

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

Absent: None

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

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

APPROVE MINUTES OF A REGULAR COUNCIL MEETING HELD ON MONDAY, MARCH 19, 2001

MOTION by Pfeifer, supported by Walsh, that the minutes of a regular Council meeting held on Monday, March 19, 2001 be approved as submitted.

Motion passes unanimously.

APPROVE MINUTES OF A SPECIAL COUNCIL MEETING HELD ON SATURDAY, MARCH 24, 2001

MOTION by Pfeifer, supported by Walsh, that the minutes of a special Council meeting held on Saturday, March 24, 2001 be approved as submitted.

Motion passes unanimously.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

There were no comments from the public.

PRESENTATION OF WINTER 2000 BEAUTIFICATION AWARDS

Debbie Morrow and Bob Bliven were present representing the Beautification Committee. The Committee has collected nominations during the winter months for homes and commercial property in the Village decorated for the holidays. Framed certificates recognizing the outstanding contribution made to the beautification of the Village of Beverly Hills and a gift of a Pewabic pottery tile were awarded to the following homeowners and businesses.

Brady's Tavern of Beverly Hills
Bob Berg, Owner/Operator
31231 Southfield Road

James and AldaMarie McCook
19370 Riverside Drive

Mike and Nancy Shiner
30744 E. Lincolnshire

Beverly Hills Grill
Bill and Judi Roberts, owners
31471 Southfield Road

Jim and Mary Beth Parks
19055 Saxon

Leonard and Claire Janiga
18910 Warwick Drive

Bob Brosko
18510 Riverside Drive

Stearn thanked everyone who received an award for contributing to the beautification of Beverly Hills and for showing pride in the community.

RECOGNITION OF PUBLIC SAFETY OFFICER OF THE YEAR

The Department of Public Safety conducts a program that recognizes a Public Safety Officer of the Year. Nominations for the recipient come from officers and department supervisors. Director Woodard announced that this year's selection process has identified Detective Sergeant Ted Wink as our Officer of the Year.

Ted Wink was present with his wife Elaine and sons Christopher, Kevin, and Kyle. Woodard stated that Wink was hired as a PSO with the Department in 1981 and was assigned to road patrol. In addition to learning the job, he completed his Bachelors of Science Degree at the University of Detroit in Criminal Justice. In 1988, he was assigned to the school liaison position. A few years later he was promoted to sergeant. In May of 1993, Wink was appointed to the Detective Bureau where he served as chief investigator and has remained in that position since. Wink conducts and oversees criminal investigations, crime scene processing, victim and suspect interviews, and courtroom prosecutions.

Wink has provided consistent attendance, an excellent work ethic, and dedication to his assigned duties. He establishes and maintains an effective working relationship with neighboring departments, an important function in dealing with investigations that cross over jurisdiction lines. Woodard remarked that it is his pleasure to present Ted Wink with an "Officer of the Year" plaque.

Ted Wink thanked Director Woodard and Deputy Director Smith for nominating him and thanked the Village Council for the honor. He remarked that the Department is blessed with many fine, courageous officers who work day in and day out, and he is humbled to be receiving this award. Wink confirmed to Council and the residents that he will serve to the best of his ability to continue to help make Beverly Hills one of the safest communities in the state of Michigan.

Stearn commented that Beverly Hills is consistently ranked as one of the safest communities in the state because of officers like Ted Wink, who are doing a great job for this community.

ANNOUNCEMENT OF LIAISON ASSIGNMENTS

Stearn announced Council liaison assignments to various boards and committees as follows:

Cable Board	- Pfeifer; alternate, Downey
Finance Committee	- Domzal; alternate, Walsh
Parks and Recreation Board	- Domzal, alternate, Downey
Planning Board	- Downey; alternate, Munguia
Zoning Board of Appeals	- Munguia; alternate, Walsh

REFER FIVE-YEAR PLAN FOR BEVERLY PARK TO THE PARKS AND RECREATION BOARD FOR RECOMMENDATION

Stearn turned the chair over to Council President Pro-Tem Pfeifer for this agenda item.

Stearn proposes that Council consider directing the Parks and Recreation Board to prepare a five-year plan outlining how it plans to allocate all of the funds that have been raised publicly and privately for park capital improvements in Beverly Park. Approximately \$60,000 has been raised through private donations, a matching grant has been approved from the state in the amount of \$199,000, and a park dedicated millage passed in March that will raise \$500,000-\$550,000 over the next five years.

Stearn has talked to Parks and Recreation Board chairperson Phil Schmitt about developing a prioritized list of what the board plans to accomplish over the next five years. Council will either provide additional direction or adopt the parks and recreation plan. It is understood that exact figures may not be available. The five year plan can be revised if priorities or costs change.

MOTION by Stearn, supported by Munguia, to direct the Parks and Recreation Board to prepare a five year plan for Beverly Park improvements.

In response to a question about a deadline for the plan, Schmitt felt that a draft plan could be developed by the end of the summer. He related, as an example, that the Parks and Recreation Board is expecting a determination on what is involved with re-engineering the sled hill to make it safer. The cost will determine whether the project will be immediate or long-range. Schmitt commented on the timing of projects with respect to availability of grant money and revenue from the dedicated millage.

Spallasso concurs that it is a good idea to prepare a plan even though costs may not be available for each element of the plan. A general overview should be developed. Spallasso added that Council has agreed not to spend money reserved as matching grant funds until the state gives the Village authorization that the money spent on capital projects will be reimbursed by the grant.

Domzal suggested that the Parks and Recreation Board try to be specific in terms of priority projects if it cannot be specific in terms of a cash flow projection.

Downey commented that he would like to see a detailed, long-term plan that includes cash flow analysis and cost estimates. He would like the plan to include the design phase of the project and

the proposed construction as it relates to the cost. Downey offered his assistance in developing a computer generated project plan.

Motion passes unanimously.

Stearn took the chair.

SET DATE FOR PUBLIC HEARING TO REVIEW AND CONFIRM 2000 ASSESSMENT ROLLS FOR DUST AND OTHER MISCELLANEOUS ASSESSMENTS

MOTION by Pfeifer, supported by Walsh, to set a date for public hearing and confirmation of 2000 assessment rolls for dust and other miscellaneous assessments for the next regularly scheduled Council meeting of April 16, 2001.

Motion passes unanimously.

SECOND ANNOUNCEMENT OF VACANCY ON THE PLANNING BOARD

Walsh made the second announcement of a vacancy on the Planning Board that was created by the election of Dave Domzal to Council. Walsh commented on the Planning Board's current and future projects.

The last day to submit applications for the position of Planning Board member is Friday, April 6 at 5:00 p.m.

APPROVE CONTRACT EXTENSION WITH AMERITECH

Pfeifer outlined the process of renegotiating a current contract with Ameritech that was conducted by finance director Wiszowaty and assistant to the manager Pasieka. The renegotiation came about as part of administration's attempt to resolve a \$669.17 penalty payment charged for not meeting a minimum annual revenue commitment on the existing contract.

Council is being asked to authorize administration to enter into a renegotiated three-year Ameritech CompleteLink usage contract. Ameritech representatives have agreed to waive the penalty fee in lieu of a new contract. The new contract offers adjusted commitments and a \$.01 per minute savings from the current contract. It is more in line with Village telephone usage patterns.

RESOLVED by Pfeifer, supported by Domzal, that Council authorize administration to enter into a three-year contract with Ameritech for CompleteLink service.

Village Attorney Ryan has reviewed the contract. He stated that the memo prepared by Pasieka explaining the Ameritech Contract clarifies the issues. Ryan suggests that this March 29, 2001 memo be included as Attachment C of the contract, signed, and sent to Ameritech.

MOTION by Pfeifer, supported by Domzal, to amend the resolution to state that the March 29, 2001 memo from Stan Pasieka to Robert Wiszowaty be signed and included in the CompleteLink contract as Attachment C and sent to Ameritech.

Questions and comments from Council on the current and proposed contract were addressed by Pasieka. Pasieka expressed the view that Ameritech continues to be the most reliable vendor for telephone service, and this appears to be the best contract for the Village at this time.

Roll call vote on amended motion:
Resolution passes unanimously.

APPROVE PAVILION RENTAL RATES FOR NON-RESIDENTS

Stearn relinquished the chair to President Pro-Tem Pfeifer for this agenda item.

Stearn reviewed that, at its March 19, 2001 meeting, the Parks and Recreation Board made a recommendation to Council to change the pavilion rental rates for non-resident groups over 50. Council is in receipt of minutes of the board that include discussion of the adjustment in pavilion rental rates.

RESOLVED by Stearn, supported by Downey, to approve park pavilion rental fee rate increases for non-resident groups in the categories of over 50 and over 100 people as described in a fee schedule proposed by the Parks and Recreation Board for the reason that the rates will more closely cover the costs associated with special weekend trash pick-ups.

In answer to a question from Council, Pasieka related that there are no scheduled trash pick-ups on the weekends in the park. Multiple bookings on the weekends lead to problems when a group following a large party is faced with overflowing trash containers. The cost to have special trash pick-ups on the weekends during the busy summer months is not covered in current pavilion rental fees. The increase in fees will help cover the overtime costs associated with having a special pick-up to remove trash.

Pasieka addressed questions and comments from Council. He indicated that the continuing increase in pavilion usage will make it necessary for the Parks and Recreation Board to review the entire park fee schedule at the conclusion of this season.

Sharon Tischler of 21415 Virmar Court asked for clarification on the increase in rates for non-resident groups. It was explained that the rate increase is for large groups of over 50 and over 100. Stearn related what he believes to be the rationale for this recommendation. Beverly Hills residents are paying taxes and therefore deserve the benefit of a slightly lower pavilion rental rate. The Village pays all of the cost associated with using the park when non-residents, who are not paying taxes, use Beverly Park.

Roll Call Vote:
Resolution passes unanimously.

Stearn took the chair.

APPROVE BILLS RECAPPED AS OF MONDAY, APRIL 2, 2001

MOTION by Pfeifer, supported by Walsh, that the bills from a period of 3/20/01 through 4/2/01 be approved for payment in the following amounts:

\$135,285.82	General Fund
17,667.24	Major Road Fund
12,424.30	Local Road Fund
944.81	Capital Projects Fund
349.10	Dedicated Millage
3,333.72	Water/Sewer Operation Fund
1,887.03	Water/Sewer Improvement Fund
<u>48.48</u>	Trust & Agency Fund
<u>\$171,940.50</u>	Total

Questions from Council and the audience were addressed by Pfeifer and administration.

Motion passes unanimously.

LIAISON'S REPORT

Walsh reported that the Planning Board met last Wednesday and held a public discussion on the 14 Mile Road Corridor. There were approximately 20 people who spoke, primarily about the road reconstruction and lane widening. Walsh asked if the Road Commission for Oakland County will be scheduling a meeting with the affected residents to discuss the timetable for the 14 Mile Road reconstruction and limitations on area residents. Walsh noted that the Planning Board will schedule another public discussion later in the process of studying the 14 Mile Road corridor.

The Planning Board passed a motion to recommend approval of the site plan from Nextel Communications for the collocation of antennas on the water tower at 16111 W. 14 Mile Road and construction of an accessory building. This item will be coming before Council soon.

Pfeifer stated that copies of the proposed budget for the 2001-02 fiscal year have been distributed to Council this evening. A joint meeting of the Council and Finance Committee has been scheduled for Monday, April 9 at 7:30 p.m.

