

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

Absent: Oen

Also Present: Village 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. Those present recited the Pledge of Allegiance

AMENDMENTS TO AGENDA/APPROVE AGENDA

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

PRESENTATION BY STATE REPRESENTATIVE JEREMY MOSS REGARDING THE ROAD FUNDING PLAN

Rep. Moss explained that a road funding plan was approved by the State House, Senate and Governor in November of 2015. He reported that road construction, however, will not begin this year. Rep. Moss also indicated he voted against the plan, noting that it would add about \$1.2 billion to road construction projects each year with funds coming equally from general fund cuts and increased revenues from higher fuel taxes and registration fees.

Gas and diesel fuel increases will bring the tax rate to 26.3 cents per gallon starting in 2017. Registration fees will increase by 20 percent for all passenger vehicles, also in January of 2017. Moss explained that the general fund cuts, which will amount to \$600 million dollars annually, have not yet been determined and will not be implemented until fiscal year 2022. Rep. Moss does not believe the cuts are realistic because the state's general fund is already stretched thin. The overall road funding plan is not sustainable in his opinion. Moss believes the legislature will likely rework the plan this year.

Under the plan as it stands, road funding would increase by approximately \$600 million per year starting in 2017. Rep. Moss indicated that it is not enough money to keep pace with the state's crumbling infrastructure. Peddie raised concerns about state shared revenue to local municipalities being cut when the state begins cutting its general fund under the plan. Rep. Moss pledged to fight against any attempts to cut state shared revenue. He views it as the state's obligation to fund local municipalities appropriately. Abboud asked if the plan takes into account the rise of alternatively powered vehicles. He noted that a delay in full funding of the plan will likely mean higher costs in the future. Rep. Moss responded that registration fees will increase for all vehicles, including alternatively powered cars. Mooney expressed his disappointment in the legislature's inability to pass a viable road funding plan. He complimented the Rep. Moss on his communication efforts with the Village.

PUBLIC COMMENTS

None

CONSENT AGENDA

Motion by Borgon, second by Mueller, to approve the consent agenda as follows:

- a. Review and consider approval of minutes of a special Council meeting held December 5, 2015.
- b. Review and consider approval of minutes of a regular Council meeting held December 15, 2015.
- c. Review and file bills recapped as of Monday, December 28, 2015.

Motion passed.

BUSINESS AGENDA

REVIEW AND CONSIDER METRO ACT PERMIT BETWEEN 123.NET, INC. AND THE VILLAGE

Delaney explained that the request will allow telecommunication cables to be installed along Lahser Road north up to 13 Mile Road and then west on the south side of 13 Mile Road. The new cables will service Detroit Country Day school only. Similar requests have been approved by Council. Wilson reported that the Metro Act gives the state of Michigan authority over rights-of-way for telecommunication lines and that it handles the permitting process. The Village will receive some compensation from the state for its approval of the permit.

Delaney raised concern about language in the permit that allows a security interest to be granted without notifying the Village. Attorney Ryan indicated that the cable can be listed as an asset by the telecommunication company if it chooses to borrow money. He noted that the Council approved similar requests for telecommunication lines at Birmingham Groves and Seaholm High Schools last year.

Motion by Delaney, second by Peddie, that the Beverly Hills Village Council approves the permit documents from 123.Net, Inc and authorizes the Village Manager to sign the permit.

Roll Call Vote:

Motion passed (6 - 0)

PUBLIC COMMENTS

None.

MANAGER'S REPORT

Wilson reported that Christmas tree chipping has started. He reminded residents to get their Christmas trees to the curb by January 13. Delaney asked Wilson to request that empty trash cans not be placed in the street on pickup days.

COUNCIL COMMENTS

Borgon reported that Next's board will meet the week of January 11. The Michigan Public Service Commission established a special division in 2009 to field complaints and problems with television cable companies. As of December 31, 2015, that division no longer exists. However, Beverly Hills residents are fortunate to have the Birmingham Area Cable Board to handle complaints on their behalf.

Mueller reported that the January 21st Parks & Recreation Board meeting will be a joint meeting with Village Council.

Abboud thanked President Mooney for holding the special meeting in December 2015. He said that the new sign ordinance requirements have helped bring several attractive new signs to the Village, such as the Market Fresh sign. Abboud reported that the Zoning Board of Appeals is looking at revising the fence ordinance.

Delaney commented that the Federal government took away local municipalities right to negotiate with television cable companies in 2009. It opened the door to arbitrary rate increases by cable companies and that additional regulation of the companies is needed. Delaney expressed that some designated parking spaces are needed for the Village's two nature preserve areas, Douglas-Evans and Hidden Rivers. In terms of the strip mall at 13 Mile and Southfield Roads, the ingress and egress need work. Wilson indicated that ingress/egress is the responsibility of the private property owners.

Peddie reported that the Baldwin Public Library Board has added a curbside book return service.

Motion by Delaney, second by Abboud, to adjourn the meeting at 8:31 p.m.

Motion passed.

John Mooney
Council President

Ellen E. Marshall
Village Clerk

Scott Daniel
Recording Secretary