Birmingham City Commission Minutes
April 21, 2025
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: https://vimeo.com/1077386010

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
Commissioner Emerine
Commissioner Haig
Commissioner Host
Commissioner Long
Commissioner Schafer

Absent: None

Staff: City Manager Ecker; City Clerk Bingham, Assistant City Manager Clemence, City Engineer Coatta, Planning Director Dupuis, Assistant City Manager Fairbairn, Police Chief Grewe, Deputy Treasurer Katz, City Attorney Kucharek, Department of Public Services Director Zielinski

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

Announcements

Tree City USA Proclamation urging all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

The City of Birmingham is pleased to announce that Birmingham Museum Director Leslie Pielack has been appointed to the nine-member Michigan Historical Commission (MHC) by Michigan Senate Majority Leader Winnie Brinks. The MHC advises the director of the Michigan Department of Natural Resources, approves Michigan Historical Markers and takes on special projects and initiatives of interest to Michigan's history and its commemoration.

The City recognizes May as Mental Health Awareness Month. Oakland Community Health Network calls upon our citizens, government agencies, public and private institutions, businesses, faith-based organizations, and schools to recommit our state to increasing awareness and understanding of mental illness to promote recovery and a higher quality of life.

Appointments

04-160-25 Birmingham Shopping District Board

Minna Sharrak was interviewed for the appointment.

MOTION: Motion by Baller:
To concur with the City Manager's appointment of Minna Sharrak to the Birmingham Shopping District Board, as a member who is a district resident, for the remainder of a four-year term to expire November 16, 2028.

VOICE VOTE: Ayes, Commissioner Emerine
Commissioner Schafer
MPT Baller

Commissioner Host
Commissioner Haig
Mayor Longe
Commissioner Long

Nays, None

04-161-25 Multi-Modal Transportation Board

David C. Hocker was interviewed for the appointment.

MOTION: Motion by Long:
To appoint David C. Hocker as a regular member at large living in different areas of the City to serve the remainder of a three-year term to expire March 24, 2028.

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

Nays, None

It was noted that CC Bingham would swear in the appointees at a later date.

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

David Bloom commented regarding the 400 E. Lincoln project, infrastructure funding, and recent interactions between the City administration and the library.

V. CONSENT AGENDA

04-162-25 Consent Agenda

MOTION: Motion by Haig, seconded by Long:
To approve the consent agenda as written minus Items A and I.

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

Nays, None

B. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 10, 2025 in the amount of $1,030,324.42.

C. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 17, 2025 in the amount of $822,937.49.

D. Resolution to approve a special event permit as requested by the Next Level Dance Center to hold the Next Level Summer Performance event on August 10, 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.

E. Resolution to approve a special event permit as requested by the Michigan Men's Health Foundation to hold the Cogs & Kegs event on June 9, 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 set a public hearing date of May 19, 2025 to consider the Special Land Use Permit Amendment for 115 Willits – e Fiore – to transfer ownership and update the Special Land Use Permit with the new owner, Abruzzese Hospitality, LLC.

G. Resolution to approve Contract No. 25-5149, Control Section ST 63000, Job Number 215175CON between the Michigan Department of Transportation and the City of Birmingham. In addition, to authorize the City Engineer to sign the agreement on behalf of the City. Funding for this project has been budgeted in the following years:

FY 2024/2025

Fund Account	Fund ID #	City's Share of Cost	10% Cont.	Total
Major Streets	202.0-449.001-981.0100	$302,224.00	$71,140.00	$373,364.00

AND

Make a motion adopting a resolution to approve the appropriation and amendment to the fiscal year 2024/2025 budget as follows:

Major Street Fund:
Revenues:
Draw from Fund Balance 202.0-000.000-400.0000 $123,400

Expenditures:
Public Improvement 202.0-449.001-981.0100 $123,400

H. Resolution to approve the award of "2025-2027 Landscape Bed Maintenance Services," for landscape bed maintenance services at 28 locations in the City to Russell Landscaping, Inc., for a total 3-year cost of $235,947.50 through the following accounts:

Account	2025	2026	2027	3-year total
Major Streets 202.0-449.003-937.0400	$ 27,754.00	$ 28,595.00	$29,467.00	$85,816.00
Parks 101.0-751.000-811.0000	$ 41,629.00	$ 42,886.00	$ 44,183.00	$128,698.00
City Property 101.0-441.003-811.0000	$ 6,932.00	$ 7,141.50	$ 7,360.00	$21,433.50
			Grand Total:	$235,947.50

J. Resolution to accept the resignation of Pierre Yaldo from the Board of Zoning Appeals, to thank him for his service and to direct the City Clerk to begin the process of filling the vacancy.

K. Resolution to accept the resignation of Evan Dix from the Senior/Recreation Center Committee, to thank him for his service and to direct the City Clerk to begin the process of filling the vacancy.

L. Resolution to set May 19, 2025 as the public hearing date for the renewal of the cable television franchise agreement with Comcast.

04-163-25 Meeting Minutes – April 7, 2025 (Item A)

Commissioner Haig pulled Item A, noting that the motion for Item 04-074-25 should be corrected and that the City followed up with Kathleen Devereaux regarding her comments about trees on Rivenoak.

MOTION: Motion by Haig, seconded by Long:
To approve Item A with the noted observations.

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

Nays, None

04-164-25 Playground Design Services (Item I)

Commissioner Haig pulled Item I. Staff answered informational questions from the Commission.

Commissioner comment was as follows:
- Material prices may change, and City purchase agreements and contracts must include planning for that contingency.
- Penchura can provide playground design services as well as facilitate the City's purchase of playground equipment from manufacturers.

MOTION: Motion by Haig, seconded by Baller:
Resolution approving a four-year agreement with Penchura, LLC for Playground Design Services, and future Sourcewell Cooperative purchases, subject to City Commission approval for each park.

Commissioner comments on the motion were as follows:
- It was positive that differently-abled people were represented in the schematic drawings.

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

Nays, None

VI. CITY MANAGER'S REPORT

April 2025 City Manager's Report

VII. UNFINISHED BUSINESS

Commissioner Host made a motion to have the Wimbleton Public Hearing for paving moved up to 7A, and for it to be followed by 8A, which was the hearing for confirmation for Wimbleton Phase 1 – Sewer and Water Laterals as 7B, though it was under New Business. The motion died for lack of a second.

Schematic Design Progress and Revised Test Fits Birmingham Community and Senior Center

CM Ecker introduced the item. Jim Stock, architect, presented the item. Mr. Stock and staff answered informational questions from the Commission.

Commissioner comments were as follows:
- This is a wonderful opportunity and a very important next step in this process.
- The SCC was enthusiastic about the improvements in the design and MPT Baller made the motion for the SCC to recommend Option 1D.1. The recommended option would save cost and construction time.
- Ultimately the cost of burying the gym and the pool outweighed the potential benefits for the SCC.
- Keeping the gym at grade along Lincoln, and adding glazing to that facade, will increase the pedestrian experience of activity along Lincoln.

- The SCC determined during its review that more parking than required would be available for visitors to 400 E. Lincoln.
- The SCC recommended adding a fifth lane to the pool.
- The architect's optimization of the design and integration of prior feedback was impressive.
- Next and the YMCA need to provide the Commission with feedback on the design. Both indicated that while the design works for each organization's current user base, it may not sufficiently accommodate growth.
- Next and the YMCA's recommendations for programming or space changes are based on a desire to provide and expand services, as well as to cover the costs of their ongoing operations.
- It was possible that a slight budget increase would be appropriate in order to deliver a good project. This project should be done well.
- Estimates have been that the average household would pay under $200 per year for the project as presently designed. Consequently, a 20% increase on that budget would not represent a significant cost increase for the average household.
- The SCC's advancing of this design to the Commission was partially in the hopes of commencing the cost estimation process. Once the cost is estimated, the City will have more indication of how to proceed.
- This iterative process is normal for designing a building.
- The wall between the gym and the offices will need to have sound dampening.
- Restrooms will be located both internal and external to the locker rooms, so visitors would have appropriate restroom options.
- This project must be contextually appropriate. The City should try growing into the proposed facility before adding more space.
- The walkway from the parking lot into the Park could have one adjacent parking space replaced with landscaping to create the sense of bringing the Park closer to the building.
- Over 50% of this facility's user base would be non-Birmingham residents, based on present Next and YMCA membership counts.
- The building should be built in a way that would accommodate future expansion opportunities if deemed appropriate.
- The YMCA needs to make enough money to cover the building's operating costs. All involved parties need to ensure that the YMCA has enough revenue-generating space to do that.
- If a new or renovated facility is not developed, the YMCA has stated that it would not be able to continue operating in Birmingham.
- The extant Memorandum of Understanding did not envision a way for the YMCA to continue operating at its present scale in Birmingham, due to circumstances which have since changed.
- Birmingham follows a different model than some neighboring municipalities for programming recreational services. Birmingham provides facilities, and then partners with non-profit organizations for service delivery. The YMCA offers Birmingham residents low-cost recreation opportunities. This is why the City has endeavored to ensure that YMCA remaining in Birmingham is a viable option.
- The $400,000 estimate of funds spent on this project to this point did not include staff time.
- The letter from Parrish Underwood, President and CEO of the YMCA of Metropolitan Detroit, was informative and available in the evening's agenda packet.

Public Comment

Dan Share, Chair of the SCC, supported using Option 1D.1 as a foundation for the cost estimates and supported making the building accommodative of growth in the long term.

Rick Brodsky and Tim Bradley supported focusing on the City's road and infrastructure needs over any further present investment in the 400 E. Lincoln project.

Cris Braun, Executive Director of Next, supported minor further expansions of the art and multipurpose rooms. Mr. Underwood concurred regarding the multipurpose rooms.

Mr. Underwood answered questions from the Commission, and supported a fifth pool lane, the slightly expanded YMCA Wellness Center as proposed, including opportunities for future expansion of the building, and having facilities adequate to generate the necessary revenue to cover the building's annual operating costs for the next 20 years.

George Dilgard commented regarding the future benefit to the City of this project, prior City investments in amenities, the work that has gone into this project, the need for a Planning Board review, the appropriateness of a November bond vote, the success of senior centers in other nearby municipalities, and that annual household costs would increase by approximately $20 even if the project cost increased by 15%.

Staff answered an informational question from Kent Fairless.

Kristy Barrett commented regarding City expenditures on the project thus far, and regarding a request for an estimate of the proportion of facility visitors likely to be Birmingham residents.

Public Hearing for 225 E. Maple – Social Kitchen & Bar – Special Land Use Permit Amendment, Final Site Plan & Design Review

Mayor Longe opened the public hearing at 9:43 p.m. and noted the item had been withdrawn by the applicant.

Seeing no public comment, the Mayor closed the public hearing at 9:44 p.m.

04-165-25 Public Hearing of Necessity for Paving Special Assessment District - Wimbleton Phase 1 Project, Contract #6-25(W)

Mayor Longe opened the public hearing at 9:44 p.m.

CE Coatta presented the item and staff answered informational questions from the public.

Mr. Brodsky, 625 Wimbleton, commented that cape seal estimates increased over the last year, that the costs for residents can include interest and liens, that cape seal will have to be redone in the future, that the State legislature may pass a bill that would offer increased funding for neighborhood road improvements which could be used for the Wimbleton project, and that Wimbleton residents might be willing to fix the water mains now and have a temporary gravel surface in order to benefit from potential cost savings for the road surface in the future.

Danny Hill, 282 Wimbleton, commented regarding the cape seal cost estimate, how the aforementioned House Bill 4230 of 2025 might be used to offset or cover the road improvement costs for the north Poppleton neighborhood, and that Wimbleton residents might be willing to fix the water mains now and have a temporary gravel surface in order to benefit from potential cost savings for the road surface in the future.

Cliff Rager, 541 Wimbleton, commented regarding the cost increase for the cape seal, the cost benefits of economies of scale, the impact of having ongoing construction in the north Poppleton area for a number of years, and his appreciation for the swiftness of the capeseal bids.

Mr. Bradley, 519 Wimbleton, commented regarding the cost increase for the cape seal, the likely longevity of the Wimbleton repairs, doing the water and sewer repairs with delayed road surface repairs, tying the project into a larger project in order to benefit from economies of scale, and actively reaching out to potential bidders.

Mr. Fairless, 323 Wimbleton, thanked Messrs. Brodsky and Hill for their efforts and commented on how a repaving of 15 ½ Mile Road might affect traffic and speeds on Wimbleton.

Charles Johnson, 901 Abbey, supported a re-evaluation of the way the City splits costs for road improvement projects.

Patrick White, 886 Wimbleton, commented regarding the road improvement process, the width recommendations for Wimbleton, and flooding concerns.

Sue Hornung, 144 Wimbleton, commented regarding the road improvement process, the width recommendations for Wimbleton, doing the water and sewer repairs with delayed road surface repairs, and possible State funding for road improvements.
Margaret Kowal, 266 Wimbleton, concurred with the other commenters.

Brian Duffy, 700 Wimbleton, commented regarding the Commission's hard work, the viability of a compromise, and the need to focus on costs.

Staff answered an informational question from Rosie Koul.

Ms. Koul, 662 Purdy, commented regarding the road improvement process as it pertains to the Multi-Modal Transportation Board and that interested residents should consider joining the Multi-Modal Transportation Board.

Grace Jividen, 175 Wimbleton, reserved her right to protest in the future and commented regarding the costs of the road improvement process.

The Mayor closed the public hearing at 8:50 p.m. Staff answered informational questions from the Commission.

Commissioners raised the following points discussion:

- The City studied road improvement cost splits via the Ad Hoc Unimproved Streets Study Committee (AHUSSC). The AHUSSC ran for over two years. The AHUSSC published a report, available on the City website.
- The City could consider forming a new ad hoc committee to study the matter again. This is not the first time residents have expressed concern about how costs for road improvements are split.
- The Commission requested the cape seal cost only because the Commission believed the estimated linear costs for curb and gutter were unacceptable. The Commission was pleased that the cape seal estimates were lower than the curb and gutter estimates.
- The Mayor noted that the estimates for 144 Wimbleton had a $17,000 reduction from the full improvements to the cape seal.
- House Bill 4230 has not been signed into law. The City must plan based on funds that are either presently held or already committed. Funding for a variety of projects is being cut nationwide at this moment.
- While economies of scale can be beneficial, it would take at least a year to include additional roads in this project. The water main is a safety concern, and it needs to be addressed urgently.
- If Wimbleton were to temporarily become a gravel road, it would be the only gravel road in the City. That does not seem like a realistic solution. There would also be the potential that the surface could remain gravel longer than residents would prefer.
- It might be most appropriate to move forward with the cape seal program for this portion of Wimbleton.
- The cost savings for economy of scale depend on the bidders' circumstances at the time they bid. It tends to result in some cost savings for mobilization.
- It may be more appropriate to replace the water and sewer mains and leave a gravel surface temporarily in place for the first portion of Wimbleton. Then, once the water and sewer mains for the second portion of Wimbleton are replaced, the entire surface of Wimbleton should be bid out and replaced with cape seal. The gravel surface should only be left in place one year.
- It might be possible to borrow equipment from Bloomfield Township to maintain the gravel surface in the interim.
- It is possible that bids next year may be more competitive due to changes in national economic conditions.
- It is not possible to predict how the cost for materials might change. Costs tend to increase over time. There is a risk the costs could increase substantially, and residents may feel frustrated in that circumstance as well.
- Wimbleton is a heavily-traveled road. Replacing the underlying pipes and covering it only with gravel runs the risk of damaging the new underlying utilities.
- The Commission tries to do the right thing, and to save residents money wherever able.
- A number of Commissioners have also had to pay to improve the roads they have lived on.
- Road improvements have been split between the City and residents in this manner for decades.
- It was not clear why this cost split should be changed for this project, when this is how a number of road improvements have occurred in the past.
- If the road improvement cost split is changed, it would be understandable if residents who previously paid to improve their roads would want rebates for some of the improvements they funded. It was not clear how those rebates might be determined or funded.
- The residents of Wimbleton have benefited from other residents contributing their fair share to improve their streets.

- If cape seal is done, it should include curbs and without gutters in order to extend the lifetime of the road surface while mitigating some of the costs.
- Other comparable, nearby municipalities also have special assessment districts for road improvements.
- Unimproved roads should be the City's priority, and the Commission must hold a workshop discussion on better ways of funding road improvements.
- The Commission did not adopt the AHUSSC report, it only voted to accept it.
- Snow plows are likely to destroy pipes under a temporary gravel road.
- A workshop would likely be insufficient to address cost splits for road improvements, given that a committee met regularly for over two years to make the last set of recommendations.
- If Wimbleton were to temporarily remain a gravel surface, it might be possible to install filters to prevent gravel from running into the Rouge River.
- This Commission has already encountered issues where it has deviated from its road design standards at the request of residents, and residents have subsequently been dissatisfied with the result of the deviation.
- The City adopted complete street standards in 2013.
- Emergency vehicles cannot easily pass roads less than 20 feet wide. Parts of Wimbleton are presently less than 20 feet, and this project would widen those parts of the road.
- It would likely not be appropriate to install a gravel road surface, even on a temporary basis.
- It would be positive if the City could develop a more reliable methodology for estimating project costs at the outset.
- The Commission has a duty to residents to promote safety, and that means installing new water and sewer infrastructure and maintaining it with an appropriate road surface.
- Residents' feedback is appreciated.
- Prior to the AHUSSC, roads were not being improved in Birmingham because residents were not regularly and voluntarily petitioning to improve their roads via special assessment.
- The roads have to be improved because the underlying infrastructure is obsolete.
- While further reflection on the City's road improvement process can occur, the decision regarding this road needs to occur this evening due to the safety concerns.
- There is no clear path in the City towards creating a temporary gravel road surface, and snow plowing may not be possible if a temporary gravel road surface were created.
- A temporary gravel road surface would still result in a cost to the residents.

<u>Public Comment</u>
Ms. Barrett commented regarding taxable values and revenues.

Mr. Johnson commented regarding the changes recommended by the AHUSSC.

Mr. Bradley commented regarding neighboring municipalities' road improvement cost splits, the necessity of reviewing Birmingham's road improvement process, and regarding some Commission comment.

Chris Bidlake, 139 Wimbleton, protested the assessment for his property, and commented regarding Birmingham's road improvement process and the Multi-Modal Transportation Board.

Mr. Brodsky commented regarding Birmingham's road improvement process, the financial impact on residents of the present cost split arrangement, the project at 400 E. Lincoln, House Bill 4230, bonding for road improvements, a temporary gravel road surface for Wimbleton, and his appreciation of everyone's work on the matter.

MOTION: Motion by Emerine, seconded by Long:
WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project paving on Wimbleton Drive from Woodward Ave. to Oxford Road, Abbey Street from Wimbleton south to the dead end, and Twin Oaks from Wimbleton north to the dead end; and

WHEREAS, The City has previously established a policy requiring converting an unimproved road to an improved road; and

WHEREAS, The City Commission, after the public hearing, has determined that paving Wimbleton Drive from Woodward Ave. to Oxford Road, Abbey Street from Wimbleton south to the dead end, and Twin Oaks from Wimbleton north to the dead end, is a necessity and is in the best interest of the City and will specially benefit the properties included in the Special Assessment District; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of paving has been determined; and

WHEREAS, The City Engineer has determined the boundaries of paving located within the limits of the following streets shall be installed as part of the Wimbleton Phase 1 Project (Contract #6-25(W)):

Wimbleton Drive - Woodward Ave. to Oxford Road
Abbey Street - Wimbleton south to the dead end
Twin Oaks - Wimbleton north to the dead end

WHEREAS, The formula used in making the assessment for paving is 85% of the front-foot costs for improvement are assessed on all properties fronting on the improvement, 25% of the side-foot costs for improvement are assessed on all residential properties siding on the cape seal treatment improvement, replacement of sidewalk ramps to meet ADA compliance, and for approaches is 100% of the contractor's charge for replacing the approach with concrete within the public right-of-way between the proposed curb and the property line if the lateral is located underneath the approach (calculated at the rate of $80.06 per front footage for paving, $75.00 per square yard for removed concrete approach and install concrete approach, $70.00 per square yard for remove asphalt approach and installed concrete approach).

THEREFORE, LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation on May 5, 2025 and give notice of same.

With reference to the table entitled "Paving – Cape Seal Treatment Only – No Curb and Gutter", as indicated in the agenda on page seven and eight.

Public Comment

Staff answered informational questions from Mr. Brodsky.

Mr. Hill commented regarding his disappointment at the motion and the need for a review of Birmingham's road improvement process.

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

Nays, Commissioner Haig
Commissioner Host

VIII. NEW BUSINESS

04-166-25 PH - Hearing of Confirmation - Wimbleton Phase 1 Sewer and Water Laterals SAD

Mayor Longe opened the public hearing at 11:24 p.m.

DT Katz presented the item.

Mr. Bidlake, 139 Wimbleton, commented regarding the assessment of his home and said the value would not be commensurate with the value received.

Ms. Jividen, 175 Wimbleton, reserved her right to protest.

The Mayor closed the public hearing at 11:29 p.m.

Staff answered informational questions from the Commission.

MOTION: Motion by Long, seconded by Schafer:
To confirm Special Assessment Roll 914 as follows:

WHEREAS, Special Assessment Roll, designated Roll No. 914, has been heretofore prepared for Collection; and

WHEREAS, notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property to be assessed; and

WHEREAS, the Commission has deemed it practicable to cause payment of the cost thereof to be made after the time of construction; and

WHEREAS, the Commission Resolution 04-067-25 provided it would meet this 21st day of April, 2025 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this April 21, 2025, all those property owners or their representatives present have been given an opportunity to be heard specifically concerning costs appearing in said special assessment roll;

NOW, THEREFORE, BE IT RESOLVED, that Special Assessment Roll No. 914 be in all things ratified and confirmed, and that the City Clerk be and is hereby instructed to endorse said roll, showing the date of confirmation thereof, and to certify said assessment roll to the City Treasurer for collection at or near the time of construction of the improvement.

BE IT FURTHER RESOLVED, that the special assessment shall be payable in ten (10) payments as provided in Section 94-10 of the Code of the City of Birmingham, with an annual interest rate of eight and one half percent (8.50%) on all unpaid installments.

And, to incorporate in the motion the Sidwell Numbers, Street Address, Estimated Sewer SAD Costs, and Estimated Water SAD Costs located on pages three and four of 8A of the packet.

Commissioner comment on the motion was as follows:
- This action was necessary.

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

Nays, None

04-167-25 Public Hearing of Necessity for Sewer and Water Lateral Special Assessment District - Bird Phase 1A Project, Contract #7-25(W)

Mayor Longe opened the public hearing at 11:37 p.m.

CE Coatta presented the item.

Seeing no public comment, the Mayor closed the public hearing at 11:45 p.m.

Staff answered informational questions from the Commission.

MOTION: Motion by Long, seconded by Emerine:
WHEREAS, Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in-interest of property and lots to be assessed, by first class mail, and by publication in a newspaper generally circulated in the City; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards and replacing water services that are 60 years or older or less than 1 inch in diameter on Bird Street from Pierce Street to Grant Street; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that are not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that the Bird Phase 1A Project, the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, Formal bids have been received and the actual cost of sewer service and water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of sewer service lateral and water service laterals located within the limits of the following streets shall be installed as part of the Bird 1A Project (Contract #7-25(W)):

Bird Avenue – Pierce Street to Grant Street

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the lateral service that is 50 years of age or older or constructed of materials that are not acceptable and water service that is 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of $125.00 per foot of 6" diameter sewer service pipe, $60.00 per foot of 1-inch water service pipe).

THEREFORE, LET IT BE RESOLVED, The City Commission has determined that the scope of the public improvement as described is in the best interest of the City and will benefit the properties listed in the assessment roll and is a necessity, and the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the City Commission for confirmation and further set a Public Hearing of Confirmation on May 5, 2025 and give notice of same.

And, to adopt as part of the motion the Sewer and/or Water Laterals, Sidwell Numbers, Street Address, Estimated Sewer SAD Costs, and Estimated Water SAD Costs set forth on pages three, four, and five of 8D of today's packet.

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

Nays, None

04-168-25 Public Hearing for 1740 W. Maple – Holiday Market Select – Special Land Use Permit

Mayor Longe opened the public hearing at 11:50 p.m.

PD Dupuis presented the item. Patrick Howell, attorney, and Matthew Shouneyia, applicant, were present on behalf of the request.

Seeing no public comment, the Mayor closed the public hearing at 11:52 p.m.

Mr. Shouneyia answered an informational question from the Commission.

Commissioner comment was as follows:
- Holiday Market Select has been a boon to the community thus far, and there was hope the establishment's approach to the community would continue.

MOTION: Motion by Haig, seconded by Long:
To approve the Special Land Use Permit for 1740 W. Maple to transfer ownership and grant a Special Land Use Permit to the proposed new owner, 10 & Main OOOM, LLC, to engage in alcoholic beverage sales for off premise consumption in the B1 (Neighborhood Business) zoning district.

AND

Make a motion adopting a resolution to authorize the City Clerk to complete the Local Approval Notice at the request 10 & Main OOOM, LLC, to approve transfer of ownership in the Holiday Market Select which holds the SDM and SDD licenses and Sunday Sales (AM/PM) located at 1732 and 1740 W. Maple, Birmingham, Oakland County, MI from VIOGOLD, LLC to 10 & Main OOOM, LLC.

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

Nays, None

04-169-25 Initial Bistro Screening – 2024-2025

PD Dupuis presented the item.

Mark and Sam Lanfear, owners, spoke on behalf of The Amalfi Coast.

Brian Najor and Robert Esshaki, developer and owner, respectively, spoke on behalf of Kemosabe.

All answered informational questions from the Commission.

Commissioner comment was as follows:
- Birmingham presently has a lot of Italian restaurants.
- It would be beneficial to residents if meals at The Amalfi Coast were not prohibitively priced.
- Residents on Brookside may be concerned about The Amalfi Coast's proposal to locate their outdoor dining adjacent to Brookside. It would be appropriate for the applicant team to evaluate the lighting, sound, and hours of operation for the outdoor dining.
- Outdoor dining facilities within the City cannot be fully climate controlled or enclosed.
- Kemosabe is proposing a building addition.

MOTION: Motion by Long, seconded by Haig:
To move forward with the bistro applications for The Amalfi Coast and Kemosabe and permit each bistro to submit an application for Special Land Use Permit, Final Site Plan and Design Review to the Planning Board for review and recommendation.

Comments from the Commission were as follows:
- Both The Amalfi Coast and Kemosabe may present concerns for nearby homeowners. The Planning Board will likely make that clear during their reviews. Residents are also likely to express their concerns during Planning Board meetings.

- It will be important to protect residential, neighborhood interests.

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

Nays, None

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

Birmingham Community and Senior Center Expenditures

Commissioner comment was as follows:
- It is important to continue to monitor expenditures on this process.
- The NORR study was funded by a grant from Next. That expenditure should be noted along with the other expenditures, with a clarification that it did not come out of City funds.
- It would be helpful to know how much Next has spent from their Oakland County grant, and what their plans are for the remainder of the funds.
- Ongoing expenditures can be reported in the City Manager report.

Commissioner Host made a motion to continue to find out the costs to date and withdrew the motion. The motion was replaced by Commission direction to the City Manager to track and report expenditures.

04-170-25 Birmingham Community and Senior Center

Commissioner Host presented the topic.

MOTION: Motion by Host, seconded by Haig:
To discuss the word 'community' in the Birmingham Community and Senior Center as a title for this endeavor.

Commissioner comment was as follows:
- Commissioner Host had previously advocated for the inclusion of 'community' in the title.
- Commissioner Host advocated for the inclusion of 'community' in the title to ensure that community was a priority in the 400 E. Lincoln project.
- Members of the SCC and the Commission had agreed with the importance of emphasizing community within the project.
- It makes sense that this should be further discussed, as the project continues to evolve.
- Naming rights should be discussed as part of this process.

Public Comment
Alison Gaudreau, Mallory Kallabat, Matt McCormick, Camille Jayne, Kathie Ninneman, and Will Neef supported changing the name of the Birmingham Community and Senior Center in order to adequately distinguish it from the Community House.

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

Nays, Commissioner Long

IV. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

A. Communications regarding the Birmingham Community and Senior Center
B. Communications regarding Wimbleton
C. Communications regarding Fiscal Responsibility
D. Communication regarding the Museum

XI. REPORTS

A. Commissioner Reports
   1. Notice of intention to appoint to the Historic District Study Committee
   2. Notice of intention to appoint to the Triangle District Corridor Improvement Authority
   3. Notice of intention to appoint to the Board of Zoning Appeals
   4. Notice of intention to appoint to the Ad Hoc Senior/Recreation Center Committee

B. Commissioner Comments

Commissioner Long clarified the notice of intention to appoint for the Ad Hoc Senior/Recreation Center Committee was for a student member.

C. Advisory Boards, Committees, Commissions' Reports and Agendas
D. Legislation
E. City Staff

INFORMATION ONLY

XII. ADJOURN

The Commission motioned to adjourn at 12:49 a.m.

Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist