

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

Absent: Oen

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 pm 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 Mercer, to approve the agenda as published.

Motion passed (6 – 0).

### **COMMUNITY ANNOUNCEMENTS**

County Commissioner Marcia Gershenson read a proclamation from the Oakland County Board of Commissioners in honor of retiring Public Safety Director Karl Woodard. Gershenson personally thanked Director Woodard for his years of service and presented him with a plaque recognizing his leadership and commitment to public safety in Beverly Hills.

On behalf of Administration, Council, and employees of the Village and Public Safety Department, Chris Wilson presented Karl Woodard with a plaque in recognition of his dedicated service as Public Safety Director from September 14, 1998 to March 30, 2012. Wilson, who has had the pleasure of working with Karl Woodard during his tenure as Village Manager, said that Karl is a man of honesty and integrity; he has been of tremendous value to the Village of Beverly Hills and its residents. Wilson wished Karl Woodard the best in his future endeavors.

Woodard made several brief yet poignant remarks about his years of service in the Village and some of the individuals he has served with. He thanked Beverly Hills for allowing him to serve as Public Safety Director.

### **CONSENT AGENDA**

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

- a. Consider approval of minutes of a regular Council meeting held March 6, 2012.
- b. Review and file bills recapped as of Monday, March 12, 2012.

Motion passed (6 – 0).

**BUSINESS AGENDA**

**REVIEW AND CONSIDER BERKSHIRE MIDDLE SCHOOL DAD’S CLUB 5K WALK/RUN ON SATURDAY, MAY 5, 2012**

Kevin Dimitri and Jeff Sullivan were present on behalf of the Berkshire Middle School Dad’s Club to request the use of Village streets to host a 5K walk/run through the Village on Saturday, May 5, 2012 starting at 8 am.

Motion by Mooney, second by Burry, that the Beverly Hills Village Council approve the request by the Berkshire Middle School Dad’s Club for a 5K Walk/Run on Saturday, May 5, 2012. A Certificate of Insurance naming the Village as an additional insured has been submitted.

Motion passed (6 – 0).

**REVIEW AND CONSIDER REQUEST FROM THE BEVERLY HILLS LIONS CLUB FOR USE OF VILLAGE STREETS ON MONDAY, MAY 28, 2012 FOR THE 30<sup>TH</sup> ANNUAL FUN RUN/WALK**

Motion by Mooney, second by Burry, that the Beverly Hills Village Council approve the request of the Beverly Hills Lions Club to use Village streets and sidewalks for its 30th Annual Fun Run/Walk to be held on Monday, May 28, 2012. The Lions Club has provided a certificate of insurance naming the Village as an additional insured.

Motion passed (6 – 0).

**REVIEW AND CONSIDER DONATION/LEGACY PROJECT FOR BEVERLY PARK FROM THE LONGEST LEMONADE STAND**

At the February Parks & Recreation Board meeting, Patrick Liebler presented a proposal for the donation of an art sculpture to commemorate the Longest Lemonade Stand event that took place in Beverly Park on August 20, 2011. Council members have received a packet of information outlining the proposal, which includes an image of the sculpture and a rendering of its proposed placement in the parking lot island at Beverly Park.

Motion by Mooney, second by Mercer, that the Beverly Hills Village Council graciously accept the Longest Lemonade Stand legacy art sculpture donation and authorize the group to proceed with planning for the construction and placement of the proposed sculpture in the northern portion of the island between the parking lot and the pavilion at Beverly Park.

Motion passed (6 – 0).

**THIRD ANNOUNCEMENT OF SEVEN VACANCIES ON THE COMMUNICATIONS COMMITTEE**

Briggs reviewed that the Village Council adopted a resolution at its regular meeting on February 7, 2012 creating a Communications Committee consisting of seven qualified electors of Beverly Hills as selected by the Village Council. Two members will be appointed to serve for one year, two members will serve for two years, and three members will serve for three years. Henceforth,

each member will be appointed to a three year term. The Committee shall carry out activities as assigned by the Village Council and will meet monthly on the first Thursday at 7:30 p.m. in the Council Chamber.

President Pro-Tem Briggs made the third announcement of seven vacancies on the Communications Committee. Applications are available at the Village office or can be printed from the Village website. The deadline for accepting applications will be on Friday, March 23, 2012 at 4:30 pm. A subcommittee consisting of Briggs as chair, Burry and Mercer will meet at 7:00 pm on Tuesday, April 3 to review applications. The subcommittee will present their recommendations to Council for appointment at the April 3 Council meeting.

**ACCEPT RESIGNATION AMRU MEAH FROM THE ZONING BOARD OF APPEALS AND MAKE FIRST ANNOUNCEMENT OF VACANCY ON THE ZONING BOARD**

A vacancy exists on the Zoning Board of Appeals due to the resignation of Amru Meah, whose term expires on June 30, 2013.

Motion by LaFerriere, second by Mooney, to regretfully accept the resignation of Amru Meah from the Zoning Board of Appeals.

Motion passed (6 – 0).

Mercer commented that he served with Mr. Meah on the Zoning Board of Appeals. Mr. Meah brought valuable experience to the Board as a former Detroit building department employee. Mercer thanked him for his service.

LaFerriere made the first announcement of a vacancy on the Zoning Board of Appeals for a term that will expire on June 30, 2013. The deadline for accepting applications will be Friday, April 6, 2012 at 4:30 pm. A subcommittee consisting of LaFerriere as chair, Koss and Mercer will meet at 7:15 pm on Tuesday, April 17 to review applications and recommend an individual for appointment to the Zoning Board.

**REVIEW AND CONSIDER PROPOSAL FOR 2012 DUST CONTROL SERVICES**

The Village received one bid on Wednesday, March 14 for 2012 Dust Control on gravel roads in the Village. Suburban Calcium Chloride Sales submitted a bid for 28% calcium chloride brine applied to the roads at \$0.28 per gallon. Suburban has been a dust control supplier to the Village in past years and has done an excellent job. The company was the low bidder in 2011 for calcium chloride brine at \$0.28/gallon applied and held its price per gallon from last year. Considering the increase in fuel costs for delivery, the bid from Suburban is reasonable.

Motion by Mooney, second by Mercer, that the Beverly Hills Council award the 2012 Calcium Chloride Dust Control contract to Suburban Calcium Chloride Sales at \$0.28/gallon for liquid brine. Fifty percent of the cost for this service will be assessed to the property owners with the balance paid through the Village Local Street Fund.

Roll Call Vote:

Motion passed (6 – 0).

**REVIEW AND CONSIDER REQUEST TO SEEK BIDS FOR EVERGREEN ROAD BRIDGE REHABILITATION PROJECT**

Manager Wilson stated that plans for the Evergreen Road Bridge rehabilitation project have been completed, and money was budgeted in the 2012/13 Major Road Budget in the amount of \$450,000. The work is important based on the condition of the support structure. Because of the location of the road and its impact on traffic from the school district, Administration recommends accepting bids on May 1, 2012 for construction to commence immediately after school recesses for the summer. The road will have to be closed to through traffic for a period of time. The project is expected to be completed prior to school resuming in the Fall.

At Council's inquiry, Wilson described the extent of the rehabilitation work proposed. He addressed questions from Council and the public on the project, timing, detours and resident notification.

Motion by LaFerriere, second by Mercer, that the Village of Beverly Hills Council approve accepting bids for the 2012 Evergreen Road Bridge Rehabilitation Project on May 1, 2012. Plans for the project have been completed and funds were budgeted in the 2012/13 Major Road Budget in the amount of \$450,000.

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

**PUBLIC COMMENTS**

Koss asked that public comments on the topic of consolidating dispatch service with the City of Birmingham be deferred until after the Manager's report on this subject.

Bob Walsh on Smallwood Court provided an overview of what occurred with respect to a variance request before the Zoning Board of Appeals relative to the fence erected by the Beverly Hills Community Garden group on Beverly Hills Methodist Church property. Walsh made the point that the Zoning Board denied the request for a variance to allow a side yard fence. The Village building official subsequently issued a permit to allow the fence. Walsh did not agree with the solution accepted by Administration and the Village Attorney that would bring the fence into compliance. Walsh expressed the view that moving the fence into the rear yard and removing the plastic material would bring the fence into compliance with the ordinance.

Paul Carlton of 31729 Mayfair Lane thanked Council for accepting the retirement of Karl Woodard as Public Safety Director. Carlton presented his detailed recollection of an incident that occurred on December 31, 2004 in Beverly Park. He expressed dissatisfaction with the manner in which the investigation was handled by the Beverly Hills Public Safety Department and specifically by Director Woodard.

Pete Kelly of 31220 Sunset thanked the Kensington Community Church for taking over the annual Easter Egg Hunt in Beverly Park that used to be sponsored by the Beverly Hill Jaycees years ago.

## **REPORTS – MANAGER**

The Village has been contacted by residents of Stafford Road who are interested in a Special Assessment District for the paving of Stafford. A petition with signatures representing more than half of the residences on Stafford (10 of 18) has been submitted. Mr. Meszler is working with engineering firm Hubbell, Roth & Clark on final estimates for the project. Once prices are available, residents will need to submit a final petition agreeing to the cost of the project. Per Village policy, residents would be assessed 80% of the cost of the project, payable over a period of 10 years. The Village will be responsible for the other 20%.

Wilson announced that yard waste pickup will begin on Monday, March 26, one week earlier than scheduled.

Wilson referred to his written report analyzing the merger of dispatch services between the Village and the City of Birmingham. He has asked the Finance Director to prepare a draft of the Public Safety Department Budget for FY 2012-2013. In order to produce a draft, the following assumptions were used:

- Taxable Value increase of 1%.
- Settling of outstanding contracts for Command and Dispatch with same provisions as PSO Arbitration Award.
- Increase in pension contribution of \$100,000.
- Existing vacancy of one PSO position remaining unfilled.
- Purchase of capital equipment necessary to maintain dispatch in-house of \$100,000.
- Contribution to Public Safety Budget Stabilization fund of \$100,000. (Projected Public Safety Fund Balance on June 30, 2012 of \$101,682, equal to 2.1% of expenditures.)

Using the above assumptions, the Public Safety Department budget is in a deficit position of roughly \$90,000. It should be noted that these estimates are assuming that the Village receives all cost saving measures awarded in the PSO Arbitration in regard to the Command and Dispatch unions by July 1, 2012. Without cost savings afforded by contracting of dispatch, possible actions needed to eliminate the projected operating deficit would include, but are not limited to the following:

- Elimination of existing PSO position through layoff.
- Reduction of overtime, resulting in reduced staffing levels due to elective furlough time use (vacation, personal, etc. ...).
- Elimination of Budget Stabilization Fund contribution.

Wilson provided Council with a breakdown of dispatch costs as outlined in the Plante Moran study of 2011 in order to determine how dispatch finances impact the entire Public Safety Department budget. The total annual expenses for dispatch are listed at \$401,756. This total does include some expense for prisoner care, but does not factor increases in pension and OPEB costs that have occurred since publication. This cost does not include needed capital upgrades. Plante Moran does include an estimate of \$60,000 for this upgrade in their report. More recent costs available from Public Safety Administration indicate a cost of \$97,500 for this equipment, with the Village being able to offset roughly \$10,000 of this cost through grant funding available via Oakland County. In summation, the research conducted by Plante Moran and additional data

available today provide a base cost of \$400,000 to the Village for the provision of emergency dispatch services exclusive of needed upgrades to capital with a one-time cost of \$100,000.

Wilson related that the City of Birmingham has approached the Village with a consolidation proposal. The Village has provided Birmingham with data regarding call volume for dispatch. Birmingham has conducted an analysis of their capabilities based on the Village's demands on their services and has expressed confidence that they could take the Village's call volume into their center without increasing their cost.

The City of Birmingham has provided a draft version of an agreement. This draft has been reviewed by the Village Attorney and proposed revisions are being submitted to Birmingham. The draft proposal contains an annual fee of \$264,000 for the first year of the agreement (as drafted, July 1, 2012 through June 30, 2013). In ensuing years, the total cost of dispatch operational costs (exclusive of capital upgrades) will be split between the City of Birmingham and the Village of Beverly Hills 60% and 40% respectively. The contract also allows for either party to terminate the agreement with six months notice. Wilson said that the Village is in the process of drafting a counter-proposal.

The split of costs between the two communities was determined based upon a couple of criteria. Assuming an ongoing operational cost of around \$600,000 for Birmingham and \$400,000 for Beverly Hills in the absence of a merger, a combined dispatch service at a cost of \$600,000, as proposed would save both communities 40% of dispatch related costs over maintaining separate dispatch operations. Further, analysis by the number of parcels in the two communities combined provides justification for a split of dispatch costs along this basis. There are various factors upon which one could justify a split of dispatch costs between the two communities. Given the parcels served by dispatch in both communities, the equality of cost savings by percentage of the proposed arrangement and the exclusion of capital equipment costs from the arrangement make this proposal fair for the Village and in the best interest of both communities.

Based upon current projections, the proposed agreement would save in excess of \$135,000 in operational costs in the first year alone, with an additional savings of roughly \$100,000 in capital expenses in FY 2012-2013. In FY 2012-2013 these savings of roughly \$235,000 would eliminate the current projected deficit of \$90,000 and provide a surplus over \$140,000. A surplus of this amount, based on the assumptions listed previously, would allow the Village to fill the existing vacancy in one PSO position and maintain minimum staffing at all times to a much greater extent than is currently possible while continuing to establish a fund balance for the Public Safety Department. In the absence of such a merger, the Village will be forced to consider other cost saving measures, which either reduce the level of service to the community or reduce the financial stability of the Public Safety Department in the future.

The elimination of dispatch services will require the Village to address how other administrative services are provided, particularly prisoner lock-up. The Village will continue to house its own prisoners and will continue to honor service agreements for lock-up services with Franklin and Lathrup Village. The Plante Moran study provided various options for the handling of prisoners and other functions currently provided by the dispatchers. Upon reviewing all four recommendations and the current financial position of the Village, Wilson was inclined to recommend Option 3, which has sworn staff monitoring prisoners with call-back of Village staff

as needed for emergency situations. He thought that this situation could be addressed through internal changes to shift staffing as opposed to the introduction of outside non-sworn personnel. Wilson was not inclined to support the hiring of additional part-time civilian staff for the primary purpose of monitoring prisoners. Wilson related that this is an operational decision that will ultimately be decided by the newly appointed Public Safety Director.

Discounting the financial aspect of this merger, Wilson affirmed that this is not an easy decision to make. Unfortunately, the Village has decisions to make regarding how it allocates its revenue. Members of the community are concerned about service levels and response time should the Village merge dispatch services with the City of Birmingham. It was noted that quick response time is due to the availability of an officer patrolling the streets, not the location where the call was answered. If Beverly Hills can commit more resources to having officers on the road, response time will be quicker and better. Wilson does not agree that having dispatch provided by Birmingham would result in a reduction in service to the citizens or would jeopardize the welfare of the general public. The Village is dealing with finite resources with which to provide public safety services.

Wilson attended last night's Birmingham Commission meeting at which time there was a presentation on their dispatch center. He outlined some of the positive aspects relative to the operation of the Birmingham dispatch center in terms of improving response time and safety.

Wilson affirmed the commitment on the part of Council and Administration to Public Safety in the Village. Whatever resources would be saved by a merger of dispatch services with Birmingham would be reallocated to other public safety services, primarily the addition of patrol staff. Wilson is convinced that the Village would not only have the same level of service with the implementation of this merger, but the Village would experience a better level of service going forward.

Wilson reported that he met with the Michigan Association of Police Union to discuss the proposal and answer questions. He committed to keeping the union informed on the progress of a merger. Wilson expects that the union will submit a proposal to the Village regarding the impact of a dispatch department merger.

Wilson asked Council to proceed expeditiously on this decision. The Village has an obligation to make impacted employees aware of a final decision as soon as possible. A decision will also be important in terms of preparing the 2012/13 Village and Public Safety budget.

Wilson clarified that it is not his intention to change the way the Department houses prisoners or to change ongoing contracts with Franklin or Lathrup Village. Further, consideration is being given to what steps need to be made to keep the station open and available to residents 24/7.

Members of the public recognized the fiscal challenges facing the community and understood the level of support for public safety provided by Council and administration. The following residents asked questions on several topics: response to fire situations, lockup issues, competitive bids from other departments, expense of overtime and call backs, and performance of administrative tasks currently done by dispatchers. There was concern expressed that the process

was proceeding with undue speed and that the new public safety director should be involved in the decision.

Jim Osmer	18301 Riverside Drive
Pete Kelly	31220 Sunset
Tricia Sloan	15798 Kirkshire
Bob Deneweth	32321 Arlington

As part of Council's consideration of dispatch services, Koss suggested that it would be beneficial to have an overall presentation on how the Village's department currently operates and how its functions are covered. There should be a detailed explanation of how those same functions would be handled if the dispatch service is merged with Birmingham. Koss asked administration to consider providing this type of education for residents and Council members at a meeting solely dedicated to the proposed merger.

### **REPORTS – COUNCIL**

Council members addressed the possible merger of dispatch services with Birmingham. There was agreement to have an informational presentation that addresses how current public safety services are provided and what changes would occur if dispatch service were provided by Birmingham. Council raised issues that needed clarification.

It was mentioned that residents were told in 2010 that the millage increase would prevent critical cuts in Village services. Citizens were also told that the millage was intended to be a bridge to the future. Council and administration have attempted to look for efficiencies and to consolidate services with other communities. The Village provides lock up service for Franklin and Lathrup Village. Attempts were made to handle dispatch for neighboring communities to no avail.

Council members referred to the unfortunate negative remarks from one individual directed at Karl Woodard and the Public Safety Department during the public comment portion of the meeting. Mooney stated that the allegations made by Paul Carlton were investigated by the Beverly Hills Public Safety Department, the Oakland County Prosecutor, and the Michigan State Police. It was concluded that there was no wrongdoing in the manner of response and investigation by the Beverly Hills Public Safety Department.

Council members commended Karl Woodard on his years of dedicated service to the Village of Beverly Hills over the past 13 years.

Briggs reported on the Library Board meeting held on March 19. Birmingham and the Baldwin Library Board have established a joint committee to discuss enhancements to the library and long term building needs. The first meeting of that committee will be held on March 21 at 2 pm in the library. Briggs mentioned several upcoming library upgrades and suggested that people check the Baldwin Library website for interesting topics and events.

Motion by Mooney, second by Burry, to adjourn the meeting at 9:27 p.m.

Motion passed (6 – 0).

**Rosanne Koss**  
**Council President**

**Ellen E. Marshall**  
**Village Clerk**

**Susan Bernard**  
**Recording Secretary**