

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
Public Safety Director, Torongeau
Village Attorney, Ryan

Peddie called the regular Council meeting to order at 7:30 p.m. virtually via Zoom per Executive Order 2020-48. 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.

Roll Call Vote:
Motion passed (7-0)

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS

None.

CONSENT AGENDA

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

1. Review and consider approval of minutes of a regular Council meeting held April 21, 2020.
2. Review and consider approval of minutes of a special Council budget meeting held April 28, 2020.
3. Review and file bills recapped as of Monday, April 27, 2020.
4. Proclamation Declaring the First Friday in June to be National Gun Violence Awareness Day.
5. Review and consider resolution for West Nile Virus Fund expense reimbursement.

Roll Call Vote:
Motion passed (7-0)

BUSINESS AGENDA

REVIEW AND CONSIDER SECOND READING OF RESOLUTION ESTABLISHING BALLOT PROPOSAL LANGUAGE FOR THE NOVEMBER 3, 2020 GENERAL ELECTION REGARDING A CHARTER AMENDMENT FOR A TEN-YEAR MILLAGE RATE RENEWAL

At a regular meeting of the Village Council, Oakland County, Michigan, held at the Village Office at 18500 W. Thirteen Mile Road, Beverly Hills, Michigan 48025, on May 5, 2020, at 7:30 p.m.

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

Absent: None

The following Resolution was offered by Councilmember Mooney and seconded by President Pro-Tem Abboud.

WHEREAS, on the 17th day of March, 2020, a Charter Amendment was proposed by the Village Council; and

WHEREAS, in accordance with the statute in such case made and provided, such Resolution was published in the Observer-Eccentric, a newspaper circulated within the Village; and

WHEREAS, said Resolution has been duly laid on the table for at least thirty (30) days:

NOW, THEREFORE, BE IT RESOLVED as follows:

That the following Charter Amendment be voted upon by the qualified electors of the Village of Beverly Hills at the General Election to be held on Tuesday, November 3, 2020, to-wit:

BALLOT PROPOSAL 1

It is proposed that Section 9.1 of the Charter of the Village of Beverly Hills be amended to read as follows:

POWER TO TAX:

POWER TO TAX

The Village shall have the power to levy and collect taxes for municipal purposes. The general ad valorem tax levy shall not exceed 12.9184 mills, times the taxable value of all real and personal property, subject to taxation in the Village, exclusive of any levies authorized by general statute to be made beyond Charter tax limitations, for a period of ten (10) years 2021 to 2031 inclusive. This 12.9184 millage authorization shall include the following components specifically dedicated to the operation of the Village:

- a) 9.9 mills for public safety/police/fire operations;
- b) 1.88 mills for general administrative purposes;
- c) 0.8184 mills for Baldwin Public Library services;
- d) 0.32 mills for capital park improvements/replacements for village wide parks.

It is estimated that the renewal of 9.9 mills for public safety/police/fire will raise approximately \$6,288,904.00 when first levied in 2021;

It is estimated that the reduction of the prior millage for general administrative purposes to 1.88 mills will raise approximately \$1,194,238.00 when first levied in 2021;

It is estimated that the reduction of the prior millage for Baldwin Public Library services to 0.8184 will raise approximately \$519,874.00 when first levied in 2021; and

It is estimated a new park millage for capital park improvements/replacements for village wide parks will raise approximately \$203,274.00 when first levied in 2021.

Upon expiration of this renewed millage on June 30, 2031, the maximum allowed under Charter millage rate will revert to 11.00 mills for municipal purposes.

Shall this amendment be adopted?

Yes _____

No _____

That prior to the submission of the vote of the electors of the Village, such Charter Amendment shall be presented to the Governor of this State.

That before its submission to the electors of the Village, the Clerk shall give such notice thereof as is required by law.

AYES: 7

NAYS: 0

RESOLUTION DECLARED ADOPTED.

Roll Call Vote:
Motion passed (7-0)

REVIEW AND CONSIDER APPROVAL OF COST PARTICIPATION AGREEMENT WITH THE BOARD OF ROAD COMMISSIONERS OF THE COUNTY OF OAKLAND FOR PROJECT NO. 55801

As part of the 2020 construction project on 13 Mile Rd, the Road Commission of Oakland County (RCOC) has requested to participate through the repaving of the intersection of 13 Mile and Southfield Rd. This intersection was not part of the original project design and was not included in the federal grant application. By including this work, the Road Commission is agreeing to be responsible for 100% of the cost. The projected cost for this intersection is \$109,005.00.

RCOC has provided a cost participation agreement that would allow this work to be completed at the expense of the Road Commission. A draft of that agreement is included for your review. The Village Manager has reviewed the agreement and recommends approval by Council as submitted.

Motion by Mueller, second by Hrydziuszko, be it resolved, the Village Council approve and authorize the Village Manager to execute the Cost Participation Agreement between the Road Commission for Oakland County and the Village of Beverly Hills for the reconstruction of the intersection at Southfield Rd. and 13 Mile as submitted.

Roll Call Vote:

Motion passed (7-0)

REVIEW AND CONSIDER APPROVAL OF FUND CHANGES FOR RETIREE HEALTH CARE FUND, TAX COLLECTIONS FUND, PUBLIC SAFETY RETIREMENT FUND, COMBINED SEWER OVERFLOW FUND, AND THE DEDICATED MILLAGE FUND

Finance Director McCarthy submitted the following statement regarding Fund Changes as a result of GASB 84, Fiduciary Activities:

The objective of this statement is to improve guidance regarding the identification of fiduciary activities for accounting and financial reporting purposes and how those activities should be reported. Fiduciary activities refer to assets which the Village administers for employees such as the MERS Retiree Health Care Fund.

Fund 285 Retiree Health will be replaced by Fund 737 Retiree Health

What is Fund 285?

Fund 285 reports the Retiree Health Care premiums paid for eligible employees. Eligible employees are those that began employment at the Village on or before 7/1/2006. Premiums are paid in part by the Village and in part by MERS Retiree Health Care assets.

What will change besides the Fund number changing from 285 to 737?

At this point, there will be no other changes. Further changes to this fund under GASB 84 have been postponed until a further date.

Fund 703 Tax Collections Fund will be Dissolved

This fund will no longer be used. This fund acted as a temporary holding fund for Property Tax Revenue in the general ledger. Property Tax Revenue per GASB 84 will now be posted directly to the receiving Fund (General, Public Safety, Water) per the millage rates in effect. The presentation of the financial statements will not change.

Other Funds no longer needed that will be dissolved as of June 30, 2020

Fund 732 Public Safety Retirement Fund

The minimal cash balance of less than \$100 will be transferred to Fund 205 Public Safety. This fund is no longer relevant. All Public Safety Retirement assets were transferred to MERS several years ago.

Fund 285 Retiree Health Care Fund

Fund 285, as explained above will be replaced by Fund 737 and all balances transferred.

Fund 392 Combined Sewer Overflow Fund

All balances in 392 (there is a cash balance of approximately \$19,000) will be transferred to Fund 592. This fund was created for the debt millage which expired in 2015 and no longer has activity.

Fund 402 Dedicated Millage Fund for Combined Sewer System and Acacia Treatment Facility

This Fund is no longer relevant. The project was completed several years ago. The cash balance of \$13 will be transferred to Fund 592.

These proposed changes have been reviewed by Village Administration and are recommended for approval.

Motion by Abboud, second by Mooney, be it resolved, the Village of Beverly Hills Council authorizes Village Administration to add, revise or retire funds as described above in the Retiree Health Fund, Tax Collections Fund, Public Safety Retirement Fund, Combined Sewer Overflow Fund and the Dedicated Millage Fund effective June 30, 2020.

Roll Call Vote:

Motion passed (7-0)

DISCUSSION ON EXTENSION OR EXPIRATION OF STAY HOME ORDER

Wilson provided an update on Village operations during the Stay Home, Stay Safe Order and how the staff is preparing the building for eventual reopening. Social distancing protocols will be in place and sneeze guards will be installed at the front counter. A laptop will be available at the podium in Council Chambers for residents who wish to participate in public comment that way during meetings.

Ryan anticipates that the Order allowing remote meeting participation will be extended.

Peddie reminded everyone that face coverings are required in enclosed public places. She also stated to make sure you wash your hands and do not touch your face.

Abboud requested that the Village provide gloves to members of the public who wish to use the laptop at the podium during public meetings once the building is reopened.

PUBLIC COMMENTS

None.

MANAGER'S REPORT

Village Staffing and Village Hall – The Village Hall remains closed to the public at this time. I have extended the reduced/modified staffing levels through Friday, May 15th. Employees continue to work from home as much as necessary and operations have continued. Commercial and residential construction will be allowed to restart on Thursday, May 7th. We have been accepting permit applications throughout the shutdown but have only issued permits and performed inspections for essential work. There will be a backlog of inspections to be scheduled and carried out and I would anticipate a lot of permits to begin coming in. The Village has done well with taking applications via e-mail, drop box or mail.

Beginning May 18th, I anticipate returning to an increased if not normal staff rotation. Social distancing, health screening and cleaning protocols will remain in place. We have ordered a shield that will go over the front counter. The extent of staff returning will be governed by potential modifications to the Stay Home Order. Per Section 6 of the current Stay Home Order (Executive Order 2020-59), “All in-person governmental activities at whatever level (state, county, or local) that are not necessary to sustain or protect life, or to support those businesses and operations that are maintaining in-person activities under this order, are suspended. Further, Section 11(b) states that any governmental agency that remains open for in-person work must, “...restrict the number of workers present on premises to no more than is strictly necessary to perform the in-person work permitted under the order.” This is the guidance we have used to develop our current work and

scheduling plan. This order will expire on Thursday, May 15th. I anticipate that if extended, the language governing our activities will be modified. We will continue to monitor any changes or extensions in this order and adjust our operations appropriately.

As for the reopening of Village Hall to the public, we will continue to monitor state guidelines and many of our fellow communities and re-open the building when safe and appropriate, under the necessary precautions. Some of these target dates can be adjusted should local rates of infection increase. As of May 1, there are 83 reported cases in the 48025 Zip Code. On April 9th, there were 56 reported cases, or an increase of 27 cases over the last three weeks. This represents a significant slowing of the trend over previous weeks.

FY 2020-2021 Budget – Village Administration is finalizing the budget per the direction provided by Council at the annual budget workshop. The budget and all relevant resolutions will be on the May 19th agenda for Council's review and consideration. Village Administration will be putting together a formal budget book for Council's use.

Water Quality Report – The 2019 Annual Water Quality Report has been completed and has been sent to all homes in the Village. A copy of the report has been included for your review.

Cancellation of Events – Due to the COVID-19 Outbreak the following events have been canceled:

- Memorial Day Parade and Carnival
- Annual Village Wide Garage Sale
- June 5 Concert in the Park

Additionally, all pavilion rentals through the month of May have been cancelled and refunds have been issued. Refunds are being issued for 100% of the rental fee and deposit. We are not accepting any further reservations at this time. Existing reservations for June 1 and beyond are still valid and will be reviewed as situations change. We are not issuing garage sale permits until further notice.

Newsletter – The Villager newsletter has been mailed to all residences and is posted on the Village website.

Census Response Rate – As of April 29, the Village has a response rate of 79.6% for the 2020 Census. This continues to be one of the highest rates in the State. For the 2010 Census, we had a final response rate of 85%.

Public Participation via Laptop – Village Administration has installed a laptop in the Council Chambers. This laptop will be available for use by the public for any and all Village meetings held via teleconference. The laptop will be placed on the podium in the Council Chambers. Anyone wishing to address the Council or Board, or make a presentation before the board, can approach the podium and participate in the meeting via this laptop. The building will remain open for the duration of the meeting to allow anyone from the public to attend.

Planning Commission May Meeting – The Planning Commission is making plans to hold their regular meeting of May 27th via teleconference. This will be subject to a continuation of Executive Orders allowing for public meetings to be held via this method.

COUNCIL COMMENTS

George would like people to remain vigilant, use caution, and stay safe to continue a downward trend of COVID-19.

Hrydziuszko asked everyone to stay safe, wash their hands, and wear a mask.

Peddie extended her condolences to the family of Bob Deneweth. She stated he was a great man, involved in the community, and was instrumental in helping get the millage passed ten years ago.

Motion by Peddie, second by Mooney, to adjourn the meeting at 8:12 pm.

Motion passed.

Lee Peddie
Council President

Kristin Rutkowski
Village Clerk