



**City Commission Minutes**  
**Monday, April 27, 2026 - 7:00 p.m.**  
**151 Martin Street, Birmingham**  
**City Commission Room 205**  
Vimeo Link: <https://vimeo.com/1187082214>

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

Absent: None

Staff: Assistant City Manager Clemence; City Clerk Bingham, Planning Director Dupuis, Assistant City Manager Fairbairn, Parking Systems Manager Ford, City Attorney Gaudenzi, Police Chief Grewe, Deputy Treasurer Katz, Building Official Zielke

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

**ANNOUNCEMENTS**

The City Clerk’s Office is issuing a final call for participants to register for the Celebrate Birmingham Hometown Parade and Party. Registration closes May 1, 2026. The event will be held on May 17, 2026, from 1 to 4 p.m., rain or shine. For more information, contact the City Clerk’s Office at (248) 530-1880.

**APPOINTMENTS**

**04-094-26 Appointment of City Commissioner and Mayor Pro Tem**

The Mayor introduced the item.

Individual Commissioners commented the following:

- There was some feeling that the process of interviewing the two Commission candidates at the last meeting was contentious, and an apology was offered to both candidates.

Public Comment

Tracy Hackman, Louis Meldman, Kathleen Remski, Mary Kabitsky, Jim Arpin, Noel Hernandez, Susan Hernandez, Bill Hall, Gordon Nelson, Jim Remski, and Kristy Barrett supported Mary Jaye’s candidacy for the Commission.

Gordon Rinschler, George Dilgard, and Ralph Plumley supported Debra Horner’s candidacy for the Commission.

**MOTION:** Motion by Kozlowski:

To appoint Debra Horner to the City Commission to serve the remainder of a four-year term to expire November 2027.

Individual Commissioners commented the following:

- The Mayor should have demonstrated more impartiality during the last interview of the two Commission candidates.
- The Mayor had no conflict of interest vis-a-vis either Commission candidate.

Commissioner Host moved to have the Mayor recuse himself from voting on the appointment to the Commission. The motion died for lack of support.

ROLL CALL VOTE

Ayes: Longe, Baller, Kozlowski

Nays: Haig, Host, Kolb

Recused: None

#### **04-095-26 Appointment of City Commissioner and Mayor Pro Tem (Vote II)**

**MOTION:** Motion by Kolb:

To appoint Mary Jaye to the City Commission to serve the remainder of a four-year term to expire November 2027.

ROLL CALL VOTE

Ayes: Haig, Host, Kolb

Nays: Longe, Baller, Kozlowski

Recused: None

The Mayor noted that the City Attorney would offer an opinion at the next meeting regarding next steps, and that the rest of this item would remain on hold until a new Commissioner was appointed.

#### **04-096-26 Planning Board**

David Larson was interviewed for the appointment.

**MOTION:** Motion by Longe:

To appoint David Larson to the Planning Board to serve the remainder of a four-year term to expire March 2029.

VOICE VOTE

Ayes: Haig, Host, Kolb, Longe, Baller, Kozlowski

Nays: None

Recused: None

In light of Rob Hoffman's absence, it was noted that he could reschedule his interview for the Design Review Board if he remained interested.

CC Bingham swore in Mr. Larson.

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

David Bloom commented regarding Commissioner Haig's strength of character, weekend nights in Birmingham, and the present lack of a Mayor Pro Tem.

Mike Clift supported continuing to operate the pool at 400 E. Lincoln.

Larry Lyng supported even greater efforts to reduce noise on Woodward.

ACM Clemence and ACE Akram commented regarding Wimbledon Phase I.

Rick Brodsky commented regarding funding allocations for major and local roads, safety enhancements for cape seal, and wanting to know more about how knowledge gained from Wimbledon Phase I would be integrated into Wimbledon Phase II.

Danny Seidman commented about wanting to know more about how knowledge gained from Wimbledon Phase I would be integrated into Wimbledon Phase II, supported weekly email updates about the Wimbledon projects, supported adding curbs to Wimbledon Phase II, and supported possibly redistributing some costs between Wimbledon residents in order to make the cost burden of increased safety measures on Wimbledon more equitable.

Sally Swift commented regarding how the design for Wimbledon Phase II would affect her home, supported any temporary measures that might reduce the dust and dirt from Wimbledon Phase I, opposed starting construction for Wimbledon Phase II in September, and concurred with Messrs. Brodsky and Seidman.

Kristy Barrett complimented the Commissioners on their thorough review of the City's budget, and supported increased efforts towards improving the clarity of the City's budgeting process.

Danny Hill and Kent Fairless commented regarding difficulties during Wimbledon Phase I.

Cliff Rager supported additional consideration of how heavy truck traffic should be directed during Wimbledon Phases I and II.

**04-097-26 To Address Agenda Item 8E – Number Two, Short Term Rentals**

**MOTION:** Motion by Kolb, seconded by Host:

To make a motion to move Item 8E, number two, up above number five, Consent Agenda.

VOICE VOTE

Ayes: Haig, Host, Kolb, Longe, Baller, Kozlowski

Nays: None

Recused: None

**04-098-26 Short Term Rentals**

CA Gaudenzi, PD Dupuis, BO Zielke, and PC Grewe presented the item and answered questions.

Commissioners discussed the following regarding the item:

- Licenses that have been granted to short term rentals cannot be revoked without cause.
- The City's present rules regarding short term rentals have room for increased enforcement.
- The list of licensed short term rentals in the City is publicly available.
- Since the last time the City reviewed the matter of short term rentals, the Michigan Supreme Court ruled that short term rentals are a commercial use that municipalities can regulate in residential areas via zoning.
- Changes to the City's zoning must be referred to the Planning Board.
- When the Police, Building, or Code Enforcement review short term rentals for potential violations, those reviews should be granular in scope.
- A moratorium does not eliminate all risk related to short term rentals.
- Moving forward, the City will distinguish between short and long term rentals.
- The process being proposed by staff is the best way for the City to create an enforceable regulation of short term rentals.

**MOTION:** Motion by Kozlowski, seconded by Longe:

At a regular meeting of the City Commission for the City of Birmingham, Oakland County, Michigan, held in the City Commission Chambers at 151 Martin Street, Birmingham, MI, 48009, at 7:00 p.m. on April 27, 2026, the following resolution was offered by Commissioner Kozlowski and supported by

Commissioner Longe:

WHEREAS, since at least 2011, all rental property, regardless of length of lease requires the property owner to apply for and receive a temporary or annual license for such rental or leasing of their property; and

WHEREAS, the regulations for all rental property is enumerated in Sec. 22-331 through Sec. 22-345 which includes the ability to revoke such annual license for violating any terms of the rental ordinance or for violation of any other ordinances impacting the property; and

WHEREAS, the common term of short-term rental, which is considered a commercial use, and which is commonly defined as the offer of possession or occupancy of a dwelling for less than thirty (30) days; and

WHEREAS, on July 9, 2025, in Melvin R. Berlin Revocable Trust, et al. v. Rubin, et al., 22 N.W.3d 531 (2025), the Michigan Supreme Court affirmed the judgment of the Court of Appeals, holding that the use of residential property for even short-term rentals, constitutes a commercial use rather than a residential use;

WHEREAS, the prohibition against rentals of short-term rentals has been discussed in the past, as we awaited action of proposed State law changes and a pending Supreme Court ruling regarding regulations involving short-term rentals;

WHEREAS, the City of Birmingham has experienced an emergent and tragic situation with a short-term rental property in the City that had a drastic impact on the health, safety and welfare of the citizens of the City of Birmingham; and

WHEREAS, the City of Birmingham with due diligence and swiftness will assess, review, and determine all rental premises regulations further; and

WHEREAS, the City Commission will utilize its legislative powers to place a six (6) month moratorium, which is a temporary suspension, halt and or pause, to protect the health, safety and welfare of the citizens of the City of Birmingham, of the specific activity of providing either a temporary or annual license for renting or leasing, or of offering possession or occupancy of a dwelling in the City of Birmingham for thirty (30) days or less in which the owner does not reside in that property, and offering the possession or occupancy to another who is not the legal owner of record pursuant to a written or oral agreement; and

WHEREAS, the City Commission will direct the Birmingham City Planning Board to review the current general and zoning ordinances and determine if all rental premises should be regulated and controlled by the Birmingham Zoning Ordinance, including all necessary regulations to ensure the health, safety and welfare of Birmingham residents; and

WHEREAS, the Planning Board should review how best to protect the character and peace of the City's neighborhoods by determining if the City should, at the minimum, regulate and:

- Establish a minimum rental occupancy of thirty (30) days.
- Evaluate the impact of rental housing density.
- Provide key contacts online for community complaints and enforcement actions.
- Enforce behavior and nuisance rules with hosts being held responsible for noise, parking, and property maintenance.
- Establish inspection and enforcement protocols that carry penalties with fees for each complaint, and consequences that can lead to revoking licenses.

As part of the Zoning Ordinances.

THEREFORE, LET IT BE RESOLVED that no person now and until the moratorium is lifted, apply to receive a rental license to rent, lease, or offer to rent or lease a dwelling for possession or occupancy for less than thirty (30) days to a person who is not the legal owner of record pursuant to a written or

oral agreement; and

FURTHER RESOLVED that the Building Department, while under a six (6) month moratorium, shall not grant either a temporary or annual license for rental or leasing of property or premises for less than thirty (30) days; and

FURTHER RESOLVED that the Planning Board of the City of Birmingham shall review, analyze, and determine all appropriate changes to the Zoning Ordinance, return a draft ordinance and recommendations to the City Commission forthwith.

Public Comment

David Wynn supported a halt on the operation of all short term rentals due to safety concerns.

Eve Pickman supported banning short term rentals, using software to search for rentals for enforcement purposes, commented regarding illegal rentals, commented regarding sexual offender reporting requirements and short term rentals, and commented regarding the number of phone calls to law enforcement regarding short term rentals.

Chris Cardine supported requiring that all homes be owner-occupied or long-term rentals.

Larry Lyng supported the motion, supported the matter being addressed more expeditiously if possible, and supported removing short term rentals from Birmingham.

Brian Gordon supported the motion, and noted that short term rental owners may try to preserve their rentals via procedural and legal avenues.

Donna Voorhees supported shutting down any short term rentals that violate present codes, ordinances, and laws.

Steve Sandy supported additional regulations to allow the continued operation of short term rentals.

Kelly Kozlowski commented regarding the pace at which short term rental concerns have been addressed in the City, and supported increased enforcement of the City's present codes, ordinances, and laws.

Eric Kohler supported expediting efforts to address the short term rental issue.

Cassie Sobelton commented regarding responsible short term rental operations in Birmingham.

Paul Reagan commented regarding increasing the resources allocated to code enforcement, expediting the Planning Board's review of the issue, concerns about accessory dwelling units, and State House bills that could impact the City's ability to regulate short term rentals.

Dana Woodburn supported addressing nuisance short term rentals via enforcement of the present codes, ordinances, and laws while allowing law-abiding short term rentals to continue operation.

Narlu Castellano supported a motion in clearer language, addressing the short term rental issues more expeditiously, and a greater understanding of the concerns of the neighbors affected by short term rental issues.

'Shawn' supported increased enforcement of the present codes, ordinances, and laws, commented regarding the overlap between short term rental concerns and Woodward noise concerns, and supported increased protections for Birmingham residents vis-a-vis short term rentals.

Commissioners discussed the following regarding the motion:

- Short term rentals have been an ongoing issue for residents, and have been raised at the Commission a number of times.
- Short term rentals should presently be prohibited from operation. A 180 day moratorium to

address short term rentals is too long to wait.

- The 180 day moratorium is the maximum review period. Action could be taken sooner.
- The prospect of a lawsuit if short term rental licenses are revoked matters less than addressing residents' concerns.
- Neither Ferndale or Ann Arbor fully ban short term rentals.
- When short term rentals were addressed by the Commission in 2023, it was concluded that the City had implemented the most appropriate regulation options available at the time.
- Residents' experiences regarding complaints likely stems from two different focuses in enforcement. Enforcement's focus had been on resolving issues with short term rentals and bringing them up to code. Enforcement's focus will now be on making sure all short term rental requirements are adhered to rigorously, with violations resulting in the revocation of a license.
- The Commission could receive a report at every meeting of complaints to the Police Department, with rental properties being flagged. This would make these complaints publicly available and would reveal possible patterns.
- Revoking licenses without cause, and saying that the Commission is doing that with foreknowledge, would likely result in any court finding for the short term rental owner and would have tax implications for residents.
- This motion is an effort to act in the best interest of all residents.
- If a short term rental violates regulations, they should remain shut down during the moratorium even if they go to the Housing Board of Appeals.
- The Commission hears and understands the pain and the grief of residents negatively impacted by short term rentals.
- While there are likely good short term rental owners, the irresponsible ones raise a lot of concern.
- The Commission is charged in part with maintaining and increasing security and safety in the City. Protecting businesses such as short term rentals is likely not part of that charge.
- The fact that an obvious issue with short term rentals has arisen means that likely there were already issues before that.
- Stronger options for addressing this issue were desired.
- The Community Survey will be asking respondents if they feel safe in Birmingham. That answer for many may have changed after the recent incident with short term rentals.
- This moratorium and motion is the best way for the City to develop an enforceable ordinance.
- The Planning Board will be directed to make this its highest priority. All staff and officials will work on this as expeditiously as possible.
- The City may legally revoke licensing for a single infraction.
- Unlicensed short term rentals are already operating in violation.

#### ROLL CALL VOTE

Ayes: Haig, Kolb, Longe, Baller, Kozlowski

Nays: Host

Recused: None

#### **04-099-26      Short Term Rentals (Motion II)**

Commissioner Host moved to create an ordinance eliminating all short term rentals under 30 days immediately, unless they are owner-occupied. Motion died for lack of support.

Commissioners discussed the following:

- Per the City Attorney, this seemed like a strong mandate that would be unenforceable.
- It might be more appropriate to ask staff to return with a recommendation in a week. That recommendation should entail documentation, enforcement, and all other tools that would be legally and appropriately at the City's disposal.

**MOTION:** Motion by Haig, seconded by Host:

To make a motion requesting the City Attorney and staff to look into generating language by the next meeting to create a greater level of enforcement over and above the previous motion for management

and control of short term rentals within the City of Birmingham.

Public Comment

Mr. Wynn and Ms. Castellano supported the motion.

Mr. Sandy opposed the motion.

ROLL CALL VOTE

Ayes: Haig, Host, Kolb, Longe, Baller, Kozlowski

Nays: None

Recused: None

**5. CONSENT AGENDA**

**04-100-26 Consent Agenda**

**MOTION:** Motion by Long, seconded by Kolb:

To move the consent agenda as presented, including Items A through G.

ROLL CALL VOTE

Ayes: Haig, Longe, Baller, Host, Kozlowski, Kolb

Nays: None

Recused: None

- A. Resolution to approve the City Commission Workshop meeting minutes from April 13, 2026.
- B. Resolution to approve the regular City Commission meeting minutes of April 13, 2026.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, April 15, 2026, in the amount of \$738,297.16.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 22, 2026, in the amount of \$1,143,670.87.
- E. Resolution to approve a special event permit as requested by the Michigan Men’s Health Foundation to hold the Cogs & Kegs event on June 15, 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, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.
- F. Resolution to award contract for Phase 3 Barrier Free Boardwalk and Path, John West Hunter Park.
- G. Resolution to approve Contract No. 25-5304, Control Section CRU 63000, Job Number 21496CON, Project 25A0662 between the Michigan Department of Transportation and the City of Birmingham. In addition, authorize the City Engineer to sign the agreement on behalf of the City.

**6. CITY MANAGER’S REPORT**

The opening date of the Farmer’s Market and the Police Department's findings on electric motorcycles were noted.

**7. UNFINISHED BUSINESS**

**04-101-26 Draft Community Survey**

ACM Fairbairn presented the item.

Commissioners discussed the following regarding the item:

- This draft was more clear, more succinct, and had a higher likelihood of producing actionable information.
- The work of all involved was appreciated.
- While there might be some value to asking whether people would be willing to pay more for increased infrastructure improvements, this need not delay approval of the survey.
- There was some disagreement as to whether Commissioners providing input on the draft survey had been appropriate and/or useful.

**MOTION:** Motion by Longe, seconded by Haig:

To make a motion adopting a resolution approving the draft community survey questions and authorizing the distribution of the survey to the public.

VOICE VOTE

Ayes: Haig, Host, Kolb, Kozlowski, Baller, Longe

Nays: None

Recused: None

**8. NEW BUSINESS**

**04-102-26 Confirmation of the Roll - 2025 and 2026 Asphalt Resurfacing Program**

**Confirmation of the Roll for Staircase Special Assessment District Roll 919**

The Mayor opened the public hearing at 10:14 p.m.

DT Katz presented the item.

Seeing no public comment, the Mayor closed the public comment at 10:16 p.m.

**MOTION:** Motion by Haig, seconded by Host:

To move the suggested resolution as documented on pages 488-491 of tonight’s Commission package.

ROLL CALL VOTE

Ayes: Haig, Host, Kolb, Kozlowski, Baller, Longe

Nays: None

Recused: None

**04-103-26 Police Department Renovation/Expansion**

PC Grewe presented the item and answered questions.

Commissioners discussed the following regarding the item:

- The report and proposal were well done.
- The addition will be small relative to the size of the building, and the brick in the addition will not perfectly match the brick of the rest of the building.
- This project is being undertaken as part of the Police Department's accreditation process.
- It may be appropriate to increase the differentiation between the addition and the rest of the building in order to comply with the Secretary of the Interior standards for historic buildings. It would have been interesting to see additional options from the architect.
- Aesthetically, the resemblance between the building and the addition was pleasing.

**MOTION:** Motion by Haig, seconded by Longe:

To adopt a resolution to approve the Police Department Renovation/Expansion for the interview room project within City Hall and the garage renovations within the DPS campus in an amount not to exceed

\$300,000.00.

AND

To adopt a resolution to approve the final design of the proposed sally port included in Phase 2 of the Police Department upgrade project.

Commissioners discussed the following regarding the motion:

- This represented a cost savings over a previous proposal for the Police Department.
- It was appropriate for this approval not to be held up over the design.

ROLL CALL VOTE

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

**04-104-26 Changes to the Evening Monthly Parking Permit Program**

PSM Ford presented the item and answered questions.

Commissioners discussed the following regarding the item:

- Staff and the APC deserved thanks for this proposal.
- This program may offer a sufficient incentive to encourage people employed in the City to use the decks in the afternoons and evenings. If it does not, there would be an opportunity to consider next steps.

**MOTION:** Motion by Longe, seconded by Host:

To adopt a resolution to amend the 2025 fee schedule, and to reflect the proposed changes to the Evening Monthly Parking Permit Program; moving the start time from 4 p.m. to 3 p.m. and increasing the discounted rate from a flat \$20.00 to 40% off the monthly permit rate at each garage.

Commissioners discussed the following regarding the motion:

- Increasing the metered parking rates would offset this change and would allow the Parking System to maintain its projected revenue.

ROLL CALL VOTE

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

**04-105-26 2025 and 2026 Asphalt Resurfacing Program Project Contract#2-25(P) and #2-26(P)**

ACE Akram presented the item and answered questions.

Commissioners discussed the following regarding the item:

- Moving forward, it is intended that individual contractors will perform an increased proportion of the trench repair.

**MOTION:** Motion by Host, seconded by Kolb:

To adopt a resolution to award the 2025 and 2026 Asphalt Resurfacing Program Project Contract#2-25(P) and #2-26(P) to Al's Asphalt in the amount of \$2,182,392.90 plus a 10% construction contingency for a total of \$2,400,632.19. In addition, to authorize the Mayor and Clerk to sign the agreement on behalf of the City contingent upon execution of the agreement and meeting all the insurance and bond requirements by Al's Asphalt.

ROLL CALL VOTE

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

**Commission discussion on items from a prior meeting**

**Builder’s Bond Agreements**

BO Zielke presented the item and staff answered questions.

Commissioners discussed the following regarding the item:

- It should be determined whether the present \$5,000 bond amount is appropriate.
- Some builders have expressed concern about any increase in a bond amount.
- Damage to an entire road might be one factor to consider.
- An email submitted by Ed Kickham offered some further considerations.
- Questions remained about proving the source of a damage, allocating costs, and other matters.

**Commission Items for Future Discussion**

**Wimbledon Project Reporting**

Commissioners discussed the following regarding the item:

- Staff was directed to supply a report at each subsequent regular meeting regarding the construction on Wimbledon.
- There was discussion of whether an analysis of the successes and challenges of the project should be created.
- The Commission should be supplied with all information that will be supplied to residents at the upcoming Wimbledon Phase II resident meeting.

**04-106-26 Closed Session Pursuant to MCL § 15.268, Sec.8(1)(d) of the Open Meetings Act**

**MOTION:** Motion by Kolb, seconded by Host:

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.

ROLL CALL VOTE

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

The Commission entered into closed session at 11:15 p.m., and returned from closed session at 12:44 a.m.

**9. REMOVED FROM CONSENT AGENDA**

**10. COMMUNICATIONS**

- A. Communications regarding Short Term Rentals
- B. Communications regarding the City Commission Vacancy
- C. Communications regarding 400 E. Lincoln, YMCA & NEXT
- D. Communication regarding trash

**11. REPORTS**

- A. Commissioner Reports
  - 1. Notice of Intention to Appoint to the Historic District Study Committee
- B. Commissioner Comments

The Mayor reported on the City's participation in the national Planning Conference, on PD Dupuis being under consideration for an award from the American Planning Association, on City messaging regarding Woodward Avenue, and on the Chaldean American Chamber of Commerce Annual Awards Ceremony.

The Mayor and Commissioner Kozlowski reported on their attendance at a SEMCOG meeting regarding Woodward.

Commissioner Host reported on his attendance at a Bloomfield Township meeting regarding the Birmingham Country Club and its proposed pickleball courts.

The function of the Communications section of the Agenda was discussed.

- C. Advisory Boards, Committees, Commissions' Report
- D. Legislation
- E. City Staff
  - 1. Flock Safety LPR Camera Staff Report

PC Grewe answered questions regarding the report.

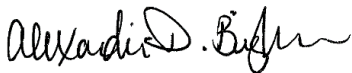
Commissioners discussed the following regarding the item:

- The database stores images of vehicles and their license plates, along with the times and locations of the image capture.

- F. Information Only

## 12. ADJOURN

The Commission motioned to adjourn at 12:45 a.m.



Alexandria Bingham, City Clerk



Laura Eichenhorn, City Transcriptionist