

**Beverly Hills  
Regular Village Council Meeting  
Tuesday, July 2, 2019**

**Municipal Building  
18500 W. 13 Mile Rd.  
7:30 p.m.**

### **AGENDA**

Roll Call/Call to order

Pledge of Allegiance

Amendments to Agenda/Approve Agenda

Community Announcements

Public Comments on items not on the published agenda

Consent Agenda

1. Review and consider approval of **minutes** of a regular Council meeting held June 18, 2019.
2. Review and file **bills** recapped as of Monday, June 24, 2019.
3. Review and consider approval of **final payment** for 2018 Concrete Road Improvement Program.

Business Agenda

1. Public Hearing to receive comments on an Ordinance to amend Chapter 22, Section 22.08.280 of the Municipal Code of the Village of Beverly Hills.
2. First Reading of an **Ordinance** to amend Chapter 22, Section 22.08.280 of the Municipal Code of the Village of Beverly Hills.
3. First Reading of an **Ordinance** to amend the Municipal Code of the Village of Beverly Hills by repealing Section 42.07(c).
4. Review and consider accepting **withdrawal** of special land use request and site plan request from Detroit Country Day School located at 22305 W. 13 Mile Road.
5. Review and consider **Resolution** Approving Local Road Improvement Matching Fund Pilot Program Cost Participation Agreement with Oakland County Board of Commissioners.
6. First **announcement** of Zoning Board of Appeals vacancies.

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

Present: President Peddie; President Pro-Tem Abboud; Members: George, Hrydziusko, Mooney, Nunez, and Mueller

Absent: None

Also Present: Village Manager, Wilson  
Village Clerk / Assistant Manager, Rutkowski  
Public Safety Director, Torongeau  
Village Attorney, Ryan

Peddie 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 members of Boy Scout Troop #1024 and recited by those in attendance.

### **AMENDMENTS TO AGENDA/APPROVE AGENDA**

Motion by Mooney, second by Mueller, to approve the agenda.

Motion passed.

### **COMMUNITY ANNOUNCEMENTS**

None.

### **PUBLIC COMMENTS**

Bob and Karen Daykin, Buckingham, expressed their continued concerns related to the plan review and permit process for residential construction.

### **CONSENT AGENDA**

Motion by Mooney, second by Mueller, to approve the consent agenda as published.

1. Review and consider approval of minutes of a regular Council meeting held June 4, 2019.
2. Review and file bills recapped as of Monday, June 10, 2019.

Roll Call Vote:

Motion passed (7-0)

### **BUSINESS AGENDA**

#### **SECOND READING AND CONSIDERATION OF PROPOSED ORDINANCE 366 AMENDING CHAPTER 22, SECTIONS 22.08.090, 22.08.130, 22.08.300 OF THE MUNICIPAL CODE OF THE VILLAGE OF BEVERLY HILLS.**

Motion by Hrydziusko, second by Mooney, that the Village of Beverly Hills Ordains:

Section 1.01. That Section 22.08.090 of Chapter 22 is hereby amended to read as follows:

#### **SECTION 22.08.090 MINIMUM DISTANCE BETWEEN RESIDENTIAL BUILDINGS**

22.08.090 MINIMUM DISTANCE BETWEEN RESIDENTIAL BUILDINGS. In Single Family Residential Zone Districts R-A, R-1, R-1A, R-2, and R-3 the minimum required distance between

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residential buildings on two (2) lots which abut each other along a common side lot line shall be not less than the sum of the two (2) required minimum side setbacks of either of the lots; provided, however, that when the lot to which the ordinance is being applied is less than sixty feet (60') in width, the minimum required distance between such residential buildings may be reduced by six inches (6") for every foot that the lot is less than sixty feet (60') in width. In Single Family Residential Zone Districts R-2A and R-2B the minimum required distance between residential buildings on two (2) lots which abut each other along a common side lot line shall not be less than fifteen (15) feet.

Section 2.01. That Section 22.08 of Chapter 22 is hereby amended to read as follows:

## **SECTION 22.08, GENERAL PROVISIONS**

### **22.08.300 PROCEDURES AND STANDARDS FOR PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS.**

c. Procedure of Notice. Upon receipt of an application for a permitted principal use permitted subject to special approval, one notice of a public hearing shall be published in the newspaper of general circulation in the Village; said notice shall be sent by mail or personal delivery to the owners of the property for which approval is being considered, to all persons to whom real property is assessed, within three hundred feet (300') of the boundary of the property in question, and to the occupants of all structures within three hundred feet (300'), except that the notice shall be given not less than fifteen (15) days before the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one occupant of a structure, except that if a structure contains more than one dwelling unit or spatial areas owned or leased by different individuals, partnerships, businesses, or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure. The notice shall:...

d. Planning Commission Hearing and Review: Special land use approval shall not be granted until a public hearing has also been held by the Planning Commission, in accordance with procedures described in Section 22.08.300 (b) and (c) above. The Planning Commission shall make a recommendation with comments on the special land use to Village Council.

j. Modification After Approval. After any special land use approval is granted, any subsequent modifications to the site not in accordance with the approved site plan, any change of use, any increase in the intensity of the use, or any change in any of the conditions of approval, including by way of example but not limitation, any additions to a principal building or any expansion of off-street parking, shall require a new special land use approval pursuant to the provisions set forth in 22.08.300. Notwithstanding the foregoing, the Village Council, after a favorable recommendation from the Planning Commission, may waive any of the requirements of Section 22.08.300 with respect to any modifications for which all of the following conditions apply:...

Section 3.01. SEVERABILITY. If any section, clause or provision of this Ordinance shall be declared to be inconsistent with the Constitution and laws of the State of Michigan and voided by any court of competent jurisdiction, said section, clause or provision declared to be unconstitutional and void shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force.

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Section 4.01. SAVING CLAUSE. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

Section 5.01. REPEALER. Ordinance 22.08.130 is hereby repealed and any other Ordinance in conflict with this Ordinance be and the same is hereby repealed.

Section 6.01. EFFECTIVE DATE. A public hearing having been held by the Planning Commission on April 24, 2019, and the Village Council on June 18, 2019, the provision of this Ordinance shall become effective 20 days following its publication in The Eccentric, a newspaper circulated within said Village.

Roll call vote:  
Motion passes (7-0)

**SECOND READING AND CONSIDERATION OF PROPOSED ORDINANCE 367 AMENDING CHAPTER 22, SECTIONS 22.04, 22.08.370, 22.14, AND 22.16 OF THE MUNICIPAL CODE OF THE VILLAGE OF BEVERLY HILLS.**

Motion by Hrydziusko, second by Mooney, that the Village of Beverly Hills Ordains:

Section 1.01. That Section 22.04 of Chapter 22 is hereby amended to read as follows:

**SECTION 22.04 DEFINITIONS**

Adult Foster Care Facility: A facility for the care of adults, eighteen (18) years of age and older, as licensed and regulated by the State under Michigan Public Act 218 of 1979, and rules promulgated by the State Department of Social Services. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically handicapped who require supervision on an ongoing basis but who do not require continuous nursing care. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation center, or a residential center for persons released from or assigned to a correctional facility. Such organizations shall be defined as follows:

a. Adult Foster Care Family Home: a private home with the approved capacity to receive or fewer adults to be provided with foster care for 5 or more days a week and for 2 or more consecutive weeks. The adult foster care family home licensee must be a member of the household and an occupant of the residence.

b. Adult Foster Care Small Group Home: a private home with the approved capacity to receive 12 or fewer adults who are provided supervision, personal care, and protection in addition to room and board, for 24 hours a day, 5 or more days a week, and for 2 or more consecutive weeks for compensation.

c. Adult Foster Care Large Group Home: a private home with approved capacity to receive at least 13 but not more than 20 adults to be provided supervision, personal care, and protection in addition to room and board, for 24 hours a day, 5 or more days a week, and for 2 or more consecutive weeks for compensation.

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d. No Change

Child Care Facility: A facility for the care of children under eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 116 of 1973 and the associated rules promulgated by the State Department of Social Services. Such organizations shall be further defined as follows:

a. Child Care Center: A facility, other than a private residence, receiving more than six preschool or school age children for group care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. "Child care center" or "day care center" does not include a Sunday school conducted by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.

b. Foster Family Home: A private home in which one but not more than four minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent, legal guardian, or legal custodian.

c. Foster Family Group Home: A private home in which more than four but fewer than seven minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent, legal guardian, or legal custodian

d. Family Day Care Home: A private home in which up to six (6) minor children are received for care and supervision for periods of less than 24 hours a day, except children related to the caregiver by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.

e. Group Day Care Home: A private home in which more than six but not more than 12 children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to the caregiver. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.

Section 2.01.

That Section 22.08.370 of Chapter 22 is hereby amended to read as follows:

**SECTION 22.08.370 GROUP DAY CARE HOMES AND CHILD CARE CENTERS**

a. Licensing: In accordance with applicable state laws, facilities shall be registered with or licensed by the appropriate state government departments and shall be required to be in continuing compliance with the standards outlined for such facilities.

b. Outdoor Play Area: For each person cared for in a facility there shall be provided and maintained a minimum of one hundred fifty (150) square feet of usable outdoor recreational area. The outdoor recreational play area shall be suitably fenced and screened from abutting residentially zoned or used land in accordance with SECTION 22.08.150. Outdoor recreational areas shall not be located in the front yard.

c. Location: No state licensed facility shall be located within fifteen hundred (1500) feet of another State licensed care facility regardless of community boundaries. Child care centers shall have at least one property line abutting a major thoroughfare, intermediate thoroughfare or collector street.

d. Off-Street Parking: Off-street parking shall be provided for any employees who are not residents of the home. Whenever off-street parking areas are adjacent to land used or zoned for residential purposes, a wall or landscaped screen shall be provided along the sides of the parking area adjacent to such residential land or use in accordance with SECTION 22.08.160. An on-site drive shall be provided for drop offs/loading. This drive shall be arranged to allow maneuvers without affecting traffic flow on the street.

e. Compliance with Zoning Ordinance: The proposed site and building shall be in full compliance with all yard and bulk regulations (including setback, lot size, and lot width regulations) for the district in which it is located. Child care centers shall have a minimum side yard setback of at least twenty-five (25) feet.

#### Section 3.01.

That Section 22.14.030 of Chapter 22 is hereby amended to read as follows:

#### **SECTION 22.14.030 PERMITTED USES AFTER SPECIAL APPROVAL.**

The following uses may be permitted in RA, R-1, R-1A, R-2, R-2A, R-2B and R-3 zoning districts, subject to the conditions imposed in SECTION 22.08.300 and subject further to the approval of the Village Council: {Ord. 326, 10-27-07}

a. No Change

b. No Change

c. No Change

d. No Change

e. Private schools operated on a non-profit basis.

f. Non-profit private school related accessory uses and accessory structures, such as: auditoriums, athletic and recreational facilities, and similar uses. Each use or structure shall be subject to a separate special approval.

g. Group day care homes.

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h. Public off-street parking in connection with item (a) through (g) above and provided said parking area is improved and maintained in accordance with SECTION 22.28. {Ord. 252, 5-12- 91 }

Section 4.01.

That Section 22.16 of Chapter 22 is hereby amended to add:

**22.16.020 PERMITTED PRINCIPAL USES**

In the R-M district, no uses shall be permitted unless otherwise provided in this section, except the following:

- a. No Change
- b. Family Day Care Homes.
- c. Accessory Uses including:
  - 1. Private parking.
  - 2. Private swimming pool and private recreational facilities.
  - 3. Greenbelt - See Section 22.24.
  - 4. Home occupations.

Section 5.01.

That Section 22.16.030 of Chapter 22 is hereby amended to read as follows:

**SECTION 22.16.030 PERMITTED USES AFTER SPECIAL APPROVAL**

The following uses may be permitted in the R-M zoning district subject to the conditions imposed in Section 22.08.300 and subject further to the approval of the Village Council:

- a. No Change
- b. No Change
- c. No Change
- d. Group day care homes.
- e. Child care centers, pre-schools, and nursery schools.
- f. Nursing homes and convalescent centers.
- g. Use of a six (6) foot high obscuring masonry wall in lieu of a greenbelt. See SECTION 22.24., footnote (h).

Section 6.01. SEVERABILITY. If any section, clause or provision of this Ordinance shall be declared to be inconsistent with the Constitution and laws of the State of Michigan and voided by any court of competent jurisdiction, said section, clause or provision declared to be unconstitutional and void shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force.

Section 7.01. SAVING CLAUSE. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

Section 8.01. REPEALER. Any Ordinance conflicting with this Ordinance be and the same is hereby repealed.

Section 9.01. EFFECTIVE DATE. A public hearing having been held by the Planning Commission on April 24, 2019, and the Village Council on June 4, 2019, the provision of this Ordinance shall become effective 20 days following its publication in The Eccentric, a newspaper circulated within said Village.

Roll call vote:  
Motion passed (7-0)

#### **REVIEW AND CONSIDER FISCAL YEAR 2018-2019 BUDGET AMENDMENT**

There are General Fund amendments relating to adjusting revenue and expenses to more accurately reflect projected actuals for FY19 including amendments for increased State of Michigan revenue and various adjustments to expense accounts to more approximate expected year end levels.

In Major Roads there are amendments for increased monies received from the State of Michigan and expense adjustments increasing the budget for additional drainage improvements along with other adjustments to more approximate expected year end levels.

In Local Roads there are amendments for increased monies received from the State of Michigan and expense adjustments for traffic signs and traffic equipment.

In Public Safety there are amendments to adjust tax revenue along with expenditure adjustments for dispatch and health insurance to more accurately reflect projected actuals for FY19.

These proposed FY 2018-2019 Budget Amendments have been reviewed by Village Administration and are recommended for approval.

Motion by Abboud, second by Hrydziuszko, be it resolved that the Village of Beverly Hills Council authorizes Village Administration to transfer or adjust monies reserved in the General, Major Roads, Local Roads and Public Safety funds as reflected in the June 14, 2019 memorandum from Finance Director, Sheila McCarthy.

Roll call vote:  
Motion passed (7-0)

#### **REVIEW AND CONSIDER RESOLUTION FOR THE TRANSFER OF ACT 51 FUNDS**

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



The following resolution was offered by Mueller and seconded by Mooney:

**WHEREAS**, the Village Council has adopted an Asset Management Plan which has been approved by the Michigan Department of Transportation and the Transportation Asset Management Council for which the Village will follow the asset management process detailed within this plan for its major and local street systems; and

**WHEREAS**, the Village is adequately maintaining its major streets which are: 13 Mile Road, 14 Mile Road (West Village Limits to Evergreen Road), Saxon Road (Norchester Road to Southfield Road), Evergreen Road, Pierce Road, Beverly Road, Riverside Drive, Norchester Road, W. Bellvine Trail, Hampstead Street, and S. Hampton Street.

**NOW, THEREFORE, BE IT RESOLVED** that the Beverly Hills Village Council does intend to transfer \$150,000.00 of Act 51 Major Streets monies to the local roads to fund the rehabilitation, reconstruction, and replacement of various local roads in FY 2020. Additional transfers will be addressed within the annual budgeting processes.

Roll call vote:

Motion passed (7-0)

**REVIEW AND CONSIDER TRAFFIC CONTROL ORDER #127-YS-19 FOR THE SOUTHEAST CORNER OF WOODHAVEN AND VERNON**

This traffic control order was temporary for a traffic control yield sign placed on the southeast corner of Woodhaven and Vernon. With approval it will become a permeant sign.

Motion by George, second by Mooney, be it resolved that the Village of Beverly Hills Council Traffic Control Order #127-YS-19 to control traffic at the southeast corner of Woodhaven and Vernon.

Motion passed.

**REVIEW AND CONSIDER VARIOUS BOARD/COMMISSION APPOINTMENTS**

Administration provided a list of board members whose terms expire on June 30, 2019. All the members have been notified of their term expiration and those listed in the memo wish to be considered for reappointment. It was noted that Council agreed in November of 2008 to make these vacancies open to the public as well as the currently seated member. Council subcommittees met starting at 7:00 pm this evening to review applications for Village Boards and Commission. All terms are for three years beginning July 1, 2019 and expiring June 30, 2022.

The Parks & Recreation Board subcommittee chaired by Mueller recommended the appointment of Sara Bresnahan to the Parks & Recreation Board.

Motion by Mueller, second by Nunez, to appoint Sara Bresnahan to the Parks & Recreation Board with term to expire on June 30, 2022.

Roll Call Vote:

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Motion passed (4-3)

Hrydziusko Yes

Mooney No

Mueller Yes

Nunez Yes

Peddie No

Abboud No

George Yes

The Planning Commission subcommittee chaired by Hrydziusko recommended the reappointment of Robert Stempien, Patrick Westerlund, and Benjamin Wilensky.

Motion by Hrydziusko, second by George, to reappoint Patrick Westerlund to the Planning Commission with term to expire on June 30, 2022.

Roll call vote:

Motion passed (7-0)

Motion by Hrydziusko, second by George, to reappoint Benjamin Wilensky to the Planning Commission with term to expire on June 30, 2022.

Roll Call Vote:

Motion passed (6-1)

Mueller Yes

Nunez No

Peddie Yes

Abboud Yes

George Yes

Hrydziusko Yes

Mooney Yes

Motion by Hrydziusko, second by George, to reappoint Robert Stempien to the Planning Commission with term to expire on June 30, 2022.

Roll call vote:

Motion passed (7-0)

The Zoning Board subcommittee chaired by Peddie met and recommended the reappointment of Reanen Maxwell, the appointment of Ahmad Jawad, currently an alternate member, as a full member, and the appointment of Jon Oen.

Motion by George, second by Mooney, to appoint Jon Oen to the Zoning Board of Appeals with term to expire on June 30, 2022.

Roll call vote:

Motion passed (7-0)

Motion by George, second by Mooney, to reappoint Reanen Maxwell to the Zoning Board of Appeals with term to expire on June 30, 2022.

Roll Call Vote:

Motion failed (4-3)

Abboud	No
George	Yes
Hrydziusko	No
Mooney	Yes
Mueller	No
Nunez	No
Peddie	Yes

Motion by George, second by Mooney, to appoint Ahmad Jawad as a full member to the Zoning Board of Appeals with term to expire on June 30, 2022.

Roll call vote:

Motion passed (7-0)

Peddie thanked all the applicants and congratulated the newly appointed members thanked all the returning members for their continued hard work and dedication.

## **PUBLIC COMMENTS**

None.

## **MANAGER'S REPORT**

**BP Renovations** – Village Administration has met with the ownership of the BP station on the corner of 13 Mile and Southfield. A site plan for the rehabilitation of this site was approved by the Village last summer. There have been some delays with the design and permitting from the State for the removal of the existing gas tanks. Those permits are now in place. Work is scheduled to begin on this property during the last week in June. The store will remain closed during this renovation. The project is anticipated to last around 60 days, reopening around Labor Day.

**New Pumper Delivery** – The Village has taken preliminary delivery of our new Pumper Truck. It was available for duty during the Memorial Day Parade and Carnival. At this time the truck is undergoing some final equipment installation. It will be available for full time use by no later than the end of this month. Once it is fully equipped and on site the Public Safety Department will begin taking steps to dispose of the existing pumper.

**Offices Closed** – Village Offices will be closed on Thursday, July 4th in observance of Independence Day. Village Offices will be opened on Friday, July 5th. Trash service will not be interrupted this week.

## **COUNCIL COMMENTS**

George would like to come up with ways to encourage more residents to become involved volunteering for Boards and Commissions. He reported the ZBA would like the Council to reconsider the accessory structure and side unit ordinances.

Hrydziuszko reported the Concert in the Park was a success and well attended.

Mueller was very happy with the turn out at the Concert in the Park.

Nunez believes it is important to give careful consideration to all applicants, and changes in Boards and Commissions helps encourage residents to apply.

Mooney also reported the Concert in the Park was a great success.

Abboud updated the Council and residents related to various boards he serves on in the county and state.

Peddie reported the Baldwin Library has started their Youth Room renovations.

Motion by Abboud, second by Nunez, to adjourn the meeting at 8:36 pm.

Motion passed.

**Lee Peddie**  
**Council President**

**Kristin Rutkowski**  
**Village Clerk**

**Elizabeth M. Lyons**  
**Recording Secretary**

TO PRESIDENT PEDDIE & MEMBERS OF THE VILLAGE COUNCIL. THE FOLLOWING IS A LIST OF  
EXPENDITURES FOR APPROVAL. ACCOUNTS PAYABLE RUN FROM 6/10/2019 THROUGH 6/24/2019.

ACCOUNT TOTALS:

101	GENERAL FUND	\$76,773.98
202	MAJOR ROAD FUND	\$210,221.75
203	LOCAL STREET FUND	\$15,532.18
205	PUBLIC SAFETY DEPARTMENT FUND	\$76,250.85
268	LIBRARY	\$122,438.00
592	WATER/SEWER OPERATION FUND	\$40,886.03
701	TRUST & AGENCY FUND	\$3,019.22
	TOTAL	<u>\$545,122.01</u>
	MANUAL CHECKS- COMERICA	\$15,421.99
	MANUAL CHECKS- INDEPENDENT	\$1,103.33
	ACCOUNTS PAYABLE	<u>\$545,122.01</u>
	GRAND TOTAL	<u><u>\$561,647.33</u></u>

CHECK DATE FROM 06/24/2019 - 06/24/2019

Check Date	Bank	Check	Vendor	Vendor Name	Invoice Vendor	Amount
Bank COM COMERICA						
06/24/2019	COM	80401	51128	ADVANCED MARKETING PARTNAD	ADVANCED MARKETING PARTN	601.00
06/24/2019	COM	80402	59138	ALPHA PSYCHOLOGICAL SERV	ALPHA PSYCHOLOGICAL SERV	1,050.00
06/24/2019	COM	80403	60063	APEX ROOFING	APEX ROOFING	200.00
06/24/2019	COM	80404	53284	APPLIED IMAGING	APPLIED IMAGING	18.65
06/24/2019	COM	80405	51802	ARROW OFFICE SUPPLY CO.	ARROW OFFICE SUPPLY CO.	136.05
06/24/2019	COM	80406	60038	ASPHALT SPECIALIST INC.	ASPHALT SPECIALIST INC.	200,022.24
06/24/2019	COM	80407	59419	AXON ENTERPRISE, INC.	AXON ENTERPRISE, INC.	446.00
06/24/2019	COM	80408	02100	BALDWIN PUBLIC LIBRARY	BALDWIN PUBLIC LIBRARY	122,438.00
06/24/2019	COM	80409	33004	BATTERIES PLUS	BATTERIES PLUS	27.95
06/24/2019	COM	80410	59472	BCM HOME IMPROVEMENT LLC	BCM HOME IMPROVEMENT LLC	600.00
06/24/2019	COM	80411	32748	BEIER HOWLETT,P.C.	BEIER HOWLETT,P.C.	656.88
06/24/2019	COM	80412	30920	BELLE TIRE	BELLE TIRE	1,115.26
06/24/2019	COM	80413	51409	BEVERLY HILLS ACE	BEVERLY HILLS ACE	134.94
06/24/2019	COM	80414	02400	BEVERLY HILLS WATER DPT	BEVERLY HILLS WATER DPT	1,306.07
06/24/2019	COM	80415	30861	BLUE CARE NETWORK	BLUE CARE NETWORK	34,904.66
06/24/2019	COM	80416	58959	CADILLAC ASPHALT, LLC	CADILLAC ASPHALT, LLC	327.75
06/24/2019	COM	80417	58597	CATHY WHITE	CATHY WHITE	135.34
06/24/2019	COM	80418	59347	CINTAS CORPORATION #31	CINTAS CORPORATION #31	62.02
06/24/2019	COM	80419	30909	CMP DISTRIBUTORS	CMP DISTRIBUTORS	1,754.15
06/24/2019	COM	80420	31925	COALITION OF PUBLIC SAFE	COALITION OF PUBLIC SAFE	20,328.66
06/24/2019	COM	80421	04500	COMEAU EQUIPMENT CO INC.	COMEAU EQUIPMENT CO INC.	29,270.08
06/24/2019	COM	80422	59476	COMSONICS	COMSONICS	329.75
06/24/2019	COM	80423	32507	CONCENTRA MEDICAL CENTER	CONCENTRA MEDICAL CENTER	274.50
06/24/2019	COM	80424	50826	CONSUMERS ENERGY	CONSUMERS ENERGY	90.52
06/24/2019	COM	80425	59589	CORE & MAIN	CORE & MAIN	264.00
06/24/2019	COM	80426	58648	CTS-COMPANIES	CTS-COMPANIES	95.00
06/24/2019	COM	80427	58640	CYNTHIA SOWLE	CYNTHIA SOWLE	100.00
06/24/2019	COM	80428	60066	DETROIT SHIELDS	DETROIT SHIELDS	92.00
06/24/2019	COM	80429	58748	DEWOLF & ASSOCIATES	DEWOLF & ASSOCIATES	1,490.00
06/24/2019	COM	80430	50919	DTE ENERGY	DTE ENERGY	740.02
06/24/2019	COM	80431	51385	DTE ENERGY	DTE ENERGY	2,490.69
06/24/2019	COM	80432	60060	EDWARD POCOCK	EDWARD POCOCK	200.00
06/24/2019	COM	80433	31228	EXXONMOBIL	EXXONMOBIL	3,484.52
06/24/2019	COM	80434	59813	FIRE DEFENSE EQUIPMENT C	FIRE DEFENSE EQUIPMENT C	101.22
06/24/2019	COM	80435	51568	FOUNDATION SYSTEMS OF MI	FOUNDATION SYSTEMS OF MI	353.00
06/24/2019	COM	80436	59010	HUNT SIGN COMPANY	HUNT SIGN COMPANY	300.00
06/24/2019	COM	80437	59839	J.C. EHRlich	J.C. EHRlich	47.00
06/24/2019	COM	80438	39070	J.H. HART URBAN FORESTRY	J.H. HART URBAN FORESTRY	162.00
06/24/2019	COM	80439	59423	JAMES HEALY	JAMES HEALY	400.00
06/24/2019	COM	80440	60059	JAMES ROSSEAU	JAMES ROSSEAU	200.00
06/24/2019	COM	80441	33083	JAX KAR WASH	JAX KAR WASH	539.28
06/24/2019	COM	80442	59656	JRC SUPPLY, INC.	JRC SUPPLY, INC.	33.13
06/24/2019	COM	80443	60061	LAURA CRAIG	LAURA CRAIG	200.00
06/24/2019	COM	80444	51792	LEXISNEXIS RISK SOLUTION	LEXISNEXIS RISK SOLUTION	37.85
06/24/2019	COM	80445	58603	LLOYD DIEHL	LLOYD DIEHL	200.00
06/24/2019	COM	80446	59461	LORA GRAENTZDOERFFER	LORA GRAENTZDOERFFER	100.00
06/24/2019	COM	80447	50240	LYLE NUSTAD	LYLE NUSTAD	100.00
06/24/2019	COM	80448	49491	MAINS LANDSCAPE SUPPLY	MAINS LANDSCAPE SUPPLY	365.42
06/24/2019	COM	80449	59116	MARGARET A.S. BEKE	MARGARET A.S. BEKE	80.00
06/24/2019	COM	80450	59329	MICHIGAN INDEPENDENT DOC	MICHIGAN INDEPENDENT DOC	1,400.00
06/24/2019	COM	80451	59045	MICRO CENTER	MICRO CENTER	2,099.99
06/24/2019	COM	80452	51461	MUNICIPAL WEB SERVICES	MUNICIPAL WEB SERVICES	287.00
06/24/2019	COM	80453	51182	NELSON BROTHERS SEWER &	NELSON BROTHERS SEWER &	2,717.00
06/24/2019	COM	80454	51799	NYE UNIFORM EAST	NYE UNIFORM EAST	68.00
06/24/2019	COM	80455	51751	O.C.W.R.C.	O.C.W.R.C.	31,289.00
06/24/2019	COM	80456	50830	OAKLAND COUNTY TREASURE	OAKLAND COUNTY TREASURE	4,072.27
06/24/2019	COM	80457	14100	OBSERVER & ECCENTRIC	OBSERVER & ECCENTRIC	97.74
06/24/2019	COM	80458	59433	PERFORMANCE CREATIVE RES	PERFORMANCE CREATIVE RES	2,090.00
06/24/2019	COM	80459	60028	PHOENIX SAFETY OUTFITTER	PHOENIX SAFETY OUTFITTER	96.99
06/24/2019	COM	80460	32235	RICHARD REPRODUCTIONS	RICHARD REPRODUCTIONS	65.00
06/24/2019	COM	80461	16100	ROAD COMMISSION FOR OAKI	ROAD COMMISSION FOR OAKI	3,395.37
06/24/2019	COM	80462	60062	ROBERT EMERICK III	ROBERT EMERICK III	200.00
06/24/2019	COM	80463	60064	ROCK SOLID EXTERIORS	ROCK SOLID EXTERIORS	300.00
06/24/2019	COM	80464	49784	ROMA CEMENT	ROMA CEMENT	3,859.00
06/24/2019	COM	80465	16500	S.O.C.R.R.A.	S.O.C.R.R.A.	28,575.00
06/24/2019	COM	80466	59282	SAFEBUILT INC.	SAFEBUILT INC.	28,121.12
06/24/2019	COM	80467	59782	SARA CORBELLO	SARA CORBELLO	100.00
06/24/2019	COM	80468	51356	SOUTHFIELD MUFFLER & BR	SOUTHFIELD MUFFLER & BR	205.95
06/24/2019	COM	80469	38875	SUBURBAN CALCIUM CHLORII	SUBURBAN CALCIUM CHLORII	1,500.00
06/24/2019	COM	80470	17700	SUNSET MAINTENANCE SERVI	SUNSET MAINTENANCE SERVI	1,175.00
06/24/2019	COM	80471	59675	THEODORE WILLETT	THEODORE WILLETT	542.35
06/24/2019	COM	80472	59287	TIM MERCER	TIM MERCER	100.00
06/24/2019	COM	80473	58608	TRESNAK	TRESNAK	300.00
06/24/2019	COM	80474	59597	TRULINE INC.	TRULINE INC.	3,781.00
06/24/2019	COM	80475	49516	VILLAGE OF BEVERLY HILLS	VILLAGE OF BEVERLY HILLS	278.63

COM TOTALS:

Total of 75 Checks:

545,122.01

06/20/2019 09:59 AM  
User: KARRIE  
DB: Beverly Hills

CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS  
CHECK DATE FROM 06/24/2019 - 06/24/2019

Page: 2/2

Check Date	Bank	Check	Vendor	Vendor Name	Invoice Vendor	Amount
Less 0 Void Checks:						0.00
Total of 75 Disbursements:						545,122.01

06/20/2019 10:00 AM  
User: KARRIE  
DB: Beverly Hills

CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS

Page: 1/1

CHECK DATE FROM 06/11/2019 - 06/24/2019

Check Date	Bank	Check	Vendor	Vendor Name	Invoice Vendor	Amount
Bank COM COMERICA						
06/11/2019	COM	80398	31039	44TH DISTRICT COURT		473.00
06/12/2019	COM	80399	59330	MIKE SAVOIE CHEVROLET		2,289.61
06/18/2019	COM	80400	53583	GUARDIAN		12,659.38

COM TOTALS:

Total of 3 Checks:	15,421.99
Less 0 Void Checks:	0.00
Total of 3 Disbursements:	15,421.99



06/20/2019 10:02 AM  
User: KARRIE  
DB: Beverly Hills

CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS

Page: 1/1

CHECK DATE FROM 06/11/2019 - 06/24/2019


Check Date	Bank	Check	Vendor	Vendor Name	Invoice Vendor	Amount
Bank IND INDEPENDENT BANK						
06/12/2019	IND	1099	60058	BOB MERVAK		1,000.00
06/14/2019	IND	1100	59703	MATTHEW GOODRICH		43.97
06/14/2019	IND	1101	60065	MICHELLE COPPINS		59.36

IND TOTALS:

Total of 3 Checks:	1,103.33
Less 0 Void Checks:	0.00
Total of 3 Disbursements:	1,103.33

## Memo

To: Chris Wilson, Village Manager

From: Thomas Meszler, Director of Public Services 

Date: July 2, 2019

Re: Final Payment for 2018 Concrete Road Improvement

Attached is the final payment request for the 2018 Concrete Road Improvement Program. The contractor has submitted all necessary paperwork and has completed the project punch list. This payment is for the retainage held on the project pending completion of the punch list.

### **Recommendation**

Administration recommends that the Village of Beverly Hills Council approve the final payment to Great Lakes Contracting.

### **Suggested Resolution**

Be it resolved that the Beverly Hills Village Council award the 2018 Concrete Road Improvement Program to Great Lakes Contracting Solutions, Inc. in the amount of \$2,000.

THM/klm

6/24/2019

Village of Beverly Hills/Village of Bingham Farms  
18500 13 Mile Road  
Beverly Hills, Michigan 48025

Attention: Mr. Tom Meszler, Director of Public Services

Re: Pay Estimate No. 3 (Final)  
2018 Concrete Road Improvement Program

HRC Job No. 20180523

Ladies and Gentlemen:

We hereby recommend payment for work completed to date, to Great Lakes Contracting Solutions based on the following quantities:

**PAY ESTIMATE NO. 3 (FINAL)**  
**2018 CONCRETE ROAD IMPROVEMENT PROGRAM**  
**VILLAGE OF BEVERLY HILLS AND VILLAGE OF BINGHAM FARMS**

No.	Item	Bid Quantity	Unit Price	Quantities		Total Quantities Constructed	Total Amount Earned
				Thru 8/31/2018	Thru 1/11/2019		
<b><u>DIVISION 1 - VILLAGE OF BEVERLY HILLS</u></b>							
1.	Mobilization, Max 5%	1 lsum	@ \$6,000.00	1.00	0.00	1.00	= \$ 6,000.00
2.	Color Audio-Video Route Survey	1 lsum	@ \$1,145.00	1.00	0.00	1.00	= \$ 1,145.00
3.	Pavt Repr, Rem, Special	1,200 syd	@ \$19.70	1,227.00	0.00	1,227.00	= \$ 24,171.90
4.	Pavt Repr, Nonreinf Conc, 9 inch, Special	1,200 syd	@ \$66.95	1,227.00	0.00	1,227.00	= \$ 82,147.65
5.	Subgrade Undercutting, Type II, Special (As Needed)	35 cyd	@ \$50.00	0.00	0.00	0.00	= \$ -
6.	1" x 3" Crushed Concrete, Special (As Needed)	26 ton	@ \$34.00	0.00	0.00	0.00	= \$ -
7.	Large Aperture Geogrid (As Needed)	100 syd	@ \$9.50	0.00	0.00	0.00	= \$ -
8.	21AA Aggregate, Special (As Needed)	20 ton	@ \$27.50	0.00	0.00	0.00	= \$ -
9.	Pavt Mrkg, Waterborne, 4 inch, Yellow	1,200 lft	@ \$0.96	2,033.00	617.49	2,650.49	= \$ 2,544.47
10.	Pavt Mrkg, Waterborne, 2 <sup>nd</sup> Application 4 inch, Yellow	1,200 lft	@ \$0.25	0.00	0.00	0.00	= \$ -
11.	Pavt Mrkg, Waterborne, 4 inch, White	450 lft	@ \$0.96	337.00	0.00	337.00	= \$ 323.52
12.	Pavt Mrkg, Waterborne, 2 <sup>nd</sup> Application 4 inch, White	450 lft	@ \$0.25	0.00	0.00	0.00	= \$ -
13.	Site Restoration	1 lsum	@ \$1,500.00	1.00	0.00	1.00	= \$ 1,500.00
14.	Soil Erosion and Sedimentation Control	1 lsum	@ \$1,000.00	1.00	0.00	1.00	= \$ 1,000.00
15.	Maintaining Traffic	1 lsum	@ \$4,500.00	1.00	0.00	1.00	= \$ 4,500.00

**SUB TOTAL DIVISION 1:** \$ 123,332.54

<b>DIVISION 2 - VILLAGE OF BINGHAM FARMS</b>						
1. Mobilization, Max 5%	1 lsum	@ \$1,900.00	1.00	0.00	1.00	= \$ 1,900.00
2. Color Audio-Video Route Survey	1 lsum	@ \$1,090.00	1.00	0.00	1.00	= \$ 1,090.00
3. Pavt Repr, Rem, Special	350 syd	@ \$17.50	348.00	0.00	348.00	= \$ 6,090.00
4. Pavt Repr, Nonreinf Conc, 7 inch, Special	350 syd	@ \$54.65	348.00	0.00	348.00	= \$ 19,018.20
5. Subgrade Undercutting, Type II, Special (As Needed)	15 cyd	@ \$50.00	2.50	0.00	2.50	= \$ 125.00
6. 1" x 3" Crushed Concrete, Special (As Needed)	15 ton	@ \$34.00	0.00	0.00	0.00	= \$ -
7. Large Aperture Geogrid (As Needed)	34 syd	@ \$9.50	0.00	0.00	0.00	= \$ -
8. 21AA Aggregate, Special (As Needed)	10 ton	@ \$27.50	13.00	0.00	13.00	= \$ 357.50
9. Site Restoration	1 lsum	@ \$250.00	1.00	0.00	1.00	= \$ 250.00
10. Soil Erosion and Sedimentation Control	1 lsum	@ \$1,500.00	1.00	0.00	1.00	= \$ 1,500.00
11. Maintaining Traffic	1 lsum	@ \$750.00	1.00	0.00	1.00	= \$ 750.00

**SUB TOTAL DIVISION 2:** \$ 31,080.70

SUB TOTAL BASE BID	\$ 154,413.24
TOTAL AMOUNT EARNED	\$ 154,413.24
PREVIOUS RETAINAGE	\$ 2,000.00
INC./DEC. RETAINAGE (Max. 10% up to 5% of Contract)	\$ (2,000.00)
LESS PREVIOUS PAYMENTS - PAY ESTIMATE NO.1	\$ 145,557.65
LESS PREVIOUS PAYMENTS - PAY ESTIMATE NO.2	\$ 6,855.59

**TOTAL AMOUNT TO BE PAID TO GREAT LAKES CONTRACTING SOLUTIONS, INC. - PAY ESTIMATE NO. 3 (FINAL):** \$ 2,000.00

6/24/19  
OK to Pay  
[Signature]



**To:** Honorable President Peddie;  
Village Council Members;  
Village Manager, Wilson

**From:** Planning & Zoning Administrator, LaPere

**Re:** Proposed amendment to Chapter 22, Section 22.08.280 Nuisance Activities

**Date:** June 25, 2019

In 2017 the Village adopted an ordinance amending Chapter 22, Section 22.08.280 Nuisance Activities, to add subsection B, item 3 Fences which regulates fencing surrounding construction sites. At that time, the decision was to require a four (4) foot fence for the duration of time in which an open hole or excavation was accessible on the project site.

Since enacting the ordinance, the Village has had compliance concerns regarding the time such fencing is installed as well as the general security of the fencing. Language is printed on the building and demolition permits noting the requirement, as well as communicated verbally, to ensure contractors are aware of the regulations. Administration has reviewed other communities' regulations relative to construction fencing and suggests modifying the language to require higher fencing, a longer duration, and specific details regarding gates and accessibility.

Administration has drafted a proposed update to reference Building Department rules per Council and Planning Commission discussion on this matter. Administration has drafted those Construction Site Maintenance Requirements along with detailed submittal guidelines for demolition permits. In addition to these formalized requirements, administration has reviewed its internal processes and we will be conducting a site visit to confirm installation of fencing prior to issuing the permit for demolition or construction.

Upon conducting the public hearing at the May 22<sup>nd</sup> meeting, the Planning Commission made a recommendation to Council to adopt the proposed changes to the ordinance to reference those newly adopted rules for construction site maintenance.

Procedurally, after the Planning Commission has a public hearing and made a recommendation to Village Council, the Village Council must also hold a public hearing, and first and second readings prior to adoption. Upon adoption by Council, the language will take effect 20 days after publication.

eel

attachment

VILLAGE OF BEVERLY HILLS  
ORDINANCE NO. 368

**AN ORDINANCE TO AMEND THE VILLAGE ZONING ORDINANCE,  
CHAPTER 22, SECTION 22.08.280 REGULATION OF NUISANCE ACTIVITIES  
FOR THE VILLAGE OF BEVERLY HILLS.**

The Village of Beverly Hills Ordains:

Section 1.01. That Village of Beverly Hills Zoning Ordinance, Chapter 22, Section 22.08.280 Regulation of Nuisance Activities for the Village of Beverly Hills is hereby amended to read as follows:

**22.08.280 REGULATION OF NUISANCE ACTIVITIES.**

- a. No activity or use shall be permitted on any property which by reason of the emission of odor, fumes, smoke, vibration, noise or disposal of waste is deleterious to other permitted activities in the Zone District or if obnoxious or offensive to uses permitted in neighboring Zone Districts.
- b. All properties shall be in compliance with the Building Department Construction Site Maintenance Requirements while under a valid permit for construction.

Section 2.01. SEVERABILITY. If any section, clause or provision of this Ordinance shall be declared to be inconsistent with the Constitution and laws of the State of Michigan and voided by any court of competent jurisdiction, said section, clause or provision declared to be unconstitutional and void shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force.

Section 3.01. SAVING CLAUSE. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

Section 4.01. REPEALER. Any Ordinance conflicting with this Ordinance be and the same is hereby repealed.

Section 5.01. EFFECTIVE DATE. A public hearing having been held by the Planning Commission on Wednesday, May 22, 2019, and the Village Council on July 2, 2019, the provision of this Ordinance shall become effective 20 days following its publication in The Eccentric, a newspaper circulated within said Village.

Made and passed by the Village Council of the Village of Beverly Hills this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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LEE PEDDIE, Village President

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KRISTIN RUTKOWSKI, Village Clerk

I, Kristin Rutkowski, being the duly appointed and qualified Clerk of the Village of Beverly Hills, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of an Ordinance adopted by the Village Council of the Village of Beverly Hills at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

---

KRISTIN RUTKOWSKI, Village Clerk



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

**From:** Kristin Rutkowski, Village Clerk/Assistant Village Manager

**Subject:** Ordinance to amend the Municipal Code by repealing Chapter 42 Section 42.07(c)

**Date:** June 26, 2019

Chapter 42 of the Village of Beverly Hills Municipal Code pertains to Offenses Against Public Peace, Safety, and Morals. Section 42.07(c) Apparel of the Opposite Sex states “no person shall appear in public in the dress of the opposite sex.” Administration received a request to eliminate this section from the Code as it is outdated and unnecessary.

Procedurally, Village Council will hold first and second readings and then vote on adoption of the ordinance. Upon adoption, the ordinance would take effect twenty days after publication in a newspaper of general circulation.

Attachment

ORDINANCE NO. 369

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE  
VILLAGE OF BEVERLY HILLS BY REPEALING SECTION 42.07(C)  
APPAREL OF OPPOSITE SEX

The Village of Beverly Hills Ordains:

Section 1.01. That Section 42.07 Offenses Against Morals, Subsection (c) is hereby amended to repeal Section (c).

Section 2.01. REPEALER. Section 42.07(c) is hereby repealed.

Section 3.01. SEVERABILITY. Should any section, clause or paragraph of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the Ordinance as a whole or part thereof other than the part declared to be invalid.

Section 4.01. SAVINGS CLAUSE. The passage of this Ordinance does not affect or impair any act done, committed or right accrued or acquired or liability, penalty, forfeiture or punishment incurred prior to the time enforced, prosecuted or inflicted.

Section 5.01. EFFECTIVE DATE. The provision of this Ordinance shall become effective 20 days following its publication in The Eccentric, a newspaper circulated within said Village.

Made and passed by the Village Council of the Village of Beverly Hills this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Lee Peddie, Village President

\_\_\_\_\_  
Kristin Rutkowski, Village Clerk

I, Kristin Rutkowski, being the duly appointed and qualified Clerk of the Village of Beverly Hills, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of an Ordinance adopted by the Village Council of the Village of Beverly Hills at a regular meeting thereof held on the \_\_\_\_ day of July, 2019.

\_\_\_\_\_  
Kristin Rutkowski, Village Clerk





To: Honorable President Peddie; Village Council  
Chris Wilson, Village Manager

From: Erin E. LaPere, Planning & Zoning Administrator

Date: June 27, 2019

Re: Special Land Use and Site Plan Approval for Detroit Country Day School

The Village has conducted a site visit and confirmed Detroit Country Day School (DCDS) has removed the recreational structures, play structure and sport court, and is in the process of restoring the areas on the top of the hill. The dismantled structures are being temporarily stored on site while the school works with local organizations to repurpose them.

This is pursuant to the written request from Cunningham-Limp on behalf of DCDS to withdraw their request for special land use approval and site plan approval to amend the approved site plan for the Middle School to retain two recreational structures constructed and add a security structure in the parking lot. Attached is the letter detailing the request from DCDS.

**Suggested Motion**

Village Council accepts the withdrawal of the request by Detroit Country Day School for special land use and site plan amendment for the Middle School given that the two recreational structures have been removed.

eel

attachment



April 2, 2019

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

**Re: Detroit Country Day School Structure Removal  
Sent Via Email**

Dear Mr. Wilson:

Thank you for taking my call yesterday regarding the current request from Detroit Country Day School (DCDS). As we are all aware, DCDS has an open request into the Village for consideration of retaining the Play Structure and Sport Court. It also includes the consideration of installing a small guard structure on Hillview Drive.

At the March 5, 2019 Village Council meeting, a direction was made to table the DCDS request until the April 16, 2019 Village Council meeting. After the March 5<sup>th</sup> meeting, representatives from DCDS and individual neighbors directly adjacent to the School conducted a series of meetings and exchanged correspondence associated to the Play Structure and Sport Court. The conclusion of the efforts between the school and neighbors will result in the School removing the Play Structure and Sport Court. The areas currently occupied by the two structures shall be re-graded and seeded to be in compliance with the 2016 Village Approved Site Plan.

Given the recent decision to remove the structures, Cunningham-Limp is in the process of securing subcontracts to perform the work. The work is targeted to commence in the Mid-May or early June time frame. Factors that impact the start of the work are subcontractor availability and weather. In any event, the work shall be completed no later than June 28, 2019. At the completion of the work, the Village will be contacted to schedule a site visit to validate the removal and restoration work. After the site inspection, and assuming there are no issues, it is requested that a letter from the Village be provided indicating all work has been completed/restored in accordance with the 2016 Site Plan Approval and Village expectations.

It should also be understood that the School has not used the Structures since the end of September when the School was given notice by the Village. The School will continue to abstain from the use of the unapproved structures.

A separate and new submittal shall be provided for the request of the proposed Security Structure on Hillview Drive.

Given the position of the School to remove the unapproved structures and submit a new and independent submittal for the Security Structure, it is assumed that there is no need to be placed on the Agenda for the Village Council meeting on April 16, 2019. If this is not the case please let us know and a representative from our firm will be present.

Please let us know if you have any questions or require additional information.

Sincerely,  
**CUNNINGHAM-LIMP COMPANY**



Samuel J Ashley, Jr.  
Vice President

Cc:  
Mr. Glen Shilling, Headmaster, Detroit Country Day School  
Mr. Tyler Tennent, Dawda Mann Mulcahy & Sadler PLC



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

**From:** Kristin Rutkowski, Village Clerk/Assistant Village Manager

**Subject:** Cost Participation Agreement for the Local Road Improvement Matching Fund Pilot Program

**Date:** June 26, 2019

The Village of Beverly Hills applied for Local Road Improvement Program funding to offset some of the upcoming road repair/reconstruction costs. The Oakland County Board of Commissioners has approved the Village's application for funding under the 2019 Pilot Local Road Improvement Matching Fund Program. Funding in the amount of \$16,284.00 from the County will be provided to the Village for the concrete repair and replacement on Foxboro Way between Metamora Lane and Sleepy Hollow Lane. The remaining balance for the reconstruction project will be paid by the Village.

The Board of Commissioners sent the Village a Cost Participation Agreement to be executed. Upon its execution, the Village will invoice the County for \$16,284.00.

The award letter and cost participation agreement are attached.

**Suggested Resolution:**

Be it resolved that the Village Council of the Village of Beverly Hills hereby approves the Local Road Improvement Matching Fund Pilot Program Cost Participation Agreement with the Board of Commissioners of the County of Oakland, Michigan in the amount of \$16,284.00.

Attachments



## BOARD OF COMMISSIONERS

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1200 N. Telegraph Road  
Pontiac, MI 48341-0475  
Phone: (248) 858-0100  
Fax: (248) 858-1572

June 13, 2019

Village Manager Chris D. Wilson  
Village of Beverly Hills  
18500 West Thirteen Mile  
Beverly Hills, MI 48025

Dear Village Manager Wilson,

I am pleased to inform you that the Board of Commissioners has approved your application for funding under the 2019 Pilot Local Road Improvement Program.

Poor conditions on our roads create an impediment to the economic development of our community and diminish the excellent quality of life our residents expect. Oakland County is proud to be a partner with your local government to provide much needed investment in our local transportation infrastructure.

Enclosed you will find two (2) copies of a Cost Participation Agreement. Following approval by your governing authority and execution of the agreement, please forward the documents to:

Oakland County Board of Commissioners  
Attn: Amy Aubry, Analyst  
1200 N. Telegraph Road  
Pontiac, Michigan 48341-0475

We will return a fully executed copy to you for your records. After you receive the finalized agreement, you can invoice our Management and Budget office as instructed in the agreement for payment.

If you have any questions regarding the program or agreement, please feel to contact Amy Aubry, Analyst of the Board of Commissioners at (248)858-1067 or [aubrya@oakgov.com](mailto:aubrya@oakgov.com). In addition, please feel free to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. Miller", is written over a horizontal line.

William Miller  
Oakland County Commissioner

## **LOCAL ROAD IMPROVEMENT MATCHING FUND PILOT PROGRAM**

### **COST PARTICIPATION AGREEMENT**

Concrete Repair and Replacement on Foxboro Way

Village of Beverly Hills

Board Project No. 2019-35

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between the Board of Commissioners of the County of Oakland, Michigan, hereinafter referred to as the BOARD, and the Village of Beverly Hills, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD has established the Pilot Local Road Improvement Matching Fund Program, hereinafter the PROGRAM, for the purposes of improving economic development in Oakland County cities and villages. The terms and policies of the PROGRAM are contained in Attachment A. The BOARD intends the PROGRAM to assist its municipalities by offering limited funds, from state statutory revenue sharing funds, for specific, targeted road maintenance and/or improvement projects on roadways under the jurisdiction of cities and villages; and

WHEREAS, the BOARD shall participate in a city or village road project in an amount not exceeding 50% of the cost of the road improvement, hereinafter referred to as the PROJECT, and also not exceeding the Preliminary Distribution Formula as it relates to the COMMUNITY, (Attachment B); and

WHEREAS, the COMMUNITY has identified the PROJECT as the Concrete Repair and Replacement on Foxboro Way, as more fully described in Attachment C, attached hereto, and made a part hereof, which improvements involve roads under the jurisdiction of and within the COMMUNITY and are not under the jurisdiction of the Road Commission for Oakland County or state trunk lines; and

WHEREAS, the COMMUNITY has acknowledged and agreed to the BOARD's policies regarding the PROGRAM, Attachment A, and further acknowledge and agree that the PROJECT's purpose is to encourage and assist businesses to locate and expand within Oakland County and shall submit a report to the BOARD identifying the effect of the PROJECT on businesses in the COMMUNITY at the completion of the PROJECT. In addition, the COMMUNITY acknowledges that the program is meant to supplement and not replace funding for existing road programs or projects; and

WHEREAS, the COMMUNITY has acknowledged and agreed that the PROGRAM is expressly established as a pilot program and there is no guarantee that the PROGRAM will be continued from year to year. The BOARD anticipates that most PROJECTS funded under the PROGRAM will be completed by the end of calendar year 2020. There is no obligation on behalf of the BOARD to fund either the PROJECT or the PROGRAM in the future; and

WHEREAS the COMMUNITY has acknowledged and agreed that the COMMUNITY shall assume any and all responsibilities and liabilities arising out of the administration of the PROJECT

and that Oakland County shares no such responsibilities in administering the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$600,000; and

WHEREAS, said PROJECT involves certain designated and approved Local Road Improvement Matching Funds in the amount of \$16,284, which amount shall be paid to the COMMUNITY by the BOARD; and

WHEREAS, the BOARD and the COMMUNITY have reached a mutual understanding regarding the cost sharing of the PROJECT and wish to commit that understanding to writing in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and in conformity with applicable law and BOARD resolution(s), it is hereby agreed between the COMMUNITY and the BOARD that:

1. The BOARD approves of the PROJECT, and in reliance upon the acknowledgements of the COMMUNITY, finds that the PROJECT meets the purpose of the PROGRAM.

2. The BOARD approves of a total funding amount under the PROGRAM for the PROJECT in an amount not to exceed \$16,284. The COMMUNITY shall submit an invoice to the COUNTY in the amount of \$16,284.

a. The Invoice shall be sent to:

Lynn Sonkiss, Manager of Fiscal Services  
Executive Office Building  
2100 Pontiac Lake Road, Building 41 West  
Waterford, MI 48328

3. Upon receipt of said invoice and upon execution of this Agreement, the BOARD shall pay the COMMUNITY the sum of \$16,284 from funds available in the PROGRAM.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

OAKLAND COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Its: \_\_\_\_\_

COMMUNITY

By: \_\_\_\_\_

Its: \_\_\_\_\_



**PILOT LOCAL ROAD IMPROVEMENT MATCHING FUND PROGRAM**

**STATEMENT OF PURPOSE**

Oakland County Government recognizes that Michigan law places the primary responsibility for road funding on the State and non-county local units of government. However, the County also recognizes that the law does permit a limited, discretionary role for the County in assisting a road commission and local units within a county by supporting some road maintenance and improvement efforts.

Accordingly, for many years Oakland County has voluntarily provided limited assistance to its cities, villages and townships (CVT's) and to the Road Commission of Oakland County (RCOC) by investing in a discretionary Tri-Party Road Program. Authorized under Michigan law, the County's tri-party funding contributions primarily facilitate safety improvement projects on CVT roads under the jurisdiction of the RCOC. By law, tri-party funds cannot be used to fund projects on roads solely under the jurisdiction of CVT's.

Recognizing a continuing need to better maintain local CVT streets and roads, yet being ever mindful of the County's limited responsibility for and jurisdiction over non-County roads and streets, Oakland County Government wishes to pilot a discretionary program that is more flexible than the current Tri-Party Road Program, one that will allow Oakland County to assist its cities and villages with maintenance and safety projects on non-County roads.

Not being the funding responsibility of County government, local CVT roads generally cannot be maintained or improved using County funds because doing so would be considered to be the "gifting" of County resources. However laudable the purpose, Michigan law generally forbids the gifting of government resources. To avoid application of the constitutionally-based gifting restriction, the state legislature must, and in this arena has, determined that a public benefit results from a taxpayer investment, one that provides a *quid pro quo* sufficient to avoid application of the gifting prohibition. Here, the legislature has determined that the economic development benefit presumed to accrue to a county as a result of local street and road investments can provide a sufficient *quid pro quo* to county taxpayers justifying a discretionary county investment in a non-county road, a benefit that constitutes a fair exchange for value and not a gift.

This legislative determination is set forth in 1985 P.A. 9, which amended 1913 P.A. 380, by adding a new section 2, which in pertinent part provides:

"(1)...A county may grant or loan funds to a township, village or city located within that county for the purpose of encouraging and assisting businesses to locate and expand within the county...

(2) A loan or grant made under subsection (1) may be used for local public improvements or to encourage and assist businesses in locating or expanding in this state, to preserve jobs in this state, to encourage investment in the communities in this state, or for other public purposes."

Communities that wish to attract, retain and grow business, retain jobs and encourage community investment, needs a safely maintained road infrastructure. This road infrastructure must include both residential and commercial roads as workers and consumers need to get to and from work, shopping, schools and recreation. In a fiscally prudent and limited manner, the County wishes to

help its cities and villages accomplish this objective by test-piloting a new local road improvement matching fund program.

Any such program must be mindful of the limits imposed under Public Act 9. One important restriction Public Act 9 imposed on grants or loans made pursuant to Subsection 2 of the Act is the mandate that, "A grant or loan under this Subsection shall not be derived from ad valorem taxes except for ad valorem taxes approved by a vote of the people for economic development." This means that funding for an expanded local road assistance program cannot utilize proceeds from any of Oakland County's ad valorem tax levies since no levy has been approved by voters specifically for economic development.

Given this limitation, it appears that the state statutory revenue sharing appropriated to the County can provide a non-ad valorem source of funds that legally can be used to support the pilot program. Competition for those funds, which are limited in amount, is fierce and their yearly availability is subject to the state legislative process. In the recent past, the State stripped all of those funds away from Michigan counties. Understanding that reality, it shall be the policy of the Oakland County Board of Commissioners that the Board shall not appropriate any County funds for a local road improvement matching fund program for non-County roads in any year where the State of Michigan fails to appropriate statutory revenue sharing funds to Oakland County in an amount sufficient to allow the County to first prudently address its core functions.

Act 9 imposes additional conditions on grants and loans. These include requirements that the loan or grant shall be administered within an established application process for proposals; that any grant or loan shall be made at a public hearing of the county board of commissioners and that the Board shall require a report to the county board of commissioners regarding the activities of the recipient and a report as to the degree to which the recipient has met the stated public purpose of the funding.

Understanding all of the above, the Oakland County Board of Commissioners hereby establishes the following Pilot Local Road Improvement Matching Fund Program:

## **PROGRAM SUMMARY**

The Board of Commissioners establishes a Pilot Local Road Improvement Matching Fund Program for the purposes of improving economic development in Oakland County cities and villages. The County intends this Program to assist its municipalities by offering limited matching funds for specific, targeted road maintenance and/or improvement projects on roadways under the jurisdiction of cities and villages.

A city or village participating in the Local Road Improvement Matching Fund Program shall match any fund authorized by the Board of Commissioners in an amount equal to a minimum of 50% of the cost of the total project award. County participation shall be limited to a maximum of 50% of the cost of the total project budget. Funding shall be utilized to supplement and enhance local road maintenance and improvement programs. Funding is not intended to replace existing budgeted local road programs or to replace funding already committed to road improvements.

## **PROJECT GUIDELINES**

Program funding shall be utilized solely for the purposes of road improvements to roads under the jurisdiction of local cities and villages. Road improvements may include, but not be limited to, paving, resurfacing, lane additions or lengthening, bridges, or drainage as such improvements relate to road safety, structure or relieving congestion.

Program funding:

May be utilized to supplement a local government's matched funding for the purposes of receiving additional federal transportation funding;

May not be utilized to fulfill a local government's responsibility to fund improvements to state trunklines;

Shall be limited to real capital improvements to roadways and shall not be utilized for other purposes, such as administrative expenses, personnel, consultants or other similar purposes;

Shall not be utilized for non-motorized improvements, unless these improvements are included in a project plan for major improvements to a motorized roadway;

Shall be utilized for projects that will result in a measurable improvement in the development of the local economy and contribute to business growth. Recipients shall be responsible for providing an outline of the economic benefits of the project prior to approval and for reporting to the Board of Commissioners after the completion of the project on the benefits achieved as a result of the projects.

## **ADMINISTRATION**

Local Road Improvement Matching Fund Program projects may be appropriated by the Board of Commissioners in compliance with the County budget process. The amount of funds to be dedicated for the Pilot Program shall be determined by the Board of Commissioners on an annual basis. Program funding may be reduced or eliminated based upon the ability of the County government to meet primary constitutional and statutory duties. The Board of Commissioners expressly reserves the right to adjust the County matching funds share at any time based upon County budget needs.

In accordance with MCL 123.872, funds dedicated to the Local Road Improvement Matching Fund Program shall not be derived from ad valorem tax revenues. Program funding shall be limited to funds derived from the County's distribution from the Michigan General Revenue Sharing Act. Reduction or elimination of the County's distribution of revenue sharing funds may result in the elimination or suspension of the program.

Funding availability shall be distributed based upon a formula updated annually. The formula will consist of:

1. A percentage derived from the number of certified local major street miles in each city and village divided by aggregate total of certified local major street miles of all cities and villages in the County.

2. A percentage derived from the population of each city and village as determined by the last decennial census conducted by the U.S. Census Bureau divided by the aggregate total population of cities and villages in the County.
3. A percentage derived from the three-year rolling total of the number of crashes on city and village major local streets divided by the aggregate three-year rolling crash numbers for all city and village major local streets, using the most recent data available. The crash data will be supplied by the Road Commission for Oakland County using data from the Traffic Improvement Association.

Each city and villages percentage allocation shall be determined by adding each factor percentage and dividing that total by three. The amount of funds available for match shall be determined by the total amount of funds allocated by the Board of Commissioners added to an equal amount representing the match provided by local cities and villages.

The Chairman of the Board of Commissioners shall establish a Special Committee on the Local Road Improvement Program. This Special Committee shall consist of three members, with two members representing the majority caucus and one member representing the minority caucus. It shall be the responsibility of the Special Committee to direct the administration of this program, receive applications for program funding and make recommendations of acceptance to the Board of Commissioners. The Special Committee may consult with County departments, staff and the Road Commission for Oakland County in the conduct of its business.

## **DISBURSEMENT**

The Special Committee shall forward recommendations for approval of Local Road Improvement Matching Fund Program projects to the Chairman of the Board of Commissioners. This recommendation shall include a cost participation agreement between the County and participating municipality. Minimally, cost participation agreements shall include: responsibility for administering the project, the project location, purpose, scope, estimated costs including supporting detail, provisions ensuring compliance with project guidelines, as well as disbursement eligibility requirements. The cost participation agreement shall also require the maintenance of supporting documentation to ensure compliance with the following provisions:

1. Any and all supporting documentation for project expenditures reimbursed with appropriated funding shall be maintained a minimum of seven years from the date of final reimbursement for actual expenditures incurred.
2. The Oakland County Auditing Division reserves the right to audit any and all project expenditures reimbursed through the program.

Upon receipt of recommendation of project approval from the Special Committee, the County Commissioner or Commissioners, representing the area included in the proposed project, may introduce a resolution authorizing approval of the project and the release of funds. Resolutions shall be forwarded to the Economic Growth and Infrastructure Committee of the Board of Commissioners, who shall review and issue a recommendation to the Board on the adoption of the resolution. The Chairperson of the Economic Growth and Infrastructure Committee shall schedule a public hearing before the Board of Commissioners prior to consideration of final approval of the resolution.

The deadline for projects to be submitted for consideration shall be established by the Special Committee. The Special Committee may work with participating municipalities to develop a plan

for projects that exceed that municipality's annual allocation amount. This may include a limited plan to rollover that municipality's allocation for a period of years until enough funding availability has accrued to complete the project, subject to funding availability.

Upon completion of project plans and execution of the local participation agreement by the County and governing authority of the local municipality, the participating municipality shall submit an invoice in accordance with the terms and conditions included in the agreement. The Oakland County Department of Management and Budget Fiscal Services Division shall process payments in accordance with policies and procedures as set forth by the Department of Management and Budget and the Oakland County Treasurer.

In the event an eligible local unit of government chooses not to participate in the Local Road Improvement Matching Fund Program, any previously undistributed allocated funding may be reallocated to all participating local units of government at the discretion of the Local Road Improvement Program Special Committee.

At the completion of each project, the participating local government shall provide a report to the Board of Commissioners regarding the activities of the recipient and the degree to which the recipient has met the stated public purpose of the funding as required by MCL 123.872.



# LRIP DISTRIBUTION FORMULA

2019

Attachment "B"

City/Village	Cert Major Local Road Mill Miles %	Population	Pop %	Crash Data	Crash %	Miles+Pop+Crash	Minimum Project Cost	Rollover Allocation	Max County Match
Auburn Hills	32.33	4.82%	21,412	2.80%	236	1.34%	\$89,579	\$698	\$45,488
Berkley	15.63	2.33%	14,970	1.96%	55	0.31%	\$46,018	\$358	\$23,367
Beverly Hills	10.99	1.64%	10,267	1.34%	40	0.23%	\$32,068	\$250	\$16,284
Bingham Farms	1.02	0.15%	1,111	0.15%	54	0.31%	\$6,061	\$47	\$3,078
Birmingham	21.87	3.26%	20,103	2.63%	580	3.29%	\$91,782	\$715	\$46,606
Bloomfield Hills	8.83	1.32%	3,869	0.51%	235	1.33%	\$31,623	\$246	\$16,058
Clarkston	1.48	0.22%	882	0.12%	37	0.21%	\$5,498	\$43	\$2,792
Clawson	9.62	1.44%	11,825	1.55%	134	0.76%	\$37,497	\$292	\$19,041
Farmington	7.36	1.10%	10,372	1.36%	183	1.04%	\$34,975	\$272	\$17,760
Farmington Hills	58.36	8.71%	79,740	10.43%	1955	11.08%	\$302,234	\$2,354	\$153,471
Ferdale	20.99	3.13%	19,900	2.60%	219	1.24%	\$69,716	\$543	\$35,401
Franklin	4.34	0.65%	3,150	0.41%	48	0.27%	\$13,321	\$104	\$6,765
Hazel Park	17.12	2.55%	16,422	2.15%	188	1.07%	\$57,658	\$449	\$29,278
Holly	7	1.04%	6,086	0.80%	83	0.47%	\$23,105	\$180	\$11,733
Huntington Woods	6.95	1.04%	6,238	0.82%	58	0.33%	\$21,888	\$170	\$11,114
Keego Harbor	1.93	0.29%	2,970	0.39%	80	0.45%	\$11,335	\$88	\$5,756
Lake Angelus	0	0.00%	290	0.04%	22	0.12%	\$1,135	\$9	\$567
Lake Orion	2.74	0.41%	2,973	0.39%	123	0.70%	\$14,973	\$117	\$7,604
Lathrup Village	7.36	1.10%	4,075	0.53%	185	1.05%	\$26,788	\$209	\$13,603
Leonard	2.34	0.35%	403	0.05%	4	0.02%	\$4,227	\$33	\$2,147
Madison Heights	21.5	3.21%	29,694	3.89%	745	4.22%	\$113,236	\$882	\$57,500
Millford	7.3	1.09%	6,175	0.81%	108	0.61%	\$25,123	\$196	\$12,758
Northville	0.8	0.12%	5,970	0.78%	109	0.62%	\$15,179	\$118	\$7,708
Novi	39.52	5.90%	55,224	7.23%	1313	7.44%	\$205,737	\$1,602	\$104,471
Oak Park	18.35	2.74%	29,319	3.84%	275	1.56%	\$81,390	\$634	\$41,329
Orchard Lake	1.8	0.27%	2,375	0.31%	120	0.68%	\$12,603	\$98	\$6,400
Ortonville	3.21	0.48%	1,442	0.19%	40	0.23%	\$8,968	\$70	\$4,554
Oxford	6.01	0.90%	3,436	0.45%	107	0.61%	\$19,566	\$152	\$9,935
Pleasant Ridge	3.59	0.54%	2,526	0.33%	145	0.82%	\$16,920	\$132	\$8,592
Pontiac	70.21	10.47%	59,515	7.79%	1264	7.17%	\$254,259	\$1,980	\$129,110
Rochester	8.59	1.28%	12,711	1.66%	245	1.39%	\$43,290	\$337	\$21,982
Rochester Hills	38.61	5.76%	70,995	9.29%	1945	11.03%	\$260,767	\$2,031	\$132,415
Royal Oak	63.96	9.54%	57,236	7.49%	1083	6.14%	\$231,698	\$1,804	\$117,653
South Lyon	4.43	0.66%	11,327	1.48%	144	0.82%	\$29,564	\$230	\$15,012
Southfield	64.71	9.65%	71,739	9.39%	2452	13.90%	\$329,410	\$2,565	\$167,270
Sylvan Lake	2.58	0.38%	1,720	0.23%	66	0.37%	\$9,842	\$77	\$4,998
Troy	57.34	8.55%	80,980	10.60%	2343	13.28%	\$324,331	\$2,526	\$164,692
Walled Lake	5.34	0.80%	6,999	0.92%	153	0.87%	\$25,874	\$201	\$13,138
Wixom	10.49	1.56%	13,498	1.77%	408	2.31%	\$56,431	\$439	\$28,655
Wolverine	3.69	0.55%	4,312	0.56%	57	0.32%	\$14,331	\$112	\$7,278
TOTAL	670.29	100.00%	764,251	100.00%	17,639	100.01%	\$3,000,000	\$23,363	\$1,523,363

2019

**ATTACHMENT C**

Pilot Local Road Improvement Matching Fund Program

Concrete Repair and Replacement on Foxboro Way

Village of Beverly Hills

Board Project No. 2019-35

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Complete reconstruction of Foxboro Way (from Metamora to Sleepy Hollow), including base repairs and drainage.

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ESTIMATED PROJECT COST

Construction Costs	\$600,000
Total Estimated Project Costs	<u>\$600,000</u>

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COST PARTICIPATION BREAKDOWN:

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	COMMUNITY	COUNTY	TOTAL
FY2019, LRIP Program	\$16,034	\$16,034	\$32,068
Additional Contribution	\$567,682	\$250	\$567,932
TOTAL SHARES	\$583,716	\$16,284	\$600,000



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

**From:** Kristin Rutkowski, Village Clerk/Assistant Village Manager

**Subject:** Zoning Board of Appeals Vacancies

**Date:** June 25, 2019

There are two (2) vacancies on the Zoning Board of Appeals. The first vacancy is for a full member with a term ending June 30, 2022. The second vacancy is for an alternate member with a partial term ending June 30, 2021. The second vacancy was created when an alternate member was appointed as a full member at the previous council meeting.

The Zoning Board of Appeals meets on the second Monday of the month at 7:30 pm in the Village Council Chamber.

All eligible and interested residents are encouraged to apply by submitting an application to the Village Clerk's Office. Applications can be found on the Village website or at the Village Office. Applications are due Monday, July 29 with appointments scheduled to take place at the August 6<sup>th</sup> regular council meeting.

This constitutes the first announcement of the vacancies on the Zoning Board of Appeals.



# **Beverly Hills Public Safety Activity Report**

**June 13<sup>th</sup>- June 27<sup>th</sup>, 2019**

- The Public Safety Department wants to welcome our new hire, Anthony Sweet. PSO Anthony Sweet is a four year veteran of Detroit Fire Department. PSO Sweet just recently graduated from the Oakland Police Academy and finished number one in his class academically. PSO Sweet will be on probation for the next 18 months learning his job and will be assigned a Field Training Officers to help him through this process. PSO Sweet is also a para medic and teaches at Oakland Community College. Please, welcome him when you can.
- The Public Safety Department is currently looking for applicants for Public Safety Officer. Please visit our website, [www.beverlyhillspolice.com](http://www.beverlyhillspolice.com) and see if you qualify.
- Warm weather brings out motorcycles and bicyclist. Look twice and save a life.
- Remember to lock your car and house doors.
- Do not leave valuables inside your car. Do not leave your keys in your car.
- **Summer good time to talk with children about online predators** Rick Charmoli, Cadillac News 6.24.19. Summer is here and schools are out until the fall. What that means is there is more time for children and teens to do a myriad of different activities such as hiking, biking, swimming, playing sports, going on vacations and simply being outside. It also might mean they have the opportunity to catch up on some of the movies and television shows they weren't able to watch during the school year. It also could mean more time to play video games or surf the internet. While all of those things typically are considered good things, the summer could also mean more opportunities for these same children and teens to get themselves into trouble with those looking to take advantage of them. With that in mind, the Cadillac News reached out to Michigan State Police Trooper Marc Moore to talk about how parents can help to protect their children from becoming a victim of an online predator. Moore said how predators try to take advantage of children has changed but the way they do it has remained constant. "I don't know if there is anything new or cutting edge but I think it is the typical situation of individuals preying or taking advantage of the innocence or naiveté of children," he said. Much like a scammer does, someone looking to take advantage of a child or teen will look for something they can sympathize with or exploit something that might be a weakness of that child or teen, Moore said. This could include the child or teen not getting the attention they want at home, not having any friends or not being accepted into a certain social group, he said. With that, Moore said the person will try to build trust and form a "relationship" with them. They also will get them to think they are treating them more like an adult or take their side if, for

example, they are complaining about their parents or guardian. He said many times it doesn't start with a talk about sex but it evolves into that type of discussion. Social media is typically how these types of conversations begin but sometimes they begin on dating sites. Even if the child and teen are underage they will be on dating sites out of curiosity, as a joke or because they are looking for attention. In many circumstances, it is impossible for parents or guardians to be with their children all of the time and in some cases cell phones, tablets or computers are necessary for communication, Moore said. Technology is a positive thing but there are also negative things that can come with it. "It is critical parents review their children's phones. They have to get tech savvy and know how to search internet history, Moore said. "They need to know what apps they should be looking for, be able to locate hidden apps that can be disguised on the phone and know they can look at anything that their children are doing on the internet. Moore said there are apps that can be purchased limiting the amount of screen time and data usage and apps that send every text from a child or teen's phone to their parents or guardian's phone. You also may want to check with your internet or cell phone provider to see if they offer any programs or tools free of charge. In many cases, Moore said he sees 13-15-year-olds as the primary targets but he also has seen cases that dealt with inappropriate activity directed at 8-9-year-olds. Moore said if a child or teen is quickly closing windows on a computer, deleting browser history, trying to be discrete or are afraid to show you something they are doing, there is a reason why. That is probably a good time to check the phone or device and have a conversation with that child or teen. "Do your best as a parent to talk about it with your kids. Don't be afraid to discuss the topic that you are aware this is going on and you want to keep them safe, he said. "If they are old enough to utilize a device on their own the discussion should be had, for those who don't know, human trafficking is a form of modern-day slavery. Victims of human trafficking are subjected to force, fraud or coercion for the purpose of commercial sex or forced labor. They are young children, teenagers, men and women. Trafficking in persons occurs throughout the world, including in the United States and Michigan. The risk factors that are associated with human trafficking include abuse, neglect, drug use, poverty, and probably most importantly, demand. Without that final ingredient, there wouldn't be a need for it, but people are seeking it out.

[https://www.cadillacnews.com/news/summer-good-time-to-talk-with-children-about-online-predators/article\\_948c7928-cb1a-5cb0-8109-b8f4967be652.html](https://www.cadillacnews.com/news/summer-good-time-to-talk-with-children-about-online-predators/article_948c7928-cb1a-5cb0-8109-b8f4967be652.html)

### **CALLS FOR SERVICE**

- 211 Calls for Service.
- 19 Arrests.
- 143 Tickets issued.

- 3 Walk in PBT's.
- 5 Prescription pill drop offs.
- Vacation checks.
- Car Seat Check.
- 2 Prisoner transports to and from the Birmingham Police Department.
- Assist Birmingham Police search for an individual on Southfield Rd. who was involved in a damage to property complaint.
- Assist Southfield Police and Fire with a traffic Accident on 13 Mile Rd.
- 3 Motorist Assists on 13 Mile Rd.
- 4 Traffic Accidents on 13 Mile Rd.
- 2 Reckless Driving complaints on 13 Mile Rd.
- 3 Medicals on 13 Mile Rd.
- Alarm on 13 Mile Rd.
- 2 Citizen Assists on 13 Mile Rd.
- Suspicious Circumstance on 13 Mile Rd.
- Suspicious Vehicle on 13 Mile.
- Suspicious Person on 13 Mile Rd.
- Traffic Investigation on 13 Mile Rd.
- Noise complaint on 13 Mile Rd.
- Animal complaint on 13 Mile Rd.
- 2 Assist Oakland County Road Commission on 13 Mile Rd.
- Suspicious Persons on 14 Mile Rd.
- Traffic complaint on 14 Mile Rd.
- Traffic Accident on 14 Mile Rd.
- Hang Up 911 on 14 Mile Rd.
- Assist Bloomfield Twp. Police on 14 Mile Rd.
- Motorist Assist on Southfield.
- Suspicious Persons on Southfield.
- Suspicious Circumstance complaint on Southfield.
- 3 Traffic Accidents on Southfield.
- Traffic Investigation on Southfield.
- Assist Royal Oak Police with a Suspicious Person on Greenfield.
- Assist Royal Oak Police with an accident on Greenfield.
- Traffic Investigation on Greenfield.
- Suspicious Vehicle on Evergreen.
- Animal complaint on Evergreen
- Road Hazard on Lahser.
- Suspicious Person on Lahser.
- 2 Alarms on Beverly.
- 2 Traffic Accidents on Beverly.
- Vehicle Lockout on Beverly.
- Fraud on Fairfax.
- Alarm on Fairfax.
- Alarm on Orchard Way.

- Citizen Assist on Friartuck.
- Medical on Crossbow.
- Suspicious Persons on Crossbow.
- Assist Birmingham Police with a traffic accident on 14 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 Greenfield for a traffic violation. The driver was suspected of operating while intoxicated. The driver was arrested without incident.
- PPO violation on Dunblaine.
- Officers stopped a vehicle on Southfield for a traffic violation. The driver was operating without a license and warrants for his arrest. The driver was arrested without incident.
- Officers stopped a vehicle on Greenfield for a traffic violation. The driver was operating on a suspended license and warrants for his arrest. The driver was arrested without incident.
- Lift Assist on Dunblaine.
- Medical on Saxon.
- Assist New York Police locating a stolen vehicle on Sunset Ct.
- Neighbor Trouble on Buckingham.
- Animal complaint on Walmer.
- Alarm on Amherst.
- PR response on Cobblestone Ct.
- Officers stopped a vehicle on Evergreen for a traffic violation. The driver was operating on a suspended license. The driver was arrested without incident.
- Found Property on Kirkshire.
- Officers stopped a vehicle on 14 Mile for a traffic violation. The driver was operating on a suspended license. The driver was arrested without incident.
- Parking complaint on Kirkshire.
- Animal complaint on Arlington.
- Officers stopped a vehicle on Southfield for a traffic violation. The driver was carrying a concealed weapon with a suspended CPL. The weapon was confiscated and enforcement action was taken.
- Vehicle Lockout on Birwood.
- Alarm on Kirkshire.
- Alarm on Ronsdale.
- Suspicious Circumstance on Old Cannon.
- Odor Investigation on W. Rutland.
- Officers stopped a vehicle on 14 Mile for a traffic violation. The driver was operating on a suspended license. The driver was arrested without incident.
- Animal complaint on Village.
- Assist Birmingham Police with a reckless driving complaint on Southfield
- Assist Royal Oak Police arresting a suspect wanted for fraud.
- 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.
- Alarm on Wellesley.

- Welfare Check on Normandale.
- 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.
- Animal complaint on Bellvine Trail.
- 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.
- Alarm on Ronsdale.
- Alarm on Reedmere.
- Road Hazard on Auburn.
- Officers stopped a vehicle on Greenfield for a traffic violation. The driver was operating on a suspended license and had several warrants for his arrest. The driver was arrested without incident.
- Lift Assist on Robinhood.
- 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. The driver was arrested without incident.
- 3 Alarms on Buckingham.
- Officers stopped a vehicle on Lahser for a traffic violation. The driver was operating on a suspended license. The driver was arrested without incident.
- Medical on Kennoway.
- Noise complaint on Sheridan.
- Traffic Accident on Locherbie.
- Officers stopped a vehicle on Lahser for a traffic violation. The driver was operating on a suspended license. The driver was arrested without incident.
- Animal complaint on Glencoe.
- Suspicious Persons on Marlin Ct.
- Parking complaint on Bedford.
- Medical on Kinross.
- Officers stopped a vehicle on Lahser for a traffic violation. The driver was operating on a suspended license and had warrants for his arrest. The driver was arrested without incident.
- Fireworks complaint on Woodhaven.
- Fireworks complaint on Southfield.
- Suspicious Persons on Hillcrest.
- Medical on Huntley Sq. E.
- Parking complaint on Birwood.
- Citizen Assist on Old Post.
- Road Hazard on Hillcrest.
- Alarm on E. Lincolnshire.
- Medical on Woodhaven.
- Medical on Hillcrest.
- Suspicious Circumstance on Tremont.
- Medical on Breezewood Ct.

- Animal complaint on Glencoe.
- Damage to property on Eastlady.
- Carbon Monoxide Alarm on Beechwood.
- Carbon Monoxide Alarm on Dunblaine.
- Medical on Orchard Way.
- Officers stopped a vehicle on 13 Mile for a traffic violation. The driver was operating without a license. The driver was arrested without incident.
- Alarm on Bedford.
- Road Hazard on Old Post.
- Fraud on Allerton.
- Welfare Check on Tremont.
- Lift Assist on Stellamar.
- Civil Matter on Bellvine Trail.
- Animal complaint on N. Verona.
- Parking complaint on Verona Circle.
- Suspicious Persons on Pierce.
- Officers stopped a vehicle on 14 Mile for a traffic violation. The driver was suspected of operating while intoxicated. The driver was arrested without incident.
- Assist Berkley Public Safety with a commercial fire on Coolidge.

### **INVESTIGATIONS**

- CFS Closed and Reviewed-210.
- 8 Pending Cases.
- 21 Open Cases.
- 10 Cases Closed/11 Cases Assigned.
- Sent Assault case to APA for review.
- Sent elimination DNA to OC Lab.
- Sent Flee-Elude/R&O to APA.
- Sent PPO Violation to APA for Review.
- Two blood kits Sent to MSP-OWI.
- Arraignment for OWI High BAC at 46<sup>th</sup>.
- Sent Assault 4th Degree to OC Juvenile Court for Review.
- Took DVR & Cell Phone to OC Lab.
- Dispositions updated on cases from 06/06/2019 at the 46th District Court.
- Interview with Suspect in CPS Complaint.
- Investigate Threats complaint.

### **FIRE PREVENTION**

- Attend Fire Staff and Command.
- 2 Fire Inspections on Southfield.

- Outfit new fire truck.
- Decommission old fire truck.
- MABAS Meeting.
- Submit medical reports to the State.
- Continue education EMS training.
- The old fire truck is currently being strip for usable parts and equipment.



June 11, 2019

Ms. Kristin Rutkowski, Clerk  
Village of Beverly Hills  
18500 W. 13 Mile Road  
Beverly Hills, MI 48025

RE: Important Information—Channel Lineup Change

Dear Ms. Rutkowski:

I am contacting you today regarding upcoming programming change. Customers are being notified of this change via bill message.

Effective July 23, 2019, Tennis channel will be available in our Digital Starter tier.

If I can be of any further assistance, please contact me at 734-254-1557.

Sincerely,

A handwritten signature in black ink, appearing to read "Kyle V. Mazurek", is written over the printed name.

Kyle V. Mazurek  
Manager of External Affairs  
Comcast, Heartland Region  
41112 Concept Drive  
Plymouth, MI 48170





June 24, 2019

Ms. Kristin Rutkowski, Clerk  
Village of Beverly Hills  
18500 W. 13 Mile Road  
Beverly Hills, MI 48025

Re: TiVo Customers: Accessing Xfinity On Demand App

Dear Ms. Rutkowski:

We are committed to keeping you updated about actions that may affect our customers. To that end, and as a courtesy in the event you receive questions, we are letting you know that as of June 25, 2019, the Xfinity On Demand app will no longer be available on TiVo devices.

In close consultation with TiVo, we made the decision to remove the Xfinity On Demand app from TiVo devices because the platform that permits those entitlements utilizes outdated technology that can no longer be updated and is therefore susceptible to security breaches. Both Xfinity and TiVo have notified affected customers of this equipment issue.

Please feel free to contact me at 734-254-1557 if you have any questions or issues.

Sincerely,

Kyle V. Mazurek  
Manager of External Affairs  
Comcast, Heartland Region  
41112 Concept Drive  
Plymouth, MI 48170