

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

Absent: Burry

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.

COMMUNITY ANNOUNCEMENTS

Tamra Nast and Don Tobe, Character Education co-chairs, were present on behalf of the Birmingham Public Schools' Character Education initiative begun in 1999 and adopted as part of the district's strategic plan. Character traits that serve as a foundation and touchstone for the district are: positive attitude, honesty and integrity, respect and kindness, and responsibility and accountability.

The district created a steering committee dedicated to Character Education. Building level committees identify liaisons who attend regular meetings with the steering committee with the goal of embedding Character Education into the curriculum and culture of our schools. The district works closely with the Character Education Partnership, a nationally recognized organization committed to Character Education.

The goal of Tamra Nast and Don Tobe is to grow the initiative in the surrounding areas and create a support base for the school district. They are ready to engage in a Community of Character, which will involve governmental agencies. It is anticipated to establish a community steering committee and to attain a representative from each of the municipalities in the school district. The intent is for Birmingham Public Schools and all the surrounding communities to help model that character and join in growing the initiative so that our community can be a national model.

Members of Council commented positively on the Character Education initiative. Koss thanked Nast and Tobe for attending and encouraged them to send any information on the Community of Character Initiative to Ellen Marshall for posting on the Village's website and/or emailing to residents via the GovDelivery system.

CONSENT AGENDA

- Motion by Oen, second by Briggs, to approve the consent agenda as published.
- a. Consider approval of minutes of a regular Council meeting held August 7, 2012.
 - b. Review and file bills recapped as of Monday, August 13, 2012.

Motion passed.

BUSINESS AGENDA

REVIEW AND CONSIDER DIRECTING PARKS & RECREATION BOARD TO DEVELOP LANDSCAPE PLAN FOR RIVERSIDE PARK

Motion by Mooney, second by Oen, that Council refer the development of a potential landscape plan for Riverside Park to the Parks and Recreation Board with a report back to Council.

Motion passed.

REVIEW AND CONSIDER PROPOSAL FOR PRINTING 2013 VILLAGE CALENDAR

Ellen Marshall reported that bid specifications were mailed to seven vendors for printing the 2013 Village Calendar with notice published in the Eccentric Newspaper. There was one bid received and opened publicly on August 9, 2012 from Dearborn Lithograph in the amount of \$7,084.00. The cost is approximately \$300 higher than last year's bid for the work from this vendor. Dearborn Lithograph works with the same contractor that did the layout and design work for the Village's last four calendars. Marshall noted that only one advertisement has been received for publication in this year's calendar.

Comments and questions on the calendar printing proposal were addressed by Marshall. Members expressed concern that the Village only received one bid for the calendar project and discussed whether to proceed or to rebid the work. It was noted that the increase from last year's cost was minimal.

Motion by Mercer, second by Mooney, that the Village of Beverly Hills Council award the contract for design and printing of the Village of Beverly Hills 2013 Calendar Project to Dearborn Lithograph in the amount of \$7,084.00. Funds for this project are available in account #101-000-675.03.

Roll Call Vote:

Oen	- yes
Briggs	- no
Koss	- yes
LaFerriere	- no
Mercer	- yes
Mooney	- yes

Motion passed (4 – 2).

REVIEW AND CONSIDER RESOLUTION DECLARING A MORATORIUM ON NEW SITE PLAN DEVELOPMENT ON SOUTHFIELD ROAD BETWEEN BEVERLY AND 13 MILE AND A VILLAGE-WIDE MORATORIUM ON NEW SIGNS WITHIN THE VILLAGE

Manager Wilson reviewed that the Planning Commission has been working on an overlay zoning district for the area of Southfield Road between 13 Mile and Beverly Roads. The Commission has also been developing a new sign ordinance that would apply to all areas of the Village. Both projects have progressed to the point of being near completion. Given the interplay between commercial property and signage and the permanent nature of proposed ordinance changes, the Planning Commission is requesting that the Village Council consider a temporary moratorium on site plan review within the Southfield Road corridor area and a moratorium on sign permits that would require Planning Commission review.

Village Attorney Ryan has drafted a resolution for Council review and consideration. There is a section of the proposed moratorium that would allow any property owner who thinks that they are placed in a hardship situation by this action to appeal for relief and have their site plan or sign permit application reviewed.

Motion by Oen, second by Mercer, to adopt the following Resolution:

RESOLUTION DECLARING A MORATORIUM PERTAINING
TO NEW SITE PLAN DEVELOPMENT ON SOUTHFIELD ROAD
BETWEEN BEVERLY ROAD AND THIRTEEN MILE ROAD AND
A VILLAGE WIDE MORATORIUM ON NEW SIGNS
WITHIN THE VILLAGE OF BEVERLY HILLS

RECITALS

WHEREAS, the Village of Beverly Hills Planning Commission has been studying an amendment to the Village's Zoning Ordinance consisting of an overlay zoning district in the Southfield Road business corridor between Beverly Road south to Thirteen Mile Road; and

WHEREAS, the Village Planning Commission is close to a recommendation to Village Council for the establishment of an overlay district in the above described area, which would provide standards and incentives for new development in the business district specified; and

WHEREAS, the Village Planning Commission has been studying the village sign ordinance to the end of making amendments and improvements to the sign ordinance to provide for uniform and consistent sign standards for the entire Village; and

WHEREAS, the development and passage of these ordinances is forthcoming it would be counter-productive if new expansion or development in the Southfield Business District or approval of signs were permitted to move forward; and

WHEREAS, the Village Planning Commission and Village Council recognize that the delay in new construction and new signage may result in the inconvenience for such uses and property owners; and

WHEREAS, the Planning Commission requires 180 days to complete its duties in regard to these projects;

NOW, THEREFORE, BE IT RESOLVED that the Village of Beverly Hills hereby declares a moratorium effective August 22, 2012, and effective for 180 days, concluding at midnight on February 18, 2013 during which time no additional site plans within the Southfield Road corridor or any signs requiring Planning Commission approval will be considered.

BE IT FURTHER RESOLVED that during the effective period of this moratorium, any aggrieved property owner or business shall be entitled to a hearing for the purpose of attempting to demonstrate to the Village Council that the temporary deferral or moratorium pronounced in this Resolution will result in a preclusion of any viable economic use of their property or otherwise violates applicable provisions of state or federal constitution or law. Such hearing shall be conducted on an expedited basis before the Village Council. At the conclusion of the hearing, the Village Council shall make findings and conclusions with respect to whether the Petitioner has demonstrated that all viable economic use of the property has been precluded by this moratorium and/or this moratorium on its face or applied constitutes a violation of applicable constitution or law. If it is found and demonstrated that the deferral has the effect of precluding all viable use of property or that it violates law or constitutional provision, the Village Council shall grant relief from the deferral to the degree necessary to cure the contravention.

Oen reiterated that the Planning Commission is conducting a thorough review of signage in the business district. The moratorium on site plans and signs will allow the Commission to complete the process of developing an overlay district and reconfiguring the sign ordinance before new developments and commercial signs can be put in place.

Wilson and Ryan addressed questions and comments from Council members. A main topic of discussion was the length of the moratorium and whether the Planning Board would complete the overlay district and sign ordinances by that time. Wilson noted that the Planning Commission is on track with the timeline developed for the overlay district process. The moratorium is attempting to prevent a flood of applications to change either existing commercial signage or install new signage or to engage in commercial redevelopment under the current set of guidelines that are about to be changed.

Roll Call Vote:

Briggs	- yes
Koss	- yes
LaFerriere	- yes
Mercer	- yes
Mooney	- no
Oen	- yes

Motion passed (5 – 1).

PUBLIC COMMENTS

Andrea Gilles Briggs of 16207 Reedmere announced that she is the Democratic candidate for Southfield Township Clerk. As a lifelong resident of the area and resident of Beverly Hills for

nearly a decade, Briggs formally introduced herself to the voters of Beverly Hills. She plans to bring the skills she learned as a treasury manager and tax accountant to the office of clerk. Briggs stated that she will promote positive, respectful and collaborative relationships with the three villages in order to meet economic challenges together. More information is available on www.andreabriggs.com and on her Facebook page, Andrea Gilles Briggs for Southfield Township Clerk.

REPORTS – MANAGER

Wilson announced that tomorrow, August 22 will be Movie Night in Beverly Park at 9:00 pm or dusk. Looney Toons shorts will be followed by The Lorax with free admission and free popcorn.

The Evergreen Road Bridge paving is scheduled to take place tomorrow, August 22. If the bridge is paved according to schedule, the project will be on track to open Evergreen Road this weekend.

Bids were received today for the Stafford Road Paving Project. Administration is in the process of tabulating the six bids. The low bid came in below the engineer's estimate for construction. Bid results will be available for Council review and approval at the next Council meeting.

REPORTS – COUNCIL

LaFerriere thanked Ellen Marshall for her work on the Village calendar project. He volunteered to solicit advertising to help defray the cost of the calendar.

Oen announced that the Planning Commission will meet tomorrow, August 22 at 7:30 pm. He thanked Chief Torongeau on his regular Public Safety Activity Reports. Oen congratulated PSO Tom Danielson, who received a Lifesavers Award at the annual MADD Michigan Lifesavers Law Enforcement Recognition event.

Mooney announced that he submitted his petitions for reelection to the Beverly Hills Council.

Briggs stated that the Communications Committee met in August and reviewed a draft Communications Strategy. Briggs provided information on upcoming programs at the Baldwin Public Library. He extended his congratulations to President Koss on her election to the position of Southfield Township Trustee.

Koss wished everyone a great and safe Labor Day weekend.

Motion by Oen, second by Briggs, to adjourn the meeting at 8:30 pm.

Motion passed.

Rosanne Koss
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary