

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

Absent: Member Abboud

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

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 recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed.

COMMUNITY ANNOUNCEMENTS

Doug Koschik, Baldwin Library Director, provided the Council with the Annual Library Update. He outlined the variety of services the library offers to residents including Check-out, Interlibrary loan, Home delivery, Programs for all ages (e.g., summer reading program), and Electronic resources (databases, e-books, e-audiobooks, e-music, e-videos, etc.). He reported 7,700 Beverly Hills residents are card holders, they checked out over 129,000 items in FY 2016-17, and 447 residents took part in 2016 summer reading program. Residents can help support the library by joining Friends of the Library, donating to a trust, including named endowment funds, or attend the Books & Bites fundraiser on Friday, November 10, 2017. Proceeds go toward Youth Room renovation, and tickets are \$75 a piece and can be purchase through the website or calling the library.

Koschik provided pictures of the seven month renovation the library recently underwent. The project was completed on time and under budget. He thanked Architects: Luckenbach Ziegelman Gardner, Interior designer: Karen Swanson, Construction: The Dailey Company. He explained the building is owned by the City of Birmingham, and funding came from the library's fund balance and a temporary increase in Birmingham's Library millage. The plan is to update the Youth Room in 2019-20.

Council thanked Koschik for his vision, hard work, and dedication to the library.

Frank Pisano, President of the Library Board, thanked Peddie for representing the Village at the Board meetings, and Council for their continued support and valuable partnership.

Resident Kim Thorson, Evergreen Rd., shared that she and her son were at the library recently and were amazed at the renovations and thrilled to use the new space.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

Resident Rachael Hrydziusko, Evergreen Road, expressed her concerns related to the pending tree ordinance. She feels that it is an overstep to ask residents to get permission for the removal of healthy trees located on their private property. She is concerned that residents will be unable to identify landmark trees and make mistakes, and pointed out that removing mature trees can help with new tree growth. She questions who would be responsible for the cost associated with evaluating a tree's health and care of a tree deemed savable. She suggested the Council consider allowing the removal of two trees without a permit. She also suggested an incentive program for tree planting, and a tree census.

Thorson stated she has 50-100 trees on her property and feels having a tree diagnosed and removed was costly enough without adding on permit fees or the cost of replacement trees.

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 July 18, 2017.
2. Review and file bills recapped as of Monday, July 24, 2017.
3. Review and consider resolution appointing delegates to the Michigan Employees' Retirement System Annual meeting.
4. Review and consider going out for bids for 2018 Village Calendar Project.
5. Set a public hearing date for a Special Land Use request from Northbrook Presbyterian Church, 22055 W. Fourteen Mile Road.
6. Set a public hearing date for an update to language in Chapter 22, Section 22.42.010 Penalties.

Roll Call Vote:

Motion passed (6-0)

BUSINESS AGENDA

REVIEW AND CONSIDER PROPOSALS TO UPDATE VILLAGE WEBSITE

Wilson explained the Village website was last updated in 2013; the current site looks outdated and does not offer complete accessibility from mobile devices. Market trends indicate that 56% of the visitors to our site use a mobile device. It is time to consider a complete facelift and revamping of our site. Marshall reached out to four companies who design municipal websites; CivicLive, CivicPlus, AmeriScan Imaging Services, and Revize. CivicPlus was unresponsive. CivicLive, and Revize provided proposals along with AmeriScan Imaging Services.

After reviewing the proposals, administration recommends Revize to update the village website. A Revize website will allow site visitors to fill out and submit documents, review and pay bills, perform searches to answer frequently asked questions and perform a suite of other tasks that would otherwise require staff assistance. Some features include; Public Service Request App, Calendar of Events, E-Notification Modules, On-Line Payment Portal, Facilities Reservations, News Center with Facebook/Twitter integration, Emergency Alerts, Online Forms/Survey Tools, E-Newsletter Applications, Job Posting and Tracking Module, Public Records Request Tracker, and Agenda Creator. Updates to the site can be easily done by administration by making edits in

real time that update the site immediately. Revize is located in Troy, Michigan and they have updated numerous municipal websites including Berkley, Birmingham, and Auburn Hills. Their services are highly recommended by each community.

The Revize proposal contains eight phases:

Phase 1 - Project Planning and Analysis \$500

Phase 2 - Discovery and Design from Scratch \$2,000

Phases 3 & 4 - Template Development \$3,600

Phase 5 - QA Testing \$800

Phase 6 - Site Map Development/Content Development \$1,700

Phase 7 - Content Editing and Site Administration Training \$900

Phase 8 - Go live \$300

They are offering a first time client discount of \$1,850 which covers the cost of the first year of annual tech support. If the Village agrees to sign a locked-in rate contract for five years, Revize would provide a free website redesign after four years of service.

Motion by Mueller, second by Oen, be it resolved that the Beverly Hills Village Council accepts the proposal from Revize to redesign the Village website in the amount of \$9,800 which includes project planning and analysis, discovery and design, template development, testing, site map development, content editing and site administration training and going live, as well as \$1,850 per year for annual tech support. Further Village Council directs the Village Manager to sign a five year contract guaranteeing that Revize will provide a free website redesign after four years of service.

Roll Call Vote:

Motion passed (6-0).

REVIEW AND CONSIDER SETTLEMENT AGREEMENT WITH PUBLIC SAFETY OFFICERS UNION

Wilson explained Village Administration had been in negotiations with the Public Safety Officers (PSO) Union regarding the employment contract between the Union and the Village. This contract expired on June 30, 2017 and has remained in effect. This contract has been in effect since January 1, 2013. Through negotiation, the Village has been able to reach a Tentative Agreement that was approved by the Union in June. The contract before Council for review and consideration has incorporated the terms of that Tentative Agreement.

The proposed contract covers a period of five (5) years, from July 1, 2017 to June 30, 2022. Wage increases for this five year period are as follows:

As of

7/1/17: 2.0%

7/1/18: 2.0%

7/1/19: 2.0%

7/1/20: 2.5%

7/1/21: 2.5%

All Public Safety Employees hired after 7/1/13 will remain in the Village's Defined Contribution (DC) 457 Plan. The Village and Union negotiated an increase in the Village's contribution to the DC plan from 10% to 12% effective 7/1/17. Employees will continue to contribute 5% of their base wages to the DC Plan. With the increased Village contribution to the DC plan, there will now be a five (5) year vesting period for the Village contributions to the DC plan. Previously, employees had immediate vesting upon hire. The vesting period will be effective for new hires and current employees as of July 1, 2017. Current DC employees with vested DC contributions prior to July 1, 2017 will maintain eligibility for those funds.

Employees hired after 7/1/13 will not be eligible for retiree health care and have alternately been enrolled and participate in the Retiree Health Savings Plan. Both the employee and Village will contribute 3% of base wages to the RHSP. Vesting times for the RHSP remain unchanged. Enrollment of new PSO hires in the DC and RHSP plans was established in the last round of contract negotiations.

Both parties have agreed to continue working and negotiating on revisions to the duty disability program for DC employees. The Village has been working on this issue with the union for a long period of time and should have the matter resolved soon. In addition, both parties agree to comply with Federal or State regulations regarding health care.

These negotiations were handled by Village Administration under the direction of our Labor Attorney, Rick Fanning. Fanning has reviewed the contract and the terms of the Tentative Agreement. Village Administration finds the proposed contract to be fair and consistent with current market conditions, within the Village's ability to pay and to be in the best interest of the Village of Beverly Hills. The term of the contract provides a significant period of labor consistency and will be of significant value to the Village, Council, Public Safety Department and the community.

Mooney thanked Wilson, Village Administration, Torongeau, and the PSO Union representatives for working together to reach a fair Tentative Agreement. The contract in its entirety is available at the Village Office for review.

Motion by Delaney, second by Oen, be it resolved that the Council for the Village of Beverly Hills approves and authorizes Village Administration to sign the Collective Bargaining Agreement between the Village of Beverly Hills, Michigan and the Police Officers Association of Michigan for the period of July 1, 2017 to June 30, 2022 as presented.

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

REVIEW AND CONSIDER MERS DEFINED CONTRIBUTION PLAN ADOPTION AGREEMENT ESTABLISHING NEW DIVISION FOR PUBLIC SAFETY OFFICERS

Mooney explained as part of the proposed contract settlement with the Public Safety Officers (PSO) union the Village negotiated modifications to the Defined Contribution (DC) Plan to

covers PSO's hired after July 1, 2013. These modifications include an increase in the Village's contribution from 10% to 12% and the establishment of a five (5) year vesting period for Village contributions to the DC Plan. In order to make these changes the Village needs to adopt two amendments to the Michigan Employees Retirement System (MERS) Defined Contribution Plan Adoption Agreement.

The first of these two amendments establishes a separate division for the PSOs in the DC Plan. Currently, all Village employees in the DC Plan are enrolled in the same division. With the changes to the contribution rate and vesting plan for PSOs it is necessary to create a separate division for the public safety officers. The attached document accomplishes that by establishing Division 110213 for public safety officers hired after July 1, 2017. Village Administration has reviewed this Agreement and recommends approval by the Village Council.

Motion by Oen, second by Peddie, be it resolved that the Council for the Village of Beverly Hills approves and authorizes the Village Manager to approve the MERS Defined Contribution Plan Adoption Agreement establishing a separate Division 110213 for Public Safety Officers hired after July 1, 2013.

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

REVIEW AND CONSIDER MERS DEFINED CONTRIBUTION PLAN ADOPTION AGREEMENT ESTABLISHING VESTING AND EMPLOYER CONTRIBUTION RATES AS OF JULY 1, 2017

Wilson explained as part of the proposed contract settlement with the Public Safety Officers (PSO) union the Village negotiated modifications to the Defined Contribution (DC) Plan to cover PSOs hired after July 1, 2013. These modifications include an increase in the Village's contribution from 10% to 12% and the establishment of a five (5) year vesting period for Village contributions to the DC Plan. In order to make these changes the Village needs to adopt two amendments to the Michigan Employees Retirement System (MERS) Defined Contribution Plan Adoption Agreement.

The second of these amendments establishes the contribution rate of 12% on behalf of the Village to the accounts of public safety officers. The current Village contribution is 10%. This amendment also establishes a vesting period of five (5) years for Village contributions. Currently, employees have immediate vesting of Village contributions. Village Administration has reviewed these Adoption Agreement Amendments and recommends approval at this time.

Sharon Tischler, Virmar Ct., inquired whether the changes apply to new hires or are retroactive. Wilson explained that this would be retroactive to all PSOs hired after July 1, 2013.

Motion by Delaney, second by Oen, be it resolved that the Council for the Village of Beverly Hills approves and recommends the Village Manager to sign the MERS Defined Contribution Plan Adoption Agreement for Division 110213 amending the Village's contribution to 12% and establishing a vesting period of five years.

Roll Call Vote:
Motion passed (6-0)

REVIEW AND CONSIDER PROPOSAL FOR OTHER POST EMPLOYMENT BENEFITS (OPEB) ACTUARIAL STUDY

Bids were solicited for required retiree health care actuarial reports for fiscal year June 30, 2017. These bids were obtained in consultation with our auditors, Plante Moran. The bids ranged from \$5,000 to \$17,000. Administration recommends accepting the low bid belonging to The Howard E. NYHart Company, Inc. (NYHart). Copies of the bid and contract are available at the Village Office for review.

Motion by Delaney, second by Oen, be it resolved that the Council for the Village of Beverly Hills accepts NYHart's contract in the amount of \$5,000 to provide required retiree health care actuarial reports for fiscal year 2017.

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

PUBLIC COMMENTS

Sharon Tischler, Beverly Hills Lions Club, encouraged residents to visit the renovated library. She also reminded residents that when they come for the children's vision screening, a guardian must be present.

MANAGERS REPORTS

Evergreen Rd. Update – The Village has been notified that the final paving of Evergreen Rd. will begin around August 14th and should take approximately five days. There will be additional work time needed for clean-up and pavement marking but the road will be completely opened to traffic well in advance of the beginning of the school year.

Riverside Bridge Concrete Repair – Village Administration has made arrangements with the contractor for the repair of the concrete sidewalk along Riverside Bridge. This work is scheduled to take place during the week of August 14th.

Beverly Road Sidewalk and Crosswalk – Village Administration has arranged for the installation of a crosswalk across Beverly Road in the vicinity of the Beverly Hills Athletic Club and Beverly Elementary. The crosswalk will require the installation of additional sidewalk along Beverly. This work is scheduled to begin the week of August 14th.

Private Rd. Installation – There has been significant progress on the installation of the private road off Evergreen across from Beverly Rd. Concrete curb work and the installation of the asphalt road has occurred. There has also been significant work on grading the site. Village Administration has made some site visits to observe the progress. There will be further work to restore the site and the installation of landscaping per the approved site plan.

Pension Plan Actuarial Report – The Village is in receipt of the MERS actuarial report for the period ending December 31, 2016. A copy of this report was provided to Council for review. The Village achieved positive returns for the calendar year ending 2016 and our funding ratio increased from 88% to 89% as of 12/31/16. Page 5 lists changes that were made in the assumptions that are first reflected in the report as of this year. The inclusion of all unfunded accrued liability (UAL) in the next 10 years because the Village is classified as a “closed” division is, in the opinion of Administration, a somewhat dubious practice and something Administration will be going over with Council more in future months and years. The impact of this is evident on page 14 as projections of future pension contributions spike significantly over the next 10 years and then decline significantly over the period of one year. Wilson thinks the report is overall a positive one; the Village is continuing to meet its obligations regarding future pension obligation. The future obligations have been significantly mitigated with the closing of the plan and establishment of the DC plan for all new hires. Combined with our aggressive funding of our OPEB obligations, and otherwise low levels of debt, the Village finances are in positive shape.

Erity Damn Update – The Village has been notified that the preliminary work will begin around August 14th. The project work will begin September 14th, and they plan to complete the work by September. Some road closures are expected.

Mooney thanked Wilson for his 9 years of service to the Village. He has accomplished so much, including the repair of finances, labor disputes and general Village management. The Village is lucky to have such a dedicated manager.

COUNCIL COMMENTS

Nunez stated he attended the Planning Commission meeting and communicated Council’s intentions regarding the fence ordinance. There was also a long and productive conversation regarding the tree ordinance.

Mueller also attended the Planning Commission meeting and agrees that the Village needs to protect its trees; particularly during redevelopment involving teardown rebuilds. He supports the idea of allowing two trees removed without a permit per year. A lot of work has been done at Beverly Park; the ping pong table and chess tables are in place. The Parks and Recreation Boards has accepted Councils ping pong and horseshoe challenge to take place at the September Board meeting.

Delaney feels there is a problem in the Village with scrub trees growing into overhead lines. He would like DTE to be contacted to follow up on their commitment to remove these trees.

Oen announced that Next has elected Greg Burry as the new Board President.

Mooney thanked Abboud, Nunez, Delaney, and Dr. Abboud for their work at Beverly Park Saturday morning. He expressed his pride in the hard work the Park Rangers have done this summer.

Motion by Oen, second by Mueller, to adjourn the meeting at 8:53 pm.

Motion passed.

John G. Mooney
Council President

Ellen E. Marshall
Village Clerk

Elizabeth M. Lyons
Recording Secretary