BIRMINGHAM

City Commission Minutes
Monday, January 26, 2026 - 7:00 p.m.
151 Martin Street, Birmingham
City Commission Room 205
Vimeo Link: https://vimeo.com/1158546342

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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
Mayor Pro Tem Anthony Long
Commissioner Andrew Haig
Commissioner Brad Host
Commissioner Kevin Kozlowski
Commissioner William Kolb
Commissioner Therese Longe

Absent: None

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.

APPOINTMENTS

01-007-26 Public Arts Board

In Annie VanGelderen's absence, it was noted that she would be a reappointment.

MOTION: Motion by Haig:
To appoint Annie VanGelderen as a regular member to the Public Arts Board to serve a three-year term to expire January 28, 2029.

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

01-008-26 Ethics Board

Lawrence Handler was interviewed for the appointment.

MOTION: Motion by Host:
To appoint Lawrence Handler as a regular member to the Ethics Board to serve the remainder of a three-year term to expire June 30, 2026.

VOICE VOTE
Ayes: Long, Longe, Baller, Host, Kozlowski, Kolb, Haig

Nays: None
Recused: None

01-009-26 Environmental Sustainability Committee

Tina Burry was interviewed for the appointment.

MOTION: Motion by Longe:
To appoint Tina Burry as a regular member to the Environmental Sustainability Committee to serve the remainder of a three-year term to February 1, 2028.

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

CC Bingham swore in the present appointees.

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

Paul Regan supported the City taking a different approach to negotiations with the YMCA, Next, and the Community House.

Kathleen Deveraux supported continuing to pursue the lawsuit against the Community House to prevent its sale.

5. CONSENT AGENDA

01-010-26 Consent Agenda

MOTION: Motion by Haig, seconded by Host:
To approve the consent agenda with the exception of Items A, D, E, and H.

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

B. Resolution to approve the warrant list, including Automated Clearing House payments, dated January 14, 2026, in the amount of $9,402,155.66.

C. Resolution to approve the warrant list, including Automated Clearing House, dated January 21, 2026, in the amount of $583,570.13.

F. Resolution to set a public hearing for the 2025 review of establishments which hold liquor licenses for consumption on premises and to consider the same establishments for 2026 renewal at the regular City Commission meeting on Monday, February 9, 2026, at 7:00 p.m.

G. Resolution to set the Public Hearing of Necessity for the road surface cape seal treatment meeting the requirements for assessment, for all properties within the project area on Oak Avenue from Greenwood Street to N. Old Woodward Avenue, Lakeside Drive from Oak Avenue to Randall Street, N. Glenhurst Drive from Oak Avenue to Pine Street, and Northlawn Boulevard from the Rouge River to Southfield Road on February 23, 2026 at 7:00 P.M.; and

   If necessity is determined on February 23, 2026, to meet on March 9, 2026 at 7:00 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the new pavement installation meeting the requirements for assessment, for all properties within the project area on Oak Avenue from Greenwood Street to N. Old Woodward Avenue, Lakeside Drive from Oak

Avenue to Randall Street, N. Glenhurst Drive from Oak Avenue to Pine Street, and Northlawn Boulevard from the Rouge River to Southfield Road.

I. Resolution to approve the following proposed fee increases to be implemented for the 2026 golf season: $1 for weekday greens fees, $2 for weekend green fees, $1 for electric golf cart rental, $5 for new resident membership, $5 for renewing resident membership, $25 for a business membership, $25 for a single non-resident, $25 for a dual non-resident, and $25 for a family non-resident.

J. Resolution to postpone the Public Hearing Date of Necessity for the replacement of staircases in the retaining wall meeting the requirements of assessments for all properties within the project area of Park Street, Brookside Avenue, and Ravine Road from February 9, 2026 to February 23, 2026, at 7:00 p.m.; and

Resolution to postpone the Public Hearing of Confirmation of the Roll from February 23, 2026 to Monday, March 9, 2026 at 7:00 p.m. for the replacement of staircases meeting the requirements for the assessments, for all properties within the project area of Park Street, Brookside Avenue, and Ravine Road.

01-011-26 To approve Orchard, Hiltz & McCliment, Inc. (OHM) as the selected consultant for professional design services for St. James Park and Kenning Park for the base bid amount of $244,000

Commissioner Haig pulled Item D in order to note the large dollar amount.

Commissioner Kolb recused himself from the item and left the room.

MOTION: Motion by Haig, seconded by Host:
To approve Orchard, Hiltz & McCliment, Inc. (OHM) as the selected consultant for professional design services for St. James Park and Kenning Park for the base bid amount of $244,000.

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

Commissioner Kolb rejoined the meeting.

01-012-26 To approve a request from the Piety Hill Chapter, NSDAR to hold the Memorial Day Service on Monday, May 25, 2026 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

Commissioner Haig pulled Item E in order to encourage listeners to attend the event.

MOTION: Motion by Haig, seconded by Host:
To approve a request from the Piety Hill Chapter, NSDAR to hold the Memorial Day Service on Monday, May 25, 2026 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.

Public Comment
David Bloom commented regarding the importance of the event and the quality of this and past DAR events.

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

Recused: None

01-013-26 Residential Site Evaluation Services Agreement

Commissioner Haig pulled Item H in order to note the large dollar amount.

MOTION: Motion by Haig, seconded by Long:
To make a motion adopting a resolution to approve a one-year Professional Service Agreement, with Hubbell, Roth & Clark, Inc. for Residential Site Evaluation Services, with the option to extend the agreement at the discretion of the City Commission for up to a total of three years. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the city. Funding for these services shall be provided through collected permit fees.

AND

To amend the Schedule of Fees, Charges, Bonds, and Insurance, effective March 1, 2026, in the Community Development section as indicated by the consultant fee quote.

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

01-014-26 City Commission Meeting Minutes of January 12, 2026

Commissioner Haig pulled Item A in order to note that he had spoken with an organization that might be interested in working with the City to operate the pool at 400 E. Lincoln, and that the Mayor's comment under Section 11 – Commissioner Comments was in reply to that.

MOTION: Motion by Haig, seconded by Kolb:
To approve as written.

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

6. CITY MANAGER'S REPORT

CM Ecker presented the report.

Commissioners discussed the following regarding the report:

- The new portal for Commission agenda packets allows users to download the entire agenda or individual items.
- The parking system is an enterprise fund, and the money that is generated from parking fees is reinvested into the parking system.
- It is helpful when the City offers corrections to circulating misinformation about City actions, policy, or conditions.
- A source of pride for the City was the BSD report noting that 99% of retail space and 92% of the office space is leased, that the City has about 600 businesses in operation, and that 75% of those businesses are locally owned.

7. UNFINISHED BUSINESS

01-015-26 Historic Preservation Master Plan

Commissioners discussed the following regarding the item:

- It was positive that the language in Pro-8 was changed from 'adopt' to 'consider', that in

Pro-9, the words ‘into applicable municipal policy’ were added, and that prior concerns about the conclusion were addressed.
- This was well done.

MOTION: Motion by Longe, seconded by Kolb:
To adopt the City's first Historic Preservation Master Plan.

Commissioners discussed the following regarding the motion:
- All those involved in developing the Plan earned thanks for their hard work.
- Increased historic preservation in the City is important.

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

The Mayor noted that he and his wife would be looking into pursuing historic designation of their home, partially in the hopes of encouraging others to follow suit.

01-016-26 Selection of an Architect for Architectural Construction Design Plans for the Continuation of the MOU between the City of Birmingham and Next for the Building at 400 E. Lincoln

CM Ecker presented the item and staff answered questions.

Commissioners discussed the following regarding the item:
- It would likely be appropriate to have a signed lease before investing money into 400 E. Lincoln.
- There are no significant areas of dispute in the lease negotiations, and it is expected that the lease will be ready in the near future.
- An architect would be able to assist in determining square footage, which is one of the reasons an architect needs to be hired. Approving this motion would be the first step towards determining what could be done with the building.
- This needs to occur to ensure that Next has a place to go in 2027.
- The City has returned to the MOU because the YMCA has departed the project.
- Purchasing 400 E. Lincoln was a prudent financial investment.
- 400 E. Lincoln could function as a location for Next.
- The MOU can be amended by mutual agreement to allow Next to occupy approximately 14,000 sq. ft.
- The YMCA has indicated it would not be interested in occupying any portion of 400 E. Lincoln in its present condition. The YMCA indicated that it was not interested in purchasing 400 E. Lincoln back at the price it was sold to the City. The City offered to relocate Next and to lease 400 E. Lincoln back to the YMCA. The YMCA declined that offer. The YMCA was unable to sign a lease because it would have violated their debt ratio with their bank on their current loans. The City requested the YMCA to stay and maintain the cardiac, exercise, pool, and summer programs. The YMCA declined because they do not presently have the financial capacity.
- A previous $8 million in federal funds towards this project were removed as a result of change in policy at the federal level subsequent to the November 2024 election.
- The Commission previously sought support from the community for this project and did not receive the support that would have allowed them to continue pursuing the project.
- It is not legally permissible for the City to spend taxpayer funds on any part of the YMCA.
- It is permissible for the City to support Next because there is a carveout for senior services. Next is the City’s designated senior services provider. Former City Manager Markus was a significant supporter of Next, in part because of the cost savings its senior services provided for the City.
- Once the square footage has been evaluated, it would be possible to ask whether the YMCA would want to operate any programming on the second floor of the building. It would also

be possible to explore other options such as community meeting rooms or bringing in a vendor to operate the pool.
- It might be possible to invest a minimal amount in this building to accommodate Next temporarily while possible better long-term solutions are explored.
- Operating the present building at 400 E. Lincoln would cost significantly more than operating a new building.
- It might be possible to develop a public-private partnership at 400 E. Lincoln.
- It is appropriate to acknowledge the disappointment some members of the YMCA are experiencing regarding the YMCA's departure.
- The YMCA decided to sell the building because they decided not to invest in the building when they had their last capital fund. The YMCA's plan was to consolidate into the Royal Oak location. The City attempted to include the YMCA in the process when the YMCA indicated that their interest in participating changed, because the YMCA's services represented a benefit to the City. The Commission was invested in collaborating with the YMCA. The Ad Hoc Senior/Recreation Center Committee met for over a year in an attempt to find a way to create a new building in which Next and the YMCA could both operate. Despite the City's and the YMCA's shared interest in making this project work, increasing costs led the Commission to determine that the project would not be feasible at this time. The YMCA was also not able to provide funding that would have made the project more feasible. The City has been working to retain the YMCA within the City since 2005. Three or four capital campaigns intended to improve the building at 400 E. Lincoln have been discontinued since then. The City tried to have the YMCA take over the previous building at Barnum Park.
- The majority of Next members are not Birmingham residents, and Next members make up a small percentage of the overall Birmingham population. The Commission's only obligation is to Birmingham taxpayers, and Birmingham taxpayers own the building at 400 E. Lincoln. Next will face challenges in the building with or without renovations. It might be possible to find more appropriate locations for Next within the broader Next service area. The lease terms have not been finalized and discussed. Next's future contributions have not been determined. The City has not yet explored whether returning Next's $500,000 contribution might be a better approach. There may still be options to retain the YMCA. It may be appropriate to manage 400 E. Lincoln via an enterprise fund in order to maximize Birmingham taxpayers' return on investment.

MOTION: Motion by Longe, seconded by Long:
To make a motion in support of the City Manager's actions to continue to proceed under the terms of the Memorandum of Understanding between the City of Birmingham and Next in May 2023 to make renovations, upgrades and cosmetic improvements to the existing building at 400 E. Lincoln in support of Next moving into the building in May 2027.

Commissioners discussed the following regarding the motion:
- There is presently no legally committed tenant for 400 E. Lincoln.
- While moving forward with this motion is appropriate, exploring other options for better accommodating Next and responsibly using taxpayer funds must be included in subsequent actions.
- Choosing Neumann Smith as the architect is an appropriate selection for this project since they have done a lot of high-quality work with the City.
- This decision could be delayed two weeks without any significant impact, which would be more appropriate since there is no tenant.
- Some aspects of the proposed lease were not known to a number of Commissioners prior to the evening's discussion, and consequently should be considered further.
- The use of the remaining areas should be defined by the Commission for the benefit of all members of the community. This should occur before engaging an architect.
- The majority of Next members are not Birmingham residents.
- This proposal includes a phased approach, and only regards the first floor use at this time.
- The program would be clear to the architect.
- This proposal is being made after a reworking of the prior plans for 400 E. Lincoln, and is the result of an extended pause of the project.

- It was appropriate to support this motion because while not all of the questions can be resolved at once, this can move the process forward.
- Next members present from other communities should encourage their communities to commit to the interlocal agreement.

<u>Public Comment</u>
Mike Clift supported running the pool and the second floor as a community recreational facility.

John Hammer commented regarding the architect and the planned program for the first floor.

Patricia Lang commented that the City should determine whether the YMCA might want to be involved in the project's present iteration before moving forward with an architect.

Beata Lamparski supported moving forward with the motion, commenting that it would provide further information and that Birmingham residents make up more than 50% of Next membership.

Katie Braun supported having a more defined, community-oriented program for the basement and second floors that could serve children in the 10-16 age range before moving forward with engaging the architect.

Megan Jones supported Ms. Braun's comments, adding support for keeping the gym and open weights accessible to community members.

Mr. Bloom supported narrowing the architect's scope, auditing Next's financial ability to be a tenant of 400 E. Lincoln, and encouraging Next members of other communities to lobby their communities for more financial support for this project.

Frances Martins supported moving forward with the motion, and supported a separate entrance for seniors using the facility.

Maureen Field supported the motion, continuing to operate the pool, and expediting a definition of phase two.

Rackeline Hoff supported the motion, commenting that 69% of voters supported the millage to renovate 400 E. Lincoln for Next's use.

David Levinson supported the motion and commented that hiring an architect while a tenant and landlord finalize a lease was common.

Rock Abboud supported the motion and supported the City Manager in finishing her presentation of the 'Setting the Record Straight' portion of the monthly City Manager's Report.

Diane Slon supported the motion, commenting that this process has been underway for some time and would appropriately benefit Next.

George Dilgard supported moving forward with the motion and commented that the proposed phase two was not practical.

Cris Braun, Director of Next, supported moving forward with the motion, commented regarding the need for a physical location for Next, commented regarding the longevity of the relationship between Next and Birmingham, commented regarding the fiscal benefits contracting with Next provides to the City, commented regarding that Next would like to find a use for the basement, supported possibly renovating 400 E. Lincoln in phases to improve it over time, supported accommodating the community with fitness facilities within the building as much as possible, commented that Next would be able to afford operating the first floor of 400 E. Lincoln, and commented that the lease was almost complete.

Kristy Barrett supported taking two weeks to amend the MOU and finalize the lease, and supported creating more opportunities for community use at 400 E. Lincoln, increasing the financial involvement of

Next's interlocal partners, and modifying the 'indefinite' language in the MOU.

Gordon Rinschler supported the motion, commenting that other information could be clarified after moving forward.

Steve Macke supported the motion, commenting that more people would likely join Next after the building is renovated.

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

8. NEW BUSINESS

01-017-26 Extension of YMCA Lease for 400 E. Lincoln Street, Birmingham

CM Ecker presented the item and answered questions.

MOTION: Motion by Long, seconded by Longe:
To approve the Addendum to the Lease Agreement Between the City of Birmingham and the Young Men's Christian Association of Metropolitan Detroit to extend the lease through August 31, 2026 to allow the YMCA to offer summer camp programs in Birmingham for another year, and further to direct the Mayor and City Clerk to sign the Addendum to the Lease Agreement.

Commissioners discussed the following regarding the motion:

- There might be interest in asking the YMCA to continue the summer program in future years as well.
- The YMCA summer camps are a valuable source of childcare for Birmingham families.
- The YMCA should be offered additional space in Birmingham parks so that all families interested in participating in the summer camps may be accommodated.

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

Community Survey Draft

ACM Fairbairn presented the item and staff answered questions.

Commissioners discussed the following regarding the item:

- This fourth draft was well done. It would be possible to learn from the responses to this survey and to adjust future surveys to continue to learn more about changes in community priorities.
- Participants in designing the survey worked diligently on the process.
- The City should receive the raw data from the vendors so in-house analytics may be performed.
- Clarity issues arose from several of the questions. It is important to design questions so that actionable information will be provided.
- Questions six, seven, 29, and 30 need additional clarification. Question 28 should perhaps be modified to a ranked choice question.
- A modified question 28 could be particularly useful for determining which services and/or amenities, if any, taxpayers would be willing to invest extra in.
- The Commissioners should take the survey at home and return with further comments for improvement.
- Providing boxes for additional information under each question could be useful.
- Since the random sample would be provided paper versions of the survey, it might be useful

to emphasize to the random sample residents that their participation was specifically requested.
- The title should be simplified.
- Grammatical corrections were recommended.
- Providing some education regarding the background and context of the questions might lead to more informed responses.
- This survey may be asking too many questions. It should likely be fewer than 10 questions, focusing on the most actionable information.
- Commissioners take a different approach to City issues versus the average resident. Because of Commissioners' level of investment and background knowledge, their opinions on the construction of the survey questions and the appropriate content of the survey questions may meaningfully diverge from an average resident's. Keeping this initial survey relatively broad to start might be more informative.
- It would be helpful to know which survey questions are intended to track responses over time.
- The Commissioners should each clarify what information they are seeking from a community survey. These responses should then be provided to the Commission.

Public Comment
William SaintAmour of Cobalt Community Research commented regarding the survey design and answered questions.

Debra Horner, Gordon Davies, and Paul Reagan commented regarding the survey design.

It was determined this would be discussed further at the second February meeting.

Commission Items for Future Discussion

None.

Commission discussion on items from a prior meeting

01-018-26 Closed Session Request

Commissioner Haig recused himself from the item and left the room.

MOTION: Motion by Host, seconded by Kolb:
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).

Commissioners discussed the following regarding the motion:
- There was disagreement as to whether there was outstanding information for discussion in a closed session.
- The City's non-profit lawyers and City Attorney Kucharek were both absent, and would have been the sources of additional information.
- A closed session at this time would be of little use and was not advertised in advance.
- Ensuring that all Commissioners are adequately informed and able to answer questions about the process appropriately likely does not require a closed session.

ROLL CALL VOTE
Ayes: Host, Kolb
Nays: Long, Kozlowski, Baller, Longe
Recused: Haig

The next Commission meeting likely may have good cause for a closed session.

9. REMOVED FROM CONSENT AGENDA

10. COMMUNICATIONS

A. Communications regarding NEXT and the YMCA
B. Communications regarding roads
C. Communications regarding parking
D. Communications regarding builders
E. Communications regarding the building department
F. Communications regarding the Community House

11. REPORTS

A. Commissioner Reports
    i. Notice of Intention to Appoint to the Cablecasting Board
    ii. Notice of Intention to Appoint to the Environmental Sustainability Committee
    iii. Notice of Intention to Appoint to the Board of Zoning Appeals
    iv. Notice of Intention to Appoint to the Wayfinding and Branding Committee
B. Commissioner Comments

The Mayor confirmed that the Jewish Federation of Metro Detroit was a potential buyer of the Community House.

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

12. ADJOURN

The Commission motioned to adjourn at 10:57 p.m.

Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist