

Present: President Mooney; President Pro-Tem Peddie; Members: Abboud, Borgon, Delaney, Mueller and Oen

Absent: None

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

Council President Mooney called the regular Council meeting to order at 7:30 p.m. in the Southfield Township municipal building at 18550 W. Thirteen Mile Road.

#### **AMENDMENTS TO AGENDA/APPROVE AGENDA**

Motion by Peddie, second by Oen, to amend the agenda to add Business Item "Discussion of the Outcome of the Joint Subcommittee Meeting Regarding the Gibbs Planning Group Proposal" as the first item on the Business agenda.

Motion passed.

Motion by Oen, second by Abboud, to approve the agenda as amended.

Motion passed.

#### **COMMUNITY ANNOUNCEMENTS**

None.

#### **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

#### **CONSENT AGENDA**

Motion by Oen, second by Mueller, to approve the consent agenda as published.

1. Review and consider approval of minutes of a regular Council meeting held September 20, 2016.
2. Review and file bills recapped as of Monday, October 3, 2016.

Motion passed.

#### **BUSINESS AGENDA**

##### **DISCUSSION OF THE OUTCOME OF THE JOINT SUBCOMMITTEE MEETING REGARDING THE GIBBS PLANNING GROUP PROPOSAL**

Peddie presented the results of the subcommittee meeting, which was attended by members of Council, the Planning Commission, and representatives from Gibbs Planning Group. Gibbs suggested having a Return on Investment/Cost Benefit Study done. This study would look at the Corridor and give the Village an indication if properties will provide desirable investment opportunity for developers. Gibbs has offered to provide the wording for this proposal, and

suggest companies to whom it can be presented. Once the study has been completed, Gibbs has offered to assist the Village in reviewing the results and developing the next step in their plan. Gibbs estimates that the proposal will cost the Village \$5,000 to \$6,000.

Abboud stated the Village needs to grow the downtown plan, and Gibbs has presented a viable strategic plan to give a clear understanding of the potential in the downtown area.

Oen agreed this suggested study is the best next step. Gibbs is committed to retaining the character of the Village while working to develop it into a walkable downtown area.

Planning Commission Chairman Ostrowski said the Cost Benefit Analysis can be looked at as a litmus test on the possibilities for the downtown area. This will help the Village identify what this area would look like, and through working with Gibbs, identify any shortcomings to help protect the Village.

Mooney clarified that the area being considered is from the Village Offices east to Southfield and 13 Mile Road north to Beverly Road. He suggested that a formal proposal be submitted to Council contracting with Gibbs Planning Group to assist the Village on developing a proposal for a Cost Benefit Analysis to be put out to bid. Gibbs would charge for his assistance on this proposal on an hourly basis specified in the contract.

**PUBLIC HEARING TO RECEIVE COMMENTS ON A REQUEST FROM DETROIT COUNTRY DAY FOR SPECIAL LAND USE APPROVAL TO BUILD AN ADDITION ON THE MIDDLE SCHOOL**

Abboud explained Detroit Country Day School has submitted a proposal to expand their existing Middle School building and complete an emergency access route. The property is zoned R-1 which permits private schools upon special land use approval. The site plan details an expansion of the school footprint by approximately 16,305 sq ft and total expansion over three floors of 48,465 sq ft. The proposal also includes expansion of the existing parking lot and completion of a required emergency access route. The school seeks to add a grade level (5th) to the student population as part of this expansion.

On Wednesday, May 25, 2016 at their regular meeting, the Planning Commission held a public hearing regarding the special land use in accordance with Section 22.08.300. At that meeting, the Planning Commission recommended approval of the special land use. On Monday, August 8, 2016 at their regular meeting, the Zoning Board of Appeals granted a variance from height requirements of Section 22.24, which limits buildings in an R-1 district to two stories and 30 feet maximum to allow the addition that will be 42 feet high and 3 stories. The addition matches the size of the original building. A variance was granted for the original building in 1987. On Wednesday, August 24, 2016 the Planning Commission recommended approval of the site plan with a provision allowing Detroit Country Day School to commence work on a log jam at the south end of the property following permit issuance from the Department of Environmental Quality (DEQ). The voluntary removal of a log jam was added to the proposal upon receiving input from neighboring residents.

Detroit Country Day School commissioned a traffic study that recommended improvements to the intersection at Hillview Lane and Lahser Road. The school has included those improvements with their site plan. In cooperation with Beverly Hills Public Safety, the site plan includes crash gates at both access points to the emergency drive to prohibit general vehicle traffic. Additionally, the site plan has been reviewed by Hubbell, Roth & Clark and LSL Planning.

Sam Ashley, Cunningham-Limp, explained that the need for expansion is based on the growth of Detroit Country Day (DCD) school's population causing them to outgrow their current building. The new building will house 19 assigned classrooms in addition to specialty classrooms, and offices. In June 2016, DCD and surrounding residents were able to meet to discuss the residents' concerns. DCD is voluntarily removing the log jam located in the river and plans to have a control signal put into place to combat the traffic flow concerns. On July 15, 2016, they hosted a community meeting and feel that the communication between DCD and the residents has greatly improved.

President Mooney opened the Public Hearing at 8:00 p.m.

Don MacDonald, Foxboro Way, feels the traffic at 13 Mile and Lahser is already so congested he cannot support this expansion. He stated that DCD holds activities on the field every evening using the lights which were not there when he bought his home.

Camille Fath, Lincolnshire, would like written verification that DCD is not encroaching on the flood zone, and that they have the appropriate measures in place to control the watershed.

Dave Ruby, Lincolnshire, would like to know if a study was done on the impact of the roof water being piped directly into the river or the effectiveness of the retention ponds.

Ashley explained that once site plan approval is granted, every project has to submit civil engineering plans, and those plans have to meet state of Michigan, Oakland County and the Village of Beverly Hills codes. All plans are verified and signed by the engineers who design and check them. All work is inspected and verified that it meets the requirements and follows the approved plans. He explained there is an underground storm water retention area on the property as required by the State, the County, and the Village. Like the other water retention areas on the property, this one will be maintained via an agreement with the Village. He suggested that the high quantity of rain that had been received in the last week may have contributed to the sudden rise in water levels in the river.

Ashley stated the traffic study that was conducted on Lahser concluded that the addition would add another 80 cars to the roadway. He agrees that it is a busy roadway, and explained that their influence on changing the road is limited; those decisions are made by the Road Commission for Oakland County. He does feel that installing the light will help improve the flow of the traffic.

Ashley explained that the mountain bike path was initially built to keep the DCD students on campus and out of the surrounding neighborhoods. The bike path will be closed when construction begins, and will not be reopened. Based on DEQ recommendations, there will be a 50-foot conservation area and green belt along the riverbank to help counter erosion.

Stewart Mandell, Highbank Drive, stated that the flooding and erosion has gotten worse since May, and wondered if a larger retention pond could be built.

Ashley explained that compensatory storage is being included in addition to the storm water retention system. When work is done in and around a floodplain it creates a lower recess and compensatory storage is used to offset any loss of flood storage capacity. This plan has been approved by the DEQ.

Fath feels that the bulldozed bike paths are what has caused the erosion. She expressed concern that DCD is not accurately calculating their water retention needs and that is why the river keeps rising.

No one else wished to be heard, Mooney closed the public hearing at 8:28 p.m.

**REVIEW AND CONSIDER SPECIAL LAND USE APPROVAL FOR ADDITION TO MIDDLE SCHOOL FACILITY AND COMPLETION OF FIRE DEPARTMENT ACCESS ROUTE FOR DETROIT COUNTRY DAY SCHOOL, 22305 W. THIRTEEN MILE ROAD**  
Delaney suggested that in the best interest of the residents this item should be tabled until protection of the residents' property can be assured.

Mueller confirmed that the water retention plan must be approved by the DEQ, County, and Village before DCD can proceed with their project. Ryan stated that water retention is a site plan issue, and all water retention designs and specifications are mandated at the County level.

Peddie stated that she is in favor of the addition, but would like to see the residents protected and have some assurances for their property protection.

Abboud pointed out that this proposal has been before the Planning Commission and the Zoning Board of Appeals with support and approval.

Oen stated that if approved the plan will still be evaluated and modified to meet all requirements. Delaying the approval of the special land use or site plan will not assist in expediting a storm water study.

Motion by Abboud, second by Oen, be it resolved that Village Council approves the special land use request for Detroit Country Day to build an addition onto their existing Middle School building.

Roll Call Vote  
Motion passed (7 – 0).

**REVIEW AND CONSIDER SITE PLAN FOR ADDITION TO MIDDLE SCHOOL FACILITY AND COMPLETION OF FIRE DEPARTMENT ACCESS ROUTE FOR DETROIT COUNTRY DAY SCHOOL, 22305 W. THIRTEEN MILE ROAD**  
Wilson explained Council has approved special land use. If the site plan is approved, there is a process that requires several engineers' approval on the plan. The Rouge River is a major

drainage basin, and due to high rain fall there has been flooding in several areas in the county. Any building built has to meet storm water standards set by the DEQ. Wilson stated that it is not reasonable to hold DCD responsible for all of the erosion that is happening along the river. The responsibility of DCD is to maintain and prevent erosion on their property.

Mooney stated that the mitigation of rain water that falls on hard surfaces is a standard set by Oakland County and has to be approved by their engineering team. The DEQ also has standards and requirements for water retention that must be met.

Ryan explained that although the Village could request that DCD create a larger water retention pool, they can decline; the Village cannot require more than the DEQ standards.

Wilson explained that the size retention basin that would be needed for the kind of control being discussed is beyond the scope of the DCD project; it would become a large scope public works project.

Fath feels that residents are already overwhelmed by the current river problems and that approving the site plan would add more problems to an already serious problem.

Mandell agreed that all of the problems are not the fault of DCD. His concern is that once the site plan is approved it cannot be undone, and he would not want it to generate more problems in the future; his goal is to mitigate damage to homeowners.

Ruby suggested that instead of building for a 100 year flood occurrence as mandated, they could consider 150 year flood. He reiterated concern about the erosion along the banks of the river. Wilson suggested that residents contact the DEQ to address the issues of erosion.

Ostrowski explained the impact on river flow is a multi-jurisdiction problem. He stated the Planning Commission reviewed this site plan extensively, DCD met with the neighbors as well as the DEQ and at the August 24, 2016, Planning Commission meeting it appeared that DCD and the neighbors had reached a consensus.

Ashley stated that DCD commissioned a drainage study that was provided to Council, and received approval from the DEQ to remove the logs and reinforce the banks.

MacDonald stated that the only Public Hearing notice he received was the one for this Council meeting. He reiterated that when DCD school is not in session he sees a significant drop in the amount of traffic at the intersection.

Ashley explained that DCD met with the residents of the Georgetown neighborhood on the west side of the property and their landscape architect, Jim Scott. A green scape was designed and agreed upon; foregoing the short shrubs as required by the ordinance for taller evergreens that would provide better coverage.

Mueller thanked DCD and Ashley for working with the neighbors. He inquired about the grade of the emergency access road in relation to the neighbors. Ashley stated that the road slopes north to

south and is below the property line grade along the entire road. The road will not be visible to the neighbors. The bi-fold gates extend across the road at both ends which are locked by Knox box as supplied by the Public Safety Department, landscaping prohibits anyone from driving around the gates. Ashley confirmed that the planting along the former bike path area would begin in the Spring of 2017.

Motion by Abboud, second by Oen, be it resolved that Village Council approves site plan dated August 12, 2016 for Detroit Country Day to build an addition onto their existing Middle School building and completion of emergency access route. This approval includes the permanent removal of the bike path, removal of a log jam in the Rouge River, bank stabilization per DEQ permit and regulations, and planting along the bike path area based on consultation and consensus with neighbors. The site plan is subject to final engineer review relative to the storm water management plan. Along the west side, the greenscape design as approved by residents and DCD will forego short shrubs and replace them with taller evergreens which provide better sightline coverage.

Roll Call Vote

Motion passed (7 – 0).

**REVIEW AND CONSIDER AWARDING CONTRACT FOR JANITORIAL SERVICES AT THE BEVERLY HILLS MUNICIPAL BUILDING**

Oen explained bids were taken Tuesday, September 13, 2016, for janitorial services for the newly remodeled Village Administration Building. The bids ranged from \$640.00/month to \$6,500.00/month. The lowest bid was submitted by Sunset Maintenance, the current company, but due to the need for a higher level of service, it is recommended the Village Council accept the second lowest bid as submitted by CleanNet USA.

Motion by Oen, second by Delaney, be it resolved that the Village Council accepts the second lowest bid for janitorial services for the Village Administrative Building from CleanNet USA.

Roll Call Vote

Motion passed (7 – 0).

**REFER REQUEST FOR SITE PLAN APPROVAL FOR NEW LIGHT POLES AT BEVERLY HILLS CLUB, 31555 SOUTHFIELD ROAD TO THE PLANNING COMMISSION FOR REVIEW AND RECOMMENDATION**

Abboud explained Beverly Hills Club, 31555 Southfield Road, has submitted plans to add four pole lights to their parking lot. Per Section 22.09.020 (a) this project requires site plan approval.

Motion by Abboud, second by Borgon, that the Village Council refers plans submitted by Beverly Hills Club for addition of four pole lights to their parking lot to the Planning Commission for recommendation.

Motion passed.

**PUBLIC COMMENTS**

None.

**MANAGER’S REPORT**

Wilson reported he has reached out to DTE to attend an upcoming Council meeting to provide an update on their tree trimming program. The building renovations are progressing, and the administrative staff will be moved into the new office space by the end of October. Administration has met with residents near the Tremont build site and a meeting with Pulte is scheduled for October 5, 2016. Wilson thanked the interns that worked in the Village office; Isabella Tillman and Lynna Bendali-Amor.

**COUNCIL COMMENTS**

Abboud reported he is attending the upcoming SEMCOG meeting, he reminded residents to remember to get their absentee ballots. He extended his support for Judge Cynthia Arvant. He announced that he is a finalist for the fellowship scholarship for the Michigan State Leadership program and will interview in November 2016.

Motion by Oen, second by Delaney, to adjourn the meeting at 9:30 pm.

Motion passed.

**John Mooney**  
**Council President**

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

**Elizabeth Lyons**  
**Recording Secretary**