

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

Absent: None

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

Council President Mooney called the regular Council meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

ADMINISTER OATH OF OFFICE TO NEWLY APPOINTED COUNCIL MEMBER BY HONORABLE WILLIAM RICHARDS, 46th DISTRICT COURT

At a Special Council meeting held today at 6:30 p.m., seven candidates for the vacant Council position were interviewed by Council. Phillip Mueller was appointed to fill the unexpired term of Brian LaFerriere as Council member for a term ending in November of 2016.

The Honorable William Richards administered the oath of office to newly appointed Council member Phil Mueller. Council member Mueller took his seat at the Council table.

Roll call was taken. The Pledge of Allegiance was recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

Pat Greening reported that the 19th Annual Halloween Hoot held in Beverly Park was an enormous success. There were 18 neighborhood associations involved in setting up kiosks along the park trail. She thanked Council for their support of the event. Greening said that she and Janet Mooney plan to continue this tradition. Janet Mooney added that next year will be the 20th anniversary of the Halloween Hoot; they will attempt to plan something special for that event. She mentioned that the volunteerism was impressive and came from a wide range of community members.

Council members thanked Pat Greening and Janet Mooney for a job well done every year on the Halloween Hoot. It is a hugely popular community event.

PUBLIC COMMENTS

Problems with the curbside leaf collection service were related by residents Rose McLennan on Sunnyslope and Alda Marie McCook on Riverside Drive. The Village contracted with a company this fall to collect and haul away leaves from the edge of each property on Village streets. Homeowners were assessed \$30/household for this service. Issues raised were as follows: Some homeowners have not yet had a pickup. Leaf piles have been disrupted and blown back on

lawns due to long waits for a pickup. Leaves piled on the street have resulted in a one-lane passage on some streets and has caused traffic congestion. Properties throughout the Village look unkempt with leaves covering the streets. Bicyclists, joggers and walkers use the center of the road to avoid piles of leaves. Comeau Equipment Company is hauling leaves away at an additional cost to the Village. Leaves are blocking drainage grates. McLennan asked if homeowners will be reimbursed for their assessment if they never have a pickup. She questioned the status of the three-year contract if the agreed upon services are not performed. McLennan urged Council to cancel the remaining leaf collection contract and stop future assessments to residents.

Mrs. McCook also commented in favor of rehabilitating the dam at Riverside Park.

Mooney talked about the history and reasons for initiation of a curbside leaf collection and discussed the issues that have been experienced with the current contractor. Many residents have asked for curbside leaf collection for years. Mooney emphasized that it is important to consider how the leaf collection for 2014 will be resolved. He assured residents that this Council and Administration are well aware of the issues facing everyone in the Village. Evaluation of the leaf collection service will be a priority of this Council.

Manager Wilson stated that the contractor, Brilar LLC, is continuing its vacuuming program, but they are slow, underequipped and understaffed. The Village has begun using the services of Comeau Equipment Co. to assist with clearing leaves by using a front loader and a dump truck to haul out leaves. Brilar is bringing in multiple front loaders and semi trucks to clear the streets of leaves and haul them out of the Village. This process will continue past Thanksgiving into the first two weeks of December; all leaves that have been placed on the roadside will be collected.

William Wegert on Westlady, vice president of the Valley Woods neighborhood association, presented a number of issues that have occurred in the Village related to enforcement of Village ordinances. He referred to Ordinance Section 22.24.010(a) Addendum to Section 22.24 Schedule of Regulations: "Where a front open space of greater or less depth than forty feet (40') exists in front of a single family residence or residences presently on one side of a street in any block and within two hundred feet (200') of the lot or parcel, the depth of the front open space of any building subsequently erected or remodeled on that side of the street in that block shall not be less than the average depths of the front open space of such existing residences."

Wegert spoke at length about what he viewed as the questionable interpretation of this ordinance by Village Administration, the City of Royal Oak building department and LSL Planning with regard to new construction on 31820 Bellvine Trail and the renovation of a home at 32484 Westlady Drive. He provided background on site plans, issuance of permits, construction status of these projects, and variances granted by the Zoning Board of Appeals. Wegert believed that there was no hardship or exceptional practical difficulty demonstrated by both of these property owners. The purpose of ordinance in question is to preserve the integrity and standards of Village neighborhoods.

Wegert referenced other building projects and noted issues with construction being done without a permit. He asked why the Village does not require safety fencing around the perimeter of major

construction or renovation projects. He suggested that property owners be required to provide a licensed survey with building plans for all construction and major renovation where setbacks come into question. Wegert commented on the Master Plan update undertaken by the Planning Commission with the assistance of LSL Planning. He understood that the Village's computer software is not compatible with the program used by the Royal Oak building department. Wegert suggested that the Village retain a building official to maintain oversight of the building department.

Bob Walsh on Smallwood Court, president of the Valley Woods homeowners association, addressed some of the construction projects cited by Mr. Wegert. He provided details on the projects at 38120 Bellvine Trail and 32484 Westlady, noting drainage issues, ordinance violations, and variances granted by the Zoning Board of Appeals. He made the point that there is a lack of oversight by the Beverly Hills building department and deficiencies in the site plan review process.

CONSENT AGENDA

Motion by Delaney, second by Peddie, to approve the consent agenda as follows:

- a. Consider approval of minutes of a regular Council meeting held November 3, 2014.
- b. Consider approval of minutes of a regular Council meeting held November 11, 2014.
- c. Review and file bills recapped as of Monday, November 17, 2014.

Motion passed.

BUSINESS AGENDA

FIRST ANNOUNCEMENT OF TWO VACANCIES ON THE PLANNING COMMISSION

Mooney made the first announcement of two vacancies on the Planning Commission due to the election of Rock Abboud and Lee Peddie to the Village Council. One term has an expiration date of June 30, 2015 and the other June 30, 2016. The deadline for receiving applications for these positions will be Wednesday, December 10, 2014.

FIRST ANNOUNCEMENT OF A VACANCY ON THE ZONING BOARD OF APPEALS

Mooney made the first announcement of one vacancy on the Zoning Board of Appeals for a term to expire on June 30, 2015. The deadline for receiving applications for this position will be December 10, 2014. It was noted that newly appointed Council member Phil Mueller will be submitting his resignation from the Zoning Board of Appeals. There will be another announcement of a vacancy on the Zoning Board at that time.

REVIEW AND CONSIDER TRAFFIC CONTROL ORDER 124-YS-14 REGARDING THE INSTALLATION OF YIELD SIGNS AT VARIOUS LOCATIONS

Manager Wilson stated that he has been contacted with concerns regarding a lack of traffic control at several intersections in the Village. The presently uncontrolled intersections require the establishment of traffic control yield signs placed at the following locations:

1. Locherbie at Riverside
2. Kinross at Riverside
3. Dunblaine at Riverside
4. Buckingham at Riverside
5. Birwood at Riverside
6. Southbound Chelsea Place at Weston
7. Eastbound Chelsea Place at Weston
8. Northbound Weston at Warwick
9. Westbound Warwick at Weston

In answer to an inquiry, Wilson addressed why yield signs are proposed in lieu of stop signs. He explained that there are traffic safety standards that are implemented throughout the County and State regarding traffic volumes, traffic counts, and average speeds to determine whether a yield sign or stop sign is appropriate. In many residential neighborhoods, the standard is to have a yield sign at a four-way intersection due to lower speeds and traffic volumes. Stop signs can create other traffic issues at times whereas yield signs have been found to be safer in low speed and low traffic count intersections.

Motion by Oen, second by Delaney, that the Village of Beverly Hills Council approve the placement of yield signs at the intersections specified on Traffic Control Order 124-YS-14.

Bill Wegert on Westlady suggested that the yield sign at the corner of Bellvine and Smallwood be changed to a stop sign.

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

PUBLIC COMMENTS

None

REPORTS – MANAGER

Lahser Road Public Meeting – There will be a public meeting on the proposed summer reconstruction of Lahser Road from 13 Mile to Maple on Wednesday, November 19th at the Groves High School Cafeteria from 4:00 to 7:00 pm.

Southfield Road Open House – The Road Commission for Oakland County (RCOC) will be holding an Open House on the ongoing Environmental Assessment for the Southfield Road corridor. The Open House will be at the Lathrup Village City Hall on Thursday, November 20, from 3:00 – 7:00 pm. The public is encouraged to attend to learn about alternatives to the Southfield Road Corridor that are being examined and provide input.

REPORTS – COUNCIL

Council members thanked the seven people who submitted applications for the vacant Council seat. They were all highly qualified individuals. Members congratulated Phil Mueller on his appointment to Council and said that they look forward to working with him.

Peddie reported that she attended a Birmingham Library Board meeting. They are discussing needed renovations to the library. She will be reporting on upcoming library programs and events.

Mueller thanked Council for appointing him to fill the vacant seat. He looks forward to working with them and serving the Village.

President Mooney discussed his thoughts on Council meeting protocol.

Mooney stated that a strategic planning meeting of Council will be set in early January to discuss the direction of Council for the next two years and beyond. A meeting date will be set at the December 2, 2014 Council meeting.

The Michigan Municipal League offers training for newly elected and appointed members of local communities. Mooney recommended that Council members consider taking advantage of this training. Wilson will forward the information to all Council members.

Mooney commented that there has been some criticism by residents this evening on how the Village operates. He pointed out that Business Insider, a national magazine, has ranked the top 50 suburbs in the United States. The Village of Beverly Hills is #20 on this list. Mooney affirmed that Council and Administration are trying to move forward in the best possible way to keep this Village as wonderful a place as independent sources and residents believe it to be.

Mooney thanked the seven applicants who were present this evening to interview for the vacant Council seat. There were people here who have been involved in the Village as well as some newcomers who would like to volunteer in the community.

Mooney stated that an Eagle Court of Honor will be held for Jason Gross, James Patrick Mocerri, and Cameron Scott from Troop 1024 on Monday, December 1. Council members gave Mooney their unanimous consent to draft and sign a proclamation honoring each of these young men who have done so much for this community.

Motion by Delaney, second by Oen, to adjourn the meeting at 8:37 p.m.

Motion passed.

John Mooney
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary