

Village of Beverly Hills  
Regular Village Council Meeting  
Tuesday, February 21, 2023

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

Zoom link: <https://us02web.zoom.us/j/89427003286>

Meeting ID: 894 2700 3286

Dial in: 1-646-876-9923 (US)

### 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 joint Parks & Recreation/Council meeting held January 19, 2023.
2. Review and consider approval of **minutes** of a regular Council meeting held February 7, 2023.
3. Review and file **bills** recapped as of Monday, February 13, 2023.
4. Review and consider **request** from Beverly Hills Lions Club to waive pavilion rental fees for Fall Festival on Sunday, October 8, 2023.
5. Review and consider Parks & Recreation Board's **recommendation** to host Concerts in the Park.
6. Review and consider waiving **sales restrictions** at Beverly Park for Village sponsored events in 2023.

Business Agenda

1. Public Hearing to receive comments on the 2022 Special Assessment Roll for the Southfield Road Business Assessment District.
2. Review and consider 2022 **Special Assessment Roll** for the Southfield Road Business Assessment District.
3. Review and consider **proposal** from BS&A to establish an online permitting process for the Village of Beverly Hills' Building Department.

Public Comments

Manager's **report**

Council comments

This will be a hybrid meeting held in person in the Village Council Chambers with a remote participation option available via Zoom due to the COVID-19 pandemic.

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.

## Adjournment

This will be a hybrid meeting held in person in the Village Council Chambers with a remote participation option available via Zoom due to the COVID-19 pandemic.

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JOINT PARKS & RECREATION/VILLAGE COUNCIL MEETING MINUTES – JANUARY  
19, 2023 – PAGE 1

Present: Chairperson Borgon; Vice Chairperson Goodrich; Board Members: Bayless, Bresnahan, Hausman, Ross, and Ruprich

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

Absent: None

Also Present: Village Manager, Campbell  
Village Clerk/Assistant Manager, Rutkowski  
Public Services Director, Johnston

Borgon called the joint Parks & Recreation Board/Village Council meeting to order at 7:30 p.m. in the Village Council Chambers located at 18500 W. Thirteen Mile Road, Beverly Hills, MI 48025.

### **APPROVE AGENDA**

Motion by Goodrich, second by Bayless, the Parks & Recreation Board amends the agenda to add item 5a. Discuss Buy-a-Brick Fundraiser.

Motion passed.

Motion by Hausman, second by Ruprich, to approve the agenda as amended.

Motion passed.

### **APPROVE MINUTES OF A PARKS & RECREATION BOARD MEETING HELD NOVEMBER 17, 2022**

Motion by Bresnahan, second by Bayless, the Parks & Recreation Board approves the minutes of a regular Parks & Recreation Board meeting held November 17, 2022 as submitted.

Motion passed.

### **PUBLIC COMMENTS**

David Tobaben, Orchard Way, said he was disappointed that the acquisition of the Wendbrook property was not on this meeting agenda. He stated that he did not think the Village should be acquiring more space before maintaining what it already has. He said he was concerned about the cost to acquire and develop the property. He said a parking lot and sidewalks would be needed at this space. He said the Village should invest the money in Beverly Park and Riverside Park.

Greg Kessler, Beverly Road, said that Beverly Hills is about 4 square miles and there is a substantial number of untaxed properties in the Village. He said Wendbrook would be another untaxed property. He said residents need clarity on the development of the property.

Pamela Rijnovean, Evergreen, expressed concern about the cost of the Wendbrook property. She said she has not heard residents say the Village needs another park. She said Beverly Park Pond

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and Riverside Park need stabilization and maintenance. She said if houses were built on the Wendbrook property, then it would add to the tax roll. She also stated that there is a problem with a lack of transparency and does not think residents should have to search for information.

John Schmitt, Warwick, stated that the back of Beverly Park is utilized. He says he sees people exercising, playing disc golf, and walking at Beverly Park and would like to see it maintained. He asked if there has been a usage study conducted at Beverly Park.

Tony Lott, Riverside Drive, stated that the appointed, elected, and hired representatives present at the meeting are all fiduciaries of the Village. He referred to the Charter, Section 5.10, regarding financial interest in contracts and purchases. He believes it would be against the Charter to acquire the Wendbrook property. He requested better transparency and prudence. He said the Village should consider quality over quantity when it comes to parks.

Murray Christianson, Ronsdale, stated that the proposed park seems to be a good idea. He said it is an opportunity to get a beautiful piece of property in a time when park land is not being created. He did not think that a housing development would make a lot of money for the tax roll. He said the property is located on the Rouge River corridor. He said parks are assets and cities with parks are attractive to live in. He stated that there is a lack of space at nearby Groves High School for sports and recreation. He said the ground at Wendbrook is low and he would not want to build on it. He thinks the property should be preserved and does not want the Village to miss this opportunity.

#### **REVIEW AND CONSIDER REQUEST FROM GROVES ORCHESTRA TO HOST FORTE 5K AT BEVERLY PARK ON SUNDAY, MAY 7, 2023**

Administration received a request from Groves High School requesting to hold their annual Forte 5K Run and Walk at Beverly Park and on Village streets on Sunday, May 7, 2023 from 7:00 AM to 11:00 AM to benefit the Groves Orchestra. They have also requested to use the pavilion during this time and asked that the pavilion rental fees be waived. There are not any Village sponsored events scheduled at Beverly Park for May 7, 2023. A map of the route was provided.

Motion by Hausman, second by Goodrich, the Beverly Hills Parks & Recreation Board recommends that Village Council approve the request from Groves High School to hold their annual Forte 5K Run on Sunday, May 7, 2023 from 7:00 AM to 11:00 AM. This event will begin and end at the Beverly Park pavilion and they will utilize Village streets and sidewalks for the run. It is recommended that fees for use of the pavilion be waived for this event provided that a Certificate of Liability Insurance naming the Village of Beverly Hills as an additional insured is submitted to the Clerk's Office prior to the event.

Motion passed.

#### **UPDATE FROM PLAYGROUND SUBCOMMITTEE**

Hausman provided an update from the playground subcommittee, who has been meeting over the last several months regarding the design and cost of the Beverly Park playground replacement. She said the subcommittee, which consists of members Bresnahan, Goodrich and Hausman, has spent over 120 hours on this project, which does not include Administration's time. She talked about the survey that residents completed last summer, which expressed a need for shade, climbing

elements, surfacing, and overall accessibility. The subcommittee members met with three vendors, took field trips to other playgrounds in the area, and reached out to other municipalities for feedback. She said one vendor, Landscape Structures, stood out and has experience doing more inclusive work. She noted that the Village joined Sourcewell, which is a purchasing cooperative. She said the Village has applied for grants to help cover the cost of the playground replacement and named other funding opportunities that are available.

Lance Shipman, Penchura representative for Landscape Structures, was in attendance and gave a presentation on the playground. He stated that Penchura is an employee-owned company, which leads to a high quality of product and design. He discussed the design process and structural 100-year warranty. He said their playgrounds use recycled content. He noted that they partner with Sourcewell, which the Village can use during the procurement process for a lower overall cost. Shipman stated that the factory is located in Minnesota and all are welcome to take a tour of the facility. He said the company has local experience in communities near Beverly Hills. He talked about revitalizing Beverly Park using the existing footprint without losing any trees. He showed the proposed design and talked about adding more play value. He talked about inclusivity, shade coverings, and having features for all ages. He noted the design allows for everyone to play together. He talked about musical and sensory features, a zip cruiser, and a friendship swing. He noted that equipment delivery is currently taking about six months. He talked about surfacing options including solid surfacing, wood fiber chips, and turf. He noted playground turf has cushioning installed underneath and is a bit different from sports turf. Shipman discussed estimated pricing. He said a standard playground costs \$500,000, but it would be around \$475,000 if the Villages goes through Sourcewell. He said the surface including upgraded turf would cost \$177,000. In total, the playground equipment, turf, removal, installation, and shipping would cost around \$670,000. He noted the turf has about a 10-year lifespan and includes a 10-year warranty.

O’Gorman arrived at 7:56 p.m.

Abboud asked about the shade material. Shipman stated that it is a weaved material that he recommends come down in the winter.

Abboud asked about a maintenance plan. Shipman said that a maintenance kit/plan would be provided.

The Board and Council discussed the cost of replacing chips and different surface options. They talked about the age of the current playground structure noting the codes have changed over the last twenty years. They discussed inclusivity and promoting inclusive parks and playgrounds.

Kecskemeti said that the canopies seem limited in the design and that parents need more shade while their children are at the playground. Goodrich noted that the new design includes 5 times more shade than the current playground. Kecskemeti suggested adding more shade over time.

Abboud expressed concern over funding. Shipman stated that equipment could be purchased and stored at their facility. He said there is the option to phase the project over a couple of years.

Mooney stated that he did not think \$670,000 was an outrageous amount for the playground. He said the playground is a big attraction. He noted it would expend a lot of the millage funds.

The Board and Council thanked Shipman for attending the meeting. They also thanked the subcommittee for all of their work.

### **DISCUSS BUY-A-BRICK FUNDRAISER**

The Board discussed reinstating the Buy-A-Brick Program at Beverly Park after receiving a request recently from a resident to purchase a brick. The fundraising program was most recently open from fall of 2021 to January 31, 2022. Through this program, residents and local businesses can purchase engraved bricks to be installed at Beverly Park. In the past, individual orders were submitted to the Village and then Administration placed a large order with the vendor once many orders were compiled. Most recently, the Village purchased bricks from Brick Markers USA. Brick Markers provided a pricing renewal agreement.

The Board discussed the cost of bricks, labor, and how much to charge donors. They also discussed how long to reopen the program and agreed to accept orders through April 30<sup>th</sup> so bricks could be installed by fall.

Motion by Ross, second by Bayless, the Parks & Recreation Board's recommends the Village Council reinstates the Buy-a-Brick Fundraising Program at Beverly Park with the rate of \$150.00 for a 4x8" engraved brick and \$200.00 for an 8x8" engraved brick through April 30, 2023 and authorizes Village Administration to execute the agreement with Brick Markers USA for the purchase of engraved bricks.

Motion passed.

### **REVIEW AND CONSIDER ROOF REPLACEMENT AT BEVERLY PARK PAVILION**

Johnston gave an overview. The Board was also provided with Johnston's memo dated November 4, 2022 regarding the replacement of the Beverly Park pavilion and restroom roofs. The proposal was presented to the Parks & Recreation Board at their November 17, 2022 meeting. Upon further discussion, the Board requested that Administration seek additional quotes for a metal roof. After receiving additional quotes, it was clear that installing a metal roof would cost over four times as much as shingles, or roughly \$90,000.

Administration recommended moving forward with the initial quote from BCM Roofing for this project in the amount of \$20,000. Funds are available in account 208-900-985.00 (Park Improvement Fund).

The Board and Council discussed whether they should go with the "Good," "Better," or "Best" option as outlined on the proposal. It was the general consensus that the Village should move forward with the "Better" option which includes everything in the Good System, plus a roof runner synthetic underlayment, Winterguard ice shield, a 50-year Surestart plus warranty, and a 25-year labor warranty. They also discussed that they would likely require more roof decking than what was outlined on the proposal at \$65.00 per sheet, so the overall request amount should be \$25,000.00

Motion by Goodrich, second by Ruprich, the Beverly Hills Parks & Recreation Board recommends that the Village Council approve the proposal from BCM Roofing to remove and replace the agreed upon "Better" roofing system at the Beverly Park pavilion and

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restrooms in an amount not to exceed \$25,000.00. Funds for this expense are available in Account 208-900-985.00 (Park Improvement Fund).

Motion passed.

**REVIEW AND CONSIDER REQUEST TO PLANT TREES ON SLED HILL AT BEVERLY PARK**

Administration received a request from resident Michael Dolan to plant tree saplings on the Beverly Park sled hill. Invasive buckthorn was removed from the north and south sides of the sled hill in 2022 creating space for native plants. Another round of buckthorn treatment is scheduled for January 2023. Mr. Dolan requested to plant the trees in spring 2023, which would not conflict with treatment.

Mr. Dolan was in attendance and proposed planting around 50-75 saplings, 12 feet apart, that measure about 12 inches tall. He said this method will be greater over time. He also said it made more sense logistically to plant smaller trees. The trees will help prevent erosion and buckthorn regrowth. He and his family offered to purchase and plant Eastern Red Cedar and White Pine trees. He noted that the cedars have a fast growing and shallow root system, which would be good for this location. His goal is to plant the trees in April and will encourage fellow students to help.

The Board and Council thanked Dolan for his great presentation. They complimented his research skills.

O’Gorman congratulated Dolan on being inducted into the National Honor Society.

There was no objection from the Board, so Administration will move forward with permitting the tree planting this spring as part of the reforestation efforts at Beverly Park.

**REVIEW AND CONSIDER PURCHASING CONCRETE CORNHOLE SET FOR BEVERLY PARK**

The Parks and Recreation Board has discussed adding a concrete cornhole set at Beverly Park. It was suggested that the cornhole set be placed between the pavilion and the playground for residents to use at their leisure.

Adding and diversifying recreational facilities aligns with Goal #1 in the 5-Year Community Recreation Plan: Improve recreational facilities to encompass system wide recreation welcoming all residents to encourage healthy and active lifestyles. The cornhole set would be available to the public and fun for all ages.

The cornhole quotes received by the Board and Administration were all relatively similar in design and price. The lowest quote was prepared by Doty & Sons Concrete Products, Inc. The total amount for the concrete boards, bags, and shipping was \$1,329.00. There are options to add bike deterrent blocks for \$133.00/pair and to add the logo to the boards for an additional \$250.00. The quote and brochure were provided for the Board’s review.

Several Board and Council members commented that they have seen concrete cornhole sets at other parks.

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The Board and Council talked about the proposed location. Near the horseshoes and behind the pavilion fireplace/grills were both possible options.

The Board and Council agreed the logos should go on the cornhole set.

Motion by Hausman, second by Bayless, the Beverly Hills Parks & Recreation Board recommends the Village Council approve the purchase of a concrete cornhole set with the Village and Parks & Recreation logos from Doty & Sons Concrete Products, Inc. for Beverly Park in an amount not to exceed \$1,600.00. Funds for this expense are available in account 208-900-984.00 (Park Equipment).

Motion passed.

### **DISCUSS PRIORITIES FOR BEVERLY PARK**

The Board and Council identified the top priorities for Beverly Park this year which include the playground replacement, pavilion roof replacement, and ongoing buckthorn maintenance.

The Board and Council discussed the baseball fields, noting there is room for improvement. A subcommittee has been formed between members of the Beverly Hills Little League, Parks & Recreation Board, and Administration, which is moving in a positive direction. There was discussion about sponsorship opportunities.

Abboud suggested purchasing a gator or golf cart for the park rangers. The Board indicated that that was on their radar, but there were questions about cost and on where to store it.

Goodrich suggested having a Beverly Pond clean up this spring.

George commented on ongoing maintenance and working with the Department of Public Services for a list of priorities.

There was discussion about having a better line of communication between Comeau, Administration, and the Parks & Recreation Board.

George suggested having standing subcommittees for events and gardening. He suggested establishing a Friends of Beverly Park group.

The Board and Council discussed moving the portable toilets or putting them in an enclosure.

There was discussion about having a combination lock or a smart lock installed on the pavilion storage room.

The Board and Council discussed restoring the understory and reintroducing native species in the wooded area. There was emphasis on the value of wildlife. They discussed having a balance of manicured areas and natural areas.

Hrydziusko suggested having a “no mow zone” in Beverly Park, especially after new trees or flowers are planted.



The Board and Council discussed replacing the fence along Beverly Road. It was noted that the current style is no longer made, but that there is a need for a commercial grade fence since several panels are damaged.

### **DISCUSS PRIORITIES FOR RIVERSIDE PARK**

Borgon stated that the island at Riverside Park has a lot of fallen debris and it does not look good.

Hrydziusko recommended a controlled burn on the island to remove the rest of the invasive species. She suggested seeking a grant for this. Rutkowski noted that the OC Cisma/Oakland County Parks will have grant opportunities opening up in the spring for this purpose.

The Board and Council agreed that the priority for this year is to clean up the island at Riverside Park.

There was discussion about potentially reviewing the design that was submitted several years ago by resident and former Planning Commission member George Ostrowski.

There was discussion about applying for Michigan Natural Resources Trust Fund Development grants to fund these development projects.

O’Gorman suggested prioritizing Beverly Green over Riverside Park this year.

Bayless commented on the repair and beautification of the Riverside Bridge. Abboud noted that SEMCOG has grant opportunities for bridges.

### **DISCUSS PRIORITIES FOR BEVERLY GREEN**

Administration noted that there will be a sign placed at Beverly Green with a QR Code that links to the website so residents can view the design plans and provide feedback. Development of Beverly Green has been on hold as the Village waits for the construction of the Beverly and Greenfield Road roundabout to begin.

There was discussion about the importance of screening around the park. The Board and Council will consider the residents in the area and their desire to block the view of the road and noise.

Hrydziusko stated that parking spots were added on the conceptual plans to prevent people from using residents’ private driveways.

O’Gorman would like to have an open forum at Beverly Green and have more engagement with residents.

### **PUBLIC COMMENTS**

Karen Gilbert, Amherst, said a list of grants that are currently being applied for should be made available to the public.

Chuck White, Pickwick, commented on transparency and suggested that a special meeting be held specifically for the Wendbrook property acquisition. He said the Board is betting on a lot of grants and a recession may be coming.

#### **ADMINISTRATION COMMENTS**

Rutkowski stated that the WiFi has been installed at Beverly Park and Administration is working on its security features. She distributed magnetic name tags to the Board members to help with visibility during Parks & Recreation events.

Campbell thanked everyone for attending.

#### **COUNCIL COMMENTS**

Mooney thanked the Board for having the Council at the joint meeting.

White thanked the Board for all their work, especially seeking grants.

O’Gorman thanked the Board members for their work. He said he would like to see a dog park in Beverly Hills. He said that people have different opinions on the micro-maintenance of Beverly Park. He suggested Comeau help with the weeding at Beverly Park. He said a Friends of the Park group should get going. He said there should be a sign at Beverly Park so the Village can make announcements instead of using banners. He suggested installing a paper white sign that is front-lit.

Abboud thanked everyone for their ideas and thanked the Board and Administration for turning ideas into reality. He suggested installing inclement weather coverings and picnic tables with umbrellas. He said there should be consistent signage for all of the parks. He suggested having an art fair, installing way finding signs, and poles with banners. He also suggested purchasing a golf cart for staff use at Beverly Park.

Kecskemeti said she appreciates the Board and what they do. She said everyone has their own opinions on what the parks need. She said the challenge is to balance natural and manicured elements. She thinks Beverly Park is lovely.

O’Gorman applauded the Board for knocking it out of the park over the last year and creating more events. He said Council requested a lot last year and the Board delivered.

George stated that the millage funding is accruing money that can go toward the playground replacement. He said the brick fundraiser is a great idea. He thanked the Board for all of their hard work. He thanked Rutkowski for her work as Interim Manager without having a Public Services Director and not being fully staffed during 2022. He said this year the Village Administration is fully staffed, so he is looking forward to what is ahead. He said the concerts and movie nights have been great events. He agreed that there needs to be a healthy balance between natural and manicured landscaping at the parks. He noted that the Wendbrook property was not on the meeting agenda because it is not under the Parks & Recreation Board’s purview. He said we are not lacking on time for discussions around the acquisition.

Hrydziuszko thanked residents for attending the meeting and encouraged them to attend more. She said last year there was a lot of planning and this year there will be a lot of implementation. She noted that it takes time to steer the ship. She is looking forward to this year. She thanked the Board for their work.

### **BOARD COMMENTS**

Bayless thanked residents for attending and thanked those who stayed for the entire meeting. He said he did not think transparency was a problem with this Board and noted that all of the meetings are open. He thanked the Playground Subcommittee for all their hard work. He said that parks and playgrounds are community assets. He applauded Mr. Dolan for the tree planting idea. He encouraged residents to volunteer for upcoming parks events. He said he will continue to look into the dog park idea. He also said that exploring more programming opportunities is on his agenda for this year. He thanked Council for their support.

Hausman thanked Council for being at the meeting. She said BPS offered to sponsor refreshments at Winter Family Fun Day. She reminded everyone that the call for sculptors for the Sculptures in the Parks program is open until February 28, 2023.

Ross said that he is ready to have a discussion on Riverside Pond whenever Council is ready.

Ruprich thanked the Council, Board, and residents. She said this is a good group to work with.

Bresnahan thanked Council for their support.

Goodrich thanked Council and Administration. He said he is happy to be moving forward with the pavilion roof replacement.

Borgon thanked Council. She thanked residents for attending and said she appreciates the feedback. She thanked Administration for moving things forward. She said she is happy to see a team in place now so that all the work does not all fall on one person.

### **ADJOURNMENT**

The meeting was adjourned at 11:01 p.m.

**John George**  
**Council President**

**Molly Borgon**  
**Parks & Recreation Board**  
**Chairperson**

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

## REGULAR COUNCIL MEETING MINUTES – FEBRUARY 7, 2023 – PAGE 1

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

Absent: None

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

**ROLL CALL/CALL TO ORDER/PLEDGE OF ALLEGIANCE**

President George called the regular Village Council meeting to order at 7:32 p.m. in the Village Council Chambers located at 18500 W. Thirteen Mile Road, Beverly Hills, MI 48025. The Pledge of Allegiance was recited by those in attendance.

Kecskemeti arrived at 7:33 p.m.

**AMENDMENTS TO AGENDA/APPROVE AGENDA**

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

Motion passed.

**SPECIAL ORDER OF BUSINESS: RECOGNITION OF PLANNING COMMISSIONER, BENJAMIN WILENSKY**

President George presented Benjamin Wilensky with a plaque for his service on the Planning Commission and Zoning Board of Appeals. He expressed his appreciation.

Wilensky thanked the Council for the opportunity to serve on the Commission and Board. Even though he moved out of Beverly Hills, he said he will still be active in the community.

**COMMUNITY ANNOUNCEMENTS**

None.

**PUBLIC COMMENTS**

Nancy Gale, Beverly Court, inquired about the paint markings around Beverly Green.

Tony Lott, Riverside, commented on the state of the economy and the Village being underfunded. He asked the Council to consider increasing the Village’s funding for liabilities.

**CONSENT AGENDA**

Motion by Mooney, second by Hrydziusko, be it resolved, the consent agenda is approved.

1. Review and consider approval of minutes of a regular Council meeting held January 17, 2023.
2. Review and file bills recapped as of Monday, January 30, 2023.
3. Review and consider annual funding request from Birmingham Youth Assistance.
4. Review and consider Parks & Recreation Board’s recommendation to purchase concrete cornhole set for Beverly Park.
5. Review and consider Parks & Recreation Board’s recommendation to reinstate Buy-a-Brick fundraiser program.

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

Roll Call Vote:  
Motion passed (7-0)

## **BUSINESS AGENDA**

### **REVIEW AND CONSIDER GROVES ORCHESTRA’S REQUEST TO HOST FORTE 5K AT BEVERLY PARK AND ON VILLAGE STREETS ON SUNDAY, MAY 7, 2023**

Campbell provided an overview. Administration received a request from Groves High School requesting to hold their annual Forte 5K Run and Walk at Beverly Park and on Village streets on Sunday, May 7, 2023 from 7:00 a.m. to 11:00 a.m. to benefit the Groves Orchestra. They have also requested to use the pavilion during this time and asked that the pavilion rental fees be waived. There are not any Village sponsored events scheduled at Beverly Park for May 7, 2023. A map of the route was provided. At the January 19, 2023 joint Parks & Recreation Board/Council meeting, the Board recommended approval of this request.

Motion by Hrydziuszko, second by O’Gorman, be it resolved, the Beverly Hills Village Council approves the request from Groves High School to hold their annual Forte 5K Run on Sunday, May 7, 2023 from 7:00 a.m. to 11:00 a.m. This event will begin and end at the Beverly Park pavilion and they will utilize Village streets and sidewalks for the run as outlined on the map provided. Be it further resolved, the fees for use of the pavilion shall be waived for this event provided that a Certificate of Liability Insurance naming the Village of Beverly Hills as an additional insured is submitted to the Clerk’s Office prior to the event.

Roll Call Vote:  
Motion passed (7-0)

### **REVIEW AND CONSIDER PARKS & RECREATION BOARD’S RECOMMENDATION TO REPLACE BEVERLY PARK PAVILION ROOF**

Campbell provided an overview. He referenced Public Services Director Johnston’s memo dated November 4, 2022 regarding the replacement of the Beverly Park pavilion and restroom roofs. The proposal was presented to the Parks & Recreation Board at their November 17, 2022 meeting. Upon further discussion at that meeting, the Board requested that Administration seek additional quotes for a metal roof. After receiving additional quotes, it was clear that installing a metal roof would cost over four times as much as shingles, or roughly \$90,000.

At the January 19<sup>th</sup> joint Parks & Recreation/Council meeting, Administration recommended moving forward with the initial quote from BCM Roofing for this project in the amount of \$20,000. The Board and Council discussed the quote which provided three system options: Good, Better, and Best. The Board ultimately recommended that Council approve the “Better System” option, which includes a winterguard ice shield and 25-Year labor warranty, in an amount of \$22,500.

O’Gorman clarified that per the discussion at the joint meeting, it was recommended that Council approve an amount not to exceed \$25,000 because the roof may need additional decking to what was outlined on the proposal.

Mooney noted that the current roof is over twenty years old and the new roof will last another twenty or more years.

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Motion by Hrydziuszko, second by O’Gorman, be it resolved The Beverly Hills Village Council approves the proposal from BCM Roofing to remove and replace the agreed upon roofing system at the Beverly Park pavilion and restrooms in the amount of \$22,500.00 and not to exceed \$25,000.00. Funds for this expense are available in Account 208-900-985.00 (Park Improvement Fund).

Roll Call Vote:  
Motion passed (7-0)

### **DISCUSSION ABOUT LEGAL OPINION REGARDING ACQUISITION OF THE WENDBROOK PROPERTY**

Campbell provided a summation of a request for a legal opinion from the firm regarding the following matter for the Village of Beverly Hills. In December 2021, a resident, Michael White, purchased three lots, consisting of over 8 acres, to preserve undeveloped land in the neighborhood. The property is located on Wendbrook Lane, which runs directly off 13 Mile between Evergreen and Lahser Roads. Mr. White paid \$2,000,000 for the three properties. At that time, Mr. White’s stated desire was for the property to become a park.

On February 1, 2022, the Village Council approved an agreement with Six Rivers Land Conservancy (“Six Rivers”) to apply for an acquisition grant from the Michigan Natural Resources Trust Fund (MNRTF) to purchase the Wendbrook properties. A MNRTF grant may provide up to 75% of acquisition costs for a park/nature preserve with the VBH providing a matching grant of 25% of the acquisition cost. The grant request was for \$1,500,000 with a local match of \$500,000. Mr. White stated that he would donate the local match on behalf of the Village. On March 15, 2022, the VBH held a public hearing to receive public comments about this grant application. The Village Council unanimously approved moving forward with the grant application. Six Rivers submitted the application to the MNRTF on behalf of the Village of Beverly Hills.

In the summer of 2022, the owner of the property in question, Mr. White, decided to run for Village Council. Mr. White placed fourth in the November 8, 2022 Election and was seated on the VBH Council on November 15, 2022.

Thereafter, on December 14, 2022, the MNRTF held their annual meeting to distribute available grant funding. The MNRTF awarded the Village a \$1,000,000 grant to acquire the Wendbrook property in question. Please be advised that at the next meeting on December 20, 2022, Mr. White recused himself from any conversation relating to this subject.

The initial question is whether it is permitted or a violation of Section 5.10(a)-(d) of the Village of Beverly Hills Charter for the Village to enter into a Purchase Agreement with Councilmember White for the purchase of the Wendbrook property.

Six Rivers has offered to serve as an intermediary and acquire and/or purchase the property from Councilmember White, with the Village of Beverly Hills then purchasing the property from Six Rivers. The second question is whether the purchase of the property from Six Rivers by the Village, after Six Rivers acquires and/or purchases the property from Mr. White, is permitted or violates Section 5.10(a)-(d) of the Village of Beverly Hills Charter in any way.

To ensure complete objectivity and avoid the appearance of any impropriety, the Administration seeks an outside legal opinion as to the two legal questions posed here. The Village Attorney, Mr. Ryan, does not object to the Administration seeking outside counsel in this matter. The Administration shall request that the opinion be prepared by the March 7, 2023 Council meeting. The cost of said legal opinion will not exceed five thousand dollars (\$5,000). Three different attorneys with three different firms agreed to the parameters of the Administration's requested legal opinion. Those attorneys are: Ronald C. Liscombe – a principal with the law firm of Miller Canfield PLC; Steven P. Joppich/ Tom Schultz – a shareholder with the law firm of Rosati, Schultz, Joppich & Amtsbuecher, P.C.; and Greg Need – partner with Adkinson, Need, Allen & Rentrop, PLLC

In furtherance of objectivity, please be advised that members of the Administration have no connection to any of the attorneys listed above. Administration shall move forward with obtaining the legal opinion from one of the attorneys or law firms listed above unless there is an objection from Council.

George stated that Village Attorney Ryan is the counsel to the Village Council and Mr. White is recused from this discussion item. He said that the amount for outside counsel would be under the manager's spending authority, but Campbell brought it in front of the Council for discussion.

The Council discussed whether an outside legal opinion should be sought.

Mooney said he thinks Ryan could give the opinion. He asked Campbell to read the section in question because he thought it was straightforward. Campbell read Section 5.10 of the Village Charter aloud.

Mooney asked for clarification about what opinion the Village would be seeking. Campbell clarified that the opinion would be on whether Six Rivers Land Conservancy could serve as an intermediary for the Village's acquisition of the Wendbrook property.

Mooney stated that he believes Council has to authorize Administration to hire outside counsel. He expressed concern about the cost to do this and said he wanted to see documentation from Six Rivers about their scope or proposal. He wanted to know more about what Six Rivers' offer was.

Campbell said an instrument review would take more time and would include a different scope of services that what was presented today.

George said it would be beneficial to have clarification over the terms "has" and "public interest" in Section 5.10 as it relates to this particular circumstance.

Kecskemeti noted that the intention of this section of the Charter was to prevent people from profiting from their position. She said she does not detect any impropriety.

Ryan noted that he is the general counsel for the Village and the item is before the Council for transparency. He noted that this is an unusual circumstance but said he is happy to do whatever the Council directs.

Kecskemeti said that a land conservancy taking ownership of a property is not outside of the normal realm of possibilities.

Mooney stated that if White's interest in the property was extinguished, then the Village could move forward. He said this was a self-inflicted problem on White's part.

George questioned if acquisition of a park was considered a public good. He said he would like to move forward with obtaining a legal opinion from an attorney who is independent from this issue so there is no more conjecture or ambiguity.

Kecskemeti questioned whether Council has to authorize Administration to seek a legal opinion. Ryan said Council would need an action to proceed.

O'Gorman said that Six Rivers' goal is to conserve land. He referred to the February 1, 2022 meeting minutes where their Executive Director said that the organization could acquire the land and hold it for the Village if necessary.

Mooney said he would like more information on a purchasing plan before getting a legal opinion.

O'Gorman said that there are varying opinions in the community and on Council, so a legal opinion would be beneficial.

Motion by O'Gorman, second by Kecskemeti, be it resolved, the Beverly Hills Village Council authorizes the Village Manager to pursue a legal opinion on the matter of the Wendbrook property associated with Mr. White's ownership and transfer not to exceed \$5,000, using one of the three recommended legal firms as outlined in Village Manager Campbell's memo dated February 3, 2023.

Mooney asked Campbell if any of the legal firms were recommended by Six Rivers. Campbell said no.

George opened the floor for public comments on this topic.

Lucille Nawara, Vernon, said that she had talked to the previous Wendbrook property owners about donating the land years ago. She said she put Six Rivers and the Village in touch. She talked about the landscaping and the wildlife on the property. She talked about the history of the property. She referred to a Crains magazine article about all of the work Six Rivers Land Conservancy's Executive Director, Chris Bunch, has done for the region. She said her neighbors have been talking about preserving this piece of land for years. She said the Whites are very philanthropic and she talked about their incredible character.

John Luscombe, Woodhaven, said never has he seen so much negativity toward someone who is trying to donate land. He said the Whites are a godsend. He said the Whites are trying to do a nice thing and he is in support of it.

Tony Lott, Riverside, said the Village should obtain a legal opinion on a proposal and he would like to see the proposal. He said the White's \$500,000 donation would be tax deductible. He



referred to the Village's organizational chart and noted that the voters were on top. He also referred to section 7.5 of the Charter regarding appropriating money.

Roger Meyers, Hampton, via Zoom, stated that he went to law school and said that interpretations of governing documents differ. He said obtaining a legal opinion is an ordinary and prudent action. He said the Council should move forward now with getting a legal opinion so resources are not wasted in the meantime.

Mary Perfitt-Nelson, Woodhaven, via Zoom, said she was surprised that people were inferring that there were evil motives behind the Whites' intentions regarding the Wendbrook property. She said she supports the shorter route to getting this resolved.

Dale Wolicki, Amherst, said he has worked in real estate and in his experience, one cannot subcontract to get around a law or a charter. He said he wanted to hear the Village attorney's opinion on this item.

Pam Rijnovean, Evergreen, said she was concerned about how much money would be spent on this project. She said that it seems like a park is a wish for this neighborhood. She said Beverly Park and Riverside Park need work and should be prioritized.

Nancy Beal, Sheridan, stated that the funding should go to Public Safety and other needs. She said the Council needs to look at the budget and determine how much this project will cost down the road. She said it sounds like a nice thing, but hopes the Village moves slowly on it. She would like to see a better proposal.

Jason Mush, Georgetown, via Zoom, said he has lived in the Village for 20 years and thinks that the majority of people would be in favor of acquiring the Wendbrook property. He also expressed his support for more sidewalks in the Village. He said the Village has outstanding police, fire department, and schools. He said it needs parks and sidewalks on that side of town.

Karen Gilbert, Amherst, stated that she has not heard anyone disparage the White's intentions. She thinks there needs to be a budget presented for the entire project. She said according to her math, the Village is already \$559,000 in the hole for the acquisition and noted the Village has limited funds and resources. She asked where all of this money would be coming from. She said proponents of a new park should be presenting more facts and selling the idea to others. She said more park land is great unless it takes away from necessities. She said if she were to donate \$500,000 to the community, then she would like it to go into an infrastructure sinking fund.

There was a resolution with support on the floor. The Clerk called the roll.

Roll Call Vote:

Abboud – No

George – Yes

Hrydziusko – Yes

Kecskemeti – Yes

Mooney – No

O'Gorman – Yes

(White – Recused)

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

Motion failed (4-2)

There was discussion amongst Council and the Village Attorney about appropriating funds, needing 5 affirmative votes for this item, the manager's \$5,000 spending limit, and why the manager would need authorization from Council to spend less than \$5,000. Ryan said a legal opinion for interpretation of the Charter would be used by the Council.

George said he was not sure why members of the Council would not want legal clarification on this issue.

Abboud stated that he thinks the Village Attorney should provide an opinion on this. He was concerned about the Village spending \$500,000 on the acquisition of the property. George clarified that the issue at hand was about seeking a legal opinion, not acquiring the property.

### **PUBLIC COMMENTS**

None.

### **MANAGER'S REPORT**

Winter Taxes - As a reminder to residents, winter taxes are due to Southfield Township by February 14, 2023 without penalty. Please refer to the back of your tax bill for more information or contact Southfield Township at 248-540-3420.

Pavilion Reservations - Beverly Hills residents may begin making reservations for the Beverly Park pavilion on Wednesday, March 1, 2023. Non-residents may begin making reservations on Wednesday, April 5, 2023. Reservations must be made in person at the Village Office during regular business hours (Monday-Friday, 8:00 a.m. to 4:30 p.m.). Reservations are accepted from mid-May to mid-October. Reservations cannot be made on major holidays or during Village sponsored events. Please visit the Village website for rental fees, the refund policy, and additional information.

Water Line Verification Letters - The second letters for the water service line material verifications were sent out last week. The Administration will be establishing a website for residents with any questions regarding the process. There will be a link established under Quick Links on the homepage of the Village website. We truly appreciate residents' cooperation during the verification process. Please do not hesitate to contact the Village Administration with additional questions or concerns.

Village Offices Closed - Village Offices will be closed on Monday, February 20, 2023 in observance of Presidents Day. Trash service will not be altered or interrupted.

Joint Council/Planning Commission Meeting - The joint Council/Planning Commission meeting will be held on Wednesday, February 8, 2023 at 7:30 p.m. in the Village Council Chambers.

White pointed out that there were 424 calls for service in the Public Safety Report, which was higher than normal. Torongeau stated that the Department has been very busy, and the most recent report covered a 3-week period instead of the typical 2-week period.

### **COUNCIL COMMENTS**

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

White noted that SEMCOG released a report showing communities that are receiving grants, including the Evergreen-Farmington Pump Station which will be getting a \$4 million grant.

Kecskemeti said she appreciates the conversation tonight and all the residents who came out and shared their thoughts. She said she understands that there are a lot of questions around a proposal to make the Wendbrook property a park, including what it will look like and how much it will cost. She said the property has a lot of potential and not a lot of obligation. She said she sees it as layered potential. She said the Michigan Natural Resources Trust Fund also has funding available for the development of parks that the Village could apply for. She said wants to continue exploring the options for this property. She stated that there was a family in this community who was willing to put themselves out there in order to try to solve a problem to meet the needs of their neighbors and she believes they did so with good intentions. She said even with a tax deduction, the Whites would be down about \$350,000 and does not see how they would be gaining from the donation. She said that neighborhood and that side of the Village gains if this moves forward. She said if a housing development goes in at this location, then the green space would be lost forever. She stated that there are development and construction opportunities in other areas of the Village. She said she is in favor of moving this project forward and will continue to listen to all of the opinions about it.

O’Gorman said he appreciated all of the comments that were offered tonight. He said he thought it was generally a good idea to get a legal opinion and recognized that there were people who are opposed to acquiring the property altogether. He said obtaining a legal opinion would be another milestone in the entire process. He said he appreciated Campbell’s approach to this. He understands there are differing opinions on the Council and an outside legal opinion could put this to bed. He said that this time of year there are dark mornings and dark evenings and reminded residents to wear bright or reflective clothing while they are out biking, walking, or running.

Abboud said he will be attending an MML committee kickoff meeting this Friday. He plans on attending the MML Capitol Conference in April. SEMCOG has a call for proposals out for their Carbon Reduction Program. The Senior Advisory Council is planning on inviting Congresswoman Rashida Tlaib to an upcoming meeting. Oakland County has identified 24 Senior Centers to receive ARPA matching grants, which includes \$250,000 for Next. He said the joint Council/Planning Commission meeting will be on February 8<sup>th</sup>. He thanked residents for attending in person.

Mooney said that the White’s offer to contribute \$500,000 toward the acquisition of the Wendbrook property was kind. However, now that White is on Council, it poses a problem. He believes the law should be followed. He said he would be on board with a proposal that shows a transfer of property with no interest for the Whites. He said he is not in favor of the park because of the funding aspect. He said that if hypothetically, the property is acquired, then perhaps the Village waits to develop it for ten years or so. He noted that it took Beverly Park a long time to grow to what it is today. He said if the Village has extra money lying around then perhaps it should go toward fixing roads or toward the Public Safety Department. He said he is willing to entertain the idea that acquiring the Wendbrook property would be moving the Village in the right direction but said that the Council needs to be fiscally responsible. He thinks Beverly Park, Beverly Green, and Riverside Park improvements should be prioritized. Regarding sidewalks, he said that the Village has to contribute funding as well. He said sidewalks are a need, not a want. He said the Village needs to be more transparent and communicative and thinks the Council is moving in that direction.

Hrydziuszko congratulated and thanked Administration and the Parks & Recreation Board for another great Winter Family Fun Day event. She said Beverly Park was packed and it was wonderful to see so many people from the community out enjoying the day. She thanked the Public Safety Officers for sledding with the children. She appreciated residents sharing their hopes and opinions about what they would like to see in the Village. She encouraged Council to engage with the public in any way possible. She said she values the residents' input and insight, especially on topics that were discussed tonight. She said that during the discussion tonight there were times where inferences were made about Council's or residents' wants and needs. She said that no one was questioning Attorney Ryan's capabilities or his dedication to the Village and that seeking an outside counsel was not due to lack of faith in Ryan. She said seeking an outside opinion was an avenue for the Village to go above and beyond in terms of transparency. She said that the voters do come first and they are the people that put the Council members behind the table to make tough decisions on their behalf.

George stated that the joint Planning Commission/Village Council meeting will be held Wednesday, February 8<sup>th</sup> and invited residents to attend. He asked that people forgive him if he has mis-stepped, as this is the first time he has tried to acquire a park through a seven-figure grant. He said the conditional commitment letter for the TAP grant just came through for sidewalks along Evergreen Road from Embassy to 14 Mile Road. He said there is a project in Birmingham that would allow these sidewalks to connect Groves to Seaholm. He said they are wrapping up the final documents for the Safe Routes to School grant, which would provide about \$1.3 million dollars for additional sidewalks. He commented on the development and maintenance of parks over time. He said he thinks there are many great opportunities for the development of Wendbrook and the Village is not obligated to develop it exactly as was shown on the conceptual drawing. He thinks it would be short sighted on the Council's part not to preserve this land. He would like an opinion on the Charter section in question to remove any ambiguity. He said he sees the Charter interpretation and the mechanism by which to acquire the land as two distinct items. He said that Six Rivers does not have to be involved in it and said it was weird to him that anyone would insinuate that this group, whose purpose is to preserve land, would have a nefarious interest in this property. He said it is not uncommon for Six Rivers to hold land for municipalities. He suggested asking architecture students who need a project to design a rendering for Wendbrook to help visualize what it could become. He asked for an update from the Public Safety Department about a car theft ring bust that he recently saw an article about.

#### **ADJOURNMENT**

Motion by Mooney, second by Abboud, to adjourn the meeting at 9:48 p.m.

Motion passed.

**John George**  
**Council President**

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



TO PRESIDENT GEORGE & MEMBERS OF THE VILLAGE COUNCIL. THE FOLLOWING IS A LIST OF  
EXPENDITURES FOR APPROVAL. ACCOUNTS PAYABLE RUN FROM 01/31/2023 THROUGH 02/13/2023.

ACCOUNT TOTALS:

101	GENERAL FUND	\$74,564.05
202	MAJOR ROAD FUND	\$27,900.22
203	LOCAL STREET FUND	\$21,290.20
205	PUBLIC SAFETY DEPARTMENT FUND	\$36,354.24
592	WATER/SEWER OPERATION FUND	\$268,658.98
701	TRUST & AGENCY FUND	\$682.50
	TOTAL	<u>\$429,450.19</u>
	MANUAL CHECKS- COMERICA	\$649.31
	MANUAL CHECKS- INDEPENDENT	\$0.00
	ACCOUNTS PAYABLE	<u>\$430,099.50</u>
	GRAND TOTAL	<u>\$430,099.50</u>

02/09/2023 09:24 AM  
User: JAY  
DB: Beverly Hills

CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS  
CHECK DATE FROM 01/31/2023 - 02/13/2023

Page: 1/1

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank COM COMERICA					
02/02/2023	COM	86617	38145	SOUTHFIELD POSTAL SERVICE	649.31
02/13/2023	COM	86618	60217	AMAZON CAPITAL SERVICES	82.97
02/13/2023	COM	86619	31164	APOLLO FIRE APPARATUS	200.20
02/13/2023	COM	86620	59125	APPRIVER, LLC	418.08
02/13/2023	COM	86621	02000	BADGER METER INC	315.85
02/13/2023	COM	86622	32748	BEIER HOWLETT,P.C.	512.50
02/13/2023	COM	86623	51409	BEVERLY HILLS ACE	60.39
02/13/2023	COM	86624	49980	C&G PUBLISHING	90.00
02/13/2023	COM	86625	58959	CADILLAC ASPHALT, LLC	564.30
02/13/2023	COM	86626	59779	CANFIELD EQUIPMENT SERVICE INC	3,888.40
02/13/2023	COM	86627	59347	CINTAS CORPORATION #31	156.97
02/13/2023	COM	86628	59323	CLEANNET	858.00
02/13/2023	COM	86629	51439	COMCAST	141.85
02/13/2023	COM	86630	51439	COMCAST	58.22
02/13/2023	COM	86631	04500	COMEAU EQUIPMENT CO INC.	38,113.82
02/13/2023	COM	86632	60765	CUMMINS SALES AND SERVICE	1,875.59
02/13/2023	COM	86633	52025	DETROIT SALT COMPANY	5,413.80
02/13/2023	COM	86634	51385	DTE ENERGY	6,933.41
02/13/2023	COM	86635	60189	EGL	3,000.00
02/13/2023	COM	86636	53489	GREAT AMERICA FINANCIAL SVCS.	623.52
02/13/2023	COM	86637	60339	GREGORY WEEKS	81.00
02/13/2023	COM	86638	60766	HILTON SCREENERS INC.	750.00
02/13/2023	COM	86639	59010	HUNT SIGN COMPANY	460.00
02/13/2023	COM	86640	60750	HURON VALLEY GUNS	1,398.79
02/13/2023	COM	86641	58950	HYDROCORP	290.00
02/13/2023	COM	86642	39070	J.H. HART URBAN FORESTRY	1,831.88
02/13/2023	COM	86643	59324	JCR SUPPLY, INC.	448.19
02/13/2023	COM	86644	50770	JENNIFER RUPRICH	264.22
02/13/2023	COM	86645	59108	JOHN GEORGE IV	98.48
02/13/2023	COM	86646	59582	JOHNSON THERMOL-TEMP INC.	3,707.15
02/13/2023	COM	86647	MISC	KEARNS BROTHERS	200.00
02/13/2023	COM	86648	60497	KONE CHICAGO	227.88
02/13/2023	COM	86649	58903	MUNIWEB	170.00
02/13/2023	COM	86650	51182	NELSON BROTHERS SEWER &	330.00
02/13/2023	COM	86651	59112	NEXT	107.44
02/13/2023	COM	86652	51799	NYE UNIFORM EAST	596.00
02/13/2023	COM	86653	51540	O'REILLY AUTO PARTS	39.96
02/13/2023	COM	86654	50830	OAKLAND COUNTY TREASURER'S	219,593.76
02/13/2023	COM	86655	MISC	OFFER & ASSOCIATES	800.00
02/13/2023	COM	86656	60386	PTS COMMUNICATIONS	60.00
02/13/2023	COM	86657	60580	RACHEAL HRYDZIUSZKO	105.66
02/13/2023	COM	86658	16100	ROAD COMMISSION FOR OAKLAND	12,319.57
02/13/2023	COM	86659	16500	S.O.C.R.R.A.	36,856.00
02/13/2023	COM	86660	16600	S.O.C.W.A.	48,718.50
02/13/2023	COM	86661	59282	SAFEBUILT INC.	16,066.12
02/13/2023	COM	86662	32375	SOUTHFIELD LOCK & KEY, INC.	760.08
02/13/2023	COM	86663	17700	SUNSET MAINTENANCE SERVICE	1,200.00
02/13/2023	COM	86664	31043	THOMAS J RYAN PC.	8,062.50
02/13/2023	COM	86665	53564	WEX BANK	4,931.13
02/13/2023	COM	86666	53418	WILLIAM ELLIS CO.	4,914.90
02/13/2023	COM	86667	53572	WOW! BUSINESS	753.11

COM TOTALS:

Total of 51 Checks:	430,099.50
Less 0 Void Checks:	0.00
Total of 51 Disbursements:	430,099.50



**To:** Honorable President George; Village Council Members

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

**Subject:** Request to Waive Pavilion Rental Fees for Lions Club

**Date:** February 17, 2023

Administration received a request from the Beverly Hills Lions Club to waive pavilion rental fees for their Fall Festival event on Sunday, October 8, 2023. The Beverly Hills Lions Club is a 501(c)3 non-profit organization whose members volunteer for several Village events such as Memorial Day, the Halloween Hoot, and the Park Clean Up. Their Fall Festival is a community event designed to bring awareness and increased membership to the Club.

There are currently no scheduling conflicts for the pavilion reservation.

At their February 16, 2023 Parks & Recreation Board meeting, the Board recommended Council approve this request.

**Suggested Motion:**

Be it resolved, the Beverly Hills Village Council waives the pavilion rental fees for the Beverly Hills Lions Club Fall Festival on Sunday, October 8, 2023 from 1:00 to 4:00 p.m. provided that a Certificate of Liability Insurance naming the Village as an additional insured is submitted to the Village Clerk's Office prior to the event.



**To:** Honorable President George; Village Council Members

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

**Subject:** 2023 Concerts in the Park

**Date:** February 17, 2023

Village Administration has received several inquiries from local artists who are interested in performing at one of the upcoming Concerts in the Park at Beverly Park this summer. The available dates are June 2, July 14, and August 4, 2023.

At their February 16, 2023 Parks & Recreation Board meeting, the Board discussed different bands, their cost, and their availability. The Board recommended that the Village Council approve the request to host the 2023 Concert in the Park series at Beverly Park featuring One Foot in the Groove on June 2, Danny D and the Vagabonds on July 14, and a local band to be determined on August 4 in an amount not to exceed \$3,850.00. Further, the Board recommends that Council authorize the facility/property use agreement with Oakland County Parks for use of the stages in 2023.

The Village rents a stage from Oakland County Parks for each concert at the rate of \$550.00 per event, which is included in the total recommended amount above. A facility use agreement for the stages has been reviewed by the Village Attorney and is attached.

**Suggested Resolution:**

Be it resolved, the Beverly Hills Village Council approves the Parks & Recreation Board's recommendation to host the 2023 Concert in the Park series at Beverly Park featuring One Foot in the Groove on June 2, Danny D and the Vagabonds on July 14, and a local band to be determined on August 4 in an amount not to exceed \$3,850.00. Further, the Board recommends that Council authorize the facility/property use agreement with Oakland County Parks for use of the stages in 2023. Funds are available in Account 101-693-894.00 (Special Events).

Attachment





## **FACILITY/PROPERTY USE AGREEMENT**

This Agreement is between the Oakland County Parks and Recreation Commission ("OCPRC") and the entity/person listed below for the use of the facility/property described below. This Agreement includes the General Terms and Conditions, the Insurance Requirements, and the Rules for Specific Facility/Property (collectively the "Agreement").

**Name of Entity/Person using Facility/Property (hereinafter "User"):**

**Address:**

**Contact Person:**

**Telephone Number:**

**E-Mail Address:**

**Facility/Property to be used (hereinafter "Property"):**

**Event/Activity:**

**Date/Start Time and End Time:**

**Fee:**

**Amount of Security Deposit:**

**Insurance Requirements:** (If User answers "Yes" to any of the below questions, then user shall provide and maintain, at its expense, the insurance as set forth herein, beginning on page 6.)

Yes No

Is this reservation/event for a Wedding?

Is there expected to be more than 250 people in attendance at the event/facility?

Is the reservation being booked by an organized entity/group (not an individual)?

Will there be alcohol provided (not sold) at the event?

Will there be alcohol SOLD at the event? (Subject to OCPRC approval)

**Reservation Number:**

By signing, I acknowledge that I have received and read the entire Agreement and I agree to comply with all the terms and conditions of this Agreement. I certify that all information provided to OCPRC, in connection with this Agreement, is true and accurate. If, at any time, before the Event/Activity any information that I provided changes, I will inform OCPRC of the changes. The Property will not be reserved until this Agreement is signed and the Fee and Security Deposit are paid in full.

---

**Signature**

**Date**

**Name & Title:**

## **GENERAL TERMS AND CONDITIONS**

### **1. Use of Property.**

- 1.1. **Use:** User may exclusively use the Property according to this Agreement and for the purposes set forth herein and for no other purposes. OCPRC provides the Property for use by the public on a first-come, first-served basis with the primary intent to provide quality recreation experiences, promote healthy lifestyles, and promote the protection of natural resources.
- 1.2. **Payment of Fee and Security Deposit:** The Fee and Security Deposit are due, in full, at the time this Agreement is signed. Payment may be made by cash, check, or credit card (VISA, Mastercard, or Discover). If the reservation is made less than 14 calendar days before the Date/Start Time listed in this Agreement, payment may only be made by cash or credit card.
- 1.3. **Cancellation/Termination by User & Refunds:** User may cancel/terminate this Agreement up to the Date/Start Time listed in this Agreement with the following charges:
  - 1.3.1. **Cancellation/Termination 30 Days or More Before Date/Start Time.** If User cancels/terminates this Agreement 30 calendar days or more prior to the Date/Start Time listed in this Agreement, then the entire Fee and Security Deposit will be refunded to User, except for \$25 or 10% of the Fee, whichever amount is greater. This amount shall be kept by OCPRC to cover administrative costs.
  - 1.3.2. **Cancellation/Termination Less than 30 Days Before Date/Start Time.** If User cancels/terminates this Agreement less than 30 days from the Date/Start Time listed in this Agreement, then only the Security Deposit will be refunded to User. OCPRC will keep the entire Fee as a cancellation/termination charge to cover administrative costs and missed business opportunities.
- 1.4. **Change in Reservation.** If User changes its reservation for use of the Property prior to the Date/Start Time listed in this Agreement, User may be responsible for additional costs or additional fees associated with such change.
- 1.5. **Return of Security Deposit.** The Security Deposit will be returned in full to User within twenty-one (21) business days from the Date/End Time listed in this Agreement, unless one or more of the following events occur: (1) User or its employees, agents, volunteers, subcontractors, invitees, and/or any other persons on or using the Property because of this Agreement violates or does not comply with any term or condition of this Agreement or (2) User does not return the Property in the same condition as User received it, normal wear and tear excepted. If one of the above-listed events occurs, then User forfeits the entire Security Deposit and OCPRC shall keep the Security Deposit to cover its costs. There will be no partial refunds of the Security Deposit.
- 1.6. **Manner of Security Deposit Refund.** If User pays the Security Deposit with a check or cash, the Security Deposit will be refunded (if warranted) by check. If User pays the Security Deposit with a credit card, the Security Deposit will be refunded (if warranted) to the credit card; however, OCPRC reserves the right to refund the Security Deposit via check. If the Security Deposit is refunded by check, the check will be made out to the person(s) or entity(ies) who are party to this Agreement.
- 1.7. **Condition of Property.** User shall keep the Property in good order, in a clean and safe condition, and free of trash. Except for normal wear and tear, User's use of the Property shall not cause damage or waste to the Property and shall not disrupt OCPRC's operations on or around the Property. User is responsible for putting all trash and debris into trash cans and removing and disposing of all decorations used on or around the Property.

- 1.8. **Condition of Property upon end of Agreement.** Except for normal wear and tear, User shall leave or return the Property in the same condition that User found it. The Property must be clean and free of all trash and debris at the end of this Agreement. All trash and debris shall be placed in the appropriate trash receptacle.
- 1.9. **Compliance with Law and Park Rules.** User, including its employees, agents, invitees, volunteers, subcontractors, and any other persons on the Property because of User's use of the Property, must comply with all applicable federal, state, and local laws, regulations, and ordinances, the OCPRC Rules and Regulations, the provisions of this Agreement, and any specific rules for the Property. Failure to comply with this Section may result in the immediate termination of the use of the Property, without advance notice to User and without refund of the Fee or Security Deposit, at OCPRC's sole discretion.
- 1.10. **Signs/Advertisement.** User shall not place any signs or advertisements on the Property without the prior written approval of the OCPRC Park Supervisor. User shall not use the Property in User advertising or informational documents (either electronic or printed copies) without the prior written approval of OCPRC Executive Officer or his/her designee.
- 1.11. **Alterations, Additions, Changes to Property.** User shall not make any alterations, additions, or changes to the Property, unless prior written approval is given by OCPRC Executive Officer or his/her designee.
- 1.12. **Property AS IS.** USER ACCEPTS THE PROPERTY "AS IS." USER ACKNOWLEDGES THAT USER HAD THE OPPORTUNITY TO INSPECT THE PROPERTY AND EITHER INSPECTED THE PROPERTY OR CHOSE NOT TO INSPECT THE PROPERTY.
- 1.13. **Alcohol Use on Property.**
  - 1.13.1. Alcoholic beverages may be consumed, served, and/or sold on the Property, subject to law and the OCPRC Rules and Regulations; except that there are no alcoholic beverages permitted at park beaches, waterparks, or waterpark parking lots.
  - 1.13.2. User shall not sell or allow anyone to sell alcoholic beverages on the Property, unless prior written approval is given by the OCPRC.
  - 1.13.3. BY LAW, NO ONE UNDER 21 MAY CONSUME OR TASTE ALCOHOLIC BEVERAGES ON THE PROPERTY OR OTHER OAKLAND COUNTY PROPERTY. USER AGREES AND WARRANTS THAT THERE SHALL BE NO SERVICE OR SALE TO OR CONSUMPTION OF ALCOHOLIC BEVERAGES BY PERSONS UNDER AGE 21.
  - 1.13.4. User shall monitor service and consumption of alcoholic beverages at the Property. User specifically acknowledges that it is solely liable for the service and consumption of any alcoholic beverages at the Property and that such liability shall extend to any aspect regarding the service or consumption of alcoholic beverages.
- 1.14. **User Not Agent of County/OCPRC.** User, including its employees, agents, invitees, volunteers, subcontractors, and any other persons on the Property because of User's use of the Property, shall not, in any manner, hold themselves out to be agents, employees, or volunteers of OCPRC or Oakland County, Michigan ("County").
- 1.15. **Permits/Licenses.** User is responsible for and shall obtain, at its sole expense, all necessary licenses, permits, and other governmental approvals that are necessary for use of the Property, including a liquor license for the sale of alcoholic beverages (if the sale of alcoholic beverages is approved by the OCPRC).

## 2. **Liability/Assurances.**

- 2.1. **Damage to County or OCPRC Property.** User shall be responsible for any damage to the Property or to any County or OCPRC facility/property that is caused by User, its employees, agents, invitees, volunteers, subcontractors, vendors, or any other persons on or at the Property because of User's use of the Property. If there is more than one User, they shall be jointly and severally liable for such damage. If damage occurs, OCPRC shall make the necessary repairs and/or replacements or cause a third party to make the necessary repairs and/or replacements, provided, however, that User shall reimburse OCPRC the cost for repairing

and/or replacing the damaged facilities/property. OCPRC shall invoice User for such costs and User shall pay such costs within thirty (30) days of receiving the bill.

- 2.2. **Damage to User's Property.** User shall be solely and entirely liable and responsible for any loss or damage resulting from fire, theft or other means to its personal property located, kept, or stored on the Property.
- 2.3. **Liability for Claims.** User shall be solely liable and responsible for any Claims, as defined herein, occurring at or on the Property, which arise out of User's or its employees, agents, invitees, volunteers or subcontractors use of the Property.
- 2.4. **Hazardous Material/Waste.** User shall not cause or allow any person or entity to discharge any hazardous material, waste, or debris on or around any OCPRC or County Property.
- 2.5. **Indemnification.** User shall indemnify, hold harmless, and defend the County, its Boards, Commissions, officials, and employees from any and all Claims, as defined herein, that are incurred by or asserted against the County or its Boards, Commissions, officials, and employees by any person or entity, which are alleged to have occurred during the use of Property, or which are alleged to have been caused by or found to arise from the acts or omissions of User or its employees, agents, volunteers, subcontractors, invitees, vendors, or any other persons on the Property because of User's use of the Property.
- 2.6. **Definition of Claim.** "Claim" means any loss; complaint; demand for relief or damages; lawsuit; cause of action; proceeding; judgment; penalty; costs or other liability of any kind which is imposed on, incurred by, or asserted against the County or for which the County may become legally or contractually obligated to pay or defend against, whether commenced or threatened, including, but not limited to, reimbursement for reasonable attorney fees, mediation, facilitation, arbitration fees, witness fees, court costs, investigation expenses, litigation expenses, or amounts paid in settlement.
- 2.7. **Reservation of Rights/Limitation of Liability.** In no event shall the County be liable for any consequential, incidental, indirect, special, and punitive or other damages arising out of this Agreement. This Agreement does not, and is not intended to impair, divest, delegate, or contravene any constitutional, statutory, or other legal right, privilege, power, obligation, duty, or immunity of the County.
- 2.8. **Attorney Fees.** The County shall be entitled to reasonable costs and attorney fees from User to enforce any provision of this Agreement.
- 2.9. **Survival.** Section 2 and the duties and obligations contained herein shall survive the expiration or termination of this Agreement.
3. **Force Majeure.** Notwithstanding any other term or condition of this Agreement, neither Party shall be liable for failure to perform duties or obligations contained herein caused by events beyond their reasonable control, including but not limited to: (a) acts of public enemies; (b) natural disasters; (c) terrorism; (d) war; (e) insurrection or riot; (f) strikes, lockouts, work stoppages, or other labor difficulties; (g) closure of OCPRC Property or County Property; or (h) compliance with law ("Force Majeure Event"). Reasonable notice shall be given to the affected Party of a Force Majeure Event. Notwithstanding any other term or condition of this Agreement, if User is not able to use the Property due to a Force Majeure Event, the entire Fee and Security Deposit shall be refunded to User.
4. **Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the Parties. Notwithstanding the foregoing, User shall not assign or transfer any portion of this Agreement without the prior written approval of the OCPRC Executive Officer.
5. **Waiver.** Waiver of any term or condition under this Agreement must be in writing. No written waiver, in one or more instances, shall be deemed or construed as a continuing waiver of any term or condition of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.
6. **Cumulative Remedies.** A Party's exercise of any remedy shall not preclude the exercise of any other remedies, all of which shall be cumulative. A Party shall have the right, in its sole discretion, to determine which remedies are to be exercised and in which order.

7. **Amendments.** This Agreement cannot be amended or modified unless reduced to writing and signed by both Parties.
8. **Severability.** If a court of competent jurisdiction finds a term or condition of this Agreement to be illegal or invalid, then the term or condition shall be deemed severed from this Agreement. All other terms or conditions shall remain in full force and effect. Notwithstanding the above, if User's promise to indemnify, defend, and hold the County harmless is found illegal or invalid, User shall contribute the maximum it is permitted to pay by law toward the payment and satisfaction of any Claims against the County.
9. **Governing Law.** This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan.
10. **Counterparts.** This Agreement may be executed in one or more counterparts, including electronic copies or facsimile copies, each of which shall be deemed an original, but all of which shall together constitute one instrument.
11. **Entire Agreement.** This Agreement represents the entire agreement and understanding between the Parties regarding the facilities/property. This Agreement supersedes all other prior oral or written understandings, communications, agreements, or contracts between the Parties regarding the facilities/property.

## **INSURANCE REQUIREMENTS**

### **A. Insurance Questions.**

Yes No

1. Is this reservation/event for a Wedding?
2. Is there expected to be more than 250 people in attendance at the event/facility?
3. Is the reservation being booked by an organized entity/group (not an individual)?
4. Will there be alcohol provided (not sold) at the event?
5. Will there be alcohol SOLD at the event? (Subject to OCPRC approval)

**B. Insurance Coverages.** If User answers “yes” to any of the above-listed “insurance questions,” then User shall provide and maintain, at its expense, all insurance as set forth below. The insurance shall be written for not less than any minimum coverage herein specified or required by law, whichever is greater.

1. **Commercial General Liability Insurance:** with the following minimum limits:

\$1,000,000 Bodily Injury & Property Damage Each Occurrence Limit

\$1,000,000 Personal & Advertising Injury Limit

\$1,000,000 Products/Completed operations

\$5,000 Medical Expense (Any One Person)

\$2,000,000 General Aggregate Limit

Commercial General Liability Insurance shall contain the following minimum coverages:

- Occurrence Form
- Premises/Operations
- Personal and Advertising Injury
- Independent Contractors
- Broad Form Property Damage
- (Blanket) Broad Form Contractual (including coverage for obligations assumed in this Agreement)

#### **2. Supplemental Coverages – As Needed**

- ☐ **Host Liquor Liability Insurance with a limit of \$1,000,000 each occurrence shall be required** when alcohol is served to guest with no charge.
  - ☐ **Liquor Legal Liability Insurance** with a limit of \$1,000,000 each occurrence shall be required when a cash bar is present and/or alcohol is served by a Caterer.
  - ☐ **Other:**
3. **Workers’ Compensation Insurance** with limits statutorily required by any applicable Federal or State Law and Employers Liability insurance with limits of no less than \$500,000 each accident, \$500,000 disease each employee, and \$500,000 disease policy limit. This requirement is waived if there are no User owners or employees.
    - ☐ Fully Insured or State approved self-insurer.
    - ☐ Sole Proprietors must submit a signed Sole Proprietor form.
    - ☐ Exempt entities, Partnerships, LLC, etc., must submit a State of Michigan form WC-337 Certificate of Exemption.

4. **Commercial Automobile Liability Insurance** covering bodily injury or property damage arising out of the use of any owned, hired, or non-owned automobile with a combined single limits of \$1,000,000 each accident. This requirement is waived if there are no company owned, hired or non-owned automobiles utilized in the performance of this Agreement.

C. **General Insurance Provisions.** All certificates of insurance and insurance policies shall contain the following provisions and/or clauses with evidence of same provided to the County of Oakland, 1200 North Telegraph Road, Pontiac, Michigan 48341:

1. All policies of insurance shall be on a primary, non-contributory basis with any other insurance and/or self-insurance carried by the County of Oakland.
2. The insurance company(s) issuing the policy or policies shall have no recourse against the County of Oakland for subrogation, payment of any premiums, deductibles, or assessments under any form of policy.
3. Any and all deductibles in the required insurance policies shall be assumed by and be at the sole risk of the User.
4. All policies must be endorsed to include a written waiver of subrogation in favor of the County of Oakland.
5. All insurance policies must be endorsed to name as Additional Insured: the County of Oakland and its officers, directors, employees, appointees and commissioners.
6. User shall require their contractors or sub-contractors not protected under User's insurance policies, to procure and maintain insurance with coverages, limits, provisions, and/or clauses equal to those required of User in this Agreement.
7. Certificates of insurance must bear evidence of all required endorsements and clauses and must be provided no less than thirty (30) days prior to the event and/or use of the Property; provided however, if the Property is reserved less than thirty (30) days prior to the event and/or use of the Property, the insurance certificate must be provided three (3) business days prior to the event and/or use of the Property.
8. All policies of insurance required in this Agreement shall be issued by companies that are licensed and approved to do business in Michigan and shall have and maintain a minimum A.M. Best rating of A:V or greater.

## **RULES FOR SPECIFIC FACILITY/PROPERTY**

### **Activity Centers/Lodges/Club Houses**

- **Security Deposit:** \$200
- User must place tablecloths on all tables (disposable are acceptable).
- No sound system equipment is provided. User must bring own sound system equipment.
- User shall not use tape, tacks, nails, screws, staples, 3M hooks, poster putty or other adhesive materials on the walls, tables, ceilings, drapes etc.... User shall not use helium balloons, confetti, glitter, streamers, fog-machines or candles (unless enclosed in a hurricane-type holder). The use of any of the above-listed items will result in the forfeit of the security deposit.
- Some locations may have limitations regarding layouts or floor plans. Please check with the staff at the facility.
- Where required, all vehicles entering a park to attend an event/activity must have an OPCRC annual pass or an OPCRC daily vehicle pass ("daily pass").
- Upon request to Park staff, User may choose to pre-pay for the vehicle entry into the Park for the event/activity through a vehicle tally. A vehicle tally allows a User to pay for a specific number of daily passes for its event/activity in advance, so each vehicle attending the event does not have to pay. To use a vehicle tally, User must give Park staff the number of daily passes it wishes to purchase, prior to the event/activity. The number of daily passes should have some connection to the number of persons or vehicles attending the event/activity. User will pre-pay for a certain number of daily passes. Park staff will keep a tally or a record of the number of vehicles entering the Park for User's event/activity. If the prepaid number of daily passes exceeds the number of vehicles actually attending the event/activity, then User shall receive a refund. If User prepaid with a credit card, refunds will be processed the same day. If User prepaid with a check or cash, refunds may take up to 21 days. If the prepaid number of daily passes is less than the number of vehicles actually attending the event/activity, then User shall be charged for the additional daily passes.

### **Bleachers/Stages**

- **Security Deposit:** \$200
- User shall not use tape, tacks, nails, screws, staples, 3M hooks, poster putty or other adhesive materials on any areas of the bleachers or stages.

### **Buses**

- **Security Deposit:** \$50
- No bachelor/bachelorette parties are permitted on the buses.
- Bus hours of operation are 6am-1am.
- User must provide one chaperone per 10 children on any trips, except for school functions.

### **Ellis Barn**

- **Security Deposit:** \$500
- No sound system equipment is provided. User must bring own sound system equipment.
- User must keep coolers, beverage containers, and kegs on a tray or protective container to prevent condensation and spillage.



- User shall not use tape, tacks, nails, screws, staples, 3M hooks, poster putty or other adhesive materials on the walls, tables, ceilings, drapes etc.... User shall not use balloons (of any type), confetti, glitter, streamers, fog-machines, candles, and open flames of any type (including sternos) in the Ellis Barn. User shall not use any items with heating elements in the Ellis Barn, including but not limited to, hair dryers, curling irons, coffee makers, crock pots, slow cookers, popcorn machines, or heaters. The use of any of the above-listed items will result in the forfeit of the security deposit. User may use fans in the Ellis Barn.
- No vehicles are permitted in the Ellis Barn at any time.
- Vehicles may only be on the ramps to the Ellis Barn for drop-off or pick-up of persons or supplies and only for that period of time that is necessary for drop-off and pick-up of person or supplies.
- No smoking within a hundred feet of the Ellis Barn or any of the surrounding buildings.
- No food preparation in the Ellis Barn.
- Music and alcohol service ends at 11 p.m. each night.
- The Ellis Barn and surrounding area must be vacated by midnight each night.
- Only registered campers paid-in-full may relocate to the camping area
- Springfield Oaks is a multi-use park. Other events or programs may be held near the Ellis Barn before or during User's Event. Some events or programs may call for temporary fencing to be installed along the perimeter of the Ellis Barn property.
- Catering and food and beverage set-up shall only be in designated areas.

### **Horse Barns**

- **Security Deposit:** \$0
- No unloading horses by barn; park in horse trailer parking to unload.
- Horses must enter from outside wings of barn only.
- An equine waiver/release must be executed for all persons riding horses.

### **Pavilions (Not applicable to Shelters located in Waterparks)**

- **Security Deposit:** \$0
- A pavilion may or may not be equipped with electric and water service. If electric and water service is provided, there is no guarantee that it will be available on the date and time of use. User is responsible for determining whether the electric service at a pavilion will meet its needs.
- Reservation of a pavilion does not give User exclusive rights to playground equipment and restroom facilities. These areas are open to the public and cannot be reserved. Sports fields, where available, may be reserved in addition to a pavilion for an additional fee.
- No sound system equipment is provided. User must bring own sound system equipment.
- User shall not use glitter or confetti of any kind in a pavilion.
- All vehicles must remain within the designated parking areas for unloading and loading of supplies and persons. No vehicles are to be driven on sidewalks, grass areas, or other non-designated parking areas. OCPRC staff will not provide assistance to transport supplies to the pavilion or provide carts/vehicles to transport supplies to the pavilion. Reasonable accommodations will be made for persons with disabilities. At the discretion of the Park Supervisor, reasonable accommodations may be made for tent and inflatable companies, caterers, or other businesses providing services at an event/activity.
- Where required, all vehicles entering a park to attend an event/activity at a pavilion must have an OCPRC annual pass or an OCPRC daily vehicle pass ("daily pass").

- Upon request to Park staff, User may choose to pre-pay for the vehicle entry into the Park for the event/activity through a vehicle tally. A vehicle tally allows a User to pay for a specific number of daily passes for its event/activity in advance, so each vehicle attending the event does not have to pay. To use a vehicle tally, User must give Park staff the number of daily passes it wishes to purchase, prior to the event/activity. The number of daily passes should have some connection to the number of persons or vehicles attending the event/activity. User will pre-pay for a certain number of daily passes. Park staff will keep a tally or a record of the number of vehicles entering the Park for User's event/activity. If the prepaid number of daily passes exceeds the number of vehicles actually attending the event/activity, then User shall receive a refund. If User prepaid with a credit card, refunds will be processed the same day. If User prepaid with a check or cash, refunds may take up to 21 days. If the prepaid number of daily passes is less than the number of vehicles actually attending the event/activity, then User shall be charged for the additional daily passes.

### **Waterpark Shelters**

- **Security Deposit:** \$0
- All guests must pay regular admission rates to enter the waterpark or utilize the shelter. Admission sales stop one hour before close.
- A shelter reservation does not guarantee waterpark admission. Admission is subject to capacity.
- Waterpark admission is non-refundable and non-transferable.
- Advance tickets for waterpark admission for the date of the reservation can be purchased up to 24 hours in advance.
- The shelter reservation time (start time and end time) is listed on the reservation receipt. A representative of User shall be present at the waterpark and shelter at the start time. Signs will be posted in the shelter to signify that the shelter is reserved.
- If there is not a representative of User present at the waterpark and shelter 2 hours from the start time, the reservation shall be deemed cancelled and the reserved signs shall be taken down. After this time, the general public will have the ability to use the shelter. No refund will be issued to User in this situation.
- No rain checks or refunds are provided if the waterpark closes early due to inclement weather after opening on the day of User's reservation. Please visit "[oaklandcountyparks.com](http://oaklandcountyparks.com)" for complete inclement weather, mechanical failure and low attendance procedures.
- If a waterpark does not open on the day of your reservation, User's shelter payment will be refunded in full.
- No additional equipment can be brought into the waterpark for use in shelter, including but not limited to, catering equipment, additional tables, tents, bouncer houses/inflatables, or other equipment.
- User is not permitted to drive to the shelter to drop off supplies. OCPRC staff will not provide assistance to transport supplies to the shelter or provide carts/vehicles to transport supplies to the shelter.
- Coin operated lockers are available on site both inside and outside the locker rooms. Two locker sizes are available: Regular and Family size. Regular lockers are \$1.00 each time the locker is locked. Family size lockers are \$1.50 each time the locker is locked. There is a \$25 replacement fee for a lost locker key.



**To:** Honorable President George; Village Council Members

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

**Subject:** Request to waive sales restrictions at Beverly Park for Village sponsored events in 2023

**Date:** February 17, 2023

Per Chapter 6.03 of the Municipal Code, "[n]o amusement for gain or for which a charge is made can be conducted in a park without consent of the Village Council. . ."

At their February 16, 2023 meeting the Parks & Recreation Board discussed having food trucks and other vendors at Village sponsored events in Beverly Park and recommended that the Village Council waive all sales restrictions at Beverly Park for any Village sponsored events in the 2023 calendar year such as Concerts in the Park, Movie in the Park, Read in the Park, Java & Jazz, Halloween Hoot, and Memorial Day.

**Suggested Resolution:**

Be it resolved, the Beverly Hills Village Council waives sales restrictions, as outlined in Chapter 6.03 of the Municipal Code, at Beverly Park for Village sponsored events in calendar year 2023.



**REVIEW AND CONFIRM THE 2022 SPECIAL ASSESSMENT ROLL FOR THE  
SOUTHFIELD ROAD BUSINESS DISTRICT**

Resolved by \_\_\_\_\_, second by \_\_\_\_\_, that the Southfield Road Business District incurred the following costs for 2022: maintenance \$2,626.85, water costs for the sprinkling system \$0.00, and electric costs for Beverly Hills Grill \$228.65. In addition, each property incurred a 10% administrative fee of \$285.55 altogether. Therefore, the Village of Beverly Hills Council confirms the Village Business District Assessment Roll for the 2022 season in the total amount of \$3,141.05 as follows:

Beverly Hills Racquet Club	\$725.39
Bed, Bath & Beyond	\$283.56
Beverly Hills Grill	\$351.47
C.G. Holdings, LLC	\$207.64
Emile Salon	\$202.76
Taco Bell	\$245.38
Rahma Worldwide and Development	\$395.52
Market Square Properties, LLC	\$729.33

Roll Call Vote:

YEAS:

NAYS:

ABSTENTATIONS:

ABSENT:

Passed and approved on this \_\_\_\_\_ day of February 2023.

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Kristin Rutkowski, Village Clerk

# VILLAGE OF BEVERLY HILLS

## SOUTHFIELD ROAD BUSINESS DISTRICT - 2022 COSTS MAINTENANCE AND WATER COST BREAKDOWN

16-Feb-23

		<u>SEASONAL COST BREAKDOWN</u>			
		<u>2022</u>	<u>10%</u>	<u>2022</u>	
		<u>S/T</u>	<u>ADM FEE</u>	<u>SAD COST</u>	
2022	TOTAL MAINTENANCE	\$2,626.85			
		=====			
	TOTAL WATER	\$0.00			
	BH Grill Electric Cost (Added to S/T SAD)	\$228.65			
		=====			
		\$228.65			
		=====			
	GRAND TOTAL	\$2,855.50			
		=====			
		TOTALS	\$2,855.50	\$285.55	\$3,141.05
			=====	=====	=====

### CALCULATION WORKSHEET

PROPERTY OWNER	SQUARE FEET OF MAINTENANCE AREA	% OF AREA	COST	SPRINKLED AREA	% OF AREA	SPRINKLING COST	ELECTRIC COST	TOTAL COST
B.H. RACQUET CLUB	3257.00	0.2510	\$659.44	3257.00	0.23872	\$0.00	\$228.65	\$659.44
BED, BATH AND BEYOND	1273.20	0.0981	\$257.78	1273.00	0.09330	\$0.00		\$257.78
B.H. GRILL	448.80	0.0346	\$90.87	565.00	0.04141	\$0.00		\$319.52
CG HOLDINGS, LLC	932.30	0.0719	\$188.76	932.00	0.06831	\$0.00		\$188.76
EMILE'S	910.40	0.0702	\$184.33	2223.60	0.16298	\$0.00		\$184.33
TACO BELL	1101.75	0.0849	\$223.07	1101.75	0.08075	\$0.00		\$223.07
RAHMA WORLDWIDE AID DEVELOPMI	1775.90	0.1369	\$359.57	1016.40	0.07450	\$0.00		\$359.57
Market Square Properties, LLC	3274.70	0.2524	\$663.03	3274.70	0.24002	\$0.00		\$663.03
TOTALS	12974.05	100%	\$2,626.85	13643.45	100%	\$0.00		\$2,855.50
			=====			=====		=====



**To:** Honorable President George and Village Council

**From:** Jeff Campbell, Village Manager

**Date:** 2/16/23

**RE:** Online permitting

Over the last year, Council requested that the Administration work to adopt an online permitting process for the Village of Beverly Hills's Building Department. Below is a comment from the Planning & Zoning Administrator, Mark Stec, regarding the proposal received from BS&A Software:

I have received the attached quote and scope of services from BS&A Software to setup online permitting for building and trade permits. The quote from BS&A is the only quote requested for this service. The reason for this is that we already use BS&A Software for multiple applications including our permitting process. While there may be other companies providing the service, the fact that we already utilize BS&A, and that BS&A has proven to be an effective and reliable system that many of the local builders in southeast Michigan are also familiar with, makes sticking with BS&A the best choice for us.

The price breakdown for setting up the program is as follows:

• Initial setup fee:	\$3,000
• Onsite Implementation/setup/training:	\$3,000
• Project Management and Implementation Planning:	\$750
• Travel expenses for BS&A staff	<u>\$370</u>
<b>Total setup fee</b>	<b>\$7,120</b>

Once the initial setup is complete BS&A provides one year of technical support. After the initial year BS&A charges an annual service fee of \$3,000.

BS&A provides the software and support for the Village of Beverly Hills Building, Planning, Finance and Water Department. They provide said software for most of the municipalities in the Metro Detroit area and throughout the State. To sign up with another provider for this service would cost the Village tens of thousands of dollars in software and man hours to implement a similar process. Using BS&A will allow us to utilize our existing programs and simply expand them at a reasonable cost to the Village.

**Recommended Motion:**

Be it resolved, the Beverly Hills Village Council approves the proposal submitted by BS&A in the amount of \$7,120.00 for setting up online permitting for the Village of Beverly Hills's Building Department. Funds are available in account 101-900-980.01 (Capital Equipment).

Proposal for BS&A Online - Community Development, Presented to...  
Village of Beverly Hills, Oakland County MI

December 15, 2022

Quoted by: Dan J. Burns, CPA



*Thank you for the opportunity to quote our software and services.*

*At BS&A, we are focused on delivering unparalleled service, solutions, support, and customer satisfaction. You'll see this in our literature, but it's not just a marketing strategy... it's a mindset deeply embedded in our DNA. Our goal is to provide such remarkable customer service that our customers feel compelled to remark about it.*

*We are extremely proud of the many long-term customer relationships we have built. Our success is directly correlated with putting the customer first and consistently choosing to **listen**. Delivering unparalleled customer service is the foundation of our company.*



## Cost Summary

### On-Line Services for BS&A Building Department (requires the use of Building Department .NET)

<b>Initial Fee</b>	<b>\$3,000</b>
<b>Application Fee</b> This fee is for permit application submission only. Fees are accumulated and billed to the municipality.	<b>\$3/application</b>
<b>Onsite Implementation/Setup/Training on the use of BS&amp;A Online – Community Development</b> 3 days @ \$1,000/day Includes implementation of the items selected below.	<b>\$3,000</b>

### Project Management and Implementation Planning

#### Services include:

- Analyzing customer processes to ensure all critical components are addressed.
- Creating and managing the project schedule in accordance with the customer's existing processes and needs.
- Planning and scheduling training around any planned process changes included in the project plan.
- Modifying the project schedule as needed to accommodate any changes to the scope and requirements of the project that are discovered.
- Providing a central contact between the customer's project leaders, developers, trainers, IT staff, conversion staff, and other resources required throughout the transition period.
- Installing the software and providing IT consultation for network, server, and workstation configuration and requirements.
- Reviewing and addressing the specifications for needed customizations to meet customer needs (when applicable).
- Includes all features below:
  - View My Activity (always enabled): Enables contractors and the general public to easily access inspections and permits they have requested.
  - Inspection Scheduling: Enables contractors and the general public to submit requests for inspections online.
  - Building Department Search: Performs a search by any record number, including addresses, permits, and certificates.
  - Rental Property Search: Enables users to search for addresses that are flagged as rental properties.
  - Permit Applications: Enables contractors and the general public to submit permit applications online (see "Application Fee," below). This feature requires the Payment of Fees feature.
  - Payment of Fees: Enables contractors and the general public to pay for permit and other fees online (see "Payment Processing Requirements," below).

**\$750**

## Connection Requirements

BS&A Online requires a high-speed internet connection (cable modem or DSL).

## Payment Processing Requirements

Acceptance of online payments requires a contract with one of BS&A's approved Online Credit Card Processing companies. Please visit <https://www.bsasoftware.com/solutions/bsaonline/public-records-search/> for information.

## Cost Totals

Initial Fee	\$3,000
Onsite Implementation/Setup/Training	\$3,000
Project Management and Implementation Planning	\$750
<b>Total Proposed</b>	<b>\$6,750</b>
<i>Travel Expenses</i>	<i>\$370</i>

### Payment Schedule

- 1<sup>st</sup> Payment: **\$750** to be invoiced upon execution of this agreement.
- 2<sup>nd</sup> Payment: **\$3,000** to be invoiced at start of training.
- 3<sup>rd</sup> Payment: **\$3,370** to be invoiced upon completion of training.

## Annual Service Fee

*Unlimited support during your first year with the program is included in your purchase price. Thereafter, Service Fees are billed annually. After two (2) years, BS&A Software reserves the right to increase the Annual Service Fee by no more than the yearly Consumers Price Index for All Urban Consumers U.S. city average (CPI-U).*

**\$3,000**

## Acceptance

### Signature constitutes...

1. An order for products and services as quoted
2. Agreement with the proposed Annual Service Fee

---

**Signature**

**Date**

### Returning Accepted Proposal to BS&A

*Please return the entire proposal, with signature/date (this page) and contact information (next page) filled out, by any of these methods:*

Mail: BS&A Software  
14965 Abbey Lane  
Bath, MI 48808

Fax: (517) 641-8960

Email: [dburns@bsasoftware.com](mailto:dburns@bsasoftware.com)

Once your proposal is received, a BS&A representative will contact you to begin the setup process.

## Contact Information

If any mailing addresses are PO Boxes, please also provide a Street Address for UPS/Overnight mail.

If additional contacts need to be submitted, please make a copy of this page.

### Support Contact

Name\_\_\_\_\_ Title\_\_\_\_\_

Phone/Fax\_\_\_\_\_ Email\_\_\_\_\_

Mailing Address\_\_\_\_\_

City, State, Zip\_\_\_\_\_

### IT Contact

Name\_\_\_\_\_ Title\_\_\_\_\_

Phone/Fax\_\_\_\_\_ Email\_\_\_\_\_

Mailing Address\_\_\_\_\_

City, State, Zip\_\_\_\_\_



**To:** Honorable President George; Village Council Members

**From:** Jeff Campbell, Village Manager

**Subject:** Manager's Report

**Date:** February 17, 2023

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#### **Pet Licenses**

Residents of Beverly Hills must obtain licenses for their cats and dogs each year. Licenses are available at the Southfield Township Office. Dog licenses can be purchased through March 31, 2023 for only \$5.00. On April 1st the fee increases to \$10.00. Please include proof of rabies vaccination and a check payable to Southfield Township. There is no fee for cat licenses, but proof of rabies vaccination is required. Please contact Southfield Township with any questions.

#### **Yard Waste Collection**

Yard waste collection will begin the week of April 3, 2023. Residents are asked to set yard waste at the curb by 7:00 a.m. on their regular collection day. A list of acceptable yard waste items is available in the Village Calendar, on the Village website, and on SOCRRA's website. SOCRRA does allow residents to bring us up to 10 bags of yard waste per day at the Troy Transfer Station at no cost and without making an appointment through the end of March.

#### **Greening Scholarship**

Forms are now available for the 2023 Donald and Patricia Greening Community Service Scholarship. This annual scholarship award in the amount of \$1,000 is provided to one eligible male and female graduating high school student or student who plans to enroll at a college, community college, university, or technical school in the fall of 2023. The scholarship is open to any graduating senior of Groves High School *or* any graduating senior who is a resident of the Village of Beverly Hills. Applicants should have completed charity work that benefits the Village of Beverly Hills, or any charitable organization located within the Village. To be considered, applicants are required to have an unweighted GPA of 3.0 or higher on a 4.0 scale and a minimum ACT score of 22. Applications can be found on the Village website, at the Village Offices or through your high school counselor. ***Completed applications must be delivered to the Village office by 4:00pm on Friday, March 24, 2023.***

**Pavilion Roof and Reservations**

The roof replacement on Beverly Park's pavilion was completed last week. In addition, residents may begin making reservations for the Beverly Park pavilion on Wednesday, March 1, 2023. Non-residents may begin making reservations on Wednesday, April 5, 2023. Reservations must be made in person at the Village Office during regular business hours (Monday-Friday, 8:00 a.m. to 4:30 p.m.). Reservations are accepted from mid-May to mid-October. Reservations cannot be made on major holidays or during Village sponsored events. Please click the link below for rental fees, the refund policy, and additional information.

[https://www.villagebeverlyhills.com/departments/beverly\\_park\\_pavilion\\_rental/index.php?fbclid=IwAR2Bx6FWKFtaYY57Ejn4U\\_Aaq4VZ2I-pghP3bF0Po-OKOBc2Y0KGfONPSLU](https://www.villagebeverlyhills.com/departments/beverly_park_pavilion_rental/index.php?fbclid=IwAR2Bx6FWKFtaYY57Ejn4U_Aaq4VZ2I-pghP3bF0Po-OKOBc2Y0KGfONPSLU)



# **Beverly Hills Public Safety**

## **Activity Report**

**Feb. 2<sup>nd</sup> – Feb. 16<sup>th</sup>, 2023**

- The Public Safety Department is currently looking for applicants for Public Safety Officer. Please visit our website, [www.beverlyhillspolice.com](http://www.beverlyhillspolice.com) to see if you qualify.

### **CALLS FOR SERVICE**

- **271 Calls for Service.**
- **45 Tickets issued.**
- **11 Arrests.**
- Crime Prevention at Beverly School.
- Crime Prevention at Greenfield School.
- Traffic Accident at Evergreen and Village.
- Radar Detail at Evergreen and 13 Mile.
- Radar Detail at Southfield and Beverly.
- Operation Medicine Cabinet.
- Crime Prevention at the Corners Shopping Mall.
- Alarm on 13 Mile.
- Report of Criminal Sexual Conduct on Dunblaine.
- Crime Prevention at Bed, Bath and Beyond.
- Crime Prevention at Beverly School.
- Animal Complaint on 13 Mile.
- Traffic Enforcement at 14 Mile and Lahser.
- Crime Prevention at Market Fresh Shopping Center.
- Crime Prevention at Groves High School
- Extra Patrol at the DPW Building.
- Traffic Enforcement at 13 Mile and Lincolnshire.
- Medical on 13 Mile.
- Crime Prevention at Greenfield School.
- Crime Prevention at Beverly School.
- Medical on Riverside.
- Suspicious Persons on 14 Mile.
- Crime Prevention at Greenfield School.
- Crime Prevention at Beverly School.
- Medical on Kennoway.

- Domestic Abuse arrest on Kinross, no injuries were reported. The arrest was without incident.
- Medical on Sylvan Lane.
- Citizen Assist on Metamora.
- Medical on Marguerite.
- Suspicious Persons on Nottingham.
- Radar Detail on Southfield.
- Crime Prevention on Greenfield and Sheridan.
- Crime Prevention in Huntley Square Apartments.
- Fire Alarm on Vernon.
- Crime Prevention at Waltham and Sunset.
- Crime Prevention at Pierce and Buckingham.
- Radar Detail at Evergreen and Waltham.
- Disturbing the Peace on Mayfair.
- Citizen Assist on Kirkshire.
- Medical on Riverside.
- Fraud Reported on Marguerite.
- Medical on Marguerite.
- Medical on Sleepy Hollow.
- Medical on Kirkshire.
- Operation Medicine Cabinet.
- Suspicious Persons at Mission Point.
- Traffic Accident at 13 Mile and Southfield.
- Motorist Assist at 13 Mile and Southfield.
- Alarm on Southfield.
- Radar Detail on Evergreen.
- Traffic Enforcement on 13 Mile.
- Officers Stopped a driver at Lahser and 14 Mile for a minor traffic violation. The driver was arrested for Driving While License Suspended and for outstanding warrants. The arrest was without incident.
- Suspicious Persons on Beaconsfield.
- Crime Prevention at Nottingham and Robinhood.
- Crime Prevention at Fairfax and Auburn.
- Crime Prevention at Hampton and Bellvine Trail.
- Radar Detail at Southfield and Beverly.
- Crime Prevention in the Georgetown Subdivision.
- Traffic Enforcement at Birmingham and Birwood.
- Crime Prevention in Huntley Square Apartments.
- Medical on Devonshire.
- Fire truck Checks at the station.
- Medical on Coryell.
- Lost Property reported at Beverly Park.
- Crime Prevention at Groves High School.

- Medical on Sunset.
- Medical on Waltham.
- Crime Prevention at Bedford and Norchester.
- Traffic Enforcement on Greenfield.
- Crime Prevention at Pierce and Amherst.
- Crime Prevention at Mayfair and Inglewood.
- Hospice Death on Birwood.
- Operation Medicine Cabinet.
- Suspicious Persons on 14 Mile.
- Crime Prevention at Beverly School.
- Motorist Assist at Greenfield and 14 Mile.
- Crime Prevention at Market Fresh Shopping Center.
- Crime Prevention at the Corners Shopping Mall.
- Parking Complaint on Waltham.
- Medical on East Valley Woods.
- Operation Medicine Cabinet.
- Crime Prevention at Beverly School.
- Crime Prevention at Greenfield School.
- Operation Medicine Cabinet.
- Identity Theft reported on Wetherby.
- Hazardous Material incident on 13 Mile.
- 911 Hang up and Welfare Check on Bellvine Trail.
- Traffic Enforcement at 13 Mile and Evergreen.
- Officers stopped a driver for a minor traffic violation at Southfield and Kirkshire. The driver was arrested without incident for Driving While License Suspended.
- Crime Prevention at Beverly Park.
- Traffic Enforcement at Beverly and Mayfair.
- Traffic Enforcement at 14 Mile and Southfield.
- Radar Detail on Southfield.
- Road Hazard Removed from Beverly and Inglewood.
- Medical on Bellvine Trail.
- Crime Prevention at Beverly School.
- Crime Prevention on Ronsdale.
- Motorists assist on 13 Mile and Churchill.
- Follow up investigation at Huntley Square Apartments.
- Crime Prevention at Market Fresh Shopping Center.
- Crime Prevention at Beverly School.
- Crime Prevention at Greenfield School.
- Assisted Southfield PD with traffic accident at 13 Mile and Southfield.
- Motorist Assist on Evergreen and 13 Mile.
- Vehicle Lockout on Southfield.

- Traffic Enforcement at 14 mile and Lahser.
- Crime Prevention at Beverly Park.
- Officers stopped a driver for a minor traffic violation at Evergreen and 13 Mile. The driver was arrested for Driving While License Suspended and a warrant. The arrest was without incident.
- Traffic Enforcement at 14 Mile and Pierce.
- Court Ordered PBT at the front desk.
- Crime Prevention at Greenfield School.
- Traffic Enforcement at Bates and Dunblaine.
- Officers arrested a subject on an outstanding warrant without incident.
- Crime Prevention at Nottingham and Robinhood.
- Medical on Evergreen.
- Traffic Accident at 13 Mile and Pierce.
- Assisted Southfield PD with a traffic accident at 13 Mile and Southfield.
- Found Property reported at Beverly Park.
- Crime Prevention at Greenfield School.
- Citizen Assist on Elizabeth.
- Odor Investigation on Saxon.
- Suspicious Persons on Metamora and Foxboro Way.
- Noise Complaint in Huntley Square Apartments.
- Car Seat Installation at the police station.
- Welfare Check at Mission Point.
- Crime Prevention at Nottingham and Crossbow.
- Radar Detail on Southfield.
- Traffic Enforcement at Pierce and Locherbie.
- Crime Prevention at Inglewood and Riverside.
- Traffic Enforcement at Greenfield and Kirkshire.
- Crime Prevention at Beverly School.
- Crime Prevention at Greenfield School.
- Medical on Kirkshire.
- Traffic Enforcement at Lahser and Riverview.
- Radar Detail at Hilltop and Lahser.
- Crossing Guard Detail at Southfield and Beverly.
- Crime Prevention at Greenfield School.
- Crossing Guard Detail on Beverly.
- Suspicious Persons on 13 Mile.
- Medical at Mission Point.
- Medical on Kirkshire.
- Crime Prevention at Groves High School.

- Officers stopped a driver for a minor traffic violation at 13 Mile and Southfield. The subject was arrested without incident for Driving While License Suspended.
- Assist Royal Oak PD with an alarm at 13 Mile and Greenfield.
- Crime Prevention at Smallwood and Westlady.
- Assist Royal Oak PD with a larceny at 13 Mile and Woodward.
- Officers arrested a subject at our station with a warrant. The arrest was without incident.
- Crime Prevention at Madison and Dunblaine.
- Crime Prevention at Hill Crest and Beaconsfield.
- Radar Detail at Southfield and Beverly.
- Officers stopped a driver for a minor traffic violation in front of Taco Bell on Southfield. The driver was arrested for Operating While Impaired without incident.
- Traffic Enforcement at Southfield and 13 Mile.
- Crime Prevention at Beverly School.
- Crime Prevention at Greenfield School.
- Larceny from mailbox on Waltham.
- Larceny from mailbox on Ronsdale.
- Medical on Beechwood.
- Crime Prevention at Market Fresh Shopping Center.
- Radar Detail on Evergreen.
- Traffic Accident on Southfield and 13 Mile.
- Larceny from mailbox on Wilshire.
- Traffic Accident at Groves High School.
- Crime Prevention at Beverly Park.
- Traffic Accident at Lahser and Hilltop.
- Alarm on Village Pines.
- Identity Theft in Huntley Square Apartments.
- Adult Suicide on Locherbie.
- Alarm on Bellvine.
- Crime Prevention in Huntley Square Apartments.
- Medical on Embassy.
- Suspicious Persons on Crossbow.
- Medical on Wentworth.
- Medical on Metamora.
- Crime Prevention on Ronsdale.
- Crime Prevention at Beverly Park.
- Operation Medicine Cabinet.
- Officers stopped a driver for a minor traffic violation at 13 Mile and Southfield. The driver was arrested for

Driving While Suspended and warrants. The arrest was without incident.

- Suspicious Persons on 13 Mile.
- Extra Patrol on Lincolnshire.
- Citizen Assist at the police station.
- Animal Complaint on Arlington.
- Radar Detail on Evergreen.
- Suspicious Circumstances on Southfield.
- Larceny from mailbox on Ronsdale.
- Larceny from mailbox reported on Ronsdale.
- Crime Prevention on Ronsdale.
- SWAT call out for Oakland County.
- Suspicious Person at The Corners Shopping Mall.
- Traffic Enforcement on 14 Mile.
- Officers stopped a driver for a minor traffic violation at 13 Mile and Southfield. The driver was arrested for Driving While Suspended without incident.
- Medical at Mission Point.
- Traffic Enforcement on Southfield.
- Crime Prevention at Beverly Park.
- Traffic Enforcement on Beverly.
- Douglas Evans Park closed for the night.
- Crime Prevention on 13 Mile.
- Alarm on Southfield.
- Crime Prevention at Groves High School.
- Hospice Death at Mission Point.
- Fire Truck Checks at the station.
- Crime Prevention at Market Fresh Shopping Center.
- Medical on Amherst.
- Officers stopped a driver for a minor traffic offense at Carriage Lane and Evergreen. The driver was arrested for Operating While Intoxicated and taken into custody without incident.
- Suspicious Persons on Birwood.
- Suspicious Persons on Shagbark.
- Crime Prevention at Beverly Park.
- Assist Franklin PD with a search for Home Invasion suspects.
- Medical at Mission Point.
- Crime Prevention at Waltham and Sunset.
- Radar Detail at Hilltop and Lahser.
- Crime Prevention at Beverly Park.
- Identity Theft on Southfield.
- Assist Oakland County SWAT.

- Crime Prevention at The Corners Shopping Mall.
- Radar Detail at Southfield and Beverly.
- Traffic Enforcement at East Valley Woods and Lahser.
- Crime Prevention in the Huntley Square Apartments.
- Crime Prevention in the Georgetown Subdivision.
- Medical on 13 Mile.
- Crime Prevention at Groves High School.
- Crime Prevention on Pebblestone.
- Crime Prevention on Lincolnshire.
- Crossing Guard Detail at Beverly School.
- Informational report taken at the station.
- Crime Prevention at Greenfield School.
- Crime Prevention at Detroit Country Day School.
- Traffic Enforcement at 13 Mile and Lahser.
- Radar Detail at Evergreen and 13 Mile.
- Traffic Enforcement on Southfield.
- Crime Prevention at Groves High School.
- Traffic Accident and Assault on Greenfield.
- Medical on Pierce.
- Crime Prevention at Groves High School.
- Medical on 13 Mile.
- Crime Prevention at the Corners Shopping Mall.
- Citizen Assist at Mission Point.
- Traffic Enforcement at Beverly and Norchester.
- Alarm on 14 Mile.
- Crime Prevention at Douglas Evans Park.
- Traffic Enforcement at 13 Mile and Stafford.
- Crime Prevention in Huntley Square Apartments.
- Crime Prevention at Groves High School.

### **Fire & Emergency Medical Services**

- 33 EMS Call - Medicals.
- 1 Hazardous Conditions.
- 1 Smoke Investigation.
- 4 Fire Alarms.
- 1 Weekly Apparatus Checks.
- Supervise Midnight Platoons 3 and 4.
- Bi-Weekly NFIRS data export uploaded to FEMA.
- Annual SCBA Flow Testing Completed.
- Attend and chaired the Oakland County Training Committee meeting.
- Attend & Chair CLEMIS Fire Governance meeting.

- 2022 AFG Regional Grant Application Completed and submitted.
- Attend OCMCA 2023 EQIP Update Training.
- Attend Michigan Fire Fighters Training Council meeting.
- Attend Monthly MABAS meeting.
- Attend Quarterly South Oakland Fire Investigators Team training.

### **Detective Bureau and School Liaison (SLO)**

- SLO Balagna attended Berkshire student behavior meeting.
- 2 OWI Tickets issued.
- Groves High School security detail-Balagna.
- Prisoner transport from 46th District Court.
- Probation violation ID/Booking.
- Harassment case sent to BYA diversion program.
- Reviewed cell phone data dump for CSC.
- Interview with CSC victim at the station.
- Picked evidence at Haven and transported to MSP-Lansing.
- In-custody arraignment for Domestic Violence.
- Court Innovations at the 46th District Court.
- Reviewed interview with CSC victim and updated report.
- Search warrant obtained for DNA of CSC suspect.
- Implementing a response fire training.
- Pump operator fire training.
- Return of spontaneous circulation MFR training.
- In-custody arraignment for DWLS/Concealed Weapon.
- Interview with CSC suspect at the station.
- Interview with harassment suspect and victim at the station.
- In-custody arraignment for Possession with the intent to deliver.
- Took Cell phone to Oakland County Computer Crime Lab.
- Traffic Conference at the 46th District Court.
- Drug burn completed at the Oakland County Sheriff's Office.
- SLO Balagna attended SWAT training.
- Sent Larcenies of mail cases to US Postal Inspector investigation Unit.



- Served Subpoena for the 46th District Court-Stalking case.

**Have I told you lately that I love you — and how to avoid scams?**

By Terri Miller, Consumer Education Specialist

February 13, 2023

- Valentine's Day. Maybe you've already sent a card to your grandmother, grandfather, or the older adult in your life. But if you haven't told them lately that you love them, pick up the phone and call, too. While you're catching up, remind them that you'll never pressure them to wire you money or buy you gift cards — but a scammer might.
- 
- Scammers use fake family emergencies to target older adults. They call pretending to be a grandkid in trouble, or a lawyer or police officer on the scene. They ask for money, but once the grandparent finds out there was no emergency, the scammer's gone — and so is their money. You may not get these scam calls, but chances are you know someone who will get one — if they haven't already. Sharing is caring.
- 
- Here's what you might say to help an older adult in your life spot a scam:
- 
- “I'll never call and ask you to send money for an emergency. That's a scam. Hang up!” No matter who a caller claims to be, resist the urge to send money immediately. If they ask you to pay in ways that are hard to trace — by wiring money, sending a money order, or

paying with gift cards, reloadable cards, or cryptocurrency — that's a scam.

- 
- “If someone pressures you to secretly send money to get me (or someone you know) out of trouble, that's a scam. Slow down and check it out.” Scammers don't want you talking to anyone else and realizing it's a scam. Don't keep it quiet, especially if you can't reach the person who's supposed to be in trouble. Call someone else you trust to help figure out whether there's really an emergency.

### **Donating to help after earthquakes in Turkey and Syria?**

By Gema de las Heras, Consumer Education Specialist, FTC  
February 10, 2023

- The devastation in Turkey and Syria following massive earthquakes is inspiring people to help and donate. And it's prompting scammers — like they do after every disaster — to take advantage of your generosity. Find out how to make sure your money helps people in need.
- 
- Scammers use familiar-sounding names to create fake charities, or ask you to donate in cash, by gift card, or cryptocurrency. Here's how to spot and avoid the scams:
- 
- Slow down. You don't have to give immediately. Search online for the name of the charity you are interested in supporting, plus words like “review,” “scam,” or “complaint.” See if others have had good or bad experiences with the charity.
- 
- Check what charity watchdog groups say about the organization. Don't assume that familiar-sounding names or messages posted on social media are legitimate. Donate to charities you know and trust and with a proven record of dealing with disasters.

- 
- Ask how your money will be spent. If someone calls to ask to donate, they should be able to answer how much of your donation will go to the program you want to help, and other critical questions.
- 
- Look at fees and timing if you're donating through an online platform or social media. Check whether your donation will go directly to the charity and if not, how long it will take to get there, and if there are fees.
- 
- Visit [ftc.gov/charity](https://www.ftc.gov/charity) before you open up your wallet. Learn more about giving through online platforms, and how to spot and avoid charity scams.
- 
- International disasters might involve requests for donations in multiple languages. Use [ftc.gov/languages](https://www.ftc.gov/languages) to help people you know spot scams in other languages, and then report them in English or Spanish at [ReportFraud.ftc.gov](https://www.ftc.gov/report-fraud).



# 2023 Siren Test Calendar

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Please be advised that Oakland County Emergency Management Division will be testing the outdoor warning siren system on the following dates in 2023:

Date	Day	Time	Reason
March 4	Saturday	1:00 PM	First Saturday of the month test
March 22	Wednesday	1:00 PM	Special test in recognition of Severe Weather Awareness Week (SWAW)
April 1	Saturday	1:00 PM	First Saturday of the month test
May 6	Saturday	1:00 PM	First Saturday of the month test
June 3	Saturday	1:00 PM	First Saturday of the month test
July 1	Saturday	1:00 PM	First Saturday of the month test
August 5	Saturday	1:00 PM	First Saturday of the month test
September 2	Saturday	1:00 PM	First Saturday of the month test
October 7	Saturday	1:00 PM	First Saturday of the month test
November 4	Saturday	1:00 PM	First Saturday of the month test

Tests are not conducted in December, January or February due to winter weather.

February 3, 2022

Kristin Rutkowski  
Village Clerk/Assistant Village Manager  
Village of Beverly Hills  
18500 W 13 Mile Road  
Beverly Hills, MI 48025

Info Item



Dear Kristin,

Happy 2023! Thanks to your support, on and off the River, 2022 was a year of growth and wonderful impact for a better Rouge River.

Friends of the Rouge is growing internally in step with increasing revenue and community engagement. Last year, Friends of the Rouge served Metro Detroiters through action, education, and advocacy to meet pressing local, environmental issues that impact your River and community: water pollution, habitat loss, flooding, heat, and inequitable community access to green spaces.



Student River Education at Goudy Park, Wayne, July 2022

Highlights include:

- **over 650 Rouge River outreach, action & education events**
- **over \$2.8 million in earned media to spread Rouge River awareness**
- **over 8,300 area residents, from over 100 unique communities, engaged in programming**
- **over 10,600 hours of river and environmental education**
- **fish monitoring at a record 54 sites includes collecting fish for PFAS testing by Wayne State and The Ecology Center**

Your valued partnership makes all of this and more possible. You are invited to further explore the impact that you grow for a more sustainable future and to let us know how we can better serve you to meet your environmental goals.

Sincerely,

A handwritten signature in cursive script that reads 'Lara Edwards'.

Lara Edwards, Development Director



Crain's 2022 Notable Leader in Sustainability  
Marie McCormick, Executive Director, Friends of the Rouge



# 2022 Marketing & Community Engagement Report

## Engaging Community—Action, Advocacy & Education

Over 8,300 Metro Detroit volunteers, from over 100 unique communities, engaged with Friends through advocacy, education and action including: river side student education; frog, toad, bug and fish monitoring; invasive species removal, river clean-ups, logjam opening, trail building, rain garden creation and maintenance, tree plantings, and River recreation. Together, with thoughtful supporters like you, we are a movement creating positive change for a more vibrant environment and Rouge River community.



Image: (Left) Detroit Resident and angler in training, Antonio Cosme, takes notes on how to collect Rouge River fish for PFAS study; (Right) Mom & son volunteer at a rain garden in Plymouth.

## Earned Media Reach



In 2022, Friends of the Rouge continued engagement with Robar Media in collaboration with watershed groups in Southeast Michigan for enhanced exposure and attention to the work of making a better Rouge River possible. The Ad Value Equivalency, or earned media, for this attention was valued at a record \$2.8 million.

Friends of the Rouge continues to be a regional and state recognized authority on the Rouge River and the environment in Metro Detroit. Above left: Friends of the Rouge Executive Director talks with WXYZ about the Lower Rouge River floodplain tree planting project. Highlights of news coverage are included on page 7.

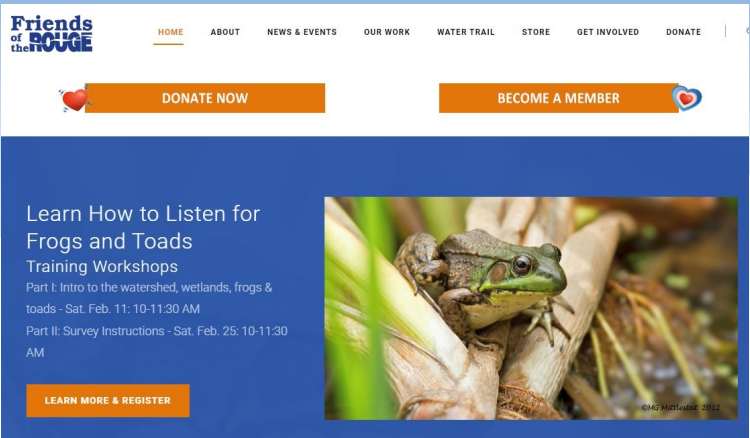
Year	Media Hits	Impressions	Earned Media
2022	86	306.5 million	\$2,840,000
2021	64	98.5 million	\$911,890
2020	69	231.73 million	\$2,140,000
2019	178	212.4 million	\$1,960,000

Website Reach

In 2022, the Friends of the Rouge website experienced a 7% increase in users and a 10% increase in sessions over 2021.

The most heavily used webpages at therouge.org included wildlife information pages, Master Rain Gardener information, and the Online Rouge Store for native plant, rain barrel and home rain garden consultation purchases.

2023 will see a full redesign of the website to optimize usability, enhance aesthetics, lower bounce rates, and provide clearer calls to action.



Year	Users	Sessions	Bounce Rate	Session Duration
2022	62,000	86,900	66.67%	1m 29s
2021	58,000	79,000	61.58%	1m 36s
2020	48,000	67,000	60.27%	2m 8s

Spotlight: Sacred Grounds scores a win for the Triple Bottom Line!

**The Team:** National Wildlife Federation, Sierra Club Michigan Chapter, National Fish & Wildlife Foundation with six Detroit houses of worship and Friends of the Rouge

**The Problem:** Loss of green space, high impervious surface coverage, aging infrastructure, and heavy rains, all exacerbate stormwater runoff in Detroit. Stormwater drainage fees, at \$678/impervious-surface-acre, can be a financial burden for aging houses of worship with large property and shrinking congregations

**The Solution:** A nonprofit partnership through the Sacred Grounds program with houses of worship, that engages these special community anchors and supports faith leaders and congregations to create new rain gardens—for more wildlife habitat, new trees, less stormwater and lower drainage fees

**The Impact:** Increased community pride and beauty, new wildlife habitat, less local flooding, and lower drainage fees! In 2022, 10 new gardens were completed that keep 63,554 gallons of stormwater from flooding the



Image: Volunteers install a new rain garden at Bethany Lutheran in Detroit, July 2022.

sewer and street every time it rains. For participating churches, the new gardens will reduce their drainage fee and water bill—dependent on their garden—by an estimated \$500-\$3,500 annually. A win for the environment, community and the bottom line.



## E-news & Email Communication Reach



Image: The Rouge Rundown Earth Day edition included opportunities to make a difference during Earth month: volunteer projects, free education and giving.

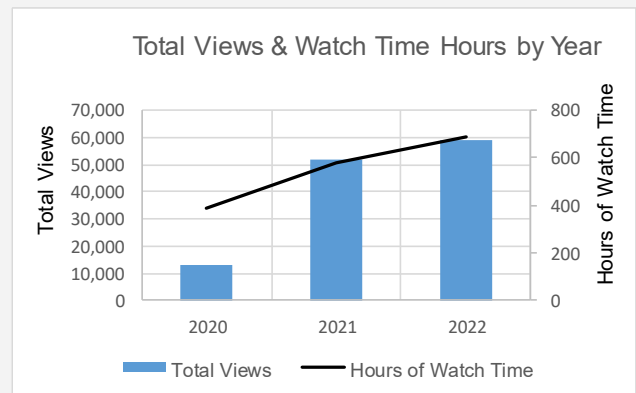
*The Rouge Rundown*, Friends of the Rouge's bi-monthly e-newsletter grew its audience in 2022 by 7% over 2021 and remains the most effective online communication tool to reach and engage "Friends", volunteers, members and donors. Program participants cite the e-newsletter as a main method for hearing about opportunities to act for a better Rouge!

Bi-monthly E-Newsletter Reach		
2022	2021	2020
8,545	7,999	7,400

## YouTube Channel Reach



Images: (Top Left) YouTube video "Pollinators 101" - original education content with FOTR Landscape Designer, Matthew Bertrand; (Top Right) YouTube video views & watch time vs. year; (Bottom Left) YouTube video of Fox2 Detroit News coverage—celebrating National Canoe and Kayak Day with FOTR Trails Manager, Herman Jenkins.



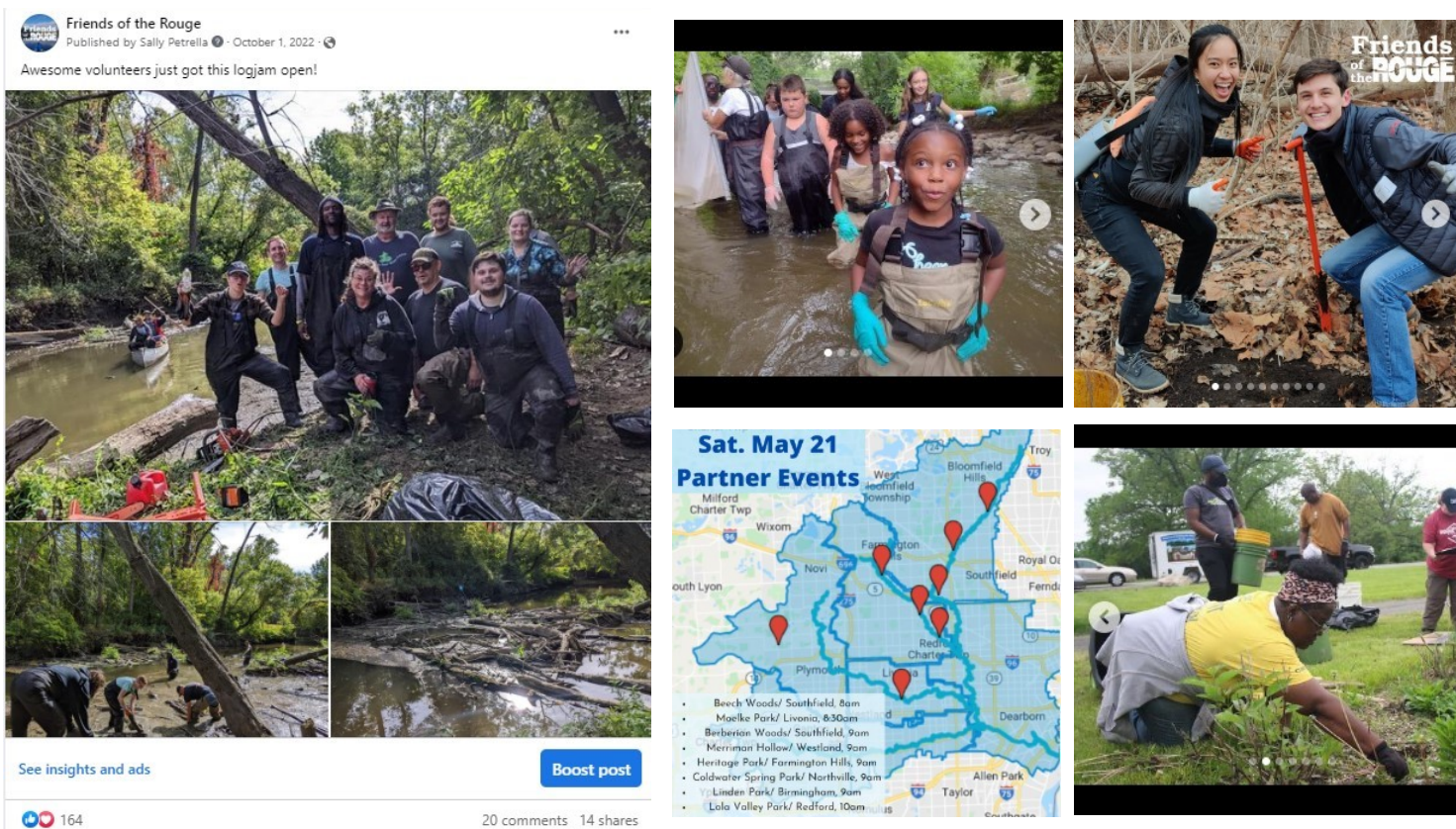
**YouTube viewership grows as Friends of the Rouge continues to create new, live, online, free, educational opportunities!** Once created, videos including: frog calls, rain garden classes, school teacher trainings, and news coverage, become a free and permanent resource for the public on the Friends of the Rouge YouTube Channel—@FriendsoftheRouge



## Engaging the Community via Social Media

In 2022, Friends of the Rouge leveraged social media to share event information, news stories, event photos and recaps, impact stories, fundraisers, River facts, and sponsor recognition.

**Friends of the Rouge “followers” grew on Instagram, Twitter and Meta (Facebook); reach grew on Instagram but declined on both Twitter and Facebook.** Friends social media strategy for 2023 includes funding and planned reach growth in all social media channels. The largest social media audience continues to engage via Facebook—56% of whom are ages 55 and older. In 2022, Instagram grew in reach and followers to capture a younger demographic—62% of whom are between the ages of 25-44.



Facebook Metric	2022	2021	2020	2019
Followers	15,194	14,430	14,276	12,654
Reach	743,213	967,337	999,389	500,956
Impressions	NA*	1,325,578	1,375,116	680,523
Likes	14,762	14,244	13,822	12,701

Instagram	2022	2021	2020
Followers	1,346	1,059	600
Reach	15,296	13,770	10,290
Impressions	75,833	89,862	12,118

Twitter	2022	2021	2020
Followers	715	654	529
Impressions	46,716	90,271	63,429
Mentions	153	184	98
Retweets	213	189	63

Images: From 2022—(Left) Logjam workday Facebook post; (Middle Top to Bottom) Student monitoring & partner events Instagram posts; (Right Top to Bottom) Tree Planting & Rouge Rescue Instagram posts. \*Meta tracking changed in July 2022. Impression data is not available in a comparable format; FOTR may stop tracking this metric in 2023.



## *Partners in Advocacy and Boots-on-the-ground solutions*

A better River takes a village. In 2022, Friends of the Rouge collaborated with over 260 community partners. From houses of worship to universities, neighborhood associations to national nonprofits, the work of building a more vibrant future is complex and done best with a wide net of community participation, reflective of the most diverse and populated watershed in the State.



Images: Friends of the Rouge 2022 Partnerships with (Top) Outdoor Afro Detroit at paddling event; (Bottom Left) Wayne State University for monitoring; (Bottom Right) University of Michigan, and Michigan Department of Natural Resources electroshocking for fish.

### *The Inaugural Heart of the Rouge: A Benefit on the Banks event*



Image: At the Heart of the Rouge event—held at the Phoenix Mill, a restored, former, all-woman’s factory—special guests included the American Rosie the Riveter Association.

You made the first 2022 Heart of the Rouge a success! Over 350 Friends, community partners, elected officials and party-goers enjoyed this celebration of your hometown River.

The summer evening at the Phoenix Mill in Plymouth included a live fish-netting demonstration, sparkling music from the Michigan Philharmonic Jazz Trio, wonderful eats & drinks, perfect weather, and special guest Rosie the Riveters. And, thanks to you, \$52,000 was raised for vital year-round River programming!

## 2022 News Coverage: Select Highlights

November 10, 2022

Expedition Detroit: [The Rouge River: Detroit's Greatest Outdoor Exploration Opportunity](#)

October 31, 2022

The Rock: [Henry Ford Health Systems, Featuring FOTR Rain Gardens](#)

October 7, 2022

Great Lakes Now: [Great Lakes Moment: Rouge River Revived](#)

September 27, 2022

The Detroit News: [Local students dive into water-related issues at Detroit River Water Festival](#)

June 6, 2022

Great Lakes Now: [Great Lakes Moment: Rewilding Metropolitan Detroit](#)

June 1, 2022

Downtown News Magazine: [Safer winter roads but at a cost to water quality](#)

May 14, 2022

WXYZ Detroit: [Rouge Rescue to host Backyard Fair & Native Plant Sale](#)

May 7, 2022

Hometown Life: [Water levels in Wayne County streams, yards higher than normal. Here's why](#)

May 5, 2022

The Detroit News: [Beneficial rain gardens help manage water on your property](#)

April 21, 2022

Fox 2 News Detroit Coverage: [Friends of the Rouge Working to Plant Thousands of Trees](#)

March 11, 2022

Civic Center TV: [Friends of the Rouge's Exec. Director Marie McCormick Wants to Protect the Rouge River](#)

February 17, 2022

Crain's Detroit Business: Commentary: [Metro Detroit needs combined approach to fight sewer overflows](#)

February 17, 2022

The Detroit News: [How \\$1B in federal aid for Great Lakes will clean up 9 areas in Michigan by 2030](#)

January 12, 2022

Fox 2 News Detroit: [Rouge River Winter Stonefly Search](#)



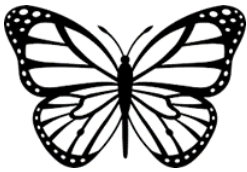
Image: Fox 2 News: Friends of the Rouge Trails Manager, Herman Jenkins and paddlers with reporter Veronica Meadows at the October 18, 2022 Haunted Paddle Kayak & Canoe Trip

# Thank you! See you on the River in 2023!



# YOU CREATE a BETTER ROUGE RIVER!

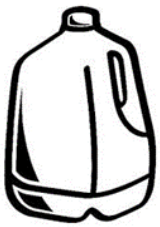
Thank you **Friend** for the amazing impact that you made possible in 2022



**13,100** square feet of grass transformed into new songbird, butterfly & pollinator habitat



**19,873** native plants, **9,162** trees, and **285** rain barrels for a more vibrant watershed



**72,480** gallons of water removed each time it rains, by new rain gardens for less pollution & flooding



**3,526** hours of river monitoring at **519** sites for bugs, frogs, toads, fish & invasive species



**6,995** volunteers took action for a better Rouge River & more vibrant future



**423** advocacy & outreach events to raise a collective voice for your River



**1,520** school students experienced one of a kind Rouge River water quality education



**10,601** hours of river education for the public & caring people like you



**37** Lower Rouge Water Trail events to trail build, explore & connect with nature



**1** Heart of the Rouge event to celebrate your Rouge River!

Friends  
of the **ROUGE**

# SAVE A LIFE



# FREE COMMUNITY NALOXONE TRAINING

Please join the Alliance of Coalitions for Healthy Communities, the Birmingham Bloomfield Community Coalition, Bloomfield Hills Schools, Bloomfield Township, the BHS PTOC Health and Wellness Committee and Bloomfield Twp Police and Fire Departments for a FREE live Naloxone training.

Everyone who attends the training will be trained on the proper administration of the Intra-Nasal Narcan the overdose reversal drug, as well as new trending drugs that are prevalent in our communities.

You must be at least 14 years of age to receive a Save A Life kit which includes 2 doses of 4mg Nasal Narcan.

Pre-registration is encouraged but not required. Please register at the following link:

<https://forms.gle/oomca9xW2ioDprvSA>

*The Alliance is proud to partner with:*



**WHEN:** Tuesday, March 14, 2023



**TIME:** 7:00 – 8:00 pm



**WHERE:** Bloomfield Hills High School  
4200 Andover Road  
Bloomfield Township, MI 48032



**COST:** FREE!



**For more information, please contact the Alliance at (248) 221-7101**