

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

Absent: None

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

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. Boy Scouts from Troop 1024 including Eagle Scout candidate Benjamin Cooper led those in attendance in reciting the Pledge of Allegiance.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

County Commissioner Bill Dwyer representing the 14th District said that he looks forward to working with Council and the citizens of Beverly Hills. He talked about his background and experience and provided Council with an annual report outlining some of the Commission's accomplishments over the past year. Dwyer mentioned that he met with former Village representative Marcia Gershenson to discuss a joint project that will be announced soon.

Jason Gross, Scout from Troop 1024, outlined the project he is working on to attain the rank of Eagle Scout. His project involves obtaining the geographic location of the 577 fire hydrants in the Village of Beverly Hills. He has downloaded the longitudes and latitudes onto a GPS computer, which was downloaded to the dispatchers' computers. This program will advance the response time of firefighters in terms of locating a fire hydrant nearest to the address of an incident.

Council members commended Jason Gross on this extensive project that will serve the public and increase safety in the community. Mooney remarked that scouts from Troop 1024 are outstanding individuals who have made significant contributions to the community. Jason Gross has provided his assistance at annual Halloween Hoot events in the Village for a number of years.

Paul Kleppert of 20855 W. 14 Mile Road stated that he along with former Council member Ron Berndt came before Council in November of 2012 with a proposal to purchase and install a Veterans Memorial Monument in the park dedicated to all the service men and women in Beverly Hills. The monument will be purchased through donations from the public. The intent is to raise \$5,000 for a full standing monument in time for dedication at the 2013 Memorial Day Parade and Carnival.

Kleppert and Berndt established a non-profit organization and a corporation, which enabled them to pursue a method of collecting funds legally and allow donors to receive a tax deduction. The manager of Independent Bank at the corner of Southfield and 14 Mile Road has agreed to establish an account for their non-profit organization. Independent Bank will accept and hold all donations for the Beverly Park Veterans Memorial Fund. There have been 19 donations made to date totaling \$1,623, which is one-third of the amount needed to purchase the monument. Kleppert noted that there are 4,000 families in Beverly Hills. He made an appeal to the community for their support for this Veterans Memorial Monument.

CONSENT AGENDA

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

- a. Consider approval of minutes of a regular Council meeting held January 2, 2013.
- b. Review and file bills recapped as of Monday, January 14, 2013.

Motion passed.

BUSINESS AGENDA

PROCLAMATION RECOGNIZING BENJAMIN COOPER FOR ATTAINING THE RANK OF EAGLE SCOUT

Mooney came forward and asked Scout Benjamin Cooper to join him at the lectern. Mooney proposed the following Proclamation honoring Eagle Scout candidate Benjamin Cooper.

PROCLAMATION

WHEREAS, Benjamin Cooper is a member of Boy Scout Troop 1024 from Beverly Hills, Michigan; and

WHEREAS, the Birmingham Public Schools Early Childhood Center has a program called Safety Town which is a program designed to teach young children safety skills; and

WHEREAS, Benjamin Cooper proposed renovating, restoring and repairing ten different buildings that are part of Safety Town for his Eagle Scout project, and

WHEREAS, Benjamin Cooper organized a group of teen and adult volunteers to complete the renovations and restorations of the Safety Town buildings; and

WHEREAS, Benjamin Cooper and his team members repaired hardware, coordinated the design and painting work for each building, and sanded and primed all buildings to give them an updated appearance; and

WHEREAS, Benjamin Cooper along with the other volunteers invested over 120 hours of volunteer time for this renovation project; and

WHEREAS, the Safety Town Director and teachers are so pleased with the final results and the positive impact the new buildings will have on many children in the coming years.

NOW, THEREFORE, BE IT RESOLVED, that the Beverly Hills Village Council congratulates Benjamin Cooper on achieving the rank of Eagle Scout and extends their grateful appreciation for his community dedication and concern for children's safety.

Roll Call Vote:
Resolution passed unanimously.

On behalf of Council and the Village, Mercer congratulated Benjamin Cooper and his family on this worthwhile community project.

SET PUBLIC HEARING DATE OF FEBRUARY 5, 2013 TO CONSIDER SPECIAL ASSESSMENT DISTRICT ROLL FOR STAFFORD STREET

With the completion of paving Stafford Street, Council set a public hearing for Tuesday, February 5, 2013 to establish the special assessment roll for 18 properties along Stafford. Notice will be published in the Eccentric and a mailing will be sent to each property owner notifying them of the public hearing and indicating the final amounts relative to the special assessment district.

SET PUBLIC HEARING DATE OF FEBRUARY 19, 2013 TO REVIEW AND CONFIRM 2012 SPECIAL ASSESSMENT ROLL FOR THE SOUTHFIELD ROAD BUSINESS DISTRICT

The Village maintains the public right-of-way along the Southfield Road business district and assesses the cost of landscape maintenance and water for the sprinkling system to the property owners on the west side of Southfield Road. Mercer announced the public hearing date of Tuesday, February 19, 2013 to review and confirm the 2012 Special Assessment Roll for the Southfield Road Business Assessment District.

REVIEW AND CONSIDER FINAL PAYMENT TO NAGLE PAVING COMPANY FOR PAVING OF STAFFORD STREET

Council is in receipt of the final estimate and contract close out for the Stafford Street Special Assessment District (SAD) Paving Project. Wilson related that final reconstruction and rehabilitation will be done in the spring estimated at \$1,000. Final close out of the project is necessary in order to establish the assessment roll.

The final construction cost for this project is \$102,531.37. The amount paid to date is \$94,608.95. The final payment is \$7,922.42. Based on review of the project, Wilson and Public Services Director Meszler recommend payment of this amount to close the construction portion of the project at this time.

Motion by Mooney, second by Oen, that the Beverly Hills Village Council authorize administration to issue the final payment of construction costs for the Stafford Street SAD Paving Project to Nagle Paving Company in the amount of \$7,922.42.

Oen noted that the project cost came in \$21,000 under budget primarily due to savings on the cost of the aggregate base for the street. Wilson recognized the good work of Nagle Paving Company and the project inspector from Hubbell, Roth & Clark.

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

REVIEW AND CONSIDER REQUEST FROM PUBLIC SAFETY DEPARTMENT FOR PURCHASE OF MOBILE DATA TERMINALS

Chief Torongeau stated that funds are budgeted in the 2012-2013 budget to replace six mobile data terminals that are mounted in patrol vehicles. These computers are used for receiving dispatched runs, writing reports and tickets, performing inquiries on people and property, doing fingerprint checks, as well as acting as a resource of local information such as the motor vehicle code.

Torongeau is recommending the purchase of Dell computers rather than Motorola computers, which will save over \$3,500 and provide a better warranty. Council is in receipt of a memo and attached pricing obtained through the Oakland County Cooperative bidding process. Questions from Council members on the replacement of existing units were addressed by Torongeau.

Motion by Oen, second by Mooney, that the Beverly Hills Village Council approve the Public Safety Department expenditure for six in-car Dell computers (quote #101903357302) at a cost of \$17,030.28. It is further authorized to purchase the mounts and installation of the units from Cynergy Products of Troy, Michigan in the amount of \$3,910.38. Funds for this equipment are available in account #205-900-980 Capital Purchases Public Safety Equipment.

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

REVIEW AND CONSIDER PURCHASE OF LADDER TRUCK FOR PUBLIC SAFETY DEPARTMENT

Briggs proceeded with a slide presentation summarizing the comprehensive memo prepared by the Village Manager regarding replacement of the public safety ladder truck and financing of that apparatus. As background information, the current truck is 27 years old; the average life of a ladder truck is 20 years. Damage to the Village's ladder truck was discovered while returning from a house fire in November. The suspension separated from the frame, and several cracks were found in the frame. The ladder truck has had two major repairs in the last five years with significant down time. This truck is used more than 50 times a year and is critical to the Village's firefighting capability. Beverly Hills is currently relying on the assistance of the Franklin Fire Department to provide a ladder truck if needed.

Administration assessed a number of options for the replacement of this vehicle including the purchase of new or used vehicles and the possibility of contracting for fire equipment and/or fire services with another municipality. It was noted that a community must be contiguous with Beverly Hills to provide fire service.

Village administration with Director Torongeau and Captain Yanosy met with the City Manager and Fire Chief from the City of Birmingham and the Director of the Oakway Mutual Aid authority, which governs mutual aid among fire departments in Oakland County. The current chargeback cost of truck rental is about \$825 per hour plus manpower. The truck must be staffed with four individuals. The cost to Beverly Hills would be over \$1,000 per use. The Village's ladder truck was sent on 63 calls in 2012. It would cost an estimated \$63,000 per year to contract with another community. The Village would still require a backup plan if the other community was using the truck.

Briggs provided background on what transpired relative to exploring the purchase of a new truck and the acquisition of a demonstration truck. A demonstration truck has not been used to fight a fire; it is displayed in various communities and at trade shows. Two demonstration trucks were located. Administration is recommending that Council consider the purchase of the 2011 Pierce Velocity 105' ladder truck.

The 2011 Pierce ladder truck meets the needs of the Village. Modifications would be required at a cost of about \$10,000 in order to meet Michigan State Codes. The truck has been analyzed by public safety department personnel and would be inspected by the manufacturer before delivery. The truck comes with a full warranty by Pierce and other manufacturers. It could be delivered within 30-40 days from the date Council approves the purchase.

Briggs related that administration has solicited multiple quotes for financing the ladder truck. The lowest financing cost was from Municipal Asset Management of Colorado at a rate of 2.10% for 7 years or 2.32% for 10 years with zero cost of issuance. The recommended 7-year payment price will be \$90,125.19 per year.

Briggs summarized that the Pierce ladder truck will have a 20+ year lifespan. It is recommended that the Village consider establishing a fund for replacement of this and other fire vehicles. Administration is recommending the seven year payment schedule, which is affordable and would allow the vehicle to be paid off before expiration of the millage. Purchase of the demonstration truck would help maintain the Village's ISO rating (5) and its ability to actively fight fires.

In response to an inquiry, Wilson stated that the truck would be funded through the public safety millage every year. He presented an analysis of public safety budgeting sources that will ensure that adequate funds are available to cover the payments for the next seven years. In addition to this expense, consideration will be given to budgeting to replace the second engine in 5-6 years. The Village will need to be more diligent in capital planning to the point of establishing a motor pool fund.

Wilson referenced some of the repair costs on the current ladder truck, noting that the Department spent \$70,000 in the last five years on major repairs. It is estimated that there is at least \$50,000 worth of repairs needed with the possibility that other issues will be found when the engine is disassembled. Warranties are no longer available for some of the parts. Warranties that would be received with the 2011 demo truck are similar to the warranties for a new 2013 truck. There are a series of warranties that come with the vehicle because the truck is assembled by various manufacturers.

There followed questions and comments from Council on the topics of long-term planning for public safety vehicles, possibilities for regionalization, 10-year versus 7-year financing for the demo ladder truck, regular inspection of fire apparatus by a mechanic, warranty on components, financing, method of disposal for the used fire truck, and whether the Pierce truck would fit in the fire station.

Wilson addressed the topic of opportunities for cost savings through regionalization of fire services, equipment, buildings and manpower. It has been generally agreed that the impetus for regionalization would be best coming from higher levels of local government, namely Oakland County. The complete merging of fire services between the Village and Birmingham would not necessarily bring about needed efficiencies and cost savings for various reasons, primarily due to the integrated Public Safety model used in the Village for fire protection.

However, both Beverly Hills and Birmingham believe that there is opportunity to realize greater efficiencies through the participation in a larger region wide or even county wide consortium for fire protection services. Such efforts would require the participation of many more communities. It is the position of Village Administration that the Village should request that Oakland County gauge the interest of communities throughout the county in regional fire districts and take the lead in development along such lines.

Wilson clarified where the Village is at in this process. There is value in the Pierce truck, and there are other agencies interested in the apparatus. Action by Council to pursue this direction would satisfy Pierce, and they would consider the truck sold. With regard to financing, Municipal Asset Management is preparing a resolution that would require Council approval in order to secure financing. A validity opinion must be submitted by Village legal counsel. Wilson proposed that Council authorize administration to issue a purchase order that would hold this vehicle with Pierce. A special Council meeting could be held on January 22, 2013 for review and consideration of the resolution from Municipal Asset Management.

Ryan addressed the question of why bids have not been solicited for the purchase of a ladder truck. He affirmed that bids are not required because the fire truck is a specialty item. This purchase is in the best interest of the Village and is permitted by the Village Charter and State Law. In addition, the Village Charter allows for installment contracts that do not exceed ten years.

Motion by Briggs, second by Oen, that the Village of Beverly Hills Council authorize administration to issue a purchase order for the Pierce Velocity 105' Heavy Duty Ladder Stock Truck #22306 in the amount not to exceed \$745,000 with the terms stated on the record by Administration.

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

REVIEW AND CONSIDER FINANCING OF LADDER TRUCK FOR PUBLIC SAFETY DEPARTMENT

Wilson stated that Administration has been reviewing financing options for the purchase of a ladder vehicle based upon a purchase price of \$745,000 with \$160,000 available as a down payment. As of June 30, 2012, the Village has just over \$147,000 in the Fire Truck Reserve Fund and another payment of \$15,000 scheduled to be made this year.

Five different quotes have been received from various leasing agencies that provide financing to state and local governments. None of them were lower than the proposal from Municipal Asset Management, Inc. There is a specific resolution format that Municipal Asset Management will provide to the Village for Council consideration. It will be reviewed by Village Attorney Ryan along with the Validity Opinion confirming the Village's ability to engage in this contract.

Wilson addressed some of the specifics related to this transaction, which will be set forth in the Agreement. He proposed that the seven year rate of 2.10% is in the best interest of the Village for the reasons discussed.

Motion by Mooney, second by Oen, that the Village of Beverly Hills Council authorize the Village Manager to negotiate terms and conditions with Municipal Asset Management, Inc. for financing of the Velocity 105' Heavy Duty Ladder Truck over a seven year period at a rate of 2.10% or less. It is further moved to set a special Council meeting date of January 22, 2013 at 7:30 p.m. in the council chamber to consider approval of said financing.

Questions from Council were addressed by Wilson. He affirmed that there were no quotes received from local agencies for financing of this purchase.

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

PUBLIC COMMENTS

Marianne McLennan of 19977 Sunnyslope questioned the status of her application to fill a vacant position on the Zoning Board of Appeals. McLennan was informed Council took action at its December 18, 2012 meeting to appoint David Eifrid to the Zoning Board.

Tony Lott of 19101 Riverside Drive remarked that he came before Council at a previous meeting and asked that the Village consider participating in the Crimedat program, which is a virtual neighborhood watch program. He questioned why this is not an agenda item. Lott noted that the

Trust & Transparency group has raised the \$365 membership fee for one year. Lott also questioned why Council did not give further consideration to options for regionalization of fire services and equipment.

REPORTS – MANAGER

Council Work Session – Neil Hitz has agreed to assist the Village once again at the annual Council work session. This meeting is scheduled for Saturday, February 9th at 9:00 a.m. in Council chambers.

Offices Closed – Village offices will be closed on Monday, January 21st in observance of Martin Luther King Jr. Day. Trash collection will not be interrupted this week.

Public Hearing on Sign Ordinance – The Planning Commission will hold a Public Hearing at its January 23 meeting to receive comments on a proposed amendment to the Village Sign Ordinance.

Christmas Tree Chipping – This will be the last week that Christmas trees will be picked up at the curb for chipping. Residents should have their trees at the curb by Wednesday, January 16th. After this week, residents may take their trees to the SOCRRA facility on Coolidge for free disposal.

Library Public Meeting – The Baldwin Public Library Board will hold a community forum on Wednesday, January 23, 2013 at 7:30 p.m. in conjunction with its regularly scheduled Library Board meeting. The Library Board wishes to solicit input and feedback from the public on the recently released building program that details a possible future for the Baldwin facility. This document was put together by the efforts of the Joint Library Building Committee.

Winter Family Fun Day – The annual Winter Family Fun Day will be held on Sunday, January 27th from 1:00 – 4:00 p.m. Councilman Mooney will provide an update on all the scheduled activities for this year's event.

Mooney complimented Mr. Wilson on his work and that of Director Torongeau on putting together a comprehensive report on the fire truck purchase and financing. He commended Wilson on his efforts toward attempting to consolidate public safety services with surrounding communities for the last four years.

Wilson stated that he received a text from Chief Torongeau, who left the Council meeting to cover the public safety building during a fire run. Torongeau had intended to report that he has a meeting scheduled with a representative of Crimedat on Friday.

REPORTS – COUNCIL

Kelly commented that she looked at the Crimedat website focusing on Birmingham activity. She noted that incident entries do not appear to be complete or up to date. The Beverly Hills Public Safety Activity Report covers the period from December 19, 2012 through January 10, 2013 and includes more detail.

Kelly and the other members of Council thanked Manager Wilson, Chief Torongeau, and everyone who has been involved with the investigation into the condition of the ladder truck and the replacement and financing of a new fire truck. Kelly understood that efforts have been made to explore working with other communities on fire truck consolidation; however, the Beverly Hills Council has to deal with its charge of protecting the residents today.

Burry stated that the Birmingham Area Cable Board will meet in the council chamber tomorrow, January 16, at 7:45 a.m. Beverly Hills will present a request before the Cable Board next month for funding a Sharp 70” flat panel display screen for the Council meeting room.

LaFerriere proposed that the Village take a lead in advancing regionalization in terms of fire service issues. This should be a topic of discussion at the upcoming Council planning session.

Oen related that Captain Yanosy received a letter of recognition for his continued success in contributions to the OakTAC Committee. OakTAC (Oakland County Tactical Response Law Enforcement Coordinating Group) is the established mutual aid response team that responds to any major incidents that may occur in our area. The group was developed in 2009.

The Planning Commission will hold a public hearing on a proposed amendment to the Village Sign Ordinance on Wednesday, January 23 at 7:30 p.m. in the Council chamber.

Mooney commended those who volunteer their services to benefit the Village including Boy Scouts from Troop 1024. He singled out Jason Gross who has been a community volunteer for a number of years. Mooney also expressed pride in Eagle Scout candidate Ben Cooper. Mooney thanked Paul Kleppert and Ron Berndt for their effort to raise money to purchase and install a Veterans Memorial Monument in the park dedicated to all the service men and women in Beverly Hills.

Mooney outlined the activities that will take place at the Winter Family Fun Day scheduled for Sunday, January 27, from 1-4 p.m. The event will be rescheduled to Sunday, February 3 if there is no snow on January 27.

Briggs reiterated that the Joint Library Building Committee will meet on Wednesday, January 23 at 7:30 p.m. to discuss the information gathered relative to renovations to the library. Input from Beverly Hills residents would be appreciated.

Briggs commented that Crimedat is a channel of communication that will be explored by the Village. Beverly Hills Public Safety reporting has been occurring over the years through various email and text delivery services, the recent one being GovDelivery.com. Briggs spoke with the Assistant Manager of Birmingham last week, who indicated that Birmingham has a full time person who can compile and post crime data onto the crimedar site. Beverly Hills will need to consider how the reporting responsibility associated with participation in Crimedat fits in with other public safety department responsibilities and available resources.

Briggs noted that there has been discussion about the recent lack of Beverly Hills crime reports in the local newspapers. He has approached Chief Torongeau about working with the Village's Communications Committee to determine the reason for this lack of coverage by the papers.

Mercer suggested that Council reach out to Commissioner Bill Dwyer to discuss Village concerns regarding regionalization. Mercer acknowledged Officer Danielson in the audience.

Mercer commented that Council made a huge investment in the Village tonight, and no one at this table took that action lightly. He thanked President Pro-Tem Briggs for his presentation and thanked administration for their due diligence in terms of addressing the fire truck situation.

Mercer announced that the Birmingham Education Foundation will hold the 2013 Unabashed Bash on February 9 at 6:30 p.m. at the Townsend Hotel to raise money to support Birmingham Schools. The event will highlight student entertainment, include a live and silent auction, and celebrate our schools which are among the best in the state.

Mercer related that he and his son attended a presentation last night by author Blue Balliett as part of the Battle of the Books program conducted every year by Birmingham Schools. He commented on the wonderful things that the Baldwin Library and the Birmingham School District does for our kids and our community.

Motion by Mooney, second by Oen, to adjourn at 9:53 p.m.

Motion passed.

Tim Mercer
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary