

Birmingham City Commission Minutes
August 11, 2025
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: vimeo.com/1109156456

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, City Engineer Coatta, Planning Director Dupuis, Assistant City Manager Fairbairn, Parking Systems Manager Ford, Police Chief Grewe, City Attorney Kucharek

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

Announcements
Appointments

08-242-25 Housing Board of Appeals

Susan Schacket was interviewed for the appointment.

MOTION: Motion by Host:
To appoint Susan Schacket as a regular member to the Housing Board of Appeals to serve the remainder of a three-year term to expire May 4, 2028.

VOICE VOTE
Ayes: Haig, Schafer, Baller, Emerine, Host, Longe, Long
Nays: None

08-243-25 Historic District Study Committee

Ron Berndt was interviewed for the appointment.

MOTION: Motion by Host:
To appoint Ron Berndt as a regular member to the Historic District Study Committee to serve the remainder of a three-year term to expire June 25, 2028.

VOICE VOTE
Ayes: Haig, Schafer, Baller, Emerine, Host, Longe, Long
Nays: None

CC Bingham swore in the present appointees.

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

David Bloom commented regarding possible changes to the working relationship between the City and the Library.

V. CONSENT AGENDA

08-244-25 Consent Agenda

MOTION: Motion by Long, seconded by Host:
To approve the consent agenda.

ROLL CALL VOTE

Ayes: Haig, Schafer, Baller, Emerine, Host, Longe, Long

Nays: None

- A. Resolution to approve the City Commission regular meeting minutes of July 28, 2025.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 31, 2025 in the amount of \$1,568,134.85.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 6, 2025 in the amount of \$1,151,797.44.
- D. Resolution to adopt an ordinance to amend Part II, Chapter 26 – Businesses, Article I – In General, Sec. 26-1 – Purpose and Intent and Part II, Chapter 26 - Businesses, Article II Licenses Generally.
- E. Resolution to amend Part II of the City Code, Chapter 74 Offenses, Article I. – General, Sec 74-6, to replace the current ordinance under sec. (b)(1) to include north and/or southbound Old Woodward from Oak to Lincoln. Furthermore, to authorize the Mayor and City Clerk to sign the ordinance on behalf of the city.

VI. CITY MANAGER’S REPORT

VII. UNFINISHED BUSINESS

08-245-25 Public Hearing for 479 S. Old Woodward – Birmingham Tower – Special Land Use Permit, Final Site Plan & Design Review

The Mayor briefly clarified the item for the public and opened the public hearing at 7:49 p.m.

PD Dupuis noted that the applicant requested a postponement to September 8, 2025.

Ethan Holtz, attorney for the applicant, spoke on behalf of the project.

Kate McNevin, 411 S Old Woodward Unit 518, opposed the request for postponement and the request for a parking waiver.

Sam McKnight, 411 S Old Woodward Unit 825, opposed the request for postponement and the request for a parking waiver.

Seeing no further public comment, the Mayor closed public comment at 7:58 p.m.

Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- This project has been a long process, and the applicant has had time before now to pursue other parking options if desired.
- Alternatively, this request likely came about as a result of a potential new tenant, which is why other parking options are being pursued now.
- This applicant has asked for a number of parking abatements throughout this project.
- It was hard to imagine in the area where a shared parking agreement might be possible.
- The Planning Board has been so involved in this process that having their perspective on any other parking options would be most appropriate.

- The Planning Board was both concerned with the parking proposal and with the applicant's proposal to replace a floor of residential with a floor of retail. The applicant could pursue one floor of office and two floors of residential, which would reduce the project's parking count.
- Other parking options would not alleviate the Planning Board's non-parking related concerns, or the Commission's consideration of those concerns.
- It was noted that a significant number of 411 S. Old Woodward tenants were present in the audience.
- Having a vacant building next to one's property affects one's property negatively.
- A denial from the Commission would allow the applicant to return with a different proposal at any time. Postponing to dates certain might bring this process to resolution more quickly.

Doraid Markus, one of the owners of 479 S. Old Woodward, spoke on behalf of the project.

MOTION: Motion by Longe, seconded by Haig:
To adjourn the public hearing for 479 S. Old Woodward – Birmingham Tower Special Land Use Permit, Final Site Plan & Design Review, with a request that the applicant return to a public hearing at the Planning Board to present their new information.

Commissioners raised the following points regarding the motion:

- The public hearing at the Planning Board would likely occur on September 10, 2025.
- All the public noticing requirements would be met.
- The Commission is not likely favorably disposed towards approving any shared parking agreement between the applicant and 411 S. Old Woodward. There would also be significant concerns about any shared parking agreements between the applicant and any business already in a shared parking agreement with another business.
- Shared parking agreements raise concerns since circumstances can change. It would be preferable that any proposed shared parking agreement would be for the long-term.
- The City has a number of legal requirements for shared parking agreements.
- The City had to redo S. Old Woodward in order to implement necessary water, sewer, road safety, and accessibility improvements.

Public Comment

Joan Schloop commented about a local business change that might increase parking demand on S. Old Woodward.

Mr. Markus supported the Commission considering any shared parking agreement that would otherwise be allowed by right.

Ms. McNevin commented that there are no additional parking spaces available within 411 S. Old Woodward for 479 S. Old Woodward to use.

Pat Hardy commented that 479 S. Old Woodward poses parking challenges and changes to vistas for some tenants of 411 S. Old Woodward.

David Bloom commented regarding City-initiated changes to S. Old Woodward, and supported the City in facilitating solutions in everyone's best interest.

ROLL CALL VOTE

Ayes: Haig, Schafer, Baller, Emerine, Host, Longe, Long

Nays: None

08-246-25 Bond Proposal for the Birmingham Community and Senior Center

CM Ecker presented the item and answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- There was a typographical error in the item that required correction.
- A new home should be built for Next. A lesser bond could be pursued to that end.
- The Commission could consider putting the full bond proposal and a lesser bond proposal on the ballot, to see if either receives the necessary support.
- Other creative options should also be considered.

- Some have felt that Next's need to leave Midvale School in 2027 has limited the options that could be explored.
- Given its condition, the present 400 E. Lincoln Building should not be renovated. Operation and maintenance costs for the extant building would likely be prohibitive.
- Option C would allow for a phased improvement. Next was also supportive of Option C, with future phased improvements to be planned.
- Conducting a community survey as has been previously discussed would help guide the Commission's decisions.
- It might be possible to collaborate with the YMCA in some ways if their interest in collaborating remains.
- The presently proposed project is too expensive. Some residents are concerned about investing in this project in the context of uncertain economic conditions. The other participating communities' levels of investment remain unclear. Renovation in the short term remains more appropriate than a new building.
- It would be beneficial to brainstorm further about how this property might achieve its goals sustainably.
- Raising new options at the evening's earlier workshop felt inappropriate.
- Alternatively, it was all right to raise a new option at the workshop, as part of an open meeting, to have in mind for future consideration.
- The bond language could not be modified in any way before the deadline to submit the language for the November 2025 election.
- It would not be appropriate to put the bond proposal on the ballot right now.
- Alternatively, the public should be allowed to vote on the full bond proposal. They are allowed to vote it down. The costs for this proposed project will only increase in the future.

MOTION: Motion by Long, seconded by Baller:

To submit a bond proposal for the Birmingham Community and Senior Center in an amount not to exceed \$36,640,000 (Option 1) at the election to be held on Tuesday, November 4, 2025, to approve the ballot wording of the bond proposal, and hereby directing the City Clerk, once certified of the language, to send to the County Clerk for the County of Oakland submission to the City's electors on the election date, as set forth on page six and seven of the particular memo.

Commissioners raised the following points regarding the motion:

- The public should be allowed to vote on the option, and the Commission can discuss further actions once the outcome is known.
- Allowing the bond language to be put on the ballot will engender a robust community discussion. It seems appropriate to allow the public to express its opinion.
- This decision regarding the bond was not made in July because the full Commission could not be present. This evening's workshop and present item discussion was held in order to allow for public discussion of the matter.
- Some Commissioners robustly supported this project to start. At that time, the projected costs were \$24 million, with an \$8 million federal grant, which was removed as a result of federal policy.
- Generally, Commissions put items on a ballot that they endorse. This Commission does not broadly endorse this iteration of this project at this time.
- Similar local projects that have been approved have generally received some kind of grant funding as well. There are not local examples where taxpayers were asked to bear the entirety of the project costs.
- Birmingham does not tend to be competitive for grants because the average income is too high.
- Putting this item on the ballot could cause unnecessary expenditures, could serve to distract from implementing the memorandum of understanding (MOU) as a phased process, and could result in a loss of political capital to get necessary work done.
- While Next's need to leave Midvale in 2027 causes some limitations, those limitations do exist and need to be worked with.
- It might be possible to request a smaller bond next year with an attendant smaller redesign.

ROLL CALL VOTE

Ayes: Long, Baller

Nays: Haig, Schafer, Emerine, Host, Longe

VIII. NEW BUSINESS

08-247-25 Public Hearing to amend Chapter 126 (Zoning), Article 4, Section 4.30, Open Space Standards, to add Additional Open Space Standards for single-family residential zoned properties, Article 4, Section 4.31, Open Space Standards, to modify the Paved Surface Limitations in the R1, R1A, R2 and R3 Zoning Districts, and Article 9, Section 9.02, Definitions, to modify the definition for Impervious Surface

Mayor Longe opened the public hearing at 9:15 p.m.

PD Dupuis presented the item.

Mr. Reagan had a question answered by staff.

Mayor Longe closed the public hearing at 8:21 p.m.

Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- Marquette, Michigan defines impervious surfaces as 'Any surface that cannot be effectively and easily penetrated by water, thereby resulting in runoff.' A percolation test could be used to determine whether a surface met that definition when necessary.
- This topic started because stone was included in the City's definition of 'impervious surface'. This was limiting infiltration basins and low-impact design within the City.
- Removing the word stone removed this particular limitation of low-impact design within the City. The Planning Board then revised the definition of open space in order to prevent homes from having entirely stone front yards.
- The Planning Board conducted a thorough study of this item.
- Permeable pavers tend to become impermeable within a couple years without a lot of dedicated, often expensive maintenance. That is why municipalities tend to categorize permeable pavers as impervious.
- 'Highly compacted soils' means a material that was compacted intentionally. It would not describe naturally occurring clay.
- 'Restricts' in 'A surface that restricts the infiltration of water' could be interpreted different ways.
- The ordinance should be less open to interpretation.
- Alternatively, in order to require a specific rate of infiltration would add a significant cost to any construction project in Birmingham. Requiring percolation tests, and the subsequent City review, would also increase costs.
- These changes are an improvement over the present ordinances.
- The ordinance can be reviewed for potential changes again in the future as relevant materials and technologies change.

MOTION: Motion by Emerine, seconded by Haig:

To amend Chapter 126 (Zoning), Article 4, Section 4.30, Open Space Standards, to add Additional Open Space Standards for single-family residential zoned properties, Article 4, Section 4.31, Open Space Standards to modify the Paved Surface Limitations in the R1, R1A, R2 and R3 Zoning Districts, and Article 9, Section 9.02, Definitions, to modify the definition for Impervious Surface.

1. Resolution to approve the proposed ordinance amendments to Article 4, Section 4.30, Open Space Standards, to add Additional Open Space Standards for single-family residential zoned properties, Article 4, Section 4.31, Open Space Standards, to modify the Paved Surface Limitations in the R1, R1A, R2 and R3 Zoning Districts, and Article 9, Section 9.02, Definitions, to modify the definition for Impervious Surface.

ROLL CALL VOTE

Ayes: Haig, Schafer, Baller, Emerine, Host, Longe, Long

Nays: None

Staff and the Planning Board were thanked for their work on the item.

08-248-25 Final Parking Garage Schematic Design Review – Chester Garage

PSM Ford introduced the item. Brian Hearn from BCT Design Group presented the item. Both answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The mural themes should be coordinated and tied into the colors of the decks in which they are located.
- The Public Arts Board (PAB) could be tasked with brainstorming appropriate ways of selecting murals.
- Options could include reproducing historical images in the garages, holding a call for art, or selecting themes for each garage.
- If a competition were held, there should be a set of parameters in order to decrease the randomness of the murals submitted. Each deck could have a theme.
- The murals should be changed, possibly every couple of years, so that they do not become dated.
- There would likely be eight murals per deck.
- The PAB may also be able to provide input on what could go on the exterior banners.
- There is some interest in increasing public messaging opportunities on the outside of the decks.
- Creating a coherent message or theme about Birmingham could be useful for guiding these designs.
- Finding interesting ways to promote the two hours free parking in the decks could be worthwhile.
- Determining what kinds of murals tend to be successful in parking decks could be helpful.

MOTION: Motion by Long, seconded by Haig:

To approve BCT Design Group's final schematic designs for the Chester Garage and to proceed with schematic designs for the remaining four garages, with the inclusion of the City Commission's feedback and direction.

Commissioners' comments were as follows:

- The APC has also been involved in this process.

VOICE VOTE

Ayes: Haig, Schafer, Baller, Emerine, Host, Longe, Long

Nays: None

Staff and Mr. Hearn were thanked for their work on the item.

08-249-25 Change Order for the 2024 Concrete Sidewalk Repair Program #1-24 (SW)

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

Commissioners raised the following points during discussion:

- This and similar projects should be publicized more widely so residents can better see the City's infrastructure investments at work.

MOTION: Motion by Baller, seconded by Long:

To approve a change order for the 2024 Concrete Sidewalk Repair Program #1-24 (SW) to include the 2025 Concrete and Sidewalk Repair Program #1-25 (SW) in an amount not to exceed of \$930,622.10. In addition, to authorize the Mayor and Clerk to sign the agreement on behalf of the City.

VOICE VOTE

Ayes: Haig, Schafer, Baller, Emerine, Host, Longe, Long

Nays: None

Commission Discussion On Items From A Prior Meeting

08-250-25 Landscapers Code of Conduct

Commissioner Haig presented the item.

Commissioners raised the following points during discussion:

- This would be addressed as a quality of life issue.
- It might be possible to create ordinances to address the most significant concerns so that enforcement options are available. One option might limit how many pieces of power equipment could be run at once.
- A code of conduct might be more appropriate than an ordinance.
- Some of the primary concerns are noise, debris, and blowing things from yards into the street.
- Describing proper behavior through an educational campaign could be beneficial.
- While enforcement could be somewhat challenging, there are other policies or ordinances in the City that face similar enforcement challenges.

MOTION: Motion by Host, seconded by Haig:
To move it to a full agenda item.

VOICE VOTE
Ayes: Haig, Host
Nays: Schafer, Baller, Emerine, Longe, Long

Commission Items for Future Discussion

08-251-25 Gas Powered Equipment

Discussion occurred during the previous item.

MOTION: Motion by Baller, seconded by Host:
To have City staff come back to us with some proposals for an ordinance that would limit the number of gas powered pieces of lawn equipment, to include chainsaws, that can used simultaneously on a single residential property.

Commissioner comments on the motion were as follows:

- The motion should be treated by staff as a starting point for a discussion. Staff should look into it and come back with a reasonable recommendation.
- Items like chainsaws should be included. Construction equipment should not be included.
- This ordinance would likely be challenging to enforce.
- Alternatively, this ordinance is enforced by complaint.
- This description makes this topic into a noise-specific issue.

VOICE VOTE
Ayes: Baller, Host
Nays: Schafer, Haig, Emerine, Longe, Long

08-252-25 Public Private Partnerships

Commissioner Baller recommended hiring an expert in public private partnerships.

MOTION: Motion by Baller, seconded by Host:
To have them come back to us with some proposal for hiring a ‘shark’.

Commissioner comments on the motion were as follows:

- This could be an owner’s representative.
- The City would explain further what it is looking for once the appropriate person is hired.
- This is stage two in the process of bringing it to a full agenda item.

VOICE VOTE
Ayes: Baller, Host, Schafer, Haig, Emerine, Longe, Long
Nays: None

IV. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

XI. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Design Review Board
 - 2. Notice of intention to appoint to the Historic District Commission
- B. Commissioner Comments

Commissioner Host noted that the Pat Andrews’ Reading Library would be having its celebration on August 31, 2025 at 11 a.m. at the corner of Fairfax and Maple.

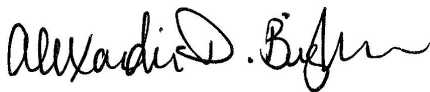
Commissioner Long thanked staff for the planned changes to the signs at Oakland Avenue, and asked that additional arrows be added closer to the ‘Only’ on the road in order to reduce driver confusion at the intersection.

- C. Advisory Boards, Committees, Commissions’ Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Oakland and Haynes Project #7-24(P) - Oakland Avenue Signage and Pavement Markings

INFORMATION ONLY

XII. ADJOURN

The Commission motioned to adjourn at 9:31 p.m.



Alexandria Bingham, City Clerk



Laura Eichenhorn, City Transcriptionist