

Present: President Stearn; President Pro-Tem Koss; Members: Mercer, Mooney and Oen

Absent: Briggs and Peddie

Also Present: Assistant Manager, Marshall
Village Attorney, Ryan
Director of Public Safety, 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 Oen, to approve the agenda as published.

Motion passed (5 – 0).

COMMUNITY ANNOUNCEMENTS

Township Clerk Sharon Tischler announced that Southfield Township will be offering free document shredding for Township residents on Saturday, September 25 from 10 a.m. until noon at the municipal building parking lot. The service will be available only once this year due to budget constraints.

Tischler advised voters that absentee ballot applications are no longer automatically mailed to people who are 60 years of age or older. Township residents can fill out a form to be placed on a permanent list in order to receive an absentee ballot application in the mail for future elections. Residents can call or visit the Township office to receive this form.

CONSENT AGENDA

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

- a. Review/consider approval of minutes of regular Council meeting held August 3, 2010.
- b. Review and file bills recapped as of Monday, August 16, 2010.
- c. Review and consider 2011 Council meeting dates.

Motion passed (5 – 0).

BUSINESS AGENDA

REVIEW/CONSIDER PROPOSALS FOR PRINTING 2011 VILLAGE CALENDAR

Marshall reviewed that the Village produces a calendar every year that is mailed to each residence and business in the community. It is a source of communication regarding meeting dates and times, trash regulations, and community organizations. Bid specifications were mailed to eight vendors, and an ad was published in the Eccentric newspaper. Bids were opened on August 10, 2010 for printing the 2011 Village calendar; three bids were received. Council has been provided with a copy of the bid tabulation.

The low bidder, The EGT Group, Inc., failed to meet the Village's requirements and specifications. Administration is recommending that Council accept the second lowest bid from Johnston Lithograph in the amount of \$6,886.00. Johnston printed the 2008, 2009, and 2010 calendars.

Motion by Mooney, second by Oen, that the Village of Beverly Hills Council award the contract for design and printing of the Village of Beverly Hills 2011 Calendar to Johnston Lithograph, Inc. with the low qualifying bid of \$6,886.00 and to authorize the expenditure of approximately \$1,600 for postage to mail calendars to each residence and business in the Village.

Mooney remarked that the cost of printing the 2011 Village calendar is almost \$1,000 less than the cost of printing the 2007 calendar. Administration is striving to save money on all expenditures. Oen added that Village staff offers businesses in the community and surrounding area the opportunity to advertise in the calendar to defray the cost of printing.

Hildreth Buterbaugh of Dunblaine mentioned that there was a problem with distribution of the calendar last year. Marshall acknowledged that there were some difficulties experienced with the delivery. The vendor adjusted the final invoice, which resulted in a 12.5% cost reduction.

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

REVIEW AND CONSIDER RESOLUTION AUTHORIZING ADMINISTRATION TO SEEK BIDS FOR 2010 ROAD PAVING PROJECT

Plans and specifications have been prepared, and the Village is ready to go out for bids on the 2010 Road Paving project. The project involves milling, base repair, resurfacing and drainage work on local and major streets. Work is proposed on Evergreen, a major road, from Beverly to 14 Mile Road. Asphalt resurfacing will be done on four local streets.

Motion by Mooney, second by Koss, that the Village of Beverly Hills Council authorize Village Administration to solicit bids for the 2010 Road Paving project involving asphalt resurfacing of a Major Road, Evergreen Road from Beverly to 14 Mile Road, and Local Streets: Wentworth from Riverside to Saxon, Madoline from E. Rutland to Pierce, Locherbie from Southfield to Pierce, and Norchester from Beverly to Riverside. Funds for the project will come from the following accounts: Major Road asphalt resurfacing 202-451-810.02 and Local Road asphalt resurfacing 203-451-801.02.

Stearn stated that Council allocated only \$100,000 for Major Road resurfacing in 2010/11 in an attempt to maintain infrastructure despite difficult financial times. The \$175,000 budgeted for Local Road maintenance is coming from the dedicated infrastructure millage fund. Stearn thinks that this is an appropriate use of that money.

In answer to inquiries from Hildreth Buterbaugh, Stearn stated that the dedicated infrastructure millage has expired and is no longer being levied. The Village is using money remaining in that fund.

Motion passed (5 – 0).

PUBLIC COMMENTS

Hildreth Buterbaugh on Dunblaine related difficulties he experienced with Village building department personnel with respect to an inspection scheduled for an air conditioning unit installed at his home.

Kevin Byrnes at 18007 Kirkshire mentioned that there have been two recent house fires in Beverly Hills, a dramatic fire on Blossom Court and another fire on Kirkshire. The response time for the Kirkshire fire was less than three minutes, and the public safety department was able to diminish what could have been a more serious outcome for the two seniors residing in the home. Byrnes expressed the view that the Village needs a sufficiently staffed public safety department. It would not be a wise move for the community to leave itself short-handed. Residents have the opportunity to maintain the current public safety department by voting in favor of the ballot proposal at the November 2 election.

Alda Marie McCook on Riverside Drive recounted her belief that President Todd Stearn defamed her name with unfounded allegations at the October 6, 2009 Council meeting. She subsequently engaged an attorney to seek an apology and retraction from Mr. Stearn. A letter dated January 12, 2010 sent to Todd Stearn regarding the matter was turned over to the Village Attorney. McCook commented on Mr. Stearn's inaction in terms of a public retraction. In order to find peace, Mrs. McCook said that she forgave Mr. Stearn for the stress he has caused her during this year.

Mrs. McCook also took issue with what she described as inaccurate statements made by Council member Mooney regarding her husband, former Council member Jim McCook. She provided clarifications to information she believed to be incorrect. McCook urged Council members to maintain their honesty and integrity.

Kathleen Berwick of 31381 Kennoway Court referred to a comment she made at the last Council meeting regarding a requirement that Beverly Hills public safety officers live within 15 miles of the Village. Council member Mooney stated that this requirement is illegal under State Law. Berwick quoted from a 1985 labor agreement stating that all employees must reside within a 20 mile radius of the Village. Berwick expressed concern about response time when public safety officers are called back to fight a fire. She stated that the Troy volunteer fire fighters arrived at the scene of the Blossom Court Fire more promptly than some called back public safety officers. She suggested that consideration be given to a volunteer fire department to supplement PSOs who live far away. Berwick thought that there should be arrangements for fire service with abutting communities.

Sharon Tischler of 21415 Virmar Court suggested that Council pay attention to the fact that there are instances in some neighborhoods in the Village where people are using their homes for boarding houses. She noted that the rental ordinance does not address renting rooms.

Bob Walsh of 20655 Smallwood Court related data to take into account when considering the November 2 ballot proposal. He addressed items including decreasing property tax revenue, expiration of dedicated millages, levying per household rubbish fees, use of the 37% property tax increase, the ten-year term of dedicated millages proposed in the ballot question, and the effect of the ballot proposal on achieving contract modifications during arbitration with public safety unions.

Hildreth Buterbaugh stated that he is in favor of the millage proposal for a number of reasons. He thought that the expired infrastructure millage would result in using money from the general operating fund to make road repairs. Buterbaugh understood that the millage rate will be subject to the Headlee Amendment and will drop accordingly each year. He commended the Beverly Hills public safety officers for doing a good job.

Greg Burry of 32742 Pierce commented that most municipalities passed either a fire, police, or library millage increase in the recent election. People are concerned about maintaining police protection and library service in their municipalities. Burry asked everyone in the Village to vote to maintain the library and current staffing for the public safety department in Beverly Hills.

REPORTS – MANAGER

Assistant Manager Marshall announced the candidates for the November 2 Council election: Rukni Abboud, Walter Briggs, Brian LaFerriere, Tim Mercer, Jon Oen, Lee Peddie, Doug Prew, and Robert Thorson. There are eight candidates to fill four positions with four year terms.

The League of Women Voters will hold a Candidates Forum for the eight individuals running for Village Council. The Forum will be held in the Council chamber on Wednesday, October 13, 2010 at 7:00 p.m.. The event will be recorded and replayed on cable television.

Mercer asked about the scope of asphalt resurfacing work scheduled on Norchester. Mooney indicated that the section of road from Riverside to Saxon has already been resurfaced.

Mooney asked Attorney Ryan if there was a State Law indicating that an employer cannot impose a residency requirement on a public employee. Tom Ryan responded that this was his understanding, noting that he is not the Village labor attorney. Mooney remarked that a public comment made earlier in the meeting referred to a 25-year-old contract agreement rather than State Law.

Stearn asked for clarification of a public comment regarding cooperative agreements with other public safety departments in the area. Director Woodard responded that the Village is part of a public safety mutual aid agreement that includes public safety departments in Berkley, Oak Park and Huntington Woods. Beverly Hills can call on these departments if it requires additional assistance in terms of personnel or equipment. In response to an inquiry from Stearn, Tom Ryan commented that the “ability to pay” amendment to Act 312 Arbitration did not pass the State Senate or House of Representatives.

REPORTS – COUNCIL

Mercer commented that most contractors hired by a property owner are required to apply for necessary permits and inspections. He referred to a public comment made this evening and agreed that there may be a need for improvements to the building department operation. At the same time, the Village no longer employs a full-time building official as part of ongoing cost cutting measures.

Mooney commended President Stearn’s ability to conduct a Council meeting indicating that the manner in which Mr. Stearn has handled himself has been remarkable during trying times.

Mooney recalled a couple of comments made tonight in support of the ballot proposal that would amend the Charter to allow Beverly Hills to be maintained as it has been over the past 30 years. We have a community that engenders a feeling of safety and community. Losing six public safety officers would dramatically alter the safety of the Village and the property values of residents. Use of the Baldwin Public Library contributes to this sense of community. This Council is unanimously asking that the citizens take action to maintain the community as it has been in the past. Mooney highlighted cost-cutting measures implemented by Council in 2009:

- The full-time Building Official position was eliminated at a savings of over \$110,000.
- The full-time receptionist position was eliminated saving over \$40,000.
- The full-time Public Services Director position was reduced to part time saving over \$15,000.
- One Public Safety Sergeant retired and one Public Safety Officer was laid off saving almost \$200,000 while reducing the Department by about 38%. Failure to pass the Charter Amendment would result in reducing the force by another 30%.
- All non-union employee wages were frozen for the 2009/10 budget year and will be frozen again for the 2010/11 year.
- All non-union employees received a less costly HMO health care plan instead of a PPO.
- By changing the delivery system and self-funding Drug Card plan for Village retirees, the Village saved approximately \$525,000 in premiums over five years.
- There are ongoing contract negotiations with Public Safety Officers. All of the issues that have been raised prior to the last time a tax increase was proposed are being taken to arbitration.

Mooney stated that he and the entire Council are against changing the character of the Village of Beverly Hills.

Koss remarked that direction was given to Administration at the last meeting to reach out to neighborhood homeowner associations in the Village. Letters were sent and responses were received from organizations asking to meet with representatives from Council and Administration to answer citizens' questions about the upcoming millage proposal. Koss asked that residents with any concerns or questions about the ballot proposal contact Council members to help explain and clarify the issues. It is important that people have the correct information. Residents should feel free to contact Koss to answer any questions that they have.

Motion by Mooney, second by Koss, to adjourn the meeting at 8:29 p.m.

Motion passed (5 – 0).

Todd Stearn
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary