

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

Absent: President Taylor

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

President Pro-Tem Walsh 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 Koss, to approve the agenda as published.

Motion passed (6 – 0).

### **PUBLIC COMMENTS**

Sharon Tischler asked two questions regarding the bills.

### **CONSENT AGENDA**

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

- a. Review and consider minutes of a joint meeting of Council and the Parks & Recreation Board held on November 17, 2005.
- b. Review and consider minutes of a regular Council meeting held on December 6, 2005.
- c. Review and file bills recapped as of Monday, December 12, 2005.

Motion passed (6 - 0).

### **BUSINESS AGENDA**

#### **SECOND READING AND POSSIBLE ADOPTION OF ORDINANCE 321 AMENDING CHAPTER 13 OF THE MUNICIPAL CODE – SOLID WASTE**

Council held a first reading of proposed Ordinance No. 321 at its December 6, 2005 meeting. This ordinance is amending the Village of Beverly Hills Municipal Code, Chapter 13, Section 13.11b, Location of Solid Waste and Recycling Containers; Yard Waste Compost; Hours of Placement; Enforcement. Rijnovean read proposed Section 13.11b:

- b. Hours of Placement: Residential solid waste shall be set out on designated collection days and at such places as shall be specified in the solid-waste regulations approved by

the Village Manager. For weekly collection, such solid waste shall not be placed in any street prior to 5:00 p.m. of the day preceding the scheduled collection day except by arrangement with the Village Manager or his/her designee.

Pfeifer does not support this amendment since there are provisions in the current ordinance for those who seek special requests. She expressed her concern that this expenditure is a waste of Village resources, including Council's time, legal counsel's time, and money. She feels this change is being proposed as the result of one complaint.

Rijnovean shared a letter that was sent to the Observer & Eccentric newspaper concerning the 7:00 pm set-out time. She feels the basic responsibility of Council is to listen to residents' concerns and try to help. Changing this ordinance is the right thing to do. She stated that the cost to make this change is \$100 in attorney fees.

Motion by Rijnovean, second by Burry, to adopt Ordinance No. 321, an Ordinance to amend Chapter 13 of the Municipal Code for the Village of Beverly Hills by amending, in part, Chapter 13, Section 13.11b, Location of Solid Waste and Recycling Containers; Yard Waste Compost; Hours of Placement; Enforcement, by changing the time from 7:00 p.m. to 5:00 p.m. when solid waste containers may be placed at the street for collection.

Koss stated that tickets have never been issued for setting trash out early, however, since the time has already been spent drafting this ordinance, she will support it.

Roll Call Vote:

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

Motion passed (4 – 2).

**REFER TO PLANNING BOARD A REQUEST FROM COVENANT ALLIANCE CHURCH AT 15858 W. 13 MILE ROAD FOR SITE PLAN REVIEW OF A PARKING LOT EXPANSION**

The Village is in receipt of a request from Covenant Alliance Church to expand their parking lot at 15858 W. 13 Mile Road.

Motion by Woodrow, second by Pfeifer, that the Village Council refer the request from Covenant Alliance Church for site plan approval and special land use approval to expand the parking lot on the northern portion of their property at 15858 W. 13 Mile Road to the Planning Board for review and recommendation.

Rijnovean asked who will be paying for the expansion. Spallasso replied that Birmingham Public Schools will be paying for it and utilizing it while construction is being completed at Greenfield School during the next year. When the construction is done, the parking lot will be turned over to the church.

Roll Call Vote:

Walsh - yes  
Woodrow - yes  
Burry - yes  
Koss - yes  
Pfeifer - yes  
Rijnovean - yes

Motion passed (6 – 0).

**REVIEW AND CONSIDER AMENDMENT TO VILLAGE PERSONNEL POLICIES & PROCEDURES MANUAL**

Beginning January 1, 2006, the Village must adopt a Social Security number privacy policy to protect the confidentiality of all Social Security numbers obtained by the village. The Social Security Number Privacy Act, Public Act 454 of 2004 (MCL 445.81, *et seq.*) took effect March 1, 2005 and prohibits many uses of entire Social Security numbers, restricts other uses, and requires that policies be adopted to ensure that all uses are lawful and confidential.

Motion by Burry, second by Woodrow, that the Village Council adopt a Social Security Number Privacy Policy to be included in the Employee Guidelines portion of the Beverly Hills Personnel Policies and Procedures Manual as section 7.95 effective January 1, 2006.

Pfeifer made a correction to Section 2. Policy by adding “It is the **policy of the Village...**”.

Walsh inquired whether Attorney Ryan reviewed the policy to which he responded affirmatively. She asked several other questions regarding the policy that were answered by administration. This policy also encompasses the Public Safety Department.

Roll Call Vote:

Woodrow - yes  
Burry - yes  
Koss - yes  
Pfeifer - yes  
Rijnovean - yes  
Walsh - yes

Motion passed (6 – 0).

**DISCUSSION ITEM - CONSIDER MEETING DATES TO DISCUSS FISCAL YEAR 2006/07 BUDGET**

Walsh reported that administration is currently working on a five-year budget projection and it will be ready within the next two weeks.

Pfeifer suggested that meeting dates for reviewing next year's budget be discussed after the joint meeting of the Finance Committee and Council on Tuesday, January 10, 2006.

Burry asked about the possibility of receiving all or parts of a draft budget in approximately two weeks. Spallasso indicated that it is possible, but the numbers would be premature at this point. Burry expressed his desire to have enough time to thoroughly review each line item in the budget prior to its adoption.

Woodrow was concerned that administration would be rushed to produce a draft document in the next two weeks and that it may not be helpful to receive it earlier than usual if the numbers aren't accurate. His preference is for administration to take more time and develop more accurate numbers.

Rijnovean stated that because of the size of the budget, and her desire to go through it line by line and because she wants to thoroughly critique the budget, she would be interested in receiving the budget as soon as possible, perhaps within a couple of weeks. Spallasso stated that it will be a draft. If documents are released too soon, confusion can arise as to what the "real" numbers are.

Koss expressed concern over working with estimated numbers and would prefer to receive the budget later so that Council is reviewing a more accurate document. She believes that spending time looking at a document that is too premature would be a waste of time.

Burry wants more time than usual to review the budget. Koss reported that the first draft of the budget is usually presented to Council in March even though the Charter states that Council must receive it by their first meeting in April.

Pfeifer suggested guidelines be issued prior to the first draft being presented. Most budget figures are already in place due to contracts, etc. There is very little discretionary spending in the Village budget. Pfeifer suggested giving a specific directive to administration for drafting the budget.

Rijnovean stated that discretionary spending is 10% of the budget or approximately \$600,000. She thinks that is a lot of money and that it can be reduced. She supports Pfeifer's suggestion of directing administration to achieve a certain percentage reduction overall.

Burry suggested that Council receive the five-year plan and review it to establish what direction to take with regard to the FY 2006/07 budget.

Pfeifer reminded everyone that some costs are going to increase over which there is no control, such as water charges and fuel.

Ralph Lohrengal, 18346 Beverly Rd., referred to a newspaper article regarding health care costs and suggested that the Village needs to look at health care costs for retirees and how they fit into the budget.

### **REPORTS – MANAGER**

In order to be in compliance with Community Development Block Grant procurement requirements for professional services, the Village will need to send out requests for proposals for planning consultant services in early 2006. Administration will come back to the Village Council for the selection of a planning consultant.

The Finance Committee will hold its first meeting on Wednesday, December 28, 2005 at 7:00 p.m. at the Village Offices.

At their regular meeting on Monday, December 19, 2005, the City Council of Lathrup Village approved the agreement with the Village of Beverly Hills for prisoner lock up services pending further review from their city attorney and insurance agent.

In the spirit of cooperation and consolidation of services, Beverly Hills entered into a contract with the Southeastern Oakland County Resource Recovery Authority for solid waste collection and disposal services beginning July 1, 2007. As a result of this joint effort, the Village will realize a savings of 13.5% (or \$82,561) starting July 1, 2007. Spallasso will provide Council with a more detailed report in January or February 2006.

The Village Offices will be closed Friday and Monday both this week and next for Christmas and New Year's. Trash collection will not be interrupted. Christmas trees will be chipped during the first two full weeks of January weather permitting and the chips are spread along the Beverly Park trail.

As a result of having advertisements in the 2006 Village calendar, over \$4,000 was offset from the overall costs.

### **COUNCIL**

Koss reported that there is now a link from the Village website to information regarding Southfield Township. Birmingham Public Schools is holding their 5<sup>th</sup> Annual "Unabashed Bash" on Saturday, January 28<sup>th</sup> at the Townsend Hotel from 6:30 pm – 12 midnight. For more information, call (248) 203-3030. The money raised is for the Birmingham Education Foundation.

Pfeifer stated that the Birmingham Area Cable Board will meet tomorrow morning at 7:45 a.m. in the Beverly Hills Council Chamber. She attended the Library Board meeting on Monday and was disappointed to learn that the computer system upgrade that was anticipated in January will not provide the detail that Beverly Hills was looking forward to receiving. The Library has delayed the upgrade until May 2006. Library Director, Marti Custer has requested that correspondence from the Village be funneled through our liaison to her instead of making individual requests.

Council members wished everyone a happy holiday season and thanked the Village staff and fellow council members for their hard work. They also expressed thanks to residents for their input throughout the year.

Motion by Pfeifer, second by Koss, to adjourn the meeting at 8:30 p.m.

Motion passed.

**Gladys E. Walsh**  
**Council President Pro-Tem**

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