(Complete Item 8a, 8b, 8c 8d, 8e, 8f or 8h  
to indicate which Statement is being  
amended)

8g. ☐ DISSOLUTION OF COMMITTEE

Effective Date of Dissolution

By checking this item, I/We certify that  
the committee has no asset or outstanding  
debts, including late filing fees. Further, I  
request that if the dissolution cannot be  
granted, that this be considered a request for  
the Reporting Waiver.

Note: The disposition of residual funds must  
be reported on Schedule 2B and the  
Summary Page.

9. Verification: I certify that all reasonable diligence was used in the preparation of this statement and attached schedules (if any) and to the best of my  
knowledge and belief the contents are true, accurate and complete.

Current Treasurer or  
Designated Record Keeper

Charles Hess

Type or Print Name

Signature

Date 12/01/21



MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

1. Committee I.D. Number **96377**

2. Committee Name **Balance for Birmingham**

**SUMMARY PAGE  
INDEPENDENT OR POLITICAL COMMITTEE**

RECEIPTS	Column I This Period	Column II Cumulative for Calendar Year
3. Contributions		
a. Itemized Contributions (Schedule 2A, Column 6 + Schedule 2A-2, Column 8)	(3a.) \$ <b>4,350.00</b>	
b. Unitemized (less than \$20.01 each - no Schedule)	(3b.) \$ <b>NOT APPLICABLE</b>	
c. Subtotal of "Contributions"	(3c.) \$ <b>4,350.00</b>	(18.) \$ <b>4,350.00</b>
4. Other Receipts (Schedule 2A-1, Column 6)	(4.) \$ <b>0.00</b>	(19.) \$ <b>0.00</b>
<b>5. TOTAL CONTRIBUTIONS AND OTHER RECEIPTS</b> (Add line 3c + Line 4)	(5.) \$ <b>4,350.00</b>	(20.) \$ <b>4,350.00</b>
<b>IN-KIND CONTRIBUTIONS</b>		
6. In-Kind Contributions		
a. Itemized (Schedule 2-IK, Column 7)	(6a.) \$ <b>0.00</b>	
b. Unitemized (less than \$20.01 each - no Schedule)	(6b.) \$ <b>NOT APPLICABLE</b>	
<b>7. TOTAL IN-KIND CONTRIBUTIONS</b> (Add Line 6a + Line 6b)	(7.) \$ <b>0.00</b>	(21.) \$ <b>0.00</b>
<b>EXPENDITURES</b>		
8. Expenditures		
a. Itemized Direct (Schedule 2B, Column 7)	(8a.) \$ <b>3,086.84</b>	
b. Itemized Get-Out-the-Vote (Schedule B-G, Column 6)	(8b.) \$ <b>0.00</b>	
c. In-Kind Expenditures- Purchase of Goods or Services (Schedule 2B-2, Column 7)	(8c.) \$ <b>0.00</b>	
d. Unitemized (less than \$50.01 each - no Schedule)	(8d.) \$ <b>3.00</b>	
e. Subtotal of Expenditures	(8e.) \$ <b>3,089.84</b>	(22.) \$ <b>3,122.84</b>
9. Independent Expenditures (Schedule 2B-1, Column 7)	(9.) \$ <b>0.00</b>	(23.) \$ <b>0.00</b>
<b>10. TOTAL EXPENDITURES</b> (Add Line 8e + Line 9)	(10.) \$ <b>3,089.84</b>	(24.) \$ <b>3,122.84</b>
<b>IN-KIND EXPENDITURES</b>		
11. In-Kind Expenditures- Endorsements, Donations or Loans of Goods or Services (Schedule 2B-2, Column 8)	(11.) \$ <b>0.00</b>	(25.) \$ <b>0.00</b>
<b>DEBTS AND OBLIGATIONS</b>		
12. Debts and Obligations		
a. Owed by the Committee (Schedule 2E)	(12a.) \$ <b>2,468.01</b>	
b. Owed to the Committee (Schedule 2E)	(12b.) \$ <b>0.00</b>	
<b>BALANCE STATEMENT</b>		
13. Ending Balance of last report filed (Enter zero if no previous reports have been filed.)	(13.) \$ <b>793.54</b>	
14. Amount received during reporting period (Line 5, Total Contributions & Other Receipts - Column I)	(14.) + <b>4,350.00</b>	
15. SUBTOTAL Add lines 13 and 14	(15.) = <b>5,143.54</b>	
16. Amount expended during reporting period (Line 10, Total Expenditures - Column I)	(16.) - <b>3,089.84</b>	
17. ENDING BALANCE (Subtract line 16 from line 15)	(17.) \$ <b>2,053.70</b>	*

\*If your ending balance is negative, please recheck your math.



MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

ITEMIZED CONTRIBUTIONS

SCHEDULE 2A

INDEPENDENT OR POLITICAL COMMITTEE

1. Committee I.D. Number **96377**

2. Committee Name **Balance for Birmingham**

Please enter contributor's name and address. If contribution is from an individual, enter last name, first name, and middle initial. Check box to indicate if contribution is from a Political Committee or an Independent Committee (Both are commonly called PACs).

6. Amount

7. Cumulative for  
Calendar Year for Each  
Contributor (Through  
date of receipt)

3. Contribution # 1

Is this contribution from a PAC? ☐ YES

4. Date of Receipt **11/02/21**

Name & Address:

\$ **1,000.00**

\$ **1,000.00**

**Birmingham, MI 48009**

5. If over \$100.00 cumulative, please provide:

Occupation **Managing Member**

Employer

[Click Here for Memo Itemization Type](#)

Business Address

Type of Contribution: ☒ Direct

☐ Loan from a person

☐ Fund Raiser

3. Contribution # 2

Is this contribution from a PAC? ☐ YES

4. Date of Receipt **10/25/21**

Name & Address:

\$ **500.00**

\$ **500.00**

**West Bloomfield, MI 48323**

[Click Here for Memo Itemization Type](#)

5. If over \$100.00 cumulative, please provide:

Occupation **President**

Employer

Business Address

Type of Contribution: ☒ Direct

☐ Loan from a person

☐ Fund Raiser

3. Contribution # 3

Is this contribution from a PAC? ☐ YES

4. Date of Receipt **11/18/21**

Name & Address:

\$ **850.00**

\$ **850.00**

**West Bloomfield, MI 48323**

[Click Here for Memo Itemization Type](#)

5. If over \$100.00 cumulative, please provide:

Occupation **Sole Proprietor**

Employer

Business Address

Type of Contribution: ☒ Direct

☐ Loan from a person

☐ Fund Raiser

3. Contribution # 4

Is this contribution from a PAC? ☐ YES

4. Date of Receipt **11/18/21**

Name & Address:

\$ **1,000.00**

\$ **1,000.00**

**Bloomfield Hills, MI 48301**

[Click Here for Memo Itemization Type](#)

5. If over \$100.00 cumulative, please provide:

Occupation **Managing Director**

Employer

Business Address

Type of Contribution: ☒ Direct

☐ Loan from a person

☐ Fund Raiser

Page Subtotal

\$ **3,350.00**

Grand Total of All Schedules 2A  
(Complete on last page of Schedule)

Enter this total  
on line 3a of  
Summary Page





MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

ITEMIZED CONTRIBUTIONS

SCHEDULE 2A

INDEPENDENT OR POLITICAL COMMITTEE

1. Committee I.D. Number 96377

2. Committee Name Balance for Birmingham

Please enter contributor's name and address. If contribution is from an individual, enter last name, first name, and middle initial. Check box to indicate if contribution is from a Political Committee or an Independent Committee (Both are commonly called PACs).

6. Amount

7. Cumulative for Calendar Year for Each Contributor (Through date of receipt)

3. Contribution # 1

Is this contribution from a PAC? ☐ YES

4. Date of Receipt 11/19/21

Name & Address:

\$ 1,000.00

\$ 1,000.00

Bloomfield Hills, MI 48301

5. If over \$100.00 cumulative, please provide:

[Click Here for Memo Itemization Type](#)

Occupation President

Employer

Business Address

Type of Contribution: ☒ Direct

☐ Loan from a person

☐ Fund Raiser

3. Contribution # 2

Is this contribution from a PAC? ☐ YES

4. Date of Receipt

Name & Address:

\$

\$

[Click Here for Memo Itemization Type](#)

5. If over \$100.00 cumulative, please provide:

Occupation  Employer

Business Address

Type of Contribution: ☐ Direct

☐ Loan from a person

☐ Fund Raiser

3. Contribution # 3

Is this contribution from a PAC? ☐ YES

4. Date of Receipt

Name & Address:

\$

\$

[Click Here for Memo Itemization Type](#)

5. If over \$100.00 cumulative, please provide:

Occupation  Employer

Business Address

Type of Contribution: ☐ Direct

☐ Loan from a person

☐ Fund Raiser

3. Contribution # 4

Is this contribution from a PAC? ☐ YES

4. Date of Receipt

Name & Address:

\$

\$

[Click Here for Memo Itemization Type](#)

5. If over \$100.00 cumulative, please provide:

Occupation  Employer

Business Address

Type of Contribution: ☐ Direct

☐ Loan from a person

☐ Fund Raiser

Page Subtotal

\$ 1,000.00

Grand Total of All Schedules 2A  
(Complete on last page of Schedule)

\$ 4,350.00

Enter this total  
on line 3a of  
Summary Page



MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

ITEMIZED DIRECT EXPENDITURES

SCHEDULE 2B

INDEPENDENT OR POLITICAL COMMITTEE

1. Committee I.D. Number **96377**

Balance for Birmingham

2. Committee Name \_\_\_\_\_

3. Name and address of person or vendor to whom the expenditure was made	5. Candidate or Ballot Question Information	6. Date	7. Amount	8. Cumulative for Election or Election Cycle
<b>Expenditure #1</b> Name & Address: <b>Winning Strategies</b> <b>3805 Lorraine</b> <b>Flint, MI 48506</b>	5. _____ Name of Candidate <b>Birmingham City Commission</b> Office Sought & District # or Jurisdiction <b>Oakland</b> County	11/19/21 Date	\$ 480.00	\$ 480.00
4. Purpose: <u>Voter List</u> <input type="checkbox"/> Fund Raiser	<input checked="" type="checkbox"/> Ballot Proposal Check box if expenditure is payment of Debt or Obligation reported on previous statement	<a href="#">Click Here for Memo Itemization Type</a>		
<b>Expenditure #2</b> Name & Address: <b>Winning Strategies</b> <b>3805 Lorraine</b> <b>Flint, MI 48506</b>	5. _____ Name of Candidate <b>Birmingham City Commission</b> Office Sought & District # or Jurisdiction <b>Oakland</b> County	11/22/21 Date	\$ 2606.84	\$ 3086.84
4. Purpose: <u>Mailing Postcard</u> <input type="checkbox"/> Fund Raiser	<input type="checkbox"/> Ballot Proposal Check box if expenditure is payment of Debt or Obligation reported on previous statement	<a href="#">Click Here for Memo Itemization Type</a>		
<b>Expenditure #3</b> Name & Address:	5. _____ Name of Candidate Office Sought & District # or Jurisdiction County	_____ Date	\$ _____	\$ _____
4. Purpose: _____ <input type="checkbox"/> Fund Raiser	<input type="checkbox"/> Ballot Proposal Check box if expenditure is payment of Debt or Obligation reported on previous statement	<a href="#">Click Here for Memo Itemization Type</a>		
<b>Expenditure #4</b> Name & Address:	5. _____ Name of Candidate Office Sought & District # or Jurisdiction County	_____ Date	\$ _____	\$ _____
4. Purpose: _____ <input type="checkbox"/> Fund Raiser	<input type="checkbox"/> Ballot Proposal Check box if expenditure is payment of Debt or Obligation reported on previous statement	<a href="#">Click Here for Memo Itemization Type</a>		

Subtotal this page **\$3,086.84**

Grand Total of all Schedules 2B  
(Complete on last page of Schedule) **\$3,086.84**

Enter this total  
on line 8a of the  
Summary Page



MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

DEBTS AND OBLIGATIONS  
SCHEDULE 2E

POLITICAL OR INDEPENDENT COMMITTEE

1. Committee I.D. Number 96377

2. Committee Name Balance for Birmingham

This Schedule itemizes:

- a. ☒ Debts and obligations owed by or forgiven the committee OR b. ☐ Debts and obligations owed to or forgiven by the committee.  
(Check either a or b. Use only for the purpose checked.)

3. Name and mailing Address of person, vendor or financial institution to whom debt is owed.  Check box to indicate whether debt is owed to an incorporated business. If debt is a bank loan, please provide information regarding the endorser or guarantors, if any.	4. Type of Obligation (Description) 5. Indicate date debt was incurred 6. Indicate original amount of debt	7. Date and amount of each payment	8. Cumulative payment to date on debt	9. Outstanding Balance at close of this period (Item 6 minus Item 8)
Debt #1 Owed to or by: <input type="checkbox"/> Corp? <input type="checkbox"/> Yes  <b>Winning Strategies</b> 3805 Lorraine Flint, MI 48506	4. Type: <u>Voter List</u> 5. <u>Date Debt Was Incurred:</u> <u>10/07/21</u> 6. <u>Original Amount of Debt</u> <u>\$ \$480.00</u>	11/19/21 \$ <u>\$480.00</u> \$ \$ \$ \$	\$ <u>\$480.00</u>	\$ <u>\$0.00</u>  <input type="checkbox"/> FORGIVEN
If bank loan, name of endorser or guarantor: _____ Amount Endorsed: \$ _____				
Debt #2 Owed to or by: <input type="checkbox"/> Corp? <input type="checkbox"/> Yes  <b>Winning Strategies</b> 3805 Lorraine Flint, MI 48506	4. Type: <u>Mailing</u> 5. <u>Date Debt Was Incurred:</u> <u>10/27/21</u> 6. <u>Original Amount of Debt</u> <u>\$ \$2,468.01</u>	\$ \$ \$ \$ \$	\$ <u>\$0.00</u>	\$ <u>\$2468.01</u>  <input type="checkbox"/> FORGIVEN
If bank loan, name of endorser or guarantor: _____ Amount Endorsed: \$ _____				
Debt #3 Owed to or by: <input type="checkbox"/> Corp? <input type="checkbox"/> Yes	4. Type: _____ 5. <u>Date Debt Was Incurred:</u> _____ 6. <u>Original Amount of Debt:</u> \$ _____	\$ \$ \$ \$ \$	\$ _____	\$ _____  <input type="checkbox"/> FORGIVEN
If bank loan, name of endorser or guarantor: _____ Amount Endorsed: \$ _____				

Page Subtotal (Outstanding debt) **\$2,468.01**

Grand Total of all Schedules 2E  
(Complete on last page of Schedule showing amounts owed by or to the committee.) **\$2,468.01**

A debt or obligation must be shown on this Schedule if there was an outstanding amount owed on it at the closing date of this Campaign Statement or it was forgiven during the period covered by this Campaign Statement.

Enter this total on line 12a "owed by", or line 12b "owed to" of the Summary Page





MICHIGAN DEPARTMENT OF STATE  
BUREAU OF ELECTIONS

Clear Form

ORIGINAL OR AMENDED

STATEMENT OF ORGANIZATION FORM FOR INDEPENDENT, POLITICAL AND INDEPENDENT EXPENDITURE COMMITTEES (PACS)

1. Committee ID #: <b>98377</b>	2. Type of Filing: <input type="checkbox"/> Original: <input checked="" type="checkbox"/> Amendment to Items: <b>5a, 5b, 7a, 8</b> Eff. Date: <b>07/01/2019</b>
Committee Type (Check one): For more information regarding committee types, please see Appendix H of the committee manual.	
*3a <input type="checkbox"/> Independent: I/We acknowledge that the committee must meet certain requirements before being legally qualified to make contributions at a limit that is 10 times greater than the applicable contribution limit for an individual.	
*3b <input type="checkbox"/> Political: I/We acknowledge that the committee can never be legally qualified to make contributions at a limit that is greater than the applicable contribution limit for an individual.	
Is this a Separate Segregated Fund (SSF)? <input type="checkbox"/> YES <input type="checkbox"/> NO If Yes, the sponsor is a <input type="checkbox"/> Corporation <input type="checkbox"/> Labor Organization <input type="checkbox"/> D.D.S. The sponsor's name is:	
*3c. <input checked="" type="checkbox"/> Independent Expenditure PACs: This committee is organized exclusively for the purpose of making independent expenditures that are not in any way directly or indirectly "coordinated" with any candidate, candidate committee, political party, or political party committee, consistent with applicable case law, including but not limited to Michigan Chamber of Commerce et al v Terri Lynn Land, ___ FSupp2d ___ (WD MI, 2010). This committee also intends to raise funds in unlimited amounts. These committees are commonly referred to as Super PACs.	
*4a. Full Name of Committee (Must include affiliate or sponsor): <b>Balance for Birmingham</b>	
4b. Acronym or Abbreviation (if any): <b>B 4 B</b>	
*5a. Complete Committee Mailing Address (May be PO Box): <b>Balance for Birmingham, 822 Shirley, Birmingham, MI 48009</b>	
*5b. Complete Committee Street Address (May not be PO Box): <b>822 Shirley, Birmingham, MI 48009</b>	
*6. Date Committee was Formed in MI: <b>09/18/2015</b>	
*7a. Committee Phone: <b>(248) 703-8365</b>	7c. Committee E-mail Address:
7b. Committee Fax:	7d. Committee Website Address:
*8. Treasurer Name and Complete Address: <b>Clinton Baller, 822 Shirley, Birmingham, MI 48009</b>	
Phone #: <b>(248) 703-8365</b> Email Address:	
<input type="checkbox"/> OUT OF STATE COMMITTEE TREASURER IRREVOCABLE WRITTEN STIPULATION: I/We stipulate and agree that any legal process affecting this committee served on the Secretary of State or an agent designated by the Secretary of State shall have the same effect as if personally served on me and all other principals of this committee. I/We further agree that this appointment shall remain in force as long as any liability of this committee remains outstanding within the State of Michigan.	
9. Designated Record Keeper Name and Complete Address:	
Phone #: Email Address:	
10. REPORTING WAIVER REQUEST:	
<input type="checkbox"/> YES, I/WE WANT TO APPLY FOR THE REPORTING WAIVER. The committee does not expect to spend or receive in excess of \$1,000 in a calendar year. I/We understand that if the committee does not spend or receive in excess of \$1,000 in a calendar year, the committee does not owe Quarterly, Pre, Post and Annual Campaign Statements. I/We further understand that the Reporting Waiver will be automatically lost if the committee exceeds the \$1,000 threshold and all required campaign statements must be filed. A Reporting Waiver does not exempt a committee from filing Late Contribution Reports.	
<input checked="" type="checkbox"/> NO, I/WE DO NOT WANT TO APPLY FOR THE REPORTING WAIVER. The committee expects to spend or receive in excess of \$1,000 in a calendar year. I/We understand that the committee owes Quarterly, Pre, Post and Annual Campaign Statements even if the committee does not spend or receive in excess of \$1,000 in a calendar year. I/We further understand that the Reporting Waiver cannot be requested retroactively to avoid filing requirements and to avoid paying late filing fees.	
*11. Name and Address of Depositories or Intended Depositories of committee funds, (Michigan Bank, Credit Union or Savings & Loan Association)	
-Official Depository (name and address): <b>Citizens Bank, 23011 Woodward Ave, Ferndale, Michigan 48220</b>	
Secondary Depository (name and address):	
12. ELECTRONIC FILING: This item applies to committees that file with the Michigan Department of State Bureau of Elections only and does not apply to committees that file with the County Clerk's office.	
<input type="checkbox"/> Committee spent or received or expects to spend or receive in excess of \$5,000 and is required to file electronically.	
<input type="checkbox"/> Committee did not spend or receive or does not expect to spend or receive in excess of \$5,000 and would like to file electronically voluntarily.	
*13. Verification: I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, accurate and complete to the best of my/our knowledge or belief. If filing electronically, I/we further agree that the signatures below shall serve as the signatures that verify the accuracy and completeness of each statement filed electronically by the committee. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief. (Sign Name and Date below)	
*Current Treasurer:	Designated Record Keeper (Required only if filing electronically) Date: <b>07/08/2019</b>

RECEIVED FOR FILING  
OAKLAND COUNTY CLERK  
2019 JUL 12 AM 8:08  
BY: DEPUTY COUNTY CLERK



## ADDITIONAL CONTENT

Alex Bingham <abingham@bhamgov.org>

---

### Clarification to my public comment

2 messages

---

**Brad Coulter** <bradcoulter@gmail.com>

Fri, Mar 11, 2022 at 12:40 PM

To: Tom Markus <tmarkus@bhamgov.org>, Alex Bingham <abingham@bhamgov.org>, Pierre Boutros <pboutros@bhamgov.org>, tlonge@bhamgov.org, cballer@bhamgov.org, emclain@bhamgov.org, kschafer@bhamgov.org, ahaig@bhamgov.org, Brad Host <bhost@bhamgov.org>, mkucharek@bhlaw.us.com

I wanted to reach out on my public comment as I have received some concerns about the implied content. In hindsight, the use of the phrase "outsiders" was a poor choice of words and I did not intend to offend anyone from the Caldean community. I wanted to make the point that we have a number of non residents of Birmingham who are very invested in our elections and we should be aware of that and transparent with that.

I have already spoken with a few of the people involved and apologized for any perceived slight on my part and will also plan to speak publicly on Monday night to clarify and apologize as well.

My main intent as it has been all along is to bring back some resemblance of civility to our elections, which got out of hand last fall. I think the code of conduct is a good start and maybe it needs to be expanded to include all stakeholders in Birmingham.

Regards,

**Brad Coulter**  
**498 Wimbeldon**

---

# ADDITIONAL CONTENT



Alex Bingham <abingham@bhamgov.org>

---

## Re: withdraw public comment

2 messages

---

**Tom Markus** <tmarkus@bhamgov.org>

Fri, Mar 11, 2022 at 1:08 PM

To: Brad Coulter <bradcoulter@gmail.com>

Cc: City Commission <city-commission@bhamgov.org>, Department Heads <departmentheads@bhamgov.org>

Your public comment per your request is already a part of the public agenda. I think your previous email addresses your intent to apologize for any slight that may have been interpreted. Your sincere apology will likely do more to resolve the concern than the withdrawal of the item.

On Fri, Mar 11, 2022 at 12:57 PM Brad Coulter <[bradcoulter@gmail.com](mailto:bradcoulter@gmail.com)> wrote:

Is it possible to withdraw my public comment from the packet?

**Brad Coulter**

**Cell Phone: (248) 792-1230**

--

You received this message because you are subscribed to the Google Groups "DepartmentHeads" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [departmentheads+unsubscribe@bhamgov.org](mailto:departmentheads+unsubscribe@bhamgov.org).

To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/departments/CALPLqCgltgzdwppWPeiXoVYw8J%3DaC4u3keE%3DBoU9bCChJb-%2BLg%40mail.gmail.com>.

---

**Tom Markus** <tmarkus@bhamgov.org>

Fri, Mar 11, 2022 at 1:13 PM

To: Alex Bingham <abingham@bhamgov.org>, Christina Woods <cwoods@bhamgov.org>

Please add to agenda as attachment to Brad Coulter public comment

[Quoted text hidden]

**Birmingham City Commission Minutes**

**February 14, 2022**

**Municipal Building, 151 Martin**

**7:30 p.m.**

**Vimeo Link: <https://vimeo.com/event/3470/videos/669681851/>**

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

Therese Longe, Mayor, opened the meeting with the Pledge of Allegiance.

**II. ROLL CALL**

Alexandria Bingham, City Clerk, called the roll.

Present: Mayor Longe  
Mayor Pro Tem Boutros  
Commissioner Haig  
Commissioner Host  
Commissioner McLain  
Commissioner Schafer

Absent: Commissioner Baller

Administration: City Manager Markus, City Clerk Bingham, Planning Director Dupuis, Assistant City Manager Ecker, City Attorney Kucharek, Deputy Treasurer Todd, Assistant City Engineer Zielinski

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

**Announcements**

The CDC recommends vaccinated and unvaccinated individuals wear a facemask indoors while in public. The City requires masks in City Hall for all employees, board and commission members, and the public. KN-95 respirators and medical 3 ply masks will be provided to everyone attending public meetings.

The Mayor congratulated Madam Restaurant for making the Detroit Free Press' 'Top 10 best new restaurants in metro Detroit for 2022' list.

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

David Bloom raised concerns about: 1) the board appointment process at the January 24, 2022 meeting and 2) a potential contradiction in the draft master plan wherein continued commercial growth is recommended but a lack of parking is also acknowledged.

Paul Reagan raised concerns about conflicts-of-interest on boards and recommended that all three Ethics Board members advise the Commission on creating a code of conduct.

**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.

## **02-038-22                      Consent Agenda**

The following items were pulled from the Consent Agenda:

Commissioner Haig:   Item A – Long Range Planning Minutes of January 22, 2022  
                                  Item K – Verizon Wireless Application to Install New Pole and Small Cell  
                                  Equipment in the City's ROW  
City Clerk Bingham:   Item B – City Commission Minutes of January 24, 2022

**MOTION:**                      Motion by Mayor Pro Tem Boutros, seconded by Commissioner Host:  
To approve the Consent Agenda excluding Items A, B, and K.

ROLL CALL VOTE:       Ayes,   Mayor Pro Tem Boutros  
                                  Commissioner McLain  
                                  Commissioner Schafer  
                                  Commissioner Host  
                                  Mayor Longe  
                                  Commissioner Haig

Nays,   None

- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated January 26, 2022, in the amount of \$836,235.31.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated February 2, 2022, in the amount of \$2,007,252.52.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated February 9, 2022, in the amount of \$2,851,707.60.
- F. Resolution to amend the City's schedule of fees, charges, bonds and insurance under the City Clerk's office section, relating to Outdoor Dining Licenses, as requested by the Clerk's office.
- G. Resolution to approve a special event permit as requested by the Birmingham Memorial Day Committee to hold the 2022 Memorial Day Service on Monday, May 30, 2022, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- H. Resolution to approve a request from the Birmingham City Clerk's office to hold the Celebrate Birmingham Parade on downtown streets and the Party in Shain Park as presented on May 15, 2022, contingent upon compliance with all permit and insurance requirements and payment of all fees, and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- I. Resolution to amend the Birmingham Fee Schedule for the addition of a Wall Art Application Fee for the amount of \$200.



- J. Resolution to approve the purchase agreement with CMP Distributors, Inc. for (3) Point Blank ARMIS II SE-WARSOC tactical vests with Paraclete level III+ plate and Point Blank 555 level III+ steel plate in the amount not to exceed \$9,180.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project has been budgeted in account 101-301.000-743.0000.
- L. Resolution to set the Public Hearing of Necessity for the construction of sidewalk and streetscape improvements adjacent to all properties within the project area on S. Old Woodward Avenue, from Brown St. to Landon St., on Monday, March 14, 2022 at 7:30 P.M.; and

If necessity is determined on March 14, 2022, to meet on Monday, April 11, 2022 at 7:30 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for construction of sidewalk and streetscape improvements adjacent to all properties within the project area on S. Old Woodward Avenue, from Brown St. to Landon St.

- M. Resolution to set the Public Hearing of Necessity for the replacement and improvement of Water and Sewer leads meeting the requirements for assessment, for all properties within project area on S. Old Woodward Avenue, from Brown St. to Landon St., on Monday, March 14, 2022 at 7:30 P.M.; and

If necessity is determined on March 14, 2022, to meet on Monday, April 11, 2022 at 7:30 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the replacement and improvement of Water and Sewer leads meeting the requirements for assessment, for all properties within project area on S. Old Woodward Avenue, from Brown St. to Landon St.

#### **02-039-22 (Item A) Long Range Planning Minutes of January 22, 2022**

Commissioner Haig commended Staff for the work and effort that went into preparing and presenting the Long Range Planning meeting.

**MOTION:** Motion by Commissioner Haig, seconded by Commissioner Schafer:  
To approve the City Commission meeting minutes of January 10, 2022 as submitted.

ROLL CALL VOTE: Ayes, Mayor Longe  
Mayor Pro Tem Boutros  
Commissioner Host  
Commissioner Haig  
Commissioner McLain  
Commissioner Schafer

Nays, None

#### **02-040-22 (Item B) City Commission Minutes of January 24, 2022**

City Clerk Bingham said that the minutes would be amended to accurately reflect the vote on Item 01-25-2022.

**MOTION:** Motion by Mayor Pro Tem Boutros, seconded by Commissioner Host:  
To approve the City Commission Regular Meeting minutes of January 24, 2022 as amended.

VOICE VOTE: Ayes, Mayor Longe  
Mayor Pro Tem Boutros  
Commissioner Host  
Commissioner Haig  
Commissioner McLain  
Commissioner Schafer

Nays, None

**02-041-22 (Item K) Verizon Wireless Application to Install New Pole and Small Cell Equipment in the City's ROW**

ACE Zielinski clarified that there would be 20 total poles, because there are 19 extant poles and one new pole to be installed.

Commissioner Haig said the item should note that information.

**MOTION:** Motion by Commissioner Haig, seconded by Mayor Pro Tem Boutros:  
To approve the Verizon Wireless application for placement of Verizon Wireless' new pole and small cell equipment at the proposed location along the east side of Columbia St., with additional wording to the effect of 'the existing agreement that was presented to Verizon as part of their approval for the (19) nineteen colocations plus one new colocation for a sum total of (20) twenty'.

ROLL CALL VOTE: Ayes, Mayor Longe  
Mayor Pro Tem Boutros  
Commissioner Host  
Commissioner Haig  
Commissioner McLain  
Commissioner Schafer

Nays, None

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

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

<b>02-042-22</b>	<b>Public Hearing for Confirming S.A.D. #896 – Maple Road Reconstruction Project</b>
------------------	--

The Mayor opened the public hearing at 8:10 p.m.

DT Todd presented the item.

The Mayor closed the public hearing at 8:12 p.m.

**MOTION:** Motion by Commissioner Host, seconded by Commissioner Schafer:  
To confirm S.A.D. Roll #896 as indicated in the Staff report.

ROLL CALL VOTE: Ayes, Mayor Pro Tem Boutros

Commissioner Schafer  
Mayor Longe  
Commissioner Host  
Commissioner Haig  
Commissioner McLain

Nays, None

**02-043-22                      Necessity of Maple Rd. Sewer Lateral S.A.D.**

The Mayor opened the public hearing at 8:13 p.m.

ACE Zielinski presented the item.

Public Comment

Cheryl Daskas, owner of Tender, said adequate notice was not provided to the business owners affected by this project, that she had concerns about the caulking done as part of the project, and said she had concerns about the narrowness of Maple.

CM Markus noted that the project went through the City's design process and that the road was narrowed for traffic calming. He said the City would have someone out to see about the caulking issue.

Ms. Daskas asked the City to be cautious about the redesign coming to the South Old Woodward area in the next few years in light of her experience with Maple.

The Mayor closed the public hearing at 8:24 p.m.

In reply to Commissioner McLain, CM Markus noted that projects both solicit public feedback during the design process and that affected property owners are noticed at various points throughout the process.

Mayor Pro Tem Boutros affirmed that there was public engagement throughout the design process and that the design was implemented to increase walkability and safety in the downtown area.

**MOTION:**                      Motion by Mayor Pro Tem Boutros, seconded by Commissioner Haig:  
To declare necessity and create a Special Assessment District (SAD) and that special assessments be levied in accordance with benefits against the properties within such assessment district, (sewer laterals) said special assessment district shall be all properties, within the following district, of (10) ten parcels (as listed in the staff report), and that the Commission meet on Monday, February 28, 2022 at 7:30 p.m. for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the SAD for properties within the project area with sewer laterals meeting the requirements for replacement on Maple Road, between Bates Street and Pierce Street, and between Old Woodward Avenue and Woodward Avenue.

Public Comment

Ms. Daskas said implementing or reimplementing a truck bypass for Maple would help the issues she observes.

In reply to Ms. Daskas and Commissioner Host, CM Markus said he would ask Staff to prepare a brief history of the ring road to increase understanding of its previous and present status.

ROLL CALL VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Schafer  
Mayor Longe  
Commissioner Host  
Commissioner Haig  
Commissioner McLain

Nays, None

**02-044-22                      Public Hearing for 211 Hamilton Row – Sybil – Special Land Use Permit,  
Final Site Plan & Design Review**

The Mayor opened the public hearing at 8:33 p.m.

PD Dupuis presented the item.

In reply to Commissioner Haig, PD Dupuis confirmed that the applicant was able to change their plans in order to increase the pedestrian clear path by a foot as compared to the original plans.

Kevin Biddison, architect, was present on behalf of the project.

The Mayor closed the public hearing at 8:37 p.m.

Mr. Biddison confirmed for Mayor Pro Tem Boutros that the project meets all ADA requirements.

**MOTION:** Motion by Mayor Pro Tem Boutros, seconded by Commissioner Host:  
To approve the Special Land Use Permit, Final Site Plan and Design Review application and contract for 211 Hamilton Row – Sybil – to allow the addition of a new food and drink establishment serving alcoholic beverages for on premise consumption and associated interior/exterior renovations.

ROLL CALL VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Schafer  
Mayor Longe  
Commissioner Host  
Commissioner Haig  
Commissioner McLain

Nays, None

**02-045-22                      Public Hearing – Proposed Amendments for Article 4, Section 4.44 –  
Outdoor Dining Standards**

The Mayor opened the public hearing at 8:40 p.m.

PD Dupuis presented the item.

The Mayor closed the public hearing at 8:42 p.m.

In reply to Commissioner Haig, PD Dupuis and CM Markus confirmed that the City's snow removal ordinance sufficiently addresses snow removal in conjunction with these changes. Both Staff members noted that the

recommended long-term changes to the outdoor dining standards would address snow removal more directly.

**MOTION:** Motion by Commissioner Schafer, seconded by Commissioner Host:  
To adopt an ordinance to amend Article 4, Section 4.44, Outdoor Dining Standards, to remove temporal restrictions on outdoor dining patios in the public right-of-way, and to allow outdoor dining fixtures and furnishings to stay outside overnight.

ROLL CALL VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Schafer  
Mayor Longe  
Commissioner Host  
Commissioner Haig  
Commissioner McLain

Nays, None

## **02-046-22 NEXT Long-Term Written Agreement with Birmingham Public Schools**

Mayor Longe disclosed she is a member of NEXT, Commissioner Host disclosed that he is a member of NEXT, Commissioner McLain disclosed that she is both a member and a board member of NEXT, and Mayor Pro Tem Boutros stated that he is the City Liaison to NEXT.

CA Kucharek noted she was contacted by the Mayor earlier in the day in order to determine whether these relationships to NEXT presented conflicts-of-interest.

CA Kucharek stated these relationships to NEXT do not represent financial or personal interests for the disclosing Commissioners, and therefore do not amount to conflicts-of-interest.

She specified that the specific topic at hand, which solely regards the Commission potentially offering support for NEXT pursuing a long-term written agreement, also posed no danger of creating conflicts-of-interest.

As a result of these factors, the City Attorney advised that no recusals were required.

CM Markus presented the item.

**MOTION:** Motion by Commissioner McLain, seconded by Commissioner Haig:  
To adopt a formal resolution concerning NEXT and their need for a long-term written agreement to house NEXT services and operate at Midvale School in Birmingham, Michigan.

Commissioner Host thanked the City Manager for his work on this item.

CM Markus stated the credit was shared by many.

VOICE VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Schafer  
Mayor Longe  
Commissioner Host  
Commissioner Haig

Commissioner McLain

Nays, None

**02-047-22                      Closed Session on 2/14/22 to Discuss A Written Attorney/Client Privilege Communication**

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

**MOTION:**                      Motion by Commissioner Host, seconded by Commissioner Haig:  
To adopt a resolution to meet in closed session to discuss an Attorney/Client privilege communication pursuant to MCL § 15.268 Sec. 8(h) of the Open Meetings Act.

ROLL CALL VOTE:        Ayes,    Mayor Pro Tem Boutros  
   Commissioner Schafer  
   Mayor Longe  
   Commissioner Host  
   Commissioner Haig  
   Commissioner McLain

Nays, None

The Commission went into closed session at 9:16 p.m.

The Commission reconvened into open session at 9:32 p.m.

**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.

**Commission discussion on items from prior meeting**

**02-048-22                      Social Districts**

Commissioner Schafer explained why she supported further exploration of social districts.

**MOTION:**                      Motion by Commissioner Schafer, seconded by Commissioner Host:  
To make the topics of social districts a formal agenda item at a future meeting.

Commissioner Haig said he would want to discuss both the positive and negative impacts of social districts, mentioning particularly the drinking of alcohol in public around minors and potential instances of crime.

Commissioner Schafer said it was her intent in raising the topic that both the positive and negative aspects would be studied. She asked Staff for future clarification regarding whether the streets are required to be closed to create social districts.

Commissioner McLain said she anticipated the study would cover departmental reviews, business impacts, and other topics the City usually considers in similar discussions.

The Mayor added that the impact of social districts on City ordinances, which currently prohibit alcoholic beverages in parks, should also be considered.

CM Markus said he would want to observe how social districts continue to evolve in other Michigan communities, opining that their appeal may wane as the impact of Covid-19 lessens.

Mayor Longe noted that the enabling legislation for social districts expires December 31, 2024 unless the State renews it.<sup>1</sup>

VOICE VOTE:           Ayes, Commissioner Host  
                                  Commissioner Haig  
                                  Commissioner McLain  
                                  Mayor Pro Tem Boutros  
                                  Commissioner Schafer  
                                  Mayor Longe

Nays, None

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

#### **IX. COMMUNICATIONS**

- A1. Letter from Hillary Callaghan dated January 9, 2022.
- A2. City response to Callaghan

- B1. Letter from David Hendrickson, City Manager, City of Bloomfield Hills dated January 25, 2022.
- B2. City response to Hendrickson

#### **X. REPORTS**

- A. Commissioner Reports
  - Notice of intention to appoint:
    - 1. Parks & Rec
    - 2. Multi Modal
    - 3. Planning
    - 4. Cablecasting
    - 5. Alternate Hearing Officer
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
  - 1. Attorney General's Opinion Regarding OMA and Virtual Accommodations for Disabled Persons – Mary Kucharek

#### **INFORMATION ONLY**

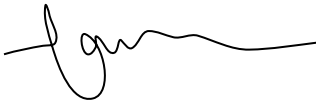
---

<sup>1</sup> As amended at the February 28, 2022 meeting.

**XI. ADJOURN**

Mayor Longe adjourned the meeting at 9:35 p.m.

Alexandria Bingham  
City Clerk

A handwritten signature in black ink, appearing to read 'Laura Eichenhorn', with a long horizontal flourish extending to the right.

Laura Eichenhorn  
City Transcriptionist



**Birmingham City Commission Minutes**

**February 28, 2022**

**Municipal Building, 151 Martin**

**7:30 p.m.**

**Vimeo Link: <https://vimeo.com/677514306>**

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

Therese Longe, Mayor, opened the meeting with the Pledge of Allegiance.

**II. ROLL CALL**

Alexandria Bingham, City Clerk, called the roll.

Present: Mayor Longe  
Mayor Pro Tem Boutros  
Commissioner Baller  
Commissioner Haig  
Commissioner Host  
Commissioner McLain  
Commissioner Schafer

Absent: None

Administration: City Manager Markus, City Clerk Bingham, Senior Planner Cowan, Baldwin Library  
Director Craft, Planning Director Dupuis, Assistant City Manager Ecker, City Attorney  
Kucharek, Deputy Treasurer Todd

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

**Announcements**

Michigan and Oakland County continue to be at a high level of COVID-19 community transmission. As a result, the CDC recommends vaccinated and unvaccinated individuals wear a facemask indoors while in public. The City requires masks in City Hall for all employees, board and commission members, and the public. KN-95 respirators will be provided to everyone attending public meetings.

**02-049-22 Ukraine Proclamation**

Proclamation condemning Russia's unprovoked and unjustified invasion and attack of Ukraine, and declaring support for the citizens of Ukraine and the democracy and freedom in which they fight to retain.

**Appointments**

Luke Joseph, applicant for the Board of Zoning Appeals, was interviewed by the Commission. Mr. Joseph was not nominated.

**02-050-22 2021 Student Representative Certificates of Appreciation**

The Mayor recognized the following fourteen student representatives for their service in 2021 on Birmingham boards and committees and award each student a certificate in appreciation for their civic involvement:

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

## **02-051-22 2022 Student Appointments to City Boards and Committees**

CM Markus briefly summarized the program of student appointments to City boards and committees and the program's expectations.

**MOTION:** Nomination by Mayor Pro Tem Boutros, seconded by Commissioner Host:  
To appoint the following students as non-voting members for the calendar year 2022.

HDC-DRB	Meghan Murray - Seaholm Charlie Vercellone - Seaholm
Multi-Modal Transportation Board	Isabela Betanzos - Seaholm Ben Rosenfield - Seaholm
Museum Board	Jordan Snyder - Seaholm
Planning Board	MacKinzie Clein - Seaholm Andrew Fuller - Seaholm
Parks & Recreation Board	Zachary Miketa - Seaholm Matthew Windsor - Seaholm

Commissioners Schafer and Haig spoke to the value of the program and encouraged the students to attend and participate.

VOICE VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Baller  
Commissioner Haig

Commissioner Host  
Commissioner McLain  
Commissioner Schafer  
Mayor Longe

Nays, None

**02-052-22 Appointment of Ron Reddy to the Board of Zoning Appeals**

The Commission interviewed Ron Reddy for the appointment.

**MOTION:** Nomination by Commissioner Haig:  
To appoint Ron Reddy as a regular member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire October 10, 2022.

VOICE VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Baller  
Commissioner Haig  
Commissioner Host  
Commissioner McLain  
Commissioner Schafer  
Mayor Longe

Nays, None

**02-053-22 Appointment of Pierre Yaldo to the Board of Zoning Appeals**

The Commission interviewed Pierre Yaldo for the appointment.

**MOTION:** Nomination by Commissioner Baller:  
To appoint Pierre Yaldo as a regular member to the Board of Zoning Appeals to serve the remainder of a three-year term to expire October 10, 2022.

VOICE VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Baller  
Commissioner Haig  
Commissioner Host  
Commissioner McLain  
Commissioner Schafer  
Mayor Longe

Nays, None

**02-054-22 Appointment of Larry Lyng as the Alternate Hearing Officer**

The Commission interviewed Larry Lyng for the appointment.

**MOTION:** Nomination by Mayor Pro Tem Boutros:

To make a motion to appoint Larry Lyng as the Alternate Hearing Officer to serve the remainder of a three-year term to expire June 30, 2024.

VOICE VOTE:           Ayes, Mayor Pro Tem Boutros  
                                  Commissioner Baller  
                                  Commissioner Haig  
                                  Commissioner Host  
                                  Commissioner McLain  
                                  Commissioner Schafer  
                                  Mayor Longe

Nays, None

CC Bingham swore in the present appointees. Those present by Zoom will be sworn in at a later date.

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

David Bloom apologized to the Commission for an inaccuracy in his comments from the prior Commission meeting regarding the appointments process; expressed interest in helping the City demonstrate solidarity with Ukraine; and, recommended the Commission consider meeting in closed session to discuss the letters regarding a former Board of Zoning appeals member included in the agenda packet.

Dan Marsh, executive director of the Birmingham YMCA, gave an overview of upcoming programming. He noted that financial assistance is available for all YMCA programming.

#### **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.

#### **02-055-22 Consent Agenda**

The following items were pulled from the Consent Agenda:

Public:                   Item A – City Commission Workshop Minutes – February 14, 2022  
Commissioner Haig:   Item B – City Commission Meeting Minutes – February 14, 2022  
                                  Item L – W. Maple Bench Installations

**MOTION:**               Motion by Mayor Pro Tem Boutros, seconded by Commissioner Baller:  
To approve the Consent Agenda excluding Items A, B, and L.

VOICE VOTE:           Ayes, Mayor Pro Tem Boutros  
                                  Commissioner Baller  
                                  Commissioner Haig  
                                  Commissioner Host  
                                  Commissioner McLain  
                                  Commissioner Schafer  
                                  Mayor Longe

Nays, None

- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated February 16, 2022, in the amount of \$1,502,550.28.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated February 23, 2022, in the amount of \$5,008,283.70.
- E. Resolution to approve a one (1) year agreement with MSCA Group, Inc. for professional design services for improvements to the Rouge River Trail Corridor (RRTC) in an amount not to exceed \$11,200.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project has been budgeted in account # 408-751.000-979.0000
- F. Resolution to authorize the IT department to purchase the security subscription and support license extension for the Palo Alto firewall from AmeriNet. The purchase price not to exceed \$11,360.40. Funds are available in the IT computer maintenance fund account # 636-228.000-933.0600
- G. Resolution to approve a one (1) year agreement with Bang the Table for a subscription to its public engagement platform in the amount not to exceed (\$13,300). In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project has been budgeted in account #636-228.000-933.0700.
- H. Resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Station MLCC, LLC to transfer ownership of the Class C and SDM Liquor License with Sunday Sales (AM/PM) Permit, (4) Additional Bar Permits, Catering Permit, Off Premise Storage, Outdoor Service Area Permit and Dance/Entertainment Permit from Eton Street Restaurant Inc. (Business I.D. # 392) located at 245-235 S. Eton Street, Birmingham, Oakland County, MI 48009 to Station MLCC, LLC; and request to cancel the Catering Permit, Off Premise Storage and (2) Additional Bar Permits
- I. Resolution to authorize the City Clerk to complete the Local Approval Notice at the request of Forest Grill 2, LLC to approve the request of Forest Grill 2, LLC to transfer the membership in Forest Grill 2, LLC which holds the Class C and SDM License with Sunday Sales (PM) and Outdoor Service Area located at 735 Forest, Birmingham, Oakland County, MI from 50% Elm Restaurant Group, LLC and 50% SSE Restaurant Group, LLC to 100% SSE Restaurant Group, LLC.
- J. Resolution to approve the art donation of a piano to be placed in Shain Park beneath the pavillion from the beginning of May 2022 to the end of November 2022.
- K. Resolution approving a call for entry for artwork with the following terms for fiscal year 2021-2022:
  - 1.) Timeframe options include a loan with a minimum 3-year term, or an accepted donation to the City.
  - 2.) The four locations indicated by the Public Arts Board are prioritized, however the Public Arts Board may recommend other sites more suitable within the City;
  - 3.) Each artist will coordinate with the relevant City Departments for requirements related to installation;
  - 4.) Each artist involved in the call for entry is to be provided a stipend for approved artwork, for a total amount not to exceed \$9,000 from the General Administration Budget, account #101-721.000-811-0000.

- M. Resolution to approve a special event permit as requested by the Birmingham Public Services Department for the 2022 Birmingham Concert In The Park series for the dates as presented, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- N. Resolution to approve a special event permit as requested by the Birmingham Museum to hold the 2022 Birmingham Museum Heritage Plant Exchange on Saturday, June 4, 2022, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- O. Resolution to approve a request from Eisenhower Dance Detroit to hold their NewDanceFest on the stage at Shain Park on July 23, 2022, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any modifications or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.
- P. Resolution to approve a special event permit as requested by the Birmingham Shopping District to hold the 2022 Day on the Town on Saturday, July 30, 2022, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- Q. Resolution to approve a special event permit as requested by the Birmingham Shopping District to hold the 2022 Farmers Market days beginning on Sunday, May 1, 2022 – October 30, 2022, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- R. Resolution to approve a special event permit as requested by the Birmingham Shopping District to hold the 2022 Birmingham Movie Nights on June 10, 2022, July 15, 2022, August 12, 2022, and September 16, 2022, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event.
- S. Resolution accepting the resignation of Leland Feiste from the Board of Review, to thank him for his service and to direct the City Clerk to begin the process of filling the vacancy.

**02-056-22 (Item A) City Commission Workshop Minutes – February 14, 2022**

Mr. Bloom asked that his comments from the workshop be recorded in more detail.

**MOTION:** Motion by Mayor Pro Tem Boutros, seconded by Commissioner Baller:  
To approve the City Commission workshop meeting minutes of February 14, 2022 as submitted.

**VOICE VOTE:** Ayes, Mayor Pro Tem Boutros  
Commissioner Baller  
Commissioner Haig  
Commissioner Host

Commissioner McLain  
Commissioner Schafer  
Mayor Longe

Nays, None

**02-057-22 (Item B) City Commission Meeting Minutes – February 14, 2022**

Commissioner Haig recalled that during the discussion of social districts there was a comment regarding the social district legislation's expiration date. He asked for that information to be added.

Mayor Longe stated she had made that comment.

CM Markus recommended that the Commission delay approving the minutes to a future meeting to give the City Clerk an opportunity to review the record and clarify what the comment was.

The Commission took no action.

Public Comment

Mr. Bloom asked that his comments from the meeting be recorded in more detail.

**02-058-22 (Item L) W. Maple Bench Installations**

Commissioner Haig asked about naming rights for these benches, noting it came up in the discussion at the Multi-Modal Transportation Board.

CM Markus noted that the City has a general naming rights policy which would be applicable to these benches. He said he would discuss naming rights for the benches with Staff and would return to the Commission with clarification.

**MOTION:** Motion by Commissioner Haig, seconded by Commissioner Baller:  
To approve new bench installations at the 16 proposed locations listed below and attached in the MKSK document, subject to minor clarification about existing naming rights procedure:

1. W. Maple and Lutheran Church – bus stop
2. W. Maple and Larchlea – bus stop
3. W. Maple and First Presbyterian Church – bus stop
4. W. Maple and First Presbyterian Church
5. W. Maple and Fairfax (Fairfax Park) – bus stop
6. W. Maple and First Methodist Church – bus stop
7. W. Maple and Pilgrim - bus stop
8. W. Maple between Puritan & Lake Park – bus stop
9. W. Maple & Lake Park – midblock crossing
10. W. Maple near Waterfall Court
11. W. Maple midblock crossing to Liden Park
12. W. Maple & Trail entry to Quarton Lake Park
13. Baldwin Road – along sidewalk between Wm. Maple and Rouge bridge
14. Linden Park near Valley View Lane

15. Maple Road – bus stop between Birmingham Museum and Baldwin Road
16. Martha Baldwin Park – along sidewalk

VOICE VOTE:       Ayes, Mayor Pro Tem Boutros  
                          Commissioner Baller  
                          Commissioner Haig  
                          Commissioner Host  
                          Commissioner McLain  
                          Commissioner Schafer  
                          Mayor Longe

Nays, None

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

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

<b>02-059-22</b>	<b>Public Hearing – Confirming Roll for Special Assessment District #896 – Maple Road Sewer Lateral Project</b>
------------------	---

The Mayor opened the public hearing at 8:06 p.m.

DT Todd presented the item.

The Mayor closed the public hearing at 8:08 p.m.

**MOTION:**               Motion by Commissioner Host, seconded by Mayor Pro Tem Boutros:  
To confirm Special Assessment District #896S, Maple Road Sewer Laterals as indicated in the staff report.

ROLL CALL VOTE:    Ayes, Mayor Pro Tem Boutros  
                          Commissioner Baller  
                          Commissioner Haig  
                          Commissioner Host  
                          Commissioner McLain  
                          Commissioner Schafer  
                          Mayor Longe

Nays, None

<b>02-060-22</b>	<b>Public Hearing – Corridor Improvement Authority Development &amp; TIF Plan Update</b>
------------------	--

The Mayor opened the public hearing at 8:09 p.m.

SP Cowan presented the item.

The Mayor closed the public hearing at 8:15 p.m.

In reply to Commissioner Schafer, SP Cowan and CM Markus reviewed next steps.

Commissioners Baller and McLain stated their support for the item.



Commissioner Haig concurred with Commissioner McLain that parts of the Triangle need revitalization, but questioned whether this approach would be the most appropriate way to encourage that revitalization long-term given low projected population growth for the region and increasing focus on multi-modal transportation.

In reply to further comment by Commissioner Haig, CM Markus said he would look into which entity would hold the funds while they accrue.

**MOTION:** Motion by Mayor Pro Tem Boutros, seconded by Commissioner McLain:  
To approve the updates to the City of Birmingham's Corridor Improvement Authority Development and TIF Plan.

ROLL CALL VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Baller  
Commissioner Haig  
Commissioner Host  
Commissioner McLain  
Commissioner Schafer  
Mayor Longe

Nays, None

**02-061-22 RFP for Front Entrance and Circulation Area Design Development, etc.**

BLD Craft summarized the item.

**MOTION:** Motion by Mayor Pro Tem Boutros, seconded by Commissioner Host:  
To authorize the issuance of the Request for Proposals as recommended by the Library Board to finalize designs and prepare for the expansion and renovation of the Front Entrance and Circulation area of the Baldwin Public Library, with the necessary funds to be paid by the Library.

ROLL CALL VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Baller  
Commissioner Haig  
Commissioner Host  
Commissioner McLain  
Commissioner Schafer  
Mayor Longe

Nays, None

**02-062-22 Code of Conduct**

ACM Ecker and CM Markus summarized the item.

Commissioner McLain thanked everyone who participated in the code of conduct workshop and said she was in favor of the aspirational approach.

Commissioner Host said he thought it would be important to have a mixed approach between aspirational and accountable.

Commissioner Baller said he would like to know whether this would be an ordinance change or a change to the Commission's rules of procedure and the implications of each. He said he would also like more information on the proposal to have the Ethics Board enforce the code. He said he agreed with the City Manager's recommendation that the Ethics Board weigh in on the draft of the code once Staff has written it, and agreed that the code should focus on being aspirational. He concluded by saying the Commission should pay as much attention to the codes they are already bound by, such as Robert's Rules, as they will be paying to creating a code of conduct.

**MOTION:** Motion by Commissioner McLain, seconded by Commissioner Host:  
To direct the City Manager to prepare a draft Code of Conduct for the City for placement on a future City Commission agenda for review and consideration.

VOICE VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Baller  
Commissioner Haig  
Commissioner Host  
Commissioner McLain  
Commissioner Schafer  
Mayor Longe

Nays, None

## **02-063-22                    2021 Liquor License Review and 2022 Liquor License Renewal (Part 1)**

CM Markus presented the item.

**MOTION:** Motion by Mayor Pro Tem Boutros, seconded by Commissioner Host:  
To approve the renewal of liquor licenses for the 2022 licensing period, for the following establishments holding a Class B, Class C, or Microbrewery Liquor License that are in compliance with Chapter 10, Alcoholic Liquors of the City Code:

- Brooklyn Pizza
- Community House
- Elie's Mediterranean
- Emagine Palladium/Ironwood Grill
- Fleming's #3302
- Forest Grill
- Hazel & Ravines
- Lincoln Hills Golf Course
- Mad Hatter
- Market North End
- Springdale Golf Course
- Streetside Seafood
- The Morrie

ROLL CALL VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Baller  
Commissioner Haig  
Commissioner Host  
Commissioner McLain  
Commissioner Schafer  
Mayor Longe

Nays, None

## **02-064-22 La Strada Cafe 2022 Liquor License Renewal**

The Mayor recused herself at 8:52 p.m. citing a business relationship between her spouse and the owner of La Strada Cafe.

The Mayor Pro Tem assumed facilitation of the meeting at 8:52 p.m.

**MOTION:** Motion by Commissioner Baller, seconded by Commissioner Host:  
To approve the renewal of the liquor license for La Strada Cafe for the 2022 licensing period as an establishment that is in compliance with Chapter 10, Alcoholic Liquors of the City Code:

ROLL CALL VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Baller  
Commissioner Haig  
Commissioner Host  
Commissioner McLain  
Commissioner Schafer

Nays, None

## **02-065-22 2021 Liquor License Review and 2022 Liquor License Renewal (Part 2)**

The Mayor resumed facilitation of the meeting at 8:53 p.m. She noted that she had previously had personal interest regarding Adachi Restaurant, Dick O' Dow's and Slice/Shift/Sidecar, but that those personal interests were no longer present and the relevant business relationships have concluded.

**MOTION:** Motion by Mayor Pro Tem Boutros, seconded by Commissioner Host:  
To adopt a resolution to set public hearings on Monday, March 28, 2022 to consider whether the City Commission shall file objections with the Michigan Liquor Control Commission for the renewal of licenses held by the owners/operators of the following establishments that are in violation of Chapter 10, Alcoholic Liquors of the City Code:

- Adachi Restaurant
- All Seasons Of Birmingham
- Bella Piatti
- Birmingham 8 Theater
- Birmingham Pub
- Churchill's Bistro/Cigar Bar
- Dick O Dow's Irish Pub
- Griffin Claw Brewing Company

- Hyde Park Prime Steakhouse
- Luxe Bar And Grill
- Maple Road Tap Room (Whole Foods)
- Mare
- Papa Joe's Gourmet Market Place Birmingham
- Per Noi
- Phoenicia
- Salvatore Scallopini
- Slice/Shift/Sidecar
- Social Kitchen And Bar
- Tallulah Wine Bar & Bistro
- The Townsend
- Toast
- Townhouse

Mayor Pro Tem Boutros and Commissioner Baller asked how the City might resolve more of the outstanding issues with establishments before those issues are brought before the Commission in the future.

CM Markus noted that all of the listed establishments were notified well before the present meeting of their outstanding issues, some of them a number of times. He said that repeatedly addressing enforcement issues with some of these establishments is a poor use of taxpayers' funds that should not have to occur.

Commissioner Haig thanked CM Markus for raising the issue, especially in regards to outdoor dining encroaching into the pedestrian walkway. He said that perhaps establishments should be expected to self-police or that all establishments would lose the privilege of outdoor dining.

Mayor Longe ventured that CA Kucharek would probably have cautions about the legality of Commissioner Haig's proposal.

In reply to additional comments from CM Markus, Commissioner Baller asked whether the City might be able to either mandate or foster a restaurant association that might assist with these issues.

CM Markus said the restaurants would have to make a choice to re-form an association and that mandating it would not likely be effective.

#### Public Comment

Joe Bongiovanni said the City and dining establishments should work together to resolve their issues and should avoid having a contentious relationship.

ROLL CALL VOTE:     Ayes, Mayor Pro Tem Boutros  
                                  Commissioner Baller  
                                  Commissioner Haig  
                                  Commissioner Host  
                                  Commissioner McLain  
                                  Commissioner Schafer  
                                  Mayor Longe

Nays, None

## **02-066-22                      Setting a Public Hearing for 220 Merrill 2022 Liquor License**

The Mayor recused herself at 9:09 p.m., citing a business relationship with 220 Merrill.

The Mayor Pro Tem assumed facilitation of the meeting at 9:09 p.m.

**MOTION:** Motion by Commissioner Haig, seconded by Commissioner Host:  
To adopt a resolution to set a public hearing on Monday, March 28, 2022 to consider whether the City Commission shall file objections with the Michigan Liquor Control Commission for the renewal of licenses held by the owners/operators of 220 Merrill which is in violation of Chapter 10, Alcoholic Liquors of the City Code:

ROLL CALL VOTE: Ayes, Mayor Pro Tem Boutros  
Commissioner Baller  
Commissioner Haig  
Commissioner Host  
Commissioner McLain  
Commissioner Schafer

Nays, None

## **02-067-22                    Setting a Public Hearing for the Daxton 2022 Liquor License**

The Mayor resumed facilitation of the meeting at 9:10 p.m.

The Mayor Pro Tem recused himself at 9:10 p.m., citing a business relationship with the Daxton.

**MOTION:** Motion by Commissioner Host, seconded by Commissioner Schafer:  
To adopt a resolution to set a public hearing on Monday, March 28, 2022 to consider whether the City Commission shall file objections with the Michigan Liquor Control Commission for the renewal of licenses held by the owners/operators of the Daxton which is in violation of Chapter 10, Alcoholic Liquors of the City Code:

ROLL CALL VOTE: Ayes, Mayor Longe  
Commissioner Baller  
Commissioner Haig  
Commissioner Host  
Commissioner McLain  
Commissioner Schafer

Nays, None

## **02-068-22                    2021 Liquor License Review and 2022 Liquor License Renewal (Part 3)**

The Mayor Pro Tem rejoined the meeting at 9:11 p.m.

**MOTION:** Motion by Mayor Pro Tem Boutros, seconded by Commissioner Host:  
To direct the City Manager to notify the owners/operators of licensed establishments for which a public hearing is set, 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.

VOICE VOTE:           Ayes, Mayor Longe  
                              Commissioner Baller  
                              Commissioner Haig  
                              Commissioner Host  
                              Commissioner McLain  
                              Commissioner Schafer  
                              Mayor Pro Tem Boutros

Nays, None

**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.

The Commission and the City Manager had a brief discussion regarding how best to further show the City's support for Ukraine.

The Mayor Pro Tem asked if there should be an official motion, and the Mayor noted that there is occasional precedent for the Commission to just have a brief discussion on a topic in this agenda section to provide direction to the City Manager.

Commissioner Schafer said she wanted the Commission to discuss ways to encourage the community to get involved.

Commissioner Haig noted that other communities are likely to be in distress in the future, and recommended the City develop a policy for when and how the City demonstrates solidarity with other communities.

Mayor Pro Tem Boutros concurred.

The Mayor recommended that the City Attorney verify that the City has the ability to do this demonstration of solidarity now, and that the Commission consider possible future policies once that has been clarified.

CM Markus noted that individuals' direct donations and philanthropy to legitimate non-profit organizations tend to have the most direct, positive impact.

The Commission consensus was to direct the City Manager to further explore ways of lighting up City Hall with the colors of the Ukrainian flag to demonstrate Birmingham's solidarity with the Ukrainian people.

### **Commission discussion on items from prior meeting**

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

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

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

A. Commissioner Reports

1. Notice of intention to appoint to the Board of Review
  2. Notice of intention to appoint to the Museum Board
- B. Commissioner Comments

Commissioner Haig cautioned that Russian leadership should not be conflated with the Russian populace when discussing Russia's invasion of Ukraine, and said the same is true of other political conflicts.

The Mayor noted that the proclamation given at the beginning of the meeting stated the City "stand[s] in solidarity with [...] the brave citizens of Ukraine and Russia who are standing up against this assault on democracy," in order to offer exactly the nuance Commissioner Haig was recommending.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
  - E. City Staff
  1. 2nd Quarter Investment Report
  2. 2nd Quarter Budget Report
  3. City Manager's Report

The City Manager presented his report.

- a. Mary Kucharek – Board Appointment Nominations
  - b. Letter to Paul Reagan
4. Mary Kucharek – Regarding ethics and the February 14, 2022 City Commission meeting

#### INFORMATION ONLY

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

Mayor Longe adjourned the meeting at 9:43 p.m.

Alexandria Bingham  
City Clerk



Laura Eichenhorn  
City Transcriptionist

# City of Birmingham

## Warrant List Dated 03/02/2022

Meeting of 03/14/2022

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
	*	009073	DORSEY EMERGENCY MEDICAL ACADEMY	66.00
284318		BDREFUND	A G P CONSTRUCTION	100.00
284319	*	008106	ACUSHNET COMPANY	421.25
284320	*	009393	AMANDA MCBRIDE	500.00
284321		BDREFUND	AMERICAN STANDARD ROOFING	200.00
284322		BDREFUND	ANTONELLI LANDSCAPE	200.00
284323		000500	ARTECH PRINTING INC	251.00
284324	*	003703	AT&T MOBILITY	755.20
284325	*	009381	ATTISHA LAW PLC	250.00
284326		BDREFUND	ATTO CONSTRUCTION	100.00
284327		BDREFUND	AYAR CONSTRUCTION LLC	500.00
284328	*	008708	DAVID BARTLEY	70.00
284329	*	009383	BATTIE LAW PLLC	660.00
284330		002231	BILLINGS LAWN EQUIPMENT INC.	1,569.96
284331		BDREFUND	BOJI GROUP	100.00
284332		003526	BOUND TREE MEDICAL, LLC	83.59
284333	*	009280	BRENT JACKSON	70.00
284334	*	008658	BWMS-BLUE WATER MGMT INC	660.00
284336	*	007710	CINTAS CORP	121.50
284337		007710	CINTAS CORP	346.04
284338		000605	CINTAS CORPORATION	180.91
284339	*	MISC	COLIN QUACKENBUSH	70.00
284340	*	008955	COMCAST	675.53
284341		002668	CONTRACTORS CLOTHING CO	597.50
284342		005742	CRAIN'S DETROIT BUSINESS	129.00
284343	*	009145	CREATIVE COLLABORATIONS	11,400.00
284344		009309	DEALER AUTO PARTS	469.30
284345		MISC	DEREK ALDRICH	70.00
284346		BDREFUND	DISTINCTIVE BUILDING INC	200.00
284347	*	007498	RONALD L. DIX	70.00
284349	*	000179	DTE ENERGY	159.01
284350	*	009340	DVM UTILITIES	63,710.19
284351		001063	EASTMAN FIRE PROTECTION INC	94.21
284352		000196	EJ USA, INC.	87.27
284353		008666	F J LAFONTAINE & SONS	5,920.00
284354		008656	FBINAA	110.00
284356	*	007136	FERGUSON ENTERPRISES, INC.	44.28
284357		BDREFUND	G J PERELLI	200.00
284358	*	004604	GORDON FOOD	208.25
284359		000249	GUARDIAN ALARM	259.05
284360		001447	HALT FIRE INC	1,407.81
284361	*	001956	HOME DEPOT CREDIT SERVICES	1,492.96



# City of Birmingham

## Warrant List Dated 03/02/2022

Meeting of 03/14/2022

Check Number	Early Release	Vendor #	Vendor	Amount
284362	*	009390	IDUMESARA LAW FIRM, PLLC	600.00
284364		BDREFUND	ITALY AMERICAN CONSTRUCTION CO	100.00
284365		BDREFUND	J C CATALDO	200.00
284366		BDREFUND	JAMES FISHER LICENSED BUILDERS	100.00
284367		003366	JOE'S ARMY NAVY	503.89
284368	*	009403	JUSTIN ZAYID	430.00
284369	*	004088	KGM DISTRIBUTORS INC	360.00
284370	*	000362	KROGER COMPANY	40.82
284371		BDREFUND	KROLL CONSTRUCTION CO	300.00
284372		BDREFUND	KUZDOWICZ, AMY	1,900.00
284373	*	009386	LAW OFFICE OF BRIAN P. FENECH	1,900.00
284374	*	009385	LAW OFFICE OF MICHAEL J. DICK	1,040.00
284375	*	009388	LAW OFFICE OF PATRICK G. GAGNIUK	1,200.00
284376		BDREFUND	LYNCH CUSTOM HOMES	2,500.00
284377	*	009398	MARCIA C ROSS PC	300.00
284378		BDREFUND	MARK JEFFREY FENTON	200.00
284379		BDREFUND	MARTINO ENTERPRISES INC	100.00
284380		000972	MCKESSON MEDICAL-SURGICAL	2,536.56
284381	*	008723	BRADLEY MCNAB	70.00
284382	*	007659	MICHIGAN.COM #1008	89.23
284383		BDREFUND	MILFORD CONTRACTING	3,500.00
284384		008319	MKSK INC	22,061.70
284385		004827	NICK'S MAINTENANCE SERVICE	7,320.00
284386	*	003461	OBSERVER & ECCENTRIC	912.24
284387	*	004370	OCCUPATIONAL HEALTH CENTERS	237.00
284388	*	000481	OFFICE DEPOT INC	763.54
284389		BDREFUND	OLIVER HATCHER CONSTRUCTION	1,000.00
284390	*	009395	ORLANDO LAW PRACTICE PC	300.00
284391		001366	OSBURN INDUSTRIES INC	5,718.00
284392		BDREFUND	PELLA WINDOWS & DOORS, INC.	500.00
284393	*	009324	PULLMAN SST INC	20,650.00
284394	*	009397	RABAA PLLC	550.00
284395	*	008342	RAIN MASTER CONTROL SYSTEMS	29.85
284396		BDREFUND	RECTENWALD BROTHERS CONSTRUCTION	1,000.00
284397	*	MISC	ROMULUS FLOWERS & GIFTS	499.99
284398		BDREFUND	SIGNAL RESTORATION SERVICES	1,250.00
284401		001005	STATE OF MICHIGAN	400.00
284402		BDREFUND	STAY DRY BASEMENT WATERPROOFING INC	100.00
284403		006062	STRATEGIC ENERGY SOLUTIONS, INC	3,160.00
284404		005863	SUCCESS COMMUNICATIONS, INC.	845.00
284405		005863	SUCCESS COMMUNICATIONS, INC.	1,690.00
284406	*	009384	THE EDITH BLAKNEY LAW FIRM, PLLC	300.00
284407	*	009399	THE RIPPY + SHEIKH LAW FIRM	250.00

**City of Birmingham**  
**Warrant List Dated 03/02/2022**

Meeting of 03/14/2022

Check Number	Early Release	Vendor #	Vendor	Amount
284408	*	004379	TURNER SANITATION, INC	75.00
284409	*	000293	VAN DYKE GAS CO.	202.23
284410	*	000158	VERIZON WIRELESS	1,123.72
284411	*	009402	WILKERSON LAW, PLLC	250.00
284412		BDREFUND	WINNICK HOMES LLC	700.00
284413		007620	WJE-WISS, JANNEY, ELSTNER ASSOC.INC	30,405.00
284415	*	009379	YELLOW DOOR LAW	3,750.00
SUBTOTAL PAPER CHECK				\$218,593.58
<u>ACH TRANSACTION</u>				
4923	*	008847	ABS- AUTOMATED BENEFIT SVCS, INC	48,133.54
4924	*	008226	KATHERINE ABELA	1,533.12
4925		009126	AMAZON CAPITAL SERVICES INC	28.87
4926	*	007345	BEVERLY HILLS ACE	2.58
4927	*	009283	BRENDAN MCGAUGHEY	70.00
4928	*	008044	CLUB PROPHET	540.00
4929	*	007359	DETROIT CHEMICAL & PAPER SUPPLY	105.65
4930	*	000565	DORNBOS SIGN & SAFETY INC	101.77
4931	*	000243	GRAINGER	300.52
4932		000331	HUBBELL ROTH & CLARK INC	6,900.00
4933		009298	JCR SUPPLY INC	127.18
4934	*	003458	JOE'S AUTO PARTS, INC.	118.27
4936		009124	ALEXANDRA MERCURIO	306.13
4937	*	002767	OSCAR W. LARSON CO.	490.68
4938	*	001062	QUALITY COACH COLLISION	1,224.00
4939	*	000478	ROAD COMM FOR OAKLAND CO	1,996.72
4940	*	003785	SIGNS-N-DESIGNS INC	305.00
4941	*	002037	TOTAL ARMORED CAR SERVICE, INC.	758.36
4942	*	007278	WHITLOCK BUSINESS SYSTEMS, INC.	2,055.20
SUBTOTAL ACH TRANSACTION				\$65,097.59
GRAND TOTAL				\$283,691.17

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



Mark Gerber  
Finance Director/ Treasurer

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

# City of Birmingham

## Warrant List Dated 03/09/2022

Meeting of 03/14/2022

Check Number	Early Release	Vendor #	Vendor	Amount
<u>PAPER CHECK</u>				
284416	*	005431	NILFISK, INC.	242.88
284417	*	009379	YELLOW DOOR LAW	3,750.00
284418	*	TAXMISC	512 BIRD LLC	376.94
284419	*	007266	AETNA BEHAVIORAL HEALTH LLC	595.01
284420		003708	AIRGAS USA, LLC	226.30
284420	*	003708	AIRGAS USA, LLC	251.32
284421	*	009442	DEREK ALDRICH	135.00
284422		BDREFUND	ALLEN BROTHERS INC.	100.00
284424	*	000161	ALPHA PSYCHOLOGICAL SERVICES PC	725.00
284425		008304	AMERINET	11,360.40
284426	*	TAXMISC	ANTONIO CAPONE JR TRUSTEE	688.89
284427	*	009380	APRILE LAW, PLLC	300.00
284429		000500	ARTECH PRINTING INC	404.00
284429	*	000500	ARTECH PRINTING INC	224.00
284430	*	008988	ASTI ENVIRONMENTAL	2,375.00
284431	*	006759	AT&T	252.17
284432	*	TAXMISC	BAGALIS, JEFFREY	2,286.81
284433	*	009269	BANG THE TABLE USA LLC	13,300.00
284434	*	009383	BATTIE LAW PLLC	250.00
284436		002231	BILLINGS LAWN EQUIPMENT INC.	230.00
284437	*	001201	BIRMINGHAM YOUTH ASSISTANCE	654.85
284438		003526	BOUND TREE MEDICAL, LLC	371.70
284439		008983	BRENNA SANDLES	151.25
284440		003907	CADILLAC ASPHALT, LLC	6,221.35
284441		009078	CANON SOLUTIONS AMERICA INC	163.20
284442	*	TAXMISC	CAROLYN JOHN	200.00
284443	*	TAXMISC	CASA PERNOI	890.10
284446	*	000444	CDW GOVERNMENT INC	2,564.89
284447	*	009396	CECILIA QUIRINDONGO BAUNSOE	500.00
284448		000605	CINTAS CORPORATION	336.58
284449		007615	CINTAS CORPORATION-K11	24.15
284450	*	008955	COMCAST	269.08
284451	*	007774	COMCAST BUSINESS	1,249.50
284452	*	000627	CONSUMERS ENERGY	4,594.77
284453		008512	COOL THREADS EMBROIDERY	495.93
284454	*	008582	CORE & MAIN LP	1,500.52
284456		BDREFUND	CUSTOM CONCEPTS, INC	100.00
284457		UBREFUND	DAVID AQUILINA	130.32
284458		001139	JOYA DAVIS	52.98
284459		009309	DEALER AUTO PARTS	199.59
284460		000233	DEAN SELLERS	3,616.89
284461	*	000177	DELWOOD SUPPLY	13.82

**City of Birmingham**  
**Warrant List Dated 03/09/2022**

Meeting of 03/14/2022

Check Number	Early Release	Vendor #	Vendor	Amount
284462	*	006999	CHRISTOPHER DEMAN	317.00
284464		005318	DEWOLF & ASSOCIATES, LLC	795.00
284465	*	TAXMISC	DISCOVERY	2,277.53
284466	*	000190	DOWNRIVER REFRIGERATION	84.00
284468	*	000179	DTE ENERGY	52.83
284469	*	000179	DTE ENERGY	213.69
284471	*	000179	DTE ENERGY	1,684.30
284472	*	000179	DTE ENERGY	50.64
284473	*	000179	DTE ENERGY	356.91
284474	*	000179	DTE ENERGY	6,705.69
284475	*	000179	DTE ENERGY	1,782.46
284476	*	000179	DTE ENERGY	5,655.31
284477	*	000179	DTE ENERGY	3,576.52
284478	*	000179	DTE ENERGY	14.76
284479	*	000179	DTE ENERGY	1,822.67
284480	*	000179	DTE ENERGY	40.74
284481	*	000179	DTE ENERGY	15.40
284482	*	000179	DTE ENERGY	60.81
284483	*	000179	DTE ENERGY	616.95
284484	*	000179	DTE ENERGY	347.28
284485	*	000179	DTE ENERGY	17.60
284486	*	000179	DTE ENERGY	151.54
284487	*	000179	DTE ENERGY	2,580.54
284488	*	000179	DTE ENERGY	16.43
284489	*	000179	DTE ENERGY	74.69
284490	*	000179	DTE ENERGY	182.80
284491	*	000179	DTE ENERGY	63.51
284492	*	000179	DTE ENERGY	196.50
284493	*	000180	DTE ENERGY	43,015.66
284494	*	007538	EGANIX, INC.	720.00
284496		007399	EL CENTRAL HISPANIC NEWS	60.00
284496	*	007399	EL CENTRAL HISPANIC NEWS	160.00
284497		009100	ENZO WATER SERVICE	300.00
284498		001495	ETNA SUPPLY	2,400.00
284499		008666	F J LAFONTAINE & SONS	5,843.00
284501		000936	FEDEX	31.00
284503		BDREFUND	FOUNDATION SYSTEMS OF MICHIGAN INC.	223.75
284504		001233	GCSAA	400.00
284508		001531	GUNNERS METER & PARTS INC	70.00
284509	*	001956	HOME DEPOT CREDIT SERVICES	109.94
284510		BDREFUND	HOME DEPOT USA INC	500.00
284511		000948	HYDROCORP	1,381.00
284512		000342	IBS OF SE MICHIGAN	524.16

# City of Birmingham

## Warrant List Dated 03/09/2022

Meeting of 03/14/2022

Check Number	Early Release	Vendor #	Vendor	Amount
284513	*	000980	ICE SPORTS INDUSTRY	25.00
284514	*	009390	IDUMESARA LAW FIRM, PLLC	300.00
284515	*	009401	IRENE S WASSEL	500.00
284516		BDREFUND	J B CONTRACTING COMPANY	1,500.00
284517	*	TAXMISC	JANICE HATCHER	134.19
284518	*	009249	JCC CREATIVE LLC	100.00
284519		000347	JOHN R. SPRING & TIRE CENTER INC.	948.91
284520	*	007244	CHRISTOPHER JUDKINS	278.00
284521	*	TAXMISC	KARAY, JOHN PETER	2,011.35
284522		BDREFUND	KEARNS BROTHERS INC	500.00
284523		BDREFUND	KHAMBATTA, SHEREZADE	100.00
284524	*	001406	KIPLINGER LETTER	199.00
284525		007985	L.E.O.R.T.C.	95.00
284526	*	009392	LAMB LEGAL CONSULTING SERVICES	300.00
284527	*	009385	LAW OFFICE OF MICHAEL J. DICK	300.00
284529		009446	JAMES LEATH	47.40
284531		009375	LITHIA MOTORS, INC SUPPORT SERVICES	132.00
284532	*	008399	MAMC	40.00
284533		BDREFUND	MELDRUM, BRADY	100.00
284534		008793	MERGE MOBILE, INC.	61.00
284536	*	001387	MICHIGAN MUNICIPAL LEAGUE	59,976.00
284537	*	009400	N.L. SMITHSON & ASSOCIATES PLLC	500.00
284538	*	009394	NACHAWATI LAW PLLC	250.00
284539	*	MISC	NATIONAL HOSPITALITY INSTITUTE	195.00
284540	*	007755	NETWORK SERVICES COMPANY	190.35
284542	*	000477	OAKLAND COUNTY	1,890.66
284543	*	004370	OCCUPATIONAL HEALTH CENTERS	125.00
284545	*	000481	OFFICE DEPOT INC	173.77
284546	*	009395	ORLANDO LAW PRACTICE PC	400.00
284547	*	001753	PEPSI COLA	482.88
284548		BDREFUND	PHILLIPS SIGN LIGHTING INC	70.00
284549	*	001132	PRIMO'S PIZZA	543.51
284550		BDREFUND	ROCK SOLID EXTERIOR	100.00
284551	*	000218	ROYAL OAK P.D.Q. LLC	39.74
284552	*	002806	SAM'S CLUB/SYNCHRONY BANK	123.59
284553	*	008815	SHI INTERNATIONAL CORP.	59,823.00
284554	*	004202	SHRED-IT USA	133.63
284555	*	009009	SIGNATURE CLEANING LLC	5,975.47
284556	*	008073	SITEONE LANDSCAPE SUPPLY, INC	883.00
284557		BDREFUND	SMOLYANOV HOME IMPROVMENT	100.00
284558		007907	SP+ CORPORATION	3,720.00
284558	*	007907	SP+ CORPORATION	1,350.00
284559		000256	SUBURBAN BUICK GMC INC	340.09

**City of Birmingham**  
**Warrant List Dated 03/09/2022**

Meeting of 03/14/2022

Check Number	Early Release	Vendor #	Vendor	Amount
284560	*	009399	THE RIPPY + SHEIKH LAW FIRM	250.00
284562		000275	TIRE WHOLESALERS CO INC	305.10
284563	*	TAXMISC	TITLE ONE, INC	371.36
284564		BDREFUND	TITTLE BROTHERS CONSTRUCTION LLC	300.00
284565	*	004379	TURNER SANITATION, INC	340.00
284566	*	000293	VAN DYKE GAS CO.	144.45
284568	*	000158	VERIZON WIRELESS	743.60
284569	*	000158	VERIZON WIRELESS	76.02
284570	*	000158	VERIZON WIRELESS	943.29
284571	*	000158	VERIZON WIRELESS	147.54
284572	*	000158	VERIZON WIRELESS	129.58
284573		006491	VILLAGE AUTOMOTIVE INC	341.59
284574		000828	WALL STREET JOURNAL, THE	599.88
284575	*	004497	WATERFORD REGIONAL FIRE DEPT.	137.22
284577	*	009402	WILKERSON LAW, PLLC	250.00
284578	*	009379	YELLOW DOOR LAW	3,750.00
SUBTOTAL PAPER CHECK				\$301,754.97

ACH TRANSACTION

4943	*	008847	ABS- AUTOMATED BENEFIT SVCS, INC	96,817.23
4944	*	002284	ABEL ELECTRONICS INC	1,992.50
4945	*	008649	ROBERT ABRAHAM JR.	150.00
4946		009126	AMAZON CAPITAL SERVICES INC	539.96
4946	*	009126	AMAZON CAPITAL SERVICES INC	277.24
4947	*	003243	AMERICAN PRINTING SERVICES INC	1,765.00
4948		008667	APOLLO FIRE APPARATUS REPAIR INC	416.34
4949	*	000517	BEIER HOWLETT P.C.	38,203.25
4950	*	007345	BEVERLY HILLS ACE	4.49
4951	*	007624	BIRMINGHAM OIL CHANGE CENTER, LLC	46.96
4952	*	008840	BIRMINGHAM PUBLIC SCHOOLS-TAXES	462,659.59
4953	*	000542	BLUE WATER INDUSTRIAL PRODUCTS INC	84.00
4954	*	003282	LISA MARIE BRADLEY	247.50
4955		007875	CANFIELD EQUIPMENT SERVICE INC.	250.25
4956		009431	CITY OF BIRMINGHAM #248	7,078.91
4957	*	008044	CLUB PROPHET	610.00
4958	*	000565	DORNBOS SIGN & SAFETY INC	181.10
4959	*	001077	DUNCAN PARKING TECH INC	9,762.75
4960		001230	FIRE SYSTEMS OF MICHIGAN LLC	170.00
4961	*	007807	G2 CONSULTING GROUP LLC	3,378.00
4962	*	000243	GRAINGER	1,175.42
4963		008293	GRAINGER, INC	292.00
4964	*	001672	HAYES PRECISION INC	650.50
4965		008378	THE HUNTINGTON NATIONAL BANK	128,411.25
4966	*	008851	INSIGHT INVESTMENT	5,992.66

**City of Birmingham**  
**Warrant List Dated 03/09/2022**

Meeting of 03/14/2022

Check Number	Early Release	Vendor #	Vendor	Amount
4967		000261	J.H. HART URBAN FORESTRY	54,011.72
4968	*	003458	JOE'S AUTO PARTS, INC.	212.05
4969	*	005550	LEE & ASSOCIATES CO., INC.	2,625.30
4971	*	000377	MICHIGAN MUNICIPAL LEAGUE	100.00
4973	*	007856	NEXT	1,349.30
4974	*	006359	NYE UNIFORM COMPANY	3,077.75
4975	*	008843	OAKLAND COUNTY TREASURER- TAX PYMNT	343,464.20
4976	*	002767	OSCAR W. LARSON CO.	272.50
4977	*	006027	PENCHURA, LLC	240.00
4978	*	001181	ROSE PEST SOLUTIONS	160.00
4979	*	003785	SIGNS-N-DESIGNS INC	55.00
4980	*	007899	NICHOLAS SLANDA	150.00
4981		000254	SOCRRA	79,395.00
4982	*	001097	SOCWA	119,686.74
4983		005787	SOUTHEASTERN EQUIPMENT CO. INC	187.00
4984	*	004320	TRI-COUNTY POWER RODDING, INC	900.00
4985		009266	US SIGNAL COMPANY LLC	2,298.39
SUBTOTAL ACH TRANSACTION				\$1,369,341.85
GRAND TOTAL				\$1,671,096.82

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



Mark Gerber  
Finance Director/ Treasurer

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



## MEMORANDUM

Clerk's Office

**DATE:** Thursday, March 3, 2022  
**TO:** Tom Markus, City Manager  
**FROM:** Alexandra Bingham, City Clerk  
**SUBJECT:** Special Event - 2022 Parkinson Walk

### INTRODUCTION:

Michigan Parkinson Foundation has submitted a Special Event application to hold the 2022 Parkinson Walk on Saturday, June 18, 2022, from 9am to 12 pm. Set-up for the event is scheduled for Friday, June 17 at 4pm. Tear down will begin immediately following the event from 12 noon until 1:30 pm.

### BACKGROUND:

Prior to application submission, the Police Department reviewed the proposed event details for street closures and the need for safety personnel. DPS, Planning, Building, Engineering, Police, and Fire have indicated their approval. SP+ Parking has been notified of the event for planning purposes.

The following events occur in June in Birmingham, and do not pose a conflict for this event:

- |  |          |                             |
|--|----------|-----------------------------|
| • Birmingham Farmers Market  | Sundays  | Lot 6                       |
| • Yoga in the Park (same date but no conflict with Parkinson walk) | June 18  | Shain Park                  |
| • Village Fair   | June 1-5 | Shain Park and City Streets |

**LEGAL REVIEW:** The City Attorney has reviewed and has no concerns or objections.

**FISCAL IMPACT:** The Finance Director has reviewed and has no concerns.

### PUBLIC COMMUNICATIONS:

The applicant notified residents and businesses details of the event more than two weeks prior to the Commission meeting. Addresses were notified within 300 feet of the event space.

### SUMMARY:

The City Commission is being asked to approve a special event permit for the 2022 Parkinson Walk to be held June 18, 2022. Set up will begin



on June 17 at 4:00 p.m. Tear down will occur immediately following the event, at 12 noon.

**ATTACHMENTS:**

1. Special Event application
2. Notification letter with map of event area distributed to residents/businesses within 300 feet of the event area, mailed on February 16, 2022. Notification addresses are on file in the Clerk's Office
3. Event site map
4. Department Approval page with comments and estimated costs

**SUGGESTED COMMISSION ACTION:**

Make a motion adopting a resolution to approve a special event permit as requested by the Michigan Parkinson Foundation to hold the 2022 Parkinson Walk on Saturday, June 18, 2022, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff leading up to or at the time of the event

22-00011778

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

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

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

**I. EVENT DETAILS**

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

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

(Please print clearly or type)

Date of Application January 26, 2022

Name of Event: 2022 Parkinson Walk

Detailed Description of Event (attach additional sheet if necessary) \_\_\_\_\_

Family fundraising event to support Michigan Parkinson Foundation and the programs and services we provide for those affected by Parkinson's disease. Event offers a 1 Mile or 3 Mile walk through neighborhoods north of Birmingham Presbyterian Church, a health fair, Parkinson exercise demonstrations, donated food & beverages.

Event managed by Michigan Parkinson Foundation and assigned volunteers.

Location First Presbyterian Church of Birmingham, 1669 W Maple Rd, Birmingham, MI 48009

Date(s) of Event Saturday June 18, 2022 Hours of Event 9:00 am – 12:00 Noon

Date(s) of Set-up ~~Saturday~~ Friday, June 17, 2022 Hours of set up: 4:00pm

NOTE: No set-up to begin before 7:00 AM, per City ordinance.

Date(s) of Tear-down: June 18, 2022 Dates of Tear-down: 12 Noon – 1:30pm

Organization Sponsoring Event Michigan Parkinson Foundation

Organization Address 30400 Telegraph Rd., #150, Bingham Farms, MI 48025

Organization Phone 248-433-1011

Contact Person Alison Chance, Development Manager

Contact Phone Office: 248-433-1160 Cell Phone: 517-402-4342

Contact Email Alison Chance <AlisonC@ParkinsonsMI.org>

## II. EVENT INFORMATION


1. Organization Type (city, non-profit, community group, etc.) Non profit health advocacy organization.
2. Additional Sponsors or Participants (Provide name, address, contact person, status, etc. for all additional organizations sponsoring your event. ) Supernus, Ascension are committed sponsors to date. We expect to have another 20 sponsors who will have exhibit tables at the event. See attached list of 2021 sponsors. We expect the same sponsors to return.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Is the event a fundraiser? YES ☒ NO ☐ beneficiary\_\_\_ income \$250,000  
List  
List expected  
Attach information about the beneficiary.
4. First time event in Birmingham? YES ☐ NO ☒  
If no, describe We had the event in Birmingham in 2017, 2018, 2019, 2021 at Seaholm High School  
\_\_\_\_\_  
\_\_\_\_\_
5. Total number of people expected to attend per day 500  
Last year we had 500
6. The event will be held on the following City property: (Please list)  
☐ Street(s) \_\_\_\_\_  
\_\_\_\_\_  
☒ X Sidewalk(s) The event will offer a one mile and three mile route. Both routes will take place on the sidewalks.  
\_\_\_\_\_

☐

Park(s) \_\_\_\_\_

7. Will street closures be required?

YES ☐NO ☒

(Police Department acknowledgement prior to submission of application is required) (initial here) 

8. What parking arrangements will be necessary to accommodate attendance? \_\_\_\_\_

The First Presbyterian Church parking lot will be used and we are seeking permission from the Birmingham Methodist Church for over flow parking. Also, there is plenty of street parking on Pleasant St. We are asking volunteers to park on the streets so that our Parkinson constituents can park in the parking lot. \_\_\_\_\_

**3. \*The city encourages collaboration amongst non-profit organizations to bring the greatest benefit to the community. Please explain your efforts to do so**

The Michigan Parkinson Foundation (MPF) has partnered with Birmingham NEXT Senior Center to host our 2022 Living With Parkinson's Program, a 5-week, free program for individuals with Parkinson's in the area and related movement disorders. Birmingham NEXT Senior Center also hosts our Birmingham Parkinson's Support Group on the second Tuesday of each month. In addition we are a member of the Birmingham Bloomfield Chamber of commerce and work closely with Area Agency on Aging 1-B.



14. Will food/beverages/merchandise be sold? YES ☐ NO ☒
- Peddler/vendor permits must be submitted to the Clerk's Office, **at least two weeks prior to the event.**
  - You must obtain approval from the Oakland County Health Department for all food/beverage sales/donations. Contact [ehclerk@oakgov.com](mailto:ehclerk@oakgov.com) or 248-535-9612 to obtain Health Department approval.
  - There is a \$50.00 application fee for all vendors and peddlers, in addition to the \$10.00 daily fee, per location.

### III. I. EVENT LAYOUT

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

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

EQUIPMENT	QUANTITY	COST	NOTES
Picnic Tables		6 for \$500.00	A request for more than six tables will be evaluated based on availability.
Trash Receptacles		\$10.00 each includes 1 bag For additional bags, the cost is \$32/percase.	Trash box placement and removal of trash is the responsibility of the event. Additional cost could occur if DPS is to perform this work.
Dumpsters		\$350.00/per dumpster per day	Includes emptying the dumpster one time per day. The City may determine the need for additional dumpsters based on event requirements.
Utilities (electric)	# of vendors requiring utilities	Varies	Charges according to final requirements of event.
Water/Fire Hydrant		\$224.75/per hydrant Includes the use of 5,000 gallons of water. Any additional water usage will be billed.	Applicant must supply their own means of disposal for all sanitary waste water. Waste water is NOT allowed to be poured into the street or on the grass.
Meter Bags / Traffic Cones / Barricades	# to be determined by the Police Department.		

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

TYPE	QUANTITY	SIZE
Tents/Canopies/Awnings (A permit is required for tents over 120 square feet)	10 1 1	10 x 10 ft. 20 ft. x 20 ft. 20 ft. X 60 ft.
Portable Toilets	1	
Rides	NA	
Displays	NA	
Vendors	NA	
Temporary Structure (must attach a photo)	NA	
Other (describe)	NA	

## SIGNATURE OF APPLICANT REQUIRED

EVENT NAME Michigan Parkinson foundation, I gave My Sole for Parkinson's Walk

EVENT DATE June 18, 2022

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

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

*Alison K. Chance*

2/23/2022

Signature

Date

*By providing your e-mail to the City, you agree to receive news and notifications from the City.  
If you do not wish to receive these messages, you may unsubscribe at any time.*

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

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





February 16, 2022

Dear Friends,

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

**EVENT INFORMATION:**

Name of Event: "I Gave My Sole for Parkinson's" Walk Event  
Location: First Presbyterian Church  
Date of Event: Saturday, June 18, 2022 Hours of Event: 9:00 am – 1:00 pm

**Brief Description:** Michigan Parkinson Foundation will be holding a Fundraiser at First Presbyterian Church of Birmingham located at 1669 W. Maple in Birmingham. The event will consist of a 1 Mile or 3 Mile Walk through the area north and south of the church. There will be Birmingham Police officers stationed at the two crossing areas on Maple Road to ensure the safety of our participants. This is a family event open to all ages. Monies raised will be used to fund services and special programs provided by Michigan Parkinson Foundation for people affected by Parkinson's disease and their families.

Date of Set-up: Saturday, June 18 at First Presbyterian Church) from 7:00 am – 9:00 am  
Date of Tear-down: Saturday, June 18 from 1:00 pm – 2:00 pm

**Date of City Commission Meeting: Monday, March 14, 2022**

A complete copy of the application to hold this special event is available for your review at the City Clerk's Office (248) 530-1880. Log on to [www.bhamgov.org/events](http://www.bhamgov.org/events) for a complete list of special events.

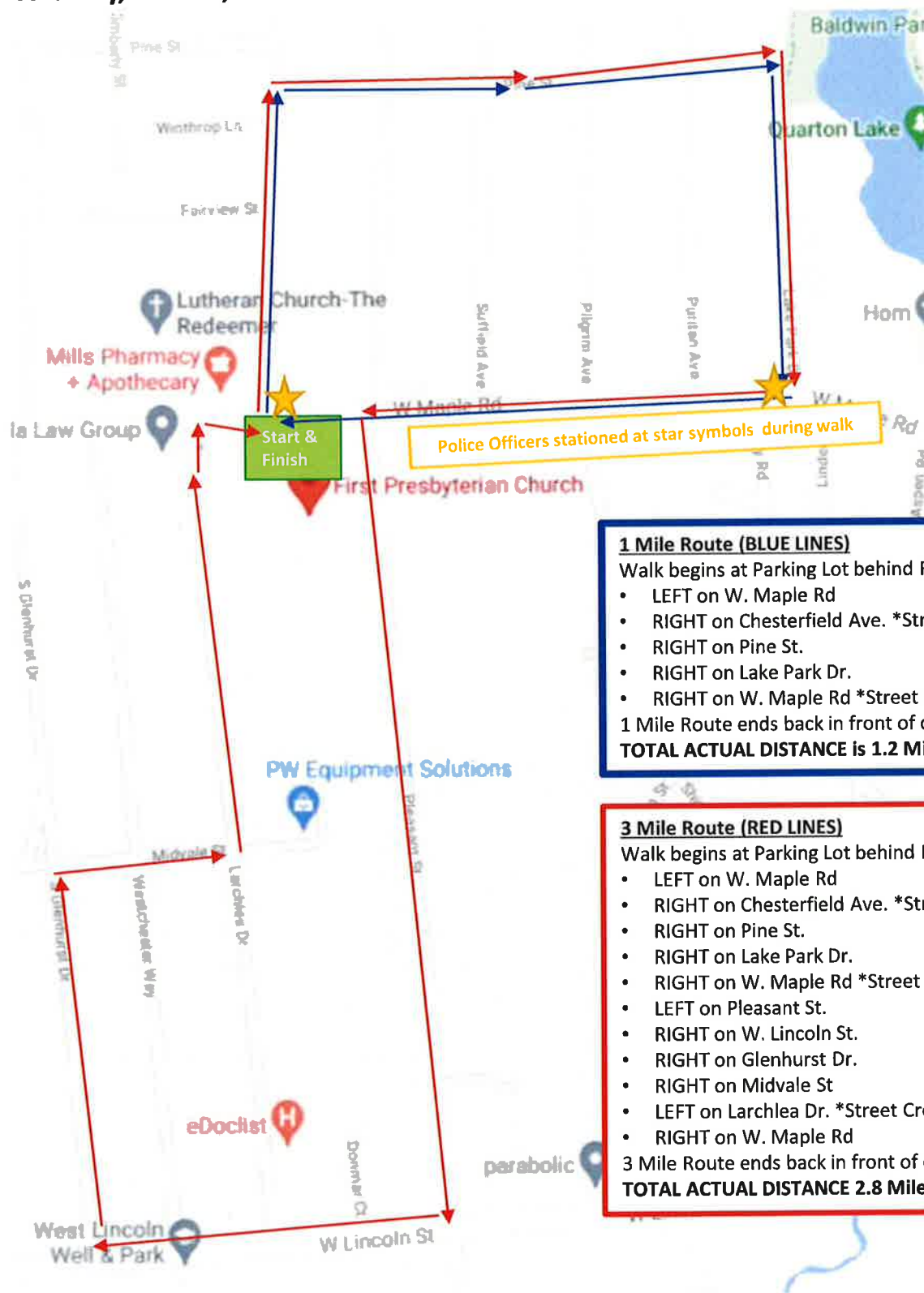
Event Organizer: Michigan Parkinson Foundation  
30400 Telegraph Rd., Suite 150  
Bingham Farms, MI 48025  
248-433-1011

For Questions on Day of Event, Contact Alison Chance at 248-430-4205.

**A map showing Walk Route is attached.**

*Dedicated to People Living with Parkinson's*  
30400 Telegraph Road - Suite #150 - Bingham Farms MI 48025  
(248) 433-1011 or (800) 852-9781 - Fax: (248) 433-1150  
[www.parkinsonsmi.org](http://www.parkinsonsmi.org)

***"I Gave My Soul for Parkinson's" 2022 Metro Detroit Walk Routes***  
**Saturday, June 18, 2022**



**1 Mile Route (BLUE LINES)**

Walk begins at Parking Lot behind First Presbyterian Church

- LEFT on W. Maple Rd
- RIGHT on Chesterfield Ave. \*Street Crossing
- RIGHT on Pine St.
- RIGHT on Lake Park Dr.
- RIGHT on W. Maple Rd \*Street Crossing

1 Mile Route ends back in front of church

**TOTAL ACTUAL DISTANCE is 1.2 Miles**

**3 Mile Route (RED LINES)**

Walk begins at Parking Lot behind First Presbyterian Church

- LEFT on W. Maple Rd
- RIGHT on Chesterfield Ave. \*Street Crossing
- RIGHT on Pine St.
- RIGHT on Lake Park Dr.
- RIGHT on W. Maple Rd \*Street Crossing
- LEFT on Pleasant St.
- RIGHT on W. Lincoln St.
- RIGHT on Glenhurst Dr.
- RIGHT on Midvale St
- LEFT on Larchlea Dr. \*Street Crossing
- RIGHT on W. Maple Rd

3 Mile Route ends back in front of church

**TOTAL ACTUAL DISTANCE 2.8 Mile**

*Dedicated to People Living with Parkinson's*

**30400 Telegraph Road - Suite #150 - Bingham Farms MI 48025**

**(248) 433-1011 or (800) 852-9781 - Fax: (248) 433-1150**

**[www.parkinsonsmi.org](http://www.parkinsonsmi.org)**



In Memoriam

*Founding President*

Raymond B. Bauer, MD

Board of Directors

*Chairman*

Jeff Laethem

*President*

Paul A. Cullis, MD

*Vice-Chair*

Brian True

*Treasurer*

Lawrence Millman, CPA

Jeffrey Appel, Esq

Carole Briggs, RN

David Floore

Gary Gavin

Edwin B. George, MD, PhD

Deanna Hatmaker

Suzanne Holguin, RN

Jeff Laethem

Peter A. LeWitt, MD

Jeanne Merchant

Sara Schimke, JD

Jason Schwalb, MD

Richard Winkelman

Professional Advisory Board

Peter A. LeWitt, MD

Chairman

Tyrone Baharozian, Esq

Stuart Blatt, PhD, PT

Patrik Brundin, MD, PhD

Kelvin L. Chou, MD

Timothy Collier, PhD

Brian Cooper, OTR

Paul A. Cullis, MD

Aaron L. Ellenbogen, DO, MPH

Doree-Ann Espiritu, MD

Karen Freshwater, PA-C

Edwin B. George, MD, PhD

John L. Goudreau, DO, PhD

Shana Krstevska, MD

Neepa Patel, MD

Parag Patil, MD, PhD

Barbara Pickut, MD

Jason Schwalb, MD

Ashok Sriram, MD

Danette Taylor, DO

Denise Van Etten, RN

Kara J. Wyant, MD

Glenna Yaroch, MBA, PT

Laura Zeitlin, LMSW

Chief Executive Officer

Mary Sue Lanigan

Founding Chairman

Thomas A. Cracchiolo

## HOLD-HARMLESS AGREEMENT

February 02, 2022

To Whom it May Concern:

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

  
Mary Sue Lanigan 02/02/2022

Maple Rd.

Venue Layout  
At JUNE 18, 2022.

**First Presbyterian Church Building**

**Back parking lot**

**D  
R  
I  
V  
E  
W  
A  
Y**

**Orange traffic cones separating event registration area from parking area.**

VIP Team  
Tent  
10 ft. x 10 ft.

VIP Team  
Tent  
10 ft. x 10 ft.

**Registration tents 20 ftx 40 ft.**

VIP Team  
Tent  
10 ft. x 10 ft.

VIP Team  
Tent  
10 ft. x 10 ft.

8 ft. x 8 ft  
risers for  
stage

VIP Team  
Tent  
10 ft. x 10 ft.

VIP Team  
Tent  
10 ft. x 10 ft.

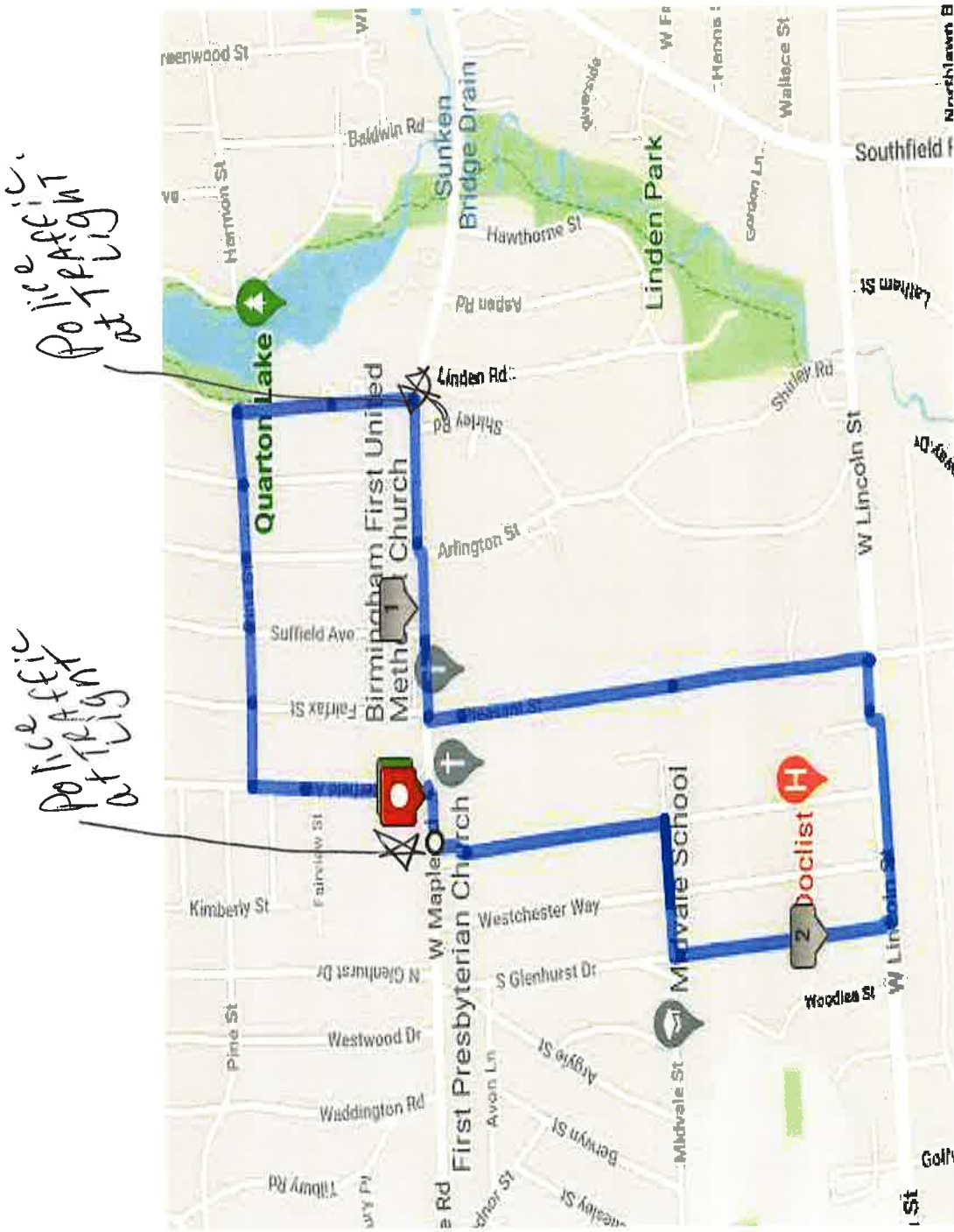
VIP Team  
Tent  
10 ft. x 10 ft.

VIP Team  
Tent  
10 ft. x 10 ft.

VIP Team  
Tent  
10 ft. x 10 ft.

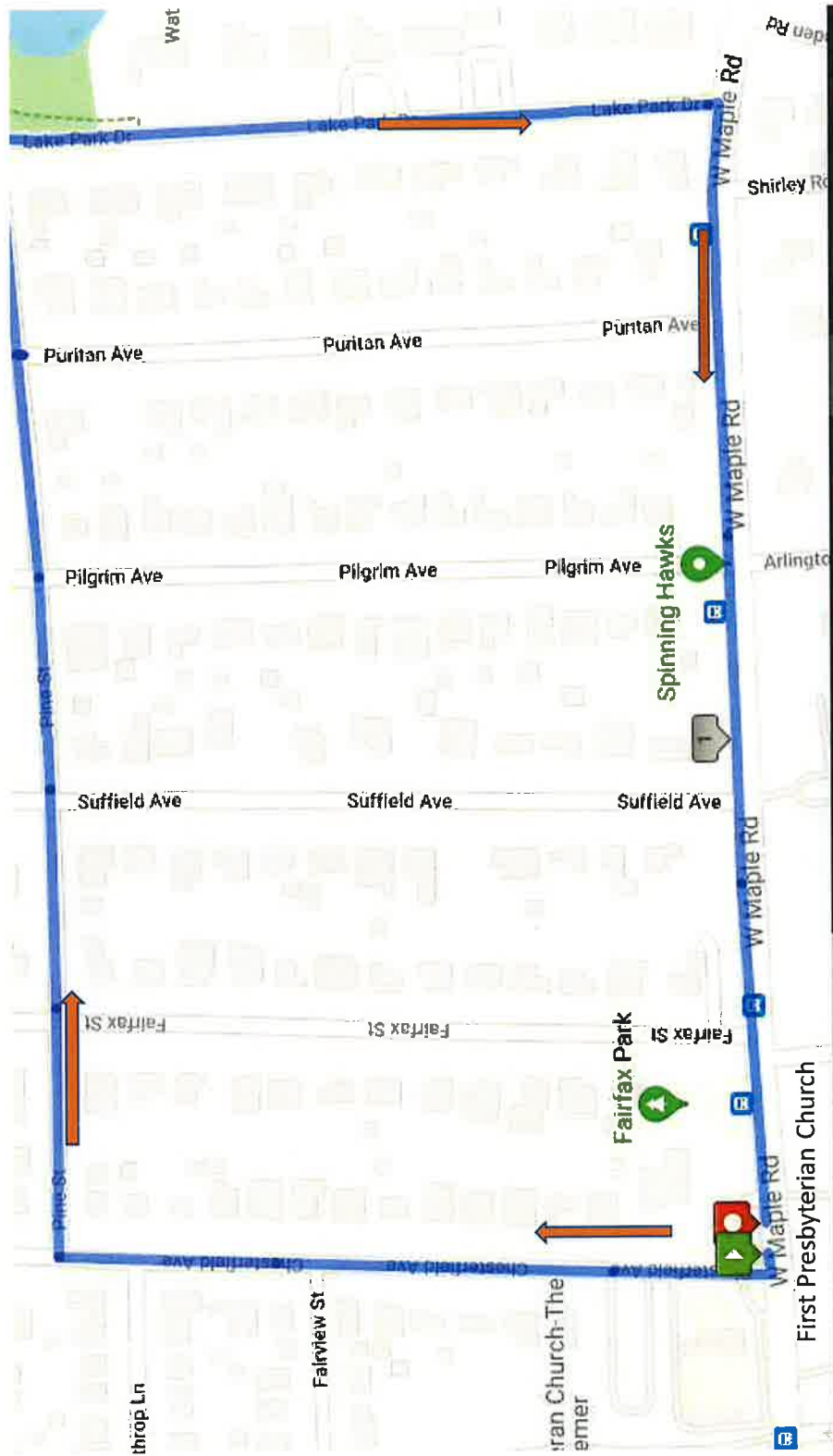
**Sponsor and Food Tent, 20ft. x 60 ft.**

		2022 PARKINSON WALK SPONSORS			
COMPANY	NAME	ADDRESS	CITY	STATE	ZIP
AbbVie	Mark Gracey		Bay City	MI	48708
Kyowa Kirin	Aimee Zimmerman		Williamston	MI	48895
Sunovion	Christine Zboril		Royal Oak	MI	48073
Supernus Pharmaceuticals	Alison Miller		Bloomfield Hills	MI	48301
Ascension Michigan	Amanda Kalinsky		Southfield	MI	48075
Better Life Home Care	Brian Schurgin		Farmington Hills	MI	48443
Henry Ford Health System, Department of Neurology	Julia Wall		West Bloomfield	MI	48322
Michigan Institute for Neurological Disorders (MIND)	Dr. Aaron Ellenbogen		Farmington Hills	MI	48334
Acadia Pharmaceuticals	Stephan Meekhof		South Lyon	MI	48178
Boston Scientific	Jason Roth		Grosse Pointe Farm	MI	48236
Medtronic	Phil Dannewitz		White Lake	MI	48386
Quest Research Institute	Dolly Niles		Farmington Hills	MI	48334
Arcadia Home Care & Staffing / Addus Homecare	Theresa Ruedisueli		Marshall	MI	49068
Home Instead Senior Care	Bert Copple		Clawson	MI	48017



**Parkinson Walk, June 18, 2022:** Three Mile Route Start at First Presbyterian Church. Cross Maple at traffic light at Chesterfield. Go north on Pine Street, turn right on Lake Park and cross at traffic light at Maples and Lake Park. Turn right on Lincoln, right on S. Glenhurst, right on Midvale, left on Larchlea, right on Maple.





**Parkinson Walk, June 18, 2022, One Mile Route: Start at First Presbyterian Church.**

Cross Maple at traffic light at Chesterfield. Go north on Chesterfield, turn right on Pine Street, Turn right on Lake Park and cross Maple at Lake Park. Turn right on Maple and head back to the church.

**I CAN**  
*and*  
**I WILL**

**I gave my sole's for Parkinson's**

**MICHIGAN PARKINSON FOUNDATION**

**M I C H I G A N**  
**Parkinson Foundation**

**↑ ↑ ↑**



# A HERO FOR THE PARKINSON'S COMMUNITY

*I did not know how strong I was until I realized  
being strong was the only choice I have.*



**TOM WRIGHT**  
LANSING, MICHIGAN  
DIAGNOSED WITH PARKINSON'S AT AGE 55



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
02/09/2022

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

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

<b>PRODUCER</b> Ralph C. Wilson Agency, Inc  Box 5069 Southfield MI 48086-5069		<b>CONTACT NAME:</b> Lisa Case <b>PHONE (A/C, No, Ext):</b> (248) 355-1414 <b>E-MAIL ADDRESS:</b> lisac@rcwa.net <b>FAX (A/C, No):</b> (248) 304-0877	
<b>INSURED</b> Michigan Parkinson Foundation 30400 Telegraph Road Suite 150 Bingham Farms MI 48025		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Selective Insurance Co. of South Carolina <b>INSURER B:</b> Accident Fund Insurance Company of America <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	
		<b>NAIC #</b> 19259 10166	

**COVERAGES** **CERTIFICATE NUMBER:** 22-23 Master **REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER:			S2198583	01/14/2022	01/14/2023	EACH OCCURRENCE \$ 1,000,000
			DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000				
			MED EXP (Any one person) \$ 20,000				
			PERSONAL & ADV INJURY \$ 1,000,000				
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0			S2198583	01/14/2022	01/14/2023	GENERAL AGGREGATE \$ 3,000,000
			PRODUCTS - COMP/OP AGG \$ 3,000,000				
			Employee Benefits \$ 1,000,000				
			COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000				
B	<input checked="" type="checkbox"/> <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			AFWCP100002221	01/14/2022	01/14/2023	BODILY INJURY (Per person) \$
			BODILY INJURY (Per accident) \$				
			PROPERTY DAMAGE (Per accident) \$				
A	<input checked="" type="checkbox"/> <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			AFWCP100002221	01/14/2022	01/14/2023	PER STATUTE <input checked="" type="checkbox"/> OTH-ER <input type="checkbox"/>
			E.L. EACH ACCIDENT \$ 1,000,000				
			E.L. DISEASE - EA EMPLOYEE \$ 1,000,000				
			E.L. DISEASE - POLICY LIMIT \$ 1,000,000				

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

RE: I Gave My Sole for Parkinson's Walk Event - Seaholm High School, Birmingham; July 18, 2022  
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 are added as Additional Insured (General Liability) on a primary and non-contributory basis with respect to work/services performed/product supplied by Named Insured per written contract/agreement.

## CERTIFICATE HOLDER

## CANCELLATION

City of Birmingham 151 Martin Street  Birmingham MI 48012	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

© 1988-2015 ACORD CORPORATION. All rights reserved.

## DEPARTMENT APPROVALS

EVENT NAME: 2022 Parkinson Walk

LICENSE NUMBER # 22-00011778

COMMISSION HEARING DATE: 03/14/2022

NOTE TO STAFF: Please submit approval by February 28,2022

DATE OF EVENT: June 18, 2022

DEPARTMENT	APPROVED	COMMENTS	PERMITS REQUIRED (Must be obtained directly from individual departments)	ESTIMATED COSTS (Must be paid two weeks prior to the event. License will not be issued if unpaid.)	ACTUAL COSTS (Event will be invoiced by the Clerk's office after the event)
<b>PLANNING</b> <b>101-000.000-634.0005</b> 248.530.1855	TBC	No Cost / No Comment		\$0	
<b>BUILDING</b> <b>101-000.000.634.0005</b> 248.530.1850	MJM	Tents over 400 SQFT. All tents to be weighted down Require permits. Building department to inspect tents.	Tents over 400 SQFT. Require permits	\$166.11	
<b>FIRE</b> <b>101-000.000-634.0004</b> 248.530.1900	JDP	Follow all current COVID-19 guidelines. Do not block fire lanes, streets or fire hydrants with parked vehicles or set up. A crowd manager 1/250 persons is required 1 for every 250 persons. Tents require flame retardant certificate submittal. Fire extinguisher type ABC, 5 lb. shall be mounted to a secure object if tents are installed. Food service area using open flame or fuel require inspection. Generators to be 20 feet away from structures. Fuel cans cannot be stored on event grounds unsecured.		\$0	

<b>POLICE</b> <b>101-000.000.634.0003</b> 248.530.1870	SG	Personnel for Maple Crossings.		\$322.00	
<b>PUBLIC SERVICES</b> <b>101-000.000-634.0002</b> 248.530.1642	CL	No DPS Involvement		\$0	
<b>ENGINEERING</b> <b>101-000.000.634.0002</b> 248.530.1839	SDZ	May Require Obstruction Permit if any tables or tents are put in the ROW, but currently does not appear to be required.	Obstruction Permit Might be needed (not at this time)	\$0	\$0
<b>SP+ PARKING</b>	RW	Parking available on street and in structures	NA	NA	NA
<b>INSURANCE</b> 248.530.1807		Need to submit CoI, Hold Harmless Agreement	None	\$0	\$0
<b>CLERK</b> <b>101-000.000-614.0000</b> 248.530.1803		Notification letters to be mailed by applicant no later than _____. Notification addresses on file in the Clerk's Office. Evidence of required insurance must be on file with the Clerk's Office no later than _____.	Applications for vendors license must be submitted no later than _____.	\$165 pd	
				<b>TOTAL DEPOSIT REQUIRED</b> <b>\$653.11</b>	<b>ACTUAL COST</b>

**FOR CLERK'S OFFICE USE**

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

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

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



## MEMORANDUM

Clerk's Office

**DATE:** Thursday, March 3, 2022  
**TO:** Tom Markus, City Manager  
**FROM:** Alexandra Bingham, City Clerk  
**SUBJECT:** Special Event - Yoga in the Park

### INTRODUCTION:

Huntington's Disease Society of Michigan has submitted a Special Event application to hold Yoga in the Park on Saturday, June 18, 2022, from 10 am to 3 pm. Set-up for the event is scheduled for June 18 from 8 am - 10am and tear down will immediately follow the event from 3pm - 4 pm.

### BACKGROUND:

Prior to application submission, the various departments reviewed the proposed event details for street closures and the need for safety personnel. DPS, Planning, Building, Engineering, Police, and Fire have indicated their approval. SP+ Parking has been notified of the event for planning purposes.

The following events occur in June in Birmingham, and do not pose a conflict for this event:

- |   |          |                             |
|---|----------|-----------------------------|
| • Birmingham Farmers Market                                 | Sundays  | Lot 6                       |
| • Parkinson Walk (same date but no conflict with HDSA Yoga) | June 18  | Shain Park                  |
| • Village Fair  | June 1-5 | Shain Park and City Streets |

**LEGAL REVIEW:** The City Attorney has reviewed and has no concerns or objections.

**FISCAL IMPACT:** The Finance Director has reviewed and has no concerns.

### PUBLIC COMMUNICATIONS:

The applicant notified residents and businesses about the details of this event by mail on February 28, 2022. The addresses that were notified were within 300 feet of the event space.

### SUMMARY:

The City Commission is being asked to approve a special event permit for Yoga in the Park to be held June 18, 2022. Set up will begin on June 18 at 8 am. Tear down will occur immediately following the event at 3 pm.

**ATTACHMENTS:**

1. Special Event application
2. Notification letter with map of event area distributed to residents/businesses within 300 feet of the event area on February 25, 2022. Notification addresses are on file in the Clerk's Office
3. Hold harmless Agreement
4. Department Approval page with comments and estimated costs

**SUGGESTED COMMISSION ACTION:**

Make a motion adopting a resolution to approve a special event permit as requested by the HDSA Michigan Chapter to hold Yoga in the Park on Saturday, June 18, 2022, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further, pursuant to any minor modifications that may be deemed necessary by administrative staff leading up to or at the time of the event.



22-00011779

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

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

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

**I. EVENT DETAILS**

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

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

(Please print clearly or type)

Date of Application February 7, 2022

Name of Event HDSA Michigan Chapter - Yoga in the Park

Detailed Description of Event (attach additional sheet if necessary) Year 6 of event raising awareness of a rare neurological disorder - Huntington's Disease, and funds for the Michigan Chapter of HDSA, a non-profit that supports Michian families. We will offer three 1-hour long donation-based classes led by certified instructors.

Location Shain Park - in front of the South Band Shell

Date(s) of Event Saturday, June 18 Hours of Event 10a-3p

Date(s) of Set-up Saturday June 18 Hours of Set-up 8-10a

**NOTE: No set-up to begin before 7:00 AM, per city ordinance.**

Date(s) of Tear-down Saturday June 18 Hours of Tear-down 3-4p

Organization Sponsoring Event Huntington's Disease Society of Michigan - Michigan Chapter

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

Organization Phone 800.909.0073

Contact Person Don Peasley

Contact Phone 248.840.3378

Contact Email donaldpeasley5@gmail.com

## II. EVENT INFORMATION

1. Organization Type Non-Profit  
(city, non-profit, community group, etc.)
2. Additional sponsors or participants (Provide name, address, contact person, status, etc. for all additional organizations sponsoring your event.) Yoga Shelter, Henry Ford Health Systems, Teva Pharmaceuticals
3. **\*The city encourages collaboration amongst non-profit organizations to bring the greatest benefit to the community. Please explain your efforts to do so**   
Each year we invite YogaMoves MS to our event. They serve all types of people who want to practice yoga, but are safer doing so from a chair. We've had participants with MS, HD and Parkinson's - all different types of disorders.
4. Is the event a fundraiser? YES ☒ NO ☐  
List beneficiary HDSA Michigan Chapter  
List expected income \$20,000 Attach information about the beneficiary.
5. First time event in Birmingham? YES ☐ NO ☒  
If no, describe This is our 6th year.
6. Total number of people expected to attend per day 150
7. The event will be held on the following City property: (Please list)  
☐ Street(s)   
☐ Sidewalk(s)   
☒ Park(s) Shain Park - in front of the South Band Shell - Concrete and Grass area



8. Will street closures be required? YES ☐ NO ☒

**(Police Department acknowledgement prior to submission of application is required) (initial here)\_\_\_\_\_**

What parking arrangements will be necessary to accommodate attendance?

Describe Participants encouraged to use city lots and decks in the area

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

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

Describe Henry Ford Health Systems will once again be onsite with a licensed paramedic.

10. Will the event require safety personnel (police, fire, paramedics)? YES ☐ NO ☒

**(Police Department acknowledgement prior to submission of application is required.) (initial here)\_\_\_\_\_**

Describe \_\_\_\_\_

11. Will alcoholic beverages be served? YES ☐ NO ☒

If yes, additional approval by the City Commission is required, as well as the Michigan Liquor Control Commission.

12. Will music be provided? YES ☒ NO ☐

\_\_\_\_\_Live ☒ \_\_\_\_\_Amplification \_\_\_\_\_

2x \_\_\_\_\_Loudspeakers

Recorded Time music will begin 9:30a

Time music will end 2:30p

Location of live band, DJ, loudspeakers, equipment must be shown on the layout map.

13. Will there be signage in the area of the event? YES ☒ NO ☐

Number of signs/banners 2 x Banners

Size of signs/banners 8' x 10'

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

14. Will food/beverages/merchandise be sold? YES ☐ NO ☒

- Peddler/vendor permits must be submitted to the Clerk's Office, **at least two weeks prior to the event.**
- You must obtain approval from the Oakland County Health Department for all food/beverage sales/donations. Contact [ehclerk@oakgov.com](mailto:ehclerk@oakgov.com) or 248-535-9612 to obtain Health Department approval.
- There is a \$50.00 application fee for all vendors and peddlers, in addition to the \$10.00 daily fee, per location.

**LIST OF VENDORS/PEDDLERS**

(attach additional sheet if necessary)

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

### III. EVENT LAYOUT

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

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

EQUIPMENT	QUANTITY	COST	NOTES
Picnic Tables		6 for \$500.00	A request for more than six tables will be evaluated based on availability.
Trash Receptacles	2	\$10.00 each includes 1 bag For additional bags, the cost is \$32/per case.	Trash box placement and removal of trash is the responsibility of the event. Additional cost could occur if DPS is to perform this work.
Dumpsters		\$350.00/per dumpster per day	Includes emptying the dumpster one time per day. The City may determine the need for additional dumpsters based on event requirements.
Utilities (electric)	# of vendors requiring utilities	Varies	Charges according to final requirements of event.
Water/Fire Hydrant		\$224.75/per hydrant Includes the use of 5,000 gallons of water. Any additional water usage will be billed.	Applicant must supply their own means of disposal for all sanitary waste water. Waste water is NOT allowed to be poured into the street or on the grass.
Meter Bags / Traffic Cones / Barricades	# to be determined by the Police Department.		

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

TYPE	QUANTITY	SIZE
Tents/Canopies/Awnings (A permit is required for tents over 120 square feet)	3	8' x 8'
Portable Toilets		
Rides		
Displays		
Vendors		
Temporary Structure (must attach a photo)		
Other (describe)		

## **SIGNATURE OF APPLICANT REQUIRED**

EVENT NAME HDSA Michigan Chapter - Yoga in the Park

EVENT DATE June 18, 2022

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

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



Signature

2.7.22

Date

*By providing your e-mail to the City, you agree to receive news and notifications from the City.  
If you do not wish to receive these messages, you may unsubscribe at any time.*

---

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

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



## SPECIAL EVENT REQUEST NOTIFICATION LETTER

DATE: February 25, 2022

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

\_\_\_\_\_  
Address

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

### EVENT INFORMATION

NAME OF EVENT: Huntington's Disease Society of America - Yoga in the Park

LOCATION: Shain Park

DATE(S) OF EVENT: June 18, 2022      HOURS OF EVENT: 10a-3:00p

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

DATE(S) OF SET-UP: June 18, 2022      HOURS OF SET-UP: 8-10a

DATE(S) OF TEAR-DOWN June 18, 2022      HOURS OF TEAR-DOWN 3:00-4P

DATE OF CITY COMMISSION MEETING: **March 14, 2022**

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

EVENT ORGANIZER: HDSA - Michigan Chapter

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

Day Of Event Contact: Don Peasley : 248.840.3378

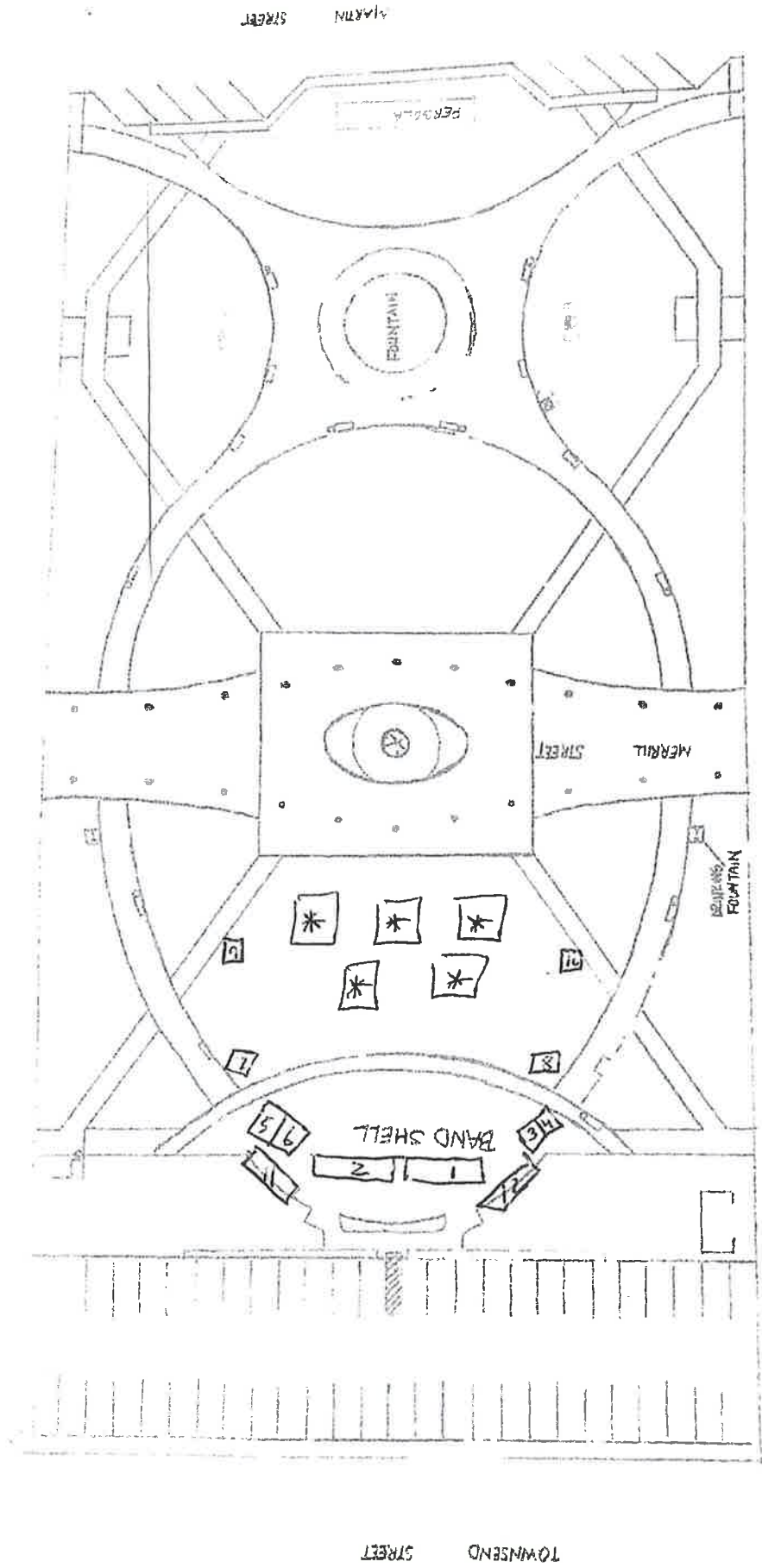


### **HOLD-HARMLESS AGREEMENT**

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

  
Applicant's signature

2.7.22  
Date



- 1- Registration
- 2- Info Table
- 3,4,5,6- Sponsor Tables
- 7-8- Speakers
- \* - Yoga students
- 9-10- Trash
- 11-12- Signs



2019 Poster  
+  
Sign





# Insurance Request

Please allow at least two weeks for insurance requests to be processed. Any request with less than two weeks notice will require an additional \$5.00 service fee. If you have any questions regarding this please contact Neekia Davis at (212) 242-1968, Ext. 233 or [ndavis@hdsa.org](mailto:ndavis@hdsa.org).

**Date of Request: 2-07-2022**

**Chapter/Affiliate Name: Michigan Chapter**

**Location Code: MI01**

## Event Information (Fill in all Fields)

<b>Event Name: Yoga In The Park</b>		
<b>Event Date: 6-18-21</b>	<b>Project Code: 22OTH09</b>	
<b>Start Time: 8am</b>	<b>End Time: 4pm</b>	
<b>Expected Attendance: 150</b>		
<b>Will HDSA volunteers/employees be serving alcohol: no</b>		
<b>Event Location: Shain Park</b>		
<b>Address Line 1: 270 W Merrill St</b>		
<b>Address Line 2:</b>		
<b>City: Birmingham</b>	<b>State: Michigan</b>	<b>Zip: 48009</b>
<b>Certificate Holder Name: City of Birmingham</b>		
<b>Certificate Holder Address Line 1: 151 Martin Street – PO Box 3001</b>		
<b>Certificate Holder Address Line 2:</b>		
<b>City: Birmingham</b>	<b>State: Michigan</b>	<b>Zip: 48012</b>
<b>Additional Insured Name: City of Birmingham &amp; All of it's Employees</b>		
<b>Additional Insured Address Line 1: 151 Martin Street</b>		
<b>Additional Insured Address Line 2:</b>		
<b>City: Birmingham</b>	<b>State: Michigan</b>	<b>Zip: 48012</b>
<b>A PDF Copy will be sent to the email address you provide.</b>		
<b>Name: Don Peasley</b>	<b>Email: donaldpeasley5@gmail.com</b>	

Please fill out all information and fax it to (212) 239-3430 or e-mail it to [ndavis@hdsa.org](mailto:ndavis@hdsa.org).

## DEPARTMENT APPROVALS

EVENT NAME: HDSA Yoga in the Park

LICENSE NUMBER # 22-0001779

COMMISSION HEARING DATE: March 14, 2022

NOTE TO STAFF: Please submit approval by 03/01/2022

DATE OF EVENT: June 18, 2022

DEPARTMENT	APPROVED	COMMENTS	PERMITS REQUIRED (Must be obtained directly from individual departments)	ESTIMATED COSTS (Must be paid two weeks prior to the event. License will not be issued if unpaid.)	ACTUAL COSTS (Event will be invoiced by the Clerk's office after the event)
<b>PLANNING</b> <b>101-000.000-634.0005</b> 248.530.1855	TBC	No Cost No Comment		\$0	
<b>BUILDING</b> <b>101-000.000.634.0005</b> 248.530.1850	MJM	NO DEPARTMENT INVOLVEMENT.		\$0	
<b>FIRE</b> <b>101-000.000-634.0004</b> 248.530.1900	JDP	Follow all current COVID-19 Guidelines Do not block streets or fire hydrants Tents require flame retardant certificate submittal Fire extinguisher required for tent 5 lb. ABC, mounted to secure object If cooking on site, inspection required. Generators to be 20 feet from structures No fuel containers permitted on site. Crowd manager required 1 / 250 persons		\$0	
<b>POLICE</b> <b>101-000.000.634.0003</b> 248.530.1870	MHC	No Police Assistance Requested. Note- 6 <sup>th</sup> year of Event.		\$0	\$0
<b>PUBLIC SERVICES</b> <b>101-000.000-634.0002</b> 248.530.1642	CL	The department will make arrangements with representative to deliver trash receptacles.		\$30	

<b>ENGINEERING</b> <b>101-000.000.634.0002</b> 248.530.1839	SDZ	Does not appear to affect ROW.	NONE	\$0	\$0
<b>SP+ PARKING</b>	RW	Parking Available on street and in structures	None	\$0	\$0
<b>INSURANCE</b> 248.530.1807		Need to submit CoI, Hold Harmless Agreement	None	\$0	\$0
<b>CLERK</b> <b>101-000.000-614.0000</b> 248.530.1803		Notification letters to be mailed by applicant no later than _____. Notification addresses on file in the Clerk's Office. Evidence of required insurance must be on file with the Clerk's Office no later than _____.	Applications for vendors license must be submitted no later than _____.	\$165 pd	
				<b>TOTAL DEPOSIT REQUIRED \$195</b>	<b>ACTUAL COST</b>

**FOR CLERK'S OFFICE USE**

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

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

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



## MEMORANDUM

Clerk's Office

**DATE:** March 14, 2022  
**TO:** Tom Markus, City Manager  
**FROM:** Alexandria Bingham, City Clerk  
**SUBJECT:** Board of Zoning Appeals resignation – Erin Rodenhouse

---

**INTRODUCTION/BACKGROUND:**

Board of Zoning Appeals alternate member Erin Rodenhouse submitted her resignation from the board effective February 28, 2022. This creates a vacancy for the remainder of her three-year term to expire December 17, 2023.

**LEGAL REVIEW:**

n/a

**FISCAL IMPACT:**

n/a

**PUBLIC COMMUNICATIONS:**

The City Clerk's office will publish a notice of intention to appoint to this position, post the vacancy on the "board and commission opportunities" portion of the city's website and include it in the city's digital news vehicles as publication schedules permit.

**SUMMARY:**

The City Commission is being asked to accept the resignation of Erin Rodenhouse from the Board of Zoning Appeals, thank her for her service, and to direct the City Clerk to begin the process of filling the vacancy.

**ATTACHMENTS:**

1. Resignation email

**SUGGESTED COMMISSION ACTION:**

To make a motion to accept the resignation of Erin Rodenhouse from the Board of Zoning appeals, to thank her for her service and to direct the City Clerk to begin the process of filling the vacancy.

February 24, 2022

Via email

Birmingham City Commissioners  
Birmingham City Clerk  
151 Martin  
Birmingham, MI 48009  
[clerksoffice@bhamgov.org](mailto:clerksoffice@bhamgov.org)

Re: Withdrawal of BZA Regular Member Application and Resignation as  
Alternate BZA Member

Dear Commissioners and Clerk:

This letter is notice of my resignation as an alternate member from the Board of Zoning Appeals and my withdrawal of my application to sit as a regular member scheduled for hearing on Monday, February 28, 2022.

On Wednesday, February 23, 2022, I received a phone call from the City Attorney. Reflecting on that call, I feel that I have no other choice but to withdraw and resign. The call regarded the December 2021 Board of Zoning meeting. The City Attorney challenged my reasons for casting a vote and took issue with a statement I made on the record—as an independent decision-maker—against the denial of a zoning variance. The City Attorney even went so far as to question whether I had a conflict of interest in that specific appeal, without any basis for doing so beside the vote I cast. The City Attorney advised me that, in her opinion, my comments hurt the City's legal position. She further directed that I "leave my attorney's hat at the door" and not worry about legal standards in my role as a BZA member.

The Michigan Supreme Court has held that a licensed attorney is governed by the Michigan Rules of Professional Conduct 24 hours a day, 7 days a week. These rules require me to speak with candor during administrative proceedings based on the record presented. I met my obligations as a member, as a citizen, and as an attorney during the December hearing when, based on the record before me, I spoke my conscience. The direction provided by the City Attorney has made it clear that these obligations are in conflict with what would be required of me going forward.

Given the advice and direction of the City Attorney, the position I held and the position I sought now appear to be at odds with my other duties and obligations. Accordingly, I resign. My resignation is effective immediately.

Very truly yours,

*Erin J. Rodenhouse*

Erin J. Rodenhouse



## MEMORANDUM

Clerk's Office

**DATE:** March 14, 2022

**TO:** Tom Markus, City Manager

**FROM:** Alexandria Bingham, City Clerk

**SUBJECT:** Advisory Parking Committee resignation – Sarshar Nasserian

### INTRODUCTION/BACKGROUND:

Advisory Parking Committee (APC) regular member Sarshar Nasserian submitted his resignation from the board effective March 1, 2022. This creates a vacancy for the remainder of his three-year term to expire September 4, 2024.

### LEGAL REVIEW:

n/a

### FISCAL IMPACT:

n/a

### PUBLIC COMMUNICATIONS:

The City Clerk's office will publish a notice of intention to appoint to this position, post the vacancy on the "board and commission opportunities" portion of the city's website and include it in the city's digital news vehicles as publication schedules permit.

### SUMMARY:

The City Commission is being asked to accept the resignation of Sarshar Nasserian from the APC, thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.

### ATTACHMENTS:

1. Resignation email

### SUGGESTED COMMISSION ACTION:

To make a motion to accept the resignation of Sarshar Nasserian from the Advisory Parking Committee, thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.



Christina Woods &lt;cwoods@bhamgov.org&gt;

---

**Fwd: Advisory Parking Committee**

1 message

**Alex Bingham** <abingham@bhamgov.org>

Tue, Mar 1, 2022 at 9:29 AM

To: Christina Woods &lt;cwoods@bhamgov.org&gt;, Ann Tappan &lt;atappan@bhamgov.org&gt;

----- Forwarded message -----

From: **Sarshar Nasserian**

Date: Tue, Mar 1, 2022 at 8:52 AM

Subject: Re: Advisory Parking Committee

To: Ryan Weingartz <[rweingartz@bhamgov.org](mailto:rweingartz@bhamgov.org)>

Hi Ryan,

Sorry for the late reply but with my work schedule, I am currently never in town during the weekdays. With having to be in person to discuss items, that makes it difficult. I would like to withdraw from the committee.

Thanks,

**Sarshar Nasserian**On Wed, Feb 2, 2022 at 1:57 PM Ryan Weingartz <[rweingartz@bhamgov.org](mailto:rweingartz@bhamgov.org)> wrote:

Hi Sarshar,

Myself and other APC members have noticed that you have yet to attend an APC meeting since you have been appointed. There is concern from other members that you have yet to be present for a meeting, and as you are representing as a resident member they are looking for your input on topics. I wanted to reach out to ensure that you are still interested in being a member of the committee.

I look forward to hearing from you.

Thank You

--

**Ryan Weingartz**

Parking Systems Manager

[City of Birmingham](#)[151 Martin Street](#)

Birmingham, MI 48009





## MEMORANDUM

Clerk's Office

**DATE:** March 14, 2022

**TO:** Tom Markus, City Manager

**FROM:** Alexandria Bingham, City Clerk

**SUBJECT:** Brownfield Redevelopment Authority resignation – Pierre Yaldo

---

### INTRODUCTION/BACKGROUND:

Brownfield Redevelopment Authority regular member Pierre Yaldo submitted his resignation from the board effective February 28, 2022. This creates a vacancy for the remainder of his three-year term to expire May 23, 2024.

### LEGAL REVIEW:

n/a

### FISCAL IMPACT:

n/a

### PUBLIC COMMUNICATIONS:

The City Clerk's office will publish a notice of intention to appoint to this position, post the vacancy on the "board and commission opportunities" portion of the city's website and include it in the city's digital news vehicles as publication schedules permit.

### SUMMARY:

The City Commission is being asked to accept the resignation of Pierre Yaldo from the Brownfield Redevelopment Authority, thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.

### ATTACHMENTS:

1. Resignation email

### SUGGESTED COMMISSION ACTION:

To make a motion to accept the resignation of Pierre Yaldo from the Brownfield Redevelopment Authority, thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.



Christina Woods <cwoods@bhamgov.org>

---

## Resignation from Brownfield Board

---

**Pierre Yaldo** <pierre@yaldofirm.com>  
To: clerk@bhamgov.org

Tue, Mar 1, 2022 at 2:08 PM

Dear City Clerk,

Last night, it was my pleasure to be appointed to serve on Birmingham's Board of Zoning Appeals. Unfortunately, because I was appointed to the BZA yesterday, February 28, 2022, I learned that because I cannot sit on two boards simultaneously, I need to resign from the Brownfield Redevelopment Board.

It has been a pleasure to serve the City on the Brownfield Board, I look forward to contributing further as a member of the BZA. Please kindly accept this email as my official resignation from the Brownfield Board.

Thank you and have a wonderful day.

--

Sincerely,

**Pierre S. Yaldo, Esq.**

Yaldo Firm, PLLC

[office: \(248\) 230-8001](tel:(248)230-8001)

[www.YaldoFirm.com](http://www.YaldoFirm.com)

**DISCLAIMER:** UNLESS THE FOREGOING MESSAGE CONSPICUOUSLY INDICATES OTHERWISE, THE CONTENT(S) OF THIS EMAIL AND ALL SUBSEQUENT REPLIES AND FORWARDS, INCLUDING ANY ATTACHMENTS, LINKS OR REFERENCES SHALL NOT BE CONSTRUED AS LEGAL ADVICE NOR THE CREATION OF AN ATTORNEY-CLIENT RELATIONSHIP.



## MEMORANDUM

Clerk's Office

**DATE:** March 14, 2022  
**TO:** Tom Markus, City Manager  
**FROM:** Alexandria Bingham, City Clerk  
**SUBJECT:** Multi-Modal Transportation Board member resignation – David Lurie

---

**INTRODUCTION/BACKGROUND:**

Multi-Modal Transportation Board (MMTB) regular member David Lurie submitted his resignation from the board effective March 2, 2022. This creates a vacancy for the remainder of his three-year term to expire May 24, 2023.

**LEGAL REVIEW:**

n/a

**FISCAL IMPACT:**

n/a

**PUBLIC COMMUNICATIONS:**

The City Clerk's office will publish a notice of intention to appoint to this position, post the vacancy on the "board and commission opportunities" portion of the city's website and include it in the city's digital news vehicles as publication schedules permit.

**SUMMARY:**

The City Commission is being asked to accept the resignation of David Lurie from the MMTB, thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.

**ATTACHMENTS:**

1. Resignation email

**SUGGESTED COMMISSION ACTION:**

To make a motion to accept the resignation of David Lurie from the Mutli-Modal Transportation Board, thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.

**DAVID LURIE**

to me

Dear Brooks:

Unfortunately, I will have to resign from the MMTB. When I first signed up, I was under the impression that even when we went back to in person meetings, we would have a hybrid model where Board members could use Zoom to attend - much like what is happening in government today.

I spend much of the summer in Northern Michigan and along with travel in the Winter, participating on a regular basis in person is just not possible. Please let me know exactly what I have to do, other than this email, to resign this volunteer post.

I wish you luck in the future and will attend meetings when possible. You are a good guy and I hope you have a great career going forward.

Best Regards,

Dave Lurie



# MEMORANDUM

Department of Public Services

**DATE:** February 28, 2022

**TO:** Thomas Markus, City Manager

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

**SUBJECT:** Lawn Maintenance Contract Extension

## INTRODUCTION:

The Department of Public Services was under contract for lawn maintenance services with Birmingham Lawn, Inc. through November 30, 2021. The contract allows for a 2-year extension at the sole discretion of the City through November 15, 2023, and both parties are in agreement.

## BACKGROUND:

The Department of Public Services uses a contractor, Birmingham Lawn, Inc., for lawn maintenance services, which includes spring and fall clean ups, an average of 27 cuts throughout the season, and long grass code enforcement violations. There are 65 locations serviced under this contract, including parks, city properties, major and local streets, and well sites. Birmingham Lawn, Inc. will keep current pricing (\$168,781/year and \$5,000 budgeted for long grass enforcement), bringing the total base bid for 2-years of lawn maintenance at all of these properties, including long grass enforcement, to \$347,562. Birmingham Lawn, Inc. completed a 4-year contract with the City with very few issues. Management and crews were both professional and flexible when the City required additional clean ups at properties, or there were scheduling conflicts with outdoor fitness classes at various properties.

## LEGAL REVIEW:

This contract has been reviewed by the City attorney.

## FISCAL IMPACT:

Funds for this expenditure – totaling approximately \$347,562 – are available and budgeted for in the following other contractual services accounts: \$193,854 in Parks (101-751.000-811.0000), \$55,490 in City Properties (101-441.003-811.0000), \$13,156 in Well Sites (591-537.002-811.0000), \$15,274 in Local Streets (203-449.003-937.0400), \$59,788 in Major Streets (202-449.003-937.0400), and \$10,000 in Grass/Noxious Weed Enforcement (101-441.007-811.0000).

## PUBLIC COMMUNICATION:

This purchase does not require public communication.

## SUMMARY:

The Department of Public Services recommends approving a 2-year extension of the lawn maintenance contract with Birmingham Lawn through November 15, 2023, using funds from the following other contractual services accounts: \$193,854 in Parks (101-751.000-811.0000),

\$55,490 in City Properties (101-441.003-811.0000), \$13,156 in Well Sites (591-537.002-811.0000), \$15,274 in Local Streets (203-449.003-937.0400), \$59,788 in Major Streets (202-449.003-937.0400), and \$10,000 in Grass/Noxious Weed Enforcement (101-441.007-811.0000) for a total expenditure of \$347,562.

**ATTACHMENTS:**

1. Agreement extension including the required insurances.
2. Previous Agreement dated 3/12/18.

**SUGGESTED COMMISSION ACTION:**

Make a motion to adopt a resolution approving a 2-year contract extension (through November 15, 2023) with Birmingham Lawn for lawn maintenance services in an amount not to exceed \$347,562. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project has been budgeted for using funds from the following other contractual services accounts: \$193,854 in Parks (101-751.000-811.0000), \$55,490 in City Properties (101-441.003-811.0000), \$13,156 in Well Sites (591-537.002-811.0000), \$15,274 in Local Streets (203-449.003-937.0400), \$59,788 in Major Streets (202-449.003-937.0400), and \$10,000 in Grass/Noxious Weed Enforcement (101-441.007-811.0000).

## **AGREEMENT OF Lawn Maintenance Services – City of Birmingham, MI**

**THIS AGREEMENT** is entered into this \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the **CITY OF BIRMINGHAM**, whose address is 151 Martin Street, Birmingham, MI 48009 (hereinafter referred to as the City), and Birmingham Lawn, a Michigan Corporation, whose address is 4760 Hatchery Road, Waterford, MI, 48329, (hereafter referred to as Contractor) and the foregoing shall collectively be referred to as the parties.

**WHEREAS**, the City desires a 2-year contract extension for lawn maintenance services at 65 parks and public properties within the City, and this is an extension from the original contract dated March 12, 2018, in connection therewith has exercised its option for a 2-year contract extension; and

**WHEREAS**, Contractor has met the project requirements by successfully performing lawn maintenance services at 65 city parks and properties during the previous 4-year contract period.

**NOW, THEREFORE**, in consideration of the foregoing preambles, the adequacy of which is acknowledged by and between the parties to this Agreement, the parties agree as follows:

- 1. MUTUALLY AGREE:** It is mutually agreed by and between the parties that the original agreement dated March 12, 2018, which included a 2-year contract extension of lawn maintenance services, shall be fully incorporated herein by reference and shall become a part of this Agreement, and shall be binding upon both parties hereto.
- 2. TERM:** This Agreement shall have a term of 2 years from the date stated above. The City shall have the right to unilaterally terminate this Agreement on thirty (30) 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 of all lawn maintenance services prepared by the Contractor through such date.
- 3. TERMS OF PAYMENT:** The Contractor will invoice monthly for all labor supplied and work completed. In no event shall invoices be submitted more than 45 days after completion of services. Submitted invoices shall include the following detailed information: the type of work performed, the time spent on the work, the individual who performed the work and the per hour billing rate charged. The City may, at its sole discretion demand review and the right to request at any time further detailed accounting information for any or all bills. The right to inspection of any bill and invoice shall never be at any cost or billings to the City, nor shall preparation of said invoices be billed to the City or against the general retainer. Payment terms will be net 30 days unless otherwise specified by the City.
- 4.** Contractor shall employ personnel of good moral character and fitness in performing all services under this Agreement.

**5. INSURANCE SUBMISSION REQUIREMENTS:** The Contractor has submitted proof to the City that it meets all City insurance requirements. Insurance, with coverage amounts at no less than the City's minimum requirements, must be held by the Contractor throughout the term of this Agreement. Certificates of insurance as stated below will be required no later than five (5) business days from the date of Contractor acceptance of the terms of this Agreement.

**6. CONFIDENTIAL AND OR PROPRIETARY INFORMATION:** The Contractor 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. INDEPENDENT CONTRACTOR:** The Contractor and the City agree that the Contractor is acting as an independent contractor with respect to the Contractor 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.

**8. COMPLIANCE WITH LAWS:** Contractor agrees to fully and faithfully carry out the duties of set forth herein using its best efforts in accomplishing all assignments from the City, and further, in addition to upholding all federal, and state laws and applicable codes of professional conduct to which Contractor is subject, Contractor hereby agrees to be bound by all Federal, State, or City of Birmingham ordinances, rules, regulations and policies as are amended from time to time, and including without limitation the Fair Labor Standards Act, the Equal Employment Opportunity rules and regulations, the Transportation Safety Act and the Occupational Safety and Health Acts.

**9. NON-COMPLIANCE WITH INSURANCE REQUIREMENTS:** Failure to deliver and maintain insurance in accordance with the terms of this Agreement will be cause for the City, by and through its City Manager, to terminate this Agreement, or at the City's option, the City may purchase on the open market such required insurance and shall be entitled to charge any additional cost to the Contractor, either by offset to any amounts due and owing Contractor for services



provided to the City, or, by separate bill and demand for payment. Nothing in this paragraph shall be deemed to create or be interpreted as establishing a "for cause" termination; Contractor agrees and understands that its engagement is at will and may be terminated by the City Manager for any cause or no cause.

**10. INDEMNIFICATION:** 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 arise out of the acts, errors or omissions of the Contractor including its employees and agents, in the performance of 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.

**11. STANDARD INSURANCE REQUIREMENTS:**

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:

For Non-Sole Proprietorships: 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.

For Sole Proprietorships: 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) Contractor 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. \*Pollution Liability Insurance: Contractor shall procure and maintain during the life of this Agreement Pollution Liability Insurance, with limits of liability of \$1,000,000, per occurrence preferred, but claims made accepted.

E. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following Additional Insureds: The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.

F. Professional Liability: If applicable, professional liability insurance with limits of not less than \$2,000,000 per claim if Contractor will provide services that are customarily subject to this type of coverage.

G. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, Contractor shall deliver renewal certificates and/or policies to the City at least (10) days prior to the expiration date.

H. Proof of Insurance Coverage: Contractor shall provide the City of Birmingham at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City of Birmingham, as listed below.

- 1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance, or a signed and notarized copy of the Sole Proprietor Form;
- 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, if applicable;
- 5) If so requested, Certified Copies of all policies mentioned above will be furnished.

I. **Maintaining Insurance:** Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the Agreement, the City of Birmingham may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the City of Birmingham shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.

**12. WRITTEN NOTICES:** Written notices regarding this Agreement shall be addressed to the following:

City: City of Birmingham  
P.O. Box 3001  
Birmingham, Michigan 48012  
Attn: Lauren Wood

Contractor:  
Birmingham Lawn  
4760 Hatchery Rd  
Waterford, MI 48329  
Attn: Adam Janusch

**13. COVID:** The Contractor shall follow all of the City's COVID-19 safety protocols while on City property. Additionally, Contractor staff which will be in physical contact with city staff must have current vaccinations against COVID-19. The City, at its discretion, may ask for proof of vaccination of Contractor staff. Failure to provide proof of vaccination when requested will cause the City to request un-vaccinated personnel to leave, request alternate staff, and if the Contractor is unable to comply, this violation of safety protocols will constitute a breach of contract by the Contractor.

**14. AMENDMENTS:** No amendment, modification or supplement to this Agreement shall be binding unless it is in writing and signed by authorized representatives of the parties.

**15. WAIVER OF BREACH:** No waiver by either party of any breach of any of the terms, covenants or conditions herein contained by the other party shall be construed as a waiver of any succeeding breach of this same or of any other term, covenant or condition.

**16. COMPLETE AGREEMENT:** The parties agree that the conditions set forth in this Agreement sets forth all terms and conditions of Contractor agreement with the City of Birmingham. This Agreement supersedes all prior agreements or understandings between the parties. There are no promises, conditions or understandings other than those stated herein, and, that any prior negotiations, terms or conditions discussed between the City and the Contractor shall not constitute a part of this Agreement. The term "agreement" as used in this clause shall

include any future written amendments, modifications, or supplements made in accordance herewith.

**17. DIRECT OR INDIRECT INTEREST:** 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.

**18. FAILURE TO PERFORM.** 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.

**19. LEGAL PROCEEDINGS:** 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 48<sup>th</sup> 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 a federal or state court with jurisdiction over Oakland County, Michigan.

**20. 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 parties hereto agree to be bound by the above terms and conditions, and Contractor, by its authorized signature below, expressly accepts this Agreement upon the above provided terms and conditions contained in this Agreement as of the date first above written.

Contractor: \_\_\_\_\_  
By: [Signature]  
Its: owner

STATE OF MICHIGAN     )  
                                      ) ss:  
COUNTY OF OAKLAND    )

On this 22 day of February, 2022, before me personally appeared Adam Janusch who acknowledged that with authority on behalf of \_\_\_\_\_ to do so he/she signed this Agreement.

[Signature]  
\_\_\_\_\_  
Notary Public  
Macomb County, Michigan  
Acting in Stclair County, Michigan  
My commission expires: 8-4-2024

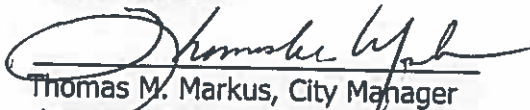


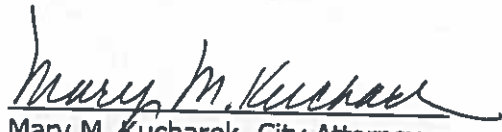
**CITY OF BIRMINGHAM:**


By: \_\_\_\_\_  
Therese Longe, Mayor

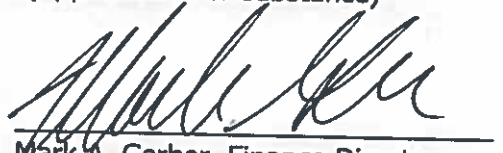
By: \_\_\_\_\_  
Alexandria D. Bingham, City Clerk

**APPROVED:**

  
Thomas M. Markus, City Manager  
(Approved as to substance)

  
Mary M. Kucharek, City Attorney  
(Approved as to form)

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

  
Mark A. Gerber, Finance Director  
(Approved as to Financial Obligation)



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/08/2022

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

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

<b>PRODUCER</b> Core Insurance Group LLC 50787 Corporate Dr  Shelby Township MI 48315	<b>CONTACT NAME:</b> Brenda Boomer <b>PHONE (A/C, No, Ext):</b> (248) 847-2673 <b>E-MAIL ADDRESS:</b> brendab@coreinsured.com <b>FAX (A/C, No):</b>  <b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Pioneer State Mutual <b>INSURER B:</b> Donegal Mutual Insurance <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	<b>NAIC #</b> 18309
---	--	------------------------

**COVERAGES****CERTIFICATE NUMBER:** Birmingham 22/23 cert**REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>AI, WOS, PNC</b> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y		PK00001121	02/12/2022	02/12/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY <input checked="" type="checkbox"/> AI, WOS			CA00303413	02/12/2022	02/12/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 0			CU00000987	02/12/2022	02/12/2023	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N Y	N/A	1000037971	02/12/2022	02/12/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Pesticide/Herbicide Applicator Limited Pollution Coverage			PK00001121	02/12/2022	02/12/2023	Liability Limit \$1,000,000

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

The City of Birmingham, including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers are Additional Insured with respects to the General Liability when required written contract or agreement with the insured. Primary & Non Contributory applies as outlined in form CG CW CT0002 Endorsement - Thirty (30) days Advance Written Notice of Cancellation or Non-Renewal, shall be sent to Finance Director, City of Birmingham, PO Box 3001, 151 Martin Street, Birmingham MI 48012-3001 Commercial General Liability includes Contractual Liability, Independent Contractors Coverage; Broad Form General Liability Extensions or equivalent

**CERTIFICATE HOLDER****CANCELLATION**

City of Birmingham 151 Martin St., P.O. Box 3001  Birmingham MI 48012	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
--	---

© 1988-2015 ACORD CORPORATION. All rights reserved.

## ADDITIONAL COVERAGES

Ref #	Description Paid-In-Full Discount	Coverage Code PDFUL	Form No.	Edition Date
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
			Premium	-\$105.00

Ref #	Description Spcl Pol Condition Prem	Coverage Code UMBSP	Form No.	Edition Date
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
			Premium	\$400.00

Ref #	Description EXP ADJUST/COMM ADJUST	Coverage Code EXPAD	Form No.	Edition Date
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
			Premium	-\$1,394.00

Ref #	Description WOS - Walmart Inc. Its Subsidiaries and Affi	Coverage Code	Form No.	Edition Date
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
			Premium	

Ref #	Description	Coverage Code	Form No.	Edition Date
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
			Premium	\$7,332.00

Ref #	Description Workers' Compensation WOS -Ronnisch Construct	Coverage Code	Form No.	Edition Date
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
			Premium	\$100.00

Ref #	Description Workers' Compensation WOS Beaumont	Coverage Code	Form No.	Edition Date
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
			Premium	\$100.00

Ref #	Description	Coverage Code	Form No.	Edition Date
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
			Premium	

Ref #	Description	Coverage Code	Form No.	Edition Date
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
			Premium	

Ref #	Description	Coverage Code	Form No.	Edition Date
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
			Premium	

Ref #	Description	Coverage Code	Form No.	Edition Date
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
			Premium	



## Additional Named Insureds

### Other Named Insureds

Birmingham Lawn Maintenance & Snow Removal Inc. DB

## ADDITIONAL COVERAGES

Ref #	Description	Coverage Code	Form No.	Edition Date
	Premier Office Pkg	POFPK		
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
				Premium
				\$200.00
Ref #	Description	Coverage Code	Form No.	Edition Date
	AI LL Equip AutoStatus	AILLA		
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
				Premium
				\$16.00
Ref #	Description	Coverage Code	Form No.	Edition Date
	Custom Farm Pest/Herbicides	PEST		
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
				Premium
				\$1,215.00
Ref #	Description	Coverage Code	Form No.	Edition Date
	GLSPC	GLSPC		
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
				Premium
				\$60.00
Ref #	Description	Coverage Code	Form No.	Edition Date
	DPRY	DPRY		
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
50,000				Premium
Ref #	Description	Coverage Code	Form No.	Edition Date
	AI Contractors Blkt	BLKCN		
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
				Premium
				\$238.00
Ref #	Description	Coverage Code	Form No.	Edition Date
	Personal Advert Inj CL	PAI		
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
1,000,000				Premium
Ref #	Description	Coverage Code	Form No.	Edition Date
	BAUTO Advantage	BAADV		
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
				Premium
				\$238.00
Ref #	Description	Coverage Code	Form No.	Edition Date
	Tort Option	TORT		
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
3,000				Premium
Ref #	Description	Coverage Code	Form No.	Edition Date
	Uninsured motorist combined single limit	UMCSL		
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
1,000,000				Premium
Ref #	Description	Coverage Code	Form No.	Edition Date
	Spcl Pol Condition Prem	UMBSP		
Limit 1	Limit 2	Limit 3	Deductible Amount	Deductible Type
				Premium
				\$8.00

OFADTLCV

Copyright 2001, AMS Services, Inc.

**ATTACHMENT A - AGREEMENT**  
**For Parks and City Property Lawn Maintenance Services**

---

This AGREEMENT, made this 12th day of March, 2018, by and between CITY OF BIRMINGHAM, having its principal municipal office at 151 Martin Street, Birmingham, MI (hereinafter sometimes called "City"), and Birmingham Lawn, Inc., having its principal office at 4760 Hatchery, Waterford, MI 48329 (hereinafter called "Contractor"), provides as follows:

**WITNESSETH:**

**WHEREAS**, the City of Birmingham, through its Department of Public Services, is desirous of having lawn maintenance services performed at various parks and city property in the City of Birmingham, as well as having grass mowed and trimmed for certain private lots that are determined by the Department of Public Services to be in violation of the City's Grass and Noxious Weeds ordinance, performed on its behalf.

**WHEREAS**, the City has heretofore advertised for bids for the procurement and performance of services required to perform lawn maintenance services, and private lot mowing for properties deemed by the City of Birmingham as in violation of the City's ordinance, 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 lawn and landscape services and private lot mowing.

**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 provide landscape services and the Contractor's cost proposal dated February 22, 2018 shall be incorporated herein by reference and shall become a part of this Agreement, and shall be binding upon both parties hereto. If any of the documents are in conflict with one another, this Agreement shall take precedence, then the RFP.
2. The Contractor agrees to provide the labor, material, supplies, and equipment necessary to perform the lawn and landscape services and private lot mowing in accordance with the specifications and conditions contained in the RFP documents for a period of four (4) years/mowing seasons, commencing on April 15, 2018 and ending on November 15, 2021. Thereafter, at the option of the City, and agreement by Contractor, this Agreement shall renew for a successive two-year period unless



the City terminates this Agreement by providing written notice to the Contractor prior to the expiration of the initial term or any renewal term.

3. The City shall have the right to terminate this Agreement prior to the end of the initial term or any of the renewal terms without cause. If the City terminates this Agreement prior to the end of any term, the City shall provide Contractor with 10 days written notice of the early termination. Any claims or fees that Contractor is working on collecting on behalf of the City and Contractor shall continue to collect such fees and process same pursuant to the terms and conditions of this Agreement through the date of notice of early termination.
4. The City shall pay the Contractor for the performance of this Agreement for all lawn maintenance services in an amount not to exceed \$ 675,124.00, in addition an amount not to exceed \$ 60,000.00, for fertilization and weed control as set forth in the Contractor's February 22, 2018 cost proposal.
5. The Contractor agrees that it will apply for and secure all permits and approvals as may be required from the City in accordance with the provisions of applicable laws and ordinances of the City, State of Michigan and/or Federal agencies.
6. 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.
7. The Contractor shall employ personnel of good moral character and fitness in performing all services under this Agreement.
8. 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.



9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. 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.
15. The Contractor shall maintain during the life of this Agreement the types of insurance coverage and minimum limits as set forth below:



- A. Workers' Compensation Insurance: Contractor shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
- B. Commercial General Liability Insurance: Contractor shall procure and maintain during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence combined single limit, Personal Injury, Bodily Injury and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.
- C. Motor Vehicle Liability: Contractor shall procure and maintain during the life of this Agreement Motor Vehicle Liability Insurance, including all applicable no-fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- D. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following shall be *Additional Insureds*: The City of Birmingham, including all elected and appointed officials, all employee and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof. This coverage shall be primary to any other coverage that may be available to the additional insured, whether any other available coverage by primary, contributing or excess.
- E. Professional Liability: Professional liability insurance with limits of not less than \$1,000,000 per claim if Contractor will provide service that are customarily subject to this type of coverage.
- F. Pollution Liability Insurance: Contractor shall procure and maintain during the life of this Agreement Pollution Liability Insurance, with limits of liability of not less than \$1,000,000, per occurrence preferred, but claims made accepted.
- G. Owners Contractors Protective Liability: The Contractor shall procure and maintain during the life of this contract, an Owners Contractors Protective Liability Policy with limits of liability not less than \$3,000,000 per occurrence, combined single limit, Personal Injury, Bodily Injury and Property Damage. The City of Birmingham shall be "Name Insured" on said coverage. Thirty (30) days Notice of Cancellation shall apply to this policy.
- H. Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance (and Professional



Liability Insurance, if applicable), as described above, shall include an endorsement stating the following: "Thirty (30) days Advance Written Notice of Cancellation or Non-Renewal, shall be sent to: Finance Director, City of Birmingham, PO Box 3001, 151 Martin Street, Birmingham, MI 48012-3001.

- I. Proof of Insurance Coverage: Contractor shall provide the City of Birmingham at the time the Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City of Birmingham, as listed below.

- 1) Two (2) copies of Certificate of Insurance for Workers' Compensation Insurance;
- 2) Two (2) copies of Certificate of Insurance for Commercial General Liability Insurance;
- 3) Two (2) copies of Certificate of Insurance for Vehicle Liability Insurance;
- 4) Two (2) copies of Certificate of Insurance for Professional Liability Insurance;
- 5) If so requested, Certified Copies of all policies mentioned above will be furnished.

- J. Coverage Expiration: If any of the above coverages expire during the term of this Agreement, Contractor shall deliver renewal certificates and/or policies to the City of Birmingham at least (10) days prior to the expiration date.

- K. Maintaining Insurance: Upon failure of the Contractor to obtain or maintain such insurance coverage for the term of the Agreement, the City of Birmingham may, at its option, purchase such coverage and subtract the cost of obtaining such coverage from the Agreement amount. In obtaining such coverage, the City of Birmingham shall have no obligation to procure the most cost-effective coverage but may contract with any insurer for such coverage.

16. 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.



17. 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.
18. 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.
19. All notices required to be sent pursuant to this Agreement shall be mailed to the following addresses:
- City of Birmingham  
Attn: Lauren Wood, Director of Public Services  
851 South Eton  
Birmingham, MI 48009
20. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 48th District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used or three arbitrators in the event any party's claim exceeds \$1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL§600.5001 et. seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court or the 48th District Court.
21. 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:

\_\_\_\_\_

Cheryl Arft

Cheryl Arft

Approved:

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

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

CONTRACTOR

By: Adam Janusch  
Its: Owner

CITY OF BIRMINGHAM

By: Andrew M. Harris  
Its: Mayor

By: J. Cherilyn Mynsberge  
Its: City Clerk

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

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

**DATE:** March 10, 2022

**TO:** Thomas M. Markus, City Manager

**FROM:** James J. Surhigh, Consulting City Engineer

**SUBJECT:** S. Old Woodward Phase 3 Project – City Contract #1-22(P)  
Project Budget and Expenditure Report

---

## INTRODUCTION:

The Engineering Department and City consultants have been working towards finalizing the plans, specifications and contract documents for the planned Phase 3 of the downtown reconstruction during the 2022 construction season. Phase 3 includes S. Old Woodward, between Brown Street and Landon Street. This project has been on the City's 5-year Capital Improvement Plan (CIP) for a number of years, and is shown in the current 3-year City Budget for FY 2022/2023. The lead consulting engineer for the project, Nowak & Fraus Engineers, has provided an updated construction cost estimate based on project quantities as included in the project documents that are currently being advertised for bids. The purpose of this report is to document the project costs that have been incurred to date and estimate remaining project costs. The projected expenditures will be compared to the currently approved and projected budget amounts, and general recommendations for budget amendments will be presented.

## BACKGROUND:

Project plans have been prepared following the conceptual design for the Phase 3 project which was approved by City Commission on October 25, 2021. Similar to the first two phases, Phase 3 will consist of reconstructing the pavement and sidewalks across the entire right-of-way (nearly building face to building face in many areas). Features of the project include new concrete pavement, curbs, sidewalks, exposed-aggregate sidewalks, granite benches, exposed-aggregate curbed planter boxes, trees and other plantings, landscaping, irrigation, and new street lighting. Planned utility work needed for the project includes new storm sewers and catch basins, replacement of aging water mains and fire hydrants, extension of the new fiberoptic conduit system from Phase 1, and new underground electric conduit and related equipment for powering street-level outlets and future electric vehicle charging stations. An exhibit showing the overall project area, as prepared by MKSK and presented at the February 21, 2022 public informational meeting, is attached for reference.

Planning and design for the project began in 2021, with MKSK, Inc. leading the consultant team for conceptual design of the project and public engagement. After the conceptual plan was approved by the City Commission, the final design effort began with Nowak & Fraus Engineers leading the design team, which includes MKSK (landscaping & public engagement), Fleis & Vandenbrink (traffic engineering), and G2 Consultants (geotechnical

engineering). Detailed construction plans and specifications were completed on February 14, 2022, and the project is currently being advertised for bids on the Michigan Intergovernmental Trade Network (MITN). The bid opening is scheduled for March 21, 2022.

Other services will be performed prior to the start of construction that are being contracted by the City. These services include M-1 Studios for preconstruction video survey of the public right-of-way in the project area and private buildings along the route that provide entry agreements to allow this service, DVM Utilities for performing sewer cleaning and televising services on public combined sewers and private storm and sanitary service laterals in the project area, engineering consultant Hubbell, Roth & Clark, Inc. to administer the sewer service investigation effort, Hart to remove trees and grind stumps prior to construction, and Orkin Pest Control for necessary treatments in the sewers prior to construction.

#### CURRENT BUDGET SUMMARY:

Costs for the S. Old Woodward Reconstruction project are being planned to be paid in FY21/22 and FY22/23. Project costs are expected to be split between the Major Streets Fund, General Fund – Sidewalks, General Fund – Fiber Optic Conduit, General Fund – Street Lights, Sewer Fund, and Water Fund. The following table summarizes the amounts in each of these funds budgeted for this project, based on the approved FY21/22 and projected FY22/23 budget:

##### Planned Estimated Budget for Phase 3 Project

<u>Fund</u>	<u>Fiscal Year</u>	<u>Budget Amount</u>
Major Streets, Public Improvements	21/22	\$ 1,000,000
Major Streets, Public Improvements	22/23	\$ 3,000,000
General Fund, Sidewalks, Public Improvements	22/23	\$ 2,470,000
General Fund, Fiber Optic Conduit, Public Improv.	22/23	\$ 270,000
General Fund, Street Lights, Public Improv.	22/23	\$ 525,000
Sewer Fund, Sewer Engineering, Public Improv.	22/23	\$ 750,000
Water Fund, Water Mains, Public Improvements	22/23	\$ <u>125,000</u>
	TOTAL	\$ 8,140,000

#### ESTIMATED EXPENDITURE SUMMARY:

Expenditures have been occurring for the planning and engineering design efforts. To date, these expenditures total approximately \$372,000. Estimated expenditures through the end of FY21/22 for planning, engineering design, and other pre-construction contractual services is estimated to be approximately \$662,500.

Nowak & Fraus Engineers provided their Engineer's Opinion of Probable Construction Costs for the project, based on the scope-of-work and quantities detailed on the construction plans, which is attached to this report as a reference. The estimated construction cost for the project is \$7,982,220. While the engineer's estimate is expected to consider factors such as current bidding environment and material costs, it does not consider recent world events and their effect on fuel costs and other supply-chain issues, and how that could trickle down to individual projects. In fact, we would expect the

contractors bidding this project do not have a full understanding of those factors at this time. Bids are scheduled to be opened on March 21, 2022, which will likely differ from this estimated amount.

One line item in the contract requires some explanation as it will significantly affect the total bid amount, but will not be completely paid out with the project. The "Road Closure Assessment" item was established with the Phase 1 project in 2018, and being used again in Phase 3 to incentivize the contractor to expedite construction of the project. For this item, the contractor bids the number of days they expect the project to require for completion, which is then charged at \$10,000 per day to formulate their total bid amount. Bids are evaluated considering the total amount of this item. In the execution of the contract, the contractor will only be paid under this item if they complete the work in fewer days than the number bid, and if that occurs, only for the number of days fewer than bid time \$10,000 per day. For the purpose of this report, we are assuming the contractor will finish 30 days fewer than bid, resulting in a payment of \$300,000. The engineer's estimate assumed 150 days would be bid for this item, for a total bid cost of \$1,500,000, therefore, in the attached budget and expenditure worksheet, we included a "credit" in the amount of \$1,200,000 to reflect the fact that the entire amount will not result in an expenditure.

During design of the project, it became evident that certain sewer and water main improvements were necessary that had not been originally anticipated for this project. These included incorporation of "green infrastructure" elements and the associated storm water treatment and storage structures, replacement of the 30" diameter combined sewer along the east side of the road that conflicts with the proposed planter boxes and streetlight foundations, and replacement of portions of the 12" water main that conflicts with the proposed storm sewer and combined sewer. The approximate estimated construction cost associated with each of these is \$135,000 for "green infrastructure" elements, \$300,000 for replacing the 30" combined sewer, and \$145,000 for replacing the 12" water main.

DTE Energy owns and operates the City streetlights, and will be contracted with separately for installation of the proposed streetlights with this project. DTE was not able to provide a detailed cost estimate at this time for the new streetlights, as they are waiting for input from their suppliers for lighting materials. However, Nowak & Fraus Engineers provided an opinion on those costs, based on costs from 2020 for Maple Road, and estimate the streetlight costs to be approximately \$499,000.

The total estimated project cost is the sum of the costs for planning/engineering design, pre-construction contractual services, construction cost (based on engineer's estimate at this time & considering a "credit" for the Road Closure Assessment item), DTE streetlight construction cost, construction contingency amount (10% of construction cost recommended), and construction engineering & inspection costs (estimated at 15% of construction cost at this time). The total estimated project cost is \$10,378,000, and will be spread across the various budget accounts as follows:

### Updated Engineer Estimated Budget for Phase 3 Project

<u>Fund</u>	<u>Estimated Expenditure</u>
Major Streets, Public Improvements	\$ 4,072,000
General Fund, Sidewalks, Public Improvements*	\$ 3,292,000
General Fund, Fiber Optic Conduit, Public Improv.	\$ 622,000
General Fund, Street Lights, Public Improv.	\$ 514,000
Sewer Fund, Sewer Engineering, Public Improv.	\$ 1,135,000
Water Fund, Water Mains, Public Improvements	\$ 743,000
TOTAL	\$ 10,378,000

\*note: approx. 75% of construction costs for streetscape items may be defrayed by special assessment

These estimated costs and expenditures are provided in more detail on the attached Project Budget and Expenditure Worksheet.

#### FISCAL IMPACT:

This latest estimate of construction costs is approximately \$2.2 million higher than was originally planned. Approximately \$1.2 million of this additional cost would be funded by the General Fund with the remaining \$1 million to come out of the Sewer and Water funds. Approximately half of \$1.2 million of additional cost in the General Fund is anticipated to be included in special assessment roll and collected over 10 years. The Finance Department is currently working on the proposed budget for FY 22/23 and has been using these updated numbers to project future fund balances in all of these funds. It is projected that the City will have to use some of its General Fund balance in FY 22/23 in order to pay for this project and recuperate this use of fund balance over the next 2 years. Once the bids are opened and we have more accurate numbers, further adjustments to the proposed budget for FY 22/23 may be needed.

#### SUMMARY:

The S. Old Woodward Phase 3 Reconstruction project has been planned and budgeted for a number of years. Even though adjustments in the budget may have been made as previous phases were completed, they have not completely corrected for the sharp increases in construction costs that have been occurring in recent years due to increases in material and labor costs. While this trend had been occurring before the COVID-19 pandemic, the cost increases have been exasperated by the effects of the pandemic on the workforce and supply-chain. This report is providing an update on where the project currently stands with respect to the projected budget and estimated expenditures. Once bids for the project are opened, a revised estimate will be established based on bid results and a comprehensive report on this project will be presented.

#### ATTACHMENTS:

- MKSK exhibit showing overall project layout
- Project Budget/Expenditure Worksheet
- Engineer's Estimate of Construction Costs





BROWN

DAINES

HAZEL

E. FRANK

BOWERS

HAYNES

GEORGE

LONDON

WOODWARD

OLD WOODWARD



			202-449.001-981.0100 MAJOR STREETS	101-444.001-981.0100 SIDEWALKS	101-444.003-981.0100 FIBER OPTIC CONDUIT	401-901.010-981.0100 STREET LIGHTS	590-536.001-981.0100 SEWER PUBLIC IMPROV	591-537.004-981.0100 WATER PUBLIC IMPROV	TOTAL
<b>BUDGET SUMMARY (APPROVED 21/22 BUDGET)</b>									
<u>2021/2022</u>									
S OLD WOODWARD DESIGN/PRELIM CONST	NFE	Jul 21-Jun 22	1,000,000						
<u>2022/2023</u>									
S OLD WOODWARD PHASE 3									
OLD WOODWARD - PH III (Brown - Landon)	NFE/OHM	Jun-Nov 2022	3,000,000	2,470,000	270,000	525,000	200,000	125,000	
S OLD WOODWARD STREET LIGHT REPLACEMENT	NFE	Jun-Nov 2022							
S OLD WOODWARD FIBER OPTICS	NFE	Jun-Nov 2022							
OLD WOODWARD PHASE 4									
S. OLD WOODWARD - S END (Landon - Lincoln)	NFE		-				500,000	-	
TOTAL CURRENT BUDGET			4,000,000	2,470,000	270,000	525,000	700,000	125,000	8,090,000

<b>ESTIMATED EXPENDITURES (ACTUALS AS OF 3/4/22)</b>									
<u>Engineering Costs</u>	<u>To Date</u>	<u>Remain</u>	<u>Total</u>						
MKSK	152,012	26,368	178,380	178,380					
F&V	24,599	15,401	40,000	40,000					
NFE	197,354	108,750	306,104	91,831	91,831		61,221	61,221	
G2	17,238	1,040	18,278	5,483	5,483		3,656	3,656	
Subtotal:	391,203	151,558	542,761						
<u>Other Contractual Costs</u>									
M-1 Studios Pre-Con Video	-	27,000	27,000	27,000					
DVM Utilities - Sewer Lateral Invest	-	73,448	73,448	73,448					
HRC - Admin of Sewer Lateral Invest	-	15,000	15,000	15,000					
Orkin	-	4,320	4,320				4,320		
Subtotal:	-	119,768	119,768						

				202-449.001-981.0100 MAJOR STREETS	101-444.001-981.0100 SIDEWALKS	101-444.003-981.0100 FIBER OPTIC CONDUIT	401-901.010-981.0100 STREET LIGHTS	590-536.001-981.0100 SEWER PUBLIC IMPROV	591-537.004-981.0100 WATER PUBLIC IMPROV	TOTAL
<u>Construction Costs</u>										
Engineer's Estimate (excl General Items)	amt to split	direct acct	5,961,785	2,413,183	2,073,733	415,614		659,125	400,130	Total
Engineer's Estimate General Items	2,074,775	231,885	2,306,660	861,753	792,985	144,639	13,650	291,884	201,750	8,268,446
"Credit" for Road Closure Assessment*			(1,200,000)	(485,730)	(417,405)	(83,656)		(132,670)	(80,539)	(1,200,000)
Construction Contingency (10%)			826,845	327,494	286,672	56,025	1,365	95,101	60,188	826,845
DTE Street Lighting			499,000				499,000			
		Subtotal:	8,394,290							
<u>Construction Engineering (15% total)</u>	<u>To Date</u>	<u>Remain</u>	<u>Total</u>							
OHM (contr admin, const engin, inspection) [12%]	-	990,575	990,575	392,992	344,006	67,230		114,121	72,226	
NFE (shop drawings, survey/layout) [2.5%]	-	206,369	206,369	81,873	71,668	14,006		23,775	15,047	
G2 (materials testing) [1.5%]	-	123,822	123,822	49,124	43,001	8,404		14,265	9,028	
Subtotal:	-	1,320,766	1,320,766							
TOTAL ESTIMATED EXPENDITURES				4,072,000	3,292,000	622,000	514,000	1,135,000	743,000	10,378,000
BUDGET SURPLUS/(SHORTFALL)				(72,000)	(822,000)	(352,000)	11,000	(435,000)	(618,000)	(2,288,000)

\* Road Closure Assessment Item:

- contractor bids # of days to complete project, total days is used in evaluating bid result. Contractor will only be paid if project completed early - assuming potential 30 day "bonus"

Percentage of Total Eng Estim minus General Items

101- 101-

<u>202</u>	<u>444.001</u>	<u>444.003</u>	<u>590</u>	<u>591</u>
0.405	0.348	0.070	0.111	0.067



ENGINEER'S OPINION OF PROBABLE COST					
2022 SOUTH OLD WOODWARD RECONSTRUCTION - PHASE 3 (CONTRACT 1-22P)					
NO.	ITEM DESCRIPTION	PAY UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL AMOUNT
	SEWER PAY ITEMS				
1	30" Combined Sewer, C76, CL-IV, Trench A	LF	1,276	\$ 230.00	\$ 293,480.00
2	30" Storm Sewer, C76, CL-IV, Trench A	LF	324	\$ 200.00	\$ 64,800.00
3	24" Storm Sewer, C76, CL-IV, Trench A	LF	616	\$ 175.00	\$ 107,800.00
4	21" Storm Sewer, C76, CL-IV, Trench A	LF	390	\$ 150.00	\$ 58,500.00
5	18" Storm Sewer, C76, CL-IV, Trench A	LF	174	\$ 125.00	\$ 21,750.00
6	12" Storm Sewer, C76, CL-IV, Trench A	LF	303	\$ 100.00	\$ 30,300.00
7	10" Storm Sewer, PVC SDR 26, Trench A	LF	24	\$ 95.00	\$ 2,280.00
8	36" Storm Detention, CMP, Type II Aluminized, Perforated, Trench per Detail	LF	912	\$ 135.00	\$ 123,120.00
9	18" Storm Detention, CMP, Type II Aluminized, Solid-Wall, Trench A	LF	26	\$ 115.00	\$ 2,990.00
10	New 6'-0" Diameter Combined Manhole w/ 2 Ext. Drop Connections	EA	1	\$ 6,500.00	\$ 6,500.00
11	New 5'-0" Diameter Combined Manhole (Construct Online)	EA	1	\$ 6,000.00	\$ 6,000.00
12	New 5'-0" Diameter Combined Manhole	EA	4	\$ 5,500.00	\$ 22,000.00
13	Storm Pre-Treatment Structure, Vortechs 7000, or approved equal	EA	1	\$ 40,000.00	\$ 40,000.00
14	New 6'-0" Diameter Storm Manhole w/ Weir (Construct Online)	EA	1	\$ 6,000.00	\$ 6,000.00
15	New 5'-0" Diameter Outlet Control Storm M.H. w/ PVC Restriction Tee & Backflow Preventer (Per Detail)	EA	1	\$ 6,000.00	\$ 6,000.00
16	New 5'-0" Diameter Storm Manhole	EA	3	\$ 5,000.00	\$ 15,000.00
17	New 4'-0" Diameter Storm Manhole	EA	1	\$ 4,000.00	\$ 4,000.00
18	New 5'-0" Diameter Catch Basin w/ 2' Sump	EA	6	\$ 4,750.00	\$ 28,500.00
19	New 4'-0" Diameter Catch Basin w/ 2' Sump	EA	7	\$ 3,750.00	\$ 26,250.00
20	New 4'-0" Diameter Yard Catch Basin for Bio-Retention Outlet Control (per detail)	EA	1	\$ 4,000.00	\$ 4,000.00
21	New 2'-0" Diameter Inlet	EA	6	\$ 2,500.00	\$ 15,000.00
22	New 24" Diameter CMP Riser Manhole	EA	7	\$ 2,500.00	\$ 17,500.00
23	New 12" Diameter PVC Landscape Drain w/ Metal Bee-Hive Grate	EA	7	\$ 1,750.00	\$ 12,250.00
24	6" Perforated Pipe Underdrain (w/ Trench Detail)	LF	3,900	\$ 25.00	\$ 97,500.00
25	4" Perforated Pipe Underdrain (w/ Geotextile Sock)	LF	2,650	\$ 20.00	\$ 53,000.00
26	Sewer Tap, 30"	EA	1	\$ 1,750.00	\$ 1,750.00
27	Sewer Tap, 18"	EA	1	\$ 1,250.00	\$ 1,250.00
28	Sewer Tap, 12"	EA	1	\$ 1,000.00	\$ 1,000.00
29	Sewer Tap, 10"	EA	2	\$ 900.00	\$ 1,800.00
30	Sewer Service, 15" PVC SDR 26	LF	37	\$ 85.00	\$ 3,145.00
31	Sewer Service, 12" PVC SDR 26	LF	37	\$ 80.00	\$ 2,960.00
32	Sewer Service, 10" PVC SDR 26	LF	130	\$ 75.00	\$ 9,750.00
33	Sewer Service, 8" PVC SDR 26	LF	163	\$ 70.00	\$ 11,410.00
34	Sewer Service, 6" PVC SDR 23.5	LF	752	\$ 65.00	\$ 48,880.00
35	Sewer Service Tap, 15"	EA	1	\$ 1,600.00	\$ 1,600.00
36	Sewer Service Tap, 12"	EA	1	\$ 1,500.00	\$ 1,500.00
37	Sewer Service Tap, 10"	EA	5	\$ 1,400.00	\$ 7,000.00
38	Sewer Service Tap, 8"	EA	5	\$ 1,300.00	\$ 6,500.00
39	Sewer Service Tap, 6"	EA	51	\$ 1,100.00	\$ 56,100.00
40	Sewer Service Connection, 8"	EA	5	\$ 750.00	\$ 3,750.00
41	Sewer Service Connection, 6"	EA	5	\$ 650.00	\$ 3,250.00
42	Sewer Investigation, Laterals	HR	40	\$ 250.00	\$ 10,000.00
43	Reconstruct Manhole (if and where needed)	VF	80	\$ 300.00	\$ 24,000.00
44	Remove & Replace Structure Cover (as directed by City)	LB	3,200	\$ 1.75	\$ 5,600.00
45	Remove Ex. Manhole	EA	16	\$ 600.00	\$ 9,600.00
46	Remove Ex. Drainage Structure	EA	12	\$ 600.00	\$ 7,200.00
47	Removal and Disposal of Contaminated Material, Type 2	CY	100	\$ 100.00	\$ 10,000.00
48	Removal and Disposal of Contaminated Material, Type 3	CY	100	\$ 100.00	\$ 10,000.00
49	Remove Ex. 30" Sewer	LF	1,265	\$ 45.00	\$ 56,925.00
50	Remove Ex. 24" Sewer	LF	60	\$ 40.00	\$ 2,400.00
51	Remove Ex. 18" Sewer	LF	25	\$ 35.00	\$ 875.00
52	Remove Ex. 12" Sewer	LF	470	\$ 30.00	\$ 14,100.00
53	Bulkhead Structure, 30"	EA	1	\$ 400.00	\$ 400.00
54	Bulkhead Structure, 24"	EA	1	\$ 400.00	\$ 400.00
55	Bulkhead Structure, 12"	EA	5	\$ 500.00	\$ 2,500.00
56	Bulkhead Pipe, 10"	EA	15	\$ 400.00	\$ 6,000.00
57	Bulkhead Pipe, 8"	EA	15	\$ 300.00	\$ 4,500.00
58	CCTV Sewer Inspection	LS	1	\$ 5,000.00	\$ 5,000.00
	SUBTOTAL SEWER PAY ITEMS				\$ 1,395,665.00
	WATER MAIN PAY ITEMS				
59	12" D.I. CL 54 Water Main w/Polywrap & Zinc Coating, Trench A	LF	115	\$ 175.00	\$ 20,125.00
60	8" D.I. CL 54 Water Main w/Polywrap & Zinc Coating, Trench A	LF	356	\$ 165.00	\$ 58,740.00
61	6" D.I. CL 54 Water Main w/Polywrap & Zinc Coating, Trench A	LF	87	\$ 155.00	\$ 13,485.00
62	Adjust Existing Gate Valve Rim	EA	5	\$ 250.00	\$ 1,250.00
63	Remove Hydrant	EA	5	\$ 1,500.00	\$ 7,500.00
64	Fire Hydrant Assembly, Complete	EA	8	\$ 5,500.00	\$ 44,000.00
65	12" Gate Valve & Box	EA	1	\$ 5,000.00	\$ 5,000.00
66	8" Gate Valve & Box	EA	4	\$ 4,000.00	\$ 16,000.00
67	New Water Service, 8" D.I. CL 54 Water Main w/Polywrap, Trench A	LF	21	\$ 130.00	\$ 2,730.00
68	New Water Service, 1-1/2", Trench A	LF	5	\$ 85.00	\$ 425.00
69	New Water Service, 1", Trench A	LF	53	\$ 75.00	\$ 3,975.00
70	12" Water Main Connection to Ex. 12" Water Main	EA	12	\$ 3,500.00	\$ 42,000.00
71	8" Water Main Connection to Ex. 8" Water Main	EA	3	\$ 3,000.00	\$ 9,000.00
72	6" Water Main Connection to Ex. 12" Water Main	EA	4	\$ 2,500.00	\$ 10,000.00
73	6" Water Main Connection to Ex. 6" Water Main	EA	3	\$ 2,000.00	\$ 6,000.00
74	Water Service Connection, 8"	EA	1	\$ 2,500.00	\$ 2,500.00
75	Water Service Connection, 1-1/2"	EA	1	\$ 1,000.00	\$ 1,000.00
76	Water Service Connection, 1"	EA	2	\$ 750.00	\$ 1,500.00
77	Install Curb Stop & Box (Materials Provided by City), 1.5"	EA	1	\$ 500.00	\$ 500.00
78	Install Curb Stop & Box (Materials Provided by City), 1"	EA	2	\$ 400.00	\$ 800.00
79	Water Shut Off Box Sleeve	EA	2	\$ 300.00	\$ 600.00
80	Hydra-Stop, 12"	EA	12	\$ 6,500.00	\$ 78,000.00
81	Hydra-Stop, 8"	EA	6	\$ 5,500.00	\$ 33,000.00
82	Hydra-Stop, 6"	EA	6	\$ 4,500.00	\$ 27,000.00
83	Abandon Water Mains, Entire Project	LS	1	\$ 15,000.00	\$ 15,000.00
	SUBTOTAL WATER MAIN PAY ITEMS				\$ 400,130.00
	FIBER CONDUIT PAY ITEMS				

NO.	ITEM DESCRIPTION	PAY UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL AMOUNT
84	4"x4'x4' Standard Terminator Manhole, Frame & Cover	EA	15	\$ 7,500.00	\$ 112,500.00
85	4" S-40 PVC Conduit	LF	14,792	\$ 9.50	\$ 140,524.00
86	4" S-40 PVC Dome Cap	EA	44	\$ 50.00	\$ 2,200.00
87	4" Conduit Spacer - Base	EA	1,440	\$ 12.00	\$ 17,280.00
88	4" Conduit Spacer - Intermediate	EA	720	\$ 7.00	\$ 5,040.00
89	24" Cable Rack	EA	120	\$ 100.00	\$ 12,000.00
90	(1) 2" SDR-11 Conduit	LF	3,602	\$ 7.50	\$ 27,015.00
91	(1) 1-1/4" SDR-11 Innerduct	LF	3,602	\$ 6.50	\$ 23,413.00
92	(1) 1" SDR-11 Innerduct	LF	3,602	\$ 6.00	\$ 21,612.00
93	1.64" (7) Way Microduct	LF	3,602	\$ 8.00	\$ 28,816.00
94	#14 AWG Tracer Wire	LF	3,602	\$ 7.00	\$ 25,214.00
	SUBTOTAL FIBER CONDUIT PAY ITEMS				\$ 415,614.00
	ELECTRICAL PAY ITEMS				
95	Meter socket single phase	EA	2	\$ 1,300.00	\$ 2,600.00
96	Meter socket three phase	EA	1	\$ 1,400.00	\$ 1,400.00
97	Cabinet GFI Receptacles	EA	3	\$ 350.00	\$ 1,050.00
98	Service Cabinet	EA	3	\$ 5,000.00	\$ 15,000.00
99	Service Cabinet Foundation	EA	3	\$ 2,750.00	\$ 8,250.00
100	Circuit Breaker Panelboard 120V/208V-3PH	EA	1	\$ 3,000.00	\$ 3,000.00
101	Circuit Breaker Panelboard 120V/240V-1PH	EA	2	\$ 3,250.00	\$ 6,500.00
102	Control Contactor	EA	3	\$ 1,500.00	\$ 4,500.00
103	300 W Heater	EA	6	\$ 275.00	\$ 1,650.00
104	Thermostat	EA	3	\$ 125.00	\$ 375.00
105	Transient Suppression TVSS	EA	3	\$ 1,150.00	\$ 3,450.00
106	120V GFCI WP Receptacle	EA	59	\$ 100.00	\$ 5,900.00
107	Cable, 600 Volt, 2#12	LF	70	\$ 2.15	\$ 150.50
108	Cable, 600 Volt, 2#10	LF	2,520	\$ 2.25	\$ 5,670.00
109	Cable, 600 Volt, 3#8	LF	75	\$ 3.75	\$ 281.25
110	Cable, 600 Volt, 2#6	LF	365	\$ 4.50	\$ 1,642.50
111	Cable, 600 Volt, 3#6	LF	2,490	\$ 5.50	\$ 13,695.00
112	Cable, 600 Volt, 4#6	LF	200	\$ 6.50	\$ 1,300.00
113	Cable, 600 Volt, 5#6	LF	425	\$ 7.50	\$ 3,187.50
114	Cable, 600 Volt,# 12 ground	LF	70	\$ 1.50	\$ 105.00
115	Cable, 600 Volt,# 10 ground	LF	2,525	\$ 1.75	\$ 4,418.75
116	Cable, 600 Volt,# 8 ground	LF	435	\$ 2.00	\$ 870.00
117	Cable, 600 Volt,# 6 ground	LF	3,110	\$ 2.25	\$ 6,997.50
118	Conduit, EMT, 0.5 inch	LF	70	\$ 20.00	\$ 1,400.00
119	Conduit, PVC schedule 80, 0.75 inch	LF	2,480	\$ 10.50	\$ 26,040.00
120	Conduit, PVC schedule 80, 1 inch	LF	585	\$ 11.50	\$ 6,727.50
121	Conduit, PVC schedule 80, 1.25 inch	LF	2,185	\$ 12.50	\$ 27,312.50
122	Conduit, PVC schedule 80, 1.5 inch	LF	605	\$ 13.50	\$ 8,167.50
123	Conduit, HDPE, 0.75 inch	LF	45	\$ 15.00	\$ 675.00
124	Conduit, HDPE, 1.25 inch	LF	215	\$ 20.00	\$ 4,300.00
125	Conduit, HDPE, 1.5 inch	LF	240	\$ 25.00	\$ 6,000.00
126	Conduit, HDPE, 2 inch	LF	190	\$ 30.00	\$ 5,700.00
127	Conduit, HDPE, 2.5 inch	LF	375	\$ 35.00	\$ 13,125.00
128	Grade Box GB-1, 8" W x 12" L x 12" D cast iron	EA	3	\$ 4,000.00	\$ 12,000.00
129	Grade Box GB-2, 12" W x 14" L x 12" D cast iron	EA	15	\$ 4,500.00	\$ 67,500.00
130	Ground Rods	EA	4	\$ 250.00	\$ 1,000.00
131	Underground Warning Tape	LF	6,615	\$ 0.95	\$ 6,284.25
132	Charging Bollards, EV (Future)	EA	2	\$ 4,000.00	\$ 8,000.00
	SUBTOTAL ELECTRICAL PAY ITEMS				\$ 286,224.75
	IRRIGATION PAY ITEMS				
133	Meter Pit	EA	1	\$ 4,500.00	\$ 4,500.00
134	Sprinkler Assembly	EA	388	\$ 75.00	\$ 29,100.00
135	Valve Assembly	EA	18	\$ 275.00	\$ 4,950.00
136	1-1/2 inch PVC Mainline	LF	2,053	\$ 5.00	\$ 10,265.00
137	1-1/2 inch Polyethylene lateral line	LF	795	\$ 4.00	\$ 3,180.00
138	1 inch Polyethylene lateral line	LF	9,509	\$ 3.00	\$ 28,527.00
139	Communication Cable - two wire	LF	2,053	\$ 2.75	\$ 5,645.75
140	Irrigation Controller	EA	1	\$ 2,500.00	\$ 2,500.00
141	Rain Sensor	EA	1	\$ 550.00	\$ 550.00
142	4" PVC Sleeve	LF	1,800	\$ 8.50	\$ 15,300.00
143	2" PVC Sleeve	LF	4,019	\$ 6.50	\$ 26,123.50
144	Conduit Stub for Street Light Hanging Basket	EA	54	\$ 175.00	\$ 9,450.00
	SUBTOTAL IRRIGATION PAY ITEMS				\$ 140,091.25
	PAVING PAY ITEMS				
145	Station Grading	STA	20	\$ 12,500.00	\$ 251,250.00
146	Subgrade Undercutting	CY	640	\$ 50.00	\$ 32,000.00
147	Excavation for Tree Wells	CY	2,270	\$ 35.00	\$ 79,450.00
148	Removing Brick Pavers	SY	400	\$ 17.50	\$ 7,000.00
149	Salvaging & Restoring Brick Pavers on Private Property	LF	490	\$ 15.00	\$ 7,350.00
150	Removing Concrete Sidewalk & Ramp (sawcutting included)	SY	5,550	\$ 10.00	\$ 55,500.00
151	Removing Pavement Full Depth (Curb & Gutter included)	SY	16,010	\$ 12.50	\$ 200,125.00
152	Cold Milling Asphalt, 2"	SY	93	\$ 8.00	\$ 744.00
153	Bituminous Mixture No. 5EML, 1.5" Surface Course	TON	35	\$ 225.00	\$ 7,875.00
154	Bituminous Mixture No. 4EML, 2.0" Base/Leveling Courses	TON	132	\$ 200.00	\$ 26,400.00
155	Aggregate Base, MDOT 21AA Limestone, 8"	SY	11,403	\$ 12.50	\$ 142,537.50
156	Concrete Pavement, Non-reinforced, 7", incl. integral Detail F2 Curb & Gutter (Parking)	SY	2,977	\$ 75.00	\$ 223,275.00
157	Concrete Pavement, Non-reinforced, 8", incl. integral Detail F2 Curb & Gutter (Old Woodward)	SY	7,575	\$ 80.00	\$ 606,000.00
158	Concrete Sidewalk, 4", Scoring Treatment (Includes Integral Curb)	SF	38,410	\$ 6.00	\$ 230,460.00
159	Concrete Sidewalk, 6", Scoring Treatment (Includes Ramp)	SF	9,480	\$ 7.50	\$ 71,100.00
160	Concrete Sidewalk, 4", Exposed Aggregate, Scoring Treatment	SF	23,400	\$ 9.00	\$ 210,600.00
161	Concrete Sidewalk, 6", Exposed Aggregate, Scoring Treatment	SF	4,550	\$ 10.50	\$ 47,775.00
162	10" Reinforced Concrete Bus Shelter Pad	SF	200	\$ 25.00	\$ 5,000.00
163	Handicap Ramp Truncated Domes (per ramp)	SF	742	\$ 35.00	\$ 25,970.00
164	Granite Bollards	EA	9	\$ 2,750.00	\$ 24,750.00
165	Granite Seatwall on Foundation, Complete	LF	96	\$ 1,500.00	\$ 144,000.00
166	Bike Rack Hoop	EA	27	\$ 500.00	\$ 13,500.00
167	Concrete Curb & Gutter, 18", MDOT Type F2, Modified	LF	2,096	\$ 30.00	\$ 62,880.00
168	Concrete Curb, Exposed Aggregate, 6", Tree Planters	LF	4,247	\$ 37.50	\$ 159,262.50
169	Pavement Marking, Polyurea, 4 inch, White	LF	2,480	\$ 2.00	\$ 4,960.00

NO.	ITEM DESCRIPTION	PAY UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL AMOUNT
170	Pavement Marking, Polyureal, 4 inch, Yellow	LF	1,210	\$ 2.00	\$ 2,420.00
171	Pavement Marking, Polyurea, 4 inch, Blue	LF	840	\$ 2.00	\$ 1,680.00
172	Pavement Marking, Polyurea, 24 inch Stop Bar, White	LF	150	\$ 4.00	\$ 600.00
173	Pavement Marking, Polyurea, 24 inch Crosshatching, White	LF	1,750	\$ 4.00	\$ 7,000.00
174	Pavement Marking, Polyurea, Lt Turn Arrow, White	EA	4	\$ 150.00	\$ 600.00
175	Pavement Marking, Polyurea, Only, White	EA	1	\$ 150.00	\$ 150.00
176	Recessing Pavt Mkrng, Longit	LF	4,530	\$ 0.75	\$ 3,397.50
177	Recessing Pavt Mkrng, Transv	SF	3,990	\$ 3.50	\$ 13,965.00
178	Adjust Structure Cover	EA	12	\$ 250.00	\$ 3,000.00
179	Cold Patch	TON	50	\$ 100.00	\$ 5,000.00
180	Temporary Sidewalk Maintenance Aggregate, 21AA	CY	200	\$ 35.00	\$ 7,000.00
181	Maintenance Aggregate	LS	1	\$ 35,000.00	\$ 35,000.00
	SUBTOTAL PAVING PAY ITEMS				\$ 2,719,576.50
	LANDSCAPE PAY ITEMS				
182	Structural Soil Mix (30" depth)	CFT	56,148	\$ 4.45	\$ 249,858.60
183	Organic Plant Soil Mix - Bioswale Planters (30" depth)	CFT	7,287	\$ 3.50	\$ 25,504.50
184	Organic Plant Soil Mix - Plant Beds (24" depth)	CFT	20,008	\$ 2.00	\$ 40,016.00
185	Organic Plant Soil Mix - Lawn (6" depth)	CFT	1,781	\$ 1.75	\$ 3,116.75
186	Bio-Swale Aggregate (Planters and Large Bio-swale)	CY	36	\$ 80.00	\$ 2,880.00
187	Bio-Swale Pea Gravel (4" depth)	CY	8	\$ 80.00	\$ 640.00
188	Exposed Aggregate Weir	LS	1	\$ 8,000.00	\$ 8,000.00
189	Native MI Boulders (6-18") and washed stone	TON	7	\$ 240.00	\$ 1,680.00
190	Lawn Sod (includes fine grading and fertilizer)	SY	396	\$ 5.25	\$ 2,079.00
191	Shredded Hardwood Mulch (3" depth)	SY	1,169	\$ 4.50	\$ 5,260.50
192	GINKGO BILOBA 'AUTUMN GOLD'; 3"-3.5" CAL.	EA	21	\$ 900.00	\$ 18,900.00
193	LIQUIDAMBAR STYRACIFLUA 'ROTUNDILOBA', 3"-3.5" CAL.	EA	21	\$ 900.00	\$ 18,900.00
194	PLATANUS X ACERIFOLIA, 3.5-4" CAL.	EA	17	\$ 1,100.00	\$ 18,700.00
195	TILIA CORDATA 'GREENSPIRE', 3.5-4" CAL.	EA	18	\$ 1,100.00	\$ 19,800.00
196	AMELANCHIER X GRANDIFLORA 'BRILLIANCE', 6' HT.	EA	29	\$ 730.00	\$ 21,170.00
197	CRATAEGUS LAEVIGATA 'CRIMSON CLOUD', 2" CAL.	EA	17	\$ 730.00	\$ 12,410.00
198	HYDRANGEA PANICULATA 'TARDIVA', #7 CONT.	EA	7	\$ 225.00	\$ 1,575.00
199	CORNUS STOLONIFERA 'FARROW', #5 CONT.	EA	145	\$ 75.00	\$ 10,875.00
200	HYDRANGEA PANICULATA 'LITTLE QUICK FIRE', #5 CONT.	EA	84	\$ 75.00	\$ 6,300.00
201	ILEX GLABRA 'SHAMROCK', #3 CONT.	EA	48	\$ 50.00	\$ 2,400.00
202	JUNIPERUS HORIZONTALIS 'LIMEGLOW', #3 CONT.	EA	140	\$ 50.00	\$ 7,000.00
203	JUNIPERUS VIRGINIANA 'GREY OWL', #5 CONT.	EA	86	\$ 75.00	\$ 6,450.00
204	PINUS MUGO 'HONEYCOMB', #3 CONT.	EA	148	\$ 50.00	\$ 7,400.00
205	SPIRAEA JAPONICA 'DOUBLE PLAY CANDY CORN', #3 CONT.	EA	36	\$ 50.00	\$ 1,800.00
206	ASTER NOVAE-ANGLIAE, #1 CONT.	EA	244	\$ 20.00	\$ 4,880.00
207	COREOPSIS VERTICILLATA 'MOONBEAM', #1 CONT.	EA	250	\$ 20.00	\$ 5,000.00
208	GERANIUM X 'ROZANNE', #1 CONT.	EA	32	\$ 20.00	\$ 640.00
209	HEMEROCALLIS X 'HAPPY RETURNS, #1 CONT.	EA	288	\$ 20.00	\$ 5,760.00
210	IRIS VERSICOLOR, #2 CONT.	EA	252	\$ 30.00	\$ 7,560.00
211	LEUCANTHEMUM X SUPERBUM 'SNOW LADY', #1 CONT.	EA	450	\$ 20.00	\$ 9,000.00
212	LIRIOPE MUSCARI 'VARIEGATA', #1 CONT.	EA	757	\$ 20.00	\$ 15,140.00
213	PHYSOSTEGIA VIRGINIANA, #2 CONT.	EA	88	\$ 30.00	\$ 2,640.00
214	RUDBECKIA FULGIDA 'LITTLE GOLDSTAR', #1 CONT.	EA	48	\$ 20.00	\$ 960.00
215	SALVIA X SYLVESRIS 'MAY NIGHT', #1 CONT.	EA	32	\$ 20.00	\$ 640.00
216	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER', #3 CONT.	EA	244	\$ 50.00	\$ 12,200.00
217	CAREX VULPINOIDEA, #1 CONT.	EA	348	\$ 20.00	\$ 6,960.00
218	FESTUCA OVINA 'ELIJAH BLUE', #1 CONT.	EA	144	\$ 20.00	\$ 2,880.00
219	JUNCUS TENUIS, #1 CONT.	EA	168	\$ 20.00	\$ 3,360.00
220	PENNISETUM ALOPECUROIDES 'LITTLE BUNNY', #2 CONT.	EA	767	\$ 30.00	\$ 23,010.00
221	SELSERIA AUTUMNALIS, #1 CONT.	EA	504	\$ 20.00	\$ 10,080.00
222	NARCISSUS 'ICE FOLLIES', BULB	EA	282	\$ 1.25	\$ 352.50
223	NARCISSUS 'KING ALFRED', BULB	EA	282	\$ 1.25	\$ 352.50
224	NARCISSUS 'RED DEVON'	EA	282	\$ 1.25	\$ 352.50
	SUBTOTAL LANDSCAPE PAY ITEMS				\$ 604,482.85
	GENERAL PAY ITEMS				
225	Critical Path Time Schedule	LS	1	\$ 5,000.00	\$ 5,000.00
226	Mobilization, (Max. 5% of Bid)	LS	1	\$ 375,000.00	\$ 375,000.00
227	Mobile Field Office	LS	1	\$ 10,000.00	\$ 10,000.00
228	Water and Sewer Allowance	LS	1	\$ 125,000.00	\$ 125,000.00
229	Snow Fencing	LF	1,500	\$ 2.25	\$ 3,375.00
230	Temporary 6' Tall Chain Link Fencing	LF	750	\$ 3.50	\$ 2,625.00
231	Screen-wall Repair at #588 S. Old Woodward	LS	1	\$ 5,000.00	\$ 5,000.00
232	Stump Grinding	HR	60	\$ 275.00	\$ 16,500.00
233	Vibration Monitoring	LS	1	\$ 100,000.00	\$ 100,000.00
234	Street Light Conduit, 4" PVC Schedule 40, 4' deep	LF	80	\$ 30.00	\$ 2,400.00
235	Salvage Existing Signs	LS	1	\$ 1,500.00	\$ 1,500.00
236	New Signs	SF	300	\$ 27.50	\$ 8,250.00
237	Sign Post, U-Channel	LF	456	\$ 10.00	\$ 4,560.00
238	LED Enhanced Pedestrian Sign & Post (30" W11-2, Solar-Powered)	EA	1	\$ 5,000.00	\$ 5,000.00
239	Plywood Pedestrian Fence	LF	3,200	\$ 12.00	\$ 38,400.00
240	Removing Street Light Foundation	EA	45	\$ 250.00	\$ 11,250.00
241	Parking Meter Post	EA	57	\$ 200.00	\$ 11,400.00
242	Inlet Filter	EA	32	\$ 100.00	\$ 3,200.00
243	Inlet Sediment Pit	EA	32	\$ 100.00	\$ 3,200.00
244	Road Closure Assessment; Days @ \$10,000/Day	DAYS	150	\$ 10,000.00	\$ 1,500,000.00
245	Traffic Maintenance and Control; Days @ \$500/Day	DAYS	150	\$ 500.00	\$ 75,000.00
	SUBTOTAL GENERAL PAY ITEMS				\$ 2,306,660.00
		TOTAL ENGINEER'S OPINION OF PROBALE COST:			\$ 7,982,220
	NON-CONTRACTUAL CITY COSTS (NOT PAY ITEMS)				
	New DTE Pedestrian Street Light Installation	EA	54	\$ 6,250.00	\$ 337,500.00
	New DTE Cobra-Head Light Pole (Overhead/Intersection Lighting)	EA	19	\$ 8,500.00	\$ 161,500.00
	SUBTOTAL NON-CONTRACTUAL CITY COSTS (NOT PAY ITEMS)				\$ 499,000.00

**DATE:** March 8, 2022

**TO:** Thomas M. Markus, City Manager

**FROM:** Scott D. Zielinski, Assistant City Engineer

**SUBJECT:** Hearing of Necessity for S. Old Woodward Sidewalk and Streetscape SAD

---

## INTRODUCTION:

The city's streetscape and sidewalks will be improved this summer as part of the Engineering Department's planned downtown area Phase 3 reconstruction project along South Old Woodward between Brown Street and Landon Street. Work will be similar to previous phases of work completed in 2018 for Phase 1 on Old Woodward from Oakland Avenue to Brown Street, and in 2020 for Phase 2 work completed on Maple Road from Southfield Road to Pierce Street, and from Old Woodward Avenue to Woodward Avenue. The completed work included upgrades to all streetscape features from building face to building face across the road. The Engineering Department is recommending the Sidewalk and Streetscape Special Assessment District (SAD) be set at this time.

## BACKGROUND:

Phase 1 and Phase 2 portions of the downtown reconstruction projects (completed in 2018 and 2020), included complete replacement of the sidewalks, and provided certain landscape enhancements and pedestrian-oriented amenities within the project areas. The costs to the city for construction of these improvements in Phase 1 and Phase 2 were partially defrayed by way of Special Assessment to the property owners adjoining that project area. In the same way, the city intends to assess a portion of the costs for the streetscape improvements that are planned to be constructed with the Phase 3 project.

The new streetscape will consist of an enhanced version of the downtown standard sawcut concrete sidewalk with exposed aggregate sidewalk between the main pedestrian path and the street curb. Elements of the new streetscape design to be included in this project include:

- All new concrete and exposed aggregate sidewalks from the building face to the back of curbs.
- Removal and replacement of all street trees, including excavation and replacement with approximately 1,000 cubic feet of specially formulated soil designed to encourage tree growth.
- Enlarged, raised planter beds around each new street tree, framed by a 6 inch high exposed aggregate curb, with irrigation, and professionally designed landscaping.
- Granite seating areas where space permits.

- Installation of underground electrical system to provide new lighting opportunities for trees along the sidewalk and in the proposed median.

On previous projects of this nature, it has been the City's policy to assess 75% of the streetscape improvements to the properties that share frontage with the improvements. The cost per property will be assessed as an average cost per linear foot of frontage for the improvements. The properties with multiple owners will share the cost of the frontage, and the amount will be based on the square footage of building area owned. The City will bill one-tenth of the assessment, as is standard on other special assessment districts, plus interest, on an annual basis, to make the cost more manageable for the property owners. The attached map highlights property frontages subject to a sidewalk streetscape assessment.

For purposes of the assessment district, the properties on the west side of South Old Woodward from East Brown Street to Daines Street (the RH development property) have been included in the district in case current development plans change and the City elects to proceed with improvements in this area. However, if the development project begins as planned, about the same time as the City's project (as the developer is currently indicating), then the cost for streetscape improvements in this area will not be expended by the City, nor charged to the property owner as they will be completed by the development.

The Engineering Department plans to provide a detailed spreadsheet with estimated assessment values based off the engineer's estimate at the Hearing of Necessity.

#### LEGAL REVIEW:

Chapter 94 – Special Assessments of the Birmingham City Code outlines the process by which a special assessment is conducted in the City of Birmingham. This project will follow the prescribed City Code procedures.

#### FISCAL IMPACT:

Revenue generated from the Sidewalk and Streetscape SAD for the Phase 3 Old Woodward Reconstruction project will defray the costs incurred by the city for construction of these improvements and has been considered as an integral part of the financial forecasting for the General Fund in future years.

#### PUBLIC COMMUNICATIONS:

Notice for the Confirmation of Roll is to be distributed by the Clerk's Office. The Engineering Department has sent all property owners a letter explaining the associated work. The design team held an informational meeting regarding the project on Monday, February 21, 2022 from 5:30-7:00 p.m. at City Hall in the Commission Room (a zoom link was also provided on the City website for remote viewing). The team discussed the project overview, traffic access during construction, Birmingham Shopping District initiatives during construction, and special assessments related to the project. A recording of this meeting is available on the city's website at [www.bhamgov.org/oldwoodwardphase3](http://www.bhamgov.org/oldwoodwardphase3).

## SUMMARY:

The Engineering Department recommends that the commission declare necessity and approve a Special Assessment District for the improvement of sidewalk and streetscape as part of the Phase 3 South Old Woodward Reconstruction. Should the Commission form the Special Assessment District, a Public Hearing for Confirmation of the Roll should be set on April 11, 2022.

## ATTACHMENTS:

Map of proposed Special Assessment District

Spreadsheet of properties with estimated costs and associated lengths

Clerk's Confirmation of Public Hearing Notice

## SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution declaring necessity and approving a Special Assessment District with special assessments levied in accordance with benefits against the properties within such assessment district. The special assessment district shall include all properties within the following district of **165** parcels (listed below), and the City Commission will meet on Monday, April 11, 2022 at 7:30 P.M. for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the sidewalk and streetscape improvements adjacent to all properties within the project area on South Old Woodward Avenue, between Brown Street and Landon Street.

Parcel No.	Property Address
08-19-36-204-027	300 S OLD WOODWARD AVE
08-19-36-205-026	442 S OLD WOODWARD AVE
08-19-36-205-041	444 S OLD WOODWARD AVE
08-19-36-205-043	400 S OLD WOODWARD AVE
08-19-36-208-016	355 S OLD WOODWARD AVE
08-19-36-208-017	401 S OLD WOODWARD AVE
08-19-36-208-019	411 S OLD WOODWARD AVE
08-19-36-208-020	411 S OLD WOODWARD AVE
08-19-36-208-021	411 S OLD WOODWARD AVE
08-19-36-208-022	411 S OLD WOODWARD AVE
08-19-36-208-025	411 S OLD WOODWARD AVE
08-19-36-208-026	411 S OLD WOODWARD AVE
08-19-36-208-027	411 S OLD WOODWARD AVE
08-19-36-208-028	411 S OLD WOODWARD AVE
08-19-36-208-029	411 S OLD WOODWARD AVE
08-19-36-208-030	411 S OLD WOODWARD AVE
08-19-36-208-031	411 S OLD WOODWARD AVE
08-19-36-208-032	411 S OLD WOODWARD AVE

08-19-36-208-033	411	S	OLD WOODWARD AVE
08-19-36-208-034	411	S	OLD WOODWARD AVE
08-19-36-208-035	411	S	OLD WOODWARD AVE
08-19-36-208-036	411	S	OLD WOODWARD AVE
08-19-36-208-037	411	S	OLD WOODWARD AVE
08-19-36-208-038	411	S	OLD WOODWARD AVE
08-19-36-208-039	411	S	OLD WOODWARD AVE
08-19-36-208-040	411	S	OLD WOODWARD AVE
08-19-36-208-041	411	S	OLD WOODWARD AVE
08-19-36-208-043	411	S	OLD WOODWARD AVE
08-19-36-208-044	411	S	OLD WOODWARD AVE
08-19-36-208-045	411	S	OLD WOODWARD AVE
08-19-36-208-046	411	S	OLD WOODWARD AVE
08-19-36-208-047	411	S	OLD WOODWARD AVE
08-19-36-208-048	411	S	OLD WOODWARD AVE
08-19-36-208-049	411	S	OLD WOODWARD AVE
08-19-36-208-054	411	S	OLD WOODWARD AVE
08-19-36-208-055	411	S	OLD WOODWARD AVE
08-19-36-208-062	411	S	OLD WOODWARD AVE
08-19-36-208-063	411	S	OLD WOODWARD AVE
08-19-36-208-064	411	S	OLD WOODWARD AVE
08-19-36-208-065	411	S	OLD WOODWARD AVE
08-19-36-208-066	411	S	OLD WOODWARD AVE
08-19-36-208-067	411	S	OLD WOODWARD AVE
08-19-36-208-068	411	S	OLD WOODWARD AVE
08-19-36-208-069	411	S	OLD WOODWARD AVE
08-19-36-208-070	411	S	OLD WOODWARD AVE
08-19-36-208-071	411	S	OLD WOODWARD AVE
08-19-36-208-072	411	S	OLD WOODWARD AVE
08-19-36-208-073	411	S	OLD WOODWARD AVE
08-19-36-208-074	411	S	OLD WOODWARD AVE
08-19-36-208-075	411	S	OLD WOODWARD AVE
08-19-36-208-080	411	S	OLD WOODWARD AVE
08-19-36-208-081	411	S	OLD WOODWARD AVE
08-19-36-208-086	411	S	OLD WOODWARD AVE
08-19-36-208-087	411	S	OLD WOODWARD AVE
08-19-36-208-088	411	S	OLD WOODWARD AVE
08-19-36-208-089	411	S	OLD WOODWARD AVE
08-19-36-208-090	411	S	OLD WOODWARD AVE
08-19-36-208-091	411	S	OLD WOODWARD AVE
08-19-36-208-092	411	S	OLD WOODWARD AVE
08-19-36-208-093	411	S	OLD WOODWARD AVE
08-19-36-208-094	411	S	OLD WOODWARD AVE

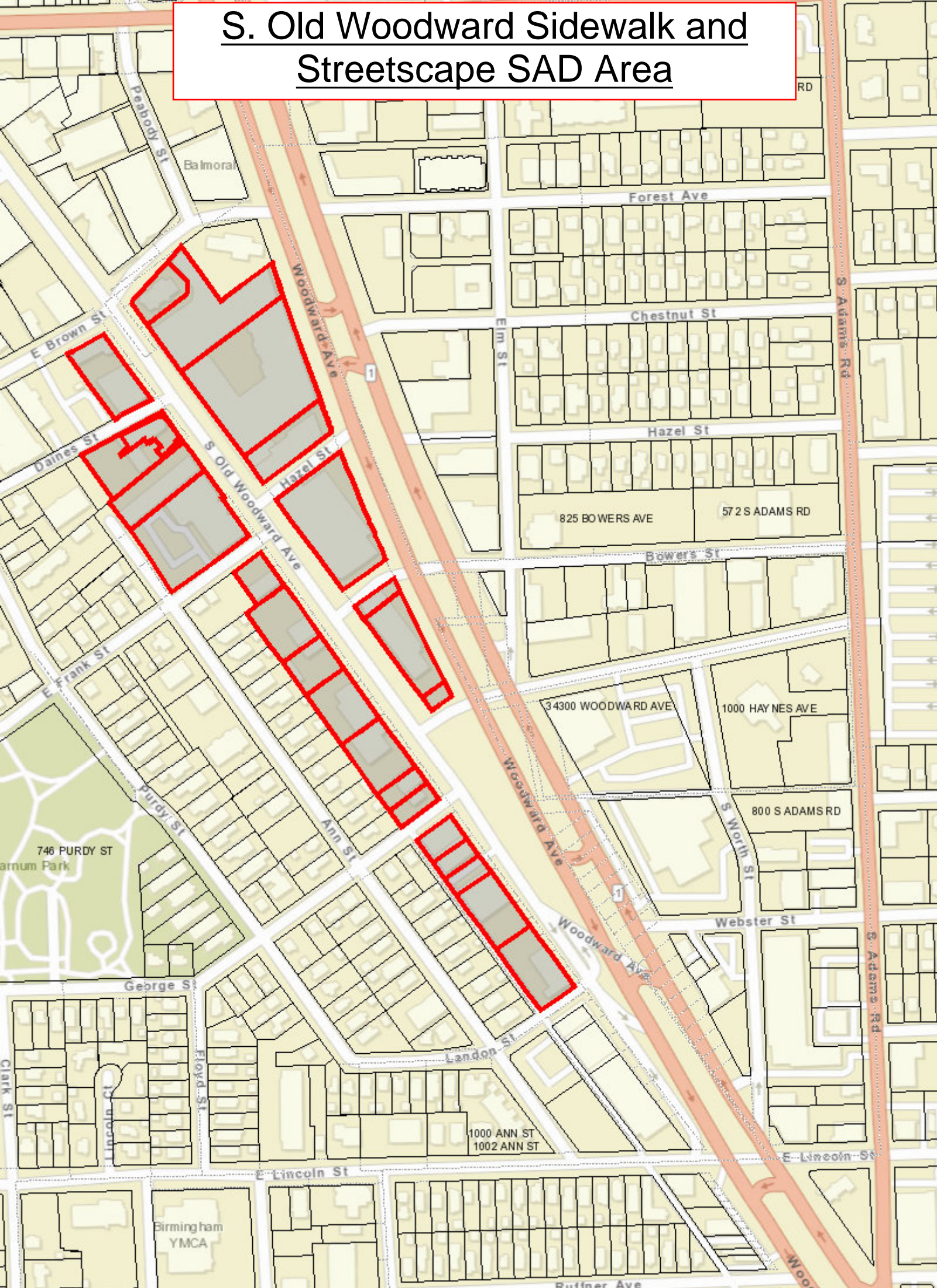
08-19-36-208-096	411	S	OLD WOODWARD AVE
08-19-36-208-097	411	S	OLD WOODWARD AVE
08-19-36-208-098	411	S	OLD WOODWARD AVE
08-19-36-208-099	411	S	OLD WOODWARD AVE
08-19-36-208-100	411	S	OLD WOODWARD AVE
08-19-36-208-101	411	S	OLD WOODWARD AVE
08-19-36-208-102	411	S	OLD WOODWARD AVE
08-19-36-208-103	411	S	OLD WOODWARD AVE
08-19-36-208-104	411	S	OLD WOODWARD AVE
08-19-36-208-105	411	S	OLD WOODWARD AVE
08-19-36-208-106	411	S	OLD WOODWARD AVE
08-19-36-208-107	411	S	OLD WOODWARD AVE
08-19-36-208-108	411	S	OLD WOODWARD AVE
08-19-36-208-115	411	S	OLD WOODWARD AVE
08-19-36-208-116	411	S	OLD WOODWARD AVE
08-19-36-208-117	411	S	OLD WOODWARD AVE
08-19-36-208-118	411	S	OLD WOODWARD AVE
08-19-36-208-119	411	S	OLD WOODWARD AVE
08-19-36-208-120	411	S	OLD WOODWARD AVE
08-19-36-208-121	411	S	OLD WOODWARD AVE
08-19-36-208-122	411	S	OLD WOODWARD AVE
08-19-36-208-123	411	S	OLD WOODWARD AVE
08-19-36-208-124	411	S	OLD WOODWARD AVE
08-19-36-208-125	411	S	OLD WOODWARD AVE
08-19-36-208-126	411	S	OLD WOODWARD AVE
08-19-36-208-127	411	S	OLD WOODWARD AVE
08-19-36-208-128	411	S	OLD WOODWARD AVE
08-19-36-208-129	411	S	OLD WOODWARD AVE
08-19-36-208-130	411	S	OLD WOODWARD AVE
08-19-36-208-133	411	S	OLD WOODWARD AVE
08-19-36-208-134	411	S	OLD WOODWARD AVE
08-19-36-208-135	411	S	OLD WOODWARD AVE
08-19-36-208-136	411	S	OLD WOODWARD AVE
08-19-36-208-137	411	S	OLD WOODWARD AVE
08-19-36-208-138	411	S	OLD WOODWARD AVE
08-19-36-208-141	411	S	OLD WOODWARD AVE
08-19-36-208-142	411	S	OLD WOODWARD AVE
08-19-36-208-143	411	S	OLD WOODWARD AVE
08-19-36-208-146	411	S	OLD WOODWARD AVE
08-19-36-208-147	411	S	OLD WOODWARD AVE
08-19-36-208-149	411	S	OLD WOODWARD AVE
08-19-36-208-150	411	S	OLD WOODWARD AVE
08-19-36-208-151	411	S	OLD WOODWARD AVE



08-19-36-208-152	411	S	OLD WOODWARD AVE
08-19-36-208-153	411	S	OLD WOODWARD AVE
08-19-36-208-154	411	S	OLD WOODWARD AVE
08-19-36-208-155	411	S	OLD WOODWARD AVE
08-19-36-208-156	411	S	OLD WOODWARD AVE
08-19-36-208-157	411	S	OLD WOODWARD AVE
08-19-36-208-168	411	S	OLD WOODWARD AVE
08-19-36-208-169	411	S	OLD WOODWARD AVE
08-19-36-208-170	411	S	OLD WOODWARD AVE
08-19-36-208-171	411	S	OLD WOODWARD AVE
08-19-36-208-172	411	S	OLD WOODWARD AVE
08-19-36-208-173	411	S	OLD WOODWARD AVE
08-19-36-208-174	411	S	OLD WOODWARD AVE
08-19-36-208-175	411	S	OLD WOODWARD AVE
08-19-36-208-176	411	S	OLD WOODWARD AVE
08-19-36-208-177	411	S	OLD WOODWARD AVE
08-19-36-208-178	411	S	OLD WOODWARD AVE
08-19-36-208-179	411	S	OLD WOODWARD AVE
08-19-36-208-180	411	S	OLD WOODWARD AVE
08-19-36-208-181	411	S	OLD WOODWARD AVE
08-19-36-208-182	411	S	OLD WOODWARD AVE
08-19-36-208-183	411	S	OLD WOODWARD AVE
08-19-36-208-184	411	S	OLD WOODWARD AVE
08-19-36-208-185	411	S	OLD WOODWARD AVE
08-19-36-208-186	411	S	OLD WOODWARD AVE
08-19-36-208-187	411	S	OLD WOODWARD AVE
08-19-36-208-188	411	S	OLD WOODWARD AVE
08-19-36-208-189	411	S	OLD WOODWARD AVE
08-19-36-208-190	411	S	OLD WOODWARD AVE
08-19-36-208-191	411	S	OLD WOODWARD AVE
08-19-36-208-192	411	S	OLD WOODWARD AVE
08-19-36-208-193	411	S	OLD WOODWARD AVE
08-19-36-208-194	411	S	OLD WOODWARD AVE
08-19-36-208-195	411	S	OLD WOODWARD AVE
08-19-36-208-196	411	S	OLD WOODWARD AVE
08-19-36-208-197	411	S	OLD WOODWARD AVE
08-19-36-208-198	411	S	OLD WOODWARD AVE
08-19-36-208-199	411	S	OLD WOODWARD AVE
08-19-36-208-200	411	S	OLD WOODWARD AVE
08-19-36-208-201	411	S	OLD WOODWARD AVE
08-19-36-208-202	411	S	OLD WOODWARD AVE
08-19-36-208-203	411	S	OLD WOODWARD AVE
08-19-36-208-205	411	S	OLD WOODWARD AVE

08-19-36-208-206	411	S	OLD WOODWARD AVE
08-19-36-208-207	469/479	S	OLD WOODWARD AVE
08-19-36-210-001	555	S	OLD WOODWARD AVE
08-19-36-210-003	555	S	OLD WOODWARD AVE
08-19-36-210-005	555	S	OLD WOODWARD AVE
08-19-36-211-001	400	S	OLD WOODWARD AVE
08-19-36-253-025	750	S	OLD WOODWARD AVE
08-19-36-253-026	772	S	OLD WOODWARD AVE
08-19-36-253-028	588	S	OLD WOODWARD AVE
08-19-36-253-029	608	S	OLD WOODWARD AVE
08-19-36-253-030	500	S	OLD WOODWARD AVE
08-19-36-253-034	690	S	OLD WOODWARD AVE
08-19-36-253-035	670	S	OLD WOODWARD AVE
08-19-36-278-012	808	S	OLD WOODWARD AVE
08-19-36-278-013	820	S	OLD WOODWARD AVE
08-19-36-278-014	832	S	OLD WOODWARD AVE
08-19-36-278-017	850	S	OLD WOODWARD AVE
08-19-36-278-018	880	S	OLD WOODWARD AVE

# S. Old Woodward Sidewalk and Streetscape SAD Area





# Proposed Streetscape Special Assessment Properties and Estimated Costs

Property Address	Unit	Parcel No.	Assessment Length	Est
300 S OLD WOODWARD AVE		08-19-36-204-027	100	\$52,076.20
442 S OLD WOODWARD AVE		08-19-36-205-026	45	\$23,434.29
444 S OLD WOODWARD AVE		08-19-36-205-041	85.45	\$44,499.11
400 S OLD WOODWARD AVE		08-19-36-205-043	131.1	\$68,271.90
355 S OLD WOODWARD AVE		08-19-36-208-016	145.2	\$75,614.64
401 S OLD WOODWARD AVE		08-19-36-208-017		\$82,887.98
411 S OLD WOODWARD AVE	501	08-19-36-208-019		\$264.31
411 S OLD WOODWARD AVE	503	08-19-36-208-020		\$250.27
411 S OLD WOODWARD AVE	505	08-19-36-208-021		\$250.27
411 S OLD WOODWARD AVE	507	08-19-36-208-022		\$215.87
411 S OLD WOODWARD AVE	515	08-19-36-208-025		\$182.18
411 S OLD WOODWARD AVE	517	08-19-36-208-026		\$182.18
411 S OLD WOODWARD AVE	521	08-19-36-208-027		\$226.40
411 S OLD WOODWARD AVE	523	08-19-36-208-028		\$245.36
411 S OLD WOODWARD AVE	525	08-19-36-208-029		\$245.36
411 S OLD WOODWARD AVE	527	08-19-36-208-030		\$245.36
411 S OLD WOODWARD AVE	529	08-19-36-208-031		\$245.36
411 S OLD WOODWARD AVE	531	08-19-36-208-032		\$246.41
411 S OLD WOODWARD AVE	530	08-19-36-208-033		\$282.21
411 S OLD WOODWARD AVE	528	08-19-36-208-034		\$393.13
411 S OLD WOODWARD AVE	524	08-19-36-208-035		\$393.13
411 S OLD WOODWARD AVE	522	08-19-36-208-036		\$510.37
411 S OLD WOODWARD AVE	518	08-19-36-208-037		\$652.88
411 S OLD WOODWARD AVE	514	08-19-36-208-038		\$278.35
411 S OLD WOODWARD AVE	512	08-19-36-208-039		\$289.58
411 S OLD WOODWARD AVE	510	08-19-36-208-040		\$935.45
411 S OLD WOODWARD AVE	508	08-19-36-208-041		\$349.26
411 S OLD WOODWARD AVE	504	08-19-36-208-043		\$349.26
411 S OLD WOODWARD AVE	502	08-19-36-208-044		\$349.26
411 S OLD WOODWARD AVE	500	08-19-36-208-045		\$349.26
411 S OLD WOODWARD AVE	601	08-19-36-208-046		\$264.31
411 S OLD WOODWARD AVE	603	08-19-36-208-047		\$250.27
411 S OLD WOODWARD AVE	605	08-19-36-208-048		\$250.27
411 S OLD WOODWARD AVE	607	08-19-36-208-049		\$215.87
411 S OLD WOODWARD AVE	621	08-19-36-208-054		\$226.40
411 S OLD WOODWARD AVE	623	08-19-36-208-055		\$245.36
411 S OLD WOODWARD AVE	624	08-19-36-208-062		\$393.13
411 S OLD WOODWARD AVE	622	08-19-36-208-063		\$510.37
411 S OLD WOODWARD AVE	618	08-19-36-208-064		\$652.88
411 S OLD WOODWARD AVE	614	08-19-36-208-065		\$278.35
411 S OLD WOODWARD AVE	612	08-19-36-208-066		\$289.58
411 S OLD WOODWARD AVE	610	08-19-36-208-067		\$935.45
411 S OLD WOODWARD AVE	608	08-19-36-208-068		\$349.26
411 S OLD WOODWARD AVE	604	08-19-36-208-069		\$349.26
411 S OLD WOODWARD AVE	602	08-19-36-208-070		\$349.26
411 S OLD WOODWARD AVE	600	08-19-36-208-071		\$349.26
411 S OLD WOODWARD AVE	701	08-19-36-208-072		\$264.31
411 S OLD WOODWARD AVE	703	08-19-36-208-073		\$250.27
411 S OLD WOODWARD AVE	705	08-19-36-208-074		\$250.27
411 S OLD WOODWARD AVE	707	08-19-36-208-075		\$215.87
411 S OLD WOODWARD AVE	721	08-19-36-208-080		\$226.40
411 S OLD WOODWARD AVE	723	08-19-36-208-081		\$245.36
411 S OLD WOODWARD AVE	730	08-19-36-208-086		\$282.21
411 S OLD WOODWARD AVE	728	08-19-36-208-087		\$393.13
411 S OLD WOODWARD AVE	724	08-19-36-208-088		\$393.13
411 S OLD WOODWARD AVE	722	08-19-36-208-089		\$510.37
411 S OLD WOODWARD AVE	718	08-19-36-208-090		\$652.88
411 S OLD WOODWARD AVE	714	08-19-36-208-091		\$278.35
411 S OLD WOODWARD AVE	712	08-19-36-208-092		\$289.58
411 S OLD WOODWARD AVE	710	08-19-36-208-093		\$935.45
411 S OLD WOODWARD AVE	708	08-19-36-208-094		\$349.26

# Proposed Streetscape Special Assessment Properties and Estimated Costs

Property Address	Unit	Parcel No.	Assessment Length	Est
411 S OLD WOODWARD AVE	704	08-19-36-208-096	259.17	\$349.26
411 S OLD WOODWARD AVE	702	08-19-36-208-097		\$349.26
411 S OLD WOODWARD AVE	700	08-19-36-208-098		\$349.26
411 S OLD WOODWARD AVE	801	08-19-36-208-099		\$264.31
411 S OLD WOODWARD AVE	803	08-19-36-208-100		\$250.27
411 S OLD WOODWARD AVE	805	08-19-36-208-101		\$250.27
411 S OLD WOODWARD AVE	807	08-19-36-208-102		\$215.87
411 S OLD WOODWARD AVE	811	08-19-36-208-103		\$182.18
411 S OLD WOODWARD AVE	813	08-19-36-208-104		\$182.18
411 S OLD WOODWARD AVE	815	08-19-36-208-105		\$182.18
411 S OLD WOODWARD AVE	817	08-19-36-208-106		\$182.18
411 S OLD WOODWARD AVE	821	08-19-36-208-107		\$226.40
411 S OLD WOODWARD AVE	823	08-19-36-208-108		\$245.36
411 S OLD WOODWARD AVE	824	08-19-36-208-115		\$393.13
411 S OLD WOODWARD AVE	822	08-19-36-208-116		\$510.37
411 S OLD WOODWARD AVE	818	08-19-36-208-117		\$652.88
411 S OLD WOODWARD AVE	814	08-19-36-208-118		\$278.35
411 S OLD WOODWARD AVE	812	08-19-36-208-119		\$289.58
411 S OLD WOODWARD AVE	810	08-19-36-208-120		\$935.45
411 S OLD WOODWARD AVE	808	08-19-36-208-121		\$349.26
411 S OLD WOODWARD AVE	804	08-19-36-208-122		\$349.26
411 S OLD WOODWARD AVE	802	08-19-36-208-123		\$349.26
411 S OLD WOODWARD AVE	800	08-19-36-208-124		\$349.26
411 S OLD WOODWARD AVE	901	08-19-36-208-125		\$264.31
411 S OLD WOODWARD AVE	903	08-19-36-208-126		\$250.27
411 S OLD WOODWARD AVE	905	08-19-36-208-127		\$250.27
411 S OLD WOODWARD AVE	907	08-19-36-208-128		\$215.87
411 S OLD WOODWARD AVE	911	08-19-36-208-129		\$182.18
411 S OLD WOODWARD AVE	913	08-19-36-208-130		\$182.18
411 S OLD WOODWARD AVE	921	08-19-36-208-133		\$226.40
411 S OLD WOODWARD AVE	923	08-19-36-208-134		\$245.36
411 S OLD WOODWARD AVE	925	08-19-36-208-135		\$245.36
411 S OLD WOODWARD AVE	927	08-19-36-208-136		\$245.36
411 S OLD WOODWARD AVE	929	08-19-36-208-137		\$245.36
411 S OLD WOODWARD AVE	931	08-19-36-208-138		\$246.41
411 S OLD WOODWARD AVE	924	08-19-36-208-141		\$393.13
411 S OLD WOODWARD AVE	922	08-19-36-208-142		\$510.37
411 S OLD WOODWARD AVE	918	08-19-36-208-143		\$652.88
411 S OLD WOODWARD AVE	910	08-19-36-208-146		\$935.45
411 S OLD WOODWARD AVE	908	08-19-36-208-147		\$349.26
411 S OLD WOODWARD AVE	904	08-19-36-208-149		\$349.26
411 S OLD WOODWARD AVE	902	08-19-36-208-150		\$349.26
411 S OLD WOODWARD AVE	900	08-19-36-208-151		\$349.26
411 S OLD WOODWARD AVE	1001	08-19-36-208-152		\$264.66
411 S OLD WOODWARD AVE	1003	08-19-36-208-153		\$250.62
411 S OLD WOODWARD AVE	1005	08-19-36-208-154		\$250.62
411 S OLD WOODWARD AVE	1007	08-19-36-208-155		\$216.22
411 S OLD WOODWARD AVE	1011	08-19-36-208-156		\$182.18
411 S OLD WOODWARD AVE	1013	08-19-36-208-157		\$182.18
411 S OLD WOODWARD AVE	1024	08-19-36-208-168		\$393.13
411 S OLD WOODWARD AVE	1022	08-19-36-208-169		\$510.37
411 S OLD WOODWARD AVE	1018	08-19-36-208-170		\$652.88
411 S OLD WOODWARD AVE	1014	08-19-36-208-171		\$278.35
411 S OLD WOODWARD AVE	1012	08-19-36-208-172		\$289.94
411 S OLD WOODWARD AVE	1010	08-19-36-208-173		\$935.45
411 S OLD WOODWARD AVE	1008	08-19-36-208-174		\$348.91
411 S OLD WOODWARD AVE	1004	08-19-36-208-175		\$348.91
411 S OLD WOODWARD AVE	1002	08-19-36-208-176		\$348.91
411 S OLD WOODWARD AVE	1000	08-19-36-208-177		\$349.26
411 S OLD WOODWARD AVE	711	08-19-36-208-178		\$373.83
411 S OLD WOODWARD AVE	725	08-19-36-208-179		\$501.25

# Proposed Streetscape Special Assessment Properties and Estimated Costs

Property Address	Unit	Parcel No.	Assessment Length	Est
411 S OLD WOODWARD AVE	729	08-19-36-208-180		\$502.65
411 S OLD WOODWARD AVE	829	08-19-36-208-181		\$502.65
411 S OLD WOODWARD AVE	828	08-19-36-208-182		\$686.58
411 S OLD WOODWARD AVE	1015	08-19-36-208-183		\$373.83
411 S OLD WOODWARD AVE	1021	08-19-36-208-184		\$481.94
411 S OLD WOODWARD AVE	1029	08-19-36-208-185		\$502.65
411 S OLD WOODWARD AVE	511	08-19-36-208-186		\$373.83
411 S OLD WOODWARD AVE	611	08-19-36-208-187		\$373.83
411 S OLD WOODWARD AVE	615	08-19-36-208-188		\$373.83
411 S OLD WOODWARD AVE	715	08-19-36-208-189		\$373.83
411 S OLD WOODWARD AVE	912	08-19-36-208-190		\$578.47
411 S OLD WOODWARD AVE	1028	08-19-36-208-191		\$686.58
411 S OLD WOODWARD AVE	825	08-19-36-208-192		\$501.25
411 S OLD WOODWARD AVE	1025	08-19-36-208-193		\$501.25
411 S OLD WOODWARD AVE	506	08-19-36-208-194		\$349.26
411 S OLD WOODWARD AVE	606	08-19-36-208-195		\$349.26
411 S OLD WOODWARD AVE	706	08-19-36-208-196		\$349.26
411 S OLD WOODWARD AVE	806	08-19-36-208-197		\$349.26
411 S OLD WOODWARD AVE	906	08-19-36-208-198		\$349.26
411 S OLD WOODWARD AVE	1006	08-19-36-208-199		\$349.26
411 S OLD WOODWARD AVE	630	08-19-36-208-200		\$686.58
411 S OLD WOODWARD AVE	915	08-19-36-208-201		\$373.83
411 S OLD WOODWARD AVE	928	08-19-36-208-202		\$686.58
411 S OLD WOODWARD AVE	625	08-19-36-208-203		\$501.25
411 S OLD WOODWARD AVE	629	08-19-36-208-205		\$245.36
411 S OLD WOODWARD AVE	631	08-19-36-208-206		\$246.41
469/479 S OLD WOODWARD AVE		08-19-36-208-207	80.56	\$41,952.59
555 S OLD WOODWARD AVE		08-19-36-210-001	569.96	\$296,813.50
555 S OLD WOODWARD AVE		08-19-36-210-003	65	\$33,849.53
555 S OLD WOODWARD AVE		08-19-36-210-005	61.52	\$32,037.28
400 S OLD WOODWARD AVE		08-19-36-211-001	131.1	\$68,271.90
750 S OLD WOODWARD AVE		08-19-36-253-025	50	\$26,038.10
772 S OLD WOODWARD AVE		08-19-36-253-026	81	\$42,181.72
588 S OLD WOODWARD AVE		08-19-36-253-028	150	\$78,114.30
608 S OLD WOODWARD AVE		08-19-36-253-029	100	\$52,076.20
500 S OLD WOODWARD AVE		08-19-36-253-030	148	\$77,072.77
690 S OLD WOODWARD AVE		08-19-36-253-034	150	\$78,114.30
670 S OLD WOODWARD AVE		08-19-36-253-035	150	\$78,114.30
808 S OLD WOODWARD AVE		08-19-36-278-012	95.8	\$49,889.00
820 S OLD WOODWARD AVE		08-19-36-278-013	50	\$26,038.10
832 S OLD WOODWARD AVE		08-19-36-278-014	50	\$26,038.10
850 S OLD WOODWARD AVE		08-19-36-278-017	150	\$78,114.30
880 S OLD WOODWARD AVE		08-19-36-278-018	255	\$132,794.31



## MEMORANDUM

Clerk's Office

**DATE:** Thursday, March 10, 2022

**TO:** Scott Zielinski, Assistant City Engineer

**FROM:** Christina Woods, Deputy Clerk

**SUBJECT:** Clerk's Office Confirmation of Public Hearing of Necessity and Confirmation: Old Woodward Streetscape Special Assessment District

---

The public hearing of necessity and confirmation notice process has been completed for the Old Woodward Streetscape Special Assessment District. Please see attachments for further confirmation.

Mailing Date: March 4, 2022

Publishing Dates in the Birmingham Eccentric: February 27 & March 6 2022

Also posted on [www.bhamgov.org/publicnotices](http://www.bhamgov.org/publicnotices)

Attachments:

1. Public Hearing Notice
2. Addresses
3. Mailing Letter
4. Affidavit of publishing

<b>NOTICE OF PUBLIC HEARINGS</b>	
<b>BIRMINGHAM CITY COMMISSION</b>	
<b>PUBLIC HEARING OF NECESSITY</b>	
<b>PUBLIC HEARING OF CONFIRMATION</b>	
Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, Monday, March 14, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, April 11, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	S. Old Woodward Avenue, from Brown St. to Landon St.
Nature of Improvement:	Construction of sidewalk and streetscape improvements adjacent to all properties within the project area
City Staff Contact:	Scott Zielinski, Assistant City Engineer <a href="mailto:szielinski@bhamgov.org">szielinski@bhamgov.org</a> , (248)530-1838
Notice Requirements:	Mail to affected property owners Publish February 27, 2022 & March 6, 2022
Approved minutes may be reviewed at:	City Clerk's Office
Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: <b><a href="https://zoom.us/j/655079760">https://zoom.us/j/655079760</a></b> <b>Meeting ID: 655 079 760</b>	
You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012.	
The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll.	
All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.	
Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.	



## Old Wood Sewer and Streetscape Public Hearing addresses

Parcel	Name	Address	City	State	Zip
1936204027	WOODWARD DEVELOPMENT LLC	15 KOCH RD	CORTE MADERA	CA	94925
1936205026	FLORENCE SHARE	333 W FORT ST FL 12TH	DETROIT	MI	48226
1936205041	GALYN ASSOCIATES LTD PTNSHP	1435 N GLENGARRY RD	BLOOMFIELD HILLS	MI	48301
1936205043	NBNS LLC	180 HIGH OAK RD	BLOOMFIELD HILLS	MI	48304
1936208015	325 S OLD WOODWARD LLC	330 HAMILTON ROW STE 300	BIRMINGHAM	MI	48009
1936208016	FULLER CENTRAL PARK PRPTS	112 PEABODY ST	BIRMINGHAM	MI	48009
1936208017	HANA AJJOUR	411 S OLD WOODWARD AVE # 906	BIRMINGHAM	MI	48009
1936208017	LISA M HUSSMAN	11070 RESORT RD STE 307	ELLCOTT CITY	MD	21042
1936208017	PETER SAROTTE	411 S OLD WOODWARD AVE # 515	BIRMINGHAM	MI	48009
1936208017	WAAD INVESTMENTS LLC	4805 BANTRY DR	WEST BLOOMFIELD	MI	48322
1936208017	NIKOLE L FINE	883 EMMONS AVE	BIRMINGHAM	MI	48009
1936208017	TONI STREIT	411 S OLD WOODWARD AVE # 523	BIRMINGHAM	MI	48009
1936208017	CORCORAN STREET PROPERTIES LLC	3560 ROLAND DR	BLOOMFIELD HILLS	MI	48301
1936208017	STEVEN H MUSKOVITZ	16146 BELFORD DR	MILTON	GA	30004
1936208017	LORNA G WESTFALL	28347 CHATHAM RD	GROSSE ILE	MI	48138
1936208017	ROBERT P LEVIN	411 S OLD WOODWARD AVE # 510	BIRMINGHAM	MI	48009
1936208017	VALERIE A FOLEY	411 S OLD WOODWARD AVE # 508	BIRMINGHAM	MI	48009
1936208017	KEVIN COOPER	3847 BOULDER DR	TROY	MI	48084
1936208017	GEORGIANNA STEUDLE	1149 HILLPOINTE CIR	BLOOMFIELD HILLS	MI	48304
1936208017	LAURIE SALL	411 S OLD WOODWARD AVE # 500	BIRMINGHAM	MI	48009
1936208017	STACIE JILL LEIB	411 S OLD WOODWARD AVE # 601	BIRMINGHAM	MI	48009
1936208017	KAM PROPERTIES LLC	511 OLDE TOWNE RD UNIT 81515	ROCHESTER	MI	48308
1936208017	FRANCIS A ENGELHARDT	411 S OLD WOODWARD AVE # 904	BIRMINGHAM	MI	48009
1936208017	EUNICE GALPERIN REVOC TRUST	411 S OLD WOODWARD AVE # 902	BIRMINGHAM	MI	48009
1936208017	DAVID A ROBINSON	28145 GREENFIELD RD STE 100	SOUTHFIELD	MI	48076
1936208017	GERALD F REINHART	390 PARK ST STE 222	BIRMINGHAM	MI	48009
1936208017	STUART D SHERR	31300 ORCHARD LAKE RD STE 200	FARMINGTON HILLS	MI	48334
1936208017	GERALD F REINHART	32700 BINGHAM LN	BINGHAM FARMS	MI	48025
1936208017	HAN HAN	411 S OLD WOODWARD AVE # 1007	BIRMINGHAM	MI	48009
1936208017	MARY LOU GILDERS	8600 95TH AVE	EVART	MI	49631
1936208017	CARINE VAN LANDSCHOOT	411 S OLD WOODWARD AVE # 607	BIRMINGHAM	MI	48009
1936208017	EUGENE J WITTSTOCK	411 S OLD WOODWARD AVE # 621	BIRMINGHAM	MI	48009
1936208017	GREGORY W GEIGER	628 WOODLAND ST	BIRMINGHAM	MI	48009
1936208017	DORIS A HANNA REVOC TRUST	3755 WALNUT BROOK DR	ROCHESTER HILLS	MI	48309
1936208017	RAMA K P PINNAMANENI	411 S OLD WOODWARD AVE # 622	BIRMINGHAM	MI	48009
1936208017	DAVID SZCZUPAK	28870 GIRARD TER	NAPLES	FL	34119
1936208017	TANZANITE 61 LLC	3041 HERON POINTE DR	BLOOMFIELD HILLS	MI	48302
1936208017	SHIRLEY NAKASH	PO BOX 7137	BLOOMFIELD HILLS	MI	48302
1936208017	MARIA A CHIRCO	411 S OLD WOODWARD AVE # 929	BIRMINGHAM	MI	48009
1936208017	ALANA GUN	411 S OLD WOODWARD AVE # 931	BIRMINGHAM	MI	48009
1936208017	ESTELLE MILLER REVOC TRUST	411 S OLD WOODWARD AVE # 924	BIRMINGHAM	MI	48009
1936208017	MUNE GOWDA	411 S OLD WOODWARD AVE # 922	BIRMINGHAM	MI	48009
1936208017	BETTY BILLIG	239 N GLENHURST DR	BLOOMFIELD HILLS	MI	48301
1936208017	EDWIN B SHAW	411 S OLD WOODWARD AVE # 910	BIRMINGHAM	MI	48009
1936208017	SUSAN WINSHALL REVOC TRUST	411 S OLD WOODWARD AVE # 828	BIRMINGHAM	MI	48009
1936208017	VANGELOFF PROPERTIES LLC	411 S OLD WOODWARD AVE UNIT 718	BIRMINGHAM	MI	48009
1936208017	SAMUEL MCKNIGHT	411 S OLD WOODWARD AVE # 825	BIRMINGHAM	MI	48009
1936208017	CHRISTOPOHER P AMMANN TRUST	411 S OLD WOODWARD AVE # 1025	BIRMINGHAM	MI	48009
1936208017	FREDERICK C YEAGER REVOC TRUST	411 S OLD WOODWARD AVE # 506	BIRMINGHAM	MI	48009
1936208017	ALEX S PAUL	411 S OLD WOODWARD AVE # 606	BIRMINGHAM	MI	48009
1936208017	SUSAN A MASCIA	411 S OLD WOODWARD AVE # 706	BIRMINGHAM	MI	48009
1936208017	SILVIO COZZETTO	411 S OLD WOODWARD AVE # 806	BIRMINGHAM	MI	48009
1936208017	SHIRLEY NAKASH REVOC TRUST	PO BOX 7137	BLOOMFIELD HILLS	MI	48302
1936208017	MTM INVESTMENTS HOLDINGS LLC	325 S OLD WOODWARD AVE STE 2	BIRMINGHAM	MI	48009
1936208017	STEVE LINTON	55 S MAIN ST STE 345	NAPERVILLE	IL	60540
1936208017	9003 ASSOCIATES LLC	5480 CORPORATE DR STE 230	TROY	MI	48098
1936208017	STEVEN H MUSKOVITZ	16146 BELFORD DR	MILTON	GA	30004
1936208017	FREDERICK A FROMM	411 S OLD WOODWARD AVE # 1006	BIRMINGHAM	MI	48009
1936208017	ROBERT SLOAN	411 S OLD WOODWARD AVE # 630	BIRMINGHAM	MI	48009
1936208017	MICHEL M HANNA	2894 MEADOWOOD LN	BLOOMFIELD HILLS	MI	48302
1936208017	JEFFREY M FRATARCANGELI	558 STANLEY BLVD	BIRMINGHAM	MI	48009
1936208017	KAREN ZACK	411 S OLD WOODWARD AVE # 625	BIRMINGHAM	MI	48009

1936208017	GERALD F BAKER III	411 S OLD WOODWARD AVE # 629	BIRMINGHAM	MI	48009
1936208017	OLD WOODWARD 631 LLC	39475 W 13 MILE RD STE 203	NOVI	MI	48377
1936208017	ANN ELIZABETH MILLER COHEN TRUST	411 S OLD WOODWARD AVE # 610	BIRMINGHAM	MI	48009
1936208017	SHANDA RUMBLE REVOC TRUST	411 S OLD WOODWARD AVE # 608	BIRMINGHAM	MI	48009
1936208017	CAROLINE DANESHVAR	411 S OLD WOODWARD AVE # 604	BIRMINGHAM	MI	48009
1936208017	DANA ABNER	121 W LONG LAKE RD STE 300	BLOOMFIELD HILLS	MI	48304
1936208017	MAX A SURNOW	320 MARTIN ST STE 100	BIRMINGHAM	MI	48009
1936208017	JASON R LUCKOFF IRR TRUST	411 S OLD WOODWARD AVE # 701	BIRMINGHAM	MI	48009
1936208017	DEBRA JO ELSHOLZ	411 S OLD WOODWARD AVE # 703	BIRMINGHAM	MI	48009
1936208017	411 BIRMINGHAM PLACE LLC	6609 QUEEN ANNE DR	WEST BLOOMFIELD	MI	48322
1936208017	RENEE LOSSIA ACHO	3467 SUTTON PL	BLOOMFIELD HILLS	MI	48301
1936208017	LISA GROFFSKY ARONSON	1823 N HONORE ST	CHICAGO	IL	60622
1936208017	MARY NALBANDIAN	3015 BROCKMAN BLVD	ANN ARBOR	MI	48104
1936208017	WILLIAM D KOLB LIVING TRUST	411 S OLD WOODWARD AVE # 518	BIRMINGHAM	MI	48009
1936208017	ANDREW RUST	411 S OLD WOODWARD AVE # 514	BIRMINGHAM	MI	48009
1936208017	CHRISTOPHER M AMBROSE	146 S WASHINGTON ST	OXFORD	MI	48371
1936208017	KAREN REINHART	32700 BINGHAM LN	BINGHAM FARMS	MI	48025
1936208017	VINAY PALLEGAR	411 S OLD WOODWARD AVE # 507	BIRMINGHAM	MI	48009
1936208017	SAMANTHA TULLIO	411 S OLD WOODWARD AVE # 1011	BIRMINGHAM	MI	48009
1936208017	GAYLE S GOODMAN	411 S OLD WOODWARD AVE # 912	BIRMINGHAM	MI	48009
1936208017	BARBARA A ZAGUROLI	411 S OLD WOODWARD AVE # 707	BIRMINGHAM	MI	48009
1936208017	ANDREW RICH	411 S OLD WOODWARD AVE # 721	BIRMINGHAM	MI	48009
1936208017	TRG BP LLC	390 PARK ST STE 222	BIRMINGHAM	MI	48009
1936208017	ERIN LEIGH MELLOTT	411 S OLD WOODWARD AVE # 730	BIRMINGHAM	MI	48009
1936208017	MICHIGAN-MR LLC	PO BOX 2585	PALM BEACH	FL	33480
1936208017	ANVITA SINHA	10224 FOX BOROUGH DR	OAKDALE	CA	95361
1936208017	JUDY M JENNINGS	411 S OLD WOODWARD AVE # 722	BIRMINGHAM	MI	48009
1936208017	SHIRLEY VANGELOFF	6278 N FEDERAL HWY # 414	FORT LAUDERDALE	FL	33308
1936208017	CYNTHIA M VAKHARIYA	142 WESTCHESTER WAY	BIRMINGHAM	MI	48009
1936208017	WILLY CHWANG	27 ARTISAN WAY	MENLO PARK	CA	94025
1936208017	LOUIS P ROCKKIND	411 S OLD WOODWARD AVE # 710	BIRMINGHAM	MI	48009
1936208017	GREGORY A CARNAGO	667 E BIG BEAVER RD STE 201	TROY	MI	48083
1936208017	BRADLEY STEEL	411 S OLD WOODWARD AVE # 704	BIRMINGHAM	MI	48009
1936208017	THOMAS BEELER TRUSTEE	258 GOLDEN GATE PT # 801	SARASOTA	FL	34236
1936208017	BP SPS LLC	1829 WESTRIDGE DR	ROCHESTER HILLS	MI	48306
1936208017	MERI BARASH	500 NE 15TH AVE	FORT LAUDERDALE	FL	33301
1936208017	MELVYN C STERNFELD	411 S OLD WOODWARD AVE # 802	BIRMINGHAM	MI	48009
1936208017	ALAN TUNG	411 S OLD WOODWARD AVE # 800	BIRMINGHAM	MI	48009
1936208017	801 BIRMINGHAM PLACE TRUST	25800 NORTHWESTERN HWY # 515	SOUTHFIELD	MI	48035
1936208017	EATON AND MORE MANAGEMENT LLC	2463 HERONWOOD DR	BLOOMFIELD HILLS	MI	48302
1936208017	JOSEPH LOPEZ	411 S OLD WOODWARD AVE # 905	BIRMINGHAM	MI	48009
1936208017	PATRICK W ROBERTS	PO BOX 9037	MIRAMAR BEACH	FL	32550
1936208017	ALISSA CZISNY	411 S OLD WOODWARD AVE # 911	BIRMINGHAM	MI	48009
1936208017	WAAD INVESTMENTS LLC	4805 BANTRY DR	WEST BLOOMFIELD	MI	48322
1936208017	ADELHEID SEIDENSTICKER	666 BALDWIN CT	BIRMINGHAM	MI	48009
1936208017	ADELHEID F SEIDENSTICKER	666 BALDWIN CT	BIRMINGHAM	MI	48009
1936208017	DANIEL J O'BRIEN TRUST	1818 ARGOSY CT	BLOOMFIELD HILLS	MI	48302
1936208017	KAREN REINHART	32700 BINGHAM LN	BINGHAM FARMS	MI	48025
1936208017	MOUSSA HANNA	411 S OLD WOODWARD AVE # 1000	BIRMINGHAM	MI	48009
1936208017	KA L CHANG	3171 W SHORE DR	ORCHARD LAKE	MI	48324
1936208017	THE BOYLL FAMILY LIVING TRUST	411 S OLD WOODWARD AVE # 725	BIRMINGHAM	MI	48009
1936208017	CAROL BARNETT KOZLOW REVOC TRUST	411 S OLD WOODWARD AVE # 729	BIRMINGHAM	MI	48009
1936208017	THOMAS HARDY	411 S OLD WOODWARD AVE # 829	BIRMINGHAM	MI	48009
1936208017	DJF LAM GROUP LLC	3803 KAELEAF RD	LAKE ORION	MI	48360
1936208017	DORIS HANNA	3755 WALNUT BROOK DR	ROCHESTER HILLS	MI	48309
1936208017	411 S OLD WOODWARD LLC	3467 SUTTON PL	BLOOMFIELD HILLS	MI	48301
1936208017	SUSAN M SOSNICK REVOC TRUST	300 SEMINOLE AVE APT 6B II LUGANO CONDO	PALM BEACH	FL	33480
1936208017	TERRY MANN	411 S OLD WOODWARD AVE # 813	BIRMINGHAM	MI	48009
1936208017	EVELYN CHAN REVOCABLE TRUST	5234 BREEZE HILL PL	TROY	MI	48098
1936208017	EMILY KAY BELCHER	411 S OLD WOODWARD AVE # 817	BIRMINGHAM	MI	48009
1936208017	GREGORY L HARVEY	411 S OLD WOODWARD AVE # 821	BIRMINGHAM	MI	48009
1936208017	RICK LEE HAMILTON	411 S OLD WOODWARD AVE # 823	BIRMINGHAM	MI	48009
1936208017	ISAAC INVESTMENT COMPANY LLC	5295 MIDDLEBELT RD	WEST BLOOMFIELD	MI	48323

1936208017	KENNETH M KOROTKIN	411 S OLD WOODWARD AVE # 822	BIRMINGHAM	MI	48009
1936208017	JEFF ROBERTS	411 S OLD WOODWARD AVE # 818	BIRMINGHAM	MI	48009
1936208017	MARIA N CLEMENTE	411 S OLD WOODWARD AVE # 705	BIRMINGHAM	MI	48009
1936208017	CARLOS MAIDAGAN	3098 RESEARCH DR	ROCHESTER HILLS	MI	48309
1936208017	BIRMINGHAM PLACE REALTY LLC	411 S OLD WOODWARD AVE # 1024	BIRMINGHAM	MI	48009
1936208017	PONNAPPA PANDIKUTHIRA	4215 TOPAZ CT NW	CEDAR RAPIDS	IA	52405
1936208017	CAROL J MITRI	411 S OLD WOODWARD AVE # 1018	BIRMINGHAM	MI	48009
1936208017	JOSEPH W WRONSKI	411 S OLD WOODWARD AVE # 1014	BIRMINGHAM	MI	48009
1936208017	CATHERINE M BROZEK REAL ESTATE TRUST	411 S OLD WOODWARD AVE # 1012	BIRMINGHAM	MI	48009
1936208017	VANDAD RAOFI	411 S OLD WOODWARD AVE # 1010	BIRMINGHAM	MI	48009
1936208017	NEDA MIRAFZALI	310 CORRIE RD	ANN ARBOR	MI	48105
1936208017	JULIE A WOLFE	411 S OLD WOODWARD AVE # 1021	BIRMINGHAM	MI	48009
1936208017	BRENDA KNIGHT	11426 N JUSTIN DR	MEQUON	WI	53092
1936208017	ALICE K LEZOTTE TRUSTEE	411 S OLD WOODWARD AVE # 511	BIRMINGHAM	MI	48009
1936208017	ALEXANDER PFAU	411 S OLD WOODWARD AVE # 611	BIRMINGHAM	MI	48009
1936208017	JANIS E STERLING REVOC TRUST	4212 WOODLANE CT	WESTLAKE VILLAGE	CA	91362
1936208017	NISREEN K MURAD	411 S OLD WOODWARD AVE # 715	BIRMINGHAM	MI	48009
1936208017	BAVAND HAMIDI	31 LARKMEAD	ALISO VIEJO	CA	92656
1936208017	MICHAEL FREZZA	411 S OLD WOODWARD AVE # 812	BIRMINGHAM	MI	48009
1936208017	LEE STEINBERG	411 S OLD WOODWARD AVE # 810	BIRMINGHAM	MI	48009
1936208017	JORDAN BRODER	411 S OLD WOODWARD AVE # 808	BIRMINGHAM	MI	48009
1936208017	JOHN W HOFFFLER REVOC TRUST	411 S OLD WOODWARD AVE # 804	BIRMINGHAM	MI	48009
1936208017	CYNTHIA K NEAL	24100 SORREL CT	BEAR VALLEY SPRINGS	CA	93561
1936208017	JOLIE GOLDBERG	411 S OLD WOODWARD AVE # 901	BIRMINGHAM	MI	48009
1936208207	BIRMINGHAM TOWER PARTNERS LLC	251 E MERRILL ST STE 205	BIRMINGHAM	MI	48009
1936210003	ASSOCIATES OF 555 LTD PARTNERSHIP	555 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936210005	MANORWOOD PROPERTIES LLC	555 S OLD WOODWARD AVE STE 705	BIRMINGHAM	MI	48009
1936253025	GRC ASSETS LLC	750 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936253026	WOODWARD & GEORGE LLC	784 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936253028	EID PROPERTIES LLC	588 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936253029	BITONTI REAL ESTATE LLC	709 ANN ST	BIRMINGHAM	MI	48009
1936253030	ICG REAL ESTATE COMPANY LLC	500 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936253034	690 S OLD WOODWARD LLC	112 PEABODY ST	BIRMINGHAM	MI	48009
1936253035	HORMOZ ALIZADEH LLC	1416 INWOODS CIR	BLOOMFIELD HILLS	MI	48302
1936278012	GLOBAL REAL ESTATE INVESTMENTS LLC	808 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936278013	WOODWARD VIEW LLC	251 E MERRILL ST FL 2ND	BIRMINGHAM	MI	48009
1936278014	WOODWARD VIEW LLC	251 E MERRILL ST FL 2ND	BIRMINGHAM	MI	48009
1936278017	BEIER FAMILY REAL ESTATE	43223 W 12 MILE RD	NOVI	MI	48377
1936278018	PERIMETER PROPERTIES LLC	112 PEABODY ST	BIRMINGHAM	MI	48009

«Name»  
«Address»  
«City», «State» «Zip»

February 22, 2022

TO: Property Owners

RE: S. Old Woodward Phase 3 Paving Project  
Water & Sewer Lateral Replacement and Street Scape Assessments

Phase three of the City of Birmingham's downtown infrastructure improvements will take place during the 2022 construction season. Significant work will occur on South Old Woodward between Brown and Landon. Upgrades to the sidewalk streetscape along with the water and sewer system, and complete street pavement replacement are planned.

With this letter you are receiving **two (2)** notifications of public hearings (Hearing of Necessity) scheduled to occur on **Monday, March 14, 2022** at the regularly scheduled City Commission meeting at 7:30 p.m. The first is to consider a Special Assessment District (SAD) for sidewalk and streetscape upgrades. The second is to consider an SAD for replacing certain water and sewer laterals to individual properties within the project area. All property owners in the project area will be assessed for sidewalk and streetscape upgrades. Some, but not all, will be assessed for water and sewer laterals. The following information will help clarify what is being assessed for each SAD.

For the **first** SAD for sidewalks and streetscape, as with previous projects of this nature, it has been the City's policy to assess 75% of the streetscape improvements to the properties that share frontage with the improvements. Improvement items include:

- All new concrete and exposed aggregate sidewalks from the building face to the back of curbs.
- Removal and replacement of all street trees, including excavation and replacement with approximately 1,000 cu.ft. of specially formulated soil designed to encourage tree growth.
- Enlarged, raised planter beds around each new street tree, framed by a 6 inch high exposed aggregate curb, with irrigation, and professionally designed landscaping.
- Granite seating areas where space permits.
- Installation of underground electrical system to provide new lighting opportunities for trees along the sidewalk and in the proposed median.

The cost per property will be assessed as an average cost per linear foot of frontage for the improvements. The properties with multiple owners will share the cost of the frontage, and the amount will be based on the square footage of building area owned. The City will bill one-tenth of the assessment (as would be done on

other special assessment districts) plus approximately 5% interest annually on the remaining balance, to make the cost more manageable for the property owners. The City plans to provide an estimate of costs associated with this SAD at the March 14<sup>th</sup> Hearing of Necessity.

The **second** SAD is for water and sewer laterals. As previously stated, some but not all property owners in the project area will be assessed for water and sewer laterals. Since water and sewer services only benefit one property, they are not considered a part of the City's public system. Therefore, the maintenance and repair of the services from the building to the connection at the public main is the responsibility of each individual property owner. City policy dictates that these replacements are completed at the property owner's expense. Only those who qualify as outlined below will have their sewer and/or water service replaced and receive an assessment.

The City's policy outlined in section 114-30 of the city code is to replace any water service that is less than 1 inch in diameter, and outlined in section 114-171 of the city code is to replace any sewer service that is 50 or more years old, in poor condition, or is made of materials that do not meet city standards (e.g. "Orangeburg" pipe). Replacement during a road construction project protects the City's investment in the road by reducing the chance of failure by a lateral within the right-of-way area.

The actual cost of replacing the section of the water and/or sewer lateral charged to you will vary depending on the actual location of the City mains, and any other obstacles, such as trees, that are in the way. Property owners are only charged for the actual length of service replaced if their service qualifies for assessment as described above.

After the work is completed, an invoice will be generated and sent to the property owner of record for the length of service(s) replaced. Payment in full will be expected within 30 days of receipt. As with the first assessment, if you are not in a position to pay off the charge in one payment, it can be broken into as many as 10 annual payments. An annual interest charge on the remaining balance, currently about 5%, will apply. It is anticipated that property owners will see a total charge of \$1,600 to \$5,000 for water and/or sewer lateral work related to this project. Official estimates will be provided at the Hearing for Necessity.

If you have any questions or concerns, please contact the Engineering Office at (248) 530-1850. You have the opportunity to speak directly to the City Commission at the Public Hearing of Necessity that will be held on March 14, 2022.

Residents and businesses are encouraged to sign up for the South Old Woodward Reconstruction Phase 3 Constant Contact group at [bit.ly/bhamnews](http://bit.ly/bhamnews) to receive updates throughout the project. Learn more about the project at [www.bhamgov.org/oldwoodwardphase3](http://www.bhamgov.org/oldwoodwardphase3).

Sincerely,

Scott D. Zielinski, P.E.  
Assistant City Engineer  
[szielinski@bhamgov.org](mailto:szielinski@bhamgov.org)  
(248)530-1838



MICHIGAN.COM – Serving the  
OBSERVER & ECCENTRIC and HOMETOWN WEEKLY NEWSPAPERS  
6200 Metropolitan Pkwy, Sterling Heights, MI 48312

BE IT MADE KNOWN THAT THE FOLLOWING ADVERTISEMENT APPEARED IN:

Publication: Birmingham Eccentric  
Placed By: City of Birmingham  
Subject: Old Woodward SAD Streetscape  
Date of Publication: February 27 & March 6, 2022

Susan Totoraitis (Susan Totoraitis), being duly sworn, deposes  
and says that the advertising illustrated above/attached was published in the  
Birmingham Eccentric Newspaper following date/s/: Feb. 27 & March 6, 2022,  
INVOICE number 361430, and as an authorized employee of the Observer and  
Eccentric Media, she knows well the facts stated/herein. Cost: \$260.64.

STATE OF MICHIGAN

NOTARIZED BY:

Gina Anne Huff

March 8, 2022

DATED: \_\_\_\_\_

Acting in County of Macomb

GINA ANNE HUFF  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF LIVINGSTON  
My Commission Expires March 09, 2023

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
VILLAGE OF FRANKLIN  
32325 Franklin Road, Franklin, Michigan 48025

Village Grass and Noxious Weeds Ordinance  
Property Owners and or Parties of Interest:

Notice is hereby given to all persons occupying or owning any property within the Village of Franklin that pursuant to Chapter 1479.01, as amended in the Village Code of Ordinances, it shall be the duty of such owners or occupants to keep all grass and weeds cut below a height of eight (8) inches. If the provisions of the Ordinance are not complied with, the Village shall cause such grass to be cut. The actual cost of such cutting, plus twenty percent (20%) for administration charge, shall be charged to and paid by the owner. If necessary, the Village shall have a lien for the cutting expenses, costs and twenty percent (20%) administration charge, which lien shall be enforced in the manner prescribed by state law for the enforcement of tax liens.

Heather Mydloski  
Village Clerk

Publish: March 06, 2022

LO-0000361566 3x3

NOTICE OF PUBLIC HEARING  
CITY OF BIRMINGHAM  
PUBLIC HEARING OF NECESSITY  
PUBLIC HEARING OF CONFIRMATION

Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, Monday, March 14, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, April 11, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	S. Old Woodward Avenue, from Brown St. to Landon St.
Nature of Improvement:	Construction of sidewalk and streetscape improvements adjacent to all properties within the project area
City Staff Contact:	Scott Zielinski, Assistant City Engineer <a href="mailto:szielinski@bhamgov.org">(szielinski@bhamgov.org)</a> (248)530-1838
Notice Requirements:	Mail to affected property owners Publish February 27, 2022 & March 6, 2022
Approved minutes may be reviewed at:	City Clerk's Office

Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012.

The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll.

All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Publish February 27 & March 6, 2022

LO-0000361430 3x6

NOTICE OF PUBLIC HEARINGS  
BIRMINGHAM CITY COMMISSION  
PUBLIC HEARING OF NECESSITY  
PUBLIC HEARING OF CONFIRMATION

Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, Monday, March 14, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, April 11, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	S. Old Woodward Avenue, from Brown St. to Landon St.
Nature of Improvement:	Replacement and improvement of water and sewer leads meeting the requirements for assessment, for all properties within project area
City Staff Contact:	Scott Zielinski, Assistant City Engineer <a href="mailto:szielinski@bhamgov.org">(szielinski@bhamgov.org)</a> (248)530-1838
Notice Requirements:	Mail to affected property owners Publish February 27, 2022 & March 6, 2022
Approved minutes may be reviewed at:	City Clerk's Office

Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012.

The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll.

All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Publish: February 27 & March 6, 2022

LO-0000361429 3x6

Observer & Eccentric

hometownlife.com

Find what you need

INVITATION TO BID  
BID NO. 9941  
ERGOTRON LEARN FIT SIT-STAND DESK  
TROY SCHOOL DISTRICT

The Troy School District will receive firm, sealed bids for furnishing, delivering, and assembling/ installing new Ergotron Learn Fit Sit-Stand Desks to 12 different locations within the Troy School District.

Specifications and proposal forms can be obtained online at <http://www.troy.k12.mi.us>. From the main page click the "Business Services" tab listed under "Departments", then click "Purchasing" and scroll down to locate and access the bid documents.

Your proposal and two copies marked "Bid 9941 Ergotron Desks" must be delivered no later than 10:00 a.m., Tuesday, March 15, 2022, Troy School District, Services Building/ Technology Department, 4420 Livernois Road, Troy, MI 48098 ATTN: Beth Soggs, Technology Director, at which time all bids will be publicly opened and read aloud immediately thereafter. Bid proposals received after this time will not be considered or accepted.

All questions regarding the bid specified, or the bid terms and conditions will be accepted in writing ONLY and subsequently answered through an addendum to all interested parties. Questions must be received no later than noon, Wednesday, March 9, 2022, and may be emailed to: [bsoggs@troy.k12.mi.us](mailto:bsoggs@troy.k12.mi.us). At no other time prior to the bid opening will questions/concerns be addressed or accepted.

All bidders must provide familial disclosure in compliance with MCL 380.1267 and attach this information to the bid proposal. The bid proposal will be accompanied by a sworn and notarized statement disclosing any familial relationship that exists between the owner or any employee of the bidder and any member of the Troy School Board or the Troy School Districts Superintendent. Also, a sworn and notarized Affidavit of compliance for the Iran Economic Sanctions Act certifying the vendor does and will comply with Public Act 517 of 2012 shall accompany all proposals. Both forms will be enclosed in the specification's booklet that shall be used for this purpose. The District will not accept a bid proposal that does not include these sworn and notarized disclosure statement.

The Troy Board of Education reserves the right to accept or reject any or all bids, either in whole or in part; to award contract to other than the low bidder; to waive any irregularities and/or informalities; and in general to make awards in any manner deemed to be in the best interest of the owner.

Technology Department  
Troy School District  
4420 Livernois Road  
Troy, MI 48098

Publish: March 6, 2022

LO-0000361580 3x6

INVITATION TO BID  
BID NO. 9942  
AVER DOCUMENT  
CAMERAS  
TROY SCHOOL DISTRICT

The Troy School District will receive firm, sealed bids for furnishing and delivering new Aver document cameras.

Specifications and proposal forms can be obtained online at <http://www.troy.k12.mi.us>. From the main page click the "Business Services" tab listed under "Departments", then click "Purchasing" and scroll down to locate and access the bid documents.

Your proposal and two copies marked "Bid 9942 Aver Document Cameras" must be delivered no later than 10:00 a.m., Tuesday, March 15, 2022, Troy School District, Services Building/Technology Department, 4420 Livernois Road, Troy, MI 48098 ATTN: Beth Soggs, Technology Director, at which time all bids will be publicly opened and read aloud immediately thereafter. Bid proposals received after this time will not be considered or accepted.

All questions regarding the bid specified, or the bid terms and conditions will be accepted in writing ONLY and subsequently answered through an addendum to all interested parties. Questions must be received no later than noon, Wednesday, March 9, 2022, and may be emailed to: [bsoggs@troy.k12.mi.us](mailto:bsoggs@troy.k12.mi.us). At no other time prior to the bid opening will questions/ concerns be addressed or accepted.

All bidders must provide familial disclosure in compliance with MCL 380.1267 and attach this information to the bid proposal. The bid proposal will be accompanied by a sworn and notarized statement disclosing any familial relationship that exists between the owner or any employee of the bidder and any member of the Troy School Board or the Troy School Districts Superintendent. Also, a sworn and notarized Affidavit of compliance for the Iran Economic Sanctions Act certifying the vendor does and will comply with Public Act 517 of 2012 shall accompany all proposals. Both forms will be enclosed in the specification's booklet that shall be used for this purpose. The District will not accept a bid proposal that does not include these sworn and notarized disclosure statement.

The Troy Board of Education reserves the right to accept or reject any or all bids, either in whole or in part; to award contract to other than the low bidder; to waive any irregularities and/or informalities; and in general to make awards in any manner deemed to be in the best interest of the owner.

Technology Department  
Troy School District  
4420 Livernois Road  
Troy, MI 48098

Publish: March 6, 2022

LO-0000361582 3x6

Baldwin Public Library  
300 W. Merrill Street  
Birmingham, MI 48009  
248-647-1700

NOTICE OF PUBLIC HEARING  
Monday, March 21, 2022 at 7:30 p.m.  
2022-2023 Budget Hearing

The Baldwin Public Library Board of Directors will hold a public hearing on Monday, March 21, 2022, at 7:30 p.m., in the Rotary Tribute and Donor Rooms of the Baldwin Public Library, 300 W. Merrill, Birmingham, MI. Members of the public may attend in person or via Zoom.

This public hearing is being held to consider the 2022-2023 budget for the Baldwin Public Library.

**The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.**

**Topic: Baldwin Public Library 2022-2023 Budget Hearing**  
**Time: Mar 21, 2022 07:30 PM Eastern Time**  
The public may participate via Zoom:  
Join Zoom Meeting: <https://us02web.zoom.us/j/88033156263>  
Meeting ID: 880 3315 6263  
One tap mobile: +13017158592,,88033156263# US (Washington DC)  
+13126266799,,88033156263# US (Chicago)

Public comments may be presented either in person or in writing.

By 5:00 p.m. on Friday, March 18, 2022 you may obtain a copy of the proposed budget by going to the Library's website ([www.baldwinlib.org](http://www.baldwinlib.org)), asking at the Library's Adult Services Reference Desk (248-554-4650), or contacting Robert Stratton (248-554-4684).

Approved minutes of this hearing may be reviewed on the Library's website or at its Business Office.

THIS NOTICE IS GIVEN in accordance with Act 261, 1968 Public Act 267.  
DATE POSTED: February 18, 2022

Persons with disabilities that may require assistance for effective participation in this public meeting should contact the Library at the number (248) 647-1700, or (248) 644-5115 (for the hearing impaired) at least one day before the meeting to request help in mobility, visual, hearing, or other assistance.  
*Las personas con incapacidad que requieren algún tipo de ayuda para la participación en esta sesión pública deben ponerse en contacto con la oficina del escribano de la biblioteca en el número (248) 647-1700 o al (248) 644-5115 (para las personas con incapacidad auditiva) por lo menos un día antes de la reunión para solicitar ayuda a la movilidad, visual, auditiva, o de otras asistencias. (Title VI of the Civil Rights Act of 1964).*

Publish: March 6, 2022

LO-0000361443 3x6.5

Observer & Eccentric

hometownlife.com

# SOUTH OLD WOODWARD AVE PHASE #3

HEARING OF NECESSITY Sidewalks and StreetScape

March 14, 2022





# PROJECT PHASING





# SPECIAL ASSESSMENT DISTRICTS

- Sidewalk & Streetscape Amenities (75% assessed)
  - includes concrete sidewalks, landscaping planters, irrigation, trees, plantings, benches, etc.





# PROJECT GOALS

- **Complement Phase 1 & 2**
- Reduce vehicle speeds, **improve pedestrian safety**
- **Improve walkability** and safety, intuitive crossings
- **Reduce pedestrian and vehicular conflicts**
- Upgrade to be **ADA compliant**
- Add **green space, seating areas, and dining**
- **Optimize parking, scooters and bicycles**
- Integrate **green infrastructure**





# Questions?





**DATE:** March 9, 2022

**TO:** Thomas M. Markus, City Manager

**FROM:** Scott D. Zielinski, Assistant City Engineer

**SUBJECT:** Hearing of Necessity for S. Old Woodward Water and Sewer SAD

---

**INTRODUCTION:**

A number of water and sewer leads will be replaced this summer as part of the Engineering Department's planned downtown area Phase 3 reconstruction project along South Old Woodward between Brown Street and Landon Street. This project is similar to work that was completed in 2018 for Phase 1 of Old Woodward from Oakland Ave to Brown St., and in 2020 for Phase 2 work completed on Maple Rd from Southfield Road to Pierce St., and from Old Woodward Ave. to Woodward Ave where the City also replaced sewer and water leads. The City intends to replace Sewer and Water leads meeting certain "useful life" criteria in the Right-Of-Way (ROW) in an effort to protect the road improvement investment.

**BACKGROUND:**

In accordance with current City policy established to protect the public investment being made when reconstructing roadways, as part of the project, we intend to replace all sewer laterals that are 50 years of age or older, as well as all water services less than 1 inch diameter. All unsuitable sewer services will be replaced with 6" schedule 40 PVC, and water services less than 1 inch in diameter will be replaced with a new 1 inch diameter service, for service lengths located underneath the new planned pavement.

In accordance with rules from the Michigan Dept. of Environmental, Great Lakes, and Energy (EGLE) requiring the complete removal of lead water services from the water main to the water meter on private property, any such water service will also be replaced as part of the project. Per EGLE, the City is not allowed to charge a property owner for costs associated with replacement of an existing lead water service.

The parcels within the project zone that are subject to the Sewer & Water Lateral Special Assessment are highlighted on the attached map. Appended to this report is a list of properties that the department plans to include in the assessment district, along with estimated construction costs to be assessed at the Hearing of Necessity.

**LEGAL REVIEW:**

Chapter 94 – Special Assessments of the Birmingham City Code outlines the process by which a special assessment is conducted in the City of Birmingham. This project will follow the prescribed City Code procedures.

#### FISCAL IMPACT:

Revenue generated from the Water and Sewer Lateral SAD for the Phase 3 Old Woodward Reconstruction project will defray the costs incurred by the City for construction of these improvements.

#### PUBLIC COMMUNICATIONS:

Notice for the Confirmation of Roll is to be distributed by the Clerk's Office. The Engineering Department has sent all property owners a letter explaining the associated work. The design team held an informational meeting regarding the project on Monday, February 21, 2022 from 5:30-7:00 p.m. at City Hall in the Commission Room (a zoom link was also provided on the City website for remote viewing). The team discussed the project overview, traffic access during construction, Birmingham Shopping District initiatives during construction, and special assessments related to the project. A recording of this meeting is available on the city's website at [www.bhamgov.org/oldwoodwardphase3](http://www.bhamgov.org/oldwoodwardphase3).

#### SUMMARY:

The Engineering Department recommends that the commission declare necessity and approve a Special Assessment District for the replacement of Water and Sewer leads as part of the Phase 3 South Old Woodward Reconstruction. Should the Commission form the Special Assessment District, a Public Hearing for Confirmation of the Roll should be set on April 11, 2022.

#### ATTACHMENTS:

Map of proposed Special Assessment District

Spread Sheet with Estimated Costs of Services

Clerk's Confirmation of Public Hearing Notice

#### SUGGESTED COMMISSION ACTION:

Make a motion adopting a resolution declaring necessity and approving a Special Assessment District with special assessments levied in accordance with benefits against the properties within such assessment district. The special assessment district shall include all properties within the following district of **10** parcels (listed below), and the City Commission will meet on Monday, April 11, 2022 at 7:30 P.M. for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the water and sewer lateral replacements for properties within the project area on South Old Woodward Avenue, between Brown Street and Landon Street.

Parcel ID	Street Address
1936204027	300 S Old Woodward
1936208016	355 S Old Woodward



1936205041	444 S Old Woodward
1936210001	555 S Old Woodward (N building)
1936210001	555 S Old Woodward (S Building)
1936253028	588 S Old Woodward
1936253029	608 S Old Woodward
1936253034	690 S Old Woodward
1936253025	750 S Old Woodward
1936278012	808 S Old Woodward
1936279005	950 S Old Woodward

Property ID's and Estimated Costs

<b>Parcel ID</b>	<b>Street Address</b>	<b>Service For SAD</b>	<b>Estimated Cost</b>
1936204027	300 S Old Woodward	Sewer	\$ 3,740.00
1936208016	355 S Old Woodward	Sewer	\$ 3,485.00
1936205041	444 S Old Woodward	Sewer	\$ 1,190.00
1936210001	555 S Old Woodward (N building)	Sewer	\$ 3,400.00
1936210001	555 S Old Woodward (S Building)	Sewer	\$ 3,400.00
1936253028	588 S Old Woodward	Sewer	\$ 3,570.00
1936253029	608 S Old Woodward	Sewer	\$ 3,570.00
1936253034	690 S Old Woodward	Sewer	\$ 3,570.00
1936253025	750 S Old Woodward	Water & Sewer	\$ 5,370.00
1936278012	808 S Old Woodward	Sewer	\$ 3,570.00
1936279005	950 S Old Woodward	Sewer	\$ 4,760.00



## Legend

 SAD Properties

### Property ID's and Estimated Costs

<b>Parcel ID</b>	<b>Street Address</b>	<b>Service For SAD</b>	<b>Estimated Cost</b>
1936204027	300 S Old Woodward	Sewer	\$ 3,740.00
1936208016	355 S Old Woodward	Sewer	\$ 3,485.00
1936205041	444 S Old Woodward	Sewer	\$ 1,190.00
1936210001	555 S Old Woodward (N building)	Sewer	\$ 3,400.00
1936210001	555 S Old Woodward (S Building)	Sewer	\$ 3,400.00
1936253028	588 S Old Woodward	Sewer	\$ 3,570.00
1936253029	608 S Old Woodward	Sewer	\$ 3,570.00
1936253034	690 S Old Woodward	Sewer	\$ 3,570.00
1936253025	750 S Old Woodward	Water & Sewer	\$ 5,370.00
1936278012	808 S Old Woodward	Sewer	\$ 3,570.00
1936279005	950 S Old Woodward	Sewer	\$ 4,760.00



## MEMORANDUM

Clerk's Office

**DATE:** Thursday, March 10, 2022

**TO:** Scott Zielinski, Assistant City Engineer

**FROM:** Christina Woods, Deputy Clerk

**SUBJECT:** Clerk's Confirmation of Public Hearing Notice: Necessity & Confirmation: Old Woodward Water & Sewer Special Assessment District

---

The public hearing of necessity and confirmation notice process has been completed for the Old Woodward Water & Sewer Special Assessment District. Please see attachments for further confirmation.

Mailing Date: March 4, 2022

Publishing Dates in the Birmingham Eccentric: February 27 & March 6 2022

Also posted on [www.bhamgov.org/publicnotices](http://www.bhamgov.org/publicnotices)

Attachments:

1. Public Hearing Notice
2. Addresses
3. Mailing Letter
4. Affidavit of publishing

<b>NOTICE OF PUBLIC HEARINGS</b>	
<b>BIRMINGHAM CITY COMMISSION</b>	
<b>PUBLIC HEARING OF NECESSITY</b>	
<b>PUBLIC HEARING OF CONFIRMATION</b>	
Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, Monday, March 14, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, April 11, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	S. Old Woodward Avenue, from Brown St. to Landon St.
Nature of Improvement:	Replacement and improvement of water and sewer leads meeting the requirements for assessment, for all properties within project area
City Staff Contact:	Scott Zielinski, Assistant City Engineer <a href="mailto:szielinski@bhamgov.org">szielinski@bhamgov.org</a> , (248)530-1838
Notice Requirements:	Mail to affected property owners Publish February 27, 2022 & March 6, 2022
Approved minutes may be reviewed at:	City Clerk's Office
Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: <b><a href="https://zoom.us/j/655079760">https://zoom.us/j/655079760</a> Meeting ID: 655 079 760</b>	
You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012.	
The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll.	
All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.	
Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.	



## Old Woodward Sewer and Streetscape Public Hearing addresses

Parcel	Name	Address	City	State	Zip
1936204027	WOODWARD DEVELOPMENT LLC	15 KOCH RD	CORTE MADERA	CA	94925
1936205026	FLORENCE SHARE	333 W FORT ST FL 12TH	DETROIT	MI	48226
1936205041	GALYN ASSOCIATES LTD PTNSHP	1435 N GLENGARRY RD	BLOOMFIELD HILLS	MI	48301
1936205043	NBNS LLC	180 HIGH OAK RD	BLOOMFIELD HILLS	MI	48304
1936208015	325 S OLD WOODWARD LLC	330 HAMILTON ROW STE 300	BIRMINGHAM	MI	48009
1936208016	FULLER CENTRAL PARK PRPRTS	112 PEABODY ST	BIRMINGHAM	MI	48009
1936208017	HANA AJJOUR	411 S OLD WOODWARD AVE # 906	BIRMINGHAM	MI	48009
1936208017	LISA M HUSSMAN	11070 RESORT RD STE 307	ELLCOTT CITY	MD	21042
1936208017	PETER SAROTTE	411 S OLD WOODWARD AVE # 515	BIRMINGHAM	MI	48009
1936208017	WAAD INVESTMENTS LLC	4805 BANTRY DR	WEST BLOOMFIELD	MI	48322
1936208017	NIKOLE L FINE	883 EMMONS AVE	BIRMINGHAM	MI	48009
1936208017	TONI STREIT	411 S OLD WOODWARD AVE # 523	BIRMINGHAM	MI	48009
1936208017	CORCORAN STREET PROPERTIES LLC	3560 ROLAND DR	BLOOMFIELD HILLS	MI	48301
1936208017	STEVEN H MUSKOVITZ	16146 BELFORD DR	MILTON	GA	30004
1936208017	LORNA G WESTFALL	28347 CHATHAM RD	GROSSE ILE	MI	48138
1936208017	ROBERT P LEVIN	411 S OLD WOODWARD AVE # 510	BIRMINGHAM	MI	48009
1936208017	VALERIE A FOLEY	411 S OLD WOODWARD AVE # 508	BIRMINGHAM	MI	48009
1936208017	KEVIN COOPER	3847 BOULDER DR	TROY	MI	48084
1936208017	GEORGIANNA STEUDLE	1149 HILLPOINTE CIR	BLOOMFIELD HILLS	MI	48304
1936208017	LAURIE SALL	411 S OLD WOODWARD AVE # 500	BIRMINGHAM	MI	48009
1936208017	STACIE JILL LEIB	411 S OLD WOODWARD AVE # 601	BIRMINGHAM	MI	48009
1936208017	KAM PROPERTIES LLC	511 OLDE TOWNE RD UNIT 81515	ROCHESTER	MI	48308
1936208017	FRANCIS A ENGELHARDT	411 S OLD WOODWARD AVE # 904	BIRMINGHAM	MI	48009
1936208017	EUNICE GALPERIN REVOC TRUST	411 S OLD WOODWARD AVE # 902	BIRMINGHAM	MI	48009
1936208017	DAVID A ROBINSON	28145 GREENFIELD RD STE 100	SOUTHFIELD	MI	48076
1936208017	GERALD F REINHART	390 PARK ST STE 222	BIRMINGHAM	MI	48009
1936208017	STUART D SHERR	31300 ORCHARD LAKE RD STE 200	FARMINGTON HILLS	MI	48334
1936208017	GERALD F REINHART	32700 BINGHAM LN	BINGHAM FARMS	MI	48025
1936208017	HAN HAN	411 S OLD WOODWARD AVE # 1007	BIRMINGHAM	MI	48009
1936208017	MARY LOU GILDERS	8600 95TH AVE	EVART	MI	49631
1936208017	CARINE VAN LANDSCHOOT	411 S OLD WOODWARD AVE # 607	BIRMINGHAM	MI	48009
1936208017	EUGENE J WITTSTOCK	411 S OLD WOODWARD AVE # 621	BIRMINGHAM	MI	48009
1936208017	GREGORY W GEIGER	628 WOODLAND ST	BIRMINGHAM	MI	48009
1936208017	DORIS A HANNA REVOC TRUST	3755 WALNUT BROOK DR	ROCHESTER HILLS	MI	48309
1936208017	RAMA K P PINNAMANENI	411 S OLD WOODWARD AVE # 622	BIRMINGHAM	MI	48009
1936208017	DAVID SZCZUPAK	28870 GIRARD TER	NAPLES	FL	34119
1936208017	TANZANITE 61 LLC	3041 HERON POINTE DR	BLOOMFIELD HILLS	MI	48302
1936208017	SHIRLEY NAKASH	PO BOX 7137	BLOOMFIELD HILLS	MI	48302
1936208017	MARIA A CHIRCO	411 S OLD WOODWARD AVE # 929	BIRMINGHAM	MI	48009
1936208017	ALANA GUN	411 S OLD WOODWARD AVE # 931	BIRMINGHAM	MI	48009
1936208017	ESTELLE MILLER REVOC TRUST	411 S OLD WOODWARD AVE # 924	BIRMINGHAM	MI	48009
1936208017	MUNE GOWDA	411 S OLD WOODWARD AVE # 922	BIRMINGHAM	MI	48009
1936208017	BETTY BILLIG	239 N GLENHURST DR	BLOOMFIELD HILLS	MI	48301
1936208017	EDWIN B SHAW	411 S OLD WOODWARD AVE # 910	BIRMINGHAM	MI	48009
1936208017	SUSAN WINSHALL REVOC TRUST	411 S OLD WOODWARD AVE # 828	BIRMINGHAM	MI	48009
1936208017	VANGELOFF PROPERTIES LLC	411 S OLD WOODWARD AVE UNIT 718	BIRMINGHAM	MI	48009
1936208017	SAMUEL MCKNIGHT	411 S OLD WOODWARD AVE # 825	BIRMINGHAM	MI	48009
1936208017	CHRISTOPOHER P AMMANN TRUST	411 S OLD WOODWARD AVE # 1025	BIRMINGHAM	MI	48009
1936208017	FREDERICK C YEAGER REVOC TRUST	411 S OLD WOODWARD AVE # 506	BIRMINGHAM	MI	48009
1936208017	ALEX S PAUL	411 S OLD WOODWARD AVE # 606	BIRMINGHAM	MI	48009
1936208017	SUSAN A MASCIA	411 S OLD WOODWARD AVE # 706	BIRMINGHAM	MI	48009
1936208017	SILVIO COZZETTO	411 S OLD WOODWARD AVE # 806	BIRMINGHAM	MI	48009
1936208017	SHIRLEY NAKASH REVOC TRUST	PO BOX 7137	BLOOMFIELD HILLS	MI	48302
1936208017	MTM INVESTMENTS HOLDINGS LLC	325 S OLD WOODWARD AVE STE 2	BIRMINGHAM	MI	48009
1936208017	STEVE LINTON	55 S MAIN ST STE 345	NAPERVILLE	IL	60540
1936208017	9003 ASSOCIATES LLC	5480 CORPORATE DR STE 230	TROY	MI	48098
1936208017	STEVEN H MUSKOVITZ	16146 BELFORD DR	MILTON	GA	30004
1936208017	FREDERICK A FROMM	411 S OLD WOODWARD AVE # 1006	BIRMINGHAM	MI	48009
1936208017	ROBERT SLOAN	411 S OLD WOODWARD AVE # 630	BIRMINGHAM	MI	48009
1936208017	MICHEL M HANNA	2894 MEADOWOOD LN	BLOOMFIELD HILLS	MI	48302
1936208017	JEFFREY M FRATARCANGELI	558 STANLEY BLVD	BIRMINGHAM	MI	48009
1936208017	KAREN ZACK	411 S OLD WOODWARD AVE # 625	BIRMINGHAM	MI	48009

1936208017	GERALD F BAKER III	411 S OLD WOODWARD AVE # 629	BIRMINGHAM	MI	48009
1936208017	OLD WOODWARD 631 LLC	39475 W 13 MILE RD STE 203	NOVI	MI	48377
1936208017	ANN ELIZABETH MILLER COHEN TRUST	411 S OLD WOODWARD AVE # 610	BIRMINGHAM	MI	48009
1936208017	SHANDA RUMBLE REVOC TRUST	411 S OLD WOODWARD AVE # 608	BIRMINGHAM	MI	48009
1936208017	CAROLINE DANESHVAR	411 S OLD WOODWARD AVE # 604	BIRMINGHAM	MI	48009
1936208017	DANA ABNER	121 W LONG LAKE RD STE 300	BLOOMFIELD HILLS	MI	48304
1936208017	MAX A SURNOW	320 MARTIN ST STE 100	BIRMINGHAM	MI	48009
1936208017	JASON R LUCKOFF IRR TRUST	411 S OLD WOODWARD AVE # 701	BIRMINGHAM	MI	48009
1936208017	DEBRA JO ELSHOLZ	411 S OLD WOODWARD AVE # 703	BIRMINGHAM	MI	48009
1936208017	411 BIRMINGHAM PLACE LLC	6609 QUEEN ANNE DR	WEST BLOOMFIELD	MI	48322
1936208017	RENEE LOSSIA ACHO	3467 SUTTON PL	BLOOMFIELD HILLS	MI	48301
1936208017	LISA GROFFSKY ARONSON	1823 N HONORE ST	CHICAGO	IL	60622
1936208017	MARY NALBANDIAN	3015 BROCKMAN BLVD	ANN ARBOR	MI	48104
1936208017	WILLIAM D KOLB LIVING TRUST	411 S OLD WOODWARD AVE # 518	BIRMINGHAM	MI	48009
1936208017	ANDREW RUST	411 S OLD WOODWARD AVE # 514	BIRMINGHAM	MI	48009
1936208017	CHRISTOPHER M AMBROSE	146 S WASHINGTON ST	OXFORD	MI	48371
1936208017	KAREN REINHART	32700 BINGHAM LN	BINGHAM FARMS	MI	48025
1936208017	VINAY PALLEGAR	411 S OLD WOODWARD AVE # 507	BIRMINGHAM	MI	48009
1936208017	SAMANTHA TULLIO	411 S OLD WOODWARD AVE # 1011	BIRMINGHAM	MI	48009
1936208017	GAYLE S GOODMAN	411 S OLD WOODWARD AVE # 912	BIRMINGHAM	MI	48009
1936208017	BARBARA A ZAGUROLI	411 S OLD WOODWARD AVE # 707	BIRMINGHAM	MI	48009
1936208017	ANDREW RICH	411 S OLD WOODWARD AVE # 721	BIRMINGHAM	MI	48009
1936208017	TRG BP LLC	390 PARK ST STE 222	BIRMINGHAM	MI	48009
1936208017	ERIN LEIGH MELLOTT	411 S OLD WOODWARD AVE # 730	BIRMINGHAM	MI	48009
1936208017	MICHIGAN-MR LLC	PO BOX 2585	PALM BEACH	FL	33480
1936208017	ANVITA SINHA	10224 FOX BOROUGH DR	OAKDALE	CA	95361
1936208017	JUDY M JENNINGS	411 S OLD WOODWARD AVE # 722	BIRMINGHAM	MI	48009
1936208017	SHIRLEY VANGELOFF	6278 N FEDERAL HWY # 414	FORT LAUDERDALE	FL	33308
1936208017	CYNTHIA M VAKHARIYA	142 WESTCHESTER WAY	BIRMINGHAM	MI	48009
1936208017	WILLY CHWANG	27 ARTISAN WAY	MENLO PARK	CA	94025
1936208017	LOUIS P ROCKKIND	411 S OLD WOODWARD AVE # 710	BIRMINGHAM	MI	48009
1936208017	GREGORY A CARNAGO	667 E BIG BEAVER RD STE 201	TROY	MI	48083
1936208017	BRADLEY STEEL	411 S OLD WOODWARD AVE # 704	BIRMINGHAM	MI	48009
1936208017	THOMAS BEELER TRUSTEE	258 GOLDEN GATE PT # 801	SARASOTA	FL	34236
1936208017	BP SPS LLC	1829 WESTRIDGE DR	ROCHESTER HILLS	MI	48306
1936208017	MERI BARASH	500 NE 15TH AVE	FORT LAUDERDALE	FL	33301
1936208017	MELVYN C STERNFELD	411 S OLD WOODWARD AVE # 802	BIRMINGHAM	MI	48009
1936208017	ALAN TUNG	411 S OLD WOODWARD AVE # 800	BIRMINGHAM	MI	48009
1936208017	801 BIRMINGHAM PLACE TRUST	25800 NORTHWESTERN HWY # 515	SOUTHFIELD	MI	48035
1936208017	EATON AND MORE MANAGEMENT LLC	2463 HERONWOOD DR	BLOOMFIELD HILLS	MI	48302
1936208017	JOSEPH LOPEZ	411 S OLD WOODWARD AVE # 905	BIRMINGHAM	MI	48009
1936208017	PATRICK W ROBERTS	PO BOX 9037	MIRAMAR BEACH	FL	32550
1936208017	ALISSA CZISNY	411 S OLD WOODWARD AVE # 911	BIRMINGHAM	MI	48009
1936208017	WAAD INVESTMENTS LLC	4805 BANTRY DR	WEST BLOOMFIELD	MI	48322
1936208017	ADELHEID SEIDENSTICKER	666 BALDWIN CT	BIRMINGHAM	MI	48009
1936208017	ADELHEID F SEIDENSTICKER	666 BALDWIN CT	BIRMINGHAM	MI	48009
1936208017	DANIEL J O'BRIEN TRUST	1818 ARGOSY CT	BLOOMFIELD HILLS	MI	48302
1936208017	KAREN REINHART	32700 BINGHAM LN	BINGHAM FARMS	MI	48025
1936208017	MOUSSA HANNA	411 S OLD WOODWARD AVE # 1000	BIRMINGHAM	MI	48009
1936208017	KA L CHANG	3171 W SHORE DR	ORCHARD LAKE	MI	48324
1936208017	THE BOYLL FAMILY LIVING TRUST	411 S OLD WOODWARD AVE # 725	BIRMINGHAM	MI	48009
1936208017	CAROL BARNETT KOZLOW REVOC TRUST	411 S OLD WOODWARD AVE # 729	BIRMINGHAM	MI	48009
1936208017	THOMAS HARDY	411 S OLD WOODWARD AVE # 829	BIRMINGHAM	MI	48009
1936208017	DJF LAM GROUP LLC	3803 KAELEAF RD	LAKE ORION	MI	48360
1936208017	DORIS HANNA	3755 WALNUT BROOK DR	ROCHESTER HILLS	MI	48309
1936208017	411 S OLD WOODWARD LLC	3467 SUTTON PL	BLOOMFIELD HILLS	MI	48301
1936208017	SUSAN M SOSNICK REVOC TRUST	300 SEMINOLE AVE APT 6B II LUGANO CONDO	PALM BEACH	FL	33480
1936208017	TERRY MANN	411 S OLD WOODWARD AVE # 813	BIRMINGHAM	MI	48009
1936208017	EVELYN CHAN REVOCABLE TRUST	5234 BREEZE HILL PL	TROY	MI	48098
1936208017	EMILY KAY BELCHER	411 S OLD WOODWARD AVE # 817	BIRMINGHAM	MI	48009
1936208017	GREGORY L HARVEY	411 S OLD WOODWARD AVE # 821	BIRMINGHAM	MI	48009
1936208017	RICK LEE HAMILTON	411 S OLD WOODWARD AVE # 823	BIRMINGHAM	MI	48009
1936208017	ISAAC INVESTMENT COMPANY LLC	5295 MIDDLEBELT RD	WEST BLOOMFIELD	MI	48323

1936208017	KENNETH M KOROTKIN	411 S OLD WOODWARD AVE # 822	BIRMINGHAM	MI	48009
1936208017	JEFF ROBERTS	411 S OLD WOODWARD AVE # 818	BIRMINGHAM	MI	48009
1936208017	MARIA N CLEMENTE	411 S OLD WOODWARD AVE # 705	BIRMINGHAM	MI	48009
1936208017	CARLOS MAIDAGAN	3098 RESEARCH DR	ROCHESTER HILLS	MI	48309
1936208017	BIRMINGHAM PLACE REALTY LLC	411 S OLD WOODWARD AVE # 1024	BIRMINGHAM	MI	48009
1936208017	PONNAPPA PANDIKUTHIRA	4215 TOPAZ CT NW	CEDAR RAPIDS	IA	52405
1936208017	CAROL J MITRI	411 S OLD WOODWARD AVE # 1018	BIRMINGHAM	MI	48009
1936208017	JOSEPH W WRONSKI	411 S OLD WOODWARD AVE # 1014	BIRMINGHAM	MI	48009
1936208017	CATHERINE M BROZEK REAL ESTATE TRUST	411 S OLD WOODWARD AVE # 1012	BIRMINGHAM	MI	48009
1936208017	VANDAD RAOFI	411 S OLD WOODWARD AVE # 1010	BIRMINGHAM	MI	48009
1936208017	NEDA MIRAFZALI	310 CORRIE RD	ANN ARBOR	MI	48105
1936208017	JULIE A WOLFE	411 S OLD WOODWARD AVE # 1021	BIRMINGHAM	MI	48009
1936208017	BRENDA KNIGHT	11426 N JUSTIN DR	MEQUON	WI	53092
1936208017	ALICE K LEZOTTE TRUSTEE	411 S OLD WOODWARD AVE # 511	BIRMINGHAM	MI	48009
1936208017	ALEXANDER PFAU	411 S OLD WOODWARD AVE # 611	BIRMINGHAM	MI	48009
1936208017	JANIS E STERLING REVOC TRUST	4212 WOODLANE CT	WESTLAKE VILLAGE	CA	91362
1936208017	NISREEN K MURAD	411 S OLD WOODWARD AVE # 715	BIRMINGHAM	MI	48009
1936208017	BAVAND HAMIDI	31 LARKMEAD	ALISO VIEJO	CA	92656
1936208017	MICHAEL FREZZA	411 S OLD WOODWARD AVE # 812	BIRMINGHAM	MI	48009
1936208017	LEE STEINBERG	411 S OLD WOODWARD AVE # 810	BIRMINGHAM	MI	48009
1936208017	JORDAN BRODER	411 S OLD WOODWARD AVE # 808	BIRMINGHAM	MI	48009
1936208017	JOHN W HOFFFLER REVOC TRUST	411 S OLD WOODWARD AVE # 804	BIRMINGHAM	MI	48009
1936208017	CYNTHIA K NEAL	24100 SORREL CT	BEAR VALLEY SPRINGS	CA	93561
1936208017	JOLIE GOLDBERG	411 S OLD WOODWARD AVE # 901	BIRMINGHAM	MI	48009
1936208207	BIRMINGHAM TOWER PARTNERS LLC	251 E MERRILL ST STE 205	BIRMINGHAM	MI	48009
1936210003	ASSOCIATES OF 555 LTD PARTNERSHIP	555 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936210005	MANORWOOD PROPERTIES LLC	555 S OLD WOODWARD AVE STE 705	BIRMINGHAM	MI	48009
1936253025	GRC ASSETS LLC	750 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936253026	WOODWARD & GEORGE LLC	784 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936253028	EID PROPERTIES LLC	588 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936253029	BITONTI REAL ESTATE LLC	709 ANN ST	BIRMINGHAM	MI	48009
1936253030	ICG REAL ESTATE COMPANY LLC	500 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936253034	690 S OLD WOODWARD LLC	112 PEABODY ST	BIRMINGHAM	MI	48009
1936253035	HORMOZ ALIZADEH LLC	1416 INWOODS CIR	BLOOMFIELD HILLS	MI	48302
1936278012	GLOBAL REAL ESTATE INVESTMENTS LLC	808 S OLD WOODWARD AVE	BIRMINGHAM	MI	48009
1936278013	WOODWARD VIEW LLC	251 E MERRILL ST FL 2ND	BIRMINGHAM	MI	48009
1936278014	WOODWARD VIEW LLC	251 E MERRILL ST FL 2ND	BIRMINGHAM	MI	48009
1936278017	BEIER FAMILY REAL ESTATE	43223 W 12 MILE RD	NOVI	MI	48377
1936278018	PERIMETER PROPERTIES LLC	112 PEABODY ST	BIRMINGHAM	MI	48009

«Name»  
«Address»  
«City», «State» «Zip»

February 22, 2022

TO: Property Owners

RE: S. Old Woodward Phase 3 Paving Project  
Water & Sewer Lateral Replacement and Street Scape Assessments

Phase three of the City of Birmingham's downtown infrastructure improvements will take place during the 2022 construction season. Significant work will occur on South Old Woodward between Brown and Landon. Upgrades to the sidewalk streetscape along with the water and sewer system, and complete street pavement replacement are planned.

With this letter you are receiving **two (2)** notifications of public hearings (Hearing of Necessity) scheduled to occur on **Monday, March 14, 2022** at the regularly scheduled City Commission meeting at 7:30 p.m. The first is to consider a Special Assessment District (SAD) for sidewalk and streetscape upgrades. The second is to consider an SAD for replacing certain water and sewer laterals to individual properties within the project area. All property owners in the project area will be assessed for sidewalk and streetscape upgrades. Some, but not all, will be assessed for water and sewer laterals. The following information will help clarify what is being assessed for each SAD.

For the **first** SAD for sidewalks and streetscape, as with previous projects of this nature, it has been the City's policy to assess 75% of the streetscape improvements to the properties that share frontage with the improvements. Improvement items include:

- All new concrete and exposed aggregate sidewalks from the building face to the back of curbs.
- Removal and replacement of all street trees, including excavation and replacement with approximately 1,000 cu.ft. of specially formulated soil designed to encourage tree growth.
- Enlarged, raised planter beds around each new street tree, framed by a 6 inch high exposed aggregate curb, with irrigation, and professionally designed landscaping.
- Granite seating areas where space permits.
- Installation of underground electrical system to provide new lighting opportunities for trees along the sidewalk and in the proposed median.

The cost per property will be assessed as an average cost per linear foot of frontage for the improvements. The properties with multiple owners will share the cost of the frontage, and the amount will be based on the square footage of building area owned. The City will bill one-tenth of the assessment (as would be done on

other special assessment districts) plus approximately 5% interest annually on the remaining balance, to make the cost more manageable for the property owners. The City plans to provide an estimate of costs associated with this SAD at the March 14<sup>th</sup> Hearing of Necessity.

The **second** SAD is for water and sewer laterals. As previously stated, some but not all property owners in the project area will be assessed for water and sewer laterals. Since water and sewer services only benefit one property, they are not considered a part of the City's public system. Therefore, the maintenance and repair of the services from the building to the connection at the public main is the responsibility of each individual property owner. City policy dictates that these replacements are completed at the property owner's expense. Only those who qualify as outlined below will have their sewer and/or water service replaced and receive an assessment.

The City's policy outlined in section 114-30 of the city code is to replace any water service that is less than 1 inch in diameter, and outlined in section 114-171 of the city code is to replace any sewer service that is 50 or more years old, in poor condition, or is made of materials that do not meet city standards (e.g. "Orangeburg" pipe). Replacement during a road construction project protects the City's investment in the road by reducing the chance of failure by a lateral within the right-of-way area.

The actual cost of replacing the section of the water and/or sewer lateral charged to you will vary depending on the actual location of the City mains, and any other obstacles, such as trees, that are in the way. Property owners are only charged for the actual length of service replaced if their service qualifies for assessment as described above.

After the work is completed, an invoice will be generated and sent to the property owner of record for the length of service(s) replaced. Payment in full will be expected within 30 days of receipt. As with the first assessment, if you are not in a position to pay off the charge in one payment, it can be broken into as many as 10 annual payments. An annual interest charge on the remaining balance, currently about 5%, will apply. It is anticipated that property owners will see a total charge of \$1,600 to \$5,000 for water and/or sewer lateral work related to this project. Official estimates will be provided at the Hearing for Necessity.

If you have any questions or concerns, please contact the Engineering Office at (248) 530-1850. You have the opportunity to speak directly to the City Commission at the Public Hearing of Necessity that will be held on March 14, 2022.

Residents and businesses are encouraged to sign up for the South Old Woodward Reconstruction Phase 3 Constant Contact group at [bit.ly/bhamnews](http://bit.ly/bhamnews) to receive updates throughout the project. Learn more about the project at [www.bhamgov.org/oldwoodwardphase3](http://www.bhamgov.org/oldwoodwardphase3).

Sincerely,

Scott D. Zielinski, P.E.  
Assistant City Engineer  
[szielinski@bhamgov.org](mailto:szielinski@bhamgov.org)  
(248)530-1838





**MICHIGAN.COM – Serving the  
OBSERVER & ECCENTRIC and HOMETOWN WEEKLY NEWSPAPERS  
6200 Metropolitan Pkwy, Sterling Heights, MI 48312**

**BE IT MADE KNOWN THAT THE FOLLOWING ADVERTISEMENT APPEARED IN:**

**Publication: Birmingham Eccentric  
Placed By: City of Birmingham  
Subject: Old Woodward Sewer Levels  
Date of Publication: February 27 & March 6, 2022**

*Susan Totoraitis* (Susan Totoraitis), being duly sworn, deposes  
and says that the advertising illustrated above/attached was published in the  
Birmingham Eccentric on the following date/s/: February 27 & March 6, 2022,  
INVOICE number 361429, and as an authorized employee of the Observer and  
Eccentric Media, she knows well the facts stated/herein. Cost: \$260.64.

**STATE OF MICHIGAN**

**NOTARIZED BY:** *Gina Anne Huff*

**DATED:** March 7, 2022

**Acting in County of Macomb**

GINA ANNE HUFF  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF LIVINGSTON  
My Commission Expires March 09, 2023

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
VILLAGE OF FRANKLIN  
32325 Franklin Road, Franklin, Michigan 48025

Village Grass and Noxious Weeds Ordinance  
Property Owners and or Parties of Interest:

Notice is hereby given to all persons occupying or owning any property within the Village of Franklin that pursuant to Chapter 1479.01, as amended in the Village Code of Ordinances, it shall be the duty of such owners or occupants to keep all grass and weeds cut below a height of eight (8) inches. If the provisions of the Ordinance are not complied with, the Village shall cause such grass to be cut. The actual cost of such cutting, plus twenty percent (20%) for administration charge, shall be charged to and paid by the owner. If necessary, the Village shall have a lien for the cutting expenses, costs and twenty percent (20%) administration charge, which lien shall be enforced in the manner prescribed by state law for the enforcement of tax liens.

Heather Mydloski  
Village Clerk

Publish: March 06, 2022

LO-0000361566 3x3

NOTICE OF PUBLIC HEARING  
CITY OF BIRMINGHAM  
PUBLIC HEARING OF NECESSITY  
PUBLIC HEARING OF CONFIRMATION

Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, Monday, March 14, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, April 11, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	S. Old Woodward Avenue, from Brown St. to Landon St.
Nature of Improvement:	Construction of sidewalk and streetscape improvements adjacent to all properties within the project area
City Staff Contact:	Scott Zielinski, Assistant City Engineer <a href="mailto:szielinski@bhamgov.org">(szielinski@bhamgov.org)</a> , (248)530-1838
Notice Requirements:	Mail to affected property owners Publish February 27, 2022 & March 6, 2022
Approved minutes may be reviewed at:	City Clerk's Office

Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012.

The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll.

All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Publish February 27 & March 6, 2022

LO-0000361430 3x6

NOTICE OF PUBLIC HEARINGS  
BIRMINGHAM CITY COMMISSION  
PUBLIC HEARING OF NECESSITY  
PUBLIC HEARING OF CONFIRMATION

Meeting Date, Time, Location:	HEARING OF NECESSITY FOR SPECIAL ASSESSMENT DISTRICT Monday, Monday, March 14, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Meeting Date, Time, Location:	HEARING OF CONFIRMATION FOR SPECIAL ASSESSMENT DISTRICT Monday, April 11, 2022, 7:30 PM Municipal Building, 151 Martin, Birmingham, MI 48009
Project Location:	S. Old Woodward Avenue, from Brown St. to Landon St.
Nature of Improvement:	Replacement and improvement of water and sewer leads meeting the requirements for assessment, for all properties within project area
City Staff Contact:	Scott Zielinski, Assistant City Engineer <a href="mailto:szielinski@bhamgov.org">(szielinski@bhamgov.org)</a> , (248)530-1838
Notice Requirements:	Mail to affected property owners Publish February 27, 2022 & March 6, 2022
Approved minutes may be reviewed at:	City Clerk's Office

Should you have any statement regarding the above, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You or your agent may appear at the hearings to express your views; however, if you fail to protest either in person or by letter received on or before the date of the hearing, you cannot appeal the amount of the special assessment to the Michigan Tax Tribunal. Mail any correspondence to: City Clerk, P.O. Box 3001, Birmingham, MI 48012.

The property owner may file a written appeal of the special assessment with the State Tax Tribunal within 30 days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll.

All special assessments, including installment payments, shall, from the date of the confirmation thereof, constitute a lien on the respective lots or parcels assessed, and until paid shall be charged against the respective owners of the lots or parcels assessed.

Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk's Office at 248.530.1880 (voice) or 248.644.5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Publish: February 27 & March 6, 2022

LO-0000361429 3x6

Observer & Eccentric

hometownlife.com

Find what you need

INVITATION TO BID  
BID NO. 9941  
ERGOTRON LEARN FIT SIT-STAND DESK  
TROY SCHOOL DISTRICT

The Troy School District will receive firm, sealed bids for furnishing, delivering, and assembling/ installing new Ergotron Learn Fit Sit-Stand Desks to 12 different locations within the Troy School District.

Specifications and proposal forms can be obtained online at <http://www.troy.k12.mi.us>. From the main page click the "Business Services" tab listed under "Departments", then click "Purchasing" and scroll down to locate and access the bid documents.

Your proposal and two copies marked "Bid 9941 Ergotron Desks" must be delivered no later than 10:00 a.m., Tuesday, March 15, 2022, Troy School District, Services Building/ Technology Department, 4420 Livernois Road, Troy, MI 48098 ATTN: Beth Soggs, Technology Director, at which time all bids will be publicly opened and read aloud immediately thereafter. Bid proposals received after this time will not be considered or accepted.

All questions regarding the bid specified, or the bid terms and conditions will be accepted in writing ONLY and subsequently answered through an addendum to all interested parties. Questions must be received no later than noon, Wednesday, March 9, 2022, and may be emailed to: [bsoggs@troy.k12.mi.us](mailto:bsoggs@troy.k12.mi.us). At no other time prior to the bid opening will questions/concerns be addressed or accepted.

All bidders must provide familial disclosure in compliance with MCL 380.1267 and attach this information to the bid proposal. The bid proposal will be accompanied by a sworn and notarized statement disclosing any familial relationship that exists between the owner or any employee of the bidder and any member of the Troy School Board or the Troy School Districts Superintendent. Also, a sworn and notarized Affidavit of compliance for the Iran Economic Sanctions Act certifying the vendor does and will comply with Public Act 517 of 2012 shall accompany all proposals. Both forms will be enclosed in the specification's booklet that shall be used for this purpose. The District will not accept a bid proposal that does not include these sworn and notarized disclosure statement.

The Troy Board of Education reserves the right to accept or reject any or all bids, either in whole or in part; to award contract to other than the low bidder; to waive any irregularities and/or informalities; and in general to make awards in any manner deemed to be in the best interest of the owner.

Technology Department  
Troy School District  
4420 Livernois Road  
Troy, MI 48098

Publish: March 6, 2022

LO-0000361580 3x6

INVITATION TO BID  
BID NO. 9942  
AVER DOCUMENT  
CAMERAS  
TROY SCHOOL DISTRICT

The Troy School District will receive firm, sealed bids for furnishing and delivering new Aver document cameras.

Specifications and proposal forms can be obtained online at <http://www.troy.k12.mi.us>. From the main page click the "Business Services" tab listed under "Departments", then click "Purchasing" and scroll down to locate and access the bid documents.

Your proposal and two copies marked "Bid 9942 Aver Document Cameras" must be delivered no later than 10:00 a.m., Tuesday, March 15, 2022, Troy School District, Services Building/Technology Department, 4420 Livernois Road, Troy, MI 48098 ATTN: Beth Soggs, Technology Director, at which time all bids will be publicly opened and read aloud immediately thereafter. Bid proposals received after this time will not be considered or accepted.

All questions regarding the bid specified, or the bid terms and conditions will be accepted in writing ONLY and subsequently answered through an addendum to all interested parties. Questions must be received no later than noon, Wednesday, March 9, 2022, and may be emailed to: [bsoggs@troy.k12.mi.us](mailto:bsoggs@troy.k12.mi.us). At no other time prior to the bid opening will questions/ concerns be addressed or accepted.

All bidders must provide familial disclosure in compliance with MCL 380.1267 and attach this information to the bid proposal. The bid proposal will be accompanied by a sworn and notarized statement disclosing any familial relationship that exists between the owner or any employee of the bidder and any member of the Troy School Board or the Troy School Districts Superintendent. Also, a sworn and notarized Affidavit of compliance for the Iran Economic Sanctions Act certifying the vendor does and will comply with Public Act 517 of 2012 shall accompany all proposals. Both forms will be enclosed in the specification's booklet that shall be used for this purpose. The District will not accept a bid proposal that does not include these sworn and notarized disclosure statement.

The Troy Board of Education reserves the right to accept or reject any or all bids, either in whole or in part; to award contract to other than the low bidder; to waive any irregularities and/or informalities; and in general to make awards in any manner deemed to be in the best interest of the owner.

Technology Department  
Troy School District  
4420 Livernois Road  
Troy, MI 48098

Publish: March 6, 2022

LO-0000361582 3x6

Baldwin Public Library  
300 W. Merrill Street  
Birmingham, MI 48009  
248-647-1700

NOTICE OF PUBLIC HEARING  
Monday, March 21, 2022 at 7:30 p.m.  
2022-2023 Budget Hearing

The Baldwin Public Library Board of Directors will hold a public hearing on Monday, March 21, 2022, at 7:30 p.m., in the Rotary Tribute and Donor Rooms of the Baldwin Public Library, 300 W. Merrill, Birmingham, MI. Members of the public may attend in person or via Zoom.

This public hearing is being held to consider the 2022-2023 budget for the Baldwin Public Library.

**The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing.**

**Topic: Baldwin Public Library 2022-2023 Budget Hearing**  
**Time: Mar 21, 2022 07:30 PM Eastern Time**  
The public may participate via Zoom:  
Join Zoom Meeting: <https://us02web.zoom.us/j/88033156263>  
Meeting ID: 880 3315 6263  
One tap mobile: +13017158592,,88033156263# US (Washington DC)  
+13126266799,,88033156263# US (Chicago)

Public comments may be presented either in person or in writing.

By 5:00 p.m. on Friday, March 18, 2022 you may obtain a copy of the proposed budget by going to the Library's website ([www.baldwinlib.org](http://www.baldwinlib.org)), asking at the Library's Adult Services Reference Desk (248-554-4650), or contacting Robert Stratton (248-554-4684).

Approved minutes of this hearing may be reviewed on the Library's website or at its Business Office.

THIS NOTICE IS GIVEN in accordance with Act 261, 1968 Public Act 267.  
DATE POSTED: February 18, 2022

Persons with disabilities that may require assistance for effective participation in this public meeting should contact the Library at the number (248) 647-1700, or (248) 644-5115 (for the hearing impaired) at least one day before the meeting to request help in mobility, visual, hearing, or other assistance.  
*Las personas con incapacidad que requieren algún tipo de ayuda para la participación en esta sesión pública deben ponerse en contacto con la oficina del escribano de la biblioteca en el número (248) 647-1700 o al (248) 644-5115 (para las personas con incapacidad auditiva) por lo menos un día antes de la reunión para solicitar ayuda a la movilidad, visual, auditiva, o de otras asistencias. (Title VI of the Civil Rights Act of 1964).*

Publish: March 6, 2022

LO-0000361443 3x6.5

Observer & Eccentric

hometownlife.com



Tom Markus &lt;tmarkus@bhamgov.org&gt;

---

**Fwd: Zoning**

1 message

**Tom Markus** <tmarkus@bhamgov.org>

Sun, Feb 20, 2022 at 4:53 PM

To: City Commission &lt;city-commission@bhamgov.org&gt;, Department Heads &lt;departmentheads@bhamgov.org&gt;, Jana Ecker &lt;Jecker@bhamgov.org&gt;

Please prepare an appropriate response. I do not recall the conversation he alleges that I had with him, at a minimum over a decade ago. Knowing how zoning works I would not promise anyone how zoning would be prioritized ad infinitum.

Staff may make recommendations however due process including public hearings, public comments, and votes by the Plan Board and the City Commission determine any change in zoning. Speak with Mary for an appropriate response to his claims of corruption. He needs to take his angry rhetoric and his proof of corruption to the proper authorities.

----- Forwarded message -----

From: **Eric Wolfe** <elwolfe1@comcast.net>

Date: Sun, Feb 20, 2022 at 2:35 PM

Subject: Zoning

To: Jana Ecker &lt;jecker@bhamgov.org&gt;, Tom Markus &lt;tmarkus@bhamgov.org&gt;, brad host &lt;bradddhost@gmail.com&gt;, Elaine McLain &lt;ekmclain@gmail.com&gt;

Jana,

I continue to have trouble understanding the proposed zoning for the property north of my home. Please tell me what the proposed zoning is, and what uses would be permitted. The color schemes used are incomprehensible and that is inexcusable at this point.

My address is 393 E. Frank. Despite assurances from Scott Clein and others, the parcels north of me, which are surrounded by single family homes, seem to be proposed for multiple housing, with the effect of a total loss of privacy and a serious reduction in property value. I do not understand why this is designated for this area. You would be encouraging the demolition of 566 Ann, built in the 1880s, as well. Your department has destroyed my family's quality of life. And you keep pushing for more. Shame on all of you.

Does the opinion of the surrounding homeowners matter to anyone at city hall? If you're going to allow multiple adjacent to my home, please change the zoning for my home too. I have no desire to live next to apartments and would sell my home so that it's part of the multiple. That would be fair. What isn't fair is the way my home and property has been abused since I moved here. There is rarely a rezoning this city doesn't support. Zoning should be SACRED - not an opportunity for developer enrichment at the expense of existing homeowners. This is corruption, and all of you are part of it. Every one of you at city hall who would agree to this atrocity of a plan.

In the 14 years I've lived here, there hasn't been a single example of my views (and my family and neighbors) being respected. Tom Markus assured me when I moved here that the priorities north of me would remain single family. Do you remember that Tom? Does that mean anything? Can I rely on any assurance from city hall? It appears not.

As far as I'm concerned, you and your staff are acting as subsidiaries of the development community. I am unimpressed with Duany's guy, who in addition to being a bore who speaks in incomprehensible language, and disregards the views of people who live here. Just who is he and why is he still working on this proposal? I haven't heard a word from him that reflects knowledge of Birmingham, nor respect for the current residents.

I await a response from you and the others I've addressed above. Thank you.

Eric Wolfe



Tom Markus <tmarkus@bhamgov.org>

---

## Retirement

1 message

---

**Eric Wolfe** <elwolfe1@comcast.net>  
To: Tom Markus <tmarkus@bhamgov.org>  
Cc: brad host <braddhost@gmail.com>

Mon, Feb 21, 2022 at 8:46 AM

Tom,

I think you should retire. If you ever had any usefulness you don't now. Instead of insulting residents who are appalled by your mismanagement and incompetence, you make accusations. It's disgusting.

You are a city employee, a double dipping one in fact, not an elected official worthy of any respect. Do us all a favor and retire.

Eric Wolfe





Tom Markus &lt;tmarkus@bhamgov.org&gt;

---

**Re: Retirement**

1 message

---

**Tom Markus** <tmarkus@bhamgov.org>

Mon, Feb 21, 2022 at 8:55 AM

To: Eric Wolfe &lt;elwolfe1@comcast.net&gt;

Cc: brad host &lt;braddhost@gmail.com&gt;, City Commission &lt;city-commission@bhamgov.org&gt;, DepartmentHeads &lt;departmentheads@bhamgov.org&gt;

Eric Wolfe: Have a nice day! Tom

On Mon, Feb 21, 2022 at 8:46 AM Eric Wolfe &lt;elwolfe1@comcast.net&gt; wrote:

Tom,

I think you should retire. If you ever had any usefulness you don't now. Instead of insulting residents who are appalled by your mismanagement and incompetence, you make accusations. It's disgusting.

You are a city employee, a double dipping one in fact, not an elected official worthy of any respect. Do us all a favor and retire.

Eric Wolfe



<[ekmclain@gmail.com](mailto:ekmclain@gmail.com)>; Andrew Haig <[Andrewinbham@gmail.com](mailto:Andrewinbham@gmail.com)>

**Subject:** Ann

Hey Scott,

Why is Ann St being master planned for multiple after you told me and the public it would be left alone? Haven't you done enough damage to my quality of life and property value?

Does your word mean anything?

Eric

[EXTERNAL]

[EXTERNAL]

---

**Re: Ann**

1 message

---

**Scott Clein** <[sclein@giffelswebster.com](mailto:sclein@giffelswebster.com)>

Mon, Feb 21, 2022 at 11:05 AM

To: Eric Wolfe <[elwolfe1@comcast.net](mailto:elwolfe1@comcast.net)>

Cc: brad host <[braddhost@gmail.com](mailto:braddhost@gmail.com)>, Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>, Jana Ecker <[jecker@bhamgov.org](mailto:jecker@bhamgov.org)>

Mr Wolfe

We are still trying to get the colors to come out better. It is tough in some spots to tell without a deeper dive. There are some additional graphic that were added during this review that highlight parcels where the Nolan recommends changes. It is easier to see the very limited extent of proposed changes in allowed uses.

Scott Clein  
President | Partner

---

**From:** Eric Wolfe <[elwolfe1@comcast.net](mailto:elwolfe1@comcast.net)>

**Sent:** Monday, February 21, 2022 9:40:51 AM

**To:** Scott Clein <[sclein@giffelswebster.com](mailto:sclein@giffelswebster.com)>

**Cc:** brad host <[braddhost@gmail.com](mailto:braddhost@gmail.com)>; Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>; Jana Ecker <[jecker@bhamgov.org](mailto:jecker@bhamgov.org)>

**Subject:** Re: Ann

Scott,

Thank you for your clear response.

Before I emailed you, I went online and was unable to determine what is planned for Ann St. due to the unfortunate use of virtually indistinguishable colors.

Incidentally, I spoke with Nick (presumably the planner you're referring to) a few months ago and he claimed that Ann St. was identified for master plan changes. In my view this entire process has been a disaster. I realize you didn't select the outside planner but I think they're doing a poor job.

Thank you again.

Eric

On Feb 21, 2022, at 9:29 AM, Scott Clein <[sclein@giffelswebster.com](mailto:sclein@giffelswebster.com)> wrote:

Mr Wolfe

If you look at draft 2 you will see that Ann Street is being left alone and there are no changes proposed to zoning. Indeed, there are very few parcels around town that have seen recommendations for any change in zoning. If you have questions, contact the City Planner.

Scott Clein  
President | Partner

---

**From:** Eric Wolfe <[elwolfe1@comcast.net](mailto:elwolfe1@comcast.net)>

**Sent:** Sunday, February 20, 2022 5:16:28 PM

**To:** Scott Clein <[sclein@giffelswebster.com](mailto:sclein@giffelswebster.com)>

**Cc:** brad host <[braddhost@gmail.com](mailto:braddhost@gmail.com)>; Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>; Elaine McLain

February 21, 2022

Mr. Eric Wolf  
393 East Frank  
Birmingham, MI 48009

***Re: Your Email***

Dear Mr. Wolf:

I have had an opportunity to review an email that you sent to Jana Ecker, Tom Markus, Brad Host and Elaine McLain on Sunday, February 20, 2022 at 2:35 p.m. I am specifically referring to the last two (2) sentences in paragraph 3 where you state:

“There is rarely a rezoning this city doesn’t support. Zoning should be SACRED - not an opportunity for developer enrichment at the expense of existing homeowners. This is corruption, and all of you are part of it. Every one of you at city hall who would agree to this atrocity of a plan.”

Your allegations of corruption are very serious indeed. One ought not throw the word “corruption” around unless one has some sort of evidence or demonstration for this allegation. Corruption can run the gambit including a crime. So Mr. Wolf, I invite you, I even encourage you, to physically produce any evidence you have to support such an allegation. Upon the receipt of your evidence and proof to support your allegations, I will be able to direct you to the proper authorities. With demonstration of evidence of allegations of corruption, I will provide to you names, addresses and telephone numbers of those authorities to whom you should report your findings.

**BEIER HOWLETT, P.C.**

Mary M. Kucharek  
Birmingham City Attorney

MMK/jc





Tom Markus &lt;tmarkus@bhamgov.org&gt;

**Re: Zoning**

1 message

Jana Ecker &lt;Jecker@bhamgov.org&gt;

Tue, Mar 1, 2022 at 9:39 AM

To: Eric Wolfe &lt;elwolfe1@comcast.net&gt;

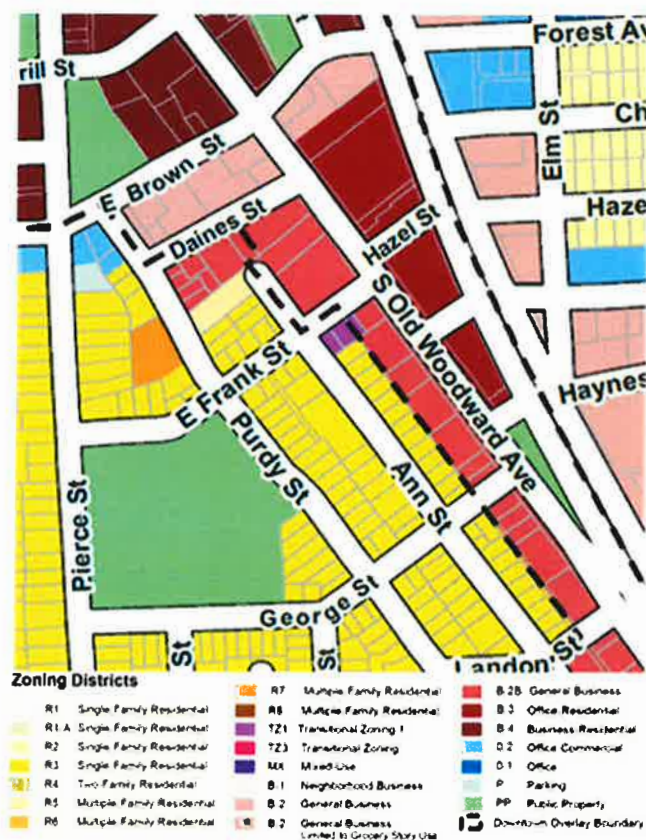
Cc: Tom Markus &lt;tmarkus@bhamgov.org&gt;, brad host &lt;bradhost@gmail.com&gt;, Elaine McLain &lt;ekmclain@gmail.com&gt;

Mr. Wolfe,

In response to your email dated February 20, 2022, I offer the following in response to your concerns:

**Zoning for the Property North of Your Home**

The property immediately abutting your property to the north is currently zoned R3 Single Family Residential as shown on the excerpt from the Zoning Map below. There is no rezoning proposed for the property.



The second draft of the 2040 Plan does include a Future Land Use Map that identifies the parcel immediately abutting your property to the north for possible future use as single family or multi-family residential. The Planning Board is currently completing review of the second draft and will be forwarding recommendations for changes to the consultants for inclusion in the final draft of the 2040 Plan. Even if adopted as is, neither the 2040 Plan nor the Future Land Use Map contained therein result in mandatory rezoning of this property or any others.

**Color Scheme Used in Draft 2040 Plan**

The color scheme used for the Future Land Use Map in the first draft of the 2040 Plan is shown below.





During the public review period for the first draft of the 2040 Plan, both members of the public and Planning Board members requested changes to the color scheme to provide a clear distinction between proposed uses. Accordingly, the color scheme used for the Future Land Use Map in the second draft of the 2040 Plan was altered as shown below to enhance the distinction between colors and provide greater clarity.



Additional concerns regarding the readability of the map were discussed at the October 13, 2022 and November 10, 2022 Planning Board meetings during the public review period for the second draft of the 2040 Plan. The Planning Board has requested additional improvements to both the color and labelling of the maps for inclusion in the Final Draft of the 2040 Plan expected later this year.

### Why is Multi-Family Designated for my Area?

Within a 300' radius of your home at 393 Frank, there is currently a mix of properties zoned for single-family, multiple-family and commercial uses. In addition, there are also several legal non-conforming multiple-family uses on properties zoned for single-family residential uses, and a commercial use on the property abutting your property to the north. The draft 2040 Plan recognizes the existing uses in your area, and suggests continuing a mix of residential uses while also suggesting the removal of commercial uses from your specific block. These are recommendations for future use. Should the City decide to move forward with any change to the existing zoning, an application would have to be made and the required public notice and hearings conducted before a decision is made.

### Encouraging the Demolition of 566 Ann Street

The property at 566 Ann Street is a classic example of Second Empire Architecture constructed in 1882. It is not formally designated as an historic property and as such has no protection from demolition. However, at no point has the Planning Board or any City Department called for the demolition of 566 Ann Street, nor encouraged the demolition of 566 Ann Street.

### Public Engagement

It is inaccurate to allege that public concerns and opinions have not been considered throughout the drafting of the 2040 Plan. The entire process of updating the City's Comprehensive Plan has been conducted openly and transparently, and has provided for extensive public engagement over the past three 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](https://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 both the first and second 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.

### **Rezoning Request for 393 E. Frank Street**

You are entitled to apply for the rezoning of your property at 393 E. Frank at any time should you wish to have the zoning changed from single-family to multiple-family residential. An application for rezoning can be found online at [www.bhamgov.org/planning/applications](http://www.bhamgov.org/planning/applications).

### **Corruption Allegations**

Your email alleges corruption on the part of everyone at City Hall. Please provide all evidence to support your claim of alleged corruption to the City Attorney immediately for review and investigation.

### **Who is "Duany's Guy" and why is DPZ working on the Master Plan Project?**

Your reference to "Duany's Guy" presumably refers to Matthew Lambert of DPZ CoDesign. Mr. Lambert is a Partner at DPZ CoDesign, and is acting on behalf of the consultant team as Project Manager for the comprehensive update of Birmingham's Citywide master plan. DPZ CoDesign and their team of consultants from McKenna, Gibbs Planning Group and Jacobs was selected through a multi-step interview process, which culminated with the City Commission hiring the DPZ team to update the existing master plan pursuant to the RFP that was advertised back in 2018.

On Sun, Feb 20, 2022 at 2:35 PM Eric Wolfe <[elwolfe1@comcast.net](mailto:elwolfe1@comcast.net)> wrote:

Jana,

I continue to have trouble understanding the proposed zoning for the property north of my home. Please tell me what the proposed zoning is, and what uses would be permitted. The color schemes used are incomprehensible and that is inexcusable at this point.

My address is 393 E. Frank. Despite assurances from Scott Clein and others, the parcels north of me, which are surrounded by single family homes, seem to be proposed for multiple housing, with the effect of a total loss of privacy and a serious reduction in property value. I do not understand why this is designated for this area. You would be encouraging the demolition of 566 Ann, built in the 1880s, as well. Your department has destroyed my family's quality of life. And you keep pushing for more. Shame on all of you.

Does the opinion of the surrounding homeowners matter to anyone at city hall? If you're going to allow multiple adjacent to my home, please change the zoning for my home too. I have no desire to live next to apartments and would sell my home so that it's part of the multiple. That would be fair. What isn't fair is the way my home and property has been abused since I moved here. There is rarely a rezoning this city doesn't support. Zoning should be SACRED - not an opportunity for developer enrichment at the expense of existing homeowners. This is corruption, and all of you are part of it. Every one of you at city hall who would agree to this atrocity of a plan.

In the 14 years I've lived here, there hasn't been a single example of my views (and my family and neighbors) being respected. Tom Markus assured me when I moved here that the priorities north of me would remain single family. Do you remember that Tom? Does that mean anything? Can I rely on any assurance from city hall? It appears not.

As far as I'm concerned, you and your staff are acting as subsidiaries of the development community. I am unimpressed with Duany's guy, who in addition to being a bore who speaks in incomprehensible language, and disregards the views of people who live here. Just who is he and why is he still working on this proposal? I haven't heard a word from him that reflects knowledge of Birmingham, nor respect for the current residents.

I await a response from you and the others I've addressed above. Thank you.

Eric Wolfe

**Jana L. Ecker**

**Assistant City Manager  
City of Birmingham  
248-530-1811**



Tom Markus &lt;tmarkus@bhamgov.org&gt;

**Re: Zoning**

1 message

**Tom Markus** <tmarkus@bhamgov.org>

Wed, Mar 2, 2022 at 11:47 AM

To: Clinton Baller &lt;clinton@baller4bham.com&gt;

Cc: Jana Ecker &lt;Jecker@bhamgov.org&gt;, Therese &lt;tmquattro@gmail.com&gt;, Mary Kucharek &lt;Mkucharek@bhlaw.us.com&gt;

Mr. Baller: As I stated quite clearly I do not appreciate your "suggestions" which suggest that I should handle things as you determine appropriate. For the record a similar letter had already been sent to Mr. Wolfe from Ms. Kucharik pointing out that accusations of corruption should not be casually made and that if in fact Mr. Wolfe has some factual information he should share it with the appropriate authorities. Prior to receiving your email of suggestions I had already planned to place this on the agenda under communications along with several email exchanges. I am writing to set the record straight that your email had nothing to do with how I had already determined to handle this matter. Tom Markus

On Wed, Mar 2, 2022 at 10:28 AM Clinton Baller <clinton@baller4bham.com> wrote:

Please consider handling Mr. Wolfe's email and the false statements and unsupported allegations in the same manner that Paul Reagan's and David Bloom's recent assertions were handled. As Mr. Wolfe's email was sent to all commissioners, it probably can be presumed to be a "public statement" worthy of such handling. Your work is done. Might as well make sure the intended audience (residents) sees it. Furthermore, since the agenda packet is somewhat esoteric and hidden in the bowels of the city's website (while the allegations were made much more broadly; ie., on live TV and streamed on the Internet), I would suggest that in addition to including city responses in the Manager's Report (which is not only hidden in the agenda but also lacks timeliness), the city consider creating a new Setting the Record Straight section of the city website. You could even put links to the responses on social media, if they are egregious enough. Fight fire with fire.

On Tue, Mar 1, 2022 at 10:31 AM Tom Markus <tmarkus@bhamgov.org> wrote:

FYI

----- Forwarded message -----

From: **Jana Ecker** <Jecker@bhamgov.org>

Date: Tue, Mar 1, 2022 at 9:39 AM

Subject: Re: Zoning

To: Eric Wolfe &lt;elwolfe1@comcast.net&gt;

Cc: Tom Markus &lt;tmarkus@bhamgov.org&gt;, brad host &lt;braddhost@gmail.com&gt;, Elaine McLain &lt;ekmclain@gmail.com&gt;

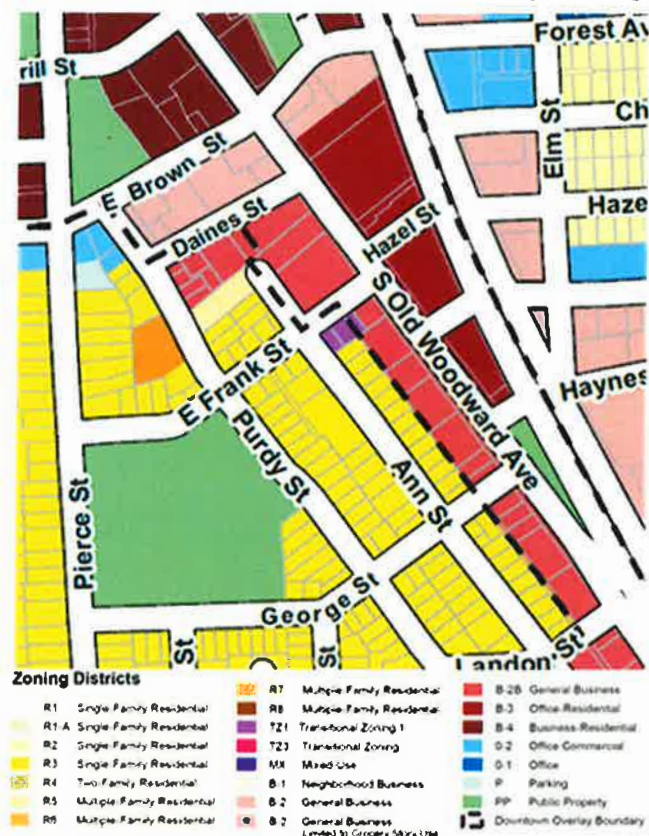
Mr. Wolfe,

In response to your email dated February 20, 2022, I offer the following in response to your concerns:

**Zoning for the Property North of Your Home**

The property immediately abutting your property to the north is currently zoned R3 Single Family Residential as shown on the excerpt from the Zoning Map below. There is no rezoning proposed for the property.





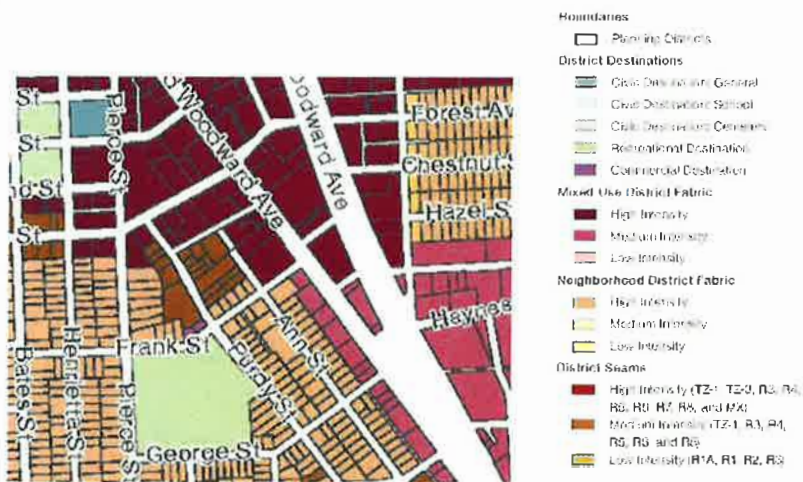
The second draft of the 2040 Plan does include a Future Land Use Map that identifies the parcel immediately abutting your property to the north for possible future use as single family or multi-family residential. The Planning Board is currently completing review of the second draft and will be forwarding recommendations for changes to the consultants for inclusion in the final draft of the 2040 Plan. Even if adopted as is, neither the 2040 Plan nor the Future Land Use Map contained therein result in mandatory rezoning of this property or any others.

### Color Scheme Used in Draft 2040 Plan

The color scheme used for the Future Land Use Map in the first draft of the 2040 Plan is shown below.



During the public review period for the first draft of the 2040 Plan, both members of the public and Planning Board members requested changes to the color scheme to provide a clear distinction between proposed uses. Accordingly, the color scheme used for the Future Land Use Map in the second draft of the 2040 Plan was altered as shown below to enhance the distinction between colors and provide greater clarity.



Additional concerns regarding the readability of the map were discussed at the October 13, 2022 and November 10, 2022 Planning Board meetings during the public review period for the second draft of the 2040 Plan. The Planning Board has requested additional improvements to both the color and labelling of the maps for inclusion in the Final Draft of the 2040 Plan expected later this year.

### Why is Multi-Family Designated for my Area?

Within a 300' radius of your home at 393 Frank, there is currently a mix of properties zoned for single-family, multiple-family and commercial uses. In addition, there are also several legal non-conforming multiple-family uses on properties zoned for single-family residential uses, and a commercial use on the property abutting your property to the north. The draft 2040 Plan recognizes the existing uses in your area, and suggests continuing a mix of residential uses while also suggesting the removal of commercial uses from your specific block. These are recommendations for future use. Should the City decide to move forward with any change to the existing zoning, an application would have to be made and the required public notice and hearings conducted before a decision is made.

### Encouraging the Demolition of 566 Ann Street

The property at 566 Ann Street is a classic example of Second Empire Architecture constructed in 1882. It is not formally designated as an historic property and as such has no protection from demolition. However, at no point has the Planning Board or any City Department called for the demolition of 566 Ann Street, nor encouraged the demolition of 566 Ann Street.

### Public Engagement

It is inaccurate to allege that public concerns and opinions have not been considered throughout the drafting of the 2040 Plan. The entire process of updating the City's Comprehensive Plan has been conducted openly and transparently, and has provided for extensive public engagement over the past three 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](https://www.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 both the first and second 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.

### Rezoning Request for 393 E. Frank Street

You are entitled to apply for the rezoning of your property at 393 E. Frank at any time should you wish to have the zoning changed from single-family to multiple-family residential. An application for rezoning can be found online at [www.bhamgov.org/planning/applications](https://www.bhamgov.org/planning/applications).

### Corruption Allegations

Your email alleges corruption on the part of everyone at City Hall. Please provide all evidence to support your claim of alleged corruption to the City Attorney immediately for review and investigation.

### Who is "Duany's Guy" and why is DPZ working on the Master Plan Project?



Your reference to "Duany's Guy" presumably refers to Matthew Lambert of DPZ CoDesign. Mr. Lambert is a Partner at DPZ CoDesign, and is acting on behalf of the consultant team as Project Manager for the comprehensive update of Birmingham's Citywide master plan. DPZ CoDesign and their team of consultants from McKenna, Gibbs Planning Group and Jacobs was selected through a multi-step interview process, which culminated with the City Commission hiring the DPZ team to update the existing master plan pursuant to the RFP that was advertised back in 2018.

On Sun, Feb 20, 2022 at 2:35 PM Eric Wolfe <[elwolfe1@comcast.net](mailto:elwolfe1@comcast.net)> wrote:

Jana,

I continue to have trouble understanding the proposed zoning for the property north of my home. Please tell me what the proposed zoning is, and what uses would be permitted. The color schemes used are incomprehensible and that is inexcusable at this point.

My address is 393 E. Frank. Despite assurances from Scott Clein and others, the parcels north of me, which are surrounded by single family homes, seem to be proposed for multiple housing, with the effect of a total loss of privacy and a serious reduction in property value. I do not understand why this is designated for this area. You would be encouraging the demolition of 566 Ann, built in the 1880s, as well. Your department has destroyed my family's quality of life. And you keep pushing for more. Shame on all of you.

Does the opinion of the surrounding homeowners matter to anyone at city hall? If you're going to allow multiple adjacent to my home, please change the zoning for my home too. I have no desire to live next to apartments and would sell my home so that it's part of the multiple. That would be fair. What isn't fair is the way my home and property has been abused since I moved here. There is rarely a rezoning this city doesn't support. Zoning should be SACRED - not an opportunity for developer enrichment at the expense of existing homeowners. This is corruption, and all of you are part of it. Every one of you at city hall who would agree to this atrocity of a plan.

In the 14 years I've lived here, there hasn't been a single example of my views (and my family and neighbors) being respected. Tom Markus assured me when I moved here that the priorities north of me would remain single family. Do you remember that Tom? Does that mean anything? Can I rely on any assurance from city hall? It appears not.

As far as I'm concerned, you and your staff are acting as subsidiaries of the development community. I am unimpressed with Duany's guy, who in addition to being a bore who speaks in incomprehensible language, and disregards the views of people who live here. Just who is he and why is he still working on this proposal? I haven't heard a word from him that reflects knowledge of Birmingham, nor respect for the current residents.

I await a response from you and the others I've addressed above. Thank you.

Eric Wolfe

**Jana L. Ecker**

**Assistant City Manager  
City of Birmingham  
248-530-1811**

**\*Important Note to Residents\***

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

You received this message because you are subscribed to the Google Groups "City Commission" group. To unsubscribe from this group and stop receiving emails from it, send an email to [city-commission+unsubscribe@bhamgov.org](mailto:city-commission+unsubscribe@bhamgov.org).

To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/CALPLqCjVLmNcxg7kGUgwLn41zzJtf5arXVp6UGdXuMmXwzqZrg%40mail.gmail.com>.





## **NOTICE OF INTENTION TO APPOINT TO THE HOUSING BOARD OF APPEALS**

At the meeting of Monday, April 25, 2022, 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, 2025. 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 [www.bhamgov.org/boardopportunities](http://www.bhamgov.org/boardopportunities). Applications must be submitted to the City Clerk's office on or before noon on Wednesday, April 20, 2022. 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.*

<b>Criteria/Qualifications of Open Position</b>	<b>Date Applications Due (by noon)</b>	<b>Date of Interview</b>
Members shall be educated or experienced in building, construction administration, social services, real estate or other responsible positions.	4/20/2022	4/25/2022



**NOTICE OF INTENTION TO APPOINT TO THE  
CITY OF BIRMINGHAM  
BROWNFIELD REDEVELOPMENT AUTHORITY**

At the regular meeting of Monday, April 25, 2022, the Birmingham City Commission intends to appoint two regular members to the City of Birmingham Brownfield Redevelopment Authority to serve three-year terms to expire May 23, 2025, and one regular member to serve the remainder of a three-year term expiring 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 [www.bhamgov.org/boardopportunities](http://www.bhamgov.org/boardopportunities). Applications must be submitted to the city clerk's office on or before noon on Wednesday, April 20, 2022. 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.*

<b>Criteria/Qualifications of Open Position</b>	<b>Date Applications Due (by noon)</b>	<b>Date of Interview</b>
Members shall, in so far as possible, be residents of the City of Birmingham.	4/20/2022	4/25/2022



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

At the regular meeting of Monday, April 25, 2022, the Birmingham City Commission intends to appoint two alternate members to the Board of Zoning Appeals to serve the remainders of two three-year terms to expire February 17, 2023.

Interested parties may recommend others or themselves for these positions by submitting a form available from the City Clerk's office. Applications must be submitted to the City Clerk's office on or before noon on Wednesday, April 20, 2022. Applications will appear in the public agenda at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

### Duties of Board

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

<b>Criteria/Qualifications of Open Positions</b>	<b>Date Applications Due</b>	<b>Date of Interview</b>
Applicants shall be property owners of record and registered voters.	4/20/2022	4/25/2022

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



## **NOTICE OF INTENTION TO APPOINT TO THE ADVISORY PARKING COMMITTEE**

At the regular meeting of Monday, April 25, 2022, the Birmingham City Commission intends to appoint two members to the Advisory Parking Committee: one regular member to serve the remainder of a three-year term expiring September 4, 2024, and one regular member who is a restaurant owner to serve the remainder of three-year term expiring September 4, 2023.

Interested citizens may submit an application available at the City Clerk's Office or online at [www.bhamgov.org/boardopportunities](http://www.bhamgov.org/boardopportunities). Applications must be submitted to the City Clerk's Office on or before noon on Wednesday, April 20, 2022. 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 voter on appointments.

### Committee Duties

The Advisory Parking Committee shall provide guidance to the City Commission in the management of Birmingham's Auto Parking System. The Committee shall recognize parking requirements of the CBD and fairly assess the costs to users. It will provide for attractive, maintained and safe facilities.

<b>Criteria/Qualifications of Open Position</b>	<b>Date Applications Due (by noon)</b>	<b>Date of Interview</b>
<p>The majority of the members shall be residents.</p> <ul style="list-style-type: none"><li>• One member shall be a large retail representative in parking assessment district.</li><li>• One member shall be a downtown employee member.</li><li>• One member shall be a restaurant owner within the parking assessment district.</li><li>• The alternate members shall own property, own a business or work in the parking assessment district.</li></ul>	04/20/2022	04/25/2022

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



## **NOTICE OF INTENTION TO APPOINT TO THE MULTI-MODAL TRANSPORTATION BOARD**

At the regular meeting of Monday, March 28, 2022, the Birmingham City Commission intends to appoint to the Multi-Modal Transportation Board one regular member to serve the remainder of a three-year term expiring March 24, 2023, and one alternate member to serve the remainder of a 3-year term expiring October 27, 2022.

In so far as possible, the seven member committee shall be composed of the following: one pedestrian advocate member; one member with a mobility or vision impairment; one member with traffic-focused education and/or experience; one bicycle advocate member; one member with urban planning, architecture or design education and/or experience; and two members at large living in different geographical areas of the City. At least five board members shall be electors or property owners in the city. The remaining board members may or may not be qualified electors or property owners in Birmingham.

Interested citizens may submit an application available at the City Clerk's office or online at [www.bhamgov.org/boardopportunities](http://www.bhamgov.org/boardopportunities). Applications must be submitted to the City Clerk's office on or before noon on Wednesday, March 23, 2022. These documents will appear in the public agenda for the regular meeting at which time the City Commission will discuss recommendations, and may make nominations and vote on appointments.

### Duties of the Multi-Modal Transportation Board

The purpose of the Multi-Modal Transportation Board shall be to assist in maintaining the safe and efficient movement of motorized and non-motorized vehicles and pedestrians on the streets and walkways of the city and to advise the City Commission on the implementation of the Multi-Modal Transportation Plan, including reviewing project phasing and budgeting.

<b>Criteria/Qualifications of Open Position</b>	<b>Date Applications Due (by noon)</b>	<b>Date of Interview</b>
In so far as possible, members shall represent pedestrian advocacy, mobility or vision impairment, traffic-focused education/experience, bicycle advocacy, urban planning, architecture or design education/experience, or different geographical areas of Birmingham.  Members may or may not be electors (registered voter) or property owners of the City of Birmingham.	3/23/22	3/28/22

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





## **NOTICE OF INTENTION TO APPOINT TO ARCHITECTURAL REVIEW COMMITTEE**

At the meeting of Monday, April 25, 2022, 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, 2025. 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 [www.bhamgov.org/boardopportunities](http://www.bhamgov.org/boardopportunities). Applications must be submitted to the City Clerk's office on or before noon on Wednesday, April 20, 2022. 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.*

<b>Criteria/Qualifications of Open Position</b>	<b>Date Applications Due (by noon)</b>	<b>Date of Interview</b>
Michigan Licensed Architect & Resident of the City of Birmingham	4/20/2022	4/25/2022



## **MEMORANDUM**

**Department of Public Services**

**DATE:** March 14, 2022

**TO:** Thomas M. Markus, City Manager

**FROM:** Jacquelyn Brito, Golf Manager  
Lauren A. Wood, Director of Public Services

**SUBJECT:** 2021 Annual Golf Report – Staff Report

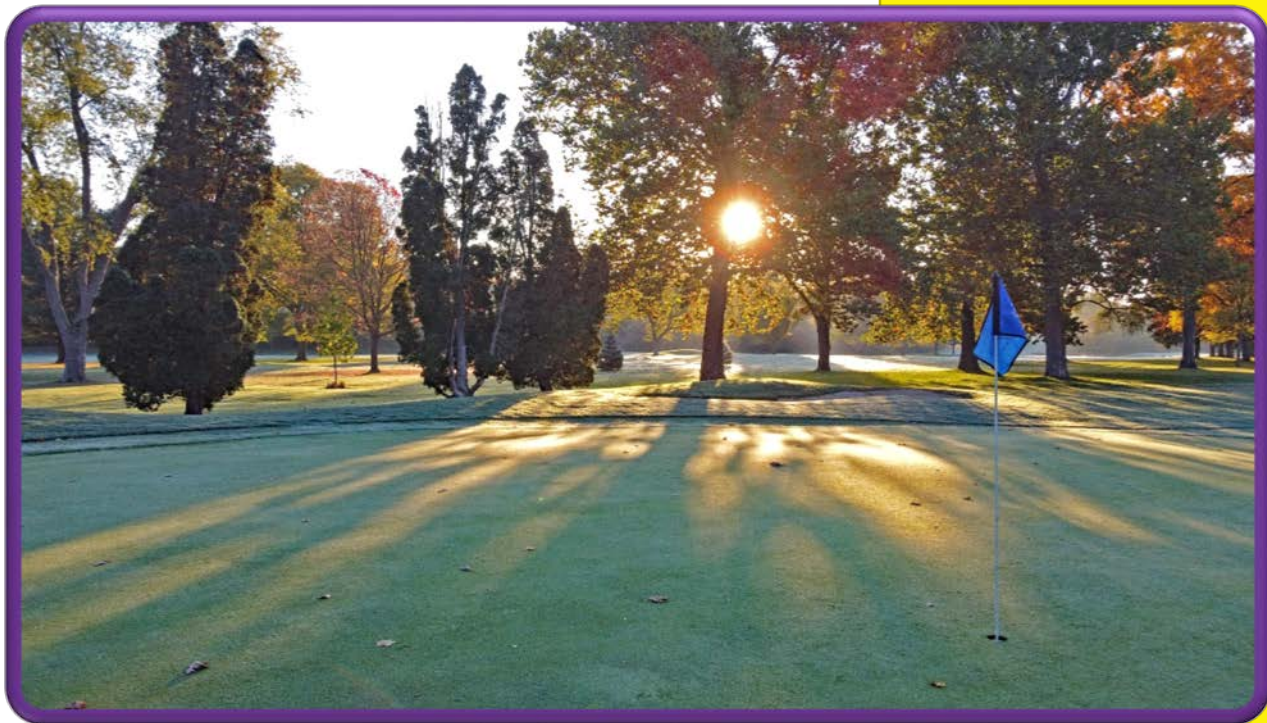
---

Please find attached the 2021 Annual Golf Report, which is a review of the results of the 2021 golf season for Lincoln Hills and Springdale Golf Courses along with a 2022 marketing plan. This is a comprehensive report on the business activities of the golf courses throughout the preceding year. It includes a review of the following items: club membership synopsis, history of annual rounds, Junior Golf Program overview, Food & Beverage, Capital Improvements, three (3) year financial performance analysis and a listing of the 2022 Club Events.

The Annual Golf Report also includes an update on the upcoming 2022 marketing strategies and exciting events. There is no change from the 2021 golf course fees and rates for the golf passes and golf packages. The Parks and Recreation Board reviewed and accepted the report at their March 1, 2022 meeting.



## 2021 Annual Golf Report



### **Department of Public Services**

**Lincoln Hills GC**  
2666 W 14 Mile  
248.530.1670

**Springdale GC**  
316 Strathmore  
248.530.1660

**[www.golfbirmingham.org](http://www.golfbirmingham.org)**

# Table of Contents

2021 In Review.....	1
Memberships.....	3
Rounds .....	4
Food & Beverage.....	8
Junior Golf.....	9
Capital Improvements.....	10
Financials	
Lincoln Hills.....	11
Springdale.....	12
Combined.....	13
Statement of Operations.....	14
2022 Marketing Plan and Club Events.....	17

**Lincoln Hills #1 Tee**



## 2021 Review

The golf courses had another remarkable year with a combined **Operating Income** of \$569,103, and after Depreciation (\$90,134) and the Contribution to the General Fund (\$100,000), the season ended with a **Net Surplus** of **\$378,970**. Lincoln Hills opened on March 27<sup>th</sup> and closed on November 19<sup>th</sup>. Springdale opened on April 7<sup>th</sup> and closed on October 15<sup>th</sup>.

While most sports struggled to survive the pandemic, golf has managed to thrive, becoming more popular than it's been in decades. New golfers are entering the game with a different perspective. Their mindset of becoming a good player and mastering the game has been replaced with their need to be outdoors, spending time with family and friends, and to have the ability to properly socially distance themselves from others.

According to the National Golf Foundation (NGF), 2021 exceeded 2020 with another increase of 600,000 rounds played, a 2% increase nationwide. In fact, the last surge the industry experienced was 25 years ago when a fellow named Tiger Woods turned Professional in August of 1996. He was explosive and he changed the game as we knew it, and people were excited about playing the game just by watching him play.

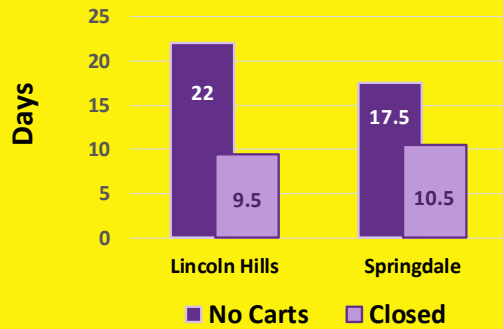
A really exciting statistic is the record number of new golfers that have played golf the past two years, with 3 million in 2020 and another 3.2 million in 2021. This is great news for operators and it is imperative that we implement strategies now to keep them playing the game, and become our “core” golfers.



We did not know what this year would bring, but the start was phenomenal. Combined rounds for April (7,619) and May (10,301) were the highest months since 2003, and regardless of the weather, rain or shine. However, we did see the decline in rounds begin in June, where vaccines became available, and people were getting back to some form of normalcy in their lives.



### 2021 Course Conditions



Mother Nature visited a few times this summer, and the storms were torrential downfalls. At least they were short and quick, verses long and slow moving events.

It was definitely a factor this year, and if the weather was similar to 2020, we may have surpassed last year in rounds, and cart revenues.

SD #3, #4 and #5



SD Practice Putting Green



LH #9 Fairway



LH #4 and #5



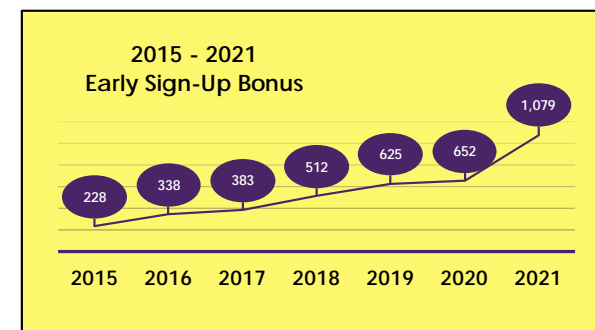
## Memberships

Memberships increased dramatically over the past two seasons. There was an influx of Non-Resident memberships due to the pandemic, but also because of course closures at other local courses that included Birmingham Country Club, Oakland Hills CC and Bloomfield Hills CC. Below is the membership activity for the past eleven years to show that we have grown our community, and have been at healthy levels that have allowed us to improve the courses over time. Both courses have become places to gather after play, as the golfers reminisce of their great shots, and those not so great. We are thankful for the opportunities and will continue to focus on creating welcoming and fun environments for all members and their guests.

Membership Analysis - CY 2011 - 2021

	CY 2011		CY 2012		CY 2013		CY 2014		CY 2015		CY 2016		CY 2017		CY 2018		CY 2019		CY 2020		CY 2021	
RESIDENT MEMBERSHIPS	#		#		#		#		#		#		#		#		#		#		#	
Resident	1,244		1,843		2,007		1,733		2,090		1,874		1,898		1,744		1,675		1,809		1,978	
	CY 2011		CY 2012		CY 2013		CY 2014		CY 2015		CY 2016		CY 2017		CY 2018		CY 2019		CY 2020		CY 2021	
NON-RESIDENT MEMBERSHIPS	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Business	84	15%	101	14%	99	13%	102	13%	109	13%	109	13%	92	10%	107	12%	58	8%	68	6%	83	7%
Non-Resident - Individual	343	60%	398	53%	401	53%	406	53%	475	55%	465	54%	502	56%	499	56%	426	59%	636	60%	759	61%
Non-Resident - Dual	111	20%	186	25%	185	25%	175	23%	194	23%	209	24%	220	24%	222	25%	193	27%	247	23%	279	22%
Non-Resident - Family	29	5%	60	8%	65	9%	77	10%	78	9%	85	10%	84	9%	59	7%	51	7%	106	10%	124	10%
Total	567	100%	745	100%	750	100%	760	100%	856	100%	868	100%	898	100%	887	100%	728	100%	1,057	100%	1,245	100%
TOTAL MEMBERSHIPS	1,811		2,588		2,757		2,493		2,946		2,742		2,796		2,631		2,403		2,866		3,223	

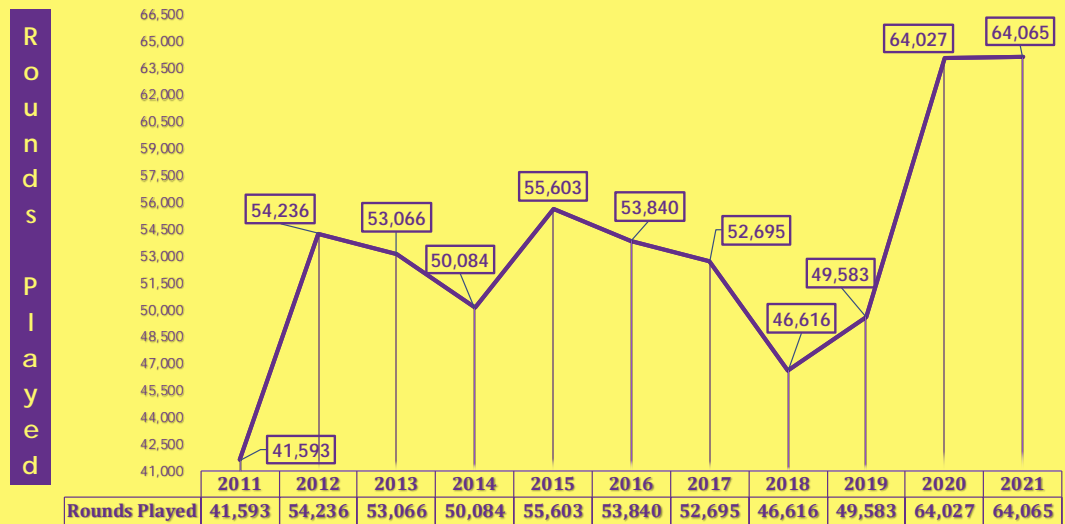
The “Early Sign-Up Bonus” was well received again this season with a total of 1,079 memberships sold in March; 491 Resident memberships and 588 Non-Resident memberships.



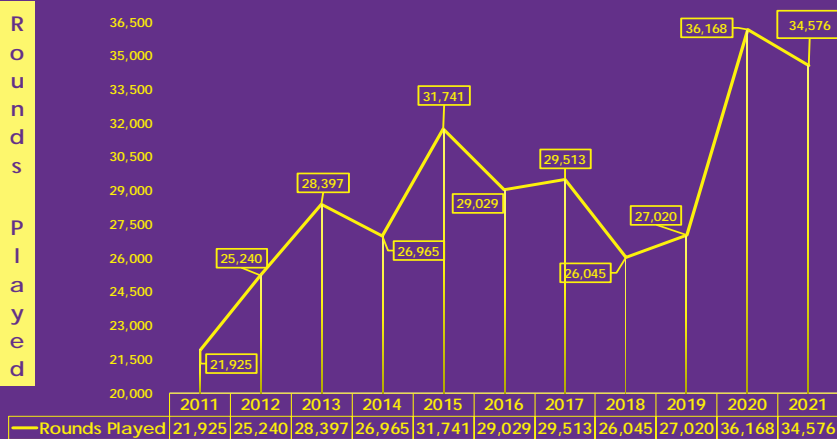
## COMBINED ROUNDS

We are excited to report the total combined rounds ended at 64,065, and is now the highest on record, by only 38 rounds. Springdale really performed this year with a total of 29,493 rounds, an increase of 1,634, or 6% over 2020. Lincoln Hills was a bit shy and finished with 34,576, a decrease of 1,592 rounds, or 4%. Many members choose to play the course that is located near their residency, and the trends are looking healthy for Springdale to maintain rounds in the higher percentile as we move forward.

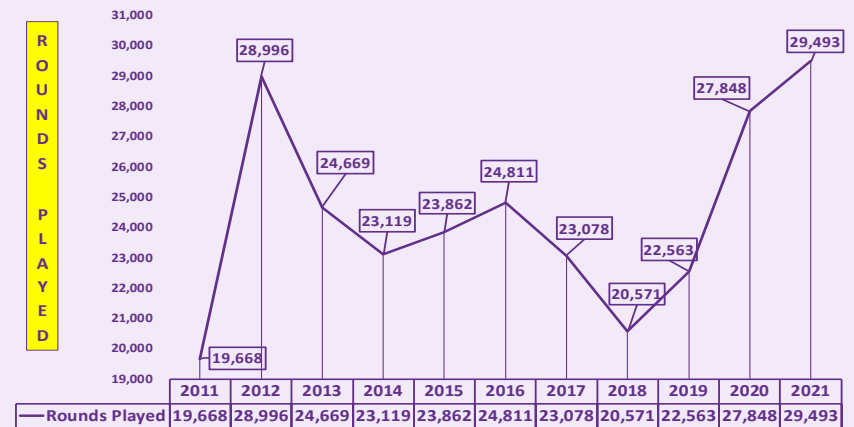
### Combined Rounds - Lincoln Hills and Sprindale - 11 Year History



### LINCOLN HILLS ROUNDS - 11 YEAR HISTORY



### SPRINGDALE ROUNDS PLAYED - 11 YEAR HISTORY



**ROUNDS HISTORY - 10 YEARS      2012 - 2021**

MONTH	2012			2013			2014			2015			2016		
	LH	SD	Total	LH	SD	Total	LH	SD	Total	LH	SD	Total	LH	SD	Total
January	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
February	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
March	405	1,572	1,977	0	292	292	0	0	0	0	0	0	321	0	321
April	2,420	2,591	5,011	1,573	2,260	3,833	3,705	652	4,357	3,087	1,713	4,800	2,389	1,616	4,005
May	4,433	4,129	8,562	4,314	3,797	8,111	4,393	3,493	7,886	4,892	4,293	9,185	5,461	3,910	9,371
June	5,206	4,522	9,728	5,774	4,406	10,180	5,330	4,216	9,546	5,556	4,268	9,824	5,595	4,269	9,864
July	4,707	4,651	9,358	5,098	4,286	9,384	5,139	4,636	9,775	5,718	5,218	10,936	5,788	4,856	10,644
August	4,128	4,449	8,577	5,195	4,695	9,890	4,376	4,084	8,460	4,408	4,403	8,811	4,273	3,873	8,146
September	3,145	3,071	6,216	3,019	3,154	6,173	3,074	2,746	5,820	3,411	3,059	6,470	3,163	2,698	5,861
October	796	2,495	3,291	2,795	1,779	4,574	915	2,493	3,408	2,666	908	3,574	2,037	1,990	4,027
November	0	1,104	1,104	576	0	576	33	675	708	1,489	0	1,489	2	1,545	1,547
December	0	412	412	53	0	53	0	124	124	514	0	514	0	54	54
TOTALS	25,240	28,996	54,236	28,397	24,669	53,066	26,965	23,119	50,084	31,741	23,862	55,603	29,029	24,811	53,840
MONTH	2017			2018			2019			2020			2021		
	LH	SD	Total	LH	SD	Total	LH	SD	Total	LH	SD	Total	LH	SD	Total
January	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
February	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
March	60	0	60	0	0	0	297	0	297	216	0	216	666	0	666
April	2,816	1,383	4,199	2,471	0	2,471	2,157	1,569	3,726	918	324	1,242	3,922	3,697	7,619
May	4,759	3,975	8,734	4,303	2,410	6,713	3,425	2,819	6,244	5,096	4,368	9,464	5,446	4,855	10,301
June	5,812	4,431	10,243	5,245	4,544	9,789	5,322	4,232	9,554	6,476	5,985	12,461	6,322	4,742	11,064
July	6,027	4,720	10,747	5,858	5,027	10,885	5,518	4,788	10,306	7,514	5,792	13,306	5,234	5,341	10,575
August	3,631	3,974	7,605	3,950	3,893	7,843	4,459	4,461	8,920	5,189	5,350	10,539	4,552	5,118	9,670
September	3,057	3,089	6,146	2,929	2,828	5,757	3,026	2,998	6,024	4,904	4,124	9,028	3,855	3,930	7,785
October	2,556	1,610	4,166	1,289	1,486	2,775	2,510	1,696	4,206	3,279	1,916	5,195	3,141	1,810	4,951
November	610	0	610	0	383	383	306	0	306	2,576	0	2,576	1,434	0	1,434
December	185	0	185	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	29,513	23,182	52,695	26,045	20,571	46,616	27,020	22,563	49,583	36,168	27,859	64,027	34,572	29,493	64,065

# ROUNDS AT LINCOLN HILLS

Weekday play was down by 4%, with the biggest decrease in the Guest Category, followed by the Residents. Many Guests from 2020 became members in 2021, because of their increased frequency of play during the pandemic. Members and guests also joined a few of our existing leagues due to the difficulty of securing tee times during the week.

	Weekday			
	2020	2021	Diff	+/-
Adult	5,390	4,046	(1,344)	-25%
Junior	1,737	1,515	(222)	-13%
Senior	10,220	9,331	(889)	-9%
Other Wkdy	7,415	8,835	1,420	19%
<b>Total</b>	<b>24,762</b>	<b>23,727</b>	<b>(1,035)</b>	<b>-4%</b>

Weekend play was down by 5% and it fell again in the Guest and Resident category, but we had inclement weather on many weekends.

	Weekend			
	2020	2021	Diff	+/-
Adult	3,783	3,449	(334)	-9%
Junior	870	947	77	9%
Senior	5,834	5,433	(401)	-7%
Other Wkend	919	1,020	101	11%
<b>Total</b>	<b>11,406</b>	<b>10,849</b>	<b>(557)</b>	<b>-5%</b>

However, it was a very successful season, with many thanks to our members and guests who have supported us throughout these crazy times.

	Overall Analysis			
	2020	2021	Diff	+/-
Adult	9,173	7,495	(1,678)	-18%
Junior	2,607	2,462	(145)	-6%
Senior	16,054	14,764	(1,290)	-8%
Other Wkdy	7,415	8,835	1,420	19%
Other Wkend	919	1,020	101	11%
<b>Total</b>	<b>36,168</b>	<b>34,576</b>	<b>(1,592)</b>	<b>-4%</b>

Lincoln Hills Round Analysis						
	Weekday			Weekend		
	2020	2021	Difference	2020	2021	Difference
<b>Resident</b>						
Adult	1,712	1,262	(450)	1,119	841	(278)
Junior	945	681	(264)	198	193	(5)
Senior	2,521	2,197	(324)	1,419	1,247	(172)
	5,178	4,140	(1,038)	2,736	2,281	(455)
<b>Property Owner</b>						
Adult	51	21	(30)	83	98	15
Junior	2	1	(1)	8	5	(3)
Senior	82	122	40	20	56	36
	135	144	9	111	159	48
<b>Non-Resident</b>						
Adult	1,530	1,363	(167)	1,103	1,207	104
Junior	51	19	(32)	363	451	88
Senior	4,293	4,414	121	2,819	2,773	(46)
	5,874	5,796	(78)	4,285	4,431	146
<b>Business</b>						
Adult	50	79	29	25	57	32
Junior	0		0			0
Senior	226	170	(56)	55	72	17
	276	249	(27)	80	129	49
<b>Guest</b>						
Adult	2,046	1,321	(725)	1,453	1,245	(208)
Junior	547	295	(252)	301	298	(3)
Senior	2,984	2,309	(675)	1,440	1,219	(221)
	5,577	3,925	(1,652)	3,194	2,762	(432)
<b>City Employee</b>						
Adult	1		(1)	0	1	1
Junior	0		0	0		0
Senior	114	119	5	81	66	(15)
	115	119	4	81	67	(14)
<b>High Schools</b>						
Birmingham	180	468	288			
Non Birmingham	12	51	39			
	192	519	327			
<b>Other</b>						
Junior Golf	1,360	1,944	584	0		0
Leagues	4,255	4,655	400	0		0
Outings	344	467	123	85	110	25
Promotions	23	30	7			0
Twilight	1,150	1,480	330	730	870	140
Unlimited	283	259	(24)	104	40	(64)
	7,415	8,835	1,420	919	1,020	101
<b>TOTAL ROUNDS</b>	<b>24,762</b>	<b>23,727</b>	<b>(1,035)</b>	<b>11,406</b>	<b>10,849</b>	<b>(557)</b>



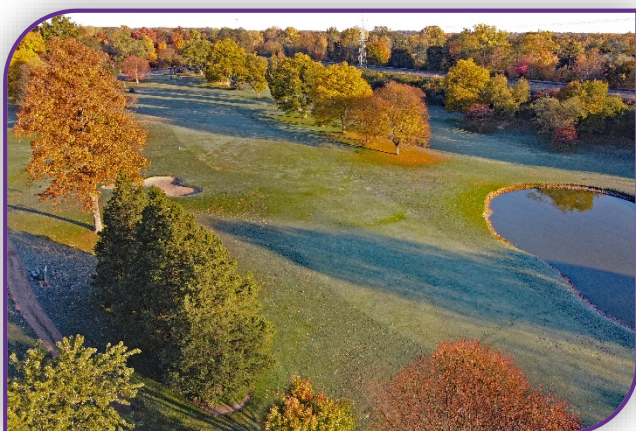
# ROUNDS AT SPRINGDALE

Springdale performed well, and while working there the majority of the season, it was great to see the course as busy as when I first worked here in 2012.

	Weekday			
	2020	2021	Diff	+/-
Adult	3,614	3,309	-305	-9%
Junior	1,173	1,127	-46	-4%
Senior	9,750	10,238	488	5%
Other Wkday	4,630	5,341	711	15%
<b>Total</b>	<b>19,167</b>	<b>20,015</b>	<b>848</b>	<b>4%</b>

	Weekend			
	2020	2021	Diff	+/-
Adult	2,868	3,084	216	8%
Junior	631	716	85	13%
Senior	4,703	5,107	404	9%
Other Wkend	490	571	81	17%
<b>Total</b>	<b>8,692</b>	<b>9,478</b>	<b>786</b>	<b>9%</b>

	Overall Analysis			
	2020	2021	Diff	+/-
Adult	6,482	6,393	-89	-1%
Junior	1,804	1,843	39	2%
Senior	14,453	15,345	892	6%
Other Wkday	4,630	5,341	711	15%
Other Wkend	490	571	81	17%
<b>Total</b>	<b>27,859</b>	<b>29,493</b>	<b>1,634</b>	<b>6%</b>



SD #3 Fairway

## Springdale Round Analysis

	Weekday			Weekend		
	2020	2021	Difference	2020	2021	Difference
<b>Resident</b>						
Adult	1,177	1,049	(128)	1,572	1,704	132
Junior	271	233	(38)	154	163	9
Senior	2,454	2,467	13	1,173	1,269	96
	<b>3,902</b>	<b>3,749</b>	<b>(153)</b>	<b>2,899</b>	<b>3,136</b>	<b>237</b>
<b>Property Owner</b>						
Adult	80	19	(61)	27	27	0
Junior	0	5	5	0	1	1
Senior	77	155	78	26	63	37
	<b>157</b>	<b>179</b>	<b>22</b>	<b>53</b>	<b>91</b>	<b>38</b>
<b>Non-Resident</b>						
Adult	862	988	126	77	131	54
Junior	334	215	(119)	253	271	18
Senior	3,910	4,516	606	1,911	2,167	256
	<b>5,106</b>	<b>5,719</b>	<b>613</b>	<b>2,241</b>	<b>2,569</b>	<b>328</b>
<b>Business</b>						
Adult	55	51	(4)	39	44	5
Junior	0	0	0	0	0	0
Senior	125	127	2	53	130	77
	<b>180</b>	<b>178</b>	<b>(2)</b>	<b>92</b>	<b>174</b>	<b>82</b>
<b>Guest</b>						
Adult	1,417	1,196	(221)	1,147	1,171	24
Junior	395	243	(152)	221	281	60
Senior	3,166	2,922	(244)	1,510	1,430	(80)
	<b>4,978</b>	<b>4,361</b>	<b>(617)</b>	<b>2,878</b>	<b>2,882</b>	<b>4</b>
<b>City Employee</b>						
Adult	23	6	(17)	6	7	1
Junior	1	0	(1)	3	0	(3)
Senior	18	51	33	30	48	18
	<b>42</b>	<b>57</b>	<b>15</b>	<b>39</b>	<b>55</b>	<b>16</b>
<b>High Schools</b>						
Birmingham	172	421	249			
Non Birmingham	0	10	10			
	<b>172</b>	<b>431</b>	<b>259</b>			
<b>Other</b>						
Leagues	3,277	3,980	703	0	0	0
Outings	172	225	53	77	110	33
Promotions	19	10	(9)	0	0	0
Twilight	961	939	(22)	412	452	40
Unlimited	201	187	(14)	1	9	8
	<b>4,630</b>	<b>5,341</b>	<b>711</b>	<b>490</b>	<b>571</b>	<b>81</b>
<b>TOTAL ROUNDS</b>	<b>19,167</b>	<b>20,015</b>	<b>848</b>	<b>8,692</b>	<b>9,478</b>	<b>786</b>

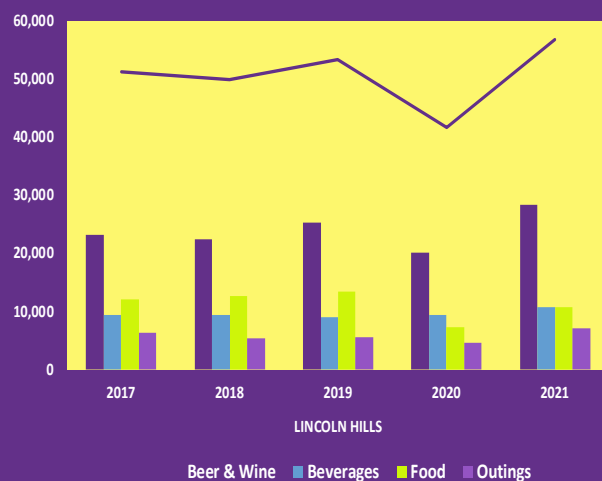
# FOOD & BEVERAGE



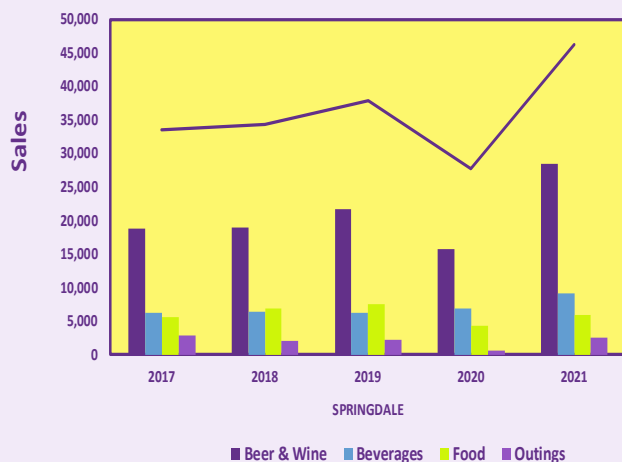
This department remained limited this season due to the pandemic and staffing. Combined, it generated revenues of \$103,268 through the purchase of beer & wine, beverages, golf tournaments and club events. We do anticipate to bring back a simple and quick menu in 2022 to continue to build this revenue center.

Lincoln	2017	2018	2019	2020	2021
Beer & Wine	23,271	22,448	25,266	20,182	28,420
Beverages	9,495	9,396	9,041	9,498	10,744
Food	12,151	12,677	13,402	7,297	10,743
Outings	6,382	5,464	5,632	4,668	7,069
<b>Total</b>	<b>51,298</b>	<b>49,985</b>	<b>53,341</b>	<b>41,645</b>	<b>56,975</b>

Lincoln Hills F&B 5-Year Analysis



Springdale F&B 5-Year Analysis

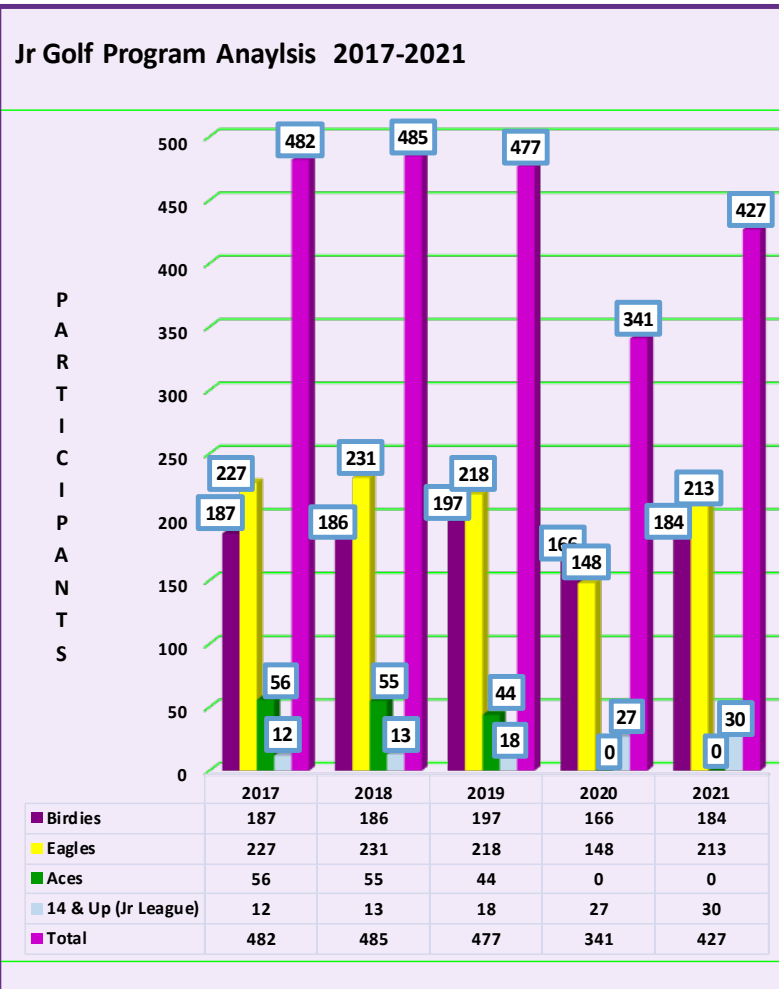


Springdale	2017	2018	2019	2020	2021
Beer & Wine	18,837	19,003	21,736	15,726	28,515
Beverages	6,345	6,370	6,332	6,957	9,104
Food	5,599	6,921	7,488	4,372	6,027
Outings	2,862	2,131	2,314	717	2,648
<b>Total</b>	<b>33,643</b>	<b>34,425</b>	<b>37,871</b>	<b>27,771</b>	<b>46,294</b>



# JUNIOR GOLF

This department generated revenues of \$80,450 and after payroll expenses and supplies, it had a **Net Operating** of \$55,598. We were excited to be almost back to full capacity this year, even with the restrictions from the pandemic.



With different times, comes different measures. This season was the first time that we went completely online, and in the first few hours, we had signed up 182 Birdies, 180 Eagles, and 30 Jr Leaguers.

This program generates the sale of NR Family memberships, because of the time restriction on the first day of registration. Birmingham Residents and Members will begin registration from 9a-11am. All others will begin registration at 11:30am and beyond.

We introduced the American Developmental Model (ADM) throughout the sessions that incorporates the child's stage of development, which includes motor skills and thinking.

New this year for The Eagles, the principles from Operation 36 were implemented. The juniors begin play from the 100-yard marker from the green. If they shoot a score of 39 or better, they will advance back to the 150-yard marker from the green, and so on. This helps the juniors build their confidence and most importantly, their short games.





# CAPITAL IMPROVEMENTS

It was a hard year to do any of the planned improvements in 2021. Mainly because of staffing and the supply chain, as we all experienced these issues continued in the 2<sup>nd</sup> year of Covid. However, we will be doing the following projects this season and will do our best not to interrupt play this season.

## LINCOLN HILLS

- ✓ Repair Drainage Issues on #4 and #5 Fairway and Rough
- ✓ New Rough Bunker on #1
- ✓ Increase Putting Surface on Practice Green
- ✓ Install New Water Cooler Stations on Course



LH #4 & #5

## SPRINGDALE

- ✓ Renovate Existing Cart Paths and Bridge Abutments, and Install New Cart Path on #2
- ✓ Install Waterless Fabricated Cement Bathroom on Course
- ✓ Install Additional SoxErosion Along #5 Riverbank
- ✓ Renovate Cart Barn to Protect New Fleet of Carts
- ✓ Install New Water Cooler Stations on Course



SD Abutments



SD #2 Tee



SD #4 Cart Path

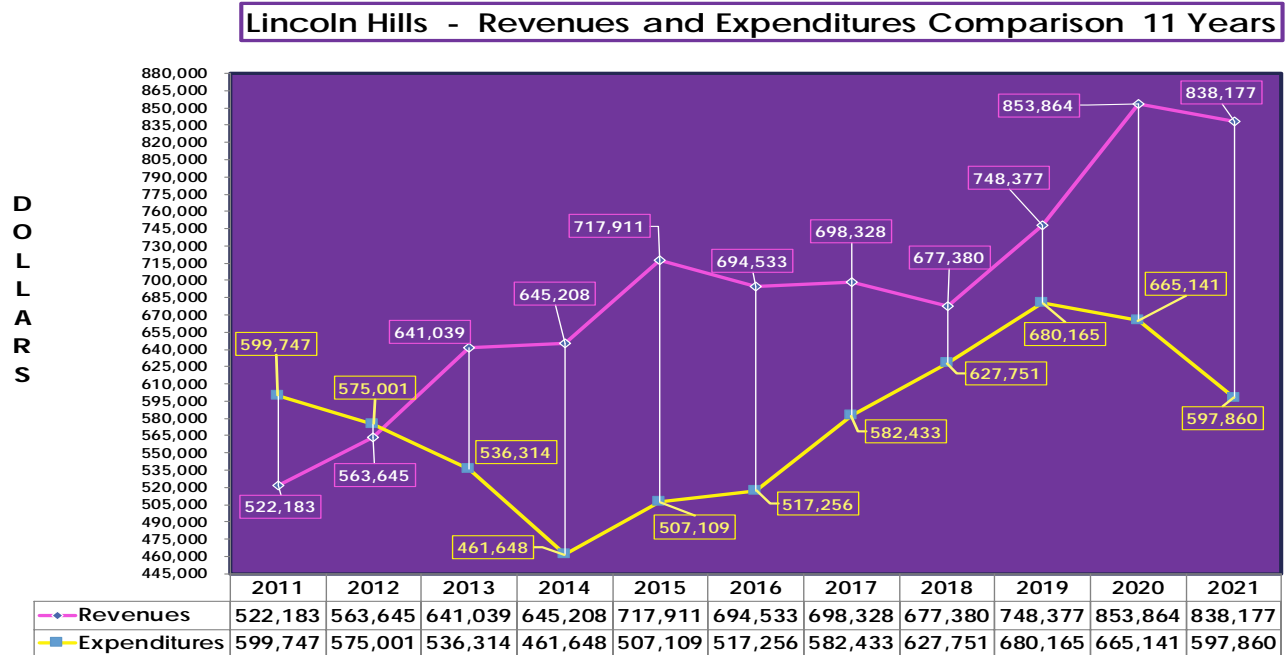


SD #5 Bank

## FINANCIALS

### LINCOLN HILLS

Lincoln Hills had another successful season with a **NET Operating** of \$240,316, or 24% increase. It was another difficult year regarding staffing, and I give many thanks to our Superintendent, Bryan Grill, for working the counter in the latter part of the summer, when the college students left us in early August.



Listed below are the major differences in revenues compared to 2020 .

- ✓ Weekday Green Fees (\$33,637)
- ✓ Weekend Green Fees (\$1,404)
- ✓ Merchandise (3,813)
- ✓ Interest Income (\$87,012)
- ✓ Food & Beverage \$14,929
- ✓ Power Carts \$11,782
- ✓ Jr Golf \$22,280
- ✓ Memberships \$57,500

### CALENDAR YEAR 5-YEAR ANALYSIS (2017 - 2021)

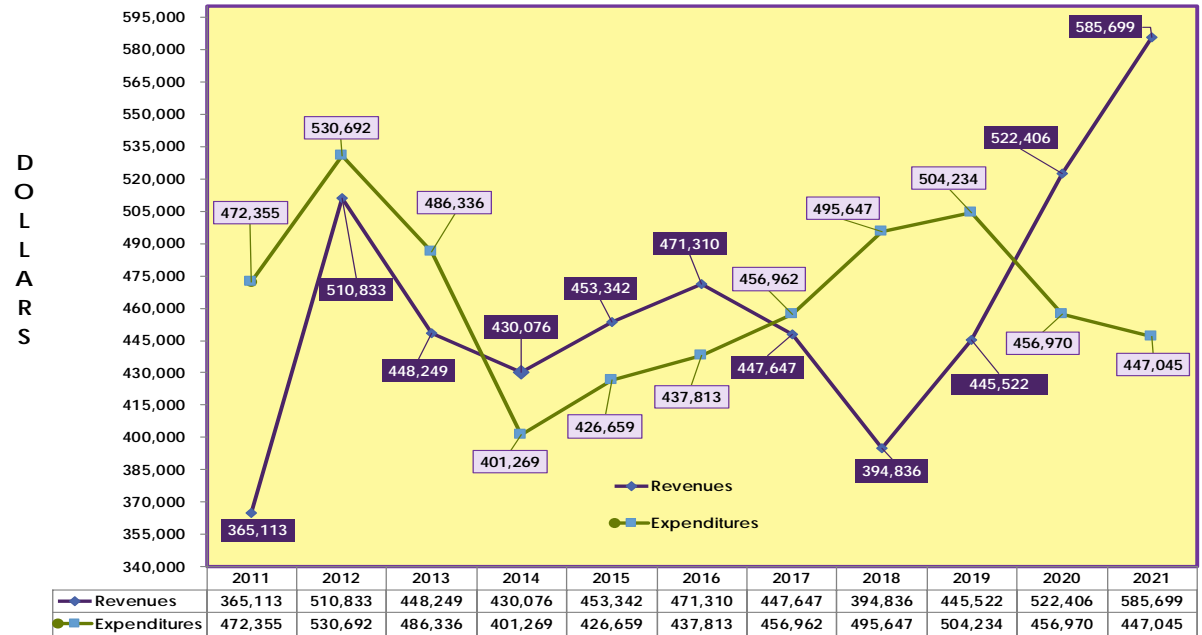
LINCOLN HILLS G.C.	2017	2018	2019	2020	2021
REVENUES	698,328	677,380	748,377	853,864	838,177
EXPENDITURES	475,304	471,306	483,872	458,551	453,876
OPERATING INCOME/(LOSS) Before Dep	223,024	206,075	264,504	395,314	384,300
DEPRECIATION	57,130	56,445	46,293	51,414	43,984
CONTRIBUTION TO G.F.	50,000	100,000	150,000	150,000	100,000
NET INCOME/(LOSS)	115,895	49,629	68,211	193,900	240,316



## SPRINGDALE

Springdale performed very well this season with a **Net Operating** of \$139,364, or 113% increase. Outside of the Junior Golf Programs, I spent the majority of my time working at Springdale this summer and enjoyed seeing the members that only play Springdale. However, I missed seeing my Lincoln Hills members, but I returned in November to see a few. I would like to give many thanks to all our members and guests who found salvation at the courses through this crazy pandemic.

Springdale - Revenues and Expenditures Comparison 11 Years



Listed below are the major differences in revenues and expenses compared to 2020.

- ✓ Weekend Green Fees \$12,706
- ✓ Food & Beverage \$18,473
- ✓ Power Carts \$22,101
- ✓ Resident Memberships \$5,910
- ✓ Clubhouse Labor (\$28,210)

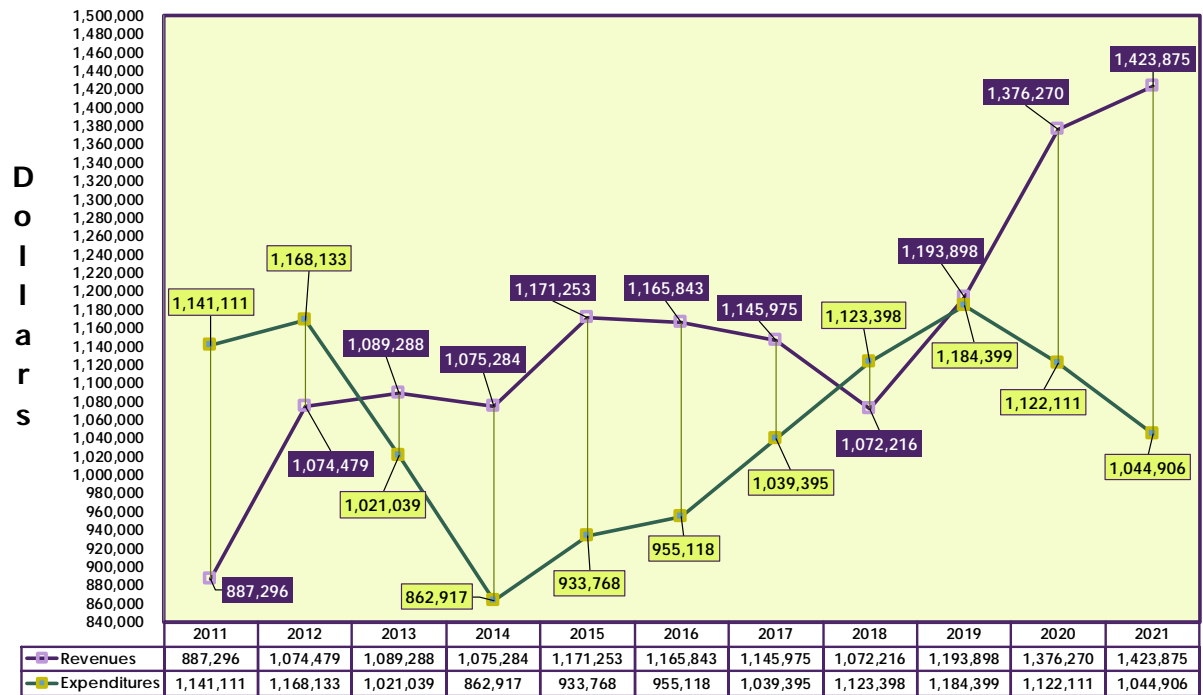
CALENDAR YEAR 5-YEAR ANALYSIS (2017 - 2021)

SPRINGDALE G.C.	2017	2018	2019	2020	2021
REVENUES	447,647	394,836	445,522	522,406	586,409
EXPENDITURES	406,184	440,231	457,824	406,409	400,896
OPERATING INCOME/(LOSS) Before Dep	41,463	(45,394)	(12,303)	115,997	185,513
DEPRECIATION	50,776	55,417	46,410	50,561	46,149
NET INCOME/(LOSS)	(9,314)	(100,811)	(58,712)	65,436	139,364

## COMBINED COURSES

The revenues have finally outweighed the expenses with the exception of 2018, when Springdale was shut down until late May to complete the new bridges. In 2017, the courses were in a position to start paying the bond for the new clubhouse at Lincoln Hills that was built in late 2010. We are looking forward to the upcoming season and will have our “Welcome Back” member outing on Sunday – April 24<sup>th</sup> at Lincoln Hills!

Revenue and Expenditure Comparison - Lincoln Hills & Springdale



COMBINED COURSES	2017	2018	2019	2020	2021
REVENUES	1,145,975	1,072,216	1,193,898	1,376,270	1,423,875
EXPENDITURES					
ADMINISTRATIVE	35,230	35,278	38,134	39,443	38,487
MAINTENANCE	351,526	379,124	407,085	348,490	325,401
CLUBHOUSE	494,732	497,134	496,478	482,203	490,884
TOTAL EXPENDITURES	881,488	911,536	941,697	870,136	854,772
OPERATING INCOME/(LOSS)	264,487	160,680	252,202	506,134	569,103
DEPRECIATION	107,906	111,862	92,703	101,975	90,134
GENERAL FUND CONTRIBUTION	50,000	100,000	150,000	150,000	100,000
NET INCOME/(LOSS)	106,581	(\$51,182)	\$9,499	\$254,159	\$378,970



SD #9 Tee

# Operation Statement – 3 Year History

REVENUES:	2019			2020			2021		
	Lincoln Hills	Springdale	TOTAL	Lincoln Hills	Springdale	TOTAL	Lincoln Hills	Springdale	TOTAL
WEEKDAY GREENS FEES	181,264	167,828	349,092	272,908	220,525	493,433	239,271	222,519	461,790
WEEKEND GREENS FEES	99,711	85,889	185,600	135,631	106,074	241,705	134,226	118,781	253,007
FOOD & BEVERAGE	53,385	37,801	91,187	42,045	27,820	69,866	56,975	46,294	103,268
MERCHANDISE	19,027	9,166	28,192	19,904	7,197	27,101	16,091	8,589	24,680
PULL CART RENTAL	5,319	5,548	10,867	7,048	8,021	15,070	6,617	6,075	12,692
GOLF CART RENTAL	84,991	72,628	157,620	98,177	80,070	178,247	109,958	102,171	212,130
GAM HANDICAP	2,756	1,001	3,757	3,146	656	3,802	3,752	1,130	4,882
CLASSES	87,328	0	87,328	58,560	0	58,560	80,840	0	80,840
RESIDENT MEMBERSHIPS	0	0	0	2,425	1,545	3,970	14,785	7,455	22,240
BUSINESS MEMBERSHIPS	7,500	1,400	8,900	5,675	3,250	8,925	6,120	2,600	8,720
NON-RESIDENT MEMBERSHIPS	106,040	34,650	140,690	107,700	38,815	146,515	150,360	37,375	187,735
UNLIMITED GOLF PASS	7,000	1,000	8,000	4,400	0	4,400	6,000	200	6,200
PACKAGE CLUB PASSES	145	26	171	435	0	435	870	290	1,160
TOURNAMENT ENTRY FEES	7,527	2,754	10,281	3,708	1,955	5,663	6,372	4,555	10,926
INTEREST INCOME	78,551	0	78,551	83,681	0	83,681	3,331	2,217	1,115
LEASE INCOME	7,351	25,688	33,040	7,572	26,405	33,977	7,801	24,925	32,727
MISCELLANEOUS INCOME	411	68	479	838	45	883	1,315	492	1,807
CASH OVERAGE/(SHORTAGE)	70	75	145	12	27	39	154	32	186
GENERAL FUND CONTRIBUTION	0	0	0	0	0	0	0	0	0
<b>TOTAL REVENUES</b>	<b>748,377</b>	<b>445,522</b>	<b>1,193,898</b>	<b>853,864</b>	<b>522,406</b>	<b>1,376,270</b>	<b>838,177</b>	<b>585,699</b>	<b>1,423,875</b>

ADMINISTRATIVE EXPENSES:	2019			2020			2021		
	Lincoln Hills	Springdale	TOTAL	Lincoln Hills	Springdale	TOTAL	Lincoln Hills	Springdale	TOTAL
ADMINISTRATIVE CHARGE	18,324	18,324	36,648	19,015	19,015	38,030	18,530	18,530	37,060
AUDIT	743	743	1,486	707	707	1,413	713	714	1,427
<b>SUB-TOTAL ADMINISTRATIVE</b>	<b>19,067</b>	<b>19,067</b>	<b>38,134</b>	<b>19,722</b>	<b>19,722</b>	<b>39,443</b>	<b>19,243</b>	<b>19,244</b>	<b>38,487</b>

MAINTENANCE EXPENSES:	2019			2020			2021		
	Lincoln Hills	Springdale	TOTAL	Lincoln Hills	Springdale	TOTAL	Lincoln Hills	Springdale	TOTAL
SALARIES AND WAGES	72,787	77,364	150,151	74,668	70,981	145,649	73,836	75,191	149,026
OVERTIME PAY	1	185	186	85	63	148	35	271	306
LONGEVITY	28	28	57	28	28	57	28	28	57
FICA	5,569	5,934	11,503	5,543	5,260	10,803	5,595	5,735	11,330
HOSPITALIZATION	8,481	10,929	19,410	8,149	9,719	17,867	7,426	8,880	16,306
LIFE	180	180	360	186	187	373	179	180	359
RETIREE HEALTH CARE	7,451	7,840	15,291	(2,207)	(2,194)	(4,402)	(5,006)	(5,015)	(10,021)
DENTAL/OPTICAL	693	692	1,385	639	639	1,278	547	547	1,094
DISABILITY INSURANCE	304	305	609	327	327	655	328	329	657
WORKER'S COMPENSATION	810	857	1,667	877	831	1,708	877	872	1,749
SICK TIME PAY OUT	0	0	0	0	0	0	0	0	0
RETIREMENT CONTRIBUTION	6,201	6,458	12,659	6,598	6,578	13,175	3,306	3,260	6,566
HRA BENEFIT	10	10	20	10	10	20	10	10	20
HSA CONTRIBUTION/ RETIRE EMPR	4,156	4,150	8,306	4,352	4,352	8,704	4,268	4,269	8,537
OPERATING SUPPLIES	47,261	43,059	90,319	32,985	29,650	62,635	25,557	30,862	56,418
OTHER CONTRACTUAL SERVICE	13,362	12,181	25,543	12,011	6,607	18,618	7,306	6,461	13,767
EQUIPMENT UNDER \$5,000	0	0	0	405	405	810	228	0	228
ELECTRICITY	3,867	2,836	6,704	5,050	3,341	8,390	4,306	3,130	7,436
GAS	1,273	1,529	2,802	782	1,125	1,907	933	1,379	2,313
WATER	440	0	440	274	0	274	243	0	243
TRAINING	175	175	349	410	410	819	0	0	0
PRINTING & PUBLISHING	0	0	0	0	0	0	0	0	0
EQUIPMENT RENTAL	29,109	30,214	59,323	29,000	30,000	59,000	29,000	30,009	59,009
BUILDINGS	0	0	0	0	0	0	0	0	0
MACHINERY & EQUIPMENT	0	0	0	0	0	0	0	0	0
PUBLIC IIMPROVEMENTS	57,264	0	57,264	5,837	0	5,837	0	0	0
CONTRIBUTED EXP - CAP OUTLAY	(57,264)	0	(57,264)	(5,837)	0	(5,837)	0	0	0
<b>SUB-TOTAL MAINTENANCE</b>	<b>202,158</b>	<b>204,927</b>	<b>407,085</b>	<b>180,172</b>	<b>168,318</b>	<b>348,490</b>	<b>159,002</b>	<b>166,398</b>	<b>325,401</b>

CLUBHOUSE EXPENSES:	2019			2020			2021		
	Lincoln Hills	Springdale	TOTAL	Lincoln Hills	Springdale	TOTAL	Lincoln Hills	Springdale	TOTAL
SALARIES AND WAGES	97,653	84,369	182,021	102,038	86,123	188,162	115,259	75,069	190,328
OVERTIME	567	2,288	2,855	2,075	8,083	10,158	3,885	2,288	6,173
LONGEVITY	41	41	83	41	41	83	41	41	83
FICA	6,791	6,623	13,414	7,938	7,181	15,119	8,981	5,777	14,758
HOSPITALIZATION	14,155	15,469	29,623	13,570	14,593	28,162	13,566	11,635	25,201
LIFE	21	21	42	22	22	44	22	23	46
RETIREE HEALTH CARE	7,604	7,992	15,596	(2,280)	(2,265)	(4,545)	(5,175)	(5,186)	(10,361)
DENTAL/OPTICAL	800	801	1,601	729	730	1,459	619	619	1,238
DISABILITY	359	359	717	380	380	760	381	383	764
WORKER'S COMPENSATION	1,040	939	1,979	1,255	1,110	2,365	1,398	904	2,301
SICK TIME PAYOUT	0	0	0	0	0	0	0	0	0
RETIREMENT CONTRIBUTION	6,778	7,029	13,807	7,110	7,087	14,197	3,365	3,319	6,684
HRA BENEFIT	20	20	40	20	20	40	20	20	40
HSA CONTRIBUTION/ RETIRE EMPR	4,497	4,497	8,994	4,738	4,738	9,477	4,715	4,739	9,454
OPERATING SUPPLIES	19,061	12,126	31,187	17,080	11,468	28,549	16,301	12,531	28,833
FOOD & BEVERAGE	16,297	11,990	28,287	11,262	8,671	19,934	15,976	10,020	25,996
BEER & WINE PURCHASES	7,825	7,105	14,930	4,849	4,723	9,572	7,869	9,713	17,583
MERCHANDISE	14,329	10,360	24,689	12,452	3,735	16,187	8,385	6,609	14,995
EQUIPMENT UNDER \$5,000	0	0	0	9,467	0	9,467	807	4,302	5,108
OTHER CONTRACTUAL SERVICES	12,725	11,714	24,438	21,152	15,325	36,477	21,508	15,858	37,367
TELEPHONE	512	822	1,333	0	0	0	0	0	0
CONTRACTUAL ALARM	1,678	992	2,669	1,906	1,036	2,942	1,946	1,182	3,127
ELECTRICITY	5,117	4,639	9,756	6,126	4,933	11,059	6,424	5,842	12,266
GAS	257	1,757	2,014	228	1,256	1,483	542	2,062	2,604
WATER	1,756	1,786	3,542	1,181	1,042	2,224	876	1,299	2,174
LIQUOR LICENSE	1,253	1,253	2,505	1,253	1,253	2,505	1,253	1,253	2,505
PRINTING & PUBLISHING	1,397	1,234	2,632	2,178	2,099	4,276	1,545	1,380	2,925
MARKETING & ADVERTISING	7,485	5,225	12,709	3,823	2,323	6,145	3,843	3,093	6,935
MISCELLANEOUS	0	0	0	0	0	0	0	0	0
DEPRECIATION	46,293	46,410	92,703	51,414	50,561	101,975	43,984	46,149	90,134
EQUIPMENT RENTAL	18,000	17,750	35,750	18,125	17,550	35,675	24,104	24,142	48,246
TRAINING	812	812	1,624	439	848	1,287	625	625	1,250
MEMBERSHIP & DUES	0	0	0	281	281	561	281	281	561
CONFERENCES & WORKSHOPS	0	0	0	448	40	488	625	625	1,250
LIABILITY INSURANCE	13,819	13,819	27,638	13,947	13,947	27,893	15,644	14,806	30,449
CONTRIBUTED EXP. - CAP. OUTLAY	(3,162)	0	(3,162)	0	(10,375)	(10,375)	0	0	0
MACHINERY & EQUIPMENT	3,162	0	3,162	0	0	0	0	0	0
FURNITURE	0	0	0	0	0	0	0	0	0
BUILDINGS	0	0	0	0	0	0	0	0	0
PUBLIC IMPROVEMENTS	0	0	0	0	10,375	10,375	0	0	0
CONTRIBUTION TO GENERAL FUND	150,000	0	150,000	150,000	0	150,000	100,000	0	100,000
<b>SUB-TOTAL CLUBHOUSE</b>	<b>458,940</b>	<b>280,240</b>	<b>739,181</b>	<b>465,247</b>	<b>268,931</b>	<b>734,178</b>	<b>419,615</b>	<b>261,403</b>	<b>681,018</b>
<b>TOTAL OPERATING EXPENSE</b>	<b>680,165</b>	<b>504,234</b>	<b>1,184,399</b>	<b>665,141</b>	<b>456,970</b>	<b>1,122,111</b>	<b>597,860</b>	<b>447,045</b>	<b>1,044,906</b>
<b>TOTAL REVENUES</b>	<b>748,377</b>	<b>445,522</b>	<b>1,193,898</b>	<b>853,864</b>	<b>522,406</b>	<b>1,376,270</b>	<b>838,177</b>	<b>585,699</b>	<b>1,423,875</b>
<b>OPERATING INCOME (LOSS)</b>	<b>68,211</b>	<b>(58,712)</b>	<b>9,499</b>	<b>188,723</b>	<b>65,436</b>	<b>254,159</b>	<b>240,316</b>	<b>138,654</b>	<b>378,970</b>



## 2022 MARKETING PLAN

Our mission at Lincoln Hills and Springdale Golf Courses, as a business, is dedicated to serving our community by providing high quality golfing experiences and fun environments, to players of all ages and abilities with exceptional service.

Our competitive advantage is rooted in its community-based focus and the course locations. Both courses are aesthetically pleasing, well landscaped and challenging in their own ways. The fact that these courses are not 18-holes provides an advantage when it relates to the essence of time, one can play 9-holes in about two hours compared to 4-6 hours when playing 18-holes. This setting is also a great avenue to grow the game with our juniors and just enough length for our beginner and senior players.

In today's market, just having satisfied customers isn't good enough- you have to create "Raving Fans". Make excellence mandatory and create an atmosphere to naturally encourage our members/guests to rave about their experience with our facilities. Our members/guests appreciate a friendly welcome, good service, pleasant, relaxing surroundings, and happy smiling faces. They would like to have all of their questions answered and their requests met

- "There is only one Boss" – The Customer
- Drive everything in our business with a customer focus
- Educate and train staff members that the customer is the job and whatever the customer wants, needs or does – provides the energy for everything else.
- Engage our clients with everyday conversations to provide a continuous flow of useful information
- Employees choose to go "above and beyond the call of duty" to ensure total customer satisfaction

### Marketing Tools:

- ✓ Full Page Ad in the Birmingham/Bloomfield Chamber of Commerce Annual Directory
- ✓ E-blast Campaigns Distributed to Birmingham/Bloomfield Chamber of Commerce Members
- ✓ Full Page Ad in the Birmingham City Lifestyle Magazine
- ✓ Full Page Ad in the Jewish News
- ✓ Postcard Mailer Distributed to Local Communities to Promote Membership and Events
- ✓ Full Page Ad in Little Guide to Promote Jr Golf Program



Dueling Pianos at LH

In conclusion, we firmly believe that our efforts to create "Raving Fans" will generate happy Members' that will enjoy coming to their courses. We will continue to aggressively market our mazing courses to the surrounding communities we serve and offer a great value, with exceptional service.

## 2022 Club Events

### Welcome Back Members

Sunday – April 24th at Lincoln Hills

#### **Format: Alternate Shot (2- Person Team)**

Two golfers play as partners, playing only one golf ball, taking turns playing the strokes. Both players will tee off. The player who didn't hit the best shot off the tee, will play the shot, and the teams will continue to alternate shots until the end of the hole.

Entry Fee: \$20/PP    Register at 3:30pm    Tee Times – 4pm    Awards Dinner to Follow

### "Cinco de Mayo" Golf Classic

Thursday - May at Lincoln Hills

#### **Format: 3-Club Scramble (4-Person Team)**

Each player is only allowed three (3) golf clubs for the tournament. Strategy comes into play with the three clubs selected. You want your longest hitter to be sure to include his/her driver among the three. A short game wizard would make sure he/she has their pitching wedge. Get festive and you may win our "Best Dressed" Team award.

Entry Fee: \$39/PP    Register at 5:30pm    Shotgun Start at 6pm    Awards Dinner to Follow

### Nite Golf

Saturday – May at Springdale

#### **Format: Scramble (4 Person Team)**

All members of the team will hit their drives from their respected tees. The team will then select the "best" drive. Everyone advances to that location and proceeds to hit their shots. This continues until the completion of the hole. Gift Certificates will be awarded after golf.

Entry Fee: \$39/pp    Register & Buffet/Beverages at 7pm    Shotgun at Dusk (9pm)

### Memorial Day Surprise

Monday – May 30th at LH & SD

#### **Format: Closest to the Pin**

The golfer whose tee shot comes to rest closest to the hole. Any balls off the green are not considered, even if they may be the closest.

No Entry Fee - Must be a Current Member

Winner will be Announced on Tue

### Parent/Child

Sunday – June at Springdale

#### **Format: Alternate Shot (2-Person Team)**

Two golfers play as partners, playing only one golf ball, taking turns playing the strokes. Both players will tee off. The player who didn't hit the best shot off the tee, will play the shot, and the teams will continue to alternate shots until the end of the hole

Entry Fee: \$25/pp    Register at 4:30pm    Tee Times/Shotgun 5pm    Awards Dinner

### Nine & Dine Couples

Friday – June at Springdale

#### **Format: Alternate Shot (2-Person Teams)**

Two golfers play as partners, playing only one golf ball, taking turns playing the strokes. Both players will tee off. The player who didn't hit the best shot off the tee, will play the shot, and the teams will continue to alternate shots until the end of the hole. Can't wait to see who will be our "Best Dressed" team for this event!

Entry Fee: \$39/PP    Register at 6pm    Shotgun at 6:30pm    Awards Dinner

### of July Day Surprise

Monday – July 4th at LH & SD

**Format:** Closest to the Pin

The golfer whose tee shot comes to rest closest to the hole. Any balls off the green are not considered, even if they may be the closest.

No Entry Fee - Must be a Current Member

Winner will be Announced on Tue

### Nine & Dine Couples

Friday – July at Springdale

**Format:** 3-Club Scramble (4-Person Team)

Each player is only allowed three (3) golf clubs for the tournament. Strategy comes into play with the three clubs selected. You want your longest hitter to be sure to include his/her driver among the three. A short game wizard would make sure he/she has their pitching wedge. Get festive and you may win our “Best Dressed” Team award.

Entry Fee: \$39/PP

Register at 6pm

Shotgun at 6:30pm

Awards Dinner

### Luau “On the Greens”

Saturday – July at Lincoln Hills

**Format:** Alternate Shot (2- Person Team)

Two golfers play as partners, playing only one golf ball, taking turns playing the strokes. Both players will tee off. The player who didn’t hit the best shot off the tee, will play the shot, and the teams will continue to alternate shots until the end of the hole. Can’t wait to see who will be our “Best Dressed” team for this event!

Entry Fee: \$45/PP

Register at 4:30pm

Shotgun at 5pm

Pig Roast & Awards to Follow

### Junior Club Championship

Thursday - Aug at Lincoln Hills

**Format:** Individual Stroke Play

The competition will be a 9-hole competition and is open to all Junior members and anyone who participated in the 2022 Junior Golf Program. Upon completion of the event, hot-dogs, chips, ice-cream and beverages will be served as staff tally the cards to present the trophies. This event is open to all current members, and those who participated in the Jr Program this summer at no fee.

Registration at 7:30am

Shotgun at 8am

Awards Luncheon

### Club Championship

Sat & Sun – Aug (SD) & (LH)

**Format:** 2-Day Gross and 2-Day Net

The competition will be a 36-Hole competition played over two days (18 holes per day).

Saturday’s round will begin at Springdale with tee times from 8 - 10am. The second round will be held on Sunday at Lincoln Hills, also from 8 – 10am. This year we are introducing the Super Senior Division for those that are 66 years of age and older.

Entry Fee: \$80/PP

Tee Times at 8am

Lunch on Sat and Lunch/Awards on Sunday

### Nine & Dine Couples

Friday – Aug at Springdale

**Format:** Ryder Cup (2-Person Team)

This event will have 3 formats: Scramble for Holes #1-3, Alternate Shot for Holes #4-6, and Better Ball of Partners for Holes #7-9. You will have some fun stories to tell when you finish in the Clubhouse.

Entry Fee: \$39/PP

Register at 6pm

Shotgun at 6:30pm

Awards Dinner

## Labor Day Surprise

Monday – Sept at LH & SD

### Format: Closest to the Pin

The golfer whose tee shot comes to rest closest to the hole. Any balls off the green are not considered, even if they may be the closest.

No Entry Fee - Must be a Current Member

Winner will be Announced on Tue

## Halloween Nite Golf

Saturday – Oct 22nd at Springdale

### Format: Scramble (4 Person Team)

All members of the team will hit their drives from their respected tees. The team will then select the “best” drive. Everyone advances to that location and proceeds to hit their shots. This continues until the completion of the hole. Award will be given to the “Best Dressed” Team before the shotgun, and Gift Certificates will be awarded after golf.

Entry Fee: \$40/pp Register & Buffet/Beverages at 6pm

Shotgun at Dusk (8pm)

## Annual Turkey Shoot – Charity Event

Saturday – Nov TBD Course

### Format: Backward Scramble (4-Person Team)

We play the course backwards. Not only it is fun, but we raise so much food and donations for The Lighthouse of Pontiac. We are very proud to host this event, and we only hope for good weather. We will play sunshine or snow!

Entry Fee: \$30/pp Registration at 10am

Shotgun at 11am Awards Luncheon





**DATE:** March 8, 2022

**TO:** City Commission

**FROM:** Thomas M. Markus, City Manager

**SUBJECT:** Second Six Months City Manager Performance Update

---

Throughout the past six months, in addition to the day-to-day activities associated with managing the city, we have accomplished the items listed below. I am pleased with progress made thus far and look forward to continued achievements.

- Selected an Assistant City Manager and created a succession and mentorship plan for the future City Manager.
- Created and hired for the position of Parking Services Manager to holistically address the needs of the City's parking system.
- Hired staff for key positions including Construction Engineer, City Planner, Public Services Manager, Deputy City Clerk, and six first responders.
- Created a contract agreement with Beier Howlett for legal services following a comprehensive RFQ process.
- Created an improved system to ensure that all City contracts have been properly executed and filed.
- Completed a comprehensive review of the City's accounts receivable process and created an improved workflow and approval process for two particular billing areas, outdoor dining and special assessments.
- Negotiated a new healthcare broker contract, saving the City \$110,000 annually over its prior firm.
- Launched the City's new, more accessible website.
- Initiated the creation of a comprehensive City Commission code of conduct.
- Completed the Ice Arena renovation project that included remodeled and expanded locker rooms, a new observation area and meeting room space, and an upgraded concession area.
- Collaborated with MDOT to make pedestrian safety upgrades on Woodward Avenue a priority.
- Encouraged proactive enforcement of the City's snow emergency and snow removal ordinances.
- Supported the Clerk's Office efforts in running the November 2021 City Commission election.
- Introduced the GovPilot citizen request app to streamline resident requests for service
- Implemented employee trainings including citywide sensitivity training and a COVID vaccination information session with an emergency room physician.
- Recouped over \$1.2 million dollars in state and federal reimbursements and grants for the City's Emergency Management response throughout the COVID-19 pandemic.



- Conducted the Long Range Planning meeting featuring 33 presentations from 16 City departments.
- Introduced the process for a strategic planning effort.

As my employment agreement states, "the Commission agrees that it shall establish certain goals and objectives upon which the Employee's performance may be evaluated." At the June 28, 2021 meeting, the Commission evaluated my performance over my first six months as City Manager. I request a closed session performance review for the second sixth period in my role as City Manager pursuant to the OMA at MCL §15.268(a) which states that public bodies such as the City Commission are permitted to meet in closed session "to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named individual requests a closed hearing."

The Commission is requested to determine a date and format to be used for the next City Manager performance review. Examples of City Manager evaluation instruments are included for the Commission's consideration.

#### ATTACHMENTS

- Six Month City Manager Performance Update memo, June 10, 2021
- City Manager's Employment Agreement, January 20, 2021
- Examples of City Manager evaluation instruments from Bristol, Tennessee; Columbia, Tennessee; ICMA; Klamath Falls, Oregon; MTAS; San Carlos, California; and Dover, New Hampshire

**DATE:** June 10, 2021

**TO:** City Commission

**FROM:** Thomas M. Markus, City Manager

**SUBJECT:** Six Month City Manager Performance Update

---

Throughout the past six months, in addition to the day-to-day activities associated with managing the city, we have accomplished the items listed below. I am pleased with progress made thus far and look forward to continued achievements.

- Instituted the Manager's Report to provide Commissioners with a greater level of insight into the daily operations of the city.
- Established workshop sessions to provide Commissioners with time to deeply discuss and understand issues and projects they vote on.
- Moved Parks & Recreation Bond projects forward, such as the Ice Sports Arena renovation/addition project.
- Improved morale among city staff members and fostered a positive working environment.
- Advertised for the Assistant City Manager and Parking System Manager positions. Filled numerous roles including: Human Resources Manager, Human Resources Generalist, Deputy City Clerk, two police officers, part-time clerical assistant, and seasonal laborers.
- Developed a Request for Qualifications for legal services.
- Guided a special review of unimproved streets at a City Commission Workshop. Directed staff to study Commissioner comments and recommendations by the Ad Hoc Unimproved Street Study Committee, and to create a recommended policy.
- Reviewed the Parking Assessment Districts and Triangle District. Directed staff to prepare a report on possible changes to special assessment policies and ordinances, and resume meetings regarding the Triangle District.
- Guided staff through the extension of COVID-19 relief initiatives that benefited residents, visitors and businesses.
- Transitioned City facilities and operations from the COVID-19 restrictions to a more open environment.
- The City and other control units of the 48<sup>th</sup> District Court agreed that Birmingham would serve as the primary contact for indigent defense counsel pursuant to MCL 780.985.
- Made recommendations regarding the City's use of American Rescue Plan Act funds.
- Guided staff in preparation for the second draft of the Citywide Master Plan for 2040.
- Started the review and preliminary design phase for the South Old Woodward project.
- Entered into Mental Health Co-Response Team interlocal agreement with the Auburn Hills Police Department, Bloomfield Township Police Department and the Oakland County Health Network.
- Contract negotiations with BFFA and AFSCME approved by the Commission.
- Transformed Code Enforcement into Code Assistance to signify that they help individuals understand how to comply with the City's rules and regulations.

- Launched Engage Birmingham as a public engagement tool to better connect residents with their city.
- Guided the review and approval of the 2021-2022 city budget.
- Birmingham rated AAA by the S&P Global Ratings for the nineteenth consecutive year.

**AMENDED AND RESTATED  
EMPLOYMENT AGREEMENT BETWEEN  
THOMAS M. MARKUS  
AND THE COMMISSION OF THE CITY OF BIRMINGHAM**

THIS AGREEMENT, made and entered into this 25 day of Jan, 2021, by and between the **CITY OF BIRMINGHAM**, A Michigan Municipal Corporation, whose address is 151 Martin Street, Birmingham, MI 48009 ("the City") and Thomas M. Markus, whose address is 425 Bird Street, Birmingham, MI 48009 ("Employee").

**WITNESSETH:**

**WHEREAS**, pursuant to Chapter III of the Charter of the City of Birmingham, the Commission of the City of Birmingham has the responsibility to retain a City Manager to perform certain duties as set forth; and,

**WHEREAS**, this Agreement was initially signed on Nov 25, 2020, but has since been revised so as to correct scrivener's errors, but remains effective as of January 1, 2021.

**WHEREAS**, the City Commission wishes to appoint Thomas M. Markus as City Manager; and,

**WHEREAS**, the City Commission is desirous of establishing certain conditions and benefits of employment of the Employee.

**NOW, THEREFORE**, the City and the Employee in consideration of the promises and mutual agreements herein, agree to the following:

1. **Duties**. The Employee agrees to perform all of the functions and duties as specified in the City Charter at Chapter 3, Section 8, and to perform whatever legally permissible and proper additional functions and duties which the Commission shall, from time to time, assign to the City Manager. The Employee agrees that all duties and functions shall be performed in a diligent, responsible, and equitable manner in accordance with the City Charter, City Code, and policies and resolutions established by the Commission.

The Commission agrees that it shall establish certain goals and objectives upon which the Employee's performance may be evaluated. In the event the parties agree to renew this Agreement as set forth in Paragraph 3, the Commission will conduct a performance evaluation prior to the renewal of this Agreement.

2. **Professional Status.** The City acknowledges and agrees that the Employee is being employed in a bonafide, executive, administrative and professional capacity which will undoubtedly require him to spend more than forty (40) hours per week in the performance of his duties and functions. It is recognized that the Employee must devote a great deal of time outside of the normal office hours on business for the City, and to that end the Employee shall be allowed to establish an appropriate work schedule.

3. **Term of Employment.** The term of this Agreement is for two and one-half (2-½) years, or thirty (30) months, and shall terminate on June 30, 2023 unless the Agreement is mutually renewed in writing by the parties, provided, however, that the Employee may terminate upon ninety (90) days' written notice, and the City may terminate upon thirty (30) days' written notice. Notwithstanding any other provisions of this contract, the Employee agrees to serve at the pleasure of the Commission and agrees that this contract may be terminated with or without cause by either party.

The Employee agrees to remain in the exclusive employ of the City until his employment with the City terminates and will neither accept other employment nor become employed by any other employer until the date on which his employment with the City terminates. The term "employed" as used in this Paragraph shall not be construed to include occasional teaching, consulting, or writing performed on Employee's own time except that in no case shall Employee spend more than 10 hours per week in such activities.

4. **Salary.** The City agrees to pay the Employee a salary of One Hundred Sixty



Thousand Dollars (\$160,000.00) per year in bi-weekly increments. The City agrees to increase the Employee's annual salary in such amount and at such time as the Commission may find desirable, except that in no event shall the Employee's salary be increased less than the average of the salary increases for base wages negotiated for that year with the City's bargaining units.

5. **Professional Development.** Employer agrees to pay for the professional dues and subscriptions of the Employee for his participation in national, state, regional, and local associations necessary for his continued professional development and the good of the City. The City further agrees to pay the cost associated with participation in one local service club of the Employee's choosing.

The City further agrees to pay the travel, registration, and subsistence expenses of the Employee for his attendance at meetings or seminars necessary to continue the Employee's professional development or for the City's good, subject to the City's expense reimbursement policy.

6. **Benefits.** The City agrees to provide the Employee all employee benefits provided to City employees in accordance with the published City of Birmingham personnel policy except as modified as follows:

A. Paid Time Off, Illness Allowance, and Holiday Benefits:

- (i) Effective January 1, 2021, the Employee shall receive a one-time bank of fifteen (15) paid days off, to be used as the Employee determines. The Employee shall thereafter beginning January 1, 2021 start receiving the proportionate share for each pay period the equivalent of twenty-five (25) days of vacation per year for each year of this Agreement.
- (ii) The City shall offer the Employee participation in an illness

allowance program equal to that which is offered to all other City employees.

- (iii) The City shall offer the Employee participation in a holiday benefit program equal to that which is offered to all other City employees.

B. Retirement:

- (i) The City agrees to allow the Employee to participate in the City's defined contribution retirement plan, with the City and the Employee each making annual contributions in accordance with the plan documents, as they may be amended from time to time. In the event the Employee has not vested in the employee and employer contributions at the end of the Employee's 2-1/2 years of employment, the City shall make an equivalent employer contribution to the ICMA deferred compensation plan (see Paragraph 5.B(ii)), on behalf of the Employee.
- (ii) The City shall provide an annual contribution of Ten Thousand Dollars (\$10,000.00) into the deferred compensation plan established and maintained by the International City Management Association. The accumulated deferred compensation will be paid to the Employee upon the termination of the Employee's employment with the City.

C. Insurance:

- (i) The City and the Employee agree that the Employee is not requesting participation in and will not receive health insurance coverage through the City during the term of this Agreement, provided, however, that nothing in this Agreement shall alter or affect the

Employee's participation in the City's Retiree Plan 712 during the term of this Agreement or after its termination.

- (ii) The City agrees to put into force and make required premium payments for the Employee's insurance policies for life, accident, sickness, disability, income benefits, and optical and dental group insurance covering the Employee and his dependents.
- (iii) The City agrees to pay the required premiums on a term insurance policy including double indemnity for accidental death and dismemberment in an amount equal to three (3) times the Employee's annual salary, with the beneficiary named by the Employee to receive the benefits paid. The Employee agrees to contribute 20% of the annual premium for such insurance policy which will be paid proportionately through the biweekly payroll deduction.
- (iv) The Employee agrees to submit once every eighteen (18) months to a complete physical examination by a qualified physician whom the City selects, the cost of which the City shall pay. The City will receive a summary report of the physical examination determining the Employee's fitness to complete the physical requirements of the City Manager position. The City will treat this information with complete confidentiality in accordance with applicable state and federal laws.

7. **Cell Phone/Computer:** The City shall provide the Employee with a cell phone, computer devices, and other technology-based equipment needed to perform his City Manager duties for his use during his employment with the City. It is expressly understood and agreed that the cell phone, computer devices, and other technology-based equipment are the property

of the City and shall remain with the City upon the termination of the Employee's employment with the City.

8. **Automobile.** The City shall provide the Employee an automobile allowance of Five Hundred Dollars (\$500.00) per month for his business and personal use during his employment with the City and the City shall pay automobile insurance on the Employee's vehicle. This automobile allowance shall be adjusted by the yearly percentage change of the Detroit area CPIU as published by the Department of Labor for January of 2021 and January of each contract year thereafter.

9. **Relocation Expenses.** The City shall reimburse the Employee up to Fifteen Thousand Dollars (\$15,000.00) in relocation expenses, upon submittal by the Employee of duly executed expense statements, receipts, or personal affidavits to the City.

10. **Other Expenses.** The Employee is authorized to incur non-personal and job related expenses on behalf of the City. The Employee shall be reimbursed for such expenses upon submitting duly executed expense or petty cash vouchers, receipts, statements or personal affidavits to the City.

11. **Financial Interests.** The Employee understands that any financial investment or equity ownership in any business which performs services or supplies goods to the City may create a legal or ethical conflict of interest. Accordingly, the Employee agrees not to acquire any beneficial ownership in any business or organization which supplies goods or services to the City without first disclosing such acquisition to the Commission.

**12. Termination and Severance Pay.**

- A. In the event that the Employee, after declaring that he is ready, willing, and able to perform the duties of the City Manager, is separated from his employment with the City for any of the reasons listed in Paragraph 12.B,

then the City shall pay to the Employee Severance Pay for the lesser of a period of twelve (12) months or the remainder of the term of this Agreement.

As used herein, Severance Pay shall consist of all of the following:

- An amount equal to the Employee's base pay at the time of separation, less reductions and withholdings required by law, paid in biweekly installments;
- Continuation of the employer and employee contributions to the defined contribution retirement plan;
- Employer contribution to the deferred compensation plan (**ICMA**).
- Continuation of the insurance policies referenced in Paragraph 6.c.ii; and
- Payment of all accrued vacation time and any other termination benefits available to other City employees at the time of separation, less reductions and withholdings required by law.

B. The Severance Pay described in Paragraph 12.A shall be paid to the Employee if he is separated from employment for any of the following reasons:

- (i) If, at a public meeting, a majority of the City Commission votes, for any reason other than the Employee's conviction of a felony or misdemeanor involving malfeasance or dishonesty, to terminate the Employee's employment with the City with or without cause.
- (ii) If the State of Michigan or the City takes any action that would eliminate the position of City Manager, or substantially alter or change the duties or authority of the City Manager position.



(iii) If the City reduces the compensation, annual base salary, or other financial benefits accruing to the Employee hereunder, unless the percentage reduction is equal to or less than the percentage reduction of all management employees of the City.

(iv) If the City offers to accept the employee's resignation in lieu of termination of his employment and, in acceptance of that offer, the Employee resigns.

(v) If the City suspends the Employee with or without pay for a period of three (3) or more business days in any calendar year.

(vi) If the City breaches any provision of this Employment agreement and fails, within ten (10) days after receiving written notice thereof from the Employee, to remedy any such breach.

C. In the event that the Employee voluntarily retires or resigns his position as City Manager or leaves the City's employment for reasons other than reasons listed in Paragraph 12.B, then the Employee shall not be entitled to the Severance Pay described in Paragraph 12.A.

D. Unless the parties agree otherwise, the Employee agrees to give written notice to the City no less than ninety (90) days in advance of any voluntary retirement or voluntary resignation of his position.

13. **Commencement Date.** This contract shall commence on January 1, 2021.

14. **Indemnification.** Beyond that required under Federal, State or Local law, the City shall defend, save harmless, and indemnify the Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring within the scope of the Employee's employment or duties, unless the act or omission involved willful or wanton misconduct. In

the defense of such claims, the Employee may request and the City shall not unreasonably refuse to provide independent legal representation at the City's expense and the City may not unreasonably withhold approval. Legal representation, provided by the City for the Employee, shall extend until a final determination of legal action including any appeals brought by either party. The City shall indemnify the Employee against any and all losses, damages, judgements, interest, settlements, fines, court costs, and other reasonable costs and expenses of legal proceedings including attorneys' fees, and any other liabilities incurred by, imposed upon, or suffered by such Employee in connection with or resulting from any claim, action, suit, or proceeding, actual or threatened, arising out of or in connection with the performance of his duties unless the act or omission involved willful or wanton misconduct. Any settlement of any claim must be made with prior approval of the City, which approval shall not be unreasonably withheld, in order for indemnification as provided in this Section, to be available. The Employee recognizes that the City shall have the right to compromise, adjust, and settle claims against the Employee for which the Employee is entitled to indemnification. Further, the City agrees to pay all reasonable litigation expenses of the Employee throughout the pendency of any litigation to which the Employee is a party, witness, or adviser to the City. Such expense payments shall continue beyond Employee's service to the City as long as litigation is pending.

15. **General Provisions.** The text herein shall constitute the entire agreement between the parties.

No modification of this agreement shall be valid unless such modification is in writing and signed by the City and the Employee. No waiver of any provision of this Agreement shall be valid unless such modification is in writing and signed by the person or party against whom charged.

This Agreement shall be binding upon and inure to the benefit of the City and the Employee and their successors and assigns; provided, however, that neither party may assign or delegate any of its rights or obligations hereunder without first obtaining the written consent of the other party.

If any provision, or any portion thereof, contained in this agreement shall be held unconstitutional, invalid or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

16. **Governing Law.** This contract shall be governed by the laws of the State of Michigan, County of Oakland.

**IN WITNESS WHEREOF**, the City of Birmingham has caused this agreement to be signed and executed on its behalf by its Mayor, and duly attested by its City Clerk, and the Employee has signed and executed this agreement, both in duplicate, the day and year first above written.

WITNESSED:

Abriel Hauff  
Abriel Hauff

WITNESSED:

\_\_\_\_\_

CITY OF BIRMINGHAM, A Michigan  
Municipal Corporation

By: Pierre Boutros  
Pierre Boutros, Mayor

By: Alexandra D. Bingham  
Alexandria D. Bingham, Clerk

By: Thomas M. Markus  
Thomas M. Markus

**Annual Performance Evaluation**  
**of the**  
**City Manager**

**City of Bristol, Tennessee**

Evaluator: \_\_\_\_\_

Date: \_\_\_\_\_

## Performance Evaluation as Team Building

### Explanations and Directions

#### Evaluation as Team Building

If evaluation is to be, in the truest sense, a means of team building, certain conditions must prevail.

The two processes must be compatible and interrelated in the following ways:

1. Evaluation is basically a means, not an end in itself.
2. The trust level between the evaluatee and evaluators must be high.
3. The roles each are to fulfill must be clearly indicated and accepted.
4. Responsibilities are matched with pre-determined standards of performance.

#### Definition of Roles

- A. City Council
  1. Conduct annual assessments of performance of the City Manager.
  2. Respect the operational prerogatives of the City Manager to manage the organization and separate it from the policy role of City Council.
  3. Make assessments in general terms except in instances where specific improvements are needed or when explicit commendations are due.
- B. City Manager
  1. Accepts the prospects of annual evaluation.
  2. Understands the scope and thrust of the evaluations.
  3. Expects the evaluations to adhere to the established procedures for evaluating the performance of the City Manager.

#### Major Areas of Responsibility

Eight Major areas of responsibility serve as the basis upon which the assessments are to be made. Descriptors as provided under each clarify the meaning and content of the area. However, the evaluation is of the major area in total.

### Rating Symbols

- E** Exceeds Expectations (Performance has been above reasonable expectations)  
**M** Meets Expectations (Performance has attained a level of reasonable expectations)  
**B** Below Expectations (Performance has been below reasonable expectations)


To allow for further refinement of these assessments, each of the three categories can be indicated with a (+) or ( - ) symbol. This allows for a continuum of nine rating categories from B- which indicates the lowest rating to E+ which indicates the highest level of performance.



## Eight Major Areas of Responsibility

- I. Organizational Management
- II. Fiscal/Business Management
- III. Program Development and Follow-Through
- IV. Relationship with City Council
- V. Long Range Planning
- VI. Relationship with Public/Public Relations
- VII. Intergovernmental Relations
- VIII. Professional/Personal Development

City of Bristol, Tennessee


Rating	Responsibility	Performance Standard
Select Only One	<b>I. Organizational Management</b>	<b>Organizational Management will be considered effective when a majority of the conditions have been successfully fulfilled.</b>
 <b>E+</b>	<i>Plans and organizes the work that goes into providing services established by past and current decisions of the Board.</i>	<i>a. Well qualified, promising persons are recruited and employed.</i>
<b>E</b>		
<b>E-</b>	<i>Plans and organizes work that carries out policies adopted by the Council and developed by staff.</i>	<i>b. Employees are appropriately placed contributing to a high retention rate.</i>
<b>M+</b>		
<b>M</b>	<i>Plans and organizes responses to public requests and complaints or areas of concern brought to the attention of staff by Council and staff.</i>	<i>c. Supervisory techniques motivate high performance.</i>
<b>M-</b>		
<b>B+</b>	<i>Evaluation and keeping up with current technology.</i>	<i>d. Complaints to the Council are not common.</i>
<b>B</b>		
<b>B-</b>	<i>Selecting, leading, directing, and developing staff members.</i>	<i>e. The organization is aware of new trends in technology.</i>

**Comments: Observations of Evaluators**

**Suggestions for Improvement: (Specific area(s) that need strengthening)**

**Commendations: (Area(s) of performance calling for praise/commendation.)**

City of Bristol, Tennessee


Rating	Responsibility	Performance Standard
Select Only One	<b>II. Fiscal Management</b>	<b>Fiscal Management will be considered effective when a majority of the conditions have been successfully fulfilled.</b>
 <b>E+</b>	<i>Plans and organizes the preparation of an annual budget with substantial documentation and work planning.</i>	<i>a. Budget preparation and management are thorough and effective.</i>
<b>E</b>		
<b>E-</b>	<i>Plans, organizes and administers the adopted budget with approved revenues and expenditures.</i>	<i>b. Cost-effective measures are persistently pursued.</i>
<b>M+</b>		
<b>M</b>	<i>Plans, organizes and supervises the most economic utilization of manpower/materials/equipment.</i>	<i>c. Financial reporting is timely and readily understandable.</i>
<b>M-</b>		
<b>B+</b>	<i>Plans and organizes a system of reports for the Council that provide up-to-date data concerning revenue and expenditures.</i>	<i>d. Physical facilities management is efficient.</i>
<b>B</b>		
<b>B-</b>	<i>Plans and organizes maintenance of city-owned facilities, buildings and or equipment.</i>	

**Comments: Observations of Evaluators**

**Suggestions for Improvement: (Specific area(s) that need strengthening)**

**Commendations: (Area(s) of performance calling for praise/commendation.)**

City of Bristol, Tennessee

Rating	Responsibility	Performance Standard
Select Only One	III. Program Development and Follow-Through	Program planning techniques and procedures will be considered effective when a majority of the conditions have been successfully fulfilled.
 E+	Plans and organizes on-going programs and services of city government.	a. Ongoing programs and services are fully responsive to the City's needs.
E		
E-	Plans and organizes work involved in researching program suggestions by Board and staff and the reporting of results of analysis.	b. Monitoring procedures are in place and functioning well.
M+		
M	Maintains knowledge of current and innovative trends in municipal management, and incorporates that knowledge in program	c. Measurable outcomes are used to determine success in program planning.
M-		
B+	Plans and organizes work assigned by the Board so that it is completed with dispatch and efficiency.	d. The City Manager can be depended upon to follow through.
B		
B-	Plans, organizes and supervises implementation of programs adopted or approved by the Board.	e. The City Manager makes the most effective use of available staff talents.

**Comments: Observations of Evaluators**

**Suggestions for Improvement: (Specific area(s) that need strengthening)**

**Commendations: (Area(s) of performance calling for praise/commendation.)**

City of Bristol, Tennessee

Rating	Responsibility	Performance Standard
Select Only One	IV. Relationship with City Council	Relations with the City Council will be considered effective when a majority of the conditions have been successfully fulfilled.
E+	Maintains effective communication, both verbal and written, with the Council	a. Materials, reports, presentations and recommendations are clearly and convincingly made.
E		
E-	Maintains availability to the Board, either personally or through designated subordinates.	b. Communications are made in a timely, forthright, and open manner.
M+		
M	Establishes and maintains a system of reporting to the Council current plans and activities of the staff.	c. Responses to requests are made promptly and completely.
M-		
B+	Plans and organizes materials for presentation, either verbally or written, in a concise, clear, and comprehensive manner.	d. Recommendations appear to be thoroughly researched and founded.
B		
B-	Plans, organizes and supervises implementation of programs adopted or approved by the Board.	e. Adequate information is provided to the Council to make decisions.


**Comments: Observations of Evaluators**

**Suggestions for Improvement: (Specific area(s) that need strengthening)**

**Commendations: (Area(s) of performance calling for praise/commendation.)**



City of Bristol, Tennessee


Rating	Responsibility	Performance Standard
Select Only One	<b>V. Long-Range Planning</b>	<b>Long-Range Planning will be considered effective when a majority of the conditions have been successfully fulfilled.</b>
 <b>E+</b>	<i>Maintains a knowledge of new technologies, systems, methods in relation to city services.</i>	<i>A. A well-constructed long-range plan is currently in operation.</i>
<b>E</b>		
<b>E-</b>	<i>Keeps the Board advised of new and impending legislation and developments in the area of public policy.</i>	<i>b. Annual operational plans are carried out by staff members.</i>
<b>M+</b>		
<b>M</b>	<i>Plans and organizes a process of program planning in anticipation of futures needs and problems.</i>	<i>c. An on-going monitoring process is in operation to attain quality assurance in program and project implementation.</i>
<b>M-</b>		
<b>B+</b>	<i>Establishes and maintains an awareness of developments occurring within other jurisdictions that may impact city activities.</i>	<i>d. Program evaluation and personnel evaluation are inter-related in the planning process.</i>
<b>B</b>		
<b>B-</b>	<i>Plans, organizes and maintains a process for establishing organizational goals, including monitoring and status reporting.</i>	<i>e. Legislative knowledge is current and complete.</i>

**Comments: Observations of Evaluators**

**Suggestions for Improvement: (Specific area(s) that need strengthening)**

**Commendations: (Area(s) of performance calling for praise/commendation.)**

City of Bristol, Tennessee


Rating	Responsibility	Performance Standard
Select Only One	<b>VI. Relationship with Public/Public Relations</b>	<b>Communication will be considered effective when a majority of the conditions have been successfully fulfilled.</b>
 E+	<i>Plans, organizes and maintains training of employees in contact with the public, either by phone or in person.</i>	<i>a. Contacts with the media are timely and credible.</i>
E		
E-	<i>Ensures that an attitude and feeling of helpfulness, courtesy, and sensitivity to the public exists within the organization.</i>	<i>b. Publications are varied and consistently well-received by the public.</i>
M+		
M	<i>Establishes and maintains an image of the City to the community that represents service, vitality, and professionalism.</i>	<i>c. Feedback from the public and community leadership is positive.</i>
M-		
B+	<i>Establishes and maintains a liaison with other agencies and organizations involved in areas or concern that relate to services or activities of the activities of the City.</i>	<i>d. The City has a good image with comparable organizations.</i>
B		
B-		

**Comments: Observations of Evaluators**


**Suggestions for Improvement: (Specific area(s) that need strengthening)**

**Commendations: (Area(s) of performance calling for praise/commendation.)**

City of Bristol, Tennessee

Rating	Responsibility	Performance Standard
Select Only One	<b>VII. Intergovernmental Relations</b>	<b>Intergovernmental relations will be considered effective when a majority of the conditions have been successfully fulfilled.</b>
 <b>E+</b>	<i>Maintains awareness of developments and plans in other jurisdictions that may relate to or affect city government.</i>	<i>a. Sufficient activity with municipal and professional organizations.</i>
<b>E</b>		
<b>E-</b>	<i>Establishes and maintains a liaison with other governmental entities in areas of service that improve or enhance city programs.</i>	<i>b. Regarded as leader by municipal officials.</i>
<b>M+</b>		
<b>M</b>	<i>Maintains communications with governmental jurisdictions with which the City is involved or interfaces.</i>	<i>c. Provides examples of good ideas from other jurisdictions.</i>
<b>M-</b>		
<b>B+</b>		<i>d. Good cooperation with county and state agencies.</i>
<b>B</b>		
<b>B-</b>		

<b>Comments: Observations of Evaluators</b>
<b>Suggestions for Improvement: (Specific area(s) that need strengthening)</b>
<b>Commendations: (Area(s) of performance calling for praise/commendation.)</b>

Rating	Responsibility	Performance Standard
Select Only One 	<b>VIII. Professional/Personal Development</b>	<b>Professional and personal competencies will be considered effective when a majority of the conditions have been successfully fulfilled. successfully fulfilled.</b>
<b>E+</b>		
<b>E</b>	<i>Maintains awareness and value of broadening professional and personal development.</i>	<i>a. Management techniques show evidences of innovation, imagination, and decisiveness.</i>
<b>E-</b>		
<b>M+</b>	<i>Demonstrates imaginative leadership initiatives.</i>	<i>b. Synergetic techniques are fostered.</i>
<b>M</b>		
<b>M-</b>	<i>Ability to build cohesiveness in staff.</i>	<i>c. Verbal communication is commendable.</i>
<b>B+</b>		
<b>B</b>	<i>Decisiveness in leadership performance; effectiveness in verbal communications.</i>	
<b>B-</b>		

<b>Comments: Observations of Evaluators</b>   
<b>Suggestions for Improvement: (Specific area(s) that need strengthening)</b>   
<b>Commendations: (Area(s) of performance calling for praise/commendation.)</b>   

July 13, 2001

Barbara McIntyre  
Mayor  
2051 Union Place  
Columbia, Tennessee 38401

Dear Honorable Mayor McIntyre:

As was discussed at your Council meeting last night, please find enclosed a performance evaluation for Bob Elliott. This exercise is meant to provide insight into the way the City Manager's skills are perceived by you, the Council. Please complete the attached work sheet and return it to me in the self-addressed stamped envelope by Friday, July 20.

Please take your time with the assessment and be honest and objective. I need to know your feelings concerning the City Manager's performance and leadership abilities. On the attached work sheet, please use the following rating scale:

- E = Exceeds Expectations (performance has been above reasonable expectations)
- M = Meets Expectations (performance has attained a level of reasonable expectations)
- B = Below Expectations (performance has been below reasonable expectations)

To allow further fine-tuning of these assessments, each of the three categories can be indicated with a plus (+) or minus (-) symbol. This creates nine categories ranging from B-, which indicates the lowest rating to E+, which indicates truly exemplary performance.

However, please do not feel constrained by the work sheet; your written comments about a particular subject or topic of interest not addressed on the work sheet are most welcome. Please attach those comments to the work sheet.

Thanks for your time. I appreciate your insight. We will discuss the cumulative results of the evaluation at a council work session and talk about any specific areas of improvement you think are needed in addition to setting goals and objectives for the upcoming year(s).

Sincerely,

Margaret Norris  
Municipal Management Consultant

Enclosures



## COLUMBIA CITY MANAGER EVALUATION 2001

### Work Sheet

#### Rating

	1. Appropriately handles responses to public requests, complaints, or areas of concern.
	2. Plans, organizes, and supervises implementation of Council-approved programs.
	3. Maintains an image of the City to the community that represents service, vitality and professionalism.
	4. Plans, organizes, and administers the adopted budget.
	5. Anticipates future needs and problems.
	6. Is aware of developments and plans in other cities that may relate to or affect Columbia.
	7. Demonstrates imaginative leadership initiatives.
	8. Maintains effective communication, both verbal and written, with Council.
	9. Reports to Council on current plans and activities of the staff.
	10. Carries out policies adopted by the Council and developed by staff.
	11. Provides Council with up-to-date financial reports.
	12. Provides training of employees in contact with the public.
	13. Ability to build cohesiveness in staff.
	14. Maintains a knowledge of new technologies, systems, methods, etc. in relation to City services.
	15. Directs work involved in researching Council suggestions and reports findings.
	16. Maintains communication with governmental jurisdictions with which Columbia is involved or interacts.

E = Exceeds Expectations

M = Meets Expectations

B = Below Expectations

Please feel free to attach to this form any additional comments.

City Manager Performance Evaluation

City of \_\_\_\_\_

Evaluation period: \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_  
Governing Body Member's Name

Each member of the governing body should complete this evaluation form, sign it in the space below, and return it to \_\_\_\_\_. The deadline for submitting this performance evaluation is \_\_\_\_\_. Evaluations will be summarized and included on the agenda for discussion at the work session on \_\_\_\_\_.

\_\_\_\_\_  
Mayor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governing Body Member's Signature

\_\_\_\_\_  
Date Submitted

## INSTRUCTIONS

This evaluation form contains ten categories of evaluation criteria. Each category contains a statement to describe a behavior standard in that category. For each statement, use the following scale to indicate your rating of the city manager's performance.

**5 = Excellent** (almost always exceeds the performance standard)

**4 = Above average** (generally exceeds the performance standard)

**3 = Average** (generally meets the performance standard)

**2 = Below average** (usually does not meet the performance standard)

**1 = Poor** (rarely meets the performance standard)

Any item left blank will be interpreted as a score of "3 = Average"

This evaluation form also contains a provision for entering narrative comments, including an opportunity to enter responses to specific questions and an opportunity to list any comments you believe appropriate and pertinent to the rating period. Please write legibly.

Leave all pages of this evaluation form attached. Initial each page. Sign and date the cover page. On the date space of the cover page, enter the date the evaluation form was submitted. All evaluations presented prior to the deadline identified on the cover page will be summarized into a performance evaluation to be presented by the governing body to the city manager as part of the agenda for the meeting indicated on the cover page.

## PERFORMANCE CATEGORY SCORING

### 1. INDIVIDUAL CHARACTERISTICS

\_\_\_\_\_ Diligent and thorough in the discharge of duties, "self-starter"

\_\_\_\_\_ Exercises good judgment

\_\_\_\_\_ Displays enthusiasm, cooperation, and will to adapt

\_\_\_\_\_ Mental and physical stamina appropriate for the position

\_\_\_\_\_ Exhibits composure, appearance and attitude appropriate for executive position

Add the values from above and enter the subtotal \_\_\_\_\_  $\div 5 =$  \_\_\_\_\_ score for this category

## 2. PROFESSIONAL SKILLS AND STATUS

- \_\_\_\_\_ Maintains knowledge of current developments affecting the practice of local government management
- \_\_\_\_\_ Demonstrates a capacity for innovation and creativity
- \_\_\_\_\_ Anticipates and analyzes problems to develop effective approaches for solving them
- \_\_\_\_\_ Willing to try new ideas proposed by governing body members and/or staff
- \_\_\_\_\_ Sets a professional example by handling affairs of the public office in a fair and impartial manner

Add the values from above and enter the subtotal \_\_\_\_\_  $\div 5 =$  \_\_\_\_\_ score for this category

## 3. RELATIONS WITH ELECTED MEMBERS OF THE GOVERNING BODY

- \_\_\_\_\_ Carries out directives of the body as a whole as opposed to those of any one member or minority group
- \_\_\_\_\_ Sets meeting agendas that reflect the guidance of the governing body and avoids unnecessary involvement in administrative actions
- \_\_\_\_\_ Disseminates complete and accurate information equally to all members in a timely manner
- \_\_\_\_\_ Assists by facilitating decision making without usurping authority
- \_\_\_\_\_ Responds well to requests, advice, and constructive criticism

Add the values from above and enter the subtotal \_\_\_\_\_  $\div 5 =$  \_\_\_\_\_ score for this category

## 4. POLICY EXECUTION

- \_\_\_\_\_ Implements governing body actions in accordance with the intent of council
- \_\_\_\_\_ Supports the actions of the governing body after a decision has been reached, both inside and outside the organization
- \_\_\_\_\_ Understands, supports, and enforces local government's laws, policies, and ordinances
- \_\_\_\_\_ Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness
- \_\_\_\_\_ Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical

Add the values from above and enter the subtotal \_\_\_\_\_  $\div 5 =$  \_\_\_\_\_ score for this category

## 5. REPORTING

- \_\_\_\_\_ Provides regular information and reports to the governing body concerning matters of importance to the local government, using the city charter as guide
- \_\_\_\_\_ Responds in a timely manner to requests from the governing body for special reports
- \_\_\_\_\_ Takes the initiative to provide information, advice, and recommendations to the governing body on matters that are non-routine and not administrative in nature
- \_\_\_\_\_ Reports produced by the manager are accurate, comprehensive, concise and written to their intended audience
- \_\_\_\_\_ Produces and handles reports in a way to convey the message that affairs of the organization are open to public scrutiny

Add the values from above and enter the subtotal \_\_\_\_\_  $\div 5 =$  \_\_\_\_\_ score for this category

## 6. CITIZEN RELATIONS

- \_\_\_\_\_ Responsive to requests from citizens
- \_\_\_\_\_ Demonstrates a dedication to service to the community and its citizens
- \_\_\_\_\_ Maintains a nonpartisan approach in dealing with the news media
- \_\_\_\_\_ Meets with and listens to members of the community to discuss their concerns and strives to understand their interests
- \_\_\_\_\_ Gives an appropriate effort to maintain citizen satisfaction with city services

Add the values from above and enter the subtotal \_\_\_\_\_  $\div 5 =$  \_\_\_\_\_ score for this category

## 7. STAFFING

- \_\_\_\_\_ Recruits and retains competent personnel for staff positions
- \_\_\_\_\_ Applies an appropriate level of supervision to improve any areas of substandard performance
- \_\_\_\_\_ Stays accurately informed and appropriately concerned about employee relations
- \_\_\_\_\_ Professionally manages the compensation and benefits plan
- \_\_\_\_\_ Promotes training and development opportunities for employees at all levels of the organization

Add the values from above and enter the subtotal \_\_\_\_\_  $\div 5 =$  \_\_\_\_\_ score for this category



## 8. SUPERVISION

- \_\_\_\_\_ Encourages heads of departments to make decisions within their jurisdictions with minimal city manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff
- \_\_\_\_\_ Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level
- \_\_\_\_\_ Develops and maintains a friendly and informal relationship with the staff and work force in general, yet maintains the professional dignity of the city manager's office
- \_\_\_\_\_ Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback
- \_\_\_\_\_ Encourages teamwork, innovation, and effective problem-solving among the staff members

Add the values from above and enter the subtotal \_\_\_\_\_  $\div 5 =$  \_\_\_\_\_ score for this category

## 9. FISCAL MANAGEMENT

- \_\_\_\_\_ Prepares a balanced budget to provide services at a level directed by council
- \_\_\_\_\_ Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- \_\_\_\_\_ Prepares a budget and budgetary recommendations in an intelligent and accessible format
- \_\_\_\_\_ Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability
- \_\_\_\_\_ Appropriately monitors and manages fiscal activities of the organization

Add the values from above and enter the subtotal \_\_\_\_\_  $\div 5 =$  \_\_\_\_\_ score for this category

## 10. COMMUNITY

- \_\_\_\_\_ Shares responsibility for addressing the difficult issues facing the city
- \_\_\_\_\_ Avoids unnecessary controversy
- \_\_\_\_\_ Cooperates with neighboring communities and the county
- \_\_\_\_\_ Helps the council address future needs and develop adequate plans to address long term trends
- \_\_\_\_\_ Cooperates with other regional, state and federal government agencies

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category

## NARRATIVE EVALUATION

What would you identify as the manager's strength(s), expressed in terms of the principle results achieved during the rating period? \_\_\_\_\_

---

---

---

---

---

---

---

---

What performance area(s) would you identify as most critical for improvement? \_\_\_\_\_

---

---

---

---

---

---

---

---

What constructive suggestions or assistance can you offer the manager to enhance performance? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What other comments do you have for the manager; e.g., priorities, expectations, goals or objectives for the new rating period? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# **City of Klamath Falls Performance Evaluation**

## **City Manager**

### **PURPOSE**

The purpose of the employee performance evaluation and development report is to increase communication between the City Council and the City Manager concerning the performance of the City Manager in the accomplishment of his/her assigned duties and responsibilities, and the establishment of specific work-related goals and objectives.

### **PROCESS**

1. The City Manager prepares a memorandum to Council including his/her self evaluation in a narrative format, and shall return this to the Human Resources Director.
2. The Human Resources Director will copy and distribute the City Manager Performance Evaluation form as well as the City Manager's self evaluation to the Mayor and Council for review.
3. The Mayor and Council members will complete a performance evaluation for the City Manager and then return the completed form to the Human Resources Director.
4. The Human Resources Director will tabulate the results of the evaluation forms and create a compiled evaluation.
5. The Mayor and Council Members will meet in executive session with the City Manager to discuss his/her compiled evaluation. After being dismissed, the Mayor and Council will discuss the performance of the City Manager.
6. The Mayor will procure the signature and concurrence/dissent of each Council member.
7. The Mayor and Council President will meet with the City Manager in executive session to review the evaluation, unless the City Manager requests an open hearing.

### **INSTRUCTIONS**

Review the employee's work performance for the entire period; try to refrain from basing judgement on recent events or isolated incidents only. Disregard your general impression of the employee and concentrate on one factor at a time.

Evaluate the employee on the basis of standards you expect to be met for the job to which assigned considering the length of time in the job. Check (✓) the number which most accurately reflects the level of performance for the factor appraised using the rating scale described below.

# Performance Evaluation

City Manager

Date: \_\_\_\_\_

## RATING SCALE DEFINITIONS (1-5)

- Unsatisfactory (1) - The employee's work performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level can not be allowed to continue.
- Improvement (2)  
Needed The employee's work performance does not consistently meet the standards of the position. Serious effort is needed to improve performance.
- Meets Job (3)  
Standard The employee's work performance consistently meets the standards of the position.
- Exceeds Job (4)  
Standard The employee's work performance is frequently or consistently above the level of a satisfactory employee, but has not achieved an overall level of outstanding performance.
- Outstanding (5) The employee's work performance is consistently excellent when compared to the standards of the job.
- Not Observed (NO) The employee's work performance was not observed during this evaluation period.

## **I. Performance Evaluation and Achievements**

<b><u>1. City Council Relationships</u></b>	<b><u>1</u></b>	<b><u>2</u></b>	<b><u>3</u></b>	<b><u>4</u></b>	<b><u>5</u></b>	<b><u>NO</u></b>
A. Effectively implements policies and programs approved by the City Council.	___	___	___	___	___	___
B. Reporting to the City Council is timely, clear concise and thorough.	___	___	___	___	___	___
C. Accepts direction/instructions in a positive manner.	___	___	___	___	___	___
D. Effectively aids the City Council in establishing long range goals.	___	___	___	___	___	___
E. Keeps the City Council informed of current plans and activities of administration and new developments in technology, legislation, governmental practices and regulations, etc.	___	___	___	___	___	___

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**2. Public Relations**

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>NO</u>
A. Projects a positive public image.	—	—	—	—	—	—
B. Is courteous to the public at all times.	—	—	—	—	—	—
C. Maintains effective relations with media representatives.	—	—	—	—	—	—

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. Employee Relations**

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>NO</u>
A. Works well with other employees.	—	—	—	—	—	—
B. Seeks to develop skills and abilities of employees.	—	—	—	—	—	—
C. Motivates employees toward the accomplishment of goals and objectives.	—	—	—	—	—	—
D. Delegates appropriate responsibilities.	—	—	—	—	—	—
E. Effectively evaluates performance of employees.	—	—	—	—	—	—
F. Uses effective supervisory skills.	—	—	—	—	—	—
G. Recruits and hires qualified and effective staff.	—	—	—	—	—	—

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. Fiscal Management****1   2   3   4   5   NO**

- A. Prepares realistic annual budget. \_\_\_\_\_
- B. Seeks efficiency, economy and effectiveness in all programs. \_\_\_\_\_
- C. Controls expenditures in accordance with approved budget. \_\_\_\_\_
- D. Keeps City council informed about revenues and expenditures, actual and projected. \_\_\_\_\_
- E. Ensures that the budget addresses the City Council's goals and objectives. \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**5. Communication****1   2   3   4   5   NO**

- A. Oral communication is clear, concise and articulate. \_\_\_\_\_
- B. Written communications are clear, concise and Accurate. \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**6. Quantity/Quality****1   2   3   4   5   NO**

- A. Amount of work performed. \_\_\_\_\_
- B. Completion of work on time (meets deadlines). \_\_\_\_\_
- C. Accuracy. \_\_\_\_\_
- D. Thoroughness. \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**7. Personal Traits**

**1   2   3   4   5   NO**

- |                               |   |   |   |   |   |   |
|-------------------------------|---|---|---|---|---|---|
| A. Initiative.                | — | — | — | — | — | — |
| B. Judgement.                 | — | — | — | — | — | — |
| C. Fairness and Impartiality. | — | — | — | — | — | — |
| D. Creativity.                | — | — | — | — | — | — |

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8. Intergovernmental Affairs**

**1   2   3   4   5   NO**

- |  |   |   |   |   |   |   |
|--|---|---|---|---|---|---|
| A. Maintains effective communication with local, regional, state and federal government agencies.                          | — | — | — | — | — | — |
| B. Financial resources (grants) from other agencies are pursued.   | — | — | — | — | — | — |
| C. Contributes to good government through regular participation in local, regional and state committees and organizations. | — | — | — | — | — | — |
| D. Lobbies effectively with legislators and state agencies regarding City programs and projects.                           | — | — | — | — | — | — |

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Achievements relative to objectives for this evaluation period: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## II. Summary Rating

Overall Performance Rating – Considering the results obtained against established performance standards as well as overall job performance, the following rating is provided:

Unsatisfactory \_\_\_\_ Improvement \_\_\_\_ Meets Job \_\_\_\_ Exceeds Job \_\_\_\_ Outstanding \_\_\_\_  
Needed Standards Standards

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### III. Future Goals and Objectives

Specific goals and objectives to be achieved in the next evaluation period: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This evaluation has been reviewed and discussed between the City Council and the City Manager on: \_\_\_\_\_.

## Council Members

### Concurrence

Ward I

YES / NO

## Ward II

YES / NO

### Ward III

YES / NO

## Ward IV

YES / NO

## Ward V

YES / NO

City Manager

Signature

Next Evaluation Date

City Manager Performance Evaluation

City of \_\_\_\_\_

Evaluation period: \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_  
Governing Body Member's Name

Each member of the governing body should complete this evaluation form, sign it in the space below, and return it to \_\_\_\_\_. The deadline for submitting this performance evaluation is \_\_\_\_\_. Evaluations will be summarized and included on the agenda for discussion at the work session on \_\_\_\_\_.

\_\_\_\_\_  
Mayor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governing Body Member's Signature

\_\_\_\_\_  
Date Submitted



## INSTRUCTIONS

This evaluation form contains ten categories of evaluation criteria. Each category contains a statement to describe a behavior standard in that category. For each statement, use the following scale to indicate your rating of the city manager's performance.

**5 = Excellent** (almost always exceeds the performance standard)

**4 = Above average** (generally exceeds the performance standard)

**3 = Average** (generally meets the performance standard)

**2 = Below average** (usually does not meet the performance standard)

**1 = Poor** (rarely meets the performance standard)

Any item left blank will be interpreted as a score of "3 = Average"

This evaluation form also contains a provision for entering narrative comments, including an opportunity to enter responses to specific questions and an opportunity to list any comments you believe appropriate and pertinent to the rating period. Please write legibly.

Leave all pages of this evaluation form attached. Initial each page. Sign and date the cover page. On the date space of the cover page, enter the date the evaluation form was submitted. All evaluations presented prior to the deadline identified on the cover page will be summarized into a performance evaluation to be presented by the governing body to the city manager as part of the agenda for the meeting indicated on the cover page.

## PERFORMANCE CATEGORY SCORING

### 1. INDIVIDUAL CHARACTERISTICS

\_\_\_\_\_ Diligent and thorough in the discharge of duties, "self-starter"

\_\_\_\_\_ Exercises good judgment

\_\_\_\_\_ Displays enthusiasm, cooperation, and will to adapt

\_\_\_\_\_ Mental and physical stamina appropriate for the position

\_\_\_\_\_ Exhibits composure, appearance and attitude appropriate for executive position

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category

## 2. PROFESSIONAL SKILLS AND STATUS

- \_\_\_\_\_ Maintains knowledge of current developments affecting the practice of local government management
- \_\_\_\_\_ Demonstrates a capacity for innovation and creativity
- \_\_\_\_\_ Anticipates and analyzes problems to develop effective approaches for solving them
- \_\_\_\_\_ Willing to try new ideas proposed by governing body members and/or staff
- \_\_\_\_\_ Sets a professional example by handling affairs of the public office in a fair and impartial manner

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category

## 3. RELATIONS WITH ELECTED MEMBERS OF THE GOVERNING BODY

- \_\_\_\_\_ Carries out directives of the body as a whole as opposed to those of any one member or minority group
- \_\_\_\_\_ Sets meeting agendas that reflect the guidance of the governing body and avoids unnecessary involvement in administrative actions
- \_\_\_\_\_ Disseminates complete and accurate information equally to all members in a timely manner
- \_\_\_\_\_ Assists by facilitating decision making without usurping authority
- \_\_\_\_\_ Responds well to requests, advice, and constructive criticism

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category

## 4. POLICY EXECUTION

- \_\_\_\_\_ Implements governing body actions in accordance with the intent of council
- \_\_\_\_\_ Supports the actions of the governing body after a decision has been reached, both inside and outside the organization
- \_\_\_\_\_ Understands, supports, and enforces local government's laws, policies, and ordinances
- \_\_\_\_\_ Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness
- \_\_\_\_\_ Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category

## 5. REPORTING

- \_\_\_\_\_ Provides regular information and reports to the governing body concerning matters of importance to the local government, using the city charter as guide
- \_\_\_\_\_ Responds in a timely manner to requests from the governing body for special reports
- \_\_\_\_\_ Takes the initiative to provide information, advice, and recommendations to the governing body on matters that are non-routine and not administrative in nature
- \_\_\_\_\_ Reports produced by the manager are accurate, comprehensive, concise and written to their intended audience
- \_\_\_\_\_ Produces and handles reports in a way to convey the message that affairs of the organization are open to public scrutiny

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category

## 6. CITIZEN RELATIONS

- \_\_\_\_\_ Responsive to requests from citizens
- \_\_\_\_\_ Demonstrates a dedication to service to the community and its citizens
- \_\_\_\_\_ Maintains a nonpartisan approach in dealing with the news media
- \_\_\_\_\_ Meets with and listens to members of the community to discuss their concerns and strives to understand their interests
- \_\_\_\_\_ Gives an appropriate effort to maintain citizen satisfaction with city services

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category

## 7. STAFFING

- \_\_\_\_\_ Recruits and retains competent personnel for staff positions
- \_\_\_\_\_ Applies an appropriate level of supervision to improve any areas of substandard performance
- \_\_\_\_\_ Stays accurately informed and appropriately concerned about employee relations
- \_\_\_\_\_ Professionally manages the compensation and benefits plan
- \_\_\_\_\_ Promotes training and development opportunities for employees at all levels of the organization

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category

## 8. SUPERVISION

- \_\_\_\_\_ Encourages heads of departments to make decisions within their jurisdictions with minimal city manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff
- \_\_\_\_\_ Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level
- \_\_\_\_\_ Develops and maintains a friendly and informal relationship with the staff and work force in general, yet maintains the professional dignity of the city manager's office
- \_\_\_\_\_ Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback
- \_\_\_\_\_ Encourages teamwork, innovation, and effective problem-solving among the staff members

Add the values from above and enter the subtotal \_\_\_\_\_  $\div 5 =$  \_\_\_\_\_ score for this category

## 9. FISCAL MANAGEMENT

- \_\_\_\_\_ Prepares a balanced budget to provide services at a level directed by council
- \_\_\_\_\_ Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- \_\_\_\_\_ Prepares a budget and budgetary recommendations in an intelligent and accessible format
- \_\_\_\_\_ Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability
- \_\_\_\_\_ Appropriately monitors and manages fiscal activities of the organization

Add the values from above and enter the subtotal \_\_\_\_\_  $\div 5 =$  \_\_\_\_\_ score for this category

## 10. COMMUNITY

- \_\_\_\_\_ Shares responsibility for addressing the difficult issues facing the city
- \_\_\_\_\_ Avoids unnecessary controversy
- \_\_\_\_\_ Cooperates with neighboring communities and the county
- \_\_\_\_\_ Helps the council address future needs and develop adequate plans to address long term trends
- \_\_\_\_\_ Cooperates with other regional, state and federal government agencies

Add the values from above and enter the subtotal \_\_\_\_\_ ÷ 5 = \_\_\_\_\_ score for this category

## NARRATIVE EVALUATION

What would you identify as the manager's strength(s), expressed in terms of the principle results achieved during the rating period? \_\_\_\_\_

---

---

---

---

---

---

---

---

What performance area(s) would you identify as most critical for improvement? \_\_\_\_\_

---

---

---

---

---

---

---

---

What constructive suggestions or assistance can you offer the manager to enhance performance? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

What other comments do you have for the manager; e.g., priorities, expectations, goals or objectives for the new rating period? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



## CITY MANAGER

### PERFORMANCE EVALUATION

#### ASSISTING COUNCIL WITH ITS POLICY-MAKING ROLE

	<u>Weak</u>		<u>Strong</u>		
<b>A. Providing Information</b>					
1. Does the City Manager keep you informed, in a timely manner, of the things you want to know about?	1	2	3	4	5
2. Do you feel that you receive information on an equal basis with other Councilmembers?	1	2	3	4	5
3. Do reports provide adequate information and analysis to help you make sound decisions?	1	2	3	4	5
4. Are agenda items and supporting documents appropriate and brought to Council in sufficient time for deliberations?	1	2	3	4	5
5. Does the City Manager regularly consult with the Mayor before setting the agenda to determine appropriate topics and timing?	1	2	3	4	5
6. Does the City Manager follow up promptly on Council requests for information or action without having to be reminded?	1	2	3	4	5
7. Are Council packets relatively free of errors and omissions?	1	2	3	4	5

Comments \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

	<u>Weak</u>		<u>Strong</u>		
<b>B. Providing Advice</b>					
1. Does the City Manager have adequate knowledge of municipal affairs?	1	2	3	4	5
2. Does he exercise good judgment?	1	2	3	4	5
3. Do you feel that the City Manager considers alternatives before making recommendations?	1	2	3	4	5
4. Does the City Manager plan ahead, anticipate needs and recognize potential problems?	1	2	3	4	5
5. How do you feel about the quality of analysis that accompanies recommendations?	1	2	3	4	5
6. Does he have a good sense of timing in bringing issues to the Council for action?	1	2	3	4	5

Comments \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **INTERNAL ADMINISTRATION**

	<u>Weak</u>		<u>Strong</u>		
<b>A. Financial Management</b>					
1. Are you comfortable with the City Manager’s approach to budget preparation and review?	1	2	3	4	5
2. Is the City Manager effective in controlling costs through economical utilization of manpower, materials and equipment?	1	2	3	4	5
3. Does the City Manager have sufficient knowledge of financial matters?	1	2	3	4	5
4. Does the City Manager provide you with sufficient information on the financial status of the City government?	1	2	3	4	5
5. Is the budget submitted on time?	1	2	3	4	5

C:\DOCUME~1\straylor\LOCALS~1\Temp\City Mgr Eval 2003 San Carlos.doc

Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

		<u>Weak</u>		<u>Strong</u>	
<b>B. Personnel Management</b>					
1. Is the City Manager successful in guiding people so that they work together as a team toward common objectives?	1	2	3	4	5
2. Is the City Manager effective in selecting and placing personnel?	1	2	3	4	5
3. Does the City Manager develop and motivate personnel so that they are increasingly effective in performing their duties?	1	2	3	4	5
4. Is the City Manager willing to face up to disciplinary problems and take action when warranted?	1	2	3	4	5
5. Is the City Manager effective in promoting positive employer-employee relations?	1	2	3	4	5
6. Does the City Manager respond to Council suggestions on employee training, work priorities and productivity? Are the decisions explained to Council?	1	2	3	4	5
7. Is the City Manager effective on assuring that staff makes a positive impression on citizens?	1	2	3	4	5
8. Does the City Manager ensure that every City employee receives a written annual performance review?	1	2	3	4	5

Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

		<u>Weak</u>		<u>Strong</u>	
<b>C. Getting the Job Done</b>					
1. Do you have the feeling that things the Council decides or directs get done?	1	2	3	4	5
2. Does the City Manager organize or assign work so that it is performed efficiently and effectively?	1	2	3	4	5
3. Does the City Manager pay sufficient attention to detail to avoid error or things "slipping through the cracks"?	1	2	3	4	5
4. Does the City Manager put in sufficient time and effort to perform to your expectations?	1	2	3	4	5
5. Does the City Manager have a good sense of priorities in the way he spends his time on the job?	1	2	3	4	5
6. Is the City Manager able to analyze problems or issues and identify causes, reasons and implications?	1	2	3	4	5
7. Does the City Manager develop and carry out short and long-term action plans?	1	2	3	4	5
Comments _____					
_____					
_____					
_____					

**EXTERNAL RELATIONS**

		<u>Weak</u>		<u>Strong</u>	
<b>A. Citizen Relations</b>					
1. Does the City Manager generally make a positive impression on citizens and is he respected in San Carlos?	1	2	3	4	5
2. Is he effective in handling disputes or complaints involving citizens?	1	2	3	4	5

	<u>Weak</u>		<u>Strong</u>		
3. Does the City Manager have appropriate visibility or identity in the community?	1	2	3	4	5
4. Does the City Manager represent Council positions and policies accurately and effectively?	1	2	3	4	5
5. Does the City Manager give sufficient credit to Council?	1	2	3	4	5
6. Does the City Manager think and act in a manner reflecting an attitude that client (Council, staff or citizens) perceptions and satisfactions are key?	1	2	3	4	5

Comments \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

		<u>Weak</u>		<u>Strong</u>		
<b>B. Intergovernmental Relations</b>						
1.	Is the City Manager effective representing the City's interests in dealing with other agencies?	1	2	3	4	5
2.	Does the City Manager participate in enough intergovernmental activity to have an impact on behalf of the City?	1	2	3	4	5

Comments \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **PERSONAL CHARACTERISTICS**

<u>PERSONALITY CHARACTERISTICS</u>					
	<u>Weak</u>		<u>Strong</u>		
<b>A. Personality</b>					
1. Is the City Manager's personality suited to effective performance of his duties?	1	2	3	4	5

	<u>Weak</u>		<u>Strong</u>		
<b>B. Communications</b>					
1. Is the City Manager easy to talk to?	1	2	3	4	5
2. Do you feel he is a good listener?	1	2	3	4	5
3. Are communications thoughtful, clear and to the point?	1	2	3	4	5
4. Does the City Manager show sensitivity to the concerns of others?	1	2	3	4	5

Comments \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

	<u>Weak</u>		<u>Strong</u>		
<b>C. Management Style</b>					
1. Does the City Manager demonstrate interest and enthusiasm in performing his duties?	1	2	3	4	5
2. Does he have sufficient leadership characteristics to command respect and good performance from employees?	1	2	3	4	5
3. Does the City Manager show initiative and creativity in dealing with issues, problems and unusual situations?	1	2	3	4	5
4. Is the City Manager open to new ideas and suggestions for change?	1	2	3	4	5
5. Does the City Manager create an atmosphere in which employees can enjoy working for the City?	1	2	3	4	5
6. Is the City Manager honest and ethical?	1	2	3	4	5
7. Does the City Manager work well under pressure?	1	2	3	4	5



	<u>Weak</u>		<u>Strong</u>		
8. Is the City Manager able to change his approach to fit new situations?	1	2	3	4	5
9. Can the City Manager consistently put aside personal views and implement Council policy and direction?	1	2	3	4	5

**ACHIEVEMENTS**

List the top three achievements or strong points of the City Manager for the past twelve (12) months.

**FUTURE DEVELOPMENT**

List three performance objectives for the City Manager that you feel are the most important targets for this year.

	<u>Weak</u>		<u>Strong</u>		
<b><u>OVERALL RATING</u></b>	1	2	3	4	5

Councilmember \_\_\_\_\_

Date \_\_\_\_\_

**A HANDBOOK  
FOR EVALUATING  
THE CITY MANAGER**



**City of Dover, NH**

## CONTENTS

<b>Introduction</b> .....	1
<b>Purpose</b> .....	1
<b>Context for Performance Evaluation</b> .....	2
Council and Manager Roles and Responsibilities .....	2
Council Goals and Priorities .....	2
Right to Know Law .....	2
<b>The Performance Evaluation Process</b> .....	4
Step 1: Defining clearly why you want to evaluate the performance of your employee .....	5
Step 2 :Developing a time line and assigning responsibilities.....	5
Step 3: Developing criteria .....	5
Step 4: Refining criteria .....	6
Step 5: Selecting procedures to evaluate performance .....	7
Step 6: Performing the evaluation .....	8
Step 7: Discussing results with your employee and allowing for feedback.....	9
Step 8: Agree on follow-up steps.....	10
Step 9: Evaluating the process.....	10
<b>Next Steps</b> .....	11
 <b>Appendices</b>	
ICMA Recognized Practices for Effective Local Government Management.....	12
Article - “How are We Doing” – Evaluating the Performance of the Chief Administrator ..	16
Sample Evaluation Form .....	22

## **Introduction**

This Handbook has been developed for use by Dover's City Council to help establish and conduct an evaluation process for the City's chief executive officer and the Council's sole employee, the City Manager.

An annual examination of the City Manager's performance is not only required by the City Manager's employment agreement but also because it is important and healthy for an effective council-manager relationship. Ultimately, the City Manager's performance evaluation is an essential tool for promoting more effective decision-making throughout the City organization.

This Handbook first discusses the purpose for completing an evaluation of the Manager's performance, and defines the context within which a performance evaluation takes place. It then outlines a series of steps for an effective performance evaluation process and concludes with other reference materials and a generic evaluation form.

The information presented has been adapted from materials developed by the Oregon League of Cities and includes related resource materials assembled from various publications.

## **Purpose**

Performance evaluation need not be painful for either the Council or its most important and only employee, the City Manager. It should be constructive, providing not only an examination of past performance but guidance for future efforts by the City Manager.

The needs of any city often change over time and priorities are likely to shift with each Council election. As with any employer/employee relationship, an employer has a responsibility to clearly communicate to its employee exactly what it expects and wants. As the employer, each new Council has an obligation to relate to their employee, the Manager, their desire for him or her to focus on particular community needs, projects or priorities.

If conducted properly, a performance evaluation process will be positive and useful for both the Council and Manager. It will:

- allow Council members to become better acquainted with each other and the Manager;
- improve communication between the Council and Manager;
- provide important feedback to the Manager;
- acknowledge strengths and point out weaknesses for the Manager;
- bring problems into focus and reduce future misunderstanding and conflict; and
- Help clarify roles and responsibilities of both the Council and Manager.

There is another purpose for completing the City Manager performance evaluation process. An effective evaluation process can help the Council examine and improve upon its own performance. A Council's success in achieving its goals is tied to the performance of its City

Manager. The City Manager can provide useful feedback and observations to the council about such things as:

- is the Council providing clear direction about its needs, goals, and priorities?
- is the Council fulfilling its role as a policy-making body?
- is the Council becoming too involved in day-to-day administration?

There are numerous methods and techniques that a city council may choose to follow in evaluating their city manager. The process outlined in this Handbook is general in nature and can be adapted to accommodate various needs or circumstances that may arise from time to time. Although there is no "right" way to conduct an evaluation, there is a right way to approach performance evaluations. The City Council's evaluation of the City Manager must be approached as part of an on-going process which strives to allow for a more thoughtful and effective decision-making body and more effective city management.

## **Context for Performance Evaluation**

**Council and Manager Roles and Responsibilities.** A council and its manager depend on each other. . . the council depends on its manager for a considerable amount of information, and the manager depends on the council to make the best decisions it can after receiving and evaluating that information. Given this dependency, the importance of respect, forthrightness and confidence in the Council-Manager relationship can not be overemphasized.

The original concept behind the council-manager form of government was to separate the policy-making functions, the domain of the elected council, from the administrative functions to be directed by the manager. In reality, the separation of administrative and policy-making functions is not so clear cut. Defining the difference between policy and administration may be the greatest source of confusion and conflict between city councils and a manager.

Before any performance evaluation takes place, a council and its manager should define their respective roles and reach agreement about them. Without a clear understanding of functions and roles, performance evaluation is of little value. The areas of responsibility of the City Council and City Manager are outlined in the City's Charter, Administrative Code and ordinances. These documents should be consulted and provide the basis for further discussions to clarify "what falls where."

**Council Goals and Priorities.** Goals are a necessary ingredient for success in an organization. To be effective, any organization must have a clear picture of its purpose and what it hopes to achieve, an understanding of what it must do to achieve its purpose, specific goals, and objectives, and a valid method for evaluating its effectiveness in reaching them.

Setting goals has a direct relationship to the Manager's performance. Goals set clear direction and let the Manager know what issues are important to pursue. The council goals, themselves, should not be a part of appraising the Manager's performance. However, the City Manager's professional capacity to take policy direction from the Council and implement the goals is an important ingredient of evaluating the Manager's performance.

**Right to Know Law.** In New Hampshire, an evaluation completed by the City Council must occur within the guidelines of the state's Right to Know law, RSA 91-A. The Council and Manager

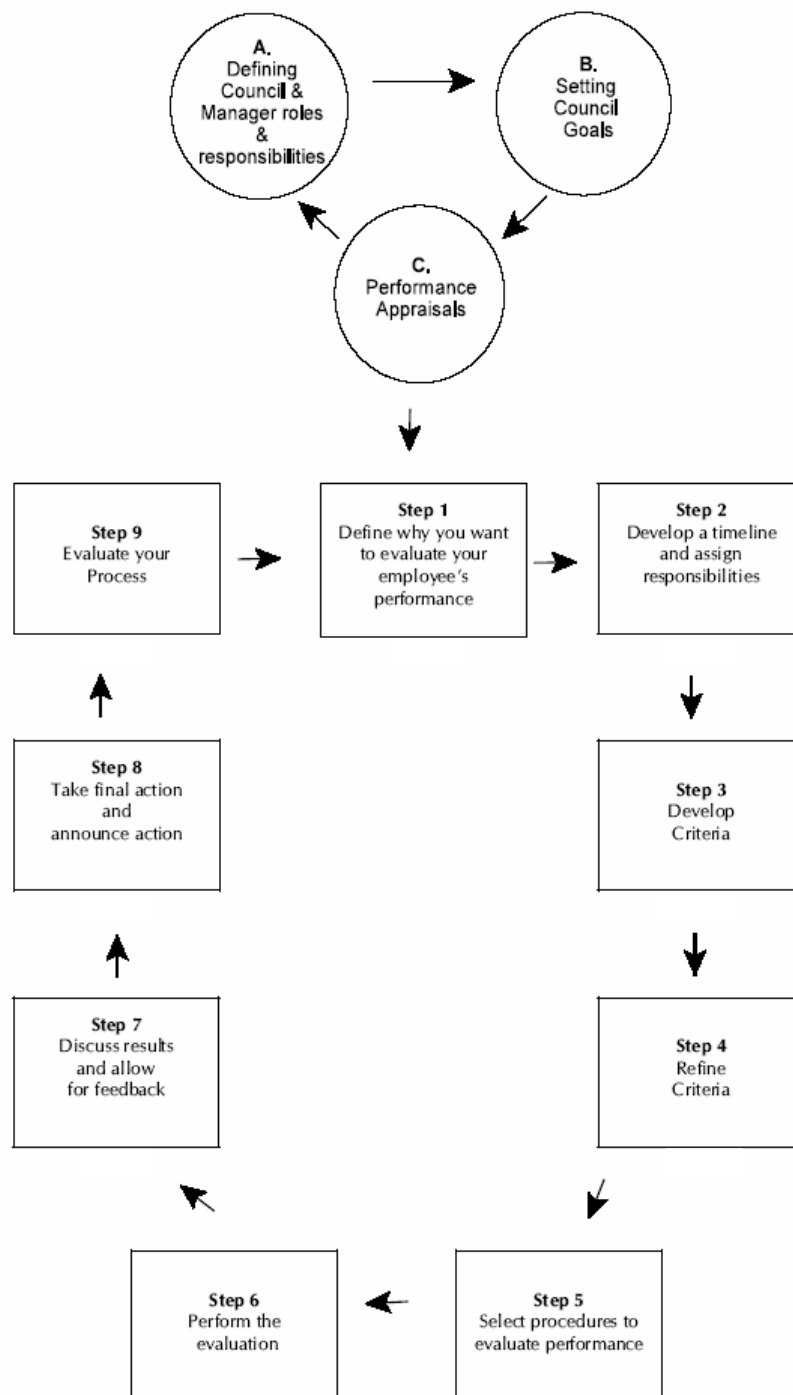
should review the law and decide whether or not to conduct the process in a public or a non-public session.

The general intent of the Right to Know Law is to provide a statutory right of public access to meetings conducted by a public decision-making body and records maintained by public agencies. There are some specific exceptions when the public may be excluded from attending a meeting involving the body or having access to certain records. One of the specific exemptions relates to personnel related matters involving a public employee.

Regardless of whether the evaluation is conducted in a non-public or open session, the Right to Know Law will dictate certain procedures for meeting notification, recording of minutes and disclosure of decisions made. These procedures should be reviewed by the Council and Manager and followed throughout the evaluation process.



## The Performance Evaluation Process



## **STEP 1:        DEFINE CLEARLY WHY YOU WANT TO EVALUATE THE PERFORMANCE OF YOUR EMPLOYEE**

There are many reasons for a Council to evaluate the performance of its Manager. Frequently, the Council wants to measure performance and determine salary, or define or improve, the working relationship between the Manager and the Council. Whatever the particular reasons, they should be honest, clear, and understood by the Council, the employee, and the public before launching a performance evaluation process.

Following are examples of objectives that can be established prior to completing the appraisal process:

- To establish and maintain effective Council and City Manager relationships;
- To allow the City Manager and Council to identify and understand their respective roles, relationships, expectations of, and responsibilities, to each other; and
- to allow the discussion of the City Manager's strengths and weaknesses as demonstrated by past performance, away from the decision-making table, and the methods where performance may be improved and crisis confrontations avoided.

## **STEP 2:        DEVELOP A TIME LINE AND ASSIGN RESPONSIBILITIES**

A Council which is committed to a good evaluation process will also commit the time necessary to perform each task involved in the process. The entire council should be involved in every step. The Council as a body employs the City Manager and is needed to provide guidance to the City Manager.

A Council may decide to use the services of an outside facilitator to assist in, some or all, phases of the process. Using an outside facilitator has advantages. For example, the facilitator has not been involved in the council-manager relationship or the individual personalities which would likely influence the process. It is also easier for an outside person to keep the process moving along during periods when the Council can otherwise get bogged down.

If you choose not to use an outside facilitator, you should select a leader who will take responsibility for facilitating the evaluation process. This leader could be the Mayor or a designated Council member.

## **STEP 3:        DEVELOP CRITERIA**

Once the Council and Manager are comfortable with your respective roles and responsibilities, have adopted goals which are supported by the Council, and are clear about why you're conducting an evaluation, you're ready to move to the next step — selecting the criteria to measure against. Criteria are like yard sticks — they establish standard dimensions by which we can measure progress. Without these yardsticks, evaluations can turn into unfair, unproductive free-for-alls.

Nowadays, employers of all types commonly identify the specific professional competencies and skills employee's need to succeed in any given position. These competencies and skills are used as the criteria for employment related evaluations beginning with an employee's initial recruitment, ongoing training, and subsequent performance evaluations.

Examples of competencies that can be incorporated into an evaluation of the City Manager may be found in the 18 practice areas recognized by International City/County Management

Association as essential for every local government manager. The professional competencies for effective local government management are listed in Appendix A.

Aside from selecting criteria based on professional competencies, do not overlook the Manager's ability to achieve Council goals. If a goal is purely a Council goal, such as Council members being more visible in the community, it would not be fair to add that to the list since it is not something the Manager can implement. However, the Council can look at whether or not the Manager has the professional capacity to help the Council implement its goals.

In developing the criteria to be used for evaluating the City Manager's performance, both the Council and Manager should discuss and agree upon the competencies, skills and expected outcomes necessary for being an effective City Manager. ***The evaluation process will be enhanced if both the entire Council and the Manager are involved from the start in developing the criteria and agreeing on them.*** This is an important area where a facilitator may add value to the evaluation process. A facilitator should be able to assist with identifying and developing evaluation criteria that are specific to the circumstances found in this community.

#### **STEP 4: REFINE CRITERIA**

You are now ready to refine the criteria and develop specific questions you want to ask and have answered during the evaluation. It is important to be specific about what you really mean in each category. Again, it is best to refine the criteria with the entire Council and the Manager to ensure categories are not misinterpreted or new performance goals inadvertently added which were not previously defined.

After developing evaluation criteria, refining and expanding upon each is one of the most critical steps in an effective performance appraisal system, and one of the most involved. For each competency and/or responsibility you list, you must be able to answer two questions:

First, "What is the purpose, effect, or desired outcome of this competency/responsibility?"

Second, "How will I know, if and when, this purpose, effect, or desired outcome is being achieved?"

Answers to these questions achieve two important goals: (1) a clear statement of purpose helps assure that individual Council members understand one another's values, ideas, and concerns about the role and functions of the City Manager in city government; and (2) knowing the data and performances that tell you that responsibility is, in fact, being achieved requires that you look for tangible criteria to use in judging managerial performance.

Example:

#### **CRITERIA: Policy Facilitation**

##### **What is the purpose, effect, or desired outcome of this responsibility?**

To allow the council to function as efficiently and effectively as possible in its interaction with administrative staff members, departments, and the overall guidance of city affairs. To minimize delays, confusion, and conflict generated by incomplete staff work, favoritism,

lobbying, and unprofessional managerial performance. To assist the council in acting as a single body . . . etc.

**How will I know, if and when, this purpose, effect, or desired outcome is being achieved?**

Availability and timeliness of information requested or needed by the council.  
Preparedness for council meetings. Accuracy and thoroughness of information and reports.  
Keeping councilors apprised of day-to-day events and information necessary for them to carry out their functions. Impartial and professional interaction with each councilor, regardless of opinions and recommendations . . . etc.

Ultimately, performance appraisal addresses the actions taken by the City Manager to meet the expectations of the Council and the requirements of the position. Performance is action. Appraisal focuses on the effects of that action.

Focusing each criterion by addressing the two questions above will help you in objectively identifying the actions and effects of the City Manager's performance while avoiding the traps of trying to assess subjective characteristics that may not truly be bona fide job requirements.

**STEP 5: SELECT PROCEDURES TO EVALUATE PERFORMANCE**

After you have specific criteria by which you will evaluate your employee, review them until both the Council and Manager are satisfied with the results.

The next step is deciding how you're going to perform the evaluation. The criteria you've developed may help determine the best way to do it. There are three general approaches to consider: written evaluations, oral evaluations, or a combination of both.

Written Evaluations. This technique allows each person to make all comments in writing. There are several methods used for written evaluations. A combined essay and rating scale is perhaps the most commonly used.

Essays. An essay is a written statement describing the employee's performance. It is most effective when each answer responds to a specific question, topic or criterion. It is least effective when each answer is generally stated and when its relation to criteria is vague and unspecific.

Rating Scales. A rating scale consists of a set of statements about job performance. A scale, either using numbers or adjectives, is used by evaluators to make their judgments.

Combination Essay and Rating Scales. A simple and effective way to perform the evaluation is to develop a rating scale and leave room for additional comments under each criterion. This allows for individuals to use specific examples of what the employee has done. It also helps the Manager understand what the Council thinks more specifically about his or her performance.

Oral Evaluation. Openly discussing the appraisal with the Manager is another technique. As with written evaluations, conversation should center on the criteria you developed and should be conducted by the Council as a group. An advantage of verbal evaluation is that it presents

an opportunity to clear up any misunderstanding about performance in face-to-face settings. However, unlike written evaluations, verbal evaluations do not leave a written record and sometimes lead to confusion at a later time about what was said.

Combination of Written and Oral. A combined written and oral evaluation is probably the most effective method of performing the evaluation. This method allows each individual Council member to evaluate the performance of the Manager in writing and follow up with face-to-face discussion individually and/or preferably collectively as a group.

Whatever technique chosen, it is important to stick to the developed criteria. You are evaluating the performance of an individual in a position. The evaluation is not a free-for-all gripe session, nor is it an awards ceremony; it is important to express legitimate concerns and recognize good performance as well as communicate future expectations.

## **STEP 6:       PERFORM THE EVALUATION**

The system for performing the evaluation you have just designed is now in place and ready to use. Make sure you have a definitive schedule set up and a target date for completing the evaluation.

If you have chosen to use a written evaluation technique, the forms should be distributed to individual Council members, requesting that the forms be completed and returned according to the established schedule.

Collecting accurate information according to the criteria you have developed is more difficult for a Council than in an ordinary supervisor-subordinate situation because Council members are not always in a position to observe the employee on a day-to-day basis.

It is certainly not appropriate for Council members to follow the Manager around for a week with a pencil and pad in their hands. But there are several things Council-members can and should do to help ensure that they have accurate information to perform a meaningful evaluation.

The most important thing is to allow enough time to collect information about the Manager's performance. An extended information-collection period will make the entire process a little longer; however, it is well worth spending the additional time to have an effective and productive evaluation. Council members cannot base their judgments on the employee's performance in only 2 or 3 months. Allowing six months after you have developed the criteria may be more appropriate.

Looking over minutes of past meetings may bring to mind projects that the Manager has been responsible for and the outcome of those projects.

Individual Council members may want to make appointments with the Manager to discuss his or her performance. This meeting is not intended to make judgments about his or her performance. Its purpose is to seek information.

Remember, the primary responsibility for Councilors during this phase of the evaluation cycle is to be alert and responsive to data about the Manager's performance. One of the most common errors found in formal employee evaluation systems is, as one manager explained, that they often reflect only the performance just prior to the evaluation session. To avoid this, it

is important for Councilors to document incidents and information throughout the performance cycle that reflect the performances of the City Manager.

Note: It is as important to document outstanding performances as it is to document performances that don't meet with your expectations.

It will be extremely helpful to both the Manager and the Council to use specific examples of performance in the evaluation. Vague generalizations will not help the Manager understand how he or she can improve performance. Specific examples help to illustrate positive and negative comments and put everyone on the same wavelength.

In preparing for discussion of the evaluation results with the Manager, the facilitator of the review session should compile the information from each Council member into one document which reflects all the input. The facilitator should then share the results with the entire Council before it is presented to the Manager. The purpose of sharing the results of the evaluation with the Council is to provide each member with an understanding of the total results. The Council should strive to reach consensus on the report so that each person can feel a part of the result and be comfortable with it. This does not mean that any individual should try to push others into changing their minds about how they filled out the evaluation. But this group discussion will allow each council member to understand how the others feel and what differences need to be resolved. There may be differences in the perceptions of individuals which need further discussion and clarification.

Having one document from the whole council is very important. The entire performance evaluation process has been a group process. It is not appropriate for each Council member to independently pass judgment on the Manager without consensus of the entire Council. The Council has authority and the Manager receives direction only when the Council acts as a body.

## **STEP 7: DISCUSS RESULTS WITH EMPLOYEE AND ALLOW FOR FEEDBACK**

Before you make a final decision about any action as a result of the evaluation, or make any final statement as a Council about the Manager's performance, it is important to discuss the results of the evaluation with the Manager first.

Several things should happen during this discussion. First, you may wish to let the Manager evaluate him or herself. You can give the same rating form or set of questions to the Manager and ask him or her to fill it out according to their own perception of how he or she has performed in the position.

Discuss the areas where there are differences between the Manager and the Council about strengths and weaknesses. There may be misunderstanding among Council members about the Manager's actual performance. Likewise, the Manager may not have understood or may have misinterpreted the Council directives. Try to reach agreement on the areas that need improvement and what types of changes the Council would find acceptable.

A Council that is serious about evaluation should understand that its performance often affects the Manager's performance. The Council should ask the Manager about how the Council's performance has enhanced or hindered the Manager's performance.



## **STEP 8:        AGREE ON FOLLOW-UP STEPS**

One of the most important reasons for evaluating the performance of an employee is to acknowledge the employee's strengths and point out areas that need to be improved. Any recommendations or actions the Council takes should be tied to this reason and any others the Council listed in Step 1 of this process.

**Nobody is perfect** — even the best evaluation will likely show a few things that need improvement and attention. Also, change may be necessary on the part of the Council as well as the Manager.

Remember that the evaluation process is intended to bring out positive change. **Focus on future improvement, not on past performance.**

Agree on the areas that need improvement and the best course of action. The facilitator, if you are using one, may be able to suggest ways to improve performance.

Set up a work program and schedule for workshops or any other methods which will help the Manager and Council improve the identified areas. Stick to the schedule.

Effective performance should be acknowledged. Everyone needs positive reinforcement for good work. The Council should decide how they would like to acknowledge strong performance. But, at the very least, a public statement by the Council should be made supporting and acknowledging the Manager's performance.

## **STEP 9:        EVALUATING YOUR PROCESS**

No process is ever complete without an evaluation of what it is you have done. Whether you develop a questionnaire to evaluate the process or have a debriefing session, every individual involved in the process should participate and make recommendations for future use. Here are some questions to get you started:

What were the positive outcomes?

What were the negative outcomes?

Could negative outcomes have been avoided?

How could you improve the process next time?

What areas of the process do you and the Manager need to work on?

Were the criteria fair and objective?

What have you learned about yourself as an elected or appointed official?

How did the general public react?

Involve the Manager in this review. He or she may have some valuable insights for the next time.

As a group, try to develop a list of ways you could improve what you have done.

## **Your Next Steps**

Once you have completed this process, you will have done more than evaluate the performance of your employee. You will have defined your roles and responsibilities, set goals, opened up lines of communication, and made significant strides toward increasing your own effectiveness as an elected body.

But don't stop here! Go back and refine your roles; you may have accomplished some of your goals and need to set new ones. If you haven't accomplished them, set deadlines for their accomplishment. It may be time to put another appraisal process together. There may be some Council training and team development sessions needed as a result of reviewing the Council's and Manager's accomplishments. Don't be discouraged if you felt a little uncomfortable or if the process wasn't perfect the first time. This process takes practice and refinement, but it is worth it!

Continue the good work that you have started and watch how positive change can happen.

## Appendices

### **ICMA Recognized Practices for Effective Local Government Management**

1. Staff Effectiveness: Promoting the development and performance of staff and employees throughout the organization (requires knowledge of interpersonal relations; skill in motivation techniques; ability to identify others' strengths and weaknesses). Practices that contribute to this core content area are:

COACHING/MENTORING Providing direction, support, and feedback to enable others to meet their full potential (requires knowledge of feedback techniques; ability to assess performance and identify others' developmental needs)

TEAM LEADERSHIP Facilitating teamwork (requires knowledge of team relations; ability to direct and coordinate group efforts; skill in leadership techniques)

EMPOWERMENT Creating a work environment that encourages responsibility and decision making at all organizational levels (requires skill in sharing authority and removing barriers to creativity)

DELEGATING Assigning responsibility to others (requires skill in defining expectations, providing direction and support, and evaluating results)

2. Policy Facilitation: Helping elected officials and other community actors identify, work toward, and achieve common goals and objectives (requires knowledge of group dynamics and political behavior; skill in communication, facilitation, and consensus-building techniques; ability to engage others in identifying issues and outcomes). Practices that contribute to this core content area are:

FACILITATIVE LEADERSHIP Building cooperation and consensus among and within diverse groups, helping them identify common goals and act effectively to achieve them; recognizing interdependent relationships and multiple causes of community issues and anticipating the consequences of policy decisions (requires knowledge of community actors and their interrelationships)

FACILITATING COUNCIL EFFECTIVENESS Helping elected officials develop a policy agenda that can be implemented effectively and that serves the best interests of the community (requires knowledge of role/authority relationships between elected and appointed officials; skill in responsibly following the lead of others when appropriate; ability to communicate sound information and recommendations)

MEDIATION/NEGOTIATION Acting as a neutral party in the resolution of policy disputes (requires knowledge of mediation/negotiation principles; skill in mediation/negotiation techniques)

3. Functional and Operational Expertise and Planning (a component of Service Delivery Management): Practices that contribute to this core content area are:

FUNCTIONAL/OPERATIONAL EXPERTISE Understanding the basic principles of service delivery in functional areas--e.g., public safety, community and economic development, human and social services, administrative services, public works (requires knowledge of service areas and delivery options)

OPERATIONAL PLANNING Anticipating future needs, organizing work operations, and establishing timetables for work units or projects (requires knowledge of technological advances and changing standards; skill in identifying and understanding trends; skill in predicting the impact of service delivery decisions)

4. Citizen Service (a component of Service Delivery Management): Determining citizen needs and providing responsive, equitable services to the community (requires skill in assessing community needs and allocating resources; knowledge of information gathering techniques)

5. Quality Assurance (a component of Service Delivery Management): Maintaining a consistently high level of quality in staff work, operational procedures, and service delivery (requires knowledge of organizational processes; ability to facilitate organizational improvements; ability to set performance/ productivity standards and objectives and measure results)

6. Initiative, Risk Taking, Vision, Creativity, and Innovation (a component of Strategic Leadership): Setting an example that urges the organization and the community toward experimentation, change, creative problem solving, and prompt action (requires knowledge of personal leadership style; skill in visioning, shifting perspectives, and identifying options; ability to create an environment that encourages initiative and innovation). Practices that contribute to this core content area are:

INITIATIVE AND RISK TAKING Demonstrating a personal orientation toward action and accepting responsibility for the results; resisting the status quo and removing stumbling blocks that delay progress toward goals and objectives

VISION Conceptualizing an ideal future state and communicating it to the organization and the community

CREATIVITY AND INNOVATION Developing new ideas or practices; applying existing ideas and practices to new situations

7. Technological Literacy (a component of Strategic Leadership): Demonstrating an understanding of information technology and ensuring that it is incorporated appropriately in plans to improve service delivery, information sharing, organizational communication, and citizen access (requires knowledge of technological options and their application)

8. Democratic Advocacy and Citizen Participation: Demonstrating a commitment to democratic principles by respecting elected officials, community interest groups, and the decision making process; educating citizens about local government; and acquiring knowledge of the social, economic, and political history of the community (requires knowledge of democratic principles, political processes, and local government law; skill in group dynamics, communication, and facilitation; ability to appreciate and work with diverse individuals and groups and to follow the community's lead in the democratic process). Practices that contribute to this core content area are:

DEMOCRATIC ADVOCACY Fostering the values and integrity of representative government and local democracy through action and example; ensuring the effective participation of local government in the intergovernmental system (requires knowledge and skill in intergovernmental relations)

CITIZEN PARTICIPATION Recognizing the right of citizens to influence local decisions and promoting active citizen involvement in local governance

9. Diversity: Understanding and valuing the differences among individuals and fostering these values throughout the organization and the community

10. Budgeting: Preparing and administering the budget (requires knowledge of budgeting principles and practices, revenue sources, projection techniques, and financial control systems; skill in communicating financial information)

11. Financial Analysis: Interpreting financial information to assess the short-term and long-term fiscal condition of the community, determine the cost-effectiveness of programs, and compare alternative strategies (requires knowledge of analytical techniques and skill in applying them)

12. Human Resources Management: Ensuring that the policies and procedures for employee hiring, promotion, performance appraisal, and discipline are equitable, legal, and current; ensuring that human resources are adequate to accomplish programmatic objectives (requires knowledge of personnel practices and employee relations law; ability to project workforce needs)

13. Strategic Planning: Positioning the organization and the community for events and circumstances that are anticipated in the future (requires knowledge of long-range and strategic planning techniques; skill in identifying trends that will affect the community; ability to analyze and facilitate policy choices that will benefit the community in the long run)

14. Advocacy and Interpersonal Communication: Facilitating the flow of ideas, information, and understanding between and among individuals; advocating effectively in the community interest (requires knowledge of interpersonal and group communication principles; skill in listening, speaking, and writing; ability to persuade without diminishing the views of others). Practices that contribute to this core content area are:

ADVOCACY Communicating personal support for policies, programs, or ideals that serve the best interests of the community

INTERPERSONAL COMMUNICATION Exchanging verbal and nonverbal messages with others in a way that demonstrates respect for the individual and furthers organizational and community objectives (requires ability to receive verbal and nonverbal cues; skill in selecting the most effective communication method for each interchange)

15. Presentation Skills: Conveying ideas or information effectively to others (requires knowledge of presentation techniques and options; ability to match presentation to audience)

16. Media Relations: Communicating information to the media in a way that increases public understanding of local government issues and activities and builds a positive relationship with the press (requires knowledge of media operations and objectives)

17. Integrity: Demonstrating fairness, honesty, and ethical and legal awareness in personal and professional relationships and activities (requires knowledge of business and personal ethics;

ability to understand issues of ethics and integrity in specific situations). Practices that contribute to this core content area are:

PERSONAL INTEGRITY Demonstrating accountability for personal actions; conducting personal relationships and activities fairly and honestly

PROFESSIONAL INTEGRITY Conducting professional relationships and activities fairly, honestly, legally, and in conformance with the ICMA Code of Ethics (requires knowledge of administrative ethics and specifically the ICMA Code of Ethics)

ORGANIZATIONAL INTEGRITY Fostering ethical behavior throughout the organization through personal example, management practices, and training (requires knowledge of administrative ethics; ability to instill accountability into operations; and ability to communicate ethical standards and guidelines to others)

18. Personal Development: Demonstrating a commitment to a balanced life through ongoing self-renewal and development in order to increase personal capacity (includes maintaining personal health, living by core values; continuous learning and improvement; and creating interdependent relationships and respect for differences).



# **"How Are We Doing?"**

## Evaluating the Performance of the Chief Administrator

**Margaret S. Carlson**

**P**icture a governing board meeting at a hectic time of year. Perhaps it is budget season and difficult funding decisions loom. Or the members are still recovering from stinging criticism over a hot community issue. Suddenly, someone says, "Hey, didn't we say last year that we were going to evaluate the manager around this time?" Other members groan inwardly as they envision yet another series of meetings and potential conflict with other board members. One member says, "Everything seems to be going OK. Let's just go ahead and decide on a salary increase now. Is an evaluation really that important?"

Yes.

Evaluating the performance of the chief administrative officer—whether the title is local government manager or health director or school superintendent or social services director—is critically important.

In recent years, jurisdictions increasingly have recognized the importance of a useful performance evaluation system to the overall effectiveness of their organizations. They have taken steps to improve their methods of evaluating line workers, supervi-

**Avoid the  
Pitfalls by  
Using a  
Systematic  
Evaluation  
Process**

sors, and department heads. But one important individual is frequently overlooked at performance evaluation time: the person who reports to the governing board. Governing boards have a responsibility to get on with that job. This article is designed to show how to evaluate a chief administrative officer who reports to a governing board, for simplicity called here the "manager."

Ironically, the reasons that a manager may not receive a regular performance evaluation are the very reasons that an evaluation can be helpful:

- This individual is in a unique position in the organization.
- He or she serves at the pleasure of the board.
- He or she may frequently receive conflicting messages about priorities and direction from board members.

It is vital for managers to get regular, accurate feedback about whether they are meeting the expectations of the board, but it is unlikely that the organization will have a useful process in place for administrators to get that information in the absence of a well-conceived performance evaluation system.

Conducting an effective evaluation is hard work, but it doesn't have to be a bad experience for the board or the manager. With planning and a commitment to open lines of communication, chances are good that the experience will result in a new level of cooperation and understanding between manager and board and, ultimately, a more effective working relationship.

## Common Pitfalls

Both the board and the manager may approach an evaluation with reluctance. Board members will be required to talk openly and honestly about the positive and negative aspects of a person's performance—a difficult task for many people. The manager must be able to receive this feedback in a nondefensive manner, even when it appears that the board is articu-

lating specific performance expectations for the first time, or that the board is focused on the manager's conduct in the most recent crisis, rather than his or her overall performance.

Here are some common problems that boards and managers encounter when they plan for and conduct performance evaluations:

- The board evaluates the manager only when there are serious performance problems, or when all or some of the board members already have decided that they want to fire the manager.
- The board realizes it is time to determine the manager's salary for the upcoming year, and it schedules a performance evaluation for the next meeting without discussing the format or process of the evaluation.
- The discussion during the evaluation is unfocused, with board members disagreeing about *what* the manager was expected to accomplish as well as *whether* the manager met expectations.
- The board excludes the manager from the evaluation discussion.

- The board evaluates only the manager's interactions with and behavior toward *the board*, even though members recognize that this may represent a relatively small portion of the manager's responsibilities.
- The board borrows an evaluation form from another jurisdiction or from a consultant without assuring that the form matches the needs of its own board and manager.

Most of these pitfalls can be avoided by planning and conducting a systematic process for evaluating the manager's performance. A thorough evaluation process, like the one suggested below, contains several essential components (see Figure 1).

## A Suggested Evaluation Process

### Planning the Evaluation.

1. *Agree on the purpose(s) of the evaluation.* Typically, boards identify one or more of the following goals when describing the purpose of an evaluation:

- To give the manager feedback on his

## Figure 1. Steps In Planning and Conducting an Evaluation Process

### Planning the Evaluation.

1. Agree on the purpose(s) of the evaluation.
2. Agree on what the board expects of the manager.
3. Agree on the frequency and timing of the evaluation.
4. Agree on who will be involved.
5. Agree on an evaluation form to be used.

### Conducting the Evaluation.

1. Have individual board members complete the evaluation form before the evaluation session.
2. Have the manager do a self-assessment.
3. Agree on a setting for the evaluation discussion.
4. Have the manager present during the evaluation.
5. Consider using a facilitator.
6. Allow sufficient time.
7. Include a portion during which the board evaluates its own performance.
8. Decide on the next steps, and critique the process.

or her performance and to identify areas in which improvement may be needed.

- To clarify and strengthen the relationship between the manager and the board.
- To make a decision about the manager's salary for the upcoming year.

These goals are not incompatible, and it is possible to accomplish all of these tasks at once. However, it is essential that board members and the manager discuss and reach agreement on the purpose of the evaluation before deciding what the rest of the process will be. For example, a board member who thinks the main reason for doing an evaluation is to make a decision about compensation may think that a brief consultation among board members—minus the manager—is sufficient to ensure that no members have any major concerns about the manager's performance. This member also may ask for input from a personnel specialist who can provide information about managers' salaries in comparable jurisdictions. By contrast, a board member whose main interest is improving communication between the board and the manager may suggest a process that includes a conversation between the board and the manager, with the manager present throughout the evaluation.

A board might question whether the manager should be involved in planning the evaluation process, as the evaluation may be seen as the board's responsibility, with the manager as the recipient of the evaluation. Yet most boards want to conduct an evaluation that is helpful to the manager and provides guidance for his or her future actions. Because it can be difficult for the board to anticipate fully what the manager would—or would not—find useful in an evaluation, it is wise to consult with the manager early in the planning process.

For instance, the board may feel that the manager would be uncomfortable hearing board members talk about his or her performance at first hand and so

may design a process that "protects" the manager from hearing any negative feedback. Although the board's motives may be good, such a design may not meet the manager's needs if the manager actually wants to be part of the discussion, negative comments and all. Spending some time talking about the purpose of an evaluation at the beginning of the process will reduce the possibility of misunderstandings and conflicting priorities later on.

*2. Agree on what the board expects of the manager.* A job is essentially a set of expectations. It is possible to assess whether or not an individual holding that job has met expectations. But an evaluation can be useful only if an earlier discussion has taken place in which the board and manager have outlined expectations for the manager's performance. A board and manager may discuss expectations in conjunction with setting organizational goals for the upcoming year, perhaps as part of an annual retreat.

After setting goals, the board may specify objectives for the manager that define his or her role in meeting these goals. These objectives, then, are the board's expectations concerning the manager. For example, a city council may set a goal of working with agencies and community groups to reduce drug-related crimes in the city. The council may list one or more objectives for the manager related to this goal: identifying groups and agencies that already are working to reduce drug-related crime, forming a partnership that includes members of all relevant groups, or explaining new programs to the local media. If the manager needs clarification of the objectives or has some concerns about his or her ability to meet the board's expectations, these issues are best discussed at the time these objectives are set, rather than a year later, when the board wants to know why its expectations have not been met.

In addition to identifying *what* the board wants the manager to achieve, a board typically has an interest in *how*

the manager achieves these objectives; it expects the manager to have certain knowledge and to exhibit certain skills while performing his or her duties. Expectations about the manager's knowledge and skills also should be articulated by the board. The board may expect the manager, for example, to have oral and written presentation skills that enable him or her to present ideas clearly and concisely to diverse groups. It also may expect the manager to be able to allocate resources in a way that ensures equitable service delivery to citizens and to be able to delegate work effectively and evaluate the performance of his or her staff.

A board's expectations for the manager often represent a mix of general areas of knowledge and skills every manager should possess, as well as specific expectations based on the board's composition, the organization's history, or special features of the city or region. Therefore, it may be helpful for the board to use an existing list of managerial expectations as input for its discussion, then to customize these expectations to fit the needs of the jurisdiction. Many professional organizations—like ICMA—can supply such a list; or the board and manager may contact other communities in their area. Remember that a list of expectations for the manager that comes from a source outside the board is intended to *begin* a discussion of the board's expectations for the manager, not to *replace* this discussion.

*3. Agree on the frequency and timing of the evaluation.* The board and manager should agree on how often evaluations should be conducted (perhaps once a year) and adhere to that schedule. The timing of the evaluation also should be considered. For instance, the board may wish to have the evaluation cycle and budget cycle coincide and to make decisions about the manager's compensation at such a time. Or, it may choose to conduct the evaluation before the budget process gets under way if it feels that it would not be able to give its full attention to the evaluation during the

months leading up to the adoption of the budget.

The board should avoid scheduling the evaluation just before or after an election. If the evaluation is held too soon after an election, new members may not have had the time they need to gather information about and form a judgment of the manager's performance. Likewise, it is not a good idea to schedule an evaluation just before an election if a change in the composition of the board is expected.

4. *Agree on who will be involved.* All members of the board and the manager should participate in the evaluation (more about the manager's presence at the evaluation, below). The full board's participation is necessary because all members have relevant information about the manager's performance. In addition, during the planning process, the board and manager should consider whether there are other parties who have an important perspective on the manager's performance. A common problem is for the board to focus entirely on the manager's interactions with the board, even though the manager spends only a fraction of his or her time in direct contact with the board.

Although both the board and manager may feel that the perceptions of staff, citizens, and others are important, they may be concerned about how these perceptions will be collected and shared. It is not a good idea for board members to go directly to staff and to poll employees on their views of the managers' strengths and weaknesses. Such actions would put board members in an inappropriate administrative role and may put staff members—including the manager—in an uncomfortable position. Instead, the manager might hold "upward review sessions" with his or her staff in order to receive feedback from subordinates and to report general themes that came out of these sessions as part of his or her self-assessment.

The goal is not to make the manager feel under attack; rather, it is to acknowl-

edge that many people may have relevant information about the manager's performance and that the board should not be expected to know everything about the manager's work. If the board and manager choose not to incorporate other sources of information in the evaluation, the board may want to consider omitting performance criteria that it feels unable to judge (such as the coaching and mentoring of subordinates).

5. *Agree on an evaluation form to be used.* Frequently, this is the first step that boards consider when planning an evaluation, and they find it to be a difficult task. However, if the board already has discussed and agreed on what it expects of the manager (see Step 2), agreeing on an evaluation form becomes much easier. It is simply a matter of translating expectations into performance criteria, making sure that the criteria are clear and measurable. For example, three expectations in the area of "knowledge and skills necessary for local government

management" may look like Figure 2.

Following each criterion on the evaluation form is a scale ranging from "does not meet expectations" to "exceeds expectations," with an option of marking "unable to rate." A board may choose to assign numbers to this scale (say, 1 through 5, with 1 corresponding to "does not meet expectations" and 5 corresponding to "exceeds expectations"). But a numerical rating system is less useful in an evaluation of the manager than it is in an organization-wide evaluation of all employees, where standardized comparisons may have some value. In fact, a potential problem with using a numerical rating system is that it is easy to focus on the number as the end in itself, rather than simply a shorthand way to express the evaluation. Thus, a board may discuss at length whether a manager's performance on a given dimension is a 3 or a 4, and perhaps conclude that it is a 3.5, without fully exploring what these numbers represent.

Samples of evaluation forms may be

**Figure 2. Portion of Sample Evaluation Form**

**Presentation Skills.** The ability to understand an audience and to present an idea clearly and concisely, in an engaging way, to a group whose interests, education, culture, ethnicity, age, etc., represent a broad spectrum of community interests and needs.

1	2	3	4	5	
..... ..... ..... .....					
Does Not	Meets		Exceeds		Unable
Meet Expectations	Expectations		Expectations		to Rate

**Citizen Service.** The ability to determine citizen needs, provide equitable service, allocate resources, deliver services or products, and evaluate results.

1	2	3	4	5	
..... ..... ..... .....					
Does Not	Meets		Exceeds		Unable
Meet Expectations	Expectations		Expectations		to Rate

**Delegating.** The ability to assign work, clarify expectations, and define how individual performance will be measured.

1	2	3	4	5	
..... ..... ..... .....					
Does Not	Meets		Exceeds		Unable
Meet Expectations	Expectations		Expectations		to Rate

obtained from ICMA (contact Anthony Crowell by fax, 202/962-3500) and other professional organizations. Again, it is essential for boards and managers to tailor forms to meet their needs.

### **Conducting the Evaluation.**

*1. Have individual board members complete the evaluation form prior to the evaluation session.* Setting aside some time for individual reflection is important preparation for the evaluation session. It reinforces the message that this is an important task, worthy of the board members' attention. Making individual assessments before beginning a group discussion also increases the likelihood that each member will form his or her own opinion without being influenced by the judgments or experiences of other members.

This is not meant to imply that board members cannot change their minds as a result of group discussion; on the contrary, members frequently change their views of a manager's performance as they hear the perspectives of other members and learn information that was not available to them when making their individual assessments.

*2. Have the manager do a self-assessment.* Inviting the manager to assess his or her own performance can add a helpful—and unique—perspective to the evaluation process. In most cases, the manager can simply complete the same evaluation form being used by the board. For the manager, the comparison of the self-assessment with the assessments of others provides an opportunity for insight into his or her own overestimation or underestimation of performance level as compared with the expectations of the board. For the board, hearing how the manager rates his or her own performance (and, more important, how he or she arrived at that rating) can help members gain some insight into whether the board and manager are communicating effectively.

As an example, board members might

rate the manager as not meeting expectations in a given area because a land use study has not been completed. Upon discussion with the manager, however, the board might learn that the study has been completed but not yet been presented to the board. This distinction would be important because it would suggest different areas for improvement. If the manager has not completed the study, the discussion might have focused on the importance of meeting deadlines. Instead, the group could develop strategies for improving communication so that board members will receive information in a timely manner.

*3. Agree on a setting for the evaluation discussion.* The evaluation should be conducted in a setting that is private and comfortable, free from interruptions, and considered neutral by all parties. These are the same characteristics a board may look for in a retreat setting when it meets to develop a long-range plan, discuss roles and responsibilities of new board members, and the like. The idea is to set aside a time and place to address a single topic, away from the pressure of a loaded agenda.

Boards frequently ask whether the manager's evaluation is defined as an open meeting. Because the board is considering the performance of the manager—a public employee—during an evaluation, such a meeting may be held in executive session. According to the North Carolina open-meetings statute, for instance, a public body may hold an executive session to “consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of a public officer or employee.”

*4. Have the manager present during the evaluation.* The above example, in which the board learns important information from the manager during the evaluation, illustrates the benefit of having the manager in the room, playing an active role in the evaluation. A manager present during the discussion can respond

to questions from the board, ask questions, and provide relevant information.

Frequently, a board's first impulse is to exclude the manager from the evaluation session. Some members may be reluctant to share negative feedback in the manager's presence. Other members may fear that the evaluation will turn into an analysis of the manager's handling of a single incident, with the manager defending his or her actions. Still others may want to shield the manager from what they perceive to be unduly harsh criticism from a few board members. These are valid concerns.

However, many of the problems anticipated by the board stem from a lack of planning rather than from the manager's presence at the evaluation; consequently, many of these issues can be addressed in earlier phases of the planning process. For example, a good evaluation form will help ensure that the discussion focuses on job-related behaviors rather than personal traits and will look at the previous year's performance rather than that of the previous week.

Some boards choose to exclude the manager from the evaluation session and select one member to summarize the board's discussion for the manager after the evaluation has been completed. Appointing a “designated spokesperson” to communicate the board's evaluation to the manager is often frustrating for both parties. It is difficult for one person to summarize a complex discussion in an accurate and balanced way, and the spokesperson may end up overemphasizing some points and underemphasizing or eliminating others. To a manager who is seeking feedback and guidance, this one-way communication usually does not give a full picture of the board's perceptions; consequently, the manager may make future decisions that are not consistent with the board's expectations.

Even with a careful planning process, board members still may have concerns about sharing negative feedback with the manager. As described in the next section, a skilled facilitator frequently can diminish these concerns by helping

the group discuss these issues in a constructive way.

After the board has concluded its discussion of the manager's performance, it may wish to excuse the manager while it makes a decision about the manager's compensation. The manager presumably will receive any feedback and guidance from the board before the salary discussion, so his or her presence is not necessary at this point. However, the board should keep in mind that the actual setting of the manager's salary may not be covered under a personnel exception to an open-meetings law, and for this reason this determination should take place in an open session.

**5. Consider using a facilitator.** A performance evaluation is a complex task, particularly when an entire group is participating in the evaluation. Members may have different views of the manager's past performance or different expectations for the future. Board members also may be reluctant to share negative feedback, or they may be concerned that their feedback will be misinterpreted.

For all of these reasons, it often is helpful to use a facilitator when conducting the evaluation. A facilitator can help the group by monitoring the group's process, while leaving all members free to focus on the task of the evaluation. Facilitators often suggest that groups use a set of ground rules to help them accomplish their work more effectively.

The board might look to local business, civic, and academic leaders for recommendations for qualified facilitators; or it might contact the Institute of Government at the University of North Carolina at Chapel Hill, or the state's association of county commissioners, league of municipalities, school board association, or similar organizations for help in this area.

**6. Allow sufficient time.** A useful technique for the actual evaluation is a "round robin" format. Each member in turn expresses his or her judgment of the manager's performance on a given

criterion, and the entire group then discusses any differences among individuals' ratings, with the goal of reaching group consensus on the manager's performance in this area before progressing to the next performance criterion. Even with a small board that is in general agreement about the manager's performance, this is a time-consuming process. Therefore, setting aside a full day for the evaluation session is a good idea.

Although this may seem like a lot of time to devote to one issue, the consequences of failing to reach agreement on what the board expects of the manager can ultimately require far more time and energy. The group may wish to divide the evaluation session into two half-days, if that is more manageable (both in terms of scheduling and energy levels).

**7. Include a portion in which the board evaluates its own performance.** In theory, it is possible for a board to specify expectations for the manager and then to evaluate the degree to which a manager has met these expectations. In practice, however, meeting expectations is usually a two-way street, and it is helpful for a board to examine its own functioning and how it contributes to—or hinders—the manager's effectiveness. In one case, a board set a number of high-priority objectives for the manager to meet, after which individual board members brought new "high-priority" projects to the manager throughout the year. In this case, the board was partly responsible for the manager's failure to meet the expectations initially set by the board.


**8. Decide on the next steps, and critique the process.** The actual evaluation of the manager's (and the board's) performance may seem like the last step in the evaluation process, but there still are a number of decisions to be made before the next evaluation cycle can begin. The board may wish to have a separate session to make a decision about the manager's compensation. This is also a logical time to talk about expectations and goals for the coming year, and the board

may wish to set a date in the near future when it will set expectations and performance measures in preparation for the next evaluation.

An important final step: Before the evaluation is concluded, all members should assess the evaluation process itself. This self-critique helps the group look at its own process and learn from its experiences in working together. By reflecting on the task just completed, the group frequently identifies components of the process that worked well and aspects that could have been more effective. For example, it may decide that it did not clearly define the manager's role in reaching board goals before the evaluation and resolve to address this lack by a specified date.

## **A Process, Not an Event**

As the steps described here illustrate, the evaluation of a chief administrative officer is a process, not an event. Careful planning and a commitment to communication between the board and the manager throughout the year will greatly facilitate the actual evaluation and increase the likelihood that it will be a valuable experience for all involved.

One last word: Don't let the fear that your board has not laid the proper groundwork prevent you from getting on with the job. You will probably see some things that you would like to change after the first evaluation (and the second, and the third . . .). That is what the self-critique is for. The important thing is to begin the process. Making the evaluation a regular part of the board's work is the best way to ensure its success. 

---

*Margaret S. Carlson is a faculty member of the Institute of Government, The University of North Carolina at Chapel Hill, Chapel Hill, N.C.*

*Reprinted by permission from Popular Government published by the Institute of Government, The University of North Carolina at Chapel Hill.*



## **City Manager's Performance Evaluation Sample Form**

Monitoring the performance of the organization and the City Manager are a continual process for the Mayor and Council. This is punctuated by the annual performance appraisal.

The following instrument allows each member of the Mayor and Council an opportunity to evaluate the City Manager based on the following Job Dimensions:

- ✓ Staff Effectiveness
- ✓ Policy Facilitation
- ✓ Service Delivery Management
- ✓ Strategic Leadership
- ✓ Democratic Responsiveness
- ✓ Organizational Planning and Management
- ✓ Communication
- ✓ Integrity
- ✓ Interpersonal Characteristics and Skills
- ✓ Organizational Values
- ✓ Personal Development
- ✓ Self-Mastery
- ✓ Leadership

On each job dimension you are provided the opportunity to rate the relative importance of the dimension from your individual perspective, as well as the performance of the City Manager. Narrative comments are welcomed to provide specific examples, or additional feedback to the City Manager.

The combined feedback from this multi-rater form and the City Manager's self-evaluation will provide a framework for discussion during the annual performance evaluation meeting.

**Job Dimension: Staff Effectiveness:**Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Staff Effectiveness
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Staff is professional and high quality performers; providing reports and services that are timely and complete and contain sound recommendations.
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Demonstrates a commitment to deal with non-performers and hold the organization accountable for results.

**Comments:**

## Job Dimension: Policy Facilitation

Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Policy Facilitation
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Presents policy-related information completely and accurately.
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Respects the role of elected officials in making policy decisions
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Ensures that policy decisions and initiatives are implemented.

**Comments:**

### Job Dimension: Service Delivery Management

Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Service Delivery Management
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Ensures prompt, courteous and accurate responses to requests from citizens either directly or through the Governing Body.

Comments:

### Job Dimension: Strategic Leadership

Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Strategic Leadership
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Anticipates and positions the organization to address and respond to anticipated events and circumstances.
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Accepts responsibility for undesirable results

Comments:

### Job Dimension: Democratic Responsiveness

Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Democratic Responsiveness
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Demonstrates an appreciation for the unique culture of the community.
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Respects and promotes active citizen participation in local governance.

**Comments:**

## Job Dimension: Organizational Planning and Management

Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Organizational Planning and Management
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Prepares clear, effective, understandable budget.
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Manages the allocation of financial resources.
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Provides accurate assessment of the fiscal condition of the community.

**Comments:**



### Job Dimension: Communication

Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Communication
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Demonstrates a capacity for effective written and oral communication.
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Conveys information effectively and matches presentation styles to different audiences.

Comments:

## Job Dimension: Integrity

Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Integrity
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Fosters ethical behaviors. <div style="text-align: right;"> <input type="text"/> </div>
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Demonstrates integrity in professional relationships. <div style="text-align: right;"> <input type="text"/> </div>
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Demonstrates accountability for personal actions. <div style="text-align: right;"> <input type="text"/> </div>

**Comments:**

### Job Dimension: Interpersonal Characteristics and Skills

Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Interpersonal Characteristics and Skills
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Demonstrates the ability to work in harmony with others, minimizing conflict, fostering good will within the organization, in external relationships, with the public and other governmental representatives and interest groups..

Comments:

### Job Dimension: Organizational Values

Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Organizational Values
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Demonstrates and models the organizations values, mission statement, goals and objectives.
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	S/he "Walks the Talk!"

Comments:

## Job Dimension: Personal Development

Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Personal Development
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Demonstrates a commitment to ongoing personal professional development through continued education and training.

Comments:

## Job Dimension: Self-Mastery

Level of Importance: ☐ High ☐ Medium ☐ Low

Rater	Self-Mastery
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Demonstrates adaptability and a capability for coping with stress.
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Respects the views of others and accepts feedback.
<input type="checkbox"/> No Basis for Rating <input type="checkbox"/> Exceeds Expectations <input type="checkbox"/> Meets Expectations <input type="checkbox"/> Almost Always Meets Expectations <input type="checkbox"/> Does Not Meet Expectations	Is able to control and manage emotions in conflicts and interactions.

**Comments:**

On Feb 28, 2022, at 18:39, Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)> wrote:

City Commissioners: You need to read to read this. Tom

**From:** Anne Cron <[ACron@birmingham.k12.mi.us](mailto:ACron@birmingham.k12.mi.us)>  
**Sent:** Monday, February 28, 2022 5:35 PM  
**Subject:** BPS Financial Update

*BPS Staff – please see the message below being sent to our full community at 6 p.m.*

Dear Birmingham Public Schools Community,

We value our strong relationships with our community and remain committed to regular communication and meaningful dialogue. In the spirit of transparency and accountability, I wanted to share some information ahead of our March 1, 2022 Board of Education study session, in which District personnel will present an amended budget. The Board of Education will vote on this budget on Tuesday, March 15, 2022. Both meetings are open to the public.

On June 22, 2021, BPS adopted a 2021-22 school year budget that estimated a \$1.58 million shortfall. Upon assuming the role of superintendent in July 2021, the Board of Education and I immediately began a review of our school operations. Our recent work on the mid-year budget amendment process determined that the shortfall is actually projected to be \$14.3 million due to discrepancies in both revenue and expenditure estimates including underestimations of salary and retirement calculations for the 2021-22 school year, an overestimation of student enrollment, and an over-levying of property taxes which will result in a credit to taxpayers.

In January 2022, I brought in Dr. Maria Gisting, a CPA and retired Assistant Superintendent of Finance, to perform a thorough review and collaborate with our auditors from Plante Moran. Already, we have made significant strides toward mitigating the impact of this new budget reality for the current fiscal year through the utilization of one-time federal grants. In addition, we conducted an in-depth line-by-line review of current budget dollars. Therefore, the mid-year budget amendment will require the use of approximately \$3 to \$4 million of our \$20 million fund balance, pending board approval.

At our budget presentation for the Board of Education tomorrow, Tuesday, March 1, we will highlight the following:

- Mid-year amended budget numbers, including explanations of the variance in shortfall from the projected to the mid-year amendment.
- Provide information on the over-levying of homestead property taxes and how it will be addressed in upcoming budget years.
- Preliminary discussion to correct the structural shortfall in the District's budget.

While we are making significant strides to address the current budget, there will need to be further corrective action to mitigate future budget shortfalls for the 2022-23 school year and beyond. We will share specifics at our future public Board meetings.

**INFORMATION ONLY**



We understand this is not ideal news, however it does present an opportunity to better align our priorities with our spending. Currently, we are in our strategic planning process. We have held focus groups, provided community surveys, and convened committees that include a broad variety of stakeholders. Our Strategic Plan will give us a clear focus for our future, and we will make sure that our budgetary spending is in alignment with our community's priorities. Additionally, our leadership team is exploring other funding avenues at the federal and state levels, seeking cost-saving opportunities, expanding revenue generating programs, and creating a long-term financial planning process so this does not occur in the future.

As your Superintendent, working in collaboration with our Board of Education trustees, I am committed to ensuring a world-class education for all students in Birmingham Public Schools. We can and will do this transparently and responsibly with minimal impact on our students' education. We will keep our families, staff, and students updated on this situation in the days ahead. By working together, I am confident we can emerge a stronger, more effective Birmingham Public Schools community and remain a model school district in terms of academic achievement, social-emotional support for our students and preparing our students for the jobs of the future.

Sincerely,

***Dr. Embekka Roberson***

**Superintendent, Birmingham Public Schools**

On Sat, Mar 5, 2022 at 9:17 AM Andrew Haig <[ahaig@bhamgov.org](mailto:ahaig@bhamgov.org)> wrote:

I know this is a few days late, I am taking time to try to catch up this weekend.

How are we investigating the Schools point about over taxing residents in the tax assessments?

Surely our millages are very transparent in what is assigned where and what the anticipated annual revenue is from the city taxes to each mileage allocation?

Was this not accurate or was it not properly understood when submitted to BPS, or do they simply make their own independent estimate?

Sorry to ask these questions but it does not make any sense when I read a phrase that states "it is not understood how long the district has been over taxing residents". 1 year error of both sides of a balance sheet should be captured at year end every year.

It now opens significant avenues of questions about the last school bond that was passed for me.

I hate to add a cost, but are we having a specific 3rd party audit as well to make sure we were not making any inadvertent errors?

Andrew

From the Ether

On Mar 5, 2022, at 10:53, Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)> wrote:

Mr. Haig:

BPS is a separate taxing jurisdiction. They are not subject to or reviewed by the City Government. They prepare their own budget and make estimates and assumptions on their own. If you as a resident have questions about their news release those questions should be posed as a resident to the school district.

As to the comments reported in their release I have posed the question about BPS over tax levying to the school administration. This issue has to do with how much the school district can tax homestead properties. This issue only applies to the school district not to the City. I left the meeting with the school administration with a sense that they have a serious financial issue they are dealing with, but that they are going about it in the right way. The school administration under new leadership has exposed the problem and are working to develop appropriate solutions for both the immediate future and the long run. I am certain that the school district will be providing more information and you will learn more when that information becomes available. I will forward more information that was provided by the school administration, to you on Monday that may answer many of your questions. Again, I want you to know that even though this is a separate taxing jurisdiction I have offered my assistance and any support that I or our staff can provide. School Superintendent Roberson and her team are diligently trying to sort through this crisis and lead our School District back to a stable financial footing.

----- Forwarded message -----

From: **Andrew Haig** <[ahaig@bhamgov.org](mailto:ahaig@bhamgov.org)>

Date: Sat, Mar 5, 2022 at 12:19 PM

Subject: Re: BPS Financial Update

To: Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>

Thank you, perhaps I will rephrase the question.

We collect the millage for the schools as part of our taxes every year.

The full amount anticipated to be collected in the taxes is part of the budget calculation we make as a sum of all received monies, regardless of where they subsequently get distributed.

As such, I was asking if our side was as clear about received and distributed monies as it appears to be from the publicly available data.

The other part was to simply try to understand if the school district take our budget numbers and use them or if they do their own forecast independent of our data.

I am struggling with the disconnect and am simply trying to make sure that we were as aligned as I get the impression we are, with budget, actual received and actual distributed numbers.

I am aware that the schools are a different entity, I am looking only at our side.

Andrew

From the Ether

On Sat, Mar 5, 2022, 4:37 PM Mark Gerber <[Mgerber@bhamgov.org](mailto:Mgerber@bhamgov.org)> wrote:

While it is true that we collect the taxes for the school district (as we also do for the county) that is the extent of our involvement with the school taxes. The school board sets their own millage rates which is used to calculate the tax bill.

The city does not "budget" for any property taxes other than our own. We do not review how other taxing authorities calculate their millage rate nor is that under the city's purview to do so.

The issue with the over-levying of homestead property taxes appears to be a matter of a failure to understand the law that allows the school district to levy property taxes on homestead properties. The law has a property tax cap which is calculated by multiplying student enrollment by the amount per student allowed by law. The school district's enrollment has fallen over the past few years and the person who calculated the levy failed to calculate the cap correctly or did not realize there was a cap.

Hope this answers Commissioner Haig's questions.

----- Forwarded message -----

From: **Mark Gerber** <[Mgerber@bhamgov.org](mailto:Mgerber@bhamgov.org)>

Date: Sat, Mar 5, 2022 at 4:46 PM

Subject: Re: BPS Financial Update

To: Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>

To further clarify, the school district, county, and city use the same taxable value information which is prepared by the county equalization department.

Each taxing jurisdiction prepares their own estimate of millage rates based on this same data. Each jurisdiction is responsible for their own tax levies.

The county equalization department will review all the levies only to the extent they conform to the headlee limit.

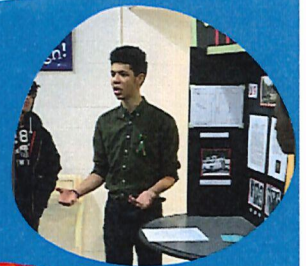
# Birmingham Public Schools

## 2021-2022 Amended Budget

March 1, 2022 Study Session



**Birmingham**  
PUBLIC SCHOOLS







# General Operating Fund Overview



**Birmingham**  
PUBLIC SCHOOLS

## General Fund Overview Original Budget vs. Amended Budget

	2021-22 Original Budget	2021-22 Amended Budget	Difference
General Fund Revenue	122,471,210	119,716,575	(2,754,635)
General Fund Expenditures	122,602,855	134,027,703	11,424,848
*Athletic Fund Operating Transfer	1,450,000	0	0
Total Revenues - Expenditures	(1,581,645)	(14,311,128)	(14,179,483)
*Athletic Fund Operating Transfer is in the board approved resolution but not in the original budget loaded into the system			





## General Operating Fund Revenue - Changes from 2021-22 Original Budget

	2021-22 Original Budget	2021-22 Amended Budget	Difference
147c MPSERS UAAL Rate Stabilization	9,680,815	11,497,378	1,816,563
PA 18 from Oakland Schools	4,000,000	4,978,500	978,500
State Aid 22B Discretionary	13,534,085	14,245,723	711,638
51f Special Ed Cost Reimbursement	482,143	728,176	246,033
22a Proposal A Obligation	27,184,595	22,395,360	-4,789,235
Property Taxes	53,463,584	52,295,000	-1,168,584
MPSERS Cost Offset	2,082,085	1,679,525	-402,560
11d Per Pupil Increase	694,487	0	-694,487
	111,121,794	107,819,662	-3,302,132



## General Operating Fund Expenditures - Changes from 2021-22 Original Budget

	2021-22 Original Budget	2021-22 Amended Budget	Difference
General Fund Expenditures	122,602,855	134,027,703	11,424,848
Salaries	61,079,227	64,571,939	3,492,712
Retirement	24,605,493	27,552,037	2,946,544
FICA	4,620,734	4,746,881	126,147
Health Insurance & Other Benefits	12,609,632	13,850,016	1,240,384
Contracted Services	10,916,319	11,703,502	787,183
Repairs & Maintenance	1,128,601	1,633,702	505,101
Supplies	5,985,060	6,317,495	332,435
Capital Outlay	79,330	420,654	341,324
Other/Dues & Fees	1,578,459	3,231,477	1,653,018
Totals	122,602,855	134,027,703	11,424,848





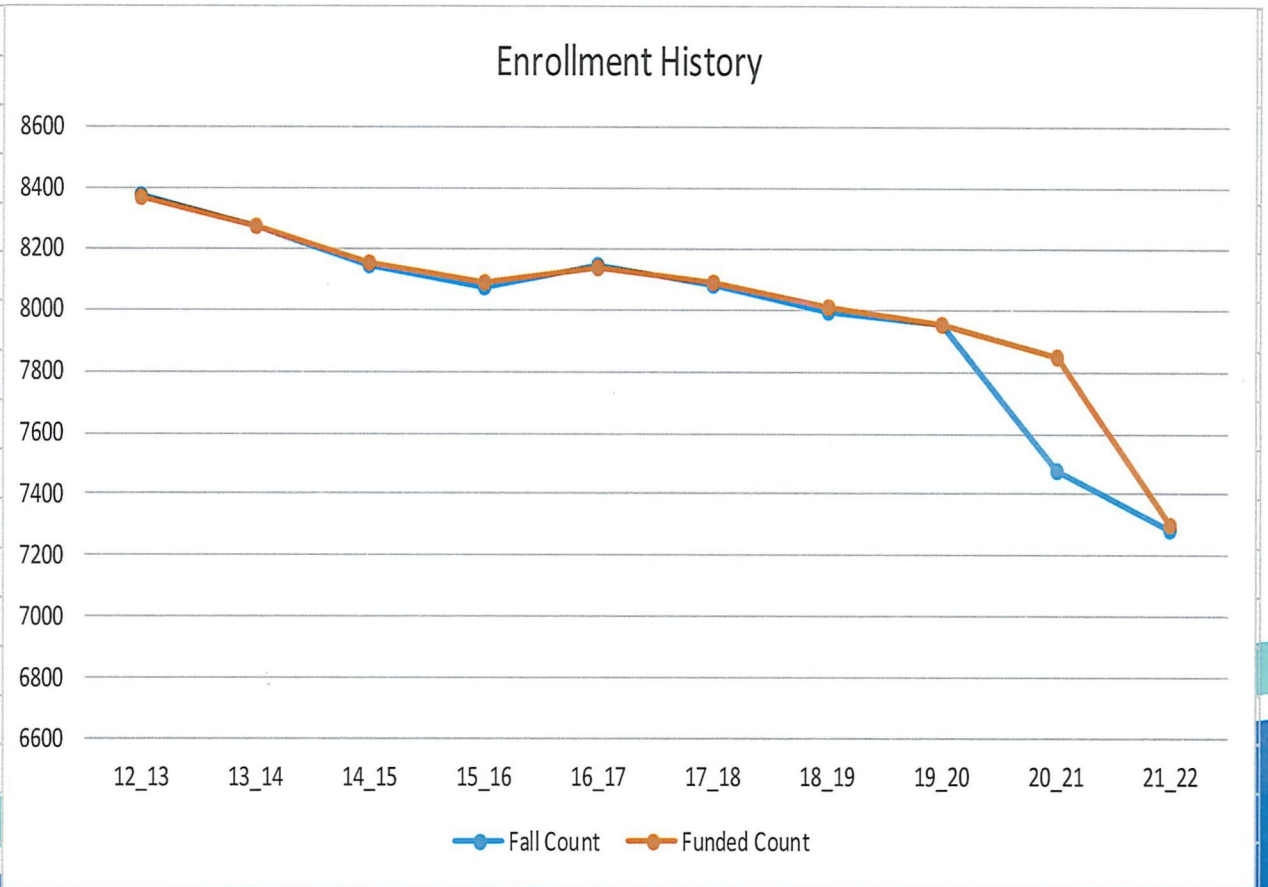
## History of Revenue and Expenditures

General Fund	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	
Revenue	117,473,014	118,177,528	122,734,828	119,708,210	125,371,609	119,716,575	
ASD Fund Balance Transfer						3,700,000	
						123,416,575	
Expenditures	117,512,498	121,598,268	122,469,801	119,013,363	128,840,395	134,027,703	
Esser Per Pupil Equalization - 1 time funding					(3,057,560)		
Esser II Water Remediation - 1 time funding						(205,735)	
Esser III Retention Bonuses - 1 time funding						(628,127)	
Esser III Reading Specialists - 1 time funding						(228,680)	
Esser 11t Equalization ARP - 1 time funding						(6,060,673)	*
Total Expenditures	117,512,498	121,598,268	122,469,801	119,013,363	125,782,835	126,904,488	
Beginning Fund Balance						20,404,206	
Excess Rev Over Exp	(39,484)	(3,420,740)	265,027	694,847	(411,226)	(3,487,913)	
Ending Fund Balance						16,916,293	
			* 11t based on allowability rules and timing is uncertain				



## Enrollment History

	Fall	Decline of	Funded	Decline of	
	Count	Fall Count	Count	Funded Count	
12_13	8375.42		8364.66		
13_14	8266.97	-108.45	8270.58	-94.08	
14_15	8144.54	-122.43	8150.12	-120.46	
15_16	8069.36	-75.18	8083.79	-66.33	
16_17	8139.67	70.31	8135.99	52.2	
17_18	8073.97	-65.7	8085.69	-50.3	
18_19	7985.95	-88.02	8002.43	-83.26	
19_20	7945.53	-40.42	7950.93	-51.5	
20_21	7473.59	-471.94	7843.16	-107.77	
21_22	7283.81	-189.78	7297.65	-545.51	





# Next Steps – Short Term

- CLT has regularly scheduled budget meetings to build next year's budget as a group
- The goal is to create an efficient educational system without sacrificing opportunities for students
- Current situation is a perfect fit for a zero-based budgeting approach
- Work with treasury, the district's auditors, and attorney to review the homestead millage calculation for a more accurate levy
- Work with the board and community to continue to be transparent about budgetary concerns
- Work diligently to account for one time funding not carried forward in future years



**Birmingham**  
PUBLIC SCHOOLS 8

## *Next Steps – Long Term*

- Incorporate enrollment plans and building capacity for long-term budget planning
- Revise the budget process in the business department for a more collaborate approach, complete with checkpoints and reviews along the way





Questions?



**Birmingham**  
PUBLIC SCHOOLS

*Inspiring all learners to positively impact their world.*



Alex Bingham &lt;abingham@bhamgov.org&gt;

---

**Fwd: Emergency Preparedness Info**

4 messages

**Tom Markus** <tmarkus@bhamgov.org>

Sun, Feb 27, 2022 at 3:39 PM

To: City Commission &lt;city-commission@bhamgov.org&gt;, Department Heads &lt;departmentheads@bhamgov.org&gt;

FYI

----- Forwarded message -----

From: **Matt Bartalino** <Mbartalino@bhamgov.org>

Date: Sun, Feb 27, 2022 at 3:26 PM

Subject: Emergency Preparedness Info

To: Andrew Haig &lt;ahaig@bhamgov.org&gt;

CC: Tom Markus &lt;tmarkus@bhamgov.org&gt;, Ecker, Jana &lt;Jecker@bhamgov.org&gt;, Clemence, Mark &lt;Mclemence@bhamgov.org&gt;, Gerber, Mark &lt;Mgerber@bhamgov.org&gt;

Commissioner Haig,

The fire department has made emergency preparedness manuals and videos available to the public through the City's website:

[https://bhamgov.org/about\\_birmingham/city\\_departments/fire\\_department/index.php](https://bhamgov.org/about_birmingham/city_departments/fire_department/index.php)

Some specific bullet points to consider when dealing with nuclear and radiological threats are as follows:

- Seek shelter indoors, away from windows, on the lowest level of the home/building
- Stay indoors unless you are told to evacuate by City, State, or Federal officials
- Close and lock all doors
- Seal gaps under doorways and windows with wet towels, duct tape, and plastic
- Close off fireplace dampers if the fireplace is not in use
- Turn off ventilation systems (furnaces, air conditioners, vents, fans)
- Be prepared to shelter-in-place

Shelter-in-place preparedness discusses turning on your radio, television/local cable station, monitoring email and social media while being prepared to follow all instructions given by emergency authorities. It is recommended to have two weeks of emergency food and water for each person in your household as well.

Should an actual event take place, the fire department has radiological monitoring equipment on our trucks, as well as having access to additional monitoring equipment through the OAKWAY HazMat Team. Using the monitoring equipment after determining where the event occurred and the flow path of any hazardous materials would be the catalyst for deciding to evacuate any areas of the city under threat. Mass alerting would be a coordinated group effort between City Hall, the Fire Department, and the Police Department.

The City, through its emergency management program, would have direct contact with the Michigan State Police Emergency Management Homeland Security Division in regards to information sharing and would be able to directly request any additional resources needed, if any.

Hopefully the preparedness manual is found to be beneficial. If you have any other specific questions regarding this issue, feel free to contact me directly.

Respectfully,

**Matthew J. Bartalino****Assistant Chief****Assistant Emergency Manager, PEM****INFORMATION ONLY**

**Birmingham Fire Department**  
572 S. Adams  
Birmingham, MI 48009  
**Work: (248) 530-1902**  
**Cell: (248) 860-0269**  
[mbartalino@bhamgov.org](mailto:mbartalino@bhamgov.org)

**\*Important Note to Residents\***

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



--  
You received this message because you are subscribed to the Google Groups "City Commission" group.  
To unsubscribe from this group and stop receiving emails from it, send an email to [city-commission+unsubscribe@bhamgov.org](mailto:city-commission+unsubscribe@bhamgov.org).  
To view this discussion on the web visit [https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/CALPLqChkAYCL5z\\_CqFGj8QbqPeZWpDfTUpQa5WPhFCW04Pov3g%40mail.gmail.com](https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/CALPLqChkAYCL5z_CqFGj8QbqPeZWpDfTUpQa5WPhFCW04Pov3g%40mail.gmail.com).

---

 **Family Preparedness Workbook 2020-version-2.pdf**  
1131K

---

**Tom Markus** <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>

Wed, Mar 2, 2022 at 11:34 AM

To: City Commission <[city-commission@bhamgov.org](mailto:city-commission@bhamgov.org)>, DepartmentHeads <[departmentheads@bhamgov.org](mailto:departmentheads@bhamgov.org)>

----- Forwarded message -----

From: **Mark Clemence** <[Mclemence@bhamgov.org](mailto:Mclemence@bhamgov.org)>

Date: Wed, Mar 2, 2022 at 11:29 AM

Subject: Re: Emergency Preparedness Info

To: Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>

Cc: Andrew Haig <[aHaig@bhamgov.org](mailto:aHaig@bhamgov.org)>, Ecker, Jana <[Jecker@bhamgov.org](mailto:Jecker@bhamgov.org)>, Gerber, Mark <[Mgerber@bhamgov.org](mailto:Mgerber@bhamgov.org)>, Grewe, Scott <[SGrewe@bhamgov.org](mailto:SGrewe@bhamgov.org)>, Matt Bartalino <[Mbartalino@bhamgov.org](mailto:Mbartalino@bhamgov.org)>, Paul Wells <[Pwells@bhamgov.org](mailto:Pwells@bhamgov.org)>

City Manager Markus,

In response to Commissioner Haig's inquiry, an incident of this nature would have extreme consequences for all. The police department has no specialized equipment designed for such an attack. In terms of a policy, Police Directive 418, "Hazardous Materials and Weapons Emergencies/Suspected Biohazards" would be our controlling policy. I have attached it to this email for review. The police department would work directly with the fire department to address any radiological incident. Both the police department and the fire department have limited capabilities in dealing with radiological incidents, especially with an incident of the magnitude of a "war" type attack. Police/fire follow the same communication protocols as outlined in Assistant Chief Bartalino's email. The police department will follow the "incident command" model in dealing with any type of an attack or mass casualty event. The police department would also be an active participant if the City were to activate its Emergency Operations Center or EOC.

Thanks,

Bar

Mark H. Clemence

Chief of Police

Birmingham Police Department

151 Martin St.

Birmingham, MI. 48009

248-530-1875



On Sun, Feb 27, 2022 at 3:26 PM Matt Bartalino <[Mbartalino@bhamgov.org](mailto:Mbartalino@bhamgov.org)> wrote:  
Commissioner Haig,

The fire department has made emergency preparedness manuals and videos available to the public through the City's website:

[https://bhamgov.org/about\\_birmingham/city\\_departments/fire\\_department/index.php](https://bhamgov.org/about_birmingham/city_departments/fire_department/index.php)

Some specific bullet points to consider when dealing with nuclear and radiological threats are as follows:

- Seek shelter indoors, away from windows, on the lowest level of the home/building
- Stay indoors unless you are told to evacuate by City, State, or Federal officials
- Close and lock all doors
- Seal gaps under doorways and windows with wet towels, duct tape, and plastic
- Close off fireplace dampers if the fireplace is not in use
- Turn off ventilation systems (furnaces, air conditioners, vents, fans)
- Be prepared to shelter-in-place

Shelter-in-place preparedness discusses turning on your radio, television/local cable station, monitoring email and social media while being prepared to follow all instructions given by emergency authorities. It is recommended to have two weeks of emergency food and water for each person in your household as well.

Should an actual event take place, the fire department has radiological monitoring equipment on our trucks, as well as having access to additional monitoring equipment through the OAKWAY HazMat Team. Using the monitoring equipment after determining where the event occurred and the flow path of any hazardous materials would be the catalyst for deciding to evacuate any areas of the city under threat. Mass alerting would be a coordinated group effort between City Hall, the Fire Department, and the Police Department.

The City, through its emergency management program, would have direct contact with the Michigan State Police Emergency Management Homeland Security Division in regards to information sharing and would be able to directly request any additional resources needed, if any.

Hopefully the preparedness manual is found to be beneficial. If you have any other specific questions regarding this issue, feel free to contact me directly.

Respectfully,

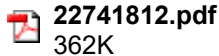
**Matthew J. Bartalino**  
**Assistant Chief**  
**Assistant Emergency Manager, PEM**  
**Birmingham Fire Department**  
572 S. Adams  
Birmingham, MI 48009  
**Work: (248) 530-1902**  
**Cell: (248) 860-0269**  
[mbartalino@bhamgov.org](mailto:mbartalino@bhamgov.org)

**\*Important Note to Residents\***

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



--  
You received this message because you are subscribed to the Google Groups "City Commission" group.  
To unsubscribe from this group and stop receiving emails from it, send an email to [city-commission+unsubscribe@bhamgov.org](mailto:city-commission+unsubscribe@bhamgov.org).  
To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/CALPLqChPEXDXMhVrdnp3vmLRfmyLp7%3DPH9L0-DoCRUrUBayApQ%40mail.gmail.com>.



---

**Tom Markus** <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>  
To: Alex Bingham <[abingham@bhamgov.org](mailto:abingham@bhamgov.org)>

Wed, Mar 2, 2022 at 12:54 PM

Add this info to next agenda info only

----- Forwarded message -----

From: **Mark Clemence** <[Mclemence@bhamgov.org](mailto:Mclemence@bhamgov.org)>

Date: Wed, Mar 2, 2022 at 11:29 AM

Subject: Re: Emergency Preparedness Info

To: Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>

Cc: Andrew Haig <[aHaig@bhamgov.org](mailto:aHaig@bhamgov.org)>, Ecker, Jana <[Jecker@bhamgov.org](mailto:Jecker@bhamgov.org)>, Gerber, Mark <[Mgerber@bhamgov.org](mailto:Mgerber@bhamgov.org)>, Grewe, Scott <[Sgrewe@bhamgov.org](mailto:Sgrewe@bhamgov.org)>, Matt Bartalino <[Mbartalino@bhamgov.org](mailto:Mbartalino@bhamgov.org)>, Paul Wells <[Pwells@bhamgov.org](mailto:Pwells@bhamgov.org)>

City Manager Markus,

In response to Commissioner Haig's inquiry, an incident of this nature would have extreme consequences for all. The police department has no specialized equipment designed for such an attack. In terms of a policy, Police Directive 418, "Hazardous Materials and Weapons Emergencies/Suspected Biohazards" would be our controlling policy. I have attached it to this email for review. The police department would work directly with the fire department to address any radiological incident. Both the police department and the fire department have limited capabilities in dealing with radiological incidents, especially with an incident of the magnitude of a "war" type attack. Police/fire follow the same communication protocols as outlined in Assistant Chief Bartalino's email. The police department will follow the "incident command" model in dealing with any type of an attack or mass casualty event. The police department would also be an active participant if the City were to activate its Emergency Operations Center or EOC.

Thanks,

Bar

Mark H. Clemence

Chief of Police

Birmingham Police Department

151 Martin St.

Birmingham, MI. 48009

248-530-1875



On Sun, Feb 27, 2022 at 3:26 PM Matt Bartalino <[Mbartalino@bhamgov.org](mailto:Mbartalino@bhamgov.org)> wrote:  
Commissioner Haig,

The fire department has made emergency preparedness manuals and videos available to the public through the City's website:

[https://bhamgov.org/about\\_birmingham/city\\_departments/fire\\_department/index.php](https://bhamgov.org/about_birmingham/city_departments/fire_department/index.php)

Some specific bullet points to consider when dealing with nuclear and radiological threats are as follows:

- Seek shelter indoors, away from windows, on the lowest level of the home/building
- Stay indoors unless you are told to evacuate by City, State, or Federal officials
- Close and lock all doors
- Seal gaps under doorways and windows with wet towels, duct tape, and plastic
- Close off fireplace dampers if the fireplace is not in use
- Turn off ventilation systems (furnaces, air conditioners, vents, fans)
- Be prepared to shelter-in-place

Shelter-in-place preparedness discusses turning on your radio, television/local cable station, monitoring email and social media while being prepared to follow all instructions given by emergency authorities. It is recommended to have two weeks of emergency food and water for each person in your household as well.

Should an actual event take place, the fire department has radiological monitoring equipment on our trucks, as well as having access to additional monitoring equipment through the OAKWAY HazMat Team. Using the monitoring equipment after determining where the event occurred and the flow path of any hazardous materials would be the catalyst for deciding to evacuate any areas of the city under threat. Mass alerting would be a coordinated group effort between City Hall, the Fire Department, and the Police Department.

The City, through its emergency management program, would have direct contact with the Michigan State Police Emergency Management Homeland Security Division in regards to information sharing and would be able to directly request any additional resources needed, if any.

Hopefully the preparedness manual is found to be beneficial. If you have any other specific questions regarding this issue, feel free to contact me directly.

Respectfully,

**Matthew J. Bartalino**

**Assistant Chief**

**Assistant Emergency Manager, PEM**

**Birmingham Fire Department**

572 S. Adams

Birmingham, MI 48009

**Work: (248) 530-1902**


**Cell: (248) 860-0269**

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

**\*Important Note to Residents\***

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



 **22741812.pdf**  
362K



**Tom Markus** <tmarkus@bhamgov.org>  
To: Alex Bingham <abingham@bhamgov.org>

Mon, Mar 7, 2022 at 12:17 PM

This needs to be included with the other info only items re Andrew asking about Civil Defense and Russian investments

----- Forwarded message -----

From: **Matt Bartalino** <Mbartalino@bhamgov.org>

Date: Sun, Feb 27, 2022 at 3:26 PM

Subject: Emergency Preparedness Info

To: Andrew Haig <ahaig@bhamgov.org>

Cc: Tom Markus <tmarkus@bhamgov.org>, Ecker, Jana <Jecker@bhamgov.org>, Clemence, Mark <Mclemence@bhamgov.org>, Gerber, Mark <Mgerber@bhamgov.org>

Commissioner Haig,

The fire department has made emergency preparedness manuals and videos available to the public through the City's website:

[https://bhamgov.org/about\\_birmingham/city\\_departments/fire\\_department/index.php](https://bhamgov.org/about_birmingham/city_departments/fire_department/index.php)

Some specific bullet points to consider when dealing with nuclear and radiological threats are as follows:

- Seek shelter indoors, away from windows, on the lowest level of the home/building
- Stay indoors unless you are told to evacuate by City, State, or Federal officials
- Close and lock all doors
- Seal gaps under doorways and windows with wet towels, duct tape, and plastic
- Close off fireplace dampers if the fireplace is not in use
- Turn off ventilation systems (furnaces, air conditioners, vents, fans)
- Be prepared to shelter-in-place

Shelter-in-place preparedness discusses turning on your radio, television/local cable station, monitoring email and social media while being prepared to follow all instructions given by emergency authorities. It is recommended to have two weeks of emergency food and water for each person in your household as well.

Should an actual event take place, the fire department has radiological monitoring equipment on our trucks, as well as having access to additional monitoring equipment through the OAKWAY HazMat Team. Using the monitoring equipment after determining where the event occurred and the flow path of any hazardous materials would be the catalyst for deciding to evacuate any areas of the city under threat. Mass alerting would be a coordinated group effort between City Hall, the Fire Department, and the Police Department.

The City, through its emergency management program, would have direct contact with the Michigan State Police Emergency Management Homeland Security Division in regards to information sharing and would be able to directly request any additional resources needed, if any.

Hopefully the preparedness manual is found to be beneficial. If you have any other specific questions regarding this issue, feel free to contact me directly.

Respectfully,

**Matthew J. Bartalino**

**Assistant Chief**

**Assistant Emergency Manager, PEM**

**Birmingham Fire Department**

572 S. Adams

Birmingham, MI 48009

**Work: (248) 530-1902**

**Cell: (248) 860-0269**

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

**\*Important Note to Residents\***

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



---

**Family Preparedness Workbook 2020-version-2.pdf**  
1131K

# **City of Birmingham Family Preparedness Workbook**

**Fire Chief Paul A. Wells  
Emergency Management Coordinator**



# City of Birmingham

## Family Preparedness Workbook

### City of Birmingham

Pierre Boutros, Mayor  
Joseph A. Valentine, City Manager  
Cheryl Arft, Acting City Clerk  
Mark Gerber, Finance Director

### Commissioners

Therese Longe Mayor Pro-Tem  
Clinton Baller  
Rackeline Hoff  
Brad Host  
Mark Nickita  
Stuart Sherman

**Fire Chief Paul A. Wells**  
**Emergency Management Coordinator**



# Emergency Management in the City of Birmingham

In 1976, the City of Birmingham adopted Ordinance #989 of the City Code and the Michigan Emergency Management Act 390.P.A. 1976 known as City of Birmingham Emergency Services Program. This ordinance is the foundation upon which the City of Birmingham has built its emergency preparedness, response, mitigation, and recovery policies.

The Emergency Preparedness Ordinance provides for:

- A Basic Plan that describes the overall concepts of operation that will be put into effect during a disaster or emergency situation and specific Emergency Action Guides (EAG) for technological and natural disasters, as well as acts of terrorism.
- An Emergency Management Coordinator who coordinates all emergency and disaster relief, preparedness, response, and recovery activities within the City of Birmingham.
- An Emergency Operations Center (EOC) furnished with equipment, maps and communications capabilities necessary to provide for the coordination and utilization of all City of Birmingham resources in an emergency or disaster situation.
- An EOC staff selected from City of Birmingham personnel with special knowledge and expertise in functions performed during an emergency or disaster situation.
- Mutual Aid Agreements with other communities to provide assistance during a disaster or emergency situation.

This workbook was developed to help prepare City of Birmingham residents for a wide range of disasters or emergencies by providing information they need to be self reliant during those situations. Whether the emergency is caused by a natural disaster, technological disaster or an act of terrorism, preparedness is the cornerstone to survival.

The book is not intended to be a single source of information but rather an overview of recommendations from several organizations and agencies. Regardless of the size or configuration of your family, you will find helpful information in this book. Any questions may be directed to the City of Birmingham Office of Emergency Management/Fire Department at 248-530-1906.

## TABLE OF CONTENTS

Family Preparedness Questions.....	1
Are You Prepared? .....	2
Deciding to Stay or Go .....	3
Getting Away .....	4
Outdoor Siren Warning Signal .....	5
Tornado Facts .....	6
Lightning Facts .....	7
Avoiding Flood Damage .....	8
Hazardous Materials/In-Place Sheltering .....	10
Terrorism .....	11
Public Health Emergencies.....	12
Emergency/Disaster Supply Kit .....	13
Clean Air.....	14
First Aid Kit .....	15
Supply Checklist.....	16
Important Family Documents.....	17
Special Needs Items.....	17
People with Disabilities .....	18
Evacuation.....	18
Evacuation Kit Information (Home Escape Plan) .....	20
At Work and at School.....	22
In a High-Rise Building .....	23
Recovery from a Disaster/Emergency .....	24
Your Emergency Action Planning Sheet.....	26
Babysitter / Visitor Information.....	27
Emergency to Do List .....	28



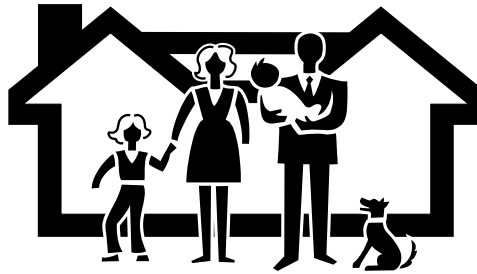
## Family Preparedness Questions

1. Is your family prepared to handle most emergencies?
2. Have you discussed emergency planning as a family or group living together?
3. Do you have an Emergency/Disaster Supply Kit which includes:
  - ✓ At least a seven-day supply of food and water for each person?
  - ✓ One change of clothing per person?
  - ✓ One blanket or sleeping bag per person?
  - ✓ A first aid kit that includes prescription medications for up to three days?
  - ✓ A battery-powered radio & flashlight with extra batteries?
  - ✓ An extra set of car keys, credit card and small amount of cash?
  - ✓ Sanitation supplies?
  - ✓ Food, water and supplies for your pet?
  - ✓ Do you have operational smoke detectors on every level?
4. Do you have a charged ABC extinguisher?
5. Does everyone who is old enough know how to use it?
6. Do you know how to turn off utilities?
7. Do you have a location outside your home where all family members plan to meet if forced to evacuate?
8. Are your most important papers and records safeguarded?
9. Has your family had a fire and tornado drill in the past six months?
10. Do you have an out-of-state phone partner to call when local lines go down?
11. Do you know what the emergency plans are for your workplace and for your children's schools or daycare centers?

Materials in this workbook will guide you in preparing you and your family for emergencies that may occur. You will learn about the kinds of disasters that may strike and what you can do to best protect your family.

## **Are You Prepared?**

### ***Why being prepared is so important***



*Millions of Americans Have Experienced Major Emergencies.*

- Most disasters do not make national headlines.
- Neither government nor voluntary emergency response organizations can be everywhere to help everyone who needs assistance immediately following a disaster.
- There are preparedness actions people can take to increase their chances of survival and ability to cope in a wide range of emergency situations.
- Individual citizens, families and neighbors are always the first line of protection in a disaster. People have the responsibility to learn about the hazards they face and how to prepare for them.
- A prepared family can reduce the fear, panic, inconvenience and losses surrounding a disaster. They can save each other's lives.

## **Create an Emergency Action Plan.**

Meet with your family and discuss the reasons an Emergency Action Plan is needed. You may work together as a team to have an Emergency Action Plan ready, and to assemble an Emergency/Disaster Supply Kit so you can endure an evacuation or home confinement. Some topics to consider:

After you go through the information presented on the following pages, discuss the steps your family will need to take. Then, have everyone participate in formulating your own Emergency Action Plan. At the end of this workbook there is a page for you to write out your plan.

If you have an Emergency/Disaster Supply Kit ready, you will be more self-sufficient during an emergency. Page 13 has a thorough list of supplies commonly included, but consider the needs of your own family when putting your kit together.

***Start assembling these supplies now!***



## Deciding to Stay or Go

Depending on your circumstances and the nature of the disaster, the first important decision is whether you stay put or get away. You should understand and plan for both possibilities. Use common sense and available information, including what you are learning here, to determine if there is immediate danger.

In any emergency, local authorities may or may not immediately be able to provide information on what is happening and what you should do. However, you should monitor TV, internet based or radio news reports for information or official instructions as they become available. If you're specifically told to evacuate or seek medical treatment, do so immediately.

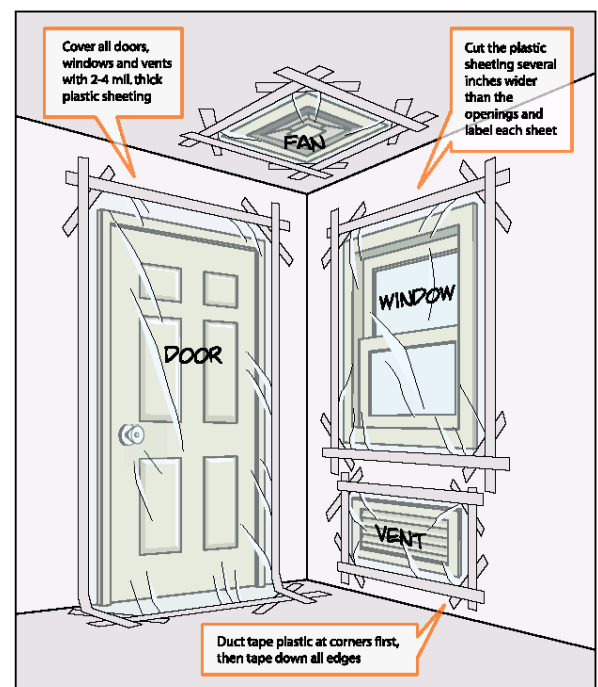
### Staying Put

Whether you are at home, work or elsewhere, there may be situations when it's simply best to stay where you are and avoid any uncertainty outside.

There are other circumstances when staying put and creating a barrier between yourself and potentially contaminated air outside, a process known as "shelter-in-place," is a matter of survival. Use available information to assess the situation. If you see large amounts of debris in the air, or if local authorities say the air is badly contaminated, you may want to take this kind of action.

### To "Shelter-in-Place"

- ✓ Bring your family pets inside.
- ✓ Lock doors, close windows, air vents and fireplace dampers.
- ✓ Turn off fans, air conditioning and forced air heating systems.
- ✓ Take your emergency supply kit unless you have reason to believe it has been contaminated.
- ✓ Go into an interior room with few windows, if possible.
- ✓ Seal all windows, doors and air vents with plastic sheeting and duct tape. Consider measuring and cutting the sheeting in advance to save time.
- ✓ Be prepared to improvise and use what you have on hand to seal gaps so that you create a barrier between yourself and any contamination.



<https://www.fema.gov/media-library/assets/documents/168342>

Local authorities may not immediately be able to provide information on what is happening and what you should do. However, you should watch TV, listen to the radio or check the Internet often for official news and instructions as they become available.

## **Getting Away**

There may be conditions under which you will decide to get away or there may be situations when you are ordered to leave. Plan how you will assemble your family and anticipate where you will go. Choose several destinations in different directions so you have options in an emergency.

### ***Create An Evacuation Plan***

- ✓ Plan places where your family will meet, both within and outside of your immediate neighborhood.
- ✓ If you have a car, keep a half tank of gas in it at all times in case you need to evacuate.
- ✓ Become familiar with alternate routes and other means of transportation out of your area.
- ✓ If you do not have a car, plan how you will leave if you have to.
- ✓ Take your emergency supply kit unless you have reason to believe it has been contaminated.
- ✓ Lock the door behind you.
- ✓ Take your pets with you, but understand that only service animals may be permitted in public shelters. Plan how you will care for your pets in an emergency.

### ***If Time Allows***

- ✓ Call or email the "out-of-state" contact in your family communications plan and tell them where you are going.
- ✓ If there is damage to your home and you are instructed to do so, shut off water, gas and electricity before leaving.
- ✓ Leave a note telling others when you left and where you are going.
- ✓ Check with neighbors who may need a ride.

### ***Learn how and when to turn off utilities***

If there is damage to your home or you are instructed to turn off your utilities:

- ✓ Locate the electric, gas and water shut-off valves.
  - ✓ Keep necessary tools near gas and water shut-off valves.
  - ✓ Teach family members how to turn off utilities.
- **If you turn the gas off, a professional must turn it back on. Do not attempt to do this yourself.**

# Outdoor Siren Warning Signal

## ***Tornado Warning***

Tornado warnings in the City of Birmingham and Oakland County come in two forms; outdoor sirens, activated by Oakland County Emergency Management, and radio transmitted tone alerts from the National Weather Service located in White Lake.

The outdoor sirens are tested the first Saturday of each month from March through November and are activated following a confirmed tornado sighting with the potential of passing through Oakland County. The signal is a three-minute steady blast from the rotating sirens. The City of Birmingham, under a cooperative agreement with Oakland County, has installed three sirens that are linked to the Oakland County warning system.

The tone alert from the National Weather Service is tested each Wednesday and is activated for a wide variety of severe weather conditions such as:

- ✓ Tornado warnings and watches
- ✓ Thunderstorm warnings and watches
- ✓ Severe Blizzard Warnings
- ✓ Ice Storm Warning and Heavy Snow warning
- ✓ Winter Storm warnings and watches
- ✓ Flood and High Wind Warning

Weather Alert Monitors are simple to operate and can be purchased from electronics and department stores for home use. They will provide:

- ✓ Timely Information
- ✓ Detailed Information
- ✓ Updated Information
- ✓ All-Clear Information
- ✓ Weather Development Advisories



## Tornado Facts

### ***Tornado Watch***

A Tornado or severe Thunderstorm Watch is issued whenever conditions exist for severe weather to develop. This is the time for you to prepare. *Listen to your local radio or television station for weather updates.* If you have friends or neighbors who are hearing impaired or have special needs, alert them to the current weather status.

### ***Tornado Warning***

A tornado or Severe Thunderstorm Warning is issued whenever a tornado or severe thunderstorm has actually been sighted or strongly indicated by radar. *This is the time to take appropriate cover immediately.*



## What Kind of Shelter Is Available?

### ***In Your Home***

A basement offers the greatest safety. In homes without basements, take cover in the center of the house, on the lowest floor, in a small room such as a closet or bathroom. In either case, seek shelter under sturdy furniture if possible.

### ***In A Mobile Home***

Go to a prearranged substantial shelter.

### ***Driving A Vehicle***

Get out of and away from the vehicle. Seek shelter in a basement, ditch or ravine – away from the vehicle.

### ***At Work or School***

Follow advance plans to move into interior hallways or small rooms on the lowest level. Avoid areas with glass and wide, free span roofs. (Schools, factories and office buildings should designate someone to monitor the weather channels and initiate an alarm if needed).

### ***In Open Country***

Get into a sturdy building if possible or lie flat in a nearby ditch or depression. If possible, hold onto something on the ground; otherwise use your hands to shield your head.



# Lightning Facts

## ***Lightning***

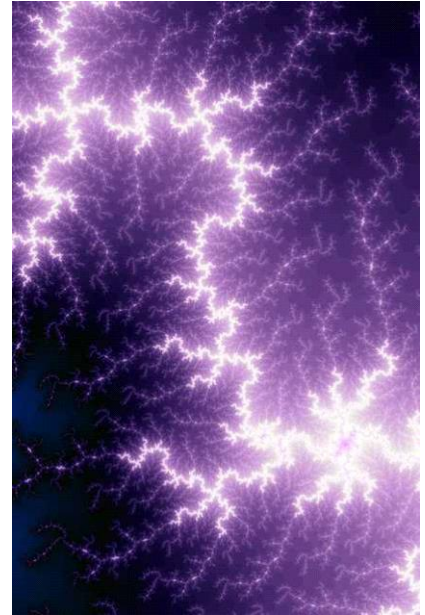
Lightning is the greatest natural destroyer of property. When severe thunderstorms are active, take extreme caution and be aware that lightning bolts occur from severe thunderstorm activity.

## **If you hear thunder, lightning is a threat.**

### ***Protect yourself***

Lightning threatens much more than property. When there is lightning nearby:

- Do not use the telephone except in an emergency.
- Stay away from electrical appliances, TVs, fireplaces, metal objects, windows and doors.
- Seek shelter immediately in an enclosed building or vehicle.
- Avoid isolated trees, high ground and bodies of water or large open areas.



## **Avoiding Flood Damage**

### ***Questions for Homeowners***

There are many things that you can do to help protect your home from flood damage. Some are simple and inexpensive while others are more complex and may require a professional contractor.



### ***Do you know your flood risk?***

The City of Birmingham participates in the National Flood Insurance Program (NFIP) and maps are available for review in the Engineering Division at the Municipal Building.

### ***Do you have enough flood insurance?***

Even if you have taken steps to protect your home from flooding, you still need flood insurance if you live in a designated floodplain. Homeowner's policies do not cover flood damage. Flood insurance is a wise investment whether you live in a designated floodplain or not. A separate policy under the NFIP will be needed. It takes 30 days for a flood policy to take effect. This is why you need to purchase flood insurance before flooding occurs.

### ***Is the main electric switch-box located above potential floodwater?***

The main electric panel board (fuses or circuit breakers) should be at least 12" above the projected flood elevation. The panel board height is regulated by code. A licensed electrician should do all electrical work.

### ***Are electric outlets and switches located above potential floodwaters?***

Consider elevating all electric outlets, switches, light sockets, baseboard heaters and wiring at least 12" above the projected flood elevation. In areas that could get wet, connect all receptacles to a ground fault interrupter (GFI) circuit to avoid the risk of shock or electrocution.

### ***Are the washer and dryer above potential flood-water?***

For protection against shallow floodwaters, the washer and dryer can sometimes be elevated on masonry or pressure-treated lumber at least 12" above the projected flood elevation. Other options are moving the appliances to a higher floor or building a floodwall around them.

### ***Are the furnace and water heater above the potential floodwaters?***

The furnace and water heater can be placed on masonry blocks or concrete at least 12" above the projected flood elevation, moved to inside a floodwall or moved to a higher floor.

***Is the fuel tank anchored securely?***

Homes that use fuel oil heat can have a tank tip over or float in a flood if not properly secured. This could cause a fire or spill. Cleaning up a fuel spill can be very difficult and expensive. Make sure fill lines and vents are above the projected flood level.

Propane tanks servicing a home are the property of the propane company. Contact them to make sure that the tanks are properly anchored.

***Does the sewer system have a backflow valve?***

If your home is within the floodplain, floodwaters can enter the sewer system, causing sewage to back up and enter your home. To prevent this, have a licensed plumber install an interior or exterior backflow valve. Check with the Building Department for permit requirements.

***For more information, contact the Birmingham Engineering Division 248 530-1840.***

## **Flooding and Flash Floods**

***Before the Flood***

- ✓ Find out if you live in a flood hazard area.
- ✓ Have check valves installed in building sewer traps to prevent flood waters from backing up in sewer drains.
- ✓ Buy Flood Insurance
- ✓ Plan and practice an evacuation plan.
- ✓ Have emergency supplies on hand.
- ✓ Develop an emergency communication plan.
- ✓ Make sure that all family members know how to respond after a flood or flash flood.

***If in a Car***

- ✓ Do not drive over flooded roads.
- ✓ If your car stalls, abandon it immediately and climb to higher ground.

## Hazardous Materials

### ***If you are outside***

- ✓ Stay upstream, uphill and upwind – hazardous materials can be quickly transported by water and wind.
- ✓ Move so the wind is blowing left to right or vice versa, *not* into your face or back.
- ✓ Try to get at least one-half mile from the danger area.
- ✓ Follow the instructions of local emergency responders.

### ***If you are inside***

- Turn on your radio, television or local cable station and be prepared to follow all instructions given by emergency authorities.
- To reduce the possibility of toxic vapors entering your home, seal all entry routes as efficiently as possible.
  - ✓ Close and lock all doors
  - ✓ Seal gaps under doorways and window with wet towels and duct tape.
  - ✓ Close all fireplace dampers if the fireplace is not in use.
  - ✓ Turn off all ventilation systems (furnaces, air conditioners, vents, fans).
  - ✓ Be prepared to follow “Shelter-In-Place” guidance on page 3.
- Stay inside.
- If you suspect vapors have entered your home, take shallow breaths through a wet cloth or towel.

### ***If You Are Told to Evacuate, Do So Immediately!***



#### **Hazardous Materials Incidents**

The Chemical Manufacturers Association estimates that in an average year, one out of every three trains and one out of every ten trucks is carrying hazardous materials.

# Terrorism

While terrorism has been a planning issue for Emergency Services for many years, September 11, 2001 made it a real and immediate concern. Natural and Technological disasters, once the primary concern for Emergency Management now share the focus with terrorism. Terrorism may present itself in different forms: chemical, biological, radioactive, nuclear and explosive.

## ***Chemical Attack***

A chemical attack is the deliberate release of a toxic gas, liquid or solid that can poison people and the environment. Signs and symptoms include watery eyes, twitching, choking, breathing difficulties and loss of coordination. Many sick or dead birds, fish or small animals are also cause for suspicion.



## ***Biological Attack***

A biological attack is a deliberate release of germs or other biological substances that can make you sick. To cause this effect, many biological agents must be inhaled, enter through a cut in the skin or be eaten. Some agents, such as anthrax, do not cause contagious diseases. Others, like the smallpox virus, are contagious and can spread from person to person.

## ***Radioactive Materials***

A radiation threat, commonly referred to as a “dirty bomb” or radiological dispersion device (RDD), is the use of common explosives to spread radioactive materials over a targeted area. It is not a nuclear blast. The force of the explosion and radioactive contamination will be more localized. While the blast will be more immediately obvious, the presence of radiation will not be clearly defined until trained personnel with specialized equipment are on the scene.

- ✓ As with any radiation, try to limit exposure. It is important to avoid breathing radiological dust that may be released in the air.

## ***Explosion***

Explosions are a sudden release of energy with destructive force. They may be as simple as a homemade pipe bomb or more complex military explosive with electronic timers.

## ***Nuclear***

A nuclear blast is an explosion with intense light and heat, a damaging pressure wave and widespread radioactive material that can contaminate the air, water and ground surfaces for miles around. While experts may predict at this time that a nuclear attack is less likely than other types, terrorism by its nature is unpredictable.

# Public Health Emergencies

In preparation for the potential of community spread of various communicable diseases, individuals should be aware of the following CDC recommendations for prevention of communicable disease spread:

- Avoid touching your eyes, nose, and mouth
- Wash hands often with soap and water (use hand-sanitizer with 60% alcohol)
- *When to wash your hands:*
  - o Before, during, and after preparing food
  - o Before eating food
  - o Before and after caring for someone at home who is sick with vomiting or diarrhea
  - o Before and after treating a cut or wound
  - o After using the toilet
  - o After changing diapers or cleaning up a child who has used the toilet
  - o After blowing your nose, coughing, or sneezing
  - o After touching an animal, animal feed, or animal waste
  - o After handling pet food or pet treats
  - o After touching garbage
- *Proper steps for hand washing:*
  1. **Wet** your hands with clean, running water (warm or cold), turn off the tap, and apply soap.
  2. **Lather** your hands by rubbing them together with the soap. Lather the backs of your hands, between your fingers, and under your nails.
  3. **Scrub** your hands for at least 20 seconds. Need a timer? Hum the “Happy Birthday” song from beginning to end twice.
  4. **Rinse** your hands well under clean, running water.
  5. **Dry** your hands using a clean towel or air dry them.
- Clean and disinfect commonly used surfaces
- Handle and prepare food safely
- Cough and sneeze into your sleeve
- Don't share personal items
- Get vaccinated (if, possible)
- Avoid close contact with people who are sick
- Stay home when sick
- Avoid touching wild animals
- Travel wisely





# Emergency/Disaster Supply Kit

## Water

- ✓ One gallon of water per person per day, for drinking and sanitation.
- ✓ Children, nursing mothers, and sick people may need more water.
- ✓ If you live in a warm weather climate, more water may be necessary.
- ✓ Store water tightly in clean plastic containers such as soft drink bottles.
- ✓ Keep *at least* a seven-day supply of water per person.

## Food

- ✓ Store at least a seven-day supply of non-perishable food.
- ✓ Select foods that require no refrigeration, preparation or cooking and little or no water.
- ✓ Pack a manual can opener and eating utensils.
- ✓ Choose foods your family will eat.

## Shopping List

- Ready-to-eat canned meats, fruits and vegetables
- Protein or fruit bars
- Dry cereal or granola
- Peanut butter
- Dried fruit
- Nuts
- Crackers
- Canned juices
- Non-perishable pasteurized milk
- High energy foods
- Vitamins
- Food for infants
- Comfort/stress foods



*Imperishable Food Items*

## Clean Air

Many potential terrorist attacks could send tiny microscopic "junk" into the air. For example, an explosion may release very fine debris that can cause lung damage. A biological attack may release germs that can make you sick if inhaled or absorbed through open cuts. Many of these agents can only hurt you if they get into your body, so think about **creating a barrier** between yourself and any contamination.



### ***Nose and Mouth Protection***

Face masks or dense-weave cotton material that snugly covers your nose and mouth and is specifically fit for each member of the family. Do whatever you can to make the best fit possible for children.

Be prepared to improvise with what you have on hand to protect your nose, mouth, eyes and cuts in your skin. Anything that fits snugly over your nose and mouth, including any dense-weave cotton material, can help filter contaminants in an emergency. It is very important that most of the air you breathe comes through the mask or cloth, not around it. Do whatever you can to make the best fit possible for children. There are also a variety of facemasks readily available in hardware stores that are rated based on how small a particle they can filter in an industrial setting.

Given the different types of attacks that could occur, there is not one solution for masking. For instance, simple cloth facemasks can filter some of the airborne "junk" or germs you might breathe into your body, but will probably not protect you from chemical gases. **Still, something over your nose and mouth in an emergency is better than nothing.** Limiting how much "junk" gets into your body may affect whether or not you get sick or develop disease.

### ***Other Barriers***

There are circumstances when staying put and creating a barrier between yourself and potentially contaminated air outside, or "**shelter-in-place**," is a matter of survival. You can use heavyweight plastic garbage bags or plastic sheeting; Duct tape and scissors to tape up windows, doors and air vents if you need to seal off a room from outside contamination. Consider precutting and labeling these materials. Anything you can do in advance will save time when it counts.

Use available information to assess the situation. If you see large amounts of debris in the air, or if local authorities say the air is badly contaminated, you can use these things to tape up windows, doors and air vents if you need to seal off a room.

## **HEPA (High Efficiency Particulate Air Filtration) Filter Fans**

Once you have sealed a room with plastic sheeting and duct tape you may have created a better barrier between you and any contaminants that may be outside. However, no seal is perfect and some leakage is likely. In addition, you may find yourself in a space that is already contaminated to some degree.

Consider a **portable air purifier**, with a **HEPA filter**, to help remove contaminants from the room where you are sheltering. These highly efficient filters have small sieves that can capture very tiny particles, including some biological agents. Once trapped within a HEPA filter contaminants cannot get into your body and make you sick. While these filters are excellent at filtering dander, dust, molds, smoke, biological agents and other contaminants, they will not stop chemical gases.



Some people, particularly those with severe allergies and asthma, use HEPA filters in masks, portable air purifiers as well as in larger home or industrial models to continuously filter the air.

## **First Aid Kit**

In any emergency someone may be cut, burned or suffer other injuries. If you have these basic supplies, you are better prepared to help your loved ones when they are hurt. Remember, many injuries are not life threatening and do not require immediate medical attention. Knowing how to treat minor injuries can make a difference in an emergency. Consider taking a first aid class, but simply having the following things can help you stop bleeding, prevent infection and assist in decontamination.



### ***Things you should have:***

- Two pairs of Latex or other sterile gloves (if you are allergic to Latex)
- Sterile dressings to stop bleeding
- Cleansing agent/soap and antibiotic towelettes to disinfect
- Antibiotic ointment to prevent infection
- Burn ointment to prevent infection
- Adhesive bandages in a variety of sizes
- Eye wash solution to flush the eyes or as general decontaminant
- Thermometer
- Prescription medications you take every day such as insulin, heart medicine and asthma inhalers. You should periodically rotate medicines to account for expiration dates
- Prescribed medical supplies such as glucose and blood pressure monitoring equipment and supplies

- Tweezers
- Scissors
- Tube of petroleum jelly or other lubricant

### ***Non-Prescription Drugs***

- Potassium Iodide
- Aspirin or non-aspirin pain reliever
- Anti-diarrhea medication
- Antacid (for upset stomach)
- Syrup of Ipecac (use to induce vomiting if advised by the Poison Control Center)
- Laxative
- Activated charcoal (use if advised by the Poison Control Center)

## **Supply Checklists**

The basics of survival – water, food and clean – air are essential, but some of the following items may make a time of crisis more comfortable.

### ***Basic Supplies***

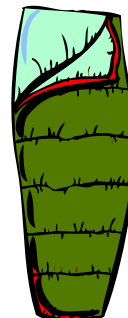
- Flashlight and extra batteries
- Cell phone chargers
- Battery powered radio and extra batteries
- Plastic garbage bags, ties and toilet paper for personal sanitation
- First aid kit
- Map of the area for evacuation or for locating shelters
- A whistle to signal for help
- Moist towelettes



## Clothing and Bedding

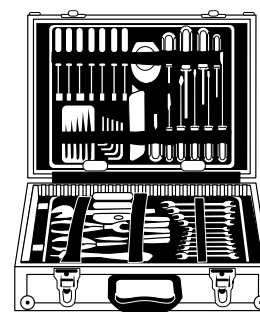
If you live in a cold weather climate, you must think about warmth. It is possible that the power will be out and you will not have heat. Rethink your clothing and bedding supplies once a year to account for growing children and other family changes.

- Have at least one complete change of warm clothing and shoes per person including:
  - ✓ A jacket or coat
  - ✓ Long pants
  - ✓ A long sleeve shirt
  - ✓ Sturdy shoes
  - ✓ A hat and gloves
  - ✓ A sleeping bag or warm blanket for each person



## Tools

- ✓ Emergency reference material such as a first aid book or this workbook
- ✓ Mess kits, or paper cups, plates and plastic utensils
- ✓ Cash or traveler's checks, change
- ✓ Non-electric can opener, utility knife
- ✓ Paper towels
- ✓ Fire extinguisher: small canister, ABC type
- ✓ Tube tent
- ✓ Pliers
- ✓ Compass
- ✓ Matches in a waterproof container
- ✓ Aluminum foil
- ✓ Plastic storage containers
- ✓ Signal flare
- ✓ Paper, pencil
- ✓ Medicine dropper
- ✓ Shut-off wrench, to turn off household gas and water



## Sanitation

- ✓ Toilet paper, towelettes
- ✓ Feminine supplies
- ✓ Personal hygiene items
- ✓ Plastic garbage bags, ties (for personal sanitation uses)
- ✓ Plastic bucket with tight lid
- ✓ Disinfectant
- ✓ Household chlorine bleach



You can use bleach as a disinfectant (diluted nine parts water to one-part bleach), or in an emergency you can also use it to purify water. Use 16 drops of regular household liquid bleach per gallon of water. Do not use scented, color safe or bleaches with added cleaners.

# Important Family Documents

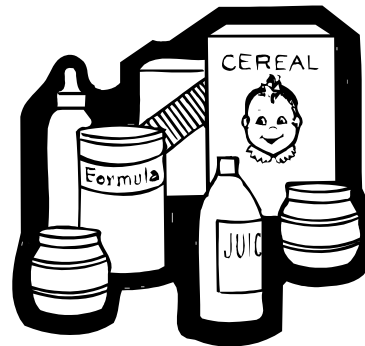
Keep copies of important family records such as insurance policies, identification and bank account records in a waterproof, portable container.

## ***Special Needs Items***

Remember the special needs of your family members. Infants, the elderly and persons with disabilities need the same planning as everyone else, and sometimes a little more, to be prepared for a terrorist attack.

### ***For babies***

- Formula
- Diapers
- Bottles
- Powdered milk
- Medications
- Moist towelettes
- Diaper rash ointment



### ***For adults***

- Ask your doctor about storing prescription medications such as heart and high blood pressure medication, insulin and other prescription drugs.
- Denture needs
- Contact lenses and supplies
- Extra eye glasses



*For more information on supplies, see "Your Family Disaster Supply Kit" from American Red Cross and Federal Emergency Management Agency.*

### ***For seniors***

- Plan how you will evacuate or signal for help.
- Plan emergency procedures with home health care agencies or workers.
- Tell others where you keep your emergency supplies.
- Teach others how to operate necessary equipment.
- Label equipment like wheelchairs, canes or walkers.
- List of prescription medications including dosage in your supply kits. Include any allergies.
- Extra eyeglasses and hearing-aid batteries.
- Extra wheelchair batteries or other special equipment in your supply kit.
- A list of the style and serial numbers of medical devices such as pacemakers in your emergency supply kits.
- Copies of medical insurance and Medicare cards.
- List of doctors and emergency contacts.





## ***For People with Disabilities***

- Create a support network to help in an emergency.
- Tell these people where you keep your emergency supplies.
- Give one member of your support network a key to your home.
- Wear medical alert tags or bracelets to help identify your disability.
- If you are dependent on dialysis or other life sustaining treatment, know the location and availability of more than one facility.
- Show others how to operate your wheelchair.
- Know the size and weight of your wheelchair, in addition to whether or not it is collapsible, in case it has to be transported.
- Keep a list of prescription medicines, allergy medications (including dosage).
- Consider extra eyeglasses, wheelchair batteries, hearing-aid batteries and oxygen.
- Keep a list of the style and serial number of medical devices, medical insurance cards and Medicare cards.
- Keep a list of doctors, relatives or friends who should be notified if you are hurt.



## **Evacuation**

Hundreds of times each year, people are forced to leave their homes because of hurricanes, transportation or industrial accidents releasing harmful substances, fires, or floods. You may have only moments to leave and should be prepared. Evacuation periods can last for hours or several days. For part or all of this time, you may be completely responsible for yourself and your family.

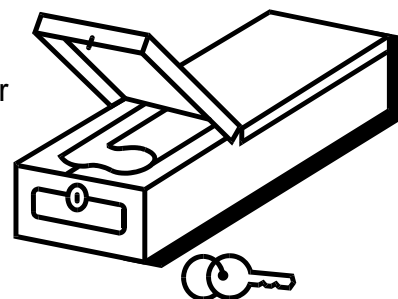
### ***If You Are Told to Evacuate:***

- Turn on your radio, television or local cable station and be prepared to follow all instructions given by emergency authorities.
- Take your Emergency / Disaster Supply Kit.
- Lock your home as you leave.
- Post a note on your door telling others where you have gone.
- Use travel routes specified by emergency authorities only. Other routes may be impassable or dangerous.
- Make sure the stove and range are turned off
- Make arrangements for your pets; they may not be allowed in shelters.

## An Evacuation Kit for Your Home

A fire or other emergency may require immediate exit of your home. The following items should be in a portable container, accessible so it can be snatched as you run out the door.

- Battery powered radio and extra batteries
- Flashlight and extra batteries
- Cash, Traveler's checks, change, credit card
- Extra pair of eyeglasses
- Extra set of car keys
- Important family documents in portable, fireproof container
- Social Security Card
- Birth, Marriage and Death Records
- Insurance Policies
- Wills
- Deeds
- Stocks and Bonds
- Savings and Checking account numbers
- Inventory of household goods, valuables (with photographs if possible)



### **Phone List:**

- Numbers for family members at home, work, cell phones and pagers
- Numbers for schools and daycare
- Numbers for friends

## Home Escape Plan

### **Develop an Escape Plan for Your Home.**

- Draw the location of doors, windows, stairways and large furniture.
- Draw a broken line charting at least two escape routes from each room.

### **And Remember, If There Is a Fire:**

- Do not open hot doors; try your second escape route.
- Smoke rises: crawl close to the floor and out of the house.
- Call the Fire Department from another location.

#### ➤ **If your clothes catch fire:**

**Stop, Drop and Roll  
Until the Fire is out!**



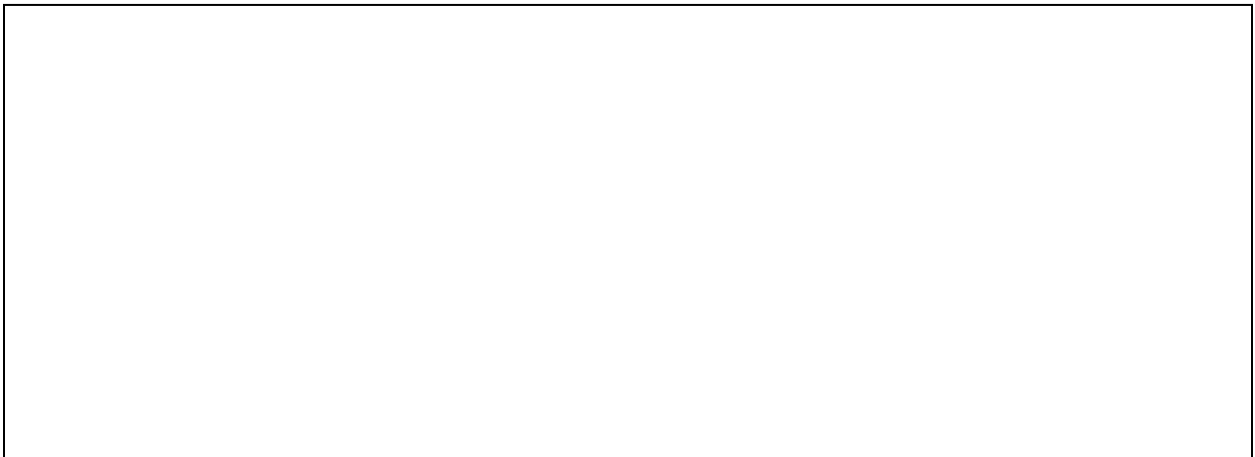
## Home Escape Plan

Use the boxes below to sketch the floor plan of your home. Discuss your family escape routes. Draw them on your floor plans.

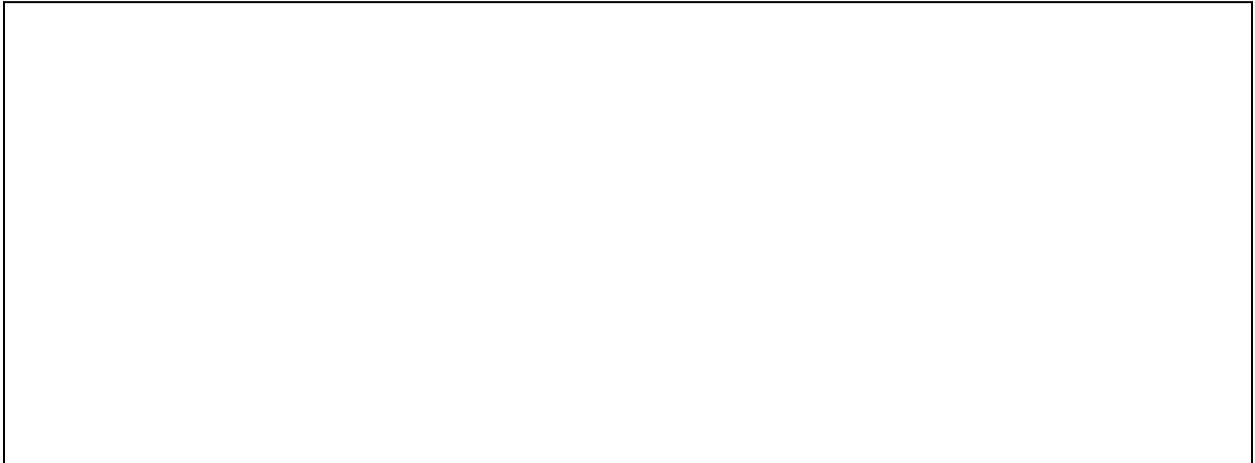
### Basement or Lowest Level



### First Floor or Ground Level



### Second Floor



## Home Escape Plan

- Quiz family members every six months on disaster and evacuation procedures.
- Test all smoke detectors and change the batteries bi-annually.
  - ✓ *Change the batteries in your smoke detectors when you change your clocks for daylight saving time.*
- Test and recharge fire extinguishers according to the manufacturer's instructions.



## Smoke Detector Testing Dates

_____	January	_____	July
_____	February	_____	August
_____	March	_____	September
_____	April	_____	October
_____	May	_____	November
_____	June	_____	December

## Conduct Fire and Tornado Drills

Year	Date of Drill	Year	Date of Drill
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

## **At Work and School**

Like individuals and families, schools, daycare providers, workplaces, neighborhoods and apartment buildings should all have site-specific emergency plans.

Ask about plans at the places where your family spends the most time: work, school and other places you frequent. If none exists, consider volunteering to help develop one. You will be better prepared to safely reunite your family and loved ones during an emergency if you think ahead, and communicate with others in advance.

### ***Neighborhoods and Apartment Buildings***

A community working together during an emergency makes sense.

- Talk to your neighbors about how you can work together during an emergency.
- Find out if anyone has specialized equipment like a power generator, or expertise such as medical knowledge, that might help in a crisis.
- Decide who will check on elderly or disabled neighbors.
- Make back-up plans for children in case you cannot get home in an emergency.
- Sharing plans and communicating in advance is a good strategy.

### ***Schools and Daycare***

If you are a parent or guardian of an elderly or disabled adult make sure schools and daycare providers have emergency response plans.

- Ask how they will communicate with families during a crisis.
- Ask if they store adequate food, water and other basic supplies.
- Find out if they are prepared to "shelter-in-place" if need be, and where they plan to go if they must get away.

For more information on developing emergency preparedness plans for schools, please visit the U.S. Department of Education at <https://www2.ed.gov/admins/lead/safety/crisisplanning.html>

### ***Employers***

If you are an employer, make sure your workplace has a building evacuation plan that is regularly practiced.

- Take a critical look at your heating, ventilation and air conditioning system to determine if it is secure or if it could feasibly be upgraded to better filter potential contaminants, and be sure you know how to turn it off if you need to.
- Think about what to do if your employees cannot go home.
- Make sure you have appropriate supplies on hand.
- For more information on specific building threats, see "Protecting Building Environments from Airborne Chemical, Biological, or Radiological Attacks" from the National Institute for Occupational Safety and Health.

## In A High-Rise Building

- Note where the closest **emergency exit** is.
- Be sure you know **another way out** in case your first choice is blocked.
- **Take cover** against a desk or table if things are falling.
- **Move away** from file cabinets, bookshelves or other things that might fall.
- **Face away** from windows and glass.
- **Move away** from exterior walls.
- Determine if you should stay put, "**shelter-in-place**" or get away.
- **Listen** for and follow **instructions**.
- Take your **emergency supply kit**, unless there is reason to believe it has been contaminated.
- **Do not use elevators**.
- Stay to the right **while going down stairwells to allow emergency workers to come up**.



Be sure you know another way out of the building in case your first choice is blocked

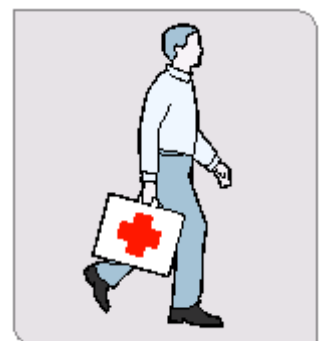
## An Emergency Supply Kit for Your Car

Keep your car equipped with supplies for any emergency. Always have a half tank of fuel in the car. If there is an emergency, gas stations may be closed.

- Battery powered radio and extra batteries
- Flashlight and extra batteries
- Blanket
- Jumper cables
- Fire Extinguisher
- Make sure everyone knows how to use it
- First Aid Kit and Manual
- Maps
- Shovel
- Flares
- Bottled Water
- Non-perishable, high-energy foods



Determine if you should stay put, "shelter-in-place" or get away. Listen for and follow instruction from authorities.



Take your Emergency Supply Kit, unless there is reason to believe it has been contaminated



## In a Moving Vehicle



- If there is an explosion or other factor that makes it difficult to control the vehicle, pull over, stop the car and set the parking brake.
- If the emergency could affect the physical stability of the roadway, avoid overpasses, bridges, power lines, signs and other hazards.
- If a power line falls on your car you are at risk of electrical shock, stay inside until a trained person removes the wire.
- Listen to the radio for information and instructions as they become available.

## Recovery from A Disaster/Emergency

*Listen to local radio and television stations for information and instructions.*

### **After A Tornado**

- Use caution when entering a building, making sure that the walls, ceiling and roof are in place and that the structure rests firmly on the foundation
- Watch for broken glass and downed power lines
- Check for injuries and if necessary, call for help immediately

### **After A Fire**

- If you are the homeowner, see that your home is secured
- If you are a tenant, secure your personal belongings and contact your landlord. It is the responsibility of the property owner to prevent further loss or damage to the site.
- Contact your insurance agent about estimates and loss coverage
- Contact the Red Cross or Salvation Army if you need temporary housing or food.
- Have an electrician check your wiring before the current is turned back on. Do not attempt to reconnect any utilities yourself.
- Discard food, beverages and medicines that have been exposed to heat, smoke or soot
- Immediately after the fire, collect receipts for any money you spend. These are important for both insurance and income tax claims.
- Do not open a fireproof box until it is cooled. If the box has not cooled, the entering air combined with the high internal temperature may cause the contents to burst into flames.

### **After a Hazardous Materials Incident**

- Do not return home until local authorities say it is safe
- Upon returning home, open windows to provide ventilation
- Find out from local authorities how to clean up your land and property
- Check food and water supplies for contamination and spoilage before using them

## ***After A Flood***

- Floodwaters do not end when the water begins to recede. Listen to the local radio and television stations for further details of the flooding situation.
- Do not enter buildings if floodwaters recede around the building.
- When you have to enter buildings use extreme caution and check for structural damage.
- Look for fire hazards. Do not use candles and matches to light your way because gas pockets may be present.
- Do not use water or eat food that has come in contact with floodwaters.
- Do not turn on electricity until a safety inspection has been completed.
- Pump out flooded basements gradually (about one-third of the water per day) to avoid structural damage.
- Service damaged septic tanks, cesspools, pits and leaching systems as soon as possible. Damaged sewage systems are health hazards.

**Contact the City of Birmingham's Office  
of Emergency Management/Fire Department at  
248-530-1906  
or the City of Birmingham's Water Department at  
248-530-1700  
to help you determine if your drinking water is safe.**



# Family Emergency Action Plan

Use this page to write down your family's Action Plan. Consider all types of emergencies. Remember to write down the location of your Emergency Disaster Supply Kits. Refer to the information in this workbook to make sure your plan is complete. Involve all your family members in this activity.

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page, typical of notebook or legal stationery. There are no margins, text, or other markings on the page.

## Babysitter or Visitor Information

Visitors, babysitters or other caretakers may be in your home when an emergency occurs. Make sure they know your Emergency Action Plan, especially if they are charged with the care of your children, elderly family members or those with special needs.

Make copies of this page and fill it out each time you leave someone else in charge.

HOMEOWNER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

THE NUMBER FOR **POLICE, FIRE & AMBULANCE**      **9-1-1**

I AM AT: \_\_\_\_\_ PHONE: \_\_\_\_\_

WILL RETURN APPROXIMATELY: \_\_\_\_\_

THE HOME EMERGENCY PLAN IS LOCATED IN THE: \_\_\_\_\_

THE EMERGENCY KIT IS LOCATED: \_\_\_\_\_

REMINDERS:

- Don't open the door for anyone until you are sure you know who they are.
- Keep all doors locked.
- Know where the children are *at all times*, whether outside or inside.

MESSAGES: \_\_\_\_\_

# Emergency to Do List

## Fire: Call 911

Get out of the house and meet at \_\_\_\_\_

## Ice, Snow, Thunder or Wind Storms

- ☐ Fill Tub with water
- ☐ Bring wood inside
- ☐ Move cars away from trees
- ☐ Turn TV or radio to EAS
- ☐ Get candles, oil lamps and matches together
- ☐ Check generator for gas

## Tornadoes

- ☐ Take shelter in the basement or lowest floor of house
- ☐ If no basement, take cover a small room in the center of house, away from windows
- ☐ Find sturdy furniture to seek shelter under

## Evacuation (flood, chemical spill or other)

- ☐ Take Emergency / Disaster Supply Kit
- ☐ Take animals and their kits
- ☐ Take photos and genealogy
- ☐ Turn off lights
- ☐ Turn off water
- ☐ Lock doors

## Meeting Places

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

## Contacts

- ☐ Make a phone list for every member of household.

## Pets

- ☐ Make arrangements for emergency shelter if they cannot stay with family.

*For additional information about topics in this workbook visit any of the following websites.*

www.bhamgov.org  
www.redcross.org  
[www.michigan.gov/msp](http://www.michigan.gov/msp)  
www.oakgov.com/health

www.ready.gov  
www.fema.gov  
[www.cdc.gov/](http://www.cdc.gov/)

# Birmingham Police Department

Chief of Police

Mark H. Clemence

SUBJECT	DIRECTIVE	NUMBER OF PAGES
HAZARDOUS MATERIALS AND WEAPONS EMERGENCIES/ SUSPECTED BIOHAZARDS	418	10
<i>*This Directive Supersedes All Previously Issued Correspondence Relative To This Topic*</i>		
		Effective Date
		Revised Date
		10/16/2017

## I. PURPOSE

- A. To provide information for officers to evaluate hazardous materials (HAZMAT) and weapons of mass destruction (WMD) involving potentially dangerous materials.
- B. To provide officers resources from which they can seek technical assistance.

## II. DEFINITIONS

- A. HAZARDOUS MATERIAL: Any substance in quantity or form that may pose an unreasonable risk to health, safety and property.
- B. DANGEROUS GOODS: The Canadian name for HAZMAT.
- C. BIOLOGICAL AGENTS: Naturally occurring materials of three types.
  - 1. Bacteria – Disease causing organisms
  - 2. Viruses – Disease causing organisms
  - 3. Toxins – Poisons produced from living organisms
- D. CHEMICAL AGENTS: Man-made products of five types.
  - 1. Nerve Agents
  - 2. Vesicants (Blistering Agents)
  - 3. Blood Agents (e.g. Cyanide)
  - 4. Choking Agents (e.g. chlorine, phosgene)
  - 5. Irritants (CS, CN, OC, etc.)

## III. HAZMAT INCIDENTS

- A. First Responder's Role
  - 1. Approach the scene as safely as possible
    - a. Upwind, uphill, upstream, etc.
    - b. Stop at a safe distance away for assessment with binoculars if needed.
    - c. Look for markings, placards or other clues.



2. Identification of HAZMAT

- a. Container shapes
- b. Markings and colors
- c. Placards and labels
- d. Shipping papers
- e. Smell, sound, touch or sight
- f. Information from the driver or witness

B. Communications

1. Notify and coordinate with the Fire Department and, if necessary, EMS.

- a. **Michigan Law mandates that the Fire Chief shall be in charge of all HAZMAT scenes (P.A. 207)**
- b. Provide as much accurate information as possible. Spell out the chemical names if needed
- c. Provide identification numbers for cross checking
- d. Describe site conditions
  - (1) Weather/wind direction
  - (2) Status the materials (stable, leaking, burning, etc.)
  - (3) Area impacted
  - (4) Any victims observed and their behavior

C. Scene Management

1. Secure the area around the incident

2. Fire Department will establish safety zones

- a. HOT (RED) ZONE: Immediate area affected
- b. WARM (YELLOW) ZONE: Area between the safe area and the affected area where decontamination, etc., is provided
- c. COLD (GREEN) ZONE: Safe area. Command post, etc.

3. Fire Department will establish Access Control Point(s)

4. Public Notification/warning, if necessary.

- a. Door to door
- b. Utilize PA system if needed

- c. Do not use flares
- d. No smoking
- e. Turn off vehicle engines where possible
- f. Keep vehicles from driving through suspected spills

#### D. Considerations

1. Some flammable gasses are “heavier than air”, and therefore will float close to the ground following the terrain.
2. Officers and gear may require decontamination. Leather readily absorbs many chemicals. Leather cannot be effectively decontaminated and must be discarded if it has become contaminated.
3. Consult with the Fire Department regarding the proper protective gear required. The Police Department has some gear available, but it may not be the appropriate clothing for a particular incident.
4. Officers can reduce their chance of injury during such incidents by remembering three things:
  - a. **TIME:** To the extent possible, officer should limit the amount of time they are exposed to a potential HAZMAT.
  - b. **DISTANCE:** Officers should keep as much distance between the incident site and themselves as practical.
  - c. **SHIELDING:** Take advantage of the protective clothing, or other obstacles, to act as a barrier from exposure. Even an officer’s raincoat is better than nothing.

#### IV. Weapons of Mass Destruction Incidents.

- A. Although these incidents involve hazardous materials, they also involve the intent to frighten or cause actual harm and are, therefore, criminal investigations.
- B. Scene Assessment

With increased media coverage, and public concern, officer should expect to receive many such calls for service. When officers are dispatched to such incidents or suspicious packages, the following questions should be kept in mind in assessing the type of incident involved.

1. Did the item arrive through the mail or parcel delivery?
2. Was there a threat received regarding the item?
3. Is there a suspicious substance visible?
4. What is suspicious about the item?
5. Has the recipient been the target of other threats or actual assaults?
6. Is the threat, suspicious substance, or item biological or chemical in nature?

- C. If the incident presents a potential threat or dangerous package, the shift supervisor will be notified and will respond to the scene. The Fire Department should also be notified to stand by the scene for assistance and consultation.
- D. The shift supervisor will determine whether the incident warrants contacting the FBI or other needed agencies.
- E. Assessment of Suspicious Items
  - 1. Use caution, restrict movement, and do not shake or empty a suspicious package.
  - 2. If assessment by an officer is needed, obtain as much information from a far distance as practical.  
  
Remember: TIME, DISTANCE and SHIELDING
  - 3. DO NOT TOUCH any packages, letters, etc.
- F. Criminal Incidents
  - 1. If evidence suggests a credible threat or biological or chemical contamination, the shift supervisor shall notify the following:
    - a. Police Department Command Staff as necessary and/or required.
    - b. The FBI UMD Coordinator  
Mon-Fri Office Hours: (248)879-6090  
After Hours: (313)965-2323  
S.A. Mark Davidson Cell:(586)530-5206

The appropriate HAZMAT team through the Fire Department.

- 2. The FBI WMD Coordinator will determine if an item is a "Credible threat" according to their protocol.
- 3. A HAZMAT team must package credible threats.
- 4. DO NOT attempt to clean up any spilled materials.
- 5. Officers should avoid the room/area of known hazard.
- 6. Officers should avoid touching their face and wash hands thoroughly.
- 7. Contaminated clothing should be removed with the assistance of response personnel. Do not attempt to brush substances off.

8. Anyone in the room/area of the hazard, or who has had contact with the hazard should remain available to meet with arriving investigators. Identify you may have been contaminated.
9. Officers at the scene should make a list of anyone believed to have come in contact with the suspected hazard.
10. Officers who enter contaminated area should then avoid contaminating other areas, such as their patrol car, or other buildings.

G. Undetermined Incidents

1. In situations where a credible threat does not exist, but the officer believes the item may be of evidentiary value;
  - a. The scene should be preserved for investigators.
  - b. The shift supervisor will determine if detectives or any other investigative agencies will be needed.
  - c. The shift supervisor may contact the MSP District D/Lt.
  - d. The FBI WMD Coordinator can be contacted for assistance in determining any evidentiary value.

H. Packaging Evidence

1. Officers will package items only where no credible threat exists, but items are determined to have evidentiary value
2. Evidence packaging requires clear sealable bags (ziplock type) and duct tape.
3. Such items MUST be transported to Michigan Department of Community Health, 3350 N. Martin Luther King Blvd., Lansing, MI. (517) 335-8063.
4. **Under no circumstance shall any suspected chemical or biological evidence be stored in any city building.**
5. All suspicious items will be triple bagged.
6. Personnel should follow the attachment to this order labeled "Evidence Packaging" for guidance on containing the evidence.

V. Protection of City Facilities

- A. DO NOT allow hazardous materials or suspected items or packages into city facilities.

1. If someone brings a suspicious package into the building, direct him or her outside and make contact with them there.
  2. Once outside, follow the above necessary procedures.
- B. Personnel will not accept delivery of packages to the police department after normal business hours.
1. Persons should be directed to contact the appropriate personnel during business hours, or to send the package through the U.S. Mail.
  2. City departments may make specific arrangements for package drop off in advance.

#### VI. Methamphetamine Labs

- A. If a suspected methamphetamine lab is discovered, evacuate the area immediately and call Michigan State Police at (517) 241-8000.

### **EVIDENCE PACKAGING**

Evidence packaging will require officers to carry or have available various sizes of clear, sealable plastic bags (zip-lock type) and duct tape. Under no circumstances shall any suspected chemical/biological substance be placed into any property room or holding locker. **All evidence will be collected by OAKWAY Hazmat per their protocol, with the FBI if necessary.**

- The item(s) will be transported to Michigan Department of Community Health.
- All suspicious items kept for evidentiary purposes must be triple-bagged.

### **EVIDENCE PACKAGING AT A WORK SITE**

The OAKWAY Hazmat team can determine if an item is not a threat, and will advise the Police Department if they can collect the evidence. All suspicious items **NOT** having any powdery substance or determined to **NOT** be a credible threat, but determined to be of evidentiary value shall be packaged as follows **if at a work site**:

1. Don latex/nitrile gloves and N-95 respirator (TB mask-can be provided by the Fire Department).
  - See ATTACHMENT 2 for instructions on properly donning a respirator.
  - Inspect the gloves for any rips and/or tears after putting them on.
  - If any rips or tears are found, remove and replace with a new set of gloves.
2. Have the complainant/recipient place the item in a clear, sealable plastic bag and zip-lock the bag closed.

- Have someone that has not had contact with the hazard open doors for the recipient of the item so that they can wash their hands and any other exposed areas with soap and water to minimize contaminating any worksite area.
3. Have a second officer, wearing latex/nitrile gloves and N-95 respirator (TB mask) tear off a large strip of duct tape.
    - Make sure the tape is long enough so that no contact is made between the first and second officer when sealing the bag. This is done to avoid cross contamination.
    - The second officer holds the tape horizontally while the first officer presses the top of the bag to the tape and then seals the bag completely with the tape.
  4. The second officer, wearing latex/nitrile gloves and N-95 respirator (TB mask), shall hold open a clear, sealable plastic bag, allowing the first officer to put the packaged item into the new bag.
  5. The second officer zip-locks the bag closed.
    - The first officer shall properly remove their latex/nitrile gloves (see ATTACHMENT 1), wash their hands with soap and water, and don a new pair of latex/nitrile gloves to assist the second officer with sealing the item.
  6. The first officer tears off a large strip of duct tape. The first officer holds the tape horizontally while the second officer presses the top of the bag to the tape and then seals the bag completely with the tape.
  7. The first officer shall obtain a **heat seal**, evidence bag and hold it open so that the second officer can place the packaged item into the third evidence bag. The first officer then completes the evidence packaging by heat-sealing the outer bag.
    - One officer is to maintain control of the item for the chain of custody.
    - Once packaged, the FBI WMD coordinator will contact the Michigan Department of Community Health (MDCH) and transport the item (or an officer will transport the item) to the MDCH, 3350 North Martin Luther King Ave., Lansing, MI 48906 (See SECTION 7). The state health department will only accept requests for testing through the FBI's WMD coordinator.

### **EVIDENCE PACKAGING AT AREAS OTHER THAN WORK SITES**

The OAKWAY Hazmat team can determine if an item is not a threat, and will advise the Police Department if they can collect the evidence. All suspicious items, **NOT** having any powdery



substance or determined to **NOT** be a credible threat, but determined to be of evidentiary value shall be packaged as follows **if at an area other than a work site**:

1. Package the item as described above starting with number 1.
2. After completing number 6 above, the first officer, wearing latex/nitrile gloves and N-95 respirator (TB mask), shall get a clear, sealable plastic bag and hold it open so that the second officer can put the packaged item into the new bag.
  - This should be the third bag.
3. The first officer zip-locks the bag closed.
  - The second officer shall properly remove their latex/nitrile gloves (see ATTACHMENT 1), wash their hands with soap and water, and don a new pair of latex/nitrile gloves to assist the first officer with sealing the item.
4. The second officer tears off a large strip of duct tape. The second officer holds the tape horizontally while the first officer presses the top of the bag to the tape and then seals the bag completely with the tape.
5. The second officer properly removes his/her gloves and mask and disposes of them.
6. The second officer can hold the evidence while the first officer removes and disposes of his/her gloves and mask.
  - The first officer should wash their hands after removing their gloves and mask.
  - The second officer shall stay with the first officer to maintain the chain of custody.
7. The investigating officer transports the evidence to the work site and completes the evidence packaging by heat-sealing the item.
8. Label the item as explained in the Michigan State Police, Property Evidence Handbook, and place a "Biological Hazard" label on the package.
9. One officer is to maintain control of the item for the chain of custody.
10. Once packaged, the FBI WMD coordinator will contact the MDCH and transport the item (or an officer will transport the item) to the Michigan Department of Community Health, 3350 North Martin Luther King Ave., Lansing, MI 48906 (See SECTION 7).
  - The state health department will only accept requests for testing through the FBI's WMD coordinator.

If the item to be packaged is too large for zip-lock type bags, plastic garbage bags can be used for initial packaging.

- Place the item in the plastic garbage bag.

- Twist the top of the bag until there is a long section of twisted bag.
- Bend the twisted portion of the bag in half and tape the two twisted portions together with duct tape.
- The item must be triple bagged using similar methods as above.
- After triple bagging, secure as evidence with a large evidence bag.

### **SUSPECTED BIOHAZARDS**

To handle calls related to suspicious items, packages and letters in response to heightened national security. This is based on recommendations from the State and County Emergency Operations Centers as well as the FBI. Birmingham Fire Department/Oakway controls bio-hazard scenes with the assistance of the Police Department.

1. When dispatched to a call of a suspicious package or substance the officer shall initiate a threat assessment of the situation. Has a verbal, written or implied threat been conveyed? Is the recipient a likely target or is the company or organization a likely target?
2. Officers shall use universal precautions including latex gloves and protective masks prior to investigating.
3. Is there any substance of product visible? If so, the medical labs require about a tablespoon of the product in order to perform a reliable test.
4. If the threat appears to be viable and the product is available for collection the FBI must be notified. The WMD FBI Coordinator is SA Mark Davidson. He can be reached on his cell: (586) 530-5206 24 hours a day or at the Macomb County FBI Office M-F, 9-5, at (586) 412-4844.
5. The FBI will assess the threat and determine if it warrants collection and analysis.
6. The FBI will advise on the disposition if they do not want it collected for evidence and analysis.
7. If they do want it collected, we will need to activate OAKWAY Hazmat unit from the fire department. All material should be triple bagged and tagged with name, badge, and complaint number. In addition, a list of all persons who may have been exposed to this substance shall accompany the evidence with address, phone number(s) and DOB of each person.
8. The FBI will call the Michigan Department of Public Health (MDPH) @ (517) 335-8024 and coordinate with Dr. David Johnson for delivery to his facility. The FBI must make this

call in order to have the package authorized or the package will not be accepted at the MDPH. The FBI will direct the delivery to the MDPH at 3423 N. Martin Luther King Ave. in Lansing or transport it themselves.

9. Afterwards, Officer should wash exposed skin with soap and water and if necessary, to also wash any object that may have been in the vicinity of the substance.
10. Under no circumstance shall any suspected chem/bio substances be placed into the department's property room or holding locker.

This interim policy is designed to assist Officers in handling the increase in this type of call, as citizens respond to the heightened level of awareness in this country. It is designed to be used as a guide and not as an all-inclusive policy.



Alex Bingham <[abingham@bhamgov.org](mailto:abingham@bhamgov.org)>

# Re: Questions

3 messages

**Tom Markus** <tmarkus@bhamgov.org> Sun, Feb 27, 2022 at 12:37 PM  
To: Andrew Haig <ahaig@bhamgov.org>  
Cc: City Commission <city-commission@bhamgov.org>, Department Heads <departmentheads@bhamgov.org>, Kucharek Mary <Mkucharek@bhlaw.us.com>, Matt Bartalino <Mbartalino@bhamgov.org>

You can make comments under commissioner comments at tomorrow's meeting. By cc to Mark Clemence and Matt Bartalino I am asking them to review your Civil Defense comments. By cc to Mark Gerber I am asking him to review you comments regarding investments.

On Sun, Feb 27, 2022 at 12:02 PM Andrew Haig <[ahaig@bhamgov.org](mailto:ahaig@bhamgov.org)> wrote:

Tom and Mary I would like to know how I can do something plus a couple of other questions please:

I would like to make a statement about the invasion in Ukraine tomorrow condemning the actions taken by the leadership of Russia and to make it clear that this is apparently not an action of the Russian people and that we (I) support the people of Ukraine.

Other questions not for the meeting (taking advantage of 1 email):

Do we have any older Cold War era Civil Defence plans that I can review? The introduction of Thermobaric weapons into the field in Ukraine, which are considered a near peer WMD, plus the activation of the Russian Nuclear forces indicates that we have a new (old) threat scenario that we need to consider. Our processes have evolved to more recent threat vectors, but this one has caught a lot of governments flat footed. I would like the opportunity to review our current procedures and action plans to see what we need to update.

Lastly, I assume that Mr. Gerber has been reviewing the City investment portfolios for exposure to Russian investments. Can we know if we have any and if any actions are planned to remove this exposure?

Thanks in advance.

Andrew

## From the Ether

You received this message because you are subscribed to the Google Groups "City Commission" group.  
To unsubscribe from this group and stop receiving emails from it, send an email to [city-commission+unsubscribe@bhamgov.org](mailto:city-commission+unsubscribe@bhamgov.org).  
To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/CALPLqCgF%3Dae1E9QdE130MgADJyV0uL5yV0L5eXUA%40mail.gmail.com>.

## INFORMATION ONLY

**Tom Markus** <tmarkus@bhamgov.org> Tue, Mar 1, 2022 at 12:19 PM  
To: City Commission <city-commission@bhamgov.org>, DepartmentHeads <departmentheads@bhamgov.org>

----- Forwarded message -----  
From: **Mark Gerber** <[Mgerber@bhamgov.org](mailto:Mgerber@bhamgov.org)>  
Date: Mon, Feb 28, 2022 at 9:49 AM  
Subject: Re: Questions  
To: Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>

The City currently has no international exposure on its general investments. The City's retirement and retiree health care funds have an approximate 17% exposure to international invested mutual funds at 12/31/2021. In reviewing the portfolios of these mutual funds, the City's exposure to Russian investments is approximately .23% of the overall

portfolio. Given what has happened recently, I would assume that Russian investments now make up even less of the City's overall portfolio.

Having a well diversified portfolio means having a portion of the investments exposed to international companies. All of these companies carry the potential of risk associated with global conflicts and bad decisions of those governments. I would venture a guess that most if not all international mutual funds carry some exposure to Russian investments. Since fund managers are paid by the performance of their funds, it is likely that those managers have already taken some action to reduce their exposure to Russian investments. So to answer your question regarding removing this exposure, I think it would be very difficult to do without switching to an active manager who would hand pick investments that do not include Russian investments. When switching to an active manager you may be risking return compared to a more diversified portfolio. I think the more prudent thing to do is just let the market de-risk this investment for you.

On Sun, Feb 27, 2022 at 12:37 PM Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)> wrote:

You can make comments under commissioner comments at tomorrow's meeting. By cc to Mark Clemence and Matt Bartalino I am asking them to review your Civil Defense comments. By cc to Mark Gerber I am asking him to review your comments regarding investments.

On Sun, Feb 27, 2022 at 12:02 PM Andrew Haig <[ahaig@bhamgov.org](mailto:ahaig@bhamgov.org)> wrote:

Tom and Mary I would like to know how I can do something plus a couple of other questions please:

I would like to make a statement about the invasion in Ukraine tomorrow condemning the actions taken by the leadership of Russia and to make it clear that this is apparently not an action of the Russian people and that we (I) support the people of Ukraine.

Other questions not for the meeting (taking advantage of 1 email):

Do we have any older Cold War era Civil Defence plans that I can review? The introduction of Thermobaric weapons into the field in Ukraine, which are considered a near peer WMD, plus the activation of the Russian Nuclear forces indicates that we have a new (old) threat scenario that we need to consider. Our processes have evolved to more recent threat vectors, but this one has caught a lot of governments flat footed. I would like the opportunity to review our current procedures and action plans to see what we need to update.

Lastly, I assume that Mr. Gerber has been reviewing the City investment portfolios for exposure to Russian investments. Can we know if we have any and if any actions are planned to remove this exposure?

Thanks in advance.

Andrew

From the Ether

--

You received this message because you are subscribed to the Google Groups "DepartmentHeads" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [departmentheads+unsubscribe@bhamgov.org](mailto:departmentheads+unsubscribe@bhamgov.org).

To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/departmentheads/CALPLqCgF%3DaeVkhBQgE7b9DwkzuHDUyWjDuYLGyvVcApG-eX2JA%40mail.gmail.com>.

--

Mark Gerber, CPA  
Finance Director/Treasurer  
City of Birmingham  
151 Martin Street  
PO Box 3001  
Birmingham, MI 48012-3001  
(248) 530-1814 phone  
(248) 530-1090 fax

\*Important Note to Residents\*

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

--

You received this message because you are subscribed to the Google Groups "City Commission" group.

To unsubscribe from this group and stop receiving emails from it, send an email to [city-commission+unsubscribe@bhamgov.org](mailto:city-commission+unsubscribe@bhamgov.org).

To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/city-commission/CALPLqCiBXVDDuB1yCQmiRtgs1wqAwGr%3D1QN0GUusitXLP8b-Gw%40mail.gmail.com>.

**Tom Markus** <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>  
To: Alex Bingham <[abingham@bhamgov.org](mailto:abingham@bhamgov.org)>

Wed, Mar 2, 2022 at 12:56 PM

Add to next agenda info only

----- Forwarded message -----

From: **Mark Gerber** <[Mgerber@bhamgov.org](mailto:Mgerber@bhamgov.org)>  
Date: Mon, Feb 28, 2022 at 9:49 AM  
Subject: Re: Questions  
To: Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)>

The City currently has no international exposure on its general investments. The City's retirement and retiree health care funds have an approximate 17% exposure to international invested mutual funds at 12/31/2021. In reviewing the portfolios of these mutual funds, the City's exposure to Russian investments is approximately .23% of the overall portfolio. Given what has happened recently, I would assume that Russian investments now make up even less of the City's overall portfolio.

Having a well diversified portfolio means having a portion of the investments exposed to international companies. All of these companies carry the potential of risk associated with global conflicts and bad decisions of those governments. I would venture a guess that most if not all international mutual funds carry some exposure to Russian investments. Since fund managers are paid by the performance of their funds, it is likely that those managers have already taken some action to reduce their exposure to Russian investments. So to answer your question regarding removing this exposure, I think it would be very difficult to do without switching to an active manager who would hand pick investments that do not include Russian investments. When switching to an active manager you may be risking return compared to a more diversified portfolio. I think the more prudent thing to do is just let the market de-risk this investment for you.

On Sun, Feb 27, 2022 at 12:37 PM Tom Markus <[tmarkus@bhamgov.org](mailto:tmarkus@bhamgov.org)> wrote:

You can make comments under commissioner comments at tomorrow's meeting. By cc to Mark Clemence and Matt Bartalino I am asking them to review your Civil Defense comments. By cc to Mark Gerber I am asking him to review you comments regarding investments.

On Sun, Feb 27, 2022 at 12:02 PM Andrew Haig <[ahaig@bhamgov.org](mailto:ahaig@bhamgov.org)> wrote:

Tom and Mary I would like to know how I can do something plus a couple of other questions please:

I would like to make a statement about the invasion in Ukraine tomorrow condemning the actions taken by the leadership of Russia and to make it clear that this is apparently not an action of the Russian people and that we (I) support the people of Ukraine.

Other questions not for the meeting (taking advantage of 1 email):

Do we have any older Cold War era Civil Defence plans that I can review? The introduction of Thermobaric weapons into the field in Ukraine, which are considered a neer peer WMD, plus the activation of the Russian Nuclear forces indicates that we have a new (old) threat scenario that we need to consider. Our processes have evolved to more recent threat vectors, but this one has caught a lot of governments flat footed. I would like the opportunity to review our current procedures and action plans to see what we need to update.

Lastly, I assume that Mr. Gerber has been reviewing the City investment portfolios for exposure to Russian investments. Can we know if we have any and if any actions are planned to remove this exposure?

Thanks in advance.

Andrew

From the Ether

--

You received this message because you are subscribed to the Google Groups "DepartmentHeads" group.  
To unsubscribe from this group and stop receiving emails from it, send an email to [departmentheads+unsubscribe@bhamgov.org](mailto:departmentheads+unsubscribe@bhamgov.org)



[bhamgov.org](https://www.bhamgov.org).

To view this discussion on the web visit <https://groups.google.com/a/bhamgov.org/d/msgid/departments/CALPLqCgF%3DaeVkhBQgE7b9DwkzuHDUyWjDuYLGyvVcApG-eX2JA%40mail.gmail.com>.

[Quoted text hidden]

# House Passes \$1.15B Municipal Pension Debt Relief Grant Program

Posted on **March 1, 2022** by **John LaMacchia II**

By a vote of 71-33 the House of Representative passed **HB 5054** that would provide \$1.15B in state general fund resources will be utilized to provide direct assistance to municipalities to help pay down municipal pension debt. There will be two parts to the grant program, \$900M will be utilized to get all pensions that are less than 60% funded up to 60% funded, and \$250M will be provided to pensions that are 60% funded or greater.

The legislation first saw action last Thursday in House Appropriations committee. [Click here](#) to view our blog on the introduction and details of the bill. Since committee action, the bill has seen a few changes and those are highlighted in the lists below. This bill now heads to the Senate and we will be working closely with them to secure passage of this legislation.

## Changes to House Bill 5054 Include:

- Further defines that the most recent mortality tables may also be adjusted based on experience studies as well.
- Require retirement systems to comply with Uniform Actuarial Assumptions within 5 years of receiving the grant funds rather than immediately.
- Clarifies that benefit enhancements must be 100% pre-funded and that increases to wages and salaries are not considered a benefit enhancement. The update also removes the 10-year cap to benefit enhancements.
- Clarifies that the grant funds available to pension systems above 60% funded can use the grant funds for pre-funding retiree health care benefits.
- Clarified how any excess grants funds can be distributed to pension system below 60% funded. If by August 31<sup>st</sup> there are still funds remaining, then the cap to an individual local unit does not apply when funds are redistributed.
- Other technical changes include:
  - Changing “qualified retirement system” to “qualified retirement systems” to address plans that have more than one retirement system.
  - Change the “as of December 31, 2021” date to “the most recent fiscal year ending on or before December 31, 2021” to address systems that are on a fiscal year basis.
  - Clarifies that the City of Flint can stay on its current pension amortization schedule.
  - Defines what Retiree Healthcare pre-funding means.
  - Clarifies in the definition of a “Qualified Retirement System” that the funded ratio only applies to pension funds.

**INFORMATION ONLY**

We continue to strongly believe this is a significant step forward and a direct reflection of our efforts over the years highlighting the need to address our municipal finance system.

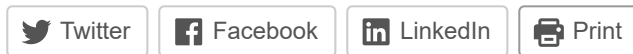
To view our statement on the passage of this bill [click here](#).

We will continue to share more information about potential action on this bill in the Senate as it becomes available.

*John LaMacchia is the League's director of state & federal affairs. He can be reached at [jlamacchia@mml.org](mailto:jlamacchia@mml.org) or 517-908-0303.*

---

**SHARE THIS:**



This entry was posted in **Uncategorized** by **John LaMacchia II**. Bookmark the **permalink** [<https://blogs.mml.org/wp/inside208/2022/03/01/house-passes-1-15b-municipal-pension-debt-relief-grant-program/>] .



## North America's Railroad

### NEWS RELEASE

# **CN Aims to Create New, Competitive Speedway for Customers in Filing with Surface Transportation Board on the Proposed CP-KCS Merger**

***Divestiture of the KCS line to CN would increase competition by enhancing shipping options for many local businesses, while solving CP-KCS's parallel track conflict and preventing an important freight corridor from declining due to a lack of investment by CP-KCS***

***CN will invest in the Kansas City Speedway, which will benefit customers and communities, create union and management jobs, and produce substantial environmental benefits by taking 80,000 trucks off the road annually***

**Montreal, March 1, 2022** - CN (TSX: CNR, NYSE: CNI) yesterday filed a responsive application with the Surface Transportation Board ("STB") requesting specific conditions related to the approval of the pending Canadian Pacific ("CP") and Kansas City Southern ("KCS") merger (collectively "CP-KCS").

CN's responsive application asks the STB to condition any approval of a CP-KCS merger on the divestiture of the KCS line from Kansas City, Missouri to Springfield and East St. Louis, Illinois ("the Kansas City Speedway") to CN, pursuant to the STB's statutory authority to order "the divestiture of parallel tracks" as a merger condition. Granting CN control of the line will provide customers with a new competitive option to move goods across a key North American economic corridor.

"Under the right ownership, we believe there is a clear opportunity to bring widespread economic benefits for customers and communities across the American Midwest and Canada. CN has a comprehensive plan for the Kansas City Speedway that will increase competition, create jobs, reduce roadway congestion, and positively impact the environment. It reflects CN's ongoing efforts to ensure competition and choice in our industry and aligns with President Biden's 2021 executive order on competition."

- Rob Reilly, Executive Vice President & Chief Operating Officer

CN's creation of the Kansas City Speedway will ensure that customers – particularly automotive and intermodal – have greater competitive shipping options between Eastern Canada, Detroit, Chicago and Kansas City. This pro-competitive solution to the proposed merger will enable local economies to thrive. Communities and customers recognize the benefit of CN's creation of the Kansas City Speedway. Over 70 letters of support have been

## **INFORMATION ONLY**

filed with the STB, including letters from the city of East St. Louis and Congressman Frank Mrvan (IN-01).

### **About CN**

CN is a world-class transportation leader and trade-enabler. Essential to the economy, to the customers, and to the communities it serves, CN safely transports more than 300 million tons of natural resources, manufactured products, and finished goods throughout North America every year. As the only railroad connecting Canada's Eastern and Western coasts with the U.S. South through a 19,500-mile rail network, CN and its affiliates have been contributing to community prosperity and sustainable trade since 1919. CN is committed to programs supporting social responsibility and environmental stewardship.

### **Forward-Looking Statements**

Certain statements included in this news release constitute "forward-looking statements" within the meaning of the United States Private Securities Litigation Reform Act of 1995 and under Canadian securities laws. By their nature, forward-looking statements involve risks, uncertainties and assumptions. The Company cautions that its assumptions may not materialize and that current economic conditions render such assumptions, although reasonable at the time they were made, subject to greater uncertainty. Forward-looking statements may be identified by the use of terminology such as "believes," "expects," "anticipates," "assumes," "outlook," "plans," "targets," or other similar words.

Forward-looking statements are not guarantees of future performance and involve risks, uncertainties and other factors which may cause the actual results or performance of the Company to be materially different from the outlook or any future results or performance implied by such statements. Reference should be made to Management's Discussion and Analysis in CN's annual and interim reports, Annual Information Form and Form 40-F, filed with Canadian and U.S. securities regulators and available on CN's website, for a description of major risk factors.

### **Contacts:**

#### **Media**

Canada  
Jonathan Abecassis  
CN Media Relations & Public Affairs  
(438) 455-3692  
[Jonathan.Abecassis@cn.ca](mailto:Jonathan.Abecassis@cn.ca)

#### **Investment Community**

Paul Butcher  
Vice-President  
Investor Relations  
(514) 399-0052  
[investor.relations@cn.ca](mailto:investor.relations@cn.ca)

Longview Communications & Public  
Affairs  
Martin Cej  
(403) 512-5730  
[mcej@longviewcomms.ca](mailto:mcej@longviewcomms.ca)

United States  
Brunswick Group  
Michael France / Andrew Spinelli  
(917) 676-5802 / (312) 468-5802  
[mfrance@brunswickgroup.com](mailto:mfrance@brunswickgroup.com)  
[aspinelli@brunswickgroup.com](mailto:aspinelli@brunswickgroup.com)





Alex Bingham &lt;abingham@bhamgov.org&gt;

---

## Help Connect Families to the Internet for FREE with the Affordable Connectivity Program

1 message

---

**Mazurek, Kyle** <Kyle\_Mazurek@comcast.com>  
Cc: "Mazurek, Kyle" <Kyle\_Mazurek@comcast.com>

Tue, Mar 8, 2022 at 11:38 AM

Dear Community Leader:

Thanks to partners like you, we've helped millions of families get connected to the power of home internet through Comcast's Internet Essentials ("IE") program. And now with the federal government's Affordable Connectivity Program ("ACP"), which launched on December 31st, we can work together to connect even more households to the life-changing tools they need to succeed in a digital world – and at NO cost to them!

IE now offers 2 tiers of high-speed home internet service to help meet the individual needs of families. Qualifying households can get either tier of service for \$0 per month (FREE) with the ACP – which offers a \$30 per month credit for internet service. Households may qualify if they're eligible for public assistance programs like the Federal Pell Grant, National School Lunch Program, SNAP, Medicaid, Housing Assistance, etc.

We know how important internet connectivity on the go is, too! All IE customers have access to Comcast's network of more than 20 million public and residential WiFi hotspots. And IE customers can also now add Xfinity Mobile for as little as \$15 per month to stay connected at home and on the go.

Please visit [InternetEssentials.com/partner](https://InternetEssentials.com/partner) to order complimentary outreach materials to help spread the word about this exciting program. A sampling of consumer-facing flyers is attached for your reference. Please see attached. You can also direct families to [InternetEssentials.com](https://InternetEssentials.com) to sign-up for IE and apply for the ACP credit.

Thank you for your time and consideration, and partnership! Please don't hesitate to reach out should you have any questions or concerns.

Sincerely,

Kyle Mazurek

**Kyle V. Mazurek**

Manager of External Affairs

Comcast | Heartland Region

[41112 Concept Drive | Plymouth, MI 48170](https://www.comcast.com/heartland)

Direct: (734) 359-2308 | Cell: (248) 464-3947 | Fax: (248) 327-7868

[kyle\\_mazurek@comcast.com](mailto:kyle_mazurek@comcast.com)

# INFORMATION ONLY

---

**2 attachments**

 **IE ACP Consumer-Facing Flyers (Bundled in English).pdf**  
416K

 **IE ACP Fact Sheet.pdf**  
200K

# Affordable Connectivity Program (ACP)

customers:  
Inge & Eleanor



## What is the Affordable Connectivity Program?

The Affordable Connectivity Program (ACP) is a \$14.2 billion government program that extends and modifies the Emergency Broadband Benefit Program (EBB), and continues its aim to help low-income households connect and stay connected to the Internet with a monthly credit. Comcast has been participating in the EBB program since its inception in May 2021, and is proud to continue participating through ACP. All tiers of Xfinity Internet service, including Internet Essentials, will continue to be available to those who qualify for the benefit.

## What changes in the transition from EBB to ACP?

- Existing Comcast customers who enrolled in **EBB before December 31, 2021** and who continue into ACP **will see their maximum \$50/month credit decrease to a maximum \$30/month credit after a 60-day transition period**
- Internet Essentials customers currently enrolled in EBB and who continue into ACP will continue to have the full cost of their service covered
- New customers who apply for **ACP after December 30, 2021** may be eligible for up to \$30/month credit toward their Internet bill
- A maximum \$75/month benefit remains available for customers in Tribal Lands

### FROM

**Name:** Emergency Broadband Benefit (EBB)

**Credit:** Up to \$50/month;  
\$75/month for customers in Tribal Lands

#### Must meet one of the qualifying criteria:

- Current Internet Essentials customer
- Income at or below 135% of the federal poverty guidelines
- Eligible for National School Lunch Program, SNAP, Medicaid, Federal Public Housing Assistance, Lifeline, Federal Pell Grants, or other benefit programs
- Substantial loss of income since February 29, 2020

### TO

**Name:** Affordable Connectivity Program (ACP)

**Credit:** Up to \$30/month;  
\$75/month for customers in Tribal Lands

#### Must meet one of the qualifying criteria:

- For those using income to qualify, households can now make up to 200% of the federal poverty guidelines and receive the benefit
- National School Lunch Program, SNAP, Medicaid, Federal Public Housing Assistance, Lifeline, Federal Pell Grants, and other benefit program recipients are still eligible; WIC recipients are now also eligible
- ACP removes the substantial loss of income component of EBB eligibility; customers who qualified for EBB due to loss of income will be notified and have the opportunity to reapply under the updated criteria

## How can qualified households get started?

New customers should first apply for Internet Essentials in step one. Existing Internet Essentials customers can skip to step two and check to see if they qualify for the ACP credit.

- 1 Apply for Internet Essentials at [InternetEssentials.com](https://InternetEssentials.com) or call 855-8-INTERNET
- 2 Check eligibility for ACP. Complete the National Verifier form at [acpbenefit.org](https://acpbenefit.org) or call 833-511-0311
- 3 Complete the Xfinity ACP enrollment form to receive your credit. For this step, you'll need the application ID you received from the National Verifier when you were approved. Visit [Xfinity.com/acp](https://Xfinity.com/acp) to start your enrollment.



customer: Tommy

## What does ACP cover?

**ACP applies to monthly charges for Internet service and mobile data usage and service fees.** Qualified households will receive a total credit of up to \$30/month toward Xfinity Internet service, including Internet Essentials, and/or Xfinity Mobile data usage and service fees. Qualified households within Tribal lands will receive up to \$75/month. The amount of the credit depends on the rate for the services that a customer chooses.

**If a customer has both Xfinity Internet and Xfinity Mobile service, the ACP benefit will first be applied to the Internet portion of their bill.** Any balance will be applied to Xfinity Mobile services. If a customer only has Xfinity Mobile service and no longer has Internet service from Xfinity, they can call 844-389-4681 to enroll in ACP through Xfinity and have the ACP credit applied to their Xfinity Mobile service.

## How can free Internet with the ACP credit impact lives?

At Comcast, we believe deeply in the power of connection. That is why we recently announced Project UP, our **\$1 billion commitment** to advance digital equity and build a future of unlimited possibilities. Project UP encompasses the programs and community partnerships that connect people to high-speed Internet in their own homes and help them stay connected to work, school, loved ones, healthcare, employment opportunities, and government resources. Learn more at [corporate.comcast.com/impact/project-up](https://corporate.comcast.com/impact/project-up).

# \$1B

**Commitment to  
advance digital equity**

## Are there materials to support partners with outreach?

Outreach materials, such as flyers and brochures, are currently in development. Check our Partner Portal at [InternetEssentials.com/partner](https://InternetEssentials.com/partner) in January 2022 and order complimentary prints to support your community outreach. High-speed Internet at home is essential in today's increasingly digital world, and we hope to make it easy for our partners to spread the word about this government benefit.

# internet» essentials

FROM COMCAST

Free Internet  
Service

Affordable Connectivity  
Program

Eleanor,  
Internet Essentials customer

## Get connected to FREE home Internet!

Internet Essentials offers high-speed home Internet for a low monthly price. **You may be eligible to receive Internet Essentials at no cost with the Affordable Connectivity Program (ACP).**

The Affordable Connectivity Program provides eligible households a credit of up to \$30/month towards Internet service.

Apply today if you qualify for programs like the Federal Pell Grant, National School Lunch Program, SNAP, Medicaid, housing assistance, and others.

### Save with the Affordable Connectivity Program!

Internet Essentials:

~~\$9.95~~  
Per Month + Tax

= \$0

After  
benefit  
applied,  
tax extra

**Getting started is easy with no  
activation fees and free equipment.**

- Fast, reliable connection – up to 50 Mbps!
- Good for multiple devices at a time.
- Work and learn from home.
- Make video calls and share files.
- Stay connected on the go, with Xfinity WiFi hotspots.



### APPLY NOW >>

Visit **InternetEssentials.com**, call **1-855-846-8376**, or hold your phone's camera over the code. *Standard data charges apply.*

Restrictions apply. Not available in all areas. Limited to Internet Essentials ("IE") residential customers 18 years of age or older meeting certain eligibility criteria. If a customer is determined to be no longer eligible for the IE program, regular rates will apply to the selected Internet service. Subject to Internet Essentials program terms and conditions. Taxes, home drop-off, and professional install extra. Advertised price applies to a single outlet. Actual speeds vary and are not guaranteed. For factors affecting speed visit [xfinity.com/networkmanagement](https://www.xfinity.com/networkmanagement). Affordable Connectivity Program: Only eligible households may enroll. Benefit is up to \$30/month (\$75/month Tribal lands). After the conclusion of the Affordable Connectivity Program, you'll be billed at Comcast's standard monthly prices, including any applicable taxes, fees, and equipment charges. Once you have successfully enrolled, you will see the Affordable Connectivity Program credit toward your Internet service. For complete details visit [xfinity.com/acp](https://www.xfinity.com/acp). ©2022 Comcast. All rights reserved.

  
COMCAST



## Get connected to FREE home Internet – and choose the speed that’s right for you!

Get **Internet Essentials** or **Internet Essentials Plus** for **FREE** when you qualify for the Affordable Connectivity Program (ACP).

ACP provides eligible households a credit of up to \$30/month towards Internet services.

Apply today if you’re eligible for programs like the Federal Pell Grant, National School Lunch Program, SNAP, Medicaid, housing assistance, and others.

### Internet Essentials

~~\$9.95~~ = \$0  
Per Month + Tax

After  
benefit  
applied,  
tax extra

or

### Internet Essentials Plus

~~\$29.95~~ = \$0  
Per Month + Tax

After  
benefit  
applied,  
tax extra

- Fast, reliable connection – up to 50 Mbps!
- Best for up to 4 devices.
- Download music and photos.
- Light streaming.

- Faster download speeds – up to 100 Mbps!
- Best for up to 5 devices.
- Make video calls and share files.
- Stream and download shows.

Getting started is easy with no activation fees and free equipment.



**APPLY NOW >>**

Visit **InternetEssentials.com**, call **1-855-846-8376**,  
or hold your phone’s camera over the code.

*Standard data charges apply.*

Restrictions apply. Not available in all areas. Limited to Internet Essentials ("IE") residential customers 18 years of age or older meeting certain eligibility criteria. If a customer is determined to be no longer eligible for the IE program, regular rates will apply to the selected Internet service. Subject to Internet Essentials program terms and conditions. Taxes, home drop-off, and professional install extra. Advertised price applies to a single outlet. Actual speeds vary and are not guaranteed. For factors affecting speed visit [xfinity.com/networkmanagement](https://www.xfinity.com/networkmanagement). Affordable Connectivity Program: Only eligible households may enroll. Benefit is up to \$30/month (\$75/month Tribal lands). After the conclusion of the Affordable Connectivity Program, you'll be billed at Comcast's standard monthly prices, including any applicable taxes, fees, and equipment charges. Once you have successfully enrolled, you will see the Affordable Connectivity Program credit toward your Internet service. For complete details visit [xfinity.com/acp](https://www.xfinity.com/acp). ©2022 Comcast. All rights reserved.



Save on  
Internet

Affordable Connectivity  
Program

internet»  
essentials  
FROM COMCAST

Yaz, Nasr, Rama & Seela,  
Internet Essentials customers

# Internet Essentials and Xfinity Mobile

Get Internet Essentials and one Xfinity Mobile Unlimited line with 5G together for **only \$24.95/month** when you qualify for the Affordable Connectivity Program (ACP).

The Affordable Connectivity Program provides eligible households a credit of up to \$30/month towards Internet and mobile services.

Apply today if you qualify for programs like the Federal Pell Grant, National School Lunch Program, SNAP, Medicaid, housing assistance, and others.



**APPLY NOW >>**

Visit **InternetEssentials.com**, call **1-855-846-8376**, or hold your phone's camera over the code.

*Standard data charges apply.*

Internet and Unlimited  
Mobile with 5G

**\$24<sup>95</sup>** /month  
+ tax

After benefit applied.

internet»  
essentials  
FROM COMCAST

- Fast, reliable connection – up to 50 Mbps!
- Work and learn from home.
- Make video calls and share files.
- No credit check, no term contract, and free equipment.

xfinity mobile

- Get nationwide 5G included at no extra cost!
- Choose from the latest phones or bring your own.
- Stream movies and more.
- HD-quality resolution for video streaming.

Then add Xfinity Mobile by visiting  
**www.xfinity.com/mobile.**

Restrictions apply. Not available in all areas. Limited to residential customers who qualify for Internet Essentials and the Affordable Connectivity Program. Advertised price limited to Internet Essentials with 1 Xfinity Mobile Unlimited line. Equipment, taxes, fees and other charges extra, and are subject to change. Internet Essentials: Limited to Internet Essentials ("IE") residential customers 18 years of age or older meeting certain eligibility criteria. If a customer is determined to be no longer eligible for the IE program, regular rates will apply to the selected Internet service. Subject to Internet Essentials program terms and conditions. Taxes, home drop-off, and professional install extra. Advertised price applies to a single outlet. Actual speeds vary and are not guaranteed. For factors affecting speed visit [xfinity.com/networkmanagement](http://xfinity.com/networkmanagement). Affordable Connectivity Program: Only eligible households may enroll. Benefit is up to \$30/month (\$75/month Tribal lands). After the conclusion of the Affordable Connectivity Program, you'll be billed at Comcast's standard monthly prices, including any applicable taxes, fees, and equipment charges. Once you have successfully enrolled, you will see the Affordable Connectivity Program credit toward your Internet service. For complete details visit [xfinity.com/acp](http://xfinity.com/acp).

Xfinity Mobile: requires residential post-pay Xfinity Internet. Line limitations may apply. Equipment, international and roaming charges, taxes and fees, including regular recovery fees, and other charges extra, and subject to change. \$25/line/mo. charge applies if Xfinity TV, Internet, or Voice post-pay services not maintained. Pricing subject to change. In times of congestion, your data may be temporarily slower than other traffic. After 20 GB monthly data use, speeds reduced to a maximum of 1.5 Mbps download/750 Kbps upload. No rollover data. For Xfinity Mobile Broadband Disclosures visit: [www.xfinity.com/mobile/policies/broadband-disclosures](http://www.xfinity.com/mobile/policies/broadband-disclosures). ©2022 Comcast. All rights reserved.

COMCAST