

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

Absent: None

Also Present: Interim Manager, Spallasso
Assistant to the Manager, Pasioka
Director of Public Safety, Woodard

President Craig called the meeting to order at 7:30 p.m. in the Village municipal building at 18500 W. Thirteen Mile Road.

APPROVE MINUTES

MOTION by Kennedy, supported by Walsh, that the minutes of a regular Council meeting held on Tuesday, January 2, 2001 be approved as submitted.

Motion passes unanimously.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

Janet Mooney of 19111 Devonshire expressed appreciation to Detective Milliron for doing a great job of hosting 16 Cub Scouts on a tour of the public safety building today.

As chairperson of the “Friends to Improve Beverly Park” committee, Mooney reviewed that a group of residents have succeeded in placing an initiative referendum on the March 12 ballot for a dedicated millage for park improvements. She referred to the fact that Beverly Hills was recently approved to receive a \$199,000 state grant for park improvements under the Clean Michigan Initiative. Mooney commented on how the state grant complements the overall plan for Beverly Park.

Three years ago, the Village approved a master plan for Beverly Park. The cost of implementing the plan was estimated to be \$850,000. The Village to date has accumulated approximately \$150,000 for park improvements through a combination of fund raising, private donations, and allocation of capital funds from the general fund budget. The grant will make \$200,000 available for specific park projects. These funds total \$350,000 for park expenditures, which is still about \$500,000 short of the funding required to complete the park master plan. The proposed dedicated millage for park improvements is important for the implementation of the plan to improve Beverly Park.

Phil Schmitt of 18103 Riverside talked about the cost to each household of levying an additional 0.25 mill to improve Beverly Park. The cost of this millage will be an additional \$6.00 for every \$1,000 a citizen pays in property taxes. If a house has real estate taxes of \$4,000, it will cost the property owner an extra \$24 per year for five years to enhance the park. This money will be spent on park improvements including new playground equipment, preservation of the sled hill, upgrade the ball diamonds, and provide new restrooms in the pavilion. Schmitt encouraged all residents to vote “yes” for Beverly Park.

Jim O'Reilly of 31191 Huntley Court announced that the annual Winter Family Fun Day will be held in Beverly Park this Sunday, January 21 from 1:00 – 4:00 p.m. He outlined the activities that will take place in the park including sledding, ice skating, refreshments and a variety of games. He invited residents to bring family and friends to enjoy the festivities. There is no charge for the event.

REQUEST THIRD ENVIRONMENTAL INFRASTRUCTURE FUND REIMBURSEMENT

Before Council for consideration is a resolution requesting reimbursement of eligible environmental remediation and improvement project expenses under the Oakland County Environmental Infrastructure Fund Program. These funds are being used to offset costs related to Village sewer improvements and also to assist in upcoming costs related to the requirements contained in the MDEQ storm water permit. The amount the Village will receive through the program this year is \$48,500.

**RESOLUTION
INFRASTRUCTURE FUND EXPENSE REIMBURSEMENT REQUEST**

WHEREAS, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established an Environmental Infrastructure Fund Program to assist Oakland County cities, villages and townships in addressing clean water and storm water needs; and

WHEREAS, Oakland County's Environmental Infrastructure Fund Program authorizes Oakland County cities, villages and townships to apply for reimbursement of eligible expenses incurred in connection with environmental remediation or improvements relating to ground and/or surface water, water supply, sewer and/or drainage systems and/or water pollution control efforts incurred as part of a city, village or township road project; and

WHEREAS, the Village of Beverly Hills, Oakland County, Michigan has incurred expenses in connection with environmental remediation or improvement project(s) believed to be eligible for reimbursement under Oakland County's Environmental Infrastructure Fund Program.

NOW, THEREFORE BE IT RESOLVED, that the Village of Beverly Hills Council authorizes and directs its DPS Director, as agent for the Village of Beverly Hills, in the manner and to the extent provided for under Oakland County Board of Commissioner Miscellaneous Resolution 99093, to request reimbursement of eligible environmental remediation or improvement project expenses under Oakland County's Environmental Infrastructure Fund Program.

Questions from Council on the resolution were addressed by Spallasso.

Roll Call Vote:
Resolution passes unanimously.

APPROVE PURCHASE OF RECORDING SYSTEM FOR PUBLIC SAFETY BUILDING

Funds were reserved in the capital budget for fiscal year 2000/01 for the lease/purchase of a new recorder/logger for the public safety department. The department is currently served by a 10-channel reel-to-reel recorder that documents activity on one radio frequency and nine telephone

inputs. This Dictaphone brand equipment was purchased new in 1989 and was placed in service shortly after the new public safety building was occupied. A memo from Director Woodard dated January 9, 2001 outlines the shortfalls of the current recorder that make the purchase of a replacement device desirable.

Response to a request for quotes was received from three vendors. The responses provide prices for lease/purchase of the equipment for three, four, or five year terms, along with estimates for continuing maintenance.

RESOLVED by Downey, supported by Walsh, that the Council for the Village of Beverly Hills approve the lease/purchase of the Mirra 20-channel digital recorder from the DSS Corporation of Southfield in the amount of \$528 per month (\$6,336 per year). Funds are available for this expenditure in Account #101-345-932 Public Safety: Repair & Maintenance Equipment.

It was indicated that the Village would purchase the equipment for \$1.00 at the end of the four year lease term. The Village would be liable only for an annual maintenance agreement. The current recording equipment would be traded in.

Stearn referred to the backup material for this agenda item noting that the cost of this equipment is \$16,550 with trade in if the village pays in cash. The cost under the lease/purchase agreement will be approximately \$25,000 for the recording system. Woodard responded that capital funds are not budgeted for this expenditure.

Questions from Stearn on the need to replace the current equipment were addressed by Woodard. Stearn was not convinced that the purchase is necessary. If this were a necessary item, he thinks that the equipment should be purchased rather than leased. For these reasons, Stearn will not support the resolution.

There were members of Council who concurred with the rationale presented for upgrading the existing equipment but preferred that the recorder be purchased rather than leased.

Roll Call Vote:
Resolution fails by a unanimous vote.

Alternate financing options will be investigated for purchase of this equipment. A recommendation may be prepared for Council consideration.

UPDATE ON PARK GRANT

Stearn announced that the State of Michigan has approved a grant to the Village of Beverly Hills in the amount of \$199,000 for park improvements under the Clean Michigan Initiative. The Parks and Recreation Board has worked diligently to prepare a master plan for Beverly Park. A park master plan was approved by Council in March of 1998.

The entire Parks and Recreation Board deserves our gratitude because the Village could not apply for a grant without a master plan. Parks and Recreation Board members are Alan Cobleigh,

Irene Davis, Jack Harmon, Patricia Greening, Janet Mooney, Phil Schmitt, and Jim O'Reilly. A couple of past members involved in the creation of a park master plan include Andrea Brink and Ann Woodman. Stearn thanked Phil Schmitt for initiating the idea of a group called "Friends of Beverly Park" to raise money for park improvements. Stearn gave special thanks to Pat Greening for organizing a "Friends of Beverly Park" dinner that raised over \$30,000 in private money to be used for park projects.

Private fund raising for the park has generated \$75,000 to date. Money allocated by the Village over a period of years and reserved for park capital improvements totals about \$55,000. The money accumulated for park capital improvements was committed as local matching funds in order to be eligible to receive a state grant.

Stearn stated that Stan Pasiaka deserves accolades for his extensive work on the park master plan in order to present it in a form that received approval from the Michigan Department of Natural Resources, which rendered it acceptable for submission with the state grant application. Pasiaka pursued the grant application process with diligence. As a result, the Village will be reimbursed for \$200,000 worth of specific park improvements. Stearn called Pasiaka to the lectern and shook his hand.

Walsh asked about the documentation received for the grant. Pasiaka responded that the Village received a phone call from state grant officials informing administration that Beverly Hills will receive the grant and a congratulations fax from State Rep. Patricia Godchaux. He expects to receive information outlining the requirements for spending the grant money. Pasiaka anticipates that reimbursement for the specific projects outlined in the grant application will become available in August.

Neil Hitz of 19216 Riverside Drive, Finance Committee member, voiced his concern as a taxpayer about the absence of a responsible plan to manage the capital needs and infrastructure needs of the Village. He understands that the Village will receive a state grant in the amount of \$200,000 in addition to approximately \$150,000 that has been committed for park improvements. Assuming that the park millage passes in March, it will generate about \$500,000 over five years. Funds generated by these sources will total about \$800,000. The Council must spend this money on the park.

In response to inquiries from Hitz, there was discussion relative to which park projects will be funded. Hitz pointed out that the projects outlined in the park master plan vary from the capital projects listed in a more recent park improvement document prepared as part of capital improvement plan.

Craig explained that the Village applied for a grant that specifically identified three or four projects that will be undertaken with grant money including a pedestrian safety entrance, parking lot improvements, and playground equipment. A portion of the \$150,000 raised privately and money allocated from Village park capital improvement funds was committed as matching funds for the grant and placed in a dedicated fund that must be spent on the park. The park master plan was the initial road map that Council approved three years ago. A wish list prepared as part of a capital improvement plan for the Village represents the most current thinking of the Council and

Parks and Recreation Board on park improvement projects. Craig emphasized that the sitting Council will determine what money is spent on what projects. Actual spending of the money will be determined year by year with the approval of Council.

Hitz stated that the important point is that park millage money must be spent on the park. He is not opposed to park improvements, but is concerned about a trend that may be developing. Hitz expressed concern as a taxpayer with the Village's approach to setting money aside for capital improvements in the Village. He referenced citizen interest in sidewalk construction in the community and an identified need for water main replacement. Funding for future fire apparatus replacement has been a recent topic of discussion. Hitz thinks that it may be a dangerous precedent if Council does not advise the voters or establish a reasonable plan to put money aside for the park and other items to eliminate the need for special groups to place millage proposals on the ballot.

A year ago there was a ballot issue for a millage cap increase that was turned down by the voters. Hitz does not think that this defeat means that Council should take the position that the voters should propose ballot issues based on individual needs. Once a dedicated millage is passed, Council must spend the money on that specific item.

Stearn clarified that this Council voted not to place a park millage question on the ballot in March. A group of residents circulated petitions and collected enough signatures to place a proposal on the ballot. The question will be for all of the Village residents to decide whether the park is important enough to them to pay \$6 per \$1,000 in property taxes for improvements.

Hitz stated that his concern is that there may be other important funding items that may not receive a favorable vote of the electorate if residents are asked to vote on a number of issues. He is troubled that the current financial forecast shows a deficit in the coming years. Hitz is concerned about the trend, not about this particular issue.

Craig commented that he shares these concerns. Council has been talking about these issues since last year's discussions on the millage cap increase. The ballot proposal was defeated in March. Council did not place any issue on the ballot for the March 2001 election because we are still wrestling with how to address the capital needs of the Village as a whole.

APPROVAL OF BILLS

MOTION by Pfeifer, supported by Walsh, that the bills from a period of 1/03/01 through 01/16/01 be approved for payment in the following amounts:

\$199,484.31	General Fund
20,393.76	Major Road Fund
9,871.83	Local Road Fund
62,988.28	Water/Sewer Operation Fund
<u>7,888.10</u>	Trust & Agency Fund
<u>\$300,626.28</u>	Total

Motion passes unanimously.

LIAISON'S REPORT

Walsh reported that the Planning Board discussed the finalization of the pathways plan at its Wednesday, January 10 meeting. The board is beginning a study of the 14 Mile Road corridor between Greenfield and Southfield Roads.

Pfeifer stated that the Finance Committee met last Tuesday, January 9 to discuss the process of updating the five year capital improvement plan. The next Finance Committee was rescheduled to Tuesday, February 6.

The Birmingham Area Cable Board will meet tomorrow morning at 7:45 a.m. in the Rotary Room of the Baldwin Library. Pfeifer informed Council that the Village is now housing the mobile production van that belongs to the consortium at the Village municipal site. Beverly Hills is in the process of seeking Requests for Proposals for installation of cameras and the wiring of the council chambers.

At its December meeting, the Cable Board adopted bylaws for its operation. One of the provisions is an option for the community to select an alternate Cable Board representative. The bylaws specify that this can be done "if authorized by member ordinance". The Village's ordinance does not have an accommodation for this.

The Village has historically delegated a Council liaison to attend Cable Board meetings. Pfeifer is currently filling one of the three Beverly Hills positions on that board. Pfeifer recommends that the Council consider amending the ordinance to allow the Council liaison to act as alternate member. The appointment of a Council Liaison, who regularly attends these meetings, to serve as an alternate member would preclude having to bring another person up to date on current issues. The Village would have the assurance of having three votes on Cable Board matters. Council agreed to direct the Village attorney to prepare an amendment to the ordinance that would allow for the appointment of an alternate member to the Cable Board.

Stearn stated that there will be a joint meeting of the Council and Parks and Recreation Board this Thursday, January 18 at 7:30 p.m.

MANAGER'S REPORT

Interim manager Spallasso informed Council that the Village was notified by the Detroit Water and Sewer Board of a proposed water rate increase of 13 percent.

Spallasso learned today that Congress has approved a Federal Sewer Grant Program for Municipalities. President Clinton signed the bill making \$1.5 billion available in grant money. The bill was written in a way that gives priority to those communities that have already expended money on sewer infrastructure. The Village of Beverly Hills will be in a good position to go after some of that money for cost reimbursement.

Pfeifer asked when the official 2000 census figures will be made available. Spallasso is not aware of an official date. He will keep Council informed.

PUBLIC COMMENTS

Janet Mooney of 19111 Devonshire thanked Stan Pasieka for the exhaustive work he did in preparing and following up on the grant application which resulted in receiving approval for a \$199,000 park grant.

COUNCIL COMMENTS

Pfeifer commented that reference was made at the last Planning Board meeting to a Master's thesis produced by Stan Pasieka. She asked if Pasieka would share a copy of this document with Council members. Pasieka indicated that he would be pleased to do so.

Pfeifer asked if Council will be meeting with the facilitator from the Michigan Municipal League prior to the process of thinning out applications for the village manager position. It was the sense of Council to schedule the half-day workshop with William Baldrige prior to him presenting ten finalists to the Council for consideration.

Pfeifer stated that the Village is looking for people to serve on Council. The Village Council Election will be held on Monday, March 12. She reminded residents that they are entitled to absentee ballots if they have reached the age of 60 or older. Registered voters can call the Village office at 646-6404 and request to have an application sent to their home.

Munguia commented that he was pleased with the park grant and encouraged Council and administration to actively pursue any available grant money that could reduce the burden on taxpayers.

Downey commented that there are good things coming up for Beverly Park. There will be positive actions resulting from the energies of a group of people. He mentioned that the pathways plan being prepared by the Planning Board was referred to during discussion of the park grant and an upcoming millage proposal. The pathways plan has identified some needs in the Village. Downey understands that pathways are a divisive issue in Beverly Hills. He asked Council members to do some thinking about giving the Planning Board an opportunity to present the pathways plan and to consider the recommendations in the document. He thinks that Council members should work together in the interests of the Village as a whole.

Walsh remarked that Planning Board members have also requested a copy of Mr. Pasieka's Master's thesis.

Walsh reviewed that there was discussion at the last Council meeting about mailing absentee voter ballot applications to Village citizens who are 60 years of age or older. A motion to do this for the March Election failed. Walsh voted against the motion on the basis that more time is needed to establish procedures. He would like Council to direct administration to prepare a recommendation as far as procedures on how to implement this plan for the 2002 election based on ideas that were raised by Council along with a cost estimate for this mailing. Council concurred.

Walsh commented on sidewalk issues relative to need, cost, and maintenance. He noted that sidewalks have been a controversial issue in the Village for 15-20 years.

Kennedy congratulated Pasieka on his work on the park grant application. She also recognized the fact that former Council member Toni Grinnan had the original idea of applying for grants to improve Beverly Park.

Kennedy referred to a January 11 Eccentric newspaper article interviewing Tami Hanlin. Kennedy strongly disagreed with a comment that appeared in the article indicating that no goals were set by the Council.

Kennedy stated that she has been actively asking residents to run for a seat on the Village Council. One of the reasons she has for doing this is that she will not be running for re-election in March. During the next few meetings, Kennedy will be talking about the challenges that she thinks Council has ahead.

Craig expressed his gratitude to Pasieka for spearheading a successful grant application. He thanked Todd Stearn for his persistence in securing this park grant.

MOTION by Kennedy, supported by Walsh, to adjourn the meeting at 9:09 p.m.

Motion passes unanimously.

Andrew Craig
Council President

Ellen Marshall
Village Clerk