BIRMINGHAM

City Commission Minutes
Monday, August 10, 2026 - 7:00 p.m.
151 Martin Street, Birmingham
City Commission Room 205
Vimeo Link: https://vimeo.com/1217094973

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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 Brad Host, Commissioner Kevin Kozlowski, Commissioner William Kolb

Absent: Commissioner Andrew Haig

Staff: City Manager Ecker; City Planner Blizinski, City Engineer Coatta, Planning Director Dupuis, Police Chief Kearney, City Attorney Kucharek, Parks and Recreation Manager Laird, Department of Public Services Director Zielinski

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

APPOINTMENTS

08-201-26 Appointment of Police Chief Kearney

MOTION: Motion by Longe, seconded by Kolb:
To make a motion adopting a resolution to confirm the City Manager's appointment of interim Police Chief Ryan Kearney as Police Chief and to direct the Clerk to administer the Oath of Office to Chief Kearney.

VOICE VOTE
Ayes: Longe, Baller, Host, Kozlowski, Kolb
Nays: None
Recused: None

ANNOUNCEMENTS

Happy Belated Birthday Mayor Pro Tem Longe!

The Clerk's Office would like to thank the Election Inspectors and City staff who helped conduct a safe and successful August 4, 2026, Primary Election. We also appreciate the many voters who participated by voting early, absentee, or in person. Approximately 40.14% of Birmingham's registered voters cast a ballot, exceeding the overall voter turnout rate in Oakland County of 36.58%.

Unofficial election results are available at oakgov.com/elections under the August Election tab. Official results will be posted after the Oakland County Board of Canvassers completes the official canvass.

The Mayor provided an update regarding the Community House.

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

Susan Lamphere thanked the City on behalf of the Driscoll family for its work to improve pedestrian safety.

Jay Siefman commented regarding the City's sewer system and policing in the City.

David Bloom commented regarding the Community House.

5. CONSENT AGENDA

08-202-26 Consent Agenda

MOTION: Motion by Longe, seconded by Host:
To move approval of the consent agenda as presented, including Items A through L.

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

A. Resolution to approve the regular City Commission meeting minutes of Monday, July 27, 2026.

B. Resolution to approve the warrant list, including Automated Clearing House payments, dated July 29, 2026, in the amount of $1,801,379.52.

C. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 5, 2026, in the amount of $760,009.60.

D. Resolution to approve a request from the Birmingham Shopping District to hold the 2026 Winter Markt special event on Friday, December 4, 2026 – Sunday, December 6, 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.

E. Resolution to approve a request by the Birmingham Shopping District to hold the 2026 Santa House special event beginning the weekend of November 28, 2026 through December 24, 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.

F. Resolution to set the Public Hearing of Necessity for the Birmingham Shopping District on September 14, 2026.

   AND

   If necessity is determined on September 14, 2026, to set the Public Hearing to Confirm the Assessment Roll for the Birmingham Shopping District on September 28, 2026.

G. Resolution to set the Public Hearing of Necessity to form a Special Assessment District for the installation of sidewalk, for all properties within the project area on Quarton Road from Pilgrim Avenue to west of Lakeside on Monday, September 14, 2026, at 7:00 P.M.; and If necessity is determined on September 14, 2026, to meet on Monday, September 28, 2026, at 7:00 P.M., for the purpose of conducting the Public Hearing to Confirm the Assessment Roll for the installation of sidewalk, for all properties within the project area on Quarton Road from Pilgrim Avenue to west of Lakeside.

H. Resolution to approve the purchase of a new holiday tree and topper for Shain Park.

I. Resolution to authorize the City Manager to execute an Addendum to the Wimbleton Drive Phase 2 Project contract (Contract No. 6-26(W)) utilizing 2 inches of hot mix asphalt in lieu of cape seal for an additional $24,266.80, with no additional cost to the special assessment district or the affected property owners, and the roadway remains an unimproved road.

J. Resolution to accept the resignation of James Esshaki from the Advisory Parking Committee, to thank him for his service and to direct the City Clerk to begin the process of filling the vacancy.

K. Resolution to accept the resignation of Linda Solomon from the City of Birmingham Community House Foundation, to thank her for her service, and to direct the City Clerk to begin the process of filling the vacancy.

L. Resolution to authorize the City Clerk to complete the Local Approval Notice at the request of the City of Birmingham Community House Foundation and approve the transfer of the Class C and SDM Liquor License with Sunday Sales (AM/PM) Permits, Participation Permit, Dance/Entertainment Permits, Catering Permit, three (3) additional Bar Permits and Outdoor Service Area Permit from the Community House Association formally located at 380 S Bates St. Birmingham, Michigan to the City of Birmingham Community House Foundation, a nonprofit Michigan corporation and cancel the Participation Permit and Catering Permit.

6. CITY MANAGER'S REPORT

CE Coatta provided an update on a water main in the southwest corner of the City.

7. UNFINISHED BUSINESS

8. NEW BUSINESS

08-203-26 Teuta - 168 W. Maple - SLUP Public Hearing - Request to Postpone

The Mayor opened the public hearing at 7:36 p.m.

CP Blizinski presented the request to postpone.

Seeing no public comment, the public hearing was closed at 7:37 p.m.

Randy Fumia, new owner of Teuta, spoke on behalf of the request.

MOTION: Motion by Longe, seconded by Kolb:
To postpone the public hearing to September 28, 2026, to consider the Special Land Use Permit and Final Site Plan & Design Review application for 168 W. Maple, to permit the sale of alcoholic beverages for on-premise consumption as a bistro establishment and a new outdoor dining facility under new ownership.

VOICE VOTE
Ayes: Longe, Baller, Host, Kozlowski, Kolb
Nays: None
Recused: None

08-204-26 Award of the S. Eton Water Main Project, Contract #10-26(P) to Bidigare Contractors, Inc.

CE Coatta presented the item.

Commissioners discussed the following regarding the item:
- Per staff, the cost increased because commodity prices increased.

- Labor prices also increased.

MOTION: Motion by Kolb, seconded by Kozlowski:
To award the S. Eton Water Main Project, Contract #10-26(P) to Bidigare Contractors, Inc. in the amount of $1,288,798.00 plus a 10% construction contingency for a total of $1,351,677.80. In addition, to authorize the Mayor and Clerk to sign the agreement on behalf of the City, contingent upon meeting all the insurance and bond requirements by Bidigare Contracting, Inc.

AND

To approve the appropriation and amendment of the budget per the graph on page 123.

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

08-205-26 Booth Park Improvements and Playground Improvements at St. James Park and Kenning Park

DPSD Zielinski and PRM Laird presented the item.

Commissioners discussed the following regarding the item:

- Improving playgrounds in the parks was the stated intention of the second bond issue. Plan B is the most appropriate option for this reason.
- Improving St. James Park entirely will only be appropriate once Next is in the space at 400 E. Lincoln and Next and the City have determined how the space should be used.
- The City is presently soliciting public feedback on Crestview.
- A more detailed breakdown and line items for the planned improvements could be helpful.

MOTION: Motion by Longe, seconded by Kolb:
To direct the Department of Public Services to proceed with Plan B as the preferred strategy for the remaining Parks Bond funds, including completion of the proposed Booth Park improvements and advancement of playground improvements at St. James Park and Kenning Park. Staff is further directed to evaluate opportunities to include priority drainage, pathway, and accessibility improvements within the available project funding and to return to the City Commission for approval of final project scopes, contract awards and any required budget amendments.

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

08-206-26 Contract with Warren Contractors & Development, Inc. for the construction of the Booth Park Entry Plaza and Trail Improvement project

DPSD Zielinski and PRM Laird presented the item.

Commissioners discussed the following regarding the item:

- The City's costs for this item will be less than the approximately $400,000 grant the City received for these improvements.
- This will be the first freestanding public bathroom in the City.
- The Commission approved a concept plan for the bathroom previously.
- The work of the Parks and Recreation Board to get the City to this point was appreciated.
- Passing this motion will be a proud day for the community.

MOTION: Motion by Longe, seconded by Kolb:
To approve the contract with Warren Contractors & Development, Inc. for the construction of the Booth

Park Entry Plaza and Trail Improvement project for the amount of $2,185,922.61. Further to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

In addition, to appropriate and amend the 2026-2027 budget as follows:

Park System Construction Fund		
<u>Revenues</u>		
Draw from Fund balance	408.0-000.000-400.0000	$2,185,922.61
<u>Expenditures</u>		
Land Improvements	408.2-901.751-979.0000	$2,185,922.61

<u>Public Comment</u>
Kristy Barrett commented regarding the location of the donor wall.

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

08-207-26 Selection of City of Birmingham's Official Voting Delegate for the Michigan Municipal League Annual Meeting

CM Ecker presented the item.

Commissioners discussed the following regarding the item:

- No present Commissioners were available to attend, so it was appropriate to make ACM Clemence the official voting delegate.

MOTION: Motion by Longe, seconded by Kolb:
To appoint Clemence as the City of Birmingham's official voting delegate, and an alternate delegate to perhaps be named, for the Michigan Municipal League Annual Meeting to be held in Traverse City, Michigan on October 7, 2026.

VOICE VOTE
Ayes: Longe, Baller, Host, Kozlowski, Kolb
Nays: None
Recused: None

Commission Items for Future Discussion

Commission discussion on items from a prior meeting

08-208-26 Mayor Selection Process

The Mayor, the City Attorney, and the City Clerk presented the item.

Commissioners discussed the following regarding the item:

- Moving the selection of the Mayor and Mayor Pro Tem to January seems reasonable. It ensures that the Mayor and Mayor Pro Tem are selected from Commissioners who have been recently elected or re-elected. It also allows a bit of distance between the election and the selection process.
- A change to the charter regarding the selection of Mayor and Mayor Pro Tem is necessitated because of a new State law regarding when election results are certified.
- It will also be necessary to change when new Commissioners are seated, due to the change in the State law. This does not require a charter change.

- There is a desire to increase the transparency of the Mayor and Mayor Pro Tem selection process.
- It could be appropriate to have a workshop or discussion in mid-December so that Commissioners willing to serve as Mayor or Mayor Pro Tem could indicate their willingness and discuss their qualifications. Commissioners and members of the public could also ask questions of those Commissioners at this meeting.
- There were different views as to whether Commissioners should be expected to indicate their interest in serving as Mayor or Mayor Pro Tem at the mid-December meeting, or whether there should be some flexibility for announcing an interest between that meeting and the selection process.
- It was noted that a Commissioner who expressed interest in serving as Mayor or Mayor Pro Tem at the mid-December meeting should also be allowed to withdraw their interest.
- It might be helpful to define the roles and responsibilities of Mayor and Mayor Pro Tem.
- It might be helpful for interested Commissioners to explain how they would expect to execute the role of Mayor or Mayor Pro Tem.
- The Mayor Pro Tem is not necessarily the Mayor-in-waiting.
- The Commission has implemented workshops prior to the selection process so the public could understand and participate in the process of selecting the Mayor and Mayor Pro Tem. Prior to these workshops, the Mayor and Mayor Pro Tem were voted on with little to no public deliberation, and the public was not clear on how those decisions were reached.
- Past Commissions also largely rotated the role of Mayor and Mayor Pro Tem based on who had served least recently. These changes instead encourage the selection of a Mayor and Mayor Pro Tem who demonstrate interest in, and facility with, the requirements of the positions.
- Spacing out the mid-December meeting and the selection vote allows Commissioners to have time to consider their options.
- The Commission should consider codifying some of these changes in the Commission's Rules of Procedure. The Commission could also consider implementing the changes it wants to see by unanimous consent.

MOTION: Motion by Longe, seconded by Kolb:
To direct City staff to place the Mayor selection process as a formal agenda item at their convenience and provide suggested language to amend our Rules of Procedure to incorporate the potential cadence discussed this evening.

VOICE VOTE
Ayes: Longe, Baller, Host, Kozlowski, Kolb
Nays: None
Recused: None

9. REMOVED FROM CONSENT AGENDA
10. COMMUNICATIONS

A. Communications regarding NEXT and the Community House

11. REPORTS

A. Commissioner Reports
    1. Notice of Intention to Appoint to the Design Review Board
    2. Notice of Intention to Appoint to the Historic District Commission
    3. Notice of Intention to Appoint to the Advisory Parking Committee
    4. Notice of intention to Appoint to the City of Birmingham Community House Foundation - Board of Directors
    5. Update on new tenant at 33877 Woodward - Dollar Tree

CM Ecker and PD Dupuis presented the update.

Commissioners discussed the following regarding the update:
- The City could consider reviewing which businesses are not permitted by right.
- It might be challenging to define a 'dollar store' in the ordinance.
- Yoga and exercise studios should be allowed near Adams Square since there is ample

parking.

- Daycare centers are a zoning use that has parking challenges.
- While there is a large demand for daycare in Birmingham, the cost and approval process can be a challenge. This could be a potential benefit generated via a private-public partnership.

C. Commissioner Comments
D. Advisory Boards, Committees, Commissions' Report
E. Legislation
F. City Staff
   1. Wimbleton Phase 1 Project Updates
   2. 2026 Cape Seal Program Update
   3. Short Term Rental Report

CM Ecker summarized the reports.

G. Information Only

12. ADJOURN

The Commission motioned to adjourn at 9:22 p.m.

Alexandria Bingham, City Clerk

Laura Eichenhorn, City Transcriptionist