

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

Absent: Member: Abboud

Also Present: Village Manager, Wilson
Village Attorney, Ryan
Village Clerk, Marshall
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, led by Boy Scouts Alex Matthews Troop #1022 and Lucas DaSilva Troop #1024, was recited by those in attendance.

AMENDMENTS TO AGENDA/APPROVE AGENDA

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

Lucas DaSilva, Locherbie, presented his intention to restore the gazebo in Beverly Park, in honor of Bill Pfeifer, as his Eagle Scout project.

PUBLIC COMMENTS

Cynthia Nagle, Kirkshire, expressed her concern about new development, existing drainage problems, and maintaining the aesthetic of the neighborhood. She referenced the Vision and Goals for the Village of Beverly Hills in the Master Plan and what that looks like for the future of her neighborhood.

CONSENT AGENDA

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

1. Review and consider approval of minutes of a regular Council meeting held June 5, 2018.
2. Review and file bills recapped as of Monday, June 11, 2018.

Roll Call Vote:

Motion passed (6-0)

BUSINESS AGENDA

APPOINT VARIOUS MEMBERS TO BOARDS/COMMISSION

Council subcommittees met, starting at 6:30 pm this evening, to review applications for Village Boards and Commission. A number of Board members' terms will expire on June 30, 2018. It is Council's policy to make these vacancies open to the public as well as the currently seated members. All terms appointed in this session expire June 30, 2021.

The Planning Commission subcommittee, chaired by Peddie, met at 6:45 p.m. to review eight applications for three vacancies on the Planning Commission.

Motion by Peddie, second by Delaney, to reappoint Robert Ruprich, Andrew Drummond, and George Ostrowski to the Planning Commission with terms to expire on June 30, 2021.

Motion passed.

The Zoning Board subcommittee, chaired by Nunez, met at 7:00 p.m. to review ten applications for three full member vacancies, and two alternative member vacancies on the Zoning Board.

Motion by Nunez, second by Peddie, to reappoint David Crawford, Chris Crossen, and Karen Mitchell to the Zoning Board of Appeals with terms to expire on June 30, 2021.

Motion passed.

Motion by Nunez, second by Mueller, to appoint Christina Gennari and Ahmad Jawad as alternate members to the Zoning Board of Appeals with terms to expire on June 30, 2021.

Motion passed.

The Parks & Recreation Board subcommittee, chaired by Mueller, met at 6:30 p.m. to review five applications for three vacancies on the Parks & Recreation Board.

Motion by Mueller, second by Oen, to reappoint Janice Hausman, Jennifer Ruprich, and William Kondak to the Parks & Recreation Board with terms to expire on June 30, 2021.

Motion passed.

Mooney thanked all the applicants and expressed pleasure in seeing so many applicants. He congratulated the newly appointed members thanked all the returning members for their continued hard work and dedication.

ANNOUNCEMENT OF A VACANCY ON THE BIRMINGHAM AREA CABLE BOARD

A vacancy exists on the Birmingham Area Cable Board with a term expiration date of June 30, 2020. The Cable Board meets at 7:45 a.m. on the third Wednesday of each month in the Village Council Chamber. They advise the Village Council as to all matters related to Cable Television. The Board monitors performance of the franchisee and compliance with the franchise agreement and acts as liaison between residents and the franchisee.

Applications will be accepted until the vacancy is filled.

REVIEW AND CONSIDER SECOND RESOLUTION ESTABLISHING BALLOT LANGUAGE FOR THE NOVEMBER 2018 ELECTION AMENDING CHAPTER 9 OF THE VILLAGE CHARTER; 9.1 POWER TO TAX

The following Resolution was offered by Oen and seconded by Nunez:

WHEREAS, on the 1st day of May, 2018, a Charter Amendment was proposed by the Village Council; and

WHEREAS, in accordance with the statute in such case made and provided, such Resolution was published in the Observer-Eccentric, a newspaper circulated within the Village; and

WHEREAS, said Resolution has been duly laid on the table for at least thirty (30) days:

NOW, THEREFORE, BE IT RESOLVED as follows:

That the following Charter Amendment be voted upon by the qualified electors of the Village of Beverly Hills at the regular Village election to be held on Tuesday, November 6, 2018, to-wit:

BALLOT PROPOSAL 1

It is proposed that Section 9.1 of the Charter of the Village of Beverly Hills be amended to read as follows:

POWER TO TAX:

SECTION 9.1 (B) the Village of Beverly Hills shall levy an additional 0.20 mill (20 cents [\$0.20] for each \$1,000 of taxable value) for a period of ten years, the years being 2019 to 2028, inclusive. Such new millage, which is estimated to raise \$115,779 the first year, shall be used exclusively to improve, enhance and preserve the parks and their facilities throughout the village.

Shall this amendment be adopted?

YES _____

NO _____

That prior to the submission of the vote of the electors of the Village, such Charter Amendment shall be presented to the Governor of this State. That before its submission to the electors of the Village, the Clerk shall give such notice thereof as is required by law.

AYES: Mueller, Nunez, Oen, Peddie, Delaney, and Mooney

NAYS: None.

RESOLUTION DECLARED ADOPTED.

SECOND READING AND POSSIBLE ADOPTION OF AN ORDINANCE AMENDING CHAPTER 22 SECTION 22.08.150 FENCE, WALL, AND PRIVACY SCREEN REGULATIONS OF THE MUNICIPAL CODE

The ordinance was presented to the Council containing the following change as put forth at the first reading;

A. General Requirements: 1. Permit. d. If a permit is issued it shall contain language indicating the village permit does not relieve the applicant of compliance with the Homeowners Association regulations or deed restrictions if applicable.

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

Motion by Nunez, second by Peddie, to adopt Ordinance #362 amending Chapter 22, Section 22.08.150 Fence, Wall, and Privacy Screen Regulations. This includes the following amendments;

B. Requirements in Single Family Residential Districts: 2. Fences: a. Approval Standards: bullet point 2: The subject site is adjacent to a non-single family residential land use *or cluster development* or Zone District.

B. Requirements in Single Family Residential Districts: 2. Fences: a. Approval Standards: bullet point 4: ...a licensed landscape architect or *certified* arborist.

C. Amortization of Noncompliant Fences.1. ...shall be removed or brought into compliance with ordinance requirements by the *1st day of January 2019*.

Roll Call Vote:

Motion passed (6-0)

This ordinance shall become effective 20 days following publication in the Eagle newspaper.

PRESENTATION FROM SUB-COMMITTEE REGARDING BACKYARD CHICKENS

Mueller reviewed the history of the backyard chicken initiative which included a request to Council to consider an ordinance revision to allow for backyard chickens (Feb 14, 2017), a follow up request to Council with signed resident petition (May 2, 2017) - 98 Beverly Hills resident signatures, and a subcommittee initiated at Joint Planning Commission/Council meeting (Feb 14, 2018). He explained that 11 surrounding communities, and over 35 additional communities across the United States that allow back yard chickens were contacted. Each of these communities have ordinances that regulate number of chickens, lot size allowances, enclosures, roosters, slaughtering, and sales. These communities report low numbers of homes that have backyard chickens and none reported any complaints related to hen chickens or ordinance violations over the 2-8 year period that hen chickens have been allowed in those communities.

Mooney submitted emails received regarding backyard chickens; Cindy Brody in opposition; Todd Schafer, in opposition; Carol Gorlick, in support; Kim Thorston, in support; Stacey Barns, in support; Stacey Burns in support; Janet Ramsayer, in support; Laura Litka, in support.

The following residents spoke in opposition of allowing backyard chickens for reasons of subcommittee bias, failure to seek input from a larger sampling of Village residents, concerns related to enforcement, education, property values, and public health.

Dianne Brody, Sunset Drive

Lisa Mosher, Englewood

The following residents spoke in support of backyard chickens for reasons of sustainability, and defended that chickens do not generate excessive noise and would not be noticed or disruptive to neighbors; suggested that regulations would require permitting, cleanliness checks, and enforcement of code. They also contended that although there may only be a few residents who would keep chickens, they would be committed to the welfare of those chickens. Several residents would not keep chickens themselves, but support that others should be able to.

Racheal Hrydziuszko, Evergreen Road
Lindsay Flatter, Wilshire
Tony Roma, Beverly Road
Jamie Fonz, Kinross
Charles Copeland, Bellvine Trail
Hope Swann, Sunset Drive
Andrew Wood, Waltham Drive
Jennifer Carney, Marguerite
Jennifer Brown, Marguerite
Kaitlyn Bora, Eastlady Drive
Mike Little, Waltham Drive
Denise Liberty, 13 Mile Road
Lorri Calver, Wilshire
Fran O'Connell, Smallwood
Kathleen Meyers, Hampton

Motion by Mueller that the Village Council directs the Planning Commission to develop a draft revision to the Village of Beverly Hills Zoning Ordinance 22.08.430 Keeping of Farm Animals and Other Animals, to allow for the keeping and raising of hen chickens, and a draft addition to the Village of Beverly Hills Municipal Code: Chapter 14: Dogs and Other Animals which would provide regulations specific to the keeping and raising of hen chickens for Council review and discussion for a date to be determined.

Motion failed.
Lack of support.

REVIEW AND CONSIDER RESOLUTION TO CREATE AN AD HOC JOINT SENIOR SERVICES COMMITTEE

The City of Birmingham Administration has spearheaded a proposal to reconvene the Joint Senior Services Committee between the Beverly Hills, Birmingham, Bingham Farms, Franklin, Southfield Township and Birmingham Schools. The Committee previously met in 2012 and 2013 and made a formal presentation to all the local governing bodies that consisted of a two phase approach to addressing senior services. As these needs are still a priority it is desired to have the municipal governments participate directly in a committee to review these two phases and development an acting plan going forward.

The resolution creates an Ad Hoc committee that would meet until March 30, 2019 and would consist of one member from each Governing Body, one resident member from each community and an ex-officio member of each administration.

Mueller expressed support for providing senior services, however he was concerned about the use of tax payer monies toward entertainment for a single demographic.

Greg Burry, Birmingham Next president, explained that their programs connect people who may otherwise be disconnected. This resolution is to form a committee to review these kind of issues, and start to consider options.

RESOLUTION CREATING AN AD HOC JOINT SENIOR SERVICES COMMITTEE TO CONDUCT A LONG TERM STUDY AND EVALUATION OF THE NECESSARY FUNDING AND GOVERNANCE MODEL TO EFFECTIVELY PROVIDE ADEQUATE SENIOR SERVICES TO PARTICIPATING COMMUNITY RESIDENTS

Motion by Delaney, second by Oen, to adopt the following Resolution:

Whereas, the senior population aged 65 and older in Birmingham, Beverly Hills, Bingham Farms and Franklin is projected to be the largest growing population segment over the next several decades and these communities wish to prepare for the service needs of this growing demographic, and Whereas, the communities of Birmingham, Beverly Hills, Bingham Farms, Franklin and Southfield Township along with the Birmingham Public Schools (herein referred to as Governing Body) had previously established a Joint Senior Services Committee in 2012 to present recommendations for improved senior services, and

Whereas, the Joint Senior Services committee presented their final recommendations to the municipalities in 2013, which was comprised of a two phased approach to address near term (Phase 1) and longer term (Phase 2) initiatives, and

Whereas, Phase 1 involved increased services and hours based on increased funding requests to the member communities, and

Whereas, Phase 2 involved a longer term focus centered on a dedicated funding source to address further increasing service demands and facility needs, and

Whereas, additional study and analysis is necessary to advance recommendations for Phase 2 as the current senior services funding and governance model in these communities may be insufficient to meet the increasing demand for senior services, and

Whereas, the governing bodies of the Birmingham Public Schools, City of Birmingham, Village of Beverly Hills, Village of Bingham Farms, Village of Franklin and Southfield Township wish to explore ways to meet the increasing demand for senior services.

NOW THEREFORE BE IT RESOLVED that an Ad Hoc Joint Senior Services Committee is hereby established to develop and recommend a long term plan for addressing the increasing demand for senior services in accordance with the following:

1. The Committee will be Ad Hoc. The term of the Committee shall continue until March 30, 2019 and the Committee will cease functioning unless otherwise directed by their respective Governing Body at that time.

2. The Governing Body hereby appoints representatives to the Ad Hoc Joint Senior Services Committee to be comprised of the following members.
 - a. One elected official from each respective Governing Body.
 - b. One resident member from each respective municipality appointed by each municipality.
 - c. One ex-officio member from each school and municipal administration.

3. All meetings of the Committee shall be open to the public. Agenda and minutes for all meetings shall be prepared.

4. The scope of the Committee shall be to develop a long term plan on how to best proceed in addressing the increasing demand for senior services in accordance with the following:
 - a. Review the Joint Senior Services Committee Final Recommendation to the Municipalities Report from June 2013.
 - b. Evaluate current service demands and projected trends for senior demographics and future service demands.
 - c. Analyze current funding sources and operational structure of the current contracted senior service model.
 - d. Compare and contrast current senior services funding and governance models in the participating communities to other area communities and best practices.
 - e. Review and evaluate cost and budget implications of any proposed recommendations and include strategic funding alternatives.
 - f. Compile the Committee's findings and recommendations into a report to be presented at the end of the Committee's term.

5. The Committee is not authorized to expend funds or enter into agreements. All recommendations made by the Committee shall be in the form of a report to the Governing Body.

BE IT FURTHER RESOLVED, the Beverly Hills Village Council hereby appoints James Delaney as an elected official to the Ad Hoc Committee, Dorothy Pfeifer as the resident member of the committee, and Chris Wilson as an ex-officio administration official to the committee.

Roll call vote:

Motion passed (6-0).

REVIEW AND CONSIDER AMENDMENTS TO FY 2017-18 BUDGET

There are amendments relating to the General Fund to adjust various accounts to anticipated year end levels, Major Fund to record additional revenue received and reallocate the budget between accounts, Public Safety fund to adjust accounts to anticipated year end levels and reallocate the budget between accounts, Capital Fund to record fire truck modifications previously approved by Council and Water Fund to adjust the administration fee to agree to Fund 101. These proposed FY 2017-18 Budget Amendments have been reviewed by Village Administration and are recommended for approval.

Motion by Oen, second by Nunez, be it resolved that the Village Council authorizes Village Administration to transfer or adjust monies reserved in the General, Major Roads, Public

Safety, Capital fund and Water Fund as reflected in the June 15, 2018 memorandum from Manager Chris Wilson.

Roll call vote:
Motion passed (6-0).

PUBLIC COMMENTS

Racheal Hrydziuszko, Evergreen Road, explained that she started the “Village Town Hall” Facebook group as a place for residents to stay up to date, and although it is a closed group any resident that requests admission would receive it.

MANAGER’S REPORT

Water Testing – The Village has begun residential water testing as required by the DEQ. At this time, 61 collected samples have been submitted for a testing. An additional 65 will be submitted on June 20th. The DEQ requirement for the submission of 60 samples by June 30th will be met. Some residents have reported difficulty in meeting the regulations set forth by the DEQ for collecting a valid sample. If a resident is unable to meet these requirements, their sample will be accepted and tested, however it cannot be included in the population reported back to the DEQ. Any resident who wishes to have their water tested can contact the Village and their water can be tested at no cost to them.

Former Church Property – The Village has been in contact with the individual who has purchased the large parcel on the south side of 13 Mile west of Evergreen, the former Albanian Church. The preliminary indications are that the new owner wishes to pursue a residential development of multiple houses. Based upon the current zoning it would be possible to get 4-5 homes on this property. The owner has not submitted a site plan to date, but we anticipate something coming forward later this year.

Roads Analysis – HRC has completed the physical inspection of the roadways in the Village and is preparing the ratings analysis and cost projections. This project is expected to be completed by late June or early July. A presentation will be given to Council upon completion.

Southfield Corridor Analysis – CORE Properties is in the final stages of their report on the Southfield Rd. Overlay District. The report will be available by the end of the month.

Compensation and Classification study – Municipal Consulting Services has completed their review of our wages, classifications and job descriptions and has received the final comparable from surrounding similar communities. A final report and presentation to the Personnel Committee and Council should be ready by early to mid-July.

Greenwich Village Traffic Study – Based upon the comments from residents in Greenwich Village the Village was able to commission a traffic counts analysis from TIA for Evergreen and 14 Mile as well as Old Stage, Carriage Ln, Old Post and Wellesley. The traffic counts were taken on Wednesday, June 13th to try and capture normal school traffic. As this was the last week of school there was some concern that the traffic levels were not indicative of typical school traffic. If the numbers do not show sufficient peak hour traffic counts then we can retake these counts in

September. Village Administration is analyzing some potential signage and regulations that would limit turns off of Evergreen and 14 Mile to these local streets during particular times of the day. Similar regulations have been utilized on Stafford to successfully limit cut through traffic.

Office Closed – Village Offices will be closed on Wednesday, July 4th in observance of Independence Day. Trash collection will not be interrupted this week.

COUNCIL COMMENTS

All members of Council thanked the fence subcommittee for their hard work on the fence ordinance.

Mueller announced there would be a Parks and Recreation Board meeting at Beverly Park on Thursday, June 21.

Delaney announced the Cable Board meeting would be Wednesday, June 20.

Mooney explained that the lack of support on the motion to move forward on a backyard chicken ordinance was reflective of the fact that the agenda item was a preliminary discussion on backyard chickens, and requires further study before a potential ordinance change.

Motion by Oen, second by Peddie, to adjourn the meeting at 9:40 pm.

Motion passed.

John Mooney
Council President

Ellen E. Marshall
Village Clerk

Elizabeth M. Lyons
Recording Secretary