

Present: President Pro-Tem Pfeifer, Members: Berndt, Koss, Oen, Peddie and Woodrow

Absent: Stearn

Also Present: Village Manager, Spallasso
Assistant Manager/Clerk, Marshall
Director of Public Safety, Woodard
Building Official, Byrwa

President Pro-Tem Pfeifer 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 1024 led the audience in reciting the Pledge of Allegiance. The scouts stepped to the lectern and introduced themselves indicating that they are working on their Citizenship in the Community merit badges.

ADDITIONS TO AGENDA/AMEND AGENDA

Motion by Pfeifer, second by Woodrow, to approve the agenda as published.

Motion passed (6 – 0).

PUBLIC COMMENTS

Sharon Tischler of 21415 Virmar Court said that she expressed concern at the last Council meeting with traffic conditions on Thirteen Mile Road in front of Groves High School. She talked to a couple of residents since that time who related their observations in terms of Groves traffic cutting through adjacent neighborhoods and driving in excess of the speed limit. They proposed suggestions for alleviating congestion. Tischler remarked that she has not reviewed the traffic safety report prepared by the Traffic Improvement Association of Oakland County. She suggested an increased public safety presence in this area in order to slow traffic down.

Drew Steffes of 19418 Warwick stated that he would like to talk to a Council member concerning the Pathways Plan as part of his Citizenship in the Community merit badge. Pfeifer asked Steffes to leave his name and phone number with a member of administration, who would put him in contact with a Council member.

W.A. Zimmerman on Camelot Court commented that it was his understanding that letters addressed to Council and delivered to the municipal office would not be forwarded to Council members. Zimmerman distributed copies of his letter dated January 28, 2007 to Council this evening. He asked Council members to provide their home addresses so that a citizen may communicate with them in writing.

Pfeifer responded that an individual may drop off a letter at the Village office and ask that it be placed in the Council members' mailboxes. Citizens may also leave their phone number and the name of the Council person they wish to contact with staff, who will see that Council receives the message.

Spallasso clarified that some issues brought to the Village office can be handled by administration, and there may not be a need for the item to go to Council. However, there is a point when a resident cannot accept an answer from administration.

State Representative Chuck Moss reported that the State is spending time on budgetary issues; decisions will be forthcoming on budget cuts and tax increases. He has been placed on the Appropriations Committee and has been involved in budgeting and protecting revenue sharing coming back to the municipalities. Moss introduced a bill to regionalize the ownership of the Detroit Water and Sewer Board. He noted that there has been a lot of talk about consolidation. Moss thinks that consolidation of services is a good thing, but it needs to be done voluntarily.

CONSENT AGENDA

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

- a. Review and consider approval of minutes of a regular Council meeting held February 6, 2007.
- b. Review and file bills recapped as of Tuesday, February 20, 2007.

Motion passed (6 – 0).

BUSINESS AGENDA

PUBLIC HEARING TO REVIEW AND CONFIRM 2006 SPECIAL ASSESSMENT ROLL FOR THE SOUTHFIELD ROAD BUSINESS ASSESSMENT DISTRICT

The Village maintains the public right-of-way along the Southfield Road business district and assesses the cost of landscape maintenance and water for the sprinkling system to the property owners on the west side of Southfield Road.

Pfeifer declared the public hearing open at 7:44 p.m. No one wished to be heard; therefore, the public hearing was closed at 7:45 p.m.

REVIEW AND CONFIRM 2006 SPECIAL ASSESSMENT ROLL FOR THE SOUTHFIELD ROAD BUSINESS ASSESSMENT DISTRICT

Motion by Pfeifer, second by Koss, that the 2006 maintenance cost for the Southfield Road Business District was \$3,820.00, and; the 2006 water cost for the sprinkling system for the Southfield Road Business District was \$4,702.33. In addition, each property incurred a 10% administrative fee for a total of \$852.23. Therefore, the Village of Beverly Hills Council confirms the Village Business District Assessment Roll for Southfield Road maintenance for the 2006 season in the amount of \$9,374.56 as follows:

Beverly Hills Club	\$ 1,828.82
Bed, Bath & Beyond	714.84
Beverly Hills Grill	694.25
C.G. Holdings, LLC	523.39
Emile's	970.40
Taco Bell	618.64
31333 Building	731.59

Beverly Venture	1,838.76
J & D Karmo Real Estate	1,453.87

It was clarified that a 10% administrative fee was assessed to each business proportionately.

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

REVIEW AND CONSIDER FUNDING 2007 CONCERTS IN THE PARK

Oen stated that the Parks and Recreation Board is seeking Council support to provide four concerts in the park this year, two in June and two in July. The Village received a performance contract from the Sun Messengers for a performance scheduled for Thursday, June 21, 2007 at a cost of \$1,500. Arrangements are being made with another group to perform on Thursday, June 28 for approximately \$1,500. Reservations to use the Oakland County Showmobile are required for all concerts at a cost of \$300 for each use.

Council budgeted \$5,000 for concerts in the 2006/07 fiscal year. A balance of \$1,900 is remaining after last summer's concerts. The Parks and Recreation Board is asking that \$1,000 left over from this year's Winter Family Fun Day be utilized for the two concerts in June. A commitment for a private donation of \$750 would bring the total amount available for the June concerts to \$3,650.

A motion is needed to transfer the money from the Winter Family Fun Day to Concerts in the Park. A subsequent motion will be needed to allocate money for the two concerts that will take place in the 2007/08 fiscal year.

Motion by Oen, second by Woodrow, that the Village Council approve an expenditure of \$1,900 plus an additional \$1,000 remaining from the Winter Family Fun Day budget to secure entertainment contracts for Concerts in the Park for June 2007.

Pfeifer mentioned that this summer's concerts will take place in two fiscal years, which is a change from previous years when all of the concerts were scheduled in July.

Koss explained that the entire \$1,300 budgeted for the Winter Family Fun Day was not spent this year due to circumstances related to the lack of snow. Expenses such as the ice sculpture were eliminated from the event.

Cynthia Nagle of 15823 Kirkshire, member of the Parks and Recreation Board, stated that there is a shortfall of \$2,200 for the June concerts for the reason that the first two concerts were scheduled to take place in the current fiscal year. She questioned if there is a way to add to the available funds in order to contract with a group for the June 28th concert that charges \$3,000. Nagle remarked that the entertainment schedule has not been finalized due to the potential of receiving private donations.

Council members did not encourage booking bands that the Village cannot afford. Manager Spallasso remarked that funds are not available in the budget for additional concert expenditures.

Woodrow asked if a member of the Parks and Recreation Board has contacted the Birmingham Bloomfield Chamber of Commerce to request that they advertise the Beverly Hills summer concerts on their web site. This would also be a means of pursuing sponsorships for concerts from member businesses. Nagle stated that she has contacted an individual from the Chamber and is waiting to hear back from her.

Roll Call Vote:

Motion passed (6 – 0).

REVIEW AND CONSIDER AMENDMENTS TO PERSONNEL POLICIES AND PROCEDURES MANUAL

Koss reviewed that the Policies and Procedure Manual was an agenda item for consideration at the January 2, 2007 Council meeting. Koss suggested to Council at that time that a determination should be made as to whether letters of employment on file for non-union municipal employees give those employees the same benefits as received by AFSCME (American Federation of State, County and Municipal Employees) union employees. Council agreed that this should be determined because it would establish whether or not sections of the Personnel Policies and Procedures Manual addressing benefits is applicable to a majority of the employees. Council directed the Personnel Committee to review the letters of employment on file for non-union employees.

The Personnel Committee consisting of Stearn, Pfeifer and Koss met on February 14, 2007. After reviewing the letters of employment of non-union employees and correspondence from legal counsel, the committee recommended to Council that all references in the Policies and Procedures Manual that pertain to employee benefits should be removed from the handbook for the reason that non-union employees have Employment Letters that entitle them to benefits received by union employees under the AFSCME contract. It was recommended that the Policies and Procedures Manual should focus on the operation of the municipal office and employee guidelines including those items required by law. It was mentioned that it has happened in the past that changes in the AFSCME contract were not incorporated into the Policies and Procedures Manual, which resulted in misunderstandings.

Language has been added to the Policies and Procedures Manual that states “all regular, non-union, full-time employees hired prior to July 1, 2006 shall receive no less than all benefits provided in a number of sections in the current AFSCME union contract.” The sections detailing those benefits are listed. Koss commented that clarification has been received that union negotiations with AFSCME could proceed at any time.

Motion by Koss, second by Peddie, that Council adopt the Personnel Policies and Procedures Manual as amended.

Woodrow commented that the update to the existing Policies and Procedures Manual is available for public review at the Village offices. Pfeifer added that the amended Policies and Procedures Manual incorporates a new hire benefit package.

Spallasso stated that several sections of the Policies and Procedures Manual will come back to Council for revision to reflect the outcome of labor contract negotiations.

Roll Call Vote:

Motion passed (6 – 0).

PUBLIC COMMENTS

None

REPORTS – MANAGER

Spallasso reported that construction on the Acacia Park Relief Sewer project is about to start. Materials and equipment will be delivered on or about March 1 and construction will follow within a few days. Administration is asking for citizens' patience and cooperation during the construction period.

The Village office received a number of calls after the recent snow event thanking the DPW crews for their prompt response and a job well done. Spallasso reminded residents to keep their sidewalks clean if there is additional snowfall.

Administration is in the process of going out for bids for tree removal. Bids will be received and opened on March 13, 2007.

Spallasso reminded Village residents that trash collection will change to two days per week starting July 1, 2007. Pickup east of Evergreen will be on Monday; west of Evergreen pickup will be on Tuesday.

The Beverly Hills delegate and alternate positions on SEMCOG (Southeast Michigan Council of Governments) are vacant. Koss volunteered for the position of delegate and Woodrow will act as alternate.

COUNCIL

Peddie reported that the Library Board met last night, March 19. She reminded everyone that the Baldwin Public Library offers great programs.

Berndt stated that the joint meeting of the Planning Board and Council was informative and successful. The Planning Board will meet again on Wednesday, February 28.

Oen reported that the Parks and Recreation Board met on Thursday, February 15. Representatives from Oakland County Parks attended the meeting and gave a presentation on a number of park programs and activities available in the County. The Southfield Township Board met last Tuesday, February 13.

Woodrow suggested that the scout from Troop 1024 who was interested in contacting Council members could access the Village web site where there is a link to the email address of all Council members except Ms. Pfeifer. The scout could email his questions to Council members and receive responses. Councilwoman Pfeifer can be reached by phone.

To clarify a comment made by State Representative Moss, Woodrow clarified that Beverly Hills has been talking about consolidating services with Birmingham and other municipalities.

Woodrow mentioned that Council held a special meeting on Saturday, February 17, which was not televised. The meeting was dedicated to Public Safety Department matters, specifically the 12-hour versus 8-hour shift schedule. Council had a question and answer session with Finance Director Wiszowaty and Public Safety Director Woodard in an attempt to become informed on issues that will come before them for consideration. The 12-hour shift schedule will be an agenda item for the March 6 Council meeting.

Pfeifer added that the Saturday, February 17 meeting was an informational meeting with no action taken. She thanked members of administration who attended.

Pfeifer reviewed that a motion was made last month to direct administration to prepare and send out a Request for Proposal to companies to conduct an Operational Study of the Beverly Hills Public Safety Department. Given the information received at Saturday's meeting, Pfeifer would like to reconsider that motion at a subsequent Council meeting. She noted that two members of Council can request that an item be placed on the agenda.

Woodrow commented that administration will receive proposals for this study within a few weeks. Council can discuss the operational study at that time and decide to accept a proposal or to reject all proposals.

Pfeifer reported on an interesting presentation made to the BASCC Board today by Birmingham Fire Chief Tim Wangler on the topic of Birmingham's Emergency Management System.

The Birmingham Area Cable Board will meet at 7:45 a.m. tomorrow, February 21. Pfeifer stated that attorneys representing area cable boards are holding a seminar to discuss recent updates in Cable Television Law on Friday, February 23, 2007 at the Bloomfield Open Hunt Club. The seminar is open to area cable board members and municipal attorneys and officials.

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

Motion passed (6 – 0).

Dorothy Pfeifer
President Pro-Tem

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary