

Birmingham City Commission Minutes

November 18, 2024

Municipal Building, 151 Martin

7:30 p.m.

Vimeo Link: <https://vimeo.com/1030935465>

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 Manager Clemence, City Photographer Cook, Assistant City Manager Fairbairn, Parking Systems Manager Ford, Communications Director Gamboa, Police Chief Grewe, City Attorney Kucharek, Fire Marshal Scaife

KMG: Brian Deming

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

Announcements

The Clerk's Office would like to thank all of the Election Inspectors and City staff that helped conduct a safe and successful November 5th General Election. We appreciate all of the voters who participated by voting early, absentee, or in-person voting. 78.45% of Birmingham's registered voters participated, which exceeds the Oakland County turnout average of 72.92%. Unofficial results are available at oakgov.com/elections under the November election tab. Official results will be available after the completion of the canvass of the Oakland County Board of Canvassers.

Appointments

11-590-24 Nomination of Temporary Mayor

MPT Schafer explained the need for a temporary chair to conduct Commission leadership appointments.

MOTION: Motion by Baller:
Nominate you to be the temporary chair.

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

Nays, None

[Transcriptionist note: 'You' in the motion was addressed to MPT Schafer.]

11-591-24 Nomination of Mayor

MOTION: Motion by Haig:
Nominate Therese Longe for the position of Mayor.

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

Nays, Commissioner Host

11-592-24 Nomination of Mayor Pro Tem

Commissioner Haig was nominated by Commissioner Host, and Commissioner Baller was nominated by Commissioner Long. Each Commissioner was asked to state their support for either nomination.

MOTION: Motion by Host:
Nomination for Mayor Pro Tem: Andrew Haig.

Mayor Longe said she very much hoped Commissioner Haig would consider serving as Mayor Pro Tem in the near future.

ROLL CALL VOTE: Ayes, Commissioner Host
Commissioner Haig

Nays, MPT Schafer
Commissioner Baller

Mayor Longe
Commissioner Long

MOTION: Motion by Long:
To nominate Commissioner Baller as Mayor Pro Tem.

ROLL CALL VOTE: Ayes, MPT Schafer
Commissioner Baller
Mayor Longe
Commissioner Long

Nays, Commissioner Host
Commissioner Haig

CC Bingham swore in the Mayor and Mayor Pro Tem.

The new Mayor and Mayor Pro Tem offered comment on their new positions, and the Mayor made a presentation in honor of outgoing Mayor Elaine McLain.

The Commission took a brief intermission.

11-593-24 Appointment to the Retirement Board - Mayor

MOTION: Motion by Haig:
To nominate Mayor Therese Longe to the position of Mayor on the Retirement Board.

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

Nays, None

11-594-24 Appointment to the Retirement Board - Mayor Pro Tem

MOTION: Motion by Long:
To appoint Commissioner Baller as Mayor Pro Tem to the Retirement Board.

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

Nays, None

11-595-24 Appointment to the Retirees Health Care Fund Committee

MOTION: Motion by Baller:
To appoint you to the Retirees Health Care Fund Committee.

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

Nays, None

[Transcriptionist note: 'You' in the motion was addressed to Mayor Longe.]

11-596-24 Appointment to the Triangle District Corridor Improvement Authority

MOTION: Motion by Long:
To appoint Commissioner Haig as Mayor's assignee to the Triangle District Corridor Improvement Authority.

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

Nays, None

11-597-24 Appointment to SEMCOG as Delegate

MOTION: Motion by Baller:
Nominate Anthony Long as delegate to SEMCOG.

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

Nays, None

11-598-24 Appointment to SEMCOG as Alternate

MOTION: Motion by Haig:
Commissioner Schafer to be the Alternate Delegate at SEMCOG.

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

Nays, None

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

V. CONSENT AGENDA

11-599-24 Consent Agenda

MOTION: Motion by Long, seconded by Schafer:
To move the Consent Agenda with the exclusion of Item I.

ROLL CALL VOTE: Ayes, Commissioner Long
Commissioner Schafer
Commissioner Haig
MPT Baller
Mayor Longe
Commissioner Host

Nays, None

- A. Resolution to approve the Joint City Commission and Planning Board meeting minutes of October 21, 2024.
- B. Resolution to approve the City Commission Workshop meeting minutes of October 28, 2024.
- C. Resolution to approve regular City Commission meeting minutes of October 28, 2024.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated October 31, 2024 in the amount of \$433,503.63.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated November 7, 2024 in the amount of \$582,446.11.
- F. Resolution to approve the warrant list, including Automated Clearing House payments, dated November 14, 2024 in the amount of \$1,922,223.47.

- G. Resolution to approve a request from the Birmingham Memorial Day Committee to hold the Memorial Day Service on Monday, May 26, 2025 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.
- H. Resolution to approve the appropriations and amendment to the fiscal year 2024-2025 Capital Projects Fund budget as follows for the Bus Shelter Purchase:

Revenues:

Draw from Fund Balance	403.0-000.000-400.0000	\$41,310
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Expenditures:

Capital Projects Fund – Capital Outlay	403.0-901.020-981.0100	\$41,310
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- J. Make a motion adopting a resolution to approve the purchase of a new camera system, new generator system and retrofitting them into our current camera truck by The Safety Company, LLC, DBA MTech Company, located at 7401 First Place, Suite G, Cleveland, OH 48043, per the Master Agreement for Municipal Vehicles and Equipment for Jackson County Department of Transportation authorized CoPro+ Members, in an amount not to exceed \$123,996.00, upon the completion of a signed contract by The Safety Company, LLC, DBA MTech Company. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City, and to approve the appropriation and budget amendment to the fiscal year 2024-2025 Sewage Disposal Fund budget as follows:

Revenues:

Other Revenue	590.0-000.000-677.0001	\$124,000
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Expenses:

Public Works-Sewer Maintenance	590.0-538.000-941.0000	\$124,000
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11-600-24 Purchase a 2026 Road Rescue Type 1 Ambulance (Item I)

Item I was pulled by MPT Baller to note the purchase.

Commissioners commended Birmingham's public safety personnel for their rapid emergency response times.

MOTION: Motion by Longe, seconded by Haig:

To approve the purchase of a 2026 Road Rescue Type 1 Ambulance from Emergency Vehicles Plus, in an amount not to exceed \$509,385.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project will be available in FY 2025/2026 in the Machinery and Equipment account #663.0- 344.000-971.0100.

ROLL CALL VOTE: Ayes, Commissioner Long
 Commissioner Schafer
 Commissioner Haig
 MPT Baller

Mayor Longe
Commissioner Host

Nays, None

VI. CITY MANAGER'S REPORT

VII. UNFINISHED BUSINESS

11-601-24 Continuation of Public Hearing for Baldwin House – Special Land Use Permit

The Mayor opened the public hearing at 8:09 p.m.

SP Cowan and CA Kucharek presented the item. John Henke, attorney, spoke on behalf of the Baldwin House.

Public Comment

Josh Hoover, rector of St. James Episcopal Church, supported the SLUP and commented on the willingness to listen, diligence, and care shown by the Commission, City staff, and Baldwin House leadership throughout this process.

Janice Rowe, President of the Baldwin House Board of Directors, commented that the City would be assuming the role of the Baldwin House Board of Directors starting in 2025 and thanked the City for its efforts and support.

The Mayor closed the public hearing at 8:30 p.m.

Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The resident protections included in the SLUP were welcome.
- This was outstanding work, made the Commission proud, and all involved parties earned thanks.
- There was a small typographical error in paragraph nine of the SLUP, and in the last paragraph on page two beginning 'whereas'.
- Former Birmingham Mayor Dorothy Conrad was pleased with this proposal.
- It was positive that Next would be involved in the Baldwin House moving forward.

MOTION: Motion by Haig, seconded by Long:

Resolution to approve the Special Land Use Permit Amendment for The Baldwin on Chester (Baldwin House) at 200 Chester Street to permit the use of special purpose housing and independent senior living;

AND

Make a motion adopting a resolution to approve the Parking Agreement between The Baldwin on Chester (Baldwin House) at 200 Chester Street to permit the use of parking spaces in the Chester Street Parking Structure for Zoning Ordinance parking requirements and parking pass use by residents of Baldwin House;

AND

Make a motion adopting a resolution to approve Ordinance 2510 to approve a Payment In-Lieu of Taxes (PILOT) Agreement between the City and The Baldwin on Chester (Baldwin House) for the provision of affordable housing to low-income senior residents.

ROLL CALL VOTE: Ayes, Commissioner Long
 Commissioner Schafer
 Commissioner Haig
 MPT Baller
 Mayor Longe
 Commissioner Host

Nays, None

VIII. NEW BUSINESS

11-602-24 Public Hearing for 2211 & 2243 Cole – Dobi – Special Land Use Permit, Final Site Plan & Design Review

The Mayor opened the public hearing at 8:43 p.m.

PD Dupuis presented the item.

Seeing no public comment, the Mayor closed the public hearing at 8:45 p.m.

Staff answered an informational question from the Commission.

MOTION: Motion by Long, seconded by Host:

To approve the Special Land Use Permit, Final Site Plan & Design Review application for 2211 & 2243 Cole, to permit a use greater than 6,000 square feet in the MX (Mixed-Use) zoning district of Birmingham, to allow DOBI Real Estate to occupy a 7,645 square foot tenant space.

ROLL CALL VOTE: Ayes, Commissioner Long
 Commissioner Schafer
 Commissioner Haig
 MPT Baller
 Mayor Longe
 Commissioner Host

Nays, None

11-603-24 1283 Buckingham – Historic Designation Request

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

Commissioners made the following comments:

- The stable doors on the front of the home were an appreciated historic feature.
- More information on the home is available in the evening's agenda packet, and makes for a fascinating read.

Keith Deyer, co-owner of 1283 Buckingham, spoke regarding the historic designation request.

MOTION: Motion by Host, seconded by Haig:

To adopt the final draft of the Historic District Study Committee Report for 1283 Buckingham which establishes the Frederick E. Good House as a new, single-resource historic district in the City of Birmingham.

AND

To adopt an ordinance to amend Chapter 127, Sec. 127-25. – Historic District Boundaries, to add the Frederick E. Good House and its boundaries to the list of designated historic resources in the Code of Ordinances.

Commissioners made the following comments on the motion:

- It would be useful to assemble an informational packet for owners of older homes who are already interested in historic preservation.
- It would also be useful to distribute these informational packets to owners of older homes who may not yet be aware of their homes' significance.
- The City should also re-promote its recently done historic design guidelines.

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

Nays, None

The Mayor thanked the Deyers for preserving a part of Birmingham's history via their preservation of their home.

11-604-24 Initial Bistro Screening 2024-2025 (Part I)

PD Dupuis presented the item and staff answered informational questions from the Commission.

Ping Ho, co-owner of Marrow, and Kelly Allen, attorney, spoke on behalf of Marrow and answered informational questions from the Commission.

Commissioners made the following comments:

- It could be beneficial to encourage more family-friendly, accessibly-priced restaurants and bistros to open in the City.

MOTION: Motion by Host, seconded by Long:

To move forward with the bistro application for Marrow Birmingham and permit Marrow to submit an application for Special Land Use Permit, Final Site Plan and Design Review to the Planning Board for review and recommendation.

ROLL CALL VOTE: Ayes, Commissioner Long
Commissioner Schafer
Commissioner Haig
MPT Baller
Mayor Longe
Commissioner Host

Nays, None

11-605-24 Initial Bistro Screening 2024-2025 (Part II)

Staff answered informational questions from the Commission.

MOTION: Motion by Haig, seconded by Host:

To take no action on The Amalfi Coast, due to noncompliance with Section 10-82(a)(2)(b).

ROLL CALL VOTE: Ayes, Commissioner Long
Commissioner Schafer
Commissioner Haig
MPT Baller
Mayor Longe
Commissioner Host

Nays, None

11-606-24 Special Event Permit for the Birmingham Bloomfield Chamber of Commerce's 60th Annual Village Fair

CC Bingham and PC Grewe presented the item.

Joe Bauman, President of the Birmingham Bloomfield Chamber of Commerce, spoke on behalf of the event and answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- A more data-driven presentation from PC Grewe would have been appreciated since recommendations from public safety carry a lot of weight. Information on what time problematic events occurred at previous fairs, whether those altercations were in the confines of the fair or outside the fair, and other relevant information would have been helpful.

- A compromise between an 8 p.m. closing time and a 10 p.m. closing time should be reached if possible.
- It might be possible to get support from Bloomfield Township Police or the Oakland County Sheriff's Department. A curfew for people below a certain age could also be considered.
- Collaborating with the schools and emphasizing that students would be held both accountable by the schools and criminally liable could be helpful.
- MPT Baller may have a conflict-of-interest regarding this item since his business has a business relationship with the Birmingham Bloomfield Chamber of Commerce.
- MPT Baller has recused from Birmingham Bloomfield Chamber of Commerce related items in the past, and elected not to recuse from discussion of the present item, emphasizing the importance of the item.
- An approach that includes building skills among community youth might better serve the community than taking a more reactive approach.
- 11 p.m. is late for a family-oriented event.
- Approving the suggested action could be most appropriate, with the understanding that there would be good faith efforts to reach a compromise on the end time of the fair and that a report back to the Commission would occur.

Public Comment

Cheryl Daskis supported the Fair staying open until 9 p.m.

Michelle Moody supported the principals of Seaholm and Brother Rice High Schools advising the students that if altercations occur the fair may not continue to run.

Richard Astrein, Reverend Hoover, and Peter Kreher supported the fair continuing to run into the evening.

Carol Mastroianni, of the Birmingham Bloomfield Community Coalition (BBCC), commented that the BBCC could work on community building with the student communities before the fair.

Annie van Gelderen, Chair of the Birmingham Bloomfield Chamber of Commerce, also supported the fair continuing to run into the evening.

MOTION: Motion by Long, seconded by Haig:

To approve a special event permit as requested by the Birmingham Bloomfield Chamber of Commerce to hold the 60th Annual Village Fair on May 28, 2025 - June 1, 2025 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, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event, and with regard to the time, that the time frames be brought back to the Commission in due course.

Public Comment

Mr. Bauman supported working to keep the fair safe and successful.

VOICE VOTE: Ayes, Commissioner Long

Commissioner Schafer
Commissioner Haig
MPT Baller
Mayor Longe
Commissioner Host

Nays, None

11-607-24 Interior Parking Garage Signage Design Recommendation

PSM Ford presented the item. Staff answered informational questions from the Commission.

MOTION: Motion by Long, seconded by Schafer:

To approve the parking garage design concept for interior parking signage for all five City garages as recommended by the Ad Hoc Wayfinding and Signage Committee and to direct the interior/exterior design firm selected by the City to collaborate with Corbin and their proposed signage plan into their overall designs.

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

Nays, None

11-608-24 Interior / Exterior Parking Garage Designer

PSM Ford presented the item. The Commission interviewed representatives from BCT Design Group.

Commissioners raised the following points during discussion:

- The Commission would like the parking decks to be more inviting than they are now. Drivers should be enticed to park in the decks rather than on the street, and they should feel safe in the decks.
- It could be valuable if public art were integrated into the decks.

MOTION: Motion by Long, seconded by Baller:

To award a contract to BCT Design Group for design services in the City's parking structures and to charge this expense to account numbers: 514.1-594.008-977.000, 514.1-594.002-977.000, 514.1-594.003-977.000, 514.1-594.004-977.000, and 514.1-594.005-977.000; 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 set forth in the packet in 8F on page three.

Commissioner comments on the motion were as follows:

- The Commission looked forward to seeing BCT Design Group's proposals.

- It would be ideal if these parking decks could be a memorable experience for visitors.

ROLL CALL VOTE: Ayes, Commissioner Long
 Commissioner Schafer
 Commissioner Haig
 MPT Baller
 Mayor Longe
 Commissioner Host

Nays, None

Advisory Parking Committee Updated Role

PSM Ford presented the item. Staff answered informational questions from the Commission.

Commissioners raised the following points during discussion:

- The retail member should be changed to a Birmingham retail member.
- 'Advise', and similar language, might be more appropriate than 'ensure'.
- 'Purposes' and 'responsibilities' could be combined.
- It may be appropriate to require an annual meeting between the Commission and the APC.
- Alternatively, it may be more appropriate to have representatives from boards or committees speak to the Commission during relevant topics. Attempting to have joint meetings with all of the City's boards and committees would likely be prohibitive. Boards and committees could also be asked to provide annual reports to the Commission.
- Reports for revenue generating activities, like the parking system, would be additionally beneficial.
- Four or five members of the Committee should be required to be residents or business owners in the City.
- Some of the language in general should be re-worked for accuracy and clarity, and returned to the Commission once that is completed.

Public Comment

Michelle Moody, member of the APC, commented on the proposed updates to the APC's role.

11-609-24 Closed Session To Discuss A Written Attorney/Client Privilege Communication Pursuant To Mcl § 15.268 Sec. 8(H) Of The Open Meetings Act

MOTION: Motion by Baller, seconded by Haig:

To meet in closed session to discuss a written attorney/client privilege communication pursuant to MCL § 15.268 Sec. 8(h) of the Open Meetings Act.

ROLL CALL VOTE: Ayes, Commissioner Long
 Commissioner Schafer
 Commissioner Haig
 MPT Baller
 Mayor Longe

Commissioner Host

Nays, None

It was noted that the closed session would be entered into after all other agenda items were completed, and that the Commission would reconvene after the closed session for the purposes of taking formal action resulting from the closed session or for purposes of adjourning the meeting.

The Commission went into closed session at 11:38 p.m.

The Commission returned from closed session at 12:00 a.m.

Commission Items for Future Discussion

The Commission was notified that outgoing Mayor McLain resigned from her position on the Commission, and the process of appointing a replacement Commissioner was explained.

Commission Discussion On Items From A Prior Meeting

IV. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

- A. Communication regarding Henley
- B. Communications regarding Wimbleton and Poppleton
- C. Communications regarding the YMCA and NEXT

XI. REPORTS

- A. Commissioner Reports
 - 1. Notice of Intention to Appoint to the Birmingham Shopping District
 - 2. Notice of Intention to Appoint to the Board of Review
 - 3. Notice of Intention to Appoint to the Multi-Modal Transportation Board
- B. Commissioner Comments

Commissioner Long commended the Commissioners and City staff that worked to fix one of the traffic signals on Woodward.

Mayor Longe congratulated the Birmingham Bloomfield Arts Center on their award of two grants from the Michigan Council of Arts and Cultural Affairs.

MPT Baller noted that it might be appropriate to appoint another Commissioner to the Ad Hoc Senior/Recreation Center Committee (SCC) to replace outgoing Mayor McLain.

11-610-24 Appointment to the SCC

MOTION: Motion by Longe, seconded by Long:
To appoint MPT Baller to fill the open position on the Ad Hoc Senior/Community Center Committee.

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

Nays, None

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
 - 1. Progress Update on 400 E. Lincoln

CM Ecker and Mr. Deming summarized the update and answered informational questions from the Commission.

Commissioner comments on the item were as follows:

- More data and percentages on demographics would be helpful.

11-611-24 Issue Letter Re: 400 E. Lincoln to Other Communities

MOTION: Motion by Baller, seconded by Long:
To issue that letter to the other communities.

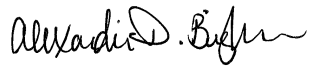
VOICE VOTE: Ayes, Commissioner Long
Commissioner Schafer
Commissioner Haig
MPT Baller
Mayor Longe
Commissioner Host

Nays, None

INFORMATION ONLY

XII. ADJOURN

The Commission motioned to adjourn at 12:00 a.m.

A handwritten signature in black ink, appearing to read "Alexandria Bingham".

Alexandria Bingham, City Clerk

A handwritten signature in black ink, appearing to read "Laura Eichenhorn".

Laura Eichenhorn, City Transcriptionist