BIRMINGHAM

**Agenda**
**City Commission Regular Meeting**
**Monday, September 14, 2026 - 7:00 PM**
**151 Martin Street, Birmingham, MI**
**City Commission Room 205**

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**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.**

**ANNOUNCEMENTS**

A. Please join the City of Birmingham as we celebrate the unveiling of the Poppleton Park All Abilities Playground, the City’s first fully inclusive playground! A ribbon-cutting ceremony will be held on Saturday, September 19, at 10:00 a.m. to officially celebrate this exciting addition to our community. The celebration will include face painting, light refreshments, and an opportunity to explore the new playground. We’re excited to celebrate this special milestone with our community and hope to see you there!

B. City Staff Introduction — Election Coordinator

**APPOINTMENTS**

A. Historic District Committee
   1. Keith Deyer

   To appoint __________________ as a regular member to the Historic District Commission to serve a three-year term to expire September 25, 2029.

B. Design Review Board
   1. Keith Deyer

   To appoint ______________ as a regular member to the Design Review Board to serve a three-year term to September 25, 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 regular City Commission meeting minutes of Monday, August 24, 2026.

B. Resolution to approve the warrant list, including Automated Clearing House payments, dated August 26, 2026, in the amount of $11,352,677.49.

C. Resolution to approve the warrant list, including Automated Clearing House payments, dated September 2, 2026, in the amount of $764,479.43.

D. Resolution to approve the warrant list, including Automated Clearing House payments, dated September 9, 2026, in the amount of $1,590,219.29.

E. Resolution to approve a Special Event Permit as requested by Lutheran Church of the Redeemer to hold the 2026 Christmas Nativity Display daily, beginning on November 25, 2026 and ending December 30, 2026, contingent upon compliance with all permit and insurance requirements and payment of all fees, and further pursuant to any minor modifications or event cancellation that may be deemed necessary by administrative staff leading up to or at the time of the event.

F. Resolution to claim exemption from the Publicly Funded Health Insurance Contribution act, PA 152 of 2011. Further, to direct the City Engineer and Finance Director to sign the Annual Certification for Employee-related conditions for the year 2026 and submit the required form to the Michigan Department of Transportation as required by Public Act 51.

G. Resolution to accept the resignation of Trenton Chapman from the Environmental Sustainability Committee, to thank him for his service and to direct the City Clerk to begin the process of filling the vacancy.

H. Resolution to approve an Addendum to the Construction Staging Area and Construction Coordination Agreement with Markus Management Group, LLC and The Alan Group to extend the term to May 28, 2027 for the coordination of construction activities related to 479 S. Old Woodward on Hazel Street and S. Old Woodward and to authorize the City Manager to sign the addendum on behalf of the City.

I. Resolution to approve, upon the completion of signed contracts by AIS Construction Equipment Corp., the purchase of a John Deere 244P Wheel Loader and a 544 Wheel Loader and a 320P Backhoe Loader from AIS Construction Equipment Corp, located at 56555 Pontiac Trail, New Hudson, MI, 48165 through the MI-Deal Contract #240000000158 and

Sourcewell Contract #011723-JDC Birmingham Sourcewell ID #31879, in the amount not to exceed $545,374.98. In addition, authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funds for this purchase are available in the FY 2026-2027 Auto Equipment Fund account #661.0-441.006.971.0100.

J. Resolution to approve, upon the completion of signed contracts, the purchase of five vehicles from Lunghamer Ford of Owosso, located at 1960 E Main St., Owosso, MI, 48867 through the MI-Deal Contract #240000000158 and Macomb County Contract # 21-18, in the amount not to exceed $243,261.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funds for this purchase are available in the FY 2026-2027 Auto Equipment Fund account #661.0-441.006.971.0100.

K. Make a motion adopting a resolution to authorize the City Manager to sign the Guaranteed Maximum Price (GMP) amendment on behalf of the City; AND make a motion adopting a resolution to approve the appropriation and amendment to the Fiscal Year 2026-2027 budget as follows:

| | | |
|---|---|---|
| Capital Projects Fund: | | |
| Revenues: | | |
| Draw From Fund Balance | 403.0-000.000-400.0000 | $138,100 |
| Total Revenue | | $138,100 |
| | | |
| Expenditures: | | |
| Buildings | 403.0-901.301-977.0000 | $138,100 |
| Total Expenses | | $138,100 |

## 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.

## 7. UNFINISHED BUSINESS

## 8. NEW BUSINESS

A. 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 *Groth v Hill, et al,* U.S. District Court, Eastern District of Michigan, Court Case No. 23-11355, Honorable David M. Lawson.

**(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.)**

B. Public Hearing of Necessity for BSD Assessment Renewal

Resolution declaring necessity and approving a Special Assessment District with special assessments levied in accordance with benefits that will be derived for the properties within such assessment district. The City Commission further directs the City Manager and City staff to follow all prescribed requirements and steps detailed in the City Code Chapter 94 for Special Assessments. The Special Assessment District shall include all properties within the Birmingham Shopping Districts 1 and 1A (see attached map).

And, the City Commission will meet on September 28, 2026 for the purpose of conducting the Confirmation of the Assessment Roll for the Birmingham Shopping District Special Assessment for the properties within the Birmingham Shopping Districts 1 and 1A.

C. Public Hearing of Necessity for Sidewalk Special Assessment District (SAD) - Quarton Road Sidewalk Project #9-26 (SW)

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 of installing a new sidewalk where no sidewalk exists on Quarton Road from Pilgrim Avenue to west of Lakeside Drive; and

WHEREAS, The City has previously established a policy of addressing sidewalk gap closure by installing a new sidewalk where none exists; and

WHEREAS, The City Commission, after the public hearing, has determined that the Quarton Road Sidewalk Project, and installing a new sidewalk where none exists, 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 sidewalk installation has been determined; and

WHEREAS, The City Engineer has determined the boundaries of new sidewalk located within the limits of the following streets shall be installed as part of the Quarton Road Sidewalk Project (Contract #9-26(SW)):

Quarton Road – Pilgrim Avenue to west of Lakeside Drive

WHEREAS, The formula used in making the assessment is 85% of the front-foot costs for sidewalk improvement are assessed on all properties fronting on the improvement and 25% of the side-foot costs for improvement are assessed on all residential properties siding on the improvement (calculated at the rate of $60.00 per ton for aggregate base 21AA, $72.00 per square yard of 4” concrete sidewalk, and $81.00 per square yard of 6” concrete sidewalk).

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 September 28, 2026 and give notice of same.

**Sidewalk**

| **Sidwell Number** | **Street Address** | **Estimated Sidewalk SAD Costs** |
|---|---|---|

| | | |
|---|---|---|
| 19-26-226-031 | 1219 QUARTON RD | $5,607.45 |
| 19-26-226-007 | 1027 QUARTON RD | $3,781.65 |
| 19-26-226-032 | 1584 ASHFORD LN | $1,317.19 |
| 19-26-226-033 | 1573 ASHFORD LN | $1,317.19 |
| 19-26-226-035 | 1595 ASHFORD LN | $1,317.19 |
| 19-26-226-037 | 1536 ASHFORD LN | $1,317.19 |
| 19-26-226-036 | 1548 ASHFORD LN | $1,317.19 |
| 19-26-226-039 | 1510 ASHFORD LN | $1,317.19 |
| 19-26-226-042 | 1537 ASHFORD LN | $1,317.19 |
| 19-26-226-043 | 1560 ASHFORD LN | $1,317.19 |
| 19-26-226-044 | 1524 ASHFORD LN | $1,317.19 |
| 19-26-226-045 | N/A | $1,317.19 |
| 19-26-226-041 | 1505 ASHFORD LN | $1,317.19 |
| 19-26-226-001 | 1570 PILGRIM AVE | $1,938.00 |
| 19-26-226-006 | 1155 QUARTON RD | $9,136.65 |

D. Resolution to approve the appropriation and amendment of the fiscal year 2026/2027 budget for construction cost, which includes the low bidder’s cost of $1,305,124.45 and 10% construction contingency, and engineering costs as follows:

| | | |
|---|---|---|
| Sidewalk Fund: | | |
| Revenues: | | |
| 101.0-000.000-400.0000 | Draw from Fund Balance | $981,600 |
| Total Revenue | | $981,600 |
| | | |
| Sidewalk Fund: | | |
| 101.0-444.000-981.0000 | Sidewalk Fund | $981,600 |
| Total Expenses | | $981,600 |

E. Resolution to approve the Hamlet at Bloomfield Manor Project in Bloomfield Township to use the City's storm sewer for the stormwater outlet of the proposed residential development plans dated July 21, 2026;

AND

To have the City Attorney proceed with a stormwater agreement with the developer, Bloomfield Township, and the City.

F. Resolution to appoint two additional City of Birmingham Community House Foundation board members at the September 28, 2026, City Commission meeting and to direct the City Manager and City Clerk to prepare the Notice of Intent to Appoint.

G. 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.

H. Commission discussion on items from a prior meeting.

**9. REMOVED FROM CONSENT AGENDA**

**10. COMMUNICATIONS**

A. Communications regarding Roads and Infrastructure

B. Communications regarding Zoning

C. Communications regarding Public Safety

D. Communication about Flock Cameras

E. Communication regarding Bistro Ordinance Enforcement

F. Communication regarding 400 E. Lincoln

**11. REPORTS**

A. Commissioner Reports

1. Notice of Intention to Appoint to the Birmingham Shopping District

2. Notice of Intention to Appoint to the Board of Zoning Appeals

3. Notice of Intention to Appoint to the Environmental Sustainability Committee

4. Notice of intention to appoint to the City of Birmingham Community House Foundation - Board of Directors

B. Commissioner Comments

C. Advisory Boards, Committees, Commissions' Report

1. Greenwood Cemetery Advisory Board 2025-2026 Annual Report

2. Greenwood Cemetery Advisory Board - Refund Policy Considerations

D. Legislation

E. City Staff

F. Information Only

**12. ADJOURN**

***This agenda was amended on September 11, 2026, at 2:57 p.m. to include New Business Item F — regarding membership for The City of Birmingham Community House Foundation and item 11A4 — a notice of intention to appoint to the City of Birmingham Community House Foundation.**

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)