

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

Absent: Briggs and Oen

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. Three Boy Scouts from Troop 1029 out of Our Lady Queen of Martyrs School led the audience in the Pledge of Allegiance.

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

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

Motion passed (5 - 0).

#### **COMMUNITY ANNOUNCEMENTS**

County Commissioner Marcia Gershenson related that she has had the privilege of knowing Sylvia Granader for about 15 years. Sylvia Granader and her late husband Harry started Camp Mak-A-Dream, a summer camp in Montana for children with cancer. The mission of their camp is to send Michigan kids with cancer to a camp in Montana on land donated by the Granader family.

Gershenson announced that Sylvia Granader is being recognized tonight for having honorably served as an elite member of the Women's Airforce Service Pilots (WASPs) in a prestigious unit of young women pilots. During World War II, Sylvia courageously flew stateside military aircraft missions, freeing male pilots for combat service. We recognize the many achievements of Beverly Hills resident Sylvia Granader, who has the national distinction of receiving the highest civilian honor, the Congressional Gold Medal for her service to the military. Sylvia Granader was given a standing ovation by those present.

Gershenson announced vacancies on the Community Mental Health Board. She informed everyone that a Birmingham Public Schools district-wide organization called "*Friends of Different Learners*" is sponsoring a camp and resource fair this Thursday evening at Groves High School. It is an informational meeting for families seeking programs that accept children with special needs.

Ken Bugis of 16020 Beverly Road, member of the Beverly Hills Lions Club, presented information on the Lions Club International organization and enumerated the many services provided to the community by the Beverly Hills Lions Club. The international motto of the Lions Club is "We serve". Bugis advised the public that the Beverly Hills Lions Club is losing members due to death and people moving out of the area. If the decrease in membership continues, the organization will no longer be able to serve the Village of Beverly Hills. Bugis

encouraged interested residents over 18 years of age to contact membership chairman Margaret Dimond at 248-220-1080.

Stearn asked administration to post a notice on the Village's web site inviting residents to join the Beverly Hills Lions Club.

Jim O'Reilly of 31119 Huntley Court, Parks and Recreation Board member, announced that the Winter Family Fun Day scheduled for this Sunday is being postponed to Sunday, February 7 due to a January thaw. The planned activities will take place on February 7 including sledding, winter golf, curling, ice skating, score-o and igloo building. The event is scheduled from 1-4 p.m. in the afternoon in Beverly Park.

### **CONSENT AGENDA**

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

- a. Review/consider approval of minutes of regular Council meeting held Jan. 5, 2010.
- b. Review/consider approval of minutes of special Council meeting held Jan. 11, 2010.
- c. Review and file bills recapped as of Tuesday, January 19, 2010.
- d. Review and consider funding 2010 Winter Family Fun Day.

Motion passed (5 – 0).

### **BUSINESS AGENDA**

#### **REVIEW AND CONSIDER REQUEST FROM LUPUS FOUNDATION OF AMERICA TO HOLD ITS 3<sup>rd</sup> ANNUAL WALK FOR LUPUS NOW AT BEVERLY PARK**

The Lupus Foundation has contacted the Village regarding use of Beverly Park on Saturday, May 22, 2010 as a location for its 3<sup>rd</sup> Annual Detroit Metro *Walk for Lupus Now*. They propose to use a portion of the park for the event including the path through the woods. Registration would begin at 1 p.m.; the walk would start at 2 p.m. and conclude by 5 p.m.

Village administration has informed the organizers of the requirements for using Beverly Park. It is understood that the park including the pavilion will be available for others to use during their event.

Motion by Mooney, second by Berndt, that the Beverly Hills Village Council authorize Village Administration to coordinate with the Lupus Foundation of America, Inc. to hold its 3<sup>rd</sup> Annual Detroit Metro *Walk for Lupus Now* on Saturday, May 22, 2010. The Lupus Foundation will provide tents, porta-potties, entertainment, insurance, clean up and removal of all rubbish.

Roll Call Vote:

Motion passed (5 – 0).

**REVIEW AND CONSIDER AWARDING CONTRACT FOR 2009 COMBINED SEWER REHABILITATION PROGRAM**

The Village conducted bid openings on January 12 for the 2009 Combined Sewer Rehabilitation Program. Five bids were opened with the low bid of \$820,755.00 received from Lanzo Lining Services, Inc. Their bid was the lowest by almost \$70,000. Hubbell, Roth & Clark reviewed the bid from Lanzo and found it to be in order. The company has done about 3 million feet of sewer lining work including recent projects in Birmingham and Bloomfield Township.

After an initial pre-construction meeting with Lanzo, it is the intent of Village Administration to schedule a meeting with all residents who live in the impacted area to provide them with a presentation on the scope of the work.

Funding for this program comes from dedicated millage money approved by the voters for the purpose of repairing major storm sewers in the area. Once that work was completed, the intent was to provide local sewer relief. There is \$2.4 million remaining in the fund. This project is the initial phase of local relief work recommended by HRC; the remaining funds will be used to undertake additional local relief projects in the future. Manager Wilson recommended that the 2009 Combined Sewer Rehabilitation Program be awarded to Lanzo Lining Services, Inc. for an amount not to exceed \$820,755.00.

Motion by Mooney, second by Koss, that the Village of Beverly Hills Council award the 2009 Combined Sewer Rehabilitation Program to Lanzo Lining Services, Inc. for an amount not to exceed \$820,755.00 to rehabilitate sewers located on sections of the following streets: Old Stage, Arlington, Amherst, 14 Mile Road, Locherbie, Beverly Road, Riverside, Devonshire, Beaconsfield, and Medford. Funds for this project are available from the dedicated millage approved by Village voters.

Wilson addressed Council comments and questions on the sewer lining process, minor inconveniences associated with the project, and notification of affected residents. It was indicated that Lanzo did submit a bid bond and that any damage resulting from the contractor's work would be the responsibility of Lanzo Lining Services.

Roll Call Vote:  
Motion passed (5 – 0).

**REVIEW AND CONSIDER PURCHASE OF A DEPARTMENT OF PUBLIC SAFETY PATROL VEHICLE**

Public Safety Director Woodard stated that Council is being asked to consider replacement of one of the Department's marked patrol vehicles. The Capital Budget for FY 2009/10 contains funds for the purchase of a patrol vehicle. The general mileage policy requires a patrol vehicle to accumulate 70,000 miles; most of the vehicles replaced have registered 80,000-90,000 miles. The vehicle being replaced (#135) is a 2006 Ford Crown Victoria with 80,904 miles.

Woodard stated that the plan is to sell the vehicle on Ebay.com and roll the proceeds back into the vehicle account. In addition to the vehicle purchase, up to \$2,500 has been budgeted for transferring specialized equipment from the old to the new vehicle.

Jorgenson Ford of Detroit has been awarded the Oakland County Cooperative Bid for 2010 Ford Crown Victoria patrol vehicles. Equipped in line with department specifications, a 2010 Crown Vic costs \$21,664 under these cooperative bid conditions.

Motion by Mooney, second by Peddie, that the Beverly Hills Village Council award the purchase of one 2010 Ford Crown Victoria patrol vehicle to Jorgensen Ford of Detroit in the total amount of \$21,664.00. Funds are available for this purchase in Account #101-900-976: Vehicle Purchases. Village Council further approves the expenditure of up to \$2,500 for this vehicle's changeover expenses with the preferred vendor to be selected by competitive bid process. Funds are available in account #101-345-852: Radio Maintenance and 265.333.750.01: Department Drug Forfeiture (NET).

Berndt disclosed that he works for a competing auto company. Stearn asked administration to provide Council with information on the final sale of decommissioned fleet vehicles.

Bill Donnelly of 18714 Chelton had questions on the Department's mileage policy, which were explained in detail by Director Woodard.

Roll Call Vote:  
Motion passed (5 – 0).

#### **REVIEW AND CONSIDER PURCHASE OF AN ADMINISTRATIVE VEHICLE FOR THE DEPARTMENT OF PUBLIC SAFETY**

As part of the 2009/10 Budget, funds have been allocated in the Capital Purchases account for the purchase of one new Department administrative vehicle. Administrative vehicles are typically purchased every three years. Historically, a new administrative vehicle has been assigned for primary use by the Director with the previously assigned vehicle rotated through the administrative fleet until its service life is fulfilled.

A memo from Director Woodard lists the inventory of vehicles for Public Safety Department and Village Administration and the intended use or sale of each vehicle. It was noted that there is no longer a Village Administrative fleet. The proposal will result in a net reduction of one vehicle from the patrol fleet and one from the administrative fleet inventory. The Department will be paying car insurance on two less vehicles. Overall, two Department vehicles are being purchased; four vehicles are planned for sale.

A pickup truck has been selected for this purchase in order to provide for an additional utility vehicle in the fleet for the eventual retirement of vehicle #132 (minivan). Comparably equipped vehicles from General Motors, Ford and Chrysler were evaluated. Pickup/utility vehicles are included in the State of Michigan Cooperative Purchase program (MiDEAL). The Ford F 150 pickup has been selected for this purchase; Jorgensen Ford was awarded the bidder for 2010 Ford F 150 vehicles.

Motion by Mooney, second by Koss, that the Village of Beverly Hills Council authorize the purchase of one new 2010 Ford F 150 4-door pickup at the delivered price of \$25,150 from Jorgensen Ford of Detroit. Funds for this purchase are available in Account #101-900-979 Capital Purchases – Vehicle Purchases.

Roll Call Vote:  
Motion passed (5 – 0).

**SET PUBLIC HEARING DATE OF FEBRUARY 16, 2010 TO REVIEW AND CONFIRM 2009 SPECIAL ASSESSMENT ROLL FOR THE SOUTHFIELD ROAD BUSINESS ASSESSMENT DISTRICT**

The Village maintains the public right-of-way along the Southfield Road business district and assesses the cost of landscape maintenance and water for the sprinkling system to the property owners on the west side of Southfield Road. Council set a public hearing date of Tuesday, February 16 to review and confirm the 2010 Special Assessment Roll for the Southfield Road Business Assessment District.

**PUBLIC COMMENTS**

State Representative Chuck Moss informed Council that the State government will be focused on the budget again this year. The good news is that state revenue has not dropped this year. The issue will be to repay the approximate \$1.2 - \$1.8 million in stimulus money received in 2009. Moss related that there will be no good news out of Lansing for local governments until the economy improves. He mentioned that there has been more bi-partisanship since last year in an effort to work together on issues.

Chuck Moss related that a commission with Deputy Oakland County Executive Robert Daddow came out with a report last week addressing unfunded mandates. The Headlee Amendment essentially forbids unfunded mandates. If the state government tells local government to do something, the state has to provide municipalities with the money to do it.

Norman Rubin of 31020 Rivers Edge Court referred to the special Council meeting on Monday, January 11 and asked if there would be sufficient funds generated by the November millage proposal to continue to maintain Village services when property values reach their lowest forecasted value. Manager Wilson responded that there would be sufficient funds. He explained that the ballot proposal is based on the current County forecast of a 12% reduction in property value for FY 2010/11 and another 5% in 2011/12. If property values continue to decline, Administration and Council would have to reassess services at that point. It was indicated that the millage proposal is subject to the Headlee cap.

Bob Walsh of 20655 Smallwood Court disagreed with the wording of a recent Eccentric article stating that the Village is seeking a millage increase of 1.9184 mills to cover a projected deficit of about \$1.6 million in the 2011/12 General Fund budget. The 1.9184 figure is using the Village's 11 mill charter cap as a base. The Headlee Amendment has reduced the Village's maximum allowable millage rate to 9.3801 mills. The increase in millage from the current 9.3801 millage rate to the proposed 12.9184 mills would be a 3.5 mill increase or approximately 37 percent.

Robert Deneweth of 32321 Arlington Drive thanked Council for its unanimous action to place a millage proposal on the November ballot to raise property tax in Beverly Hills by 2 mills. His main priority is to keep his family and others safe. The proposed tax rate will keep the Village from cutting 5-6 public safety officers. Beverly Hills residents will no longer have library service available if the millage fails. Deneweth noted that the Baldwin library is used by about 60% of

the community. Deneweth remarked that residents' tax bills will decrease this year due to the continued decline in property values and the expiration of a 1.7 mill dedicated millage. He hoped that people will vote to keep Beverly Hills a premier community with excellent services.

### **REPORTS – MANAGER**

Manager Wilson reported that Administration is working to prepare a budget for 2010/2011 based on the decisions made at the January 11 special Council meeting. Administration will also work on a separate proposal should a millage vote not be successful in November. Wilson has been consulting with Attorney Tom Ryan on preliminary ballot language.

The Planning Board will meet on Wednesday, January 27 to review a site plan submitted by Detroit Country Day School for construction of a field house on their campus. LSL Planning has submitted its review of that proposal. There will be internal review of the site plan by Public Services Director Meszler to determine how the construction will coordinate with existing infrastructure in the area.

### **REPORTS – COUNCIL**

Mooney commented on the outstanding support that the Lions Club has given this community. He welcomed the Webelos from Troop 1029 and their leaders.

Mooney related that, at a special meeting of January 11, Council decided to seek voter approval to increase the Charter millage maximum of 11 mills to 13 mills. It would be an increase of approximately 3.5 mills from the Headlee reduced millage rate of 9.3 mills. The ballot question will ask for approval of a total 12.9184 mills allocated to three funds within the General Fund: 9.9 mills to public safety; 2.1 mills to general operations; and .9 mills to the library. Voters are being asked to vote in favor of this millage proposal. Residents will receive public safety protection at the current level, library service from Baldwin Library for about \$125 per household, and a fiscally responsible administration that has guided the community over the last 50 years.

Mooney provided examples of what the elected officials and administration of the Village have accomplished over the years. He talked about the efforts being made by Council to retain the character of our town. Mooney noted that Beverly Hills has virtually no commercial or industrial property that would add to its tax base; the Village is 96% residential. The Village is losing money from the state and federal government. Costs are increasing. Property values are decreasing resulting in a reduction of revenue to the Village. The millage rate approved in 1995 was intended to last until 2001, not 2010. People moved here because this is the best community in southeastern Michigan. Mooney asked residents to keep it that way.

Peddie added that the 11 mills approved by the electorate and reduced by Headlee to 9.3 mills can only stretch so far. She emphasized that property values are decreasing and residents are paying less property taxes. This results in less tax revenue to pay for Village services. Peddie wants the community to remain the way it is.

Berndt talked about the importance of communicating information to the public regarding Village finances and the millage proposal. It is important that people know that their property taxes are decreasing due to reduced property values and the expiration of a dedicated millage.

Koss thanked residents for their emails and phone calls regarding the millage. She encouraged people to contact her with comments or questions.

Stearn stated that the Annual Michigan Municipal League Capital Conference will be held on April 13-14 in Lansing. He asked that a member of Council who is able to attend contact the Village Manager for more information.

Three police union contracts expired at the end of 2009. Negotiations have begun with the command union. Stearn asked Wilson to schedule a negotiating committee meeting with the Village labor attorney before the end of the month. The Public Safety Officers have new union representation and are ready to start negotiations. Stearn related that Manager Wilson's two year contract will terminate in August. A personnel committee meeting will be scheduled to discuss an extension of his contract.

Stearn said that he and Manager Wilson will be presenting a plan at the February 2 Council meeting outlining how Council and Administration will communicate the millage proposal to residents.

Motion by Mooney, second by Koss, to adjourn the meeting at 8:44 p.m.

Motion passed (5 – 0).

**Todd Stearn**  
**Council President**

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

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