

**Birmingham City Commission Minutes AMENDED**

**November 28, 2022**

**Municipal Building, 151 Martin**

**7:30 p.m.**

**Vimeo Link: <https://vimeo.com/770999285>**

**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  
Mayor Pro Tem McLain  
Commissioner Boutros  
Commissioner Baller  
Commissioner Host  
Commissioner Schafer

Absent: Commissioner Haig

Staff: City Manager Markus; City Clerk Bingham, City Planner Blizinski, Planning Director Dupuis,  
Finance Director Gerber, City Attorney Kucharek

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

**Announcements**

- The City recommends members of the public wear a mask if they have been exposed to COVID-19 or have a respiratory illness. City staff, City Commission and all board and committee members must wear a mask if they have been exposed to COVID-19 or actively have a respiratory illness. The City continues to provide KN-95 respirators and triple-layered masks for attendees.

**Appointments**

**11-293-22 Appointment to the Board of Review**

The Commission interviewed Kathleen Devereaux for the appointment.

**MOTION:** Nomination by Commissioner Host:

To appoint Kathleen Devereaux as a regular member to the Board of Review as a regular member to serve a three-year term to expire December 31, 2025.

VOICE VOTE: Ayes, Mayor Longe  
MPT McLain  
Commissioner Baller  
Commissioner Host

Commissioner Boutros  
Commissioner Schafer

Nays, None

**11-294-22 Appointment to the Board of Review**

The Commission interviewed Jill Stress for the appointment.

**MOTION:** Nomination by Commissioner Boutros:  
To appoint Jill Stress as a regular member to the Board of Review as a regular member to serve a three-year term to expire December 31, 2025.

VOICE VOTE: Ayes, Mayor Longe  
MPT McLain  
Commissioner Baller  
Commissioner Host  
Commissioner Boutros  
Commissioner Schafer

Nays, None

**11-295-22 Appointment of the Alternate Hearing Officer**

The Commission interviewed Rackeline Hoff for the appointment.

**MOTION:** Nomination by MPT McLain:  
To appoint Rackeline Hoff as the Alternate Hearing Officer to serve the remainder of a three-year term to expire June 30, 2024.

VOICE VOTE: Ayes, Mayor Longe  
MPT McLain  
Commissioner Baller  
Commissioner Host  
Commissioner Boutros  
Commissioner Schafer

Nays, None

**11-296-22 Appointment to the Birmingham Shopping District Board**

The Commission interviewed Beth Hussey for the appointment.

**MOTION:** Motion by Commissioner Boutros, seconded by Commissioner Baller:  
To concur with the City Manager's appointment of Beth Hussey, who is a business representative, to the Birmingham Shopping District (BSD) Board to serve the remainder of a 4-year term expiring November 16, 2026.

VOICE VOTE: Ayes, Mayor Longe  
MPT McLain

Commissioner Baller  
Commissioner Host  
Commissioner Boutros  
Commissioner Schafer

Nays, None

CC Bingham swore in the present appointees. It was noted that appointees attending virtually would be sworn in at a later date.

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

**V. CONSENT AGENDA**

**11-297-22 Consent Agenda**

MPT McLain: Item B – City Commission Meeting Minutes of November 14, 2022

**MOTION:** Motion by Commissioner Boutros, seconded by Commissioner Host:  
To approve the Consent Agenda excluding Item B.

ROLL CALL VOTE: Ayes, Commissioner Schafer  
Commissioner Host  
MPT McLain  
Commissioner Boutros  
Mayor Longe  
Commissioner Baller

Nays, None

- A. Resolution to approve the City Commission workshop meeting minutes of November 14, 2022.
- C. Resolution to approve the warrant list, including Automated Clearing House payments, dated November 16, 2022, in the amount of \$1,454,990.90.
- D. Resolution to approve the Oakland County Designated Assessor Interlocal Agreement.
- E. Resolution authorizing Birmingham to apply for a grant from the Michigan Spark Grants Program, and further, directing the City Clerk to sign the resolution.
- F. Resolution to approve a 2-year agreement with Superior Scape, Inc. for landscape bed maintenance services in the amount not to exceed \$129,868.00. In addition, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Funding for this project has been budgeted in the following accounts: Parks Other Contractual Services, 101.0-751.000-811.0000, Property Maintenance Other Contractual Services, 101.0-441.003-811.0000, and Major Streets Contract Maintenance, 202.0-449.003-937.0400.
- G. Resolution to discontinue the use of vehicle parking sensors and not replace them with an updated model at this time.

H. Resolution to approve professional service for design and construction engineering with Nowak and Fraus Engineers as specified in their proposal, for the project at Lincoln Hill Golf Course Tee No. 1 in an amount not to exceed of \$54,740.00, further charge this service to account number 584.1-753.001-981.0100, and further appropriate and amend the 2022-2023 Lincoln Hills Golf Course Fund budget as follows:

Revenues:

Draw from Net Position	584.1-000.000-400.0000	\$54,740
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Expenses:

Recreation & Culture - Public Improvement	584.1-753.001-981.0100	\$54,700
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I. Resolution to approve a special event permit as requested by the Chabad Jewish Center of Bloomfield Hills to hold the 2022 Shain Park Menorah Lighting & Celebration on Tuesday, December 20, 2022, and to display the Menorah in Shain Park from December 8, 2022 to January 4, 2023, 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.

**11-298-22 (Item B) City Commission Meeting Minutes of November 14, 2022**

**MOTION:** Motion by Commissioner Host, seconded by Commissioner McLain:  
To approve the City Commission meeting minutes of November 14, 2022 as amended.

ROLL CALL VOTE: Ayes, Commissioner Schafer  
Commissioner Host  
MPT McLain  
Commissioner Boutros  
Mayor Longe  
Commissioner Baller

Nays, None

**VI. UNFINISHED BUSINESS**

**VII. NEW BUSINESS**

**11-299-22 Public Hearing to amend Chapter 86 (Signs), Article 1, Table B to permit projecting signs to be located no higher than the sign band and no less than 8 ft. above grade**

The Mayor opened the public hearing.

CP Blizinski presented the item.

Public Comment

Chris Kojanian, co-owner of 277 Pierce, spoke in favor of the ordinance change.

The Mayor closed the public hearing.

In reply to Commissioner Baller, PD Dupuis said he would work with the BSD to notify its members if the ordinance change was approved.

Seeing no questions from the Commission, the Mayor entertained a motion.

**MOTION:** Motion by Commissioner Boutros, Commissioner Baller:  
To amend Chapter 86 (Signs), Article 1, Table B to permit projecting signs to be located no higher than the sign band and no less than 8 ft. above grade.

Commissioner Boutros praised the sign proposed by Mr. Kojaian and Schechter Wealth and thanked the businesses for investing in Birmingham.

ROLL CALL VOTE: Ayes, Commissioner Schafer  
Commissioner Host  
MPT McLain  
Commissioner Boutros  
Mayor Longe  
Commissioner Baller

Nays, None

**11-300-22            2023 Initial Bistro Screening**

PD Dupuis presented the item.

Kelly Allen, attorney, spoke on behalf of Birmingham Sushi Cafe.

Commissioner Boutros voiced his support for the recommended action.

**MOTION:** Motion by Commissioner Boutros, MPT McLain:  
To direct the bistro application for Birmingham Sushi to the Planning Board for a Special Land Use Permit, Final Site Plan and Design Review.

ROLL CALL VOTE: Ayes, Commissioner Schafer  
Commissioner Host  
MPT McLain  
Commissioner Boutros  
Mayor Longe  
Commissioner Baller

Nays, None

**11-301-22            Revised Purchasing Guidelines**

FD Gerber presented the item and answered informational questions from the Commission.

MPT McLain commented positively on the proposed revisions.

**MOTION:** Motion by Commissioner Baller, Commissioner Host:  
To approve the recommended changes to the purchasing guidelines.

ROLL CALL VOTE: Ayes, Commissioner Schafer  
Commissioner Host

MPT McLain  
Commissioner Boutros  
Mayor Longe  
Commissioner Baller

Nays, None

**Commission Items for Future Discussion**

**Commission Discussion On Items From A Prior Meeting**

**11-302-22            Rental Rights**

Commissioner Host summarized the proposed topic.

**MOTION:**            Motion by MPT McLain, Commissioner Host:  
To bring the subject of Rental Rights forward as a regular agenda item with the research and recommendations from Staff.

VOICE VOTE:            Ayes, Commissioner Schafer  
                                 Commissioner Host  
                                 MPT McLain  
                                 Commissioner Boutros  
                                 Mayor Longe  
                                 Commissioner Baller

Nays, None

**VIII. REMOVED FROM CONSENT AGENDA**

**IX. COMMUNICATIONS**

A. Fairway Drive Sidewalks

**X. REPORTS**

- A. Commissioner Reports
  - 1. MPT McLain – Civility Day 2022

MPT McLain reported on Civility Day 2022 at Oakland University.

- 2. Host report on MML

Commissioner Host reported on green energy opportunities in Birmingham and on the 2022 MML Convention, held in Muskegon, MI.

B. Commissioner Comments

Commissioner Host provided comment regarding the 'Setting the Record Straight - 2040 Master Plan does not Rezone Property' portion of the City Manager's report.

MPT McLain and Commissioner Baller also spoke on the topic.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
  - D. Legislation
  - E. City Staff
  - 1. City Manager's Report

CM Markus reviewed the report.

In reply to Commissioner Host, CM Markus said Staff would review whether ownership of Booth Park could revert back to the Booth family if certain changes to the Park's uses occur.

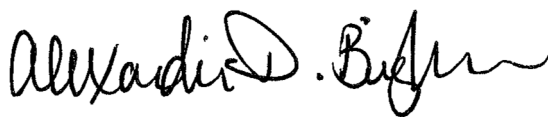
The Mayor noted that plans for Booth Park would only include additional amenities, and no commercial features.

In reply to Commissioner Host, PD Dupuis stated ~~that the third draft of the 2040 Master Plan had a few inconsistencies in terms of where commercial destinations in parks were recommended. He stated that the master planning team has been asked to resolve those inconsistencies.~~ It is just that there is a chapter on neighborhood destinations, which includes commercial destinations, and that the mapping in the third draft is inconsistent. The main map shows it not in Quarton Lake anymore - the main future use map - but there are some inconsistencies throughout the chapters that do show it in Quarton Lake, so we have asked them to remedy that."<sup>1</sup>

INFORMATION ONLY

**XI. ADJOURN**

Mayor Longe adjourned the meeting at 8:49 p.m.



Alexandria Bingham  
City Clerk



Laura Eichenhorn  
City Transcriptionist

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<sup>1</sup> As amended at the December 19, 2022 meeting.