

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

Absent: None

Also Present: Village Manager, Wilson  
Village Attorney, Ryan  
Public Safety Director, Torongeau

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 Nunez, second by Oen, to amend the agenda moving “Review and consider approval of minutes of a regular Council meeting held December 19, 2017” to the Business Agenda.

Motion passed.

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

Motion passed.

### **COMMUNITY ANNOUNCEMENTS**

None.

### **PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA**

None.

### **CONSENT AGENDA**

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

1. Review and file bills recapped as of Tuesday, December 26, 2017.
3. Review and consider extending pavement marking contract with R.S. Contracting.

Roll call vote:

Motion passed (7-0)

### **BUSINESS AGENDA**

#### **FIRST READING OF AN ORDINANCE AMENDING CHAPTER 22, SECTION 22.24 AREA, HEIGHT, BULK, AND PLACEMENT REGULATIONS**

Ryan explained regulations for the O-1 Office Zone District in Chapter 22, Section 22.24 Area, Height, Bulk, and Placement Regulations, Schedule of Regulations lists a maximum building height at 30 feet but only allows a single story. Planning Commission has submitted an amendment modifying the language to permit a second story within the current height limit of 30 feet, as is allowed in every other Zone District. At the meeting held November 29, 2017 the Planning Commission held a public hearing and recommended approval of modifications to the language

updating the number of stories from “1” to “2” in the O-1 Office Zone District. This change will not modify the current allowable maximum building height of 30 feet.

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

**PUBLIC HEARING TO RECEIVE COMMENTS ON A PROPOSED ORDINANCE AMENDING CHAPTER 22, SECTION 22.24 AREA, HEIGHT, BULK, AND PLACEMENT REGULATIONS**

Mooney opened the public hearing at 7:34 p.m.

No one wished to be heard, therefore there hearing was closed at 7:35 p.m.

**SECOND ANNOUNCEMENT OF A VACANCY ON THE ZONING BOARD OF APPEALS FOR AN ALTERNATE MEMBER**

Mark Hynes submitted his resignation from the Zoning Board of Appeals as an alternate member on December 14th. Council accepted his resignation and made a first announcement of the vacancy on December 19th. This is the second announcement of vacancy and the term has an expiration date of June 30, 2018.

Application deadline: Wednesday, January 10, 2018 at 4:30 p.m.

Term expires: June 30, 2018

Zoning Board Subcommittee:

Chairperson: Abboud

Members: Oen and Peddie

Meeting: January 16, 2018 at 7:15 p.m.

Applications of interested persons will be delivered to subcommittee members with the January 16th Council packet.

**SET MEETING DATE FOR COUNCIL STRATEGY SESSION**

The Council and Administration agreed to Tuesday, January 30, 2017 at 6 pm for the Council Strategy Session. Administration was advised to have all department heads in attendance.

**REVIEW AND CONSIDER APPROVAL OF MINUTES OF A REGULAR COUNCIL MEETING HELD DECEMBER 19, 2017**

Nunez believed the motion was recorded incorrectly under the item “DISCUSSION REGARDING A PROPOSED ORDINANCE AMENDING CHAPTER 22 SECTION 22.08.150 FENCE, WALL & PRIVACY SCREEN REGULATIONS OF THE MUNICIPAL CODE”.

Instead of “...review the ordinance and send it back to the Planning Commission or provide further detail related to uniformity of materials...” it should read: “...review the ordinance and ~~send it back to the Planning Commission~~ or provide further detail related to uniformity of materials...”

Mueller believed the motion was recorded as proposed.

Motion by Nunez, second by Peddie, to change the motion to read in its entirety; “Motion by Nunez, second by Peddie be it resolved that the Village of Beverly Hills Council subcommittee meet with Administration, LSL Planning, and Village Attorney Ryan to review the ordinance and provide further detail related to uniformity of materials, style, and size; permitting for fence construction; enforcement; stake survey requirements; whether the ordinance could pertain to zones only found on the east side of Southfield Road; and any other items raised by residents at the public hearing or in comments at this meeting.”

Motion passed (6-1)

Abboud	yes
Delaney	yes
Mooney	yes
Mueller	no
Nunez	yes
Oen	yes
Peddie	yes

#### **PUBLIC COMMENTS**

None.

#### **MANAGER’S REPORT**

**Fire Truck Update** – Public Safety Administration completed the specification review for the new mini pumper and pumper truck as authorized by Council. An order form was submitted prior to the end of the 2017 calendar year to lock in the 2017 prices. Village Administration will be presenting the financing options to Council at the next meeting. We are waiting on some final numbers as to our reserve amounts before finalizing the financing. Based on current estimates we will likely pay in full for the mini pumper, saving about \$5,200, and use the remaining balance as a down payment on the pumper truck, financing the remainder for a period of 5-7 years.

**Long Term Disability Plan** – With the approval of the PSO contract earlier this year, both the PSO Union and the Village agreed to continue working on a long term disability plan to cover Public Safety Officers in the Defined Contribution (DC) plan. This issue was brought to the Village’s attention after the implementation of the DC plan for new hires. There was a significant gap in duty disability coverage for employees in a traditional pension, or Defined Benefit (DB) plan and those in a DC plan. This was particularly true for employees who had not served many years and had not built up significant savings in their DC accounts. It was not the intent of the Village to have such a disparity in disability coverage between employees. It took a period of time, but the Village was able to work with our insurance agency IBEX and obtain a Long Term Disability Plan for the Public Safety Department that the PSO Union agreed with. Benefits would be coordinated with other benefits, but would provide covered employees with a guaranteed monthly income and Cost of Living Adjustments for own occupation disabilities until age 65. Premiums for this were very reasonable and ended up being more than offset by savings IBEX and Village Administration were able to obtain on dental and life insurance coverage through renegotiating these benefits.

**FOIA Appeals** – Council has been copied on requests for an appeal of proclaimed denials of material under the Freedom of Information Act. These requests are in regard to documents of an

investigation by the Public Safety Department. Village Administration has turned the matter over to Village Attorney Ryan for his input and he is working with the Public Safety Department to respond. There is a process by which an individual who is denied public documents can appeal their denial to the Village Council. In this instance, Village Administration does not believe that there is a denial of any documents as the documents requested do not exist and/or the requests are not for documents but are interrogatory. Ryan is corresponding with the applicant and Village Administration and Public Safety will respond as advised.

**COUNCIL COMMENTS**

Council members wished everyone in the Village a Happy New Year.

Abboud will attend the upcoming Michigan Municipal League General Session.

Delaney and Oen thanked Comeau for their hard work in the recent snow storm.

Mooney reminded residents to bring their animals in during cold weather. He thanked Clerk Marshall for her work on the Village calendar.

Motion by Oen, second by Abboud, to adjourn the meeting at 7:57 p.m.

Motion passed.

**John G. Mooney**  
**Council President**

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

**Elizabeth M. Lyons**  
**Recording Secretary**