

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

Absent: Members: George and Hrydziuszko

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

President Peddie 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.

AMENDMENTS TO AGENDA/APPROVE AGENDA

Motion by Mooney, second by Nunez, to amend the agenda, moving Consent Agenda Item 3 “Review and Consider 2018 Special Assessment Roll for the Southfield Road Business Assessment District” to Business Item 5. With the submission of the letter of resignation after the publication of the agenda, amend Business Item 3. First announcement of vacancy on the Birmingham Area Cable Board to include “Accept the resignation of Rosemary Bayer and...”, and add Council Comments to the end of the agenda.

Motion passed.

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS

Casey Powell, Dunblaine, requested clarification on the status of the proposed modification to Section 22.08.100 Accessory Structures, Buildings and Uses in Residential Zone Districts to regulate mechanical units in side yards and to require zoning permit for small buildings 120 square feet and larger that are otherwise not required to obtain building permits. It was confirmed that the motion had failed, and no changes were made to the ordinance.

PUBLIC HEARING - SPECIAL ASSESSMENT ROLL FOR SOUTHFIELD ROAD BUSINESS ASSESSMENT DISTRICT

President Peddie declared the public hearing open at 7:34 pm to receive comments on the Special Assessment Roll for the Southfield Road Business Assessment District.

No one wished to be heard; therefore, the public hearing was closed at 7:34 pm.

CONSENT AGENDA

Motion by Mooney, second by Mueller, be it resolved that the Council for the Village of Beverly Hills approve the consent agenda.

1. Review and consider approval of minutes of a regular Council meeting held February 5, 2019.
2. Review and file bills recapped as of Friday, February 15, 2019.

Roll Call Vote:
Motion passed (5-0).

BUSINESS AGENDA

REVIEW AND CONSIDER APPOINTMENT OF KRISTIN RUTKOWSKI AS VILLAGE CLERK AND ASSISTANT VILLAGE MANAGER

Administration and the Personnel Committee recommend the appointment of Kristin Rutkowski to the position of Village Clerk and Assistant Village Manager. Rutkowski is a Michigan native and graduate of Cranbrook High School. She has a Bachelor of Arts in American Studies and Political Science from DePaul University in Chicago and a Master of Public Administration from the University of Colorado in Denver. Rutkowski worked as a Business Development Associate for the City and County of Denver, CO, as an Executive Assistant to the City Manager in Hamtramck, MI, and is currently working as Clerk in the Building Department for the City of Royal Oak.

Rutkowski was interviewed twice by the Personnel Committee and once by the Village Manager. She performed very well in all three interviews. She passed the background investigation by the Department of Public Safety. She serves as a volunteer and Event Coordinator for the Polish Legion of American Veterans and has served as an animal shelter and adoption center volunteer for PAWS Chicago.

Rutkowski agreed to a start date of Monday, February 25th. Starting salary will be at the rate of \$73,565 annually. This is the starting rate (step 1) as established for this pay grade (Grade 6) per the most recent salary survey commissioned by the Village. Other benefits will be the same as those provided to other non-union Village employees. There is a six (6) month probationary period. As Clerk and Assistant Manager Ms. Rutkowski will be directly supervised by the Village Manager. Per the Charter, her appointment as Clerk must be approved by the Village Council. Appointment of Rutkowski as the Village Clerk will also terminate Wilson's temporary appointment to the position of Village Clerk.

All members of Council welcomed Rutkowski and expressed their enthusiasm at working with her.

Motion by Abboud, second by Mooney, be it resolved that the Beverly Hills Village Council appoint Kristin Rutkowski to the position of Village Clerk effective February 25, 2019. Rutkowski will also serve in the capacity of Assistant Village Manager under the direction and supervision of the Village Manager. Annual salary for Rutkowski will be \$73,565, subject to periodic review and annual adjustment, with other employment benefits as equal to those provided to other nonunion Village employees.

Roll call vote:
Motion passed (5-0)

INSTRUCTIONS TO PLANNING COMMISSION

Peddie met with Administration and Erin LaPere, Planning and Zoning Administrator, after the joint meeting to draft instructions to the Planning Commission.

Administration

1. Marijuana Ordinance- Opt out. Village Attorney Tom Ryan to draft language
2. Compliance with State Regulations - LaPere will work with Ryan and Planning Consultant to review
 - a. Sign Ordinance
 - b. Notification Deadlines
 - c. Childcare facilities
3. Conflicting Sections
 - a. 22.08.090 and 22.08.130 - LaPere will work with Planning consultant
4. Site Plan Review Process - LaPere will review administrative processes
5. Outside Storage in Residential Zone Districts- Vehicles, wood storage - Ryan will draft Language

Planning Commission

1. Planned Unit Development (PUD)
 - a. Please include language for developers of properties concerning removal of “landmark” trees on properties.
 - b. Review existing cluster ordinance language and make recommendations
 - c. Establish subcommittee of Planning Commission to work with consultant on recommended language
2. Re-zoning Standards
 - a. Establish of Planning Commission to work with consultant on recommended language
3. Principal Uses and Special Land Uses
 - a. O- Office and B Business — Planning Commission will appoint a subcommittee to review and make recommendations by summer
 - b. Off-street Parking Regulations - Planning Commission will appoint a subcommittee to review and make recommendations based upon updates to commercial uses.

Council

1. Chickens
 - a. Is there agreement amongst Council to do the following:
 - i. Get an indication of whether we want to draft an ordinance
 - ii. Do we want to have a ballot proposal
 - iii. Get a sense of what the community thinks. Survey
2. Talk about sidewalks- connecting various destination points in our community
 - a. Funding
 - b. Get sense from Council
3. Re-visit Tree Ordinance
 - a. Looking at PUD and placing rules here may eliminate concern with developers clear cutting lots
4. Zoning Ordinance Overhaul

- a. Quote provided to us in 2016 was \$50,000 to \$60,000. There was discussion on a complete overhaul but considering the cost on the quote provided and that there are no funds allocated for such an endeavor, concentration will be centered on the updates proposed above. LaPere believes this will make the Zoning Ordinance text better.

ACCEPT THE RESIGNATION OF ROSEMARY BAYER AND MAKE THE FIRST ANNOUNCEMENT OF VACANCY ON THE BIRMINGHAM AREA CABLE BOARD

Rosemary Bayer has been a member on the Birmingham Area Cable Board since July 2017. We received notification that since she has been elected as State Senator of District 12, she is resigning from her position on the Board at the completion of the December 19, 2018 meeting. This is the first announcement of the vacancy; the term has an expiration date of June 30, 2020. The Cable Board meets on the third Wednesday of the month, at 7:45 a.m. in the Village Council chamber.

Application deadline:	Friday, March 29, 2019 at 4:30 p.m.
Term expires:	June 30, 2020
Cable Board Subcommittee:	Chairperson: Peddie
Members:	Abboud and George

Applications of interested persons will be delivered to subcommittee members with the April 9, 2019 packet.

Motion by Mooney, second by Muller, to regretfully accept the resignation of Rosemary Bayer from the Birmingham Area Cable Board.

Motion passed.

INSTRUCTIONS TO PARKS & RECREATION BOARD

Due to the proposal for Beverly Park funding not making it onto the November ballot, there are not any large projects planned for the 2019 season. Most of the budgeted funds for FYs 2019 and 2020 are allocated towards the buckthorn removal project.

1. Review maintenance, repair, and replacement schedule
 - a. Once the buckthorn has been removed discuss re-forestation. Possible hire of arborist/forestry expert to review soil and what are the best options for new trees
 - b. Find out what DEQ permits for Riverside Park would be needed
 - c. Hrydziuszko will reach out to MSU for re-planting options
2. DTE Grant use by May 30, 2019; matching funds \$1,500
3. Discussion of further funding for all Parks in Beverly Hills. 2020 Millage renewal consider separate millage for funding into the future
4. Continuation of the Park Ranger program and discussion of 2019 duties and projects
 - a. Woodchips
 - b. Disc golf course
 - c. Re-painting dugouts
 - d. Paint the fence
5. Discussion of expanded role of Administration and Parks and Recreation Board in yearly Village Wide celebrations: Memorial Day, Halloween Hoot

6. Holiday Lighting in Beverly Park
7. Long Term issues- Play structure is not in good shape. Need to plan. Est cost for replacement is \$276,000

Mooney reported the plaque commemorating the gazebo was reinstalled after the Eagle Scout project refurbishing the gazebo was completed.

Mueller reported that the Parks & Recreation Board has received species recommendations for the Beverly Park reforestation project, as well as additional grant monies and donations. The Lost and Found Pole at the Park will be replaced this year.

REVIEW AND CONSIDER 2018 SPECIAL ASSESSMENT ROLL FOR THE SOUTHFIELD ROAD BUSINESS ASSESSMENT DISTRICT

Motion by Mooney, second by Mueller, be it resolved that the Southfield Road Business District incurred the following costs for 2018: maintenance \$2,844.21, water costs for the sprinkling system \$1,514.36 and electric costs for Beverly Hills Grill \$312.19. In addition, each property incurred a 10% administrative fee for a total of \$467.08.

Therefore, the Village of Beverly Hills Council confirms the Village Business District Assessment Roll for the 2018 season in the amount of \$4,670.76 as follows:

Beverly Hills Club	\$1,183.07
Bed, Bath & Beyond	\$462.45
Beverly Hills Grill	\$520.63
C.G. Holdings, LLC	\$338.62
Emile Salon	\$491.03
Taco Bell	\$400.20
31333 Building	\$552.35
Beverly Venture	\$1,189.50
<u>Rounding</u>	<u>(0.01)</u>
TOTAL:	\$4,670.76

Roll Call Vote:
Motion passed. (5-0)

PUBLIC COMMENTS

None.

MANAGER’S REPORT

Cable Board Reimbursement – The Cable Board has determined the amount of their administrative grants for the four (4) member communities for FY 2018-19. In total, the Cable Board will be releasing \$293,491 in administrative grants. Of this amount, \$83,704 will be paid to the Village. These monies should be received this month. These funds will be received as revenue for the Village’s General Fund.

Greening Scholarship – Forms are now available for the 2019 Donald and Patricia Greening Community Service Scholarship. This annual scholarship award in the amount of \$1000 is provided to one eligible male and female graduating high school student or student who plans to enroll at a college, community college, university or technical school in the fall of 2019. The scholarship is open to any graduating senior of Groves High School or any graduating senior who is a resident of the Village of Beverly Hills. Applicants should have completed charity work that benefits the Village of Beverly Hills, or any charitable organization located within the Village. To be considered, applicants are required to have an unweighted GPA of 3.0 or higher on a 4.0 scale and a minimum ACT score of 22. Applications can be found on the Village website, at the Village Offices or through your high school counselor.

March 5th Public Hearing – For the Council meeting of March 5th there is a Public Hearing scheduled to take comments on a revised site plan and special land use application for Detroit Country Day School (DCD). The applicant has submitted a revised site plan to get approval for a playground structure and sports court that were constructed with the middle school expansion project but were not approved as part of the original site plan. The Planning Commission also conducted a Public Hearing on this matter and recommend denial of the application by DCD. In the interim, DCD has been meeting with representatives of the adjoining neighborhood on potential modifications to the site/site plan. As of today, a revised site plan has not been submitted. Tickets were issued for DCD for non-compliance with the Village’s zoning codes. These tickets were adjudicated on February 7th in the 46th District Court as civil infractions for three counts of zoning ordinance violations with fines totaling \$1,500. Ryan has advised that if there are issues remaining with non-compliance following the resolution of this matter before the Village Council, he can return to court with an order based upon the decision of the Village per the previous pleas entered.

COUNCIL COMMENTS

Mueller announced the February Parks & Recreation Board meeting was canceled.

Nunez commended Comeau for their excellent job of snow removal during recent storms.

Mooney thanked Comeau for their swift work on the snow removal during recent storms. He shared on the sad passing of Geraldine Hoover, wife to former Council member and president Al Hoover.

Abboud reported the Finance Committees met and the Village is in sound financial shape. He encouraged residents to attend meetings and get involved.

Motion by Mooney, second by Nunez, to adjourn the meeting at 8:08 p.m.

Motion passed.

Lee Peddie
Council President

Chris Wilson
Village Clerk

Elizabeth M. Lyons
Recording Secretary