

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

Absent: None

Also Present: Village Manager, Murphy
Public Services Director, Spallasso
Assistant to the Manager, Pasieka
Village Attorney, O'Brien
Director of Public Safety, Woodard

President 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 REGULAR COUNCIL MEETING HELD ON NOVEMBER 5, 2001

On page 9, line one under “Consider Award of Contract...”, change ‘\$29.51’ to read ‘\$29.51/ton’.

MOTION by Pfeifer, seconded by Walsh, that the minutes of a regular Council meeting held on November 5, 2001 be approved as amended.

Motion passes unanimously.

The Boy Scouts in attendance led Council and the audience in saying the Pledge of Allegiance. Scouts from Troop 1024 then stepped up to the lectern and introduced themselves. They are attending a Council meeting to earn their “citizenship in the community” badges.

PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA

Ms. Mayman of 16974 Wetherby commented that last Monday a back hoe being used for the paving of Pierce Street was parked on her easement, leaving a deep rut on her lawn. She questioned what provisions will be made to repair her lawn. Public Services Director Spallasso will look into this matter tomorrow morning.

Connie Howell of 20070 Ronsdale Drive asked if something can be done to deter the people who pick up the trash from flinging her trash cans making them difficult to retrieve. Stearn responded that the Village staff holds quarterly meetings with representatives from the trash removal contractor to address these types of issues. Her concerns will be raised.

W. A. Zimmerman of 22191 Camelot Court stated that he asked a number of questions at the November 5 Council meeting about the cable television provider and compliance with the Beverly Hills Cable Ordinance. He commented that his questions remain largely unanswered. He questioned who is responsible for enforcing the cable franchise provisions described in the Cable Ordinance. Stearn answered that he has received Mr. Zimmerman’s correspondence and is working on responses to the inquiries contained in his letters.

PRESENTATION OF SUMMER 2001 BEAUTIFICATION AWARDS

MaryAnn Verdi-Hus, chairperson of the Beautification Committee, stepped forward to present awards to those who have been selected to receive recognition from the Village of Beverly Hills for an outstanding job of beautifying their property. Verdi-Hus thanked the members of the committee for their time and effort.

Committee members Debbie Morrow and Bob Bliven joined Verdi-Hus at the lectern to award the following recipients with a framed certificate recognizing their outstanding contribution towards the beautification of the Village of Beverly Hills and a gift of a Pewabic Pottery tile.

Connie Howell	20070 Ronsdale Drive
Fran and Howard Knorr	18875 Bedford
The Zamler Family	19070 Hillcrest
Frank and Judy Cancero	18382 Riverside
Jen and Ken Flaherty	17166 Beechwood
Mike and Katie Jenzen	31360 Old Cannon
Nancy Eaton	31505 Waltham
Jim and Jeannine Lambrecht	30422 Lincolnshire
Ascension of Christ Lutheran Church c/o The Reverend Craig Lang	16935 W. 14 Mile Road
Village of Beverly Hills (Admin. Office) c/o Brian Murphy, Village Manager	18500 W. Thirteen Mile Road

Verdi-Hus invited all Beverly Hills residents and business owners to join in the challenge to produce a lovely work of art in their yard that could result in receiving a beautification award in 2002.

Stearn thanked the Beautification Committee for its work and commended the residents who received awards for making Beverly Hills a more special place in which to live.

CONSIDER RECOMMENDATION TO FILL VACANCIES ON PATHWAYS ADVISORY COMMITTEE

A subcommittee consisting of Downey as chair, Stearn, and Munguia met prior to tonight's Council meeting to review applications from residents interested in serving on the Pathways Advisory Committee. This is a seven member committee established for a six month period with the charge to prioritize the pathways identified in the Pathways Plan, estimate the cost of constructing the pathways, and evaluate funding alternatives.

Downey related that nine applications were received for the four resident positions on this committee. The subcommittee reviewed the applications and unanimously recommended the appointment of four citizens to serve on this body.

MOTION by Downey, seconded by Domzal, to appoint the following residents to serve on the Pathways Advisory Committee: Pamela Burbott, Michael Freedman, Dennis Page and Paul Kleppert.

Motion passes unanimously.

SECOND ANNOUNCEMENT OF VACANCY ON THE PARKS AND RECREATION BOARD

Domzal made the second announcement of an opening on the Parks and Recreation Board to fill the vacancy created by the resignation of Alan Cobleigh. Domzal recognized Cobleigh for his years of service to the community and affirmed that his participation will be missed.

The deadline for submitting applications for this position is Wednesday, November 28 at 5:00 p.m. Applications are available at the Village municipal office or on the Village web site. A subcommittee of Domzal as chair, Walsh, and Craig will meet on Monday, December 3 at 7:15 p.m. to review applications and recommend a candidate to fill this position.

SET DATE FOR NECESSITY HEARING FOR HUMMEL COURT SPECIAL ASSESSMENT DISTRICT

Residents of Hummel Court submitted a petition in March of 2000 requesting that the Village have their street paved. Six of the eight property owners abutting Hummel Court signed the petition, including the property owner at 31260 Sheridan. The delay in submitting the petition to the Village Council for consideration was due to a drainage issue that had to be resolved prior to proceeding with the improvement. As part of the 2001 water main replacement program, underdrains are being installed along the ditches to address poor drainage in the general area of Sheridan between Thirteen Mile Road and Marguerite. This will provide relief and an outlet for the runoff from Hummel Court.

Walsh proposed that Council set a date for the necessity hearing and authorize expenditure of funds for engineering, which will be included in the total cost of the project.

RESOLVED by Walsh, seconded by Pfeifer, to approve the proposal from Hubbell, Roth & Clark for engineering services not to exceed \$12,236 for the Hummel Court paving special assessment district and to set a Necessity Hearing for Monday, December 3, 2001.

There was discussion on how to proceed with the petition to pave Hummel Court. Council questioned the current level of interest in the improvement considering that the date of the petition is March of 2000. There was concern expressed that the Village would have to incur the cost of the engineering study if the residents decided not to go ahead with the project after cost estimates are received at the December 3, 2001 Necessity Public Hearing.

In response to an inquiry, Spallasso stated that the engineering plans will be beneficial whether or not the paving proceeds at this time. The plans will be available when there is a majority of property owners who want to pave the road.

Spallasso related that the resident who organized the effort, Michael Blunden of 16000 Hummel Court, informed him that there continues to be a high level of interest in the paving project. Blunden indicated that only one property changed ownership since March of 2000, and the current property owner is interested in the project. Spallasso stated that the paving could take place in the spring assuming the project goes forward as planned. If Council has concerns, Spallasso does not see a problem with postponing a decision on the engineering study until the December 3 Necessity Hearing.

The purpose of a necessity hearing is to confirm that there is interest in the neighborhood for the improvement. Property owners are legally committed to the project when Council establishes a special assessment district following the Necessity Hearing. A second public hearing on the project is held after the work is completed to finalize the special assessment roll to cover the actual costs incurred for improving Hummel Court.

It was the consensus of Council to postpone authorization to proceed with the engineering study until after the Necessity Hearing when cost estimates are available. Spallasso will ask the current property owners to re-sign the petition to confirm that they are still interested in proceeding with the improvement.

Walsh withdrew his resolution and Pfeifer withdrew the support.

Sharon Tischler of 21415 Virmar Court questioned spending money for an engineering study before a Necessity Hearing that would determine whether the residents are interested in proceeding with the project.

MOTION by Walsh, seconded by Pfeifer, to set a Necessity Hearing for the Hummel Court Special Assessment District for Monday, December 3, 2001.

Motion passes unanimously.

CONSIDER PURCHASING MAINTENANCE AGREEMENT FOR LIVESCAN FINGER PRINTING SYSTEM

Craig reviewed that Council approved the purchase of a LiveScan Fingerprint unit in February of 2001. The digital fingerprint unit received in May came with a 90-day warranty, which has expired. Due to the technical nature of the equipment, the Public Safety Department has gone out for bids for a continued maintenance program.

The manufacturer of the equipment, Visionics Corporation, offers a maintenance program at a cost of \$8,439 per year. The Oakland County Department of Information Technology has trained several of its personnel to perform preventative maintenance and repair of these units and is offering a maintenance program at a cost of \$4,250 per year. Both programs offer 24-hour coverage.

RESOLVED by Craig, seconded by Downey, that the Village of Beverly Hills approve the purchase of a maintenance program for the LiveScan Fingerprint Unit from Oakland County Information Technology in the amount of \$4,250 with funds from Account 101-345-815, Computer Services.

Questions from Council on the purchase of this maintenance agreement were addressed by Director of Public Safety Woodard.

Roll Call Vote:
Resolution passes unanimously.

FIRST READING OF AN ORDINANCE AMENDING THE ZONING MAP FROM CHAPTER 22

Downey reviewed that Council considered a request from Charrington Associates for a land division, rezoning, and approval of an amended site plan involving a 0.54 acre parcel adjacent to the Charrington Crossing condominium development on Greenfield Road just north of 13 Mile Road. Council approved a proposal to split a lot from existing property at 15705 Amherst, rezone it from R-2 to R-3, and amend the Charrington Crossing site plan to include that property in the condominium development. The property was rezoned from R-2 to R-3 in order to develop the land in conformance with the existing development.

It is proposed to adopt an ordinance that would amend Chapter 22, being the Zoning Ordinance for the Village of Beverly Hills, to amend the Zoning Map to change the designation of Parcel No. 24-01-477-002 from R-2 to the R-3 zoning district. This constitutes the first reading of the proposed ordinance.

APPROVAL OF BILLS

MOTION by Pfeifer, supported by Walsh, that the bills from a period of 11/06/01 through 11/19/01 be approved for payment in the following amounts:

\$186,203.83	General Fund
18,721.12	Major Road Fund
432,237.09	Water/Sewer Operation Fund
<u>9,840.49</u>	Trust & Agency Fund
<u>\$647,002.53</u>	Total

Questions on the bills were addressed by administration.

Motion passes unanimously

LIAISON'S REPORTS

Pfeifer announced that the Birmingham Area Seniors Coordinating Council (BASCC) Board will meet tomorrow afternoon, November 20, at the BASCC Midvale facility at 1:30 p.m. BASCC will dedicate its new van at 1:00 p.m. on Tuesday.

The monthly Birmingham Area Cable Board meeting will take place this Wednesday, November 21 at 7:45 a.m. in the Beverly Hills municipal building.

Stearn stated that there will be a Retirement Board meeting tomorrow night, November 20, at 7:30 p.m. in the public safety building conference room.

Domzal reported that the Parks and Recreation Board met last week on November 15. The board has approved the final revisions to the construction drawings, and the Clean Michigan Initiative (CMI) grant process is proceeding. It is anticipated that the Village will go out for bids close to the first of the year. Domzal remarked that it is encouraging to see the process move forward. The Parks and Recreation Board will meet next in January.

The Finance Committee met jointly with Council on November 13. The purpose of the meeting was to talk about the budget process. There was discussion of a new way of looking at budgeting that allows for long range planning by individual departments. Domzal remarked that the process being proposed is an example of forward thinking. The next undertaking of the Finance Committee will be to update the five year capital plan.

Craig reported that the Personnel Committee met this evening at 6:30 p.m. and approved the goals for the Village Manager for the first year of his employment. Council has received a copy of the memo outlining his nine goals. Murphy will submit a quarterly report to the Personnel Committee in late January. The committee will meet to review his accomplishments in May.

MANAGER’S REPORT

The CMI Park Improvement bid documents will go out in January. Council will likely have the bid results in February for its review and consideration.

The next Village Council work session is scheduled for Monday, December 10. Murphy will provide information on the time and location at the next Council meeting.

The Michigan State Legislature recently approved Governor Engler’s Executive Order containing “reductions in expenditures on revenue sharing”. Under the Executive Order, statutory revenue sharing has been reduced by \$37 million statewide. Staff will provide Council with the local impact as soon as it is available. The Executive Order also contains reductions in Act 51 expenditures. Act 51 reductions may total \$17,107 for the Village of Beverly Hills.

The luminaria sale takes place at the Village Hall on December 8 and December 15, from 10-2.

PUBLIC COMMENTS

Sharon Tischler of 21415 Virmar Court commented on recent House Bills dealing with zoning issues. She was informed that Council has received legislative updates from the Michigan Municipal League that include information on these House Bills and on the issue of possible election changes.

COUNCIL COMMENTS

Munguia related that a ceremony was held at the Township of Southfield building last Sunday, November 11, at which time the Lion’s Club dedicated a new flagpole to Alan Cobleigh in recognition of his many years of service to the Village and to his country. Munguia thanked Dick Maxwell of the Lion’s Club for organizing an event that paid tribute to a fine resident of Beverly Hills.

Walsh commented on the paving of major roads over the last couple of months and noted that a number of local roads will be paved starting in the spring.

Pfeifer thanked the Township for recognizing the services that Alan Cobleigh has provided to the community. His recognition was well deserved, and it was a nice ceremony and reception.

Downey remarked on the dedication ceremony held on Veteran’s Day to honor Alan Cobleigh. It was good to see Mr. Cobleigh in attendance on that day.

Domzal remarked that he attended a recent Birmingham School Board meeting and took the opportunity to speak briefly to the board on the issue of the relationship between the Village of Beverly Hills and the schools. Domzal expressed concern with ongoing litigation relative to cell towers between the Birmingham School District and the communities of Bloomfield Township and Beverly Hills. Litigation between these parties does not make sense to him as a resident and a taxpayer of both the Village and School District.

It was recognized that better communication should take place between the School Board, the school system, and the communities. Domzal suggested that it might be a good idea for the Village Manager to contact someone in the school administration to initiate a more formal dialog with the goal of improving relations.

Domzal thanked the Personnel Committee for leading the Council in an effort to improve the efficiencies of government in the Village. He thinks that the Village should look for opportunities to talk to other communities on this topic.

Craig announced that there will be an open house held at Pierce Elementary School on Tuesday, December 4 from 4:00-7:00 p.m. to review plans for the Fourteen Mile Road reconstruction and expansion project. Interested residents are invited to attend and learn about the project.

Members of the Personnel Committee registered to attend a workshop offered through the Michigan Municipal League called “Overseeing Boards and Commissions” to be held on Wednesday, December 5 from 5:30 until 9:00 at the Wyndham Garden Hotel in Novi. Stearn and Pfeifer will attend. Craig cannot make the workshop due to a conflict and asked if another member of Council is interested in filling his pre-paid spot.

At the recent joint meeting of the Finance Committee and Council, Craig suggested that Council establish a Charter Committee to review the document and make recommendations on amendments to update some sections of the Village Charter, which was adopted in 1958.

All council members wished everyone a happy Thanksgiving holiday.

MOTION by Downey, seconded by Walsh, to adjourn the meeting at 8:39 p.m.

Motion passes unanimously.

Todd Stearn
Council President

Ellen E. Marshall
Village Clerk