

Present: Council President Domzal; Members: Downey, Koss, McCleary, Pfeifer and Taylor.

Absent: Woodrow

Also Present: Village Manager, Spallasso
Assistant to the Manager, Pasioka
Director of Public Safety, Woodard
Village Attorney, Ryan

President Domzal called the regular Council meeting to order at 7:32 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

Boy Scout Conner Nowland from Troop #1024 introduced himself and said that he is working on his Citizenship in the Community Merit Badge. He led the audience in reciting the Pledge of Allegiance.

Cynthia Nagle, Parks and Recreation Board member, reminded everyone that the summer music series in Beverly Park has been changed this year from Wednesdays to Thursdays. The concerts will start this Thursday evening, July 7th from 7pm – 9pm with the Sun Messengers. The Thursday, July 21st concert will feature Dal Bouey, a diverse group that does everything from Motown to choreographed musicals. The group, In the Company of Strangers, will perform on Thursday, July 28. They are a contemporary American folk group with a Bluegrass and Celtic edge. Nagle hopes everyone comes out to the free concerts in Beverly Park this summer.

Dorothy Pfeifer announced that the Village Woman's Club of Beverly Hills will be holding its third annual Village Garden Tour on Sunday, July 10th from 11 a.m. to 4 p.m. Presale tickets are on sale at the Village offices for \$10 and for \$12 in Beverly Park at 11 a.m. on the day of the event. Ticket includes two for one dessert at Beverly Hills Grill (day of tour) and two for one burger at Brady's after 4 pm (day of tour). Seven beautiful gardens in the area will be on display.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed (6 – 0).

CONSENT AGENDA

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

- a. Review and consider minutes of a regular Council meeting held on June 21, 2005.
- b. Review and file bills recapped as of Monday, June 27, 2005.
- c. Accept picnic table donation from Beverly Hills Garden Club.
- d. Accept anonymous \$400 donation for invasive plant removal at Douglas Evans.

Motion passed (6 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER REQUEST FROM SUSAN G. KOMEN BREAST CANCER FOUNDATION REGARDING USE OF VILLAGE STREETS AND SIDEWALKS FOR JULY 15-17, 2005 3-DAY WALK

On Saturday, July 16 from 10:30 a.m. to 5:00 p.m. approximately 2,500 walkers will pass through the Village as part of the Michigan Breast Cancer 3-day, 60-mile Walk benefiting the Susan G. Komen Breast Cancer Foundation. The organization has asked for assistance from the Village to provide an access route and a rest stop in Beverly Park for participants. The organizers have provided the Village with a certificate of insurance to cover the event.

Motion by McCleary, second by Pfeifer, that the Village Council approve the use of Village streets on July 16, 2005 for the Susan G. Komen Breast Cancer Foundation 3-Day Walk.

Dana Dziekan, production coordinator for the Michigan Breast Cancer 3-day walk, stated that the stop in Beverly Hills would be approximately at the mid-way point of the 3-day walk. The group has been working with members of the Beverly Hills staff to make this walk safe and inform the public about the group coming through the community.

Motion passed (6 – 0).

FOURTH ANNOUNCEMENT OF CABLE BOARD VACANCY

Pfeifer announced a vacancy on the Birmingham Area Cable Board and encouraged interested residents to apply for this position. This is an important and interesting board on which to serve. Applications are available at the Village office or on the Village web site (www.villagebeverlyhills.com).

REVIEW AND CONSIDER SUBCOMMITTEE'S RECOMMENDATION TO FILL VACANCY ON THE PARKS & RECREATION BOARD

McCleary reported that a subcommittee consisting of himself as chair, Koss and Pfeifer met at 7:15 p.m. this evening to review applications and recommend a candidate to fill a vacancy on the Parks and Recreation Board. The group reviewed applications from three qualified candidates, Gary Piotrowicz, Phil Schmitt and Terri Stearn. The subcommittee voted to recommend that Council appoint Phil Schmitt of 18103 Riverside Drive to the Parks and Recreation Board for a term to expire on June 30, 2008.

Motion by McCleary, second by Taylor, to appoint Phil Schmitt to the Parks and Recreation Board for a term to expire on 6/30/08.

Council members recognized the fact that there were three well qualified applicants for this position. It was mentioned that Phil Schmitt has been a longtime and loyal supporter of the park, who served on that body prior to his Council term.

Motion passed (6 – 0).

REFER TO PLANNING BOARD A REQUEST FROM MISCH INTERNATIONAL IMPLANT INSTITUTE AT 16231 W. 14 MILE ROAD FOR REVIEW AND SITE PLAN APPROVAL OF AN ADDITION TO THEIR DENTAL OFFICE BUILDING

The Village has received a request from MISCH International Implant Institute for an expansion of a dental office building at 16231 W. 14 Mile Road.

Motion by Downey, second by Pfeifer, that the Village Council refer the request from MISCH International Implant Institute for site plan approval to expand a dental office building at 16231 W. 14 Mile Road to the Planning Board for review and recommendation.

Motion passed (6 – 0).

REVIEW AND CONSIDER RESOLUTION PROCLAIMING JULY AS NATIONAL RECREATION AND PARKS MONTH

Motion by McCleary, second by Pfeifer, to adopt the following Resolution.

**Village of Beverly Hills Resolution
National Recreation and Parks Month**

Whereas, Parks, recreation activities, and leisure experiences provide opportunities for young people to live, grow, and develop into contributing members of society, and

Whereas, parks and recreation creates lifelines and continued life experiences for older members of our community, and

Whereas, generating opportunities for people to come together and experience a sense of community through fun recreational pursuits, and

Whereas, park and recreation agencies provide outlets for physical activities, socializations, and stress reducing experiences, and

Whereas, parks, playgrounds, nature trails, open spaces, community and cultural centers, and historic sites make communities attractive and desirable places to live, work, play, and visit, in a manner that contributes to our ongoing economic vitality, and

Whereas, parks, greenways, and open spaces provide a welcome respite from our fast paced, high-tech lifestyles while simultaneously protecting and preserving our natural environment and,

Whereas, parks and recreation agencies touch the lives of individuals, families, groups, and the entire community, which positively impacts upon the social, economic, health and environmental quality of our community,

Now, Therefore, Be It Resolved, that we proclaim July as Recreation and Parks Month, and encourage all citizens to celebrate healthy, active lifestyles by participating in their choice of recreation and park activities.

Motion passed (6 – 0).

Domzal mentioned that, in addition to the great park facilities in Beverly Hills, he has enjoyed recreational facilities in other communicates including Birmingham and the east riverfront in Detroit starting at the Renaissance Center going east.

REVIEW AND CONSIDER RESOLUTION TO CREATE FINANCE COMMITTEE AND MAKE FIRST ANNOUNCEMENT OF SEVEN VACANCIES

At a special Council meeting held on June 22, 2005, Council took action to create a Village Finance Committee. It is suggested that Council adopt a Resolution to create a Finance Committee and outline guidelines for the committee.

Motion by Koss, second by Taylor, to adopt the following Resolution.

RESOLUTION

Finance Committee

There is hereby created a Finance Committee for the Village of Beverly Hills. Said committee shall consist of seven people who shall be qualified electors of the Village of Beverly Hills. The members of said Committee shall be appointed by the Village Council. The Village Finance Director will serve as a nonvoting ex officio member of the Committee. It is suggested that the term of each appointed member be for a period of three years from the first day of July of the year in which appointed. For the first Committee appointed, the term of two members shall be for a period of one year, two for two years each, and three for a period of three years each, from the first day of July. Vacancies shall be filled by Village Council appointment for the balance of the unexpired term. All members of the Committee shall serve without compensation.

Removal for Cause

Members of the Committee may, after a Public Hearing, be removed for cause by the Village Council.

Election and Meetings

The Committee shall, from its appointed members, elect a Chairperson and Vice-Chairperson. Meetings will be held on an as-needed basis as directed by Council to address specific tasks as assigned by Council.

Consulting Services

The Committee may call upon the Village Manager and Village Council for such services and data by the various departments as it may request. The Committee may recommend to the Village Manager and Village Council the securing of such professional and consulting services as it may require; provided, however, that no expenditures or funds shall be made or contracts entered into for providing such professional or consulting services, unless the same shall first be approved and authorized by the Village Council.

Council Liaison and Alternate

Annually, one member of Council shall be selected as the Finance Committee Liaison and another member as the alternate.

Taylor commented that this is the time for interested citizens to get involved in the Village and come forward with their ideas. The recommendation to create a Finance Committee was a primary outcome of the Strategic Plan.

Downey expressed the view that Council is moving hastily on creating a Finance Committee. A Finance Committee should be based on fixed goals and objectives. He commented on what he thought were the reasons that the previous Finance Committee was dissolved. The previous Finance Committee slowed the budget process significantly and provided only a limited amount of guidance. Downey mentioned that there is difficulty discerning a policy decision versus a financial management position. Downey will not support the resolution to create a Finance Committee but wishes the group his best considering that the Village finances are of utmost concern to every person in this room.

Koss thought that the Village could learn from mistakes made by the previous Finance Committee. Village finances were one of the highest priorities that came out of the Strategic Plan for the Village.

Domzal remarked that he supported the previous Finance Committee and supports the newly formed committee. His preference would have been to establish the objectives of the Finance Committee prior to asking people to serve on this body. He would propose that Council and staff representatives sit down with Finance Committee members to talk about what the committee is going to do. There are clear cut issues in terms of budget matters, health care costs and other rising expenses in the Village including library and public safety services. Because residents have expressed an interest in becoming more involved in the ongoing budgeting process, Domzal is in favor of getting started with this process.

John Mooney of 19111 Devonshire was troubled that Council is creating a Finance Committee without establishing goals for that body. Council members are elected to make serious decisions with regard to the finances of this community, and they are the responsible parties. The Village has serious financial concerns and will inevitably have to raise the millage and taxes paid by this community because Beverly Hills has always worked close to the bone. Mooney contends that the majority of this community does not feel that Council is doing a poor job of managing the finances of the Village. Council should not be putting the burden of making financial decisions on seven people who were not elected by the electorate. It is the job for which Council members were elected.

Downey commented that the village-wide survey indicated significant concern about maintaining the financial stability of the community. The creation of a finance committee was not a finding of the survey; it came out of committee discussions.

Pfeifer stated that she does not oppose the Finance Committee, but she does not think that Council is in a position to give them direction. It concerns her to call forth seven members of the public and not have a job description.

Koss remarked that it troubles her that the seven members of Council have not been able to establish objectives for the Finance Committee.

Domzal presented his thoughts on the charge of the Finance Committee as follows: The Finance Committee shall study policy options and shall recommend policy alternatives as to matters directed by Council and Administration including the following: 1) Evaluation of Village services to determine if any should be eliminated, reduced, privatized or combined with other communities; 2) Evaluation of how to contain library costs; 3) Evaluation of enhancement of Village revenues, both with and without dedicated or general tax millage increases; 4) Evaluation of how to contain increases in health care costs for both current employees and retirees.

Roll Call Vote:

Domzal	- yes
Downey	- no
Koss	- yes
McCleary	- yes
Pfeifer	- no
Taylor	- yes

Motion passed (4 – 2).

Koss announced that the Village is accepting applications for seven positions on the Village Finance Committee. Applications are available at the Village office and can be printed from the Village web site (www.villagebeverlyhills.com).

REVIEW AND CONSIDER PURCHASE OF PUBLIC SAFETY VEHICLE

The 2005/06 budget contains funding for the purchase of two patrol vehicles to replace vehicles with over 70,000 miles. Vehicle #127 (2002 Ford Crown Victoria) currently has 81,000+ miles; consideration of a second vehicle for replacement will be made later in the budget year.

Signature Ford of Owosso, Michigan has been awarded the Macomb County Cooperative Bid for 2005 Ford patrol vehicles and has extended that bid price to 2006 models to be delivered in September, 2005. The new 2006 Ford Crown Victoria patrol vehicle equipped per department specifications is priced at \$20,054.

Concurrent with this new vehicle purchase is the need to transfer specialized equipment from the old to the new vehicle. Costs in the amount of \$2,400 for this operation have been planned in the budget. The bulk of this expense is typically for the labor involved in the changeover.

It is standard procedure for the department to offer decommissioned vehicles for public bid/sale. Signature Ford provides at no cost to customers a bidding service where replaced patrol vehicles are offered for sale to several fleet buyers across the country. The last patrol vehicle retired from the fleet was sold successfully by staff personnel on EBay. The resale prices obtained will be compared to provide the best revenue value to the Village.

Motion by Koss, second by McCleary, that the Village of Beverly Hills Council award the purchase of one 2006 Ford Crown Victoria patrol vehicle in the amount of \$20,054 to Signature Ford of Perry, Michigan. Funds for this purchase are available in Account #101-900-979 Capital Purchases – Vehicle Purchases. Village Council further approves the

expenditure of up to \$2,400 for vehicle changeover expenses with the preferred vendor to be selected by competitive bid process.

Director Woodard stated the Department purchased the same model vehicle last year at the same cost. There will be another set of bid specifications developed in late summer or fall with the second vehicle purchase subject to those bids.

Woodard addressed a concern from Council about the use of the Ford Crown Victoria as a patrol vehicle. He related that Ford has made changes to the engineering of the vehicle to address an issue related to high speed rear end collisions against a stopped patrol car. He also noted that the Village does not have as much exposure to high speed approaches.

At the suggestion of Council, Director Woodard will look into whether there have been recent cost analyses in terms of preventative maintenance and repairs versus a new vehicle purchase. He will explore policies of other communities related to replacing police vehicles and report back to Council.

Kathleen Berwick of 31381 Kennoway Court observed that there is a vehicle in the municipal parking lot that is not being used. Spallasso responded that the vehicle has been used occasionally by the Public Safety Department, and will be in use shortly.

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

REVIEW AND CONSIDER PURCHASE OF BEACON BAR FOR PUBLIC SAFETY PATROL VEHICLE

Associated with the expense of a new patrol car purchase is the cost of the equipment changeover from the old car to the new. This process will be bid out with the delivery and equipping of the next patrol vehicle. An increase in this year's changeover costs consists of acquiring a new all-LED beacon bar, which achieves a significant reduction in power consumption and results in more efficient vehicle operation. In addition, the LED light bar provides superior lighting over the old halogen units, particularly in daylight hours.

Invitations to quote on the price of one Whelen Liberty LED light bar were communicated and received from three vendors. It is the staff recommendation that Village Council accept the low quote provided by Siren Net Corporation of Oregon in the amount of \$2,206.30.

Motion by Koss, second by Taylor, that the Village of Beverly Hills Council award the purchase of one Whelen Liberty LED Light Bar from Siren Net Corporation in the amount of \$2,206.30. Funds are available for this purchase in Account #265-333-750.00, Drug Law Enforcement Fund.

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

PUBLIC COMMENTS

Sharon Tischler of 21415 Virmar Court commented she receives poor reception of the cable broadcast of Council meetings.

Tischler has commented previously on the need to review Village Zoning Ordinance sections that address the ratio between permitted garage space and first floor area of a home. She has mentioned a particular parcel of property in South Berkshire, but observed another lot that has garage space for six vehicles. This has an adverse effect on the character of a neighborhood. Tischler asked that Council direct the Planning Board to look at regulations for maximum storage or garage space per residential property.

Tischler remarked that the format of the June 21, 2005 Council meeting minutes should have reflected more clearly that Council went into closed session at 6:30 p.m. and reconvened for its regular meeting at 7:30 pm.

Bob Walsh of 20655 Smallwood Court commented on how the Zoning Ordinance currently reads with regard to accessory buildings. He concurred that ordinance regulations permit large garage and storage space for homes with considerable square footage. Walsh thinks that it is a serious problem that the ordinance allows garage and storage space in some cases equal to the first floor living space.

Walsh questioned the availability of minutes for meetings held on June 22 and June 23.

Pamela Rijnovean of 32420 Evergreen asked if Council members read and noted major differences between the Birmingham Police contract and the Beverly Hills contract with its Public Safety Officers. She asked if Village residents are represented in the negotiations with the Public Safety union.

Spallasso suggested that Ms. Rijnovean consider in her review of the contracts that Beverly Hills has a Public Safety Department and Birmingham has a Police and a Fire Department. Rijnovean responded that she has also taken into consideration the size and amount of activity in Beverly Hills.

Spallasso related that negotiations with the Public Safety Command Officers Union may result in engaging the services of a mediator and arbitration. Domzal added that the Village engages a labor attorney to assist and advise administration and Council and look out for the interest of the residents.

Bunker Kelly of 21526 Corsaut questioned the negotiation strategy that Council and administration is undertaking with the Public Safety Officers union. He questioned what other communities are doing in this respect.

Kelly congratulated Council for moving forward on establishing a Finance Committee. He hopes that the Finance Committee will help Council and administration to improve Village finances.

Kelly inquired about a bill for a conference from the list of bills reviewed and filed by Council. With regard to communications, Kelly questioned why Beverly Hills summer events are not publicized in the local newspapers. He suggested that other initiatives proposed by the Strategic Planning Committee including a communication plan should be put into place. Kelly hopes that Council does its best to reinvigorate the strategic planning group.

MANAGER'S REPORT

The Village has received an updated schedule from M.L. Schoenherr, contractor working on the Beverly Park pavilion. The contractor anticipates completing construction by mid-July, but it is still uncertain whether the restrooms will be available. Pavilion reservations have been cancelled through the end of July, and staff will re-evaluate August rentals by July 15th. Refunds will be mailed out next Monday, July 11th.

A pre-construction meeting was held last week for the upcoming concrete repair program and the resurfacing program. The projects will probably commence towards the end of July or beginning of August. The joint sealing project will begin tomorrow throughout the Village.

The water main replacement contractor has completed the repairs of all drive approaches that were disturbed or damaged during the installation of the main in Section One. Final restoration should be completed within a week or ten days. The next phase of the project will be scheduled for Section 2 west of Southfield.

COUNCIL COMMENTS

Downey commented that Consumers Energy has been doing a poor job of replacing gas meters in the community. He questioned whether something can be done about this.

Downey congratulated Don and Patricia Greening for the article in the Birmingham Eccentric showing their garden and the wood carvings crafted by Don Greening. Downey reminded residents to be careful not to park in front of fire hydrants due to safety issues.

McCleary remarked that he was told by a number of residents that they were glad that Beverly Hills contributed to the fireworks at Lincoln Hills. Many Beverly Hills residents enjoyed the display.

Taylor announced that the Southfield Township Board will meet on Tuesday, July 12 at 8 p.m. in the Township building. Taylor stated that he appreciates comments from public but does not think comparing Beverly Hills to Birmingham is a helpful association.

Domzal believes that it is appropriate given the news the country receives on a daily basis that the Village acknowledge and recognize the efforts made by men and women who are serving in the Reserves and National Guard. The public is aware of the sacrifice being made by National Guard and Reserve members.

Michigan will be recognizing Step Family Day on September 16, 2005. A Resolution will acknowledge that approximately one-half of all Americans are currently involved in some form of

step family relationship. It is the vision of the Step Family Association of America that all step families in the United States be accepted, supported, and successful.

With respect to a comment made about the strategic planning process, Domzal noted that the goal of the Strategic Plan was to develop a document that would be implemented over approximately a five year period and receive periodic review. It should be recognized that there are initiatives in progress. Domzal asked that this Council not be judged prematurely as to what it has or has not accomplished with respect to the Strategic Plan. Council is taking steps to implement portions of the plan.

With respect to meeting minutes, Domzal acknowledged the fine efforts of recording secretary Sue Bernard on a day to day basis.

Motion by Pfeifer, second by McCleary, to adjourn the meeting at 8:50 p.m.

Motion passed (6 – 0).

Dave Domzal
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary