

Present: President Craig; President Pro-Tem Lison; Members: Buterbaugh, Downey, Kennedy, Stearn and Walsh

Absent: None

Also Present: Village Manager, Hanlin  
Director of Public Services, Spallasso  
Village Clerk, Marshall  
Assistant to the Manager, Pasioka  
Village Attorney, Ryan  
Director of Public Safety, Woodard

President Craig called the meeting to order at 7:45 p.m. in the Village municipal building at 18500 W. Thirteen Mile Road.

#### **APPROVE MINUTES**

MOTION by Lison, supported by Walsh, that the minutes of a regular Council meeting held on Monday, December 20, 1999 be approved as submitted.

Motion passes unanimously.

#### **PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA**

There were no comments from the public.

#### **APPROVE FINAL PAYMENT TO OAKLAND EXCAVATING FOR CONTRACT #S-99-2 PHASE II SEWER REPLACEMENT**

Before Council for approval is the final payment to Oakland Excavating Company in the amount of \$15,858.36 for the Phase II sewer replacement project. Walsh indicated that the final cost of the project is \$287,817.52, which exceeds the original contract price estimated at \$243,507.20 due to unexpected field conditions. Walsh and Spallasso commented on the poor condition of many house leads, which had to be replaced under the road and toward the houses. These were problems that had to be addressed during construction.

A letter dated November 15, 1999 from consulting engineers, Hubbell, Roth & Clark explains work items that exceeded estimated contract quantities during construction of the project. Work items associated with sewer repair projects depend on the extent of sewer repairs necessary once a sewer is exposed, on the discovery and resolution of conflicts with other underground utilities, and the ability of the street where the sewer is located to withstand heavy construction equipment. These and other factors contributed to large overages on the Phase II project.

RESOLVED by Walsh, supported by Kennedy, to authorize final payment of \$15,858.36 to Oakland Excavating Company for Contract #S-99-2, Phase II Sewer Replacement.

Stearn recalled that Council authorized a contract price of approximately \$243,000 for this project and questioned exceeding the contract amount without Council authorization. He does not have a problem with spending the money if it needs to be spent.

Spallasso stated that Council approves the unit prices and an estimated cost when it awards a contract for sewer repair. Conditions are determined during construction. He indicated that there was not time in this instance to come before Council for approval of a change order. Walsh concurred that Council relies on Spallasso and the consulting engineers to make decisions when problems occur in the field.

Ryan concurred that Council approved unit prices based on estimates. The letter from HRC says that the contractor encountered problems in the field that were not anticipated. The unit prices were not exceeded; the units that were utilized were exceeded. The final payment is before Council for approval.

Council members asked that it be brought to their attention with a memo when there is a cost overrun due to unexpected problems during construction.

Roll Call Vote:  
Resolution passes unanimously.

#### **CONSIDER FUNDING REQUEST FOR BIRMINGHAM YOUTH ASSISTANCE COMMITTEE**

Council is in receipt of a request from the Birmingham Youth Assistance Committee (BYAC) for \$5,197.00 from the Village of Beverly Hills for fiscal year 1999/2000. Kennedy stated that this amount was included in the budget for this fiscal year. She offered the following resolution and introduced representatives from BYAC.

RESOLVED by Kennedy, supported by Lison, that the Village of Beverly Hills designate \$5,197.00 to the Birmingham Youth Assistance Committee for the fiscal year 1999/2000.

Jim Van Dyke, current treasurer of BYAC and past chairperson, stated that Birmingham Youth Assistance is a unique partnership involving communities such as Beverly Hills, Bingham Farms, Franklin, and Birmingham, the Birmingham School District, Oakland County Probate Court Family Division, and volunteers such as himself. The mission of the organization is to prevent and reduce child abuse, child neglect, and juvenile delinquency.

Youth Assistance is the oldest court-based delinquency prevention program in the country. It provides a unique combination of free counseling and prevention activities. A primary goal of BYA is to provide an alternative to official court involvement for first offenders. Youngsters who make bad choices or take risks that lead to police intervention can be referred to BYA caseworkers by police, school officials, or family members.

Van Dyke outlined core programs and events of Youth Assistance and talked about how individuals including Officer Milliron from the Beverly Hills Public Safety Department are involved in certain programs. He commented that funding received from Beverly Hills allows BYA to increase the hours of its secretary and allow volunteers to devote more time to the programs. Van Dyke urged Council to consider attending some of these events such as the Youth In Service dinner to see the organization at work.

Vladimir Vandalov described his counseling and case work services to youth who are at risk or potentially involved in the local community courts. Preventive referrals come primarily from parents or from the local school district. This is where a young person is targeted as needing preventive service to stave off a need for further involvement in the court system or the police department. The intervention services come from police referrals or from the intake unit of the juvenile court system of Oakland County. The concept is to keep the young person from going through the court system. If the person cooperates with the program by following the assignments and going through counseling at BYA, they leave the program without having an official court record.

Vandalov related that Oakland County Youth Assistance was awarded national merit this year from the American Correctional Association for the best program in the United States dealing with youngsters who are at risk.

Vandalov quoted statistics relative to the young people who have been served by BYA in Beverly Hills. He stated that the 15 Beverly Hills youngsters in the BYA program represented 29% of the total case load for 1999. All participants from Beverly Hills completed the program successfully and are moving along with their lives.

Questions from Council were addressed by Vandalov and Van Dyke. Kennedy thanked Sgt. Szlag, former school liaison officer who was recently promoted to sergeant. She welcomed the new school liaison, Officer John Milliron.

Roll Call Vote:

Resolution passes unanimously.

**CONSIDER PURCHASE OF REPLACEMENT PATROL VEHICLE FOR THE DEPARTMENT OF PUBLIC SAFETY**

RESOLVED by Lison, supported by Kennedy.

Whereas, the Department of Public Safety 1999/2000 capital budget allows for an expenditure of funds for the purchase of one new public safety patrol vehicle to replace vehicle #106, the oldest vehicle in the patrol fleet with 64,811 miles; and,

Whereas, the Department of Public Safety can participate in the results of the Macomb County Cooperative Bid Program, a program that analyzed bids and awarded competing dealers offering patrol vehicle packages for fleet sale;

Therefore, be it resolved that the Council for the Village of Beverly Hills authorize the Public Safety Department to purchase one new 2000 Ford Crown Victoria patrol vehicle for \$20,870.10 from Signature Ford in Perry, Michigan, the awarded bidder with funds designated in Account #101-900-979, Capital Purchases - Vehicle Purchases.

Council questions on the purchase were addressed by Director Woodard.

Roll Call Vote:

Resolution passes unanimously.

**APPROVAL OF BILLS**

Council and audience questions were addressed by administration. It was noted that the list of invoices submitted reflect a cleaning allowance for Roger St. Jean who retired in November. The amount of \$175.00 was removed from the total General Fund amount.

MOTION by Stearn, supported by Lison, that the bills for a period from 12/21/99 through 01/03/00 be approved for payment in the following amounts:

\$160,391.01	General Fund
4,043.25	Major Road Fund
5,294.50	Local Road Fund
15,858.36	Dedicated Millage
4,679.71	Water/Sewer Operation Fund
<u>132.03</u>	Trust & Agency Fund

\$190,398.86 Total

Motion passes unanimously.

**LIAISON'S REPORTS**

Buterbaugh related that it is anticipated that the Cablecasting Board will recommend approval of a new franchise agreement to the consortium communities at its January or February meeting.

Stearn announced that the Winter Family Fun Day in Beverly Park has been rescheduled from Sunday, January 9 to Sunday, January 30, 2000.

**MANAGER'S REPORT**

Hanlin was happy to report an uneventful new year=s eve with respect to public safety in Beverly Hills. She thanked everyone who cooperated with the Village in its preparations in case there was a Y2K emergency.

At the request of Council, administration inquired about holding Council meetings at two of the schools in Beverly Hills where residents could be invited to discuss the upcoming millage vote. The proposed dates and locations are February 7 at Greenfield School gymnasium and March 6 at the Berkshire School cafeteria.

Hanlin commented on the exceptional job done by Ellen Marshall on this year's Village calendar. The municipal office has received many compliments on the 2000 calendar.

Hanlin referred a question regarding the status of the Southfield Road building owned by Linden Nelson to the Village Attorney. Ryan indicated that he will contact Mr. Nelson tomorrow and report his conversation to the manager.

**PUBLIC COMMENTS**

Dorothy Pfeifer of 160 Charrington questioned whether Bed Bath & Beyond is still interested in the Linden Nelson building on Southfield Road. Hanlin responded that the construction manager from

Rewold, contractor for the redevelopment project, has informed her that the deal is intact and the parties are working out the financial aspects of the arrangement.

**COUNCIL COMMENTS**

Craig stated that the Beverly Hills annual election will be held on Monday, March 13. There will be two issues - the millage cap increase and the election of four Council members. The first day to accept Council candidate petitions is January 10 and the deadline for accepting petitions is January 31 at 4:00 p.m. Candidates must submit petitions with between 25 and 50 signatures.

Stearn congratulated Village employees on a great job preparing for possible Y2K emergencies. Kennedy commended Village residents on their safe holiday celebrations.

Lison informed Council and the Village that the Beverly Hills Public Safety Retirement Board of Trustees has a new member and will be holding a special meeting to elect a Chairperson and Vice-Chairperson. He expressed some concern with the leadership and performance of Munder, the money management firm for the Retirement System, and emphasized the need for leadership on the Pension Board.

Downey suggests that Council members take advantage of meetings with light agendas to discuss items they would like to be addressed.

Buterbaugh commented on the passing of Floyd Bunt, head of the Physics and Chemistry Department at Cranbrook Schools.

Craig wished everyone a happy new year.

MOTION by Lison, supported by Kennedy, to adjourn the meeting at 8:40 p.m.  
Motion passes unanimously.

**Andrew Craig**  
**Council President**

**Ellen E. Marshall**  
**Village Clerk**