

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

Absent: Oen

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

President Mercer called the regular Council meeting to order at 7:32 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

County Commissioner Bill Dwyer was present to update Council on County matters. He distributed copies of the 2013-2014 Annual Report for Oakland County. The County has a balanced budget for the next three years and one of the lowest tax rates in the State. The report includes an article about public service announcements featuring Diana Lewis on the topic of curbing gun violence. Because June is National Safety Month, the Oakland County Board of Commissioners in partnership with the Oakland County Sheriff's Department and local law enforcement will be hosting a Gun Awareness Day event on Friday, June 6 at the County.

Dwyer reported that the County Commission has authorized SMART (Suburban Mobility Authority for Regional Transportation) to place a millage ballot question on the August 6, 2014 primary. SMART is proposing a renewal of 0.59 mills plus an increase of 0.41 mills for a total of 1.0 mill for the public transit operator serving suburban Greater Detroit. Dwyer provided information on this issue while noting that the County is not taking a position on the millage question.

Bankruptcy Judge Steven Rhodes has appointed mediators to help negotiate issues related to the Detroit Water & Sewerage Department with the Southeastern Oakland County Water Authority, Oakland County, Wayne County and Macomb County. The opportunity remains for the creation of a regional water authority.

Dwyer outlined a plan presented by the Oakland County Road Commission last week for repairing potholes and gravel roads. He commented on how the County budget was exceeded for winter maintenance this year. It is up to the Governor and State Legislature to allocate budget increases for road projects. Questions from Council were addressed by Dwyer.

PUBLIC HEARING TO REVIEW 2013 ASSESSMENT ROLLS FOR DUST CONTROL AND OTHER MISCELLANEOUS ASSESSMENTS

A public hearing is required to review and confirm unpaid assessments and billings that need to be added to the tax roll in the categories of dust control and other miscellaneous assessments. President Mercer opened the public hearing at 7:44 p.m. on the 2013 Assessment Rolls for dust control and other miscellaneous assessments. These are charges to residents for services that have already been incurred by the Village. There are 198 properties incurring special assessments in the amount of \$77,823.98.

No one wished to be heard; the public hearing was closed at 7:44 p.m.

CONSENT AGENDA

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

- a. Consider approval of minutes of a regular Council meeting held April 15, 2014.
- b. Review and file bills recapped as of Monday, April 21, 2014.
- c. Review and file bills recapped as of Monday, May 5, 2014.
- d. Review and confirm 2013 Assessment Rolls for dust control and other miscellaneous assessments.

BUSINESS AGENDA

PUBLIC HEARING TO RECEIVE COMMENTS ON A REQUEST FROM DETROIT COUNTRY DAY SCHOOL, 22305 W. 13 MILE ROAD FOR SPECIAL USE APPROVAL AND SITE PLAN APPROVAL FOR A BUILDING ADDITION TO ACCOMMODATE EXISTING MECHANICAL AND FACILITIES OPERATIONS AT THE UPPER SCHOOL

President Mercer opened the public hearing at 7:46 p.m. to receive comments on a request from Detroit Country Day School for Special Use Approval and Site Plan Approval for a building addition to accommodate existing mechanical and facilities operations at the Upper School. No one wished to be heard; therefore, the public hearing was closed at 7:46 p.m.

REVIEW AND CONSIDER REQUEST FROM DETROIT COUNTRY DAY SCHOOL, 22305 W. 13 MILE ROAD, FOR SPECIAL USE APPROVAL AND SITE PLAN APPROVAL FOR A BUILDING ADDITION TO ACCOMMODATE EXISTING MECHANICAL EQUIPMENT AND FACILITIES OPERATIONS AT THE UPPER SCHOOL

Mercer asked that representatives from Detroit Country Day School present a brief presentation of their proposed building addition for the benefit of Council and the audience.

Sam Ashley with Cunningham-Limp Construction Company was present on behalf of Detroit Country Day School. Headmaster Glen Shilling was also in attendance. Ashley related that the project was a result of doing a facilities assessment of existing buildings, mechanical and electrical infrastructure, and function of existing portions of the building. The evaluation demonstrated a need to replace specific mechanical infrastructure with more efficient systems and to segregate shipping and receiving space from student space. The other portion of the project involves a multi-use area to accommodate existing functions that take place adjacent to the performing arts center.

Ashley displayed a site plan drawing showing existing structures, the proposed construction areas as well as future project areas. The overall footprint of the addition will be 4,900 square feet on the north side of the Upper School building. The building façade will match all the existing building material. Ashley noted that about 10 existing trees in the construction area will be either moved or replaced. A traffic study was submitted as part of the proposal. More parking is available than required.

Ashley outlined concerns that were expressed by the Planning Commission and addressed by Cunningham-Limp. Revised drawings were submitted to the Commission clarifying outstanding issues to the satisfaction of the members and planning consultant. Questions from Council were addressed by Ashley.

Motion by Briggs, second by Burry, that the Village of Beverly Hills Council approve the Detroit Country Day School Site Plan for a building addition to accommodate existing mechanical equipment and facilities at the Upper School as submitted.

Planning Commission chairperson George Ostrowski related that Planning Commission and planning consultant conducted a comprehensive review of the proposal from Detroit Country Day School for a building addition at the Upper School. He mentioned that the Village does not have a Woodlands Ordinance; however, the School proposes to replace trees that will be removed as part of this project.

Roll Call Vote:

Burry	- yes
Kelly	- yes
LaFerriere	- yes
Mercer	- yes
Mooney	- no
Briggs	- yes

Motion passed (5 – 1).

Motion by Briggs, second by Burry, that the Village of Beverly Hills Council approve the special use application from Detroit Country Day School for a building addition to accommodate upgrades to existing mechanical equipment and facilities operations at the Upper School.

Roll Call Vote:

Kelly	- yes
LaFerriere	- yes
Mercer	- yes
Mooney	- no
Briggs	- yes
Burry	- yes

Motion passed (5 – 1).

PUBLIC HEARING ON PROPOSED 2014/2015 BUDGETS FOR GENERAL FUND, MAJOR & LOCAL ROADS, WATER & SEWER OPERATING AND OTHER SPECIAL REVENUE FUNDS

Finance Director Wiszowaty narrated a PowerPoint presentation providing background information on Village finances and the proposed two-year budget prior to hearing public comments on the 2014/2015 budget for General Fund, Major & Local Roads, Water & Sewer Operating and Other Special Revenue Funds. Wiszowaty reviewed that, in November of 2010, the electorate passed a ten-year millage in the amount of 12.9184 mills. This millage was split between the Public Safety Fund at 9.9000 mills, the General Fund at 2.1000 mills, and the Library Fund at 0.9184 mills.

The anticipated General Fund Revenue is \$2,783,179 and expenditures are estimated at \$2,734,833; there is a projected surplus of \$48,346. The beginning fund balance as of July 1, 2014 will be \$1,540,015; the anticipated ending fund balance will be \$1,588,361. The fund balance is projected to be 58.08% of General Fund expenditures. It was clarified that adding projected surplus from the General Fund and Public Safety would compute to about 27.16% of General Fund, Public Safety, and Library expenditures at 6/30/2015. The Village has been attempting to work on budget stabilization in order to prepare for future downturns.

The General Fund budget will fully fund all OPEB (Other Post Employment Benefits) and pension costs, both current and accrued. The Village will be making the required annual contribution set forth by the auditors. Wiszowaty related that pension costs went down this year due to the transfer of the Public Safety Department Pension Fund to the MERS (Municipal Employees' Retirement System) Pension Plan. The budget includes a transfer of \$300,000 from the General Fund millage for Road Construction on Local Streets. The amount of \$455,781 will be generated for the contract with Baldwin Public Library. This year's library millage is reduced to 0.9095 mills due to the millage reduction fraction. This is a result of the taxable value increasing above the 1.6% Consumer Price Index. The millage reduction factor will effect the Library and Public Safety by 0.9904 percent.

Wiszowaty stated that the garbage fee will be increased from \$100 to \$140, which includes curbside Leaf Pick-Up service. The budget includes increased funding to the BASCC senior center this year from \$5,000 to \$30,000 for advanced programming and senior services.

Wiszowaty referred to charts and graphs to talk about General Fund Revenue Sources and General Fund Expense allocations.

The Public Safety Fund revenues are anticipated at \$5,153,538 based on 9.8049 mills resulting from the millage reduction fraction. Expenditures are estimated at \$5,102,623 with an additional \$50,916 going toward the fund balance in addition to the \$75,000 allocated towards budget stabilization in an effort to accrue a fund balance for the Public Safety Fund. The estimated Fund Balance for Public Safety will be \$664,134. The budget fully funds all OPEB and Pension costs, both current and accrued on an annual basis. The budget includes \$90,000 toward the fire truck payment.

The majority of funding for the Public Safety Department comes from Village property taxes. The majority of expenditures are Department expenses with a small amount going towards capital purchases and the budget stabilization fund.

Major Street revenues and expenditures are \$444,699. Expenditures include routine maintenance costs of \$134,275; Traffic Services estimated at \$58,600; Winter Maintenance costs at \$75,000. The budget includes a transfer from the Major Road Fund of \$108,191 to Local Roads. The Fund Balance projected for June 30, 2015 is \$565,258, or 127% of annual expenditures.

Local Street Revenue and Expenditures equal \$618,713, providing \$213,713 for construction. The budget includes a transfer from the Major Road Fund of \$108,191 and from the General Fund of \$300,000. The total routine maintenance costs for Local Roads is budgeted at \$346,000. The Fund Balance at June 30, 2015 is anticipated to be \$123,743, or 29% of annual expenditures.

The Water & Sewer Fund anticipates revenues of \$4,694,737 and expenses of \$4,641,000, providing a surplus of \$53,737. The proposed budget includes a 5% increase in both water and sewer rates for the next fiscal year. The Estimated Fund Balance is \$1,310,573 (28.24%). Depreciation expenses will be in excess of \$500,000.

Wisowaty thanked Council for their time and input on reviewing the budget and Village staff for their cooperation.

President Mercer declared the public hearing open at 8:17 p.m. on the proposed 2014/2015 Fiscal Year Village of Beverly Hills Budget.

Sharon Tischler of 21415 Virmar Court expressed her opposition to the curbside leaf collection program in the Village. She understood that residents are already charged for leaf pick up and composting in the current garbage collection and disposal fee. Tischler maintained that the curbside collection fee will be a second charge for leaf pick up. She noted that property owners with ditches in front of their property will have difficulty raking leaves to the curb. In addition, some residents with larger lots already have lawn services that provide this service.

No one else wished to be heard. The public hearing was closed at 8:19 p.m.

REVIEW AND CONSIDER ADOPTION OF THE 20124/2015 FISCAL YEAR VILLAGE OF BEVERLY HILLS BUDGET

Motion by Burry, second by Mooney, to adopt the following Resolution:

**RESOLUTION
TO ADOPT THE 2014/2015 FISCAL YEAR
VILLAGE OF BEVERLY HILLS BUDGET**

The Village Council of Beverly Hills conducted a public hearing on the proposed 2014/2015 Fiscal Year Budget on May 6, 2014 and public comments have been heard and considered, therefore, be it resolved that the 2014/2015 Fiscal Year Budget for the General Fund, Public Safety Fund, Library Fund, Major Road Fund, Local Streets Fund, Drug Law Enforcement, Retiree Health Care, Vacation Reserve, Sick Leave and Water and Sewer Operating Fund in the following amounts be hereby adopted:

FUND NAME	REVENUES	APPROPRIATIONS
General Fund	\$2,783,179.00	\$2,734,833.00
Public Safety Fund	\$5,153,538.00	\$5,102,623.00
Library Fund	\$455,781.00	\$455,781.00
Major Road Fund	\$444,699.00	\$444,699.00
Local Streets Fund	\$618,713.00	\$618,713.00
Drug Law Enforcement	\$48,189.00	\$48,189.00
Retiree Health Care	\$1,351,550.00	\$673,324.00
Vacation Reserve	\$42,030.00	\$42,030.00
Sick Leave Reserve	\$24,936.00	\$24,936.00
Water & Sewer Operating	\$4,694,737.00	\$4,641,000.00

Mooney questioned the policy that resulted in a 5% increase of water and sewer charges. Wiszowaty responded that the increased charges are due to rate increases from SOCWA as well as volatility in sewer charges due to the new billing methodology from the Oakland County Water Resources Commissioner’s Office. In addition, water usage has decreased in the community. Mooney understood that the charges will represent pass through costs the Village is paying to receive water and for sewage disposal costs.

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

REVIEW AND CONSIDER APPROPRIATING FUNDS FOR THE 2014/2015 FISCAL YEAR VILLAGE OF BEVERLY HILLS BUDGET

Motion by LaFerriere, second by Mooney, to adopt the following Resolution:

**RESOLUTION
 TO APPROPRIATE FUNDS FOR THE 2014/2015
 BEVERLY HILLS BUDGET**

The Village Council of Beverly Hills has adopted its annual budget for its fiscal year beginning July 1, 2014 in accordance with State law and the Village Charter, and

The Village Council is also required to adopt an appropriations act to provide the authority to incur obligations and expend public funds.

THEREFORE, BE IT RESOLVED, that the adopted budget for the fiscal year beginning July 1, 2014 and ending June 30, 2015 shall establish the approved appropriation levels for the said fiscal year.

BE IT FURTHER RESOLVED that the Village Council does hereby authorize the Village Manager to execute transfers between appropriations provided that each transfer be approved by the Village Council prior to its execution.

BE IT FURTHER RESOLVED that the Village Council retains authority to amend the Village budget and this appropriations act at such times when deviations from the projected revenues and authorized expenditure levels become necessary and the amount of the deviations becomes known.

Roll Call Vote:
Motion passed (6 – 0)

REVIEW AND CONSIDER ADOPTION OF THE 2014/2015 VILLAGE OF BEVERLY HILLS MILLAGE RATE

Motion by Mooney, second by Briggs, to adopt the following Resolution:

**RESOLUTION
TO ADOPT THE 2014 VILLAGE OF BEVERLY HILLS BASE TAX RATE
PLUS ADDITIONAL MILLAGE TO RETIRE DEBT**

The Village Council on May 6, 2014 adopted the 2014/2015 Village Budget, and

The Village Council must adopt a millage rate to be spread on the Village tax roll for 2014, and

Public Act 5 of 1982 does not apply to levying for Debt Service, and

The proposed 12.5244 mils for operating purposes for the General Fund, Public Safety Fund and Library Fund do not exceed the 12.9184 mils maximum approved by the voters at the November 2, 2010 election.

THEREFORE, BE IT RESOLVED THAT the Village Council does hereby approve the total 2014 millage rate for the Village at 13.1744 mils and the 13.1744 millage rate is to be spread as follows:

General Fund	1.8100 mils
Public Safety Fund	9.8049 mils
Library Fund	0.9095 mils
CSO Debt	0.6500 mils
Total Millage Rate	13.1744 mils

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

REVIEW AND CONSIDER RESOLUTION TO ADOPT 2014/2015 RATE SCHEDULE FOR WATER CONSUMPTION AND SEWAGE DISPOSAL

Motion by Mooney, second by LaFerriere, to adopt a Resolution Establishing 2014-2015 Water and Sewer Rates as set forth in a document available for public review at the Village offices. These water and sewer rates will be effective with all bills mailed after July 1, 2014.

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

REVIEW AND CONSIDER RESOLUTION TO ADOPT 2014/2015 CHARGE FOR SERVICES FOR RUBBISH COLLECTION, DISPOSAL, AND LEAF PICK UP

Motion by Briggs, second by LaFerriere, to adopt the following Resolution:

**RESOLUTION
TO ADOPT THE 2014 VILLAGE OF BEVERLY HILLS CHARGES FOR
SERVICES FOR RUBBISH COLLECTION AND DISPOSAL**

The Village Council of Beverly Hills has adopted its annual budget for its fiscal year beginning July 1, 2014 in accordance with State law and the Village Charter, and

The Village Council has adopted an appropriations act to provide the authority to incur obligations and expend public funds.

THEREFORE, BE IT RESOLVED, that the adopted budget for the fiscal year beginning July 1, 2014 and ending June 30, 2015 shall establish a Charge for Services for Rubbish Collection and Disposal for Residential Customers for the said fiscal year.

BE IT FURTHER RESOLVED that the Village Council does hereby authorize the Village Manager to authorize the Village Treasurer to add an annual charge in the amount of \$140 to each residential 2014 tax bill for Rubbish Collection, Disposal, and Leaf Pick Up.

Mooney stated that he will be voting against the resolution at this time. The Village is already paying for leaf disposal with the collection and recycling of bagged leaves. A concern has been expressed about how residents with large lots will get their leaves to the curb or how people will rake leaves over their ditches to the curb. Mooney understood that there has been some community support for this service over the years, but he is not convinced that residents should be paying another \$30 per household for curbside leaf pick-up service. He would have preferred if the Village did a pilot program to determine whether the curbside collection was successful.

Other Council members spoke in favor of the leaf collection service based on the fact that surrounding communities use the service and it works well. A number of residents have asked for curbside collection over the years. It is a proven benefit to residents in municipalities surrounding the Village. It was suggested that the charge is reasonable and that public input on the service could be sought in a year from now.

Norman Rubin of 31020 Rivers Edge Court expressed the view that the communities that stack piles of leaves at the curb during the Fall look slovenly. This will not enhance the beauty of the Village. Rubin questioned whether there was a real demand for this service by residents.

Sharon Tischler of 21415 Virmar Court related that there are residents who are concerned that leaves piled at the curb would infringe on parking spaces in residential areas with limited parking.

Roll Call Vote:

Burry - yes
Kelly - yes

LaFerriere - yes
Mercer - yes
Mooney - no
Briggs - yes

Motion passed (5 – 1).

REVIEW AND CONSIDER RESOLUTION FOR MUNICIPAL EMPLOYEES’ RETIREMENT SYSTEM (MERS) APPLICATION FOR ADDITIONAL CREDITED SERVICE FOR NATE COOK

Public Safety Sergeant, Nate Cook, has made inquiries to the Municipal Employees’ Retirement System regarding the purchase of additional service credit. Sgt. Cook is a vested member of the Public Safety Department with over 14 years of service. MERS has run a calculation for the purchase of five years of service credit. Five years is the maximum amount of service credit that can be purchased. The purchase price of \$137,993 is the full responsibility of Sgt. Cook. Village Administration has reviewed this option with Sgt. Cook and is confident that he is aware of the regulations and ramifications of this purchase.

Motion by Mooney, second by LaFerriere, that the Village of Beverly Hills Council resolve to approve the Application of Sergeant Nate Cook 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).

PUBLIC COMMENTS

None

REPORTS – MANAGER

Mercer commented that the Manager Chris Wilson is not present this evening for the reason that his wife gave birth to a baby boy yesterday. Assistant Manager Marshall presented the update from Administration.

Marshall mentioned that members of Council received revised budget pages this evening for their budget books. She announced that compost is available in the municipal building parking lot for Village residents.

The annual River Rouge clean-up will be held on Saturday, May 17. Individuals interested in participating can contact Erin Wilks at the Village office or visit the Friends of the Rouge website at www.therouge.org.

REPORTS – COUNCIL

Each member of Council congratulated Chris Wilson and his family on their new addition, baby boy Elias.

Burry thanked Administration and Council on doing a fine job on the 2014-2015 Village budget and for applying economic efficiencies to the operation of local government. He thanked the citizens who passed a ten-year millage in November of 2010 that made it possible for the Village to preserve current services in terms of public safety and the library.

LaFerriere congratulated Wiszowaty for his work on the budget. He mentioned that Council met in open session on Tuesday, April 29 for review and discussion of the proposed budget. LaFerriere commented on a few budget items. LaFerriere observed that the pickleball lines have been painted on one of the tennis courts in Beverly Park for the enjoyment of residents interested in this activity.

Mooney recalled the massive effort in 2010 to pass the Charter Amendment ballot proposal. With its passage, Beverly Hills is on firm financial footing and allows the Village to address its OPEB liabilities. The Village is also able to bring a level of service to the community that rivals any community in the State of Michigan. Beverly Hills is one of the safest and most desirable places in which to live. Mooney thanked Manager Wilson, Finance Director and Village staff for doing a wonderful job on the 2014-2015 budget. He thanked the Council for being reasonable and fair-minded, and particularly thanked its leadership, Mr. Mercer and Mr. Briggs, for fostering this type of environment. Mooney related that he received notification this evening that the Baldwin Library building bond vote failed.

Mooney reminded everyone that the annual Beverly Park clean-up is scheduled for this Saturday, May 10 at 10:00 a.m. He thanked Janice Hausman for donating a new feature to the park. There is a Little Free Library located near the playground area. The structure houses free books for the community to borrow and return at their convenience.

Briggs remarked that the Birmingham residents did not pass the May 6 building bond for library renovation and expansion. He was sure that Baldwin Public Library Director Doug Koschik and the Library Board would be working on how best to make needed improvements to the library and undertake required infrastructure repairs. Briggs mentioned that the Communications Committee will meet in the Village municipal building this Thursday, May 8 at 7:30 p.m.

Mercer voiced his appreciation and dedication of Finance Director Wiszowaty for his work on the Village's budget this year and in past years. He also thanked Manager Wilson, Assistant Manager Marshall, Chief Torongeau and Village staff for their efforts on the budget. Mercer thanked residents who come forward to voice their comments and concerns. He acknowledged this Council for their dedication and for doing their due diligence in reviewing the budget.

Motion by Mooney, second by Burry, to adjourn the meeting at 9:08 p.m.
Motion passed.

Tim Mercer
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary