

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

Absent: None

Also Present: Village Manager, Spallasso
Assistant Manager/Clerk, Marshall
Finance Director, Wiszowaty
Public Services Director, Meszler
Director of Public Safety, Woodard
Building Official, Byrwa
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. He stated that Council is reconvening after meeting at 6:30 this evening to review and consider revisions to the Personnel Policies and Procedures Manual. The Pledge of Allegiance was recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

Rijnovean asked that a correspondence from Baldwin Public Library included in Council's information packet be placed on the agenda as a discussion item. Pfeifer remarked that she will be addressing an updated letter amending the report in question during her Council comments. Rijnovean indicated that she will ask that this item be on the next Council meeting agenda if her questions are not answered.

Walsh asked that consent agenda items 'b' and 'c' be moved to the business agenda. She asked for clarification on whether item 'e' on the business agenda is a first or second reading of Ordinance #323. Village Attorney Ryan stated that he has reviewed the minutes of the August 15 Council meeting and deemed that a first reading of the ordinance was held at that time.

Woodrow requested that Business Agenda item 'i' either be moved to a Discussion Item or postponed to a different meeting. He suggested that it may be premature to conduct a first reading of a Property Maintenance Code Ordinance today for the reason that Council members may not have had time for a comprehensive review of the lengthy document. Authorization was given at the August 15th Council meeting for the Village attorney to prepare a draft ordinance for Council consideration.

Motion by Woodrow, second by Rijnovean, that Business Agenda item 'i', "First Reading of Ordinance #324 Chapter 30 Property Maintenance Code", be removed from the agenda and placed on a future agenda as a discussion item.

Motion passed (7 – 0).

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

Motion passed (7 – 0).

PUBLIC COMMENTS

Lynn Talbert of 30385 Woodhaven questioned whether there is a noise ordinance in Beverly Hills, and was informed that there was. She complained about the loud noise that continued late into the evenings on Labor Day weekend due to the festival held at the Our Lady of Albanians Church. She was not able to enjoy the holiday at her home due to the loud noise. Spallasso suggested that residents call the Public Safety Department when they experience this type of disturbance. Taylor stated that administration will work with Ms. Talbert on addressing this issue.

Marcia Gershenson, Oakland County Commissioner representing District 17, presented news of current and upcoming programs from Oakland County. The Oakland County Board of Commissioners will host its first Green Building Workshop on September 7 at no charge from noon to 4:30 pm at the Commissioner's auditorium. It is an opportunity to learn about state and federal programs available to local governments and businesses. The Michigan State Extension offers a forum on creating entrepreneurial opportunities on October 26 in Lansing.

Oakland County has an emergency 9-1-1 cell phone program for seniors and disabled family members whereby cell phones are made available for emergency use. The County also has a snow removal system available for those residents who qualify. Gershenson reminded residents of the military family video conferencing service and the prescription drug card available at the clerk's office.

The Village of Beverly Hills has requested a reimbursement from the County of approximately \$2,800 from the West Nile Fund Program, which is in the works. The Village Master Plan will be reviewed by the Oakland County Coordinating Zoning Committee on September 26, and Gershenson will attend. Gershenson commended Clerk Ellen Marshall for her work on updating the Village web site.

Pfeifer outlined her concerns about the new traffic signal system installed on Lahser Road by the Oakland County Road Commission. The dedicated light panel for left-hand turn traffic appears to be confusing motorists. She maintains that the public needs to be aware and educated on the operation of the new traffic signal. Gershenson responded that she will look into this matter. Spallasso added that he will contact the managing director of the Road Commission and see what can be done about the issues described by Pfeifer.

Doyle Downey of 30865 Lincolnshire West announced that the Lions Club and volunteers will be conducting a clean up along Lahser Road on Saturday, September 16 from 10 until noon. He encouraged anyone interested in serving the community to join in this activity. They should contact him or Lions Club President, Sharon Tischler. Downey mentioned that picking up trash along roadways in the Village is a way to beautify the community. He suggested that volunteers could initiate a clean-up along Greenfield, 14 Mile Road, and 13 Mile Road.

CONSENT AGENDA

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

a. Review and consider minutes of a regular Council meeting held August 15, 2006.

Motion passed (7 – 0).

BUSINESS AGENDA

REVIEW AND CONSIDER 2006 HALLOWEEN HOOT FUNDING

The 11th Annual Halloween Hoot is scheduled to be held on Sunday, October 22, 2006 in Beverly Park. Burry stated that Council allocated \$2,500 in the FY 2006/07 budget to conduct this community event.

Motion by Burry, second by Woodrow, that the Village Council approve an expenditure not to exceed \$2,500 for the 11th Annual Halloween Hoot that will take place in Beverly Park on Sunday, October 22, 2006. Funds for this expenditure are available in account #101-747-896, Community Action: Halloween Hoot Expenses.

Rijnovean commented that neighboring communities have held large-scale events that are funded by residents and area businesses. The Halloween Hoot is a one-day event. She suggested that Council decrease this contribution and allocate money for long-term items for the park such as picnic tables, trash cans, sled hill maintenance, or a new fence along Allerton Drive. Rijnovean maintains that the Halloween Hoot would probably receive more financial support from residents and businesses if Council reduced or withdrew its contribution.

Burry remarked that other revenue sources that have been asked to lend support to the Halloween Hoot include the Beverly Hills Lions Club and the Village Woman's Club of Beverly Hills. Public donations are also accepted at the event. It was noted that the budgeted amount for this event was reduced this year.

Patricia Greening of 19289 Riverside Drive stated that she initiated the Halloween Hoot a number of years ago and has undertaken the event annually with the help of many volunteers. It is not a Parks and Recreation sponsored event. There are a few people from the community that have donated money towards the event over the years, and a basket is available at the Hoot to receive donations from participants. Greening has no idea how much money will come in from these community donations, and she anticipates that the event will cost more this year due to the increased expense of all items used for the Hoot. Greening hopes that everyone comes and enjoys the Halloween Hoot.

Koss emphasized that the Halloween Hoot is a community action event and not a Parks and Recreation activity.

Leanne Toth of 21605 W. Thirteen Mile Road questioned the approximate cost per child for the event. She was informed that a cost analysis of Halloween Hoot participation was not available.

Paul Kleppert of 20855 W. Fourteen Mile Road commented that Beverly Hills is not known for a lot of community events. Beverly Hills can say that the Halloween Hoot is one of the few activities that is totally its own. He advised against cutting items that add to the desirability of a community. Doyle Downey offered his support of the Halloween Hoot.

Roll Call Vote:

Walsh - yes

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

Motion passed (6 – 1).

REVIEW AND CONSIDER ASSIGNING UNFUNDED RETIREE HEALTH CARE COSTS TO FINANCE COMMITTEE FOR REVIEW AND RECOMMENDATION

Koss stated that she requested that this issue be brought before Council for discussion as a business item. She believes that it is Council's job to pinpoint possible problems it foresees in the future. She has listened to fellow members identify potential problems but does not hear a plan of action for a solution. Koss does not think Council should promote fear and uncertainty to residents or overstate an issue that the Village will face 30 years down the road. As elected officials, it is our responsibility not only to recognize potential problems, but to find solutions and rectify issues before they become a problem.

It is important that residents know that administration and previous councils have not ignored the Village's future health care obligation. Contributions to fund future health care obligations began in FY 1994-95. Since the last Village of Beverly Hills Retiree Health Care Actuarial Valuation in 2003, which indicated that the Village would accrue a liability of \$9.1 million over the next 30 years, the following action has been taken:

- Employees have been making a contribution to their future retirement health care benefits in the amount of 1% of their current wages.
- Administration has made changes to how the drug benefit is provided, which saved the Village \$70,000 last year.
- Contributions above and beyond current health care premiums for both active and retired employees continue to be made and our future health care fund has increased from \$942,000 in 2003 to \$1.2 million now.
- Administration is also pursuing alternatives to existing health care plans and related premiums as part of negotiations with union represented employees to reach a balanced approach to the provision of this benefit.

Since the Council does not have the regular oversight of health care that it does for pensions, Koss believes that Council needs to initiate a review of where the Village stands now and explore what alternatives should be considered to address this issue.

Motion by Koss, second by Pfeifer, that the Beverly Hills Council assign to the Finance Committee the task of researching the issue of unfunded retiree health care that faces the Village and report back to Council on its findings and the options available so it can

proceed in a responsible manner. A 90-day time period was established for the Finance Committee to come back to Council with its initial findings.

Finance Committee chairperson Bob Belaustegui suggested that he can come back to Council at its second meeting in October with an indication of how long the study will take to complete.

Council members commented on the 2003 actuarial study and the status of retiree health care funding. Support was voiced for conducting a review of alternatives available to address this future financial obligation of the Village. It was suggested that the Finance Committee be provided with data on the Michigan Municipal Employees Retirement (MERS) health care account for consideration.

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

Pfeifer commented that Council should be prepared to authorize funding for the Finance Committee to consult with auditing firm Plante & Moran if they deem it necessary.

REVIEW AND CONSIDER REVISED SHARED MUNICIPAL PARKING LOT COSTS

Walsh reviewed cost information related to reconstruction of the municipal parking lot shared with Southfield Township based on the plan approved as part of a Clean Michigan Initiative grant from the State of Michigan. The project was to have been funded by a 75% grant as long as the design included Best Management Practices (BMP) and met the goal to reduce pollutants from entering the waters of the Rouge River.

During excavation for the installation of underground storm pipes, contaminated soil was found. It was made known that three fuel tanks were removed from the DPW area a number of years ago with closure reports received at the time from the Department of Natural Resources. Administration has been consulting with the Department of Environmental Quality (DEQ) office and has been exploring the cost of testing and removal of contaminated soil, which is not covered under the conditions of the grant. It was established that it may be less costly to file due care, redesign, and pave the parking lot without the grant. This will be a decision before Council this evening.

Walsh questioned whether lack of remediation would be detrimental if the Village decided not to proceed with the CMI grant and the associated parking lot design. She asked if the contamination could resurface and cause problems in the future.

Spallasso responded that the DEQ has assured the Village that it will not take any action against the Village as long as Beverly Hills seals the surface and does not allow infiltration of water from the surface. Unfortunately, the Village's appeal to the MDEQ for continued grant participation on the restoration of the redesigned parking lot without doing remediation was denied. The remaining option is to cover the parking lot with asphalt and abandon the grant. The Village has no assurance regarding the extent of the remediation required if testing were to continue.

In response to inquiries, Spallasso stated that the approximate amount of \$77,000 spent on this project and reimbursed by the CMI grant will not have to be paid back to the State of Michigan. The Village has spent about \$68,000 on the project to date. The Township was to be billed at the completion of the project.

Walsh reviewed that Option 1 is to remediate the pollution found at the site and continue with the original design of the lot. The grant would pay 75% of the original construction costs, but the total costs for remediation would be paid by the Village. The cost for testing to determine the exact limits of necessary remediation is \$22,800. The consultant's estimate of costs to remediate, based solely on the limited testing that has been done to date, is \$100,000. This cost may increase or decrease depending on the results of the testing. Added to these costs is the Village's portion of the construction costs that the grant will not cover (25%) or \$74,725. This brings the estimated cost for Option 1 to \$197,525.

Option 2 is to discard the rest of the grant, redesign portions of the lot utilizing work already done and pave the parking lot. The MDEQ has stated that it will not require repayment by the Village for funds already spent from the grant and that it will not object to the Village sealing the surface of the lot with asphalt pavement to prevent water infiltration into the subsurface. If the Village elects to do this, there is no need to remediate. To construct the redesigned lot to completion would cost \$104,543 plus 25% of the portion already constructed or \$11,795 for a total cost of \$116,338. Walsh outlined the time considerations for each option.

Motion by Walsh, second by Rijnovean, that the Village Council authorize administration to proceed with Option 2, which is a redesigned plan for reconstruction of the shared parking lot and payment of 100% of the remaining work to be done on the lot, subject to approval from the Township of Southfield.

Koss asked for an explanation as to what type of contaminant was found at the municipal site. Spallasso responded that there were both gasoline and diesel fuel tanks buried on the site. The tanks were removed in 1994, and a closure report was issued by the DNR at the time. Unfortunately, there must have been seepage outside of the area that was excavated in 1994, which was found during the recent storm sewer construction. The extent of the contamination is not known. Safety of surrounding properties is not considered to be a concern for the reason that homes in the area are connected to municipal water and there are no active water wells. If there is any leakage of the contamination through the soil, it could possibly end up in different areas of the municipal site, or it may remain in place unless disturbed.

Doyle Downey of 30865 Lincolnshire West understands that this is a difficult decision for Council. He expressed concern about the environment and cautioned against doing things on the cheap.

Paul Kleppert of 20855 W. 14 Mile Road stated that he has been professionally responsible for remediating a number of industrial sites. He concurred that the way to proceed is to pave the parking lot with asphalt and seal and cap it to a point where it is an impermeable surface that will not disturb the ground. This has always been a solution for capping an area that is contaminated.

Woodrow stated that his asphalt company does remediation work, and it is their experience that most projects do not stop where anticipated. The Village does not have the funds to remediate the site. Woodrow believes that the proposed option is the most acceptable way to proceed. He does not see how disturbing that soil further would benefit the Village at this point.

Spallasso responded that sealing the surface of the lot with asphalt pavement would be the optimum method. The alternative of remediating the site involves too many unknowns, including the possibility of excavating under the DPW building. Further questions were addressed by Spallasso.

Roll Call Vote:

Burry - yes

Koss - no

Pfeifer - yes

Rijnovean - yes

Taylor - yes

Walsh - yes

Woodrow - yes

Motion passed (6 – 1).

REVIEW AND CONSIDER PROPOSALS FOR PRINTING 2007 VILLAGE CALENDAR

Burry stated that bid specifications were mailed to six vendors and notice was published in the Birmingham Eccentric and on the Village website. Vendors were asked to quote based on the layout of the 2006 calendar with a quantity of 5000 pieces. Two proposals were received, one from Spectrum 3 in the amount of \$10,250, the other from Craig-Richard, Inc. for \$21,000. Postage costs for mailing the 2006 calendar totaled \$1,454.88. Postage rates increased in January of 2006.

For the second year, the Village is offering businesses in the community the opportunity to advertise in the 2007 calendar. One organization to date has committed to \$1,000 worth of advertising. This revenue will help offset the cost of the calendar. An amount of \$12,500 has been budgeted in FY 2006/07 under account 101-747-881 for this expense.

Motion by Burry, second by Pfeifer, that the Village of Beverly Hills Council award the contract for design and printing of the Village of Beverly Hills 2007 Calendar Project to Spectrum 3 in the amount of \$10,250. Funds for this project are available in account #101-747-881.

Questions from Council were addressed by administration. It was indicated that the cost of postage will be charged to the same account as the calendar project. The postage expense will depend on the amount of advertising and the weight of the calendar.

Koss questioned whether it would be appropriate to ask Southfield Township to make a contribution to the calendar expense for the reason that the mailing includes Township information and dates.

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

SECOND READING AND ADOPTION OF ORDINANCE #323 AMENDING CHAPTER 27 FIRE PREVENTION OF THE VILLAGE MUNICIPAL CODE

Rijnovean conducted the second reading of an Ordinance Amending Chapter 27 Fire Prevention Code, an Ordinance adopting the 2006 edition of the International Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Village of Beverly Hills; Providing for the issuance of permits and collection of fees therefore.

Sections included in the ordinance are False Fire Alarms Prohibited; Fire Equipment, Interference Prohibited; Fire Hydrants, Obstruction Prohibited; Open Burning; Throwing Hot or Burning Substances Prohibited; Fire Hydrants, Taking Water Prohibited, Exception; Undue Hardship, Modification of Provisions; State Law, Compliance Required. The ordinance includes a Repealer Clause, Severability, Savings Clause, Penalties, and Effective Date.

Questions from Council on the ordinance were addressed by Captain Yanosy, Fire Marshal for the Department of Public Safety. It was noted that the International Fire Code adopted by reference is an extensive document with a number of changes and updates. A copy of the Code will be available for public inspection at the Village office in conjunction with Ordinance #323.

Walsh pointed out several grammatical and typographical errors in the document. She would like a section to be added that includes restrictions on outside fires and grilling in garages. Yanosy indicated that there is language in the Code requiring a certain distance from a structure.

Motion by Rijnovean, second by Koss, to adopt Ordinance No. 323, Ordinance Amending Chapter 27 Fire Prevention Code.

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

REVIEW AND CONSIDER CONTINUATION OF 12-HOUR SHIFTS FOR DEPARTMENT OF PUBLIC SAFETY

With the support of Village Council along with officer and command labor units, the Department of Public Safety began a one-year trial of a 12-hour shift schedule on March 21, 2005. The trial period was extended for the summer schedule in February of 2006. Information concerning this trial period (encompassing the fourth quarter fiscal year 2004/05 and the entire fiscal year 2005/06) is provided to update Council on the progress of the trial.

Director Woodard indicated in his memo of August 31, 2006 that he will continue to update the attached spread sheets on a quarterly basis as the schedule continues as Council wishes. A mutual decision needs to be reached between the three parties on the continuing status of the 12-hour schedule; the next work schedule is to begin in October 2006 and will go out for employee bids following Council's decision.

An extension of the 12-hour trial period for the fall/winter schedule would run from October 30, 2006 through April 15, 2007. Council reviewed and discussed charts provided in the memo from Director Woodard as follows.

Historical Perspective – Wages and Overtime Line Items; Budget vs. Actual
Wages Cost Estimate Comparison FY 2004/05 vs. FY 2005/06
Wages Actual Cost Comparison FY 2004/05 vs. FY 2005/06

Questions from Council on the comparison figures were addressed by Woodard. Data provided shows there has been a reduction in actual overtime experience and a reduction in sick time use specifically since the trial 12-hour schedule was implemented.

Burry concluded that the most recent computations show that the 12-hour shift schedule with 25 sworn officers is costing the Village \$24,571.51 more than an 8-hour schedule with 26 officers. He understands that an advantage to officers on a 12-hour shift is that they have more weekends off and they can better schedule their time off. Burry is trying to determine how the 12-hour shift benefits the Village based on these numbers.

Rijnovean stated that she is concerned about the morale of the officers but would like the 12-hour shift schedule to be revenue neutral to the Villagers. She was concerned that a 2004 Public Safety Department Operational Review cited boredom as a factor to be considered with a work schedule of more than 8 hours.

Koss commented that the department originally asked for a 24-month trial period. She would like to see a full two-year study conducted and a decision made at that time.

In response to an inquiry, Woodard did not believe that boredom is a negative factor. He has not observed boredom as having a detrimental impact to the 12-hour shift operation, and his supervisors are not encountering those types of problems with officers.

Captain Yanosy stated that the 12 hours from 7 pm to 7 am provide officers with a time period in the evening when there is a lot of activity. He added that the 12-hour shift schedule has been beneficial to the Department in terms of accomplishing officer training with minimal overtime exposure.

Director Woodard and Captain Yanosy addressed questions and comments from the following residents on issues including cost comparison charts, comp time, potential impact of increased traffic volume and traffic violations on Southfield Road, the need to attract premier officers, the need for a two-year study, and the benefits of a 12-hour shift to officers and the Department.

Paul Kleppert	20855 W. 14 Mile Road
Sharon Tischler	21415 Virmar Court
Jill Sickles	17171 Kinross
Tammy Wilms	32058 Waltham
Leanne Toth	21605 W. 13 Mile Road

Woodard mentioned that 20 officers are required to staff the road operation on a 12-hour shift schedule in lieu of 21 officers on an 8-hour shift. This resulted in the ability to place an additional officer in the detective bureau and increase the investigative staff from two to three. Since January 1, the Department has had either principal or auxiliary involvement by its officers in 8-10 drug search warrants in and around the Village of Beverly Hills. That level of activity is difficult to achieve with one or two people in the detective bureau. The detective bureau has worked closely with area task forces. This is not a time to neglect awareness and response to drug abuse in the community.

Ryan stated that there is no question that traffic enforcement by the officers has increased in the 46th District Court. Subpoenas for identify theft and other matters have gone up dramatically in the last year. Beverly Hills is part of a large metropolitan area. There is a lot more investigation going on and more ability to interdict crime. Ryan concurs that a third detective is not a luxury in this more complex society; it is a necessary cost of doing business.

Motion by Rijnovean, second by Koss, that the Village of Beverly Hills Council approve the trial 12-hour shift schedule to be extended from October 30, 2006 to April 15, 2007 at which time it will come before Council for further consideration.

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

REVIEW AND CONSIDER RESOLUTION SUPPORTING FAMILY DAY

Motion by Woodrow, second by Koss, to adopt the following Resolution:

WHEREAS the use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children;

WHEREAS surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs;

WHEREAS teenagers who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol and cigarettes;

WHEREAS teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol and cigarettes;

WHEREAS the correlation between family dinners and reduced risk for teen substance abuse are well documented;

WHEREAS parental influence is known to be one of the most crucial factors in determining the likelihood of substance abuse by teenagers;

WHEREAS family dinners have long constituted a substantial pillar of family life in America:

Now, therefore, the Beverly Hills Village Council does hereby proclaim the fourth Monday in September as

Family Day – A Day to Eat Dinner With Your Children

and urge all citizens to recognize and participate in its observance.

Motion passed (7 – 0).

REVIEW AND CONSIDER PROPOSALS FOR JOINT & CRACK SEALING

Walsh related that the Village's joint and crack sealing program extends the service life of concrete and asphalt. Sealed bids were publicly opened at the Village offices for the 2006 Joint and Crack Sealing Program on August 29, 2006. Two bids were received for this work, Michigan Joint Sealing for \$55,619 and Scodeller Construction for a low bid of \$54,406. Walsh noted that Scodeller Construction had provided this service for the Village in 2003, 2004 and 2005 for the same contract price \$35,440.

The funds for this work are in Account #203.463.938.00 (Local Road Joint and Crack Sealing) for a total of \$40,171. The contract prices for 2005 were \$.53/lineal foot for joint preparation and \$.36/lb. for joint sealant as compared to \$.92/lineal foot for joint preparation and \$.60/lb. for joint sealant in 2006. In order to meet budgeted funds, the scope of the project will need to be reduced. The contractor is willing to enter into a contract at the same unit prices for reduced work. The new quantities will be 40,450 lineal feet of joint preparation and 4,466 lbs. of joint sealant for a total cost of \$39,893.60.

Public Service Director Meszler has recommended that the Village accept the low bid from Scodeller Construction for a project with a reduced scope for a total cost of \$39,893.60. Questions regarding the joint and crack sealing program were addressed by administration. The roads selected to receive repairs will be those that have wider cracks. The work is to be completed by October 30, 2006 and includes the restoration of roads and lawns.

Motion by Walsh, second by Burry, that the Village Council authorize administration to sign a contract with Scodeller Construction in the amount of \$39,893.60 for 40,450 lineal feet of joint preparation at \$.92/ft. and 4,466 lbs. of joint sealant at \$.60/lb. to be placed on local roads in the Village. This award is contingent on the contractor submitting the required bonds and insurance certificates.

Roll Call Vote:

Motion passed (7 – 0).

REVIEW AND CONSIDER PROPOSALS FOR ASPHALT RESURFACING

The Village publicly opened sealed bids for the 2006 Asphalt Resurfacing Program on August 15, 2006. Five bids were received, ranging from a low bid of \$311,262.25 to a high bid of

\$367,574.25. The low bidder was determined to be ABC Paving Co. with a bid amount of \$311,262.25. Bids came in higher than expected and more than the amount budgeted for this work in 2006 due to unanticipated asphalt cost increases. This left an \$18,000 shortfall between the project costs and budgeted funds. The additional cost for this work will be covered by utilizing unspent funds from the 2005 street construction budget, Account 202.451.810.10 of \$48,053.09.

It is the recommendation of administration to accept the low bid of ABC Paving Co., a well-established company that is capable of doing this work.

Walsh stated that the basketball court in Beverly Park will be resurfaced as part of this work program to take advantage of the unit prices available through the Village's road repair program. The basketball court work will be funded with park improvement capital account funds. Walsh asked a number of specific questions regarding the basketball court resurfacing and drainage, which were addressed by Spallasso and Meszler.

Motion by Walsh, second by Koss, that the Beverly Hills Village Council award contract R-06-03 to ABC Paving Co. in Trenton for the construction of the 2006 Asphalt Resurfacing Program with a low bid of \$311,262.25. This award is contingent upon the contractor submitting the required bonds and insurance certificates.

Woodrow asked to recuse himself from voting on the motion for the reason that he owns an asphalt paving company and has done business with some of the companies that bid on the project.

Motion by Woodrow, second by Koss, that he recuse himself from voting on the motion to accept the bid for the Village 2006 asphalt resurfacing program.

Motion passed (7 – 0).

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

REVIEW AND FILE BILLS RECAPPED AS OF AUGUST 21, 2006 AND SEPTEMBER 5, 2006

Questions from Walsh on the bills were addressed by Administration.

Motion by Walsh, second by Rijnovean, that the bills recapped as of August 21, 2006 and September 5, 2006 be approved as submitted.

Motion passed (7 – 0).

DISCUSSION ITEM – REVIEW BENEFIT PACKAGE FOR NEW HIRES

Village Manager Spallasso has provided Council with a memo outlining proposed changes to the benefit package for new Village non-union employees. The benefit package is substantially

reduced from what the current employees are receiving. The items reflect some of the options that cities, villages and townships are exploring in an attempt to reduce costs.

Non-Union New Hires

Revised salary structure to be determined based on position

Health Care

- Base health care plan offered by the Village with employee to pay 100% of the difference for any optional available plan
- No retiree health insurance; Village would provide defined contribution plan for retiree health care

Longevity: \$1,500 cap after five years

Life Insurance Coverage: employee pays taxes on amount of coverage over \$50,000

Vacation Time: one week after one year; maximum three weeks after five years

Tuition Reimbursement: none

Retirement eligibility: Regulated by Michigan Employees' Retirement System (MERS)

Cost of Living Allowance (COLA): None

Council discussed the benefit provisions; there was a general consensus on the package proposed. Walsh indicated that she is still contemplating whether longevity should be eliminated. She suggested that the Village proceed in the direction of a defined contribution plan in lieu of defined benefits.

A document setting forth the revised benefit package for new non-union employees will be prepared by administration and presented to Council for action at its next meeting. There was agreement that the new benefit package will go into effect immediately after Council approval. The provisions of the new hire benefit package will also be incorporated into the Personnel Policies and Procedures Manual.

In response to an inquiry from Tammy Wilms of 32085 Waltham, Spallasso stated that the Village offers family health care coverage. Wilms indicated that the administrative time spent to administer health savings accounts would be significant for a small number of employees.

REPORTS – MANAGER

Spallasso stated that Council has two joint meetings scheduled, one with the Parks and Recreation Board on September 21 and one with the Planning Board on October 11. He spoke with both board chairpersons and they agreed that the joint meetings should be rescheduled to take place in early 2007 after the November election. Council agreed to reschedule the joint meetings to January 18 with the Parks and Recreation Board and February 14 with the Planning Board.

The Village's updated Master Plan is available for public review at this time on the Village web site. In response to an inquiry, Spallasso stated that the revised street inventory report will be available for review in approximately a month.

COUNCIL

Rijnovean thanked everyone for the cards and messages of condolences she received in acknowledgement of her family situation.

Koss announced that the Southfield Township Board will meet on Tuesday, September 12 at 7:30 p.m. at the Township offices. Koss has asked that administration place a Discussion Item on the agenda for the next Council meeting to provide an opportunity for a representative of the Birmingham Board of Education to present a brief overview of the upcoming millage proposal.

Pfeifer reminded residents that the Birmingham Area Cable Board survey mailing will go out this week to be returned by the end of September. The purpose of the survey is to determine people's preferences regarding the two cable channels – Municipal Channel 15 and Community Channel 18. It will be a random survey that will not be mailed to each household in the three consortium communities. Should residents wish to participate in the survey, they may take the viewership survey on the Cable Board web site (www.birminghamareacableboard.org)

Pfeifer commented on the revised Baldwin Public Library circulation statistics distributed to Council this evening. She referred to the new computer program being implemented by the library and noted that inputting information will take some time. Pfeifer stated that circulation figures for Beverly Hills substantiate that residents are not only borrowing books but are using library services. Pfeifer announced that the Friends of the Baldwin Library group is having a used book sale on October 20. The library would welcome donated books.

Pfeifer took exception to a comment made at the last Council meeting with respect to Council appointments to boards and committees. It was suggested that Council selects the same known individuals to fill vacancies on boards. Pfeifer did some research and presented statistics that proved that statement to be incorrect.

Woodrow commented on the ICE (in case of emergency) campaign. The idea is that a person stores the word "I C E" in their mobile phone address book, and against it enters the number of the person they would want to be contacted "In Case of Emergency". In an emergency situation, ambulance and hospital staff will then be able to quickly find out who your next of kin are and be able to contact them. For more than one contact, include ICE1, ICE2, ICE3 etc.

Walsh stated that the Retirement Board chairperson Don O'Connell asked her to thank Council for reappointment him to that Board. She remarked that he is doing a great job.

Walsh took issue with having someone from the School Board come to a Council meeting and talk about a millage renewal ballot proposal. She questioned whether this is the appropriate forum for political and tax issues. Council should remain impartial.

Taylor responded that he considered the presentation to be informational and a service to the community.

Koss remarked that she is Council liaison to the Birmingham Board of Education. She cannot attend their board meetings to receive this information because they are scheduled on Council

meeting days. The purpose of the presentation is to inform Village residents on how the language reads and the effect of this proposal, which will be an issue on the November ballot. Koss expressed the view that Council has an obligation to inform its residents. Council is not telling people how to vote.

Burry suggested that the impression may be that Council is supporting the proposal. Rijnovean suggested that Council introduce this topic with a disclaimer saying that the presentation is to inform Village residents about an important issue on the ballot.

Ryan stated that information is always appropriate. This should not be used as an opportunity to convince people to vote one way or another. The majority of Council members agreed to invite a School Board representative to make this presentation at the next Council meeting.

Motion by Pfeifer, second by Koss, to adjourn the meeting at 11:13 p.m.
Motion passed (7 – 0).

Dave Taylor
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary