

Birmingham City Commission Minutes
October 27, 2025 Municipal
Building, 151 Martin 7:30 p.m.
Vimeo Link: <https://vimeo.com/1131048075>

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Therese Longe, Mayor, opened the meeting with the Pledge of Allegiance.

II. ROLL CALL

City Clerk Bingham called the roll.

Present: Mayor Longe
MPT Baller
Commissioner Emerine
Commissioner Long
Commissioner Haig
Commissioner Host
Commissioner Schafer

Absent: None

Staff: City Manager Ecker; City Clerk Bingham, Finance Director Chavez, City Engineer Coatta, Planning Director Dupuis, Assistant City Manager Fairbairn, City Attorney Kucharek, Police Chief Grewe, City Attorney Kucharek, Building Official Zielke, Department of Public Services Director Zielinski

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

Announcements Appointments

Benjamin Motyl was interviewed for the Historic District Commission. He was not appointed. He was asked to apply for a position on another board.

10-292-25 Architectural Review Committee

Benjamin Motyl was interviewed for the appointment.

MOTION: Motion by Long:
To appoint Benjamin Motyl as a regular member to the Architectural Review Committee to serve the remainder of a three-year term to expire April 11, 2028.

VOICE VOTE
Ayes: Emerine, Schafer, Baller, Haig, Host, Longe, Long
Nays: None

CC Bingham swore in Mr. Motyl.

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

V. CONSENT AGENDA

10-293-25 Consent Agenda

MOTION: Motion by Long, seconded by Host:
To approve the consent agenda with the exception of Items I and J.

Ayes: Emerine, Schafer, Baller, Haig, Host, Longe, Long

Nays: None

- A. Resolution to approve the City Commission/Planning Board meeting minutes of September 29, 2025.
- B. Resolution to approve the City Commission regular meeting minutes of October 6, 2025.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated October 8, 2025 in the amount of \$1,985,725.09.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated October 15, 2025 in the amount of \$897,136.25.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated October 22, 2025 in the amount of \$2,937,586.88.
- F. Resolution to approve a request from the Chabad Jewish Center of Bloomfield Hills to hold the 2025 Menorah Lighting special event on Thursday, December 18, 2025 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.
- G. Resolution to approve a special event permit as requested by the City of Birmingham, Department of Public Services to hold the 2026 City of Birmingham In The Park Concert Series weekly June 12, 2026 – August 26, 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.
- H. Resolution to approve a special event permit as requested by the City of Birmingham Department of Public Services to hold the Pumpkin Patch event on October 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, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.
- K. Resolution to set November 17, 2025 as the public hearing date for the Program Year 2026 Community Development Block Grant Program.

10-294-25 Village Fair

MPT Baller pulled Item I so that staff and the public could comment on the item. He also noted a minor business relationship between himself and the Birmingham Bloomfield Chamber of Commerce, stating that it did not require a recusal from the item.

PC Grewe presented the item. Staff and Kelly Bannon, operations manager from the Birmingham Bloomfield Chamber of Commerce, answered informational questions.

Commissioners raised the following points during discussion:

- The provision of additional policing after the fair closes will help control the event.
- Better loudspeakers and fencing could help with the organization of the event.
- During the 2025 Fair, Saturday's policing was well-organized.
- The Fair has been occurring in the City for a long time. There was support for continuing the Fair.
- The City's Police Department does an excellent job. Response times to incidents were very swift.
- Incidents seem to occur as people leave the Fair. Incidents do not seem to be correlated to a specific end time, and do not seem to occur during the Fair.
- Having police on every corner in the area adjacent to the Fair seems to reduce the number of issues that might occur.
- Limiting the areas through which fairgoers could exit could also help with enforcement.

- The Chamber earned thanks for partnering with the City and the Police Department to continue offering the Fair, even in light of the higher enforcement costs.
- In an effort to deter criminal conduct, criminal charges filed for incidents occurring during the Fair are not negotiated.

MOTION: Motion by Baller, seconded by Long:
To approve a special event permit as requested by the Birmingham Bloomfield Chamber of Commerce to hold the 61st Annual Village Fair on May 27, 2026 – May 31, 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.

ROLL CALL VOTE
Ayes: Emerine, Schafer, Baller, Haig, Host, Longe, Long Nays:
None

10-295-25 Greenwood Cemetery Advisory Board Composition

Commissioner Haig pulled Item J, noting the City’s efforts towards preserving and increasing the tree canopy within the City.

MOTION: Motion by Haig, seconded by Long:
To award the 2025 Fall Tree Purchase and Plant project for 342 trees to be installed to KLM Landscape, for a total cost of \$196,335.

ROLL CALL VOTE
Ayes: Emerine, Schafer, Baller, Haig, Host, Longe, Long Nays:
None

VI. CITY MANAGER’S REPORT

ACM Fairbairn presented the report.

VII. UNFINISHED BUSINESS

10-296-25 Public Hearing - for Condemnation of a Dangerous Structure - 611 Elm Street

The Mayor opened the public hearing at 7:59 p.m.

BO Zielke and CA Kucharek presented the item and answered informational questions from the Commission.

Alan Applebaum, attorney, Ralph Faranso, property owner, and Roger Winborn, Metro Abatement, spoke regarding 611 Elm.

Seeing no public comment, the Mayor closed the public hearing at 8:18 p.m.

Commissioners raised the following points during discussion:

- The report from Anand Engineering was approximately 13 months old, which means the building has decayed further since the report. The City also only received this report today, despite sending multiple notices to the owner.
- The report from Anand Engineering says 611 Elm ‘appears’ to be structurally sound.
- The second report provided by Mr. Faranso lacked structural calculations, architectural drawings, or discussion of joists.
- The Engineering reports do not demonstrate that 611 Elm is structurally sound.
- The collapsed part of the roof means that other parts of 611 Elm are in danger of collapsing. This poses a danger to public health and safety.
- 611 Elm is also presently an eyesore to the community.
- Mr. Faranso should have been more proactive and timely in addressing the concerns arising from 611 Elm.
- Building Official Zielke’s findings and recommendation should be followed.

MOTION: Motion by Baller, seconded by Schafer:
To declare that the property at 611 Elm Street (a/k/a 635 Elm Street) is a dangerous structure and is unfit for human habitation due to lack of maintenance, is insanitary and/or contains filth and contamination, in violation of the International Property Maintenance Code and Birmingham City Codes, and the property owner must demolish the dangerous structure within 30 days or the City Manager is directed to complete the demolition and place a lien on the property for the costs of demolition and grading.

Public Comment

Messrs. Applebaum and Faranso provided comment.

ROLL CALL VOTE

Ayes: Emerine, Schafer, Baller, Haig, Host, Longe, Long Nays:

None

VIII. NEW BUSINESS

10-297-25 Public Hearing - SLUP Amendment for 176 S. Old Woodward

The Mayor opened the public hearing at 8:39 p.m.

PD Dupuis, David Draper, attorney for the applicant, and Woojin Lee, applicant, spoke regarding the item and answered informational questions.

Seeing no public comment, the Mayor closed the public hearing at 8:44 p.m.

MOTION: Motion by Baller, seconded by Host:

To approve the Special Land Use Permit Amendment for 176 S. Old Woodward – Kaishin Izakaya – to transfer ownership and update the Special Land Use Permit with the new owner, Gold Coin, Inc.

AND

To authorize the City Clerk to complete the Local Approval Notice at the request of Gold Coin Inc. and to approve the transfer of the Class C and SDM Liquor License with Sunday Sales (AM & PM) and 1 additional outdoor service area permit from Sushi Japan Inc. to Gold Coin Inc. (d/b/a Kaishin Izakaya) located at 176 S. Old Woodward Ave. Birmingham, Oakland County, MI.

VOICE VOTE

Ayes: Emerine, Schafer, Baller, Haig, Host, Longe, Long Nays:

None

10-298-25 Final Design of Wimbledon Drive (Phase 2)

PD Dupuis and CE Coatta presented the item and answered informational questions.

Commissioners raised the following points during discussion:

- This portion of Wimbledon would continue the design of Wimbledon Phase 1.
- This item was only to discuss the design of the project.
- Since the present condition of the road might be depressing speeds, a road study would help the Commission understand how this project might affect speeds.
- This section of Wimbledon requires repair. Keeping the road one width all the way through is likely the most safe option.
- Fire access for the road should also be evaluated.
- It might be more appropriate to wait for the Multi-Modal Transportation Board (MMTB) to make a recommendation.
- Alternatively, it was noted at a prior Commission meeting that this item would be reviewed by the Commission rather than the MMTB, and this was acceptable. The intention was to continue Wimbledon Phase 2 from Wimbledon Phase 1. A 26 foot road width is common within Birmingham. Many Wimbledon residents attended the Wimbledon Phase 1 discussions in order to stay abreast of the Wimbledon Phase 2 plans.
- The MMTB is an advisory board. The Commission received and reviewed the MMTB's recommendations for Wimbledon Phase 1. The Commission did not ultimately adopt all of the MMTB's recommendations from Wimbledon Phase 1 because of a significant increase in anticipated costs.
- The water and sewer infrastructure under Wimbledon needs to be updated.
- The MMTB prefers to recommend road designs that align with the City's complete streets policies. While the Commission understands that, it might still be most appropriate in this context to continue the design from Wimbledon Phase 1 to Wimbledon Phase 2.
- These plans have more to do with engineering than design. It would be appropriate to review these and similar projects for their aesthetic designs as well so that residents might have understanding and opportunities for input.
- It seems some streets have been matched at 24 feet and still resulted in functional conditions.
- The City split costs with residents for Wimbledon Phase 1 50-50% because Wimbledon is a major street. It did not include curbs in that project because the cost split increased the City's costs for the project.

- The City did not offer a 50-50% split with residents for improved roads with curbs. Curbs add a meaningful cost to projects.
- It would be helpful if water and sewer repairs and road surface repairs were treated as two separate City projects moving forward.
- Residents should be provided with clear information regarding the potential drawbacks of cape seal only roads.

MOTION: Motion by Schafer, seconded by Long:
To direct the Engineering Department to proceed with the final design of Wimbledon Drive (Phase 2) to include the planned improvements to the sewer and water mains with cape seal treatment of the road surfaces within the project area.

Public Comment
Rick Brodsky commented regarding the City’s road funding policies and road safety features, and supported road safety features in this project and allocating State funds to help cover residents’ road-related special assessment expenses.

Danny Seidman commented regarding the fact that road design influences costs, the City’s road funding policies, speed mitigation options, and supported pricing out both curb and non-curb options for this project.

Cliff Rager and Sally Swift commented regarding one aspect of Wimbledon Phase 2 that would affect their shared home.

Mr. Rager supported the work that boards and committees do to facilitate discussion with residents and supported having more information about potential costs and options before these decisions are made.

Andrew Barron and Tim Bradley supported pricing out both curb and non-curb options for this project.

Mr. Barron opposed the motion.

Danny Hill commented regarding estimated timelines for Wimbledon Phase 2. He opposed the motion.

Travis Bouchard supported different design options and speed mitigation tactics.

VOICE VOTE
Ayes: Emerine, Schafer, Longe, Long Nays:
Host, Haig, Baller

10-299-25 Peter Cotton Trail Event

DPSD Zielinski presented the item and answered informational questions.

Commissioners raised the following points during discussion:

- Staff’s work to offer more family-friendly events was appreciated.

MOTION: Motion by Host, seconded by Haig:

To approve a special event permit as requested by the City of Birmingham, Department of Public Services to hold the Peter Cotton Trail event on Saturday, March 28, 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.

VOICE VOTE
Ayes: Host, Haig, Baller, Emerine, Schafer, Longe, Long
Nays: None

10-300-25 METRO Act Application of Ezee Fiber Texas, LLC

CA Kucharek and representatives from Ezee Fiber Texas spoke regarding the item and answered informational questions.

Commissioners raised the following points during discussion:

- Ezee Fiber Texas, LLC has run into issues in Albuquerque, New Mexico and Katy, Texas.
- Birmingham residents would be very concerned about damage to their property.
- Ezee Fiber LLC's inability to comment on certain ongoing issues while making this proposal is concerning.
- Ezee Fiber, LLC could sue the City if they are not allowed to conduct business within Birmingham.
- It would be important to create clauses about money for damages and/or other protective options for residents within any agreements with Ezee Fiber, LLC.
- The Commission trusts that the City Attorney will advocate vociferously for residents' interests in these negotiations.
- Angry residents will be disinclined to purchase services from Ezee Fiber, LLC.

MOTION: Motion by Emerine, seconded by Host:

To approve the METRO Act Application of Ezee Fiber Texas, LLC, and the METRO Act Permit for the project locations shown on the exhibit. In addition, authorize the Mayor and City Clerk to sign the Bilateral Form on behalf of the City, and to direct the City Attorney to assure Ezee Fiber's adherence to City ordinances and all other requirements to assure protection of City public property.

Commissioner comment on the motion was as follows:

- Declining this proposal was not an option available to the Commission.

ROLL CALL VOTE

Ayes: Host, Emerine, Schafer, Longe

Nays: Haig, Long, Baller

10-301-25 Closed Session Pursuant to MCL § 15.268, Sec.8(1)(e) of the Open Meetings Act

CA Kucharek presented the item.

It was noted the Commission would adjourn to closed session presently, and would reconvene into open session after the closed session for the purposes of completing the agenda items F, G, Communications, and Reports.

MOTION: Motion by Long, seconded by Haig:

To meet in closed session pursuant to MCL § 15.268, Sec.8(1)(e) of the Open Meetings Act to discuss pending litigation entitled Yasamin Aziz, et al v City of Birmingham, Oakland County Circuit Court Case No. 2024-206496-NZ, Honorable Phyllis C. McMillen.

ROLL CALL VOTE

Ayes: Haig, Schafer, Baller, Emerine, Host, Longe, Long

Nays: None

The Commission went into closed session at 10:57 p.m.

The Commission returned from closed session at 12:04 a.m. No action was taken.

Commission Discussion On Items From A Prior Meeting Commission Items for Future Discussion

IX. REMOVED FROM CONSENT AGENDA
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X. COMMUNICATIONS

- A. Communication regarding 400 E. Lincoln
- B. Communication regarding Poppleton Park
- C. Communication regarding Arlington and Shirley
- D. Communication regarding Parking
- E. Communication regarding Infrastructure

XI. REPORTS

- A. Commissioner Reports
- B. Commissioner Comments

Commissioner Schafer noted this would be her last meeting as a Commissioner, and thanked residents, her fellow Commissioners, and staff. She noted that she would be continuing her advocacy work through her work as a pediatrician.

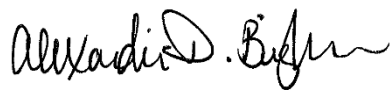
The Mayor thanked Commissioner Schafer on behalf of the Commission for her service.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
 - 1. Greenwood Cemetery Advisory Board Annual Report
- D. Legislation
- E. City Staff
 - 1. Greenwood Cemetery Advisory Board Ordinance and Membership

INFORMATION ONLY

XII. ADJOURN

The Commission motioned to adjourn at 12:08 a.m.



Alexandria Bingham, City Clerk



Laura Eichenhorn, City Transcriptionist