

Present: President Downey; President Pro-Tem Domzal; Members: Mooney, Pfeifer, Schmitt, Stearn and Woodrow

Absent: None

Also Present: Village Manager, Murphy

Downey called the meeting to order at 6:10 p.m. in Beverly Park. The topic of this work session is to discuss Council goals and objectives. Members have received the latest version of the policy agenda. Downey suggests that discussion follow this order:

- Review of past five priority items and have status report
- Assignments and discussion of individual work plans
- Prioritize next five items
- Discussion of long-term strategic plan

Rental Property Inspection Ordinance

Council received a proposed ordinance prepared by Village Attorney Ryan in early June for review and comment. Murphy has discussed how to proceed with Mooney.

It is proposed to hold separate focus group meetings with those who would be directly affected, landlords and tenants, to hear their concerns and ensure that the ordinance adequately addresses those concerns prior to the public hearing on a proposed ordinance. The idea is to use homeowner affidavit forms to identify rental properties and prepare a mailing list for focus group meeting invitations. A timetable has not been discussed.

Mooney stated that employing a contract company to make inspections and issue violations has been discussed. A licensing fee would cover the inspection and overhead expenses to the Village. The ordinance indicates biennial inspections.

Murphy added that there are a couple of different companies in the area that contract for rental inspections. He has spoken with representatives from City Works Inc., which does rental inspection programs in a number of different communities. They will either simply perform the rental inspection, or they will provide a complete turnkey operation whereby they send out the notices telling people they have to get inspected, collect the money, and send an audit report to the community on a monthly basis. This would be up for discussion after the ordinance is approved.

Murphy stated that the Village would ask the Eccentric newspaper to publish an article indicating that the Village is going to take on this issue.

Downey summarized that Council asked administration to come back with a draft ordinance in 60 days. Council has received a draft ordinance and administration is proposing a meeting with landlords and renters to review this ordinance. Mooney has taken the lead as far as directing this item. He asked Council if they think this is moving in the right direction and whether there is a need to set any other goals.

Domzal suggests that requiring a landlord to obtain a license to determine if they are complying with ordinances is a minimalist approach. He asked if there is anything more than a licensing process that Council might consider.

Murphy responded that he has discussed this with Ryan, who suggests that Council might be better off starting slowly. The intent of the ordinance can be increased if it is not accomplishing what Council wants it to do.

Downey stated that Council will shoot for October for consideration of the ordinance.

Jim McCook of 19370 Riverside Drive asked what a rental property ordinance will do for the Village. Downey responded that this is an ordinance that will require landlords to register and have their properties inspected by the Village. It will provide better code enforcement. Domzal added that the idea is to improve the appearance of rental properties in the Village.

Frank Worrell of 32123 Bellvine Trail asked who will enforce this ordinance. He maintains that the Village has problems with the enforcement of ordinances.

Downey responded that Council has directed administration to do a better job of enforcing existing ordinances. Mooney added that Council is looking at options for administering and enforcing this ordinance.

Coryell Estates paving and drainage

Steps and a timeline have been outlined for proceeding with the Coryell Estates paving and drainage project through a special assessment district. A Necessity Hearing will probably be scheduled for August 5 or September 2, 2002.

Charter Update

Pfeifer reviewed that Council members were asked to submit sections of the Charter that they think need revision by the end of June. Ryan would review and organize that input for Council consideration. Council should forward their input to Murphy.

Worrell questioned which items in the Charter are not satisfactory. Pfeifer responded that the Charter states that Council is required to review the document every five years. Council has not done this in a long while.

Downey suggested that Council submit their suggestions and that we attempt to place Charter updates on the March ballot.

Review structure and assignments of boards, committees and liaisons

Downey stated that Council is anticipating the Personnel Committee to make a recommendation on the Finance Committee structure. Stearn, chair of the Personnel Committee, was not present to report on its recent meeting.

Domzal stated that the Personnel Committee met on June 17 and recommended that Council begin discussions with Murphy on an extension of his employment contract. The committee also

discussed the structure of the Finance Committee and whether it should continue as a standing committee. Domzal mentioned that he has discussed the direction of the Finance Committee with chairperson Don MacDonald. After a length discussion, members of the Personnel Committee made a recommendation by a two to one vote to eliminate the Finance Committee.

Downey asked if the Personnel Committee discussed liaison assignments. Council has addressed this at a past meeting and changed the requirement to make it optional for liaisons to attend board meetings. He asked Council if there is clear direction or whether further consideration of the liaison role is needed.

Pfeifer stated that it was recommended by the Personnel Committee that there would be one contact person assigned for each of the boards and committees without a requirement for mandatory attendance.

Domzal thinks that the issue is what Council wants from its committees and whether there is a communication issue. He proposed that maybe Council should deal with the liaison issue on a board by board basis.

Downey thinks that communication between Council and boards has improved over the last year or so. He appreciates the support of administration, but he holds the opinion that a liaison should attend board meetings. Downey does not think there is a Council consensus regarding liaison requirements. He suggests that the Personnel Committee continue to clarify the issue and bring back a recommendation for a more unanimous support of Council.

Southfield Road

The Planning Board is developing a work plan for a Southfield Road corridor study. Murphy stated that Council will be presented with a request to approve a work plan and funding to perform a condition survey of the Southfield Road business corridor. The inventory and analysis of the business district will identify what is there so the Board can determine what the corridor can become. Included in the condition survey will be meetings with business owners and also meetings with interested residents to help define the issues on Southfield Road that we are trying to address.

Council discussed its role in developing a work plan for the Southfield Road Corridor study. After some discussion, there was a consensus that Council consider the Planning Board's goals for Southfield Road before forming any opinions. It was suggested that Council walk the Southfield Road business district with the Planning Board to come up with some ideas as to what Council members envision for the corridor.

14 Mile Road Corridor Plan

Murphy reviewed that the 14 Mile Road Corridor Plan implementation is a Planning Board priority. They are undertaking the work program, timeline for implementation of the 14 Mile Road Corridor Study as approved by Council.

Discussion of other policy agenda items

Downey asked if Council members have other items on the policy agenda that they would like to discuss.

McCook thinks that the policy agenda is outstanding because it will help Council keep track of Planning Board projects. He thinks that the policy items should be a continuing list appearing regularly on the Council meeting agendas for discussion.

Norman Rubin of 31020 Rivers Edge Drive suggested posting the policy agenda on the Village web site.

Water Main Replacement

Mooney asked for an update on the water main replacement program. Council has received an initial report on bonding opportunities.

Murphy stated that administration is doing preliminary work to go after Drinking Water Revolving Fund (DWRF) dollars. This is a low interest loan with a 2.5% interest rate over 30 years to do water main repairs. MDEQ staff in Lansing are favorably disposed to our project, but administration must perform steps that will take until about December. At that point there will be a number of public hearings to go through before paperwork can be submitted. The Village will then have to wait until about May to see if it is successful in obtaining DWRF money.

Murphy affirmed that most of the work that has to be done in preparation for receiving these funds will go toward the engineering of the project even if the DWRF money is not received. The Village has to perform a lot of the design work to prove its case to Lansing and qualify for the low interest loan. If we are not successful in securing DWRF funds, the Village can obtain a 10 year bond issue at about 4.25%. It makes sense to do these repairs over a 10 year bond issue without impacting the Village's cash in the Water and Sewer Fund, which can then accumulate for future water main repairs.

Murphy reported that the Village is proceeding with the Medford water main replacement scheduled for next week. Pfeifer volunteered to follow the water main issue.

Norman Rubin asked how the Village would repay the loan if it were to get DWRF funds. Murphy responded that payments will be made from the Water and Sewer Fund, which is derived from water and sewer charges. With the DWRF notes, the Village will not need to increase its water rates to cover that.

Stearn entered the meeting at 7:15 p.m.

Drainage

At Mooney's suggestion, an item will be added to the policy agenda for a Village-wide drainage needs discussion.

Pfeifer expressed the view that this is an administrative function. Administration has already identified and prioritized areas in the Village that need drainage improvements. She questioned what more there is to discuss.

Downey stated that the Village has applied for a grant for drainage issues in certain areas. Money has been allocated towards the ditching program. The Village has a priority list, but that is far from an implementation plan. There are open issues.

Murphy added that there are policy questions that come into play, and there are times when the input and experience of Council helps. The Village is not done with the drainage issue. Murphy and Spallasso have been discussing how to proceed with ditch repairs if the grant is received or not received. This will ultimately come to Council for consideration.

Sidewalk Maintenance

Schmitt stated that he would like sidewalk maintenance to be a priority item on the policy agenda.

It was indicated that sidewalk maintenance will be discussed as part of the recommendation to Council from the Pathway Advisory Committee on implementation of the Pathways Plan. That presentation will be made to Council at its July 15 meeting.

There was discussion on whether to reopen discussion of the Evergreen Road pathway. Domzal stated that the recommendation of the Pathways Advisory Committee is to leave it to Council to decide. That committee does not take a position with respect to Evergreen Road.

CCW Ordinance

Stearn proposed an issue to be placed on an upcoming Council meeting agenda. He learned today that a new Carrying a Concealed Weapon (CCW) law allows people to bring guns into public parks. The City of Ferndale passed a law to prohibit people from bringing guns into public parks. The Attorney General challenged that law saying that state law supercedes city law. Ferndale went to court and won.

Stearn would like Beverly Hills to consider a Village ordinance prohibiting guns in its parks, especially in light of the park renovations. He would like agreement for this to be an agenda item. Ryan can use the Ferndale ordinance as a model, so it will not be a costly endeavor. Stearn thinks the benefits will be huge.

Council discussed how to proceed with this item. It was suggested to place it on the policy agenda to develop a work plan and provide Council with additional information. The point of a policy agenda is to facilitate discussion.

Stearn understands that an issue can be placed on the agenda if there are three Council members who support that issue.

Motion by Stearn, seconded by Mooney, to place consideration of an ordinance to prohibit carrying a concealed weapon in Village parks on a Council agenda as a discussion item for one of the next three Council meetings.

Worrell questions how the Village will enforce this type of ordinance.

Schmitt proposed an amendment to the ordinance to direct Village Attorney Ryan to prepare a proposed ordinance on this topic. The amendment failed for lack of support.

McCook suggested distributing a copy of the Ferndale ordinance for Council's review.

The motion was discussed. There were those who felt that Council does not have enough information to decide on this issue tonight.

Roll Call Vote:

Domzal	- yes
Downey	- no
Mooney	- yes
Pfeifer	- no
Schmitt	- no
Stearn	- yes
Woodrow	- no

Motion fails (4 – 3).

Schmitt stated that he would like to reconsider his vote on this motion.

Motion by Schmitt, seconded by Domzal, to reconsider the motion by Stearn regarding consideration of a Carrying a Concealed Weapon Ordinance.

Council voted on bringing the matter back on the floor for another vote.

Roll Call Vote:

Downey	- no
Mooney	- yes
Pfeifer	- no
Schmitt	- yes
Stearn	- yes
Woodrow	- no
Domzal	- yes

Motion passed (4-3).

The original motion is up for discussion.

Motion by Stearn, seconded by Mooney, to place consideration of an ordinance to prohibit carrying a concealed weapon in Village parks on a Council agenda as a discussion item for one of the next three Council meetings.

Schmitt explained that he asked for reconsideration of this motion because he thinks the matter should be discussed. He would have preferred that Council have a draft ordinance in front of it when it is considered.

Stearn envisions that Council will have a discussion and vote on whether to direct Tom Ryan to draft an ordinance. Council can discuss the proposed ordinance at a study session. He is asking for a Council decision on whether to pursue this.

McCook questioned Woodrow's lack of support for the motion. Woodrow responded that he is not familiar with the new law but feels that the current CCW law in effect is too restrictive of an individual's right to bear arms.

Roll Call Vote:

Mooney	- yes
Pfeifer	- no
Schmitt	- yes
Stearn	- yes
Woodrow	- no
Domzal	- yes
Downey	- no

Motion passed (4 – 3).

Long-Term Community Strategic Plan

Murphy has been advocating the idea of long-term community-wide strategic plan for Beverly Hills. He thinks it fits in with the long range planning that Council is doing, which ultimately includes a future operating millage as well as obtaining a sense from the community as to preferred alternatives and directions of the community. It is a good exercise to show residents that the Council and administration is genuinely interested in their interests and ideas.

Murphy remarked that Council is aware that it will reach a day when decisions have to be made as to what services are and are not provided and whether the Village should go out for a Headlee Override. Conducting a community-wide strategic plan will address that particular issue and gain the confidence of the community that we are genuinely interested in their preferred outcomes.

If Council agrees, Murphy will proceed with preparation of a Request for Proposal for further Council discussion.

Council discussed the proposal and asked questions on the process involved in the community-wide strategic plan.

Murphy explained that it is a multi-step program. It would involve doing a community discussion or charrette. The community meeting will require a large room and hiring a facilitator to help the process through. Residents would be asked what they like about the Village, what they do not like, and what they see the Village looking like 15 years from now. The information collected is broken down and studied in focus groups for further definition of the issues, which are then tested through a community survey. There are a multitude of steps to insure that there are no outside influences that artificially sway the direction. This process provides a good analysis of the genuine concerns, interests, and needs of the community.

Murphy mentioned that he is proposing that Plante & Moran conduct a management audit, which will ensure that the Village is efficiently delivering services. This together with the community-wide strategic plan will be a good way to demonstrate to the community not only that we are interested, but that we are doing everything in our power to best give the citizens what they want.

Downey views this as an opportunity to get people involved and to confirm that Council is doing the will of the people. It is also an opportunity to identify future leaders in the community. Downey thinks that there is a strong benefit to the community to go through this process.

Schmitt recalled the charrettes that took place as part of a master plan update a few years ago. Murphy responded that the Village Master Plan is more of a physical study than what is being proposed. The community-wide strategic plan will consider every element including intangibles as well as tangibles. We want to know what makes people feel good about living in Beverly Hills.

Murphy was asked who would take the lead at the community discussion. Murphy related that it is best if the politicians and administration do not conduct the community discussion. Volunteers are needed to chair the event and carry it through. Council can actively participate in the sessions residents.

Domzal questioned how a number of Council priority items fit together in terms of action. Murphy responded that some of these things can be done simultaneously.

Murphy estimated the cost of conducting a community-wide strategic plan at \$10,000. If a Request for Proposal was put together by September, the entire process would take about nine months for a March completion date.

Stearn commented that there have been past studies that have been done and forgotten. He thinks that ideas change over time, and residents make decisions for a variety of reasons. He does not support this undertaking.

Murphy commented that the strategic plan is a living document and is supposed to change.

Downey summarized that the majority of Council is in agreement that the Village Manager should move forward and draft specific details for a community-wide strategic planning process. Domzal asked that the report address issues brought up by Council, including how the strategic planning fits in with other Council priority agenda items.

Motion by Domzal, seconded by Pfeifer, to direct Brian Murphy to prepare a recommendation for a long term community-wide strategic plan.

Worrell expressed the view that people will not come out for a community meeting unless there is an issue they are concerned about.

McCook stated that his experience has been that people who participate in these community meetings are probably 10% or less of the population. Those who do participate are the ones with issues. He thinks that this kind of forum attracts citizens with their own agendas.

A Headlee Override has been mentioned. If this is an entrée into that subject, McCook is against it. He does not think the Headlee Amendment goes far enough. McCook thinks that Council should concern itself with streamlining the way it runs the Village's business and saving money rather than asking for more.

Roll Call Vote:

Pfeifer	- yes
Schmitt	- yes
Stearn	- no
Woodrow	- yes
Domzal	- yes
Downey	- yes
Mooney	- yes

Motion passed (6 – 1).

PUBLIC COMMENTS

Worrell commented that he has a difficult time with the way things are going in this Village. He maintains that Council does not realize the cost of the implementation of proposed sidewalks in the Village. Worrell referred to the Village Charter, making the statement that he thinks that the Village is being misled on the sidewalk issue.

Worrell stated that, if Council proceeds with sidewalk construction, there will be engineering studies to determine where the sidewalks will be located. He questioned the accuracy of cost estimates for sidewalk construction.

Domzal explained that the cost of engineering is factored into the overall cost of the plan. Downey stated that Council has not received a report with specific figures at this point on the cost of implementing the Pathways Plan.

Worrell stated that the sidewalk plan eliminated a portion of sidewalk east of Lahser and south of 13 Mile Road for political reasons, which he disagrees with.

Worrell expressed the view that the Village has serious problems with the Planning Board. He understands that they want to become a Planning Commission.

Worrell reviewed a Planning Board allocation in 2000 for the Pathways Plan. He believes that what was spent by the planning consultant on the preparation of the Pathways Plan is probably three times the amount budgeted for the project. The Planning Board is doing the same thing on the 14 Mile Road Corridor study. He understands that the Village Manager is attempting to control the expenses of the Planning Board.

Worrell stated that he watched the Council public hearing on Coryell Estates and found the discussion on the paving and drainage project confusing. He thinks that there are people who signed the petition who do not know what they were signing.

Worrell does not believe that the Village will receive any grants from the State of Michigan. He thinks that the Village Council and Manager should practice fiscal responsibility and conduct its business without grants.

Art Liberty of 20850 W. 13 Mile Road stated that three years ago the Village voted down a millage increase, yet we did not run out of money. He wondered why Council asked for money if it was not needed.

Council comments

Pfeifer heard a presentation at the last BASCC Board meeting by Donna Sykes representing SMART, Suburban Mobility Authority for Regional Transportation. Sykes discussed a four-year millage proposal coming up at the August primary election. If SMART does not receive this millage money, it will go out of business at the end of August. Pfeifer invited Sykes to make her presentation to Council and the public at the July 15 Council meeting. It was the sense of Council to place this on the July 15 agenda.

Pfeifer mentioned that Sykes asked if Council is willing to sponsor a resolution in support of this millage. Information on the SMART millage proposal will be copied for Council prior to the July 15 meeting. Domzal commented that he is counsel for SMART and will not vote on this issue.

Motion by Woodrow, seconded by Mooney, to adjourn the meeting at 8:48 p.m.
Motion passed unanimously.

Doyle Downey
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary