

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

Absent: None

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

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

Motion passed (7 – 0).

COMMUNITY ANNOUNCEMENTS

Elaine McLain, Chairperson of the Birmingham Area Cable Board, said that the Board serves four communities including Beverly Hills, Birmingham, Bingham Farms and Franklin. She announced that the Cable Board will hold its regular monthly meeting tomorrow morning in this room. McLain noted that the Board has received a number of phone calls regarding WideOpenWest (WOW) contractors doing work in easements in Beverly Hills and Birmingham.

McLain recalled that WOW representatives had assured the Village that their workers would carry identification, be courteous to residents and their property, and address any construction problems immediately. Contacts and complaints from residents indicate that there have been glitches in the system. The Cable Board will be discussing this tomorrow with cable company representatives to determine what can be done to ensure a more seamless installation. McLain welcomed Doug Prew as the new alternate member of the Cable Board.

Stearn asked that Village administration contact WideOpenWest and request that a representative from the company attend the next Council meeting.

Oakland County Commissioner Marcia Gershenson congratulated new Councilperson Doug Prew as well as the incumbents who were reelected. She gave a special welcome to the new Council President Rosanne Koss noting that there wasn't a more committed council person in this Village. Gershenson thanked Lee Peddie for her work on Council and her commitment as liaison to the Baldwin Library Board.

Gershenson provided the Village with copies of County resource guides from the Oakland County Health Division and from the Area Agency on Aging. She mentioned that the Beverly Hills Lions Club is offering a \$1,000 scholarship to high school students who have excelled in the area of community service. Southfield Township Clerk Tischler and Lions Club members have additional information on this scholarship. The League of Women Voters will award a local high school student for producing a Public Service Announcement regarding the importance of energy

efficiency. Council congratulated Ms. Gershenson on her reelection to the County Board of Commissioners.

Ken Bugis on Beverly Road, member of the Beverly Hills Lions Club, reminded people that their members will be in the neighborhood soliciting funds for charities during the holiday season through December 24. He noted that the Lions Club also supports community endeavors.

CONSENT AGENDA

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

- a. Review/consider approval of minutes of a regular Council meeting on November 3, 2010.
- b. Review/consider approval of minutes of a regular Council meeting on November 9, 2010.
- c. Review and file bills recapped as of Monday, November 8, 2010.

Motion passed (7 – 0).

BUSINESS AGENDA

RECOGNITION OF LEE PEDDIE FOR HER SERVICE TO THE VILLAGE

President Koss presented Lee Peddie with a plaque from the Village of Beverly Hills in grateful appreciation of her dedicated service over the last four years. Koss thanked Lee Peddie and said that it has been a pleasure working with her. Peddie received a standing ovation from Council.

REVIEW AND CONSIDER ANNUAL FUNDING REQUEST AND CONTRACT FROM BIRMINGHAM YOUTH ASSISTANCE FOR FY 2010/2011 IN THE AMOUNT OF \$5,434

Birmingham Youth Assistance Treasurer Richard Stasys thanked Beverly Hills for funding their program last year. He explained that BYA is a tri-sponsorship with Oakland County Circuit Court Family Division, area municipalities, and the School District. Birmingham Schools, the City of Birmingham and the three Villages support the program. In addition, the volunteer BYA Board of Directors does fund raising. The mission of Birmingham Youth Assistance is the prevention of juvenile delinquency and neglect through community involvement by strengthening families.

Stasys informed Council that the number of youths being served is increasing while cutbacks have been experienced with the School District's elimination of the elementary school counseling program. BYA has increased its referral rate in dealing with youngsters and families. Stasys commented on the importance and the cost savings involved when youngsters can be prevented from entering the state system.

Case worker Liz Csizmadia, who has received a number of referrals since the start of the school year, emphasized the importance of early intervention. In the program year from July 1, 2009 through June 30, 2010 there were 99 new referrals; 30 of those referrals were from Beverly Hills. The Village is also involved in programming sponsored by BYA with the idea that establishing positive activities for kids and families is another way of helping them to grow into well-rounded and successful adults. The support of Beverly Hills is important to the work done by BYA.

Motion by Prew, second by Oen, that the Council for the Village of Beverly Hills approve the funding request of Birmingham Youth Assistance in the amount of \$5,434 for the provision of youth and family services and direct Administration to sign the contract document providing for this continuing community service.

Rosemary McLennan of 19977 Sunnyslope questioned the rationale for the amount requested and asked how the money is spent to assist Beverly Hills residents. Wilson responded that the original funding request from BYA was \$5,542; Council budgeted \$5,434 for FY 2010/2011. The BYA representatives have outlined the services provided in their presentation.

Koss will provide McLennan with additional written information. She explained that Birmingham Youth Assistance acts as a community service function to provide programs that Beverly Hills does not staff on its own.

Roll Call Vote:

Motion passed (7 – 0).

REVIEW AND CONSIDER CONTRACT WITH CONSTANT CONTACT FOR ELECTRONIC DISTRIBUTION OF *VILLAGER* NEWSLETTER

Wilson commented that there has been discussion relative to how Beverly Hills delivers the *Villager* newsletter to residents. Clerk Marshall creates the newsletter in-house with Microsoft Publisher, and the Village spends about \$12,000 per year for quarterly printing and mailing of the newsletter to residents. A new system is being proposed whereby residents would “subscribe” at no charge to receive the newsletter electronically, reducing the number of newsletters to be printed and mailed. Distributing the newsletter electronically through the Village office is not feasible due to the limited capacity of our server to send bulk email. Administrative Assistant Erin Wilks has done research on companies that can distribute the newsletter electronically and has provided details and cost comparisons in a memo to Council.

Constant Contact is a well-known company that offers email marketing services. Administration recommends utilizing Constant Contact with pricing based on the number of subscribers. If the Village has between 501-2,500 subscribers, the monthly cost would be \$24.00 or \$288 per year. Assuming the post office subscribers reduce accordingly, the Village’s printing and distribution costs would decrease resulting in a savings to the Village while continuing to provide vital communication to residents.

Wilson explained that a process is proposed whereby the Village would cease its current distribution program by some time next year. Residents would be asked to sign up for the electronic distribution of the newsletter through Constant Contact, or they could sign up to receive the hard copy through the mail. The cost to distribute the newsletter electronically is much less than having it printed and mailed.

Wilson addressed questions from Council. Residents could subscribe directly through the email marketing firm; information on how to do this would be available on the Village’s website. The new program would also be publicized in two or three newsletters. It would be strictly voluntary to receive the newsletter electronically.

The newsletter is mailed to about 4,000 homes every quarter, and it remains the Village’s intent that the newsletter reach as many citizens as possible. At some point in time, the Village would cease operation of the current mailing list. The newsletter would be sent to people who signed up for the electronic version, and the Village would mail a hard copy to residents who chose that method of delivery. There may be people who opt out and do not receive it either way.

Briggs mentioned that the contract with Constant Content was low in cost and easy to cancel. The company offers a 60-day free trial period.

Prew expressed concern about privacy issues. He questioned whether the Village could accomplish this through its Nixle electronic communication service by providing a link to the Village's website where there is an attachment to an electronic copy of the newsletter.

Wilson stated that the Village can post a link on Nixle to another site. People sign up through the Nixle site to receive community updates. The Village receives no information on those individuals other than the number of people who sign up for Nixle alerts.

Stearn commented that the Village distributes the newsletter in an effort to communicate with its residents. He had a fundamental problem with telling people that they will only receive information if they opt into the program. Stearn had no issue with using the electronic mailing as a supplement to reach people along with the printing and mailing cost. He was concerned that people may opt out because they no longer want to receive the newsletter; they would then miss important communications and announcements from the Village.

Mercer expressed the concern that requiring all residents to sign up for the newsletter in their preferred form would leave the Village vulnerable in terms of communicating important information to some people in Beverly Hills.

Mooney thought that it was worth exploring this idea at the cost of \$480. Because communicating with the community is critical, he would be reluctant to eliminate the direct mailing to homes unless people opt out of that mailing. Mooney suggested proceeding cautiously and evaluating how the electronic newsletter is being accepted while continuing to mail the newsletter to residents.

Oen was in support of the program even if there were quite a few people who want to receive a hard copy of the newsletter. He commended administration for continuing to look at ways to reduce costs. Oen suggested proceeding with a trial period to determine the response of residents.

Motion by Oen, second by Mooney, that the Village Council authorize administration to enter into an agreement with Constant Contact for subscriber based pricing to provide electronic distribution of the Villager newsletter four times each year for a cost not to exceed \$480 per year.

Rock Abboud of 18207 Gould Court asked why the newsletter couldn't be linked to the Village's website. Wilson answered that the newsletter is currently posted on the Beverly Hills website. He explained that the Village is attempting to reduce the printing and mailing cost of the newsletter.

Sharon Tischler of 21415 Virmar Court commented that residents have access to Nixle communications. Subscribers could be informed of when the newsletter is available on the Village website.

John McGrath of 16210 Beverly Road questioned whether a resident could opt to receive the newsletter via email if another family member requested to receive a hard copy in the mail. He asked if keeping track of these options would be a costly administrative problem.

Wilson said that the Village will not know whether a resident wishes to transition from a hard copy mailing to an electronic mailing list unless they advise the Village. The Nixle format advises us of the number of subscribers, but not their names or addresses. The Village would not have the names or addresses of people who signed up with Constant Contact for an electronic copy of the newsletter. The Clerk suggested setting up a date when the Village would no longer send the newsletter in the mail the way it was done previously. People would be asked to either “subscribe” at no charge to receive the quarterly newsletter electronically or “subscribe” to receive a hard copy of the newsletter through the mail.

Wilson understood Council to be talking about pursuing the distribution of the newsletter through Constant Contact and giving people the option to tell the Village that they no longer want to have the hard copy mailed to their home. Those individuals would then be taken off the Village’s mailing list. As those numbers increase, the Village could experience some savings on printing and mailing costs.

Rose McLennan suggested that people could read the newsletter on the Village website rather than give their email information to an email marketing service. She expressed concern about privacy issues involved in signing up with Constant Contact.

Roll Call Vote:

Mooney	- yes
Oen	- yes
Prew	- no
Stearn	- no
Briggs	- yes
Koss	- no
Mercer	- yes

Motion passed (4 – 3).

FIRST ANNOUNCEMENT OF A VACANCY ON THE PLANNING BOARD

Motion by Mooney, second by Stearn, to accept the resignation of Doug Prew from the Planning Board due to his election to the Village Council.

Motion passed (7 – 0).

Koss made the first announcement of a vacancy on the Village Planning Board due to Doug Prew’s election to Council. His term expires on June 30, 2012. The second announcement will be made at the December 7, 2010 Council meeting. The deadline for receiving applications will be Friday, December 10 at 4:30 p.m. A subcommittee of Oen as chairperson, Briggs and Koss will meet on December 21 at 7:15 p.m. to review applications and make a recommendation to Council on an appointment.

PUBLIC COMMENTS

Sharon Tischler on Virmar Court related an incident occurring on her property involving a WOW crew that attempted to bury a cable line in her back yard where there was no easement. They proceeded to bury the cable on the property of the adjacent neighbor to the rear.

Tischler also mentioned that Detroit Edison has had Nelson Brothers out trimming trees in her area of the Village. She was aware of a controversial meeting between the tree trimming crew and a resident on Vernon. In response to an inquiry about filing governmental complaints, Wilson will provide Tischler with contact information for the Regional Director for Oakland County for Detroit Edison.

REPORTS – MANAGER

Council has received a copy of a report on a confrontation between Detroit Edison and a Village resident.

Wilson reported that briefs were due on the Public Safety Officers Arbitration case by November 22, 2010. The union requested and received a two week extension of that deadline. Briefs will now be due on December 6, 2010. This is likely to push the decision of the arbitrator until after the first of the year. In response to an inquiry on the status of the Command Officers arbitration proceedings, Wilson responded that an arbitrator has been assigned to that case. Labor attorney Dennis DuBay is working with the arbitrator to obtain dates assigned for those hearings.

Wilson was asked for an update on an ongoing State Police investigation. Wilson indicated that he will contact the Detective Sergeant from the State Police to establish where that stands.

Koss asked Director Woodard to remind the public about the Snow Emergency Ordinance adopted last year. Woodard related that the Public Safety Director is authorized to declare a snow emergency when the snowfall is such that it is deemed necessary. This will require that vehicles be removed from the street right-of-way for a specified period of time in order to allow the roads to be plowed. It will result in a more timely and thorough removal of snow from all Village streets. Woodard related that there were good reports from the DPW crews last year; the ordinance made a difference in snow removal efficiency. Notice of a snow emergency is placed on the Nixle site; local media is also contacted with the information.

REPORTS – COUNCIL

Prew commented that he attended the Oakland County Budget Symposium last week and had the opportunity to meet key people. It was an outstanding day of learning about the State budget process and the challenges that face the State.

Oen reported on the last Planning Board meeting at which time there was a discussion of ideas for redevelopment of the Southfield Road corridor. The Board will discuss how to address the regulation of medical marijuana in the Village at an upcoming meeting.

Mooney thanked a lot of people for their hard work at the last meeting but regrettably overlooked mentioning Finance Director Bob Wiszowaty. Mooney commended Wiszowaty for doing a remarkable job of handling Village funds during difficult times and assisting with the yearly audit process.

Mooney extended his sincere thanks to Todd Stearn for his presidency over the last two years during extraordinarily trying times. His insight into the issues facing the Village and willingness to meet many times with community groups was in the best interest of Beverly Hills. The success of the recent election is due in no small part to the work that Todd Stearn did under adverse conditions.

Mooney said that he is honored that Rosanne Koss is only the second woman to fill the President's seat in this Village. That seat could not be filled by anyone more dedicated and more emotionally attached to the Village of Beverly Hills. Koss will lead the Village over the next couple of years into a better situation financially and socially. There will be an aura of better times and improved cooperation with residents.

Stearn said that he recently learned of a state-wide code enforcement organization. He suggested that Wilson look into a membership for the Village's code enforcement officer. Stearn proposed that Council consider the idea of Lee Peddie resuming her position as Village liaison to the Baldwin Library Board. This will be an agenda item for an upcoming meeting.

Briggs reported that he attended a Baldwin Library Board meeting yesterday. The Board was appreciative of the service and active participation of Lee Peddie over the last four years. Briggs related that the Library Board is expanding its outreach and partnership with other communities. In particular, the Library will be sponsoring training sessions with BASCC on computer literacy; the Library is doing a program jointly with Wayne State University to expand readership. The Library recently acquired broadcast equipment through a grant from the Birmingham Area Cable Board that will enable them to broadcast Board meetings live as well as other meetings in the Rotary room. The Baldwin Library also received 12 new computers through a federal grant.

Briggs commented on universal privacy issues in terms of Internet use.

Koss asked if Council members were available in December to hold a priority and strategy session. Council agreed to meet on Saturday, December 11 at 9 a.m. in the council chamber.

Koss thanked the people of Beverly Hills for passing a millage in the last election that will allow Council to move forward. Koss thanked John Mooney for his hard work and persistence during the recent millage election. He was the charging force that made sure that people in the community had the information they needed to make the decision they made in November.

Koss wished everyone a Happy Thanksgiving.

Motion by Oen, second by Mooney, to adjourn the meeting at 8:52 p.m.

Motion passed (7 – 0).

Rosanne Koss
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary