

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

Absent: None

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

President Koss called the regular Council meeting to order at 7:30 pm 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 Mooney, to approve the agenda as published.

Motion passed (7 – 0).

COMMUNITY ANNOUNCEMENTS

Township Supervisor and Parks and Recreation Board member Phil Schmitt recognized and thanked the scout troops, individuals, members of Village staff, Council, and the Parks and Recreation Board who participated in the annual Beverly Park Clean Up on Saturday, May 12. He gave special thanks to the Beverly Hills Lions Club for providing refreshments at the event. Schmitt remarked that the park looks great.

Schmitt announced that the River Rouge Clean Up will be held on Saturday, June 2 from 10:00 am until noon at the Douglas Evans Nature Preserve. Work will also be done at Riverside Park.

Schmitt reported on the upcoming Memorial Day Parade and Carnival in the absence of Jim O'Reilly, who is organizing the event this year. The parade will begin at 11:00 am at Groves High School and proceed to Beverly Park, where the Carnival will commence at noon. Schmitt highlighted the entertainment, participants, games, and activities planned for the parade and carnival.

PUBLIC HEARING TO REVIEW 2011 ASSESSMENT ROLLS FOR DUST CONTROL AND OTHER MISCELLANEOUS ASSESSMENTS

A public hearing is required to review and confirm unpaid assessments and billings that need to be added to the tax roll in the categories of dust control and other miscellaneous assessments. These are charges to residents for services that have already been incurred by the Village. There are 254 properties incurring special assessments in the amount of \$65,542.06.

President Koss opened the public hearing at 7:37 p.m. on the 2011 Assessment Rolls for dust control and other miscellaneous assessments.

Kathleen Berwick of 31381 Kennoway Court stated that she lives on a dirt road in Beverly Hills. She suggested that the dust control substance be applied on a day other than trash collection day

when garbage trucks drive down the road between the time the road is graded and treated for dust. No one else wished to be heard; the public hearing was closed at 7:39 p.m.

CONSENT AGENDA

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

- a. Consider approval of minutes of a regular Council meeting held May 1, 2012.
- b. Review and file bills recapped as of Monday, May 7, 2012.
- c. Review and confirm 2011 Assessment Rolls for dust control and other miscellaneous assessments.
- d. Review and consider resolution for West Nile Virus Fund expense reimbursement.

Motion passed (7 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER REQUEST TO HOLD “CLIMB FOR THE CURE” AT BEVERLY PARK ON SATURDAY, JUNE 23, 2012

Samantha Weed, Freshman at Groves High School, outlined a request to utilize the sled hill area of Beverly Park for a fundraising event called “Climb for the Cure” on Saturday, June 23 between the hours of 10:00 am and 1:00 pm. The purpose of the event is to raise awareness of breast cancer and raise money for the National Breast Cancer Research Foundation.

Motion by Mooney, second by Oen, that the Beverly Hills Village Council authorize a charity event called “Climb for the Cure” to take place at the hill area of Beverly Park on Saturday, June 23, 2012 from 10:00 am to 1:00 pm. A certificate of insurance naming the Village as an additional insured will be provided upon approval of the event.

Mooney remarked that Ms. Weed is an outstanding representative of the youth of our community and thanked her for organizing this event. Council members wished Samantha Weed luck on her outstanding project.

Motion passed (7 – 0).

REVIEW AND CONSIDER RESOLUTION TO CREATE A JOINT SENIOR SERVICES COMMITTEE

The City of Birmingham has proposed establishing a senior services committee among the communities that comprise the Birmingham Area Seniors Coordinating Council and Birmingham Public Schools. This advisory body would sit until June 30, 2013. Their assignment would be to study service and program needs of the growing senior population in the area for the purpose of making recommendations to each governing body as to how to enhance senior services. It is requested that each community appoint two members and one alternate member to serve on this committee.

Motion by Burry, second by Mooney, that the Village of Beverly Hills Council approve the Resolution to Create a Joint Senior Services Committee and designate Council members Burry and Mercer as Beverly Hills representatives to that Committee with Walter Briggs as the alternate member.

Roll Call Vote:

Motion passed (7 – 0).

BASCC representative and former Council member Dorothy Pfeifer said that she was pleased to have all the surrounding communities involved in this undertaking.

FIRST ANNOUNCEMENT OF VARIOUS BOARD/COMMITTEE VACANCIES

Council is in receipt of a memo listing various board members whose terms expire on June 30, 2012. All of the members have been notified of their term expiration; those listed below wish to be considered for reappointment. The names in parenthesis are not seeking reappointment. Council agreed in November of 2008 to make these vacancies open to the public as well as the currently seated members. All terms are for three years.

Finance Committee

Vacancy (Neil Hitz)

Vacancy (Patrick Westerlund)

Cable Board

Alan Heyman

Mary Ann Verdi-Hus

Parks & Recreation

William Kondak

Vacancy (Jim O'Reilly)

Vacancy (Lisa Ross)

Zoning Board

Kathleen Berwick

Vacancy (Amru Meah)

Mary Ann Verdi-Hus

Planning Board

Rukni Abboud

George Ostrowski

Robert Ruprich

Retirement Board

Vacancy (Don O'Connell)

Koss made the first announcement of these board vacancies. Deadline for applications is Friday, June 8, 2012. Appointments are scheduled to take place at the June 19, 2012 Council meeting.

PUBLIC COMMENTS

Before opening the floor for public comments, Koss asked for clarification of an issue brought to her attention. She questioned the number of Board members who may attend an upcoming Planning Board subcommittee meeting with Southfield Road property owners without it being considered an official Planning Board meeting requiring advance posting.

Manager Wilson responded that the Planning Board formed a subcommittee to explore issues related to creating an overlay zoning district to trigger redevelopment of the Southfield Road corridor. Part of the process is to meet with the Village planning consultants and to schedule meetings with property owners in the corridor district, potential developers, and the public. The Planning Board is attempting to obtain feedback from interested parties at this stage of the process. The subcommittee will meet on Friday, May 18 at the former Borders building to share and discuss redevelopment plans with Southfield Road property owners.

Wilson mentioned that the Village Attorney was consulted to confirm that the four-member subcommittee workshop would be in compliance with the Open Meetings Act. A meeting with a quorum of five Planning Board members attending must be posted and open to the public. The intent of the workshop will be to give a presentation on the Southfield Road Corridor Overlay

District proposal. It will be an opportunity to provide those present with background and a vision for the Southfield Road business district.

In answer to an inquiry, Attorney Ryan stated the Open Meetings Act requires that a meeting be posted when that meeting is attended by a quorum of council or board members and when business is being discussed and decisions are being made.

Kathleen Berwick on Kennoway Court commented on the recent lack of Public Safety Department reports sent via email to residents through the GovDelivery program. She would like to be kept informed of any criminal activity that may be occurring in the Village.

Sharon Tischler of Virmar Court referred to the minutes of the April 25, 2012 Planning Board meeting. She questioned the Board's intent to limit the number of subcommittee members attending an upcoming workshop with Southfield Road property owners to four so as not to constitute a quorum. A quorum would require the meeting to be posted as a public meeting under the Open Meetings Act. Tischler asserted that any meeting that occurs in these chambers is public business and should be posted.

REPORTS – MANAGER

Manager Wilson reported that progress is continuing on the sidewalk program. The contractor is currently working in the area between 14 Mile and Beverly Roads, Southfield and Greenfield Roads. A second crew has been brought in to expedite the work. Lacaria is making the unit price received by the Village available to residents who want their driveways repaired.

Wilson informed Council that the second quarter bill for sewage disposal in the Evergreen Farmington system will increase over the previous quarter's bill. That \$430,000 bill was the highest that the Village has ever received for one quarter by a significant amount. Wilson was further concerned that the bill showed an increase even though rainfall for this quarter was lower than the previous quarter.

At a recent meeting of technical staff, it was reported that the WRC consultants being paid to produce these bills believe that there could have been residual precipitation that carried over from one quarter to another. Wilson found these assertions dubious. He commented on the volatility shown in the system with regard to neighboring communities. All of this information is being compiled and will be a part of a formal objection presented to the DEQ regarding the proportionality, volatility, and efficacy of the "meter-based billing" system implemented by Water Resources Commissioner John McCulloch.

In a letter to Mr. McCullough, Wilson accepted the Water Resources Commissioner's invitation to come to the Village with his staff to discuss and correct any misconceptions regarding his efforts to administer the EFSDS on the Village's behalf. Wilson will keep Council posted on when McCulloch and his staff plan to attend a Council meeting.

The Village offices will be closed on Monday, May 28 in observance of Memorial Day. Wilson mentioned that the Council packet for this meeting that was distributed and posted online includes a detailed report from the Public Safety Director outlining the weekly activities. The Department continues to work on improving their reporting process.

Village Administration has met with residents of Stafford to begin finalizing designs for a potential paving of Stafford Road through a Special Assessment District. Once designs have been completed by engineering firm Hubbell, Roth & Clark, the project will come before Council to be sent out for competitive bids. Based upon the results of the bid process, a majority of the Stafford residents will need to commit to the payment terms of the Village's Special Assessment process in order to move forward with construction.

Village staff opened four competitive bids today for the Evergreen Road Bridge project. The proposals came in slightly under the budgeted amount of \$450,000. Public Services Director Meszler and HRC staff are conducting the bid analysis process. The low bid will be brought to Council for consideration at the first meeting in June.

Wilson commented that he received inquiries about the potential of Brady's Tavern moving to the location of the former Tavern on 13 at The Corners shopping center. Wilson was informed through Brady's ownership that this will not occur.

Clerk Marshall met with individuals responsible for the art sculpture that will be displayed in Beverly Park courtesy of the Longest Lemonade Stand committee. The base will be installed tomorrow, May 16, and the sculpture will be installed during the first week in June.

Inquiries from Mercer on the Village's options relative to the Evergreen Farmington Sewage bills were addressed by Wilson. The Village has an obligation to continue to pay those bills. There is an administrative review process scheduled for July by the Department of Environmental Quality at which time they will conduct further review on the meter billing methodology used by Mr. Cullough. Wilson will participate on behalf of the Village in that process.

Mercer observed a recently boarded up building on Southfield Road. He questioned the status of the property and how long the building can remain in that condition. Wilson responded that he has had preliminary contact with the property owner and learned that there will be preliminary redevelopment plans for the site; nothing has been formally submitted to the Village at this time. Wilson concurred that the boarded up building could be considered a blight condition.

Mercer explained that residents who have subscribed to receive GovDelivery notifications receive an email with a link to the Council meeting packet twice a month. Council meeting information is available on the Village website on the Friday before a Tuesday Council meeting including the recent report from Public Safety Director Torongeau. Mercer thanked Chief Torongeau for the detailed public safety report.

Mooney suggested that a building that has been boarded up for a week in the community constitutes blight and should be addressed. Mooney took exception to a public comment accusing Council or administration of not complying with certain provisions of the law. The Planning Board meeting minutes of April 25, 2012 contain language cautioning the Board and suggests that an upcoming workshop be limited to a subcommittee of the Board in order not to violate the Open Meetings Act.

Oen commented on the purpose of the workshop with Southfield Road property owners scheduled for Friday, May 18 at the former Borders store. He concurred that the Planning Board has taken precautions to ensure that they do not violate the Open Meetings Act.

Mooney thanked Director Torongeau for his Public Safety Activity Report, which was posted on the Village's website. The report reveals minor issues and crimes.

REPORTS – COUNCIL

Burry commented on the Joint Senior Services Committee formed by communities that comprise the BASCC (Birmingham Area Seniors Coordinating Council) community and Birmingham Public Schools to consider the funding needs of seniors. The committee will meet for nine months with the goal of arriving at a concept for funding that will be presented to the communities for their approval. Burry announced that the Birmingham Area Cable Board will meet tomorrow morning, May 16 at 7:45 am.

A number of Council members thanked everyone who participated in the Beverly Park Clean Up. Phil Schmitt was given credit for organizing the event.

Oen reported that the Planning Board will meet on Wednesday, May 23, at 7:30 pm in the Village municipal building. Oen outlined the work schedule related to the Southfield Road Corridor redevelopment project.

Mooney recognized two people who have done an outstanding job in terms of contributing to the community. Jim O'Reilly and Lisa Ross are leaving the Parks and Recreation Board. Jim O'Reilly has done so much for Beverly Hills including his involvement with the Beverly Hills Little League, Scouts, Groves High School and the Parks and Recreation Board. Jim O'Reilly and the Parks and Recreation Board put forth a tremendous effort to continue the community tradition of holding a Memorial Day Parade and Carnival.

Lisa Ross has been deeply involved in the community with baseball, football, scouts, and the Parks and Recreation Board. She was the former president of the Beverly Hills Little League. Mooney hopes that Jim O'Reilly and Lisa Ross will remain active in the community.

Briggs reported that the Baldwin Library Board will meet on Monday, May 21 at 7:30 pm at the library. Briggs encouraged residents who are interested in volunteering in the community to submit an application to fill a vacancy on a Village board or committee.

Koss encouraged residents to come and enjoy the Memorial Day Parade and Carnival on May 28. It's a great community event.

Motion by Briggs, second by LaFerriere, to adjourn the meeting at 8:28 pm.

Motion passed (7 – 0).

Rosanne Koss
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary