

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

Absent: None

Also Present: Village Manager, Spallasso  
Assistant Manager/Clerk, Marshall  
Finance Director, Wiszowaty  
Director of Public Safety, Woodard  
Village Attorney, Ryan

President Stearn called the Council meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

### **ADDITIONS TO AGENDA/APPROVE AGENDA**

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

Motion passed (7 – 0).

### **PUBLIC COMMENTS**

Bob Walsh of 20655 Smallwood Court asked if a meeting schedule has been set for the ad hoc city vs. village committee. Pfeifer responded that the next meeting will be Monday, June 21 at 3 p.m. in the Village office. That time is convenient for the committee members; the frequency of meetings has not been established at this time. Meetings will be posted and a record of business conducted will be kept. Stearn asked that meeting times and dates also be posted on the Village web site.

Sharon Tischler of 21415 Virmar Court suggested that agendas posted on the municipal building bulletin board be stamped with the date and time so there is no confusion as to whether an agenda has been revised.

Tischler asked if there will be a review of trees in the road rights-of-way that need to be removed. Spallasso responded that the Village has been through a massive tree removal program in the last couple of years due to the Emerald Ash Borer disease. A survey has not been done recently, but the DPW crew addresses situations where dead trees present a hazard to the public. Tischler mentioned that there are two trees in the ravine on Vernon; she will contact the Village with the location. Residents were encouraged to call the Village if they observe a tree that may be a hazard to pedestrians or motorists.

Kathleen Berwick of 31381 Kennoway Court stated that it is important that dead trees along the road right-of-way or on personal property be removed, particularly if they create a dangerous situation. Berwick was advised to call the Village office with information on dead trees and that Tom Meszler is the Public Services Director.

### **CONSENT AGENDA**

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

- a. Review and consider approval of minutes of a special Council meeting held May 1.
- b. Review and consider approval of minutes of a regular Council meeting held May 1.
- c. Review and consider approval of minutes of a special Council meeting held May 2.
- d. Review and file bills recapped as of Monday, May 14, 2007.

Motion passed (7 – 0).

## **BUSINESS AGENDA**

### **REVIEW AND CONSIDER ADOPTION OF THE 2007/2008 FISCAL YEAR VILLAGE OF BEVERLY HILLS BUDGET**

Stearn stated that a special meeting of Council was held on May 2, 2007 to review various aspects of the proposed budget. There was a compromise agreement to consider adoption of a budget including funding for a 25<sup>th</sup> officer in the Public Safety Department as a third detective but to postpone hiring that person for a period of time in order to further investigate the matter before making a determination on how to proceed.

In order to fund the position, the budget was revised as follows: 1) \$30,000 was removed from the Public Safety Department capital expenditures account; 2) \$30,000 was removed from the Major Road asphalt resurfacing program, and 3) Director Woodard reduced the Public Safety Department budget by the remainder of the amount. Stearn remarked that capital expenditures for the Public Safety Department will still be \$53,000, which is about twice the amount budgeted last year. The asphalt resurfacing program will be funded by \$120,000; last year there was no money budgeted for this expense.

Stearn mentioned that the budget includes \$7,500 to fund a Southfield Road Corridor study so that the Village can begin taking a look at the Southfield Road business district. A town hall meeting is scheduled with business owners in the community on Thursday, May 17, 2007 in the Council chamber in an attempt to work with them to create a more viable business environment.

This concludes the changes made to the proposed budget since the May 1, 2007 Council meeting. Stearn opened the floor for public comments on the 2007/08 Village budget.

Kathleen Berwick of 31381 Kennoway Court expressed disappointment that the budget was revised to fund a 25<sup>th</sup> officer, which she did not think was necessary. She disagreed with decreasing the amount in the budget allocated for road repairs.

Norman Rubin of 31020 Rivers Edge Court questioned how the Village will fund a 25<sup>th</sup> officer on an ongoing basis. Stearn agreed that Council needs to take a hard look at this.

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

**RESOLUTION  
TO ADOPT THE 2007/2008 FISCAL YEAR  
VILLAGE OF BEVERLY HILLS BUDGET**

The Village Council of Beverly Hills conducted a public hearing on the proposed 2007/2008 Fiscal Year Budget on May 1, 2007 and public comments have been heard and considered, therefore, be it resolved that the 2007/2008 Fiscal Year Budget for the General Fund, Major Road Fund, Local Streets Fund, Drug Law Enforcement, Retiree Health Care, Vacation Reserve, Sick Leave and Water and Sewer Operating Fund in the following amounts be hereby adopted:

FUND NAME	REVENUES	APPROPRIATIONS
General Fund	\$6,877,875.00	\$6,877,875.00
Major Road Fund	\$995,968.00	\$995,968.00
Local Streets Fund	\$829,239.00	\$829,239.00
Drug Law Enforcement	\$10,800.00	\$10,800.00
Retiree Health Care	\$667,172.00	\$532,144.00
Vacation Reserve	\$1,200.00	\$00.00
Sick Leave Reserve	\$1,200.00	\$00.00
Water & Sewer Operating	\$3,790,129.00	\$3,790,129.00

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

**REVIEW AND CONSIDER APPROPRIATING FUNDS FOR 2007/2008 FISCAL YEAR  
VILLAGE OF BEVERLY HILLS BUDGET**

Motion by Pfeifer, second by Berndt, to adopt the following Resolution:

**RESOLUTION  
TO APPROPRIATE FUNDS FOR THE 2007/2008  
BEVERLY HILLS BUDGET**

The Village Council of Beverly Hills has adopted its annual budget for its fiscal year beginning July 1, 2007 in accordance with State law and the Village Charter, and

The Village Council is also required to adopt an appropriations act to provide the authority to incur obligations and expend public funds.

THEREFORE, BE IT RESOLVED, that the adopted budget for the fiscal year beginning July 1, 2007 and ending June 30, 2008 shall establish the approved appropriation levels for the said fiscal year.

BE IT FURTHER RESOLVED that the Village Council does hereby authorize the Village Manager to execute transfers between appropriations provided that each transfer be approved by the Village Council prior to its execution.

BE IT FURTHER RESOLVED that the Village Council retains authority to amend the Village budget and this appropriations act at such times when deviations from the projected revenues and authorized expenditure levels become necessary and the amount of the deviations becomes known.

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

**REVIEW AND CONSIDER ADOPTION OF THE 2007 VILLAGE OF BEVERLY HILLS MILLAGE RATE**

Motion by Pfeifer, second by Koss, to adopt the following Resolution.

**RESOLUTION  
TO ADOPT THE 2007 VILLAGE OF BEVERLY HILLS BASE TAX RATE  
PLUS ADDITIONAL MILLAGE TO RETIRE DEBT**

The Village Council on May 15, 2007 adopted the 2007/2008 Village Budget, and

The Village Council must adopt a millage rate to be spread on the Village tax roll for 2007, and

Public Act 5 of 1982 does not apply to levying for Debt Service, and

The proposed 9.3801 mils for operating purposes for the General Fund and the Local Streets Fund do not exceed the 11.00 mils maximum approved by the voters at the March 13, 1995 election.

THEREFORE, BE IT RESOLVED THAT the Village Council does hereby approve the total 2007 millage rate for the Village at 11.7573 mils and the 11.7573 millage rate is to be spread as follows:

General Fund.....	8.7481 mils
Road Fund.....	0.6320 mils
CSO Debt.....	0.6591 mils
Dedicated Millage.....	1.7181 mils
Total Millage Rate .....	11.7573 mils

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

**REVIEW AND CONSIDER RESOLUTIONS TO ADOPT 2007/2008 RATE SCHEDULE FOR WATER CONSUMPTION AND SEWAGE DISPOSAL**

There will be a 6.96% average increase in water and sewer rates for the 2007/08 fiscal year. The schedule establishing water and sewer rates shows a phased increase with the first increase becoming effective with all bills mailed after September 1, 2007; the second phase begins with bills mailed on October 1; and the third phase of the increase will apply to bills mailed after November 1. Phasing the bills assures that rates charged to residents are consistent with the period when the water is used.

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

**RESOLUTION**  
ESTABLISHING WATER & SEWER RATES

Each premises within the Village connected to the water and/or sanitary sewer system shall pay a consumption charge based upon the amount of water used as shown by the water meter installed in each premises as follows:

Water Consumption		\$ 15.68 per 1000 cu ft
Sanitary Sewer O.M. & R		33.41 per 1000 cu ft
Debt Service		<u>7.11</u> per 1000 cu ft
Total		\$ 56.20

Sanitary Industrial Waste Control Charge

<u>Meter Size</u>	<u>Monthly</u> <u>S.O.C.S.D.S.</u>	<u>Quarterly</u> <u>Evergreen/Farmington</u>
5/8"	\$ 5.69	\$ 17.07
3/4"	8.54	25.62
1"	14.22	42.66
1-1/2"	31.29	93.87
2"	45.50	136.50
3"	82.47	247.41
4"	113.75	341.25
6"	170.63	511.89
8"	284.37	853.14
10"	398.13	1194.39
12"	455.00	1365.00

Residential Meter Charge

Quarterly meter charge (up to one inch)		\$ 6.00
Quarterly meter charge 2"		9.00
Quarterly meter charge 3"		12.00
Quarterly meter charge 4"		15.00

Minimum Charge

Minimum charge per 1000 cu ft per quarter for water, sewer OMR, sewer debt and meter charge is:

One inch meter or less		\$ 62.20
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Sewer Only

All sewer-only customers per quarter		\$ 92.98 OMR
		<u>19.78</u> Debt Service
		\$ 112.76

Effective with all bills mailed after September 1, 2007 and thereafter until changed.

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

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

**RESOLUTION**  
**ESTABLISHING WATER & SEWER RATES**

Each premises within the Village connected to the water and/or sanitary sewer system shall pay a consumption charge based upon the amount of water used as shown by the water meter installed in each premises as follows:

Water Consumption		\$ 15.67 per 1000 cu ft
Sanitary Sewer O.M. & R		34.70 per 1000 cu ft
Debt Service		<u>7.11</u> per 1000 cu ft
Total		\$ 57.48

Sanitary Industrial Waste Control Charge

<u>Meter Size</u>	<u>Monthly</u> S.O.C.S.D.S.	<u>Quarterly</u> Evergreen/Farmington
5/8"	\$ 5.69	\$ 17.07
3/4"	8.54	25.62
1"	14.22	42.66
1-1/2"	31.29	93.87
2"	45.50	136.50
3"	82.47	247.41
4"	113.75	341.25
6"	170.63	511.89
8"	284.37	853.14
10"	398.13	1194.39
12"	455.00	1365.00

Residential Meter Charge

Quarterly meter charge (up to one inch)	\$	6.00
Quarterly meter charge 2"		9.00
Quarterly meter charge 3"		12.00
Quarterly meter charge 4"		15.00

Minimum Charge

Minimum charge per 1000 cu ft per quarter for water, sewer OMR, sewer debt and meter charge is:

One inch meter or less	\$	63.48
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Sewer Only

All sewer-only customers per quarter	\$	96.57 OMR
		<u>19.78</u> Debt Service
	\$	116.35

Effective with all bills mailed after October 1, 2007 and thereafter until changed.

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

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

**RESOLUTION**  
**ESTABLISHING WATER & SEWER RATES**

Each premises within the Village connected to the water and/or sanitary sewer system shall pay a consumption charge based upon the amount of water used as shown by the water meter installed in each premises as follows:

Water Consumption		\$	15.65 per 1000 cu ft
Sanitary Sewer O.M. & R			35.99 per 1000 cu ft
Debt Service			<u>7.11</u> per 1000 cu ft
Total		\$	58.75

Sanitary Industrial Waste Control Charge

<u>Meter Size</u>	<u>Monthly</u> S.O.C.S.D.S.	<u>Quarterly</u> Evergreen/Farmington
5/8"	\$ 5.69	\$ 17.07
3/4"	8.54	25.62
1"	14.22	42.66
1-1/2"	31.29	93.87
2"	45.50	136.50
3"	82.47	247.41
4"	113.75	341.25
6"	170.63	511.89
8"	284.37	853.14
10"	398.13	1194.39
12"	455.00	1365.00

Residential Meter Charge

Quarterly meter charge (up to one inch)		\$	6.00
Quarterly meter charge 2"			9.00
Quarterly meter charge 3"			12.00
Quarterly meter charge 4"			15.00

Minimum Charge

Minimum charge per 1000 cu ft per quarter for water, sewer OMR, sewer debt and meter charge is:

One inch meter or less		\$	64.75
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Sewer Only

All sewer-only customers per quarter		\$	100.16 OMR
			<u>19.78</u> Debt Service
		\$	119.94

Effective with all bills mailed after November 1, 2007 and thereafter until changed.

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

Sharon Tischler of 21415 Virmar Court asked what percentage of the 6.96% increase is due to increased charges received by the Village from the City of Detroit Water and Sewerage Department and what percentage of the increase is imposed by Beverly Hills. Wiszowaty responded that the increase in charges from the City of Detroit and SOCWA will not be absorbed by the Village through contributions from the General Fund balance this year; the Water and Sewer Fund is a self-supporting enterprise fund. Wiszowaty estimated that about 3% of the increase is due to increased rates from the City of Detroit. It was noted that part of the rate increase along with money from the Water & Sewer fund balance will be used to undertake a program to replace all water meters in Beverly Hills.

**FIRST ANNOUNCEMENT OF A VACANCY ON THE FINANCE COMMITTEE**

Pfeifer stated that Gary Piotrowicz has indicated that he is not seeking reappointment to his seat on the Finance Committee, which expires on June 30, 2007. Pfeifer made the first announcement of a vacancy on the Finance Committee. Interested individuals may make application to serve on the committee for a term to expire on June 30, 2010. The deadline for receiving applications is Friday, June 8, 2007 at 4:30 p.m. Applications are available at the Village office or can be printed from the Village web site ([www.villagebeverlyhills.com](http://www.villagebeverlyhills.com)).

**FIRST ANNOUNCEMENT OF TWO VACANCIES ON THE PLANNING BOARD**

Elizabeth Landsman and Daniel Walter have indicated that they are not seeking reappointment to the Planning Board for terms expiring on June 30, 2007. Berndt made the first announcement of two vacancies on the Planning Board. The deadline for accepting applications will be Friday, June 8, 2007 at 4:30 p.m.

**REVIEW AND CONSIDER REAPPOINTMENT OF BOARD/COMMITTEE MEMBERS**

Peddie stated that Board and Committee members whose terms are expiring on June 30, 2007 have been contacted, and three people have indicated that they will not be seeking reappointment. It is Council's policy to consider reappointment based on a 70% minimum attendance requirement; the individuals seeking reappointment meet that requirement.

Motion by Peddie, second by Pfeifer, to reappoint the following Board and Committee members to a three-year term to expire on June 30, 2010.

Cable Board

Bob Borgon

Carol Woodard

Finance Committee

John Mooney

Parks & Recreation Board

Irene Davis

Planning Board

Bruce Wayne

Zoning Board of Appeals

I. Jack Fahlen  
Michael Farris  
Maureen Francis

Stearn mentioned that Council held a special meeting on May 1, 2007 to interview Board and Committee members. Those who attended and indicated their interest in being reappointed were John Mooney, Mike Farris, Bruce Wayne, Maureen Francis, Jack Fahlen and Bob Borgon. Karl Woodard appeared on behalf of Carol Woodard. Stearn thanked and expressed gratitude to all the volunteers who serve on Village Boards and Committees.

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

**REVIEW AND CONSIDER FUNDING TWO CONCERTS IN THE PARK FOR JULY 2007**

Oen stated that the Parks and Recreation Board passed a motion at its April 19, 2007 meeting recommending that the Village Council approve two summer concerts in July at Beverly Park at a cost not to exceed \$5,000. One concert has been scheduled for Thursday, June 21 with funding coming from the 2006/07 fiscal year. A proposed June 28<sup>th</sup> concert was canceled due to budget constraints. This is the tenth season for this program.

Motion by Oen, second by Berndt, that the Village Council approve two concerts in July for a total cost of up to \$5,000. On July 19, 2007, Three Men & A Tenor will perform for a cost not to exceed \$3,000, and the Tartar Sauce Jazz Band will entertain on July 26, 2007 for a cost not to exceed \$2,000. Funds are available in account #101-747-894, Community Action: Special Events.

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

**PUBLIC COMMENTS**

Sharon Tischler of 21415 Virmar Court reported that the document shredding event sponsored by the Township on Saturday, May 5 was well attended; another date may be scheduled in the fall. Tischler reminded everyone of the upcoming Memorial Day Fun Run, Parade and Carnival festivities. The Lions Club sponsors the Fun Run; application forms to participate are available at the Township and Village offices.

**REPORTS – MANAGER**

Spallasso reported that the Rouge Rescue Day is scheduled for Saturday, June 2, 2007 at the Douglas Evans Nature Preserve from 10 a.m. to noon. The gates on the west side of Evergreen north of Beverly will be open.

The Acacia Park relief sewer project is proceeding ahead of schedule with the big pipe installation on Bates. It is anticipated that the pipe will extend to Fourteen Mile Road in approximately two weeks.

Residents in the combined sewer areas were reminded that this is the time of year when there may be heavy rainfall resulting in water sitting in ditches and ponding over the pavement at times. Spallasso explained that restrictors placed in the catch basins are doing their job of slowing the flow of water into the drainage system and therefore reducing the potential of backups into basements.

Spallasso informed those familiar with the big Oak tree situated in the middle of the intersection of Dunblaine and Madison that the tree is dead and will be removed. The area will be paved.

In the interest of consolidation of services, Spallasso reported that administration has been negotiating with the Village of Bingham Farms to enter into an Intergovernmental Agreement for the purpose of Beverly Hills providing routine street maintenance and engineering assistance to Bingham Farms. The terms of the agreement will be spelled out in a formal contract to be prepared and submitted to both village councils for their consideration and approval. Spallasso related that the Village will charge direct costs to Bingham Farms plus administrative charges. This proposal will come before Council for consideration. The next Village Council meeting will be June 5, 2007.

Council received the current actuarial study for the Public Safety Department. This will be a topic of discussion at the Retirement Board scheduled for Tuesday, May 22, 2007 at 7:30 p.m. in the Public Safety Department building.

Oen asked if a date was set for Council to review a landlord/tenant ordinance. He was informed that this will be an agenda item for the June 5, 2007 Council meeting.

Stearn commented on an email he received from Planning Board member Daniel Walter regarding a sign that was erected at 32804 Pierce in violation of the Village Ordinance. The Planning Board approved the sign request contingent on the total size not exceeding 48 square feet. Spallasso relayed a conversation he had with building official Byrwa regarding the interpretation of the sign ordinance. This sign may be brought back to the Planning Board for reconsideration. Council members commented on this issue. Spallasso will follow up on the matter.

## **COUNCIL**

Koss announced that the Village will hold a Business Town Hall meeting in the Council chamber on Thursday, May 17, 2007 at 7:30 p.m. This is an attempt to engage area business owners in a dialog about how to improve the business environment of the community.

Pfeifer stated that Council has received copies of the Birmingham Area Seniors Coordinating Council Outreach Department annual report, which gives an excellent review of the services provided by the organization.

The Birmingham Area Cable Board will meet on Wednesday, May 16 at 7:45 a.m. in the Beverly Hills Council chamber. Council is in receipt of the proposed Cable Board budget for 2007/08 Pfeifer noted that there have been changes to this copy of the budget; a revised budget will be distributed to Council in their next meeting packet. There were no questions from Council on the Cable Board budget.

The Ad Hoc Committee formed to study the village vs. city issue will meet on Monday, May 21 at 3:00 p.m. in the Village offices.

Pfeifer called attention to the fact that the approved 2007/08 budget appropriated funds for a 25<sup>th</sup> officer in the Public Safety Department but emphasized that the funds have not been spent. Council will look at this issue carefully before making a final decision.

Oen reported that the Southfield Township Board met on Tuesday, May 8, and appointed Whit Jones as the new Southfield Township Trustee. The Park Clean Up was held on Saturday, May 12 and was well attended with representation from local Boy Scouts, Cub Scouts, Girl Scouts, community members, Comeau Equipment Company staff, and LawnCrafters employees. The Beverly Hills Lions Club supplied refreshments. There was a lot of work done that day, and Beverly Park looks great.

The Parks and Recreation Board will meet on Thursday, May 17 at 7:30 p.m. in the park, weather permitting. Oen stated that the Village is still looking for sponsorship for concerts in the park. He reminded everyone of the Memorial Day activities in the Village and in Beverly Park on May 28.

Stearn mentioned that Council is in receipt of a draft ordinance regarding sexual offender's registration and their prohibition from living near or being present and/or loitering in places where children are present. He asked that Council review this material prior to discussion at an upcoming meeting.

Stearn thanked the Village Council, Manager Spallasso, Finance Director Wiszowaty and Director Woodard for their participation in demanding budget sessions that resulted in a very good balanced budget for this year.

Stearn stated that a Personnel Committee meeting will be scheduled in the next couple of weeks to evaluate the performance of the Village Manager.

Stearn invited business owners to the Village's first Business Town Hall meeting on Thursday, May 17, 2007 at 7:30 p.m. at the Village office. The Retirement Board will meet on Tuesday, May 22 at 7:30 p.m. in the Public Safety Department building.

Motion by Pfeifer, second by Oen, to adjourn the meeting at 8:36 p.m.

Motion passed (7 – 0).

**Todd Stearn**  
**Council President**

**Ellen E. Marshall**  
**Village Clerk**

**Susan Bernard**  
**Recording Secretary**