

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

Absent: Domzal

Also Present: Village Manager, Murphy
Public Services Director, Spallasso
Assistant to the Manager, Pasieka
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 Mooney, to approve the agenda as published.

Motion carried.

PUBLIC COMMENTS

Rose McLennan of 19977 Sunnyslope referred to the recently established Strategic Planning Development Committee formed to seek the opinions of Village residents relative to the future direction of the community and to draft a strategic plan for Beverly Hills. McLennan commented on the selection of members and the charge of the committee. She questioned the feasibility of the timetable set by the committee that will require the group to conduct focus groups, draft and distribute a community-wide survey, and receive and compile survey results by March. She remarked that there has not been an opportunity for the public to comment during these committee meetings.

Downey clarified that all meetings held by the Village are public meetings with public input encouraged.

Sharon Tischler of 21415 Virmar Court commented that the recently published Villager newsletter states that the Charter established a purchase limit of \$1,000 without Council approval when it was adopted in 1958. She maintains that the purchase limit was \$100 when the Charter was originally approved and was amended to \$1,000 at a later date.

Murphy replied that the fourth quarter newsletter article on proposed Charter amendments informed residents that there will be ballot questions coming up in the March election. Residents will receive more information on the Charter amendments in the March election edition of the Villager Newsletter.

Lawrence Needham of 15588 Kirkshire expressed the view that the Village planning consultant should have a presence on the Strategic Planning Development Committee on the basis of their community planning skills. Needham remarked that, while the essence of the committee is to receive public input, the public was not provided an opportunity to speak at the SPDC meeting he attended at Beverly School.

Boy Scout Michael Lauer from Troop 1024 stepped to the lectern and introduced himself. He attends Covington school and is working on his communications merit badge.

CONSENT AGENDA

Motion by Pfeifer, seconded by Schmitt, to approve the consent agenda as proposed:

- a. Review and consider minutes of a regular Council meeting held on December 15, 2003.
- b. Review and file bills recapped as of Monday, December 29, 2003.

Motion carried.

BUSINESS AGENDA

REVIEW AND CONSIDER AMENDMENTS TO BUILDING PERMIT FEE SCHEDULE

Council received a comprehensive report from administration evaluating current building permit fees. The Village last conducted a review of its building department fees in December of 2001. It was agreed at that time that the Village should analyze its permit fees biannually.

The purpose of the review was to assess the Village's current fee structure against the requirements of the Construction Code Act and compare the fees with those of neighboring communities. The Village is allowed to collect fees that equal the cost of running the department.

Pfeifer stated that the purpose of requiring building permits is to control and oversee building in the Village including improvements and additions as well as new development. Inspections are required by skilled inspectors to determine whether the work meets Village and state codes. Pfeifer communicated the content of the report.

Motion by Pfeifer, seconded by Schmitt.

Resolved to establish a schedule of fees for new permit, inspection, plumbing and sewer fees, heating, cooling, equipment and apparatus fees, electrical fees and building regulations. The fee schedule established is for the purpose of ensuring adequate inspections, plan examination and compliance with respect to the various codes and ordinances of the Village of Beverly Hills as administered by the Building Department. All fees shall be paid to the Village of Beverly Hills and are effective February 1, 2004.

Copies of the Revised Schedule of Fees are on file at the Village office for public review.

Pfeifer highlighted proposed changes in the various categories. Review of the Building, Electrical and certain other miscellaneous permit fees indicated that the current fee structure is below market. Village staff is recommending changes to those permit fees. The review showed that the Village's current Plumbing and Heating permit fees are appropriate. Pfeifer compared the proposed permit fees with those of Birmingham, Berkley, Royal Oak and Huntington Woods.

Questions from Council were addressed by administration. Council members were in support of amending permit fees to allow the Village to recoup its costs. It was indicated that adoption of the proposed fees is likely to reduce the annual shortfall from \$60,000 to \$45,000 using fiscal

year 2002 permit data. In response to a Council comment suggesting further increases in certain permit fees, Murphy stated that there is a concern that it is less likely that citizens will apply for permits if the community overprices permit fees. The purpose of requiring permits and inspections is to protect homeowners and adjacent homeowners.

Roll Call Vote:

Motion carried (6 – 0).

SET PUBLIC HEARING DATE OF FEBRUARY 3, 2004 TO REVIEW AND CONSIDER SITE DEVELOPMENT HANDBOOK

Schmitt stated that the Village Planning Board has scheduled a public hearing for Wednesday, January 28, 2004 to receive input on zoning ordinance language that will codify the Village's Site Development Handbook from guidelines to requirements. Council set a public hearing date on the proposed Site Development Ordinance for Tuesday, February 3, 2004.

REVIEW AND CONSIDER FUNDING FOR WINTER FAMILY FUN DAY

On behalf of the Parks and Recreation Board, Dan Nelson asked for Council's support and sponsorship of the Annual Winter Family Fun Day to be held in Beverly Park on Sunday, January 18 from 1:00 to 4:00 p.m. Nelson, chair of the event this year, stated that there will be all kinds of activities in the park that day including sledding, skating, hot cocoa, a fire in the pavilion fireplace, and many other winter activities. It will be an opportunity to view the improvements to the sled hill accomplished with the support of the dedicated millage and show off the new sled hill steps completed by two Eagle Scouts with the help of citizen volunteers.

Nelson reminded everyone how much fun Beverly Park can be by showing a video he shot this year during the summer concerts. The park was full of people having a lot of fun. He thinks that Winter Family Fun Day will be just as much fun.

Motion by Schmitt, seconded by Mooney, to approve the expenditure of up to \$1,500 for the Winter Family Fun Day event in Beverly Park on Sunday, January 18, 2004. These funds have been reserved in account 101-747-894, Community Action: Special Events.

Motion carried.

REVIEW AND CONSIDER AMENDMENT TO SMART FISCAL YEAR 2004 CONTRACT

In July of 2003, Council approved the Suburban Mobility Authority for Regional Transportation (SMART) contract for fiscal year 2004. At that time, \$7,334 of the Municipal Credit Program was allocated to SMART for its Connector and Dial-A-Ride services. The Village was notified that the Dial-A-Ride program has been expanded to include Birmingham and Troy. As a result, SMART is "refunding" the \$7,334 allocation for the Village to use in a different manner. It is recommended that this entire amount be allocated to the Birmingham Area Seniors Coordinating Council for its transportation program.

Motion by Pfeifer, seconded by McCleary, to authorize the Village Manager to amend the Fiscal Year 2004 Contract between the Suburban Mobility Authority for Regional Transportation (SMART) and the Village of Beverly Hills to reallocate \$7,334 from

Transportation Service Purchased from SMART to Transportation Program Operated/Administered by the Community.

Mooney commented favorably on this program's expansion beyond the Village's boundaries. She credited Donna Sykes for being a thorough and knowledgeable representative of SMART.

Roll Call Vote:
Motion carried (6 – 0).

REVIEW AND CONSIDER APPOINTMENT OF COUNCIL MEMBERS TO A SUBCOMMITTEE TO DRAFT A PURCHASING/CONTRACTS/LEASES ORDINANCE (A.K.A. CHAPTER 12 OF THE VILLAGE CHARTER)

One of the four ballot questions to be considered at the March Election will propose to amend Chapter 12 of the Charter by adopting an ordinance to determine policy relating to the purchase and sale of property, contracts, and restriction on powers to let property. It was suggested at the last Council meeting that a draft ordinance be prepared prior to the Election so that voters will understand what is being proposed. Pfeifer suggested establishing a committee to draft ordinance language for Council consideration if the Charter amendment passes.

Council members discussed the advisability of establishing a committee to draft a Purchasing/Contracts/Leases Ordinance. McCleary and Mooney volunteered to serve on this committee.

Ryan commented that knowledge and information on ballot issues are always appropriate. The voters will make their own decision on this issue. A Charter amendment is being proposed that will increase the spending limit without Council approval and thereby modernize the governance of the Village. It was emphasized that the Village Council has the ultimate responsibility for the Village's finances, and councils have always practiced fiscal restraint.

Downey suggested that the focus of the committee be expanded to prepare information to be communicated to the residents on the ballot questions. Ryan advised that the Village can distribute information but cannot advocate a position.

Motion by Pfeifer, seconded by Woodrow, to establish a subcommittee of McCleary, Mooney and Pfeifer to prepare information on four proposed Charter Amendments to be placed on the ballot for the March 2004 Election.

Council commented on the motion. Questions and comments from the following members of the public were addressed by Council and Ryan: Sharon Tischler of 21415 Virmar Court, Norman Rubin of 31020 Rivers Edge Court, and Bunker Kelly of 21526 Corsaut. It was noted that this agenda item is not focused on discussion of the benefits and advantages of changes to Chapter 12 of the Charter.

Roll Call Vote:
Motion carried (6 – 0).

PUBLIC COMMENTS

Bunker Kelly of 21526 Corsaut addressed Council as spokesperson of a community action group called Beverly Hills Citizens Forum and as president of the East Valley Woods Homeowners Association. Kelly stated that residents have questions about the purpose and mission of the Strategic Planning Development Committee. They are unanimous in wanting the SPDC to be successful in creating a good strategic plan for Beverly Hills.

Kelly related items that need to be addressed so that all residents have confidence in the results of the Strategic Planning Committee. Issues include the composition of the committee members selected and whether they adequately represent the Village. Another area of concern is involvement of the residents of the Village. Kelly suggested that homeowner associations and civic groups be asked for input on what they feel are issues facing the community. Public comments have not been part of the agenda of committee meetings. Kelly hopes that all future meetings and agendas are posted. He suggested that Council appoint a parliamentarian to this committee. There are questions about the preparation of the survey, which is the core of the committee's effort, and concern about the abbreviated timeline for conducting the survey and compiling results.

MANAGER'S REPORT

The Village will collect and chip Christmas trees this week and next week on regularly scheduled trash collection days.

The Strategic Planning Development Committee has scheduled a series of focus group meetings during the week of January 12th. The purpose of the focus groups is to help the Committee identify issues important to Village residents. The information collected from the focus group sessions will be used to develop a community-wide survey that may be sent out in February.

The annual Winter Family Fun Day is scheduled for Sunday, January 18th from 1:00 to 4:00 p.m. The Village offices will be closed on Monday, January 19 to observe the Martin Luther King Jr. holiday.

Nominating petitions are available at the Village office and are due by 4:00 p.m. on Monday, January 26. The last day to register to vote is Friday, February 6. Residents will be voting to fill four Council seats. There will be four Charter ballot questions.

Schmitt related that the State Legislature passed election laws in December that will effect when local elections are held. Ryan and Murphy will be receiving and distributing information on this legislation and its impact on Village elections and proposed Charter amendments. The legislation will not impact the March election.

Schmitt questioned whether the crew removing trees in the park will be able to work around the Winter Family Fun Day. Murphy stated that J.H. Hart will not work on the weekends. The crew will mark stumps appropriately to prevent them from being hazards.

Downey stated that people in his neighborhood observed that cardboard set out on trash collection day after the holidays was put in the garbage and not recycled. It was indicated that

there are specific guidelines for recycling cardboard. Cardboard boxes must be folded or cut into 2'x 2'x 3' pieces and tied securely in bundles of less than 60 lbs.

COUNCIL

Mooney congratulated the Murphys on the birth of their daughter Norah Delphine on December 21st.

Pfeifer commented that, based on tonight's comments from the public, it appears that the subcommittee will have to provide information to residents about the proposed Charter amendments that will allay confusion and explain what Council is trying to accomplish.

Schmitt stated that the Parks and Recreation Board will meet on Thursday, January 15. In response to an earlier comment by Mr. Kelly, Schmitt remarked that an initial decision was made that Council would not be active in meetings of the Strategic Planning Development Committee. He noted that they are public meetings and are subject to the Open Meetings Act.

The Southfield Township Board meets a week from today on Tuesday, January 13 at 8:00 p.m. at the Township building.

Schmitt commended the Pension Board and its new consultant for getting rid of the Putnam and Alliance Funds at its December 17 meeting.

Woodrow announced that the Retirement Board will meet on Tuesday, January 27 in the public safety building at 7:30 p.m.

Downey commented favorably on a condominium sign he observed on Lahser Road that resembles the style of the new Village municipal signs.

Downey referred to a January 1 Eccentric newspaper article stating that the Birmingham Public Library is considering a 10,000 SF underground addition to its building.

Downey commended administration for taking passport applications, which adds to the Village's revenue stream. Arrangements have been made to take passport applications at Groves High School on February 12.

Motion by Pfeifer, seconded by McCleary, to adjourn the meeting at 9:07 p.m.

Motion carried.

Doyle Downey
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary