

Present: President Mercer; President Pro-Tem Briggs; Members: Burry, Kelly, Oen and Mooney

Absent: LaFerriere

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

President Mercer 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**

Briggs asked to remove the invoice from Hubbell, Roth & Clark from the Consent Agenda and add it as item 'd' on the Business Agenda.

Motion by Briggs, second by Oen, to approve the agenda as amended.

Motion passed.

#### **COMMUNITY ANNOUNCEMENTS**

Doug Koschik, Baldwin Library Director, presented an annual update to Council on the relationship between Beverly Hills and the library, a relationship that has existed for 50 years. Baldwin is the municipal library of Birmingham; it serves the contract communities of Beverly Hills, Bingham Farms and Bloomfield Hills. The total population of the Baldwin Library service area is 35,350 people; Beverly Hills comprises 29% of that service area. Beverly Hills provides approximately 15% of the library revenue; 23% of the circulation will be attributed to the Village this year.

Koschik outlined various library services and programs provided by the Baldwin Library. He remarked that electronic usage has been up 16% this year; more services for downloadable materials will be announced soon. Overall, Baldwin Library is doing well compared to a few years ago. The budget is balanced; the library is open 67 hours a week and closed only 12 days a year. Koschik talked about how the library is becoming more efficient through technology by purchasing an electronic sorter and self-checkout machines.

Koschik related that a study of the physical facility has resulted in the Baldwin Public Library Building Program that provides a framework for the improvement of the library. He talked about the process involved in this study. The Birmingham City Commission has received the report from the Joint Library Building Committee and has issued a Request for Proposal for architectural services to arrive at conceptual drawings and cost estimates for a building renovation and expansion. Koschik outlined the changes that the program would provide. He anticipates having an architectural plan and costs estimates by the end of the year. At that point the City Commission and Library Board will decide whether to go forward with the project. If

they do, there will be vote a of the people in Birmingham because this is a Birmingham building. The project will be decided and paid for by the City of Birmingham.

Koschik reported that there has been no change in the relationship with the Bloomfield Township Library over the past year. He talked about upcoming programs at Baldwin Library. Koschik concluded that there is a continuing good relationship between the Baldwin Library and Beverly Hills. Council members thanked Mr. Koschik for his presentation.

Paul Kleppert of 20855 W. 14 Mile Road stated that the Veterans Memorial Monument for Beverly Park was ordered three weeks ago and will be delivered on May 23 due to the donations received from the citizens of Beverly Hills. He remarked that the monument will be engraved on both sides to be visible from the pavilion and from Beverly Road. The foundation will be prepared and the monument will be installed in the area by the flagpole near the pavilion.

Kleppert thanked Independent Bank in Beverly Hills for accepting donations and keeping track of the funds for purchase of the monument. He reported that we are within a few hundred dollars of raising the funds needed for the veterans monument. Kleppert anticipates that the focus will now be on organizing a dedication ceremony. Veterans and active members of the armed services are invited to the dedication of this monument. He suggested that local newspapers be contacted in April and asked to print an article on the community's donations towards a veterans monument and the Memorial Day dedication.

Mercer asked that Village Administration contact Public Services Director Meszler to arrange for putting in the foundation for the monument. Co-organizer of the project, Ron Berndt, should be contacted about his role in the dedication ceremony. Assistant Manager Marshall was asked to contact the newspapers about publicity for this event.

### **CONSENT AGENDA**

Motion by Mooney, second by Oen, to approve the consent agenda as amended.

- a. Consider approval of minutes of a joint Council/Planning Commission meeting held February 13, 2013.
- b. Consider approval of minutes of a regular Council meeting held February 19, 2013.
- c. Review and file bills recapped as of Monday, February 25, 2013 with the exception of the invoice from Hubbell, Roth & Clark.

Motion passed

### **BUSINESS AGENDA**

#### **REVIEW AND CONSIDER REQUEST FROM KENSINGTON COMMUNITY CHURCH OF TROY TO HOLD ANNUAL EASTER EGG HUNT AT BEVERLY PARK**

Mooney provided some history on the annual Easter Egg Hunt in Beverly Hills. The event was originally sponsored by the Beverly Hills Jaycees beginning in 1995 until the Kensington Community Church took over hosting the Easter Egg Hunt for the last eight years. Kensington puts out 10,000 plastic eggs filled with candy for young children and provides other fun activities.

The Village is in receipt of a request from Kensington Community Church Troy to use Beverly Park on Saturday, March 23, 2013 for the annual Beverly Park Easter Egg Hunt. They are requesting use of the park from 9 am until 6 pm. The event is open to all members of the community.

This request was brought before the Parks and Recreation Board at its February 21 meeting. Based on the community nature of the Easter Egg Hunt organized by Kensington Church, it was the recommendation of the Parks and Recreation Board to approve the event, waive the pavilion rental fee, and provide three portable restrooms for that day.

Motion by Mooney, second by Oen, that the Beverly Hills Village Council approve the request from Kensington Community Church of Troy to utilize Beverly Park for the purpose of conducting an Easter Egg Hunt in the park on Saturday, March 23, 2013 between 9:00 am and 6:00 pm. Further, Council approves the waiver of pavilion rental fees and authorizes the expenditure of \$280 to provide three portable restrooms for the event. A certificate of insurance will be provided upon approval of the Easter Egg Hunt.

Rex Curtis and Tammy Stearn representing Kensington Church said that they were thankful for the opportunity to serve the community and provide the annual Easter Egg Hunt for over 2,000 people who attend. Council members commented on this fun event that brings the community together.

Tony Lott of 19101 Riverside expressed the view that the issue is not the \$280 expenditure on this event, but where to draw the line with government spending and what the public should be paying for.

Patrick Westerlund of 18540 Devonshire remarked that the annual Easter Egg Hunt is a fabulous community event and an example of what makes Beverly Hills an attractive community in which to live. Other examples of community involvement are volunteers such as Paul Kleppert, who organized a program to solicit funds for a veterans memorial in the park. Volunteering time and donations for the good of the community are important messages to send to our children.

Charles Green of 18919 Riverside Drive said that the discussion involves a business based in Beverly Hills that wishes to foster an event in the park. Beverly Hills has the liability to provide police and fire and emergency medical service to participants.

Mercer read three emails sent to Village administration on this topic. The following residents commented on their enjoyment of the Easter Egg Hunt sponsored by Kensington Church and open to the entire community. It was stated that the request for waiving pavilion fees and providing portable restrooms is a small price to pay for something that brings the community together and helps make Beverly Hills the kind of place where people want to raise their families. Emails were from Ashley Caza of 19575 Beverly Road, Sandra Hamady of 31911 Inglewood, Tammy Shannon of 18412 Devonshire, and Laura Kingston of 31770 Southview.

Council member Kelly asked Attorney Ryan if it was an appropriate expenditure of Village funds to pay \$280 for portable restrooms. Tom Ryan responded that Council has taken the

position that Beverly Hills does not have a Parks and Recreation Department, and the cost of providing this event would be well over the expense being considered by Council to provide only portable restrooms. This is a community event open to everyone. The Easter Egg Hunt could be considered a Parks and Recreation event for the benefit of the children in the area that is being outsourced to an entity that is performing a community function. Ryan believes that this is an appropriate expenditure.

Council members voiced their opinions in full support of the motion and the Easter Egg Hunt sponsored by Kensington Church.

Roll Call Vote:  
Motion passed (6 – 0).

**REVIEW AND CONSIDER 2013/2013 BUDGET TRANSFER**

Before Council for consideration are operating transfers from the Public Safety Department Fund to the Capital Projects Fund in order to make a down payment on the purchase of the ladder fire truck. These items were budgeted in the 2012/2013 budget.

Motion by Mooney, second by Oen, to authorize Village Administration to transfer monies as follows:

TO CAPITAL PROJECT FUND

PS – Vehicle Fleet	\$40,000.00	Annual Purchases
PS - Fire Truck Reserve	\$20,000.00	Annual Reserve

Roll Call Vote:  
Motion passed (6 – 0).

**REVIEW AND CONSIDER RESOLUTION ADOPTING REVISED BYLAWS FOR THE ALLIANCE OF ROUGE COMMUNITIES (ARC)**

Marshall indicated that the Village of Beverly Hills has been a member of the Alliance of Rouge Communities since its inception in 2005. The Village pays annual dues as a watershed community. This group has been working on a revision to the bylaws that govern the operation of the alliance. Public Services Director Tom Meszler recommended that the Village Council approve the resolution to adopt these bylaws.

A copy of the bylaws are available for public review at the Village offices or on the Alliance of Rouge Communities website.

Motion by Mooney, second by Oen, to approve the Resolution adopting the revised bylaws for the Alliance of Rouge Communities.

Acceptance of Membership and Adoption of Bylaws  
Alliance of Rouge Communities

WHEREAS, Watershed Alliance legislation passed the Michigan House of Representatives and the Michigan Senate and was signed into law by the Governor on January 3, 2005, as Act No. 517, Public Acts of 2004, based upon a draft provided and supported by the Rouge River watershed communities; and

WHEREAS, the formation of the Alliance of Rouge Communities under this new state law provided the public agencies within the watershed the authority to directly seek grants, enter into contracts, and manage its own resources that have been provided in the past by and through Wayne County with federal funds as part of the Rouge River National Wet Weather Demonstration; and

WHEREAS, at its meeting on November 7, 2012, the Alliance of Rouge Communities completed the revised attached Alliance of Rouge Communities bylaws, and recommended adoption by the appropriate governing bodies of those public agencies within the Rouge River watershed eligible for membership.

THEREFORE BE IT RESOLVED, that the *(Insert Name of Public Entity's Governing Body or, if appropriate, elected public official, an ARC member community in good standing,* formally adopts the amended bylaws for the Alliance of Rouge Communities.

FURTHER BE IT RESOLVED, that consistent with the terms of the Alliance of Rouge Communities bylaws, the *Village of Beverly Hills* formally appoints *Tom Meszler* as its designated representative to the Alliance of Rouge Communities, *Laura Gruzowski* as the alternate representative, and Tom Meszler to designate additional persons to represent the *Village of Beverly Hills* if needed, as an alternate to assure voting representation on the Alliance of Rouge Communities.

FINALLY, BE IT RESOLVED that *the Village of Beverly Hills* continuing membership will be evidenced by payment of its voluntary assessment on an annual basis to the Alliance of Rouge Communities.

Roll Call Vote:  
Motion passed (6 – 0).

**APPROVE PAYMENT OF INVOICE FROM HUBBELL ROTH & CLARK INC.**

Kelly asked to be recused from voting on this invoice for the reason that Hubbell Roth & Clark is a client of her law firm. She would like to avoid any question that there would appear to be a conflict of interest or appearance of impropriety.

Motion by Mooney, second by Oen, that the Beverly Hills Council recuse Jacqueline Kelly from voting on the consideration of an invoice from Hubbell, Roth & Clark.

Motion passed.

Motion by Mooney, second by Oen, that Council approve Hubbell, Roth & Clark invoice #08500 for professional services in the amount of \$17,308.17.

Motion passed (5 yes – 1 abstention).

## **PUBLIC COMMENTS**

Pat Westerlund on Devonshire stated that the organizers of the annual Memorial Day Parade are looking for community groups, organizations, neighborhood associations, or whomever to put together a float or showcase their talent and be part of the parade. Anyone who wants to join in the parade should contact the Village.

## **REPORTS – MANAGER**

Marshall presented the Manager's report in the absence of Chris Wilson.

**Sign Ordinance** – The Planning Commission has completed its revisions to the Sign Ordinance and has voted to forward the document to the Village Council for approval. Council is in receipt of a copy of the revised Sign Ordinance and another copy detailing changes that were made for their review. A Public Hearing on changes to the Sign Ordinance is scheduled for March 19th.

**Pavilion Rentals** – Rentals for the pavilion at Beverly Park will open up to Village residents tomorrow, March 6th at the Village Offices. Pavilion rentals are made on a first come-first served basis. Village Hall opens at 8:00 a.m.

**Office Copier** – Marshall stated that she opened bids yesterday, March 4, for a multi-function printer for the Village office. Eight bids were received; the quotes will be reviewed with a proposal coming before Council in the near future.

**Water and Trash Collection Rates** – As part of the annual budget process, the Village received annual rate projections for water services and trash collection from SOCWA and SOCRRA. For FY 2013-14, SOCWA is projecting an increase of 4.3% for water purchases. SOCRRA is projecting an increase of trash collection and disposal of 2.0%. The rate projections have been passed on to Finance Director Wiszowaty for consideration in budget preparations.

## **REPORTS – COUNCIL**

Kelly commended Paul Kleppert for organizing the effort to bring a veterans memorial monument into the park. It will be a great legacy for the community.

Oen referred to the sign ordinance public hearing scheduled for Tuesday, March 19. He mentioned the efforts of a Planning Commission subcommittee that worked on revising the sign ordinance. Oen noted that resident Pat Westerlund is a volunteer who worked on the sign ordinance and who will also be organizing the Memorial Day Parade. Oen thanked Paul Kleppert for his efforts and perseverance in soliciting funds for a veterans monument in the Village.

Mooney reported that the Parks and Recreation Board recommended at its February 21 meeting that Council authorize an expenditure of up to \$500 from the Park Dedicated Millage Fund as a contribution from the Village towards the veterans memorial monument in the event that there are not sufficient contributions to complete the project. Mooney thanked Mr. Kleppert and Ron Berndt for their efforts in organizing this project.

Mooney commented on the Baldwin Library report from Doug Koschik. The library offers many functions to the Village including providing a sense of community.

Briggs thanked Paul Kleppert for his tremendous effort in rallying the community to raise funds to place a monument in Beverly Park to honor our veterans. Contributions are still being accepted at Independent Bank in Beverly Hills.

Briggs commended the Planning Commission and its sign ordinance subcommittee on the huge amount of work they did to revise the sign ordinance. These volunteers spent many hours to ensure that future signs fit within the character of the Village. Briggs talked about the sense of community in Beverly Hills. He recognized the efforts and foresight of Doug Koschik and the Library Board in providing excellent library services to the member communities.

Mercer did a call out to all veterans, whether they are retired or currently serving in the military, to attend the Beverly Hills Memorial Day Parade followed by the dedication of the veterans memorial monument in the park.

Mercer mentioned that the Village Council authorized the expenditure of \$500 in 2005 for the Easter Egg Hunt in the park sponsored by the Beverly Hills Jaycees. Council authorized the amount of \$280 last year and this year to provide portable restrooms at the Easter Egg Hunt, which is being conducted by Kensington Church.

Motion by Mooney, second by Briggs, to adjourn the meeting at 8:45 p.m.

Motion passed.

**Tim Mercer**  
**Council President**

**Ellen E. Marshall**  
**Village Clerk**

**Susan Bernard**  
**Recording Secretary**