



City Commission Minutes
Monday, May 4, 2026 - 7:00 p.m.
151 Martin Street, Birmingham
City Commission Room 205
Vimeo Link: <https://vimeo.com/1189134911>

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, City Engineer Coatta, Planning Director Dupuis, Assistant City Manager Fairbairn, Police Chief Grewe, City Attorney Gaudenzi, Building Official Zielke

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

PROCLAMATION

Proclamation - National Public Works Week May 17 - 23, 2026

ANNOUNCEMENTS

The 2026 Celebrate Birmingham Parade and Party will take place on Sunday, May 17, 2026, from 1:00 to 4:00 p.m. The event will begin with a community parade featuring local organizations marching along Old Woodward to Shain Park. Immediately following the parade, the celebration will continue with the Party in the Park, where residents and visitors can enjoy crafts and activity booths hosted by local organizations, along with family-friendly entertainment including face painting, magic shows, a bounce house, and other activities throughout the afternoon. This annual event is free for all and a wonderful opportunity for the community to come together and celebrate Birmingham!

APPOINTMENTS

05-108-26 Housing Board of Appeals

Dennis Mando was interviewed for the appointment.

MOTION: Motion by Longe:

To appoint Dennis Mando as a regular member of the Housing Board of Appeals to serve a three-year term to expire May 4, 2029.

ROLL CALL VOTE

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

Nays: None

Recused: None

05-109-26

Birmingham Area Cable Board

Darby Hadley was interviewed for the appointment.

MOTION: Motion by Host:

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

ROLL CALL VOTE

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

Nays: None

Recused: None

In light of Julie Pincus' absence, it was noted that she could reschedule her interview for the Public Arts Board if she remained interested.

CC Bingham swore in the present appointees.

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

None.

6. CITY MANAGER'S REPORT

None.

7. UNFINISHED BUSINESS

05-110-26

Architectural Design Plan and Request For Proposals (RFP) for the Renovation of the First Floor of 400 E. Lincoln

Jim Stock of Neumann/Smith and Cris Braun of Next presented the item.

MOTION: Motion by Longe, seconded by Haig:

To adopt a resolution to approve the architectural design plan for the renovation of the first floor of the building at 400 E. Lincoln as presented by Neumann Smith Architects and direct City staff to issue a request for proposals (RFP) for a contractor to develop construction design-build plans for 400 E. Lincoln consistent with the design plan.

Mr. Stock answered questions.

Commissioners discussed the following regarding the motion:

- It would be appropriate to include a barrier-free elevator as part of this construction.
- This proposal is only the first phase of renovating the building. Since Next needs a new location by May 2027, the most urgent first floor uses are being addressed first.
- Opportunities to make the lower and upper floors more accessible may be addressed in future phases.
- There might be an opportunity to make the storage room off the multipurpose room a bit bigger.
- Some concerns were raised in the past that Next would not have an adequate location after May 2027. This proposal demonstrates the Commission's commitment to creating an appropriate location for Next.
- This is a reasonable, cost-efficient, well thought out design that maximizes the available

square footage. A minimal number of load bearing walls are moved, the hallways and gym are maintained, a small efficient kitchen is included, and all prior areas of concern seem to have been addressed.

- While ensuring that the lower and upper floors are accessible would be appropriate in the future, this is a positive first step.

ROLL CALL VOTE

Ayes: Longe, Baller, Kozlowski, Haig, Kolb

Nays: Host

Recused: None

05-111-26 Acceptance of Nominations for City Commissioner from City Commissioners

MOTION: Motion by Kozlowski:

To nominate Debra Horner.

Commissioners discussed the following regarding the motion:

- In one opinion, one 'side' of this issue was behaving differently from the other 'side'.
- This was not a matter of 'sides'. The disagreement about the best candidate for the Commissioner vacancy seemed to stem from a fundamental difference of opinion about the role of the Commission in City government and the person best suited to fill this role.
- Ms. Jaye has excellent business experience and would be an excellent selection for a department head or a City Manager.
- The Commission functions as a Board of Directors. It does not direct employees, projects, or staff.
- Ms. Horner is the candidate who would add the most to the Commission because she would bring new perspectives and would bring her expertise in fiscal models and fiscal sustainability in municipal governments. As the Commission considers how to pay for infrastructure improvements, this expertise would be relevant. This expertise is also practical and not merely academic.
- A political party may or may not have been trying to influence the outcome of this appointment. Commissioners are obligated to operate 'free from partisan distinction or control'. If a political party was trying to influence the appointment, there was some feeling that would be disappointing and inappropriate.

Public Comment

Rackeline Hoff commented that Commissioners should find a way to break the tie vote and fill the Commission vacancy.

Danielle Mallon, Stacy Schreiber, Wendy Friedman, Diana Lopez Negrete, Michael Mckeown, Michael Smith, Issa Jurassi Ackerman, and George Dilgard supported Debra Horner's candidacy for the Commission appointment.

ROLL CALL VOTE

Ayes: Kozlowski, Longe, Baller

Nays: Host, Haig, Kolb

Recused: None

05-112-26 Acceptance of Nominations for City Commissioner from City Commissioners (Part II)

MOTION: Motion by Kolb:

To nominate Mary Jaye to serve the remainder of a term ending November 2027.

ROLL CALL VOTE

Ayes: Haig, Host, Kolb

Nays: Kozlowski, Longe, Baller

Recused: None

05-113-26 Acceptance of Nominations for City Commissioner from City Commissioners (Part III)

MOTION: Motion by Kozlowski:
To nominate Debra Horner.

ROLL CALL VOTE

Ayes: Kozlowski, Longe, Baller

Nays: Haig, Host, Kolb

Recused: None

05-114-26 Acceptance of Nominations for City Commissioner from City Commissioners (Part IV)

MOTION: Motion by Kolb:
To nominate Mary Jaye to serve the remainder of a term ending November 2027.

ROLL CALL VOTE

Ayes: Haig, Host, Kolb

Nays: Kozlowski, Longe, Baller

Recused: None

05-115-26 Commissioner Appointment Next Steps (Part I)

CA Kucharek presented the item.

MOTION: Motion by Kolb, seconded by Haig:
To move that all six Commissioners must be present for nominations and voting, as our charter states that the appointment is made by a majority of the remaining members, and the remaining members are all six City Commissioners.

Commissioners discussed the following regarding the motion:

- This motion could be revisited in the event that a Commissioner becomes unavailable to serve, and only five Commissioners remain.
- This is a resolution until circumstances change.

VOICE VOTE

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

Nays: None

Recused: None

05-116-26 Commissioner Appointment Next Steps (Part II)

Commissioners discussed the following regarding the item:

- It would be most appropriate to table this without a date certain to allow for a period of reflection and calming of emotions.
- It is necessary to determine whether to seek a new applicant pool, and how this matter should be re-raised.
- It would be best if any Commissioner were allowed to re-raise the topic following the Commission's standard three step process for adding an item to future Commission agendas. This would standardize the process and also allow sufficient notice for all parties.
- The first step would be a motion for the Commission to consider filling the vacancy at the following meeting. The second step would be discussing, at this subsequent meeting, whether the Commission should consider filling the vacancy, and whether it should draw from a new pool of applicants or the present pool of applicants. The third step would be implementing the conclusions from the second meeting as appropriate.

MOTION: Motion by Haig, seconded by Longe:

To make a motion that we table future discussion of a replacement City Commissioner until such time that it is brought up by a Commissioner following our three-step process to place it back on the agenda. All voting must be with six members present, and a simple majority vote is required for an affirmative vote.

Commissioners discussed the following regarding the motion:

- The discussion of this item demonstrated the Commission’s ability to work together on items.

VOICE VOTE

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

Nays: None

Recused: None

8. NEW BUSINESS

05-117-26 Public Hearing of Necessity for Sewer and Water Lateral Special Assessment District (SAD) - Wimbledon Phase 2 Project, Contract #6-26(W)

The Mayor opened the public hearing at 8:14 p.m.

CE Coatta presented the item and answered questions.

Public Comment

Robert Geenens, 1070 Wimbledon, asked about how the assessed properties would be billed.

Travis Bouchard, 715 Wimbledon, supported preserving a tree on his property that might otherwise be affected by this project.

Andrew Baran, 612 Wimbledon, also supported preserving a tree on his property that might otherwise be affected by this project.

Josie Connolly, 900 Wimbledon, asked why her house was not in blue on the project map.

Larry Lyng, 644 Byrd, supported Messrs. Bouchard and Baran in their requests to preserve their trees.

Christine Boyle, 840 Wimbledon, asked whether the project could avoid disrupting their driveway, and whether their water line would need to be replaced or not.

Cliff Rager, 541 Wimbledon, commented that his home is in between two project phases and that the construction staging should be communicated to residents.

Sally Swift, 541 Wimbledon, asked about the project’s design in front of her home, whether the planned Stop Sign in front of her home could be moved, and whether her property’s water and sewer laterals would need to be replaced.

Lanie Cosgrove, 868 Wimbledon, commented that her sewer lateral had recently been replaced and asked whether that would affect her charges.

Danny Seidman, 652 Wimbledon, asked about the water and sewer lateral installation method.

Commissioners discussed the following regarding the item:

- Staff should determine whether Messrs. Bouchard’s and Baran’s requests can be accommodated and report their findings to the Commission.
- Staff should also provide a report on the health of the 14 trees that might otherwise be cut

- down for this project, since preservation of the City’s tree canopy is a Commission priority.
- Residents should understand that it is possible that healthy-looking trees still have health issues, and the City may find that is the case with some of the trees affected by this project.
- For 541 Wimbledon, the property owner’s assessment will not be known until Wimbledon – Phase II located the water and sewer laterals.
- Residents pay 100% for the replacement of water and sewer laterals because it is the individual resident that wholly benefits from the replacement.
- These replacements only go up to each individual property line.

Seeing no further public comment, the Mayor closed the public hearing at 8:41 p.m.

MOTION: Motion by Longe, seconded by Kozlowski:

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; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project replacing sewer services 50 years of age or older or constructed of material that is not acceptable for City standards and replacing water services that are 60 years or older or less than 1 inch in diameter on Wimbledon Drive from Oxford Road to Adams Road; and

WHEREAS, The City has previously established a policy requiring replacement of sewer services 50 years of age or older or constructed of materials that are not acceptable for City standards and water services less than 1 inch in diameter and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that the Wimbledon Phase 2 Project, the replacement of sewer services that are 50 years of age or older or of material that is not acceptable for City standards, the replacement of water services that are 60 years or older or less than 1 inch in diameter, is a necessity and is in the best interest of the City; and

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

WHEREAS, Formal bids have been received and the actual cost of sewer service and water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of sewer service lateral and water service laterals located within the limits of the following streets shall be installed as part of the Wimbledon Phase 2 Project (Contract #6-26(W)):

Wimbledon Drive - Oxford Road to Woodward Avenue

WHEREAS, The formula used in making the assessment is 100% of the contractor’s charge for replacing the lateral service that is 50 years of age or older or constructed of materials that are not acceptable and water service that is 60 years of age or older or less than 1 inch in diameter within the public right-of-way between the utility and the property line (calculated at the rate of \$49.77 per foot of 6” diameter sewer service pipe, \$35.54 per foot of 1-inch water service pipe).

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 properties listed in the assessment roll and 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 of Confirmation on May 18, 2026 and give notice of same.

Sewer and/or Water Lateral

Sidwell	Street Address	Estimated	Estimated
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Number		Sewer SAD Costs	Water SAD Costs
1925255007	541 WIMBLETON DR	\$ 1,990.80	\$ 1,066.20
1925255008	921 WARWICK DR	\$ -	\$ -
1925280008	625 WIMBLETON DR	\$ -	\$ -
1925280009	647 WIMBLETON DR	\$ 995.40	\$ -
1925280010	669 WIMBLETON DR	\$ 1,542.87	\$ 1,421.60
1925280025	701 WIMBLETON DR	\$ -	\$ -
1925280026	715 WIMBLETON DR	\$ 1,094.94	\$ -
1925280027	733 WIMBLETON DR	\$ -	\$ -
1925280028	777 WIMBLETON DR	\$ -	\$ -
1925280029	921 POPPLETON AVE	\$ -	\$ -
1925280030	939 POPPLETON AVE	\$ -	\$ -
1925281005	928 POPPLETON AVE	\$ -	\$ -
1925281010	887 WIMBLETON DR	\$ 995.40	\$ 1,954.70
1925281033	923 WIMBLETON DR	\$ 995.40	\$ 1,954.70
1925281040	983 WIMBLETON DR	\$ -	\$ -
1925281041	1005 WIMBLETON DR	\$ -	\$ -
1925281031	1054 ABBEY RD	\$ -	\$ 22.21
1925281030	1064 ABBEY RD	\$ -	\$ 22.21
1925281029	1074 ABBEY RD	\$ -	\$ 22.21
1925281028	1084 ABBEY RD	\$ -	\$ 22.21
925281027	971 N ADAMS RD	\$ -	\$ 22.21
1925281026	961 N ADAMS RD	\$ -	\$ 22.21
1925281025	951 N ADAMS RD	\$ -	\$ 22.21
1925281024	941 N ADAMS RD UNIT 9	\$ -	\$ 22.21
1925281023	931 N ADAMS RD	\$ -	\$ 22.21
1925281022	921 N ADAMS RD	\$ -	\$ 22.21
1925281021	911 N ADAMS RD	\$ -	\$ 22.21
1925281020	901 N ADAMS RD	\$ -	\$ 22.21
1925281019	1085 WIMBLETON DR	\$ -	\$ 22.21
1925281018	1075 WIMBLETON DR	\$ -	\$ 22.21
1925281017	1065 WIMBLETON DR	\$ -	\$ 22.21
1925281016	1055 WIMBLETON DR	\$ -	\$ 22.21
1925258002	554 WIMBLETON DR	\$ 1,493.10	\$ 746.34
1925258003	612 WIMBLETON DR	\$ 2,040.57	\$ -
1925258004	636 WIMBLETON DR	\$ 2,040.57	\$ 710.80
1925258005	652 WIMBLETON DR	\$ 2,040.57	\$ 710.80
1925258006	680 WIMBLETON DR	\$ 2,040.57	\$ 1,101.74
1925258007	700 WIMBLETON DR	\$ 2,040.57	\$ 1,243.90
1925258008	871 POPPLETON AVE	\$ 2,040.57	\$ -
1925282001	812 WIMBLETON DR	\$ 3,085.74	\$ 1,883.62
1925282002	824 WIMBLETON DR	\$ 1,990.80	\$ -
1925282003	840 WIMBLETON DR	\$ 1,990.80	\$ 1,101.74
1925282004	868 WIMBLETON DR	\$ 1,990.80	\$ 1,101.74
1925282015	886 WIMBLETON DR	\$ 1,990.80	\$ 1,101.74
1925282008	900 WIMBLETON DR	\$ 2,040.57	\$ 1,243.90
1925282024	930 WIMBLETON DR	\$ -	\$ -
1925282025	980 WIMBLETON DR	\$ -	\$ -
1925282012	1004 WIMBLETON DR	\$ 2,040.57	\$ 1,066.20
1925282013	1038 WIMBLETON DR	\$ 2,040.57	\$ 710.80
1925282017	1078 WIMBLETON DR	\$ 291.51	\$ -

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1925282023	1050 WIMBLETON DR	\$ 291.51	\$ -
1925282022	1060 WIMBLETON DR	\$ 291.51	\$ -
1925282021	1064 WIMBLETON DR	\$ 291.51	\$ -
1925282020	1070 WIMBLETON DR	\$ 291.51	\$ -
1925282019	1072 WIMBLETON DR	\$ 291.51	\$ -
1925282018	1076 WIMBLETON DR	\$ 291.51	\$ -

* Records indicate Lead Water Service, Zero Costs per the State of Michigan

ROLL CALL VOTE

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

Nays: None

Recused: None

5. CONSENT AGENDA

05-118-26 Consent Agenda

MOTION: Motion by Longe, seconded by Host:

To move the consent agenda as presented, excluding Items G and H.

ROLL CALL VOTE

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

Nays: None

Recused: None

- A. Resolution to approve the warrant list, including Automated Clearing House payments, dated April 29, 2026, in the amount of \$420,517.94.
- B. 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 North Old Woodward from Oak Street to Woodward Avenue on Monday, June 8, 2026, at 7:00 p.m.; and

If necessity is determined on June 8, 2026, to meet on Monday, June 22, 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 with the project area on North Old Woodward from Oak Street to Woodward Avenue.

- C. Resolution to set the Public Hearing of Necessity for the road surface cape seal treatment meeting the requirements for assessment, for all properties within the project area on Glenhurst Drive from Raynale Street to Redding Road, Lyonhurst Road from Raynale Street to Redding Road, Fairview Avenue from Chesterfield to west dead end, Pleasant Avenue from Lincoln Avenue to Maple Road, Stanley Avenue from Lincoln Avenue to Wallace Street, Stanley Avenue from Hanna Street to Brown Street, and Buckingham Road from Edenborough Road to St. Andrews Road on June 8, 2026, at 7:00 p.m.; and

If necessity is determined on June 8, 2026, to meet on June 22, 2026, at 7:00 p.m., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the new pavement installation meeting the requirements for assessment, for all properties within the project area on Glenhurst Drive from Raynale Street to Redding Road, Lyonhurst Road from Raynale Street to Redding Road, Fairview Avenue from Chesterfield to west dead end, Pleasant Avenue from Lincoln Avenue to Maple Road, Stanley Avenue from Lincoln Avenue to Wallace Street, Stanley Avenue from Hanna Street to Brown Street, and Buckingham Road from Edenborough Road to St. Andrews Road.

- D. Resolution to approve an agreement with Russell Landscaping for 2026 Tree Purchase and Plant

(3 Phases) in the amount not to exceed \$419,364.00, 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:

Local Streets
Revenue
Draw from Fund Balance 203.0-000.000-400.0000 \$39,522.00
Expenditures
Local Streets Forestry Services 203.0-449.005-819.0000 \$39,522.00

- E. Resolution to receive reimbursement from Oakland County for the purchased larvicide materials from Clarke Mosquito Control.
- F. Motion adopting an ordinance to amend the City Code, Chapter 2, Administration, Article VI., Employee Benefits – Division 2. – Retirement System, Sections 2-222 and 2-223 to include gender-inclusive language, reflect current positions and current union names, and to amend the retirement age eligibility for the Police Chief to be consistent with the retirement age eligibility of the Fire Chief and all other police and fire employees.

05-119-26 Right-of-Way Parking Request for 33202 Woodward Pursuant to Article 4, Section 4.45 (G)(1)

Commissioner Haig pulled Item G. Staff answered questions.

Commissioners discussed the following regarding the item:

- The ‘in perpetuity’ regarding the parking spaces in the applicant’s letter is not binding on the Commission or the City.
- The motion would allow the applicant to presently count these parking spaces towards its parking requirement.
- The required parking could change with a changed use.
- The applicant recently improved the pavement in this area.

MOTION: Motion by Haig, seconded by Host:
To approve the right-of-way parking request for 33202 Woodward to permit 27 on-street parking spaces in the Woodward right-of-way to be counted towards the required off-street parking requirements of the subject site pursuant to Article 4, Section 4.45 (G)(1).

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

05-120-26 Right-of-Way Parking Request for 33401 Woodward Pursuant to Article 4, Section 4.45 (G)(1)

Commissioner Haig pulled Item H.

Commissioners discussed the following regarding the item:

- This item is similar to Item G, and also does not define how long the applicant may count these parking spaces towards its parking requirements.

MOTION: Motion by Haig, seconded by Host:
To approve the right-of-way parking request for 33401 Woodward to permit 2 on-street parking spaces in the Woodward right-of-way to be counted towards the required off-street parking requirements of the subject site pursuant to Article 4, Section 4.45 (G)(1).

ROLL CALL VOTE

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

Nays: None

Recused: None

8. NEW BUSINESS (Part II)

05-121-26

Public Hearing of Necessity for Paving Special Assessment District

(SAD) -

Wimbledon Phase II Project, Contract #6-25(W)

The Mayor opened the public hearing at 8:57 p.m.

CE Coatta presented the item and answered questions.

Mr. Brodsky, 652 Wimbledon, reserved his right to protest, commented regarding major roads funding, commented regarding individual special assessment amounts, and thanked the Commission.

Mr. Brodsky also reserved the right to protest of Chuck Greening, 647 Wimbledon, per Mr. Greening's request.

Ms. Connolly, 900 Wimbledon, supported residents in Wimbledon Phase II being able to park in the Derby Middle School parking lot.

Mr. Seidman, 652 Wimbledon, reserved his right to protest, thanked the Commission, commented that Wimbledon had not been cape sealed since before 2016, and commented regarding the contractor's road use and adherence to a timeline.

Matt Shalhoub, 980 Wimbledon, reserved his right to protest if Wimbledon Phase II does not have the same cost split as Wimbledon Phase II.

Mr. Rager, 541 Wimbledon, reserved his right to protest, and thanked the Commission and commented regarding the paving in front of his house, the potential sign in front of his house,

Ms. Swift, 541 Wimbledon, commented regarding the paving in front of her house, the potential stop sign in front of her house, and a request for a sign at Warwick and Wimbledon.

Joelle Kezlarian, 554 Wimbledon, reserved her right to protest.

Mr. Bouchard, 715 Wimbledon, reserved his right to protest.

Brian Duffy, 700 Wimbledon, reserved his right to protest.

Ming Tsu, 733 Wimbledon, reserved his right to protest and supported ensuring that the issues that arose during Wimbledon Phase I would not recur during Wimbledon Phase II.

Seeing no further public comment, the Mayor closed the public hearing at 9:17 p.m.

Commissioners discussed the following regarding the item:

- There was Commission consensus that Wimbledon Phase II should have the same cost split as the one approved by the Commission for Wimbledon Phase I.
- Every Commissioner is a Birmingham resident. Commissioners seek to accommodate residents' needs and concerns. It is inaccurate when discussions on social media seem to characterize Commission-resident interactions as inherently adversarial.
- The cost split for Wimbledon Phase I was changed because the Commission considered the fact that Wimbledon is a major road per the MDOT Public Act 51 roadway map. Major roads have additional uses not originated by residents, and so a 50-50 split was fair.
- Prices are higher for Wimbledon Phase II in part because the grading will require more work,

and the base needs to be built up a bit more.

- If the City receives funding for major road repairs from the State, that funding would go into the City's major streets fund. This would help offset the City's 50% of the costs to repair Wimbledon and other major streets.
- It is most likely that any funding received from the State for major roads would be used in addition to the City's major streets fund, rather than replacing some of the City's major streets fund.

MOTION: Motion by Host, seconded by Kolb:

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; and

WHEREAS, The City Commission has conducted a public hearing and has determined it is necessary to proceed with the project paving on Wimbledon Drive from Oxford Road to Adams Road; and

WHEREAS, The City has previously established a policy to defray the costs of Cape Seal treatments on unimproved streets by creating a Special Assessment District (SAD) consisting of the properties that are benefiting from this treatment; and

WHEREAS, The City Commission, after the public hearing, has determined that paving Wimbledon Drive from Oxford Road to Adams Road, is a necessity and is in the best interest of the City and will specially benefit the properties included in the Special Assessment District; and

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

WHEREAS, Formal bids and quotes have been received and the actual cost of paving has been determined; and

WHEREAS, The City Engineer has determined the boundaries of sewer service lateral and water service laterals located within the limits of the following streets shall be installed as part of the Wimbledon Phase 2 Project (Contract #6-26(W)):

Wimbledon Drive - Oxford Road to Adams

WHEREAS, the City Commission does not find that the assessments of 85%-15%, as policy generally dictates, are in proportion to the benefits received to the parcels in Phase 2 of Wimbledon paving special assessment district as the City Commission has confirmed that Wimbledon is a major road in a residential area that is unimproved; and

WHEREAS, the City Commission, as they found for Wimbledon Phase 1, has determined that the 85-15% split is not proportional in this particular circumstance; and

WHEREAS, The formula used in making the assessment for paving is 50% of the front-foot costs for improvement are assessed on all properties fronting on the improvement, 25% of the side-foot costs for improvement are assessed on all residential properties siding on the cape seal treatment improvement, replacement of sidewalk ramps to meet ADA compliance, and for approaches is 100% of the contractor's charge for replacing the approach with concrete within the public right-of-way between the proposed curb and the property line if the lateral is located underneath the approach (calculated at the rate of \$113.01 per front footage for paving, \$66.47 per square yard for removed concrete approach and installed concrete approach, \$65.31 per square yard for remove asphalt approach and installed concrete approach).

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 properties 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 of Confirmation on May 18, 2026 and give notice of same.

The sidwells, street addresses, and the 50% SAD costs in the agenda are outlined on page seven and eight.

ROLL CALL VOTE

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

Nays: None
Recused: None

05-122-26 Public Hearing for 126 S. Old Woodward – Snap Taco – Special Land Use
Permit and Final Site Plan & Design Review

PD Dupuis presented the item and answered questions.

The Mayor opened the public hearing at 9:27 p.m.

The applicant spoke on behalf of the item and thanked the Commission.

Seeing no public comment, the Mayor closed the public hearing at 9:28 p.m.

Commissioners discussed the following regarding the item:

- The City has more restaurants than contemplated by the 1980 Birmingham Master Plan. This might relate to Mr. Bloom’s comment regarding the City’s atmosphere on Friday and Saturday nights.

MOTION: Motion by Longe, seconded by Kolb:

To approve the Special Land Use Permit and Final Site Plan & Design Review application for 126 S. Old Woodward, to permit the sale of alcoholic beverages for on premise consumption as a bistro establishment and a new outdoor dining facility with the condition that the applicant complete the required investigation pursuant to Chapter 10, Section 10-43 of the Birmingham Code of Ordinances.

ROLL CALL VOTE

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

Nays: None

Recused: None

Review the recommended rate structure and provide direction regarding the adoption and implementation of the proposed water and sewer rate fee structure

CE Coatta introduced the item. Jamie Burton of Hubbell, Roth, and Clark presented the item. Staff and Mr. Burton answered questions.

Commissioners discussed the following regarding the item:

- Under this proposal, properties with higher anticipated water usage rates would be charged a larger fixed amount every quarter.
- It is not intuitively apparent why water and sewer rates in the region increase when Michigan is located in the Great Lakes region.
- Commission questions on this item should be limited to the proposed water and sewer rate fee structure.
- This proposal recommends creating a \$10 million reserve. The City presently has approximately \$7 million in reserve, and it is estimated that the City will spend approximately \$3 million a year for capital improvements. Based on projections, it is estimated that the City should reach the \$10 million in reserve within four to five years.
- This approach is thoughtful and appropriate. It is a hybrid system that gradually changes to fixed-cost billing and still maintains a usage-based rate.
- As residents become more environmentally conscious and make efforts to conserve water, the City receives less revenue due to the decreased usage. At the same time, the City’s fixed costs continue to increase. Consequently, this proposal is necessary step.
- The City administration finds this proposal appropriate.
- The City staff report said the minimum increase would be approximately \$18 per quarter, \$6 per month, assuming several things. This amount would not include stormwater changes.
- Trying to decrease costs in this system is a complicated topic with many variables.
- The Commission seemed generally supportive of the proposal overall.

11. REPORTS

B. City Staff

2. Short Term Rental Follow-up Report

CAs Kucharek and Gaudenzi and BO Zielke presented the report and answered questions.

Commissioners discussed the following regarding the report:

- The Commission intends for the City to eliminate short-term rental licenses after April 15, 2027 via zoning mechanisms, with a possible carveout for owner-occupied rentals.
- The City recently gained the capacity to regulate short term rentals via zoning, which was not true when short term rentals were initially discussed by the Commission.
- The Commission views this as an urgent issue.
- Any residents with addresses of particularly problematic short term rentals should provide said address to the Chief of Police, Building Official, or City Attorneys.
- Enforcement of short term rental concerns has been via the Police Department or via the Building Department. If the matter was addressed via the Police Department, they would determine whether a law was broken, and proceed with creating either a D card or an incident report. When this occurred, these issues were not then forwarded to the Building Department for separate consideration. If the matter was addressed via the Building Department, the Building Department approached the issue through a customer service lens and sought to bring the properties into compliance through working with the owner. Sometimes a notice of violation would also be issued in these circumstances.
- Both of these approaches will change moving forward. If the Police Department encounters an issue at any rental, and especially a short-term rental, the matter will also be referred to the Building Department. If the Building Department comes across a violation that warrants a revocation of a license, then it will do so.
- At the last meeting, the Commission imposed a moratorium of six months on new short-term rental applications. Staff has returned to this meeting with additional measures it will take to address issues arising from short term rentals.
- Residents will need to assist the City by reporting issues as they arise. Resident attestations regarding issues at rental properties can assist the Building Official in determining whether a notice of violation or a potential revocation of a license might be appropriate.
- The City's GovAlert app has added a new section where concerns specific to rental properties may be reported to the City.
- It might be appropriate to punitively fine renters or rental property owners for Police, Building, or Fire Department visits to the rental property.
- Alternatively, the City likely cannot charge renters or rental property owners for all Police, Building, or Fire Department visits to the rental property.
- Rental properties are commercial businesses in residentially zoned areas.
- Staff's emphasis on landlord education and enforcement regards extant licenses that the City cannot legally revoke at this time.
- Airbnb and VRBO have both stated that they will remove unlicensed properties from their platforms if they are notified.
- Commissioners and residents are enabled to write proposed ordinance language and to submit it to the Commission for consideration.
- While there has been a contention that municipalities like Ann Arbor or Manhattan were able to stop short term rentals very quickly and with finality, a review of the relevant meeting minutes, history, results, or lawsuits does not reflect that contention. Both used zoning or other regulations to reduce short term rentals.
- Under the City's Rules of Procedure, Michigan law, and the Michigan Zoning Enabling Act, in order to create an enforceable ordinance, the development of an ordinance must follow the recommended process.
- As long as an ordinance has been adopted before the six month moratorium lifts, no new short term rental licenses can be issued.
- The City will continue to pursue and police unregistered rentals.
- Every Commission meeting moving forward should include a brief update on the Planning Board's work regarding short term rentals and on short term rental enforcement actions.
- Residents were thanked for participating in the conversation.

Commissioner Host made a resolution to have a new zoning ordinance May 18th, and the motion died for lack of a second.

Public Comment

David Wynn thanked everyone for their work on the matter, and commented regarding rental license renewals, varying landlord quality, the Planning Board’s upcoming meeting on short term rentals, and regarding short term rental locations.

Narlu Castellano supported immediate responsiveness to safety issues stemming from short term rentals, the creation of enforceable ordinance language to further address short term rental issues, and commented regarding how the shooting on E. Lincoln has impacted the community.

Kelly Kozlowski supported Ms. Castellano’s comments, and commented regarding the Police and Building Departments’ prior coordination on short term rental issues, residents’ reporting of past short term rental issues, the Commission’s response to the matter, and the feeling that more urgent action remained necessary.

Larry Lyng supported changing the zoning so that short term rentals are no longer permitted in residential neighborhoods after their licenses expire on April 15.

Cassie Sobelton asked about the possible implications for owner-occupied short term rentals.

Shawn Scott supported Mses. Castellano and Kozlowski, supported increased responsiveness regarding these issues, commented regarding her experiences with short term rentals, and commented regarding her experience in reporting those issues to the City.

Donna Voorhees commented that nuisance behavior seemed correlated to weekend-long rentals, commented regarding reporting, supported the creation of a hotline for short term rental issues, and supported urgent action to eliminate short term rentals in the City.

Commission discussion on items from a prior meeting

None

Commission Items for Future Discussion

05-123-26 Phase II – YMCA

MOTION: Motion by Host, seconded by Haig:

To make a motion that we talk about phase two of the YMCA building at our next reasonable agenda.

Commissioners discussed the following regarding the motion:

- This has been a matter of concern for some time.

VOICE VOTE

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

Nays: None

Recused: None

The Mayor noted this was a unanimous decision.

9. REMOVED FROM CONSENT AGENDA

10. COMMUNICATIONS

- A. Communication regarding the City Commission vacancy
- B. Communication regarding Short Term Rentals
- C. Communication regarding Woodward noise
- D. Communication regarding capeseal on Northlawn

Public Comment

Nicholas Herdzik commented regarding his intended appeal of his Northlawn assessment to the Michigan Tax Tribunal and regarding his communication to the Commission about capeseal on Northlawn.

It was noted this matter could be further addressed with staff outside of this meeting.

11. REPORTS

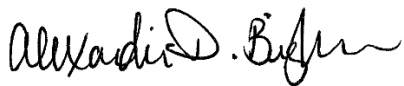
- A. Commissioner Reports
 - 1. Notice of Intention to Appoint to the Museum Board
 - 2. Notice of Intention to Appoint to the Ethics Board
 - 3. Notice of Intention to Appoint to the Greenwood Cemetery Advisory Board
- C. Commissioner Comments
- D. Advisory Boards, Committees, Commissions’ Report
- E. Legislation
- F. City Staff
 - 1. Wimbledon Phase I Update

Staff was thanked for the update.

- G. Information Only

12. ADJOURN

The Commission motioned to adjourn at 11:39 a.m.



Alexandria Bingham, City Clerk



Laura Eichenhorn, City Transcriptionist