

Present: President Peddie; President Pro-Tem Abboud; Members: George, Hrydziuszko, Mooney, Mueller, and Nunez

Absent: None

Also Present: Village Manager, Wilson
Village Clerk / Assistant Manager, Rutkowski
Village Attorney, Ryan
Village Planning and Zoning Administrator, LaPere

Peddie called the regular Council meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road. The Pledge of Allegiance was recited by those in attendance.

AMENDMENTS TO AGENDA/APPROVE AGENDA

Motion by Mooney, second by Mueller, be it resolved, the agenda is approved as published.

Motion passed.

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS

None.

CONSENT AGENDA

Motion by Mooney, second by Mueller, to approve the consent agenda as published.

1. Review and consider approval of minutes of a joint Council and Parks & Recreation Board meeting held January 23, 2020.
2. Review and consider approval of minutes of a regular Council meeting held February 18, 2020.
3. Review and file bills recapped as of Monday, March 2, 2020.
4. Review and consider waiving sales restrictions at Beverly Park for Village sponsored events in 2020.

Roll Call Vote:

Motion passed (7-0)

BUSINESS AGENDA

REVIEW AND CONSIDER REQUEST FROM KENSINGTON CHURCH TO HOLD ANNUAL EASTER EGG HUNT AT BEVERLY PARK ON SATURDAY, MARCH 28, 2020

Administration received a request from Kensington Church to hold their annual Easter Egg Hunt at Beverly Park on Saturday, March 28, 2020 from 9:00 AM to 5:00 PM. Kensington Church has requested to reserve the pavilion during this time and have the pavilion rental fees waived. They also asked for permission to hang a banner on the park fence the week leading up to the event and for the Village to provide portable restrooms for the event. The Parks and Recreation Board recommended approval of this request at their February 20, 2020 meeting.

Motion by Mueller, second by Mooney, that the Village Council approves the request from Kensington Church to hold the annual Easter Egg Hunt at Beverly Park on Saturday, March 28, 2020 from 9:00 AM to 5:00 PM and waive the pavilion rental fees during this time. Be it further resolved, Kensington Church may hang a banner on the park fence for the event and the Village will provide portable restrooms, provided that the Church submits a Certificate of Liability Insurance naming the Village of Beverly Hills as an additional insured to the Clerk's Office prior to the event.

Roll Call Vote:
Motion passed (7-0)

REVIEW AND CONSIDER REQUEST FROM THE PLATELET DISORDER SUPPORT ASSOCIATION TO WAIVE PAVILION RENTAL FEES FOR THE ITP 5K EVENT ON SUNDAY, SEPTEMBER 13, 2020

Administration received a request on behalf of the Platelet Disorder Support Association to hold the first annual ITP 5K Walk at Beverly Park on Sunday, September 13, 2020. ITP, or immune thrombocytopenia, is a blood disorder that can lead to easy or excessive bruising and bleeding. The bleeding results from unusually low levels of platelets, which are the cells that help blood clot. The Platelet Disorder Support Association is dedicated to enhancing the lives of people with ITP and other platelet disorders through education, advocacy, research and support. The group is requesting to hold their 5K at Beverly Park. They also have requested to reserve the pavilion from 9:00 AM to 12:00 PM and have asked that the rental fees be waived. The Parks and Recreation Board recommended approval of this request at their February 20, 2020 meeting.

Motion by Hrydziuszko, second by Nunez, that the Village Council approves the request from the Platelet Disorder Support Association to hold the ITP 5K at Beverly Park on Sunday, September 13, 2020 from 9:00 AM to 12:00 PM and hereby waives the pavilion rental fees during this time, provided that the Association submits a Certificate of Liability Insurance naming the Village of Beverly Hills as an additional insured to the Clerk's Office prior to the event.

Roll Call Vote:
Motion passed (7-0)

PRESENTATION ON REDEVELOPMENT READY COMMUNITIES PROGRAM

LaPere explained that the Michigan Economic Development Corporation (MEDC) offers a no-cost program, Redevelopment Ready Communities (RRC), for interested municipalities. This is a voluntary program that will help guide the Village to promote positive redevelopment efforts in the community. The goal is to create processes that are effective, efficient, and transparent using six Best Practices; Community Plans and Public Outreach, Zoning Regulations, Development Review Process, Recruitment and Education, Community Prosperity, and Redevelopment Ready Sites.

Some of the program benefits include: streamlining processes and procedures internally; receiving an outside review of planning, zoning and development plans, processes and policies; technical assistance; match funding; and MEDC will promote up to 3 redevelopment sites upon certification, including assistance in the development of site marketing materials and bringing those materials to conferences and events both in Michigan and across the country.

Certification is a three-step process that takes place over a period of time, typical range is 1 to 3 years from engagement to certification. First, the community formally engages with MEDC, then it proceeds to the evaluation step, and the third and final step is certification. To formally engage in the RRC program, Village staff must attend informational training sessions and complete a self-evaluation, after which Village Council must pass a resolution of intent. The evaluation step involves the RRC staff performing an evaluation of the community practices based on those Best Practices, stakeholder interviews, and observations/data analysis. Finally, the Village is certified as redevelopment ready upon demonstration of meeting all Best Practice criteria. RRC is an ongoing partnership, and MEDC will work with the Village throughout the process to provide support, as needed.

Upon certification, the Village will also gain access to additional technical assistance and the Redevelopment Services Team (RS Team) to further support redevelopment efforts through site analysis, RFP/RFQ assistance, environmental assessments, marketing assistance, and developer matchmaking events.

All of Council was supportive of this program and asked LaPere to follow up and initiate the program.

DISCUSS BALLOT PROPOSAL LANGUAGE FOR THE NOVEMBER 3, 2020 GENERAL ELECTION REGARDING A CHARTER AMENDMENT FOR A TEN-YEAR MILLAGE RATE RENEWAL

Council was provided a draft resolution establishing ballot proposal language for a Charter amendment for the November 3, 2020 General Election. The proposal would ask voters to renew the millage rate established in 2010 in section 9.1 of the Village Charter (Power to Tax), authorizing the Village to levy 12.9184 mills for a 10-year period. The authorization would include the following components specifically dedicated to the operation of the village:

- a) 9.9 mills for public safety operations;
- b) 1.88 mills for general administrative purposes;
- c) 0.8184 mills for library purposes; and
- d) 0.32 mills for general park purposes.

These figures were discussed at the January 11, 2020 Council Strategy Session and again at the January 23, 2020 Joint Council and Parks & Recreation Board Meeting.

The resolution will be on the March 17, 2020 regular Village Council meeting agenda for approval. If approved by a 2/3 vote of the legislative body, the resolution will be published in the local newspaper. The resolution must then sit for 30 days. After such time and final Council approval (at the May 5, 2020 regular meeting), the Village Clerk would submit the proposed amendment to the Governor for approval. Once approved by the Governor, the proposal can be submitted to the County Clerk to be included on the November 3, 2020 General Election ballot.

Mooney suggested that the language be revised; potentially with a chart; for clarity

- a) 9.9 mills for Public Safety: Police and Fire Services;
- b) 1.88 mills for general administrative purposes;
- c) 0.8184 mills for Baldwin Library services; and

d) 0.32 mills for Capital Park Improvements/Replacements for Village-wide Parks.

If the proposal were to not pass, the millage rate would revert back to the 11 mills per the Charter.

REVIEW AND CONSIDER WATER SYSTEM OPERATION AND MAINTENANCE AGREEMENT WITH OAKLAND COUNTY

Oakland County, through the office of the Water Resources Commissioner, provides various operations and maintenance services on the Village's water distribution system. The Village, through our contract with Comeau, does retain some control over operations and maintenance and repairs on our water distribution system. Emergency repairs that occur outside of regular business hours or larger repairs requiring larger equipment and more manpower are generally handled by WRC. The Village annually budgets \$200,000 for O&M services through Oakland County for our water distribution system. The Village also has additional funds on deposit with Oakland County to cover the costs of a potential significant break or repair. We have found this arrangement to be very cost effective and beneficial to the Village and our residents.

Oakland County has drafted a revised contract for our current arrangement for review and consideration. This has been part of a larger process of review of all existing service contracts with local governments in the county, including our previously revised IT Services and Sewer Operations and Maintenance contracts. Village Administration has met with WRC staff to review the draft contract documents and believes the documents as submitted reflect the current operations between WRC and the Village or our water distribution system operations and maintenance.

Ryan has reviewed the contract and had contact with legal counsel for Oakland County regarding the terms of this contract. Mr. Ryan has indicated that he is satisfied with the terms of the draft agreement. Wilson explained to George that the auto liability was bundled with the general liability.

Motion by George, second by Nunez, be it resolved that the Village Council approves and authorizes the Village Manager to execute the Operation and Maintenance Agreement with Oakland County for the operation and maintenance of the Beverly Hills water distribution system as presented. Funds for this contract are available in Fund 592-543.930.03.

Roll Call Vote:
Motion passed (7-0)

RECEIVE AND FILE PUBLIC ACT 202 OF 2019 PENSION REPORT

Form 5572 from the Michigan Department of Treasury for Pension and Retiree Health Care for the Village of Beverly Hills for FY 2019 follows as filed. The Pension is 79.0% funded which is extremely good. Monthly pension payments are determined by MERS actuarial reports. The Plan was closed to new hires as of July 1, 2013.

The Retiree Health Care is 69.1% funded which is very positive as well. The Retiree Health Care Plan was closed to new hires as of July 1, 2006.

Both the Pension and the Retiree Health were discussed at the Audit Presentation for fiscal year ending June 30, 2019. These reports contain no new information. They are required to be filed with the State of Michigan and posted to the website.

Motion by Mooney, second by Mueller, that the Village Council receive and file Public Act 202 of 2019 Pension Report.

Motion passed.

RECEIVE AND FILE PUBLIC ACT 202 OF 2019 RETIREE HEALTH CARE (OPEB) REPORT

Motion by Mooney, second by Nunez, that the Village Council receive and file Public Act 202 of 2019 Retiree Health Care (OPEB) Report.

Motion passed.

PUBLIC COMMENTS

None.

MANAGER'S REPORT

Lahser Rd. Rezoning Hearing – At the regularly scheduled Planning Commission meeting of February 26th a Public Hearing was scheduled for a proposed rezoning of 2 lots on the east side of Lahser just north of 13 Mile. A crowd of approximately 150 showed up for the Public Hearing. The size of the crowd made holding the hearing in Council Chambers (capacity 55) impractical. Further, attempting to accommodate that many people in the building and lobby is simply not safe. The Public Hearing was postponed until the week of next regular meeting of March 25th to allow the Village to secure a larger venue to hold this hearing. As of the time of writing this report Village Administration is working to secure an appropriate location.

After a public hearing and recommendation from the Planning Commission the request will likely be brought back before Council for review and consideration. Were 150 people to show up for that meeting as well we will face the same problem. Village Administration can work with Council on the planning for such a meeting. Relocation of our meetings to an alternative venue does require more planning because of the filming and broadcasting of our meetings. Further, the applicants proposed use would require Special Land Use approval along with site approval.

Should the Special Land Use request be taken up by the Planning Commission and Village Council in the future, public hearings will be required at both meetings, potentially requiring the relocation of those meetings as well.

Code Enforcement Contract – Based upon the discussion at the annual strategy session, Village Administration has obtained a draft contract for additional code enforcement services from SafeBuilt. The proposed contract will be an addendum to our existing contract for Building Dept. and inspection services. Village Administration has reviewed the terms of the contract and has requested some modifications to the terms and clarification to some of the language. The contract addendum will also be provided to Mr. Ryan for his review. I anticipate having a final version of this contract for Council's review and consideration at the meeting of March 17th.

2020 Census – Residents should soon be seeing and receiving information regarding the 2020 Census. Billboards will be going up around the region beginning March 9th. On March 12th, the

Census will “go live” with information being sent to residences and people having the first opportunity to fill out census information on-line. April 1 is being established as a “take a break” day for residents to set aside 10 minutes to take a break and fill out their census form. More information can be found at www.michigan.gov/census2020

Village Newsletter – The Village’s quarterly newsletter has been printed and should be delivered to homes during the first or second week of March.

COUNCIL COMMENTS

George encouraged everyone to learn more about the BPS and DIA items and vote March 10. Related to the rezoning issue, he advised residents to be clear in their opposition and not make guesses at motivation.

Hrydziuszko reminded residents that as the weather warms up there will be standing water, which attracts mosquitos. She suggested they purchase dunks and pellets to put in the water to deter them.

Abboud reported updates on SEMCOG and the MI General Assembly.

Motion by Mooney, second by Nunez, to adjourn the meeting at 8:40 pm.

Motion passed.

Lee Peddie
Council President

Kristin Rutkowski
Village Clerk

Elizabeth M. Lyons
Recording Secretary