

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

### **ROLL CALL/CALL TO ORDER/PLEDGE OF ALLEGIANCE**

President George called the regular Village Council meeting to order at 7:51 p.m. in the Village Council Chambers located at 18500 W. Thirteen Mile Road, Beverly Hills, MI 48025. George noted that the meeting started later than usual due to technical difficulties with the broadcast. 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**

Congresswoman Rashida Tlaib, Michigan’s 12<sup>th</sup> Congressional District, was present. She stated that she helped bring \$19 million of funding to her district last year and is working on more opportunities for funding this year. She said her team opened a neighborhood community center in Southfield, located at 26080 Berg Road. She encouraged constituents to reach out to her office by telephone at 313-463-6220. She said she is here to support the district.

George said he appreciates her coming to the meeting. He asked her to look out for infrastructure funding opportunities for the Village.

### **PUBLIC COMMENTS**

Peter Webster, Balmoral, provided an update on the Birmingham Country Club’s proposed expansion. He thanked Campbell and Stec for attending the last meeting. He said the Club had agreed to conduct studies back in August. However, none of those materials were provided ahead of their meeting last week. He said that the noise study and updated site plan were not provided to the neighborhood group. He was concerned about how this project will move forward. He also commented on the Village’s Strategy session and inquired if it included Saxon Drive, because neighbors have ideas about traffic calming in that neighborhood.

### **CONSENT AGENDA**

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

1. Review and consider approval of minutes of a regular Council meeting held January 3, 2023.
2. Review and consider approval of minutes of a special Strategy Session held January 7, 2023.
3. Review and file bills recapped as of Tuesday, January 17, 2023.
4. Set public hearing date for Tuesday, February 21, 2023 to review and confirm 2022 Special Assessment Roll for the Southfield Road Business Assessment District.

Roll Call Vote:

Motion passed (7-0)

## **BUSINESS AGENDA**

### **SECOND READING AND POSSIBLE ADOPTION OF ORDINANCE 383, AMENDING CHAPTER 22, SECTION 22.08.290 OF THE MUNICIPAL CODE**

Campbell provided an overview of proposed Ordinances 383, 384, and 385. Administration is requesting Village Council consider amendments to several Village of Beverly Hills Ordinances to address post-construction storm water runoff requirements. More specifically, we are requesting amendments to the Zoning Ordinance, Sections 22.08 (General Provisions), 22.09 (Site Plan Development), and Chapter 30 (Surface Water Drainage). On November 1, 2022, the Administration presented amendments to the above noted sections of the Zoning Ordinance and Chapter 30. The Village Council tabled the first reading, asking the Administration to present a more comprehensive and understandable ordinance to the Council and residents. On December 6, 2022, the Council set the public hearing for these ordinances for January 3, 2023. The public hearing was held on January 3, 2023.

The Village is required to comply with federal requirements for storm water management. The Michigan Department of Environment, Great Lakes, and Energy (EGLE) issues the permits that contain these requirements. One of the requirements is to manage storm water running off newly developed or redeveloped sites to reduce the discharge of pollutants into the Rouge River and to control the flow of water to reduce flooding and protect streambanks. EGLE and Oakland County have recently reached an agreement on the engineering standards to be used to meet these requirements. The village can adopt these standards to comply with our permit requirements.

EGLE requires that a local government's post-construction storm water runoff program be implemented through an ordinance or other regulatory mechanism.

The proposed post-construction storm water runoff program includes all the following components:

- Water Quality Treatment Performance Standard
- Channel Protection Performance Standard
- Site-Specific Requirements for Contaminated Sites and Potential Hot Spots
- Site Plan Review
- Operation and Maintenance (O&M) Requirements for Best Management Practices
- Enforcement Response Procedure (including Tracking)

Chapter 30, along with the proposed amendments, in their entirety, were provided to Council. These proposed changes were co-authored by our engineering firm, HRC, and reviewed and approved by EGLE and the Village Attorney. All proposed changes to the Ordinances are in red font. Further, Oakland County's MS4 permit is attached that includes Oakland County's Post-Construction Water Runoff standards. Pages 8-9 of the permit address the County's Post-Construction Water Runoff standards.

These proposed amendments meet EGLE's requirements and Oakland County's standards for construction runoff. Please note that the slight changes recommended by Council at the last meeting have been made for the second reading. They include making sure that the Zoning Ordinance amendments reference the standards set forth in Chapter 30. In addition, there is a slight change to the applicability section of Chapter 30 to make sure that the illicit discharge control

requirements shall apply to all discharges into the waters of the state, which would include the Rogue River. He noted two recommendations that came from HRC since the meeting packet went out on Friday. First, in Section 30.01, they recommended leaving in “Oakland County Health Department.” Second, in reference to illicit discharge control, it was recommended that it shall apply to all discharges “within in the Village of Beverly Hills as defined in Section 30.07.” The modifications made after the first reading were provided to Council and were highlighted in blue.

On September 28, 2022, the Planning Commission conducted a public hearing on proposed amendments to Sections 22.08 and 22.09 of the Zoning Ordinance. The Planning Commission recommended that the Village Council approve the amendments to Section 22.08 and 22.09.

Ryan gave the second reading of Ordinance 383.

**SECOND READING AND POSSIBLE ADOPTION OF ORDINANCE 384, AMENDING CHAPTER 22, SECTION 22.09 OF THE MUNICIPAL CODE**

Ryan gave the second reading of Ordinance 384.

Kecskemeti said she appreciates Administration’s and HRC’s additional work on these amendments. She noted that the requirements will apply to all commercial properties in the Village.

The Council agreed that they do not want construction to adversely impact adjacent properties.

**SECOND READING AND POSSIBLE ADOPTION OF ORDINANCE 385, AMENDING CHAPTER 30 OF THE MUNICIPAL CODE**

Ryan gave the second reading of Ordinance 385 with the suggested changes from HRC as previously outlined.

Motion by Kecskemeti, second by Hrydziuszko, be it ordained, the Beverly Hills Village Council adopts Ordinances 383, 384, and 385 amending Chapters 22 and 30 of the Municipal Code as read.

Roll Call Vote:  
Motion passed (7-0)

**RECEIVE AND FILE CASH AND INVESTMENT SUMMARY AND REVENUE AND EXPENDITURE REPORT DATE ENDING DECEMBER 31, 2022**

The Council was presented with the *Cash and Investment Summary* which includes all cash accounts and CD’s as of December 31, 2022, for all funds.

Also presented was the *Revenue and Expenditure Report* which includes revenue and expenditures for the General Fund, Major Road Fund, Local Street Fund, Public Safety Department, Park Improvement Fund, Library Fund, ARPA Fund and Water/Sewer Operation Fund for the 6 months ended December 31, 2022. The *Revenue and Expenditure Report* does not include prepaid and accrual adjustments that are reflected in the year end audited financial statements. Actual compared to budget financial results are monitored and budget amendments will be presented for approval, as necessary.

Motion by Mooney, second by Kecskemeti, the Beverly Hills Village Council receives and files the Cash and Investment Summary and the Revenue and Expenditure Report date ending December 31, 2022 as presented.

Motion passed.

## **PUBLIC COMMENTS**

None.

## **MANAGER'S REPORT**

**Water Line Verification Letters** - Water quality and safety is a top priority for our water customers. Per State requirements, the Village of Beverly Hills is required to provide the State with an updated inventory of all water service line (WSL) pipe materials to verify if the pipe is lead, copper, or another material for the purpose of ensuring said water quality and safety. Letters were sent to 354 randomly selected addresses in the Village for participation in the water service line material verification. Additional letters will be sent out in the next two weeks that outline additional details regarding the verification process. Please do not hesitate to contact the Village Administration with additional questions or concerns.

**Village Hall Generator** - The installation of the generator was completed for Village Hall last week. Additional tests need to be completed to ensure the generator is functioning properly. However, the installation process is complete.

**Call for Sculptors** - The Village is currently seeking applications for original sculptures for the Village's Sculptures in the Parks Program. Selected works will demonstrate the connections between art and the natural environment. Applications are due on February 28, 2023. The sculptures, to be selected by local artists and approved by the Parks and Recreation Board, will be on loan from the artist to the Village for three years, May 2023 through April 2026. All the application requirements and contact email are set forth in the informational item that is included in the packet.

**Winter Taxes** - As a reminder to residents, winter taxes are due to Southfield Township by February 14, 2023 without penalty. Please refer to the back of your tax bill for more information or contact Southfield Township at 248-540-3420.

**Joint Council/Parks & Recreation Board Meeting** - The joint Council/Parks & Recreation Board meeting will be held on Thursday, January 19, 2023 at 7:30 p.m. in the Village Council Chambers.

**Joint Council/Planning Commission Meeting** - The joint Council/Planning Commission meeting will be held on Wednesday, February 8, 2023 at 7:30 p.m. in the Village Council Chambers.

Mooney expressed concerns about the washboard effect and depressions on 14 Mile Road. Campbell stated the contractor is being directed to make any necessary repairs this spring.

The Council expressed dissatisfaction with the 14 Mile Road construction contractors, ASI.

Kecskemeti suggested publishing information about the water service line verifications in the Eagle Newspaper, etc. so the Village gets a good response rate. She talked about a communication strategy to include knocking on doors, door hangers, and emails.

White noted that there have been positive posts on social media regarding the new sidewalks along 14 Mile Road.

### **COUNCIL COMMENTS**

Abboud stated that there is an MML Infrastructure Committee meeting coming up in Lansing. He said the Elected Officials Academy meeting will be held on January 20. SEMCOG's TAP Program selection is coming up soon. Oakland County Senior Center matching grants will be announced soon. He reported that Next complimented the new Village Manager at their last meeting.

Mooney thanked Congresswoman Tlaib for attending the meeting. He said, as a constituent, he is proud of what she has accomplished. He noted this is the first time a congressperson has come to a Council meeting in an odd year after the election. He wished his wife a happy anniversary.

Hrydziuszko wished the Mooneys a happy anniversary. She thanked Tlaib for attending. She reminded everyone that the joint Parks & Recreation/Council meeting will be held on Thursday, January 19. She said at the joint meeting there will be discussions about the Beverly Green development, the Beverly Park play structure, ongoing Riverside Park development, and ongoing buckthorn maintenance. She stated that buckthorn treatment is scheduled for this week and reminded everyone to keep children and dogs out of the treatment area until it is dry.

George thanked Tlaib for attending the meeting. He was happy to hear about the constituent services center she opened nearby. He said he appreciates her support and her work for the district.

### **ADJOURNMENT**

Motion by Mooney, second by Abboud, to adjourn the meeting at 8:41 p.m.

Motion passed.

**John George**  
**Council President**

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