

Village of Beverly Hills
Regular Village Council Meeting
Tuesday, September 5, 2023

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

Zoom link: <https://us02web.zoom.us/j/88098673462>

Meeting ID: 880 9867 3462

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 regular Council meeting held August 15, 2023.
2. Review and file **bills** recapped as of Monday, August 28, 2023.
3. Review and consider **waiving** pavilion rental fees for Next's Oktoberfest on September 14, 2023.
4. Review and consider **waiving** pavilion rental fees for the Women's Club of Beverly Hills' meeting on October 4, 2023.
5. Review and consider **waiving** pavilion rental fees for Nora Bai's Community Service project on October 8, 2023.
6. Review and consider **request** from Tie Michigan Teal to display bows on the Beverly Park fence throughout September 2023.
7. Refer special land use **request** for 31535 Southfield Road to the Planning Commission for review and recommendation.

Business Agenda

1. Public hearing to receive comments on proposed Ordinance 386, amending Village Zoning Ordinance, Chapter 22, Section 22.32.120 Nonconforming Signs.
2. First reading of proposed **Ordinance 386** to amend Village Zoning Ordinance, Chapter 22, Section 22.32.120 Nonconforming Signs.
3. Public hearing to receive comments on proposed Ordinance 387, amending Village Zoning Ordinance, Chapter 22, Section 22.08.150 Fence, Wall, and Privacy Screen Regulations.
4. First reading of proposed **Ordinance 387** to amend the Village Zoning Ordinance, Chapter 22, Section 22.08.150 Fence, Wall, and Privacy Screen Regulations.

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.

5. Public hearing to receive comments on proposed Ordinance 388, amending Village Municipal Code, Chapter 42, Section 42.12, Games in Streets.
6. First reading of proposed **Ordinance 388** to amend Village Municipal Code, Chapter 42, Section 42.12, Games in Streets.
7. Review and consider Metro Act Permit **application** from Extenet.
8. Second **notice** of a vacancy on the Beverly Hills Village Council.
9. Set special meeting date for Monday, September 18, 2023 at 6:30 p.m. to interview Village Council applicants.
10. Review and consider Approval of **Traffic Control** Devices and Proposal for Pilot Program.
11. Review and consider authorizing **loan** from the General Fund to the Parks Capital Fund for the Beverly Park playground equipment and surface renovation.

Public Comments

Manager's **report**

Council comments

Adjournment

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REGULAR COUNCIL MEETING MINUTES – AUGUST 15, 2023 – PAGE 1

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

Absent: White

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

ROLL CALL/CALL TO ORDER/PLEDGE OF ALLEGIANCE

President George called the regular 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. The Pledge of Allegiance was led by Oliver Drummond and Marcus Finnerty, Troop 1024, and recited by those in attendance.

AMENDMENTS TO AGENDA/APPROVE AGENDA

Motion by Mooney, second by Abboud, to amend the agenda to move Business Items #1 and #2 to the end of the Business Agenda as Items #9 and #10.

Motion failed.

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS

Tom Maxwell, Lauderdale, commented on communications in the Village, noting the limited or lack of response from Council members. He commented on communication regarding the roundabout and gas main replacement project. He noted that there was limited capability to submit a comment via the Village’s website form.

David Tobaben, Orchard Way, said he was happy to see the contractors, GEI, cutting down buckthorn at the park, but was disappointed that all of the work was not completed. He said what had been done looks effective. He noted that getting rid of buckthorn is a precursor to restoring the forest. He said there are communication issues in the Village and the website function could be better.

CONSENT AGENDA

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

1. Review and consider approval of minutes of a regular Council meeting held August 1, 2023.
2. Review and file bills recapped as of Monday, August 14, 2023.
3. Review and consider awarding bid to Hutch Paving of Warren for the 2023 HMA program.

Roll Call Vote:
Motion passed (6-0)

BUSINESS AGENDA

ACCEPT MICHAEL WHITE'S RESIGNATION FROM THE BEVERLY HILLS VILLAGE COUNCIL

Campbell gave an overview. Council member Michael White submitted his resignation from the Beverly Hills Village Council effective August 10, 2023. A copy of his resignation letter was provided in the meeting packet. Procedurally, the Council shall accept his resignation, announce the vacancy, accept applications to fill the vacancy, and appoint a councilperson within 60 days.

Motion by Hrydziusko, second by Kecskemeti, be it resolved, the Beverly Hills Village Council accepts Michael White's resignation from the Village Council effective August 10, 2023.

Roll Call Vote:
Abboud – no
George – yes
Hrydziusko – yes
Kecskemeti – yes
Mooney – yes
O'Gorman – yes
Motion passed (5-1)

Abboud read a letter from resident Rosanne Koss, Kinross, regarding the resignation.

There was discussion between the Council and Village Attorney about the procedure for filling the vacancy as dictated by the Charter.

Mooney expressed disappointment with White's resignation.

Mooney said he would like the interviews with Council candidates televised.

FIRST NOTICE OF A VACANCY ON THE BEVERLY HILLS VILLAGE COUNCIL

Campbell gave the first notice of a vacancy on the Beverly Hills Village Council. Michael White submitted his resignation from the Beverly Hills Village Council effective August 10, 2023.

Per the Village Charter: Vacancies in Councilmember offices shall, within 60 days after such vacancy occurs, be filled by appointment of the Village Council by a majority vote of the members of council then in office. The person appointed shall possess the qualifications for the office of councilperson and shall hold office until the next regular village election.

Applications to fill the vacancy for a term ending November 2024 will be accepted until 4:30 p.m. on Monday, September 11, 2023. Interested and eligible residents of Beverly Hills may submit an application to the Village Clerk at 18500 W. 13 Mile Road, Beverly Hills, MI 48025 or via email: krutkowski@villagebeverlyhills.com. Applications are available on the Village website and a copy was included in the meeting packet.

This constitutes the first announcement of a vacancy on the Beverly Hills Village Council.

The Council discussed the timeline around filling the vacancy.

REVIEW AND CONSIDER CULLEN NELSON’S EAGLE SCOUT PROJECT PROPOSAL

Cullen Nelson, Troop 1024, Beverly Hills, presented his proposed Eagle Scout project. The Parks & Recreation Board recommended approval of his proposal to install butterfly puddling stations at Beverly Park and Riverside Park at their June meeting. Nelson is proposing to build and install 2 butterfly puddling stations, one in Beverly Park next to the current butterfly garden and one at Riverside Park near the water. Puddling stations are an important way butterflies get the proper minerals they need to survive. These stations will attract all sorts of butterflies and are made for all types and sizes. He plans on making the base out of stacked stones or bricks glued together because it looks good and provides a sturdy base, then on top of the base will be a shallow dish filled with sand, dirt, and water, along with flat small stones which provides the butterflies a place to stand. He will get volunteers to help out with the project like other members from his troop, friends, and family. His target time for installation is spring of 2024 but plans on possibly making them earlier (winter of 2023-2024). An estimated cost for each puddling station is \$110, or around \$220 total, depending on the base design choice. He said there is minimal maintenance required and the stations will be naturally refilled when it rains. If approved, the next steps are submitting the proposal to the BSA council. Nelson requested funding for his project.

O’Gorman encouraged Nelson to have some mosquito prevention and to share a maintenance plan with the Village. He thought the puddling stations were a good idea.

Hrydziusko said that it was a great idea to enhance the butterfly feature at the park. She suggested using recycled materials.

Mooney said Nelson had a nice idea and asked him which group is the best Boy Scout Troop in the country. Nelson stated that Troop 1024 is the best Troop.

George suggested providing a bucket so people at the park can help refill the station with water.

Motion by Mooney, second by Hrydziusko, be it resolved, the Beverly Hills Village Council authorizes Cullen Nelson to build and install butterfly puddling stations at Beverly Park and Riverside Park for his Eagle Scout project in an amount not to exceed \$500.00. Funds for this expense are available in 101-751-955.00 (Parks – Miscellaneous).

Roll Call Vote:

Motion passed (6-0)

REVIEW AND CONSIDER AUTHORIZING ADMINISTRATION TO PURCHASE A STRYKER PHYSIO-CONTROL AUTOMATED CPR CHEST COMPRESSION DEVICE, COMMONLY REFERRED TO AS A “LUCAS” DEVICE

Campbell provided an overview. The Public Safety Department has requested to purchase another Stryker Physio-Control Automated CPR Chest Compression Device, commonly referred to as a “LUCAS” device. We currently utilize a LUCAS device and we have saved multiple lives by quickly and effectively using it while responding to CPR incidents. The device, once applied, will

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deliver consistent high quality “hands free” chest compressions. The automated compressions would then allow the officer to utilize their free hands to administer Narcan to an overdose patient or perform other lifesaving tasks. By purchasing this LUCAS device, it would allow us to double our ability to effectively respond to an opioid associated or a primary cardiac arrest incident.

The LUCAS device is manufactured by the Stryker Corporation, which is headquartered in Kalamazoo, MI. We have utilized the Stryker Corporations products and service with great success for the past three years. The quote for the purchase of a new LUCAS device is \$ 21,745.28. We also received a quote for two extended warranties (four years each), one for the new device and one for the device we already own. The two extended warranties are \$11,720.00.

The total of the two quotes from Stryker is \$33,465.28.

The funds for the purchase are available from the National Opioids Settlement FD Trust of \$35,000. Thus, the opioid funds will cover the cost of the device and the two extended warranties. The funds are in account no. 205-000-688.50

Alison and Richard Taubman, Turnberry, were present and Mrs. Taubman spoke about her experience with the LUCAS device. She said the LUCAS machine and the Public Safety Officers who responded to the call saved her life.

O’Gorman thanked Taubman for her comments.

Motion by Abboud, second by O’Gorman, be it resolved, the Beverly Hills Village Council approves the purchase of a LUCAS device and two extended warranties in the total amount of \$33,465.28 for the Public Safety Department. Funds for this expense are available in account 205-000-688.50.

Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER RESOLUTION DESIGNATING REPRESENTATIVES FOR THE MERS ANNUAL CONFERENCE

Campbell gave an overview. The Municipal Employees’ Retirement System of Michigan is holding its annual conference on September 28-29, 2023 in Detroit, Michigan. The conference consists of meetings, general sessions, and breakout sessions where attendees may receive continuing professional education credits. Each member organization can send 1 officer delegate and 1 employee delegate to attend and have voting rights at the annual meeting. The officer delegate is a department head, and the employee delegate is selected by his/her eligible peers. An alternate officer delegate and an alternate employee delegate are also selected, should an appointed delegate be unable to attend.

Motion by, Abboud, second by Hrydziuszko, be it resolved that the Beverly Hills Village Council hereby appoints Jeffrey Campbell as the officer delegate and Rob Ginther as the employee delegate to represent the Village of Beverly Hills at the Annual MERS Conference in Detroit, Michigan on September 28-29, 2023. Furthermore, the Council appoints Mark Stec as the alternate officer delegate and William Brewster as the alternate employee delegate, should an appointed delegate be unable to attend.

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Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER AUTHORIZING ADMINISTRATION TO SEEK BIDS FOR THE 2024 SEWER LINING PROJECT

Campbell gave an overview. Administration is recommending a sewer lining project that is to be completed in the fiscal year 2024. The Village has budgeted \$150,000 for total project costs. We will be able to rehabilitate approximately 3,500 feet of pipe, on Kirkshire, Amherst, Nottingham, Robinhood, and Crossbow with that funding. Sewer locations were selected based on inspections that were completed in 2016 that revealed pipe deficiencies.

HRC's proposal was included in the meeting packet which outlines their scope of service and project activities. An estimated \$30,000 is estimated for engineering cost for this project, \$120,000 of the budgeted amount will go towards pipe rehabilitation. Funding for this project is available in account no. 592-536-934.23

Kecskemeti asked about the process, maintenance, and life expectancy.

Brad Shepler, HRC, was in attendance and talked about the SAW Grant that the Village received several years ago that allowed for televising of the sewer lines. The worst three pipes were chosen. Material is inserted in the old pipe and once cured, it creates a new pipe/lining inside. He noted this is common technology to use in the field.

Johnston stated that 2 pipes are in the combined sewer area and 1 is not.

O'Gorman confirmed that putting the lining in does not limit the system's capacity.

Motion by Kecskemeti, second by O'Gorman, be It Resolved that the Beverly Hills Village Council approves the proposed Sewer Lining Project, and that Village Staff may go out to bid for sewer lining services. The total project cost shall not exceed \$150,000. Funds are available in account 592-536-934.23

Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER AUTHORIZING FINAL PAYMENT FOR THE MARGUERITE AND HUMMEL WATER MAIN REPLACEMENT PROJECT

Campbell gave an overview. The final payment recommendation letter from Hubbell, Roth, and Clark, Inc. to D'Angelo Brothers, Inc. for work on the Marguerite and Hummel water main replacement project was provided for review and consideration. The final payment shall be made in the amount of \$9,021.30 and \$16,310.30 shall be released from the retainage fund.

George verified with Campbell and Johnston that the work was completed to the Village's satisfaction.

Kecskemeti asked if any comments or complaints were received from residents regarding this project. Johnston said no, he did not receive any.

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Motion by Kecskemet, second by Hrydziuszko, be it resolved, the Beverly Hills Village Council approves the final payment to D'Angelo Brothers, Inc. for the Marguerite and Hummel Water Main Replacement Project in the amount of \$9,021.30 and \$16,310.30 shall be released from the retainage fund. Funds for this expense are available in account # 287-538-972.01 (ARPA funded project).

Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER PUBLISHING AMENDED RESPONSES TO WENDBROOK FAQs

O’Gorman provided an overview. Council was provided with the proposed amended “Wendbrook Property Acquisition Update – FAQs, Amended - August 15, 2023” as prepared by subcommittee members George, Kecskemeti, and O’Gorman. O’Gorman went over the amendments. He suggested removing #5 since it was no longer relevant and removing comment on page 2 that references White as a Council member since he has since resigned. He said this was a first cut and the information should be published for the community.

Hrydziuszko said that it is important to get the first round of answers out to the residents since it has been months since the forum took place.

Abboud commented on the MNRTF process. He asked about the subcommittee members’ qualifications. He talked about public engagement during the process. He said he does not think this is for the greater good of the community.

Mooney commented on the homestead amount presented in item #6 and said the State Equalized Value (SEV) would be higher if developed. He commented on the cost of maintenance and asked about transactional costs. He said the Village would be losing money on the property every year if it remains undeveloped.

O’Gorman stated that the subcommittee did not have all of the transactional or appraisal costs available at this time.

Mooney said he did not think that all of the questions asked have been answered. He asked about a development plan. He said he does not want another nature preserve. He said he does not think the FAQs are ready to be published and that it should wait until the next meeting.

O’Gorman said he would like to put out the FAQs for residents and that it is a good first step.

George noted that per the project agreement, the Village would have two years to finish the acquisition.

Kecskemeti said the FAQs should have been published in a more timely manner. She said the project agreement allows for the Council and residents a two-year window to have discussions and solve this problem. She said it would be absurd to turn down a \$1 million donation and a \$1 million grant for this acquisition.

Abboud stated that he would be voting no on this item because he does not think that all of the questions are accurately answered.

There was discussion about updating the tax information on page 6 to include the non-homestead amount for accuracy.

Motion by O’Gorman, second by Hrydziuszko, the Beverly Hills Village Council authorizes publication of the Wendbrook FAQs to the community as submitted by the subcommittee with the modifications outlined for pages 2, 5, and 6.

Roll Call Vote:

Abboud – no

George – yes

Hrydziuszko – yes

Kecskemeti – yes

Mooney – no

O’Gorman – yes

Motion passed (4-2)

David Miller, Downing Place, referenced tax information provided by Southfield Township and noted that the estimated value was about \$703,000 for 2023.

INFORMATION ITEMS

UPDATE ON OPTIONS FOR PAYING FOR THE NEW PLAYGROUND EQUIPMENT AT BEVERLY PARK

Campbell provided an update. In March of 2023, Council approved the purchase of new playground equipment at Beverly Park. It was the understanding of Council that General Fund could loan the Park Fund monies to pay for the equipment. Thereafter, questions were presented whether that type of interfund loan was permitted.

After discussions between the Finance Director, the Village Attorney, and the Village auditors, Plante Moran, the auditors have determined that it is permissible for the general fund to enter into an agreement with the park improvement fund whereby the general fund would provide a temporary loan to finance a park project. The loan should be formally documented in an agreement and should incorporate a structured repayment plan and should incorporate reasonable interest terms. Included in the meeting packet was the email from the Rumzei Abdallah, one of our auditors at Plante Moran. Based on Council sentiments and other potential options (bank loan), the Administration believes this is the best way to finance the payment of the new playground equipment.

At the September 5, 2023 meeting, Administration will present a temporary loan agreement and restructured repayment plan with the proposed interest terms. Campbell thanked the Village Attorney and Finance Director for their assistance with this matter.

PUBLIC COMMENTS

David Miller, Downing Place, commented on transparency regarding Wendbrook and said that not a lot of people know about Wendbrook. He appreciates getting the FAQs out, even if he disagrees with some of the content. He said he is generally in favor of park land but would like to know

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more about the costs. He thinks communication could be better about what Wendbrook could be. He thanked Hrydziusko for sharing information on Facebook.

Karen Gilbert, Amherst, asked if someone from the MNRTF could speak to the community to help better understand the process and determine what Wendbrook could be. She commented on the Consumers project.

Andrew Drummond, Warwick, commented on the Council vacancy process and said that the previous vacancy procedures should be followed this time.

Molly Borgon, Pebblestone, said that acquiring Wendbrook could improve the quality of life. She said the park could be priceless. She stated that right now it is about acquiring the land and that possibilities for development later are endless. She does not want to see the Council turn down a \$1 million grant and a \$1 million donation. She would like to have a walkable park for residents on the west side. She said that Wendbrook presents a great opportunity for future generations.

Kent Anderson, Orchard Way, said he believes in and values quality of life. He said he believes fiscal responsibility lies with the Council. He said the Village needs to balance wants and needs. He would like to see a plan and sources of funding. He commented on trial projects that were not previously budgeted for.

Stephanie Jones, Beverly Road, said that a lack of transparency causes some of the push back. She said to consider the costs for elderly residents. She expressed concerns about security at Wendbrook and about a private Facebook page.

MANAGER'S REPORT

Park Events in August - Movie night in the Park will occur on Thursday, August 17, 2023 at dusk featuring the Super Mario Bros. movie. Kona Ice will be on site for Movie Night. The next Java & Jazz performance will take place on August 20, 2023 at the Beverly Park Pavilion. The show starts at 9 a.m. and wraps up at 12:00 p.m. The coffee for this event is sponsored by the Beverly Hills Lions Club.

Summer Tax Bills - Summer tax bills went out to residents and businesses in July. Please consider this the first reminder that summer tax bills are due back to Southfield Twp. by September 14, 2022. Both bills are payable to Southfield Township. In addition, please be aware that the Oakland County Clerk published a bulletin that misleading mailings are being sent out to area residents. Some County residents received a postcard with the heading County Deed Records and Home Warranty Division and there is a separate mailing with the heading "Third Notice" and references a state tax lien. Both mailings instruct residents to call a 1-800 number. The County bulletin notes these are not County authorized mailings and under no circumstances should residents send money. See the full bulletin at <https://content.govdelivery.com/bulletins/gd/MIOAKL-3696f0c>

Roundabout Construction Update - The curbs, sidewalk and other concrete work have been completed. It is expected that the final asphalt layers will be completed by August 18, 2023. The roundabout will not be open until August 25, 2023 as restoration work will be ongoing until the 25th.

SOCRRA Operations Update - Attached to the report was a summary of SOCRAA's Summary Operations Update for the 2022/2023 presented to the Board Members last week. The Summary details the amount of material handled by SOCRRA in 2022 and 2023 for all member and non-member communities. The amount of materials (trash, compost and recyclables) processed was down 1.3% from 2021/2022. The actual revenue was \$411,303 (+1.5%) above the projected budget. The total revenue for 2022/2023 was \$27,770,498. The revenue was \$120,000 lower than the revenue in 2021/2022. The revenue from the sale of recyclables was down because of significantly lower commodity prices (e.g., plastic, paper, etc.). The expense information is preliminary due to the fact that some items have not been received. The operational expenses were \$1.3 greater than budgeted. Net income before depreciation was \$1.9 million, which was \$952,000 below budget.

Experience Beverly Hills - The Village of Beverly Hills recently participated in the Southeast Michigan Council of Governments' (SEMCOG) Experience Southeast Michigan video series (formerly called Shop Local). In the video, the Village of Beverly Hills along with several different businesses showcased some of the Village's options in retail, dining, and recreation. Please take the time to shop Beverly Hills and experience Beverly Park or one of our many small businesses.

The Village would like to thank SEMCOG for producing the video and we would like to give a huge thank you to the following participating businesses: Beverly Hills Grill, Brady's Tavern, Market Fresh, Michigan Beer Growler Company, Michigan Coffee & Creamery Company, Premier Pet Supply, Village Pharmacy, and Wanna Cookie? The video is available on the Village website and YouTube: <https://www.youtube.com/watch?v=1wpQUKrZ52Y>

Abboud thanked Administration for their work getting information to him and residents regarding the Goddard School.

Mooney asked about water line verifications and sidewalk inspections.

COUNCIL COMMENTS

O'Gorman thanked Alison Taubman for her comments regarding Public Safety and the LUCAS machine. He commented on the challenges with the online form responses. He thanked White for his service to the community. He said what White has done is probably in his and the Village's best interests. He said the FAQs were pared down to be digestible and relevant. He wanted the answers to be complete and concise.

Keckskemeti thanked those who attended the meeting. She said a lot of good work is happening in the Village, especially the sewer lining project. She said she was proud of the Scouts for attending the meeting. She apologized for missing the last meeting as she was at the Track & Field Junior Olympics in Iowa. She said she was sad to see White resign and that he was more than we deserved. She appreciates his service. She cautioned against making assumptions about people's intentions. She asked for a summary of criminal activity that has occurred at the parks.

Abboud thanked the Public Safety Department for everything they do day in and day out. He said he takes his oath of office very seriously. He said he thinks the discussions around Wendbrook are creating a hostile work environment and does not think it is healthy.

Mooney said he is good at returning emails that he receives from residents. He said Mr. White had an interest in the Wendbrook property. He thinks that the family's contribution is very kind, but that they received some bad advice. He said the Village used to receive more media coverage. He said the meeting to select the new Council member should be broadcast. He commented on pocket parks and the procedure to turn a right of way into a park. He wants to stay true to the millage promises. He said he would like to see something done with the Riverside bridge and pond.

Hrydziusko thanked White for serving the community in the time that he did. She said this community is better having him in it. She warned against "outrage addiction" before having information about a topic. She cautioned against speculations and asked that people take a step back first.

George noted that he attended the Goddard School's Grand Opening and it is a spectacular addition to the downtown plan and the tax base. He said that the White family are generous people. He said a lot of the speculation is frustrating and that he would like to not have to talk about Wendbrook at every meeting. He noted that Six Rivers drew up a concept plan of what Wendbrook could be as part of the application requirements. He said that cost estimates now would increase by the time it came to developing the property. He noted that he would like to solve problems. He thinks the FAQs are a good faith effort. He said that infrastructure planning is critical and he wants to be thoughtful in the approach.

ADJOURNMENT

Motion by Abboud, second by O'Gorman, to adjourn the meeting at 11:02 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 08/15/2023 THROUGH 08/28/2023.

ACCOUNT TOTALS:

| | | |
|-----|-------------------------------|---------------------|
| 101 | GENERAL FUND | \$83,383.63 |
| 202 | MAJOR ROAD FUND | \$4,171.28 |
| 203 | LOCAL STREET FUND | \$17,906.34 |
| 205 | PUBLIC SAFETY DEPARTMENT FUND | \$102,789.35 |
| 271 | LIBRARY FUND | \$146,543.25 |
| 592 | WATER/SEWER OPERATION FUND | \$225,074.43 |
| 730 | TRUST & AGENCY FUND | \$6,045.88 |
| | TOTAL | <u>\$585,914.16</u> |
| | MANUAL CHECKS- COMERICA | \$269.32 |
| | MANUAL CHECKS- INDEPENDENT | \$0.00 |
| | ACCOUNTS PAYABLE | <u>\$586,183.48</u> |
| | GRAND TOTAL | <u>\$586,183.48</u> |

08/24/2023 03:53 PM
 User: JAY
 DB: Beverly Hills

CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS
 CHECK DATE FROM 08/15/2023 - 08/28/2023

Page: 1/2

| Check Date | Bank | Check | Vendor Name | Invoice Vendor | Amount |
|-------------------|------|-------|-----------------------------|-----------------------------|------------|
| Bank COM COMERICA | | | | | |
| 08/23/2023 | COM | 87496 | ARENA MORGAN | ARENA MORGAN | 269.32 |
| 08/23/2023 | COM | 87497 | ARENA MORGAN | ARENA MORGAN | 269.32 |
| 08/28/2023 | COM | 87498 | ALIAA SOLEIMAN | ALIAA SOLEIMAN | 250.00 |
| 08/28/2023 | COM | 87499 | AMANDA GRIFFIN | AMANDA GRIFFIN | 250.00 |
| 08/28/2023 | COM | 87500 | AMAZON CAPITAL SERVICES | AMAZON CAPITAL SERVICES | 373.12 |
| 08/28/2023 | COM | 87501 | ANGELA BUSTA | ANGELA BUSTA | 250.00 |
| 08/28/2023 | COM | 87502 | ANN JORDAN | ANN JORDAN | 250.00 |
| 08/28/2023 | COM | 87503 | APPLIED INNOVATION | APPLIED INNOVATION | 12.28 |
| 08/28/2023 | COM | 87504 | ARROW OFFICE SUPPLY CO. | ARROW OFFICE SUPPLY CO. | 81.07 |
| 08/28/2023 | COM | 87505 | BALDWIN PUBLIC LIBRARY | BALDWIN PUBLIC LIBRARY | 146,543.25 |
| 08/28/2023 | COM | 87506 | BEATA LAMPARSKI | BEATA LAMPARSKI | 250.00 |
| 08/28/2023 | COM | 87507 | BELLE TIRE | BELLE TIRE | 975.00 |
| 08/28/2023 | COM | 87508 | BEVERLY HILLS ACE | BEVERLY HILLS ACE | 30.58 |
| 08/28/2023 | COM | 87509 | BIRMINGHAM BLOOMFIELD | BIRMINGHAM BLOOMFIELD | 1,800.00 |
| 08/28/2023 | COM | 87510 | BLUE CARE NETWORK | BLUE CARE NETWORK | 48,789.85 |
| 08/28/2023 | COM | 87511 | BLUE CROSS BLUE SHIELD | BLUE CROSS BLUE SHIELD | 36,862.23 |
| 08/28/2023 | COM | 87512 | BOB MERVAK | BOB MERVAK | 1,000.00 |
| 08/28/2023 | COM | 87513 | BROOKLYN RUSAN | BROOKLYN RUSAN | 250.00 |
| 08/28/2023 | COM | 87514 | BS&A SOFTWARE | BS&A SOFTWARE | 1,000.00 |
| 08/28/2023 | COM | 87515 | C&G PUBLISHING | C&G PUBLISHING | 280.00 |
| 08/28/2023 | COM | 87516 | CANFIELD EQUIPMENT SERVICE | CANFIELD EQUIPMENT SERVICE | 254.49 |
| 08/28/2023 | COM | 87517 | CINTAS CORPORATION #31 | CINTAS CORPORATION #31 | 185.46 |
| 08/28/2023 | COM | 87518 | COALITION OF PUBLIC SAFETY | COALITION OF PUBLIC SAFETY | 17,627.74 |
| 08/28/2023 | COM | 87519 | COMEAU EQUIPMENT CO INC. | COMEAU EQUIPMENT CO INC. | 31,749.70 |
| 08/28/2023 | COM | 87520 | CONNIE HEUGGER | CONNIE HEUGGER | 250.00 |
| 08/28/2023 | COM | 87521 | CONSUMERS ENERGY | CONSUMERS ENERGY | 298.21 |
| 08/28/2023 | COM | 87522 | DEBRA HOLZMAN SILVER | DEBRA HOLZMAN SILVER | 250.00 |
| 08/28/2023 | COM | 87523 | DONALD HAFFNER | DONALD HAFFNER | 250.00 |
| 08/28/2023 | COM | 87524 | EAGLE LANDSCAPING & SUPPLY | EAGLE LANDSCAPING & SUPPLY | 1,328.00 |
| 08/28/2023 | COM | 87525 | ELIZABETH METER | ELIZABETH METER | 250.00 |
| 08/28/2023 | COM | 87526 | FIRE DEFENSE EQUIPMENT CO. | FIRE DEFENSE EQUIPMENT CO. | 418.36 |
| 08/28/2023 | COM | 87527 | GREAT AMERICA FINANCIAL SVC | GREAT AMERICA FINANCIAL SVC | 704.58 |
| 08/28/2023 | COM | 87528 | GREAT LAKES WATER AUTHORITY | GREAT LAKES WATER AUTHORITY | 1,022.84 |
| 08/28/2023 | COM | 87529 | GUARDIAN | GUARDIAN | 7,584.33 |
| 08/28/2023 | COM | 87530 | HILLIARD GRAY | HILLIARD GRAY | 187.85 |
| 08/28/2023 | COM | 87531 | HURON VALLEY GUNS | HURON VALLEY GUNS | 1,241.94 |
| 08/28/2023 | COM | 87532 | J.C. EHRLICH | J.C. EHRLICH | 63.39 |
| 08/28/2023 | COM | 87533 | J.H. HART URBAN FORESTRY | J.H. HART URBAN FORESTRY | 2,733.75 |
| 08/28/2023 | COM | 87534 | JAMES FOSTER | JAMES FOSTER | 250.00 |
| 08/28/2023 | COM | 87535 | JAMES HEALY | JAMES HEALY | 1,160.00 |
| 08/28/2023 | COM | 87536 | JENNIFER JOSIC | JENNIFER JOSIC | 250.00 |
| 08/28/2023 | COM | 87537 | JENNIFER RUPRICH | JENNIFER RUPRICH | 191.58 |
| 08/28/2023 | COM | 87538 | JOHN MCGRATH | JOHN MCGRATH | 250.00 |
| 08/28/2023 | COM | 87539 | KAYLEE SIMS | KAYLEE SIMS | 250.00 |
| 08/28/2023 | COM | 87540 | LENA BASATA | LENA BASATA | 250.00 |
| 08/28/2023 | COM | 87541 | LINDA STATON | LINDA STATON | 250.00 |
| 08/28/2023 | COM | 87542 | LINUS DROGS | LINUS DROGS | 250.00 |
| 08/28/2023 | COM | 87543 | LISA SHORT | LISA SHORT | 250.00 |
| 08/28/2023 | COM | 87544 | MACQUEEN EMERGENCY | MACQUEEN EMERGENCY | 1,244.51 |
| 08/28/2023 | COM | 87545 | MELISSA HOLLAND | MELISSA HOLLAND | 250.00 |
| 08/28/2023 | COM | 87546 | MICHAEL BERGMANN | MICHAEL BERGMANN | 250.00 |
| 08/28/2023 | COM | 87547 | MIKE SAVOIE CHEVROLET | MIKE SAVOIE CHEVROLET | 1,065.08 |
| 08/28/2023 | COM | 87548 | MORRIS WALLINGTON | MORRIS WALLINGTON | 280.00 |
| 08/28/2023 | COM | 87549 | NANCY LESSEM | NANCY LESSEM | 250.00 |
| 08/28/2023 | COM | 87550 | NELSON BROTHERS SEWER & | NELSON BROTHERS SEWER & | 4,984.00 |
| 08/28/2023 | COM | 87551 | NYE UNIFORM EAST | NYE UNIFORM EAST | 66.00 |
| 08/28/2023 | COM | 87552 | OAKLAND COUNTY TREASURER'S | OAKLAND COUNTY TREASURER'S | 220,466.33 |
| 08/28/2023 | COM | 87553 | OMAR DESSOUKS | OMAR DESSOUKS | 250.00 |
| 08/28/2023 | COM | 87554 | PERFORMANCE CREATIVE RESOUR | PERFORMANCE CREATIVE RESOUR | 1,194.00 |
| 08/28/2023 | COM | 87555 | PITNEY BOWES BANK PURCHASE | PITNEY BOWES BANK PURCHASE | 505.00 |
| 08/28/2023 | COM | 87556 | ROAD COMMISSION FOR OAKLAND | ROAD COMMISSION FOR OAKLAND | 557.40 |
| 08/28/2023 | COM | 87557 | RYAN BILLS | RYAN BILLS | 700.00 |
| 08/28/2023 | COM | 87558 | S.O.C.R.R.A. | S.O.C.R.R.A. | 34,261.00 |
| 08/28/2023 | COM | 87559 | STRYKER SALES CORP | STRYKER SALES CORP | 1,155.00 |
| 08/28/2023 | COM | 87560 | SUSAN RUBY | SUSAN RUBY | 250.00 |
| 08/28/2023 | COM | 87561 | TERESA SICKINGER | TERESA SICKINGER | 250.00 |
| 08/28/2023 | COM | 87562 | TRACY SHAFER-KACHEL | TRACY SHAFER-KACHEL | 250.00 |
| 08/28/2023 | COM | 87563 | TRISH OEN | TRISH OEN | 250.00 |
| 08/28/2023 | COM | 87564 | VERIZON WIRELESS MESSAGING | VERIZON WIRELESS MESSAGING | 509.95 |
| 08/28/2023 | COM | 87565 | VILLAGE OF BEVERLY HILLS | VILLAGE OF BEVERLY HILLS | 4,000.00 |
| 08/28/2023 | COM | 87566 | WILLIAM STEELE | WILLIAM STEELE | 250.00 |
| 08/28/2023 | COM | 87567 | WOW! BUSINESS | WOW! BUSINESS | 841.29 |
| 08/28/2023 | COM | 87568 | ZIP ETC INC | ZIP ETC INC | 2,835.00 |

COM TOTALS:

Total of 73 Checks:
 Less 1 Void Checks:

586,452.80
 269.32

08/24/2023 03:53 PM

CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS

Page: 2/2

User: JAY

CHECK DATE FROM 08/15/2023 - 08/28/2023

DB: Beverly Hills

| Check Date | Bank | Check | Vendor Name | Invoice Vendor | Amount |
|----------------------------|------|-------|-------------|----------------|------------|
| Total of 72 Disbursements: | | | | | 586,183.48 |



To: Honorable President George; Village Council Members

From: Kristin Rutkowski, Village Clerk/Assistant Village Manager

Subject: Next Oktoberfest September 14, 2023

Date: August 29, 2023

Administration received a request from Birmingham Next to hold their annual Oktoberfest at the Beverly Park pavilion on Thursday, September 14, 2023 from 2:00 to 8:00 p.m. They requested that the rental fees be waived. Next has hosted this event at the pavilion in the past.

Next is a non-profit organization serving the 50+ population in the area.

There are no scheduling conflicts on this date.

At the August 17, 2023 meeting, the Parks & Recreation Board recommended that the Village Council approve Next's request.

Suggested Motion:

Be it resolved, the Beverly Hills Village Council approves Next's request to host the Next Oktoberfest event at the Beverly Park pavilion on Thursday, September 14, 2023 from 2:00 to 8:00 p.m. and waives the pavilion rental fees for the 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.



To: Honorable President George; Village Council Members

From: Kristin Rutkowski, Village Clerk/Assistant Village Manager

Subject: Waive Pavilion Fees for Village Woman's Club Meeting

Date: August 30, 2023

Administration received a request from the Village Woman's Club of Beverly Hills to waive the pavilion rental fees for their meeting on Wednesday, October 4, 2023 from 5:00 – 9:00 p.m. There are no scheduling conflicts on this date. The Council has waived fees for this club in the past.

At the August 17, Parks & Recreation Board meeting, the Board recommended that the Council approve of the request.

The Village Woman's Club of Beverly Hills is a local group that sponsors fundraising events and returns the proceeds directly to community projects and programs that help students, seniors, and residents of Beverly Hills.

Suggested motion:

Be it resolved, the Beverly Hills Village Council waives the Beverly Park pavilion rental fees for the Village Woman's Club of Beverly Hills for their meeting to be held on Wednesday, October 4, 2023 from 5:00 – 9:00 p.m.



To: Honorable President George; Village Council Members

From: Kristin Rutkowski, Village Clerk/Assistant Village Manager

Subject: Waive Pavilion Fees for Nora Bai's Community Service Fundraiser

Date: August 31, 2023

Administration received a request from resident and high schooler, Nora Bai, to host a community service fundraiser at the Beverly Park pavilion on Sunday, October 8, 2023 from 11:00 a.m. to 4:00 p.m. and asked that the pavilion rental fees be waived. The purpose of this community event is to raise money for local animal shelters. A copy of Ms. Bai's proposal is attached.

There are no scheduling conflicts on this date. The event will be open to the public.

At their August 17, 2023 meeting, the Parks & Recreation Board recommended that the Village Council approve the request, pending the submission of a list of organizations that Ms. Bai will be raising funds for. Ms. Bai has indicated that the funds raised will be evenly distributed amongst the following local animal shelters: Almost Home Animal Rescue (West Bloomfield Township), Animal Welfare Society (Madison Heights), Happy Paws Haven Co. (Royal Oak), Michigan Animal Rescue League (Pontiac), Royal Oak Animal Shelter (Royal Oak), Oakland County Animal Shelter and Pet Adoption Center (Pontiac), All About Animals Rescue (Auburn Hills), New Beginnings Animal Rescue (Royal Oak), Top Dog Animal Rescue Group (Troy), and Friends of Bloomfield Township Animal Shelter (Bloomfield Township).

Suggested motion:

Be it resolved, the Beverly Hills Village Council waives the Beverly Park pavilion rental fees for Nora Bai's "Pet Fairy Fundraiser" on Sunday, October 8, 2023 from 11:00 a.m. to 4:00 p.m.

Attachment

Pet Fairy Fundraiser

Slideshow by Nora Bai

Details

Location: Beverly Park

Address: 18801 Beverly Road, Beverly Hills, MI, 48025

Date: Sunday, October 8th, 2023

Time: 11:00 AM - 4:00 PM

Trivia

Supplies needed: microphone and speaker for volunteer to read questions aloud, papers for each competitor with their number

Rules: At 2:00, a volunteer will read the questions aloud. When a competitor thinks they know the answer, they will raise their paper in the air so the volunteer can see their number. If they are correct, they get however many points the question is worth, if they are incorrect, it goes to the next person who raised their paper in the air.

Jokes

Supplies needed: microphone and speaker (same equipment from Trivia,) sign up sheet

How it works: Kids (or adults) can come up and tell their favorite jokes before and after Trivia

Silent Auction

Supplies needed: clipboard, auction sheet, writing utensils

How it works: People will place bids by writing their name and phone number on the auction sheet until either someone has bought out the prize, or the auction ends, which is at 3:00

Art Station

Supplies needed: blank paper, crayons/colored pencils, stickers

How it works: Kids (and adults) can make art!

Activity Station

Supplies needed: activity sheets, writing utensils

How it works: people can complete activities like spot the difference, crossword puzzles, mazes, and scrambled letters!

Gift Shop

Supplies needed: Pet Fairy T-shirts

How it works: People can buy T-shirts to remember the event

Thank you all
so much for
watching!!!



To: Honorable President George; Village Council Members

From: Kristin Rutkowski, Village Clerk/Assistant Village Manager

Subject: Tie Michigan Teal Request

Date: August 30, 2023

Administration received the attached request from the Tie Michigan Teal campaign, which promotes awareness of ovarian cancer. The group is once again requesting to tie teal ribbons on the Beverly Park fence this September. The Parks & Recreation Board and Village Council approved this request last year.

At their August meeting, the Parks & Recreation Board recommended that the Village Council approve the request.

There is no cost to the Village associated with this request.

Suggested motion:

The Beverly Hills Village Council authorizes the Tie Michigan Teal group to tie teal ribbons on the Beverly Park fence throughout the month of September to raise awareness of ovarian cancer.

Attachment

This September

TIE MICHIGAN TEAL

with the Michigan Ovarian Cancer Alliaz

What: September is Ovarian Cancer Awareness Month

Why: For women in the US, ovarian cancer is a top 5 cause of cancer death. Yet it lacks public awareness. There is no early detection test, and as a result cases are often identified late, at stage III or stage IV. More than half of those diagnosed do not live to see a 5-year anniversary of that day.

Until better detection tests can be developed, arming women with the signs and symptoms so that they can better self-monitor and advocate is crucial. Additionally, raising public awareness of the disease, and the funding needed to help make progress towards earlier detection and more effective treatments is paramount to better future outcomes.

How Can I Help? Progress is possible. Join the many other cities partnering with the *Michigan Ovarian Cancer Alliaz's* annual *Tie Michigan Teal* campaign. There is no cost to the city.

Where: We will work with you! And are happy to get creative. Common ideas for teal ribbons include around city lamp posts, benches, and trees.

Would you like to participate, but only in a certain high-density area or shopping district? We can do that. Would you like teal ribbons and symptom cards at a park entrance, but not on the benches? No problem. Really, we appreciate your help and are happy to accommodate your needs. It's getting the word out that counts, and every little bit helps. Imagine, one person in your city could see that, and it could save her life.

When: September. Our volunteers will come put up ribbons and signs in the first couple days of the month, and come take them down again at the end of the month.

Next steps:

Your designated city lead volunteer is Lauren (Jenkins) Silski. Please approve the attached permission form, and return it to the volunteer directly per their contact information below.

City Lead Volunteer Email: Lauren.M.Jenkins@gmail.com

City Lead Volunteer Cell Phone: 248-310-6054

Please also feel free to contact the Michigan Ovarian Cancer Alliaz directly at: info@mioca.org.

Sincerely,

Diann Glaza-Helbling

Tie Michigan Teal Coordinator





Dear Administrator:

TIE MICHIGAN TEAL is a statewide campaign of the Michigan Ovarian Cancer Alliance designed to promote awareness of ovarian cancer and its symptoms. Teal is the color representing ovarian cancer. Ovarian cancer is the deadliest of the gynecologic cancers and one of the five leading cancer related deaths among women in the United States.

In 2023 approximately 19,700 women will receive a diagnosis with the disease and 13,270 women will die. Unlike other cancers, there is no early detection test for ovarian cancer.

The Tie Michigan Teal campaign consists of volunteers tying teal ribbons on lamp posts, benches and businesses in the downtown areas and distributing awareness information to local businesses to display.

The event will be held during the month of September, which has been declared National Ovarian Cancer Awareness Month. There is no cost to the city and the ribbons will be taken down at the end of the month.

I am asking you to grant permission for our volunteers to tie ribbons throughout your town/city/ village this September, 2023. Please sign on the bottom of this letter and return the signed letter to the volunteer whose name and contact information is below. Thank you for your support of our efforts to raise awareness and educate on ovarian cancer. If you have any questions or concerns, please contact us at: info@mioca.org or (734) 800- 6144.

Sincerely,

Megan Neubauer

Executive Director

TOWN-CITY-VILLAGE _____

Mayor/Town Official Name _____

Signature /Date _____

Please return the signed letter to the volunteer listed below. She/he is responsible for the Tie the Michigan Teal Campaign in your city/town.

VOLUNTEER NAME

Lauren (Jenkins) Sibley

CONTACT INFORMATION

LaurenMJenkins@gmail.com



Caitlin Jenkins Fuller

May 26, 1986 - October 14, 2021

Caitlin Jenkins Fuller, age 35, passed away on October 14th, 2021 from ovarian cancer.

She was born on May 26th, 1986 to Heather and William Jenkins. Growing up in **Beverly Hills, Michigan**, Caitlin was adventurous and full of life. She loved to spend time with family and friends, always enjoying the moment.

In middle school, she competed in the USA Junior Olympics, bringing home 3 gold medals in rhythmic gymnastics with her team. She was a varsity scholar athlete at **Groves High School**, who went on to obtain bachelor degrees from both Michigan State University and Wayne State University.

Caitlin was beautiful, intelligent and passionate. She completed her masters degree from Frontier Nursing University, a program that has been recognized nationally in the nurse midwifery community.

Her midwifery practice focused on providing evidence-based care, while also offering compassionate counseling and guidance. She lovingly brought hundreds of healthy babies into this world.

Eleven years ago, Caitlin met the love of her life, Jeff. Sharing a passion for nature and the outdoors, they were married in the mountains of Virginia in 2016. Caitlin always dreamed of being a mom, and in 2019, they joyfully welcomed their son Kaj to the family. His smile lights up their lives.

Caitlin always kept an open mind and was receptive to new ideas. This quality enriched her world and ours.

She is survived by her husband Jeff and son Kaj; her parents William and Heather; sisters Lauren (Stephen) and Madeline (Eric); nieces Hazel and Nora; in-laws Michael and Lynne Fuller; in addition to many loving cousins, aunts, uncles, nieces, nephews, relatives and friends (especially the BGC).

Caitlin truly made the world a better place and will be deeply missed by everyone that knew and loved her.

In lieu of flowers, Caitlin asked that memorial tributes be made to the [STAAR Ovarian Cancer Foundation](#) in her honor. **Science + Research = Hope.**

~Lovingly written by the family.



To: Honorable Village President George & Village Council Members

From: Mark Stec, Planning & Zoning Administrator

Date: 8/30/23

RE: PC Case 23-08-10_Special Land Use Request_31535 Southfield Road

The Planning Office has received a special land use request application to allow for the conversion of the former Bed Bath & Beyond building into an indoor commercial recreation facility. The proposal includes repurposing of the interior of the building for thirteen pickleball courts on the first floor with a small mezzanine area including five golf simulator suites.

The property is zoned B-1 Business. Indoor commercial recreation facilities are a permitted use after special approval in the B-1 zoning district.

At this time, it is being requested of the Village Council to review and refer the plans to the Planning Commission for review and recommendation to Village Council. The Planning Commission will hold a required public hearing when deliberating on the request prior to making a recommendation to council.

Suggested Action:

Refer PC Case 23-08-10 submitted by 31535 Southfield Road, LLC requesting special land use approval to establish an indoor commercial recreation facility at 31535 Southfield Road to the Planning Commission for review and recommendation to council.

Attachments:

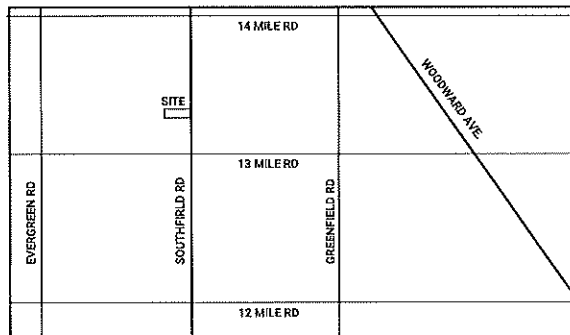
- **Preliminary Site Plans**

PICKLEBALL CENTER USE
CHANGE

31535 SOUTHFIELD RD, BEVERLY HILLS, MI 48025

IMAGES ARE FOR CONCEPTUAL PURPOSES ONLY. NOT TO BE USED FOR CONSTRUCTION.

VICINITY MAP



PROJECT SUMMARY

THE EXISTING 40,500 SF BIG BOX STORE WILL BE RENOVATED TO ACCOMMODATE A NEW PICKLE BALL & GOLF SIMULATOR FACILITY, INCLUDING INDOOR AND OUTDOOR COURTS, LOCKER ROOMS, FOOD & BEVERAGE SERVICE, PRO SHOP, AND ADDITIONAL ACCESSORY PROGRAM ELEMENTS.

DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE:

KEVIN J. CROSBY AIA, NCARB
STUDIO DETROIT, LLC
2040 PARK AVENUE, SUITE 200
DETROIT, MI 48226
E: KEVIN@STUDIO-DETROIT.COM
P: 313.909.3607
MICHIGAN LICENSE NUMBER 1301062181
EXPIRES: 03.09.24

NOTE:
GENERAL CONTRACTOR SHALL COORDINATE WITH THEIR MATERIAL SUPPLIERS AND THE REGISTERED DESIGN PROFESSIONAL IN CHARGE TO SUBMIT THE FOLLOWING DEFERRED SUBMITTALS TO THE AUTHORITY HAVING JURISDICTION:

NOTE:
THESE CONSTRUCTION DRAWINGS WERE PREPARED FOR COMPLIANCE WITH THE MICHIGAN CONSTRUCTION CODES IN EFFECT AT THE TIME OF PERMIT SUBMITTAL. ALL ENGINEERS, CONTRACTORS AND SUPPLIERS INVOLVED WITH THIS PROJECT SHALL COMPLY WITH THE SAME CODES, ISSUED AND APPROVED CODE MODIFICATIONS AND/OR CITY CODE AUTHORITY. CONSTRUCTION BOARDS OF APPEALS RULINGS AND WHENEVER REQUIRED SHALL PROVIDE SHOP DRAWINGS AND SUBMITTALS CLEARLY DESCRIBING COMPLIANCE TO THE REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE FOR REVIEW AND APPROVAL.

PROJECT DATA

OWNER
LINDEEN NELSON
2100 E MAPLE RD # 200,
BIRMINGHAM, MICHIGAN
P: 248.721.2000
E: LINDEEN@NELSONVENTURES.COM

BUILDING CODE AUTHORITY
VILLAGE OF BEVERLY HILLS, MI

BUILDING CODES
BUILDING CODE
ALSO KNOWN AS THE "MICHIGAN BUILDING CODE"
2015 MICHIGAN BUILDING CODE (MBC) AS AMENDED

MECHANICAL CODE
ALSO KNOWN AS THE "MICHIGAN MECHANICAL CODE"
2018 MICHIGAN MECHANICAL CODE (MMC) AS AMENDED

PLUMBING CODE
ALSO KNOWN AS THE "MICHIGAN PLUMBING CODE"
2018 MICHIGAN PLUMBING CODE (MPC) AS AMENDED

ELECTRICAL CODE
2017 NATIONAL ELECTRIC CODE (NEC)

AMERICANS WITH DISABILITIES ACT; ALSO KNOWN AS ADA
ICC - ANSI 117.1 - 2009
MBC-2015 CHAPTER 11

MICHIGAN ENERGY CODE PART 10a; 2015 IECC w/
ADDITIONAL REQUIREMENTS AND ANS/ASHRAE/ESNA STANDARD
90.1-2013 w/ ADDENDUMS

2015 INTERNATIONAL FIRE CODE

NFPA 13 - 2013

NFPA 72 - 2013

CONSTRUCTION CLASSIFICATION
IIB

OCCUPANCY CLASSIFICATION
A-3 ASSEMBLY, S-1 STORAGE

SHEET INDEX

| | | | | | | | | | |
|-------------------------------------|----------------------------|----------|--------------------|--|--|--|--|--|--|
| DRAWING INDEX KEY | | 11.12.21 | SITE PLAN APPROVAL | | | | | | |
| <input type="checkbox"/> | NOT ISSUED | | | | | | | | |
| <input type="radio"/> | PREVIOUSLY ISSUED | | | | | | | | |
| <input checked="" type="radio"/> | ISSUED | | | | | | | | |
| <input checked="" type="checkbox"/> | REFERENCE | | | | | | | | |
| GENERAL | | | | | | | | | |
| TS1.1 | COVERSHEET | | | | | | | | |
| CIVIL | | | | | | | | | |
| C-100 | CIVIL PLACEHOLDER | | | | | | | | |
| ARCHITECTURAL | | | | | | | | | |
| A1.1 | PICKLEBALL- SPACE PLANNING | | | | | | | | |

DO NOT SCALE DRAWINGS

| ISSUED | USE CHANGE |
|----------|------------|
| 08.25.23 | |
| | |
| | |
| | |
| | |
| | |
| | |

DRAWN ZJR

CHECKED KJC

SEAL

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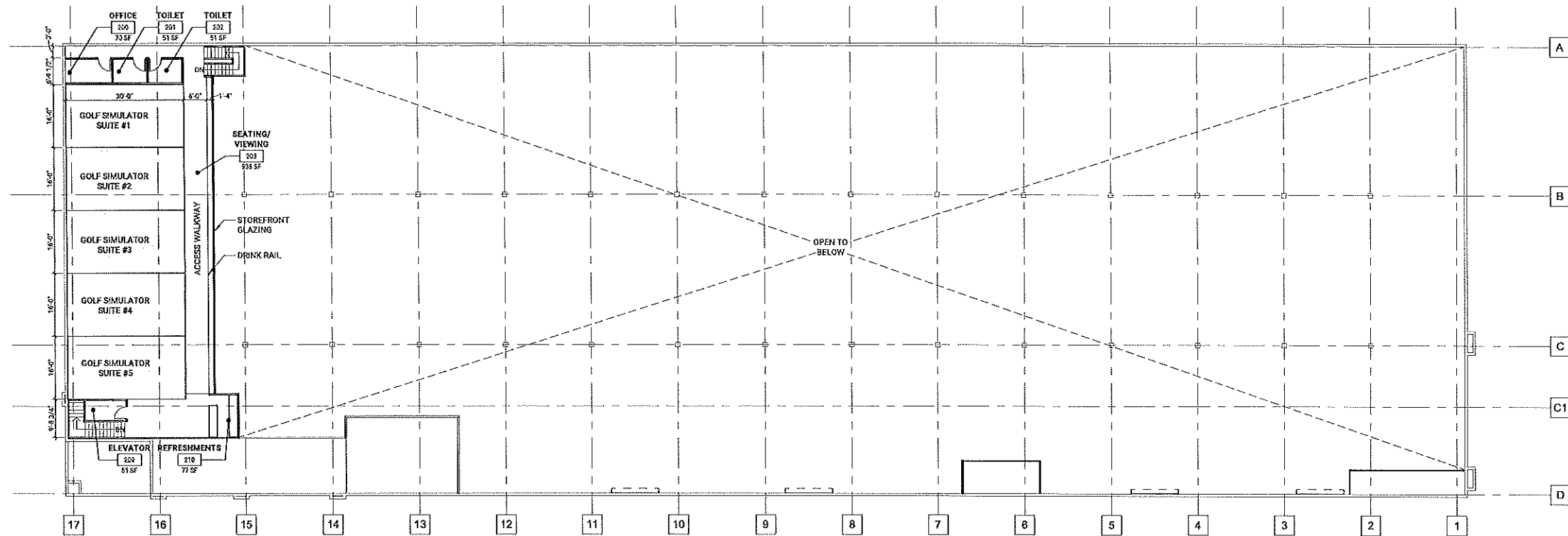
NELSON VENTURES
2100 E MAPLE RD # 200,
BIRMINGHAM, MICHIGAN

PROJECT -----

**PICKLEBALL CENTER
USE CHANGE**
31535 SOUTHFIELD RD,
BEVERLY HILLS, MI 48025

COVERSHEET

TS1.1



PROPOSED SECOND FLOOR PLAN
1/16" = 1'-0"

INDICATES FENCE

PARKING CALCULATIONS

USABLE AREA CALCULATIONS

| USE | AREA | COUNT | TOTAL AREA |
|--------------------|-------------|-------|------------|
| PICKLE BALL COURTS | 1,200 SF EA | 13 | 15,600 SF |
| GOLF SIMULATOR | 480 SF EA | 5 | 2,400 SF |
| ADDITIONAL SEATING | 2,400 SF | 1 | 2,400 SF |
| TOTAL USABLE AREA | | | 21,000 SF |

REQUIRED PARKING CALCULATIONS

INDOOR COMMERCIAL RECREATION - ONE SPACE PER 200 SQ FT OF USEABLE FLOOR AREA

USEABLE AREA / 200 SF = PARKING COUNT

21,000 SF / 200 SF = 105 SPACES

SPACES REQUIRED: 105

SPACES PROVIDED:

DO NOT SCALE DRAWINGS

ISSUED

08.25.23

USE CHANGE

DRAWN ZJR

CHECKED KJC

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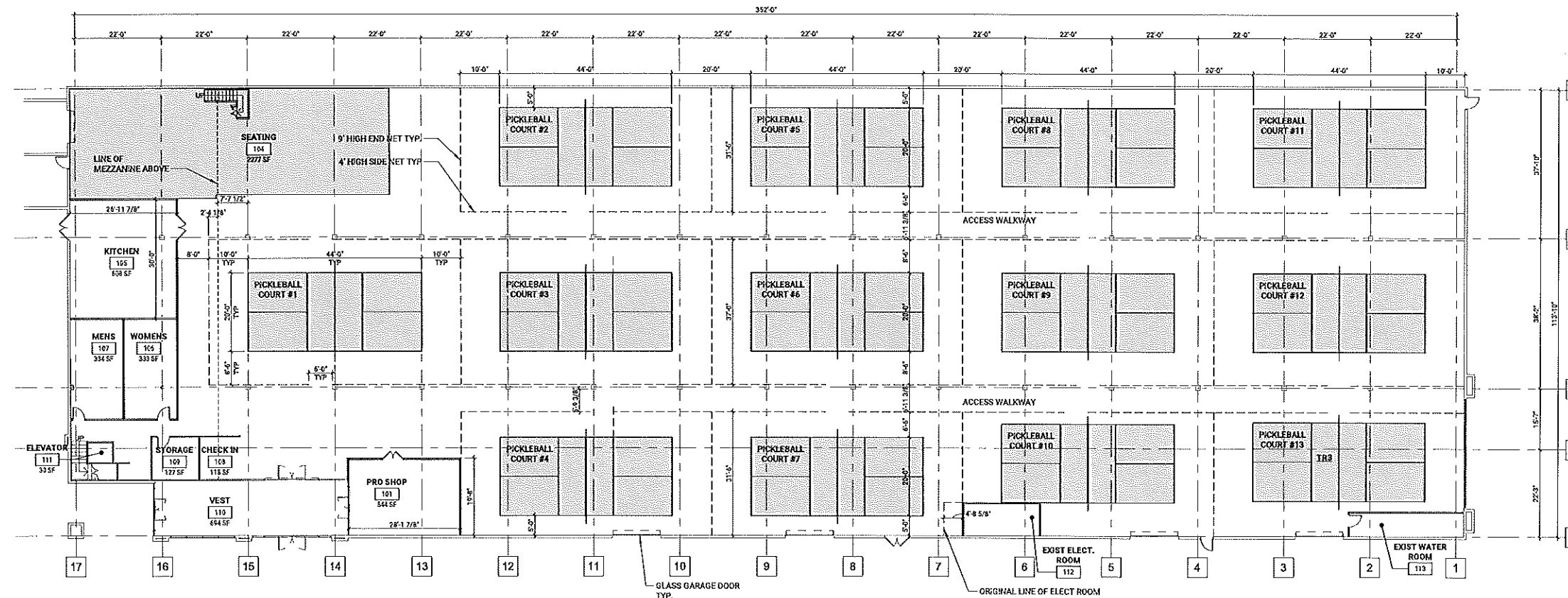
NELSON VENTURES
2100 E MAPLE RD # 200,
BIRMINGHAM, MICHIGAN

PROJECT -----

PICKLEBALL CENTER
USE CHANGE
31535 SOUTHFIELD RD,
BEVERLY HILLS, MI 48025

PICKLEBALL - SPACE
PLANNING

A1.1



PROPOSED FIRST FLOOR PLAN
1/16" = 1'-0"

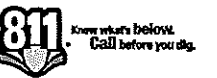
Per Fidelity National Title Insurance Company Commitment No. A0788447, Commitment Date May 11, 2021

Lot 17, except the East 334.00 feet of the South 65.00 feet and also except the East 27.00 feet taken for widening of Southfield Road, of Crystal Springs Subdivision, on North 1/2 of Southeast 1/4 of Section 2, Town 1 North, Range 10 East, City of Southfield, Oakland County, Michigan, as recorded in Liber 20 of Plats, Page 32, Oakland County Records, and described as: Beginning on the Westerly line of Southfield Road, as now established at a point distant South 01 deg. 10' 00" West, 1071.63 feet along the East line of Section 2 and North 86 deg. 49' 14" West, 60.03 feet from the East 1/4 corner of said Section 2; thence along the Westerly line of said Southfield Road, South 01 deg. 10' 00" West, 141.98 feet; thence along the Northerly line of said Southfield Road, East 01 deg. 00' 00" North, 141.98 feet; thence along the South 87 deg. 27' 00" West, 65.00 feet; thence along the Westerly line of said East 334.00 feet to the South 65.00 feet of Lot 17, South 01 deg. 10' 00" West, 65.00 feet; thence along the Southerly line of said Lot 17, being also the Northerly line of Huntley Square Subdivision, as recorded in Liber 116, Page 18 of Plats, Oakland County Records, North 87 deg. 27' 00" West, 427.00 feet to the Southwest corner of said Lot 17; thence along the Westerly line of said Lot 17, North 01 deg. 10' 00" East 215.00 feet to the Northwestern corner of said Lot 17; thence along the Southerly line of said Lot 17; South 86 deg. 49' 14" East, 734.23 feet to the point of beginning.

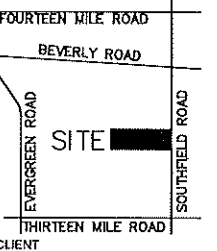
ZONED B (BUSINESS)

ZONED "B" (BUSINESS)
 SETBACKS
 FRONT 35'
 REAR 20'
 SIDE PER SITE PLAN APPROVAL
 PARKING 10' LANDSCAPED ALONG ALL PUBLIC RIGHT OF WAY
 BUFFER 15' ADJACENT TO RESIDENTIAL DISTRICT
 SITE AREA
 NO SITE AREA REQUIREMENTS
 BUILDING HEIGHT
 MAXIMUM HEIGHT 2 STORIES, 30 FEET
 PARKING REQUIREMENT
 157 TOTAL SPACES

FLOODPLAIN:
BY GRAPHIC PLOTTING, THE SUBJECT PARCEL IS IN "AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN." (ZONE X) PER FEMA FLOOD INSURANCE RATE MAP PANEL NUMBER 2812500538F, EFFECTIVE SEPTEMBER 29, 2008



CAUTION!!!
THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.



**NELSON
VENTURES,
LLC**
1401 EAST MAPLE ROAD, SUITE B
SOUTHFIELD, MICHIGAN 48034

PROJECT TITLE

31535
SOUTHFIELD
ROAD
31535 SOUTHFIELD ROAD
BEVERLY HILLS, MICH 92041

REVISIONS

ORIGINAL ISSUE DATE:
AUGUST 28, 2023

DRAWING TITLE

EXISTING SITE PLAN

PEA JOB NO. 2011-091

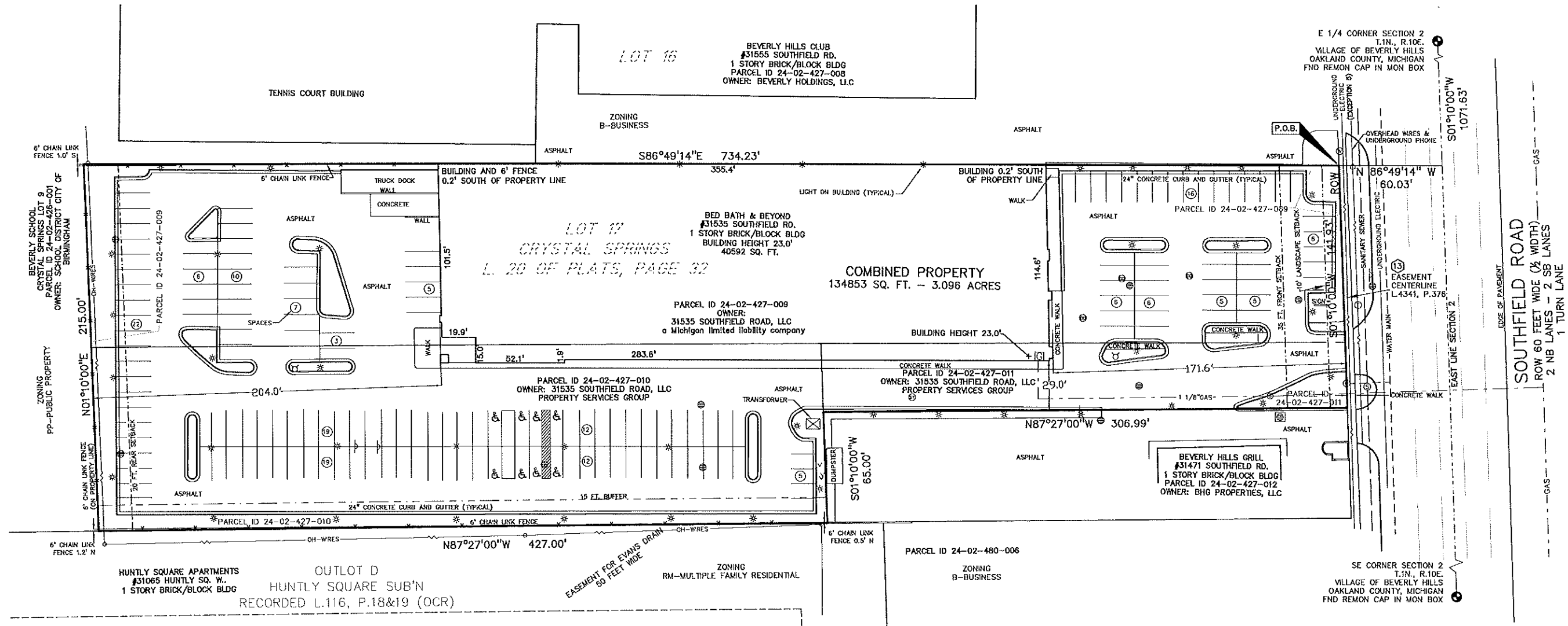
14. JPB

..... GYC

ES. JPB































DRAWING NUMBER

C-1.0



LEGEND

- IRON FOUND ✕ BRASS PLUG SET ● SEC. CORNER FOUND
 ✕ IRON SET ● MONUMENT FOUND R RECORDED
 ✕ NAIL FOUND ✕ MONUMENT SET M MEASURED
 ✕ MAG NAIL SET C CALCULATED

- | | |
|---|---|
|  | WIRE, PHONE OR CABLE TV BUS LINE, POLE & RAY WIRE |
|  | UNDERGROUND CABLE TV, CABLE TELEVISION |
|  | TELEPHONE BUS CABLE, TELEVISION & RAILROAD |
|  | TELEPHONE BUS CABLE, RAILROAD, METHOD & RAILROAD |
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CONC. CONCRETE

ASPH. ASPHALT



**To: Honorable Village President John George and Village Council Members
Jeff Campbell, Village Manager**

From: Mark Stec, Planning & Zoning Administrator

Date: 8/31/23

RE: PC Case ZOA 1-23 – Zoning Ordinance Text Amendment – Section 22.32.120 “Nonconforming Signs.”

Attached are proposed zoning ordinance amendments to Chapter 22, Section 22.32.120 “Nonconforming Signs” of the village code for introduction, public hearing, and review by Village Council. The proposed ordinance revisions amend the standards for continuance of existing legal nonconforming signs contained in subparagraph 2 of Section 22.32.120 as follows:

- Amend existing Item c. to reduce the allowed cost of repairs to a damaged nonconforming sign from 60% to 50% of the cost of an identical new sign, excluding the cost of the sign foundation.
- Add new item d. to require that the owner of a nonconforming sign that is removed due to damage must submit a sign permit application to the Village within 30 days of the sign being damaged in order to be eligible to re-erect the sign.

The attached ordinance amendment, reviewed and prepared by the Village Attorney, shows the proposed new standards for continuance of nonconforming signs.

Action Requested

Conduct the first reading and hold a public hearing on the proposed ordinance text amendments.

Public Notice

Notice of the 9/5/23 public hearing was published in the Birmingham-Bloomfield Eagle newspaper on 8/9/23.

The Planning Commission held a public hearing prior to passing a motion to recommend approval of the proposed amendments at its July 26, 2023 meeting.

Attachments

- **Proposed ordinance amendment**
- **Proposed redline changes**
- **July 26, 2023 Planning Commission meeting minutes**

**VILLAGE OF BEVERLY HILLS
ORDINANCE NO. 386**

**AN ORDINANCE TO AMEND THE VILLAGE ZONING ORDINANCE, CHAPTER 22,
SECTION 22.32.120 NONCONFORMING SIGNS FOR THE VILLAGE OF BEVERLY
HILLS**

The Village of Beverly Hills Ordains:

Section 1.01. That Village of Beverly Hills Zoning Ordinance, Chapter 22, Section 22.32.120 Nonconforming Signs for the Village of Beverly Hills is hereby amended to read as follows:

22.32.120 NONCONFORMING SIGNS.

1. Lawful Existing Signs: Any sign lawfully existing at the time of adoption of this Section which does not fully comply with all provisions shall be considered a legal nonconforming sign and may be permitted to remain as long as the sign is properly maintained and not detrimental to the health, safety and welfare of the community except as hereafter provided.

2. Continuance: A nonconforming sign shall not:

- a. be expanded, change type, or change to another nonconforming sign;
- b. be relocated or structurally altered so as to prolong the life of the sign, or so as to change the shape, size, type, placement, or design of the sign's structural parts;
- c. Be repaired after being damaged if the repair of the sign would cost more than 50 percent of the cost of an identical new sign, excluding the foundation;
- d. Be re-erected after being damaged if the sign has been removed from the property and if a sign permit application to re-erect/repair the sign has not been submitted to the Village within 30 days of the sign being damaged.

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

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

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

Section 5.01. EFFECTIVE DATE. A public hearing having been held by the Planning Commission on July 26, 2023, and the Village Council on September 5, 2023, the provision of this Ordinance shall become effective 20 days following its publication in The Birmingham-Bloomfield Eagle, a newspaper circulated within said Village.

Made and passed by the Village Council of the Village of Beverly Hills this ____ day of _____, 2023.

John George, Village President

Kristin Rutkowski, Village Clerk

I, Kristin Rutkowski, being the duly appointed and qualified Clerk of the Village of Beverly Hills, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of an Ordinance adopted by the Village Council of the Village of Beverly Hills at a regular meeting thereof held on the _____ day of _____, 2023.

Kristin Rutkowski, Village Clerk

22.32.120 NONCONFORMING SIGNS.

1. Lawful Existing Signs: Any sign lawfully existing at the time of adoption of this Section which does not fully comply with all provisions shall be considered a legal nonconforming sign and may be permitted to remain as long as the sign is properly maintained and not detrimental to the health, safety and welfare of the community except as hereafter provided.
2. Continuance: A nonconforming sign shall not:
 - a. be expanded, change type, or change to another nonconforming sign;
 - b. be relocated or structurally altered so as to prolong the life of the sign, or so as to change the shape, size, type, placement, or design of the sign's structural parts;
 - c. be repaired ~~or re-erected~~ after being damaged if the repair ~~or re-erection~~ of the sign would cost more than ~~60-50~~ percent of the cost of an identical new sign, excluding the foundation;
 - d. be re-erected after being damaged if the sign has been removed from the property and if a sign permit application to re-erect/repair the sign has not been submitted to the Village within 30 days of the sign being damaged.
3. No nonconforming sign shall be altered or reconstructed, unless the alteration or reconstruction is in compliance with the provision of this Section. For the purpose of this Section only, the term "altered" or "reconstructed" shall not include normal maintenance; changing of surface sign space to a lesser or equal area, ornamental molding, frames, trellises, or ornamental features or landscaping below the base line; or the addition, construction, installation, or changing of electrical wiring or electrical devices, backgrounds, letters, figures, or characters, or other embellishments. Nonconforming signs and sign structure shall be removed or made to conform within 90 days of the termination of the use to which they are accessory.
4. Intent: It is the intent of this Section to encourage eventual elimination of signs that may, as a result of the adoption of this Section, become nonconforming over a period of time, and to administer this Section to realize the removal of such nonconforming signs and avoid any unreasonable invasion of established private property rights. Therefore;
 - a. No person shall be required to remove a sign that was erected in compliance with previous regulations of this Section if said sign becomes nonconforming due to a change in regulations occurring upon adoption of this Section, or of the location of buildings, streets or other signs that change, is beyond the control of the owner of the sign and the premises on which it is located.
 - b. If the owner of a sign or the premises on which a sign is located structurally alters a building, changes the location of a property line, or sign or changes the use of a building, or otherwise alters site features, so that any sign on the premises is rendered nonconforming, such sign must be removed or made to conform to this Section.
 - c. All nonconforming signs shall be brought into compliance when an existing building is expanded by 25% or more, when a new building is constructed, or when development under the Village Center option is pursued (Section 22.23).

Present: Chairperson Drummond; Vice Chairperson Westerlund; Members; Copeland, Harper, Jawad, Koreman, and Tessler

Absent: Dillard-Russaw and Hitz

Also Present: Planning & Zoning Administrator, Stec
Village Clerk/Assistant Village Manager, Rutkowski
Planning Consultant, Borden
Council Liaison Alternate 2, Hrydziusko

Drummond called the regular Planning Commission meeting to order at 7:30 p.m. in the Village Municipal Building located at 18500 W. 13 Mile Road, Beverly Hills, MI 48025.

APPROVE AGENDA

Motion by Westerlund, second by Jawad, to approve the agenda as published.

Motion passed.

ANNUAL OFFICER ELECTIONS

Each year the Commission elects a chairperson, vice chairperson, and secretary for a one-year term.

Drummond opened the floor for nominations for chairperson.

Westerlund nominated Drummond as chairperson, with support from Jawad.

There were no other nominations.

The Commission unanimously voted to elect Drummond as chairperson.

Drummond opened the floor for nominations for vice chairperson.

Jawad nominated Westerlund as vice chairperson, with support from Harper.

There were no other nominations.

The Commission unanimously voted to elect Westerlund as vice chairperson.

Drummond opened the floor for nominations for secretary.

Westerlund nominated Copeland as secretary, with support from Tessler.

There were no other nominations.

The Commission unanimously voted to elect Copeland as secretary.

REVIEW AND CONSIDER APPROVAL OF REGULAR PLANNING COMMISSION MINUTES OF MEETING HELD JUNE 28, 2023

Motion by Harper, second by Westerlund, to approve the minutes of a regular Planning Commission meeting held June 28, 2023 as submitted.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

None.

NEW BUSINESS

PUBLIC HEARING AND CONSIDERATION OF ZONING ORDINANCE AMENDMENT 1-23, SECTION 22.32.120 “NONCONFORMING SIGNS”

Stec gave an overview of the process for the Planning Commission to hold a public hearing and make a recommendation to Council regarding proposed ordinance amendments.

Borden provided an overview of the proposed ordinance amendments of Section 22.32.120 of the Municipal Code, Zoning Ordinance, as previously discussed by the Commission.

Drummond opened the public hearing at 7:41 p.m.

No one wished to be heard, so Drummond closed the public hearing at 7:41 p.m.

Motion by Westerlund, second by Jawad, the Beverly Hills Planning Commission recommends that Village Council approve Zoning Text Amendment 1-23, revising the regulations on the repair and re-erection of nonconforming signs contained in Section 22.32.120 “Nonconforming Signs” as submitted.

Roll Call Vote:

Motion passed (7-0)

PUBLIC HEARING AND CONSIDERATION OF ZONING ORDINANCE AMENDMENT 2-23, SECTION 22.08.150 “FENCE, WALL, AND PRIVACY SCREEN REGULATIONS”

Stec provided an overview of the process and proposed changes to the Zoning Ordinance, Section 22.08.150, as submitted in the meeting packet.

Drummond opened the public hearing at 7:47 p.m.

No one wished to be heard, so Drummond closed the public hearing at 7:47 p.m.

Drummond noted that the amendments would clarify adjacent vs. abutting.

Motion by Westerlund, second by Harper, the Beverly Hills Planning Commission recommends that Village Council approve Zoning Text Amendment 2-23, revising the regulations on fences in the residential districts contained in Section 22.08.150 “Fence, Wall, and Privacy Screen Regulations” as submitted.

Roll Call Vote:
Motion passed (7-0)

PUBLIC COMMENTS

None.

LIAISON COMMENTS

None.

ADMINISTRATION COMMENTS

Stec reported that a new tenant at the dentist office on 14 Mile Road submitted a sign application. He said the approach by the Goddard School annex is scheduled to be worked on this weekend.

COMMISSIONER COMMENTS

Westerlund asked about the status of the Market Fresh property plans. Stec said the site plan was approved by Council and will move to the permitting process.

Drummond thanked the Commissioners for their support electing him as chairperson.

CORRESPONDENCE

None.

ADJOURNMENT

Motion by Westerlund, second by Tessler, to adjourn the meeting at 7:54 p.m.

Motion passed.

Andrew Drummond
Planning Commission
Chairperson

Kristin Rutkowski
Village Clerk



**To: Honorable Village President John George and Village Council Members
Jeff Campbell, Village Manager**

From: Mark Stec, Planning & Zoning Administrator

Date: 8/31/23

RE: PC Case ZOA 2-23 – Zoning Ordinance Text Amendment – Section 22.08.150 “Fence, Wall, and Privacy Screen Regulations.”

Attached are proposed zoning ordinance amendments to Chapter 22, Section 22.08.150 “Fence, Wall, and Privacy Screen Regulations” of the village code for introduction, public hearing, and review by Village Council. The proposed ordinance revisions amend the approval standards for fences greater than 4-feet in height and/or greater than 35% opacity. Specifically, the proposed amendment will remove the following two standards from Section 22.08.150.2.a. allowing for administrative approval of permits for such fences:

- The subject site cannot support vegetative screening in lieu of the proposed fencing. The applicant shall provide supporting documentation of this from a licensed landscape architect or certified arborist.
- At least one residential parcel within 200’ of the subject site on that side of the street in that block or at least one abutting residential parcel contains permitted fencing of similar height and/or opacity. To document this, the applicant shall prepare a neighborhood lot study that includes a map of the study area and photograph(s) of existing fencing. An existing privacy screen as allowed in Section 3 Privacy Screens shall not be used as consideration for compliance with this standard.

The attached ordinance amendment, reviewed and prepared by the Village Attorney, shows the two remaining standards to allow for administrative review and approval of fences greater than 4-feet in height and or greater than 35% opacity.

Action Requested

Conduct the first reading and hold a public hearing on the proposed ordinance text amendments.

Public Notice

Notice of the 9/5/23 public hearing was published in the Birmingham-Bloomfield Eagle newspaper on 8/9/23.

The Planning Commission held a public hearing prior to passing a motion to recommend approval of the proposed amendments at its July 26, 2023 meeting.

Attachments

- **Proposed ordinance amendment**
- **Proposed redline changes**
- **July 26, 2023 Planning Commission Meeting Minutes**

**VILLAGE OF BEVERLY HILLS
ORDINANCE NO. 387**

**AN ORDINANCE TO AMEND THE VILLAGE ZONING ORDINANCE, CHAPTER 22,
SECTION 22.08.150 FENCE, WALL, AND PRIVACY SCREEN REGULATIONS FOR
THE VILLAGE OF BEVERLY HILLS**

The Village of Beverly Hills Ordains:

Section 1.01. That Village of Beverly Hills Zoning Ordinance, Chapter 22, Section 22.08.150 Fence, Wall, and Privacy Screen Regulations for the Village of Beverly Hills is hereby amended to read as follows:

22.08.150 FENCE, WALL, AND PRIVACY SCREEN REGULATIONS.

B. Requirements in Single Family Residential Districts:

2. Fences: Fences up to six (6) feet in height and/or up to 100% solid vertical surface area are permitted subject to Administrative or Planning Commission approval as follows.

a. Approval Standards:

Applicant must demonstrate that at least one of the following conditions is met for Administrative approval. Administration has the discretion to require review by the Planning Commission when there is a question of interpretation for consistency with the intent of this ordinance.

- Spacing between residences is less than that required by Section 22.08.080 or 22.24 of the Zoning Ordinance, whichever is acceptable.
- The subject site abuts a non-single family residential land use or Zone District or single family cluster development.

In the event applicant does not meet the above criteria, applicant must demonstrate that at least one of the following conditions is met for Planning approval. The property owner or occupant of any parcel(s) abutting the subject site shall be given fifteen (15) day notification of the date and time of the meeting at which the request shall be reviewed.

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

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

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

Section 5.01. EFFECTIVE DATE. A public hearing having been held by the Planning Commission on July 26, 2023, and the Village Council on September 5, 2023, the provision of this Ordinance shall become effective 20 days following its publication in The Birmingham-Bloomfield Eagle, a newspaper circulated within said Village.

Made and passed by the Village Council of the Village of Beverly Hills this ____ day of _____, 2023.

John George, Village President

Kristin Rutkowski, Village Clerk

I, Kristin Rutkowski, being the duly appointed and qualified Clerk of the Village of Beverly Hills, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of an Ordinance adopted by the Village Council of the Village of Beverly Hills at a regular meeting thereof held on the _____ day of _____, 2023.

Kristin Rutkowski, Village Clerk

22.08.150 FENCE, WALL, AND PRIVACY SCREEN REGULATIONS.

B. Requirements in Single Family Residential Districts:

2. Fences: Fences up to six (6) feet in height and/or up to 100% solid vertical surface area are permitted subject to Administrative or Planning Commission approval as follows.

a. Approval Standards:

Applicant must demonstrate that at least one of the following conditions is met for Administrative approval. Administration has the discretion to require review by the Planning Commission when there is a question of interpretation for consistency with the intent of this ordinance.

- Spacing between residences is less than that required by Section 22.08.090 or 22.24 of the Zoning Ordinance, whichever is applicable.
- The subject site ~~is adjacent~~abuts to a non-single family residential land use or Zone District or single family cluster development.
- ~~• The subject site cannot support vegetative screening in lieu of the proposed fencing. The applicant shall provide supporting documentation of this from a licensed landscape architect or certified arborist.~~
- ~~• At least one residential parcel within 200' of the subject site on that side of the street in that block or at least one abutting residential parcel contains permitted fencing of similar height and/or opacity. To document this, the applicant shall prepare a neighborhood lot study that includes a map of the study area and photograph(s) of existing fencing. An existing privacy screen as allowed in Section 3 Privacy Screens shall not be used as consideration for compliance with this standard.~~

In the event applicant does not meet ~~any~~the above criteria, applicant must demonstrate that at least one of the following conditions is met for Planning Commission approval. The property owner or occupant of any parcel(s) abutting the subject site shall be given fifteen (15) day notification of the date and time of the meeting at which the request shall be reviewed.

- The subject site and/or an abutting parcel has an unconventional lot, yard and/or dwelling orientation (i.e., side yard adjacent to rear yard, pie-shaped lot adjacent to rectangular lot, or those with multiple parcels contiguous to a single lot line).
- Installation of such fencing would mitigate an essential safety and/or privacy concern.

In addition to condition(s) above, applicant must demonstrate that all of the following conditions are met:

- The size, height and location of the fence does not endanger the public safety.
- The size, location, height, design, and materials of the fence are aesthetically in harmony with the property on which it is located.
- The proposed removal of vegetation and trees and disturbance to natural terrain has been minimized.
- The size, height, design, and location of the fence does not create a traffic or pedestrian hazard.

Present: Chairperson Drummond; Vice Chairperson Westerlund; Members; Copeland, Harper, Jawad, Koreman, and Tessler

Absent: Dillard-Russaw and Hitz

Also Present: Planning & Zoning Administrator, Stec
Village Clerk/Assistant Village Manager, Rutkowski
Planning Consultant, Borden
Council Liaison Alternate 2, Hrydziusko

Drummond called the regular Planning Commission meeting to order at 7:30 p.m. in the Village Municipal Building located at 18500 W. 13 Mile Road, Beverly Hills, MI 48025.

APPROVE AGENDA

Motion by Westerlund, second by Jawad, to approve the agenda as published.

Motion passed.

ANNUAL OFFICER ELECTIONS

Each year the Commission elects a chairperson, vice chairperson, and secretary for a one-year term.

Drummond opened the floor for nominations for chairperson.

Westerlund nominated Drummond as chairperson, with support from Jawad.

There were no other nominations.

The Commission unanimously voted to elect Drummond as chairperson.

Drummond opened the floor for nominations for vice chairperson.

Jawad nominated Westerlund as vice chairperson, with support from Harper.

There were no other nominations.

The Commission unanimously voted to elect Westerlund as vice chairperson.

Drummond opened the floor for nominations for secretary.

Westerlund nominated Copeland as secretary, with support from Tessler.

There were no other nominations.

The Commission unanimously voted to elect Copeland as secretary.

REVIEW AND CONSIDER APPROVAL OF REGULAR PLANNING COMMISSION MINUTES OF MEETING HELD JUNE 28, 2023

Motion by Harper, second by Westerlund, to approve the minutes of a regular Planning Commission meeting held June 28, 2023 as submitted.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

None.

NEW BUSINESS

PUBLIC HEARING AND CONSIDERATION OF ZONING ORDINANCE AMENDMENT 1-23, SECTION 22.32.120 “NONCONFORMING SIGNS”

Stec gave an overview of the process for the Planning Commission to hold a public hearing and make a recommendation to Council regarding proposed ordinance amendments.

Borden provided an overview of the proposed ordinance amendments of Section 22.32.120 of the Municipal Code, Zoning Ordinance, as previously discussed by the Commission.

Drummond opened the public hearing at 7:41 p.m.

No one wished to be heard, so Drummond closed the public hearing at 7:41 p.m.

Motion by Westerlund, second by Jawad, the Beverly Hills Planning Commission recommends that Village Council approve Zoning Text Amendment 1-23, revising the regulations on the repair and re-erection of nonconforming signs contained in Section 22.32.120 “Nonconforming Signs” as submitted.

Roll Call Vote:

Motion passed (7-0)

PUBLIC HEARING AND CONSIDERATION OF ZONING ORDINANCE AMENDMENT 2-23, SECTION 22.08.150 “FENCE, WALL, AND PRIVACY SCREEN REGULATIONS”

Stec provided an overview of the process and proposed changes to the Zoning Ordinance, Section 22.08.150, as submitted in the meeting packet.

Drummond opened the public hearing at 7:47 p.m.

No one wished to be heard, so Drummond closed the public hearing at 7:47 p.m.

Drummond noted that the amendments would clarify adjacent vs. abutting.

Motion by Westerlund, second by Harper, the Beverly Hills Planning Commission recommends that Village Council approve Zoning Text Amendment 2-23, revising the regulations on fences in the residential districts contained in Section 22.08.150 “Fence, Wall, and Privacy Screen Regulations” as submitted.

Roll Call Vote:
Motion passed (7-0)

PUBLIC COMMENTS

None.

LIAISON COMMENTS

None.

ADMINISTRATION COMMENTS

Stec reported that a new tenant at the dentist office on 14 Mile Road submitted a sign application. He said the approach by the Goddard School annex is scheduled to be worked on this weekend.

COMMISSIONER COMMENTS

Westerlund asked about the status of the Market Fresh property plans. Stec said the site plan was approved by Council and will move to the permitting process.

Drummond thanked the Commissioners for their support electing him as chairperson.

CORRESPONDENCE

None.

ADJOURNMENT

Motion by Westerlund, second by Tessler, to adjourn the meeting at 7:54 p.m.

Motion passed.

Andrew Drummond
Planning Commission
Chairperson

Kristin Rutkowski
Village Clerk



MEMO

Date: August 31, 2023

To: Honorable Council President and members of Council

From: Jeff Campbell, Village Manager

Subject: Ordinance 42.12

When the Village decided to place its charter and ordinances on Municode, there was some discussion about ordinances that needed to be updated. At that time, Ordinance 42.12, Games in Streets, was an ordinance that was mentioned by members of Council as an ordinance that could be updated. In addition, during conversations with the attorney for Municode while reviewing the Village ordinances, the attorney asked if Games in Streets had been updated or removed.

Further, recently, there has been some debate or concern regarding basketball hoops located at the end of driveways, in the right of way. Based on these factors, the Administration scheduled a public hearing for September 5, 2023 to address these matters. The Administration has proposed suggested changes to the Games in Streets ordinance for Council consideration in a First Reading. The proposed ordinance is attached for first reading, consideration, and is open to discussion.

Attachments

**VILLAGE OF BEVERLY HILLS
ORDINANCE NO. 388**

**AN ORDINANCE TO AMEND THE VILLAGE ORDINANCE CHAPTER 42, SECTION
12, GAMES IN STREETS, FOR THE VILLAGE OF BEVERLY HILLS**

The Village of Beverly Hills Ordains:

Section 1.01. That Village of Beverly Hills Ordinance Chapter 42, Section 42.12, Games in Streets, for the Village of Beverly Hills is hereby amended to read as follows:

42.12 GAMES IN STREETS. No person shall actively engage in any sporting activity upon any public, street, right of way, or alley.

- (a) PENALTIES. Any person, firm or corporation violating any of the provisions of this Ordinance shall be responsible for a civil infraction, and upon conviction thereof, shall be fined no less than five hundred dollars (\$500.00) for each such offense, or such fine in the discretion of the court, together with the costs of such prosecution. Each day that a violation of this Ordinance continues shall be a separate offense.

1. Enforcement. In addition to ordering the defendant determined to be responsible for a civil infraction to pay a civil fine, costs, damages and expenses, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce, or enjoin violation of this Chapter.

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

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

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

Section 5.01. EFFECTIVE DATE. A public hearing having been held by the Village Council on September 5, 2023, the provision of this Ordinance shall become effective 20 days following its publication in The Birmingham-Bloomfield Eagle, a newspaper circulated within said Village.

Made and passed by the Village Council of the Village of Beverly Hills this ____ day of _____, 2023.

John George, Village President

Kristin Rutkowski, Village Clerk

I, Kristin Rutkowski, being the duly appointed and qualified Clerk of the Village of Beverly Hills, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of an Ordinance adopted by the Village Council of the Village of Beverly Hills at a regular meeting thereof held on the _____ day of _____, 2023.

Kristin Rutkowski, Village Clerk

42.12 GAMES IN STREETS

No person shall ~~throw, kick, or knock any ball, or play ball in any other manner~~ actively engage in any sporting activity upon any public street, right of way, or alley ~~or sidewalk~~.

(a) Penalties. Any person, firm or corporation violating any of the provisions of this Ordinance shall be responsible for a civil infraction, and upon conviction thereof, shall be fined no less than five hundred dollars (\$500.00) for each such offense, or such fine in the discretion of the court, together with the costs of such prosecution. Each day that a violation of this Ordinance continues shall be a separate offense.

1. Enforcement. In addition to ordering the defendant determined to be responsible for a civil infraction to pay a civil fine, costs, damages and expenses, the judge or magistrate shall be authorized to issue any judgement, writ or order necessary to enforce, or enjoin violation of this Chapter. {Ord. 363, 9-18-18}

Law Office of Thomas J. Ryan, P.C.
2055 Orchard Lake Road, Sylvan Lake, MI 48320
(248)334-9938

To: Kristin Rutkowski, Village Clerk, Jeff Campbell, Village Manager & Members of Council
From: Thomas J. Ryan, Village Attorney
Date: September 1, 2023
Re: Metro Act Permit Application

Dear Ms. Rutkowski, Mr. Campbell and Village Council:

On August 3, 2023, Clerk Rutkowski received a Metro Permit application from ExteNet Systems, LCC. The application is to place a small cell wireless device on an existing utility pole on Beverly Road. This Permit anticipates additional aerial wires that will be placed on existing utility poles in the Village. This application is for access and ongoing use of public ways as regulated by the Telecommunications Providers under Metropolitan Extension Telecommunications right-of-way oversight ACT 202 PA 48, MCLA sections 484.3101 to 484.3120. (Metro Act) and the Small Wireless Communications Facilities Deployment Act, MCLA Sections 460.1301 to 460.1339.

I have reviewed the Application and the application is complete. The Five Hundred (\$500.00) Dollar application fee as required by the statute has been provided as well as the Certificate of Insurance naming the Village on the insurance policy. A route map showing the existing underground cable and existing aerial within the village limits is also included, as required. The permit is valid for an initial period of 15 years. The permit may be revoked for six months of inactivity on the part of the permittee, upon notice from the permittee, and a default of the application by either party that is not cured within 60 days.

Under the Metro Act, the Village has 45 days to either approve or deny the request and I find the Application and attachments are in order and would recommend approval by Village Council. Under the statute the Village has to render a decision on or about September 13, 2023.

I would be pleased to answer any questions of Council and would recommend a Resolution approving said Application.

Suggested Resolution:

Be it resolved, the Beverly Hills Village Council approves the Metro Act Permit Application submitted by ExteNet Systems, LLC dated August 3, 2023, and authorizes the Village Manager to sign the Right-of-Way Telecommunications Permit.

**METRO Act Permit Application Form
Revised February 2, 2015**

Village of Beverly Hills, MI

Name of Local Unit of Government

**APPLICATION FOR
ACCESS TO AND ONGOING USE OF PUBLIC WAYS BY
TELECOMMUNICATIONS PROVIDERS
UNDER
METROPOLITAN EXTENSION TELECOMMUNICATIONS
RIGHTS-OF-WAY OVERSIGHT ACT
2002 PA 48
MCL SECTIONS 484.3101 TO 484.3120**

BY

**ExteNet Systems, LLC
("APPLICANT")**

Unfamiliar with METRO Act?--Assistance: Municipalities unfamiliar with Michigan Metropolitan Extension Telecommunications Rights-of-Way Oversight Act ("METRO Act") permits for telecommunications providers should seek assistance, such as by contacting the Telecommunications Division of the Michigan Public Service Commission at 517-284-8190 or via its web site at http://www.michigan.gov/mpsc/0,4639,7-159-16372_22707---,00.html.

45 Days to Act—Fines for Failure to Act: The METRO Act states that "A municipality shall approve or deny access under this section within 45 days from the date a provider files an application for a permit for access to a public right-of-way." MCL 484.3115(3). The Michigan Public Service Commission can impose fines of up to \$40,000 per day for violations of the METRO Act. It has imposed fines under the Michigan Telecommunications Act where it found providers or municipalities violated the statute.

Where to File: Applicants should file copies as follows [municipalities should adapt as appropriate—unless otherwise specified service should be as follows]:

-- Three (3) copies (one of which shall be marked and designated as the master copy) with the Clerk at [insert address].

Village of Beverly Hills, MI

Name of local unit of government

**APPLICATION FOR
ACCESS TO AND ONGOING USE OF PUBLIC WAYS BY
TELECOMMUNICATIONS PROVIDERS**

By

ExteNet Systems, LLC

("APPLICANT")

This is an application pursuant to Sections 5 and 6 of the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, 2002 PA 48 (the "METRO Act") for access to and ongoing usage of the public right-of-way, including public roadways, highways, streets, alleys, easements, and waterways ("Public Ways") in the Municipality for a telecommunications system. The METRO Act states that "A municipality shall approve or deny access under this section within 45 days from the date a provider files an application for a permit for access to a public right-of-way." MCL 484.3115(3).

This application must be accompanied by a one-time application fee of \$500, unless the applicant is exempt from this requirement under Section 5(3) of the METRO Act, MCL 484.3105(3).

1 GENERAL INFORMATION:

1.1 Date: **8-3-2023**

1.2 Applicant's legal name: **ExteNet Systems, LLC**
Mailing Address: **5844 John Hickman Pkwy, Suite 600**
Frisco TX 75034

Telephone Number: **972-972-7200**
Fax Number: **630-577-1332**
Corporate website: **<https://extenet.com>**

Name and title of Applicant's local manager (and if different) contact person regarding this application:

Mailing Address: **Eric Lovvorn, Govt. Relations Director**
c/o Cathy Hapanionek, Legal-Regulatory Affairs
3030 Warrenville Rd., Suite 340
Lisle, IL 60532

Telephone Number: Eric Lovvorn, 770-337-5760
Telephone Number: Cathy Hapanionek, 630-245-4378
E-mail: elovvorn@extenetsystems.com; chapanionek@extenetsystems.com

1.3 Type of Entity: (Check one of the following)

- ☐ Corporation
☐ General Partnership
☐ Limited Partnership
☒ Limited Liability Company
☐ Individual
☐ Other, please describe: _____

1.4 Assumed name for doing business, if any: _____

1.5 Description of Entity:

1.5.1 Jurisdiction of incorporation/formation; Delaware

1.5.2 Date of incorporation/formation; October 1, 2002

1.5.3 If a subsidiary, name of ultimate parent company; N/A

1.5.4 Chairperson, President/CEO, Secretary and Treasurer (and equivalent officials for non-corporate entities).

- President/CEO: Richard Coyle
- General Counsel & Corporate Secretary: Telisa Webb Schelin
- Chief Financial Officer: Saroosh Ahmed

1.6 Attach copies of Applicant's most recent annual report (with state ID number) filed with the Michigan Department of Licensing and Regulatory Affairs and certificate of good standing with the State of Michigan. For entities in existence for less than one year and for non-corporate entities, provide equivalent information.

- Annual Report: N/A
- See attached Certificate of Good Standing

1.7 Is Applicant aware of any present or potential conflicts of interest between Applicant and Municipality? If yes, describe: No

1.8 In the past three (3) years, has Applicant had a permit to install telecommunications facilities in the public right of way revoked by any Michigan municipality?

Circle: Yes No

If "yes," please describe the circumstances.

1.9 In the past three (3) years, has an adverse finding been made or an adverse final action been taken by any Michigan court or administrative body against Applicant under any law or regulation related to the following:

1.9.1 A felony; or **No**.

1.9.2 A revocation or suspension of any authorization (including cable franchises) to provide telecommunications or video programming services?

Circle: Yes **No**

If “yes,” please attach a full description of the parties and matters involved, including an identification of the court or administrative body and any proceedings (by dates and file numbers, if applicable), and the disposition of such proceedings.

1.10 [If Applicant has been granted and currently holds a license to provide basic local exchange service, no financial information needs to be supplied.] If publicly held, provide Applicant’s most recent financial statements. If financial statements of a parent company of Applicant (or other affiliate of Applicant) are provided in lieu of those of Applicant, please explain.

- **See Attached CLEC and CAP designations.**

1.10.1 If privately held, and if Municipality requests the information within 10 days of the date of this Application, the Applicant and the Municipality should make arrangements for the Municipality to review the financial statements.

If no financial statements are provided, please explain and provide particulars.

- **ExteNet is a privately owned Company.**

2 DESCRIPTION OF PROJECT:

2.1 Provide a copy of authorizations, if applicable, Applicant holds to provide telecommunications services in Municipality. If no authorizations are applicable, please explain.

- **See attached CLEC and CAP designations.**

2.2 Describe in plain English how Municipality should describe to the public the telecommunications services to be provided by Applicant and the telecommunications facilities to be installed by Applicant in the Public Ways.

- **Fiber to support a Small Cell Wireless Communications Network serving the major wireless carriers.**

2.3 Attach route maps showing the location (including whether overhead or underground) of Applicant’s existing and proposed facilities in the public right-of-way. To the extent known, please identify the side of the street on which the facilities will be located. (If

construction approval is sought at this time, provide engineering drawings, if available, showing location and depth, if applicable, of facilities to be installed in the public right-of-way).

- Fiber route map submitted with application.

2.4 Please provide an anticipated or actual construction schedule.
Construction is anticipated to begin prior to the end of 2023.

2.5 Please list all organizations and entities which will have any ownership interest in the facilities proposed to be installed in the Public Ways.

- ExteNet Systems, LLC

2.6 Who will be responsible for maintaining the facilities Applicant places in the Public Ways and how are they to be promptly contacted? If Applicant's facilities are to be installed on or in existing facilities in the Public Ways of existing public utilities or incumbent telecommunications providers, describe the facilities to be used, and provide verification of their consent to such usage by Applicant. ExteNet Systems, LLC

3 TELECOMMUNICATION PROVIDER ADMINISTRATIVE MATTERS:

Please provide the following or attach an appropriate exhibit.

3.1 Address of Applicant's nearest local office;
Eric Lovvorn, Govt. Relations Director
c/o Cathy Hapanionek, Legal-Regulatory Affairs
3030 Warrenville Rd., Suite 340
Lisle, IL 60532

3.2 Location of all records and engineering drawings, if not at local office;
Eric Lovvorn, Govt. Relations Director
c/o Cathy Hapanionek, Legal-Regulatory Affairs
3030 Warrenville Rd., Suite 340
Lisle, IL 60532

3.3 Names, titles, addresses, e-mail addresses and telephone numbers of contact person(s) for Applicant's engineer or engineers and their responsibilities for the telecommunications system;

Koji Bjerke
Network Operations Center Manager
M: 808.348.1503
O: 630.245.2075
bbjerke@extenetsystems.com

3030 Warrenville Rd, Suite 340
Lisle, IL 60532

3.4 Provide evidence of self-insurance or a certificate of insurance showing Applicant's insurance coverage, carrier and limits of liability for the following:

- COI will be issued to city.

3.4.1 Worker's compensation;

3.4.2 Commercial general liability, including at least:

3.4.2.1 Combined overall limits;

3.4.2.2 Combined single limit for each occurrence of bodily injury;

3.4.2.3 Personal injury;

3.4.2.4 Property damage;

3.4.2.5 Blanket contractual liability for written contracts, products, and completed operations;

3.4.2.6 Independent contractor liability;

3.4.2.7 For any non-aerial installations, coverage for property damage from perils of explosives, collapse, or damage to underground utilities (known as XCU coverage);

3.4.2.8 Environmental contamination;

3.4.3 Automobile liability covering all owned, hired, and non-owned vehicles used by Applicant, its employee, or agents.

3.5 Names of all anticipated contractors and subcontractors involved in the construction, maintenance and operation of Applicant's facilities in the Public Ways.


4 CERTIFICATION:

All the statements made in the application and attached exhibits are true and correct to the best of my knowledge and belief.

8-3-2023
Date

NAME OF ENTITY ("APPLICANT")

Extenet Systems, LLC

By: 
Type or Print Name: Eric B. Lovvorn

Government Relations Director
Title

S:\metroapplicationform.doc

**METRO Act Permit
Bilateral Form
Revised 12/06/02**

**RIGHT-OF-WAY
TELECOMMUNICATIONS PERMIT**

Definitions

- 1.1 Date of Issuance shall mean the date set forth above.
- 1.2 Manager shall mean Municipality's Mayor or his or her designee.
- 1.3 METRO Act shall mean the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, Act No. 48 of the Public Acts of 2002, as amended.
- 1.4 Municipality shall mean the Village of Beverly Hills, a Michigan municipal corporation.
- 1.5 Permit shall mean this document.
- 1.6 Permitee shall mean ExteNet Systems, LLC a limited liability company organized under the laws of the State of Delaware whose address is 5844 John Hickman Pkwy, Frisco, Texas, 75034.
- 1.7 Public Right-of-Way shall mean the area on, below, or above a public roadway, highway, street, alley, easement, or waterway, to the extent Municipality has the ability to grant the rights set forth herein. Public right-of-way does not include a federal, state, or private right-of-way.
- 1.8 Telecommunication Facilities or Facilities shall mean the Permitee's equipment or personal property, such as copper and fiber cables, lines, wires, switches, conduits, pipes, and sheaths, which are used to or can generate, receive, transmit, carry, amplify, or provide telecommunication services or signals. Telecommunication Facilities or Facilities do not include antennas, supporting structures for antennas, equipment shelters or houses, and any ancillary equipment and miscellaneous hardware used to provide federally licensed commercial mobile service as defined in Section 332(d) of Part I of Title III of the Communications Act of 1934, Chapter 652, 48 Stat. 1064, 47 U.S.C. 332 and further defined as commercial mobile radio service in 47 CFR 20.3, and service provided by any wireless, 2-way communications device.
- 1.9 Term shall have the meaning set forth in Part 7.

2 Grant

- 2.1 Municipality hereby grants a permit under the METRO Act to Permittee for access to and ongoing use of the Public Right-of-Way to construct, install and maintain Telecommunication Facilities in those portions of the Public Right-of-Way identified on Exhibit A on the terms set forth herein.
 - 2.1.1 Exhibit A may be modified by written request by Permittee and approval by Manager.
 - 2.1.2 Manager shall not unreasonably condition or deny any request for modification of Exhibit A. Any decision of Manager on a request for a modification may be appealed by Permittee to Municipality's legislative body.
- 2.2 Overlashing. Permittee shall not allow the wires or any other facilities of a third party to be overlashed to the Telecommunication Facilities without Municipality's prior written consent. Municipality's right to withhold written consent is subject to the authority of the Michigan Public Service Commission under Section 361 of the Michigan Telecommunications Act, MCL § 484.2361.
- 2.3 Nonexclusive. The rights granted by this Permit are nonexclusive. Municipality reserves the right to approve, at any time, additional permits for access to and ongoing usage of the Public Right-of-Way by telecommunications providers and to enter into agreements for use of the Public Right-of-Way with and grant franchises for use of the Public Right-of-Way to telecommunications providers, cable companies, utilities and other providers.
- 2.4 Conditions. This Permit and Permittee's access to and usage of the Public Right-of-Way is conditioned on, subject to, and requires compliance with, the Conditions identified in Exhibit C.

3 Contacts, Maps and Plans

- 3.1 Permittee Contacts. The names, addresses and the like for engineering and construction related information for Permittee and its Telecommunication Facilities are as follows:
 - 3.1.1 The address, e-mail address, phone number and contact person (title or name) at Permittee's local office (in or near Municipality) is:

Matt Sturgill
Senior Project Manager – North Central Region
3030 Warrenville Rd. Suite 340

Lisle, IL 60532
Mobile: 724.816.7883
Email: Mstrugill@extenetsystems.com

- 3.1.2 If Permittee's engineering drawings, as-built plans and related records for the Telecommunication Facilities will not be located at the preceding local office, the location address, phone number and contact person (title or department) for them is:

Mary Jo Madden
Executive Director – Outside Plant
5844 John Hickman Pkwy,
Frisco TX 75034
Mobile 973.454.0675
Email: Mjomadden@extenetsystems.com__.

- 3.1.3 The name, title, address, e-mail address and telephone numbers of Permittee's engineering contact person(s) with responsibility for the design, plans and construction of the Telecommunication Facilities is:

Stratis, Inc.
4804 N 40th St., Suite 100, Sheboygan, WI 53083
Lili Giertz, Director of Engineering
(920) 912-1475
lgieritz@gostratis.com

- 3.1.4 The address, phone number and contact person (title or department) at Permittee's home office/regional office with responsibility for engineering and construction related aspects of the Telecommunication Facilities is:

Mary Jo Madden
Executive Director – Outside Plant
5844 John Hickman Pkwy,
Frisco TX 75034
Mobile 973.454.0675
Email: Mjomadden@extenetsystems.com_

- 3.1.5 Permittee shall at all times provide Manager with the phone number at which a live representative of Permittee (not voice mail) can be reached 24 hours a day, seven (7) days a week, in the event of a public emergency.

Network Operations Center: (866)-892-5327

- 3.1.6 The preceding information is accurate as of the Effective Date. Permittee shall notify Municipality in writing as set forth in Part 12 of any changes in the preceding information.

- 3.2 Route Maps. Within ninety (90) days after the substantial completion of construction of new Facilities in a Municipality, a provider shall submit route maps showing the location of the Telecommunication Facilities to both the Michigan Public Service Commission and to the Municipality, as required under Section 6(7) of the METRO Act, MCLA 484.3106(7).

- 3.3 As-Built Records. Permittee, without expense to Municipality, shall, upon forty-eight (48) hours' notice, give Municipality access to all "as-built" maps, records, plans and specifications showing the Telecommunication Facilities or portions thereof in the Public Right-of-Way. Upon request by Municipality, Permittee shall inform Municipality as soon as reasonably possible of any changes from previously supplied maps, records, or plans and shall mark up maps provided by Municipality so as to show the location of the Telecommunication Facilities.

4 Use of Public Right-of-Way

- 4.1 No Burden on Public Right-of-Way. Permittee, its contractors, subcontractors, and the Telecommunication Facilities shall not unduly burden or interfere with the present or future use of any of the Public Right-of-Way. Permittee's aerial cables and wires shall be suspended so as to not endanger or injure persons or property in or about the Public Right-of-Way. If Municipality reasonably determines that any portion of the Telecommunication Facilities constitutes an undue burden or interference, due to changed circumstances, Permittee, at its sole expense, shall modify the Telecommunication Facilities or take such other actions as Municipality may determine is in the public interest to remove or alleviate the burden, and Permittee shall do so within a reasonable time period. Municipality shall attempt to require all occupants of a pole or conduit whose facilities are a burden to remove or alleviate the burden concurrently.
- 4.2 No Priority. This Permit does not establish any priority of use of the Public Right-of-Way by Permittee over any present or future permittees or parties having agreements with Municipality or franchises for such use. In the event of any dispute

as to the priority of use of the Public Right-of-Way, the first priority shall be to the public generally, the second priority to Municipality, the third priority to the State of Michigan and its political subdivisions in the performance of their various functions, and thereafter as between other permit, agreement or franchise holders, as determined by Municipality in the exercise of its powers, including the police power and other powers reserved to and conferred on it by the State of Michigan.

- 4.3 Restoration of Property. Permittee, its contractors and subcontractors shall immediately (subject to seasonal work restrictions) restore, at Permittee's sole expense, in a manner approved by Municipality, any portion of the Public Right-of-Way that is in any way disturbed, damaged, or injured by the construction, installation, operation, maintenance or removal of the Telecommunication Facilities to a reasonably equivalent (or, at Permittee's option, better) condition as that which existed prior to the disturbance. In the event that Permittee, its contractors or subcontractors fail to make such repair within a reasonable time, Municipality may make the repair and Permittee shall pay the costs Municipality incurred for such repair.
- 4.4 Marking. Permittee shall mark the Telecommunication Facilities as follows: Aerial portions of the Telecommunication Facilities shall be marked with a marker on Permittee's lines on alternate poles which shall state Permittee's name and provide a toll-free number to call for assistance. Direct buried underground portions of the Telecommunication Facilities shall have (1) a conducting wire placed in the ground at least several inches above Permittee's cable (if such cable is nonconductive); (2) at least several inches above that, a continuous colored tape with a statement to the effect that there is buried cable beneath; and (3) stakes or other appropriate above ground markers with Permittee's name and a toll-free number indicating that there is buried telephone cable below. Bored underground portions of the Telecommunication Facilities shall have a conducting wire at the same depth as the cable and shall not be required to provide the continuous colored tape. Portions of the Telecommunication Facilities located in conduit, including conduit of others used by Permittee, shall be marked at its entrance into and exit from each manhole and handhole with Permittee's name and a toll-free telephone number.
- 4.5 Tree Trimming. Permittee may trim trees upon and overhanging the Public Right-of-Way so as to prevent the branches of such trees from coming into contact with the Telecommunication Facilities, consistent with any standards adopted by Municipality. Permittee shall dispose of all trimmed materials. Permittee shall minimize the trimming of trees to that essential to maintain the integrity of the Telecommunication Facilities. Except in emergencies, all trimming of trees in the Public Right-of-Way shall have the advance approval of Manager.
- 4.6 Installation and Maintenance. The construction and installation of the Telecommunication Facilities shall be performed pursuant to plans approved by

Municipality. The open cut of any Public Right-of-Way shall be coordinated with the Manager or his designee. Permittee shall install and maintain the Telecommunication Facilities in a reasonably safe condition. If the existing poles in the Public Right-of-Way are overburdened or unavailable for Permittee's use, or the facilities of all users of the poles are required to go underground then Permittee shall, at its expense, place such portion of its Telecommunication Facilities underground, unless Municipality approves an alternate location. Permittee may perform maintenance on the Telecommunication Facilities without prior approval of Municipality, provided that Permittee shall obtain any and all permits required by Municipality in the event that any maintenance will disturb or block vehicular traffic or are otherwise required by Municipality.

- 4.7 Pavement Cut Coordination. Permittee shall coordinate its construction and all other work in the Public Right-of-Way with Municipality's program for street construction and rebuilding (collectively "Street Construction") and its program for street repaving and resurfacing (except seal coating and patching) (collectively, "Street Resurfacing").

4.7.1 The goals of such coordination shall be to encourage Permittee to conduct all work in the Public Right-of-Way in conjunction with or immediately prior to any Street Construction or Street Resurfacing planned by Municipality.

- 4.8 Compliance with Laws. Permittee shall comply with all laws, statutes, ordinances, rules and regulations regarding the construction, installation, and maintenance of its Telecommunication Facilities, whether federal, state or local, now in force or which hereafter may be promulgated. Before any installation is commenced, Permittee shall secure all necessary permits, licenses and approvals from Municipality or other governmental entity as may be required by law, including, without limitation, all utility line permits and highway permits. Municipality shall not unreasonably delay or deny issuance of any such permits, licenses or approvals. Permittee shall comply in all respects with applicable codes and industry standards, including but not limited to the National Electrical Safety Code (latest edition adopted by Michigan Public Service Commission) and the National Electric Code (latest edition). Permittee shall comply with all zoning and land use ordinances and historic preservation ordinances as may exist or may hereafter be amended. This section does not constitute a waiver of Permittee's right to challenge laws, statutes, ordinances, rules or regulations now in force or established in the future.

- 4.9 Street Vacation. If Municipality vacates or consents to the vacation of Public Right-of-Way within its jurisdiction, and such vacation necessitates the removal and relocation of Permittee's Facilities in the vacated Public Right-of-Way, Permittee shall, as a condition of this Permit, consent to the vacation and remove its Facilities at its sole cost and expense when ordered to do so by Municipality or a court of

competent jurisdiction. Permittee shall relocate its Facilities to such alternate route as Municipality and Permittee mutually agree, applying reasonable engineering standards.

- 4.10 Relocation. If Municipality requests Permittee to relocate, protect, support, disconnect, or remove its Facilities because of street or utility work, or other public projects, Permittee shall relocate, protect, support, disconnect, or remove its Facilities, at its sole cost and expense, including where necessary to such alternate route as Municipality and Permittee mutually agree, applying reasonable engineering standards. The work shall be completed within a reasonable time period.
- 4.11 Public Emergency. Municipality shall have the right to sever, disrupt, dig-up or otherwise destroy Facilities of Permittee if such action is necessary because of a public emergency. If reasonable to do so under the circumstances, Municipality shall attempt to provide notice to Permittee. Public emergency shall be any condition which poses an immediate threat to life, health, or property caused by any natural or man-made disaster, including, but not limited to, storms, floods, fire, accidents, explosions, water main breaks, hazardous material spills, etc. Permittee shall be responsible for repair at its sole cost and expense of any of its Facilities damaged pursuant to any such action taken by Municipality.
- 4.12 Miss Dig. If eligible to join, Permittee shall subscribe to and be a member of "MISS DIG," the association of utilities formed pursuant to Act 174 of the Public Acts of 2013, as amended, MCL § 460.721 et seq., and shall conduct its business in conformance with the statutory provisions and regulations promulgated thereunder.
- 4.13 Underground Relocation. If Permittee has its Facilities on poles of Consumers Energy, Detroit Edison or another electric or telecommunications provider and Consumers Energy, Detroit Edison or such other electric or telecommunications provider relocates its system underground, then Permittee shall relocate its Facilities underground in the same location at Permittee's sole cost and expense.
- 4.14 Identification. All personnel of Permittee and its contractors or subcontractors who have as part of their normal duties contact with the general public shall wear on their clothing a clearly visible identification card bearing Permittee's name, their name and photograph. Permittee shall account for all identification cards at all times. Every service vehicle of Permittee and its contractors or subcontractors shall be clearly identified as such to the public, such as by a magnetic sign with Permittee's name and telephone number.

5 Indemnification

- 5.1 Indemnity. Permittee shall defend, indemnify, protect, and hold harmless Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions from any and all claims, losses, liabilities, causes of action, demands, judgments, decrees, proceedings, and expenses of any nature (collectively “claim” for this Part 5) (including, without limitation, attorneys’ fees) arising out of or resulting from the acts or omissions of Permittee, its officers, agents, employees, contractors, successors, or assigns, but only to the extent such acts or omissions are related to the Permittee’s use of or installation of facilities in the Public Right-of-Way and only to the extent of the fault or responsibility of Permittee, its officers, agents, employees, contractors, successors and assigns.
- 5.2 Notice, Cooperation. Municipality shall notify Permittee promptly in writing of any such claim and the method and means proposed by Municipality for defending or satisfying such claim. Municipality shall cooperate with Permittee in every reasonable way to facilitate the defense of any such claim. Municipality shall consult with Permittee respecting the defense and satisfaction of such claim, including the selection and direction of legal counsel.
- 5.3 Settlement. Municipality shall not settle any claim subject to indemnification under this Part 5 without the advance written consent of Permittee, which consent shall not be unreasonably withheld. Permittee shall have the right to defend or settle, at its own expense, any claim against Municipality for which Permittee is responsible hereunder.

6 Insurance

- 6.1 Coverage Required. Prior to beginning any construction in or installation of the Telecommunication Facilities in the Public Right-of-Way, Permittee shall obtain insurance as set forth below and file certificates evidencing same with Municipality. Such insurance shall be maintained in full force and effect until the end of the Term. In the alternative, Permittee may satisfy this requirement through a program of self-insurance, acceptable to Municipality, by providing reasonable evidence of its financial resources to Municipality. Municipality’s acceptance of such self-insurance shall not be unreasonably withheld.
- 6.1.1 Commercial general liability insurance, including Completed Operations Liability, Independent Contractors Liability, Contractual Liability coverage, railroad protective coverage and coverage for property damage from perils of explosion, collapse or damage to underground utilities, commonly known as XCU coverage, in an amount not less than Five Million Dollars (\$5,000,000).

- 6.1.2 Liability insurance for sudden and accidental environmental contamination with minimum limits of Five Hundred Thousand Dollars (\$500,000) and providing coverage for claims discovered within three (3) years after the term of the policy.
 - 6.1.3 Automobile liability insurance in an amount not less than One Million Dollars (\$1,000,000).
 - 6.1.4 Workers' compensation and employer's liability insurance with statutory limits, and any applicable Federal insurance of a similar nature.
 - 6.1.5 The coverage amounts set forth above may be met by a combination of underlying (primary) and umbrella policies so long as in combination the limits equal or exceed those stated. If more than one insurance policy is purchased to provide the coverage amounts set forth above, then all policies providing coverage limits excess to the primary policy shall provide drop down coverage to the first dollar of coverage and other contractual obligations of the primary policy, should the primary policy carrier not be able to perform any of its contractual obligations or not be collectible for any of its coverages for any reason during the Term, or (when longer) for as long as coverage could have been available pursuant to the terms and conditions of the primary policy.
- 6.2 Additional Insured. Municipality shall be named as an additional insured on all policies (other than worker's compensation and employer's liability). All insurance policies shall provide that they shall not be canceled, modified or not renewed unless the insurance carrier provides thirty (30) days prior written notice to Municipality. Permittee shall annually provide Municipality with a certificate of insurance evidencing such coverage. All insurance policies (other than environmental contamination, workers' compensation and employer's liability insurance) shall be written on an occurrence basis and not on a claims made basis.
- 6.3 Qualified Insurers. All insurance shall be issued by insurance carriers licensed to do business by the State of Michigan or by surplus line carriers on the Michigan Insurance Commission approved list of companies qualified to do business in Michigan. All insurance and surplus line carriers shall be rated A+ or better by A.M. Best Permittee.
- 6.4 Deductibles. If the insurance policies required by this Part 6 are written with retainages or deductibles in excess of \$50,000, they shall be approved by Manager in advance in writing. Permittee shall indemnify and save harmless Municipality from and against the payment of any deductible and from the payment of any premium on any insurance policy required to be furnished hereunder.

- 6.5 Contractors. Permittee's contractors and subcontractors working in the Public Right-of-Way shall carry in full force and effect commercial general liability, environmental contamination liability, automobile liability and workers' compensation and employer liability insurance which complies with all terms of this Part 6. In the alternative, Permittee, at its expense, may provide such coverages for any or all its contractors or subcontractors (such as by adding them to Permittee's policies).
- 6.6 Insurance Primary. Permittee's insurance coverage shall be primary insurance with respect to Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions (collectively "them"). Any insurance or self-insurance maintained by any of them shall be in excess of Permittee's insurance and shall not contribute to it (where "insurance or self-insurance maintained by any of them" includes any contract or agreement providing any type of indemnification or defense obligation provided to, or for the benefit of them, from any source, and includes any self-insurance program or policy, or self-insured retention or deductible by, for or on behalf of them).

7 Term

- 7.1 Term. The term ("Term") of this Permit shall be until the earlier of:
- 7.1.1 Fifteen years (15) from the Effective Date; provided, however, that following such initial term there shall be three subsequent renewal terms of five (5) years. Each renewal term shall be automatic unless Municipality notifies Permittee in writing, at least twelve (12) months prior to the end of any term then in effect, that due to changed circumstances a need exists to negotiate the subsequent renewal with Permittee. Municipality shall not unreasonably deny a renewal term; or
- 7.1.2 When the Telecommunication Facilities have not been used to provide telecommunications services for a period of one hundred and eighty (180) days by the Permittee or a successor or an assign of the Permittee; or
- 7.1.3 When Permittee, at its election and with or without cause, delivers written notice of termination to Municipality at least one-hundred and eighty (180) days prior to the date of such termination; or
- 7.1.4 Upon either Permittee or Municipality giving written notice to the other of the occurrence or existence of a default by the other party under Sections 4.8, 6, 8 or 9 of this Permit and such defaulting party failing to cure, or commence good faith efforts to cure, such default within sixty (60) days (or such shorter period of time provided elsewhere in this Permit) after delivery of such notice; or

7.1.5 Unless Manager grants a written extension, one year from the Effective Date if prior thereto Permittee has not started the construction and installation of the Telecommunication Facilities within the Public Right-of-Way and two years from the Effective Date if by such time construction and installation of the Telecommunication Facilities is not complete.

8 Performance Bond or Letter of Credit

8.1 Municipal Requirement. Municipality may require Permittee to post a bond (or letter of credit) as provided in Section 15(3) of the METRO Act, as amended [MCL § 484.3115(3)] as specified in the attached Exhibit B.

9 Fees

9.1 Establishment; Reservation. The METRO Act shall control the establishment of right-of-way fees. The parties reserve their respective rights regarding the nature and amount of any fees which may be charged by Municipality in connection with the Public Right-of-Way.

10 Removal

10.1 Removal; Underground. As soon as practicable after the Term, Permittee or its successors and assigns shall remove any underground cable or other portions of the Telecommunication Facilities from the Public Right-of-Way which has been installed in such a manner that it can be removed without trenching or other opening of the Public Right-of-Way. Permittee shall not remove any underground cable or other portions of the Telecommunication Facilities which requires trenching or other opening of the Public Right-of-Way except with the prior written approval of Manager. All removals shall be at Permittee's sole cost and expense.

10.1.1 For purposes of this Part 10, "cable" means any wire, coaxial cable, fiber optic cable, feed wire or pull wire.

10.2 Removal; Above Ground. As soon as practicable after the Term, Permittee, or its successor or assigns at its sole cost and expense, shall, unless waived in writing by Manager, remove from the Public Right-of-Way all above ground elements of its Telecommunication Facilities, including but not limited to poles, pedestal mounted terminal boxes, and lines attached to or suspended from poles.

10.3 Schedule. The schedule and timing of removal shall be subject to approval by Manager. Unless extended by Manager, removal shall be completed not later than twelve (12) months following the Term. Portions of the Telecommunication Facilities in the Public Right-of-Way which are not removed within such time

period shall be deemed abandoned and, at the option of Municipality exercised by written notice to Permittee as set forth in Part 12, title to the portions described in such notice shall vest in Municipality.

- 11 Assignment. Permittee may assign or transfer its rights under this Permit, or the persons or entities controlling Permittee may change, in whole or in part, voluntarily, involuntarily, or by operation of law, including by merger or consolidation, change in the ownership or control of Permittee's business, or by other means, subject to the following:

11.1 No such transfer or assignment or change in the control of Permittee shall be effective under this Permit, without Municipality's prior approval (not to be unreasonably withheld), during the time period from the Effective Date until the completion of the construction of the Telecommunication Facilities in those portions of the Public Right-of-Way identified on Exhibit A.

11.2 After the completion of such construction, Permittee must provide notice to Municipality of such transfer, assignment or change in control no later than thirty (30) days after such occurrence; provided, however,

11.2.1 Any transferee or assignee of this Permit shall be qualified to perform under its terms and conditions and comply with applicable law; shall be subject to the obligations of this Permit, including responsibility for any defaults which occurred prior to the transfer or assignment; shall supply Municipality with the information required under Section 3.1; and shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary, and

11.2.2 In the event of a change in control, it shall not be to an entity lacking the qualifications to assure Permittee's ability to perform under the terms and conditions of this Permit and comply with applicable law; and Permittee shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary.

11.3 Permittee may grant a security interest in this Permit, its rights thereunder or the Telecommunication Facilities at any time without notifying Municipality.

12 Notices

12.1 Notices. All notices under this Permit shall be given as follows:

12.1.1 If to Municipality, _____

With a copy to: _____

12.1.2 If to Permittee, _____.

ExteNet Systems, LLC.
Attn: CFO
5844 John Hickman Pkwy, Suite 600
Frisco TX 75034

With a copy to General Counsel & COO at the same address
Copy email to NOTICE@extenetsystems.com

All invoicing to Licensee may be made to the address
above "ATTN: Accounts Payable" or electronically to:
ap@util.extenetsystems.com

12.2 Change of Address. Permittee and Municipality may change its address or personnel for the receipt of notices at any time by giving notice thereof to the other as set forth above.

13 Other items

13.1 No Cable, OVS. This Permit does not authorize Permittee to provide commercial cable type services to the public, such as "cable service" or the services of an "open video system operator" (as such terms are defined in the Federal Communications Act of 1934 and implementing regulations, currently 47 U.S.C. §§ 522 (6), 573 and 47 CFR § 76.1500).

13.2 Duties. Permittee shall faithfully perform all duties required by this Permit.

13.3 Effective Date. This Permit shall become effective when issued by Municipality and Permittee has provided any insurance certificates and bonds required in Parts 6 and 8 and signed the acceptance of the Permit.

13.4 Authority. This Permit satisfies the requirement for a permit under Section 5 of the METRO Act [MCL 484.3105].

13.5 Amendment. Except as set forth in Section 2.1 this Permit may be amended by the written agreement of Municipality and Permittee.

13.6 Interpretation and Severability. The provisions of this Permit shall be liberally construed to protect and preserve the peace, health, safety and welfare of the public, and should any provision or section of this Permit be held unconstitutional, invalid, overbroad or otherwise unenforceable, such determination/holding shall not be construed as affecting the validity of any of the remaining conditions of this Permit. If any provision in this Permit is found to be partially overbroad, unenforceable, or invalid, Permittee and Municipality may nevertheless enforce such provision to the extent permitted under applicable law.

13.7 Governing Law. This Permit shall be governed by the laws of the State of Michigan.

City

Attest:

By: _____

By: _____

Date: _____

Acknowledgement of Receipt: Permittee acknowledges receipt of this Permit granted by Municipality.

Extenet Systems

By: _____

Its: _____

Date: _____

Exhibit A
Public Right-of-Way to be Used by Telecommunication Facilities

The Public Right-of-Way that Permittee is granted access to and the use of for approximately 7,101 linear feet, consisting of 5,055 aerial cable installation and 2,046 underground fiber optic cable in conduit shown in the Route Maps below

Exhibit B

Bond

As authorized under Section 8 of the Permit that this Exhibit is attached to and part of, a Bond conforming to these specifications and requirements is required in an amount that does not exceed the reasonable cost to ensure that the Public Right-of-Way is returned to its original condition during and after Permittee's access and use.

The Bond shall be in the form of cash, or an irrevocable bank letter of credit form approved by Municipality, and shall be posted with Municipality before any construction or engineering permit may be issued and as a requirement for effectiveness of this Permit under Section 13.2.

The initial amount of the Bond required by this Permit shall be determined and communicated to Permittee by Municipality based on the construction plans approved by Municipality, with any construction or engineering permit bond for that amount, allowed to serve as the Bond required by this Permit.

During the term of this Permit, Municipality reserves the right to require an increase of the Bond amount before issuing construction or engineering permits for installation of additional Facilities in the Public Right-of-Way, or if the Bond is no longer sufficient to cover the reasonable cost to ensure that the Public Right-of-Way is returned to its original condition during and after Permittee's access and use, by at least 60 days written notice to Permittee of the increased amount and date it is to be provided.

Exhibit C

Conditions

As provided in Section 2.4, this Permit and Permittee's access to and usage of the Public Right-of-Way is conditioned on, subject to, and requires compliance with the following Conditions:

1. Any permanent above ground Facilities associated with buried Facilities, such as pull boxes, shall not extend above existing grade more than necessary to the purpose of the Facility and shall be approved by Municipality at the time of construction permit review, and thereafter installed and maintained by Permittee at its expense.
2. Permittee shall be required to provide photo or video of the conditions of the Right-of-Way prior to installation of any facilities.
3. Permittee shall have 6 months from time of work completion to restore any disturbance or damage to any portion of the Right-of-Way. In the event that Right-of-Way is not restored, Municipality may make the repair and Permittee shall pay the costs as stated in Section 4.3.
4. Permittee shall inform the Municipality of any delays or changes in project timelines, and if projects will be delayed more than 6 months and site shall be stabilized.
5. Permittee shall inform all residents about projects in their subdivision prior to starting work and shall maintain communication with residents throughout the project as appropriate.
6. Permittee shall coordinate with the Municipality if any Municipal projects are located where work is proposed.
7. The Municipality prefers and encourages that all facilities be placed underground and flush to the existing grade.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/4/2023

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

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

| | |
|--|--|
| PRODUCER IMA, Inc. - Dallas Division 14221 Dallas Parkway, Suite 700 Dallas TX 75254 | CONTACT NAME: IMA Dallas Team PHONE (A/C, No, Ext): 972-458-8700 FAX (A/C, No): E-MAIL ADDRESS: DALCERTACCTS@imacorp.com |
| INSURED ExteNet Systems LLC; ExteNet Systems (California), LLC; ExteNet Systems New York Inc; ExteNet Systems (Virginia) 3030 Warrenville Rd., 3rd FL Lisle IL 60532 | INSURER(S) AFFORDING COVERAGE INSURER A: The Hanover Insurance Company INSURER B: Massachusetts Bay Insurance Company INSURER C: The Hanover American Insurance Company INSURER D: The Hanover Casualty Company INSURER E: INSURER F: |

COVERAGES**CERTIFICATE NUMBER:** 1922909721**REVISION NUMBER:**

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

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|-------------|---|-----------|----------|--|----------------------------------|----------------------------------|---|
| D | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> BI/PD DED: \$25K <input checked="" type="checkbox"/> XCU not EXCLUDED GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER: | | | ZHDH87380401 | 1/2/2023 | 1/2/2024 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$ |
| D | <input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY | | | AHDH85596101 | 1/2/2023 | 1/2/2024 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| D | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | | | UHDH87381001 | 1/2/2023 | 1/2/2024 | EACH OCCURRENCE \$ 25,000,000 AGGREGATE \$ 25,000,000 \$ |
| C B A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | N/A | WZDH85619701 WDDH87382601 WMDH87381501 | 1/2/2023 1/2/2023 1/2/2023 | 1/2/2024 1/2/2024 1/2/2024 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000 |
| A | Professional/Cyber Liability | | | LHDH87384801 | 1/2/2023 | 1/2/2024 | Limit Retention \$10,000,000 \$75,000 |

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

Pollution Liability Coverage: Policy #PCADB50211230123
Effective Dates: 01/02/2023-01/02/2024 Insurer: Berkley Insurance Company
\$10,000,000 Limit; Claims Made

See Attached...

CERTIFICATE HOLDER**CANCELLATION**

Village of Beverly Hills
18500 West 13 Mile Road
Beverly Hills MI 48025

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

AUTHORIZED REPRESENTATIVE

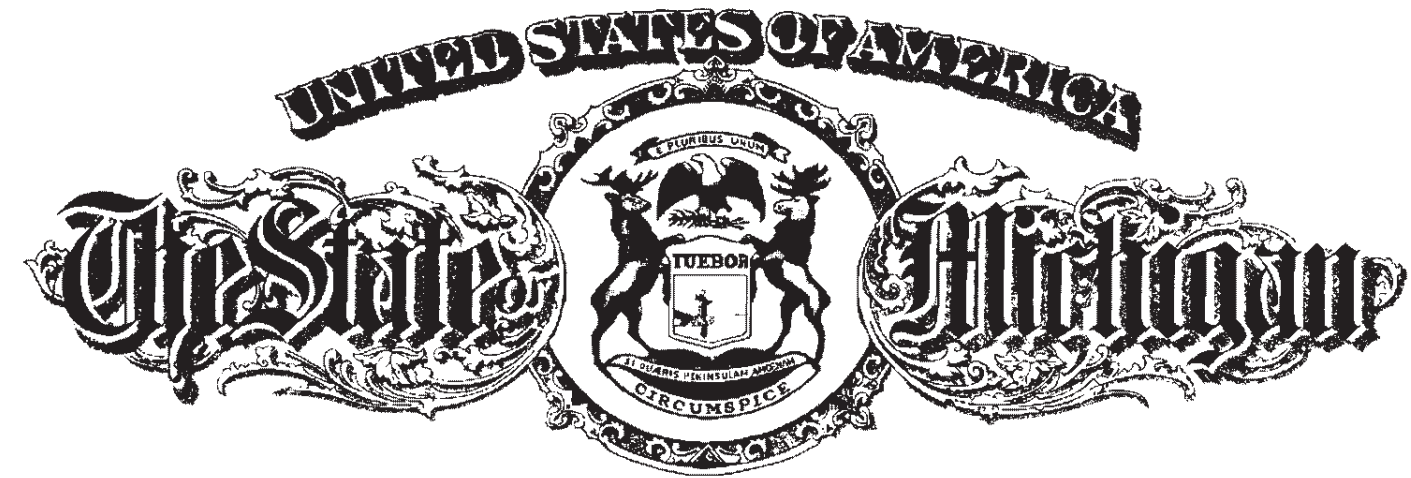
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**ADDITIONAL REMARKS SCHEDULE**Page 1 of 1

| | | | |
|---------------------------------------|-----------|--|--|
| AGENCY IMA, Inc. - Dallas Division | | NAMED INSURED ExteNet Systems LLC; ExteNet Systems (California), LLC; ExteNet Systems New York Inc; ExteNet Systems (Virginia) 3030 Warrentville Rd., 3rd FL Lisle IL 60532 | |
| POLICY NUMBER | | EFFECTIVE DATE: | |
| CARRIER | NAIC CODE | | |

ADDITIONAL REMARKS**THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,****FORM NUMBER:** 25 **FORM TITLE:** CERTIFICATE OF LIABILITY INSURANCE

Certificate Holders are included as Additional Insured on the General, Automobile and Umbrella Liability Policies if required by written contract or agreement subject to the policy terms and conditions. A Waiver of Subrogation is provided in favor of "Additional Insured" on the General, Automobile, Umbrella Liability and Workers Compensation Policies if required by written contract or agreement subject to policy terms and conditions. This Insurance is Primary and Non-Contributory on the General, Automobile and Umbrella Liability Policies subject to policy terms and conditions. Any Exclusion for Liability within 50 feet of railroad tracks has been deleted. 30 Day Notice of Cancellation with respects to the General, Automobile, Umbrella Liability and Workers Compensation Policies if required by written contract or agreement subject to the policy terms and conditions.



Department of Licensing and Regulatory Affairs
Lansing, Michigan

This is to Certify That

EXTENET SYSTEMS, INC.

a(n) DELAWARE profit corporation, was validly authorized on August 11, 2004, to transact business in Michigan, and that said corporation holds a valid certificate of authority to transact business in this state.

This certificate is issued pursuant to the provisions of 1972 PA 284, as amended, to attest to the fact that the corporation is in good standing in Michigan as of this date and is duly authorized to transact business in this state any business of the character set forth in its application which a domestic corporation formed under this act may lawfully conduct.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.




Sent by Facsimile Transmission
1397435

In testimony whereof, I have hereunto set my hand, in the City of Lansing, this 8th day of July, 2016.

Julia Dale

Julia Dale, Director
Corporations, Securities & Commercial Licensing Bureau

| | |
|--|--|
|  Intrastate Telecomm Service Providers Michigan Public Service Commission | Michigan.gov The Official State of Michigan Website |
| Michigan.gov MPSC Home Sitemap Contact MPSC FAQ | Search <input type="button" value="Go"/> |

Company Contact Information

Registered Intrastate Telecommunication Services Providers

These companies have registered with the Michigan Public Service Commission per Commission Order U-11900.

ExteNet Systems, Inc

1901 S. Meyers Road
Suite 190
Oakbrook Terrace, IL 60181

Phone: (630) 932-2900
Fax: (630) 923-2907
Email: tray@extenetsystems.com

Customer Contact: Terry Ray
1901 S. Meyers Road
Suite 190
Oakbrook Terrace, IL 60181

Phone: (866) 342-2900
Fax: (630) 932-2907
Email: tray@extenetsystems.com

This company is registered as: (Hover Over for Description)

Competitive Access Provider (CAP)

[Michigan.gov](#) | [DLEG home](#) | [MPSC Home](#) | [ITSP Home](#)
[State Web Sites](#) | [Accessibility Policy](#) | [Link Policy](#) | [Privacy Policy](#) | [Security Policy](#)

METRO Authority

Michigan Department of Licensing and Regulatory Affairs

The following CLEC telecommunication providers have reported footages in Michigan municipalities' public rights-of-way.

As of October 31, 2012

360networks (USA) Inc.
370 Interlochen Blvd., Suite 600
Broomfield, CO 80021
Website: www.360.net

AT&T
225 W. Randolph Street/27C500
Chicago, IL 60605
Website: www.att.com

Baraga Telephone Co.
204 State Street, PO Box 9
Baraga, MI 49908
Website: www.baragatelephone.com

BCE Nexxia
5025 Creekbank
Mississauga, Ontario L4W-0B6
Website: www.bcenexxia.com

Borderland Communications
845 Pyle Drive
PO Box 2066
Kingsford, MI 49802-2066
Website: www.borderlandnet.net

Broadwing c/o Level 3 Communications, LLC
1025 Eldorado Blvd.
Broomfield, CO 80021
Website: www.level3.com

Campus Village East Lansing, LLC
919 W. University Drive, Suite 700
Rochester, MI 48307
Website: www.campusvillage.com

CenturyTel Fiber Company, LLC
1151 CenturyTel Drive – Bldg A
Wentzville, MO 63385
Website: www.centurylink.com

City of Detroit Public Lighting Department
9449 Grinnell
Detroit, MI 48213
Website: www.detroitmi.gov

City of Sturgis
130 N. Nottawa Street
Sturgis, MI 49091
Website: www.sturgismi.gov

Clear Rate Communications, Inc.
555 S. Old Woodward, Suite 600
Birmingham, MI 48009
Website: www.clearrate.com

Climax Telephone Company
13800 E. Michigan
Galesburg, MI 49053
Website: www.ctstelecom.com

Consumers Energy
1945 Parnall Road, P12-811
Jackson, MI 49201
Website: www.cmsenergy.com

Crown Castle NG Networks, Inc.
2000 Corporate Drive
Cannonsburg, PA 15317
Website: www.crowncastle.com

DayStarr LLC dba DayStarr Communications
307 N. Ball, PO Box 698
Owosso, MI 48867
Website: www.daystarr.net

Detroit Edison
One Energy Plaza, 1006 WCB
Detroit, MI 48226
Website: www.dteenergy.com

Elantic Telecom, Inc.
2134 West Laburnum Avenue
Richmond, VA 23227
Website: www.intellifiber.com

ExteNet Systems
3030 Warrenville Road, Suite 340
Lisle, IL 60532
Website: www.extenetsystems.com

Ford Motor Company
One American Road
Mail Drop 7880
Dearborn, MI 48126
Website: www.ford.com

* Genesee Intermediate School District
2413 West Maple
Flint, MI 48507
Website: www.geneseeisd.org

Global Crossing North American Networks, Inc.
1025 Eldorado Blvd.
Broomfield, CO 80021
Website: www.globalcrossing.com

Great Lakes Comnet, Inc.
1515 Turf Lane, Suite 100
East Lansing, MI 48823
Website: www.glcom.net

Holland Board of Public Works
625 Hastings Avenue
Holland, MI 49423
Website: www.hollandbpw.com

KMC Telecom III, LLC (CenturyTel Acquisitions, LLC)
Zayo Group, LLC
400 Centennial Parkway, Ste. 200
Louisville, CO 80027
Website: www.zayo.com

Level 3 Communications, LLC
1025 Eldorado Blvd., Building 3000, 33A-508
Broomfield, CO 80021
Website: www.level3.com

Local Exchange Carriers of Michigan
24275 Northwestern Hwy.
Southfield, MI 48075
Website: www.lecmi.com

* Macomb Educational Telecommunications Systems Consortium
10 North Main Street, 7th Floor
Mount Clemens, MI 48043
Website: www.macombcountymi.gov/IT

MCImetro Access Transmission Services, LLC
2400 N. Glenville Drive, Dept 72855/107
Richardson, TX 75082
Website: www.verizon.com

McLeodUSA Telecommunication Services, Inc.
1450 N. Center Point Road
Hiawatha, IA 52233
Website: www.paetec.com

Media One Communications, LLC
9327 Riley
Zeeland, MI 49464
Website: www.tcgroupinc.com

* Merit Network, Inc.
1000 Oakbrook Drive
Ann Arbor, MI 48104
Website: www.merit.edu

Midwest Communications Services, Inc.
7255 Tower Road
Battle Creek, MI 49014
Website: N/A

Midwest Fiber Networks
3701 W. Burnham St., Ste. C
Milwaukee, WI 53215
Website: www.midwestfibernetworks.com

Nextel West Corp
6391 Sprint Parkway
Mailstop: KSOPHT0101-Z2650
Overland Park, KS 66251-2650
Website: www.sprint.com

* Ottawa Area Intermediate School District
13565 Port Sheldon Street
Holland, MI 49424
Website: www.oaisd.org/oaisd

Peninsula Fiber Network, LLC
204 State Street, PO Box 9
Baraga, MI 49908
Website: www.pfnllc.net

Qwest Communications Corporation
700 West Mineral Avenue
Littleton, CO 80120
Website: www.centurylink.com

RACC
7381 US 31 N
PO Box 1200
Alanson, MI 49706
Website: <http://www.racc2000.com>

* Reed City Area Public Schools
829 S. Chestnut Street, Suite A
Reed City, MI 49677-1384
Website: www.reedcity.k12.mi.us

Southwest Michigan Communications, Inc.
101 W. Kalamazoo Street
PO Box 187
Bloomington, MI 49026
Website: www.bloomingtondalecom.net

Sprint Communications, LP
6550 Sprint Parkway
Mailstop: KSOPHR0312-3C322
Overland, KS 66251
Website: www.sprint.com

TC3 Telecom, Inc.
247 S. Main Street
Adrian, MI 49221
Website: www.tc3telecom.com

TCG Detroit
225 W. Randolph, 27C500
Chicago, IL 60605
Website: www.att.com

TDS Metrocom, LLC
525 Junction Road, Suite 5000
Madison, WI 53717-2105
Website: www.tdstelecom.com

TelCove Operations, Inc., c/o Level 3 Comm
1025 Eldorado Blvd.
Broomfield, CO 80021
Website: www.level3.com

Telnet Worldwide
1175 W. Long Lake Road, Suite 101
Troy, MI 48098
Website: www.telnetww.com

* Traverse City Area Public Schools
412 Webster Street, PO Box 32
Traverse City, MI 49685
Website: www.tcaps.net

US Signal Company, LLC
201 Ionia Avenue, SW
Grand Rapids, MI 49503
Website: www.ussignalcom.com

WilTel Communications, LLC c/o Level 3 Comm
1025 Eldorado Blvd.
Broomfield, CO 80021
Website: www.level3.com

Windstream KDL, Inc (formerly Kentucky Data Link)
13935 Bishops Drive
Brookfield, WI 53005
Website: www.windstream.com

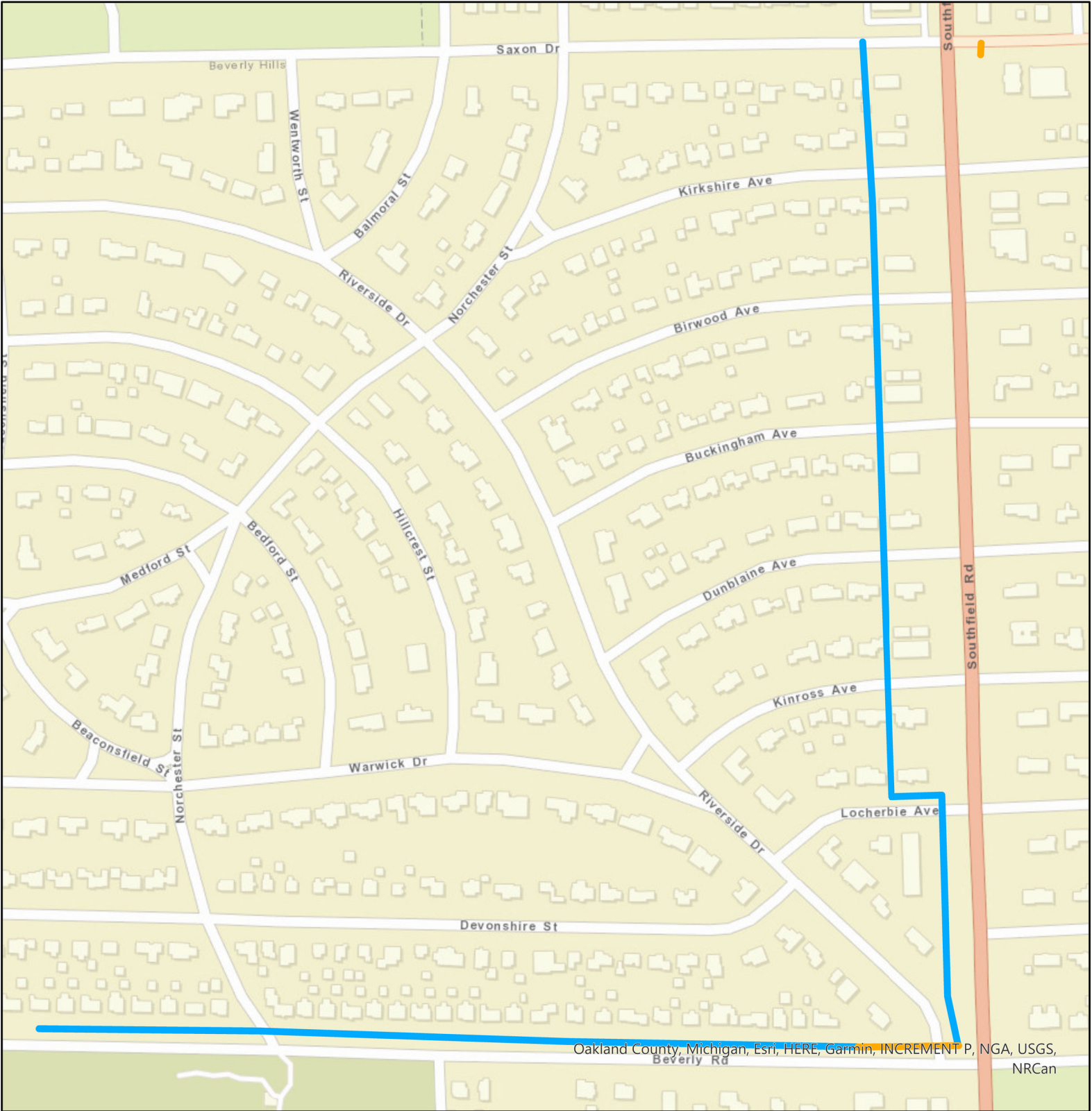
Windstream (formerly Norlight Telecommunications, Inc.)
13935 Bishops Drive
Brookfield, WI 53005
Website: www.windstream.com

Winn Telecom
402 N. Mission
Mt. Pleasant, MI 48858
Website: www.winntel.com

XO Communication Services, Inc.
11111 Sunset Hills Road
Reston, VA 20190
Website: www.xo.com

Zayo (formerly AboveNet Communications, Inc.)
360 Hamilton Avenue, 7th Floor
White Plains, NY 10601
Website: www.zayo.com

- These educational institutions have reported installation of fiber in municipal rights-of-way. However, Section 8(18) of PA 48 states: "An educational institution is not required to pay the fees and charges or fulfill the mapping requirements required under this act for facilities that are constructed and used as provided under applicable provisions of section 307 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2307."



Proprietary and confidential

LEGEND

- New UG —
- New Aerial —





To: Honorable President George; Village Council Members
Jeffrey Campbell, Village Manager

From: Kristin Rutkowski, Village Clerk/Assistant Village Manager

Subject: Second announcement of a vacancy on the Village Council

Date: August 30, 2023

Michael White submitted his resignation from the Beverly Hills Village Council effective August 10, 2023. The Village Council accepted his resignation at the August 15, 2023 regular meeting and the first announcement of the vacancy was made.

Per the Village Charter:

Vacancies in Councilmember offices shall, within 60 days after such vacancy occurs, be filled by appointment of the Village Council by a majority vote of the members of council then in office. The person appointed shall possess the qualifications for the office of councilperson and shall hold office until the next regular village election.

Applications to fill the vacancy for a term ending November 2024 will be accepted until 4:30 p.m. on Monday, September 11, 2023. Interested and eligible residents of Beverly Hills may submit an application to the Village Clerk at 18500 W. 13 Mile Road, Beverly Hills, MI 48025 or via email: krutkowski@villagebeverlyhills.com. Applications are available on the Village website, at the Village Office, and a copy is included in this meeting packet.

This constitutes the second announcement of a vacancy on the Beverly Hills Village Council.

Attachment

APPLICATION FOR BOARDS AND COMMITTEES

Thank you for your interest in serving on an Advisory Board or Committee. The purpose of this form is to provide the Selection Committee and Council with basic information about residents considered for appointment. Please indicate your preferences for service (limit of three selections), on the accompanying form. The file of completed applications is open for public inspection upon request.

Name: _____
Please print (Last) (First) (Middle)

Street & Number: _____

Home Phone: _____ Employed By: _____

Business Phone: _____ E-mail address: _____

Business Address: _____

Are you a registered voter of Beverly Hills: _____ Length of residency: _____

Educational background: _____

Past experience on other Village Boards, Churches, Civic, or Community Groups:

Related Employment Experience (Please give dates):

Travel Commitments (if any):

Other Relevant Information (Memberships, Associations, etc.):

Reasons for Desiring to Serve:

Date: _____ Signature: _____

**REQUEST FOR APPOINTMENT
TO BEVERLY HILLS COUNCIL, BOARDS, COMMITTEES and COMMISSIONS**

PLEASE COMPLETE THE FOLLOWING INFORMATION:

Name: _____ Date: _____

Please designate, in priority order, your interest in any **three** of the following:

_____ **BIRMINGHAM AREA CABLE BOARD** – 4 Member Board – 3 year term
(Meets 3rd Wednesday of each month at 7:45 a.m. at the Village Municipal Building).
Advises Village Council as to all matters related to Cable Television. Monitors performance of franchisee and compliance with franchise agreement. Acts as liaison between residents and franchisee. Oversees Cable Administrator and Municipal Access Channel.

_____ **VILLAGE COUNCIL** – 7 Member Council – 4 year term
(Meets 1st and 3rd Tuesday of each month at 7:30 p.m.)
Appointment to fill unexpired term of elected Council member. Council is the legislative and governing body of the Village.

_____ **PARKS AND RECREATION BOARD** – 7 Member Board – 3 year term
(Meets 3rd Thursday of each month at 7:30 p.m.)
Makes recommendations to Village Council and administration as to the maintenance, major improvements and future development of Village parks. Evaluates parks and recreational facilities and advises administration as to park functions and usage. Recommends fees and regulations with concurrence of Village Council.

_____ **PLANNING COMMISSION** – 9 Member Commission – 3 year term
(Meets 4th Wednesday of each month at 7:30 p.m.)
Advises Council in regard to the proper physical development of Beverly Hills. Recommends ordinances, or amendments to existing ordinances. Makes recommendations on zoning changes, site plan developments and special approval uses.

_____ **ZONING BOARD OF APPEALS** – 9 Member Board and 2 Alternates – 3 year term
(Meets 2nd Monday of each month at 7:30 p.m.)
Hears appeals of applicants who request exceptions from or official interpretations of the zoning ordinance. Members must decide whether or not a physical hardship or practical difficulty exists which justifies the granting of a variance.

It is suggested that applicants detach, read, and keep the enclosed **POLICIES FOR NEW APPOINTMENTS AND REAPPOINTMENTS** with special attention to attendance requirements.

Eligibility for Service on Boards and Standing Committees as appointed by the Village Council

- Shall have resided in the Village for at least one year
- Shall be a qualified and registered voter of the Village of Beverly Hills
- Shall expect to have a 70% annual attendance record
- Shall agree to abide by the "Ethical Standards of Conduct" as recorded in the Village of Beverly Hills *Organizational and Council Policies and Procedures Manual*
- Removal for Cause – Members of any board or standing committee may, after a public hearing, be removed for cause by the Village Council



To: Honorable Council President and Village Council

From: Jeff Campbell, Village Manager

Date: 9/1/23

RE: Review and Consider Approval of Traffic Control Devices and Proposal for Pilot Program

The Administration is requesting that Council review and consider the purchase of speed humps for a pilot program and approve the HRC proposal associated with the pilot. The Administration is also requesting that the Council approve the purchase and location of a separate speed traffic control device to assist in the reduction of speeds in the Village of Beverly Hills.

Speed Humps

At the July 18, 2023 Council meeting, the Administration proposed introducing a pilot program to introduce speed humps at two different locations on residential roads in Beverly Hills to help control speeds within the neighborhood. A removable type of hump was discussed at the meeting. Below are the hump specs, proposed locations.

Specs for Speed Humps

Each speed hump assembly will be comprised of ten-speed hump middle sections and two end caps. The heavy-duty rubber speed humps and end caps weigh 36 pounds each, are 2.1" Tall x 35.5" Long x 19.5" Wide and fastened to the road surface with 12" galvanized steel spikes.

Cost

According to the Public Services Department, the total cost for 20 Heavy Duty Rubber Speed Hump Middle Sections, 2 Heavy Duty Rubber Speed Hump End Kits, and 4 'Speed Humps Ahead' Signs is \$4,305.42.

Liability

Administration has reached out to our insurer, MMRMA, and others to comment on liability concerns related to the installation of speed bumps. That information will be provided prior to the meeting.

Locations and Length of Pilot

For the pilot program, the Administration is proposing to place the speed humps on both sides of Saxon, west of Balmoral and east of Wentworth. In addition, the Administration is also proposing

placing speed humps on Weston Drive just south of Warwick. Residents on these two streets have requested street humps continuously over the last year. A map of the proposed locations is attached. The pilot project may have to be delayed until spring, depending on how long it will take for the Village to receive the humps.

Necessary Engineering and Data

The Administration is proposing the pilot be at least 60 days in length. An engineering analysis and short speed study will need to be done to ensure the effectiveness of the speed humps. Attached is a proposal from HRC to do unmanned measurements of the speed humps prior to the installation of the humps and after the installation of the humps. This data will help show whether the pilot and speed humps are an effective traffic control device. The cost for the study is \$9,800.

Speed Control Device

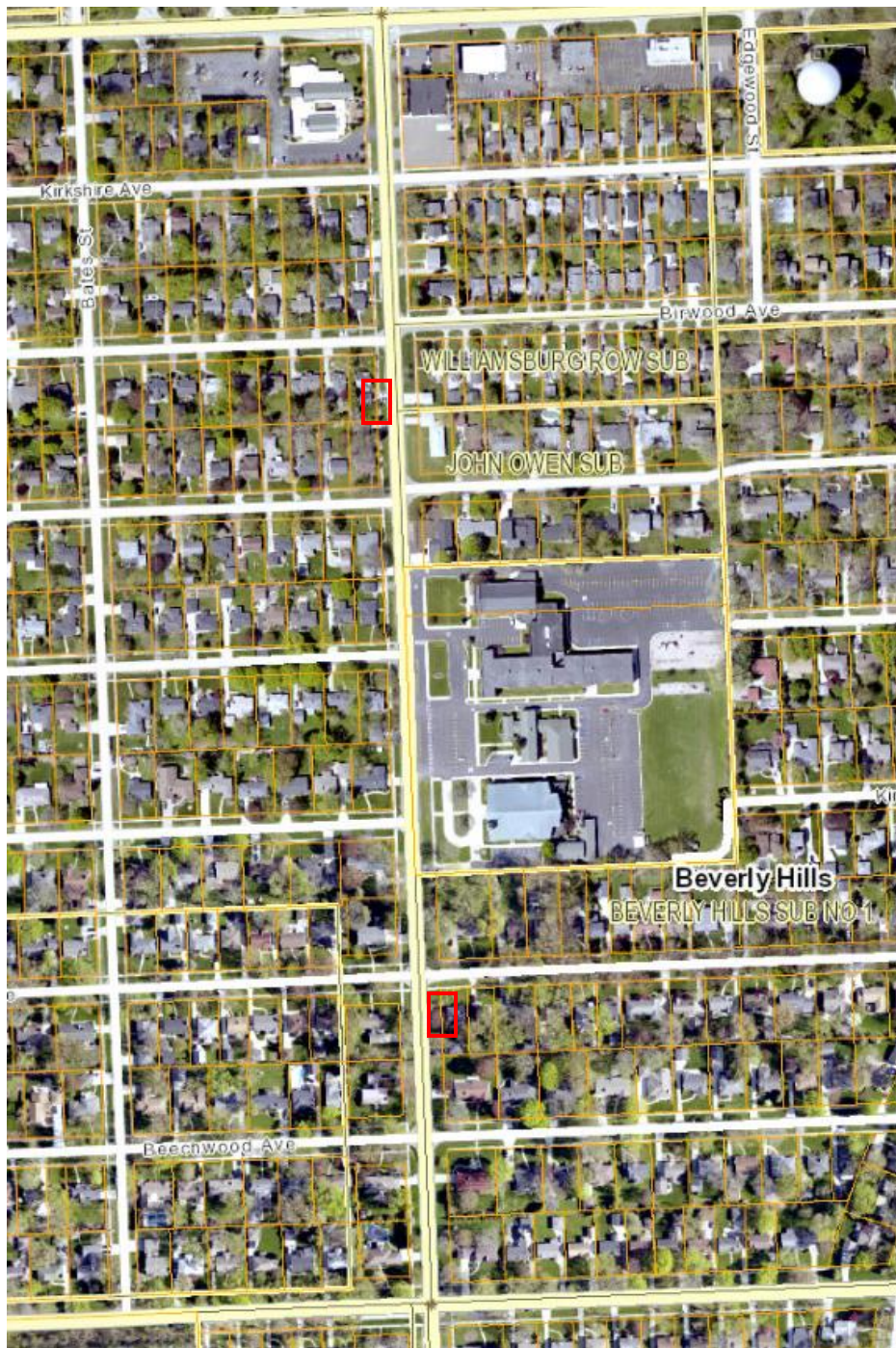
The Administration is also requesting that the Council approve the purchase and location of three speed control devices for roads that may not be eligible for a speed hump. Attached to this memorandum are specs and design for the location of the proposed device. It is a flashing solar device that alerts drivers how fast they are going down a residential street. The device is the Carmanah Speedcheck-12 sign. A spec sheet is attached for reference, along with a cost estimate. This device is recommended by the Road Commission of Oakland County and is like devices located on Beverly Road near Beverly Park. The cost of a device has been estimated at \$4,501. There might be a slight increase if a different solar panel is recommended.

The Administration seeks Council's approval of the proposed locations on Pierce Road between Beverly Road and 14 Mile Road near Our Lady Queen of Martyrs. One is to be placed on the east side of Pierce Road between Beechwood and Locherbie. Another would be placed on the west side of Pierce between Birwood and Buckingham. The last sign is proposed to go between and on the east side of Riverside Drive between Inglewood and Sylvan. Both Public Safety and Public Services were consulted for the placement of the signs.

Suggested Resolution

Be it Resolved that the Village Council approves the Village of Beverly Hills' Speed Hump Pilot Program and the Associated Engineering Proposal from HRC in the amount not to exceed \$14,106 and the purchase of three (3) Carmanah Speedcheck-12 signs in an amount not to exceed \$15,000 with two signs to be installed on Pierce Road between Beverly Road and 14 Mile Road and on the east side of Riverside between Inglewood and Sylvan. Funds for the program and devices are available in Account No. 205-900-985.00.

Location of the two proposed Caramanah Speed 12 Devices on Pierce Road



Location of the proposed device on Riverside





August 31, 2023

Village of Beverly Hills
18500 W. 13 Mile Rd.
Beverly Hills, MI 48025

Attn: Jeffrey Campbell, Village Manager

Re: Proposal for Engineering Services
Village of Beverly Hills Speed Study

HRC Job No. 20230717

Dear Mr. Campbell:

As requested, Hubbell, Roth and Clark, Inc. (HRC) is pleased to submit this proposal for engineering services relative to the subject project. Our scope of work is based on preliminary discussions with your office, extensive knowledge of the area, and our experience with speed studies for other communities of similar size and scope. In summary, HRC will provide professional engineering services to record and document speeds for an extended period of time in two residential areas using radar recorders.

SCOPE OF SERVICES

Based on our discussion with Village Staff, HRC is proposing the following areas for installation of the radar recorders;

- Weston Drive between Warwick Ave. and Beverly Rd.
- Saxon Drive between Wentworth St. and Balmoral St.

Prior to the installation of the speed humps HRC will provide the following services:

- Discuss and review exact locations of the radar recorders.
- Set up the radar recorder at the predetermined locations to collect one week of speed data.
- After data collection is complete, the radar recorders will be retrieved, and data will be downloaded.

After the speed humps are installed by the Village of Beverly Hills, HRC will provide the following services:

- Set up the radar recorder at the predetermined locations to collect one week of speed data.
- After the data collection is complete, the radar recorders will be retrieved, and data will be downloaded.
- Prepare a summary report of the 85th percentile speeds by time, day and direction and compare the before and after data.

HRC would propose a fee of \$2,450 for each location of the speed study each time that the radar recorders are installed. For the work listed above our proposed fee would be a total of \$9,800. Some of the proposed locations may not have an existing pole to mount and secure the radar recorders. We would ask the assistance of the Village of Beverly Hills D.P.W. Department to install a temporary signpost in these locations to properly mount and secure the radar recorders. We will invoice monthly at our direct hourly rates plus a 1.8 multiplier as the work is completed.

Daniel Mitchell, P.E., President will be the Principal In-Charge and Bradley Shepler, P.E., will be the Project Manager. Other key team members include Lia Micheals, P.E., Associate, Jack Nagle, P.E., Manager and Nick Nicita P.E., Project Engineer. We believe you are familiar with all these individuals but can provide detailed resumes upon request. We can begin working on this project immediately following your authorization to proceed.

If you have any questions or require any additional information, please contact the undersigned.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.



Bradley Shepler, P.E.
Senior Associate

pc: Beverly Hills; N. Johnston
HRC; D. Mitchell, L. Micheals, J. Nagle, N. Nicita, File

**VILLAGE OF BEVERLY HILLS
SPEED STUDY PROGRAM**

**TABLE 1
ESTIMATED HOURS AND FEES**

August 31, 2023

HRC Job No. 20230717

| Task Description | Rate Classification & Estimated Hours | | | | | Total Hours |
|--|---------------------------------------|-----------|--------------------|------------------|----------------------|-------------|
| | Senior Associate | Associate | Civil/Site Manager | Project Engineer | Graduate Engineer II | |
| | \$ 170 | \$ 145 | \$ 135 | \$ 115 | \$ 110 | |
| <i>Prior to installation of the Speed Humps by the Village of Beverly Hills</i> | | | | | | |
| 1 Discuss and review exact loactions of the radar recorders | 4 | 4 | 6 | 6 | | 20 |
| 2 Set up the radar recorder at the predetermined locations to collect one week of speed data | - | - | - | 2 | 4 | 6 |
| 3 After the data collecting is complete the radar recorders will be retrieved, and data will be downloaded. | - | | 1 | 4 | 4 | 9 |
| Subtotals | 4 | 4 | 7 | 12 | 8 | 35 |
| <i>After the installation of the speed humps by the Village of Beverly Hills</i> | | | | | | |
| 1 Set up the radar recorder at the predetermined locations to collect one week of speed data | | | | 2 | 4 | 6 |
| 2 After the data collecting is complete the radar recorders will be retrieved, and data will be downloaded. | | | | 5 | 4 | 9 |
| 3 Prepare a summary report of the 85 th percentile speeds by time, day and direction and compare the before and after data. | 4 | 4 | 6 | 6 | 8 | 28 |
| Subtotals | 4 | 4 | 6 | 13 | 16 | 43 |
| DESIGN & CONSTRUCTION ENGINEERING PROJECT TOTALS | 8 | 8 | 13 | 25 | 24 | 78 |

ESTIMATED FEE SUMMARY

| PERSONNEL | HOURS | RATE | TOTAL |
|----------------------|-------|-----------|-------------|
| Senior Associate | 8 | \$ 170.00 | \$ 1,360.00 |
| Associate | 8 | \$ 145.00 | \$ 1,160.00 |
| Civil/Site Manager | 13 | \$ 135.00 | \$ 1,760.00 |
| Project Engineer | 25 | \$ 115.00 | \$ 2,880.00 |
| Graduate Engineer II | 24 | \$ 110.00 | \$ 2,640.00 |

TOTAL LUMP SUM NOT-TO-EXCEED \$ 9,800.00

**CARRIER & GABLE, INC.**

24110 Research Drive
Farmington Hills, MI 48335
(248) 477-8700 (248) 473-0730 • FAX

www.carriergable.com

SALES QUOTE

Page: 1

Sales Quote 63859
Sales Quote Date: 8/31/2023
Expires On: 9/30/2023
Customer ID: 1134
SalesPerson: Chris Leonard
Terms: NET 30 DAYS

Sell

To: BEVERLY HILLS, CITY OF
NEIL JOHNSTON NJOHNSTON@VILLAGEBEVERLYHILLS.COM
18500 W. 13 MILE ROAD
BEVERLY HILLS, MI 48025

Ship

To: BEVERLY HILLS, CITY OF
18500 W. 13 MILE ROAD
BEVERLY HILLS, MI 48025

ALL VALUES STATED IN U.S. DOLLARS**Bid Item No.:**

Shipment Within: 6-8 WEEKS ARO

Shipping Terms:**Project No.:**

Intersection: DFS 12"

Project City: VILLAGE OF BEVERLY HILLS

Project County:

Sheet:

Project Misc.:

| Item No. | Description | Cross-Reference No. | Qty. | Unit Price | Total Price |
|-------------|---|---------------------|------|------------|-------------|
| 177DFS | DRIVER FEEDBACK SIGN ASSEMBLY | | 1 | 4,501.00 | 4,501.00 |
| 177-NS12996 | SPEEDCHECK-12 YELLOW 88 WHITE STROBE | | 1 | | |
| ITEM | 24X22" YOUR SPEEK ONE LINE SHEETING, HIP, | | 1 | | |
| ITEM | MOUNT KIT, THROUGH BOLT 2-2.5" SQUARE | | 1 | | |
| ITEM | 30W SOLAR KIT, 1X18 AHR. BATTERY, T.O.P. | | 1 | | |
| 177-NS13730 | MOUNT TOP OF POLE, 2-2.5"SQ/2.38-2.88"RD, | | 1 | | |
| | ***** END of KIT ***** | | | | |
| | FREIGHT OUT-MICHIGAN TBD | | 1 | | |

Amount Subject to Sales Tax 0
Amount Exempt from Sales Tax 4,501.00

Subtotal: 4,501.00
Invoice Discount: 0.00
Total Sales Tax: 0.00
Total: 4,501.00

SPEEDCHECK-12

Small, Portable Radar Speed Sign Data Sheet



Affordable radar speed sign system packed with premium features at no additional cost:

- ✓ Calendar/schedule operation
- ✓ Data collection with visualization and reporting software
- ✓ Mobile app for iOS® and Android™
- ✓ Rapid-flashing strobe
- ✓ Stealth mode
- ✓ On-board diagnostic status and health indicators
- ✓ 3-year warranty

Fully Compliant, Ultra-clear Display

Compliant to MUTCD standards for legibility, including LED color, character and letter height. The bright LED display uses 12-inch digits against a background designed for high-contrast visibility that prevents “88” ghosting—ensuring readability in all weather and lighting conditions. The unique safety mask limits the viewing angle to prevent drivers from watching the display as they pass.

Long-lasting, Reliable Operation

The LED display is housed within a durable, weatherproof aluminum unit and is shielded with a tough polycarbonate window for added vandalism protection. Every solar-powered model is solar-sized by location to ensure year-after-year operation. Carmanah includes a Solar Power Report to prove sustainability over a 12-month period.

Easy Installation and Connectivity

The SpeedCheck® sign arrives ready to work out of the box. Its modular, lightweight design and built-in handle allows a single person to install on a pole or flat surface. Bluetooth® allows for quick connectivity and setup via the SpeedCheck Manager mobile app or PC software. A StreetHub™ model comes factory prewired and pretested for remote communication—enabling cloud-based access within minutes. Carmanah’s comprehensive support system includes product support technologists and our 24/7 on-demand [Product Support Center](#).



SPEEDCHECK-12
12-inch digits for speeds less than 45 mph (70 km/h)



**MUTCD
compliant**



**Buy America
compliant**



**3-year limited
warranty**



**Solar-sized for
every location**



**Up to 21 days
battery run time**



**Up to 1000 feet
radar detection**



CONNECTIVE CAPABILITIES

SPEEDCHECK-12

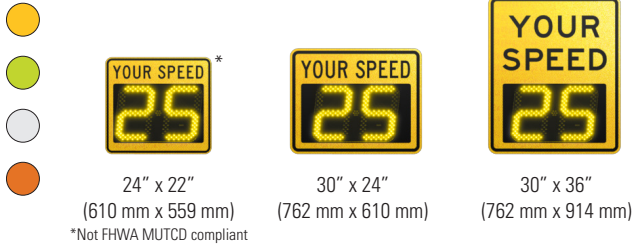
Small, Portable Radar Speed Sign Data Sheet

1.844.412.8395 | traffic@carmanah.com | carmanah.com

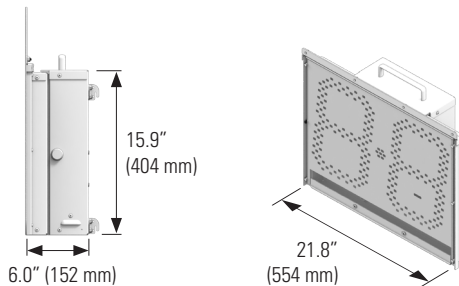


"YOUR SPEED" STATIC SIGN

| | |
|----------|--|
| Sign | Meets MUTCD legibility standards for color, character and height |
| Sheeting | 3M High Intensity Prismatic or Diamond Grade retroreflective sheeting and components |
| Color | Available in yellow, fluorescent yellow/green, white, and orange |



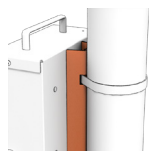
LED DISPLAY



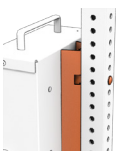
| | |
|------------------------|---|
| LED Display and Strobe | Meets MUTCD legibility standards for character height and LED color for roadways with speed limits under 45 mph |
| | Seven-segment digit design using 224 amber LEDs |
| | LEDs automatically dim during nighttime operation, minimizing light bounce into neighboring windows |
| Radar | Includes rapid-flashing strobe with white LEDs at the center of the display (with ON/OFF setting) |
| | Includes stealth mode for data collection |
| | Detection range up to 800 ft; extended range option available |
| Construction | Single-direction, K Band Doppler radar (+/- 1 mph) with 12° radar beam width |
| | Weatherproof, gasketed enclosure with vents for ambient air transfer |
| | Corrosion-resistant aluminum chassis with stainless steel hardware |
| Weight | 3/16\" polycarbonate window protects digital display from weather and vandalism |
| | Keyed access prevents sign removal and battery theft |
| | 15 lbs (6.8 kg) without batteries |

LED DISPLAY MOUNTS

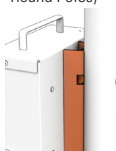
Standard Banding/
Flat Surface



Through Bolt
(2\" - 2.5\"
Square Poles)





Through Bolt
(2.38\" - 2.88\" &
4.5\" Diameter
Round Poles)



Band Clamps
(2.38\" - 4.75\" &
5.5\" - 8.25\" Diameter
Round Poles)



COMMUNICATION AND DATA COLLECTION

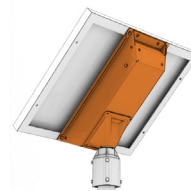
| | |
|--------|--|
| Local | Bluetooth mobile app and PC software (SpeedCheck Manager)   |
| Remote | Optional StreetHub model includes fully integrated monitoring unit from the factory and Glance cloud-based software for two-way communication, reporting and monitoring |

POWER OPTIONS

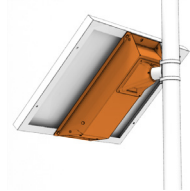
| | |
|---------|---|
| Battery | Up to 21 days battery run time (3,000 ADT). |
| | Batteries housed inside display, includes external battery charger |
| | Maintenance-free, non-proprietary AGM batteries offer the widest temperature range and longest life |
| Solar | Batteries can be easily replaced at low cost |
| | 12 VDC operation, solar sized to specific geographic location |
| | Includes 12-month Solar Power Report to ensure system sustainability |
| AC | System designed for 5+ year battery life |
| | Integrated solar kit option: includes solar panel, charge controller and batteries; lower cost option |
| | Separate solar panel and cabinet option: includes batteries, charge controller, room for 3rd-party devices |
| AC | 100-240 VAC in standard configurations. |

INTEGRATED SOLAR KITS AND MOUNTS

Top of Pole Mount



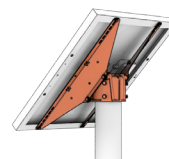
Side of Pole Mount



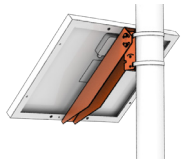
| PANEL | LENGTH | WIDTH |
|-------|-----------------|-----------------|
| 30 W | 21.5\" (545 mm) | 15.7\" (400 mm) |
| 50 W | 26.3\" (668 mm) | 21.2\" (538 mm) |

SEPARATED SOLAR PANEL/CABINET AND MOUNTS

Top of Pole Mount



Side of Pole Mount



| PANEL | LENGTH | WIDTH |
|---------|--|-----------------|
| 50 W | 26.3\" (668 mm) | 21.2\" (538 mm) |
| 80 W | 30.7\" (780 mm) | 26.5\" (672 mm) |
| 170 W | 59.1\" (1500 mm) | 26.3\" (668 mm) |
| Cabinet | 15.7\" x 8.2\" x 21.0\" (399 mm x 208 mm x 534 mm) Weatherproof, gasketed cabinet with vents for ambient air transfer tested to NEMA 3R; lockable, hinged door with #2 lock | |

INCLUDED WITH EVERY SIGN

| | |
|-------------------------|---|
| Software and Mobile App | SpeedCheck Manager mobile app for quick changes, including data collection, via Bluetooth |
| | SpeedCheck Manager PC software for all setup and programming options, including calendar scheduling, data collection, via Bluetooth |
| | Traffic Analyzer software for data visualization and reporting |
| Warranty | 3-year limited warranty on LED display |
| | 1-year limited warranty on batteries |
| Support | Carmanah's North American product support technologists available for solution building, solar sizing and troubleshooting |
| | 24/7 access to Carmanah's online Product Support Center database |
| Customize | Build a SPEEDCHECK-12 online |

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Specifications subject to local environmental conditions, and may be subject to change.

All Carmanah products are manufactured in facilities that are certified to ISO quality standards.

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Document: Carmanah_DATA_SPEEDCHECK-12_RevB



MEMO

Date: August 31, 2023
To: Honorable Council President and members of Council
From: Jeff Campbell, Village Manager
Subject: Financing Playground Equipment

As discussed at the August 15, 2023 Council meeting, the Administration is presenting a Temporary Interfund Loan between the General Fund (Lender) and the Park Improvement Fund (Borrower) to help finance the cost of the new playground equipment and surface to be installed at Beverly Park in October/November of 2023. The total cost of the project is \$686,000. As a down payment for the new surface, the Village of Beverly Hills remitted \$90,812 to "landscape structures," the approved contractor. A balance of \$595,440 is owed to the contractor for the remainder of the project.

It should be noted that the Village also received a grant of \$100,000 from Oakland County toward the installation and improvement of Beverly Park's playground. It is a matching grant; thus, when the Village expends another \$10,000, which will likely occur by the end of September or early October, we will be eligible to obtain the grant funds.

After discussing the matter thoroughly with the Finance Director, we are presenting a five-year temporary loan from the Village's General Fund to the Village's Park Improvement Fund in the amount of \$450,000. That amount will be reduced to \$350,000 upon receipt of the grant funding. This will ensure that over \$125,000 remains in the Park Improvement Fund at all times. This includes other budgeted improvements and liabilities.

The Village is proposing a reasonable interest rate of 4.25% for the loan. The Village came to this rate using an approximate average between the rate provided to municipalities by the State of Michigan for Infrastructure loans and the yield the Village receives from our pooled funds with Comerica Bank. Village Administration discussed the interest rate with the Village Auditor, Plante Moran, who stated this is a reasonable interest rate for the loan. The Auditors also stated that the temporary loan term should be five years. Attached for Council's consideration is the Temporary Loan Agreement and the schedule of repayments.

Suggested Resolution:

Be it Resolved that the Village Council authorizes the Village Manager to sign the Temporary Interfund Loan Agreement, allowing the Village's Park Improvement Fund, Fund 208, to borrow funds from the Village General Fund, Fund 101, to finance the purchase and installation of playground equipment at Beverly Park.

TEMPORARY INTERFUND LOAN AGREEMENT

This Loan Agreement ("Agreement") is executed as of September 6, 2023, between the Village of Beverly Hills Park Improvement Fund ("Borrower") and the Village of Beverly Hills General Fund ("Lender").

Lender agrees to lend to Borrower, and Borrower agrees to repay to Lender an amount not to exceed the Principal Amount and interest accrued on the unpaid loan balance, in accordance with the following:

1. Purpose of the Loan: To provide funds for use by Borrower or its designee, to fund the purchase of new playground equipment at Beverly Park. The loan shall account for borrowing between the Village's Park Improvement Fund, Fund No. 208, and the Village's General Fund, Fund No. 101, and shall not be available for appropriation or be considered revenue to the Borrower. The outstanding amount of the loan principal payable to the General Fund shall be reported by the General Fund as a component of "nonspendable" fund balance.
2. Principal Loan Amount: Not to exceed Four Hundred Fifty Thousand and no/100 Dollars (\$450,000). The loan will be recorded as receivable to the Lender and payable to the Borrower.
3. Term of the Loan: The term of this loan shall begin on September 6, 2023 and the outstanding loan balance is to be repaid by September 5, 2028.
4. Scheduled Payments: Borrower shall make payments annually beginning with the first payment due on August 30, 2023. At a minimum, annual Scheduled Payments shall equal the amount of any accrued interest through August 30 of that fiscal year plus a principal payment equal one-fifth (1/5) of the original principal amount. The scheduled payments are attached to this loan agreement as Exhibit 1.
5. Repayment Source: The outstanding amount of the loan principal payable to the General Fund shall be reported by the General Fund as a component of "nonspendable" fund balance. The balance of the loan is not deemed to be a current resource available to pay current liabilities in the general fund, it is required to be presented separately from the "unassigned" fund balance reported in the financial statements.
6. Rate of Interest: Interest shall accrue annually on October 1, 2023 on the outstanding loan balance with a reasonable interest rate of 4.25%. The interest rate is the same interest rate that Comerica is paying for the Village's pooled funds. Loan interest will be recorded as revenue to the Lender and expenditure to the Borrower.

7. General Provisions: This Agreement constitutes the full Agreement by and between the parties and no other representations have been made regarding the contents of this Agreement. This Agreement shall not be amended, modified, or altered in any respect unless such amendment, modification or alteration has been reduced to writing and approved by the Beverly Hills Village Council.

VILLAGE OF BEVERLY HILLS

By: Jeff Campbell

Its: Village Manager

Date:

EXHIBIT 1

Schedule of Repayments:

Loan Amount: \$450,000

Loan Term: 5 Years

Loan Interest Rate: 4.25%

Amortization schedule

Annual Schedule

| Year | Interest | Principal | Ending Balance |
|------|-------------|-------------|----------------|
| 1 | \$17,529.70 | \$82,529.90 | \$367,470.10 |
| 2 | \$13,953.04 | \$86,106.56 | \$281,363.54 |
| 3 | \$10,221.38 | \$89,838.22 | \$191,525.32 |
| 4 | \$6,328.00 | \$93,731.60 | \$97,793.72 |
| 5 | \$2,265.88 | \$97,793.72 | \$0.00 |

Adjusted Loan Amount Upon Receipt of the \$100,000 Grant from Oakland County (anticipated receipt of funds by November of 2023):

Loan Amount: \$450,000

Loan Term: 5 Years

Loan Interest Rate: 4.25%

Amortization schedule

Annual Schedule

| Year | Interest | Principal | Ending Balance |
|------|-------------|-------------|----------------|
| 1 | \$13,634.21 | \$64,189.92 | \$285,810.08 |
| 2 | \$10,852.37 | \$66,971.77 | \$218,838.31 |
| 3 | \$7,949.96 | \$69,874.17 | \$148,964.14 |
| 4 | \$4,921.78 | \$72,902.36 | \$76,061.78 |
| 5 | \$1,762.35 | \$76,061.78 | \$0.00 |



To: Honorable President George; Village Council Members

From: Jeff Campbell, Village Manager

Subject: Manager's Report

Date: September 1, 2023

Roundabout Construction Update

The roundabout on Greenfield and Beverly Road is open to the public. In addition, all other roads that were closed due to construction have been reopened as well. Some restoration work is still ongoing. The streetlights surrounding the roundabout are scheduled to be operational on September 1, 2023. The Village wants to thank the residents of Beverly Hills, particularly the residents in direct proximity to the project, for their patience. Below is a link to a webpage on the Oakland County Road Commission's website on how to use a roundabout.

<https://www.rcocweb.org/374/Roundabouts>

Recent Heavy Rainstorms

On August 23rd and August 24th, the Metro Detroit Area experienced heavy rainfall over a short period of time. While most Village residents did not experience extensive property damage from flooding, there were residents who did suffer damage to their property. The Village will continue to look at cost effective ways to address these heavy rainfalls and their effect on the Beverly Hills system. If you have questions or concerns, or experienced flooding, please reach out to the Village Administration at 248.646.6404.

Fire Hydrant Maintenance

The Department of Public Safety will be conducting routine maintenance on the Village's fire hydrants beginning the week of September 4th. Hydrants to the west of Evergreen Road will be inspected to see if any routine repairs are needed. They will also be flushed. Hydrants to the east of Evergreen Road will just be inspected. Flushing is done to remove sediment and water that builds up near hydrants and other locations in the water lines. It also makes certain the hydrants are in working order. Flushing will not begin until 9:00 a.m., allowing residents in the nearby area to utilize water in the morning. Water can still be used while hydrants are being flushed, but nearby residents may experience low water pressure and

discoloration of their water. If you do experience this, you can clear out the water by running your cold water at the lowest point in your house for 20 minutes. All flushing and inspections will take approximately 2 months to complete. Local schools will not be affected during the week. Village staff will coordinate with each individual school to find a weekend suitable for their schedule.

Park Events in September

Movie in the Park scheduled for August 17, 2023 was cancelled due to inclement weather. Movie in the Park will occur on Wednesday, September 13, 2023 at dusk. The film being shown is the *Super Mario Bros. Movie*.

The next Java & Jazz performance will take place on September 17, 2023 at the Beverly Park Pavilion. That show starts at 9 a.m. and wraps up at 12:00 p.m. Thank you to the Beverly Hills Lions Club for sponsoring the coffee for the September Java & Jazz.

Read in the Park will take place on Saturday, September 30th at Beverly Park. Thank you to Baldwin Public Library for helping organize this annual event.

Summer Tax Bills

Summer tax bills are due back to Southfield Twp. by September 14, 2023 without penalties. Both bills are payable to Southfield Township.

2023 Village Audit

Last week, the Village Auditors finished conducting their on-site portion of the 2023 Village Audit. The Audit report will likely be presented to Council at the first November meeting of 2023.

Beverly Hills Public Safety Activity

Report

August 10th - August 31st, 2023

CALLS FOR SERVICE

- **459 Calls for Service.**
- **107 Tickets issued.**
- **19 Arrests.**
- Crime Prevention around Topper Court.
- Radar Detail on 14 Mile.
- Parking Complaint in the Corners Shopping Mall.
- Medical on Devonshire.
- Crime Prevention at Market Fresh.
- Crime Prevention on Topper Court.
- Traffic Enforcement at Greenfield and Verona.
- Crime Prevention at Medical Village.
- Medical on West Valley Woods.
- Welfare Check at Premier Pets.
- Radar Detail on 14 Mile.
- Traffic Enforcement at 13 Mile and Lahser.
- Radar Detail on 14 Mile.
- Crime Prevention on Topper Court.
- Beverly Park closed for the night.
- Suspicious Person at Beverly Park.
- Crime Prevention at Woodside Athletic Club.
- Crime Prevention around Beaconsfield and Bedford.
- Crime Prevention on Wendbrook.
- Crime Prevention around Pierce and Reedmere.
- Suspicious Vehicle on Reedmere.
- Suspicious Person on Kirkshire.
- Police Training at the station.
- Crime Prevention around Southview and Nixon.
- Extra Patrol in Huntley Square Apartments.
- Animal Complaint at Lahser and Stafford.
- Carbon Monoxide Detector on Metamora.
- Extra Patrol in Beverly Park.
- Medical on Greenfield.
- Harassing Phone Calls on Arlington.
- Medical on Buckingham.
- Alarm on Dunblaine.
- Operation Medicine Cabinet.

- Suspicious Person in Huntley Square Apartments.
- Crime Prevention around Southview and Nixon.
- Crime Prevention around Topper Court and Bellvine.
- Reckless Driver reported at 13 Mile and Evergreen.
- Operation Medicine Cabinet.
- Crime Prevention around Topper Court and Bellvine.
- Suspicious Circumstances at Beverly Park.
- Public Relations requested at Apostolic Church.
- Crime Prevention at Berkshire School.
- Traffic Enforcement at Greenfield and Verona.
- Alarm on Southfield.
- PBT at the front desk.
- Assisted Franklin PD with an alarm on River Crossing.
- Crime Prevention at Get Some Fitness.
- Radar Detail Southfield and Beverly.
- Officers stopped a driver for a minor traffic violation at 14 Mile and Eastlady. The driver was arrested for Operation While Intoxicated and taken into custody without incident.
- Crime Prevention around Warwick and Norchester.
- Extra Patrol in the Huntley Square Apartments.
- Suspicious Persons at Lahser and East Valley Woods.
- Crime Prevention at Get Some Fitness.
- Welfare Check on Amherst.
- Medical on Elizabeth.
- Fire Alarm on Auburn.
- Odor Investigation on Lincolnshire.
- Radar Detail on Greenfield and Auburn.
- Carbon Monoxide Detector on Huntley.
- Crime Prevention at Berkshire School.
- Traffic Enforcement at Greenfield and Verona.
- Crime Prevention at Groves High School.
- Beverly Park closed for the night.
- Traffic Report taken at Southfield and 13 Mile.
- Officers stopped a driver for a minor traffic violation on Lahser and Metamora. The driver was arrested for warrants and Driving While License Suspended. The arrest was without incident.
- Medical on Nottingham.
- Suspicious Vehicle at Beverly School.
- Officers stopped a driver for a minor traffic violation at Southfield and 14 Mile. The driver was arrested for Warrants and Driving While License Suspended. The arrest was without incident.
- Suspicious Persons in Huntley Square Apartments.

- Officers stopped a driver for a minor traffic violation at 13 Mile and Southfield. The driver was arrested for Driving While License Suspended and was taken into custody without incident.
- Damage to lawn on Village Pines.
- Medical on Cedar Hollow.
- Medical on Kennoway.
- Animal Complaint at 13 Mile and Southfield.
- Suspicious Circumstances on Locherbie.
- Crime Prevention at Berkshire School.
- Traffic Enforcement at Greenfield and Verona.
- Beverly Park closed for the night.
- Fire Truck Checks at the station.
- Parking Complaint at 14 Mile and Pierce.
- Radar Detail on 14 Mile.
- Alarm on Leemoor.
- Traffic Enforcement at Pierce and Beverly.
- Officers took a subject into custody on Warrants. The subject was handed over by West Bloomfield PD without incident.
- Crime Prevention at Market Fresh.
- Welfare Check on Hill Crest.
- Death Notification made on Norchester.
- Medical on 13 Mile.
- Radar Detail on Evergreen and Waltham.
- Crime Prevention at the Corners Shopping Mall.
- Injury Accident on Lahser and Stafford.
- Traffic Accident on Lincolnshire.
- Crime Prevention at Groves High School.
- Beverly Park closed for the night.
- Motorist Assist on Evergreen.
- Traffic Enforcement on 14 and Bellvine Trail.
- Crime Prevention at the Corners Shopping Mall.
- Crime Prevention at Medical Village.
- Vehicle Lockout on Lauderdale.
- Crime Prevention around Elizabeth and Rutland.
- Crime Prevention around Evergreen and Waltham.
- Crime Prevention around Coryell and Embassy.
- Radar Detail at Lahser and 13 Mile.
- Warrant Validation at the station.
- Traffic Enforcement on 14 Mile and Pierce.
- Traffic Enforcement at Southfield and Beverly.
- Crime Prevention at Medical Village.
- Extortion Reported on Cedar Hollow.
- Medical at Mission Point.
- Radar Detail on Greenfield.

- Crime Prevention around Beverly and Birmingham.
- Operation Medicine Cabinet.
- Crime Prevention at Market Fresh.
- Crime Prevention at the Corners Shopping Mall.
- Traffic Accident at evergreen and Old Pond.
- Radar Detail at Shagbark and Lincolnshire.
- Extra Patrol at Groves High School.
- Vehicle Lockout on Greenfield.
- Crime Prevention around Kirkshire.
- Suspicious Vehicle at Saxon and Norchester.
- Beverly Park closed for the night.
- Radar Detail on 14 Mile and Pierce.
- Crime Prevention at the Beverage Warehouse.
- Officers picked up a subject on a warrant from Northville PD. The arrest was without incident.
- Crime Prevention around Sheridan and Elizabeth.
- Crime Prevention around Nixon and Southview.
- Crime Prevention around Wentworth and Riverside.
- Crime Prevention around Wilshire and Sunset.
- Crime Prevention around Amherst and Sheridan.
- Traffic Enforcement at Lahser and 14 Mile.
- Traffic Enforcement at 13 Mile and Greenfield.
- Extra Patrol in the Huntley Square Apartments.
- Radar Detail on Southfield.
- Extra Patrol in the Huntley Square Apartments.
- Radar detail at 13 Mile and Chelton.
- Animal Complaint on 14 Mile.
- Extra Patrol in Beverly Park.
- Crime Prevention around Robinhood and Nottingham.
- Traffic Report made at 14 Mile and Grant.
- Motorist Assist at 13 Mile and Evergreen.
- Fire Alarm at Berkshire School.
- Crime Prevention around Normandale and Gates.
- Crime Prevention around Waltham and Sunset.
- Radar Detail on Southfield.
- Alarm on Faircrest.
- Traffic Accident at Greenfield and Verona.
- Crime Prevention at Berkshire School.
- Motorist Assist on 13 Mile.
- Traffic enforcement on 14 Mile and Lahser.
- Traffic Enforcement at Greenfield and Verona.
- Extra Patrol on Topper Court.
- Radar Detail on Evergreen.
- Radar Detail on 14 Mile and Bellvine trail.

- PBT at the front desk.
- Beverly Park closed for the night.
- Crime Prevention at Norchester and Warwick.
- Crime Prevention at Lahser and Crimson Crossing.
- Assisted Franklin PD on a Welfare Check on Bristol.
- Officers stopped a driver for a minor traffic violation at Lahser and Normandale. The driver was arrested for warrants and a handgun was confiscated. The arrest was without incident.
- Crime Prevention around Bates and Birwood.
- Extra Patrol in Huntley Square Apartments.
- Officers found a driver asleep behind the wheel at the red light at 13 Mile and Lahser. The driver was arrested for Operating While Intoxicated and taken into custody without incident.
- Medical at Mission Point.
- Citizen Assist on Amherst.
- Radar Detail on 14 Mile.
- Radar Detail on Evergreen.
- Officers responded to a residence on 13 Mile for a domestic assault in progress. A resident was arrested for Assault and resisting arrest.
- Traffic Enforcement on Lahser and 13 Mile.
- Beverly Park closed for the night.
- Traffic Enforcement on 13 Mile and Greenfield.
- Crime Prevention around 14 Mile and Lahser.
- Officers stopped a motorcyclist on Lahser near Nottingham. The driver was arrested for Possessing a Stolen Vehicle, Resisting Arrest and Felon in Possession of a Handgun.
- Suspicious Persons in Huntley Square Apartments.
- Medical on Verona Circle.
- Radar Detail on 14 Mile.
- Crime Prevention at Medical Village.
- Crim Prevention at the Beverly Hills Club.
- Vehicle Lockout on Greenfield.
- Fraud Reported on Carlelder.
- Crime Prevention at the Corners Shopping Mall.
- Suspicious Persons on Southfield.
- Larceny reported at Books a Million.
- Radar Detail at 14 Mile and Edgewood.
- Medical at Mission Point.
- Dream Cruise Detail at 13 Mile and Greenfield.
- Dream Cruise Detail at 14 Mile and Greenfield.
- Traffic enforcement at 14 Mile and Pierce.
- Assisted Birmingham PD with shutting down 14 Mile.
- Traffic accident at 14 Mile and Edgewood.
- Radar Detail on Southfield.

- Suspicious Circumstances at Groves High school.
- Crime Prevention around Wilshire and Waltham.
- Crime Prevention around Chelton and Walmer.
- Parking Complaint in Huntley Square Apartments.
- Assisted Southfield PD with Customer Trouble at Jax Carwash.
- Radar Detail on 14 Mile and Eastlady.
- Extra Patrol at Beverly Park.
- Public Relations on Cline.
- Informational report taken at the station.
- Traffic Accident at Southfield and Kirkshire.
- Traffic Enforcement at Evergreen and Wellesley.
- Hospice Death on Kirkshire.
- Dream Cruise Detail at 14 Mile and Southfield.
- Dream Cruise Detail at 13 Mile and Greenfield.
- Medical on Lahser.
- Suspicious Circumstances on Pierce.
- Medical on Lahser.
- Suspicious Circumstances in Huntley Square Apartments.
- Traffic Accident on 13 Mile.
- Noise Complaint on Stellamar.
- Extra Patrol in Beverly Park.
- Hit and Run traffic accident on Dunblaine.
- Vehicle Theft on Eastlady.
- Operation Medicine Cabinet.
- Fire Truck Checks at the station.
- Operation Medicine Cabinet.
- Suspicious Persons at Greenfield and Verona.
- Radar Detail on 14 Mile and Greenfield.
- Radar Detail on Lincolnshire and Shagbark.
- Radar detail on Saxon and Wentworth.
- Alarm on Sleepy Hollow.
- Crime Prevention at Beverage Warehouse.
- Crime Prevention around Pierce and Beechwood.
- Beverly Park closed for the night.
- Carbon Monoxide Alarm on Old Post.
- Traffic enforcement at 14 Mile and Southfield.
- Crime Prevention around Eastlady and Breezewood.
- Extra Patrol in Huntley Square Apartments.
- Suspicious Persons at Saxon and Beaconsfield.
- Crime Prevention around Metamora and Foxboro.
- Citizen Assist on Riverview.
- Hospice Death on Kirkshire.
- Crime Prevention at Acacia Cemetery.
- Extra Patrol in Beverly Park.

- Alarm on Valley Oaks.
- Crime Prevention in Huntley Square Apartments.
- Crime Prevention around Riverside and Devonshire.
- Crime Prevention at Medical Village.
- Operation Medicine cabinet.
- Crime Prevention at the Corners Shopping Mall.
- Radar Detail on Lahser.
- Solicitor Complaint on Buckingham.
- Medical on Southfield.
- Police Training at the station.
- Traffic Enforcement at Evergreen and Waltham.
- Crime Prevention at Berkshire School.
- Alarm on 14 Mile.
- Beverly Park closed for the night.
- Extra Patrol around Eastlady and 14 Mile.
- Officers stopped a driver for a minor traffic violation at 13 Mile and Lahser. The driver was arrested for warrants and Driving While License Suspended. The arrest was without incident.
- Extra Patrol in Huntley Square Apartments.
- Radar Detail on 13 Mile and Embassy.
- Crime Prevention around Robinhood and Nottingham.
- Officer stopped a driver for a minor traffic offense at Lahser and Orchard Way. The driver was arrested for warrants and Driving Without Obtaining a License. The arrest was without incident.
- Crime Prevention at Pierce and Buckingham.
- Extra Patrol in Beverly Park.
- Crime Prevention at Market Fresh.
- Crime Prevention around Waltham and Sunset.
- Traffic Enforcement at Saxon and Beaconsfield.
- Crime Prevention at the Corners Shopping Mall.
- Medical on Plumwood.
- Suspicious Persons at Lahser and 13 Mile.
- Traffic Accident at 13 Mile and Southfield.
- Medical on Amherst.
- Alarm at Honey Baked Ham Store.
- Animal Complaint on Beverly.
- Crime Prevention at Berkshire School.
- Animal Complaint on Beverly.
- Traffic Accident at 14 Mile and Southfield.
- Traffic Enforcement at Greenfield and Verona.
- Beverly Park closed for the night.
- Crime Prevention around Beaconsfield and Saxon.
- Crime Prevention at groves High School.
- Extra Patrol at Beverly Park.

- Welfare Check at Mission Point.
- Assisted Birmingham PD with an arrest at Southfield and Kirkshire.
- Officers stopped a driver for a minor traffic violation at Southfield and Vernon. The driver was arrested for Operating While Impaired, Driving While License Suspended and Warrants. The arrest was without incident.
- Medical on Vernon.
- Radar Detail on 14 Mile.
- Medical on High Bank.
- Crime Prevention at Medical Village.
- Crime Prevention at the Beverly Hills Club.
- Crime Prevention at Market Fresh.
- Identity Theft reported on Fairfax.
- Suspicious Persons on 13 Mile.
- Mental Health Call on Elizabeth.
- Suspicious Circumstances at Mission Point.
- Crime Prevention at the Corners Shopping Mall.
- Traffic Enforcement at 13 Mile and Evergreen.
- Radar Detail on Saxon and Faircrest.
- Traffic Enforcement at 14 Mile and Lahser.
- Crime Prevention at Groves for a football game.
- Crime Prevention at Acacia Cemetery.
- Beverly Park closed for the night.
- Crime Prevention around Eastlady and Smallwood.
- Traffic Enforcement at Greenfield and 13 Mile.
- Traffic Enforcement at Southfield and 14 Mile.
- Crime Prevention around Robinhood and Nottingham.
- Crime Prevention at Queen of Martyrs School.
- Medical on 13 Mile.
- Fraud reported on Camelot Court.
- Crime Prevention at Medical Village.
- Crime Prevention at Beverly Park.
- Radar Detail on Evergreen.
- Crime Prevention at the Beverly Hills Club.
- Parking Complaint on Devonshire.
- Fraud reported on Wetherby.
- Traffic Accident on 13 Mile and Churchill.
- Civil Matter reported on Arlington.
- Medical at Mission Point.
- Carbon Monoxide alarm on Village Drive.
- Medical at Mission Point.
- Medical on Sheridan.
- Radar Detail on 14 Mile.
- Crime Prevention at the Beverage Warehouse.
- Animal Complaint on Beverly.

- Wires Down on Marlin Court.
- Wires Down on Old Stage.
- Assisted Birmingham PD with a Domestic Violence incident on Pierce.
- Assisted Troy PD with a welfare check on Kirkshire.
- Wires Down on Kirkshire.
- Extra Patrol in the Huntley Square Apartments.
- Extra Patrol in Douglas Evans Park.
- Radar Detail on Evergreen.
- Crime Prevention at Medical Village.
- Harassing Communications reported on Village Drive.
- Injury Accident on 14 Mile and Pierce.
- Motorist Assist on Southfield and 13 Mile.
- Suspicious Person on Buckingham.
- Vehicle Lockout on Southfield and Gould.
- Crime Prevention in Huntley Square Apartments.
- Welfare Check on Buckingham.
- Carbon Monoxide Alarm on Leemor.
- Extra Patrol at Groves High School football game.
- Radar Detail on 14 Mile and Bellvine Trail.
- Suspicious Circumstances at Groves High School.
- Officers stopped a driver for a minor traffic violation at Southfield and 14 Mile. The driver was arrested for Driving While License Suspended and taken into custody without incident.
- Traffic Enforcement at 14 Mile and Southfield.
- Officers stopped a driver for a minor traffic violation at Southfield and 13 Mile. The driver was arrested for a warrant and Driving While License Suspended. The arrest was without incident.
- Traffic Enforcement at 14 Mile and Lahser.
- Suspicious Circumstances on Buckingham.
- Traffic Enforcement at Beverly and Southfield.
- Crime Prevention in Huntley Square Apartments.
- Traffic Enforcement at Bates and Buckingham.
- Officers stopped a driver for a minor traffic violation at Lahser and Orchard Way. The driver was arrested for Warrants and Driving While License Suspended. The arrest was without incident.
- Alarm at Taco Bell.
- Medical on Sleepy Hollow.
- Radar Detail on Lahser.
- Road Hazard on Amherst.
- Family Trouble on Metamora.
- Officers were dispatched to Detroit PD for a warrant pick up. The subject provided a false name to officers and was charged with Obstructing Police. The arrest was made without incident.
- Alarm at Groves High School.

- Noise Complaint in Huntley Square Apartments.
- Suspicious Circumstances on Southfield.
- Suspicious Circumstances on Sunset and Waltham.
- Prisoner Transport from Birmingham PD.
- Loud Noise Complaint on Bellvine Trail.
- Odor Investigation on Sheridan.
- Suspicious Vehicle on Beverly.
- Traffic Accident on Southfield and 13 Mile.
- Beverly Park closed for the night.
- Traffic Enforcement at Southfield and Beverly.
- Traffic Enforcement at Evergreen and Waltham.
- Officers stopped a driver for excessive speed on Southfield at 14 Mile. The driver was arrested for Operating While Intoxicated and Open Container of Alcohol. The arrest was without incident.
- Assisted Birmingham PD with a large fight at Old Woodward and Brown Street.
- Alarm at Groves High School.
- Officers were dispatched to Royal Oak PD to pick up a subject with a warrant. The arrest was without incident.
- Fire Truck Checks at the station.
- Suspicious Circumstances on Reedmere.
- Speeding Complaint on Greenfield.
- Welfare Check at Mission Point.
- Alarm on Southfield.
- Medical at Mission Point.
- Welfare Check on Locherbie.
- Medical on Elizabeth.
- Traffic Enforcement at 13 Mile and Embassy.
- Beverly Park closed for the night.
- Lift Assist on Wentworth.
- Crime Prevention around Beverly and Pierce.
- Crime Prevention around 14 Mile and Lahser.
- Crime Prevention at Berkshire School.
- Crime Prevention at Greenfield School.
- Crime Prevention at Beverly School.
- Family Trouble on Metamora.
- Traffic Enforcement on Southfield.
- Crime Prevention at Medical Village.
- Radar Detail on Evergreen.
- Crime Prevention at Berkshire School.
- Crime Prevention at Detroit Country Day School.
- Crime Prevention at Beverly School.
- Suspicious Persons on Arlington.
- Crime Prevention at Greenfield School.

- Crime Prevention at Market Fresh.
- Family Trouble on Metamora.
- Fraud reported on Lincolnshire.
- Reckless Driver reported on Arlington.
- Citizen Assist on Crossbow.
- Motorist Assist on Beverly.
- Crime Prevention at the Corners Shopping Mall.
- Crime Prevention at Groves High School.
- Suspicious Persons on Madoline.
- Traffic Enforcement on Saxon.
- Radar Detail on 14 Mile.
- Traffic Enforcement at 14 Mile and Pierce.
- Radar Detail on 14 Mile and Eastlady.
- Traffic Enforcement at Southfield and 14 Mile.
- Radar Detail on Lahser and Hillview.
- Beverly Park closed for the night.
- Traffic Enforcement at 13 Mile and Greenfield.
- Crime Prevention around Pierce and Locherbie.
- Crime Prevention around Nottingham and Lahser.
- Crime Prevention in the Corners Shopping Mall.
- Crime Prevention around Balmoral and Riverside.
- Citizen Assist at Southfield and 13 Mile.
- Crime Prevention around Pierce and Kirkshire.
- Extra Patrol in the Huntley Square Apartments.
- Suspicious Vehicle in the Huntley Square Apartments.
- Crime Prevention around Churchill and Walmer.
- Crime Prevention around Sheridan and Reedmere.
- Crime Prevention around Lincolnshire and Shagbark.
- Suspicious Vehicle on Saxon.
- Traffic Accident at Groves High School.
- Crime Prevention at Greenfield School.
- Crime Prevention at Beverly School.
- Odor Investigation at 13 Mile and Southfield.
- Crime Prevention at Medical Village.
- Traffic Accident at Groves High School.
- Crime Prevention at Berkshire School.
- Medical at Mission Point.
- Medical on Charrington.
- Crime Prevention at Market Fresh.
- Crime Prevention at the Corners Shopping Mall.
- Medical at Mission Point.
- Fraud reported on Chelton.
- Alarm on Dunblaine.
- Traffic Enforcement at 14 Mile and Lahser.

- Crime Prevention at Groves High School.
- Beverly Park closed for the night.
- Crime Prevention around Auburn and Beverly.
- Crime Prevention around Downing and Chelton.
- Crime Prevention around Chelsea and Riverside.
- Extra Patrol in the Huntley Square Apartments.
- Crime Prevention around Robinhood and Crossbow.
- Crime Prevention around Orcutt and Vernon.
- Crime Prevention around Pierce and Lauderdale.
- Suspicious Person on Southfield.
- Crime Prevention around Stellamar and Marimoor.
- Medical on Verona Circle.
- Medical on Locherbie.
- Crime prevention on Fairfax.
- Crime prevention on Metamora.
- Crime prevention on Stellamar.
- Crime prevention on Churchill.
- Crime prevention on Kinross.
- Crime prevention on Evergreen.
- Crime prevention on Waltham.
- Crime prevention on 13 Mile.
- Radar enforcement on Ronsdale.
- Crime prevention Fairfax.
- Medical on W. Valley Woods.
- Radar enforcement on 14 Mile.
- Crime prevention on 14 Mile.
- Crime prevention on 13 Mile.
- Crime prevention on Beverly.
- Crime prevention on Long Bow.
- Crime pr on Greenfield.
- Crime prevention on 14 Mile.
- Selective enforcement on Southfield.
- Crime prevention on Long Bow.
- Crime is prevalent in Southfield.
- Medical on Southfield.
- Alarm on Beaconsfield.
- Crime prevention on Pierce.
- Radar enforcement on Ronsdale.
- Crime prevention on Fairfax.
- Medical on W Valley Woods.
- Radar enforcement on 14 Mile.
- Crime prevention on 14 Mile.
- Crime prevention on 13 Mile.
- Crime prevention on Beverly.

- Selective enforcement on Long Bow.
- Crime prevention on Greenfield.
- Crime prevention on 13 Mile.
- Selective enforcement on Southfield.
- Crime prevention on Southfield.
- Medical on 13 Mile. Alarm on Beaconsfield.
- Crime prevention on Pierce.

Fire and Emergency Medical Services

- 1 Miscellaneous Fire.
- 35 EMS Calls.
- 3 Wires Down.
- 1 Smoke Removal.
- 1 Lift Assist.
- 2 Smoke Investigation.
- 3 Fire Alarms.
- 4 CO Alarms.
- 1 Special Incident – Other.
- 1 Public Fire Education.
- 2 Weekly Apparatus Checks.
- Supervise Midnight Platoons 3 and 4.
- NFIRS data uploaded to FEMA.
- 146 Hours Fire Training Completed.
- 137 Hours of EMS Training Completed.
- Attend Training Meeting.
- Attend Wednesday Wrap Up with State Fire Marshal.
- FEMA AFG SCBA Grant Closeout.
- Outdoor Firearms Training.
- Attend High Risk Unified Command Training.

Detective Bureau and School Liaison

- Completed school memo and maps information.
- SWAT training.
- Court Innovations at the 46th District Court.
- LexisNexis Audit completed.
- Instructed Range training.
- Attended Range training.
- Investigation started on Suspicious Circumstances at Mission Point.

- Attended Care House interview.
- Patrol Supervisor duties on day shift.
- Radio P25 County training completed.
- Walk-in arraignment OWI 2nd.
- Elimination prints taken from victim in LFA case.
- Prisoner Transport to OCJ.
- In-custody arraignment for Domestic Violence.
- Attended Groves High School for the first day.
- In-custody arraignment for CCW.
- Counterfeit Case sent to OC Prosecutor.
- Investigation started for possible insurance fraud.
- Closed out UDAA case-vehicle recovered.
- In-custody arraignment for Obstruct Police.

(Articles from Federal Trade Commission)

You could get money back if Vivint misused your credit report.

By Rosario Méndez, Attorney, Division of Consumer and Business Education,
FTC August 23, 2023

Did you get a notice from the FTC related to Vivint? File your claim by October 9, 2023. Go to www.ftc.gov/vivint for more.

No company should misuse a person's personal information — especially when it's to open accounts for someone else. But that's exactly what the FTC charged Vivint Smart Home, Inc. with doing. And that's why 9,000 people will be getting a notice from the FTC about the Vivint settlement.

The FTC began sending notices by mail and email today. If you get one, it means you're eligible to file your claim in one of the following ways:

Submit your claim online at ftc.gov/Vivint;
Mail in the claim form using the enclosed pre-paid envelope; or
Call 1-833-472-1996 to request a printed claim form.

Don't wait. You have until October 9, 2023, to file a claim.

If you have any questions about the process, visit ftc.gov/Vivint or call 1-833-472-1996.

Worried about refund scams? Remember: The FTC will never charge you to file a refund claim form. Anyone who tells you that you have to pay to file a refund claim is a scammer.

Did you get a letter from a "lawyer" about cashing in on someone else's life insurance policy?

By Sung W. Kim, Attorney, Division of Marketing Practices, FTC August 18, 2023

You can't cash in on a stranger's life insurance policy — even if a lawyer says you can. The FTC has heard reports from people in Korean, Vietnamese, and Latino communities who got letters in the mail from a supposed "lawyer" in Canada. The letter looks like it's from a law firm and offers an "easy way" to get money using someone else's life insurance policy. But it's a scam. Here's how to spot it.

Did you get a letter offering an easy way to cash in on someone else's life insurance policy? It's a scam. ReportFraud.ftc.gov

In the letter, the "lawyer" says they have a deceased client with an unclaimed life insurance policy worth million. Because you (supposedly) have the same last name and nationality as the deceased, the "lawyer" can add your name to the policy and split the money between you, their law firm, and a charity. All you have to do, they say, is keep this information secret and email them immediately.

So, what's really happening here? There is no lawyer. It's a scammer. And if you email them, they'll ask for personal information. Or money. Or both. And that life insurance payout? It doesn't exist.

If you get one of these letters:

Don't respond. Never share your information with someone who contacts you and says they need it. And never send anyone cash or pay with gift cards, wire transfers, or cryptocurrency.

Share this information with a friend. You probably throw away these kinds of letters. But you may know someone who could use a friendly reminder to help them spot the scam.

Report it to the FTC at ReportFraud.ftc.gov. Your report makes a difference: by telling your story to the FTC and to others in your community, you help others avoid the scam.

How to make sure your donations count when weather disasters strike

By Colleen Tressler, Division of Consumer and Business Education, FTC August 11, 2023

Make your donations count when weather disasters strike.

Throw a dart at a map of the U.S. and chances are you'll land on a community that suffered severe weather this year. Whether it's landslides on the West Coast, extreme ice storms in the South, spring tornadoes across the Midwest, recent flooding in the Northeast, or the wildfires consuming the Hawaiian island of Maui, communities have experienced devastating losses — and many are still recovering. With any weather disaster, you may consider a charitable donation to help those affected. But how you can avoid charity scams?

First, know that when there's a natural disaster, scammers are quick to follow. Some research and planning before you donate will help make sure your money helps people in need, not charity scammers.

Donate to charities you know and trust with a proven track record with dealing with disasters.

Research the organization yourself — especially if the donation request comes on social media. Search the name plus “complaint,” “review,” “rating,” or “scam.” And check out the charity on the Better Business Bureau's (BBB) Wise Giving Alliance, Charity Navigator, Charity Watch, or Candid. If the message was from a friend, ask them if they know the organization themselves. Find out exactly how much of every dollar you donate goes directly to the charity's beneficiaries.

Be cautious about giving to individuals on crowdfunding sites. If you're considering it, giving to someone you personally know, and trust is safest. Also, review the platform's policies and procedures. Some crowdfunding sites take measures to check out postings asking for help after a disaster. Others don't.

Don't donate to anyone who insists you can only pay by cash, gift card, wiring money, or cryptocurrency. That's how scammers tell you to pay. If you decide to donate, pay by credit card, which gives you more protection.

Confirm the number before you text to donate. Go straight to the charity. Is it their number?







To learn more, go to ftc.gov/charity. For advice to help you prepare for, deal with, and recover from severe weather and the scams that follow, visit ftc.gov/WeatherEmergencies.

Go hands-free. Just drive. It's the law.

It is now illegal to manually use a cell phone or other mobile electronic device while operating a vehicle on Michigan roads. Under the law, a driver cannot hold or support a phone or other device with any part of their hands, arms, or shoulders.

Even if a cell phone or other device is mounted on your dashboard or connected to your vehicle's built-in system, you cannot use your hands to operate it beyond a single touch.

As a result, you cannot manually do any of the following on a cell phone or other electronic device while driving:

-  Make or answer a telephone or video call.
-  Send or read a text or email message.
-  Watch, record, or send a video.
-  Access, read, or post to social media.
-  Browse or use the Internet.
-  Enter information into a GPS or navigation system.

The law makes holding or manually using a cell phone or other mobile electronic device while operating a vehicle a primary offense—which means an officer can stop and ticket drivers for this violation.

PENALTIES

| | | |
|---|---|--|
| 1st violation \$100 fine and/or 16 hours of community service. | 2nd or subsequent violations \$250 fine and/or 24 hours of community service. | 3 violations within a 3-year period Complete a driving-improvement course. |
| Fines doubled If a traffic crash occurs and the at-fault driver was holding or manually using a mobile device while operating the vehicle, any civil fines will be doubled. | | |



Michigan Office of Highway Safety Planning
 P.O. Box 30634, Lansing, MI 48909
Michigan.gov/DistractedDriving • 517-284-3332

This material was developed through a project funded by the Michigan Office of Highway Safety Planning and the U.S. Department of Transportation.

Catalog No. 3020 • michigan.gov/ohspcatalog • 7-2023

Q Can I use my device while I am stopped at a light or in traffic?

A You cannot hold or manually use a cell phone or other mobile electronic device at any time while operating a vehicle. Operation includes being stopped at a light or in traffic but does not include being legally parked.

Q My phone is mounted on my dashboard, so I'm hands-free. Can I send a text?

A You cannot use your hands to operate a cell phone or other device beyond a single touch, even if it is mounted. Use voice-activated commands instead.

Q Can I use Bluetooth or my vehicle's built-in system?

A You can use hands-free technology such as Bluetooth or integrated systems within the vehicle as long as you do not manually use the system. Anything more than a single touch is against the law.

Q What if I see a crash or have an emergency?

A You can use a cell phone to call or text 911 to report an emergency or seek help.

Q When does this law take effect?

A Beginning June 30, 2023, police will start issuing citations for violating this law.



THE PARKS & RECREATION BOARD PRESENTS

Movie in the Park
featuring The Super Mario Bros. Movie!



Wednesday, September 13, 2023 at dusk
Beverly Park
18801 Beverly Road
Beverly Hills, MI 48025

HEAD TO BEVERLY PARK FOR THE FIFTH ANNUAL

SATURDAY,
SEPTEMBER 30
2023

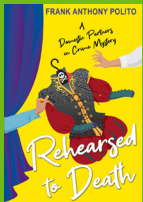
11:00 A.M. –
2:00 P.M.

BEVERLY
PARK

18801 BEVERLY RD.,
BEVERLY HILLS, MI



FRANK ANTHONY POLITO



RHONDA GOWLER GREENE



AND ENJOY BEAUTIFUL BEVERLY PARK

11:00 A.M.

VISIT WITH **RHONDA GOWLER GREENE** AUTHOR OF OVER TWENTY-FIVE CHILDREN'S BOOKS INCLUDING THE NEW BOOK, ***SUPERGRAN!*** AFTERWARDS, WALK THE STORY BOOK TRAIL FEATURING ONE OF RHONDA GOWLER GREENE'S BOOKS.

1:00 P.M.

VISIT WITH HAZEL PARK NATIVE **FRANK ANTHONY POLITO**. MR. POLITO HAS PUBLISHED NUMEROUS NOVELS, MOST RECENTLY ***"REHEARSED TO DEATH"*** THE SECOND IN A SERIES OF COZY MYSTERIES SET IN THE FICTIONAL TOWN OF PLEASANT WOODS. HE IS A CONTRIBUTOR TO THE LIFESTYLE BLOG KENNETH AND HIS HOME WAS FEATURED ON AN EPISODE OF HOUSE HUNTERS.

BOTH AUTHORS WILL TAKE QUESTIONS FROM THE AUDIENCE AND SIGN BOOKS AFTER THEY SPEAK.

LOCAL BOOKSELLER **THE BOOK BEAT OF OAK PARK** WILL BE ON SITE SELLING BOOKS FROM BOTH AUTHORS.

PRESENTED BY **BALDWIN PUBLIC LIBRARY & THE VILLAGE OF BEVERLY HILLS PARKS & RECREATION**,
WITH SUPPORT FROM **THE FRIENDS OF THE BALDWIN PUBLIC LIBRARY**.

Free Document Shredding & Electronics Recycling for Oakland County Residents

Oakland County residents may bring their confidential, personal documents to be shred on site for free by Rapid Shred's state-of-the-art, high volume shredding truck. **Also recycle your electronics!**

2023 Schedule and Dates

Oakland County Farmers Market, 2350 Pontiac Lake Road, Waterford

Friday, May 19 from 11 a.m.-1 p.m.

Friday, Sept. 8 from 11 a.m.-1 p.m.

The Rapid Shred and High Tech Recycling trucks will be in the parking lot. Please arrive early as there is typically a line of cars, but the line moves quickly. Residents are reminded to limit documents to three or four boxes of PAPER ONLY for the shredding truck. Electronic recycling includes computers, laptops, tablets, printers, fax machines and more. This event is not for commercial customers.

For a complete list of accepted electronic items, visit www.hightechrecyclingmi.com or call 248-975-7472.



Protect your identity and peace of mind

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ROAD COMMISSION

for OAKLAND COUNTY

PRESS RELEASE PRESS RELEASE

FOR IMMEDIATE RELEASE: Aug. 25, 2023
Visit RCOC online at www.rcocweb.org



GREENFIELD RD/NORMANDY RD ROUNDABOUT ON THE ROYAL OAK/BEVERLY HILLS BORDER IS OPEN TO TRAFFIC AHEAD OF SCHEDULE

Beverly Hills, MI – The Road Commission for Oakland County (RCOC), in partnership with Royal Oak and the Village of Beverly Hills, has opened the Greenfield Road/Normandy Road/Beverly Road roundabout a week ahead of schedule.

The intersection closed on June 12 for the construction of a one-lane roundabout. The project also included the permanent closure of Beverly Court at Greenfield Road, both north and south of the roundabout, in order to accommodate the new roundabout.

The approximately \$1.65 million project was funded by the City of Royal Oak, the Village of Beverly Hills, RCOC and Oakland County general government (through the Tri-Party Program).

The contractor for the project is DiPonio Contracting of Shelby Township. The Greenfield/Normandy/Beverly Road intersection carries approximately 16,000 vehicles daily.

The roundabout is the 39th to open on an RCOC road. Oakland County continues to have the highest concentration of roundabouts of any county in the state.

For more information on roundabouts and how they improve safety, visit the RCOC website's informational page at <https://www.rcocweb.org/374/Roundabouts>.

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Press Release----Sept. 1, 2023
Cultural Council of Birmingham
Bloomfield

Contact: Marcy Heller Fisher
marcy1fish@gmail.com
248 647-7724

See below to contact honorees for
interviews, photos attached

-----**For immediate release**

Announcing the 2023 Birmingham Bloomfield Cultural Arts Awards Honorees

The Cultural Council of Birmingham Bloomfield, in conjunction with our community partners, The Community House, *Downtown Newsmagazine*, the Birmingham Bloomfield Art Center, and Bloomfield Cablevision, announces the 28th annual Birmingham Bloomfield Cultural Arts Awards, honoring persons who have had an extraordinary impact on the cultural life of our community. The public is invited to celebrate the honorees at the Birmingham Bloomfield Art Center, 1516 S Cranbrook Rd, Birmingham, MI 48009 on Fri. October 13, from 5:30-7:30 p.m. The ceremony will be broadcast on local cable and be available on our website following the event:

<https://culturalcouncilbirminghambloomfield.org/>

Stephanie Pizzo, 2023 Birmingham Bloomfield Cultural Arts Award ***Dancer, Collaborator, Educator***

Stephanie Pizzo joined the Eisenhower Dance Company (EDD) as a founding member in 1991. At various points in her dance career she served as Resident Choreographer, Associate Artistic Director, and Co-Artistic Director. Ms. Pizzo now leads the company into her 7th season as Artistic Director. She focuses on collaborating with the highest quality national and international artists and creating strong ties within the metro Detroit community through the art of dance, using the art of contemporary dance both as a means to present beautiful, athletic, and engaging repertory but also as a vehicle to reflect on and explore issues of social significance.

Under Pizzo's leadership, education plays a major role in the company: a new state of the art dance complex, funded by the Strum Allesee Foundation opened this past January in Bloomfield Hills, allowing for world-class dance education and fitness opportunities. Jurors were particularly impressed by Pizzo's educational community outreach and work with schools of all socio-economic groups.

Contact: : pizzo@eisenhowerdance.org (248) 379-2032

Kegham Tazian, Special Lifetime Achievement Award ***Artistic Expression of Humanity***

Kegham Tazian will receive a Special Lifetime Achievement Award, honoring both his tremendous body of artwork, and his impact on thousands of art students during his 47-year tenure as Professor of Fine Arts at Oakland Community College. As educator and artist, he has continually pushed the conventional boundaries of creative expression.

The "Best in Show" prize at OCC's annual student art show is otherwise known as the Kegham Tazian Art Prize and is funded, in part, by the Tazian family. In 2011, Mr. Tazian and his family established the Kegham Tazian Endowed Scholarship to further promote the pursuit of fine arts at OCC.

Tazian's sculptures and paintings are globally renowned, and his works can be found in public and private collections worldwide, including various corporations, municipalities, churches, embassies, and museums. The City of Birmingham, where Tazian resides, is fortunate to have been gifted one of his bronze sculptures, *Pyramid Earth*, which is installed in Linden Park.

The Community House, which is celebrating its centennial in Birmingham this year will receive the **Partners with the Arts Award** recognizing '100 years of service' supporting the arts, and their role helping to make the Birmingham-Bloomfields a unique cultural hub. The award is given directly by the Cultural Council to honor a business, non-profit or organization in our community that supports the arts in a distinguished manner.

Contact: <https://www.communityhouse.com/> Julie Smude (248) 644-5832