Birmingham City Commission Minutes
October 28, 2024 Municipal
Building, 151 Martin 7:30 p.m.
Vimeo Link: https://vimeo.com/1024134045

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Katie Schafer, Mayor Pro Tem, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

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

Absent: Mayor McLain

Staff: City Manager Ecker; City Clerk Bingham, Assistant City Engineer Borton, Assistant City Manager Clemence, Senior Planner Cowan, Planning Director Dupuis, Assistant City Manager Fairbairn, Finance Director Gerber, City Attorney Kucharek, Fire Marshal Scafe, Recreation Coordinator Schultz, Department of Public Services Director Zielinski

10-572-24 Nomination of Temporary Mayor

MOTION: Motion by Haig:
Nominate MPT Schafer for Mayor.

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

Nays, None

10-573-24 Nomination of Temporary Mayor Pro Tem MOTION:

Motion by Long:

Nominate Therese Longe as Mayor Pro Tem for tonight.

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

Nays, None

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

Announcements
Appointments

10-573-24 Birmingham Shopping District

MOTION: Nomination by Longe:
To concur in the City Manager's appointment of Jessica Lundberg to the Principal Shopping District Board as a business representative with interest in property located within the district to serve the remainder of a four-year term to expire November 16, 2026, and to concur in the City Manager's appointment of Julie Sloan to the Principal Shopping District Board as a district resident to serve the remainder of a four-year term to expire on November 16, 2024.

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

Nays, None

10-574-24 Multi-Modal Transportation Board

The Commission interviewed Laura Engelland for the appointment.

MOTION: Nomination by Longe:
To appoint Laura Engelland as a regular member to the Multi-Modal Transportation Board to serve the remainder of a three-year term to expire March 24, 2025.

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

Nays, None

10-575-24 Multi-Modal Transportation Board

The Commission interviewed Timothy Kennedy for the appointment.

MOTION: Nomination by Longe:
To appoint Timothy Kennedy as an alternate member to the Multi-Modal Transportation Board to serve the remainder of a three-year term to expire October 27, 2025.

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

Nays, None

Recognition Of Staff
Department of Public Works
Tricia Shultz

CC Bingham swore in the appointees.

IV.	**OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA**
V.	**CONSENT AGENDA**

10-576-24 Consent Agenda

MOTION: Motion by Longe, seconded by Long:
To move the Consent Agenda excluding Items A, F, G, I, J, L, and Q.

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

Nays, None

B. Resolution to approve the warrant list, including Automated Clearing House payments, dated October 10, 2024 in the amount of $2,603,644.76.

C. Resolution to approve the warrant list, including Automated Clearing House payments, dated October 17, 2024 in the amount of $1,735,779.12.

D. Resolution to approve the warrant list, including Automated Clearing House payments, dated October 24, 2024 in the amount of $2,736,301.04.

E. Resolution to accept the resignation of Shabnam Hosseini from the Public Arts 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 November 25, 2024 as the public hearing date for the Program Year 2025 Community Development Block Grant Program.

K. Resolution to approve the FY 2025 Emergency Management Performance Grant Agreement and approve the awarded FY 2024 EMPG funds totaling $12,121.00. Further, to direct the Mayor-Pro-Tem to sign the agreement on behalf of the City and any required quarterly reports or surveys associated with the EMPG grant and to authorize the Fire Chief as the sub-recipient authorized representative in order to sign any related EMPG documents on the City's behalf.

M. Resolution to approve an agreement with KLM Landscape for the 2024 Fall tree purchase and plant in an amount not to exceed $140,499. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project has been budgeted in the following accounts: $41,140 from the Major Streets-Operating Supplies (202.0-449.005-729.0000) $41,020 from the Local Streets-Operating Supplies (203.0-449.005-729.0000) $27,975 from the Major Streets-Forestry Service Contractual Services (202.0-449.005- 819.0000) $17,980 from the Local Streets-Forestry Service Contractual Services (203.0-449.005- 819.0000) $12,384 from the Parks-Operating Supplies (101.1-751.000-729.0000)

N. Resolution authorizing the City Manager to cast a vote, on the City's behalf, for the two (2) candidates for the Michigan Municipal League Liability and Property Pool Board of Directors for three-year terms, beginning January 1, 2025.

O. Resolution to install a stop sign for northbound Latham at the southeast corner of the Latham & Latham intersection, add pavement markings/hatching on the west side of the island at the Latham and Northlawn junction to delineate gore points between the two roadways, and install a yield sign on the north side of Latham at the southwest approach at Northlawn.

P. Resolution to implement two-way stop control for east and west traffic at the intersections of Stanley Blvd & Northlawn Blvd and Stanley Blvd & Southlawn Blvd. **10-577-24 City Commission Meeting Minutes – October 7, 2024 (Item A)**

Item A was pulled by tMPT Longe to note two changes.
MOTION: Motion by Longe, seconded by Haig:

To approve the regular City Commission meeting minutes of the meeting held on October 7, 2024.

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

Nays, None

10-578-24 Resignation of Richard Astrein from the Birmingham Shopping District Board (Item F)

Item F was pulled by tMayor Schafer to acknowledge Richard Astrein's more than 30 years on the Birmingham Shopping District Board.

MOTION: Motion by Schafer, seconded by Haig: To move
Item F as written.

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

Nays, None

10-579-24 2024 Chabad Menorah Lighting (Item G)

Item G was pulled by Commissioner Haig to encourage members of the public to attend this fun and high-energy event.

Further Commissioner comment was as follows: ●
The event also has latkes and music.

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

VOICE VOTE: Ayes, Commissioner Long
tMayor Schafer
Commissioner Haig
Commissioner Baller
tMPT Longe
Commissioner Host
Nays, None

10-580-24 Next Services (Item I)

Items I and J were pulled by Commissioner Haig to note the City's support of Next, and Next's reciprocal support of the City's residents.

MOTION: Motion by Haig, seconded by Host:
To approve a one-year agreement with Next for services described in Attachment A of the agreement with Next for fiscal year 2024-2025 in the amount of $126,632. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project has been budgeted in account #101.0-656.000-811.0000,

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

Nays,

None

10-581-24 Next Services

(Item J)

See above.

MOTION: Motion by Haig, seconded by Host:
To approve an extension of the Public Service Contract for Yard Services, Senior Outreach Services, and Minor Home Repair Service for program year 2021-2022 with NEXT for the purpose of expending remaining program year 2021-2022 Community Development Block Grant funds for yard services, senior outreach services, and minor home repair services administered by NEXT through December 31, 2025; and further, to authorize the Mayor and the City Clerk to sign the extension on behalf of the City.

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

Nays, None

10-582-24 Baldwin Public Library Roof (Item L)

Item L was pulled by Commissioner Haig. Staff answered informational questions from the Commission.
MOTION: Motion by Haig, seconded by Long:
To approve as written.

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

Nays, None

10-583-24 Public Hearing November 25, 2024 to Consider Ordinance Amendments To Article 3, Section 3.08 and Article 9, Section 9.02, (Item Q)

Item Q was pulled by Commissioner Long to note the public hearing for the public.

MOTION: Motion by Long, seconded by Host:
To move the agenda item as written.

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

Nays, None

VI. CITY MANAGER'S REPORT

A. October City Manager's Report

VII. UNFINISHED BUSINESS

10-584-24 Baldwin House SLUP Amendment, SLUP Contract, PILOT Agreement, and potential Parking Agreement

The tMayor opened the public hearing at 8:15 p.m.

SP Cowan and CA Kucharek presented the item.

Public Comment
Linda Buchanan commented on behalf of the Baldwin House Board of Directors.

The tMayor adjourned the public hearing at 8:28 p.m.
Staff answered informational questions from the Commission. John Henke, attorney, spoke on behalf of Baldwin House and answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The Baldwin House Board supports lower-income residents of the Baldwin House, and the City should assist in implementing agreements which maintain and protect the functioning of the Baldwin House Board into the future.
- Residents presently living in uncapped units should continue to benefit from limits to their rent increases.
- If residents cannot access meal services, transportation, or other services previously offered through Baldwin House, information should be provided regarding where residents could now access similar services.
- It would be valuable if Baldwin House focused on adults over the age of 70 and provided access to accommodations from that time through end-of-life.
- The progress made in these negotiations so far, relative to the May 2, 2024 letter, was promising and should continue.
- Agreement around option three was beneficial, and the increase in affordable housing units would also be a welcome change.
- Amenities within the Baldwin House must also be offered to the affordable housing units, and not just the luxury units.
- Some of the amenities that should be improved include transportation, resident representation in decision making, meals, and pull cords in the restrooms.
- Supporting the City's vulnerable citizens, including as part of this process, should continue to be a priority of the Commission's and the City's.

MOTION: Motion by Longe, seconded by Long:
To direct staff to draft a SLUP Amendment, a SLUP Contract, a PILOT Agreement, and potential Parking Agreement (TBD) based upon Option 3 and to continue the public hearing to November 18, 2024.

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

Nays, None

VIII. NEW BUSINESS

10-585-24Switch Agenda Items VIIIA and VIIIB

MOTION: Motion by Baller, seconded by Haig: To get to Wimbleton now.

VOICE VOTE: Ayes, Commissioner Long

tMayor Schafer
Commissioner Haig
Commissioner Baller
tMPT Longe
Commissioner Host

Nays, None

10-586-24 Wimbleton Reconstruction Project Phase 1

SP Cowan presented the item. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The Commission has reviewed and engaged with the public on previous special assessment projects, and the residents should be proud of the significant infrastructure improvements being implemented by the City.
- The Commission listens to resident feedback, and also is tasked with aligning with multimodal recommendations, choosing cost-effective solutions, prioritizing health, safety, and welfare, and keeping the greater good of the entire community in mind.
- Once a road is improved, the City pays for future maintenance. When a cape seal road is retained, the cost of future cape seal remains the residents' responsibility. The installation of curbs allows for leaf pickup. Improved roads are longer-lasting. Repeated freezing and thawing of cape sealed roads expedites the deterioration of the road surface.
- Public participation and feedback is welcome, encouraged, and considered as part of this process.
- The water and sewer infrastructure under Wimbleton need to be upgraded for safety reasons.
- Curbs reduce the deterioration of the road edges, which is the first place deterioration occurs.
- Option B is a less expensive option for residents, meets the City's road width standard, and would likely be the best option in this case.
- The City needs to rethink how it funds and implements special assessment projects. A workshop would be appropriate.
- Standards for road width were selected based on best practices. The City recommends water and sewer upgrades based on the condition of that infrastructure.
- Residents support this project moving forward in some form, and the Commission should as well.
- If residents are interested, they can visit bhamgov.org, search for the confirmation of the roll for Arlington and Shirley, and see the breakdowns of the costs assessed in that project.
- The Multi-Modal Transportation Board deserved commendation for their work on this item.

Public Comment
Danny Hill, Rick Brodsky, Tim Bradley, Brad Frederick, Neil Miller, Cliff Rager, David Rogers, Sean Vaughn, Laura Cook, Laura Engelland, B. Duffy, Stacy Miller, John Rusche, Jeff Higgins, and Susan Scarlet commented on the item.

MOTION: Motion by Haig, seconded by Longe:
To direct the Engineering Department to proceed with the final design of the Wimbleton reconstruction project phase 1 to include the planned improvements to the sewer and water mains, and concrete curb and gutter with cape seal treatment of the road surfaces within the project area, and the installation of sidewalk sections where none exist on Wimbleton as indicated in Alternative B. 1. Wimbleton and Poppleton Communications.

Commissioners made the following comments on the motion:

- Resident advocacy can be a springboard for volunteering with the City.
- Improved communication with residents is a Commission priority.
- The Commission is cognizant of the financial burden that stems from special assessment projects.

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

Nays, None

10-587-24 Public Hearing for 400 E. Lincoln – Rezoning Request

The tMayor opened the public hearing at 10:43 p.m.

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

Seeing no public comment, the tMayor closed the public hearing at 10:52 p.m.

MOTION: Motion by Host, seconded by Long:
To adopt the findings of fact contained in the October 9, 2024 staff report to the Planning Board and approve the rezoning of 400 E. Lincoln to change the zoning designation of the entire parcel from R4 (Two-Family Residential) to PP (Public Property).

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

Nays, None

10-588-24 Senior/Recreation Center Project

Staff answered informational questions from the Commission.
Commissioners raised the following points during discussion:

- More information and clarity on budgeting and needs versus wants will still be required to move forward. This project should be a community center, and will need to be in order to qualify for the $8 million grant applied for by the City.
- A special election would cost taxpayer funds. It is difficult to garner support for projects via special elections.
- There are other projects, such as water, sewer, road surface, and police station upgrades, that are also funding priorities.
- This project must be one that would be supported by voters.
- A larger pool would be more expensive and would raise the YMCA's operating costs.
- The NORR, Inc. plan will not be the starting point for the next architect. Rather, the agreements reached by Next, the YMCA, and the City should be the starting point.
- Given the agreements so far, the RFP could likely be limited to 49,000 or 50,000 square feet or less, as opposed to 53,000.
- The Commission should be provided with benchmarked operating costs when compared to other recreational facilities in the area. This information could also help inform lease arrangements, cost splits between tenants, and how costs should be divided by the participating municipalities.
- Any information on staffing costs should also be provided to the Commission.
- Four members of the Ad Hoc Recreation/Senior Center Committee (SCC) have endorsed moving forward with the RFP, and there is an opportunity cost from delaying it further. It was appropriate to delay the RFP in order to conduct due diligence prior to this point.
- Planning for 30% circulation area may be too high an estimate. If the gross building size is expected to be over 40,000 square feet, it will need to be more than one floor given the lot size. This will necessitate two stairwells and an elevator.
- The RFP should communicate that the square footage upper limit is a strong preference, not a hard limit. The SCC can provide insight into what an appropriate upper limit would be.

<u>Public Comment</u>
Cris Braun, director of Next, and Parrish Underwood, President and CEO of the YMCA of Metropolitan Detroit, commented on the item and answered informational questions from the Commission.

Brian Deming, owner's representative for the City, and Peter Kramer, both of KMG, commented on the item and answered informational questions from the Commission.

David Bloom commented on the item.

MOTION: Motion by Longe, seconded by Long:
To direct staff to issue the RFP for final design for a new building between 44,500 and 49,000 square feet in size, at a maximum cost of $32 million dollars on October 31, 2024 to the three firms that were pre-qualified during the RFQ process earlier this summer.

AND
Approve a resolution to direct staff to negotiate lease agreements with both Next and the YMCA (including apportioned costs and responsibilities, membership rate reductions, building maintenance and other standard terms).

Commissioners made the following comments on the motion:
- There was some opposition expressed to the first part of the motion and to the prospect of holding a special election.

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

Nays, Commissioner Host

Commission Items for Future Discussion

It was noted that there would be a December 2024 workshop on infrastructure funding processes.

10-589-24 Communication to the Commission

MOTION: Motion by Host, seconded by Long:
To develop a procedure to include all correspondence copied to Commissioners and the City that are going to be part of the public record, so we have a consistent policy.

Commissioners made the following comments on the motion:
- Staff is still working through a backlog of past Commission requests.
- Items had to be rearranged in order to have an efficient meeting that allowed for public comment at a reasonable hour.
- Commissioners could forward any emails received to the City Manager and the City Clerk.
- Sometimes members of the public do not want their correspondence included in the agenda packet.

VOICE VOTE: Ayes, Commissioner Haig
Commissioner Host

Nays, Commissioner Long
tMayor Schafer
Commissioner Baller
tMPT Longe

Commission Discussion On Items From A Prior Meeting

IV. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

A. Shirley and Arlington Parking

The tMayor expressed her appreciation for the offer made by the Birmingham First United Methodist Church.

B. Communication from David DeWeese regarding the Green Plan

XI. REPORTS

A. Commissioner Reports

1. Notice of Intention to Appoint to the Business Shopping District
2. Notice of Intention to Appoint to the Public Arts Board B. Commissioner Comments

tMPT Longe reported back from the Birmingham Youth Assistance Annual Breakfast and commended tMayor Schafer for her remarks at the Breakfast.

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

INFORMATION ONLY

XII. ADJOURN

The Commission motioned to adjourn at 11:54 p.m.

Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist