

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

Absent: None

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

Council 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.

AMENDMENTS TO AGENDA/APPROVE AGENDA

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

Oakland County Commissioner Bill Dwyer reported that the County is in great shape. He summarized a number of topics and programs of interest to County residents including information on the budget, investments, new initiatives, health care, summer jobs and various programs that are available. He and County Commissioner Marcia Gershenson continue to work on gun control issues. Council thanked Commissioner Dwyer for his report.

Southfield Township Clerk Sharon Tischler advised residents that absentee ballots are available for the Presidential Primary on Tuesday, March 8th. Polls will be open that day from 7:00 a.m. to 8:00 p.m. Those who wish to receive an absentee ballot may contact the Township Hall for an application. Voters who live in precinct #3, bounded by Beverly Rd., 14 Mile Road, Southfield Road and Pierce will be voting at Our Lady Queen of Martyrs in the Social Hall instead of Ascension of Christ Lutheran Church. This is a Presidential Primary wherein voters are required to choose a political party. Voters may request an absentee ballot as late as 4:00 p.m. on Monday, March 7. The Township Hall will be open until 2:00 p.m. on Saturday, March 5 for absentee voting. She also reported that 2016 property assessment notices have been mailed.

PUBLIC COMMENTS

None

PUBLIC HEARING – SPECIAL ASSESSMENT ROLL FOR SOUTHFIELD ROAD BUSINESS ASSESSMENT DISTRICT

President Mooney declared the public hearing open at 7:42 pm to receive comments on the Special Assessment Roll for the Southfield Road Business Assessment District. No one wished to be heard; therefore, the public hearing was closed at 7:43 pm.

CONSENT AGENDA

Borgon asked that item ‘b’ Review and file bills recapped as of February 8, 2016 be removed from the consent agenda and moved to the business agenda.

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

- a. Consider approval of minutes of a regular Council meeting held February 2, 2016.
- b. Review and consider renewal of professional computer consulting services with Enterprise Computer Solutions.
- c. Review and consider 2015 Special Assessment Roll for the Southfield Road Business Assessment District.

Motion passed.

BUSINESS AGENDA

ACCEPT ALAN HEYMAN’S RESIGNATION FROM THE BIRMINGHAM AREA CABLE BOARD AND MAKE FIRST ANNOUNCEMENT OF VACANCY

Motion by Borgon, second by Abboud, to accept the resignation of Alan Heyman from the Birmingham Area Cable Board.

Motion passed.

Borgon thanked Alan Heyman for his ten years of service on the Cable Board. He also served on the program committee for six years.

Borgon made the first announcement of a vacancy for a Beverly Hills member on the Birmingham Area Cable Board. The term for this position will expire on June 30, 2017. The deadline for receiving applications is Wednesday, March 9, 2016 at 4:30 p.m. A subcommittee consisting of Borgon as chairperson, Abboud and Peddie will meet at 7:15 p.m. prior to the Tuesday, March 15, 2016 Council meeting to consider applications for this position.

REVIEW AND CONSIDER PROPOSAL FROM MIRACLE MIDWEST TO UPDATE PLAYGROUND EQUIPMENT AT BEVERLY PARK

Mueller remarked that over the last few months, the Parks & Recreation Board has looked at a number of items regarding the playground at Beverly Park. A few items need maintenance or replacement. The bubble panels on the small children’s ship and the lookout panels on the larger play structure have become cloudy and are no longer transparent. The Board is recommending the installation of a new piece of playground equipment called “Ten Spin”. Additionally, the children’s small ship has stairs that do not comply with Americans with Disabilities Act requirements.

Motion by Mueller, second by Oen, be it resolved that the Beverly Hills Village Council approves the purchase and installation of updated equipment and parts for the Beverly Park playground to include Two Bubble Panels, Two Look out Panels, one Ten Spin, and one ADA Transfer Point Single Step from Miracle Midwest in an amount not to exceed \$12,000.00

Roll call vote:

Motion passed unanimously.

Funds are available in the dedicated millage account.

REVIEW AND CONSIDER PROPOSAL FROM MIRACLE MIDWEST TO PURCHASE AND INSTALL FITNESS EQUIPMENT AT BEVERLY PARK

Mueller reported that the Parks & Recreation Board recommended that six pieces of exercise equipment be installed at Beverly Park. Exercise is a popular activity for people who use the park. An area approximately 40' x 40' is needed for the installation of all six pieces. Location of installation is to be determined.

Motion by Mueller, second by Oen, be it resolved that the Beverly Hills Village Council approves the purchase, signage and installation of six exercise stations from Miracle Midwest for a cost not to exceed \$8,000 to be located in Beverly Park. Stations include a step up, leg lift, sit up, dip station, push up, and chin up.

Borgon inquired about liability coverage if someone is hurt on the equipment. The Village has general liability coverage. The pieces of equipment are designed to withstand the elements.

Roll call vote:

Motion passed unanimously.

Funds are available in the dedicated millage account.

REVIEW AND CONSIDER AWARDING CONTRACT FOR PURCHASING AND PLANTING 20 TREES AT BEVERLY PARK

Mueller commented that this project was bid last fall but only one bid was received. It was rebid in January 2016 and we received five bids for the purchase and planting of 10 Locust trees and 10 Sugar Maple trees. Concerns were raised at the joint Parks & Council meeting in January regarding maintenance of the trees, specifically watering, during the first year. Administration has recommended the purchase of 20 slow release 15 gallon watering bags at an approximate cost of \$20 each. Comeau Equipment has offered to keep the bags filled.

Motion by Mueller, second by Delaney, be it resolved that the Village of Beverly Hills Council authorizes administration to engage the services of Marine City Nursery, the low bidder, to supply and plant 10 Locust trees at a per tree cost of \$300 and 10 Sugar Maple trees at a per tree cost of \$300, for a total amount of \$6,000.00. Planting will occur at locations in Beverly Park in early April 2016. Funds are available in the park improvement fund.

Roll call vote:

Motion passed unanimously.

REVIEW AND CONSIDER RESOLUTION ESTABLISHING A POLICY REGARDING CHARITABLE DONATIONS

The Village currently keeps a separate accounting of private donations for public use, but does not segregate those funds. In September 2015, the Village Council adopted a set of directives regarding donations to benefit the public. Attorney Ryan drafted a policy establishing how the Village will receipt any future donations. Upon adoption of the policy, money donated will be kept in a separate account. The Village will serve as a fiscal agent and assure donors that the contributions are utilized for their specified purpose.

Mooney clarified that the Village would set up a different accounting system for private donations that are made to the Village for public use.

Motion by Mueller, second by Oen, to adopt the following procedure for the consideration, receipt and distribution of charitable donations to, for and on behalf of the Village of Beverly Hills.

NOW THEREFORE, be it resolved that the Village Council for the Village of Beverly Hills hereby resolves the Village of Beverly Hills is open to receiving any and all donations for and on behalf of the Village of Beverly Hills or for a public purpose and to ensure that the appropriate action and recognition is observed by the Village and the following procedure:

- A. All requests for donations for and on behalf of the Village of Beverly Hills or for a recognized public purpose, shall be directed in writing to the Village Manager or Finance Director who will receive the requests to:
 - i. If the proposed donation is to be made by a group, the Village will review the Bylaws or corporate or founding documents of that group to review the group's purpose and regulations and to ensure the donation is for a public purpose or charitable cause.
 - ii. If denied, the request shall be denied by the appropriate Village official and if an individual or group wishes to appeal a decision to the Village Council, they may do so within 14 days of receipt of denial by the Village of Beverly Hills.
 - iii. If the requested donation is approved the donor will determine the nature of the fund; i.e. a perpetual endowment fund, period disbursement fund, or a one-time disbursement.
 - iv. The Village will act as fiscal agent for all approved public purpose and charitable groups and will make disbursements as required in accordance with the directions provided by the charitable group/public purpose after review and approval by the Village Manager or Finance Director.
- B. All donations approved and received by the Village shall be acknowledged and accepted by the Village and a donor will receive a letter from the Village for the amount of the charitable donation or public purpose donated with the Village's tax identification number.
- C. All donations to be designated for internal and specific functions within the Village of Beverly Hills and will be subject to acceptance and approval by Village Council.
- D. Annually, the Village will provide to all approved donors an accounting of existing funds held for and on behalf of the donor.

- E. If the donor shall cease to operate or complete their stated goals, upon request any money held by the Village will be returned to that group or donor. If, however, the donor or group does not wish to receive any excess funds, those funds shall become the sole and separate property of the Village of Beverly Hills general fund.

Members thanked David Domzal, Village resident and former Council member for his work on developing this policy.

Mooney thanked Janet Mooney and David Domzal for their efforts in seeing this policy come to fruition.

Roll call vote:
Motion passed unanimously.

REVIEW AND FILE BILLS RECAPPED AS OF MONDAY, FEBRUARY 8, 2016

Borgon questioned the payment to Jax Kar Wash in the amount of \$539.28 and was informed that the Village has a corporate account with Jax for public safety vehicles.

Moved by Oen, second by Mueller, to accept and file bills recapped as of Monday, February 8, 2016.

Motion passed.

PUBLIC COMMENTS

Nathaniel Abbott, Pickwick Lane, from Boy Scout Troop 1699 is attending tonight's meeting because he is working on his communications merit badge.

MANAGER'S COMMENTS

Easter Egg Hunt – The Village has been informed by Kensington Community Church Birmingham that they will not be able to put on the annual Easter Egg Hunt in Beverly Park this year. The Church does not have the necessary number of staff and volunteers to pull off such an event. On behalf of the Village, Wilson expressed appreciation to Kensington for the past 10 events that they sponsored.

Service Line Insurance Policy – The Village Council recently discussed water and sewer line insurance for homeowners offered through the National League of Cities. Mike Chambers, the area representative for this program, will be at the March 15, 2016 Council meeting to review this program with Council and answer any questions.

Water Quality – SOCWA Executive Director, Jeff McKeen, put a report together on water quality. The summary report provides the most recently available data on lead content for all SOCWA communities. No community within the SOCWA system has a lead level above 15 parts per billion (ppb), the level at which the EPA requires a local community to take action. Many of the SOCWA communities, including the Village of Beverly Hills, have lead readings of 0.0 ppb.

COUNCIL COMMENTS

Borgon attended the Next Board meeting this afternoon. Next's programs are filled to capacity and they are hoping to extend their hours in the future. The Cable Board meeting scheduled for tomorrow morning has been canceled. Birmingham Public Schools will be closing their tennis courts this summer for renovation.

Mueller reported that the Parks & Recreation Board will be meeting Thursday, February 18th at 7:30 p.m.

Abboud stated the Planning Commission completed their Master Plan review. Council will hold a public hearing to receive comments on the updated Plan at their regular meeting Tuesday, March 15, 2016. The Planning Commission has been asked to review some sections of the Municipal Code. The Zoning Board approved two variances for a rebuild on Kirkshire east of Southfield. Abboud will represent the Village at the Michigan Municipal League Capitol Conference in March, a SEMCOG meeting on February 25th and a Chaldean Chamber of Commerce meeting also on February 25th. Abboud will be featured in a future issue of the Area Agency on Aging 1B magazine. Abboud extended best wishes to former Village Finance Director, Bob Wiszowaty.

Oen reminded residents that the Village maintains a non-solicitation list. If you would like your address added to the list, please contact the Village Office.

Mooney thanked Commissioner Dwyer for attending tonight. He wished the Township Clerk good luck on the upcoming primary election.

Motion by Oen, second by Abboud, to adjourn the meeting at 8:19 p.m.

Motion passed.

John Mooney
Council President

Ellen E. Marshall
Village Clerk