

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

Absent: None

Also Present: Village Manager, Murphy
Assistant to the Manager, Pasieka
Public Safety Director, Woodard
Village Attorney, Ryan

President Domzal called the meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road. The Pledge of Allegiance was recited by all in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

Motion by Woodrow, seconded by Pfeifer, to add agenda item e, “Recognition of Eagle Scouts in the Village”.

Motion carried (7 – 0).

PUBLIC COMMENTS

Howard Schwartz stated that he has resided at 31533 Kennoway Court for 35 years. His wife Dragica has been a member of the Village Planning Board. When they and others in the area bought their property near Groves High School, they knew that there would be an occasional school football game in the fall but did not bargain on professional and league teams using the field for commercial purposes. Some time last summer, the Birmingham Board of Education decided to rent the Groves High School play areas to amateur and professional teams. The School District now has an aggressive program to book the fields as often as possible.

Schwartz described problems with light and noise pollution in a residential neighborhood at night and in the daytime. He asserted that it is unusual for this type of commercial use to take place in a densely populated residential area of Beverly Hills.

Schwartz related that the field was rented by a professional women’s soccer team last Saturday night. There was big crowd, tailgate parties with drinking, littering, and overflow parking into neighborhood streets and grass areas. Noise from loud speakers, cheering crowds and trumpeting could be heard from inside homes. Bright lights illuminated the area until after 11 p.m. Schwartz has observed that cell phone towers have been installed at the field and high intensity lights have been erected high on the towers.

Village residents are used to privacy and quiet enjoyment of their land. Schwartz was concerned about the effect on property values in the neighborhood. This situation should be stopped immediately by the School Board. He asked Council if it can do anything to help to eliminate this obvious nuisance.

Domzal commented that the initial question is one of jurisdiction and the Village's authority in this matter. He mentioned that there have been conflicts involving private use of school property particularly with respect to cell towers.

Village Attorney Ryan commented that the School District controls the facility and should be approached for relief. He suggested that Mr. Schwartz appear before a public meeting of the Birmingham School Board and explain the situation.

Domzal added that the Village will discuss this internally with staff and look into whether our ordinances would control some of the conduct. Council will respond to Schwartz at the next Council meeting with information on what jurisdiction the Village has in this matter.

Mark Melendy of 16905 Kinross Avenue presented the background related to problems with overflow parking in a residential area associated with Our Lady Queen of Martyrs church services. Vans and other large vehicles box driveway visibility and impair visibility at the Kinross/Pierce intersection. The OLQM expansion was completed in 2001 including an expanded parking area. Regular visits by Melendy to the church parking areas during services have found sufficient space for the dozen or more vehicles using the west easement of Kinross during weekend services. Requests from the pastor for members to avoid parking on the surrounding streets have been ignored.

Melendy contends that the need to regulate commercial property in a residential area and avert inconvenience is critical to the character of the Village. OLQM attendees continue to use the residential easements for parking although adequate parking exists on church property.

Melendy requests that the Village, in conjunction with completion of the SBC cable project of November 2003, approve signage to be erected restricting parking during the hours of weekend services at OLQM on the west side of Pierce between Dunblaine and Locherbie. Melendy also requests a "no parking" zone on the north side of Kinross near Pierce during church services. He thinks that the proposed signage will improve safety of children and vehicles and allow the easements to be upgraded to enhance the value of the area.

Murphy will review the situation and request for signage with staff and report back to Council.

W. A. Zimmerman of 22191 Camelot Court referred to excerpts from the Village Cable Communications Ordinance (Chapter 4 of the Municipal Code) with respect to revision of rates for services. Village Attorney Ryan informed Zimmerman that this ordinance language was abrogated by the United States Congress and that the Village has no authority or jurisdiction over cable rates.

Fred Porter of 31065 Stafford commented that the Stafford Drive drainage project was started in the winter, at which time the street and driveways were dug up and pipe was laid. The driveways have been torn up since this time. Porter related that his house is for sale and he has to explain to potential buyers why the project is not finished. He is expected to pay his share of the project in two days. Porter stated that he will not pay his expected share if the project is not completed.

Murphy stated that the contractor is waiting for the weather to improve in order to complete the restoration work. The restoration will be completed in full prior to Memorial Day. The Village wanted to give residents the opportunity to pay for the project in full before the assessment goes on their tax rolls. Unfortunately, the payment is due prior to completion of the project.

James Delaney of 18129 Riverside Drive, member of the Birmingham Area Cable Board, stated that there has been discussion about televising Southfield Township Board meetings if the Township agrees. Considering the cost of wiring a room for cable television, Delaney asked Council to consider whether it would consider allowing the Township to use its meeting room so that Township meetings could be televised.

Delaney commented on the contracts between the Village and Township to provide public safety services to Acacia Park Cemetery and The Corners shopping center. He asked Council to consider initiating discussions with Southfield Township regarding the annexation of Acacia Park and The Corners shopping center to the Village of Beverly Hills.

Bunker Kelly of 21526 Corsaut Lane referred to an earlier comment from a resident regarding the use of Groves High School fields by professional and league teams. He suggested that the Council liaison to Birmingham Schools accompany the resident to a School Board meeting or act on his behalf in communicating with the Birmingham Schools. Kelly thinks that a good working relationship with Birmingham Schools is important to Village residents.

Kelly congratulated the Birmingham Area Cable Board on its last meeting at which time Board members held Comcast's feet to the fire on a number of issues.

Domzal read a letter addressed to Council from Shaun Beyer of 32810 Old Post Road in which he expressed concern about sidewalks in Beverly Hills. Beyer stated that he cannot safely ride his bike to Berkshire School this year nor will he be able to safely ride to Groves High School next year. He thinks that providing sidewalks on 14 Mile Road would be worth the cost of safe transportation.

Norman Rubin of 31020 Rivers Edge Court commented on survey data from the community-wide survey distributed by the Strategic Planning Development Committee. He is aware that the committee gave extensive consideration to the survey questions. Rubin related why he believes that no thought was given to the handling or protection of the survey data. He outlined what should be done to preserve the confidentiality of the information.

Murphy commented that there are Federal laws that control the use of survey information. It can only be used by the municipality and not for marketing purposes by any entity for any reason. Murphy explained that there are control numbers on the surveys to track them if there is a concern that surveys have not been delivered to an area. There is a separation between the people who created the survey and those who input the data on the survey. There cannot be any tracking back to an individual homeowner for their responses. Murphy will convey Mr. Rubin's questions to those members of the SPDC involved with the survey.

CONSENT AGENDA

Motion by Pfeifer, seconded by Taylor, to approve the consent agenda as follows:

- a. Review and consider minutes of a regular Council meeting held on April 6, 2004.
- b. Review and file bills recapped as of Monday, April 19, 2004.
- c. Review and consider approval of grant application for Simunitions Training Project for Public Safety Department.

Motion carried.

BUSINESS AGENDA

REVIEW AND CONSIDER REQUESTS FROM THE BEVERLY HILLS LIONS CLUB AND THE VILLAGE WOMAN’S CLUB OF BEVERLY HILLS FOR USE OF VILLAGE STREETS AND BEVERLY PARK ON MAY 31, 2004 FOR THE ANNUAL MEMORIAL DAY FUN RUN, PARADE AND CARNIVAL, PETTING FARM AND PONY RIDES, AND WAIVER OF RESTRICTIONS ON SALES.

Motion by McCleary, seconded by Pfeifer, to support the Lions Club of Beverly Hills in its request to use Village streets for its annual Memorial Day Fun Run/Walk and to support the Village Woman’s Club in its use of Village streets and Beverly Park for the Parade and Carnival and to provide financial assistance not to exceed \$1,500 from account 101-747-894, Community Action: Special Events.

Downey encouraged everyone to participate in an event that has been the highlight of the Village. He announced that retired Deputy Director Art Smith will be Grand Marshal this year.

Te Andrew of 18521 Hillcrest, carnival chairperson from the Village Woman’s Club, thanked Council for its support of the Memorial Day events. The Woman’s Club looks for everyone’s participation in this great Village event. Volunteers interested in helping out can call her at 248/649-3516.

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

SET DATE FOR PUBLIC HEARING TO REVIEW AND CONFIRM 2003 ASSESSMENT ROLLS FOR DUST AND OTHER MISCELLANEOUS ASSESSMENTS

Council set the date of Tuesday, May 4, 2004 to review and confirm the 2003 Assessment Rolls for dust and other miscellaneous assessments.

REVIEW AND CONSIDER PROPOSALS FOR STREET SWEEPING SERVICES

Quotes were received from five companies for the Village’s annual Major and Local street sweeping needs. The low bid was submitted by Brock Sweeping, Inc. of Wyandotte for a total cost of \$3,680.00 for the annual program. This program is a requirement of the Village’s State approved Storm Water Pollution Prevention Initiative (SWPPI) and must be performed to be in compliance with the permit.

Motion by McCleary, seconded by Pfeifer, to approve the quote from Brock Sweeping, Inc. of Wyandotte to provide street sweeping needs for the 2004 and 2005 seasons for a total cost of \$3,680.00 each year.

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

REVIEW AND CONSIDER PROPOSALS FOR PUBLIC SAFETY DEPARTMENT EXHAUST SYSTEM

In April of 2003 the Public Safety Department made application to the 2003 Assistance to Firefighters Grant Program for the purchase and installation of a vehicle exhaust system for the diesel apparatus in the fire hall. This will allow for exhaust gases and soot to be carried directly outside of the building. Notification of a grant award was received on July 10, 2003 from the Federal Emergency Management Agency (FEMA) in the total amount of \$48,500. The local agency 10% match is \$4,850, leaving the federal contribution at \$43,650.

The Department received proposals for this system from four different companies. A memo from the Director of Public Safety dated April 15, 2004 outlines the proposals and indicates that a staff review recommends acceptance of the proposal from Hastings Air Systems. Hastings Air Systems offers a 4% discount for payment with the system order, which would reduce the price to \$46,369.92 with the local match becoming \$4,637.00.

Motion by Koss, seconded by Pfeifer, that the Village of Beverly Hills Council awards the purchase of one Plymovent Vehicle Exhaust Removal System from Hastings Air Control in an amount no greater than \$48,302. Funds will be provided by a combination of federal grant (\$43,471.80) and local 10% share (\$4,830.20). The local share funds are available in the Fire Truck Reserve.

Questions from Pfeifer on the system purchase were addressed by Director Woodard. Domzal thanked Woodard for pursuing these grant funds.

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

EAGLE SCOUT RECOGNITION

Woodrow announced that Boy Scout Troop 1029 will hold an Eagle Court of Honor on May 2, 2004 to award the Eagle Scout rank to Beverly Hills residents David James Genevich, Stephen Matthew Staeger, and Andrew Francis O'Reilly. These scouts have accomplished Eagle Scout leadership service projects that have benefited the community.

Motion by Woodrow, seconded by Pfeifer, that the Village of Beverly Hills Council recognizes and congratulates David James Genevich, Stephen Matthew Staeger, and Andrew Francis O'Reilly for achieving the Eagle Scout rank.

Motion carried.

DISCUSSION ITEM – PUBLIC SAFETY DEPARTMENT ANNUAL REPORT

Director of Public Safety Woodard presented the highlights of the Department of Public Safety 2003 Annual Report. As a general overview, calls-for-service in 2003 increased by 7.2% (4,900 from 4,600).

Part A Index Crimes are the serious crimes including murder, forcible sexual offenses, robbery, aggravated assault, home invasion, larceny, auto theft and arson. These crimes as a group increased in 2003 by 17% from 2002 incidents (from 110 to 129). The bulk of those were in the Larceny category. Woodard related that there were incidents involving opportunistic thieves taking advantage of people who did not secure their valuables. There were 12 burglaries in the Village last year and 12 the year before. These statistics are reported to the FBI through the State of Michigan. In 2002, Beverly Hills rated the fourth lowest in the incidence of these types of offences in the State of Michigan of those communities supplying data.

Part A Non-Index crimes are represented by assaults, kidnapping, vandalism, weapons offenses, forgery/fraud/embezzlement, other sex offenses, narcotics, etc. These crimes were virtually unchanged from 2002 to 2003 incidents (130 from 128). While assaults, frauds and vandalism decreased, there were increases in narcotics offenses and arrests.

Part B crimes saw a decrease in 2003 of 6.5% (198 to 185). There were increases in OUIL cases (from 41 to 52); other liquor law violations doubled (from 9 to 18 cases). Areas seeing decreases included Disorderly/Vagrancy and Obstructing/Resisting Officers. Overall, arrests for these and other offenses were up by 22% (301 to 368).

Total traffic accidents in the Village were up marginally by 1.1% from 2002 crashes (348 to 352) with property damage accidents decreasing slightly and injury accidents increasing for the year (from 17 to 20). There were no fatal traffic accidents in the Village.

Fire emergency calls decreased by 32% in 2003 (from 146 to 113). There were no civilian fire fatalities this year in Beverly Hills. Emergency Medical calls-for-service decreased by 17% (from 378 to 313). Alarm calls-for-service, a majority of which are false alarms, decreased again by 7.5% (from 625 to 578). The Department is starting to see some results from the enforcement of the updated alarm ordinance that became effective January 1, 2003.

Woodward noted the report includes detailed statistics in the form of charts and graphs, staff information, and other explanations of services provided by the Department. Copies of the 2003 Annual Report are available at the Village offices and at the Public Safety Department building.

Council members stated that Beverly Hills is one of the safest communities in the area, and they commended the Public Safety Department on doing a fine job.

REPORTS - MANAGER

Murphy reported that over 1,700 households returned their community-wide surveys by the April 9th deadline. The Intensive Group, a separate firm from those responsible for printing, mailing or preparing the surveys, is inputting the information and will report to the Strategic Planning

Development Committee with the results. The next meeting of the SPDC is scheduled for Tuesday, April 27th at 7:00 p.m. in the staff development room at Groves High School.

The initial pile of compost for the season has arrived at the municipal building site and is available to Beverly Hills residents for personal use.

Yard waste collection started on April 12th. Residents are asked to separate their yard waste from household rubbish. The contractor will not pick up any commingled rubbish for the balance of the season. Yard waste collection ends December 9th.

The Easter Egg Hunt at Beverly Park on April 10 was enjoyed by 500 people. There were two photos of the event run in the April 14th edition of the Eagle newspaper. Murphy thanked the Jaycees for their hard work on the Easter Egg Hunt.

The Little League Opening Day Festival takes place on Sunday, May 2nd. The Beverly Park Clean-up is scheduled for Saturday, May 8th starting at 10:00 a.m.

COUNCIL

Taylor stated that he and his daughter had an excellent time at the Easter Egg Hunt. The Jaycee volunteers do a great job on the event.

Taylor attended the April 13th Southfield Township meeting at which time the Board approved its portion of the municipal building parking lot improvements. The Township Treasurer stated that there would be further discussion of charging a fee for copies of public information such as tax information. Taylor encouraged residents to make their opinions on this topic known to the Township.

Taylor commented that the citizens who volunteer their time to serve on the Village Zoning Board of Appeals are doing a superb job. They look carefully at all issues that come before their body.

McCleary stated that the Parks and Recreation Board will meet on Thursday, April 22.

Downey reported that the Beverly Hills Lions Club will conduct a cleanup of Lahser Road on Saturday, April 24th.

Koss announced that the Strategic Planning Development Committee will meet on Tuesday, April 27 at Groves High School at 7:00 p.m. The results from the residential, business, educational and service provider surveys will be presented at this meeting.

Pfeifer stated that the Birmingham Area Cable Board will meet tomorrow morning, April 21 at 7:45 a.m. in the Council chamber. The “BASCC in the Glow” fund raiser will be held on Thursday, April 22 at the Townsend Hotel.

Woodrow noted that the Memorial Day Parade held in the Village on May 31st is the largest event in the community.

Domzal spoke recently with Dan Gosselin, the Village's compliance enforcement officer, about maintenance of homes and storage of recreational vehicles. The Village is taking a soft approach making every effort to work with residents to correct a situation without issuing citations. The Village is prepared, for the benefit of the entire community, to enforce regulations and ordinances where appropriate. Domzal asked residents to please keep their property maintained and comply with regulations on the storage of recreational vehicles.

Domzal stated that Council met early this evening to review the proposed 2004/05 budget. The budget document will be formally presented at the May 4 meeting at which time a public hearing will be held.

Council will meet to set its agenda for the upcoming year at a special meeting scheduled for 6 p.m. on May 18.

Motion by Pfeifer, seconded by Woodrow, to adjourn the meeting at 8:54 p.m.

Motion carried.

Dave Domzal
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary