

Present: President Mercer; President Pro-Tem Briggs; Members: Kelly, LaFerriere, Mooney and Oen

Absent: Burry

Also Present: Manager, Wilson
Assistant Manager/Clerk, Marshall
Public Safety Director, Torongeau
Village Attorney, Ryan

President Mercer 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. 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.

SPECIAL ORDER OF BUSINESS – SWEAR IN NEW PUBLIC SAFETY OFFICER

President Mercer welcomed Officer Doyle Cleland as a new member of the Public Safety Department. Officer Cleland grew up in Port Huron and served three years of active duty in the Army after high school. Mercer outlined Officer Cleland's education, degrees, and law enforcement and fire training. He was a Detroit Police Officer for 14 years and is currently an active member of the International Guard. Officer Cleland was present with his wife Rene and two children Mason and Sophie.

Clerk Ellen Marshall administered the oath of office to Doyle Cleland, officially instating him as a Beverly Hills Public Safety Officer. He was welcomed and applauded by those present.

COMMUNITY ANNOUNCEMENTS

Scout Ethan Webster of 32906 Balmoral with Troop 1024 announced the successful completion of his Eagle Scout Project. His project was to fill in the erosion ditch on the south side of the sled hill in Beverly Park. They filled in the entire ditch and seeded it with grass. Webster reported that he spent \$269 out of the \$500 given to him by Council for project materials. He thanked Council for its support and financial contribution.

Mooney thanked Ethan Webster for undertaking this important project in the park. Mercer congratulated him on striving to be an Eagle Scout.

Southfield Township Clerk Sharon Tischler announced that absentee ballot applications for the upcoming November election are available on the Village and Township website. Residents can also call the Township office and request that an application be mailed to them.

Tischler mentioned that there is a vacancy on Council based on candidate petition filing. The deadline for filing a declaration of intent to run as a write-in candidate is October 24.

CONSENT AGENDA

Motion by Mooney, second by Oen, to approve the consent agenda as follows:

- a. Consider approval of minutes of a regular Council meeting held August 19, 2014.
- b. Review and file bills recapped as of Monday, August 25, 2014.

BUSINESS AGENDA

REVIEW AND CONSIDER 2014 HALLOWEEN HOOT FUNDING

Motion by Mooney, second by Oen, that the Village Council approve an expenditure not to exceed \$4,500 for the 19th Annual Halloween Hoot that will take place in Beverly Park on Sunday, October 26, 2014. Funds for this expenditure are available in account #101-747-896, Community Action: Halloween Hoot Expenses.

Oen invited residents to attend the annual Halloween Hoot, a fun community event. He thanked the volunteers who have worked on the Hoot and gave special thanks to Pat Greening for organizing this event for the last 19 years.

Patricia Greening and Janet Mooney expressed their appreciation to Council for its financial support and assistance at the Halloween Hoot over the years. Janet Mooney emphasized that residents interested in helping with the event should call the Village office at 248-646-6404 and ask for Ellen Marshall. She mentioned that the 2014 Village calendar was incorrectly printed with the wrong date for the Hoot. It should be noted that the date of the Halloween Hoot is Sunday, October 26.

Roll Call Vote:

Motion passed (6 – 0).

REVIEW AND CONSIDER SUBCOMMITTEE’S RECOMMENDATION TO FILL AN ALTERNATE VACANCY ON THE ZONING BOARD

LaFerriere stated that a subcommittee of Council met this evening at 7:15 pm to review an application from Mr. Chris Crossen to fill an alternate vacancy on the Zoning Board of Appeals. It is the recommendation of the subcommittee to appoint Mr. Crossen as an alternate member of the Zoning Board for a term to expire on June 30, 2015.

Motion by LaFerriere, second by Oen, to appoint Chris Crossen as an alternate member of the Zoning Board of Appeals for a term to expire on June 30, 2015.

Motion passed (6 – 0).

SECOND READING OF ORDINANCE #352 ADDING CHAPTER 30 TO THE VILLAGE MUNICIPAL CODE TITLED SURFACE WATER DRAINAGE

Attorney Tom Ryan proceeded with the second reading of an ordinance to add a chapter in the Village Municipal Code to control surface water drainage in the Village of Beverly Hills. The purpose of this Chapter is to provide for the health, safety, and general welfare of the citizens of the Village of Beverly Hills and protect all water bodies within the Village and the Great Lakes through the regulation of illicit discharges to the municipal separate storm sewer system as

required by federal and state law. This Chapter establishes methods of controlling the discharge of pollutants into the Municipal separate storm sewer system owned or operated by the Village of Beverly Hills in order to comply with the requirements of the Clean Water Act and State of Michigan National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System (MS4) Permit program. The objectives of this Chapter are: (a) to regulate the contribution of pollutants to the municipal separate storm sewer system associated with discharges from any user of the municipal separate storm sewer system. (b) To prohibit illicit connections and discharges to the municipal separate storm sewer system. (c) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this Chapter.

Ryan outlined each of the sections of the Ordinance. He indicated that Beverly Hills, through its consulting engineers Hubbell, Roth & Clark and in conjunction with the Village's NPDES permit, are obligated to have a system in place by December 31, 2014 to deal with storm water discharge.

Motion by Mooney, second by Oen, that the Village of Beverly Hills Council adopt Ordinance No. 352, An Ordinance to Establish Chapter 30, Surface Water Drainage, as part of the Village Municipal Code.

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

Ordinance No. 352 is available for public review in its entirety at the Village offices.

REVIEW AND CONSIDER PROPOSAL FOR DESIGN AND PRINTING 2015 VILLAGE CALENDAR

Motion by Mooney, second by Oen, that the Village of Beverly Hills Council award the contract for printing the Village of Beverly Hills 2015 Calendar to Compton Press in the amount of \$4,755.00. Funds for this project are available in account #101-747-881.

Competitive bids were solicited by the Village for designing and printing the 2015 informational calendar. Mooney noted that the proposal submitted by Compton Press was less than the cost of the calendar work undertaken in 2012 and in 2013.

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

REVIEW AND CONSIDER RESOLUTION FOR MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM (MERS) APPLICATION FOR ADDITIONAL CREDITED SERVICE FOR CHAD TRUSSLER

Public Safety Officer, Chad Trussler, has made inquiries to the Municipal Employees' Retirement System regarding the purchase of additional service credit. PSO Trussler is a vested member of the Public Safety Department with over 13 years of service. MERS has run a calculation for the purchase of four years of service credit. Five years is the maximum amount of service credit that can be purchased. The purchase price of \$76,878 is the full responsibility of

PSO Trussler. Village Administration has reviewed this option with PSO Trussler and is confident that he is aware of the regulations and ramifications of this purchase.

Motion by Oen, second by Mooney, that the Village of Beverly Hills Council resolves to approve the Application of PSO Chad Trussler to purchase additional credited service as provided by the MERS Plan Document and in accordance with Village of Beverly Hills policy.

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

REVIEW AND CONSIDER PROPOSAL FROM ABEL ELECTRONICS FOR THE PURCHASE OF REPLACEMENT CAMERAS FOR THE PUBLIC SAFETY BUILDING

The Public Safety Department is requesting to replace failing analog building cameras with digital cameras as well as the addition of exterior cameras. Chief Torongeau outlined the scope of the project. The project was quoted by Abel Electronics in St. Clair Shores using GSA pricing, a government contract vehicle with pre-negotiated pricing, terms and conditions. Funds were budgeted for this expenditure.

Motion by Oen, second by Mooney, that the Village Council approve the purchase of digital building cameras and exterior cameras for the Beverly Hill Public Safety building. Funds for this project are available in Capital Public Safety Site Improvements Acct. #205-900-977.00 in the amount of \$22,500.00; the remaining \$818.97 will be paid for out of forfeiture funds from Acct. #265-333-750.00. The total project cost including all installation and parts is \$23,318.97.

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

PUBLIC COMMENTS

Southfield Township Clerk Sharon Tischler questioned the status of the Eryty Dam. Clerk Tischler requested Council to consider rescheduling the regular Tuesday, November 4 Council meeting date to Monday, November 3 due to the election. Tischler will be setting up an Absent Voters Counting Board for the November election. She would like to use the Beverly Hills Council chamber for that activity because it is a convenient location.

REPORTS – MANAGER

FY 2013-14 Audit – Auditors from Plante Moran were on site last week performing field work for the FY 2013-14 Audit. The audit seems to be progressing well, and it is anticipated that the audit presentation will be delivered to the Council on the first or second meeting of October.

Leaf Collection – Village Administration has been working with Brilar, LLC on a leaf collection schedule for the fall. The schedule that has been agreed to will divide collection east and west in the Village with Evergreen being the dividing line. Leaves will be collected in each area once every two weeks. The areas east of Evergreen will be collected during the weeks of October 20, November 3, November 17 and December 1. Areas west of Evergreen will be collected October

27, November 10, November 24 and December 8. This will provide four collections for all homes in the Village. The Village will start a little earlier than other communities this year depending on the weather.

Residents should have their leaves at the edge of the road by Monday of the scheduled collection week to ensure that they are collected. Residents may also place leaves and yard waste in yard waste bags or cans with stickers for collection on their regular trash day. Leaves placed at the road for collection should be free of sticks, stones or any debris. Residents should not park on leaf piles and should not obstruct the collection of leaves with vehicles. This information will be going out to all residents in the Fall newsletter and will be provided via govdelivery, Facebook, and the Beverly Hills website.

Water and Sewer Fund – Preliminary analysis of the Water and Sewer Fund for the FYE June 30, 2014 was not positive. The Village did not sell as much water as anticipated during this year; sales projections were short by about 13%. As residential sewer bills are driven by water sales and sewer charges are higher by volume than water charges, the 13% drop in sales led to a more significant decline in revenues. The Village of Beverly Hills was not the only community to experience declines in water sales. SOCWA as an organization also saw a significant decline in water sales and revenue. This decline is due overwhelmingly to cool and wet conditions during the summer months, driving down sprinkling and water use.

The summer of 2013 was a relatively cool and wet summer. Unfortunately, this phenomenon has continued in the summer of 2014. Wilson affirmed that past changes in sewer billing methodology are exacerbating this problem. Previously, when municipal sewer bills were based upon water consumption and water sales were down due to cool and wet conditions, sewer bills were accordingly low. Now, in the same situation, municipal water and sewer revenues will be down but sewer charges will be high. Similarly, when water sales are high due to hot and dry conditions, municipal sewer bills will be low. This is creating a type of “boom or bust” pattern in municipal water and sewer finances. This phenomenon is particularly acute in combined or partially combined communities like the Village.

Wilson stated that the new Board of Directors for the DWSD has been working on a process of rate simplification that might eliminate some of these issues by establishing fixed percentages for all wholesale customers of total DWSD flows and by billing a fixed percentage of DWSD costs. Also, as part of the Village’s SAW Grant award, Beverly Hills is currently undergoing a rate analysis that will study usage and costs over time and make rate recommendations based upon those findings.

Wilson talked about trends responsible for the decline in water sales including a demographic decrease in average household size and water usage. Another interesting trend is a federal government drive to encourage energy efficient appliances that use less water. Wilson related that the Village will be spending reserves for last year’s and the current year’s water and sewer charges. Village water rates are set; Council may have to reevaluate capital projects based on available revenue. Wilson is bringing this to Council’s attention before budget deliberations. Plante & Moran will address the Water and Sewer Fund during their audit report presentation.

Wilson mentioned that school has started. He asked everyone to look out for school buses and school crossings.

In response to an inquiry from LaFerriere, Wilson stated that \$600,000 will be used from reserve funds to pay for water and sewer costs last year; the Village will likely come out negative for this year as well. Wilson does not think a mid-year rate increase would be in order; but the Village will be looking at another water and sewer rate increase for next year.

At Mercer's request, Wilson provided background and current information on the Sewer Rate Simplification System that will be implemented by the new Board of Directors for the Detroit Water and Sewerage Department. The revised system will take some volatility based on volume out of the methodology.

Mooney talked about the importance of providing residents with good communication prior to the initiation of the new leaf collection program. He suggested that the Fall edition of the Villager newsletter focus on educating residents about the leaf collection procedures in some detail. Wilson suggested a direct mailing to everyone's house.

Mooney requested that the Village Manager and Finance Director consider preparing a comprehensive report outlining Water and Sewer Fund issues. The document should include what has occurred and what is anticipated. New members of Council following the November election will need to be brought up to speed.

REPORTS – COUNCIL

Mooney and other Council members congratulated Andrea and Walter Briggs on their 30th wedding anniversary. Members welcomed new Public Safety Officer Doyle Cleland.

Motion by Mooney, second by Oen, to adjourn the meeting at 8:33 p.m.

Motion passed.

Tim Mercer
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary