

Birmingham City Commission Minutes
August 26, 2024
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/1002950606>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Therese Longe, Commissioner, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

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

Absent: Mayor McLain
MPT Schafer

Staff: City Manager Ecker; City Clerk Bingham, Assistant City Engineer Coatta, Senior Planner Cowan, Assistant City Manager Fairbairn, Police Chief Grewe, City Attorney Kucharek

08-523-24 Nomination of Temporary Mayor

MOTION: Motion by Commissioner Long, seconded by Commissioner Baller:
To nominate Therese Longe to stand in as Mayor in our Mayor's absence.

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

Nays, None

08-524-24 Nomination of Temporary Mayor Pro Tem

MOTION: Nomination by Commissioner Long:
To have Clinton Baller sit in as as Mayor Pro Tem in our Mayor Pro Tem's absence.

VOICE VOTE: Ayes, Commissioner Haig
Commissioner Baller

tMayor Longe
Commissioner Host
Commissioner Long

Nays, None

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

Announcements

Appointments

08-525-24 Advisory Parking Committee

The Commission interviewed Jim Arpin for the appointment.

MOTION: Nomination by tMayor Longe:

To appoint Jim Arpin to the Advisory Parking Committee as a regular member to serve a three-year term to expire September 4, 2027 conditioned upon the potential dissolution of the present APC, wherein the new APC could change based on membership, makeup, and qualifications.

It was noted that this condition would be added to any future appointments or reappointments to the APC as well.

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

Nays, None

CC Bingham swore in Mr. Arpin.

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

Jonathan Steinhouse commented regarding concerns about traffic on Chestnut Street.

Tim Bradley and Jack McInerney commented regarding concerns about an upcoming special assessment on Wimbledon Drive.

Mark Pisani commented regarding concerns about an upcoming special assessment.

Information about special assessments was provided.

V. CONSENT AGENDA

08-526-24 Consent Agenda

MOTION: Motion by Commissioner Host, seconded by Commissioner Long:
To approve Consent Agenda Items A, B, C, and D.

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

Nays, None

- A. Resolution to approve the regular City Commission meeting minutes of the meeting held on August 12, 2024.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 15, 2024 in the amount of \$8,460,655.04.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 22, 2024 in the amount of \$1,560,065.20.
- D. Resolution to set a public hearing date of September 23, 2024 to consider the lot division and lot combination of 532 & 568 Lakeside Drive, parcels 19-26-427-012 & 19-26-427-011.

08-527-24 Set a Public Hearing for 200 S. Chester Street – Baldwin House Senior Living – Special Land Use Permit Amendment (Item E)

Commissioner Haig pulled Item E. Staff answered informational questions from the Commission.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Long:
To move Item 5E as written for approval.

Commissioner comment on the motion was as follows:

- The cost of the permit was raised to \$70 per month at Chester.

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

Nays, None

08-528-24 An ordinance to amend Chapter 26.-Business, Article III. Initial Merchants (Item F)

tMPT Baller pulled Item F. Staff answered informational questions from the Commission.

MOTION: Motion by tMPT Baller, seconded by Commissioner Long:
To move the suggested resolution.

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

Nays, None

**08-529-24 2024 Concrete Sidewalk Repair Program Contract #1-24 (SW) Award
(Item G)**

Commissioner Haig pulled Item G. Staff answered informational questions from the Commission.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Long:
To approve Item G as written.

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

Nays, None

VI. CITY MANAGER'S REPORT

A. City Manager's Report for August 2024

CM Ecker presented the report.

VII. UNFINISHED BUSINESS

VIII. NEW BUSINESS

**08-530-24 Request for Closed Session Under MCL § 15.268 Sec. 8(e) and (h) of
the Open Meetings Act**

CA Kucharek explained the item.

MOTION: Motion by Commissioner Host, seconded by Commissioner Haig:
To meet in closed session pursuant to MCL § 15.268, Sec.8(1)(e) of the Open Meetings Act to discuss pending litigation of Christine Lindsey v City of Birmingham; Oakland County Circuit Court Case No.: 2022-197456-NI, and to discuss a written attorney/client privilege communication pursuant to MCL § 15.268, Sec.8(1)(h) of the Open Meetings Act.

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

Nays, None

The Commission went into closed session at 8:23 p.m.

The Commission returned from closed session at 9:53 p.m.

**08-531-24 Action Subsequent to Closed Session Under MCL § 15.268 Sec. 8(e)
 and (h) of the Open Meetings Act**

The tMayor thanked members of the public for their patience during the closed session.

MOTION: Motion by Commissioner Long, seconded by Commissioner Haig:
To finalize the settlement as discussed.

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

Nays, None

Senior/Recreation Center Project

CM Ecker, CA Kucharek, Cris Braun, Executive Director of Next, Gordon Rinschler, Board member of Next, and Parrish Underwood, President and CEO of the YMCA of Metropolitan Detroit, presented the item and answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The City's return on investment in Next is exceptional.
- There were some concerns about the changes to how the City will fund senior services and how the new building will be used. It will be necessary to find some additional use for the building since Next will not use the building fully during all possible operational hours.
- Next's participating communities should aim to enter into an interlocal agreement in order to assist with funding Next.
- Birmingham should not oversee Next. Each participating community should oversee its taxpayer investment in senior services.
- Next should have a membership drive with the new building and increased programming opportunities as incentive.
- This process has evolved since the original purchase of the YMCA building.

- If a pool is integrated into this building, there will be a gap in pool availability. The YMCA should consider emphasizing that pool access would be available at a different YMCA facility during that time.
- There was some concern that present YMCA pool users may not return to using a pool in Birmingham after a gap in availability.
- If the YMCA runs a comprehensive fundraising campaign, it would likely be slower than an individual fundraising campaign.
- The Commission is responsible for making sure that any agreement with the YMCA would be financially sustainable.
- The YMCA provides valuable services to the community.
- Action should be postponed until the Commission has a workshop on the topic. Mr. Underwood and Ms. Braun should come with tangibles, specific directions, ideas, goals, and agreements. The workshop should include scope, costs, ideas for covering the costs, and any other relevant information.

Public Comment

Michael Clift commented on adding a pool to the senior/recreation center.

Marcia Wilkinson, Next Board President, thanked the City and commented on the item.

Commission Items for Future Discussion

Commission Discussion On Items From A Prior Meeting

Redding Well Site

The Commission asked that improving the site be studied by the Parks and Recreation Board and that the Parks and Recreation Board also study removing 'well site' from any parks so entitled.

08-532-24 Noise Ordinance

tMPT Baller and CA Kucharek presented the item.

Commissioners raised the following points during discussion:

- Creating a noise ordinance stricter than federal guidelines might prevent certain kinds of construction equipment from being used in the City.

MOTION:

Motion by tMPT Baller, seconded by Commissioner Long:

To direct City staff to move forward on investigating modifications to our noise ordinance.

VOICE VOTE:

Ayes, tMPT Baller
tMayor Longe
Commissioner Host
Commissioner Long

Nays, Commissioner Haig

08-533-24 Speed Mitigation on Shirley and Arlington

tMPT Baller presented the item.

Commissioners raised the following points during discussion:

- Improving Arlington and Shirley will likely result in more traffic in the neighborhood, and an improved road surface could increase speeds. Implementing speed mitigation in the area is a health and safety issue.

MOTION: Motion by tMPT Baller, seconded by Commissioner Long:

To assign the Multi-Modal Board to review speed mitigation options for Arlington and Shirley, including but not limited to speed humps, speed boards, bump outs, islands, and signage.

Commissioners made the following comments on the motion:

- Birmingham should explore NACTO recommendations for speed mitigation.

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

Nays, None

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

- A. Coleman Letter regarding speeding on Arlington

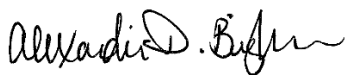
X. REPORTS

- A. Commissioner Reports
B. Commissioner Comments
C. Advisory Boards, Committees, Commissions' Reports and Agendas
D. Legislation
E. City Staff

INFORMATION ONLY

XI. ADJOURN

The Commission motioned to adjourn at 12:10 a.m.



Alexandria Bingham, City Clerk



Laura Eichenhorn, City Transcriptionist