Pfeifer reported that the Birmingham Area Cable Board at its last meeting approved the bid in the amount of \$98,605 from Roscor to equip the Beverly Hills council chambers with permanent audio and visual equipment for the purpose of live broadcasts and taping of Council meetings. The items that Council will be responsible for are the construction of an enclosure for the video production area and a new council table. Administration is overseeing the design of the enclosure and will not go out for bids until Council approves the plans. This will be a topic of discussion at the next meeting along with the configuration of the council table.

Pfeifer announced that the next Birmingham Area Cable Board meeting was rescheduled to Wednesday, April 25. The meeting will be held at the Beverly Hills municipal building.

MANAGER'S REPORT

Spallasso outlined the 14 Mile Road improvement project to be undertaken by Oakland County. There will be reconstruction of the roadway from Southfield to Greenfield. It will be a three lane

road with a center turn lane. The intersections of Pierce and Southfield will open up to five lanes to accommodate all traffic movements.

Spallasso spoke with the head engineer for the Road Commission today about the timing of the project. The road design is almost complete and will be forwarded to consulting engineering firm Hubbell, Roth & Clark for design of the sewer work that will take place at the time of the road construction. Beverly Hills and Birmingham are sharing the cost of the advance sewer work related to the Acacia Interceptor Relief Sewer. The plans will probably be available in two to three months. Spallasso indicated that the Road Commission does not have to submit the final construction plans to the State funding committee until September 1, 2001. Construction will not take place until early 2002. Spallasso will keep Council informed on the progress of this project.

Walsh asked if the Road Commission will hold an information meeting for residents prior to the reconstruction of 14 Mile Road. Spallasso has not received assurance of this, but he believes that the policy of the Road Commission for Oakland County is to have informational meetings on projects that will affect residents.

Pfeifer asked Spallasso if there is a written policy regarding the entry code for the door leading to the Village offices. Spallasso will provide Council with a written policy indicating who has the combination to the security lock and how often that combination is changed. Craig suggested that Council not discuss this policy and risk undermining the security system.

Downey asked Spallasso about the major construction projects expected to take place in the Village this summer. Spallasso responded that he is in the process of preparing a written report to Council on the upcoming construction projects. He will also post this information on the Village's web page to inform the public about upcoming projects and how they will be affected.

Some of the projects lined up for the summer are water main replacement, road repairs and resurfacing, and rehabilitation of the Evergreen bridge. These and other projects will be listed in a schedule that will be available in the near future.

PUBLIC COMMENTS

Sharon Tischler of 21415 Virmar Court questioned the timing of 13 Mile Road improvements. Spallasso stated that the patching work on 13 Mile Road between Southfield and Greenfield will be completed as soon as the weather stabilizes. There is another shared project coming up this summer with the City of Southfield, which is to resurface 13 Mile Road between Southfield and Evergreen.

Tischler questioned the Council representation on the Retirement Board. She was advised that Council members Stearn and Walsh will serve on the Retirement Board.

Tischler related that she was unhappy with certain comments made about Beverly Hills by commission members at a recent Birmingham Commission meeting. She was informed that there was communication by Council and administration members to the Birmingham Commission about the remarks.

COUNCIL COMMENTS

Craig congratulated Scott and Mary Adams on the birth of their baby.

Munguia congratulated Ted Wink as Public Safety Officer of the Year. He congratulated the recipients of the winter beautification awards.

Domzal publicly apologized to Stan Pasieka for comments that were attributed to him in a recent Eccentric article. Domzal commented that he did not intend to give any public offense. He has the utmost respect for Mr. Pasieka as a fine gentlemen and fine public servant.

In terms of personal disclosure, Domzal stated that he represents Waste Management in various capacities in his private career. Due to a number of corporate mergers, Waste Management is now merged with the former City Management Corporation, which is the supplier of services for SOCRRA. Domzal has been asked by his client to represent them on matters dealing with SOCRRA. He has spoken to Spallasso about this, and he will implement a couple of things to make sure there is no conflict of interest. Domzal will not participate in any Council matters dealing with solid waste matters or SOCRRA. That will include any matters related to solid waste contracts with the current vendor that provides services to the Village. Council president Stearn and legal counsel Ryan will be advised of the nature of his representation.

Downey congratulated all the recipients of the beautification awards. He noted that Georgetown South was represented for the second time in a row. Downey encouraged residents to fill out an application for a board or committee and become involved in the Village.

Downey stated that there was much interest expressed by those attending the Planning Board meeting last week on the topic of the 14 Mile Road reconstruction. That road is owned by Oakland County and the Road Commission has jurisdiction over the roadway. The Planning Board suggested that residents in the area write the Road Commission for Oakland County and relate their concerns.

Downey suggests that the Council has the opportunity to speak for Beverly Hills as a whole and address issues for the Road Commission to consider. One of the issues residents brought up was the flaring of the intersection to five lanes at Pierce and at Southfield and the concern that people would use those lanes for passing. Signage and other controls could be implemented to restrict the usage of these queuing lanes as a passing lane.

Another item of concern to area residents was adequate crosswalks on 14 Mile Road at Southfield and at Pierce, and the need for a crosswalk at the east end of the water tower property to cross to the north side of 14 Mile Road. Downey thinks it would be advisable if Council recommends that Oakland County seriously consider addressing crosswalks at those sites.

Spallasso commented that the points Downey raises have been addressed. A citizens task force was created five years ago and met to review 14 Mile Road reconstruction issues. Upon review of the construction plans, Council will find that many of these concerns have been addressed.

Downey commented that his intent was to suggest that Council can speak as one voice if it has a unified agenda. He has drafted a letter that outlines some of his considerations and will share it with Council.

Stearn congratulated Sgt. Ted Wink on being recognized as Officer of the Year. Beverly Hills is a safe community, and the Public Safety Department is doing a great job. Stearn also thanked the Beautification Committee and the people who won the awards.

Stearn stated that Council is in the process of a Village manager search. There will be a study session to discuss the village manager position following the regular Council meeting.

MOTION by Craig, supported by Walsh, to recess for 10 minutes at 9:04 p.m.

Motion passes unanimously.

Council reconvened at 9:20 p.m. to hold a work session to discuss the Village Manager vacancy.

Stearn reviewed that Council interviewed five candidates. A decision was made by a 6-1 vote to make an offer to one of the candidates. That individual decided that the Village of Beverly Hills was not the place that he wanted to continue his career. There were four other candidates interviewed.

Council has various options at this point. It can offer a second interview to one or more of the candidates. Council can approve a motion to offer Brian Murphy the position. Other options include beginning the process again. Council could reconsider the ten candidates selected by Bill Baldrige or review the 30 applications received. Council may decide to recruit additional individuals for consideration.

Stearn asked for discussion on whether to grant a second interview to one or more of the four candidates that Council has interviewed.

Domzal would like to re-interview Brian Murphy. If Council decides to expand the process at any time, he suggests soliciting additional candidates and not limiting the candidates to the applications received.

Munguia was in favor of bringing Murphy back for a second interview.

Craig commented that he would like to make an offer to Brian Murphy without a second interview on the basis that he was the second highest ranked candidate.

MOTION by Craig, supported by Walsh, to instruct William Baldrige and Tom Ryan to make an offer to Brian Murphy for the Village Manager position.

Downey was interested in re-interviewing Murphy. He also expressed interest in another of the top ten candidates.

Walsh was in support of making an offer to Brian Murphy.

Pfeifer commented that Brian Murphy was her first choice, and she would like to re-interview him. She noted that Council selected five candidates and two alternates for the interview process. One of those candidates was not interviewed. If the process continues after further interviews, she thinks the search should start over again.

Roll Call Vote on motion:

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

Motion passes (5 – 2).

Domzal remarked that his “no” vote is not a reflection of any lack of confidence in Mr. Murphy’s ability.

MOTION by Craig, supported by Downey, to adjourn the meeting at 9:37 p.m.

Motion passes unanimously.

Todd S. Stearn
Council President

Ellen E. Marshall
Village Clerk