

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

Absent: Abboud

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

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.

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 April 4, 2023.
2. Review and file bills recapped as of Monday, April 10, 2023.

Roll Call Vote:

Motion passed (6-0)

BUSINESS AGENDA

REVIEW AND CONSIDER ARTIST AGREEMENTS FOR THE 2023 SCULPTURES IN THE PARKS PROGRAM

Campbell provided an overview. 2023 marks the second year of the Sculptures in the Parks Program. The Village Council approved the Parks & Recreation Board’s recommendation and funding to continue the program in September 2022. Submissions were accepted through February 28, 2023. A subcommittee consisting of local artists and a Parks & Recreation Board member reviewed the submissions and offered a recommendation to the Parks & Recreation Board at their meeting in March.

Each artist will enter into an agreement with the Village of Beverly Hills to have their sculpture on loan for a three-year period and to receive a stipend upon successful installation. A copy of the artist agreement was provided, which has been reviewed by the Village Attorney. Please note, the

proposed location for one of the sculptures, entitled Rainbow Trout, is on the bridge at Douglas Evans Nature Preserve. Since Douglas Evans has deed restrictions, a memo from the Village Attorney addressing the placement of this sculpture was provided for review as well.

Parks & Recreation Board member Janice Hausman was in attendance and presented the selected artists and works of art. Hausman thanked the Council for their support of a local public art initiative. She said public art has been shown to encourage discussion, increase imagination, and reduce stress. She noted that there were 15 quality submissions received. She thanked the subcommittee comprised of two local artists, Mark Chatterly and Crystal Scott, and Parks & Recreation Board member, Sara Bresnahan, for reviewing the submissions and offering recommendations to the Parks & Recreation Board. Hausman went over the five sculptures that were ultimately selected: Pausing on a Stroll by Doug DeLind; Off Kilter by Jeffrey Bohl; Untitled by Michael O'Reilly; Sculpture Pods by Eric Troffkin; and Rainbow Trout by Craig Hinshaw. Hausman talked about the potential locations of the sculptures. She stated that the Parks & Recreation Board discussed hosting a slow roll/stroll this summer to view all of the new sculptures around the Village. She said all the sculptures are scheduled to be installed by the end of May.

Mooney suggested the Parks & Recreation Board consider having a wood carver create something out of the remaining Pilgrim Oak at Beverly Park instead of placing a sculpture on top of it.

Kecskemeti asked about plaques, signage, and QR Codes. Hausman noted that each sculpture will have a plaque placed near it with a QR Code that links to the Village website where people can learn more about the art.

George noted all of the sculptures are on loan to the Village and are also available for purchase.

Ryan confirmed that placing the Rainbow Trout on the bridge to Douglas Evans was permitted.

The Council and Administration thanked Hausman for attending the meeting and all of her work on the Sculptures in the Parks program.

Motion by Hrydziuszko, second by Mooney, be it resolved, the Beverly Hills Village Council authorizes Administration to execute the 2023 Sculptures in the Parks Artist Agreements with Jeffrey Bohl, Doug DeLind, Craig Hinshaw, Michael O'Reilly, and Eric Troffkin.

Roll Call Vote:
Motion passed (6-0)

PRESENTATION AND PROPOSAL FOR SIDEWALK MAINTENANCE

Campbell provided an overview of proposed sidewalk maintenance. Precision Concrete Cutting (PCC) specializes in trip hazard removal. In recent years PCC has been working with the City of Birmingham, eliminating lifts on their sidewalks to help them meet ADA compliance standards. Upon inspecting their exceptional work and hearing very positive responses from residents, village staff contacted PCC to inquire about their services. PCC working near by gives them the ability to reduce their mobilization costs, and having patented equipment gives them the capacity to provide high quality work and sole source status. PCC has provided a proposal. We are very excited to

potentially work with Precision Concrete Cutting on a sidewalk maintenance program to reduce the risk of trip hazards within the Village of Beverly Hills.

Ben Johnson was in attendance on behalf of Precision Concrete Cutting and provided more details about their services. PCC has been in metro-Detroit since 2008. They use a method different from grinding trip hazards. Instead, they create slopes in the concrete where trip hazards are present to make it ADA compliant. He went over the proposal in more detail and showed the tool they use to measure hazards and slopes. He talked about preventative maintenance and liabilities.

Kecskemeti asked how the proposed section of the Village on east side was selected. Campbell stated that, in short, it was selected geographically. The pilot program would begin in the northeast corner of the Village and work its way from there. Campbell noted that if this program continued, an assessment would need to be conducted and it would take several years to complete the entire Village. He said this particular section has more established sidewalks and could be completed for \$50,000.

Public Services Director Johnston noted that the proposal included a little under 3 miles of sidewalk and the entire Village currently has about 40 miles of sidewalk.

O’Gorman asked about the process of identifying hazards and at what point does the Village replace a slab instead of repair.

Johnson said that PCC inspects along the way and provides GPS pinpoints of locations that need to be repaired or replaced.

Mooney suggested it would be best to begin a pilot project in an area that needs it most. He asked whether the proposed location needs the repairs the most. He said the Village is obligated to make sure the sidewalks are safe. He said he is impressed with the technique proposed and thinks it is better than grinding sidewalks. He said he would be in favor of this program. He confirmed with the Village attorney that since PCC is a sole-source provider, this would not need to go out for bid.

George said the proposed method seemed clean and is in favor of the program overall, but he would like to see a cost comparison with grinding.

Kecskemeti agreed that cutting seemed like a more favorable option and would produce less dust than grinding.

White said it would be great to move forward with this program and agreed that he would rather see sidewalks cut than grinded.

Johnston noted it would cost around \$600,000 to do the entire Village.

George asked how long this project would take. Johnson said it would take 6 to 7 working days. He said it takes 10 to 15 minutes per lot.

Hrydziuszko requested that residents be notified regarding the work and potential noise.

The Council thanked Johnson for attending the meeting.

REVIEW AND CONSIDER RESOLUTION FOR WEST NILE VIRUS FUND EXPENSE REIMBURSEMENT

Campbell provided an overview. Oakland County has a West Nile Virus Fund program that provides reimbursement to municipalities for purchase of insecticides and other products that reduce mosquito activity.

Keckskemeti inquired about what other treatments the Village does separate from this program. She suggested putting the mosquito dunks in the catch basins and where standing water may be present.

Keckskemeti offered the following resolution with support from Hrydziuszko:

WHEREAS, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages, and townships in addressing mosquito control activities;

WHEREAS, Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages, and townships to apply for reimbursement of eligible expenses incurred in connections with personal mosquito protection measures/activities, mosquito habitat eradication, mosquito larvicide or focused adult mosquito insecticide spraying in designated community green areas; and

WHEREAS, the Village of Beverly Hills will incur expenses in connection with mosquito prevention and control activities that are eligible for reimbursement under Oakland County's West Nile Virus Fund Program. The Village can submit for reimbursement up to \$1,401.55. It is recommended that the Village expend an estimated \$1,406.00.

NOW, THEREFORE, BE IT RESOLVED, that this Council authorizes and directs Village Administration, to the extent provided under Oakland County's Board of Commissioner Resolution, to request reimbursement of eligible mosquito activity under Oakland County's 2023 West Nile Virus Program.

Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER TRAFFIC SIGNAL GENERATOR AGREEMENT WITH THE ROAD COMMISSION FOR OAKLAND COUNTY

Campbell gave an overview. A Traffic Signal Generator Agreement proposed by the Road Commission for Oakland County (RCOC) was provided to Council for their review and consideration. The Council previously asked the Administration to reach out to RCOC about allowing the Village to attach its own generator to the traffic lights at the intersection of Beverly Road and Southfield Road when there is a power outage. Southfield Road and the traffic signal at Beverly Road are under the jurisdiction of RCOC. Allowing the Village to attach its own generator will help ensure safe automobile and pedestrian travel at this intersection in the event of a power outage. Under the proposed Agreement, RCOC provides training to the Village on the installation and operation of a generator for the traffic light at this intersection. The Administration would have the Public Services Director, a member of Public Safety, and a representative from Comeau attend the training.

The Village is responsible for the purchase of the generator needed to provide power to the traffic lights during an outage.

George said he thinks this is a great option since the Southfield and Beverly Road intersection is a high traffic area.

Kecskemeti asked about other intersections. It was noted that several others are maintained by RCOC.

White asked if these were gas generators and how often they would be checked. Campbell noted that the Public Services Department and/or Public Safety Department would check them every couple of hours while in use.

O’Gorman thanked Administration for pursuing this option.

Motion by O’Gorman, second by Mooney, be it resolved that the Beverly Hills Village Council authorizes the Village Manager to enter into the proposed Traffic Signal Generator Agreement between the Village of Beverly Hills and Road Commission for Oakland County.

Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER ADOPTION OF THE VILLAGE OF BEVERLY HILLS EMERGENCY OPERATIONS SUPPORT PLAN

Campbell provided an overview. A modified Support Emergency Operations Plan that needs to be filed with Oakland County Emergency Management. The Plan needs to be reviewed and modified every four years. The Plan was last modified in 2019. The revised plan was provided to Council and contains the same basic information from the last plan. The plan has been modified to include the new Council members, the new manager, and under a new plan template provided by the County. By passing this resolution today the Village will be compliant with Oakland County Emergency Management and the State of Michigan Emergency Management. For all jurisdictions with more than 10,000 population it is mandatory we adopt a plan of action in order to collect Federal and State monies in case of a disaster. The Support Emergency Operation Plan for the Village of Beverly Hills provides a framework for the Village to use in performing emergency function before, during and after a natural disaster, technological incident, hostile attack, or other emergency.

O’Gorman asked if there was training involved. Director Torongeau said there was training and the Plan serves as a guide during an emergency.

Kecskemeti clarified that the Village serves as the primary emergency responders until we ask for help from the County, State, and/or FEMA.

The following resolution was offered by Councilmember Hrydziusko and seconded by Councilmember Kecskemeti:

WHEREAS, the Village of Beverly Hills elected to be incorporated into the Oakland County Emergency Management Program and that by becoming part of the Oakland County Emergency Management Program, the Village of Beverly Hills and Oakland County have certain responsibilities to each other.

WHEREAS, this Emergency Operations Support Plan has been developed to identify the responsibilities between the Village of Beverly Hills and Oakland County in regard to emergency management activities.

WHEREAS, the plan provides a framework for the Village to use in performing emergency functions before, during, and after a natural disaster, hostile attack, technological incident or other emergency.

WHEREAS, this support plan is to be used in concurrence with Oakland County's Emergency Operations Plan as it is a supporting document.

WHEREAS, the support plan will be maintained in accordance with the current standards of the Oakland County Emergency Operations Plan. Review of this plan shall be accomplished every four years.

NOW, THEREFORE, BE IT RESOLVED, the Village of Beverly Hills Council hereby adopts this Emergency Operations Support Plan, in support of the Oakland County Emergency Operations Plan.

Roll Call Vote:
Motion passed 6-0)

REVIEW AND CONSIDER PROPOSAL AND CONTRACT FOR CRACK SEALING SERVICES OF MAJOR LOCAL ROADS

Campbell gave an overview. The Administration is recommending reengagement with a crack sealing program for the Village of Beverly Hills. Sealing cracks in asphalt and concrete is a low-cost pavement preservation treatment. Cracks in pavement are inevitable and are going to develop as the pavement continues to oxidize and deteriorate. Approximately 75% of cracks in pavement form into potholes within 3 years if they are not sealed. Crack sealing will extend the life of the Village's asphalt pavement and prevent cracks from turning into larger cracks, craters, and dangerous potholes.

The Village can receive substantial cost savings by utilizing and extending unit prices from those obtained in a bid process from a neighboring community, Keego Harbor. This is a good alternative to incurring additional costs and eliminating the need to develop a new set of contract documents. The work will likely begin in late April and be completed by May 15, 2023, weather permitting.

The Council was provided with a proposal from our engineering firm, HRC, and a proposed contract between the contractor, Scodeller Construction, and the Village of Beverly Hills that is an extension of the contractor's proposal and bid with Keego Harbor. We have also attached a map with the proposed area where the crack sealing will occur in 2023. Additional crack sealing will occur in the Village in the following years, particularly on 13 and 14 Mile Roads. Funds are available in accounts 202-463-943.00 and 203-463-943.00 for crack sealing.

O’Gorman asked how the streets were chosen. Campbell said geographically, west to east. O’Gorman said the selected areas are less dense and less traveled. He questioned whether this was the best place to start right now. Johnston noted that there is scheduled road work on the east side coming up soon.

Mooney said that the roads on the west side are in fair condition and this project will prevent further deterioration. He said many other roads will have to be addressed in other ways.

White noted that gravel and private roads are not included on the plan.

George said it is a judgement call on where to start, where to spend the money, and when.

Motion by White, second by Mooney, be it Resolved that the Village Council approves the proposed Crack Sealing Program for the Village of Beverly Hills and authorizes the Village Manager to enter into a contract with the approved bidder, Scodeller Construction, for a project cost of no more than \$36,000, which includes engineering costs. Funds are available in accounts 202-463-943.00 and 203-463-943.00.

Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER TAX COLLECTION SERVICES TO BE PROVIDED BY SOUTHFIELD TOWNSHIP

Campbell provided an overview of the request. Currently, there are 4,396 parcels in the Village of Beverly Hills that receive tax bills. Southfield Township sends out the tax bills, collects the taxes and answers tax questions on behalf of the Village of Beverly Hills. Southfield Township and the Village of Beverly Hills executed a Tax Collection Agreement in February 2012. Under the Agreement, the Township has requested Village approval of the addition and collection of property tax administration fees in the amount of \$2.00 per parcel. Thus, Southfield Township would like to charge the Village of Beverly Hills a total of \$8,792.00 to collect taxes on the Village’s behalf in the summer of 2023. Village taxes are only collected in the summer. This amount includes mailing costs, printing costs and Township staff time for the service and answering questions from residents about Village taxes.

The Administration believes that the price of \$2.00 a parcel is a fair price for the services provided for under the Agreement. For the purposes of maintaining consistency and ensuring that residents only must go to one location to pay their tax bill, the Administration recommends amending the Agreement with Southfield Township and paying the Township \$2.00 per parcel for the services provided in the Tax Collection Agreement.

O’Gorman asked what has changed in the procedure. Campbell noted that there is new staff and a change of practice/policy.

Campbell noted that this option with Southfield Township would be less expensive than the Village bringing it in house in terms of staff training and time.

Mooney said it would not be cost effective for the Village Administration to collect these taxes.

Motion by Mooney, second by Kecskemeti, be it resolved that the Village Council authorizes the amendment of the Tax Collection Agreement between the Village of Beverly Hills and Southfield Township to approve fees of \$2.00 per parcel, effective for taxes becoming due in the summer of 2023, an amount not to exceed \$8,792.00.

Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER FY 2023 BUDGET AMENDMENTS

Campbell gave an overview of the proposed FY 2023 Village of Beverly Hills Budget Amendments that were provided to Council for review.

In the General Fund there are various revenue and expenditure amendments including an amendment for storm damage of \$60,000. The effect of the amendments is a net of revenue and expenditure decrease of \$61,302.

In the Major Road Fund and Local Road fund there is an amendment to in effect move the Roundabout budget from Local Roads to Major Roads. Beverly Road has been identified as a major road per MDOT. Other amendments in Local Roads are a \$40,000 decrease in engineering and an increase of \$20,068 in storm damage. The effect of the amendments is a net of revenue and expenditure decrease of \$243,699 in Major Roads and a net of revenue and expenditure increase of \$269,932 in Local Roads.

In the Park Improvement fund there is an amendment to adjust the Beverly Park playground equipment budget to the down payment to be paid in FY23. The balance of the playground equipment will be in FY24. There are other amendments to reflect projected expenditures for park land and building improvements. The effect of the amendments is a net of revenue and expenditure increase of \$139,189.

In the ARPA fund there are amendments adjusting to the projected level of FY23 expenditures for the ARPA projects and amendments recording the \$100,000 infrastructure grant. The effect of the amendments is a net of revenue and expenditure increase of \$300,384.

These proposed FY2023 Budget Amendments have been reviewed by Village Administration and are recommended for approval.

George noted that these budget amendments were mainly a result of the Finance Director truing up the books as we approach the end of the budget year.

O’Gorman requested clarification about the roundabout spending, timeline, and tri-party money.

Motion by Mooney, second by Hrydziusko, 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, Park Improvement Fund and ARPA Fund as reflected in the April 14, 2023, memorandum from Finance Director, Sheila McCarthy.

Roll Call Vote:
Motion passed (6-0)

PUBLIC COMMENTS

Karen Gilbert, Amherst, commented on an injury a resident incurred from a heaving sidewalk which resulted in degloving. She said hospital bills are equivalent to the entire sidewalk program. She said the worst trip hazards should be identified and fixed first.

MANAGER'S REPORT

Update on Water Project and Road Projects - The replacement of the water main along Marguerite and Hummel is completed except for some restoration work. Some tree clearance and utility work began at the Greenfield Roundabout Project. A flyer from the Road Commission is attached hereto. It indicates when road closures are scheduled to begin and the proposed detours. Campbell noted there is a request not to have truck traffic on Pierce Street.

Planning, Building and Economic Development Quarterly Report - During the strategy session in January, Council asked for reports from various departments in a more regular basis. Attached is the Planning, Building and Economic Development Quarterly Report. It includes the work in the last 3 months. You will receive a Public Services update in May.

Budget Study Session - The budget study session is scheduled for Monday, April 24, 2023 at 6:00 p.m. in Council Chambers.

Park Clean Up - Reminder that the annual Park Clean Up is scheduled for Saturday, May 6th. The event begins at 9 a.m. at Beverly Park.

White asked about restoration work. Campbell noted post-construction restoration work will be completed by the contractors as weather permits.

Kecskemeti asked whether there is a procedure in place for residents to report hazards and what sort of response they get. Campbell stated that Administration addresses these types of complaints as they are received and noted he would like to start logging them more formally. He noted that first responders and the infrastructure crew have different priorities when responded to a reported hazard.

COUNCIL COMMENTS

O’Gorman thanked Administration for moving forward with the traffic signal generator for the Southfield and Beverly Road intersection. He said he thinks it will make a positive impact on the community. He expressed concern about the safety at that intersection and drivers running red lights. He requested more Public Safety presence and enforcement at that intersection.

Kecskemeti said she appreciates the quarterly reports. She requested that the Public Services Report include any regulatory reviews that have occurred recently.

Mooney congratulated Abboud on his election as chairperson of the Oakland County Senior Advisory Council. He said he is hoping for the best for Senator Rosemary Bayer. He noted that the Budget Session will be held on Monday, April 24th and said he wants to make the Village as welcoming as possible. He noted that the Council should be mindful that there is not an unlimited amount of money that they can ask residents for. He said the ability of people to pay is not unlimited. He said newer residents pay more in taxes due to the way the state tax law is set up.

Hrydziuszko said there is a Parks & Recreation Board meeting this Thursday, April 20th. She said there are Sign Up Genius links available for volunteers for the Park Clean Up and Memorial Day Parade.

George thanked the Parks & Recreation Board for their work on the Sculptures in the Parks program. He asked residents to help with the Memorial Day Parade and Park Clean Up if they have time. He appreciates the traffic signal generator item moving forward. He talked about water line breaks, repairs, and restorations. He noted that the Village now has two state representatives that cover the area, so that should be kept in mind when requesting state funding for infrastructure projects. He talked about taxes, millage rates, and aging infrastructure. He commented on how to plan for funding these projects, such as setting up a reserve.

ADJOURNMENT

Motion by Mooney, second by Hrydziuszko, to adjourn the meeting at 9:20 p.m.

Motion passed.

John George
Council President

Kristin Rutkowski
Village Clerk