

Present: President Pro Tem Hrydziuszko, Members: Abboud, Drummond, Kecskemeti, and Mooney

Absent: George, O’Gorman

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 7:41 p.m. in the Village Council Chambers located at 18500 W. Thirteen Mile Road, Beverly Hills, MI 48025. It was noted that there were some technical difficulties with the broadcast, so the meeting started a few minutes late. 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 submitted.

Motion passed.

COMMUNITY ANNOUNCEMENTS

Ben Larson-Wolbrink, Northbrook Presbyterian Church, Beverly Hills, said that the church is hosting a monthly Neighborhood Night and all are welcome to join. The next event will be on Wednesday, July 10, 2024.

PUBLIC COMMENTS

None.

CONSENT AGENDA

Motion by Mooney, second by O’Gorman, be it resolved, the consent agenda is approved.

1. Review and consider approval of minutes of a regular Council meeting held June 18, 2024.
2. Review and consider approval of minutes of a Closed Session meeting held June 18, 2024.
3. Review and file bills recapped as of Monday, June 3 and Monday, June 17, 2024.

Roll Call Vote:

Motion passed (6-0)

BUSINESS AGENDA

UPDATE ON JUNE 2024 STORM AND EMERGENCY DECLARATION

Campbell provided a synopsis of the recent storm and clean up efforts. He thanked everyone who mobilized to help during the disaster anomaly. On June 19, 2024, a thunderstorm cell with incredibly strong winds went through the Village of Beverly Hills, causing a staggering amount of damage to the Village. Almost immediately after the winds ceased, Public Safety and the Administration were informed of the widespread power outages throughout the Village and that there were trees, limbs and branches down throughout the Village. Public Safety responded immediately and the DPW crew responded within 30 minutes after the storm passed.

The storm resulted in trees down throughout the Village, making at least a dozen streets impassable throughout the Village. The hardest hit area in the Village were the neighborhoods east of Evergreen. Streets including, but not limited to, Devonshire, Beechwood, Beverly, and Locherbie had several trees blocking the road. Through that night, DPW crews worked to make some roads passable. DTE dispatched crews to assess damage and start restoring power at 12:00 a.m. that evening. Due to utility poles and lines snapping, 13 Mile Road was closed between Southfield and Evergreen.

Early on the morning of June 20, 2024, the Administration was better able to assess the incredible amount of damage to the Village. At that point, the Administration secured three crews from JH Hart Urban Forestry and two crews from Davey Tree Service to assist the Village in the clearing of roads and removing dangerous limbs from trees. These crews worked all day to open roads. In addition, two local landscaping companies were able to offer crews and equipment to assist the Village. Jason's Outdoor Services began work in Beverly Park. Many trees fell in Beverly Park, and the trail had to be closed for the public's protection. Johnson Landscaping also sent crews to assist in the cleanup efforts.

Throughout the day, Village residents began moving branches to the curb, helping their neighbors and contacting tree services to deal with private trees that came down in their yards. There was a great sense of community spirit, the patience and cooperation demonstrated by the Village of Beverly Hills residents should be commended.

On Friday, June 21, 2024, the Village brought in an additional crew from Davey. 13 Mile Road opened that evening as well. On Friday, the Administration also secured a large chipper to help chip trees, limbs and branches that could not be chipped by any normal chipper. By the end of the day, most roads were passable.

The crews worked on Saturday as well, opening all roads and continuing to remove dangerous limbs from the trees. DTE restored power to most Village residents by Saturday evening. On Monday, June 24, 2024, the large chipper showed up and began chipping in the southeast portion of the Village. The additional crews and landscapers continued to chip throughout other sections of the Village and removing additional hanging limbs.

That same day, after consultation with neighboring communities and the Oakland County Emergency Management Team, the Village of Beverly Hills declared an official State of Emergency with Oakland County. Late that afternoon, County Executive Dave Coulter declared a State of Emergency for the Village of Beverly Hills. The reason for the declaration is to make all resources available and funding to the Village from the State of Michigan. More specifically, following a state emergency or disaster declaration, the governor may authorize financial reimbursement to municipalities for some disaster related response and recovery costs from the Disaster and Emergency Contingency Fund (Section 19 of Public Act 390 of 1976 as amended). It is completely within the Governor's discretion whether she would declare a state emergency for Beverly Hills. The Village Administration reached out to our State Representatives and State Senators to garner support for said declaration. Everyone indicated they would support the Governor issuing a declaration. Under Section 19, the Village may be eligible to reimburse public funding in an amount of up to \$250,000 for the Village.

All crews continued to work on chipping and limbs throughout the Village. On Wednesday, June 26, the large chipper had a minor mechanical issue and had to undergo repairs. It delayed the chipping by two days, at least. The hope is that the large chipper will begin work on Friday and work through Saturday and Sunday.

Fortunately, the Village has not received any reports of bodily injuries as a result of the storm.

Declaration

The Governor has denied financial reimbursement to the Village and we are working to appeal the decision.

Cleanup Expectations

The Village is doing everything possible to expedite the cleanup of the trees, branches and limbs throughout the Village. After trees, trunks, limbs and branches are removed, the Village streets will be swept to get up loose debris. The Village will also need to cut and/or remove damaged trees throughout the Village. The Council and public will be notified of what that will entail or require once the cleanup is near completion. This cleanup will likely continue through the end of July.

Costs

At this time, we have very few hard numbers. The invoices for the work are just starting to be submitted. However, we estimate we will be spending at least \$250,000 for the cleanup effort between all the overtime, contractors and equipment needed to clean up this disaster.

Conclusion

I am proud of the response by the community, Council, the Administration and workers who have aided us throughout the cleanup project. Everyone pulled together to help each other, and that is indicative of a strong community.

Campbell thanked all the staff, contractors, and residents. He appreciated residents' patience during the clean up efforts and said he was very proud of this community.

Mooney said this storm was the worst weather impact he has seen in Beverly Hills and that Campbell deserves all the credit in the world for the great response. He said it was remarkable how many large trees were ripped out of the ground. He also commended Johnson Landscaping for their work in his neighborhood. He said communication has been great during the storm and aftermath.

Hrydziuszko commended Administration for a thorough response and great communication. She said she is thankful that we made it through without any injuries. She thanked the private contractors for helping as well.

SECOND ANNOUNCEMENT OF VACANCIES ON THE ZONING BOARD OF APPEALS

Campbell gave the second announcement of vacancies on the Zoning Board of Appeals. There are three vacancies on the Zoning Board of Appeals: 1 full member vacancy for a partial term ending June 30, 2025; 1 Alternate Member vacancy for a full term ending June 30, 2027; and 1 Alternate Member vacancy for a partial term ending June 30, 2026.

The ZBA meets the second Monday of the month at 7:30 p.m. as necessary. The ZBA hears appeals of applicants who request exceptions from or official interpretations of the Zoning Ordinance. Members must decide whether or not a physical hardship or practical difficulty exists, which justifies the granting of a variance.

All interested and eligible residents of Beverly Hills are encouraged to apply to fill the vacancy on the ZBA. Applications are available on the Village website or by emailing the Village Clerk at krutkowski@villagebeverlyhills.com. Applications may be submitted to the Clerk's office via email, regular mail, in person, or using the drop box located outside the Village office (18500 W. 13 Mile Road, Beverly Hills, MI 48025). Applications are due Tuesday, July 23, 2024.

ANNOUNCEMENT OF A VACANCY ON THE BIRMINGHAM AREA CABLE BOARD

Campbell gave an announcement of a vacancy on the Birmingham Area Cable Board for a term ending June 30, 2027. The Cable Board meets the third Wednesday of every other month at 7:45 a.m. The Cable Board advises Village Council as to all matters related to cable television. The Board monitors the performance of franchisee and compliance with franchise agreement.

All interested and eligible residents of Beverly Hills are encouraged to apply to fill the vacancy on the ZBA. Applications are available on the Village website or by emailing the Village Clerk at krutkowski@villagebeverlyhills.com. Applications may be submitted to the Clerk's office via email, regular mail, in person, or using the drop box located outside the Village office (18500 W. 13 Mile Road, Beverly Hills, MI 48025). Applications are due Tuesday, July 23, 2024.

PUBLIC COMMENTS

None.

MANAGER'S REPORT

Village Office Closed - The Village Office will be closed on Thursday, July 4, 2024. Village Hall will reopen for normal business hours on Friday, July 5, 2024 at 8:00 a.m.

Water Department Updates - On July 1, 2024, the new, increased water and sewer rates will become effective. The Administration will be sending a special edition of the Villager in July that explains the increases and the reasons for the increases.

In addition, after the Village published its 2023 Consumer Water Quality Report, GLWA and SOCWA noted that something needed to be included in the report. The additional information does not change the results of our water. The following portion is required to be included in the report:

*Communities served by Springwells water treatment plant.
Required information on Great Lakes Water Authority's (GLWA) Administrative Compliance Agreement (ACA) with Michigan Department of Environment, Great Lakes, and Energy Drinking Water and Environment Health Division (EGLE)*

Great Lakes Water Authority (GLWA) is required to notify water users of any unresolved significant deficiencies identified by the Michigan Department of Environment, Great Lakes, and Energy, Drinking Water and Environment Health Division (EGLE). Below is the status of significant deficiencies in the GLWA water system identified by EGLE:

Date Identified by EGLE	Description	Compliance Agreement Deadline	Status
05-25-2022	Inoperable rapid mixing equipment at the Springwells 1930's water plant	12-31-2023	Completed in December 2023.
05-25-2022	Inoperable flocculation equipment at the 1958 Springwells water plant	11-11-2027	Phase I - Construction phase in progress and is scheduled to be completed in 2025

A complete, amended 2023 Consumer Water Quality Report will be included in the special edition of the Villager. The amended 2023 Consumer Water Quality Report can be viewed at our website by clicking at the link below:

<https://cms7files.revize.com/beverlyhillsmi/2023%20CCR%20Beverly%20Hills%20amended%2006.24.pdf>

Sidewalk Update - At the July 16, 2024 Council meeting, the Administration and HRC will provide an update on progress on the Transportation Alternative Program Grant and the Safe Route to School Grant to install new sidewalks throughout the Village. The Council will also receive a proposal to continue maintenance of the existing sidewalk at the same meeting.

Paddle & Par - Construction on the new Paddle & Par recreational business that will be occupying the former Bed, Bath & Beyond is underway. Paddle & Par is a new indoor pickleball and golf facility that will offer food and drink to its patrons. This is a unique venue that will create new recreational opportunities for residents and visitors alike.

2024 Village Council Election - There will be 4 Village Council seats on the November 5, 2024 ballot (3 full term, 4-year positions and 1 partial, 2-year position). Elections of Village officers are on a non-partisan basis. Interested and eligible electors of the Village must submit a nominating petition and Affidavit of Identity to the Southfield Township Clerk's Office by 4:00 p.m. on July 23, 2024. Forms are available at the Southfield Township Office located at 18550 W. 13 Mile Road between 8:30 a.m. and 5:00 p.m., Monday through Friday.

Upcoming Events at Beverly Park

- “Food Truck Mondays” begins Monday, July 8th from 4:30 to 7:30 p.m.
- Concert in the Park featuring Northgate Drive is on Friday, July 12th at 7:00 p.m.
- Java & Jazz will be held on Sunday, July 21st from 9:00 a.m. to noon.

There was discussion about the upcoming full and partial terms on the ballot.

COUNCIL COMMENTS

Drummond thanked Administration, Public Safety, DPW, and contractors for the quick response to the storm.

Keckskemeti echoed the compliments regarding the storm response. She said it was incredibly organized and has only heard good feedback from residents regarding the Village. She noted that Representative Price is holding a community forum at Baldwin Public Library on Monday.

Abboud apologized to Campbell for voting against accepting his resignation at the last meeting. He said he was elected to SEMCOG's Transportation Council. He will be attending the MML Convention in September. He said Next's Golf Classic Fundraiser is on September 13, 2024. He wished everyone a happy and safe 4th of July.

Mooney suggested that Abboud reach out to Next, the City of Birmingham, and the Planning Commission regarding the plans for the YMCA. He said perhaps a subcommittee should be formed to monitor the progression of the plans. He noted that due to redistricting, Southfield Township may be communicating some ballot changes. He said neither O'Reilly nor Nelson will be seeking reelection for the Township and it will be a great loss.

Hrydziuszko thanked Administration and Public Safety for all they have done over the last two weeks. She said it has been nothing short of amazing. She gave an update on the Beverly Park 2050 Vision subcommittee and noted that the depth of Beverly Pond is 6 feet. She wished everyone a happy 4th of July. She asked everyone to be extra careful with fireworks since there is a lot of dry debris throughout the Village from the storm.

CLOSED SESSION PER MCL 15.268(e) TO CONSULT WITH ATTORNEY ON PENDING LITIGATION

The following resolution was offered by Mooney, with support from Abboud:

WHEREAS, at the regular Village Council Meeting held on Tuesday, July 2, 2024 Village Council desires to go into closed session to discuss specific pending litigation with the Village Attorney.

NOW, THEREFORE, BE IT RESOLVED that the Village of Beverly Hills hereby agrees to meet in Closed Session, as permitted by the Open Meeting Act MCL 15.268(e) at the Regular Meeting held on Tuesday, July 2, 2024, at 8:32 p.m. at the Village of Beverly Hills, 18500 W. Thirteen Mile Road, Beverly Hills, Michigan, 48025. The purpose of the Closed Session is to discuss the following specific pending litigation: Beverly Hills Racquet & Health Club, Ltd. v. Village of Beverly Hills Zoning Board of Appeals, Court of Appeals No. 361202, Lower Court No. 21-190294 -AA, pending in the Michigan Court of Appeals regarding trial or settlement strategy in conjunction with the above-named lawsuit, which if this session was held in an open meeting would have a detrimental financial effect on the litigation or settlement position of the public body.

Roll Call Vote:
Motion passed (5-0)

The Council took a brief recess.

The Closed Session began at 8:39 p.m.

The Regular Meeting resumed at 8:55 p.m.

ADJOURNMENT

Motion by Mooney, second by Kecskemeti, to adjourn the meeting at 8:56 p.m.

Motion passed.

Racheal Hrydziuszko
Council President Pro-Tem

Kristin Rutkowski
Village Clerk