

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

Absent: None

Also Present: Manager, Wilson
Assistant Manager/Clerk, Marshall
Village Attorney, Ryan
Lt. Howard Shock

President Mooney called the regular Council meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road. The Pledge of Allegiance was recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

Charles Raeder, Valley Oaks Drive, asked that Council reconsider prohibiting right turn on red at Lahser Road and 14 Mile Road. He felt that there were other solutions that could have been explored with further study.

CONSENT AGENDA

Motion by Oen, second by Mueller, to approve the consent agenda as follows:

1. Review and consider approval of minutes of a regular Council meeting held August 15, 2017.
2. Review and file bills recapped as of Monday, August 21, 2017.
3. Review and file bills recapped as of Tuesday, September 5, 2017.
4. Review and consider recognizing September as National Recovery Month.
5. Review and consider request from Our Lady Queen of Martyrs to install banner at the northwest corner of Dunblaine and Southfield.

Roll Call Vote:

Motion passed (7-0)

BUSINESS AGENDA

REVIEW AND CONSIDER APPOINTING REPRESENTATIVE TO THE MICHIGAN MUNICIPAL LEAGUE ANNUAL BUSINESS MEETING

Mooney explained each year the Michigan Municipal League (MML) holds Convention for Michigan government officials. This year's convention will be held September 13 - 15, 2017 in

Holland, Michigan. The annual business meeting will be held on Wednesday, September 13th for the purpose of electing trustees, voting on policies and resolutions and other business. Pursuant to the provisions of the MML Bylaws, we are requested to designate, by action of our Village Council, one of our officials who will be in attendance at the Convention to act as our official representative to cast a vote on behalf of Beverly Hills.

Motion by Peddie, second by Oen, to appoint Rock Abboud as the official representative of the Village of Beverly Hills to attend the Michigan Municipal League Annual Business Meeting to be held September 13, 2017 in Holland, Michigan.

Motion passed (7-0)

PUBLIC HEARING TO RECEIVE COMMENTS ON A REQUEST FROM NORTHBROOK PRESBYTERIAN CHURCH, 22055 W. FOURTEEN MILE RD. FOR SPECIAL LAND USE APPROVAL

Abboud explained Northbrook Presbyterian Church, 22055 Fourteen Mile Rd, has submitted plans to construct an addition to their existing church building, to demolish an existing accessory building, and to construct a new accessory building. The addition to the church will match the existing single story building in height and materials and will be utilized for storage space, and the new accessory building will be used as a garage. The property is zoned R-1 and churches are allowed as a special land use in that district. The project requires site plan review and special land use approval prior to construction. At the Planning Commission meeting held July 26, 2017, a public hearing was held on the special land use and feedback from a resident in support of the project was received via mail. At that meeting the petitioners presented additional information about the project. They noted the bell on the accessory building is decorative only, and will not be functional. The outdoor space is currently being used for services and that use will continue with improvements to the patio area. The petitioners agreed to enclose the dumpster with wood and provide access with a wooden gate.

The Planning Commission voted unanimously to recommend approval of the special land use and site plan. The project has been reviewed by the Village's Planning Consultant, and a review letter was submitted to Council. The Village Engineer reviewed the plans and noted the scope of work would not adversely impact the Village. The Village Fire Marshal noted the proposed renovations provide sufficient access to the buildings and hydrants to provide emergency fire access. Per Village Ordinance, Council must also hold a public hearing on the special land use portion of the request, and has the authority to grant approval of the special land use and site plan.

Mooney opened the public hearing at 7:41 p.m. No one wished to be heard, therefore the public hearing was closed at 7:42 p.m.

REVIEW AND CONSIDER REQUEST FROM NORTHBROOK PRESBYTERIAN CHURCH, 22055 W. FOURTEEN MILE RD. FOR SPECIAL LAND USE APPROVAL

Motion by Abboud, second by Oen, that the Village Council approves the Northbrook Church request for special land use, with the conditions of the accessory building bell

remaining ornamental, the acknowledgement that the current noise characteristics during services will continue, and is subject to site plan approval.

Roll Call Vote:

Motion passed (7-0)

REVIEW AND CONSIDER REQUEST FROM NORTHBROOK PRESBYTERIAN CHURCH, 22055 W. FOURTEEN MILE RD. FOR SITE PLAN APPROVAL

Motion by Abboud, second by Oen, that the Village Council approves the Northbrook Church site plan, with the conditions of a wood enclosure installed around the dumpster, the landscape screening is evergreen species with the number to remain as-shown, the existing trees are protected with construction-grade fencing, and the materials used on the accessory building matches existing.

Roll Call Vote:

Motion passed (7-0)

PUBLIC HEARING TO RECEIVE COMMENTS ON A PROPOSED ORDINANCE AMENDING CHAPTER 22, SECTION 22.42.010 PENALTIES OF THE VILLAGE MUNICIPAL CODE

Ryan explained Administration discovered prior updates to the Village ordinance penalties sections inadvertently did not include Section 22.42.010 Penalties of the Zoning Ordinance. At the meeting held July 26, 2017, the Planning Commission held a public hearing and recommended approval of modifications to the language updating the violation to a civil infraction and removing the penalty of incarceration. Upon review of the proposed language, the Village Attorney has suggested the addition of subparagraph “a” with language regarding enforcement. The Village Council must hold a public hearing, and first and second readings of the proposed language prior to approval of the updated language.

Mooney opened the public hearing at 7:48 p.m. No one wished to be heard, therefore the public hearing was closed at 7:49 p.m.

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 22, SECTION 22.42.010 PENALTIES OF THE VILLAGE MUNICIPAL CODE

Ryan read the ordinance in its entirety including Section 22.42.010 Penalties as amended below.

Chapter 22, Section 22.42.010 PENALTIES

Any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of 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.

- A. 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.

A copy of the ordinance in its entirety is available for review at the Village of Beverly Hills Administration office.

REVIEW AND CONSIDER APPROVAL OF METRO ACT PERMIT BETWEEN VERIZON ACCESS TRANSMISSION SERVICES AND THE VILLAGE OF BEVERLY HILLS

Delaney explained the Village is in receipt of a request from MCImetro Access Transmission Services Corp. d/b/a/ Verizon Access Transmission Services to install fiber and fiber-optic cable within the right-of-way along Lahser, Southfield, 13 Mile Road, and Kennoway Circle. A color map was provided with locations indicated. Lahser Road is an aerial installation. Southfield Road is also aerial. Thirteen Mile Road is aerial and underground and Kennoway Circle is underground. This will provide competitive telecommunication cables to be installed.

The METRO Act regulates the use of rights-of-way for cities, villages and townships in the State of Michigan to facilitate telecommunications expansion. Similar requests have been approved by Council. The Village receives statutory remuneration every six months from the State of Michigan for the use of its rights-of-way. Village Attorney Ryan has reviewed the METRO Act Permit Application and recommends that it be approved and signed on behalf of the Village of Beverly Hills.

Motion by Delaney, second by Peddie, that the Village of Beverly Hills Council approves the METRO Act Permit Application filed by Verizon Access Transmission Services and authorizes the Village Manager to sign the permit.

Roll Call Vote:
Motion passed (7-0)

REVIEW AND CONSIDER AUTOMATIC AID AGREEMENTS BETWEEN THE VILLAGE OF BEVERLY HILLS AND THE CITY OF HUNTINGTON WOODS AND THE VILLAGE OF BEVERLY HILLS AND THE CITY OF BERKLEY

Delaney explained the Village of Beverly Hills Public Safety was contacted by the Insurance Service Office (ISO) to inform them a representative will be visiting in early December to collect information on training, equipment, infrastructure, and response. The last evaluation took place in 2010 and the Village was given a 5 rating. ISO has begun to evaluate municipalities every 3 years.

Lt. Shock and Village Fire Marshal, Sgt. Ginther have started to create new policies, and have met with representatives from Berkley and Huntington Woods to prepare for ISO because they just finished their evaluations. One of the areas that assisted them in getting a lower ISO rating was an Automatic Aid Agreement. Berkley and Huntington Woods will also need to approve these agreements.

Currently the Village uses the Mutual Aid Box Alarm System (MABAS 3201) which is a countywide mutual aid agreement. This agreement gives the Village the ability to call upon other jurisdictions (Berkley, Huntington Woods, Oak Park, Bloomfield Hills, and Franklin) for assistance in fire suppression. With an Automatic Aid agreement in place, the ISO counts the response of those communities as our own, which is why there is recognition by the ISO for Automatic Aid and not Mutual Aid. In their eyes, time is the enemy in fire suppression. If response happens "automatically" through the dispatch process it is worthy of "credit".

Shock explained having an Automatic Aid agreement with Berkley and Huntington Woods allows the Village to get credit for our combined resources based upon how they have the box card set up rather than just getting credit for their Engine, Ladder and working personnel. For example, without Automatic Aid, Beverly Hills' response would be calculated as one Engine, one Ladder and three personnel. With Automatic Aid, our response would be calculated as three Engines, one Ladder, our three personnel minimum, plus Berkley's four personnel minimum and Huntington Woods' four personnel minimum for a total of eleven firefighters. The financial impact is not on the Village specifically but rather the residents; a higher response count gives the Village a better rating. A better rating reduces homeowner's insurance rates for residents.

Oen expressed his support of this agreement, and the ways it will benefit the Village. Shock confirmed that every municipality involved in the contract will receive the same benefits.

Resident Sharon Tischler, Virmar Court, asked if Oak Park would be part of this agreement. Shock explained that they are involved in the Mutual Aid agreement, but not the Automatic Aid.

Motion by Delaney, seconded by Peddie, that the Village of Beverly Hills Council approve the Automatic Aid Agreements between the Village of Beverly Hills and the City of Huntington Woods, and the Village of Beverly Hills and the City of Berkley to provide aid on a reciprocal basis for fighting fires and responding to emergency incidents occurring in the territory of any of the member communities.

Roll Call Vote:
Motion passed (7-0)

REVIEW AND CONSIDER EXTENDED MAINTENANCE AGREEMENT WITH L-3 MOBIL VISION PATROL IN-CAR VIDEO SYSTEM

Delaney explained the need to purchase an Extended Maintenance Agreement offered by L-3 Mobil Vision. The current maintenance agreement is due to expire, and Public Safety uses L-3 Mobil Vision in-car camera equipment to record officer patrol activity and preserve evidence. Each patrol car is equipped with two cameras, a DVR, and body microphone. The videos download to a server located in the Public Safety Building. A dedicated L-3 desktop computer is used to create DVDs.

The equipment was purchased in 2014 and requires periodic maintenance. Contracting with a vendor other than L-3 voids the warranty. The cost of the Extended Maintenance Agreement for one year is \$8,109.00. Coverage includes phone support, camera, DVR, mic, and service repairs.

The Village has authorized purchase of this agreement for the last two years, and the cost has remained the same. Ryan confirmed this is a sole source provider.

Motion by Delaney, second by Oen, that the Village of Beverly Hills approves the Extended Maintenance Agreement with L-3 Mobil Vision patrol in-car video system for a one year contract totaling \$8,109.00.

Roll Call Vote:
Motion passed (7-0)

INFRASTRUCTURE SUBCOMMITTEE UPDATE

Thirteen Mile Road – Consumers Energy Repair

Delaney reported the work continues at Lahser and 13 Mile Road, they plan to restore the asphalt upon completion of the project around September 12th. Wilson spoke to Detroit Country Day, and they have offered to pay for additional Public Safety patrols at the school entrance during morning drop off. Notice was made to residents via GovDelivery as soon as the project information was made available by Consumers Energy to Administration.

Evergreen Road Culvert Stabilization

Oen reported the Erity Dam project has been completed. The east side guardrail will be replaced, and the pond will naturally return to normal levels.

Thirteen Mile and Evergreen Intersection

Delaney reported the intersection is completely open heading both north and south.

Timetable for Road Repairs

Wilson explained that a request for funding will be submitted to the State of Michigan for repairs and repaving on 13 Mile Road. This funding is in the pipeline for 2020. The Village traditionally alternates spending its road repair budget on concrete or asphalt. In 2017-18 the money is earmarked for asphalt; however, the Council may want to consider using the funds on concrete. Unfortunately, the condition of Greenfield Road has worsened, and the County has no plans to repair. Mooney asked that Administration meet with the Road Commission about Greenfield Road.

PARKS & RECREATION LIAISON REPORT

Tennis Courts

Mueller reported there are areas of the tennis court surface with chips and deterioration and suggested the Beverly Hills tennis pro be consulted for further guidance.

Motion by Mueller, second by Oen, that the Village of Beverly Hills Council directed the Parks and Recreation Board to review the condition of the tennis courts at Beverly Park and provide Council with advice and/or a recommendation regarding their maintenance, repair or replacement needs.

Motion passed.

Long Term Funding of Park Maintenance

Mueller reported there are three funds directly related to the care and maintenance of the park. Council discussed asset management of the various pieces of equipment and items in the park such as playground equipment, fencing, courts, exercise equipment, pavilion, gazebo, disc golf course, etc. They are requesting the Parks & Recreation Board to develop an Inventory of Park Facilities and Infrastructure indicating the life expectancy, annual repair/maintenance costs, and cost to replace, in order to develop a long term financial plan to maintain the park's assets.

Formal procedures for Village sponsored events

Council is requesting the Parks & Recreation Board to consider adopting formal procedures for the various events that they organize and coordinate, i.e. Winter Family Fun Day, Memorial Day Parade & Carnival, and Movie in the Park. They suggested the Board consider adding the Easter Egg Hunt and Halloween Hoot as events for which they would be responsible.

COMMUNICATIONS SUBCOMMITTEE UPDATE

Village Logo

Mueller reported that the subcommittee was awaiting final design details and would be prepared to present the design at the October 3rd meeting.

Facebook

The Village Facebook page has 743 followers, posts two to three times a month on roads, weather, rubbish pick up, and Village office closings. A member of the Parks and Recreation Board has posting privileges and shares events and photos. There is currently no change in posting frequency or content needed.

Website

The website redesign is progressing in accordance with the contract with Revize. Per the contract, it is a 20-week process, and Administration plans for the new site to go live in January 2018. The new website will be mobile and tablet friendly, it will also have the capability to take payments online.

PUBLIC SAFETY LIAISON REPORT

Fire Equipment

Delaney explained it will take 10-12 months to order and receive a new mini-pumper truck. After lengthy discussion between Administration and Public Safety it has been determined that the Council will need to anticipate replacing the larger pumper truck as well.

Motion by Delaney, second by Oen, that Village of Beverly Hills Council request Administration and Public Safety to submit a proposal at the September 19th meeting for the purchase of a min-pumper truck and pumper truck. This proposal should include from where the trucks would be purchased, how they would be funded or financed, which account would fund the purchase of the mini truck, and a time line for the purchase process.

Motion passed.

SOUTHFIELD ROAD CORRIDOR UPDATE

Abboud reported there has been interest shown in some vacant lots along the Southfield corridor. Administration has contacted Gibbs Planning Group (GPG), and is waiting on revised language on the contract before any forward progression can be made. Wilson explained the contract has been revised several times. Peddie reiterated that without the revision from GPG the Planning Commission cannot proceed with the project. Wilson further explained that a proposal was submitted to Council and revised, now Administration is working with GPG to match Council's needs to his plan.

Mooney requested that Gibbs Planning Group be placed on the September 19th meeting agenda.

ANIMAL CONTROL ISSUES

Nunez stated coyote have been spotted in the streets in Beverly Hills, they are normally skittish and keep to the tree line. They mostly live along the Rouge River corridor, and they help keep the small mammal population under control. To prevent attracting coyote in neighborhoods Nunez suggested cleaning up brush along property lines, and avoiding bird feeds, as they attract small mammals. The coyote cannot be trapped or snared. The deer population in the Village is around 100-150, and is high for the area. There are, on average, ten deer vs. motor vehicle accidents reported a year in the village. There is little that can be done to control or change the deer population.

Tischler expressed concern about the hawks that have been seen circling the area. It puts small dogs at risk of becoming prey.

SECURITY CAMERAS FOR VILLAGE AND TOWNSHIP OFFICES

Wilson reported security cameras are being installed.

PUBLIC COMMENTS

Tischler supports swift action on the purchase of the new fire truck and would like the Council to consider a Capital Funds account for Public Safety or possibly a millage for the replacement of equipment.

MANAGER'S REPORT

August 28th Rain Event

The Village received a limited number of calls for basement flooding after the heavy rain event of Monday, August 28th. Village Administration was able to work with the office of the Water Resources Commissioner to determine approximate causes of flooding. In all but one instance the Village was able to determine that the sewer system performed adequately to handle the storm flows and that any backups were likely related to the homeowners sewer leads. There is one instance on Sheridan that the Village is continuing to investigate, as we cannot eliminate a sewer blockage as the cause of the backup. There were no instances of widespread sewer backups. Village Administration is in the process of obtaining rainfall amounts for August 28th.

FY 2016-17 Audit

The auditors were on site for the annual audit the week of August 21 - August 25. They were back in the Village Offices for an additional day on Tuesday, August 29. All the field work has

been completed. Village Administration had conversations with the auditors regarding quarterly reporting of financial statements and investment reports. This will lead to some changes and additional reporting to Council beginning with the first quarter ending Sept. 30. The audit should be completed and ready to present to Council by mid to late October.

Summer Taxes Due

Summer taxes are due to Southfield Township on Thursday, September 14th.

Recycling Carts

SOCRRA has completed the distribution of large mixed recycling carts to all homes in the Village. Residents can place all curbside recyclable items into this container and wheel it to the curb. These carts make recycling much easier and provide much more volume for residents to recycle. Residents can keep their current recycling bins to use as they desire. These carts will be picked up manually. Throughout SOCRRA communities recycling has increased 16% in August.

COUNCIL COMMENTS

Mueller reported he visited SOCRRA; it's a great facility and easy to use. He thanked Mooney for all the work done on the sled hill stairs. Mooney recognized Luke Mercer, Steven Orth, Anthony Gucciardo, and Carter Stupyra for all of their hard work this summer.

Abboud thanked David Jensen for his many years of service on the Planning Commission. SEMCOG will be hosting a Grant Writing Class October 2-3, 2017. He also thanked Mooney for joining the Senior Advisory Council at their recent brunch.

Delaney thanked Shock for representing the Public Safety Department at the meeting.

Motion by Oen, second by Abboud, to adjourn the meeting at 10:14 pm.

Motion passed.

John G. Mooney
Council President

Ellen E. Marshall
Village Clerk

Elizabeth M. Lyons
Recording Secretary