

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

Absent: None

Also Present: Village Manager, Murphy
Public Services Director, Spallasso
Director of Public Safety, Woodard

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

Motion carried.

PUBLIC COMMENTS

Douglas G. Bandol, resident of the Woods of Turnberry development, stated that he has provided correspondence to the Village regarding his concerns about the completion of that development and has met with Manager Brian Murphy on this topic. Bandol submitted a formal letter to all officers of the Village of Beverly Hills and Council members, in which he states the problem and asks for support in resolving the matter.

Norman Rubin of 31020 Rivers Edge Court asked questions on issues discussed at the last Council meeting. He referred to Council approval of a preliminary site plan submitted by Jahn Construction. Questions on the advantages and disadvantages of a private road to the homeowner and to the Village were addressed by Spallasso. Private roads must be built to the Village's specifications; however, the responsibility for maintaining private roads is born by the developer until it is assumed by the neighborhood association. Inquiries on planning consultant fees for a proposal to update the Village Master Plan were addressed by Council.

Rubin commented favorably and thanked Spallasso for directing the Village's paving contractor to replace pavement on Rivers Edge Court.

CONSENT AGENDA

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

- a. Review and consider minutes of a regular Council meeting held on July 8, 2003.
- b. Review and file bills recapped as of Monday, July 14, 2003.
- c. Review and consider annual funding request from Birmingham Youth Assistance.

Motion carried.

BUSINESS AGENDA

REVIEW AND CONSIDER APPLICATION FOR SMART FISCAL YEAR 2004 MUNICIPAL AND COMMUNITY CREDIT AGREEMENT

Before Council for consideration is the contract from the Suburban Mobility Authority for Regional Transportation (SMART) for financial assistance to support public transportation programs in Beverly Hills. Council will consider action authorizing the Village to enter into a contract with SMART for fiscal year 2004 (July 1, 2003 through June 30, 2004) to accept the funds and allocate them in accordance with the terms of the contract. It is proposed that the funds will be allocated to the Birmingham Area Seniors Coordinating Council (BASCC) to be used for transportation related services.

The amount of funding available to the Village from the SMART program is approximately \$22,000 allocated under two separate programs, the Municipal Credit Program in the amount of \$9,833 and the Community Credit Program in the amount of \$12,642. Part of the reason for the increase in the allocation from SMART is related to the 0.66 millage tax that was approved in August of 2002 in Wayne, Oakland, and Macomb counties.

The amount of funding available to Beverly Hills through the Municipal Credit Program is \$9,833. It is recommended that \$2,499 be designated to the BASCC's transportation program and \$7,334 be allocated to the SMART Connector and Dial-A-Ride services (\$3,667 is mandatory). The amount of funding available to the Village through the Community Credit Program is \$12,642. It is recommended that this entire amount be allocated to BASCC for its transportation program. This brings the total allocation for BASCC up to \$15,141.00. BASCC uses this money for operation, maintenance, and repair expenses as well as wages for its Senior Citizen Van Program that services those unable to provide their own transportation. The program offers door-to-door pick up with two-day advance notice. BASCC estimates that its annual costs for operating the Van Program are \$47,000, and current records indicate that 25% of their van users are Beverly Hills residents.

Motion by Pfeifer, seconded by Woodrow.

Resolved to authorize the Village Manager to enter into a Municipal Credit and Community Credit Contract for fiscal year 2004 between the Suburban Mobility Authority for Regional Transportation (SMART) and the Village of Beverly Hills under which contract the Village would accept \$9,833 in Municipal Credits and \$12,642 in Community Credits to be allocated as set forth in the contract.

Mooney encouraged better use of the funds for handicapped residents. Murphy related that he spoke with a representative from SMART and received encouraging news that Beverly Hills can coordinate services with other area Dial-A-Ride regions to provide transportation beyond the boundaries of the Village's service area. Changes in current policies are expected.

In answer to a question, it was indicated that SMART credit could not be allocated to the General Fund if it were not allocated to BASCC. Members of Council requested figures in terms of Beverly Hills residents' usage of these community service programs.

Roll Call Vote:
Motion carried.

SECOND READING AND POSSIBLE APPROVAL OF ORDINANCE #316 ADDING CHAPTER 11 TO THE MUNICIPAL CODE ENTITLED RETIREE HEALTH CARE

This is the second reading of Ordinance No. 316, An Ordinance to Create a Retiree Health Care Benefits Plan and Trust Under Section 501 (c) (9) of the Internal Revenue Code of 1986, as amended, for eligible Public Safety Dispatchers, Public Safety Officers, Public Safety Sergeants, Public Safety Lieutenants and Building and Finance Clerks. A complete copy of the ordinance is on file for public review at the Village offices and will be published in the Eccentric newspaper.

Motion by Pfeifer, seconded by McCleary.
Resolved that the Village of Beverly Hills Council adopt Ordinance No. 316.

Sharon Tischler of 21415 Virmar Court asked for clarification on specific sections of the ordinance, which was provided by Manager Murphy.

Roll Call Vote:
Motion carried.

REVIEW AND CONSIDER PROPOSALS FOR SEASONAL SALT REQUIREMENTS

Quotes were solicited for the Village's 2003/2004 salt needs. Bids were received from Morton Salt at \$29.51/ton and from Detroit Salt at \$32.32/ton. The Village purchased 634 tons of salt last year.

Motion by McCleary, seconded by Pfeifer, to accept the quote from Morton Salt in the amount of \$29.51 per ton of salt delivered to the Village's DPW yard for the 2003/2004 seasonal needs.

Domzal remarked that it is disappointing that a local business, Detroit Salt, did not submit the low bid.

Roll Call Vote:
Motion carried.

REVIEW AND CONSIDER EMERGENCY RESPONSE VEHICLE INTERLOCAL AGREEMENT

Oakland County has purchased specialized Emergency Response Vehicles, one Decontamination Trailer and three Hazardous Materials Vehicles. In order to access these vehicles, the Village is being asked to enter into an Emergency Response Vehicle Interlocal Agreement. Mooney read portions of the Agreement.

Motion by Mooney, seconded by Pfeifer.
Resolved that the Village of Beverly Hills Council authorize administration to enter into the Emergency Response Vehicle Interlocal Agreement with Oakland County.

Questions from Council were addressed by Director Woodard. Beverly Hills is a member of a consortium encompassing the southeast corner of the county. The Public Safety Department will be working with the Troy Special Response Unit, and the particular vehicle that will respond to our department will be stored in Troy.

All Beverly Hills Public Safety Officers have received 24 hours of basic first responder hazardous materials training. Two officers serve on the Special Response Unit and have received a higher level of training in hazardous materials. The two Beverly Hills officers would respond with the unit when the team is called out.

An Interlocal Agreement is required for the Department's use of this equipment due to its purchase with federal funds. The Village Attorney has reviewed the Agreement and finds it acceptable.

Roll Call Vote:
Motion carried.

PUBLIC COMMENTS

Bunker Kelly of 21526 Corsaut Lane expressed enthusiastic support for a proposal before Council to conduct a village-wide strategic plan. He suggests that it is forward thinking not to wait for an election to ask for input from Village residents. Kelly believes that the study will serve as a guide to help lead the Council and the Village into the future.

REPORTS

MANAGER

Murphy remarked that the first concert in the park was a huge success. The change to Wednesday evenings and the extra publicity brought out a large crowd to listen to the Sun Messengers last week. The next concert scheduled for July 23rd at 7 p.m. will feature the John D. Lamb Band. Bobby Lewis and the Crackerjack Band will put on a show on July 30th. A teen band night is scheduled for August 20th.

There will be more activity in the south end of Beverly Park as the contractor begins work on installing a railing system on the sled hill. Volunteers will construct steps later this fall. Murphy will keep Council informed on this project.

The season's asphalt road work is gearing up. The contractor expects to begin work before the end of the month, weather permitting. Concrete road work for the summer is in progress and should wrap up before the end of the month.

Murphy announced that the Village anticipates offering residents the option to pay their water and sewer bills by Direct Payment starting this Fall. It is expected to complete the system testing by September and begin the service shortly thereafter. Information on this service will be published in the Fall issue of the Villager Newsletter.

Woodrow asked if water and sewer payments could be made online. Murphy responded that the program offered by the Village will entail a direct withdrawal from a resident's bank account. Staff has not researched online payment or who would pay the administrative fee charged against credit card payments. It was thought that a direct pay plan would accomplish what residents are seeking while minimizing the Village's costs. Domzal remarked that Village bills can be paid electronically through various programs and service providers.

Schmitt recalled that, at a joint meeting with the Planning Board held on May 14, 2003, Council directed the new planner to come up with a proposal to address electronic signage in the Village. Murphy will follow up on the status of this project.

COUNCIL

Pfeifer informed Council that the Birmingham Area Seniors Coordinating Council (BASCC) Board has produced an evocative new video that explains the BASCC operation and the services it offers. She has suggested to the Birmingham Area Cable Board that the video be shown on the consortium's public access channel. Pfeifer proposed that either the 12 or 15-minute version of the tape be played at a Council meeting. The Birmingham Area Cable Board elected its officers for the coming year at its Wednesday, July 16 meeting.

Pfeifer related that last week's concert in Beverly Park was very enjoyable. She also attended retired Public Safety Officer Dan Gosselin's retirement party. Pfeifer commended him on his outstanding service to the Village.

Schmitt stated that the concert in the park last Wednesday was excellent. The playground was full of children; people came with picnic dinners; everyone had a great time. Schmitt thanked Parks and Recreation Board member Cynthia Nagle for organizing and publicizing the summer concerts.

Domzal would like to see some thought given towards establishing a youth advisory council for Beverly Hills for the purpose of obtaining meaningful input from the youth of our community.

Domzal introduced the subject of adopting a Village tree ordinance. He referred to a recent complaint from a resident with respect to tree removal in a subdivision. He also cited a report from the Manager on the number of diseased Ash trees in the Village that will have to be removed. Domzal has reviewed tree ordinances adopted by neighboring communities. He will formulate a proposed plan on how Council could explore adoption of a tree ordinance that would enhance the quality of life in the community by preserving and protecting trees.

Domzal voiced satisfaction with the ongoing cement repair work in the Village and noted that his neighbors in Nottingham are pleased with the work.

Domzal commented on the amount of activity and number of people in downtown Birmingham. Birmingham has become a regional entertainment center. It has occurred to him that one of the least developed areas of Beverly Hills is the area within walking distance of downtown Birmingham. Domzal thinks that there is an opportunity for development in the far northeast portion of Beverly Hills.

Domzal mentioned that there has been recent discussion about the Village becoming a city. There are four units of government involved in this debate – the three villages and the township. Now that the issue has been raised, Domzal thinks that the dialog should continue with all four entities in terms of avoiding duplication of services and achieving efficiencies where possible.

Woodrow assured residents that there are no plans to convert the tennis and basketball courts in Beverly Park into a skate park. He encouraged Council to go forward with a community strategic plan on the basis that it is important to get the pulse of what the community needs and wants.

Downey received a communication from the Oakland County Health Department regarding the West Nile Virus. The County has a hotline to answer questions relative to West Nile Virus and other items (1-800-MITOXIC). People can reach the Oakland County West Nile Virus web site through a link on the Village's web site (www.villagebeverlyhills.com).

Downey related that he has heard positive comments from residents on the new striping of Village crosswalks. He urged continued caution and safety at crosswalks.

Downey requested a brief update on code enforcement in the Village. Murphy reported that Dan Gosselin has been on the job as code enforcement officer since July 7 working four days a week. He has issued a number of violations, averaging 15-20 daily, and has received 90% compliance. The position and the response of the community has been working out well.

Downey remarked that members of Council have suggested a number of issues they are interested in pursuing. The Village contract with Baldwin Public Library is one of these topics. He related that there may be an opportunity for Council to obtain data from the library on its use by Beverly Hills residents.

A public informational meeting will be held in the Village municipal building on Saturday, August 2, 2003 from 8:30 to 10:30 a.m. to answer questions on construction of the Acacia Park Drain Relief Project scheduled to begin this fall. A notice of the meeting will be mailed to everyone directly impacted by this program.

Downey stated that Council held a study session this evening to discuss the possibility of conducting a community-wide strategic plan in Beverly Hills. Funds have been budgeted in this fiscal year to undertake a program to solicit input from residents on priority issues in order to assure that Council is providing the services that residents want and need. Preliminary discussions are being held to identify the process, which may be undertaken this fall. Further information on this program will be published in the fall issue of the Villager newsletter.

Motion by Mooney, seconded by Woodrow, to adjourn the meeting at 8:28 p.m.
Motion carried.

Doyle Downey
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary