

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. Eagle Scout Mark Melendy of Troop 1001 from the First Presbyterian Church of Birmingham led those in attendance in reciting the Pledge of Allegiance.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed (7 – 0).

COMMUNITY ANNOUNCEMENTS

Mark Melendy of 16905 Kinross Avenue informed Council that he recently achieved the rank of Eagle Scout. He described his community project, which was to build an outdoor classroom at Berkshire Middle School with the help of scouts and friends. Melendy displayed photographs of the finished project.

President Koss remarked that the community benefits from the hard work and dedication of area scouts. She congratulated Mark Melendy on the great achievement of distinguishing himself with the Eagle Scout Award. Members of Council commented on his project and commended Melendy on a great job.

CONSENT AGENDA

Motion by Mercer, second by Mooney to move Consent Agenda item a. “Consider amending the minutes of a regular Council meeting held September 20, 2011” to the Business Agenda.

Motion passed (7 – 0).

Motion by Mooney, second by Mercer, to approve the consent agenda as amended:

- a. Consider approval of minutes of a regular Council meeting held November 1, 2011.
- b. Review and file bills recapped as of Monday, November 7, 2011.

Motion passed (7 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER FY 2011/2012 BUDGET AMENDMENT

Before Council for consideration is a memo from Finance Director Wiszowaty recommending adjustments to the 2011/12 adopted Village budgets for the General Fund. The budget amendments recognize two additional sources of revenue for a total of \$79,942 as well as an expense adjustment. The proposed budget amendments are a direct result of additional revenues from the Birmingham Area Cable Board for franchise fees and an additional dividend from the Michigan Municipal League Worker’s Compensation Fund. The expense adjustment is proposed for an additional contribution to the Self Insurance Reserve for the Village’s General Property and Liability Insurance.

Motion by Oen, second by Mooney, to adopt the following Resolution.

Be it resolved, to amend the 2011-2012 General Fund Budget as follows:

<u>Department Reason</u>	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Difference</u>
GENERAL FUND			
Refunds & Rebates	\$0.00	\$79,942.00	\$79,942.00
REVENUES AMENDED	\$2,361,750.00	\$2,441,692.00	\$79,942.00
1) Gen. Admin General Liability & Property Insurance	\$433,238.00	\$493,238.00	\$50,000.00
EXPENSES AMENDED	\$2,361,750.00	\$2,411,750.00	\$50,000.00

Questions from Council were addressed by Chris Wilson.

Roll Call Vote:

Motion passed (7 – 0).

REVIEW AND CONSIDER LIABILITY AND PROPERTY INSURANCE RENEWAL

The Village is in receipt of a liability insurance policy renewal for 2012 from the Michigan Municipal Risk Management Authority. The policy would run from November 1, 2011 to November 1, 2012 with terms and coverage limits unchanged from the previous year. After reviewing other policy scenarios, Manager Wilson thought that the current policy with self-insurance requirements and stop loss provisions was in the Village’s best interests. The total liability coverage amount is \$99,713 with a stop loss premium of \$6,481.

As part of the renewal, the Village is being required to make an additional contribution of \$25,000 to its Self-Insured Retention (SIR). Wilson recommended making an additional \$50,000 to the Self-Insured Retention Fund. Upon approval of this policy, the Village will be eligible for a dividend of \$32,188, which will be credited to the Village’s SIR throughout the policy year.

In view of the budget amendment approved by Council at this meeting, Wilson recommended Council approval of the expenditure for a total renewal amount of \$131,194 with an additional expenditure of \$50,000 to the Self-Insured Retention Fund.

Motion by Mooney, second by Oen, that the Village of Beverly Hills Council approve and authorize the Village Manager to sign the Michigan Municipal Risk Management Authority Liability and Property Insurance renewal effective November 1, 2011 through November 1, 2012 in the amount of \$131,194. Further, the Village Council will authorize Village Administration to expend \$50,000 to the Self-Insured Retention Fund. Funds for this expenditure are available in accounts 101.248.910.00, 205.345.910.00, 205.346.910.00, 542.540.910.00.

Wilson addressed questions from Council on the availability of liability and property insurance policies, clarification of the stop loss provision, and budgeting issues.

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

CONSIDER AWARDING CONTRACT FOR HEATING, VENTILATION AND AIR CONDITIONING (HVAC) SYSTEM FOR PUBLIC SAFETY BUILDING

Before Council for consideration is the annual contract for maintenance of the Public Safety Department building HVAC system (Heating, Ventilation and Air Conditioning). The last set of original bids and award was processed in 2007; an updated evaluation was conducted in 2010.

The preventative maintenance schedule includes quarterly inspections with filter replacements, an annual condenser coil cleaning, and boiler certification for the State of Michigan. Additionally, hourly rates for services outside of the normal visits were requested in the bids. Director Woodard stated that invitations to bid and a list of specifications were provided to nine area contractors. Two quotes were received from Commercial Climate Controls Corp. in the amount of \$2,045.00 and B&C Ten Air Corp. in the amount of \$3,097.00. The current contractor, Commercial Climate Controls, came in with a low bid that was less than their current year's price. Staff is satisfied with the service that this company is providing.

Motion by Mooney, second by Oen, that the Village of Beverly Hills Council award the contract for HVAC maintenance services for the Public Safety Building to Commercial Climate Controls Corporation in the amount of \$2,045. Funds are available for this contract in Account #101-345-934; R&M Building and Grounds.

Questions from Council on this type of service and the bid process were addressed by Wilson and Woodard.

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

REVIEW AND CONSIDER INTERIM INTERGOVERNMENTAL CONTRACT FOR ELECTRICAL INSPECTION SERVICES BETWEEN THE CITY OF BIRMINGHAM AND THE VILLAGE OF BEVERLY HILLS

Before Council for consideration is a draft Interim Intergovernmental Contract for Electrical Inspection Services between the Village of Beverly Hills and the City of Birmingham. Under the terms of this proposal, Birmingham city employees will perform electrical inspections in Beverly Hills on an as needed basis for a flat fee of \$50 per inspection. This agreement is necessitated by the retirement of the Village's Electrical Inspector, Tim Blake, on November 10. The intent of the agreement is to be temporary, either until the communities agree on a comprehensive arrangement for contracting building department services or the Village replaces its electrical inspector.

The draft agreement has been reviewed by Administration and legal counsel in both communities. This Intergovernmental Contract was approved by the Birmingham Commission at its regular meeting last night, November 14. Upon approval by the Beverly Hills Council, the Village would be ready to utilize the services of the Birmingham electrical inspector as early as this week. Wilson recommended approval of this Intergovernmental Contract. He thanked Mr. Blake for his service to the Village over a number of years, noting that he was a quality employee.

Motion by Oen, second by Mooney, that the Village of Beverly Hills Council approve and authorize the Village Manager to execute the Interim Intergovernmental Contract for Electrical Inspection Services between the City of Birmingham and the Village of Beverly Hills as submitted.

Wilson clarified that individuals could apply for and receive electrical permits either at the Village offices or at the City of Birmingham municipal building. Contractors or residents will be able to call or visit the Village office from 8 am to 4:30 pm on weekdays and talk to the building department clerk about scheduling an electrical inspection. They could also call the City of Birmingham directly. Electrical permits should be turned around on a 24-hour notice.

Questions from Council on the process, permit fees, and revenue impact were addressed by Wilson. He noted that Birmingham and Beverly Hills would merge their fee schedules if the communities went forward with a broader arrangement for contracting building department services.

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

REVIEW AND CONSIDER AMENDING THE MINUTES OF A REGULAR COUNCIL MEETING HELD SEPTEMBER 20, 2011

Attorney Ryan reviewed that Council went into closed session at its September 20, 2011 meeting with MMRMA (Michigan Municipal Risk Management Authority) attorney Holly Battersby regarding pending litigation of Jacqueline Kendall vs. the Village of Beverly Hills. Attorney Battersby had requested a meeting to discuss litigation and determine if Council had any desire to settle this case. Council went into closed session and returned into open session. The record should have reflected that Council discussed a settlement range with Attorney Battersby.

The minutes of the September 20, 2011 Council meeting were approved by Council at its October 4, 2011 meeting. Before Council for consideration today is approval of an amendment to the September 20, 2011 Council meeting minutes to add the following sentence before the motion to adjourn the meeting: “Council discussed a settlement range with Attorney Battersby with regard to the Kendall vs. Village of Beverly Hills case.”

Motion by Mercer, second by Mooney, to approve the minutes of a regular Council meeting held on September 20, 2011 as amended.

Motion passed (7 – 0).

DISCUSSION ITEMS – COMMUNICATION STRATEGY

Briggs distributed a printed copy of a PowerPoint presentation outlining a Communications Strategy for the Village of Beverly Hills. He touched on strategy components, the current situation, and next steps. The goal is to develop a strategy to ensure consistent communications and increased participation with Village residents. Briggs specified the communication of emergencies, Council decisions, Village performance, and public/private events. He addressed objectives and tactics for each category of communication. Communication should be going to residents, employees, council, neighboring communities, potential residents, news organizations and realtors.

Briggs talked about communication tools including methods being used such as news media, rebroadcast of municipal meetings, calendar, quarterly newsletters, and the GovDelivery public safety and community notifications sent to residents via email or texts.

Briggs proposed setting up three potential projects, which he would turn over to Administration for consideration and next steps. The first project is to redesign the Village’s web site using the assistance of Groves High School students to take advantage of current technology. Another project would be to pilot a social media page. Communities are using Facebook as a way to get messages out to the community. Briggs also proposed expanding emails and text messaging to include broader communications.

Recognizing the limited time and resources of Village municipal staff, Briggs reached out to the Groves Community Liaison, who was enthused about the opportunity to identify individuals who would be interested in helping Beverly Hills with these projects in return for community service credit. Administration will have ultimate approval of these activities.

Council thanked Briggs on the thought and effort that went into developing a communications strategy; members offered their assistance. A few suggestions from Council will be incorporated into the proposal. There was some concern expressed regarding the resources a new communication effort may require and the Village’s lack of staffing to prioritize and script messages as well as supervise the implementation of the website.

Koss suggested that Council consider establishing a citizen communication board. There are residents living in Beverly Hills who know what people want to hear. She thought that this type of community involvement could reduce some of the pressure on administration.

PUBLIC COMMENTS

Mark Melendy Sr. of 16905 Kinross thanked Council for honoring his son Mark for achieving the status of Eagle Scout. He appreciated the message placed on the municipal kiosk sign.

REPORTS – MANAGER

PSO Command Unit Arbitration hearings are scheduled for December 12, 13, 19 and 20. Direct exhibits are scheduled for exchange on November 21 with Rebuttal Exhibits and Surrebuttal exhibits scheduled for November 28 and December 8. Village Administration will be working with staff from Keller Thoma to prepare all exhibits and prepare for testimony.

The Village received two additional requests to enter the Deferred Retirement Option Plan (DROP). This plan is currently available only to PSO Command employees. One Command employee entered the DROP plan in December 2009. Both current requests are to enter the plan on December 11, 2011. Participants in the DROP plan are eligible to defer final retirement for a maximum of five years. These requests will be reviewed by the Retirement Board at its November 22 meeting.

The Zoning Board met last night on November 14, 2011 and heard two cases in which the petitioners were requesting variances from the Fence Ordinance.

The Planning Board has moved its regularly scheduled meeting date of December 28 to December 7 due to the holidays.

The Village offices will be closed on Thursday, November 24 and Friday, November 25 in observation of Thanksgiving.

At the inquiry of Council member Oen, Director Woodard related details involving a home invasion that occurred last week in the area of Longbow Court and 14 Mile Road. He described the incident, officers involved, and events that took place that led to the capture and arrest of the suspect. It was emphasized that the homeowner's prompt 9-1-1 call assisted with the pursuit and arrest. Oen thanked all of the public safety officers who protect the Village.

Mercer asked the Manager for an update on the status of the sidewalk replacement program. Wilson responded that the program may not reach Southfield Road on all of the streets on the east side of the Village due to the number of residents who took advantage of the low unit price to do driveway repair work. That work delayed the construction schedule; there will be some adjustments made to the contractor's schedule next spring. In response to an inquiry, Wilson noted that the contractor will retain the same unit price next year for the sidewalk work.

Briggs reported on his attendance at a SEMCOG seminar last week on the Governor's Economic Vitality Incentive Program. The main topic related to negotiations and adjustments to contracts that would require employees to contribute to their benefits. Briggs will provide the Manager with information on a company that conducts independent surveys with communities to identify employee preferences and priorities with respect to benefits. Another area of discussion was the impact on the Legislature's possible repeal of personal property taxes.

Director Woodard addressed inquiries from Briggs regarding crime statistics relative to the drop in criminal activity and the overall calls for service. Woodard differentiated between sick and injury complaints.

REPORTS – COUNCIL

Mercer reminded everyone that the Retirement Board will meet next Tuesday, November 22 at 7:30 pm in the public safety building conference room. Mercer related that he moved into the Village for the sense of community it provides, for sidewalks and a safe community, and because of the excellent school system. Last week, area residents voted to renew the Birmingham School District millage. This demonstrates the important part that schools play in a community.

Burry commented that the Birmingham Area Cable Board will meet tomorrow morning, November 16, at 7:45 am in the council chamber. He spoke highly of the professionalism and dedication of the Cable board and noted that they do an outstanding job of representing the member communities.

Burry surveyed voter results on millage proposals after last week's elections. Millage proposals were passed in every community in Wayne and Oakland counties that had a proposal on the ballot for public safety, infrastructure, library, schools, or recreation centers. This reaffirms peoples' sense of commitment when they pay taxes to maintain the quality and value of their communities.

Mooney commended Mark Melendy's project at Berkshire School as an outstanding effort. Melendy and his family should be proud of this contribution to the community. Obtaining the rank of Eagle Scout is a magnificent accomplishment.

Oen reported on recent activity of the Planning Board with respect to revising the Village Sign Ordinance and moving forward on the Southfield Road Corridor redevelopment plan.

LaFerriere reported on his attendance at the November 14, 2011 Zoning Board of Appeals meeting. The two cases heard involved requests for variances from the Fence Ordinance. LaFerriere commented on the dedication of the Zoning Board of Appeals members.

Briggs commended the Groves High School student body, including his son, for its outstanding fall musical. He congratulated Bloomfield Hills for passing a millage that will allow their community to join the Baldwin library consortium. Briggs reminded the community of the upcoming Books & Bites at Baldwin fund raiser on November 17 that will benefit the library's Youth Room.

Koss commented that Thanksgiving is one of her favorite holidays. She expressed gratitude for the community in which we all live and thanked the people who contribute their time and who volunteer for the betterment of our homes. She referred to the Beverly Hills Community Garden as an example of people coming together and working together. Koss said that she was proud to be a resident of the Village of Beverly Hills. She wished everyone a Happy Thanksgiving!

Motion by Mooney, second by Oen, to adjourn the meeting at 8:57 pm.

Motion passed (7- 0).

Rosanne Koss
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary