

REGULAR COUNCIL MEETING MINUTES – APRIL 3, 2012 – PAGE 1

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

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.

Koss introduced newly appointed Director of Public Safety Richard C. Torongeau. Council unanimously approved the Manager's recommendation for this appointment at a special Council meeting held on Monday, March 26, 2012. Rich Torongeau stepped forward and was welcomed by Council and the public. His starting date as Public Safety Director will be on April 16, 2012. The Pledge of Allegiance was recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed (7 – 0).

COMMUNITY ANNOUNCEMENTS

Township Clerk Sharon Tischler announced that Southfield Township will be offering free document shredding for Township residents on Saturday, May 5, from 10 am until noon at the municipal building 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 March 20, 2012.
- b. Consider approval of minutes of a special Council meeting held March 26, 2012.
- c. Review and file bills recapped as of Monday, March 26, 2012.

Motion passed (7 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER REQUEST FROM BEVERLY HILLS ATHLETIC CLUB TO UTILIZE TENNIS COURTS IN BEVERLY PARK

The Beverly Hills Athletic Club (BHAC) is requesting to use the tennis courts in Beverly Park as part of their summer tennis program for six consecutive weeks on Monday, Tuesday and Wednesday from 9 am to 1 pm and on Thursday from 1 pm to 3 pm on the following days:

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|-------------------------|------------------------|
| June 18, 19, 20 and 21 | July 9, 10, 11 and 12 |
| June 25, 26, 27, and 28 | July 16, 17, 18 and 19 |
| July 2, 3, 4 and 5 | July 23, 24, 25 and 26 |

A representative from the Beverly Hills Athletic Club came before the Parks and Recreation Board with this request, which was recommended to Council for approval. This is the third year that the BHAC has used the courts in the park to accommodate their expanded tennis program.

Motion by Mooney, second by Oen, that the Village Council authorize the Village Manager, acting as Park Superintendent, to approve the use of the tennis courts in Beverly Park by the Beverly Hills Athletic Club on dates requested in June and July of 2012. A Certificate of Insurance naming the Village of Beverly Hills as an additional named insured under its certificate of liability is on file at the Village Office for use of the tennis courts.

Koss informed the public that the Beverly Hills Athletic Club is a swim club located in a residential area off of Beverly Road. BHAC deed restrictions state that 90% of the members must be residents of the Village of Beverly Hills.

Kathleen Berwick of Kennoway Court objected to tax money being used for a special interest group.

Motion passed (7 – 0).

SECOND ANNOUNCEMENT OF VACANCY ON THE ZONING BOARD OF APPEALS

LaFerriere made the second 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 on Tuesday, April 17 before the Council meeting to review applications and recommend an individual for appointment to the Zoning Board.

ANNOUNCEMENT OF VACANCIES ON THE COMMUNICATIONS COMMITTEE

Briggs reviewed that the Village Council established a Communications Committee to assist with sharing information with residents and to foster community involvement. The committee will consist of seven qualified electors of Beverly Hills to be selected by the Council. Six applications have been received to date. 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 pm in the Council Chamber.

Briggs announced the 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, April 6, at 4:30 pm. A subcommittee consisting of Briggs as chair, Burry and Mercer will meet prior to the Council meeting of Tuesday, April 17 to review applications and make a recommendation for Council consideration.

REVIEW AND CONSIDER RENEWAL OF PROFESSIONAL COMPUTER CONSULTANT SERVICES WITH ENTERPRISE COMPUTER

The Village is in receipt of a professional services proposal from Enterprise Computer Solutions, Inc. in the amount of \$2,400 to renew its contract for pre-paid computer services at no increase in the hourly rate.

Motion by Mercer, second by Mooney, that the Village of Beverly Hills Council award the purchase of a pre-paid service contract for professional service from Enterprise Computer Solutions, Inc. in the amount of \$2,400.00. Funds are available for this purchase in Account 100-900-976.00.

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

RECEIVE TENTATIVE BUDGET AND SET PUBLIC HEARING DATE FOR MAY 1, 2012

President Koss related that Council members are in receipt of a tentative budget prepared by Village Administration. A budget study session will be held at 6 pm on Tuesday, April 17 prior to the Regular Council meeting at 7:30 pm. Koss set a public hearing date for Tuesday, May 1, 2012 to receive public comments on the proposed FY 2012/13 budget.

SET PUBLIC HEARING DATE OF MAY 15, 2012 TO REVIEW AND CONFIRM 2011 ASSESSMENT ROLLS FOR DUST AND OTHER MISCELLANEOUS ASSESSMENTS

President Koss set a public hearing date of May 15, 2012 to review and confirm 2011 Assessment Rolls for dust and other miscellaneous assessments.

PRESENTATION BY VILLAGE ADMINISTRATION ON DISPATCH CONSOLIDATION WITH THE CITY OF BIRMINGHAM; REVIEW AND CONSIDER AGREEMENT WITH THE CITY OF BIRMINGHAM FOR DISPATCH SERVICES

President Koss informed the public that Manager Wilson will give a presentation on a proposal for dispatch consolidation with the City of Birmingham, after which time Council will make a motion and accept comments from the audience members. Manager Wilson welcomed Police Chief Don Studt from the City of Birmingham and Birmingham Assistant Manager Joe Valentine. His presentation will be based on information presented by Birmingham Deputy Chief Mark Clemence at a recent Birmingham City Commission meeting.

Wilson related that Village administration and Council have considered options for merging or consolidating dispatch services for a number of years in order to achieve savings through economies of scale. A dispatch consolidation would allow the Village to allocate its resources to other aspects of the Public Safety Department. This culminated last year when Council engaged Plante Moran to prepare an analysis of the Village's dispatch operation and a possible merger of operations with the Oakland County Sheriff's Department.

Plante Moran came back with options whereby the Village could save a considerable amount of money. It was Council's opinion at that time that a relationship with Oakland County was not in the best interests of the community or the Public Safety Department. The Village would be a customer of the Oakland County Sheriff's Department. They would provide a professional level of service, but the Village was looking for more of a partnership arrangement in terms of providing service for another department or merging with another agency. Birmingham had contacted Beverly Hills within the year and drafted a general framework for an agreement that Wilson thought could be in the Village's best interest. The operational and financial issues have been negotiated between the communities.

Wilson provided information on the Beverly Hills-Birmingham Dispatch Consolidation proposal with the assistance of a PowerPoint presentation. He began by explaining operational procedures relative to 9-1-1 call routing and providing an example of a computer aided dispatch screen. Wilson described how the Village's dispatch function currently operates compared to the Birmingham operation. They both have 24/7 service; both utilize a combination of full-time and part-time dispatchers; both have at least one dispatcher on duty at all times. Beverly Hills has one complete dispatch work station. Birmingham has two complete dispatch work stations and will be adding a third. Two dispatchers are on duty 85% of the time Monday through Saturday in Birmingham.

Wilson stated that Birmingham has conducted an analysis of the Village's dispatch operation and is confident that they will be able to handle the current Beverly Hills call volume with their existing dispatch staff. Beverly Hills personnel will be dispatched to Beverly Hills incidents. The partnership will improve coordination and response for mutual aid between Beverly Hills and Birmingham.

Financial considerations are based on the proposed contractual document that has been reviewed by Birmingham and Beverly Hills administration. Personnel costs account for about 90% of total dispatch costs. The Village is currently spending about \$400,000 on its annual dispatch operation; Birmingham has estimated an expenditure of \$600,000 on its dispatch operations. Both communities need to replace existing 9-1-1 equipment. Capital costs would be reduced because Beverly Hills will not need to upgrade its system at a cost of \$90,000-\$100,000. A merger of the two operations would reduce personnel costs. All existing calls between the two communities will be handled with the existing Birmingham staff.

The arrangement that has been accepted administratively between both communities is a cost splitting of 35% for Beverly Hills and 65% for the City of Birmingham. The Village's estimated cost for FY 2012/13 will be approximately \$232,500. Beverly Hills will not be charged for the \$90-100,000 that Birmingham will expend to upgrade their terminals. The \$10,000 available to the Village from the state for capital upgrades will go to Birmingham. Wilson mentioned that Birmingham administration does not foresee any significant cost increases in the next two years.

Wilson stated that this partnership will reduce Beverly Hills costs by just over \$250,000 in 2012/13 and approximately \$175,000 per year thereafter. The cost savings will prevent further reductions in staffing and manpower. A cost savings of over \$120,000 would allow for the Department to make that allocation in the 2012-13 budget to add a public safety officer. If this direction is taken, Wilson will recommend that Council bring in another PSO at the beginning of the fiscal year and dedicate that additional staff to the midnight shift to aid in its fire response. Wilson affirmed that the merger would not negatively affect fire response time, and it should improve police response. He referred to the benefit of having two dispatchers on duty Monday through Saturday.

Wilson related some of the issues brought forth by concerned residents. Response time is directly related to having an officer on the street and not related to where the call goes. Reducing manpower to meet dispatch costs would have a negative impact on response time. Station access was a concern. Wilson stated that the costs savings will allow an additional officer to be hired. It is recommended that the extra person be dedicated to the midnight shift to allow for 24/7 station access.

Firefighting capabilities is not a concern during the day shift during the week. Adding a fifth person to the midnight shift will allow someone to monitor the station and have four people at a fire scene. The Village has made a commitment to honor its agreements with the Lathrup and Franklin-Bingham Police Departments to continue taking prisoners for them. The primary responsibility for monitoring prisoners will fall upon existing sworn staff.

Administrative duties and paperwork in the short term will fall back to the public safety department administration. As the Village's financial situation improves, there will be a call to add a civilian person to the Department to handle administrative duties and paperwork. The Village has a half-time FTE (full-time equivalent) currently.

Wilson thought it was important to move quickly on this dispatch partnership issue for a couple of reasons. The 2012-13 budget is being prepared, and a dispatch merger would have a significant impact on the Public Safety Department budget. Further, the proposal would result in a potential loss of employment for current employees. The Village owes it to the employees to give them as much notice as possible. Wilson stated that he had a meeting with a union representative for the dispatchers. They have a request in for Effects bargaining, which will take place if Council votes to approve this intergovernmental contract.

The loss of control issue without a Beverly Hills dispatch station was brought up by residents. Wilson predicts that the Village will have a good relationship with the City of Birmingham. The Village will maintain its non-emergency call line (248/540-3400) to be answered by the Beverly Hills Department of Public Safety staff Monday through Friday from 8 am to 5 pm. Those calls will be forwarded to Birmingham PSAP after hours and during weekends. Supervisory and administrative staff will perform some of the duties that are currently being handled by dispatch. Birmingham staff will be trained and advised as to how to handle Public Safety calls. Current Beverly Hills dispatchers will be given consideration for future Birmingham openings.

Birmingham Chief Don Studt commented on the similarities between the Birmingham and Beverly Hills' radio and CAD computer aided dispatch systems and pointed out that the change in dispatch operation from Beverly Hills to Birmingham would be a seamless operation. Birmingham will have an automatic vehicle locator system available with its new equipment. Studt addressed staffing levels in Birmingham to affirm that there will be no degradation in services to Beverly Hills. The Village's 10-digit line will be answered at the Birmingham location. There will be four 9-1-1 trunks. The merger will be an advantage as far as mutual aid and shared services aspects.

Studt thought that the dispatch partnership between Birmingham and Beverly Hills would be a good fit. He assured the community of Beverly Hills that they will receive quality service from the Birmingham dispatch operation. In answer to an inquiry from Council, Studt stated that part of the initial training would be to put Birmingham dispatchers in Beverly Hills police cars and have them drive through the Village to become familiar with the neighborhoods.

Motion by Briggs, second by Oen, that the Beverly Hills Village Council approve the Intergovernmental Contract for Dispatch Services between the City of Birmingham and the Village of Beverly Hills.

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Briggs commented that Beverly Hills is currently routing its calls to Oak Park dispatch when a dispatch station is being serviced. Birmingham calls will not have to be rerouted during maintenance because they have two dispatch stations and will eventually have a third.

Beverly Hills Director Torongeau stated that the decision before Council mirrors a common issue in all Michigan communities. It is a difficult decision, but it will save money and time. He related that St. Clair County does the dispatching for Algonac, which is 40 miles away. Torongeau was certain that the City of Birmingham dispatch would do a good job for Beverly Hills.

Ron Palmquist from the Michigan Association of Police, said that the organization represents the Beverly Hills public safety officers as well as the public safety command and dispatchers for collective bargaining purposes. Palmquist has reviewed the documentation provided by Village administration and concluded that the Beverly Hills dispatchers can provide the best service to the Village. The four dedicated employees with six to 17 years of service with Beverly Hills would be losing their jobs with this agreement. Palmquist said that the dispatchers would want to proceed with Effects bargaining if the contract with the City of Birmingham was approved.

Palmquist said that he examined the financial information provided by Village administration as well as the 2010 dispatch study conducted by Plante Moran. He believed that there would be an expense and not a savings to the Village if Beverly Hills dispatch services were consolidated with Birmingham. Palmquist distributed copies of a document that presents what he believes to be actual costs to Beverly Hills for Birmingham to provide dispatching for the community. He highlighted the numbers and provided explanations for his calculations. Palmquist maintained that firefighting service would be affected by the loss of dispatchers in the building. He mentioned the issue of control. The dispatchers believe that they can provide the best service to the Village.

Manager Wilson thanked Mr. Palmquist for his remarks but did not agree with his statements or cost analysis. There is no merit to the argument that the Village is going through this process to spend more money and lose control of its operation.

Pete Kelly of 31220 Sunset said that Birmingham could provide good service, but the real issue was to maintain four-man minimum shifts. Civilian dispatchers were hired in the 1970s to perform that function in the station to free up the fourth officer to meet the four-man minimum requirement for fire fighting. Maintaining the lockup and requiring an officer to be in the building would result in three men on the road. Kelley cited the cost of the Birmingham contract.

Kathleen Berwick of 31381 Kennoway Court expressed empathy for anyone losing their job. She asked Council to consider the contract with Birmingham as a way to be more efficient and save costs.

Edna Freier of 30400 Woodhaven Lane questioned the fire fighting status of the new Public Safety Director. Wilson responded that public safety directors do not have to be certified fire fighters. Rich Torongeau is certified to make arrests and perform police functions in the State of Michigan; he has not been asked by the Village to obtain a firefighter certification. Karl Woodard was a certified fire fighter; he lived in the community and did respond to fires. When Director Woodard was on duty during the day, neither he nor the captain were counted as

personnel to maintain four man minimum staffing. In answer to another inquiry, Wilson clarified that resources to hire another officer would be allocated for the next fiscal year beginning July 1, 2012.

Bob Smith of 16907 Birwood supported Village administration and Council doing due diligence by researching this partnership with the City of Birmingham. He would support going forward with combining dispatch operations if there are significant savings. An inquiry on the cost of the dispatch services contract was addressed by Koss, who assured the public that the proposed contract represents negotiations with Birmingham. Wilson addressed questions about staffing.

Council members commented on the contract with Birmingham for dispatch services. Wilson and Chief Studt addressed questions on the topics of regular status reports, lockup revenue from Lathrup and Bingham-Franklin, state funding for equipment replacement, union representation of Birmingham dispatchers, dispatching for EMS, option to bring in another community, and allocation of manpower and staffing for fire emergencies.

The contract requires quarterly reports for the first year of the agreement in order to provide feedback on the operation to Council and administration. Annual reports will be provided by Birmingham Police in following years. Wilson related that the terms of the contract agreement between Birmingham and Beverly Hills would have to be renegotiated before another community could be added.

Chief Studt stated that Birmingham will require about 30-45 days from the approval of the contract by both Beverly Hills and Birmingham for the joint dispatch stations to become operational. The Birmingham Commission will take this up at their meeting on Monday, April 9 if it is approved by the Beverly Hills Council tonight. Birmingham will proceed with installing the new 9-1-1 system and other upgrades to take over the Beverly Hills call volume.

Council understood that this dispatch consolidation proposal was in the best interest of the Village. The Village Manager was charged with making every effort to consolidate with surrounding communities for cost savings. Beverly Hills has negotiated with Birmingham for the best price possible; the merger will provide the Village with substantial savings in the public safety budget.

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

PUBLIC COMMENTS

Sharon Tischler of 21415 Virmar Court mentioned that Beverly Hills Department of Public Safety has mutual aid agreements with other units for fire fighting purposes.

Jim Osmer of 18301 Riverside said that he was part of the steering committee of the SOS (Save Our Services) group that actively promoted the passage of the Charter Amendment in 2010. He and other members of the group have attended recent Council meetings to raise issues relative to the dispatch partnership with Birmingham. Osmer had a meeting with Chris Wilson, who answered questions posed by the group and provided additional information. There was no issue raised during his conversation with Mr. Wilson that had not been considered by Council and Administration.

In his opinion, Village administration has thoroughly considered this serious issue. Not everyone may agree with the conclusions that Manager Wilson and the Council will reach, but Osmer believed that the issues have been carefully thought out. He shared a concern about the issue of night-time fire protection but anticipated that the new public safety director would address the matter from a scheduling standpoint.

Bob Smith commented on technology that Birmingham uses to increase efficiency including remote video monitoring of most of their downtown. He suggested that Beverly Hills consider doing this in key locations. Birmingham also uses effective pole mounted speed monitoring devices.

Bob Walsh on Smallwood Court continued to express concern with the legality of the fence surrounding the Beverly Hills Community Garden located on Beverly Hills Methodist Church property. He quoted from a memo dated March 28, 2012 from Village Attorney Tom Ryan to the Village Manager regarding the fence. Walsh questioned what modifications were made to the original fence and invited Mr. Wilson and Mr. Ryan to meet him at the church to point out the modifications made to the fence and the location of the side door facing Evergreen Road.

REPORTS – MANAGER

Wilson mentioned that Council was provided with a copy of the draft of the FY 2012-13 budget. A budget workshop has been scheduled for 6 pm on April 17. Any questions on the budget prior to that time can be directed to Wilson or Finance Director Wiszowaty.

Wilson offered to meet Bob Walsh at the Beverly Hills Methodist Church to look at the Community Garden Fence.

Wilson referred to an email he received from Eagle Scout Andrew Hausman from Troop 1024 providing an update on the sandbox he constructed in the park last year and the digger toy. He indicated that he repaired the broken digger toy and turned it over to the Village. Wilson thanked Andrew Hausman for his work and congratulated him on achieving the rank of Eagle Scout.

Council has received copies of Oakland County Water Resource Commissioner John McCullough's response to Wilson's four-page letter to him outlining pertinent and technical issues related to the change to a meter based billing methodology for the Evergreen Farmington Sewage Disposal System. This new system resulted in a \$430,000 quarterly bill to Beverly Hills. McCullough indicated in his response that he was willing to speak with Wilson in person or send a member of his staff to explain how to better handle the Village's water and sewer resources. Wilson invited McCullough to attend a Council meeting and explain to the Village residents why they are not being charged enough to pay for the Water Resource Commissioner's meter billing system.

Wilson addressed a question about the consequences of this large expenditure on the Evergreen Farmington Sewage Disposal System. Planning for capital infrastructure projects will be uncertain. Another consequence is a proposed increase to residents in water and sewer bills. LaFerriere suggested segregating the water and sewer operating budget from the capital budget in order to determine the true cost impact of the increased water bills from the county.

REPORTS – COUNCIL

Members of Council individually commented on the serious and difficult decision to enter into a contract with the City of Birmingham to provide dispatch service for the Village. There was agreement that the policy decision made tonight would be beneficial to the citizens of Beverly Hills. There was due diligence taken before making this determination. It was a serious decision that will impact people's lives. It appears to be a financially sound choice that will provide quality service to the community. Concerns about having enough manpower for night-time fire protection were addressed by a proposal to hire another public safety officer.

Wilson was commended on his efforts to consolidate services and eliminate redundancies. Council appreciated the public's input into the outsourcing proposal.

Mooney thanked Kensington Community Church for hosting the Annual Easter Egg Hunt in Beverly Park last Saturday.

Briggs encouraged residents to become involved in the community and apply for a position on the Communications Committee. As library liaison, Briggs pointed out that Baldwin Library card holders can receive a free one-day pass to parks operated by the Department of Natural Resources.

Koss received a message today from a Homeland Security representative informing the Village that they will be working on Oakland County outdoor warning sirens throughout the month of April. After working on individual sirens, they will be tested for approximately 30 seconds.

Koss held up a photograph and announced that a Village resident lost their 10-week old puppy named Ginger. The puppy was last seen on Sunday in the area of Waltham and Wilshire. If anyone finds this puppy, they should call Dennis at 248/866-6660. There is a \$100 reward.

Koss thanked Council, Administration and the community for the collective effort to research and take action on the dispatch consolidation proposal. She appreciated the courtesy and assistance shown by Birmingham officials and looks forward to working with Birmingham.

Motion by Mooney, second by Oen, to adjourn the meeting at 9:40 p.m.

Motion passed (7 – 0).

Rosanne Koss
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary