

REGULAR COUNCIL MEETING MINUTES – APRIL 4, 2006 – PAGE 1

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

Absent: Rijnovean

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

Council President Pro-Tem Walsh 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 closed session to discuss collective bargaining.

Roll Call Vote:
Motion passed (4 – 0).

Council members Taylor and Woodrow entered the meeting.

Council reconvened in open session at 7:37 p.m.

Also Present: Assistant to the Manager, Pasieka
Village Clerk, Marshall
Finance Director, Wiszowaty
Building Official, Byrwa
Village Attorney, Ryan

President Taylor stated that Council is reconvening following a closed session to discuss collective bargaining. The Pledge of Allegiance was recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

Motion by Walsh, second by Pfeifer, to move Consent Agenda item c., Review and consider payment to Birmingham for the Village's share of construction cost for Acacia project, to the Business Agenda.

Motion passed (6 – 0).

Motion by Walsh, second by Burry, to include Information Item b., Memo dated 3/23/06 from Stan Pasieka regarding Beverly Park basketball and tennis court improvement estimates, in the Business Agenda.

Yes – Burry, Pfeifer, Taylor and Walsh

No – Koss and Woodrow

Motion failed (4 – 2) (unanimous vote required to add agenda item).

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Motion by Walsh, second by Burry, to include Information Item c., Memo dated 3/23/06 from Stan Pasieka regarding Movie Night at Beverly Park, in the Business Agenda.

Walsh expressed the view that this event should receive Council approval as has been required for other park events. There was a consensus of Council to set the request from the Beverly Hills Club for a movie night in Beverly Park as a future Council business agenda item.

The motion was amended to receive this Information Item and place it on the next Council meeting agenda.

Motion passed (6 – 0).

Pfeifer related that she received information today regarding telecommunications legislation that is being considered at the state and federal level beginning tomorrow.

Motion by Pfeifer, second by Koss, to add to the Business Agenda item e., Consideration of Resolution in support of Retaining Local Control of Cable Franchising.

Motion passed (6 – 0).

Taylor stated that he was informed today that Kensington Community Church would like to use Beverly Park for an Easter Egg Hunt this coming Sunday, April 9.

Motion by Pfeifer, second by Koss, to add the following as the first agenda item, “Request of Kensington Community Church to hold an Easter Egg Hunt in Beverly Park on April 9, 2006”.

Motion passed (6 – 0).

Motion by Pfeifer, second by Koss, to approve the agenda as amended.

Motion passed (6 – 0).

PUBLIC COMMENTS

Bill Gale of 31871 S. Beverly Court stated that his home was burglarized on March 28. He gave an account of how he and his wife discovered the crime and of the subsequent action, assistance and investigation provided by the Beverly Hills Public Safety Department. He thanked Village Clerk Marshall for her assistance with passport information. Gale thanked the Public Safety Department for its prompt action and the courtesy extended, noting that the officers were very professional in all aspects of their duties. Gale stated that he would hate to see the Public Safety Department budget cut.

Ralph Lohrengel of 18346 Beverly Road took exception with remarks made by Council member Pfeifer at the last meeting, which he believes interfered with ongoing labor negotiations.

James Delaney of 18129 Riverside Drive stated that he has been battling an identity theft case for over a month. There were seven communities involved in terms of check cashing locations. The only community where he received assistance was Beverly Hills. Delaney made the point that Beverly Hills is our home community, and its Public Safety Officers will work for our best interests. He agrees that economies need to be made department wide, but they should be done wisely. He mentioned that identity theft is the fastest growing crime in the country.

Sharon Tischler of 21415 Virmar Court had a question about one of the items on the list of approved bills, which was addressed by Tom Ryan.

Marcia Gershenson, Oakland County Commissioner representing District 17, updated Council and the public on things that are happening in the County. This Thursday, she and Commissioner Jeff Potter will introduce a bi-partisan resolution in support of the restoration of the Byrne Grant Funding. The President has proposed cutting this federal grant that represents \$2.8 million in funding of valuable programs for Oakland County Courts, Sheriff, Prosecutor, and Community Corrections.

Commissioners recently approved a grant for local law enforcement to replace faulty bullet proof vests. Director Woodard remarked that the Beverly Hills Public Safety Department's replacement program is up to date.

Gershenson made Council aware of a new fund that has been established with interest from revenue generated by the tax payment change last year. Money is now available to help communities study the feasibility of sharing services. She reminded Council that it is now time to apply for West Nile Virus funding.

Gershenson will leave pamphlets on summer activities offered by Oakland County parks at both clerks' offices next week. She reminded Council of business workshops offered every month by the County's Planning and Economic Development Department. Gershenson commented that information on these and any other services offered to residents in Oakland County can be obtained by reaching her through the Clerk's office or through the County.

Robin Whitelaw of 31309 Cline Drive related that she has experienced difficulty obtaining information from a realtor on the sale of a foreclosed home next door to her residence. Attorney Tom Ryan responded that the foreclosure has probably been advertised in the Oakland County Legal News. He suggested that Whitelaw contact the Legal News and provide them with the address of the home in order to determine the area law firm handling that foreclosure. She could contact the lawyer or clerical person handling that foreclosure, which is public information.

CONSENT AGENDA

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

- a. Review and consider minutes of regular Council meeting held on March 21, 2006.
- b. Review and file bills recapped as of Monday, April 3, 2006.

Motion passed (6 – 0).

BUSINESS AGENDA

KENSINGTON COMMUNITY CHURCH REQUEST TO HOLD AN EASTER EGG HUNT IN BEVERLY PARK

Kristie McCormick, representing Kensington Community Church, stated that the church located in Troy has a large membership and is building campuses in different areas including the Birmingham/Bloomfield/Beverly Hills area. Kensington Church is planning to hold an Easter Egg Hunt for its congregation and has contacted the Village to request the use of Beverly Park for the event. McCormick is aware of the interest and large participation in this event locally, which has been held in Beverly Park in previous years but was cancelled this year. A group of Kensington Church members would be willing to provide eggs for everyone who attends their Easter Egg Hunt.

McCormick asked for Council approval of an Easter Egg Hunt sponsored by Kensington Church that would welcome local community participation. She has met with the executive director and church financial people. The Church can provide Council with a certificate of insurance that will add Beverly Hills as an additional named insured on their policy.

Council informed McCormick that the turnout for the Easter egg hunt in the park has been 400-500 people in past years. McCormick stated that church members will prepare for a large number of participants. This will be a community event that is open to anyone who comes. It was understood that the restroom facilities will not be open for the season on April 9 and that additional porta-johns will be the responsibility of the church. There will be no cost to the Village for this event.

Motion by Taylor, second by Koss, to approve the request of Kensington Community Church to conduct an Easter Egg Hunt in Beverly Park to be open to everyone on Sunday, April 9, 2006 at 1:00 p.m. contingent on providing the Village with proof of insurance. Pavilion rental fees will be waived for this event.

McCormick commented that Kensington Church would like to publicize this event. It was suggested that notice of the Easter Egg Hunt could be placed on the Village web site and on the marquee sign in front of the municipal building. Spallasso advised McCormick that parking is not allowed on Allerton Street across from the park. Overflow parking should be directed to the Beverly School parking lot.

Motion passed (6 – 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 permission again this year to use Village streets to host a 5K Run/Walk on September 30, 2006. All proceeds will go to Habitat for Humanity, Oakland County Chapter. There will be a one-mile Family Run on the same route. The 5K is expected to begin at 9:00 am and the one mile Family Run/Walk will begin at 10:15 am.

Ascension Church has been directed to submit a certificate of insurance naming the Village of Beverly Hills as an additional insured under its certificate of liability for the event. The Village has been provided with a map of the route, which shows that the run will take place on side streets in the Village and not on major thoroughfares.

Motion by Walsh, second by Burry, 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 Saturday, September 30, 2006 contingent upon submission of certificate of insurance naming the Village of Beverly Hills as an additional insured under its certificate of liability.

Dave Barli representing the church encouraged residents of Beverly Hills to participate in the event or to come out and support the runners. He noted that the pavement will be marked with flour this year to indicate the route. People will convene at the church on 14 Mile and Piece at the start of the run/walk. Parking will be available in the church parking lot.

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

REVIEW AND CONSIDER SCHEDULING A MEETING WITH THE PLANNING BOARD TO DISCUSS THE MASTER PLAN UPDATE

Woodrow stated that Council has received a copy of the fourth draft of the updated Village Master Plan. The Planning Board is requesting a joint meeting with Council at its regular Wednesday, April 26th meeting to discuss the document.

Motion by Woodrow, second by Pfeifer, to schedule a special meeting of Council on Wednesday, April 26, 2006 at 7:30 p.m. to review Draft #4 of the Village Master Plan with the Planning Board.

Walsh suggested that it was her preference to defer this joint meeting until May for the reason that Council is currently engaged in budget deliberations. There is much reading and thought involved in reviewing the Master Plan. Burry agreed with delaying the Master Plan review until adoption of the budget in May.

Woodrow recalled that Council urged the Planning Board to accelerate its work on the Master Plan not long ago. The Board is now requesting that Council provide its input on the document before it is disseminated to adjoining communities and Oakland County in accordance with the Municipal Planning Act. Koss noted that she will be out of town and unavailable on April 26.

Pfeifer expressed the view that Council will have a handle on the budget by April 26. She noted that there will be a series of meetings for the purpose of reviewing the draft Master Plan. A public hearing is required at the Council level before adoption of the document.

Walsh commented that the Master Plan is an important document and Council needs time to read and think about what is being presented. She questioned whether the process will be disrupted by the fact that planning consultant Caryn Wenzara is no longer available. Spallasso

answered that LSL Planning has appointed a new associate to assist the Planning Board. The individual has been involved with the Master Plan project to a certain extent.

Pfeifer remarked that a third draft of the Master Plan that included strikeouts and new text was provided to Council about a month ago. She does not want the Master Plan process to be stalled because there are other issues that the Planning Board should be addressing in a timely fashion.

Paul Kleppert of 20855 W. Fourteen Mile Road understood that Council has had budget data available for its review since February and suggested that there is relatively little in terms of discretionary spending in Beverly Hills. He thinks that Council should have a good idea of where it is at in terms of the budget. Kleppert recalled that Council put pressure on the Planning Board to complete the project and expressed the view that deadlines should be met.

Roll Call Vote:

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

Motion passed (4 – 2).

REVIEW AND CONSIDER PROPOSALS FOR 2006 AND 2007 STREET SWEEPING SERVICES

Walsh reported that sealed bids were opened on March 21, 2006 for the Village's annual major and local street sweeping needs. She provided some details on the bid proposal. Bidders were asked to quote on a two-year program for 2006 and 2007. Five contractors bid on this service, with the lowest bid submitted by Brock Sweeping, Inc. for \$3,680 per season or a total contract cost of \$7,360.00. Brock has been providing the Village's street sweeping services for the past two seasons at the same price. The company has performed satisfactorily during that time.

A street sweeping program is required through the Village's state approved Storm Water Pollution Prevention Initiative (SWPPI) and must be performed in order to be in compliance with the permit. Funds are available in the proposed FY 2006/07 budget in account numbers 202-463-932.01 and 203-463-932.01.

Motion by Walsh, second by Koss, that the Beverly Hills Village Council award the 2006 and 2007 street sweeping contract to Brock Sweeping, Inc. of Wyandotte for a cost of \$3,680.00 each year and a total contract cost of \$7,360.00.

Questions from Council were addressed by Spallasso and Wiszowaty.

Roll Call Vote:

Motion passed (6 – 0).

RECEIVE TENTATIVE BUDGET AND SET PUBLIC HEARING DATE FOR MAY 2, 2006

Burry stated that Council received the draft budget document from Village Administration today. Council has been deliberating the budget since mid-February and will be holding one or two more sessions before it is finalized. There was agreement to schedule a special Council meeting to review the budget on Monday, April 17 at 6:30 p.m. in the Village Council chamber.

There was discussion on whether the public hearing on the budget should be set for the first meeting in May and adoption scheduled for the second Council meeting in May. Past practice has been to hold a public hearing and adopt the budget resolutions at the same meeting. The Charter requires the budget to be adopted by the second regular Council meeting in May.

Ryan suggested that Council schedule the public hearing and budget adoption for May 2 and have May 16 as a fall back date in the event that there are additional changes to be made or if a super majority of five votes is not available to approve the budget on May 2. He urged Council members to work at arriving at a consensus at budget sessions so there will be five affirmative votes for adoption of the budget in May.

Walsh asked Ryan for clarification and written interpretation on Section 6.3 of the Village Charter with regard to making motions at special Council meetings called for the purpose of discussing the budget. Walsh also asked for interpretation of the language in Section 6.3 that states, "However, other than the enactment of an ordinance, any business which may lawfully come before a regular meeting may be transacted at a special meeting if all the members of the Council consent thereto, and all of the members absent file their written consent."

Ryan clarified that motions can be made at special Council meetings to set direction on the budget and to come to a consensus on the content of the budget. Administration needs input on modifications to the budget document. The actual vote on the budget and accompanying resolutions will not take place until the first or second meeting in May.

Council set the public hearing date on the 2006/2007 budget for Tuesday, May 2, 2006.

ACCEPT GEORGEANN MACH'S RESIGNATION FROM THE CABLE BOARD AND MAKE FIRST ANNOUNCEMENT OF VACANCY

Motion by Pfeifer, second by Koss, to accept the resignation of Georgeann Mach from the Birmingham Area Cable Board.

Motion passed (6 – 0).

Council thanked Ms. Mach for her service on the Cable Board. Pfeifer made the first announcement of a vacancy on the Birmingham Area Cable Board. Interested residents were encouraged to submit an application to fill this position, which expires in June of 2008.

CONSIDER ADOPTION OF RESOLUTION IN SUPPORT OF RETAINING LOCAL CONTROL OF CABLE FRANCHISING

Pfeifer related background information on pending revisions to telecommunication laws being considered by federal and state legislators that will impact the local franchising process and communities' ability to govern their rights-of-way.

Motion by Pfeifer, second by Woodard, to adopt the following resolution.

Village of Beverly Hills
Retaining Local Control of Cable Franchising

WHEREAS, it is the mission of the Village of Beverly Hills, Oakland County, Michigan to preserve and protect the rights of all its citizens;

WHEREAS, the existing federal and local cable franchising rules have resulted in \$100 billion investment in advanced telecommunications services nationwide and formed the basis for a national policy of broadband (high-speed internet);

WHEREAS, Beverly Hills strongly supports the provisions contained within the federal 1984 Cable Act including the anti-discrimination sections that have ensured against a 19th century world of digital "haves and have-nots" and ensured that Americans of all incomes, races and backgrounds can have equal access to television and broadband service as the information and communication that it provides becomes more essential in our daily lives;

WHEREAS, the current federal cable law has been effective in ensuring robust build-out of broadband networks and in protecting against cherry-picking of communities, and should be applied to both existing cable providers and new entrants into the cable marketplace;

WHEREAS, some telecommunications companies that now seek to enter the cable marketplace are attempting to gain a competitive advantage through federal and state preemption of local authority and are seeking to undermine the anti-discrimination and build-out requirements that have been a bipartisan cornerstone of our telecommunications laws for decades;

WHEREAS, these telecommunications companies are attempting to label their service as "video service" to bypass traditional cable laws and regulations, and have encouraged the introduction of legislation in Congress and in various states to attempt to circumvent federal and local regulations;

WHEREAS, in Michigan, legislation has been introduced in the House of Representatives, **HB 5895**, and in the Senate, **SB 1157**, that would strip away local cable franchising authority and hand control over to the State of Michigan (secretary of state);

WHEREAS, Beverly Hills strongly supports competition for telephone, broadband and video services, and recognizes that competition for such services is growing rapidly and encourages that these new competitive services are available to all its citizens;

WHEREAS, new entrants into the video marketplace face no unreasonable barriers to entry as federal law expressly provides that cable franchises not be exclusive and that local governments have franchised numerous second cable providers throughout the country;

WHEREAS, excluding local elected officials from the franchise process as some telecommunications carriers and **HB 5896** and **SB 1157** suggests would be harmful to the citizens of Beverly Hills who use local franchise rules to ensure that cable services are provided to everyone, that service territory appropriately covers key areas for economic development and public safety and other community needs are met;

WHEREAS, **HB 5895** and **SB 1157** does not permit a build-out requirement which will allow companies entering the cable market to cherry-pick high-value residents only, leaving low-value residents without service;

WHEREAS, Beverly Hills agrees that government policies should not determine winners and losers in the marketplace and thus the rules governing local franchises, including rules regarding build-out of networks, should apply to all cable providers equally;

WHEREAS, **HB 5895** and **SB 1157** would drastically limit or abolish the important role of local government franchising and weaken the non-discrimination provisions of the 1984 Cable Act that protects the interests of all citizens and promotes competition.

NOW, THEREFORE, BE IT RESOLVED that the Village of Beverly Hills, Oakland County, Michigan, strongly urges the Michigan Legislature to reject legislative proposals such as **HB 5895** and **SB 1157** that abolish the role of local government franchising and the ability of local governments to protect all citizens, that do not allow for build-out requirements, and that ensure that non-discrimination provisions of the 1984 Cable Act are met and promote competition for all its citizens;

BE IT RESOLVED, that the Village of Beverly Hills, Oakland County, Michigan supports legislation that promotes competition in broadband and cable services for everyone, recognizes and preserves local community needs, preserves local control over franchising, prohibits redlining and other discriminatory practices, and ensures that any new entrants into the cable market abide by the same stands that current cable, broadband or multichannel video providers live by. The Village Clerk shall forward a copy of this adopted resolution to the Governor of Michigan, State Representative Shelley Goodman Taub, State Senator Gilda Jacobs, U.S. Congressman Fred Upton, U.S. Congressman Joe Knollenberg and the Michigan Public Service Commission

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

REVIEW AND CONSIDER AWARDDING CONTRACT PL-06-01 (MUNICIPAL PARKING LOT)

The Village submitted and received approval of its application for a Clean Michigan Initiative (CMI) grant from the State of Michigan for improvements to the municipal parking lot shared with Southfield Township. The grant will cover 75% of the engineering and construction costs of the improvements. The remaining 25% of the cost will be shared by the Village (83%) and the Township (17%) with percentages based on land area.

It was reviewed that the Village opened bids in August of 2005 for the municipal building parking lot reconstruction. The bids came in substantially higher than expected and were therefore rejected. Bids were solicited and received again earlier this year, and this time the low bid is more in line with the original estimate. The project will be funded by a 75% grant as long as the design includes Best Management Practices (BMP). The Village proposal met State and

Rouge Program Office requirements and met the goal to reduce pollutants from entering the waters of the Rouge River.

Council is in receipt of the bid tabulation sheets and the recommendation from the Village's consultant Stantec (formerly Ayers, Lewis, Norris and May), which has been assisting the Village and Township with this process. A total of seven bids were received, ranging from a low in the amount of \$209,900.40 for the base bid submitted by Summit Transport, Inc. to a high bid in the amount of \$349,303.45 for the base bid submitted by Six-S, Inc. Additionally, three alternatives were prepared for this project. Based on the bids and the source of funding, it appears that completing the base project and Alternative 1 (underground storage) would be feasible and is the recommended option for the project. Completing these two items would result in a total price of \$298,900.40. Summit Transport has satisfactorily completed several projects for the Village over the past few years.

Spallasso concurs with Stantec's recommendation. After the contract has been awarded and the preconstruction meeting has been held, he will share the construction schedule with Council and the public.

Woodrow made it known that he owns an asphalt paving company. While he did not bid on this project, Woodrow stated that he does business with several of the people who did submit bids. He does not think this will influence his vote. Woodrow offered a motion to recuse himself from voting on this issue. There was no second to the motion.

Motion by Walsh, second by Pfeifer, to award Contract PL-06-01 to Summit Transport, Inc. of Brighton, Michigan in the low bid amount of \$298,900.40 for the construction of the Municipal Parking Lot in accordance with the plans and specifications for the project. Award is subject to the contractor submitting all bonds and insurance as required in the contract documents.

Questions from Walsh on the project and funding were answered by Spallasso. Spallasso assured Council that the CMI grant is in full effect as long as the Village can complete the project by September of 2006. He spoke with the director of this program about granting an extension if necessary. Spallasso has a letter of commitment on file from Southfield Township with regard to its portion of the payment.

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

REVIEW AND CONSIDER VILLAGE MANAGER'S CONTRACT

Burry announced that Council and Renzo Spallasso have come to an agreement on a two-year Village Manager contract. The Personnel Committee and Council have had meetings to discuss the contract and to evaluate Mr. Spallasso's performance. There was a consensus that Spallasso has done a very good job as Village Manager while continuing his duties as Public Service Director. The Personnel Committee will be meeting further to develop goals and objectives with Mr. Spallasso for the next year.

Burry outlined some of the terms of the Village Manager contract. Council members received a revised contract this evening with a change to the severability clause. Due to some uncertainty regarding contract provisions, it was suggested that action on this item be postponed until the next meeting to allow Council members an opportunity to read the final draft of the contract.

Motion by Woodrow, second by Burry, to postpone consideration of Village Manager's contract until the next regular Council meeting.

Roll Call Vote:

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

Motion passed (5 – 1).

REVIEW AND CONSIDER PAYMENT TO BIRMINGHAM FOR THE VILLAGE'S SHARE OF CONSTRUCTION COST FOR ACACIA PROJECT

The Village has received an invoice from the City of Birmingham requesting reimbursement of the Village of Beverly Hills' share of the construction cost of the Acacia Park Relief Drain – Phase II that is now completed. Birmingham administered this phase of the project while Beverly Hills administered Phase I. Dan Mitchell from Hubbell, Roth & Clark has reviewed the quantities and confirms the accuracy of the numbers in the as-built table.

Walsh brought it to the attention of Council that the total due amount noted on the invoice from the City of Birmingham (\$715,586.59) differs from the amount indicated in the letter from HRC (\$715,568.59). Spallasso verified that the correct amount is \$715,568.59, which is the amount that will be paid to the City of Birmingham.

Walsh asked questions on the estimated versus actual cost of the project and status of the project funding, which were addressed by Spallasso. It was noted that the actual cost of the Acacia Relief Sewer Project has been well below estimates to date.

Spallasso stated that he will plan an informational meeting for residents along the route of the next phase, which is the Kinross-Bates project. At that time, Council will receive a full report on the status of the funding. As of now, the Village is ahead of schedule in terms of construction; residents will benefit by improvements ahead of time. However, the Village might not have enough dedicated millage money to pay for the project at that time and may need to borrow funds from the Water & Sewer Fund balance. Spallasso will have a report for Council before the end of May.

Walsh understood that, following the completion of the Kinross-Bates phase, a study would be undertaken to evaluate the need for improvements to local lines. Spallasso responded that the rehabilitation/improvement program for local lines may not be as extensive as anticipated when

the plan was established. Local lines will be re-evaluated to determine current needs. The Village may be able to reduce anticipated improvements in terms of constructing relief lines.

Walsh thanked Spallasso for his expertise and management of the project, which resulted in bringing it in under the estimated cost.

Pfeifer expressed appreciation to Spallasso for keeping the public informed during the process and being willing to meet with individual residents. Questions from Pfeifer on the payment to Birmingham were addressed by Spallasso.

Motion by Walsh, second by Woodrow, to render payment to the City of Birmingham for the Village of Beverly Hills' portion of the work completed on Phase II of the Acacia Relief Sewer project in the amount of \$715,568.59.

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

REPORTS – MANAGER

Spallasso reported that the Water Main Replacement Project is proceeding on schedule and is approximately 80% completed in terms of new pipe in the ground. Individual connections will now have to be made. The Village appreciates everyone's patience and understanding during this project.

Spallasso reminded residents that the Birmingham Jaycees will be not be organizing an Easter Egg Hunt in Beverly Park on the Saturday before Easter as has been done in past years.

Yard waste collection will begin the week of Monday, April 10 on residents' regular trash day. People should use paper yard waste bags or cans with Beverly Hills Yard Waste labels so it can be disposed of as compostable material.

COUNCIL

Burry stated that he does not question the fine job that the Beverly Hills Public Safety Department does. However, it is Council's responsibility to review the budget. Council represents the citizens and is obligated to oversee the efficient spending of taxpayer money.

Woodrow reminded residents that the Easter Egg Hunt in Beverly Park has been moved from Saturday, April 15 to Sunday, April 9 and has a new sponsor. Woodrow noticed that some residents have their yard waste bags sitting out on the road when the yard waste collection does not begin until next week. He asked that people remove the bags from the curb until their next trash collection.

Woodrow explained that his 'no' vote on amending the agenda was because he does not like new items being placed on the agenda without the public and Council knowing about it ahead of time.

Walsh commented on two memos received by Council in its information packet for this Council meeting. A memo dated March 23, 2006 from Stan Pasieka to Renzo Spallasso is regarding Parks and Recreation seeking basketball and tennis court estimates. Another memo from Stan Pasieka is addressed to Spallasso and Council on the subject of a Movie Night at Beverly Park. Walsh referred to minutes of the March 16, 2006 Parks and Recreation Board meeting and expressed concern that the Board is not keeping Council informed. She related background information on the basketball and tennis court improvements, which are park master plan priority items.

Walsh referred to the March 21, 2006 Council meeting and questioned the status of the joint parking agreement between Covenant Alliance Church and the Birmingham School District. Ryan responded that the joint parking agreement has not yet been received by the Village. It will come through his office to Council for approval. A building permit for the parking lot will not be issued until the joint parking agreement is approved by Council.

Walsh suggested that wording other than “review and consider” be used to describe consent agenda items. Council votes to approve consent agenda items without reviewing them at its meeting.

Koss announced that the Southfield Township Board will meet next Tuesday, April 11 at 7:30 p.m. at the Township offices. She wished everyone a happy Passover and happy Easter.

Pfeifer reported that a presentation was made at the March 8 Mayors’ Dinner by Dan Dirks, General Manager of SMART, and Oakland County representative Donna Sykes regarding a millage renewal coming up on August 8, 2006. Pfeifer related information on the SMART operation and services.

Pfeifer announced that House Bill 5813 addressing the schedule for submitted petitions for the November election was passed into law on March 30, 2006. Candidates for Village Council may submit their petitions to the Southfield Township Clerk by Tuesday, August 15, 12 weeks before the election. Pfeifer asked Village Attorney Ryan for clarification on sections of the new law that reference Charter provisions.

Taylor mentioned that he spoke with Jim Merritt, who has been chairing the Strategic Planning Development Committee for the Village. He is now a member of the Finance Committee and will no longer be serving with the Strategic Planning group. Taylor encouraged continuation of the strategic planning initiative in the community.

Council has recently talked about increasing public awareness in terms of potential donations to the Village for special projects. Taylor has brought this up with Gary Grabowski, who heads a Communications Committee of the Strategic Planning group. There may be some synergy developed to communicate to residents that there are avenues whereby the Village can accept monetary contributions.

Taylor commented that the landlord/tenant ordinance is a topic that may be considered by Council at an upcoming meeting. Taylor recognized audience member County Commissioner Chuck Moss, who is running for State Representative.

Motion by Pfeifer, second by Koss, to adjourn the meeting at 10:11 p.m.

Motion passed (6 – 0).

Dave Taylor
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary