

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 Mooney, second by Briggs, to approve the agenda as published.

Motion passed (7– 0).

#### **COMMUNITY ANNOUNCEMENTS**

State Representative Chuck Moss updated Council on the status of the State budget for the 2010-2011 fiscal year. He said that it will be a constrained budget year meaning that there will be choices and cuts. Moss mentioned that the County has released a publication on unfunded mandates saying that they violate the Headlee Amendment and break the law. He thought that communities should receive relief from unfunded mandates.

#### Public Safety Officer of the Year

Director Karl Woodard announced that Lee Davis has been nominated by his fellow officers to receive the Officer of the Year award. PSO Davis stepped forward with his wife Leslie and daughter Alexa; a large number of family members were in the audience.

Woodard related that PSO Davis has been with the Department for six years. During that time, he has displayed a motivated attitude in both police and fire work. He has been named in more than 15 thank you letters from citizens and area departments. He has one Director's letter in his file, and he has been awarded two individual accommodations. Davis has an outstanding work ethic, leading the Department in arrests in 2009 and ranked second in violations issued for that year. Davis has the ability to motivate his coworkers through his actions and words.

Lee Davis' name will be placed on a plaque in the Public Safety building lobby. He will receive a new uniform name tag designating him as the 2009 Officer of the Year. Director Woodard presented Officer Davis with an individual plaque in honor of his Officer of the Year award. PSO Lee Davis thanked everyone on his shift and credited them with keeping him motivated and inspired.

Patrick Westerlund stated that the Parks and Recreation Board will be presenting the Memorial Day Parade and Carnival again this year. Westerlund will be organizing the parade and is

looking for participants to join in the parade as a themed group or with a float. Westerlund can be contacted through the Village office or at 248/723-4670.

### **CONSENT AGENDA**

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

- a. Review/consider approval of regular Council meeting minutes of March 2, 2010.
- b. Review and file bills recapped as of Monday, March 15, 2010.
- c. Review and consider contract with MiDeal for 2010/11 annual road salt needs.

Motion passed (7 – 0).

### **BUSINESS AGENDA**

#### **CONSIDER REQUEST FROM BERKSHIRE MIDDLE SCHOOL DAD’S CLUB TO USE VILLAGE STREETS FOR WALK-A-THON ON SATURDAY, MAY 1, 2010**

The Berkshire Middle School Dad’s Club is requesting the use of Village streets for its annual 5K run through Beverly Hills on Saturday, May 1 starting at 8 a.m. They have provided a map of their route starting at Berkshire School on 14 Mile Road. The organization has submitted a certificate of insurance naming the Village as an additional insured. Wilson said that this has been a positive event for the Village in the past, and administration recommends Council approval.

Motion by Mooney, second by Berndt, that the Beverly Hills Village Council approve the request by the Berkshire Middle School Dad’s Club for a 5K run on Saturday, May 1, 2010. They have submitted a Certificate of Insurance naming the Village as an additional insured.

Motion passed (7 – 0).

#### **REVIEW AND CONSIDER REQUEST FROM GERAD METEYER FOUNDATION TO USE BEVERLY PARK ON AUGUST 22, 2010 FOR FUNDRAISING ACTIVITY**

The Gerad Meteyer Foundation reserved Beverly Park for Sunday, August 22, 2010 to hold a fundraising event for diabetes. Council approval is required for this fundraising activity under Chapter 6, Section 6.03 of the Municipal Code. The organization will provide the Village with proper insurance coverage and has submitted a large group planning form describing their activities. Wilson related that this has been a positive event in the Village, and administration recommends Council approval.

Ron and Barb Meteyer provided background on the Foundation that was created following the death of their son Gerad from complications of diabetes. The focus of the foundation is to make life better for children with diabetes including offering scholarships to a summer camp where children learn how to cope with their disease. The cost is about \$500 per child for camp. Last year the foundation, through the use of Beverly Park, raised enough to send 16 kids to camp. They hope to accomplish this again in 2010.

Motion by Mooney, second by Oen, that the Beverly Hills Council authorize the Gerard Meteyer Foundation to hold a fundraising event for diabetes at Beverly Park on Sunday, August 22, 2010 from 11:00 a.m. to 3:00 p.m. for not more than 150 people. Appropriate insurance coverage is required for the event.

Motion passed (7 – 0).

**RECEIVE AND FILE 2009 DEPARTMENT OF PUBLIC SAFETY ANNUAL REPORT**

Public Safety Director Woodard presented an overview of the Public Safety Department Annual Report for 2009. Total calls-for-service decreased by 9% for 2009 over requests in 2008 (7,573 from 8,240). However, given the reduction of three public safety officer positions since 2008, the average call-for-service per officer per year increased from 330 to 345. Woodard highlighted the past year's activities with respect to various classes of crimes, traffic accidents, and fire calls for service. The complete report including statistics, graphs indicating crime trends over 10 years, officer profiles, and narratives on Department programs and activities is available for public review at the Village office, the Public Safety Department, and the Department website ([www.beverlyhillspolice.com](http://www.beverlyhillspolice.com)).

As of the 2008 ranking, Beverly Hills was rated the fourth lowest index crime community in Michigan of communities with a population of 10,000 or more. Woodard addressed questions from Council.

Stearn mentioned that a Beverly Hills officer was removed from service on the Oakland County Narcotics Enforcement Team (NET) in 2009 due to financial restraints. In response to an inquiry, Woodard remarked that the increase in narcotics violations in the last year was somewhat related to the absence of a Beverly Hills officer in NET.

Motion by Mooney, second by Oen, to receive and file the report as presented.

Motion passed (7 – 0).

**REVIEW AND CONSIDER PROPOSAL FOR AUDIT SERVICES FROM PLANTE AND MORAN**

The Village's current audit firm, Plante & Moran, has submitted a proposal to extend its contract with the Village for three years. Their current contract will expire after the completion of the 2009-2010 audit report.

Wilson stated that the three-year renewal proposal will lower the 2009-2010 costs by \$2,000 (roughly 5%) and will then decrease the fee by another \$2,670 for FY 2010-2011, although much of that savings will come from the end of the implementation of GASB 34 requirements. Plante & Moran calculates that the total savings over the life of the proposed extension is \$5,300. This savings figure assumes a 3% inflation factor for the three year extension period. Wilson said that he has reviewed the proposal and the service history of Plante & Moran with Finance Director Wiszowaty and is pleased with the performance of the firm. Given the voluntary reduction in price, Wilson viewed the proposal as being in the best interest of the Village.

Briggs proposed establishing a subcommittee of Council to meet with the auditors to discuss the contract renewal before extending the agreement for three years. The Village has been satisfied with the service of Plante & Moran; however, the current financial situation calls for Council to receive assurance that the auditors are working with the Village to reduce costs.

Council members discussed the suggestion for a committee to review the proposal for audit service. There was a consensus to defer action on this agenda item to allow representatives from Council and administration to meet with the auditors. Wilson affirmed that the contract renewal proposal did not have to be approved at today's meeting. Briggs stated that he would be willing to prepare a list of questions for the auditor to assure that the Village is receiving the utmost value before Council considers extending the contract with Plante & Moran for three years.

Vince Borowski of 31115 W. Chelton expressed the view that accountants, attorneys, and other professionals do not have an expectation of fee increases in this economy. He questioned whether Plante & Moran had the same number of employees this year as they did last year or the year before. He was uncomfortable with approving a contract that assumes a 3% inflation factor for the three year extension period. Borowski added that he would not want Council to give a 3% raise to the public safety unions during ongoing negotiations.

Stearn referred to points made on this topic and voiced his agreement with the suggestion to meet with Plante & Moran to determine if they could improve the terms of the contract extension.

Motion by Mooney, second by Oen, to appoint Walter Briggs, Robert Wiszowaty, and Chris Wilson as a committee to meet with Plante & Moran to discuss the proposed contract extension for audit services and determine whether the needs of the Village are being appropriately met at a price that is not only competitive but takes into consideration the financial difficulties faced by this community and all other communities in the State of Michigan.

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

#### **REVIEW AND CONSIDER PROPOSALS FOR 2010 DUST CONTROL SERVICES**

Bids for dust control services on local gravel roads for the 2010 season were reviewed by Village Administration. Three contractors bid on Calcium Chloride and one contractor bid on Asphalt Emulsion service. Suburban Oil Company is the low bidder for Calcium Chloride at \$0.28 per gallon. Highway Maintenance Company is the low bidder on Asphalt Emulsion at \$3.90 per gallon. In 2009, the Village paid \$.235 per gallon for Calcium Chloride and \$3.83 per gallon for Asphalt Emulsion. It was noted that 50% of the cost of this service is assessed to the benefiting property owners with the balance paid by the Village's Local Road Fund.

Motion by Oen, second by Mooney, to award the 2010 Calcium Chloride Dust Control Program to Suburban Oil Co. at \$0.28/gallon and the 2010 Asphalt Emulsion Program to Highway Maintenance Company at \$3.90/gallon.

Roll Call Vote:

Motion passed (7 – 0).

**REVIEW AND CONSIDER PURCHASE OF REPORT ARCHIVE SERVICE FOR DEPARTMENT OF PUBLIC SAFETY**

Director Woodard stated that each year the Department has one year of police reports scanned for archival purposes. The proposal is to have the 2007 reports archived in a dual DVD and film format, compliant with State of Michigan Document Retention Schedule for Law Enforcement. A quote for this service has been received from Graphic Sciences, Inc. of Royal Oak, the holder of the State of Michigan contract for scanning service. Questions from Council were addressed by Woodard.

Motion by Mooney, second by Oen, that the Beverly Hills Village Council award the purchase of Police Report Scanning services to Graphic Sciences, Inc. of Royal Oak in an amount not to exceed \$3,500. This purchase has been competitively bid through the State of Michigan contract for scanning services. Funds are available for this purchase in Account #101-345-727.

Roll Call Vote:

Motion passed (7 – 0).

**REVIEW AND CONSIDER COST PARTICIPATION AGREEMENT WITH THE ROAD COMMISSION FOR OAKLAND COUNTY**

Before Council for consideration is a cost participation agreement between the Village of Beverly Hills and the Road Commission for Oakland County (RCOC) for signal upgrade and sidewalk work at the intersection of 13 Mile and Southfield Roads. The total cost of this project is estimated at \$190,300. The Michigan Department of Transportation is picking up 80% of the cost, or just over \$150,000. This grant requires a 20% match that will be shared by the RCOC, City of Southfield and the Village of Beverly Hills. The Village's portion of the match is allocated at \$9,525.00.

In 2008-2009, the Village budgeted \$75,000 for signal improvement, \$65,000 of which went toward replacement of the signal at 13 Mile Road and Lincolnshire. The remaining \$10,000 set aside for signal improvement went back into the Road Fund balance. The grant program for the signal upgrade at 13 Mile and Southfield Roads will be available this year. Administration is requesting to allocate that \$10,000 reserved in the fund balance to cover the Village's participation in the program to upgrade the signal at 13 Mile and Southfield Roads.

Questions from Council on the nature of the improvements at 13 Mile and Southfield Road were addressed by Wilson and Woodard.

Motion by Briggs, second by Mooney, that the Village of Beverly Hills Council approve the Traffic Signal Upgrade Cost Participation Agreement for traffic signal upgrading and sidewalk work at the intersection of Southfield Road and 13 Mile Road and authorize the Village Manager to sign the Agreement.

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

### **PUBLIC COMMENTS**

Kathleen Berwick of 31381 Kennoway Court referred to Council's response to an inquiry made at a previous meeting and allegation that Council had appropriated money improperly in closed session. President Stearn responded that this matter has been addressed on numerous occasions, and he is satisfied with the responses from the Village Attorney, Council and Village Manager.

Vince Borowski made comments directed toward his continuing effort to support the upcoming millage proposal. He referred to the Public Safety Department Annual Report presented by Director Woodard this evening and the statistic indicating that the average call for services per PSO per year increased from 330 to 345 in 2009. If officers are cut, the remaining officers will be busier doing the job of protecting the citizens of the Village. At some point, it becomes counter productive and dangerous to the officers and the citizens to lay off more public safety officers. Providing a safe community is a prime component of making Beverly Hills a great place in which to live. Borowski drew on the report as another reminder of why the upcoming millage proposal will be important for the electorate to approve.

Bob Walsh of 20655 Smallwood Court stated that a recent article in the Eagle newspaper indicated that the November millage proposal will ask for an increase of 1.9 mills. It would be accurate to say that 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.

### **REPORTS – MANAGER**

Wilson stated that Administration has been working on the FY 2010-2011 Budget. The first draft will be completed and available for Council review by its April 6 meeting as required by Charter. He asked Council to set a date for a budget workshop after this date. It was the consensus of Council to schedule a special Council meeting for Tuesday, April 13 at 6:30 p.m.

The Input Committee established by Council met last week. A suggestion was made to conduct a community wide survey to measure citizens' preferences and priorities on matters regarding services such as public safety, library, parks, and public services. No matter how the millage votes fares in November, Council will have to make decisions about service priorities and how they will fit into the budget. Wilson thought that the survey idea has merit. Professional polling firms could be solicited to submit proposals to the Village. There were no objections from Council to proceed with securing proposals for this service.

The Easter Egg Hunt will take place on Saturday, March 27 in Beverly Park at 1 p.m. Dog licenses are available at the Southfield Township office. The final date to receive a dog license at a reduced rate of \$5 will be Wednesday, March 31, after which time the rate will be \$10. There is no charge for cat licenses.

Council offered its wishes to Tom Meszler to get well soon.

**REPORTS – COUNCIL**

Briggs announced that the Birmingham Area Cable Board will meet tomorrow, Wednesday, March 17 at 7:45 a.m. in the Council chamber. He reminded people that the Cable Board is conducting a television user survey of its constituents that will incorporate not only cable but DSL, satellite and over-the-air viewing to provide a comprehensive understanding of the landscape of television viewership within the communities. The survey will suggest ideas in terms of how the Cable Board executes policy on a going forward basis in the rapidly changing telecommunications industry. A response is being solicited from every television viewing household in the four consortium communities. Residents can fill out a survey on the Cable Board website ([www.birminghamareacableboard.org](http://www.birminghamareacableboard.org)).

The Parks and Recreation Board will meet on Thursday, March 18 at the Village office. One of the items to be discussed is the upcoming Memorial Day Parade and Carnival. It was noted that Mooney will take over the Parks and Recreation Board liaison position for Briggs due to his increased work commitments.

Briggs related a conversation with a resident about the upcoming millage election. He explained that, due to the decline in property values, people are paying less in taxes to the Village. It is important for people to understand that the Village cannot continue to maintain the same level of services with less property tax revenue. The intent of the millage proposal is to raise tax revenue only to the level that residents were paying a few years ago in order to provide basic services.

Oen reiterated that the Parks and Recreation Board could use volunteer help and involvement from the community on the Memorial Day parade and carnival. The Planning Board will meet on Wednesday, March 24 at 7:30 p.m. to discuss the Detroit Country Day School construction project.

Mooney commented that he highly respects former Council president Jim McCook, who was a dedicated Council member. He apologized to Alda Marie McCook for any misunderstanding of comments he made in jest at a recent Council meeting. Mooney congratulated the Groves High School Boys Swim Team on winning the State Championship on Saturday, March 13.

Mooney thanked the citizen input subcommittee who met and discussed many aspects of the Village's financial condition and upcoming millage election. The participants are individuals with a financial background from the private sector including Norman Rubin, Dick Maxwell, Neil Hitz, and Jim Calder. These people are meeting to give Council and administration insight on the financial condition of the Village and not to promote the millage. One of the ideas that was proposed at the meeting was to conduct a community survey. Another suggestion from citizen volunteers was to place a sunset date on the proposed tax increase. Mooney said that Council is working towards a point when it will present what it believes the Village needs to continue to operate.

Mooney stated that it is difficult to explain the millage proposal to the community. The ballot proposal will ask to amend the Charter to go from an 11 mill cap to 12.9 mills. 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. Essentially, people will be paying about the same number of dollars to keep the same level of service if the millage proposal is passed. To suggest that the community will remain the same if it loses more public safety officers and the use of Baldwin Library is erroneous.

Mooney related that Mr. Zimmerman informed him of a problem with web streaming of municipal meetings. Wilson stated that the Village contacted PowerStream, and the company responded by upgrading the service so that people who do not use Internet Explorer as their web browser are now able to view web streaming of meetings on alternate browsers. This was done at no cost to the Village.

Berndt commented on officer response statistics. He thanked the commanders and staff of the Oakland County Sheriff's Department 9-1-1 call center for allowing him to observe their activity for a couple of hours. Koss asked drivers to be mindful of kids playing outside now that the weather is warmer.

Stearn congratulated Officer Lee Davis on his officer of the year award. He asked people to think about whether the Village will remain the fourth safest community of its size in Michigan when they vote on the millage proposal in November. Without the manpower, Beverly Hills cannot support a safe community. The Village will lose its library contract with Baldwin Library if the millage fails. If residents want to keep their property values at a high level, they have to be willing to maintain services that people want when they are buying a home.

Motion by Mooney, second by Berndt, to adjourn the meeting at 8:55 p.m.

Motion passed (7 – 0).

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

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

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