

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

Absent: None

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

President Domzal called the regular Council meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road. Domzal stated that a subcommittee of Council met prior to the meeting to review applications for appointments to a Village Finance Committee.

The Pledge of Allegiance was recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

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

Motion passed (7 - 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 July 19, 2005.
- b. Review and file bills recapped as of Monday, July 25, 2005.

Motion passed (7 - 0).

BUSINESS AGENDA

PRESENTATION BY GARY GRABOWSKI REGARDING COMMUNICATION PLAN

Domzal stated that there have been a number of recommendations resulting from the Village's strategic planning process. The citizen committee established to drive the process has arrived at certain initiatives included in the strategic plan and is now moving towards the implementation process. Gary Grabowski has been involved in one of the key strategic initiatives related to increasing public awareness and participation in Beverly Hills issues. Domzal turned the floor over to Grabowski to give a power point presentation.

Gary Grabowski introduced himself as a resident and volunteer on the Strategic Planning Committee, which has met over the past year and one-half. The group came up with six key strategic initiatives that represent the core values and priorities of the Village: 1) Maintain Current Level of Services, 2) Improve/Update Infrastructure; 3) Establish a Long-Term Financial

Plan; 4) Develop an Ecologically Sound Environmental Plan; 5) Increase Public Awareness/ Participation and Interest in Beverly Hills Issues; 6) Maintain and Increase Value of Property.

Grabowski has volunteered to head the team that will implement the strategy for KSI #5, which is to increase public awareness/participation and interest in Beverly Hills issues. He sees this as a challenge of not only increasing awareness of Beverly Hills issues through communications but to increase public participation and interest in community issues.

The Strategic Planning Committee identified the stakeholders of the Village as follows: residents, educators, businesses, Village officials and boards, public safety, and service providers.

As part of the challenge of implementing this initiative, Grabowski sees the immediate goals as follows:

- Respond to the objectives of KSI #5 and establish benchmarks for ongoing success
- Update and monitor the sharing of accurate and timely information through media most useful to the stakeholders
- Stimulate interest in current issues and promote community involvement

The vision in terms of this initiative is: Updating channels of communication and using the process effectively will inspire us all to focus on and get involved with the things that matter the most: those things that preserve and enhance our community's core values.

The initial tasks are to evaluate the current channels of communication between stakeholders, enhance and improve the process while responding to current needs whenever possible. The discovery process involves asking questions like:

- How do our stakeholders communicate now?
- How do stakeholders in other communities communicate? What practices do we consider "best in class"?
- What needs to be communicated? By whom? When?
- How can we increase participation in community issues?
- How will we measure our progress?

Grabowski provided examples of how Village stakeholders communicate at present:

- Cable Channel 15 broadcasts and messages
- *The Villager* newsletter
- Press coverage
- Villagebeverlyhills.com web site
- Postal mail
- Village office service counter
- Village signage
- Casual interaction between stakeholders
- Calendar
- Printed brochures and bulletins
- Events and gatherings

Grabowski stated that there is a need for more volunteers from the Village who are motivated to get things done as part of an action team, help find answers to questions, seek solutions, and to manage and work the process over the coming year. The Village will be sending out a press release to call for volunteers. The next steps are to: 1) Recruit and empower volunteer team members; 2) Divide up the work load; 3) Implement, manage and improve the process, and 4) Report on our progress.

Volunteers are needed to help with:

- Public Relations
- Event Promotion and Coverage
- Broadcast Media (e.g. Ch 15)
- Printed media
- Interactive media (website and email)
- Historian
- Process management
- Village executive liaison

Grabowski observed through the strategic planning process that there are a surprising number of people in the Village with remarkable talent and experience when it comes to communications. He maintains that this is one process the Village should be able to handle without hiring outside consultants that would put further pressure on the budget. Grabowski invited Villagers who have a passion for communications to volunteer by contacting the Village office at 248/646-6404. He hopes that this call for volunteers will stimulate participation and interest in Beverly Hills issues.

Domzal commented that Grabowski has presented tangible ideas related to this particular initiative, and he is an excellent person to spearhead this group. The program is important not only in terms of improving communications, but to assure the success in achieving some of the other key initiatives. Effective communication between the various stakeholders is important.

Woodrow questioned whether Council will be asked to form another committee or whether this is intended to be a citizen group pursuing these efforts on their own. Grabowski replied that he sees this group as being a citizen based initiative that will not represent an additional workload for Council or the Village staff. This group will seek approval from the Village office for any communication released. He suggested that a liaison from Council or administration be selected to coordinate with the group.

Rose McLennan of 19977 Sunnyslope suggested that the Village look into sharing changeable message board signs in front of the schools in the Village for the purpose of making community announcements.

Greg Burry of 32742 Pierce thought that improving communications in the Village is a great idea. Press releases should be made on a regular basis, and the *Villager* Newsletter should be utilized to communicate the financial condition of the Village along with other topics of concern.

Pamela Rijnovean of 32420 Evergreen suggested that the public be informed of both the pleasant and unpleasant things going on in the Village. She thought that all Village board and committee meetings should be broadcast on the municipal cable channel in order to keep people informed.

REVIEW AND CONSIDER SUBCOMMITTEE RECOMMENDATION TO FILL VACANCIES ON FINANCE COMMITTEE

Woodrow reported that a subcommittee consisting of Downey, Domzal and himself as chair met prior to tonight's Council meeting to review 14 applications for seven positions on a Village Finance Committee. He said that it was great to have that many qualified applicants. A number of candidates were in attendance and presented brief remarks. After deliberation of the applications, the subcommittee unanimously approved a motion to recommend the following appointments to the Finance Committee.

Motion by Woodrow, second by Downey, that the Village Council appoint Robert Belaustegui, Dennis Fassett, and James Merritt for a three year term on the Finance Committee; John Mooney and Gary Piotrowicz for a two year term; and Thomas Nowland and Edward Roberts for a one year term.

Pfeifer commented that selection is a difficult decision due to the talented pool of applicants. Vacancies on Village boards and committees occur from time to time, and she hopes that the applicants who are not chosen will keep their names active. Pfeifer urged Council to set forth its recommendations and expectations for the Finance Committee.

Domzal thanked all of the applicants for their interest. The Finance Committee will face a number of challenges and difficult decisions with respect to the financial condition of the Village. He hopes that they get off to a good start and do good things.

Pamela Rijnovean had questions on the selection process employed by the subcommittee, which were addressed by Woodrow and Village Clerk Marshall.

Motion passed (7 – 0).

REVIEW AND CONSIDER APPLICANT TO FILL VACANCY ON BIRMINGHAM AREA CABLE BOARD

Pfeifer reported that a subcommittee of herself as chair, McCleary and Taylor met prior to the Council meeting to review an application to fill a vacancy on the Birmingham Area Cable Board. Pfeifer spoke with Georgeann Mach and thinks she will be a great addition to the Board. The subcommittee recommended that Council accept the application of Georgeann Mach.

Motion by Pfeifer, second by McCleary, that the Village Council appoint Georgeann Mach as a member of the Birmingham Area Cable Board for a term to expire in June, 2008.

Motion passed (7 – 0).

REVIEW AND CONSIDER REQUEST FROM ASCENSION OF CHRIST LUTHERAN CHURCH FOR USE OF VILLAGE STREETS AND SIDEWALKS FOR RUN/WALK

Ascension of Christ Lutheran Church is requesting the use of Village streets in order to host a 5K Run/Walk through the Village on October 15, 2005 with all proceeds going to Habitat for Humanity – Oakland County Chapter. There will be a one-mile Family Run on the same route with both events beginning at 9:30 a.m. The Church has submitted a document naming the Village of Beverly Hills as an additional insured under its certificate of liability for the Fun Run.

Motion by McCleary, second by Taylor, that the Village Council approve the request of Ascension of Christ Lutheran Church to use Village streets and sidewalks for its Run/Walk to be held on October 15, 2005.

It was pointed out that the run will take place on side streets in the Village and not on major thoroughfares.

Motion passed (7 – 0).

REVIEW AND CONSIDER RADIO SYSTEM AGREEMENT BETWEEN OAKLAND COUNTY AND THE VILLAGE OF BEVERLY HILLS

Koss reported that completion of the Oakland County 800 MHz radio system is approaching with a launch estimated in January 2006. A system of 36 antennas spread throughout the County will receive and transmit digital radio signals to and from police and fire mobile and portable radios. The system is being funded in large part by an E 911 surcharge paid by all hard line telephone users in Oakland County, a return of fees paid by Beverly Hills residents to support capital improvements in this community.

In order for the Public Safety Department to participate in this program, the Village Council must approve the Radio System Agreement. The alternative to participation would be for the Department to begin replacing 20 year-old equipment within its own capital budget. Beyond the expense involved, a new independent system would likely not be able to communicate with the new County digital system, thereby isolating the Department from the operational activity of neighboring jurisdictions.

Local jurisdictions will be supplied with one dispatch console and 17 mobile and 28 portable radios at no charge. Maintenance fees will be calculated and assessed at a later time. Local accessories and options are the responsibility of the individual departments; funds have been set aside in the FY 2005/06 Capital Budget for this purpose.

Motion by Koss, second by Pfeifer, that the Village Council authorize the Village Manager and staff to sign and execute the Oakland County Radio System Agreement, allowing for participation by the Beverly Hills Department of Public Safety.

Questions and comments from Council were addressed by Director Woodard. This is a new system, and officers will be receiving instruction. A few people in the Department will go for training and instruct the other officers. As much of the training as possible will be done during

duty time, but the Department will pay overtime if the officer trains off-duty. Woodard noted that the new system will be phased in.

Included in the discussion was the necessity of communication in the case of a multi-jurisdiction incident. All neighboring communities will be signing this contract with Oakland County with the exception of Southfield, which has invested in a new system before the County system was initiated. Woodard affirmed that the Beverly Hills Department has the capability of monitoring the City of Southfield at its police desk and in its cars with independent equipment.

There was some concern expressed by Council regarding the cost of maintenance fees to be assessed by the County at a later time. Woodard explained that there may be a recurring user or maintenance fee for each portable and mobile radio at the point when the system is up and running and beyond the warranty period. The fee will be largely based on participation and type of hardware that a community is using. Woodard noted that Beverly Hills will limit its hardware to the extent that it can. It was mentioned that the Village currently incurs costs to keep its equipment up to date. Replacing existing equipment that is over 20 years old with new equipment would be costly. Spallasso remarked that County agencies typically go after recovering their costs and would charge the communities their fair share.

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

REVIEW AND CONSIDER RESOLUTION APPOINTING DELEGATES TO THE MICHIGAN EMPLOYEES' RETIREMENT SYSTEM ANNUAL MEETING

Motion by Woodrow, second by McCleary, that the Village of Beverly Hills Council appoint Stan Pasieka as the officer delegate and Dave Byrwa as the officer alternate representing Beverly Hills and Theresa Knoll as the employee delegate with Barbara Fix as the alternate employee delegate to attend the Annual Meeting of the Michigan Employees' Retirement System to be held September 20-22, 2005 in Dearborn.

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

PUBLIC COMMENTS

Domzal remarked that there were a number of specific public comments made at the last Council meeting related to the Acacia relief project restoration, drainage ditches, and a water main construction program. Council has obtained follow-up information to the issues that were raised at that meeting. Spallasso will add any details that might be appropriate before hearing public comments.

McCleary reviewed that Mrs. Helen Gates reported problems with asphalt replacement of her driveway as part of the restoration after water main construction along 13 Mile Road. Dan Mitchell, P.E. from Hubbell, Roth & Clark, has met with the contractor at the site to discuss a couple of options to correct the appearance of the approach.

There was a concern expressed by a couple of residents about the depth and slope of the drainage ditches on Reedmere. Mitchell from HRC is working on a solution to this condition and will make a recommendation to the Village.

There was an issue raised by residents at the last meeting regarding the Acacia Park Drain Relief project restoration with respect to the grass used for slope stabilization in excavated areas of the sewer installation. Spallasso indicated that he will arrange a meeting between the agencies including the MDEQ and the property owners involved to discuss the restoration methods employed. Mr. and Mrs. MacIntosh have been advised and are in agreement with that course of action.

Alda Marie McCook of 19370 Riverside Drive stated that she spoke at the July 19 Council meeting about the problem of water flowing to her property from the neighboring lot to the east. She maintains that this problem is a result of the tunneling that took place as part of the Acacia Drain construction. McCook mentioned that Renzo Spallasso, HRC personnel, and two Council members visited her property early on to look at the situation, but the flooding has not been addressed. She contends that residents' complaints should be investigated and resolved by Council.

McCook stated that it has been reported that a Thomasville van has been going through the Village selling furniture from a truck. Questions such as how they acquired a permit from the Village and what rights they have were not addressed at the last Council meeting.

Spallasso responded that the Village has an ordinance regulating solicitations, which is enforced. Permits are issued by the Village Clerk based on restrictions in the ordinance, and the permit is checked by the Public Safety Department. If a vendor violates the conditions of the permit, they can be cited by Public Safety.

Downey added that a number of Council members have visited the McCook property to review the situation described by Mrs. McCook.

Domzal commented on the town meeting structure of Beverly Hills Council meetings. Some public comments can be addressed immediately and others cannot be resolved instantly. There are matters on which agreement cannot be reached with a resident. The McCook situation may be one of those issues. Domzal stated that Council takes its responsibility seriously and does follow up and respond to issues raised by the public.

Hildreth Buterbaugh of 18171 Dunblaine commented that he has enjoyed the tranquility and privacy of Village streets. He experienced an imposition last Saturday from individuals going through the Village selling furniture door-to-door from a truck. The person Buterbaugh spoke with had a permit from the Village. Because it was after 8 p.m., Buterbaugh contacted the Public Safety Department about this activity. He was told that it was not their jurisdiction and that he should call the Village. Residents are concerned about this type of solicitation being allowed in Beverly Hills. Buterbaugh suggested that Council revisit its solicitation ordinance to determine if it is accomplishing what it should.

Buterbaugh stated that he is glad to see that Council appointed a Finance Committee this evening, and he wished them luck.

Buterbaugh has learned that the Village has destroyed house plans that are over ten years old. He expressed the view that the office of the Village Clerk should be responsible for maintaining the integrity of these valuable records. People should have been sent a registered letter before their house plans were purged and given the opportunity to retrieve them from the Village office.

Downey commented that Chapter 32 of the Municipal Code regarding Solicitors is available for review on the village web site (www.villagebeverlyhills.com). He read from Section 32.09 (Hours of Operation), which says that soliciting may take place between the hours of 10 a.m. and 8 p.m., Section 32.10 (Exempt Persons), and Section 32.11, which provides that any person who does not wish to have solicitors enter upon their residence may inform the Village Clerk's office in writing. This can be done by emailing Village Clerk Ellen Marshall at emarshall@villagebeverlyhills.com. The Village Clerk's office keeps on file a list of these addresses, which is given to each individual who files an application for a solicitation license in Beverly Hills.

With regard to house plans that were destroyed, Spallasso explained that this was done because the Village is running out of space to store records. He affirmed that property owners would be notified and given the opportunity to retrieve their house plans if this is done again.

Annette Hobrecht of 16144 Marguerite was present with a few of her neighbors to voice an ongoing concern about hydroseeding that was done as part of the restoration after water main work was completed in her area. There are primarily weeds and no grass growing following the hydroseeding and subsequent reseeding of the area. She questioned what the plan is for restoration.

Spallasso responded that he is aware of the weeds growing in lieu of grass in some of the areas that were hydroseeded. He assured residents that the contractor will not be paid until the job is acceptable to Village standards. This means that grass will have to be uniform and without weeds. As early as next week, the contractors will be applying weed killer. It may not be until the end of August or early September when the grass conditions improve. Spallasso asked area residents to be a little more patient. The Village will make sure that the contractor reestablishes the area to its previous condition. In response to an inquiry, Spallasso stated that there was no sodding done in connection with this contract.

Spallasso reiterated this response to concerns about restoration from residents Jack Levy of 16128 Marguerite and Jacqueline Wilson of 16176 Marguerite. Mr. Levy was informed that he could contact the Village and request that the contractor cut the weeds on his property.

Spallasso thanked all of the residents involved in the water main replacement project for their patience in terms of putting up with the disruption related to construction and restoration during the last eight months. The outcome will be new water mains in the area.

Pamela Rijnovean of 32420 Evergreen expressed the view that the firm engaged to provide engineering services and a report on the flowing water condition at 19344 Riverside could not deliver an unbiased evaluation for the reason that Schleede Hampton Associates does business with Hubbell, Roth & Clark.

Robert Walsh of 20655 Smallwood Court questioned the progress of construction at the Beverly Park pavilion and when will the pavilion be available for groups to reserve the facility.

Spallasso stated that the pavilion gathering area has been completed. The contractor is waiting for delivery of heavy timbers needed to complete the project. Once they area delivered, the project will be completed quickly. Spallasso related that the pavilion is usable. The restrooms are not available, but there are porta-johns in the park.

Bunker Kelly of 21526 Corsaut took exception with the supporting data presented by Council tonight in response to problems articulated by residents at the last meeting. He expressed the view that not all residents' questions and comments are addressed by Council. Kelly congratulated Council for establishing a Finance Committee to study the Village's financial situation. He congratulated Gary Grabowski on his presentation on a communication plan for the Village. Kelly hoped that Grabowski would be chosen as the new spokesperson for the Strategic Plan implementation group.

As spokesperson for the Beverly Hills Citizens Forum Committee, Kelly commented on the Master Plan Workshop held by the Planning Board on July 27, 2005 and offered his interpretation of the discussion that occurred that evening. Kelly objected to the fact that the Planning Board did not provide an opportunity for public comments before taking action on a proposal from Cingular Wireless to collocate antennas on the SOCWA water tower on 14 Mile Road. Kelly proposed a question of ethics in terms of what he perceives as a discrepancy in costs quoted by LSL Planners to update the Master Plan. Kelly maintains that a rewrite of the Village Master Plan is not required and that the Planning Board review could entail only updating of census statistics.

Bob Walsh addressed the Master Plan Workshop held on July 27. He commented on an increase in the consultant's estimate over a two year period for updating the Master Plan. It was his understanding that the cost was increased to incorporate Strategic Committee findings. Walsh commented that a high priority of residents who responded to a recent Village-wide survey was a concern about big-foot housing in Beverly Hills. He read excerpts from the Strategic Plan regarding an objective to "evaluate current regulations to determine if they encourage or inhibit desired redevelopment and reinvestment and revise as appropriate". Walsh expressed concern relative to the intent of the Planning Board with respect to redevelopment and increased density. He believes that the character of the Village is at stake if there are major changes in the Village Master Plan.

Building Official Byrwa clarified that \$10,000 was allocated by Council to date for the Master Plan Update.

MANAGER'S REPORT

Spallasso reported that there are three construction projects coming up in the Village – water main replacement in Section 2, concrete road repairs, and asphalt resurfacing. The Village will do the best it can to minimize disruption during construction.

COUNCIL COMMENTS

Koss remarked that Eagle Scout Michael Lauer of 31404 Waltham is engaged in a project that will benefit the Public Safety Department. Michael and other trained associates will be working this summer to apply 3M reflective bands to 569 Village fire hydrants. The blue banding will aid the officers and firefighters in locating fire hydrants after dark. A manufactured product for wrapping the hydrants would cost \$10 for each hydrant or a total of \$5,690 for the entire project. By working with the raw material costing \$600, Michael will be saving the Village a significant amount of money.

Pfeifer welcomed Georgeann Mach to the Cable Board. The next meeting will be on Wednesday, August 17 at 7:45 a.m. Pfeifer pointed out a new book shelf kiosk in the municipal building lobby provided by Baldwin Public Library. Hard cover and paperback fiction books are supplied by the library with the intent that residents will borrow and return the books to the kiosk.

Pfeifer attended the Master Plan Workshop on July 27. She clarified that updating the Village Master Plan is a charge to the Planning Board that is mandated by the State. A community is required to update its master plan every five years. Pfeifer agrees that there is very little land left in Beverly Hills to develop. To her knowledge, the Village does not have any intention of absorbing vacant property. The point of the Master Plan is to recognize that there could be redevelopment in the community due to the age of the Village. The need for a Southfield Road corridor study has been recognized by the Planning Board. A good, solid Master Plan is needed to control orderly building and redevelopment in the Village.

Pfeifer remarked that the Planning Board is looking for constructive input from residents on a number of topics. She hopes that residents take part in the Master Plan process and do not get discouraged.

Woodrow commented that the concert in the park last week was well attended and everyone had a great time. He remarked that the remodeled pavilion looks nice.

Taylor recognized Spallasso for his follow up and response to residents' concerns. He reminded residents that they can call the Village office with concerns regarding the Village or their property. Taylor commented that Chapter 22 of the municipal code provides the Village with control over building on sites such as the SOCWA property where cell tower support structures are located. The request from Cingular Wireless for collocation of antennas and construction of a control building on the water tower site has been tabled by Council and will be addressed at an upcoming meeting.

McCleary thanked the Parks and Recreation Board and particularly Cynthia Nagle for a great job on the concerts in the park this year. The pavilion is looking good. With regard to the sale of furniture from a truck in the Village, McCleary noted that they would not remain in the

community if residents were not buying their wares. McCleary stated that he thinks that the Village has done well in terms of maintaining and improving its infrastructure.

Domzal made mention of a program initiated by 46th District Court Judge Stephen Cooper called Recovery Court. Individuals in the judicial system who have substance abuse issues are provided with court supervised meetings with Judge Cooper. It is a sign of the strength of the community that there are programs that provide these needed services for our residents.

Domzal announced that a meeting of the Strategic Planning committee members is scheduled for Wednesday, August 10 at 7:30 p.m. in the municipal building.

A Candidates Forum night sponsored by the League of Women Voters will be held on Thursday, August 25, at 7:00 p.m. at the Village municipal building. The event will be broadcast live over cable channel 15 and will be rebroadcast a number of times before the election. There are five candidates who have filed petitions for three vacant Council seats to be determined at the September 13 election. The candidates are: Greg Burry, Daniel McCleary, Jon Oen, Pamela Rijnovean, and Gladys Walsh.

Motion by Pfeifer, second by Taylor, to adjourn the meeting at 9:31 p.m.

Motion passed.

Dave Domzal
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary