

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

Absent: None

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

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

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

None

CONSENT AGENDA

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

- a. Consider approval of minutes of a regular Council meeting held August 6, 2013.
- b. Review and file bills recapped as of Monday, August 12, 2013.
- c. Review and consider appointing representative to the Michigan Municipal League Annual Business meeting.

Motion passed.

BUSINESS AGENDA

SECOND ANNOUNCEMENT OF VACANCY ON THE BIRMINGHAM AREA CABLE BOARD

Burry made the second announcement of a vacancy for a Beverly Hills member on the Birmingham Area Cable Board. The term for this position will expire on June 30, 2016. The deadline for receiving applications is Friday, August 23, 2013 at 4:30 pm. A subcommittee consisting of Burry as chairperson, LaFerriere and Mercer will meet at 7:15 pm prior to the Tuesday, September 3, 2013 Council meeting to consider applications for this position.

ANNOUNCEMENT OF VACANCY ON THE COMMUNICATIONS COMMITTEE

Briggs announced a vacancy on the Communications Committee. This committee meets on the second Thursday of each month at 7:30 pm in the Council chamber. The term of the vacancy expires on June 30, 2016.

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 42, SECTION 42.17 OFFENSES AGAINST PUBLIC SAFETY, FIREWORKS

Village Attorney Ryan presented the first reading of an Ordinance to Amend Chapter 42, Offenses, Section 42.17 Offenses Against Public Safety, Fireworks, in order to incorporate changes to State Law regarding fireworks and to confirm that ignition and discharge of fireworks is not permitted except on certain days and restricted to certain hours. The Ordinance Amendment indicates that consumer fireworks may be discharged only on the day before, the day of, and the day after, a National holiday. The language addresses time limits for discharge of fireworks. This constitutes the first reading of the Ordinance.

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 22, SECTION 22.08.22 TEMPORARY AND PORTABLE BUILDINGS, USES AND STRUCTURES

Manager Wilson provided background on the need for ordinance language to augment the existing ordinance section addressing the issue of storage pods on residential property. The Planning Commission has prepared and recommended approval of an ordinance amendment that would allow further regulation of temporary and portable structures, primarily referring to dumpsters and outside storage pods. Wilson outlined the content and intent of the additional language.

Attorney Tom Ryan presented the first reading of an Ordinance to Amend the Village Municipal Code, Chapter 22, Zoning Ordinance, Temporary and Portable Buildings, Uses and Structures. He highlighted each ordinance section. Section 1.01 contains the current language and additional language. The proposed new language reads as follows:

Temporary and portable structures are permitted without Zoning Board of Appeals approval when all of the following conditions are met:

1. No more than one (1) such container may be used per property at any given time.
2. Such containers must be placed on a paved surface in a side or rear yard of an occupied lot and shall not be located in an easement or right-of-way.
3. The maximum duration for use of such containers shall be fourteen (14) days within any six (6) consecutive months. A property owner may seek a longer duration in accordance with the provisions above whereby Zoning Board of Appeals approval is required.
4. A container may be located in a front yard and/or on an unpaved surface for a period of no more than forty-eight (48) hours within the fourteen (14) days allowed in paragraph 3 above.

Council questions and comments on the ordinance were addressed by Wilson and Ryan. There was concern expressed that the ordinance language may not be equitable for all residents in terms of the requirement to place the pod on a paved surface in order to use it for 14 days. Wilson will pose this question to the Planning Commission at their August meeting to confirm the intent of the conditions.

REVIEW AND CONSIDER PROPOSALS FOR PRINTING 2014 VILLAGE CALENDAR

Bid specifications were mailed to seven vendors for printing the 2014 Village Calendar, and a notice was published in the Eccentric Newspaper. Two bids were received and opened publicly on August 8, 2013. Vendors were asked to quote on printing the calendar based on the layout of the 2013 calendar at a quantity of 5,000. The design and layout will be provided by Sunny Design at a cost of \$750.

The bids were from Compton Press in the amount of \$6,000.00 and PIP Printing and Marketing Services in the amount of \$13,125.00. Dearborn Lithograph printed the 2013 calendar at a cost of \$7,084 for design and printing. The Village did not seek a bid from this vendor due to issues with the 2013 calendar that resulted in reprinting of a page.

The Village is again offering businesses in the community and surrounding area an opportunity to advertise in the calendar. Any revenue generated from the sale of advertising space will help offset the cost of the calendar and increase communication between businesses and residents. Last year, \$846 worth of advertising space was sold. To date, the Village has received \$1,900 for advertisements in the 2014 calendar.

Administration recommends that Council award the Village of Beverly Hills 2014 Calendar printing to Compton Press in the amount of \$6,000 and mail calendars to each residence and business in the Village for an additional postage cost of about \$1,700. An amount of \$9,000 has been budgeted for this project in FY2013/14, which includes postage and mailing costs.

Motion by Oen, second by Burry, that the Village of Beverly Hills Council award the contract for printing the Village of Beverly Hills 2014 Calendar Project to Compton Press in the amount of \$6,000.00. Funds for this project are available in account #101-000-675.03.

Kelly questioned the use of the calendar community-wide and whether the Village informational calendar should be mailed to residents on an annual basis.

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

PUBLIC COMMENTS

Sharon Tischler of 21415 Virmar Court voiced concern that it may be a hardship for homeowners on the east side of the Village to meet the ordinance conditions to allow temporary storage pods and dumpsters on their property for more than 48 hours. Tischler had a question regarding an invoice from Waterway of Michigan for fire supplies.

Tischler related that Southfield Township office staff often refers to the Village calendar when Beverly Hills residents call the Township for community information. If Council decides not to mail the calendar annually, she suggested that residents be encouraged to come into the office and pick up a calendar.

REPORTS – MANAGER

Beverly Road Paving – Construction has begun on the paving of Beverly Road between Southfield and Evergreen. Milling work on the road base was done last week. It was discovered that a significant stretch of the road had a compacted gravel base. The compacted gravel is solid and will not need to be replaced. However, a one inch surface above this base along with a two inch road surface will be installed to ensure that the road will hold up. This will increase the material costs for the project and could inhibit the Village's ability to address other sections of Beverly Road discussed at the last Council meeting. Additionally, the base surface at the west entrance to Beverly Park was not in good shape and will be improved to ensure that it will last. Resurfacing is underway.

Public Safety Officer Position – There was discussion during the budget process regarding the addition of an officer to the Public Safety Department. It was agreed that Village Administration would examine this possibility in the current fiscal year. The Public Safety Department has been operating with one officer either off due to injury or on light duty status for close to one year. It is fully anticipated that the department will return to full strength in the near future, but it could still be a period of months before this occurs.

The Public Safety Department will benefit from increased manpower due to scheduling changes that occurred in the most recent contract negotiations. In addition, these negotiations also served to significantly lower costs for new hires. Even with the most recent improvements to our manpower status there are still times when scheduled or unscheduled leave of an employee brings staffing levels at lower than optimal levels or requires the use of mandatory overtime. The Village is also aware that there will be employees leaving the Public Safety Department in the next 16 months, with more employees leaving in the next three years if not sooner.

Given the current staffing needs and the improved budget situation, the Department has begun accepting applications for a Public Safety Officer. Should the search process yield a highly qualified candidate, Village Administration would seek approval from Council to add a position prior to the end of the current calendar year.

Southfield Road Environmental Assessment – The Southfield Road Environmental Assessment Steering Committee met on August 19 to review final alternatives for the design of Southfield Road. Wilson related that the project has been divided into three sections. There will be a public hearing on the matrix for the Southfield Road project in mid to late October. The Steering Committee will continue to assess the alternatives for road design. Based upon the different criteria for various sections of the project, it will be likely that more than one design will be selected.

Wilson informed Council that he has final dispatch figures from the City of Birmingham as of June 30, 2013. Chief Studt will appear before Council to make a presentation on the first year of dispatch.

Wilson addressed questions from Council on the status of the possible move to monthly water billing; availability of past records for Beverly Road paving and sewer projects; need for maintenance at the former McDonald's site; and status of the Royal Oak Academy project on Southfield Road.

REPORTS – COUNCIL

Kelly remarked that she has received mailings recently from a record service that offers to obtain copies of her property title for \$59.95. She advised the public that this information can be obtained from Oakland County for \$1 per page.

Briggs reported that it was announced at the last Baldwin Library Board meeting that Associate Library Director Matt Church has resigned and will become Director of the Berkley Public Library. Kathryn Bergeron will be assuming his position.

Briggs commented on the last Joint Library Building Committee meeting and highlighted the three concepts for the renovation and expansion of the Baldwin Library. The next meeting of the Committee will be on August 22 at 9:30 am, at which time comments will be heard on the alternative design concepts.

Mercer wished his son a Happy 12th Birthday.

Motion by Oen, second by Mooney, to adjourn the meeting at 8:21 pm.

Motion passed.

Tim Mercer
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary