

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

Absent: None

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

President Woodrow called the regular Council meeting to order at 7:30 p.m. The Pledge of Allegiance was recited by those in attendance.

ADDITIONS TO AGENDA/APPROVE AGENDA

Motion by Oen, second by Pfeifer, to approve the agenda as submitted.

Motion passed (7 – 0).

PUBLIC COMMENTS

Marcia Gershenson, Oakland County Commissioner, announced that she will be hosting an informational meeting with Ron Kagan, Executive Director of the Detroit Zoo. The topic will be the zoo millage proposal that will be on the August ballot for voter consideration. The date of the session will be July 30. Flyers will be available in the Clerk's office once a location is selected.

Gershenson reported on a recent celebration at Cranbrook honoring 70 new companies that are involved in the County's Emerging Sectors business attraction strategy that allowed Oakland County to bring over \$1 billion of investment to the communities over four years. On Wednesday, July 9, a new company called Core 3 Solutions is having its ribbon cutting and a Tech Expo from 11-3 p.m., where companies can learn to go green.

Gershenson related that Home Depot has announced a nationwide campaign to recycle compact fluorescent light bulbs. As part of Oakland County's commitment to fair housing, it is hosting a workshop focusing on housing needs for people with disabilities on July 10.

In answer to an inquiry, Gershenson addressed a recent announcement that the County's private sector partners have been unable to secure funding for the continued implementation of the wireless Internet service. Service in the existing seven phase one areas is no longer available. It is hoped that service will be restored when additional funding is secured by MichTel Communications. Gershenson expressed her disappointment with the recent developments and will keep Council updated.

Sharon Tischler of 21415 Virmar Court asked for an update on the 13 Mile Road reconstruction project. Spallasso responded that the contractor will be paving in the next few days, but will be coming back to adjust a number of structures within the pavement. Area residents will be able to travel on the fresh base, but the road will be closed to general traffic until some time next week. The project is still over a month ahead of schedule.

Tischler mentioned that petitions for Council are due on August 12. Residents should contact the Township Office if they want to be on the list to receive an absentee ballot for the August Primary Election.

Bob Walsh of 20655 Smallwood Court asked when the actuarial valuation of retiree health care benefits for the Village will be available for review. Spallasso responded that the report will be available in about a month. Walsh voiced his opposition to the Charter Amendment that will be on the August ballot increasing Council terms from two years to four years.

PRESENTATION BY OFFICER FISHER REGARDING ADOPT A SENIOR PROGRAM

Officer Fisher stated that the Beverly Hills Public Safety Officer's Association instituted an Adopt-A-Senior program in 2006 with the purpose of locating, assisting and befriending those seniors who are in need. Officers will occasionally identify a senior in need while responding to a call for service. There is sometimes a need for transportation to a doctor appointment. Officers have checked smoke detectors. Seniors provide the Department with information on how to access their home in an emergency. Frequently, a senior will request that an officer just check in with them occasionally to see how they are doing. Holiday baskets are delivered to residents. There are currently 26 Beverly Hills citizens in the program.

Fisher related that one of the new services that the Department is providing is the Knox-Box, which is a rapid entry system that provides non-destructive emergency access into a residence. Residents are asked to store an entrance key, medical history, and emergency contact data in the box mounted on their door. The cost of these boxes are significant, about \$250. Alliance Ambulance Service purchased three of these boxes for the Village. Fisher displayed a Knox-Box.

Seniors wishing to participate in the Adopt-A-Senior program should contact the Public Safety Department where they will be directed to one of the officers who will enroll them in the program. In answer to an inquiry, Officer Fisher stated that people may make donations to this non-profit service group.

Oen remarked that there is work done for senior citizens through this program by officers volunteering their time. Officer Fisher mentioned that some of the visits are done while officers are on duty; other services are performed on a volunteer basis by officers giving back to the community.

In answer to an inquiry from Sharon Tischler, Fisher stated that an informational sheet on this program is being prepared for distribution at the Village and Township offices. Koss suggested that an article describing the program be included in the next Villager Newsletter.

CONSENT AGENDA

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

- a. Review/consider approval of minutes of a special Council meeting held June 10, 2008.
- b. Review/consider approval of minutes of a regular Council meeting held June 17, 2008.
- c. Review and file bills recapped as of Monday, June 23, 2008.

d. Review and consider approval of work completed by J.H. Hart for tree removal services reimbursable through Metro Act Funds administered by Southfield Township.

Motion passed (7 – 0).

BUSINESS AGENDA

ANNOUNCEMENT OF VACANCY ON FINANCE COMMITTEE

Stearn announced one vacancy on the Finance Committee for a term to expire on June 30, 2011. Residents who are interested in serving on this body can apply at the Village office or print an application from the Village web site and bring it into the municipal office (www.villagebeverlyhills.com). The deadline for receiving applications will be Wednesday, July 9, 2008 at 4:30 pm. A subcommittee of Stearn, Oen, and Peddie will meet on Tuesday, July 15, 2008 at 7:15 pm to review applications and make a recommendation to Council.

DISCUSSION OF FUTURE VILLAGE FINANCES

Stearn related that, following this year's budget process, Council asked the Finance Committee and Administration to provide recommendations on how to approach the financial condition of the Village in future years. Council is in receipt of information and recommendations.

Stearn recalled that this Council promised not to raise taxes when its members ran for office two years ago. Council has maintained services without raising the millage rate or imposing new taxes; but it is time to make decisions about the financial future of Beverly Hills. The choices are to either dramatically cut services or raise the millage rate. State shared revenue has been decreasing each year, housing values are down, and expenses continue to increase. Stearn added that the Village needs to increase its contributions towards unfunded retiree health care costs.

The 2-mil dedicated millage approved by the voters in 1997 for water main and road repair and replacement will drop off the tax roll in 2009-10. Residents could be asked to re-establish that 2 mils for another purpose.

Council could ask for a Headlee override, which would increase revenue by allowing the Village to collect up to the full 11 mils approved by the voters in 1995. The Headlee Amendment required a taxing jurisdiction to roll back maximum authorized tax rates if the taxable value, excluding new construction, increased faster than the rate of inflation. The Village's millage rate has been rolled back every year and is now 9.38 mils. Stearn suggested that Council place a proposal on the ballot for the November election.

Koss concurred that the Village cannot continue to provide the current level of services in the next budget. A Headlee Override millage would be the Village's only recourse for the November ballot because of time restraints involved in the process of initiating a ballot proposal to renew the dedicated millage or requesting additional millage. Koss did not think that the economy would turn around soon nor did she foresee receiving help from anyone else. The Village will have to help itself. She proposed that Council explain the need for a Headlee Override to the residents and specify how the money will be spent.

Members of Council commented on the need to take action. There was agreement that the Village has done a good job of being more efficient and consolidating services. Beverly Hills contracts for library service, trash collection and disposal, sewer repair, and road maintenance. The nature of its Public Safety Department is to provide police and fire service with the same personnel, which is an efficiency.

Peddie suggested that residents should begin to think about what they want in terms of quality of life in the community and what they value in Beverly Hills. This is a bedroom community with most of its revenue coming from property taxes in an economy where housing values are going down.

Pfeifer referred to a discussion she had with David Boerger of SEMCOG, who advises communities on how to cope with fiscal challenges. Council is in receipt of a check list prepared by SEMCOG indicating potential cost-saving measures that can be applied to municipalities. The Village must convince its constituents that it is doing everything in its power to reduce spending before requesting additional funding. Pfeifer suggested working with Mr. Boerger to address the fiscal challenges facing Beverly Hills.

Spallasso outlined the recommendations presented in his memo of May 30, 2008 on how to approach Village finances in future years. All of the suggestions he mentioned would require voter approval with the exception of the trash collection millage. He thought that the voters would support a Headlee Override or renewal of the dedicated millage if they received a clear explanation of how the additional revenue will be used.

Stearn summarized that the Village has been efficient in terms of cutting and combining services as well as outsourcing. Future cuts will be drastic and may involve something the residents want. He expressed the view that the Baldwin Library provides a valuable service to the community but thought that it was time for the voters to decide whether they want to continue to contract for library service. Council will be faced with cutting services or raising the millage rate in order to balance the budget next year without further depleting the fund balance. Council should get the information out to the community and let them decide. He added that Council's job is not to be popular, but to be responsible. It is time to make a community-wide decision.

Koss proposed directing the Village attorney to draft ballot language for a Headlee Amendment Override millage.

Woodrow remarked that Council has been talking about the need to either cut services or raise taxes for the last four years. It is time to do something. Woodrow agreed that the best and quickest solution would be to reestablish the millage cap.

Village Attorney Ryan stated that this is a policy matter of Council. He thought that the simplest option would be to reestablish the 11 mill Charter cap that was approved by the electorate in 1995. It will not solve all future problems; a future council may have to increase the 11 mils.

There was agreement that Council will have to educate the residents on the need for a Headlee Override. Council should effectively communicate the Village's situation if they are going to ask for any alteration in the tax structure.

Bob Walsh of 20655 Smallwood Court stated that Council has to show the residents what it has been doing recently to cut costs. He commented on the need to control employee health care costs of the Village for active employees and retirees. Walsh thought that recent employee labor contracts were settled without adjustments.

Kathleen Berwick of 31381 Kennoway Court commented that she was disappointed to hear that Council would propose a tax increase when they said they would keep taxes low. Every business and government agency in southeast Michigan is making cuts. Berwick was not satisfied with Beverly Hills' cuts and the fact that the Village increased the Public Safety Department staff.

Motion by Stearn, second by Koss, to direct Village Attorney Tom Ryan to draft language for a ballot proposal to ask the residents to reestablish the millage cap at 11 mils.

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

Stearn asked administration for information relative to the timing and feasibility of a separate ballot proposal on the library.

REVIEW AND CONSIDER PROPOSALS FOR MOBILE DATA COMPUTER PURCHASE FOR PUBLIC SAFETY VEHICLES

The mobile data computers (MDC) in the Village's six patrol cars are in need of replacement after seven years. Due to the age of the equipment, parts are no longer available. When the current MDCs were acquired, they were only used to run license plates and names from the cars. An effort is underway to have more tasks that can be done in the vehicle instead of the station (completing reports, completing d-card info and adjusting computer aided dispatch status). The new MDCs have partitioned hard drives, which will allow for local applications, such as patrol alerts, house/building checks and control in-car video functions.

In 2007, CLEMIS evaluated three mobile data computers and found the best fit for future CLEMIS applications to be the Motorola MW810. The price for all CLEMIS departments is a fixed price directly from Motorola of \$5,195.00 per unit plus installation. It is the Department staff recommendation that Village Council accept the quote for six Motorola MW810 MDCs provided by Motorola of Schaumburg, Illinois.

Motion by Peddie, second by Oen, that the Beverly Hills Village Council award the purchase of six Motorola MW-810 mobile work stations in the total amount of \$31,170. Funds are available for this purchase in Account #101-900-980 Capital Purchases.

Questions from Council on this purchase were addressed by Director Woodard.

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

REVIEW AND CONSIDER RESOLUTION PROCLAIMING JULY AS NATIONAL RECREATION AND PARKS MONTH

Motion by Stearn, second by Koss, to adopt the following resolution:

**Village of Beverly Hills Resolution
National Recreation and Parks Month**

Whereas, Parks, recreation activities, and leisure experiences provide opportunities for young people to live, grow, and develop into contributing members of society, and

Whereas, parks and recreation creates lifelines and continued life experiences for older members of our community, and

Whereas, generating opportunities for people to come together and experience a sense of community through fun recreational pursuits, and

Whereas, park and recreation agencies provide outlets for physical activities, socializations, and stress reducing experiences, and

Whereas, parks, playgrounds, nature trails, open spaces, community and cultural centers, and historic sites make communities attractive and desirable places to live, work, play, and visit, in a manner that contributes to our ongoing economic vitality, and

Whereas, parks, greenways, and open spaces provide a welcome respite from our fast paced, high-tech lifestyles while simultaneously protecting and preserving our natural environment and,

Whereas, parks and recreation agencies touch the lives of individuals, families, groups, and the entire community, which positively impacts upon the social, economic, health and environmental quality of our community,

Now, Therefore, Be It Resolved, that we proclaim July as Recreation and Parks Month, and encourage all citizens to celebrate healthy, active lifestyles by participating in their choice of recreation and park activities.

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

PUBLIC COMMENTS

None

REPORTS – MANAGER

The Village offices will be closed on Friday, July 4th for Independence Day. Regular office hours will resume on Monday, July 7th. The Birmingham Fireworks display will be held on Thursday, July 3rd at Lincoln Hills Golf Course at 10 p.m. The rain date is Saturday, July 5th. Spallasso wished everyone a safe and happy holiday.

Spallasso stated that the 2008 summer tax bills were mailed on June 30, 2008. If a resident does not have an escrow account and has not received a tax bill within a week of June 30th, they should contact the Treasurer's Office immediately. Non-receipt of a bill does not negate the owner's responsibility to pay. Village and Township tax bills are due on September 14, 2008. Partial payments and post-dated checks are not permitted.

Spallasso reported that 3,665 new water meters have been installed in the Village.

Koss questioned the status of a stop sign at Locherbie and Birmingham, where a traffic study was done. Spallasso explained the procedure involved with issuing a traffic control order and the 90-day trial period during which Council can approve the order or allow it to expire. He emphasized the need for all traffic control devices to be warranted.

COUNCIL REPORTS

Berndt reported on a positive and a negative experience with the AT&T U-verse product. He thanked the Oakland County Sheriff Department, Rochester Hills substation for giving him a tour of their department and the area.

Oen reported on the Planning Board meeting of Wednesday, June 25. The Board recommended approval of the site plan for a mezzanine expansion to the Beverly Hills Club. The Board is working with the planner on draft ordinance amendment language to accommodate dual membership on the Planning Board and Zoning Board of Appeals and to allow for appointment of two alternate members of the Zoning Board.

Stearn thanked Officer Fisher for coming before Council to communicate with the public on a new program initiated by the Public Safety Department.

Pfeifer announced that the Birmingham Area Seniors Coordinating Council (BASCC) is collecting peanut butter and jelly for the Lighthouse International organization dedicated to providing critically needed vision and rehabilitation services to help people overcome the challenges of vision loss. People can drop off their donation at the BASCC headquarters.

Pfeifer referred to a letter addressed to Council dated June 18, 2008 from the Michigan Public Service Commission informing the Village that their office is responsible for handling video/cable customer complaints. If customers are not able to resolve their complaints with the company, they may contact the MPSC for assistance. Pfeifer noted that assisting with resolution of subscriber complaints has been the responsibility of the Birmingham Area Cable Board. She asked that this new information be included in the next Villager newsletter.

Pfeifer informed Council that the Cable Board has previously funded the municipalities' membership to PROTEC, the Michigan Coalition to Protect Public Rights-of-Way. This was done at the time when the State Uniform Cable Act was being debated and litigated. The Cable Board would consider underwriting the cost of membership of this lobbying group if the communities are interested in continuing their participation in PROTEC. Pfeifer asked Council for an indication of their interest. She would suggest that Council accept the offer to fund this membership if it is the recommendation of the Cable Board.

Pfeifer informed Council that direction is requested in writing from each of the member communities stating that the Birmingham Area Cable Board is empowered to act on their behalf to request the PEG product from AT&T. Only then will the Cable Board be able to investigate equipment, transport, and cost options that will result in the communities' connecting and providing PEG content to AT&T on its U-verse platform. Pfeifer is relying on the Cable Board counsel to provide a draft letter to Beverly Hills.

Koss urged the public to talk to Council members about Village finances. She announced that Mike Palmer from Premier Pets is having a customer appreciation event on Saturday, July 19 from 9 am – 5 pm. There will be activities going on all day.

Woodrow commented on temporary parking restrictions on Village streets related to traffic control for the Birmingham Fireworks Display. He cautioned that parking restrictions will be enforced by the Public Safety Department. He hopes to see residents at this great event.

Motion by Pfeifer, second by Oen, to adjourn the meeting at 9:29 p.m.

Motion passed (7 – 0).

Hugh Woodrow
Council President

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary