

Present: President Woodrow; President Pro-Tem Koss; Members: Berndt, Oen, Peddie Pfeifer and Stearn

Absent: None

Also Present: Village Manager, Spallasso  
Public Safety Director, Woodard  
Village Labor Attorney, Dennis DuBay

President Woodrow called the meeting to order at 6:45 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

Motion by Stearn, second by Pfeifer, to go into closed session to discuss collective bargaining.

Roll Call Vote:  
Motion passed (7 – 0).

Motion by Peddie, second by Koss, to return to open session after a 15 minute recess.  
Motion passed (7 – 0).

Council reconvened in open session at 7:30 p.m.

Also Present: Manager, Spallasso  
Assistant Manager/Clerk, Marshall  
Public Safety Director, Woodard  
Village Attorney, Ryan  
Building Official, Byrwa

President Woodrow called the regular Council meeting to order at 7:30 p.m. The Pledge of Allegiance was recited by those in attendance.

#### **ADDITIONS TO AGENDA/APPROVE AGENDA**

Motion by Oen, second by Koss, to change the order of the business agenda to place the public hearing on the Ascension of Christ Lutheran Church proposal first.

Motion passed (7 – 0)

Motion by Pfeifer, second by Oen, to approve the agenda as amended.  
Motion passed (7 – 0).

#### **PUBLIC COMMENTS**

Norman Rubin of 31020 Riverside Drive thanked the DPW crew for the great job they did during the snow storm over the weekend.

Sharon Tischler of 21415 Virmar Court, Southfield Township Clerk, stated that there will be a Presidential Primary Election in January. Absentee ballot applications have not been mailed to Township residents who are 60 years of age due to a court decision that prohibits clerks from sending out those applications without a written request. A link is on the Beverly Hills web site to an application form for requesting an absentee ballot. The form can be printed out, completed, and returned to the Southfield Township Clerk's office. An application form is also available on the web site for Township residents who want to be placed on the permanent absentee voter list. They would receive an application for an absentee ballot for all future elections. The forms are also available at the Southfield Township office.

Tischler reminded residents who request an absentee ballot for the January Primary Election that they must declare a party to ensure that the appropriate ballot is mailed to them.

### **CONSENT AGENDA**

- Motion by Stearn, second by Pfeifer, to approve the consent agenda as published.
- a. Review/consider approval of minutes of the December 4, 2007 Council meeting.
  - b. Review and file bills recapped as of Monday, December 10, 2007.

Motion passed (7 – 0).

### **BUSINESS AGENDA**

#### **PUBLIC HEARING ON A REQUEST FROM ASCENSION OF CHRIST LUTHERAN CHURCH, 16935 W. 14 MILE ROAD FOR SITE PLAN AND SPECIAL USE APPROVAL FOR A PLAYScape AND VARIOUS SITE IMPROVEMENTS**

Oen reviewed the background of a request from Ascension of Christ Lutheran Church for site plan and special use approval to locate a play structure in the side yard open space and erect a four foot high fence along Pierce Street. The Village Planning Board recommended approval of the site plan and special use at its June 27, 2007 meeting contingent on two variances being granted by the Zoning Board of Appeals: 1) construction of a play structure in the side open space; and 2) allow a 4 ft. high fence in a side yard that abuts a road. The Zoning Board heard this case at meetings in October and November and granted the necessary variances based on a revised site plan that included significant changes to the proposal that were acceptable to the Zoning Board, Church representatives, and abutting residents.

Woodrow opened the public hearing on this proposal at 7:37 p.m. No one wished to be heard; the public hearing was closed at 7:38 p.m.

#### **REVIEW AND CONSIDER SITE PLAN AND SPECIAL USE APPROVAL FOR ASCENSION OF CHRIST LUTHERAN CHURCH**

Motion by Oen, second by Berndt, that the Village Council approve the request from Ascension of Christ Lutheran Church for site plan and special use approval for construction of a recreational structure and fencing on church property located at 16935 W. 14 Mile Road based on the recommendation of the Planning Board and granting of variances by the Zoning Board of Appeals.

Architect Bill Baldner presented the proposal of Ascension of Christ Lutheran Church to locate a play structure in the side yard of the church and erect fencing in that area. He provided background information on the property, detail related to the revised site plan, and discussion covered at Planning Board and Zoning Board of Appeals meetings. Questions from Council were addressed by Baldner.

Roll Call Vote:  
Motion passed (7 – 0).

**PRESENTATION BY STEVE EGAN FROM THE MERCER GROUP REGARDING PUBLIC SAFETY DEPARTMENT OPERATIONAL STUDY**

Council engaged a consultant, The Mercer Group, Inc., to conduct an organizational and staffing study of the Beverly Hills Department of Public Safety. The final report has been distributed to members of Council for review. Steve Egan, Senior Vice-President of The Mercer Group, came forward to present the report and answer questions from Council.

Steve Egan talked about the fact finding process before discussing the findings and recommendations of the report. He mentioned key insights he realized in talking to Council members, Village administration, and public safety department employees. Egan understood that there were two goals when the department changed to a 12-hour shift. One was to save money and the other was to improve the quality of work life for employees. The evidence seemed to support the fact that there were savings and that there was an appreciation for the new shift structure on the part of the employees. Egan related that the consultants looked at five other communities with public safety departments. There was not a standard model, and each community operated with a shift structure that seemed best to them.

Egan stated that he perceived a weariness among employees and management over the issues of the shift structure and how promotions would be handled. He expressed the view that there is a need to move through these issues and get back to the business of providing police, fire and emergency medical services.

Egan reviewed the five big issues included in his major findings and recommendations listed by priority. Two issues that received major focus in the Request for Proposal for the study were the command structure and shift schedule. However, the two things that Egan thought needed to be worked through first in terms of the department moving forward were labor/management relations and communications. Council members expressed that they would like to know more about what is happening in the public safety department; employees were saying that they would like to know more about the expectations of Council.

The command structure and shift schedule issues are linked. Egan found that there are senior people who are underleveraged and doing work that he would like to see them cease doing. His suggestions are addressed under staffing recommendations in the report. With regard to shift structure, there were enough reasons to justify a 12-hour shift schedule, particularly relating to saving money and improving employee work life. Egan added that he thought it would be of greater value to the Village and to the Department and employees to be consistent with this shift

schedule in the near future, leaving open the Director's authority to reconsider the shift schedule if something changes.

The consultants have suggested in the report detail that the Village needs to better track whether or not the Village is accomplishing the anticipated savings, particularly in overtime. The report encouraged the Village Manager and Finance Director to set up a means to account for this.

Egan addressed staffing needs. It was recommended that the Department go from a half-time administrative support person to a full-time person to leverage the Director, Captain and Detective/Sergeant. The second recommendation was to have another detective and that it may be of benefit to connect that detective to Oakland County NET (Narcotics Enforcement Team). Egan perceived Beverly Hills as being proactive in terms of trying to keep ahead of things and implementing the best ideas of community policing. This is one of the ways that the Department can continue to be proactive and maintain the quality of life and safety of the citizens in the Village.

Egan commented that he would like to see a closer relationship between the detective bureau and the patrol side. He recommended that the public safety officers do more on the investigative side of things in conjunction with training and mentoring by the detective sergeant.

Woodrow stated that the Public Safety operational study is a public document and is available for review at the Village office. It will be posted on the Village web site soon.

There followed comments and questions from Council on the following topics: communication issues, morale issues, officer assignments, cost analysis of the 12-hour shift schedule, staffing recommendations, employee alignment and communication of expectations, selling excess capacity in terms of dispatch, expanding budget information, and the implementation process. In answer to an inquiry, Egan did not think that there was any recommendation made in the report that has an obstacle that cannot be overcome.

The book written by Jim Mercer referenced in the report is called *Strategic Planning for Public Managers*. Egan will provide the Village with a copy of the book.

It was noted by members of Council that the report corroborates with Director Woodard's recommendations to this Council with regard to promotions, adding a 25<sup>th</sup> officer/detective to be assigned to a regional drug enforcement task force, solidifying the 12-hour shift and allowing the Director to operate the shift schedule at his discretion.

Council members commended Egan on the comprehensive and well-written report. Woodrow stated that the public will have an opportunity to read and ask questions about the report. There were no questions from audience members at this time.

Motion by Peddie, second by Koss, to accept the final report on Village of Beverly Hills Department of Public Safety Organizational and Staffing Study as written.

Motion passed (7 – 0).

**REVIEW AND CONSIDER CHANGE ORDER #1 FOR CONTRACT W-04-01 WATER MAIN REPLACEMENT PROGRAM**

Oen provided background information on the need to replace a section of water main on the north side of Beverly Road between Waltham and Weston Drive. Public Services Director Meszler has expressed concern that the winter and spring freeze/thaw will cause additional main breaks due to the extremely poor condition of that main. Council is being asked for authorization to perform emergency corrective measures to the water main system. A water main break in this area would result in liability exposure for the Village and present a hardship to affected residents.

Before Council for approval is Change Order #1 to the 2004 Water Main Replacement Program with Bricco Excavating Company. This company has agreed to add the work to its existing contract with a 20% increase due primarily to the increased cost of the pipe required for the project. In his memo of December 11, 2007, Meszler indicated that he has verified the increase in pipe costs with pipe suppliers as a legitimate expense. The cost for this repair will be paid from the Water and Sewer Fund balance.

Motion by Oen, second by Pfeifer, that the Village of Beverly Hills Council approve Change Order #1 to the 2004 Water Main Replacement Project (W-04-01) with Bricco Excavating Co. in the amount of \$46,679.20, bringing the total revised contract price to \$2,906,962.60. Funds for this project are available in the Water and Sewer Fund balance.

Questions from Council were addressed by Spallasso. Spallasso reviewed that the Village was able to participate in a low interest loan from the Drinking Water Revolving Fund (DWRF) Loan Program for replacement of water mains that were identified to be in need of replacement. A priority rating to determine which water mains were in the most need of replacement was developed in conjunction with that water main replacement project, which has been completed. Administration will be working on a study to identify additional areas where there are frequent water main breaks in order to prepare a plan for the next water main replacement project.

Roll Call Vote:  
Motion passed (7 – 0).

**REFER REQUEST FROM 4PAWS COMMUNITY CENTER TO THE PLANNING BOARD FOR SITE PLAN AND SPECIAL USE APPROVAL**

Before Council for consideration is a request from Linda Travis for site plan and special use approval to locate a dog and cat boarding facility at 31119 Greenfield Road in Beverly Hills. This type of use is permitted in a business zoned district as long as the animals are kept entirely within the building. The site plan shows two outdoor dog pens, which necessitate special approval.

Motion by Oen, second by Peddie, to refer request for site plan and special use approval for a dog and cat boarding facility at 31119 Greenfield Road to the Planning Board for review and recommendation.

Linda Travis of 16245 W. 13 Mile Road in Southfield stated that she is the business owner who is requesting to locate a pet care facility in Beverly Hills to accommodate the community's needs

by offering a variety of pet care services. She thought that the 4Paws Community Center would be a good addition to the Village. Bernie Petzold was present to support the project.

Motion passed (7 – 0).

### **REVIEW AND CONSIDER PROPOSALS FOR FIRE TRUCK REPAIR**

The Department's 1987 fire apparatus (Truck 314) provides a 55-foot telescoping ladder and waterway for the vertical movement of personnel and the delivery of large volume streams at fire incidents. Peddie indicated that this fire truck is experiencing chronic fluid leaks at the turntable base of the apparatus, which is preventing the tower device from being unconditionally certified at annual testings. The apparatus is currently out of service for use of the elevated tower unit because of these mechanical issues. In the event of the department needing tower resources at a major fire, the Franklin/Bingham Fire Department or other mutual aid departments would provide this assistance as needed.

The Department invited inspection and quotes from four fire apparatus maintenance companies and received two responses. R & R Fire Truck Repair provided the lowest quote for the work and left the possibility open that the task might be completed without the removal of the tower at a lower cost.

Motion by Peddie, second by Stearn, that the Village of Beverly Hills Council award a contract to R & R Fire Truck Repair to provide the specified repairs to Truck 314 for the quoted price of \$26,100. Funds for this expense will be taken from Account #101-345-861, Public Safety: Vehicle Expense.

Stearn stressed that the Department must have functioning equipment, and he considered this repair to be necessary. In answer to an inquiry from Oen, Director Woodard provided background on the mechanical problem and the decrease in repair costs from two years ago.

Norman Rubin of 31020 Rivers Edge Court questioned the projected life of this apparatus with the repairs. Woodard responded that the aerial truck will be 25 years old in 2012, and it might last as long as 30 years. The Department has applied for a federal grant to replace the apparatus, but has not been successful in receiving a grant to date.

Roll Call Vote:

Motion passed (7 – 0).

### **PUBLIC COMMENTS**

Sharon Tischler of 21415 Virmar Court had questions on the water meter replacement program, which were addressed by Spallasso. Tischler expressed the view that the questions on the park survey included in the Villager Newsletter were slanted.

An inquiry from Norman Rubin on the cost of the water meter replacement program was addressed by Spallasso.

**REPORTS – MANAGER**

Spallasso commented on the remarkable job done by the DPW in terms of plowing the snow from Village streets last weekend. He emphasized that cars parked on the street during winter storm conditions make their job difficult. Spallasso reminded residents to clear the snow from their sidewalks and around fire hydrants.

The Village offices will be closed for the holidays on December 24 and 25 and on December 31 and January 1.

**COUNCIL REPORTS**

Council members thanked the DPW for doing a great job of clearing the streets during the recent snow storm.

Pfeifer stated that the Birmingham Area Cable Board will meet tomorrow morning, December 19 at 7:45 a.m. in the Council chamber. A topic of discussion will be recent notification received from Comcast that the PEG channels will be moved to the digital tier and viewed on channels in the 900 range after January 15, 2008.

Pfeifer informed residents that the Birmingham Area Seniors Coordinating Council (BASCC) is selling playing cards featuring scenic views as a fund raiser at \$10/deck.

Stearn asked that authorization of funds for the Planning Board study of the Southfield Road Corridor be placed on a Council meeting agenda in January. Stearn reiterated that he thinks the Village should allocate the \$160,000 budgeted but not spent in the 2006/07 budget to the retiree health care fund (\$100,000) and the fire truck reserve fund (\$60,000).

Woodrow wished everyone a happy holiday.

Motion by Oen, second by Pfeifer, to adjourn the meeting at 9:15 p.m.

Motion passed (7 – 0).

**Hugh Woodrow**  
**Council President**

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

**Susan Bernard**  
**Recording Secretary**