

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

Absent: None

Also Present: Village Manager, Campbell
Village Clerk/Assistant Manager, Rutkowski
Village Attorney, Ryan
Public Safety Director, Torongeau
Planning and Zoning Administrator, Stec

ROLL CALL/CALL TO ORDER/PLEDGE OF ALLEGIANCE

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.

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS

None.

SPECIAL ORDER OF BUSINESS: INTRODUCTION OF NEW PLANNING AND ZONING ADMINISTRATOR, MARK STEC

Campbell introduced the new Planning and Zoning Administrator, Mark Stec to the Council. Stec began his role with the Village on October 31, 2022.

Mark Stec was in attendance and was welcomed by the Village Council. He thanked everyone for bringing him on board. He spoke about his experience in both the public and private sectors.

CONSENT AGENDA

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

1. Review and consider approval of minutes of a regular Council meeting held November 15, 2022.
2. Review and file bills recapped as of Monday, November 21 and Monday, December 5, 2022.
3. Set public hearing date for January 3, 2023 to receive comments on proposed amendments to Chapter 30; Chapter 22, Section 22.08; and Chapter 22, Section 22.09 of the Municipal Code.

Roll Call Vote:

Motion passed (7-0)

BUSINESS AGENDA

PUBLIC HEARING TO RECEIVE COMMENTS ON THE VILLAGE OF BEVERLY HILLS’ COMMUNITY DEVELOPMENT BLOCK GRANT PROPOSED FUNDING ALLOCATION FOR PROGRAM YEAR 2023

Campbell provided an overview. The Village of Beverly Hills has participated in the federally funded Community Development Block Grant (CDBG) program for more than 25 years. We are currently in a three-year subrecipient contract with Oakland County to participate in this program.

The Village’s estimated allocation for Program Year 2023 is \$12,590.00. The annual CDBG allocation is based on a formula that uses several objective measures of community needs. The U.S. Department of Housing and Urban Development (HUD) has established three national objectives, at least one of which must be met, to determine eligibility for a community to engage in any specific program. Additionally, the Village must comply with several rules, including a limit on our allocation for public service projects to a maximum of 30% of the total 2023 allocation and a minimum allocation of \$3,500 for each project.

This year Council is being asked to consider allocating funds for Minor Home Repair services and Public Services - Yard Services for low-income and low-moderate-income level citizens. A description of each service is attached. We are recommending allocating \$8,813 for minor home repair and \$3,777 for yard services through the CDBG program. The Village outsources the administration of these programs and Next has been the service provider for many years. Next continues to be a valued partner and ensures the program is administered per the extensive CDBG requirements.

The Village has received a request from HAVEN seeking a contribution for their program that provides services for victims of domestic violence, dating violence, sexual assault, or stalking. Due to CDBG requirements and limitations for project funding, we cannot allocate funds to both the Yard Services program and to HAVEN. Therefore, without Council objection, administration is recommending the Village make a General Fund contribution for the same amount, \$3,777.00, to HAVEN, as it has done in the past to support their program.

Administration recommended the following is a breakdown of the proposed allocation:

| | |
|---------------------------------|-----------------|
| Minor Home Repair | \$ 8,813 |
| Public Services – Yard Services | <u>\$ 3,777</u> |
| Total | \$12,590 |

President George opened the Public Hearing at 7:38 p.m.

Cris Braun, Executive Director of Next, Birmingham, Michigan, was in attendance and stated that Next is the contracted provider of the CDBG services for the Village of Beverly Hills. She said Next’s needs are growing as the residents’ needs grow. She said yard services funding runs out every year. She suggested sending out another letter to residents regarding the availability of Minor Home Repair funding. She stated that Next is committed to serving residents and thanked the Council for their continued support.

No one else wished to make a public comment.

President George closed the Public Hearing at 7:41 p.m. on December 6, 2022 for the purpose of receiving public comments regarding the proposed use of PY 2023 Community Development Block Grant (CDBG) funds in the approximate amount of \$12,590.00

George suggested allocating more money from the General Fund to Next to help cover the costs of services.

In response, Mooney suggested that a motion and budget amendment for a contribution to Next should be done at a later date.

REVIEW AND CONSIDER RESOLUTION AUTHORIZING THE VILLAGE OF BEVERLY HILLS’ COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR PROGRAM YEAR 2023

The following resolution was offered by Abboud and seconded by Mooney:

Whereas, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs; and

Whereas, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan; and

Whereas, the Village of Beverly Hills has duly advertised and conducted a public hearing as follows:

President George opened the Public Hearing at 7:38 p.m.

Cris Braun, Executive Director of Next, Birmingham, Michigan, was in attendance and stated that Next is the contracted provider of the CDBG services for the Village of Beverly Hills. She said Next’s needs are growing as the residents’ needs grow. She said yard services funding runs out every year. She suggested sending out another letter to residents regarding the availability of Minor Home Repair funding. She stated that Next is committed to serving residents and thanked the Council for their continued support.

No one else wished to make a public comment.

President George closed the Public Hearing at 7:41 p.m. on December 6, 2022 for the purpose of receiving public comments regarding the proposed use of PY 2023 Community Development Block Grant (CDBG) funds in the approximate amount of \$12,590.00; and

Whereas, the Village of Beverly Hills found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need.

| Account | Project Name | Amount |
|----------------|---------------------------------|---------------|
| 172170-731227 | Minor Home Repair | \$8,813 |
| 172160-732170 | Public Services – Yard Services | \$3,777 |

Therefore, be it resolved, that the Village of Beverly Hills' Community Development Block Grant application is hereby authorized to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and that the Council President is hereby authorized to execute all documents, agreements, or contracts which result from this application to Oakland County.

Roll Call Vote:
Motion passed (7-0)

PUBLIC HEARING TO RECEIVE COMMENTS ON THE 5-YEAR COMMUNITY RECREATION PLAN

Campbell provided an overview. The Parks & Recreation Board and Administration have updated the Village's 5-Year Community Recreation Plan. They conducted a survey, gathered community input, made revisions, and presented the draft plan to the public for review.

Procedurally, the draft plan must be made available to the public for review for at least thirty days. Then the Village Council holds a public hearing to receive comments on the plan and formally adopts the plan. After adoption, Administration will submit the updated plan and appendices through the Michigan Department of Natural Resources' (DNR), online portal. In order to be eligible for grant funding through the DNR, the plan must be submitted by February 1, 2023.

The draft 5-Year Community Recreation Plan was available for public review on the Village website (www.villagebeverlyhills.com) and at the Village Office (18500 W. 13 Mile Road, Beverly Hills, MI 48025) beginning Friday, October 21, 2022. Residents were notified of the draft plan's availability in the newspaper, via the Village's weekly email blast, on the Village Facebook page, and in the December edition of the Villager Newsletter. Written comments may be submitted to the Village Clerk via email at krutkowski@villagebeverlyhills.com or via mail to 18500 W. 13 Mile Road, Beverly Hills, MI 48025 by 4:30 p.m. on December 6, 2022.

At their October 20, 2022 meeting, the Parks & Recreation Board recommended that the Village Council set a public hearing date for Tuesday, December 6, 2022 at 7:30 p.m. to receive comments on the proposed 5-Year Community Recreation Plan. Further, after the public hearing has concluded, the Parks & Recreation Board recommended the Village Council approve the 2023-2028 5-Year Community Recreation Plan as submitted.

A public hearing was scheduled for Tuesday, December 6, 2022 at 7:30 p.m. to receive comments on the 5-Year Plan.

A resolution to adopt the plan was provided for Council's review and consideration following the public hearing.

The draft plan was provided as well. Please note there will be minor technical changes made to the Plan due to Council and staffing changes that occurred between the time the draft was published and the time it will be submitted, such as the organizational chart. These changes will not impact the content of the plan. Additionally, there are several appendices that will not be available until after the public hearing and adoption of the plan.

The Village would like to thank the Parks & Recreation Board members for their contributions to the updated 5-Year Plan. Additionally, the Village thanks all of the community members who provided feedback along the way.

George opened the public hearing at 7:48 p.m.

Stacey Liddell, Sunnyslope Drive, commented on the 5-Year Plan’s mention of more education and signage for the Hidden Rivers Nature Preserve. She noted that Hidden Rivers is a valuable open space and the public should know that it was dedicated as a nature preserve, not a recreation area. She stated the nature preserve is intended for wildlife, not people or passive recreation. She did not agree that there should be more signage. She expressed concern about the impacts of increased traffic in the area.

No one else wished to be heard, so George closed the public hearing at 7:55 p.m.

Kecskemeti asked Ryan about the term “nature preserve.” Ryan stated that nature preserves can allow public access to a degree.

Hrydziuszko thanked the Parks & Recreation Board for conducting a survey and research. She thanked the Board and the community for the continued discussion around the 5-Year Plan. She commended them on a job well done.

White echoed Hrydziuszko’s sentiments and said it was great to see all the hard work that went into updating the plan.

George stated that the Parks & Recreation Board put in a ton of work updating the plan. He noted the updated plan is required to be submitted to receive grants from the state. He said having a robust plan is important. He appreciates everyone’s work.

O’Gorman reminded everyone that the Parks & Recreation Board is made up of unpaid volunteers. He said hats off to all for their work.

REVIEW AND CONSIDER RESOLUTION ADOPTING THE 5-YEAR COMMUNITY RECREATION PLAN

The following resolution was offered by Hrydziuszko and seconded by Abboud:

WHEREAS, the Village of Beverly Hills has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents during a five-year period covering the years 2023 to 2028; and

WHEREAS, the Village of Beverly Hills began the process of developing a Community Recreation Plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities; and

WHEREAS, the residents of Beverly Hills were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation and natural resource conservation plan; and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days; and

WHEREAS, a public hearing was held on December 6, 2022 in the Village of Beverly Hills Council Chamber to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the Community Recreation Plan; and

WHEREAS, the Village of Beverly Hills has developed the Plan as a guideline for improving recreation and enhancing natural resource conservation for the Village of Beverly Hills; and

WHEREAS, after the public hearing, the Beverly Hills Village Council voted to adopt said Community Recreation Plan.

NOW, THEREFORE BE IT RESOLVED the Village of Beverly Hills Council hereby adopts the Village of Beverly Hills Community Recreation Plan as a guideline for improving recreation for the residents of the Village of Beverly Hills.

Roll Call Vote:

Motion passed (7-0)

REVIEW AND CONSIDER PARKS & RECREATION BOARD’S RECOMMENDATION TO AUTHORIZE A MICHIGAN SPARK GRANT APPLICATION

Campbell provided an overview. The Parks & Recreation Board has discussed applying for grants to cover the cost of the new Beverly Park playground equipment and installation. Funding opportunities are available through the Michigan Department of Natural Resources Spark Grant Program. The application requires a resolution of authorization from the municipality’s highest governing body. While a match is not required, it is recommended. There is currently \$150,000 budgeted for the playground replacement in the current fiscal year.

At their November 17, 2022 meeting, the Parks & Recreation Board recommended the Village Council pass the resolution below authorizing the Village of Beverly Hills to apply for a Michigan Spark Grant, Application #ARPA-0188. The Board recommended applying for a \$500,000 grant with a match of \$125,000. Funds for the match are available in 208-900-986.00 (Capital – Park Equipment).

Campbell noted that the playground is an eligible project to receive funding from this grant from the state. He said the turn-around time is rather quick and funds will be released in early 2023.

Hrydziuszko noted that the estimated cost for the playground equipment, surface, and installation is about \$500,000.

Keckskemeti commented on playground inspections.

White noted that the deadline for the Spark Grant application is December 19, 2022. He asked if the project would be completed by the 2026 deadline. Campbell confirmed it would be completed before 2026.

George thanked Administration for putting the application together.

The following resolution of authorization was offered by Kecskemeti and seconded by Hrydziuszko:

WHEREAS, the Beverly Hills Village Council supports the submission of an application titled, “Beverly Park Playground (ARPA-0188)” to the Spark grant program for the purchase and installation of a new playground at Beverly Park located at 18801 Beverly Road, Beverly Hills, MI 48025; and,

WHEREAS, the proposed project, if completed, will be a benefit to the community; and,

WHEREAS, the Village of Beverly Hills is hereby making a financial commitment to the project in the amount of \$125,000 matching funds, in cash and/or force account; and,

NOW, THEREFORE, BE IT RESOLVED that the Beverly Hills Village Council hereby authorizes submission of a Spark Application for \$500,000, and further resolves to make available its financial obligation amount of \$125,000 (20% match) of a total \$625,000 project cost, during the 2022-2023 fiscal year.

Roll Call Vote:
Motion passed (7-0)

REVIEW AND CONSIDER PARKS & RECREATION BOARD’S RECOMMENDATION TO SUPPORT GRANT APPLICATIONS FOR THE BEVERLY PARK PLAYGROUND

Campbell gave an overview. The Parks & Recreation Board has been discussing different grant opportunities available to help cover the cost of the new Beverly Park playground. While some grant programs require a specific resolution of authorization, others do not. However, it is beneficial to include a resolution of support and/or letters of support with any grant application.

At their November 17, 2022 meeting, the Parks & Recreation Board recommended the Village Council pass a blanket resolution supporting the Village of Beverly Hills’ grant applications for a new playground at Beverly Park. The resolution of support does not include a financial obligation from the Village. A suggested resolution is below for consideration.

Council discussed whether a line about a financial obligation should be included in the resolution.

Abboud expressed hesitation about passing a blanket resolution.

Mooney noted the intent of the resolution was to show general support for playground grant applications, so individual resolutions do not have to come before the Council at every meeting.

Hrydziuszko added that this general resolution of support would allow Administration to meet upcoming deadlines.

Kecskemeti noted that there could be other, smaller grant opportunities down the road that have not yet been identified.

White stated that grants are great and that Administration should go for the opportunities.

The following resolution of support was offered by O’Gorman and seconded by Hrydziuszko:

WHEREAS, the Beverly Hills Village Council supports the submission of an application to a grant program for the purchase and installation of a new playground at Beverly Park located at 18801 Beverly Road, Beverly Hills, MI 48025; and,

WHEREAS, the location of the proposed project is within the jurisdiction of the Village of Beverly Hills; and,

WHEREAS, the proposed project, if completed, will be a benefit to the community; and,

NOW THEREFORE, BE IT RESOLVED that the Beverly Hills Village Council hereby supports the Village of Beverly Hills’ grant application for a new playground at Beverly Park located at 18801 Beverly Road, Beverly Hills, MI 48025.

Roll Call Vote:
Motion passed (7-0)

ACCEPT BENJAMIN WILENSKY’S RESIGNATION FROM THE PLANNING COMMISSION AND FIRST ANNOUCEMENT OF A VACANCY ON THE PLANNING COMMISSION

Campbell made the first announcement of a vacancy on the Planning Commission. Benjamin Wilensky recently submitted his resignation from the Planning Commission effective immediately because he is moving out of Beverly Hills. This creates a vacancy on the Planning Commission for a partial term ending June 30, 2025.

The Planning Commission generally meets on the fourth Wednesday of the month at 7:30 p.m. The Planning Commission advises 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. 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, December 27, 2022.

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

Motion by Mooney, second by Hrydziuszko, the Beverly Hills Village Council accepts Benjamin Wilensky’s resignation from the Planning Commission and makes the first announcement of a vacancy on the Planning Commission for a partial term ending June 30, 2025.

Motion passed.

CLOSED SESSION TO DISCUSS STRATEGY AND COLLECTIVE BARGAINING AGREEMENT NEGOTIATIONS, PURSUANT TO MCL 15.268(C)

The following resolution was offered by Mooney and seconded by Hrydziusko:

WHEREAS, at the regular Village Council Meeting held on Tuesday, December 6, 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) during the Regular Meeting held on Tuesday, December 6, 2022, at 8:20 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 strategy and negotiations with the Village Labor Attorney, Ms. Gouri Sashital.

Roll Call Vote:
Motion passed (7-0)

The Council entered Closed Session at 8:20 p.m.

The regular meeting resumed at 8:35 p.m.

REVIEW AND CONSIDER RATIFYING THE TENTATIVE AGREEMENT BETWEEN THE VILLAGE OF BEVERLY HILLS AND MICHIGAN ASSOCIATION OF POLICE AS BARGAINING AGENT FOR THE BEVERLY HILLS PUBLIC SAFETY OFFICERS ASSOCIATION

Campbell provided a summary of the tentative agreement with the Public Safety Officers Association. On November 14, 2022, the parties reached a tentative agreement, which was ratified that same day by the Union. The Administration recommends ratification of the tentative agreement, which was discussed in closed session as part of negotiations.

Sashital noted that this would be a 3-year contract between the Village and the PSO Association.

The Council thanked Sashital and Administration for their work during negotiations.

Motion by Mooney, second by Abboud, be it resolved that the Council for the Village of Beverly Hills approves and ratifies the tentative agreement between the Village of Beverly Hills and Michigan Association of Police as bargaining agent for Beverly Hills Public Safety Officers Association.

Roll Call Vote:
Motion passed (7-0)

PUBLIC COMMENTS

None.

MANAGER’S REPORT

14 Mile Construction Update - The Village of Beverly Hills and our engineer met with the 14 Mile Road contractor on Wednesday, November 30, 2022 for a construction update. The Contractor opened 14 Mile Road to two-way traffic on Wednesday, November 23. The contractor still has miscellaneous items of work (shoulder and site restoration, clean up, pavement striping, etc.) to fully complete this project. To complete this work the contractor may temporarily close a portion of a lane. During this time the contractor will provide flag personnel to direct traffic around this temporary closure. Please use caution when driving through these areas, 14 Mile Road between Lahser and Evergreen is still considered a construction zone. There will be no temporary closures left overnight, 14 Mile Road will return to unimpeded two-way traffic at the end of each day.

Yard Waste - Yard waste collection will end the week of December 12th, 2022. Please place yard waste in approved containers at the curb by 7:00 a.m. on collection day. There are free “Yard Waste” stickers available for residents at the Village Office. Yard waste collection will resume in April 2023.

CVTRS Program - Please be advised that the Michigan Legislature continued the City, Village and Township Revenue Sharing (CVTRS) program. The law required each local unit to create and submit user-friendly tools designed by the State of Michigan to increase local government transparency and accountability. Included in these tools are a Performance Dashboard, Citizen’s Guide, Projected Budget Report and Debt Service Report. These documents are published on the Village website at <https://www.villagebeverlyhills.com/government/evip.php>.

Newsletter - The December 2022 Village Newsletter should be arriving in your mailboxes soon. It is also posted on the homepage of the Village’s website, www.villagebeverlyhills.com, under “Quick Links.”

Calendars - The 2022 Village Calendar is in production and will be mailed out to each residence before the end of the month. We will make an announcement when we have extra calendars available at the Village office.

Holiday Office Closures -The Village Office will be closed for the holidays on the following dates:
Friday, December 23
Monday, December 26
Friday, December 30
Monday, January 2

Kecskemeti asked for an update on the MS4 permit requirement Ordinance amendments. Campbell stated that the changes will be published on the Village website. Kecskemeti encouraged everyone to take a look at the changes and have a thoughtful discussion on them.

Kecskemeti said that Christmas tree pickup and chipping should run longer than two weeks.

COUNCIL COMMENTS

White stated that he attended the Michigan Municipal League’s session for newly elected officials and he learned a lot. He said that the sled hill looks much better now that the buckthorn has been

removed from it. He said the playground examples that were presented at the last Parks & Recreation Board meeting were very creative.

Keckskemeti congratulated the Groves girls' basketball team on their recent win.

O'Gorman extended his thanks to the volunteers on the Parks & Recreation Board for their continued work in the community.

Abboud commented on SEMCOG's carbon monoxide grant program. He recommended Council members attend MML's weekender educational events. He thanked Wilensky for his service on the Planning Commission. He was excited to be a judge for the Metamora holiday lights contest.

Hrydziuszko thanked Ms. Mojak and Mr. Tobaben for helping her hang holiday lights at Beverly Park.

George thanked Administration for getting to the finish line with the PSO contract.

ADJOURNMENT

Motion by Mooney, second by Abboud, to adjourn the meeting at 8:51 p.m.

Motion passed.

John George
Council President

Kristin Rutkowski
Village Clerk