

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

Absent: LaFerriere

Also Present: 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 Oen, second by Briggs, to approve the agenda as published.

Motion passed (6 – 0).

COMMUNITY ANNOUNCEMENTS

Oakland County Commissioner Marcia Gershenson commended the community for its enthusiastic participation in the Longest Lemonade Stand event held on August 20. She applauded residents who have been working together at the Community Garden on the grounds of Beverly Hills Methodist Church. The group has donated over 500 lbs. of fresh produce to local organizations that provide supplemental food assistance to people in need. These are examples of activities that build community spirit and make Beverly Hills a great place in which to live.

The Michigan Municipal League is offering a scholarship in Dennis Archer's name through an essay contest for high school students (ages 15-18) to stimulate interest in local government and public service. The winners receive an expense paid trip to the Congress of Cities conference where they will have the opportunity to participate in many youth delegate workshops and network with public officials from around the country. The essay topic is "If you were an elected official (i.e. councilmember/mayor/village president) how would you improve the quality of life in your community?"

Patrick Liebler, organizer for the Longest Lemonade Stand, expressed appreciation for the Village's support of the event held in Beverly Park. The goals of the activity were to do something that inspired kids to be creative and dream big; to organize an event that would bring the community together; and to raise funds for schools. He commented on the spirit and energy of the event. The group built and sold 350 stands that were erected in the park on August 20. The stand measured 1,399 ft. and 11 in., which exceeded the Guinness World Records goal. In total, the group raised about \$45,000. As a token of their appreciation, Liebler offered the Beverly Hills Parks and Recreation a check for \$750 for the use of Beverly Park. A highlight of the day was when the participants gathered to have their picture taken by an officer from the top of a fire truck ladder. Liebler offered the Beverly Hills Public Safety Department \$150 as a token of their appreciation.

Molly MacDonald of 22122 Metamora, Founder and President of The Pink Fund, remarked that she was part of the Longest Lemonade Stand thanks to Rosanne Koss and her daughter Rachael and friend Emily, who painted their lemonade stand to benefit her nonprofit organization. MacDonald also commended the Village for having a Community Garden. It was remarkable to be see communities come together and provide fresh food for families in need. The Pink Fund will have an event on Saturday, October 1 at the Royal Park Hotel in Rochester where they will feature author Kris Carr, who will be talking about a plant-based diet and its ability to heal.

State representative Chuck Moss updated Council on activities of the State Legislature. Moss will be working on trying to get legacy costs down in terms of state workers and retirement. In answer to an inquiry from Tom Ryan, Moss said that the legislature will be pursuing Medical Marijuana legislation.

Township Clerk Sharon Tischler announced that Southfield Township will be offering free document shredding for Township residents on Saturday, September 24, 2011 from 10 a.m. until noon at the municipal parking lot.

CONSENT AGENDA

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

- a. Consider approval of minutes of a regular Council meeting held August 16, 2011.
- b. Review and file bills recapped as of Monday, August 29, 2011.

Motion passed (6 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER 2011 HALLOWEEN HOOT FUNDING

Mooney stated that Council will consider approving funds to conduct the 16th Annual Halloween Hoot. The Hoot is a fun and popular community event that brings thousands of people into Beverly Park.

Event organizer Patricia Greening stated that they look forward to holding the Halloween Hoot for the 16th year. The activities will be the same as in previous years. She asked those who would like to construct kiosks along the hoot trail to contact her. Greening requested financial assistance from the Village.

Motion by Mooney, second by Oen, that the Village of Beverly Hills Council approve an expenditure not to exceed \$2,500 for the 16th Annual Halloween Hoot that will take place in Beverly Park on Sunday, October 23, 2011. Funds for this expenditure are available in account #101-747-896, Community Action: Halloween Hoot Expenses.

Roll Call Vote:

Motion passed (6 – 0).

REVIEW AND CONSIDER REQUEST FROM OUR LADY QUEEN OF MARTYRS TO INSTALL BANNER IN NORTHWEST CORNER OF DUNBLAINE AND SOUTHFIELD

Our Lady Queen of Martyrs Church has requested again this year to install a banner at the northwest corner of Dunblaine and Southfield Roads to direct people to their haunted castle.

Motion by Mooney, second by Oen, that the Village of Beverly Hills Council approve the installation of a banner in the northwest corner of Dunblaine and Southfield Roads by Our Lady Queen of Martyrs Church from September 15 to October 31, 2011.

Roll Call Vote:
Motion passed (6 – 0).

REVIEW AND CONSIDER RESOLUTION DELEGATING AUTHORITY TO ASSIGN FUND BALANCE UNDER GASB STATEMENT #54

Briggs stated that the Village auditors have brought it to the attention of the Finance Director that, in accordance with GASB Statement #54, a community may “assign” a portion of its Fund Balance to be used by the Village for a specific purpose without being restricted or committed as defined by GASB Statement #54. Before Council for consideration is approval of a resolution delegating authority to the Finance Director to assign fund balance for the Vacation Reserve Fund and the Sick Pay Fund.

Motion by Briggs, second by Oen, to adopt the following Resolution:

Resolution Delegating Authority to Assign Fund Balance under GASB Statement #54, Fund Balance Reporting and Governmental Fund Type Definitions

Whereas the Governmental Accounting Standard Board (GASB) has issued Statement No. 54 – *Fund Balance Reporting and Governmental Fund Type Definitions*, which changes terminology used for fund balance reporting on the balance sheets of Governmental Funds; and

Whereas the GASB Statement No. 54 creates the category of “assigned” fund balance, which is used to report amounts constrained by the Village of Beverly Hills’ intent to use the amounts for a specific purpose but which are neither restricted nor committed as defined by GASB Statement No. 54;

Whereas GASB Statement No. 54 allows governmental entities to designate an official to assign portions of fund balance for specific uses;

Now, therefore, be it resolved that the Council of the Village of Beverly Hills hereby authorize the Finance Director to indicate the Village of Beverly Hills’ intent to assign fund balance for the Vacation Reserve Fund and the Sick Pay Fund for financial reporting purposes.

Roll Call Vote:
Motion passed (6 – 0).

SET PUBLIC HEARING DATE OF OCTOBER 4, 2011 TO RECEIVE COMMENTS ON A PROPOSED ORDINANCE AMENDING CHAPTER 22 OF THE MUNICIPAL CODE, SECTION 22.01.060 CONFLICTING REGULATIONS

The Planning Board held a public hearing at its August 24, 2011 meeting on a proposed amendment to Chapter 22 of the Village Municipal Code entitled “Conflicting Regulations” and recommended Council approval of the amendment. Council set a public hearing date of October 4, 2011 to receive comments on a proposed Ordinance Amending Section 22.01.060 of the Municipal Code.

REVIEW AND CONSIDER APPLICATION FOR SMART FISCAL YEAR 2012 MUNICIPAL AND COMMUNITY CREDIT AGREEMENT

Before Council for consideration is the contract from the Suburban Mobility Authority for Regional Transportation (SMART) for financial assistance to support public transportation programs in Beverly Hills. This contract is for fiscal year 2012 (July 1, 2011 through June 30, 2012).

The amount of funding available to the Village from the SMART program is \$21,918 allocated under two separate programs, the Municipal Credit Program in the amount of \$10,108 and the Community Credit Program in the amount of \$11,810. Council will consider action authorizing the Village to enter into a contract with SMART to accept the funds and allocate them in accordance with the terms of the contract. The funds are proposed to be allocated to the Birmingham Area Seniors Coordinating Council (BASCC) to be used for transportation related services.

The amount of funding available to Beverly Hills through the Municipal Credit Program is \$10,108, \$275 more than last year. It is recommended that \$10,108 be designated to the BASCC transportation program. The funding available through the Community Credit Program is \$11,810, \$2,952 less than last year. It is recommended that this entire amount be allocated to BASCC for its transportation program. This brings the total allocation for BASCC up to \$21,918. BASCC uses this money for operation, maintenance and repair expenses as well as wages for its Senior Citizen Van Program. BASCC estimates that its annual costs for operating the Van Program are \$111,015 and their current records indicate that 30% of their van users are Beverly Hills residents.

The SMART program is supported 50% by a 0.59 millage tax that was renewed by Oakland County voters in August of 2010, and 50% from the State of Michigan Transportation Fund, which holds money collected from the State gasoline tax.

Motion by Briggs, second by Oen, to Authorize the Village Manager to enter into a Municipal Credit and Community Credit Contract for fiscal year 2012 between the Suburban Mobility Authority for Regional Transportation (SMART) and the Village of Beverly Hills under which contract the Village would accept \$10,108 in Municipal Credits and \$11,810 in Community Credits to be allocated as set forth in the contract. For the amount of funding that will be allocated to the Birmingham Area Seniors Coordinating Council, BASCC will provide the appropriate insurance coverage as required by SMART.

Roll Call Vote:
Motion passed (6 – 0).

PUBLIC COMMENTS

Paul Kleppert of 20855 W. Fourteen Mile Road related concerns about the inspection process associated with the current sidewalk repair program undertaken by the Village.

Kathleen Berwick of 31381 Kennoway Court expressed appreciation that the Village is picking up debris resulting from the August 20 storm. The information was posted on the Village website.

REPORTS – MANAGER

Assistant Manager Marshall presented the manager's report in Chris Wilson's absence. She affirmed that notification has been sent to Village business owners regarding the meeting date of Monday, September 26 to discuss the Southfield Road corridor. The meeting will be held in the Village municipal building at 7 p.m.

Marshall reported that the contractor for the concrete street replacement program has been making good progress. If work continues at the same pace, major construction could be completed as early as the week of September 19.

As the concrete street replacement program comes to an end, the contractor will begin construction on the sidewalk replacement program. The Village has mailed about 650 letters notifying residents of the program and informing them of the square footage and estimated cost of sidewalk to be replaced on their property.

Council members had follow up questions on the sidewalk markings, which will be addressed by administration at the next Council meeting. Mooney asked that administration contact the Southfield Road business owners by phone to remind them to attend the September 26 meeting at the Village municipal building.

REPORTS – COUNCIL

Mercer mentioned that this Sunday will mark the 10th anniversary of the September 11, 2001 attacks. He encouraged everyone to take a moment on Sunday to remember the nearly 3,000 victims who lost their lives in the attack including 350 first responders representing police, fire and EMS. Mercer related his reflections on the events of 9-11 and the courage and resolve associated with democracy.

All Council members offered remarks on the tragedy of 9-11 and the anniversary that will occur on Sunday. Council members also thanked the organizers of the Longest Lemonade Stand for their donations to the Village. This event and other local activities help to bring citizens together and make our community great.

Burry commented on the wonderful job done by the individuals associated with the BASCC (Birmingham Area Senior Coordinating Center) organization and the senior center. They provide many services to community members.

Mooney commended the Village's first responders and public works employees on doing such a good job over the last couple of weeks during and after severe storms in the area. They protected people from downed power lines and cleaned up damage caused by the storms.

Koss regretfully informed everyone that Manager Chris Wilson's father passed away suddenly. She expressed her sincere condolence on behalf of Council to Chris Wilson and his family.

Koss commended the Public Safety Department for their handling of events related to the storm of August 20. She said that updates on storm cleanup were available on the new information service called GovDelivery that replaced Nixle. A link on the Village's website will enable residents to sign up and receive trusted, up-to-date neighborhood, public safety and community information via text message and/or email at no cost.

Koss asked residents who still have debris from the storm to have it placed at the curb by Monday, September 12 and to call the Village office with their address.

Motion by Oen, second by Mooney, to adjourn the meeting at 8:22 p.m.

Motion passed (6 – 0).

Rosanne Koss
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary