Beverly Hills Regular Village Council Meeting Tuesday, October 16, 2018 Municipal Building 18500 W. 13 Mile Rd. 7:30 p.m.

#### <u>AGENDA</u>

Roll Call/Call to order

Pledge of Allegiance

Amendments to Agenda/Approve Agenda

Community Announcements Honorable Representative Sander Levin (MI-9<sup>th</sup>)

Public Comments on items not on the published agenda

#### Consent Agenda

- 1. Review and consider approval of minutes of a regular Council meeting held October 2, 2018.
- 2. Review and file bills recapped as of Monday, October 15, 2018.
- 3. Set public hearing date of November 20, 2018 to receive comments on the Program Year 2019 Community Development Block Grant application.

**Business Agenda** 

- 1. Presentation, review, and file of June 30, 2018 Audit by Plante and Moran.
- 2. Review and consider liability and property insurance renewal.
- 3. Review and consider request by Michigan Growler Co. to extend business hours.

Public comments

Manager's report

Council comments

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 Chris Wilson, 18500 W. Thirteen Mile Beverly Hills, MI 48025 (248) 646-6404.

#### REGULAR COUNCIL MEETING MINUTES – OCTOBER 2, 2018 - PAGE 1

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

Absent: President Pro-Tem Peddie; Member: Oen

Also Present: Village Manager and Clerk, Wilson Village Attorney, Ryan Public Safety Director, Torongeau

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 led by Scouts from Troop 1024, and recited by those in attendance.

#### AMENDMENTS TO AGENDA/APPROVE AGENDA

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

Motion passed.

#### **COMMUNITY ANNOUNCEMENTS**

Scout Luke DaSilva, Locherbie, reported that his gazebo renovation project had been approved by the Boy Scouts of America Project Manager, and he would begin this project this fall.

Several scouts from Troop 1024 were in attendance; Jon Bourland, Wade Flatcher, Vincent Betanzo, and Emilio Benavente.

Jeff Neamith, leader in Troop 1024 thanked Council for the use of Beverly Park for their first Scout overnight camp out.

#### **PUBLIC COMMENTS**

Kay Michael, Kirkshire spoke outlining the concerns of herself and neighbors regarding new homes being built on their street.

#### **CONSENT AGENDA**

Motion by Abboud, second by Nunez, be it resolved that the Council for the Village of Beverly Hills approve the consent agenda.

- 1. Review and consider approval of minutes of a regular Council meeting held September 18, 2018.
- 2. Review and file bills recapped as of Monday, October 1, 2018.
- 3. Refer request from Detroit Country Day, 22305 W. 13 Mile Road, for site plan and special land use approval to the Planning Commission for review and recommendation.
- 4. Approve payment to Canfield Equipment Service for Police Vehicle Update.
- 5. Approval of payment to Johnson Thermal Temp for Public Safety cooling system repair.

Roll Call Vote: Motion passed (5-0)

#### BUSINESS AGENDA REVIEW AND CONSIDER SUBCOMMITTEE'S RECOMMENDATION TO FILL THE VACANCY ON THE BIRMINGHAM AREA CABLE BOARD

A subcommittee chaired by Delaney met at 7:15 pm to review applications to fill a vacancy on the Birmingham Area Cable Board. The subcommittee recommended the appointment of Sara Bresnahan with the term expiring on June 30, 2020.

Motion by Delaney, second by Mueller, to reappoint Sara Bresnahan to the Birmingham Area Cable Board with term expiring June 30, 2020.

Motion passed.

### REVIEW AND CONSIDER AWARDING CONTRACT FOR THE 2018 ROAD IMPROVEMENT PROGRAM

The Village received bids for reconstruction of 14 Mile Rd. from west of Lahser to the west Village limits on Sept. 20, 2018. The bid also included work, identified as Division 2 in the bid, in Westwood Commons Sub with Westwood Commons paying the Village for the work performed in the subdivision. There were three bidders for this project ranging from a high bid of \$371,655.35 to a low bid of \$339,180.50 for all work (14 Mile reconstruction and Westwood Commons).

After the bids were taken, Westwood Commons Board decided not to utilize the bids submitted to the Village and to do the work themselves leaving the low bid cost to the Village for 14 Mile Rd. reconstruction at \$301,055.50. This bid was submitted by Asphalt Specialist, Inc. who have done work in the Village before and are an approved contractor with the Village. It was agreed that the project would be started in the spring of 2019 considering the lateness of the season. Administration recommends that Village of Beverly Hills award this project to Asphalt Specialist, Inc. Funds for this project are available in the 2018-19 Budget for Major Roads.

Motion by Abboud, second by Delaney, be it resolved that the Beverly Hills Village Council award the 2018 Road Improvement Program to Asphalt Specialist, Inc. for the reconstruction of 14 Mile Rd. from west of Lahser to the west Village limits in the amount of \$301,055.50 and authorize the Village Manager to sign the contracts.

Roll call vote: Motion carried.

#### **REVIEW AND CONSIDER APPROVAL OF CONCURRENCE FORM FOR REQUEST FOR DECLARATION RULING ON LEAD AND COPPER RULES.**

The Great Lakes Water Authority (GLWA), the Detroit Water and Sewerage Department (DWSD) and the Oakland County Water Resources Commissioner (WRC) have filed a Request for Declaratory Ruling with the Michigan Department of Environmental Quality (MDEQ) to challenge the validity of the MDEQ's Lead and Copper Rules. A copy of the Request for Declaratory Ruling is attached. The request is quite thorough and identifies almost 30 statutory and legal defects in the MDEQ's revised Lead and Copper Rules.

GLWA requested all first and second tier customers submit a Concurrence Form to the MDEQ by the end of September. At their meeting of September 12th, the SOCWA Board approved a similar Concurrence Form. SOCWA has requested that all member communities and Bloomfield Hills and Bloomfield Township also separately approve their own Concurrence Form.

Ryan has reviewed the request and recommended that it be placed before the Council for consideration and that the Concurrence Form be approved. Village Administration has also reviewed this Request and discussed the matter with SOCWA officials and recommends approval.

The Village, SOCWA, WRC, and the GLWA are all committed to Lead and Copper rules that protect the public water supply. However, they do not feel that the revisions passed by the MDEQ are compliant with current state statues and will not, as written, serve this purpose. They are hopeful that MDEQ will work with local communities and water suppliers on Lead and Copper Rules that are legally enforceable and serve the greater public good.

Motion by Delaney, second by Abboud, be it resolved that the Beverly Hills Village Council approve and authorizes the Village Manager to sign the Concurrence Form relative to the Request for Declaratory Ruling filed by the Great Lakes Water Authority, the Detroit Water and Sewerage Department and the Oakland County Water Resources Commissioner.

Motion passed.

#### SET PUBLIC HEARING DATE OF NOVEMBER 6, 2018 TO RECEIVE COMMENTS ON SPECIAL LAND USE REQUEST BY WOODSIDE ATHLETIC CLUB, 22440 W THIRTEEN MILE ROAD

Woodside Athletic Club, 22440 W Thirteen Mile Road, has submitted a proposal for site plan review and special land use approval. The proposed changes include a new play structure north of the existing pool, relocating the existing kiddie pool, improvements to the patio and outside grill area including landscaping and ADA upgrades, and a new court on the east side of the property.

The property is zoned R-1, Single Family Residential and as a private club the use is permitted by special land use approval. Per Section 22.08.300 j, any modifications to a site plan after approval requires a new special land use approval. The Planning Commission held a public hearing on Wednesday, September 26, 2018 regarding the special land use in accordance with Section 22.08.300. At that meeting they recommended approval of the special land use contingent upon approval of the site plan.

The Planning Commission also recommended approval of the site plan with the following conditions:

- Temporary dumpster be emptied no earlier than 8:00 am,
- Fence south of walkway on sheet C-105 be modified to a compliant fence, and
- Sidewalk be installed along 13 Mile frontage per Section 22.08.410.

For all projects that require site plan approval, Village Ordinance requires a sidewalk to be installed along the perimeter of the lot that abuts a major, intermediate, or a collector street. The site plan, as submitted, does not include the installation of sidewalk. The Planning Commission

#### REGULAR COUNCIL MEETING MINUTES - OCTOBER 2, 2018 - PAGE 4

recommended that requirement be met for site plan approval; however they noted there is opportunity for the applicant to explore options with Administration and Village Council to assist in the efforts to connect the sidewalk in this area. Alternatively, the applicant could seek a variance from the Zoning Board of Appeals if they believe there are practical difficulties unique to their site that would limit their ability to comply with that standard.

Procedurally, the site plan and the special land use are separate approvals but both are required for the project to proceed. The special land use requires a public hearing to be held. The first available date for a public hearing is November 6, 2018 for the Village Council to receive comments on the special land use request from Woodside Athletic Club.

Motion by Delaney, second by Oen, be it resolved that the Beverly Hills Village Council sets a public hearing date of Tuesday, November 6, 2018 to receive comments on the special land use request submitted by Woodside Athletic Club, 22440 W Thirteen Mile Road.

Motion passed.

#### **PUBLIC COMMENTS**

None.

#### **MANAGER'S REPORT**

**FY 2017-18 Audit** – As a reminder, the auditors will be present at the meeting of October  $16^{th}$  for a formal presentation of the Villages audit for Fiscal Year 2017-18. Village Administration has been meeting with the auditors for the last few weeks to prepare for formal report and presentation.

**Fire Apparatus** – An update on the two new fire trucks: The mini-pumper is in the construction phase. Completion and delivery for this vehicle is scheduled for late November. Prior to delivery, Public Safety staff will make a visit to the factory for a final inspection with the manufacturer to make sure all equipment meets specifications and functions properly. The larger pumper truck is in the final modifications stage. Public Safety Administration sent some final minor modifications to Sutphen at the end of September. The chassis for this vehicle is scheduled for delivery in October. Completion and delivery of this vehicle is scheduled for late January.

**Buckthorn Eradication Bid Opening** – The Village had a bid opening for our buckthorn eradication bids on Friday, September 28th at 10:00. Bids were not opened in time to allow for consideration of a recommended bid to be placed on this agenda. Village Administration is in the process of reviewing the submitted bids and I will update Council and the Parks and Recreation Board.

**Clerk Position** – The Village has been taking applications for the position of Village Clerk throughout the month of September. Administration is in the process of reviewing these applications and will be scheduling interviews with qualified applicants next week. As the Village Charter requires, the Clerk position to be appointed by the Council, and Administration will be coordinating and consulting with the Personnel Committee throughout this process.

**Road Work** – The Road Commission for Oakland County expects to close westbound 14 Mile Rd. between Southfield and Greenfield roads in Birmingham and Beverly Hills for concrete removal and replacement beginning Friday, October 5th. Eastbound 14 Mile Rd. will remain open to traffic and residential access will also be maintained. During the closure, westbound traffic will be detoured to Greenfield Rd. to 13 Mile Road to Southfield Rd, back to 14 Mile Rd. and vice versa. The partial closure is necessary due to limited space in the work zone areas. The closure is expected to last until about November 15th, weather permitting.

#### **COUNCIL COMMENTS**

Abboud reported the Planning Commission approved the Southfield and 13 Mile Plaza sign. They also have a sub-committee formed to explore ramifications of the upcoming recreational marijuana laws.

Mooney thanked the Scouts from Troop 1024 for attending the meeting.

Motion by Abboud, second by Nunez, to adjourn the meeting at 8:24 p.m.

Motion passed.

John Mooney Council President Chris Wilson 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 10/1/2018 THROUGH 10/15/2018.

ACCOUNT TOTALS:

101	GENERAL FUND		\$100,039.54
202	MAJOR ROAD FUND		\$26,203.68
203	LOCAL STREET FUND		\$17,339.12
205	PUBLIC SAFETY DEPARTMENT FUND		\$117,973.10
592	WATER & SEWER FUND		\$285,773.11
701	TRUST & AGENCY FUND		\$1,002.85
		TOTAL	\$548,331.40
	MANUAL CHECKS- COMERICA		\$0.00
	MANUAL CHECKS- INDEPENDENT		\$0.00
	ACCOUNTS PAYABLE	-	\$548,331.40
		GRAND TOTAL	\$548,331.40

Bank Check

Vendor

Check Date

#### CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS CHECK DATE FROM 10/15/2018 - 10/15/2018

Vendor Name

Page: 1/2

Amount

Invoice Vendor

Bank COM COME	CRICA				
10/15/2018	COM	79167	58731	ADVANCED SECURITY & FIREADVANCED SECURITY & FIRE	95.00
10/15/2018	COM	79168	32671	ANDREW VAN HORN ANDREW VAN HORN	100.00
10/15/2018 10/15/2018	COM COM	79169 79170	53284 51802	APPLIED IMAGING APPLIED IMAGING ARROW OFFICE SUPPLY CO. ARROW OFFICE SUPPLY CO.	244.27 141.75
10/15/2018	COM	79171	59911	BCD CONSTRUCTION LLC BCD CONSTRUCTION LLC	200.00
10/15/2018	COM	79172	51409	BEVERLY HILLS ACE BEVERLY HILLS ACE	23 96
10/15/2018	COM	79173	02400	BEVERLY HILLS WATER DPT BEVERLY HILLS WATER DPT	
10/15/2018	COM	79174	01000	BP BP	67.50
10/15/2018 10/15/2018	COM COM	79175 79176	59779 59347	CANFIELD EQUIPMENT SERVICANFIELD EQUIPMENT SERVI CINTAS CORPORATION #31 CINTAS CORPORATION #31 CITY OF BIRMINGHAM CITY OF BIRMINGHAM	1,/65.33 /5 80
10/15/2018	COM	79177	50392	CITY OF BIRMINGHAM CITY OF BIRMINGHAM	83,577,50
10/15/2018	COM	79178	59323	CLEANNET CLEANNET	858.00
10/15/2018	COM	79179	31987	COLMAN-WOLF SANITARY COLMAN-WOLF SANITARY	
10/15/2018	COM	79180	51439	COMCAST COMCAST COMCAST COMCAST	82.90 109.10
10/15/2018 10/15/2018	COM COM	79181 79182	51439 04500	COMENII FOILTDMENT CO INC COMENII FOILTDMENT CO INC	21 058 73
10/15/2018	COM	79183	50826	CONSUMERS ENERGY CONSUMERS ENERGY	111.32
10/15/2018	COM	79184	59697	DETROIT ELEVATOR COMPANYDETROIT ELEVATOR COMPANY	310.00
10/15/2018	COM	79185	50919	CONSUMERS ENERGY CONSUMERS ENERGY DETROIT ELEVATOR COMPANYDETROIT ELEVATOR COMPANY DTE ENERGY DTE ENERGY DTE ENERGY DTE ENERGY	821.39
10/15/2018	COM	79186	51385	DIE ENERGY DIE ENERGY DTE ENERGY DIE ENERGY DTE ENERGY DIE ENERGY DTE ENERGY DIE ENERGY FEDEX OFFICE FEDEX OFFICE FIRE SERVICE MANAGEMENT FIRE SERVICE MANAGEMENT GRECORY MACKENZIE CERCORY MACKENZIE	1,034.00
10/15/2018 10/15/2018	COM COM	79187 79188	51385 51385	DTE ENERGY DTE ENERGY	3,654.75
10/15/2018	COM	79189	59721	FEDEX OFFICE FEDEX OFFICE	120.22
10/15/2018	COM	79190	59903	FIRE SERVICE MANAGEMENT FIRE SERVICE MANAGEMENT	115.50
10/15/2018	COM	79191	59613	GREGORI MACREMATE GREGORI MACREMATE	100.00
10/15/2018	COM COM	79192 79193	53583 49646		,
10/15/2018 10/15/2018	COM	79193	49646 59907	GUNNERS METERS & PARTS IGUNNERS METERS & PARTS I GUTTER SYSTEMS OF MICHIGGUTTER SYSTEMS OF MICHIG	475.00 200.00
10/15/2018	COM	79195	59327	HANSONS WINDOWS HANSONS WINDOWS	200.00
10/15/2018	COM	79196	31202	HOME DEPOT CREDIT SERVICHOME DEPOT CREDIT SERVIC	224.49
10/15/2018	COM	79197	08500	HUBBELL ROTH & CLARK INCHUBBELL ROTH & CLARK INC	
10/15/2018	COM COM	79198 79199	59010 59905	HUNT SIGN COMPANY HUNT SIGN COMPANY HUNTER ROBERTS HOMES HUNTER ROBERTS HOMES	90.00 3,050.00
10/15/2018 10/15/2018	COM	79199	58950	HUNTER ROBERTS HOMES HUNTER ROBERTS HOMES HYDROCORP HYDROCORP	284.00
10/15/2018	COM	79201	59839		45 00
10/15/2018	COM	79202	39070	J.H. HART URBAN FORESTRYJ.H. HART URBAN FORESTRY JAMES HEALY JAMES HEALY JAX KAR WASH JAX KAR WASH	7,751.75
10/15/2018	COM	79203	59423	JAMES HEALY JAMES HEALY	125.00
10/15/2018 10/15/2018	COM COM	79204 79205	33083 59324	JAX KAR WASH JAX KAR WASH JCR SUPPLY, INC. JCR SUPPLY, INC.	243.46
10/15/2018	COM	79205	51186	JOHN MOONEY	161.93
10/15/2018	COM	79207	59582	JOHN MOONEY JOHN MOONEY JOHNSON THERMOL-TEMP INCJOHNSON THERMOL-TEMP INC JUSTIN RACKLIN JUSTIN RACKLIN	8,461.60
10/15/2018	COM	79208	59858	JUSTIN RACKLIN JUSTIN RACKLIN	100.00
10/15/2018	COM	79209	51792	LEXISNEXIS RISK SOLUTIONLEXISNEXIS RISK SOLUTION	30.25
10/15/2018 10/15/2018	COM COM	79210 79211	59909 51350	LISA LAMB LISA LAMB LOU'S TRANSPORT INC. LOU'S TRANSPORT INC.	100.00 2,061.42 105.00 125.00 100.00 200.00
10/15/2018	COM	79212	59910	LOU S TRANSFORT INC. LOU S TRANSFORT INC. LYNN CLOSE LYNN CLOSE	105.00
10/15/2018	COM	79213	59299	MARGARET HOLDEN MARGARET HOLDEN	125.00
10/15/2018	COM	79214	59908	MARTHA CAIN MARTHA CAIN	100.00
10/15/2018	COM	79215	59906	MGE CARPENTRY MGE CARPENTRY	200.00
10/15/2018 10/15/2018	COM COM	79216 79217	58953 58738	MICHIGAN ASSOCIATION OF MICHIGAN ASSOCIATION OF MICHIGAN STATE FIREMEN'SMICHIGAN STATE FIREMEN'S	20.00 424.47
10/15/2018	COM	79218	59901	MODERNISTIC WATER RESTORMODERNISTIC WATER RESTOR	1,650.03
10/15/2018	COM	79219	51134	MR. ROOF MR. ROOF	300.00
10/15/2018	COM	79220	59904	NATURE CRAFT CUSTOM BUIINATURE CRAFT CUSTOM BUII	200.00
10/15/2018	COM	79221	51182	NELSON BROTHERS SEWER & NELSON BROTHERS SEWER &	2,000.00
10/15/2018 10/15/2018	COM COM	79222 79223	59112 51799	NEXT NEXT NYE UNIFORM EAST NYE UNIFORM EAST	200.00 1,525.00
10/15/2018	COM	79223	51540	O'REILLY AUTO PARTS O'REILLY AUTO PARTS	1,525.00
10/15/2018	COM	79225	51751	O.C.W.R.C. O.C.W.R.C.	31,289.00
10/15/2018	COM	79226	50830	OAKLAND COUNTY TREASUREFOAKLAND COUNTY TREASUREF	1,258.64
10/15/2018	COM	79227	50830	OAKLAND COUNTY TREASUREFOAKLAND COUNTY TREASUREF	153,334.00
10/15/2018 10/15/2018	COM COM	79228 79229	50830 50838	OAKLAND COUNTY TREASUREFOAKLAND COUNTY TREASUREF OAKLAND SCHOOLS OAKLAND SCHOOLS	24,404.92 129.02
10/15/2018	COM	79230	14100	OBSERVER & ECCENTRIC OBSERVER & ECCENTRIC	97.74
10/15/2018	COM	79231	53279	PACIFIC TELEMANAGEMENT PACIFIC TELEMANAGEMENT	78.00
10/15/2018	COM	79232	59622	PARAGON LABORATORIES PARAGON LABORATORIES	200.00
10/15/2018	COM	79233	58844	PAULA BOEHMAN PAULA BOEHMAN	200.00
10/15/2018 10/15/2018	COM COM	79234 79235	30035 58784	PLANTE & MORAN, PLLC PLANTE & MORAN, PLLC POWER CLEANING SYSTEMS, POWER CLEANING SYSTEMS,	14,810.00 465.75
10/15/2018	COM	79235	59902	PRYOR LEARNING SISTEMS, POWER CLEANING SISTEMS, PRYOR LEARNING PRYOR LEARNING	199.00
10/15/2018	COM	79237	59122	RAPID RESPONSE RAPID RESPONSE	114.98
10/15/2018	COM	79238	16100	ROAD COMMISSION FOR OAKIROAD COMMISSION FOR OAKI	870.44
10/15/2018	COM	79239	59212	RON BALLER RON BALLER	100.00
10/15/2018 10/15/2018	COM COM	79240 79241	16500 16600	S.O.C.R.R.A. S.O.C.R.R.A. S.O.C.W.A. S.O.C.W.A.	32,802.00 67,849.25
10/15/2018	COM	79241	59282	SAFEBUILT INC. SAFEBUILT INC.	23,695.52
10/15/2018	COM	79243	49862	SCHOOLCRAFT COLLEGE SCHOOLCRAFT COLLEGE	750.00
10/15/2018	COM	79244	59475	SHEILA MCCARTHY SHEILA MCCARTHY	159.14

#### CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS CHECK DATE FROM 10/15/2018 - 10/15/2018

Page: 2/2

	-	
verly	Hills	

Check Date	Bank	Check	Vendor	Vendor Name	Invoice Vendor	Amount
10/15/2018	COM	79245	51356	SOUTHFIELD MUFFLER	& BRASOUTHFIELD MUFFLER & BRA	356.91
10/15/2018	COM	79246	17700	SUNSET MAINTENANCE	SERVISUNSET MAINTENANCE SERVI	1,000.00
10/15/2018	COM	79247	31043	THOMAS J RYAN PC.	THOMAS J RYAN PC.	10,117.75
10/15/2018	COM	79248	38205	VERIZON WIRELESS	VERIZON WIRELESS	110.10
10/15/2018	COM	79249	38205	VERIZON WIRELESS ME	SSAGIVERIZON WIRELESS MESSAGI	329.63
10/15/2018	COM	79250	59357	WALLSIDE WINDOWS	WALLSIDE WINDOWS	200.00
10/15/2018	COM	79251	53564	WEX BANK	WEX BANK	3,590.34
10/15/2018	COM	79252	59725	WINDOW PRO LLC	WINDOW PRO LLC	200.00
10/15/2018	COM	79253	53572	WOW! BUSINESS	WOW! BUSINESS	634.71
10/15/2018	COM	79254	20900	ZIP ETC INC	ZIP ETC INC	195.00

COM TOTALS:

Total of 88 Checks: Less 0 Void Checks:

Total of 88 Disbursements:

548,331.40

0.00

#### ΜΕΜΟ

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

From: Erin Saur, Planning & Zoning Administrator

Re: 2019 Community Development Block Grant

Date: October 1, 2018

One of the requirements for receiving Community Development Block Grant funding is to hold a public hearing to review the upcoming year's CDBG proposal. I recommend scheduling a public hearing date of November 20, 2018 for review of the Program Year 2019 Community Development Block Grant proposal. This procedure takes place each year in preparation of receiving this federal funding.

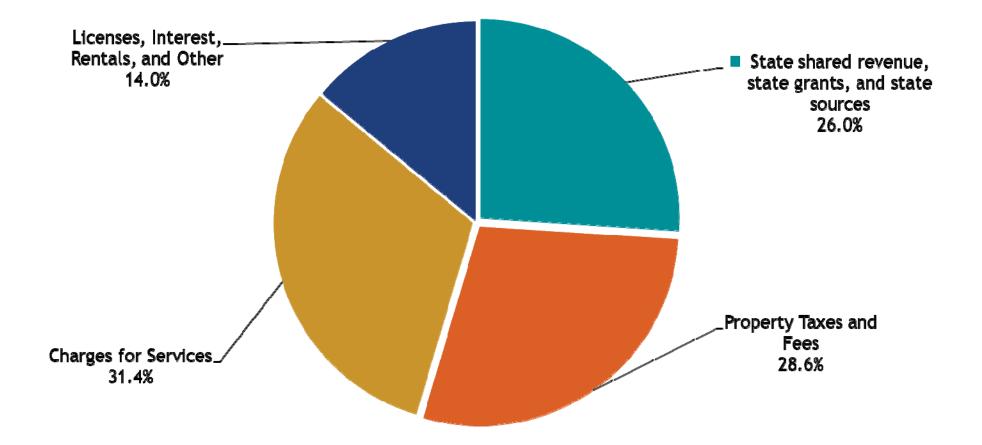


## Village of Beverly Hills Audit Presentation to the Village Council

For Year Ended June 30, 2018

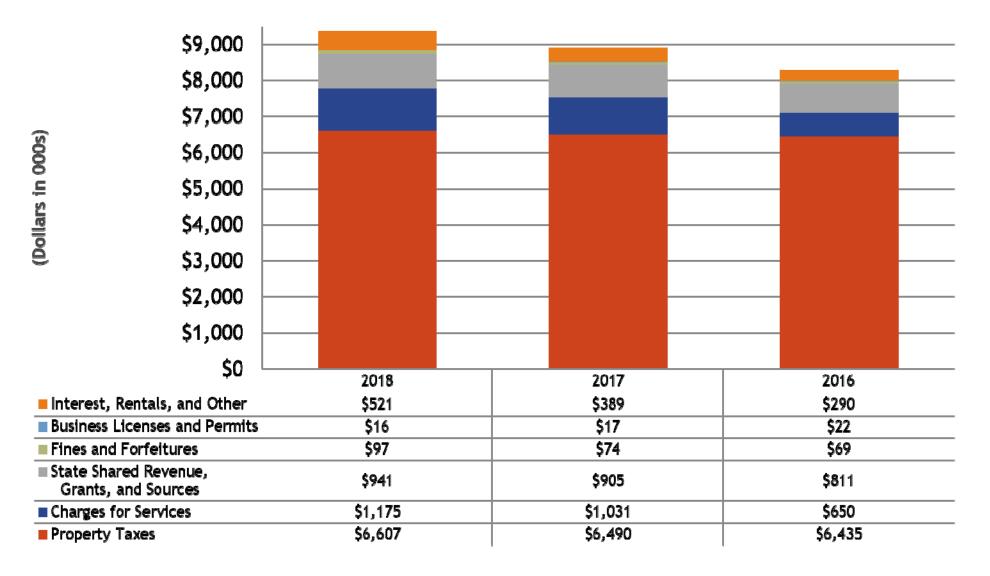


Village of Beverly Hills General Fund Revenue Fiscal Year Ended June 30, 2018

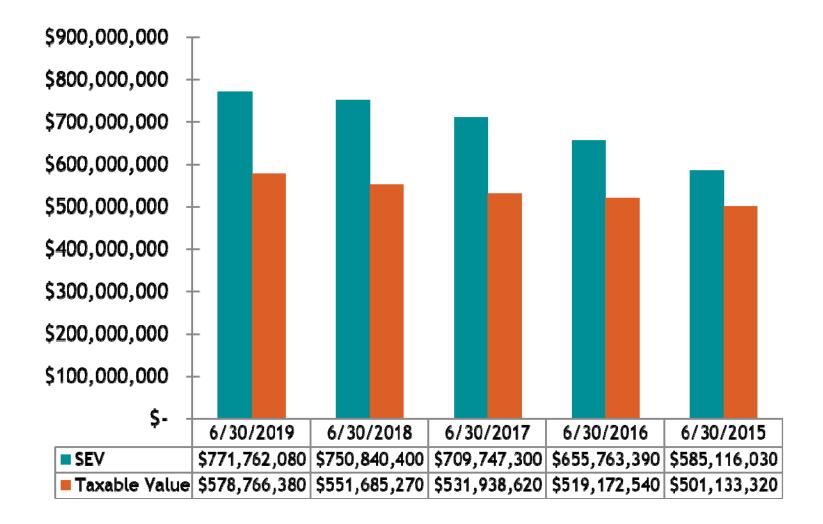


1

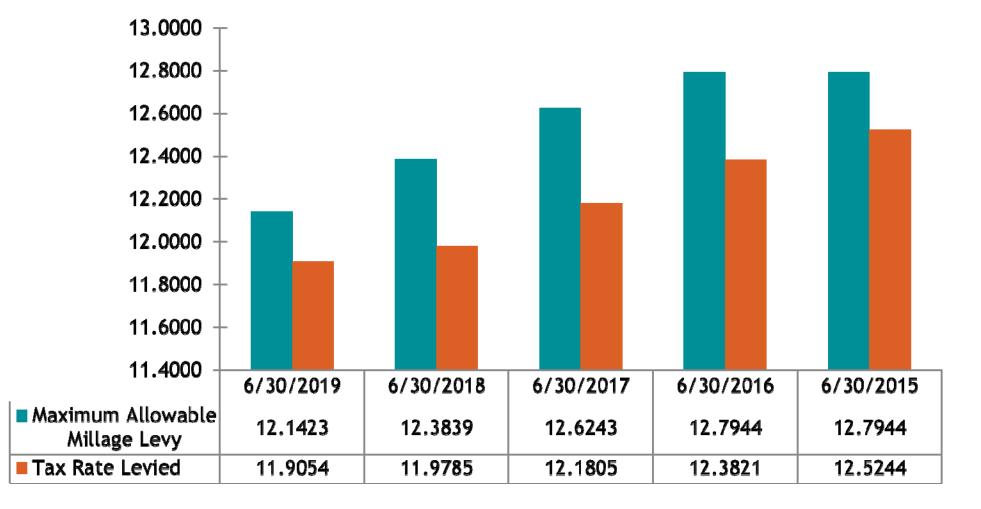
Village of Beverly Hills General Fund, Public Safety Fund, Library Fund - Revenue (in thousands) Years Ended June 30



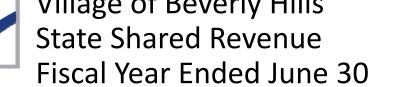


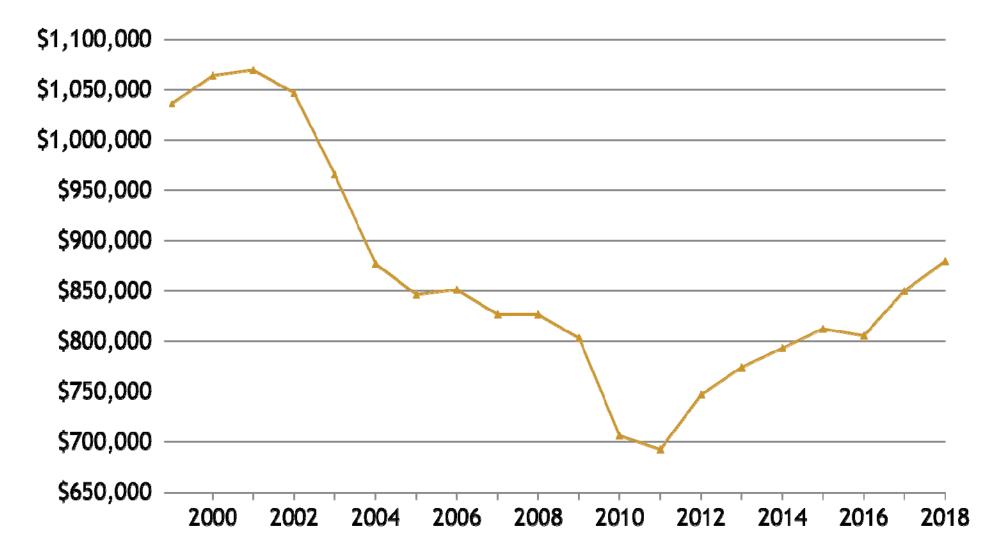






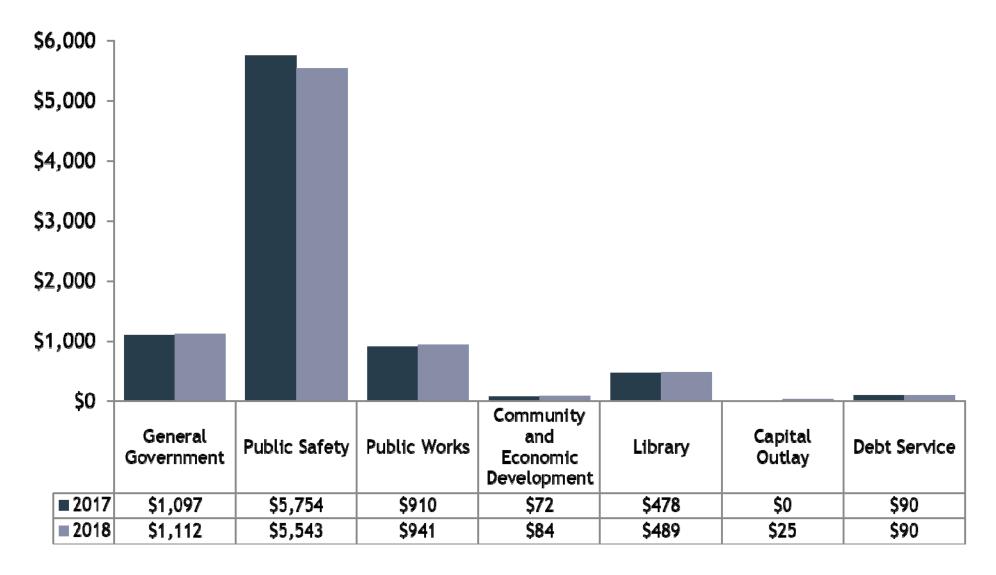






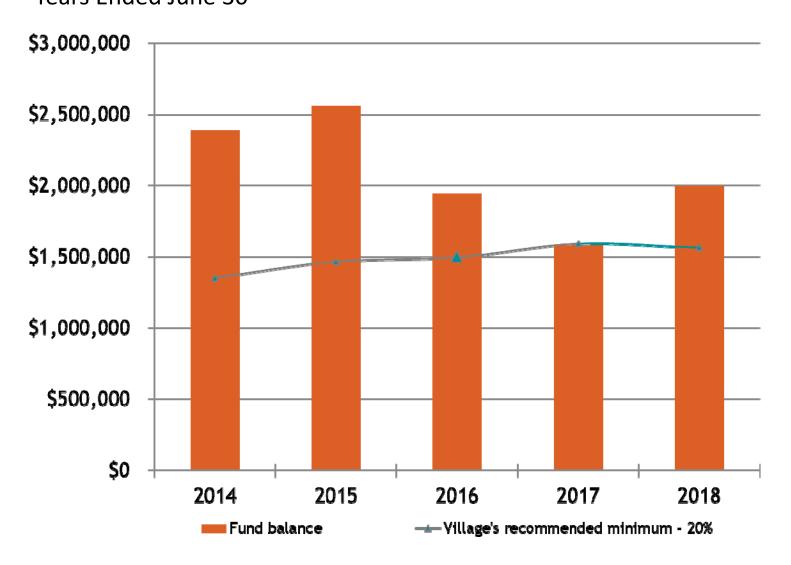
1

Village of Beverly Hills General Fund, Public Safety Fund, and Library Fund — Expenditures (in thousands) Years Ended June 30





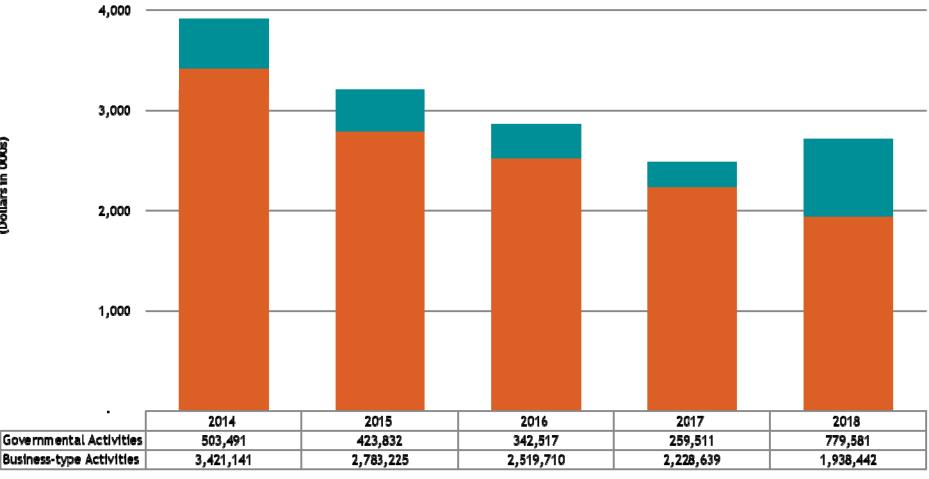
Village of Beverly Hills General Fund and Public Safety Fund – Fund Balance Compared to Minimum Target Years Ended June 30





(Dollars in 000s)

Village of Beverly Hills Long-term Debt Obligations Years Ended June 30



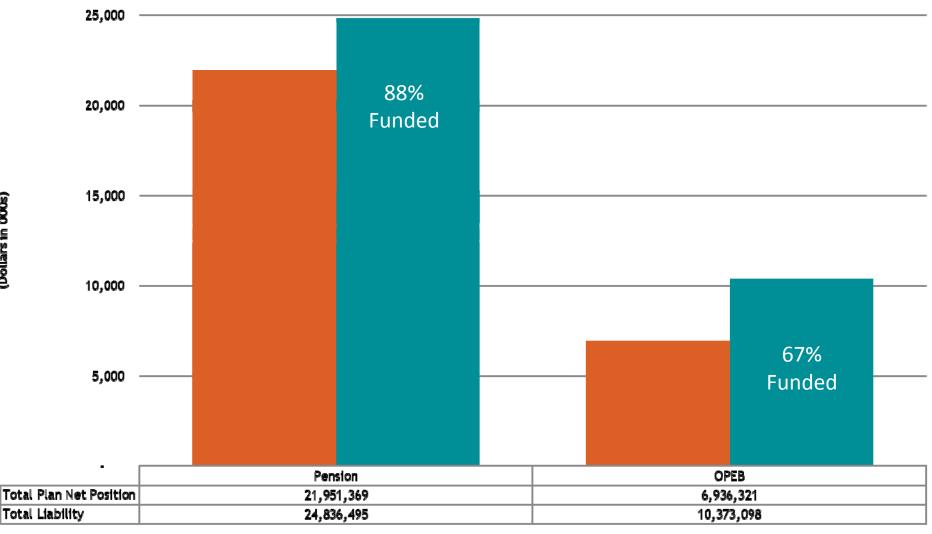
Business-type Activities

Governmental Activities



(Dollars in 000s)

Village of Beverly Hills Pension and OPEB Funding Years Ended June 30



Total Liability Total Plan Net Position



# THANK YOU

For more information contact:

Martin Olejnik, Partner (248) 223-3662

Rumzei Abdallah, Manager (313) 496-7232

Scott Stanford, In-charge (248) 223-3189

plante moran Audit. Tax. Consulting. Wealth Management.

## Memorandum

**To:** Honorable President Mooney; Village Council

**CC:** Sheila McCarthy; Finance Director

From: Chris D. Wilson, Village Manager

Date: 10/12/2018

Re: Liability Insurance Renewal

On the agenda for Council to review and consider is the renewal of the Village's Liability Insurance Policy. This policy renews on November 1 of this year.

The terms of this policy are the same as the current policy: A self-insured retention of \$75,000 for liability and, for vehicle and physical damage a self-insured retention of \$15,000 per vehicle and \$30,000 per occurrence. The liability limit is \$10,000,000 with various other limits listed on page 3. There is new coverage related to data breach and privacy liability that is detailed on page 4. There is also a stop loss policy that would limit all liability in any village fiscal year to \$150,000. The cost for retaining this stop-loss policy is \$4,215. The stop-loss policy is detailed on page 7.

The total cost for the liability policy for one year is \$130,480. This is a slight increase of our premium for last year of \$123,150. Our carrier, Michigan Municipal Risk Management Authority (MMRMA) is also requesting a contribution to our loss retention fund of \$40,000 upon renewal. The total premium and retention fund contribution is \$174,833.

Upon renewal, the Village will be eligible for a disbursement through MMRMA. Our disbursement for this year is \$85,057. Our retention fund balance as of June 30<sup>th</sup> was more than \$200,000. Contributing the recommended \$40,000 to the retention fund will leave this fund in a solid position. Accordingly, I am recommending that the Village retain the disbursement amount to use for other Village expenses. Village Administration has reviewed the liability insurance renewal and recommends approval at this time.

**Suggested Resolution –** Resolve that the Village of Beverly Hills Council approve and authorize the Village Manager to sign the Michigan Municipal Risk Management Authority Liability and Property Insurance renewal effective November 1, 2018 through November 1, 2019 in the amount of \$174,833.00. Funds for these expenditures are available in accounts 101.248.910.00, 205.345.910.00, 205.346.910.00, 592.540.910.00.

#### VILLAGE OF BEVERLY HILLS

Included with this renewal package are the following "checked" certificates, bonds, etc. for your use this year. These attached items are those that have been requested by you throughout the year, from now on they will be available to you with each annual renewal. As usual, all your other requests will be addressed in a timely manner.

#### **BONDS:**

- Current list of bonded employees (the following are included on this list):
  - Notary bonds
  - Deputation bonds, Notify us to cancel/rescind any active bond.
  - Public Official bonds
- X Blanket Fidelity Bond

#### **CERTIFICATES:**

- X Michigan No Fault Certificate
- Deputation Certificate
- X Michigan Life Support Agency Certificate
- □ Michigan MDOT Certificate

#### **OTHER:**

- Y Premium Breakdown
- × Replacement Cost Notice
- Other Certificates: <u>City of Birmingham Pistol Range Contract (exp 6-30-22); Road Commission</u>
   <u>Oakland County for Maintenance Permit (exp: 12-31-20); Road Commission Oakland County for</u>
   <u>Community Event Permit (exp: 12-31-20);</u>

#### Contact by email: Craig Manser: craigm@ibexagency.com Chelsea O'Malley: chelseao@ibexagency.com

Keith Potter: keithp@ibexagency.com Shannon Doyle: shannond@ibexagency.com



Ibex Insurance Agency PO Box 3355 Farmington Hills, MI 48333-3355

Phone: (248) 538-0470 Fax: (248) 538-0471



#### MICHIGAN MUNICIPAL RISK MANAGEMENT A U T H O R I T Y

## **COVERAGE OVERVIEW**

#### MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY COVERAGE PROPOSAL

Member:	Village of Beverly Hills	Proposal No:	Q000011780
Date of Original Membership:	November 1, 2000	·	
Proposal Effective Dates:	November 01, 2018 To November 01, 2019		
Member Representative:	Chris Wilson	Telephone #:	(248) 646-6404
Regional Risk Manager:	Ibex Insurance Agency	Telephone #:	(248) 538-0470

#### A. Introduction

The Michigan Municipal Risk Management Authority (hereinafter "MMRMA") is created by authority granted by the laws of the State of Michigan to provide risk financing and risk management services to eligible Michigan local governments. MMRMA is a separate legal and administrative entity as permitted by Michigan laws. Village of Beverly Hills (hereinafter "Member") is eligible to be a Member of MMRMA. Village of Beverly Hills agrees to be a Member of MMRMA and to avail itself of the benefits of membership.

**Village of Beverly Hills** is aware of and agrees that it will be bound by all of the provisions of the Joint Powers Agreement, Coverage Documents, MMRMA rules, regulations, and administrative procedures.

This Coverage Proposal summarizes certain obligations of MMRMA and the Member. Except for specific coverage limits, attached addenda, and the Member's Self Insured Retention (SIR) and deductibles contained in this Coverage Proposal, the provisions of the Joint Powers Agreement, Coverage Documents, reinsurance agreements, MMRMA rules, regulations, and administrative procedures shall prevail in any dispute. The Member agrees that any dispute between the Member and MMRMA will be resolved in the manner stated in the Joint Powers Agreement and MMRMA rules.

#### B. Member Obligation - Deductibles and Self Insured Retentions

Village of Beverly Hills is responsible to pay all costs, including damages, indemnification, and allocated loss adjustment expenses for each occurrence that is within the Member's Self Insured Retention (hereinafter the "SIR"). Village of Beverly Hills's SIR and deductibles are as follows:

#### Table I

#### **Member Deductibles and Self Insured Retentions**

COVERAGE	DEDUCTIBLE	SELF INSURED RETENTION
Liability	N/A	\$75,000 Per Occurrence
Vehicle Physical Damage	\$1,000 Per Vehicle	\$15,000 Per Vehicle \$30,000 Per Occurrence
Fire/EMS Replacement Cost	\$1,000 Per Occurrence	N/A
Property and Crime	\$1,000 Per Occurrence	N/A
Sewage System Overflow	N/A	\$75,000 Per Occurrence

The member must satisfy all deductibles before any payments are made from the Member's SIR or by MMRMA.

Member's Motor Vehicle Physical Damage deductible applies, unless the amount of the loss exceeds the deductible. If the amount of loss exceeds the deductible, the loss including deductible amount, will be paid by MMRMA, subject to the Member's SIR.

The Village of Beverly Hills is afforded all coverages provided by MMRMA, except as listed below:

- 1. Specialized Emergency Response Expense Recovery Coverage
- 2.
- 3.
- 4.

All costs including damages and allocated loss adjustment expenses are on an occurrence basis and must be paid first from the Member's SIR. The Member's SIR and deductibles must be satisfied fully before MMRMA will be responsible for any payments. The most MMRMA will pay is the difference between the Member's SIR and the Limits of Coverage stated in the Coverage Overview.

**Village of Beverly Hills** agrees to maintain the Required Minimum Balance as defined in the Member Financial Responsibilities section of the MMRMA Governance Manual. The Member agrees to abide by all MMRMA rules, regulations, and administrative procedures pertaining to the Member's SIR.

#### C. MMRMA Obligations - Payments and Limits of Coverage

After the Member's SIR and deductibles have been satisfied, MMRMA will be responsible for paying all remaining costs, including damages, indemnification, and allocated loss adjustment expenses to the Limits of Coverage stated in Table II. The Limits of Coverage include the Member's SIR payments.

The most MMRMA will pay, under any circumstances, which includes payments from the Member's SIR, per occurrence, is shown in the Limits of Coverage column in Table II. The Limits of Coverage includes allocated loss adjustment expenses.

#### Table II Limits of Coverage

L	iability and Motor Vehicle Physical Damage	Limits of Coverag	Limits of Coverage Per Occurrence		Aggregate	
		Member	All Members	Member	All Members	
1	Liability	10,000,000	N/A	N/A	N/A	
2	Judicial Tenure	N/A	N/A	N/A	N/A	
3	Sewage System Overflows	500,000	N/A	500,000	N/A	
4	Volunteer Medical Payments	25,000	N/A	N/A	N/A	
5	First Aid	2,000	N/A	N/A	N/A	
6	Vehicle Physical Damage	1,500,000	N/A	N/A	N/A	
7	Uninsured/Underinsured Motorist Coverage (per person)	100,000	N/A	N/A	N/A	
	Uninsured/Underinsured Motorist Coverage (per occurrence)	250,000	N/A	N/A	N/A	
8	Michigan No-Fault	Per Statute	N/A	N/A	N/A	
9	Terrorism	5,000,000	N/A	N/A	5,000,000	

·	Property and Crime	Limits of Coverage	e Per Occurrence	Annual Aggregate	
	· · · · · · · · · · · · · · · · · · ·	Member	All Members	Member	All Members
1	Buildings and Personal Property	6,904,319	350,000,000	N/A	N/A
2	Personal Property in Transit	2,000,000	N/A	N/A	N/A
3	Unreported Property	5,000,000	N/A	N/A	N/A
4	Member's Newly Acquired or Constructed Property	10,000,000	N/A	N/A	N/A
5	Fine Arts	2,000,000	N/A	N/A	N/A
6	Debris Removal (25% of Insured direct loss plus)	25,000	N/A	N/A	N/A
7	Money and Securities	1,000,000	N/A	N/A	N/A
8	Accounts Receivable	2,000,000	N/A	N/A	N/A
9	Fire Protection Vehicles, Emergency Vehicles, and Mobile Equipment (Per Unit)	5,000,000	10,000,000	N/A	N/A
10	Fire and Emergency Vehicle Rental (12 week limit)	1,000 per week	N/A	N/A	N/A
11	Structures Other Than a Building	15,000,000	N/A	N/A	N/A
12	Storm or Sanitary Sewer Back-Up	1,000,000	N/A	N/A	N/A
13	Marine Property	1,000,000	N/A	N/A	N/A
14	Other Covered Property	10,000	N/A	N/A	N/A
15	Income and Extra Expense	5,000,000	N/A	N/A	N/A
16	Blanket Employee Fidelity	1,000,000	N/A	N/A	N/A
17	Faithful Performance	Per Statute	N/A	N/A	N/A
18	Earthquake	5,000,000	N/A	5,000,000	100,000,000
19	Flood	5,000,000	N/A	5,000,000	100,000,000
20	Terrorism	50,000,000	50,000,000	N/A	N/A

Network and Information Security Liability, Media Injury Liability, Network Security Loss, Breach Mitigation Expense, PCI Assessments, Social Engineering Loss, Reward Coverage, Telecommunications Fraud Reimbursement.

	Limits of Coverage Per Occurrence/Claim	Deductible Per Occurrence/Claim		Retroactive Date
	\$5,000,000			
Coverage A Nework and Information Security Liability: Regulatory Fines:	Each Claim Included in limit above Each Claim Included in limit above	\$25,000	Each Claim	7/1/2013
Coverage B Media Injury Liability	Each Claim Included in limit above	\$25,000	Each Claim	7/1/2013
Coverage C Network Security Loss Network Security Business Interruption Loss:	Each Unauthorized Access Included in limit above Each Business Interruption Loss Included in limit above	\$25,000	Each Unauthorized Access Retention Period of 72 hours of Business Interruptoin Loss	Occurrence
Coverage D Breach Mitigation Expense:	Each Unintentional Data Compromise Included in limit above	\$25,000	Each Unintentional Data Compromise	Occurrence

Coverage E PCI Assessments:	Each Payment Card Breach \$1,000,000 Occ./\$1,000,000 Agg. Included in limit above	\$25,000	Each Payment Card Breach	Occurrence
Coverage F Social Engineering Loss:	Each Social Engineering Incident \$100,000 Occ./\$100,000 Agg Included in limit above	\$25,000	Each Social Engineering Incident	Occurrence
Coverage G Reward Coverage	Maximum of 50% of the Covered Claim or Loss; up to \$25,000 Included in Limit above		Not Applicable	Occurrence
Coverage H Telecommunications Fraud Reimbursement	\$25,000 Included in limit above		Not Applicable	Occurrence

#### Annual Aggregate Limit of Liability

Member Aggregate	All Members Aggregate
\$5,000,000	\$25,000,000

The total liability of MMRMA shall not exceed \$5,000,000 per Member Aggregate Limit of Liability for coverages A, B, C, D, E, F, G, and H, in any Coverage Period.

The total Liability of MMRMA and MCCRMA shall not exceed \$25,000,000 for All Members Combined Aggregate Limit of Liability for coverages A, B, C, D, E, F, G, and H, in any Coverage Period.

It is the intent of MMRMA that the coverage afforded under the Subjects of Coverage be mutually exclusive. If however, it is determined that more than one Subject of Coverage applies to one coverage event ensuing from a common nexus of fact, circumstance, situation, event, transaction, or cause, then the largest of the applicable Deductibles for the Subjects of Coverage will apply.

#### Table IV

#### Specialized Emergency Response Expense Recovery Coverage

#### Limits of Coverage

Specialized Emergency Response	Limits of Covera	ge per Occurrence	Annual Aggregate	
Expense Recovery	Member	All Members	Member	All Members
	N/A	N/A	N/A	N/A

#### Table V

#### Specialized Emergency Response Expense Recovery Coverage

#### Deductibles

Specialized Emergency Response	Deductible per Occurrence	
Expense Recovery	Member	
	N/A	

#### **D.** Contribution for MMRMA Participation

#### Village of Beverly Hills

Period: November 01, 2018	To November 01, 2019	
Coverages per Member Coverag	e Overview:	\$130,480
Stop Loss Coverage:		\$4,353
Member Loss Fund Deposit:		\$40,000
TOTAL ANNUAL CONTRIBUTIO	NS:	\$174,833

#### E. List of Addenda

1. Stop Loss Program Participation Agreement

This document is for the purpose of quotation only and does not bind coverage in the Michigan Municipal Risk Management Authority, unless accepted and signed by both the authorized Member Representative and MMRMA Representative below.

Accepted By:

Village of Beverly Hills

Proposal No: Q000011780

MMRMA

**MMRMA** Representative

10-3-18

Date

Member Representative

Date

<u>É</u> ...

#### ADDENDUM

#### STOP LOSS PROGRAM PARTICIPATION AGREEMENT

#### **Optional**

The Stop Loss Program limits the Member's cash payments during a July 1 - June 30 year for those costs falling within the Member's SIR. The Stop Loss Program responds only to cumulative Member SIR payments, including damages, indemnification, and allocated loss adjustment expenses, within a July 1 - June 30 calendar year. The paid costs include payments for any coverage provided to the Member by MMRMA provided that the costs are actually paid within the July 1 - June 30 period. On July 1 of each year, the Member's paid costs accumulate from zero.

If the Member has chosen to participate in the Stop Loss Program, and if the Member's paid costs exceed the member's entry point, the Stop Loss Program will pay, until July 1, all costs that would, in the absence of the Stop Loss Program, be paid from the Member's SIR. Village of Beverly Hills's entry point is \$150,000. Withdrawing Members do not participate in the Stop Loss Program after the date of withdrawal.

The Member agrees to be bound by MMRMA rules relating to the Stop Loss Program.

Accepted by:

Member Representative

Date:\_\_\_\_\_

**MMRMA** 

Authorized Representative

Date: \_\_\_\_\_10-3-18

#### MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY

#### Member: Village of Beverly Hills QUOTE NUMBER Q000011780 QUOTE PROPERTY LIST REPORT EFFECTIVE DATES 11/1/2018 To 11/1/2019

· · ·	Location Address		Location Description			
1.	18500 W. 13 Mile Rd., Beverly Hills, MI 48025		Village Office			
	Building Description	<b>Building Value</b>	Contents Value	Total Value		
	Office	\$1,249,167	\$116,168	\$1,365,335		
	DPW Garage	\$236,158	\$74,679	\$310,837		
	Salt Barn	\$91,307	\$0	\$91,307		
	Carport/Storage	\$78,789	\$10,372	\$89,161		
	Location Totals	\$1,655,421	\$201,219	\$1,856,640		
	Location Address		Location Description			
2.	18600 W. 13 Mile Rd., Beverly Hills, MI 48025	]	Public Safety Building			
	Building Description	Building Value	Contents Value	Total Value		
	Public Safety Building	\$3,334,408	\$316,349	\$3,650,757		
	Location Totals	\$3,334,408	\$316,349	\$3,650,757		
	Location Address		Location Description			
3.	30110 Lahser, Beverly Hills, MI 48025	Electric Power Supply Station				
	Building Description	Building Value	Contents Value	Total Value		
	Pump Station 3	\$26,212	\$2,132	\$28,344		
	Location Totals	\$26,212	\$2,132	\$28,344		
	Location Address		Location Description	· · · · · · · · · · · · · · · · · · ·		
4.	18801 Beverly Rd., Beverly Hills, MI 48025		Beverly Park	······································		
	Building Description	Building Value	Contents Value	Total Value		
	Restroom/Office	\$359,761	\$8,817	\$368,578		
	Location Totals	\$359,761	\$8,817	\$368,578		

	Grand Totals	
Building Value	Contents Value	Total Value
\$5,375,802	\$528,517	\$5,904,319

#### MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY

#### QUOTE NUMBER Q000011780 QUOTE AUTO SCHEDULE REPORT EFFECTIVE DATES 11/1/2018 To 11/1/2019

	Scheduled Vehicles					
Year	Make	Model	VIN	License Plate	Туре	Department
1999	Freightliner	Fire Truck	1FV6JLCB6YHB22517	005x097	Fire Vehicles Large	N/A
2012	Pierce	Ladder	4P1CV010394010441	005x098	Fire Vehicles Large	N/A
2011	GMC	2500 HD	1GT120CG4BF221138	005X094	Police - All Other	Police
2017	Chevrolet	Tahoe	1GNSKFEC9HR191206	005x100	Police PPT	Police
2017	Chevrolet	Tahoe	1GNSKFEC9HR190257	005X089	Police PPT	Police
2007	Dodge	Charger	2B3FA436X7H750986	DCG1554	Police PPT	Police
2011	Ford	Taurus	1FAHP2HW6BG165876	DAD5161	Police PPT	Police
2013	Chevrolet	Tahoe	1GNSK2E00DR251942	005X099	Police PPT	Police
2015	Chevrolet	Tahoe	1GNSK3C8FR539131	005X096	Police PPT	Police
2015	Chevrolet	Tahoe	1GNSK3C8FR539645	005x091	Police PPT	Police
2017	Chevrolet	Tahoe	1GNSKAEC2FR527562	8JGL08	Police PPT	Police
2018	Chevrolet	Tahoe	1GNSKDEC2JR386650	005X093	Police PPT	Police
2018	Chevrolet	Tahoe	1GNSKDEC9JR386211	005X098	Police PPT	Police
2010	Ford	F150	1FTFW1EV2AFA21532	8JGL13	Service Trucks	Administration

	Summary
Vehicle Group	Vehicles
All Other Vehicles	0 Vehicles
Buses	0 Vehicles
Commercial - Historical	0 Vehicles
EMS/Ambulance	0 Vehicles
Fire Vehicles Large	2 Vehicles
Fire Vehicles - Other	0 Vehicles
Garbage Trucks	0 Vehicles
Motorcycles	0 Vehicles
Motorcycles - Historical	0 Vehicles
Police - All Other	1 Vehicles
Police PPT	10 Vehicles
Private Passenger	0 Vehicles
Private Passenger - Historical	0 Vehicles
Service Trucks	1 Vehicles
Vans	0 Vehicles

Grand Totals	
Vehicles	
14 Vehicles	

NAME AND ADDRESS OF ORGANIZATION MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY	Mémber No. <u>M0000900</u>
14001 Meruman, Livonia, Michigan 48154 An authorized Michigan Self-Insurance Association, certifies that it has	Expiration Date Continuous Until Cancelled
accepted as a member pursuant to Act 138 P.A., 1982 the following Governmental entity:	MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY
_Village of Beverly Hills	By
NAME OF MEMBER	on this 1st November 2018
Covers all vehicles owned/leased by Member	WARNING: KEEP THIS CERTIFICATE IN YOUR VEHICLE A
PENALTY FOR OPERATION WITHOUT INSURANCE	ALL TIMES. If you fail to produce it upon a police officer
Michigan Law (MCLA 500.3101) requires that the owner or registrar other approved security for the payment of no-fault benefits on the v vehicle to be driven upon a public highway without proper insura	vehicle at all times. An owner or registrant who drives or permits
An owner or registrant convicted of such a misdemeanor shall be fir for not more than 1 year, or both.	그는 그는 것 같은 것 같
A PERSON WHO SUPPLIES FALSE INFORMATION TO THE SEC CERTIFICATE OF INSURANCE IS GUILTY OF A MISDEMEANO 1 YEAR, OR A FINE OF NOT MORE THAN \$1,000, OR BOTH.	CRETARY OF STATE OR WHO ISSUES OR USES AN INVALI R PUNISHABLE BY IMPRISONMENT FOR NOT MORE THA
STATE OF MICHIGAN	
NAME AND ADDRESS OF ORGANIZATION MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY	Member No. <u>M0000900</u>
14001 Merriman, Livonia, Michigan 48154 An authorized Michigan Self-Insurance Association, certifies that it has	Expiration Date Continuous Until Cancelled
accepted as a member pursuant to Act 138 P.A. 1982 the following Governmental entity:	MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY
Village of Beverly Hills	By EXECUTIVE DIRECTOR
NAME OF MEMBER	on this 1 <sup>st</sup> November 2018
Covers all vehicles owned/leased by Member	WARNING: KEEP THIS CERTIFICATE IN YOUR VEHICLE A
PENALTY FOR OPERATION WITHOUT INSURANCE	ALL TIMES. If you fail to produce it upon a police officer
Michigan Law (MCLA,500,3101) requires that the owner or registran other approved security for the payment of no-fault benefits on the v vehicle to be driven upon a public highway without proper insura	ehicle at all times. An owner or registrant who drives or permits
An owner or registrant convicted of such a misdemeanor shall be fir for not more than 1 year, or both:	
A PERSON WHO SUPPLIES FALSE INFORMATION TO THE SEC CERTIFICATE OF INSURANCE IS GUILTY OF A MISDEMEANO 1 YEAR, OR A FINE OF NOT MORE THAN \$1,000, OR BOTH.	CRETARY OF STATE OF WHO ISSUES OR USES AN INVALI R PUNISHABLE BY IMPRISONMENT FOR NOT MORE THA 7/
STATE OF MICHIGAN	FAULT SECURITY
NAME AND ADDRESS OF ORGANIZATION	Member No
MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY 14001 Merriman, Livonia, Michigan 48154	Expiration Date Continuous Until/Cancelled
An authorized_Michigan Self-Insurance Association, certifies that it has accepted as a member pursuant to Act 138 P.A., 1982 the following	MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY
Governmental entity:	the state of the s
	EXECUTIVE DIRECTOR
	on this 1 <sup>st</sup> November 2018
Covers all vehicles owned/leased by Member	WARNING: KEEP THIS CERTIFICATE IN YOUR VEHICLE A
PENALTY FOR OPERATION WITHOUT INSURANCE	ALL_TIMES. If you fail to produce it upon a police officer request, you will be responsible for a civil infraction.
Michigan Law (MCLA 500.3101) requires that the owner or registran other approved security for the payment of no-fault benefits on the v vehicle to be driven upon a public highway without proper insura	nt of a motor vehicle registered in this state must have insurance o vehicle at all times. An owner or registrant who drives or permits
An owner or registrant convicted of such a misdemeanor shall be fir for not more than 1 year, or both.	

## MICHIGAN MUNICIPAL

#### BLANKET FAITHFUL PERFORMANCE BOND CERTIFICATE OF PROTECTION

#### **KNOW ALL MEN BY THESE PRESENTS:**

THE

This certificate is issued as a matter of information only and confers no rig	hts upon the certificate holder unless amended below.
This certifies that	as a member of this Authority
has Blanket Faithful Performance Bond Protection in the amount of	One Million Dollars
(\$).	

#### Blanket Faithful Performance Description of Protection

#### Fidelity

(1) The Scope of Loss Fund Protection includes loss caused to the member by conversion to personal use or through the failure of any of the employees, acting alone or in collusion with others, to perform faithfully his duties or to account properly for all monies and property received by virtue of his position or employment during the period of membership in the Authority, the amount of indemnity of each of such employees being the amount indicated on the Limits of Liability.

#### Section 2

#### **General Agreement-Loss Under Prior Bond**

- (1) If the protection of this provision is substituted for any prior coverage carried by the member which prior bond is terminated, cancelled or allowed to expire as of the time of such substitution, the member agrees that such agreement applies to loss sustained by, or caused to, the member, as the case may be, prior to or during the bond period, provided that such loss is discovered after the beginning of the period of membership and that such loss would have been recoverable by the member under such prior bond except for the fact that the time within which to bring suit, action or proceeding of any kind thereunder had expired, and provided further:
  - (a) The indemnity afforded by this agreement shall be a part of and not in addition to the limit afforded above;
  - (b) Such loss would have been covered under such insuring agreement had such insuring agreement with its agreements, conditions and limitations as of the time of such substitutions been in force when the acts or defaults causing such loss were committed;
  - (c) Recovery under this agreement on account of such loss shall in no event exceed the amount which would have been recoverable under such insuring agreement in the amount for which it is written as of the time of such substitution, had such insuring agreement been in force when such acts or defaults were committed, or the amount which would have been recoverable under such prior bond had such prior bond continued in force until the discovery of such loss if the latter amount be smaller.

Definitior	···	Section 3
Demition	(1)	"Employee" means a person while in the employ of the member during the period of membership.
		Section 4
Condition	5	
	(1)	In case a loss is alleged to have been caused to the member through acts or defaults by an employee and the member shall be unable to designate the specific employee causing such loss, the member shall nevertheless have the benefit of this provision provided that the evidence submitted reasonably establishes that the loss was in fact caused by an employee through such acts or defaults and provided, further, that regardless of the number of such employees concerned or implicated in such loss, the aggregate liability for any such loss shall not exceed the limit of liability.
	(2)	The limit of liability shall not be cumulative from year to year.
	(3)	<ul> <li>This provision shall be deemed to be cancelled as to any employee:</li> <li>(a) Immediately upon discovery by the member of any act on the part of such employee which would constitute a liability under this provision covering such employee; or</li> <li>(b) Upon the death, resignation or removal of such employee; or</li> <li>(c) Upon termination of membership in the Authority.</li> </ul>
certificate l	nolder	ber indicated below withdraw from the Authority prior to the expiration date shown, the Authority shall notify the in writing thirty (30) days in advance of such withdrawal, but failure to mail such notice shall impose no ility of any kind upon the Authority.

#### **Certificate Holder:**

Village of Beverly Hills

18500 W. Thirteen Mile Road

Beverly Hills, MI 48025-5267

#### Member:

Village of Beverly Hills

18500 W. Thirteen Mile Road

Beverly Hills, MI 48025-5267

Expiration Date of Membership Continuous Until Cancelled

Authorized Representative

November 1, 2018 Date Issued:

Ŋ



# MICHIGAN MUNICIPAL RISK MANAGEMENT A U T H O R I T Y

Village of Beverly Hills REPLACEMENT COST NOTICE

REPLACEMENT COST NOTICE Motor Vehicle Physical Damage (Available for Fire and Rescue Units Only) Coverage Period: November 1, 2018 - November 1, 2019

<b>Replacement Value</b>	\$1,100,000	\$500,000
License Plate #	005X098	005X097
<u> </u>	4P1CV010394010441	1FV6JLCB6YHB22517
Model	Ladder	Fire Truck
<u>Make</u>	Pierce	Freightliner
<u>Year</u>	2012	1999
#1	-	5

Total Value \$1,600,000



Please remember, the maximum amount the MMRMA will pay for loss of the specified vehicles is the value listed above. \*The above vehicles are to be adjusted on the identified basis, subject to the limit shown.

Page 1 of 1

### Village of Beverly Hills

September 4, 2018

Type of Bond	Name	Title	Expiration Date / Bond Amount *
Notary	Jean E. Malik	002	7-12-20
Notary	Erin E. (Wilks) Saur	003	7-22-21

<sup>\*</sup> Notary bonds are issued at \$10,000
\* Bolded names have not returned a fully executed copy.



#### MICHIGAN MUNICIPAL RISK MANAGEMENT A U T H O R I T Y

### **CERTIFICATE OF COVERAGE**

This certificate is issued as a matter of information only and confers no rights upon the certificate holder except to the extent shown below. This certificate does not amend, extend, or alter the coverage contained in the Authority's Joint Powers Agreement and coverage attachments thereto.

This is to certify that a Self-Insured Program has been undertaken by the member listed below through the Authority pursuant to Act 138 P.A. 1982.

The coverage provided by the Authority is as follows:

- 1. Liability coverage for general liability, automobile (including Michigan No-Fault), law enforcement, and public officials liability; in the sum of \$10,000,000 each occurrence inclusive of loss adjustment and defense costs.
- 2. Property Coverage including loss to real & personal property, to amounts stipulated in coverage documents and overview for this member.
- 3. Motor Vehicle Physical Damage Coverage for the vehicles stipulated in the Coverage Document.
- 4.  $\underline{\mathbf{X}}$  Information only.
- 5. \_\_\_\_ The entity named below is included in the scope of protection as respects claims arising from a COVERED CONTRACT as defined in the MMRMA Liability and Motor Vehicle Physical Damage Coverage Document.
- 6. X Other (as described here): REPLACES STATE FORM: BHS-EMS-0092 (10/05) FOR LIFE SUPPORT AGENCIES.

This certificate is issued in accordance with and is subject to all provisions of the Joint Powers Agreement, Coverage Documents, reinsurance agreements, MMRMA rules, regulation and administrative procedures. Should the member identified below withdraw from the Authority, or its Authority Membership be otherwise terminated, the Authority shall endeavor to notify the certificate holder in writing thirty (30) days in advance thereof, but failure to furnish such notice shall impose no obligation or liability of any kind upon the Authority, or its representatives.

Certificate Holder: MICHIGAN DEPARTMENT OF COMMUNITY HEALTH EMS & TRAUMA SYSTEMS SECTION 201 TOWNSEND STREET LANSING, MI 48913

Certificate Expiration Date: November 1, 2019 Date Issued: November 1, 2018

Distribution: Mr. Chris Wilson, Manager, Village of Beverly Hills MMRMA Underwriting

#### Member:

VILLAGE OF BEVERLY HILLS 18500 W. THIRTEEN MILE ROAD BEVERLY HILLS, MI 48025-5267

Member Number: # M0000900 Effective Date of Membership: November 1, 2000

Authorized Representative



P.O. Box 3355 Farmington Hills, Michigan 48333-3355 877-888-IBEX (4239) 248-538-0470 Fax 248-538-0471 www.ibexagency.com



#### MICHIGAN MUNICIPAL **RISK MANAGEMENT** AUTHORI

### **CERTIFICATE OF COVERAGE**

This certificate is issued as a matter of information only and confers no rights upon the certificate holder except to the extent shown below. This certificate does not amend, extend, or alter the coverage contained in the Authority's Joint Powers Agreement and coverage attachments thereto.

This is to certify that a Self-Insured Program has been undertaken by the member listed below through the Authority pursuant to Act 138 P.A. 1982.

The coverage provided by the Authority is as follows:

- 1. Liability coverage for general liability, automobile (including Michigan No-Fault), law enforcement, and public officials liability; in the sum of \$10,000,000 each occurrence inclusive of loss adjustment and defense costs.
- 2. Property Coverage including loss to real & personal property, to amounts stipulated in coverage documents and overview for this member.
- 3. Motor Vehicle Physical Damage Coverage for the vehicles stipulated in the Coverage Document.
- 4. \_\_\_\_ Information only.
- The entity named below is included in the scope of protection as respects claims arising from a COVERED 5. <u>X</u> CONTRACT as defined in the MMRMA Liability and Motor Vehicle Physical Damage Coverage Document. CITY OF BIRMINGHAM PISTOL RANGE CONTRACT DATED 2017.
- 6. \_\_\_\_ Other (as described here):

This certificate is issued in accordance with and is subject to all provisions of the Joint Powers Agreement, Coverage Documents, reinsurance agreements, MMRMA rules, regulation and administrative procedures. Should the member identified below withdraw from the Authority, or its Authority Membership be otherwise terminated, the Authority shall endeavor to notify the certificate holder in writing thirty (30) days in advance thereof, but failure to furnish such notice shall impose no obligation or liability of any kind upon the Authority, or its representatives.

Certificate Holder: **CITY OF BIRMINGHAM** 151 MARTIN STREET, P.O. BOX 3001 **BIRMINGHAM, MI 48012-3001** ATTN: DIRECTOR OF FINANCE

Certificate Expiration Date: November 1, 2019 Date Issued: November 1, 2018

**Distribution:** Mr. Chris Wilson, Manager, Village of Beverly Hills **MMRMA** Underwriting

Member: VILLAGE OF BEVERLY HILLS **18500 W. THIRTEEN MILE ROAD** BEVERLY HILLS, MI 48025-5267

Member Number: # M0000900 Effective Date of Membership: November 1, 2000

Authorized Representative



P.O. Box 3355 Farmington Hills, Michigan 48333-3355 877-888-IBEX (4239) 248-538-0470 Fax 248-538-0471 www.ibexagency.com

#### SECTION 4 DEFINITIONS

A. The following meanings shall apply to all coverages in this Coverage Document.

#### 1. ACTUAL CASH VALUE

means cost of replacing damaged or destroyed covered property with comparable new property minus depreciation and obsolescence.

#### 2. ALLOCATED LOSS ADJUSTMENT EXPENSES

means all costs to adjust, defend, or settle a specific claim or **lawsuit**, including, by way of illustration but not limitation, attorney fees and related costs, expert witness fees, and any other expense related to the claim or **lawsuit**.

#### 3. BODILY INJURY

means **bodily injury**, harm, sickness, or disease sustained by a natural person, including death resulting therefrom.

#### 4. COVERED CONTRACT

means any agreement or contract, permissible by law, under which the Member assumes the tort liability only of another to pay **damages** to a third party.

The contract or agreement must precede the **occurrence** and is subject to all of the terms and conditions of this Coverage Document, the Joint Powers Agreement, MMRMA rules and MMRMA administrative procedures.

#### A covered contract shall not:

- a) indemnify any consultant, advisor, or other individual or entity providing professional services, including but not limited to, services of any architect, attorney, engineer, surveyor or other consultant or advisor;
- b) indemnify any independent contractor or employee of any independent contractor;
- c) indemnify any person for damage by fire to premises leased, rented, or loaned to the Member; or
- d) guarantee promise or performance.

The limits of coverage for a **covered contract** shall be the lesser of the coverage limits stated in the Member's Coverage Overview or the minimum amount of coverage required, permitted, or stated in the **covered contract**.

#### 5. DAMAGES

means any or all of the following:

a. All money **damages** within the Subjects of Coverage stated in Section 1 the Member becomes legally obligated to pay for any claim or **lawsuit** covered and defended by MMRMA. **Damages** also includes all interest on any judgment resulting from a **lawsuit** covered and defended by MMRMA;

Liability and Motor Vehicle Physical Damage Coverage Document



#### MICHIGAN MUNICIPAL RISK MANAGEMENT A U T H O R I T Y

### **CERTIFICATE OF COVERAGE**

This certificate is issued as a matter of information only and confers no rights upon the certificate holder except to the extent shown below. This certificate does not amend, extend, or alter the coverage contained in the Authority's Joint Powers Agreement and coverage attachments thereto.

This is to certify that a Self-Insured Program has been undertaken by the member listed below through the Authority pursuant to Act 138 P.A. 1982.

The coverage provided by the Authority is as follows:

- 1. Liability coverage for general liability, automobile (including Michigan No-Fault), law enforcement, and public officials liability; in the sum of \$10,000,000 each occurrence inclusive of loss adjustment and defense costs.
- 2. Property Coverage including loss to real & personal property, to amounts stipulated in coverage documents and overview for this member.
- 3. Motor Vehicle Physical Damage Coverage for the vehicles stipulated in the Coverage Document.
- 4. \_\_\_\_ Information only.
- 5. X The entity named below is included in the scope of protection as respects claims arising from a COVERED CONTRACT as defined in the MMRMA Liability and Motor Vehicle Physical Damage Coverage Document. THE ROAD COMMISSION FOR OAKLAND COUNTY PERMIT APPLICATION DATED NOVEMBER 7, 2017 AND REQUIREMENTS FOR PERMIT ISSUANCE FOR COUNTY ROAD(S) MAINTENANCE WORK DONE BY THE VILLAGE OF BEVERLY HILLS PERSONNEL.
- 6. \_\_\_\_ Other (as described here):

This certificate is issued in accordance with and is subject to all provisions of the Joint Powers Agreement, Coverage Documents, reinsurance agreements, MMRMA rules, regulation and administrative procedures. Should the member identified below withdraw from the Authority, or its Authority Membership be otherwise terminated, the Authority shall endeavor to notify the certificate holder in writing thirty (30) days in advance thereof, but failure to furnish such notice shall impose no obligation or liability of any kind upon the Authority, or its representatives.

Certificate Holder: ROAD COMMISSION FOR OAKLAND COUNTY PERMITS DEPARTMENT 2420 PONTIAC LAKE ROAD WATERFORD, MI 48328

Certificate Expiration Date: November 1, 2019 Date Issued: November 1, 2018

Distribution: Mr. Chris Wilson, Manager, Village of Beverly Hills MMRMA Underwriting Member: VILLAGE OF BEVERLY HILLS 18500 W. THIRTEEN MILE ROAD BEVERLY HILLS, MI 48025-5267

Member Number: # M0000900 Effective Date of Membership: November 1, 2000

Authorized Representative



#### SECTION 4 DEFINITIONS

A. The following meanings shall apply to all coverages in this Coverage Document.

#### 1. ACTUAL CASH VALUE

means cost of replacing damaged or destroyed covered property with comparable new property minus depreciation and obsolescence.

#### 2. ALLOCATED LOSS ADJUSTMENT EXPENSES

means all costs to adjust, defend, or settle a specific claim or **lawsuit**, including, by way of illustration but not limitation, attorney fees and related costs, expert witness fees, and any other expense related to the claim or **lawsuit**.

#### 3. BODILY INJURY

means **bodily injury**, harm, sickness, or disease sustained by a natural person, including death resulting therefrom.

#### 4. COVERED CONTRACT

means any agreement or contract, permissible by law, under which the Member assumes the tort liability only of another to pay **damages** to a third party.

The contract or agreement must precede the **occurrence** and is subject to all of the terms and conditions of this Coverage Document, the Joint Powers Agreement, MMRMA rules and MMRMA administrative procedures.

#### A covered contract shall not:

- a) indemnify any consultant, advisor, or other individual or entity providing professional services, including but not limited to, services of any architect, attorney, engineer, surveyor or other consultant or advisor;
- b) indemnify any independent contractor or employee of any independent contractor;
- c) indemnify any person for damage by fire to premises leased, rented, or loaned to the Member; or
- d) guarantee promise or performance.

The limits of coverage for a **covered contract** shall be the lesser of the coverage limits stated in the Member's Coverage Overview or the minimum amount of coverage required, permitted, or stated in the **covered contract**.

#### 5. DAMAGES

means any or all of the following:

a. All money **damages** within the Subjects of Coverage stated in Section 1 the Member becomes legally obligated to pay for any claim or **lawsuit** covered and defended by MMRMA. **Damages** also includes all interest on any judgment resulting from a **lawsuit** covered and defended by MMRMA;



#### MICHIGAN MUNICIPAL **RISK MANAGEMENT** AUTHORITY

### **CERTIFICATE OF COVERAGE**

This certificate is issued as a matter of information only and confers no rights upon the certificate holder except to the extent shown below. This certificate does not amend, extend, or alter the coverage contained in the Authority's Joint Powers Agreement and coverage attachments thereto.

This is to certify that a Self-Insured Program has been undertaken by the member listed below through the Authority pursuant to Act 138 P.A. 1982.

The coverage provided by the Authority is as follows:

- 1. Liability coverage for general liability, automobile (including Michigan No-Fault), law enforcement, and public officials liability; in the sum of \$10,000,000 each occurrence inclusive of loss adjustment and defense costs.
- 2. Property Coverage including loss to real & personal property, to amounts stipulated in coverage documents and overview for this member.
- 3. Motor Vehicle Physical Damage Coverage for the vehicles stipulated in the Coverage Document.
- 4. Information only.
- The entity named below is included in the scope of protection as respects claims arising from a COVERED 5. <u>X</u> CONTRACT as defined in the MMRMA Liability and Motor Vehicle Physical Damage Coverage Document. THE ROAD COMMISSION FOR OAKLAND COUNTY PERMIT APPLICATION DATED NOVEMBER 7, 2017 AND REQUIREMENTS FOR PERMIT ISSUANCE FOR COMMUNITY EVENT.
- 6. Other (as described here):

This certificate is issued in accordance with and is subject to all provisions of the Joint Powers Agreement, Coverage Documents, reinsurance agreements, MMRMA rules, regulation and administrative procedures. Should the member identified below withdraw from the Authority, or its Authority Membership be otherwise terminated, the Authority shall endeavor to notify the certificate holder in writing thirty (30) days in advance thereof, but failure to furnish such notice shall impose no obligation or liability of any kind upon the Authority, or its representatives.

**Certificate Holder: ROAD COMMISSION FOR OAKLAND COUNTY** PERMITS DEPARTMENT 2420 PONTIAC LAKE ROAD WATERFORD, MI 48328

Certificate Expiration Date: November 1, 2019 Date Issued: November 1, 2018

**Distribution:** Mr. Chris Wilson, Manager, Village of Beverly Hills **MMRMA** Underwriting

Member: VILLAGE OF BEVERLY HILLS 18500 W. THIRTEEN MILE ROAD BEVERLY HILLS, MI 48025-5267

Member Number: # M0000900 Effective Date of Membership: November 1, 2000

Authorized Representative



P.O. Box 3355 Farmington Hills, Michigan 48333-3355 877-888-IBEX (4239) 248-538-0470 Fax 248-538-0471 www.ibexagency.com

#### SECTION 4 DEFINITIONS

A. The following meanings shall apply to all coverages in this Coverage Document.

#### 1. ACTUAL CASH VALUE

means cost of replacing damaged or destroyed covered property with comparable new property minus depreciation and obsolescence.

#### 2. ALLOCATED LOSS ADJUSTMENT EXPENSES

means all costs to adjust, defend, or settle a specific claim or **lawsuit**, including, by way of illustration but not limitation, attorney fees and related costs, expert witness fees, and any other expense related to the claim or **lawsuit**.

#### 3. BODILY INJURY

means **bodily injury**, harm, sickness, or disease sustained by a natural person, including death resulting therefrom.

#### 4. COVERED CONTRACT

means any agreement or contract, permissible by law, under which the Member assumes the tort liability only of another to pay **damages** to a third party.

The contract or agreement must precede the **occurrence** and is subject to all of the terms and conditions of this Coverage Document, the Joint Powers Agreement, MMRMA rules and MMRMA administrative procedures.

#### A covered contract shall not:

- a) indemnify any consultant, advisor, or other individual or entity providing professional services, including but not limited to, services of any architect, attorney, engineer, surveyor or other consultant or advisor;
- b) indemnify any independent contractor or employee of any independent contractor;
- c) indemnify any person for damage by fire to premises leased, rented, or loaned to the Member; or
- d) guarantee promise or performance.

The limits of coverage for a **covered contract** shall be the lesser of the coverage limits stated in the Member's Coverage Overview or the minimum amount of coverage required, permitted, or stated in the **covered contract**.

#### 5. DAMAGES

means any or all of the following:

 All money damages within the Subjects of Coverage stated in Section 1 the Member becomes legally obligated to pay for any claim or lawsuit covered and defended by MMRMA. Damages also includes all interest on any judgment resulting from a lawsuit covered and defended by MMRMA;

© March 2012 Rev July 2018 Liability and Motor Vehicle Physical Damage Coverage Document



MICHIGAN MUNICIPAL RISK MANAGEMENT A U T H O R I T Y

November 1, 2018

Mr. Chris Wilson Village of Beverly Hills 18500 W. Thirteen Mile Road Beverly Hills, MI 48025-5267

Dear Mr. Wilson:

The following is a breakout of annual contribution of your coverage with the Michigan Municipal Risk Management Authority (MMRMA) for the policy period November 1, 2018 to November 1, 2019.

Automobile Liability & Vehicle Physical Damage		\$16,254
1 Police "Other"	\$764	
10 Police	\$8,339	
1 Truck	\$608	
2 Fire w/ Replacement Cost Coverage	\$6,543	
Sewer Liability Coverage		\$4,523
Police Professional Liability		\$68,850
Public Officials Liability		\$15,454
All Other Liability		\$18,162
Property		\$7,237
Stop Loss	   	\$4,353
Retention Fund		\$40,000
Total Contribution		\$174,833

If you have any questions or if I can be of further assistance, please call.

Sincerely

Craig S. Manser Regional Risk Manager



27750 Stansbury, Suite 100 Farmington Hills, Michigan 48334 877-888-IBEX (4239) 248-538-0470

Fax: 248-538-0471

# Memorandum

- **To:** Honorable President Mooney; Village Council
- From: Chris D. Wilson, Village Manager
- CC: Richard Torongeau, Director of Public Safety; Tom Ryan, Village Attorney

Date: 10/12/2018

**Re:** Michigan Beer Growler Hours Extension Request.

The Village is in receipt of a request from Michigan Beer Growler to extend their operating hours by one hour each day. As set forth in their request, their revised hours of operation if approved would be as follows:

- Monday: 3PM 9 PM
- Tuesday Thursday: 11 AM 9 PM
- Friday Saturday: 11 AM 10 PM
- Sunday: Noon 6 PM

The current operation hours were established as part of an agreement with the Village for approval of their Tavern and Specially Designated Merchant (SDM) licenses with the Liquor Control Commission in 2014. A similar request to extend operating hours was made and denied in 2015. I asked Public Safety to review their records for any issues relating to the operation of this establishment and none were found.

I have attached for Council's review a copy of the agreement establishing the hours in 2014 and the previous request for extending hours in 2015.

### Janae Condit Michigan Beer Growler Company 31221 Southfield Road Beverly Hills, MI 48025

October 1, 2018

Mr. Chris Wilson Village Manager Village of Beverly Hills 18500 W. 13 Mile Road Beverly Hills, MI 48025

Dear Mr. Wilson,

My business, Michigan Beer Growler Company, would like to extend its evening hours by 1 hour starting in November. I am asking to be placed on the October 16<sup>th</sup> agenda so this matter can be addressed by the Beverly Hills Council.

I have received countless requests by my customers, the majority who reside in Beverly Hills, to stay open one hour later. The new hours would be as follows:

#### Monday 3-9PM Tuesday – Thursday 11-9PM Friday -Saturday 11-10PM Sunday 12-6PM

You can reach me by cell 248-760-0022 or email at <a href="mailto:bjcondit@wowway.com">bjcondit@wowway.com</a> should you have any questions.

Sincerely,

Janae Condit Michigan Beer Growler Company

#### **MEMO**

#### To: Chris Wilson, Village Manager Village Council

From: Ellen Marshall

Re: Request for Quota Tavern and SDM Liquor License

Date: January 15, 2014

The Village is in receipt of a request from Michigan Beer Growler Company to obtain a Quota Tavern Liquor License pursuant to MCL 436.1531. They are requesting an SDM (Specially Designated Merchant) License and Sunday Sales Permit (AM).

Michigan Beer Growler Company, LLC will be owned and operated by sole member, Janae Condit. Mrs. Condit and her husband, Brian, reside in the Village of Beverly Hills with their four children.

Michigan Beer Growler Company will lease their establishment from Beverly Ventures, LLC located at 31215-31225 Southfield Road. Their vision is to provide a large selection of Michigan craft brews, hard ciders, some wine and a few high quality soda pops. They will not have a kitchen, but plan on working with Brady's, Jimmy Johns and Market Fresh to cater events or deliver food to customers.

The proposed seating capacity of their establishment is 26 with a proposed square footage of 1,500. Hours of operation are anticipated to be Monday – Thursday from 11:00 am to 8:00 pm; Friday and Saturday from 11:00 am to 9:00 pm; and Sunday from noon to 6:00 pm.

Attached for your review is a Letter of Intent for Lease, Articles of Organization and the proposed floor plan.

#### **Recommended Resolution**

Be it resolved that the Village of Beverly Hills Council approves the request from Michigan Beer Growler Company (Owner Janae Condit) for a Quota Tavern Liquor License pursuant to MCL 436.1531 for a business to be located at 31215 – 31225 Southfield Road, Beverly Hills, Michigan, 48025, Oakland County, Michigan.



LAW OFFICES

### ADKISON, NEED & ALLEN

PROFESSIONAL LIMITED LIABILITY COMPANY

40950 Woodward, Suite 300 Bloomfield Hills, Michigan 48304 Telephone (248) 540-7400 Facsimile (248) 540-7401 www.ANAfirm.com OF COUNSEL: KEVIN M. CHUDLER

December 20, 2013

#### <u>VIA FIRST CLASS MAIL</u>

Mr. Chris D. Wilson Village Manager Village of Beverly Hills 18500 W 13 Mile Road Beverly Hills, MI 48025

#### Re: Michigan Beer Growler Company, LLC's Request for Quota Tavern and SDM Liquor Licenses with a Sunday Sales (AM) Permit to be located at 31215 -31225 Southfield Road, Beverly Hills, Michigan

Dear Mr. Wilson:

We represent Michigan Beer Growler Company, LLC, which proposes to do business as Michigan Beer Growler Company at 31215-31225 Southfield Road, in Beverly Hills. Michigan Beer Growler Company, LLC is requesting a Quota Tavern Liquor License pursuant to MCL 436.1531. The permits being requested are an SDM License and Sunday Sales Permit (AM).

This location is the former site of Louis Cleaners. The Village has four Quota, On-Premise Licenses available. Michigan Beer Growler Company, LLC will be requesting a Tavern License, which is a reclassification of a Class C License. The Michigan Liquor Control Commission's definition of a Tavern is as follows: "Tavern" means any place licensed to sell at retail beer and wine for consumption on the premises only.

Michigan Beer Growler Company, LLC will be owned and operated by sole member Janae Condit. Mrs. Condit and her husband, Brian, have resided in Beverly Hills for the last four years with their four children and previously lived in Bloomfield Hills for eight years. Brian Condit grew up the Beverly Hills area. Janae Condit has experience in consumer public relations and food marketing and formerly worked for Kraft Foods in the marking department. Janae Condit has extensive experience in the restaurant/bar business as a waitress in high school, college and post college. She has been a stay at home mom for the last 13 years and is ready to get back in the working world by creating a concept in which she really believes and is excited to

PHILLP G. ADKISON KELLY A. ALLEN SALAM F. ELIA LINDA S. MAYER GREGORY K. NEED G. HANS RENTROP Mr. Chris Wilson December 20, 2013 Page 2 of 2

start. The Condits are active in St. Regis School and Church and in their community. They are happy to call Beverly Hills their home and the community that surrounds it.

Michigan Beer Growler Company will lease the establishment from Beverly Ventures, LLC. Michigan Beer Growler Company's vision is to provide a great experience where both beer novices and experts feel welcomed and appreciated. It aims to carry one of the largest selections of Michigan craft brews, hard ciders, a bit of wine, and a few high quality soda pops. It will not have its own kitchen, but Michigan Beer Growler Company is planning on working with Brady's, Jimmy Johns and Market Fresh to cater events or deliver food to the customers. Michigan Beer Growler Company will have beer tasting events and will also plan on doing private or corporate events.

Michigan Beer Growler Company will spend \$50,000.00 in renovations and to purchase furniture, fixtures and equipment. The proposed seating capacity is 26. The proposed square footage of the establishment is 1,500.

Michigan Beer Growler Company's proposed hours of operation are Monday-Thursday from 11:00 am to 8:00 pm; Friday and Saturday from 11:00 am to 9:00 pm; and Sunday from noon to 6:00 pm.

Enclosed are the following documents for the Village Council's review:

- Proposed Letter of Intent for the Lease;
- Filed Articles of Organization; and
- Proposed Floor Plan.

Please place this matter on the earliest Village Council Agenda. Thank you for your assistance in this matter.

Very truly yours,

ADKISON, NEED & ALLEN, P.L.L.C.

Kelly A. Allen

/lbp Enclosures cc:

Ms. Ellen E. Marshall, Village Clerk Director Richard Torongeau, Beverly Hills DPS Mr. Thomas Ryan, Village Attorney Ms. Janae Condit

m:\condit, janae\corres\letter to the village.docx

Beverly Hills Village Council January 30, 2014 Page 3 of 3

#### AGREEMENT WITH VILLAGE

Since the Village does not have a liquor license ordinance in place, the state law would control the operation of MBG as it pertains to hours of operation. Because of this and other concerns raised by the Village Council, MBG is willing to enter into a binding agreement with the Village which restricts MBG, even though state law would allow differently.

Enclosed for the Village Council's consideration is the Agreement Regarding Quota Tavern License, which essentially restricts MBG as follows:

1. Hours of Operation: MBG agrees that its hours of operation will be restricted to 11:00 am to 8:00 pm Monday – Thursday, 11:00 am to 9:00 pm on Friday and Saturday, and Noon to 6:00 pm on Sunday.

2. Classification: MBG will not change the classification of the license. This means that MBG will not change the classification from a Tavern license to full Class C license.

3. Capacity: MBG will not increase its seating capacity from 20 persons.

4. **Concept**: MBG will not change its concept without prior approval of the Village.

Also enclosed is the floor plan which shows the seating.

Finally, we will be providing the Village Council with letters of support and possibly a petition, for consideration at the meeting.

MBG is anxious to be an excellent addition to the business community in Beverly Hills and stands ready to work with the Village in any way possible.

We look forward to seeing you on February 4th.

Very truly yours,

ADKISON, NEED & ALLEN, P.L.L.C.

/kf

Enclosures CC: Chris Wilson, City Manager Attorney Tom Ryan Director of Public Safety Richard Torongeau Janae Condit m:\condit, janae\corres\2014-01-30 to beverly hills enc. mbg packet.docx

#### REGULAR COUNCIL MEETING MINUTES – FEBRUARY 4, 2014 - PAGE 2

Members of Council thanked Commissioner Dwyer for his efforts to reduce gun violence. Council commended the County Road Commission for doing a great job of clearing the roads this winter. A request was made by Council that the County seek funding to improve area roads that are in terrible shape due to the severe winter weather.

#### CONSENT AGENDA

Council member Kelly asked to move item "b. Review and file bills recapped as of Monday, January 27, 2014." to the Business Agenda.

Motion by Mooney, second by Oen, to approve the consent agenda as amended.

- a. Consider approval of minutes of a regular Council meeting held January 21, 2014.
- b. Set public hearing date of March 4, 2014 to review and confirm 2013 Special Assessment Roll for the Southfield Road Business Assessment District.

Motion passed.

#### REVIEW AND CONSIDER APPROVAL OF QUOTA TAVERN AND SDM LIQUOR LICENSES FOR THE SALE OF CRAFT BEER IN A RETAIL STORE FRONT AT 31215 SOUTHFIELD ROAD

Before Council for consideration is a revised liquor license application from the Michigan Beer Growler company as well as a proposed Operating Agreement between the Michigan Beer Growler owner and the Village of Beverly Hills. It was indicated that the applicant would have to obtain site plan approval from the Village Planning Commission and Council if this request for Quota Tavern and SDM Liquor licenses were approved by Council. Before a liquor license can be issued by the State, the Village must sign off that all ordinances and requirements of the Village have been met by the applicant.

Manager Wilson referred to correspondence dated January 30, 2014 from Attorney Kelly Allen representing the applicant, Janae Condit, owner of Michigan Beer Growler Company. The letter addressed questions and concerns raised by Council at its January 21 meeting and included an "Agreement with Village". In this document, the petitioner agrees to the following: MBG agrees to limit the hours of operation; MBG will not change the classification of the license from a Tavern license to full Class C license; MBG will not increase its seating capacity from 20 persons; and MBG will not change its concept without prior approval of the Village.

Wilson stated that this Agreement between the applicant and the Village does not involve the Michigan Liquor Control Commission (MLCC). If there is a violation by MBG, the Village would have to notify the MLCC and request enforcement action be taken against the applicant/licensee. As liquor licenses expire on April 30 of each year, Beverly Hills must notify the MLCC no later than March 31 if the Village objects to the renewal of the liquor license. A hearing would be held by the MLCC, at which time Village representatives would be present and a decision would be forthcoming by the MLCC as to the enforcement of the Agreement.

Attorney Kelly Allen introduced the applicant Janae Condit and her husband Brian Condit. Allen related that the petitioners provided written material addressing questions and concerns expressed at the last Council meeting. She affirmed that the Village of Beverly Hills has four remaining quota on-premise licenses available to the community. An on-premise license can

#### REGULAR COUNCIL MEETING MINUTES – FEBRUARY 4, 2014 - PAGE 3

either be a Class C or a Tavern license. MBG has applied for a Tavern license, which enables the sale of beer and wine only. The applicant has stated in the Agreement, that they will not move to change that classification to a full Class C.

Allen provided information on the actual growler jug and referred to the Health Department standards. She reported that the applicant had a meeting with Bob Berg, owner of Brady's Tavern, and he was supportive of the business concept proposed by the Condits. Mr. Berg was willing to work with them on food and marketing issues.

Allen referred to concerns addressed in the proposed Agreement with the Village regarding Hours of Operation, Classification, Capacity and Concept. She stated that the concept has been placed in writing, and it cannot be changed. Allen provided the Village with a letter of approval from Bob Berg from Brady's. Also included is a petition signed by businesses, neighbors, residents and friends in support of the Michigan Beer Growler Company proposal to operate a growler business with a Tavern license at 31215 Southfield Road. Allen remarked that she and the applicants understand that they have to go through the site plan review process and that there will be zoning requirements for parking that must be met. Allen urged Council to direct their inquiries regarding the concept and details of this operation to the owners, Janae and Brian Condit.

Janae Condit of 32035 Crossbow commented that she, her husband Brian, and their four children are active in the community and with their church. Condit expressed the view that the proposed establishment would be a positive addition to Beverly Hills and would benefit the current tenants in the strip mall. Brian Condit expressed his support for the community and his excitement about the opportunity to open a business in Beverly Hills.

Questions from Council members were addressed by Janae and Brian Condit and Kelly Allen. Topics included parking availability, enforceability of the Agreement with the Village, bar vs. retail environment, seating/building capacity, events held on the premises, license conditions, transfer of licenses, cleaning of growlers, property inspections from various agencies, types of beer, and staffing.

Allen clarified that the Agreement with the Village, if adopted, would be enforceable by the MLCC through its annual review process. The proposed Agreement with the Village is between Beverly Hills and the applicant. If the applicant violates the agreement, the Village's remedy is to ask the MLCC not to renew the license. As long as the licensee is given notice and a hearing, the MLCC will uphold the Village's Agreement with the applicant. This is based on case law and past practice.

Janae Condit described an arrangement with Mike Palmer from Premier Pet Supply and the landlord whereby the pet store would be using the back portion of the former dry cleaners for storage and the MBG would be using the front of the store.

Mike Palmer, owner of Premier Pet Supply at 31215 Southfield Road whose business would be adjacent to the MBG company, remarked that the opening of their business would be integral to his obtaining extra space at the rear portion of the former Lois Gross cleaners store. The Michigan Beer Growler Company will be occupying the front portion of that space, and Palmer

will be using the back half for additional storage. Palmer related that that he has outgrown his space due to the tremendous support of Beverly Hills customers. He likes the concept of the MBG and thinks it will be a good addition to the community.

Sharon Tischler of 21415 Virmar Court asked for clarification of a Tavern License. She was informed that it allows for the sale of beer and wine only.

Motion by Briggs, second by LaFerriere. Be it resolved that the Village of Beverly Hills Council approve the request from Michigan Beer Growler Company (Owner Janae Condit) for a Quota Tavern Liquor License pursuant to MCL 436.1531 for a business to be located at 31215 Southfield Road, Beverly Hills, Michigan, 48025, Oakland County, Michigan.

Roll Call Vote	
LaFerriere	- yes
Mercer	- yes
Mooney	- no
Oen	- no
Briggs	- yes
Burry	- yes
Kelly	- yes

Motion passed (5-2).

Mercer stated that the owners must submit a site plan for this location, which will be referred to the Planning Commission for review and recommendation to Council. Council discussed entering into a binding agreement that restricts the operation of MBG in terms of hours of operation, classification, capacity, and concept.

Motion by Briggs, second by Burry, that the Village of Beverly Hills Council authorize the Village Manager to enter into an Agreement between the Michigan Beer Growler Company and the Village regarding the Quota Tavern License and restrictions on the MBG business within the Village of Beverly Hills as outlined in a letter dated January 30, 2014 from Attorney Kelly Allen.

Roll Call Vote: Motion passed (7 - 0).

# **REVIEW AND CONSIDER RECOMMENDATION FROM THE PARKS & RECREATION BOARD TO PAINT PICKELBALL LINES ON ONE TENNIS COURT AT BEVERLY PARK**

Motion by Mooney, second by Oen, that the Beverly Hills Village Council authorize the expenditure of an amount not to exceed \$2,000 to paint one tennis court in Beverly Park for dual use as a pickleball court. Funds for this project are available in the park dedicated millage fund.

May 28, 2015

Dear Village Council of Beverly Hills,

Summer is almost officially here. The Michigan Beer Growler Company has been open seven months and I couldn't be happier. As you are probably aware, I have requested outdoor seating and have been approved by the state. I am hoping to have everything set up in mid June.

I have had several customers ask if I could stay open later in the summer. Although I am very happy with the current hours (Tuesday through Thursday 11-8, Friday and Saturday 11-9 and Sunday 12-6), I would like to ask if my store could have "summer hours". This would entail staying open one hour later during the week and the weekends. Summer would consist of June 1<sup>st</sup>til October 1<sup>st</sup>. The hours would be as follows:

Monday – Thursday 11-9 Friday – Saturday 11-10 Sunday – 12-6 (same)

With the days being longer and having outdoor seating, I believe this would be beneficial to my store as well as my customers. I have no desire to continue these summer hours after October and would return to my normal times listed in my contract with Beverly Hills.

I appreciate your consideration and hope you will consider my request.

Sincerely, Janae Condit Owner, Michigan Beer Growler Company

#### REGULAR COUNCIL MEETING MINUTES – JUNE 16, 2015 - PAGE 4

# **REVIEW AND CONSIDER REQUEST FROM THE MICHIGAN BEER GROWLER TO AMEND HOURS OF OPERATION**

Janae Condit, 32035 Crossbow, representing Michigan Beer Growler Company, requested a change in hours of operation for the business for the summer only. The current hours of operation are Tuesday through Thursday 11:00 a.m. to 8:00 p.m.; Friday and Saturday 11:00 a.m. to 9:00 p.m.; and 12:00 p.m. to 6:00 p.m. on Sunday. She requested to change this to Monday through Thursday 11:00 a.m. to 9:00 p.m.; Friday and Saturday 11:00 a.m. to 10:00 p.m.; and Sunday 12:00 p.m. to 6:00 p.m. (no change). These summer hours would be through October. She has requested outdoor seating that was approved by the Village of Beverly Hills. She has had several customers ask if the business could stay open later in the summer.

Mooney stated the Village entered into an agreement with Michigan Beer Growler (MBG) on February 4, 2014.

Delaney asked whether Administration can approve outside seating. Village Manager Wilson stated that the ordinance was changed in the last two years to give Administration the authority to approve outdoor seating. MBG did apply for outdoor seating.

Delaney expressed concern about the lack of space at the site of MBG between the storefront and where the parking begins.

Peddie stated initial meetings with the Planning Commission indicated MBG would be more of a retail establishment where people come in and sample different beers then purchase beer to take home with them. She expressed concern that the business is turning into something different than what was initially presented. Ms. Condit stated people do come and taste the beer and purchase growlers to take home. They do not spend all day there drinking.

Oen stated that one of his concerns is the business turning into more of a bar, and he doesn't want it to head in that direction. He understands there is an agreement with Brady's Tavern where people can order food and bring it to MBG. He asked how often this happens. Ms. Condit stated approximately three times in a weekend. Some people bring in pizza from Papa John's. There have been no incidents of intoxication. It is a very local crowd. It does not have the feel of a late-night establishment. The request for outdoor seating and later hours is coming from the customers.

Public Safety Director Torongeau confirmed that he is not aware of any trouble at the subject location.

Mooney stated that the initial representation of MBG was that it was going to be a retail establishment. He voted against putting another bar next to Brady's, and if a motion is presented, he would vote against it.

Condit stated it has not turned into a late-night establishment, and they have had no incidents of any people being intoxicated. It is a very local crowd, and she has received positive comments that people are glad this is in Beverly Hills.

#### REGULAR COUNCIL MEETING MINUTES – JUNE 16, 2015 - PAGE 5

Mooney again noted it was represented to Council that this was a going to be a retail establishment and seating was not going to be expanded. If no action is taken by Council, the original agreement remains in place.

Brian Condit, 32035 Crossbow, inquired about data regarding customer activity. Mooney stated that is not the issue before Council. The issue is whether or not to change the agreement at the request of the Petitioner.

Mooney stated the request initially came to Council as to what the business would be, how business would be conducted, and why there would be restrictions on the hours. That representation is different than what the Petitioner wants to do now. The initial representation resulted in Council approval.

Council Member Kelly arrived at 7:55 p.m.

Kelly commented that she voted in favor of the store, but had many questions. She was concerned about food being served and alcohol consumption. At that time, she was informed that she was misunderstanding the nature of the operation. It was a store that allowed taste testing. People would not be there to eat. She was surprised to see outdoor seating and a request for an extension of the hours. This is not meant to be a restaurant or bar. She does not support the change.

Mooney stated since no motion has been put forth on the request from the Michigan Beer Growler to amend hours of operation, the request is denied. The original agreement remains in place.

### SET SPECIAL MEETING DATE OF JUNE 29, 2015, 7:00 P.M., FOR 2014/15 FISCAL YEAR BUDGET AMENDMENTS

Motion by Peddie, second by Delaney, to set a special meeting date on Monday, June 29, 2015, 7:00 p.m., at the Village municipal building, for 2014/15 Fiscal Year budget amendments.

Motion passed (7 - 0).

#### SET PUBLIC HEARING DATE OF JULY 21, 2015 ON A REQUEST FROM TIMOTHY PATRICK HOMES FOR SITE PLAN APPROVAL AT 19600 W. 13 MILE ROAD/TREMONT LANE

Motion by Abboud, second by Oen, to set a public hearing date of July 21, 2015 on a request from Timothy Patrick Homes for Site Plan approval at 19600 W. 13 Mile Road/Tremont Lane.

Motion passed (7 - 0).

#### **REVIEW AND CONSIDER RESOLUTION ADOPTING AN EMERGENCY OPERATIONS SUPPORT PLAN**

Delaney stated all jurisdictions with more than 10,000 population are required to have an Emergency Operations Support Plan filed with Oakland County. We have not had one since 1997. By passing the recommended resolution, we will be compliant with Oakland County

#### VILLAGE MANAGER'S REPORT CHRIS D. WILSON OCTOBER 12, 2018

**Road Commission Construction Projects –** As you are aware, the Road Commission is currently engaged in construction projects on 14 Mile between Greenfield and Southfield and Southfield Rd. between 12 Mile and 13 Mile. Last week I became concerned about the perceived lack of communication and coordination of these RCOC projects with the Village and other local governments. Representatives from the Road Commission did reach out to me and admit that there were some oversights in the outreach process with some of these fall projects. I expressed the need to expand their oversight to include our local trash haulers as these construction projects have a major impact on their operations. This suggestion was well received. The construction schedule for RCOC was significantly disrupted by the recent labor stoppage/lockout. They have had to bring many projects back on line in a short period of time as well as schedule a significant number of projects to be completed in the limited remaining construction season. I am confident these oversights were a one-time occurrence.

**Former Albanian Church Site** – Village Administration is in receipt of conceptual plans for a residential development on the site of the former Albanian Church on the south side of 13 Mile. Planning and Zoning Administrator Saur and LSL Planning are working with the applicants on their initial submission and suggested revisions for compliance with Village Zoning Codes. It is possible that a compliant submittal will be in hand in November for referral to the Planning Commission.

**Consumers Energy Gas Line Replacement –** Consumers Energy has completed the permit process for their gas main replacement program at 14 Mile and Evergreen. The Village has been informed that this project will begin around November 1<sup>st</sup>. The Village is coordinating the logistics of the lane closures related to this project with the adjoining Home Owners Associations, Birmingham Public Schools and the Department of Public Safety. A separate project, smaller in scope will occur around the intersection of Saxon and Beaconsfield on or around October 22. Consumers also has plans for a gas line replacement project on 14 Mile near the water tower. They have been advised to coordinate any plans for this project with the Road Commission due to ongoing road work on 14 Mile.

**Thirteen Mile Sidewalk Estimate –** Village Administration has received a cost estimate the installation of a sidewalk along 13 Mile that would connect the existing sidewalk at Groves High School to the intersection of 13 Mile and Lahser, and further to the subdivision of North Georgetown at Old Stage. I have attached a copy of the estimate for your review. As you will note, the cost is quite high at just over \$1.1 million, with over half of that cost for a pedestrian bridge over a river crossing.

					L, ROTH & C	
ENGINEER'S OPINION OF PROBABLE PROJECT CO	ST					
PROJECT: 13 Mile - Sidewalk LOCATION: Village of Beverly Hills, MI BASIS FOR ESTIMATE: [x] CONCEPTUAL [] PRELI Scope: Path length 4800 ft	EST	TE: DJECT NO. TIMATOR: ECKED BY:	10/1/2018 20180926 LG			
Fill in gaps with 5' walk, pedestrian bridges across two rivers			<b>T</b>		1	
DESCRIPTION Mobilization (5%)	QUANT.	UNIT		NIT PRICE		TOTAL
SESC	1	LS	\$	48,239.75		48,239.75
Maintaining Traffic	1	LS LS	\$	20,000.00		20,000.00
Project Cleanup		LS LS	\$ • \$	10,000.00		10,000.00
Permanent Signing and Striping	1	LS LS	\$ \$	5,000.00	\$ \$	5,000.00
Minor Traf Devices	1	LS LS	\$	6.000.00	\$	5,000.00
Traffic Regulator Control	1		\$	10,000.00		6,000.00
Clearing	0.5	Acre	\$	10,000.00		10,000.00
Tree Removal	25	Ea	\$	700.00	\$	5,000.00
Curb Removal	35	Ft	\$	15.00	s S	525.00
Sidewalk Removal	10	Syd	\$	40.00	\$	400.00
Sidewalk Grading	48	Sta	\$	2.500.00		120,000,00
Aggreggate Base, 6 inch, 21AA	150	Syd	ŝ	20.00	\$	3.000.00
Granular Material, Cl II	260	Cyd	ŝ	35.00	\$	9,100.00
Dr Structure Cover, Adj	4	Ea	ŝ	500.00	\$	2,000.00
HMA Surface, Rem	200	Svd	ŝ	25.00	s	5,000.00
Edge Trimming	90	Ft	<u>s</u>	12.00	\$	1,080.00
HMA Hand Patching	2	Ton	\$	160.00	\$	320.00
HMA Approach	40	Ton	\$	160.00	s	6,400.00
Concrete Curb and Gutter	35	Ft	\$	25.00	s	875.00
Detectable Warning	20	Ft	\$	35.00	s	700.00
Sidewalk Ramp	650	Sft	\$	10.00	\$	6,500,00
Sidewalk, Conc, 4"	20,200	Sft	\$	5.00	\$	101,000.00
Sidewalk, Conc, 6"	635	Sft	\$	7.00	\$	4,445.00
Post, Mailbox	7	Ea	\$	100.00	\$	700.00
TurfEstablishment	2,000	Syd	\$	10.00	\$	20,000.00
Culvert, CL F, 12 inch	85	Ft	\$	50.00	\$	4,250.00
Prefabricated Pedestrian Bridge (Approx 120' Span)	2	LSUM	\$	300,000.00	\$	600,000.00
•				ruction Costs	\$	1,014,000.00
Contingency and Soft Costs 15%					\$	153,000.00
		Tota	l Con	struction Cost	\$	1,167,000.00

Notes:

\*Machine Grading includes Earth Ex and Embankment necessary for sidewalk installation

and grading for maintaining positive drainage.

\*Prefabricated Bridge includes decking, piling, footing, substructure, abutments, riprap, forms,

testing, and equipment necessary for driving piles

Costs not included:

\*Design, construction engineering, inspection, layout, etc.

\*Utility relocations

\*Easement acquisition

\*Permits

\*Bridge electrical, if desired

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

#### **INFORMATION ITEMS**

- a. Beverly Hills Department of Public Safety Activity Report for the period September 28– October 11, 2018.
- b. Quarterly Code Enforcement Report for the period July 1 September 30, 2018.
- c. Oakland County Commission Bill Dwyer's October 1, 2018 Report.
- d. Minutes from Zoning Board of Appeals dated September 10, 2018.
- e. Minutes from Southfield Township dated September 11, 2018.
- f. Minutes from a Birmingham Area Cable Board dated September 19, 2018.
- g. Minutes from Planning Commission dated September 27, 2018.
- h. Agenda for Cable Board meeting dated October 17, 2018.

## **Beverly Hills Public Safety Activity Report**

# September 27<sup>th</sup> - October 11<sup>th</sup>, 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.
- The Public Safety Department is preparing for the Halloween Hoot. Officers and staff will be donating their time to make the event a safe and enjoy day.
- The Public Safety Department reminds citizens to be aware of foot traffic in the neighborhoods as it does get dark sooner. Those that do walk and run, it is important to wear reflective clothing and carry a flashlight.
- The Public Safety Department will be assisting several Boy Scout groups in getting their first aid badge's in the upcoming weeks.
- Retired Detroit Officer Hill Gray was hired to be a Service Aid for the Public Safety Department. Mr. Gray spent 25 years with Detroit Police and is a resident of the Village. Please, extend a warm welcome to him as he will be around helping his community and us.
- The Public Safety Department is stilling looking for a crossing guard and anyone that is interested please call the Village or the Public Safety Department.
- While the weather is still warm, the Public Safety Department advises citizens to make sure the dryer traps are clean and not blocked. It only takes a few minutes to look over the dryer vent to see if it is full. Also never use a plastic dryer vent and it may cause a fire inside the house.
- The School Liaison Officer, Detective Ron Baller, was happy to report the Groves homecoming game and dance were successful and without incident. It is a tribute to all that attended.
- Public Safety Officers arrived at a possible fire on King Richard CT and discovered the door bell was smoking. The doorbell was unhook and removed with no other issues.

### PUBLIC SAFETY OPERATIONS

- 242 Calls for Service.
- 14 Arrests.
- 149 Tickets issued.
- Motor Carrier Enforcement.
- 2 Walk in PBTs.
- 4 Prescription pill drop offs.
- Home vacation checks.
- Car Seat checks and presentation at Our Lady Queen of Martyrs.
- Gun Permit
- 1 Prisoner transports to and from the Birmingham Police Department.
- Crossing Guard on Beverly
- 5 Traffic Accidents on 13 Mile Rd.
- 6 Medicals on 13 Mile Rd.
- 5 Traffic Accidents on Southfield
- Traffic Accident on Lahser
- Motorist Assist on 13 Mile Rd.

- 4 Alarms on 13 Mile Rd.
- Medical on 14 Mile Rd.
- Vehicle Lockout on Beverly
- Alarm on Woodhaven.
- Medical on Nottingham.
- Fire Alarm on Beverly.
- Damage to Property on 14 Mile Rd.
- Down Wires on Glencoe.
- Animal complaint on 13 Mile Rd.
- Officers stopped a vehicle on Lahser 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, suspected of operating while intoxicated, and in possession of marijuana without a medical card. The driver was arrested without incident.
- Assist Franklin-Bingham Farms Police with an Alarm.
- Animal complaint on Robinhood.
- Fraud complaint on Lahser.
- Medical on Birwood.
- 2 Medicals on Kinross.
- Officers stopped a vehicle on Greenfield for a traffic violation. The driver was found to be in possession of narcotic paraphernalia. The driver was ticketed and released without incident.
- Assist Berkley Public Safety with a garage fire.
- Suspicious Persons complaint on E. Valley woods.
- Alarm on Warwick.
- Motorist Assist on Southfield.
- Solicitor complaint on Wellesley.
- Traffic Accident on 13 Mile Rd.
- Medical on 13 Mile Rd.
- Fire Alarm on Pierce.
- Alarm on Lahser.
- Suspicious Persons complaint on 13 Mile Rd.
- Officers stopped a vehicle for a traffic violation on Lahser. The driver was operating on a suspended license. The driver was arrested without incident.
- Medical on Village Pines.
- Officers stopped a vehicle for reckless driving on 13 Mile. The driver was having a medical emergency. The driver was conveyed to the hospital.
- Medical on Nixon
- Assist Franklin-Bingham Farms Police with a traffic accident on 13 Mile Rd.
- Officers stopped a vehicle on Evergreen for a traffic violation. The driver was operating on a suspended license. The driver was in possession of marijuana without a medical card. The driver was arrested without incident.
- Family Trouble on Dunblaine.
- Family Trouble on Long Bow Ct.
- Lift Assist on Kennoway

- Traffic Hazard on Evergreen.
- Medical on Evergreen.
- Welfare Check on Beechwood.
- Juvenile complaint on 14 Mile Rd.
- Neighbor Trouble on Buckingham.
- Assist Michigan Department of Corrections on 13 Mile Rd.
- Welfare Check on Glenhill Ct.
- Larceny from Auto on Pickwick.
- Medical on Shagbark.
- Medical on N. Nottingham.
- Animal complaint on Bassett Ct.
- Suspicious Persons complaint on Elizabeth.
- Found Property complaint on Southfield.
- Lift Assist on Village Pines.
- Carbon Monoxide Alarm on Bellvine Trail.
- Assist Oakland County Road Commission on Lahser.
- Suspicious Vehicle complaint on Fairfax.
- Missing Persons complaint on Huntley Sq. E.
- Larceny complaint on Verona.
- Reckless Driving complaint on Evergreen.
- Medical on Kinross.
- Alarm on Buckingham.
- Suspicious Persons complaint on Birwood.
- Citizen Assist on Chelton.
- Suspicious Persons complaint on Locherbie.
- Suspicious Persons complaint on Vernon.
- Officers stopped a vehicle for a traffic violation on 13 Mile. The driver was operating on a suspended license. The driver was arrested without incident.
- Citizen Assist on Kinross.
- Traffic Accident on Greenfield.
- Suspicious Circumstance complaint on Southfield.
- Solicitor complaint on Buckingham.
- 2 Juvenile complaints on 13 Mile Rd.
- Suspicious Vehicle on 13 Mile Rd.
- Fire Alarm on Sleepy Hollow.
- Officers stopped a vehicle on 13 Mile for a traffic violation. The driver was operating on a suspended license. The driver was arrested without incident.
- Traffic complaint on Southfield.
- Medical on N. Nottingham.
- Alarm on Bellvine Trail.
- 2 Suspicious Persons complaints on 13 Mile Rd.
- Medical on Stafford.
- Officers stopped a vehicle on 13 Mile for a traffic violation. The driver was in possession of marijuana and paraphernalia without a medical card. The driver was arrested without incident.

- Suspicious Circumstance complaint on King Richard Ct.
- Odor Investigation on King Richard Ct.
- Alarm on Auburn.
- Traffic complaint on Buckingham.
- Welfare Check on Dunblaine.
- Welfare Check on Kirkshire.
- Medical on Wentworth.
- Suspicious Persons complaint on Beverly.
- Suspicious Persons complaint on Kinross.
- Alarm on Saxon.
- Alarm on Lahser.
- Down Wire complaint on Bellvine Trail.
- Lift Assist on Fox Run.
- Officers stopped a vehicle for a traffic violation on Lahser. The driver was operating on a suspended license and had several warrants for his arrest. The driver was arrested without incident.
- Found Property complaint on 13 Mile Rd.
- Medical on Warwick.
- Lift Assist on Fox Run.
- Suspicious Persons complaint on Old Stage.
- Suspicious Persons complaint on Marimoor.
- Animal complaint on Glencoe.
- Motorist Assist on Norchester.
- Alarm on Lahser
- Welfare Check on 13 Mile Rd.
- Fire Alarm on Ronsdale.
- Odor Investigation on Stafford.
- Suspicious Persons complaint on Southfield.
- Alarm on Westlady.
- Officers stopped a reckless driver on Birwood. The driver was suspected of operating while intoxicated. The driver was arrested without incident.
- Alarm on Riverview.
- Officers stopped a vehicle on 13 Mile for a traffic violation. The driver was suspected of operating while intoxicated. The driver was arrested without incident.
- Medical on Arlington.
- Animal complaint on 13 Mile Rd.
- Alarm on Kirkshire.
- Medical on E. Valley woods.
- Assist Southfield Police with a traffic accident on Evergreen.
- Officers were called to an address on 13 Mile for a shoplifting complaint. Subsequent investigation revealed a customer had committed a larceny. The customer was arrested without incident.
- Traffic complaint on E. Rutland.
- Suspicious Circumstance complaint on 13 Mile Rd.
- Suspicious Persons complaint on Hillview.
- Assist Southfield Police with a traffic accident on 13 Mile Rd.

- Alarm on Southfield.
- Down Wire complaint on Dunblaine.
- Officers stopped a vehicle for a traffic violation on 13 Mile. The driver had a warrant for his arrest. He was arrested without incident.

### **INVESTIGATIONS BUREAU**

- CFS Closed and Reviewed 187.
- Reviewed 35 case reports for a disposition.
- Followed up and reviewed cases, of which 18 were closed.
- 17 Cases were assigned
- 11 Reports written on current cases.
- 8 Current active investigations.
- 9 Current pending investigations.
- Assisted road patrol with patrol functions.
- Assisted with Traffic Conferences at 46th District Court.
- School Threat investigation unfounded, student was mentally challenged.
- SLO Baller attended Groves's football game.
- SLO Baller attended Groves Homecoming Dance.
- Work with Groves High School for their Color Run.
- DB Issued OWI ticket reference investigation.
- Issued Trespassing warning letter to Riverside address.
- Mailed two blood kits for OWI investigations.
- DB attended Evidence Tech School-Oakland County.
- Executed search warrant on iPhone- MSP Internet crime lab.

### FIRE PREVENTION BUREAU

- Assist Berkley Public Safety with a garage fire.
- Assist Berkley Public Safety with a gas main leak.
- 2 Fire Inspections on 14 Mile Rd.
- Mutual aide fire training with Huntington Woods, Berkley, Bloomfield Hills, and Oak Park at Oakland Community College.
- Work on AFG grants

Enforcement Number	Address/ Parcel Number	Category	Date Filed	Complaint
E180102	32255 AUBURN DR	Property Maint.	07/06/2018	REMOVE FIRE WOOD ON DRIVEWAY BY SIDE DOOR OF HOUSE. PER CODE
	TH-24-01-278-019			
E180103	15515 KIRKSHIRE AVE	Property Maint.	07/03/2018	1. CUT ALL TALL GRASS AND WEEDS, FRONT AND REAR. 2.CLEAR BACK BRUSH ALONG ALL PUBLIC WALKWAYS FROTN AND ALONG GREENFIELD RD
	TH-24-01-227-022			
E180104	18380 WARWICK DR	Ordinance Violation	07/02/2018	OWNER NEEDS A FENCE PERMIT FREOM THE VILLAGE FOR ANY FENCE INSTALL PLEASE STOP WORK UNTIL PERMIT IS OBTAINED.
	TH-24-02-228-019			
E180105	16200 AMHERST AVE	Property Maint.	07/09/2018	PLEASE REMOVE TWO DEAD TREES ON REAR FENCE LINE. HAZARD TO POWER LINES AND AN STRUCTURES THEY MAY FALL ON.
	TH-24-01-404-016			
E180106	30501 MARIMOOR ST	Ordinance Violation	07/10/2018	PLEASE BE ADVISED THAT A COMPLAINT HAS BEEN CALLED IN THAT A ROOSTER IS BEING KEPT AT THIS ADDRESS. THE VILLAGE CODE PROHIBITS THE KEEPING OF FARM ANIMALS. PLEASE REMOVE ROOSTER FROM HOME. IT CANNOT BE HOUSED IN ANY WAY WITHIN THE VILLAGE.
	TH-24-10-252-016			
E180107	21050 SMALLWOOD DR	Ordinance Violation	07/10/2018	PLEASE REMOVE WORK TRAILER FROM FRONT OF HOUSE. STORE TOWARDS REAR OF HOME OR REMOVE. COMPLAINTS
	TH-24-03-127-011			
E180108	32320 BELL VINE TRL	Property Maint.	07/10/2018	PLEASE REMOVE TALL WEEDS AROUND TREE BEDS. COMPLAINTS
	TH-24-03-177-006			
E180109	32250 BELL VINE TRL	Property Maint.	07/10/2018	PLEASE REMOVE ALL TALL WEEDS ON PROPERTY AROUND TREES, ALONG DRIVEWAY AND ON EAST SIDE OF HOME. COMPLAINTS ON TALL WEEDS
	TH-24-03-177-013			
E180110	31855 W BELL VINE TRL	Ordinance Violation	07/10/2018	BOAT AND TRAILER CANNOT BE STORED ON DRIVEWAY. ONLY IN REAR YARD BEHIND HOUSE LINE. PER CODE.
				PLEASE MOVE OR REMOVE FROM PROPERTY.
	TH 24 02 226 002			

TH-24-03-326-002

Enforcement Number	Address/ Parcel Number	Category	Date Filed	Complaint
E180111	32261 SOUTHFIELD RD	Property Maint.	07/16/2018	TRASH MUST BE KEPT IN CONTAINERS WITH TIGHT SECURE LIDS, SO ANIMALS CANNOT GET INTO CONATINERS. IF TRASH IS FOUND LOOSE ON PROPERTY TICKET WILL BE WRITTEN TO OWNER.
	TH-24-02-278-022			
E180112	17441 BIRWOOD AVE	Ordinance Violation	07/19/2018	BOATS ADN TRAILERS CANNOT BE STORED ON DRIVEWAY, ONLY 3 DAYS FOR LOADING OR UNLOADING. PELASE REMOVE PER VILLAGE CODE.
	TH-24-01-106-004			
E180113	19111 WARWICK DR	Ordinance Violation	07/24/2018	ANY OUTDOOR BURNING MUST BE CONSTANTLY ATTENDED BY PERSON'S IN THE HOME AND NOT PRODUCE OFFENSIVE ODOR.
	TH-24-02-182-005			PLEASE HAVE BURN AREA EXTINGUISHED.
E180114	20242 RONSDALE DR	Property Maint.	07/20/2018	PLEASE CUT ALL TALL GRASS AND WEEDS ON WEST SIDE OF PROPERTY. PER CODE
				COMPLAINTS
	TH-24-03-428-008			
E180115	31317 W CHELTON DR	Ordinance Violation	07/27/2018	PLEASE CUT OR REMOVE ALL TALL NOXIOUS WEEDS FROM REAR YARD AND ALONG FENCE
	TH-24-02-376-003			
E180116	32462 SHERIDAN DR	Ordinance Violation	08/06/2018	CONTAINERS NEED TO BE STORED AWAY FROM HOUSES-REAR YARD. TRASH CAN DUMPED OVER BY ANIMALS. CONTAINERS NOT SECURE FROM ANIMALS.
				PER CODE CONTAINERS MUST BE SECURE.TRASH WAS FOUDN ON GROUND UNDER VECHICLE
				CLEAN-UP IS NEEDED. TICKET WILL BE ISSUED TO HOMEOWNER.
	TH-24-01-277-012			
E180117	16252 KIRKSHIRE AVE	Ordinance Violation	08/06/2018	NO DEMO PERMIT FOR REMOVAL OF GARAGE. PLEASE CALL VILLAGE FOR INFO ON PROPERTY.
				COURT APPEARANCE TICKET COULD BE ISSUED TO OWNER.
	TH-24-01-201-044			

Enforcement Number	Address/ Parcel Number	Category	Date Filed	Complaint
E180118	17441 BIRWOOD AVE	Ordinance Violation	08/06/2018	BOATS OR BOATS MUST BE REMOVED FROM PROPERLY PER VILLAGE CODE. TICKET WILL ISSUED TO HOMEOWNER LAST NOTICE WAS ON 7-18-18
	TH-24-01-106-004			
E180119	31203 HUNTLEY CT	Ordinance Violation	08/07/2018	PLEASE REMOVE ALL FALLEN TREE LIMBS FROM PROPERTY, COLLECTION WILL ONLY PICK UP IF BAGGED OR BUNDLED.
	TH-24-02-477-001			
E180121	32250 BELL VINE TRL	Property Maint.	08/06/2018	PLEASE CUT DOWN ALL TALL GRASS AND WEEDS ALONG ALL YOUR PROPERTY, FRONT-REAR-SIDES ANY WEEDS TALLER THAN 8" MUST BE CUT AROUND AND UNDER TREES, DITCH LIVE OR DRIVE OR GARDEN BEDS. PER VILLAGE CODE. TICKET COULD BE ISSUED.
	TH-24-03-177-013			
E180122	17211 KIRKSHIRE AVE	Ordinance Violation	08/10/2018	REMOVE DAMAGED VEHICLE FROM PROPERTY, INOPERABLE OR UN PLATED AUTOS CANNOT BE STROED ON PROPERTY. PER VILLAGE CODE.
	TH-24-01-128-002			
E180123	20242 RONSDALE DR	Property Maint.	08/06/2018	CUT ALL TALL GRASS AND WEEDS ON PROPERTY AND PROPERTY LINE 8" LIMIT PER CODE. TICKET WILL BE ISSUED TO OWNER IF NTO COMPLIED WITH.
				FIRST NOTICE ON 7/20/2018
	TH-24-03-428-008			
E180124	17331 LOCHERBIE AVE	Ordinance Violation	08/07/2018	MOTOR HOME TRAILER CAN ONLY BE STORED FOR 3 DAYS FOR LOADING COMPLAINT STATES IT HAS BEEN ON PROPERTY FOR OVER 5 DAYS PLEASE LET VILLAGE KNOW WHEN IT WILL BE REMOVED.
	TH-24-01-156-006			
E180125	20718 KENNOWAY CIR	Ordinance Violation	08/15/2018	PLEASE PLACE TRAILER BEHIND HOME. COMPLAINT
	TH-24-03-453-005			
E180126	31981 INGLEWOOD DR	Property Maint.	08/15/2018	REMOVE CUT DOWN ALL TALL WEEDS AROUND ENTIRE HOUSE.WEED WHIP AROUND BUSHES AND BEDS. NOTHING THAN THAN 8" LIMIT. PER VILLAGE CODE.
	TH-24-02-328-006			
E180127	18674 E CHELTON DR	Property Maint.	08/21/2018	PLEASE HAVE TREE BRANCH REMOVED FROM REAR WILLOW TREE. IT HAS FALLEN INTO PARK.
	TH-24-02-451-008			

Enforcement Number	Address/ Parcel Number	Category	Date Filed	Complaint
E180128	31510 E BELL VINE TRL	Property Maint.	08/20/2018	PLEASE HAVE TREE DEBRIS REMOVED FROM ROAD EDGE. COLLECTION WIL NOT PICK UP. OWNER NEEDS TO CALL TREE CO. TO HAVE DEBRIS CHIPPED.
	TH-24-03-376-017			
E180129	22920 W 13 MILE RD	Property Maint.	08/27/2018	PLEASE BE ADVISED THERE IS A DEAD HAZARDOUS TREE ALONG THE REAR LOT LINE, NORTH END.
				PLEASE HAVE THIS TREE REMOVED/CUT DOWN TO MAKE SAFE.
	TH-24-04-452-008			
E180130	21050 SMALLWOOD DR	Ordinance Violation	08/27/2018	WE ARE RECEIVING COMPLAINTS ON 3 BARKING DOGS AT THIS ADDRESS. THE VILLAGE CODE DOES NOT ALLOW HABITUAL BARKING AND OWNERS BY CODE ARE ALLOWED 2 DOGS PER HOUSEHOLD. THERE ARE ISSUES YOU SHOULD BE AWARE OF IN ORDER TO AVOID FURTHER ACTION.
	TH-24-03-127-011			
E180131	30295 LEEMOOR ST	Property Maint.	08/31/2018	PLEASE TRIM ALL TALL GRASS IN DITCH AREA AND CUT AND TRIM FRONT SIDE AND REAR YARD. PR CODE 8' LIMIT
	TH-24-10-251-017			
E180132	30700 MARIMOOR ST	Property Maint.	08/31/2018	PLEASE TRIM ALL TALL GRASS-WEEDS AROUND SHRUB BEDS-F RONT AND REAR OF HOUSE VILLAGE IS RECEIVING COMPLAINTS ON TALL WEEDS AND UNKEPT BUSHES
	TH-24-10-226-006			
E180133	17880 BEVERLY RD	Ordinance Violation	08/31/2018	PLEASE BE ADVISED THAT THE DAMAGED INOPERABLE VEHICLE CANNOT BE KEPT ON THE RESIDENTIAL PROPERTY UNLESS STORED INSIDE A GARAGE. PER VILLAGE CODE. PLEASE MOVE WITHIN 5 DAYS
	TH-24-01-157-014			
E180134	15981 LAUDERDALE AVE	Ordinance Violation	08/31/2018	PLEASE BE ADVISED RESIDENTS MAY NOT HAVE OR KEEP ANY TYPE OF FARM ANIMALS.
				PLEASE HAVE THE POSSIBLE GOAT REMOVED FROM PROPERTY, COMPLAINTS.
	TH-24-01-407-004			

Enforcement Number	Address/ Parcel Number	Category	Date Filed	Complaint
E180135	16158 REEDMERE AVE	Ordinance Violation	09/10/2018	1. REMOVE CAMPER FROM DRIVEWAY. IT HAS BEEN HERE TO LONG, ONLY 3 DAYS FOR LOADING OR UNLOADING. PER VILLAGE CODE. PLACE IN GARAGE OR BEHING HOUSE LINE.
				2. TRASH CANS ADN OTHER ITEMS MUST BE STORED IN GARAGE OR BEHIND HOUSE LINE OUT OF VIEW OR STREET.
	TH-24-01-402-018			
E180136	31732 MAYFAIR LN	Ordinance Violation	09/05/2018	PLEASE BE ADVISED THAT SOME OF THE OUTSIDE LIGHTS ARE GLARING ONTO OTHER PROPERTIES. THE CODE DOES NOT ALLOW FOR LIGHT GLARE ONTO OTHER PROPERTIES. PLEASE DEFLECT LIGHT OR USE LOWER BRIGHTNESS.
	TH-24-02-330-006			
E180137	18269 SAXON DR	Ordinance Violation	09/12/2018	PLEASE BE ADVISED THAT DOGS ARE NOT ALLOWED TO BE LOOSE FROM PROPERTY OR TO HAVE ACCESS TO PUBLIC SIDEWALKS WITHOUT BEING ON A LEASH.
	TH-24-02-227-001			
E180138	18050 BIRWOOD AVE TH-24-01-103-006	Property Maint.	09/19/2018	CUT ALL TALL GRASS AND WEEDS PER VILLAGE CODE.
E180139	31772 ALLERTON DR	Ordinance Violation	09/20/2018	PLEASE BE ADVISED THAT SUMP PUMP WATER CANNOT BE DISCHARGED INTO ROADWAY. WE HAVE EXPOSED THE VILLAGE SUMP LINE WHICH OWNER SHOULD CONNECT HOME LINE TOO VILLAGE LINE.
				PLEASE CONTACT VILLAGE FOR PERMIT AND INSPECTION.
	TH-24-02-402-006			
E180140	18051 KINROSS AVE	Ordinance Violation	09/20/2018	PLEASE CUT BACK HEDGE ALONG SFLD RD SIDEWALK. PUBLIC SIDEWALKS MUST BE KEPT CLEAR. PER VILLAGE CODE.
	TH-24-01-153-001			
E180141	21655 NORMANDALE ST	Property Maint.	09/24/2018	<ol> <li>PLEASE REMOVE LARGE FALLEN TREE BRANCH FROM PROPERTY.</li> <li>REMOVE TWO LAWN MOWERS FROM DRIVEWAY, PLACE IN GARAGE WHEN NOT IN USE.</li> <li>REMOVE ALL OUTSIDE STORED ITEMS METAL SHELVES, TRASH</li> </ol>
				CANS, JUNK BOAT AND YARD TOOLS.
	TH-24-10-154-003			
E180142	16176 WETHERBY ST	Ordinance Violation	09/27/2018	HOME OWNERS ONLY ALLOWED 1 POLITICAL SIGN PER PREMISES, PLEASE REMOVE EXTRA SIGNS. COMPLAINTS
	TH-24-01-401-017			

Enforcement Number	Address/ Parcel Number	Category	Date Filed	Complaint	
<b>Records:</b>	40				

Population: All Records

Enforcement.DateFiled Between 7/1/2018 12:00:00 AM AND 9/30/2018 11:59:59 PM



### Community:

The Oakland County Board of Commissioners' bipartisan Ad Hoc Committee on the Oakland County Election Infrastructure submitted its report and recommendations following a thorough review of the ballot shortages that occurred during the primary election on August 7, 2018. The committee was established in response to widespread reports of problems at the polls and was charged with investigating, gathering feedback from election officials and voters, and issuing recommendations for improving the infrastructure in place for future elections in Oakland County.

The committee actively gathered feedback from people involved at all levels of the election process, including the Oakland County Clerk, the Oakland County Elections Director, members of the Board of Canvassers, local municipal clerks, precinct election workers and voters. This information came in the form of surveys, phone interviews, public forums and online voter incident reports.

According to their report (a full version of which can be found at <u>www.oakgov.com</u>) the committee identified numerous reasons for ballot shortages during the August 7, 2018 primary election, including the complexity and challenges of forecasting voter behavior in the 516 precincts in Oakland County, unprecedented voter turnout and shifting turnout geography due to the volatile political climate, the lack of an emergency response plan among election administrators, and human errors like ballot spoilage and miscommunication that exacerbated problems in an already stressed system. Ultimately, the committee determined that approximately 140 precincts experienced ballot shortages and were resupplied, and approximately 75 precincts exhausted their supply of ballots and had to resort to emergency ballot procedures.

In response to these findings, and after integrating the insights of the many individuals who provided information during the review process, the committee laid out a series of recommendations that could help ensure that future elections in Oakland County run effectively and efficiently. The Ad Hoc Committee on Election Infrastructure offered the following recommendations in their report:

#### • Fund adequate ballot supply

Amend the county budget to authorize sufficient funding for the County Clerk to provide ballot for up to 100% of registered voters

#### • Work with Local Clerks

Request that the County Clerk to develop a new procedure for allocating ballots that involves working collaboratively with local clerks to determine appropriate ballot orders for each precinct

#### Utilize Technology to Develop Better Planning Tools

Request that the Secretary of State provide county elections staff access to absentee voter data to improve election planning capabilities and encourage Elections Division to create an absentee voter tracker program that could integrate the absentee voter data and historical voter data for more accurate turnout forecasting October 2018

#### Minimize Ballot Spoilage

Provide the \$25,000 requested by the County Clerk to launch a voter education effort and urge the State Legislature to consider legislation returning the political party logos to the ballot design

#### • Plan for Election Day Emergencies

Request that the Elections Division, in partnership with the Oakland County Clerk's Association, host a training session to discuss the creation and implementation of a unified response plan for future ballot shortages

#### Improve Communications and Election Day Support Network

Request that the Oakland County Clerk's Association and Elections Division invite the Oakland County Chiefs of Police and Oakland County Homeland Security Division to discuss opportunities for greater partnership and planning for potential Election Day emergencies

#### Explore South Oakland Election Day Operations Center

Evaluate the possibility and value of having a presence close to the southern population centers of the county and supplying this operations center with an emergency ballot printer

#### • Prevent Election Equipment Failures and Provide Improved Election Day Support

Request that the County Clerk maintain timely, high quality customer service from the voting equipment vendor in advance of and during elections, and that the Secretary of State investigate reports of e-poll book failures during the Oakland County primary election and the failure in some precincts to continue utilizing e-poll books throughout Election Day

#### • Expand Election Worker Training and Support

Request that Elections Division partner with local clerks to offer ongoing election work training, including more advanced preparedness training for precinct chairs, and that the Board consider creating a grant program to assist local communities in recruiting new precinct election workers

The committee submitted their report for consideration by the Oakland County Board of Commissioners, the Oakland County Clerk, the Secretary of State, the Oakland County Clerk's Association, local clerks and the people of Oakland County. The committee believes the recommendations are fair and balanced.

REGULAR ZONING BOARD OF APPEALS MEETING MINUTES - SEPTEMBER 10, 2018 - PAGE 1

- Present: Chairperson Raeder; Vice-Chairperson Maxwell; Members: Crawford, Crossen, Gatowski, Mitchell, and Tillman; Alternates: Gennari and Jawad
- Absent: Members: Donnelly and Lepidi
- Also Present: Planning and Zoning Administrator, Erin Saur Planning Consultant, Brian Borden Council Liaison, Rock Abboud

Zoning Board Chairperson Raeder called the regular Zoning Board of Appeals meeting to order at 6:00 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

Motion by Mitchell, second by Crossen, that Case #1353 be heard following Case #1350.

Motion passed.

# **REVIEW AND CONSIDER APPROVAL OF MINUTES OF A REGULAR ZONING BOARD MEETING HELD AUGUST 13, 2018**

Motion by Tillman, second by Maxwell, that the minutes of a regular Zoning Board of Appeals meeting held August 13, 2018 be approved as submitted.

Motion passed.

#### PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA None.

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

#### CASE NO. 1350

Petitioner: Paul Mooney, PRM Custom Builders LLC, 7457 Franklin, Ste 230, Bloomfield Twp, MI 48301

Property: 20655 Glenhill Ct

Village Ordinance: 22.24.010 (a) Front Open Space All Residential Zone Districts require front open space to be not less than the average front open space of existing homes within 200 feet on the same side of the street.

**Deviation Requested:** To build a new house that will be 117 feet from the front lot line where the average front open space is 137.10 feet.

Saur explained the property is zoned R-A, Single Family Residential. Village Ordinance, Chapter 22, Section 22.24.010 (a) Front Open Space requires front open space to be not less than the average front open space of existing homes within 200 feet on the same side of the street. The petitioner is proposing to construct a new home that will be 117 feet from the front property line at the closest point where the average front open space is 137.10 feet.

In 2015, the Zoning Board of Appeals approved a variance for this property, case number 1293, to construct a new home in this location. At that time, there was an existing home on the property that was located 117 feet from the front property line. The existing house was subsequently demolished; however, a building permit for the construction of the new home was not obtained, and per §22.38.040, "A variance shall become null and void if the grantee has not secured a building permit to construct under the variance before one (1) year from the date the variance was granted by the Board." The petitioner is proposing to move forward with construction of the home consistent with the variance that was granted in 2015.

The existing house to the east of the property is 93.3 feet from the front property line and the existing house to the west of the property is 180.9 feet. The front open space average only includes those two existing houses due to the demolition of the house that previously existed on the property.

A copy of the current petition form, documentation from Case No 1293, and minutes from Zoning Board of Appeals meeting held December 14, 2015 were provided.

A letter of objection was submitted by Joseph Kochanek and Julia Dougherty, Glenhill Court.

Mooney spoke, explaining that due to unexpected family issues they were unable to complete the build within the original time allotment, but is prepared to move forward at this time.

Motion by Tillman, second by Crawford, that the Zoning Board of Appeals grants a variance from the requirements of Section 22.24.010 (a) to allow the petitioners to build a new single family residence that will be no closer than 117 feet from front lot line due to practical difficulties of location of the previous home and cul-de-sac, shape of the lot, topography, and variance previously granted in 2015.

Roll Call Vote: Motion passed (9-0).

#### CASE NO. 1353

Petitioner: Julie Fream and Robert Lawrence, 1620 Northlawn Blvd, Birmingham, MI 48009

**Property:** 20605 Glenhill Ct

Village Ordinance: 22.24.010 (a) Front Open Space All Residential Zone Districts require front open space to be not less than the average front open space of existing homes within 200 feet on the same side of the street.

**Deviation Requested:** To build a new house that will be 71 feet from the front lot line where the average front open space is 137.10 feet.

Saur explained the property is zoned R-A, Single Family Residential. Village Ordinance, Chapter 22, Section 22.24.010 (a) Front Open Space requires front open space to be not less than the average front open space of existing homes within 200 feet on the same side of the street. The

REGULAR ZONING BOARD OF APPEALS MEETING MINUTES – SEPTEMBER 10, 2018 – PAGE 3

petitioner is proposing to construct a new home that will be 71 feet from the front property line at the closest point where the average front open space is 137.10 feet.

The existing house is 93.3 feet from the front property line and the only other house within the averaging area is located 180.9 feet from the front property line. The petitioners are proposing to demolish the existing house and are seeking to angle the new house closer to the cul-de-sac. The petitioner has submitted a site plan which shows the proposed location of the new house meets all other setback requirements. A survey will be required for building permits to be issued that confirm conformance with the remaining setback requirements as well as plans demonstrating compliance with applicable Zoning Ordinance standards.

A copy of the petition form and site plan were provided.

A letter of objection was submitted by Joseph Kochanek and Julia Dougherty, Glenhill Court.

A letter of support was submitted by Leonard and Eileen Terman, Village Drive.

Lawrence explained he and his wife purchased the lot with the intention to build their primary residence there. The lot is a deep lot, with a large wooded area in the rear that they would like to preserve, it creates a green screen for the home and surrounding neighbors.

Motion by Mitchell, second by Tillman, that the Zoning Board of Appeals grants a variance from the requirements of Section 22.24.010 (a) to allow the petitioners to build a new single family residence that will be no closer than 71 feet from front lot line due to practical difficulties of the rear yard slope and drop off, and the placement of neighboring lot.

Roll Call Vote: Motion passed (9-0).

# CASE NO. 1351

Petitioner: Colleen Miller, 847 Davis Ave, Birmingham, MI 48009

**Property:** 32785 Eastlady Dr

**Village Ordinance: 22.24.010 (a) Front Open Space** All Residential Zone Districts require front open space to be not less than the average front open space of existing homes within 200 feet on the same side of the street.

**Deviation Requested:** To build a new house that will be 80 feet from the front lot line where the average front open space is 94.9 feet.

Saur explained the property is zoned R-A, Single Family Residential. Village Ordinance, Chapter 22, Section 22.24.010 (a) Front Open Space requires front open space to be not less than the average front open space of existing homes within 200 feet on the same side of the street. The petitioner is proposing to construct a new home that will be 80 feet from the front property line at the closest point where the average front open space is 94.9 feet.

REGULAR ZONING BOARD OF APPEALS MEETING MINUTES - SEPTEMBER 10, 2018 - PAGE 4

Within the averaging area, the existing house sits 109.4 feet from the front property line and the neighboring homes have front setbacks that measure 89.9 feet and 85.6 feet. The submitted survey notes an easement for overhead utility lines that bisects the rear open space.

A copy of the petition form, topographic property survey, proposed floor plans, and front elevations of proposed house were provided.

Miller explained that they purchased the home with the intention for it to be their primary home with four children. She expressed her concern that having utility lines close to her home and rear patio create a risk of fire or otherwise to her home and family.

Joe Wright, Eastlady, requested clarification on the front of the home relative to other homes on the street.

Motion by Crossen, second by Tillman, that the Zoning Board of Appeals grants a variance from the requirements of Section 22.24.010 (a) to allow the petitioners to build a new single family residence that will be no closer than 80 feet from front lot line due to practical difficulties of the location of the utility easement, and the potential danger of utility lines near a two story home.

Roll Call Vote: Motion passed (9-0).

### CASE NO. 1352

Petitioner: Derrick Haselhuhn, Vangeloff Management KFC, 26448 Grand River Ave, Redford, MI 48240

**Property:** 15616 Thirteen Mile Rd

**Village Ordinance: 22.32.110 Permanent Business Sign Standards:** Wall signs shall not exceed 30 square feet.

**Deviation Requested:** To install a new wall sign that will be 156 square feet.

Saur explained the property is zoned B, Business. Village Ordinance, Chapter 22, Section 22.32.110 Permanent Business Sign Standards limits wall signs to 30 square feet. The petitioner seeks to remove the existing nonconforming wall sign and install a new wall sign on the front of the building as part of a major interior and exterior renovation. The last permit record for permanent signage at this property shows the wall sign was in compliance with the ordinance standards at that time.

At the meeting held August 22, 2018 the Planning Commission discussed the proposed new sign and how to calculate the square footage of the proposed wall sign. The submittal details application of a wall decal onto a red and white stripped aluminum panel measuring 156 square feet that would be affixed to the front façade of the building. Below is the text from Chapter 22, Section 32 Signs which defines what is considered a sign as well as the method for computation of the sign area. 22.32.020. Definitions, Sign: Any object, device, logo, display or structure, or part thereof, which is intended to advertise, identify, display, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means. Signs shall include banners, bulbs or other lighting devices, streamers, pennants, balloons, propellers, flags and any similar device of any type or kind whether bearing lettering or not 22.32.030. Measurement of Sign Area, 1. Single-Face Sign total area shall be computed as the number of square feet within lines drawn at the outer perimeter forming any single and/or combination of geometric shapes, such as a square, rectangle, triangle or circle encompassing the extreme limits of an individual letter(s), word(s), message(s), representation, emblem or any similar figure, including open space(s), together with any frame or other material forming an integral part of the display used to differentiate such sign from the background against which it is placed.

At the Planning Commission meeting, the petitioner verbally agreed to painting the panel solid red, in lieu of stripping, which would match the approved façade updates which detail the building to be painted red in the area the aluminum panel will be installed. The proposed decal has also been modified from the submittal to the Planning Commission to remove lettering and symbols, and will only include the image of Colonel Sanders, which measures 41.8 square feet. The signage will to be in compliance with the illumination standards.

Section 22.32.120 Nonconforming Signs, paragraph (4) Intent states that "it is the intent of this Section to encourage eventual elimination of signs that may, as a result of the adoption of this Section, become nonconforming over a period of time." The applicant has the right to retain the existing nonconforming sign, but removal and installation of a new sign could be viewed as contrary to the intent of the Village sign regulations.

Procedurally, if granted a variance, the sign permit application still requires approval by the Planning Commission. Attached are the renderings of proposed signage and minutes from the Planning Commission meeting held August 22, 2018.

Haselhuhn explained that the building updates and requested variance fall within the scope of a national rebranding campaign by Kentucky Fried Chicken. The placement of the exterior sign allows for interior redesign as well. He has been before the Planning Commission and has complied with all other requested modifications to the original proposal.

Reader suggested that the applicant meet with his design team to determine if the sign decal could be scaled to a smaller size to come into compliance.

Motion by Tillman, second by Mitchell, that the Zoning Board of Appeals postpones all discussion on Case #1352 to the next meeting.

Motion passed.

# CASE NO. 1354

Petitioner: Glenn Hummel, 4219 Sheridan Dr, Royal Oak, MI 48073

**Property:** 19242 Warwick St

REGULAR ZONING BOARD OF APPEALS MEETING MINUTES - SEPTEMBER 10, 2018 - PAGE 6

Village Ordinance: 22.08.070 Corner Lot Setback on the Side Street in Residential Zone Districts: All Residential Zone Districts require the minimum setback on the street side equal to the front setback for the Zone District where there is an abutting interior lot.

**Deviation Requested:** To build a second story addition that will be 36 feet from the street side lot line where the minimum front open setback is 40 feet.

Saur explained the property is zoned R-2B, Single Family Residential. Village Ordinance, Chapter 22, Section 22.08.070 Corner Lot Setback on the Side Street in Residential Zone Districts requires the minimum setback on the street side equal to front setback for the Zone District where there is an abutting interior lot. The petitioner is proposing to construct a second story addition that will be 36 feet from the street side property line where the stated minimum front setback is 40 feet.

The proposed addition will sit farther back from the street than the existing garage and neighboring home. The existing attached garage is 30 feet from the street side property line and the abutting house to the north on Inglewood has a front setback of 30 feet.

A copy of the petition form, site plan, floor plans, and elevations was provided.

The Village received 11 letters from surrounding neighbors, including the neighbor directly north abutting the property, in support of the variance and improvements to the house. Thomas Morgan and Ralph Jones, Warwick; Cathy Sheppard, Inglewood; Michelle Fournier, Inglewood; Susan Weed, Warwick; Mark Harabedian, Inglewood; Sharon Grabowski, Warwick; Witold and Lynn Sztykiel, Warwick; Michael and Marina Moriarty, Warwick; Candace Raimi, Warwick; William and Linda MacQueen, Inglewood; Jeff Knudson, Warwick.

Hummel explained that the property is located on a corner lot. Staying within the existing footprint is a priority, and the rear pitch and angle of the home make it difficult to build off of the back.

Motion by Mitchell, second by Gatowski, that the Zoning Board of Appeals grants a variance from the requirements of Section 22.08.070 to allow the petitioner to build a second story addition that will be no closer than 36 feet from street side lot line due to practical difficulties of the shape of the lot, current location and footprint of home on the lot, and topography.

Roll Call Vote: Motion passed (9-0).

# PUBLIC COMMENTS

None.

#### LIAISON COMMENTS

Abboud thanked the Board for their time and efforts.

#### **ADMINISTRATION COMMENTS**

Saur thanked everyone for attending the training session. She advised them the November meeting would be held in the Southfield Township office.

REGULAR ZONING BOARD OF APPEALS MEETING MINUTES – SEPTEMBER 10, 2018 – PAGE 7

# ZONING BOARD COMMENTS

None.

Motion by Mitchell, second by Tillman, to adjourn the meeting at 7:10 pm.

Motion passed.

Charles Raeder Chairperson Chris Wilson Village Clerk Elizabeth M. Lyons Recording Secretary

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

# MINUTES OF THE SOUTHFIELD TOWNSHIP BOARD OF TRUSTEES MEETING HELD ON SEPTEMBER 11, 2018

Nelson called the Compensation Committee meeting to order at 7:25 p.m. Scarcello and Nelson present. Walsh was contacted by phone and expressed his approval.

**Motion** by Scarcello, supported by Nelson, to approve the agenda from the Compensation Committee meeting on July 16, 2018.

# Motion carried.

**Motion** by Scarcello, supported by Nelson that the Compensation Committee meeting minutes from July 16, 2018, be approved as submitted.

# Motion carried.

Nelson asked for any comments from the audience. Hearing none the meeting was adjourned at 7:30 p.m. by Nelson.

Supervisor Schmitt called the Township Board Meeting to order at 7:30 p.m. at the Township Hall.

# **ROLL CALL:**

Present: Supervisor Schmitt, Clerk Tischler, Treasurer Mooney and Trustees Nelson, O'Reilly and Scarcello

Absent: Cook

Others Present: Sandra LaJoie, Deputy Clerk

# Supervisor's Report

Schmitt commented that today is the 17<sup>th</sup> day of the anniversary we will never forget. Schmitt commented the pet scanners are now available.

# **Clerk's Report**

Tischler noted 884 dog licenses have been purchased compared to 890 last year and 43 cat licenses have been issued compared to 65 last year.

Tischler stated a FOIA request from United Impact Group for copies of Absentee Ballot envelopes, applications and ballots from the November 8, 2016 election have been requested. A response was prepared and both e-mailed and hard copied advising an estimated cost to produce the request with a response date and required deposit by November 1, 2018. Tischler further

# P a g e | 2 Board of Trustees Regular Meeting Minutes- September 11, 2018- DRAFT

noted that every local unit of government in the entire State has received this request. This is a Democratic funded request with the suggested purpose of researching why voters do not vote the entire ballot.

Tischler commented that preparations are underway for the November Gubernatorial Election, the ballot will contain three State proposals, seven Bingham Farms proposals and one proposal in Franklin along with candidates for Village Council seats. Tischler noted straight party voting will not be possible due to court order so voting time will increase as a vote for candidates will require the filling in of each box next to each candidate's name. The ballot is double sided.

Tischler called to the Boards attention the September issue of the Michigan Township Focus magazine page 32 titled "Around the State" Townships in the Spotlight", which this month features Southfield Township.

# **Treasurer's Report**

Treasurer Mooney stated to date we have received 77% of the summer taxes with 3 days left before the deadline.

# <u>PUBLIC COMMENTS ON ITEMS NOT CONTAINED ON THE PUBLISHED</u> <u>AGENDA:</u>

No one wished to be heard.

# **APPROVAL OF AGENDA:**

Motion by Mooney, supported by Scarcello, the agenda be approved as presented.

Motion carried unanimously.

# APPROVAL OF JULY 10, 2018 REGULAR MEETING MINUTES:

O'Reilly noted on page 8 second **"WHEREAS"** last sentence, strike **"reviewing"** after the word "and." Also on page 8 O'Reilly noted "**NOW THEREFORE IT BE RESOLOVED"** number 1 first line after "specific add "to".

Motion by Mooney, supported by O'Reilly to approve the June 12, 2018 as amended.

Motion carried unanimously.

# DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION TO ACCELERATE FORFEITURE OF ABANDONED PROPERTY:

# RESOLUTION TO ACCELERATE FORFEITURE OF ABANDONED PROPERTY

Motion by Mooney, seconded by Nelson, the resolution be adopted:

- **WHEREAS,** the governing body of Southfield Township determines that parcels of abandoned tax delinquent property exist;
- **WHEREAS,** abandoned tax delinquent property contributes to crime, blight, and decay within Southfield Township;
- WHEREAS, the certification of tax delinquent abandoned property as certified abandoned property will result in the accelerated forfeiture and foreclosure of certified abandoned property under the general property tax act and return abandoned property to productive use more rapidly, thereby reducing crime, blight, and decay within the Township.
- **THEREFORE, BE IT RESOLVED** that Southfield Township hereby notifies residents and owners of property within the Township that abandoned tax delinquent property will be identified and inspected and may be certified as certified abandoned property under the certification of abandoned property for accelerated forfeiture act and subject to accelerated forfeiture and foreclosure under the general property act.

# **ROLL CALL:**

Ayes:Tischler, Mooney, Nelson, O'Reilly, Scarcello, SchmittNays:NoneAbsent:Cook

# **DISCUSSION AND POSSIBLE APPROVAL OF OPEB RESOLUTION:**

Supervisor Schmitt asked Nelson to review the following Resolution:

Clerk Tischler is the only Township employee who is, or will be, eligible for Other Post-Employment Benefits (OPEB), specifically retiree medical insurance. The Township's liability for this benefit is in the area of \$155,000. In a fund restricted to retiree health insurance the Township has approximately a corresponding \$155,000. The Compensation Committee was asked to study the situation and make a recommendation to the Township Board whether the Township should transfer the restricted funds to a trust solely under the control of the employee and be relieved of all further liability and reporting of the OPEB funds. Attached are proposed minutes of the committees meeting held July 16, 2018. While they are only proposed, as of this writing, they are expected to be finalized and approved in exactly the attached form before the September Township Board Meeting.

# **Suggested Resolution:**

Resolved by \_\_\_\_\_, seconded by \_\_\_\_\_, that an actuarial study will be made to determine the amount of the Township's retiree healthcare liability as of September 30, 2018; Further, MERS will provide an accounting of the value of the MERS Retiree Healthcare Trust as of September 30, 2018; Further, the lesser of the MERS assets or the actuarial liability, minus the cost of the actuarial study, will become the amount of the lump sum payment offered to Clerk Tischler: Further, Clerk Tischler will then have the option of accepting or refusing the lump sum offer. Should she accept the offer, the MERS account will then be restructured as an individual account and continue to be administered by MERS, but managed by Clerk Tischler. Additionally, upon completion of the transfer, the Township's OPEB trust will terminate and the Township will have no further OPEB liabilities.

It is further resolved, Clerk Tischler shall have 14 days after receipt of both the actuary study and the MERS report to accept the Township's offer. Failure to accept constitutes and rejection. Upon acceptance of the offer, the Township Attorneys will draw up the necessary documents to direct MERS to proceed with transferring the account into Clerk Tischler's name, and the Township Supervisor is authorized to sign such documents as are necessary to complete the transaction.

# **ROLL CALL:**

Ayes: Nays: Absent:

**Motion** by Treasurer Mooney, supported by O'Reilly, to table this Resolution until we have a full representation from the Board this is a critical decision and the entire Board needs to be involved in the decision.

Motion carried unanimously. Nay- Schmitt

# **DISCUSSION AND POSSIBLE APPROVAL OF JULY EXPENDITURES:**

Motion by Nelson, supported by O'Reilly, to approve the July expenditures as follows:

101 General Fund	\$ 36,266.59
703 Tax Fund	<u>\$4,360,356.71</u>
Total	\$ 4,396,623.30

Mooney answered all questions.

Motion carried unanimously.

### **DISCUSSION AND POSSIBLE APPROVAL OF AUGUST EXPENDITURES:**

Motion by Nelson, supported by Scarcello, to approve the August expenditures as follows:

101 General Fund	\$ 57,602.31
703 Tax Fund	<u>\$7,703,706.92</u>
Total	\$ 7,761,309.23

Tischler answered all questions.

Motion carried unanimously.

### **COMMENTS FROM THE AUDIENCE:**

No one wished to be heard.

# **COMMENTS FROM THE BOARD:**

Scarcello thanked Schmitt for his opening comments.

Meeting adjourned 7:58 p.m.

Phillip Schmitt, Supervisor

Sharon Tischler, Clerk

These minutes are not official. The Board of Trustees has not formally approved them.

Present:	Abraham, Eick, McLain - Birmingham
	Bayer, Borgon, Delaney (non-voting liaison), Gugni – Beverly Hills
	Stakhiv - Franklin
Absent:	Ettenson – Bingham Farms
	Fenberg, Heldt, Shand – Birmingham
Also Present:	White – BACB Executive Director
	Currier – Attorney for Cable Board
	Rota – Bloomfield Community Television

McLain called the meeting to order at 7:45 AM in the Village of Beverly Hills Municipal Building at 18500 W. Thirteen Mile Road.

McLain announced that Jeffrey Heldt has retired from the Board. She thanked him for his many years of service to the Cable Board.

#### APPROVE MINUTES OF CABLE BOARD MEETING HELD August 15, 2018.

Motion by Bayer, seconded by Gugni to approve the minutes of the Regular Cable Board Meeting on August 15, 2018, as presented.

Motion Passed (7-0).

#### **PUBLIC COMMENTS**

None

### <u>MUNICIPAL SUPPORT SERVICES GRANT REQUEST - VILLAGE OF BEVERLY</u> <u>HILLS</u>

McLain reported that Ellen Marshall has now retired from her position as Village of Beverly Hills Clerk. Chris Wilson, Beverly Hills Village Manager, will discuss the request.

White had very positive comments about Marshall, including how supportive she was in making White's interactions with the Village very easy. Marshall will be greatly missed.

McLain mentioned she had personally expressed her "Thank You" to Marshall.

Wilson referred to the memo dated August 1, 2018 from Ellen Marshall regarding the web streaming services of the Birmingham Area Cable Board and Village of Beverly Hills Council meetings by Stream Dynamics. The requested grant would cover the amount of \$3,665.00 for the period of August 1, 2017-July 31, 2019 which includes \$2,465.00 for FY2017/18 and \$1,200.00 for FY2018/19. The cost reduction for the web streaming is due to the new website and the Village not needing Stream Dynamics' support package.

Motion by Stakhiv, seconded by Bayer to approve a Municipal Support Services Grant for web streaming for the Village of Beverly Hills for an amount not to exceed \$3,665.00 for FY2017/18 (August 1, 2017-July 31, 2018) and FY2018/19

(August 1, 2018-July 31, 2019).

Referring to the last paragraph of Marshall's memo, Stakhiv corrected the typo error in the year. It should read,"...for the period August 1, 2018-July 31, 201<u>9</u>".

Roll Call Vote: Motion Passed (7-0).

#### **ELECTION OF NEW TREASURER**

McLain reported that Heldt had been Treasurer for a very long time and had streamlined many of the Cable Board's services, assisted in budgeting, and in forecasting. He has worked closely with White and has helped guide the audit, as well. She wishes him the best.

McLain continued by saying the Cable Board is fortunate to have Michael Fenberg on the Board, who, if elected, will fill the position. He was a long time member of the Birmingham Board of Education, is active in the community, as well as being a finance professional. He was absent from this meeting but has given McLain his verbal acceptance to the position of Treasurer of the Cable Board. Still pending are the documents of compliance that his firm requires him to sign before taking on his new position as Treasurer. White will help accomplish that task.

McLain opened the floor for nominations.

Gugni nominated and Eick seconded the nomination of Michael Fenberg as Treasurer of the Birmingham Area Cable Board. There were no further nominations. Fenberg has accepted the nomination in absentia and was elected Treasurer by acclamation.

Fenberg and McLain have already talked about further forecasting and planning for the future, all of which are extremely important. She stated that she was very thankful that he has stepped up to do this. It's a big job and he will be working closely with White.

The Board expressed its special thanks to Heldt for his many years of service to the Cable Board and to the communities.

#### **COMMITTEE REPORTS**

#### **Cable Action Committee**

Eick reported that the website is very close to completion. There had been a conference call with the committee members to discuss the specifics with Muniweb. Hopefully by the next meeting there will be final recommendations. McLain thanked all those on the committee, Eick for spear-heading this task, Bayer for doing the details and Abraham for his analysis. McLain commented that not only will the new website do exactly what the Cable Board wants it to do which is be an outreach to the communities but also be more user friendly. She found this and the creativity to be very energizing.

White announced the next CAC meeting will be Thursday, October 4 at 4:30 PM at the Baldwin Public Library.

#### **PEG Committee**

Borgon, Chair, reported that the Baldwin Library issues are still pending. The Committee is still waiting for cost estimates from two (2) more vendors. Hopefully, he will have them for the next meeting. The purchase of a drone was discussed for the production of sporting events and parades. It was decided that since there are certified drone operators in the area who have their own drones and cameras, it might be prudent to explore using them for the sporting events. This, however, is on hold. Another subject discussed was the need for more recognition of the Cable Board, especially in a listing of credits at the end of a production. Rota suggested the creation of some signs indicating when and at what location these productions are being filmed. The cost would be less than \$1,000 and White could approve the cost before next meeting.

Date and time for the next meeting was undecided.

#### **EXECUTIVE DIRECTOR'S REPORT**

White referred to her monthly report dated September 5, 2018. The complaint pending from last month involved a Beverly Hills resident who was not receiving the internet speed from WOW that he had been promised. This was due to a temporary line used for construction which has since been repaired and the speed is much better. This complaint is closed. There were three (3) new complaints since the August meeting. The first (1<sup>st</sup>) complaint was from the manager of the Williamsburg of Birmingham condominiums and was similar to the one filed with and resolved by Comcast. This particular complaint involved WOW lines which needed to be buried. WOW has addressed this matter and this complaint is now closed. The second (2<sup>nd</sup>) complaint came from a Beverly Hills resident concerning a Comcast wire down in the street near his house. Comcast has raised the wire. This complaint is closed. The third (3<sup>rd</sup>) complaint was from a Beverly Hills resident regarding on-going problems with her AT&T internet, cable and phone service. Originally she had been told that it would be a week before a technician could come to her house to fix the service. However, once a complaint was submitted to AT&T, an AT&T technician was able to go out to her house the next morning to do the repairs. This complaint is closed. White thought AT&T should be commended for its prompt response.

White reminded the Public that the Cable Board's primary mission is with cable issues, not internet-related issues. However, as a courtesy she tries to help people when she can.

The account balances for the MBS, BBCU and Beverly Hills accounts as of August 31, 2018 were provided to the Board. If a Board Member has a question about the reports, please let White know.

There is a large balance at Beverly Hills. Today she would be requesting a transfer of funds to the Credit Union. The timing of her receiving balance information was discussed.

Since the last meeting White has written four (4) checks on behalf of the BACB. She noted the quarterly contract payment to the Township of Bloomfield for BCTV. Other checks were for Municipal Support Services Grants written to Franklin-Bingham Farms Police Dept. and to the Village of Beverly Hills, both for on-going expenses related to internet costs.

#### Additional Notes

White reported on an article that says that NBCUniversal is readying the launch of a streaming service that pays viewers to watch its shows. The company intends to incentivize viewers with giving away redeemable points and gift certificates. Single episodes of a show will be shown with the hopes of enticing viewers to want to watch the entire season. As of August 10th this service has not yet been launched but more information would be available on WatchBack.com. The article also said that NBC has had a spotty track record in launching streaming services. However, that company does have a 30% stake in the streaming giant Hulu.

For the benefit of the public, White pointed out the reason for her reporting on articles about "streaming". Local municipal governments do not receive any revenue from streaming services but they do from cable. The Board needs to watch the trends as they will impact its financial bottom line. Also of interest, the audit is scheduled for October 1-3, on-site at Beverly Hills. She will be interacting with the auditors. As usual, Board members will also be getting its yearly communication from them requesting information.

McLain reported that she had heard a conversation on the radio about those who were "pronouncing" cable dead. Watching on multiple screens and streaming was going to expand but those who are invested in television and broadcasting were not going to let it die. Therefore, BACB is more important than ever. Having just returned from the National NATOA Conference, she was very excited to give her report on such issues.

#### **PROVIDER RELATED TOPICS**

**a. Comcast** There was no representative present.

#### b. AT&T/Uverse/Direct TV

There was no representative present.

#### c. WOW

There was no representative present.

McLain commented that this month each provider had escalated a complaint. She pointed out that each complaint gets the same attention. Whether it involves a Board member or someone at home or even outside our community, if the Cable Board can refer them for escalation that is what the Board does. Also, Board members do not get any special preference when reporting a personal problem.

White referred to a discussion at last meeting month's concerning how responsive the new WOW representative would be since she is based in Colorado. She reported that Leslie Bowman, the escalation representative, was very responsive to the latest WOW complaint.

McLain passed on a WOW complaint received from someone who was outside our four (4) communities. If there is a death in the family and the name on the cable bill needed to be changed, each provider has a different process. Generally, all of them request a death certificate;

either mail it, fax it, email it or physically take it to an office, which sometimes can be inconvenient. She personally has assisted with this. If a resident needs help, call White (248-336-9445).

#### **BAPA/BAMA REPORT**

Rota referred to his memo to BACB dated September 5, 2018. He listed the completed **BAMA** Programs which were eight (8) regularly scheduled municipal meetings, the BACB Meeting, the Parks and Rec Board Meeting, the Multi Modal Meeting, the Zoning Board Meeting and two (2) Baldwin Public Library Board and Trust meetings.

For the **BAPA** Programs, from the BACB area individual producers and organizations, thirtythree (33) programs were taped. He listed all five (5) upcoming fall sports to be filmed: Boys' Soccer at Groves (9/29), Boys' Water Polo (10/1), Girls' Swim at Seaholm (10/11), Volleyball at Seaholm (10/18) and Football at Groves (10/19).

**PRODUCER WORKSHOPS and/or CAMERA WORKSHOPS**- BCTV is offering a one-onone session for those who are interested in producing their own show and for those who want experience behind the scenes. Please call 248-433-7790 and BCTV will schedule a date and time for you.

McLain confirmed Borgon was going to review the policy and procedure manual and contract at an upcoming PEG meeting.

#### **OLD BUSINESS**

Borgon wondered how the Board justifies giving grants to the Village of Beverly Hills and the Franklin-Bingham Farms Police Department for internet costs, if the Cable Board has an obligation for TV but not for internet. Currier explained that the grants also incorporate cable and internet costs as a package deal. Borgon requested that this point should be indicated and clarified. Currier added that internet also streams community meetings which allow communication with the citizens.

McLain reported on her NATOA National Conference in Philadelphia a few weeks ago. It was a very collaborative meeting and very different from the meetings she had attended the last couple of years. It was not all about the big picture, but also about what happens in the small communities and what they (we) are actually doing about planning for future revenue. The focus was on community activity. There was a whole different "track" for those involved in production which might be beneficial in the future. She, however, attended all the meetings about municipal government, sharing information, PEG funding and legislative changes. She found through her interactions with others from around the country, even Hawaii, the issues are very similar: governmental transparency, communication and funding. She met with some vendors and has information for Rota about "closed captioning". She feels that if the Cable Board is going to be compliant and forward thinking in how cable communicates, it might want to consider "closed captioning" as another important resource for reaching all members of the community. Also discussed was the collaboration and balance with the providers with regards to: "connectivity", location and aesthetics of small cells, uses of the public rights-of-way and technology. She will

be sharing all this information with Michigan NATOA at its next Board Meeting as she is on that Board. She was the only representative from Michigan, as it was thought that the sessions and workshops would not focus on what our communities do here. She thanked the Board for sending her to the meeting. She has been in communication with people who attended and has also joined the committee for FirstNet which is the First Responder Network which is her personal health and safety commitment. She will send everyone her report and post it on BACB's new website.

#### **NEW BUSINESS**

Currier had some comments on the small cell technology. There is legislation pending in Lansing regarding what a provider must do to install and maintain small cell technology and how much communities can charge for the various poles. "Pole pollution" is a concern.

Delaney and McLain attended the NEXT Board meeting and he reported that the Senior Services Committee would be coming back and bringing several different services to the communities. McLain added background information and program offerings of NEXT, which is the former BASCC. The future of NEXT was also discussed at the meeting.

#### **PUBLIC COMMENTS**

None

#### **BOARD COMMENTS**

McLain traveled to Sandusky, MI for work-related reasons and noticed that there was very little connectivity in the area. She is very concerned about the situation, especially for health and emergency services.

There being no further business, the meeting was adjourned at 8:29 AM

- Present: Chairperson Ostrowski; Vice-Chairperson Westerlund; Members: Borowski, Copeland, Drummond, Grinnan, Stempien, and Wilensky
- Absent: Member: Ruprich
- 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 Westerlund, second by Grinnan, to approve the agenda as published.

Motion passed.

### **REVIEW AND CONSIDER APPROVAL OF REGULAR PLANNING COMMISSION MINUTES OF MEETING HELD AUGUST 22, 2018**

Motion by Grinnan, second by Westerlund, to approve minutes of a regular Planning Commission meeting held August 22, 2018.

Motion passed.

#### PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Cynthia Nagel, Kirkshire and Lisa Napolitan, Kirkshire spoke about their concerns related to the construction of new homes in their neighborhood.

Wilensky arrived at 7:34 pm.

Borowski arrived at 7:37 pm.

# **REVIEW AND CONSIDER REQUEST FROM DARLENE BUGAJ, 16255 MADOLINE FOR A 6FT, SOLID PRIVACY FENCE**

The Village of Beverly Hills has received an application for a six (6) foot high, solid style wooden fence to be installed along the rear property line at 16255 Madoline. Per Section 22.08.150, the applicant is seeking approval from the Planning Commission to mitigate an essential safety or privacy concern. The abutting property owners were notified of the request and meeting date per requirements of Village Ordinance.

The proposal, attached, is to install 100 feet of treated red pine, solid, dog-ear fencing that will be six feet above grade with the finished side facing outwards. There is existing four (4) foot high, chain link style fencing enclosing the rear yard. The plans detail the existing fence will remain in place. Per ordinance, the applicant will need to detail why the existing fencing will remain, and provide a four (4) inch gap at the bottom of the new fencing to permit maintenance between the fences if the existing chain link cannot be removed.

The applicant must provide to the Commission the essential safety or privacy concern that will be mitigated by the proposed fencing and demonstrate that the size, location, height, design, and materials of the fence are aesthetically in harmony with the property on which it is located. And that any proposed removal of vegetation and trees and disturbance to natural terrain has been minimized.

Bugaj explained that she has been a homeowner for 24 years, there is limited sunlight and she has had difficulty growing any vegetation along her fence line. The fence would also help provided security and reduce the noise pollution from 13 Mile Road. She submitted letters of support from two of the three neighbors; the third house is currently unoccupied.

Drummond inquired about the current chain link fence. Bugaj explained that the fence would stay up, but the wooden fence would be raised high enough to maintain the grass underneath.

The Commission suggested the applicant explore options for green screening.

Motion by Drummond, second by Grinnan, that the Planning Commission denies a permit to install 100 feet of six (6) foot high, red pine, dog-ear, solid style fencing to be installed at 16255 Madoline due to the insufficient safety concerns provided by the applicant.

Roll Call Vote: Stempien yes Westerlund yes Wilensky yes Borowski yes Copeland no Drummond yes Grinnan yes Ostrowski yes Motion passed (7-1)

# PUBLIC HEARING FOR SPECIAL LAND USE APPROVAL FOR MODIFICATIONS AT WOODSIDE ATHLETIC CLUB, 22440 W. 13 MILE ROAD

Borden reviewed the request for special land use and site plan review (plans dated 8/31/18) for improvements to the Woodside Athletic Club, which is located at 22440 W. 13 Mile Road. The subject site and surrounding properties are within the R-1 zoning district, which permits private and social clubs with special land use approval.

The proposed project entails removal of the existing "kiddie" pool and construction of a new one, new outdoor seating/eating spaces, improved pedestrian connections, a new playground area, a new sport court (in place of an existing paddle ball court) with fencing and new landscaping. The project also appears to necessitate site grading, which will be subject to review/approval of a detailed grading plan by the Director of Public Services and Village Engineer.

Eric Phillips and Dave Lutz, Board Members at Woodside, explained that all proposed changes would be within the Club property lines and increase accessibility, safety, and usability.

Ostrowski opened the public hearing at 8:12 pm.

The following residents spoke in favor of the Woodside renovations, citing need for increased accessibility, usage, and safety at the club.

Bill Harvey, Old Stage Road Philip Troutman, Bradford Forest Wall, Metamora Jason Kollman, Wilshire Sara Locricckio, Georgetown Katie Bates, Shagbark Brian Petersen, Sleepy Hollow Ln Brad Mann

Residents Amy Kleinlein, Riverbank, and Holly Hudson Hatt, Riverbank, supported the project because it would require sidewalk installation along 13 Mile Road.

The following residents spoke in opposition, expressing concerns about safety for their homes, encroachment onto their private property, and noise.

Darcy Salman, Old Stage Road Steve Paul, Old Stage Road Carol Paul, Old Stage Road

Ostrowski closed the public hearing at 8:35 pm.

#### REVIEW AND CONSIDER RECOMMENDATIONS FOR SPECIAL LAND USE AND SITE PLAN APPROVAL FOR WOODSIDE ATHLETIC CLUB, 22440 W 13 MILE ROAD

Boden reviewed that Woodside is a well-established club in the Village and is one of the longstanding non-residential uses providing valuable services to the residents. The principal use of the property as an athletic club is generally compatible with the primarily residential nature of the Village , surrounding properties ,, especially given the wooded area between the site and surrounding residences.

The proposed project entails removal of the existing "kiddie" pool and construction of a new one, new outdoor seating/eating spaces, improved pedestrian connections, a new playground area, a new sport court (in place of an existing paddle ball court) with fencing and new landscaping. The project also appears to necessitate site grading, which will be subject to review/approval of a detailed grading plan by the Director of Public Services and Village Engineer.

Aside from the playground area, the proposed project includes improvements to the already developed portions of the site and is expected to remain compatible with adjacent uses and zoning.

The club has a lengthy history, dating back to 1965 (per Village records). Over time approvals and variances were granted allowing the development essentially as it exists today. Past approvals included conditions to protect surrounding residential uses, including a 100-foot buffer from the westerly lot line preventing structures, preservation of a 16-foot landscape buffer along the west side lot line and hours of operation (a 10PM close time).

Given the nature of the project and retention of existing landscaping screening, the proposal is not expected to hinder development or impair the value of surrounding properties. The height of proposed sport court fencing (10') requires Planning Commission approval under Section 22.08.150(E).

The proposed sport court has the potential to generate additional noise and light. While the existing landscape buffer will help to mitigate these impacts, the applicant must provide the hours of operation, as well as an indication of whether the court will be lit. The plans note that it will not be lit.

As previously noted, past approvals restrict development within the westerly 100 feet of the site. The nearest improvements/structures proposed are the playground area and reconfigured kiddie pool, both of which meet or exceed this condition.

The proposed sport court is approximately 20 feet from 13 Mile right-of-way line and, by definition is located in the front open space. Although Section 22.08.100 prohibits accessory structures within the front open space, the location was granted by the ZBA in 1975. The proposed sport court provides the same location and dimensions as a previously approved and constructed paddle ball court. Since the project entails improvements to an existing approved structure, a variance is not needed.

No changes are proposed to the existing parking lot design. A note on Sheet C-102 states that 77 spaces are provided, including 3 barrier free spaces. Given the total number of spaces provided, current standards require 1 additional barrier free space. Additionally, the parking requirement for athletic clubs is based on occupancy/patrons and employee count. It is requested the applicant provide a more detailed calculation to ensure current parking requirements are met. Furthermore, a condition of the ZBA approval from 1975 required the club to provide 91 paved parking spaces. The applicant must explain the current parking deficiency from this conditional approval.

There is a public sidewalk along 13 Mile west of the site, but not along the site's frontage; although there is a crosswalk across 13 Mile connecting the site to the Detroit Country Day property (despite the lack of sidewalks on either side of the road). Section 22.08.410 requires the installation a public sidewalk for all projects requiring site plan review. As such, the applicant must revise the plan to incorporate the required sidewalk. The applicant must confer with the Director of Public Services to determine the appropriate location and design. The site

also provides several internal walkways, including new connections between the building, tennis courts and proposed sport court.

The landscaping plan proposes to preserve the vast majority of the existing landscaping on-site; three Arborvitae are to be removed just east of the building. Additionally, a number of new plantings (trees and decorative grasses/groundcover) will be provided between the parking lot and pool complex, as well as between the building and tennis courts. The plan and table of plantings do not entirely match with respect to quantities for Arborvitae, Endless Summer Hydrangea, Ornamental Maiden Grass and Vinca Groundcover. These discrepancies must be corrected.

The submittal does not identify any existing or proposed lighting. If exterior lighting is proposed, details must be provided in accordance with Section 22.09.050. Furthermore, the Commission may wish to request details of any existing site lighting to ensure compliance with current standards.

The site currently provides a waste receptacle in the southwest corner of the site. The receptacle does not comply with current Ordinance standards for location (in a front yard where rear or side is allowed), enclosure (none provided where a 3-sided enclosure with a gate is required) or base pad (none provided where reinforced concrete is required). It would be preferred the applicant bring the waste receptacle into compliance with Section 22.09.040(h) as part of this project. However, this may prove difficult due to the prohibition on structures within 100 feet of the west side lot line.

The submittal does not identify any proposed signage associated with this project. If new or modified signage is proposed, a separate application must be submitted for the Commission's consideration.

The project includes several portions of new fencing, most notably around the sport court. The proposed sport court fencing is 10 feet in height to match the existing fencing around the tennis courts. Section 22.08.150(E) requires Planning Commission authorization for fencing taller than 7 feet that encloses an institutional playground, athletic field or similar use.

Per memo from Tom Meszler, Director of Public Services., after a review of the proposed plans he reported none of the proposed improvements fall within the 100 year flood plain. Silt fence installation is required along the northside of the property through the area to be disturbed. Sidewalk installation is required along the frontage of the property. Catch basins are shown but there is no indication of where they outlet and the proposed storm pipe outfall needs to be reduced to 6" at outlet.

Dave Lutz, NTH Consultants spoke, explaining that the construction of sidewalk creates an undue financial hardship, based on their estimations it would increase the cost of the project at least an additional \$50,000 to \$75,000.

Westerlund inquired about the asphalt on the existing basketball site, and the materials being used under the playground equipment. The landscape designer explained that the leftover curb

and asphalt would be left outside of the fence to help avoid total overgrowth. The playground would have artificial turf only underneath it, set within the existing lawn.

Grinnan suggested the dumpster be relocated to the east side of the property. However, due to accessibility needs by the collection trucks, the current location is the only feasible option.

When discussing parking, Phillips explained that membership is limited to 410 families in their bylaws. On average there are 50-150 families using the facility at any given time, and the Club has an overflow parking agreement with Detroit Country Day for use of their lot.

All of the Commission members agreed that sidewalk installation was imperative for the safety of the families who walk to the club from surrounding neighborhoods or offsite parking. Better foot traffic accessibility creates less need for on-site or off-site parking.

It was also recommended the Club contact Public Safety for increased checks and patrols of the parking lot after hours to deter trespassing.

Motion by Westerlund, second by Stempien, that the Village of Beverly Hills Planning Commission recommends Council approve the Woodside Athletic Club request for special land use and is subject to site plan approval.

Roll Call Vote: Motion passed (7-0)

Motion by Drummond, second by Westerlund, that the Village of Beverly Hills Planning Commission recommends Council approve the Woodside Athletic Club site plan, with the conditions of the seasonal dumpster not being emptied before 8:00 am, sidewalks added along the 13 Mile Road frontage of property, 10 foot high tennis court fencing is approved and the 6 foot fencing on sheet C-105 be compliant with the fence ordinance, subject to Village engineering approval and special land use approval.

Roll Call Vote: Motion passed (7-0)

# REVIEW AND CONSIDER APPROVAL OF MODIFICATIONS TO THE EXISTING GROUND SIGN AT THE SHOPPING CENTER AT 31215 THROUGH 31255 SOUTHFIELD ROAD

The applicant is seeking approval of the modifications to the existing ground sign as submitted at the August 22, 2018 meeting. Six large portable all-season planters were presented, which would be maintained by the plaza.

Borden reiterated that the sign meets all the requirements for allowable maintenance on a nonconforming sign. He also reviewed the lack of options for placement of the sign elsewhere on the property. He explained that per the ordinance, the work being done on the sign is within the parameters of "normal maintenance", and the only part that needs approval is the sign face change. Drummond expressed his disappointment that the sign was considered a face replacement when the scope of the changes should be considered a new sign.

Motion by Westerlund. Second by Wilensky, second by Westerlund, that the Planning Commission approve the ground sign at the Southfield Road shopping center as submitted, with the addition of six planters to be used as landscaping an henceforth be considered part of the sign.

Roll Call Vote: Borowski yes Copeland yes Drummond no Grinnan yes Ostrowski yes Stempien no Westerlund yes Wilensky yes Motion passed (6-2)

# **REVIEW AND CONSIDER APPROVAL OF NEW SIGNAGE AT 15616 THIRTEEN MILE ROAD, KFC**

Borden submitted his review of the revised application requesting a new wall sign for the KFC restaurant at 15616 W. 13 Mile Road. The proposal follows all the requirements of the Village Zoning Ordinance.

Motion by Borowski, second by Drummond, that Planning Commission approve the new wall sign as submitted for KFC, located at 15616 W 13 Mile Road.

Roll call vote: Motion passed (8-0).

# **REVIEW AND CONSIDER APPROVAL OF A TEMPORARY BANNER SIGN AT DETROIT COUNTRY DAY SCHOOL, 22305 WEST THIRTEEN MILE**

Borden reviewed the application from Detroit Country Day requesting the use of temporary signage during multiple events occurring during October 2018 (open house), January 2019 (open house) and April 2019 (celebrate the arts). The proposal has been reviewed for compliance with the requirements of the Village Zoning Ordinance. If the sign is approved by the Commission, the applicant must obtain a permit prior to installation. The proposed temporary signage complies with the applicable provisions of the Village Zoning Ordinance.

Motion by Westerlund, second by Stempien, to approve temporary banner sign request for Detroit Country Day School, 22305 West Thirteen Mile, as submitted.

Roll Call vote: Motion passed (8-0).

# **REVIEW AND CONSIDER APPROVAL OF NEW WALL SIGNS AND GROUND SIGN AT VALVOLINE, 31005 GREENFIELD**

Borden has reviewed the submittal from Valvoline Instant Oil Change requesting two new wall signs and a new ground sign for the facility at 31005 Greenfield Road. The proposal has been reviewed for compliance with the requirements of the Village Zoning Ordinance. If the application is approved by the Commission, the applicant must obtain a permit prior to installation. Sections 22.32.095 and 22.32.110 provide regulations for wall and ground signs.

The proposed signs generally comply with current standards or are allowed via the ZBA approvals granted July 9, 2018 for wall signs of 89.5 SF and 30.5 SF, and for two non-identical wall signs; however, the wall projection of the larger sign is not met, and the applicant must identify the sign and base materials.

Alicia Deneau, Fairmont Sign Company, was present to represent the applicant. She explained the sign would be mounted to the wing walls so that it protrudes just over 3 feet off of the building front, and this is keeping in standard with the Valvoline sign redesign.

The Commission agreed that the projections were not considered part of the building wall and that there was no tangible benefit in mounting the sign 3 feet off the building.

Motion by Westerlund, second by Borowski, that the Planning Commission approve the sign request from Valvoline, at 31005 Greenfield Road, contingent on the east side sign being mounted to the wall, not to exceed a 12 inch projection.

Roll call vote: Motion passed.

# DISCUSSION ON A CONCEPT PLAN FOR VACANT PROPERTY AT 31655 SOUTHFIELD ROAD

Paul Robinson, Jr., and Jim Clark, Robertson Brothers Homes, were in attendance for a preliminary review of their conceptual plan for the 1.51 acre parcel of land located at the southwest corner of Southfield Road and Gould Court, adjacent to the Beverly Hills Club. The *Townes at Beverly Hills* development is proposed to be constructed on vacant land formerly used as a McDonald's restaurant. The proposal would complement the surrounding community with a housing product that is not currently available in the Village. The proposed for-sale community of approximately twenty-four (24) attached single family townhomes will be set in a mixed-use environment. Each unit includes an attached two-car garage and either two or three bedrooms as determined by the home purchasers. The community will have a homeowner's association established to maintain site improvements and building maintenance.

It is believed the proposed development can be viewed as a byproduct of the Village's vision and goals as set forth in its Village Center Plan. This development concept has been extremely well received in several Southeastern Michigan communities. Robertson Brothers Homes would be the sole builder in the project.

A rendered conceptual plan and examples of townhome product the Robertson Brothers is either currently building or has recently finished were included for the Commission to review.

It is Robertson Brothers hope to gain an initial reaction to the site plan and building design related themes prior to our formal site plan submission. The market indicates that the proposed introduction of this "missing middle" townhome product would be well-received in this location, and will complement the existing retail and commercial businesses at the corner to provide for a mix of land uses.

The Commission expressed interest in the Roberts Brothers development and see it as a catalyst for change that incorporates the master plan.

#### **PUBLIC COMMENTS**

None.

#### LIAISON COMMENTS

Abboud announced the Zoning Board of Appeals granted variances for new builds on Glenhill and Eastlady. Council has also advised the Marijuana Subcommittee to prepare a presentation on the potential outcome if the November ballot proposal is passed.

#### **ADMINISTRATION COMMENTS**

Saur reported there were five cases before the Zoning Board in September and three of them involved front yard averaging.

#### **COMMISSIONERS COMMENTS**

Borowski commended the ZBA on their fair and well-measured rulings.

Westerlund presented on creative and successful ways that other communities were designing their downtown areas.

Motion by Borowski, second by Ruprich, to adjourn the meeting at 10:40 p.m.

Motion passed.

George Ostrowski Planning Commission Chairperson Chris Wilson Village Clerk Elizabeth M. Lyons Recording Secretary

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

#### BIRMINGHAM AREA CABLE BOARD MEETING

Wednesday, October 17, 2018 at 7:45 am

\*\*\*Village of Beverly Hills

Council Chambers\*\*\*

18500 West 13 Mile Road

- 1. Roll Call
- 2. Approve Meeting Minutes For Cable Board Meeting of September 19, 2018-M
- 3. Public Comments
- 4. Committee Reports
  - a. Cable Action Committee
  - b. PEG Committee
- 5. Executive Director's Report
- 6. Provider Related Topics
  - a. Comcast
  - b. AT&T
  - c. WOW
- 7. BAPA/BAMA Report
- 8. Old Business
- 9. New Business
- 10. Public Comments
- 11. Board Comments
- 12. Adjourn

PEG Committee meeting immediately following BACB meeting