

Present: President Stearn; President Pro-Tem Koss; Members: Berndt, Briggs, Mooney and Peddie

Absent: Oen

Also Present: Manager, Wilson
Assistant Manager, Marshall
Director of Public Safety, Woodard
Village Attorney, Ryan

President Stearn 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 Mooney, second by Koss, that the business agenda be amended to add item c., “Review and consider instructions to Finance Committee regarding campaign literature”.

Motion passed (6 – 0).

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

Motion passed (6 – 0).

PUBLIC COMMENTS

Kathleen Berwick of 31381 Kennoway Court stated that Beverly Hills has recently experienced a number of daytime burglaries and home invasions. Residents should become more attentive and report suspicious activity to the Public Safety Department. She recommended that the Village do the following: 1) Report crimes to local, city and county newspapers; 2) Reinstate an Operation Identification program; 3) Implement Neighborhood Watch Program; 4) Borrow a film on security and safety from the Pontiac Police Department and air it on cable channel 15; 5) Be responsible for prompt communication regarding criminal activity; 6) Public safety vehicles should be visible in the neighborhoods; 7) The Public Safety Director should present a crime report at each Council meeting.

Doyle Downey, temporarily residing at 20072 Wellesley, related that there was a fire at his home recently. He reminded residents to secure a copy of a flyer available at the Public Safety Department entitled, “Family Disaster Plan”. People should have fire extinguishers readily available and check their smoke detectors to make sure that they are working. Downey thanked the Public Safety Department for responding quickly to a call from neighbors and saving the first floor of his home. He personally thanked friends and family who assisted his family during this difficult time.

Sharon Tischler of 21415 Virmar Court questioned an item on the list of bills on the consent agenda having to do with the amount of the Village’s water bill. Manager Wilson will look into this and get back with her.

CONSENT AGENDA

Motion by Mooney, second by Koss, to approve the consent agenda as published:

- a. Review/consider approval of special Council meeting minutes of November 22, 2008.
- b. Review/consider approval of special Council meeting minutes of November 24, 2008.
- c. Review/consider approval of regular Council meeting minutes of December 2, 2008.
- d. Review and file bills recapped as of Monday, December 8, 2008.

Motion passed (6 – 0).

BUSINESS AGENDA

ACCEPT JACK FAHLEN’S RESIGNATION FROM THE ZONING BOARD OF APPEALS AND MAKE FIRST ANNOUNCEMENT OF VACANCY

Wilson stated that the Village has received notice of Jack Fahlen’s resignation from the Zoning Board of Appeals after 35 years of service.

Motion by Berndt, second by Koss, to accept the resignation of Jack Fahlen from the Zoning Board of Appeals with deepest regret.

Berndt said that it is remarkable that Mr. Fahlen has served as an outstanding member of the Zoning Board for 35 years. His wisdom and institutional knowledge will be missed.

On behalf of Council and the entire Village, Stearn thanked Jack Fahlen for his volunteer service on the Zoning Board. Stearn made the first announcement of a vacancy on the Zoning Board of Appeals. He asked interested individuals to submit an application to the Village office by Wednesday, January 14, 2009 at 4:30 p.m. Applications are available on the Village web site and at the Village office.

Motion passed (6 – 0).

REVIEW AND CONSIDER PROPOSALS TO PURCHASE AN EVIDENCE CAMERA FOR THE PUBLIC SAFETY DEPARTMENT

Wilson stated that Public Safety Director Woodard has submitted a proposal to purchase a camera for the purpose of processing evidence. There were three bids received for this equipment, with a low bid of \$1,985 from Ritz Camera in Troy. Funds for this purchase are available through a trust that was left to the Village for the purpose of public safety equipment.

Director Woodard stated that the request is to purchase a digital camera with more advanced features that would be utilized at crime scenes to document images that must be maintained in the records. He addressed questions from members of Council and the public.

Motion by Peddie, second by Briggs, that the Beverly Hills Council award the purchase of one Nikon D90 digital SLR camera system (camera, telephoto and close-up lenses, flash unit and memory card) to Ritz Commercial Camera Sales of Troy, Michigan in the amount of \$1,985. Funds are available for this purchase in account #401-905-982.00; Public Safety Equipment Fund (Gajda Trust).

Roll Call Vote:

Koss - yes
Mooney - no
Peddie - yes
Stearn - yes
Berndt - yes
Briggs - yes

Motion passed (5 – 1).

REVIEW AND CONSIDER INSTRUCTIONS TO FINANCE COMMITTEE REGARDING CAMPAIGN LITERATURE

As liaison to the Finance Committee, John Mooney prepared a written assignment to the Committee outlining direction from Council to evaluate specific portions of campaign literature circulated through the Birmingham/Bloomfield Eagle newspaper and to determine the validity of allegations of mismanagement of Village finances and malfeasance by Council and Administration. Mooney thought that it was in the best interest of the Village for the Finance Committee to look at this.

Mooney was present at the December 9, 2008 meeting of the Finance Committee. He related that there was an indication by one of the senior members and the chair of the Finance Committee that the assignment was an insult to them and a waste of the talent of the Committee members. Mooney said that it was not his intention to waste the time of the Finance Committee nor insult them. He noted that the Committee did come to a decision to pursue the assignment.

Motion by Mooney, second by Koss, that Council withdraw its instructions to the Finance Committee to conduct an independent investigation into allegations made in campaign literature circulated through the Birmingham/Bloomfield Eagle newspaper; further to instruct the Council liaison to communicate to the Finance Committee that they should not conduct the investigation as requested.

Berndt expressed concern that a committee that was constituted to respond to the needs of Council would voice a negative response to an assignment from Council. Mooney clarified that this reaction was not conveyed by a majority of the Committee members. He believed that it would be in the best interest of the Village to withdraw the assignment.

Stearn mentioned that there has been criticism directed at Council regarding this item. He supported withdrawing the assignment and moving on to other pressing matters.

Motion passed (6 – 0).

PUBLIC COMMENTS

Rukni Abboud of 18207 Gould Court voiced several points to reinforce the presentation he made at the December 2, 2008 Council meeting in reference to the Beverly Hills Club request to rezone Lot #5 of Gould Court from R-3 single family residential to P-Parking district. Abboud

indicated that he would like to exhaust every resource to resolve this rezoning matter amicably before taking legal action.

Abboud presented circumstances that he believed constituted a conflict of interest with respect to action taken on the rezoning proposal. He did not think that non-owners of property should be allowed to request rezoning and that the Village should require the legal property owner to apply for rezoning of their property. Abboud urged Council to revisit the issue of the proposed spot zoning on the basis that it is not in the best interest of the residents of Beverly Hills nor the families who have made their homes on Gould Court. He wished everyone a happy holiday.

REPORT – MANAGER

Wilson commented on the recent rash of break-ins experienced not only in Beverly Hills but in the region. There has been discussion about improving communication between administration and Council and, further, between the Village and residents. This was a matter raised at the Council goal setting meeting last month. Ms. Marshall is working on a village-wide email address list needed to undertake a notification program. Recent criminal activity and the ability of the schools to alert families emphasized the need for the Village to implement a better process of notifying residents when there is a matter of importance to communicate.

Stearn questioned the status of the Beverly Hills Neighborhood Watch Program. The Public Safety Department under the leadership of Sergeant Mike Vargas has been attempting to reinstate a neighborhood watch program. Director Woodard stated that it is an ongoing process trying to establish and maintain contact with active neighborhood associations in the Village and inform them that the program exists. Sgt. Vargas has received responses from several homeowner groups and has given his presentation to a few of the groups.

Stearn commented on the good intentions of the Department in its effort to initiate the neighborhood watch program and generate a corps volunteers in the community. There has been a lack of participation, but the Public Safety Department stands ready to provide this community resource. Stearn urged interested individuals to volunteer their time and energy to work with public safety to get the neighborhood watch program going.

REPORTS - COUNCIL

Peddie reported that the Baldwin Public Library is investigating the possibility of becoming a district library. The library board is in the process of establishing a committee and gathering information over the coming months.

Mooney commented that he returned to Council after a ten year absence to a town that he hardly recognized. Mooney questioned some of the comments made by residents with respect to eliminating services that he believes are essential to the welfare of the community. He talked about the importance of providing communication with families and a public safety presence to teenagers through the school liaison officer program; the services provided by the code enforcement officer; the rationale for cutting police officers at a time when there is serious crime in nearby communities. Mooney commented that the Village pays 10% of the cost of operating the Baldwin Library when it has 35% of the users. There are 500 families in Beverly Hills whose kids play baseball in Beverly Park and expect that the grass will be cut. These are services that

are in jeopardy due to the defeat of the millage restoration proposal. Mooney wants to retain the Beverly Hills he cares about.

Berndt remarked that the focus of Council in the coming months will be on the financial state of the Village and preparing a balanced budget. He questioned how Council can eliminate services without fundamentally changing the place in which we live. Difficult decisions will be made. Berndt encouraged residents to attend Council meetings and be a part of the process. He also urged citizens to consider participating in the Village's Neighborhood Watch program.

Stearn wished everyone a happy holiday and happy new year. He mentioned that Council will schedule budget study sessions after the first of the year.

Motion by Mooney, second by Koss, to adjourn the meeting at 8:21 p.m.

Motion passed (6 – 0).

Todd Stearn
Council President

Ellen E. Marshall
Village Clerk

Sue Bernard
Recording Secretary