BIRMINGHAM CITY COMMISSION AGENDA
REGULAR MEETING
JUNE 23, 2025
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.

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

APPOINTMENTS

A. Ethics Board
   1. Erik Nygren

To appoint ______________ as a regular member to the Ethics Board to serve a three-year term to expire June 30, 2028.

To appoint ______________ as an alternate member to the Ethics Board to serve the remainder of a three-year term to expire June 30, 2026.

B. Greenwood Cemetery Advisory Board
   1. Margaret Suter
   2. Linda Buchanan

To appoint ______________ as a regular member to the Greenwood Cemetery Advisory Board serve a three-year term to expire July 6, 2028.

To appoint ______________ as a regular member to the Greenwood Cemetery Advisory Board serve a three-year term to expire July 6, 2028.

C. Hearing Officer
   1. Lawrence J. Lyng

To appoint ___________ as the Hearing Officer to serve a three-year term to expire June 30, 2028.

D. Museum Board
    1. Judith Keefer
    2. Patrick Hughes

To appoint _____________ as a regular member to the Museum Board to serve a three-year term to expire July 5, 2028.

To concur with the City Manager's appointment of Patrick Hughes to the Museum Board, as a regular member who is a business owner, to serve a three-year term to expire July 5, 2028.

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

V. CONSENT AGENDA

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

A. Resolution to approve the City Commission regular meeting minutes of June 9, 2025.

B. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 12, 2025 in the amount of $2,606,56,.48.

C. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 19, 2025 in the amount of $561,105.82.

D. Resolution to amend the Schedule of Fees, Charges, Bonds and Insurance as presented and to adopt the revised Public Records Policy, effective July 1, 2025.

E. Resolution to approve the Birmingham City Commission 2026 meeting schedule as submitted.

F. Resolution to approve the appropriations and amendments for the fiscal year 2024–2025 Baldwin Public Library budget as follows:

Library Fund:

<u>Revenues:</u>		
Draw from Fund Balance	271.0-000.000-400.0000	$ 30,000
<u>Expenditures:</u>		
Salaries and Wages	271.0-790.000-702.0001	$ 30,000

G. Resolution to authorize the City Clerk to complete the Local Government Approval at the request of RH F&B MICHIGAN, LLC to formalize the re-classification of the liquor license from Tavern to Class C with Sunday Sales Permit and Additional Bar Permit.

H. Resolution to set a public hearing date of July 28, 2025 to consider the Special Land Use Permit Amendment and Final Site Plan & Design Review application for 298 S. Old Woodward, to permit the modification of the existing required off-street loading facility to make room for new in-house laundry facilities and a new trash compactor.

I. Resolution to approve the expenditure of $150,000 for the enhanced bus shelter project as a part of the Oakland County Access to Transit Program, and to approve the acceptance of the grant which is funding $120,000 of the total cost of the project.

VI. CITY MANAGER'S REPORT

The City Manager's Report regularly occurs on the second City Commission meeting of the month. Additionally, reports from prior months can be viewed on the City'.

A. June 2025 City Manager's Report

VII. UNFINISHED BUSINESS

None.

VIII. NEW BUSINESS

A. Public Hearing for 185 N. Old Woodward – Bell Bistro – Special Land Use Permit Amendment and Final Site Plan & Design Review
   1. Resolution to approve the Special Land Use Permit Amendment and Final Site Plan & Design Review application for 185 N. Old Woodward, to permit the modification of the current approved outdoor dining facility in front of the building and increase the number of seats from 4 to 22.

B. Public Hearing for Lot Division of 1829 Norfolk (Parcel #19-35-480-001)
   1. Resolution to approve the lot division of 1829 Norfolk into two parcels with the following condition:
      1) The applicant must shift the lot line to the north by a minimum of 3.5 ft. to satisfy the requirements of Chapter 102, Article 3, Sec. 102-53 of the City Code of Ordinances and provide the Planning Department with new surveys reflecting the change.

C. Public Hearing - Confirmation of SAD Roll 915 Wimbleton Phase 1 Project – Paving
   1. Resolution confirming Special Assessment Roll 915 as follows:

      WHEREAS, Chapter 94 of the City of Birmingham Code of Ordinances authorizes the City Commission to determine that the whole or any part of the costs of any improvement within the City may be defrayed by a special assessment upon the properties specially benefited; and

      WHEREAS, the City of Birmingham is proceeding with the proposed improvement described below and has established a Special Assessment District to defray all or a portion of the costs of such improvement by special assessment against the benefited properties; 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 residents of the City and will specially benefit the properties included in the Special Assessment District; and

WHEREAS, the City's consulting engineers have prepared the report required by Chapter 94 of the City of Birmingham Code of Ordinances to assist the City Commission in determining the advisability of constructing the Project and paying for all or a portion of the same by creation of a Special Assessment District and the levying of special assessments against the benefited properties and said report has been filed with the City Clerk; and

WHEREAS, the Project is designed and intended to specially benefit all of the properties in the proposed special assessment district by improving the infrastructure and roads described above in this Resolution, thereby allowing said property owners better and safer access and travel on said roads, preserving and increasing property values and protecting said property owners' and their invitees' vehicles among other things, and by improving the water and sanitary sewer services; and

WHEREAS, pursuant to Chapter 94 of the City of Birmingham's Code of Ordinances, the City Commission on April 21, 2025 held the required public hearing on necessity consistent with the required notice and following said public hearing the City Commission determined that the Project was necessary and decided to proceed with the Project and the establishment of the Special Assessment District and scheduled the public hearing on confirmation of the special assessment roll for May 5, 2025; and

WHEREAS, on May 5, 2025, at the City Commission meeting wherein the City Commission, hearing all objections to the assessment roll and conducting the public hearing, determined that the City Commission did not find that the assessment of an 85/15% split was in proportion to the benefits received to the parcels in Phase 1 of Wimbleton Paving Special Assessment District as the City Commission confirmed that Wimbleton is a major road in a residential area that is unimproved; and the City Commission determined that the 85-15% split was not proportional in this particular limited circumstance; and resolved that special assessment roll number 915 be annulled, and directed that a new roll be prepared following the same procedures applicable to the making of the original roll and directing a 50/50% cost split; and

WHEREAS, in accordance with the direction of the City Commission, the City Assessor has prepared the special assessment roll allocating the special assessments to the properties within the Special Assessment District according to law and the directions of the City Commission, and the City Assessor has filed such roll with the City Clerk; and

WHEREAS, the June 23, 2025 public hearing on the possible confirmation of the special assessment roll was set and duly noticed according to law for the purpose of hearing objections with respect to the special assessment roll; and

WHEREAS, on June 23, 2025 the public hearing was conducted by the City Commission in accordance with the notice; and

WHEREAS, Special Assessment Roll, designated Roll No. 915, 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 05-186-25-5H provided it would meet this 23rd day of June, 2025 for the sole purpose of reviewing the assessment roll; and

WHEREAS, at said hearing held this June 23, 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.

THEREFORE, BE IT RESOLVED as follows:

1. That Special Assessment Roll No. 915 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 or upon completion.

2. The City of Birmingham has determined that it is satisfied with the special assessment roll, that the proposed assessments are in proportion to the benefits received or to be received as a result of the Project and that it would be appropriate to approve and confirm the special assessment roll and proceed with the Project.

3. Special Assessment Roll No. 915 in the amount of$131,381.90 shall be and is hereby adopted and confirmed.

4. The City Clerk is directed to endorse and certify on the special assessment roll the date of this confirmation, which shall be final and conclusive for the purpose of the Project unless the special assessment is properly contested in the Michigan Tax Tribunal within the time and manner provided for by ordinance and State law.

BE IT FURTHER RESOLVED:

1. The special assessment shall be payable in ten (10) payments as provided in Chapter 94 of the Code of the City of Birmingham, with an annual interest rate of eight and one-half percent (8.50%) on all unpaid balances.

2. Special Assessment Roll, designated Roll No. 915, has been heretofore prepared for Collection.

3. Notice was given pursuant to Section 94-7 of the City Code, to each owner or party-in- interest of property to be assessed.

4. The Commission has deemed it practicable to cause payment of the cost thereof to be made after the time of construction.

5. The Commission Resolution 05-186-25-5H provided it would meet on this 23rd day of June, 2025 for the sole purpose of reviewing the assessment roll.

6. At said hearing held this June 23, 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.

Sidwell Number	Street Address	Estimated Total Paving SAD Costs
1925177022	999 TWIN OAKS LN	$ 1,003.91
1925177023	951 TWIN OAKS LN	$ 3,522.49
1925177024	187 WIMBLETON DR	$ 4,285.83
1925177025	175 WIMBLETON DR	$ 3,022.54
1925177026	165 WIMBLETON DR	$ 2,413.71
1925177027	155 WIMBLETON DR	$ 2,601.84
1925177028	139 WIMBLETON DR	$ 4,243.00
1925180003	176 WIMBLETON DR	$ 2,502.17
1925180004	144 WIMBLETON DR	$ 8,007.66
1925251022	175 ABBEY RD	$ 1,040.74
1925251023	147 ABBEY RD	$ 7,605.38
1925254008	205 WIMBLETON DR	$ 3,102.19
1925254011	287 WIMBLETON DR	$ 4,551.84
1925254012	323 WIMBLETON DR	$ 3,721.84
1925254013	341 WIMBLETON DR	$ 2,601.84
1925254014	355 WIMBLETON DR	$ 2,601.84
1925254015	379 WIMBLETON DR	$ 2,401.70
1925254016	421 WIMBLETON DR	$ 3,451.70
1925254017	463 WIMBLETON DR	$ 4,896.06
1925254019	245 WIMBLETON DR	$ 2,601.84
1925254020	269 WIMBLETON DR	$ 2,601.84
1925255006	519 WIMBLETON DR	$ 3,789.88
1925255007	541 WIMBLETON DR	$ -
1925256001	129 ABBEY RD	$ 5,503.89
1925256002	111 ABBEY RD	$ 3,521.90
1925257001	202 WIMBLETON DR	$ 4,996.33

Sidwell Number	Street Address	Estimated Total Paving SAD Costs
1925257002	244 WIMBLETON DR	$ 3,002.12
1925257003	266 WIMBLETON DR	$ 2,521.78
1925257004	282 WIMBLETON DR	$ 2,401.70
1925257005	322 WIMBLETON DR	$ 2,401.70
1925257008	380 WIMBLETON DR	$ 2,401.70
1925257012	498 WIMBLETON DR	$ 1,994.01
1925257018	460 WIMBLETON DR	$ 2,401.70
1925257019	420 WIMBLETON DR	$ 2,401.70
1925257020	444 WIMBLETON DR	$ 3,976.70
1925257023	340 WIMBLETON DR	$ 4,803.40
1925258001	520 WIMBLETON DR	$ 1,994.01
1925401001	PO BOX 3001	$ 10,487.42 *
* City Property - 100% of costs paid by the city		$ 131,381.90

D. Resolution to award the Wimbleton Phase 1 Project Contract #7-24 (P) to Eminent Excavating LLC in the amount of $3,644,249.50 plus a 10% construction contingency for a total of $4,008,674.45. In addition, to authorize the Mayor and Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance and bond requirements by Eminent Excavating LLC. Funding for this project has been budgeted in the following accounts:

Fund Account	Fund ID Num.	Project Award	10% Cont.	Total
Sidewalk Gap Closure Fund	101.0-444.000-981.0100	$54,545.45	$65,454.55	$60,000.00
Major Street Fund	202.0-449.001-981.0100	$411,628.50	$41,162.85	$452,791.35
Sewer Fund	590.0-537.000-981.0100	$1,880,595.55	$188,059.55	$2,068,655.10
Water Fund	591.0-544.000-981.0100	$1,297,480.00	129,748.00	$1,427,228.00

AND

To approve the appropriation and amendment of the budget as follows:

Sewer Fund:

Revenues:

590.0-000.000-400.0000	Draw from Net Position	$624,360
Total Revenue		$624,360

Expenditures:

590.0-537.000-981.0100	Public Improvements	$624,360
Total Expenses		$624,360

Water Fund:

Revenues:		
591.0-000.000-400.0000	Draw from Net Position	$364,700
Total Revenue		$364,700
Expenditures:		
591.0-544.000-981.0100	Public Improvement	$364,700
Total Expenses		$364,700

E. Resolution to approve the playground layout design for Pumphouse Park and purchase of playground equipment through Landscape Structures, Inc. with Sourcewell cooperative purchase pricing in the amount of $85,159.57, and the installation of the equipment by Penchura, LLC in the amount of $68,258.00 for a total purchase price of $153,417.57. Funds are available in the Parks System Construction Fund, account #408.2-901.751-979.0000.

AND

To approve the playground layout design for West Lincoln Well & Park and purchase of playground equipment through Landscape Structures, Inc. with Sourcewell cooperative purchase pricing in the amount of $118,552.53, and the installation of the equipment by Penchura, LLC in the amount of $105,638.00 for a total purchase price of $224,190.53. Funds are available in the Parks System Construction Fund, account #408.2-901.751-979.0000.

AND

To affirm maintaining the name Pumphouse Park, and adopting a resolution to approve a name change for West Lincoln Well & Park to West Lincoln Park.

F. Resolution to approve two five-year agreements with HydroCorp for Commercial and Residential Cross Connection Control Programs in the amounts not to exceed $96,600.11 for the Commercial Program, and $643,897.84 for the Residential Program. In addition, to authorize the Mayor and City Clerk to sign the agreements on behalf of the City. Funding for both projects has been budgeted in account #591-537.007-811.0000.

G. Commission Items for Future Discussion. A motion is required to bring up the item for future discussion at the next reasonable agenda, no discussion on the topic will happen tonight.

H. Commission discussion on items from a prior meeting.
   1. Subsidized Parking

IX. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

A. Communications regarding the Village Fair
B. Communications regarding special assessments
C. Communications regarding Shirley and Arlington

XI. REPORTS

A. Commissioner Reports
B. Commissioner Comments
C. Advisory Boards, Committees, Commissions' Reports and Agendas
D. Legislation
E. City Staff
   1. Change Order – Chester Garage Accent Paint
   2. Complex Public/Private Partnerships

INFORMATION ONLY

XII. ADJOURN

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) 644-3405 (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).