

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

Absent: None

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

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

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 February 20, 2024.
2. Review and file bills recapped as of Monday, February 26, 2024.
3. Review and consider Birmingham Youth Assistance’s annual funding request for Fiscal Year 24-25.
4. Refer PC Case 24-02-04, Special Land Use Request from Detroit Country Day School to the Planning Commission for review and recommendation.
5. Review and consider Marian High School’s request to host a Walk-a-Thon on Village Streets on May 3, 2024.

Roll Call Vote:
Motion passed (7-0)

BUSINESS AGENDA

PUBLIC HEARING TO RECEIVE COMMENTS ON THE 2023 SPECIAL ASSESSMENT ROLL FOR THE SOUTHFIELD ROAD BUSINESS DISTRICT

Campbell gave an overview of the fees incurred in the Southfield Road Business District for the 2023 season for sprinkling, electric, and maintenance.

George opened the public hearing at 7:36 p.m.

No one wished to be heard, so George closed the public hearing at 7:36 p.m.

REVIEW AND CONSIDER SPECIAL ASSESSMENT ROLL FOR THE SOUTHFIELD ROAD BUSINESS DISTRICT

Motion by Abboud, second by Mooney, be it resolved that the Southfield Road Business District incurred the following costs for 2023: maintenance \$3,868.88, water costs for the sprinkling system \$1,629.44, and electric costs for Beverly Hills Grill \$287.04. In addition, each property incurred a 10% administrative fee of \$578.54 altogether. Therefore, the Village of Beverly Hills Council confirms the Village Business District Assessment Roll for the 2023 season in the total amount of \$6,363.90 as follows:

Beverly Hills Racquet Club	\$1,360.23
31535 Southfield Road LLC	\$531.70
Beverly Hills Grill	\$488.35
C.G. Holdings, LLC	\$389.32
Emile Salon	\$537.05
Taco Bell	\$460.13
Rahma Worldwide and Development	\$650.96
J & D Karmo Real Estate LLC	\$1,367.62

Roll Call Vote:
Motion passed (7-0)

REVIEW AND CONSIDER RESOLUTION TO APPROVE OAKLAND COUNTY'S 2023 MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN APPROVED BY FEMA

Campbell gave an overview. He shared a recent notification from Oakland County regarding a recently FEMA approved 2023 Hazard Mitigation Plan:

FEMA has approved the 2023 Oakland County Multi-Jurisdictional Hazard Mitigation Plan (HMP) pending adoption by local municipalities. Attached is a template resolution. Please review and modify the template as needed to prepare the document for adoption by your local legislative body. A link to the HMP approved by FEMA was provided.

It is necessary that all local municipalities in Oakland County adopt the HMP before February 13, 2025. This plan is essential for identifying, assessing, and mitigating the various risks and vulnerabilities our community faces, ranging from natural disasters to human-caused incidents. The plan also enables us to access federal funding and resources for mitigation projects and initiatives. Failure to adopt the plan by the specified deadline could jeopardize grants funds for your community, including grant requests for projects in your communities from the Water Resource Commission, the Road Commission of Oakland County, or similar entities.

The first 15 pages of the 977-page document were provided to Council, which include the list of participating communities and the introduction. Also provided for Council's review and consideration is resolution adopting Oakland County's 2023 Hazard Mitigation Plan.

Motion by Kecskemeti, second by Mooney:

WHEREAS, the mission of Oakland County and the participating jurisdiction of the Village of Beverly Hills include the charge to protect the health, safety, and the general welfare of the people of the County and municipalities; and

WHEREAS, Oakland County, Michigan, is subject to flooding, tornadoes, winter storms, and other natural, technological, and human-caused hazards; and

WHEREAS, pro-active mitigation of known hazards before and after a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre- and post-disaster hazard mitigation programs; and

WHEREAS to remain eligible to receive mitigation monies, Oakland County prepared a Hazard Mitigation Plan (the “PLAN”) for the County and all communities in the County; and

WHEREAS, Oakland County and the Village of Beverly Hills have participated in and completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of hazards, develops a mitigation strategy consistent with a set of uniform goals, and creates a plan for implementing, evaluating and revising this strategy;

NOW THEREFORE BE IT RESOLVED that Village of Beverly Hills:

- 1.) Adopts in its entirety the 2023 Oakland County Multi-Jurisdictional Hazard Mitigation Plan (Plan)
- 2.) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3.) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4.) Will continue its support of the Hazard Mitigation Steering Committee and continue to participate in the planning partnership as described by the Plan.
- 5.) Will help to promote and support the mitigation successes of all planning partners.

Roll Call Vote:

Motion passed (7-0)

REVIEW AND CONSIDER AMENDING THE TAX COLLECTION AGREEMENT WITH SOUTHFIELD TOWNSHIP

Campbell provided an overview. Currently, there are 4,397 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 approve an increase in the amount of collection of property tax administration fees in from \$2.00 to \$3.00 per parcel.

Thus, Southfield Township would like to charge the Village of Beverly Hills a total of \$13,191.00 to collect taxes on the Village's behalf in the summer of 2024. 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. Further, at the time of last year's approved increase, the Southfield Township Supervisor and Village Manager discussed that the fee would be increased from \$2.00 to \$3.00 per parcel in 2024. The Administration believes that the price of \$3.00 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 \$3.00 per parcel for the services provided in the Tax Collection Agreement.

James O'Reilly, Township Supervisor, and Kim Chalifoux, Township Treasurer, were present to answer questions.

Keckemeti asked if Bingham Farms and Franklin have similar agreements. O'Reilly stated that neither of those municipalities have an agreement with the Township.

Mooney said that \$13,000 was a reasonable and warranted charge for these services. He also noted that Birmingham Public Schools is charged per parcel.

Motion by Mooney, second by Hrydziuszko, 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 \$3.00 per parcel, effective for taxes becoming due in the summer of 2024, an amount not to exceed \$13,191.00.

Roll Call Vote:
Motion passed (7-0)

DISCUSSION ON INVESTMENT OF VILLAGE FUNDS WITH REPRESENTATIVES FROM SCHWARTZ & CO., INVESTMENT ADVISORS

Campbell gave an overview. Administration believes it is in the best interest of the Village to obtain the services of a professional Investment Advisor to manage the investment portfolio of the Village. Given the level of Village cash and investments which is currently roughly \$1.8 million in CDs and \$15 million in Comerica, Administration believes now is the time to seek outside advisors with a high level of expertise in the specialized area of investment advising. The objective is to ensure safety and diversity of principal while maintaining sufficient liquidity and maximizing yield within those constraints.

The administration has met with and recommends the investment company Schwartz & Co Investment Advisors. Schwartz & Co Investment Advisors are a local, long-serving financial services firm founded in 1976 that works with municipalities, Not-for profits, small businesses, families, and individuals. The company manages over \$6 billion in assets located throughout the

United States. They are focused on a disciplined investment process centered on sound investment strategies, diligent monitoring of performance and risk, competitive cost structures, and effective, consistent communication with clients. They have a distinguished history in advisory and capital markets transactions. In April of 2023, Schwartz & Co was ranked nationally as a Top Institutional Consulting firm by Barron's and the Wall Street Journal. Schwartz & Co are located at 3707 W. Maple Rd in Bloomfield Hills, MI. More information on their website can be found at <https://www.gjsco.com>.

McCarthy stated that the Village has a significant amount of cash that is invested in CDs, but needs experts to manage investments.

Wally Schwartz and Michael O'Brien were present on behalf of Schwartz & Co and gave an overview of their company, team, and wealth management experience.

Abboud stated that he is in favor of investments, but worried about the risks. He asked about the fee structure and conflicts of interest.

O'Brien recommended diversifying the Village's portfolio nationally.

McCarthy noted that the Village has about \$15 million in cash over all the funds, but the investment advisors would only be working with about \$4 million in some funds.

Mooney said that Act 20 is highly restrictive in what the Village can invest in. He said the Village should have money in federal bonds and CDs in a variety of banks across the country and does not think that they need to hire consultants to do this.

George disagreed with Mooney's last comment and said managing investments was not that simple.

Keckskemeti asked about the cost/benefit and McCarthy said hiring financial advisors would benefit the Village overall.

REVIEW AND CONSIDER HRC'S PROPOSAL FOR THE PIERCE STREET PAVING PROJECT

Campbell gave an overview and provided a proposal from HRC to conduct a paving project on Pierce Road from 13 Mile to Beverly Road in the summer and fall of 2024. The PASER Map shows that this stretch of Pierce Road is in poor to very poor condition. The paving project for Pierce Road from Beverly Road to 14 Mile is scheduled to be conducted in the summer of 2025. The construction costs are anticipated to be \$500,000 with engineering costs of \$100,000, for a total project cost of \$600,000. An anticipated project schedule is included in the proposal.

Brad Shepler, Hubbell, Roth, and Clark, Inc. was present at the meeting to answer any questions regarding the proposal. He noted that Pierce was selected because it is a major road in the community that had a poor PASER rating.

Abboud asked about the bid process and how HRC evaluates bids/bidders.

Mooney asked why the Pierce project would be split between two years. Shepler noted that there are infrastructure improvements needed on the 14 Mile Road side that the Village does not have

funding for this year, so it is split up between two years. He also noted that they would like to keep the work to the summer season, so it does not interfere with Our Lady Queen of Martyr's school year.

Shepler noted that this would be a capital preventative maintenance project.

Motion by Drummond, second by Hrydziuszko, be it resolved that the Beverly Hills Village Council approves the HRC's proposal for the Pierce Road paving project and authorizes the Administration to go out to bid for the project upon completion of the project plans. The total project cost, including engineering services, shall not exceed \$600,000.

Roll Call Vote:

Motion passed (7-0)

REVIEW AND CONSIDER APPROVAL OF PROJECT AGREEMENT FOR THE BEVERLY PARK PLAYGROUND/SPARK GRANT

Campbell gave an overview. This item was tabled at the February 20, 2024 Council meeting. The Village was awarded a Spark Grant from the Michigan Department of Natural Resources in the amount of \$500,000 to help fund a new playground and accessible surface at Beverly Park. The Project Agreement and resolution to accept said award and authorize the match amount of \$125,000 was provided for Council's review and consideration.

Motion by Hrydziuszko, second by Kecskemeti, be it resolved, that the Beverly Hills, Michigan Village Council does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the Village of Beverly Hills does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide \$125,000.00 dollars to match the \$500,000.00 grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times in perpetuity.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

Roll call vote:

Motion passed (7-0)

REVIEW AND CONSIDER APPROVAL OF PROPOSAL FROM VIALYTICS FOR WORK ORDER MANAGEMENT SOFTWARE

Campbell gave an overview. Administration has been researching work order management software. The current process is outdated and unreliable. A software system that can generate, track, organize, and store our fieldwork would be a great benefit in the day-to-day operations of the Public Works Department.

Multiple software providers have demonstrated products to village staff, and we believe that the Vialytics platform will be our best solution for work order management software. Work assigned and performed, such as snow plowing, pothole patching, structure adjustments, and sign repair, can be delegated, geolocated, timestamped, and documented with video proof. Not only will their software provide daily work orders, but it also includes applications for road, fleet and asset management to help us make decisions on our long-term goals. The system is very versatile and can be mounted on a vehicle, tractor, cart, or bike to complete area surveys. We believe Vialytics will help find defects in our infrastructure before they become major problems and that it will increase efficiency and accountability within the public works department.

Vialytics has provided a proposal for three years of their software services at a cost of \$13,512 per year with no onboarding cost. Vialytics has agreed to, and added language, not increase the total annual fee for Beverly Hill by more than 5%, once the first three-year term is completed. gWorks and IRIS have provided similar proposals. gWorks costing \$16,136 per year with an onboarding fee of \$40,339, and IRIS costing \$14,779 per year with an onboarding fee of \$12,559.

Abboud asked about the timeline and why 3 years is being recommended over 1. Johnston stated that there is a lot of data to collect and analyze, so 1 year would not be sufficient.

Hrydziusko expressed concerns about third party access to the Village's data.

O’Gorman said that the price point and cap seems reasonable, especially since Vialytics is a younger company here and will be making improvements over time that the Village will benefit from. He said he is interested to see how this software will work with the Planning Tool and engineering division.

Mooney asked about work order management and Johnston provided examples of how it works.

The Council and Administration discussed making the contract more specific regarding data access and asked for a legal review of the general rules and provisions.

Motion by O’Gorman, second by Mooney, be it resolved, the Beverly Hills Village Council approves the proposal submitted by Vialytics for software and hardware services, used to track work and assess infrastructure assets, at the cost of \$13,512.00 per year, subject to the Village Attorney’s review per the Council’s discussion regarding data ownership and access. Funds are available in account 101-441-948.07.

Roll Call Vote:
Motion passed (7-0)

PUBLIC COMMENTS

Herbert Andrews, Kirkshire, said that he received a notice about work being done on Southfield Road. He noted how many times the sidewalks by his house have been torn up and replaced for different projects. He expressed concern about having access to his driveway during construction.

MANAGER'S REPORT

Non-resident Pavilion Reservations - Non-residents may begin making Beverly Park Pavilion reservations on Wednesday, March 6 at the Village Office. The office is open Monday-Friday from 8:00 a.m. to 4:30 p.m. The Village accepts cash, checks, money orders, and credit/debit cards. Please note, if you use a card, a 3% non-refundable convenience fee will be added. Please visit the Village website for more information about pavilion reservation policies and fees:
https://www.villagebeverlyhills.com/department/beverly_park_pavilion_rental/index.php

Baldwin Library's Idea Lab Coming to Greenfield Elementary School - Baldwin Public Library's popular makerspace, the Idea Lab, is going on the road this spring to share 3D printing and scanning options, starting with elementary school students at Greenfield Elementary. Jeff Jimison, Idea Lab Supervisor, will present exciting new tools at Science, Technology, Engineering and Mathematics (STEAM) nights as part of the Baldwin Public Library's outreach initiatives. At each STEAM night, teachers and local organizations display and exhibit fun, maker-themed projects to introduce students to science and technology in a variety of ways. This year, with support from a Michigan Architectural Foundation grant, the Idea Lab purchased six 3D Doodler Create pens, a 3D scanner, and a portable 3D printer. The Idea Lab runs during Library hours and is open to use by anyone.

Sidewalk Maintenance - Our public services director and at least one councilmember attended an Oakland County Planners Gathering Seminar last week that addressed sidewalk system maintenance. The panelists addressed two different approaches to maintaining and planning sidewalk networks. It is information we will use as the Village embarks on reinvigorating its sidewalk maintenance program in the coming months.

Sidewalk Connector Update - Last Friday, the Village submitted its Local Clearance National Environmental Policy Act (NEPA) Form to EGLE. NEPA's aim is to protect and preserve social and cultural resources, economic welfare, and the preservation/protection of the natural environment. Under NEPA, all federal undertakings (receiving federal aid, permits, licensing or oversight) must have an environmental evaluation completed prior to the start of project construction or implementation. A complete MDOT approved clearance form must be on file before funding can be released.

Funding Secured for Fire Training - The Village has secured just over \$17,000 from the State of Michigan Fire Marshal for training purposes. The funding is being dispersed from the Fireworks Safety Fund. The fireworks safety fund is underwritten by a 6% safety fee on the sale of consumer grade and low-impact fireworks. The Administration would like to thank Public Safety for applying and securing these funds.

Congratulations Councilman Abboud - The Administration wants to congratulate Councilmember Abboud for completing Level 3 of the Elected Officials Academy Training from the Michigan Municipal League. The Elected Officials Academy is a continuing education and professional development program sponsored by the League and overseen by a group of committed officials who comprise the Advisory Board. The EOA offers training and tools to elected officials to help

them be successful in serving your communities. Councilman Abboud will receive recognition for this accomplishment at MML’s Capital Conference, which will be March 12th and March 13th.

COUNCIL COMMENTS

Abboud thanked Administration for recognizing his accomplishment with MML. He noted he will be at the Capital Conference on March 12-13. He talked about proposed changes to tobacco laws. He reminded everyone that Next’s fundraiser, Birmingham’s Big Night Out, will be on April 4, 2024 and that tickets are still available.

Mooney stated that Councilmembers often disagree, but there is a great amount of respect amongst the Council. He said he admires local government officials for the work they do. He talked about how Councilmember Abboud makes an effort to represent Beverly Hills throughout the state. He recognized the hardships that Abboud has overcome in his life and congratulated him on achieving Level 3 EOA.

Hrydziuszko congratulated and thanked Abboud. He said that March is Invasive Species Awareness Month and encouraged residents to check their yards for invasive species.

George congratulated Abboud and said he does a good job. He said he is looking forward to a sidewalk inventory. He said the Beverly Park 2050 Planning RFP is posted on MITN. He said he enjoys discussing infrastructure and there are always more demands than resources available. He said that the Village has a healthier Water Fund balance now. He noted that the Park Clean Up will take place on Saturday, May 4th at 9:00 a.m. at Beverly Park. He congratulated the Beverly Bobcats Volleyball team on a great win tonight.

ADJOURNMENT

Motion by Mooney, second by Abboud, to adjourn the meeting at 9:35 p.m.

Motion passed.

John George
Council President

Kristin Rutkowski
Village Clerk