

REGULAR COUNCIL MEETING MINUTES – MAY 7, 2001 – PAGE 1

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

Absent: Downey

Also Present: Interim Manager, Spallasso
Assistant to the Manager, Pasieka
Village Attorney, Ryan
Director of Public Safety, Woodard
Finance Director, Wiszowaty

Stearn called the meeting to order at 6:30 p.m. in the Village municipal building at 18500 W. Thirteen Mile Road.

RESOLVED by Craig, supported by Pfeifer, to go into closed session to discuss pending litigation.

Roll Call Vote:
Resolution passes unanimously.

Council reconvened in open session at 7:00 p.m.

MOTION by Craig, supported by Pfeifer, to amend the agenda to add three items.
#1A - Vote on settlement of Sickels lawsuit
#10 - Public Hearing on increasing property taxes (Truth in Taxation)
#20 - First announcement of vacancy on Planning Board
Motion passes unanimously.

MOTION to approve the settlement of Sickels vs. Village of Beverly Hills litigation according to the terms discussed in closed session.

Ayes - Domzal, Munguia, Pfeifer, Stearn and Walsh
Nays - Craig
Motion passes (5 – 1).

Council proceeded with a budget work session. Stearn referred to a memo from Spallasso and attachment from Wiszowaty indicating changes to the proposed FY 2001/02 budget reflecting Council revisions.

At the joint Council/Finance Committee meeting of April 27, 2001 consensus was reached to levy the maximum allowable millage rate, which would generate approximately \$200,000 more than the operating millage proposed in the draft budget. A majority of Council also agreed to reduce the General Fund balance by \$200,000 to be spent on priority capital projects. Council concurred that priority projects for use of the \$400,000 are roads, campus improvements, and sewers.

There was agreement that the revisions prepared by administration represent Council's recommendations. The public hearing on the proposed 2001/2002 budget will reflect those figures.

MOTION by Walsh, supported by Pfeifer, to recess at 7:09 p.m. for 20 minutes.
Motion passes unanimously.

The meeting was reconvened at 7:30 p.m.

APPROVE MINUTES OF A SPECIAL COUNCIL MEETING HELD ON APRIL 9, 2001

A correction was made on page 9, second paragraph, line 2, to change “\$200,000” to “\$110,000”.

MOTION by Walsh, supported by Pfeifer, that the minutes of a Special Council meeting held on April 9, 2001 be approved as amended.

Motion passes unanimously.

APPROVE MINUTES OF A REGULAR COUNCIL MEETING HELD ON APRIL 16, 2001

MOTION by Pfeifer, supported by Walsh, that the minutes of a Regular Council meeting held on April 16, 2001 be approved as submitted.

Motion passes unanimously.

APPROVE MINUTES OF A SPECIAL COUNCIL MEETING HELD ON APRIL 23, 2001

On page 2, second paragraph from bottom, line one, correct “\$300,000” to read “\$500,000”.

MOTION by Pfeifer, supported by Walsh, that the minutes of a Special Council meeting held on April 23, 2001 be approved as amended.

Motion passes unanimously.

PUBLIC COMMENTS

Eleanor Herkommer of 32647 Valley Ridge Drive was present objecting to a project undertaken by Oakland County to take digital photographs of every home and building in the county and place the images online along with the name of the property owner and assessed valuation. The online digital images of homes will be made available only to local officials and to real estate professionals. The county will charge a fee to view the online documents. Herkommer referred to a Detroit News article dated April 24, 2001 entitled, “Big Brother in Oakland County”.

Herkommer views this county enterprise as an infringement of a resident’s privacy. She noted that other municipalities including West Bloomfield and Bloomfield Hills have opted out of the deal. She would like to see the Village of Beverly Hills opt out also.

Sharon Tischler of 21415 Virmar Court, Southfield Township Clerk, related that the Township contracted with Oakland County to perform a reappraisal service a few years ago. The project involved taking a picture of each house. A letter was mailed to each Township resident explaining the program. The only response was from a Bingham Farms resident, who asked that a picture of their house not be taken.

Tischler explained that the pictures are attached to a file with pertinent information about the homes. The system allows the Township Assessor to conduct comparisons in terms of assessing similar houses. In addition, information is available to residents who place their homes on the

market and want to do the type of research done by real estate brokers. Tischler suggests that any resident who has a problem with this practice could voice their concern at a Southfield Township board meeting.

Tischler questioned the status of litigation involving cell towers on school property and a gate erected in violation of the ordinance in the area of 13 Mile and Evergreen Roads.

Stearn responded that the Village prevailed at the Circuit Court level in the case regarding an illegal gate. The gate will be removed by May 16, 2001.

The Village's concern about the location of cell towers at Groves High School and Berkshire Middle School has been conveyed to the Birmingham School District. The School District believes that it is exempt from Beverly Hills regulations. Beverly Hills intervened in the Bloomfield Township lawsuit last summer against the Birmingham School District to prevent the erection of a cell tower at Covington Middle School because there are similar factual legal issues relative to whether or not the sighting of cell towers are within the original prerogative of the School District.

That case was won at the trial court level and is waiting for oral arguments at the Michigan Court of Appeals some time in the future. The Birmingham School District has agreed not to proceed with construction of cell towers until the appeals court rules on the case.

REFER TO PARKS AND RECREATION BOARD DISCUSSION ON DRINKING FOUNTAINS FOR RECOMMENDATION

Domzal stated that one of the topics raised at the last Parks and Recreation Board meeting was the installation of additional drinking fountains in Beverly Park. The board also discussed spending \$1,000 for a model of the park showing all of the improvements in progress. He proposes referring these items relating to Beverly Park to the next Parks and Recreation Board meeting for review and recommendation to Council.

MOTION by Domzal, supported by Craig, to refer the following items to the Parks and Recreation Board for consideration and recommendation to Council: 1) Capital expenditure for installing additional drinking fountains in Beverly Park, and 2) Expenditure of \$1,000 to create a scale model of the park showing improvements.

Pfeifer clarified that the \$1,000 proposed to be used for a scale model of the park is available from a private donation that was not used due to the cancellation of a fund raising event.

Motion passes unanimously.

PUBLIC HEARING ON PROPOSED 2001/2002 GENERAL FUND, MAJOR AND LOCAL ROADS, DEBT SERVICE, AND WATER AND SEWER OPERATING FUND BUDGETS

The public hearing on the proposed 2001/2002 General Fund, Major and Local Road Funds, Debt Service, and Water and Sewer Operating Fund Budgets was declared open at 7:53 p.m.

Stearn commented that this Council has discussed the proposed budget at meetings held on March 26, April 2, April 9, and April 23, and has come to a general consensus on a variety of issues.

No one wished to be heard; therefore, the public hearing on the budget was closed at 7:54 p.m.

RESOLUTION TO ADOPT 2001/2002 FISCAL YEAR VILLAGE OF BEVERLY HILLS BUDGET

Domzal commended the administrative staff on preparing and documenting the figures in this budget, which demonstrates that the Village is operating in a prudent fashion. Domzal thanked the Finance Committee for its support and guidance. He has found the five year capital plan to be particularly helpful in providing a context for how the one year budget fits into an overall plan.

Council met several times to discuss the proposed budget and developed a consensus on major items. Domzal thinks that the budget reflects a balance between saving money for future needs while spending money for immediate infrastructure improvements.

MOTION by Domzal, supported by Walsh, to adopt the following resolution.

**RESOLUTION
TO ADOPT THE 2001/2002 FISCAL YEAR
VILLAGE OF BEVERLY HILLS BUDGET**

The Village Council of Beverly Hills conducted a public hearing on the proposed 2001/2002 Fiscal Year Budget on May 7, 2001, and

Public comments have been heard and considered.

THEREFORE, BE IT RESOLVED THAT the 2001/2002 Fiscal Year Budget for the General Fund, Major Road Fund, Local Road Fund, Debt Service Fund, and Water and Sewer Operating Fund in the following amounts be hereby adopted:

FUND NAME	REVENUES	APPROPRIATIONS
General Fund	\$5,996,494.00	\$5,996,494.00
Major Road Fund	924,170.00	924,170.00
Local Road Fund	902,025.00	902,025.00
Debt Service Funds	537,807.11	537,807.11
Water & Sewer Operating Fund	2,405,141.00	2,405,141.00

Finance Director Wiszowaty highlighted the General Fund, Major and Local Road Fund, Debt Service, and Water and Sewer Operating Fund Budgets outlined in charts and tables using an overhead projector.

Wiszowaty stated that projected 2001/2002 revenues will decrease by 2.9% from 2000-2001. Property tax revenue is expected to increase by \$115,750. Additional state revenue sharing money is anticipated in the amount of \$57,008, using 2000 census information. A transfer from the General Fund balance of \$200,000 is budgeted, which will reduce the fund balance percentage to 21.74% of the total budget or \$1,303,438.75.

Wiszowaty referred to a millage rate comparison sheet to demonstrate the effect of the proposed budget on the tax rate. The taxable value on which the Village's property tax revenue is based will increase by 6.23% from last year. As a result of this increase in taxable value, the Headlee Amendment will reduce the Village's 11 mill cap to 10.1691 mills in 2001/02. This budget proposes levying 10.1054 mills against the general operating millage.

The Headlee Reduction Factor will bring the voter approved 2 mills for infrastructure projects to 1.863 mills in 2001/02. The park dedicated millage of 0.25 mills approved in March is subject to Headlee. The maximum that the Village can assess will be 0.2444 mills. The CSO debt payment is 0.8553 mills this year. The total millage for the 2001-02 fiscal year will be 13.0681 mills, an overall reduction of 0.12 mills from the previous fiscal year.

Wisowaty displayed a chart summarizing 2001/02 revenues, noting that property taxes compose 68.4% of the Village's revenues. Another display outlined expenditures by account. The General Fund budget is balanced with estimated revenues and expenditures of \$5,996,494. The proposed budget represents cooperative efforts of Council and staff to maintain the current level of service. Wisowaty reviewed a transparency highlighting significant increases and decreases in revenues and expenditures from the current fiscal year.

A review of expenditures by department shows that 53% of the General Fund budget is allocated to the Public Safety Department; General Administration represents 7.45%; operational services represents 11% of expenses; library expense represents 7.64% of the budget.

Wisowaty summarized the Major Road Fund budget revenue and expenses noting variances from the previous year's budget. The proposed Major Road Fund budget for 2001/02 is \$924,170, an increase of 53.35% over the previous year. Revenues will increase by \$321,500, largely due to a transfer from the General Fund for priority infrastructure projects. The major expenditure will be asphalt resurfacing projects in the amount \$327,000, and \$100,000 will be reserved for 13 Mile Road improvements.

The Local Road Fund budget is balanced at \$902,025, a 16.05% increase from the previous year. Revenues will increase by \$124,776 compared to the previous year. Council will continue to allocate 1 mill from the general operating millage to the Local Road Fund, or approximately \$450,000. An additional \$55,000 will be spent from the previous year on asphalt resurfacing, and an additional \$100,000 will be spent on replacing concrete. Routine maintenance will increase by \$136,000; \$130,000 of that will be allocated towards a ditching program approved by Council.

Wisowaty presented an overview of the Water and Sewer Operating budget for 2001/02. Water and sewer rates will increase due to pass on charges from the City of Detroit for water and sewer used by Beverly Hills. The water and sewer rate increase will be implemented in three phases with the first phase going into effect on August 1, the next on September 1, and the last phase on October 1, 2001. The total increase when the new rate is in effect will be 12.18%.

There were no questions or comments from Council or from the public on the 2001/02 General Fund, Major and Local Street Funds, Debt Service Fund, and Water and Sewer Operating Fund budgets. Stearn commended Wisowaty on a great job on the budget preparation.

Roll Call Vote:

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

Resolution passes (5 – 1).

**RESOLUTION TO APPROPRIATE FUNDS FOR THE 2001/2002 FISCAL YEAR
VILLAGE OF BEVERLY HILLS BUDGET**

MOTION by Domzal, supported by Craig, to adopt the following resolution:

**RESOLUTION
TO APPROPRIATE FUNDS FOR THE 2001/2002
BEVERLY HILLS BUDGET**

The Village Council of Beverly Hills has adopted its annual budget for its fiscal year beginning July 1, 2001 in accordance with State law and the Charter, and

The Village Council is also required to adopt an appropriations act to provide the authority to incur obligations and expend public funds.

THEREFORE, BE IT RESOLVED THAT the adopted budget for the fiscal year beginning July 1, 2001 and ending June 30, 2002 shall establish the approved appropriation levels for the said fiscal year.

BE IT FURTHER RESOLVED THAT the Village Council does hereby authorize the Village Manager to execute transfers between appropriations provided that each transfer be approved by the Village Council prior to its execution.

BE IT FURTHER RESOLVED THAT the Village Council retains authority to amend the Village budget and this appropriations act at such times when deviations from the projected revenues and authorized expenditure levels become necessary and the amount of the deviations becomes known

Roll Call Vote:

Resolution passes unanimously.

PUBLIC HEARING ON INCREASING PROPERTY TAXES (TRUTH IN TAXATION)

The Truth-In-Taxation Act of the State of Michigan requires that a public hearing be held if the Village intends to levy a millage rate that will generate more property tax revenue than it received in the previous year. The proposed tax millage will generate an additional \$141,000 compared to the previous year. This year the property tax revenue will increase 2.43% over such revenues generated by levies permitted without holding a hearing. Assessed values increased by 6.23% from 2000, and the Village is going to decrease its General Fund operating millage by 0.3070 mills.

The purpose of the hearing is to inform the public and hear comments with regard to the proposed millage rate. The taxing unit has the authority after hearing comments to establish the number of mills to be levied from within its authorized millage rate. The Headlee Amendment reduces the Village's millage cap to 10.1691 mills; therefore, the request for 10.0930 mills will not be adjusted.

The public hearing was declared open at 8:20 p.m. for increasing property taxes. No one wished to be heard; therefore, the public hearing was closed at 8:21 p.m.

**RESOLUTION TO ADOPT THE 2001 VILLAGE OF BEVERLY HILLS MILLAGE
RATE**

RESOLVED by Domzal, supported by Craig, to adopt the following resolution:

RESOLUTION

**TO ADOPT THE 2001 VILLAGE OF BEVERLY HILLS BASE TAX RATE
PLUS ADDITIONAL MILLAGE TO RETIRE DEBT**

The Village Council on May 7, 2001 adopted the 2001/2002 Village Budget, and

The Village Council must adopt a millage rate to be spread on the Village tax roll for 2001, and

Public Act 5 of 1982 does not apply to levying for Debt Service, and

The proposed 10.1054 mills for operating purposes for the General Fund and the Local Road Fund do not exceed the 11.00 mills maximum approved by the voters at the March 13, 1995 election.

THEREFORE, BE IT RESOLVED THAT the Village Council does hereby approve the total 2001 millage rate for the Village at 13.0681 mills and the 13.0681 millage rate is to be spread as follows:

General Fund	9.1054 mills
Road Fund	1.000 mills
CSO Debt	0.8553 mills
Dedicated Millage	1.8630 mills
Park Dedicated Millage	0.2444 mills
Total Millage Rate	13.0681 mills

Roll Call Vote:

Resolution passes unanimously.

RESOLUTIONS TO ADOPT REVISED RATE SCHEDULE FOR WATER CONSUMPTION AND SEWAGE DISPOSAL

Domzal stated that the water and sewer rates proposed for the 2001/02 fiscal year will include a 12% increase directly related to pass through costs that the Village of Beverly Hills has received from the City of Detroit Water and Sewerage Department. The schedule establishing the water and sewer rates provides for a phased increase with the first increase becoming effective with all bills mailed after August 1. The second phase will apply to bills mailed after September 1, and the third phase of the increase will apply to bills mailed after October 1, 2001. The rationale is to assure that the rates charged coincide with the time the water was used.

RESOLVED by Domzal, supported by Craig, to adopt the following Resolutions:

RESOLUTION

ESTABLISHING WATER & SEWER RATES

Each premises within the Village connected to the water and/or sanitary sewer system shall pay a consumption charge based upon the amount of water used as shown by the water meter installed in each premises as follows:

Water Consumption	\$ 10.69 per 1000 cu ft
Sanitary Sewer O.M. & R	21.48 per 1000 cu ft
Sanitary Sewer Debt Service	<u>2.24</u> per 1000 cu ft
Total	\$ 34.41

Sanitary Industrial Waste Control Charge

<u>Meter Size</u>	<u>Monthly S.O.C.S.D.S.</u>	<u>Quarterly Evergreen/Farmington</u>
5/8"	\$ 3.99	\$ 11.97
3/4"	5.99	17.97
1"	9.97	29.91
1-1/2"	21.94	65.82
2"	31.90	95.70
3"	57.82	173.46
4"	79.75	239.25
6"	119.63	358.89
8"	199.38	598.14
10"	279.13	837.39
12"	319.01	957.03

Residential Meter Charge

Quarterly meter charge (up to one inch)	\$ 6.00
Quarterly meter charge 2"	9.00
Quarterly meter charge 3"	12.00
Quarterly meter charge 4"	15.00

Minimum Charge

Minimum charge per 1000 cu ft per quarter for water, sewer OMR, sewer debt and meter charge is:

One inch meter or less	\$ 40.41
------------------------	----------

Sewer Only

All sewer-only customers per quarter	\$ 76.90 OMR
	<u>8.02</u> Debt Service
	\$ 84.92

Effective with all bills mailed after August 1, 2001 and thereafter until changed.

RESOLUTION
ESTABLISHING WATER & SEWER RATES

Each premises within the Village connected to the water and/or sanitary sewer system shall pay a consumption charge based upon the amount of water used as shown by the water meter installed in each premises as follows:

Water Consumption	\$ 11.43 per 1000 cu ft
Sanitary Sewer O.M. & R	22.17 per 1000 cu ft
Sanitary Sewer Debt Service	<u>2.26</u> per 1000 cu ft
Total	\$ 35.86

Sanitary Industrial Waste Control Charge

<u>Meter Size</u>	<u>Monthly S.O.C.S.D.S.</u>	<u>Quarterly Evergreen/Farmington</u>
5/8"	\$ 3.99	\$ 11.97
3/4"	5.99	17.97
1"	9.97	29.91
1-1/2"	21.94	65.82
2"	31.90	95.70
3"	57.82	173.46
4"	79.75	239.25
6"	119.63	358.89
8"	199.38	598.14
10"	279.13	837.39
12"	319.01	957.03

Residential Meter Charge

Quarterly meter charge (up to one inch)	\$ 6.00
Quarterly meter charge 2"	9.00
Quarterly meter charge 3"	12.00
Quarterly meter charge 4"	15.00

Minimum Charge

Minimum charge per 1000 cu ft per quarter for water, sewer OMR, sewer debt and meter charge is:

One inch meter or less	\$ 41.86
------------------------	----------

Sewer Only

All sewer-only customers per quarter	\$ 79.37 OMR
	<u>8.09</u> Debt Service
	\$ 87.46

Effective with all bills mailed after September 1, 2001 and thereafter until changed.

RESOLUTION
ESTABLISHING WATER & SEWER RATES

Each premises within the Village connected to the water and/or sanitary sewer system shall pay a consumption charge based upon the amount of water used as shown by the water meter installed in each premises as follows:

Water Consumption	\$ 11.97 per 1000 cu ft
Sanitary Sewer O.M. & R	22.85 per 1000 cu ft
Sanitary Sewer Debt Service	<u>2.27</u> per 1000 cu ft
Total	\$ 37.09

Sanitary Industrial Waste Control Charge

<u>Meter Size</u>	<u>Monthly S.O.C.S.D.S.</u>	<u>Quarterly Evergreen/Farmington</u>
5/8"	\$ 3.99	\$ 11.97
3/4"	5.99	17.97
1"	9.97	29.91
1-1/2"	21.94	65.82
2"	31.90	95.70
3"	57.82	173.46
4"	79.75	239.25
6"	119.63	358.89
8"	199.38	598.14
10"	279.13	837.39
12"	319.01	957.03

Residential Meter Charge

Quarterly meter charge (up to one inch)	\$ 6.00
Quarterly meter charge 2"	9.00
Quarterly meter charge 3"	12.00
Quarterly meter charge 4"	15.00

Minimum Charge

Minimum charge per 1000 cu ft per quarter for water, sewer OMR, sewer debt and meter charge is:

One inch meter or less	\$ 43.09
------------------------	----------

Sewer Only

All sewer-only customers per quarter	\$ 81.81 OMR
	<u>8.13 Debt Service</u>
	\$ 89.94

Effective with all bills mailed after October 1, 2001 and thereafter until changed.

Questions from Council and the audience were addressed by Wiszowaty. It was clarified that the entire rate increase being passed on to the residents is due to the additional cost of purchasing water from the City of Detroit.

Roll Call Vote:
Resolution passes unanimously.

RESOLUTION TO CHANGE PERCENTAGE OF FUND BALANCE FOR THE GENERAL FUND

Craig stated that the Village has had a fund balance in the range of 20% or higher in the last four years. The fund balance based on the 2001/02 budget will be 21.74% of expenditures. Past councils set a fund balance target of 13-15% of budgeted expenditures. The Village is beginning to spend down its General Fund balance because general operating expenses are reaching the millage cap limit. There has been discussion during recent Council budget sessions as to a prudent level at which the fund balance should be maintained.

RESOLVED by Craig, supported by Pfeifer, to adopt the following resolution.

Whereas, the governing body of a municipality may provide for setting aside a surplus:

1. To cover a deficit when the municipality's annual audit reveals such a deficit.
2. To prevent a reduction in levels of service or in the number of employees when budgeted revenue does not appear sufficient to cover estimated expenses for the coming year.
3. To prevent a reduction in levels of service or in the number of employees when the Village's revenue is not being collected in an amount sufficient to cover budgeted expenses during the current year.
4. To cover expenses caused by a natural disaster or other circumstances unforeseen at the time the budget is adopted.
5. To provide for sufficient cash balances to assure the efficient management of the Village's operations, and

Whereas, the Michigan Municipal League suggests that this surplus should be in the range of 5 – 20 percent of budgeted expenditures, and this level has also been reviewed and recommended by the Village's auditors and Village administration.

Now, therefore, be it resolved that the Village Council does hereby adopt a policy that recognizes the desirability of maintaining a fund balance in the range of 18 – 20 percent of budgeted expenditures in the Village's General Fund and the combined Road Funds.

Be it further resolved that this Council does hereby affirm that it will seek to provide such fund balances in its deliberations on budget policy in accordance with the proper uses of such funds as previously outlined.

Be it further resolved that the Village administration shall notify Council whenever the need to utilize such fund balances for the operation of the Village becomes necessary and shall not knowingly permit the use of such balances without prior Council approval. This section shall not restrict Village administration from taking appropriate action during catastrophic occurrences requiring immediate action. It shall be the responsibility of the Village Manager to report on such actions, however, as soon as possible to the members of the Village Council.

Roll Call Vote:

Resolution passes unanimously.

This is a policy statement and will be inserted into the Village of Beverly Hills policy manual.

RESOLUTION APPROVING BRIAN MURPHY'S CONTRACT

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

Council has been negotiating with Brian Murphy for the Village Manager position in Beverly Hills. An employment agreement has been signed by Murphy and is before Council for approval. If the agreement is approved, Brian Murphy will assume the position of Village Manager on June 4, 2001.

Questions and comments from Council and the audience were addressed by Ryan and Spallasso. There was some discussion of the time frame for the manager's annual performance review.

RESOLVED by Stearn, supported by Walsh, to approve Brian Murphy's Village Manager contract effective June 4, 2001 as proposed with handwritten changes.

Roll Call Vote:

Resolution passes unanimously.

Stearn reclaimed the chair.

RESOLUTION APPROVING TRAFFIC SIGNAL TIMING PROJECT

The Road Commission for Oakland County (RCOC) and Michigan Department of Transportation (MDOT), in conjunction with the communities in and bordering Oakland County, are about to embark on a project to retime the approximately 1,000 non-FAST-TRAC traffic signals in the county. Because this undertaking will improve the efficiency of the signals, it will result in safety improvements, improved traffic flow, decreased motorist delays, intersection capacity improvements, reduced air pollution, reduced motorist fuel consumption and reduced congestion.

It will take three years to retime the 1,000 signals. The only way to complete the retiming in a reasonable time frame is to hire traffic engineering consultants. Federal Congestion Mitigation and Air Quality (CMAQ) funds have been obtained by the county to cover 100 percent of the cost for the first two phases of this project, which will run concurrently. The project will begin this year.

As part of the initial steps of the project, the consultant will be meeting with the communities to discuss the project and determine if there are any signals that require special timings, etc. The RCOC is requesting that Council adopt a resolution approving the signal retiming within Beverly Hills.

RESOLUTION APPROVING TRAFFIC SIGNAL RETIMING PROJECT

RESOLVED by Walsh, supported by Craig, that the Village of Beverly Hills Council hereby supports and approves the proposal by the Road Commission for Oakland County to retime various traffic signals in the Village through a 100% CMAQ funded project.

Roll Call Vote:

Resolution passes unanimously.

AUTHORIZE ADMINISTRATION TO HIRE THREE BANDS AND PROVIDE PUBLICITY FOR THE SUMMER CONCERT SERIES AT BEVERLY PARK

Parks and Recreation Board member Janet Mooney has lined up three bands to perform concerts in Beverly Park in June, July and August. Money has been budgeted for the cost of these concerts. The board has requested that a portion of the funds remaining from the booking fees be used to increase the publicity in an attempt to boost the attendance at the concerts.

RESOLVED by Domzal, supported by Craig, to authorize administration to hire three bands and provide publicity for the summer concert series in Beverly Park up to the authorized amount in the budget.

It was noted that 2000/01 budget funds will be used for the June concert and the costs for the July and August concerts will come from the 2001/02 budget.

Roll Call Vote:

Resolution passes unanimously.

RESOLUTION TO ADOPT REVISED ARTICLES OF INCORPORATION FOR SOCRRA

Domzal recused himself from discussion of this agenda item and left the council chambers.

Before Council for consideration are revised Articles of Incorporation for the Southeastern Oakland County Resource Recovery Authority, as adopted by the Board of Trustees on April 11, 2001. Article I is amended to change the name of the Authority from “Southeastern Oakland County Incinerator Authority” to “Southeastern Oakland County Resource Recovery Authority”.

Article V revises a paragraph on how SOCRRA could be dissolved. A new paragraph is added, Article XXII, which relates how a member community may withdraw from the Authority. This document is on record at the Village office for public review.

The following resolution was introduced by Walsh and supported by Craig.

RESOLUTION

WHEREAS, the Village of Beverly Hills is a member of the Southeastern Oakland County Incinerator Authority (now known as Southeastern Oakland County Resource Recovery Authority), a public corporation of the State of Michigan, incorporated pursuant to the provisions of Act No. 179, Public Acts of Michigan of 1947, as amended; and

WHEREAS Articles of Incorporation of said Authority have been prepared and submitted to this Council for its review and consideration; and

WHEREAS, the Council has reviewed the amendment and finds that it is necessary and appropriate,

NOW THEREFORE BE IT RESOLVED THAT:

1. The attached Articles of Incorporation of the Southeastern Oakland County Resource Recovery Authority are hereby approved and adopted by the Village of Beverly Hills.
2. The President and Village Clerk are authorized and directed to execute and endorse said Articles of Incorporation on behalf of the Village of Beverly Hills.
3. All resolutions and parts of resolutions insofar as they conflict with this resolution be and the same hereby are rescinded.

Questions and comments from Council were addressed by Attorney Ryan.

Roll Call Vote:

Stearn	- yes
Walsh	- yes
Craig	- yes
Munguia	- yes
Pfeifer	- yes

Resolution passes unanimously.

Domzal returned to the Council table.

APPROVE PURCHASE OF RECORD RETENTION PROGRAM FOR PUBLIC SAFETY

Every year the Department of Public Safety converts a one-year block of incident reports from original paper forms to electronic media. Price quotes for this service were requested from three vendors for record conversion of 16,000 pages of documents to CD-Rom.

RESOLVED by Craig, supported by Pfeifer, that the Village Council authorize the Public Safety Department to contract with Graphic Sciences of Royal Oak to provide document conversion services at a cost of \$1,570. Funds are available for this agreement in Account #101-345-729 Public Safety: Copier Supplies.

Roll Call Vote:

Resolution passes unanimously.

APPROVE WAIVER OF SALES RESTRICTIONS AT BEVERLY PARK FOR THE GARDEN CLUB'S ANNUAL PLANT SALE

MOTION by Domzal, supported by Craig, that the Beverly Hills Garden Club be granted a waiver for sales in Beverly Park for its Annual Plant Sale on Saturday, May 19, 2001.

The Garden Club has provided a commitment on the part of the insurer to issue a Certificate of Insurance.

Motion passes unanimously.

FIRST ANNOUNCEMENT OF VACANCY ON PLANNING BOARD

Munguia made the first announcement of a vacancy on the Village Planning Board. Applications for the Planning Board position are available at the Village offices.

APPROVE BILLS

MOTION by Pfeifer, supported by Walsh, that the bills from a period of 4/17/01 through 05/07/01 be approved for payment in the following amounts:

\$233,542.25	General Fund
17,644.47	Major Road Fund
13,722.80	Local Road Fund
677.13	Capital Projects Fund
115,106.06	Water/Sewer Operation Fund
<u>5,051.93</u>	Water/Sewer Improvement Fund

\$385,734.64 Total

Questions from Council and the audience were addressed by administration.

Motion passes unanimously.

LIAISON'S REPORT

Munguia commented that he will be updating the history of the Village he drafted three years ago. It will be available online and at the Village offices.

Domzal stated that the next Finance Committee meeting is tentatively set for Tuesday, May 15. At the last Parks and Recreation Board meeting, there was discussion on preparation of a five year plan for Beverly Park improvements. The board members have formed subgroups to research specific aspects of the plan.

Domzal commented on a recent editorial in the Eccentric about early efforts by the City of Birmingham and some of its residents to undertake a millage for park improvements. The piece is complimentary of the efforts put forth in Beverly Hills with respect to improving Beverly Park.

Walsh asked Infrastructure Committee members to be prepared at the next Council meeting to set a date for a June Infrastructure Committee meeting.

Pfeifer reported that the Cable Board approved the proposed Interlocal Agreement at its April meeting and recommended approval of the document by the member municipalities. This will be

an item for next month's agenda. The next Cable Board meeting will be held on Wednesday, May 16 at 7:45 a.m. at the Baldwin Public Library.

MANAGER'S REPORT

Spallasso referred to a copy of a letter he wrote to the Road Commission for Oakland County and a copy of check in the amount of \$13,122 received from the RCOC for the remaining balance in an account due to the Village.

Spallasso congratulated Council on a job well done on the 2001/02 budget.

In answer to an inquiry, Spallasso related that the Village staff is working on updating the aerial map in the Council meeting room.

Stearn thanked Spallasso on behalf of Council and the Village residents for his hard work filling in as interim manager in addition to his public service director responsibilities. Stearn thanked Spallasso for including in Council's packet a schedule for major projects that will be active this coming construction season.

PUBLIC COMMENTS

Phil Schmitt of 18103 Riverside, Chairperson of the Parks and Recreation Board, reminded everyone to attend the Annual Beverly Park Clean Up this Saturday, May 12 at 10:00 a.m. Your assistance is needed. Bring a rake – trash bags will be provided.

COUNCIL COMMENTS

Council members recognized Spallasso for his efforts during the past months as interim village manager in addition to public services director. Spallasso has done a great job and has been supported by a staff doing a great job.

Munguia remarked that he has received a number of favorable comments on the new signage at the Village office and public safety building. He mentioned that it is White Cane Week in the Village. Proceeds from collections go towards various programs working with the blind and physically challenged.

Craig stated that the rain date for the Park Clean Up is next Saturday, May 19. Craig commended Stearn on doing a fine job of negotiating an employment agreement with Brian Murphy. Craig is glad that Murphy is aboard.

Walsh also thanked Stearn for a great job of negotiating with Murphy. The Village will have a new manager in three weeks.

Domzal expressed his appreciation to Spallasso and Wiszowaty for the time they spent on the budget process. He also thanked the Finance Committee for their efforts.

REGULAR COUNCIL MEETING MINUTES – MAY 7, 2001 – PAGE 17

Pfeifer commented on how nice the new signage looks. She understands that there is consideration being given to lighting the signs. She thinks it is important that the Public Safety Department sign be visible at all times.

Pfeifer thanked Spallasso and Wiszowaty for their valuable help on the budget, and thanked Stearn for his efforts in securing the new manager.

Stearn congratulated Brian Murphy, who will be the new village manager. He thanked Wiszowaty for his work in preparing the budget. Stearn also acknowledged Director Woodard, who gave Council a detailed and informative presentation during the budget process.

MOTION by Pfeifer, supported by Craig, to adjourn the meeting at 9:35 p.m.
Motion passes unanimously.

Todd S. Stearn
Council President

Ellen E. Marshall
Village Clerk

