

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, Torongeau

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

State Representative Chuck Moss, chair of the House Appropriations Committee, talked about what is going on at the State Legislature. Legislation that directs more funding into Michigan public school classrooms by eliminating billions of dollars in employee retirement liabilities is headed to the governor's desk. In response to an inquiry, Moss said that the unintended consequence of legislation to amend the law related to fireworks will be addressed by Harold Haugh, who sponsored the Bill. Moss said that his preference would be to give some latitude to local laws.

Council members thanked Chuck Moss for attending meetings with regular reports from the Legislature.

Oakland County Commissioner Jim Nash introduced himself and announced that he is running for the office of Water Resources Commissioner. He remarked that he is aware of what is going on with the Water Resources Commissioner's office in this area. Nash affirmed that he will make sure that every community is treated fairly if he is elected, and he will approach problems as a region. He believes in leading through cooperation and collaboration. Council member Mooney thanked Jim Nash for addressing Council.

CONSENT AGENDA

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

- a. Consider approval of minutes of a regular Council meeting held August 21, 2012.
- b. Review and file bills recapped as of Monday, August 27, 2012.
- c. Review and consider 2013 Council meeting dates.

Motion passed.

BUSINESS AGENDA

REVIEW AND CONSIDER ANNUAL FUNDING REQUEST AND CONTRACT FROM BIRMINGHAM YOUTH ASSISTANCE FOR FY 2012/2013

Birmingham Youth Assistance has contacted the Village with a funding request in the amount of \$5,434 for the 2012/13 fiscal year. BYA provides services and support to families and youth in the Village and the Birmingham School District focusing on preventing and reducing juvenile delinquency, child neglect and abuse through citizen, school, court and municipal involvement. Birmingham Youth Assistance acts as a community service and provides a function that Beverly Hills does not staff on its own.

Motion by Burry, second by Oen. Be it resolved that the Council for the Village of Beverly Hills approve the funding request of Birmingham Youth Assistance in the amount of \$5,434 for the provision of youth and family services; further, that Administration be directed to sign the contract document providing for this continuing community service.

Youth Assistance Caseworker Nikki Keller announced that BYA is celebrating 50 years of supporting youth and families this year in the Birmingham area. She thanked the Village of Beverly Hills for its uninterrupted support that enables their organization to continue providing services. Keller currently works with 69 families, 20 of which are from Beverly Hills. She commented on the prevention aspect of the program and the idea of reaching kids at a younger age through volunteers and support from the municipalities, school district, and police departments.

Peggy Kerr, volunteer and vice president of BYA, talked about the family programs offered by the organization and youth recognition events in addition to the case work services.

Council members expressed their appreciation for outreach to the community and programs offered by Birmingham Youth Assistance.

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

REVIEW AND CONSIDER 2012 HALLOWEEN HOOT FUNDING

Janet Mooney of 19111 Devonshire, co-chair of the 17th Annual Halloween Hoot in Beverly Park, was present to request financial assistance from the Village for the event. She related that the Parks and Recreation Board has had preliminary discussions on the possibility of installing electricity in the park that would be fed from the existing park pavilion electrical service. Installation of electrical outlets in areas of the park would result in eliminating the expense of renting generators for events that occur in the park including the Halloween Hoot.

Mooney indicated that the improvement will not occur in time for this year's Halloween Hoot; the annual cost to rent the generator for the day is approximately \$1,600. For this reason and due to a decrease in donations this year, Mooney requested that Council increase funding for the Hoot from the budgeted \$2,500 to \$4,100 to include the cost of renting the generators.

Motion by Mooney, second by Oen, that Village Council approve an expenditure not to exceed \$4,100 for the 17th Annual Halloween Hoot that will take place in Beverly Park on Sunday, October 21, 2012. Funds for this expenditure are available in account #101-747-896, Community Action: Halloween Hoot Expenses.

John Mooney commented that the Halloween Hoot is one of the most popular community events in the Village and is attended by thousands of people annually. Council members talked about the huge number of people who enjoy this event that showcases our community.

There were inquiries and discussion on the proposal to construct additional electrical outlets in the park. There has been dialogue on the four separate project components associated with the improvement. The Parks and Recreation Board will be forwarding a recommendation to Council for consideration. The project would be funded through the park dedicated millage fund.

Wilson commented that the Halloween Hoot organizers have been successful in raising money for the event for many years due in no small part to the efforts of Pat Greening. This expenditure can be covered by the community action fund.

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

REVIEW AND CONSIDER AWARDING CONTRACT FOR STAFFORD PAVING SPECIAL ASSESSMENT DISTRICT

The Village opened bids for the Stafford Street SAD Paving Project on Tuesday, August 21, 2012. Six bids were received ranging from \$123,567.50 to \$164,818.50. The engineer's estimate for this project and the construction amount that the project assessment notice was based on was \$149,000.00. The low bidder, Nagle Paving Co., has a good reputation and has done work within the Village. They are presently working at Our Lady Queen of Martyrs on Pierce Road.

Considering that the bid for this project was under budget and the Special Assessment District process has shown a 51% or better approval by area residents, administration recommended that the Village accept the low bid of \$123,567.50 for the Stafford Street SAD Project and authorize the Village Manager to sign a contract with Nagle Paving Co. for this project.

Motion by Mooney, second by Oen, that the Village of Beverly Hills Council accept the low bid of \$123,567.50 for the Stafford Street Special Assessment District paving project and authorize the Village Manager to sign a contract with Nagle Paving Company for this work. Funds are available from the local street construction fund; 80% of the cost will be paid back to the Village through the Special Assessment District.

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

ANNOUNCEMENT OF TWO VACANCIES FOR ALTERNATE MEMBERS OF THE ZONING BOARD OF APPEALS

LaFerriere announced that two vacancies exist on the Zoning Board of Appeals for alternate members. Alternate members fill in when a full complement of the Zoning Board is not expected

to be in attendance at a meeting. They are also welcome to attend ZBA meetings when their attendance is not required. Both terms have an expiration date of June 30, 2015.

No applications were received following previous announcements regarding these vacancies. Applications are available on the Village website and at the municipal office. A subcommittee meeting will not be scheduled until applications are received. LaFerriere encouraged interested members of the community to apply for these positions.

PUBLIC COMMENTS

None

REPORTS – MANAGER

Manager Wilson stated that he received a report from the State Department of Treasury regarding payments to local municipalities from the Economic Vitality Incentive Program (EVIP). It included a 13-page breakdown of how the \$225 million available to Michigan communities would be apportioned.

The new EVIP effectively erased the statutory component of the unrestricted state revenue sharing program (constitutional per-capita payments were unaffected) and replaced it with an incentive program through which funding flows to cities, villages, and townships based on their ability to satisfy certain criteria. Broadly defined, the three criteria that must be met by local communities to receive a full complement of their allotted EVIP funding include accountability and transparency, consolidation of services, and employee compensation. A concern about the use of limited state budget dollars arises from the fact that some eligible locals may have already engaged in cooperative, collaborative and consolidation efforts to control costs.

Wilson related some of the amounts scheduled to be distributed to local governments to illustrate the inequities of the current program. It appears evident that Beverly Hills and other communities are subsidizing many of their neighboring communities through EVIP program funding. This is funding that provides for public safety, parks, roads and other vital community services. Although changing the criteria by which communities qualify for EVIP funding, the state is continuing to disburse these funds under the old revenue sharing methodology. Wilson could find no justification in the level of discrepancy in what is known as EVIP funding. He maintained that this was unfair and deserves attention from our legislature.

Wilson expressed his concerns to State representative Chuck Moss about this ongoing situation. The Michigan Municipal League is well aware of the circumstances. It is becoming difficult for Beverly Hills and other communities to continue to accept this level of apportionment. If Council is agreeable, Wilson proposed drafting a letter to the Village's current and future representatives and senators as well as Michigan's Lieutenant Governor and requesting an official response relative to the State's position on apportioning this \$225 million. Council had no objections. Comments and questions from Council on this topic were addressed by Wilson.

Recent sidewalk repairs along Southfield Road impacted ingress and egress to some of the Village's local businesses. Wilson thanked the businesses along the corridor for their cooperation.

The Michigan Municipal League Annual meeting will be held on Mackinac Island on October 3-5, 2012. Wilson asked members of Council to contact him if they are interested in attending and participating as a voting delegate.

Briggs referred to the Public Safety Director's recent activity report. He urged residents to be aware of fraudulent telephone and email correspondence.

REPORTS – COUNCIL

Burry announced that this month's meetings of the Joint Senior Services Committee will be held on September 13 and 27. The public is welcome to attend. The Committee will be working on drafting recommendations based on data collected.

Mercer thanked Greg Burry and Dorothy Pfeifer for representing Beverly Hills on the BASCC (Birmingham Area Seniors Coordinating Council) Board.

Oen reported that a subcommittee of the Planning Commission will be meeting in the Council chamber tomorrow, September 5, at 6 pm to discuss revisions to the Sign Ordinance. The Southfield Road corridor subcommittee continues to meet and work on the overlay district in preparation for the next public discussion. Oen commented on the upcoming anniversary of the September 11, 2001 terrorist attacks.

Mooney mentioned that Council took action tonight to fund the Birmingham Youth Assistance Committee, provide funding for the Halloween Hoot, and accept a bid for the paving of Stafford Road.

Briggs announced that the Communications Committee will meet on Thursday, September 6 at 7:30 pm in the Council chamber. They will review and discuss communications strategies for the Village.

Koss acknowledged everyone who participated with the Village office staff in supporting the participants of the Komen 3-Day for the Cure who walked by the municipal building on Friday, August 17. Koss commented on the large turnout for the Movie Night in the Park held on August 22; the Lorax was a great movie.

Koss reminded motorists to watch out for children going and coming home from school now that there is not as much daylight.

Motion by Mooney, second by Mercer, to adjourn the meeting at 8:30 pm

Motion passed.

Rosanne Koss
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary