

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  
Planning and Zoning Administrator, LaPere

Peddie called the regular Council meeting to order at 7:30 p.m. virtually via Zoom per Executive Order 2020-75. 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 June 2, 2020.
2. Review and file bills recapped as of Monday, June 8, 2020.

Roll Call Vote:  
Motion passed (7-0)

### **BUSINESS AGENDA**

#### **REVIEW AND CONSIDER SUBCOMMITTEES' RECOMMENDATIONS FOR VARIOUS BOARD/COMMISSION APPOINTMENTS**

Several board and commission members' terms expire on June 30, 2020. Announcements of these vacancies were made at the May 19<sup>th</sup> and June 2<sup>nd</sup> Council meetings as well as published on the Village website. Applications were due Wednesday, June 10, 2020. Administration provided a list of applicants to the Council.

Pursuant to Council policy, a subcommittee was formed for each board/commission to review the new applicants and those members who wish to be considered for reappointment. Each subcommittee met on Tuesday night via Zoom prior to the regular Council meeting.

The policy for determining eligibility for reappointment is:

- a) A 70% attendance requirement for scheduled meetings over the previous term
- b) Length of service
- c) Special expertise required by this Board, which can either come from outside experience in the field or from years of experience actually working on the Board
- d) Recommendations from other Board members and Council members
- e) Opening up opportunities for new people to serve

There was one vacancy on the Birmingham Area Cable Board. The Birmingham Area Cable Board subcommittee chaired by Mooney recommended the reappointment of James Delaney.

Motion by Mooney, second by Abboud, be it resolved, the Beverly Hills Village Council appoints James Delaney to the Birmingham Area Cable Board for a full term beginning July 1, 2020 and ending June 30, 2023.

Roll Call Vote:  
Motion passed (7-0)

There were three vacancies on the Planning Commission. The Planning Commission subcommittee chaired by Hrydziuszko recommended the reappointments of Antonia Grinnan and Charles Copeland and recommended the appointment of Andrea Wright.

Motion by Hrydziuszko, second by Mooney, be it resolved, the Beverly Hills Village Council appoints Antonia Grinnan to the Planning Commission for a full term beginning July 1, 2020 and ending June 30, 2023.

Roll Call Vote:  
Abboud – yes  
George – yes  
Hrydziuszko – yes  
Mooney – yes  
Mueller – yes  
Nunez – no  
Peddie – yes  
Motion passed (6-1)

Motion by Hrydziuszko, second by Mooney, be it resolved, the Beverly Hills Village Council appoints Charles Copeland to the Planning Commission for a full term beginning July 1, 2020 and ending June 30, 2023.

Roll Call Vote:  
Motion passed (7-0)

Motion by Hrydziuszko, second by Mooney, be it resolved, the Beverly Hills Village Council appoints Andrea Wright to the Planning Commission for a full term beginning July 1, 2020 and ending June 30, 2023.

Roll Call Vote:  
Motion passed (7-0)

There were three vacancies on the Parks and Recreation Board. The Parks and Recreation Board subcommittee chaired by Mueller recommended the reappointment of Molly Borgon and Matt Goodrich and the appointment of Gregory Ross.

Motion by Mueller, second by George, be it resolved, the Beverly Hills Village Council appoints Molly Borgon, Matt Goodrich, and Gregory Ross to the Parks and Recreation Board for a full term beginning July 1, 2020 and ending June 30, 2023.

Roll Call Vote:  
Motion passed (7-0)

There were three vacancies on the Zoning Board of Appeals. The Zoning Board of Appeals subcommittee chaired by George recommended the reappointment of Jan Gatowski and Michele Tillman and the appointment of Michael Bugenski.

Motion by George, second by Hrydziuszko, be it resolved, the Beverly Hills Village Council appoints Michele Tillman, Jan Gatowski, and Michael Bugenski to the Zoning Board of Appeals for a full term beginning July 1, 2020 and ending June 30, 2023.

Roll Call Vote:  
Motion passed (7-0)

**REVIEW AND CONSIDER AWARDING THE 2020 BEVERLY PARK PLAYGROUND WOODCHIP PROJECT TO SUPERIOR GROUNDCOVER, INC.**

At the February 18, 2020 meeting, the Beverly Hills Village Council authorized administration to request bids to replenish the sterilized woodchips at the Beverly Park Playground. The Request for Proposals was published on MITN/BidNet Direct and after having to push the bid opening date back due to the coronavirus pandemic, the bid opening was held on May 22, 2020 via Zoom.

The Village received three (3) proposals. The lowest bid received did not include installation. The next lowest bid was from Superior Groundcover, Inc. in the amount of \$4,050.00 for 150 cubic yards of material, delivery, installation, and cleanup.

A copy of the bid tabulation and bid were provided to the Council.

Motion by Mueller, second by Mooney, be it resolved, the Beverly Hills Village Council awards the 2020 Beverly Park Playground Woodchip Project to Superior Groundcover, Inc. in the amount of \$4,050.00 for 150 cubic yards of sterilized woodchips. Funds for this project are available in account 101-751-778.03.

Roll call vote:

Motion passed (7-0)

**REVIEW AND CONSIDER AWARDING THE PUBLIC SAFETY BUILDING PARKING LOT REHABILITATION PROJECT TO R&R ASPHALT, INC.**

The Village of Beverly Hills and the Village of Bingham Farms bid a joint asphalt project to avail both Villages of the advantage of volume of work to achieve better pricing. Beverly Hills work involves milling, base repair, and repaving of the back parking lot at the Public Safety Building. The front drive of the Public Safety Building is being redone in concrete by a different contractor and will tie into the approach work being done by the contractor for 13 Mile Road.

There were three bidders for this project ranging from a high bid of \$143,325.00 from ASI, Inc. to a low bid of \$99,288.00 from R&R Asphalt, Inc. for the work in Beverly Hills. R&R Asphalt has not previously done work in the Village, so administration checked with references they have done work for and with engineers that have worked with them to assure that they could do the work as proposed. Administration also had them supply a list of the equipment they have that would be required to do the work.

The funds for this work are in the Public Safety budget 401-905-977 (\$110,000).

Administration recommends that the Village of Beverly Hills accept the bid of R&R Asphalt, Inc. for \$99,288.00 for the portion of work for the Village of Beverly Hills. A copy of the bid tabulation was provided to the Council.

Motion by Abboud, second by Mueller, be it resolved, the Beverly Hills Village Council awards the Public Safety Building Parking Lot Rehabilitation project to R&R Asphalt, Inc. in the amount of \$99,288.00. Funds for this project are available in account 401-905-977.

Roll Call Vote:  
Motion passed (7-0)

**REVIEW AND CONSIDER SITE PLAN APPROVAL FOR AN EXISTING BUILDING AT 16267 W. 14 MILE ROAD**

LaPere provided an overview of the site plan. Administration received a request for site plan approval from Dorchen/Martin Associates, architect for Diag Partners, for proposed renovations and an addition to the two-story office building at 16267 W. 14 Mile Road. The proposal details interior renovations, including the addition of ADA accessible features, an expansion to the building entrance on the rear of approximately 100 square feet, and the addition of a deck off the rear of the building. The total building size will increase from 5,684 GSF to 5,854 GSF. The proposal also details a reconfigured parking lot to accommodate the proposed addition, new exterior lighting and dumpster enclosure, and installation of landscaping.

Per Section 22.08.290, this project requires site plan approval for compliance with applicable subsections of the Village Ordinance. Upon referral from Council, the Planning Commission reviewed the plans at their meeting held May 27, 2020. Planning Commission made a recommendation for approval with the conditions that (1) the text on the landscape detail plan is clarified and (2) the trees in the public right-of-way are subject to approval by the Road Commission for Oakland County and if they are denied, a letter be submitted to the Village office indicating such. A copy of the minutes was provided to the Council.

Prior to the Planning Commission meeting, the plans were reviewed by the Village planning consultant who noted the parking lot configuration may be improved by relocating the barrier-free spaces closer to the entrance and the addition of cross-walk striping to facilitate safer pedestrian access within the lot, and he requested details on the light fixtures. The applicant did revise the plans to modify the parking lot layout and supplied the necessary light fixture details to the Planning Commission at the meeting. Pursuant to the Planning Commission recommendation, the revised plans submitted for Council's review also correct the landscape plan text details and incorporate the light fixture details onto the site lighting photometric study. The applicant has also provided the cutsheets for the light fixtures.

The Village Engineer has reviewed the plans and does not anticipate any engineering concerns. The Fire Marshal comments were provided to the Council. A copy of the complete submittal package was provided to the Council.

Motion by Hrydziusko, second by Mooney, be it resolved, the Village Council approves the site plan dated May 6, 2020 for an addition and improvements to the existing building located at 16267 W. 14 Mile Road with trees in the public right-of-way subject to Road Commission for Oakland County approval.

Roll Call Vote:  
Motion passed (7-0)

## **REVIEW AND CONSIDER FISCAL YEAR 2019-2020 BUDGET AMENDMENTS**

Proposed FY 2019-2020 Village of Beverly Hills Budget Amendments were submitted for review.

There are General Fund amendments adjusting various revenue and expenditure accounts. Constitutional state shared revenue has been adjusted downward in accordance with recent state projections because of COVID19. An amendment is included for Local Community Stabilization revenue received from the State that was unbudgeted. The effect of the amendments is a net of revenue and expenditure increase of \$41,051.

In Major Roads and Local Roads there are amendments reducing Act 51 revenue received from the State due to the economic downturn relating to COVID19. There are amendments relating to the Federal project on 13 Mile Road per information from Tom Meszler. Various expenditure accounts are amended to adjust to expected actuals. The effect of the amendments is a net of revenue and expenditure decrease of \$56,096 in Major Roads and a net of revenue and expenditure increase of \$17,500 in Local Roads.

In the Public Safety Fund there are various revenue and expenditure adjustments to expected actuals. Overtime has been adjusted downward due to a lower level of activity because of COVID19. Salaries and benefits have been reduced to expected fiscal year actuals. The effect of the amendments is a net of revenue and expenditure increase of \$210,500.

These proposed FY 2019-2020 Budget Amendments have been reviewed by Village Administration and are recommended for approval.

Motion by Mooney, second by George, be it resolved that the Village of Beverly Hills Council authorizes Village Administration to transfer or adjust monies reserved in the General, Major

Roads, Local Roads, Public Safety Funds as reflected in the June 12, 2020 memorandum from Finance Director, Sheila McCarthy and the budget amendments will be available to view on the Village website.

Roll call vote:

Motion passed (7-0)

### **PUBLIC COMMENTS**

Michele Tillman, Plantation Lane, thanked the council for reappointing her to the Zoning Board of Appeals.

Antonia Grinnan, Riverbank, expressed her sympathy to the family of John W. Smith and sent her condolences on their loss. She thanked Council for reappointing her to the Planning Commission.

### **MANAGER'S REPORT**

**COVID-19 Response Plan** – A copy of the Village's COVID-19 Response Plan was provided to the Council. The State of Michigan is requiring such a plan for all places of business upon re-opening. The plans are required no later than two weeks after re-opening to the public, however we desired to go ahead and have our completed prior to reopening. All Village Staff worked diligently to get this document completed, in addition to implementing the procedures outlined in the document. A copy of this plan has been placed on the Village's web page and has been provided to all employees and necessary contractors. The procedures and protocols contained with this report are continually being re-evaluated and will be subject to revisions, especially as we progress through the phases of the MI Safe Start Plan.

**Village Hall Re-opening** – As stated in the COVID-19 Response Plan, the Village Hall will be reopening to the public on a limited basis beginning Monday, June 15<sup>th</sup>. All Village staff will be present as of Monday, June 15<sup>th</sup>. There are significant modifications to procedures for being inside the building. This is for the safety of the general public as well as office staff. Again, the Village continues to encourage all residents to conduct business remotely if possible. We strongly encourage the use of the drop box for payments or utilization of on-line payments which will be available in very short order. Late fees for water bills are continuing to be waved through June 30<sup>th</sup>. Wearing of masks and social distancing will be required for all who enter the Village Hall until further notice. Thank you for your cooperation.

**13 Mile Reconstruction Project** – Monday, June 15<sup>th</sup> will also be the first day of implementation of detours for the 13 Mile reconstruction project. The Village has been able to conduct planning and preconstruction meetings through the Stay Home Order to keep this project on schedule. We have engaged in a notification process to all impacted residents, business and operations directly along this route. Obviously, this section of road gets a lot of pass-through traffic and there will be some growing pains with the implementation of the detours the first few days. We fully anticipate this and will be prepared to respond. The Public Safety Department is prepared to address traffic issues relative to this. Just as a reminder, westbound traffic will be maintained while east bound traffic prohibited throughout the duration of the project.

**Review of Polices, Procedures and Practices for BHPSD** – President Peddie has reached out to Village Administration about a coordinated response by the Village and Public Safety Dept. to the events that have taken place, and become a primary focus of public discourse, as it relates to

community policing practices. President Peddie proposed, I and agree with, a thorough review of all existing procedures and practices of the BHPSD and public presentation on our practices, polices, procedures and overall community policing philosophy in the Village of Beverly Hills. While we have complete confidence in the personnel and practices of BHPSD it is clear that the confidence of our fellow citizens has been shaken by events they have either experienced personally in other communities or been witness to in the media. To the greatest extent possible, we seek to hear those concerns and reassure our residents that those images that may have shaken their confidence in law enforcement are not representative of BHPSD. The information gathering process has already begun in this regard and we would be hopeful to have a public presentation ready by the first regular meeting in July.

**Emergency Operations** – As Council will recall, on March 17<sup>th</sup> you approved the creation of the Office of Emergency Services to oversee most of Village Operations through the pandemic. Further, I implemented the Emergency Operations Plan per Chapter 9 of the Village Municipal Code. Both of these remain in effect. With the Village moving toward a partial reopening of the Village Hall and a return of all Village Staff on June 15<sup>th</sup> I am looking the cessation of both of these operations ASAP and a return to normal operations. At this point, Village Administration is reviewing the terms of all relevant Executive Orders and other regulations and protocols, including available disaster relief funding programs, to determine the earliest appropriate date to end emergency operations. I will keep Council informed as to when this can occur.

**Office Closed** – The Village office will be closed on Friday, July 3<sup>rd</sup> in observance of the July 4<sup>th</sup> holiday. Trash collection will not be delayed or impacted by the July 4<sup>th</sup> holiday this year.

### **COUNCIL COMMENTS**

George appreciates the discussion that is taking place around public safety in our community and nationwide. He is grateful that the Village is reviewing Public Safety Department policies and procedures. He recognized that the Department does a lot of things well. He suggested rotating the order of Council comments at the end of the meetings. He thanked Charles Raeder for eight years serving on the Zoning Board of Appeals.

Hrydziuszko gave a heartfelt thank you to Vince Borowski for his years of service on the Planning Commission. She reminded drivers that the speed limit on Evergreen is 25 MPH and asked that commuters slow down and watch for children as they avoid the construction on 13 Mile Road.

Mueller thanked Phil Schmitt for serving on the Parks & Recreation Board, Council, Southfield Township. He thanked everyone who submitted an application for a board or commission and welcomed the new members. He also thanked the Public Safety Department for driving by residents' homes with the fire trucks on their birthdays.

Mooney thanked all the outgoing board/commission members for their service to the Village of Beverly Hills. He Thanked Phil Schmitt for his hard work on the parks. He noted that in addition to serving on the Planning Commission, Vince Borowski was fundamental in salvaging the Beverly Hills Little League in the 1990s. He thanked Charles Raeder for his phenomenal dedication to the ZBA. Mooney sent his condolences to the family of John W. Smith, who served on the Planning Board and who recently passed away. He also extended condolences to Laverne Cleary, whose husband passed away. Cleary helped with Troop 1024 and annual park clean up events. Mooney wished everyone a happy Fourth of July.

Abboud thanked all of the board and commission members for their service to the Village. He expressed a sincere thank you to the outgoing members: Borowski, Raeder, and Schmitt. He provided an updated on the SEMCOG and Senior Advisory Board meetings. Abboud thanked the Public Safety Department for their ability to pivot in response to national issues.

Peddie stated that she would like the next Council meeting to be held in person in the Council Chambers and noted that everyone in attendance would be required to wear face masks.

**ADJOURNMENT**

Motion by Mooney, second by Mueller, to adjourn the meeting at 8:31 p.m.

Motion passed.

**Lee Peddie**  
**Council President**

**Kristin Rutkowski**  
**Village Clerk**