BIRMINGHAM

City Commission
Monday, January 12, 2026 - 7:00 p.m.
151 Martin Street, Birmingham
City Commission Room 205
Vimeo Link: https://vimeo.com/1153722243

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1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
Clinton Baller, Mayor, opened the meeting with the Pledge of Allegiance.

2. ROLL CALL
City Clerk Bingham called the roll.

Present: Mayor Clinton Baller
Commissioner Andrew Haig
Commissioner Brad Host
Commissioner Kevin Kozlowski
Commissioner William Kolb
Commissioner Therese Longe

Absent: Mayor Pro Tem Anthony Long

Staff: City Manager Ecker; Assistant City Manager Clemence, Planning Director Dupuis, Assistant City Manager Fairbairn, City Attorney Gaudenzi

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

PROCLAMATIONS

Celebrating 250 years of American Independence in 2026

ANNOUNCEMENTS

APPOINTMENTS

01-001-26 Nomination of Temporary Mayor Pro Tem

MOTION: Nomination by Baller, seconded by Kolb:
To nominate Therese Longe as temporary Mayor Pro Tem.

VOICE VOTE
Ayes: Longe, Baller, Host, Kozlowski, Kolb, Haig
Nays: None
Recused: None

01-002-26 Cablecasting Board

William Frykman was interviewed for the appointment.

MOTION: Motion by Host:
To appoint William Frykman to the Cablecasting Board as a regular member to serve the remainder of a

three-year term expiring March 30, 2027.

VOICE VOTE
Ayes: Longe, Baller, Host, Kozlowski, Kolb, Haig
Nays: None
Recused: None

CC Bingham swore in the present appointee.

4. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA
David Bloom supported the Mayor's comments regarding the evening's proclamation, supported an audit of Next's finances if Next occupies a City building, supported maintaining pool access at 400 E. Lincoln, and supported exploring how new occupants of the Community House might benefit the City.

Linda Solomon commented regarding community support for the Community House.

Mike Clift supported operating 400 E. Lincoln as an indoor recreational fitness facility for community benefit.

Paul Reagan commented regarding the City's approach to the Community House and the YMCA.

5. CONSENT AGENDA

01-003-26 Consent Agenda

MOTION: Motion by Longe, seconded by Host:
To approve the consent agenda, excluding Item E.

ROLL CALL VOTE
Ayes: Longe, Baller, Host, Kozlowski, Kolb, Haig
Nays: None
Recused: None

A. Resolution to approve the joint City Commission and Multi-Modal Transportation meeting minutes of December 11, 2025.

B. Resolution to approve the regular City Commission meeting minutes of January 12, 2026.

C. Resolution to approve the warrant list, including Automated Clearing House, dated December 17, 2025, in the amount of $5,845,677.59.

D. Resolution to approve the warrant list, including Automated Clearing House, dated January 7, 2026, in the amount of $1,218,247.80.

F. Resolution to accept the resignation of Michael Coakley from the Ethics Board, to thank him for his service, and to direct the City Clerk to begin the process of filling the vacancy.

G. Resolution to accept the resignation of Judith Keefer from the Museum Board, to thank her for her service, and to direct the City Clerk to begin the process of filling the vacancy.

H. Resolution to set the Public Hearing of Necessity for the installation of staircases in the new retaining wall meeting the requirements for the assessments for the three properties within the project area on Park Street, Brookside Avenue, and Ravine Road on February 9, 2026, at 7:00 p.m.; and

   If necessity is determined on February 9, to meet on Monday, February 23, 2026, at 7:00 p.m., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the installation of staircases in the new retaining wall meeting the requirements for the assessments, for the three properties within the project area on Park Street, Brookside Avenue, and Ravine Road.

I. Resolution to set a public hearing date of February 9, 2026 to consider the Special Land Use Permit Amendment for 239 N. Old Woodward to update the Special Land Use Permit with the new establishment name, Besos.

J. Resolution to approve the Certification of Appointment of Local Emergency Management Coordinator (EMD 021). Further, to direct the Mayor to sign the form on behalf of the City.

01-004-26 Set a public hearing date of February 9, 2026 to consider the Special Land Use Permit Amendment and Final Site Plan & Design Review application for 298 S. Old Woodward

Commissioner Haig pulled Item E to request clarification at the public hearing that deliveries to the Daxton will be limited to vans or similar-sized vehicles.

MOTION: Motion by Haig, seconded by Host:
To set a public hearing date of February 9, 2026 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.

ROLL CALL VOTE
Ayes: Kolb, Kozlowski, Baller, Haig, Host, Longe
Nays: None

6. CITY MANAGER'S REPORT
None.

7. UNFINISHED BUSINESS
None.

8. NEW BUSINESS
01-005-26 Zoning Ordinance Update Project - Consultant Selection

PD Dupuis introduced the item, the Houseal Lavigne (HL) team spoke regarding the item, and J. Bryan Williams, Vice Chair of the Planning Board, spoke regarding the item.

The HL team answered questions from the Commission.

Commissioners discussed the following regarding the item:

- It was helpful to understand that brief check-ins between the HL team and City staff would not be counted as 'calls' for the purposes of HL's proposed communications.
- Any changes made to the zoning ordinance should be emphasized in some way for the benefit of the public.
- When clarifications to the zoning ordinance are made, it would be helpful to know the source of the recommended interpretation.
- It is important to solicit feedback from the community members who use the zoning ordinance most often.
- It was helpful that HL confirmed that while it would be doing an analysis of the zoning ordinance conformity of every parcel, it would not be doing an analysis of every improvement on each parcel.
- It will be important that the distinctive character of each residential neighborhood is preserved through the ordinance updates.

Public Comment
Mr. Bloom supported the recommendation that changes to the ordinance be emphasized for clarity and supported increasing the clarity around non-conforming lots and lot coverage.

Mr. Reagan commented regarding community perspectives on density, seams, accessory dwelling units, short term rentals, and parking.

MOTION: Motion by Longe, seconded by Haig:
To select Houseal Lavigne for the purposes of performing a comprehensive Zoning Ordinance Update for the City in accordance with the specifications contained within Houseal Lavigne's response to the City's Request for Proposals in an amount not to exceed $199,855 from account # 101.0-701.000-811.0000. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

ROLL CALL VOTE
Ayes: Kolb, Kozlowski, Baller, Haig, Host, Longe
Nays: None

01-006-26 Three Year Agreement – Plante Moran Realpoint – Professional Owner's Representative to Explore Public/Private Partnership Opportunities

ACM Clemence introduced the item and the Plante Moran Realpoint (PMR) team spoke regarding the item.

Commissioners discussed the following regarding the item:

- There was a typographical error in the provided documentation. The PMR team should be vigilant about catching similar errors.
- Real estate development was not the only context in which the City would need PMR's services.
- The Commission has not asked PMR to seek out potential collaborators for public-private partnerships (P3s) at this time.
- P3s can pose some financial risk for the City, while private collaborators can assume somewhat less legal and financial risk. It will be important to find and work with developers who are as invested in the project as the City is.
- Plante Moran and PMR are separate businesses only joined at the top level. There should be no conflict between using Plante Moran for the City's auditing and using PMR for these services.

MOTION: Motion by Longe, seconded by Kolb:
To approve a three-year agreement with Plante Moran Realpoint for Professional Owner's Representative to Explore Public/Private Partnership Opportunities in an amount not to exceed the agreed upon hourly rates. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project will be expensed in other contractual services accounts as dictated by the project proposed and upon the approval of a budget amendment by the City Commission.

ROLL CALL VOTE
Ayes: Kolb, Kozlowski, Baller, Haig, Host, Longe
Nays: None

Birmingham Historic Preservation Master Plan

PD Dupuis presented the item and answered questions regarding the item.

