

REGULAR COUNCIL MEETING MINUTES - MONDAY, OCTOBER 4, 1999 - PAGE 1

Present: President Craig; President Pro-Tem Lison; Members: Buterbaugh, Downey, Kennedy, Stearn and Walsh

Absent: None

Also Present: Village Manager, Hanlin
Director of Public Services, Spallasso
Assistant to the Manager, Pasioka
Village Clerk, Marshall
Village Attorney, Ryan
Director of Public Safety, Woodard
Building Official, David Byrwa

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

APPROVE MINUTES

MOTION by Stearn, supported by Lison, that the minutes of a regular Council meeting held on Monday, September 20, 1999 be approved as submitted.

Motion passes unanimously.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

John Clark of 31265 Sleepy Hollow acknowledges the poor condition of some of the streets in Metamora Green Subdivision but objects to a program authorized by Council to resurface existing concrete roads with asphalt. He contends that concrete covered with blacktop is not as durable or attractive as concrete resurfacing. Blacktopping does not address the issue of curbs that are in bad shape.

Clark understands that the expense of concrete resurfacing or repairs is greater than the cost of asphalt capping. He argues that the life span of a concrete improvement would exceed a few applications of asphalt. The cost to resurface a street with asphalt is about \$250,000 as opposed to concrete paving which is about \$750,000. Clark proposes using the \$250,000 amount to do spot concrete replacement. He suggests preparing a plan of action to accomplish necessary repairs over a two to five year period. He noted that only a portion of the subdivision needs to be repaved.

Robert Sack of 31237 Sleepy Hollow agrees with Clark that asphalt resurfacing does not look good nor last long. He would prefer that available money be spent to replace sections of concrete where it is necessary over a period of years.

There are 44 miles of local roads in the Village and one mile of major road under Beverly Hills jurisdiction. It has been the policy of recent Councils to resurface roads with blacktop versus concrete because of cost. Craig shares the sentiment of the residents who prefer that concrete streets

remain concrete. The reality is that there are only so many dollars. The Village spent about \$300,000 this year to resurface 2.4 miles of the 55 miles of roads in Beverly Hills.

Spallasso commented on the difference in the cost of capping concrete with asphalt of approximately \$230,000 a mile compared with concrete resurfacing at about \$780,000 per mile. He noted that the Village did not have a concrete repair program this year. Hopefully, there will be money in the budget next year for concrete repairs which will involve replacing bad sections of road with concrete. It was a Council decision to cap roads with asphalt in order to stretch the road repair dollars as far as possible.

Craig remarked that an evaluation was done in 1996 of the entire road system in the Village. The survey rated and prioritized necessary road repairs. He questioned if there is road paving scheduled for Metamora Green in the next year or two. Spallasso responded that he did not think there are any improvements planned in that area next year other than repairing bad sections of concrete.

Craig suggested that the Village contact the two residents who spoke tonight or the homeowner association president prior to resurfacing streets in Metamora Green. This would give area residents an opportunity to come before Council to ask questions and express concerns. Craig commented that another option is to create a special assessment district at the request of residents who prefer concrete paving rather than asphalt resurfacing. The subdivision may agree to pay the difference between asphalt and concrete resurfacing.

Spallasso commented that the same standards will apply to all subdivisions in the Village with concrete roads and curbs. He is following the priorities established in the 1996 road survey adopted by Council whereby the worst road conditions are being addressed first.

PRESENTATION BY PAT GREENING REGARDING THE HALLOWEEN HOOT

Patricia Greening of 18289 Riverside Drive and member of the Parks and Recreation Board stated that the Village is looking forward to the fourth annual Halloween Hoot in Beverly Park on Sunday, October 24. Approximately 3,500 people participated last year. She is requesting Council approval for use of the park and permission to spend up to \$2,000 on the event. Greening proposes to expand on the Halloween props this year. Sponsors including the Lion's Club and Westwood Land Co. will help with the expenses.

Craig remarked that the Halloween Hoot is a great event that brings the Village together. Council members commented favorably on the event and the efforts of Greening to organize this community activity.

RESOLVED by Stearn, supported by Kennedy, that the Village Council authorize the use of Beverly Park for the Halloween Hoot on October 24 and allocate up to \$2,000 for the event.

Roll Call Vote

Resolution passes unanimously.

Greening reported that the recent dinner sponsored by the Friends of Beverly Park on September 24 raised \$30,799.01 toward Beverly Park improvements.

CONSIDER RECOMMENDATION TO FILL VACANCY ON PARKS AND RECREATION BOARD

Stearn reported that a subcommittee met at 7:00 this evening to review applications for the position of Parks and Recreation Board member. It was the consensus of Buterbaugh, Walsh and Stearn to recommend the appointment of Jim O'Reilly to the Parks and Recreation Board.

MOTION by Stearn, supported by Buterbaugh, to appoint Jim O'Reilly to fill a vacancy on the Parks and Recreation Board for a term to expire on June 30, 2000.

Motion passes unanimously.

CONSIDER RECOMMENDATION TO FILL VACANCY ON THE CABLECASTING BOARD

Buterbaugh met with Craig and Downey to consider an appointment to the Cablecasting Board. The subcommittee recommends the appointment of Deborah Lowmaster for this position.

MOTION by Buterbaugh, supported by Downey, to appoint Deborah Lowmaster to the Cablecasting Board for a term to expire on June 30, 2002.

Motion passes unanimously.

CONSIDER RESOLUTION APPROVING SITE PLAN FOR A RETAIL STORE AT 31535 SOUTHFIELD ROAD AS SUBMITTED BY BED BATH & BEYOND

Before Council for consideration is a site plan for a proposed Bed Bath & Beyond store to move into the former Halo Creative Concepts in Marketing building located at 31535 Southfield Road. The Village Zoning Board of Appeals granted a variance to allow 173 parking spaces on the site plan in lieu of the 210 spaces required by the Zoning Ordinance. The Planning Board has reviewed the site plan and recommended its approval with conditions outlined in the minutes of its September 22, 1999 meeting.

Village planning consultant Katherine Wyrosdick from Birchler Arroyo reviewed that the Bed Bath & Beyond site plan has been before the Planning Board twice. The Zoning Board of Appeals heard and granted requests for variances from Ordinance requirements relative to sign area and parking spaces. Wyrosdick outlined the more significant changes that have been made to the original site plan either at the request of the Planning Board, Zoning Board of Appeals, or adjacent property owners.

At the last Planning Board meeting, there were items that Birchler Arroyo asked to be addressed on the site plan prior to Council approval. The Planning Board conditioned its recommendation for approval on several items. Birchler Arroyo has examined the most recent site plan submitted after

the conditional approval of the Planning Board. The revised site plan complies with the requests from Birchler Arroyo with the exception that one minor note was not changed on the site plan and the site plans were not sealed. The architect representing Bed Bath & Beyond provided a sealed set of site plans this evening.

Wyrosdick stated that the Planning Board asked that brick be provided on the front facade of the building to be more in line with established site development standards. The applicant is providing a brick veneer along a large portion of the front facade. The Planning Board requested that at least four feet of landscaping or sod area be provided between the Southfield Road sidewalk and front parking lot. That has been provided. The applicant will attempt to preserve at least three mature trees in the west parking area as requested by the Planning Board. There remains the issue of a screening wall on the west and south property lines which is a matter of the Village Council's discretion. Wyrosdick mentioned that the applicant will present a case for the adequacy of the proposed screening.

Kennedy clarified that the applicant has met three of the four conditions of approval recommended by the Village Planning Board. The applicant is proposing an alternative method of screening to a masonry wall along the entire west and south property line. This issue remains to be resolved.

Wyrosdick stated that Birchler Arroyo had asked that Bed Bath & Beyond show how the unleased area will be prevented from becoming additional product display or warehouse space. The revised site plan shows a wall that will separate the unleased area. There are two access corridors extending through that area. One will access the emergency exit door at the front of the building and the other will access the mechanical equipment area. Everything else will be walled off and not used.

Paul Weisenbach with Frank Rewold and Son was present representing Bed Bath & Beyond along with the architect and landscape consultant. He stated that there has been quite a bit of time spent working with the neighbors, the Zoning Board of Appeals, and the Planning Board on the design of the site to create an ambiance that is favorable for the Village and one that will be business oriented. The conversations have resulted in some major changes since the initial site plan was presented. Bed Bath & Beyond is pleased to be able to continue with this process and is anxious to move forward. There is one remaining issue that requires resolution of Council which is consideration of a landscape buffer in lieu of a masonry brick wall on the west and south property lines.

Steve Auger from Auger Associates used the site plan and various drawings to outline the proposal. It is proposed to remove the fire-damaged, two-story office area in front of the warehouse building and replace it with a parking area. The entrance to the facility will be in the southwest corner of the building where the majority of the parking is located at the rear and side of the facility. The original front entry has been redesigned as a display window. At the request of the Planning Board, Bed Bath & Beyond has added brick to the front facade of the building. A covered walkway is provided for those who park near Southfield Road and walk to the entrance at the back of the building.

A floor plan of the facility was displayed. As a result of deliberations with the Zoning Board of Appeals, the applicant removed 3,000 square feet of the original floor plan of the building in order to reduce the overall usable square footage and lessen the requirements for parking spaces.

Auger indicated the location of signage, landscaping, and lighting on the site plan. A hedge is being provided between the facility and the Beverly Hills Club. The Planning Board has recommended that a masonry wall be constructed on the west and south property line. Auger displayed a drawing which is an inventory of the different screening methods used by Southfield Road properties from 13 Mile Road to Beverly Roads. Bed Bath & Beyond is proposing a chain link fence with landscape buffer as a screening wall between the properties on the west and south property lines. The applicant thinks that this approach will be more aesthetically pleasing and provide adequate security.

The Bed Bath & Beyond site abuts heavily wooded school property on the west property line. Some members of Council were concerned about the screening at the southerly boundary which abuts apartment buildings. Craig indicated that he talked to two residents on Allerton who preferred a continuation of the block wall that now exists behind the Beverly Hills Club.

Weisenbach addressed the traffic circulation on the site and screening that will be provided by foliage. New fencing will be erected with landscaping planted in front of the fence.

Walsh is in favor of requiring a masonry wall as a buffer from noise and lights from cars on the site. Downey reinforced the idea that a masonry wall would abate sound and protect against lights better than landscaping.

Weisenbach answered questions from Council on the site plan, particularly with respect to the barriers between the Bed Bath & Beyond site and the neighboring property to the north and south.

Weisenbach was asked to talk about the traffic issues that have been a topic of much debate. He acknowledged that there has been a series of comments relative to the need for a traffic study. Everyone on Southfield Road realizes that it is a difficult corridor. Weisenbach thinks that a traffic study could be entertained. The Village planning consultant pointed out that traffic and commuting patterns on Southfield Road are being affected this summer by ongoing construction in the area. Birchler Arroyo is encouraging clients to defer major traffic studies until this construction season is over.

Weisenbach questioned whether a comprehensive traffic study would be useful at this time because it could result in compound considerations that would take an enormous amount of time and resources to settle. In the long run, a joint opening could be suggested for both of these facilities. A traffic study may suggest a common corridor throughout the whole area.

The applicant thinks that the proposed use for the existing building will not bring in a huge amount of traffic flow. Bed Bath & Beyond is open all day. There will be additional traffic but it will not make a major impact on Southfield Road. Weisenbach noted that there would be additional traffic for any kind of facility that would be going into this space.

Gretchen Gonzalez of 32000 Evergreen expressed concern about turning left onto Southfield Road from this site. She questions why a traffic impact study was not done as part of this site plan review.

Kennedy responded that this proposal has been reviewed by the Village's planning consultant, Planning Board, and Zoning Board of Appeals. This is an existing commercial property. A traffic study is not required as part of site plan review.

Craig commented that Southfield Road is under County jurisdiction. He questioned whether the County has expressed any concerns relative to traffic issues at this site.

Spallasso stated that the Oakland County Road Commission will initiate any study that might be required if they think it is warranted or if the Village requests a study. Beverly Hills would pay for the cost of a traffic study it requests. He noted that any traffic control device placed on the County right-of-way will be controlled by the Road Commission of Oakland County.

Tom McCarthy from the adjacent Beverly Hills Club stated that Club representatives have been involved in this process from the beginning. He thinks that Bed Bath & Beyond has done a wonderful job on the building. It will an asset to the community providing it does not create a traffic safety problem. McCarthy has attended Zoning Board of Appeals meetings which focused on the signage and parking variances only. The site plan was reviewed by the Planning Board. McCarthy referred to a letter from Birchler Arroyo offering opinions as to the traffic issues that were not based on hard facts.

McCarthy stated that the Beverly Hills Club and other proprietors on Southfield Road are concerned about vehicular and pedestrian safety. He thinks this is an opportunity to study how the proposed use will affect vehicles coming in and out along Southfield Road. He thinks the overall plan should be devised even if all proposed improvements cannot be implemented at once. This is the time to look at the safety issues and work with the proprietors. He questions whether it makes sense to close off the Bed Bath & Beyond site from the Beverly Hills Club property.

Kennedy asked whose idea it was to close off the Bed Bath & Beyond site from the Beverly Hills Club property. McCarthy responded that the Beverly Hills Club requested this due to concern about the amount of traffic and parking that would come on their lot.

Craig remarked that traffic studies generally encourage openness between businesses. He questioned whether the Beverly Hills Club would comply with the recommendation of a traffic study if it were to suggest moving the Club's driveway to the north. McCarthy responded that they would seriously consider the recommendations of a traffic study. He noted that the Club currently has an exit from the north side of its property through the Invisible Fence site and through McDonald's. The Beverly Hills Club has a good neighbor policy with respect to keeping that parking open.

Stearn questioned what a traffic study would involve and the time factor. Wyrosdick stated that the amount of time and expense would depend on the extent of the study. A site specific study can be

prepared in two weeks. The planning consultants do not think it is appropriate for a study to look at only the traffic that will be generated by Bed Bath & Beyond. A traffic study should encompass the entire length of Southfield Road in Beverly Hills. A comprehensive study involving all of the Southfield Road businesses would take quite a while. There is the question of how to implement the recommendations of a traffic study. Because there are existing curb cuts, the Village would be relying on the businesses to make those types of improvements.

The area of Southfield Road in question is substantially developed. The road in front of Bed Bath & Beyond is five lanes with a right turn lane. Multiple curb cuts exacerbate the traffic situation. Birchler Arroyo would like to see shared access drives.

Stearn suggests that Council may want to consider a comprehensive traffic study of the Southfield Road business district for future development.

Ryan agreed that a corridor study for the west side of Southfield Road makes sense but added that all of the business owners should be involved. He stated that the proposal before Council involves a permitted use. The applicant is reducing the size of the building. Bed Bath & Beyond has received two variances from the ZBA. The Village does not require traffic studies as a part of site plan review, even under special use approval requirements. Ryan does not think that Council can single out one property to solve all the problems on Southfield Road.

Dorothy Pfeifer of 160 Charrington Court commented that it is premature to anticipate the amount of traffic that will be generated by Bed Bath & Beyond. Traffic was not a problem with the past two uses of this building. The applicant has mentioned that their business is not limited to a specific start and stop time. She agrees that it would make sense to have shared driveways with the adjacent businesses.

Stanley Satovsky, co-owner of Beverly Hills Club, commented that there has been no valid data submitted to determine the impact of this use on Southfield Road. Perhaps an adjustment of the traffic signals at Beverly Road or at Southfield Road will be warranted. A traffic study is needed. Satovsky distributed a handout showing 22 curb cuts on Southfield Road between 13 Mile and Beverly Roads.

Robert Bliven of 31633 Nixon, Planning Board member, made comments in support of requiring a masonry wall in lieu of a cyclone fence and landscaping on the south and west property lines.

Kennedy commented that the two establishments abutting the site in question are frequented by many people in the Village. The Beverly Hills Grill and the Beverly Hills Club are respected businesses. However, the property owner requesting a Bed Bath & Beyond store is entitled to use that site. The applicant has been through the process and the proposal meets the requirements of the Village.

Kennedy asked for a sense of Council on whether to require a masonry wall on the south and west property lines as recommended by the Planning Board or to allow a cyclone fence and landscaping

as proposed by the applicant. Four members favored the landscaping approach, and three members felt that a masonry wall should be required.

Landscape architect Tad Krear representing Bed Bath & Beyond discussed the landscaping plan which consists of a five foot high arborvitae hedge which will mature and fill out in about three years from time of planting to provide an opaque screen. The evergreen shrub will soften the line between commercial and residential property and serve as a screen from headlights and noise.

RESOLVED by Kennedy, supported by Lison, that the Beverly Hills Council approve the site plan dated September 29, 1999 for the retail store at 31535 Southfield Road as submitted by Bed Bath & Beyond with the following conditions. Council has considered the recommendations of the Planning Board at its September 22, 1999 meeting. A recommendation for brick facing on the east wall has been incorporated in the revised site plan. The applicant has provided a minimum of four foot of sod area between the Southfield Road right-of-way and the parking lot. A landscape maintenance plan is required as a condition for approval. It has been indicated on the site plan that mature trees in the west parking area will be saved where practical. Council approves the applicant's proposal to provide a cyclone fence and landscaping as described tonight along the west and south property line in lieu of a masonry wall. Approval is contingent on final approval of engineering drawings by Public Services Director Spallasso.

Kennedy stated that the Department of Public Safety has given its approval of the site plan with a final inspection to be conducted upon project completion.

Roll Call Vote:

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| Kennedy | - yes |
| Lison | - yes |
| Stearn | - yes |
| Walsh | - yes |
| Buterbaugh | - yes |
| Craig | - no |
| Downey | - yes |

Resolution passes (6-1).

A recess was called at 9:55 p.m. The meeting reconvened at 10:05 p.m.

APPROVAL OF SEPARATION AGREEMENT

RESOLVED by Lison, supported by Kennedy.

Whereas, Michael Young, a 24-year veteran officer of the Public Safety Department is unable to return to unrestricted public safety officer duties as a result of an on-duty lower back injury and subsequent surgery; and

Whereas, Michael Young has applied to and received from the Retirement System Board of Trustees for the Village of Beverly Hills a medical disability retirement pursuant to requirements of the pension ordinance,

Now, therefore, be it resolved that the Council for the Village of Beverly Hills authorizes payment to Michael Young the amount of \$25,910.92 in recognition of a financial separation agreement reached between and signed by Village administration and Michael Young. Funds are available for such expense in Account #101-345-702 (Salaries and Wages), -713 (Longevity Pay), -714 (Holiday Pay), and -720 (Sick Pay).

Roll Call Vote:

Resolution passes unanimously.

SECOND READING AND POSSIBLE APPROVAL OF ORDINANCE #297 AMENDING THE OPERATING UNDER THE INFLUENCE OF LIQUOR ORDINANCE

The first reading of proposed Ordinance #297 was held at the September 20, 1999 Council meeting. The Village has adopted the Uniform Traffic Code for Cities, Townships and Villages. Village Attorney Ryan stated that the Code needs to be amended from time to time due to changes in State law. He noted that Detroit area newspapers have published articles discussing the package of laws that went into effect on October 1, 1999.

Ryan stated that the laws were passed in response to concerns of the State Legislature and citizens about people who repeatedly drink and drive and are convicted and continue to drink and drive as well as those who have their licenses suspended or revoked by the Secretary of State and continue to drive. The proposed amendments would bring the Village's ordinance in line with State law so that Beverly Hills could prosecute these matters as local ordinance offenses. It is Ryan's recommendation that Council adopt this ordinance after the first reading.

Ryan summarized the ordinance by section. He focused on the section which provides what is called zero tolerance for minors who are drinking. The purpose is to punish the underage driver who has been drinking alcohol. There is a lower blood alcohol limit than the level which would penalize someone over the age of 21. The rationale is that a person under the age of 21 is not able to drink legally in the State. There is an exception for religious services or ceremony that involves consumption of intoxicating liquor.

Ryan stated that two prior councils have not wished to issue Village tickets to this class of persons and omitted this section from the Uniform Traffic Code. Beverly Hills Public Safety Officers write tickets for this offense as a violation of State law. The Village does not receive the revenue from the prosecution of a State law matter. Council can continue the prior council's policy, but this class of people is prosecuted anyway under State law.

There was lengthy Council discussion on the section dealing with persons under the age of 21. Discussion included a new provision which requires minors to be fingerprinted. Council questions

on the new law that went into effect on October 1 and its implementation were addressed by Ryan and Director Woodard.

It was the sense of Council that this is a tough law and it should be well publicized. Parents and children should understand the ramifications of the law. Council was emphatic that it was opposed to drinking and driving. However, there were members of Council who felt that the new laws regarding underage persons are too harsh and will be difficult for the courts to handle. One member voiced a suggestion that Council should send a message to the State Legislature that it does not agree with the differentiation involving minors. It was the consensus of Council that the Village codes should conform with State law.

Dorothy Pfeifer of 160 Charrington Court commented that the law is written to handle a serious problem. She remarked that she would rather have Tom Ryan prosecute a first time offender rather than a state prosecutor.

Sharon Tischler of 21415 Virmar Court commented on several aspects of the new law.

RESOLVED by Lison, supported by Downey, that the Village of Beverly Hills Council adopts Ordinance No. 297 to amend Chapter 41 of the Municipal Code of the Village of Beverly Hills Uniform Traffic Code as described in the document read and explained this evening.

Roll Call Vote:

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| Stearn | - yes |
| Walsh | - yes |
| Buterbaugh | - yes |
| Craig | - yes |
| Downey | - yes |
| Kennedy | - yes |
| Lison | - yes |

Resolution passes unanimously.

Ordinance No. 297 is available for review at the Village municipal office.

CONSIDER AWARD OF CONTRACT FOR ROAD SALT REQUIREMENTS FOR 1999/2000 SEASON

Craig stated that he will abstain from voting on this agenda item. Walsh related that three bids were received for the Village's 1999/2000 seasonal salt requirements.

RESOLVED by Walsh, supported by Kennedy, that the Village Council authorize Village Administration to contract with Cargill Salt for the 1999/2000 salt requirements in the amount of \$27.48 per ton delivered to the Village DPW site.

Roll Call Vote:

Walsh - yes
Buterbaugh - yes
Craig - abstain
Downey - yes
Kennedy - yes
Lison - yes
Stearn - yes

Resolution passes.

APPROVAL OF BILLS

MOTION by Stearn, supported by Walsh, that the bills recapped as of Monday, October 4, 1999 be approved for payment in the following amounts:

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|--------------|----------------------------|
| \$267,670.27 | General Fund |
| 48,504.80 | Major Road Fund |
| 8,610.70 | Local Road Fund |
| 55,885.41 | Drains At Large Fund |
| 30,702.83 | Dedicated Millage |
| 19,601.38 | Water/Sewer Operation Fund |
| 8,748.65 | Trust & Agency Fund |

Questions on the bills were addressed by Council and administration.

Motion passes unanimously.

LIAISON'S REPORTS

Stearn thanked the individuals who organized the "Friends of Beverly Park" dinner at Birmingham Country Club which raised over \$30,000 for Beverly Park improvements. The committee consisted of Patricia Greening, Don Greening, Chris Cameron, Gretchen Gonzalez, Joan Jensen, Phyllis Lauer, AldaMarie McCook, and Sheila Seaver. On behalf of the Parks and Recreation Board, Stearn thanked everyone who attended the event. It was a great evening.

Stearn reported that the Finance Committee held a joint meeting with Council last Thursday to review the five year financial plan. It was a productive meeting. The Finance Committee will be following up on some of the items at its next meeting.

Kennedy thanked the Planning Board and Zoning Board of Appeals for all their work on the Bed Bath & Beyond proposal. She commented on Council's decision to allow a fence and greenbelt in lieu of a masonry wall as recommended by the Planning Board.

Lison stated that he will present a candidate for the Retirement Board position at the next meeting for Council's consideration.

MANAGER'S REPORT

Hanlin stated that the Village office will be closed on October 11 in observance of Columbus Day.

PUBLIC COMMENTS

Bill Pfeifer of 160 Charrington Court voiced his disagreement with Council's decision to allow a cyclone fence and landscaping in place of the required masonry wall on the west and south property lines of the Bed Bath & Beyond site.

Sharon Tischler of 21415 Virmar Court suggested that serious consideration should be given to a comprehensive look at the Southfield Road business district, particularly since there has been discussion by the County regarding a boulevard approach to improving Southfield Road from Lathrup Village moving in this direction.

As Township Clerk, Tischler reported on a recent conversation with State Representative Pan Godchaux regarding the possibility of combining the March Village election with the February Township election. Serious consideration is being given to make that happen. It is imperative that the Township receive a definitive answer as soon as possible in order to make arrangements for additional equipment.

COUNCIL COMMENTS

Downey asked Spallasso to comment on the Beverly and Norchester intersection as it relates to children walking to Beverly School.

Spallasso stated that school crossing signs were installed near each of the stop signs at Beverly Road and Norchester. Public Safety Department personnel have been watching that intersection in terms of the number of children who cross there. The highest count has been two. The Village has received no further input from the Principal of Beverly School. The intersection will continue to be monitored by the school and the Village.

Downey mentioned that the Council President abstained from a vote on awarding a contract for seasonal salt requirements. Downey noted for future reference that the Village Charter requires that members of Council vote on a motion unless Council agrees to that abstention.

Stearn asked about the paving of Kirkshire. Spallasso responded that the Kirkshire paving which was delayed due to the weather will be done possibly by the end of this week. Stearn congratulated Jim O'Reilly on his appointment to the Parks and Recreation Board.

Kennedy reminded Council that the Birmingham Coalition is holding its yearly summit on October 8. Kennedy remarked that she would like to see an unofficial downtown development authority created to encourage communication and cooperation along the Southfield Road business district. The group could consist of representatives from administration, the Planning Board, Council and merchants on Southfield Road.

Buterbaugh congratulated the people who live in Village Pines on Lahser Road on an award received by the Village Pines Condominium Association. The Association has been awarded the National "Community Association of the Year" award for small communities of 1-149 homes from the Community Associations Institute. The award program honors condominium, cooperative and homeowner associations that excel in all aspects of operations, management and community involvement.

Craig thanked Jim O'Reilly and Deborah Lowmaster on their appointments to Village boards. Craig responded to Downey's comment on his abstention on the salt contract by stating that Detroit Salt is a direct customer of his at Comerica Bank.

MOTION by Buterbaugh, supported by Kennedy, to adjourn the meeting at 11:22 p.m.

Motion passes unanimously.

Andrew Craig
Council President

Ellen E. Marshall
Village Clerk