Beverly Hills Regular Village Council Meeting Tuesday, September 18, 2018

#### AGENDA

Roll Call/Call to order

Pledge of Allegiance

Amendments to Agenda/Approve Agenda

Community Announcements

Public Comments on items not on the published agenda

Consent Agenda

- 1. Review and consider approval of minutes of a regular Council meeting held September 4, 2018.
- 2. Review and file bills recapped as of Monday, September 17, 2018.
- 3. Review and consider request from Our lady Queen of Martyrs to install banner at the northwest corner of Dunblaine and Southfield.
- 4. Review and consider request from Our Lady Queen of Martyrs to use Village streets and sidewalks for their Oktoberfest 5K Race rescheduled for October 6, 2018.

**Business Agenda** 

- 1. Announcement of vacancy on the Birmingham Area Cable Board.
- 2. Second reading and possible adoption of an ordinance amending Chapter 5 §5.03 and §5.04; Chapter 14 §14.30 and Chapter 42 §42.02, 42.03, 42.04, 42.07(6), 42.12, 42.18 and 42.20 regarding penalties in the Municipal Code.
- 3. Review and consider Agreement between the Village of Beverly Hills and Nyhart regarding the Other Post-Employment Benefits (OPEB) Trust

Public comments

Manager's report

Council comments

The Village of Beverly Hills will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities attending the meeting upon three working days' notice to the Village.

Individuals with disabilities requiring auxiliary aids or services should contact the Village by writing or calling Chris Wilson, 18500 W. Thirteen Mile, Beverly Hills, MI 48025 (248) 646-6404.

- Present: President Mooney; President Pro-Tem Peddie; Members: Abboud, Delaney, Mueller, Nunez, and Oen
- Absent: None

Also Present: Village Manager, Wilson 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.

## AMENDMENTS TO AGENDA/APPROVE AGENDA

Motion by Oen, second by Peddie, to amend the agenda, adding Business Item 10. Discussion of Pending Litigation Regarding the November Ballot Proposal.

Motion passed.

Motion by Oen, second by Peddie to approve the agenda as amended.

Motion passed.

## **COMMUNITY ANNOUNCEMENTS**

Rosemary Bayer, Dunblaine, announced that she is running for Michigan Senate, District 12, she has always felt compelled to be of service to the community. It is a lifetime commitment rooted in a family tradition of public service. As she has watched the problems caused by a lack of effective, honest government grow, she decided to be part of the solution.

She believes that Michigan can have a strong economy, a beautiful and healthy environment, a leading education system, a fair criminal justice system and safe, supportive communities for all our children and from my experience as an executive, entrepreneur and advocate for women, she has the right skills and experience to get in there and get to work for the District.

## **PUBLIC COMMENTS**

Ann Ferguson, Auburn, spoke about her concerns about the need for a tree protection ordinance and some trees on her right away that may need removal.

Mooney advised her Administration would follow up with her regarding the trees located on the right-of-way.

## **CONSENT AGENDA**

Motion by Oen, second by Peddie, be it resolved that the Council for the Village of Beverly Hills approve the consent agenda.

1. Review and consider approval of minutes of a regular Council meeting held August 21, 2018.

- 2. Review and file bills recapped as of Tuesday, September 4, 2018.
- 3. Review and consider recognizing September as National Recovery Month.
- 4. Review and consider 2019 Council meeting dates.
- 5. Refer request from Woodside Athletic Club, 22440 W. 13 Mile Rd. for site plan and special land use approval to the Planning Commission for review and recommendation.
- 6. Review and consider waiving sales restrictions at Beverly Park for Read in the Park.

Roll Call Vote: Motion passed (7-0)

## BUSINESS AGENDA REVIEW AND CONSIDER ANNUAL FUNDING REQUEST AND CONTRACT FROM NEXT BIRMINGHAM FOR FY 2018/2019 IN THE AMOUNT OF \$37,257.00

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 2018/19 Budget for contract community action programs. Thirty seven thousand two hundred and fifty seven dollars (\$37,257) was allocated for Next. Next is requesting a contribution of \$37,257 to cover the funding of these important functions being provided to the community by the organization. A contract entailing the services provided is attached for Council consideration.

Greg Burry, Pierce, explained that not only does Next provide entertainment, they also provide meals, transportation, health programs, and outdoor work assistance.

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 \$37,257 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)

# **REVIEW AND CONSIDER ANNUAL FUNDING REQUEST AND CONTRACT FROM BIRMINGHAM BLOOMFIELD COMMUNITY COALITION IN THE AMOUNT OF \$1,800.00**

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 reducing the access and use of tobacco, 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.

## REGULAR COUNCIL MEETING MINUTES - SEPTEMBER 4, 2018 - PAGE 3

Carol Mastroianni, Executive Director, spoke, sharing that as more teens are faced with stress, anxiety, bullying, and substance abuse, BBCC has continued to provide opportunities for young people to build themselves up from the inside out. One of the more popular programs is the Covey "7 Habits of Highly Effective Teens." This program is offered to 9<sup>th</sup> and 10<sup>th</sup> graders and have our YAB teens lead it. This training provides a step-by-step framework for boosting self-image, building friendships, resisting peer pressure, achieving goals, and much more.

Even with reduced staff and funding, BBCC continues to provide timely, useful news, information, programs, activities, and events designed to keep parents, youth, schools, and other community members "in the know" and provide opportunities to participate in substance abuse prevention efforts. They bring the right people and resources together to weave sustainable prevention efforts into the fabric of the community. Their goal is to get to outcomes and ultimately to save kids' lives and provide the brightest drug-free future for them.

Motion by Delaney, second by Oen, be it resolved that the Village of Beverly Hills Council approves the funding request of Birmingham Bloomfield Community Coalition in the amount of \$1,800 for the provision of substance abuse prevention services; further that Administration is directed to sign the contract document providing for this continuing community service. Funds are available in Account #101-747-890.03 Community Action: Contracted.

Roll Call Vote: Motion passed (7-0)

## PRESENTATION BY HUBBELL, ROTH & CLARK REGARDING PASER ROAD RATING SYSTEM

Brad Shepler and Colleen Hill-Stramsak representing Hubble, Roth & Clark (HRC), presented the Roadway Asset Management Plan. They provided background on the purpose of the assessment. It is required to submit AMP with a capital improvement plan to Michigan Transportation Asset Management Council (TAMC). Currently, Act 51 Funds must be split between major and local roads. Once AMP is approved, money can be shifted between funds.

The Asset Management Plan will rate the surface condition of 48 miles of non-federal aid eligible roads using the Pavement Surface Evaluation and Rating (PASER) system. The goal is to evaluate how to best allocate resources to maintain, preserve and improve roadway assets.

The process includes; assess current conditions, create a mix of fixes, estimate costs, and funding levels, predict future condition and develop performance measures and targets, conduct tradeoff analysis and identify candidate projects, set priorities and develop a multi-year program, and report results.

The rate of roadway deterioration is not constant. Conducting maintenance and rehabilitation can provide more value per dollar. Typically, maintenance and rehabilitation are no longer options when a road has reached a PASER of 2 or 1.

## REGULAR COUNCIL MEETING MINUTES - SEPTEMBER 4, 2018 - PAGE 4

The PASER evaluation was conducted in May 2018, and does not include federal aid roads, which are rated by SEMCOG, MDOT and the RCOC every two years. Of the roads under the City's jurisdiction, within the Village of Beverly Hills, 10% are good, 54% are fair, and 36% are poor.

Based on these findings, the recommendations of HRC are as follows:

Work with the Oakland County Federal Aid Committee (FAC) to secure funding for major road projects. Investigate alternative treatment methods to most efficiently use the scarce funds available. Combine the suggested 5 Year Capital Improvement Plan with the Village's roadway familiarity to most efficiently use preventative maintenance, rehabilitation and roadway reconstruction to prolong the Village's roadway network investments. Submit the results of the Asset Management Plan to the TAMC.

Annually review and update the Asset Management Plan's 5 Year Capital Improvement Plan. Reassess the condition of the roadways in Beverly Hills, and record their respective PASER rating, to ascertain the effectiveness of implemented improvements. Regularly evaluate the budgeted amount of roadway funding and increase it as money become available to help increase the overall PASER rating of the Village's roadway network.

Establish goals based on the following performance measures: Changes in roadway PASER rating, Roadway service life per total cost of roadway, establishing a maximum roadway deterioration rate.

Council thanked Shepler and Hill-Stramsak for their work on this project.

Mueller stressed that the Village would not spend money simply in pursuit of a higher rating, it would be based on decisions that are fair and benefit residents.

Delaney inquired what the next steps would be in the process. Shepler explained the Village would work with HRC to develop a capital improvement plan, and determine which roads receive priority.

Dave McDonald, Foxboro Way, reported that his road was in terrible condition and unsafe. He believes planning is great, but immediate relief is needed.

Don McDonald, Foxboro Way, expressed frustration with what he sees as a lack of repairs on local roads.

A full copy of the report is available in the Village office and on the Village website.

## **REVIEW AND CONSIDER RECOMMENDATION FROM THE PARKS & RECREATION BOARD TO RAISE PAVILION FEES FOR 2019**

At their August 16, 2018 meeting, the Parks & Recreation Board reviewed the park opener fees for pavilion rentals. The park opener fee has been \$25 for over 20 years. It is a difficult position to fill due to approximately 150 rentals per season and two trips to the park for every rental. After

discussion the Board agreed to recommend a \$15 increase in the park opener fee from \$25 to \$40. The additional amount would be paid by the renter as a pass through to the park opener.

Motion by Mueller, second by Oen, be it resolved that the Village of Beverly Hills Council approves to increase the Beverly Park pavilion rental fee by \$15 for all rentals beginning with the 2019 season. The additional amount will be paid to the park opener.

Roll Call Vote: Motion passed (7-0)

## **REVIEW AND CONSIDER PROPOSALS FOR DESIGNING AND PRINTING THE 2019** VILLAGE CALENDAR.

Each year the Village produces a calendar that is mailed to each residence and business in the Village. It is a valuable source of communication regarding meeting dates and times, trash rules and regulations, and organizations.

On Wednesday, August 29, 2018 at 10:00 am, six sealed bids were opened publicly for the 2019 Village Calendar project. Vendors were asked to quote on designing and printing the calendar based on the layout of the 2018 calendar with a quantity of 5,000.

For the 14th year we are offering businesses in the community and surrounding area an opportunity to advertise in the calendar. Any revenue generated from the sale of advertising space will help offset the cost of the calendar and increase communication between businesses and residents. Last year \$1,008 worth of advertising space was sold. Already this year \$1,638 has been committed.

The following summarizes the bids: Arbor Oakland Group \$7,955.00; Compton Press \$4,639.00; Dearborn Lithograph \$4,429.00; Hour Custom Publishing \$9,645.00; Indiana Printing & Publishing \$4,325.00; KB Offset Printing \$5,325.00.

Although Indiana Printing & Publishing provided the lowest bid of \$4,325, they are located in Pennsylvania. In an effort to support Michigan business, administration recommends Dearborn Lithograph to print the 2019 calendar. Dearborn Litho printed the 2012, 2013 and 2016 calendars.

Administration recommends awarding the Village of Beverly Hills 2019 Calendar project to Dearborn Lithograph in the amount of \$4,429.00 and mail calendars to each residence and business in the Village for an additional postage amount of approximately \$1,700.

Motion by Mueller, second by Oen, be it resolved that the Village of Beverly Hills Council awards the contract for printing the Village of Beverly Hills 2019 Calendar Project to Dearborn Lithograph in the amount of \$4,429.00. Funds for this project are available in account #101-747-881.

Roll Call Vote: Motion passed (7-0)

## ANNOUNCEMENT OF A VACANCY ON THE BIRMINGHAM AREA CABLE BOARD

A vacancy exists on the Birmingham Area Cable Board with a term expiration date of June 30, 2020. The Cable Board meets at 7:45 a.m. on the third Wednesday of each month in the Village Council Chamber. They advise the Village Council as to all matters related to Cable Television. The Board monitors performance of the franchisee and compliance with the franchise agreement and acts as liaison between residents and the franchisee.

Applications will be accepted until the vacancy is filled.

## **REVIEW AND CONSIDER APPOINTING REPRESENTATIVE TO THE MICHIGAN MUNICIPAL LEAGUE ANNUAL BUSINESS MEETING**

Each year the Michigan Municipal League (MML) holds a Convention for Michigan government officials. This year's convention will be held September 20-22, 2018 in Grand Rapids. The annual business meeting will be held on Friday, September 21st for the purpose of electing trustees, voting on policies and resolutions and other business. Pursuant to the provisions of the MML Bylaws, we are requested to designate, by action of our Village Council, one of our officials who will be in attendance at the Convention to act as our official representative to cast a vote on behalf of Beverly Hills. They also suggest naming an alternate.

Motion by Abboud, second by Oen, that the Beverly Hills Village Council appoints Rock Abboud as the official representative of the Village of Beverly Hills to attend the Michigan Municipal League Annual Business Meeting to be held September 21, 2018 in Grand Rapids, Michigan.

Roll Call Vote: Motion passed (7-0)

## FIRST READING OF AN ORDINANCE AMENDING CHAPTER 5 §5.03 AND §5.04; CHAPTER 14 §14.30 AND CHAPTER 42 §42.02, 42.03, 42.04, 42.07(6), 42.12, 42.18 AND 42.20 REGARDING PENALTIES IN THE MUNICIPAL CODE

Tom Ryan conducted the first reading, and explained that previously Zoning Violations had been de-criminalized, and this revised language will classify the violations a civil infractions.

A copy of the proposed ordinance changes are available at the Village office.

## **REVIEW AND CONSIDER RESOLUTION FOR GOVERNMENTAL AGENCIES FOR THE MICHIGAN DEPARTMENT OF TRANSPORTATION**

As Village Administration begins preparations for the 14 Mile reconstruction project we have determined that the official detour route for west bound traffic will incorporate Telegraph Rd. As Telegraph is under the jurisdiction of the Michigan Department of Transportation (MDOT) the Village will be required to get a permit from MDOT to use Telegraph as a detour route. Obtaining such a permit requires a resolution registering the Village as a Governmental Agency and listing any agency that would have the right to apply for such a permit on our behalf. This is not something the Village does regularly as we do not normally have impact on roads under MDOT jurisdiction.

The attached resolution is the required form from MDOT to establish the Village as a Governmental Agency. As HRC will be our engineer on this project it would be appropriate to assign them as a representative to apply for these permits on our behalf.

Motion by Abboud, second by Delaney, be it resolved that the Village of Beverly Hills Council approves the Performance Resolution for Governmental Agencies form 2207B for the Michigan Department of Transportation for the purpose of issuing the Village an Individual Permit for Use of State Highway Right of Way and that Hubbell, Roth and Clark, Inc. be authorized to apply for such permits on behalf of the Village.

Roll Call Vote: Motion passed (7-0)

## DISCUSSION OF PENDING LITIGATION REGARDING THE NOVEMBER BALLOT PROPOSAL

Ryan reported that August 14, 2018 was the State mandated deadline to file any ballot proposals for the November 2018 election. The Parks Millage language was signed by the Governor on July 25, 2018 and mailed by the Village Clerk on July 31, 2018. On August 27, 2018, Oakland County informed Administration that the ballot language for the Village was not received and therefore could not be placed on the November ballot. In a signed affidavit the clerk attests that the language was signed and mailed via the US Postal Service on July 31, 2018. On August 31, 2018 the County maintained they were unable to locate the mail and took the position that the envelope was not received.

Ryan has filed a complaint on behalf of the Village to have the case heard before a judge prior to the September 13, 2018 final ballot approval date.

## **PUBLIC COMMENTS**

Karen Gilbert, Amhurst, reported that she witnessed a goat walking in her rear yard. She expressed concern about allowing farm animals in the Village, and asked that residents be updated if a public hearing on the issue was scheduled.

## **MANAGER'S REPORT**

**FY 2017-18 Audit** – The auditors were on site the week of August  $20^{th} – 24^{th}$  to do the field work for the annual Village audit. Village Administration was able to provide the auditors with all the required information for them to complete their field work that week. Tentatively, the auditors are scheduled to make the audit presentation to Council at the regular meeting of October  $16^{th}$ . The auditors did report to Village Administration an issue with the purchase of the two new patrol vehicles for Public Safety. The purchase of these two vehicles was budgeted for FY 17-18 and the purchases were processed through accounts payable and approved by Council. However, capital purchases of that amount should receive separate Council approval at a meeting. Village Administration has already revised our purchase policy and will require a copy of minutes of a Council meeting to be attached to any invoice in excess of \$5,000.

**OPEB Report** – As part of the audit process the Village received an update (Interim Actuarial Valuation) of our OPEB report from last year. This interim update is required as a part of the

GASB 74 and 75 updates. The update was performed by Nyhart from Indianapolis, the same firm that did the last report. There were significant material updates in the current report, which is for the FYE June 30, 2018. The previous report (FYE June 30, 2017) reported a total OPEB liability of \$14,916,871. The actuarial value of assets was reported at \$6,141,787. The net OPEB liability was \$8,775,084 for a funding ratio of 41.2%. These calculations were based upon an expected rate of return of 6.00%. Per Nyhart, this 6% rate was used as a conservative estimate as they did not have, at that time, adequate information from MERS as to an appropriate discount rate, or expected rate of return. Since the original report, Nyhart has confirmed a discount rate of 7.75% from MERS for the assets in the Retiree Health Funding Vehicle. Nyhart updated the Village's calculations for FYE 2018 based upon this rate of 7.75%. The result was a decline in our total OPEB liability to \$10,373,098. Our assets had grown to \$6,936,321 leaving a net liability of \$3,436,777. This was a reduction in our overall liability of over \$5 million over the previous year. The OPEB funding ratio increased from 41.2% to 66.9%. The Village's total OPEB expense for FY 17/18 was reported at \$102,557 which is down from \$698,749 in FY 16/17.

The change in the expected rate of return was not the only reason for the improvements in the Village's position relative to retiree health care funding. The Village has also benefitted from annual increases in health care premiums that have been below previous estimates. Nyhart will be providing Village Administration with a proposal for the recalculation of annual OPEB contributions going forward. Based upon the revised valuation it was their opinion that the Village is at risk of contributing too much to this fund if we do not make future changes in contribution levels. As expenditure levels for retiree health care have been set in the budget for the current fiscal year I do not anticipate changes to our contributions in this budget year. Obviously, this will have a significant impact on the budget for FY 19-20 and ongoing years, particularly in the Public Safety Fund.

## **Construction Updates:**

**13 Mile Concrete Repair** – The contractor has completed the concrete work along 13 Mile just west of Evergreen. All lanes have been reopened to traffic. There is some restoration work that will need to be completed. This restoration work will not interfere with traffic. The contractor on this project, Great Lakes Contracting, was very amenable to adjusting the schedule as Village Administration worked with Groves High School to minimize the impact this project on athletic and other events prior to the start of the school year.

**Consumers Gas Main Replacement** – Consumers Energy continues with gas main replacement projects throughout the Village. The most significant of these is the project at 13 Mile and Lahser. This project has reduced traffic to one lane in each direction at the intersection and is currently causing significant backups at peak travel times. Public Safety is planning to monitor this intersection during the first week of school and to aid traffic flow as needed. Consumers has also submitted permits for other gas main replacement projects at the intersections of Saxon and Beaconsfield and Kirkshire between Greenfield and Edgewood going north along the Madison easement/edge of the water tower property. Village Administration is reviewing these permit applications. Consumers is also planning a project that will impact the intersection of Evergreen and 14 Mile.

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**14 Mile Rebuild** – The Village is out to bid on the project for the reconstruction of 14 Mile from Lahser to the west Village limits. The Village is coordinating any potential detours and closures with Birmingham Public Schools. Depending on bid prices and the progress of other projects in the Village we may go forward with this project in the late fall or early spring.

## **COUNCIL COMMENTS**

Mueller invited residents to attend the Read in the Park Event, Saturday September 22 from 1-4 pm. More information about the event is located on the Village website.

Delaney commended Public Safety for their quick response and hard work contacting a recent fire.

Mooney reminded residents that Summer and Village taxes are due at the Southfield Township office by Friday, September 14, 2018.

Motion by Oen, second by Mueller, to adjourn the meeting at 9:15 p.m.

Motion passed.

John Mooney Council President Chris Wilson Village Clerk Elizabeth M. Lyons Recording Secretary

THESE MINUTES ARE NOT OFFICIAL. THEY HAVE NOT BEEN APPROVED BY THE VILLAGE COUNCIL.

TO THE PRESIDENT & MEMBERS OF THE VILLAGE COUNCIL. THE FOLLOWING IS A LIST OF EXPENDITURES FOR APPROVAL. ACCOUNTS PAYABLE RUN FROM 9/4/2018 THROUGH 9/17/2018.

ACCOUNT TOTALS:

| 101 | GENERAL FUND                  |       | \$135,885.22 |
|-----|-------------------------------|-------|--------------|
| 202 | MAJOR ROAD FUND               |       | \$27,399.23  |
| 203 | LOCAL STREET FUND             |       | \$19,915.22  |
| 205 | PUBLIC SAFETY DEPARTMENT FUND |       | \$123,130.06 |
| 285 | RETIREE HEALTH CARE FUND      |       | \$2,700.00   |
| 592 | WATER & SEWER FUND            |       | \$304,090.40 |
|     |                               | TOTAL | \$613,120.13 |
|     | MANUAL CHECKS- COMERICA       |       | \$0.00       |

|                            |             | \$0.00       |
|----------------------------|-------------|--------------|
| MANUAL CHECKS- INDEPENDENT |             | \$550.03     |
| ACCOUNTS PAYABLE           |             | \$613,120.13 |
|                            | GRAND TOTAL | \$613,670.16 |

#### CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS CHECK DATE FROM 09/17/2018 - 09/17/2018

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| Check Date               | Bank       | Check          | Vendor         | Vendor Name Invoice Vendor   | Amount               |
|--------------------------|------------|----------------|----------------|--|----------------------|
| Bank COM COME            | RICA       |                |                |  |                      |
| 09/17/2018               | COM        | 79028          | 59886          | AARON CISCO AARON CISCO  | 177.48               |
| 09/17/2018               | COM        | 79029          | 31164          | APOLLO FIRE APPARATUS APOLLO FIRE APPARATUS  | 1,459.02             |
| 09/17/2018               | COM        | 79030          | 53284          | APPLIED IMAGING APPLIED IMAGING  | 269.11               |
| 09/17/2018               | COM        | 79031          | 51802          | ARROW OFFICE SUPPLY CO. ARROW OFFICE SUPPLY CO.  | 202.36               |
| 09/17/2018               | COM        | 79032          | 02000          | BADGER METER INC BADGER METER INC  | 420.00               |
| 09/17/2018<br>09/17/2018 | COM        | 79033<br>79034 | 51409          | BEVERLY HILLS ACE BEVERLY HILLS ACE  | 10.40<br>1,630.71    |
| 09/17/2018               | COM<br>COM | 79034          | 02400<br>02400 | BEVERLY HILLS WATER DPT BEVERLY HILLS WATER DPT<br>BEVERLY HILLS WATER DPT BEVERLY HILLS WATER DPT     | 279.54               |
| 09/17/2018               | COM        | 79036          | 50038          | BIRMINGHAM BLOOMFIELD BIRMINGHAM BLOOMFIELD  | 1,800.00             |
| 09/17/2018               | COM        | 79037          | 30861          | BLUE CARE NETWORK BLUE CARE NETWORK  | 36,418.09            |
| 09/17/2018               | COM        | 79038          | 01000          | BP BP  | 73.92                |
| 09/17/2018               | COM        | 79039          | 58959          | CADILLAC ASPHALT, LLC CADILLAC ASPHALT, LLC  | 269.62               |
| 09/17/2018               | COM        | 79040          | 59347          | CINTAS CORPORATION #31 CINTAS CORPORATION #31  | 68.70                |
| 09/17/2018               | COM        | 79041          | 50392          | CITY OF BIRMINGHAM CITY OF BIRMINGHAM  | 83,577.50            |
| 09/17/2018               | COM        | 79042          | 59323          | CLEANNET CLEANNET  | 858.00               |
| 09/17/2018               | COM        | 79043          | 04500          | COMEAU EQUIPMENT CO INC.COMEAU EQUIPMENT CO INC.   | 22,876.76            |
| 09/17/2018               | COM        | 79044          | 59884          | DEAN TURNER DEAN TURNER  | 90.00                |
| 09/17/2018               | COM        | 79045          | 50919          | DTE ENERGY DTE ENERGY  | 814.20               |
| 09/17/2018               | COM        | 79046          | 51385          | DTE ENERGY DTE ENERGY  | 1,055.86             |
| 09/17/2018               | COM        | 79047          | 51385          | DTE ENERGY DTE ENERGY  | 129.10               |
| 09/17/2018<br>09/17/2018 | COM<br>COM | 79048<br>79049 | 51385<br>31830 | DTE ENERGY DTE ENERGY<br>ENTERPRISE COMPUTER ENTERPRISE COMPUTER                                       | 4,273.86<br>3,720.00 |
| 09/17/2018               | COM        | 79050          | 59327          | HANSONS WINDOWS HANSONS WINDOWS  | 3,720.00             |
| 09/17/2018               | COM        | 79051          | 32578          | HOWARD SHOCK HOWARD SHOCK  | 10.00                |
| 09/17/2018               | COM        | 79052          | 08500          | HUBBELL ROTH & CLARK INCHUBBELL ROTH & CLARK INC   | 1,356.99             |
| 09/17/2018               | COM        | 79053          | 59010          | HUNT SIGN COMPANY HUNT SIGN COMPANY  | 180.00               |
| 09/17/2018               | COM        | 79054          | 58950          | HYDROCORP HYDROCORP  | 284.00               |
| 09/17/2018               | COM        | 79055          | 59839          | J.C. EHRLICH J.C. EHRLICH  | 45.00                |
| 09/17/2018               | COM        | 79056          | 39070          | J.H. HART URBAN FORESTRYJ.H. HART URBAN FORESTRY   | 11,013.00            |
| 09/17/2018               | COM        | 79057          | 33083          | JAX KAR WASH JAX KAR WASH  | 539.28               |
| 09/17/2018               | COM        | 79058          | 51939          | KEATON PUBLICATION GROUFKEATON PUBLICATION GROUF   | 1,100.00             |
| 09/17/2018               | COM        | 79059          | 09300          | KELLER THOMA KELLER THOMA  | 393.75               |
| 09/17/2018               | COM        | 79060          | 51792          | LEXISNEXIS RISK SOLUTIONLEXISNEXIS RISK SOLUTION   | 37.25                |
| 09/17/2018               | COM        | 79061          | 51350          | LOU'S TRANSPORT INC. LOU'S TRANSPORT INC.  | 1,402.40             |
| 09/17/2018               | COM        | 79062          | 51182          | NELSON BROTHERS SEWER & NELSON BROTHERS SEWER &  | 850.00               |
| 09/17/2018<br>09/17/2018 | COM<br>COM | 79063<br>79064 | 59885<br>59112 | NEWMYER INC. NEWMYER INC.<br>NEXT NEXT   | 300.00<br>37,257.00  |
| 09/17/2018               | COM        | 79065          | 59533          | NEXI<br>NYHART NYHART  | 2,500.00             |
| 09/17/2018               | COM        | 79066          | 51751          | O.C.W.R.C. O.C.W.R.C.  | 31,289.00            |
| 09/17/2018               | COM        | 79067          | 50830          | OAKLAND COUNTY TREASUREFOAKLAND COUNTY TREASUREF   | 999.14               |
| 09/17/2018               | COM        | 79068          | 50830          | OAKLAND COUNTY TREASUREFOAKLAND COUNTY TREASUREF   | 153,334.00           |
| 09/17/2018               | COM        | 79069          | 50830          | OAKLAND COUNTY TREASUREFOAKLAND COUNTY TREASUREF   | 24,404.92            |
| 09/17/2018               | COM        | 79070          | 14100          | OBSERVER & ECCENTRIC OBSERVER & ECCENTRIC  | 97.74                |
| 09/17/2018               | COM        | 79071          | 53279          | PACIFIC TELEMANAGEMENT PACIFIC TELEMANAGEMENT  | 78.00                |
| 09/17/2018               | COM        | 79072          | 59122          | RAPID RESPONSE RAPID RESPONSE  | 79.99                |
| 09/17/2018               | COM        | 79073          | 59146          | RAPID RESPONSE RAPID RESPONSE  | 174.98               |
| 09/17/2018               | COM        | 79074          | 16100          | ROAD COMMISSION FOR OAKIROAD COMMISSION FOR OAKI   | 20,967.70            |
| 09/17/2018               | COM        | 79075          | 16500          | S.O.C.R.R.A. S.O.C.R.R.A.  | 32,802.00            |
| 09/17/2018               | COM        | 79076          | 16600          | S.O.C.W.A. S.O.C.W.A.  | 85,461.62            |
| 09/17/2018               | COM        | 79077          | 59282          | SAFEBUILT INC. SAFEBUILT INC.  | 27,531.60            |
| 09/17/2018<br>09/17/2018 | COM<br>COM | 79078<br>79079 | 59750<br>59750 | SMOLYANOV HOME IMPROVEME SMOLYANOV HOME IMPROVEME<br>SMOLYANOV HOME IMPROVEME SMOLYANOV HOME IMPROVEME | 300.00<br>300.00     |
| 09/17/2018               | COM        | 79080          | 51356          | SMOLIANOV HOME IMPROVEMESMOLIANOV HOME IMPROVEME<br>SOUTHFIELD MUFFLER & BRASOUTHFIELD MUFFLER & BRA   | 291.91               |
| 09/17/2018               | COM        | 79081          | 17700          | SUNSET MAINTENANCE SERVISUNSET MAINTENANCE SERVI   | 1,000.00             |
| 09/17/2018               | COM        | 79082          | 31043          | THOMAS J RYAN PC. THOMAS J RYAN PC.  | 8,000.00             |
| 09/17/2018               | COM        | 79083          | 38874          | U.S. POSTAL SERVICE U.S. POSTAL SERVICE  | 2,000.00             |
| 09/17/2018               | COM        | 79084          | 50767          | VERIZON WIRELESS VERIZON WIRELESS  | 329.63               |
| 09/17/2018               | COM        | 79085          | 59698          | VICTORS ROOFING VICTORS ROOFING  | 300.00               |
| 09/17/2018               | COM        | 79086          | 14800          | VILLAGE OF BEVERLY HILLSVILLAGE OF BEVERLY HILLS   | 2,700.00             |
| 09/17/2018               | COM        | 79087          | 20900          | ZIP ETC INC ZIP ETC INC  | 2,635.00             |

COM TOTALS:

Total of 60 Checks: Less 0 Void Checks:

Total of 60 Disbursements:

613,120.13

0.00

613,120.13

## CHECK REGISTER FOR VILLAGE OF BEVERLY HILLS Page: 1/1 CHECK DATE FROM 09/06/2018 - 09/17/2018

| Check Date                     | Bank       | Check        | Vendor         | Vendor Name                            | Invoice Vendor | Amount          |
|--------------------------------|------------|--------------|----------------|--|----------------|-----------------|
| Bank IND INDE                  | EPENDENT : | BANK         |                |  |                |                 |
| 09/07/2018<br>09/07/2018       | IND<br>IND | 1062<br>1063 | 50770<br>53226 | JENNIFER RUPRICH<br>SWANK MOTION PICTU | RES, I         | 87.03<br>463.00 |
| IND TOTALS:                    |            |              |                |  |                |                 |
| Total of 2 Ch<br>Less 0 Void C |            |              |                |  |                | 550.03<br>0.00  |

Total of 2 Disbursements:

550.03

## ΜΕΜΟ

To: Honorable President Mooney Members of Village Council Chris Wilson, Village Manager

From: Thomas Meszler, Director of Public Services

- Re: Our Lady Queen of Martyrs Oktoberfest Banner 2018
- Date: September 10, 2018

## Background

We received a request from Our Lady Queen of Martyrs to install an Oktoberfest banner on the west side of Southfield Rd. at Dunblaine in the same location that it has been for the past several years. They are proposing to install it on September 15, 2018 and remove it on October 2, 2018. This request has been approved by Administration.

## **Suggested Motion**

The Beverly Hills Village Council approves the request from Our Lady Queen of Martyrs School to install an Oktoberfest banner on the west side of Southfield Rd. at Dunblaine in the same location that it has been for the past several years. They are proposing to install it on September 19, 2018 and remove it on October 8, 2018.

Attachment

## **Elizabeth Lyons**

| From:        | Angela Rotter <arotter@olqm-parish.org></arotter@olqm-parish.org> |
|--------------|---|
| Sent:        | Tuesday, September 11, 2018 3:12 PM                               |
| То:          | Elizabeth Lyons   |
| Subject:     | Re: OLQM Banner   |
| Attachments: | Southfield Sign.png; oktoberfest18postcard_5x7.pdf                |

Hi Elizabeth,

It's that time of year again for OLQM and our annual Oktoberfest is just around the corner. Our event is Oct. 5 & 6. We would like to put our sign up on Southfield Road. I have attached a picture of the sign that we have used for the last several years, it's the same just a date change. I have also attached a copy of our flyer for the event.

Our race will be on Oct. 6 and we will work with the Police department on Roads.

Please let me know if you have any questions.

Angela Rotter Director of Advancement arotter@olqm-parish.org 248.642.2616 ext. 408 248.672.9334 cell



Our Lady Queen of Martyrs is a Catholic community dedicated to nurturing students who will contribute to the world through faith, character, and lifelong learning.

From: Elizabeth Lyons <elyons@villagebeverlyhills.com> Sent: Monday, September 10, 2018 2:31:26 PM To: Angela Rotter Subject: OLQM Banner

Hi Angela

Per our phone conversation can you send me an email request for the banner and date range you plan to have it up?

## Oktoberfest BLOCKS EAST

Games • Rides • Inflatables • Bands • Beer • Food

October 4th, 6 - 11pm • October 5th, 12 - 11pm Our Lady Queen of Martyrs • www.OlgMoktoberfest.com



## REVISED – SEE CHANGES BELOW

## ΜΕΜΟ

To: Honorable President Mooney Members of Village Council Chris Wilson, Village Manager

From: Elizabeth Lyons, Administrative Support

Re: Our Lady Queen of Martyrs – Oktoberfest 5K 2018

Date: September 10, 2018

## Background

On January 9, 2018, the Village Council approved a request from Our Lady Queen of Martyrs to use Village sidewalks and streets on Saturday, September 29, 2018 for their sixth annual Oktoberfest 5K Race.

In the interim they have changed the date for their event and their sixth annual Oktoberfest 5K Race is scheduled for October 6, 2018.

They understand that a certificate of insurance naming the Village of Beverly Hills as an additional insured is required upon approval of the Race by the Village Council. Their route includes portions of Pierce, Kirkshire, Edgewood, Birwood, Madison, Verona, Fairfax, Amherst, Sheridan, Locherbie, and Birmingham. A map of the route and their letter of request is attached to this memo indicating what streets in the Village will be involved. They have also added a .25 mile Tini Viking Trot along Pierce. They will coordinate with Public Safety for the street closures the day of the event.

## **Suggested Motion**

The Beverly Hills Village Council approves the request from Our Lady Queen of Martyrs School to hold their fifth annual Oktoberfest 5K Race and use Village streets and sidewalks Saturday, October 6, 2018. Upon approval of the Run, they will submit the required Certificate of Insurance naming the Village of Beverly Hills as an additional insured with at least \$1,000,000 of liability coverage.

Attachment

## **Elizabeth Lyons**

| From:        | Angela Rotter <arotter@olqm-parish.org></arotter@olqm-parish.org> |
|--------------|---|
| Sent:        | Tuesday, September 11, 2018 3:12 PM                               |
| То:          | Elizabeth Lyons   |
| Subject:     | Re: OLQM Banner   |
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Hi Angela

Per our phone conversation can you send me an email request for the banner and date range you plan to have it up?

## OUR LADY QUEEN OF MARTYRS CATHOLIC CHURCH & SCHOOL

presents

18

## OCTOBER 5<sup>th</sup> and 6<sup>th</sup>

ST

LIVE MUSIC BY COSMIC GROOVE & GOOD GRAVY FAMILY CARNIVAL • GREAT FOOD • BEER TENT 50/50 RAFFLE • BASKET RAFFLE • 5K RUN & WALK

\* See Reverse for Details \*

32346 PIERCE, BEVERLY HILLS, MI 48025 JUST SOUTH OF 14 MILE



#### 5K RUN/WALK

.25 Mile Viking Trot (ages 2-9) RACE START: 11:15AM Participants receive t-shirt.

\$25

\$15

## 5K Run / Walk RACE START: 11:30AM

Participants receive t-shirt and bib number. \*\$25 pre-register or \$30 at the door.

To register please visit: WWW.TINYURL.COM/M9JHPV7

#### RAFFLE

#### **Raffle Tickets only \$5!**

Tickets will be sold at Oktoberfest or can be purchased in advance at the Parish office: 32460 Pierce St.

#### DRAWING AT 10PM, SATURDAY, OCTOBER 6, 2018 (need not be present to win)

- \$2,500 Grand Prize
- SI,000 Second Prize
- \$500 Third Prize
- Five, \$100 Runner-up Prizes

#### GERMAN DINNER

Delicious German food provided by Holiday Catering. Registration required by Monday, September 25.

## **OLQMCatholicSchool.org**

## Friday **OCTOBER 5**

• Beer Tent

6-11PM

21 & OVFR

- Pierogi by Plaskey's Grill
- 50/50 Raffle
- Basket Raffle
- music by Cosmic Groove
- Late-night DJ

## Saturday **OCTOBER 6**

- Viking Trot (ages 2-9) 11:15AM
- 5K Run & Walk 11:30AM \* registration required

12-6PM ALL AGES

## **Family Carnival**

- Midway Games 
   Rock Wall
- Pony Rides Inflatables
- Petting Zoo Craft Tent

ALL DAY • Beer Tent

- K of C Grill
- Bake Shoppe
- Candy Station
- 50/50 Raffle
- Basket Raffle

6PM ALL AGES  German Dinner \* pre-registration required

8-11PM 21 & OVER

• music by Good Gravy

## ΜΕΜΟ

- To: Honorable President Mooney; Members of Village Council Village Manager, Chris Wilson
- From: Elizabeth Lyons
- Re: Cable Board Vacancy
- Date: September 11, 2018

A vacancy exists on the Birmingham Area Cable Board with a term expiration date of June 30, 2020. The Cable Board meets at 7:45 a.m. on the third Wednesday of each month in the Village Council Chamber. They advise the Village Council as to all matters related to Cable Television. The Board monitors performance of the franchisee and compliance with the franchise agreement and acts as liaison between residents and the franchisee.

Applications will be accepted until the vacancy is filled.

## VILLAGE OF BEVERLY HILLS ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND CHAPTER 5 STREETS, ALLEYS AND SIDEWALKS, SECTIONS 5.03 – WATER DAMAGE INTO STREET; AND 5.04 DEBRIS IN STREETS, PENALTIES; CHAPTER 14 DOGS AND OTHER ANIMALS, SECTION 14.30 PENALTIES; AND CHAPTER 42 OFFENSES AGAINST PUBLIC PEACE, SAFETY AND MORALS, SECTIONS 42.02 – BONFIRES; 42.03 - HITCHHIKING, 42.04 – EXPECTORATING; 42.12 – GAMES IN STREETS; 42. 18 – DEPOSITING OF SNOW, ICE OR SLUSH; AND 42.20 – NOISE CONTROL, PENALTIES, VILLAGE MUNICIPAL CODE,

The Village of Beverly Hills Ordains:

<u>Section 1.01</u>. Chapter 5 Streets, Alleys and Sidewalks, Section 5.03 Water Drainage onto Streets, Section 5.04 Debris in Streets, Penalties be amended to read as follows:

## Chapter 5, Section 5.03 and 5.04 Penalties:

Any person, firm or corporation violating any of the provisions of this Ordinance shall be responsible for 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.

<u>Section 2.01</u>. Chapter 14 Dogs and Other Animals, Section 14.30 Penalties be amended to read as follows:

## Chapter 14, Section 14.30 Penalties:

Any person, firm or corporation violating any of the provisions of this Ordinance shall be responsible for 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.

<u>Section 3.01</u>. Chapter 42 Offenses Against Public Peace, Safety and Morals, Sections 42.02 Bonfires, 42.03 Hitchhiking, 42.04 Expectorating, 42.12 Games in Streets, 42.18 Depositing of Snow, Ice or Slush; and 42.20 Noise Control Penalties be amended to read as follows:

## Chapter 42, Sections, 42.02; 42.03; 42.04; 42.12; 42.18; 42.20 and 14.20 Penalties:

Any person, firm or corporation violating any of the provisions of this Ordinance shall be responsible for 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.

<u>Section 4.01</u>. SEVERABILITY. If any section, clause or provision of this Ordinance shall be declared to be inconsistent with the Constitution and laws of the State of Michigan and voided by any court of competent jurisdiction, said section, clause or provision declared to be unconstitutional and void shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force.

<u>Section 5.01.</u> SAVING CLAUSE. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

<u>Section 6.01.</u> REPEALER. Any Ordinance conflicting with this Ordinance be and the same is hereby repealed.

<u>Section 7.01.</u> EFFECTIVE DATE. The provision of this Ordinance shall take effect 20 days following its publication in The Eccentric, a newspaper circulated within said Village.

Made and passed by the Village Council of the Village of Beverly Hills this \_\_\_\_\_day of September, 2018.

JOHN G. MOONEY, Village President

CHRIS WILSON, Acting Village Clerk

I, Chris Wilson, being the duly appointed and qualified Clerk of the Village of Beverly Hills, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of an Ordinance adopted by the Village Council of the Village of Beverly Hills at a regular meeting thereof held on the \_\_\_\_\_ day of September, 2018.

CHRIS WILSON, Acting Village Clerk

## ΜΕΜΟ

To: Village Council Chris Wilson, Village Manager

From: Sheila McCarthy, Finance Director

Re: OPEB Trust Engagement Letter - Proposal

Date: September 13, 2018

## Purpose

This proposal is for an evaluation of annual OPEB contributions (retiree health care contributions) made by the Village of Beverly Hills to the OPEB trust by The Howard E. Nyhart Company, Inc.

Administration believes it is important to have an evaluation done at this time to determine the level of contributions going forward so the liability is satisfied but also so the Village does not over contribute to the retiree health care fund.

## Background

**OPEB Report (Other Post-Employment Benefits/Retiree Health Care)** – As part of the audit process, the Village received an updated OPEB report from Nyhart as of June 30, 2018. This report significantly lowered our projected net OPEB liabilities from \$8,775,084 as of June 30, 2017 to projected net OPEB liabilities of \$3,436,777 as of June 30, 2018. These calculations were based upon an expected rate of return of 6.00% for FYE 2017 and a higher revised expected rate of return of 7.75% for FYE 2018.

The result of the higher revised expected rate of return as well as lower than expected annual increases in health care premiums have increased our OPEB funding ratio from 41.2% to 66.9%. Based upon the revised valuation, it is Nyhart's opinion that the Village is at risk of contributing too much to the MERS retiree health care fund if contributions are not lowered.

Due to the decreased liability, it is important that we have a better understanding as to what our retiree health care contributions should be in the future. This proposal will guide us in understanding what level of contributions is appropriate in future years. Administration has reviewed this report and recommends accepting and approving the proposal from Nyhart.

## **Suggested Resolution**

Be it resolved that the Beverly Hills Village Council approve and authorize the Village Manager to sign and execute "The Howard E. Nyhart Company, Inc. Service Agreement" in the amount of \$4,000 to provide consulting services regarding projected OPEB Trust assets, benefit payments and actuarially determined contributions.



## THE HOWARD E. NYHART COMPANY, INC. ("NYHART") SERVICE AGREEMENT ("AGREEMENT")

#### Agreement Between Nyhart, and:

| Client Name:             | Village of Beverly Hills |  |
|--------------------------|--------------------------|--|
| Primary Contact Name:    | Christopher Wilson       |  |
| Primary Contact Address: | 18500 W 13 Mile Road     |  |
|                          | Beverly Hills, MI 48025  |  |
| Primary Contact Phone:   | (248) 646-6404           |  |
| Primary Contact Fax:     |                          |  |
| Primary Contact Email:   |                          |  |

## Services to be provided by Nyhart

All services to be provided by Nyhart are subject to your full cooperation and prompt submission of complete and accurate information. Nyhart will rely on any and all information that you provide pursuant to this Agreement and on file at our office as to accuracy and completeness. Nyhart will have no responsibility to verify such information and no liability for errors or omissions as a result of relying on such information, except to the extent required by generally accepted professional standards and practices. Nyhart is not a law firm or a public accounting firm and does not provide legal or tax advice.

Nyhart will build a working Excel file where the Village can input the following variables:

- Future funding contributions
- Rate of return assumption

The model will project the Trust balance and expected benefit payments to be paid from the Trust, and include projected Actuarially Determined Contribution (ADC). Projected benefit payments and ADC calculations will be based on the current retiree health benefit provisions and census data as shown in the FYE June 30, 2017 GASB 74/75 actuarial valuation. As retiree health benefit provisions are revised in the future, the model should be updated for these changes.

#### Fees for services provided by Nyhart

<u>Service</u>

Fee

OPEB Trust projection service \$4,000

Client will be invoiced prior to the beginning of the project for 50% of the above fee(s). The remainder of the fee shall be invoiced upon completion of services.

Please select the method of delivery of your invoice:

- □ I would like my invoice sent electronically to the primary contact's email address.
- □ I would like my invoice sent via regular mail to the attention of the primary contact at the address shown on the first page.

For an alternative invoice recipient, please provide their information below. If this section is left blank, we will send the invoice to the primary contact's email address on file or address shown above.



| Invoice recipient name          |  |
|---------------------------------|--|
| Invoice recipient email address |  |
| Invoice recipient address       |  |

There will be additional fees for revisions to preliminary or final results that are due to:

- Incorrect information provided to us, typical examples include to material changes to census data, changes to
  eligibility requirements or employer subsidies. The additional fee will be limited to 1/3 of the current year's fee
  for this type of revision.
- Changes to actuarial assumptions requested by the client that are expected to need more than four hours of labor to update the results. The additional fee will be based on billed labor in excess of four hours at our current hourly rates.

## Additional services available if requested by Client

In addition to OPEB Trust projection services, Nyhart offers the following additional services. Fee estimates will be provided upon request. Please visit <u>www.nyhart.com</u> or contact your Nyhart consultant for more information.

- Health Care Reform financial impact consulting
- Actuarial Value and Minimum Value determination
- Section 105(h) non-discrimination testing
- Calculation of self-funded and COBRA premium rates
- Incurred But Not Reported (IBNR) Reserve calculations
- Medicare Part D Attestation
- What-if Modeling for health plan design and carrier changes
- Defined Benefit & Pension consulting and administration
- Defined Contribution, 401(k) & 403(b)
- Flex Accounts FSA, HRA, & HSA consulting and administration

## **Relationship of the Parties**

The legal relationship between Client and Nyhart shall be exclusively that of principal and agent. The parties hereto specifically agree and acknowledge that Nyhart shall <u>not</u>:

- Have discretionary authority over any aspect of the Plan;
- Be a fiduciary;
- Be responsible for ensuring that the Plan complies with any requirement to which the Plan is subject, or be liable to the Plan, Client, or any person if the Plan fails to comply with any such requirement;
- Have any duty or authority to enforce the payment of any contribution owed under the Plan;
- Be responsible for the adequacy of the trust established as part of the Plan, or be liable for any benefits owed under the Plan;
- Exercise discretion as to any Plan function; or
- Have any obligation to perform any service not specified in this Agreement or otherwise agreed to in writing by the parties (regardless of whether such service may be considered "customary" services to be provided by Nyhart).

Client agrees that Nyhart shall use all information and data supplied by or on behalf of the Client without having independently verified the accuracy or completeness of it except to the extent required by generally accepted professional standards and practices. If any documentation or information supplied to Nyhart at any time is incomplete, inaccurate or not up-to-date, or its provision is unreasonably delayed, Nyhart will not be responsible for any delays or



liability arising therefrom, and will be entitled to charge the Client in respect of any resulting additional work actually carried out.

The Client further understands that the failure to provide, or cause to provide, complete, accurate, up-to-date, and timely documentation and information to Nyhart, whether intentional or by error, could result in an impairment of Nyhart's services.

## **Client Responsibilities and Representations**

The Client has general responsibilities with respect to the Plan, including

- Providing all information required by Nyhart to perform its services under this Agreement on a timely basis;
- Serving as fiduciary for the Plan;
- Communicating Plan details to employees and answering employee questions;
- Ensuring adequate funding of the Plan; and
- Authorizing plan disbursements and ensuring accuracy of information provided.

## **Dispute Resolution**

Nyhart and Client agree that before commencing any action or proceeding with respect to any dispute between the parties arising out of or relating to this Agreement or the Services they first shall attempt to settle such dispute through consultation and negotiation in good faith and in a spirit of mutual cooperation. Any such dispute will be submitted in writing to a panel of one (1) senior executive or official of each of Nyhart and Client, who will promptly meet and confer in an effort to resolve such dispute. Each party's representative will be identified by notice to the other, and may be changed at any time thereafter by notice to the other. Any mutually agreed decisions of the executives will be final and binding on the parties. In the event the executives are unable to resolve any dispute within thirty (30) days after submission to them, either party may then refer such dispute to mediation by a mutually acceptable mediator to be chosen by Nyhart and Client within forty-five (45) days after written notice by either party demanding mediation. Neither party may unreasonably withhold consent to the selection of a mediator. All communications and discussions in furtherance of this paragraph shall be treated as confidential settlement negotiations, which are not subject to discovery. The costs of the mediator shall be shared equally, but each party shall pay its own attorneys' fees.

Any dispute which cannot be resolved between the parties through negotiation, mediation or other form of alternative dispute resolution within six months of the date of the initial demand for mediation by one of the parties may then be submitted to a court of competent jurisdiction. To facilitate an expeditious and economical judicial resolution of such dispute, Nyhart and Client agree to waive and not to demand a trial by jury, and not to include any employee, officer, director or trustee of either as a party, in any action, proceeding or counterclaim relating to such dispute. Nothing in this section will prevent either party from resorting to judicial proceedings if interim relief from a court is necessary to prevent serious and irreparable injury to that party or to others. Any claim, action or proceeding against Nyhart will be barred unless Client initiates the dispute resolution procedures outlined below within one year of first discovering the act, error or omission that is the basis for such claim.

## Indemnification and Limitation of Liability

The liability of Nyhart, in tort, contract or otherwise, to Client, a Plan and the officers, directors, trustees, employees or shareholders of any of them, and to any other third party, for all claims arising in connection with or contributed to by this Agreement and the Services (including without limitation multiple claims arising out of or based upon the same act, error or omission, or series of continuous, interrelated or repeated acts, errors or omissions) shall not include loss of profit or incidental, consequential, indirect, punitive or similar damages and shall be further limited to the amount of fees for Services received by Nyhart under this Agreement for the twelve (12) months immediately preceding the act, error or omission upon which such liability is based. Nothing in this paragraph shall apply to any liability which has been finally



determined to have arisen from willful misconduct or fraud on the part of Nyhart or which cannot lawfully be limited, modified or excluded.

Client shall indemnify Nyhart from and against any and all claim, loss, liability or damage (including attorney's fees) which Nyhart may incur by reason of its good faith service delivery to Client.

Nyhart shall indemnify the Client from and against any and all claim, loss, liability or damage (including attorney's fees) which the Client may incur: (i) arising out of any material breach by Nyhart of any of its material obligations, representations or warranties contained in this Agreement; or (ii) arising out of Nyhart's negligence, gross negligence or willful, fraudulent, or criminal misconduct associated with its performance of services under this Agreement. The parties further recognize that clerical errors and variations may occur. When discovered, they will be corrected or adjusted by Nyhart, in accordance with its normal procedures, to the extent reasonable and possible.

## Separate Limitation of Liability with Respect to Projections

From time to time, the Services performed under this Agreement may include preparing cost, financial or actuarial projections ("Projections"). While a diligent effort is made by the parties to develop reasonable assumptions and while the Actuary uses generally acceptable actuarial techniques in order to produce reasonable Projections, the Projections by their very nature are speculative, and the Plan Sponsor acknowledges that it has been advised by the Actuary against placing too much reliance on any particular Projection. As a result, notwithstanding anything in this Agreement to the contrary (including the general indemnification and limitation of liability provisions in Paragraph VIII), the Actuary shall not be liable for the accuracy of any Projections prepared under this Agreement, and the Plan Sponsor agrees to hold harmless the Actuary, it officers, employees, directors, shareholders, agents and affiliates (collectively, the Actuary Parties") from and against any liability resulting from the Plan Sponsor's reliance on the Projections and to indemnify the Actuary Parties from and against any and all claims, losses, liabilities, or damages (including attorney's fees) the Actuary Parties may incur as the result of any third party's reliance on the Projections.

#### **Acceptance**

The items and conditions of this Agreement are agreed to and accepted by Client on behalf of the Plan. This Agreement is effective only when signed by all parties.

#### Village of Beverly Hills

| By:           |  |
|---------------|--|
| Printed Name: |  |
| Date:         |  |
|               |  |
|               |  |
| Nyhart        |  |
| By:           |  |
| Printed Name: |  |
| Date:         |  |
|               |  |

## VILLAGE MANAGER'S REPORT CHRIS D. WILSON SEPTEMBER 14, 2018

**Consumers Gas Projects –** Consumers has completed the gas line replacement project at 13 Mile and Lahser. That intersection was reopened for all traffic lanes as of September 12<sup>th</sup>. Consumers has received permits for two other similar projects at Saxon and Beaconsfield and Kirkshire and Madison. A temporary blockage of Saxon may be required for that project.

Village Administration is working on another permit request for a gas main replacement project at the intersection of 14 Mile and Evergreen. This project will require a closure of one lane of traffic through this intersection for a period of 7-10 days. Obviously, this will cause some traffic problems. Village Administration has scheduled a meeting with the homeowners association immediately west of Evergreen to discuss the options for potential lane closures and detours. We will also be coordinating this with Birmingham Schools.

**Traffic Study** – The Village is in receipt of the traffic study that was commissioned at the request of the homeowners association west of the intersection of 14 Mile and Evergreen. There have been concerns from the residents in this area regarding cut through traffic trying to avoid the intersection. Per the results of the traffic study there is justification for limiting turns off of 14 Mile and Evergreen onto these local streets. There are also various options for how this can be accomplished. Village Administration will be meeting with HOA representatives to discuss the various options and their preferred resolution. The HOA has also indicated a desire to discuss a possible SAD for the installation of sidewalks within the subdivision.

Lead and Copper Rules Revisions – The Great Lakes Water Authority, Detroit Water and Sewer Department and the Oakland County Water Resources Commissioner have filed a Request for a Declaratory Ruling with the MDEQ challenging the validity of various sections of recent changes to the Lead and Copper Rules. These entities have identified more than two dozen statutory and legal defects in the proposed rule changes that they feel need to be addressed. SOCWA, at its most recent regular meeting approved a Concurrence Form with the plaintiff's findings to be submitted with the Request for a Declaratory Ruling. SOCWA has requested that all its member communities do the same. I have asked Mr. Ryan to review this request to deem whether it is appropriate to bring before Council for your review and consideration.

**Hydrant Replacement –** The Village is embarking on hydrant replacement program that will replace nineteen (19) different hydrants throughout the Village. All these hydrants are in good working order but were installed prior to 1930. Accordingly, it is becoming increasingly difficult to acquire parts for these hydrants in the event of a failure. It is necessary to shut the water off to a particular section of water main to replace the hydrants. The Village will be notifying any affected residences of an upcoming water shut off and any potential boil water requirements.

Municipal Building 18500 W. Thirteen Mile Rd. 7:30 p.m.

## **INFORMATION ITEMS**

- a. Beverly Hills Department of Public Safety Activity Report for the period August 30 September 13, 2018.
- b. Minutes from Cable Board Executive Director Cathy White dated June 20, 2018.
- c. Minutes from Cable Board Executive Director Cathy White dated July 18, 2018.
- d. Minutes from Cable Board Executive Director Cathy White dated August 15, 2018.
- e. Birmingham Area Cable Board agenda for September 19, 2018.
- f. Southfield Township Board of Trustees agenda for September 11, 2018 and minutes from July 10, 2018.

## <u>Beverly Hills Public Safety Activity Report</u> <u>August 30<sup>th</sup> – September 13<sup>th</sup>, 2018</u>

- The Public Safety Department is currently looking for applicants for Public Safety Officer. Please visit our website, **www.beverlyhillspolice.com** to see if you qualify.
- The Law Enforcement Torch Run is making its way across Michigan this week. Public Safety Officers Deputy Chief Shock and PSO Bill Brewster will be running the distance while representing the Village this Friday. The Central Route Run passed through Marquette County Tuesday morning. The 750-mile route started Saturday in Copper Harbor, and it ends Friday in Belle Isle. This relay is composed of three teams: Michigan State Police, Fraternal Order of Police (local agencies) and Michigan Department of Corrections. Each team has at least six runners who each run a five mile leg. Each team runs 30 miles at a time. These runners have been raising money all year so they can participate in the event. Law Enforcement Torch Run has more than 85,000 law enforcement officers involved worldwide and has raised more than \$300 million in the 34 years that it has supported Special Olympics. There are 43 community runs across the state this year. We are proud of our Public Safety Officers Deputy Chief Shock and PSO Bill Brewster for volunteering their time for such a special cause.
- School is back in session and it is always a reminder to watch for kids and parents who walk their children to school. We are also still looking for a crossing guard to work at the schools twice a day. If you have interest in helping the kids across the street please contact the Village office.
- For those in the community who are new to the area, please remember crime happens everywhere and do not be afraid to call the Public Safety Office if you have a concern. As of late we have had several scams over the phone. Please do not give out any information and hang up. Then contact the Public Safety Department 248 5403400.

## PUBLIC SAFETY OPERATIONS

- 215 Calls for Service.
- 8 Arrests.
- 106 Tickets issued.
- Motor Carrier Enforcement.
- 3 Walk in PBTs.
- 6 Prescription pill drop offs.
- Vacation checks.
- 1 Car Seat check.
- 5 Prisoner transports to and from the Birmingham Police Department.
- 7 Medicals on 13 Mile Rd.
- Medical on Southfield.
- Motorist Assist on 13 Mile Rd.
- 4 Traffic Accident on 13 Mile Rd.

- Citizen Assist on 13 Mile Rd.
- Alarm on Southfield.
- Citizen Assist on Devonshire.
- Traffic Accident on Greenfield.
- Traffic Accident on Lahser.
- Alarm on Embassy
- Family Trouble on Carriage.
- Medical on Normandale.
- Suspicious Persons complaint on 13 Mile Rd.
- Neighbor Trouble on Dunblaine.
- Medical on Saxon.
- Medical on Leemoor.
- Alarm on Dover.
- Alarm on Eastlady.
- Neighbor Trouble on E. Rutland.
- 2 Suspicious Vehicle complaints on Birwood.
- Noise complaint on Foxboro Way.
- Officers stopped a vehicle for a traffic violation on Southfield. The driver was operating on a suspended license and had a warrant for his arrest. The driver was arrested without incident.
- Officers stopped a vehicle on 13 Mile for a traffic violation. The driver was operating on a suspended license. The driver was in possession of counterfeit money. The driver was arrested without incident.
- Suspicious Persons complaint on Southfield.
- Noise complaint on Riverside.
- Suspicious Persons complaint on Old Cannon.
- Medical on Kirkshire.
- Suspicious Persons complaint on Mayfair.
- Welfare Check on Kirkshire.
- Assist Birmingham Police with a Suspicious Persons complaint.
- Traffic Accident on Pierce.
- Alarm on Eastlady.
- Road Hazard on Evergreen.
- Officers stopped a vehicle for a traffic violation on Southfield. The driver was operating on a suspended license. The driver was arrested without incident.
- Traffic complaint on Riverside.
- Reckless Driving complaint on Lahser.
- Officers responded to Beverly for a disorderly person complaint. Officers determined the individual stole property from a resident's yard. The individual was arrested.
- Medical on E. Lincolnshire.
- Alarm on Kennoway Ct.
- Found Property on 13 Mile Rd.
- Medical on Beverly.
- Suspicious Persons complaint on Valley Oaks.
- Traffic complaint on 13 Mile Rd.

- Medical on Kinross.
- Suspicious Vehicle complaint on Beverly.
- Suspicious Circumstance complaint on 14 Mile Rd.
- Structure Fire on Warwick.
- 2 Alarms on Pickwick.
- Lost Property complaint on Birwood.
- Welfare Check on Southfield.
- Motorist Assist on Kirkshire.
- Assist Southfield Police with a missing person complaint.
- Animal complaint on Lahser.
- Vehicle Lockout on Hillview.
- Assist Southfield Fire Department on 13 Mile Rd.
- Traffic complaint on Hillview.
- Assist Code Enforcement on Chelton.
- Traffic Accident on 14 Mile Rd.
- Welfare Check on Arlington.
- Crossing Guard on Beverly.
- Traffic Control on Lahser.
- Road Hazard on Kirkshire.
- Motorist Assist on Sunset.
- Medical on Beverly.
- Suspicious Persons complaint on Riverbank.
- Larceny complaint on Beverly.
- Suspicious Persons complaint on Lahser.
- Traffic complaint on Elizabeth.
- Alarm on Embassy.
- Solicitor complaint on Spruce.
- Traffic complaint on Lahser.
- Fraud on Riverview.
- Suspicious Persons complaint on Nottingham.
- Alarm on Valley Oaks Drive.
- Civil Dispute on 13 Mile Rd.
- Officers stopped a vehicle on Lahser for a traffic violation. The driver was operating on a suspended license and had a warrant for her arrest. The driver was arrested without incident.
- Crossing Guard on Beverly.
- Animal complaint on Bellvine Trail.
- Disorderly Conduct complaint on 13 Mile Rd.
- Vehicle Lockout on 13 Mile Rd.
- Suspicious Vehicle complaint on Huntley Sq. E.
- Alarm on Embassy.
- Missing Persons complaint on Cline.
- Medical on Cline.
- Ordinance complaint on Kennoway Ct.
- Fraud complaint on Beverly.

- Vehicle Lockout on Sleepy Hollow.
- Suspicious Circumstance complaint on Huntley Sq. W.
- Alarm on Bellvine Trail.
- Animal complaint on Verona
- Open Burn complaint on Verona.
- Fire Alarm on Kinross.
- Suspicious Persons complaint on Robinhood.
- Medical on W. Chelton.
- Alarm on Walmer.
- Medical on Robinhood.
- Juvenile complaint on 13 Mile Rd.
- Medical on Kennoway.
- Harassing Phone complaint on 13 Mile Rd.
- Medical on Bedford.
- Medical on Amherst.
- Officers stopped a vehicle on Lahser for a traffic violation. The driver was operating on a suspended license and possession of marijuana without a medical card. The passenger was found in possession of drug paraphernalia. The driver and passenger were arrested without incident.
- Animal complaint on Birwood.
- 2 Abandon Auto complaints on Southfield.
- Suspicious Persons complaint on Nottingham.
- Medical on Kennoway.
- Assist Royal Oak Police with a traffic accident on Greenfield.
- Lift Assist on Fox Run.
- Assist Birmingham Police with a domestic assault complaint.
- Officers stopped a vehicle for a traffic complaint on Southfield. The driver was operating on a suspended license. The driver was arrested without incident.
- Suspicious Persons complaint on Devonshire.
- Assist Road Commission on 13 Mile.
- Alarm on W. Rutland.
- Traffic Accident on Evergreen.
- Alarm on Auburn.
- Welfare Check on Huntley Sq. E.
- Assault on Plantation.
- Alarm on Fairfax.

## **INVESTIGATIONS BUREAU**

- CFS Closed and Reviewed 236.
- Reviewed 31 case reports for a disposition.
- Followed up and reviewed cases, of which 10 were closed.
- 11 Cases were assigned.
- 11 Reports written on current cases.

- 9 Current active investigations.
- 6 Current pending investigations.
- Assisted road patrol with patrol functions.
- Assisted with court packet for 46th District Court.
- Updated MDC computers for mandatory software updates for fleet.
- Marijuana investigation subject pled guilty at Circuit Court on a case.
- Swore to warrant for a High BAC OWI investigation.
- SLO Baller gave several speeches at Groves High School during safety week/first week of school.
- SLO Baller attended BYA meeting with Birmingham School Administration.
- Active investigation for theft of money working active leads.
- Forwarded CCW Pistol investigation to prosecutor for review.
- Completed a counterfeit money investigation.
- Issued a DWLS ticket reference an investigation.
- Made contact with owners of property in order to complete a property audit for closed/active cases.
- Obtained a 2 count felony warrant for Larceny in a Building.
- Obtained a multi count felony warrant for FTD for two suspects.
- Obtained a felony OWI warrant reference a hit and run incident where the driver was arrested.

## FIRE PREVENTION BUREAU

- 35 Fire/EMS calls reviewed.
- Assist Bloomfield Hills with Fire Inspection.
- Weekly Fire Apparatus Inspections.
- Fire Governance Meeting covering report writing and state notification.
- National Incident Management System (NIMS) training.

| Present:      | Abraham, Eick, Fenberg, Heldt, McLain, Shand – Birmingham<br>Delaney (non-voting liaison), Gugni – Beverly Hills<br>Stakhiv – Franklin                              |
|---------------|---|
| Absent:       | Bayer – Beverly Hills<br>Ettenson – Bingham Farms   |
| Also Present: | Currier – Attorney for Cable Board<br>Rota – Bloomfield Community Television<br>Averbuch – Fire Chief, Village of Franklin<br>Kyle Mazurek – Comcast Representative |

McLain called the meeting to order at 7:47 AM in the Village of Beverly Hills Municipal Building at 18500 W. Thirteen Mile Road. She reminded the public it could "live-stream view" BACB meetings on any device through VillageofBeverlyHills.com.

## APPROVE MINUTES OF CABLE BOARD MEETING HELD May 16, 2018.

Under **Personnel Committee** on page 3, Stakhiv stated the first meeting consisted of McLain, Ettenson, Maly and herself. For the second meeting McLain, Ettenson, Gugni and she were in attendance. (Maly had resigned from the Board.)

Motion by Heldt, seconded by Gugni to approve the minutes of the Regular Cable Board Meeting on May 16, 2018, as amended.

Motion Passed.

## PUBLIC COMMENTS

None

## PEG GRANT REQUEST – FRANKLIN-BINGHAM FIRE DEPARTMENT

Stakhiv introduced Chief Tony Averbuch of the Franklin Bingham Fire Department highlighting his many responsibilities and achievements, locally and for the Federal Government. The Department's request was for a grant to purchase a new computer server and its associated software/licenses. Averbuch detailed the server's capabilities and the benefits the new technology would provide the Department personnel and the community.

Motion by Heldt, seconded by Stakhiv to approve the PEG Grant Request for an amount not exceed \$11,756.72, which is consistent with the letter received from the Franklin-Bingham Fire Department, dated June 18, 2018, for the purchase of a new computer server, new hardware, new licenses and labor for the installation, set up and transfer of data.

Fenberg had some technical questions for the Fire Chief regarding a monitoring system for security.

Roll Call Vote: Motion Passed (8-0). At McLain's request Averbuch explained the First Net System which had been established as a post-9/11 communication system for Disaster Responders to have priority communications.

# **TREASURER'S REPORT**

Heldt distributed the Multi-Bank Securities statement, as of May 31, 2018, to the Board Members. The Cash, Money Funds and Bank Deposits totaled \$984,011.46 with the estimated Annual Income of \$16,133.00. He highlighted several items, including the return on the CD's which has trended slightly upwards.

# AUTHORIZE PURCHASE OF NEW TRANSMITTER/RECEIVER FOR BEVERLY HILLS CONTROL ROOM (PEG)

White referred to the quote from Advanced Lighting & Sound, which was in this month's Board Packet, in the amount of \$1,872.00. This was for the purchase of the transmitter and receiver needed for the Beverly Hills Control Room to broadcast meetings "live" on television.

Motion by Fenberg, seconded by Stakhiv to approve the purchase of a new transmitter and receiver for the Beverly Hills Control Room in the amount not to exceed \$2,200.00.

Rota explained the extra money was to cover any additional costs he might need for the installation of the equipment.

Roll Call Vote: Motion Passed (8-0).

## **REQUEST TO APPROVE FY 2017-2018 FINAL BUDGET AMENDMENTS**

White explained and detailed the final Budget adjustments for the current Fiscal year in her June 9, 2018 Memorandum. She requested increases for line-item budget amounts for Administrative Grants, PEG Grants and the equipment upgrades for the Production Truck.

Motion by Heldt, seconded by Gugni that the Birmingham Area Cable Board does hereby authorize the following final amendments to the FY 2017-2018 BACB Budget: <u>Administrative Grants</u> - Increase the annual amount from \$140,061.00 to \$522,497.00. <u>PEG Grants</u> – Increase the annual amount from \$195,000.00 to \$200,500.00. <u>Production Truck</u> – Increase from \$70,000.00 to \$88,000.00.

Roll Call Vote: Motion Passed (8-0).

## **REQUEST TO APPROVE PROPOSED FY2018-2019 BACB BUDGET**

White noted that the proposed Budget had changed since she had distributed the draft at the last meeting. At the last CAC meeting she indicated she wanted to be more conservative with the revenue numbers knowing that more people were switching from traditional cable to "streaming" services and PEG fees were going down from 2.25% to 2%. Therefore, revenue numbers were decreased as were some expenditure items so as to be aligned with the BACB philosophy that

there would not be a surplus or deficit in the projected Budget. If needed during the year Franchise Fee reserves or PEG reserves would be available through Budget amendments.

The Board was reminded that the Budget had been reviewed at two (2) Board meetings and one (1) Cable Action Committee meeting.

Motion by Heldt, seconded by Fenberg to approve the Birmingham Area Cable Board Budget for Fiscal Year 2018-2019, as presented.

Roll Call Vote: Motion Passed (8-0).

## PROPOSED RESTATEMENT OF ADMINISTRATIVE GRANT POLICY

Heldt distributed copies of the current Grant Policy on Franchise Fees and his 2018 proposed Policy. He explained the reasons why an amended Policy was needed with the result being a second distribution of Administrative Grants made to the communities during FY2017-18. He read the last sentence of the proposed restatement, emphasizing its great importance, "Our overarching goal is to maximize, to the extent fiscally prudent, a return of excess franchise fees to our communities." This decision would be made once a year after the Audit presentation has been made to the Board.

Motion by Heldt, seconded by \_\_\_\_\_, to approve the proposed restatement of the Administrative Grant Policy, as presented.

For the benefit of the residents, McLain pointed out the many on-going discussions about this issue which began about six (6) months ago and led up to and resulted in this decision. As suggested by Fenberg and Gugni, the paramount factors were the safety net and the flexibility of meeting the needs and necessities of the Board in any given year in order to be responsive to the four (4) communities. Gugni and Fenberg spoke to the positives of the Policy. Gugni suggested the word "overarching" in Heldt's last sentence of the Policy be deleted. Fenberg had some concerns regarding the Auditors' response to the Policy. Delaney was interested in the timing of the distributions made to the communities.

Motion by Heldt, seconded by \_\_\_\_\_, to approve the proposed restatement of the Administrative Grant Policy, as submitted and amended.

Roll Call Vote: Motion Passed (8-0).

## **COMMITTEE REPORTS**

## **Cable Action Committee**

Eick updated the Board that Muniweb would report on the results of the survey at the next Committee meeting. The last installments of the two (2) small BACB ads were placed in local magazines, Thrive and Venture Michigan. The next regularly scheduled meeting for the Cable Action Committee would be Thursday, July 5, 2018 at 4:30 PM at the Baldwin Public Library but because of the holiday the date might be problematic.

## **PEG Committee**

In Borgon's absence McLain reported there had not been a meeting last month. However, she thought Borgon would be setting one up for Tuesday, July 10, at BCTV at 11:30 AM. All are welcome to attend.

## **EXECUTIVE DIRECTOR'S REPORT**

White referred to her monthly report dated June 11, 2018. There were eight (8) complaints filed since her last report in May. She updated the Board on the complaints filed by the two residents who had attended the last meeting to report they had been without service for some time. On the afternoon of the BACB meeting, AT&T technicians restored the service. These two (2) complaints are closed. The third (3rd) complaint came from a Beverly Hills resident who requested AT&T remove a large cable spool and tree branches which had been left in his yard after the installation of a new line. Subsequently, the resident removed the debris before the AT&T workers had arrived to do so. This complaint is closed. The fourth (4<sup>th</sup>) complaint was from a Birmingham resident who requested that a bundle of cable hanging from a pole behind her garage be cleaned up. Originally it was thought to belong to WOW but turned out to be a Comcast bundle. The Comcast technician who came to the house informed the resident that it could not be removed as it served many homes. The original WOW complaint has been closed; however, White has submitted a subsequent complaint to Comcast (see the last complaint). The fifth (5th) complaint was from a Birmingham resident who needed a downed Comcast line removed in his backyard. Work has been completed and this complaint is closed. The sixth (6th) complaint from a Cable Board member was submitted because she had been having several different problems; i.e., scheduling a service call with Comcast, replacing faulty and unacceptable noisy equipment and burial of the cable line. The unacceptable service issues and numerous service contacts with Comcast would be detailed later in this meeting. This complaint is pending. A seventh (7th) complaint from a Beverly Hills resident was received concerning a low-hanging cable line that hangs along her backyard as well as her neighbor's yard. The resident believed it belonged to Comcast; however, because she did not subscribe to Comcast she requested some assistance in getting Comcast to address the situation. At the time of the written report the complaint was pending but since then White has received notice that it has been closed. The eighth (8th) and last complaint is related to the one involving Comcast that originally had been submitted to WOW. White has requested that the Escalation Team send another technician to the home to reevaluate and resolve the issue. This complaint is pending.

The account balances for the MBS, BBCU and Beverly Hills accounts as of May 31, 2018 were provided to the Board. If a Board Member has a question about the reports, please let White know.

Since the last meeting White has written five (5) checks on behalf of the BACB, with the largest ones to Bluewater for the truck equipment and to the Charter Township of Bloomfield for the BCTV quarterly contract payment.

# Additional Notes

The Birmingham Bloomfield Chamber of Commerce contacted White about putting a BACB ad in their Membership Directory and Community Guide which would cost \$1,046.00. This is the same as last year and includes a 30% discount. She requested the Board authorize this purchase.

Motion by Fenberg, seconded by Gugni to authorize the Executive Director to purchase a BACB ad in the Birmingham Bloomfield Chamber of Commerce Membership Directory and Community Guide in the amount not to exceed \$1,046.00.

McLain described the banner ad which would be placed on the side of a page.

Roll Call Vote: Motion Passed (7-0). (Eick was not present at the time of the vote)

The Village of Bingham Farms has requested that BACB cover its membership in PROTEC this year in the amount of \$138.00. White explained the purpose of this governmental organization and added that BACB has paid this in the past.

Motion by Heldt, seconded by Stakhiv that the Cable Board cover the cost of the 2018-2019 PROTEC Membership dues on behalf of the Village of Bingham Farms in the amount not to exceed \$138.00.

Roll Call Vote: Motion Passed (7-0). (Eick was not present at the time of the vote)

At the suggestion of the Cable Board, White sent a letter to all three (3) cable providers requesting a representative from each company attend BACB meetings on at least a quarterly basis. She acknowledged the presence of Comcast's representative, Kyle Mazurek, at this particular meeting and noted she had been in direct contact with AT&T and WOW. She detailed those conversations.

Comcast has notified the Cable Board of certain upcoming programming changes beginning July 1, 2018.

On June 12, 2018 the Wall Street Journal reported that a Federal District Court has ruled against the Justice Department in the attempt to block the merger of AT&T and Time Warner. The merger was more of an attempt to gain a piece of the growing market of subscription streaming rather than dominating the market for cable television. The Cable Board is watching such a trend. McLain added that the merger had been finalized Tuesday, June 19, 2018.

# PROVIDER RELATED TOPICS

# a. Comcast

McLain thanked Kyle Mazurek, Comcast representative, for attending this meeting. He reported on two (2) updates: (1) In late February Comcast launched its 1Gig Solution Service across southeast Michigan which impacts the BACB communities and (2) Comcast has awarded

# BIRMINGHAM AREA CABLE BOARD MEETING MINUTES - June 20, 2018

ninety-one \$1,000 student scholarships (Leaders and Achievers) to Michigan High School seniors. From the BACB area there was one (1) student from Country Day in Beverly Hills and one (1) in Bloomfield Township. McLain questioned Mazurek about the 1 Gigabit service: Was it for homes or was it geared more for businesses? What was the price? Mazurek responded that pricing depended on the package.

Stakhiv read her written report relating her on-going issues over the last month with her Comcast service. Her advice: Comcast has to start responding to its customers in a more efficient and timely manner.

McLain reminded the residents that there are issues in all customer service experiences and Cable Board Members do not get special escalation or any special services. The issues and resolutions are the same for everyone.

Mazurek apologized for Stakhiv's experiences. He acknowledged the company needed to improve. He will make sure the Escalation Team follows up with her until the issues are fully resolved. He confirmed that a certain number of phone conversations with customers are recorded and notes should be made on customer service calls.

# b. AT&T/Uverse/Direct TV

There was no representative present.

# c. WOW

There was no representative present.

# **BAPA/BAMA REPORT**

Rota referred to his memo to BACB dated June 12, 2018. He listed the completed **BAMA** Programs which were seven (7) regularly scheduled municipal meetings, the BACB Meeting, Parks and Rec Board Meeting, Advisory Board Meeting, Multi Modal Meeting, the Zoning Board Meeting, Birmingham Special Joint Meeting and two (2) Baldwin Library Board and Trust Meetings.

For the **BAPA** Programs, from the BACB area individual producers and organizations, thirtyeight (38) programs were taped. It was a busy month and he listed all the programs. He added that the Concert in the Park series would start this evening and every Wednesday evening until the middle of August, but will skip July 4.

**PRODUCER WORKSHOPS and/or CAMERA WORKSHOPS**- BCTV is offering a one-onone session for those who are interested in producing their own show and for those who want experience behind the scenes. Please call 248-433-7790 and BCTV can schedule a date and time for you.

One show in the development stage is a collector's program; i.e. stamps, memorabilia, coins.

Rota added that during the Memorial Parade there had been a camera failure in a truck. He provided details. At the moment he is waiting for a quote for the equipment replacement.

# **OLD BUSINESS**

None

# **NEW BUSINESS** None

# PUBLIC COMMENTS None

# **BOARD COMMENTS**

None

There being no further business, the meeting was adjourned at 9:04 AM.

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES - July 18, 2018

| Present:      | Abraham, Eick, Fenberg, Heldt, McLain, Shand – Birmingham          |
|---------------|--|
|               | Bayer, Borgon, Delaney (non-voting liaison), Gugni – Beverly Hills |
|               | Ettenson – Bingham Farms   |
|               | Stakhiv – Franklin   |
| Absent:       | None   |
| Also Present: | White – BACB Executive Director                                    |
|               | Currier – Attorney for Cable Board                                 |
|               | Rota – Bloomfield Community Television                             |
|               |  |

McLain called the meeting to order at 7:47 A.M. in the Village of Beverly Hills Municipal Building at 18500 W. Thirteen Mile Road.

#### APPROVE MINUTES OF CABLE BOARD MEETING HELD June 20, 2018.

Motion by Stakhiv, seconded by Gugni to approve the minutes of the Regular Cable Board Meeting on June 20, 2018, as amended.

On page 3, Stakhiv questioned who had seconded the original motion and the amended motion under, **PROPOSED RESTATEMENT OF ADMINISTRATIVE GRANT POLICY.** McLain would review it and report back to the Board.

Motion Passed.

#### PUBLIC COMMENTS

None

# MUNICIPAL SUPPORT SERVICES GRANT REQUEST FROM FRANKLIN-BINGHAM FARMS FIRE DEPARTMENT

Motion by Stakhiv, seconded by Borgon to approve the MUNICIPAL SERVICES GRANT request from the Franklin-Bingham Farms Fire Department in the amount not to exceed \$2,338.56 to cover the internet connectivity for Comcast fire-station internet service and for Verizon Wireless internet access for FY2018-2019.

McLain stated that included in the formal grant request, dated 12 June 2018, there was a summary of those updated systems which were most important to the Department. Ettenson also commented on the Federal Fire Department Assistance Grant for over \$200,000.00 which was awarded to the Department through the Federal Emergency Management Agency and would be used for much needed equipment replacement.

Roll Call Vote: Motion Passed (11-0).

#### AMEND AGENDA

# Motion by Borgon, seconded by Heldt to amend the agenda to add one item: <u>5 A. DISCUSSION OF THE BCTV CONTRACT</u>, between 5. <u>PEG GRANT</u> <u>REQUEST FROM FRANKLIN HISTORICAL SOCIETY and 6.</u> <u>ANNUAL ELECTION OF OFFICERS.</u>

Motion Passed.

#### PEG GRANT REQUEST FROM FRANKLIN HISTORICAL SOCIETY

Motion by Stakhiv, seconded by Ettenson to approve a PEG Grant request in the amount not to exceed \$1,018.80/yr. to the Franklin Historical Society for internet service at the Franklin Historical Museum for FY 2018-2019.

Stakhiv presented the annual formal request from the Franklin Historical Society to continue funding the one year internet subscription from Comcast. She noted all the current projects, including the scanning of archival documents, the interactive demonstrations with the local school children, and the accessibility of internet use for the residents and staff.

Roll Call Vote: Motion Passed (11-0).

#### **DISCUSSION OF THE BCTV CONTRACT**

Borgon, PEG Committee Chairman, stated that the PEG contract with BCTV had expired June 30, 2018. In that contract there was a paragraph provision for BCTV to extend it for one (1) year to June 30, 2019. BCTV has asked for that extension and the PEG Committee has accepted it.

Motion by Borgon, seconded by Fenberg that the Birmingham Area Cable Board accept Bloomfield Community Television's one (1) year extension of the current contract through June 30, 2019 for the amount not to exceed \$216,400.00.

Heldt clarified that paragraph 5B of the 2<sup>nd</sup> amendment to the 2<sup>nd</sup> restated agreement with Cable Access Management grants the <u>Cable Board</u> an option to extend the term of the contract. It does not grant the option to BCTV. Therefore, the BACB Board would be exercising its option to extend the contract for a year.

Motion by Borgon, seconded by Fenberg that the Birmingham Area Board approve the current contract extension of one (1) year with Bloomfield Community Television through June 30, 2019 for the amount not to exceed \$216,400.00, as amended.

Roll Call Vote: Motion Passed (11-0).

McLain expressed her appreciation to all at BCTV for all they do.

#### ANNUAL ELECTION OF OFFICERS

McLain opened the floor for nominations.

Heldt nominated and Stakhiv seconded the nomination of Elaine McLain to continue as Chairman of the Cable Board. There were no further nominations. McLain accepted the nomination and was elected Chairman by acclamation.

Borgon nominated and Eick seconded the nomination of Mira Stakhiv to continue as Vice Chairman of the Cable Board. There were no further nominations. Stakhiv accepted the nomination and was elected Vice Chairman by acclamation.

Stakhiv nominated and Ettenson seconded the nomination of David Eick to continue as Secretary of the Cable Board. There were no further nominations. Eick accepted the nomination and was elected Secretary by acclamation.

Ettenson nominated and Fenberg seconded the nomination of Jeffrey Heldt as Treasurer of the Cable Board. There were no further nominations. Heldt accepted the nomination and was elected Treasurer by acclamation.

David Eick will continue as Cable Action Committee Chairman, Bob Borgon will continue as PEG Committee Chairman, and Mira Stakhiv will continue as Personnel Committee Chairman.

Bob Borgon will continue as a Program Committee participant. He noted there would be a meeting this Thursday (7/19), 10:30 A.M. at BCTV. Representatives on that committee include participants from Bloomfield Township, Bloomfield Schools, BCTV and one person from the Cable Board. McLain explained that this committee hears new program proposals for BCTV. Rota noted that this meeting was not a set monthly meeting and only met when it received proposals from residents for a program. He further detailed this process. McLain hoped that with the new website information about this committee and its purpose would spread and more residents would participate.

#### COMMITTEE REPORTS

#### **Cable Action Committee**

Eick reported that the committee had been working with Muniweb to finalize the website. For those who stay after the meeting, there would be a discussion about Muniweb's latest suggestions and recommendations. Bayer wanted to show the template for the new website and also encouraged the Board to stay for the meeting to give any feedback. The next scheduled meeting would be August 2 but might be updated depending on availability of Board members.

#### **PEG Committee**

Borgon reported that three (3) people from BACB attended the last meeting (McLain, Abraham, and himself), as well as BCTV staff (Rota and Black). Options for meeting dates and times were discussed. He encouraged feedback on this matter. As of now, the next meeting was scheduled for Tuesday, August 7. In the future, he would like Rota to detail how he makes the programming decisions for BAPA and BAMA and what elements come into play when he is

making those decisions. Another topic at the last meeting was the upgrades to the Birmingham and Beverly Hills control rooms which have elevated the production quality and values to new levels. The Baldwin Library has many programs and its equipment is 5 years old. Rota has been requested to be pro-active and obtain several estimates to upgrade the facilities. To upgrade the quality of the sports programs and local events, i.e., parades, the subject of purchasing a drone was discussed. The policy and procedures for BCTV need to be reviewed as it has been several years since they were approved and adopted. The survey about the website was brought up and the committee was surprised that there appeared to be little interest in school programs. The most important topic talked about was the uncertain future with the providers and not knowing where they were going with the funding. This underscores the importance of BACB maintaining and protecting PEG reserve funds.

McLain reported that she was at a Michigan NATOA Board meeting the other day and found it interesting that some of the providers were very active and responsive to some Boards and others were not. With White's coordination and support and respect from the Board members, BACB was one of the fortunate ones. Even though there seemed to be a lack of participation by some at BACB meetings, the providers were always available to resolve problems.

Borgon added that the renewal of the BCTV contract would be an important issue to be discussed in the next 5-6 meetings. McLain reminded Board members to email Borgon and c.c. White with preferences for meeting days and times.

#### **EXECUTIVE DIRECTOR'S REPORT**

White referred to her monthly report dated July 11, 2018. The three (3) pending complaints from last month have been resolved. Comcast buried its line in Franklin, Comcast raised the lowhanging line in Beverly Hills and the Comcast lines which had been hanging from a pole and on the ground in Birmingham were addressed. There were four (4) new complaints filed since her last report in June. The first (1<sup>st</sup>) complaint came from the property manager of Williamsburg of Birmingham Condominiums and involved Comcast cables that were improperly attached to the buildings. This complaint is pending. The second (2<sup>nd</sup>) complaint was from a Beverly Hills resident who was having problems with intermittent phone and internet service. Through the intervention of the escalation team, Comcast has resolved this and issued the customer a credit to her account. This complaint is closed. Even though this was not related to cable service, White likes to assist residents with related service issues, if possible. The third (3rd) complaint dealt with a downed wire near a Birmingham resident's condo. Comcast raised the drop to a safe level. This complaint is closed. The fourth (4<sup>th</sup>) complaint came from a Beverly Hills resident who didn't understand why her bill had suddenly increased. After talking with a Comcast escalation team representative it was determined that her promotional rate had expired. She was offered a new 12-month promotion for Starter Triple Play which she has accepted. This complaint is closed.

The account balances for the MBS, BBCU and Beverly Hills accounts as of June 30, 2018 were provided to the Board. If a Board Member has a question about the reports, please let White know.

Since the last meeting White has written six (6) checks on behalf of the BACB, with the largest ones to Franklin Bingham Fire Department for a PEG Grant for a server and to the Charter Township of Bloomfield for the BCTV filming of May sports (each event is \$2,500.00).

#### Additional Notes

The Wall Street firm Cowen & Co. conducted a survey in May and determined that Netflix was the No. 1 choice for TV viewing, followed by basic cable and YouTube. Millennials used Netflix (40%), compared to YouTube (17%), basic cable (12.6%), and broadcast (7.5%).

Shand commented that he was really impressed by the elapsed time between when a complaint is received and its resolution by the provider. This spoke to the purpose of the Cable Board being an advocate on behalf of the residents. He felt the success stories should be highlighted on the new website.

#### PROVIDER RELATED TOPICS

a. Comcast There was no representative present.

## b. AT&T/Uverse/Direct TV

There was no representative present.

#### c. WOW

There was no representative present.

White did not receive any communications from any of the providers. McLain related a recent personal experience with burying lines and Comcast subcontractors who were wearing Comcast T-shirts, but had no personal/proper identification and the truck that had no identification on it. Under the Franchise Agreement, ID should be worn around the neck of all those working in the rights-of-way and those walking through your personal property and identification should be on the trucks. She advised the public that if they have any concerns to call the police.

Ettenson noted that although the providers are no longer required to attend the Cable Board meetings, he was pleased to see Comcast had been in attendance last month. He encouraged White to relate to WOW and AT&T that Comcast was here; maybe this informal type of competitive pressure would encourage them to show up. White confirmed that she had sent letters to all three (3) providers informing them and encouraging them to come to this meeting. McLain even suggested that the providers go to the website, pull up the meeting and review it to see exactly what the Board was talking about.

Currier updated the Board on the latest franchise fee audit performed by a different cable consortium and questioned if that task was worth the time and dollars expended.

#### **BAPA/BAMA REPORT**

Rota thanked the Board for extending the BCTV contract for another year. The support and partnership of the last 19-20 years is appreciated.

Rota referred to his memo to BACB dated June 12, 2018. He listed the completed **BAMA** Programs which were seven (7) regularly scheduled municipal meetings, the BACB Meeting, the Parks and Rec Board Meeting, the Advisory Board Meeting, the Multi Modal Meeting, the Zoning Board Meeting, the Village of Franklin Police Ceremony and the Baldwin Library Board and Trust Meetings. He added that all the municipal meetings get equal playing time, unless one (1) meeting goes 4-5 hours which throws everything out of kilter. These meeting can be seen on TV or are posted online on the individual community's website.

For the **BAPA** Programs, from the BACB area individual producers and organizations, twentyone (21) programs were taped. He listed all the programs. He added that there were only 2 or 3 more concerts in the Concerts in the Park series.

**PRODUCER WORKSHOPS and/or CAMERA WORKSHOPS**- BCTV is offering a one-onone session for those who are interested in producing their own show and for those who want experience behind the scenes. Please call 248-433-7790 and BCTV to schedule a date and time for you.

Last month the purchase of the SMON card for the Production Truck Camera was approved in the amount of \$811.00. When it arrives all four cameras should be back in action. A new transmitter and receiver for Beverly Hills were approved for purchase and Advanced Lighting helped with the installation. He would be getting a new quote with a small labor cost but because the original request was a little higher, this new quote would still fall within the "not to exceed" range that the Board had approved.

#### **OLD BUSINESS**

McLain talked about the NATOA (National Association of Telecommunications Officers and Advisors) meeting, August 27-30. She has received the registration fee, the agenda, and flight information. This was discussed at last week's Michigan NATOA Board meeting but none of the other Board Members would be attending this year because they felt strongly that the focus on the national level was on Broadband and Streaming and there wouldn't be enough focus on what was being done at the local level about revenue streams and programming. She felt that the networking she does when she goes to those meetings was very valuable. She asked for input from the Cable Board to discuss the value and cost of going to the meeting which would be held in Philadelphia this year. In former years she found attendance was very valuable especially in connecting with representatives for the providers who were in responsible public positions and named specific people and their titles.

This expense is in the budget; however, she assured the Board that she would renegotiate the Registration Fee as she has done in the past and adjust her expenses accordingly. She disclosed that a major sponsor is Mobilitie, which is an organization and company that is responsible for the DAS (Distributed Antenna System).

Ettenson commented that Philadelphia was the home base to Comcast. He is of the opinion that the company might dominate the meeting, due to logistics and also because they dominate our cable coverage. According to McLain, Comcast has no public presence at all at the meeting and it was dramatically obvious that it was not involved, as they were not a major sponsor and officially was not sending anyone. Bayer was in favor of McLain attending, noting that it was an opportunity for conversations about the future. Borgon noted that Michigan needed presence at the meeting to protect its/our interests, i.e. PEG, as Bayer had stated.

Motion by Borgon, seconded by Ettenson and Bayer to authorize the BACB Chairman, Elaine McLain as the BACB representative to attend the NATOA Conference in Philadelphia, PA, August 27-30, 2018, the cost not to exceed \$3,200.00

Roll Call Vote: Motion Passed (11-0).

McLain will give a report after the conference.

#### **NEW BUSINESS**

None

## **PUBLIC COMMENTS**

None

## **BOARD COMMENTS**

Borgon wished his Mother-in-Law, Camilla Kavanagh, a Happy Birthday on her 101<sup>st</sup> birthday.

There being no further business, the meeting was adjourned at 8:37 A.M.

BIRMINGHAM AREA CABLE BOARD MEETING MINUTES – August 15, 2018

| Present:      | Abraham, Eick, Fenberg, Heldt, McLain - Birmingham                 |
|---------------|--|
|               | Bayer, Borgon, Delaney (non-voting liaison), Gugni – Beverly Hills |
|               | Ettenson – Bingham Farms   |
| Absent:       | Shand – Birmingham   |
|               | Stakhiv - Franklin   |
| Also Present: | White – BACB Executive Director                                    |
|               | Currier – Attorney for Cable Board                                 |
|               | Rota – Bloomfield Community Television                             |

McLain called the meeting to order at 7:49 AM in the Village of Beverly Hills Municipal Building at 18500 W. Thirteen Mile Road.

#### APPROVE MINUTES OF CABLE BOARD MEETING HELD July 18, 2018.

Motion by Ettenson, seconded by Eick and Borgon to approve the minutes of the Regular Cable Board Meeting on July 18, 2018, as presented.

Heldt inquired if someone had reviewed the tape of the June 20, 2018 meeting to determine who had seconded the original and amended motions of the **PROPOSED RESTATEMENT OF ADMINISTRATIVE GRANT POLICY.** There was no confirmation. The tape would be reviewed so a determination could be made at next meeting.

Motion Passed.

#### PUBLIC COMMENTS

None

# MUNICIPAL SUPPORT SERVICES GRANT REQUEST FROM FRANKLIN-BINGHAM FARMS POLICE DEPARTMENT

White presented the request from the Franklin-Bingham Farms Police Department to cover internet connectivity costs through Comcast which is \$123.41 per month or \$1,480.92 for the Fiscal Year 2018/2019, starting July 1, 2018.

Motion by Ettenson, seconded by Heldt to approve a Municipal Support Grant Request for internet services for the Franklin-Bingham Farms Police Department in the amount not to exceed \$123.41/month for Fiscal Year 2018/2019 (July 1, 2018 through June 30, 2019) or \$1,480.92/year.

White confirmed this was a budget line item under Municipal Support Services.

Roll Call Vote: Motion Passed (9-0).

## MUNICIPAL SUPPORT SERVICES GRANT REQUEST FROM THE VILLAGE OF BEVERLY HILLS

Ellen Marshall, Village Clerk of Beverly Hills, presented its annual request for internet services at the Beverly Hills office and the web streaming of the Village Council and BACB meetings. As referenced in her August 1, 2018 memo, the cost is \$110.75 per month or \$1,329.00 per year for the Fiscal Year 2018-2019.

Motion by Bayer, seconded by Gugni to approve a Municipal Support Services Grant for Internet Services for the Village of Beverly Hills for an amount not to exceed \$1,329.00/yr. or \$110.75/mo. for FY 2018/2019 (July 1, 2018 through June 30, 2019)

Roll Call Vote: Motion Passed (9-0).

## <u>REQUEST FOR AUTHORIZATION FOR FILMING OF FALL SPORTS EVENTS BY</u> <u>BCTV</u>

White stated that this request was for the filming of seven (7) Fall sporting events (Boys Tennis, 2 Boys Soccer games, Girls Swim, Volleyball, Football, and Boys Water Polo). The date of the seventh (7<sup>th</sup>) event (Boys Water Polo) was to be determined. Further details would be provided in Rota's BCTV monthly report. The cost is \$2,500.00/per event and would total \$17,500.00.

Motion by Borgon, seconded by Fenberg to approve the payment to BCTV in the amount not to exceed \$17,500.00 for broadcasting seven (7) Fall Sporting events (\$2,500.00 per event).

Roll Call Vote: Motion Passed (9-0).

#### **COMMITTEE REPORTS**

#### **Cable Action Committee**

Eick reported that the committee has a meeting scheduled (per phone) on August 23 at 9:30 AM with Muniweb to review and finalize its recommendations for the new website. The next CAC meeting will be Sept. 6.

#### **PEG Committee**

Borgon, Chair, reported that there were no replies from the board members as to optional times for the PEG meeting. White will send out the pertinent information about next month's meeting. Regarding Baldwin Library, he gave an update on getting estimates and bids to upgrade the facility's equipment and noted that in September the Board would be presented with the estimates and recommendations. Also discussed was the subject of obtaining a drone in order to increase the quality and production of sporting events and parades. Rota will be securing an estimate for that. A rider on the insurance policy would also be needed which White would investigate. Bayer noted that training would be very important and McLain added the importance of compliance. Borgon had a question for Currier which BCTV had brought up at the meeting. At the end of a program he inquired whether it would be possible to give credit to those responsible for certain production support such as "Set design by \_\_\_\_\_." or "Food supplied by \_\_\_\_\_." Currier advised in the negative and explained the legality of the situation. McLain mentioned that she would like to discuss this at the NATOA meeting.

The renewal of BCTV's contract was discussed briefly in the CAC meeting. Although not discussed at the committee level, Borgon had the idea of folding the filming of the sports events into the next contract. The final item discussed was the BCTV Policies and Procedures Manual which had been adopted 7-8 years ago. At the moment BCTV was working on revisions and updates and, when completed, BACB would need to adopt it.

Participating in the PEG meeting were Abraham, White, McLain and Borgon. Rota, Greg Kowalski and David Sommerfeld were also in attendance.

#### **EXECUTIVE DIRECTOR'S REPORT**

White referred to her monthly report dated August 7, 2018. The one complaint pending from last month which involved Comcast cable lines improperly attached to two units at Williamsburg of Birmingham condos has been resolved. This complaint is now closed. There were four (4) new complaints filed since her last report in July. The first (1<sup>st</sup>) complaint was from a Beverly Hills resident regarding a low hanging AT&T wire in her backyard. AT&T took care of it and this complaint is closed. The second (2<sup>nd</sup>) complaint was from a Birmingham resident who had been overcharged for years by WOW for a digital converter after the resident had switched to internet only service. He had problems with WOW honoring the original quoted price for the internet service. An escalation team representative offered him a lower rate which he accepted and a onetime credit for the overcharge for the converter. The complaint is closed. The third (3rd) complaint came from a Birmingham resident who was not happy that Comcast had changed its programing without prior notice which resulted in the CMT channel becoming a pay-for-view channel. The situation was discussed with an escalation team representative. The individual did not want to switch to a package that had the programing which he was missing because he merely wanted to see the last two (2) episodes of a particular program. Comcast accommodated the resident by waiving the cost of the two (2) episodes On Demand. This complaint is closed. The fourth (4<sup>th</sup>) complaint came from a Beverly Hills resident who said he had signed up for 1 gig internet service from WOW but was not receiving the promised speed. After several unsuccessful calls to WOW and scheduled service visits, he submitted his complaint on the BACB website. Since White wrote this report, a line has been repaired, the speed has been tested and the customer was satisfied. This complaint is closed.

The account balances for the MBS, BBCU and Beverly Hills accounts as of July 31, 2018 were provided to the Board. If a Board Member has a question about the reports, please let White know.

Since the Beverly Hills balance was getting close to \$250,000, she would be requesting a transfer of funds to the Credit Union.

Since the last meeting White has written five (5) checks on behalf of the BACB, several of which were for the grants awarded to Franklin-Bingham Farms Fire Department and Franklin Historical Society. The Historical Society sent BACB a very nice "Thank You" note.

#### Additional Notes

a.

White stated that MMRMA (Michigan Municipal Risk Management Authority) disbursed \$969.00 (distribution of state pool excess assets) and \$1,793.00 (distribution of excess net assets) to BACB. These funds will offset the cost of insurance for the upcoming fiscal year.

Comcast has lost the right to carry beIN Sports and wanted to inform BACB and its subscribers that it would no longer be part of its channel lineup. Price was the issue.

## PROVIDER RELATED TOPICS

#### Comcast

There was no representative present. However, White had been in touch with Mazurek, Comcast representative, who sent three (3) announcements from the company. 1) Comcast and Amazon have announced a partnership to launch Prime Video on Xfinity X1 later in the year. 2) The internet speeds in Michigan will be increased and some popular tiers are called "Blast" and Extreme", which she explained. As of now there does not appear to be an extra charge but residents should call the cable provider to verify that. 3) Comcast has reported they have been helping low income Americans cross the digital divide through its Internet Essentials Program which offers low-cost Internet service, discounted computer equipment and free digital literacy training to families with at least one child eligible to participate in the National School Lunch Program. Eligibility for this program has been extended to nearly 1 million veterans. Comcast has helped almost 6 million Americans with this program.

White provided some additional information regarding increasing internet speeds announced by Comcast. If residents wanted to upgrade to a faster speed, the modem would need to be restarted. Comcast would be sending out instructions for this. This particular program started in July and if an upgraded modem was needed, the subscriber could get one at no extra cost by contacting the company. McLain suggested this information be put on the BACB website.

McLain mentioned that BACB first met Kyle Mazurek about 8 to 10 years ago when he was the representative to roll out Internet Essentials Program. She stated that it was an amazing program.

Borgon clarified that according to a national news program he saw on TV, veterans need not be low income. The program was being offered to <u>all</u> veterans. Personal IDs were required but the special low income rate was available to them.

#### b. AT&T/Uverse/Direct TV

There was no representative present. Fiber rollout was continuing. McLain encouraged residents who have Uverse to contact their provider to check not only their speed but also the prices for the services.

## c. WOW

There was no representative present.

White advised the Board that Ken Parson was no longer with the company. BACB's new representative is Leslie Bowman, who is located in Colorado. White will be sending each Board Member her contact information with the new roster. McLain added that WOW's Corporate Headquarters is in Colorado and inquired if Bowman was as responsive to BACB as was Parson. According to White, Bowman has asked that she be contacted when any and all things about WOW come up in BACB meetings but White has not had a WOW complaint since she has taken over.

Fenberg suggested that Bowman "Facetime" with BACB when necessary. Currier explained the Open Meeting policy regarding participating in a meeting by phone or internet.

#### **BAPA/BAMA REPORT**

Rota informed the Board members that earlier this meeting had not been web streaming live. However, about 20 minutes ago the problem was fixed and per usual the meeting could be seen in its entirety on TV.

Rota referred to his memo to BACB dated July 9, 2018. He listed the completed **BAMA** Programs which were five (5) regularly scheduled municipal meetings, the BACB Meeting, the Parks and Rec Board Meeting, the Multi Modal Meeting, the Zoning Board Meeting and the Old Woodward Ribbon Cutting Ceremony.

For the **BAPA** Programs, from the BACB area individual producers and organizations, nineteen (19) programs were taped. He listed all the programs.

**PRODUCER WORKSHOPS and/or CAMERA WORKSHOPS**- BCTV is offering a one-onone session for those who are interested in producing their own show and for those who want experience behind the scenes. Please call 248-433-7790 and BCTV will schedule a date and time for you.

The SMON card for the Truck Camera was purchased last month and has been installed. Now all four (4) cameras are up and running in the truck.

The Program Development Committee met and has approved three (3) new shows: "The Collectors", "Breaking Bread" and "Elizabeth's Kind Café". He gave a short description of each.

With the upcoming election season in the BACB area, Fenberg inquired if BCTV had any plans to film the League of Women Voters Candidate Forums in the Fall. Rota replied that BCTV was amenable but it all depended upon the schedules.

#### **OLD BUSINESS**

McLain remarked that the Birmingham Schools would be more involved with the BACB now that the new school year was beginning.

#### NEW BUSINESS

McLain reminded the Board that she would be attending the national NATOA meeting in Philadelphia next week. She will be the only member of the Michigan NATOA Board attending. One issue she would be representing is the consideration of withdrawing from the national organization if it did not represent what some smaller communities and Cable Boards were currently doing. The rationale being that if the focus was only on broadband and not on revenue streams to communities in states which have the changes in the laws, Michigan may want to spend its money differently or possibly align with another organization that is more in keeping with local control. She stated that it was going to be a very interesting and frank conversation and she was very much looking forward to going to the meeting. Personally, she has found some communities throughout the U.S. which do not have any representation and are very frustrated. But most of all, the consumers are frustrated.

#### PUBLIC COMMENTS

None

#### **BOARD COMMENTS**

Ettenson announced that after 30 years, Kathy Hagaman, Village of Bingham Farms Clerk and was formerly the Executive Director of BACB, was retiring. He wanted to acknowledge her service to the Village and the Cable Board. Her successor will be announced next month.

White echoed the accolades for Kathy and added her own personal sentiments. Borgon provided historical background of Kathy's original involvement with BACB, which included his early years with Kathy when he began his work for the Cable Board.

McLain stated that Kathy was one her mentors, very creative, a lot of fun and also an automotive enthusiast, as is she. She wishes Kathy the best.

Delaney inquired as to the determining factor(s) for the awarding of Grants. Currier answered that there were two (2) different issues. Administrative Grants are given back to the communities pursuant to the interlocal agreement which is based on the subscriber numbers and percentages. The grants to support the Police and Fire are based on their requests and their numbers, not on population. Heldt added that the annual Administrative Grant is based on each community's revenue.

There being no further business, the meeting was adjourned at 8:40 AM

#### **BIRMINGHAM AREA CABLE BOARD MEETING**

Wednesday, September 19, 2018 at 7:45 am

\*\*\*Village of Beverly Hills Council Chambers\*\*\*

18500 West 13 Mile Road

- 1. Roll Call
- 2. Approve Meeting Minutes For Cable Board Meeting of August 15, 2018-M
- 3. Public Comments
- 4. Municipal Support Services Grant Request- Village of Beverly Hills-M
- 5. Election of New Treasurer
- 6. Committee Reports
  - a. Cable Action Committee
  - b. PEG Committee
- 7. Executive Director's Report
- 8. Provider Related Topics
  - a. Comcast
  - b. AT&T
  - c. WOW
- 9. BAPA/BAMA Report
- 10. Old Business
- 11. New Business
- 12. Public Comments
- 13. Board Comments
- 14. Adjourn

# AGENDA SOUTHFIELD TOWNSHIP BOARD OF TRUSTEES MEETING TOWNSHIP HALL TUESDAY, SEPTEMBER 11, 2018 AT 7:30 P.M.

- 1. Call to Order Schmitt
- 2. Roll Call- Tischler
- Administrative Reports
   (A) Supervisor's Report
   (B) Clerk's Report
  - (C) Treasurer's Report
- 4. Public Comments on Items Not Contained on Published Agenda- Schmitt
- 5. Approval of Agenda- Schmitt
- 6. Discussion and Possible Approval of July 10, 2018 Regular Board Meeting Minutes- Schmitt
- 7. Discussion and Possible Approval of Resolution to Accelerate Forfeiture of Abandoned Property- Mooney
- 8. Discussion and Possible Approval of OPEB Resolution- Schmitt
- 9. Discussion and Possible Approval of July Expenditures- Nelson
- 10. Discussion and Possible Approval of August Expenditures- Nelson
- 11. Comments from the Audience
- 12. Comments from the Board

This notice is posted in compliance with PA 267 of 1976 as amended (Open Meetings Act), MCL 41.72a (2) (3) and the Americans With Disabilities Act (ADA).

The Southfield Township Board will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting or public hearing upon 5 days notice to the Southfield Township Board.

Individuals with disabilities requiring auxiliary aids or services should contact the Southfield Township Board by writing or calling Sharon Tischler, Clerk, 18550 W. 13 Mile Rd., Southfield Township, MI 48025-5262, (248) 540-3420.

# MINUTES OF THE SOUTHFIELD TOWNSHIP BOARD OF TRUSTEES MEETING HELD ON JULY 10, 2018

Supervisor Schmitt called the meeting to order at 7:30 p.m. at the Township Hall.

# **ROLL CALL:**

| Present:        | Supervisor Schmitt, Clerk Tischler, Treasurer Mooney and Trustees Cook, |
|-----------------|---|
|                 | Nelson, O'Reilly and Scarcello  |
| Absent:         | None  |
| Others Present: | Sandra LaJoie, Deputy Clerk   |

# Supervisor's Report

Schmitt reminded the Board a meeting is not scheduled in August.

# **Clerk's Report**

Tischler noted 833 dog licenses have been purchased compared to 839 last year and 43 cat licenses have been issued compared to 62 last year.

Tischler stated overseas and requested absentee ballots were sent out the last week in June and to date over 1,300 ballots have been issued.

Tischler advised that the public accuracy test has been scheduled for July 23 at 10 a.m. in the Township Hall and election inspector training is scheduled for July 24<sup>th</sup>, 25<sup>th</sup>, 31<sup>st</sup>, and August 1<sup>st</sup>. Precinct assignment letters have been sent to all of the residents who applied to work the upcoming elections. Several precincts at this time do not have precinct chairs.

Tischler noted the Election Commission will be meeting next week to review and approve all of the necessary items such as work assignments and precinct locations.

## **Treasurer's Report**

Mooney stated taxes bills went out on time and to date we have received some payments.

# PUBLIC COMMENTS ON ITEMS NOT CONTAINED ON THE PUBLISHED AGENDA:

No one wished to be heard.

# **APPROVAL OF AGENDA:**

Supervisor Schmitt requested 3 items be added to the agenda as 11a, 11b and 11c. 11a- Discussion and Possible Approval of Resolution for Cost Recovery; 11b- Discussion and Possible Resolution to Purchase Pet Microchip Scanners; 11c- Discussion and update of Adoption of the Oakland County Hazard Mitigation Plan.

Motion by O'Reilly, supported by Mooney, the agenda be approved as amended.

Motion carried unanimously.

# APPROVAL OF JUNE 12, 2018 REGULAR MEETING MINUTES:

Nelson noted on page 1 first sentence, second word, "thank" add "ed" to the end of the word. Nelson commented on page 4 under the "Presentation of Audit, Receive and File" the first bullet point after standing insert a "period" and strike the remainder of the sentence. Nelson added on page 6 change the "May meeting date from "14" to "no meeting".

Cook noted on page 6 the last line of the meeting dates "\*\*additionally, the January 8<sup>th</sup> meeting will be begin at 7:00 p.m." strike the entire line. Cook questioned the different taxable values in the June 12<sup>th</sup> regular meeting minutes. Cook inquired as to what "G2G" stood for.

Mooney and Tischler answered her question.

O'Reilly noted on page 1 under "Supervisor's Report" second line, "South Eastern" should be one word. O'Reilly noted on page 3, the fifth "WHEREAS" end of first sentence after "Southeastern" strike "Eastern". O'Reilly noted his comments "Under Comments from the Board were not in the minutes. He would like them in the minutes. "O'Reilly commented "Happy Father's Day, Canada Day, Independence Day, and Solstice Day."

Scarcello noted on page 1 under "Clerk's Report" third paragraph, first sentence after "Groves insert "and Seaholm" and add "s" to School and strike "Seaholm."

Motion by Cook, supported by O'Reilly to approve the June 12, 2018 as amended.

Motion carried unanimously.

## PUBLIC HEARING FOR POLICE AND FIRE SPECIAL ASSESSMENT DISTRICTS:

Schmitt opened the Public Hearing at 7:42 p.m. for comments on the Police and Fire Special assessment Districts for Township Only Residents adjacent to the Villages of Beverly Hills and Franklin for 2018-2019.

No one wished to be heard.

Schmitt closed the public hearing at 7:43 p.m.

# DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION TO ADOPT SPECIAL ASSESSMENT DISTRICT FOR POLICE AND FIRE PROTECTION BY THE VILLAGE OF BEVERLY HILLS FOR 2018-2019:

**Resolved** by Mooney, seconded by Scarcello, the following resolution be adopted:

- **WHEREAS**, the voters of the unincorporated area of Southfield Township having expressed their desires for the setting up of special assessment districts for fire and police protection; and
- **WHEREAS**, the Southfield Township Board of Trustees is cognizant of the need for such special assessment districts.

**NOW THEREFORE BE IT RESOLVED**, since a public hearing has been set for estimates of costs and expenses for the establishment of fire and police protection special assessment districts pursuant to MCL 41.801 et seq. the following shall be levied for the unincorporated area of Southfield Township to be serviced by the Village of Beverly Hills at a rate of 9.1239 mills per 1,000 Taxable Value.

| SIDWELL:         | NAME:  | <u>TV:</u> | FEE:  |
|------------------|--|------------|---|
| T 24-01-301-003  | Kathleen Hayward<br>17342 W. 13 Mile Road                | \$ 88,660  | \$ 808.92                                   |
| T 24-01-301-004* | Midwest Memorial Group LLC 31300 Southfield Road Suite 1 | \$122,600  | \$1,118.59*<br><u>+700.00</u><br>\$1,818.59 |

\* The charge for 2018-2019 is in the amount of \$ 1,818.59. This amount has been based on a final figure of a \$700 charge for the property and the remaining balance of \$1,118.59 is based upon 9.1239 millage rate times the building Taxable Value of \$ 122,600.

# **ROLL CALL:**

Ayes:Tischler, Mooney, Cook, Nelson, O'Reilly, Scarcello, SchmittNays:NoneAbsent:None

# DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION TO ADOPT SPECIAL ASSESSMENT DISTRICT FOR FIRE SERVICES BY THE BINGHAM/FRANKLIN VOLUNTEER FIRE DEPARTMENT FOR 2018-2019:

**Resolved** by Cook, seconded by Scarcello, the following resolution be adopted:

- **WHEREAS**, the voters of the unincorporated area of Southfield Township having expressed their desires for the setting up of special assessment districts for fire protection; and
- WHEREAS, the Southfield Township Board of Trustees is cognizant of the need for such special assessment districts.

**NOW THEREFORE BE IT RESOLVED**, since a public hearing has been set for the establishment of a fire protection special assessment district pursuant to MCL 41.801 et seq. for the unincorporated area of Southfield Township to be serviced by the Bingham Farms/Franklin Fire Department at a rate of 2.00 mills per 1,000 TV for the following properties:

| SIDWELL:        | NAME:  | <u>TV:</u> | FEE:     |
|-----------------|--|------------|----------|
| T 24-06-101-001 | Harold R. Marderosian                            | \$207,500  | \$415.00 |
| T 24-06-101-002 | 27360 W. 14 Mile Road<br>Burton D. Farbman, TTEE | 312,730    | 625.46   |
|                 | 27272 W. 14 Mile Road                            | ,          |          |

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| T 24-06-101-003 | Darryl S. Brown<br>27220 w. 14 Mile Rd.                     | 273,430 | 546.86 |
|-----------------|---|---------|--------|
| T 24-06-101-004 | Franklin, MI 48025<br>Prashanth Balusu<br>Sashi Chilakapati | 245,920 | 491.84 |
| T 24-06-101-005 | 27190 W. 14 Mile Rd.<br>Allen S. and Danielle Shifman       | 221,230 | 442.46 |
| 1 24-00-101-005 | 27170 W. 14 Mile Road                                       | 221,230 | 442.40 |
| T 24-06-101-006 | Timothy and Beverly Blair                                   | 209,580 | 419.16 |
| T 24-06-101-007 | 27160 W. 14 Mile Road<br>Daniel and Brittany Cycholl        | 122,640 | 245.28 |
|                 | 27158 W. 14 Mile Rd.<br>Franklin, MI 48025                  | ,       |        |

# **ROLL CALL:**

| Ayes:   | Mooney, Cook, Nelson, O'Reilly, Scarcello, Schmitt, Tischler |
|---------|--|
| Nays:   | None   |
| Absent: | None   |

# DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION TO ADOPT SPECIAL ASSESSMENT DISTRICT FOR POLICE SERVICES BY THE VILLAGE OF FRANKLIN FOR 2018-2019:

**Resolved** by Cook, seconded by Scarcello, the following resolution be adopted:

- **WHEREAS**, the voters of the unincorporated area of Southfield Township having expressed their desires for the setting up of special assessment districts for police protection; and
- **WHEREAS**, the Southfield Township Board of Trustees is cognizant of the need for such special assessment districts.

**NOW THEREFORE BE IT RESOLVED**, since a public hearing has been set for estimates of costs and expenses for the establishment of a police protection special assessment district pursuant to MCL 41.851 et seq. for the unincorporated area of Southfield Township to be serviced by the Village of Franklin at a rate of 4.00 mills per 1,000 TV for the following properties:

| SIDWELL:        | NAME:  | <u>TV:</u> | FEE:      |
|-----------------|--|------------|-----------|
| T 24-06-101-001 | Harold R. Marderosian<br>27360 W. 14 Mile Road                     | \$207,500  | \$ 830.00 |
| T 24-06-101-002 | Burton D. Farbman, TTEE<br>27272 W. 14 Mile Road                   | 312,730    | 1,250.92  |
| T 24-06-101-003 | Darryl S. Brown<br>27220 W. 14 Mile Rd.<br>Franklin, MI 48025-1773 | 273,430    | 1,093.72  |
| T 24-06-101-004 | Prashanth Balusu   | 245,920    | 983.68    |

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|                 | Sashi Chilakapati             |         |        |
|-----------------|-------------------------------|---------|--------|
|                 | 27190 W. 14 Mile Rd.          |         |        |
| T 24-06-101-005 | Allen S. and Danielle Shifman | 221,230 | 884.92 |
|                 | 27170 W. 14 Mile Road         |         |        |
| T 24-06-101-006 | Timothy and Beverly Blair     | 209,580 | 838.32 |
|                 | 27160 W. 14 Mile Road         |         |        |
| T 24-06-101-007 | Daniel and Brittany Cycholl   | 122,640 | 490.56 |
|                 | P.O. Box 250428               |         |        |

# **ROLL CALL:**

Ayes:Cook, Nelson, O'Reilly, Scarcello, Schmitt, Tischler, MooneyNays:NoneAbsent:None

# DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION TO ASSESS 3% TAX PENALTY FOR THE 2018 TAX YEAR:

**Motion** by Mooney, resolved by Nelson, the following Resolution be adopted:

At a meeting of the Southfield Township Board of Trustees held on July 10th the following Resolution to Assess 3% Tax Penalty for the 2018 Tax Year was adopted:

- **WHEREAS**, with the passage of Public Act #206 of 1893, as amended, MCL 211.44, as amended, which authorizes the Township of Southfield Board of Trustees to impose a penalty on all late payments of unpaid property taxes; and
- WHEREAS, the last date to pay taxes by law is February 14, 2019; and
- WHEREAS, all taxes paid after February 14, 2019 and before March 1, 2019 are termed late;

**NOW, THEREFORE, BE IT RESOLVED** that the Southfield Township Board of Trustees authorizes the Township Treasurer to levy a 3% penalty on all late taxes paid after February 14, 2019 through February 28, 2019; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published in The Birmingham/Bloomfield Eccentric and a notice be included in the mailing of all tax statements to alert all taxpayers of this enactment.

## **ROLL CALL:**

Ayes:Nelson, O'Reilly, Scarcello, Schmitt, Tischler, Mooney, CookNays:NoneAbsent:None

# **DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTON FOR COST RECOVERY:**

Schmitt stated once a year or so we encounter situations where the Township has to pay for rabies testing of bats. Sometimes our Animal Control Officer catches the bat in a resident's home, or a private company does, and leaves it for us to test.

Schmitt commented that staff would like to be able to bill the resident for the Township's out of pocket expenses. This would be similar to charges for NSF checks.

Schmitt stated the cost to the Township is likely to be less than \$100/year. So, it isn't worth the legal expense of making a cost recovery ordinance or even modifying the new Animal Control Ordinance to enable us to add it to taxes if not paid. We have one now where the charge is \$29.00 for euthanasia.

**Resolved** by Schmitt, supported by Scarcello, that the Township is authorized to charge residents for cost recovery incident to bat testing and/or euthanasia.

# **ROLL CALL:**

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Ayes:O'Reilly, Scarcello, Schmitt, Tischler, Mooney, Cook, NelsonNays:NoneAbsent:None

# DISCUSSION AND POSSIBLE RESOLUTION TO PURCHASE PET MICROCHIP SCANNERS:

Schmitt stated Dave Weber, of Anytime Animal Control, the Township's ACO, has requested the Township purchase 2 Home Again Universal Reader Plus pet microchip scanners. The tool can read microchips imbedded under the skin of "chipped" pets, and potentially provide the pet owners name, address, and phone number. This is particularly useful because many stray animals do not have tags. Dave would carry one of the scanners with him and house one at Beverly Hills Public Safety. Township personnel would be able to use the Public Safety unit during normal business hours, and Public Safety Officers as necessary.

Schmitt noted the cost of each scanner is a little under \$400, and Dave has offered to reimburse the Township for the cost of one of the scanners. While other models and brands of scanners are available at a lower cost, this model scans all chips (lesser brands do not), has a rechargeable battery, dual antennas which allow safer scanning of microchips allowing for greater range while scanning aggressive animals, and free lifetime software updates. It is also recommended by Greenfield Animal Hospital, the Township's veterinarian.

**Resolved** by Cook, seconded by Nelson, that the Township purchase two (2) Home Again Universal Reader Plus pet microchip scanners at a cost not to exceed \$800, with half of the purchase price to be reimbursed by Anytime Animal Control.

# **ROLL CALL:**

Ayes: Scarcello, Schmitt, Tischler, Mooney, Cook, Nelson, O'Reilly

| Nays:   | None |
|---------|------|
| Absent: | None |

## DISCUSSION AND POSSIBLE ADOPTION OF THE OAKLAND COUNTY HAZARD MITIGATION PLAN:

**Resolved** by Mooney, supported by O'Reilly, for the adoption the Oakland County Hazardous Mitigation Plan:

- **WHEREAS,** the mission of Southfield Township includes the charge to protect the health, safety, and general welfare of the people of Southfield Township; and
- **WHEREAS,** Southfield Township, Michigan is subject to flooding, tornadoes, winter storms, and other natural, technological, and human hazards; and
- WHEREAS, the Oakland County Homeland Security Division and the Oakland County Local

Emergency Planning Committee, comprised of representatives from the County, municipalities, and stakeholder organizations, have prepared a recommended Hazard Mitigation Plan that reviews the options to protect people and reduce damage from these hazards; and

- **WHEREAS,** Southfield Township has participated in the planning process for development of this Plan, providing information specific to local hazard priorities, encouraging public participation, identifying desired hazard mitigation strategies, and reviewing, and reviewing the draft Plan; and
- WHEREAS, the Oakland County Homeland Security Division (HSD), with the Oakland County Local Emergency Planning Committee (LEPC), has developed the OAKLAND COUNTY HAZARD MITIGATION PLAN (THE "Plan") as an official document of the County and establishing a County Hazard Mitigation Coordinating Committee, pursuant to the Disaster Mitigation Act of 2000 (PL-106-390) and associated regulations (44CFR 210.6); and
- **WHEREAS,** the Plan has been widely circulated for review by the County's residents, municipal officials, and state, federal, and local review agencies and has has been revised to reflect their concerns; and

## NOW THEREFORE BE IT RESOLVED by the Southfield Township Board of Trustees that:

- 1. The Oakland County Hazard Mitigation Plan (or section(s) of the Plan specific Southfield Township is hereby adopted as an official plan of Southfield Township.
- 2. The Township Supervisor is charged with supervising the implementation of the Plan's recommendations, as they pertain to Southfield Township and within the funding limitations as provided by the Board of Trustees or other Sources.

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Passed by the Southfield Township Board of Trustees on July 10, 2018.

Phillip Schmitt, Supervisor

Sharon Tischler, Clerk

# ROLL CALL:

Ayes:Schmitt, Tischler, Mooney, Cook, Nelson, O'Reilly, ScarcelloNays:NoneAbsent:None

# **DISCUSSION AND POSSIBLE APPROVAL OF JUNE EXPENDITURES**

Motion by Nelson, supported by Scarcello, to approve the June expenditures as follows:

| 101 General Fund | \$<br>169,535.41 |
|------------------|------------------|
| 703 Tax Fund     | \$<br>0          |
| Total            | \$<br>169,535.41 |

Motion carried unanimously.

# **COMMENTS FROM THE AUDIENCE:**

No one wished to be heard.

# **COMMENTS FROM THE BOARD:**

Scarcello commented he was glad summer was here and is looking forward to an enjoyable summer.

Schmitt mentioned we should be proud of the services that administration provides.

Cook noted she read an article in the Road Commission information where the Michigan Senate was considering a bill to take road funds and subsidize telecommunications.

Cook added she will be absent at the September meeting

Meeting adjourned 8:03 p.m.

Phillip Schmitt, Supervisor

Sharon Tischler, Clerk

These minutes are not official. The Board of Trustees has not formally approved them.