

REGULAR COUNCIL MEETING MINUTES – MARCH 21, 2006 – PAGE 1

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

Absent: None

Also Present: Village Manager, Spallasso
Director of Public Safety, Woodard
Village Attorney Ryan

Council President Taylor called the regular Council meeting to order at 6:45 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

Motion by Pfeifer, second by Koss, to go into executive session to discuss the Village Manager's evaluation and contract.

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

Council reconvened in open session at 7:30 p.m.

Also Present: Assistant to the Manager, Pasieka
Building Official, Byrwa

President Taylor stated that Council is reconvening following an executive session to discuss the Village Manager's contract. The Pledge of Allegiance was recited by those in attendance.

Personnel Committee chairperson Burry stated that Council as a whole met in closed session to conduct a preliminary evaluation of the Manager's performance over the last year, which will be completed at a subsequent meeting. It was the consensus of Council to take the following action.

Motion by Burry, second by Koss, that the Village of Beverly Hills Council offer Renzo Spallasso a two-year extension of the Village Manager contract with details to be determined by Council and Mr. Spallasso by April 4, 2006.

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

ADDITIONS TO AGENDA/APPROVE AGENDA

Motion by Koss, second by Rijnovean, to approve the agenda as published.

Motion passed (7 – 0).

PUBLIC COMMENTS

Ralph Lohrengel of 18346 Beverly Road expressed the view that surrounding communities are cutting costs and cutting taxes while Village administration is raising costs and taxes.

Paul Kleppert of 20855 W. Fourteen Mile Road commented that the Oakland County Sheriff's Department used an isolated section of sidewalk in front of his house to set up a speed trap last summer. Kleppert reminded everyone that the Village of Beverly Hills has a sidewalk plan that was approved by Council. A vote taken on how to fund the pathway plan failed in an election, but the pathway plan still exists.

Kleppert related that 127 homes and seven condominiums were sold in Beverly Hills last year, and there are over a hundred homes listed for sale in the Village currently. The Village has conducted surveys asking what residents think Beverly Hills should be doing in the future. He suggested that the Village query people who are leaving Beverly Hills as to their reasons. Kleppert went on to discuss the importance of retaining citizens and attracting new residents in order to create taxable real estate. He is concerned about the property values in Beverly Hills and urged Council to help bring people into the community. Kleppert commented on commercial property in the Village and appealed to Council to encourage redevelopment and investment in the commercial and business districts of Beverly Hills.

Bruce Wayne of 25 Riverbank stated that he believes that there is a desire to live in Beverly Hills. He commented on the recent turnover of homes in Westwood Commons for reasons other than people being unhappy with the community. He cited the economy as a reason for poor home sales.

Bob Borgon of 32340 Drury Lane, Chairperson of the Birmingham Area Cable Board, clarified inaccuracies that appeared in an article from the recent Villager Newsletter entitled, "Wanted: Camera Operators". He explained that Bloomfield Community Television (BCTV) volunteer workshops are designed to encourage community members to produce public access programming. Participants learn basic camera and audio techniques for studio and van shoots. Those individuals are then qualified to volunteer to assist BCTV with studio or mobile van productions, which helps defray the cost of productions.

Borgon reviewed the function and responsibilities of the Birmingham Area Cable Board. He noted that the Cable Board has a contract with BCTV to produce public and governmental programming. He suggested that the Beverly Hills Council develop a policy to direct requests to the Cable Board in terms of grants for equipment purchase or to facilitate taping and airing of additional municipal meetings.

Ron Berndt of 31384 E. Rutland expressed the opinion that people stay in the community because Beverly Hills is a wonderful place in which to live. At the same time, there have been frustrations for many residents in recent years, particularly those who live on the east side of the Village where there are many houses for sale. Berndt maintains that people are unable to modernize their homes on the east side under the current zoning laws.

Bunker Kelly of 21526 Corsaut referred to remarks made by Paul Kleppert and concurred that it is important to know what is going on in the community and develop a plan for addressing concerns in terms of preserving quality housing stock. He conveyed millage rates of surrounding communities to make the point that the millage structure effects people wanting to stay or move out of a community.

Anna Khatchatrian of 17260 Thirteen Mile Road with Century 21 Town & Country Real Estate had a question about computing tax rates and SEV numbers. Taylor suggested that she contact the Village office to receive a comprehensive explanation on her tax questions.

Paul Kleppert referred to a recent newspaper article regarding new bills being introduced in Michigan related to property tax issues that could result in reducing property tax revenue received by Beverly Hills.

Taylor introduced U. S. Congressman Joe Knollenberg. Knollenberg thanked Council members for the difficult work that they do. He talked about two items that he was successful in getting passed in the last couple of weeks. The President signed Knollenberg's anti-counterfeiting bill into law. With the signing, U.S. anti-counterfeiting laws will be strengthened and manufacturers, suppliers, and consumers will be protected from fraudulent products.

Knollenberg commented on a House resolution he introduced that was inspired by a young woman named Alexandra McGregor, a 16-year old sophomore at Waterford Kettering High School. Alexandra wanted to do something to honor U.S. troops around the world and proposed declaring March 26 as "Support our Troops Day" with a request that people pause at 6 p.m. to reflect on the sacrifices being made by our service men and women. The Resolution was passed in Congress unanimously.

Knollenberg introduced two of his staff members in the audience noting that his staff handles over 800 cases per year when a problem is brought to his attention. He encouraged Village residents to contact his office if they have a problem. His office may be able to handle or help those with a need for information.

CONSENT AGENDA

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

- a. Review and consider minutes of a special Council meeting held on February 27, 2006.
- b. Review and consider minutes of a regular Council meeting held on March 7, 2006.
- c. Review and consider minutes of a special Council meeting held on March 9, 2006.
- d. Review and file bills recapped as of Monday, March 20, 2006.

Motion passed (7 - 0).

BUSINESS AGENDA

REVIEW AND CONSIDER PROPOSALS FOR PRINTING THE *VILLAGER* NEWSLETTER

Village administration publishes the Villager Newsletter on a quarterly basis as a means of communicating with residents. Bid specifications for printing the newsletter were advertised in the Eccentric Newspaper and sent to nine contractors. Only two bids were received on time, with two received after the deadline. Bids were opened on March 1, 2006 with the low bid from Zip Printing. There was a difference of \$532.62 between the bids based on a typical 8-page quarterly newsletter. Zip printing successfully performed this work for the Village in 1995-1997.

Motion by Burry, second by Rijnovean, that the printing services associated with the Villager Newsletter be awarded to Zip Printing, Inc. in accordance with their complete bid submittal.

Questions from Council and the public were addressed by Pasieka.

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

PUBLIC HEARING TO REVIEW SITE PLAN & SPECIAL USE APPROVAL OF REQUEST FROM COVENANT ALLIANCE CHURCH FOR INCREASING AND IMPROVING THE PARKING LOT LOCATED AT 15858 W. 13 MILE ROAD

Woodrow reviewed that the Village is in receipt of a request from Covenant Alliance Church and Birmingham Public Schools for site plan approval and special use approval for expansion and resurfacing of the Church parking lot at 15858 W. 13 Mile Road. The intent is for Birmingham Schools to have use of the parking lot while Greenfield School is under construction. The parking lot will also provide additional parking for church events and projected congregation increases.

The Village Planning Board reviewed the proposal and held a public hearing on February 22, 2006. The Planning Board recommended approval of the site plan and special land use with the understanding that revised drawings would be further modified to comply with Village ordinances and outstanding items noted by LSL Planning Inc. in its review letter dated February 16, 2006. Representatives from Birmingham Public Schools, Covenant Alliance Church and Foresite Design were present to answer questions. Woodrow declared the public hearing open at 8:17 p.m.

Bruce Wayne, Planning Board member, commented that the Village Master Plan proposes that Beverly Hills make every effort to encourage existing buildings and businesses to improve. He viewed this proposal as an improvement and spoke favorably of the cooperation between Covenant Alliance Church and Birmingham Schools. The applicant has modified the plans to address the concerns and issues brought up by the planning consultant and Board members.

Sharon Tischler of 21415 Virmar Court suggested that a presentation be made to describe the proposal for the benefit of the viewing public.

Architect Bruce Lemons with Foresite Design, Inc. stated that his firm was hired by Birmingham Public Schools to assist with the development of the parking lot expansion for Covenant Alliance Church. Approximately 50 additional parking spaces will be added to the existing 48 or 49 parking spaces. He referred to the site plan to describe revisions that have been made to the original site plan to comply with requests from the planning consultant and Planning Board members as well as ordinance requirements. Lemons reviewed plans for additional landscaping and screening on the site, two-lane driveway to Fairfax, sidewalk that leads to the school, and sidewalk along 13 Mile Road. Lemons stated that the design firm is consulting with the engineering firm that did the retention/detention area at Greenfield Elementary School to see if

there is enough capacity to accommodate the church parking lot drainage. If not, the size of the sewer line proposed will be increased to accommodate that volume.

Bob Walsh of 20655 Smallwood Court questioned whether notices were mailed to area residents informing them of the public hearing. Spallasso stated that he was not certain that notices went out for the Council public hearing. Notices were mailed to residents within 500 feet of the Church informing them of the Planning Board public hearing in compliance with the ordinance.

Walsh understood that the church parking lot will be used by the school on a temporary basis while Greenfield School is being renovated and while students from Harlan Elementary use the old structure when their school is under construction. He questioned whether there will be a joint parking agreement in place after the school reconstruction is completed.

Lemons responded that there will be a formal agreement between the school and the church to have shared use of the parking lots. Ryan referred to a letter dated March 8, 2006 that appears to be a letter of intent outlining the agreement between Covenant Alliance Church and Birmingham Public Schools regarding the joint use of the parking lot continuing into the future.

Kathleen Berwick of 31381 Kennoway Court questioned whether there are any monetary considerations as part of this proposal.

Bunker Kelly of 21526 Corsaut expressed concern with the lack of details relative to this proposal. He questioned how Council can make a decision without knowing whether all ordinance provisions are met. Kelly thought that drainage information should be included in the approval process. Spallasso responded that a building permit will not be issued on the project if the applicant does not meet established drainage standards.

No one else wished to be heard; therefore, the public hearing was closed at 8:34 p.m.

REVIEW AND CONSIDER SPECIAL USE APPROVAL AND PARKING LOT AGREEMENT ON A REQUEST FROM COVENANT ALLIANCE CHURCH FOR INCREASING AND IMPROVING THE PARKING LOT LOCATED AT 15858 W. 13 MILE ROAD

Church use in an R-2 Single Family Residential district is subject to special conditions. This proposal is an expansion to an existing conditional use. Woodrow stated that a shared access agreement must be provided for review by the Village Attorney and staff to confirm that both parties are amenable to the shared parking and sidewalk connection. Ryan has reviewed the letter of intent for shared parking to be signed by both parties.

Motion by Woodrow, second by Pfeifer, to approve the special land use as requested by Covenant Alliance Church at 15858 W. Thirteen Mile Road for parking lot expansion subject to receipt of a recordable continuous joint parking agreement between the Church and Birmingham Public Schools to be approved by the Village Attorney and Village Council.

Questions regarding the parking lot improvements and the school construction project were addressed by representatives from Covenant Alliance Church and from the School District. Mark Ceo, manager of maintenance and engineering for Birmingham Public Schools, stated that the plan for the renovated Greenfield School site includes a new parking lot on school property. The School district is providing the sidewalk along 13 Mile Road in front of the church as part of this project.

Randy LaCompte, member of the governing board for Covenant Alliance Church, explained that their building is being shared with the Grace Vietnamese Alliance church, a totally separate congregation. The building is also being used for AA meetings and classes for English as a second language. The Church is planning for expanding its congregation and use of the building.

Pfeifer stated that there is currently a driveway on the property accessing Fairfax. The plan does not specify whether it will be a one-lane or two-lane driveway. Spallasso clarified that the request is for two lanes.

Pfeifer, a resident of Charrington Court, stated that her street shares the northern boundary with Greenfield School property and that the 20 units will be impacted by the building, construction, noise, and activity from dual campuses for more than two years. Pfeifer asked if the School District would reconsider installing a green space at the north end of the property for the benefit of Charrington residents, who have offered to share in the cost. Ceo will bring this request before the School District.

Walsh commented that she has a problem with the special use approval. She had concerns that the proposal is taking away green space and adding more asphalt. Existing drainage problems may be worsened. She is not assured that this parking lot expansion is needed in the future.

Walsh referred to Ordinance Section 22.28, which requires a written agreement assuring the continuing joint usage of common parking for the combination of uses of buildings to be properly drawn and executed by the concerned parties and approved by the Village Attorney and Village Council. It should be filed and be made part of the application for a building permit. Walsh has read the letter of intent regarding the agreement for sharing continuing use and questioned if the document is satisfactory.

Woodrow stated that Council is empowered to grant special uses if it deems that the use application is in accordance with conditional approval use standards of the ordinance. The request is for expansion of the parking lot so that it can be used by the School while it is under construction. Our community will benefit from the School using this parking lot. It will be an improvement to the existing parking lot and will serve the Church in the future.

Building Official Byrwa addressed some of the concerns that were raised. He explained that the intent of the ordinance requiring a continuous parking agreement was to provide for an agreement between neighboring properties for shared parking in the case where a parking lot does not support an oversized building. The parking agreement assures that adequate parking will be available in perpetuity.

Byrwa stated that the Planning Board has reviewed the site plan and discussed the special use. The design firm and school officials were amenable to the requirements set forth by the planning consultant and Planning Board. Modifications were made to the landscape plan. The applicant is aware of the Village road requirements and has agreed to a two-lane driveway. With regard to the drainage issue, calculations are being prepared by the applicant for review by Byrwa and Spallasso to ensure that the proposed drainage plan meets the requirements for the intended purpose.

Byrwa suggested that site plan approval can be conditioned on submittal of a drainage easement agreement, providing a 20' two-lane driveway, and execution of a continuous parking agreement. These items will have to be provided before a building permit is issued.

Paul Kleppert of 20855 W. Fourteen Mile Road stated that the ordinance requires that a site plan must require sidewalk construction on a major road.

Bruce Wayne received clarification that a motion to approve the site plan could include conditions. He suggested that an alternate hedge be substituted on the site plan for the Spirea hedge. Lemons responded that, although Spirea loses its leaves, it is a woody dense plant and would provide adequate screening. Rijnovean disagreed.

Walsh referred to plans for installing a five foot wide sidewalk on the Thirteen Mile Road frontage. The planning consultant had indicated that sidewalks are required in new site plans. Because this is an expansion of an existing use, sidewalk construction is discretionary.

Village Attorney Ryan stated any motion approving the special use should be subject to receiving a recordable joint parking lot agreement which would be in perpetuity.

Roll Call Vote:

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

Motion passed (6 – 1).

REVIEW AND CONSIDER SITE PLAN APPROVAL ON A REQUEST FROM COVENANT ALLIANCE CHURCH FOR INCREASING AND IMPROVING THE PARKING LOT LOCATED AT 15858 W. 13 MILE ROAD

Motion by Woodrow, second by Pfeifer, to approve the site plan submitted by Foresite Design, Inc. dated March 6, 2006 for expanding and improving the parking lot at Covenant Alliance Church located at 15858 W. Thirteen Mile Road.

Rijnovean suggested that an alternate shrub be selected for the hedgerow along the west and north edges of the parking lot in lieu of Spirea. She also suggested that another tree be substituted for Dogwood, which is a more sensitive variety and does not tolerate draught. There is no watering system on the site. Lemons responded that the contractor will be required to guarantee plant material for one year.

Rijnovean expressed concern about the amount of traffic going through that neighborhood with two schools operating for a period of time. Ceo stated that the schools will have staggered start times to reduce traffic. Spallasso added that the Village will react to any traffic control problem that may occur.

Walsh reviewed changes that were made to the original site plan following suggestions from the Planning Board and planning consultant and offered several comments on those items. She questioned the inclusion of bumper stops and bollards on the plan when the ordinance (Section 22.09.040c.8.) states that those measures are not permitted.

Byrwa responded that the intent of bumper stops is to keep vehicles from driving on the grass area. The Planning Board considered the parking bumpers to be adequate and to serve the same purpose as concrete curbing. Lemons added that the grading plan calls for some infiltration of parking lot water into the lawn area. A curb and gutter design would require a plan that would put all of the water into the drainage system.

Walsh referred to the ordinance section on parking lot landscaping (22.09.0409g.) and questioned why the site plan does not include islands in the parking lot.

Byrwa did not view the 100-space parking lot to be overly large given the size of the site. He commented on snow plowing and maintenance issues. The Planning Board has reviewed the landscaping plan for the site. Byrwa stated that special use approval allows some flexibility in terms of the ordinance requirements considering that there are some areas where the existing site exceeds landscaping requirements. He emphasized that the applicant is obligated to perform and install the proposed improvements in accordance with the site plan as it has been approved. There is some discretion by the Planning Board and council with the special approval process. What is good for the site and surrounding area is a consideration.

Walsh referred to Section 22.09.040 h. and questioned why the location of the waste receptacle is not centralized. Byrwa commented that consideration is given to a specific site in reviewing a plan. Locating a trash receptacle in the middle of the parking lot would be a hindrance to the site. At the request of the Planning Board, the applicant has provided a screened dumpster constructed of material that matches the building. The Church representatives are responsible for keeping the site in a presentable manner.

Walsh referred to Section 22.09.050 and expressed concern that no lighting is being considered as part of the parking lot expansion. Byrwa responded that the Planning Board was concerned about the impact of the parking lot on residential property to the west. Consideration was given to not creating glare problems for residents on Fairfax with an illuminated parking lot.

Walsh read from Ordinance 22.09.060 Access Management Requirements, b. Number of Driveways. Driveway issues were discussed. There was agreement among the applicants that there would be a two-lane driveway going out to Fairfax. Spallasso remarked that traffic on Fairfax is allowed to turn both right and left onto Thirteen Mile Road. If this proves to be a burden on traffic movement, the situation can be addressed by the Village at any time.

Walsh referred to Ordinance Section 22.09.070, General Site Design Requirements, which requires an internal sidewalk between the public sidewalk and the front entrance to the building. There followed discussion of egress requirements for building design, the use of this particular building, and the practicality of people accessing the church from the Thirteen Mile Road sidewalk. It was noted that the site met code requirements when the structure was built. Byrwa stated that the parking lot will have access to the front door; access to the site is proposed to remain the same.

Woodrow suggested that the ordinance applies to a new building rather than a site plan review for expansion of a parking lot. A new building requires installation of a sidewalk on a major road and an internal sidewalk between the public sidewalk and the front entrance to the building.

Burry voiced concern about safety and adequate lighting on the site. Ceo stated the wall pack lighting on the perimeter of Greenfield School remains on during the night for security. The parking lot lights are on a timer. LeCompte stated that pole lights are not proposed for the church parking lot. The lighting on the site consists of a DTE Energy light in the area of the dumpster enclosure and one near the building. There is wall pack lighting on the building.

Sharon Tischler of 21415 Virmar Court asked about the maintenance of the parking lot. Ryan stated that maintenance will be covered in the parking agreement. Tischler commented that some of the ordinance provisions were put into place to regulate new structures. This proposal involves a parking lot renovation and not improvements to the church building.

Taylor asked Director Woodard for his view on the lighting situation for the church parking lot. Based on information offered by a representative of the church regarding a DTE light and a building light on the site, Woodard responded that there appears to be enough ambient light for the general activity that might occur in the parking lot. Woodard qualified that he has not visited the site at night.

It was suggested that the motion on the floor could be made contingent on Village approval of parking lot drainage plans, alternate evergreen hedgerow planting, and requiring a two-lane driveway from the church to Fairfax. There were members of Council who asked that the motion be contingent on Director Woodard's review and recommendation that the facility is adequately illuminated.

It was suggested that Director Woodard be directed to make an on-site assessment of the site at this time and that a vote on the motion be delayed until his return later in the meeting. Woodard and building official Byrwa left the meeting to conduct this informal site inspection.

LaCompte commented that there is ambient lighting on the Church site and that lighting bleeds over from the School property. The Church could add additional wall packs on the building that would throw more light onto the parking lot. Providing pole lights would be a major project expense. LaCompte reiterated that this proposal represents a situation where the School District will have the benefit of using Church property during its construction period and the Church receives the benefit of a much needed improvement that it cannot afford to make at this time.

Council recessed at 9:56 and reconvened at 10:07 p.m.

Director Woodard reported that he visited the Covenant Alliance Church site with Building Official Byrwa. He pointed out the location of the existing two overhead lights on the site plan. There is also a light on the porch on the north side of the church. Woodard and Byrwa proposed that an improvement to the lighting situation could be made if two additional pod lights were placed on the north side of the church with one at the northwest corner to help cover some of the expanded parking lot to the north and west. That should be sufficient to provide additional light to the parking lot while not negatively impacting Fairfax residents.

Woodrow stated that Randy LaCompte has indicated on behalf of Covenant Alliance Church that two pod lights will be installed at the locations indicated.

The revised motion reads as follows:

Motion by Woodrow, second by Pfeifer, to approve the site plan submitted by Foresite Design, Inc. dated March 6, 2006 for expanding and improving the parking lot at Covenant Alliance Church located at 15858 W. Thirteen Mile Road contingent on the following:

- 1) A two-lane driveway from Fairfax
- 2) Parking lot drainage plans to be approved by Village administration
- 3) Alternate evergreen hedgerow screening to be approved by administration
- 4) Installation of two pod lights on the north elevation of the church building

Roll Call Vote:

Motion passed (7 – 0).

REVIEW AND CONSIDER RESOLUTION TO JOIN THE NATIONAL INCIDENT MANAGEMENT SYSTEM

President George Bush in a Homeland Security Directive called for the development and administration of a National Incident Management System (NIMS). This would allow local Incident Command Systems to better coordinate in a uniform manner when interacting at a state and/or federal agency level. In addition to improving the coordination efforts between Village, county and state resources in an emergency, adoption of this NIMS resolution is necessary for the Village to be eligible for cooperative grant funding at the federal level and to be able to apply for federal funds in the event of a domestic or natural disaster declaration.

The training necessary for compliance with NIMS guidelines is occurring in the Public Safety Department and includes online courses along with classroom sessions for some. Selected Village staff may also be provided with training opportunities.

Motion by Rijnovean, second by Koss, that the Village of Beverly Hills Council adopt the Resolution for Implementation of the National Incident Management System (NIMS).

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

A copy of this resolution is available at the Village office for public review.

PROCLAMATION FOR NATIONAL CHILD ABUSE PREVENTION AND AWARENESS MONTH

Motion by Taylor, second by Pfeifer, to adopt the following resolution:

National Child Abuse Prevention and Awareness Month Proclamation

Whereas, approximately 9,000 cases of suspected child abuse are reported annually in Oakland County;

Whereas, this reported maltreatment is only a portion of the overall problem threatening our children, for so many cases go unreported:

Whereas, abuse and neglect is suffered by children regardless of age, race or gender in our community:

Whereas, the devastating consequences of physical and emotional abuse of our children effects the community as a whole and finding solutions need to be attended to by the community as a whole:

Whereas, the state of Michigan has mandatory reporting by professionals working with children of any suspected abuse and neglect incidences - a major step - but more is needed in the community:

Whereas, technology has brought with it a new and dangerous form of child endangerment, the online predator, and parents must be conscientious and monitor their child's computer use:

Whereas, effective abuse and neglect prevention programs succeed because of the involvement and partnerships created among schools, social service agencies, religious and civic organizations, the business community and law enforcement agencies:

Whereas, the Child Abuse and Neglect Council of Oakland County is a prominent advocate for the safety and protection of all children as a leading resource in the prevention of abuse through intervention, treatment and research, and education in collaboration with other community agencies and organizations.

Children deserve to grow and thrive in an environment that nurtures and keeps them safe. Therefore, the Village of Beverly Hills Council does hereby proclaim April as National Child Abuse Prevention and Awareness Month in Beverly Hills, Michigan. We call upon all citizens, community agencies, organizations and businesses to increase their participation in our efforts to prevent the abuse of our children, thereby strengthening and protecting the community in which we live.

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

REVIEW AND CONSIDER SUBCOMMITTEE'S RECOMMENDATION FOR PLANNING CONSULTANT

The subcommittee to review planning consultants included Council members Woodrow and Walsh and Planning Board chairperson Jensen. Three firms submitted bids and were interviewed: McKenna & Associates, Vilican and Leman, and Langworthy Strader & LeBlanc (LSL). Each company submitted a proposal regarding their services and cost schedule. Each firm was given 30 minutes to present their services in person. A scoring system was developed to rate each company on various points based on their written material and personal interview.

While all companies seemed to be well qualified for the position, the subcommittee rated LSL as the prime candidate and the majority agreed to recommend to Council the hiring of LSL. The time limit for the contract was not discussed by the subcommittee. At Woodrow's direction, administration has contacted LSL and learned that the firm is willing to hold the rates quoted in their proposal for a three year period.

Woodrow outlined reasons for selecting LSL including their knowledge of the Village and current issues facing the community. The firm has a good fee schedule and charge only for time spent with no monthly retainer fee. Planning Board Chair David Jensen has praised LSL for its work performed to date. Woodrow believes that LSL has done a great job for the Village.

Motion by Woodrow, second by Koss, that the Beverly Hills Village Council direct and empower administration to contract for planning consultant services with Langworthy Strader LeBlanc for three years beginning May 19, 2006 at the rates as indicated in their proposal for services to be incorporated by reference into this motion.

Walsh commented that the three year contract term is tied into a requirement that the Village undertake a procurement process using Request for Proposal methods every three years in order to use a portion of its Community Development Block Grant Funds for planning consultant services. Walsh stated that she preferred accepting the proposal from another planner.

Rijnovean questioned the composition of the subcommittee that reviewed and interviewed the consulting firms. She noted that the Village Policy and Procedure Manual states that a three-person selection committee should be made up of the Council liaison and two other Council members appointed by the president.

Taylor responded that he understands that the policy referred to by Rijnovean relates to a subcommittee that makes recommendations on board or committee appointments. Ryan commented that the committee in question was not a subcommittee of Council. It consisted of two Council members and a Planning Board chair set up for the specific purpose of reviewing planning consultant proposals and making a recommendation to Council.

Walsh commented that the selection process was predicated on the course of action followed in May of 2003 when Council sought Requests for Proposals on planning consultant services. She

thought that Council may have suggested a different process had the committee selection been discussed before bids were sought.

Bruce Wayne, Planning Board member, commented on the fact that the same planner from LSL has represented the Village through the contract period creating continuity. LSL communicates and cooperates well with Beverly Hills.

Bunker Kelly stated that he cannot find any direction in the Village's Policy and Procedure Manual on forming ad hoc committees. He offered his views on the selection of a subcommittee of this type.

Koss pointed out that information on the makeup of this subcommittee was presented to Council prior to the interviews taking place. Any objections to the procedure should have brought up at that time.

Walsh related information on the bid results for planning consultant services. She cited reasons why she thinks McKenna Associates would be a better choice for planning consultant firm. Walsh was impressed by the senior principle planner that would be attending Beverly Hills meetings, and she believes that McKenna Associates covers a wider variety of community areas in Oakland County.

Roll Call Vote:

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

Motion passed (6 – 1).

REVIEW AND CONSIDER ADMINISTRATIVE FEE FOR SOUTHFIELD ROAD SPECIAL ASSESSMENT DISTRICT

Burry stated that Council directed the Village Manager to estimate the administrative costs involved in the preparation of the roll for the annual Southfield Road Special Assessment District. A list of personnel and time involved in the preparation/implementation and follow up of the program has been prepared. Spallasso reported that the \$536.96 spent on administering the last program represents approximately 10% of the total cost of the Special Assessment District. He recommended that Council add an administrative fee of 10% to future Southfield Road SAD programs.

Motion by Burry, second by Koss, to direct Village administration to add administrative fees to future Southfield Road Special Assessment District programs in the amount of 10% of the total cost of the special assessment district.

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

REPORTS – MANAGER

Spallasso stated that preliminary plans for the next phase of the Acacia Park Drain sewer system on Kinross and Bates are nearing completion. A public information meeting will be scheduled on a Saturday morning in late May for the benefit of all the residents along the route of the project. Bids were opened today from five contractors who submitted bids for street sweeping. Administration will present a recommendation on awarding a contract at the next Council meeting.

Walsh expressed concern with dogs running without leashes in the Douglas Evans nature preserve. She has personally witnessed this occurring and wrote down license plate numbers and the type of vehicle driven by the offenders. Something has to be done to stop this.

Spallasso suggested that a citizen who witnesses dogs being unleashed in the park can contact the Public Safety Department. The Village Code Enforcement Officer has been watching this area and occasionally catches someone violating the law. He remarked that the property cannot be policed all of the time.

COUNCIL

Koss announced that a Council budget session is scheduled for Thursday, March 23 at 6:00 p.m. in the Council chamber.

Pfeifer had new information on the election cycle filing date. House Bill #5813 passed in the House on March 15. The Bill would allow villages voting on non-partisan offices to have a filing date other than that of the primary election date. The filing date for the November Village election would be August 15, and 40-100 signatures would be required on a petition. The bill has been sent to the Senate.

Pfeifer stated that there was a presentation at the Mayors' Dinner by Dan Dirks, General Manager of SMART, and Oakland County representative Donna Sykes. Pfeifer will comment on the presentation at the next meeting due to the late hour. She noted that there is a SMART millage renewal coming up in August.

Pfeifer attended a Birmingham Area Cable Board and a Library Board meeting in the last week. Referring to comments made earlier in the meeting by Cable Board Chair Bob Borgon, Pfeifer believes that the Council as a whole should discuss whether or not it wants to air additional board or commission meetings.

Pfeifer shared information on the Beverly Hills Public Safety Department that she thought should be known and understood because it will effect budget considerations. Pfeifer addressed topics including the urban location of Beverly Hills, the fact that our Department combines police and fire services, fast emergency response time, excellent quality of service, high visibility, and favorable crime statistics. She made comparisons with the Birmingham Police and Fire Departments and its support personnel. Pfeifer finds the fact that our Department combines

police and fire service as well as first responders in medical emergencies an incredibly efficient arrangement. She agreed that some economies can be made in the budget, but she thinks that there is value in providing equipment for our officers that makes their job safer and providing technology that keeps the community safe.

Burry suggested that Council set a meeting for continued discussion of the Village Manager's contract. Council agreed to meet in a special session on Tuesday, March 28 at 6:00 p.m. in the municipal building.

Woodrow reported on a recent real estate forecast luncheon he attended at his own expense, which was sponsored by the Birmingham Bloomfield Chamber of Commerce. There was an interesting and informative presentation by Peter Burton, real estate mogul in this area. Woodrow will also be attending a local governmental forecast event put on by the Birmingham Bloomfield Chamber.

Walsh reminded everyone of the Planning Board meeting tomorrow night, Wednesday, March 22 at 7:30 p.m.

Motion by Walsh, second by Woodrow, to adjourn the meeting at 11:04 p.m.

Motion passed (7 – 0).

Dave Taylor
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary