

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

Absent: None

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

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. A Scout from Troop 1699 led those present 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

DTE Representatives to address power outage

Mercer stated that there are representatives from DTE present in the audience to talk about the power outage that impacted Beverly Hills in the beginning of September. Michael Palchesko, regional manager of corporate and government affairs for DTE in Oakland County, was joined by Naera Haghazarian, a distribution planning engineer who oversees the planning and design of the electrical system in Beverly Hills and the surrounding area. Also present was Nick Carlson, supervising engineer of southeast regional planning, which is the distribution engineering organization that oversees a good portion of southeast Oakland County.

Naera Haghazarian used the SmartBoard to present a high level overview of the DTE electrical system in Beverly Hills. She addressed the operation of substations, the circuit boundaries in Beverly Hills, available capacity, and power quality as it relates to outage types. Haghazarian provided background on recent outages that were experienced in this area and why they occurred. She commented on outages that were caused by trees during storms. DTE has taken steps to conduct line clearance, and additional work will be forthcoming to improve the reliability of the system in portions of the community. DTE has a plan to patrol and identify the problem areas on the circuits so they can be improved and limit outages.

Haghazarian said that DTE has invested over \$2 million in Beverly Hills in the past five years. Some of this work included rebuilding primary lines, installation of sectionalizing devices to limit circuit level outages and reduce the number of customers affected. They installed fault locators to improve the restoration process and installed regulation and transformers to improve customers' voltage. Tree trimming and line clearance measures were also undertaken. DTE plans to identify frequent outage locations in the future and do spot tree trimming to avoid tree related outages.

Palchesko talked about communications with the company. The 1-800-477-4747 number is staffed 24/7 in order to receive customer information regarding power outages. The DTE website has been enhanced to provide customers with the ability to obtain information about the status of their power outage. A phone application for smart phones allows customers to communicate with DTE. The company has been working diligently to coordinate its information sources. Palchesko referred to the zip code map where a customer can view all of the DTE service territories and determine outages locations and the extent of those outages.

The map of Beverly Hills and the circuitry involved was reviewed. Palchesko discussed the catastrophic storm event on Friday, September 5, 2014. Beverly Hills was one of the hardest hit communities in Oakland County. It was one of the ten largest storms in the company's 110 year history. Approximately 400,000 customers lost power as a result of that event with 5,000 downed power lines in southeast Michigan. DTE sought assistance from utilities in other states. Palchesko described the communication that takes place during this type of outage.

Haghnazarian provided detail about the outages and multiple problems that occurred in Beverly Hills as a result of the September 5 storm. She affirmed that DTE does have tree issues. Line clearance maintenance is conducted every five years. Tree trimming was addressed as well as the restrictions placed on trimming trees outside of the easement.

Members of Council and the public described storm related occurrences in their neighborhoods. Questions and comments were addressed by Palchesko and Haghnazarian. Most of the inquiries were related to the necessity of trimming or removing large trees in easements in order to prevent future outages. The need to intensify the tree maintenance program was stressed. DTE representatives were asked if they would consider burying power lines in certain areas. Haghnazarian responded that DTE does review a nonperforming circuit to improve the reliability.

The following residents described their particular problems and experiences related to outages following the September 5 storm. Palchesko will follow up on issues raised at these locations regarding outages and tree trimming.

Robert Bloom	22571 King Richard Court
Halley Tarockoff	31317 W. Chelton
Sharon Tischler	21415 Virmar Court

Council thanked the DTE representatives for attending tonight's Council meeting to address the power outages and residents' concerns. Wilson mentioned that people who have experienced prolonged or frequent outages may be eligible for a credit or refund from the Michigan Public Service Commission. Further information is available on the DTE website.

Oakland County Commissioner Bill Dwyer was present to update Council on County activities. He commended PSO Tom Danielson who received the "Officer of the Year" award at the last Council meeting. Dwyer reviewed that the regional assets of the Detroit Water and Sewerage Department system, which serves 4 million people in southeast Michigan, will be operated by the newly created Great Lakes Water Authority. A proposal was passed by the Oakland County Commissioners to approve the 40-year deal with Macomb and Wayne counties to create the

regional water authority. Under the accord, the mayor of Detroit will choose two appointees to the authority; each county will get one appointee; and the governor will select one appointee. Five of six votes will be required to raise rates or make other major decisions. Dwyer announced that Bob Daddow was appointed by County Executive Brooks Patterson to serve on the regional water authority board.

Dwyer informed Council that the Oakland County budget is balanced through 2017. The longer term five-year forecasted budget is balanced through 2019. Oakland County retains its AAA bond rating. The County is anticipating that another 40,000 new jobs will be added to Oakland County next year. With regard to the roads, Dwyer said that Act 51 road funds from the State are decreasing. People across the area agree that road repairs are an important issue. As road conditions deteriorate, property values decrease. There is work going on in Lansing to restructure road funding, but Dwyer does not expect any increase in road funding will be acted upon until after the November election.

CONSENT AGENDA

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

- a. Consider approval of minutes of a regular Council meeting held October 7, 2014.
- b. Review and file bills recapped as of Monday, October 20, 2014.

Motion passed.

BUSINESS AGENDA

REVIEW AND CONSIDER ANNUAL FUNDING REQUEST AND CONTRACT FROM BIRMINGHAM AREA SENIORS COORDINATING COUNCIL (BASCC) FOR FY 2014/2015 IN THE AMOUNT OF \$30,000

Bob Borgon, President of the BASCC Board, was present along with the newly appointed Executive Director, Cris Braun. Borgon related that this is a time when support from the local municipalities has never been more important to the organization. As demonstrated by the conclusions of the Joint Senior Services Committee, BASCC must grow to meet the needs of the growing 50+ population in our communities.

BASCC has already begun the process to expand its hours, outreach, programming and transportation. The organization is in the process of hiring a third outreach provider to offer the resources, nutritional support and medical equipment and other essential services that will allow more seniors to age in place happily and healthily. The money provided by Beverly Hills and other communities will allow BASCC to hire the staff necessary to expand its hours and provide more educational, enrichment and fitness programs. Borgon thanked Council for its consideration and unwavering support of BASCC.

Borgon introduced Cris Braun and outlined her experience and qualifications. Ms. Braun thanked Council for its support. She affirmed that the funding will be critical for BASCC moving forward. The organization has plans to open with longer hours and more resources starting January 2015. A survey is being circulated in the community to collect information on how to fill those hours and attract greater membership.

Motion by Burry, second by Oen. Be it resolved that the Council for the Village of Beverly Hills approve the funding request of the Birmingham Area Seniors Coordinating Council (BASCC) in the amount of \$30,000 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.

President Mercer congratulated and welcomed Ms. Braun.

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

REVIEW AND CONSIDER ANNUAL FUNDING REQUEST AND CONTRACT FROM BIRMINGHAM BLOOMFIELD COMMUNITY COALITION FOR FY 2104/2015 IN THE AMOUNT OF \$1,200

Carol Mastroianni, Executive Director of the BBCC, presented a slide show with the use of the Smart Board to inform the community on what the organization is doing to keep youth safe and substance free. Mastroianni, along with Groves High School senior Charlotte, talked about upcoming and ongoing Coalition sponsored activities and events that incorporate proven prevention strategies targeting youths and families. Prevention programs are being designed to give young people the facts and skills they need to feel confident with themselves and make better decisions.

The Birmingham Bloomfield Community Coalition (BBCC) provides services to reduce substance abuse by youth within the Village of Beverly Hills and the greater Birmingham Bloomfield community. These services center on raising awareness and reducing the access and use of tobacco, hookah, alcohol, marijuana and other dangerous drugs by teens. BBCC acts in similar fashion to a “community services” function, a service the Village of Beverly Hills does not currently staff on its own.

Mastroianni informed Council that the Birmingham Bloomfield Community Coalition is in the last two years of its federal grant. They are looking at sustainability. When the grants end in 2016, BBCC will need to replace \$175,000 in funds.

Motion by Briggs, second by Oen. Be it resolved that the Council for the Village of Beverly Hills approve the funding request of Birmingham Bloomfield Community Coalition in the amount of \$1,200 for the provision of substance abuse prevention services; further that Administration is directed to sign the contract document providing for this continuing community service. The funds for this expense are available in Account #101-747-890.03 Community Action: Contracted.

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

REVIEW AND CONSIDER LIABILITY AND PROPERTY INSURANCE RENEWAL

On the agenda for Council review and consideration is the renewal of the Village's Liability Insurance Policy. Craig Manser, the Village's liability insurance representative from IBEX Insurance Agency, was present. If approved, this policy will renew on November 1, 2014 for one year.

The terms of this policy are the same as the current policy. The total cost for the liability policy for one year is \$110,221. The Village's carrier, Michigan Municipal Risk Management Authority (MMRMA) is requesting a contribution to the loss retention fund of \$40,000 upon renewal. There is also a stop loss policy that would limit all liability in any Village fiscal year to \$108,000. The cost for retaining this stop-loss policy is \$6,802. The total premium and retention fund contribution is \$157,023.

Upon renewal of the policy, the Village will be eligible for a disbursement through MMRMA of \$37,808. Village Administration recommends that this amount also be applied to the loss retention fund. Wilson stated that he reviewed the policy and coverage amounts with Craig Manser and Finance Director Wiszowaty. He recommended that Council renew the policy as stated and that the Village maintain the stop-loss policy. It was noted that the Village no longer carries the fiduciary liability policy since the pension fund is now administered by the Michigan Employees' Retirement System.

Craig Manser reiterated that there have been no coverage changes this year. There have been a couple of coverage clarifications and definition changes, which were reviewed with Wilson and Wiszowaty. He described a coverage provision added this year.

Motion by Mooney, second by Oen, that the Village of Beverly Hills Council approve and authorize Village Administration to sign the Michigan Municipal Risk Management Authority Liability and Property Insurance renewal effective November 1, 2014 through November 1, 2015 in the amount of \$110,221. Further, that the Village contribute \$40,000 to its loss retention fund upon renewal and retain the stop loss policy at a cost of \$6,802. It is also recommended that the Village transfer the \$37,808 disbursement from the MMRMA to the loss retention fund. Funds for this appropriation have been budgeted in the FY 2014-15 budget in the following funds: 101-248-910.00; 205-345-910.00; 205-345-910.00; 592-540-910.00

Roll Call Vote:

Motion passed (6 – 0).

REVIEW AND CONSIDER 2014/2015 FISCAL YEAR BUDGET AMENDMENTS

Council is in receipt of a memorandum dated October 7, 2014 from Finance Director Wiszowaty listing operating transfers from the General Fund to the Local Street Fund and from the Major Road Fund to the Local Street Fund. Council is required to amend the 2014-2015 budget to make these transfers.

Motion by Mooney, second by Oen, that the Village of Beverly Hills Council authorizes Village Administration to transfer General Fund monies in the amount of \$300,000.00 to the Local Street Fund and to transfer Major Road Fund monies in the amount of \$108,191.00 to the Local Street Fund.

Roll Call Vote:

Motion passed (6 – 0).

FIRST ANNOUNCEMENT OF VACANCY ON COUNCIL

Brian LaFerriere resigned from the Village Council on October 7, 2014. His term on Council expires November 15, 2016. The first announcement of the Council vacancy will take place tonight.

The Village Charter Chapter 5, subsection 5.7(b) states “Vacancies in Councilmember offices shall, within sixty (60) days after such vacancy occurs be filled for the unexpired term of the Councilmember whose office has become vacant by appointment by a majority vote of the members of the Council then in office of a person possessing the qualifications for the office.” Traditionally, two announcements of the vacancy have taken place before an applicant is appointed.

Mercer made the first announcement of a vacancy on Council. A second announcement will be made at the Monday, November 3, 2014 Council meeting. The application deadline will be Wednesday, November 12, 2014 at 4:30 p.m. Applications of interested persons will be delivered to Council with the packet on Friday, November 14, 2014.

SECOND ANNOUNCEMENT OF VACANCY ON THE PARKS & RECREATION BOARD

Mooney made the second announcement of a vacancy on the Parks and Recreation Board due to the resignation of Cindy Arvant. This is an active group with great people, and he urged interested individuals to apply for this position. Applications for this vacancy can be made online at the Village website or by visiting the Village office. The application deadline will be Wednesday, October 29, 2014 at 4:30 p.m. The term of this office expires on June 30, 2017.

A Council subcommittee of Mooney as chair, Burry and Kelly will meet at 7:15 p.m. prior to the November 3, 2014 Council meeting to review applications and make a recommendation for appointment to Council.

PUBLIC COMMENTS

Bob Borgon of 32340 Drury Lane said that he was impressed with the way Council conducted business in the past few years. Borgon hoped that the newly elected council members will work together as well as the current council. He thanked Walter Briggs, Greg Burry and Tim Mercer for their dedication to the community.

Neighborhood association president Steve Atkinson of 31669 Mayfair Lane was present representing the Beverly Woods Subdivision. He related that there is a residence in the neighborhood where the owner is trying to operate a group home. This has received the attention of the Village, and tickets have been issued. Atkinson referenced a decision by the State

regarding group homes and the possible appeal of that decision. He is present on behalf of the homeowners association to encourage the Village Council to pursue this issue with due diligence at the local level. In response to an inquiry, Mooney stated that Council cannot comment on legal developments related to this matter.

REPORTS – MANAGER

Manager Wilson commented that Village Administration and Council are well aware of the situation in Beverly Woods Subdivision and will continue to act on the residents' behalf concerning this activity.

Leaf Collection – Leaf collection commenced yesterday, Monday, October 20. There were some glitches with the contractor's equipment on the first day; better progress was made today. Village Administration is working with the contractor, Brilar. It was indicated that residents can still bag their leaves and put them at the curb for collection with their weekly trash.

Master Plan Update – The Planning Commission and LSL Planning will be hosting an open house at the Village Hall on Monday, October 27 from 4 p.m. to 7 p.m. to talk about the Village Master Plan update. The idea is to receive public input early in the process. Interested parties are encouraged to drop in at any time; there will be multiple presentations and displays.

Village Hall Repairs – The skylight in the lobby of the Village Hall has been removed, and the ceiling was repaired. Lighting in the lobby has been improved. Contractors are replacing the entrance doors this week, which will be ADA compliant.

Wildlife Issues – Village Administration has received complaints regarding deer that have been eating the flowers and vegetation around homes. Residents have tried multiple methods to repel the deer but have not been successful. Wilson has reviewed policy alternatives that have been suggested. Hunting is illegal in the Village. There are people who provide food for deer in the winter, which may be increasing the population. Communities have attempted to address this problem by adopting an ordinance prohibiting the feeding of wildlife. Village Administration will pursue this matter at Council's direction. Wilson urged residents to watch for deer running into the roads in the coming weeks.

Joint and Crack Sealing – The annual joint and crack sealing program has begun. Crews will be out on Village streets for the next few weeks repairing and sealing cracks on Village roads.

Questions from Council members on the Manager's Report were addressed by Wilson.

REPORTS - COUNCIL

Burry thanked Council for approving the funding request from the Birmingham Area Seniors Coordinating Council.

Mooney commented that Bill Kondak has been elected as the new chair of the Parks and Recreation Board and Janice Hausman as the vice-chair.

Mooney invited everyone to the Halloween Hoot in Beverly Park on Sunday, October 26. This will be the 19th Annual Halloween Hoot organized by resident Pat Greening. Mooney highlighted the schedule for the day's activities and indicated that there is a need for volunteers to top and gut pumpkins in the morning. Kids are invited to carve pumpkins from noon until 2 pm. Trick-or-Treating will begin at 6 pm until 8 pm. Eighteen neighborhood associations and community groups are participating in setting up stations along the park path. There will be snacks and entertainment in the park pavilion.

Briggs reported on the Baldwin Library Board meeting held yesterday, October 20. Because the millage vote for a library addition was not approved by the electorate, the Director and building committee have been working on plans to address some of the immediate building maintenance needs. Over the next year, a plan will be developed for a smaller scale renovation of the library in order to create additional room for books, study space, and community meeting areas.

The Library Youth Services Director has announced that the library is adding a substantial number of games and toys geared towards special needs children. The library currently has a large number of games and educational toys available to youth for checkout. Briggs was not present at the last Council meeting. He thanked Brian LaFerriere for his service on Council.

Mercer thanked everyone in attendance at the Council meeting and those who made presentations.

Motion by Mooney, second by Oen, to adjourn the meeting at 9:28 p.m.

Motion passed.

Tim Mercer
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary