

Present: President Craig; President Pro-Tem Kennedy; Members: Downey, Munguia, Pfeifer, Stearn and Walsh.

Absent: None

Also Present: Village Manager, Hanlin
Village Attorney, Ryan

President Craig called the meeting to order at 7:45 p.m. in the Village municipal building at 18500 W. Thirteen Mile Road. Craig recognized two visitors in the audience, Andy Doherty and Andy O'Reilly, current and past senior patrol leaders of Scout Troop 1024 out of Beverly School. The scouts are working on their communication badges.

APPROVE MINUTES

A correction was made on page 9, fifth paragraph from the bottom of the page, to change the last sentence to read, "Council needs to make a decision on that route in 2002."

MOTION by Kennedy, supported by Walsh, that the minutes of a regular Council meeting held on Tuesday, September 5, 2000 be approved as amended.

Motion passes unanimously.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

John Mooney of 19111 Devonshire mentioned that scouts Andy Doherty and Andy O'Reilly are high school freshmen who are working towards the rank of Eagle Scout.

Mooney brought it to the attention of the people of Beverly Hills that Village Attorney Tom Ryan will receive the outstanding honor this week of being elected President of the State Bar of Michigan. Mooney wishes him the very best.

RESOLUTION APPROVING BIRMINGHAM AREA SENIORS COORDINATING COUNCIL FUNDING REQUEST

Beverly Hills has allocated money in its 2000-2001 budget to support the Birmingham Area Seniors Coordinating Council (BASCC). Pfeifer introduced Theresa Monsour, Coordinator for BASCC, along with Bob Sack, BASCC Board President, and Board members Bill Pfeifer and King Ruhly. Monsour will present BASCC's funding request for this fiscal year.

Monsour stated that BASCC is a non-profit organization of seniors serving seniors in the Birmingham Public School district. The service area encompasses the Villages of Beverly Hills, Bingham Farms, Franklin, and small portions of several other municipalities including Bloomfield Township and Birmingham. The organization has been in existence for more than 22 years. Over the years, BASCC has endeavored to identify older adult needs in its service area and to develop resources to meet those needs.

There are 1700 members of BASCC on record. All members are 55 years of age or older. The membership has grown by more than 200 people over the past year. About 75% of BASCC members live within the boundaries of the Birmingham School District, and approximately 25% of those individuals live in the Village of Beverly Hills.

Monsour pointed out that BASCC is a volunteer driven organization. During the last fiscal year, she estimates that there were over 50,000 contacts, participations and services that were rendered through BASCC and through the efforts of their many volunteers.

Service requests for BASCC assistance to the local older adult population have escalated over the years as the population ages and more seniors are endeavoring to remain in their homes. Local seniors and their families benefitted from such BASCC sponsored services as on site and home delivered meals, telephone reassurance, friendly visitor programs, free loan of durable medical equipment, home chore and home repair assistance, support groups, free income tax preparation, Medicare and legal counseling, mini-bus service and volunteer driver transportation, free classes and activities, travel opportunities, and inter-generational projects with the School District.

As far as funding, BASCC relies on the generosity of community agencies and organizations, the local municipalities, churches, businesses and individuals for financial support. BASCC is grateful for the years that Beverly Hills has funded the organization and looks forward to the Village's continued support. This year BASCC is requesting a modest increase of \$600 in its funding request. Monsour elaborated on the additional operating expenses experienced by the organization that necessitate greater fund raising efforts on their part. BASCC is requesting a total of \$11,000 from the Village of Beverly Hills for fiscal year 2000-2001.

Pfeifer stated that \$10,000 was budgeted for BASCC this year, as opposed to \$10,400 last year. The reason for a decrease in the contribution to their general operating budget is due to an increase in the Village's Community Development Block Grant fund allocation to BASCC this year for the Home Chore and Home Repair programs.

RESOLVED by Pfeifer, supported by Walsh, that the Village of Beverly Hills support the Birmingham Area Senior Coordinating Council in the amount of \$10,000 as budgeted for fiscal year 2000-2001.

Questions from Council were answered by Pfeifer and Monsour.

Stearn expressed the view that BASCC provides one of the fundamental services that government should afford to its citizenry. Because the Village government does not offer its residents these services, Council needs to support this program to assist seniors in the community. Craig concurs with this opinion.

MOTION by Pfeifer, supported by Walsh, to amend the resolution to support BASCC in the amount of \$11,000 for 2000-2001.

Roll Call Vote:

Resolution passes unanimously.

APPROVE COUNCIL MEETING DATES FOR 2001

Craig reviewed that there was discussion at the last Council meeting relative to moving the Council meeting day from Mondays to Tuesdays next year. It was suggested that the Council meeting day be rescheduled to Tuesday rather than rescheduling Monday meeting dates that conflict with federal holidays. A decision on this change was postponed until tonight's meeting. The public was invited to participate in the discussion.

Robert Bliven of 31633 Nixon was opposed to Tuesday Council meetings. John Mooney of 19111 Devonshire commented that Tuesday meetings are an excellent idea.

Pfeifer related that Monday meetings were scheduled before there was an effort to make long holiday weekends. She thinks it is inconsistent to reschedule regular meeting days that fall on holidays. There are no Tuesday Council meetings that would have to be rescheduled for national holidays in 2001.

Munguia was not in favor of changing the meeting day from Monday nights based on tradition and personal work conflicts. He related that he received phone calls from people who do not want the Monday meeting day changed.

Downey suggested that Tuesday meetings would be more efficient based on his experience that people are generally more prepared for a Tuesday meeting.

Walsh does not see a reason to change the day and is opposed to changing Council meetings to Tuesdays. A recent survey of council meeting days in similar surrounding communities show that 10 communities meet on Monday, three on Tuesday, and one on Thursday.

Kennedy questioned whether the need to reschedule a few meetings is a good enough reason to change the Monday meeting day. She cited holidays that occur in 2001, election days, and religious holidays. Kennedy does not have strong feelings on the subject but would rather stay with Monday meetings.

Stearn commented that he is neutral on the subject of Monday versus Tuesday Council meetings. He will vote against changing the meeting day to Tuesday unless meetings that conflict with Jewish holidays are rescheduled.

Craig commented that he would support a motion to move Council meetings to Tuesdays.

Pfeifer spoke in support of Tuesday Council meetings. She stated that there is no policy for what constitutes a meeting night. It is her view that, if children are in school and the trash is picked up in the Village, it is business as usual and Council meetings should be held.

MOTION by Pfeifer, supported by Downey, to establish the regular Council meeting dates on the first and third Tuesdays of each month in 2001, with the exception of the second

Monday in March following the election and a special Council meeting on the second Monday in May to approve the budget as required by Charter.

Roll Call Vote:

Munguia - no
Pfeifer - yes
Stearn - no
Walsh - no
Craig - yes
Downey - yes
Kennedy - no

Motion fails (4 - 3).

Pfeifer referred to the calendar in order to schedule Council meeting dates for 2001. Hanlin commented that the standard used in the past has been to change the date of Council meetings that fall on a federal holiday. Hanlin was asked to resubmit a memo to clarify the 2001 Council meeting dates. This will be an agenda item for the next Council meeting.

Stearn asked for Council discussion on whether Council meetings that conflict with high Jewish holidays should be rescheduled. Downey suggested that a motion be offered to establish Council meetings in 2001 on Tuesdays with the exception that meetings conflicting with Jewish holidays will be rescheduled.

MOTION by Kennedy, supported by Pfeifer, to move Council meetings in 2001 from Mondays to Tuesdays and to reschedule Council meetings that conflict with high Jewish holidays.

Walsh stated that a similar discussion took place in the 1990's. There was a consensus that accommodating one religious holiday would require the Council to consider rescheduling a meeting for any religious holiday. He emphasized that the issue has been brought up and set aside before.

Munguia stated that he would not be in favor of moving the Council meeting date for a holiday other than those recognized by the U.S. government.

Ryan requested that Council table its vote on the motion until the next meeting to give him an opportunity to review the state of the law on this matter to assure that Council is acting appropriately.

MOTION by Downey to table the motion.

Ayes - Craig, Downey, Kennedy, Munguia, Pfeifer and Walsh
Nays - Stearn

Motion passes (6 - 1).

UPDATE ON BEAUTIFICATION COMMITTEE

Kennedy stated that Beautification Awards Committee established by Council is preparing to select properties from candidates nominated to receive beautification awards. She asked Robert Bliven to present some background on this topic.

Robert Bliven related that the seven member Beautification Committee meets on the second Tuesday of each month at 8:00 a.m. in the municipal building. He defined beautification as being that quality or combination of qualities that afford keen pleasure to the senses. The purpose of this program is to recognize Village properties with curb appeal that bring pleasure to the senses. Any and all properties in Beverly Hills are eligible for an award whether it is a residence, business, church or school.

Residents, subdivision associations, Village businesses, educational and civic organizations are encouraged to submit entries for summer nominations by October 1. Nomination forms are available in the Villager newsletter and on the Village web site. The committee will consider over 70 properties and confer from one to a couple dozen awards. Council will be asked to assist in the presentation of the awards prior to a regular November Council meeting.

APPROVE BILLS

MOTION by Pfeifer, supported by Downey, that the bills from a period of 9-6-00 through 9-18-00 be approved for payment in the following amounts:

\$217,958.15	General Fund
4,693.58	Major Road Fund
9,045.38	Local Road Fund
59,572.53	Combined Sewer Overflow Fund
73,894.27	Interest Payments
1,681.11	Capital Projects Fund
71,082.92	Water/Sewer Operation Fund
<u>7,844.98</u>	Trust & Agency Fund
<u>\$445,772.92</u>	Total

Questions were addressed by administration.

Motion passes unanimously.

LIAISON REPORTS

Pfeifer stated that the Cablecasting Board will meet at 7:45 a.m. this Wednesday in the Rotary Room of the Baldwin Public Library. The board will discuss awarding a contract to a vendor to provide cable access management. Another agenda item will be the request for transfer of the cable television franchise from AT&T to Comcast.

Pfeifer will be attending the Michigan Municipal League annual meeting on Mackinac Island at the end of this month. She asked Council members for any direction or input on the issues that will be addressed at this meeting.

Stearn stated that a Parks and Recreation Board meeting will be held on Thursday at 7:30 p.m.

Kennedy announced that Public Safety Officer John Milliron was elected to the Board of Directors of the Birmingham Community Coalition. Kennedy will be attending the Birmingham Youth Assistance Annual Breakfast on October 5.

Walsh reported that the Planning Board met last Wednesday and continued its work on the Pathway Plan in preparation for a public discussion that will probably be held at the first meeting in October. The Planning Board discussed the work program for the study of "big foot" housing and its potential impact on redevelopment in the Village.

Walsh related that Planning Board member John Smith has a neighbor who does a lot of work pulling large branches out of the Rouge River. This individual has observed that the branches and logs are cut, which indicates that people are clearing their property and dumping branches in the river. Walsh questioned if there is an ordinance that prohibits that activity. Hanlin stated that the ordinance will be enforced if the individual can be apprehended dumping debris into the river.

The Infrastructure Committee will meet on Monday, September 25 at 5:30 p.m. in the council chambers.

Downey stated that the Public Safety Department is installing a Centralized Automated Dispatch system in the department, which was made available through a government grant program. This new technology and other new in-car equipment will be demonstrated at an upcoming Council meeting.

MANAGER'S REPORT

Hanlin updated Council on a meeting she attended today sponsored by regional Community Coalition groups. There is a lot of interest in these drug and alcohol prevention organizations. She remarked that the Birmingham Community Coalition is a very active group that is engaged in many worthy projects.

PUBLIC COMMENTS

John Mooney of 19111 Devonshire commented that there is something remarkable that did not happen here this evening. There were 600 people at a recent Allen Park council meeting due to flooded basements; there is no one present at the Beverly Hills Council meeting complaining about flooded basements. Mooney suggested that, once some of the sewer construction and remediation efforts were put in place, the Village's flooding problems diminished as predicted.

COUNCIL COMMENTS

Council members congratulated Tom Ryan on the honor of being elected as the new president of the Michigan Bar Association.

Munguia stated that September 15 to October 15 is Hispanic Heritage Awareness Month. There are 45 million people in this country of Mexican-American heritage. Munguia would like to recognize the contribution that Hispanic and Mexican American people have made to the culture and lifestyle of the United States.

Downey commented that he has a list of items that he would like the Council to address. One of his interests is soil erosion and the damage to the environment it can cause. He pointed out a case in the Village where serious soil erosion is damaging the new soccer fields constructed at Detroit Country Day School. He thinks the Village should look to the future and consider a soil erosion policy.

Downey mentioned that there are current aerial maps of the Village available through SEMCOG. Hanlin will secure an updated aerial map for the Village.

Downey remarked that there was a record rainfall downriver that was responsible for the recent flooding in those communities. He is cautious about thinking that Beverly Hills is free from flooding when it does not yet have a system that is completely up to modern day standards. He supports continuing efforts to improve the Village's sewer system.

Kennedy is also hesitant about applauding the Village's efforts with respect to sewer system rehabilitation just yet. She noted that the work that has been done to date is outstanding and appears to be alleviating flooding problems.

Kennedy received two inquiries from residents. One is related to traffic and speeding on Beverly Road and will be referred to the Traffic Committee for review. She also received calls from residents who are interested in sidewalk construction.

Stearn congratulated the Public Safety Department for the job that it does. He commented on the role that Deputy Director Art Smith played in apprehending an area bank robber.

Craig commented that he agrees with Mr. Mooney that the Village's efforts in rehabilitating the sewer system are improving the water problems in Beverly Hills. The most recent event downriver was severe and did not impact the Village. He believes that the restrictor plates, the Greenfield Relief Sewer, and the Amherst-Sheridan Relief Sewer is making a difference in relieving flooding problems.

Craig stated that a study session of Council will be held after a 15 minute recess.

MOTION by Pfeifer, supported Kennedy, to recess for 15 minutes at 9:00 p.m.

Motion passes unanimously.

The meeting reconvened at 9:13 p.m.

STUDY SESSION

Discussion of web page policies, procedures and maintenance

The Village web page is in operation. Craig commented that there is much information on the web site that will have to be kept current. The Village will be purchasing software and training staff members to keep the material up-to-date. There will be an annual cost to maintain the web site.

Hanlin commented that Bob Belaustegui currently manages and oversees the web site. He has prepared a sheet listing the elements of the web pages and who will be responsible for creating and updating specific material as needed.

Belaustegui discussed how various parts of the web site that require attention will be maintained and addressed questions from Council. It is a proposed schedule. It will take some time to purchase the software and train staff members.

There was some discussion about setting a policy at some point relative to capturing information on the Village web site. A decision could be made that information received from anyone who visits the site will not be used for anything or sold. There was a question as to how the Freedom of Information Act impacts information collected on a government web site. The Village may have to be careful about asking for input from its citizens on an issue if it cannot control that information. Currently, the only information the Village receives is the Internet Service Provider that is visiting the site.

Belaustegui stated that the Beverly Hills web site contains policies to protect the Village and to protect the site. There is a Copyright Notice, Disclaimer, Policy for Adding a Link, and rules for the message board.

Possible ballot issues for March 2001 election

Craig stated that there has been discussion in the community about a park millage, a sidewalk millage, a library millage, and a sewer bond millage. November 6 is the deadline for submitting ballot language to the Village Clerk. He asked Council members if they are in favor of going back to the voters with another millage request of any kind in March. It was the consensus of Council that it would not initiate a ballot proposition. Council members talked about the importance of timing when placing a millage question on the ballot.

A question could be placed on the ballot if Council receives a petition for a ballot question with the required number of signatures of registered Beverly Hills voters. The number of signatures required is 15% of the votes cast in the last election. Hanlin will provide Council with this number.

Pfeifer stated that she would support an advisory vote on sidewalks in the Village in order to determine whether there is a community interest in sidewalks.

Kennedy thinks that Council should be aware that it may receive a petition from a group of residents requesting the Village to construct sidewalks in a certain area of the Village.

Pfeifer stated that the library contract with Baldwin Public Library could be the subject of a future ballot issue. She presented background information on the Village's contract with the library for library privileges.

Beverly Hills pays the library 1.077 mills annually for use of the library. Pfeifer gave examples of how the donation has grown based on that millage rate. In fiscal year 2000/2001, the Village will be paying \$456,706 to the library, which equates to a \$43 per person cost or a household cost of \$109 per year for library services. The Village's SEV will continue to increase. The dollars that a millage produces will continue to rise. Pfeifer emphasized that her intent is to discuss how to fund the library service, not to discuss whether this service should be provided to residents.

Pfeifer thinks that library services should be funded with a renewable dedicated millage rather than a contract. If the library were funded with a dedicated millage, it would give the Village more room under its current millage cap.

The current contract with Baldwin Library has no expiration date. The contract can be terminated with six months notice by mutual agreement, or either party can terminate the contract with a 24-month notification. Pfeifer commented that there is no way to revisit the current contract whereas a renewable dedicated millage for the library could be reviewed periodically. Pfeifer commented that the use and need for the library has changed in the last eight years. She would like the ability to review the contract every two or three years.

Kennedy asked to defer the issue of the Southfield Road Business District to the next Council study session.

Hanlin remarked that she is keeping informed about the Main Street program and has stepped up her efforts in the area of economic development and downtown development.

Downey stated that two items he has been working on are a communication policy and a ground water policy. He questioned administration's direction on the ground water issue, which is to have Ryan review a ground water ordinance. Downey thinks that Council should agree on a vision and then talk about a policy and whether an ordinance is needed. He proposes that there are a lot of issues where Council and administration need to be more thoughtful in their approach.

Craig asked Hanlin to research and advise Council on the minimum that needs to be done to present a petition to the Council for a ballot proposal, including the number of signatures required and the formulation of ballot language.

MOTION by Downey, supported by Kennedy, to adjourn the meeting at 10:40 p.m.

Motion passes unanimously.

Andrew Craig
Council President

Ellen E. Marshall
Village Clerk