

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.

#### **SWEAR IN NEW PUBLIC SAFETY OFFICER**

Public Safety Director Torongeau introduced Officer Kevin Kowalik, [who has](#) been a police officer since 2000 and a fire fighter since 2001 in the State of Michigan. Officer Kowalik served in the City of Grosse Pointe Woods as a public safety officer until 2003 and was hired by the City of Harper Woods as a police officer. Torongeau outlined Officer Kowalik's law enforcement background, capabilities, training, accomplishments and commendations. Because of Officer Kevin Kowalik's experience, qualifications and professional character, the Department is happy to welcome him as a Beverly Hills Public Safety Officer.

Chief Torongeau recognized PSO Tom Danielson in the audience. Officer Danielson was injured in the line of duty in early October. He received a resounding ovation from everyone present.

Clerk Ellen Marshall administered the oath of office to Kevin Kowalik, officially instating him as a Beverly Hills Public Safety Officer.

#### **COMMUNITY ANNOUNCEMENTS**

Southfield Township Clerk Sharon Tischler announced that tomorrow is election day with polls opening at 7:00 am and closing at 8:00 pm. Residents can receive timely election results on the Internet by going to [www.oakgov.com/clerkrod/elections/pages/default.aspx](http://www.oakgov.com/clerkrod/elections/pages/default.aspx). Tischler expressed the view that it was inappropriate that members of Council commented on various candidates at the October 16, 2012 Council meeting.

Janet Mooney, co-chair of the 17<sup>th</sup> Annual Halloween Hoot, reported that the event held on Sunday, October 21 in Beverly Park was a tremendous success and was attended by a record number of people. Mooney thanked the many volunteers who helped out throughout the day, the 16 groups who set up kiosks along the park trail, residents who made private donations, and business owners who made donations towards the Halloween Hoot. The donations resulted in

breaking even with the cost of the event. Mooney thanked an extraordinary resident, Groves student Jason Gross, who was her official assistant this year.

Janet Mooney acknowledged and gave special thanks to resident Pat Greening, who came up with the idea for this hugely popular community event and has organized the Hoot throughout the years. We all owe Pat Greening a debt of gratitude.

### **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 October 16, 2012.

b. Review and file bills recapped as of Monday, October 22, 2012.

c. Review and file bills recapped as of Monday, November 5, 2012 .

Motion passed.

### **BUSINESS AGENDA**

#### **REVIEW AND CONSIDER VEHICLE PURCHASES FOR THE DEPARTMENT OF PUBLIC SAFETY**

Torongeau outlined a proposal for the purchase of three new 2013 Chevrolet Tahoe police package SUVs. He commented on the amount of gear that is carried in public safety vehicles; a truck inventory list of required equipment was included in the Council packet. Torongeau added that the trucks should also be supplied with a fire ax and halogen pry bar that can be used to get into a car or house quickly. He proposed that the Tahoe vehicle was the way to proceed in terms of accommodating public safety equipment as well as having good resale value.

The 2012/13 Budget contains funding for the purchase of patrol vehicles to replace vehicles with over 70,000 miles. There are currently two 2009 Ford Crown Victoria sedans in the marked fleet, with over 80,000 miles, a Chevy Tahoe with 96,000 miles and a totaled 2008 Dodge Charger; The two remaining patrol vehicles have 31,234 and 63,452 miles on them. The two higher mileage Crown Victorias and the totaled Dodge Charger will be removed from the fleet; the high mileage Tahoe will remain in fleet. Department staff has selected special use 4x4 SUVs to replace the patrol vehicles being removed from service based on their good experience with the current Tahoe.

Berger Chevrolet of Grand Rapids, Michigan has been awarded the Oakland County Cooperative Bid for 2013 Chevrolet Tahoe police package SUVs. The new 2013 Tahoe 4WD SUV, equipped per department specifications, is priced at \$29,875.85 each as noted on the bid form provided to Council.

Concurrent with this new vehicle purchase comes the transferring and purchasing of specialized equipment from the old to the new vehicle. The cost of outfitting these vehicles is \$5,000 per vehicle, which will be funded from the radio maintenance account, forfeiture account and insurance reimbursement.

It is standard procedure for the department to offer decommissioned fleet vehicles for public bid/sale. In the recent past, patrol and administrative vehicles retired from the fleet have been sold successfully by staff personnel via Ebay.com, which gained national interest and exposure. The resale prices obtained have exceeded prior trade-in allowances and represent the best revenue value to the Village. Resulting revenues are then deposited to the vehicle fleet account for future vehicle purchases.

Questions from Council on the vehicle inventory and the Tahoe purchase were addressed by Chief Torongeau, who affirmed that the Tahoe is comparable in price and is better equipped for police and fire function than a Chevrolet Caprice. The Tahoe has all-wheel drive.

Motion by Oen, second by Mooney, that the Village of Beverly Hills Council award the purchase of three (3) 2013 Chevrolet Tahoe 4WD patrol SUVs in the amount of \$89,627.55 to Berger Chevrolet of Grand Rapids, Michigan. Funds for this purchase are available in Account #205-900-979: (\$85,679.54) Capital Purchases and 265-333-750.00 (\$3,948.01) Drug Forfeiture Fund – Vehicle Purchases. Village Council further approves the expenditure of up to \$15,000 for vehicle changeover expenses, with the department's preferred vendors who have been selected by competitive bid process; funds are available in Acct. #101-345-852: (\$7,400.00) Radio Maintenance and 265-333-750.00:(\$7,600.00) Drug Forfeiture Fund.

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

### **REVIEW AND CONSIDER VILLAGE MANAGER'S CONTRACT**

Briggs reviewed that Council as a whole held a closed session following the regular Council meeting of October 16, 2012 to conduct the Village Manager's performance review. A closed session is permitted under the Open Meetings Act for a personnel evaluation if it is requested by that employee; Mr. Wilson asked that his performance review be held in closed session. Council reviewed the accomplishments of the Manager as well as his goals for the near term and longer term. The Manager's accomplishments and goals are available for public review on the Village website. It was the consensus of Council that Chris Wilson did an outstanding job over the last year.

The Personnel Committee of Council met following the closed session to review contract details with the Manager. Based on the recommendation of the Personnel Committee and a review of comparable salaries in neighboring communities of similar size, Council is offering a contract extension to Chris Wilson that will take effect on August 1, 2013. Briggs highlighted the content of the new contract, which will bring the Beverly Hills Manager's contract in line with other communities.

Motion by Briggs, second by Mooney, that the Village of Beverly Hills Council accept the recommendation of the Personnel Committee to approve the Beverly Hills Village Manager Employment Agreement effective August 1, 2013 through August 5, 2018 and to authorize the Council President to enter into the Agreement with Chris Wilson.

Koss clarified that, upon her signature on the Agreement, the 60 day termination clause will go into effect and the contract will be extended to 2018. Monetary contract changes will not take place until expiration of the prior contract on August 1, 2013. The contract will be open for review and revisions each year at the time of the Manager's annual review.

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

**REVIEW AND CONSIDER DEFICIT REDUCTION PLAN FOR PUBLIC SAFETY DEPARTMENT FUND**

Wilson reviewed that, as a result of the annual audit, Plante Moran prepared a Deficit Elimination Plan to be filed with the Michigan Department of Treasury. In accordance with Public Act 140 of 1971, a local unit of government ending its fiscal year in a deficit condition shall formulate and file a deficit elimination plan.

At the October 2, 2012 Council meeting, auditors from Plante Moran reported a fund deficit in the Public Safety Fund. This Fund (Fund 205 – Public Safety Fund) had an accumulated deficit of \$27,230.00. The deficit resulted from “Release and Severance Agreements” for the previous Public Safety Director and four Dispatchers plus vacation and sick pay due at separation. These agreements were paid in the 2012/2013 fiscal year but charged to the 2011/2012 fiscal year.

The Village has been informed that the State of Michigan changed its policy of recognizing “fund balance”. Instead of using the “net” fund balance, it uses “Unassigned Fund Balance”. The unassigned fund balance is a deficit of \$78,103.00. For this reason, Plante Moran has worked with Village Finance Director Wiszowaty to prepare a revised resolution for a deficit elimination plan. Martin Olejnik of Plante Moran was present to discuss the reasons for the revision and answer questions of Council.

Motion by Briggs, second by Mercer, that the Village of Beverly Hills Council adopt the following resolution and that the previous resolution adopted on October 2, 2012 establishing a Deficit Elimination Plan be hereby rescinded.

WHEREAS, the Village of Beverly Hills Public Safety Fund (Fund 205 – Public Safety Fund) has a deficit fund balance of \$78,103.00 as of June 30, 2012:

WHEREAS, Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by the local government and filed with the Michigan Department of Treasury:

NOW, THEREFORE, BE IT RESOLVED that the Village of Beverly Hills legislative body adopts the following as the Village of Beverly Hills Public Safety Fund Deficit Elimination Plan:

	2012-2013
Fund Balance (Deficit) @ July 1	(\$ 78,103.00)
Revenue	
Property Taxes	\$4,725,667.00
District Court Fines	\$ 100,000.00
Contribution F/Birmingham Schools	\$ 78,388.00
Other Revenue Items	\$ 80,200.00
Total Revenue	\$4,984,255.00
Expenditures	
Public Safety Department	\$4,658,179.00
School Liaison Officer	\$ 156,775.00
Capital Expenditures	\$ 121,492.00
Total Expenditures	\$4,936,446.00
Difference (Deficit) @June 30	(\$ 30,294.00)
Budget Stabilization (Included in Expenditures)	\$ 100,000.00
Fund Balance (Deficit) @ June 30, 2013	\$ 69,706.00

BE IT FURTHER RESOLVED that the Village of Beverly Hills Village Manager submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

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

**RECOGNITION OF ROSANNE KOSS FOR HER SERVICE TO THE VILLAGE**

The gavel was passed to President Pro-Tem Briggs for this agenda item. It was noted that this will be President Rosanne Koss’ last day as Village of Beverly Hills Council member.

Briggs moved to the lectern to read a Proclamation recognizing Rosanne Koss for her dedicated service to the residents of the Village as Council member and Council President for eight and a half years. Council voiced their unanimous support of the Proclamation. Briggs presented Ms. Koss with a plaque engraved with the Proclamation. Koss received a standing ovation from everyone present.

PROCLAMATION

**WHEREAS,** Rosanne Crowley Koss has served the Village of Beverly Hills since March 15, 2004 as a member of the Village Council; and

**WHEREAS,** Ms. Koss served as President Pro-Tem from November 6, 2007 to November 9, 2010 and Council President from November 9, 2010 to November 13, 2012; and

**WHEREAS,** Rosanne Koss has consistently provided the personal touch of her interest and concern for Village residents and fellow Council members; and

**WHEREAS,** Ms. Koss has demonstrated her strong sense of ethics and decorum in chairing over 50 Council meetings; and

**WHEREAS,** Rosanne Koss has worked tirelessly to maintain the services, safety, and integrity of our community in a fiscally responsible and transparent manner; and

**WHEREAS,** Ms. Koss has committed countless hours supporting community events at Beverly Park and throughout the community; and

**WHEREAS,** Rosanne Koss has consistently gone above and beyond the call of duty as a member of Village Council and Council President in service to the residents of the Village of Beverly Hills; and

**WHEREAS,** Ms. Koss will continue to diligently and effectively serve the Village of Beverly Hills having been elected to serve as a Trustee for the Township of Southfield,

**NOW, THEREFORE, BE IT RESOLVED,** that the Beverly Hills Village Council presents this proclamation to Rosanne Crowley Koss as a reminder of its sincere appreciation for her eight and a half years of dedication in serving the residents in the Village community.

There followed comments from the public and from Council members acknowledging their appreciation and praise for Rosanne Koss and their thanks for her dedication to the job and commitment to the community. Residents who came forward to pay tribute to Ms. Koss were Janet Mooney, former Council member Lee Peddie, Jacqueline Kelly, and Andrea Briggs. Council members related their personal experiences and recollections of serving with Rosanne Koss.

Common themes in the tributes paid to Ms. Koss were her empathy and understanding of residents' issues and her ability to listen to everyone; her integrity and truthfulness; and her strength and dedication to making tough decisions. As Council President, Rosanne has brought respect and a quiet civility to council proceedings. Rosanne Koss recognized the need for solutions as opposed to divisive behavior with the goal of operating the Village efficiently and effectively. During tough economic times, Rosanne worked tirelessly to help pass the millage to bring financial stability to Beverly Hills. Because of her strong leadership and the efforts of

Council, the Village is in the best financial shape it has been in for a long time without any significant increase in taxes.

Rosanne Koss believes that Beverly Hills is a wonderful place in which to live; it is her love of the Village that motivates her. She is an outstanding advocate for the Village of Beverly Hills and a role model for public service. Council members thanked Rosanne's daughter, Rachael Koss, for sharing her mom for all of these years. There was agreement that Beverly Hills is a fantastic community and continues to be so because of the efforts of our president, Rosanne Koss.

The gavel was passed back to President Koss.

Koss said that it has been an honor and a pleasure to serve this community. It is the people who make this such a great place in which to live and who make it easy for someone like her to work as hard as she does to give back to her community. Rosanne said that, while she would love to take credit for all of the accomplishments mentioned, she has worked with wonderful councils throughout the years. It has been a learning experience. Koss affirmed that the current Council has been the best council she has ever served with. All of the members have shown great support during difficult times and worked through challenges as a team. The Village has an outstanding administration. Without the Council and the administrative team and without the people, Beverly Hills would not be where it is today. She thanked everyone for their kind remarks.

#### **PUBLIC COMMENTS**

Cindy Trotta of 18415 Saxon informed residents that, if they vote a straight party ticket, they could also vote for a candidate from a different political party.

Andrea Gilles Briggs of 16207 Reedmere, candidate for Southfield Township Clerk, reminded everyone to vote tomorrow and asked for their vote.

#### **REPORTS – MANAGER**

Wilson reminded everyone that there will be a special meeting of the Village Council on Tuesday, November 13th at 7:00 pm for the purpose of swearing in newly elected members of the Village Council. In addition, Council will select a President and President Pro-Tem at that meeting. Judge Richards will be present to perform the swearing-in ceremony.

Village offices will be closed on Monday, November 12th in observance of Veteran's Day.

Wilson provided Council with an update on the status of the restoration work following the Stafford street paving. Due to inclement weather, some of the final restoration work will not occur until the spring. However, Council will need to set the assessment roll for the Special Assessment district by no later than the end of February to allow for these assessments to be placed on the tax bills for next summer.

Members of the Southfield Road Corridor Subcommittee along with the Planning Commission will be holding a public forum to discuss the Southfield Road overlay district on Wednesday, November 14 from 4:00 – 7:00 pm. The forum will be held at the former Border's location on

Southfield Road. There will be brief presentations throughout the session by members of the Planning Commission as well as planning consultants Brad Strader and Brian Borden of LSL Planning.

Wilson mentioned that there was another power failure at the Village municipal building on October 30 that caused the office to shut down. Power was restored midway through the day. This was the third time this year that the Village Hall had to be closed due to the lack of power. Once the power goes out, the phones and server do not function and staff is not able to perform their regular duties. The office lost a refrigerator and some lights during those outages. There is concern about the safety of the computers and cable control room equipment. Wilson suggested that Council consider directing administration to evaluate the possibility of securing a backup power source to protect village equipment and keep the municipal building open.

Wilson echoed all the comments made previously regarding the successes of Rosanne Koss' tenure as Council member and Council president. She is an amazing and unique person; she is selfless and tireless. Rosanne Koss is an example of what a public servant should be. Wilson thanked her for her service.

Briggs asked Administration to arrange for Birmingham police personnel to attend a Council meeting in January to report on the status of the joint dispatch operation.

Mercer suggested that the Village Manager should investigate the cost of a back up generator.

#### **REPORTS – COUNCIL**

Mercer thanked everyone in the community who came out for the Halloween Hoot. He congratulated Kevin Kowalik on joining the Beverly Public Safety Department and said that it was great to see PSO Tom Danielson, officer injured in the line of duty, present at the swearing in ceremony. Mercer asked everyone who is able to assist those affected by Hurricane Sandy. Veterans Day will take place Sunday, November 11 in remembrance of veterans who served in all the wars.

LaFerriere expressed his appreciation to the members of Council who appointed him to this council seat to replace Todd Stearn, who had resigned his position. He has felt the support of council and citizens of the community. LaFerriere hoped to return to Council as an elected official of the Village.

Oen welcomed new officer Kevin Kowalik and concurred that he is well qualified and a good fit for the Village of Beverly Hills.

Mooney acknowledged the founder of the Halloween Hoot, Patricia Greening. He recognized Janet Mooney, who did an enormous amount of work to make the Halloween Hoot happen this year. Mooney commended Eagle Scout candidate Eli Jensen, who has been collecting bicycles so that they can be rehabilitated and given to kids in need.

Mooney supported Council candidates Brian LaFerriere and Jacqueline Kelly to fill two Council seats at tomorrow's election. He expressed the view that it is time for a change in terms of electing a Southfield Township Clerk.

Briggs announced that the Communications Committee will meet on Thursday, November 8 at 7:30 pm in the Village offices. He reminded residents that they have an opportunity to see an outstanding musical, Barnum, at Groves High School on November 9, 10 and 11. Briggs reminded everyone to vote tomorrow.

Koss stated that she looked forward to the next four years serving the community in a different capacity as Southfield Township Trustee. This is her last meeting as Village Council member, and it has been an honor and pleasure to serve the people of this community.

Koss urged everyone to get out and vote tomorrow. She has the utmost faith in the Council that remains and would ask that residents vote for Brian LaFerriere, John Mooney and Jacqueline Kelly as our Council members. She supported Andrea Briggs for Southfield Township Clerk.

Motion by Mooney, second by Briggs, to adjourn the meeting at 9:05 pm.

Motion passed.

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

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

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