

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

Absent: None

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

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 Pfeifer, second by Oen, to add agenda item 'L', "Consider authorizing the Birmingham Area Cable Board to represent the Village of Beverly Hills in researching equipment and costs associated with establishing a broadcast of municipal programming with AT&T".

Motion passed (7 – 0).

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

Motion passed (7 – 0).

### **PUBLIC COMMENTS**

Kathleen Berwick of 31381 Kennoway Court took exception to comments made by members of Council at the July 1 Council meeting. She asserted that these are professional meetings where serious business is conducted; civility and proper decorum should be maintained.

Lynn Talbert, Village resident and employee, said that she has known Renzo Spallasso for the 12 years that she has lived in Beverly Hills, and it has been a wonderful experience. She thanked Renzo for his years of service.

Sharon Tischler of 21415 Virmar Court thought that members of Council have been offensive in their treatment of residents who come forward to speak at meetings, which discourages dialog with elected officials. She asked members of Council to respect those who come before them in order to foster participatory government.

### **CONSENT AGENDA**

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

- a. Review/consider approval of minutes of a special Council meeting held June 28, 2008.
- b. Review/consider approval of minutes of a regular Council meeting held July 1, 2008.
- c. Review and file bills recapped as of Monday, July 7, 2008.

Motion passed (7 – 0).

**BUSINESS AGENDA**

**REVIEW AND CONSIDER EMPLOYMENT CONTRACT WITH CHRISTOPHER WILSON**

Woodrow reported that the Personnel Committee met prior to the Council meeting to discuss the employment contract with Christopher Wilson. It was the consensus of the Committee to recommend Council approval of the contract with two minor changes. Minor modifications were made to clarify contract language on page 4, and his start date was changed from August 1 to August 4, 2008.

Motion by Woodrow, second by Berndt, that the Village of Beverly Hills Council approve the Village Manager contract as amended and authorize the Council President to enter into the contract for employment with Christopher Wilson on behalf of the Village.

Stearn remarked that the Village is gaining the expertise of a very qualified manager, yet it is losing a valued and dedicated employee of 27 years.

In answer to an inquiry, Attorney Ryan stated that he prepared the contract at the direction of the Council President.

Resident Bob Walsh of 20655 Smallwood Court questioned the terms of the contract, which were summarized by Woodrow.

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

Chris Wilson, who was present in the audience, stated that he appreciated the opportunity to follow a professional like Renzo Spallasso. Wilson said that he looks forward to a long and productive relationship with the Village and the Council.

**REVIEW AND CONSIDER PROCLAMATION RECOGNIZING RENZO SPALLASSO, RETIRING VILLAGE MANAGER**

Woodrow read the following proclamation prepared in honor of the retirement of Village Manager Renzo Spallasso.

**P R O C L A M A T I O N**

**Whereas,** Renzo Spallasso faithfully served as Public Services Director for the Village of Beverly Hills from February 17, 1981 to September 10, 2004 and Village Manager from September 10, 2004 to July 31, 2008; and

**Whereas,** during this 27 year period Renzo resourcefully lead the Village through numerous infrastructure projects including the acquisition of federal dollars to improve four critical bridges; and

**Whereas,** Renzo guided the planning, design, construction and installation of the Acacia Park Combined Sewer Overflow Control facility located in the Douglas Evans Nature Preserve which significantly improved the water quality of the Rouge River and

**Whereas,** Renzo worked with great insight, detail, and diligence to implement the Acacia Park Interceptor Relief project providing countless homeowners with relief from basement flooding; and

**Whereas,** residents village-wide have benefited from multiple sewer improvement projects that were completed under the watchful eye of Renzo Spallasso, including the 12 Towns North Arm Relief project, the Garfield relief, the Amherst-Sheridan project, Greenfield Relief, the Rutlands, Evergreen Farmington Sanitary Sewer pump station upgrades and manhole reconstruction; and

**Whereas,** Renzo was a leader for other communities after implementing a sump pump disconnection program and road side swales under drain installation to improve drainage problems faced by the Village; and

**Whereas,** Renzo successfully developed and implemented long-term programs to maintain Village infrastructure providing excellent roads and water mains for future generations; and

**Whereas,** Renzo's expertise was invaluable during the improvements to Beverly Park including parking lot paving, sled hill upgrade, drainage relief, and pavilion reconstruction; and

**Whereas,** during his tenure as manager, Renzo successfully negotiated union contracts; implemented web streaming of Council and Cable Board meetings and initiated the replacement of every water meter in the Village with radio read technology that has significantly reduced staff time and improved meter reading accuracy; and

**Whereas,** over the years Renzo developed superior relationships with surrounding communities, county agencies, and state and federal departments realizing positive outcomes and funding for countless projects.

**Now, Therefore, Be It Resolved,** that Renzo Spallasso be extended a heartfelt thank you from each Village Council member, all staff members and the residents of Beverly Hills for his many contributions to the Village for the past 27 years.

**Be it Further Resolved,** that the Village Council wishes Renzo well in his retirement and extends its best wishes to his wife Marvy, their son Marco, daughter-in-law, Katie and grandchildren Johnny and Maggie in all their future endeavors.

Renzo thanked the Village residents for allowing him to serve Beverly Hills for all these years. He has made many friends and will treasure the memories.

Pfeifer affirmed that Renzo has gained the respect of everyone he has worked with in the Village and at the County and State levels. He will be missed. Peddie thanked Renzo for his help and guidance when she was a new council member. She wished him all the best. Oen added that Renzo has done a great job for the community and will be missed. Berndt related that Renzo treats everyone like they are the most important person who walked through his door.

Wally Alix from Hubbell, Roth & Clark recounted that he met Renzo 23 years ago when they began working on water and sewer projects together. Alix described Renzo Spallasso as straightforward, honest, and a man of moral character. He has taken every residents' complaint seriously over the years and addressed their needs within a short time. The Village has been fortunate to have Spallasso in their employ.

John Mooney of 19111 Devonshire stated that it has been an honor to know Renzo Spallasso for the last 22 years. He accomplished all of the projects listed in his proclamation, many of which were difficult undertakings. Mooney recounted the many infrastructure improvements that were accomplished for the benefit of Beverly Hills residents in no small part to the efforts of Renzo Spallasso. This community would not be what it is today but for the fact that Renzo Spallasso has been working here. Mooney declared that there is no proclamation that could adequately demonstrate the level of our appreciation. He wished Renzo the best in his retirement.

Tom Ryan remarked that Renzo Spallasso is an integral part of this community. He has put this Village out front for all the years he has served Beverly Hills in various capacities. Renzo has been interim manager at least twice during his tenure with the Village. Renzo Spallasso has been directly responsible for maintaining the infrastructure of the Village. He is honest and straightforward; the Village could not ask for a better person to represent their community in the county or state. He will be sorely missed.

**REVIEW AND CONSIDER RESOLUTION CONTESTING THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS-4) PERMIT**

The Michigan Department of Environmental Quality (MDEQ) distributed proposed new MS-4 General Permit language in the fall of 2007. After reviewing the new language, the Alliance of Rouge Communities and SEMCOG (Southeastern Michigan Council of Governments) began discussions with MDEQ staff to revise the permit language. Requirements for the MS-4 communities to comply with the permit language would be very costly and time consuming. Some of the language has been changed over approximately one year of negotiations; however, significant language remains that will cost the Village considerable time, effort and money in terms of compliance.

The Village was notified in a letter from Oakland County Drain Commissioner John McCulloch that Oakland County will also be contesting the permit language. The Village Public Services Director recommends that the Village Council pass a resolution contesting the Municipal Separate Storm Sewer System General Watershed and Jurisdictional Permits in an effort among the Rouge Communities to bring MDEQ staff back to the table to negotiate mutually satisfactory permit language.

Woodrow read the proposed resolution, which is available for public review at the Village offices.

Motion by Woodrow, second by Pfeifer, that the Village of Beverly Hills Council adopt the Resolution contesting the Municipal Separate Storm Sewer System General Watershed and Jurisdictional Permits in an effort among the Rouge Communities to bring MDEQ staff back to the table to negotiate mutually satisfactory permit language.

Questions from Council were addressed by Spallasso. He indicated that there are a number of municipalities in Oakland and Wayne counties that are opposing this measure. Spallasso explained in plain language that the MDEQ expects the municipalities to take responsibility for pollution that goes into the river in terms of high levels of e-coli that comes from wild animal droppings.

Stearn understood that the proposed Council action is addressing an unfunded Federal mandate saying that water quality standards have to be improved. The resolution is sending a message to the State that the municipalities do not see a benefit from these mandates and that it will be costly to comply with the new requirements.

Spallasso stated that the Village cannot afford to comply with the new rules and is requesting further negotiations with the MDEQ regarding the aspect of cleaning up water due to uncontrollable items such as animal droppings. The new mandate would allow the MDEQ to test the water to determine contamination levels and force communities to pay for the clean up. Spallasso asserted that there are no funds available for this.

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

### **REVIEW AND CONSIDER BALLOT LANGUAGE FOR NOVEMBER 2008 ELECTION REQUESTING A HEADLEE OVERRIDE**

Stearn reviewed that there was discussion at the last Council meeting about asking the voters to reestablish the 11 mills approved by the electorate in 1995. Reasons for requesting a Headlee Override ballot proposal are that State Shared Revenue has been decreasing every year while property values have not continued to increase. Expenses continue to rise, and the Village is running low on money. Voters will be asked to make a decision as to whether to renew the 11 mills approved in 1995 or experience reduced services. The next Council would have to decide what those cuts would entail. Stearn expressed the view that residents need to reestablish the 11 mills to preserve our way of life in Beverly Hills. He emphasized that this Council is not raising taxes; it is going to the community and asking the voters to make a decision.

Motion by Stearn, second by Koss that the following ballot proposal be placed before the Village Electors of Beverly Hills at the general election on November 4, 2008 entitled:

#### **“Charter Millage Restoration Proposal”**

Shall the limitation on the amount of taxes which may be imposed on taxable property in the Village of Beverly Hills, County of Oakland, State of Michigan, be increased to restore the 11.00 Village Charter Millage Authorization previously approved by the Village Electors in 1995, which millage has been reduced by the operation of the Headlee Amendment to provide funds for general operating purposes? It is estimated that the 1.6199 mills would raise approximately Nine Hundred Sixty Five Thousand Five Hundred and Fifty Four Dollars (\$965,554) when first levied in 2009.

If approved, the Headlee Override will result in one year of increased taxes before it levels off due to the Headlee Amendment. The current general operating millage rate is 9.3 mills plus an additional 2 mills for sewer and road maintenance/reconstruction. That dedicated millage will drop off the tax roll in 2010.

Woodrow affirmed that this is not a tax increase imposed by Council. Residents will choose whether they want to restore the millage at the level approved in 1995.

Kathleen Berwick of 31381 Kennoway Court commented that auto companies are eliminating jobs and fringe benefits such as retiree medical expenses.

Pfeifer stated that it is up to Council and administration to educate the residents once Council agrees to place this proposal on the ballot.

Koss stated that, pending the outcome of Council's vote, the Finance Committee will meet in August to discuss a plan for educating the residents and moving forward with this proposal. She requested that Council direct the Finance Committee to assist with communicating with the residents if the motion passes.

Peddie asserted that residents have to consider what they want in terms of quality of life. The tax structure and revenue from the residential base will not sustain current services in coming years. She would like Beverly Hills to remain as it is now. As partners in this community, residents have to look at what they want this Village to look like going forward.

Berndt commented on the financial decisions that residents will be making. He emphasized that the money will not be there to maintain services with the continuation of the Headlee rollback, decreased revenue, and increasing expenses. For the average homeowner, restoring the millage rate approved by the electorate in 1995 will cost approximately \$20 per month. Berndt questioned how much this represents compared to what residents may lose.

Woodrow read a letter to Council dated July 12, 2008 from Brad Beausoleil of 31660 Glencoe Drive. Beausoleil agreed that Beverly Hills needs a tax increase to offset the deficit due to the sudden increase in inflation and costs for infrastructure. It was his view that it would be inappropriate to have any increased revenue go towards salary, insurance or any other benefit package for village employees.

David Byrwa, Village Building Official, suggested that the ballot language could be more specific to state that the 11 mils would be used for maintaining general operating services. Ryan responded that the ballot language as proposed is statutorily proscribed and should be used to recapture the 11 mils approved by the voters in 1995.

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

**REVIEW AND CONSIDER ESTABLISHING A VILLAGE-WIDE GARAGE SALE WEEKEND BEGINNING IN 2009**

Assistant Manager Ellen Marshall outlined her proposal to designate a weekend every year to hold an annual Village garage sale. It would increase community spirit and benefit homeowners who have garage sales, because there will be more customers coming into the community. Marshall suggested that the Village sell garage sale signs at a minimal cost to establish uniformity in signage. There would be no cost to the Village. When residents register with the

Village, an address data base will be maintained at the municipal office. The list will be available to the public electronically through email, in person at the Village office, on the Village website and perhaps through Cable Channel 15.

Motion by Berndt, second by Peddie, that the Village of Beverly Hills Council establish the first weekend after Memorial Day as the Village-wide Garage Sale weekend with the inaugural event to begin in calendar year 2009. Residents will purchase two garage sale signs from the Village at a cost of \$3 as homemade signs will not be allowed. A list of participants will be available to the public electronically at the Village office, on the Beverly Hills website, and on Cable Channel 15.

There were comments and questions from Council and the public, which were addressed by Marshall, Woodrow and Public Safety Director Woodard.

Motion passed (7 – 0).

**REFER REQUEST FROM DETROIT COUNTRY DAY SCHOOL TO THE PLANNING BOARD FOR SITE PLAN REVIEW AND SPECIAL APPROVAL FOR CONSTRUCTION OF AN ATHLETIC FIELD**

The Village is in receipt of a request from Detroit Country Day School for site plan and special approval to construct an athletic field on its campus.

Motion by Oen, second by Pfeifer, to refer request from Detroit Country Day School for site plan and special use approval to the Village Planning Board for review and public hearing.

Motion passed (7 – 0).

**REVIEW AND CONSIDER PROPOSED AMENDMENTS TO MUNICIPAL CODE CHAPTER 22, SECTION 22.04 DEFINITIONS AND 22.08.100 ACCESSORY BUILDINGS, STRUCTURES AND USES IN RESIDENTIAL ZONE DISTRICTS**

The Planning Board was directed by Council to review current Village ordinance regulations with respect to garage size as it relates to the size of the house and property. An amendment to the Zoning Ordinance related to accessory buildings has been a topic of Planning Board discussion for some time. Over a number of months, the Planning Board compiled and analyzed data relative to regulating accessory buildings and structures with the intent being to head off potential problems with garages and accessory buildings that are outsized and out of character with a neighborhood.

The planning consultant worked with the Planning Board to develop draft amendments to the Village Zoning Ordinance affecting Section 22.04 Definitions and Section 22.08.100 Accessory Buildings, Structures and Uses in Residential Zone Districts. At its June 25, 2008 meeting, the Planning Board took action to forward draft ordinance amendments to Council for consideration. With Council's approval, the proposed ordinance amendments will return to the Planning Board for a public hearing.

Planning Board liaison Oen outlined the proposed ordinance changes from the draft amendment provided to Council members.

Motion by Oen, second by Pfeifer, to accept the proposed ordinance amendments to Section 22.04 Definitions and Section 22.08.100 Accessory Buildings, Structures and Uses in Residential Zone Districts and forward to the Planning Board for public hearing.

Council members had questions and comments on the proposed ordinance amendments, some of which were addressed by Building Official Byrwa and Attorney Ryan. A number of concerns were raised relative to the ordinance language and intent. Council asked that the Planning Board address the following items:

- Definition of usable floor area.
- Paragraph “i” - why is the Planning Board the determining body and not the Zoning Board of Appeals?
- Paragraph “i” - is it the intent to state “exterior” wall?
- Paragraph “g” – it was suggested to clarify wording, “Garage doors facing the street shall not exceed a total length of 24 feet”, to indicate whether it means the total length of the door or the total length of all the doors.
- There was a concern about including play structures in the definition of accessory structures.

Stearn suggested that consideration be given to whether it would be preferable to see a big garage in a yard or a big vehicle or boat. Ryan noted that the Village has storage regulations.

Ryan clarified that, if new regulations are adopted that make a prior conforming use unlawful, a homeowner can remain with that use as long as it is not expanded or altered substantially from its current usage.

Woodrow expressed his opinion that the Village should not be regulating accessory buildings to the extent proposed. He opposed limiting the square footage of an accessory building to the usable square footage of the house on the basis that this may penalize someone with a small house on a large lot.

Bruce Wayne of 25 Riverbank, Planning Board member, was in support of the ordinance restrictions on accessory buildings that would limit oversized structures. He mentioned that the Planning Board has studied this issue extensively.

The motion will refer the proposed ordinance amendments back to the Planning Board for a public hearing. It will come back before Council for another public hearing before it is considered for adoption.

Roll Call Vote:

Peddie - yes  
Pfeifer - yes  
Stearn - yes

Woodrow - no  
Berndt - no  
Koss - yes  
Oen - yes

Motion passed (5 – 2).

**REVIEW AND CONSIDER APPROVAL REQUEST FROM THE BEVERLY HILLS CLUB AT 31555 SOUTHFIELD ROAD FOR SITE PLAN APPROVAL FOR CONSTRUCTION OF A MEZZANINE EXPANSION**

At its June 2008 meeting, the Planning Board reviewed a site plan for construction of an interior yoga studio addition in the existing mezzanine area of the Beverly Hills Club at 31555 Southfield Road. The Planning Board voted (6 – 2) to recommend approval of the site plan as submitted with recognition that the amount of parking spaces did not meet the requirements of the ordinance.

Oen commented that this site plan has raised issues in terms of deficiencies in the Zoning Ordinance because it does not contain specific standards for a multi-use building. According to the Zoning Ordinance, the athletic club is required to provide 627 spaces. Oen suggested that applying the current ordinance standard would result in an excessive amount of parking for this use.

The Beverly Hills Club currently has 147 spaces on site and a lease agreement with McDonalds for the use of 30 additional spaces, bringing the total on-site and contracted parking to 177 spaces. This does not take into account parking spaces available at the adjacent Bed, Bath & Beyond store. Oen mentioned that the footprint of the building will not increase; total floor square footage will increase not more than 2% of the total building.

Motion by Oen, second by Pfeifer, to approve the site plan as submitted for the interior mezzanine expansion to the Beverly Hills Club at 31555 Southfield Road.

Stanley and Stephen Satovsky were present requesting site plan approval for a mezzanine expansion to the Beverly Hills Club. Stephen Satovsky outlined the proposal for a yoga studio addition of 1,080 square feet in the existing mezzanine area of the building. He emphasized that the club is currently holding yoga classes, but members are not satisfied with the quality of the space compared with yoga studios.

Stearn stated that he has been a member of the Beverly Hills Club and has observed that parking is a problem. Valet parking is offered to alleviate congestion. Stearn understood that the ordinance requirement is excessive, but he believed that the Club has to do something about its problematic parking lot. He suggested sending the site plan back to the Planning Board for a more detailed review of the parking situation.

Koss affirmed that there is a parking problem at BHC. She added that there are safety issues with the parking along that commercial strip.

Village Attorney Ryan proposed that the applicant petition the Zoning Board of Appeals for a variance from the Zoning Ordinance citing a practical difficulty on the basis that the ordinance is outdated. The only body that can grant a waiver from the Zoning Ordinance is the Zoning Board of Appeals. Ryan suggested that Council refer this request to the ZBA for interpretation and/or variance.

Stanley Satovsky asserted that the Beverly Hills Club has more than enough parking and that he would not invest this kind of money on something that would inconvenience patrons. The Club is losing members to other yoga studios that provide the required amenities.

Stephen Satovsky mentioned that the planning consultant remarked that the parking required by the ordinance was sufficient for a Wal-Mart store. He noted that there are peak times of use at the club and peak seasons that effect parking use. The existing parking on the site and leased parking from McDonalds bring the number of spaces above the minimums cited by the planning consultant. The Beverly Hills Club would have the ability to comply with the low end of the range of parking required in national studies and other ordinances that are not based on occupancy.

Satovsky stated that the Beverly Hills Club is a multi-purpose building. The Village Zoning Ordinance requires one parking space for each three patrons based upon the maximum occupancy established by the building code, plus one space for each employee at peak shift and other spaces required for affiliated uses. The ordinance does not contain specific standards for an indoor recreation or fitness center. Satovsky divided the building into its various areas of use (tennis courts, aerobics studio, swimming pool, basketball, fitness area, yoga studio) and determined the maximum number of people who could be using each facility at one time in order to calculate parking requirements. Satovsky stated that a total of 131 parking spaces are required using these calculations. There are 147 spaces on site.

Stephen Satovsky related that the athletic club underwent an expansion in 1999 of about 1,300 square feet. Plans for that proposal were reviewed and approved by the Village Planning Board and Council. This was prior to the contract with McDonalds to lease parking spaces. Satovsky emphasized that they are trying to run their business effectively and be a good member of the community.

Spallasso commented that there may not have been a written agreement, but the owners of the Beverly Hills Grill, Bed Bath & Beyond, and the Beverly Hills Club have committed to sharing the parking in front of Bed Bath & Beyond on Southfield Road. He thinks it has worked well for the most part.

Council discussed the parking issue. There was agreement that the Beverly Hills Club was an asset to the community. The building has existed for many years and there have been issues with parking in the past. The Club has made efforts to address its parking situation by leasing extra spaces and has provided valet parking at certain times. The footprint of the building is not being expanded by this interior addition.

Members of Council suggested that there are ordinances and procedures in place, and every applicant should follow the same rules. The point was made that it was inappropriate for Council to approve variances from the ordinance.

Roll Call Vote on Motion:

Pfeifer	- yes
Stearn	- no
Woodrow	- yes
Berndt	- no
Koss	- no
Oen	- no
Peddie	- yes

Motion failed (4 – 3).

Motion by Stearn, second by Koss, that the request of Beverly Hills Club at 31555 Southfield Road for site plan approval of a mezzanine expansion be referred to the Zoning Board of Appeals for an interpretation, decision, and/or variance from the Zoning Ordinance relative to parking requirements.

Motion passed (7 – 0).

**ANNOUNCEMENT OF VACANCY ON THE FINANCE COMMITTEE**

Stearn announced one vacancy on the Finance Committee for a term to expire on June 30, 2011. The deadline for receiving applications will be Wednesday, July 30, 2008 at 4:30 pm. 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](http://www.villagebeverlyhills.com)). A subcommittee of Stearn, Oen, and Peddie will meet on Tuesday, August 5, 2008 at 7:15 pm to review applications and make a recommendation to Council.

**REVIEW AND CONSIDER PROPOSALS FOR PUBLIC SAFETY STAIRWAY REPAIR**

Peddie stated that there is a need to replace damaged stair treads/risers in the stairwells of the Public Safety Building. Funds are available for this expense in the Public Safety Building and Grounds line item for the FY 2008/09 budget. Quotes were received, and the low bid was from Floorworx, Inc. of Wixom in the amount of \$2,451.86.

Motion by Peddie, second by Koss, that the Village of Beverly Hills Council award the purchase of the specified stairway tread and riser repairs to Floorworx, Inc. of Wixom in the amount of \$2,451.86. Funds are available for this purchase in Account #101-345-934 Public Safety: Building & Grounds.

Motion passed (7 – 0).

**SET PUBLIC HEARING DATE OF AUGUST 5, 2008 TO CONSIDER REPROGRAMMING 2008 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

Council set a public hearing date of August 5, 2008 to consider reprogramming Community Development Block Grant 2008 Minor Home Repair allocation.

**CONSIDER AUTHORIZING THE BIRMINGHAM AREA CABLE BOARD TO REPRESENT THE VILLAGE OF BEVERLY HILLS IN RESEARCHING EQUIPMENT AND COSTS ASSOCIATED WITH ESTABLISHING A BROADCAST OF MUNICIPAL PROGRAMMING WITH AT&T**

Pfeifer stated that AT&T made a presentation at a recent Cable Board meeting to explain how PEG (public, education, government) channels are received on its U-verse system. The Cable Board understands that AT&T subscribers would like to have access to municipal channels and that the best way to bring that programming to them would be through the consortium communities working together. AT&T representatives have indicated that they need written authority from each community before they would address the transmission issue with the Birmingham Area Cable Board.

Pfeifer proposed that Council authorize the Cable Board to represent Beverly Hills in acquiring the necessary information to identify equipment and develop a cost analysis. There will be no cost to the Village; this expense will be funded from PEG fees paid by subscribers as part of their bill for service.

Motion by Pfeifer, second by Stearn, that the Beverly Hills Village Council authorize the Birmingham Area Cable Board to represent Beverly Hills in acquiring the information necessary to identify equipment and costs associated with establishing a broadcast of municipal programming with AT&T.

Motion passed (7 – 0).

**PUBLIC COMMENTS**

Sharon Tischler of 21415 Virmar Court questioned the status of the Thirteen Mile Road reconstruction.

**REPORTS – MANAGER**

Spallasso reported on the status of the Thirteen Mile Road reconstruction project and indicated that the road would be open to the public by the end of next week. He informed everyone that there have been 3,367 water meters replaced in the Village to date.

Spallasso referred to the positive remarks made and the accomplishments attributed to him tonight, and said that he could not do the job he has done over the years without a good staff. He cited and thanked each member of the Village staff.

**COUNCIL**

Oen referred to the parking issue discussed as part of the site plan request from the Beverly Hills Club. He pointed out that there is a need to review and update Village parking ordinance requirements.

Stearn stated that there are residents who attend meetings regularly and criticize Council without offering positive or constructive ideas. He would like to have a cross section of residents attend meetings and express their views so Council knows what people are thinking. Stearn urged members of the public to come forward and voice their comments and concerns.

Stearn said that the community needs to start talking about the millage proposal that will appear on the November ballot. This community has had a mantra to spend on needs and not to spend on wants. Councils have tried to live by that and be as frugal as possible over the years and decades. Beverly Hills has reached a point where it can no longer afford the needs such as the library, infrastructure repair, and public safety. Residents will have to decide whether to renew the 11 mil Charter cap approved in 1995 by the voters or start cutting services. Stearn hoped that voters will research the issues rather than trust misinformation. He invited people to contact the Village finance director with their questions.

The Parks and Recreation Board meeting of July 17 was canceled. It will meet next on Thursday, August 21. Stearn invited residents to attend the Finance Committee on Tuesday, August 12. Stearn thanked Director Woodard for providing Council with the Public Safety Department activity statistics. He welcomed Chris Wilson and again thanked Renzo Spallasso for his service.

Pfeifer stated that the Birmingham Area Cable Board will meet tomorrow morning, July 16 at 7:45 a.m. Pfeifer reminded residents who use absent voter ballots not to forget to turn over their ballot and fill out the reverse side of the sheet.

Koss commented that resident Ken Bondy expressed his satisfaction with Car Trucking, the Village's rubbish removal contractor.

Woodrow announced that there will be an open house to say goodbye to Renzo Spallasso on July 31<sup>st</sup> from 4-6:00 p.m. in the Village municipal building.

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

Motion passed (7 – 0).

**Hugh Woodrow**  
**Council President**

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

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