

Present: President Taylor; President Pro-Tem Walsh; Members: Burry, Koss, Pfeifer, Rijnovean and Woodrow

Absent: None

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

President Taylor 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. The Pledge of Allegiance was recited by those in attendance.

**ADDITIONS TO AGENDA/APPROVE AGENDA**

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

Motion passed (7 – 0).

**PUBLIC COMMENTS**

Eileen Michalak of 31788 Allerton read a statement signed by individuals representing eight households on Allerton in opposition to recent plans to alter the ball diamond in Beverly Park, particularly with installing bleachers along the third base line.

Norm Downey of 23042 Nottingham stated that he and other residents are disappointed with the lack of progress in balancing Village expenses with income. He noted that the number one priority of Village residents as indicated in a recent Village-wide survey is to balance the budget. Downey reiterated suggestions offered at past Council meetings for cutting costs and asked Council to accelerate efforts to balance the budget.

Bunker Kelly of 21526 Corsaut Lane referred to a comment made by a member of Council at the last meeting that Villagers respect the office of Council. Kelly asked that Council members respect Villagers' concerns, referring specifically to the opposition expressed by Allerton residents relative to the ball diamond improvements at Beverly Park.

**CONSENT AGENDA**

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

- a. Review and consider minutes of a regular Council meeting held November 1, 2005.
- b. Review and file bills recapped as of Monday, November 14, 2005.

Motion passed (7 - 0).

**BUSINESS AGENDA**

**PRESENTATION OF BEAUTIFICATION AWARDS**

Rijnovean recognized property owners for their contribution in making Beverly Hills a more beautiful place in which to live. The Beautification Committee has selected 10 winners from the entries received this year. A 2005 recognition certificate will be mailed to all the non-winning entries. Rijnovean presented the 2005 Beautification Award Certificates and a gift of a Pewabic pottery tile to the following:

James and Lucille Nawara  
30585 Vernon

Ana Dan & Paul Weber  
31196 Churchill

William & Gayle Orlow  
31057 River's Edge

Bart & Laura Tinsley  
18921 Hillcrest

Terry Barclay & Allen Gigliotti  
32096 Rosevear

Bob & Jen Ruprich  
18389 Devonshire

Not present:

Thomas & Karen Healy  
18220 Dunblaine

Bill & Sally Johnson  
31805 Evergreen

Lawrence & Rolene Wiethorn  
19075 Hillcrest

Kathleen Tomkinson  
16041 Amherst

Audience members applauded the recipients. Taylor thanked those who received an award for their effort towards taking exceptional care of their homes.

**PRESENTATION OF JUNE 30, 2005 AUDIT BY PLANTE & MORAN**

Joe Heffernan along with Stacey Reeves and Rachel Bois from Plante & Moran presented the audit report for the year ending June 30, 2005. Council members have received a copy of the general purpose financial statements of the Village, the auditor's letter of comments and recommendations, and Federal Awards information. The financial statements are a product of Finance Director Bob Wiszowaty and the finance department. The auditor's job is to test those numbers on a sample basis and compile them into a financial report. Heffernan stated that the Village has received a clean opinion, which means the Village's accounting records are in good shape and are representative of how the Village did for the year.

Rachel Bois presented an overview of the Village's financial condition with the use of graphs. There are two levels of financial reporting, the government-wide level and the fund-based level. The graphs look more at the government-wide level, which is a long-term method of looking at whether Village taxpayers have paid the full cost of services. The graphs include a Statement of Government Net Assets, Statement of Activities (compares the resources provided in the current year to the cost of providing this year's services), and Water and Sewer Fund Activities for the year ended June 30.

Stacey Reeves reviewed the Plante & Moran letter of comments and recommendations addressed to Council. The primary purpose of this letter is to update the Village on any relevant legislative issues as well as any accounting matters encountered during the audit. The first item is State Shared Revenue, which has decreased since 2000. The State budget for this year proposed no further reductions to revenue sharing below the current FY 04/05 funding level. However, that decision could be changed at any time. The constitutional portion of revenue sharing has remained steady or has increased over the past several years; the statutory portion has been declining and is at risk if the lawmakers decide to eliminate it. This will be an important budget consideration.

Reeves reported that the Village does have a healthy fund balance, as shown on page 12 of the financial statements. The General Fund unreserved Fund Balance as of June 30, 2005 was \$1,570,000, which represents approximately 25% of annual expenditures. In the estimation of the auditors, this means that the Village is financially healthy at this time and has reserves to help withstand losses in State Shared Revenue and other potential losses of revenue sources.

There are a couple of other bulletin points in the letter. Reeves remarked that there is nothing noted in the comments and recommendations letter as far as internal control deficiencies. A new item presented to Council this year was the Federal Awards Statement. A Federal Awards Compliance Audit was required because the Village received Federal funding this year that exceeded \$5,000. The auditor's findings did not indicate any problems with the way the Village is handling those funds.

Heffernan commented that the Village is in good financial health in terms of government wide and fund based levels. Looking at the fund based level, the Village had a shortfall of about \$47,000 of revenues less than expenditures this year but ended up with a fund balance of approximately 25% of expenditures. If you view a fund balance as a savings account, the Village used some of its fund balance but ended up at a healthy number. It is appropriate to have a target fund balance both in terms of a minimum and maximum level.

Having too little in the fund balance will not leave enough to operate like a savings account. People would agree that it is also possible that a government can have too much in savings, which may mean that people are taxed more than they need to be. It was Heffernan's opinion that a minimum fund balance would be in the neighborhood of 15%-20% and the maximum in the area of 30%-35%. Those are ranges that would be common in other similar-sized communities, with 25% being in the middle of the range. There was about a 1% decrease this year in the fund balance; but it was at 25%, which is within the realm of what should be a maximum or minimum.

When looking at government-wide statements on a long term basis, unrestricted net assets is the appropriate way to measure all of the assets including the building, the debt against it, and the obligations to employees for sick and vacation pay. Total net assets break into three components - invested, restricted and non-restricted. The first two cannot be spent, and the unrestricted assets become the key measure. Unrestricted net assets, which were stable from last year to this year, went up about \$300,000. That represents about 40% of the Village's

annual expenditures, another strong measure. Heffernan concluded that the Village looks to be in very good financial health on a short term and long term basis.

Heffernan touched on topics discussed at a recent seminar on municipal finances conducted in the Beverly Hills council chamber. There was a discussion about the impact of taxable value. Sales, home expansions, and new construction each have a different impact on the bottom line finances of the Village.

Heffernan explained the difference between taxable value and the State Equalized Value of a home. Homes have two different values placed on them. Taxable value, which is what this year's tax will be based on and State Equalized Value, which is the assessor's estimate of 50% of the true cash value. The difference between assessed value and taxable value when a property is sold or transferred is referred to as the "uncapped value". The sale of a home results in the taxable value being reset at the State Equalized Valuation amount, and the buyer of the home will pay more taxes than the previous owner. It is important to recognize that the increased revenue is not received by the Village due to the impact of the Headlee Rollback factor, which will reduce the total village-wide millage rate by a fraction of a mill. Multiplied by every home, this will make up for what the buyer had to pay in extra taxes. Zero additional dollars come in based on the sale of property due to the Headlee Amendment acting on top of Proposal A.

If a resident builds an addition to his home, that addition increases the value of the house. The portion of the house that was there stays at its current taxable value. The new construction is now assessed as new property at 50% of its true cash value. This does increase the resident's tax bill without rolling back the millage rate so that the Village will receive the benefit of the extra taxes being paid by that resident. The third method is new construction, which also brings in new taxes to the Village.

Heffernan addressed comments and questions from Council regarding benchmarks for unrestricted net assets and fund balance levels. He asserted that prudent financial managers identify an appropriate minimum amount as well as a maximum amount and do what they can to react to negative implications when they occur and stay within that range.

Heffernan recapped remarks he made at the municipal finance workshop about a balanced budget. State Law requires a municipality to have a balanced budget and an audit. There is a significant misunderstanding as to what is meant by a balanced budget. It does not mean that budgeted revenues must be equal to budgeted expenditures. According to the law, a balanced budget is defined as the fund balance at the beginning of the year plus estimated revenues minus budgeted expenditures, which must be greater than zero. In accounting terms, you cannot budget to go into fund balance deficit.

To the extent that Beverly Hills has a targeted fund balance that is shifting towards the upper end of the range, it is perfectly appropriate to allow the fund balance to be reduced either by decreasing taxes or increasing expenditures, which would bring the fund balance to the middle of the target. That does mean that budgeted expenditures will be more than budgeted revenues, which clearly meets the definition of balanced budget.

Heffernan addressed the difference between public and private sector budgeting. In the private sector, budgeting is more of a forecast or a plan with the point being to establish targets that affect behavior. In the public sector, a budget represents legal authority for department heads to engage in activities the governing body would like them to engage in. Each department head is typically asked to prepare a budget that addresses their projected costs for accomplishing what the governing body is asking them to do. At most government entities, Heffernan finds that a manager who is trying to be as frugal as possible will spend less than the budget. You want your department heads to do what they have been asked to do as efficiently and economically as possible.

The auditors looked at the Village's five year average; Beverly Hills was \$100,000-\$150,000 better than its budget every year. Most people from the private sector would say that is poor budgeting. The budget is not meant to be an aggressive target in the public sector. The budget is a governing body's method of giving legal authority to undertake certain activities.

Norm Downey of 23042 Nottingham Drive asked why the audit report was not presented closer to the September 15 date of the document. Heffernan explained that auditing standards require the audit report to be dated on the day when the field work is substantially complete. There was a new accounting rule this year that required information on deposits and investments of the Village. Receipt of this information from the bank took extra time, which delayed the presentation by Plante & Moran.

In response to an inquiry, Spallasso stated that copies of the audit were available for review by the public at the same time that they were available to Council. Finance Director Wiszowaty stated that the audit will be posted on the Village web site.

A question from Downey on how water main debt service charges are categorized will be reviewed by administration with a response forwarded to Downey.

Spallasso commended Wiszowaty and the Finance Department staff on the audit report. Taylor thanked the representatives from Plante & Moran for their presentation.

## **REVIEW AND CONSIDER GOALS AND OBJECTIVES OF VILLAGE FINANCE COMMITTEE**

Burry stated that he has compiled suggestions for the goals and objectives of the newly created finance committee. He suggested that the finance committee should be a standing committee to conduct studies as assigned and requested by the Village Council. It will present its findings to the Council and the public and make recommendations to Council. Burry asked for a discussion on goals of the finance committee and an initial charge that could be assigned to the committee.

Burry related that it has been suggested by a member of the Finance Committee that the group should act as a sounding board for Council during the budget development process. The committee could identify areas of concern and provide comments on various budget items.

John Mooney, finance committee member, suggested that the Village Council assign a charge to the finance committee. He thinks that assigning the committee to look at items that should be handled by the Village staff is probably not the way to proceed. He hoped that Council would consider using the finance committee as a mechanism to develop a vision for the community with regard to finance into the future. A topic to consider is the economic impact of events going on around the Village. Beverly Hills should develop a vision of how it is going to raise the necessary revenue to maintain current services if that is what the community wants. The finance committee should be a mechanism whereby independent residents of the Village give a non-political view as to how the Village should be run.

Hildreth Buterbaugh of 18171 Dunblaine, former Council liaison to the original finance committee, provided background on the first finance committee formed to help Council address infrastructure problems. He suggested that this Council make it a top priority to establish goals and objectives for the finance committee as well as a specific assignment.

Walsh commented that decreasing revenue and increasing costs are pressing issues in the community. A publication by Plante & Moran indicated that communities are responding to fiscal problems in a combination of ways including financial forecasting, expense reductions, and revenue enhancements. All of these things are critical and will be the driving forces to consider how the Village can maintain existing services. Walsh commented on the makeup of the Finance Committee and maintained that good discussion comes from people with varying viewpoints. There needs to be a consensus on how the Village can best handle its fiscal situation.

Walsh stated that the annual audit results provide points to ponder. Council will be going into a new budget session soon and will begin work on an appropriation that it can live with. Resident input is important in terms of what services are most important to them. Council will have to look at items that create expense for the Village such as health care costs, public safety, and the library. Consideration will be given to what can be done to hold down costs. Walsh stated that it is prudent management to be looking at some of the issues that are being proposed.

Walsh remarked that Council needs to establish what it wants the finance committee to do. A motion was made and passed that it should be a standing committee. The finance committee should carry out projects assigned by Council and make recommendations to Council. Walsh encouraged residents to participate in meetings so that these become meaningful discussions and Council has good recommendations coming before it. She suggested that Council move forward quickly to provide an assignment to the Finance Committee.

Pfeifer stated that resident Jim Calder provided Council members with a document on the financial state of the Village, a copy of which should be furnished to finance committee members. She thinks that there may be value in the Council meeting jointly with the finance committee to discuss their goals and objectives. The suggestion of setting a joint meeting date was discussed by council and disregarded.

Mooney suggested that it might be helpful if the finance committee could meet to discuss a meeting date and select its chair and vice-chairperson. He expressed concern that Council is not prepared to assign a task to the finance committee tonight.

Motion by Burry, second by Rijnovean, that the Finance Committee shall be a standing committee to carry out studies as assigned and requested by the Village Council, present its findings to Council and the public, and make recommendations to Council. The Finance Committee is directed to meet to set up the structure of its committee. Council will charge the Finance Committee with an assignment at the next Council meeting.

There was discussion on the motion by members of the Council and the public.

Roll Call Vote:

Burry	- yes
Koss	- yes
Pfeifer	- yes
Rijnovean	- yes
Taylor	- yes
Walsh	- yes
Woodrow	- no

Motion passed (6 – 1).

#### **REVIEW AND CONSIDER AGREEMENT WITH CABLE FRANCHISE ADVOCACY GROUP PROTEC**

Pfeifer stated that the Birmingham Area Cable Board proposes to join PROTEC on behalf of its consortium communities and is willing to finance this membership. PROTEC is a group formed by Michigan cities interested in protecting their citizens' control over public rights-of-way and their right to receive fair compensation from the telecommunications companies that use public property.

Pfeifer explained that communities are facing challenges both on the state and federal level in the form of new legislation that would hinder if not eliminate the rights of local government to manage its rights-of-ways and eliminate local franchise requirements. If a state-wide or national franchise is passed, local ability to protect and manage these rights-of-way as well as the revenue derived from them will be lost.

The cost to the Cable Board for the annual PROTEC membership for Birmingham, Beverly Hills and Franklin is \$.125 per resident or a total of \$4,083.14. The amount is based on population figures for Birmingham, Beverly Hills and Franklin. Bingham Farms is already a PROTEC member. The Cable Board is requesting the permission of the participating municipalities.

Motion by Pfeifer, second by Woodrow, that the Village Council authorize the Cable Board to sponsor Beverly Hills' membership in the PROTEC organization.

Questions from Council and members of the public regarding the focus of the PROTEC, rights-of-way issues, the need for competition for telecommunication service, and concerns about lobbying were addressed by Pfeifer and Village Attorney Ryan. Spallasso commented on the importance of protecting the Village's right-of-ways in terms of permitting and monitoring utilities.

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

**REVIEW AND CONSIDER AUTHORIZING VILLAGE ATTORNEY TO DRAFT AN ORDINANCE AMENDING CHAPTER 13 BURNING & REFUSE DISPOSAL, SECTION 11 (b) HOURS OF PLACEMENT**

Rijnovean proposed an amendment to the Village Ordinance that would change the permissible time for solid waste to be placed at the curb for collection on the following day from 7:00 p.m. to 5:00 p.m. in order to accommodate residents and particularly senior citizens in the winter months when it is dark earlier. Some people take their trash out earlier than 7 p.m. currently, while other citizens choose to obey the rules.

Walsh remarked that she had no objections to an ordinance amendment to allow trash to be set out earlier; however, the manner in which it is set out is important. Walsh noted that there are other items in this chapter of the ordinance that could be addressed. People are supposed to be taking empty containers off the curb after pickup before 7 a.m. the next day. This does not always occur. Walsh stated that the Village could increase its revenue by enforcing the ordinance and issuing fines.

Hildreth Buterbaugh of 18171 Dunblaine commented that the Village does not enforce the ordinance in terms of people taking their trash out early. He thinks that a bigger problem is people who sweep leaves into the street or mulch them without a bag, which causes problems for people with breathing difficulties.

Sharon Tischler of 21415 Virmar Court questioned how the ordinance can be worded to conform to daylight saving time. She objects to people who leave garbage, appliances or bags of leaves out for days before their regular pickup day.

Spallasso commented that the Village has a code enforcement officer; however, he does not recall the Village writing citations to property owners who put trash out two hours earlier than indicated in the ordinance.

Motion by Rijnovean, second by Walsh, to amend Municipal Code, Chapter 13.11(b) to change the permitted time for taking trash out to the street from 7:00 p.m. the prior day proceeding the collection day to 5:00 p.m.

Roll Call Vote:  
Pfeifer - no  
Rijnovean - yes  
Taylor - yes

Walsh - yes  
Woodrow - no  
Burry - yes  
Koss - yes

Motion passed (5 – 2).

**REVIEW AND CONSIDER INSURANCE RENEWAL**

The Village is provided with property and liability insurance through the Michigan Municipal Risk Management Authority (MMRMA). The proposed 2005/06 renewal policy with MMRMA contains basically the same policy coverage as the last three years. The policy provides a \$10,000,000 limit of liability with a \$75,000 self-insured retention fund. There is also a \$500,000 limit on coverage for sewer backup. The premium cost for liability coverage over the next 12 months is \$124,551, less than a 3% increase from last year's premium.

It is proposed that the Village will continue to explore plans for supplemental pollution and remediation insurance coverage with MMRMA, since the policy with AON Risk Services no longer meets Village requirements. The 2004/05 supplemental coverage for claims over \$500,000 to \$10,000,000 from AON had a premium amount of \$24,323, but the revised coverage no longer protects the Village from sewer backups.

Motion by Burry, second by Pfeifer.

Resolved that the Village Council renew its property and liability insurance policy with MMRMA to reflect a \$10,000,000 Limit of Liability, with a \$75,000 Self-Insured Retention, which includes \$500,000 for sewer back-up coverage, and approve the proposal from MMRMA in the amount of \$124,551. The costs will be paid from the appropriate line items in the General Fund and Enterprise Fund.

Further Resolved that the Village Council approve of the continued investigation of insurance plans available from MMRMA for supplemental pollution and remediation insurance coverage to effectively provide a \$10,000,000 Limit of Liability after the first \$500,000 of coverage from MMRMA. The results of this policy investigation will be brought back to Council for final review.

Hildreth Buterbaugh urged Council to obtain additional insurance for sewer backups. Spallasso responded that he is looking to save money on premiums and obtain additional coverage.

Roll Call Vote:

Motion passed (7 – 0).

**REVIEW AND CONSIDER SCHEDULING AN ORGANIZATIONAL MEETING OF THE VILLAGE COUNCIL ON NOVEMBER 14, 2006**

Motion by Walsh, second by Pfeifer, to add a Special Council meeting onto the 2006 meeting schedule for Tuesday, November 14, 2006 at 7:30 p.m. for the purpose of swearing in new Council members and electing a President and President Pro-Tem.

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

**DISCUSSION ITEM – CONSIDER SENDING REQUEST TO BALDWIN LIBRARY REGARDING BEVERLY HILLS' USAGE DATA**

Rijnovean commented that Beverly Hills contracts for library service with the Baldwin Public Library at a cost of about \$500,000 per year, or 8% of the budget. The Village has been asking the Baldwin Library for data on how many residents use the library on a regular basis.

Rijnovean spoke with the person who provides technical computer service to the Baldwin Library. She learned that the library's current computer system does not have the ability to provide data on how many residents checked out an item from the library during the last year and how many visits are involved. This individual did provide information on the number of Beverly Hills residents who had at least one item checked out as of yesterday afternoon. He indicated that, as of a particular time yesterday, 676 residents of Beverly Hills (6% of the Village) had 3,512 items checked out. The number of items checked out to individuals ranged from one to 46.

Rijnovean stated that the Baldwin Public Library will be purchasing a new computer system in January of 2006 that will be able to provide the Village with the information it requests. She has requested a quarterly report from the Library on how many residents use the library and the number of visits. She thinks that this will help with developing a better relationship with the Baldwin Public Library.

Koss commented that she was able to receive information about Beverly Hills usage at the Bloomfield Library for the last year. She learned that 1,750 Beverly Hills residents used the Bloomfield Library and checked out 26,903 items in the last year.

Walsh commented that the Library Privacy Act (Act 455 of 1982) talks about identifying a person as opposed to non-identifying records. She asked if the information requested by Rijnovean could be classified as non-identifying records and therefore be available through the Freedom of Information Act. Ryan believes that the requested information can be received under the Library Privacy Act, but Baldwin Library does not have the technology to provide it.

Woodrow pointed out that the Village's contract with the Baldwin Library allows residents access to the Bloomfield Township Library. He noted that the Bloomfield Township Library is the only library in the State of Michigan ranked in the top 100 in the country.

Hildreth Buterbaugh mentioned that there are people who do not borrow books from the library but attend library classes or use the computers. He remarked that Baldwin Library card holders also have use of the Detroit Library and specifically the automobile collection in the Stillman Library. The \$500,000 cost of the contract represents a lot of money, but the Village receives much for their money. He maintains that the library is an important asset to the community.

Therese Costello of 17414 Beverly Road commented that the library is an extremely important issue to the six residents in her household who use the library extensively. Her family also attends classes for adults and children. She maintains that there is something for everyone in the community at the Baldwin Library from seniors to infants. Costello feels that not having library service in the community would be as detrimental to her as closing a local school.

Maureen Francis of 16968 Madoline agrees that use of the Baldwin Public Library is an extremely important asset to the community and one that makes people want to move to Beverly Hills. She and her child visit the library often. She does not think that the number of books checked out is relevant because the Villagers have indicated through a recent survey that they value library services.

Tony Grinnan of 1 Stonehouse Lane stated that the library issue is important to her. She commented on her family's heavy use of the library. There are books at the library that are not available on the Internet, and there is still no substitute for books. Were the Village to abandon its contract for library services, residents would still have the legal right to go into the library and look at books. Their ability to remove items or use some of the services provided by the library would be affected. Grinnan stated that Beverly Hills is an educated community and one that needs access to this kind of service. As a former council person, she recognizes the hard choices Council has to make, but she does not want the library to be one of their hard choices.

Leanne Toth of 21605 13 Mile Road asked what the comparable amount is that other communities pay to use the same library. She questioned whether the Village is going to explore other viable alternatives to the Baldwin Public Library.

Taylor stated that he did not think that the Village is moving in a direction of eliminating library service at this time. The use statistics will be valuable information for the Village. How to proceed on this topic will be determined by a vote of Council.

Rijnovean remarked that Council is attempting to gather information related to the Village's library contract so it can make informed decisions. Walsh added that this discussion is precipitated by Council's efforts to be prudent in terms of how it spends residents' money. No one will discount the importance of the library to the community. Pfeifer offered clarifications on the contract with the Library. Burry raised the question of whether the Village is receiving value for its money. A contract based on a millage rate may increase faster than we can afford in the future.

Ryan reviewed that the Village negotiated this contract with Baldwin Public Library in 1992. It was thought that the contract was fair at the time. A millage rate was used equivalent to what Birmingham would pay, considering that it is Birmingham's building. The millage rate is subject to the Headlee Amendment. There is a provision whereby the Village can opt out of the contract. If this Council wants to try to renegotiate or contract somewhere else for library service, it has an opportunity to do that.

Walsh related that Act 59 of 1964 addresses distribution of penal fines to public libraries. She made the point that there are other sources of revenue coming into the Baldwin Library.

### **REPORTS – MANAGER**

Spallasso stated that the Village is about to enter into collective bargaining negotiations for three union contracts expiring December 31, 2005 including Public Safety Officers, Public Safety Dispatch Unit, and AFSCME (American Federation of State, County and Municipal Employees). He will keep Council informed.

A question from Pfeifer regarding Hubbell, Roth & Clark metering services and report was answered by Spallasso.

Hildreth Buterbaugh stated that the walk light at the Southfield and Dunblaine crossing is not operational. Spallasso will look into this tomorrow.

### **COUNCIL**

Burry thanked residents for providing their comments to Council and encouraged them to continue providing input.

As liaison to the Southfield Township Board of Trustees, Koss informed the public that the veterinary clinic used by the animal control service provided by the Township is Greenfield Animal Hospital, which has relocated to 11 Mile and Lahser Roads. If a resident loses their pet, they can call Southfield Township and find out whether animal control has picked up their animal and taken it to the facility. Koss informed residents that animals that are not spoken for are available for adoption if anyone is looking for a pet. Koss wished everyone a safe and happy Thanksgiving.

Pfeifer announced that there will be a Birmingham Area Cable Board meeting tomorrow morning, November 16 at 7:45 a.m. Pfeifer reviewed that Council passed a resolution in support of local control of cable franchising in response to a bill before the State Legislature proposing a statewide franchise agreement. Since that time, a House Telecom Bill is being drafted and fast tracked through Congress. The bill has much to do with new telephone company technology. There is no time for Council to prepare and adopt a resolution, so Pfeifer is asking for a consensus of Council to authorize the Council President to send a letter to our federal representatives in support of local franchise agreements and control of rights-of-ways. She will distribute the sample letter to Council members. It was the sense of Council to authorize President Taylor to sign and mail the letter on their behalf.

Woodrow congratulated the individuals who have received beautification awards and commended them on their accomplishments. It shows that people care for their properties and for the Village.

Walsh attended the last Planning Board meeting as the alternate liaison. She related that the draft of the Village Master Plan Update has been put off until their December 14 meeting. Anyone interested in a review of Community Goals, Future Land Use Plan, Circulation Plan,

and Community Facilities Plan chapters should attend the next Planning Board meeting. Walsh encouraged residents to be actively involved in the process.

The Neighborhood Study is going to be pulled from the document so it will not hold up the Master Plan Update. Residents will hear more about the neighborhood study in the spring edition of the Villager newsletter.

As liaison to the Zoning Board of Appeals, Walsh attended their November 14 meeting. She was asked by ZBA members to inform Council that they are having difficulty with interpretation of Chapter 22.08.150(a) of the Municipal Code relating to replacement of fences. It says that no fence, wall or privacy screen shall be erected, replaced or altered by more than 25% of the vertical area of any side until a permit has been issued. The ZBA is requesting that Council discuss this language and arrive at some interpretation of the ordinance.

It was questioned at the ZBA meeting whether a Board member is allowed to abstain from voting on a motion. Village attorney Ryan responded that there would have to be a financial or personal interest or some other conflict in order to request abstention. The member would have to disclose the reason to the board, and the members would vote on whether there is a reason to abstain from voting on a case. A member has a duty to vote and make a decision. Ryan will provide this direction in writing to the Zoning Board of Appeals.

Taylor announced a joint meeting of the Parks and Recreation Board and Council on Thursday, November 17 at 7:30 p.m. The Parks and Recreation Board will start its meeting at 7:00 p.m. He noted that that the meeting will not be videotaped for future broadcast as originally intended.

Taylor mentioned that Oakland County Commissioner Chuck Moss was in the audience earlier. Moss has been hosting a cable program called "Eye on Oakland". Taylor stated that he will be featured as a guest on an upcoming segment.

Motion by Pfeifer, second by Koss, to adjourn the meeting at 10:40 p.m.

Motion passed.

**Dave Taylor**  
**Council President**

**Ellen E. Marshall**  
**Village Clerk**

**Susan Bernard**  
**Recording Secretary**