Agenda
City Commission Regular Meeting
Monday, April 13, 2026 - 7:00 PM
151 Martin Street, Birmingham, MI
City Commission Room 205

---

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Clinton Baller, Mayor

2. ROLL CALL

Alexandria Bingham, City Clerk

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

A. Arbor Day 2026 Proclamation

B. DPS Staff Introduction — Golf Operations Manager, Austin Walker

C. Birmingham Police Staff Introductions and 2025 Awards

ANNOUNCEMENTS

A. Happy Birthday Commissioner Kolb!

APPOINTMENTS

A. Multi-Modal Transportation Board
   1. Laura Engelland
   2. Monte Huber

To appoint ____________ as a regular member to the Multi-Modal Transportation Board to serve a three-year term to expire March 24, 2029.

To appoint ____________ as a regular member to the Multi-Modal Transportation Board to serve a three-year term to expire March 24, 2029.

B. Martha Baldwin Park Board
   1. Katelyn Miner

To appoint ______________ as a regular member to the Martha Baldwin Park Board to serve the remainder of a four-year term to expire May 1, 2028.

C. Birmingham Area Cable Board
   1. Deanna Brown

To appoint _____________ as a regular member to the Birmingham Area Cable Board to serve the remainder of a three-year term to expire May 1, 2029.

D. Planning Board
   1. Duncan Currie

To appoint _____________ as a regular member to the Planning Board to serve the remainder of a three-year term to expire March 28, 2029.

E. Architectural Review Committee
   1. Javier Alvarez-Isasi

To appoint _____________ as a regular member to the Architectural Review Committee to serve the remainder of a three-year term to expire April 11, 2029.

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

The City of Birmingham welcomes public comment which may be limited to a certain number of minutes per person speaking, announced at the Mayor's discretion at the beginning of the public comment portion of the agenda, on items or discussions that do not appear anywhere else in the printed agenda. The Commission will not participate in a question and answer session and will take no action on any item not appearing on the posted agenda. The public can also speak to agenda items as they occur when the presiding officer opens the floor to the public. When recognized by the presiding officer, please state your name for the record, and direct all comments or questions to the presiding officer.

5. CONSENT AGENDA

All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.

A. Resolution to approve the City Commission regular meeting minutes of March 23, 2026.

B. Resolution to approve the warrant list, including Automated Clearing House payments, dated March 25, 2026, in the amount of $749,021.05.

C. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 1, 2026, in the amount of $1,373,814.38.

D. Resolution to approve the warrant list, including Automated Clearing House payments and Electronic Funds Transfers, dated April 8, 2026, in the amount of $1,068,763.84.

E. Resolution to set the Public Hearing of Necessity for the replacement and improvements of sewer and water laterals meeting the requirements of assessments, for all properties within the project area on Wimbleton Drive from Oxford Road to Adams Road on Monday, May 4, 2026, at 7:00 P.M.; and

If necessity is determined on May 4, 2026, to meet on May 18, 2026, at 7:00 P.M., for 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 the assessments, for all properties within the project area on Wimbleton Drive from Oxford Road to Adams Road.

F. Resolution to set the Public Hearing of Necessity for the installation of cape seal treatment for all properties within the project area on Wimbleton Drive from Oxford Road to Adams Road on Monday, May 4, 2026, at 7:00 P.M.; and

If necessity is determined on May 4, 2026, to meet on May 18, 2026, at 7:00 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the installation of cape seal treatment for all properties within the project area on Wimbleton Drive from Oxford Road to Adams Road.

G. Resolution to approve the purchase of root control service, as quoted by Duke's Root Control, Inc. for the 2026 Sewer Root Control Program, in the amount not to exceed $153,735.63. Funding for this project has been budgeted in the following account:

Fund Account	Fund ID Number	Project Award
Sewer Fund	590.0-538.000-811.0000	$153,735.63

H. Resolution to approve the Addendum to the Construction Staging Area and Construction Coordination Agreement with Lavery Michigan Dealership Properties No. 1 LLC and Sachse Construction and Development for the coordination of construction activities related to 34350 Woodward Avenue on S. Elm Street and Haynes Street, and to authorize the Mayor and the City Clerk to sign the agreement on behalf of the City.

I. Resolution to set a public hearing date of May 4, 2026 to consider the Special Land Use and Final Site Plan & Design Review application for 126 S. Old Woodward - Snap Taco.

J. Resolution to approve the Program Year 2026 High Intensity Drug Trafficking Area (HIDTA) sub-recipient agreement between the County of Oakland and the City of Birmingham. Further, to authorize the Mayor to sign the agreement on behalf of the City.

K. Resolution to approve the maintenance agreement with the Michigan Department of Transportation for the City's gateway signs on Woodward Ave. and to authorize the Mayor to sign the agreement on behalf of the City.

6. CITY MANAGER'S REPORT

The City Manager's Report regularly occurs on the second City Commission meeting of the month. Additionally, reports from prior months can be viewed on the City's website: Bhamgov.org/manager

7. UNFINISHED BUSINESS

A. Public Hearing - 298 S. Old Woodward - Daxton - Special Land Use Permit Amendment, Final Site Plan & Design Review

1. Resolution to approve the Special Land Use Permit Amendment, Final Site Plan & Design Review for 298 S. Old Woodward, to permit the modification of the existing required off-street loading facility to make room for new in-house laundry facilities and a new trash compactor.

B. Resolution to approve the updated design for the North Old Woodward Project.

8. NEW BUSINESS

A. Public Hearing of Necessity for Staircase Special Assessment District (SAD) - 2025 and 2026 Asphalt Resurfacing Program

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 with at least 10 days notice; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project of resurfacing existing asphalt roads, replacement of existing retaining wall in the City's right of way, replacement of a staircase in the City's right of way, and replacement of City sidewalk ramps; and

WHEREAS, The City has previously established a policy to defray the costs of replacing a staircase in the City's right of way by creating a Special Assessment District (SAD) consisting of the property that is benefiting from this treatment; and

WHEREAS, The City Commission, after the public hearing, has determined that the replacement of the staircase in the project area which is included with the 2025 and 2026 Asphalt Resurfacing Program is a necessity and is in the best interest of the City and will specially benefit the property included in the Staircase Special Assessment District; and

WHEREAS, The Commission has approved the detailed plans and estimates of cost prepared by the City Engineer; and

WHEREAS, The City Engineer has determined the boundaries of the staircase is located within the limits of the following street shall be installed as part of the 2025 and 2026 Asphalt Resurfacing Program (Contract #2-25(P) and #2-26(P)):

Brookside Avenue – Ravine Road to North Dead End

WHEREAS, The formula used in making the assessment is 100% of the improvement for staircase in the City's right of way (calculated at the rate of $2,500.00 per staircase riser for the property on the street that will have a new staircase installed in the City's right of way).

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 property 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 for Confirmation of the Roll on April 27, 2026 and give notice for same.

Staircase

Sidwell Number	Street Address	Decorative Staircase Risers (EA)	Unit Cost for Assessment	Total Assessment	
1925329016	552 BROOKSIDE AVE	8.00	$2,500.00	$20,000.00	

B. Public Hearing - Special Land Use Permit and Final Site Plan & Design Review application for 211 Hamilton Row - No 28.

1. Resolution to approve the Special Land Use Permit, Final Site Plan & Design Review application for 211 Hamilton Row -- No 28 -- to permit a new food and drink establishment serving alcoholic liquors for on-premise consumption with the condition that the applicant complete the required investigation pursuant to Chapter 10, Section 10-43 of the Birmingham Code of Ordinances.

C. Initial Bistro Screening 2025-2026

1. Resolution to move forward with the bistro application for Daycap/Nightcap and permit the bistro to submit an application for Special Land Use Permit, Final Site Plan and Design Review to the Planning Board for review and recommendation.

   OR

   To take no action on the Daycap/Nightcap bistro application at this time.

D. Resolution to approve an agreement with Sachse Construction for Police Department Renovations and Expansion Construction Management Services in the amount not to exceed $269,347.00, and to authorize the Mayor and City Clerk to sign the agreement on behalf of the City; and further to appropriate and amend the 2025-2026 City Commission budget as follows:

General Fund		
<u>Revenue</u>		
Draw from Fund Balance	101.0-000.000-400.0000	$269,347.00
<u>Expenditures</u>		
Other Contractual Services	101.0-301.000-811.0000	$269,347.00

E. Resolution to award the 2025-2026 Sewer Rehabilitation Program #4-25(S) to Pamar Enterprises, Inc. in the amount of $714,499.00 and a 5% construction contingency for a total of $750,223.95. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all insurance and bond requirements by Pamar Enterprises, Inc.

F. Appointment of City Commissioner and Mayor Pro Tem:

1. Recognition of outgoing Mayor Pro Tem Long.
2. Acceptance of nominations for City Commissioner from City Commissioners.
   i. Richard Wetherhold
   ii. Ilir Doresi
   iii. Beth Correa
   iv. Gordon Thompson
   v. Brian Gordon
   vi. Debra Horner
   vii. Mary E. Jaye
   viii. Doug White
3. Appointment of City Commissioner.
4. Acceptance of nominations for Mayor Pro Tem from City Commissioners.

5. Election of Mayor Pro Tem.
6. Oath of Office to City Commissioner and Mayor Pro Tem.
7. Appointment of Mayor Pro Tem __________, to the Retirement Board.
8. Appointment of __________, to the Ad Hoc Senior/Recreation Center Committee.

G. Resolution to meet in closed session pursuant to MCL § 15.268, Sec.8(1)(d) of the Open Meetings Act to consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

(A roll call vote is required, and the vote must be approved by a 2/3 majority of the commission. The commission will adjourn to closed session after all other business has been addressed in open session and reconvene to open session after the closed session, for purposes of taking formal action resulting from the closed session and for purposes of adjourning the meeting.)

H. Resolution 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 City of Birmingham v The Community House Association, Birmingham, Michigan, Oakland County Circuit/Business Court Case No.: 2025-219218 CB Honorable Michael Warren.

(A roll call vote is required, and the vote must be approved by a 2/3 majority of the commission. The commission will adjourn to closed session after all other business has been addressed in open session and reconvene to open session after the closed session, for purposes of taking formal action resulting from the closed session and for purposes of adjourning the meeting.)

I. Resolution to meet in closed session pursuant to MCL § 15.268, Sec.8(1)(e) of the Open Meetings Act to discuss pending litigation entitled *Paul Wells v City of Birmingham, et al,* U.S. District Court, Eastern District of Michigan, Court Case No. 2:25-cv-13640-TGB-APP.

(A roll call vote is required, and the vote must be approved by a 2/3 majority of the commission. The commission will adjourn to closed session after all other business has been addressed in open session and reconvene to open session after the closed session, for purposes of taking formal action resulting from the closed session and for purposes of adjourning the meeting.)

J. Commission Items for Future Discussion. A motion is required to bring up the item for future discussion at the next reasonable agenda, no discussion on the topic will happen tonight.

K. Commission discussion on items from a prior meeting.

9. REMOVED FROM CONSENT AGENDA

10. COMMUNICATIONS

A. Letter from Parrish Underwood, President and CEO of the YMCA

B. Communications regarding 400 E. Lincoln

C. Communications regarding the Community House

D. Communication regarding ICE

E. Communication regarding Oak Boulevard

F. Communication regarding the resident survey

11. REPORTS

A. Commissioner Reports

1. Notice of Intention to Appoint to the Historic District Study Committee

B. Commissioner Comments

C. Advisory Boards, Committees, Commissions' Report

D. Legislation

E. City Staff

1. 2025 Birmingham Police Department Annual Report

F. Information Only

12. ADJOURN

***This agenda was amended on April 10, 2026 at 1:55 p.m. to include communications 10B-10F and to correct some details in item 8D.**

City boards and committees meet in person, and most have a virtual option available to the public. Members of the public may attend the City Commission meeting in person at Birmingham City Hall or attend virtually.

Link to Access Virtual Meeting: https://zoom.us/j/655079760
Telephone Meeting Access: 877 853 5247 US Toll-free
Meeting ID Code: 655 079 760

City Hall is open to the public during regular business hours, Monday through Friday from 8 a.m. – 5 p.m. The Police Department lobby entrance on the east side of City Hall on Pierce Street operates as the after-hours public entrance.

Individuals requiring assistance to enter the building should request aid via the intercom system at the parking lot entrance gate on Henrietta Street.

Persons who require mobility, visual, hearing, or other assistance for effective participation in this public meeting should contact the City Clerk's Office at (248) 530-1880, or (248) 644-3405 (TDD) at least one day before the meeting to request help.

Las personas con incapacidad que requieren algún tipo de ayuda para la participación en esta sesión pública deben ponerse en contacto con la oficina del escribano de la ciudad en el número (248) 530-1800 o al (248) 644-3405 (para las personas con incapacidad auditiva) por lo menos un dia antes de la reunión para solicitar ayuda a la movilidad, visual, auditiva, o de otras asistencias. (Title VI of the Civil Rights Act of 1964)