

REGULAR COUNCIL MEETING MINUTES – JANUARY 5, 2010 – PAGE 1

Present: President Stearn; President Pro-Tem Koss; Members: Berndt, Briggs, Mooney, Oen and Peddie

Absent: None

Also Present: Village Manager, Wilson
Assistant Manager, Marshall
Village Attorney, Ryan
Public Safety Director, Woodard

President Stearn 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. The Pledge of Allegiance was recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed (7– 0).

COMMUNITY ANNOUNCEMENTS

None

CONSENT AGENDA

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

- a. Review/consider approval of minutes of regular Council meeting held Dec. 15, 2009.
- b. Review and file bills recapped as of Monday, December 21, 2009.
- c. Review and file bills recapped as of Monday, January 4, 2010.

Motion passed (7 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER RESOLUTION TO CONTINUE CABLE PUBLIC, EDUCATIONAL AND GOVERNMENT (PEG) FUNDING

The Birmingham Area Cable Board passed a resolution supporting the passage of HR 3745 at its November meeting. HR 3745, the Community Access Preservation Act, addresses critical and immediate threats to public, educational and governmental (PEG) television channels and the important role these channels have in our community. Manager Wilson recommended Council adoption of this resolution.

Motion by Mooney, second by Briggs, that the Village of Beverly Hills Council approve a Resolution in support of HR 3745, the Community Access Preservation Act.

Roll Call Vote:

Motion passed (7 – 0).

Village of Beverly Hills
Resolution

Whereas, public, educational and government (PEG) channels play a significant role in communities represented by the Birmingham Area Cable Board, to wit the city of Birmingham and the villages of Beverly Hills, Bingham Farms and Franklin;

Whereas, PEG channels are a unique and valuable resource for local information and discourse for the residents of our communities; and

Whereas, PEG channels televise local government meetings, including village council and cable board meetings so that citizens are informed about the actions taken by local elected officials; and

Whereas, PEG channels contribute to the democratic process by providing opportunities for candidates and others, such as the League of Women Voters, to discuss local issues during election campaigns; and

Whereas, PEG channels provide a window through which residents can view the diversity of cultures, recreational activities and artistic endeavors in their local communities; and

Whereas, PEG channels reflect the unique identity of the communities they serve; and

Whereas, it is important to preserve PEG channels and funding for PEG channels, and to ensure that the channels continue to be available to the entire community to serve the residents of the Birmingham Area Cable Board; and

Whereas, HR 3745, the Community Access Preservation Act, addresses critical and immediate threats to PEG.

NOW, THEREFORE, BE IT RESOLVED that the Beverly Hills Village Council supports immediate passage of HR 3745 and calls on our Congressional delegation to take all possible actions in support of the passage of HR 3745, including, but not limited to, endorsing, co-sponsoring and voting for HR 3745, and to work for its rapid passage.

REVIEW AND CONSIDER RESOLUTION REGARDING AMENDMENT TO PUBLIC ACT 312

House Bill 5325 represents legislation introduced in the Michigan House of Representatives that would amend Public Act 312 of 1969 to require an arbitration panel to consider a unit of government's ability to pay when rendering an award in compulsory arbitration in a labor dispute with fire and police departments. The Michigan Municipal League has been a strong advocate for this legislation. Manager Wilson has reviewed the proposed resolution and recommended approval.

Motion by Mooney, second by Koss, that the Village of Beverly Hills Council approve the Resolution in support of House Bill 5325 amending Public Act 312 of 1969.

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

Village of Beverly Hills
Resolution

WHEREAS, Public Act 312 of 1969 (MCL 423.231 et seq., as amended) provides for compulsory arbitration in labor disputes with fire & police departments; and

WHEREAS, Act 312 does not require an arbitration panel to take a local unit of government's ability to pay into consideration in rendering an award; and

WHEREAS, the greatest expense for a local unit of government is its labor costs, the majority of which are police officer & firefighter pay and benefits; and

WHEREAS, when faced with increasing labor costs in these employee groups, a local unit of government is forced to choose between eliminating other basic services and reducing the number of police officers & firefighters, neither of which is in the best interest of its residents or the general public; and

WHEREAS, House Bill 5325 would amend Act 312 to require an arbitration panel to take a local unit of government's ability to pay into consideration in rendering an award in compulsory arbitration in a labor dispute with fire & police departments;

NOW, THEREFORE, BE IT RESOLVED, that the Beverly Hills Village Council hereby supports House Bill 5325, and encourages our elected representatives to do the same.

BE IT FURTHER RESOLVED, that the Village Clerk is hereby directed to forward a copy of this resolution to Governor Jennifer Granholm, State Senator Gilda Jacobs and State Representative Chuck Moss.

BE IT FURTHER RESOLVED, that the Village Clerk is hereby directed to forward a copy of this resolution to all cities, townships and villages located in Oakland County.

REVIEW AND CONSIDER AGREEMENT WITH OAKLAND COUNTY FOR LIVE SCAN FINGERPRINT UNIT

The Village Council approved the purchase of the Public Safety Department's original Livescan Fingerprint unit in 2001. In May of 2009, Oakland County Information Technology provided a replacement unit at no cost to the Village; it was funded primarily through a federal earmark grant. This advanced hardware adds electronic palm image capacity to each fingerprint record. The hardware came with a one-year warranty that will expire in May of 2010. Due to the technical nature of the equipment, a maintenance plan is needed to assure that the unit is properly maintained.

Oakland County has gone out for bids for an independent contractor to provide necessary prevention maintenance and potential repairs of these units. The cost of the 24/7 program is \$3,313 per year of a three-year maintenance agreement. The cost to cover the previous unit was \$4,250 per year.

Motion by Mooney, second by Berndt, that the Village of Beverly Hills Council approve the purchase of a 3-year maintenance program for the Livescan Fingerprint Unit available from Oakland County Information Technology in the amount of \$3,313 per year for three years with funds from Account #101-345-815, Computer Services.

Roll Call Vote:

Motion passed (7 – 0).

PUBLIC COMMENTS

None

REPORTS – MANAGER

Wilson stated that he will be meeting with representatives from LSL Planning on January 8 to discuss a potential partnership with their staff to refine the Village's site plan review process. He will keep Council advised on the how the matter progresses.

A bid opening is scheduled on Tuesday, January 12 for the 2009 Sewer Rehabilitation Project. Council will receive copies of the bid tabulation for its consideration.

There was a recent vote regarding representation among members of the Public Safety Officers union and the Dispatchers union resulting in an agreement to change the representation from Police Officers Association of Michigan (POAM) to Michigan Association of Police. The Michigan Association of Police will now represent the Command, PSO, and Dispatch labor unions. The Village will be dealing with the same bargaining unit for all three of its public safety unions.

The Zoning Board of Appeals will meet on Monday, January 11 at 7:30 p.m. in the municipal building to hear one case on a setback issue.

Council discussed setting a date for a strategy session to address the upcoming finances of the Village. There was agreement to hold a special Council meeting on Monday, January 11 at 6:00 p.m. in the Council chamber.

In answer to an inquiry, Wilson related that the owner of the Detroit Deli will put a timer on his wall sign to conform to Village code.

REPORTS – COUNCIL

Briggs commented on the catastrophic financial difficulties facing the Village in the next two years and the hard choices that Council will be facing to address budget shortfalls. Council will meet in a budget session next week. Briggs suggested that consideration be given to preparing a two-year budget that demonstrates what will happen to the Village based on current revenue conditions unless things change.

Briggs commented on ongoing negotiations with Beverly Hills Public Safety unions and the need for wage concessions. He proposed further reductions in personnel costs, reconsideration of the current retiree health care benefit plan, review of professional service contracts, and pursuit of shared services for dispatch and fire protection. Briggs said that the Village would still experience a revenue shortfall in future years without a millage increase. He provided his thoughts on a millage proposal.

Motion by Mooney, second by Koss, to adjourn the meeting at 7:52 p.m.

Motion passed.

Todd Stearn
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary