

Present: President George; President Pro-Tem Hrydziuszko; Members: Abboud, Kecskemeti, Mooney, O’Gorman, and Peddie
All members participated remotely via Zoom from Beverly Hills, Michigan.

Absent: None

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

President George called the regular Village Council meeting to order at 7:30 p.m. virtually via Zoom due to the ongoing COVID-19 pandemic. The Pledge of Allegiance was recited by those in attendance.

AMENDMENTS TO AGENDA/APPROVE AGENDA

Motion by Mooney, second by Hrydziuszko, be it resolved, the agenda is approved as published.

Roll Call Vote:
Motion passed (6-0)

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS

None.

CONSENT AGENDA

Motion by Mooney, second by Abboud, be it resolved, the consent agenda is approved as published.

1. Review and consider approval of minutes of a regular Council meeting held March 16, 2021.
2. Review and file bills recapped as of Monday, March 29, 2021.
3. Set public hearing date for May 4, 2021 to receive comments on the Fiscal Year 2021/2022 proposed budget.
4. Set public hearing date for May 4, 2021 to receive comments on Special Assessments to be added to the tax roll.
5. Review and consider annual funding request from Birmingham Youth Assistance for Fiscal Year 21-22.

Roll Call Vote:
Motion passed (6-0)

Peddie arrived at 7:33 p.m.

BUSINESS AGENDA

SECOND ANNOUCEMENT OF A VACANCY ON THE BIRMINGHAM AREA CABLE BOARD

There is a vacancy on the Birmingham Area Cable Board for a partial term ending June 30, 2021. The Cable Board meets the third Wednesday of the month at 7:45 a.m. The meetings are currently taking place remotely via Zoom due to the COVID-19 pandemic.

All interested and eligible residents of Beverly Hills are encouraged to apply to become a member of the Cable Board. Applications are available on the Village website or by emailing the Village Clerk at krutkowski@villagebeverlyhills.com. Please submit applications to the Village Clerk by Monday, April 12, 2021.

This constitutes the second announcement of the vacancy on the Birmingham Area Cable Board.

REVIEW AND CONSIDER REQUEST FROM MARIAN HIGH SCHOOL TO HOLD ANNUAL WALK-A-THON ON MAY 7, 2021

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 the morning of Friday, May 7, 2021. A map of the proposed route was provided to Council for review.

Participants only use the sidewalks and Marian will have staff members stationed throughout the route for supervision. Marian's Walk-a-thon is once again supporting Angel's Place and Lighthouse's South Oakland Shelter. Participants will be expected to wear masks and distance as appropriate following any and all MDHHS and Oakland Health directives.

Motion by Peddie, second by Hrydziuszko, be it resolved, the Beverly Hills Village Council authorizes Marian High School to hold its annual Walk-a-thon in Beverly Hills on Friday, May 7, 2021 provided that a Certificate of Liability Insurance naming the Village of Beverly Hills is submitted to the Clerk's office prior to the event.

Roll Call Vote:
Motion passed (7-0)

REVIEW AND CONSIDER BEVERLY HILLS LIONS CLUB'S REQUEST TO USE VILLAGE STREETS FOR MEMORIAL DAY FUN RUN ON MAY 31, 2021

The Beverly Hills Lions Club is requesting use of several Village streets for their annual Fun Run/Walk on Memorial Day, Monday, May 31, 2021 from 9:00 am to 10:00 am. They are also requesting that any permit fees be waived, as the Village has done in the past. Proceeds from the event support programs involved with helping the blind and hearing impaired, as well as Beverly Hills community charities.

A map showing the proposed route and a letter from the event chairperson, Roy Waters, was provided. A Certificate of Liability Insurance naming the Village of Beverly Hills as an additional insured has been submitted to the Clerk's office.

Motion by O'Gorman, second by Mooney, be it resolved, the Beverly Hills Village Council authorizes the Beverly Hills Lions Club to use the streets as detailed on the attached map on Monday, May 31, 2021 from 9:00 am to 10:00 am for their annual Fun Run/Walk and

waives any permit fee provided that a Certificate of Liability Insurance naming the Village of Beverly Hills as an additional insured is filed with the Clerk's office.

Roll Call Vote:

Motion passed (7-0)

REVIEW AND CONSIDER ANNUAL CONTRACT WITH NEXT FOR FISCAL YEAR 21-22

Next is a non-profit organization that works to identify and meet the needs of older adults by coordinating community resources to provide education, recreational and social programs. Next provides supportive outreach services and volunteer opportunities to seniors in the Village of Beverly Hills and greater Birmingham School District community. The Village of Beverly Hills does not provide the services provided by Next on its own.

Next has provided a contract for services for the period of July 1, 2021 through June 30, 2022. For the services provided under the contract Next is requesting funding in the amount of \$43,375 from the Village. Village Administration has included this funding request in the draft FY 2021-22 budget. The annual contract and funding request was included for Council review.

Cris Braun, Executive Director of Next, was in attendance and thanked Council for their support over the years. She stated that Next has continued to provide uninterrupted services during the pandemic.

Motion by Abboud, second by Mooney, be it resolved, that the Village Council of Beverly Hills approves and authorizes the Village Manager to execute the annual contract with Next for senior services in the amount of \$43,375.00. Funds for these services are available in account #101-747-891.

Roll Call Vote:

Motion passed (7-0)

REVIEW AND CONSIDER BUCKTHORN ERADICATION PROJECT RECOMMENDATION FOR BEVERLY PARK AND RIVERSIDE PARK

Per recommendation from the Parks & Recreation Board and direction from the Village Council, Administration obtained quotes for woody invasive species removal through Oakland County's Cooperative Purchasing Agreement, which allows municipalities to opt-in.

The two contractors that signed opt-in forms with Oakland County are Cardno, Inc. and GEI Consultants. Administration met with both contractors individually on site at Beverly Park and Riverside Park in February 2021. Each contractor provided line item proposals for buckthorn eradication at Beverly Park, which is divided into four zones (A-D), and at Riverside Park.

The proposals were presented to the Parks and Recreation Board for review and recommendation at their March 18, 2021 meeting. Cardno proposed beginning work as soon as April 2021 and the total amount quoted was \$45,648.00. GEI presented a flexible timeline, recommended beginning work in summer 2021, and the total amount quoted was \$30,790.00. Both proposals include stump cut and foliar treatments. Neither proposal includes chipping services, but either contractor would make brush piles near the edge of the treatment area to allow ease of access for chipping later on.

GEI's treatment plan does not include any mowing. Instead, the contractor would hand cut and use chainsaws for the cutting portion of the work. GEI proposed using the herbicide Triclopyr (Renovate 3) to treat the woody invasive species.

In a 6-0 vote, the Parks and Recreation Board recommended that the Village Council accept the proposal from GEI Consultants for woody invasive species eradication at Beverly Park and Riverside Park to begin in 2021 with the conditions that GEI provide professional references to Administration and that the agreement include a stipulation that the contractor will not be paid in full until after the proposed work is complete. Following the meeting, GEI provided references to Administration. Administration contacted the references, which all gave positive reviews and would recommend GEI for future projects.

Earlier this year Administration nominated both Beverly Park and Riverside Park as sites to receive invasive species removal grant funding through our partnership with the OC CISMA. In late March Administration received notification that our sites have been selected to receive funding from the County later this year, which will offset some of the Village's expenses for this project. The details of this agreement are still being worked out, so Administration recommends budgeting for the full amount of this project at this time.

Motion by Hrydziuszko, second by Abboud, be it resolved, the Beverly Hills Village Council accepts GEI Consultant's attached proposal in the amount of \$30,790.00 for woody invasive species removal at Beverly Park and Riverside Park to begin in summer 2021. The cost for this project will be added to Account 101-751-778.04 (Buckthorn eradication) in the Fiscal Year 2021-2022 budget.

Roll Call Vote:
Motion passed (7-0)

REVIEW AND CONSIDER

At the March 18, 2021 Parks & Recreation Board meeting, the Board discussed creating an Art in the Park Sculpture Project in Beverly Hills. The project would align with the 2018 Community Recreation Plan's goal to "improve recreational facilities to encompass system wide recreation welcoming all residents to encourage healthy and active lifestyles" by "enhancing aesthetic appeal of parks" and "[developing] programs for residents of various ages."

The Parks & Recreation Board unanimously voted to recommend that the Village Council approve the development of an Art in the Park/Sculpture Walk program in Village parks as outlined in the attached document and to add a line item to the annual Parks & Recreation budget for the program not to exceed \$7,000.00.

The detailed proposal from the Board was provided for review and consideration.

Janice Hausman, Parks & Recreation Board member, was in attendance to provide more details of the proposed project and answer questions from Council.

Motion by Hrydziuszko, second by Kecskemeti, be it resolved, the Beverly Hills Village Council approves the Parks & Recreation Board's request to develop an Art in the Park

Sculpture Project at Village parks with annual funding to be allocated to Department 751 (Parks & Recreation) for the project not to exceed \$7,000.00.

Roll Call Vote:

Motion passed (7-0)

REVIEW AND CONSIDER MEMORANDUM FROM VILLAGE ATTORNEY REGARDING PROPERTY AT GREENFIELD AND BEVERLY ROADS (PARCEL TH-24-01-284-001)

Ryan provided an overview of his memorandum dated March 31, 2021 regarding the status of Village owned property on Greenfield, north and south of Beverly Road. It was Ryan's opinion that this property can be designated as Park No. 5 or as thereafter named by Village Council as in fact a designated duly established public park within the Village of Beverly Hills. It is not necessary for the Village Council to take any further action to establish this property as a public park, but he recommended it be added to the Zoning Map, Master Plan, and Community Recreation Plan at the appropriate time.

REVIEW AND CONSIDER MEMORANDUM FROM VILLAGE ATTORNEY REGARDING POTENTIAL ORDINANCE AMENDMENTS FOR BACKYARD CHICKEN PILOT PROGRAM

Ryan provided an overview of his memorandum dated March 31, 2021 regarding Chickens in the Village of Beverly Hills. The memo provided a brief summary of how the issue came before Council, dating back to 2017. Ryan described the process for adopting ordinances, including holding public hearings and having first and second readings prior to adoption.

George stated that the Council was not taking a vote on this item at this meeting. He noted that the Council received several written comments from residents both for and against allowing chickens in the Village.

TOPICS FOR COUNCIL DISCUSSION

1. Park Clean Up/Memorial Day

Wilson gave an overview about events being held during the COVID-19 pandemic, taking into consideration group gathering guidelines and safety protocols.

Hrydziuszko summarized the Parks & Recreation Board's discussion on Memorial Day from their March 18 meeting. The Board recognized that the traditional Parade and Carnival will not be able to take place. They suggested decorating Beverly Park, providing bike decorating kits to residents, holding a food/clothing drive for veterans, displaying a memorial wreath near the flagpole, and asking BCTV to replay previous recordings of the Memorial Day Parade on local cable television.

2. Sewer and Water Drainage

Kecskemeti gave a summary of a recent meeting she attended with SEMCOG and other municipalities regarding sewer and water drainage. She stated that there are some maintenance options that can take place in the short term. She recommended meeting with the engineers, HRC, as a next step.

Council discussed ditches and restrictor plates.

PUBLIC COMMENTS

The following residents attended the meeting and spoke in opposition of backyard chickens in the Village: Mary Naida, Amherst; Tom Maxwell, Lauderdale; Candace Buehner, Kinross; Michael Zainea, Waltham; Stacey Weinthal, Saxon; Mr. Whalen, Amherst; and Alison Bodle, Bellvine Trail

Laura Mikulski, Ferndale, Michigan and Tony Roma, Beverly Road attended the meeting and spoke in favor of a backyard chicken pilot program.

MANAGER'S REPORT

FY 2021-22 Budget – Council will receive a draft copy of the FY 2021-22 Budget prior to the meeting. This draft budget includes Fiscal Years 2021-22 (FY 22) and 2022-23 (FY 23). Village Administration has accounted for new millage rates as approved by votes in the November 2020 election. A new fund for Park Improvements, Fund 208, has been established to account for the new dedicated park millage. The draft budget shows significant transfers to Major and Local Roads for both years to allow for continued repair and rehabilitation to Village streets. All costs for pension and retiree health care obligations are fully met. Fund Balances in the General Fund remain strong and are projected to be around 25% in the Public Safety Fund. I feel this budget reflects the strong financial position of the Village.

A budget workshop is scheduled for Tuesday, April 13th at 7:30 p.m. Should Council have any concerns or questions about the budget prior to the meeting please feel free to reach out to either Sheila or myself. A Public Hearing for this budget is scheduled for May 4th. Village Administration anticipates adoption of a budget at that meeting.

Evergreen Lane Closure/Flagging – Oakland County has notified the Village of the need for temporary daytime lane closure and flagging along Evergreen Rd near 14 Mile. Crews working on a sewer underneath Evergreen will be removing debris from underneath the road. All lanes of traffic will be maintained, but one lane will be closed periodically throughout daylight hours the week of April 5th. There will be no detour or closures of any side streets, but there may be delays for north and south bound traffic. Evening and overnight traffic will not be delayed. The lane closure will start just north of Carriage Lane and end just south of 14 Mile, with traffic using the north bound lane.

Compost Available – Compost is available at the Village/Township Hall parking lot. Compost is free to Village residents and is provided to the Village courtesy of SOCRRA.

SOCRRA Special Collection Event – SOCRRA will be holding a Special Collection Event in Troy on Saturday, April 10th. The event will take place at the Troy Aquatic Center Parking lot on 3425 Civic Center Drive and is open to all Village residents (please bring ID). Materials being collected include Household Hazardous Waste such as paint and cleaning supplies, electronics, cardboard and Styrofoam. Information is available at www.socrra.org.

COUNCIL COMMENTS

O’Gorman thanked residents for providing input.

Kecskemeti said she appreciates resident participation. She reminded everyone that if they preorder rain barrels from Friends of the Rouge then they can pick them up at the Village parking lot on Saturday, April 24, 2021.

Abboud commented on a recent meeting with SEMCOG regarding the Recovery Act. He encouraged Council members to obtain Elected Officials Academy credits through the Michigan Municipal League. He thanked everyone for supporting Next. He thanked residents for participating in meetings.

Peddie stated that the Planning Commission began their five-year review of the Master Plan.

Mooney stated that there was demonstrated opposition to backyard chickens and does not want to divide the community over this issue. He suggested to do what is in the best interest of the Village and to place the item on the ballot for voters to decide.

Hrydziusko thanked residents for voicing their concerns. She stated that this is a discussion around backyard chickens and it would not move forward without sufficient community support.

George asked about language to hold contractors accountable if they do not comply with the Code. He appreciates everyone's input to the discussions. He suggested placing a time constraint on comments when there is a large number of people in attendance.

ADJOURNMENT

Motion by Abboud, second by Mooney, to adjourn the meeting at 9:52 p.m.

Roll Call Vote:

Motion passed (7-0)

John George
Council President

Kristin Rutkowski
Village Clerk