

Present: President Mooney; President Pro-Tem Peddie; Members: Abboud, Delaney, Mueller, Nunez and Oen

Absent: None

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

President Mooney 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 led by Daniel Rodriguez, from Tecumseh, MI, and recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

Greg Burry, Pierce, President of Next, thanked the Parks and Recreation Board and the Village Council for their support and the use of Beverly Park for their annual Octoberfest. The event was attended by over 100 members and guests. He invited Council and residents to attend the Boomer Summit on October 14, 2017 at Seaholm High School.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

Dorothy Pfeifer, Charrington Court, loves the new recycling carts; they are easy to roll, balanced, and have great capacity. However, she expressed concern that not as many items can be recycled at the curb compared to the previous collection method.

CONSENT AGENDA

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

1. Review and consider approval of minutes of a regular Council meeting held September 5, 2017.
2. Review and file bills recapped as of Monday, September 18, 2017.
3. Review and consider funding annual 2017 Halloween Hoot.
4. Review and consider proposals for designing and printing the 2018 Village calendar.

Roll Call Vote:

Motion passed (7-0)

BUSINESS AGENDA

REVIEW AND CONSIDER ANNUAL FUNDING REQUEST AND CONTRACT FROM NEXT FOR FY 2017/2018 IN THE AMOUNT OF \$35,483.00

Delaney explained Next works to identify and meet the needs of older adults by coordinating community resources to provide educational, recreational and social programs; supportive

outreach services; and volunteer opportunities to seniors in the Village of Beverly Hills and the greater Birmingham School District community. The Village of Beverly Hills does not currently provide these opportunities on its own. The Village Council approved funding in the FY 2017/18 Budget for contract community action programs. Thirty five thousand four hundred and eighty three dollars (\$35,483) was allocated for Next. Next is requesting a contribution of \$35,483 to cover the funding of these important functions being provided to the community by the organization. A contract entailing the services they provide was provided for Council consideration.

Burry reported Next has seen a membership increase of 6%, and attendance at the Next facility is up 37.5%. Mooney thanked him and all the Next board members for their leadership and efforts in growing the Next community.

Motion by Delaney, second by Abboud, be it resolved that the Council for the Village of Beverly Hills approves the funding request from Next in the amount of \$35,483 for the provision of senior services, further that Administration is directed to sign the contract document providing for this continuing community service. Funds are available in account #101-747-891.

Roll Call Vote:
Motion passed (7-0)

REPORT FROM THE PUBLIC SAFETY DEPARTMENT REGARDING FIRE TRUCKS
Delaney explained Public Safety has identified and assessed the condition of the existing fire apparatus fleet. These efforts culminated in a comprehensive study done by Lieutenant Howard Shock and Fire Marshal, Robert Ginther, that included a survey of all current apparatus and a consultation with fire apparatus repair companies; Apollo and Halt Fire Equipment Repair. After assessing the apparatus, they assessed the needs of the community as it relates to fire suppression and rescue. A copy of this complete report is available at the Village of Beverly Hills Administration office for review.

The Village of Beverly Hills is approximately four square miles and has a population of approximately 10,000 residents. The Village has eight schools, six churches, over 100 commercial businesses, three parks, a five-story underground water retention/treatment facility, pumping station, high pressure natural gas pipeline, a three-mile commercial trucking route which carries standard cargo and hazardous materials, and a water tower which is part of the independent water system for William Beaumont Hospital. The Village has entered into an Automatic Aid Agreement with the City of Berkley and City of Huntington Woods. The Public Safety Department is part of the Oakland County Mutual Aid Box Alarm System (MABAS). This agreement is based on the size and type of incident. It enables the Public Safety Department to receive mutual aid from Oak Park, Berkley, Huntington Woods, Bloomfield Hills, Franklin/Bingham Farms, Clawson, Farmington Hills, Farmington City, Troy, Bloomfield Township, Southfield, and Royal Oak. It also requires the Public Safety Department to reciprocate mutual aid with these communities.

Historically, the Public Safety Department has been staffed with three fire engines; Engine 31, a reserve fire engine pumper, Engine 32, a frontline fire engine pumper and Ladder 34, a quint ladder truck. The department sold Engine 31 in 2014 and has not replaced it. In 2010, the Insurance Services Office (ISO) gave the Public Safety Department credit for this reserve pumper which improved their overall rating. The department is scheduled for another evaluation at the end of this year.

Shock explained in a recent needs assessment regarding providing fire protection and rescue response to the community, the main deficiencies that had been identified were the department's inability to provide adequate fire suppression to all areas of the Village, the age of its frontline engine pumper, and the lack of a reserve engine. More specifically, due to the gross vehicle weight of the frontline engine pumper and ladder truck, there are areas in the Village that are not readily accessible. These areas would require a significant commitment of manpower just to access. Areas they cannot readily access with our current equipment include: Douglas Evans Nature Preserve, Beverly Park, the Upper Rouge River, and wooded areas surrounding schools.

The current state of the frontline engine pumper is less than ideal. The 18 year old piece of equipment recently returned to Beverly Hills after an extended period of off-site maintenance. Apollo Fire Apparatus Repair Company completed an assessment of Engine 32 in June. It was taken out of service shortly after and sent out for several major repairs. This has impacted strategic fire suppression for the Village and mutual aid response. The Village was left with the protection of one piece of apparatus during this period. Repairs were authorized because building a replacement will take at least 12 months. Reserve Engine 31 has not been replaced causing a shortage of fire apparatus when trucks are taken out of service for routine maintenance or emergency repairs.

Ginther explained while the Ladder Truck is only six years old; well within its useful life cycle; and in good working order, relying on only one piece of equipment leaves the Public Safety Department vulnerable to a second simultaneous call for service. If additional equipment for a large-scale incident is not available or if the ladder truck were to have mechanical problems it leaves the Village virtually unprotected for fire suppression.

To present an objective systematic approach for replacement of apparatus, the American Public Works Association has developed a point system criterion, which says 28 points and above need immediate consideration for replacement. Utilizing this point system, Engine 32's total score was 32.

After careful consideration, the committee determined the Village needs two pieces of fire apparatus to replace Engine 31 and Engine 32. Engine 32 will need to be replaced by another similar type engine pumper. Engine 31 could be replaced with the purchase of a Mini-Pumper. The approximate cost of a mini-pumper is \$275,000 - \$325,000. The benefits of adding a Mini-Pumper would be significant starting with the cost of maintenance. The Village would have a reserve engine for fire and EMS response. The vehicle would be able to reach areas described above. The vehicle would hold 300 gallons of water and would be equipped with 1000 gallon per minute pump satisfying ISO requirements. It could be equipped to respond to the following calls for service and become a first response vehicle. The number of calls that the Mini-

Pumper/Engine would be able to respond to is just over 50% of our fire and EMS calls for service such as: Emergency Medical Response Lift Assist, Injury Traffic Accidents, Water Rescue, Vehicle Fires, Downed Wires, Trash and Dumpster Fires, Natural Gas and Odor Investigation, Brush and Grass Fires and Carbon Monoxide response.

The approximate cost of an engine like Engine 32 is \$550,000 - \$600,000. The benefits of replacing this engine would include a maintenance cost savings due to the vehicle being new in contrast to the department's current aging vehicle. The replacement engine would respond to approximately 40% of our fire and EMS calls for service such as: Residential Structure Fires, Trash and Dumpster Fires, Commercial Structure Fires, Water Rescue, Calls for Automatic and Mutual Aid, Downed Wires, Vehicle Fires, and Natural Gas and Odor Investigations.

Based upon the needs assessment and long-term vision of providing a high level of fire protection, rescue response, and EMS to both the residents and those visiting the Village, it is recommended by the committee to move forward and purchase an Engine/Pumper to replace Engine 32 and purchase a Mini-Pumper to replace Engine 31.

Motion by Delaney, second by Oen, be it resolved that the Council for the Village of Beverly Hills authorizes the Village Manager to arrange for the purchase of fire equipment including a Class A Pumper and a Mini-Pumper, as outlined in the memorandum addressed to Director Torongeau, from Lieutenant Howard Shock titled "Fire Apparatus Assessment" dated September 11, 2017. The Village Manager is directed to arrange for financing, consult with the Village attorney related to bid seeking, and any further approval from Council if necessary.

Motion passed.

REVIEW AND CONSIDER 2018 COUNCIL MEETING DATES

Marshall provided a list of Council meeting dates for 2018. The only date in question is Tuesday, November 6, which is also the Gubernatorial Election Day. There will be four Council seats on the ballot (Abboud, Delaney, Oen, and Peddie). Clerk Tischler, Southfield Township Clerk, advised that she will be using the Public Safety Building for the Counting Board on Election Day. Council considered keeping the meeting on Tuesday, November 6th or moving it one day forward or back.

Motion by Oen, second by Mueller, be it resolved that the Council for the Village of Beverly Hills approves the 2018 Beverly Hills Village Council meeting dates; January 2 and 16, February 6 and 20, March 6 and 20, April 3 and 17, May 1 and 15, June 5 and 19, July 3 and 17, August 7 and 21, September 4 and 18, October 2 and 16, November 6 and 20, December 4 and 18; Joint meetings; Thursday, January 18, 2018, 7:30 p.m., Council and Parks & Recreation Board and Wednesday, February 14, 2018, 7:30 p.m., Council and Planning Commission; as submitted.

Motion passed.

SECOND READING AND POSSIBLE APPROVAL OF ORDINANCE #359 AMENDING CHAPTER 22, SECTION 22.42.010 PENALTIES OF THE VILLAGE MUNICIPAL CODE

Ryan read the ordinance in its entirety including Section 22.42.010 Penalties as amended below.

Chapter 22, Section 22.42.010 PENALTIES

Any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a civil infraction, and upon conviction thereof, shall be fined no less than five hundred dollars (\$500.00) for each such offense, or such fine in the discretion of the court, together with the costs of such prosecution. Each day that a violation of this Ordinance continues shall be a separate offense.

- A. Enforcement. In addition to ordering the defendant determined to be responsible for a civil infraction to pay a civil fine, costs, damages and expenses, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce, or enjoin violation of this Chapter.

A copy of the ordinance in its entirety is available for review at the Village of Beverly Hills Administration office.

Motion by Oen, second by Abboud, to adopt Ordinance #359 amending Chapter 22 of the Municipal Code Section 22.42.010 Penalties.

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

This ordinance shall become effective 20 days following publication in the Eccentric newspaper.

PUBLIC COMMENTS

Pfeifer expressed her admiration for the building renovations.

MANAGER'S REPORT

Erity Dam – Construction work on the Erity Dam project has been completed. The pond level remains low at this time. Before wrapping up the project there is scheduled crack sealing to be performed on the inside of the Evergreen Road Culvert. The subcontractor for that project has been occupied on another project and has been unable to be on site to complete the work. Water flow through the culvert has to be eliminated to complete this work. Therefore, it was scheduled during this repair. The subcontractor will be available in the next 7-10 days to complete the project. Once the crack sealing is completed the plates in the left spillway will be replaced and the pond level will return to normal. The Village apologizes for the further delay and appreciates the continued patience.

ZBA Fees – Planning and Zoning Administrator Erin Saur has analyzed the ZBA fees of surrounding communities. The Village's ZBA fees have been at the current rate for many years and do not currently cover the Village's cost for processing an application. Administration's recommendation is to increase the fees to \$150 for residential and \$300 for commercial.

COUNCIL COMMENTS

Mueller reminded Council the Parks & Recreation Board is meeting September 21 at 6:30 pm in Beverly Park, and the meeting will be followed by a ping pong and horseshoe tournament.

Abboud attended the Michigan Municipal League General Assembly meeting in Holland, MI.

Delaney reported cameras would be installed in the lobbies of the Village and Township Halls on September 20. The Birmingham Ethics Board released its opinion on Council members sitting on or being assigned to a Board; the conclusion being Council members attend meetings in the capacity of liaison and not as a voting member.

Oen thanked Public Safety for their thorough job on the fire truck purchase report. He welcomed back Director Torongeau.

Peddie reported she attended a Baldwin Library board Meeting, and they were thrilled with the Read in the Park event.

Mooney is looking forward to the tournament with the Parks & Recreation Board.

Motion by Abboud, second by Oen, to adjourn the meeting at 9:07 pm.

Motion passed.

John G. Mooney
Council President

Ellen E. Marshall
Village Clerk

Elizabeth M. Lyons
Recording Secretary