

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. The Pledge of Allegiance was recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed.

PUBLIC HEARING – STAFFORD STREET PAVING SPECIAL ASSESSMENT DISTRICT

Mercer reviewed that residents of Stafford Street have submitted a petition requesting the Village to prepare a Special Assessment District for the paving of the unimproved road per Village policy. The Municipal Code establishes the process for the creation of Special Assessment Districts. The Village is paying 20% of the cost of this paving project with the remaining 80% to be paid by the benefitting homeowners. Village policy allows for property owners to pay their portion of the cost over time through assessments added to their property tax statement with an interest rate.

Mercer opened the public hearing at 7:32 p.m. for comments on the Stafford Street Special Assessment Roll. No one wished to be heard; therefore, the public hearing was closed at 7:33 p.m.

COMMUNITY ANNOUNCEMENTS

David Noyes of 15622 Buckingham stated that he was before Council at the request of resident Paul Kleppert, who has been seeking community donations to purchase and install a Veterans Memorial Monument in Beverly Park dedicated to all the service men and women in the Village. Noyes was present to say a few words about this undertaking. He related an incident that occurred on November 1, 1967 when he was a Marine second lieutenant serving in the Vietnam War. He lost ten men on that day with another ten severely wounded. Noyes said that he thinks about those men every day and the grief suffered by their families.

Noyes remarked that Memorial Day was established by the government to honor the men and women who sacrificed their lives for our country. He hopes that the proposal to bring a veterans memorial monument to Beverly Park will be successful. There has been \$1,835 raised towards the \$4,300 cost to purchase and install the monument in the park in time for dedication at the 2013 Memorial Day event. He urged Council to assist with informing the community of this fund raising effort.

Oen mentioned that there is a link on the Village website where residents can obtain information on how to donate to the Beverly Park Veterans Memorial Fund.

CONSENT AGENDA

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

- a. Consider approval of minutes of a regular Council meeting held January 15, 2013.
- b. Consider approval of minutes of a special Council meeting held January 22, 2013.
- b. Review and file bills recapped as of Monday, January 28, 2013.

Motion passed

BUSINESS AGENDA

REVIEW AND CONSIDER RESOLUTION TO CONFIRM AND SPREAD THE ROLL FOR STAFFORD STREET PAVING SPECIAL ASSESSMENT DISTRICT

Motion by Mooney, second by Oen, to adopt the Special Assessment Resolution for Supervisors Berkshire Estates Plat (Stafford) Special Assessment District R-02-03A to set forth costs, number of installments, and interest rate for the Stafford Street Paving Special Assessment District.

The entire resolution is on file and available for public review at the Village offices.

Wilson remarked that Council is familiar with this paving project. The amount of \$6,177.78 will be assessed to the 18 parcels listed in Exhibit B of the Resolution. The aggregate amount of \$111,200 is equal to the 80% portion of the project assessed to the SAD. Oen added that the project cost came in \$21,000 under the estimated amount primarily due to savings on the cost of the aggregate base for the street.

Roll Call Vote:

Motion passed (7 – 0).

ANNOUNCEMENT OF VACANCIES ON ZBA FOR ALTERNATE MEMBERS

LaFerriere announced that two vacancies exist on the Zoning Board of Appeals for alternate members. Both terms have an expiration date of June 30, 2015. These vacancies have been announced several times, and the Village is now in receipt of three applications. Additional applications will be accepted until Friday, February 8, 2013 at 4:30 p.m. A subcommittee meeting is scheduled for Tuesday, February 19, 2013 to review the applications and recommend appointments to Council.

REVIEW AND CONSIDER RESOLUTION APPROVING BINDER AGREEMENT BETWEEN BEVERLY HILLS AND OAKLAND COUNTY TACTICAL TRAINING CONSORTIUM (OAK-TAC)

The Public Safety Department has provided Council with documentation whereby the Department would become official members of Oakland County Tactical Training Consortium (OAK-TAC). Wilson stated that our Department has been heavily involved with the organization since its inception in 2009. The group has moved forward by creating bylaws and inter-local agreements for all agencies involved. There will be no additional cost or liability incurred by the Village. The documents were reviewed and found to be acceptable by Village Attorney Ryan.

Chief Torongeau commented that the Village's involvement in OAK-TAC makes trained personnel available to be deployed to Beverly Hills in an emergency. The Village's participation in this inter-agency agreement also qualifies the Department to receive federal and state grants.

Motion by Oen, second by Mooney, that the Village of Beverly Hills Council authorize the Village Manager and Council President to sign the agreement between Beverly Hills and the Oakland County Tactical Training Consortium.

Questions from Council were addressed by Chief Torongeau. Ryan remarked that this is a good example of regionalization that is cost effective to the Village.

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

REVIEW AND CONSIDER FINAL PAYMENT TO LANZO LINING SERVICES FOR 2009 COMBINED SEWER REHABILITATION PROGRAM

The Village contracted with Lanzo Lining Services in 2009 for the repair and lining of various combined sewer lines within the Village. Several combined sewer lines had been identified as being in poor condition and in need of rehabilitation work. During the course of the project, it became evident that there were problems with other combined sewer lines, which were included in the project.

The failure of a 24" sewer line on Buckingham east of Riverside caused a pavement cave-in. It was necessary for the contractor to set up by-pass pumping of this 24" sewer in order to repair it. The Village incurred a severe thunder storm while making the repair. Because this was a combined sewer, the flow exceeded the capacity of the by-pass pump thus causing a sewer backup in a home at this location. The contractor was quick to respond to this backup; however, their clean up efforts were not sufficient to handle the problem. The Village stepped in and hired a company to do the work. The homeowners also lost items in their basement due to this backup. The contractor was slow to respond to the residents for compensation of these items. The Village again stepped in and resolved this with the homeowner.

The total cost for cleanup and replacement was \$7,653.25. This amount was deducted from progress payment #11 made to the contractor. The final payment of \$4,196.00 includes contract retention that had been held, along with payment of some items of work that were outstanding. Public Services Director Meszler recommends that this contract be closed out and a final payment of \$4,196.00 be made to the contractor. The original contract amount was \$820,755.00 and the total final contract cost is \$758,253.00 resulting in this project being \$62,502.00 under budget.

Motion by Mooney, second by Briggs, that the Village of Beverly Hills Council authorize the final payment of \$4,196.00 to Lanzo Lining Service for the repair and lining of various combined sewer lines in the Village.

Questions from Council on sewer lining projects were addressed by Manager Wilson.

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

PUBLIC COMMENTS

Alda Marie McCook on Riverside Drive addressed several issues with Council. She inquired about the success of an individual retained by the Village to seek and write grants. McCook referred to issues regarding the Erity Dam in 2009 and asked if grants were being sought for restoration of the dam. McCook voiced her agreement with Council's decision to purchase a ladder truck to protect residents.

The Village has an ordinance whereby cars must be removed from the street to allow a snowplow through if a snow emergency is declared. McCook disagreed with a decision to rescind tickets issued to people with cars on the street during a recent snow storm. On another topic, McCook urged Council members to refrain from berating residents during the council comment portion of their meetings.

Tony Lott on Riverside Drive talked about how it would benefit the community if Beverly Hills would participate in the Crimedat program as a method of reporting crimes in the Village. He commented on the lack of crime reports published in the local newspapers and how that could be remedied. Lott reminded everyone that the Truth & Transparency website is up and running.

Sharon Tischler of Virmar Court related that she experienced difficulty contacting public safety personnel when entering the public safety building recently. Options for reaching personnel were to press a button outside an interior door or calling the PSD number on a cell phone. Tischler suggested that there be an alternate method available for someone who approaches the building with an emergency.

REPORTS – MANAGER

Dispatch Update - Wilson has provided Council with the quarterly report from the City of Birmingham dated January 25, 2013 regarding dispatch services as required by our contract. Wilson noted that he will request more detail on the total calls.

Step Forward Program - Oakland County Treasurer Andy Meisner has announced that his office will be participating in a program designed to help homeowners facing financial hardship and with delinquent property taxes to receive assistance with their property tax bills and prevent foreclosures. The program is called the Step Forward Michigan Loan Rescue Program, and information is available at www.stepforwardmichigan.org or by calling 866-946-7432. Participants in the program must own their home, have delinquent taxes on that property and have a demonstrable financial hardship. Beverly Hills residents who would like more information on participation and eligibility may also contact Southfield Township Treasurer Janet Mooney at 248.540.3420 or jmooney@southfieldtownship.org.

Joint Planning Meeting - Council will hold its annual joint meeting with the Planning Commission on Wednesday, February 13 at 7:30 p.m. The Planning Commission and LSL Planning will update Council on revisions to the Sign Ordinance and the Southfield Road Overlay District.

Quarterly Financial Report - Finance Director Wiszowaty has prepared a Quarterly Financial Report and included the document with Council's monthly financial statements. This report provides an analysis of revenues through December 31, 2012, roughly half of FY 2012-13.

Wilson has received some feedback on this report and will provide Council with additional commentary and detail as requested.

Strategic Planning Session - Wilson stated that the Village Council has scheduled its annual Strategic Planning Session for Saturday, February 9 at 9 a.m. in the council chambers. Mr. Neil Hitz has agreed to help facilitate the session again this year.

Copy Machine Replacement - Wilson related that the Ricoh copier service provider has informed the Village that the maintenance agreement will expire at the end of April. The copier is almost seven years old and has served the municipal office well. Ellen Marshall has been reviewing the State of Michigan bids through Ricoh and Xerox. Staff is looking into the purchase of a color copier in order to print the Quarterly Newsletter in house. Information will be analyzed and compiled in an upcoming report to Council with a recommendation to purchase a copy machine.

REPORTS – COUNCIL

Burry reported that the Joint Senior Services Committee is in the process of conducting focus groups for the purpose of identifying activities and services that are important to adults 55 and older. The Committee is preparing a mid-term report of accomplishments and future endeavors to be distributed within the next couple of weeks. Burry announced that the Birmingham Area Cable Board will meet a week earlier this month on Wednesday, February 13 at 7:45 a.m. The location will be changed to the Birmingham Commission meeting room.

Mooney talked about the outstanding accomplishment of attaining the rank of Eagle Scout. He congratulated resident Travis Lang on receiving this honor. Mooney announced that Groves High School's student publication, Scriptor, recently won two first place national journalism awards from the American Scholastic Press Association. ASPA's national panel of journalists and educators rank student news magazines from colleges and high schools across the country. Mooney congratulated the students who participated on the Scriptor this year as well as advisor and Groves English teacher Laura Redman.

Winter Family Fun day was cancelled this year due to lack of snow. Mooney hopes that the event will be held in Beverly Park next year. The Memorial Day Parade and Carnival will be discussed at the next Parks and Recreation Board meeting on February 21, 2013. Mooney asked Council to consider whether the Village should make a contribution to a veterans memorial monument for Beverly Park.

Oen concurred that Council should consider using public funds to assist with efforts being made to raise funds for a veterans monument for the park. Oen provided information on the operation of the public safety department following the moving of our dispatch center to the Birmingham police department location. He talked about proposed improvements to the department. Oen remarked on the importance of fighting crime in lieu of reporting crime.

Oen reiterated that the Council will have a joint meeting with the Planning Commission on February 13. He noted that the Planning Commission held a public hearing on Sign Ordinance amendments at their January meeting.

Briggs reported that the Library Board met on January 23 and held a public hearing on the options for expansion and renovation of the Baldwin Library. Beverly Hills residents were in attendance and commented on the proposal. The Library Board voted to remove the fee for library “hot picks”. The Communications Committee will meet on February 14 at 7:30 p.m. in the municipal building.

The 32nd Annual Birmingham Youth Assistance Kid’s Dog Show will be held on Sunday, February 10. Briggs will be serving as a judge at this excellent event that raises funds for BYA.

Mercer mentioned the upcoming Council strategy session scheduled for Saturday, February 9 at 9 am. A budget review session is tentatively scheduled for April 16 prior to the regular Council meeting. Mercer encouraged members of the community to make a donation towards a veterans memorial monument in Beverly Park.

Mercer stated that the Village has a Snow Emergency Ordinance that is in effect and is enforced following appropriate public announcements. He commended Beverly Hills officers for their diligence in performing their job. Mercer talked about what occurred during a recent snow storm in the Village and the subsequent action of Council.

Mercer said that we can debate on the best way to report crime in the Village, but he acknowledged that our public safety officers are the best deterrent of crime and they do a fantastic job for the Village.

Motion by Mooney, second by Briggs, to adjourn the meeting at 8:56 p.m.

Motion passed.

Tim Mercer
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary