

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

Absent: Abboud

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

President Mooney 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.

ADDITIONS TO AGENDA/APPROVE AGENDA

Motion by Oen, second by Nunez, to amend the agenda to include Business Item 7. Review and Revise the minutes of a regular Council meeting held December 19, 2017.

Motion passed.

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

Dick Maxwell, Walmer Lane, shared that when he moved to Beverly Hills 40 years ago, there were no fences. Over time he installed a four foot cyclone fence, and his neighbor put in a cement wall, leaving a one foot space between his fence and their wall. He believes that there are situations that arise which cannot be anticipated and no matter what is proposed, it will not meet the needs of all residents.

CONSENT AGENDA

Motion by Oen, second by Peddie, to approve the consent agenda as follows:

1. Review and consider approval of minutes of a regular Council meeting held January 2, 2018.
2. Review and file bills recapped as of Monday, January 8, 2018.
3. Review and consider request from Our Lady Queen of Martyrs to use Village streets and sidewalks for their Oktoberfest 5K Race on September 29, 2018.

Roll call vote:

Motion passed (6-0)

BUSINESS AGENDA

SECOND READING AND POSSIBLE ADOPTION OF AN ORDINANCE AMENDING CHAPTER 22, SECTION 22.24 AREA, HEIGHT, BULK, AND PLACEMENT REGULATIONS

Ryan explained regulations for the O-1 Office Zone District in Chapter 22, Section 22.24 Area, Height, Bulk, and Placement Regulations, Schedule of Regulations lists a maximum building height at 30 feet but only allows a single story. Planning Commission has submitted an amendment modifying the language to permit a second story within the current height limit of 30 feet, as is allowed in every other Zone District. At the meeting held November 29, 2017 the Planning Commission held a public hearing and recommended approval of modifications to the language updating the number of stories from “1” to “2” in the O-1 Office Zone District. This change will not modify the current allowable maximum building height of 30 feet.

Also updated, noted in bold italics, was “Section 5.01. PENALTY. Any person violating any of the provisions of this Ordinance shall be ***responsible for*** a civil infraction ...”

A copy of the ordinance in its entirety is available for review at the Village of Beverly Hills Administration office.

Motion by Oen, second by Peddie, to adopt Ordinance #361 amending Chapter 22, Section 22.24 Area, Height, Bulk, and Placement Regulations.

Roll Call Vote:
Motion passed (6-0)

This ordinance shall become effective 20 days following publication in the Eccentric newspaper.

REVIEW AND CONSIDER AGREEMENT BETWEEN THE VILLAGE OF BEVERLY HILLS AND COMMUNITY ACTION ALLIANCE REGARDING WATER RESIDENTIAL ASSISTANCE PROGRAM

With the creation of the Great Lakes Water Authority a program was established to assist residential customers who have issues paying their water bills; the Water Residential Assistance Program (WRAP). The WRAP program allows eligible participants to enroll to maintain water services and begin repaying past due balances. Eligible participants can also apply for up to \$1000 per year in assistance, water audits for residents who consistently use more water than average and up to \$1000 to help with minor plumbing repairs. To qualify, residents must be at 150% or less of the federal poverty level and meet other eligibility requirements. As a participant in the WRAP program the Village would also agree to forego shutoffs for enrolled residents who maintain their participation, forego placing past due balances onto tax bills and waive penalties for active participants.

The WRAP program is operated and administered by the Wayne Metro Community Action Agency (CA Alliance Agency). Eligibility determinations are made by CA Alliance. Many of the Village’s fellow members of SOCWA have signed up and are currently participating in the WRAP program. Village Administration has reviewed the participation requirements of the WRAP and does not find them to be unreasonable.

There are some inconsistencies regarding the implementation date in the document provided by the Community Action Alliance. The Village had previously agreed to participate in WRAP through CA Alliance and Oakland Livingston Human Services Agency (OLHSA) through March 31, 2017. This agreement should be retroactive to April 1, 2017 to ensure that any eligible participants can receive benefits for bills for the entire period in which the Village has been an active participant.

Motion by Delaney, second by Oen, be it resolved that the Council for the Village of Beverly Hills approves and authorizes the Village Manager to sign the Memorandum of Agreement between the Village of Beverly Hills and the Wayne Metro Community Action Agency (CA Alliance) for participation in the Water Residential Assistance Program effective April 1, 2017.

Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER APPROVAL FOR THE PURCHASE OF AN ALEXIS MINI PUMPER FROM APOLLO FIRE EQUIPMENT COMPANY

As directed by the Village Council, Village Administration and the Public Safety Department have reviewed options for various fire vehicles due to the condition of the current pumper truck. There was significant discussion about this matter during 2017, with the directive being given to Administration to procure an appropriate pumper truck and mini pumper for the Village. In the interim, the Public Safety Department has been working with the chosen supplier, Alexis, on the acquisition of a mini pumper. Before Council for review and consideration is a purchase agreement for a new Alexis mini pumper.

Village Administration is recommending payment in cash for this piece of equipment. The Village has approximately \$290,000 in reserves for fire equipment. The total purchase price of this vehicle is \$301,775.00. This includes a reduction of \$5,181 for payment in cash. The remaining portion of the purchase price will come from the \$75,000 budgeted by Public Safety for FY 2017-18 in the fire truck reserve.

Copies of the invoice, purchase agreement, specifications and a diagram of the new apparatus have been provided to Council for review. Public Safety Administration has spent a significant amount of time with Alexis in the design of this truck so that it meets the needs of the Village and will be compatible with existing water supplies, other vehicles and officer training not only in the Village but by the mutual-aid communities.

Motion by Delaney, second by Oen, be it resolved that the Village Council approve and authorize the Village manager to execute the invoice and purchase agreement for a 2017 Alexis mini pumper as presented for use by the Beverly Hills Public Safety Department in the amount of \$301,775.00. Funds for this purchase are available in the Village's Fire Truck Reserve Fund 205 and Capital Projects Fund 401.

Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER APPROVAL FOR THE PURCHASE OF A SUTPHEN CLASS A PUMPER FROM APOLLO FIRE EQUIPMENT COMPANY AND CONSIDER AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A SEVEN YEAR LEASE PURCHASE AGREEMENT WITH LEASING 2, INC. TO FINANCE THE PURCHASE IN THE AMOUNT OF \$604,801.11

As directed by the Village Council, Village Administration and the Public Safety Department have collaborated on the procurement of a pumper truck to replace the existing pumper truck. The current pumper truck is a 1999 Freightliner model and has suffered a number of equipment and tank failures in the last two years. The significant amount of time this truck has spent out of service for repairs has placed an additional burden on the only other fire apparatus, the ladder truck. Sgt. Robert Ginther, Fire Marshal, explained the proposed truck could carry 1,000 gallons of water. He further explained that this amount of water gives them approximately six minutes of firefighting power, which allows them the time necessary to hook into the hydrant.

Following 2017 approval by Council, the Public Safety Department worked on the procurement of a pumper truck with the Sutphen Corporation. Specifications and a diagram of the apparatus, as designed and approved by the Public Safety Department, have been provided to Council. The price for this 2017 Sutphen Pumper Truck is \$620,441.40.

Village Administration has reviewed the financing options available and is recommending a lease purchase agreement with Leasing 2, Inc. Leasing 2 is offering a discount of \$15,640.29 off the purchase price reducing the purchase price to \$604,801.11. This amount will be financed with Leasing 2, Inc. for a period of seven (7) years at an interest rate of 3.49%. Annual payments will be \$98,860.38 with the first payment due on February 15, 2019. These payments will overlap by two fiscal years on the current payments for the ladder truck. The final payment for the ladder truck will be made in October of 2019. As the Village has been putting aside \$75,000 annually for the fire truck reserve the additional payment will not place a significant strain on the budget. Village Administration recommends discontinuing funding the fire truck reserve fund until the last payment has been made on the ladder truck.

Sharon Tischler, Virmar Court, inquired about the color of the firetruck. Ginther explained the truck would be red.

Motion by Oen, second by Delaney, whereas, the Village of Beverly Hills has determined that a true and very real need exists for the acquisition of the Sutphen Class A Pumper described in the Lease-Purchase Agreement presented to this meeting; and has further determined that the Sutphen Class A Pumper will be used solely for essential governmental functions and not for private business use, and whereas, the Village of Beverly Hills has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment. Be it resolved, by the Village of Beverly Hills Council that the terms of said Lease Purchase Agreement and Escrow Agreement are in the best interest of the Village of Beverly Hills for the acquisition of such equipment, and the Village of Beverly Hills Council designates and authorizes Village Manager, Chris Wilson to enter, execute and deliver, and to witness (or attest), respectively, a seven year Lease Purchase Agreement and Escrow Agreement with Leasing 2, Inc. as well as any related documents necessary to the consummation of the transactions contemplated by the Lease-Purchase Agreement and Escrow Agreement. Such agreement is to finance the

purchase of Sutphen Class A Pumper in the amount of \$604,801.11 purchased from Apollo Fire Equipment Company. Funds for this purchase are available in Fund 205-900-978.00.

Roll Call Vote:
Motion passed (6-0)

THRID ANNOUNCEMENT OF A VACANCY ON THE ZONING BOARD OF APPEALS FOR AN ALTERNATE MEMBER

Mark Hynes submitted his resignation from the Zoning Board of Appeals as an alternate member on December 14th. Council accepted his resignation and made a first announcement of the vacancy on December 19th. This is the third announcement of vacancy and the term has an expiration date of June 30, 2018.

Application deadline: Wednesday, January 31, 2018 at 4:30 p.m.

Term expires: June 30, 2018

Zoning Board Subcommittee:

Chairperson: Abboud

Members: Oen and Peddie

Meeting: February 6, 2018 at 7:15 p.m.

Applications of interested persons will be delivered to subcommittee members with the February 6th Council packet.

SET PUBLIC HEARING DATE OF FEBRUARY 20, 2018 TO REVIEW AND CONFIRM 2017 SPECIAL ASSESSMENT ROLL FOR THE SOUTHFIELD ROAD BUSINESS ASSESSMENT DISTRICT

Mooney explained the Village maintains the public right-of-way along the Southfield Road business district and assesses the cost of landscape maintenance and water for the sprinkling system to the property owners on the west side of Southfield Road.

The Village of Beverly Hills Council set the public hearing date for Tuesday, February 20, 2018, to review and confirm the 2017 Special Assessment Roll for the Southfield Road Business Assessment District.

REVIEW AND CONSIDER APPROVAL OF MINUTES OF A REGULAR COUNCIL MEETING HELD DECEMBER 19, 2017

Motion by Oen, second by Peddie, be it resolved that the Village of Beverly Hills Council vacate the approval of the December 19, 2017 minutes.

Motion passed.

Motion by Oen, second by Delaney, be it resolved that the Village of Beverly Hills Council revise the December 19, 2017 minutes with the exact language in the motion related to the “DISCUSSION REGARDING A PROPOSED ORDINANCE AMENDING CHAPTER

22 SECTION 22.08.150 FENCE, WALL & PRIVACY SCREEN REGULATIONS OF THE MUNICIPAL CODE”.

Motion passed.

PUBLIC COMMENTS

Tischler commented that parliamentary procedure dictates Council cannot go back and change minutes once they have been approved.

Ryan explained a motion was made to change the language, but the recording of the December 19, 2017 meeting has provided the actual language used.

Tischler asked that the fence ordinance includes restrictions against the use of pointed decorative fence toppers. These toppers create a high risk for deer impalement.

MANAGER’S REPORT

SOCRRA Facility Update – Significant progress on the MRF facility on Coolidge has been made. As of January 10th the facility was able to reopen to haulers for recycling material. SOCRRA is hopeful to reopen the site to the general public later this month. Saturday drop off service for electronics recycling will continue through the month of January. SOCRRA has continued to experience an increase of around 20% in recycling volume with the implementation of the new recycling carts. We are also beginning to see decreases in our volumes of trash in communities where recycling volumes are increasing.

Passport Processing – The 2017 numbers for passport applications processed by the Village were submitted for Council review. The number of 443 is down significantly from the highs of 2014 where we were processing nearly 1000 applications a year. We currently have six (6) employees that are trained and capable of processing passport applications. With this number of eligible staff and this current level of demand the passport processing operations have become more sustainable.

Christmas Tree Chipping – Christmas tree collection will continue the week of January 15th. Please place your unwrapped trees, free of tinsel or ornaments, at the curb for collection.

Smartest Community Ranking – Job placement website Zippia recently conducted a study of the smartest communities over 10,000 population in Michigan. Of the 93 communities that were analyzed, the Village of Beverly Hills ranked #2 amongst the smartest communities. We were only bested by our neighbors, the City of Birmingham.

Strategy Session – The annual strategy session between the Council and Village Administration will be held on Tuesday, January 30th at 6:00 PM in the Village Council Chambers. Council members who have not already done so are encouraged to submit the items they would like included in this meeting to President Mooney.

COUNCIL COMMENTS

Mueller reminded Council of the joint meeting with the Parks & Recreation Board scheduled for January 19, 2017 at 7:30 p.m. The Winter Family Fun Day is scheduled for January 28, 2017.

Delaney reported the meeting with Oen, Administration, and Public Safety was a productive meeting. The Cable Board will meet on January 17th, and are working to correct the transmission problems the meeting broadcasts are experiencing.

Oen also reported a successful meeting with Public Safety.

Mooney extended his regret that he cannot attend the joint Parks & Recreation meeting.

Motion by Delaney, second by Mueller, to adjourn the meeting at 8:27 p.m.

Motion passed.

John G. Mooney
Council President

Ellen E. Marshall
Village Clerk

Elizabeth M. Lyons
Recording Secretary