

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

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 recited by those in attendance.

AMENDMENTS TO AGENDA/APPROVE AGENDA

Motion by Mooney, second by Mueller, to amend the agenda, removing Business Item 5: “Closed Session to Discuss Attorney-Client Privilege Memo dated June 28, 2019 regarding voting procedure for 31655 Southfield Road site plan” and in the interest of full disclosure, replacing it with; “Review and consider accepting President Pro-Tem Abboud’s recusal from discussion and action on items pertaining to the site plan at 31655 Southfield Road”.

Motion passed.

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

Motion passed.

SPECIAL ORDER OF BUSINESS - Honoring Irene Davis with the distinction of Parks and Recreation Board Emerita

WHEREAS, Ann Irene Davis honorably served on the Village of Beverly Hills Parks and Recreation Board from 1981 to 1986 and from 1992 to 2019;

WHEREAS, during her combined thirty-two years of service, Ms. Davis made immeasurable contributions to Beverly Hills’ parks;

WHEREAS, among her accomplishments, Ms. Davis was an integral part of major park improvements such as the pavilion enhancements, updated playground structure, new fencing, and paving the parking lot at Beverly Park;

WHEREAS, Ms. Davis was a founding member of the Village of Beverly Hills Garden Club and volunteered her time planting flowers and tending to the gardens around the park;

WHEREAS, Ms. Davis donated the wreath for the annual Memorial Day Ceremony for several years;

WHEREAS, for decades, Ms. Davis was a dedicated volunteer for events and activities at Beverly Park such as the Memorial Day Carnival and Halloween Hoot;

WHEREAS, her experience, knowledge, and expertise proved to be invaluable on countless occasions;

WHEREAS, Ms. Davis demonstrated a strong commitment to Parks and Recreation, continues to strongly advocate for park improvements, and encourages the public’s participation in our parks; and

WHEREAS, the Village of Beverly Hills Council is sincerely grateful for the time Ms. Davis volunteered as a Parks and Recreation Board Member.

NOW, THEREFORE, BE IT RESOLVED, in a motion by Mueller, second by Mooney, the Village Council of the Village of Beverly Hills hereby recognizes Irene Davis for the contributions she has made to the parks, gratefully acknowledges her exemplary dedication, and bestows upon her the title of “Parks and Recreation Board Emerita.”

BE IT FURTHER RESOLVED, that a flowering tree will be planted in Beverly Park in Irene Davis’ name.

Roll Call Vote:
Motion passed (7-0)

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS

None.

CONSENT AGENDA

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

1. Review and consider approval of minutes of a regular Council meeting held July 16, 2019.
2. Review and file bills recapped as of Monday, July 22, 2019.
3. Review and file bills recapped as of Monday, August 5, 2019.

Roll Call Vote:
Motion passed (7-0)

BUSINESS AGENDA

APPOINTMENT OF ZONING BOARD OF APPEALS MEMBERS

There is one (1) full member vacancy and one (1) alternate member vacancy on the Zoning Board of Appeals. Announcements of these vacancies have been made since May 2019 at Council meetings, on the Village website, and through the GovDelivery weekly emails.

The Zoning Board subcommittee, chaired by George, recommended the reappointment of Reanen Maxwell, as a full member, and the appointment of Charlotte Keller, as an alternate member.

Motion by Hrydziuszko, second by Abboud, to reappoint Reanen Maxwell to the Zoning Board of Appeals with term to expire on June 30, 2022.

Motion passed.

Motion by Hrydziuszko, second by Mueller, to appoint Charlotte Keller as an alternative member to the Zoning Board of Appeals with term to expire on June 30, 2021.

Motion passed.

ANNOUNCEMENT OF BIRMINGHAM AREA CABLE BOARD VACANCIES

Two Birmingham Area Cable Board members' terms are expired and both members, Bob Borgon and Gilbert Gugni, are seeking reappointment for terms ending June 20, 2022. A third vacancy also exists on the Cable Board for a partial term ending June 30, 2021. The third vacancy was created by Board Member Sara Bresnahan's resignation.

The Cable Board meets on the third Wednesday of the month at 7:45 am in the Village of Beverly Hills Council Chamber.

All eligible and interested residents are encouraged to apply by submitting an application to the Village Clerk's Office. Applications can be found on the Village website or at the Village Office. Applications are due Monday, August 26th with appointments scheduled to take place at the September 3, 2019 regular meeting.

REVIEW AND CONSIDER AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE OAKLAND COUNTY COOPERATIVE INVASIVE SPECIES MANAGEMENT AREA

The Village of Beverly Hills received an invitation to join the Oakland County Cooperative Invasive Species Management Area (OC CISMA). The OC CISMA currently has over 30 member organizations including municipalities, county government, and non-profit organizations. Its focus is on managing the spread of invasive species in Oakland County. Membership benefits include grant opportunities, public education and outreach, invasive species management expertise, and strategic planning support.

Motion by Hrydziuszko, second by Mooney, be it resolved that the Village Council of the Village of Beverly Hills hereby authorizes Village Administration to sign the Memorandum of Understanding with the Oakland County Cooperative Invasive Species Management Area (OC CISMA). Be it further resolved that the Village Council hereby appoints Kristin Rutkowski to represent the Village of Beverly Hills at the OC CISMA Steering Committee meetings and appoints Chris Wilson as an alternate representative.

Roll call vote:

Motion passed (7-0).

REVIEW AND CONSIDER RESOLUTION AUTHORIZING ADMINISTRATION TO UPDATE FEES RELATED TO WATER METER INSTALLATIONS AND WATER SHUT OFFS

Chapter 13, Section 13.4 requires that the Council approve utility rates for the Village water supply system, and charges for the system. The Village presently charges a resident or builder \$133.00 per meter for the 5/8 inch and 3/4 inch, and \$209.00 per meter for the 1 inch. The Village cost for these meters is currently \$214.00 and \$295.00 respectively; these costs are scheduled to increase to \$243.00 and \$323.00 respectively. Administration requests authorization to charge a fee that directly corresponds to the cost incurred by the Village for these meters, and to update these fees as the cost of the meter increases.

Additionally, the Village incurs overtime costs on non-business hours water shut off requests; these shut offs are not caused by the Village water system. These shut offs typically run at cost to

the Village of \$250.00. Administration suggests that these call-in costs should be directly charged to the resident or contractor when they occur before 8:00 am and after 3:00 pm, Monday-Friday, and all-day Saturday and Sunday.

Motion by George, second by Mooney, be it resolved that the Village Council of the Village of Beverly Hills hereby authorizes Village Administration to charge fees that directly correspond to the cost that the Village pays for meters; updating the cost as the Village cost increases. Be it further resolved to charge \$250.00 per water shut off that occurs other than Monday thru Friday 8:00 am – 3:00 pm.

Roll call vote:
Motion passed (7-0).

REVIEW AND CONSIDER ACCEPTING PRESIDENT PRO-TEM ABBOUD’S RECUSAL FROM DISCUSSION AND ACTION ON ITEMS PERTAINING TO THE SITE PLAN AT 31655 SOUTHFIELD ROAD

Motion by Mooney, second by Mueller, be it resolved that the Village Council of the Village of Beverly Hills hereby accepts President Pro-Tem Abboud’s recusal from discussion and action on items pertaining to the site plan at 31655 Southfield Road.

Roll call vote:
Motion passed (6-0-1) (Abboud abstained).

REFER REQUEST FROM ROBERTSON BROTHERS HOMES, 31655 SOUTHFIELD ROAD, FOR PRELIMINARY SITE PLAN APPROVAL TO THE PLANNING COMMISSION FOR REVIEW AND RECOMMENDATION

Robertson Brothers Homes has submitted a proposal for preliminary site plan approval to redevelop the vacant lot at 31655 Southfield Road to construct 24 attached single-family residential homes. The project seeks to market homes for the younger professional, with ownership of the townhouse unit while the open space will be maintained by a homeowner’s association. The housing units are designed with private two-car attached garages, brick along the first and second floors, and vinyl horizontal and shake siding along the upper portions of the buildings. Copies of the plan were provided and will be made available for review at the Village offices.

In their market analysis, they note that similar projects have been successful in several communities in the region. They believe this project will provide first-time buyers with an alternative housing choice to the traditional detached single-family housing primarily available in the Village.

This project is within the Village Overlay District, where the Village has adopted a plan to encourage mixed-use development and associated zoning regulations to create a pedestrian-friendly, downtown area. The current area encompassed by the Overlay District is primarily commercial, and the developer has noted they are proposing to add this residential use to support the existing developed properties.

The developer notes the project design orients the buildings parallel to Southfield Road, with street facing entrances and includes bicycle parking as described in the Overlay District plan and regulations. They believe this project will serve as a start to redevelopment of additional properties

within the Overlay District and will offer a transitional area from the lower density residential areas to the west to the existing commercial areas to the north and south.

As a condominium development this requires a multi-step approval process as described in Village Ordinance, Section 22.25. This request is for preliminary site plan approval, which requires Planning Commission recommendation and Village Council approval. The second stage is final approval which will also require Planning Commission recommendation and Village Council approval.

Nunez expressed this is the first step of development for a piece of property that has been vacant for many years. The concern is whether this will inhibit future development. Wilson explained this is a residential build and not mixed use as suggested in the Master Plan.

George reported a robust online conversation with residents; everyone agrees that they would like to see development on this site, however there is concern about the development of more residential in the limited available commercial space. The planning Commission will do a through job vetting this plan and answering all questions.

Mueller agreed that housing may not be the best use for this space, however, the overlay district master plan was evaluated by consultants, and it was determined that the plan as it exists is not financially viable; therefore, all opportunities for development need to be considered.

Mooney believes that the Village has invested too much time and money into the development of the overlay district master plan with the intention of creating a downtown space, and the addition of housing is not in keeping with that intention. He believes this plan would be considered in violation of the Zoning ordinance.

Peddie favors mixed use for the area; sitting empty the lot is a waste of space that has incredible potential. However, she has quite a few concerns with the plans including water run off and emergency vehicle access.

Theodor Petersen, Gould Ct., family has owned the home for over 50 years. He explained that any time there was development along Gould Ct. the residents on that street were made promises that were not upheld. He expressed his concerns for what the development might do to property values.

Abbas Abboud, Gould Ct., believes that if residential space is built in this location the Village has wasted thousands of dollars on the development of the downtown overlay plan. Living next door to a construction site would create difficulty for emergency vehicles to make their way down Gould Ct.

Nancy Abboud, Gould Ct., read the Master Plan, and believes these condominiums are not in keeping with the plan. She believes that the space should be developed, but with something that fits the vision of the Master Plan.

Amber Abboud, Gould Ct., believes that without a shared downtown, it is difficult to create a space that brings people together, and building condominiums on this property would not keep with the vision of that shared downtown as outlined in the master plan. She expressed concerns about the construction traffic, the increase in residential traffic, lack of parking, and community space. She

implored Council and the Planning Commission to consider the long term impacts on the community and the goals for this space.

Motion by Mueller, second by George, be it resolved that the Village of Beverly Hills Council refers plans submitted by Robertson Brothers Homes for redevelopment at 31655 Southfield Road to the Planning Commission for review and recommendation on the preliminary site plan.

Roll call vote:

Motion passed (5-1-1 abstained).

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| Peddie | yes |
| Abboud | abstained |
| George | yes |
| Hrydziusko | yes |
| Mooney | no |
| Mueller | yes |
| Nunez | yes |

PUBLIC COMMENTS

None.

MANAGER'S REPORT

Normandy Road Construction – The Village has been notified by the City of Royal Oak of pending reconstruction of Normandy Road from Greenfield Road to Woodward Avenue. Motorists will not be able to access Normandy Rd. from east bound Beverly Rd. during the construction project. The City of Royal Oak has coordinated with the Village for the installation of advance signage along Beverly Road. The project is scheduled to begin in mid-August and continue through mid-October.

FY 2018-19 Audit – Auditors will begin work on the Village's FY 2018-19 Audit on August 8th. Field work on the audit will proceed for approximately two weeks. The audit should be completed with a final report to Council by late September or early October.

Movie Night in the Park – The annual Movie Night in the Park will be held on Thursday, August 15th at dusk. The movie this year will be How to Train Your Dragon: The Hidden World! The event is free and there will be free popcorn. Thank you to the Parks and Recreation Board for all their work on this event.

COUNCIL COMMENTS

George thanked Administration for their work to hold the owners of Market Fresh accountable for cleaning up the alley behind the store. He trusts that the Planning Commission will take into consideration all factors and do an in-depth examination before making any decision.

Hrydziusko congratulated Andrew Drummond on his election as Chairperson of the Planning Commission and thanked George Ostrowski for his service as the Chairperson. She mentioned resident concerns about safety at Southfield Road and Beverly Road intersection.

Karen Verhagen, Gould Ct., spoke about her concerns that water at Beverly School settles into large pools, and there are quite a lot of drainage issues along the property line. George is the School Board liaison and will take these issues to them.

Mueller clarified that sending the plans for the development to the Planning Commission does not give any approval, it is the appropriate next step for a submission. He also thanked all of the Park Rangers for their hard work in Beverly Park.

Nunez reiterated that sending the plans to Planning Commission does not imply any approvals. He would like to consider how subcommittees for Board and Commission assignments are made.

Mooney clarified that the liaison for that Board or Commission are always the chairperson for the subcommittee. He reaffirmed all of the work Irene Davis has done for the Village Parks. He believes that the proposed plans do not comply with the Zoning Ordinance. A vacant property is easier to change than existing buildings.

Abboud expressed his condolences to the family of L. Brooks Patterson.

Peddie receive a letter from resident Sue Goeckel related to the Robertson Brothers' development which she shared with the Council.

Motion by Mooney, second by Mueller, to adjourn the meeting at 8:45 pm.

Motion passed.

Lee Peddie
Council President

Kristin Rutkowski
Village Clerk

Elizabeth M. Lyons
Recording Secretary