

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

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

Motion passed (7 – 0).

COMMUNITY ANNOUNCEMENTS

County Commissioner Marcia Gershenson announced vacancies on the Oakland County Solid Waste Planning Committee for a person in the solid waste industry, a member from the general public, and an individual from an industry that generates significant waste. Anyone who is interested in a position or has a referral should contact Ms. Gershenson. Gershenson reminded residents to vote next week.

Candee Repa of 22868 Shagbark talked about two upcoming Baldwin Library events. The Friends of the Baldwin Public Library Semi-Annual Used Book Sale will begin on Friday evening, November 11, for members and continue through November 12-14 for general sales to the public. Another event, Books & Bites at Baldwin, will be held on Thursday, November 17 from 6 to 9 pm. It is a benefit for the Library's Youth Room. Repa left flyers regarding the events in the Council chamber.

CONSENT AGENDA

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

- a. Consider approval of minutes of a regular Council meeting held October 18, 2011.
- b. Review and file bills recapped as of Monday, October 24, 2011.

Motion passed (7 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER REQUEST FROM BERKSHIRE MIDDLE SCHOOL BOYS TENNIS CLUB TO UTILIZE TENNIS COURTS IN BEVERLY PARK

The Village has been approached by the Berkshire Middle School Boys Tennis Club with a request to reserve the tennis courts at Beverly Park for 28 days from the last week of April through the first week of June 2012 from 3:30 p.m. to 5:00 pm. The Parks and Recreation Board recommended Council approval of the request at its October 20 meeting.

Motion by Mooney, second by Oen, that the Village Council authorize the Park Superintendent to grant exclusive use of the tennis courts to the Berkshire Middle School Boys Tennis Club during the spring of 2012 on a limited basis at the discretion of Village Administration.

Questions from Council were addressed by Mooney.

Motion passed (7 – 0).

REVIEW AND CONSIDER FINAL PAYMENT TO D&D WATER & SEWER, INC. FOR 2010 WATER MAIN REPLACEMENT PROGRAM

The 2010 Watermain Replacement Project is complete. The contract price for this project was \$299,147.32. It is the recommendation of Public Services Director Tom Meszler that Council approve the final payment for the project in the amount of \$12,649.40.

Motion by Mercer, second by Mooney, that the Village Council approve the final payment for the 2010 Watermain Replacement Program to D&D Water & Sewer, Inc. in the amount of \$12,649.40.

Roll Call Vote:

Motion passed (7 – 0).

REVIEW AND CONSIDER 2011/2012 BUDGET TRANSFERS REGARDING LOCAL AND MAJOR STREETS

Wilson stated that Finance Director Wiszowaty has requested taking action on 2011/12 budget transfers related to Local and Major Streets. Council had allocated a transfer of \$300,000 this year to the Local Street Fund from the General Fund. A transfer is also proposed in the amount of \$90,319.00 from the Major Road Fund to the Local Road Fund.

Motion by Mooney, second by Oen, that the Beverly Hills Village Council authorize Village Administration to transfer \$300,000 from General Fund Expenses to the Local Street Fund and to transfer \$90,319.00 from the Major Road Fund to the Local Street Fund.

Roll Call Vote:

Motion passed (7 – 0).

REVIEW AND CONSIDER FIDUCIARY LIABILITY INSURANCE POLICY

Two years ago, the Village's liability insurance agency, IBEX Insurance, provided a fiduciary liability policy for the Retirement Board as custodians of the Public Safety Retirement System and the Retiree Health Care Funds. The quote from Chubb Specialty Insurance was accepted for a policy in the amount of \$1 million with a \$10,000 deductible and a premium of \$8,000 annually.

Before Council for consideration is an application to renew this policy for a third year at the same cost. The premiums would continue to be paid from the Public Safety Pension Fund in the

amount of \$6,950.00 and from the Retiree Health Care Fund in the amount of \$1,050.00. The coverage period would be November 1, 2011 to November 1, 2012.

Motion by Mercer, second by Briggs, that the Village Council approve the Fiduciary Liability Insurance Policy with the Chubb Group Insurance Company in the amount of \$8,000. Premiums will be paid from the Public Safety Retirement System in the amount of \$6,950 and the Retiree Health Care Fund in the amount of \$1,050.

LaFerriere asked if there has been competitive bidding on a fiduciary liability insurance policy. Wilson responded that there was a bid process two years ago for this insurance policy. The renewal cost has not increased.

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

PUBLIC COMMENTS

None

REPORTS – MANAGER

Wilson stated that recent storms have resulted in damages to trees throughout the Village including many trees located in the Village right-of-way. There have been a number of questions and concerns about the process by which the Village removes trees on public property. As a general policy, the Village does not remove healthy trees from the right-of-way. It is necessary at times to remove a tree that has either been damaged by a storm or insects and poses a threat to the safety of people or property. Those determinations are made by the Public Works Department in conjunction with Village Forester J.H. Hart.

The Village allows residents to replace trees within the right-of-way; only certain types of trees are allowed. There is a permitting process at no charge. Residents who would like to plant a tree in the right-of-way are requested to contact the Village office and obtain a permit. Staff will work with people to plant the proper type of tree along the right-of-way.

Wilson related that the Village is in receipt of a check from the Birmingham Area Cable Board in the amount of \$69,339.00. The amount is reflective of Village franchise fees paid by cable providers from 2009-2011 and represents funds that were not used by the BACB. Because these funds were not budgeted in the current fiscal year budget, it is supplemental revenue. It was the recommendation of Wilson that the Village utilize these funds as part of its liability insurance renewal. Wilson thanked the Cable Board for the quality work that it has done for the community for many years.

Public Safety Director Woodard stated that the Department received notification from the Michigan Association of Broadcasters that there will be a test of the Emergency Alert System on Wednesday, November 9 at 2 p.m. in the afternoon. This is a special test that will utilize a presidential message code that has never been tested before. It will last three minutes and will supersede regular broadcasting on all networks. The test will include a pre-recorded message from the President. Woodard emphasized that it is only a test.

REPORTS – COUNCIL

Mercer reminded people to vote next Tuesday, November 8, noting that there will be a school district millage renewal on the ballot in our community. Mercer attended the Halloween Hoot last Sunday for the ninth time. He thanked the organizers for the great event.

Oen wished Village Treasurer Peggy Linkswiler and her family well during a difficult time. He also noted individuals from the Public Safety Department with injuries and wished them well.

Mooney urged people to vote on Tuesday, November 8. He asserted that the quality of the Birmingham School District positively affects the desirability of the community and the value of our homes. There is a school district millage renewal on the ballot.

Mooney talked about the Annual Halloween Hoot held in Beverly Park on Sunday, October 23. He clarified that, while the Parks and Recreation Board members participate in the Hoot, it is a privately organized event. There were many volunteers from Groves High School and from local scout troops who assisted with the event throughout the day. Mooney mentioned a number of volunteers by name. He described the activities that took place and conveyed the high spirit enjoyed by everyone in attendance. Mooney gave special thanks to Phil Schmitt, Brian LaFerriere, Rosanne Koss, neighborhood associations and businesses in the community. He related that the Halloween Hoot was first conceived and organized by resident Patricia Greening many years ago. Pat and her husband Don Greening have been involved in the event every year. Mooney also acknowledged Janet Mooney for her contributions and hard work on the Halloween Hoot every year.

LaFerriere commented that the Halloween Hoot was an event to be proud of in our community. LaFerriere asked Director Woodward about a major traffic accident at the intersection of Thirteen Mile and Evergreen Roads last Sunday afternoon. His inquiry related to the involvement of surrounding police departments.

Woodard described the incident and mentioned that the Southfield Fire Department arrived shortly after the Beverly Hills Public Safety officers. It is not uncommon for the Southfield police to respond with our Public Safety Department and cooperate in situations where there is a shared intersection (75% Beverly Hills – 25% Southfield). He confirmed that Beverly Hills owns Jaws of Life rescue equipment and has officers trained in applying the equipment.

Briggs reiterated that the Baldwin Library will be holding its Semi-Annual Used Book Sale beginning on Friday, November 11 throughout the weekend. The Books & Bites at Baldwin fundraiser will be held on Thursday, November 17 to benefit the Library's Youth Room. Briggs encouraged everyone to vote in the upcoming election. It is important to vote for School Board members and the school district millage renewal.

As part of the Village's long range plans and goals, Briggs distributed a draft Communications Strategy for the Village and requested input from Council and Administration. He asked that this topic be placed on the next Council meeting agenda as a discussion item.

Briggs congratulated the Groves High School football team on reaching the district championships. He wished Groves Volleyball Team good luck in the district tournament.

Koss said that it was important for people to vote for their Birmingham School Board members and for the school district millage renewal.

Motion by Mooney, second by Briggs, to adjourn the meeting at 8:10 p.m.

Motion passed (7 – 0).

Rosanne Koss
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary