

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

Absent: None

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

President Downey called the meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

ADDITIONS TO AGENDA/APPROVE AGENDA

The agenda was approved as published.

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

Sharon Tischler of 21415 Virmar Court had questions regarding a few of the items on the list of bills recapped as of August 12, 2002. Pfeifer responded that she will remove the bills from the consent agenda to the business agenda and address questions at that time.

PUBLIC HEARING – HUMMEL CT. ON PROPOSED SPECIAL ASSESSMENT DISTRICT

Council will conduct two public hearings this evening and consider action on those items during the business agenda portion of the meeting to determine the necessity for the proposed improvements and to designate special assessment districts.

Domzal stated that public hearings will be held on the necessity of proposed drainage and road improvements for Coryell Estates and Hummel Court and the designation of special assessment districts against which part of the cost of public improvements will be assessed. He reviewed that Council authorized a study of drainage needs in the Village earlier this year. Following receipt of the report from consulting engineering firm Hubbell, Roth & Clark, Village administration was asked to prioritize Village-wide drainage needs and provide recommendations to Council, which was done. The two districts being discussed this evening are top priority areas identified in the study. The proposed projects involve both drainage and paving improvements.

The Village received a petition from all of the property owners on Hummel Court for drain and road improvements. The project will consist of about 400 linear feet of bituminous paving and installation of storm under drains to collect storm water runoff in conjunction with surface swales and transport it to two outlets. Domzal stated that Council has postponed proceeding with the petition submitted by the eight residents of Hummel Court so that the area could be a part of the larger Coryell Estates paving project. Combining the two projects would provide more favorable unit prices.

A necessity hearing will be held for both the Hummel Court and Coryell Estates projects pursuant to provisions of the Village Charter and Special Assessment Ordinance. When the Village receives an advisory petition from the majority of property owners in an area, it has been the policy of Council to direct the Public Services Director to prepare a report on public improvements and provide cost estimates. Council has reviewed the report regarding the improvements and the district and will hold a necessity hearing. If Council determines the necessity tonight of one or both projects, the project will proceed. Domzal noted that there will be a public review of the assessment roll after the project is completed and final construction costs have been determined.

Downey declared the public hearing on the Hummel Court Special Assessment District open at 7:40 p.m. It was noted by a member of the audience that most of the residents of Hummel Court were present. No one wished to be heard; therefore, the public hearing was closed at 7:41 p.m.

PUBLIC HEARING – CORYELL ESTATES ON PROPOSED SPECIAL ASSESSMENT DISTRICT

Downey declared the public hearing open at 7:42 p.m. for the Coryell Estates Special Assessment District.

Roy Cataldo of 20230 Plantation questioned whether a revised per household cost estimate has been prepared since the August 8, 2002 meeting of Coryell Estates residents hosted by the Village. It was suggested at that meeting that the Village take into account the funds budgeted for road maintenance in Coryell Estates and lower the assessment of area residents on the basis of future savings.

Murphy responded that he provided information to Council on the budgeted amount for maintenance of gravel roads and the history of the 20% contribution by the Village. Council will discuss this during the business agenda portion of the meeting. Murphy related that the amount budgeted for FY 2002/03 for line items that impact gravel road maintenance – gravel, sand and slag, dust control, and grading – is approximately \$38,000 for 2.8 miles of gravel roads throughout the Village. Coryell Estates subdivision has 1.25 miles of gravel roads. The cost of road maintenance in Coryell Estates computes to about \$260 per household. Administration has recommended that administration not change the current policy.

Cataldo has lived in the area for 40 years and is in favor of the paving project. He commented on sub-par health conditions in the area due to standing water in the spring and fall, the constant digging up of roads and attendant dust and pollution, and spraying of chemicals to keep the dust down. Cataldo asserted that there has always been a vocal core of people in the subdivision who are opposed to the road paving. He thinks it is incumbent upon Council to be responsible and do what is right for the health, maintenance, and property values of the total subdivision.

Phyllis Eisenberg on 30844 Embassy inquired about the second petition presented to the Village by Coryell Estates residents.

Murphy outlined information on the petitions submitted to the Village. The first petition received asking for paving and under drain improvements contained 36 valid signatures. There are 64 homes in the area. The Village received a second petition with 33 validated signatures that called for under

drain improvements only. There were 17 households that were represented on both the first and second petitions.

A neighborhood meeting was held on August 8, 2002 at which time the Village provided residents with information on the project including engineering drawings, impact on the neighborhood, and estimated cost per lot. After a public discussion on the issues, a resident called for a show of hands. There were 36 households represented at the meeting. Seventeen households asked for paving, and eight were in favor of under drain construction only. Both sets of petitions were available at the meeting, which allowed for residents who signed either one, both, or neither of the petitions the opportunity to revisit their decision. The result is that the Village now has 37 valid signatures on the petition requesting paving and under drains, 17 valid signatures on the second petition, and four households that are represented on both of those petitions.

Downey remarked that both petitions are considered advisory to the Council. Council has sought an understanding of what the area residents want. It appears that roughly twice the number of homes signed the first petition as the second.

Eisenberg asked how a person selling their home would handle a special assessment on the property before final construction costs are determined.

Murphy answered that either the seller or buyer of the home can assume the special assessment. The person selling the home could put an amount in escrow equal to the current estimate for the improvement. Once the project is completed, the assessment would be paid out of the escrow account. Anything remaining would be returned to the seller.

Michael Beacco of 20305 Plantation commented that original estimates established in March of 2001 indicated that the residents would have to pay \$30,000 per household to accomplish both drainage and road paving. There was a neighborhood meeting hosted by the Village in August of 2002. The estimate for the total project went from \$1.3 million to \$1.2 million. After applying grants and the Village contribution, the payment per household is down to \$13,400.

Beacco cited issues that have not been considering in establishing the residents' cost for the project. He questioned the Village's calculation of its 20% contribution to the construction cost of both the drainage and paving improvements. He does not think that the Village presented a detailed cost estimate of the incremental cost on a per footage basis for drainage and roads. Beacco maintains that the contingency amount of 10% allocated for the overall project is low by industry standards and should be 20 percent. Beacco remarked that the Village provided residents with a financing option, but he does not think that everyone understands that the annual adjusted interest rate may be a problem for some residents.

Beacco stated that there has not been an allocation to credit residents for the 2.2 mill tax for drainage approved in 1997. He added that a credit for the fuel tax has not been calculated in the equation. Beacco thinks that it is unfortunate that the Village is not willing to commit to a cap on the cost of the project.

In response to a comment made by Beacco, Spallasso stated he has not prepared a cost estimate for the Coryell paving and drainage improvements that amounted to \$30,000 per household.

Ray Lacroix of 20285 Coryell specified that this is a necessity hearing. We are not hear to consider an extravagant want or the desire of a few residents to make a change for their own self interest. Council is considering a long overdue improvement to the lives of 64 residences in Coryell Estates. The residents are seeking quality improvements to how the area drains water, snow and ice as well as improvements to the roads they travel on daily. Paved roads will make it easier to travel on with vehicles, bicycles and foot traffic. Paved roads will make it easier to breathe dust-free air and keep the interior and exterior of homes cleaner and healthier. Paved roads will provide value added features to the homeowners' property.

The majority of the households in the subdivision have petitioned the Village to make these changes. No one made these decisions lightly. There is a cross section of residents who feel strongly that the paving is long overdue and now is the time to do the work. Lacroix thanked Village administration for taking the time to develop the drainage and paving proposal for their area. He thanked Council and administration for listening to the wishes of the residents both for and against this project.

James Moore of 30621 Embassy questioned the estimated cost of the project for each household in Coryell Estates.

Murphy stated that the total road and under drain cost per household considering grant money is \$10,589.88. The road portion is \$6,374.22; the cost for the under drain with grant money is \$4,215.66. Midwest Guarantee Bank will provide loans equal to prime rate, which is currently 4.75%, through Community Reinvestment Act requirements. A resident would pay an additional \$2,805.03 in interest for a total of \$13,394.91 over ten years, if the prime rate remains at 4.75%. Murphy added that residents may pay the total assessment up front or obtain their own financing.

Michele Miller of 20064 Plantation understands that the cost per household mentioned at the August 8 meeting was an estimate. A concern was expressed that Council would revisit the bidding process and the paving project if the bids came back significantly higher than the number quoted. She asked for affirmation of this.

Vicki King of 30231 Embassy thinks that it is necessary to address the roads because they were impassible most of last winter. There is no way to make the roads we have now work unless a large amount of money is spent. She is not willing to spend any money to make the road passable unless it is paved.

King understands that the swale system of drainage will work as long as no one fills in their ditch over the years. She would like to see a program where swales are inspected and property owners who fill in their swales are charged for the necessary repair work. King also hopes that there will be someone overseeing the paving project to assure that it is done properly.

Murphy stated that Village's in-house field inspector as well as Hubbell, Roth & Clark field inspectors will be overseeing the project.

Gerald Morrison of 20150 Plantation remarked that there were a series of proposals at the August 8 meeting that would have brought in additional funds to be applied against the assessment to the property owners. He questioned whether the per property assessment of \$10,600 has been reduced.

Murphy stated that he provided that information to Council, but Council members cannot deliberate outside of a public meeting. Council will consider whether to change the current policy this evening. The amount per household reflects the current policy of Council.

Julie Abear of 20305 Plantation commented that residents who attended the August 8 neighborhood meeting were concerned as to why the proposal did not include a full application of the available grant money for drainage. Secondly, about \$148,000 budgeted for road maintenance was not applied to this project to lower the cost to the individual homeowner. Abear does not understand why anyone in the neighborhood would want to pay more than necessary or fair if the paving and drainage project proceeds.

Abear stated that she has a copy of a document prepared by Hubbell, Roth & Clark dated March 7, 2001 that indicates a total cost per household of \$20,123 for the paving and drainage project with an amortization over time that takes it to a little under \$30,000. She assumes that the \$20,000 estimate from HRC last year was for the same work and questioned what is different this year. Abear thinks it would make sense for Council to consider a cap on the cost.

Spallasso explained that the HRC cost estimate of \$20,000 in March of 2001 reflected a preliminary estimate without the benefit of the design work for full storm sewer installation rather than the under drain and swale system currently proposed at a substantial reduction in cost.

There were no other comments from the public. Downey closed the public hearing at 8:22 p.m.

CONSENT AGENDA

Pfeifer asked that item b, Review and file bills recapped as of Monday, August 12, 2002, be removed from the consent agenda and placed at the end of the business agenda.

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

- a. Review and consider approval of minutes of a regular Council meeting held on August 5, 2002.

Motion passed (7 – 0).

REVIEW AND CONSIDER RESOLUTION OF NECESSITY FOR CORYELL ESTATES SPECIAL ASSESSMENT DISTRICT CONSISTING OF ROAD AND DRAINAGE IMPROVEMENTS

SPECIAL ASSESSMENT RESOLUTION

The following resolution was offered by Council Member Domzal and supported by Council Member Pfeifer:

WHEREAS, the Village Council for the Village of Beverly Hills, County of Oakland, State of Michigan, hereinafter referred to as the “Village”, has received petitions from a majority of the property owners in Coryell Estates for drain and road improvements; and

WHEREAS, the Village Council has requested the Village Manager and Public Services Director to have a report prepared containing certain public improvements as described in Exhibit A attached hereto in the special assessment district described in Exhibit B attached hereto; and

WHEREAS, the Village Council has received and reviewed the report of the Public Services Director regarding the improvements and the district; and

WHEREAS, the Village Council desires to proceed further with the improvements;

Now, Therefore, Be It Resolved That:

1. The Village Council determines the necessity of the improvements described in Exhibit A attached hereto and made a part hereof.
2. The Village Council hereby designates the special assessment district, consisting of the lots and parcels of land more particularly described in Exhibit B attached hereto and made a part hereof.
3. The Village Council determines that the special assessments shall be made according to the benefits derived by said properties. The Village Council further finds that the benefits received by the properties within the proposed special assessment district are proportional to the cost of the improvements to be assessed against such properties.
4. The Village Council has met in the Village Hall Chambers At 18500 W. Thirteen Mile Road, Beverly Hills, Michigan, 48025, on Monday August 19, 2002, at 7:30 o'clock p.m., Eastern Daylight Savings Time, at which time and place the Village Council heard comments and objections to the proposed improvements of the special assessment district therefore.
5. The Village Clerk has caused notice of such hearing to be published at least twice prior to said hearing in the Birmingham Eccentric, a newspaper of general circulation in the Village, the first publication to be at least ten (10) full days before the hearing, and has caused notice of said hearing to be mailed by first-class mail to all record owners of or persons in interest in property in the special assessment district as shown on the last general tax assessment roll of the Village at least ten (10) full days before the date of said hearing. Said notice shall be substantially the following form:
6. Any aggrieved property owner may contact this special assessment by instituting an action under the Michigan Tax Tribunal Act, 1973 PA 186, MCL 205.701. et seq.
7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

The entire resolution with attachments and exhibits are available for review at the Village offices.

Council discussed the proposed improvement project for Coryell Estates. Council members expressed disappointment that there was misinformation spread that mislead some of the population of Coryell Estates.

Stearn provided background information explaining why cost estimates have dropped significantly. He recalls that a petition was submitted from Coryell Estates residents almost four years ago for paving and drainage improvements. The preliminary cost estimate for the project was approximately \$20,000 at that time, which was unsatisfactory to the homeowners.

Over the course of four years, Council chipped away at that number. It eliminated the need for sewer system improvements in that area and changed the policy requiring curbs and gutters. Murphy and Spallasso applied for state and federal grants to reduce the cost of the drainage project, and received approval for \$200,000 in matching grant money. Council also made a policy decision to contribute not only 20% of the cost of the improvements but to also contribute an amount equal to the cost of re-ditching. There will also be a cost savings for paving Coryell Estates and Hummel Court together.

The 20% Village contribution has been questioned. It was noted that everyone else in the Village has paid for their roads either through a special assessment or the cost was included in the price of their home. The 20% contribution from the Village comes in recognition that the Village will be saving maintenance costs. There was agreement that the policy for Village contributions to public improvements has served the Village in the past and should not be changed.

Pfeifer commented that she has discussed the impact of unimproved roads on house resale value with three realtors. She was told that the first question of prospective buyers are whether the area has sidewalks and paved roads. Fifty percent of the market is lost when you live on an unimproved road.

Council did not question that the majority of the residents in Coryell Estates want paved roads based on the petitions. It was suggested that Council's job is to do what is best for the Village, and that is one of the factors to be considered. The point was made that Beverly Hills is not a rural community and dirt roads do not support current day uses.

Council thanked administration for the efforts made on behalf of Council and the residents in preparing this proposal and for making other financing option available to residents. Support was voiced for the proposed improvements and the creation of a special assessment district. Council members indicated that they would be in favor of reconsidering the necessity of a special assessment district if the bids come in significantly higher than the anticipated \$10,600 per household.

John Witoszynski of 20070 Coryell commented that he met with Murphy last week regarding the \$200,000 matching grant for drain improvements. He understands that the grant application was based on needs of Coryell Estates. Rather than lose the grant because the improvements were in question, the grant was subsequently amended. Witoszynski stated that he had a copy of a fax sent

by Renzo Spallasso that indicates that the estimated cost for the project is \$30,000. He handed the document to Spallasso.

Spallasso indicated that the fax referred to by Witoszynski is a copy of a March 14, 2001 amortization chart that lists a loan and principal amount for \$20,123. It was sent to Ray Lacroix. Spallasso remarked that the Village is dealing with estimated costs, not with amortization loans.

Spallasso outlined the bid process. If Council approves special assessment districts for Coryell Estates and Hummel Court, he will direct Hubbell, Roth & Clark to advertise for the projects. Bids will be received and evaluated. If a qualified low bid is within the estimated numbers, administration will make a recommendation to Council to award the contract to that company and proceed with the construction. If the low bidder is 10-20 percent higher than anticipated, he will bring the matter to Council for further discussion on whether to proceed with the project.

In answer to an inquiry, Murphy clarified that the entire \$200,000 matching grant is being applied towards the Coryell Estates drainage project. He explained the calculations that resulted in \$117,118 or 58% of the grant being credited towards the homeowners' cost and 42% of the grant going towards the Village's contribution.

Vote on Motion:
Motion passed (7 – 0).

REVIEW AND CONSIDER RESOLUTION OF NECESSITY FOR HUMMEL COURT SPECIAL ASSESSMENT DISTRICT CONSISTING OF ROAD AND DRAINAGE IMPROVEMENTS

SPECIAL ASSESSMENT RESOLUTION

The following resolution was offered by Council Member Domzal and supported by Council Member Mooney:

WHEREAS, the Village Council for the Village of Beverly Hills, County of Oakland, State of Michigan, hereinafter referred to as the "Village", has received petitions from a majority of the property owners on Hummel Court for drain and road improvements; and

WHEREAS, the Village Council has requested the Village Manager and Public Services Director to have a report prepared containing certain public improvements as described in Exhibit A attached hereto in the special assessment district described in Exhibit B attached hereto; and

WHEREAS, the Village Council has received and reviewed the report of the Public Services Director regarding the improvements and the district; and

WHEREAS, the Village Council desires to proceed further with the improvements;

Now, Therefore, Be It Resolved That:

1. The Village Council determines the necessity of the improvements described in Exhibit A attached hereto and made a part hereof.
2. The Village Council hereby designates the special assessment district, consisting of the lots and parcels of land more particularly described in Exhibit B attached hereto and made a part hereof.
3. The Village Council determines that the special assessments shall be made according to the benefits derived by said properties. The Village Council further finds that the benefits received by the properties within the proposed special assessment district are proportional to the cost of the improvements to be assessed against such properties.
4. The Village Council has met in the Village Hall Chambers At 18500 W. Thirteen Mile Road, Beverly Hills, Michigan, 48025, on Monday August 19, 2002, at 7:30 o'clock p.m., Eastern Daylight Savings Time, at which time and place the Village Council heard comments and objections to the proposed improvements of the special assessment district therefore.
5. The Village Clerk has caused notice of such hearing to be published at least twice prior to said hearing in the Birmingham Eccentric, a newspaper of general circulation in the Village, the first publication to be at least ten (10) full days before the hearing, and has caused notice of said hearing to be mailed by first-class mail to all record owners of or persons in interest in property in the special assessment district as shown on the last general tax assessment roll of the Village at least ten (10) full days before the date of said hearing. Said notice shall be substantially the following form:
6. Any aggrieved property owner may contact this special assessment by instituting an action under the Michigan Tax Tribunal Act, 1973 PA 186, MCL 205.701. et seq.
7. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

The entire resolution with attachments and exhibits are available for review at the Village offices.

In response to a question regarding the schedule for Hummel Court improvements, Spallasso stated that the Hummel Court improvements will be addressed first. The under drain system will be installed during this construction season and possibly the paving. The people on Hummel Court have been patient, and Spallasso will do everything possible to expedite the process.

Roll Call Vote:

Motion passed (7 – 0).

SECOND ANNOUNCEMENT ON A VACANCY ON THE PATHWAYS COMMITTEE

Domzal made a second announcement to fill the vacancy on the Pathways Committee. Applications for this position will be accepted through Friday, August 23 at 5:00 p.m. Residents can pick up an application at the Village office or on the Village web site. A committee of Domzal as chair,

Mooney, and Pfeifer will meet at 7:15 p.m. prior to the September 3 Council meeting to consider the applications.

Domzal outlined a proposed Pathways Schedule:

- | | |
|----------|--|
| 8/23/02 | Deadline for Pathways Committee Applications |
| 9/3/02 | Council Meeting:

Appointment of Pathways Committee Member

Receipt of Administration report on open issues (maintenance policy/priorities, 14 Mile/Evergreen corridor, pathways materials on Evergreen, 13 Mile Road pathway placement)

Public notice of hearing to be held on re-including Evergreen portion in Pathways Plan |
| 9/9/02: | Pathways Committee meets to prepare proposed ballot language (separate versions with and without maintenance figures) |
| 9/17/02: | Council meeting: Council discussion on maintenance program |
| 10/7/02: | Council Meeting:
Public Hearing on inclusion of Evergreen in Pathways Plan

Vote on Evergreen issue

Vote on funding of maintenance program

Vote on repair policy

Vote on millage and ballot language |

Domzal noted that the Village Clerk has indicated that ballot language must be finalized by the November 18, 2002 Council meeting.

REVIEW AND FILE BILLS RECAPPED AS OF MONDAY, AUGUST 12, 2002

Clarifications on several bills were made by Pfeifer. Questions from the audience were addressed.

Motion by Pfeifer, seconded by Schmitt, that the bills recapped as of Monday, August 12, for a period from 7/30/02 through 8/12/02 be approved in the total amount of \$1,198,636.58.

Motion passed (7 – 0).

DISCUSSION ITEMS

DISCUSS ORDINANCE PROHIBITING POSSESSION OR CONCEALMENT OF WEAPONS

Stearn related that the state passed a new law relative to the carrying of concealed weapons (CCW), changing some of the prevailing standards. The City of Ferndale recently passed an ordinance prohibiting the carrying of concealed weapons in public buildings and public parks. Council

members have received a copy of the Ferndale ordinance. Stearn is asking Council to consider a similar ordinance in Beverly Hills. He raises this as a discussion item.

Stearn stated that the new CCW state law did not prevent people from bringing a gun into court. The State Supreme Court mandated that concealed weapons cannot be brought into any court in the state. The Michigan Court of Appeals has now ruled that the Ferndale City ordinance is constitutional, but there is a debate that this ruling may be overturned in the Michigan Supreme Court.

Domzal expressed the view that the proposed ordinance is worth exploring. He suggests that it would generate controversy and could become a difficult issue. Domzal requested further information before consideration of the ordinance. Mooney also requested additional information before she voices an opinion on the ordinance proposed. Schmitt asked for a copy of the Michigan Court of Appeals opinion and would like information on whether the Ferndale ordinance is going to be appealed.

Pfeifer stated that she will be attending a seminar in September given by the Michigan Municipal League on the CCW law. The seminar will address how municipalities are handling this. She does not see the necessity to act quickly on adopting an ordinance in Beverly Hills. Pfeifer added that the area of enforcement of this ordinance concerns her.

Woodrow does not think that there is a necessity for an ordinance of this nature in the Village. The new Michigan CCW law makes it more open for people to obtain a CCW license, but restricts the places people can carry a weapon. It is his view that Beverly Hills does not need to further limit those areas that the state has already set forth. Woodrow does not think this topic needs to be discussed on this local level and is reluctant for the Village to enter into a national debate.

Downey commented that he does not perceive a problem in the Village that would warrant this ordinance and concurs that this is a national issue that he does not want to address.

Stearn stated that he will drop this issue due to the lack of support on Council.

PUBLIC COMMENTS

Sharon Tischler of 21415 Virmar Court asked if the Beverly Park renovations included an irrigation system for the new landscaping. She observed that shrubbery has been lost.

Murphy responded that an irrigation system has not been installed as part of this project, and the contractor is responsible for replacing all dead plantings.

Murphy and Spallasso addressed a question from Tischler on the grant application for drainage improvements for Coryell Estates.

Tischler understands that each of the homeowners in the special assessment districts discussed this evening will pay the same amount of money regardless of their front footage. She asked if this differs from past policy.

Spallasso answered that special assessments districts have been assessed by individual lots for 20 years. The total amount to be assessed is divided by the number of properties. He recalled that special assessments were originally assessed based on front footage until the mid 1980's. It became difficult to be fair based on front footage with respect to paving of gravel roads, sump pump projects, and water main projects.

Ed Missavage of 30001 Lahser related that he observed a project on Murray Crescent Drive in the City of Southfield near Southfield Road. He ascertained from the City of Southfield engineering department that there is construction on that street to improve drainage by connecting to the Wilcox Drain.

Missavage provided some history of the Wilcox Drain constructed in 1975. The drain stops south of Hilltop Court near his property. He understands that there were to be no additions to the capacity of the Wilcox Drain. Missavage is concerned that the project in Southfield will adversely affect his property increasing the existing erosion of his land into the Rouge River.

Spallasso will check with the City of Southfield engineering department regarding this project and pass along any useful information to Mr. Missavage.

REPORTS

MANAGER

Murphy stated that administration will present Pathway Plan issues at the September 3 Council meeting as outlined by Domzal.

The next concert in the park is scheduled for Sunday, August 25. The first band is scheduled to begin playing at 6:00 p.m. and the last band will perform until 10:00 p.m. There will be four youth bands in addition to the main feature, The Millionaires.

Downey asked for an update of the Village's construction season. Spallasso reported it has been a good construction season with a substantial amount of work done. All projects are basically completed. The resurfacing program is ending with a portion of Sylvan Lane, which was also under construction for water main replacement. Park improvements are being finalized. The design work and easement requirements for the Acacia relief sewer are proceeding with construction scheduled to begin in 1-1½ years.

Spallasso understands that the Fourteen Mile Road reconstruction is about five to seven weeks behind schedule. The County's completion date for reopening 14 Mile Road on November 15 is questionable.

COUNCIL COMMENTS

Domzal suggested that Detroit Country Day School do a better job of cleaning up the site in the vicinity of Lahser and Hillview north of the field hockey area. Spallasso responded that he recently spoke with the headmaster, who indicated that they are working on this area.

Domzal would like to proceed with Village entryway signs. A prototype sign was installed at 13 Mile and Southfield on a trial basis. It was determined that the proposed sign is not large enough. Schmitt related that this was brought up at the last Planning Board meeting.

Stearn announced that the Retirement Board will meet tomorrow night at the public safety building at 7:30 p.m.

Mooney asked everyone to watch out for children returning to school in a week, particularly due to construction work in many surrounding areas.

Pfeifer announced that the Birmingham Area Seniors Coordinating Council (BASCC) will meet tomorrow at 1:30 p.m. at Midvale School. There will be a Birmingham Area Cable Board (BACB) meeting on Wednesday, August 21 at 7:45 a.m. in the Village municipal building. In answer to an inquiry, Pasioka stated that there will be an article in the next issue of the Villager newsletter regarding the special offers and coupons issued to cable users from Comcast as a result of the settlement that the BACB reached with Comcast in lieu of pursuing liquidated damages for defaults.

Pfeifer will attend the Michigan Municipal League (MML) Annual Convention in September as the Village's voting representative. Council members are in receipt of a copy of the MML Legislative Policies. Pfeifer asked Council to contact her with any input on these items, which will be adopted at the conference.

Pfeifer related statistics on voter turnout at the August 6 Primary Election provided by Township Clerk Tischler.

Schmitt reported that the Planning Board is continuing to work on the 14 Mile Road corridor plan implementation. The timetable and schedule of meetings relative to that study will be revised to reflect a canceled Planning Board meeting. The focus group meeting set for September 25 will now be October 9 at best. Interested parties should contact Village building official Dave Byrwa for updates.

Schmitt reviewed that the state passed a new Coordinated Planning Act, which requires all municipalities to re-evaluate their master plans every five years. Any master plan revisions that take place after January 1, 2003 must comply with the requirements of the Act with respect to notice and review procedures. With that in mind, the Planning Board will review the current master plan so that it can be adopted before the end of this year.

Woodrow commented that the engraved brick walkway in Beverly Park is completed and looks good. The sled hill project is moving forward. He expects a recommendation from the Parks and Recreation Board on construction plans shortly.

Woodrow congratulated Daniel O'Brien on his success in the Primary Election. He will be running for Oakland County Circuit Court judge.

Downey recognized Dave Domzal and Paul Kleppert for their ongoing work on pathways. Downey would like to schedule a Council study session in September to discuss status of priority items. Council will be polled for their availability.

Motion by Pfeifer, seconded by Woodrow, to adjourn the meeting at 10:00 pm.

Motion passed (7 – 0).

Doyle Downey
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary