

Birmingham City Commission Minutes
June 26, 2023
Municipal Building, 151 Martin
7:30 p.m.
Vimeo Link: <https://vimeo.com/event/3470>

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 Baller
Commissioner Haig
Commissioner Host
Commissioner Schafer

Absent: Commissioner Boutros

Staff: Acting City Manager Ecker; City Clerk Bingham, City Engineer Coatta, Library Director Craft, Planning Director Dupuis, Finance Director Gerber, City Attorney Kucharek, Parks & Forestry Foreman McGaughey, Museum Director Pielack, Department of Public Services Director Zielinski

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

Announcements

- Proclamation Recognizing Astrein's Creative Jewelers for 50 Years Serving Birmingham

Appointments

The Mayor acknowledged Rebekah Craft as the Representative from Baldwin Library for the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025.

The Mayor acknowledged Leslie Pielack as the Representative from Birmingham Museum for the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025.

06-142-23 Appointment to the Ad Hoc Aging in Place Committee

Rosemary O'Malley was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Baller:
To appoint Rosemary O'Malley to the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025.

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

Nays, None

06-143-23 Appointment to the Ad Hoc Aging in Place Committee

Rackeline Hoff was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Haig:
To appoint Rackeline Hoff to the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025.

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

Nays, None

06-144-23 Appointment to the Ad Hoc Aging in Place Committee

Cris Braun was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Schafer:
To appoint Cris Braun to the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025.

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

Nays, None

06-145-23 Appointment to the Ad Hoc Aging in Place Committee

Melissa Mark was interviewed by the Commission for the appointment.

It was noted that CA Kucharek would verify whether Ms. Mark could simultaneously serve on this Committee and the Baldwin Library Board.¹

MOTION: Nomination by Commissioner Host:
To appoint Melissa Mark to the Ad Hoc Aging in Place Committee as a regular member to serve an 18-month term to expire January 31, 2025, subject to concurrence from CA Kucharek that she may serve on both committees.

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

Nays, None

The Mayor noted there was one remaining vacancy on the Ad Hoc Aging in Place Committee.

The Mayor noted the vacancies on the Board of Ethics.

06-146-23 Appointment to the Museum Board

Marty Logue was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Haig:
To appoint Marty Logue to the Museum Board as a regular member to serve a three-year term to expire July 6, 2026.

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

Nays, None

06-147-23 Appointment to the Museum Board

¹The City Attorney responded via email with an opinion on June 28, 2023 stating that Ms. Mark’s appointment by the Commission should stand.

Caroline Ashleigh was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Baller:
To appoint Caroline Ashleigh to the Museum Board as a regular member to serve a three-year term to expire July 6, 2026.

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

Nays, None

06-148-23 Appointment to the Museum Board

Alexandra Harris was interviewed by the Commission for the appointment.

MOTION: Nomination by MPT McLain:
To appoint Alexandra Harris to the Museum Board as a regular member to serve a three-year term to expire July 6, 2026.

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

Nays, None

06-149-23 Appointment to the Public Arts Board

Andi Harris was interviewed by the Commission for the appointment.

MOTION: Nomination by Commissioner Host:
To appoint Andi Harris to the Public Arts Board as a regular member to serve the remainder of a three-year term to expire January 28, 2025.

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

Nays, None

06-150-23 Appointment to the Martha Baldwin Park Board

Linda Forrester was unavailable for an interview. The Mayor noted this would be a reappointment and asked the Commission if they were willing to proceed.

MOTION: Nomination by Commissioner Baller:

To appoint Linda Forrester as a regular member to the Martha Baldwin Park Board to serve a four-year term to expire May 1, 2027.

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

Nays, None

06-151-23 Appointment to the Retirement Board

Christopher Conti was unavailable for an interview. The Mayor noted this would be a reappointment and asked the Commission if they were willing to proceed.

MOTION: Recommendation by Mayor Longe:

To concur with the Mayor's recommendation to appoint Christopher Conti to the Retirement Board, as the resident member who is not eligible to participate in the retirement system, to serve a three-year term to expire July 1, 2026.

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

Nays, None

06-152-23 Appointment to the Greenwood Cemetery Advisory Board

Paul S. Connell was interviewed by the Commission for the appointment.

MOTION: Recommendation by Mayor Longe:

To appoint Paul S. Connell to the Greenwood Cemetery Advisory Board as a regular member to serve the remainder of a three-year term to expire July 6, 2024.

VOICE VOTE: Ayes, MPT McLain

Commissioner Host
Mayor Longe
Commissioner Haig
Commissioner Schafer
Commissioner Baller

Nays, None

The Mayor noted vacancies on the boards and pended Lisa M. Beverly's potential appointment to a future meeting.

The Clerk swore in the present appointees and it was noted that absent appointees would be sworn in at a future date.

Employee Recognition

1. City Clerk Bingham received the Certified Municipal Clerk (CMC) Designation from the International Institute of Municipal Clerks (IIMC) for demonstrating mastery of administrative skills critical to good government.

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

Tim Lennon made comments about a police investigation.

V. CONSENT AGENDA

06-153-23 Consent Agenda

The following items were pulled from the Consent Agenda:

Commr. Host:	Item B – City Commission Workshop Minutes of June 5, 2023
Commr. Baller:	Item G – Forestry Services Contract 2023-2026 Award
	Item I – Landscape Bed Maintenance Contract Addendum
	Item R – Next Service Agreement 2023-2024
Commr. Haig:	Item H – Purchase of Police, Engineering, and DPS Fleet Vehicles
	Item Q – <u>Right-of-Way Parking Request for 33866 Woodward</u>
	<u>Repair of 10-Inch Sewer – Maple Road East of Suffield Avenue</u> ²

MOTION: Motion by Commissioner Baller, seconded by Commissioner MPT McLain:
To approve the Consent Agenda excluding Items B, G, H, I, Q, and R.

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

² As amended at the July 10, 2023 meeting.

Nays, None

06-154-23 Consent Agenda (Part II)

MOTION: Motion by Commissioner Baller, seconded by Commissioner MPT McLain:
To rescind the previous motion as it related to Item A and to recommend approval of Item B.

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

Nays, None

- B. Resolution to approve the City Commission workshop meeting minutes of June 5, 2023.
- C. Resolution to approve the City Commission meeting minutes of June 5, 2023.
- D. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 7, 2023, in the amount of \$1,197,876.28.
- E. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 14, 2023, in the amount of \$821,955.20.
- F. Resolution to approve the warrant list, including Automated Clearing House payments, dated June 22, 2023, in the amount of \$1,891,383.34.
- J. Resolution, authorizing Birmingham to apply for a grant from the Michigan Spark Grants Program, and further, directing the City Clerk to sign the resolution.
- K. Resolution to approve the purchase of the replacement for the Nutanix Hyper-converged Server Infrastructure from CDWG at a total cost not to exceed \$203,192.00. Funds are available in the Machinery and Equipment fund account # 636.0-228.000-971.0100.
- L. Resolution to approve the replacement of the Darktrace appliance, purchase of additional security services and renewal the 4-year agreement with the initial payment of \$43,936.00 and a total 4-year contract price of \$271,555.00 from SHI using funds available in account #636.0-228.000-973.0400.
- M. Resolution to approve the Local Road Improvement Matching Fund Program Cost Participation Agreement between Oakland County and the City of Birmingham. In addition, authorize the Mayor to sign the agreement on behalf of the City. Funding for this project has been budgeted in accounts 202.0-449.001-981.0100, 101.0-444.000-981.0100, 590.0-537.000-981.0100, and 591.0-544.000-981.0100.
- N. Resolution to award the 2023 Asphalt Resurfacing Program Project #7-23 (P) to Asphalt Specialist, Inc. in the amount of \$845,485.00 plus a 10% construction contingency for a total of \$930,033.50. In addition, authorize the Mayor and City Clerk to sign the agreement

on behalf of the City after the review of Asphalt Specialist, Inc.'s insurance and bonds, contingent upon execution of the agreement and meeting all insurance and bonding requirements. Funding for this project has been budgeted in the following accounts:

2022-2023 Fiscal Year

Fund Account	Fund ID Number	Project Award	10% Contingencies	Total
Major Street Fund	202.0-449.001-981.0100	\$435,772.80	\$43,577.28	\$479,350.08
Local Street Fund	203.0-449.001-981.0100	\$108,943.20	\$10,894.32	\$119,837.52
Sewer Fund	590.0-537.000-981.0100	\$84,030.50	\$8,403.05	\$92,433.55
Water Fund	591.0-544.000-981.0100	\$84,030.50	\$8,403.05	\$92,433.55
Total Construction Costs		\$712,777.00	\$71,277.70	\$784,054.70

2023-2024 Fiscal Year

Fund Account	Fund ID Number	Project Award	10% Contingencies	Total
Golf Course Fund	584.2-753.001-981.0100	\$132,708.00	\$13,270.80	\$145,978.80
Total Construction Costs		\$132,708.00	\$13,270.80	\$145,978.80

And to approve the appropriation and amendment of the fiscal year 2022/2023 budget as follows:

Sewer Fund:

Revenues:

590.0-000.000-400.0000 Draw from Net Position ̲ \$92,440

Total Revenue ̲ \$92,440

Expenditures:

590.0-537.000-981.0100 Public Improvement ̲ \$92,440

Total Expenses ̲ \$92,440

Water Fund:

Revenues:

591.0-000.000-400.0000 Draw from Net Position \$52,440

Total Revenue \$52,440

Expenditures:		
591.0-544.000-981.0100	Public Improvement	<u>\$52,440</u>
Total Expenses		<u>\$52,440</u>

And to approve the appropriation and amendment of the fiscal year 2023/2024 budget as follows:

Golf Course Fund:

Revenues:		
584.2-000.000-400.0000	Draw from Net Position	<u>\$145,980</u>
Total Revenue		<u>\$145,980</u>

Expenditures:		
584.2-753.001-981.0100	Public Improvement	<u>\$145,980</u>
Total Expenses		<u>\$145,980</u>

- O. Resolution to approve the appropriation and amendment of the 2022/2023 budget as follows:

Major Street Fund:

Revenues:		
202.0-000.000-400.0000	Draw from Fund Balance	\$23,010
Total Revenue		\$23,010

Expenditures:		
202.0-449.001-981.0100	Public Improvement	\$23,010
Total Expenses		\$23,010

Sewer Fund:

Revenues:		
590.0-000.000-400.0000	Draw from Fund Balance	\$23,010
Total Revenue		\$23,010

Expenditures:		
590.0-537.000-981.0100	Public Improvement	\$23,010
Total Expenses		\$23,010

And to award a contract to repair the 10 inch sewer on Maple to D'Angelo Brothers Inc., in an amount not to exceed \$43,824.50.

- P. Resolution to set a public hearing date of July 24th, 2023 to consider the proposed ordinance amendments to Article 2, Section 2.27, Article 4, Section 4.46 Table A, Article 5, Section 5.09, and Article 9, Section 9.02 for the B1 Neighborhood Business District to include Specialty Food Store, Boutique, Bank, and Café as permitted uses, to include

Health Club/Studio as a use requiring a Special Land Use Permit, to include indoor dining as an accessory use limited to 500 square feet or less, to create a definition for a Café use, and to create a parking ratio requirement for a Café use.

- S. Resolution awarding the contract to Wiss, Janney, Elstner Associates, Inc. for construction period services in an amount not to exceed \$88,000; further, to charge the contract to the structure's capital outlay account as costs are incurred. Furthermore, to authorize the Mayor and City Clerk to sign the contract on behalf of the city.

06-155-23 Revised City Commission Minutes - May 22, 2023 (Item A)

MOTION: Motion by Commissioner Host, seconded by Commissioner Schafer:
To approve the revised City Commission meeting minutes of May 22, 2023 with two amendments.

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

Nays, None

06-156-23 Forestry Services Contract 2023-2026 Award (Item G)

Commissioner Baller noted for the public that the City spends over \$1 million a year on forestry services and commented positively on the forestry service provided by J. H. Hart Urban Forestry.

The Mayor noted that J. H. Hart Urban Forestry was out first thing in the morning of June 26, 2023 clearing tree debris from the previous night's storm.

MOTION: Motion by Commissioner Baller, seconded by MPT McLain:
To approve the Forestry Services Contract 2023-2026 agreement with J. H. Hart Urban Forestry, for three years commencing July 1, 2023 and ending June 30, 2026, for forestry services in the amounts set forth in Attachment C – Cost Proposal, and to further approve the City Manager's ability to extend the service contract for up to an additional 2-years pending future staff review. Funds are available in each of the following accounts for these services: Major Street Fund – Street Trees account #202.0-449.005-819.0000; Local Street Fund – Street Trees account #203.0-449.005-819.0000; Parks Forestry Services account #101.0-751.000-819.0000; and Property Maintenance Forestry Services account #101.0- 441.003-819.0000. Further, to authorize the Mayor and City Clerk to sign the agreement on behalf of the City Commission.

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

Nays, None

06-157-23 Purchase of Police, Engineering, and DPS Fleet Vehicles (Item H)

DPSD Zielinski answered a question regarding potential hybrid purchases from Commissioner Haig.

Commissioner Baller asked that Sustainability Impacts be included in reports when appropriate moving forward.

MOTION: Motion by Commissioner Haig, seconded by MPT McLain:
To approve, pending the signed Purchase Agreement by Gorno Ford, the purchase of (1) 2023 Hybrid Explorer, and (2) Police Admin Package Explorers from Gorno Ford, located at 22025 Allen Rd, Woodhaven, MI 48183, through the State of Michigan MiDeal Contract # 071B7700181, MiDeal Spec # 3003-POL, in an amount not to exceed \$51,902.00 for the Police Hybrid Explorer, and \$47,243.00 Per Police Admin Package Explorer (total amount not to exceed \$146,388.00 for all three vehicle purchases combined). 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 2022-2023 Auto Equipment Fund account #661.0-441.006.971.0100.

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

Nays, None

06-158-23 Landscape Bed Maintenance Contract Addendum (Item I)

PFF McGaughey answered a question about the landscape bed at Buckingham and Cambridge from Commissioner Baller.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Host:
To approve the Second Addendum with Superior Scape, Inc. for landscape bed maintenance services for an additional amount not to exceed \$55,166 for a total yearly amount not to exceed \$120,100. In addition, to authorize the Mayor and City Clerk to sign the addendum 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.

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

Commissioner Baller

Nays, None

**06-159-23 Right-of-Way Parking Request for 33866 Woodward (Item Q)
~~Repair of 10-Inch Sewer – Maple Road East of Suffield Avenue~~³**

Commissioner Haig raised issues with the applicant’s potential loading and unloading plan.

Gary Laundroche with the LaFontaine Automotive Group explained that vehicles would arrive at the location individually, as opposed to via truck.

MOTION: Motion by Commissioner Haig, seconded by MPT McLain:
To approve the right-of-way parking request for 33866 Woodward to permit 3 on-street parking spaces in the Woodward right-of-way to be counted towards the required off street parking requirements of the subject site pursuant to Article 4, Section 4.45 (G)(1) and subject to the condition that the area be improved in accordance with plans which have been approved by the Engineering Department.

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

Nays, None

06-160-23 Next Service Agreement 2023-2024 (Item R)

Commissioner Baller drew attention to the City’s contribution to Next this year.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Host:
To approve the service agreement with Next in the amount of \$126,632 for services described in Attachment A of the agreement for fiscal year 2023-2024, account number 101.0-656.000-811.0000, and further direct the Mayor and City Clerk to sign the agreement on behalf of the City.

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

Nays, None

³ As amended at the July 10, 2023 meeting.

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

06-161-23 Public Hearing of Necessity – Pierce Street Paving Project – Hearing of Necessity for Water Service Special Assessment District

The Mayor opened the public hearing at 8:44 p.m.

CE Coatta presented the item.

CE Coatta answered questions from Chet Falk, representative for one of the residents on Pierce St., regarding the assessments.

CA Kucharek provided Mr. Falk with further information regarding the assessment and appeals processes.

The Mayor closed the public hearing at 8:55 p.m.

Staff answered informational questions from the Commission.

MOTION: Motion by Commissioner Host, seconded by Commissioner Schafer:
To adopt the following resolution:

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 to proceed with the project of replacing water services that are less than 1 inch in diameter on Pierce Street between E. Lincoln Street and W. 14 Mile Road; and

WHEREAS, The City has previously established a policy requiring replacement of water services less than 1 inch in diameter when a water main is being replaced and the City street is open for repairs or reconstruction; and

WHEREAS, The City Commission, after the public hearing, has determined that the Pierce Street Project, and the replacing of water services that are less than 1 inch in diameter, 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 water service replacement has been determined; and

WHEREAS, The City Engineer has determined the boundaries of water service laterals located within the limits of the following streets shall be installed as part of the Pierce Street Project (Contract #3-23(W)):

Pierce Street – Lincoln Street to 14 Mile Road; and

WHEREAS, The formula used in making the assessment is 100% of the contractor's charge for replacing the water service that is less than 1 inch in diameter within the public right-of-way between the new water main and the property line (calculated at the rate of \$115.00 per foot of water service pipe).

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 the City Commission directs the Manager to prepare a Special Assessment Roll and present the same to the Commission for confirmation and further set a Public Hearing and give notice on July 10, 2023.

The parcel IDs, Sidwell numbers, and street addresses as reflected on Page 7A of the packet on page three.

MPT McLain reiterated CE Coatta's explanation that the City makes all necessary street repairs while a street is open and that these types of repairs are included within that policy.

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

Nays, None

06-162-23 Birmingham Historic District Design Guidelines

PD Dupuis presented the item.

Commissioner Haig offered high praise for the Birmingham Historic District Design Guidelines, commended everyone who worked on the Guidelines, and encouraged the City to distribute the Guidelines as widely as possible within the City.

MPT McLain and Commissioners Baller and Host concurred.

MPT McLain noted a typographical error in the spelling of her name and asked that it be corrected.

Commissioner Baller:

- Recommended that 'historic' be removed from 'Perhaps the primary concern was that infill construction included the removal of existing, historic housing and the construction of new housing that was out of scale to the surrounding neighborhood' on page six of the Guidelines;
- Said that 'Eco City' was built in the post-war era and not in the early 20th century; and,
- Clarified that neighborhoods were not historic districts.

PD Dupuis clarified that a portion of 'Eco City' was built in the 1920s and a portion was built in the post-war period. He noted that could be clarified in the document.

In response to Commission consensus, CM Ecker said that clarifications regarding Commissioner Baller's first and third points could be added to the Guidelines as well.

MOTION: Motion by Commissioner Haig, seconded by Commissioner Host:
To adopt in its entirety the completed Birmingham Historic District Design Guidelines as recommended by the Historic District Commission on June 7, 2023 subject to the minor modifications and linguistic updates as discussed.

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

Nays, None

06-163-23 4th Quarter Budget Amendment

FD Gerber presented the item.

MOTION: Motion by Commissioner Baller, seconded by Commissioner Host:

To approve the appropriations and amendments to the fiscal year 2022-2023 budget as reflected on page three of packet 7C.

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

Nays, None

06-164-23 Closed Session Pursuant to MCL § 15.268 Sec. 8(h) of the Open Meetings Act

CA Kucharek presented the item.

MOTION: Motion by Commissioner Host, seconded by MPT McLain:
To meet in closed session to discuss a written attorney/client privilege communication pursuant to MCL § 15.268 Sec. 8(h) of the Open Meetings Act.

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

Nays, None

The Commission went into closed session at 10:47 p.m.

The Commission returned from closed session at 11:18 p.m.

Commission Items for Future Discussion

After brief Commission discussion, it was decided that the City Attorney would do research on whether realtors could be required by the City to notify prospective buyers if a home is designated historic or if infrastructure improvements are likely to be required in the future.

In reply to a topic raised by Commissioner Host and discussed among the Commission and Staff, Commissioner Haig recommended the Commission follow the Rules of Procedure as written instead of making motions to extend meetings past 10 p.m. on workshop evenings.

The Mayor concurred.

Commission Discussion On Items From A Prior Meeting

Unimproved Streets

After Commission discussion, CM Ecker recommended holding a workshop in the fall on the topic of improving City streets. She confirmed Staff would be able to provide user-friendly versions of the street surface and infrastructure rankings.

MPT McLain recommended the City create a one-page summary for the public regarding the process of improving City streets.

Commissioners Baller and Host said they would like to discuss financing and acceleration of road improvements at the workshop.

Commissioner Haig recommended the City clarify the benefits to homeowners of the different road improvements.

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

A. Short Term Rentals Letter

Ms. Bellfield offered support for her neighbors, the Vorhees.

The Mayor listed additional correspondences received regarding short term rentals from Ms. Ransom, the Guillemets, Ms. Leary, Ms. Beady, and the Vorhees.

CM Ecker provided guidance for the public regarding submittals of correspondence.

Ms. Vorhees asked the City to increase the restrictions on short term rentals.

Ms. Shain concurred with Ms. Vorhees.

X. REPORTS

A. Commissioner Reports

MPT McLain commended Birmingham Police and Fire after her recent ride along experiences with the Police Department. She noted that the State Legislature was working on finalizing the budget for the fiscal year. She noted that Michigan was awarded funds to increase the availability of high speed internet.

B. Commissioner Comments

Commissioner Baller suggested the City should have a policy regarding whether City-maintained landscape beds should be located within neighborhoods. He said another relevant consideration was whether residents should be permitted to beautify and maintain public property if desired.

Commissioner Baller stated that Commissioner Host had indicated in a Facebook post that the City owned the YMCA. Commissioner Baller noted that the City did not presently own the YMCA.

CM Ecker confirmed that the City did not presently own the YMCA, and that the process of acquiring the YMCA was moving forward.

- C. Advisory Boards, Committees, Commissions' Reports and Agendas
- D. Legislation
- E. City Staff
- 1. Short Term Rentals Report

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

In reply to the Mayor, CA Kucharek confirmed she would review both Ferndale's and Ann Arbor's short term rental ordinances to see if there may be any useful and replicable aspects.

MPT McLain said that the present ordinances in place seemed to be insufficient deterrents for certain behavior. She said it would also be helpful to have a button on the City website that would direct residents to more information about short term rentals.

Commissioner Haig recommended that the topic of a voluntary Code of Conduct for landlords be considered in order to discourage certain behavior.

Commissioner Baller recommended, if the option was not already available, that the City amend its processes in order to be able to revoke a landlord's license if necessary.

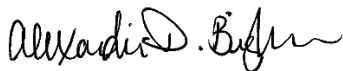
- 2. City Manager's Report

CM Ecker presented the report.

INFORMATION ONLY

XI. ADJOURN

Mayor Longe adjourned the meeting at 11:19 p.m.



Alexandria Bingham, City Clerk



Laura Eichenhorn, City Transcriptionist