

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

Absent: None

Also Present: Village Manager, Campbell  
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 Peddie, to approve the agenda as published.

Motion passed.

**COMMUNITY ANNOUNCEMENTS**

None.

**PUBLIC COMMENTS**

David Tobaben, Orchard Way, commented on transparency and communication in the village. He said that there are a lot of good things happening that residents might not be aware of. He suggested summarizing each Council meeting in the weekly email since many people do not have time to watch the meeting or read the minutes. He stated he attended RCOC’s meeting regarding the Beverly/Greenfield roundabout.

Mooney stated that he thinks the Council has worked to get information out to residents. He said there is no local news coverage of the Council meetings and it has been that way for many years. He said summaries coming from the Village may not be as unbiased as a neutral source, such as the local media.

**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 October 4, 2022.
2. Review and file bills recapped as of Monday, October 10, 2022.

Roll Call Vote:  
Motion passed (7-0)

**BUSINESS AGENDA**

**REVIEW AND CONSIDER INSURANCE RENEWAL WITH THE MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY**

Campbell provided an overview. On the agenda for Council to review and consider is the renewal of the Village’s Liability Insurance Policy. This policy renews on November 1 of this year.

The terms of this policy are the same as the current policy: A self-insured retention of \$75,000 for liability and, for vehicle and physical damage a self-insured retention of \$15,000 per vehicle and \$30,000 per occurrence. The liability limit is \$10,000,000 with various other limits listed on page 3. There is also a stop loss policy that would limit all liability in any village fiscal year to \$150,000. The cost for retaining this stop-loss policy is \$4,916. The stop-loss policy is detailed on page 8.

The total cost for the liability policy for one year is \$140,158. This is a slight increase over last year's premium of \$ 136,266. The total premium, stop loss cost, and retention fund contribution for this year is \$185,074. This is slightly up from \$181,019 last year or a 2% increase. Please be advised that other jurisdictions throughout the State have reported 15 to 17% increases in their premium costs.

Upon renewal, the Village will be eligible for a disbursement through MMRMA. I will report to Council upon receipt of our annual distribution. Given the current strong position of our retention fund I am recommending that the disbursement amount be allocated back to the General Fund. Village Administration has reviewed the liability insurance renewal and recommends approval at this time.

Craig Manser, the Village's agent with IBEX, was present to answer questions. He went over the 2.2% increase which is comparably lower than other communities' increases this year. He stated the Village has done a good job at keeping its losses low. He expanded on the stop loss, which caps the loss off in any one year.

O'Gorman asked if there were any significant changes to the policy. Manser noted that cyber coverage had the only change, which was a \$3 million reduction. He stated he has had no luck in the market getting more than \$2 million coverage for cyber security.

George commented on network liability, out business expenses, mitigation expenses, and concerns over social engineering coverage. Manser stated that it has been near impossible to get social engineering coverage.

Motion by O'Gorman, second by Mooney, be it resolved that the Village of Beverly Hills Council approve and authorize the Village Manager to sign the Michigan Municipal Risk Management Authority Liability and Property Insurance renewal effective November 1, 2022 through November 1, 2023 in the amount of \$185,074.00. Funds for these expenditures are available in accounts 101-248-910.00, 205-345-910.00, 205-346-910.00, and 592-540-910.00.

Roll Call Vote:  
Motion passed (7-0)

## **UPDATE AND DISCUSS PROPOSED REQUEST FOR PROPOSAL FOR CYBER SECURITY SERVICES**

Campbell provided an overview. As a follow up to a Council discussion at the September 20, 2022 Council meeting, the Administration presents the following proposed request for proposals (RFP) for cyber security services. The proposed scope of services contains the core services recommended by the State of Michigan. Please be advised that the cybersecurity practice leader

at our liability insurance provider, the Michigan Municipal Risk Management Association (“MMRMA”), reviewed the proposed RFP. Daniel Bordeau, the practice leader, made several suggestions including expanding the scope of services. He believes this is a comprehensive RFP.

The proposed RFP was provided to Southfield Township, Bingham Farms, and Franklin to consider joining the Village of Beverly Hills in this RFP. The neighboring jurisdictions are consulting with their IT providers to see what they may want to participate with going forward. They also want to know what their portion of the cost may be. Administration is seeking an independent cost estimate that it will be able to report at the meeting and assist the neighboring jurisdictions in making a decision about whether to participate with this RFP.

Campbell stated the whole process for the bid, assessment, and training would take about a year to complete and estimated that it would cost between \$40,000 and \$55,000.

The Council discussed that this would be an assessment of the Village’s current capabilities. The vendor would also provide recommendations and training.

Mooney stated that he thinks it is reasonable to spend \$50,000 to protect over 10,000 residents’ information.

Abboud asked about the duration. Campbell clarified that it would be approximately 12 to 18 months to complete.

The Council and Administration discussed training staff.

Peddie asked about vetting vendors. Campbell stated that some have already been vetted by the state and that the Village would look at resumes and do checks on the vendors who submit proposals.

The Council discussed including Southfield Township in the process since they collect Beverly Hills taxes.

George stated that it was the sense of Council to direct Administration to move forward with issuing the cybersecurity Request for Proposals as discussed and to report back to Council.

**DISCUSS LOCAL INFRASTRUCTURE GRANT PROPOSALS SUBMITTED BY HUBBELL, ROTH, AND CLARK, INC.**

Campbell provided an overview. Proposals were provided to the Council from the Village Engineer, HRC, for the critical infrastructure projects that were part of the matching grant from Oakland County. As you may recall, local governments could receive up to \$100,000 in one to one (1:1) matching grant funds for critical infrastructure. The grant funding is coming from American Rescue Plan Act of 2021 awarded to Oakland County. At this time, the grant funding was approved for the following projects:

- I. Decision Support Tool Planning – this helps the Village coordinate asset management across different infrastructure systems to assure value in Village Infrastructure

- investments. The budget for this project is \$50,000. The grant would cover \$25,000 of the budget.
- II. Basement Backup Protection Program Planning – a plan for developing community specific materials to provide education and resources to Village residents to reduce flooding and sewer backups and the impacts they have on the community. The budget for this project is \$25,000 with the grant covering \$12,500 of that budget.
  - III. Sanitary Sewer Planning. The planning to prevent sanitary sewer backups in approximately \$25,000 with the grant covering \$12,500 of that budget.
  - IV. Water Line Service Verifications – the Village will utilize grant funding to assist in material verification of water service lines in order to comply with the State requirement under the revised Lead and Copper rule. The proposed budget for this project is \$110,000 with the grant covering \$50,000 of that budget.

Dan Mitchell, Hubbell, Roth, and Clark, Inc. was present to answer questions from the Council.

George elaborated on the water line verification project and overall ARPA funding. He asked how the Village could use its internal resources.

Mitchell stated that the Water Resources Commission (WRC) operates and maintains the Village's system and they try to televise the entire system on a 7-year cycle. He noted that some of the grant money could be used on this ongoing project, which offsets Village costs.

Tracy asked for clarification on planning vs. doing. Mitchell stated that televising and conducting an inventory of the system is part of the planning process.

George stated that there is the PASER study and road assessment management plan and a separate water/sewer plan that do not necessarily talk to one another. He said the planning tool would help stitch these plans together.

Mitchell added that the tool would help assess all plans (roads, water, and sewer) and would create a single document to point to.

Keckskemeti asked Mitchell to expand on what the tool would look like. For example, she asked if it would be a document, a binder, or a website. She also asked if it would be a one-time outcome or ongoing. Mitchell stated that it could be all of the above and it would include meeting with pertinent staff to discuss priorities. He said the tool would be a working or ongoing document that could be updated.

Mooney stated that he was under the impression that HRC was involved in the road and water/sewer assessments and that they already had documents that they could hand over to Village staff. He was in favor of improving the Village's infrastructure, but did not want to pay for the same services twice.

Keckskemeti left the meeting at 8:37 p.m.

Mitchell stated that the plans are dynamic and change from year to year. A concrete planning tool is important so that the Village staff do not have to rely solely on HRC staff for information.

George stated he would like a thoughtful process to present to residents and that he prefers to be proactive. He stated since there are new staff members on board, this is a good opportunity to create the planning tool.

O’Gorman stated that long term planning would be allowed by the decision support tool instead of having year to year short term plans.

Peddie asked who would maintain the planning tool after its creation. Campbell stated that the Village Manager, Public Services Director, and Planning/Zoning Administrator would maintain the planning tool.

O’Gorman asked if the decision tool would be a value added to Administration. Campbell stated that the tool would help provide continuity and would serve as a training tool moving forward. It would also allow for both short and long term priorities in one place.

George stated that if Council members had any modifications or feedback on this topic, to get those to Campbell in writing. He thanked Mitchell for attending the meeting to answer questions.

**SECOND ANNOUNCEMENT OF A VACANCY ON THE PLANNING COMMISSION**

There is a vacancy on the Planning Commission for a partial term ending June 30, 2023. The first announcement of the vacancy was made at the October 4<sup>th</sup> Village Council meeting.

The Planning Commission generally meets on the fourth Wednesday of the month at 7:30 p.m. The Planning Commission advises the Village Council regarding the proper physical development of Beverly Hills. The Commission recommends ordinances or amendments to existing ordinances. It also makes recommendations on zoning changes, site plan developments, and special approval uses.

All interested and eligible residents of Beverly Hills are encouraged to apply to become a member of the Planning Commission. Applications are available on the Village website or by emailing the Village Clerk at [krutkowski@villagebeverlyhills.com](mailto:krutkowski@villagebeverlyhills.com). Applications may be submitted to the Clerk’s office via email, regular mail, in person, or using the drop box located outside the Village office (18500 W. 13 Mile Road, Beverly Hills, MI 48025).

Applications are due Tuesday, October 25, 2022.

The anticipated date for making an appointment to the Commission is November 1, 2022.

This constitutes the second announcement of a vacancy on the Planning Commission.

**ACCEPT KATHLEEN TOOTELL’S RESIGNATION FROM THE BIRMINGHAM AREA CABLE BOARD AND FIRST ANNOUNCEMENT OF A VACANCY ON THE BIRMINGHAM AREA CABLE BOARD**

Kathleen Tootell recently submitted her resignation from the Birmingham Area Cable Board effective immediately due to scheduling conflicts. This creates a vacancy on the Cable Board for a partial term ending June 30, 2023.

The Birmingham Area Cable Board meets on the third Wednesday of every other month at 7:45 a.m. in the Village Council Chambers. The Cable Board advises the Village Council as to all matters related to cable television. The Board monitors performance of franchisee and compliance with the franchise agreement. It acts as liaison between residents and franchisee and oversees the Cable Administrator and Municipal Access Channel.

All interested and eligible residents of Beverly Hills are encouraged to apply to become a member of the Cable Board. Applications are available on the Village website or by emailing the Village Clerk at [krutkowski@villagebeverlyhills.com](mailto:krutkowski@villagebeverlyhills.com). Applications may be submitted to the Clerk's office via email, regular mail, in person, or using the drop box located outside the Village office (18500 W. 13 Mile Road, Beverly Hills, MI 48025).

Applications are due Tuesday, November 8, 2022.

This constitutes the first announcement of a vacancy on the Birmingham Area Cable Board.

George thanked Tootell for her service to the community.

Motion by Hrydziuszko, second by Abboud, the Beverly Hills Village Council accepts Kathleen Tootell's resignation from the Birmingham Area Cable Board and makes the first announcement of a vacancy on the Cable Board for a partial term ending June 30, 2023.

Motion passed.

## **PUBLIC COMMENTS**

Chester Dawson, Red Oaks Trail, inquired about the Council's thought process for raising water/sewer rates.

Roger Buck, Glencoe, strongly supports the planning tool mentioned earlier in the meeting to indicate the Village's priorities. He spoke about a damaged pipe on his property and stated there have been three main breaks on his block, which are expensive to repair. He said planning is dynamic and changes over time.

## **MANAGER'S REPORT**

Water Testing – The Village has completed its annual water testing. The State of Michigan mandates that water suppliers test the local water supply for levels of lead and copper. Village staff, with the help of residents, were able to test the water at 30 different homes. We have received the results and sent that information back to each resident and to the State of Michigan. I am pleased to report that all samples taken this year were completely safe. No samples came close to the State's maximum level for lead or copper.

Survey on Deer Management - Over the past several years, cities, villages, and townships throughout Oakland County have been receiving an increasing number of calls and emails from residents regarding deer concerns. The Village of Beverly Hills is a member community of a greater Oakland County Deer Management Coalition. As a resident of Oakland County, we would greatly appreciate your input on this important community issue. Please take a minute to complete this short survey before November 11, 2022. The survey can be found at: <https://www.cobaltcommunityresearch.org/deer.html>

The survey link is also available on the Village website under “Latest News.” Thank you in advance for your time and feedback.

Halloween Hoot - The annual Halloween Hoot will be held on Saturday, October 22<sup>nd</sup> at Beverly Park. Wear a costume and grab a flashlight for trick-or-treating around the friendly Hoot trail from 6:00 to 8:00 p.m.! Children must be accompanied by an adult. We will have over 25 decorated treat stations this year. Special thanks to the Parks & Recreation Board for planning the event.

O’Gorman asked for an update on the 14 Mile Road construction. Campbell stated that the contractor was paving the southside of the road today and it should be reopened for traffic in early November.

O’Gorman asked how the construction updates are being communicated to residents. Campbell said that the Village will post an update in the weekly email blast, etc.

Mooney commented on the Michigan Natural Resources Trust Fund application for the acquisition of the Wendbrook property. He stated that it would be a \$1.5 million grant, with a \$500,000 private donation match for the property. He said all other features or improvements would be paid for by taxpayer dollars or other grants.

O’Gorman added that there are several other funding sources to help pay for Wendbrook improvements, should the Village receive the acquisition grant.

### **COUNCIL COMMENTS**

O’Gorman stated that the comment on communication earlier in the meeting resonated with him. He said that people consume information by different means and there is a notion that simple is better.

Abboud stated that the MML Convention is being held in Muskegon this week. He will attend the EOA Board of Directors meeting while he is there. He talked about funding going toward the Blueprint for Healthy Aging. The Senior Advisory Council is working on defining exactly what a senior center is. There was a Next meeting at 8:00 this morning. Next’s Big Night Out event is sold out. He talked about Next’s mentor program with High School Seniors.

Mooney stated that both he and President George agree that the aging infrastructure needs to be addressed and worked on. He suggested a little less conversation and a little more action. In reference to water bills, he said he is sick that the Village is supporting areas financially that are not part of the Village. He said Council wants to solve these issues without pricing residents out. He was not at the last meeting and said he was heartbroken to learn that Antonia Grinnan was leaving the Village. He talked about her contributions over the last several decades on the Zoning Board of Appeals, Planning Board, Village Council, and Planning Commission. He said she shared her vision with the community and that she and her husband, Joe, helped build a great, walkable subdivision. He thanked Grinnan for her service, support with the parks, and her vision. He said she had a talent for keeping fellow board members in line. He also thanked Joe Grinnan and their two wonderful daughters, Rachel and Claire.

Hrydziuszko said the last Java & Jazz for the season was on Sunday, October 16. She said there was a good mix of returning and new residents at the show. She said that the Halloween Hoot is

coming up on Saturday, October 22 and that volunteers are still needed for set up and clean up. She said that as a Council member, she is doing her best to set the Village up for success in the future. She said collaboration is important. Being able to disagree and still come out with a solution is what makes the Council effective. She said the Council is here to collaborate and represent residents.

George said he understands Tobaben's concerns and thinks the terms communication and transparency are oftentimes conflated. He said there are ways to communicate better. He stated that the water rate issue was discussed during budget meetings. He talked about setting priorities. He said the water line project is very expensive. He also noted that after conducting a water rate comparison with neighboring communities, Beverly Hills was on the low end. He talked about infrastructure planning and said that having grant money to spend is a good problem to have. He said there are competing interests throughout the village. He noted that Beverly Park went through an evolution as can be seen from aerial views through Oakland County's Property Gateway feature. He noted the grant application for Wendbrook is for acquisition only and that there are other grants available for development. He said that the next meeting on November 1<sup>st</sup> will be Peddie's last meeting. He noted that outgoing Planning Commissioner Grinnan will be recognized at the November 1<sup>st</sup> meeting as well.

**CLOSED SESSION TO DISCUSS COLLECTIVE BARGAINING AGREEMENT NEGOTIATIONS**

The following Resolution was offered by Mooney with support from Abboud:

WHEREAS, at the regular Village Council Meeting held on Tuesday, October 18, 2022, Village Council desires to go into closed session to discuss union negotiations.  
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(c) at the Regular Meeting held on Tuesday, October 18, 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 collective bargaining negotiations with the Village Labor Attorney, Ms. Gouri Sashital.

Roll Call Vote:  
Motion passed (6-0)

The Council entered Closed Session at 9:35 p.m.

The regular meeting resumed at 10:13 p.m.

**ADJOURNMENT:**

Motion by Mooney, second by Abboud, to adjourn the meeting at 10:14 p.m.

Motion passed.

**John George**  
Council President

**Kristin Rutkowski**  
Village Clerk