Commissioners discussed the following regarding the item:

- This was a well done Plan and presentation. Congratulations were given to the Planning Director and the Historic District Commission (HDC).
- 'Consider' a demolition delay ordinance might be more appropriate than 'adopt' a demolition delay ordinance. This was discussed at the workshop on the draft Plan. Explaining that the intent is to study a potential demolition delay ordinance could be helpful.

- While the Plan seems to assert that any building might be considered historic, it might be worth clarifying that buildings are potentially historic based on age, architectural significance, or matters of other significance.
- This is a Plan, and it does not obligate the City to do certain things or give the City additional permissions to impose regulations or rules.
- 'PRO-9 – Incorporate historic preservation values, principles, and processes into municipal policy, facilities planning, and programs at all levels of municipal activity' was discussed at the workshop on the draft Plan, and could be made slightly less broad. As written, this could impose excess layers of regulation or delay on City actions.
- 'B2B-8 – Increase and regularize enforcement of maintenance requirements to ensure that historic materials are not lost to neglect' was discussed at the workshop on the draft Plan, and might pose challenges to some owners of private, historic properties. The regulatory and financial implications of such enforcement should also be more considered.
- Historic preservation can be financially burdensome for some individual property owners.
- The Commission is seeking to avoid imposing excessively burdensome regulations on residents.
- It is sometimes possible to assess the historic value of a property relatively quickly. Each evaluation may not have to be in-depth.
- Some parties seeking demolitions may find ways around the potential impact of a demolition delay.
- Historic preservation is important, and staff should be afforded two weeks to integrate the requested amendments.
- In the last decade, an estimated 75-100 homes have been demolished annually within the City.
- Despite the request for some small changes, the Commission is supportive of the large majority of the Plan.
- Participation in the City's historic preservation programs is voluntary.

<u>Public Comment</u>
Patricia Lang opposed the Commission's decision to postpone adopting the Plan.

Commission Items for Future Discussion

None.

Commission discussion on items from a prior meeting

Commissioner Host made the following motion, and the motion died for lack of a second: To meet in closed session pursuant to MCL § 15.268, Sec.8(1)(e) of the Open Meetings Act to discuss pending litigation entitled The Community House Association, Birmingham, Michigan, Oakland County Circuit/Business Court Case No.: 2025-219218 CB Honorable Michael Warren, and to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained pursuant to the Open Meetings Act, MCL § 15.268 Closed sessions; permissible purposes, Sec. 8(1)(d).

9. REMOVED FROM CONSENT AGENDA

10. COMMUNICATIONS

A. Communications regarding the YMCA and NEXT
B. Communications regarding the Community House
C. Communication regarding ebikes
D. Communication regarding Torry streets
E. Communication regarding a moratorium on data centers

11. REPORTS

A. Commissioner Reports
    i. Notice of Intention to Appoint to the Ethics Board

   ii. Notice of Intention to Appoint to the Parks and Recreation Board
   iii. Notice of Intention to Appoint to the Museum Board

B. Commissioner Comments

The Mayor commented regarding the YMCA and the Community House.

The Mayor advised any parties interested in potentially working with the City to operate the pool at 400 E. Lincoln to contact the City Manager.

Commissioner Haig commented that data centers consume a significant amount of resources, and cannot always be identified from the exterior of the building. He recommended the City look into geomats for the green belt areas on west Wimbleton.

Commissioners Host and Haig shared concerns about the road conditions on west Wimbleton.

Commissioner Host supported holding a workshop on water, sewer, and roads infrastructure and requested more gravel be added on west Wimbleton.

The Mayor received assurance from the City Manager that the City is informing residents on west Wimbleton of the City's efforts to improve conditions.

C. Advisory Boards, Committees, Commissions' Report
D. Legislation
E. City Staff

12. ADJOURN

The Commission motioned to adjourn at 9:51 p.m.

Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist