Birmingham City Commission Minutes
February 24, 2025
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: https://vimeo.com/showcase/6708293/video/1059873476

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

II. ROLL CALL

City Clerk Bingham called the roll.

Present: Mayor Longe
MPT Baller (left 12:26 a.m.)
Commissioner Emerine
Commissioner Haig
Commissioner Host
Commissioner Long
Commissioner Schafer

Absent: None

Staff: City Manager Ecker; City Clerk Bingham, Finance Director Designee Chavez, Assistant City Manager Clemence, City Engineer Coatta, Planning Director Dupuis, Police Captain Kearney, City Attorney Kucharek, Human Resources Manager Woods

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

Announcements
Appointments

02-029-25 Public Arts Board

Jacob Bayer was interviewed for the appointment.

MOTION: Motion by Host:
To appoint Bayer as a regular member to the Public Arts Board to serve the remainder of a three-year term to expire January 28, 2028.

VOICE VOTE: Ayes, MPT Baller
Commissioner Emerine
Commissioner Host
Commissioner Haig
Commissioner Schafer
Mayor Longe
Commissioner Long

Nays, None

Multi-Modal Transportation Board

Mary Ellen Broderick was interviewed for the appointment. It was recommended that she consider submitting an application for the alternate position on the Public Arts Board.

CC Bingham swore in Mr. Bayer.

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

V. CONSENT AGENDA

02-030-25 Consent Agenda

MOTION: Motion by Baller, seconded by Long:
Move the consent agenda with the exception of Item I.

ROLL CALL VOTE: Ayes, MPT Baller
Commissioner Emerine
Commissioner Host
Commissioner Haig
Mayor Longe
Commissioner Long
Commissioner Schafer

Nays, None

A. Resolution to approve the City Commission workshop meeting minutes of February 10, 2025.

B. Resolution to approve the City Commission regular meeting minutes of February 10, 2025.

C. Resolution to approve the warrant list, including Automated Clearing House payments, dated February 13, 2025 in the amount of $3,555,103.25.

D. Resolution to approve the warrant list, including Automated Clearing House payments, dated February 20, 2025 in the amount of $866,915.00.

E. Resolution to approve a Special Event permit as requested by the Birmingham Shopping District to hold the Birmingham Farmers Market on Sundays from May 4 – October 26, 2025 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, or event cancellation 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 Birmingham Shopping District to hold Birmingham Movie Nights on Friday June 6, July 11, August 8, and September 5, 2025 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, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.

G. Resolution to approve a Special Event permit as requested by the Birmingham Shopping District to hold the Day on the Town event on July 26, 2025 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, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.

H. Resolution to approve a Special Event permit as requested by the Birmingham Shopping District to hold the Birmingham Cruise Event on August 17, 2025 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, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.

J. Resolution to revise resolution #12-265-20 to a cost not to exceed $79,885.13.

And make a motion adopting a resolution to approve the appropriation and amendment to the fiscal year 2024-2025 budget as follows:

<u>Major Street Fund:</u>
Revenues:

Draw from Fund Balance	202.0-000.000-400.0000	$4,890.00
Expenditures:		
Machinery and Equipment	202.0-316.000-971.0100	$4,890.00

K. Resolution to accept the resignation of Bev Erickson from the Museum Board, to thank her for her service and to direct the City Clerk to begin the process of filling the vacancy.

02-031-25 Set Public Hearing for 225 E. Maple – Social Kitchen & Bar – Special Land Use Permit Amendment, Final Site Plan & Design Review (Item I)

Commissioner Emerine pulled Item I. Staff answered an informational question regarding the item.

MOTION: Motion by Long, seconded by Emerine:
To set a public hearing date of March 24, 2025 to consider the Special Land Use Permit Amendment, Final Site Plan & Design Review application for 225 E. Maple, to permit the replacement of the current outdoor dining patio on the via (east) side of the building with an aluminum pergola with roof and enclosure systems.

VOICE VOTE: Ayes, MPT Baller
Commissioner Emerine
Commissioner Host
Commissioner Haig
Commissioner Schafer
Mayor Longe
Commissioner Long

Nays, None

VI. CITY MANAGER'S REPORT

CM Ecker presented the report.

VII. UNFINISHED BUSINESS

Presentations on Next and YMCA Programming

Cris Braun, Executive Director of Next and Parrish Underwood, President and CEO of the YMCA of Metropolitan Detroit offered respective presentations on Next's and the YMCA's programming and answered informational questions from the Commission. Kelly Stubbe, Executive Director of the Birmingham Family YMCA, also answered YMCA-related questions from the Commission.

Commissioners raised the following points during discussion:

- Next provides services to the overall community, in addition to its services to Next members. Its service offerings were impressive.
- The explanation of the YMCA was helpful, and the continuum of service slide was helpful.
- Both presentations were very impressive.
- These presentations offered a vision for the services Next and the YMCA could offer the community, and that was helpful.
- Next's membership projections were about 3600 in five years.
- It is important to consider how Birmingham benefits from having Next and the YMCA located within the community. It is also useful to consider the challenges if Birmingham were to endeavor to offer a similar range of services directly.
- The project at 400 E. Lincoln offers the opportunity for a mutually beneficial partnership between the community, Next, and the YMCA.
- The YMCA is a world-class provider of programming. Having the YMCA part of this project is a significant benefit for the community.
- Next provides excellent services presently from an elementary school. An upgraded facility would allow it to meaningfully expand those offerings and reach.
- The building and parking may not be able to accommodate the projected growth. As a result, there should be more focus on the core competencies of each program. The YMCA is health and wellness related, and Next would be social engagements, lectures, and Meals on Wheels.
- More spaces within the potential building could be overlapping between the organizations.

- Next could also consider providing some services within the Community House, which could reduce the size of the 400 E. Lincoln building.
- Next's projected growth is not logarithmic, and the majority of its units of service occur on-site. Other units of service to the broader community occur off-site.

The Mayor thanked Ms. Braun and Mr. Underwood.

Public Comment
Camille Jayne commented that the Community House supported the YMCA and Next, and would be interested in potential opportunities for collaboration.

02-032-25 Draft Building Program for the Birmingham Community and Senior Center at 400 E. Lincoln

CM Ecker introduced the item. Brian Deming, owner's representative for the City from KMG, and Jim Stock, architect for the project from Neumann Smith, presented the item. All answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- Versus the prior presentation on the project, this validation led to current YMCA programming increasing, future YMCA programming decreasing, current Next programming decreasing, Next future programming increasing, and shared programming remaining the same.
- Fee-based programming for Next was added.
- In aggregate, the two presentations were similar, with some reclassifications.
- As an owner's representative, Mr. Deming's role is to represent Birmingham's interests throughout this process.
- Auditing the programming estimates provided by Next and the YMCA was an appropriate task for an owner's representative.
- A concern remained about the correlation between the estimated current programming and the actual current programming.
- There seems to be programming space in the lobby that has not been programmed. That is because those are drop-in activities, not programmed ones.
- The kitchen would attract a much wider range of possible community rental uses for the facility overall.
- Information regarding the normal fluctuations in architectural programs described in Mr. Deming's presentation was reiterated.
- Because of expected fluctuations, the presently estimated building size of approximately 47,000 square feet was unlikely to be the final building size.
- This motion would allow Neumann Smith to begin fine-tuning the programming estimates. More certainty cannot be gained until the test fitting begins.
- It was unclear whether a kitchen was necessitated by the Meals on Wheels programming.
- Further aspects of the programming could be removed if constraints of the site require it.
- This should proceed to test fitting.
- Opportunities for collaboration between Next, the YMCA, and the Community House should be explored. For example, Next's larger lectures could potentially be held at the Community House.
- The Commission needs to be comfortable with some amount of ambiguity at present and must allow the professionals to continue their work.
- Art classes are offered through the Birmingham Bloomfield Art Center, and the Library has some general purpose areas available.
- Next offers art classes at more affordable rates than the BBAC, with more of a focus on community building.
- BBAC could be encouraged to collaborate with Next on more offerings given its reduced rent at its current location.
- The Birmingham Senior Men's Club would be interested in hosting its smaller group meetings at 400 E. Lincoln.

Public correspondence from Kristy Barrett, Raymond Buratto, and Matt Britt were noted and supplied to the City Clerk.

MOTION: Motion by Long, seconded by Emerine:
To approve in concept the draft building program for the new Birmingham Community and Senior Center at 400 E. Lincoln.

Commissioners made the following comments on the motion:

- Next and the YMCA provide tremendous support to the community across the lifespan. Each Commissioner is charged with evaluating each matter before them independently, and Commissioners will align on some items and diverge on others according to their independent judgment.
- Concerns remained about the cost of the building, its uses, and the potential operational expenses, which could culminate in voters not approving the bond proposal.
- Further options should be explored for locating some of the proposed programming elsewhere.
- Alternatives to the present proposal should be offered by the City's advisors.
- The multipurpose rooms could still be further optimized.
- Commissioners Host and Baller were opposed to a significant potential bond project before being elected, and that bond failed. Their present concerns with this project should raise concerns for the community.
- This project should be unanimously supported by the Commission if it is to be eventually sent to the voters.
- Proceeding with the iterative process remains appropriate.
- The 2015 Library bond also did not pass when voted on by residents.
- The Mayor also opposed the aforementioned bond project prior to being elected. This is not a similar situation, in terms of the comparable merits.

Public Comment

Katherine Tillson commented that while collaboration could be beneficial, the Community House poses some accessibility and parking challenges that should also be taken into consideration.

George Dilgard commented that costs at the Community House have been prohibitive in the past, that test fitting should proceed, and that the space that has been removed between the last presentation and this one may need to be reintroduced.

Camille Jayne commented that the Community House's present leadership remained interested in opportunities for collaboration.

Kristy Barrett supported further auditing of the current program estimates.

Rosie Koul supported collaboration with the Community House and seeking opportunities to maximize extant community resources in order to ensure that the bond proposal will be appropriate and right-sized.

ROLL CALL VOTE: Ayes, Commissioner Emerine
Commissioner Schafer
Mayor Longe
Commissioner Long

Nays, Commissioner Host
Commissioner Haig
MPT Baller

VIII. NEW BUSINESS

Public Hearing for 111 Henrietta – Brooklyn Pizza – Special Land Use Permit Amendment (Ownership Change)

Mayor Longe opened the public hearing at 10:10 p.m.

PD Dupuis presented the item. Joseph Shallal, attorney, and Jim Esshaki, owner, spoke on behalf of the project.

Seeing no public comment, the Mayor closed the public hearing at 10:14 p.m.

Informational questions from the Commission were answered.

Commissioners raised the following points during discussion:

- Allowing visitors to Shain Park to use the restrooms at Brooklyn Pizza is a community service that also encourages purchases, and there was hope that would continue.
- Brooklyn Pizza is an asset to the community, and both the founder and the buyer deserved thanks for preserving it.
- It would also be interesting to hear ideas for improving aspects of the business.

No technical motion was made on the suggested resolution to APPROVE the Special Land Use Permit Amendment for 111 Henrietta to transfer ownership and update the Special Land Use Permit to the proposed new owner, 111 Brooklyn Bham, LLC with the following condition:

1) The applicant must submit an executed Special Land Use Permit Contract to the City.

Mayor Longe did call for a roll call vote on the item despite there being a recognizable motion. The roll call vote indicated unanimous approval of this item. [1]

02-033-25 Selection of Construction Manager for the Birmingham Community and Senior Center at 400 E. Lincoln

The Mayor and CM Ecker introduced the item. CA Kucharek answered informational questions from the Commission. The three selected bidders presented in alphabetical order, and each was interviewed while the other bidders waited in a separate room. The presentations, in order, were from Clark Construction, Frank Rewold & Sons (FRS), and Rockford Construction.

Commissioners raised the following points during discussion:
- Clark and Rockford would waive the pre-bond fee if the bond does not pass.
- FRS would offer to waive the pre-bond fee if the bond failed. Its construction manager fee was higher than Clark's.
- Rockford seemed to have more schools in its example projects than senior-oriented facilities.
- There was a lot of energy invested into this project, while concerns remained.
- All three bidders seemed very competent. The selected bidder would be acting as an agent of the City.
- There were ten excellent bidders, and the three best bidders were recommended for interview by the SCC. The SCC deserved thanks for their work on evaluating the submissions.
- Clark and FRS had the greater number of relevant projects and pool experience. Clark and FRS emphasized different aspects of the project, which made comparisons more challenging.
- Clark received a bit more support from the SCC, and its presentation was more comprehensive and slightly higher-quality than the other two bidders.
- Clark's estimating team was impressive, and the estimating skills would be necessary for this project.

MOTION: Motion by Schafer, seconded by Long:
To approve an agreement with Clark to provide construction management services for the construction of the new Birmingham Community and Senior Center to be located at 400 E. Lincoln in an amount not to exceed $32,000,000 in cost. 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 #101.0-656-000-811.0000.

Commissioners made the following comments on the motion:
- Clark received the highest rating from all the people, including the SCC, that reviewed the bids before the Commission interviews. The top scorers, in order, were Clark, FRS, and Rockford.
- While some may feel that the programming for the project is premature, the project overall was worthwhile.
- Having a construction management team will help clarify a number of the remaining concerns about the project.

ROLL CALL VOTE: Ayes, Commissioner Emerine
Commissioner Schafer

[1] The suggested commission action will be presented under the consent agenda at the March 10, 2025 City Commission Meeting to finalize the item.

Mayor Longe
Commissioner Long
Commissioner Haig

Nays, Commissioner Host
MPT Baller

Willits and Bates Project

CE Coatta presented the item. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- It is in the public interest to calm traffic in this area, since there is a lot of foot traffic. This area should encourage drivers to approach it as a City street and not as a highway.
- This should have further traffic calming, similar to what was done at Chester and Brown.
- It would be important to have the City's traffic consultant evaluate further traffic calming options.
- A stop sign could suffice, rather than an additional traffic signal.
- The shorter blocks in this area might necessitate different conditions here than some other recently-changed City intersections.
- Introducing a 90-degree angle to this intersection would fail to calm traffic on Willits.
- Maintaining the recommended curve at the intersection will slow Willits traffic, and will result in the faster traffic being directed into the downtown instead of onto Willits.
- Offset intersections can be challenging, and adding bumpouts to a curved road could result in rear-end accidents.
- Exhibits A and D could make sense with further modification, and Exhibit C could make sense as-is.
- The Commission does not have the necessary information or the charge to design this intersection. It must make a policy decision as to whether it wants to maintain the present speed of traffic in this area or reduce it.
- This is not just a policy decision. Traffic must be balanced across the City, and the City should feel inviting, walkable, and safe.
- This item should be returned to the traffic engineers and MMTB. Questions remained about bumpout locations and designs, truck turning radius and signal timing, preventing left turns across a yellow line, and whether making the intersection 90 degrees would maintain or increase the speeds on Willits.

The Mayor thanked CE Coatta.

Commission Items for Future Discussion
Commission Discussion On Items From A Prior Meeting

1. Business Recycling Practices

This item was postponed to March.

2. Technology Advisory Board

This item was postponed to March.

02-034-25 Closed Session Pursuant to MCL § 15.268 Sec. 8(1)(a) of the Open Meetings Act

MOTION: Motion by Long, seconded by Host:
To meet in closed session to hear a complaint brought by an employee of the City, against the City Manager, and to be apprised of and to evaluate the situation pursuant to MCL § 15.268 Sec. 8(1)(a).

ROLL CALL VOTE: Ayes, Commissioner Emerine
Commissioner Schafer
Mayor Longe
Commissioner Long
Commissioner Haig
Commissioner Host
MPT Baller

Nays, None

It was noted that the closed session would be entered into after all other agenda items were completed.

The Commission went into closed session at 12:26 a.m.

The Commission returned from closed session at 1:27 a.m.

IV. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

A. Communication received from Pezhman.

XI. REPORTS

A. Commissioner Reports
   1. Notice of intention to appoint to the Multi Modal Transportation Board
   2. Notice of intention to appoint to the Parks and Recreation Board
   3. Notice of intention to appoint to the Cablecasting Board
   4. Notice of intention to appoint to the Museum Board

B. Commissioner Comments

Commissioner Baller clarified that the MMTB should be considering pedestrian safety in its evaluation of speed reduction on Arlington and Shirley. He added that the changes to Arlington and Shirley were made without additional traffic calming measures because fixing the water mains was a safety concern. He continued that there may be misconceptions about how costs for further road improvements would be allocated between residents and the City.

Commissioner Schafer noted that narrower roads and sidewalks help slow speeds. She noted that failing to implement those changes on Arlington and Shirley was a missed opportunity. She recommended that there be public education that both of those changes make streets and pedestrians safer.

The Mayor requested that staff submit a memo to the MMTB clarifying these issues and the Commission's direction.

C. Advisory Boards, Committees, Commissions' Reports and Agendas

D. Legislation

E. City Staff
   1. 2nd Quarter Financial
   2. 2nd Quarter Investment
   3. N. Adams Road Paving Project #12-24(P)
   4. SOCRRA Quarterly Report January 2025
   5. SOCWA Quarterly Report January 2025

INFORMATION ONLY

XII. ADJOURN

The Commission motioned to adjourn at 1:27 a.m.

Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist