

REGULAR COUNCIL MEETING MINUTES - MONDAY, MARCH 1, 1999 - PAGE 1

Present: President Kennedy; President Pro-Tem Buterbaugh; Members: Craig, Lison, Mooney, Walsh and Worrell

Absent: None

Also present: Village Manager, Hanlin
Public Services Director, Spallasso
Village Clerk, Marshall
Assistant to the Manager, Pasieka
Village Attorney, Ryan
Finance Director, Wiszowaty
Building Official, Byrwa
Director of Public Safety, Woodard

President Kennedy presided and called the meeting to order at 7:45 p.m. in the Village municipal building at 18500 W. Thirteen Mile Road.

APPROVE MINUTES OF A REGULAR COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 16, 1999

MOTION by Buterbaugh, supported by Lison, that the minutes of a regular Council meeting held on Tuesday, February 16, 1999 be approved as submitted.

Motion passes unanimously.

PRESENTATION OF THE PUBLIC SAFETY DEPARTMENT 1998 ANNUAL REPORT

Lison introduced Director of Public Safety Karl Woodard who will present the Village of Beverly Hills Public Safety Department 1998 Annual Report to Council.

Woodard remarked that the Annual Report is a compilation of the efforts of the officers and staff over the last calendar year which reflect the experiences, trends, and accomplishments of the Department and presents the information in narrative sections and statistical summaries.

Woodward presented an overview of trends detailed in the Annual Report. General calls for service were up 3% over 1997. Index Crimes, which are the more serious crimes and those that the FBI tracks in their statistics, were up 4.3% over 1997 numbers. These crimes include robbery, aggravated assault, larceny, and burglary. There were no crimes of murder, forcible sexual assault, or arson in the Village in the last year.

Non-Index crimes including simple assaults, vandalism, and weapons offenses decreased by 6.7% from 1997 reports. Other misdemeanor offenses showed an increase of 18% over 1997 incidents which is in large part due to an increase in OUIL arrests over the last year. Overall crime reports for 1998 were up by 5% over last year.

Traffic accidents were down 10% from 1997 incidents. Property damage, personal injury, and fatal crashes decreased for 1998. Traffic violations issued in the Village increased by 10% over 1997 totals.

Arrests were up 37% over last year. OUIL arrests were up 39% in 1998. Fire calls for service were down 27% from the previous year while emergency medical service calls for service were up 15% from 1997.

Woodard thinks it is significant that traffic accidents have decreased in the last year. He noted that the Village was impacted significantly in 1997 by larcenies, mostly from cars of electronic equipment such as cell phones, laptop computers, and portable CD players. The amount of those types of larcenies was unchanged from 1997. The Department has charged more people this year with those crimes than in years past.

The 1998 Annual Report of department operations is available for public review at the Village office and at the Public Safety Department buildings. A link to the Report has been installed on the Public Safety Department Internet web site at *www.beverlyhillspolice.com*.

CONSIDER PROPOSALS TO PROVIDE DUST CONTROL SERVICES ON UNPAVED VILLAGE ROADS FOR THE 1999 SEASON

The Village provides dust control services on its unpaved roads. Residents living on these unpaved streets are special assessed for dust control at the rate of 50% of actual cost. Bids were received for calcium chloride and asphalt emulsion applications.

RESOLVED by Worrell, supported by Mooney, that Council authorize administration to enter into a one year contract with South Huron Industrial for Calcium Chloride applications at the rate of \$.35 per gallon and with Highway Maintenance and Construction for Asphalt Emulsion applications at the rate of \$1.99 per gallon for the 1999 season.

Roll Call Vote:
Resolution passes unanimously.

ACCEPT RESIGNATION FROM PLANNING BOARD MEMBER AND FIRST ANNOUNCEMENT OF VACANCY

Walsh read Doyle Downey's letter of resignation from the Village Planning Board and made the first announcement of a vacancy on that Board.

MOTION by Walsh, supported by Mooney, to accept the resignation of Doyle Downey from the Village Planning Board.

Motion passes unanimously.

APPROVE PROPOSAL FOR ENGINEERING SERVICES FOR DESIGN OF EVERGREEN NORTH BRIDGE

Worrell stated that the advanced deterioration of the north bridge on Evergreen Road has been confirmed. Requests for Proposals were sent to three consultants to provide engineering services for the design of the Evergreen Road Bridge Rehabilitation/Replacement Project. It was noted that Hubbell, Roth & Clark, Inc. was the low bidder.

RESOLVED by Worrell, supported by Walsh, that the Beverly Hills Village Council authorize administration to contract with Hubbell, Roth & Clark to provide engineering services for the design of the Evergreen Road Bridge Rehabilitation/Replacement Project in accordance with the Proposal for Engineering Services dated February 3, 1999 and Hubbell, Roth & Clark quotation dated February 9, 1999 in the amount of \$12,000.00.

Roll Call Vote:
Resolution passes unanimously.

SECOND ANNOUNCEMENT OF VACANCY ON THE FINANCE COMMITTEE

Buterbaugh made an announcement of a vacancy on the Finance Committee. He indicated that there are no applications on file for this position. The deadline for applicants to be considered for this position is Wednesday, March 10, 1999 at 5:00 p.m. Applications are available at the Village office during normal business hours.

A committee of Buterbaugh as chair, Kennedy, and Lison will meet to review applications and select an individual to be recommended for appointment to the Finance Committee on Monday, March 15, 1999 at 7:15 p.m. prior to the regular Council meeting.

CONSIDER PROPOSALS FOR PAINTING OF CENTERLINES AND EDGE MARKINGS ON VILLAGE ROADS FOR THE 1999 SEASON

RESOLVED by Worrell, supported by Mooney, that the Beverly Hills Village Council authorize administration to enter into a contract with R. S. Contracting Inc. for an amount not to exceed \$3,100 for centerline painting and edge markings on Village roads for the 1998/1999 year.

It was noted that bids were taken for this service.

Roll Call Vote:
Resolution passes unanimously.

APPROVAL OF BILLS RECAPPED AS OF MONDAY, MARCH 1, 1999

MOTION by Buterbaugh, supported by Worrell, that the bills recapped as of Monday, March 1, 1999 be approved for payment in the following amounts:

\$243,325.57	General Fund
10,589.32	Major Road Fund
6,104.45	Local Road Fund

750.44	Dedicated Millage
20,241.30	Water/Sewer Operation Fund
61.60	Trust & Agency Fund

Buterbaugh answered a question from Council on an invoice. Sharon Tischler of 21415 Virmar Court asked questions on three Public Safety Department bills which were addressed by Director Woodard.

Motion passes unanimously.

LIAISON REPORTS AND COUNCIL COMMENTS

Craig reported that four members of Council were not able to attend a joint meeting scheduled with the Parks and Recreation Board on February 18. The Parks and Recreation Board met that evening, and the results of that meeting will be discussed and refined at a Special Parks and Recreation Board meeting this Thursday, March 4. Craig called upon the four Council members who could not attend the last meeting to attend this Parks and Recreation Board meeting if they have any interest.

Buterbaugh stated that Village officials will be meeting in open session with representatives from the Road Commission for Oakland County on March 3 at 3:00 p.m. in the Village Council chambers.

Mooney stated that Lt. Ottney recently took the Tiger Cubs from Beverly School and their parents on a tour of the Public Safety Department building. Mooney commended the dispatcher on duty and Lt. Ottney who conducted a tour that kept 16 six-year-olds fascinated and which included finger printing all of them. Lt. Ottney is an outstanding representative of the Department and this community.

Mooney commended Mr. Downey and Mr. Stearn who are running for Council and congratulated them in the coming election.

Walsh reported on the Planning Board meeting held on February 24. The Board reviewed and made further revisions to the Land Division Ordinance. They reviewed a site plan for an expansion of the Buckles and Buckles office building at 17845 W. 14 Mile Road. The site plan was recommended to Council for approval with the only outstanding issue being compliance with the BOCA building code with respect to a zero lot line and west exterior wall of the building.

MANAGER'S REPORT

Hanlin stated that she and staff members met with Mr. Chawney this week and were shown elevations and floor plans for his condominium development. Hanlin is hopeful that there will be activity on this site in the near future.

Village staff has a meeting scheduled with an architect regarding a site plan for the fire damaged Ha-Lo building on Southfield Road.

Kennedy announced that Council will be meeting in closed session on March 22 at 6:30 p.m. to discuss pending litigation followed by a goal setting session for Council members.

PUBLIC COMMENTS

Kennedy welcomed all the guests in the audience tonight. She recognized Oakland County Sheriff Michael Bouchard, District Court Judge Susan Moiseev and Judge Stephen Cooper, and many former Council presidents and Council members.

Kennedy called Frank Worrell and John Mooney to the lectern. She presented a plaque to Frank Worrell in grateful appreciation for his dedicated service as a Council member from March 17, 1997 to March 15, 1999. Worrell has served on the Council for a total of eight years, and he has been president of the Council. He has been instrumental in Village infrastructure programs and played a key role in the creation of the Traffic Committee. Worrell initiated the Gypsy Moth Prevention Program in the Village. Council will miss him for his common sense approach to issues.

Kennedy presented John Mooney with a plaque on behalf of the citizens of the Village. Mooney has served Beverly Hills for 13 years as Council President, President Pro-Tem, and Council member. He has served on the Infrastructure Committee, Retirement Board, Personnel Committee, and liaison to the Parks and Recreation Board. Mooney is able to speak knowledgeably on many Village issues. He was instrumental in promoting the bond issue for the public safety building and educating the public on the dedicated millage for infrastructure improvements. Mooney will be remembered for his rhetoric and eloquence.

Several members of the audience took turns to voice their accolades of Council members Worrell and Mooney.

Former Council member Randy Munguia recalled his association with the two retiring Council members and asserted that the Village is a far better place in which to live because of the service rendered by Mooney and Worrell.

Judge Susan Moiseev of the 46th District Court commented that serving on the Village Council takes a lot of time and dedication, and both Mooney and Worrell have been wonderful representatives of their community and have done wonderful work for the community. She thanked them both for their support of the Court and for her personally and wished them the best of luck in filling the extra hours they will be getting back.

Dorothy Pfeifer of 31287 Heath Court personally thanked Mooney and Worrell for what they have done for the Village. The people who fill the room tonight represent a wonderful tribute to both of them. Pfeifer related her experience in serving with Frank Worrell on the Citizens Library Committee and on the Fourteen Mile Road Task Force. His dedication to the Village is evident. Worrell's work on the Infrastructure and Traffic Committees and the bond issues has helped the Village to address an aging community and assisted in raising the standards and maintaining the quality of life that is enjoyed in our special village.

Dorothy Pfeifer commented on the long association she and her husband Bill have had with John Mooney. Dorothy and Bill Pfeifer have been sitting in on Council meetings for a lot of years and have a sense of history of the Village Council. They attribute Mooney with being a prime force in assuring that the Village had a public safety building, millage cap increase, and dedicated millage for the infrastructure. With the guidance of one of the finest civil engineers in the State, both Mooney and Worrell addressed infrastructure issues. Mooney ran a very efficient and productive meeting as Council President. Pfeifer admires his ability to think things through and, when necessary, to change his position on issues.

Dorothy and Bill Pfeifer thank Mooney and Worrell for their willingness to serve the community and sincerely hope that they will consider serving once again at some time in the future. They extended an invitation for Mooney and Worrell to join them on the other side of the Council table.

David Jensen, developer and resident of 31130 Stafford, commented that Frank Worrell and John Mooney are people who vitally care about this community. He thanked both gentlemen for the parts they have played, particularly in the growth of the community. Jensen stated that he has come to admire Mooney's leadership and perception, his strength of argument, and his support.

Cliff Benson of 20999 Fourteen Mile Road stated that he was privileged to be a Council member for three years under Mooney and Worrell. There was never better leadership for this Council than by these two men.

Ed Pugh of 31935 Alden Court, former Council President, entertained the audience with recollections of his experiences on Council with John Mooney. He reflected on Mooney's interaction with residents to promote the bond issue to build the public safety building and the dedicated millage for the infrastructure repairs. He is proud to have served with Mooney.

Former Council member Jim Delaney talked about how John Mooney motivated many residents of the Village to become involved in serving their community. He described Mooney as a wonderful person and father and a great lawyer.

Former Council member Bill Nance of 18856 Hillcrest thanked the wives of Worrell and Mooney as well as Mooney's young children because a tremendous amount of time goes into serving on the Council. It involves sacrifice on the part of the families of Council members.

Nance commented that Frank Worrell has been instrumental in initiating infrastructure improvements in the Village. It is significant that Worrell has given his time to this Village.

Nance stated that he has been close friends with Mooney since 1975. He thanked Mooney for his encouragement and for getting him involved in the Village Planning Board and Council. Nance thinks that Mooney has left his mark on this Village in a very tangible way. It requires a team effort for a public body to get things done but it also takes leadership. John Mooney has been a leader for 13 years. In that capacity Mooney has been instrumental in a number of things, particularly the CSO retention basin, the sidewalk repair program, the dedicated millage for infrastructure improvements

and the public safety building. Nance thanked Frank and John for their years of public service. It takes people who devote their time and energy with little recognition to get things done in a community.

Ann Woodman of 32475 Plumwood, member of the Parks and Recreation Board, stated that it has been wonderful working with both Mooney and Worrell. She is appreciative of Worrell's efforts on the construction of the CSO basin. The project resulted in the restoration of a nature preserve that is every bit as natural as it was before the facility was built. She thanked Mooney for his support of the park. Woodman thanked their families for loaning these people to the Village.

City of Southfield Councilman Paul Condino, Mooney's law partner, was present to honor his mentor, friend, and colleague John Mooney. He stated that John Mooney has a love of justice and has shown the Village of Beverly Hills his courage because he came back more than once to serve this Village in an elected position.

Condino read a letter from State Senator Gary Peters stating that the dedication and commitment Mooney has brought to the office of Village Council has been an example for all public servants. Whether Mooney was helping to develop a recycling program, improving important public facilities such as parks and sidewalks, or working to redevelop the infrastructure of the village, he has touched the lives of the people he serves. Condino stated that Senator Peters will place a resolution before the Senate to honor and recognize John Mooney honoring him for his work.

Condino and his colleagues in their law firm presented Mooney with a gift welcoming him back to the firm. Mooney accepted the gift and introduced the members of his law firm.

Former Council member Toni Grinnan of 1 Stonehouse Lane commented that the world is made up of three kinds of people - those who make things happen, those who watch things happen, and those who ask, "what happened?" Mooney's track record places him clearly in the first group.

People present tonight have talked about tangible things that John will be remembered for like the public safety building, the CSO facility, and millage efforts. Grinnan will remember his service for some intangible things. She made personal observations about John's service. There was nobody who made things happen like John Mooney could make things happen. Grinnan does not know anybody who has been as passionate about issues as John Mooney has been. He has encouraged others to Village service. Mooney has been generous with his time to the Village. Grinnan commented on his extensive knowledge of this Village. Mooney notices and generously credits other people for their contributions to the community.

Grinnan recognized the commitment and sacrifice of Janet Mooney, Tara and Dan. She mentioned that Janet has served not only as a support for John but as a support for Beverly Hills which is appreciated by many people. Grinnan stated that it has been her pleasure and honor to serve on Council with John Mooney. She thanked him for being a person who makes things happen and gave him a small token of her appreciation.

Oakland County Sheriff Michael Bouchard asked Mooney to step forward and jokingly pinned a junior sheriff's badge to his lapel. Bouchard, a former Beverly Hills Council member and president, stated that he had an opportunity to work with John Mooney, Frank Worrell, and a number of people here tonight. The number of people in the room tonight is a testimony to their dedication to the Village. People came to thank you for your service to Beverly Hills.

Bouchard commented that being on different sides of the issues at times is the important thing about our democracy. People are willing to take a stand and articulate their reasons and then decide what is the best course, collectively. The time and effort it takes sit on Council is a huge sacrifice and is appreciated. Many families stay in this community because there is such a commitment to the community from people like John Mooney and Frank Worrell.

Andy Craig thanked Mooney for encouraging him to serve on the Planning Board and then Council. Craig stated that Worrell has a wealth of knowledge and a good sense of how things should be done. He has enjoyed sitting next to Worrell for the last year.

Hildreth Buterbaugh stated that Frank Worrell is probably one of the fairest individuals he has met in his life. John Mooney has brought to this Council a leadership that is rarely seen among a group of people. Buterbaugh has enjoyed the time he has spent on Council with Mooney and Worrell.

Paul Lison stated that it has been a pleasure to serve with the kinds of professionals we have in the Village, people who volunteer their time. There are many years of service between Mooney and Worrell, and Lison has been proud to serve with them both.

Bob Walsh stated that he admires John Mooney's strength and dedication to the issues at hand. He will be missed. Walsh has known Frank Worrell for a long time and shares the same philosophical views on issues. Frank's knowledge of the infrastructure will be missed.

Kennedy read a letter from District Court Judge Bryan Levy to John Mooney. He states that it has been an honor and a privilege to have worked with Mooney over the years. Judge Levy mentions Mooney's devotion to his duties and his integrity and wished him the best in years to come.

Hanlin unveiled a tribute prepared by administration which consists of a display of Village calendars starting with 1987 opened to the page that brandishes photographs of the Council members. She asked everyone to come forward after the meeting and look at it.

Worrell gave credit to Renzo Spallasso for leading the way on the infrastructure improvements in the Village. Worrell has worked closely with Spallasso and consulted with him on infrastructure issues. Worrell mentioned that John Mooney served on the Infrastructure Committee with him during the time when the CSO retention basin was a controversial issue.

Worrell stated that the portion of his life in service on the Village Council has been enriched because it has kept him active and mentally alert. He has come to appreciate the service of the people that volunteer. Worrell talked about infrastructure projects that have been completed in the Village,

ongoing projects, and the schedule for upcoming sewer system improvements. He stated that he is just a phone call away if there is any way he can help with future endeavors because he loves the Village of Beverly Hills.

Tom Good, former Director of Public Safety, commented that he is friends with both John Mooney and Frank Worrell. He is present to make certain that everyone knows Mooney's contribution and vigorous work towards promoting the millage for the public safety building. Good also wants the public to know that he did not do it alone.

Mooney stated that he is honored this evening by the fine words that have been spoken. He is honored to have served this Village for 11 of the past 13 years. He commented on the peculiar nature of local politics in the sense that an individual can have a visible impact on the community whether it is a bridge across a road, a sidewalk, or a public safety building. Mooney commented that this is a time consuming and, at times, a heart wrenching job, but there is indefinable allure to those who become involved in local politics. Over these past 13 years, other than his family, Mooney stated that this has been perhaps the most fulfilling thing that he has ever done.

Mooney commented that getting things accomplished in the Village during the last 11 years has always been a team effort. It started in 1987 when Council initiated steps to implement an infrastructure plan. Efforts by Council to modernize the Village included purchase of fire engines, building a new public safety building, and repairing sidewalks. Members of administration have contributed to the modernization of the Village. Mooney recognized people in the audience as he spoke whose leadership and contributions helped move the Village forward.

Mooney commented on the dedication of citizens in the community who have been involved with the Village. There are many citizens of the Village who have supported good ideas and voted in favor of the public safety building, bonding for the CSO tank, and the dedicated millage for the infrastructure.

Mooney individually acknowledged many people in the audience who have had a great impact on his life and who have exhibited the traits of conciliator, strength and courage, creativity and vision, and political savvy. Mooney has witnessed self sacrifice and dedication to the Village in thankless positions for thankless work. He mentioned the dedication from people on Village Boards and Committees. These are volunteers who love this community and have moved it forward.

Mooney thanked the people who have come tonight. He is honored by their presence. Mooney remarked that it has been a pleasure to work with the present Council and thanked them for their hard work and dedication.

Mooney remarked that Frank Worrell is an inspiration for those who are retired. He has contributed much to this community. Council has taken steps to solving its sewer problems with his help.

Mooney thanked his family for their support. To the people of Beverly Hills, it has been an honor. Serving this Village has been a very important part of his life.

MOTION by Mooney, supported by Worrell, that the meeting be adjourned at 9:34 p.m.

Motion passes unanimously.

Elaine T. Kennedy
Council President

Ellen E. Marshall
Village Clerk