

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

Absent: None

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

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 led by Eagle Scout Andrew Flaherty and recited by those in attendance.

AMENDMENTS TO AGENDA/APPROVE AGENDA

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS

Bob and Karen Daykin, Buckingham, expressed their concerns related to the plan review and permit process for residential construction.

CONSENT AGENDA

Motion by Mooney, second by Abboud, 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 April 16, 2019.
2. Review and consider approval of minutes of a special Council meeting held April 23, 2019.
3. Review and file bills recapped as of Monday, April 29, 2019.
4. Review and consider the Village of Beverly Hills' Support Plan to the Oakland County Emergency Operations Plan.
5. Review and consider request to waive pavilion rental fees for Baldwin Public Library on July 9, 2019.
6. Review and consider Movie in the Park agreement with Carey & Paul Group.
7. Set Public Hearing date for June 4, 2019 regarding amendments to Chapter 22 of the Municipal Code (Zoning Ordinance).

Roll Call Vote:

Motion passed (7-0)

BUSINESS AGENDA

REVIEW AND CONSIDER ANDREW FLAHERTY'S EAGLE SCOUT PROJECT PROPOSAL TO BUILD AND INSTALL A BENCH AT BEVERLY PARK

Andrew Flaherty presented an Eagle Scout project proposal at the April 18, 2019 Parks and Recreation Board meeting to build and install a bench at Beverly Park. The Board offered comments and recommends approval. A copy of the proposal was provided. Flaherty explained his proposal in more detail and received unanimous support from the Council.

Bill Winter, Riverview Drive, was very pleased with the project plan.

Motion by Mooney, second by Mueller, that the Village Council authorizes Andrew Flaherty to build and install a bench at Beverly Park for his Eagle Scout project, with funds from the Village made available in an amount no greater than \$300.

Motion passed.

REVIEW AND CONSIDER MARIAN HIGH SCHOOL’S REQUEST TO HOLD ITS ANNUAL WALK-A-THON IN BEVERLY HILLS ON FRIDAY, MAY 10, 2019.

Village administration received a request from Marian High School asking for permission to hold its annual Walk-a-thon in the Village of Beverly Hills on Friday, May 10, 2019. Funds raised from the Walk-a-thon will go to South Oakland Shelter and Angel’s Place. A letter from the All School Board Moderator and a map of the proposed route was provided.

Motion by Hrydziuszko, second by Mueller, that the Village Council authorizes Marian High School to hold its annual Walk-a-thon in Beverly Hills on Friday, May 10, 2019 provided a certificate of liability insurance naming the Village of Beverly Hills is submitted to the Clerk’s office prior to the event.

Motion passed.

PUBLIC HEARING TO REVIEW 2018 ASSESSMENT ROLLS FOR DUST CONTROL AND OTHER MISCELLANEOUS ASSESSMENTS

A public hearing is required to review and confirm unpaid assessments and billings that need to be added to the tax roll in the categories of dust control and other miscellaneous assessments.

Peddie opened the public hearing at 7:52 p.m. on the 2018 Assessment Rolls for dust control and other miscellaneous assessments. These are charges to residents for services that have already been incurred by the Village.

No one wished to be heard; the public hearing was closed at 7:52 p.m.

REVIEW AND CONSIDER SPECIAL ASSESSMENTS TO BE ADDED TO 2019 TAX ROLL

Each year a public hearing is held to review and confirm the unpaid assessments and billings that are to be added to the tax roll. The categories of subject charges and amounts follow:

Description	No. of Properties	Amount
A. Dust Control*	62	\$ 749.98
B. Water & Sewer Charges	94	\$ 90,713.60
C. Stafford	13	\$ 8,673.63
D. Southfield Rd. Maintenance	1	\$462.45

E. Weed Maintenance	2	\$ 3,412.37
Total	172	\$ 104,012.03

*Dust Control is a single lot assessment, based on front footage, for residents living on gravel roads.

Motion by George, second by Mooney, be it resolved that the Beverly Hills Village Council hereby approves the abovementioned special assessments to be added to the 2019 tax roll.

Roll call vote:
Motion passed (7-0)

PUBLIC HEARING ON PROPOSED 2019/2020 BUDGETS FOR GENERAL FUND, MAJOR & LOCAL ROADS, WATER & SEWER OPERATING AND OTHER SPECIAL REVENUE FUNDS

The proposed 2019/2020 budgets for the Village General Fund, Major & Local Roads, Water & Sewer Operating Fund, and other Special Revenue Funds were reviewed at a Council meeting held on May 7, 2019.

Peddie opened the public hearing on the 2019/2020 budgets at 8:05 pm.

Paula Roddy, East Rutland, asked Wilson to provide an explanation on the water fund account. He explained that the 7% increase in water and sewage will cause account balance to be in the positive in 2019/20 and they will begin to build cash in the fund.

She inquired about the road analysis that was done, Wilson explained that they are working to repair the side streets with the lowest ratings first.

Winters thanked the Council for all their work on the budget.

No one else wished to be heard; the public hearing was closed at 8:10 pm.

REVIEW AND CONSIDER ADOPTION OF THE 2019/2020 FISCAL YEAR VILLAGE OF BEVERLY HILLS BUDGET

Motion by Mooney, second by Mueller, to adopt the following Resolution:

**RESOLUTION
TO ADOPT THE 2019/2020 FISCAL YEAR
VILLAGE OF BEVERLY HILLS BUDGET**

The Village Council of Beverly Hills conducted a public hearing on the proposed 2019/2020 Fiscal Year Budget on May 7, 2019 and public comments have been heard and considered. Therefore, be it resolved that the 2019/2020 Fiscal Year Budget for the General Fund, Public Safety Fund, Library Fund, Major Road Fund, Local Streets Fund, Drug Law Enforcement, Retiree Health Care, Vacation Reserve, Sick Leave and Water and Sewer Operating Fund in the following amounts be hereby adopted:

FUND NAME	REVENUES	APPROPRIATIONS
General Fund	\$ 3,784,532	\$ 3,262,041
Public Safety Fund	\$ 5,643,163	\$ 5,451,742
Library Fund	\$ 505,231	\$ 504,921
Major Road Fund	\$ 757,835	\$ 473,400
Local Streets Fund	\$ 822,729	\$ 1,069,600
Drug Law Enforcement	\$ 2,015	\$ 2,000
Retiree Health Care	\$ 437,790	\$ 433,790
Vacation Reserve	\$ 25,000	\$ 16,148
Sick Leave Reserve	\$ 10,250	\$ 14,000
Water & Sewer Operating	\$ 5,024,010	\$ 4,863,029
Capital Projects Fund	\$ 302,000	\$ 364,500

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

REVIEW AND CONSIDER APPROPRIATING FUNDS FOR THE 2019/2020 FISCAL YEAR VILLAGE OF BEVERLY HILLS BUDGET

Motion by Mooney, second by Abboud, to adopt the following Resolution:

**RESOLUTION
TO APPROPRIATE FUNDS FOR THE 2019/2020
BEVERLY HILLS BUDGET**

The Village Council of Beverly Hills has adopted its annual budget for its fiscal year beginning July 1, 2019 in accordance with State law and the Village Charter, and

The Village Council is also required to adopt an appropriations act to provide the authority to incur obligations and expend public funds.

THEREFORE, BE IT RESOLVED, that the adopted budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020 shall establish the approved appropriation levels for the said fiscal year.

BE IT FURTHER RESOLVED that the Village Council does hereby authorize the Village Manager to execute transfers between appropriations provided that each transfer be approved by the Village Council prior to its execution.

BE IT FURTHER RESOLVED that the Village Council retains authority to amend the Village budget and this appropriations act at such times when deviations from the projected revenues and authorized expenditure levels become necessary and the amount of the deviations becomes known.

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

REVIEW AND CONSIDER ADOPTION OF THE 2019/2020 VILLAGE OF BEVERLY HILLS MILLAGE RATE

Motion by Mooney, second by Abboud, to adopt the following Resolution:

RESOLUTION

TO ADOPT THE 2019 VILLAGE OF BEVERLY HILLS BASE TAX RATE

WHEREAS, the Village Council of Beverly Hills has adopted its annual budget for its fiscal year beginning July 1, 2019 in accordance with State law and the Village Charter;

WHEREAS, the Village Council must also adopt a millage rate to be levied on the Village tax roll for 2019;

WHEREAS, Act 298 of 1917 allows cities and villages to levy a tax not to exceed 3 mils for the purposes of garbage collection and disposal. The annual rubbish tax shall be in addition to the amount authorized to be levied for general purposes; and

WHEREAS, Public Act 5 of 1982 does not apply to levying for Debt Service.

NOW, THEREFORE, BE IT RESOLVED, that the Village Council does hereby approve the total 2019 millage rate for the Village at 12.9993 mils and the 12.9993 millage rate is to be distributed as follows:

General Fund	1.9099 mils
Public Safety Fund	9.0043 mils
Library Fund	0.8351 mils
Rubbish Fund	1.2500 mils
Total Millage Rate	12.9993 mils

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

REVIEW AND CONSIDER RESOLUTION TO ADOPT 2019/2020 RATE SCHEDULE FOR WATER CONSUMPTION AND SEWAGE DISPOSAL

Motion by Mooney second by Abboud, to adopt the following Resolution:

RESOLUTION

ESTABLISHING WATER & SEWER RATES

Each premises within the Village connected to the water and/or sanitary sewer system shall pay a consumption charge based upon the amount of water used as shown by the water meter installed in each premises as follows:

Water Consumption	\$	2.1066 per 100 cu ft.
Sanitary Sewer O.M. & R		<u>6.2397</u> per 100 cu ft.
Total	\$	8.3463
<u>Debt Service</u>		
Debt Service	\$	20.00 per bill

	<u>Infrastructure</u>	
Infrastructure	\$	70.00 per bill
	<u>Water Only</u>	
	\$	2.1066 per 100 cu ft.
	<u>Sewer Only</u>	
All sewer-only customers per quarter	\$	151.51 Infrastructure/ <u>42.50</u> Debt Service
	\$	194.01

Effective with all water and sewer usage on July 1, 2019 and thereafter until changed.

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

REVIEW AND CONSIDER REQUEST TO PURCHASE NEW BOILER AND GENERATOR FOR THE PUBLIC SAFETY DEPARTMENT.

In October of 2017 Public Safety Administration received a report from Johnson Heating and Cooling that the Public Safety Building boiler was no longer in compliance with the State of Michigan standards. In February of 2019, the Village Manager directed Public Safety Administration to obtain a proposal to replace the boiler and control system. Johnson Thermol Temp., Inc. provided a quote of \$88,000 to replace the building boiler. Johnson Heating and Cooling, LLC. provided a quote of \$148,000 to replace the boiler control system. Johnson Thermol Temp., Inc. requires a thirty (30) percent deposit (\$26,400.00). The balance is due upon completion of the project.

Johnson Heating and Cooling, LLC. requires a fifty (50) percent deposit (\$74,000.00) and an additional \$37,000.00 is due when the project is fifty (50) percent complete. The remaining balance is due upon completion of the project. In November of 2018 Michigan CAT was contracted to service the Public Safety Building generator. A system check was performed, and it was recommended the unit be replaced as it had reached the end of its life cycle. Service recommended several repairs that would not guarantee extending the life of the unit. The generator is original to the building and does not power the fire apparatus doors. During a power outage staff must manually open the doors. The doors are left open creating security concerns. Johnson Thermol Temp., Inc provided a quote to replace the generator which would incorporate the use of these doors during a power outage. The \$48,000.00 quote requires a thirty (30) percent deposit (\$14,400.00).

The Public Safety Department has been under contract with both companies to service and maintain the boiler and control system for three years. Johnson Thermol Temp has also provided maintenance on the building generator. Administration is very pleased with the service and expertise. The proposals provided by Johnson Thermol Temp., Inc. and Johnson Heating and Cooling, LLC were provided. Council was provided the equipment evaluations provided by Michigan CAT and Johnson Thermol Temp., Inc.

Per Village Charter Chapter 8, Section 8.7; The Council shall have the authority to make emergency appropriations from general fund surpluses to meet urgent and immediate needs at any time during the budget year within outlined Charter limits. These proposals appear to fall within those guidelines.

Administration recommends approving payment to Johnson Thermol Temp., Inc., located at 58540 Van Dyke Suite 5, Washington, MI. in the amount of \$26,400.00 to begin work on the boiler and \$14,400 to begin work on the building generator.

Administration recommends approving payment to Johnson Heating and Cooling, LLC. located at 59363 Van Dyke Washington Twp., MI. 48094 in the amount of \$74,000.00 to begin work on the boiler control system and additional \$37,000.00 when the project is fifty (50) percent complete.

Motion by Abboud, second by Mooney, be it resolved that the Village of Beverly Hills Council authorize a deposit to begin work and replace the Public Safety Building Boiler Controls, proposal #19021701 to Johnson Heating and Cooling, LLC. for \$74,000.00 and additional \$37,000.00 when the project is fifty (50) percent complete. Funds are available for this purchase in account #401-905-982.00.

Be it resolved that the Village of Beverly Hills Council authorize a deposit of thirty (30) percent to begin work and replace the Public Safety Building Boiler, proposal dated 2- 19- 19 to Johnson Thermol Temp., Inc. for \$26,400.00. Funds are available for this purchase in account #401-905-982.00.

Be it resolved that the Village of Beverly Hills Council authorize a deposit of thirty (30) percent to begin work and replace the Public Safety Building Generator, proposal dated 2- 13-18 to Johnson Thermol Temp., Inc. for \$14,400.00. Funds are available for this purchase in account #401-905-982.00.

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

PUBLIC COMMENTS

Roddy verified that any proposed or passed amendments are published for public review.

Sharon Tischler, Virmar Court, expressed her concerns related to trash and recycling pick up.

MANAGER'S REPORT

14 Mile Paving Project – The poor weather conditions have caused some delays in the paving project on 14 Mile just west of Lahser. Even with the delays, the contractor has made enough progress that we believe that all traffic control can be removed by Friday, May 17th, opening this road up to regular traffic. Further weather delays will likely prohibit the overall project continuing to remain on schedule. Should traffic control be necessary beyond May 17th the Village will provide updated information.

Construction Fences – At the Planning Commission meeting held April 24, 2019, there was discussion on proposed updates to the construction fencing regulations. Currently, the regulations are in Chapter 22, Section 22.08.280 Regulations of Nuisance Activities which has language

regulating the activities and maintenance of a construction site. Planning Commission and Administration discussed the limitations of having such language in the Zoning Ordinance as there are procedural delays to enact changes, as well as the general appropriateness of construction site maintenance regulations located in the Zoning Ordinance. In most communities, this language is in other chapters as a general police power and detailed rules can be generated administratively which allows greater flexibility to add/modify the rules as needed and to provide discretion to address specific circumstances that may arise. There was consensus at the meeting to modify the existing language to require 6-foot, chain link fencing on any demolition and new construction as well as requiring compliance with Building Department Construction Site Maintenance Requirements. Administration has drafted the requirements, a copy is attached, and there is a public hearing scheduled for the May 22, 2019 Planning Commission meeting on the modifications to the ordinance language.

May Newsletter – The May Village newsletter is now available on the Village’s website. Newsletters have been sent out in the mail and should be arriving soon. Please note that this newsletter contains a copy of the Village’s 2018 water quality report.

COUNCIL COMMENTS

Council thanked Wilson, McCarthy, and Administration for their work on the budget.

Mueller reminded everyone the Memorial Day Parade and Carnival is Monday, May 27. The parade begins at 11am, the carnival will be from 12pm-2pm in Beverly Park, and there will be a commemoration ceremony.

Hrydziuszko and Mooney invited residents to come to Beverly Park, Saturday, May 11 for a Park Clean Up day.

Motion by Abboud, second by Nunez, to adjourn the meeting at 9:10 pm.

Motion passed.

Lee Peddie
Council President

Kristin Rutkowski
Village Clerk

Elizabeth M. Lyons
Recording Secretary