

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

Absent: None

Also Present: Village Manager, Spallasso
Village Clerk, Marshall
Building Official, Byrwa
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.

Boy Scouts from Troop 1029 from Our Lady Queen of Martyrs School and Troop 1024 from Beverly School led the audience in the reciting the Pledge of Allegiance.

ADDITIONS TO AGENDA/APPROVE AGENDA

Motion by Walsh, second by Rijnovean, to move consent agenda (e), “Receive and acknowledge ‘Revocable Trust Agreement’ made to the Department of Public Safety” to the Business Agenda.

Motion passed (7 – 0).

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

Motion passed (7 – 0).

RECOGNITION OF STAN PASIEKA

Taylor recognized Stan Pasioka, who will be leaving the employ of the Village. Council would like to show its gratitude by presenting Mr. Pasioka with a plaque acknowledging his distinguished and devoted service to the Village of Beverly Hills as Assistant to the Manager from December 11, 1995 until May 31, 2006. Mr. Pasioka could not be present tonight.

PUBLIC COMMENTS

Sharon Tischler of 21415 Virmar Court, Township Clerk, reminded everyone that the Township will offer free document shredding to its residents in the municipal parking lot this Saturday, May 20 from 10 a.m. until noon. People can bring two or three boxes or bags of material and watch it get shredded.

Tischler commented on traffic problems in the area of Groves High School and requested that traffic control devices be installed at the site. Problems are currently being exacerbated by construction occurring at the school.

Spallasso responded that the Traffic Improvement Association (TIA) of Oakland County conducted a study of the site at his request. A letter from the TIA with recommendations was

forwarded to the School for consideration and action. Spallasso will contact Birmingham Public Schools and ask if they are willing to proceed with the recommended course of action.

Jim Calder of 18215 Birwood presented information to Council with regard to recent budget cuts and resulting cost savings to residents. He stated that, in the event that non-union personnel are required to pay the increase in health care premiums at a possible savings of \$20,000, it would save the average Village taxpayer \$.38 per month. The additional \$50,000 in budget cuts requested by Council and instituted by administration will save the average taxpayer \$.95 per month. The elimination of one Public Safety Department position at an estimated savings of \$61,000 will save the average taxpayer \$1.16 per month. Calder respectfully requested that Council rescind its action asking non-union personnel to absorb a 13% increase in health care cost and restore the eliminated person in the Public Safety Department for at least the 2006/07 fiscal year. He provided Council members with documentation as to how he arrived at his figures.

President Taylor clarified that Council did not approve a motion to require non-union Village employees to pay for increases in health care benefits.

Kay Michael of 15767 Kirkshire invited everyone to a community picnic on Sunday, June 4 starting at 6:30 p.m. in Beverly Park where there will be food, fun, and games for kids and adults. The purpose of the event is to show support for Dave Taylor as the choice for County Commissioner in the upcoming August primary. Michael commented on Dave Taylor's qualifications for continued service to the community at the County Commission level.

Ron Berndt of 31384 E. Rutland expressed disappointment that a public safety position was eliminated as part of the 2006/07 budget process. He believes that the Public Safety Department employees will work hard to make sure that the safety of the Village will not be compromised. Berndt contends that reducing the labor hours worked in the Department may result in placing public safety service at some degree of risk.

Berndt was of the opinion that the value of the General Fund balance is to carry the Village through difficult times like these. It is not known whether State Revenue Sharing will be restored to previous levels; it could be argued that the hard times are not going to end. Berndt believes that increased State Revenue Sharing or higher taxes on citizens are not the only options to consider.

Berndt stated that he and others have been calling for Council to provide reasonable relief to the zoning laws that afflict the east side of the Village. President Taylor brought forward a detailed proposal for zoning reforms, which was not addressed by Council. Berndt distributed a CD to each Council member depicting what has been occurring on the east side of the Village in terms of deteriorating buildings and lack of yard and building maintenance. He believes that a reluctance to invest money in property of declining value has led to slipshod repairs and maintenance that devalues the entire neighborhood.

Berndt suggested that laws punishing people for owning older homes will discourage investment. Incentive and likely return on investment are what is required to fix this. People might not invest money into their homes if they cannot concurrently bring the amenities of that home up to market expectations for a community such as Beverly Hills. Berndt maintains that Village zoning laws

make that almost impossible in many cases. He stated that zoning by variance is illegal and is not the solution. It is up to Council to make a decision on how the land can be used.

A Michigan Zoning Enabling Act, Public Act 110 of 2006, will go into effect on July 1 repealing the City and Village Zoning Act that empowers the Beverly Hills zoning ordinance. Berndt suggested that this would be a good time to overhaul the Village zoning ordinance and address the east side issue. He thinks that, without action, the east side problem and the tax base will ultimately shrink and the character of the community will deteriorate. Incentive to renovate and redevelop would provide new uncapped tax revenues thus helping the Village with its budget situation. The Village's upper and middle class bedroom community identity will be preserved. Berndt proposed that the Village work on the zoning and make it possible for people to improve their homes and improve the Village to improve the tax base.

Bob Walsh of 20655 Smallwood Court did not agree that the Village is responsible for not encouraging people to maintain their homes. The Village has zoning ordinances in place. If a person wants to expand their home on a non-conforming lot, they may go to the Zoning Board of Appeals and request a variance. Over the last four years, the Village averaged one request for variance per month. Walsh does not think that the zoning ordinance is a problem; there may be a need for a property maintenance ordinance.

Patrick McCarthy of 31080 E. Rutland introduced himself and announced his candidacy for 46th District Court judge. He commented on his qualifications and talked about what he can offer the community as judge. McCarthy mentioned his involvement with the Recovery Court program headed by Judge Cooper.

CONSENT AGENDA

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

- a. Review and consider approval of minutes of a special Council meeting held on April 25, 2006.
- b. Review and consider approval of minutes of a joint Council and Planning Board meeting held on April 26, 2006.
- c. Review and consider approval of minutes of a regular Council meeting held on May 2, 2006.
- d. Review and file bills recapped as of Monday, May 15, 2006.

Motion passed (7 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER REQUESTS FROM THE BEVERLY HILLS LIONS CLUB AND VILLAGE WOMAN'S CLUB FOR USE OF VILLAGE STREETS AND BEVERLY PARK ON MAY 29, 2006 FOR THE ANNUAL MEMORIAL DAY FUN RUN, PARADE AND CARNIVAL, PETTING FARM AND PONY RIDES AND WAIVER OF RESTRICTION ON SALES

Burry stated that the Village Woman's Club and the Lions Club request the use of Beverly Park and Village streets for Memorial Day activities on May 29, 2006. The Lions Club will sponsor a Run & Walk starting at 9:30 a.m. and the Village Woman's Club will sponsor the Parade and

Carnival in Beverly Park. Both organizations have provided Certificates of Insurance naming the Village as “additional insured”. The Woman’s Club is requesting \$1,350 financial support from the Village to help cover the cost of items including rental of porta-johns, tables and chairs, sound system, show mobile, and public safety support.

Motion by Burry, second by Koss, that the Village Council approve the request from the Lions Club of Beverly Hills for use of Village streets for its annual Memorial Day Fun Run/Walk, approve the request of the Village Woman’s Club to use Village streets and Beverly Park for the Parade and Carnival, waive restrictions on sales, and provide financial assistance of not more than \$1,350 from account 101-747-894, Community Action: Special Events.

Woodrow stated that this event is the biggest community event held for Village residents. He invited everyone to come and have a great time.

Rijnovean commented that the Memorial Day activity honors our armed services. She remarked that the Village contributed \$500 of overtime for public safety protection.

Margaret Bancroft, Village Woman’s Club Carnival Chairperson this year, extended an invitation to Council to participate in the parade and carnival. The theme of this year’s parade will be “A Walk for a Veteran”. This is a fun family event starting with a parade at Groves High School at 11:30 a.m. followed by the Carnival in Beverly Park from 12:00 to 3:00 p.m. Bancroft outlined the activities that will occur at the Carnival and invited everyone to join in on Memorial day for fun, food and fellowship and to honor our Veterans.

Sharon Tischler stated that the Lions Club Fun Run/Walk will start at 9:30 a.m. at Beverly School. There is an entrance fee; flyers are available for pre-registration at the Village and Township municipal buildings.

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

REVIEW AND CONSIDER REPLACING VILLAGE OFFICE COPY MACHINE

The Sharp analog photocopy machine purchased eight years ago from IKON Office Solutions for Village office use is in need of replacement. The service agreement on the machine will no longer be renewed beyond the end of this month because of the age of the machine. The office staff has been looking into digital imaging systems, and four vendors have delivered systems to the Village office for use on a trial basis.

Village Clerk Marshall has prepared a comprehensive memorandum providing background and a recommendation on the purchase of a new system. Council is also in receipt of bid specifications, backup material, and a bid tabulation spread sheet for 2006 Digital Imaging Systems.

The Village went out for bids and received six proposals. All three of the low bidders, IKON, OCE’/Imagistics, and Premier provided demo systems, and all three systems will meet the needs of the Village. Representatives from the three firms were asked to attend tonight’s meeting to answer specific questions from Council.

It is the recommendation of administration that Council consider purchasing the Canon 6570 from IKON Office Solutions with both the faxing and scanning options. It was noted that the State bidding contract was awarded to IKON and that Canon equipment has a reputation in the industry for dependability and durability. The total purchase price including five years of service and supply totals \$18,967.00. Divided over five years, the Village's monthly cost will be \$316.12, which is \$50 less per month than it is currently paying for a service maintenance agreement for the old photocopy machine. Marshall indicated that the payment for this system could be split between fiscal year 2005/06 and 2006/07.

There was a consensus that it would be preferable to purchase rather than lease the system. The cost to purchase the systems plus the service and supply program (SSP) for five years was calculated. The OCE'/Imagistics system would cost \$14,650.00; the IKON system cost would be \$18,967.00; and the Premier cost would be \$16,141.00.

Representatives from IKON and OCE'/Imagistics were present and addressed a number of questions from Council members regarding the digital imaging systems, warranty, monthly service and supply program (SSP), response time, property tax for fair market value lease, and total costs involved to operate the system.

There were members of Council who thought that both IKON and OCE'/Imagistics offered good equipment and preferred accepting the proposal from the low bidder. It was clarified that Council is required by the Village Charter to make a purchase from the lowest bidder whose bid is most advantageous to the Village.

Motion by Burry, second by Pfeifer, that the Village of Beverly Hills purchase a Canon 6570 with both faxing and scanning options from IKON Office Solutions for a total purchase price of \$11,695. The monthly Service and Supply Program costs will be \$118.50 per month for the first three years of the lease; the fourth year will be \$123.00 per month; and the fifth year will be \$127.50 per month.

Roll Call Vote:

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

Motion passed (4 – 3).

ANNOUNCEMENT OF VACANCY ON BIRMINGHAM AREA CABLE BOARD

Pfeifer made the announcement of a vacancy on the Birmingham Area Cable Board for a term to expire on June 30, 2008. The deadline for accepting applications from interested residents will be Thursday, June 1 at 4:30 p.m. A subcommittee consisting of Pfeifer as chairperson, Koss and Rijnovean will meet prior to the June 6, 2006 Council meeting at 7:00 p.m. to review the applications and make a recommendation to Council.

REVIEW AND CONSIDER RESOLUTION SUPPORTING REDUCTION OF SOLID WASTE COLLECTION DAYS

In June 2005, the Village signed a contract with the Southeastern Oakland County Resource Recovery Authority (SOCRRA) to enter into a 20-year agreement, renewable after ten years. In the agreement effective July 1, 2007, SOCRRA will collect, process and dispose of the Village's municipal refuse, yard waste and recyclables. This agreement will result in a 13.5% savings in collection costs to the Village.

SOCRRA conducted a bidding process. Car Trucking was the lowest bidder and will begin collecting the Village's refuse, yard waste and recyclables effective July 1, 2007. Car Trucking will also be serving Birmingham and Ferndale. One of the goals of the contract was to reduce the number of collection days. A meeting in early April between Village administrators, Car Trucking, and a Birmingham official resulted in reducing both the Birmingham and Beverly Hills collection days by two. Birmingham would go from five collection days to three, and the Village would go from four to two. The City of Ferndale is staying with five days.

The Village proposed keeping Monday and Tuesday as its collection days, and Birmingham is comfortable with Wednesday, Thursday and Friday. It is believed that this schedule will be the least disruptive to Village residents. The area west of Evergreen would be picked up on Monday, and the area east of Evergreen would be picked up on Tuesday. If a holiday falls on Monday or Tuesday, trash collection would be delayed one day.

Another advantage to the new hauling contract is that the Village will receive two additional weeks of yard waste collection. The Village office receives numerous phone calls in the springtime from people wanting to dispose of yard waste before the second Monday in April. With the new contract, yard waste collection will begin the first Monday in April and extend one more week in December.

Administration will develop a thorough education campaign to communicate the changes in collection days to those residents who will be affected. Collection day will remain the same for a significant part of the Village. The recommendation from administration is to change the number of refuse, recyclables and yard waste collection days in Beverly Hills from four to two and have those days be Monday and Tuesday.

Motion by Walsh, second by Rijnovean, to adopt the following resolution:

**RESOLUTION IN SUPPORT OF
REDUCING REFUSE, RECYCLABLES & YARD WASTE
COLLECTION DAYS IN THE VILLAGE OF BEVERLY HILLS
BEGINNING JULY 1, 2007**

WHEREAS, the Village of Beverly Hills is an original member in good standing with the Southeastern Oakland County Resource Recovery Authority (SOCRRA); and

WHEREAS, the Village of Beverly Hills provides the services of refuse, recycling and yard waste collection to village residents on a Monday through Thursday basis; and

WHEREAS, the Village provides these services by contractual agreement with an outside refuse contractor whose current agreement expires June 30, 2007; and,

WHEREAS, the Beverly Hills Village Council, on June 21, 2005, approved a new contractual agreement with SOCRRA, authorizing SOCRRA to provide refuse, recyclables and yard waste collection services beginning July 1, 2007; and,

WHEREAS, SOCRRA completed the bidding process and Car Trucking will be the contractor responsible for the collection of refuse, recyclables and yard waste collection services in Beverly Hills; and,

WHEREAS, the Village of Beverly Hills approves reducing the number of days for collection of refuse, recyclables and yard waste from four days (Monday through Thursday) to two days (Monday and Tuesday) beginning July 1, 2007.

NOW, THEREFORE BE IT RESOLVED, that the Village of Beverly Hills Council commits to undertaking this change not only to provide this essential service, but also to reduce noise and air pollution and truck traffic on local and major streets.

BE IT FURTHER RESOLVED, that the Monday-Tuesday refuse, recyclables and yard waste collection schedule will begin July 1, 2007.

Council questions on the proposal were addressed by Spallasso. There was support for reducing the number of days that trash is collected if the operation is done effectively without increasing the number of hours worked during the day. Spallasso assured Council that Car Trucking can complete the job in two days during the usual time period. The company has done satisfactory work in Birmingham for a number of years. The operation can be modified if the Village is not satisfied with the two-day pick up. It was noted that the contract with Car Trucking includes a cancellation clause. In response to an inquiry, Spallasso stated that residents will be encouraged to recycle because it offsets costs.

Sharon Tischler of 21415 Virmar Court questioned whether the garbage trucks used will be larger in order to haul more trash. She expressed concern that larger trucks may result in difficulty maneuvering on courts and cause property damage as well as excessive weight on the roadways. Spallasso responded that the trucks to be used are the same size as the fleet currently operating in the City of Birmingham. In answer to an inquiry, Spallasso stated that residents will still call for a large item pickup. Current procedures will remain in effect.

Roll Call Vote:

Motion passed (7 – 0).

REVIEW AND CONSIDER CONTRACT FOR PUBLIC SAFETY BUILDING GROUNDING PROJECT

Motion by Rijnovean, second by Woodrow, that the Village of Beverly Hills Council award the contract for the Public Safety Building Grounding Project to Doublejack Electric Company of Royal Oak, Michigan in the amount of \$4,767. Funds are available for this purchase in Account #101-900-981 Capital Purchases: Radio Equipment.

Rijnovean provided background information on this item. The Oakland County CLEMIS (Courts and Law Enforcement Management Information System) organization has initiated a project to create a county-wide 800 MHz radio system in order to improve inter-agency radio compatibility in cases of large scale cooperative efforts. The Village Council approved an Oakland County

Radio System Agreement in 2005 that allowed the Department of Public Safety to participate in this project. The Department will be supplied with dispatch console equipment along with mobile and portable radio equipment at no acquisition cost. A purchase request for several radio accessories to be paid for with capital funds will be forthcoming.

In the initial stages of implementation at some departments, it was discovered that various physical department buildings were not properly grounded for the new radio technology, leading to radio equipment failure and significant repair costs. The Beverly Hills station was surveyed along with other buildings to evaluate grounding issues that may exist prior to installation of the new technology. Correction of deficiencies are the responsibility of the client agency, or the agency leaves itself open to cover the cost of future failures caused by grounding issues that are not addressed.

A survey of the Beverly Hills facility and resulting PSAP Grounding Report showed several deficiencies. Five contractors were contacted to provide quotes for upgrading the Public Safety building to the acceptable grounding standard. Quotes were received from three vendors with the low quote from Doublejack Electric Company in Royal Oak in the amount of \$4,767. The vendor has satisfactorily provided similar project service to West Bloomfield PD, Farmington DPS, Farmington Hills PD, Rochester Hills PD and Berkley DPS.

Director Woodard explained that the grounding standard of the public safety facility built in 1989 is out of date due to changes in building construction and improvements in technology that have occurred over the years. It is in the best interest of the department to secure proper grounding of the facility that will prevent any impact on the equipment in the event of an incident and insure that the Village will not be liable for damaged equipment.

Questions and comments from Council members on the building grounding project and the proposals for upgrading the existing grounding system were addressed by Woodard. The Village's electrical inspector will inspect the installation and verify that the grounding work is done according to code.

Roll Call Vote:

Motion passed (7 – 0).

FIRST ANNOUNCEMENT OF VACANCY ON ZONING BOARD OF APPEALS

Walsh stated that the Village Clerk keeps a binder on file of current applications for positions on Village Boards. New applications are mailed each year to those who have an application on file to determine their continued interest in serving on a board or committee.

Walsh made the first announcement of a vacancy on the Zoning Board of Appeals. Beverly Napier has indicated that she is not seeking reappointment to her term that expires June 30, 2006. Walsh encouraged interested residents to apply for this position on the Zoning Board. The deadline for accepting applications will be Friday, June 9 at 4:30 p.m. A subcommittee of Walsh as chairperson, Pfeifer and Taylor will meet at 7:00 p.m. before the Tuesday, June 20 Council meeting to review applications and make a recommendation to Council on an appointment.

Rijnovean suggested that vacancies on Village Boards should be advertised in local newspapers. Pfeifer commented that Board vacancies could be publicized on the Village web site and on the bulletin board of municipal cable channel 15.

In answer to an inquiry, Marshall indicated that Board members whose terms expire at the end of June were sent a letter asking them to contact the Village to indicate their interest in being reappointed to the Board. Council will receive a list of those individuals who would like to be reappointed, and this will be an agenda item in June. Marshall will notify Council of any members who do not wish to be reappointed as soon as possible so that Council can announce that vacancy.

Walsh stated that eligibility requirements to serve on a Village board or committee call for an individual to have resided in the Village for at least one year and be a qualified and registered voter of Beverly Hills. The person will be expected to have at least a 70% attendance record and must agree to abide by the ethical standards of conduct as recorded in the Village of Beverly Hills organizational and Council policy and procedure manual.

Walsh stated that the policy for reappointment indicates various factors to consider. She asked for Council discussion on whether to create opportunities for new people to serve on Village Boards rather than automatically allow members to be reappointed. Walsh thought that there should be opportunities for more people in the Village to become involved. It may be better if members of a board represent a wider geographic coverage of the Village. Walsh questioned why the Beautification Committee terms do not have expiration dates. Rijnovean supported Walsh's request that this topic be an agenda item for the next Council meeting.

REVIEW AND CONSIDER 2006 VOLUNTEER APPRECIATION DINNER

Pfeifer stated that the Village has traditionally recognized and honored its board and committee members at a biennial dinner with Council. Funds are appropriated in the current budget for this event. Council is in receipt of a memo that lists the previous venues and costs involved in holding the recognition dinner. A catered dinner was held in the Beverly Park pavilion two years ago in order to reduce costs. Pfeifer proposed holding an appreciation dinner to honor those who have given of themselves and have spent many hours in service of the Village.

Motion by Pfeifer, second by Koss, to approve the expenditure of \$1,998.16 for funding a Volunteer Appreciation Dinner in Beverly Park on June 19, 2006 to be catered by Ambrosia, a Beverly Hills catering company.

Pfeifer thought that this is a modest expenditure to show Council's appreciation for its citizen volunteers. It is a time for Board and Council members to come together.

Koss agreed that it is important for Council to honor and recognize its resident volunteers for the time and commitment that they put into the Village. This event gives Council members an opportunity to interact with Board members on a one to one basis.

Rijnovean stated that she has difficulty supporting this expenditure at a time when the Village is trying to be conservative and reduce costs. This money could be spent on items needed in the park such as picnic tables or trash cans. She believes that people volunteer because they want to give

back to the community. Rijnovean would like the money to be used for all of the Villagers. She suggested that members of Council write a letter of thanks to Board members.

Walsh stated that she is not in favor of the appreciation dinner. She remarked that the Village does not always recognize people who leave the Council and Boards with plaques, which would be a more long-lasting remembrance of their service to the community. Walsh noted that the dinner includes others who are not considered volunteers.

Woodrow stated that this expenditure was discussed at a budget study session in 2004, at which time it was determined that the appreciation dinner could be held in the park at a lesser expense. He still thinks it is a great idea to recognize individuals who support the Village and Council.

Burry commented that he has been Council liaison to the Parks and Recreation Board and he understands that they are looking for money to spend on park improvements and maintenance. He agrees that people gain some satisfaction from volunteering.

Jon Oen of 32061 Verona Circle, Zoning Board of Appeals member, stated that Council spent hundreds of dollars to amend ordinance language regarding the time that trash can be placed at the curb. Consideration should be given to thanking volunteers.

Sharon Tischler of 21415 Virmar Court commented that the Village is entitled to spend residents' tax dollars on specific uses. Council wants to show their appreciation to those who serve the community and give of their time and expertise. The proposal is to spend a conservative amount of money on the appreciation dinner. Tischler suggested that consideration be given to a potluck dinner.

Rijnovean recalled that a Village-wide survey distributed by the Strategic Planning Committee indicated that residents are concerned about the fiscal responsibility of Council.

Roll Call Vote:

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

Motion passed (5 – 2).

RECEIVE AND ACKNOWLEDGE A 'REVOCABLE TRUST AGREEMENT' MADE TO THE DEPARTMENT OF PUBLIC SAFETY

Walsh asked that this item be placed on the business agenda in order to receive additional information regarding cash received by the Public Safety Department. Questions were addressed by Director Woodard and Spallasso.

The Department of Public Safety received a cash disbursement as a designated beneficiary in the Revocable Trust Agreement of Mr. Joseph J. Gajda, a deceased resident of the Village. Initial contact was made with the Department a number of years ago by a family member making an anonymous inquiry prior to preparing the Trust. The Trustee, who is the daughter of Mr. Gajda, indicated that officers responded to the home of her father in his senior years and his late wife Stephanie on numerous occasions to render aid for medical incidents and invalid assistance. It was Mr. Gajda's wish to show his appreciation for this service by providing a monetary designation to Department personnel upon his death.

The Department received notice from the law offices representing the Revocable Trust Agreement in January of 2006 that the Trust had been approved for disbursement. Village Attorney Ryan was consulted and the requested forms and communications were provided. The funds were received by the Village on February 23, 2006 and were placed in Account #401.000.675.06, Public Safety: Dedicated Capital Expense. The amount of the Trust disbursement has not been revealed at the request of the Trustee.

In response to inquiries, Spallasso stated that the above mentioned account was set up for the purpose of receiving this donation. Council members who asked were told the amount of the Trust disbursement. The money will be spent at the discretion of the Public Safety Director to offset the cost of items that are not budgeted for the Department. It was noted that purchases that exceed \$1,000 will come before Council for approval.

Director Woodard related that items that have been discussed with the Trustee are digital cameras that can be carried by officers on patrol for documentation purposes and improvements to the Department weight room.

Motion by Walsh, second by Pfeifer, to receive and acknowledge a Revocable Trust Agreement received by the Beverly Hills Public Safety Department on February 23, 2006 and placed in Account #401.000.675.06, Public Safety: Dedicated Capital Expense.

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

REPORTS – MANAGER

Spallasso reported that the annual park clean up held on Saturday, May 13 was attended by approximately 73 volunteers. He thanked Stan Pasieka for coordinating the event and thanked the volunteers for their help.

The municipal parking lot is currently under construction. In response to an inquiry, Spallasso stated that the new Public Service Director is expected to report to work on June 5.

Koss assured residents of Kinross that they will receive a letter from the Village notifying them of an informational meeting to be held for all property owners abutting the route of the relief sewer construction project that will go across Kinross and Bates to Fourteen Mile Road. The project is scheduled to begin in late fall. Residents will be invited to view the plans and ask questions on the sewer project.

Byrwa referred to a comment made earlier in the meeting about property maintenance and informed the public that the Village has a property maintenance code that outlines a minimum standards for maintenance of residential properties. It addressed violations such as peeling paint, tall grass and weeds, inoperable vehicles on a site, etc. Residents can contact the Village office and leave an address if they observe a situation that is out of character in their neighborhood.

Walsh asked Spallasso about the City and Village Zoning Act, PA 110 of 2006, effective July 1, 2006. She understands that this Act was intended to combine all of the various zoning laws that existed for counties, townships and villages. Her concern is with how it will effect the Village.

Spallasso responded that the Village Building Official and chairperson of the Zoning Board of Appeals will be attending an informational meeting scheduled for May 31 on the new City and Village Zoning Act. Attorney Ryan added that he has been monitoring PA 110. The Planning Board will be considering this in the near future following completion of the Master Plan.

Walsh stated that the Zoning Board of Appeals has drafted a handbook to be distributed to residents who are seeking a variance from the Zoning Ordinance. She questioned the authority of the ZBA to distribute material considering that Council is the legislative and governing body of the Village.

Attorney Ryan responded that the Zoning Board of Appeals is the only other entity in the Village that can bind the Village legally in terms of zoning issues. The decisions of that Board are final. Ryan indicated that he read the handbook and recommended several changes. He noted that Council controls spending in terms of printing the document for distribution.

Byrwa added that the Zoning Board of Appeals reviewed the handbook at its May meeting and will consider a revised draft at its next meeting. He anticipates that the document will be forwarded to Ryan for another review and then to Council.

Walsh understood that the Village Manager is considering staffing changes due the retirement of Mr. Pasieka. She was informed by Spallasso that, while Council sets policy, the Village Manager is responsible for hiring staff with the exception of the Treasurer and Village Attorney. There is a paragraph in the Village Charter that states that the Village Clerk shall be elected by and hold office at the pleasure of the Council, which body will also set the salary of the Clerk in accordance with budget appropriations. Walsh expressed concern as to whether or not the illage Clerk position with the Assistant to the Manager position is appropriate.

Spallasso stated that there are certain positions that he is not required to bring before Council for authorization in terms of hiring or dismissing employees. He has discussed combining two positions into one position with the Village Attorney. The proposal will be to add to and not change the Clerk's position.

Taylor suggested setting a Council goals and objectives meeting. Members discussed dates and decided to defer scheduling of a work session.

COUNCIL

Both Burry and Woodrow encouraged everyone to come to the Memorial Day Parade and Carnival and have some fun.

Walsh announced that the Retirement Board will meet on Tuesday, May 23 at 7:30 p.m. in the Public Safety Department building conference room. The Planning Board will meet on Wednesday, May 24 at 7:30 p.m. to discuss Draft #5 of the Village Master Plan.

Rijnovean read a letter dated May 12, 2006 to the Beverly Hills Council from resident Harold Milinsky of 32467 Evergreen Road. The letter outlined Dr. Milinsky's thoughts on Council actions pertaining to the Village's finances and spending. He believes that many on Council are not representing the interests and concerns of the majority of Villagers.

Koss commented on park events that will take place prior to the Memorial Day Parade and Carnival. There will be a Movie Night in the park on Saturday, May 27 featuring Nanny McPhee. RE/MAX will sponsor a fundraiser in the park on Sunday, May 21 benefiting the Susan G. Komen Breast Cancer Foundation. Tethered hot air balloon rides will be available to people who make a donation to the Foundation.

Koss reminded residents that the Township will be shredding documents for residents at the Township offices this Saturday, May 20 from 10 a.m. until noon. She wished everyone a safe and happy holiday.

Pfeifer stated that BASCC has mailed out invitations to its annual fundraiser, "No Show Glow". Donations would be appreciated.

The Birmingham Area Cable Board will meet at 7:45 a.m. tomorrow, May 17, in this Council chamber. At the last Cable Board meeting, a resident approached the lectern with a concern about increasing costs of cable television and the discontinuation of a senior discount. He asked Comcast to consider offering an economical senior tier that would include channels that would be of interest to seniors. Pfeifer discussed this idea with members of the BASCC organization, and they were enthusiastic about the idea and are willing to assist in promoting a senior tier.

Taylor mentioned that plans for Council members to re-stain the gazebo in Beverly Park were delayed due to rain. The project will be rescheduled. The fundraiser held on May 11 to benefit the 46th District Recovery Court was a success. Taylor thanked those who supported the event.

Motion by Pfeifer, second by Koss, to adjourn the meeting at 10:30 p.m.

Motion passed (7 – 0).

Dave Taylor
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary

