

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

Absent: none

Also Present: Village Manager, Murphy
Public Services Director, Spallasso
Assistant to the Manager, Pasieka
Director of Public Safety, Woodard
Building Official, Byrwa

President Domzal called the meeting to order at 6:00 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

Domzal commented on the meeting agenda. A presentation will be made by representatives of the Detroit Executive Services Corporation (DESC) on the strategic planning process. A new item has been added to the agenda to review and consider application to Oakland County for reimbursement of West Nile Virus related costs. As a result of inquiries from concerned residents, an item was added to receive and file a petition regarding the Southfield/Dunblaine traffic signal. This item will also be a topic of discussion at the September 7 Council meeting.

Another new agenda item deals with possible reductions in funding for schools proposed by the governor and legislature in an effort to balance the state budget. The remainder of the agenda is a work session to discuss Council's action list.

Motion by Downey, second by Pfeifer, to accept the revised agenda as submitted.

Motion passed (7 – 0).

PRESENTATION BY DESC REGARDING STRATEGIC PLAN

Gene Jacoby, Suzanne Dibble and Mike Howard from Detroit Executive Services Corporation (DESC) have been acting as facilitators at Strategic Planning Development Committee meetings for the past nine months. They were present to update Council on the status of the strategic planning process for the Village.

Jacoby distributed handouts and presented a process overview detailing the progress of the committee to date. The first meetings were spent identifying key stakeholders. The group then developed plans for surveying residents, business owners, representatives of educational institutions, and service providers to the Village. That feedback along with focus group input became the raw data for the following steps in the process. The committee spent some time on the mission and vision of the Village and arrived at tentative statements in those two areas to be finalized at subsequent meetings.

Survey results were used in an exercise to discuss and identify the strengths, weaknesses, opportunities and threats of the Village. At the last meeting, the committee began talking

about potential key strategic issues for the Village of Beverly Hills. A key strategic issue is a fundamental policy, operating question or challenge affecting the organization's mandates, mission and values; product or service level or mix; clients or funders; costs, finances, structure or management.

The group is approaching this topic by discussing major themes or categories. The members split into two groups to discuss what they view as major themes that might lead to key strategic issues (KSI). The groups presented lists of potential KSIs in five areas – financial, infrastructure, environment, aging property, and public awareness. The committee will focus on those areas at its next meeting as the topics are developed and narrowed down to three to six key strategic issues.

Jacoby related that the committee will have a brainstorming session to go over the material and to establish the KSIs for the Village. After tentative KSIs have been identified, individuals will be asked to volunteer as leaders of an ad hoc group to develop each one of these strategic issues.

Jacoby reviewed that about 44 people from the community came forward to serve on the SPDC when the process began, and 22 people were chosen to sit on the committee. It is proposed to expand the committee to include volunteers from the 22 people who were not original members. They will be asked to join a group focusing on a key strategic issue. The exercise will be to define each of the key strategic issues in terms of their importance and how they can be resolved in the next three to five years.

Each group leader will be asked to write a position paper explaining why an item is a key strategic issue. The paper should identify the factors that make it a KSI for the Village at this time and articulate the consequences of not addressing the issue. It will focus on causes and problems, not on answers and solutions. Each position paper will be presented to the full committee for discussion.

Once the KSIs are firmly identified, the next steps include identifying three to five strategic objectives involved in doing something about that issue. There will be an action plan prepared for each objective including who is responsible, timetable, and how it will be measured. That work will be done in subcommittee groups. This exercise will lead to the creation of a strategic plan that will be forwarded to Council with recommendations for its implementation. It will be up to Council to assure that there is an implementation plan that will work.

There followed questions and comments from Council, which were addressed by Jacoby. Domzal thanked DESC representatives for attending the meeting to update Council and answer concerns from residents regarding the strategic planning process. In response to an inquiry as to when Council will receive a report from the SPDC, Jacoby estimates that a strategic plan may be available in November. This will not include action plans. If Council considers approval of the plan at that point, Jacoby would recommend that Council also commit to continue with an action plan with the use of ad hoc committees.

REVIEW AND CONSIDER APPLICATION TO OAKLAND COUNTY FOR REIMBURSEMENT REGARDING WEST NILE VIRUS RELATED COSTS

Pasieka stated that there is an Oakland County program that will reimburse municipalities for expenses incurred relative to West Nile Virus prevention. Last year the Village was reimbursed in the amount of \$1,300 for WNV expenses. The Village has more thoroughly identified costs related to prevention of WNV this year and will request a reimbursement amount of \$2,318.35. The reimbursement process requires a description of what has been done, detailed cost sheet, and a resolution from the governing body submitted to Oakland County by September 3, 2004.

Motion by McCleary, second by Pfeifer, to resolve that this Council authorize and direct Manager Brian Murphy as agent for the Village of Beverly Hills in the manner and to the extent provided under Oakland County Board of Commissioners Miscellaneous Resolution 030602 to request reimbursement of eligible mosquito activity under Oakland County's West Nile Virus Fund Program in the amount of \$2,318.35.

Motion passed (7 – 0)

RECEIVE AND FILE PETITION REGARDING SOUTHFIELD/DUNBLAINE TRAFFIC SIGNAL

John Chalifoux of 18160 Buckingham, speaking on behalf of a number of residents concerned about this topic, asked the assistance of Council on the matter of reinstallation of the traffic light at Southfield Road and Dunblaine.

Spallasso related that the Road Commission for Oakland County (RCOC) went through its traffic signal system a few years ago and installed cameras. Beverly Hills was asked if it had a problem with the removal of the signal at Southfield Road and Dunblaine. Council indicated at the time that it was not comfortable with the removal of the light. Spallasso stressed that Southfield Road is within the jurisdiction of the County and not the Village, and the Road Commission can remove the light without authorization from Beverly Hills.

As part of the Acacia Relief Sewer project construction, the Dunblaine light was removed temporarily to install sewer pipe. Spallasso was contacted by the RCOC at the time and asked what to do about the traffic signal. The Road Commission did not want to reinstall the light. Spallasso suggested that a study be conducted by the Traffic Improvement Agency (TIA) of Oakland County to determine if the light is warranted. A letter was received from the RCOC indicating that the report clearly shows that the signal is not warranted from a technical and traffic engineering standpoint. Copies of the TIA report have been distributed to Council and interested residents.

Spallasso stated that there is a large group of people within the community who feel that a helpful traffic signal that was working properly has been taken away. He understands that area residents have signed a petition. Spallasso will accept the petition and formally

submit it to the Road Commission. He has received assurances that the County will take a second look at reinstating the traffic signal.

Chalifoux stated that he has reviewed the TIA study. He took exception with the fact that the study was conducted during a time that construction was being done in the area where traffic patterns were measured. He maintains that the Traffic Improvement Association incorrectly applied the 11 warrants outlined in the Michigan Manual of Traffic Control Devices. Chalifoux concluded that the study was not properly conducted for a traffic control device that has been in place since September 17, 1965.

Domzal stated that this traffic signal has generated a tremendous amount of interest and concern from residents. Council and administration are getting the facts together for further discussion as an agenda item at the next regular Council meeting of September 7. Domzal commented that there are two issues involved - walkability in the area and traffic flows.

Chalifoux was encouraged to remain in contact with Spallasso on this issue and submit the petition to the Village to be forwarded to the Road Commission. Spallasso remarked that the Village will not oppose reinstatement of the traffic signal on Dunblaine. The final decision will be made by the Road Commission for Oakland County.

REVIEW AND CONSIDER PROCLAMATION OPPOSING THE STATE'S INTENTION TO ELIMINATE BIRMINGHAM PUBLIC SCHOOLS 20J FUNDING

Downey raised the issue of proposed State funding cuts for the highest per capita spending school districts. He proposed a resolution in opposition to these state funding cuts to our schools.

Motion by Downey, second by McCleary, to adopt the following resolution:

**Resolution
Village of Beverly Hills**

Whereas it has been brought to the attention of the Beverly Hills Village Council that Governor Jennifer Granholm and the Michigan Legislature propose to eliminate 20J funding for certain school districts, including the Birmingham School District, and

Whereas the citizens of Beverly Hills desire to maintain the highest level of public education for our children and have in the past consistently approved school millage requests to achieve this goal, and

Whereas eliminating 20J funding breaks the promise of Proposal A, breaks the promise of equal treatment to all school districts in Michigan, and breaks the promise we have made to the children of our Village, our region, and our state, and

Whereas eliminating the 20J funding unfairly targets districts that have voted for the higher levels of school funding, by eliminating the portion of funding guaranteeing our district the same per pupil funding increases as other school districts.

Now Therefore Be it Resolved, that the Beverly Hills Village Council finds that any reduction of 20J funding is contrary to the promises made to the residents of this State, and we further request that Governor Jennifer Granholm and the Michigan Legislature keep in place all such funding.

Be it Further Resolved, that copies of this resolution be sent to the Governor, the Majority and Minority leaders of the Michigan Senate and House, State Representatives for the Village of Beverly Hills, the Birmingham School Board, and all the communities within the Birmingham School District.

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

WORK SESSION TO DISCUSS COUNCIL ACTION LIST

Domzal reviewed that a schedule encompassing Council action items has been updated to reflect the status of a number of “big picture” items that Council is working on. The report identifies a goal for each item, establishes the responsibility for the issue, completion date, and status report. Council committees have been assigned to work on these items.

Elections

Pfeifer reported that she and Village Clerk Marshall will be attending a Michigan Municipal League (MML) workshop in September on this topic. There is still a possibility that the Legislature may revise the statute. Pfeifer clarified that, because the new election law is a state mandate, Council could adopt by resolution a Charter revision regarding the Village Elections. Pfeifer will have additional information by October 1.

Murphy stated that Ellen Marshall has questioned how to address the election date in the 2005 Village calendar considering that Council’s decision will be made after the calendar goes to print. If it is the intent of Council to go forward with a September odd year election cycle, it will influence that page in the calendar.

Domzal remarked that he has heard nothing that would indicate anything other than support for the Village holding odd-year September elections with the Village conducting its own elections. He suggested printing the calendar to show the September 2005 election and changing it if necessary. There were members of Council who thought it would be better not to commit to an election date in the calendar until an informed decision is made. The calendar will not include an election date in 2005.

Further discussion of the Village Elections will be scheduled for the first Council meeting in October following the MML conference and election workshop.

City vs. Village

Taylor, chair of a subcommittee consisting of Pfeifer and Woodrow, distributed a timeline prepared by the MML for the process of becoming a city. He commented on the large amount of material for review on this topic. The main question is whether city status would benefit the community and be cost effective. A recommendation of the subcommittee is to create an ad hoc committee and to study the issues and prepare a timeline for moving towards city status.

Council discussed the information gathering process and how much preparation is necessary before educating the public and asking the electorate to vote on whether to begin the process.

In response to an inquiry, Murphy stated that a new charter is written after the referendum is passed. The municipality continues to exist as a village with its current charter until a new charter is approved by the electorate, which must be done within two years after the vote.

Downey expressed the view that much of the consolidation and operational issues can be accomplished with neighborhood communities without becoming a city.

Domzal added that there is a movement towards consolidation of services within municipal government. He informed Council of a meeting sponsored by Gilda Jacobs between Southfield Township and the three villages on September 24th. Beverly Hills needs to focus on consolidation of services.

Woodrow proposed that Council establish an ad hoc committee to begin reviewing and analyzing data. It will probably be a year before an ad hoc committee presents its findings to Council. He suggests forming a subcommittee that would see this issue through from the beginning to the end beginning with an in-depth evaluation of the pros and cons. The subcommittee will propose a resolution to establish an ad hoc committee for Council action at an upcoming Council meeting.

Charter Revisions

Pfeifer commented that the next Village election will be in September of 2005 at the earliest. It is proposed to include a Charter revision on the ballot that will increase administration's expenditure limit to either a dollar amount or a percentage of the budget.

Domzal asked if Council members have any other issues that should be considered. Woodrow recalled that several proposed charter amendments were identified for consideration at the last election. Pfeifer will review the previously discussed charter revisions and prepare proposed language for Council consideration.

Trees

Pasieka updated Council on the status of four tree planting programs that administration is working on with the tree committee. The Village was notified by Franks Nursery at 14

Mile and Crooks that it is withdrawing its offer to make certain trees available to residents at 50% off the retail price due to financial problems within their organization.

The resident tree sale program has been moved back to Spring of 2005 due to tree unavailability. The program will offer four to eight species of trees for purchase at an estimated cost of \$125, or \$250 for a planted tree. People will be able to purchase trees through the program and plant them on private property or donate them to be planted in the park or rights-of-way.

Requests for bids have gone out for purchase of trees in conjunction with two matching grant programs. The Village was awarded a \$3,000 matching grant from DTE Energy and a DNR matching grant for \$17,000. Planting must be done by December 31, 2004 to be eligible for the grant money. The trees will be planted in and around Beverly Park to replace trees that were lost to the emerald ash borer. Locations for the 150 trees that will be purchased through the grant programs have been identified.

Council encouraged the tree committee to continue its efforts to plan for the Spring tree program and to consider and present recommendations to Council on any necessary amendments to the tree ordinance.

Budget/Finance

Domzal commented that budget amendments will be an agenda item for the September 7, 2004 Council meeting. Council and administration had thought that there may be an opportunity for substantial and immediate cost reductions both on library service and the Village's solid waste contract. That did not happen.

Council is in receipt of a report on the Public Safety Department Operational Review conducted by Rehmann Robson. The report will be analyzed and discussed before a determination is made as to whether there are changes that can be implemented that will affect the overall budget.

Council was in agreement that the Personnel Committee would review the staffing studies at its next meeting tentatively scheduled for September 8th.

Library Service

Koss reported that administration met with Baldwin Public Library representatives regarding the cost of library service to the Village. There followed some discussion on the library contract language and the timing for a ballot question on library service.

Council talked about conducting a survey that will ask residents whether or not library service is an asset to the community. The survey could determine if there is interest in having a library and how much residents are willing to pay for it. The survey question would be modeled after how the question may appear before the electorate. It would give council an understanding of what level of support there is in the community for a library.

Murphy was authorized to work with Kim Holland on preparation of a library survey for further consideration by Council.

14 Mile Road Redevelopment

Koss reported that flyers were distributed to area residents notifying them of a neighborhood meeting on September 13 at 7:30 p.m. at Ascension of Christ Lutheran Church at 14 Mile Road and Pierce to discuss an overlay zoning district developed by the Planning Board. Information on a low interest loan program being developed in conjunction with Independent Bank will be presented at this meeting. The Village's planning consultant will be present.

Council/Community Relations

Specific suggestions have been provided to administration regarding implementation of council/community relations.

Murphy reported on cable television programming that has been produced to air on cable channel 15. He credited Pasioka for the show on the topic of recycling that was filmed as the first of several public information productions by BCTV. A couple of other programs are being discussed.

Domzal commented that he would like to move towards an electronic package of documents for Council meetings. There is an individual interning in Troy who has volunteered to assist the Village with this.

Safety Issues

This topic was deferred in view of the issues regarding the Southfield Road/Dunblaine traffic signal.

Conduct of Council Meetings

Domzal stated that good communities tend to have ordered Council meetings that balance public participation with being able to get through the agenda so that the governing body can do the business that it is charged to do. Many neighboring communities have written rules dealing with conduct at meetings, which have been copied and distributed to Council. Domzal has prepared and distributed a set of proposed rules for Council consideration with the intent to consider a written set of rules that are fair and not punitive and that provide ample opportunity for the public to express their concerns.

Members of Council commented on the proposed rules of conduct providing guidelines for the public and Council. Several members agreed that written rules may be a good thing if they are not overly restrictive and are used as general guidelines. It was suggested that there has been too much back and forth debate at meetings that significantly decreases the time for accomplishing Council business.

Council asked for resident comments on this subject. Rose McLennan commented that Council does not always pay attention to the speaker at the lectern.

Another resident commented that most communities refer to Roberts Rules of Order to assist with conduct at meetings.

Bunker Kelly expressed the view that the rule saying that a person can only talk about one topic is overly restrictive.

Larry Needham recalled that there was a three minute limit on public comments when Jim McCook was Council president, and it worked well.

Jill Sickels thought that not allowing a resident to talk about multiple items is restrictive. If there is a time limit set on comments, it should be more than two minutes.

Domzal stated that this is an active Council with numerous items on its agenda, which is why we are spending time on rules of conduct at meetings. Council will take public input but cannot have a situation where the business meeting begins at 9 p.m. There seems to be a general feeling that written rules are appropriate if they are flexible and more like guidelines than regulations. He will propose a revised version of the rules at the next Council meeting as an agenda item.

Public Comments

Jill Sickels commented on the library service issue. She would favor consideration of the Village building its own library in lieu of paying to use the Birmingham library.

Bunker Kelly suggested giving immediate notice to Baldwin Library that the Village will have a ballot question on continued support of library service. Kelly hopes that there will be public discussion on Village elections.

Lot Coverage Issues

Pfeifer stated that she has been attending Zoning Board of Appeals meetings, and it is apparent to her that there are a number of existing non-conforming lots and homes that were built before the adoption of the zoning ordinance. What is happening that is a cause of concern are renovations and additions to homes that require variances from the zoning ordinance. She maintains that the Village's front, side and rear yard setbacks are not preserving open space. Additions are being constructed on homes that are already out of compliance and permeable land is being used for building.

Pfeifer proposed that the issue of open space be referred to the Planning Board for review at the joint meeting of the Council and Planning Board in October.

Building Official Byrwa stated that the Michigan Municipal League is sponsoring a seminar in October specifically for Zoning Board of Appeals members. One of the topics deals with requiring compelling reasons before granting variances.

Dog Control

McCleary believes that there is a problem with dogs on the loose in Douglas Evans nature preserve and in Beverly Park. It was suggested that tickets be issued to people who are violating leash laws and regulations regarding picking up after dogs.

Motion by McCleary, second by Taylor, to adjourn the meeting at 8:45 p.m.

Motion passed.

Dave Domzal
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary

THESE MINUTES ARE NOT OFFICIAL. THEY HAVE NOT BEEN APPROVED BY THE VILLAGE COUNCIL