

Present: President Mercer; President Pro-Tem Briggs; Members: Burry, Kelly, LaFerriere and Mooney

Absent: Oen

Also Present: Assistant Manager/Clerk, Marshall  
Village Attorney, Ryan

President Mercer 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. Mercer noted that Council member Oen has requested an excused absence from several Council meetings due to health issues. The Pledge of Allegiance was recited by those in attendance.

**ADDITIONS TO AGENDA/APPROVE AGENDA**

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

Motion passed.

**PUBLIC HEARING – JAMES C. MERRITT LAND DIVISION APPLICATION**

Council is in receipt of a land division application from James Merritt for property consisting of two parcels under common ownership to be divided into four separate parcels along a proposed private roadway. The site is located at 32800 Lahser Road on the east side of Lahser just south of 14 Mile Road. The two parcels described as 24-03-101-009 and -010 contain a total area of 4.152 acres. There is an existing residence on the northerly parcel that would be demolished to accommodate the project. The site and adjacent properties are zoned R-A Single Family Residential District.

Mercer declared the public hearing open at 7:34 p.m.

Rita Foley of 21845 Dover Court stated that Dover Woods Condominiums abut the property in question. Foley related that she had concerns with the retention area at the southeast corner of the site plan. She spoke with Mr. Merritt, who addressed her concerns by affirming that there would be a homeowners association charged with maintaining the retention area.

Irving August of 21945 Dover Court stated that he supports the land division request proposed by James Merritt.

Attorney Tom Ryan clarified that potential development of the property is subject to administrative review of the site plan, engineering review and all relevant permits and inspections.

No one else wished to be heard; Mercer closed the public hearing at 7:36 p.m.

## **COMMUNITY ANNOUNCEMENTS**

County Commissioner Bill Dwyer updated Council on County matters. Last month, County Executive L. Brooks Patterson gave his State of the County Report, which presented a positive outlook for Oakland County. However, there are two areas of concern, roads and water. Dwyer talked about the poor condition of Michigan roads, worsened by the harsh winter weather. The Road Commission has been active in addressing road complaints. Overtime expenses are a strain on local and state budgets. Dwyer indicated that the State has added \$224 million towards road repairs. Residents can contact Bill Dwyer with road issues at [wdwyer@mi.rr.com](mailto:wdwyer@mi.rr.com).

Dwyer provided an update on negotiations with the City of Detroit on a plan to lease the water system to a regional authority that would run the Detroit Water and Sewerage Department. County Executive L. Brooks Patterson has expressed concern about costs the suburbs would bear in the deal, including huge costs for system improvements and the burden of unpaid water bills in Detroit and Highland Park. Suburban leaders have requested information from Detroit including audited financial information about the system's management and future needs. Dwyer commented that water rates will increase no matter what occurs.

Dwyer related that he and Commissioner Marcia Gershenson are continuing their efforts to reduce gun violence in Oakland County. There is currently a televised public service announcement being aired by Diana Lewis about the rating of violent video games. There will be another PSA on gun locks and gun vaults. June will be designated as Gun Safety Month.

## **CONSENT AGENDA**

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

- a. Consider approval of minutes of a regular Council meeting held March 4, 2014.
- b. Review and file bills recapped as of Monday, March 10, 2014.

Motion passed.

## **BUSINESS AGENDA**

### **REVIEW AND CONSIDER REQUEST FROM KENSINGTON COMMUNITY CHURCH TO HOLD ANNUAL EASTER EGG HUNT AT BEVERLY PARK ON SATURDAY, APRIL 12, 2014**

Robyn Whitelaw of 31309 Cline Drive was present on behalf of Kensington Community Church to request the use of Beverly Park on Saturday, April 12, 2014 to hold the annual Beverly Park Easter Egg Hunt. They are requesting use of the park from 9 am until 5 pm. The event is open to all members of the community.

Motion by Mooney, second by Burry, that the Beverly Hills Village Council approve the request from Kensington Community Church to utilize Beverly Park for the purpose of conducting an Easter Egg Hunt in Beverly Park on Saturday, April 12, 2014 between 9:00 am and 5:00 pm. Further, that Council waive the pavilion rental fees and authorize Village administration to provide three portable restrooms for the event. A certificate of insurance will be provided upon approval of the Easter Egg Hunt.

Mooney stated that the Parks and Recreation Board approved this request from Kensington Church unanimously at its February 20, 2014 meeting.

Roll Call Vote:  
Motion passed (6 – 0).

**REVIEW AND CONSIDER LAND DIVISION APPLICATION FROM MERRITT DEVELOPMENT FOR 32800 LAHSER ROAD**

Council held a public hearing earlier in the meeting to receive comments on the land division application from Merritt Development for 32800 Lahser Road. Attorney Ryan stated that the Planning Commission reviewed this application at its November 2013 meeting. The proposal is for a land division of property consisting of two parcels under common ownership into four separate parcels along a proposed private roadway. The site is located on the east side of Lahser Road just south of 14 Mile Road. The two parcels described as 24-03-101-009 and -010 contain a total area of 4.152 acres. There is an existing residence on the northerly parcel (-009) that would be demolished to accommodate the project. The four buildable lots will exceed the requirements of R-A zoning requirements. Ryan stated that the proposal meets all standards of the Village Zoning Ordinances and is in compliance with State Law.

Motion by Mooney, second by Briggs, that the Village of Beverly Hills Council approve the application for land division submitted by James Merritt regarding 32800 Lahser Road pursuant to the terms and conditions set forth in the Village Ordinances and subject to the requirements of the Planning Commission.

Planning Commission chairperson George Ostrowski clarified that, pending approval of the land division, Mr. Merritt is allowed to build four separate homes on the lots without coming before the Planning Commission for approval. There will be administrative review of the building plans and items related to potential engineering, road and utility issues.

Mooney commented on the quality construction projects accomplished by Jim Merritt in the Village. Mooney was confident that his standards for development in Beverly Hills will be met.

Irving August of 21945 Dover Court stated that the Dover Woods Subdivision supports Mr. Merritt's land division proposal.

Roll Call Vote:  
Motion passed (6 – 0).

**REVIEW AND CONSIDER 2013/2014 BUDGET TRANSFER**

In a letter to the Village Manager dated March 5, 2014, Finance Director Bob Wiszowaty recommended Council authorization of operating transfers from the General Fund to the Major Road Fund and Local Street Fund.

Motion by Mooney, second by Briggs. Be it resolved that the Village of Beverly Hills Council authorize Village Administration to transfer contributions from the General Fund

to the Major Road Fund in the amount of \$38,890.00, and from the General Fund to the Local Street Fund in the amount of \$261,110.00.

Roll Call Vote:  
Motion passed (6 – 0).

**REVIEW AND CONSIDER PURCHASE OF PRESSURE WATER SYSTEM FOR THE DEPARTMENT OF PUBLIC SAFETY**

Motion by Mooney, second by Burry, that the Beverly Hills Village Council authorizes the purchase of one pressure washer system from Power Cleaning System of Wixom for \$4,895.00. Funds for this purchase are available in account number 205-900-980 Capital Improvement Fund. Competitive bids were solicited and reviewed.

Mercer provided background information on the failure of the Department's pressure wash system and the need for a replacement system.

Rita Foley of 21845 Dover Court expressed her support of the Beverly Hills Public Safety Department and the purchase of the pressure washer system for the fire department.

Roll Call Vote:  
Motion passed (6 – 0).

**PUBLIC COMMENTS**

Alda Marie McCook of 19370 Riverside Drive gave an impassioned plea to Council requesting that they do everything they can to repair and preserve the Ery Dam and safeguard Riverside Park for the enjoyment of future generations.

Kathleen Berwick on Kennoway Court complained about the Village's snow removal service on her street this winter.

**REPORTS – MANAGER**

Assistant Manager Marshall stated that the Village was notified that it is a recipient of the Stormwater, Asset Management and Wastewater (SAW) grant program. The Village applied for \$1.9 million in funding through the program, primarily for cleaning and televising the sewer system. This will allow the Village to analyze the state of its sewer system and target future repairs accordingly. A representative from Hubbell, Roth & Clark will be present at the April 15 Council meeting to provide greater detail into the SAW Grant program and the impact of this award to the Village.

The Village of Beverly Hills will participate with SOCRRA on a bin blitz during the month of April. During this month, residents will be able to purchase recycling bins at a cost of \$6, half of the regular price. It would be a great time to replace bins damaged during the winter months.

Burry questioned the status of the Village's request for a Cable Board grant to update the cable booth in the council chamber to be compatible with the electronic smart board. Marshall

responded that Bloomfield Community Television staff is in the process of soliciting proposals and cost estimates for this project. The Cable Board may have an update.

Mercer stated that Manager Wilson has indicated in his report that he has asked Enterprise Computer Solutions to provide a quote for a new server based upon recommended specifications of some of the RFP bidders. Replacement of the server is necessary given the age and lack of available space on the old server. Wilson anticipates a price of around \$4,000-\$5,000 for a completely new server plus installation. Funds for a new server were budgeted for the current fiscal year. If a quote is obtained from Enterprise, Wilson proposed to move forward with the project if there are no objections from Council.

The Manager's report states that the transition to the City of Royal Oak building department is going well. The City of Royal Oak will be submitting invoices for a significant number of permits performed under the previous temporary arrangement. These permits were issued by the Village. The Village collected the funds, and Royal Oak performed the inspection at a flat rate of \$50 per inspection. The Village has set funds aside to pay for these services. Wilson will be working with the City of Royal Oak to get all of these charges settled in the current fiscal year.

#### **REPORTS – COUNCIL**

Burry commented on Comcast's plan to merge with Time Warner, noting that people are raising questions about the potential impact on customers when a single giant company controls a massive share of the nation's TV and Internet access markets. Burry mentioned that people can petition the Justice Department and the Federal Communications Commission to block this merger.

Burry stated that the Birmingham Area Seniors Coordinating Council (BASCC) formed a committee to change the name of the organization to make it more relevant to the four communities. He mentioned that Senior Center hours have been extended to 8 pm on a couple of nights during the week to accommodate interest in computer and exercise classes.

Briggs reported on a meeting of the Baldwin Library Board held last night at which time the Board approved a balanced budget for the next fiscal year. The Library Director will be attending the first Council meeting in April to report on library services. Briggs provided information on a ballot initiative that Birmingham residents will vote on in May regarding a bond proposal to support the Baldwin Library renovation project.

Motion by Mooney, second by LaFerriere, to adjourn the meeting at 8:18 p.m.

Motion passed.

**Tim Mercer**  
**Council President**

**Ellen E. Marshall**  
**Village Clerk**

**Susan Bernard**  
**Recording Secretary**