

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

Absent: Drummond

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

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 Abboud, to approve the agenda as published.

Motion passed.

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS

Mark Clemence, Assistant Manager, City of Birmingham, stated that the City of Birmingham created an ad-hoc Aging in Place Committee. He said the City is partners with Next and Next recently purchased the YMCA. The committee is distributing a 2-page community survey and would like to receive feedback from neighboring communities. He provided copies of the survey.

Peter Webster, Balmoral, commented on Birmingham Country Club’s proposal to expand pickleball courts. He said the Club has still not done what they told the neighbors they would do. He believes they are excluding the neighbors and may be acting in bad faith. He asked that the Village Council add a discussion item to an upcoming agenda to talk about the expansion. He said the item would be on an upcoming Birmingham City Council agenda.

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 January 2, 2024.
2. Review and file bills recapped as of Tuesday, January 16, 2024.
3. Refer site plans for 31215 & 31201 Southfield Road to the Planning Commission for review and recommendation.

Roll Call Vote:

Motion passed (5-0)

BUSINESS AGENDA

REVIEW AND CONSIDER APPROVAL OF METRO ACT PERMIT FROM EXTENET SYSTEMS FOR BEVERLY ROAD

Campbell provided an overview. The Village of Beverly Hills is in receipt of a Metro Act Permit Application from ExteNet Systems. This item for the Metro Act permit for a small cell node at 18906 Beverly Road was tabled at the January 2nd meeting because there were discrepancies between the application and the plan. The applicant has submitted a revised memorandum and plan. Please be advised that on the revised plan, the load center is attached to the pole. All apparatuses are attached to pole. Based on the revised plan and application, the Administration recommends approving the Metro Act permit for Extenet for the small node device to be placed on the existing pole at 18906 Beverly Road. The applicable documents were provided for review.

This application is for access and ongoing use of public ways as regulated by the Telecommunications Providers under Metropolitan Extension Telecommunications right-of-way oversight ACT 202 PA 48, MCLA sections 484.3101 to 484.3120. (Metro Act) and the Small Wireless Communications Facilities Deployment Act, MCLA Sections 460.1301 to 460.1339.

The Village Attorney has reviewed the application and found it to be in order. The \$500 application fee has been submitted. Administration recommended approval of the Metro Act Permit.

Motion by Abboud, second by Hrydziuszko, be it resolved, the Beverly Hills Village Council approves the Metro Act Permit Application submitted by ExteNet Systems, LLC dated December 6, 2023, for the small cell node at 18906 Beverly Road and authorizes the Village Manager to sign the Right-of-Way Telecommunications Permit.

Roll Call Vote:
Motion passed (5-0)

REVIEW AND CONSIDER PROPOSAL FOR RIVERSIDE BRIDGE REPAIRS

Campbell provided an overview. The Riverside Bridge is in need of repairs. Over the last several months, Council has discussed the scope of the proposed rehabilitation of Riverside Bridge. Attached for your review and consideration is the proposal from HRC that sets forth the rehabilitation work to be done on the bridge. This proposal was finalized after several discussions with Council. The anticipated construction budget is \$342,000 with an engineering budget of \$88,920 for a total project cost of \$430,920. Approximately half of the engineering costs will be expended in fiscal year 2024. A budget amendment will be required for these engineering costs. There are ample funds in the Major Road Fund (Fund 202) for said amendment.

Brad Shepler, Hubbell, Roth, and Clark, was present. He went over the scope of the project as proposed in the meeting packet and answered questions from the Council.

George and Mooney asked about the cost breakdown and Shepler provided clarification.

Motion by Mooney, second by Hrydziuszko, be it resolved, the Beverly Hills Village Council approves HRC's proposal to conduct repairs to Riverside Bridge and authorizes Administration to go out to bid for the project. The total project cost, including engineering services, shall not exceed \$430,920. Funding is available in Fund 202 (Major Roads).

Roll Call Vote:

Motion passed (5-0)

REVIEW AND CONSIDER AMENDMENT TO THE BUILDING DEPARTMENT FEE SCHEDULE

Campbell gave an overview. In May of 2020, Village Council approved a Building Permit Fee Schedule. Over the last six months, the Building Department discovered that there is an instance where the Village permit fees are extremely high compared to all our neighboring communities. Specifically, for example, when a resident replaces all of the windows in their home, they are charged as if they were structurally altering all the windows. This results in a high permit fee for non-structural changes in a house requiring only one inspection by the building official. Other surrounding communities have specific fees for non-structural replacements of roofs, windows, door, and siding replacements to ensure their typical building fees do not apply to non-structural modifications to a home.

Thus, the Administration is requesting approval to amend the Building Department Fee Schedule passed by resolution in May of 2020 to establish a maximum permit fee in the amount of \$400 for residential projects that do not involve structural alterations. The types of projects that would be affected may include, but are not limited to, the following: window and door replacements, siding replacement, and roof replacements. The permit fee would be calculated based on the valuation of the project as currently established in the Fee Schedule but would be limited to a maximum fee of \$400.

In addition, there have recently been situations where damage has occurred to village roads during new construction and addition projects. When damage has occurred, such as most recently was the case on Embassy Street, the Village is left to bear the costs of repair. To deter such damage from being caused to village roads, and/or to cover the costs of repair when damage does occur, the Building Department is requesting approval to amend the Building Department Fee Schedule to include a refundable “Road Preservation Bond” in the amount of \$5,000.

Abboud asked about structural vs. non-structural repairs in regard to roof replacements.

George asked if the proposed road bond includes sidewalks. Campbell stated that that fee is already included in the right of way bond.

Keckskemeti arrived at 7:58 p.m.

Motion by Abboud, second by Hrydziuszko, be it resolved, the Beverly Hills Village Council approves the proposed amendments to Building and Planning Department Fee Schedule, establishing a maximum permit fee of Four Hundred Dollars (\$400) for residential projects that do not require structural alterations and establishing a Road Preservation Bond of Five Thousand Dollars (\$5,000) for new construction or addition projects that abut Village roads.

Roll Call Vote:

Motion passed (5-0-1)

Keckskemeti abstained.

REVIEW AND CONSIDER PUBLISHING REQUEST FOR PROPOSALS FOR LEGAL SERVICES

George provided an overview of the Village’s contracted professional services. He said periodic reviews of the services purchased by the Village are a healthy way to assure that we are buying the appropriate level of services from the most appropriate vendors at a market-competitive price. It has been a stated goal of this Council to review all professional service contracts that have not been reviewed or marketed recently.

The current format for legal services provided to the Village is composed of legal services to Village Council and legal services to the Public Safety Department.

The proposed Request for Proposals (RFP) will consist of Legal Services to Village Council with the option to include Legal Services to Public Safety should, after consultation with the Director of Public Safety, they wish to participate. The RFP document has been reviewed and modified by the Personnel Committee for the needs of the Village.

The suggested timeline below was provided:

Council approval of RFP	January 16, 2024
RFP posted to Michigan Intergovernmental Trade Network (MITN)	January 19, 2024
Deadline for responses to RFP	February 20, 2024
Personnel Committee reviews RFP responses and interviews most qualified respondents	Feb – March 2024
Personnel Committee makes vendor recommendation to Council	March 19 or April 2

George stated that Village Attorney Ryan has been doing great work for the Village for a long time. He noted he was interested in obtaining price points for all professional services.

Abboud asked for clarification between the legal services performed for the Public Safety Department and Administration/Council. George provided clarification.

O’Gorman stated that there was a potential that a new contract may come of this process.

Motion by O’Gorman, second by Hrydziuszko, be it resolved that the Village of Beverly Hills Council authorize the posting of the Legal Services RFP on MITN and tasks the Village Council Personnel Committee to interview respondents and to make a recommendation of best fit for legal services provider.

Roll Call Vote:

Abboud – no

George – yes

Hrydziuszko – yes

Kecskemeti – yes

Mooney – yes

O’Gorman – yes

Motion passed (5-1)

REVIEW AND CONSIDER UPDATING MEMBERSHIP ON THE SIGN SUBCOMMITTEE

The Village Council previously established a Sign Subcommittee consisting of members O’Gorman, Abboud, and White. Since Mr. White’s resignation in 2023, there is an open spot on the subcommittee. Mr. Drummond has expressed interest in filling the spot on said committee.

Mooney asked what the delay in progress was from the subcommittee. He said he is willing to serve on the subcommittee.

O’Gorman said he supports Drummond serving on the subcommittee given his knowledge and experience with signs.

The Council discussed putting electronic signs at the Village Office and Beverly Park. They also discussed welcome signage throughout the Village.

Motion by Hrydziuszko, second by Abboud, the Beverly Hills Village Council updates the membership of the Sign Subcommittee to include members Abboud, Drummond, and O’Gorman.

Roll Call Vote:
Abboud – yes
George – yes
Hrydziuszko – yes
Kecskemeti – yes
Mooney – no
O’Gorman – yes
Motion passed (5-1)

RECEIVE AND FILE CASH AND INVESTMENT SUMMARY AND REVENUE AND EXPENDITURE REPORT ENDING DECEMBER 31, 2023

Campbell provided an overview. The Council was presented with the *Cash and Investment Summary* which includes all cash accounts and CD’s as of December 31, 2023, for all funds. Also presented is 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, 2023. The *Revenue and Expenditure Report* does not include prepaid and accrual adjustments that are reflected in the year end audited financial statements or other year end entries. Actual compared to budget financial results are monitored and budget amendments will be presented for approval, as necessary.

Motion by Mooney, second by Hrydziuszko, the Beverly Hills Village Council receives and files the Cash and Investment Summary and Revenue and Expenditure Report ending December 31, 2023 as presented.

Motion passed.

PUBLIC COMMENTS

Russ and Jen Kassin are parents of Groves High School students. They attended the meeting to share with the Council that their daughter Samantha was hit by a car at 13 Mile Road and Evergreen. She sustained injuries, but she will be OK. They thanked PSO Salvaggio and the Public Safety Department for their help. They commented on the community doing better about awareness and communication for both walkers and drivers. They asked for more School Zone signage near Groves.

MANAGER'S REPORT

Chipping - Residents may drop off their Christmas trees at Village Hall in the area where compost is available to the general public until January 27, 2024 to be chipped. DPW will be chipping branches from the recent winter storm. Please place branches at the curb by January 22, 2024.

Joint Council/Parks & Recreation Board Meeting and Council Strategy Session - The joint Council/Parks & Recreation Board meeting will be held on Thursday, January 18, 2024 at 7:30 p.m. in the Village Council Chambers.

The annual Village Council Strategy Session will be held on Saturday, January 20, 2024 at 9:00 a.m.

Dropping Temperatures and Potential Snowstorm – Avoid Freezing or Bursting Pipes - The weather temperatures will be dropping significantly over the next few days. Please make sure you have taken proper precautions to avoid bursting pipes. Make sure all the proper areas are heated and/or insulated. Further, make sure your outside hoses have been removed and the water has been turned off to the outside faucet.

Check on Your Neighbor - As we prepare for a snowstorm and dropping temperatures over the next week, please check on your neighbors to make sure they have what they need. In addition, if there are any power outages, please click here to see a list of available warming centers open to Beverly Hills residents:

<https://www.oakgov.com/home/showpublisheddocument/20541/638391984618262051>

Ice Rink in Beverly Park - Weather permitting, the temporary ice rink at Beverly Park should be open for public use by January 15, 2024.

SOCRRA and SOCWA Executive Director Update - On Wednesday, January 10, 2024, the Southeast Oakland County Recycling and Refuse Authority (SOCRRA) and Southeast Oakland County Water Authority (SOCWA) Boards both approved the employment agreement to hire Eric Griffin to serve as the new Executive Director for SOCWA and SOCRRA. Mr. Griffin previously worked for the Great Lakes Water Authority. He will start as Executive Director in February. Jeff McKeen, the retiring Executive Director, will assist Mr. Griffin during a currently undefined transition period. The Village of Beverly Hills wants to welcome Mr. Griffin and thank Mr. McKeen for all of his work with SOCRRA and SOCWA.

Cybersecurity Update - Last year, the Village hired UHY to do a cybersecurity assessment and penetration test of the Village's IT systems. Much of the assessment and penetration test has been completed. An executive summary of the assessment and test results, as well as recommendations, is being prepared by UHY and will be presented to Council in March of 2024.

Quarterly Code Enforcement Report - Attached to the Manager's Report is the Code Enforcement Report that covers July of 2023 to December 12, 2023. The Report sets forth the Complaint. It also includes the Source of the Complaint, whether the Complaint comes from a resident call, an email, a visit to the Village Hall Counter, or found by the Code Officer (CO). The report indicates which street the complaint was found on, and whether the complaint has been closed or remains open. The report does not include daily tasks, which include responding to emails, voicemails, or taking phone calls. It may not include routine inspections of areas throughout the Village of Beverly hills on a daily basis. Administration will submit its next Code Enforcement Report in April.

COUNCIL COMMENTS

O'Gorman expressed his sympathy to the Groves parents and said he appreciates them coming to the meeting and sharing their story.

Keckskemeti apologized for being late to the meeting. She echoed O'Gorman's sentiments and said improvements can be made. She thanked Administration for their response to the recent storm. She congratulated Jeff McKeen on his retirement.

Abboud sent his well wishes to Samantha. He thanked Public Safety and DPW for their work. He said SEMCOG's executive committee meeting is coming up. He said he is speaking at the upcoming MML Elected Official's Academy training. He stated that Next follows Birmingham Public Schools' inclement weather policy, so today's meeting was canceled. He said Go Lions!

Mooney said he has also had great experience with PSO Salvaggio. He hopes the best for Samantha as she recovers.

Hrydziuszko echoed the sentiments about the student being hit by a car. She said she is committed to putting in more effort to making Beverly Hills safer. She commended DPW on their storm response.

George said he appreciates public comments and the parents bringing issues to the Council's attention. He said the flow of Groves parking lot is tough and he is open to a conversation about making improvements in that area. He noted that everything in government takes longer than we want and people have to push for things to get accomplished. He asked the Council members to come prepared with what they want to spend their energy on this year to the Strategy Session on Saturday.

ADJOURNMENT

Motion by Mooney, second by Abboud, to adjourn the meeting at 8:43 p.m.

Motion passed.

John George
Council President

Kristin Rutkowski
Village Clerk