

**BIRMINGHAM CITY COMMISSION AGENDA
REGULAR MEETING
JANUARY 13, 2025
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Therese Longe, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk

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

ANNOUNCEMENTS

APPOINTMENTS

A. Environmental Sustainability Committee

1. Lara Edwards
2. Sara Rubino

To appoint _____ as a regular member to the Environmental Sustainability Board to serve a two-year term to expire February 1, 2027.

To appoint _____ as a regular member to the Environmental Sustainability Board to serve a one-year term to expire February 1, 2026.

To appoint _____ as a regular member to the Environmental Sustainability Board to serve a one-year term to expire February 1, 2026.

To appoint _____ as an alternate member to the Environmental Sustainability Board to serve a two-year term to expire February 1, 2027.

To appoint _____ as an alternate member to the Environmental Sustainability Board to serve a one-year term to expire February 1, 2026.

B. Advisory Parking Committee

1. William Kolb

To appoint _____ to the Advisory Parking Committee as an alternate member to serve a three-year term to expire September 4, 2026.

C. Housing Board of Appeals

1. Tony Tayar

To appoint _____ as a regular member to the Housing Board of Appeals to serve the remainder of a three-year term to expire May 4, 2026.

D. Staff Introductions

1. Building Department

i. Jeff Zielke, Building Official Designee

ii. Andrew Erikson, Assistant Building Official

2. Engineering Department

i. Mark Akram

ii. Bryan Hardy

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

V. 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.
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- A. Resolution to approve the regular City Commission meeting minutes of December 9, 2024.
- B. Resolution to approve the City Commission workshop meeting minutes of December 16, 2024.
- C. Resolution to approve the regular City Commission meeting minutes of December 16, 2024.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated December 19, 2024 in the amount of \$6,357,374.01.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated January 9, 2025 in the amount of \$9,045,541.51.
- F. Resolution to hold a 2024 review of establishments who hold liquor licenses for consumption on premises and to consider the same establishments for 2025 renewal at the regular City Commission meeting on Monday, February 10, 2025 at 7:30 p.m.
- G. Resolution to install stop signs on Oak Street at the intersection of Glenhurst Drive as recommended by the Multi-Modal Transportation Board.
- H. Resolution to set a public hearing date of February 10, 2025 to consider the Special Land Use Permit Amendment for 34244 Woodward to transfer ownership and update the Special Land Use Permit to the proposed new owner, M&D Woodward, LLC.
- I. Resolution to approve the Amended and Restated Professional Services Agreement with McKenna Associates, Inc. for inspection and code enforcement services as planned in the

current fiscal year, and thereafter, as budgeted. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this service has been budgeted in account #101.0-371.000-811.0000.

- J. Resolution to approve the purchase of a 2024 Ford F-350 Regular Cab 4X4, located at 1960 E Main St, Owosso, MI 48867, through the State of Michigan Contract #071B770180 and Macomb County Contract #21-18, in the amount not to exceed \$93,069.00, upon the completion of a signed contract by Lunghamer Ford of Owosso. 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 2024-2025 Auto Equipment Fund account #661.0-441.006.971.0100.
- K. Resolution to approve the purchase of three new 2024 TORO Workman HDX 4WD vehicles, located at 1050 Opdyke Road, Auburn Hills, MI 48326, through the Intergovernmental Cooperative Purchasing Agreement, OMNIA Contract #2017025, in the amount not to exceed \$126,628.95, upon the completion of a signed contract by Spartan Distributors. 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 2024-2025 Auto Equipment Fund account #661.0-441.006.971.0100.
- L. Resolution to restripe the Chester Street parking structure so that all parking spaces are striped at 8'9" in width as recommended by the APC, to approve a change order for a \$6,500 fee for WJE Engineering to revise the striping plan for the Chester Street structure; and to appropriate and amend the 2024-2025 Automobile Parking System budget as follows:

Revenues

514.1-000.000-400.0000	Draw from Net Position	\$6,500
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Expenses

514.1-594.008-977.0000	Public Works – Buildings	\$6,500
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- M. Resolution to accept the resignation of Jason Emerine from the Planning Board & Ad Hoc Senior/Recreation Committee, to thank him for his service and to direct the City Clerk to begin the process of filling the vacancies.

VI. 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 bhamgov.org/manager](https://www.bhamgov.org/manager).

None.

VII. UNFINISHED BUSINESS

None.

VIII. NEW BUSINESS

- A. Public Hearing of Necessity for Cape Seal Special Assessment District (SAD) - 2025 Cape Seal Program

1. 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 resurfacing unimproved roads by method of pulverizing, cement stabilization, spray patching, and cape seal surface, and replacement of City sidewalk ramps; 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 benefitting from this treatment; and

WHEREAS, The City Commission, after the public hearing, has determined that the 2025 Cape Seal Program 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, Proposed costs by change order have been received and the costs of the unimproved roads resurfacing has been determined; and

WHEREAS, The City Engineer has determined the boundaries of the road resurfacing and sidewalk ramp replacement located within the limits of the following streets shall be installed as part of the 2025 Cape Seal Program (Contract #5-25(P)):

Yorkshire Road - N. Eton to Coolidge Highway; and

Dorchester Road - St. Andrews to Coolidge Highway; and

Buckingham Avenue - N. Eton to Edenborough; and

Edenborough Road - Dorchester to Windermere; and

Yosemite Boulevard - Adams to Columbia; and

Yankee Avenue - Villa to Yosemite; and

Ann Street - Frank to the dead end; and

Northlawn - Southfield to Shipman; and

WHEREAS, The formula used in making the assessment is 85% 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 improvement, 85% of the side-foot costs for improvement are assessed on improved business properties siding on the improvement, and 25% of the side-foot costs for improvement are assessed on vacant business properties siding on the improvement for resurfacing of the unimproved roads and replacement of sidewalk ramps to meet ADA

compliance (calculated at the rate of \$42.35 per foot for properties on streets that will be pulverized, cement stabilization, and cape seal resurfaced, and \$20.34 per foot for properties on streets that will be spray patched and capes seal resurfaced).

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 for confirmation of the Roll on January 27, 2025 and give notice for same.

Street Pulverizing / Cement Stabilization / Cape Seal Resurfacing

Sidwell Number	Street Address	Cape Seal Assessment
1936205040	280 Daines Street	\$539.95
1936205021	-	\$1,259.88
1936205026	442 S Old Woodward Avenue	\$3,043.15
1936205041	444 S Old Woodward Avenue	\$6,548.50
1936205005	645 Purdy Street	\$3,039.55
1936205008	-	\$1,439.86
1936205034	566 Ann Street	\$1,676.72
1936205015	393 E Frank Street	\$1,005.79
2030477001	2616 Dorchester Road	\$1,799.83
2030477002	2630 Dorchester Road	\$1,799.83
2030477003	2648 Dorchester Road	\$1,799.83
2030477004	2676 Dorchester Road	\$1,799.83
2030477005	2694 Dorchester Road	\$1,799.83
2030477006	2710 Dorchester Road	\$1,799.83
2030477007	2736 Dorchester Road	\$1,889.82
2030477008	2754 Dorchester Road	\$1,673.84
2030477009	2760 Dorchester Road	\$1,835.83
2030477010	2792 Dorchester Road	\$2,159.79
2030477011	2802 Dorchester Road	\$2,159.79
2030477012	2822 Dorchester Road	\$2,159.79
2030477013	2846 Dorchester Road	\$2,159.79
2030477014	2868 Dorchester Road	\$2,159.79
2030477015	2896 Dorchester Road	\$2,267.78
2030476018	2615 Dorchester Road	\$1,691.84
2030476019	2635 Dorchester Road	\$1,691.84
2030476020	2647 Dorchester Road	\$1,691.84
2030476021	2663 Dorchester Road	\$1,691.84

2030476022	2681 Dorchester Road	\$1,691.84
2030476023	2711 Dorchester Road	\$1,691.84
2030476024	2735 Dorchester Road	\$1,691.84
2030476025	2757 Dorchester Road	\$1,691.84
2030476026	2761 Dorchester Road	\$1,691.84
2030476027	2789 Dorchester Road	\$1,691.84
2030476028	2797 Dorchester Road	\$1,691.84
2030476029	2807 Dorchester Road	\$1,691.84
2030476030	2829 Dorchester Road	\$1,691.84
2030476031	2845 Dorchester Road	\$1,691.84
2030476032	2851 Dorchester Road	\$1,655.84
2030476033	2887 Dorchester Road	\$1,619.85
2030476034	2895 Dorchester Road	\$1,619.85
1936301007	1365 Southfield Road	\$952.85
1936301014	1360 Shipman Boulevard	\$1,376.34
1936305001	1407 Southfield Road	\$952.85
1936305005	1404 Shipman Boulevard	\$1,376.34
2031102013	1598 Yosemite Boulevard	\$1,566.91
2031102039	1583 Villa Road	\$1,408.10
2031127001	1610 Yosemite Boulevard	\$1,566.91
2031127012	1611 Villa Road	\$1,408.10
2030455001	2020 Yorkshire Road	\$2,699.74
2030455002	2046 Yorkshire Road	\$2,699.74
2030455003	2064 Yorkshire Road	\$2,699.74
2030455004	2092 Yorkshire Road	\$2,699.74
2030455005	2112 Yorkshire Road	\$2,699.74
2030455006	2140 Yorkshire Road	\$2,699.74
2030455007	2168 Yorkshire Road	\$2,699.74
2030455008	2192 Yorkshire Road	\$2,699.74
2030455009	2220 Yorkshire Road	\$2,699.74
2030455010	2252 Yorkshire Road	\$2,699.74
2030455011	2280 Yorkshire Road	\$2,699.74
2030456001	2324 Yorkshire Road	\$2,699.74
2030456002	2350 Yorkshire Road	\$2,699.74
2030456003	2380 Yorkshire Road	\$2,699.74
2030456004	2420 Yorkshire Road	\$2,699.74
2030456005	2440 Yorkshire Road	\$2,699.74
2030456006	2474 Yorkshire Road	\$2,699.74
2030456007	2488 Yorkshire Road	\$2,699.74
2030456008	2510 Yorkshire Road	\$2,699.74
2030456009	2540 Yorkshire Road	\$2,699.74

