

Present: President George, President Pro-Tem Hrydziuszko; Members: Abboud, Kecskemeti, Mooney, O’Gorman, and Peddie

Absent: None

Also Present: Interim Village Manager/Village Clerk/Assistant Manager, Rutkowski
Village Attorney, Ryan
Public Safety Director, Torongeau

President George called the regular Village Council meeting to order at 7:30 p.m. in the Village Council Chambers located at 18500 W. Thirteen Mile Road, Beverly Hills, MI 48025. The Pledge of Allegiance was recited by those in attendance.

AMENDMENTS TO AGENDA/APPROVE AGENDA

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

Motion passed.

Abboud arrived at 7:33 p.m.

SPECIAL ORDER OF BUSINESS: INTRODUCTION OF VILLAGE MANAGER JEFFREY CAMPBELL

President George introduced the new Village Manager, Jeffrey Campbell, who will begin on May 9, 2022. He gave an overview of his education and professional experience and welcomed him to the Village.

Jeffrey Campbell introduced himself and his wife, Anastasia. He said he was humbled and grateful for this opportunity. He said he will work to improve the quality of life for Beverly Hills residents.

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS

None.

CONSENT AGENDA

Motion by Mooney, second by Peddie, be it resolved, the consent agenda is approved.

1. Review and consider approval of minutes of a regular Council meeting held April 5, 2022.
2. Review and consider approval of minutes of a special Council meeting held April 7, 2022.
3. Review and file bills recapped as of Monday, April 11, 2022.

Roll Call Vote:

Motion passed (7-0)

BUSINESS AGENDA

REVIEW AND CONSIDER AWARDDING BEVERLY PARK PATHWAY IMPROVEMENT BID TO JSS-MACOMB, LLC

Rutkowski gave an overview. A few months ago, the Parks & Recreation Board recommended that the Village Council authorize Administration to seek bids for the Beverly Park Path Improvements Project. The project includes drainage improvements and resurfacing of the gravel path at Beverly Park. The request for bids was published on MITN/BidNet Direct on March 8, 2022 and a public bid opening was held on April 5, 2022 at the Village Office.

The low bid was submitted by JSS – Macomb, LLC in the amount of \$47,174.10. The bid tabulation and recommendation letter from Hubbell, Roth, & Clark was also provided for Council’s review. Administration recommends that Council award the bid to JSS – Macomb, LLC.

Motion by Peddie, second by Hrydziuszko, be it resolved, the Beverly Hills Village Council awards the Beverly Park Path Improvements Project bid to JSS – Macomb, LLC in the amount of \$47,174.10. Funds are available in account 208-900-985.00 (Capital Park Site Improvement).

Roll Call Vote:
Motion passed (7-0)

REVIEW AND CONSIDER PERFORMANCE RESOLUTION FOR THE MICHIGAN DEPARTMENT OF TRANSPORTATION

Administration received correspondence from the Michigan Department of Transportation (MDOT) notifying us that an update to Form 2207B is required. As part of the Village’s general permit with MDOT, we are required to have a resolution (MDOT Form 2207B) on file. The municipal resolution satisfies the bond/insurance requirements for MDOT permit activities.

MDOT Form 2207B (Performance Resolution for Municipalities) was updated in May 2021. The MDOT Attorney General’s Office is requiring that all municipalities who wish to continue permitting with MDOT submit a new resolution using the updated form.

The proposed resolution was reviewed by the Village Attorney and was found to be in order. The entire resolution was provided for review and consideration.

Motion by Abboud, second by Mooney, be it resolved, the Beverly Hills Village Council approves the Michigan Department of Transportation Performance Resolution for Municipalities (Form 2207B) as published.

Roll Call Vote:
Motion passed (7-0)

REVIEW AND CONSIDER AUTHORIZING HUBBELL, ROTH, AND CLARK TO PERFORM PRELIMINARY ENGINEERING SERVICES FOR DOUGLAS EVANS PARKING LOT

There have been a few discussions regarding a potential parking lot at Douglas Evans Nature Preserve over the last several months. The Village engineering firm, Hubbell, Roth, & Clark, Inc. produced a preliminary drawing for a parking lot to show the stakeholders. Neither the heirs of the property owner who deeded the land to the Village nor the Water Resources Commission whose facility is located on the property are opposed to the addition of a small gravel parking lot.

HRC has prepared a cost estimate for engineering services to move the project forward in the amount of \$9,600. The proposal and preliminary drawing were provided to Council. Administration is recommending approval of this expenditure.

George provided more background regarding discussions with the heirs of the donor of the property, who are in favor of the parking lot. The intention would be to get parking off of Evergreen Road. He indicated that there would likely be additional permitting required from EGLE because of the floodplain.

Abboud stated he is a nature enthusiast and gave background on the Douglas Evans Nature Preserve. While he wants people to enjoy the nature preserve and is concerned with parking along Evergreen, he is against adding a parking lot on the property. He thinks a parking lot will cause more traffic issues with people turning in off of Evergreen.

Mooney expressed his concern with the process and thinks it should have gone to Council first. He stated the nature preserve never intended to have people driving on it. He thinks it has essentially become a dog park. He does not want to encourage anything other than pedestrian use. He does not think parking should be permitted on Evergreen Road. He stated the nature preserve was given as a gift to the Village and a parking lot was not intended. He is opposed to having a parking lot at this location. He thinks the money should be going to the east side parks instead.

Hrydziuszko stated that she lives near Douglas Evans Nature Preserve and spoke to people in the area about parking. She thinks parking on Evergreen is dangerous. She said the nature preserve is a public place that is not safely accessible. She thought that if the family supports solving a safety concern, then she supports moving this item forward.

Kecskemeti appreciated Council's comments. She believes there is a safety concern as well. She thinks that either way, parking should not be allowed on Evergreen. She said Douglas Evans Nature Preserve has valuable land that can be used for learning about nature. She recommended using pervious pavers in a parking lot to help with water and drainage.

Peddie asked if it was worth spending \$9,600 on the preliminary work by HRC. She suggested having alternative parking with pathway access, perhaps on Beverly Road. She did not want to take part of the nature preserve away.

O'Gorman appreciated having this discussion because it was something he requested when he first got elected. He thinks Douglas Evans Nature Preserve is an asset to the community and a great place to go, but it is unsafe to get there. He said either a parking lot or a pathway could be a solution. He thinks having the preliminary information from the engineers in order to make a decision in the future would be beneficial.

Council discussed trying to mitigate the parking situation along Evergreen Road. They discussed alternatives to a parking lot, such as sidewalk or pathway access.

Council discussed the donor's and her family's intentions. O'Gorman stated that he would prefer having a written document from the family authorizing any project.

Mooney asked about estimated legal services and potential litigation.

Council discussed scaling back HRC's proposal.

Motion by O'Gorman, second by Mooney, the Beverly Hills Village Council tables the item for Hubbell, Roth, and Clark to perform engineering services for a parking lot at Douglas Evans Nature Preserve until the proposal is refined, in order to reevaluate the item in a more cost-effective manner.

Motion passed.

REVIEW AND CONSIDER FISCAL YEAR 21-22 BUDGET AMENDMENTS

Rutkowski provided an overview. Council was provided with proposed FY 2022 Village of Beverly Hills Budget Amendments.

In the Major and Local Road funds there are amendments for additional engineering services provided by HRC relating to general activity, Safe Routes to School, 14 Mile Road Improvement Program and Sidewalk Connector. The effect of the amendments is a net of revenue and expenditure decrease of \$35,000 in Major Roads and \$24,000 in Local Roads.

In the Park Improvement fund there is an amendment for the Park Pathway. The effect of the amendment is a net of revenue and expenditure decrease of \$48,000.

In the Capital Fund there are amendments relating to the SCBA grant obtained by Public Safety. The net of revenue and expenditure increase is \$174,605.

These proposed FY 2022 Budget Amendments have been reviewed by Village Administration and are recommended for approval.

Motion by Kecskemeti, second by Hrydziuszko, be it resolved that the Village of Beverly Hills Council authorizes Village Administration to transfer or adjust monies reserved in the Major Roads, Local Roads, Park Improvement Fund and Capital Fund as reflected in the April 14, 2022, memorandum from Finance Director, Sheila McCarthy.

Roll Call Vote:
Motion passed (7-0)

PUBLIC COMMENTS

None.

MANAGER'S REPORT

Water Quality Report: The 2021 Consumers Annual Report on Water Quality is included in this packet. The Annual Report on Water Quality shows the sources of our water, lists the results of our tests, and contains important information about water and health. The report is also available to view at the Village Office or on the Village website.

Community Funding Grant Opportunity: Administration has been in contact with Congressman Levin's Office (MI-09) regarding the submittal of two possible grant applications (a water main and service line replacement project and a pathways project) to determine which would be more

likely to be funded by the Federal Community Funding Grant. Funding opportunities are limited and Congressman Levin may submit up to 15 projects to the Appropriations Committee for Community Project Funding consideration. We will keep Council informed on the progress of this opportunity.

Compost: Compost has been delivered by SOCRRA and is available to residents for free in the Village/Township parking lot.

Good Friday: The Village Office will be closed on Friday, April 15, 2022 in observance of Good Friday. Trash collection will not be interrupted.

Mooney expressed concern over the transparency regarding grant notifications and the last budget meeting.

Keckskemeti commented on grant notification procedures and said it may have not yet been officially communicated to the Village. She noted that the Annual Water Quality Report did not show detection amounts at or above action levels.

COUNCIL COMMENTS

Abboud stated that there is a SEMCOG University opportunity coming up this Friday. He attended the MML's Live with the League where ARPA funding was discussed. The Senior Advisory Committee invited Senator Rosemary Bayer to be the guest speaker in June. He stated he is excited to serve on the Donald and Patricia Greening Scholarship subcommittee. He congratulated new Village Manager Campbell.

Mooney commended the Council on the discussions had at the April 18th Budget Session. He said he was disappointed but not surprised that the Village does not typically receive grants. He commented on transparency and that the Village does not have news coverage. He said he would like to see action on the Beverly Green design by the end of the year. He announced that Southfield Township Treasurer, Janet Mooney, is retiring and the Township is looking for her replacement. He does not know if the Township will continue to collect Village taxes at no charge. He noted that Councilmember Abboud's participation in SEMCOG has been phenomenal. He gave his deepest thanks to Mary Louise Rodriguez.

Hrydziuszko stated that the next Parks & Recreation Board meeting will be held on Thursday, April 21st and the Board is expected to review preliminary plans for Beverly Green. She thanked the Parks & Recreation Board for doing a ton of field work and research. She said they collaborate very well together. She said residents have been talking about the deer population lately. She reminded everyone that this is the time of year when fawns are born and does may become more aggressive. She stated that deer sterilization is now legal in Michigan and more research could be done about limiting the deer population.

George commented on the regional conversation around deer. He appreciated everyone's comments today during the meeting. He stated that a proposal regarding a traffic circle study at Beverly and Southfield Roads would be coming up at an upcoming meeting. He said that he has priorities from the January strategy session that he is working on. He noted he gets ahead of himself at times and will take that criticism. He noted that the Village has applied for many grants, is making progress on Beverly Green, and overall is heading in the right direction.

CLOSED SESSION TO DISCUSS ATTORNEY-CLIENT PRIVILEGE MEMORANDUM

The following Resolution was offered by Mooney with support from Hrydziuszko,

WHEREAS, at the regular Village Council Meeting held on Tuesday, April 19, 2022, Village Council desires to go into closed session to discuss an Attorney-Client Privilege Memorandum dated April 8, 2022, regarding Public Safety Department personnel matter.

NOW, THEREFORE, BE IT RESOLVED that the Village of Beverly Hills hereby agrees to meet in Closed Session, as permitted by the Open Meeting Act MCL 15.268(h) and MCL 15.243(1)(g) and MCL 15.268(e) on Tuesday, April 19, 2022, at 9:10 p.m. immediately following the adjournment of the Regular Meeting held on Tuesday, April 19th, 2022 at 7:30 p.m., Michigan Time, at the Village of Beverly Hills, 18500 W. Thirteen Mile Road, Beverly Hills, Michigan, 48025. The purpose of the Closed Session is to discuss an Attorney-Client Privilege Memorandum dated April 8, 2022, regarding a Public Safety Department personnel matter, and to consult with the Village Attorney, Thomas J. Ryan.

Roll Call Vote:

Abboud – Yes

George – Yes

Hrydziuszko – Yes

Kecskemeti – Yes

Mooney – No

O’Gorman – Yes

Peddie – Yes

Motion passed (6-1)

The Council returned to the regular meeting at 10:18 p.m.

ADJOURNMENT

Motion by Mooney, second by Hrydziuszko, to adjourn the meeting at 10:19 p.m.

Motion passed.

John George
Council President

Kristin Rutkowski
Village Clerk