

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

Absent: None

Also Present: Village Manager, Spallasso
Assistant to the Manager, Pasioka
Public Safety Director, Woodard
Village Clerk, Marshall
Village Attorney, Ryan
Building Official, Byrwa

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. Kristin and Alec Yanosy led everyone in reciting the Pledge of Allegiance.

ADDITIONS TO AGENDA/APPROVE AGENDA

Motion by Pfeifer, second by McCleary, to approve the agenda as published.

Motion passed.

PUBLIC COMMENTS

Domzal remarked that there have been questions raised by the public at previous meetings relative to sewer and water rates. There will be a public discussion on this topic at the October 19 Council meeting in conjunction with the audit presentation from Plante & Moran.

Norm Downey of 23042 Nottingham Drive restated his questions concerning the eight percent increase in Village water and sewer rates and requested answers from Council.

Pamela Rijnovean of 32420 Evergreen Road commented that the landscaping restoration on Evergreen Road looks wonderful. Rijnovean understands that it is required that Beverly Hills give the Baldwin Public Library two year's notice prior to cancellation of the Village's contract for library service. She suggested that Council think about giving the library notice now given the fact that the Village is reviewing the cost of library service.

Bob Walsh of 20655 Smallwood Court expressed the view that item (d) on the consent agenda regarding annual funding for the Halloween Hoot should be on the business agenda for Council consideration.

Walsh referred to the minutes of a joint meeting of Council and the Parks and Recreation Board held on September 16, 2004. Council sanctioned the payment of an amount not to exceed \$500 to architect Pat Westerlund for out-of-pocket expenses incurred related to the pavilion renovation plans. Walsh thought that this request for an additional expense to the architectural contract should have been discussed at a regular Council meeting. He

inquired about the status of the bidding process for the Beverly Park pavilion renovation work and suggested that this project should be a topic of discussion at a regular Council meeting.

Bunker Kelly of 21526 Corsaut Lane stated that he will forward additional questions on the sewer and water rate topic to the Council President and Village administration. Kelly commented on rules of decorum that should be followed by everyone who attends Council meetings. He expressed concern that the published Council meeting minutes do not incorporate all of the discussion that occurs at a meeting. The Beverly Hills Citizens Forum Committee will be recording Council meetings on DVD and will make copies available to residents who request them via e-mail at abetterbeverlyhills@comcast.net.

Kelly stated that ad hoc groups have been created to assist the core Strategic Planning Development Committee to define key strategic issues for the Village. Volunteers have been added to six groups working on position papers on six key strategic issues identified as follows: Maintain current level of services; Improve/update infrastructure; Establish a long-term financial plan; Develop an ecologically sound environmental plan; Increase public awareness/participation and interest in VBH issues; Enforce and refine zoning ordinance for physically deteriorating properties.

Kelly commented on the six issues selected and questioned why other central issues of concern to residents such as balancing expenditures to revenues were not selected for an ad hoc group topic. He questioned the focus of the SPDC in relationship to the village-wide survey. He expressed the view that committee members have been manipulated in terms of information received. Kelly is concerned about what he believes to be a conflict of interest with some of the ad hoc committee members and their influence on the resulting product.

Art Soter Liberty of 21850 W. Thirteen Mile Road related statistics to make the point that the composition of the strategic planning ad hoc committees do not reflect the Village profile or result in an objective group. Liberty questioned the need for evaluating the results of the village-wide survey. He commented on the strengths and weaknesses identified by SPDC members and compared those issues with the survey results.

Leanne Toth of 21605 W. Thirteen Mile Road stated that she has attended Strategic Planning Development Committee meetings and thinks that the balance of representation on the committee is an important issue. When assessing the results of the committee, consideration will have to be given to whether the report is coming from grass roots residents. Toth thinks that residents should be hearing more about the pavilion renovation project in Beverly Park.

Patricia Greening of 19289 Riverside Drive requested Council approval of funding allocated in the budget for the ninth annual Halloween Hoot. This year's event will feature an enchanted forest, storytelling, a troubadour, hay wagon rides, and treats under the pavilion. The Hoot is for everyone in the Village. Greening commented that there are many adults who attend dressed in Halloween costumes. Greening hopes to see all the

Council members at the Halloween Hoot and asked that they also come at noon to offer their comments at the opening of the event.

Woodrow remarked that his children love the Halloween Hoot. It's a great time for children and for friends and neighbors to get together and enjoy the festivities.

Domzal read a few e-mails and letters he received from residents. King Ruhly of 17395 Locherbie expressed his and his family's appreciation of the work and dedication of Village government. Members of Council have represented the citizens well at considerable sacrifice and deserve the full respect of the residents. He asked Council to keep up the good work.

A letter addressed to Council was received from John Hoeffler, Superintendent of Birmingham Public Schools. On behalf of the Birmingham Board of Education and administration, he thanked the Beverly Hills Council for voting on a resolution supporting Birmingham Schools on the issue of 20J funding and for forwarding a copy to the appropriate elected officials. This funding was ultimately restored. Hoeffler looks forward to continued work with Council and Village administration. Domzal thanked Doyle Downey for presenting this resolution to Council for consideration.

Shaun Gilmour of 30215 Stellamar wrote to Council about a dangerous intersection at Stellamar and Marimoor. He proposed that the yield sign at this intersection be removed and stop signs be installed in both directions on Stellamar and Marimoor. There have been several near accidents on both streets due to people who speed through the yield sign.

Carl Hildebrand of 15655 Amherst stated in a letter to Council that he recently completed an addition to his home. He commended the staff of the Village's building inspection department for doing an excellent job, with particular thanks to Barb Fix and Dave Byrwa for their help.

INTRODUCTION OF PUBLIC SAFETY DEPARTMENT CAPTAIN

Public Safety Director Karl Woodard addressed Council regarding a significant personnel development within the Department of Public Safety. Since the retirement of Deputy Director Art Smith last January, the number two position in the department organization has been vacant. During that period, the department has undergone an operational review, which sustained the creation of a number two position in the department. After giving consideration to a number of department members, Woodard chose to promote Sgt. Chris Yanosy to the rank of Captain effective October 4, 2004.

Woodard provided background information on Yanosy to demonstrate that he brings a unique blend of experience to the position. Yanosy has a strong background in fire training, fire apparatus and equipment, budgets, purchasing, and personnel issues. He will take on several duties of the previous deputy director while maintaining a coordinating role for department training through his relationships with the platoon personnel. Woodard stated that he looks forward to the administrative help and is confident that

Yanosy will add a new dimension to the organization in his new role. Yanosy is here this evening with his wife Corinne and his two children Alec and Kristin.

Captain Chris Yanosy thanked the Director, the officers, Council, and his family for their support and for this opportunity. He looks forward to the challenges.

Woodard added that Sgt. Nate Cook was recently promoted in August from road patrol. Officer John Milliron has rotated from school liaison officer to road patrol. Officer Mike Miles has been appointed to the school liaison program.

CONSENT AGENDA

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

- a. Review and consider minutes of a joint Council/Parks and Recreation Board meeting held on September 16, 2004.
- b. Review and consider minutes of a regular Council meeting held on September 21, 2004.
- c. Review and file bills recapped as of Monday, October 4, 2004.
- d. Review and consider annual funding for Halloween Hoot at Beverly Park and waive pavilion rental fees.

It was noted that the amount budgeted for the Halloween Hoot is \$2,500.

Roll Call Vote:

Motion passed (7 - 0).

BUSINESS AGENDA

RECONSIDER MOTION TO ADOPT 2004/2005 BUDGET AMENDMENTS

A motion was adopted by Council at its September 7, 2004 meeting to approve the 2004/2005 Budget Amendments. There was a typographical error on the worksheet, which makes it necessary to correct the motion.

Motion by Woodrow, second by Pfeifer, to reconsider the FY 2004/2005 Budget Amendments as previously adopted on September 7, 2004 by correcting the Amended Budget for Water & Sewer Operation Expenses Direct Charges from \$2,043,416 to \$1,981,416.

It was clarified that this motion corrects a clerical mistake for the record.

Norm Downey of 23042 Nottingham Drive commented that residents indicated in the community-wide survey that their number one priority was to balance Village income with expenses. Downey asked Council to reconsider and accelerate cost reductions in the current budget. He suggested several budget cuts to Council.

Roll Call Vote:

Motion passed (7 - 0).

REVIEW AND CONSIDER TRAFFIC CONTROL ORDER #228-NP-04

In response to a request from area residents, the Village erected signs on the north side of Kinross between Pierce and Bates prohibiting overflow parking from Our Lady Queen of Martyrs Church services during certain time periods. The Traffic Control Order will expire unless renewed by the Village Council.

Motion by McCleary, second by Pfeifer, to permanently adopt Traffic Control Order No. 228-NP-04 prohibiting parking at the following intersections:

Kinross between Pierce and Bates, north side
Saturday 4 pm to 7 pm and Sunday 7 am to 2 pm

Questions and comments from Council and residents were addressed by Spallasso.

Motion passed (7 – 0).

REVIEW AND CONSIDER AWARD OF PLANT MATERIAL CONTRACT

McCleary stated that the emerald ash borer has come through the Village in 2003 causing destruction of ash trees and requiring the removal of over 300 trees to date in and around Beverly Park. The Village made application and was awarded two matching grants for tree planting, one from DTE in the amount of \$3,000 and a grant from the DNR for \$17,000. Bids for trees were sent to eight Michigan nurseries for 150 trees of seven varieties, and proposals were received from five nurseries. After obtaining the trees, the Village will have them planted by the Village forester, J. H. Hart in mid to late November.

In order to comply with the requirements of the DTE and DNR grants, it is mandatory for the Village to make this tree purchase and arrange to plant the trees before December 31, 2004. A three year maintenance program is required. Grant compliance will enable the Village to be reimbursed for a total of \$20,000 for these expenses.

Motion by McCleary, second by Downey, that the Village of Beverly Hills Council award the purchase of 150 trees from Shemin Nurseries in the amount of \$31,660 and approve an expenditure to J. H. Hart in an amount not to exceed \$15,000 to plant and maintain the trees for three years. Funds for the project will be reimbursed to the Village through a DTE Grant for \$3,000 and a DNR grant for \$17,000.

Downey thanked Stan Pasieka and Council for acting on this matching grant tree purchase and noted the encouragement received from Parks and Recreation Board members. J.H. Hart has performed admirably in assisting Beverly Hills with this program.

Domzal stated that the Village is working on a program that will make trees available to homeowners for purchase at a reduced cost in the Spring.

There were questions and comments from Kathleen Berwick, Lawrence Needham, and Bunker Kelly. Pasioka responded that the maintenance program will involve inspecting each tree for disease, staking, trimming, etc. The trees will be watered if necessary. Replacement of trees that do not survive is not part of the program. There will be a variety of species planted to avoid a widespread loss of trees to disease in the future. The Village's share of the matching grant will be paid from three accounts: Park Capital Projects Fund, Park Site Improvement Fund, and Major Street Fund. Judd Hart was present and commented on the maintenance program.

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

REPORTS - MANAGER

On September 24, 2004 Dave Byrwa and Dan Gosselin inspected 23 properties on Fourteen Mile Road (four of them designated as non-homestead) from Greenfield to Edgewood. Ten properties were found to be in violation of the property maintenance code or zoning ordinance and were issued written notices totaling 29 violations. Homeowners were given between four and 30 days for compliance depending on the nature of the violation.

In answer to an inquiry, Spallasso indicated that the violations occurred across the board, not only at rental properties. Only a few calls were received by the Village office after the visit from the building inspectors. Residents appear to understand that they have to maintain their property.

Notices were delivered last week in areas where residents will be affected by the upcoming start of construction for the 2004 Water Main Replacement Project. The project will begin tomorrow, October 6. The Acacia Sewer project is anticipated to be completed in mid-October.

Council members have received a copy of a letter from Attorney Tom Ryan sent to Mr. Chawney's attorney addressing issues brought forth by Chawney at the last Council meeting. Ryan remarked that the Village was waiting for certain matters to be taken care of by Mr. Chawney, which have now been accomplished.

Spallasso commented that, if further bids are sought for the pavilion project, they will be advertised appropriately.

McCleary reviewed that a dedicated park millage was approved by the voters for the purpose of doing improvements to Beverly Park. Renovation of the pavilion was one of the priority projects with a budget of about \$150,000 for the pavilion work. The bids received for this project came in approximately \$100,000 high. The Parks and Recreation Board is working with the architect on revised plans to reduce the cost of the construction with the intent to re-bid the project.

Spallasso stated that signs will be erected tomorrow on 14 Mile Road from Evergreen to the west Village limits advising people of a County sewer project that will start on October 18 and will involve closing 14 Mile Road in this area.

Director Woodard provided background leading to the performance of an operational and staffing study of the Public Safety Department by Rehmann Robson, a consultant that specializes in public safety department organization. The report was completed in August and was submitted to Council. The Personnel Committee of Council met in September to hear a summary presentation from Mark Nottley from Rehmann Robson. Woodard has prepared a report to Council outlining his recommendations and an implementation plan.

Woodard briefly discussed three groups of recommendations that will be considered for implementation. The administrative recommendations can be implemented in the short term through executive actions and discussions at the department level. These include: Establish a Captain position to replace the Deputy Director; Expand and coordinate the training program goals; Detective Bureau staffing levels; Develop an alternative work schedule, and; Hire a part time dispatcher.

Department Goals/Planning recommendations can be implemented through discussions and planning at the department level over a more extended period of time. These include: Traffic enforcement policy development; Performance evaluation program development; Activity based time reporting system through CLEMIS, and; In-car report writing capability through CLEMIS.

Collective Bargaining recommendations are to be pursued through the collective bargaining process, typically at the time of contract expiration. These include: Work Rules for sick time usage to be adopted, and; Eliminate compensatory time for dispatchers.

Domzal commended the public safety department for its full cooperation in the study and its willingness to consider improvements to operational efficiencies.

COUNCIL

Koss announced that the Strategic Planning Development Committee will meet on Tuesday, October 12 at 7:00 pm at Groves High School.

Koss reported that on Tuesday, September 28, she joined Alan Sefton, Bill Pelfrey, and Howard and Dragiza Schwartz, residents of the area surrounding Groves High School, in a meeting with Birmingham School Board officials including Superintendent John Hoeffler, Richard Perry, Neil Campbell, Shirley Bryant, Todd Roberts, Fred Proctor and David Livingston. The parties met for more than two hours to discuss problems with noise, lights and crowds associated with Groves High School renting its athletic fields to outside groups. The residents came well informed and prepared with suggestions. Koss was pleased with the receptiveness of School officials to the suggestions made. There will be another meeting at the end of October at which time there will be a response from the School Board.

Pfeifer commented that the Birmingham Area Seniors Coordinating Council (BASCC) completed its strategic planning process, which resulted in a viable five year plan.

The Birmingham Area Cable Board will meet on Wednesday, October 20 at 7:45 am in the Village municipal building. The Cable Board has completed its audit process. The Board in conjunction with BCTV is working on the second phase of the River Rouge programming.

Pfeifer described her attendance at the Michigan Municipal League convention as a rewarding experience. She will be providing Council with a written report relaying information on the sessions she attended. One of the sessions was on the new election laws. The Village has until December 31 to take action on selecting a September or November election date. Pfeifer attended sessions on the Open Meetings Act and FOIA, Downtown Development, and Generational Differences. One of the sessions Ellen Marshall attended was on improper municipal expenditures.

Woodrow reminded everyone of a joint meeting of the Planning Board and Council on Wednesday, October 13 at 7:30 pm in the Village council chamber. He urged everyone to attend the Halloween Hoot on October 24 at Beverly Park.

Woodrow commended Director Woodard and the public safety department for its work and cooperation on the department's operational review. He found it interesting that there were no glaring cost savings revealed in the operation of the department. The suggestions were more related to administrative or operational efficiencies. Woodrow was pleased to see movement on the purchase of trees with the help of grant money to replace ash trees that were lost in Beverly Park.

Taylor reported that the Zoning Board of Appeals will meet on Tuesday, October 12 at 7:30 p.m. in the municipal building. The Southfield Township Board will meet on Tuesday, October 12 at 8 pm in the Township building. An issue that will be coming before Council for consideration is cityhood for the Village of Beverly Hills. Taylor chairs a committee with members Pfeifer and Woodrow that will be seeking public input on this topic from residents. Taylor urged everyone to participate in the November election.

McCleary asked residents driving in the Village to slow down particularly considering the shorter hours of daylight.

Downey congratulated Chris Yanosy on his promotion to Captain and welcomed him to the job. He noted that there are a lot of fine officers in the public safety department.

Downey commented on the Public Safety Department operational study and the opportunities identified in that report. Referring to an earlier comment from a resident about the Strategic Planning Development Committee, Downey pointed out that the Village Council has had a strong policy that it would facilitate the process of developing

a strategic plan for Beverly Hills while maintaining a “hands off” approach to the committee’s work.

Downey talked about the importance of leadership and emphasized that it is not always based on taking popular positions.

Domzal commented that the Village symbol originated in 1958 appears outdated. He appealed to any artistic people in the Village to suggest an updated design for the Village symbol.

Domzal reported that several Council members along with representatives of Bingham Farms and Franklin met with State Senator Gilda Jacobs about a week ago. Jacobs displayed concern about issues pertaining to the Village as well as the communities within Southfield Township. The meeting included discussion of regional issues such as water rates, Detroit Water and Sewer Department, regional transportation, taxation, and the state budget situation. Jacobs relayed her thoughts in terms of villages and cities and whether legislation is promoting cities at the expense of villages. Domzal mentioned that Senator Jacobs keeps office hours and would be responsive to residents with questions about what is happening in Lansing.

A Council study session is scheduled for Tuesday, October 26 at 6 pm in the Village municipal building.

Spallasso mentioned that Village Clerk Marshall will be processing passport applications and renewals on Saturday, October 16 from 9 am to 12 pm. Director Woodard related that the Public Safety Department will hold an Open House on October 16 from 11 am to 2 pm.

Motion by Taylor, second by McCleary, to adjourn the meeting at 9:24 pm.

Motion passed (7 – 0).

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