

Present: President Mercer; Members: Burry, Kelly, LaFerriere, Mooney and Oen

Absent: Briggs

Also Present: Manager, Wilson
Assistant Manager/Clerk, Marshall
Village Attorney, Ryan

President Mercer called the regular Council meeting to order at 7:33 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

ADDITIONS TO AGENDA/APPROVE AGENDA

Mooney asked that item ‘d’ on the consent agenda, “Review and Consider approval of proposal from Brilar for leaf collection services.” be moved to the business agenda as item ‘h’. There were no objections.

Motion by Mooney, second by Burry, to approve the agenda as amended.

Motion passed.

PROCLAMATION FOR RENEE CORTRIGHT

President Mercer invited Renee Cortright to approach the podium to receive a special proclamation in her honor. Ms. Cortright is the outgoing Executive Director of the Birmingham Area Seniors Coordinating Council. Mercer read the following proclamation:

Proclamation

Whereas, Renee Cortright began her service with the Birmingham Area Senior Coordinating Council (BASCC) in 2007 as Program & Event Manager and was promoted to Executive Director in 2010; and

Whereas, Renee Cortright’s dedication to area seniors continues by providing social and enrichment programs plus outreach services to support the Aging in Place of the senior demographic; and

Whereas, Renee Cortright, a graduate of the University of Minnesota, in 2013 completed requirements to become a certified Senior Director by the Michigan Association of Senior Centers, and

Whereas, Renee Cortright, in addition to her service at BASCC, serves as a Board Member of the Michigan Association of Senior Centers and, volunteers regularly for St. Dominic’s Outreach Center, Habitat for Humanity and local schools; and

Whereas, in addition to her years of service at BASCC, Ms. Cortright was the Marketing Manager for the Village North Retirement Community in St. Louis, Missouri and served as the Operations Manager for Helping Hands Emergency Shelter in Springfield, Illinois.

Now, Therefore, Be It Resolved, that the Village of Beverly Hills, Michigan congratulates Renee Cortright in recognition of her dedication to senior services and expresses its appreciation for her outstanding contributions to the communities of southeast Oakland County.

Be it Further Resolved, that the Village of Beverly Hills wishes Renee Cortright well in her new career at the Older Persons Commission and extends its best wishes to Ms. Cortright in all her future endeavors.

The audience applauded Ms. Cortright for a job well done and for her service to the community. Mercer acknowledged and thanked those present who worked with her. He also thanked Greg Burry for serving as Council Liaison to BASCC and for doing a great job of updating the Village on the organization.

Renee Cortright thanked the Village for the recognition and the proclamation. She was proud to have been part of BASCC for the last seven years. The mission and vision of the organization is important to this community and to surrounding communities. Cortright thanked the Village for its support of the Center and for the seniors in the community.

COMMUNITY ANNOUNCEMENTS

President Mercer introduced City of Southfield Councilman Jeremy Moss who was present to update Council and the public on items of interest to both communities. Councilman Moss will be running for State Representative from Michigan's 35th House District.

Moss recapped ongoing deliberations and progress being made by representatives of the City of Southfield, Lathrup Village, and Beverly Hills relative to the reconstruction of Southfield Road and creation of a boulevard from Mt. Vernon to 13 Mile Road. Beverly Hills is developing a plan for an extension of the boulevard north of 13 Mile Road. These three municipalities sit on a steering committee with the Road Commission for Oakland County and the Michigan Department of Transportation to develop a design and construction alternatives for the Southfield Road reconstruction. Moss outlined the current and future steps involved in accomplishing this project.

Moss also provide information on the future reconstruction of Evergreen Road from 8 Mile to 9 Mile and from 10 Mile to 11 Mile. This will impact Beverly Hills residents. Moss talked about the construction of a boulevard and turnabouts along this route. Another project that will impact Beverly Hills is reconstruction of Evergreen Road from 12 Mile to 13 Mile Road in 2016. The northern section of Evergreen Road is shared between Southfield and Beverly Hills.

Moss stated that he has been happy to serve as a local elected official; he will be running for the position of State Representative this year. Moss would like to be a voice for this community when it comes to State policy.

CONSENT AGENDA

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

- a. Consider approval of minutes of a special Council meeting held April 29, 2014.
- b. Consider approval of minutes of a regular Council meeting held May 6, 2014.
- c. Review and file bills recapped as of Monday, May 19, 2014.
- d. Refer rezoning request for 19600 W. 13 Mile Rd. to the Planning Commission for review and recommendation.
- e. Refer site plan request from Michigan Beer Growler, 32221 Southfield Road, to the Planning Commission for review and recommendation.

Motion passed.

BUSINESS AGENDA

REVIEW AND CONSIDER RESOLUTION AMENDING THE OAKLAND COUNTY SOLID WASTE PLAN

The Village has been informed of a proposal from Rizzo Services to construct a transfer station in the City of Pontiac in the area of 900 Baldwin Avenue. That site was part of the GM bankruptcy proceedings, and there can be no underground construction on that site. The City of Pontiac is supportive of the project. Per state law, the construction of this transfer station requires an amendment to the Solid Waste Management Plan for Oakland County. One of the requirements to amend a Solid Waste Management Plan is that two-thirds of all municipalities in the county must pass a resolution in support of the amendment.

The SOCRRA Board has reviewed the proposed plan by Rizzo and has passed a resolution in support of the project. To date, 22 other municipalities in Oakland County have passed resolutions in support of this project, including Southfield Township. Wilson stated that he has reviewed the proposed plan and the attached resolution and would recommend approval as submitted.

Resident Norman Rubin of 31020 Rivers Edge Court asked if this new transfer station would have any impact on the SOCRRA facility on Coolidge. Wilson responded that it would not.

Motion by LaFerriere, second by Oen, that the Village of Beverly Hills Council approve the resolution to amend the Solid Waste Management Plan for Oakland County to allow for the construction of a transfer station by Rizzo Services at 900 Baldwin Avenue in the City of Pontiac.

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

FIRST ANNOUNCEMENT OF VARIOUS BOARD/COMMITTEE VACANCIES

The following is a list of board members whose terms expire on June 30, 2014. All members have been notified of their term expiration, and those listed below wish to be considered for reappointment. The names in parenthesis are not seeking reappointment. These vacancies are open to the public as well as the currently seated member.

Cable Board

Alan Heyman
Maryanne Verdi Hus

Communications Committee

Vacancy (Edna Freier) expires 6/16
Vacancy (Greg MacKenzie)
Vacancy (Tricia Sloan)

Parks & Recreation

Cynthia Arvant
Patricia Greening
Phillip Schmitt

Planning Commission

Vincent Borowski
Nanci Freedman
David Jensen

Zoning Board

David Eifrid
Michele Tillman
Todd Schafer

With the exception of Edna Freier's term on the Communications Committee, all terms are for three years. This constitutes the first announcement of the vacancies with appointments scheduled to take place at the June 18th Council meeting. Deadline for applications is Friday, June 6, 2014.

REVIEW AND CONSIDER BIDS FOR FINANCIAL MANAGEMENT AND ACCOUNTING SOFTWARE

Wilson stated that Administration has been looking into the acquisition of a new financial management and utility billing software package. The Village has been using Fund Balance Software for most of its operations for approximately 20 years. Earlier this year, the Village submitted an RFP to nine software firms; a couple additional firms contacted the Village. Three bids were received by the Village prior to the March 28 deadline. Bids were received from Tyler Technologies, BS&A, and Utility Management Solutions.

The bids were reviewed by Village Administration with the assistance of Council member Briggs. They were considered based upon integration with existing systems, functionality, and cost. The Village desired a system that would streamline Village finance operations and allow for adequate segregation of duties with limited staff. The new system needs to allow for the timely production of reports, be compatible with existing utility billing infrastructure, and aid in the annual budget process. After review of the three proposals it is the recommendation of Village Administration to accept the proposal of BS&A. Their bid was the lowest cost proposal over the entire five-year period. More importantly, the software package provided by BS&A is the most functional and fully integrated with the current operations of the Village.

The Village has been using BS&A software in its Building Department for many years. With the recent transfer of many building department operations to the City of Royal Oak, the Village upgraded to the .net version of BS&A, the same version proposed in the current bid. Oakland County Equalization uses BS&A software for their tax records. BS&A is also utilized by many surrounding communities including the City of Bloomfield Hills. BS&A has completed over 140 conversions from Fund Balance software and is very familiar with this process. Council is in receipt of this proposal for its review as well as the pricing for proposals from Tyler Technologies and UMS.

The total cost for the purchase of the software, installation and conversion and training is \$99,035.00. Maintenance costs are included for the first year. Maintenance costs for years 2-5 average around \$12,000 annually. The Village has budgeted for ongoing maintenance costs sufficient to cover these expenses. Funds are budgeted for the current FY for the purchase of a new software package and a new server. The server was recently purchased for just over \$4,000. There are sufficient funds remaining to cover the software purchase and to cover the cost of installation and implementation. With additional un-budgeted revenues received by the Village this year, mostly from a rebate from the Birmingham Area Cable Board, it would be advantageous to the Village to pay for all associated costs this year even if much of the conversion and training will occur in the FY 2014-15. This will require a budget amendment prior to the end of the current fiscal year.

Wilson stated that it was his recommendation to accept this proposal. The installation and training will take place later in the year.

Motion by LaFerriere, second by Oen, that the Village of Beverly Hills Council accept the the proposal from BS&A for financial management and utility billing software in the amount of \$99,035.00. Funds for this purchase are available in fund 101.900.972.02.

Questions from Council were addressed by Wilson.

Roll Call Vote:

Motion passed (6 – 0).

REVIEW AND CONSIDER PROPOSAL FOR CROSS-CONNECTION INSPECTION SERVICES

Michigan Act 399 requires municipalities with public water systems to file a cross-connection monitoring report with the Michigan Department of Environmental Quality from a certified inspector. There are 103 cross-connections identified within the Village's water system. Council is in receipt of a proposal from Hydro Designs for a three year inspection program which entails approximately 30 inspections per year along with the processing and filing of all necessary reports to the MDEQ for the Village's water system. This results in a charge of approximately \$110 for each inspection including all associated paperwork.

Wilson recommended that the Village of Beverly Hills enter into a three year agreement with Hydro Designs for this service with funds coming from account #592-536-826.00.

Motion Oen, second by LaFerriere, that the Village of Beverly Hills enter into a three year Agreement with Hydro Designs for cross-connection inspection services at a total contract amount of \$9,900.00 and an annual fee of \$3,300.00. HDI will invoice in 36 equal amounts of \$275.00 per month. Funds will come from account #592-536-826.00.

Roll Call Vote:

Motion passed (6 – 0).

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 7 WATER SERVICE OF THE MUNICIPAL CODE

Mercer stated that adoption of the proposed ordinance would allow the Village to offer separate metering to residents for a sprinkling system or outside spigot. He asked Village Attorney Ryan to conduct the first reading of this ordinance.

Attorney Tom Ryan related that a number of residents have been advocates of separate metering for many years. Residents have one water meter in their home that covers their drinking water and the water that goes through the facilities to the sewer. This ordinance amendment and the next ordinance amending the sanitary sewer system chapter of the municipal code would allow a separate meter to be installed at the homeowner's expense, which would meter only water to be used for sprinkling systems, outdoor maintenance, and swimming pools. Installation of this meter would be done at the direction of the Department of Public Works.

The proposed ordinance would amend Chapter 7, Water Service of the Village Municipal Code. Section 7.01 **Definitions** includes a new definition entitled **Secondary Area Maintenance Water Meter**: A secondary area maintenance water meter is directed exclusively to a sprinkler system or outside spigot or connection such as, but not limited to, a swimming pool, which water would not

enter a sanitary sewer system and will not be applied to the calculation of the sewage disposal bill for the property.

Chapter 7, Section 7.05 Water Meters will be amended to add the following language:

Section 7.05 WATER METERS

v) Secondary Area Maintenance Water Meters. At the option and expense of a property owner, an additional water meter, referred to as a secondary area maintenance water meter, may be installed. The secondary area maintenance water meter shall allow for the metering of water that is directed exclusively to a sprinkler system or outside spigot or connection such as, but not limited to, a swimming pool, which water would not enter a sanitary sewer system and will not be applied to the calculation of the sewage disposal bill for the property. The installation, use and other provisions of village ordinances, which apply to a single water meter, shall also apply to the secondary area maintenance water meter. The property owner must comply with all department of public works requirements and pay all associated costs for the installation of a secondary area maintenance water meter.

LaFerriere questioned whether water and sewer rates would have to be restructured before adoption of an ordinance that allows separate metering so that the Village's overall collection of water revenue is balanced. Wilson responded that there are unknowns with respect to the impact of this ordinance in terms of how many people would take advantage of separate metering or how financially advantageous this would be after installation and maintenance costs of installing a second meter. Theoretically, there will be consumption taken out of overall water use. This use is seasonal and weather dependent. It was noted that water and sewer rates were increased this year.

Wilson stated that it is his understanding that separate metering would be available to residential customers and homeowner associations only. He questioned whether this should be clarified in the ordinance before the second reading.

LaFerriere expressed concern about adopting this ordinance on the basis that there has not been enough research in terms of the impact on water rates. Mercer suggested that an adjustment could be made in the water rates mid year if needed after gaining experience with separate metering. At the inquiry of Mercer, Wilson summarized how water and sewer costs are calculated. Council discussed the issues and concerns related to providing separate water meters. Wilson anticipated that separate metering will have an minimal overall impact on water rates. He affirmed that there will be a need for resident education on this matter.

FIRST READING OF AN ORDINANCE AMENDING CHAPTER 8 SANITARY SEWER SYSTEM OF THE MUNICIPAL CODE

Adoption of the proposed ordinance Amending Chapter 8 Sanitary Sewer System of the Municipal Code is the secondary component to the water service amendment that would allow the Village to offer separate metering to residents for a sprinkling system or outside spigot. Village Attorney Ryan conducted the first reading of this ordinance.

The proposed ordinance would amend Chapter 8, Sanitary Sewer System, Village Municipal Code. Section 8.01 Definitions includes a new definition for **Secondary Area Maintenance Water Meter**: A secondary area maintenance water meter is directed exclusively to a sprinkler system or outside spigot or connection such as, but not limited to, a swimming pool, which water would not

enter a sanitary sewer system and will not be applied to the calculation of the sewage disposal bill for the property.

Section 2.01 would be an amendment to Section 8.05(a) Consumption Charge to add the following language:

Section 8.05(a) Consumption Charge.

6. The sewage rate for the sewage disposal system shall not apply where water is separately metered and used for secondary area maintenance.

Attorney Ryan will have a discussion with Manager Wilson relative to adding language to stipulate that separate metering will be limited to residential use only.

REVIEW AND CONSIDER PURCHASE OF SECURITY CAMERAS FOR THE DEPARTMENT OF PUBLIC SAFETY

In the absence of Chief Torongeau, Wilson outlined the proposal for purchase of In Car Video System Replacement. Last September, the existing in car video systems in the patrol cars reached the end of their life as far as warranty and backup support. Changes were made to extend the use of the system on a temporary basis. At this point, the Department is in need of a new in car camera system.

Chief Torongeau and Captain Yanosy investigated the L3 mobile vision system with high definition cameras, which is an upgrade of the system currently being used. They also looked at Watch Guard in car video system. Public Safety Administration recommends going with the more responsive and proven company, which is L3 mobile vision at a cost of \$57,592.26.

Wilson stated that funds were budgeted for this expense during last year's budget process in Public Safety Department Capital Funds. The Village is also eligible for an RAP (Risk Avoidance Program) grant through the Village's insurance carrier once the new system is installed. The grant award would be in the amount of \$9,000.00. Council is in receipt of the quote from L3 Mobile-Vision. Wilson reviewed the bid and found it to be appropriate; adequate funds were budgeted for this purchase.

Motion by Oen, second by LaFerriere, that the Village of Beverly Hills Council authorize the Public Safety Department to purchase the L3 Mobile-Vision in-car video system at a cost of \$57,592.26. Funds are available in account #205-900-980 Capital Equipment PS Equipment. The Department will apply for a \$9,000 RAP Grant through the Village's insurance carrier once the new system is installed.

Attorney Tom Ryan stated that it is essential for a modern police department to use this in-car video equipment. The technology is essential for public safety and for the safety of police officers; it is recommended for addressing lawsuit issues.

Sharon Tischler of 21415 Virmar Court questioned the name of the vendor and whether there was a bid process through a state or county contract. She was informed that the vendor is L3 Mobile-Vision. Ryan affirmed that the process undertaken for this specialty equipment purchase was satisfactory.

Roll Call Vote:

Motion passed (6 – 0).

REVIEW AND CONSIDER APPROVAL OF PROPOSAL FROM BRILAR FOR LEAF COLLECTION SERVICES

The Village submitted an RFP for leaf collection to 10 bidders and received one bid from Brilar LLC in the amount of \$119,800. In the adoption of the most recent budget for FY 2014-15, the Village Council did approve a fee to cover the cost of this service as well as the expense for collection. Village Administration has reviewed the proposal and has met with Larry Yaffa of Brilar to discuss the leaf collection process.

Village Administration has also checked on references for Brilar and found them to be positive. Preliminarily, Brilar agreed to divide their weekly collection east and west across the Village using Evergreen as the divider, similar to how trash collection is currently split between Mondays and Tuesdays. The Village will be involved in an educational process with residents regarding the timing of the collection and the proper placement of leaves at the edge of roadways. Council is in receipt of the contract document from Brilar, LLC.

Mooney stated that he opposed this contract for leaf collection based on the reasons stated during budget discussions.

Norman Rubin of 31020 Rivers Edge Court expressed concern about the lack of public discussion of roadside leaf collection. He cannot find evidence of residents asking Council for curbside leaf collection in a public forum. Rubin stated that all Village residents will be paying for a service that only some residents may want. Residents are already paying for leaf collection as part of the compostable garbage collection fee. Rubin questioned the positive and negative experiences of communities that offer this service.

Bob Walsh of 20655 Smallwood Court also questioned whether there has been a citizen demand for curbside leaf collection. He thought that there were a lot of downsides to the idea. There are leaves sitting on the curb and on the street in communities that offer this service. Walsh mentioned that a number of Village lots have ditches. Leaves could clog drains and cause a problem. He suggested that the Village should conduct a survey and do additional research on the impact of curbside leaf collection. Council could reconsider offering this service after additional consideration.

Motion by LaFerriere, second by Mercer, that the Village of Beverly Hills Council approve and authorize the Village Manager to sign the agreement with Brilar, LLC for leaf collection services in the Village of Beverly Hills per the proposal of Brilar dated March 28, 2014 in an amount not to exceed \$119,800. Funds for the service are available in account 101.440.816.02.

Roll Call Vote:

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

Motion failed (3 – 3).

PUBLIC COMMENTS

Dorothy Pfeifer of 160 Charrington Court spoke in favor of the Village offering a separate water metering system. Pfeifer agreed with those who said that there has not been enough discussion on whether to contract for curbside leaf collection in Beverly Hills. This would be another service that she would pay for and not receive because her subdivision association provides landscaping services.

Florence Debono of 18674 West 13 Mile Road, who lives in Evergreen Commons, expressed problems within her condominium community in terms of the lack of management response to residents' complaints. She mentioned issues with outside maintenance, fence deterioration, restrictions on watering, and other items that should be covered by association fees. Debono has been suggesting that the condominium be operated by a management company, and asked Council for any assistance they could provide.

Mercer asked Ms. Debono to talk to Manager Wilson after the meeting about her options, noting that the Village may have little or no jurisdiction over condominium association issues.

Ed Pugh of 31602 East Bellvine Trail thanked Council for their presentation to Renee Cortright. She has done a fantastic job for BASCC. Pugh commented on the combined sewers in the Village. He does not think that a separate meter for sprinkling will have a major effect on water rates.

Norman Rubin of 31020 Rivers Edge Court suggested that Beverly Hills residents would be well served with an opportunity to make public comments at both the beginning of the agenda and at the end of the business agenda. He asked Council to consider returning to the former agenda format. Secondly, Rubin questioned why members of the public are not able to request that items be moved from the consent agenda to the business agenda.

REPORTS – MANAGER

DWSD Negotiations – Wilson provided Council with a copy of a motion filed by SOCWA General Manager Jeff McKeen and General Counsel Bob Davis in the City of Detroit bankruptcy proceedings to be heard relative to the future of the Detroit Water and Sewerage Department. To date, SOCWA is the only suburban customer representative to petition the court to be heard in this matter. Director McKeen believes that SOCWA does not have realistic viable alternatives other than continued reliance on the DWSD system for water and sewer services and that a regional authority governing this system is preferable to continued management solely by the City of Detroit or privatization.

Wilson remarked that the ongoing bankruptcy proceedings for the City of Detroit are incredibly complex with innumerable participants. However, he does not know of anything that will have a larger regional impact on SE Michigan as will the governance and operation of DWSD. Wilson did not think this issue has received an appropriate level of attention to date by either the ongoing bankruptcy proceedings or the State of Michigan. Wilson was supportive of Mr. McKeen and Mr. Davis in these efforts.

SOCWA is the largest single customer of Detroit. SOCWA's petition has been supported by the Western Township's Utilities Authority comprised of communities in western Wayne County and other individual customers of DWSD, including the City of Troy and West Bloomfield Township. All combined, the SOCWA communities and those communities supporting this petition represent over 20% of all DWSD water sales.

Health Care Coverage – On Monday, May 19th Village Administration met with representatives of the Public Safety unions and IBEX Insurance Agency to discuss upcoming changes to health care plans required by the Affordable Care Act. The Village's current policy is not going to be renewed at the renewal date of July 15, 2014. Wilson discussed the added complexities of PA 152. The Village was offered a new plan that most closely matched the former plan. This matter will also be impacting our coverage for existing retirees. The Village will be notifying retirees of these changes and will hold a public information session for the retirees. Wilson emphasized that these changes are not being instigated at the request of the Village.

Memorial Day Parade and Carnival – The annual Memorial Day Parade and Carnival will be held on Memorial Day, Monday May 26th. The parade will begin at 11:00, with the carnival from 12:00–3:00. Volunteers are needed. Interested residents can volunteer by contacting Janice Hausman at 248.647.1238 or hausmanhouse@gmail.com

Village Wide Garage Sale – The annual Village wide garage sale will be held on Friday – Sunday, May 30 – June 1st. Residents wishing to participate in the garage sale can register at the Village Office prior to the event for \$3. The registration fee includes two signs and inclusion on the Village sale list and map that will be distributed to shoppers.

Little Free Library – A Little Free Library has been placed in Beverly Park thanks to a generous donation from Resident and Parks and Recreation Board member Janice Hausman. Book donations are needed at this time, particularly children's books.

REPORTS – COUNCIL

Burry stated that Ann Harmon from Coldwell Banker Weir Manuel has indicated that the turnover of homes for sale in Beverly Hills is within two weeks time. It is a seller's market.

Burry commented on the questions and concerns from residents on the proposed curbside leaf collection and suggested that further investigation be conducted on this service. Burry acknowledged Renee Cortright for her service to the community. He stated that BASCC is moving forward to provide and improve services to the Village's senior population.

Council members congratulated Manager Wilson and his family on the birth of his son Elias.

Mooney thanked Councilman Jeremy Moss for being present and for his interest in both local and state politics. He was impressed with Mr. Moss' comments and looked forward to him serving as State Representative. Mooney thanked the former council members present in the audience including Bob Walsh, Sharon Tischler, Ed Pugh, and Dorothy Pfeifer. Mooney encouraged everyone to join in on the Memorial Day parade and carnival. There will be a Commemoration Ceremony at 1 p.m.

Mercer thanked past Council members for their attendance tonight. He reminded everyone about the Memorial Day Parade and Carnival. There will be a Commemoration Ceremony at 1 pm by the flag pole honoring military service members who have given the ultimate sacrifice for our country. He encouraged everyone to come out and gather around. Mercer thanked all of the Village residents who came out for the park clean up day.

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

Motion passed.

Tim Mercer
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary