

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

Absent: President George

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 Pro-Tem Hrydziuszko 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

None.

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 16, 2024.
2. Review and consider approval of minutes of a special Council meeting held January 20, 2024.
3. Review and file bills recapped as of Monday, January 29, 2024.
4. Set public hearing for March 5, 2024 to receive comments on the Special Assessment Roll for the Southfield Road Business District.

Roll Call Vote:

Motion passed (6-0)

BUSINESS AGENDA

REVIEW AND CONSIDER SCHOOLS OFFER SUPPORT’S REQUEST TO HOST A 5K AT BEVERLY PARK AND ON VILLAGE STREETS ON OCTOBER 13, 2024

Campbell gave an overview. Administration received a request from Schools Offer Support (SOS) to host a 5K Run and Walk at Beverly Park and on Village streets on Sunday, October 13, 2024 from 7:00 a.m. to 11:00 a.m. to benefit the Birmingham Public Schools community. They have also requested to use the pavilion during this time and asked that the pavilion rental fees be waived. There are not any Village sponsored events scheduled at Beverly Park on this date. This would be the first year that SOS hosts its 5K in Beverly Hills.

At the January 18, 2024 Joint Parks & Recreation Board/Village Council meeting, the Board recommended that the Council approve SOS's request. The waiver request form and a map of the route were provided for consideration.

Motion by O'Gorman, second by Kecskemeti, be it resolved, the Village Council approves the request from Schools Offer Support to hold a 5K Run/Walk on Sunday, October 13, 2024 from 7:00 a.m. to 11:00 a.m. This event will begin and end at the Beverly Park pavilion and they will utilize Village streets and sidewalks for the run. Be it further resolved, fees for the use of the pavilion shall be waived for this event provided that a Certificate of Liability Insurance naming the Village of Beverly Hills as an additional insured is submitted to the Clerk's Office prior to the event.

Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER PARKS AND RECREATION BOARD'S RECOMMENDATION TO WAIVE SALES RESTRICTIONS AT VILLAGE SPONSORED EVENTS IN 2024

Campbell provided an overview. Per Chapter 6.03 of the Municipal Code, "[n]o amusement for gain or for which a charge is made can be conducted in a park without consent of the Village Council. . ."

The Parks & Recreation Board would like to have food trucks and other vendors at Village sponsored events in Beverly Park. Each year the Board has requested that the Village Council waive all sales restrictions at Beverly Park for any Village sponsored events in the calendar year such as Concerts in the Park, Movie in the Park, Read in the Park, Java & Jazz, Halloween Hoot, and Memorial Day.

At their January 18, 2024 meeting, the Board recommended that the Village Council waive sales restrictions at Beverly Park for Village sponsored events in calendar year 2024.

Motion by Kecskemeti, second by O'Gorman, be it resolved, the Beverly Hills Village Council waives sales restrictions at Beverly Park for Village sponsored events in calendar year 2024.

Roll Call Vote:
Motion passed (6-0)

DISCUSS AMENDED PLANS TO INSTALL PICKLEBALL COURTS AT THE BIRMINGHAM COUNTRY CLUB

Campbell provided a summary. In the summer of 2022, the Birmingham Country Club proposed adding pickleball courts to its racquet area at the front of the club. The racquet area and the location of the proposed pickleball courts are directly across from the Village of Beverly Hills residents on Saxon Drive. Many of these residents have met with the Club and appeared before the Village Council. Previously, they presented a signed petition in opposition of the pickleball expansion. They have expressed concerns regarding noise and potential parking problems associated with the pickleball expansion. In the subsequent year, the Club has presented amended

plans to the Township. The Township asked their engineering firm, HRC, for a sound study and their traffic engineers at Fishbeck for a parking study. HRC indicated that the noise mitigation measures are not sufficient, and the noise of pickleball playing will constitute a nuisance to the neighbors to the south, which are Beverly Hills residents along Saxon Drive. The traffic engineers stated that the parking in the current, amended plan is insufficient to meet the Township's standards.

The Club is requesting three variances, including a variance to reduce the front setback substantially, moving the pickleball courts closer to Saxon Drive and the Beverly Hills residents. The residents maintain that the Club cannot meet the Township's standards for obtaining a variance, specifically that that the variance is fair to other property owners and that the need for the variance is self-created. Further, the residents maintain that the special land use should not be expanded because the Club does not manage its current racquet facilities properly in contravention of promises made to the neighboring residents and various Township boards.

The Village of Beverly Hills Council cannot take any direct action regarding a matter before Bloomfield Township. The residents are requesting Beverly Hills take formal action to oppose the proposed variances from the Village of Beverly Hills. The relevant portions of the applications to the Township, proposed plans for the pickleball expansion, various reports related to the applications from the applicant, the Township and its consultants were provided to the Council for review. Also provided was a potential resolution for discussion. The City of Birmingham administration indicated to the Village they will be forwarding a letter to Bloomfield Township.

Several residents who reside near the Country Club were in attendance at the meeting.

Peter Webster, Balmoral, clarified that initially the paddleball courts had been improved, not pickleball, and the biggest difference is the noise. He commented on the Club's accessory structure, which neighbors refer to as the "party hut." He said that the Club has two variance requests, which are entirely self-created. He stated that the Club is trying to put pickleball courts where they promised they would not put paddleball courts. He said pickleball creates a lot of noise and is a nuisance. He said the Club has not mitigated any noise or parking issues and he believes they are acting in bad faith. He asked for the Council's support and asked them to voice opposition to Bloomfield Township on the variance requests.

Chris Sarver, Saxon, said the Club converted tennis courts to pickleball courts and the proposal before the Board is an expansion. She said the courts are used pretty much all year round. She noted that the Club needs more parking spaces. She said the plans show a path for shuttling members, which does not currently exist. She asked for the Council's help and support.

Molly Drake, Riverside, said that the Village Council holds a lot of weight and thinks Bloomfield Township would be more apt to respond to the Council. She said the Township is not listening to or hearing the neighbors' concerns and she feels disrespected. She asked the Council to be an advocate for the residents.

Keckskemeti asked about the Township's noise ordinance and enforcement.

Abboud asked about recourse and next steps.

Drummond inquired about previous variances that have been granted.

Campbell asked for the sense of Council to move forward with the proposed resolution at the next meeting. The sense of Council was to move forward with the resolution on behalf of the residents with some double-checking needed first.

PUBLIC COMMENTS

None.

MANAGER'S REPORT

Curbside Chipping - There are still branches down throughout the Village due to the heavy snow from the storm. DPW will continue picking up branches through next week. Please have all branches out at your curb as soon as possible.

Winter Taxes - As a reminder to residents, winter taxes are due to Southfield Township by February 14, 2024 without penalty. Please refer to the back of your tax bill for more information or contact Southfield Township at 248-540-3420.

Pavilion Reservations - Residents may begin making Beverly Park pavilion reservations on Wednesday, February 7. Reservations can be made in person at the Village office during regular business hours (8:00 am - 4:30 pm). Please bring your ID. The Village accepts cash, check, money order, and credit card payments. Please note, if you pay with a card, a 3% non-refundable convenience fee will be added.

Drone Class and Training - Sgt. Danielson, Neil Johnston, and the Code Enforcement officer attended drone training offered by MMRMA last week. The course covered the FAA rules and regulations needed to pilot small UAS (unmanned aircraft) and incorporated practical, hands-on remote drone coaching. The village could use drone functions in many ways. Public Safety could take video accident scenes, find hot spots at structure fires, and locate missing persons or animals. Code Enforcement could use it to address violations that would otherwise be overlooked. Public Services could utilize a drone to complete different types of geographical/topographical surveys or perform inspections of roof and towers. Overall, a drone would be a good tool for the Village to have in its toolbox.

Public Safety Recognition - Oakland County Medical Control Authority recognized Officers Jon-Paul Kraft-Goltz, William Brewster, and Mark Evans for providing exceptional patient care and completing outstanding documentation for a medical incident that occurred on July 7, 2023.

In addition, the Authority awarded Sgt. Jeffrey Moore and officers Jeremy Thomas and Mark Evans for their exceptional patient care and completing outstanding documentation for a medical incident that occurred on September 24, 2023. The Authority presented the awards to our Public Safety Officers and Sargeant on January 25, 2024. I would like to thank all of them for their good work and service to the Village of Beverly Hills.

Planning Commission Annual Report - The Planning Commission approved the 2023 Annual Report at its January meeting. That report is included in the meeting packet for Council's review.

The joint Council/Planning Commission meeting will be held on Wednesday, February 14 at 7:30 p.m. in the Village Council Chambers.

Keckskemeti expressed concerns about the drone and privacy and asked that a written policy be drafted before the drone is put to use.

COUNCIL COMMENTS

Abboud said that SEMCOG's Road Safety Project applications are due on March 1st. He attended the MML Elected Officials Academy event and said it was very informative. He reminded everyone that Next's fundraiser, Birmingham's Big Night Out, is on April 4th and will help with Next's move to the YMCA. He said the sign subcommittee will be meeting later this week and noted that some of the posts for the welcome signs are still in good shape. He said he spoke to local businesses and suggested that a subcommittee be formed to engage businesses and brainstorm ideas.

Hrydziusko provided an update from the Beverly Park 2050 Visioning subcommittee, noting that they would like to hire a professional park planner. She thanked the Public Safety Department for their quick response time on calls.

ADJOURNMENT

Motion by Mooney, second by Abboud, to adjourn the meeting at 8:27 p.m.

Motion passed.

Racheal Hrydziusko
Council President Pro-Tem

Kristin Rutkowski
Village Clerk