2030456010	2576 Yorkshire Road	\$2,699.74
2030456011	2588 Yorkshire Road	\$2,699.74
2030478001	2614 Yorkshire Road	\$2,699.74
2030478002	2650 Yorkshire Road	\$2,699.74
2030478003	2698 Yorkshire Road	\$2,699.74
2030478072	2730 Yorkshire Road	\$2,699.74
2030478073	2744 Yorkshire Road	\$2,699.74
2030478006	2756 Yorkshire Road	\$2,699.74
2030478037	2794 Yorkshire Road	\$2,699.74
2030478038	2810 Yorkshire Road	\$2,699.74
2030478039	2850 Yorkshire Road	\$2,699.74
2030478008	2866 Yorkshire Road	\$2,699.74
2030478009	2898 Yorkshire Road	\$2,591.75
2030453012	2029 Yorkshire Road	\$2,699.74
2030453013	2043 Yorkshire Road	\$2,699.74
2030453014	2057 Yorkshire Road	\$2,699.74
2030453015	2095 Yorkshire Road	\$2,699.74
2030453016	2113 Yorkshire Road	\$2,699.74
2030453017	2139 Yorkshire Road	\$2,699.74
2030453018	2165 Yorkshire Road	\$2,699.74
2030453019	2187 Yorkshire Road	\$2,699.74
2030453020	2219 Yorkshire Road	\$2,699.74
2030453021	2251 Yorkshire Road	\$2,699.74
2030453022	2279 Yorkshire Road	\$2,699.74
2030454012	2323 Yorkshire Road	\$2,699.74
2030454013	2351 Yorkshire Road	\$2,699.74
2030454014	2379 Yorkshire Road	\$2,699.74
2030454015	2419 Yorkshire Road	\$2,699.74
2030454016	2441 Yorkshire Road	\$2,699.74
2030454017	2467 Yorkshire Road	\$2,699.74
2030454018	2489 Yorkshire Road	\$2,699.74
2030454019	2521 Yorkshire Road	\$2,699.74
2030454020	2535 Yorkshire Road	\$2,699.74
2030454021	2565 Yorkshire Road	\$2,699.74
2030454022	2597 Yorkshire Road	\$2,699.74
2030477017	2613 Yorkshire Road	\$2,699.74
2030477018	2649 Yorkshire Road	\$2,699.74
2030477019	2695 Yorkshire Road	\$2,699.74
2030477020	2717 Yorkshire Road	\$2,699.74
2030477021	2739 Yorkshire Road	\$2,519.76
2030477022	2765 Yorkshire Road	\$2,879.73

2030477023	2795 Yorkshire Road	\$2,699.74
2030477024	2811 Yorkshire Road	\$2,699.74
2030477025	2833 Yorkshire Road	\$2,699.74
2030477026	2863 Yorkshire Road	\$2,699.74
2030477027	2897 Yorkshire Road	\$2,591.75
2031101036	1609 Yosemite Boulevard	\$3,059.71
2031101037	1635 Yosemite Boulevard	\$2,411.77
2031101038	1659 Yosemite Boulevard	\$2,411.77
2031101039	1671 Yosemite Boulevard	\$2,375.77
2031101040	1691 Yosemite Boulevard	\$2,231.79
2031101041	1721 Yosemite Boulevard	\$2,267.78
2031101042	1745 Yosemite Boulevard	\$2,267.78
2031101043	1765 Yosemite Boulevard	\$2,231.79
2031101044	1795 Yosemite Boulevard	\$2,213.79
2031127001	1610 Yosemite Boulevard	\$2,159.79
2031127002	1644 Yosemite Boulevard	\$2,699.74
2031127023	1660 Yosemite Boulevard	\$2,699.74
2031127024	1678 Yosemite Boulevard	\$2,699.74
2031127007	1714 Yosemite Boulevard	\$2,699.74
2031127026	-	\$1,799.83
2031127027	1756 Yosemite Boulevard	\$1,799.83
2031127010	1774 Yosemite Boulevard	\$1,799.83
2031127011	1792 Yosemite Boulevard	\$2,213.79

Street Spray Patching and Cape Seal Resurfacing

Sidwell Number	Street Address	Cape Seal Assessment
2030451001	2010 Buckingham Ave	\$922.34
2030451002	2032 Buckingham Ave	\$1,037.31
2030451003	2060 Buckingham Ave	\$1,037.31
2030451004	2080 Buckingham Ave	\$1,037.31
2030451005	2106 Buckingham Ave	\$1,037.31
2030451006	2120 Buckingham Ave	\$1,037.31
2030451007	2144 Buckingham Ave	\$1,037.31
2030451008	2152 Buckingham Ave	\$1,037.31
2030451009	2182 Buckingham Ave	\$1,037.31
2030451010	2220 Buckingham Ave	\$1,037.31
2030451011	2238 Buckingham Ave	\$1,037.31
2030451012	2250 Buckingham Ave	\$1,037.31
2030451013	2282 Buckingham Ave	\$1,613.89
2030406001	Pembroke Park	\$16,407.85

2030406002	2316 Windemere Road	\$545.81
2030406018	2305 Buckingham Avenue	\$727.34
2030452001	2306 Buckingham Avenue	\$759.17
2030452017	2317 Dorchester Road	\$759.17
2030451013	2282 Buckingham Avenue	\$759.17
2030451028	2291 Dorchester Road	\$759.17
2030406001	Pembroke Park	\$5,092.60
2031102001	1122 Yosemite Boulevard	\$1,728.85
2031102002	1166 Yosemite Boulevard	\$1,728.85
2031102003	1224 Yosemite Boulevard	\$1,728.85
2031102004	1248 Yosemite Boulevard	\$1,728.85
2031102005	1260 Yosemite Boulevard	\$1,728.85
2031102006	1348 Yosemite Boulevard	\$1,728.85
2031102007	1366 Yosemite Boulevard	\$2,161.07
2031102008	1420 Yosemite Boulevard	\$2,161.07
2031102009	1446 Yosemite Boulevard	\$1,728.85
2031102010	1498 Yosemite Boulevard	\$1,728.85
2031102011	1524 Yosemite Boulevard	\$1,728.85
2031102012	1556 Yosemite Boulevard	\$1,728.85
2031102013	1598 Yosemite Boulevard	\$1,728.85
2031101023	1111 Yosemite Boulevard	\$1,728.85
2031101024	1171 Yosemite Boulevard	\$1,728.85
2031101025	1231 Yosemite Boulevard	\$1,728.85
2031101026	1253 Yosemite Boulevard	\$1,728.85
2031101027	1291 Yosemite Boulevard	\$1,728.85
2031101028	1333 Yosemite Boulevard	\$1,728.85
2031101029	1387 Yosemite Boulevard	\$2,161.07
2031101030	1419 Yosemite Boulevard	\$2,161.07
2031101031	1447 Yosemite Boulevard	\$1,728.85
2031101032	1493 Yosemite Boulevard	\$1,728.85
2031101033	1525 Yosemite Boulevard	\$1,728.85
2031101034	1551 Yosemite Boulevard	\$1,728.85
2031101035	1595 Yosemite Boulevard	\$2,161.07

- B. Resolution to approve the Maple Road and Eton Street Intersection Road Safety Audit.
- C. Resolution to direct staff to issue the RFP for construction management services for the new senior/recreation center at 400 E. Lincoln as recommended by the SCC on December 18, 2024.

- D. Resolution to submit a bond proposal in an amount not to exceed \$32 million dollars to the electorate at a special election on May 6, 2025, to approve the ballot wording of the bond proposal, and to direct the City Clerk, once she certifies the language, and to send to the Oakland County Clerk for submission to the City's electors on May 6, 2025.
- E. 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.
- F. Commission discussion on items from a prior meeting.
- G. Resolution to meet in closed session to discuss pending litigation regarding Phase Three Properties, LLC v City of Birmingham pursuant to MCL § 15.268 Sec. 8(1)(e) of the Open Meetings Act.

(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.)

IX. REMOVED FROM CONSENT AGENDA

X. COMMUNICATIONS

- A. Communication from Michael Clift
- B. Communication from Zack Sklar

XI. REPORTS

- A. Commissioner Reports
 - 1. Notice of Intention to Appoint to the Ad Hoc Senior/Recreation Center Committee
 - 2. Notice of Intention to Appoint to the Storm Water Utility Appeals Board
 - 3. Notice of Intention to Appoint to the Planning Board
- B. Commissioner Comments
- C. Advisory Boards, Committees, Commissions' Reports and Agendas
 - 1. Greenwood Cemetery Advisory Board Annual Report
- D. Legislation
- E. City Staff
 - 1. 180 S. Chester – Chester St. Parking Structure Proposal
 - 2. Village Fair

INFORMATION ONLY

XII. ADJOURN

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760

You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-3405 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.

Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al [\(248\) 530-1880](tel:248-530-1880) por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).