

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
Director of Public Safety, Woodard
Village Attorney, Ryan

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

Motion by Pfeifer, seconded by Domzal, to approve the agenda as published.

Motion passed (7 – 0).

RECOGNITION OF TODD STEARN

Downey announced that tonight is Todd Stearn's last Council meeting since he has chosen not to run for re-election. On behalf of the Village, Downey presented Stearn with a framed certificate of appreciation in recognition of his dedicated service as Council member from March of 1999 to March of 2003. Stearn thanked everyone for the acknowledgment.

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

John Mooney of 19111 Devonshire thanked Todd Stearn for his service over the past four years. He commented that Stearn has wrestled with some difficult issues during his tenure and has always voted his conscience and what he believes is best for Beverly Hills. Stearn has shown concern for all members of our community. He has demonstrated outstanding leadership both as a member of Council and Council president as well as bringing a sense of humor to the table.

Daniel McCleary of 19610 Wilshire introduced himself as a Council candidate. He commented that he supports the sidewalk ballot proposal and is concerned about many other issues. McCleary invited residents to contact him with any questions.

Toni Grinnan of 1 Stonehouse Lane thanked Stearn for his service on Council. She expressed her appreciation to the community for their fantastic support of the first Groves High School Home Tour to raise funds for a worthy cause.

Bruce Wayne of 25 Riverbank commented briefly on plans that came before a former Council for the Westwood Commons development with respect to requirements for sidewalk construction.

Andy Craig of 31239 Sunset, who served on Council with Todd Stearn, thanked him for his contributions to the Village. Craig thanked the two Council members who are running for re-

election for their continuing interest in serving the Village. He thanked the other two candidates for vying for a seat on Council. He urged all residents to come out and vote next Monday.

Gladys Walsh recognized Todd Stearn for doing an excellent job on the Council and for reminding us that there are other ways of looking at situations. She thinks that it is healthy to have lively discussions and differences of opinion in order to reach a better understanding and have a better community.

Walsh inquired about the processing of absent voters' ballots. She questioned the internal controls in place to maintain the confidentiality of an absent voter ballot from the time it is received until it is inserted into the electronic voting system. She also asked if there is confirmation that the absent voter ballot was received.

Murphy addressed questions on the processing and confidentiality of absent voters' ballots, noting that the Village's system is in keeping with all election law requirements. Walsh was advised to direct additional questions to the Village Clerk.

Walsh questioned why the Village Clerk does not attend all Council meetings as proscribed by the Charter. She could have been present tonight to address election issues. Murphy responded that the primary purpose of having the Clerk present at Council meetings is to take minutes of meetings. The minute taking responsibility of the Clerk is provided by Susan Bernard.

A number of people came forward and presented a case either for or against the sidewalk millage ballot question that will come before the electorate on March 10.

The following residents expressed opposition to the ballot proposal that would finance construction of sidewalks on major roads in the Village.

Soter Art Liberty	20850 W. 13 Mile Road
Bill Johnson	31805 Evergreen Road
Rose McLennan	19977 Sunnyslope
Leanne Toth	21605 W. 13 Mile Road
David Shelton	20835 W. 13 Mile Road
Bob Walsh	20655 Smallwood Court
Randy Munguia	31736 S. Verona
Bunker Kelly	21526 Corsaut Lane

Those present who voiced their support of the dedicated millage to implement the Pathways Plan were as follows:

Paul Kleppert	20855 W. 14 Mile Road
Andrew Koltonow	32954 Longbow
Pam Murdock	30414 Georgetown
Bruce Wayne	25 Riverbank
Anne Hammond	32848 White Oaks Trail
Andy Craig	31239 Sunset

Ingrid Haddock	32780 White Oaks Trail
Toni Grinnan	1 Stonehouse Lane
Dennis Page	30470 Lincolnshire East
John Mooney	19111 Devonshire

Motion by Mooney, seconded by Domzal, to call a brief recess at 10:00 p.m.

Motion passed (7 – 0).

The meeting reconvened at 10: 08 p.m.

CONSENT AGENDA

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

- a. Review and consider minutes of a regular Council meeting held on February 18, 2003.
- b. Review and file bills recapped as of Monday, February 24, 2003.

Motion passed (7 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER SUBCOMMITTEE RECOMMENDATION TO FILL VACANCY ON THE PLANNING BOARD

Schmitt reported that a subcommittee consisting of Stearn, Woodrow and himself as chair met earlier this evening to review applications to fill a vacancy on the Planning Board. After considering a number of qualified candidates, the subcommittee voted unanimously to recommend the appointment of Elizabeth Landsman of 16247 Wetherby to the Planning Board.

Motion by Schmitt, seconded by Woodrow, that Elizabeth Landsman be appointed to the Planning Board to fill the remainder of the term expiring on June 30, 2004.

Roll Call Vote:

Motion passed (7 – 0).

REVIEW AND CONSIDER FIVE YEAR CAPITAL IMPROVEMENT PLAN

Motion by Woodrow, seconded by Mooney, to table the presentation of the Five Year Capital Improvement Plan to a future Council meeting.

Roll Call Vote:

Motion passed (7 – 0).

REVIEW AND CONSIDER CANDIDATE TO FILL VACANCY ON THE RETIREMENT BOARD

At its last meeting, Council considered Downey's recommendation to appoint Donald O'Connell of 20900 Smallwood to the citizen position on the Retirement Board. Approval of the appointment was tabled until tonight's meeting to provide an opportunity for Council members

to interview the candidate for this important position. It was noted that Mr. O’Connell attended the February 25 meeting of the Retirement Board.

Downey remarked that another application for this position was received from Frank S. Arvai after the close of the application period.

Downey affirmed that he is satisfied with Don O’Connell’s qualifications for the position and his commitment to serve the community.

Motion by Schmitt, seconded by Mooney, to appoint Donald O’Connell of 20900 Smallwood to the Retirement Board to fill the remainder of a term expiring on June 30, 2003.

Stearn commented that he spoke with O’Connell and is satisfied that he will be a valuable asset to the Pension Board.

O’Connell stepped forward to introduce himself and comment on his qualifications for the position of Retirement Board member.

Roll Call Vote:
Motion passed (7 – 0).

REVIEW AND CONSIDER PROPOSALS FOR 2003 DUST CONTROL SERVICES

Bids were solicited for the Village’s 2003 seasonal dust control needs on gravel roads. Three contractors bid on the Calcium Chloride service and one contractor bid on the Asphalt Emulsion treatment. Half of the cost of this service is assessed to benefiting property owners with the balance paid by the Village’s local road fund.

Suburban Oil Company is the low bidder for Calcium Chloride at \$0.375 per gallon, and Highway Maintenance Company is the low bidder for Asphalt Emulsion. Both vendors have served the community well in the past. These bids do not reflect an increase from last year’s price.

Motion by Pfeifer, seconded by Domzal.
Resolved that the Village of Beverly Hills Council award the 2003 Calcium Chloride Dust Control Program to Suburban Oil Co. at \$0.375/gallon and the 2003 Asphalt Emulsion Program to Highway Maintenance Company at \$0.35/gallon to be charged to account number 203-463-936.01.

Roll Call Vote:
Motion passed (7 – 0).

PUBLIC COMMENTS

W. A. Zimmerman of 22191 Camelot Court stated that it has been estimated that the Village receives approximately \$200,000 a year from franchise fees paid by Comcast. He invited Council to consider using these franchise fees to finance sidewalk construction, particularly to complete the sidewalk along Lahser Road.

Bunker Kelly of 21526 Corsaut inquired about plans for funding the water main improvement program, which was addressed by Manager Murphy. This capital improvement will be discussed further during a presentation of the Five Year Capital Improvement Plan, which was tabled until an upcoming meeting.

Gladys Walsh of 20655 Smallwood Court commented on the prolonged debate over the sidewalk issue and commended Council for permitting this discussion during the public comment portion of its meetings. She hopes that the viewing audience and those present are able to separate the theatrics from the basic facts and underlying issues that face the residents. She commented on safety issues versus the rights of fellow citizens.

REPORTS

MANAGER

Murphy reminded everyone that the polls open at 7:00 a.m. on Monday, March 10 and close at 8:00 p.m.

The first day Village residents may schedule pavilion rentals is Wednesday, March 5th at 8:30 a.m. at the Village office. There are punch list items that remain from last year's park construction work, but it is not anticipated that construction will interrupt pavilion rental and availability.

COUNCIL COMMENTS

Council members thanked Stearn for his years of service on the Council. They enjoyed working with him and will miss his candid approach to Village issues and his sense of humor.

Council members voiced their individual views on the sidewalk ballot proposal and encouraged everyone to come out and vote on Monday.

Pfeifer stated that she has worked on election boards for many years and can assure residents of the integrity of the Village's handling of absent voters' ballots. She outlined the process.

Stearn stated that his message to the residents of the Village is to get involved. He urges citizens to step forward and make a commitment to serve on the boards and committees. Stearn thanked everyone who sits at the Council table for being involved in the community, because it can be a thankless job. He also thanked all board and committee members for their service.

Although Council members do not always agree with each other, Stearn believes that we are all here for the same reason, which is to do the best job we can and make the best decisions we can. His message for incoming council members is to make their own decisions and do what they think is right no matter how unpopular that may be.

Stearn thinks that this Council has done a good job, in general, over the last four years. There was much accomplished, and the Village is moving in the right direction. He mentioned four areas that he thinks Council needs to address over the next several years. 1) The first priority of the Village should be maintenance of the infrastructure. Stearn suggests that the capital

improvement plan extend over a ten-year period; 2) Stearn thinks it is time to reconsider the village versus city status; 3) Council should look at the management of the Public Safety Department Pension Fund and consider a study to determine whether the portfolio is meeting threshold levels. Stearn thinks the fund would benefit by a professional manager who would oversee the entire fund; 4) Stearn suggested that the Village consider a change in planning consultants.

Stearn stated that it has been his honor and pleasure to work with the Village Administration, especially Brian Murphy, Karl Woodard and Renzo Spallasso.

Schmitt congratulated volunteers Elizabeth Landsman and Donald O'Connell on their Board appointments.

Mooney announced that she received word today that the Birmingham School Board has decided against placing another bond issue on the ballot in June.

Downey commented on the heavy use of the sled hill in Beverly Park and noted that plans for improvements to the sled hill are being addressed by the Parks and Recreation Board.

Downey mentioned that this is the end of a Council session, and he believes that last year was a good year for this Council. A Village-wide drainage study was conducted, paving and drainage improvements were initiated in Coryell Estates and on Hummel Court, Village signage was undertaken, a civil infraction ordinance was adopted, and the implementation of the Pathways Plan was addressed. Downey is proud of this Council's record.

Motion by Mooney, seconded by Domzal, to adjourn the meeting at 11:02 p.m.

Motion passed (7 – 0).

Doyle Downey
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary