

Present: President George, President Pro Tem Drummond, Members: Abboud (*arrived at 7:03 p.m.*), Kecskemeti, Mercer and O’Gorman

Absent: Hrydziusko

Also Present: Village Manager, Rothe  
Village Attorney, Kolb  
Village Clerk, Brown  
Finance Director, Kutey  
Public Services Director, Johnston  
Public Safety Director, Arnold

### **ROLL CALL/CALL TO ORDER/ PLEDGE OF ALLEGIANCE**

Council President George ~~Member Abboud~~ called the regular Village Council meeting to order at 7:00 p.m. in the Village Council Chambers located at 18500 W. Thirteen Mile Road, Beverly Hills, MI 48025. Brown called the roll. The Pledge of Allegiance was recited by those

### **AMENDMENTS TO AGENDA/APPROVE AGENDA**

Motion by Mercer, second by Kecskemeti, to add Business item G8 Consideration of the GLWA member partner contract for legal services for the 3M/DuPont public drinking water settlement and corresponding resolution to the agenda

Motion passed.

Motion by Mercer, second by O’Gorman, to approve the agenda as amended.

Motion passed.

Abboud arrived at 7:03 p.m.

### **COMMUNITY ANNOUNCEMENT**

Director Arnold introduced new Office Sean Vargo, a retired Inkster Police Department commander with 25 years of service, and the oath of office was administered ~~the oath of office~~ to Officer Vargo. The Director also recognized Officer Nicholas Pointer for earning five gold medals and setting records in swimming events at the United States Police and Fire Championship Games.

### **PUBLIC COMMENTS**

Bill Eisenman, Valley Ridge Drive, thanked Mercer for raising the issue of light electric vehicles and urged the council to prioritize education, enforcement, and appropriate ordinance development, noting that dangerous behavior involving e-bikes and cyclists on sidewalks and streets had become intense with the arrival of summer. He also provided an update on the upcoming fish survey at Wendbrook, noting it had been rescheduled to pending weather.

Erica Driscoll, Locherbie, addressed the Council regarding the May 11th death of her husband, Jerry, who was struck and killed by a vehicle. She described the Birmingham Police Department's press release as misleading and called on the Council to address pedestrian safety at dangerous intersections including 14 Mile/Southfield and Beverly Road/Southfield. She also referenced

pending state legislation introduced by Senator Rosemary Bayer regarding driver testing requirements at certain ages.

President George expressed his condolences, confirmed that a \$600,000 grant had been received for crosswalk and signalization improvements, and noted an ongoing study of the Beverly/Southfield intersection. Councilman Mercer announced that a public open house regarding the Beverly/Southfield Road intersection study is scheduled for Tuesday, July 14th, from 6:30–8:00 PM at Village Hall.

Tom Maxwell, Lauderdale, raised questions regarding the FY2027 capital and heavy equipment replacement plan, including equipment storage, staff training, asset tracking, and whether purchases were new or replacement items following prior outsourcing. He also commented on Ordinance #395, asking about the need for a second reading, clarification of language, and a noted typographical error. Maxwell raised concerns about the chicken ordinance, including coop requirements, enforcement, grandfathering provisions, and documentation for existing chickens.

Mary Nelson, Woodhaven, spoke in favor of a measured, phased approach to deer management and urged the Council to conduct a formal Phase 1 study before taking any irreversible action such as a cull. She noted that the DNR, the Humane Society of the United States, and Cornell University all recommend a multi-phase process that begins with data collection and goal-setting.

Suzanne Grimm, Vernon Drive, shared research from MSU, the Humane Society, and the DNR on deer management. She cited studies suggesting culling may not reduce long-term deer populations or tick levels and noted that nonlethal management methods can be effective. She recommended gathering more data before any lethal action and suggested the issue be considered for a public vote.

Greg Kessler, Beverly Road, addressed the chicken ordinance, recounting that he and his partner received a field correction notice for keeping chickens in June 2024, while a sitting council member was not issued a similar notice until intervention by the then-Village Manager. He argued that the proposed amendment to the ordinance constitutes preferential treatment and asked why no field correction notice was issued to the council member following passage of the October 2025 ordinance.

Mark Melendy, Kinross, expressed frustration with the ongoing chicken issue and stating the Council was failing in its responsibilities. He also called for faster action on deer management and commended the completion of east-side sidewalks and the installation of a speed hump on Beverly Road.

## **CONSENT AGENDA**

Motion by Drummond, second by O’Gorman, be it resolved, the consent agenda is approved.

1. Approval of June 2, 2026, Council Minutes
2. Review and File Bills as of June 15, 2026.
3. Resolutions appointing SOCRRA and SOCWA representatives for Fiscal Year 2027
4. Approve Cost of Living Adjustment for Village Manager

Roll Call:  
Motion passed (6-0)

## **2026 BOARD AND COMMISSION APPOINTMENTS**

Motion by Abboud, second by Kecskemeti, be it resolved, the Beverly Hills Village Council appoints Christopher Dobies to the Birmingham Area Cable Board for a full term ending June 30, 2029.

Motion passed.

Motion by O’Gorman, second by Abboud, be it resolved, the Beverly Hills Village Council appoints Greg Ross, Andrea Makar and Rob Wilker to the Parks & Recreation Board for a full term ending June 30, 2029.

Motion passed.

Motion by O’Gorman, second by Drummond, be it resolved, the Beverly Hills Village Council appoints Robin Dillard-Russaw, Charles Copeland and Jeff Campbell, to the Planning Commission for a full term ending June 30, 2029 and Louis Lessem to the Planning Commission for a partial term ending June 30, 2028.

Motion passed.

Motion by Drummond, second by Kecskemeti, be it resolved, the Beverly Hills Village Council appoints Timothy Makar, Leslie Rott and Savanna Polimeni to the Zoning Board of Appeals for a full term ending June 30, 2029 and Colin Wasiloff to the Zoning Board of Appeals as an alternate for a full term ending June 30, 2029.

Motion passed.

## **APPROVE PURCHASE OF FISCAL YEAR 2027 PUBLIC WORKS CAPITAL AND HEAVY EQUIPMENT**

Rothe gave an overview of the proposed equipment purchases for the Public Works Department. Director Johnston stated that the equipment would be used for excavation, road maintenance, fleet maintenance, snow removal, and related operations Council inquired about collaborative bidding, equipment storage and training for DPW works. Johnston stated that staff will be trained upon delivery, with training included in most purchase agreements.

Motion by Kecskemeti, second by Drummond, BE IT RESOLVED, the Beverly Hills Village Council approves the purchase of equipment as outlined in the report from Director Johnston, as well as documented in the attached quotes. The total amount of the purchases is \$495,603.77 and funds are available in accounts #101-441-970.00, 101-441-794.00, 101-751-794.00, 202-463-794.00, 203-463-794.00, and 592-543-794.00.

Roll Call:  
Motion passed (6-0)

### **REVIEW AND CONSIDER FISCAL YEAR END BUDGET AMENDMENTS**

Finance Director Kutey explained that the year-end budget amendments are required under Public Act 2 to ensure departmental expenditures remain within authorized budget limits and amendments included adjustments for final and accrued payroll, increased interest income, elimination of a previously budgeted transfer to the capital projects fund due to state infrastructure bank loan, reallocation of community events expenses to the parks budget, and recognition of Pierce Water Main grant revenue. Kutey noted that budget amendments establish spending authority and do not necessarily indicate that the full amount will be expended.

Motion by Abboud, second by O’Gorman, BE IT RESOLVED, the Beverly Hills Village Council hereby adopts the recommended Fiscal Year 2026 budget amendments as proposed by the Finance Director.

Roll Call:

Motion passed (6-0)

### **MILLAGE BALLOT PROPOSAL — STRATEGY DISCUSSION**

Village Manager Rothe reviewed the Village’s millage structure, noting that the charter caps the general millage at 11 mills and that voters approved a 12.9184-mill special millage in 2010, renewed in 2020 with a small allocation for parks capital improvements through 2031. He reported that taxable value has increased by approximately 85.6% since FY2012, resulting in significant growth in the Public Safety fund balance. Manager Rothe presented a proposal to reallocate 0.75 mills from public safety to a dedicated streets and roads fund through 2031, generating approximately \$700,000 annually for road improvements while maintaining a projected \$400,000 public safety fund balance at the end of the cycle. Mercer provided historical context regarding the 2010 millage, noting it was adopted during a fiscal downturn Council and Administration discussed rationale for creating a separate fund for streets and roads and the adequacy of the projected \$400,000 public safety fund balance relative to the department’s \$8.7 million annual budget. Rothe noted that the Council could supplement funding through the general fund and that the millage will be subject to renewal in 2030.

### **CONSIDER INTRODUCTION OF CHARTER AMENDMENT RE TAX LEVY**

Village Attorney Kolb explained the two-resolution process required for the proposed charter amendment. Kolb stated that the first resolution introduces the amendment and must remain on the table for 30 days before final adoption and the second resolution, considered after the 30-day period, approves the ballot language. Kolb stated that both resolutions require a two-thirds vote of the Council. Kolb recommended submitting the proposed language to both the Governor’s office and the Attorney General’s office for review. She also noted that a plain-language introductory statement may be permissible and would be confirmed prior to the July second reading. Council discussed ballot language and the importance of ensuring the ballot language is legally compliant while remaining understandable to voters. Administration confirmed that the Village may also distribute informational materials to residents to explain the proposal ahead of the November election.

Motion by Drummond, second by Kecskemeti, BE IT RESOLVED, the Beverly Hills Village Council hereby adopts the attached resolution introducing a proposed charter amendment concerning the tax levy of the Village as prepared by the Village Attorney.

Roll Call:

Motion passed (6-0)

### **UPDATE ON DEER MANAGEMENT - DISCUSSION ITEM**

Kolb confirmed that deer management is regulated by the Michigan DNR and that any cull program requires a permit. She described regional examples, including Farmington and Farmington Hills, which partnered with the USDA APHIS program for a controlled deer cull at an approximate cost of \$20,000, resulting in about 70 deer removed across three communities. She noted the program was conducted by law enforcement sharpshooters, included donation of venison to food bank Rothe stated that the Southeast Michigan Urban Deer Coalition is working toward employing a USDA wildlife biologist to support regional deer management. He also indicated plans to implement a resident survey to gather data on deer sightings, property damage, and interest in hosting cull activity on private property. Council discussed the issue and expressed support for a data-driven approach. Council discussed the need for measurable outcomes, potential use of camera-based population tracking, and coordination with neighboring communities. Council also inquired about deer related incidents. Director Arnold reported that while only one deer-vehicle collision was formally categorized as such in both 2025 and 2026, there were 31 vehicle-animal collisions recorded since January 1, 2025, many of which likely involved deer. Administration and Council discussed the effectiveness of targeted culling sites, neighborhood deer movement, and the potential use of controlled archery or volunteer hunting programs as additional management tools.

Bill Eisenman, Valley Ridge Drive, commented on deer population impacts, long-term damage to native vegetation on private property and expressing concern about deer overpopulation and potential ecosystem stress. He also referenced regional observations of similar issues and urged early action and coordination with other communities. He cautioned that continued reproduction could significantly increase the deer population and called for timely response

Council directed Administration to: (1) develop and publish a resident survey collecting deer sighting, damage, conflict, and property-access data; (2) investigate the legal and logistical framework for joining the regional USDA cull program; (3) confirm the legal status of contraceptive and sterilization methods under Michigan law; and (4) review the hunting ordinance for consistency with the council's intent.

### **ORDINANCE #395 — FIRST READING**

Rothe provided an overview and reported that one chicken permit has been issued and three applications have been received and two of the applications exceed the four-chicken limit established by the October 2025 animal ordinance. Rothe stated that Council has directed the Village Attorney to draft an amendment to address this issue. Kolb summarized and gave the first reading to the proposed Ordinance #395, which would allow residents who possessed more than the permitted number of chickens, dogs, or cats prior to the adoption of the October 2025 ordinance to keep those animals through the end of their natural lives, after which they must come into compliance. The amendment includes nuisance provisions by reference to the existing nuisance ordinance, a due process hearing mechanism before council in the event of a revocation proceeding, and allowance for a larger coop or pen to accommodate the additional animals on an administrative basis. Council discussed the proposed ordinance amendment. Abboud requested that Kolb provide a fuller explanation of the Michigan Open Meetings Act's closed session provisions.

The following residents spoke on the matter:

Carolyn Packard, Norchester, expressed agreement with previous comments made by Abboud and Mercer and argued that the issue should have been decided through a vote of Beverly Hills residents and that relying on a decision made without direct voter input was a failure to adequately represent the community.

Cathy Lorenz, Warwick, noted that a survey on backyard chickens showed strong opposition but did not ultimately affect the Village Council's decision to adopt the ordinance and questioned whether that existing data could be used to inform current discussions. She expressed concern that granting individual exemptions could create a precedent, requiring the Village to consider similar requests from other residents in the future.

David Tobaben, Orchard Way Court, questioned why a ballot initiative or resident vote was not pursued regarding backyard chickens and noted that while the Village was placing significant emphasis on a resident survey regarding deer management, a previous survey on backyard chickens had not been afforded the same weight in decision-making. Tobaben expressed concern that amending an ordinance in response to objections or potential litigation could undermine the consistency and enforceability of Village ordinances and create a precedent for future requests for exemptions or amendments.

Dale Young, Riverside, expressed opposition to the proposed ordinance amendment and noted that earlier draft language explicitly prohibited grandfathering provisions. Young questioned why that language was removed and argued that the absence of clear grandfathering language created ambiguity. He went on to say that the proposed amendment would be difficult to enforce due to having no tracking method and residents who had not obtained permits since the ordinance's adoption should not qualify for an exception or grandfathering provision.

Greg Kessler, Beverly Road, expressed concern that a council member with a personal interest in the proposed chicken ordinance amendment may have a conflict of interest in voting on the matter. He also questioned whether the amendment would create unequal treatment compared to other residents who had complied with existing regulations and urged that the council member not participate in the vote.

Todd Schafer, Sunset Drive, stated that the prior ordinance clearly prohibited chickens and that the proposed changes were intended to benefit a small number of residents. Schafer stated that allowing exceptions for existing violations undermines the purpose of the ordinance and creates inequitable treatment for residents who complied with prior regulations. He further argued that any exceptions should require timely registration and documented proof and expressed concern that the proposed amendment would undermine the integrity of the ordinance development process and prior public engagement efforts.

Mark Melendy, Kinross, stated that he thinks Council should seek a legal opinion regarding whether a council member should recuse themselves from voting on the ordinance. He suggested stronger identification or tracking measures for animals, such as banding or microchipping, to improve enforcement. He also commented on deer population management and expressed support for resolving the issue through voter participation and elections.

John Jennings, Orchard Way Court, stated that extensive discussions were held and that a key participant was involved throughout development of the draft. He expressed concern about changes made to the ordinance after months of work, as well as the potential for litigation influencing council decisions. Jennings also raised concerns about transparency and the overall integrity of the process, urging the Council to reach a resolution to avoid further disputes or legal challenges.

Kolb clarified that the Home Rule Village Act, unlike the Home Rule Cities Act, does not authorize advisory ballot questions and confirmed that residents retain the right of petition and referendum to place issues on the ballot through a signature-gathering process.

### **GLWA MEMBER PARTNER CONTRACT FOR LEGAL SERVICES — 3M/DUPONT PUBLIC DRINKING WATER SETTLEMENT**

Kolb gave an overview of ongoing national multi-district litigation against 3M and DuPont related to PFAS and PFOA contamination in water systems and due to GLWA missing a deadline to opt in at an earlier tier, member communities may now participate through a Tier 2 pathway, but must opt in by July 1 to be eligible for any potential recovery and complete required water source testing by July 30. Kolb stated that legal representation would be provided on a contingency basis by outside counsel, with no upfront cost to the Village. Kolb noted PFAS has been detected in source water but not above regulatory limits in treated drinking water, and that several neighboring communities are participating in the program.

Motion by Drummond, second by O’Gorman, be it resolved by the Village Council that the Manager and Village Clerk of the Village are hereby authorized to execute the legal services agreement with the firm based upon the terms and conditions set forth herein and in a manner subsequently similar to the agreement attached here to as exhibit A.

Roll Call:

Motion passed (6-0)

### **PUBLIC COMMENTS**

Susan Ruby, Lincolnshire, expressed frustration with the condition of 13 Mile Road between Lahser and Groves High School. President George confirmed that a reconstruction project is planned for approximately 2028–2029, contingent on federal funding, and that the recently approved hot-patch equipment would be used to address the worst sections in the interim.

### **MANAGER’S REPORT**

Rothe went over the Manager’s report as provided in the regular Village Council meeting packet. Mercer inquired whether the window signage at Big Fat Shawarma complies with the current ordinance. Rothe stated that he would investigate it.

### **COUNCIL COMMENTS**

O’Gorman offered extended remarks reflecting on public comments made during the evening regarding motivation for running for public office. He noted that many council members — including himself — may have specific issues that motivate civic involvement, and that he views this as a valid expression of democratic participation, even where conflicts of interest must be managed appropriately. He also noted personal observations about the severity of deer damage

to residential landscaping along Beverly Road and the practical limitations of current deterrent measures

Abboud reported that the SEMCOG General Assembly meeting is scheduled for June 25th at the Emerald Theater in Mount Clemens and reported on a Senior Advisory Council meeting at Independence Oaks in Clarkson, noting an upcoming brain health event at the County Building in July. He also gave an update on the Michigan Municipal League Transportation Infrastructure Technology Committee House Bill 4845, which modifies competitive bidding requirements for road construction contracts. Abboud gave an update on Next's planned relocation and upcoming discussion about the Village's contribution and Golf Outing fundraiser.

George commented on the evening's two ordinance amendment discussions. He acknowledged the community's frustration and noted that the appropriate response to litigation risk and unclear code is to seek a workable solution rather than risk multiple unknown court outcomes. George expressed support for the pending e-bike ordinance work and highlighted the DNR grant opportunity as a means of leveraging park millage dollars to potentially double the Village's investment in Beverly Park's wooded areas. He thanked all residents for attending.

#### **CLOSED SESSION – UNION NEGOTIATIONS**

Motion by Mercer, second by O’Gorman, be it resolved, that the Council of the Village of Beverly Hills enters close session under section MCL 15.268(h) of the open meetings act of the state of Michigan to discuss attorney client privilege legal opinion regarding union negotiations.

Roll Call:

Motion passed (6-0)

The Council recessed at 10:55 p.m. and went into a closed session at 10:59 p.m.

The Council returned to the regular Village Council Meeting at 11:25 p.m.

Motion by Mercer, second by Kecskemeti, be it resolved, that the Council of the Village of Beverly Hills approve the proposed tentative agreement with the Beverly Hills Lieutenants and Sergeants Association.

#### **ADJOURNMENT**

Motion by Abboud, second by Mercer, to adjourn the meeting at 11:26 p.m.

Motion passed.

**John George**  
**Council President**

**Carissa Brown**  
**Village Clerk**