Birmingham City Commission Minutes
June 24, 2024
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: https://vimeo.com/967258500

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Elaine McLain, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

Present: Mayor McLain
Commissioner Baller
Commissioner Haig
Commissioner Host
Commissioner Long
Commissioner Longe

Absent: MPT Schafer

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

06-460-24 Temporary Mayor Pro Tem

MOTION: Nomination by Commissioner Baller:
To nominate Commissioner Longe to serve as the temporary Mayor Pro Tem.

VOICE VOTE: Ayes, Commissioner Baller
Commissioner Longe
Commissioner Haig
Commissioner Host
Mayor McLain
Commissioner Long

Nays, None

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

Appointments

06-461-24 Historic District Study Committee

Jake German was unavailable for an interview. The Mayor noted this would be a reappointment and asked the Commission if they were willing to proceed.

MOTION: Nomination by Commissioner Haig:
To appoint Jake German as a regular member to the Historic District Study Committee to serve a three-year term to expire June 25, 2027.

VOICE VOTE: Ayes, Commissioner Baller
tMPT Longe
Commissioner Haig
Commissioner Host

Mayor McLain
Commissioner Long

Nays, None

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

Diane Anderson commented regarding some sidewalk maintenance issues on Southfield Road and Martin Street.

Steven Torok ~~Torrack~~[1] commented regarding a petition supporting the replanting of trees along Westwood Drive.

V. CONSENT AGENDA

06-462-24 Consent Agenda

MOTION: Motion by tMPT Longe, seconded by Commissioner Long:
To approve the Consent Agenda omitting Items E, L, and U.

ROLL CALL VOTE: Ayes, Commissioner Baller
tMPT Longe
Commissioner Haig
Commissioner Host
Mayor McLain
Commissioner Long

Nays, None

A. Resolution to approve the regular City Commission meeting minutes of the meeting held on June 3, 2024.

B. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 6, 2024 in the amount of $816,859.66.

C. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 13, 2024 in the amount of $1,527,578.31.

D. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 20, 2024 in the amount of $1,627,287.13.

F. Resolution appointing election inspectors, absentee voter counting board inspectors, receiving board inspectors and other election officials as recommended by the City Clerk for the August 6, 2024 State Primary Election pursuant to MCL 168.674, and further grant the City Clerk the authority to make emergency appointments of qualified candidates should circumstances warrant in order to maintain adequate staffing in the various precincts, counting boards and receiving boards.

   AND

   To authorize the use of an Absent Voter Counting Board for the City of Birmingham pursuant to MCL 168.765a(1) as the City Commission has previously resolved on May 6, 2024, resolution 05-418-24.

   AND

   To authorize the use of the Oakland County Absent Voter Counting Board for the purpose of processing and tabulating absent voter ballots on August 6, 2024, as prescribed in the terms and responsibilities previously agreed upon at the July 12, 2020 meeting by Commission resolution 07-120-20.

G. Resolution designating Finance Director Mark Gerber, Assistant Finance Director Kim Wickenheiser, DPS Director Scott Zielinski, Building Official Bruce Johnson, Assistant Building

[1]As amended at the July 8, 2024 meeting.

Official Mike Morad, Museum Director Leslie Pielack, and Police Commander Ryan Kearney as proxy representatives of Election Commissioners Mayor Elaine McLain, Mayor Pro Tem Katie Schafer, Commissioner Clinton Baller, Commissioner Brad Host, Commissioner Andrew Haig, Commissioner Anthony Long, and Commissioner Therese Longe, to conduct the Public Accuracy Test on Tuesday, July 9, 2024 at 8:45 a.m. in room 205 to test the electronic tabulating equipment which will be used to count votes at Birmingham precincts during the August 6, 2024 State Primary Election.

H. Resolution to amend the 2024 Schedule of Fees, Charges, Bonds and Insurance to include late fees for One Day Valet applications submitted with less than 72 hours' notice from the desired day of valet services.

I. Resolution adopting the following amendment to the budget appropriations resolution and establishing the number of mills for ad valorem property taxes to be levied for Senior Services for the fiscal year commencing July 1, 2024 and ending June 30, 2025.

   BE IT FURTHER RESOLVED that the City Commission does hereby designate $1,134,510 to be raised by 0.3279 mills levied on the taxable valuation of all real and personal property subject to taxation in the City for the purpose of providing senior services within the City as authorized by MCL 401.571, et seq.

J. Resolution to set a public hearing date of July 22, 2024 to consider the lot combination of 1114 & 1110 Lakeside Drive, parcels 19-25-151-069 & 19-25-151-070.

K. Resolution to set a public hearing date of July 22, 2024 to consider ordinance amendments to Chapter 86 (Signs), Article 1, Table B, Table D, Section 1.08 and Section 1.09 to transition the language from "Church" to "Religious Institutions" and to adjust the standards for maximum area, maximum height, illumination and maximum number of signs permitted.

M. Resolution to approve the purchase of a 2024 Ford F-350 Regular Cab 4X4, located at 1960 E Main St, Owosso, MI 48867, through the State of Michigan Contract #071B770180 and Macomb County Contract #21-18, in an amount not to exceed $84,023.00, upon the completion of a signed contract by Lunghamer Ford of Owosso. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funds for this purchase are available in the FY 2023-2024 Auto Equipment Fund account #661.0-441.006.971.0100.

N. Resolution to approve the purchase of a Wolverine Freightliner, Single Axle, located at 107 S. Groesbeck, Mt. Clemens, MI 48043, per the Rochester Hills Co-op RFPRH- 20-023 contract, in an amount not to exceed $247,617.00, upon the completion of a signed contract by Wolverine Freightliner. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funds for this purchase are available in the FY 2024-2025 Auto Equipment Fund account #661.0-441.006.971.0100.

O. Resolution to approve the purchase of a Wolverine Freightliner, Tandem Axle, located at 107 S. Groesbeck, Mt. Clemens, MI 48043, per the Rochester Hills Co-op RFPRH- 20-023 contract, in an amount not to exceed $257,772.00, upon the completion of a signed contract by Wolverine Freightliner. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funds for this purchase are available in the FY 2023-2024 Auto Equipment Fund account #661.0-441.006.971.0100.

P. Resolution to set the Public Hearing of the Necessity of the replacement and improvements of sewer and water laterals meeting the requirements of assessments, for all properties within the project area on Oakland Avenue, between North Old Woodward Avenue to Woodward Avenue on Monday, July 22, 2024, at 7:30 P.M.; and

   If necessity is determined on July 22, 2024, to meet on Monday, August 12, 2024, at 7:30 P.M., for all the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the replacement and improvements of sewer and water lateral meeting the requirements for assessment, for all properties within the project on Oakland Avenue, between North Old Woodward Avenue to Woodward Avenue.

Q. Resolution to approve the Road Safety Audit Agreement between the Southeast Michigan Council of Governments (SEMCOG) and the City of Birmingham. In addition, authorize the Mayor to sign the agreement on behalf of the City. Funding for this has been budgeted in account 202.0-449.001-811.0000.

R. Resolution to approve the Local Road Improvement Matching Fund Program Cost Participation Agreement between Oakland County and the City of Birmingham. In addition, authorize the Mayor to sign the agreement on behalf of the City. Funding for this project has been budgeted in accounts 202.0-449.001-981.0100, 590.0-537.000-981.0100, and 591.0-544.000-981.0100.

S. Resolution to approve a new contract for a Multi-Modal Transportation Consultant Contract for Fleis & Vanderbrink to provide as-requested professional services related to multi-modal transportation review and support for the Multi-Modal Transportation Board. In addition, to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance requirements.

T. Resolution to approve an agreement for OHM Advisors to provide as-requested professional services including, but not limited to, construction engineering and administration services, for a three (3) year term. In addition, to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance requirements.

06-463-24 Birmingham City Commission 2025 Meeting Schedule (Item E)

Commissioner Baller pulled Item E from the Consent Agenda and staff answered an informational question.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Long:
To approve the Birmingham City Commission 2025 Meeting Schedule as submitted.

ROLL CALL VOTE: Ayes, tMPT Longe
Commissioner Long
Commissioner Haig
Commissioner Baller
Commissioner Host
Mayor McLain

Nays, None

06-464-24 Contract with Thielen Turf Irrigation, Inc. for Springdale Golf Course (Item L)

Commissioner Baller pulled Item L from the Consent Agenda. Staff answered informational questions from the Commission.

Commissioner comment on the item was as follows:

- An expenditure of this size should be presented by staff, rather than being placed on the Consent Agenda.
- A high-level review of the golf courses by staff would be appropriate. The review should include sustainability considerations, other potential uses, the history of the golf courses, information on the user base of the golf courses, and the financials of the golf courses. The review should be followed by a discussion of Commission's policy goals for the golf courses.
- In an instance where the golf courses require improvements that cannot be covered by the enterprise fund, a loan is taken from the City's general fund and then is paid back over time. All improvements to the golf courses are ultimately funded through golf course revenue.
- The pump house should be designed and located in a way that damage would not occur in the event of flooding.
- It would be appropriate to consider adding a sign for Springdale Golf Course to the Big Beaver frontage.
- It might be useful to review how much the City charges for a round of golf.
- In order to continue providing the expected golfing experience at Springdale, the requested repairs are necessary.
- The need for these repairs was known a number of years ago. At that time, there was no appetite to undertake the repairs because the golf courses were not operating in the black.
- Delaying these repairs could have a negative financial outcome.

MOTION: Motion by Commissioner Host, seconded by Commissioner Haig:
To approve a contract with Thielen Turf Irrigation, Inc. in an amount not to exceed $1,263,770 to relocate the Springdale Golf Course pump station, and to install a new irrigation system. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

AND

To approve the appropriation and amendment of the fiscal year 2024/2025 budget for Springdale Golf Course and construction costs as follows:

Revenues:
584.2-000.000-400.00 Draw from Fund Balance $393,770
Total Revenue $393,770

Expenditures:
584.2-753.001-981.0100 Public Improvement Fund $393,770
Total Expenses $393,770

Individual Commissioner comment on the motion was as follows:

- It would be useful to have more information on this request before voting on it. It might be more appropriate to delay the request for a month or two in order to receive more information and to have a discussion.
- Opposition to the motion was stated.

Public Comment
Staff answered an informational question from Kent Johnston.

David Mendelson supported the continued maintenance and operation of both golf courses.

ROLL CALL VOTE: Ayes, tMPT Longe
Commissioner Long
Commissioner Haig
Commissioner Host

Nays, Mayor McLain
Commissioner Baller

06-465-24 Traffic Signal Modification Project #13-24 (Item U)

Commissioner Haig pulled Item U from the Consent Agenda and staff answered an informational question.

MOTION: Motion by Commissioner Haig, seconded by tMPT Longe:
To award the Traffic Signal Modification Project #13-24 (T) to Dan's Excavating in the amount of $1,398,949.00 plus a 10% construction contingency for a total of $1,538,343.40. In addition, to authorize the Mayor and the Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance and bond requirements by Dan's Excavating. Funding for this project has been budgeted in the following account for the following years:

Major Street Traffic Control Fund - 202.0-316.000-971.0100

Fiscal Year	Budget Amount	Budget Request
FY 2023/2024	$660,700.00	$660,700.00
FY 2024/2025	$300,000.00	$300,000.00
FY 2025/2026	$0.00	$741,550.00
Total	$960,700.00	$1,702,250.00

AND

To approve the appropriation and amendment of the fiscal year 2025/2026 budget for construction cost, which includes Dan's Excavating's bid of $1,398,949.00 and 10% construction contingency, and engineering costs as follows:

Major Street Fund:

Revenues:

202.0-000.000-400.0000	Draw from Fund Balance	$741,550
Total Revenue		$741,550

Expenditures:

202.0-316.000-971.0100 Traffic Control
$741,550
Total Expenses
$741,550

ROLL CALL VOTE: Ayes, tMPT Longe
Commissioner Long
Commissioner Haig
Commissioner Baller
Commissioner Host
Mayor McLain

Nays, None

VI. CITY MANAGER'S REPORT

CM Ecker presented the report. Staff answered informational questions from the Commission.

VII. UNFINISHED BUSINESS

06-466-24 2024 Chester St. Parking Garage Repair Project

PSM Ford introduced the item. Sarah Rush, engineer from WJE, and PSM Ford presented the item and answered informational questions from the Commission.

Commissioner comment on the item was as follows:

- The uplighting at N. Old Woodward was attractive. Illuminart is well-known and could provide other lighting options. It might not be necessary to hire an interior designer for the decks. It is possible that design decisions could be made for Chester based off the City's wayfinding and branding designs and future lighting recommendations from Illuminart.
- The structural and safety updates to the decks are necessary.
- Considering the aesthetic environment as well as the functions of the decks is important.

MOTION: Motion by Commissioner Long, seconded by Commissioner Haig:
To award a contract to RAM Construction for the proposed work at the Chester St. Parking Garage, excluding lighting, in the amount of $4,938,259.00; to charge this expense to account number 514.1-594.008-977.000; to authorize the Mayor and City Clerk to sign the contract on behalf of the City; and further to appropriate and amend the 2024-2025 Automobile Parking System Fund budget as follows:

Revenues

514.1-000.000-400.0000	Draw from Net Position	$462,159

Expenses

514.1-594.008-977.0000	Buildings	$462,159

Individual Commissioner comment on the motion was as follows:

- There was support for the motion.
- There was a lack of support for the motion, resulting from concerns about a lack of familiarity with the previous work of City's internal design staff.
- There was a lack of support for the motion if it included relying on the City's internal design professional. Continuing to work with Illuminart, the City's Wayfinding and

Branding Committee, and the architects at WJE would be appropriate.
- Relying on the City's internal design staff for a proposal could be appropriate because any proposal from Illuminart and the City's staff would be reviewed by the Commission before any implementation would occur. Additionally, if the proposal was not approved by the Commission, other options could be considered at that time.

Public Comment
Patricia Batey commented on the aesthetic impacts of the garages on the overall experience of the cityscape.

Jim Arpin commented that WJE has architects on staff.

Victor Saroki commented regarding the design considerations for the garages.

Darko Banfic, principal at Illuminart, commented on the project.

ROLL CALL VOTE:	Ayes,	tMPT Longe Commissioner Long Commissioner Haig Commissioner Baller Commissioner Host Mayor McLain
	Nays,	None

06-467-24 RFP for the Chester St. Parking Garage Architectural Services

MOTION: Motion by Commissioner Baller, seconded by Commissioner Long:
To recommend City staff create an RFP for an architect to work on the Chester St. Parking Garage.

Commissioner discussion of the motion was as follows:
- Since the previous motion authorized work on the structural aspects of the Chester St. Garage, this motion could help the City find a way forward in terms of design decisions for the garages as well.
- While the benefits of an architect were clear, hiring an architect was not a previously planned expenditure and there was no proposed budget for this aspect of the project.

Staff and the WJE team answered informational questions from the Commission.

ROLL CALL VOTE:	Ayes,	tMPT Longe Commissioner Long Commissioner Baller Mayor McLain
	Nays,	Commissioner Haig Commissioner Host

06-468-24 2024 Chester St. Garage Repair – Construction Period Services

PSM Ford and Ms. Rush presented the item.

MOTION: Motion by Commissioner Host, seconded by Commissioner Long:
To award the contract to Wiss, Janney, Elstner Associates, Inc. for construction period services in an amount of $465,000; further, to charge this expense to account number 514.1-594.008-977.000; to authorize the Mayor and City Clerk to sign the contract on behalf of the City; and further to appropriate and amend the 2024-2025 Automobile Parking System Fund budget as follows:

Revenues		
514.1-000.000-400.0000	Draw from Net Position	$288,000
Expenses		
514.1-594.008-977.0000	Buildings	$288,000

Commissioner comment on the motion was as follows:

- PSM Ford and WJE deserved thanks for their work on this project.

ROLL CALL VOTE: Ayes, Commissioner Haig
Commissioner Host
tMPT Longe
Commissioner Long
Commissioner Baller
Mayor McLain

Nays, None

VIII. NEW BUSINESS

06-469-24 Public Hearing of Necessity - Arlington, Shirley, and Brandon Street Project, Contract #6-24(W) Hearing of Necessity for Sewer and Water Lateral Special Assessment District (SAD)

Commissioner Baller's recusal was noted and he left the room at 10:50 p.m. The Mayor opened the public hearing at 10:50 p.m.

CM Ecker addressed some public discourse that had occurred regarding the item, and CE Coatta presented the item.

Public Comment
Jim Mirro commented regarding sustainability, assessments, and a petition from some residents.

Staff answered informational questions from Tony Trease, 905 Shirley. Mr. Trease protested the special assessment in order to preserve his right to appeal.

Staff answered informational questions from Sarah Winkler, 1000 Shirley. Ms. Winkler said she was registering a protest on behalf of the trees.

The Mayor answered an informational question from Patricia Batey.

Staff answered informational questions from Niharika Ramdev, 280 Arlington. Ms. Ramdev commented regarding the project's potential impact on landscaping and sprinkler systems. She said she was protesting to preserve her optionality.

Seeing no additional public comment, the Mayor closed the public hearing at 11:42 p.m.

Commissioner comment on the item was as follows:

- In previous Commission discussions, a Commissioner had indicated that some residents of Westwood were unhappy with the results of Westwood's cape-sealing. More recently, two residents of Westwood stated that they were indeed satisfied with the results of Westwood's cape-sealing.
- This project was appropriate because the 100-year-old sewer needed to be replaced.

MOTION: Motion by Commissioner Long, seconded by Commissioner Host:
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 Arlington Street from Lincoln Road to Maple Road, and Shirley Road from Lincoln Road to Maple Road; 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 is 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 Arlington, Shirley, and Brandon 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 Arlington, Shirley, and Brandon Project (Contract #6-24(W)):

Arlington Street – Lincoln Street to Maple Road; and
Shirley Road – Lincoln Road to Maple Road

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 $200.00 per foot of 6" diameter sewer service pipe, $250.00 per foot of 8" diameter sewer service pipe, $70.00 per foot of 1-inch water service pipe, $75.00 per foot of 1.5-inch water service pipe, and $90.00 per foot of 2-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 July 8, 2024 and give notice of same.

The sidwell numbers and street addresses are located on pages four and five of Item 8A of tonight's agenda packet, including the cost of each assessment.

Staff answered informational questions from the Commission.

Individual Commissioner comment was as follows:

- There was support for the motion. There was a recent article about the Sterling Heights canopy.
- This portion of the project was necessary.
- Some sitting Commissioners have had to pay for similar improvements at their present or former residences. The City aims to preserve as many trees as possible in these projects. Having to replace any potentially disturbed sprinkler systems is not always an onerous process.

ROLL CALL VOTE: Ayes, Commissioner Haig
Commissioner Host
tMPT Longe
Commissioner Long
Mayor McLain

Nays, None

06-470-24 Public Hearing of Necessity - Arlington, Shirley, and Brandon Street Project, Contract #6-24(W) Hearing of Necessity for Paving Special Assessment District (SAD)

Commissioner Baller's recusal continued for this item. The Mayor opened the public hearing at 11:54 p.m.

CE Coatta presented the item.

Public Comment

Staff answered informational questions from Dr. Mendelson. Dr. Mendelson thanked staff and the Commission.

Mr. Mirro commented regarding a potential exemption process for certain driveway surfaces.

Mr. Trease, 905 Shirley, commented that he was preserving his option to file a special assessment appeal with the Michigan Tax Tribunal by protesting the paving special assessment district.

Ms. Ramdev, 280 Arlington, commented that she was preserving her optionality by protesting the paving special assessment district.

Clinton Baller commented regarding the procedural appropriateness of him speaking as a member of the project area at this juncture. He stated that he was strictly speaking on his own behalf. He commented regarding the project's process, and supported seeking a landscape architect's recommendations for the project.

Seeing no additional public comment, the Mayor closed the public hearing at 12:18 a.m.

MOTION: Motion by Commissioner Long, seconded by MPT Longe:
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 Arlington Street from Lincoln Road to Maple Road, Shirley Road from Lincoln Road to Maple Road, and Brandon Street to Arlington Street and Shirley Street; 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 Arlington Street from Lincoln Road to Maple Road, Shirley Road from Lincoln Road to Maple Road, and Brandon Street to Arlington Street and Shirley Street, 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 Arlington, Shirley, and Brandon Project (Contract #6-24(W)):

Arlington Street – Lincoln Street to Maple Road; and
Shirley Road – Lincoln Road to Maple Road; and
Brandon Street – Arlington Street and Shirley Street

WHEREAS, The formula used in making the assessment for paving is 85% of the front-foot costs are assessed on all properties fronting on the improvement. The City pays 15% of the cost and for single-family houses, if the longer side of a corner property faces the street being constructed, the City will pay two-thirds (2/3) of the cost of the assessment for that property. The property owner will be charged the remaining third (1/3). If the short side of a corner property faces the street to be constructed, the owner pays 100% of the assessment, 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 (calculated at the rate of $156.84 per front footage for paving, $4.00 per square foot to remove and salvage brick pavers, $105.00 per square yard for remove concrete approach and install concrete approach, and $100.00 per square yard to remove asphalt approach and install 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 July 8, 2024 and give notice of same, and the sidwell numbers, street addresses, and total paving costs are set forth on pages four, five, and six of 8B of tonight's packet.

Staff answered informational questions from the Commission.

Individual Commissioner comment was as follows:

- Given some residents' opposition to this aspect of the project, there was opposition to the motion.
- More information about Commissioner Baller's recusal and speaking as a member of the public was provided.
- This is the right decision for the health, safety, and welfare of this community. This decision would represent a compromise of a number of perspectives.

ROLL CALL VOTE: Ayes, Commissioner Haig
tMPT Longe
Commissioner Long
Mayor McLain

Nays, Commissioner Host

06-471-24 370 E. Brown Construction Staging and Construction Coordination Agreement

Commissioner Baller rejoined the meeting at 12:34 a.m.

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

MOTION: Motion by Commissioner Haig, seconded by Commissioner Host:
To approve a Construction Staging Area and Construction Coordination Agreement with 370 E. Brown LLC and Sachse Construction and Development for the coordination of construction activities related to 370 E. Brown on Brown Street and Daines Street and to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City.

ROLL CALL VOTE: Ayes, Commissioner Baller
Commissioner Host
Commissioner Haig
tMPT Longe
Commissioner Long
Mayor McLain

Nays, None

06-472-24 Birmingham Wayfinding & Gateway Signage Fabrication and Installation – Phase 1 Contractor Selection

PD Dupuis presented the item. Staff answered informational questions from the Commission.

Individual Commissioner comment on the item was as follows:

- There was support for implementing the proposed lighting using a budget amendment.
- Solar could be used to implement the proposed lighting temporarily.
- A lighting proposal could be created by staff and brought to the Commission for implementation prior to the end of 2024.
- The impact of the lighting for the two ground mounted identification signs should be considered from all angles.

Public Comment
Doug Feehan commented on the wayfinding and branding recommendations.

MOTION: Motion by Commissioner Long, seconded by Commissioner Host:
To approve an agreement with ASI Signage Innovations for wayfinding fabrication and installation in an amount not to exceed $108,400 from account # 101.0-701.000-981.0100. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City and further, to approve the appropriations and amendment to the General Fund budget as follows:

Revenues:		
Draw from Fund Balance	101.0-000.000-400.0000	$8,400
Expenses:		
Capital Outlay (Public Improvements)	101.0-701.000-981.0100	$8,400

ROLL CALL VOTE: Ayes, Commissioner Baller
Commissioner Host
Commissioner Haig
tMPT Longe
Commissioner Long
Mayor McLain

Nays, None

Commission Items for Future Discussion

06-473-24 Golf Courses

MOTION: Motion by Commissioner Baller, seconded by Mayor McLain:
To talk about the golf courses.

ROLL CALL VOTE: Ayes, Commissioner Baller
Commissioner Host
Commissioner Haig
Commissioner Long
Mayor McLain

Nays, None

Commissioner Host made a motion to put parking on the agenda. The motion died for lack of a second.[2]

06-474-24 48th District Court

MOTION: Motion by Commissioner Host, seconded by Commissioner Baller:
To assign the City Manager and the City Attorney the task of conducting a comparable analysis of the costs and the efficiencies of staying with our current arrangement with the 48th District Court, or having the City of Birmingham assume more responsibility for the delivery of the services. We ask that this report of their findings and recommendations be presented to the Commission no later than November 25, 2024.

Commissioner discussion of the motion was as follows:

- Many Michigan communities are faced with challenges in organizing the funding and delivery of their judicial services.

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[2]As amended at the July 8, 2024 meeting.

ROLL CALL VOTE: Ayes, Mayor McLain
Commissioner Host

Nays, tMPT Longe
Commissioner Haig
Commissioner Long
Commissioner Baller

Commission Discussion On Items From A Prior Meeting

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

A. YMCA/NEXT Letters

X. REPORTS

A. Commissioner Reports

The Mayor reported back from conversations with MDOT and with the Secretary of State. She noted she would be attending the FBI Citizens' Academy National Conference in Detroit.

B. Commissioner Comments

Commissioner Long thanked CM Ecker and PC Grewe for their work regarding a recent incident. He advocated for publicizing and implementing a zero tolerance policy towards violence in the City.

Commissioner Haig concurred with Commissioner Long and supported the City installing high-resolution cameras.

The Mayor concurred with Commissioner Long as well.

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

The Commission deferred these reports to the next meeting.

1. Dumpster Report
2. Expanding Special Event Offerings

INFORMATION ONLY

XI. ADJOURN

The Commission motioned to adjourn at 1:18 a.m.

Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist