

AGENDA

Roll Call/Call to order

Pledge of Allegiance

Amendments to Agenda/Approve Agenda

Community Announcements

Public Comments on items not on the published agenda

Consent Agenda

1. Review and consider approval of [minutes](#) of a special Council meeting held April 10, 2018.
2. Review and consider approval of [minutes](#) of a regular Council meeting held April 17, 2018.
3. Review and file [bills](#) recapped as of Monday, April 30, 2018.
4. Review and consider request from Marian High School to use Village streets for a [Walk-a-Thon](#) on Friday, May 4, 2018.

Business Agenda

1. Accept Frank Maly's [resignation](#) from the Cable Board and make first announcement of vacancy.
2. Review and consider first [resolution](#) establishing ballot language for the November 2018 election amending Chapter 9 of the Village Charter; 9.1 Power to Tax.
3. Review and consider [amendments](#) to FY 2017/18 budget.

Public comments

Manager's [report](#)

Council comments

Consider resolution to go into closed session to discuss pending litigation regarding Case #18-164245-AA per Public Act 267 Section 15.268.

The Village of Beverly Hills will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities attending the meeting upon three working days notice to the Village.

Individuals with disabilities requiring auxiliary aids or services should contact the Village by writing or calling Ellen Marshall, 18500 W. Thirteen Mile, Beverly Hills, MI 48025 (248) 646-6404.

Present: President Mooney; President Pro-Tem Peddie; Members: Abboud, Delaney, Mueller, Nunez and Oen

Absent: None

Also Present: Manager, Wilson
Finance Director, McCarthy
Public Safety Director, Torongeau
Clerk, Marshall

Council President Mooney called the special Council meeting to order at 6:00 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

AMENDMENTS TO AGENDA/APPROVE AGENDA

Motion by Oen, second by Delaney, to approve the agenda as published.

Motion passed.

Nunez arrived at 6:01 p.m.

REVIEW AND CONSIDER SECOND RESOLUTION TO ESTABLISH BALLOT LANGUAGE FOR THE AUGUST 2018 ELECTION AMENDING TWO SECTIONS OF THE VILLAGE CHARTER; 3.11 NOMINATIONS AND 4.2 REMUNERATION OF MEMBERS OF THE VILLAGE COUNCIL

The following Resolution was offered by Delaney and seconded by Oen.

WHEREAS, on the 20th day of February, 2018, Charter Amendments were proposed by the Village Council; and

WHEREAS, in accordance with the statute in such case made and provided, such Resolution was published in the Observer-Eccentric, a newspaper circulated within the Village; and

WHEREAS, said Resolution has been duly laid on the table for at least thirty (30) days:

NOW, THEREFORE, BE IT RESOLVED as follows:

That the following Charter Amendments be voted upon by the qualified electors of the Village of Beverly Hills at a Special Election to be held on Tuesday, August 7, 2018, to-wit:

BALLOT PROPOSAL 1

It is proposed that Section 3.11 of the Charter of the Village of Beverly Hills be amended to read as follows:

NOMINATIONS:

SECTION 3.11. The method of nomination of the elective officers shall be by petition signed by not less than twenty-five (25) nor more than fifty (50) qualified electors of the Village. All nominating petitions shall be filed with the Clerk as required by state election law preceding such election. The form of the petition shall be substantially as that designated by the Secretary of State for nomination of nonpartisan judicial officers. Signing of petitions shall be governed by general election statutes.

Shall this amendment as proposed be adopted?

YES _____

NO _____

BALLOT PROPOSAL 2

It is proposed that Section 4.2 of the Charter of the Village of Beverly Hills be amended to read as follows:

REMUNERATION OF MEMBERS OF THE COUNCIL:

SECTION 4.2. The President and each Councilmember to receive as remuneration for service to the Village the sum of One Hundred Dollars (\$100.00) per meeting of the Council actually attended, not to exceed in total Two Thousand Four Hundred Dollars (\$2,400.00) per year, excepting that the President shall also receive the sum of One Thousand Dollars (\$1,000.00) per year for additional duties. Such salaries shall be payable monthly and shall constitute the only salary or remuneration which may be paid for services performed by the President or any Councilmember for the discharge of any official duty for or on behalf of the Village during their term of office. Upon authorization of the Council reasonable expense may be allowed when actually incurred on behalf of the Village. The provisions of this amendment will take effect December 1, 2020.

Shall this amendment as proposed be adopted?

YES _____

NO _____

That prior to the submission of the vote of the electors of the Village, such Charter Amendments shall be presented to the Governor of this State. That before its submission to the electors of the Village, the Clerk shall give such notice thereof as is required by law.

AYES: Abboud, Delaney, Mooney, Mueller, Nunez, Oen, and Peddie (7)
NAYS: None (0)

RESOLUTION DECLARED ADOPTED.

STUDY SESSION TO REVIEW FY 2018/2019 BUDGET

Council has been provided the proposed budget for FY 2018-19 and FY 2019-20. Included in the budget book are complete preliminary budgets for the General Fund, Public Safety Fund, Library Fund, Major Road Fund, Local Street Fund, Drug Law Enforcement Fund, Retiree Health Care, Vacation Reserve Fund, Sick Pay Reserve, Capital Projects and Water and Sewer Operating budgets.

Public Safety Department and Retiree Health Care

With the passage of the 2010 Charter Amendment the way Village services were financed changed significantly. Previously, all General Fund and Public Safety activities were financed from the General Fund, as were Library Services to the Baldwin Library. All revenues from the Village's general tax levy as well as all constitutional and statutory revenue sharing from the State of Michigan were assigned to this General Fund. The 2010 Charter Amendment established separate millages for the Public Safety Fund and Library Fund as well as the General Fund. The total millage rate for these three functions as established by the 2010 Charter Amendment was 12.9184 mills allocated as follows: 9.9 mills for Public Safety, 2.1 mills for General Fund, 0.9184 mills for Library Fund.

A majority (76.6%) of the millage rate established by the 2010 Charter Amendment was allocated to Public Safety for a few reasons. One reason was that as an organization, a significant portion of the Village's employees and expenses are dedicated to Public Safety. Accordingly, it was agreed that the Public Safety Department should receive a significant portion of the dedicated revenue from property tax collections. The General Fund was left with a significantly smaller portion of the approved millage rate, but also received 100% of the revenue sharing monies provided by the state.

This allocation method, recommended by Village Administration and approved by the Council, was based on the existing situation in 2010 – property values had declined significantly but were first beginning to stabilize, yet Constitutional revenue sharing had declined while statutory revenue sharing declined significantly and was threatened with eradication. It was believed that allocating most of the available property tax revenues to the Public Safety Department would stabilize the revenue stream for this operation and any further reductions, declines or eliminations of revenue sharing would not impact Public Safety operations in the Village. Additionally, it was believed that because of the precipitous decline in property tax values, prior to and around the time of the passage of the Charter Amendment, the Village would not be subject to reductions in our millage rate due to the Headlee Amendment. While reasonable and logical at the time, these basic assumptions have not been completely realized.

Around 2012-13 property values in the Village, values that had declined by significant amounts during the previous recession, began to improve. The recovery of the value of residential home prices was more rapid and robust than could have been predicted in 2010. One of the impacts of

the strong recovery in property values around this time was that the Village began to experience declines in the maximum allowable millage rate per the terms and interpretation of the 1976 Headlee Amendment. By FY 2013-14 the Village had a reduction in the overall maximum allowable millage rate of .1240 mills, or 0.95 percent (0.95%). Of this reduction, .0950 mills were reduced from the Public Safety Millage. This resulted in a loss of property tax revenue to the Public Safety Department of \$47,608. Finance Director Sheila McCarthy documented the impact of Headlee reductions to the Village and Public Safety Department.

The cumulative effect of these reductions for the Public Safety Department has been a reduction in the overall millage of .7761 mills, or six percent (6.00%) of the levy of 9.9 mills in 2010. For FY 2018-19 the loss of revenue in the Public Safety Fund due to the cumulative impact of Headlee reductions is \$449,181. For FY 2013-14 through 2018-19 the cumulative lost revenue to the Public Safety Department from Headlee Amendment millage reductions is **\$1,159,669**.

This is being brought to the attention of the Council because these factors are beginning to have an impact on the budget for the Public Safety Department, particularly the establishment of a fund balance. The goal was to eventually have a fund balance of \$1,000,000 in the Public Safety Department by the expiration of the dedicated millages established in 2010. The assumptions referenced earlier that were used to establish the current funding methodology, while logical at the time, have turned out to be inaccurate. Property values increased dramatically while inflation rates remained low. This resulted in some significant reductions to the millage rate as mandated by the Headlee Amendment. At the same time, revenue sharing amounts have stabilized, and the Public Safety Department has faced some significant one-time capital costs, most notably the replacement of fire apparatus.

Since the inception of the Retiree Health Care Fund (RHCF), there have been changes including the elimination of RHC for all new hires after 2013, and the requirement that eligible retirees sign up for medicare at age 65. Currently there are less than forty retirees that are part of this program, and most of them are over 65. All retirees, spouses (widows), and children to age 26 are provided health care plans that are equal to that of current employees. It is anticipated that as these retirees age, the needs of this account will go down; it will require \$7 million more over the next 30 years to reach its fully funded status. There is no added liability with new hires, as this fund does not provide for anyone hired after 2013.

The projections for these funds is good and will continue to grow and fund the RHC. Therefore, it is proposed by Administration and supported by the auditors that \$300,000 of the \$800,000 allocated towards retiree health care be directed to the Public Safety Department budget to allow them to operate in the black. It is recommended that this be a 3-year commitment to a lower contribution and then reassessed at that time.

Council agreed with this assessment and support the Public Safety Department; there is very little excess in their budget, and to continue to provide the level of service expected of them, they need revenue to do so. Even with the reallocation, the Council will continue to fulfill their commitment to fund Retiree Health Care.

Roads

Fourteen Mile west of Lahser is scheduled to be completely redone in July and August 2018, including the installation of better underground side drainage. There are currently no major projects scheduled for FY 2019-20; waiting on the results from the PASER analysis of the Village roads. There are no funds allocated to local roads or concrete, however there will be repair work done to the concrete in front of Groves High School.

Federal grant money totaling \$1.1 million has been allocated for a complete rebuild of 13 Mile in 2020, until then they will continue to perform maintenance.

The Council discussed that in other communities Road Repair Millages are being placed on their ballots. Over the next few years, the state additional monies will equal what has been allocated as subsidies to the Road Fund. However, without the allocated subsidies from the budget, the Village would be hard pressed to complete or continue any larger road projects. The money from the State allows for continued basic maintenance.

Water and Sewer

The Water and Sewage Budget is currently operating in the red. The suggestion by the auditors and Administration is a 5%, 7%, or 10% increase in water and sewage rates. Administration provided a breakdown of what each percentage increase would look like on a bill that currently averages \$300 on a quarterly basis. A 5% increase would result in an \$11 increase on the average bill, 7% would result in a \$15 increase, and a 10% increase would result in a \$21 increase.

The Council discussed the various increase options and the merits and drawbacks to monthly water billing. They would also like to ensure that money is being brought in to build the sinking fund for needed water and sewage projects. This increase will result in a positive amount in the year end cash balance.

General Fund

The garbage collection fee rate of \$140 per home is recommended for FY 2018-19. The rate will increase to \$150 for FY 2019-20. These changes in charges will help to make this account self-sustaining at the expiration of the current millage.

The cable franchise fees revenues have been changed, and local governments are seeing more money back.

A two-year buckthorn eradication project is planned for Beverly Park, with the cost reflected in the budget. This project is necessary to ensure the growth and plant life in the wooded areas of the park.

The final draft of the budgets for FY 2018-19 and FY 2019-20, reflecting the changes discussed at this session, will be made available for the May 1, 2018 Council meeting.

In 2020 the current Village Millage will be on the ballot for renewal, and the Council needs to begin to consider what the Millage will entail.

PUBLIC COMMENTS

Walter Briggs, Reedmere, feels the revised budget design with footnotes is very easy to follow and understand. He expressed concern about the condition of the roads and the declining availability of funds available for repair. He supports the increase in water and sewage charges.

COUNCIL COMMENTS

All of Council thanked Wilson and McCarthy for their work on the budget.

Nunez believes Council is within reason in asking that all funds in the Village operate in the black.

Delaney requested that past Council members and HOA leaders from the Village be extended an invitation to the budget presentation.

Mueller would like to discuss how the Village is communicating to residents about the identification of lead service lines, and how the water will be tested.

Abboud would like to see the Council move forward with a volunteer appreciation dinner.

Peddie believes that in the budget presentation attention should be given to what the Village will be facing in 2020 when the current millage expires.

Mooney reiterated the importance of Village Administration identifying all homes built in the Village with potential to have lead service lines. Administration should continue to take calls and compile the list of residents who are requesting water and service line pipe testing. He spoke regarding his vision for the future of the Village and his support of this budget and the need for work on the millage that will be up in 2020.

Motion by Oen, second by Peddie, to adjourn the meeting at 9:17 pm.

Motion passed.

John Mooney
Council President

Ellen E. Marshall
Village Clerk

Elizabeth Lyons
Recording Secretary

THESE MINUTES ARE NOT OFFICIAL. THEY HAVE NOT BEEN APPROVED BY THE VILLAGE COUNCIL.

Present: President Mooney; Members: Abboud, Delaney, Mueller, Nunez, and Oen

Absent: President Pro-Tem Peddie

Also Present: Village Manager, Wilson
Village Attorney, Ryan
Village Clerk, Marshall

President Mooney called the regular Council meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road. The Pledge of Allegiance was recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

Motion by Oen, second by Abboud, to approve the agenda.

Motion passed.

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

Kay Michael, Kirkshire, spoke representing the Concerned Owners of Kirkshire. They are concerned about new development, existing drainage problems, and maintaining the aesthetic of the neighborhood. She referenced the Vision and Goals for the Village of Beverly Hills in the Master Plan and what that looks like for the future of her neighborhood. She spoke at the March 2018 Zoning Board of Appeals meeting and spoke at the March 2018 Planning Commission meeting.

Dorothy Pfeifer, Charrington Ct., requested that the trucks working on the Greenfield Road project not use Charrington for a staging area. Mooney reassured her this would not be the case.

Elin Betanzo, Chelton, read a prepared statement about her concerns related to lead and copper testing of the homes in Beverly Hills.

Mooney explained that in the fall of 2017, during routine testing of the Village water quality, the Department of Environmental Quality found a trace of lead in one randomly tested home. It was determined that the home, built in the 1920s, had a lead water service line. The pipe was replaced, the home was retested with no traces of lead found. Homes on either side were tested, and they were lead free. There is no problem with the Village water, it is completely safe. This information was published in the newspaper, the Village newsletter, the website, and on the back of the water bills. He further explained that if a resident has any concerns or would like their water or service line tested at no charge they can contact the Village office and be placed on the testing list. He further explained that the Clean Water Act non-profit is fundraising door to door in the Village, however they may not give an accurate representation of Village actions with this process.

Members of Council thanked residents for attending the meeting and reassured them that water testing and safety is their top priority in the Village.

Walter Briggs, Reedmere, voiced his concerns about large homes and six foot fences being built in the Village.

CONSENT AGENDA

Motion by Oen, second by Nunez, that the Council for the Village of Beverly Hills approve the consent agenda as follows:

1. Review and consider approval of minutes of a regular Council meeting held April 3, 2018.
2. Review and file bills recapped as of Monday, April 16, 2018.
3. Review and consider waiving sales restrictions at Beverly Park for Memorial Day Carnival.
4. Review and approve resolution and contract with the City of Southfield for water service and delinquent water payment.

Roll Call Vote:

Motion passed.

BUSINESS AGENDA

REVIEW AND CONSIDER RESOLUTION REGARDING GREENFIELD ROAD TRAFFIC CALMING

The following Resolution was offered by Delaney, and seconded by Oen.

Whereas, in October of 2017 the City of Royal Oak sent a request to the Road Commission for Oakland County (RCOC) to perform a traffic study for Greenfield Road between Thirteen and Fourteen Mile Roads for the purpose of calming traffic through reduced speed limits; and

Whereas, in the letter from Royal Oak to the RCOC, the city expressed its interest in having the RCOC make the intersection of Normandy and Greenfield more conducive to pedestrian and bicycle traffic because the current bike route is difficult to traverse east/west at certain times of the day; and

Whereas, since Royal Oak's initial request, meetings to discuss this section of Greenfield Road have occurred between RCOC, Royal Oak and the Village of Beverly Hills; and

Whereas, the RCOC did not have plans to conduct any construction projects on Greenfield Road but as a direct result of the meetings, RCOC has scheduled a road resurfacing improvement project for the summer of 2018 for Greenfield Road between Thirteen and Fourteen Mile Roads; and

Whereas, at its meeting on March 19, 2018, the Royal Oak City Commission resolved to enter into a tri-party funding agreement with the RCOC and the Village of Beverly Hills to perform the resurfacing of Greenfield Road between 13 Mile and 14 Mile roads; and

Whereas, at its regular meeting March 20, 2018 the Beverly Hills Village Council resolved to enter into a tri-party funding agreement with the RCOC and the City of Royal Oak to perform the resurfacing of Greenfield Road between 13 Mile and 14 Mile roads; and

Whereas, Greenfield Road is designated a Principal Arterial roadway per the NFC and qualifies for a variety of funding sources including RCOC, Federal Aid, as well as Beverly Hills and Royal Oak Tri-party funding; and

Whereas, Greenfield Road has not been reviewed or improved in many years and is lacking desirable complete streets features; and

Whereas, in coordination with the City of Royal Oak, the Village of Beverly Hills has reviewed Traffic Improvement Association generated accident report summaries and believes there are patterns of accident types that could be remedied with safety and traffic calming features; and

Whereas, Beverly Hills is in favor of improving Greenfield Road between 13 Mile and 14 Mile to improve access, and reduce speeding and accidents on this corridor with plans that include traffic calming, accident reduction and non-motorized features; and

Whereas, traffic calming features desired by the Village include median islands along the corridor, and roundabout at the intersection of Greenfield Road and Normandy Road; and

Whereas, accident reduction features desired by the Village include a continuous center left turn lane along the corridor; and

Whereas, non-motorized features desired by the Village include enhanced crosswalk lighting, signals and signage at appropriate locations along the corridor to allow for safe and convenient pedestrian movements for crossing Greenfield Road.

Now, Therefore Be It Resolved, that the Village of Beverly Hills Council requests the Road Commission for Oakland County to actively work with the Village to develop plans and program funding for a Greenfield Road improvement project that will include traffic calming; accident reduction and non-motorized features for Greenfield Road between 13 Mile and 14 Mile Roads to be undertaken in the next five years.

SET PUBLIC HEARING DATE OF JUNE 5, 2018 TO RECEIVE COMMENTS ON A PROPOSED ORDINANCE AMENDING CHAPTER 22, SECTION 22.08.150 FENCE, WALL & PRIVACY SCREEN REGULATIONS OF THE MUNICIPAL CODE

The joint subcommittee of Planning Commission and Council reviewed amendments to Chapter 22, Section 22.08.150 Fence, Wall, and Privacy Screen Regulations and prepared draft language for discussion and recommendation by the Planning Commission. A draft will be available for the Planning Commission to discuss at their meeting to be held Wednesday, April 25, 2018. . A first reading and public hearing is set for June 5, 2018.

REFER REVIEW OF CHAPTER 22 SECTION 22.24 AREA, HEIGHT, BULK, AND PLACEMENT REGULATIONS OF THE MUNICIPAL CODE TO THE PLANNING COMMISSION FOR RECOMMENDATION REGARDING MAXIMUM LOT COVERAGE

Per discussion at the Council meeting held April 3, 2018, there was consensus that the area, height, bulk, and placement regulations enumerated in Section 22.24 of the Zoning Ordinance be amended to include lot coverage maximums for Single Family Zone Districts. At this time, the only Zone District with lot coverage regulations is R-M, Multiple Family. The Planning Commission has a subcommittee reviewing this issue per the request of Council on February 20, 2018.

To expedite the process, Administration is suggesting the existing subcommittee work with the Planning Consultant and Village staff to draft amendments to Chapter 22, Section 22.24 to establish maximum coverage of lot percentage in Single Family Residential Zone Districts that can be reviewed by the Planning Commission as a whole for recommendation to Village Council.

Cynthia Nagle, Kirkshire, inquired if resident participation was permitted. Mooney encouraged residents to attend the Planning Commission meeting.

Motion by Abboud, second by Oen, be it resolved that the Council for the Village of Beverly Hills directs the existing Planning Commission subcommittee on lot coverage to draft amendments to Chapter 22, Section 22.24 to establish maximum coverage of lot percentage in Single Family Residential Zone Districts for Planning Commission to review and make a recommendation to Council.

Motion passed.

PUBLIC COMMENTS

None.

MANAGER'S REPORT

Greenfield Road Repaving – The Village has been notified by the Road Commission for Oakland County that the repaving project on Greenfield Rd. will begin on Monday, April 16th. Initially the Village anticipated that this project would occur later in the year, but it has been moved forward on the schedule. The Village has notified Greenfield Elementary and the adjoining HOA of the proposed construction schedule.

FY 2018-19 Budget – Village Administration continues to work on the final draft of the budget for Fiscal Years 2018-19 and 2019-20. Administration has been able to take the recommendations of Council from the budget hearing of April 10 and incorporate them into the current budget document. The Village Manager and Finance Director McCarthy will be working with Oen and Delaney on graphs and charts for the formal budget presentation of May 15th.

Grant Applications – The Village has applied for funding through the Oakland County Local Road Improvement Program. An application for funding for the reconstruction of 14 Mile Rd. from Lahser to the west Village limits was submitted in the amount of \$16,801. The Local Road Improvement Program is designed to assist local cities and villages with maintenance and improvements on local roads and streets under their jurisdiction. Village Administration also made an application to SEMCOG for \$5,050 for funding our PASER road analysis program. SEMCOG has made some funds available for local jurisdictions for road analysis for local road systems. In addition, the Public Safety Department has made application for grant funding for vests, firearms, AED devices and other equipment. The Public Safety Department was recently awarded a grant for \$5,000 to be spent on new vests.

Compost Available – The Village has compost available in the Village Hall parking lot.

Southfield Rd. Corridor Study – Village Administration and LSL Planning met with Bob Gibbs and CORE Partners on Friday, April 13th to advise CORE on the analysis they are preparing for

the Southfield Rd. Overlay District. Village Administration anticipates a final report from CORE this summer.

COUNCIL COMMENTS

Nunez continues to focus on the character of the Village, and he believes that character is found in the people. He cautioned residents to avoid running multiple cords across streets when connecting to neighbors generators.

Abboud reported the Planning Commission continues to work on Height and Bulk Regulations, as well as the amended fence ordinance. He congratulated his daughter on earning several grants to study in Spain.

Delaney reported the Cable Board meeting has been canceled and rescheduled for April 25. Bob Borgon has offered to be the Village alternative representative at Next. He thanked Public Safety for all of their work on the latest insurance services report. He would like a discussion related to the replanting of trees on an upcoming Council agenda.

Oen thanked Comeau Equipment for their work in the Village following recent storms.

Mooney thanked residents for attending the meeting and sharing their ideas.

Motion by Abboud, second by Oen, to adjourn the meeting at 8:48 p.m.

Motion passed.

John G. Mooney
Council President

Ellen E. Marshall
Village Clerk

Elizabeth M. Lyons
Recording Secretary

THESE MINUTES ARE NOT OFFICIAL. THEY HAVE NOT BEEN APPROVED BY THE VILLAGE COUNCIL.

TO THE PRESIDENT & MEMBERS OF THE VILLAGE COUNCIL. THE FOLLOWING IS A LIST OF
EXPENDITURES FOR APPROVAL. ACCOUNTS PAYABLE RUN FROM 4/16/2018 THROUGH 4/30/2018.

ACCOUNT TOTALS:

101	GENERAL FUND	\$55,101.39
202	MAJOR ROAD FUND	\$65,745.88
203	LOCAL STREET FUND	\$16,413.83
205	PUBLIC SAFETY DEPARTMENT FUND	\$99,422.27
592	WATER & SEWER FUND	\$5,188.70
701	TRUST & AGENCY FUND	\$172.85
	TOTAL	<u>\$242,044.92</u>
	MANUAL CHECKS- INDEPENDENT	\$375.00
	ACCOUNTS PAYABLE	<u>\$242,044.92</u>
	GRAND TOTAL	<u>\$242,419.92</u>

04/26/2018 02:40 PM
 User: KARRIE
 DB: Beverly Hills

CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS
 CHECK DATE FROM 04/30/2018 - 04/30/2018

Page: 1/1

Check Date	Bank	Check	Vendor	Vendor Name	Invoice Vendor	Amount
Bank COM COMERICA						
04/30/2018	COM	78190	53284	APPLIED IMAGING	APPLIED IMAGING	1,556.40
04/30/2018	COM	78191	51802	ARROW OFFICE SUPPLY CO.	ARROW OFFICE SUPPLY CO.	229.14
04/30/2018	COM	78192	02000	BADGER METER INC	BADGER METER INC	3,366.00
04/30/2018	COM	78193	32748	BEIER HOWLETT,P.C.	BEIER HOWLETT,P.C.	628.32
04/30/2018	COM	78194	30920	BELLE TIRE	BELLE TIRE	69.99
04/30/2018	COM	78195	51409	BEVERLY HILLS ACE	BEVERLY HILLS ACE	44.93
04/30/2018	COM	78196	30861	BLUE CARE NETWORK	BLUE CARE NETWORK	31,198.38
04/30/2018	COM	78197	52071	BLUE CROSS BLUE SHIELD	BLUE CROSS BLUE SHIELD	43,925.99
04/30/2018	COM	78198	59723	CALCULUS FOUNDATION SYS	CALCULUS FOUNDATION SYS	300.00
04/30/2018	COM	78199	59684	CAPALDI BUILDING COMPANY	CAPALDI BUILDING COMPANY	500.00
04/30/2018	COM	78200	58597	CATHY WHITE	CATHY WHITE	235.85
04/30/2018	COM	78201	59347	CINTAS CORPORATION #31	CINTAS CORPORATION #31	45.80
04/30/2018	COM	78202	30909	CMP DISTRIBUTORS	CMP DISTRIBUTORS	221.50
04/30/2018	COM	78203	31925	COALITION OF PUBLIC SAFE	COALITION OF PUBLIC SAFE	19,953.83
04/30/2018	COM	78204	04500	COMEAU EQUIPMENT CO INC.	COMEAU EQUIPMENT CO INC.	23,336.29
04/30/2018	COM	78205	50826	CONSUMERS ENERGY	CONSUMERS ENERGY	632.08
04/30/2018	COM	78206	59589	CORE & MAIN	CORE & MAIN	585.20
04/30/2018	COM	78207	59722	CRAIN HEATING & COOLING	CRAIN HEATING & COOLING	37.00
04/30/2018	COM	78208	30468	DARRELL COLLINS	DARRELL COLLINS	147.70
04/30/2018	COM	78209	31543	ERADICO	ERADICO	45.00
04/30/2018	COM	78210	31228	EXXONMOBIL	EXXONMOBIL	262.96
04/30/2018	COM	78211	51568	FOUNDATION SYSTEMS OF MI	FOUNDATION SYSTEMS OF MI	300.00
04/30/2018	COM	78212	53489	GREAT AMERICA FINANCIAL	GREAT AMERICA FINANCIAL	600.00
04/30/2018	COM	78213	53583	GUARDIAN	GUARDIAN	5,951.34
04/30/2018	COM	78214	59724	IMS ALLIANCE	IMS ALLIANCE	20.75
04/30/2018	COM	78215	59158	JASON'S OUTDOOR SERVICES	JASON'S OUTDOOR SERVICES	2,752.00
04/30/2018	COM	78216	59650	JONNA RENOVATIONS	JONNA RENOVATIONS	200.00
04/30/2018	COM	78217	53316	LANG'S ON-SITE SERVICES	LANG'S ON-SITE SERVICES	105.00
04/30/2018	COM	78218	59686	LARS DAVID INC	LARS DAVID INC	200.00
04/30/2018	COM	78219	51350	LOU'S TRANSPORT INC.	LOU'S TRANSPORT INC.	609.66
04/30/2018	COM	78220	59116	MARGARET A.S. BEKE	MARGARET A.S. BEKE	95.00
04/30/2018	COM	78221	58953	MICHIGAN ASSOCIATION OF	MICHIGAN ASSOCIATION OF	650.00
04/30/2018	COM	78222	51461	MUNICIPAL WEB SERVICES	MUNICIPAL WEB SERVICES	542.00
04/30/2018	COM	78223	51799	NYE UNIFORM EAST	NYE UNIFORM EAST	119.50
04/30/2018	COM	78224	51540	O'REILLY AUTO PARTS	O'REILLY AUTO PARTS	59.25
04/30/2018	COM	78225	50830	OAKLAND COUNTY TREASURER	OAKLAND COUNTY TREASURER	6,645.75
04/30/2018	COM	78226	50830	OAKLAND COUNTY TREASURER	OAKLAND COUNTY TREASURER	1,072.31
04/30/2018	COM	78227	14100	OBSERVER & ECCENTRIC	OBSERVER & ECCENTRIC	336.66
04/30/2018	COM	78228	59689	R&I PLUMBING & HEATING	R&I PLUMBING & HEATING	253.10
04/30/2018	COM	78229	59122	RAPID RESPONSE	RAPID RESPONSE	123.95
04/30/2018	COM	78230	53579	REDFORD LOCK SECURITY SC	REDFORD LOCK SECURITY SC	3,904.00
04/30/2018	COM	78231	16100	ROAD COMMISSION FOR OAKI	ROAD COMMISSION FOR OAKI	59,333.24
04/30/2018	COM	78232	59396	ROCKET ENTERPRISE INC.	ROCKET ENTERPRISE INC.	214.50
04/30/2018	COM	78233	16500	S.O.C.R.R.A.	S.O.C.R.R.A.	27,778.50
04/30/2018	COM	78234	51356	SOUTHFIELD MUFFLER & BR	SOUTHFIELD MUFFLER & BR	398.55
04/30/2018	COM	78235	38145	SOUTHFIELD POSTAL SERVIC	SOUTHFIELD POSTAL SERVIC	1,125.00
04/30/2018	COM	78236	50767	VERIZON WIRELESS	VERIZON WIRELESS	427.79
04/30/2018	COM	78237	59357	WALLSIDE WINDOWS	WALLSIDE WINDOWS	200.00
04/30/2018	COM	78238	59725	WINDOW PRO LLC	WINDOW PRO LLC	100.00
04/30/2018	COM	78239	53572	WOW! BUSINESS	WOW! BUSINESS	575.67
04/30/2018	COM	78240	59368	XO COMMUNICATIONS	XO COMMUNICATIONS	29.04

COM TOTALS:

Total of 51 Checks:	242,044.92
Less 0 Void Checks:	0.00
Total of 51 Disbursements:	242,044.92

04/26/2018 02:39 PM
User: KARRIE
DB: Beverly Hills

CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS
CHECK DATE FROM 04/25/2018 - 04/25/2018

Page: 1/1

Check Date	Bank	Check	Vendor	Vendor Name	Invoice Vendor	Amount
Bank IND INDEPENDENT BANK						
04/25/2018	IND	1029	59726	DLI PROPERTIES LLC		175.00
04/25/2018	IND	1030	51833	DETROIT TIGERS		200.00
IND TOTALS:						
Total of 2 Checks:						375.00
Less 0 Void Checks:						0.00
Total of 2 Disbursements:						375.00

M E M O

To: Honorable President Mooney; Village Council Members
Chris Wilson, Village Manager

From: Ellen Marshall, Village Clerk

Re: Marian High School's Walk-A-Thon

Date: April 26, 2018

Background

We are in receipt of a request from Marian High School to hold a Walk-A-Thon using Village sidewalks and streets on Friday, May 4, 2018. Their mission is to provide assistance to Offering Alternative Therapy with Smiles (O.A.T.S.), a therapeutic riding stable in Clarkston and also to Angel's Place, an organization that provides people-centered services for adults with developmental disabilities.

The High School has submitted a certificate of insurance naming the Village of Beverly Hills as an additional insured under its certificate of liability for the Walk upon Council's approval. A map of the route is attached to this memo indicating what streets in the Village will be involved.

Suggested Motion

The Beverly Hills Village Council approves the request of Marian High School to use Village streets and sidewalks for its Walk-A-Thon to be held on Friday, May 4, 2018. A Certificate of Insurance has been submitted naming the Village of Beverly Hills as an additional insured.

Attachment

May 1, 2018

Marian High School
7225 Lasher Road
Bloomfield Hills, MI 48301

To The Beverly Hills Village Council,

On behalf of Marian High School, the All School Board representatives would like to ask your permission to hold our annual Walkathon on May 4th, 2018 throughout the Village of Beverly Hills. Our Walkathon will benefit OATS (Offering Alternative Therapy with Smiles), a nonprofit organization that provides equine-assisted therapy to children and adults with physical and emotional disabilities, and Angel's Place an organization that provides people-centered services, including homes and professional support for adults with developmental disabilities.

Our route will be provided to the village council along with our certificate of insurance. We thank you for your cooperation with our Walkathon.

Sincerely,
All School Board Representative

Grace Kanehann



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/17/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Kapnick Insurance Group P.O. Box 1801 Adrian MI 49221-7801	CONTACT NAME: Laura Scheich	
	PHONE (A/C. No. Ext): 517-266-6958	FAX (A/C. No): 517-263-6658
	E-MAIL ADDRESS: laura.scheich@kapnick.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Citizens Insurance of America	31534
INSURED Marian High School 7225 Lahser Bloomfield Hills MI 48301	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES**CERTIFICATE NUMBER:** 649397011**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			Z7H-7574856-08	3/1/2018	3/1/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0			U7H-7574858-08	3/1/2018	3/1/2019	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Reference: Walk-a-thon May 4, 2018

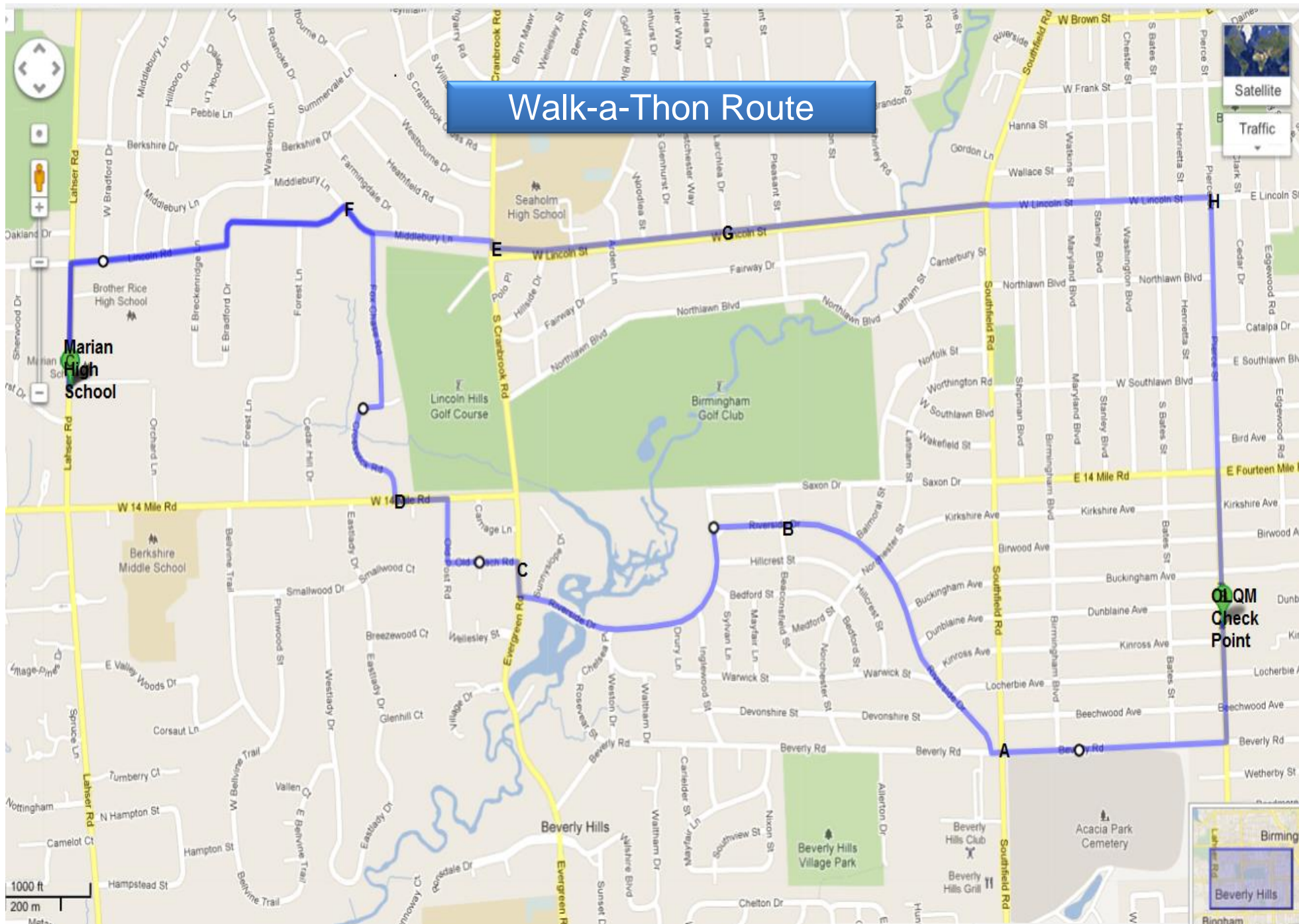
CERTIFICATE HOLDER**CANCELLATION**Village of Beverly Hills
18500 W. 13 Mile Rd.
Beverly Hills MI 48025

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Walk-a-Thon Route



MEMO

To: Honorable President Mooney; Members of Village Council
Village Manager, Chris Wilson

From: Ellen Marshall

Re: Cable Board Resignation and Vacancy

Date: April 19, 2018

Frank Maly has been a member on the Birmingham Area Cable Board since March of 2016. We received notification that he will be resigning his position on the Board at the completion of the April 25, 2018 meeting. His email to Council member Delaney is attached indicating that his family is relocating. Tonight is the first announcement of vacancy and his term has an expiration date of June 30, 2020.

Application deadline: Wednesday, May 30, 2018 at 4:30 p.m.

Term expires: June 30, 2020

Cable Board Subcommittee: Chairperson: Delaney
Members: Abboud and Mooney
June 5, 2018
7:15 p.m.

Applications of interested persons will be delivered to subcommittee members with the June 5th Council packet.

Ellen Marshall

From: JAMES DELANEY <[REDACTED]>
Sent: Wednesday, April 18, 2018 1:12 PM
To: Frank Maly
Cc: Chris Wilson; Ellen Marshall; John Mooney
Subject: Re: Cable Board Position

Frank, thank you for your service. I will miss seeing you at cable and OLQM. I hope you and the family enjoy

Northern Michigan. Jim

On April 18, 2018 at 9:01 AM Frank Maly <[REDACTED]> wrote:

Good morning, Jim

As we discussed late last year our family was planning on relocating outside of the Village sometime in 2018. Those plans have come into line a bit faster than I anticipated. As a result, I will be resigning my position representing the Village of Beverly Hills on the Birmingham Area Cable Board effective after April 25, 2018 meeting.

I've enjoyed participating on the Board and hopefully have done an acceptable job for the Village. I would encourage any interested person in the Village to volunteer for the open position to both gain an interesting perspective on local government operations as well as provide a valuable service to their Village neighbors.

Regards

Frank Maly

VILLAGE OF BEVERLY HILLS, MICHIGAN

RESOLUTION

At a regular meeting of the Village Council, Oakland County, Michigan, held at the Village Office at 18500 W. Thirteen Mile Road, Beverly Hills, Michigan 48025, on May 1, 2018, at 7:30 p.m.

Present: _____

Absent: _____

The following Resolution was offered by _____ and seconded by _____ that the following Charter Amendment be voted upon by the qualified electors of the Village of Beverly Hills at the regular Village election to be held on Tuesday, November 6, 2018, to-wit:

1. Shall Section 9.1 of the Charter of the Village of Beverly Hills be amended by adding Section 9.1(b) Power to Tax, be added to read as follows:

SECTION 9.1(b) The Village of Beverly Hills shall levy an additional 0.20 mill (20 cents [\$0.20] for each \$1,000 of taxable value) for a period of ten years, the years being 2019 to 2028, inclusive. Such new millage, which is estimated to raise \$115,779 the first year, shall be used exclusively to improve, enhance and preserve the parks and park facilities throughout the village.

2. That this Resolution be published in full in the Eccentric Newspaper.

3. That this Resolution be laid upon the table for thirty (30) days in accordance with the statute in such case made and provided.

AYES: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED.

CERTIFICATION

I, Ellen E. Marshall, being the duly appointed and qualified Clerk of the Village of Beverly Hills, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of a Resolution adopted by the Village Council of the Village of Beverly Hills at a regular meeting thereof held on May 1, 2018.

ELLEN E. MARSHALL, VILLAGE CLERK

Memorandum

To: Honorable President Mooney; Village Council
CC: Tom Ryan, Village Attorney; Sheila McCarthy, Finance Director; Peggy Linkswiler, Treasurer
From: Chris D. Wilson, Village Manager
Date: 4/26/2018
Re: FY 2017-18 Budget Amendments

Attached are proposed FY 2017-18 Village of Beverly Hills Budget Amendments.

There are amendments relating to the Erity Dam, Mini-Pumper, Fire Truck and asphalt resurfacing on Greenfield Road (all previously approved by Council) in the Capital Fund, Major Road Fund and General Fund.

There are General Fund amendments relating to expenditure adjustments for retiree health care contingency payments.

In Public Safety there are amendments adjusting expenditures to expected fiscal year totals.

These proposed FY 2017-18 Budget Amendments have been reviewed by Village Administration and are recommended for approval.

Recommended Resolution

Be it resolved that the Village of Beverly Hills Council authorizes Village Administration to transfer or adjust monies reserved in the General, Major Roads, Public Safety and Capital funds as reflected in the April 26, 2018 memorandum from Manager Chris Wilson.

Village of Beverly Hills
Budget Amendments Recommended to be Approved
FY 2018

a/c	Fund		Account Description	Budget before Amendment	Amendment	Amended Budget	Justification for Budget Amendment
202-463-779.01	202- Major Road	Expenditure	Culvert Tile & Repairs	253,000	(250,000)	3,000	This was for the Erity Dam repair - Budget moved to 401
401-905-938.02	401 - Capital	Expenditure	Erity Dam Eng & Repair	-	410,000	410,000	\$250k Budget moved from 202 to 401, Total cost \$160k Higher than expected on Erity Dam - the original budget was set before final reviews by the DEQ per T. Meszler, Village Engineer
202-482-957.00	202 - Major Road	Revenue	Transfer out of Major Road Fund (To Capital)	-	300,000	300,000	Transfer to Capital for Erity Dam
401-000-588.02	401 - Capital	Expenditure	Contribution from Major Road to Capital	-	300,000	300,000	Transfer from Major for Erity Dam
401-000-675.00	401 - Capital	Revenue	Proceeds -Fire Truck - Face Value of Debt Issue	-	692,023	692,023	Financial Statement Entry - no net Effect, record total lease payments as revenue
401-905-978.50	401 - Capital	Expenditure	Capital Outlay - Fire Truck	-	692,023	692,023	Financial Statement Entry - no net Effect, record total lease value as capital outlay
401-905-977.50	401 - Capital	Expenditure	Capital Outlay - Mini Pumper	-	301,775	301,775	Record Mini Pumper previously approved by Council
205-345-721.00	205 - Public Safety	Expenditure	Workers Compensation	42,656	38,344	81,000	Adjust to expected levels
205-345-910.00	205 - Public Safety	Expenditure	Insurance	61,045	53,955	115,000	Adjust to expected levels
401-000-581.00	401 - Capital	Revenue	Contribution from General Fund	100,000	200,000	300,000	Increase contribution from General Fund to Capital Fund
101-965-965.03	101 - General	Expenditure	Transfer to Capital Fund	100,000	200,000	300,000	to offset Capital purchases
205-345-722.01	205 - Public Safety	Expenditure	Retiree Health Care Contingency	359,670	(89,918)	269,752	4th Qtr Retiree Health Contingency Payment will not be made
101-248-722.01	101 - General	Expenditure	Retiree Health Care Contingency	92,223	(23,058)	69,165	
202-451-810.02	202 - Major	Expenditure	Resurface Asphalt	-	58,475	58,475	Greenfield Rd Project: 13 to 14 Mile, previously approved by Council

VILLAGE MANAGER'S REPORT
CHRIS D. WILSON
APRIL 27, 2018

FY 2018-19 Budget – Village Administration has provided a copy of the FY 2018-19 final draft budget for your review. This Final Draft incorporates the discussion and decisions of the budget workshop of April 10. Village Administration has met with two members of Council to review and revise the charts and graphs that are included in this final draft. If Council has any further questions or requests for revisions of the document, please contact Ms. McCarthy or me prior to Friday May 4th to allow time for the revisions to be included in the final printing.

Greenfield Rd. – The Road Commission for Oakland County has completed most of the paving work for the overlay of Greenfield Rd. As of the writing of this report there was work on-going on the shoulders of the road with the striping remaining to be done.

New Village Web Site – The Village's new web site will be launched soon. The new web site will have a new format and will have a mobile version. The site has been modernized and should be more user friendly than the old site.

Village Water Service Survey – Village Administration has begun the process of analyzing all the individual residential services in the Village of Beverly Hills. The Village has existing data on most of the 4,200+ water service lines for all homes in the Village, including the material of the service line. This data is being compiled into one data base that the Village can use in the future. Service lines that cannot be verified as to the material with existing Village data will be physically inspected by the Village, with permission of the homeowner if necessary.

SOCWA Southfield Township – Southfield Township has asked if I could serve as their representative to the SOCWA Board beginning in July. I was agreeable to serve and the attorney for SOCWA said it was allowable under the bylaws. At their regular meeting of April 10 the Township Board appointed me as their representative and Ellen Marshall as the alternate to the SOCWA Board beginning July 1.

**Village of Beverly Hills
Regular Council Meeting
Tuesday, May 1, 2018**

**Municipal Building
18500 W. Thirteen Mile Rd.
7:30 p.m.**

INFORMATION ITEMS

- a. Department of Public Safety Activity Report for the period April 12 - 25, 2018.
- b. Monthly Cable Board report dated April 12, 2018 from Executive Director Cathy White.
- c. Minutes of a regular Planning Commission meeting held March 28, 2018 (unapproved).
- d. Minutes of a regular Zoning Board meeting held April 9, 2018 (unapproved).

Beverly Hills Public Safety Activity Report

April 12-25, 2018

- The Public Safety Department is currently looking for applicants for Public Safety Officer. Please visit our website, www.beverlyhillspolice.com to see if you qualify.
- Officers are continuing to train our new recruits. If you see an officer you don't recognize, don't hesitate to introduce yourself.
- Anyone wishing to solicit in Beverly Hills must submit a solicitation application to the Village Clerk's Office.
- On April 11, 2018, the Oakland County Early Weather Warning Program outdoor sirens were tested and the Village passed the test. The system is operational and the sirens in our jurisdiction are working.
- Beverly Hills Public Safety was called to a house fire on Long Bow Ct. The officers and fire trucks arrived and got the single occupant out safely. Officers found the fire in the kitchen. The fire had reached up into the ceiling of the kitchen as smoke filled the entire kitchen. Officers were able to put the fire out immediately with minimal damage to the kitchen and upstairs bedroom. The rest of the house was untouched. The fire was caused from cooking. Officers did a fine job and saved the house from burning down. As a note, please do not attempt to put out a fire by yourself. A good neighbor attempted to put a kitchen fire but the room was full of smoke. The good neighbor was treated for smoke inhalation. The neighbor could have died from smoke. Sometimes people think that it is the fire that kills, when in fact it is the smoke. A person can be overcome by smoke inhalation in 30 seconds. Please let the Public Safety Officers, who have all the right equipment and training, do their job and do not put yourself at risk.
- Det/Sgt. Kevin Kowalik, Detective Ron Baller and PSO James Balagna will be attending the National Law Enforcement Memorial Service in Washington DC in May. All three officers volunteered to represent the Beverly Hills Public Safety Department which has been a tradition for the past six years.
- **New law: Dead traffic lights must be treated as a four-way stop in Michigan**
A longstanding practice in Michigan is now law. Lt. Gov. Brian Calley signed a bill Tuesday, April 24, 2018 requiring drivers to treat an intersection with a dead or malfunctioning traffic signal as a four-way stop. Police have advised motorists to follow that practice for years and many people learned about it in driver's training. But until Tuesday there was no specific law in Michigan about what happens when a traffic light wasn't working. "Clarifying this law will not only reduce the number of accidents during these power outages, but it will also keep Michiganders consistent with what is taught during driver's training," Calley said. State Sen. Rick Jones, a Republican from Grand Ledge, drafted the bill that clarified the law. He hopes it makes roads safer during power outages. "It can be dangerous if two drivers have different expectations when approaching an intersection where the traffic light is out," Jones said in a statement issued Tuesday. "If one driver thinks everyone is stopping and another driver thinks he has the right of way, that's a recipe for disaster." The new law will not apply to traffic lights that are only active

during certain periods, such as signals outside of a school or a fire department. "Most drivers already believe that treating an intersection with a nonworking traffic signal as a four-way stop is the law, and with this reform, it now will be," Jones said. "This will end the confusion in Michigan's law and ensure that all drivers in our state are on the same page when approaching an intersection with a nonworking traffic light." Drivers who approach a regular four-way stop or one at a malfunctioning traffic light need to remember the rules. The driver who arrives first, should proceed first. "The issue is what happens when two vehicles get there at about the same time, alright. When that happens the vehicle on the right is supposed to have the right-of-way, the one on the left is supposed to yield it, alright. If we follow that simple direction, it'll work," said Lt. Mike Gomez with the Saginaw County Sheriff's Office. "If all else fails, you go back to the vehicle on the right." Click on the 'Related Link' with this story to read the law in the Michigan Vehicle Code. <http://www.abc12.com/content/news/New-law-Dead-traffic-lights-must-be-treated-as-a-four-way-stop-in-Michigan-480708191.html>

CALLS FOR SERVICE

- 224 Calls for Service.
- 8 Arrests.
- 80 Tickets issued.
- Motor Carrier Enforcement.
- 5 Walk in PBTs.
- 9 Prescription pill drop offs.
- Vacation checks.
- 7 Prisoner transports to and from the Birmingham Police Department.
- Walk in Gun Permits issued.
- Car Seat Safety Inspections.
- 2 Medicals on 13 Mile Rd.
- 2 Traffic Accidents on 13 Mile Rd.
- Traffic Accident on 14 Mile Rd.
- 2 Traffic Accidents on Southfield Rd.
- Traffic Accident on Lahser.
- Medical on 14 Mile Rd.
- Welfare Check on 13 Mile Rd.
- Traffic complaint on Drury.
- Suspicious Persons complaint on Southfield Rd.
- Traffic complaint on 14 Mile Rd.
- Suspicious Persons complaint on Pierce.
- Suspicious Persons complaint on Crossbow.
- Suspicious Persons complaint on Auburn.
- Suspicious Persons complaint on 13 Mile Rd.

- Fraud complaint on Mayfair.
- Suspicious Persons complaint on Devonshire.
- Alarm on Charrington.
- Traffic complaint on Buckingham.
- Animal complaint on 14 Mile Rd.
- 3 Animal complaints on 13 Mile Rd.
- Medical on Plumwood.
- Suspicious Circumstance complaint on Elwood.
- Suspicious Persons complaint on Arlington.
- Medical on Embassy.
- Officers stopped a vehicle on Lahser for a traffic violation. The driver was operating on a suspended license. The driver was wanted on multiple warrants. The driver was arrested without incident.
- Animal complaint on Marguerite.
- Traffic Accident on Riverside.
- Medical on Robinhood.
- Suspicious Persons complaint on Elizabeth.
- Lift Assist on Inglewood.
- Citizen Assist on Locherbie.
- Citizen Assist on 13 Mile Rd.
- Suspicious Circumstance complaint on Greenfield.
- Hang up 911 call on Fiddlers Cove.
- 2 Traffic complaints on Buckingham (Storm damage).
- Traffic complaint on 13 Mile (Storm damage).
- Traffic complaint on Chelsea Pl. (Storm damage).
- Down Wire on Auburn (Storm damage).
- Animal complaint on Huntley Square.
- Citizen Assist on Pierce.
- Traffic complaint on Eastlady (Storm damage).
- Fraud complaint on Buckingham.
- Traffic complaint on Amherst (Storm damage).
- Traffic complaint on Elizabeth (Storm damage).
- Carbon Monoxide Alarm on Lauderdale.
- Medical on Kinross.
- Citizen Assist on Valley Oaks.
- Welfare Check on Chelton.
- Down Wire complaint on 14 Mile Rd. (Storm damage).
- Down Wire complaint on Dunblaine (Storm damage).
- Assist Southfield Fire Department on a down wire (Storm damage).
- Medical on Eastlady.
- Assist Royal Oak Police with a disabled motorist on Greenfield.
- Carbon Monoxide Alarm on King Richard Ct.
- Citizen Assist on Riverside.
- Alarm on Valley Oaks.

- Fire Alarm on Bellvine Trail.
- Found Property complaint.
- 2 Alarms on Pines.
- Fire Lift Assist on Robinhood.
- Medical on Sylvan.
- Assist Birmingham Fire Department with traffic control.
- Welfare Check on E. Rutland.
- Fraud complaint on Locherbie.
- Fraud complaint on Auburn.
- Welfare Check on Verona.
- Welfare Check on Evergreen.
- Officers stopped a commercial vehicle for a traffic violation on 14 Mile Rd. The driver was operating on a suspended license. The driver and passengers had warrants for their arrest. The driver was arrested without incident.
- Alarm on Beverly Rd.
- Suspicious Persons complaint on Southfield Rd.
- Damage to Property on 13 Mile Rd.
- Suspicious Persons complaint on Woodhaven.
- Medical on Foxboro Way.
- Suspicious Persons complaint on Robinhood.
- Officers stopped a vehicle on Evergreen for a traffic violation. The driver was in possession of marijuana without a medical card. The driver was arrested without incident.
- Domestic Assault on Buckingham.
- Assault on Riverside.
- Motorist Assist.
- Parking complaint on Pebblestone.
- Alarm on Leemoor.
- Suspicious Persons complaint on Kirkshire.
- Citizen Assist on 13 Mile.
- Officers stopped a vehicle on Evergreen for a traffic violation. The driver was operating on a suspended license. The driver was arrested without incident.
- Officers stopped a vehicle on 13 Mile for a traffic violation. The driver was operating on a suspended license and had a warrant out of another jurisdiction. The driver was arrested without incident.
- Alarm on Birwood.
- Motorist Assist.
- Family Trouble on Vernon.
- Solicitor complaint on Marlin.
- Suspicious Persons complaint on Vernon.
- Medical on Medford.
- Medical on Banbury Court.
- Alarm on Village Pines Drive.
- Medical on Madison.

- Suspicious Persons complaint on Crossbow.
- Structure fire on Long Bow Ct.
- Suspicious Persons complaint on Beechwood.
- Animal complaint on 13 Mile.
- Citizen Assist on Stellamar.
- Fire on Sunset.
- Citizen Assist on Warwick.
- Illegal Dumping complaint on Old Cannon.
- Suspicious Persons complaint on Beverly.
- Motorist Assist on Lahser.
- Officers stopped a vehicle on 14 Mile Rd. for a traffic violation. The driver was operating on a suspended license and had a warrant for his arrest. The driver was arrested without incident.
- Traffic complaint on Stafford.
- Medical on Rosevear.
- Burning complaint on Embassy.
- Abandon Auto complaint on Evergreen.
- Alarm on Hampstead.
- Suspicious Persons complaint on Leemoor.
- Reckless Driving complaint on Southfield
- Welfare Check on Wentworth.
- Family Trouble on Huntley Square E.
- Officers stopped a vehicle on Southfield Rd. for a traffic violation. The driver was operating on a suspended license and had several warrants for her arrest. The driver was arrested without incident.
- Traffic complaint on Verona.
- Trespass complaint on Southfield.
- Alarm on Mayfair.
- Motorist Assist on Southfield.
- Alarm on Birwood.
- Fire on Normandale.
- Medical on Kennoway.
- Animal complaint on McKenzie.
- Citizen Assist on Birwood.
- Alarm on Hampstead.
- Lift Assist on Huntley Square E.
- Officers stopped a vehicle on Lahser for a traffic violation. The driver was operating on a suspended license and a warrant for her arrest. The driver was arrested without incident.
- Suspicious Persons complaint on Nottingham.
- Assist Motorist on 13 Mile.
- Juvenile complaint on Hampton.
- Suspicious Persons complaint on Allerton.
- Animal complaint on Auburn.

- Suspicious Persons complaint on Beverly.
- Larceny from Building on Southfield Rd.
- Suspicious Persons complaint on Nottingham.

FIRE AND EMS

- Fire and EMS conference.
- Attend training work session for South Oakland Auto Aid Fire Association.
- Attend Fire Governance meeting.
- Present at the medical control Professional Standards and Review Organization.
- Submit training lesson plans to Michigan Fire Fighter's Training Council.
- Receive training on Fireworks Funding Grant Application Process.
- Conduct EMS Continuing Education training.
- Review Fire/EMS calls.
- Attend Town Hall Meeting with State Fire Marshal.
- Firearms Qualification.
- Submit Quarterly EQIP data to the Oakland County Medical Control Authority.
- Update Fire Training Records.
- Upload March 2018 NFIRS Data to FEMA.
- Attend Monthly MABAS Meeting.
- Attend NFPA 3000 Rollout Training.
- RIT Training planning Session.
- Attend Quarterly CLEMIS Advisory Meeting.
- Fire Investigation – 32872 Long Bow Court.
- OAKWAY Meeting.
- Building Department Follow up – 32872 Long Bow Court.

INVESTIGATIONS

CFS Closed and Reviewed – 230.

- Followed up and reviewed cases, of which 20 were closed.
- 14 Cases were assigned.
- 13 Reports written on current cases.
- 20 Current active investigations.
- Warrant obtained and subject arraigned for a child abuse 1st degree incident.
- Warrant obtained and subject arraigned for a larceny in a building case.
- Warrant obtained and subject arraigned for an OWI felony third offense.
- 4 juveniles referred to BYA for a obscene material possession incident.
- Attended BYA award ceremony for outstanding youth in the community.
- Trial for OWI incident / Detective testified on case.
- Several prisoner transports.
- Reviewed 30 case reports for a disposition
- Detective Sergeant covered desk for road patrol.

- Detective Sergeant qualified personnel for firearms on range.
- ALICE training for School Resource Detective.
- Interview conducted for a larceny case where a confession was obtained.
- Interview conducted for a felony financial transaction device incident, and confession obtained.
- Conducted several fraud / ID theft investigations.
- Developed suspect for a home invasion, investigation ongoing.
- Completed several case dispositions for property.
- Threats complaint at Berkshire.
- Malicious destruction of property investigation in progress for damage to a vehicle.
- Defense tactics training completed.
- Active investigation on a criminal sexual conduct report.

MEMORANDUM

DATE: April 12, 2018
TO: Board Members
FROM: Cathy White
Re: Monthly Report

CUSTOMER COMPLAINTS

We have received four (4) complaints since the date of my last report. Complaint No. 2018-5 was received from a Beverly Hills resident who stated that he had been given one week's notice that his WOW bill would be increasing by \$5.00 per month, effective April 1, 2018. He felt that such short notice was inadequate. WOW, however, indicates that they gave customers more than one week's notice but to help out this resident they lowered his bill down to \$50.00 per month. This complaint is now closed.

Complaint No. 2018-6 was submitted on by a Franklin resident who had a downed wire on his property. Two days after his complaint was received, a Comcast technician raised the drop. This complaint is now closed.

Complaint No. 2018-7 was received from a Beverly Hills resident who discovered at the end of January, 2018 that Comcast had been billing him for many years for four cable boxes and two modems even though he only had three cable boxes and one modem. He called Comcast about this several times to no avail. On April 3, 2018, Comcast offered him a credit of \$24.96 and informed him that they could only go back four months. He did not feel that was acceptable. A Comcast escalation team representative spoke with him, explained that the equipment in question has been removed from his account and presented him with a credit offer to cover the cost of the equipment for 12 months. As an alternative, he offered to repackage the subscriber's account with a new 24-month promotion. At the present time he declined the offers presented and will contact the escalation team representative in the future if he determines to proceed with the offers made. This complaint is now closed.

Complaint No. 2018-8 was submitted directly to our website by a Beverly Hills resident who needed assistance getting WOW cable service extended to his newly constructed home. WOW has assured him that they would get service there by the time the home was completed and this matter will be monitored until that has been accomplished.

FINANCIAL

The account balance for the MBS, BBCU and Beverly Hills accounts as of March 31, 2018 will be e-mailed to all Board members. This information will also be provided via hard copies at the meeting, as well as budget to actual figures.

CHECK DISBURSEMENT

Since the date of our last meeting, I have written seven (7) checks as follows:

1. Charter Township of Bloomfield (filming 3 February sports events): \$7,500.00
2. Charter Township of Bloomfield (filming 2 January sports events): \$5,000.00
3. Charter Township of Bloomfield (Comcast internet fees): \$419.55
4. Village of Franklin (2nd Administrative Grant): \$32,798.00
5. Village of Bingham Farms (2nd Administrative Grant): \$9,796.00
6. Village of Beverly Hills (2nd Administrative Grant): \$66,526.00
7. City of Birmingham (2nd Administrative Grant): \$200,880.00

ADDITIONAL NOTES:

1. The FCC has reported that Sprint and Mobilitie agreed to pay a settlement of \$11.6 million for building wireless structures without the required review. Under FCC rules in effect at the time, deploying wireless infrastructure facilities, such as communications towers and structures for small cell systems, required certain environmental and historic preservation reviews, including tribal consultation, prior to construction. Such reviews include examining possible impacts on wildlife, flood plains, Tribal historic sites and other sites of historic or cultural significance.

2. In an April 10, 2018 article titled "Is Cable TV Dying?", USA Today reviewed where cord cutting now stands. The article notes that pay television losses have accelerated but that cable companies that sell broadband have more than covered their losses by adding internet customers.

The biggest losers in the pay-television business are AT&T's DirecTV and Dish Network, which lost 554,000 and 995,000 satellite subscribers, respectively, in 2017. These companies, however, are also the biggest winners, as their streaming, internet-delivered cable products DirecTV Now and Sling TV added 888,000 and 711,000 subscribers, respectively. That shift may show the future of where pay-television is going. Customers still want a cable-like package but 3.3 million of them have moved to the satellite companies' cheaper streaming services. That is sort of a compromise, more shaving the cord than cutting it. Getting a Netflix and a Sling TV

subscription costs just over \$30 per month. That is less than half of what the average American paid for expanded basic cable in 2015, according to the most recent FCC data released in 2016. To combat customers dropping cable, cable companies are going to have to create their own skinny bundle packages comprised of services that offer fewer channels for less money that keep consumers from leaving.

The following statistics compiled by Leichtman Research Group are noteworthy:

Year	Pay-TV Gains/Losses	Internet Gain
2012	170,000	2,000,000
2013	-105,000	2,600,000
2014	-125,000	3,000,000
2015	-385,000	3,100,000
2016	-795,000	2,700,000
2017	-1,495,000	2,100,000

Present: Chairperson Ostrowski; Vice-Chairperson Westerlund; Members: Borowski, Copeland, Drummond, Grinnan, Ruprich, Stempien, and Wilensky

Absent: None

Also Present: Planning and Zoning Administrator, Saur
Planning Consultant, Borden
Council Liaison, Abboud

Chairperson Ostrowski called the regular Planning Commission meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

AMENDMENTS TO AGENDA/APPROVE AGENDA

Motion by Borowski, second by Drummond, to approve the agenda as published.

Motion passed.

Wilensky arrived at 7:33 pm.

REVIEW AND CONSIDER APPROVAL OF JOINT COUNCIL AND PLANNING COMMISSION MINUTES OF MEETING HELD FEBRUARY 14, 2018

Motion by Borowski, second by Stempien, to approve the minutes of the joint Council and Planning Commission meeting held February 14, 2018 as submitted.

Motion passed.

REVIEW AND CONSIDER APPROVAL OF REGULAR PLANNING COMMISSION MINUTES OF MEETING HELD FEBRUARY 28, 2018

Motion by Grinnan, second by Drummond, to approve the minutes of the regular Planning Commission meeting held February 28, 2018 as submitted.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Cynthia Nagle, Kirkshire, Lisa Napolitan, Kirkshire, and Paula Roddy, East Rutland, expressed their desire to work with the Village in accordance with the Village Master Plan, to ensure homes being built are compatible with the established aesthetic of the surrounding neighborhood.

Kay Michael, Kirkshire, spoke representing the Concerned Citizens of Kirkshire. They are concerned about new development, existing drainage problems, and maintaining the aesthetic of the neighborhood. She referenced the Vision and Goals for the Village of Beverly Hills in the Master Plan and what that looks like for the future of her neighborhood. She spoke at the March 2018 Zoning Board of Appeals meeting and was directed to present her concerns to the Planning Commission. It was suggested by the Commission that the group refer their concerns to Administration and Council.

SUBCOMMITTEE UPDATES

At the Village of Beverly Hills Council meeting held February 20, 2018, the Council voted on directives for the Planning Commission to establish subcommittees on several topics and report back to the Council at designated future meeting dates on their findings.

A. Backyard chickens

Grinnan and Copeland continue to work to gather information including experience in other communities, as well as feedback from residents. Some of the main concerns people have expressed are pathogens and visual and noise concerns. There also needs to be consideration given to regulating backyard chickens based on lot size, how the new ordinance would be enforced, and requirements for chicken coops as accessory buildings or structures.

B. Lot coverage

Westerlund reported on current setback requirements and noted when all the homes on a street are non-compliant it limits conformity for future builds. He stated there are drainage issues within the Village which are infrastructure issues that need to be evaluated by the Village Engineer and suggested requiring topographical surveys. It is also recommended that final grading plans should be submitted to and reviewed by the engineer to be granted or denied a grading permit. Saur explained that currently this is required when a new home is built.

Kay Michael, Kirkshire, inquired about infrastructure issues including drainage plans required of new builds and drainage options for existing properties. The Commission explained the subcommittees are beginning their review of existing requirements, but her questions related to infrastructure should be directed to Administration.

C. Zoning compliance permits

Borowski reported that he and Ruprich continue to research enforcement and other community ordinances. They have established there is a need for this review. They plan to focus on accessory buildings or structures on properties, including but not limited to; animal housing, generators/AC units, and sheds.

D. Recreational marijuana

Copeland and Wilensky reported that until the state wide vote in November 2018, which would legalize the recreational use and possession of marijuana for persons 21 years of age or older and enact a tax on marijuana sales, little can be decided.

E. Fence ordinance

Drummond and Stempien met with Nunez, Abboud, Peddie, and Administration. The subcommittee continues to meet and intends to make changes to the current ordinance, including making it Village wide, with clear stipulations on hardships for fences.

DISCUSSION ON DRAFT PLANNING COMMISSION BYLAWS

Borden provided a first draft of Planning Commission Bylaws for review.

The Commission discussed several changes including a procedural process if a special meeting is called, adding titles and regrouping the sections, correcting the election of officers section to reflect

that officers are elected at the July meeting, and listing the rules for a public hearing on the back of agendas so that anyone speaking at a meeting is made aware.

PUBLIC COMMENTS

Dan Nelson, Sheridan, President Greenfield-Beverly HOA, encouraged the Commission to drive through some of the neighborhoods on the east side of the Village and see the new homes being constructed.

Paula Roddy, East Rutland, inquired about the Commission involvement in evaluation of code enforcement. Commission confirmed that code enforcement evaluation is part of the discussion within the subcommittees.

LIAISON COMMENTS

Abboud thanked the Commission for their time and efforts for the Village. He also thanked the Commission and administration for their support and condolences on the recent passing of his mother.

ADMINISTRATION COMMENTS

Saur updated the Commission that the Zoning Board of Appeals granted two variances related to setbacks. Gibbs Planning Group continues to work with CORE Partners to compile a report on the Southfield Corridor Overlay District to present to the Commission.

COMMISSIONERS COMMENTS

Grinnan reported that there are cities that have “visual code” regulations to ensure harmony in home design.

Stempien feels code enforcement in the Village continues to be a concern.

Westerlund reported he will not be at the April meeting.

Motion by Westerlund, second by Copeland, to adjourn the meeting at 9:12 p.m.

Motion passed.

George Ostrowski
Chairperson

Ellen E. Marshall
Village Clerk

Elizabeth M. Lyons
Recording Secretary

THESE MINUTES ARE NOT OFFICIAL. THEY HAVE NOT BEEN APPROVED BY THE PLANNING COMMISSION.

Present: Chairperson Tillman; Vice-Chairperson Raeder; Members: Donnelly, Gatowski, Maxwell, Mitchell, and Verdi-Hus; Alternates: Crawford and Gennari

Absent: Members: Crossen and Lepidi

Also Present: Planning and Zoning Administrator, Saur

Zoning Board Chairperson Tillman called the regular Zoning Board of Appeals meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

REVIEW AND CONSIDER APPROVAL OF MINUTES OF A REGULAR ZONING BOARD MEETING HELD MARCH 12, 2018

Raeder requested that his Board Comments be updated to read "...regarding new construction in the northeast quadrant of the Village."

Motion by Mitchell, second by Crawford, that the minutes of a regular Zoning Board of Appeals meeting held March 12, 2018 be approved as amended.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Tracey Breen, Riverside Drive, inquired about the Village Ordinance related to nonconforming homes and any additional accessory structures added at those sites.

Tillman explained that concerns related to building or other code violations should be directed to Administration who could send the Code Enforcement Officer to do an initial inspection.

Saur explained that per Section 22.30.040 an accessory structure can be built on a site with a nonconforming home so long as the new structure conforms to the ordinance requirements.

Tillman explained the responsibilities of the Zoning Board of Appeals and outlined the statutory requirements for demonstrating a practical difficulty to be granted a dimensional variance.

CASE NO. 1342

Petitioner: Elizabeth Arsov

Property: 32231 Verona Cir

Village Ordinance: 22.24 Area, Bulk, and Placement Regulations Residential Zone District R-2B requires rear open space of 40 feet and side open space of 5 feet side one and 10 feet side other.

22.30.040 (a) Nonconforming Structures Residential Zone Districts require any alteration or enlargement to an existing nonconforming structure conform to the Ordinance.

Deviation Requested: To build a two-story addition on an existing nonconforming house that will be 35.4 feet from the rear property line and attach an existing garage that is 30.3 feet from the rear property line and 6.9 feet from the side property line.

Saur explained that petitioner, Elizabeth Arsov, 32231 Verona Cir, is seeking a variance from requirements of Chapter 22, Section 22.24 and Section 22.30.040 (a) to build a two-story addition onto an existing nonconforming home and attach the existing detached garage. The property is zoned R-2B, Single Family Residential. Village Ordinance, Chapter 22, Section 22.24 Area, Height, Bulk, and Placement Regulations requires rear open space of 40 feet, and requires side open space of 5 feet on side one and 10 feet on side other. Section 22.30.040 (a) Nonconforming Structures requires any alteration or enlargement to a nonconforming structure be in compliance with the ordinance. The petitioner is seeking to build a two-story addition on a nonconforming house and attach an existing detached garage.

Upon completion of a boundary survey, the petitioner's request for a variance is slightly revised from the request at the March 12th meeting to a lesser variance for the rear encroachment and greater variance for the side encroachment. The existing home encroaches into the rear setback approximately 3 feet on the first floor only. The existing second story does not extend over the entire footprint of the house and meets rear setback requirements. The existing garage is conforming as a detached building; however once attached, it becomes subject to the setback requirements of the principal building.

The petitioner is proposing to expand the first floor and second floor, and attach the existing garage to the house. Per the boundary survey submitted, the expanded two story house would encroach 4.6 feet into the rear setback and the attached garage would encroach into the 3.1 feet into the side setback and 9.7 feet into the rear setback. The proposed addition and renovations otherwise meet Zoning Ordinance requirements, including the requirements for minimum separation.

A copy of the boundary survey along with the previously submitted petition, site plan, floor plans, and elevations was provided to the Board.

Petitioner Arsov was in attendance along with her architect. The architect explained that attaching the garage would allow for fireproofing and greater fire safety. Currently the home and garage are not in compliance with state building codes.

Based on the location of the garage 2.5 feet from the home, and the home being nonconforming as built, they are unable to build any sort of addition that would be in compliance with the ordinance.

A letter of support was submitted from neighbors Robert and Marilyn Cunningham, Verona Circle.

Motion by Raeder, second by Maxwell, that the Zoning Board of Appeals grants a variance from the requirements of Section 22.24 and Section 22.30.040 (a) to allow the petitioner to build a two-story addition onto the rear of a nonconforming house that will be no closer than 35.4 feet from rear lot line and attach an existing garage that is 30.3 feet from the rear lot line and 6.9 feet from the east side lot line at the front and not less than 9 feet from the east lot line at the rear due to impracticality of lot size and the need to resolve safety, health, and fire hazards.

Motion passed (9 - 0).

CASE NO. 1344

Petitioner: William McConnell

Property: 31574 E. Bellvine Trail

Village Ordinance: 22.08.150 Fence, Wall, and Privacy Screen Regulations Single Family Residential Zone Districts prohibits fencing in the side yard except to enclose a side door or along street side of corner lot.

Deviation Requested: To replace a fence that is 27 feet beyond the rear of the home and enclosing a portion of the side yard.

Saur explained that petitioner, William McConnell, 31574 E. Bellvine Trail, is seeking a variance from requirements of Chapter 22, Section 22.08.150 to replace an existing fence enclosing a portion of the side yard.

The property is zoned R-A, Single Family Residential. Village Ordinance, Chapter 22, Section 22.08.150 Fence, Wall, and Privacy Screen Regulations requires fences enclose the rear yard only except where the property abuts a street or has a commonly and consistently used side entrance. The petitioner is seeking to replace an existing fence which encloses a portion of the side yard of an interior lot without a side entrance.

The existing fence connects to the original rear corner of the house. An addition in 1992 to the rear of the house created the noncompliant location as that space meets the definition of a side yard. Per the plans submitted in 1992, the addition extends 27 feet off the rear of the home. The petitioner would like to replace the fence in the current location with an otherwise conforming fence. A copy of the petition, sketch of fence location, and fence permit application was provided to the Board.

Homeowner McConnell, and contractor from Action Fence explained the current fence was installed in 1969 when the pool was installed. They are looking to replace it with a black fence that matches the rest of the fence line on the property and brings the current gate and fence up to pool safety standards. Replacing the fence along the existing fence line also maintains the uniformity of the existing fence line.

Motion by Raeder, second by Maxwell, that the Zoning Board of Appeals grants a variance from the requirements of Section 22.08.150 to allow the petitioner to build a 4 foot tall, 35% open to air and light aluminum fence enclosing a portion of the side yard that extends no more than 27 feet into the side yard on the south due to practical difficulties of the location of the existing fence, the need to maintain the safety of a pool fence, and to avoid variations in fence line.

Motion passed (9 - 0).

PUBLIC COMMENTS

None.

LIAISON COMMENTS

None.

ADMINISTRATION COMMENTS

Saur reported the Fence Ordinance subcommittee continues to meet. The Planning Commission has formed subcommittees on backyard chickens, lot coverage, zoning compliance permits, and recreational marijuana.

ZONING BOARD COMMENTS

None.

Motion by Donnelly, second by Maxwell, to adjourn the meeting at 8:10 pm.

Motion passed.

Michele Tillman
Chairperson

Ellen E. Marshall
Village Clerk

Elizabeth Lyons
Recording Secretary

THESE MINUTES ARE NOT OFFICIAL. THEY HAVE NOT BEEN APPROVED BY THE ZONING BOARD OF APPEALS.