

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

Absent: Schmitt

Also Present: Village Manager, Murphy  
Public Services Director, Spallasso  
Assistant to the Manager, Pasioka  
Village Attorney, Ryan  
Director of Public Safety, Woodard

President Downey called the meeting to order at 7:00 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

Motion by Domzal, seconded by Pfeifer, to go into closed session to discuss labor negotiations.

Roll Call Vote:  
Resolution passed unanimously.

Stearn entered the closed session at 7:06 p.m.

Motion by Mooney, seconded by Pfeifer, to return to open session after a two minute recess.

Motion passed unanimously.

Council reconvened in open session at 7:33 p.m.

#### **ADDITIONS TO AGENDA/APPROVE AGENDA**

The agenda was approved as published.

#### **PUBLIC COMMENTS – CONSENT AGENDA AND ITEMS NOT ON THE BUSINESS AGENDA**

There were no comments from the public.

#### **CONSENT AGENDA**

Motion by Pfeifer, seconded by Stearn, to approve the Consent Agenda as follows:

- a. Review and consider approval of minutes of a regular Council meeting held on July 15, 2002.
- b. Review and file bills recapped as of Monday, July 29, 2002.

Motion passed (6 – 0).

## **BUSINESS AGENDA**

### **PRESENTATION BY BALDWIN PUBLIC LIBRARY REPRESENTATIVE**

Martha Custer, Director of the Baldwin Public Library, introduced herself to the Village Council and invited everyone to visit the library. She thanked Beverly Hills for its support of the Baldwin Library and informed Council that she plans to work together with Village administration to make Beverly Hills residents aware of the services offered by the library.

Custer remarked that this year is the 75<sup>th</sup> Anniversary Year of the Baldwin Library. She presented Council with invitations to Martha Baldwin's kick off birthday party in August.

Custer described a couple of new services that will be offered this September. The Library will be contacting students with information about these programs. There will be an after hours reference service online. Another new service called Live Homework Help is a nationwide program that will make tutorial sessions available to all students from 5:00 p.m. to midnight. It will be an interactive session with tutors who are certified in various subject areas.

### **REVIEW AND CONSIDER PERSONNEL POLICIES AND PROCEDURES MANUAL**

Domzal stated that a Policies and Procedures manual has been drafted for Beverly Hills employees. He thanked Brian Murphy and Ellen Marshall for doing an outstanding job of compiling this information.

Domzal noted that the Personnel Committee reviewed the document several months ago and provided its comments to administration. One of the goals of the personnel policy manual is to provide written objective standards for employees and provide guidance and assistance in administering the departments. There is some benefit in terms of insulation from liability.

Domzal has reviewed the proposed draft policy and submitted his comments and suggestions to administration to be incorporated into the document. The policy is presented to Council tonight for review and consideration.

Murphy remarked that preparation of the Personnel Policies and Procedures Manual has been a lengthy process. He noted that all three labor unions have reviewed the document and offered feedback as well as the Village's non-union represented employees. Advice was received from the Village's labor counsel and staff. The Personnel Committee of Council has made a couple of changes. The manual is a comprehensive document.

Murphy outlined changes made in the document from the copy distributed to Council this weekend. Some of the revisions will allow for adjustments in the manual without having to come back to Council. Murphy addressed questions and comments from Council.

Motion by Domzal, seconded by Mooney.

Resolved that the Village Council adopt the Village of Beverly Hills Personnel Policies and Procedures Manual dated August 5, 2002.

Roll Call Vote:

Motion passed (6 – 0).

**REVIEW AND CONSIDER PURCHASE OF SIDEWALK GRINDER**

There is a proposal before Council to purchase a sidewalk grinder. It is a piece of equipment that will be used by the Village to repair sidewalk flags that have lifted to create a step-toe condition, which could cause pedestrians to trip. Domzal stated that there has been recent discussion regarding how to proceed with and fund a sidewalk repair program in the Village. There has not been a Village-wide sidewalk repair program undertaken since 1992.

Motion by Domzal, seconded by Stearn.

Resolved to approve the purchase of one Edco CDM-8 Scarifier with CDM-8 Startup Pack from Team Equipment Company of Warren, Michigan for the quoted amount of \$3,470.00. The current fiscal budget contains \$5,000 in capital expenses for this purchase.

Questions and comments from Council were addressed by Spallasso.

Roll Call Vote:

Motion passed (6 – 0).

**REVIEW AND CONSIDER PURCHASE OF IN-CAR VIDEO SYSTEM FOR PUBLIC SAFETY DEPARTMENT**

The Public Safety Department currently has six in-car video cameras in service that are experiencing maintenance issues. They are out of warranty, and service agreements to cover repairs are not available. The Department's capital plan includes replacing two units per year for the next three years. The capital budget for 2002/2003 contains \$10,000 for the purchase of the first two in-car video units. It is the goal to replace the older video units with a product that will improve the audio record and the battery system.

Mooney stated that the Department was awarded a grant from the Michigan Municipal Risk Management Authority (MMRMA) that will provide 50% of the funding for replacement in-car video units. The \$10,000 budgeted for this fiscal year can now provide for the local match and allow the Village to purchase four units. This would accelerate the replacement program from three years to two.

Quotes were received from three vendors. The second lowest quote provided by Mobile-Vision is recommended for the reason that the low quote is for an 8mm tape formatted system rather than a VHS system that matches the Department's current tape stock.

Motion by Mooney, seconded by Pfeifer.

Resolved that the Village of Beverly Hills Council awards the purchase of four Mobile-Vision System-7 in-car patrol video units to Mobile-Vision, Inc. in the amount of \$4,455 each (\$17,820). The 50% grant match amount from MMRMA will reduce the budget impact to \$8,910. (\$1,090 less than the budgeted amount). Funds are available for this purchase in Account #101-900-980 Capital Purchases: PS-Equipment.

Roll Call Vote:

Motion passed (6 – 0).

**FIRST ANNOUNCEMENT OF VACANCY ON THE PATHWAYS COMMITTEE**

At the July 15, 2002 Council meeting, a resolution was adopted to re-establish the Pathways Advisory Committee to serve at least through March of 2003. Domzal contacted the current members of the Pathways Advisory Committee following the meeting. All of the current members have indicated a willingness to be part of the ongoing committee. Prior to July 15, there were two vacancies on the Committee created by individuals who had to drop off during the course of the committee work. Consistent with the resolution passed at the last Council meeting, one of the vacancies will be reserved for a former Finance Committee member.

Domzal remarked that Council has delegated specific assignments to the Pathways Advisory Committee including developing proposed ballot language on any millage proposal as directed by Council and providing support information and recommendations on other matters.

Domzal invited members of the public who are interested in pathways to participate on the Pathways Advisory Committee. Applications are available at the Village office or on the Village web site ([villagebeverlyhills.com](http://villagebeverlyhills.com)).

**DISCUSSION ITEMS**

**DISCUSS ORDINANCE PROHIBITING POSSESSION OR CONCEALMENT OF WEAPONS**

Motion by Stearn, seconded by Mooney, to table discussion of an Ordinance Prohibiting Possession or Concealment of Weapons until the next Council meeting.

Roll Call Vote:

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

Motion passed (4 – 2).

**DISCUSS CURRENT STATUS OF THE CORYELL ESTATES ADVISORY PETITIONS**

Downey stated that the Village received a second advisory petition from Coryell Estates residents regarding road and drainage improvements in that area. Because there are two competing petitions, there are questions relative to the intent of the residents with respect to paving the streets in Coryell Estates Subdivision. It is understood that the petitions are advisory and the Village Council has the ability to create a special assessment district. Members of Council give serious consideration to the will of the people in Coryell Estates.

Village Attorney Ryan affirmed that the petitions are advisory and it is Council's decision whether to proceed with the special assessment district on the basis of benefit received. Ryan has discussed this matter with Village Manager Murphy and Public Services Director Spallasso. Administration can document the benefit to be received by property owners with respect to the hard surface aspect of this improvement. Many special assessment districts are established by municipalities believing that there is a need for a neighborhood improvement.

A Necessity Public Hearing is scheduled for August 19 on the special assessment district for Coryell Estates. The Village will host an informational meeting in the council chambers on Thursday, August 8 at 7:30 p.m. that will hopefully be attended by Coryell Estates residents. The proposed road and drainage improvement plans will be reviewed with residents including cost estimates, the grant aspect, and financing options.

Ryan remarked that the Village Manager has contacted a local bank whose charter requires that institution to demonstrate community involvement. There may be a way for Coryell Estates residents to finance their assessment as a tax deduction on their mortgage.

Ryan believes that there is a clear trend away from gravel roads. Residents have been coming to the Council for 15 years complaining about their dirt roads. If the subdivision was developed today, the Village would insist on a hard surface roadway for a number of reasons. There is no question that all Coryell Estates residents want improved drainage. It will be Council's decision whether to pave the roads.

Ryan noted that one of the problems with the counter petition is that there are instances where a husband signed the first petition and the wife signed the second petition or vice versa. There is only one vote permitted per household.

Downey reviewed Council's policy relative to paving gravel roads. Council indicated that it would bear the cost of maintaining an existing drainage system but would not make improvements to a drainage system unless there was an improvement to the roads. Downey commented that much of the benefit of drainage improvements is lost if a road is not paved.

Council discussed how to proceed with the special assessment district considering the competing advisory petitions from Coryell Estates residents. It was suggested that not to proceed with the program for both paving and drainage improvements would be a lost opportunity. Council questioned how many people signed the second petition on the basis that they feared that costs would not be in line with the cost estimates indicated by the Village. Council members think that holding an informational meeting with Coryell Estates residents is a good way to communicate the facts and attempt to achieve a consensus among neighbors. Some members of Council think that further guidance is needed from area residents before a special assessment district is established.

Julie Abear of 20305 Plantation recalled that Council had indicated at a previous meeting that it would consider a petition for drainage improvements only. She wants to be sure that Council will give full consideration to the second petition. Abear does not think that there will be a unanimous vote of the residents on how to proceed with Coryell Estates improvements.

Lance Heilbrun of 30272 Embassy stated that there are people who signed both petitions and instances where a signature representing a given household appears on each of the petitions. In some cases those are opposite spouses. Eight of those homeowners have been contacted recently. It is clear that the primary reason that they signed the second petition was because of a concern and uncertainty about cost. That uncertainty is clearly linked to the informational campaign that preceded petition number two. Heilbrun stated that those residents are interested in paving conditional upon reassurance by the Village that the cost is going to be acceptable to them.

If cost estimates can be provided, the clear will of the people of Coryell Estates may emerge on Thursday night. After that, Council must decide what to do. He does not think that petitioning people for a third time is a good idea.

### **PUBLIC COMMENTS**

There were no comments from the public.

### **REPORTS**

#### **MANAGER**

The Village will host a public information meeting with the residents of Coryell Estates to address issues raised regarding the proposed petitioned improvements. The meeting is scheduled for Thursday, August 8<sup>th</sup> at 7:30 p.m. in the Village Council chambers.

Murphy reported on the July 28 Concert in Beverly Park and announced the final concert scheduled for Sunday, August 25<sup>th</sup>.

Village staff has received word that the grant application for the Beverly Park Pond Improvements is one of over 200 applicants competing for assistance. The submitted applications total over \$14 million and are competing for just over \$4 million in available funds. The DNR staff reviewing the Village's proposal scores our application between "excellent" and "good". The Village has until September 13<sup>th</sup> to provide supplemental information to the Grants Administration Division. Murphy thanked Pasieka and Spallasso for their work on that application.

Murphy reported that the digger toys were removed from the park playground area due to safety issues. The Village will receive a refund from the contractor. The sand box was converted to a picnic area.

Murphy commented on the loss of a civil servant who has done some work for the County, which has benefited Beverly Hills. Murphy extended condolences to the family of John Donohue, attorney for the City of Farmington Hills.

### **COUNCIL**

Woodrow stated that the Millionaires will perform at the Sunday, August 25<sup>th</sup> concert in Beverly Park along with five teen bands. The concert will begin at 5:00 p.m.

Mooney commended the Public Safety Department on fighting a substantial fire in the Village a few weeks ago in a professional and efficient manner. Area residents have expressed a better understanding of the Public Safety Department and the work that they do. Mooney remarked that she received an e-mail from Paul Lison and that he wishes everyone well.

Pfeifer stated that there will be a meeting of the Birmingham Area Seniors Coordinating Council Board on Tuesday, August 20 at the BASCC headquarters. The Birmingham Area Cable Board will meet on Wednesday, August 21 at 7:45 a.m. in the Village municipal building.

Pfeifer reported on the joint meeting with the Planning Board held on Wednesday, July 24. The Planning Board and members of Council walked Southfield Road from Beverly Road to 13 Mile Road with a critical eye towards the business district. The Planning Board has expressed a desire to work closely with Council on the Southfield Road Corridor study. The Board is in the process of developing a work plan and cost estimate for the first phase of the study. Pfeifer stated that the Planning Board would like to ultimately develop a master plan for the Southfield Road corridor in the event that an opportunity arises to redevelop any of that area.

Pfeifer noted that she will take the opportunity at the Michigan Municipal League convention in September to attend a seminar on the Carrying a Concealed Weapon Law.

Pfeifer urged everyone to vote in the Primary Election tomorrow. The polls open at 7:00 a.m. and close at 8:00 p.m.

Stearn commented that it is important for everyone to vote in the August 6 Primary Election and let their elected representatives know that they believe in state shared revenue.

Stearn commented that an example of a well maintained gravel road can be viewed on Bingham Road between 14 Mile Road and Lincoln, the first street east of Telegraph.

Domzal remarked that tomorrow's election is more than a Primary with respect to the candidates for judge and the ballot proposals. This Council has gone on record in support of the SMART millage. Domzal commented that Beverly Hills resident Jim O'Reilly is a candidate for Oakland County Circuit Court Judge. He has been supportive of community efforts.

Domzal commended members of the Village staff on their work. Council's job is made easier by the fine quality of the Beverly Hills staff.

Downey read portions of two letters received from residents thanking the Village for all it has done to improve Beverly Park. Downey received a comment via e-mail regarding the unsightliness of the grounds at the Oakland County Road Commission property at Thirteen Mile and Lahser Roads. Spallasso informed Council that the reason for the unsightliness is because County crews are in the process of addressing a way to replace a faulty pipe coming from the parking lot.

Downey reported that feedback has been received on the model Village entry sign. The sign has not been well received primarily due to its small size. He suggested that the Planning Board reconsider the proposed Village entryway signs.

Downey offered his condolences to the family of his neighbor and long-time resident Dick Brown, who passed away last night. Downey commended the Public Safety Department on its quick response to a call for assistance at the Brown residence a week ago.

Motion by Pfeifer, seconded by Domzal, to adjourn the meeting at 8:52 p.m.

Motion passed (6 – 0).

**Doyle Downey**  
**Council President**

**Ellen E. Marshall**  
**Village Clerk**

**Susan Bernard**  
**Recording Secretary**